UNITED STATES OF AMERICA

Congressional Record

PROCEEDINGS AND DEBATES OF THE 110th CONGRESS

FIRST SESSION

VOLUME 153—PART 3

FEBRUARY 5, 2007 TO FEBRUARY 16, 2007

(PAGES 3025 TO 4578)

UNITED STATES GOVERNMENT PRINTING OFFICE, WASHINGTON, 2007

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SENATE—*Monday, February 5, 2007*

The Senate met at 2 p.m. and was called to order by the Honorable MARK L. PRYOR, a Senator from the State of Arkansas.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Great and everlasting God, who was and is and is to come, inspire all who work on Capitol Hill. Help us to see Your image in each other and to draw strength from an awareness of Your sovereignty. Empower us to serve with a spirit of humility and gratitude, remembering that to whom much is given, much is expected.

Strengthen our Senators. Give them the wisdom to know Your will and the courage to obey Your precepts. May they comprehend Your vision for our Nation and world, becoming instruments for Your glory. Lord, fill them with Your power so that no weapon formed against them will prosper. Help them to view the shortcomings of others with patience and to be grateful for the exemplary virtues they witness each day.

We pray in Your glorious Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable MARK L. PRYOR led the Pledge of Allegiance, as follows:

> I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will read a communication to the Senate from the President pro tempore (Mr. BYRD).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, February 5, 2007.

To the Senate:

Under the provisions of rule I, paragraph 3 of the Standing Rules of the Senate, I hereby appoint the Honorable MARK L. PRYOR, a Senator from the State of Arkansas, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. PRYOR thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, the Senate will be in a period of morning business until 4 p.m. today. During morning business, Senator BYRD is to be recognized for up to 60 minutes. At 4 p.m. we will resume debate on the motion to proceed to S. 470, the sense-of-Congress language relating to Iraq. Last Thursday I moved to proceed to that bill and filed a cloture motion. That vote is slated to occur today at 5:30.

ORDER OF PROCEDURE

I now ask unanimous consent that the time from 4 to 5:20 be equally divided and controlled between the two leaders or their designees, and the final 10 minutes prior to 5:30 p.m. be equally divided between the two leaders, with the majority leader controlling the last 5 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

IRAQ RESOLUTION FILIBUSTER

Mr. REID. Mr. President, all across America this past weekend, and even this morning in schools, cafés, pool halls, I am sure, churches, synagogues, military bases, and all offices, people are talking about this war in Iraq. They are talking about President Bush's plan to escalate the war in Iraq—or "augment," as the amendment of the Senator from Virginia talks about. But if you look in the dictionary, "augment" and "escalate" have the same definition. So every place in America people are talking about Iraq—every place, that is, except in the Senate. I say that because in press conferences held, in statements made by the Republican leader, they have stated there will be no ability to proceed to the debate on this most important issue.

According to my counterpart, the Republican leader, the Republican Senators are going to say no and, he says, without exception. What does this mean? That we are not going to be able to move to proceed to this debate? What is more important than what we are trying to do here today; that is, move forward on a debate on Iraq? As I said, they are doing it every other place in America. Why shouldn't we be able to do it here in the Senate? We learned on Friday—it was continued over the weekend—that the minority is going to do everything in its power to block an Iraq vote. Are they so worried that a bipartisan majority of Senators might voice their opposition to this escalation; so worried that these Senators are going to prevent any Iraq debate?

Remember, this is a very delicate time in the history of our country. Not only do we have the Iraq debate to worry about, but we also, because of the mess, frankly, that was left by the prior majorities in the House and Senate, have no ability to fund this Government after February 15. We have to do that. This has to be completed by a week from this Friday.

I received letters from Republican Senators. They are going to filibuster the continuing resolution, which means I have to move forward on this to keep the Government from shutting down. Our inability to go forward on the Iraq debate means we may not have the Iraq debate. Remember, we have lost, already, several days. We should be debating this right here today rather than having to vote at 4:30 on whether we can proceed on it.

What is the excuse—and I say excuse—that they are not going to let the American people hear the Senate debate the escalation of the war in Iraq? This claim—and I might say, it is a feeble claim—that they haven't been

● This "bullet" symbol identifies statements or insertions which are not spoken by a member of the Senate on the floor.

guaranteed a vote on amendments is not credible. It is simply not true. They have rejected, through their leader—they, the Republicans—three compromises that would have permitted the Senate to vote on the President's plan. I have done this privately. I have done it publicly.

I offered to schedule an up-or-down vote on McCain—that is a resolution supporting the President's plan—and on the Warner-Levin resolution in opposition. That is votes up or down on these two amendments. This offer was rejected.

We then offered the Republican leadership up-or-down votes on those two resolutions I just talked about and they had another one. The Republican leader had another one. I read it. It is the Gregg amendment. So we said let's go ahead and vote on that. I was turned down there also.

I don't know what more we can do. I even went one step further and said we will hold supermajority votes, 60 votes, on WARNER and on MCCAIN, two separate votes, 60 each. What more could we do? These were rejected. I have said this publicly, but I said it privately—and there were all kinds of witnesses to my conversation with the Republican leader—the Republican leader obviously can't take "yes" for an answer. They have been given all they asked. It is clear their actions are not driven by getting votes on Republican proposals, they are not being driven by getting votes on Republican proposals; they are driven by a desire to provide political cover.

The majority can't rubberstamp the President's policies on Iraq anymore so they decided to stamp out debate and let the actions in Iraq proceed unchecked. America deserves more than a filibuster on the President's flawed plan to add 48,000 troops to Iraq. It is not 21,000. The war in Iraq has taken a great toll on our country. Well more than 3,000 American soldiers have been killed, 24,000 or 25,000 of them wounded, a third of them missing eyes—head injuries. We have 2,000 who are missing limbs.

The war has strained our military. I have been told by leaders at the Pentagon that we do not have a single Army unit that is nondeployed that is battle ready.

Mr. BYRD. Would the Senator say that again, please?

Mr. REID. We do not have a single, nondeployed Army unit that is ready to go to war. We have depleted our Treasury over $400 billion—some say $500 billion.

Look at this. The Congressional Budget Office is a nonpartisan entity set up by this Congress. According to the Congressional Budget Office, a surge of 21,500 combat troops really means up to 48,000 more troops when support personnel are counted. And, remember, the 3,180 American soldiers who were killed were not all combat troops. They were truckdrivers, they were working in commissaries, they were doing all kinds of things to support the combat troops.

So we are saying it is not 21,500, it is 48,000, and it is going to cost, this little surge, an additional $27 billion. If the President wants to escalate the conflict and send, according to CBO, 48,000 more troops, given these costs alone—that is $27 billion in addition—it is important the Senators have an opportunity to vote up or down on escalation.

But it is even more important because there is widespread opposition in Congress and the country to the President's plan. Those we trust the most do not believe escalation is the right way forward. America's generals don't support this. What does General Casey say? When he was in Iraq he said, I don't think this is going to work. General Abizaid said the same thing. Many others have told us the same thing.

More troops will not bring stability to Iraq. The Iraq Study Group sent this project in another direction. They made very different recommendations. America's generals—of course, they do not support this. The American people do not support the escalation. Look at any public opinion poll—Democrats, Republicans, Independents. The President has heard from the Prime Minister of Iraq, al-Maliki, that he doesn't want more troops in Baghdad; he wants American troops to leave Baghdad. He told the President that to his face. This is the message President Bush has heard from the generals, the people, the Iraq Study Group, even the Iraq Prime Minister. Now the President should hear from Congress. But is he going to? Perhaps not. The President must hear from Congress that he stands alone. A loud bipartisan message from this body will give him another opportunity to listen and to change course to a plan that gives our troops the best chance for success and gives the country of Iraq the best chance for stability.

Is there anyone who does not think this is an important debate? Is there anyone who believes the Senate should remain silent on the most pressing issue facing the country today? Unfortunately, the answer is yes. According to the Republican leader, all Republican Senators will vote not to proceed.

We are running out of time to find a new way forward in Iraq. That is certainly clear. Americans and our troops have waited 4 years for the Senate to get off the sidelines on this issue. They shouldn't have to wait longer for a new direction in Iraq because the minority wants to protect their politics at home.

We have seen politics in this war before. Politics gave us "Mission Accomplished." Remember that? On the aircraft carrier, the President dressed in a flight suit said: The mission is accomplished; we have won in Iraq. Politics gave us the Vice President who said the insurgency was in its last throes, and the President saying: There are insurgents? Bring them on. Politics gave us a Vice President who promised America we would be greeted as liberators. So we have had enough of this politics for 4 years into this war—4 years.

What we need is a strategy that will succeed in Iraq, a strategy that is not an escalation. Last week, America's intelligence communities provided their latest estimates of conditions on the ground in Iraq. The picture they painted was bleak and was backed by events this past week in Iraq. Every day, with rare exception, this is what we see out of Iraq: More than 200 people killed—more than 200 people. Hundreds and hundreds injured. It was a 2,000-pound bomb in a marketplace. The Iraqi Interior Ministry, which has been very conservative, said last week that at least 1,000 were killed in Iraq. Two million, it was reported over the weekend, have left Iraq—2 million Iraqis have left Iraq.

We don't need the unclassified assessment of our intelligence community to know things aren't going well in Iraq—and that is an understatement—that the present strategy has failed and there are only nonmilitary solutions to address Iraq's problems. That is why the military surge makes no sense.

Again, the National Intelligence Estimate came out last week. It was months overdue, but it did come out. Here are some of the things it talked about. This is from our own intelligence agencies:

> Even if violence is diminished, Iraqi leaders will be hard-pressed to achieve sustained political reconciliation in the time frame of this estimate.

Listen to this next one:

> Iraq has become a self-sustaining inter-sectarian struggle.

This is not HARRY REID. These are the finest, the people who are doing their very best to make America safe. The National Intelligence Estimate:

> The term "civil war" accurately describes key elements of the Iraqi conflict, but does not adequately capture the complexity of the conflict.

I have been saying, and the American people have been saying, for months this is a civil war. It is a civil war, but it is more than a civil war.

The National Intelligence Estimate:

> The involvement of these outside actors, Iran and Syria and Iraq's neighbors, is not likely to be a major driver of violence or the prospects for stability.

In effect, they are saying the President is now sending battle carrier groups off the waters of Iran because he is trying to blame them for everything that is going on in Iraq. That is not credible.

Am I saying Iran is the good guy on the block? Of course not. But let's not say they are the cause of all the trouble in Iraq because they are not.

The National Intelligence Estimate:

> A number of identifiable developments could help to reverse the negative trends driving Iraq's current trajectory. They include, again, military solutions. Broader Sunni acceptance of the current political structure and federalism, significant concessions by the Shia and the Kurds, a bottom-up approach, mend frayed relationships between tribal and religious groups.

Mr. President, we need to work to come to a political solution for the problems in Iraq.

Surging U.S. military forces is not a development that is going to help in Iraq. That is because there is no military solution. Military escalation would not end this conflict that is more complex than a civil war. Military escalation would not make it easy for Iraqi leaders to achieve political reconciliation. Military escalation would not bring an end to Iraq's internal sectarian struggle.

Mr. President, as I said when I started, all over America today people are talking about what is going on in Iraq—every place you want to talk about, whether it is the water cooler at the office or truck drivers on their CBs talking back and forth to each other. It is in schools all over America, from elementary to college, talking about what is going on in Iraq. But in the Senate, are we going to have a debate on it? We have been told "no."

The problems in Iraq are long term. Yet military escalation is a strategy that is shortsighted. This is the message President Bush has heard from the generals, the people, the Iraqi Prime Minister, the Iraq Study Group, and now he must hear from Congress. I hope this afternoon my Republican colleagues will do what is right and allow this important debate to go forward.

I don't know if the Republican leader wishes to be recognized, but I ask unanimous consent that the Senator from Illinois, Mr. DURBIN, be recognized for up to 10 minutes.

The ACTING PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered.

Mr. DURBIN. Mr. President, I yield to the minority leader, if he wishes to speak first.

IRAQ DEBATE

Mr. McCONNELL. I thank my friend from Illinois. Mr. President, this whole discussion can best be described as a bump in the road. The majority leader and I had a number of discussions last week about how to proceed with the Iraq debate. There is no reluctance on this side of the aisle to have that debate. In fact, we had a number of different Republicans who had different approaches to offer in anticipation of the Iraq debate this week. We hear there are different approaches on the Democratic side as well.

In an effort to reach a unanimous consent agreement, we pared down our requests to two resolutions, one by Senator McCAIN and Senator LIEBERMAN that basically embodied benchmarks for the Iraqi Government and one by Senator GREGG, a very important resolution that should be voted on in the Senate that deals with the issue of whether the Senate believes we should cut off funds for the troops. This vote this afternoon should not be misunderstood. This is a fairness vote. This vote this afternoon is a vote to insist that the minority have a fair process in going forward to this very important debate. I think I am safe to say every single Republican shares the view it is not requesting too much of the majority to have a fair process. We could have asked for many more than two resolutions. There were several other Members of the Senate on this side of the aisle who had what they thought were good ideas that should have been put in the queue.

With regard to what the vote should be, this is the Senate. With the exception of the budget resolution, I can't think of anything in the Senate we have dealt with in my memory, except some kind of consent on a noncontroversial matter, that didn't require a 60-vote threshold. That is routine in the Senate. That is not extraordinary; that is ordinary. So what could be done and should be done—and I hope will be done sometime today—is the majority leader and myself will sit down and come up with a reasonable list of resolutions, all of them, as everything else in the Senate, subject to a 60-vote threshold. In fact, our good friends on the other side of the aisle in the previous Congress went to great lengths to establish that there even ought to be a 60-vote threshold for judges, something that had not been the norm in the Senate. So it looks to me like where we are today is that everything in the Senate requires 60 votes. Why would we not have a 60-vote threshold for the most important issue in the country right now: The Iraq war? So, of course, we think it should be dealt with in the same way that other issues are dealt with in the Senate.

So make no mistake about it. This vote at 5 o'clock doesn't have anything whatsoever to do with scuttling the Iraq debate. We welcome the debate. We are happy to have it. But the minority will insist on fair treatment, and our definition of fair has been pared down to two resolutions. And all of the resolutions, as everything else we consider in the Senate, would be subject to a 60-vote threshold.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

Mr. REID. Fairness. You start throwing the 60-vote number around when you have something to hide or you want to stall, and it appears that is the case here. We have offered the Republicans an up-or-down vote on Warner, an up-or-down vote on McCain, and an up-or-down vote on the matter relating to Senator GREGG. How much fairer could you be on that? We have heard in this body from the Republicans for years now: Up-or-down vote, up-or-down vote. We want an up-or-down vote.

That is what we want. Why should there be an arbitrary ruling by the minority that this take 60 votes as to how people feel about the Warner amendment or the McCain amendment?

Mr. McCONNELL. Would the majority leader yield for a question?

Mr. REID. Sure.

Mr. McCONNELL. Isn't it true that any one Member of the Senate, just one Member of the Senate could insist that there be a 60-vote threshold on this issue?

Mr. REID. Mr. President, nearly everything we do in this body—and I will be happy to respond to the distinguished Republican leader—nearly everything we do in this body is determined by unanimous consent. We have matters that come before this body—and that is how we get here, is with unanimous consent. I can't imagine why there would be anyone who would require 60 votes unless they didn't want us to go forward—unless they didn't want us to go forward. That obviously is the message we are giving around the country. Look at any newspaper: "GOP Threatens to Block Vote on Resolution." That, Mr. President, is USA Today. That is only one newspaper. They are all over America, the same thing.

This is an effort to stop. For every day we are not able to debate the Iraq resolution means one less day, and maybe we would not be able to get to it because of the continuing resolution. As I said earlier, we have been told by letters I received from Republicans that they are going to filibuster the continuing resolution. Today, starting today whenever we came in—and we came in late because we knew we had this procedural vote—we should have been debating Warner and McCain, but we are not. And now, if cloture is invoked, there is 30 hours after that before we can get to debating this and by then, frankly, it is too late. We will not be able to do it because of the continuing resolution.

Mr. McCONNELL. Would the majority leader yield for a question?

Mr. REID. Of course.

Mr. McCONNELL. Let me repeat my question. Isn't it true, I say to my good friend, the majority leader, that any one Member of the Senate could ensure that a matter has to receive 60 votes?

Mr. BYRD. Could do what, may I ask?

Mr. REID. Could ask for 60 votes. I say to my friend, hypothetically that is true, but that is the way it is with many things in this body. But that person would have to come forward, identify themselves, and stand up and say: I do not want the debate on Iraq to go forward. This is a little difficult to do with the situation where, as I said before, everybody in America wants this debate to go forward. So let's hear somebody on the other side stand up, akin to a Senator who believes in something, and say: I don't want this debate to go forward.

The ACTING PRESIDENT pro tempore. The Republican leader.

Mr. McCONNELL. Mr. President, let me say that there are many Members on my side who would argue we should not be having this debate this week at all. I hope none of those watching this on C–SPAN or any people in the gallery are confused. A 60-vote threshold is routine in the Senate. It is the ordinary, not the extraordinary. There was really only one exception to that, and that was the consideration of judicial nominees. My good friends on the other side of the aisle spent an enormous amount of time in the last couple of years trying to establish a 60-vote threshold for that as well.

There is nothing the minority is asking for that is in any way extraordinary, nothing extraordinary about it at all. It is really quite ordinary. We are prepared to have a debate on Iraq this week. We look forward to having a debate on Iraq this week. What should happen is the distinguished majority leader and myself should agree, by consent, to a reasonable number of resolutions. As I have indicated, some of the Republican Senators have given up their opportunity to offer proposals in deference to my request that we narrow down the number of resolutions to a reasonable number for consideration this week.

I hope that one of two things would happen: Either we vitiate the vote this afternoon because it is completely unnecessary or we will defeat cloture and the majority leader and I, hopefully, will be able to sit down and reach agreement for a fair consideration of alternate proposals that could have been reached last Friday and I had hoped would have been reached last Friday.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. Mr. President, keep in mind what I offered the minority: up-or-down votes on Warner and McCain; up-or-down vote on Judd Gregg. I also offered a 60-vote on Warner and a 60-vote on McCain. That was also turned down.

This thing about 60 votes is exaggerated. I have been in the Senate 25 years. I have been involved in two filibusters, and that is two more than most anyone in the Senate has been involved in. Filibusters are just talk. Rarely are filibusters ever necessary or do they occur.

Therefore, this "everything is 60 votes" is simply not valid.

They want a fair process? Up-or-down vote on McCain, up-or-down vote on Warner, up-or-down vote on Judd Gregg. Okay, don't want that? I tell you what, this has been stated publicly and privately long before today: We will give you a 60-vote on Warner, we will give you a 60-vote on McCain. Nope. Turned down.

Where does this fairness come in? Is fairness in the eye of the beholder? They have to get everything they want? I cannot imagine how we could be more fair. The American public would see a debate on Warner, see a debate on McCain. One is for the surge, one is against the surge. Why not have that debate? There will be lots of other times to debate other issues dealing with Iraq. We have the September 11 recommendation coming up; we have the supplemental coming up. Iraq is not going to leave the Senate. But it will leave this Senate if we are not allowed to proceed in this manner because—again I say that is because of bad housekeeping and the Republicans just simply leaving town after they lost the majority—we have to pass a continuing resolution. We have to. We have no alternative. We have to start on that by Wednesday.

The ACTING PRESIDENT pro tempore. The Republican leader.

Mr. McCONNELL. Mr. President, first, with regard to the 60-vote threshold, the majority leader and I both praised the bipartisan cooperation we had in the Senate on both the ethics bill and the minimum wage bill, both of which had a 60-vote requirement. That demonstrates how extraordinary 60-vote requirements are. These were two bills which were widely praised by both the majority leader and myself as examples of bipartisan cooperation.

I heard the majority leader say up-or-down votes on McCain and on Warner. If he would throw in the Gregg amendment for an up-or-down vote—I am sorry, what was his offer?

Mr. REID. My offer has always been an up-or-down vote on McCain, on Warner, on Judd Gregg, and the Democratic alternative which basically says we are against the surge. It has always been the same. And the 60-vote would be on McCain and on Warner.

I would also say I appreciate my friend talking about the ethics in lobbying reform and the debate we had on minimum wage. However, I don't want to start a battle that is already over. But one reason we were able to get those two bills passed—we thought stopping debate on these was not the right thing to do. We spoke out loudly, and the American people said: Let's get on with those two issues. They held it up for a little while but not for very long.

Mr. McCONNELL. A further illustration of how ordinary it is to get 60 votes around here, there have been 9 cloture motions filed in this Congress alone, and we are now finally starting the second month. It is really not in dispute that a 60-vote threshold is quite common around here. It is ordinary rather than extraordinary.

I yield the floor.

Mr. REID. Mr. President, I have offered 60 votes on McCain and Warner.

The ACTING PRESIDENT pro tempore. The minority leader.

Mr. McCONNELL. I understand he has offered 60 votes on McCain and Warner. The Gregg amendment is also important and would have to be included in any such negotiation which, hopefully, we will get back to having later today.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will be a period for the transaction of morning business until 4 p.m., with Senators permitted to speak therein for up to 10 minutes each, with up to 60 minutes under the control of the Senator from West Virginia, Mr. BYRD.

Mr. WARNER. Reserving the right to object, I inquire, at what point can other Senators speak? I presume at the conclusion of the distinguished Senator from West Virginia; is tnat correct?

The ACTING PRESIDENT pro tempore. We have—

Mr. WARNER. Might I make that a unanimous consent, that I can be recognized following the distinguished Senator from West Virginia for 10 minutes?

The ACTING PRESIDENT pro tempore. The order is first the assistant majority leader gets 10 minutes.

Mr. WARNER. All right. That is fine. And I notice the presence of the assistant Republican leader, so I would want to accommodate the assistant Republican leader.

At some point, I am just asking, as a matter of courtesy, at what time may I speak? The Senator from Maine, Senator HAGEL—there are several Members who would like to speak. If the Chair could help us, recognizing the leadership precedes.

Mr. BYRD. What is the order that has been previously entered?

The ACTING PRESIDENT pro tempore. There is no order in effect except for Senator DURBIN and Senator BYRD.

Mr. WARNER. Could I then ask unanimous consent at the appropriate time that the Senator from Virginia be recognized for 10 minutes, the Senator from Maine and the Senator from Nebraska for 10 minutes?

Mr. LOTT. Reserving the right to object, Mr. President, I believe if Senator

DURBIN and Senator BYRD speak before we get into the rest of the lineup, I would like to have an opportunity to have at least 5 minutes to speak after Durbin and Byrd but then go forward with the unanimous consent request of Senator WARNER for himself and others.

The ACTING PRESIDENT pro tempore. The assistant majority leader.

Mr. DURBIN. I am not sure a unanimous consent has been propounded, but I would like to modify what is pending as follows: I have a hearing to chair at 3 o'clock. I have been allocated 10 minutes. I would like to use 5 and give 5 to the Senator from New York and allow the other Senators—I have noted several Republican Senators who wish to speak for whatever period the Senator from West Virginia would be prepared to work out with them. He was kind enough to allow me 10 minutes, which I will share with the Senator from New York if it meets with the approval of the Senate.

Let me defer to the Senator from West Virginia because I believe under the existing order I have 10 minutes and he has 1 hour, if I am not mistaken; is that correct?

The ACTING PRESIDENT pro tempore. The 60 minutes reserved for Senator BYRD is not necessarily following your 10 minutes.

Mr. DURBIN. If I might inquire of the Chair, then, is the 60 minutes for Senator BYRD reserved after morning business or during morning business?

The ACTING PRESIDENT pro tempore. During morning business.

Mr. DURBIN. I defer to the Senator from West Virginia because he made the earlier request and was kind enough to yield 10 minutes my way, and I want to make sure he agrees with whatever we tend to think is a reasonable way to allocate time.

Mr. LOTT. Mr. President, I don't believe there is any order in place that Senator BYRD would go next even though there was, I believe, an order that he have an hour as if in morning business; is that correct?

The ACTING PRESIDENT pro tempore. That is correct.

Mr. LOTT. My only reservation, not wanting in any way to cut off any Senator, is that there be some flow of back-and-forth after the distinguished whip has his time, along with Senator SCHUMER; that some of us be able to comment in response, perhaps; and that Senator BYRD, certainly, get his time, but Senator WARNER would also have an opportunity to get engaged in this lineup, and Senator COLLINS.

Mr. DURBIN. Would the Senator from Mississippi propound a unanimous consent request based on that so we can decide whether that would be an appropriate way to proceed?

Mr. LOTT. Mr. President, I ask unanimous consent that following the 10 minutes that has been allocated for Senator DURBIN as he would see fit to use his time, that I have 10 minutes, to be followed by the time Senator BYRD has, to be followed by Senator WARNER, an equal amount of time as he would see fit.

Mr. BYRD. Mr. President, reserving the right to object, what is the request?

Mr. LOTT. I believe Senator DURBIN would have 10 minutes as yielded by you, Senator BYRD, then I would have 10 minutes, to be followed by your time that you have requested, to be followed by Senator WARNER and others as they would want to divide up that time. So we all would basically have an equal amount of time to go forward, but after an estimated 20 minutes, you would have your time to go forward.

Mr. BYRD. Is that the order that has been established or is that the request?

Mr. LOTT. That is the request.

Mr. BYRD. But the order as established is what, may I ask the Chair?

The ACTING PRESIDENT pro tempore. There is no order established. We have Senator DURBIN who is recognized for 10 minutes. The Senator from West Virginia has 60 minutes although there is no order established. In other words, it is not locked in that the Senator from West Virginia go immediately after Senator DURBIN.

Mr. BYRD. Well, what is the order?

The ACTING PRESIDENT pro tempore. The Senator from Mississippi has proposed an order where he would give 10 minutes to the Senator from Illinois, which I assume is 5 for the Senator from Illinois and 5 for the Senator from New York, although it is 10 minutes to the Senator from Illinois.

Mr. BYRD. Mr. President, I do not mean to be contentious, but what is the order without the request?

The ACTING PRESIDENT pro tempore. The order without the request is Senator DURBIN, from Illinois, is recognized for 10 minutes; then, following that—but again, there is no sequence laid out specifically to what has been agreed to—following that, the Senator from West Virginia is to have 60 minutes.

Mr. BYRD. Following that, if there is no sequence laid out, I would like for my time to follow the Senator from Illinois, and then we can talk about my time if Senators want some of it.

Mr. LOTT. Mr. President, after Senator DURBIN and perhaps Senator SCHUMER speak, my request was propounded on the basis that we try to go back and forth between the two parties and that I be allowed to have an equal amount of time in response to the remarks of Senator DURBIN and then go forward with an order that would put Senator BYRD next in order, to be followed by Senator WARNER. I am just trying to establish some fair flow back and forth.

Mr. BYRD. Reserving the right to object, is there a previous order to the effect that I have an hour?

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. BYRD. All right. The previous order is that I have an hour. When should I have the hour under the previous order?

The ACTING PRESIDENT pro tempore. That is what is trying to be worked out right now. Right now, the Chair asks the Senator from West Virginia if the Senator intends to use the full hour and if the Senator would like it all in one block or if the Senator would prefer to break it up?

Mr. BYRD. I don't know yet, but I want the hour.

The ACTING PRESIDENT pro tempore. In one block?

Mr. BYRD. I want the hour.

The ACTING PRESIDENT pro tempore. The full hour.

Mr. BYRD. An hour is a full hour.

The ACTING PRESIDENT pro tempore. Uninterrupted?

Mr. BYRD. As of now, I want the hour.

Mr. LOTT. Parliamentary inquiry: While there is an order that Senator BYRD have an hour, it was not put in place at a particular time or to follow in any particular order; is that correct?

The ACTING PRESIDENT pro tempore. The Senator is correct.

Is there objection to the request of the Senator from Mississippi?

Mr. BYRD. Yes. My objection as of this point——

The ACTING PRESIDENT pro tempore. The Senator from West Virginia.

Mr. BYRD. Reserving the right to object.

Mr. SCHUMER addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from New York.

Mr. SCHUMER. If I could suggest, to speed this up, if instead of taking the 5 minutes Senator DURBIN was going to yield me, I would be happy to defer and let Senator LOTT speak for that 5 minutes, and after Senator BYRD finishes his remarks, I could speak my 5 minutes. That way we would have an order, and Senator BYRD would not have to yield any more time, and all of us would get to say whatever we wanted to say. I make that a unanimous consent request.

Mr. WARNER. Reserving the right to object, could then the three colleagues I have mentioned—myself, Senator COLLINS, and Senator HAGEL—follow the distinguished Senator from New York?

Mr. SCHUMER. I have no problem with that.

Mr. BYRD. Well, before that, let me——

The ACTING PRESIDENT pro tempore. The Senator from West Virginia.

Mr. BYRD. Mr. President, had an order been previously entered for me to have an hour?

The ACTING PRESIDENT pro tempore. The Senator is correct.

Let me read the order for a point of clarification. It says: Under the previous order, there will be a period for the transaction of morning business until 4 p.m., with Senators permitted to speak therein for up to 10 minutes each, with up to 60 minutes under the control of the Senator from West Virginia, Mr. BYRD.

So it is in morning business, and the Senator from West Virginia has 60 minutes.

Mr. BYRD. All right. I thank the Chair.

Let's proceed under the order.

The ACTING PRESIDENT pro tempore. And also, the next Senator to be recognized is the Senator from Illinois.

Mr. BYRD. The Senator from Illinois, all right.

Mr. DURBIN. Will the Chair yield for a question?

The ACTING PRESIDENT pro tempore. Absolutely.

Mr. DURBIN. Is there a record vote scheduled at 5:30 on the cloture motion?

The ACTING PRESIDENT pro tempore. There is a vote scheduled under a previous unanimous consent at 5:30.

Mr. DURBIN. Mr. President, I ask unanimous consent that the 10 minutes before that vote be equally divided between the majority and minority so that at 5:20 a person speaking—sorry. I withdraw that request.

Mr. President, as I understand it, I am recognized for 10 minutes at this point?

The ACTING PRESIDENT pro tempore. That is correct.

Mr. DURBIN. My intention is to yield 5 minutes to Senator SCHUMER. So I will begin at this point.

RESOLUTIONS OF DISAPPROVAL

Mr. DURBIN. Mr. President, let me say, for those who have not followed this debate closely, I think we have made amazing progress until today—until today—because what happened before today was that we were moving on a bipartisan track, a track of cooperation, so that the Senate would exercise its responsibility and deliberate a topic that is being debated today in Springfield, IL, and Little Rock, AR. That is the war.

In an effort to reach this point, we have made accommodations. Senators BIDEN, LEVIN, and HAGEL worked long and hard on a resolution of disapproval of the President's policy. They reported it from the Foreign Relations Committee. Yet, we set that aside and said, in the interest of comity, in the interest of fairness, we will gather behind Senator JOHN WARNER, the former chairman of the Armed Services Committee, in a bipartisan fashion, and we will work together so we bring one resolution of disapproval to the floor.

Senator WARNER was kind enough to make some modifications in that resolution, and we were prepared to proceed. We felt that was fair. Throughout this process, we have not been asserting the rights of the majority. We have tried to work in a bipartisan fashion.

So now comes the moment of truth. Will the Senate, after all the sound and fury, finally have a debate? Now we are told by the Republican side, no. We are told by the Republican side that because they have several other amendments they want to have brought up, they will stop any debate on the Warner resolution unless they have their way on the procedure.

I am troubled by this. If the Republicans in the Senate cannot swallow the thin soup of the Warner resolution, how will they ever stomach a real debate on the war in Iraq?

What we face now is a sense-of-the-Senate resolution.

It is important. It expresses the feeling of the Senate. But it is not going to change the situation on the ground. The President will not be held back from sending the troops that he wants to escalate the war, nor will there be any money moved from one place to another, nor any limits on the troops, nor any of the changes that have been discussed.

What we started to do here was to have a sense-of-the-Senate resolution, a bipartisan resolution, introduced by Senator WARNER on the Republican side, as the basis for this debate. How much more good faith could we show on the majority side? And yet now we find that the Republicans have objected. We are witness to the spectacle of a White House and Republican Senators unwilling to even engage in a debate on a war that claims at least one American life every day and $2.5 billion a week.

As we debate the procedures, as we go back and forth, day by day, we lose more soldiers and spend more money. I am sorry there is no sense of urgency on both sides of the aisle to move this matter to debate quickly. If the Republicans want to stand by their President and his policy, they should not run from this debate. If they believe we should send thousands of our young soldiers into the maws of this wretched civil war, they should at least have the courage to stand and defend their position.

One of their own on the Republican side, speaking before the Foreign Relations Committee, said he felt it was a matter of responsibility. He said: We are Senators, not shoe salesmen. I do not want to reflect poorly on entrepreneurs in America by referring to shoe salesmen in a derogatory way, but I would join in his remarks. If we cannot come together today and begin the debate on the single issue that is paramount in the minds of people across America, why are we here? What are we waiting for?

We have certainly tantalized them with the prospects of a debate. And now to have the Republicans pull the rug out from under us at the last minute and say, no debate this week, well, they understand, as we do, the continuing resolution is imminent. We have no time to wait. We have to move to it. And if they can slow us down and stall us for a few more days, then the White House gets its way: no deliberation, no debate, no vote.

The final thing I will say is this: Some on the other side have argued this is a vote of no confidence in the President and the troops. They could not be further from the truth. I cannot believe that Senator WARNER, a man who has served his country so well in so many capacities, would be party to a resolution which would express no confidence in the troops of this Nation. I would not be. He would not either.

This resolution expresses our confidence and our faithfulness in those men and women in uniform. Nor is it a vote of no confidence in this President. Of course it is his policy. But what we should debate—and we will debate—is the policy itself, not the personalities involved. But for the Republicans, now in their minority status, to put a stop to this debate is to try to put a stop to a debate that is going on across America.

I will tell them this. They may succeed today, but they will not succeed beyond today. There will be a debate on this war. It may not be this week; it may not be this bill; it may not be this resolution. There will be a debate because the American people made it clear in the last election it is time for a new direction.

Mr. BYRD addressed the Chair.

Mr. DURBIN. Mr. President, I yield to the Senator from New York.

Mr. BYRD. No, no, no. I asked——

The ACTING PRESIDENT pro tempore. The Senator from West Virginia.

Mr. BYRD. Mr. President, I do not mean to be discourteous to my leader. I understand he yielded the floor.

Mr. DURBIN. I was yielding the remaining time. I had 10 minutes, and I was yielding—how much time do I have remaining?

The ACTING PRESIDENT pro tempore. The Senator has 5 minutes remaining.

The Senator from Illinois had the floor, and he was going to give 5 minutes to the Senator from New York.

Mr. DURBIN. I was yielding my remaining 5 minutes to the Senator from New York.

Mr. BYRD. Very well.

The ACTING PRESIDENT pro tempore. The Senator from New York.

Mr. SCHUMER. Mr. President. I thank my colleague for yielding the time. And I thank my good friend from West Virginia. I know he will have a lot to say, and we will all listen to it with eager ears.

Mr. BYRD. And I am going to speak often. I do not speak often.

Mr. SCHUMER. I am sorry to delay that a few minutes and look forward to hearing it.

Mr. BYRD. That is all right.

Mr. SCHUMER. Mr. President, let's make no mistake about what is happening today. The Republican side is afraid to debate even a nonbinding resolution as to whether this Senate supports an escalation. Simply put, this is a filibuster so that we cannot debate the war in Iraq. Some on the other side will say, well, the word "filibuster" should not be used. But that is exactly what is going on.

Some on the other side will say, well, Democrats filibustered judges. We did. They said that. We were willing to stand by it. Are they willing to stand by filibustering the war in Iraq? And let me say this—let me say this—the lack of debate on this war in this Senate, in this administration, and in this country has led to the muddle, the debacle we are now in, where 70 percent of the people do not support this war. And most experts you talk to say: What is the strategy? We do not seem to have one.

When General Shinseki, 3 years ago, said we needed more troops, there was no debate. When CIA agents and others said there were not weapons of mass destruction, they said we do not need debate. When this war devolved from fighting terror and removing Saddam Hussein into a war that was a civil war, with our young men and women policing the age-old hatred between the Shiites and the Sunnis, there was no debate.

That is why we are in the sad state we are right now. I fully support the troops. And I understand the need of a President to lead, but without debate, debate that has been the hallmark of this country, not words but a meeting of ideas, a meeting of disagreements so that the best policy might emerge? That is what America is all about. And when it comes to war, it should be all about it more than any single other issue.

Every one of my colleagues who is willing to block off this debate right now, who will vote against cloture, is saying: I don't wish to debate whether this escalation is the right thing. You can say the commas are in the wrong place or the dots are in the wrong place. Senator REID has offered both resolutions, the one by the Senator from Arizona and the one by the Senator from Virginia, both Republican resolutions—an equal place under the Sun—yes or no.

The ability to obfuscate, the ability to shade, the ability to hide should not be available here. Yes or no. Do you support this so-called surge, this escalation, or do you not? I believe the election answered that on behalf of the American people. They want their Senate to debate it. They would much rather have their Senator vote yes or no than not vote at all.

And here we are at this sorry moment. We are on the most important issue that has faced this Senate in quite a while. We are saying, at least those on the other side of the aisle: No debate, no discussion.

Again, I remind my colleagues it is that lack of debate and that lack of discussion that led us into the situation we are in now, where this war has dwindling support in this country, in this Senate, and even in Iraq itself.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from West Virginia.

Mr. LOTT. Parliamentary inquiry, Mr. President.

Mr. BYRD. Mr. President, I yield for that purpose.

Mr. LOTT. I thank the Senator for yielding.

Mr. President, all I am trying to do is get a chance to have a discussion on both sides of the aisle on the differing points of view on what is occurring. I do not wish to cut off or delay Senator BYRD. But my point is, if he does, in fact, use the next 50 minutes or an hour, we then will be out of morning business into the regular debate at 4 o'clock, without us ever having a chance to respond to the comments made by Senator DURBIN or Senator SCHUMER.

So I ask the Senator from West Virginia—and I address this question through the Chair—if he will allow me to proceed for 5 minutes so I could respond to some of the comments that were made by my two colleagues, Senator DURBIN and Senator SCHUMER, and then go forward with the time that was left.

Mr. BYRD. Does the Senator wish me to yield at this point?

Mr. LOTT. I would ask, Mr. President, the Senator to yield for that purpose.

Mr. BYRD. Mr. President, I am a reasonable man, a reasonable Senator. I yield 5 minutes now, and without losing my right to the floor. I ask unanimous consent that I may do that.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. And for clarification, the Senator——

Mr. WARNER. Reserving the right to object, if we can have one thing clarified. Under that time agreement, if we come to 4 o'clock, does that eclipse the ability of the Senator from Virginia to speak, the Senator from Maine to speak, the Senator from Nebraska to speak? Perhaps the two Senators from Nebraska wish to speak.

Mr. BYRD. Mr. President, will the Senator allow me to intervene here?

Mr. WARNER. Yes.

Mr. BYRD. Mr. President, I do not intend to take 60 minutes. But I do not want to waste 60 minutes before I start.

Mr. WARNER. I appreciate that. But the question before the Chair is, if we do not have time within that hour, are we then unable to speak?

Mr. BYRD. Mr. President, I will try to help if the Senator will let me get started.

Mr. WARNER. I thank my distinguished colleague. I know we can go to the bank on your word.

I withdraw any objection.

The ACTING PRESIDENT pro tempore. Does the Senator from West Virginia yield to the Senator from Mississippi? The Senator from West Virginia is recognized for up to 60 minutes or until 4 o'clock.

Mr. LOTT. Has the unanimous consent request the Senator propounded been confirmed?

The ACTING PRESIDENT pro tempore. The Chair did not ask for that to be confirmed and didn't ask for any objection. Is there objection?

Mr. WARNER. Reserving the right to object, would the Senator allow me to ask unanimous consent that I be recognized following the conclusion of such time as the Senator from West Virginia takes?

The ACTING PRESIDENT pro tempore. Without objection, we will proceed to the Senator from Virginia for a few minutes, 5 minutes, after——

Mr. WARNER. I would presume that I would have whatever time is between the conclusion of the Senator from West Virginia and 4 o'clock.

The ACTING PRESIDENT pro tempore. Correct.

Mr. WARNER. I intend to share it with other colleagues.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The Senator from Virginia will be recognized after the Senator from West Virginia completes his remarks, and the Senator from West Virginia has given his first 5 minutes to the minority whip. Is there any objection to that? Without objection, it is so ordered.

Mr. LOTT. Mr. President, I thank the Senator from West Virginia. He has proven once again his knowledge of how things proceed. But he also is fair in how he proceeds. I thank Senator BYRD for upholding the tradition that he feels so strongly about.

Mr. BYRD. I thank the distinguished Senator.

Mr. LOTT. Mr. President, let me get right to the point. This is all show and tell. We know the Senate is ready to have a full debate on the question of how we proceed in Iraq. There are a number of resolutions that have been suggested that are pending. We know our leaders are going to find a way to work this out. So why are we here taking all this time to accuse each other of unfairness and trying to block and delay? We don't want to do that. There is a way we can work this out where resolutions of different points of view can be offered. I don't know what the magic number is. The leaders are going to work that out. But to come to the floor and suggest that we don't want a full debate—this is the Senate. We are going to have a full debate on this approach and a lot of others as we go forward——

Mr. BYRD. You bet.

Mr. LOTT [continuing]. Into the situation in Iraq. That is as it should be. I want to make it clear, this is not an effort to block debate. We could get an agreement, vitiate this vote this afternoon, and go right now into the debate. I think we ought to do that. What are the numbers and what resolutions will actually be offered, our leaders are going to work out.

But I do want to say this, too: If we really want to get to the debate about what is going to be the future there, we ought to be doing it in some way other than these nonbinding resolutions. This is a lot of sound and fury signifying nothing, so I question the whole process that we are under. I don't mind going forward. In fact, I want to go forward and have a full debate about what is going on here.

I recently had occasion to be at a meeting with a number of world leaders, and the discussion went back and forth. Finally, it came down to this: What do we do in Iraq? Stay, leave, or what? Well, they said: No, no, no, you can't leave. You have to stay. Then the question was, or then what? Well, they had no answer.

The President has been criticized for not coming forth with some changes to change the status quo. He did. Now he is being criticized with what he came up with in this plan that we are going to be voting on later. I don't know if it is perfect. I don't know if it will work. But I do know this: he is the Commander in Chief.

We do need to change the dynamics there. We do need to go forward in a way that will produce a positive result or decide what else we are going to do. That is what the Senate, in the minds of our forefathers, was intended to do.

Let's stop questioning each other's motives or threatening to block this, block that. Let's work this out. Let's have a full debate on this issue, beginning tonight, going forward tomorrow. I think everybody will be satisfied with the results, once we actually get to some votes.

I yield the floor.

The PRESIDING OFFICER (Mr. WEBB). The Senator from West Virginia.

Mr. BYRD. How much time do I now have?

The PRESIDING OFFICER. The Senator from West Virginia has 56½ minutes.

MINE SAFETY

Mr BYRD. I thank the Chair.

Mr. President, the great labor leader—and I mean great labor leader—and legendary president of the United Mine Workers of America, John L. Lewis, pleaded the cause of America's working men and women, as he said, "not in the quavering tones of a feeble mendicant asking alms, but in the thundering voice of the captain of a mighty host, demanding the rights to which free people, free men are entitled."

This was the voice of a true coal miner. I know that voice. I grew up in the coalfields of southern West Virginia. My dad—not my father, my dad—Titus Dalton Byrd, was a coal miner. He belonged to the United Mine Workers, then district 29, now district 17, local union 5771. My coal miner dad worked in the coal mines with my father-in-law, my wife's father, Fred James. My wife's brother-in-law was killed by a slate fall in a coal mine. My wife's brother-in-law died of pneumoconiosis, black lung.

I—yes, I—married a coal miner's daughter. You have heard the song "I'm a Coal Miner's Daughter." By whom? By Loretta Lynn.

I married a coal miner's daughter a long time ago. We were married when we were 19. She was 19; I was 19. That marriage lasted almost 69 years, until her death. And today she is in heaven. She is in heaven. Yes, she is in heaven today. I believe that.

Together, my wife Erma and I—mostly Erma—ran a grocery store, yes, in Sophia, WV. Our customers were coal miners for the most part. Our neighbors were coal miners. Our friends were coal miners and others, but coal miners, surely.

Today my constituents in West Virginia, the core—certainly, the core in my viewpoint, but my constituents—includes coal miners. When I speak about coal miners and their safety underground, I am speaking about coal miners, my people, my family. I am speaking from the bottom of my soul when I speak about coal miners. It is a different breed of people, coal miners. Yes, they would leave the open air and sunshine and go back into the bowels of the Earth to search for their brothers, their brother coal miners—Black or White, it doesn't make any difference. They are all black when they come out of that mine. But they are all coal miners. They are West Virginians. I am talking about my constituents. I am speaking from the heart because that is the heart of my background, the coal miners.

I know what it is to stand at the mouth of a mine after an explosion. I know what it is to see the widows and the children who are left to shed their tears and to bury their loved ones. I know. I have helped to carry coal miners who had died around the mountainside. Their coffins are very heavy. I am no big man, never was, but I have helped to carry those coffins. And they are heavy, especially when we are walking on hillsides, yes. So I know what I am speaking about, and I am speaking from my heart. That is where I grew up. I expect to be buried there, yes, in the mountain soil of West Virginia.

The coal miner is proud—yes, you better believe it—of his profession. He is patriotic in that he mines the coal that fuels the American economy. You see those lights up there that are lighting this wonderful, beautiful Chamber of the Senate, the only Chamber of its kind in the world, the Senate, yes. The miner fuels those electric lights that surround this Chamber.

He, the coal miner, is religious in that he trusts in almighty God to keep him safe in his dirty, dangerous job; and he trusts in that God to keep and protect his family, while he, the coal miner, is away. He is courageous—you better believe it—in that he goes underground every day, even though he is surrounded by life-threatening hazards; they are overhead. I have been in the mines. I was not a coal miner, but I was in there with my dad—not my father but my dad. I have been in those mines. I heard the timbers, the tree trunks holding up the tons and tons and tons of earth and rock overhead to keep those rocks from crashing to the Earth and killing the miners. I could hear those timbers cracking. When I was in there, I heard the timbers—these trees, as they were. They are cut off, and they are 8, 10, 12, 15 feet, whatever the height of the covering earth is from the floor there; they were coming down. I heard them timbers cracking under that weight.

Coal miners provide so much for my country, for your country, for their country. And we—ROBERT BYRD, Senator ROCKEFELLER, and other Senators and Members in the House—owe them, the coal miners, our best efforts in securing safer working conditions. Not as their alms but their right.

In 1977, the Congress passed—I was in this Senate in 1977—what is arguably the toughest worker safety law in the history of the world, the Federal Mine and Safety Health Act. I helped to write that law. I helped to champion its enactment in the Congress of the United States. It created the Mine Safety and Health Administration, MSHA, within the U.S. Department of Labor—MSHA, the Mine Safety and Health Administration, was in the Department of Labor—and the position of Assistant Secretary of Labor for Mine, Safety, and Health. I helped. I was here.

The opening passages of the MINE Act tell us all we need to know about what MSHA's priorities ought to be:

> The first priority and concern of all in the coal or other mining industry must be the health and safety of its most precious resource: the miner, the coal miner.

In recent years, that obligation has been neglected. It has been eroded by a Department of Labor that emphasizes so-called "compliance assistance" programs and has tried to recast its role as a technical consultant to business rather than a protector of working men and women. Let me read that again. In recent years, that obligation has been neglected. It has been eroded by a Department of Labor that emphasizes so-called "compliance assistance" programs and has tried to recast its role as a technical consultant to business rather than a protector of working men and women; namely, coal miners.

The Department's obligation to protect the safety of the coal miners has been eroded by arbitrary spending targets that are designed to appease the White House Budget Office rather than ensure the safety of the coal miners in the coal fields. These policies have fostered the highest casualty rates in the coalfields in more than a decade. Forty-seven coal miners perished—died, dead—last year, half of them in West Virginia. In the opening days of 2006, our Nation mourned as 12 coal miners—yes, my darling wife was on her deathbed at that time in the opening days of 2006; that was last year. Our Nation mourned after a 40-hour rescue effort was unable to save 12 miners at the Sago mine in Upshur County, WV. Our Nation watched with disbelief as an underground mine fire, days later, at the Aracoma Alma mine in Logan County, WV, killed 2 more miners after another exhausting 40-hour rescue effort. The disbelief—yes, the disbelief—soon turned to outrage as congressional hearings and investigative news reports revealed an atrocious safety record at the Sago and Alma mines. The Department of Labor had been lax in assessing penalties for repeat violations. When penalties were assessed, habitual violators were too often given minor slaps on the wrist or had their fines reduced or negated within the appeals process.

Congressional hearings revealed the Department of Labor had abandoned or had withdrawn countless safety standards prior to the Sago and Alma tragedies, leaving coal miners underground with outdated emergency breathing and communications equipment. How would you like to be a coal miner in those conditions? Emergency preparedness and rescue training had been allowed to fall by the wayside, as the safety of coal miners became a secondary concern to what? To rising corporate profits. Shame, shame. This is the lives of men and women underground, in the bowels of the Earth.

The Department of Labor had allowed the Federal budget for mine safety to be squeezed by lesser priorities, reducing the number of coal mine safety inspectors by 217 since January 2001. The Government Accountability Office—the General Accounting Office—had warned as early as 2003 about the timeliness of inspections, and the Mine Safety and Health Administration, which was created to be an ever-vigilant advocate for the safety of coal miners, had been failing in its duty. Mine safety budgets and regulations had been allowed to erode at the Sago mine.

MSHA could have required better communications. That alone might have saved those miners. It could have mandated better emergency preparedness. It could have been more vigorous in its inspections and assessments of penalties. If MSHA, the Mine Safety and Health Administration, had used its authorities under the Mine Act to the fullest extent possible, those miners who perished at Sago and Alma might have survived. They might have been alive today. Who knows.

Coal mining communities across Appalachia were outraged by these findings, and they demanded action. They marched through the Halls of the Congress carrying pictures of their husbands, their brothers, their sons who had perished in the coalfield.

In response, my illustrious colleague, Senator JAY ROCKEFELLER, and I, along with the entire West Virginia delegation in the House of Representatives—two Democrats and one Republican—introduced mine safety legislation to force the Department of Labor to act. The chairman and ranking member of the Senate Health, Education, Labor, and Pensions Committee, Senators MIKE ENZI and TED KENNEDY, rallied to our cause. Our offices began to craft, to shape, to write important and much needed mine safety legislation.

By the end of May—May, O May, when the flowers bloom—the Senate had passed legislation to add the first new safety requirements to the Mine Act since 1977. The MINER Act required additional oxygen. Oh, I can only live with oxygen. You can only live with oxygen. You, Mr. President, can only live with oxygen. You can't live without it. No, I mean by that, without it, a few minutes. Oxygen. It has been around since Adam and Eve inhabited the Garden of Eden.

The MINER Act required additional oxygen supplies underground. It required emergency wireless communications within 3 years. It required improvements in emergency preparedness, rescue teams, and accident notification.

Separately, I worked to secure $36 million in the fiscal year 2006 Iraq supplemental for the Mine Safety and Health Administration, MSHA, to hire additional mine safety inspectors and for the National Institute for Occupational Safety and Health, NIOSH, to expedite the introduction of emergency breathing and communications equipment into the coal mines.

Who am I? I am a member of the Senate Appropriations Committee. Yes, I am the chairman of the Senate Appropriations Committee. So I worked to do that.

By June—the merry month of June—the Congress had passed the MINER Act and added $36 million to the Federal budget for mine safety. By the end of the summer, the Department of Labor had pledged, with the funds that I, a coal miner's boy, had secured, to hire 170 new coal inspectors by the end of the fiscal year 2007. By the end of calendar year 2006, the coal mining industry had at last focused on getting emergency communications and breathing equipment into the coal mines. That's late, isn't it? By the end of the calendar year 2006, while coal mining has been going on for decades—yes, yes, back beyond the beginning of the 20th century until now—by the end of the calendar year 2006, the coal mining industry had at last focused on getting emergency communications equipment and breathing equipment into the coal mines of America.

The question before the Congress now—do it here, do it now; do it here, do it now. Have you heard that on the radio or TV? Do it here; do it now. The question before the Congress now is, what happens next?

We know that extensive oversight will be required by the Congress not only to ensure that MSHA fulfills its duties under the MINER Act but also to ensure that the coal operators meet their duties. So we know that extensive oversight will be required by the Congress not only to ensure that MSHA fulfills its duties under the MINER Act but also to ensure that the coal operators meet their duties.

The House and Senate appropriations and authorizing committees have a significant role to play in this regard. We must do all—we must do all—that we can to ensure that the deadlines set by the MINER Act are met. We must do all that we can to ensure that wireless communications are available to coal miners within the next 2½ years, after all the many years that have gone before. If that means providing more funds to NIOSH to expedite the development of wireless communications and tracking and prodding the industry along to purchase and install that equipment, count on me. As the old Bible says: Here am I, send me. Here am I, send me.

We know also that several issues have not yet been addressed by the Congress from last year. The Congress has not yet addressed the issue of refuge chambers. The MINER Act required NIOSH to study the issue and report back by the end of this year. About what? Refuge chambers.

The Congress must require MSHA and NIOSH to find a way to make refuge chambers. What does "refuge" mean? A place to go. Refuge chambers, a place to go for refuge, for safety after an explosion. During the explosion, that's a big wind, a big explosion.

The Congress has not yet addressed the issue of whether belt air should be used to ventilate the working areas of underground mines—belt air, a conveyor belt that comes along, a belt, a wide belt that comes on rollers and comes into the mine.

Given how the use of belt air and inadequate safety precautions at Alma Mine resulted in the death of two coal miners last year, this is an issue that will not go away with yet another study and yet another report to the Congress. The Department of Labor must reconsider the belt air rule issued in 2004.

We know that the low level of penalties remains an ineffective deterrent for too many coal operators. I am not against coal operators. We have to have them. They invest money, their money. They invest money. We know the low level of penalties remains an ineffective deterrent for too many coal operators. I know many of them personally. I like them. They like me, I think. Penalties are not commensurate with the seriousness of violations.

The Department of Labor recently informed my office that the accident at the Jim Walters Resources Mine in Alabama that killed 13 miners in 2001 will be punished with a fine as little as $5,000—$5,000. That is disgusting. That is disgusting. It is clearly a signal to the Congress that the penalty system demands further improvement.

Last October, MSHA issued its procedural instruction letter to revise the structure for how penalties are assessed by its inspectors. That procedural letter implemented the minimum penalty provision of the MINER Act. However, if higher fines are being assessed by inspectors but continue to be reduced or negated within the appeals process, then MSHA's procedural letter is almost irrelevant.

How much time do I have remaining, may I ask the Chair?

The PRESIDING OFFICER. The Senator has 19 minutes remaining.

Mr. BYRD. I thank the Chair.

Mr. President, we need to find a way to ensure that fair penalties are assessed by administrative law judges and the Mine Safety and Health Review Commission within the appeals process.

We must continue to review and ask questions about the structure of mine rescue teams and the changes codified by the MINER Act last year. Here is another area where the rules issued by MSHA in recent years have contradicted the intent and spirit of the 1977 Mine Act.

We must continue to probe whether enough has been done. Two deaths last month in southern West Virginia serve as a macabre reminder that the crisis in the coal fields is not yet over—will probably never be over—but we have got to work at it. It is not yet over. We must be innovative. It is time for us to stop simply addressing mine disasters as they happen. We must seek opportunities to get ahead of the dangers. We must use foresight as well as hindsight.

Last month, I met with the Assistant Secretary of Labor, Mine Safety and Health, Richard Stickler. Mr. Stickler is in his current position because of a recess appointment in October 2006. He has not been confirmed by the Senate, and so his appointment will expire at the end of this year. I am hopeful that he will prove himself a friend of the coal miner. He has a dedicated team at MSHA, which includes many former coal miners who would like to see MSHA do better. I am convinced that more can be done. The question is whether the Department of Labor and the White House will let MSHA do what needs to be done. The Congress will get some insight into that question as it reviews the President's budget request for mine safety, which was delivered today.

As chairman of the Senate Appropriations Committee, and as a Senator who will have some say about the Federal budget for mine safety, hear me when I say that the days of cheating the safety and well-being of our Nation's coal miners are over. The Senate Appropriations Committee will examine the various mine safety accounts, and the Senate Appropriations Committee will make its recommendations to the Senate about where improvements can be made. That process has already begun with the inclusion of $13 million above—above, on top of, over—the President's request in the continuing resolution for the fiscal year 2007 for MSHA to hire and train additional coal safety inspectors. I and other Senators have encouraged the President of the United States—hear me—to include additional funds to retain those inspectors in his mine safety budget request for the fiscal year 2008, and I am glad that the President appears to have done so.

This is an issue that is close to my heart, and I pledge to do all that I can to increase congressional oversight in the coal field. As a son of the coal fields, the Appalachian coal fields, as the son of a coal miner, I am determined, yes, determined to be the "captain of a mighty host demanding the rights to which free men"—free men—coal miners—"free men are entitled." And women. Free men and women are entitled.

Mr. President, that concludes my prepared speech.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I say this to the distinguished Senator from West Virginia. I have been privileged to be here but a small fraction of the time that he has, 29 years here and well over 40 for my colleague from West Virginia, but in that period we have worked many times on behalf of coal miners.

Mr. BYRD. Yes.

Mr. WARNER. As the Presiding Officer recognized, my fellow colleague from Virginia, our States are joined.

Mr. BYRD. Yes.

Mr. WARNER. Those mines have a great deal of comparability, those in Virginia and those in West Virginia.

Mr. BYRD. Joined at the hip.

Mr. WARNER. They are joined. The plight of the miners and their families has been a subject that no Senator in the modern history of this Senate has fought harder for than the senior senator from West Virginia, and very often you have involved me and my colleagues, whoever they might be. I have served with three now, the distinguished HARRY BYRD, Jr., whom you will recall, Senator Robb, and Senator Allen. All of us have worked on this subject.

I hope to join you on this, and I hope the Presiding Officer, likewise, will work on this subject of coal mine safety. So I thank my friend.

Mr. BYRD. I thank the distinguished, the very distinguished senior senator from the great State of Virginia. I thank him.

Mr. WARNER. Mr. President, I thank my colleague, and we will work together.

EXPRESSING THE SENSE OF CONGRESS ON IRAQ

Mr. WARNER. Mr. President, the cloture vote was very fully discussed by the distinguished Senator from Nevada and the distinguished Senator from Kentucky, with leadership and our ranking members, so I am confident that somehow this matter can be worked out. I want you to know, however, that I stand steadfast behind the content of a resolution I put together, along with Senator BEN NELSON, Senator SUSAN COLLINS, and some eight other cosponsors.

The question is how does the Senate bring it into focus under the complexity of our rules. I won't take the time to deal with that now, but I would say to those following this debate that we stand, the Senators I mentioned, the two principal cosponsors and myself, firmly behind this resolution, the content of which has been amended.

Mr. President, I ask unanimous consent that the amended copy of the resolution be printed in the RECORD following my remarks, allowing ready reference for those persons examining the CONGRESSIONAL RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See Exhibit 1.)

Mr. WARNER. That resolution has been distorted and misunderstood in the debate thus far. That is one of the reasons I am so anxious to proceed with this debate. I want to make clear, because it was mentioned that perhaps these resolutions were brought along for political cover, that on that issue each Senator has to speak for themselves, but I assure my colleagues that this Senator from Virginia has moved forward with my thoughts and my ideas in the best interest of the country and the best interest of the men and women of the United States military, and not for any political cover.

Nor will I, in any way, impugn the motives of Senators whose opinions differ from mine.

This being my 29th year in the Senate, I have never, to my knowledge, ever intentionally, and I don't think indirectly, impugned the motive of any Senator for the position he or she has taken on a matter. We are all patriots. We are equal patriots. We all support the men and women of the Armed Forces. Let that be understood.

I firmly believe, as we are approaching this debate, that it is imperative that the Senate work its will, and work its will in the open, on this issue which is so critical at this point in time in our many years of involvement in the Iraq situation.

I solidly support the President in his view that we cannot accept failure in getting a government, whether it is this one or an ensuing government, in Iraq up and running and functioning such that it can seize the full range of sovereignty in this nation, and not let this nation implode, causing absolute disaster throughout the region. Indeed, certainly as it relates to energy and other issues, it could impact severely on the rest of the world, not only in energy but in a signal that the terrorists have won. We cannot let that happen. So let's let the Senate work its will, and I think our colleagues here, the distinguished leaders, will work out a procedure by which we will do that. The comment was made, and understandably, that this is a nonbinding resolution. Nonbinding. Well, we have them in the history of the Senate. At this time, this Senator is not voting for any cutoff of funds. That is our one constitutional lever we can pull. As a matter of fact, in our resolution—I refer to our resolution as the one that I, together with Senator BEN NELSON and Senator SUSAN COLLINS of Maine have put together—we specifically have included an iteration of the concept advanced by our distinguished colleague Senator GREGG, which may come before the Senate. We solidly support that concept of no cutoff of funds.

What do we do short of that? Well, we have a debate. Somehow you have to have some focal point, something written down, some document in writing as to the ability of this institution, the Senate, to reach a consensus, and a bipartisan consensus, on how best we go forward with a new strategy in Iraq. That has been my motivation from the very beginning, to put this institution on record on a bipartisan basis. I am not talking about one or two Senators on that side joining all the Senators on this side or vice versa, no, a truly on its face bipartisan consensus, albeit a resolution without any legal force and effect.

It is important that the people of this country give their support to the men and women in uniform and to a strategy which they hope will succeed in our goal of not letting Iraq implode and fall into greater disaster than it is experiencing today. So how do they go about it? The President, in his speech on January 10, explicitly said those who have other ideas, generally speaking, or concepts, bring them forward. That is what we have done. We have exercised what the President has given us, the option to come forward.

To quote the President: "If Members," referring to Congress, "have improvements that can be made, we will make them," he said. "If circumstances change, we will adjust, showing flexibility," said the President.

Using that as our chart, we then proceeded as a group to figure out how best to comment on the President's strategy. We did say, and I repeat it, that the Senate disagrees with the plan to augment our forces by 21,500 and urge the President, instead, to consider all options and alternatives for achieving the strategic goals set forth below. Each Senator has to interpret that phrase, that sentence, as he or she so desires. I repeat that. Each Senator has the right to look at that and decide, one, do you disagree in any way with what the President is doing and the force of 21,500.

I believe we can accomplish the goals this country has set out to accomplish in Iraq, goals that were enumerated by the Baker-Hamilton commission, in a manner that we do not need a full force of 21,500. Indeed, that force, we now learn, could be somewhat higher than that number if you are going to have the essential support troops joined. Unfortunately, there was no reference to that made in the President's speech, and right now it is a matter of debate and contention.

I don't know what the additional figure is, but in my judgment, I say most respectfully that we do not in this resolution in any way challenge or contravene the constitutional provision that you are Commander in Chief and that you can deploy troops which, in your best judgment, are for the security of this Nation and the welfare of the troops. We don't challenge that. We simply accept your offer, we have expressed it, so we support it.

I support, for example, additional troops if they are necessary over and above the current level for operations in Al Anbar. On my last trip to that region, it was clear that the marines had enough troops to do certain portions of their mission, but it was also clear that additional forces were needed. Perhaps they could come from within the current force structure currently in Iraq. But perhaps you need—to use the word "surge"—some modest surge to meet the requirements for Al-Anbar to be brought under a higher level of security.

Nothing in this resolution prohibits the President from having some portion of that surge force of 21,500 utilized to do those things which are essential—further training of the Iraqi forces, further embedding, enlarging the number of troops to be embedded with the Iraqi forces. Those are the sorts of things this Senator supports. Within the framework of this resolution, I can take those stands.

But I turn now to the principal thing we have in this resolution, and that is one of the main things that I believe has to have greater emphasis. It is as follows. We state it very clearly in a provision in our resolution:

> The United States military operations should, as much as possible, be confined to these goals, which were enumerated by the Baker-Hamilton Commission.

I go back and I read the goals here, all set forth on page 6 of the resolution. The military part of this strategy should: focus on maintaining the territorial integrity of Iraq, denying international terrorists a safe haven, conducting counterterrorism operations, promoting regional stability, supporting Iraqi efforts to bring greater security to Baghdad, and training and equipping Iraqi forces to take full responsibility for their own security.

Therein is the principal motivation.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. WARNER. I wonder if I could ask unanimous consent that I could proceed until such time as Senators desiring to come forth and address the standing order, namely——

The PRESIDING OFFICER. We have an order to lay down the motion to proceed. Will the Senator allow that to go forward at this time?

Mr. WARNER. Fine, if the Presiding Officer desires to do that.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXPRESSING THE SENSE OF CONGRESS ON IRAQ—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of the motion to proceed to S. 470, which the clerk will report.

The legislative clerk read as follows:

> A bill (S. 470) to express the sense of Congress on Iraq.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. I wonder if I can ask unanimous consent at this time to proceed for another 5 minutes. Seeing my distinguished colleague on the Senate floor——

Mr. BROWN. If the Senator will yield?

Mr. WARNER. If I might finish the unanimous consent request? Then I will be happy to listen to the Senator.

In other words, at this point in time I ask unanimous consent that we proceed as in morning business such that I could complete in 5 minutes. And my distinguished colleague. We have been waiting for about 2 hours this afternoon. I do not know—perhaps I am mistaken—if there are Senators in the Chamber who wish to address the subject matter of the order just given by the Chair. I wouldn't want to interfere with them going forward.

The PRESIDING OFFICER. Without objection, there is an hour-and-a-half debate scheduled on this motion.

The Senator is recognized.

Mr. REED. Parliamentary inquiry: Is the Chair establishing an order for speaking?

The PRESIDING OFFICER. No order has been established.

Mr. WARNER. If I might say to my distinguished colleague, Mr. REED of Rhode Island, I think the Chair has granted me 5 minutes, to be followed by a period of about 5 minutes to my colleague from Nebraska, Senator BEN NELSON. From that point on, there may be those who wish to address the underlying order, or the Chair could recognize other Senators who wish to speak on the subject.

Mr. REED. If the Chair is ready, I ask that at the conclusion of the 5 minutes of Senator NELSON, I be recognized for 5 minutes.

The PRESIDING OFFICER (Mr. BROWN). The Senator from Texas.

Mr. CORNYN. Mr. President, reserving the right to object, and I will not object, I ask unanimous consent that the unanimous consent agreement stipulate that following Senator REED's comments, I be recognized.

The PRESIDING OFFICER. Is there objection to the unanimous consent request as modified by the Senator from Texas? The Chair hears none and it is so ordered.

Mr. WARNER. Mr. President, I thank the Presiding Officer and the preceding Presiding Officer, my distinguished colleague.

I was speaking about the need to have greater involvement of the Iraqi forces. I ask unanimous consent to have this chart printed in today's RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TRANSITION IRAQ TO SECURITY SELF-RELIANCE—IRAQI SECURITY FORCES

*Ministry of Interior Forces**

Component	*Trained and Equipped*
Police	***~135,000
National police	~24,400
Other MOI forces	~28,900
Total	**~188,300

Ministry of Defense Forces

Component	*Operational*
Army	***~132,700
Air Force	~900
Navy	~1,100
Total	**~134,700

Total Trained & Equipped ISF: ****~323,000

*Ministry of Interior Forces: Unauthorized absence personnel are included in these numbers.

**Ministry of Defense Forces: Unauthorized absence personnel are not included in these numbers.

***Army numbers included Special Operations Forces and Support Forces.

****Does not include the approximately 144,000 Facilities Protection Service personnel working in 27 ministries.

Note.—Data as of January 22, 2007 (Updated biweekly by DOD).

Mr. WARNER. It is dated as of January 27, 2007. It says, "Transition Iraq to Security Self-Reliance—Iraq Security Forces."

It lays it out. This is what the American taxpayer has been expending—an enormous sum of money for 2½ years to train the Iraqi forces. I bring to your attention, for the Ministry of Defense Forces: the army, 132,700; air force, 900; the navy, 1,100; total, 134,700. Ministry of Interior, trained and equipped: police, 135,000; national police, 24,400; other MOI forces, 28,900; total, 188,300. That is a total of 323,000 forces trained in the past 2½ years.

In the resolution my distinguished colleagues and I have put together, we specifically say look at all options. I say the Iraqi's are the ones who should be responsible for these problems in Baghdad. We will give them support. We will give them the training. But I say to my colleagues here in the Senate, this is what we have trained these people to do. The Iraqi forces understand the language. They understand the culture. How does an American GI, being thrust into the darkened alleys of this city, with all of the crossfire between the Sunni and the Shia, and Shia upon Shia decide whom to shoot, how to direct the force?

The National Intelligence Estimate just released made mention of this. The report states—I shall read it.

> The intelligence community judges that the term "civil war" does not adequately capture the complexity of the conflict in Iraq, which includes extensive Shia-on-Shia violence, al-Qa'ida and Sunni insurgent attacks on Coalition forces, and widespread criminally motivated violence. Nonetheless, the term "civil war" accurately describes key elements of the Iraqi conflict, including the hardening of ethno-sectarian identities, a sea change in the character of the violence, ethno-sectarian mobilization, and population displacement.

I say most respectfully to our President: Mr. President, recognize what we have done in 2½ years to train these people. Let them take the point. Let them take the brunt of the fight. And maybe we do not need 21,500, together with support troops, to go in and do the job we have trained these people to do themselves.

In this regard I would like to quote from T.E. Lawrence. This quote is also cited in the Army Field Manual on Counterinsurgency. Lawrence said:

> Do not try to do too much with your own hands, better the Arabs do it tolerably than you do it perfectly. It is their war, and you are to help them, not to win it for them.

Additionally, the National Intelligence Estimate on Iraq also describes a very complex conflict between all parties in Iraq. Putting American soldiers in the midst of that will require military plans and orders to contain exquisite tactical detail sufficient to afford our men and women in uniform the ability to discern friend from foe in an urban environment.

I, and others, also remain very concerned about the command and control structure that has been planned for this operation in Baghdad. In his January 10, 2007, address to the Nation, President Bush stated that U.S. troops would be "embedded" in Iraqi formations. This left a very serious question about the unity of command. On February 1, General Casey described the command and control as "a non-standard arrangement." This non-standard arrangement must be clarified and our resolution addresses this serious concern.

I yield the floor.

EXHIBIT 1

S. CON. RES. 7

Whereas we respect the Constitutional authorities given a President in article II, section 2, which states that "The President shall be commander in chief of the Army and Navy of the United States"; it is not the intent of this resolution to question or contravene such authority, but to accept the offer to Congress made by the President on January 10, 2007, that, "if members have improvements that can be made, we will make them. If circumstances change, we will adjust";

Whereas the United States strategy and operations in Iraq can only be sustained and achieved with support from the American people and with a level of bipartisanship;

Whereas over 137,000 American military personnel are currently serving in Iraq, like thousands of others since March 2003, with the bravery and professionalism consistent with the finest traditions of the United States Armed Forces, and are deserving of the support of all Americans, which they have strongly;

Whereas many American service personnel have lost their lives, and many more have been wounded, in Iraq, and the American people will always honor their sacrifices and honor their families;

Whereas the U.S. Army and Marine Corps, including their Reserve and National Guard organizations, together with components of the other branches of the military, are under enormous strain from multiple, extended deployments to Iraq and Afghanistan;

Whereas these deployments, and those that will follow, will have lasting impacts on the future recruiting, retention and readiness of our Nation's all volunteer force;

Whereas in the National Defense Authorization Act for Fiscal Year 2006, the Congress stated that "calendar year 2006 should be a period of significant transition to full sovereignty, with Iraqi security forces taking the lead for the security of a free and sovereign Iraq";

Whereas United Nations Security Council Resolution 1723, approved November 28, 2006, "determin[ed] that the situation in Iraq continues to constitute a threat to international peace and security";

Whereas Iraq is experiencing a deteriorating and ever-widening problem of sectarian and intra-sectarian violence based upon political distrust and cultural differences between some Sunni and Shia Muslims;

Whereas Iraqis must reach political settlements in order to achieve reconciliation, and the failure of the Iraqis to reach such settlements to support a truly unified government greatly contributes to the increasing violence in Iraq;

Whereas the responsibility for Iraq's internal security and halting sectarian violence must rest primarily with the Government of Iraq and Iraqi Security Forces;

Whereas U.S. Central Command Commander General John Abizaid testified to Congress on November 15, 2006, "I met with every divisional commander, General Casey, the Corps Commander, [and] General Dempsey. We all talked together. And I said, in your professional opinion, if we were to bring in more American troops now, does it add considerably to our ability to achieve success in Iraq? And they all said no. And the reason is, because we want the Iraqis to do more. It's easy for the Iraqis to rely upon us to do this work. I believe that more American forces prevent the Iraqis from doing more, from taking more responsibility for their own future";

Whereas Iraqi Prime Minister Nouri al-Maliki stated on November 27, 2006, that "The crisis is political, and the ones who can stop the cycle of aggravation and blood-letting of innocents are the politicians";

Whereas there is growing evidence that Iraqi public sentiment opposes the continued U.S. troop presence in Iraq, much less increasing the troop level;

Whereas, in the fall of 2006, leaders in the Administration and Congress, as well as recognized experts in the private sector, began to express concern that the situation in Iraq was deteriorating and required a change in strategy; and, as a consequence, the Administration began an intensive, comprehensive review by all components of the Executive Branch to devise a new strategy;

Whereas, in December 2006, the bipartisan Iraq Study Group issued a valuable report, suggesting a comprehensive strategy that includes "new and enhanced diplomatic and political efforts in Iraq and the region, and a change in the primary mission of U.S. forces in Iraq that will enable the United States to begin to move its combat forces out of Iraq responsibly";

Whereas, on January 10, 2007, following consultations with the Iraqi Prime Minister, the President announced a new strategy (hereinafter referred to as the "plan"), which consists of three basic elements: diplomatic, economic, and military; the central component of the military element is an augmentation of the present level of the U.S. military forces through additional deployments of approximately 21,500 U.S. military troops to Iraq;

Whereas, on January 10, 2007, the President said that the "Iraqi government will appoint a military commander and two deputy commanders for their capital" and that U.S. forces will "be embedded in their formations"; and in subsequent testimony before the Armed Services Committee on January 25, 2007, by the retired former Vice Chief of the Army it was learned that there will also be a comparable U.S. command in Baghdad, and that this dual chain of command may be problematic because "the Iraqis are going to be able to move their forces around at times where we will disagree with that movement", and called for clarification;

Whereas this proposed level of troop augmentation far exceeds the expectations of many of us as to the reinforcements that would be necessary to implement the various options for a new strategy, and led many members of Congress to express outright opposition to augmenting our troops by 21,500;

Whereas the Government of Iraq has promised repeatedly to assume a greater share of security responsibilities, disband militias, consider Constitutional amendments and enact laws to reconcile sectarian differences, and improve the quality of essential services for the Iraqi people; yet, despite those promises, little has been achieved;

Whereas the President said on January 10, 2007, that "I've made it clear to the Prime Minister and Iraq's other leaders that America's commitment is not open-ended" so as to dispel the contrary impression that exists; and

Whereas the recommendations in this resolution should not be interpreted as precipitating any immediate reduction in, or withdrawal of, the present level of forces: Now, therefore, be it—

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that—

(1) the Senate disagrees with the "plan" to augment our forces by 21,500, and urges the President instead to consider all options and alternatives for achieving the strategic goals set forth below;

(2) the Senate believes the United States should continue vigorous operations in Anbar province, specifically for the purpose of combating an insurgency, including elements associated with the Al Qaeda movement, and denying terrorists a safe haven;

(3) the Senate believes a failed state in Iraq would present a threat to regional and world peace, and the long-term security interests of the United States are best served by an Iraq that can sustain, govern, and defend itself, and serve as an ally in the war against extremists;

(4) the Congress should not take any action that will endanger United States military forces in the field, including the elimination or reduction of funds for troops in the field, as such an action with respect to funding would undermine their safety or harm their effectiveness in pursuing their assigned missions;

(5) the primary objective of the overall U.S. strategy in Iraq should be to encourage Iraqi leaders to make political compromises that will foster reconciliation and strengthen the unity government, ultimately leading to improvements in the security situation;

(6) the military part of this strategy should focus on maintaining the territorial integrity of Iraq, denying international terrorists a safe haven, conducting counterterrorism operations, promoting regional stability, supporting Iraqi efforts to bring greater security to Baghdad, and training and equipping Iraqi forces to take full responsibility for their own security;

(7) United States military operations should, as much as possible, be confined to these goals, and should charge the Iraqi military with the primary mission of combating sectarian violence;

(8) the military Rules of Engagement for this plan should reflect this delineation of responsibilities, and the Secretary of Defense and the Chairman of the Joint Chiefs of Staff should clarify the command and control arrangements in Baghdad;

(9) the United States Government should transfer to the Iraqi military, in an expeditious manner, such equipment as is necessary;

(10) the United States Government should engage selected nations in the Middle East to develop a regional, internationally sponsored peace-and-reconciliation process for Iraq;

(11) the Administration should provide regular updates to the Congress, produced by the Commander of United States Central Command and his subordinate commanders, about the progress or lack of progress the Iraqis are making toward this end; and

(12) our overall military, diplomatic, and economic strategy should not be regarded as an "open-ended" or unconditional commitment, but rather as a new strategy that hereafter should be conditioned upon the Iraqi government's meeting benchmarks that must be delineated in writing and agreed to by the Iraqi Prime Minister. Such benchmarks should include, but not be limited to, the deployment of that number of additional Iraqi security forces as specified in the plan in Baghdad, ensuring equitable distribution of the resources of the Government of Iraq without regard to the sect or ethnicity of recipients, enacting and implementing legislation to ensure that the oil resources of Iraq benefit Sunni Arabs, Shia Arabs, Kurds, and other Iraqi citizens in an equitable manner, and the authority of Iraqi commanders to make tactical and operational decisions without political intervention.

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

Mr. NELSON of Nebraska. Mr. President, I state again for my colleagues that this debate is not about support for the troops or support for their extraordinary work on the ground in Iraq. Our troops, the best fighting force in the history of the world, have performed admirably, honorably, and successfully under extreme and dangerous conditions in Iraq. We are not here today to besmirch their efforts, their work, or their sacrifice. To indicate otherwise is disingenuous and out of line.

This is not the time or the place for political attacks. The President even made an offer to Congress before a nationally televised audience on January 10 that, "if Members have improvements that can be made, we will make them."

This is a debate about a serious topic: What is the way forward in Iraq? How can we achieve a political solution without the additional loss of American lives?

One of my colleagues has said over and over, "this comes down to if you support an escalation or not" and "the American people deserve this debate." For me, the question is, Will the Senate lead? Will the Senate express its opposition to the surge? I know many do not think passing a nonbinding resolution is leading, and I know others say the resolution goes too far. I say that, on an issue of this magnitude, an issue this important, it is critical for the Senate to speak with the strongest voice possible. Generating a revised resolution with broader appeal was putting our best foot forward in securing the strongest bipartisan vote possible.

I am proud to have worked with my colleague, Senator WARNER, the most recent past chairman of the Armed Services Committee, and our colleague, Senator COLLINS of Maine, in this cause. They have shown tremendous leadership on this issue, as have Senator LEVIN, Senator BIDEN, and Senator HAGEL. But it seems that even when it comes to the lives of our troops, partisanship prevails. Here we are, after weeks of negotiations, after weeks of public proclamations, after weeks of consideration, about to witness the minority choose politics over progress—and this is after we revised our original resolution to address some of the concerns that were raised by both Democrats and Republicans.

It is important that we point out that this is not simply about being opposed to a surge. It is about opposition to a surge to do what? To go into Baghdad? To go into the midst of sectarian violence, civil war, criminality? There is no opposition to continuing to support troops in Al-Anbar and even an increase in the troops to fight the bad guys in that location. But that is altogether different from going into Baghdad where our troops will be expected to be on the point and in harm's way in the midst of sectarian violence that is unparalleled across our great world today. But in strong support of Iraq, we must, in fact, do what we can to support Iraq but without putting our troops in the midst of that caldron.

The Baker-Hamilton report made things very clear. We have established benchmarks as well—that we should empower the Iraqi Government to be able to do what it can to quell its own violence. We cannot win their civil war. We cannot stop the violence in Baghdad. Only a political solution achieved by the Iraqis will be able to do that.

If we are to do our duty, if we are to exhibit leadership, let us begin by allowing a full debate on the resolutions we have pending. Let's talk about the President's plan to deploy American troops to the crossroads of civil war in Iraq. Let's talk about holding the Iraqi Government accountable for its responsibilities.

I am prepared to defend the resolutions I have offered with Senators WARNER, COLLINS, and LEVIN. I am prepared to vote on the McCain resolution. And I am prepared for the debate because its time has come.

I ask my colleagues, if not now, when? If not now, do we wait for more troops to die before we oppose the President's plan? If not now, do we wait for more violence, more unrest, more danger for our troops before we act? Some have said the President deserves one last chance to succeed. How do we ask our troops to do again what has failed in the past? We have had other surges that have not succeeded for a variety of reasons, not the least of which is the Iraqis have not shown up. So what is different this time?

I hope we do not look at this as our last hurrah.

I yield the floor.

The PRESIDING OFFICER (Mr. BROWN). The Senator from Rhode Island is recognized for 5 minutes.

Mr. REED. Mr. President, I ask unanimous consent that the Senator from Florida, Mr. NELSON, be recognized after the Senator from Texas.

Mr. CORNYN. Mr. President, reserving the right to object, I have a list of speakers on our side, and I would ask to be recognized to ask if the Senator would revise his request that following Senator REED, Senator SPECTER be recognized for 7½ minutes. Then if we can alternate sides, and on our side, then, it would be the Senator from Texas, Mr. CORNYN, for 7½ minutes; Senator LIEBERMAN for 10 minutes; and then Senator HAGEL, who would use the remainder of our time, which I believe would be 8 more minutes. If we could revise the UC to reflect that order of speakers for our time, I would appreciate it.

Mr. BIDEN. Mr. President, reserving the right to object, may I get in the queue?

Mr. REED. Mr. President, might I suggest that while I speak an order be established, and at the conclusion of my remarks I would again make the unanimous consent for that order.

Mr. CORNYN. No objection.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. REED. Mr. President, I commend Senator WARNER, Senator NELSON, Senator LEVIN and others who have worked so hard on this resolution. I do believe, like my colleagues, that this measure and an alternative measure deserve an up-or-down vote by the Senate. That is what the American people want, and that is what they should receive.

We embarked on this effort in Iraq more than 4 years ago. From the very beginning I thought this was not a response to an imminent threat to the United States or even to the region. It was based upon highly speculative and, it turns out in many cases, flat wrong intelligence. It represents, in my view, a flawed strategy because the approach the President has taken in Iraq fails to recognize that the major regional threat was not Iraq but Iran and failed to recognize the huge amounts of resources that will be necessary to successfully occupy and stabilize a country the size of Iraq with the cultural and historical issues that are inherent in that country.

The strategy, as I said, I think was flawed. Strategy, to me, means having a clear objective and putting forth the resources necessary to achieve that objective. The objective in Iraq shifted from the WMD allegations, to terrorist connections allegations, to creating a transformative oasis of democracy and free enterprise in a country that has not seen that in many years. And the resources were never adequate for the task.

One of the most important resources in a strategy is public support. I think one of the major problems with the President's last address a few days ago when he talked about Iraq and his so-called new strategy is that, I believe, he squandered significantly the willingness of the American public to support any proposal made. Without that public support, it will be very difficult to sustain our activities in Iraq.

I think the proof of this failed strategy is evident. Today Iran is in an enhanced strategic position vis-a-vis the United States and is being much more difficult to deal with, with respect to the region and to its aspirations of nuclear technology. We have compromised our efforts in Afghanistan and in Pakistan where real significant threats exist to the world and to the United States. We have diverted our attention from North Korea and from the Iranian aspirations for nuclear technology.

According to many experts such as Hank Crumpton, who is leaving as the Assistant Secretary of State for Counterterrorism:

> We have made it more likely this country will be struck by terrorists, not less likely.

Of course, we can talk at length about the incompetent execution of these policies in Iraq, but I want to go right to the heart of what the President is talking about. He suggests that we have a changed strategy. I would suggest that perhaps we are changing our tactics; we are taking American units and putting them in the heart of Baghdad. But it seems that this surge is more of the same, more of the clear hold and build, more of involvement in the existing conflicts of the Iraqi people and not essential to our national security, which would be to protect ourselves from terrorists there, to stabilize the country so it doesn't disintegrate, and also to go ahead and to train, continually train the Iraqi security forces.

Many have criticized this surge on purely military grounds. Too few troops. The doctrine calls for more than 120,000 troops to cover the city of Baghdad. We will be lucky to muster 50,000 to 60,000 to 70,000. Including Iraqi security forces.

There is a lack of unity of command. There is uncertain leadership by the Iraqis. Their commanding general is a virtual unknown who has been plucked by Maliki to lead this effort, probably more for political reliability than for tactical skill. And the rolling start, the gradual buildup has already led many Iraqis in Baghdad to suggest that our efforts have further compromised their security, as evidenced by the bombing just a few days ago of a marketplace in a Shia neighborhood in Baghdad.

The strategy we have to pursue is a complementary and reinforcing strategy involving military, political, and economic steps, together with regional and international diplomacy. It rests fundamentally on the capacity of Iraq and non-DOD, nonuniform military advisers to carry the day. Frankly, the Iraqi Government is in too many cases dysfunctional and incompetent, and elements outside of our uniformed military personnel—our State Department officials, our Agriculture officials, our Justice officials, our AID officials—have not been in Iraq in sufficient numbers and in sufficient quality to deal decisively with these issues. There is nothing in this plan which suggests that situation will change.

I think we are also at a point where we have been informed by the National Intelligence Estimate of the true nature of the struggle in Iraq. It is a sectarian battle between Shia and Sunni, with insurgents who, according to the NIE, accelerate the violence between these two sectarian groups. It is an existential battle where the Shias feel insecure because they have labored for many years under the yoke of the Saddam Hussein regime, and they don't want to go back there. It is existential from the Sunni position because they see themselves entitled to rule.

I think our best course is outlined in the Warner resolution, clearly stating our disapproval and disagreement with the augmentation as the resolution describes, and focusing ourselves on reconciliation, on both military efforts, but scaled back, and also concentrating on diplomacy and economic activities. I would hope that at least we could get a vote on it and, frankly, I think it will pass.

I yield the floor.

Mr. NELSON of Nebraska. Mr. President, is someone offering the order?

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. CORNYN. Mr. President, I believe under the previous UC, if I am not mistaken, the Senator from Pennsylvania would be the next in our queue on our side. If I may ask for clarification, the order that I believe was encompassed in the UC on our side was the Senator from Pennsylvania, then the Senator from Texas, then Senator LIEBERMAN, the Senator from Connecticut, and then Senator HAGEL, the Senator from Nebraska.

Mr. REED. Mr. President, I believe, again, the Senator suggested we would alternate from side to side, and at the conclusion of—in fact, if I may, I have a unanimous consent stating that after Senator SPECTER, I would suggest that from our side the order be Senator NELSON, 5 minutes; Senator BIDEN, 10 minutes; Senator LEVIN, 10 minutes; and Senator SCHUMER, 5 minutes; and they would be alternating between the Republican side and the Democratic side, and the Republican side would be——

The PRESIDING OFFICER. Does the Senator from Texas modify his unanimous consent request to include the remarks and the proposal of the Senator from Rhode Island?

Mr. CORNYN. That is correct. If I could, just in the interest of clarity, and I know this is confusing, Senator SPECTER will be allocated 7½ minutes, followed by myself for 7½ minutes, Senator LIEBERMAN will be allocated 10 minutes, and then Senator HAGEL, 8 minutes, on our side.

Mr. WARNER. Mr. President, reserving the right to object, and I will not, I would like to have Senator COLLINS included for 10 minutes.

Mr. CORNYN. Mr. President, we have 33 minutes total.

The PRESIDING OFFICER. The Senator from Texas has 31 minutes to dole out.

Mr. WARNER. Could Senator COLLINS be accommodated subsequent to the other names that have been enumerated, just to add her to the list, for 10 minutes?

The PRESIDING OFFICER. The time is being counted now until 5:20.

Mr. WARNER. Very well. I will try and work with colleagues to see if we can find time for Senator COLLINS on somebody else's time.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Pennsylvania is recognized.

Mr. SPECTER. Mr. President, I have sought recognition to oppose cloture on the pending motion to proceed on the issue of how to deal with the Iraqi problem.

As I look at this issue, it is one of enormous magnitude, and it ought not to be subject to shortcuts in the debate of the Senate. We pride ourselves on being the world's greatest deliberative body, and now is the time to show it. But what is happening on this motion for cloture and what is happening behind the scenes on negotiations is an effort to short-circuit debate on this matter of great importance, great magnitude. It is the issue which is engulfing the work of this body, the work of the House, and, really, all of Washington, and many of the eyes of the world are focused on this issue. There is no oxygen left in this town except on what to do on Iraq.

I suggest that this is not the kind of an issue where we ought to be short-circuited. There ought to be a full opportunity to debate this issue and all of its ramifications. What is happening behind the scenes is an effort to limit the number of resolutions and/or bills which may be offered as alternatives as to what the course of the United States ought to be on this very important subject.

Although it is arcane and esoteric and not subject to being understood, what is happening, again, behind the scenes, is the threat by the majority to fill up the tree, and that means when a bill is on the floor, if there is a first-degree amendment and a second-degree amendment, both of which are technical in nature and both of which may be offered by the majority leader because of the rule of priority of recognition, nobody else can offer an amendment.

Now, the countersuggestion has been made that there would be two amendments by the Republicans. That is down from five amendments, and it may be that even five are insufficient. As we debate this issue, other ideas may occur as to what ought to happen. But we are dealing with very complex issues.

On this state of the record, I cannot support an additional allocation of 21,500 troops because it is my judgment that would not be material or helpful in what is going on at the present time. This comes against the backdrop of extensive hearings in the Armed Services Committee and Foreign Relations Committee, and in the context of the military having given many estimates with many of those in key command positions saying that no more troops are necessary. This comes with the Iraqi Prime Minister Maliki saying a variety of things but at some times saying he doesn't want any more troops.

This debate ought to be taking up alternative proposals, and the one which is the most attractive to this Senator on this state of the record and has been endorsed by a number of the military is to give notice to the Iraqis that at some point in the future, with the exact time to be determined by the military experts, perhaps 6 months or perhaps some other point, that the Iraqis will be called upon to take over Baghdad, the security of Baghdad, to keep U.S. troops out of the line of fire between the Sunnis and the Shias, and that our current force would remain in Iraq to guard the infrastructure, to guard the oil wells, to give advice and to give training but not to undertake the major responsibility.

The obvious answer ultimately has to be a diplomatic solution, and as long as the Iraqis know that we are going to send in additional troops, that we are going to take over the responsibilities which they should be undertaking, they are going to sit back and let us do it. It is a matter of human nature. If Uncle Sam will do it, why should the Iraqis do it? But if we put them on notice that it is going to be their responsibility at a given time, then that puts the obligation on them.

In the President's State of the Union speech, he was explicit that the Iraqis had to do two things: No. 1, end the sectarian violence, and, no. 2, secure

Baghdad. And on this state of the record there is no showing that the Iraqis are capable of doing either.

It is my hope, as we listen to the Senators who have been engaged in these hearings, who have studied the matter in some detail, and as we explore the alternatives, explore the alternative resolution of putting benchmarks that the Iraqis have to meet, when we explore the alternative of limiting funding—which I think there is unanimity we cannot limit funding at a time when American troops will be put in harm's way—this is the time for the Senate to assert congressional responsibility, which we have.

When the President says repeatedly he is the "decider," I say respectfully to the President that is a shared responsibility. Under the Constitution, the Congress has the authority to decide, to maintain armies. The Constitution specifically limited appropriations to 2 years.

However, if we are to assert that responsibility and that support, it seems to me we have to do it in a way which does not limit our debate. Right now, we are under a tremendous time pressure, with only an hour and a half to debate this important matter, and Senators are looking for more time. That is a very poor way for this Senate to approach this very important subject.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Florida is recognized for 5 minutes.

Mr. NELSON of Florida. Mr. President, in November, General Abizaid told our Senate Committee on Armed Services, when asked did he need any more troops in Iraq, he said "no." Admiral Fallon, who has been chosen by the administration to succeed General Abizaid, when asked did he think by the Senate taking a position in opposition to the President's determination to put 21,000 new troops in Iraq that was undercutting the military forces in Iraq, Admiral Fallon deferred and would not answer that, as some others had been quick to answer in the affirmative.

When General Casey was in front of our committee last week, when asked how many additional troops do you think should be put into Baghdad, he said two brigades—not the five brigades the President has determined.

What we have is a majority of Members in this Senate feel there should not be any increase. We have General Casey, the commander for the last 2½ years, saying there should only be a two-brigade increase. So there is, in fact, conflicting opinion.

If we are going to have any increase in troops in Iraq, the Marine generals in Anbar Province have convinced this Senator that an increase in Anbar Province would be helpful, but the conclusion of this Senator was that putting more American troops in the middle of Baghdad, in the middle of that sectarian violence, was not going to do any good; it was going to put more Americans in harm's way, particularly in the limited numbers the President is talking about.

If we wish to make a difference in Baghdad in the midst of all that sectarian violence, where it has been going on for 1,327 years, since the year 688 A.D., after the death of Mohammed, when the grandson was assassinated because he broke off and that became the Shiite branch and the Sunnis and the Shiites have been at it ever since, if you want to make a difference in Baghdad with all that sectarian strife, put in 50, 100, 200 or 300,000 troops. But 21,000—17,000 of which are going into Baghdad additionally—in this Senator's opinion, is not going to do the job.

As the Senator from Virginia knows, this Senator is one of his cosponsors. I support his resolution. I think it is very important there be truth and openness. In this Senator's position on the Foreign Relations Committee, on the Senate Committee on Armed Services, and on the Intelligence Committee of the Senate, I have been hammering away at correct information over and over because what we have been dished out over the last several years has been incorrect information.

That leads us to this point where we have to make a judgment. We are a coequal branch. We are part of the formulation of policy, and it is intended that way by the U.S. Constitution that the people speak through us as well as through the President.

It is my privilege to say I support the Senator from Virginia in his resolution.

The PRESIDING OFFICER. The Senator from Texas is recognized for 7½ minutes.

Mr. CORNYN. Mr. President, as I try to count up the number of positions of Senators articulating either for or against the various resolutions, I count at least six, and maybe there are more.

There are some who say, yes, that the President's plan—basically, that General Petraeus, the architect of that plan, will have responsibility for implementing—that plan ought to get a chance.

Then there are those who say: No, we disagree with that plan. We do not believe that General Petraeus should get the additional five brigades that the plan calls for, but we do think in Anbar Province additional troops ought to go in to fight al-Qaida in Iraq.

Then there is a third position I count that says we think there shouldn't be additional troops, and we want to cap the number of troops, period, and we want to set a timetable for their withdrawal. That would actually be No. 4.

Some of the distinguished Members of this Senate have said these nonbinding resolutions are shooting with blanks. What we ought to do is have a vote on cutting off funds because that is the sole way that Congress can have a definitive impact on what is happening. We do not believe any funds should be appropriated for this effort. That is a fifth position, as I count it.

Then there are those—and I find myself in this group—who say: No, we shouldn't cut off funds that support our troops during a time of war. In fact, we ought to give this a chance.

Some of these positions may have some commonality and some may merge and diverge, but the point is, for the majority to say we have one vote on one resolution, in spite of the fact there are at least six positions, as I count them, on this issue is asking Members to accept limited debate and does not reflect the diversity of views in this Senate.

The vote we are going to have at 5:30 tonight—and I thank the distinguished Senator from Virginia and others who, perhaps, share a different view from me on the substance of the resolution, for supporting our right to have a fair process and to have all the various resolutions or, I should say, at least two, in opposition that ought to be offered, that Senators ought to be given the chance to vote for.

Senator REID, the majority leader, on the floor earlier asked rhetorically: What makes the Baghdad security plan different from the ones that have come before? Let me mention the specific answer to his question. First of all, this is an Iraqi-initiated plan for taking control of the capital of Iraq. No. 2, there will be adequate forces—Iraqis supported by American and coalition forces—to hold neighborhoods cleared of terrorist extremists. Third, there is a new operational concept, one devised not just to pursue terrorists and extremists but actually to secure the city once they are cleared. Fourth, new rules of engagement will pursue that Iraqi and U.S. forces can pursue lawbreakers, regardless of their communities or sect. Five, security operations will be followed by economic assistance and reconstruction aid, including billions of dollars in Iraqi funds, offering jobs and the prospect for better lives.

The reason I support the plan General Petraeus is largely the architect of, and the very same commander whom we have confirmed by unanimous vote about a week or so ago, is because I think it represents the last best chance for success in Iraq. I don't know anyone who believes the status quo is acceptable.

The question is, Are we simply going to give up and see a regional conflict? Are we going to see ethnic cleansing occur? Are we going to see countries that have Sunni majorities come to the aid of their Sunni brothers and sisters who might be the subject of ethnic cleansing by the Shia majority? Are we going to allow Iraq to become another failed state which will then serve as a launching pad for future terrorist attacks, perhaps including against the United States? The risks of that happening by doing nothing or by simply saying what we have been doing now is not working so we are simply going to refuse to endorse any alternative plan because we are not sure it is going to be successful is giving up before we should.

While opinion polls should not govern our conduct, it is significant the one question I have heard, when asked by Opinion Dynamics Poll on the process we are engaged in today, the question was: Congress has been considering a nonbinding resolution expressing opposition to the President's plan to send more troops. By almost two to one, Americans think passing a resolution would do more harm than good; 47 percent in this poll that was reported February 1, 2007, say it is likely to encourage the enemy and hurt troop morale compared with 24 percent who think it would make a positive difference to the policy of the United States toward Iraq.

Regardless of the sincerely held beliefs that I know Senators have on this very important topic, the last thing we should be forced to do would be to vote on a single resolution when there are so many different points of view that deserve full and fair debate on what is the most important issue that conflicts our country and, literally, the world at this time and that is the global war on terror, the central front of that war in Iraq and what we are going to do about it, whether we are going to give up or whether we are going to try to secure that country in a way that will allow it to govern and defend itself.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware is recognized for 10 minutes.

Mr. BIDEN. Mr. President, we will hear a lot, today and this week, of phrases such as "last best chance," "refuse to endorse an alternative plan," "Iraq is a central front of the war on terror." Virtually no one subscribes to any of those three points—all of the experts who have given testimony, the Iraqi Study Group, the plans that have been put forward that are real alternatives.

The President has not put forward a plan. He has put forward a tactic, a tactic that most experts, including his own military, think will make a plan for success less likely to be able to be arrived at.

No one in this Senate, at least in this debate, at least from my perspective, is calling for us cutting and running—none of that. I hope we keep our eye focused, our eye on the ball.

The Senate is today taking a first step toward a bipartisan effort to prevent the escalation of a war in Iraq and to adapt a strategy for Iraq for leaving Iraq without leaving behind chaos.

The first step is to debate and vote the resolution offered by Senator WARNER and reintroduced by Senator LEVIN and me as a bill. That says the Senate disagrees with the President's plan to send 17,500 more American troops into the middle of a city of over 6.2 million people in the midst of a civil war, because what we are afraid of is that the Senator from Texas may be right; this may make things so bad that everyone will conclude there is no more chance of succeeding.

We have vital interests in that region. I am afraid this policy, this tactic of the President, is going to be a self-fulfilling prophesy. The question before us today is whether a minority of Senators will even allow a debate to start. That is what this is about. All they have to do—there will be other resolutions brought up; they are able to be brought up—all they have to do is take issue with this. They can stop the debate by getting 41 votes. But they can actually engage in debate and try to defeat the notion, when the message of this resolution is: Mr. President, stop. No more escalation, Mr. President.

Everyone from the Iraq Study Group to the Biden-Gelb plan, to every other plan that has been put out there says the way to get the Iraqis to reach a political solution is to begin to draw down American forces. No one, including General Petraeus, whom I know fairly well, suggests there is a military answer. A political solution is required. So to my colleagues who are thinking about trying to block the debate, let me say this: Iraq dominates our national life. It is on the minds of tens of millions of Americans. It shapes the lives of hundreds of thousands of our men and women in uniform and their families. And that the Senate would not even debate, much less vote, on the single most urgent issue of our time would be a total forfeiture of our responsibility.

We have a duty to debate and to vote on the President's tactic. We have a duty to debate and vote on our overall strategy in Iraq. And we have a duty as Senators to speak out and say where we are.

Three weeks ago, Secretary of State Rice came before the Foreign Relations Committee and presented the President's plan. Its main feature is to send more troops, increase the total number of troops, and send them into Baghdad in the middle of a sectarian war.

The reaction on the committee, from Republicans to Democrats alike, ranged from skepticism, to profound skepticism, to outright opposition. That pretty much reflects the reaction all across the country.

So Senator HAGEL joined me and Senator LUGAR and Senator SNOWE. We sat down and wrote a resolution to give Senators a way to vote what their voices were saying, for we believe the quickest and most effective way to get the President to change course is to demonstrate to him that his policy has little or no support across the board, Democrats and Republicans.

After we introduced the resolution, the distinguished ranking member of the Armed Services Committee, Senator WARNER, came forward with his resolution. The bottom line of the resolutions is the same: Mr. President, don't send more Americans into the middle of a civil war.

There was one critical difference. As originally written, the Warner resolution left open the possibility of increasing the overall number of troops in Iraq, when in fact the Iraq Study Group and others said we should be declining to get action from the politicians in Iraq.

We believe that would have sent the wrong message. Not ramp up; again, to draw down, redeploy forces remaining in Iraq. And the best way to make that clear to the Iraqi people is to let them know we are not going to be there forever, as the President said. And they must begin to make the hard compromises necessary for a political solution that virtually everyone agrees is necessary to end this war.

So we approached Senator WARNER to work out our differences, and I am very pleased to say we succeeded in doing that. The language Senator WARNER removed from his resolution removed the possibility that it could be read as calling for a troop increase. With that change, we agreed to support his resolution. And I do.

When I first spoke out against the President's planned surge before the New Year, I made it clear I had one objective: I hoped to build and demonstrate bipartisan opposition to this plan because it was the fastest way to turn the President around. And that is exactly what we have done.

Now we have a real opportunity for the Senate to speak clearly. Every Senator should be given a chance to vote on whether he or she approves or disapproves of the President's tactic to send more troops into the middle of a civil war.

The debate we will have is important, but the debate is as important as the vote. And I hope the American people carefully listen. I predict they will hear very few colleagues stand up and support the President's plan to send more troops into the middle of a civil war. Listen to the voices. Listen to the voices as well as the votes.

Just as important as what we are voting against is what we are voting for. This bill, similar to the Biden-Hagel-Levin-Snowe provision, makes three things clear.

First, Iraq needs a political settlement. Second, the United States has to work with other regional powers. And third, the mission of our forces should be confined to counterterrorism, training, and maintaining the territorial integrity of Iraq.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. There is 2 minutes 55 seconds.

Mr. BIDEN. I will continue, Mr. President.

As I said at the outset, this is the first step, this rejection of the President's increase of more troops into Iraq into the middle of a civil war. But it can set the foundation for everything that follows.

If the President does not listen to the majority of Congress and the majority of the American people, we will have to look for other ways to turn this surge around.

Even if we succeed in this effort, we still need to turn our overall policy around. We need a strategy that can produce a political settlement in Iraq. That is the only way to stop the Shiites and the Sunnis from killing each other and to allow our troops to leave Iraq at an appropriate time without trading a dictator for chaos.

But today my message is simple. The American people want us to debate Iraq, the most important issue of our day. They expect it. They demand it. And if we attempt to hide behind procedure and delaying tactics, I believe the American people will not be very happy. They get it. The question is, Do we?

Are you for or against the President escalating this war in Iraq? I am against it. I believe the majority of Members on both sides are as well. We should vote on that.

I yield the remainder of my time.

The PRESIDING OFFICER (Ms. STABENOW). The Senator from Connecticut is recognized for 10 minutes.

Mr. LIEBERMAN. I thank the Chair.

Madam President, America has reached a critical crossroad in the war in Iraq. More than 4 years ago, this Senate voted to authorize the use of force against Saddam Hussein, a tyrant who slaughtered his own people, attacked his neighbors, and threatened our security.

Thanks to the courageous service of the men and women of the American military, that evil regime was overthrown and in its place came hopes for a democracy in the heart of the Middle East, hopes for a victory in the war for the hearts and minds of the Muslim world.

As of today, sadly, as we all know, those hopes have not been realized. Because of the ruthless conduct of our enemies in Iraq, as well as our own failures, we instead today find ourselves on a knife's edge in Iraq.

Now a new course has been chosen. A new commander is in place in Iraq, confirmed unanimously by this Senate. A new Secretary of Defense is in place at the Pentagon, also confirmed overwhelmingly by the Senate. And a new strategy has begun to be put into action on the ground in Iraq by American troops.

It is altogether proper that we debate our policy in Iraq. It should be a debate that is as serious as the situation in Iraq and that reflects the powers the Constitution gives to Congress in matters of war.

But that, sadly, is not the debate that the Warner-Levin resolution invites us to have. I am going to speak strongly against this resolution because I feel strongly about it. I do so with the greatest respect for my colleagues who have offered it. But I believe its passage would compromise America's security, and I will say so within the clearest terms I can muster.

The resolution before us, its sponsors concede, will not stop the new strategy from going forward on the ground in Iraq. In fact, as we speak in the Senate, thousands of American troops are already there in Baghdad, with thousands more moving into position to carry out their Commander's orders. This resolution does nothing to alter those facts.

Instead, its sponsors say it will send a message of rebuke from this Senate to the President of the United States, from one end of Pennsylvania Avenue to the other. But the President has made clear he will not be deterred in carrying out what he sees as his duties and responsibilities as Commander in Chief.

And there is a world well beyond Pennsylvania Avenue that is also watching and listening to what we do. What we say is being heard in Baghdad by Iraqi political leaders, by moderates trying to decide whether we Americans will stand with them over the long term.

What we say is being heard by our men and women in uniform who naturally will be interested in knowing whether we support the plan they have been asked to carry out at risk to their own lives.

What we say in the Senate will be heard by the leaders of the thuggish regimes in Iran and Syria and by al-Qaida terrorists eager for evidence that America's will is breaking.

And what we say in the Senate will be heard across America by our constituents who are wondering if their Congress is capable of serious action, not hollow posturing.

This resolution is not about Congress taking responsibility. It is the opposite. This is a resolution of irresolution.

For the Senate to take up a symbolic vote of no confidence on the eve of a decisive battle is unprecedented. But it is not inconsequential. It is an act which I fear will discourage our troops, hearten our enemies, and showcase our disunity. And that is why I will vote against the motion for cloture.

My colleagues, if you believe that General Petraeus and his new strategy have a reasonable chance of success in Iraq, then you should resolve to support him and his troops through the difficult days ahead and oppose this resolution.

On the other hand, if you believe this new strategy is flawed or that our cause is hopeless in Iraq, then you should put aside this resolution—nonbinding—and you should vote to stop what is happening in Iraq, vote to cut off the funds, vote for a binding time line for American withdrawal.

If that is where your convictions lie, then have the courage of your convictions to accept the consequences of your convictions. That would be a resolution.

This nonbinding resolution before us, by contrast, is an accumulation of ambiguities and inconsistencies. It is at once for the war but also against the war. It pledges its support to the troops in the field but then washes its hands of what they have been commanded to do. It urges more troops be sent for Anbar Province but not for Baghdad.

My colleagues, we cannot have it both ways. We cannot vote full confidence in General Petraeus but no confidence in the strategy he says he needs for success.

We cannot say our troops have our full support but disavow their mission on the eve of battle. This is what happens when you try to wage war by committee. And that is why the Constitution gave the authority of Commander in Chief to one person, the President.

Cynics may say this kind of irresolution happens all the time in Congress. In this case, however, they would be wrong. If it passed, this resolution would be unique in American legislative history.

I asked the Library of Congress this question last week and was told that never before, when American soldiers have been in harm's way, fighting and dying in a conflict Congress had voted to authorize, has Congress turned around and passed a nonbinding resolution such as this one, disapproving of a particular battlefield strategy.

I ask each of my colleagues to stop for a moment and consider the precedent that passage of this resolution would establish. Even during Vietnam, even after the Tet Offensive, even after the invasion of Cambodia, Congress did not take up a nonbinding resolution such as this one.

Past Congresses certainly debated wars. They argued heatedly about them. And they sometimes clashed directly with the executive branch, with the President, over their execution. But in so doing, they accepted the consequences of their convictions

This resolution does no such thing. It is simply an expression of opinion. It does not pretend to have any substantive effect on policy on the ground in Iraq. But again, I ask my colleagues, what will this resolution say to our soldiers? What will it say to our allies? What will it say to our enemies?

We heard from General Petraeus during his confirmation hearing that war is a battle of wills. Our enemies believe they are winning in Iraq today. They believe they can outlast us, that sooner or later we will tire of this grinding conflict and go home and leave the field in that country open for them. That is the lesson Osama bin Laden has told us, in his writings and statements, he took from our retreats from Lebanon and Somalia in the 1980s and 1990s. It is a belief at the core of the insurgency in Iraq and at the core of the fanatical goals of radical Islam worldwide.

I fear this resolution before the Senate, by codifying our disunity, by disavowing the mission our troops are about to undertake, will confirm our enemies' beliefs that America has grown impatient and unable to fight the long fight to victory. This resolution also sends a terrible message to our allies. Of course, I agree that we must hold the Iraqi Government to account. That is exactly what the resolution Senator McCAIN and I and others have offered would do. But I ask you, imagine for a moment that you are a Sunni or Shia politician in Baghdad who wants the violence to end, and ask yourself how the Warner-Levin resolution would affect your thinking, your calculations of risk, your willingness to stand against the forces of extremism. Will the resolution empower you or will it undermine you? Will it make you feel safer or will it make you feel you should hedge your bets, or go over to the extremists, or leave Iraq?

Finally, what is the message this resolution sends to our soldiers? I know that every Member of the Senate supports our troops but actions have consequences, often unintended.

I ask unanimous consent that I be given an additional moment to finish my statement. That would come from Senator McCONNELL's time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LIEBERMAN. When we send a message of irresolution, it does not support our troops. When we renounce their mission, it does not support our troops. We heard recently in the Senate Armed Services Committee from GEN Jack Keane, a former chief of staff of the U.S. Army, who said of a resolution like this one:

> It's just not helpful . . . What the enemy sees is an erosion of the political and moral will of the American people . . .
>
> Our soldiers are Americans first. They clearly understand there's a political process in this country that they clearly support . . . But at the end of the day, they are going to go out and do a tough mission, and I certainly would like to see them supported in that mission as opposed to declaring non-support. . . .

I agree. Everyone here knows the American people are frustrated about the lack of progress in Iraq. Everyone here shares that frustration. And as elected representatives of the people, everyone here feels pressure to give expression to that frustration. This is not a new challenge. It is one that every democracy in every long war has had to confront. Nearly a century and a half ago, an American President wrestled with just this problem. It was in the midst of a terrible war, a civil war in which hundreds of thousands of Americans were fighting and dying to secure the freedom of millions long and cruelly denied it.

"We here highly resolve," that was Lincoln's message at Gettysburg. It was a message of resolution.

I ask unanimous consent for an additional moment from the time of Senator McCONNELL to finish the statement.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LIEBERMAN. Lincoln said at Gettysburg: "We here highly resolve." It was a message of resolution, of steadfastness in the face of adversity, of hope over despair, and of confidence in the cause of freedom which is America's eternal cause. Today, in the depths of a terrible war, on the brink of a decisive battle for Baghdad, let us have a serious debate about where we stand and where we must go in Iraq. But that is not the debate this resolution of irresolution would bring.

The 60-vote requirement to close debate was put in place by our predecessors as a way to make it harder for the passions of a particular moment to sweep through the American people and across this Congress in a way that would do serious damage to our Nation in the long term. Because I believe this resolution, if passed, would have such an effect, I will respectfully oppose the motion for cloture.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. McCONNELL. Madam President, I believe Senator HAGEL is——

Mr. LEVIN. Madam President, I yield to the Senator from Virginia 1 minute to ask a question of the Senator from Connecticut.

The PRESIDING OFFICER. The Republican leader has the floor.

Mr. McCONNELL. I am happy to yield the floor, if the understanding is that the Senator from Michigan is next.

The PRESIDING OFFICER. The Senator from Michigan is next for 10 minutes.

The Senator from Virginia.

Mr. WARNER. I thank the Chair.

My question to my good friend and colleague is as follows: This debate is well under way. The plans are being discussed. I just inquired at the desk, and the McCain resolution is not filed. Yet I understood you to say it had been filed. Could you help clarify for the Senate the position on that?

Mr. LIEBERMAN. I would be happy to, briefly. The resolution Senator McCAIN and I and others have has been prepared and I gather has been the subject of negotiation between Senator REID and Senator McCONNELL.

Mr. WARNER. But it is not a part of the record so——

Mr. LIEBERMAN. That is right. The debate going on now——

Mr. WARNER. I feel very strongly that the Senate should work its will on facts that are out in the open. I have filed my resolutions, one after the other, at the desk so all Senators could have the benefit. Is that a possibility, that we could have the benefit of this resolution?

Mr. LIEBERMAN. My dear friend, it is more than a possibility; it is a promise.

Mr. WARNER. And what time might the promise be executed?

Mr. LIEBERMAN. There are copies of it around now, and we will get you one. They were publicly distributed Thursday of last week.

Mr. WARNER. I will be glad to give you my copy, but I feel it is presumptuous of me to address it unless it is properly before the Senate.

Mr. LIEBERMAN. I thank my friend. The difference, of course, is that ours is as nonbinding as yours, but ours is a statement of support to our troops and benchmarks to the Iraqis.

Mr. WARNER. Madam President, clearly what is read is correct. But I assure you that I forcefully argue that ours is in support of the troops. There is no suggestion that one is less patriotic than the other, if I may say to my dear friend.

Mr. LIEBERMAN. One is not less patriotic than the other, but actions have consequences. As I said during my remarks, for the Senate to take this unprecedented action on a nonbinding resolution, to disavow, disapprove a mission that our troops are being asked to carry out right now cannot help their morale.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Madam President, I hope the Senate will be allowed to debate our policy in Iraq by proceeding to this legislation this afternoon. Iraq is the single most important policy issue facing our country. It was a major issue in the November elections last fall. The American people have strong opinions about what is happening in Iraq. They want their elected officials to debate this issue, and we should do it. The debate should go forward. A filibuster is out of place on war and peace issues, on something of this magnitude. The debate is not about whether we want the United States to act to maximize chances of success in Iraq. We all want to maximize chances of success in Iraq.

We all want to see a stable Iraq which enhances our own national security. But the President's course of action, which he has been on for 3½ years and which he has now proposed to continue on to deepen our involvement in Iraq, does not enhance our security. It does not maximize chances of success in Iraq.

The debate is about the best way to maximize chances of success in Iraq. Is the new strategy of the President, which puts over 21,000 more American troops in the middle of an Iraqi civil war, the best way to bring that about? That is what this debate is about. There actually seems to be an agreement among most observers that an Iraqi political settlement is the key to ending the violence in Iraq. The difference of opinion exists on whether Iraqi politicians need breathing space, as President Bush has said, to reach required political compromises or whether, as many of us believe, Iraqi politicians need to be pressured to make those compromises and that the addition of 21,000 more troops doesn't make a political compromise more likely; it just gets us in deeper in the middle of a civil conflict.

The bill we are hoping to proceed to today incorporates the modified Warner resolution verbatim, except for a minor change in order to make it a bill instead of a resolution. The reason for making it a bill instead of a resolution is simply to make it more amendable. Unlike a resolution, which is clumsy to amend, there is no intent to put this modified Warner language in the form of a bill for any other purpose. As a matter of fact, the majority leader has asked for unanimous consent to treat a resolution with Senator WARNER's language as amendable, as though it were a bill, to achieve the goal we are trying to achieve. This unanimous consent was objected to by the Republican leader.

The majority leader, Senator REID, has also told Senator MCCONNELL that we are more than willing to transform this bill into a resolution prior to final passage, if we can get to final passage, if a filibuster does not thwart our getting to final passage.

What does the modified Warner language do which is incorporated into this bill? It makes it clear the Congress disagrees with the President's plan to increase force levels and urges the President instead to consider all options and alternatives. This bill makes it clear that we will fund troops in the field. There is no difference between these two documents in that regard. Both our bill and the McCain resolution make it clear we want to fund the troops in the field. Our bill makes it clear that the responsibility for Iraq's internal security and for halting sectarian violence must rest primarily with the Government of Iraq and Iraqi security forces. It makes it clear that Iraqis must reach political settlements in order to achieve reconciliation, and the failure of the Iraqis to reach such settlements to create a truly unified government contributes to increasing violence in Iraq.

Our bill makes it clear that the primary objective of the overall United States strategy in Iraq should be to encourage Iraqi leaders to make political compromises that will foster reconciliation and establish a true unity government, ultimately leading to improvements in the security situation.

Adding American troops does not increase the probability of achieving the primary objective. Listen to what GEN John Abizaid said when he testified to Congress in November of last year:

> I met with every divisional commander, General Casey, the Corps Commander, [and] General Dempsey. We all talked together. And I said to them, in your professional opinion, if we were to bring in more American troops now, does it add considerably to our ability to achieve success in Iraq? And they all said no. And the reason is, because we want the Iraqis to do more. It's easy for the Iraqis to rely upon us to do this work.

Finally, General Abizaid said:

> I believe that more American forces prevent the Iraqis from doing more, [prevent the Iraqis] from taking more responsibility for their own future.

Besides making it less likely that the Iraqis will take more responsibility for their own future, adding more American troops is an attempt to reach a military solution to an inherently political problem.

The Prime Minister of Iraq himself stated last November:

> The crisis is political, and the ones who can stop the cycle of aggravation and blood-letting of innocents are the [Iraqi] politicians.

Adding more American troops does not pressure Iraqi politicians to be Iraqi leaders and to make the political compromises essential for a political solution; it only allows them to continue what in the words of the National Intelligence Estimate is the "current winner-take-all attitude and sectarian animosities infecting the political scene."

The administration says this bill emboldens the enemy. Congressional debate over Iraq policy doesn't embolden the enemy. The enemy is already emboldened.

What emboldens the enemy is the almost 4 years' presence of Western troops in the middle of a Muslim country's capital, which causes over 70 percent of the residents of that country to oppose our presence.

What emboldens the enemy is the open-ended presence of Western troops, which serves as a magnet for extremists and gives a propaganda club to our enemies.

What emboldens the enemy is invading Iraq without the support of the international community.

What emboldens the enemy is lawlessness and looters ransacking public buildings and institutions in Iraq.

What emboldens the enemy is invading Iraq without a plan for the aftermath of the invasion.

What emboldens the enemy is increasing the number of American troops, which results in Iraqis taking less responsibility for providing security for all the citizens of Iraq.

What emboldens the enemy is the creation of Green Zones protecting Iraqi political leaders, in which they pursue a winner-take-all political approach.

Madam President, how much time do I have?

The PRESIDING OFFICER. One minute 15 seconds.

Mr. LEVIN. Madam President, we owe our troops everything. We owe them the best equipment we can provide. We owe them the best training. We owe their families the best support we can give them.

We also owe them our best thinking. I think it is an insult to the intelligence of our troops to suggest that debating the wisdom of deepening the military presence in Iraq somehow or other emboldens the enemy. Our troops depend upon us to give them what they deserve: support. And part of that support in a democracy is debating the policy which not only brought them there but which keeps them there and, if many of us are correct, will keep them there longer and with greater casualties. The best way to change course in Iraq is to adopt the modified Warner language.

It has been said that this is not as strong as withholding funds. We don't want to withhold funds from troops in the field. We want to change this policy. If you want to change the policy this administration is following, which relies on a military solution, a deepening military presence in Iraq, we hope you will vote for cloture on this bill.

I yield the floor.

The PRESIDING OFFICER. The Republican leader is recognized.

Mr. MCCONNELL. Madam President, I yield 8 minutes to the Senator from Nebraska, Mr. HAGEL.

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

Mr. HAGEL. Madam President, I will not speak to the specifics of the resolution or resolutions, but I am confident we will be allowed to debate this week. I say that because I know—and I have complete confidence in the two leaders—that they will, in fact, find an accommodation. They each understand how critically important this debate is for our country and for the world.

I have listened carefully this afternoon to my colleagues, and there will be more intense and engaged and enlightened debate this week. But I believe what we are about here—and we will be about this week—is something far more important than just constitutional responsibilities or resolutions.

What we are about is finding a policy worthy of our young men and women and their families who go off to fight and die in a very difficult war. That is what we owe our troops. That is what we owe this country. That is what we owe the world.

It surely is not and cannot be a weakness for America, as seen in the eyes of the world, to openly debate the most critically important issue that any of us will ever debate; that is, war. That is the strength of America, not the weakness of America. The reason America has prospered for over 200 years is because the world has had confidence not in its power, trusted not its power, but trusted America's purpose.

In 1968, when I served with my brother and many others in Vietnam—and I believe I speak for most who were there then, and I have heard from a lot of Vietnam veterans about this debate—I believe that in 1968, the troops, the ones at the bottom doing the fighting and the dying, would have welcomed the Congress of the United States into a debate about Vietnam. They would have welcomed somebody paying attention rather than just going along.

No, Madam President, that is a strength of this country. And surely we have clear constitutional responsibilities. How could anyone argue differently? We have clear constitutional responsibilities here.

I heard my colleague from Connecticut talking about nonbinding resolutions. I don't doubt his staff's research, but I remind the Senator that over the last 12 years there have been a number of nonbinding resolutions debated on this floor—on Bosnia, Kosovo, Somalia, Haiti, and others. I remind some of my colleagues who do not believe it is in the interest of our country or our troops to talk about nonbinding resolutions, papier mache resolutions, senseless resolutions, that they actually voted for some of those resolutions over the last 12 years. I would be very happy to provide for the record a list of how everybody in this Chamber voted over the last 12 years, if they were here, on those resolutions. It might be very interesting and enlightening. Surely it is not because one political party controls the White House and the other does not. Surely it cannot be that.

The National Intelligence Estimate summary—unclassified portions—was made public on Friday. Those watching should have a clear understanding of what that document is and who produced that document. That document is an accumulation of the 16 intelligence agencies of this country. None that I am aware of has had the integrity of the institution they represent—any of those 16—ever impugned on questions of quality of research—maybe other facets of intelligence but not the integrity of the intent of the product. The National Intelligence Estimate says that we are involved today, and have been, in Iraq in not just a sectarian conflict—a violent, vicious sectarian conflict—but an intrasectarian conflict. Is it not time and don't our troops and the American people expect the Congress, after 4 years, when things have gotten progressively worse, not better, to engage? And is it not our responsibility to address the issue of escalating our military involvement, putting American troops in the middle of a sectarian-intrasectarian war? Is that not our responsibility? Of course, it is our responsibility.

Madam President, I will have more to say as the debate goes forward this week. As I noted, I have every confidence in our two leaders that they will work out a resolution where we will have this debate because it is clearly in the interest of our country, clearly in the interest of our troops.

With that, I yield back my time and yield the floor.

Mr. WARNER. Madam President, before the Senator yields, I would like to associate myself with his remarks. I, too, have confidence in our leadership being able to work this out accordingly. No matter how strongly I feel about my resolution, I shall vote with our distinguished leader on this issue and hope he can reconcile the differences.

The PRESIDING OFFICER. The Republican leader is recognized.

Mr. McCONNELL. Madam President, I extend my gratitude to both the Senator from Nebraska and the Senator from Virginia for understanding the importance of having a full-fledged debate.

How much time remains on this side?

The PRESIDING OFFICER. The Republican leader has 5 minutes.

Mr. McCONNELL. Madam President, the Republican side of the aisle is ready for this debate. We are anxious to have it. There are different voices. We just heard from a couple of my distinguished colleagues who have a different view of this debate than I. What we are unified upon is a process that guarantees fairness for the consideration of what is clearly and unambiguously the most significant issue in the country at this moment.

The majority leader and I have been working in good faith on an agreement that provides for a structured debate on the various proposals and votes on each. The other side said we turned down three compromises but, frankly, that is not the full story.

The majority leader said he would agree to a consent that would allow votes on the McCain proposal and the Warner proposal. He also mentioned that he would agree to a 60-vote threshold on each of those. All we are asking for is the same agreement on the Gregg resolution. Now, in fact, there was demand among Republican Senators for additional alternatives. We were able to pair those down to two.

Why 60 votes? Let me remind all of our colleagues—and certainly the distinguished senior Senator from Virginia doesn't need to be reminded of that, having been here 29 years—that one single Senator can insist that a matter be subject to 60 votes. One single Senator. There are many Senators on this side of the aisle who would insist upon that. So it is a statement of the obvious that matters of consequence in the Senate over the years have developed in the following way: They are all subject to a 60-vote threshold. To suggest that is anything extraordinary really defies our experience here. It is ordinary, not extraordinary, for matters of great controversy—and even, in this day and age, matters of only a little controversy—to be subject to a 60-vote threshold.

Our good friends on the other side of the aisle—and this was an issue the Senator from Virginia was very much involved with in the last Congress—were seeking to establish in one of the last areas where 60 votes was not customarily required—the confirmation of judges—that we should start requiring it there as well. That would leave virtually nothing the Senate would consider, except the budget resolution, not being subject to a 60-vote threshold.

So what we are asking for on the Republican side is not at all extraordinary. The term "filibuster" has become a pejorative term for suggesting that one wants to stop something. Let me repeat, as I have said to the distinguished majority leader, to the Senator from Virginia, and to the Senator from Nebraska, we are not trying to stop this debate. We are trying to structure it in a way that is fair to the competing voices in the Republican conference who will band together shortly in a significant enough number to insist on a fair process.

So that is what this is about, Madam President. I have indicated to the Democratic leader—and I certainly wouldn't want to surprise him—that I intended to propound a unanimous consent request that would be acceptable to our side, and I will be happy to do that now, having given notice to the majority leader that I would do so.

But before doing that, let me say one more time, there is not a single Republican Senator seeking to avoid this debate. We have just heard from two voices that are in the minority in our conference—the Senator from Virginia and the Senator from Nebraska—who don't share my view, who nevertheless will vote against cloture shortly to make the point that this Republican minority insists upon fair treatment on this important debate.

Therefore, Madam President, I ask unanimous consent that at a time determined by the majority leader, after consultation with the Republican leader, the Senate proceed en bloc to the following concurrent resolutions under the following agreement:

S. Con. Res. 7, the Warner resolution which is to be discharged from the Foreign Relations Committee; McCain-Lieberman-Graham, regarding benchmarks; Gregg related to funding.

I further ask unanimous consent that there be a total of 10 hours—and I will be happy to pick whatever number might be agreeable to the majority leader—of debate equally divided between the two leaders or their designees; provided further, that no amendments be in order to any of the measures; further, that after the use or yielding back of time, the Senate proceed to three consecutive votes on the adoption of the concurrent resolutions in the following order, with no intervening action or debate: first, McCain-Lieberman-Graham; second, Gregg; third, S. Con. Res. 7. Finally, I ask unanimous consent that any resolution that does not achieve 60 votes in the affirmative, the vote on adoption be vitiated and the concurrent resolution be returned to its previous status.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Reserving the right to object.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, the vast, vast, vast majority of legislation passed out of this Senate is done by a simple majority. That is a fact. All one has to do is look at the CONGRESSIONAL RECORD. So with this new direction of the minority, it is very clear what is happening. They are trying to avoid debate on this matter. They want a new set of rules.

We have offered them votes, up-or-down votes on McCain, Warner, Gregg, and they turned that down. I said: OK, fine, we will have 60-vote margins on McCain, Warner. They turned that down. So I object, Madam President, and I will continue.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. Madam President, it is also very interesting—and I have the greatest respect for my friend from Virginia and my friend from Nebraska—but with all due respect to them, how could they vote against a motion to proceed? How could they vote against a motion to proceed saying let the two leaders work this out? What more could we give them than what they asked for last week? But now they want to throw in the Gregg amendment with a 60-vote margin.

Earlier today, the minority leader said: This vote is "about getting fair treatment for the minority here in the Senate." He was half right. This vote is about fairness but has little to do with being fair to the minority. The vote is about being fair to 132,000 troops already in Iraq by making sure they have the strategy they need to complete their mission so they can come home.

This vote is about being fair to the 48,000 American men and women who would be sent to Iraq should President Bush be permitted to escalate this war.

This vote is about being fair to the bipartisan majority of Senators who seek to voice their opposition to the President's plan to escalate the war.

This vote is about being fair to the American people and the millions of voters who chose a new direction last November.

As Senators, we owe it to our troops and our people to have a real debate about the way forward in Iraq. For 4 years, this body, under the control of the Republicans, sat silent on the most pressing issue facing our country—Iraq. As thousands of our soldiers were killed and tens of thousands wounded, the Senate, directed by the Republicans, sat silent, no debate on Iraq. As hundreds of billions of dollars were spent, the Senate sat silent. Republicans were in charge—no debate. They said no.

As Iraq fell into chaos and civil war, it became increasingly clear that the President's plan was flawed and failing. The Senate sat silent. The Republicans who were in control of the Senate said: No, no debate on Iraq.

As Senators and Americans, we cannot permit the silence to continue. This Democratic majority will not allow it to continue.

The administration's failures have dug us into a deep hole in Iraq—we all know that—and we have an obligation to find a way out. Our troops, most of all, need our help. They need a policy that is as worthy as their heroic sacrifice. They need a legislative branch that will finally exercise its constitutional responsibilities.

Madam President, I say to my friend from Connecticut, I wasn't able to hear all of his speech, but I did hear this that caused me to take note: He said words to the effect: What are the Shia politicians going to think? What are the Sunni politicians going to think if, in fact, Warner passed? I wonder what the Sunni politicians thought, and I wonder what the Shia politicians thought when the Iraqi Prime Minister, duly elected, told the President of the United States that he wanted American troops out of Baghdad. So let's not direct this to Senator WARNER.

A "no" vote on the motion to proceed is a green light to George Bush to continue down the same failed course of almost 4 years.

A "no" vote is an endorsement of escalation, sending 48,000 more troops to Iraq and spending at least an extra $27 billion—$27 billion extra—when this war has already cost almost a half a trillion dollars.

A "no" vote is a vote in support of this President continuing the same policy of failure in Iraq.

We have been told by our intelligence experts that the war is not going to be won by the military; it is only going to be won politically. That is what the Iraq Study Group said. That is what all people say, with rare exception. Those are the people holding hands with the President.

We must heed the results of the November elections and the wishes of the American people. We must change course, and this change starts with this next vote.

This side—Democrats—have offered the minority everything they have asked for. Remember: Vote on Warner, vote on McCain; you want a simple majority; you want a supermajority; we will go along with that. We have been fair to them. Now the Senate must be fair to our troops, their families, and the American people. We must proceed with a debate about Iraq and send a clear message to President Bush that escalation is not the answer.

Some say let the leaders work it out. Part of this stall has been a stall for obvious reasons. If not tonight, tomorrow? I must file a motion to invoke cloture on the continuing resolution because the Republicans said they are going to filibuster it. I have gotten letters to that effect. We should have been debating the Warner, McCain resolutions today, but they have not allowed us. They wouldn't allow us to proceed on this matter.

I am telling everyone within the sound of my voice, a decision will have to be made whether to go further than tonight, but the time is very tenuous—very tenuous. If they stop us from going forward on this debate, this does not end the debate on Iraq. It may end the debate for a few days or a few weeks, but, remember, we have the 9/11 Commission recommendations coming and that is open to amendment and I can guarantee everybody there will be Iraq amendments involved in that debate.

The supplemental bill is coming. This is to fund the war in Iraq basically more than $100 billion. I think there will probably very likely be a number of amendments dealing with Iraq.

They can run, but they can't hide. We are going to debate Iraq, and they may have gotten all their folks to vote against the motion to proceed, they may stop us temporarily from debating the escalation, but they are not going to stop us from debating Iraq.

We have lost 3,100 soldiers, sailors, and marines. They are dead, Madam President. We don't know the exact number of how many have been wounded—24,000, 25,000.

We are not going to allow the situation in Iraq to continue. It is wrong. There can be no military solution. The President has been told that. I think it speaks volumes when he meets with the Iraqi Prime Minister who is elected, and the Iraqi Prime Minister says:

Mr. President of the United States, get all American soldiers out of Baghdad.

That's what he said. I think it speaks volumes when military commanders say that it is not the way to go. We know what Casey said. His tune has changed a little bit since he was relieved of duty over there.

The families of the 3,100 soldiers who have been killed, the families of the 24,000, 25,000 who have been wounded demand we go forward with this debate.

We are going to start voting momentarily, and remember what the vote is. The vote is whether we can proceed to debate the escalation of the war in Iraq. And the Republicans have told everybody they are all going to vote no. If they think this can pop up real easily again, I think they may have another thing coming.

I repeat, the Republicans left town and left the Government without adequate resources to go ahead and complete funding of the Federal Government for this year. We have to take up the work they did not complete. They funded the Government until February 15, and now it is up to us to make sure the Government continues to run.

If they want to pull a Newt Gingrich and close down the Government, that is their responsibility. But I believe we should move forward and make sure the Government is funded, and there is not a lot of time for Iraq. That is a sad commentary on the situation because we lost days as a result of these parliamentary delays.

I ask unanimous consent that if we get to third reading of S. 470 it then be turned into a concurrent resolution and passage occur on the concurrent resolution and not S. 470. Before hearing how anybody feels about this, I said last week that we would be happy to consider this bill as a resolution. Everybody heard me say that. The American people heard me say that. So anybody who tries to hide under a procedural vote because this is a bill and not a resolution is not being fair because simply I have stated—and I know that everyone in this Chamber heard me say this, and I have said it many times—I ask unanimous consent that if we get to third reading of S. 470, that it be turned into a concurrent resolution and that passage occur on the concurrent resolution and not S. 470.

I add another unanimous consent request to this. I am willing to change it to a concurrent resolution right now, as I was willing to do last week.

The PRESIDING OFFICER. Is there objection?

Mr. McCONNELL. Reserving the right to object, this is essentially the same unanimous consent request propounded last Thursday night. This matter ought to be dealt with as a concurrent resolution. It is clear the other side does not want to vote on the Gregg amendment. Therefore, I object.

The PRESIDING OFFICER. Objection is heard.

CLOTURE MOTION

Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will report.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule 22 of the Standing Rules of the Senate, do hereby move to bring to a close the debate on the motion to proceed to Calendar No. 19, S. 470, Bipartisan Iraq legislation.

Carl Levin, Joe Biden, Ken Salazar, Harry Reid, Pat Leahy, Sherrod Brown, Patty Murray, Robert Menendez, John F. Kerry, Barbara Mikulski, Dick Durbin, Jack Reed, Tom Harkin, Dianne Feinstein, Bill Nelson, H.R. Clinton, Herb Kohl, Ben Nelson.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 470, a bill to express the sense of the Congress on Iraq, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from South Dakota (Mr. JOHNSON) and the Senator from Louisiana (Ms. LANDRIEU), are necessarily absent.

Mr. LOTT. The following Senators were necessarily absent: the Senator from Florida (Mr. MARTINEZ) and the Senator from Arizona (Mr. MCCAIN).

The PRESIDING OFFICER (Mr. SANDERS). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 49, nays 47, as follows:

[Rollcall Vote No. 44 Leg.]

YEAS—49

Akaka
Baucus
Bayh
Biden
Bingaman
Boxer
Brown
Byrd
Cantwell
Cardin
Carper
Casey
Clinton
Coleman
Collins
Conrad
Dodd
Dorgan
Durbin
Feingold
Feinstein
Harkin
Inouye
Kennedy
Kerry
Klobuchar
Kohl
Lautenberg
Leahy
Levin
Lincoln
McCaskill
Menendez
Mikulski
Murray
Nelson (FL)
Nelson (NE)
Obama
Pryor
Reed
Rockefeller
Salazar
Sanders
Schumer
Stabenow
Tester
Webb
Whitehouse
Wyden

NAYS—47

Alexander
Allard
Bennett
Bond
Brownback
Bunning
Burr
Chambliss
Coburn
Cochran
Corker
Cornyn
Craig
Crapo
DeMint
Dole
Domenici
Ensign
Enzi
Graham
Grassley
Gregg
Hagel
Hatch
Hutchison
Inhofe
Isakson
Kyl
Lieberman
Lott
Lugar
McConnell
Murkowski
Reid
Roberts
Sessions
Shelby
Smith
Snowe
Specter
Stevens
Sununu
Thomas
Thune
Vitter
Voinovich
Warner

NOT VOTING—4

Johnson
Landrieu
Martinez
McCain

The PRESIDING OFFICER. On this vote, the yeas are 49, the nays are 47. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The majority leader is recognized.

Mr. REID. Mr. President, I enter a motion to reconsider that vote.

The PRESIDING OFFICER. The motion is entered.

MORNING BUSINESS

Mr. REID. I ask unanimous consent the Senate now proceed to a period of morning business with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Iowa.

Mr. GRASSLEY. Speaking as in morning business?

The PRESIDING OFFICER. Yes.

TAX GAP AND THE MINIMUM WAGE

Mr. GRASSLEY. Mr. President, I would like to speak about two issues that have been much in the news lately: the tax gap and the minimum wage bill. We had on the front page of the Times today the discussion about the tax gap. In addition, with the release of the President's budget today, the administration has provided Congress substantive proposals to deal with the tax gap. It is now Congress's responsibility to consider these proposals, review them, and hear from the public and also see what more is possible in terms of addressing the tax gap. But the good news is we have already taken steps in this Congress to deal with the tax gap. We have very important tax reforms and tax gap measures included in the minimum wage bill. So Congress is effectively killing two birds with one stone.

First, we are providing needed tax relief for small businesses that could be harmed by the increase in the minimum wage—and I voted for an increase in the minimum wage. Second, in the minimum wage bill we are going after the tax gap and those who engage in the tax scams.

Two things: No. 1, we are dealing with efforts to help small business and, No. 2, we are at the very same time bringing more money into the Federal Treasury by closing tax scams and reducing the tax gap.

I would say, as a sidenote to my colleagues, particularly the new leaders on the Budget Committee, that these tax provisions are only the latest example of the Finance Committee producing additional revenues by changes in the Tax Code. Unfortunately, I feel as though I need to put on a Sherlock Holmes hat and hire a bloodhound to go out and try to find any savings that the Budget Committee makes and had enacted into law when it comes to the spending side of the ledger. We have more than done our job on the tax side. I say it is time for the Budget Committee to deliver savings on the spending side.

But let me turn back to the tax gap and turn back to the minimum wage bill. I am very pleased that in working with Senator BAUCUS we have, as part of the tax provisions contained in the minimum wage package, a new provision—a number of provisions, in fact—that will go after those engaged in tax shelters and tax scams and take steps, then, in the process, to address the tax gap—in other words, money that is owed but not paid. I would like to highlight just a few of these provisions that are in the minimum wage bill that are closing the tax gap and shutting down tax scams.

We shut down the SILO scheme. That is an acronym. U.S. corporations cut their tax bills by purchasing and leasing back overseas government facilities such as sewer plants and subways in the country of Germany. We take additional steps to go after corporations that move to the Bahamas and have just a mailbox, not any people, and use the gimmick to cut their taxes. I can't tell you how many times I have heard speeches about that issue from Senators on the other side of the aisle. We can end the talking and we can start doing something about it with these very provisions contained in the minimum wage bill if we do not let suceed people who are talking about separating the tax provisions of the wage bill just to get a minimum wage bill passed.

We also tightened the rules on individuals who expatriate to avoid taxes legally owed in the United States—and we have that happen.

We end the fast and loose ways that corporations account for fines and penalties, so if a corporation gets a penalty for, let's say, polluting the environment, they do not get to deduct that from their income tax. We also increase penalties for those who underpay taxes due to fraud. I think everybody would agree with that. We double the fines and the penalties for those who use offshore financial arrangements to avoid taxes. The Finance Committee views that as a growing problem and a major reason that there is such a tax gap. We expand and improve the whistleblower program which will provide the Internal Revenue Service a roadmap for corporate tax fraud.

We modify the collection due process rules to protect the tax protesters from abusing the system. This is something that the administration proposed in its budget today to help deal with the tax gap.

This collection due process provision contained in the minimum wage bill only emphasizes my point that we can start dealing with a tax gap today, right now.

And then a final provision I will make reference to is one provision that closes a loophole in section 162(m), the $1 million limitation for corporate executives. The provisions provide that a CEO can't avoid the effects of 162(m) by not being on the job at the end of the year.

Mr. President, forests have been sacrificed to print the speeches that politicians make decrying excessive CEO pay. Yes, we have a provision in the minimum wage bill that tightens the deduction that can be taken for higher CEO pay.

So I get down to the basics, and I get down to the basics because I have been hearing some rumors from Senators—but more importantly from the leadership of the other body—that in order to get a minimum wage bill passed, we ought to drop the tax provisions and pass the minimum wage bill. But I have always been hearing over the years from those people who are saying: We need to do something about the tax gap; we need to do something about the tax scams; we need to do something about people going offshore to avoid the payment of taxes, and on and on. So I have to ask the Democratic leadership if they are going to put the provisions I am talking about—closing the tax gap, closing down the tax scams—if they want to put those provisions in the trash can. If they do, I would also like to put into the trash all the speeches made on the other side then about CEO pay.

I say this because the time for speeches is over. We can take steps right now with the tax provisions in the minimum wage bill to deal with the tax gap and CEO pay. I have listed these provisions, and as my colleagues know, while many of them are good common sense, these provisions are also not at all popular downtown on K Street or up the eastern coast on Wall Street.

While the debate has focused on the tax breaks for small business in the minimum wage bill—and those are important because they are helping small business overcome some negative impact of the minimum wage increase—it is also critical we pass a much-needed tax gap and anti-abuse provisions contained in the minimum wage bill and pass them now. Delaying these reforms as some would argue—putting them on another tax bill—rewards tax cheats. These reforms are often date and time sensitive. Delay only benefits those who are playing fast and loose with our tax laws.

I can't believe the House Democratic leadership wants the first action they take in the area of taxes to drop these reform provisions—these provisions that would close the tax gap—and signal to the tax cheats that the door is wide open.

Senator BAUCUS and I, working together over the years, have passed into law a good many reforms, and we have shut down a number of tax scams. However, we have been, at times, stymied in the other body—not by Democrats but by Republicans.

We heard a lot of commentary during the elections and afterwards how it was no longer going to be business as usual. My hope is that given the rhetoric of the new House leadership, we could finally pass these anti-abuse tax reforms in the minimum wage bill. I worry, though, that with folks talking about stripping the tax provisions from the minimum wage bill, the House leadership may be singing a new song. But the results are the same. The House Democratic leadership needs to understand that kowtowing to K Street is not a new direction that was promised by a new majority in the last election. They can show it is not business as usual, as they were condemning Republicans of doing. They can show that by passing all the tax provisions contained in the Senate minimum wage bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

U.S. STRATEGY IN IRAQ

Ms. STABENOW. Mr. President, I rise this evening being greatly disturbed by what happened on the floor of the Senate, after a tremendous amount of good-faith effort and very hard work by our colleagues on both sides of the aisle, bringing together a resolution to offer to this body for a debate, for a full debate on the question of escalating the war in Iraq. What we have seen from the minority is a filibuster that has stopped us from even proceeding—from even proceeding to be able to take up the resolution.

Our majority leader offered to take up other resolutions, some contradicting the one that we wished to have brought forward, to have equally debated resolutions, the same amount of time, the same amount of votes that are needed in order to be able to bring forward the resolutions and possibly pass them.

Every effort by the majority leader was turned down. Every time he brought up a possible solution to be able to bring forward these resolutions and have a full debate, which the American people are demanding that we do, he was told "no." No, no, no. So we are now in a situation where the minority has voted down the ability for us to even go to a resolution or multiple resolutions dealing with the issue of Iraq, which we are all so deeply concerned about.

Right now it is after midnight in Baghdad, and we have over 130,000

American troops who are settled in for another long night half a world away from home. They are living, working, fighting in the most difficult conditions anyone can imagine. They are patrolling crowded streets. They are standing guard on lonely posts. They are reaching out to Iraqi citizens and putting themselves constantly in harm's way to protect their fellow soldiers. They are there because their Government called them. They come from every corner of this great Nation. They represent every color, creed, religion, and political voice in this country.

I have been to Iraq—many of us have—and I have talked to our men and women in the field and they are the best this country has to offer. For our entire history, they have answered when called. They have gone where we sent them. They have fought when we have asked them to do so. They have dedicated their lives to preparing for wars they did not want, and when asked, they have executed their training with pride, bravery, and an unwavering spirit.

We are blessed this evening to sleep under the blanket of freedom they provide. And no one—no one in this Chamber—is questioning the job they are doing. We are all patriots in this debate—all of us—with differing views, strongly held views about the best way to move forward. We are all patriots.

I have listened intently over the past weeks, and I have heard colleagues and representatives of the administration state time and again that those of us questioning the President are somehow undermining the morale of our troops. I find that insulting, not only to me and to my colleagues who care deeply about this and who have worked together in a bipartisan way to bring forward this resolution but to our soldiers, our sailors, our airmen, and marines. Open and honest debate about the execution of this war is not only what our armed services expect, it is what they deserve. Our citizen soldiers demand our best, and our best is not idle silence. Our best is not a filibuster that stops a resolution from even coming to the floor so that we can have an open, honest debate about it. Our citizen soldiers are on the frontlines. In this Chamber, we use words, but those words have real-world consequences, and no one lives those consequences more than our troops on the ground. Debate in a democracy does not undermine the morale or the will of our armed services. The lack of a clear, measurable, and achievable mission does undermine what they are doing. That is what we are all wanting to see happen. That is what we want to see developed for them.

They need to know that their leaders have based their orders on reason, not on wishful thinking and on a misguided adherence to a failed strategy. They need to know that their leaders have sensibly considered all of the options available and that those considerations are grounded in fact, not in rhetoric or posturing.

On October 11, 2002, 23 of us in the Senate cast a lonely vote against this White House effort to go to war because the evidence was not clear enough—it just wasn't there—to warrant going to war. I cast that vote because I believed that the pretense for war was based not in definable evidence but on predetermined conclusions. War is a tool of last resort, a decision that should be made with great trepidation when our country is at risk and other options have been exhausted.

From day one, the reasoning for this war has been unclear and inconsistent, from the initial lack of preparedness for securing Baghdad to the most recent call for escalation. We have seen a strategy based on the best-case scenario calculations of politicians, not on the wholly realistic conclusions of career military officers. Mistakes have been made at every turn, and 4 years and over 3,000 American lives later and hundreds of thousands of lost lives and injuries of Iraqis, we are still paying the price.

Some have insisted this resolution is a ploy to embarrass the President. This is clearly not our goal. This is not a discussion about politics. It is a debate about policy. Any soldier will tell you there are no politics in a foxhole. The American people, Republicans and Democrats, are asking us to look long and hard at what we are doing in Iraq. We were not elected to stand silently by while our fellow citizens demand answers.

We can't even have a full debate because of the vote that happened. The American people are asking us not only to debate but to come to the right answers, the responsible answers for the direction and strategy in Iraq. Our soldiers deserve that, and we have in front of us a resolution that we couldn't even get enough votes to bring up to discuss, to debate it fully and have a vote. I believe the simple fact is very clear that escalation is not the answer, and I want the opportunity to vote on that, to say that on behalf of the people of Michigan. Putting more Americans in harm's way will not bring our men and women home any sooner. Why would we go further down the path that has led us to this point? Why would we repeat our previous mistakes and call it a new strategy?

A free and stable Iraq can only be secured by the Iraqis. They must embrace responsibility for their collective future and decide that living and dying at the hands of sectarian violence is not the future they want for their children and their grandchildren. We must support their efforts—and I do—but we cannot substitute American troops for Iraqi resolve. With the freedom of self-determination comes the responsibility of collective security.

We must continue to train our friends in Iraq. We must equip them and provide sensible military support based on the advice of our generals and military experts. We must lead them by example, by embracing the realities of our own democratic process as we attempt to collectively solve the challenges in the war in Iraq. How can we be talking to them about the democratic process when that process is stopped right here in the Senate in the ability to openly debate and vote on the resolution?

I stand in support of the Warner-Levin resolution and to say that escalation is a grave mistake. I am certain when judged by our fellow Americans, the votes that many Members will cast, if we have the opportunity to do so, to say "enough is enough" to this White House will be greeted with sober support.

With heaviness in my heart, I am also sadly confident that when judged by history, those who have questioned the reasoning and the execution of this war will have our concerns justified.

We can't change how we got here. We can't change the fact we are in Iraq. That chapter of history is written, set in stone, and paid for with the lives of Americans and Iraqis, and the lives of many other individuals around the world. However, we can learn from the path we have walked. We have the ability to reassess and to change course, to get it right, to put forward our collective best wisdom from everyone who has been involved. On behalf of our soldiers, they deserve that. They deserve a full debate in the Senate, to be able to state our positions on policy, on policy that right now at this moment they are carrying out in Iraq. They deserve the very best debate and very best decisions.

That is what this is about. That is what we were hoping to get tonight, the opportunity to go forward, to work together in a bipartisan way to put forward a statement that says we believe there is a better way, a better strategy than what the President has begun to execute.

I hope we will have an opportunity to vote on this resolution. I welcome other resolutions that colleagues have put forward in good faith. I may not agree with them—and that is all right; that is how the process works—but they deserve debate just as our resolutions deserve debate.

In Iraq, we are talking about their setting up a democracy, the ability to fully debate and participate in their government. We need to show by example that we are not afraid of debate, of involvement, we are not afraid to stand and say what we think and put our own vote and opinions on the line on something so critical to the future of our country, most particularly to our men and women in the armed services and their families, and, frankly, to the world.

We need the opportunity to vote. We need the opportunity to debate. The American people are calling on the Senate to do nothing less. Tonight was not an example of our listening.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SANDERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. WHITEHOUSE). Without objection, it is so ordered.

Mr. SANDERS. Mr. President, in my home State of Vermont and all across this country, the American people are deeply concerned about the war in Iraq. They want real debate here in Washington on this issue and, more importantly, they want real action.

Frankly, I have a hard time understanding why some of my colleagues, regardless of what their position on the war might be, would try to prevent a vote on what is at best a very modest proposal that was brought forth this afternoon. If you like the Warner bill, you should vote for it. If you do not like it, you should vote against it. But in fairness to the American people, we should have a serious debate and a vote on this issue.

Let me be very clear in giving you my perspective on this war. In my view, President Bush's war in Iraq has been a disaster. It is a war we were misled into and a war many of us believed we never should have gotten into in the first place.

This is a war which the administration was unprepared to fight. The administration has shown little understanding of the enemy or the historical context or the cultural context in which we found ourselves. Who will forget President Bush declaring "mission accomplished" aboard the aircraft carrier Abraham Lincoln when, in fact, the mission had barely begun? Who will forget Vice President CHENEY telling us that the insurgency was in its "last throes," just before some of the bloodiest months of the war took place? Who will ever forget those Bush advisers who predicted that the war would be a cakewalk—nothing to worry about—and that we would be greeted in Iraq as liberators?

This war in Iraq has come at a very, very high price in so many ways. This is a war which has cost us terribly in American blood. As of today, we have lost some 3,100 brave American soldiers, twenty-three thousand more have been wounded, and tens of thousands will come home with post-traumatic stress disorder.

This is a war which, with the President's proposed increase, will cost us some $500 billion, with the price tag going up by $8 billion every single month. This cost is going to add to the huge national debt we are already leaving to our children and grandchildren. And it is going to make it more difficult for us to fund health care, education, environmental protection, affordable housing, childcare, and the pressing needs of the middle class and working families of our country, not to mention the needs of our veterans, whose numbers are rapidly increasing as a result of this war.

This is a war which has caused unimaginable horror for the people of Iraq. People who had suffered so long under the brutality of the Saddam Hussein dictatorship are suffering even more today. There are estimates that hundreds of thousands of Iraqis have been killed or wounded and almost 2 million have been forced to flee their country—some 8 percent of their population.

While civil war tears neighborhoods apart, children are without schools, and the Iraqi people lack electricity, health care, and other basic necessities of life. The doctors and nurses, teachers and administrators who have provided the professional infrastructure for the people of Iraq are now long gone.

This is a war which has lowered our standing in the international community to an all-time low in our lifetimes, with leaders in democratic countries hesitant to work with us because of the lack of respect their citizens have for our President. Long-time friends and allies are simply wondering what is going on in the United States today. This is a war which has stretched our active-duty military to the breaking point, as well as our National Guard and Reserve forces. Morale in the military is low, and this war will have lasting impacts on the future recruitment, retention, and readiness of our Nation's military. This is a war which has in many respects lowered our capability to effectively fight the very serious threats of international terrorism and Islamic extremism.

Five years after the horrific attacks of 9/11, Osama bin Laden remains free. Using the presence of United States troops in Iraq as their rallying call, al-Qaida's strength around the world continues to grow and the situation in Afghanistan is currently becoming more and more difficult.

Tragically, this administration has refused to listen to the American people who, in this last election, made it very clear that they want a new direction in Iraq, and they want this war wound down, not escalated.

This administration has refused to listen to the thoughtful suggestions of the bipartisan Iraq Study Group, which included two former Secretaries of State, including President Bush's own father's Secretary of State, as well as a former Presidential chief of staff and a former Secretary of Defense, that it was time for a change in direction. This administration has refused to listen to the advice of our military leaders in Iraq who told us that increasing troops from the United States would make it easier for the Iraqi Government and military to avoid their political and military responsibilities.

This administration has refused to listen to the Iraqi people who, according to a number of polls, have told us very strongly that they believe, in the midst of all of the horror and turmoil and violence within their country, that they would be safer and more secure if our troops left their country.

In fact, this administration has tragically refused to listen to almost anybody except that same shrinking inner circle, led by the Vice President, who has consistently been wrong on this issue from day one.

As most everybody understands and as the recent National Intelligence Estimate has confirmed, the situation today in Iraq is extremely dire. The sad truth is there are now no good options before us; there are simply less bad options. In Iraq today, according to Secretary of Defense Bob Gates, there are now at least four separate wars being fought, wars that our soldiers who have fought with incredible bravery and skill find themselves in the middle of.

Let me quote Secretary Gates, who has recently stated:

> I believe there are essentially four wars going on in Iraq. One is Shia on Shia, principally in the south; the second is sectarian conflict, principally in Baghdad but not solely. Third is the insurgency, and fourth is Al Queda.

The reality today, as described by the Secretary of Defense, has nothing to do with why President Bush got us into this war in the first place. In March of 2002, he told us Iraq had weapons of mass destruction and that they were poised to use those weapons against us. That was not true and certainly has no relevance to the war today. In 2002, the President told us Iraq was somehow linked to al-Qaida and bore some responsibility for the horrific 9/11 attack against our country. That also turned out not to be true and has no relevance to the situation we find ourselves in today.

In the 2006 elections, the American people, in a loud and unmistakable voice, told us they no longer had confidence in the Bush administration's handling of the war in Iraq. In my view, they told us they wanted Congress to begin asserting its constitutional authority over this war, and they wanted us to rein in the administration. Most importantly, they told us they wanted us to begin the process of bringing our troops home as soon as possible. And as a Vermont Senator, that is exactly the effort I intend to make.

In my view, the Warner resolution is far too weak. It is a baby step forward. Whether it is passed or not, it must be followed with much stronger legislation, legislation that has real teeth. Instead of just voicing our disapproval of President Bush's escalation of the war with a nonbinding resolution, we should now be considering legislation that provides for the safe and orderly redeployment of virtually all of our troops out of Iraq within the next year, even as we continue to give support to the Iraq Government and their military for the purpose of helping them accept their political and military responsibilities. That is the legislation we should be debating. That is the legislation we should be passing.

How can we accomplish this withdrawal and redeployment? Regardless of what happens with the nonbinding Warner bill, in the very near future we must bring forth legislation on to the floor of the Senate that would prohibit the use of funds for an escalation of United States military forces without a specific new authorization from the Congress. Secondly, we must consider legislation to require a schedule for the return home of a majority of American forces and the redeployment of the rest of the American forces from Iraq to other places. Finally, we must vote against any additional funding to increase troop levels. In addition, we must set conditions in any future funding bill so that the President is obliged to begin winding down this war.

We are mired in a war that has gone on longer than American involvement in either the First World War or the Second World War. We will spend more money on this war in real dollars than we spent on either the Korean war or the war in Vietnam. Our standing in the international community has declined, and our ability to combat international terrorism has been seriously compromised. It is time to say no to this ill-conceived escalation. It is time to deploy our troops out of harm's way. It is time to end this war.

HONORING CHARLES H. RAMSEY

Mr. DURBIN. Mr. President, I rise today to honor Charles H. Ramsey, who retired as chief of the Metropolitan Police Department at the end of December.

A Chicago, IL, native, Chief Ramsey began his career in law enforcement with the Chicago Police Department in 1968. Over the course of nearly three decades, Ramsey proved himself a dedicated and capable member of the force. He was promoted to Deputy Superintendent of the Bureau of Staff Services in 1994. The position brought with it many new responsibilities and put him in charge of the Department's education and training programs, an area in which Charles Ramsey excelled.

During his tenure with the CPD, Chief Ramsey played an instrumental role in the creation and implementation of the Chicago Alternative Policing Strategy, the city's innovative model of community policing. CAPS was designed to help police officers better understand the communities they were patrolling, rendering them more effective in preventing crime.

Chief Ramsey comanaged the Chicago Alternative Policing Strategy program, which promoted the cooperation of police, community, and city services. The training program to support the CAPS operation model provided guidelines for working with city agencies, and encouraging residents to become involved in their neighborhoods and communities through local meetings with law enforcement officials.

Chief Ramsey brought many of the strategies he piloted in Chicago to Washington when he was appointed chief of the Metropolitan Police Department in April of 1998. Chief Ramsey has said that when he came to the MPDC he found "outstanding people who were frustrated by antiquated technology, vehicles and equipment and perhaps most of all, an overall sense of organizational pride and purpose that needed to be restored." Chief Ramsey made it his goal, over the next 8½ years not only to update the Department's resources, but to restore the Department's sense of pride and to build public confidence in the police.

Under his leadership, the Metropolitan Police Department saw a shift in strategic vision, with a new emphasis on community policing and crime prevention. Chief Ramsey created a system of Regional Operations Commands, designed to reduce unnecessary bureaucracy and enhance accountability. In eight and a half years, the Department has achieved much success. The crime rate in the District of Columbia is close to 40 percent lower than when Chief Ramsey joined the force. Meanwhile, the department received acclaim for its handling of a number of major events, including the 1999 NATO 50th Anniversary summit and the 2000 protests against the International Monetary Fund and World Bank Group.

Throughout his career, Chief Ramsey has received numerous accolades and been presented with many honors. He received the Gary P. Hayes Award from the Police Executive Research Forum, the 2001 Robert Lamb Humanitarian Award from the National Organization of Black Law Enforcement Executives and the 2001 Civil Rights Award from the International Association of Chiefs of Police. But Chief Ramsey is sure to be remembered for an unlikely partnership that developed shortly after he arrived in Washington.

It began, when Chief Ramsey visited the United States Holocaust Museum at the invitation of the Anti-Defamation League. Following his visit, he considered the ways in which his Department could learn from the history of the Holocaust, in particular the vital role law enforcement must play in protecting civil liberties. Chief Ramsey enlisted the help of the Museum and the ADL in drafting a curricula and training program for his officers. In 1999, "Law Enforcement and Society: Lessons from the Holocaust" was introduced. Since its inception "Law Enforcement and Society" has been used by more than a dozen other departments and the Federal Bureau of Investigation. In 2001, the Anti-Defamation League recognized Chief Ramsey's efforts, presenting him with the Sigmund Livingston Award and Chief Ramsey was honored by the Holocaust Museum in 2005.

I congratulate Chief Charles Ramsey on his many accomplishments throughout his long and distinguished career. I thank him for his leadership in the Metropolitan Police Department and his commitment to public service. I wish him and his family the very best in the years to come.

PUBLICATION OF COMMITTEE RULES IN CONGRESSIONAL RECORD

Mrs. FEINSTEIN. Mr. President, I would like to take this opportunity to remind all Senate Committee chairmen that paragraph 2 of the Standing Rules of the Senate requires each Senate committee to adopt rules to govern its procedures. Under this rule, committee rules may not be inconsistent with the Rules of the Senate and must be published in the Congressional Record not later than March 1, 2007.

COMMITTEE ON RULES AND ADMINISTRATION RULES OF PROCEDURE

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that pursuant to paragraph 2 of rule XXVI of the Standing Rules of the Senate, the Rules of Procedure of the Committee on Rules and Administration, adopted on January 31, 2007, be printed in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

RULES OF PROCEDURE—UNITED STATES SENATE COMMITTEE ON RULES AND ADMINISTRATION

TITLE I—MEETINGS OF THE COMMITTEE

1. The regular meeting dates of the Committee shall be the second and fourth Wednesdays of each month, at 10 a.m. in room SR-301, Russell Senate Office Building. Additional meetings of the Committee may be called by the Chairman as she may deem necessary or pursuant to the provision of paragraph 3 of Rule XXVI of the Standing Rules of the Senate.

2. Meetings of the committee, including meetings to conduct hearings, shall be open to the public, except that a meeting or series of meetings by the committee on the same

subject for a period of no more than 14 calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated in subparagraphs (A) through (F) would require the meeting to be closed followed immediately by a recorded vote in open session by a majority of the Members of the committee when it is determined that the matters to be discussed or the testimony to be taken at such meeting or meetings:

A. will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

B. will relate solely to matters of the committee staff personnel or internal staff management or procedure;

C. will tend to charge an individual with crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy, or will represent a clearly unwarranted invasion of the privacy of an individual;

D. will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement;

E. will disclose information relating to the trade secrets or financial or commercial information pertaining specifically to a given person if:

(1) an Act of Congress requires the information to be kept confidential by Government officers and employees; or

(2) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person; or

F. may divulge matters required to be kept confidential under the provisions of law or Government regulations. (Paragraph 5(b) of rule XXVI of the Standing Rules.)

3. Written notices of committee meetings will normally be sent by the committee's staff director to all Members of the committee at least a week in advance. In addition, the committee staff will telephone or e-mail reminders of committee meetings to all Members of the committee or to the appropriate assistants in their offices.

4. A copy of the committee's intended agenda enumerating separate items of legislative business and committee business will normally be sent to all Members of the committee and released to the public at least 1 day in advance of all meetings. This does not preclude any Member of the committee from discussing appropriate non-agenda topics.

5. After the Chairman and the Ranking Minority Member, speaking order shall be based on order of arrival, alternating between Majority and Minority Members, unless otherwise directed by the Chairman.

6. Any witness who is to appear before the committee in any hearing shall file with the clerk of the committee at least 3 business days before the date of his or her appearance, a written statement of his or her proposed testimony and an executive summary thereof, in such form as the chairman may direct, unless the Chairman and the Ranking Minority Member waive such requirement for good cause.

7. In general, testimony will be restricted to 5 minutes for each witness. The time may be extended by the Chairman, upon the Chair's own direction or at the request of a Member. Each round of questions by Members will also be limited to 5 minutes.

TITLE II—QUORUMS

1. Pursuant to paragraph 7(a)(1) of rule XXVI of the Standing Rules, a majority of the Members of the committee shall constitute a quorum for the reporting of legislative measures.

2. Pursuant to paragraph 7(a)(1) of rule XXVI of the Standing Rules, one-third of the Members of the committee shall constitute a quorum for the transaction of business, including action on amendments to measures prior to voting to report the measure to the Senate.

3. Pursuant to paragraph 7(a)(2) of rule XXVI of the Standing Rules, 2 Members of the committee shall constitute a quorum for the purpose of taking testimony under oath and 1 Member of the committee shall constitute a quorum for the purpose of taking testimony not under oath; provided, however, that in either instance, once a quorum is established, any one Member can continue to take such testimony.

4. Under no circumstances may proxies be considered for the establishment of a quorum.

TITLE III—VOTING

1. Voting in the committee on any issue will normally be by voice vote.

2. If a third of the Members present so demand a roll call vote instead of a voice vote, a record vote will be taken on any question by roll call.

3. The results of roll call votes taken in any meeting upon any measure, or any amendment thereto, shall be stated in the committee report on that measure unless previously announced by the committee, and such report or announcement shall include a tabulation of the votes cast in favor of and the votes cast in opposition to each such measure and amendment by each Member of the committee. (Paragraph 7(b) and (c) of rule XXVI of the Standing Rules.)

4. Proxy voting shall be allowed on all measures and matters before the committee. However, the vote of the committee to report a measure or matter shall require the concurrence of a majority of the Members of the committee who are physically present at the time of the vote. Proxies will be allowed in such cases solely for the purpose of recording a Member's position on the question and then only in those instances when the absentee committee Member has been informed of the question and has affirmatively requested that he be recorded. (Paragraph 7(a) (3) of rule XXVI of the Standing Rules.)

TITLE IV—AMENDMENTS

1. Provided at least five business days' notice of the agenda is given, and the text of the proposed bill or resolution has been made available at least five business calendar days in advance, it shall not be in order for the Committee to consider any amendment in the first degree proposed to any measure under consideration by the Committee unless such amendment has been delivered to the office of the Committee and circulated via e-mail to each of the offices by at least 5:00 PM the day prior to the scheduled start of the meeting.

2. In the event the Chairman introduces a substitute amendment or a Chairman's mark, the requirements set forth in Paragraph 1 of this Title shall be considered waived unless such substitute amendment or Chairman's mark has been made available at least five business days in advance of the scheduled meeting.

3. It shall be in order, without prior notice, for a Member to offer a motion to strike a single section of any bill, resolution, or amendment under consideration.

4. This section of the rule may be waived by agreement of the Chairman and the Ranking Minority Member.

TITLE V—DELEGATION OF AUTHORITY TO COMMITTEE CHAIRMAN

1. The Chairman is authorized to sign herself or by delegation all necessary vouchers and routine papers for which the committee's approval is required and to decide in the committee's behalf all routine business.

2. The Chairman is authorized to engage commercial reporters for the preparation of transcripts of committee meetings and hearings.

3. The Chairman is authorized to issue, in behalf of the committee, regulations normally promulgated by the committee at the beginning of each session.

TITLE VI—DELEGATION OF AUTHORITY TO COMMITTEE CHAIRMAN AND RANKING MINORITY MEMBER

The Chairman and Ranking Minority Member, acting jointly, are authorized to approve on behalf of the committee any rule or regulation for which the committee's approval is required, provided advance notice of their intention to do so is given to Members of the committee.

GANG ABATEMENT AND PREVENTION ACT

Mr. SALAZAR. Mr. President, I rise to speak in support of the Gang Abatement and Prevention Act, introduced by Senator FEINSTEIN. Before discussing the details of this bill, I want to state how pleased I am that it has such broad bipartisan support. With 13 sponsors, 7 Democrats and 6 Republicans, I am hopeful that this bill can move quickly through Congress.

Gang-related violence is on the rise, in Colorado and throughout the Nation. Just by way of example: according to the Colorado Bureau of Investigation, Denver is home to roughly 12,470 gang members, who are affiliated with 110 gangs. Nationwide, there are roughly 730,000 gang members. Since 1999 the number of crimes investigated by the Denver gang unit has risen 35 percent; gang members were responsible for fully 35 percent of Denver's firearm-related homicides;

As these statistics show, gang violence is still a serious problem—and we in Congress have an obligation to respond. This bill is a good first-step, because it focuses on four key pillars of effective law enforcement policy: prevention; investigation and prosecution; firm and just penalties; and effective law enforcement training.

On prevention, the bill would authorize $250 million for intervention programs focused on at-risk youth. These funds would be administered through a new High Intensity Interstate Gang Activity Area program, or HIGAA, which would be designed to facilitate cooperation between Federal, State, and local law enforcement in identifying, targeting, and eliminating violent gangs.

I have firsthand experience with the effectiveness of multijurisdictional law enforcement efforts: the Rocky Mountain High Intensity Drug Trafficking Area program, and the various local multijurisdictional drug task forces in Colorado, have successfully leveraged Federal, State, and local resources to fight crime. I support applying this model to the fight against gangs.

On the investigation and prosecution front, I am pleased that the bill would increase funding for the Justice Department, Federal prosecutors, and FBI agents to coordinate Federal enforcement against violent gangs.

In regards to penalties for gang-related activity, this bill takes a sensible approach. It would replace the current sentencing enhancement for gang-related conduct with a new Federal antigang law that directly criminalizes gang crimes—and related conspiracies and attempts to commit crimes in furtherance of a criminal gang. The bill would also create new Federal offenses prohibiting the recruitment of minors into a criminal gang.

Finally, the bill would authorize $3–$5 million per year for the creation of a national gang violence prevention training center and clearinghouse, which would assist local law enforcment with training and the implementation of effective gang violence prevention models. Since my time as attorney general, I have been acutely aware of the importance of effective law enforcement training—and I am pleased that this bill contains provisions which would directly address this important issue.

This is a sensible, comprehensive bill. By focusing on prevention, investigation, prosecution, punishment, and training, I am hopeful that it will give our law enforcement agencies—Federal, State, and local—the resources they need to effectively fight the growth of gangs and gang activity.

PASSAGE OF FAIR MINIMUM WAGE ACT OF 2007

Mr. KENNEDY. Mr. President, this momentous achievement that helps so many millions of Americans would not have been possible without the dedication and hard work of our staff.

Of my own staff, I want to give a special thank you to Lauren McGarity for her strong commitment, her deep knowledge, and her hard work on this issue over many months. Lauren, you have really made a difference.

I thank Portia Wu for her help and leadership and especially her able work over the past 2 weeks in handling the many amendments to this legislation.

Thanks also to Missy Rohrbach for helping us manage the floor schedule and for all she does so well.

Thanks, too, to Jonathan McCracken, Jeff Teitz, Dave Ryan, Esther Olavarria, and Laura Capps.

As always, I am grateful also for the leadership of Michael Myers, who has been with me for many years as staff director of our HELP Committee.

But above all my special thanks go to Holly Fechner, my chief labor counsel. This momentous vote is a tribute to her—to her skill, professionalism, and deep dedication to those who are the backbone of this country. Working men and women in America could not have a better friend and champion. Holly is a true leader, and we all owe her a great debt today.

I commend Senator ENZI's staff, too. Katherine McGuire, Ilysse Schuman, Brian Hayes, Kyle Hicks, and Greg Dean. They are real professionals. It is a pleasure to work with them, and I thank them for their courtesies.

Thanks, too, to Senator BAUCUS' able staff for making this victory possible—Russ Sullivan, Pat Heck, and Bill Dauster.

And special thanks for the able leadership of Senator REID's staff, especially Darrel Thompson and Bob Greenawalt. And, of course, Marty Paone, Lula Davis, Tim Mitchell, and Trish Engle as well.

TENTH ANNIVERSARY OF THE KENNEDY CENTER MILLENNIUM STAGE

Mr. KENNEDY. Mr. President, this weekend marked the 10th anniversary of the Kennedy Center's Millennium Stage, a remarkable milestone for the center and its special commitment to reach out to the community and expand opportunities for citizens and visitors to enjoy exceptional performances.

At 6 p.m. every evening, 7 days a week, the center presents a free concert with live performers on the Millennium Stage. Former chairman of the board Jim Johnson conceived the idea and guided the center through its early performances. Ever since, a remarkable series of talented musical artists and performing artists have been a part of this effort, from classical to rock and roll, from Sweet Honey in the Rock, KC and the Sunshine Band, to Norah Jones.

More than 3 million people have enjoyed these free performances at the center, and countless more have enjoyed them on the Web casts. It is a wonderful tradition in the Nation's Capital, and I know that there will be many more brilliant performances in the years ahead.

I urge my colleagues to let their constituents know about these exciting performance opportunities. I ask unanimous consent that an editorial from today's Washington Post and an article from the Washington Post on February 2 about the Millennium Stage anniversary be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Feb. 5, 2007]

CONCERTED EFFORT—AN ANNIVERSARY AT THE KENNEDY CENTER

Walk into the Kennedy Center around 6 on any given night, and, for only the price of your time, you might hear the National Symphony Orchestra interpreting Mussorgsky; the Joffrey Ballet executing a pas de deux or the Shakespeare Theatre Company soliloquizing from "Twelfth Night." If those offerings are too elevated for you, the Kennedy Center's programmers also atrract a range of artists with alternative styles, from folk musician Pete Seeger to punk legend Patti Smith to vocalist and recent Grammy winner Norah Jones.

Tonight's performance will be especially memorable. Ten years ago today, the Kennedy Center held its first free performance on its Millennium State, and every night since, tourists and locals alike—more than 3 million so far, by the Kennedy Center's reckoning—have had the opportunity to enjoy world-class performing arts, no expensive tickets required. That's 41,000 artists from all 50 states and 50 countries to date. At a time when metropolitan performing arts centers around the country are coming up short on cash, it is refreshing to see Washington's center prioritize free, consistent and quality performances accessible to the general public. The Kennedy Center's administrators should be proud of this milestone.

Equally impressive is the Millennium Stage's nightly turnout, which programmers estimate at about 350 on average. And crowds at bigger shows range from 500 to several thousand, according to the Kennedy Center's Garth Ross, who credits extensive community outreach for the success of the Millennium Stage. It's what Kennedy Center President Michael Kaiser calls great art well-marketed.

Tonight's anniversary concert promises to be particularly memorable. The National Symphony Orchestra, the Alvin Ailey American Dance Theater and rocker Sufjan Stevens will perform. Tickes for those capacity-filling acts are already gone. But you can watch them on video screens in the Grand Foyer, catch the webcast on the Kennedy Center's Web site or show up any other day of the year to experience more free, live art.

[From the Washington Post, Feb. 2, 2007]

THE KENNEDY CENTER'S OPEN INVITATION

(By Richard Harrington)

With apologies to Joni Mitchell, people have been playing real good for free for the past decade on the Kennedy Center's Millennium State. And though nobody stopped to hear Mitchell's street clarinetist, that hasn't been a problem at the Millennium Stage since guitarist Charlie Byrd and pianist Billy Taylor christened it in March 1997 in front of a couple of thousand well-heeled Washingtonians.

Ten years and more than 3 million visitors later, the Millennium Stage remains without equal: the only cultural institution in the world to offer free performances of jazz, classical, dance, folk and more 24-7-365. And if you can't make it there, you can watch it anywhere. Since April 1, 1999, almost all Millenium Stage performances have been streamed live on the Internet.

In the early days, when the concept of a free-concert-a-day was still catching on, a little-known artist might attract a small crowd; on rare occasions, a choir might even outnumber the audience.

But crowds numbering in the hundreds have long become the norm in the Kennedy

Center's Grand Foyer, where folding chairs are set up to hold several hundred people, with an equal number sitting on the carpeted stairs leading to either the Concert Hall or the Eisenhower Theater.

The Grand Foyer lives up to its name. It's one of the world's largest rooms—someone came up with the fact that were the Washington Monument laid horizontally inside, it would fit with 75 feet to spare—and can accommodate about 4,500 people. But more than 6,000 showed up in 2003 to see Colombian superstar Juanes perform. Seating for the 6 p.m. concerts begins about 5:30 p.m., and for that concert, queues stretched from Hall of Nations and Hall of States all the way around the building. As people entered the Grand Foyer, they could look through the huge glass wall and observe the River Terrace line moving as well—a gigantic, festive snake.

Whatever the program, the setting is splendid, particularly before daylight saving time kicks in. At sunset, light streams through the glass wall facing the Potomac, through landscaped willow trees on the River Terrace, a great location for before- or after-performance strolls. The terrace overlooks Theodore Roosevelt Island and the Georgetown waterfront, and you can watch boats floating downriver or the endless chain of planes approaching Reagan National Airport. (The latter can be disconcerting for first-timers; planes seem to be heading directly at the Kennedy Center before banking left for a landing.)

According to Garth Ross, director of the Kennedy Center's Performing Arts for Everyone initiative, the Millennium Stage sometimes makes use of the center's other venues, as when the Concert Hall hosts the National Symphony Orchestra's free performances because "it's the only place we can accommodate them." Last year's inaugural country music festival concluded with 4,000 people crowding the South Plaza for a Western swing dance by Asleep at the Wheel.

But nothing has ever been as complicated as Monday's 10th anniversary celebration of the Millennium Stage, with the center's three major halls offering free performances by the Alvin Ailey American Dance Theater in the Eisenhower Theater, the NSO in the Concert Hall and indie rock icon Sufjan Stevens and members of the Kennedy Center Opera House Orchestra in the Opera House. The U.S. Navy jazz ensemble, the Commodores, kicks things off at the regular Millennium Stage. Tickets for the three shows were distributed last week, but you won't need a ticket for the Grand Foyer, where all the performances will be projected on large screens.

Ross calls Monday's celebration "an endeavor to be all things to all people in one night in a way that's representative of the scope of our commitment and what we've represented artistically over all these years. We're going to be welcoming audiences into our three largest theaters, hopefully cementing the notion that Millennium Stage is a concept first, and not only a venue, but also knowing that the experience of being in those theaters is part of the Kennedy Center experience."

It's the culmination of a decade-long effort to bring the performing arts to the widest possible audience, to reduce the venue's elitist image and to open its doors to younger, more economically and racially diverse audiences that might not otherwise venture near the marble-and-glass edifice.

"It certainly feels to me that it has a much, much broader constituency now than 10 years ago," says James A. Johnson, chairman emeritus of the Kennedy Center and the man most responsible for the Millennium Stage, figuratively and literally. Johnson and his wife, Maxine Isaacs, were founding donors to the Millennium Stage Endowment Fund (to the tune of $1 million the first year), and he continues to attract donors to cover the Millennium Stage's annual $1.5 million budget, including current sponsors Target and the Fannie Mae Foundation.

Johnson was chief executive of Fannie Mae before he began his tenure as the Kennedy Center's fourth chairman in 1996, and there is a link between his old job and the Performing Arts for Everyone initiative he introduced that year. A populist approach, Johnson says, "was very much central to my mind. At Fannie Mae, I had tried to be a leader in diversity, in outreach to the community, particularly the minority community. The phrase we used to use is we've got to be unmistakably clear that this institution is not focused on 'white people in black tie.'"

Johnson notes extensive outreach to Washington's diplomatic enclaves and diverse ethnic communities and to schools. "We can't say we're doing our jobs with an appropriate memorial to John F. Kennedy unless it is clearly for everyone, and clearly welcoming to everybody, and we take down the barrier of cost so we don't have an invisible barrier to coming to the institution."

And, Johnson adds, the Millennium Stage was never just an experiment. "We always saw it as an essential, core commitment of the institution, to reach out to the city, to the international community, to people visiting Washington from around the country. It's essential that the program be diverse; it's also essential that nobody need to plan or arrange to do it."

There is, after all, a Washington tradition of free access: The Smithsonian Institution's many museums don't charge admission; neither does the National Gallery of Art.

"But museums don't change their collection every day," Johnson says, adding that the Millennium Stage concept "was at a level of ambition that was substantial: Every single day of the year, there will be a quality performance in the Grand Foyer at 6 o'clock; no ticket required, nor reservation required. Everyone's welcome."

Such ambition was in keeping with the national cultural center chartered by Congress in 1958 under President Dwight D. Eisenhower and envisioned by President John F. Kennedy as a place belonging to every American. Since its opening in 1971, it has become the nation's busiest arts facility, presenting more than 3,300 performances a year, and became home to the National Symphony Orchestra, the Washington Opera and the Washington Ballet.

The Kennedy Center is also a major destination for tourists: Three million people visit the center each year, and 1.2 million stay for paid performances.

Although many cultural institutions offer free performances in some fashion, only London's National Theatre approaches the Kennedy Center, offering free pre-performance concerts in its Djanogly Concert Pitch Monday through Saturday and at lunchtime Saturdays. Those concerts predate the Millennium Stage but are mostly chamber classical and jazz. In 1998, Christopher Hogg, chairman of Reuters and the National Theatre, sent a note to Johnson thanking the Kennedy Center and Millennium Stage for pointing the way to "doing what's new and innovative with free programming."

Hogg was acknowledging the broad spectrum of performing arts offered, from chamber music and jazz to folk, comedy, country and bluegrass, and loads of dance and theater both homegrown and international. Ross notes the "increased presence of American roots and traditional music and world roots and traditional music, areas of strength that weren't areas the center already had a strong demonstrated commitment to."

"It's performing arts for everyone, but not at the same time," Ross says. "Avant-garde jazz or new classical or really traditional folk, from one show to the next, and one audience to the next, it's not everyone's cup of tea, and that's, in fact, our intent. That allows us to be many things to many people, whereas, as an institution, we have more of [a defined] vision of what we are. Millennium Stage can supplement that in a sort of micro-approach."

Take the Conservatory Project, which presents young artists in classical music, jazz, musical theater and opera from 14 leading undergraduate and graduate conservatories, colleges and universities, including the Juilliard School, Berklee College of Music, New England Conservatory of Music and Baltimore's Peabody Conservatory of Music. Two weeklong celebrations in February and May will feature top young artists making their debuts in the Terrace Theater; many others will appear in the Grand Foyer. As part of the 2005 Festival of China, 100 pianists performed together on the South Plaza; 96 of them were conservatory students.

"Our commitment to presenting students is tied in to our commitment to arts and education and the role that a national arts organization, can, should and, in this case, does play in that," says Ross, adding that it doesn't hurt for people to be able to say they've performed at the Kennedy Center. Although the focus is on a mix of graduate, undergraduate and postgraduate students, Millennium Stage also works with top public school arts programs across the country and a dozen regional school districts during March's Music in Our Schools programs.

Ross says the Millennium Stage is also a platform for partnerships with embassies and presenting organizations that "highlight Washington's role in the cultural fabric of America and the world." That has allowed for performances by such great artists as Juanes, Senegal's Youssou N'Dour and Nigeria's King Sunny Ade, France's Les Nubians and the Congolese ensemble Konono No. 1.

Roland Celette, cultural attache at the Embassy of France, says the Millennium Stage has presented a wide variety of French performers—"from very classical music and contemporary dance to folk music, jazz and a cappella ensembles"—as part of, and apart from, the 2004 Festival of France. Celette says the French Embassy invites groups "that are not so famous but are very good, so it's a good way for them to get through. . . . Of course, it's very nice for them to have on their résumé an appearance at the Kennedy Center—it has a big prestige—and they very much appreciate that everything is recorded and put on the Web site."

Other partners include the American Folklife Center at the Library of Congress, which annually presents "Homegrown: The Music of America" at the library and the Millennium Stage, and the Smithsonian's annual Folklife Festival. There is some theater and storytelling and a good amount of dance. Much of the latter comes via international programming, but the Millennium Stage commissions three new modern dance works every year.

According to Ross, a father of two, Millennium Stage events are perfect starter concerts. "Since there are no tickets involved, they offer families flexibility because they do not have to commit to a performance ahead of time. It's at a family-friendly hour, and the hour [length] is family-friendly. The [6 p.m. start] was not instituted specifically for families but around the start times of [regular] performances, usually 7:30 or later, but it's a big reason it has been so attractive to families. And it's real performing arts in a real environment." And should anyone get restless—that applies to kids and parents—they can take a walk on the River Terrace and come back.

A Millennium Stage audience can swell to several thousand for well-known artists such as Patti Smith, Frank Sinatra Jr. or Los Lobos. Certain annual events draw huge crowds, such as the Merry TubaChristmas concert (which can feature as many as 100 tubas) and the All-Star Christmas Day Jazz Jam, now dedicated to Keter Betts, the genial bassist who hosted the concert and helped turn it into a Washington tradition that draws overflow crowds every year. Those crowds can be quite active—whether led in rousing scat song by Bobby McFerrin, 250 hand drummers loudly supporting the Hong Kong Chinese Orchestra or the summer parties that set feet flying to all sorts of dance rhythms.

Washington jazz drummer and vibraphonist Chuck Redd has a long history with the Millennium Stage: He played its opening night with Billy Taylor and Charlie Byrd and has performed there more than two dozen times with his own group, as a guest artist with others and as part of the Christmas Day jams.

"I always enjoy it," Redd says. "It's been one of the best things about the arts scene in Washington for many years, and they're very receptive to booking local and regional musicians." Redd points out that people going to the Kennedy Center for an opera or dance performance may be exposed to a jazz concert for the first time, "so it's been absolutely wonderful for the [jazz] community."

For far-flung family, too: Redd's 15-year-old son, Charlie, a guitarist, has been a guest with dad in recent years, "and all our relatives and friends around the country can watch" on the Internet. Also able to watch are club owners and concert presenters, Redd says, adding that archived Internet performances serve as "an instant demo video around the country. Also, the sound is always excellent, and it's rare you get that in what's not actually a concert hall. I hope we celebrate the 40th anniversary some day." (Redd will play the Millennium Stage on Wednesday, supporting guitarists Steve Abshire and Vince Lewis.)

The Millennium Stage's reputation is so good that some people come without knowing, or caring, what's going to be on stage. In fact, some years back, a major snowstorm prevented the scheduled artists from getting to the Kennedy Center. Ross managed to track down a pianist living in Foggy Bottom, and the show went on—with 200 people somehow getting through to provide the audience. That's loyalty.

ADDITIONAL STATEMENTS

IN RECOGNITION OF DR. S.B. WOO

• Mr. CARPER. Mr. President, today I wish to acknowledge and commend the efforts of Dr. Shien Biau "S.B." Woo.

Dr. Woo was born in 1937 in Shanghai, China. On October 1, 1949, Mao Zedong and the Communist Party took control and established the People's Republic of China. After living under communist rule for nearly 6 years, S.B. Woo and his parents came to the United States in 1955 to begin a new life in America.

S.B. Woo took full advantage of this opportunity and earned bachelor of science degrees in mathematics and physics from Georgetown College in Kentucky.

In 1963, S.B. married his wife, Katy, a gifted and accomplished person in her own right. The Woos have been married for nearly 44 years and they have two children, Chi I. and Chi Lan.

S.B. Woo continued his academic career by attaining his Ph.D. in physics from Washington University in St. Louis in 1964. Two years later, he joined the faculty at the University of Delaware, where he became a professor of physics and astronomy.

Dr. Woo has authored numerous scholarly works in the cutting-edge field of physics, with such titles as "Role of Core Size in the Photoelectron Spectrum of Ions with Multiple Detachment Orbitals" and "Zero Core Contribution Calculation of Photodetachment Cross Sections and Photoelectron Spectra of Transition Metal Anions." Now, I'm not exactly sure what these texts are about, but I am sure that S.B. could not only explain them, but that he could explain them in such a way that we would all understand.

In 2002, Dr. Woo retired from teaching, capping a nearly 36-year career at the University of Delaware. He is still rightfully considered by many to be one of the leading experts in the field of physics in our Nation.

While his academic prowess is to be admired, Dr. Woo's greatest contribution has been his steadfast commitment to advancing the cause of Asian Americans in Delaware and across America.

Dr. Woo became the first Asian American to serve in statewide office in Delaware when he was elected lieutenant governor in 1984. With this victory, Dr. Woo became the highest ranking Chinese-American public office holder in the Nation.

Dr. Woo's experience as an immigrant from China gave him a firsthand view of what it is like to come to a new land and begin to build a new life from scratch. While many people would have been satisfied with the success that Dr. Woo found in his chosen fields of physics and politics, he continues his work to improve the way of life for his fellow Asian Americans.

He has worked tirelessly to bring people into the political fold, working to increase voter turnout by reaching out to Asian Americans across the country and encouraging them to become active in the political process.

Today, he also serves as a trustee of the University of Delaware; an Institute Fellow at the Institute of Politics, the Kennedy School of Government, Harvard University; and as the National President of the Organization of Chinese Americans.

I honor and commend my good friend Dr. S.B. Woo for his continued service to the State of Delaware and to Asian Americans across this great country. He is a remarkable yet humble man who has overcome many obstacles to reach the top of his chosen fields, and he continues to this day work to improve the lives of others. I consider it a privilege to know S.B. and Katy Woo and to be able to stand here today to speak on their behalf in the Senate.•

RECOGNITION OF ROBERT CRAWFORD

• Mr. GRASSLEY. Mr. President, I would like to take a moment today to honor the distinguished civil service career of a particularly remarkable Iowan. Mr. Robert "Bob" Crawford will be retiring shortly from his civilian service to the Department of the Army and in doing so will leave behind a legacy of exceptional support and dedication to his work and to his country.

Over the years, Bob Crawford has amassed a series of professional accomplishments that are truly outstanding. His commitment to his work has earned him a Commander's Award for Civilian Service and he has twice been awarded the Superior Civilian Service Award. Bob's hard work, honesty, and leadership have become defining characteristics of his career and he has earned the respect of his colleagues and peers for his many years of expertise.

Bob Crawford currently works as the Deputy to the commander for the U.S. Army Joint Munitions Command, JMC, where he is entrusted to maintain the development and production of the ammunition supply for our brave service men and women overseas. Before serving in this capacity, Bob worked in a number of different roles within the ammunition production industry, ranging from a production engineer, to a production director, to a deputy for operations, and finally to his current position. While his responsibilities have shifted and grown over the years, Bob Crawford's commitment to the values of the Department of the Army has remained as steadfast and unwavering as ever.

As early as his time at the University of Illinois and then at St. Ambrose University, Bob has been distinguishing himself within his field and I am glad to be able to congratulate him and honor his magnificent career as it now comes to a close. I wish Bob and his wife Sharon and their children in Bettendorf, IA, the very best of luck for the future and I thank him for his 25 years of public service.•

TRIBUTE TO HERMAN COLEMAN

• Mr. LEVIN. Mr. President, I would like to take this opportunity to honor the life of Mr. Herman Coleman. Herman was an outstanding and dedicated public servant whose influence, knowledge and achievements were widely known and highly regarded. Over the course of more than 30 years, Herman held several important positions within the State of Michigan, on the national level and in the private sector. His efforts have made a broad impact.

Herman began his career with the Michigan Education Association, where he would ultimately become the Association's first African-American executive director/ chief administrator. Among other achievements, Herman was an integral part of statewide deliberations regarding the desegregation of Michigan's school districts.

His successful tenure with the MEA led to his appointment as Assistant to the Secretary of the U.S. Department of Education. As Assistant Secretary, Herman drafted Executive Order No. 12232, which provided the framework for increased Federal assistance to historically Black colleges and universities. This order remains in effect today. Herman would continue his efforts to improve and reform education policy after leaving the U.S. Department of Education.

In 1985, Herman was appointed by Governor Blanchard as the first African-American chief executive officer of the State of Michigan Insurance Department. After a successful tenure with the department, Herman sought to make his mark in the private sector as vice president of corporate relations for AAA Michigan, where he oversaw AAA's community relations and governmental affairs departments. Herman then moved to the health care arena as a consultant for the Potomac Group Consultants, and, in 1994, began service as both partner/marketing director and managing partner of the Insured Vehicle Identification Network, IVIN.

Herman Coleman's strong leadership and pioneering efforts throughout his lifetime are evidenced by his many achievements and by the many awards and honors bestowed upon him. His legacy will reverberate for many years. I know my colleagues in the Senate join me in honoring the life of Mr. Herman Coleman and in offering the most sincere condolences to his daughters, Hope and Heather, the rest of his family and to his many colleagues and friends. He will truly be missed.•

MESSAGES FROM THE PRESIDENT

The following messages from the President of the United States were transmitted to the Senate by one of his secretaries:

REPORT RELATIVE TO THE INTERDICTION OF AIRCRAFT ENGAGED IN ILLICIT DRUG TRAFFICKING—PM 3

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Foreign Relations:

To the Congress of the United States:

Consistent with the authorities relating to official immunity in the interdiction of aircraft engaged in illicit drug trafficking (Public Law 107–108, as amended, 22 U.S.C. 2291–4), and in order to keep the Congress fully informed, I am providing a report prepared by my Administration. This report includes matters relating to the interdiction of aircraft engaged in illicit drug trafficking.

GEORGE W. BUSH.

THE WHITE HOUSE, *February 5, 2007.*

REPORT RELATIVE TO BLOCKING PROPERTY OF CERTAIN PERSONS CONTRIBUTING TO THE CONFLICT IN COTE D'IVOIRE—PM 4

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice to the *Federal Register* for publication, stating that the national emergency and related measures blocking the property of certain persons contributing to the conflict in Côte d'Ivoire are to continue in effect beyond February 7, 2007.

The situation in or in relation to Côte d'Ivoire, which has been addressed by the United Nations Security Council in Resolution 1572 of November 15, 2004, and subsequent resolutions, has resulted in the massacre of large numbers of civilians, widespread human rights abuses, significant political violence and unrest, and attacks against international peacekeeping forces leading to fatalities. This situation poses a continuing unusual and extraordinary threat to the national security and foreign policy of the United States. For these reasons, I have determined that it is necessary to continue the national emergency and related measures blocking the property of certain persons contributing to the conflict in Côte d'Ivoire.

GEORGE W. BUSH.

THE WHITE HOUSE, *February 5, 2007.*

BUDGET OF THE UNITED STATES GOVERNMENT FOR FISCAL YEAR 2008—PM 5

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred jointly, pursuant to the order of January 30, 1975 as modified by the order of April 11, 1986; to the Committees on the Budget; and Appropriations:

To the Congress of the United States:

America is a country of opportunity. Throughout our history, we have overcome great challenges by drawing on the strength, creativity, and resolve of the American people. We have adapted to change—while maintaining our commitment to freedom and an open economy.

Our economy is strong and growing. Federal revenues are robust, and we have made significant progress in reducing the deficit. The Budget I am presenting achieves balance by 2012. My formula for a balanced budget reflects the priorities of our country at this moment in its history: protecting the homeland and fighting terrorism, keeping the economy strong with low taxes, and keeping spending under control while making Federal programs more effective.

As Commander in Chief, my highest priority is the security of our Nation. My Budget invests substantial resources to fight the Global War on Terror, and ensure our homeland is protected from those who would do us harm. We will transform our military to meet the new threats of the 21st Century and provide the brave men and women on the front lines with the resources they need to be successful in this decisive ideological struggle. The Budget will support a new strategy in Iraq that demands more from Iraq's elected government, and gives American forces in Iraq the reinforcements they need to complete their mission. And it will continue to provide the tools necessary to keep America safe by detecting, disrupting, and dismantling terrorist plots.

The U.S. economy is strong. Since August 2003, 7.2 million jobs have been created. Unemployment is low. Wages are growing. Productivity is strong. Inflation and interest rates are low. And we have seen tremendous progress despite a series of challenges, including recession, the terrorist attacks of 2001, corporate scandals, the costliest natural disaster in our Nation's history, energy price spikes, and a temporary slowdown in the housing sector. The resilience of our economy is a tribute to America's workers and entrepreneurs. And well-timed, pro-growth tax policies helped create the right climate for innovation and entrepreneurship.

The Federal deficit is declining and on a path to elimination. Last year, we successfully met our goal of cutting the deficit in half, three years ahead of schedule. This occurred because tax relief helped the economy to recover and grow, resulting in record-high revenues while we restrained non-security discretionary spending. With continued strong economic growth and spending discipline, we are now positioned to balance the budget by 2012, while providing for our national security and making tax relief permanent.

My Budget proposes to keep non-security discretionary spending below inflation for the next five years. My Budget also reforms projects and spending that don't get the job done. We need lawmakers' support to help us accomplish this goal—including reforms that will improve the Congressional budget process.

To bolster public confidence in the Government's ability to manage taxpayers' money successfully, Congress should adopt earmark reform. The earmark process should be made more transparent, ending the practice of concealing earmarks in so-called report language never included in legislation. The number and cost of earmarks should be cut by at least half by the end of this session. I have also called on Congress to adopt the legislative line-item veto, which gives the Legislative and Executive Branches a tool to help eliminate wasteful spending. These common-sense reforms will help prevent billions of taxpayers' dollars from being spent on unnecessary and unjustified projects.

To keep this economy strong we must take on the challenge of entitlements. Social Security, Medicare, and Medicaid are commitments of conscience, and so it is our duty to keep them permanently sound. If we do not address this challenge, we will one day leave our children with three bad options: huge tax increases, huge deficits, or huge and immediate cuts in benefits.

In the short term, my Budget works to slow the rate of growth of these programs, saving $96 billion over five years. This Administration is also actively working with Congress to comprehensively reform and improve these vital programs so they will be strong for the next generations of Americans.

I am optimistic about the future of our country. We are an entrepreneurial and hard-working Nation. And while we face great challenges, we enjoy great opportunities. This Budget reflects our highest priorities while reducing the deficit and achieving a balanced budget by 2012. I am confident that this approach will help make our country more secure and more prosperous.

GEORGE W. BUSH.
THE WHITE HOUSE, *February 5, 2007.*

MEASURES DISCHARGED

The following measure was discharged from the Committee on Commerce, Science, and Transportation, and referred as indicated:

S. 153. a bill to provide for the monitoring of the long-term medical health of firefighters who responded to emergencies in certain disaster areas and for the treatment of such firefighters; to the Committee on Homeland Security and Governmental Affairs.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–580. A communication from the General Deputy Assistant Secretary for Congressional and Intergovernmental Relations, Department of Housing and Urban Development, transmitting, pursuant to law, the annual report on the HOPE VI program; to the Committee on Banking, Housing, and Urban Affairs.

EC–581. A communication from the Chairman, Federal Energy Regulatory Commission, transmitting, pursuant to law, a report relative to the progress made in licensing and constructing the Alaska natural gas pipeline and describing any issue impeding that progress; to the Committee on Energy and Natural Resources.

EC–582. A communication from the Attorney, Office of Assistant General Counsel for Legislation and Regulatory Law, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Corrections and Updates to Technical Guidelines for Voluntary Greenhouse Gas Reporting" (RIN1901–AB23) received on January 31, 2007; to the Committee on Energy and Natural Resources.

EC–583. A communication from the Acting Officer, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Texas Abandoned Mine Land Reclamation Plan" (Docket No. TX–056–FOR) received on February 1, 2007; to the Committee on Energy and Natural Resources.

EC–584. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, a report relative to a document recently issued by the Agency related to its regulatory programs; to the Committee on Environment and Public Works.

EC–585. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "North Dakota State University v. United States, 255 F.3d 599 (8th Cir. 2001), nonacq., 2001–2 C.B. xv" (Action on Decision: AOD 2007–6) received on January 31, 2007; to the Committee on Finance.

EC–586. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Notice on Closing Agreements for Certain Life Insurance and Annuity Contracts that Fail to Meet the Requirements of Sections 817(h), 7702 and 7702A" (Notice 2007–15) received on January 31, 2007; to the Committee on Finance.

EC–587. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Update of Rev. Proc. 2001–42" (Rev. Proc. 2007–19) received on January 31, 2007; to the Committee on Finance.

EC–588. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Diversification of Investments in Certain Defined Contribution Plans—Section 901 of Pension Protection Act" (Notice 2006–107) received on January 31, 2007; to the Committee on Finance.

EC–589. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report on the actions of departments and agencies relating to the prevention of nuclear proliferation from January 1 to December 31, 2005; to the Committee on Foreign Relations.

EC–590. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the Office's Federal Equal Opportunity Recruitment Program Report for Fiscal Year 2006; to the Committee on Homeland Security and Governmental Affairs.

EC–591. A communication from the Secretary of State, transmitting, pursuant to law, the Department's Performance and Accountability Report for fiscal year 2006; to the Committee on Homeland Security and Governmental Affairs.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. DOLE (for herself and Mr. BURR):

S. 488. A bill to revise the boundary of the Carl Sandburg Home National Historic Site in the State of North Carolina, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. WARNER:

S. 489. A bill to improve efficiency in the Federal Government through the use of green buildings, and for other purposes; to the Committee on Environment and Public Works.

By Ms. STABENOW (for herself and Mr. LEVIN):

S. 490. A bill to provide for the return of the Fresnel Lens to the lantern room atop Presque Isle Light Station Lighthouse, Michigan, and for other purposes; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MENENDEZ (for himself, Mr. REID, Mr. COBURN, Mr. OBAMA, Mr.

DURBIN, Mr. BIDEN, Mr. LEVIN, Mr. FEINGOLD, Mrs. DOLE, Mrs. CLINTON, Mr. LAUTENBERG, and Mr. KENNEDY):

S. Res. 69. A resolution recognizing the African-American spiritual as a national treasure; to the Committee on the Judiciary.

By Mr. McCAIN (for himself, Mr. LIEBERMAN, Mr. GRAHAM, Mr. CORNYN, Mrs. HUTCHISON, Mr. DOMENICI, Mr. THUNE, Mr. HATCH, and Mr. ROBERTS):

S. Res. 70. A resolution expressing the sense of the Senate that the Commander of Multinational Forces-Iraq and all United States personnel under his command should receive from Congress the full support necessary to carry out the United States mission in Iraq; to the Committee on Foreign Relations.

By Mr. INHOFE:

S. Res. 71. A resolution expressing support for the Transitional Federal Government of the Somali Republic; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 5

At the request of Mr. REID, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from Montana (Mr. BAUCUS) were added as cosponsors of S. 5, a bill to amend the Public Health Service Act to provide for human embryonic stem cell research.

S. 65

At the request of Mr. INHOFE, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 65, a bill to modify the age-60 standard for certain pilots and for other purposes.

S. 67

At the request of Mr. INOUYE, the names of the Senator from Tennessee (Mr. ALEXANDER) and the Senator from Alaska (Mr. STEVENS) were added as cosponsors of S. 67, a bill to amend title 10, United States Code, to permit former members of the Armed Forces who have a service-connected disability rated as total to travel on military aircraft in the same manner and to the same extent as retired members of the Armed Forces are entitled to travel on such aircraft.

S. 93

At the request of Mr. STEVENS, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 93, a bill to authorize NTIA to borrow against anticipated receipts of the Digital Television and Public Safety Fund to initiate migration to a national IP-enabled emergency network capable of receiving and responding to all citizen activated emergency communications.

S. 214

At the request of Mrs. FEINSTEIN, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. 214, a bill to amend chapter 35 of title 28, United States Code, to preserve the independence of United States attorneys.

S. 261

At the request of Ms. CANTWELL, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 261, a bill to amend title 18, United States Code, to strengthen prohibitions against animal fighting, and for other purposes.

S. 291

At the request of Mr. SMITH, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 291, a bill to establish a digital and wireless network technology program, and for other purposes.

S. 311

At the request of Mrs. FEINSTEIN, her name was added as a cosponsor of S. 311, a bill to amend the Horse Protection Act to prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption, and for other purposes.

At the request of Mr. STEVENS, his name was added as a cosponsor of S. 311, supra.

At the request of Mr. BROWN, his name was added as a cosponsor of S. 311, supra.

At the request of Ms. CANTWELL, her name was added as a cosponsor of S. 311, supra.

At the request of Mr. LIEBERMAN, his name was added as a cosponsor of S. 311, supra.

S. 322

At the request of Mr. DORGAN, the name of the Senator from Wyoming (Mr. THOMAS) was added as a cosponsor of S. 322, a bill to establish an Indian youth telemental health demonstration project.

S. 340

At the request of Mrs. FEINSTEIN, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 340, a bill to improve agricultural job opportunities, benefits, and security for aliens in the United States and for other purposes.

S. 388

At the request of Mr. THUNE, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 388, a bill to amend title 18, United States Code, to provide a national standard in accordance with which nonresidents of a State may carry concealed firearms in the State.

S. 402

At the request of Mrs. LINCOLN, the name of the Senator from Kentucky (Mr. BUNNING) was added as a cosponsor of S. 402, a bill to amend the Internal Revenue Code of 1986 to allow a deduction for qualified timber gains.

S. 415

At the request of Mr. BROWNBACK, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. 415, a bill to amend the Revised Statutes of the United States to prevent the use of the legal system in a manner that extorts money from State and local governments, and the Federal Government, and inhibits such governments' constitutional actions under the first, tenth, and fourteenth amendments.

S. 431

At the request of Mr. McCAIN, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 431, a bill to require convicted sex offenders to register online identifiers, and for other purposes.

S. 433

At the request of Mr. OBAMA, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 433, a bill to state United States policy for Iraq, and for other purposes.

S. 439

At the request of Mr. REID, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 439, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation.

S. 448

At the request of Mr. FEINGOLD, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 448, a bill to prohibit the use of funds to continue deployment of the United States Armed Forces in Iraq beyond six months after the date of the enactment of this Act.

S. 465

At the request of Mr. NELSON of Florida, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 465, a bill to amend titles XVIII and XIX of the Social Security Act and title III of the Public Health Service Act to improve access to information about individuals' health care options and legal rights for care near the end of life, to promote advance care planning and decisionmaking so that individuals' wishes are known should they become unable to speak for themselves, to engage health care providers in disseminating information about and assisting in the preparation of advance directives, which include living wills and durable powers of attorney for health care, and for other purposes.

S. CON. RES. 7

At the request of Mr. LEVIN, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. Con. Res. 7, a concurrent resolution expressing the sense of Congress on Iraq.

At the request of Mr. WARNER, the names of the Senator from Indiana (Mr. BAYH), the Senator from Missouri

(Mrs. MCCASKILL), the Senator from Oregon (Mr. SMITH), the Senator from Louisiana (Ms. LANDRIEU) and the Senator from Florida (Mr. NELSON) were added as cosponsors of S. Con. Res. 7, supra.

S. RES. 18

At the request of Mr. INOUYE, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. Res. 18, a resolution expressing the sense of the Senate regarding designation of the month of November as "National Military Family Month".

AMENDMENT NO. 97

At the request of Mr. LAUTENBERG, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of amendment No. 97 intended to be proposed to S. 294, a bill to reauthorize Amtrak, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WARNER:

S. 489. A bill to improve efficiency in the Federal Government through the use of green buildings, and for other purposes; to the Committee on Environment and Public Works.

Mr. WARNER. Mr. President. I rise to introduce the Green Buildings Act of 2007. This bill is intended to continue the hard work of our former colleague from Vermont, Senator Jim Jeffords, and would place an emphasis on energy efficient and healthy building environments.

In the opening weeks of this 110th Congress we have seen a significant focus on the future energy security and environmental health of our Nation and indeed the world. Much attention has been paid to the issue of global climate change and it is my firm belief that not only are the energy and environmental challenges that we face today varied, but that our solutions must be multi-faceted. In order to meet the rising demands of a growing world population and its expanding economies, we need to address the way we create energy, conserve energy, and preserve the environment.

Green Buildings are structures that are designed and built with energy-efficient and renewable materials to conserve energy and environmental resources. These buildings last longer, use less energy, and promote a healthier environment for those who may work or live in them. Green buildings have reduced electricity, heating, and cooling requirements; use less water; and may even use renewable sources of water and electricity. Recent volatility in energy costs and constraints on the electricity grid in much of the U.S. have led developers to explore the potential economic benefits of these efficient buildings as well. It is my belief that green buildings will become a significant contributor to America's energy conservation efforts and that is why I am introducing this bill today.

The proposal I offer today is one small step in the right direction and draws upon a bill approved by the Environment and Public Works Committee in 2006. The federal government is already setting an example in energy efficiency under the leadership of the White House and Department of Energy. This bill will take the next step and create an office within the General Services Administration (GSA) to oversee green building initiatives within the Federal Government and provide support for information to State and local governments as well as the private sector. With almost 9,000 buildings and 340 million square feet of space, the GSA has the experience and expertise to manage this effort for the Federal Government. The Office of Green Buildings at the GSA will be advised by a Green Buildings Council to be comprised of Federal, State, local, and private sector participants to establish guidelines and create resources for public and private builders across the country. It is my hope that the use of green buildings in the Federal real estate portfolio will contribute to increased health of the public, productivity of work, and conservation of energy.

While some portions of the private sector have caught on to the many benefits of green or "sustainable design," this bill's establishment of grants through the Environmental Protection Agency's (EPA) to assist school systems in their school construction efforts will bring these benefits to the places our children spend so much of their time and the facilities that consume a significant amount of energy in our communities. In addition to grants to school systems, the bill would create an indoor air quality program for Federal buildings, encourage incentives for Federal agencies, and authorize research and demonstration projects in each of the four climatic regions of the United States. The bill is modest in scope, authorizing $50 million over 5 years to begin this most important effort in the Federal Government.

I know many of you share in my desire to advance our Nation's conservation agenda. Indeed, many have supported the efforts of our recently retired colleague from Vermont and have your own ideas. I look forward to working with my colleagues in the Senate and on the Environment and Public Works Committee as we move this proposal forward. Green Buildings will be a significant part of our country's energy and environmental future and this bill will help us in that effort.

By Ms. STABENOW (for herself and Mr. LEVIN):

S. 490. A bill to provide for the return of the Fresnel Lens to the lantern room atop Presque Isle Light Station Lighthouse, Michigan, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Ms. STABENOW. Mr. President, I rise today to introduce the Lester Nichols Presque Isle Light Station Act of 2007.

The Presque Isle Light Station Act requires the return of the historic third order Fresnel lens to the lighthouse in Presque Isle, MI. The lens was removed four years ago for restoration work, but now it is time to replace it and preserve the historic integrity of the beautiful Presque Isle lighthouse.

Michigan has more lighthouses than any other State. Not only are these historic structures symbolic of our maritime heritage, they are the heart of Michigan's coastal communities. Lighthouses are a key part of the tourist economy of many small Michigan towns, and the historic character of our lighthouses brings tourists from all over the country. So it is imperative that we protect, restore, and preserve the Presque Isle lighthouse and all of Michigan's 120 lighthouses.

I am pleased to introduce this legislation with Senator LEVIN. In the House of Representatives, Congressman STUPAK is the sponsor of a companion bill. So the Michigan delegation is united in our resolve to restore the Fresnel lens to the Presque Isle lighthouse for the enjoyment and education of future generations.

Finally, I want to say a word about the man for whom we have named this bill: Lester Nichols. Without Les Nichols' dedication we would never have been able to restore Presque Isle's Fresnel lens. Last fall, Les lost his courageous battle against cancer. He was a pillar of his community. He was passionate about the Presque Isle lighthouse and he will be truly missed. Naming this bill for him is the least we can do to show our gratitude for all of his work. And I hope that we will soon be able to put the Fresnel lens back in the lighthouse and give Les the victory that he so wanted to see.

I urge all of my colleagues to support this bill.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 69—RECOGNIZING THE AFRICAN-AMERICAN SPIRITUAL AS A NATIONAL TREASURE

Mr. MENENDEZ (for himself, Mr. REID, Mr. COBURN, Mr. OBAMA, Mr. DURBIN, Mr. BIDEN, Mr. LEVIN, Mr. FEINGOLD, Mrs. DOLE, Mrs. CLINTON, Mr. LAUTENBERG, and Mr. KENNEDY) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 69

Whereas since slavery was introduced into the European colonies in 1619, enslaved Africans remained in bondage until the United

States ratified the 13th amendment to the Constitution in 1865;

Whereas during that period in the history of the United States, the first expression of a unique American music was created by enslaved African-Americans who—

(1) used their knowledge of the English language and the Christian religious faith, as it had been taught to them in the New World; and

(2) stealthily wove within the music their experience of coping with human servitude and their strong desire to be free;

Whereas as a method of survival, enslaved African-Americans who were forbidden to speak their native languages, play musical instruments they had used in Africa, or practice their traditional religious beliefs, relied on their strong African oral tradition of songs, stories, proverbs, and historical accounts to create an original genre of music, now known as spirituals;

Whereas Calvin Earl, a noted performer of, and educator on, African-American spirituals, remarked that the Christian lyrics became a metaphor for freedom from slavery, a secret way for slaves to "communicate with each other, teach their children, record their history, and heal their pain";

Whereas the New Jersey Historical Commission found that "some of those daring and artful runaway slaves who entered New Jersey by way of the Underground Railroad no doubt sang the words of old Negro spirituals like 'Steal Away' before embarking on their perilous journey north";

Whereas African-American spirituals spread all over the United States, and the songs we know of today may represent only a small portion of the total number of spirituals that once existed;

Whereas Frederick Douglass, a fugitive slave who would become one of the leading abolitionists in the United States, remarked that spirituals "told a tale of woe which was then altogether beyond my feeble comprehension; they were tones loud, long, and deep; they breathed the prayer and complaint of souls boiling over with the bitterest anguish. Every tone was a testimony against slavery and a prayer to God for deliverance from chains."; and

Whereas section 2(a)(1) of the American Folklife Preservation Act (20 U.S.C. 2101(a)(1)) states that "the diversity inherent in American folklife has contributed greatly to the cultural richness of the Nation and has fostered a sense of individuality and identity among the American people": Now, therefore, be it

Resolved, That the Senate—

(1) recognizes that African-American spirituals are a poignant and powerful genre of music that have become one of the most significant segments of American music in existence;

(2) expresses the deepest gratitude, recognition, and honor to the former enslaved Africans in the United States for their gifts to the Nation, including their original music and oral history; and

(3) encourages the people of the United States to reflect on the important contribution of African-American spirituals to United States history and to recognize the African-American spiritual as a national treasure.

SENATE RESOLUTION 70—EXPRESSING THE SENSE OF THE SENATE THAT THE COMMANDER OF MULTINATIONAL FORCES-IRAQ AND ALL UNITED STATES PERSONNEL UNDER HIS COMMAN SHOULD RECEIVE FROM CONGRESS THE FULL SUPPORT NECESSARY TO CARRY OUT THE UNITED STATES MISSION IN IRAQ

Mr. MCCAIN (for himself, Mr. LIEBERMAN, Mr. GRAHAM, Mr. CORNYN, Mrs. HUTCHISON, Mr. DOMENICI, Mr. THUNE, Mr. HATCH, and Mr. ROBERTS) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 70

Whereas more than 137,000 members of the Armed Forces of the United States are currently serving in Iraq, like thousands of others since March 2003, with the bravery and professionalism consistent with the finest traditions of the Armed Forces of the United States, and deserve the support of all Americans;

Whereas past mistakes in United States strategy, aggression by various groups that reject peace, and other difficulties have contributed to a dire security situation in Iraq characterized by insurgent activity and sectarian violence;

Whereas a failed state in Iraq would present a threat to regional and world peace, and the long-term security interests of the United States are best served by an Iraq that can sustain, govern, and defend itself;

Whereas no amount of additional United States forces in Iraq can effect this outcome in Iraq unless the people and Government of Iraq take difficult political steps toward reconciliation;

Whereas the establishment of a basic level of security in Baghdad and throughout Iraq is an essential precondition for reconciliation and political and economic progress in Iraq;

Whereas these steps must include the fulfillment of military, political, and economic commitments that the Government of Iraq has made to the United States and to the people of Iraq;

Whereas Iraqi political leaders must show visible progress toward meeting specific benchmarks, including—

(1) deploying a significant number of new Iraqi security forces to partner with United States units in securing Baghdad;

(2) assuming responsibility for security in all provinces in Iraq in a timely manner;

(3) disarming individual militias as circumstances warrant and ensuring that security forces are accountable to the central government and loyal to the constitution of Iraq;

(4) ensuring equitable distribution of the resources of the Government of Iraq without regard to the sect or ethnicity of recipients;

(5) enacting and implementing legislation to ensure that the oil resources of Iraq benefit Sunni Arabs, Shia Arabs, Kurds, and other Iraqi citizens in an equitable manner;

(6) building an effective, independent judiciary that will uphold the rule of law and ensure equal protection under the law for all citizens of Iraq;

(7) pursuing all those who engage in violence or threaten the security of the Iraqi population, regardless of sect or political affiliation;

(8) enacting and implementing legislation that reforms the de-Ba'athification process in Iraq;

(9) conducting provincial elections in Iraq;

(10) ensuring a fair process for amending the constitution of Iraq; and

(11) expending promised funds to provide basic services and employment opportunities for all Iraqis, including a $10,000,000,000 fund for reconstruction, and ensuring that these funds reach both Sunni and Shia areas, including Sunni neighborhoods in Baghdad and largely Sunni Anbar Province;

Whereas the United States Ambassador to Iraq and the Commander of Multinational Forces-Iraq should report each month to the Senate on the progress being made by Iraqis toward achieving the benchmarks specified in the preceding clause and on their own progress in achieving their missions in Iraq;

Whereas leaders in the Administration of President George W. Bush and Congress have made it clear to the Iraqi leadership that the commitment of the United States in Iraq is not open-ended and that, if the Government of Iraq does not follow through on its promises, it will lose the support of its own people and the people of the United States;

Whereas the moderate countries of the Middle East, and other countries around the world, have an interest in a successful conclusion to the war in Iraq and should increase their constructive assistance toward the achievement of this end;

Whereas over the past year, leaders in the Administration of President George W. Bush and Congress, as well as recognized experts outside government, acknowledged that the situation in Iraq was deteriorating and required a change in strategy; and

Whereas Lieutenant General David Petraeus has been unanimously confirmed by the Senate as the new Coalition commander in Iraq and given the mission of implementing a new strategy for Iraq designed to bring security to Iraq and pave the way for political and economic progress in Iraq: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) Congress should ensure that General David Petraeus, the Commander of Multinational Forces-Iraq, and all United States personnel under his command, have the resources they consider necessary to carry out their mission on behalf of the United States in Iraq; and

(2) the Government of Iraq must make visible, concrete progress toward meeting the political, economic, and military benchmarks enumerated in the preamble to this Resolution.

SENATE RESOLUTION 71—EXPRESSING SUPPORT FOR THE TRANSITIONAL FEDERAL GOVERNMENT OF THE SOMALI REPUBLIC

Mr. INHOFE submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 71

Whereas, after the collapse of the Somali government in 1991, the main judicial system in Somalia devolved into a system of sharia-based Islamic courts, which have increased their power to include security and enforcement functions;

Whereas, in 2000, the courts consolidated to form the Islamic Courts Union (ICU), which came into conflict with secular warlords in the capitol city of Mogadishu by asserting its ever increasing power;

Whereas, the ICU is known to have links to Al-Qaeda and has provided a safe haven for members of Al-Qaeda;

Whereas, by June 2006, ICU forces controlled Mogadishu and much of southern Somalia, creating a potential haven for Islamic terrorists;

Whereas, in 2004, the Transitional Federal Government of the Somali Republic (TFG) was formed in Kenya;

Whereas, in 2006, the TFG army joined forces with the army of the Federal Democratic Republic of Ethiopia to sweep the ICU from power and, after a string of swift military victories, enter Mogadishu; and

Whereas, the current situation is still volatile, creating a short window of opportunity to positively affect Somalia's stability and future status:

Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the Senate expresses its support for the Transitional Federal Government of the Somali Republic;

(2) the Senate recognizes Ethiopia, particularly Prime Minister Meles, and Kenya for the noble efforts aimed toward pursuing peace in Somalia and support for the United States in the War on Terror;

(3) the United States should support and push efforts for serious multi-party talks aimed at establishing a national unity government in Somalia;

(4) the United States should take several measures, at an appropriate time, to promote stability;

(5) assistance from the United States will better equip the TFG to face the challenges of restoring peace to this war-torn country;

(6) the United States should promote foreign investment in Somalia and facilitate financial and technical assistance to the TFG; and

(7) the United States should aid the TFG to—

(A) locate and free Somali-owned financial assets throughout the world;

(B) solicit support from other friendly countries; and

(C) encourage nongovernmental organizations to commit more resources and projects to Somalia.

Mr. INHOFE. Mr. President, recent events in Somalia have opened a unique window of opportunity. The Islamic Courts have been militarily defeated. However, the Ethiopian troops that are currently maintaining order have stated that they have no intention of remaining. There are reports of troop withdrawals back to the Ethiopian border. Without outside support I fear that the Transitional Federal Government (TFG) and Somalia as a whole will be swept back into the cycle of violence and chaos that has defined the country for the past 15 years.

I believe that the United States can make great progress in securing the Horn of Africa by what actions we take right now. First and foremost is security. Until the government troops can offer sustainable stability, we need to assist them. This solution need not include U.S. troops; I am aware of negotiations for the deployment of 8,000 troops from other African countries, including a force of about 1,000 from Uganda. Any efforts in this direction should be greatly encouraged.

The United States has no formal representative to the Somali Republic. The Transitional Federal Government has requested creating such a position.

We need to offer assistance and aid at this most crucial juncture. At an appropriate time the U.S. should encourage public and private investment, possibly through a trade mission. Other areas where help is greatly needed include security training, basic sanitation, water purification, and tax collection.

Perhaps most importantly, we should assist in any steps that can be taken to establish a national unity government. This will require groups from all sides of the spectrum getting together and working out serious solutions.

The United States can make great progress in securing the Horn of Africa by what actions we take right now. I am submitting a resolution expressing the following: support for the Transitional Federal Government; recognize Ethiopia, particularly Prime Minister Meles, and Kenya for the noble efforts aimed toward pursuing peace in Somalia and support for the United States in the War on Terror; and the U.S. should support and push efforts for serious multi-party talks aimed at establishing a national unity government.

There are a number of measures that should be taken at an appropriate time by the United States to promote stability. With the assistance of the U.S., the TFG will be better equipped to face the challenges of restoring peace to this war-torn country.

While I understand that the situation is volatile and some forms of assistance may not be immediately appropriate, I believe it is necessary to raise awareness that there are definite ways that we can affect progress. Please join me in supporting Somalia and bringing peace to this war-torn region.

AMENDMENTS SUBMITTED AND PROPOSED

SA 231. Mrs. CLINTON submitted an amendment intended to be proposed by her to the bill S. 470, to express the sense of Congress on Iraq; which was ordered to lie on the table.

SA 232. Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill S. 470, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 231. Mrs. CLINTON submitted an amendment intended to be proposed by her to the bill S. 470, to express the sense of Congress on Iraq; which was ordered to lie on the table; as follows:

On page 9, strike line 24.

On page 10, and 18, strike "intervention.", and insert the following: intervention; and

(13) no United States military forces should be deployed to Iraq after the date of the enactment of this Act unless the Secretary of Defense certifies to Congress before such deployment that such forces are adequately equipped and trained for the missions to be discharged by such forces in Iraq.

SA 232. Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill S. 470, to express the sense of Congress on Iraq; which was ordered to lie on the table; as follows:

Beginning on page 7, strike line 10 and all that follows through page 8, line 13, and insert the following:

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Senate disagrees with the President's plan to escalate United States military involvement in Iraq.

(2) Congress should establish an end-date for the deployment of United States military forces in Iraq;

(3) the Senate believes a failed state in Iraq would present a threat to regional and world peace, and the long-term security interests of the United States are best served by an Iraq that can sustain, govern, and defend itself, and serve as an ally in the war against extremists;

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that an oversight hearing has been scheduled before the Subcommittee on Energy of the Committee on Energy and Natural Resources.

The hearing will be held on Monday, February 12, 2007, at 2:30 p.m. in room SD–366 of the Dirksen Senate Office Building.

The dual purpose of this hearing is to receive recommendations on policies and programs to improve the energy efficiency of buildings and to expand the role of electric and gas utilities in energy efficiency programs.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150.

For further information, please contact Deborah Estes at (202) 224–5360 or Britni Rillera at (202) 224–1219.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON THE JUDICIARY

Mr. NELSON of Nebraska. Mr. President, I ask unanimous consent that the Subcommittee on Human Rights and the Law be authorized to meet on Monday, February 5, 2007 at 3 p.m. to conduct a hearing on "Genocide and the Rule of Law" in Room 226 of the Dirksen Senate Office Building.

Witness List

The Honorable Sigal Mandelker, Deputy Assistant Attorney General, Criminal Division, Department of Justice, Washington, DC.

Lieutenant General The Honorable Romeo A. Dallaire, Senator, Parliament of Canada, Ottawa, Ontario.

Don Cheadle, Actor and Activist, Los Angeles, CA.

Diane F. Orentlicher, Professor, Washington College of Law, American University, Washington, DC.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to Public Law 94-304, as amended by Public Law 99-7, appoints the following Senators as members of the Commission on Security and Cooperation in Europe (Helsinki) during the 110th Congress: the Senator from Connecticut, Mr. DODD; the Senator from Wisconsin, Mr. FEINGOLD; the Senator from New York, Mrs. CLINTON; the Senator from Massachusetts, Mr. KERRY; and the Senator from Maryland, Mr. CARDIN.

The Chair, on behalf of the Vice President, pursuant to Public Law 94-304, as amended by Public Law 99-7, appoints the Senator from Maryland, Mr. CARDIN, as Co-Chairman of the Commission on Security and Cooperation in Europe (Helsinki) during 110th Congress.

REFERRAL OF S. 153 TO THE COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. SANDERS. Mr. President, I ask unanimous consent that the Commerce Committee be discharged from further consideration of S. 153 and the bill be referred to the Committee on Homeland Security and Governmental Affairs.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR READING OF WASHINGTON'S FAREWELL ADDRESS

Mr. SANDERS. Mr. President, I ask unanimous consent that notwithstanding the resolution of the Senate of January 24, 1901, the traditional reading of Washington's Farewell Address take place on Monday, February 26, 2007, at 2 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR TUESDAY, FEBRUARY 6, 2007

Mr. SANDERS. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m., Tuesday, February 6; that on Tuesday, following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be expired, and the time for the two leaders be reserved for their use later in the day; that there then be a period of morning business with Senators permitted to speak therein for up to 10 minutes each, with the first 30 minutes under the control of the majority and the time allocated 10 minutes each: LEAHY, MIKULSKI, and KENNEDY; that the Republicans control the next 30 minutes, with the time until 12:30 p.m. equally divided and controlled between the majority and the minority; that the Senate recess from 12:30 to 3:30 p.m., Tuesday in order to accommodate the respective conference work periods and to permit Members to attend an intelligence briefing which begins at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL TOMORROW

Mr. SANDERS. If there is no further business to come before the Senate, I ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 7:11 p.m., adjourned until Tuesday, February 6, 2007, at 10 a.m.

HOUSE OF REPRESENTATIVES—*Monday, February 5, 2007*

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. LAMPSON).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

> WASHINGTON, DC.
> *February 5, 2007.*
>
> I hereby appoint the Honorable NICK LAMPSON to act as Speaker pro tempore on this day.
>
> NANCY PELOSI,
> *Speaker of the House of Representatives.*

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Grateful for both the Republican and Democratic congressional retreats which took place these past 2 weeks, Lord God, we pray that the collaboration experienced and the insights gained may not dissipate with time, but permeate all the work of the 110th Congress.

A clearer understanding of the two separate branches of government was achieved, and the importance of bipartisan cooperation to solve large problems was realized in the honored presence and honest dialogue with President George Bush at both retreats. For these deeper perceptions which benefit all Americans, we praise You and bless You, Almighty God.

Time for prayer and reflection revealed a solid relationship with You, Lord God, while both retreats manifested everyone's gratitude and commitment to our Armed Forces and veterans. Precious time with spouses and children renewed the love and appreciation of family members who make daily sacrifices so that Members may serve the Nation and the common interest of others.

May all those who serve and sacrifice their time and talent for the common good of this Nation be rewarded by You both now and forever.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Texas (Mr. DOGGETT) come forward and lead the House in the Pledge of Allegiance.

Mr. DOGGETT led the Pledge of Allegiance as follows:

> I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

> H.R. 434. An act to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958 through December 31, 2007, and for other purposes.

The message also announced that the Senate has passed without amendment in which the concurrence of the House is requested, a concurrent resolution of the House of the following title:

> H. Con. Res. 34. Concurrent resolution honoring the life of Percy Lavon Julian, a pioneer in the field of organic chemistry research and development and the first and only African American chemist to be inducted into the National Academy of Sciences.

The message also announced pursuant to section 276h–276k of title 22, United States Code, as amended, the Chair, on behalf of the Vice President, appoints the following Senator as Chairman of the Senate Delegation to the Mexico-United States Interparliamentary Group during the 110th Congress:

The Senator from Connecticut (Mr. DODD).

THE PRESERVE HISTORIC AMERICA ACT

(Mr. CARNAHAN asked and was given permission to address the House for 1 minute.)

Mr. CARNAHAN. Mr. Speaker, I rise today to announce the introduction of H.R. 610, the Preserve Historic America Act. This bill would expand and facilitate the use of Federal historic preservation tax credit and create a new historic preservation tax credit for our homeowners. The economic incentives created by the bill will produce historic preservation, economic growth, and spawn jobs.

A study of the Missouri Historic Preservation Tax Credit program, a widely respected program that expands upon the current Federal program, showed State assistance of $74 million in tax credits contributed to $267 million in Missouri income, $381 million in gross State product and 10,278 Missouri jobs.

The State of Missouri has led the way in creating the most utilized historic preservation tax credit in the country, and I am proud to bring my home State's successes to the Federal level. H.R. 610 will provide the economic incentive necessary to save our historic treasures, while simultaneously creating a far-reaching monetary benefit.

I urge my colleagues to cosponsor this legislation.

RECOGNIZING THE SOUPER BOWL OF CARING

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, the Chicago Bears and the Indianapolis Colts were not the only teams hungry for victory last night. Reverend Brad Smith of the Spring Valley Presbyterian Church in Columbia, South Carolina, founded the Souper Bowl of Caring 16 years ago. This youth-led non-profit collects money on Super Bowl Sunday to feed the hungry in their communities.

Since its beginning, the group has raised $33 million. Nearly 103,000 youth groups have participated, and more than 18,000 charity organizations nationwide have benefited from its work.

The coordination of the Souper Bowl of Caring with the NFL Super Bowl has not gone unnoticed. Five NFL team owners, including two with South Carolina connections, have made significant financial contributions to fund the organization. Specifically, I would like to recognize USC graduate Bob McNair, and his wife, Columbia College graduate Janice McNair, with the Houston Texans.

The Souper Bowl of Caring is making a positive difference alleviating hunger, and all Americans appreciate its efforts.

In conclusion, God bless our troops, and we will never forget September 11.

CORVETTE WINNER HAS NO ID

(Mr. POE asked and was given permission to address the House for 1 minute.)

☐This symbol represents the time of day during the House proceedings, e.g., ☐1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Mr. POE. Mr. Speaker, in Chicago, a 22-year-old woman is suing a Spanish language radio station. It seems she won a Corvette in the station's raffle, but the station won't give it to her. Why? Because she would not produce any identification. You see, a valid Social Security number or taxpayer identification number is required by law of the winner to get this type of prize because the winner must pay Federal taxes on the Corvette. The radio station strictly adheres to FCC contest rules. This person did not have either document. Why? Because she is illegally in the United States and because she won't pay the taxes. So the Corvette was withheld.

Never mind the station followed the law and the illegal is breaking the law by being in our country. She is now suing the radio station because she wants the Vette. She is also suing because of emotional distress. What arrogance this illegal has. The lawsuit should be thrown out of court, and when she gets to the courthouse they should put her in the jailhouse and deport her.

And that's just the way it is.

SUPER BOWL COMMERCIAL

(Mr. GINGREY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GINGREY. Mr. Speaker, I rise today to condemn an unconscionable commercial from last night's Super Bowl. Some ads were good, some ads were bad; but this one was very ugly. For those who missed it, an antiwar political action committee ran an ad claiming, and this is a direct quote: "If you support escalation, you don't support the troops."

Well, Mr. Speaker, that couldn't be farther from the truth. Supporting additional troops in Iraq is supporting one final surge to push the Iraqi people over the threshold of violence and deliver the best shot for a more stable Middle East.

Let me assure you that the veterans in this commercial do not speak for the veterans in my district, nor do they speak for the soldiers that I visited in Iraq or Walter Reed, nor do they speak for our military commanders. But, Mr. Speaker, what disturbs me most about this commercial is that it wasn't just broadcast to those of us watching the game from the comfort of our living rooms and our homes. It was broadcast to the troops watching the game in Iraq.

Our troops should know that the United States military strategy will not be determined by political groups buying air time during the Super Bowl. I support victory in Iraq, and this final surge may be our best last chance to achieve it.

OUR COUNTRY HAS A SPENDING PROBLEM

(Mrs. BLACKBURN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BLACKBURN. Mr. Speaker, you know, today President Bush presented his budget to the American people, and even though it is bigger and more bloated than I think it should be, I am pleased that it does include a balanced budget without raising taxes.

As stewards of the taxpayers' money, we must be diligent in working to achieve savings and making this government run more efficiently. We have plenty of data from the GAO and from our Inspector General showing that money is wasted throughout the Federal Government, and the President's budget does target 140 programs that could and should be removed.

So whether you are a Democrat or a Republican, there is consensus among the American people that we do have a spending problem in the Federal Government. It is not a revenue problem. Tax reductions have generated record revenues. It is definitely a spending problem, and it is time that we begin to fine-tune our focus and decide what is a priority with this government.

So I hope that my colleagues on either side of this center aisle will join together, will take a good hard look at this budget, and will find a way to balance it without raising taxes.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken after 6:30 p.m. today.

SERGEANT HENRY YBARRA III POST OFFICE BUILDING

Mr. LYNCH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 577) to designate the facility of the United States Postal Service located at 3903 South Congress Avenue in Austin, Texas, as the "Sergeant Henry Ybarra III Post Office Building".

The Clerk read as follows:

H.R. 577

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SERGEANT HENRY YBARRA III POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 3903 South Congress Avenue in Austin, Texas, shall be known and designated as the "Sergeant Henry Ybarra III Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Sergeant Henry Ybarra III Post Office Building".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentleman from Connecticut (Mr. SHAYS) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. LYNCH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LYNCH. Mr. Speaker, I am pleased to join with my colleagues in the consideration of H.R. 577, legislation naming a postal facility in Austin, Texas, after Staff Sergeant Henry Ybarra III.

On September 11, 2003, Sergeant Ybarra died in Iraq, performing maintenance on a heavy expanded mobility tactical truck when a tire exploded. He was serving in the Army's 6th Squadron, 6th Cavalry Unit when he was killed at the young age of 32.

Born in Austin, Texas, Sergeant Ybarra grew up wanting to be just like his father and serve in the military. At age 19 he enlisted in the Army and fulfilled his dream.

Sergeant Ybarra served as a technical supply clerk, keeping track of spare parts for the squadron, which was not an easy task since spare parts are often scarce during times of conflict.

Sergeant Ybarra was known for his upbeat attitude, his contagious smile, and strong devotion to the Catholic faith. He is survived by his wife and three children.

Staff Sergeant Ybarra's service to our country should be remembered and celebrated by this small tribute, and I urge swift passage of this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. SHAYS. Mr. Speaker, I yield myself such time as I may consume.

Sergeant Henry Ybarra was, I am told, a regular guy. On a typical weekend, he could be found relaxing at home with his family, grilling outside with friends or watching his favorite NFL team, the Dallas Cowboys. At other times of the year he would tune into auto racing to watch his favorite NASCAR driver, Dale Earnhardt, Jr.

Born and raised in Austin, Texas, Sergeant Ybarra was a proud family man with everyday American values. At the age of 19, he enlisted in the U.S. Army. His military career took him to Virginia, Kansas, Texas, and on to Germany. It was in Germany, while assigned to Troop D, 6th Squadron, 6th

Cavalry that he fought in Operation Enduring Freedom and Operation Iraqi Freedom.

His plans for the future were focused on his family and raising his three children; but as was pointed out, it all ended abruptly on September 11, 2003 in Balad, Iraq, when he was changing a tire on a heavy expanded mobility tactical truck when a tire suddenly exploded and killed him.

As his father back home in the U.S. was attending a memorial honoring those who died on September 11, 2001, he regretfully received word that his own son, who had given so much of himself to his country, had been killed.

Sergeant Ybarra was known by his friends, comrades and family for having a joyful spirit and a constant smile. He liked to kid to make others laugh. A proud father, son, husband and soldier maintained a positive attitude and never said, I am told, a harmful word towards others.

□ 1415

He served his country with distinction. Among his awards and decorations were: the Army Commendation Medal, the Army Achievement Medal, three Good Conduct Medals, two National Defense Service Medals, the Armed Forces Service Medal, the NCO Professional Development Ribbon, three Overseas Service Ribbons and the Basic Marks qualification badge.

Mr. Speaker, this was a man who was happy to serve his country, and we are grateful he did. Let us honor his ultimate sacrifice by renaming this post office for him.

Mr. Speaker, I yield back the balance of my time.

Mr. LYNCH. Mr. Speaker, I yield to the gentleman from Texas (Mr. DOGGETT) as much time as he may consume.

Mr. DOGGETT. I thank my colleagues for bringing this bill to the floor.

Mr. Speaker, today we honor a son of Texas, Sergeant Henry Ybarra III, born and raised in south Austin, and a member of the parish at San Jose Catholic Church. On September 11, 2003, he was killed in Iraq, the first of a number from our State capital in Texas to lose their life there.

I attended his rosary personally, joined by Marine Thomas Cruz, a member of my Congressional staff at that time. Today we honor Henry's sacrifice to our Nation by officially affixing his name to the post office on South Congress in Austin, the road that leads up to our State Capitol.

Henry long knew that he wanted to devote his life to service. His mother, Mary Jane, remembers it as early as age five. His father, a veteran of Vietnam, would find young Henry marching around in his dad's boots and cap. Henry wasted no time making that dream a reality, enlisting in the Army only months after graduating from Johnston High School. That father, Hank, is at this very moment still convalescing from both his own service in Vietnam and the impact of the loss of his son. We wish him continued progress in his recovery, and express our deep gratitude for what he has given personally to our country.

Henry's military career spanned a dozen years, earning numerous honors and awards. He met his wife, Lilian, while stationed at Fort Hood in Killeen, and his career took his family with daughters, Alyssa and Gabrielle, and his son, Henry IV, as far away as Germany. His commanding officer described Henry's easy manner and said, I wish I had a troop full of soldiers with his attitude and outlook on life.

As Pericles once spoke of ancient Athens, so it is with our democracy today: "If it should appear great to you, consider then that her glories were purchased by valiant men, and by men who learned their duty."

With this bill, our Nation pays tribute to a valiant man, Staff Sergeant Henry Ybarra, and to all those valiant men and women who serve and have served under our flag. The veterans groups Tejanos in Action, the Catholic War Veterans Post 1805, the Knights of Columbus Council 10148, the American GI Forum, along with LULAC and other community organizations, have been strong supporters of the effort to memorialize Sergeant Ybarra by naming the South Congress station in his honor.

Tejanos in Action is a unique organization that addresses the needs of our Hispanic veterans, and by providing its services to our community, provides a meaningful tribute to Henry and others who have served our country. I salute Dan Arellano, the Commander of Tejanos in Action; Moses Saldaña, who works closely with the Knights of Columbus at San Jose Church, and the Catholic War Veterans and all those who continue to serve and inspire our youth with their service.

Last year, I participated in the dedication of the Nicholas Perez Elementary School, as the Austin Independent School District recognized another brave son of south Austin lost in Iraq. Such memorials rightly honor men and women who have given their lives in service. They are daily reminders of both the valor of these young people and of our need to prevent war or its unnecessary escalation. With the death toll now rising towards 4,000 unique human beings tragically lost in Iraq, there may not be enough physical memorials to honor individually the sacrifice of all those who continue to fall.

For Sergeant Henry Ybarra and his friends and family, he will always be in their hearts. With this memorial naming, new generations will learn of Sergeant Ybarra's selfless sacrifice and be inspired by that service.

Mr. LYNCH. Mr. Speaker, I want to associate myself with the eloquent remarks of the gentleman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise to pay tribute to a great American and war hero of our country by naming the Post Office at 3903 South Congress Avenue in Austin, Texas in his honor. Born and raised in South Austin, Army SGT Henry Ybarra III was the first soldier from the capitol of my home state—Austin, Texas—to be killed in Iraq. Sergeant Ybarra graduated from Johnson High School and attended San Jose Catholic Church. He is survived by his wife, Lilian, and their three children, Alyssa, 16, Gabreielle, 14, and Henry Ybarra IV, 4.

Army SGT Henry Ybarra III died when he was just 32 years of age on September 11, 2003 in Balad, Iraq. Ironically it was when his father was observing a moment of silence for the September 11th victims that he received a phone call with the grave news that his own son was dead. Readiness, quick thinking, leadership and dedication are some of the traits that America's leaders possess today and traits that Sergeant Ybarra displayed the day that he was killed. Army SGT Henry Ybarra III died under combat conditions when the tire on a 10-ton military cargo truck exploded as he tried to change it. Dedication and excellent service to his country was not new to Army SGT Henry Ybarra and during his military career he earned the Army Achievement Medal, Good Conduct Medal, National Defense Medal, Armed Forces Service Medal, National Defense Medal, NCO Professional Development Ribbon, Overseas Service Ribbon and Basic Marksmanship Badge.

As Americans will never forget the attack on our Nation on September 11, 2001, so we must never forget those who are fighting the war in Iraq and serving our country. Sergeant Ybarra's memory must live on. He is an example of the thousands of dedicated soldiers who have selflessly given their lives to protect the freedoms of America and aid those in need. By honoring him, we honor the soldiers before him and the soldiers that are currently deployed in Iraq. Too many times we hear about the ugliness this war brings and as the death toll rises and we continue to stay in Iraq, we must not forget the names and faces of the fallen. I thank Rep. DOGGETT and urge my colleagues to join me in support of H.R. 577, to designate the facility of the United States Postal Service located at 3903 South Congress Avenue in Austin, TX, as the "Sergeant Henry Ybarra III Post Office Building." We must put a face and a name to honor the fallen in Iraq so that his memory will never be forgotten. Help me to honor one of our Nation's finest and bravest by commemorating Sergeant Ybarra and naming a post office in Austin, Texas after him.

Mr. LYNCH. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and pass the bill, H.R. 577.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

SERGEANT LEA ROBERT MILLS BROOKSVILLE AVIATION BRANCH POST OFFICE

Mr. LYNCH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 514) to designate the facility of the United States Postal Service located at 16150 Aviation Loop Drive in Brooksville, Florida, as the "Sergeant Lea Robert Mills Brooksville Aviation Branch Post Office".

The Clerk read as follows:

H.R. 514

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SERGEANT LEA ROBERT MILLS BROOKSVILLE AVIATION BRANCH POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 16150 Aviation Loop Drive in Brooksville, Florida, shall be known and designated as the "Sergeant Lea Robert Mills Brooksville Aviation Branch Post Office".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Sergeant Lea Robert Mills Brooksville Aviation Branch Post Office".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentleman from Connecticut (Mr. SHAYS) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. LYNCH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LYNCH. Mr. Speaker, I am pleased to join my colleagues in consideration of H.R. 514, legislation naming a postal facility in Brooksville, Florida, after Sergeant Lea Robert Mills of the United States Marine Corps.

Sergeant Mills was killed April 28, 2006, while conducting combat operations against enemy forces in Al Anbar Province, Iraq. He was 21 years old. A native of Masaryktown, Florida, Sergeant Mills joined the Marines in 2002 after graduating from Hernando High School. After his initial service, he renewed his commitment to the Marines and volunteered to serve his country in Iraq.

He spent only 6 weeks in that country before an improvised explosive device took his life. Sergeant Mills is survived by his wife, Keesha, his parents, Rob and Delores, and his brother, Parker. This young man's death is a tragedy for our Nation and for all those who loved him, but his sacrifice is a triumph of human courage and selflessness. Sergeant Mills is due the gratitude and remembrance of his country and its people.

I urge the swift passage of this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. SHAYS. Mr. Speaker, I yield myself such time as I may consume.

From all we know about Sergeant Lea Robert Mills, he was a dedicated and honorable Marine who hoped to make a difference in people's lives. Inspired to volunteer for the military after the September 11 terrorist attacks, Sergeant Mills gave his life fighting for those values we hold dearest.

Sergeant Mills of Masaryktown, Florida, joined the Marines after his graduation from Hernando High School in 2002. He wanted to serve on the front lines in the war on terror, and he wanted to make a difference. Always one to do his best, Sergeant Mills advanced quickly in rank and received many honors, becoming a leader to his beloved Marine comrades.

On April 28, 2006, at age 21, he was killed by a terrorist IED explosion while on patrol in Iraq, leaving behind his young wife, Keesha, and a very loving family. Sergeant Mills was proud to serve his Nation and strongly believed that he was doing the right thing for his country.

With gratitude for his bravery and sacrifice to his country, I ask all members to join me in supporting H.R. 514, which will rename the aviation post office in Brooksville, Florida, in his honor.

Mr. Speaker, this legislation was, I think, submitted by GINNY BROWN-WAITE, who is in transit. I hope that if we get to the next bill and I still control time, I could yield her time to speak on this issue, if it is all right with my colleagues.

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today in support of my bill, H.R. 514, which will rename the aviation post office in Brooksville, FL, after Sergeant Lea Robert Mills.

Lea was a resident of my district in Masaryktown who gave his life for his country while serving in Iraq.

At 21 years old, Lea was proud to serve his fellow citizens, and even requested to be sent to Iraq.

After being inspired to volunteer for the military after the September 11 attacks, he felt it was his duty as a Marine to go where the mission was.

Lea told his father that the marines would give him the best opportunity to make a difference in people's lives.

He joined right after graduating from Hernando High School in 2002, and had just recently re-upped for a second stint with the Marines.

Tragically, he was killed by an IED explosion, leaving behind a young wife and a grieving family.

Sergeant Mills was a true patriot and a brave hero, and our community feels his loss immensely.

His dedication to his country and turning his ideals into actions are truly inspiring.

It is a sad truth that in a cynical world, we are surprised by courageous acts.

Learning about Lea from his family and friends helped me to have faith that not everyone is just trying to get by—some are trying to change the world for the better.

I hope that in renaming this post office, we will memorialize Lea's courage and never forget his sacrifice for this great Nation.

I urge my colleagues to support this bill.

Mr. SHAYS. Mr. Speaker, I yield back the balance of my time.

Mr. LYNCH. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and pass the bill, H.R. 514.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

SCIPIO A. JONES POST OFFICE BUILDING

Mr. LYNCH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 433) to designate the facility of the United States Postal Service located at 1700 Main Street in Little Rock, Arkansas, as the "Scipio A. Jones Post Office Building".

The Clerk read as follows:

H.R. 433

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SCIPIO A. JONES POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 1700 Main Street in Little Rock, Arkansas, shall be known and designated as the "Scipio A. Jones Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Scipio A. Jones Post Office Building".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentleman from Connecticut (Mr. SHAYS) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. LYNCH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LYNCH. Mr. Speaker, I am pleased to join my colleagues in the consideration of H.R. 433, legislation naming a postal facility in Little Rock, Arkansas, after Scipio Africanus Jones.

Mr. Jones was an African American lawyer, judge, professor and humanitarian. Born in 1863 as a slave, he is most noted for his work to appeal the conviction and death sentence of 12 black sharecroppers for their involvement in the Elaine Race Riot. The Elaine Race Riot is one of the bloodiest racial conflicts in American history. Mr. Jones' work brought the case to the United States Supreme Court, and as a result found mob driven trials violated the due process clause of the 14th amendment.

Mr. Jones also made history when he personally purchased $50,000 worth of Liberty Bonds, which helped support the Allied war efforts in the First World War. Soon thereafter, President Woodrow Wilson appointed him to the Liberty Bond National Advisory Board.

Later in his life, he continued to advocate against racial discrimination. He fought for black voting rights and worked with Thurgood Marshall in a case ensuring fair pay for African American teachers. His contribution impacted society's treatment towards blacks in a powerful way, and for this we all should be proud and remember him dearly.

I urge the swift passage of this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. SHAYS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, February 1 marks the beginning of Black History Month. It is the time when we take time to honor the commitments and struggles of African Americans and try to understand their struggles. It is only fitting that during this month we honor a man whose perseverance and dedication to his community and fellow African Americans broke through and broke down historic barriers.

On August 3, 1863, Scipio Africanus Jones was born in Smith Township, Arkansas. His mother had been a slave. Scipio Jones attended black schools in the area and then moved to Little Rock to attend preparatory courses at Philander Smith College. From there he earned his Bachelor's Degree from North Little Rock's Bethel University, now known as Shorter College.

But his interest in education did not stop there. He recognized the continuing struggle African Americans face in achieving equal rights, and knew he could contribute through Arkansas' legal system.

Mr. Jones offered to work unpaid as a janitor at the offices of the local U.S. district judge. There he began to read law books and became an apprentice in law under Circuit Judge Robert Lea. He was accepted into the American Bar Association in 1889. From there, he was admitted to practice in the circuit court of Pulaski County in Little Rock.

In 1900, he was admitted to the State Supreme Court, then the United States District Court, the United States Supreme Court, and the United States Court of Appeals.

□ 1430

He was a strong member of his community and joined several local fraternal organizations. He even turned down offers to serve as the ambassador to the Republic of Haiti, as well as the Recorder of Deeds in the District of Columbia so he could support the Little Rock area.

He was treasurer of the National Negro Bar Association, the National Attorney General of the Mosaic Templars of America, a member of the International Order of Twelve, and a member of the Knights and Daughters of Tabor.

Through his work in these fraternal organizations, he became known as the "Gibraltar of Negro fraternal beneficiary societies."

Mr. Jones is famous for his defense in the trial of the Elaine Twelve. In 1919 a group of black sharecroppers met in Elaine, Arkansas, to discuss creating their own unit and whether to bring a class action lawsuit against their landlords for not paying them appropriate shares for their homegrown crops.

When a local sheriff and railroad detective, both white, showed up to the meeting, a fight arose. It quickly spread through the town and lasted for 3 days. It grew so intense that 600 Federal troops came to the area to quiet the fighting.

In the end, 99 black men were arrested. Twelve of the men received a trial that lasted only 20 minutes and sentenced them to death. With Scipio's efforts he pushed their case to the Supreme Court of the United States, which successfully gave all 12 men a new trial.

Beyond his legal work, Mr. Jones was a passionate businessman. He was the founder and owner of People's Ice and Fuel Company. He also founded Arkansas's Negro Business League.

Judge Scipio Jones fought hard his whole life for the rights of his fellow African Americans. He knew a better way of life could be had for his community members. He was a prominent leader, lawyer, educator, businessman, and politician. It is so appropriate that we honor a man of such determination, pride and integrity during Black History Month with the naming of this post office.

Frankly, I am in awe of this gentleman.

Mr. Speaker, I yield back the balance of my time.

Mr. LYNCH. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and pass the bill, H.R. 433.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the House by Mr. Sherman Williams, one of his secretaries.

SUPPORTING THE GOALS AND IDEALS OF NATIONAL CONSUMER PROTECTION WEEK

Mr. MATHESON. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 94) a resolution supporting the goals and ideals of National Consumer Protection Week, as amended.

The Clerk read as follows:

H. RES. 94

Whereas informed consumers are better equipped to see through frauds and deceptions, whether they take the form of questionable claims in an advertisement, offers that come in the mail or e-mail, or schemes designed to appear to be risk-free;

Whereas the Federal Government provides many educational resources and programs to help people protect themselves against fraud by supplying them with information about their options in the marketplace;

Whereas the Federal Trade Commission and more than 100 other Federal agencies have collaborated on a website, www.consumer.gov, which provides helpful information ranging from how credit ratings work to how to buy a new home;

Whereas the Federal Trade Commission has prepared a collection of easy-to-use materials to enable anyone, regardless of their existing knowledge about identity theft, to learn about and inform others about how to protect themselves against this serious crime;

Whereas consumers can find practical tips from National Consumer Protection Week partner organizations about how to make well-informed purchase decisions, avoid scams, protect their personal information, and file a complaint online at www.consumer.gov/ncpw;

Whereas, by gathering and sharing information, consumers and their friends and families can be more confident, savvy, and safe in the marketplace;

Whereas increasing financial literacy and information about financial services provides consumers with the knowledge to obtain the most appropriate and prudent options for managing their finances and building wealth;

Whereas a 2005 report by the Comptroller General entitled "Credit Reporting Literacy" supports educational efforts to increase consumers' understanding of the credit reporting process and suggests that such efforts target those areas in which consumers' knowledge is weakest, including populations with less education, lower incomes, and less experience obtaining credit; and

Whereas public, community-based, and private sector organizations throughout the United States are working to increase financial literacy rates and consumer protection for people of all ages and walks of life through a range of outreach efforts, including media campaigns, websites, and one-on-one counseling for individuals: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the goals and ideals of the Ninth Annual National Consumer Protection Week, including raising public awareness about the importance of consumer protection;

(2) requests that the President issue a proclamation calling upon Government officials, industry leaders, schools, non-profit organizations, and consumer advocates to provide citizens with the information necessary to effectively protect themselves against consumer fraud, and encourage all citizens to take an active role in protecting their personal information; and

(3) encourages people across the Nation to take advantage of the wealth of consumer protection information that can enhance confidence in the marketplace.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. MATHESON) and the gentleman from Texas (Mr. BURGESS) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. MATHESON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. MATHESON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of this resolution that supports the goals and ideals of National Consumer Protection Week. Starting yesterday, Sunday, February 4, through this Saturday, February 10, National Consumer Protection Week has the purpose of highlighting consumer protection and education efforts around the Nation.

This is a worthy goal that Congress should enthusiastically support. An informed consumer is a powerful consumer. Too often, the average citizen is unaware of the litany of scams being perpetrated at any given time.

Many criminals prey on consumers who have fallen on hard financial times, promising them quick fixes to magically solve all of their economic problems. These scams have real consequences for thousands of Americans, and the effects can be devastating to an individual or to a family.

However, if consumers are well informed and armed with knowledge, they can better navigate the marketplace and avoid these financial pitfalls. National Consumer Protection Week can help in this regard. Sponsored by the Federal Trade Commission, the Better Business Bureau, AARP, the Consumer Federation of America, and many other government and nonprofit organizations, community leaders can access a Web site with an outreach tool kit to help them educate their citizens and spread the word.

Now, this Web site is at www.consumer.gov/ncpw. Let me repeat that: www.consumer.gov/ncpw, which is the acronym for National Consumer Protection Week. On this Web site, consumers can access information about how to protect themselves from fraud.

It also gives tips consumers can use to recognize a ripoff when they see one. Lastly, I would be remiss if I did not quickly mention that as a new member of the Committee on Energy and Commerce, and specifically on the Subcommittee on Commerce, Trade and Consumer Protection, it is my hope that this 110th Congress will be the National Consumer Protection Congress.

This week in February is National Consumer Protection Week, but we can do so much more in the coming months ahead. By working with Subcommittee Chairman RUSH and Ranking Member STEARNS, as well as Energy and Commerce Chairman DINGELL and Ranking Member BARTON, I believe that we can instigate many reforms to empower consumers and improve the lives of everyday Americans.

Our committee is prepared to aggressively examine a whole host of basic consumer protection and pocketbook issues. I look forward to working with my Republican friends in the 110th Congress on this effort.

Mr. Speaker, I reserve the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of House Resolution 94, recognizing National Consumer Protection Week. The Energy and Commerce Committee has jurisdiction over consumer protection and is a major component of the Subcommittee on Commerce, Trade and Consumer Protection.

This subcommittee, Mr. Speaker, has a history of being active and aggressive in the area to address threats to bringing sensible and meaningful changes to help consumers defend themselves against fraud and provide the Federal Trade Commission with the tools necessary for enforcement.

Some of the consumer protection measures we have passed out of the committee include the anti-spyware legislation offered by Mrs. BONO and Mr. TOWNS, data security legislation to require companies that maintain protection for consumers' sensitive personal information and notify them in the event of a breach; anti-pretexting legislation to prevent unauthorized access to personal phone records; anti-spam legislation to reduce unsolicited and often fraudulent e-mails; and a public law providing for greater authority for the Federal Trade Commission to pursue criminal activity originating in other countries.

Despite all of these improvements and new public laws and our commitment to pass these bills in this Congress, they were not enacted into law in the last Congress. There are unscrupulous people who will continue to try to perpetuate fraud.

Unfortunately, fraud is often not discovered until there are victims and we then become aware. If we want to see the biggest reduction in fraud, we will need to reduce the pool of potential victims. We can only do so with the cooperation of individuals. Consumers need to be educated and able to detect and prevent fraud.

The effects of fraud are often ruinous for individuals and detrimental to society, when we lose trust in our fellow citizens, because those pretending to offer their services are in reality only thieves. In a country as prosperous as the United States, our citizens are too often the target of scams and frauds originating from all over the world.

Mr. Speaker, I therefore urge support of H. Res. 94, because this resolution intends to raise citizens' awareness to the problems of fraud and calls on consumers to take every precaution to secure their personal information.

Mr. Speaker, I commend Representatives HINOJOSA and BIGGERT for bringing this resolution to the floor in conjunction with National Consumer Protection Week.

Mr. Speaker, I reserve the balance of my time.

Mr. MATHESON. Mr. Speaker, I yield 6 minutes to the gentleman from Texas (Mr. HINOJOSA).

Mr. HINOJOSA. I thank my friend and colleague, JIM MATHESON, for yielding time to me.

Mr. Speaker, I rise today in strong support of H. Res. 94, a resolution supporting the goals and ideals of National Consumer Protection Week. I introduced this resolution with my good friend, Congresswoman JUDY BIGGERT, a few weeks ago. And I want to thank Majority Leader HOYER for bringing the resolution to the floor in such a timely manner.

Mr. Speaker, in addition I want to take a moment to take this opportunity to thank the leadership on Energy and Commerce for moving this resolution through their committee quickly after a thorough review by committee staff, especially Consuela Washington, Pete Goodloe, and Brian McCullough. I also want to thank legislative counsel, Brady Young, and Harry Savage for facilitating passage of this important resolution.

Congresswoman JUDY BIGGERT and I have been collaborating for years on financial literacy, and together we strive to provide consumers with the information they need to make appropriate decisions.

As cofounders and cochairs of the Financial and Economic Literacy Caucus, we will continue to reach out to the States, the local government, private sector, nonprofits and community-based organizations to improve financial literacy rates across the United States, which has become extremely important in light of the negative savings rate in the United States.

I am pleased that my staff and Zach Cikanek on Congresswoman BIGGERT's staff have jump-started our caucus so early this year, and I look forward to continuing our longstanding partnership. I encourage all of those Members of Congress watching us today to join the Financial and Economic Literacy Caucus to help your constituents help protect themselves from fraud and identity theft.

To join, all you need to do is contact my office or the office of Congresswoman BIGGERT. For the past 8 years, local, State and Federal government agencies and national consumer advocacy organizations have worked together to provide as much protection as possible to consumers during what has been deemed National Consumer Protection Week.

They have all recognized the important role public and private organizations play in ensuring that the American consumer is protected from unfair practices. This week we here in Congress will finally join these organizations in supporting the goals and ideals of the ninth annual National Consumer Protection Week, which falls between February 4 and February 10 of this year.

I am pleased to inform my colleagues that this year's theme is "Read up, reach out and be an informed consumer." This week will highlight consumer education efforts in the fight against fraud in communities across our Nation.

By gathering and sharing information, consumers and their friends and families can be more confident, savvy and safe in the marketplace. During this week, consumer protection partner organizations will provide practical and tactical tips so consumers can learn and teach others how to make well-informed purchase decisions, avoid scams, protect their personal information, and file a complaint.

Consumers can research and boost their marketplace IQ by accessing data at the National Consumer Protection Week section of the www.consumer.gov Web site. Some of the organizations that will participate in this week's activities include the Better Business Bureau, the Consumer Federation of America, the FDIC, and of course the Federal Trade Commission.

On Thursday of this week, February 8, 2007, the Federal Trade Commission, the FDIC and several other consumer-oriented government agencies will host a consumer protection fair for Capitol Hill staff as well as Members of Congress. The fair will be held in room 1302 Longworth beginning at 9 a.m. and running until noon.

Again, the fair will be held in room 1302 Longworth House Office Building, February 8, from 9 a.m. until noon.

Mr. Speaker, I believe that this fair, orchestrated by the FTC and Derick Rill, its congressional liaison, will provide the materials our staff needs to teach our constituents how to prevent themselves from becoming victims of fraud and identity theft and will help improve their overall financial literacy.

□ 1445

Again, I strongly encourage my colleagues to support this resolution that will benefit consumers across America.

Mr. BURGESS. Mr. Speaker, I am now pleased to yield 6 minutes to the coauthor of this legislation, the gentlelady from Illinois (Mrs. BIGGERT).

Mrs. BIGGERT. Mr. Speaker, I rise to express my support for House Resolution 94, a resolution supporting the goals and ideals of National Consumer Protection Week.

Now in its ninth year, this special week brings together a diverse array of public and private organizations in support of one common goal, ensuring that Americans have the knowledge and financial savvy they need to be responsible consumers and to protect themselves in the marketplace.

There have always been those who would prey on the unwary consumer, be it through misleading claims or fraudulent practices. And as more and more Americans begin conducting transactions on the Internet, or with the use of other rapidly changing technologies, we must actively educate ourselves against new and evolving threats.

Among the most serious risks today consumers face is identity theft. In Illinois alone, we had over 11,000 reports of identity theft in just 1 year. According to the FTC, Illinois ranks among the top 10 States where consumers are most likely to have their personal information compromised. And yet, by following just a few simple tips, consumers are better able to recognize frauds and can significantly reduce the likelihood that their private information will fall into the wrong hands.

In many cases, the wisest and safest consumers are those who simply, with the best understanding, make their choices. Whether it is paying for college, saving for retirement or shopping for a mortgage on a first home, many Americans just don't know where to look to learn about the scores of options that are available to them.

That is why, Mr. Speaker, in February 2005, I joined with my friend and distinguished colleague, Representative HINOJOSA, to establish the Financial and Economic Literacy Caucus. We began this caucus to ensure that Congress did its part, not just to protect consumers but to empower them. We wanted to make certain that Americans of all ages and all walks of life have access to the tools and the educational resources they need to ensure the economic security of their families.

Today, we have the opportunity to do just that. We can join the Federal Trade Commission, the United States Postal Service, the AARP, Better Business Bureaus of America, and hundreds of other consumer advocates across the country that have collaborated to make National Consumer Protection Week a success.

Together, we can raise the awareness, not just of pitfalls in the marketplace, but the wealth of information and options available to consumers. One such resource, as Representative HINOJOSA said, is consumer.gov, a Federal Web site that provides one-stop shopping for information on everything from avoiding identity theft to finding savings at the gasoline pump.

I would like to also take this opportunity to thank my friend from Texas and cochair of the Financial and Economic Literacy Caucus, Mr. HINOJOSA, for working so hard on today's resolution, and his tireless effort on financial education issues.

In addition, my thanks go out to Chairman DINGELL and Ranking Member BARTON of the Energy and Commerce Committee for helping to bring this resolution to the floor in such a timely and bipartisan manner.

And finally, I would like to thank the distinguished gentleman from Utah (Mr. MATHESON) and the gentleman from Texas (Mr. BURGESS) for managing our resolution here today.

Mr. Speaker, I am honored to sponsor House Resolution 94, and I urge my colleagues to support it.

Mr. MATHESON. Mr. Speaker, I am pleased to now yield 2 minutes to a fellow member of the Energy and Commerce Committee, Mr. TOWNS from New York.

Mr. TOWNS. Mr. Speaker, let me begin by thanking you for allowing me to speak on this resolution.

Fraud and abuse is very prevalent, and, of course, we need to do something about it. So I would like to say to the committee members that too long have we allowed this fraud and abuse to go without speaking out on it in the fashion that we should.

People are being abused. Family members are being abused as a result of fraud and abuse. So I think that we need to send a message to those that are out there who are doing these kind of things to say that we will not sit back and allow you to do this.

We have people that are taking another person's identity and going out, making bills and creating problems and creating situations where the person's credit is bad, and when they begin to move forward to try to do something on behalf of their family, they can't do it because somebody else has done some things that they should not have done and make this family have to suffer.

So I would like to just thank the sponsors of this resolution, and to say to you that I think it will draw the attention of those who might not be fully aware of what is going on. I think it will let law enforcement also know that the Members of the United States Congress are very concerned about these issues.

And I would like to salute the sponsors. I would like to salute the Energy and Commerce Committee for bringing this resolution forward so quickly because the time is now that we must send a statement, make a statement to let people know that we are not going to sit back and let them do these kind of things to create problems for people.

So I would say to you, on that note, I look forward to working with the committee to see what we can do to further dramatize and to highlight this very serious situation.

Mr. DINGELL. Mr. Speaker, the Committee on Energy and Commerce is pleased to bring to the floor H. Res. 94, supporting the goals and ideals of National Consumer Protection Week. We commend Representatives HINOJOSA and BIGGERT for authoring the resolution.

Under Rule X, the Committee on Energy and Commerce is the authorizing Committee for the Consumer Product Safety Commission and the Federal Trade Commission (FTC). The FTC, which administers over 40 Federal statutes under our purview, is the lead Federal consumer protection agency. The FTC also administers a handful of financial consumer protection laws such as the Fair Credit Reporting Act, the Truth in Lending Act, and the Equal Credit Opportunity Act. This has been and remains an effective model.

The Committee that I am honored to lead has a long and proud tradition of consumer protection. It has mandated and overseen major initiatives to rid the markets of unsafe, and in some cases deadly, children's toys and other products.

It has taken legislative action to establish the national Do Not Call List, a giant step forward in lessening annoying telemarketing calls to consumer homes. It also has responsibility for the CAN–SPAM law aimed at curbing the volume of junk e-mail polluting and slowing down Internet commerce.

It is the lead Committee on privacy. Two of our Members, Ranking Member JOE BARTON and Subcommittee on Telecommunications and the Internet Chairman ED MARKEY, are cofounders of the Privacy Caucus. Together, we wrote the Health Insurance Portability and Accountability Act that protects the most intimate details of American lives. We have begun bipartisan discussions with the Committee on Ways and Means for the design and operation of privacy and security protections for groundbreaking health information technology legislation that we hope to have enacted in this Congress. We authored the privacy provisions of the Gramm-Leach-Bliley Act that protect financial information.

Later this week, we will be reintroducing four major privacy bills—legislation regarding spyware, pretexting, data security, and Social Security number protection—that were reported unanimously by the Committee on Energy and Commerce in the 109th Congress (and in the case of spyware, passed the House). We intend to resolve jurisdictional issues with other Committees where they exist. We will also continue to work with consumer groups, technology experts, and industry groups to enact protections that are the most effective possible for both consumers and businesses.

We work hard to live the goals of National Consumer Protection Week. All too often the marketplace takes on the Darwinian tone of "survival of the fittest" with John Q. Public trampled in the process. It is fitting that we reflect on our responsibility to ensure transparency and fair treatment in the marketplace for the people who elect us. We salute the FTC, the Better Business Bureau, and consumer groups for their hard work all year-round on behalf of the American consumer. The Committee on Energy and Commerce intends to continue to live up to its reputation for fair and balanced laws and vigorous oversight on consumer protection issues. In the words of the Beatitudes: "Blessed are they who hunger and thirst for what is right for they shall be satisfied."

Ms. WATERS. Mr. Speaker, I rise in support of H. Res. 94, a resolution supporting the goals and ideals of the Ninth Annual National Consumer Protection Week to highlight the importance of consumer protection, and I thank the Gentleman from Texas (Mr. HINOJOSA) for introducing it.

This resolution is important because it calls on governmental officials, industry leaders, schools, nonprofit organizations, and consumer advocates to provide citizens with valuable information and because it encourages the American people to utilize consumer protection information that is made available to them.

I hope that this message resonates in my home State of California because our students are in the midst of a consumer crisis. Unless the State acts expeditiously, the consumer protection statute and the agency responsible for protecting postsecondary students from fraudulent institutions whose misrepresentations cause them to default on tens of thousands of dollars in Federal student loans will expire on June 30, 2007. The statute set to expire is called the Private Postsecondary and Vocational Education Act and it authorizes a regulatory and enforcement bureau to scrutinize institutions that receive Federal higher education funds.

In the 1980s and 1990s, numerous abuses by unlawful institutions cost taxpayers billions of dollars in defaulted student loan debt—in fact, there was $3.2 billion in defaulted student loans in 1992 alone. More recently, in August and October 2006, two San Diego trade schools closed without notice to its students, setting 400 to 800 of them on the path to default on Federal and private student loans—many totaling $20,000 or more per student—with no education to justify it.

I hope that the State of California sees passage of this important resolution as Congress' call to take whatever measures necessary to uphold the consumer rights of the American people and works quickly to reauthorize the Private Postsecondary and Vocational Education Act. I urge my colleagues to support this resolution.

Mr. BURGESS. Mr. Speaker, I have no further speakers. I yield back the balance of my time.

Mr. MATHESON. Mr. Speaker, I just want to acknowledge the leadership of Mr. HINOJOSA and Mrs. BIGGERT on this issue; thank them for their leadership.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. MATHESON) that the House suspend the rules and agree to the resolution, H. Res. 94, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those voting have responded in the affirmative.

Mr. MATHESON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.

SUPPORTING THE GOALS AND IDEALS OF NATIONAL BLACK HIV/AIDS AWARENESS DAY

Mr. TOWNS. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 35) supporting the goals and ideals of National Black HIV/AIDS Awareness Day, as amended.

The Clerk read as follows:

H. CON. RES. 35

Whereas the HIV/AIDS epidemic in the United States has shifted primarily to the African-American community and other communities of color;

Whereas the Centers for Disease Control and Prevention (CDC) has stated that, at the end of 2005, over 188,000 African Americans were living with AIDS, representing 44 percent of all cases in the United States;

Whereas since the beginning of the epidemic, African Americans have accounted for nearly 400,000 or 42 percent of the estimated 953,000 AIDS cases diagnosed, and through December 2005, an estimated 211,559 African Americans with AIDS have died;

Whereas the CDC has further stated that, in 2005, African Americans accounted for nearly 50 percent of all new HIV infections, despite representing only about 12.3 percent of the population (according to the 2000 Census);

Whereas the CDC estimates that, in 2005, African-American women accounted for over 66 percent of all HIV/AIDS cases among women, and were 25 times more likely to be infected than White women;

Whereas the CDC estimates that of the over 18,800 people under the age of 25 whose diagnosis of HIV/AIDS was made during 2001–2004, 61 percent were African-American;

Whereas the CDC estimates that 73 percent of all children born to HIV infected mothers in 2004 were African-American;

Whereas the CDC has determined that the leading cause of HIV infection among African-American men is sexual contact with other men, followed by intravenous drug use and heterosexual contact;

Whereas the CDC has determined that the leading cause of HIV infection among African-American women is heterosexual contact, followed by intravenous drug use;

Whereas in 2002, AIDS was among the top three causes of death for African-American men in the age group 25 through 54, among the top four causes of death for African-American women in the age group 25 through 54, and the number one cause of death for African-American women aged 25 to 34 years;

Whereas the CDC estimates that, since 1996, African Americans have the poorest survival rates of any racial or ethnic group diagnosed with AIDS, with 64 percent surviving after 9 years compared to 65 percent of American Indians and Alaska Natives, 72 percent of Hispanics, 74 percent of Whites, and 81 percent of Asian Pacific Islanders;

Whereas African Americans are diagnosed with AIDS later than nonminority counterparts, are confronted with barriers in accessing care and treatment, and face higher morbidity and mortality outcomes;

Whereas in 1998, the Congress and the Clinton Administration created the National Minority AIDS Initiative to help coordinate funding, build capacity, and provide prevention, care, and treatment services within the African-American, Hispanic, Asian Pacific Islander, and Native American communities;

Whereas the Minority AIDS Initiative assists with leadership development of community-based organizations (CBOs), establishes and links provider networks, builds community prevention infrastructure, promotes technical assistance among CBOs, and raises awareness among African-American communities;

Whereas on February 23, 2001, the first annual National Black HIV/AIDS Awareness Day was organized, with the slogan "Get Educated, Get Involved, Get Tested"; and

Whereas February 7 of each year is now recognized as National Black HIV/AIDS Awareness Day: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) supports the goals and ideals of National Black HIV/AIDS Awareness Day and recognizes the seventh anniversary of observing such day;

(2) encourages State and local governments, including their public health agencies, to recognize such day, to publicize its importance among their communities, and to encourage individuals to undergo testing for HIV;

(3) encourages national, State, and local media organizations to carry messages in support of National Black HIV/AIDS Awareness Day;

(4) supports full and equitable funding for the Ryan White HIV/AIDS Treatment Modernization Act of 2006;

(5) applauds the codification of the Minority AIDS Initiative within the reauthorization of the Ryan White CARE Act;

(6) supports appropriate funding for HIV/AIDS prevention and treatment;

(7) supports the strengthening of stable African-American communities;

(8) supports reducing the impact of incarceration as a driver of new HIV infections within the African-American community;

(9) supports effective and comprehensive HIV prevention education programs to promote the early identification of HIV through voluntary routine testing, and to connect those in need to treatment and care as early as possible;

(10) supports reducing the number of HIV infections in the African-American community resulting from injection drug use; and

(11) supports efforts to link those infected with HIV to accessible care and treatment options.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. TOWNS) and the gentleman from Texas (Mr. BURGESS) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. TOWNS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TOWNS. Mr. Speaker, this is a healing moment in the long struggle for full and fair recognition for the African American victims of HIV and AIDS. I am proud that the Congress and our Nation continues to recognize the changing face of the HIV and AIDS. And I urge you to unanimously support this resolution.

In the previous Congress, we spent much time and energy on the issue of HIV and AIDS, and rightfully so. I am glad that the Nation and the Congress have come together today to support a House resolution that recognizes the importance of supporting awareness in African American communities across this Nation.

This is a special moment for me, because the HIV/AIDS crisis has hit the national African American community, and my own district in Brooklyn, New York has been hit real hard. So it is critical for Congress today to say to the Nation that this issue at this time is important, just as we did in the last session when we included for the first time the Minority AIDS Initiative in the Ryan White reauthorization.

I am particularly pleased that today's Congress is recognizing the goals and ideals of National Black HIV/AIDS Awareness Day. The importance of prevention and testing in African American communities is very, very important, the need for full and equitable treatment of the disease in communities of color.

My colleagues will speak to other aspects of the resolution. However, we are united in our support for strengthening the public health infrastructure to assist African American communities in fighting this epidemic.

I urge my colleagues to vote for this critical resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of House Concurrent Resolution 35. I was proud to be a cosponsor of this legislation. This legislation recognizes the goals and ideals of National Black HIV/AIDS Awareness Day.

Wednesday, February 7, 2007 marks the ninth annual National Black HIV/AIDS Awareness Day. This day serves to commemorate the importance of educating African Americans and, indeed, the entire community about the need to get tested, understand the results of that testing, what it means, and get treatment if they are currently living with HIV or AIDS or are newly diagnosed.

National Black HIV/AIDS Day is an important reminder that African Americans continue to be impacted by the disease and that local communities should work together to provide avenues to prevent new infections, as well as ensuring that those currently living with the diagnosis have access to available services for their treatment and for their care.

Each year, 20,000 African Americans are newly infected with HIV. African American men and women are among the hardest hit populations in the United States, and in 2004 they accounted for fully half of all of the new HIV diagnoses in this country and more than a third of the AIDS deaths to date.

Department statistics show that racial and ethnic minorities represent the highest number of new AIDS cases. More than 75 percent of the people living with AIDS are racial and ethnic minorities, and HIV has become a leading cause of death for African Americans.

Mr. Speaker, in my own district in north Texas, a few facts about the HIV epidemic in Tarrant County. The average HIV rate per 100,000 population for Tarrant County, Texas is 25, but for the African American community it is fully three times that amount at 76.

The average AIDS rate per 100,000 population for Tarrant County, Texas is 13, but for the African American community, again, that number is tripled to 35.

While we saw a spike of AIDS cases in the mid-1990s, and then a decline in the late 1990s, rates have begun again to increase from 1999 to 2003 and continue to climb upwards.

In the State of Texas, almost half of all of the HIV and AIDS diagnoses are African Americans, 42 percent and 40 percent respectively. And in my home county of Tarrant County, there is no bigger advocate and activist for the African Americans who are living with this diagnosis than retired Judge Mary Ellen Hicks, and I thank her for her service in making all of us aware of this problem.

Mr. Speaker, I urge my colleagues to support this important resolution commemorating National Black HIV/AIDS Awareness Day.

Mr. Speaker, I reserve the balance of my time.

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Mr. TOWNS. Mr. Speaker, I would be happy to yield 4 minutes to the gentlewoman from California (Ms. LEE), who has been fighting on this issue from the day that she arrived in the United States Congress.

Ms. LEE. Mr. Speaker, first let me thank the gentleman from New York for yielding, Mr. TOWNS, for your leadership, and for managing this bill today, which is very important for not only my community but for your community and for all our communities throughout the country. And I want to thank Mr. DINGELL, also Mr. BURGESS, for your leadership and for your support for this effort.

Also let me thank our staff for helping us bring this bill to the floor. Especially I want to thank our leadership's staff, Mr. TOWNS's, Mr. BURGESS's, Mr. DINGELL's staff, Mr. BARTON's staff; as well as my staff, Christos Tesentas, for their very competent and their very effective work. This is not a Democratic or a Republican issue. It is a bipartisan issue. And our staffs have really exemplified, I think, the best of what staff can do to work together on something this important.

Two days from now, on February 7, we will commemorate, and it is unfortunate that we have to commemorate this, the seventh National Black HIV/AIDS Awareness Day, a day when we urge African Americans to get educated, to get involved, and to get tested.

The numbers are startling, Mr. Speaker, especially for African American women. According to the CDC, in 2005 African American women accounted for 66 percent of all new HIV/AIDS cases among women, and this is climbing as we speak. It is probably now closer to 70 percent. And we are 25 times more likely to be infected than white women. Today, AIDS is the number one cause of death among African American women between the ages of 25 and 34. Think about that for a minute. The number one cause of death. Young women.

Black gay men are also affected by this disease. A recent CDC study found, and this was in 2005 again, that 46 percent, 46 percent, of black gay men in five U.S. cities were HIV positive.

This is simply outrageous. These statistics are quite staggering.

At the end of last year, we took a positive bipartisan step forward to address the spread of HIV and AIDS among the African American community by ensuring the Minority AIDS Initiative, initiated by a great leader on this issue, Congresswoman MAXINE WATERS, and DONNA CHRISTENSEN in 1999. We were able to finally formally include this in the Ryan White CARE Act. Now we really do have a responsibility to go even further. We could start by funding the Minority AIDS Initiative at a minimum of $610 million and by fully funding the Ryan White Treatment Modernization Act.

But we must also go beyond the money and get at the factors that are ultimately driving this epidemic among African American people, African American men and women. Poverty and discrimination, the lack of affordable housing, the unequal impact of the disproportionate rates of incarceration among black men, poor access to care, limited cultural competency for health workers, all of these deserve our attention and deserve action.

Mr. Speaker, the color of our skin really should never determine our health status or the quality of care we receive. Unfortunately, today to be black is to be at greater risk of HIV and AIDS. And, unfortunately, this disease is really increasing among Latinos and the Asian Pacific American community. So we must do much more for everyone.

As Members of Congress, we have a responsibility to do just that, to change these statistics. It is not an ideological issue, and, Mr. TOWNS, you know this is not an ideological issue. It is a moral and humanitarian call for equality and for justice.

So I urge my colleagues to join us in stopping the spread of this global pandemic, a priority not only throughout the world but also here at home. In Toronto, Canada Congresswomen WATERS, CHRISTENSEN, and myself, we participated in a very effective and very profound international AIDS conference this past year. There were pledges made to make HIV and AIDS a priority with civil rights groups. The NAACP and many of our organizations that have been working for justice and civil rights for many years now understand and are on the front lines in terms of making HIV and AIDS a major, major priority.

So let me just say it is a very important day. This is a very important resolution, and I urge both sides of the House to vote for H. Con. Res. 35.

Again, I want to thank Mr. BURGESS and Mr. TOWNS for your leadership and for yielding the time today.

Mr. BURGESS. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. TOWNS. Mr. Speaker, I would like to yield 3 minutes to the gentlewoman from California (Ms. WATERS), who has really been involved in this issue, and I have worked very closely with her.

Ms. WATERS. Mr. Speaker, I would like to thank the gentleman from New York for bringing this resolution before this House. His work is very important on this issue.

And I rise in support of H. Con. Res. 35, supporting the goals and ideals of National Black HIV/AIDS Awareness Day.

The first annual National Black HIV/AIDS Awareness Day was organized on February 23, 2001, with the message "Get Educated, Get Involved, Get Tested."

Unfortunately, African Americans have been gravely impacted by the AIDS epidemic. Unfortunately, African Americans account for half of the new AIDS cases, although we are only 13 percent of the population. Worse yet is the fact that African American women represent 67 percent of new AIDS cases among women, and black teenagers represent 66 percent of new AIDS cases among teenagers.

That is why back in 1998 I established the Minority AIDS Initiative, with the support of the Congressional Black Caucus and the Clinton administration. At that time we received $166 million in funding the new initiative, and this initiative for HIV/AIDS treatment and prevention programs serving African American and other minority communities was very helpful in helping to build capacity in these communities to deal with the problem.

However, it is not enough. Last year I asked for $610 million, and I am renewing my call with the support of the Congressional Black Caucus for that amount. But the message "Get Educated, Get Involved, Get Tested" is an important message for all Americans. Over 1 million Americans are living with HIV/AIDS, and 24 to 27 percent of them do not know they are infected.

That is why today I am reintroducing the Routine HIV/AIDS Screening Coverage Act. This bill requires health insurance plans to cover routine HIV/AIDS tests under the same terms and conditions as other routine health screenings.

I also plan to reintroduce the Stop AIDS in Prison Act, a bill to require routine HIV/AIDS screening of all Federal prison inmates upon entering prison and again prior to release from prison, as well as comprehensive treatment for those who test positive. Routine HIV/AIDS screening will allow thousands of African Americans and other infected individuals to find out about their infection, begin life-extending treatment, and avoid spreading the virus to others.

I urge my colleagues to support National Black HIV/AIDS Awareness Day, and I urge all Americans to educate themselves, act responsibly, get involved, and get tested for HIV/AIDS.

I thank Representative TOWNS for the attention that he has given to this issue.

Mr. TOWNS. Mr. Speaker, how much time is remaining?

The SPEAKER pro tempore. The gentleman has 10½ minutes remaining.

Mr. TOWNS. Mr. Speaker, I yield myself such time as I may consume. I must admit I don't plan to take it all.

But let me just say I would like to thank the staff members. I would like to thank the leadership of the committees, who, of course, have been very involved in this issue because this is a very serious issue.

People are dying because of the fact that we are not paying enough attention to this disease. So I want to thank people like Congresswoman BARBARA LEE from California, Congresswoman MAXINE WATERS, and, of course, many others who have been there in the forefront indicating the fact that the time to do something is now.

This resolution sort of highlights how important this issue is and that we must begin to address it. So I am hoping that the Members of the United States Congress will join us in supporting this resolution and not only that but to help us get information out to people.

People need to be tested but not only to be tested. When they are tested, they need to have treatment. It is one thing to test; it is another thing to have treatment. Just a test to be testing does not make a lot of sense. But when you test and then you have a treatment program and you get education out, then it makes a lot of sense.

Ms. WATERS. Mr. Speaker, will the gentleman yield?

Mr. TOWNS. I would be delighted to yield to the gentlewoman from California.

Ms. WATERS. Mr. Speaker, I see that Congresswoman Barbara Lee is at the other microphone. If she, too, may engage in this colloquy.

Mr. TOWNS, I was just wondering, in the work that we have all been doing, we have been trying so hard to educate all of our young people in our communities about HIV and AIDS and how they can take more responsibility. We have been fighting for money.

Do you believe that it would be helpful if we took this resolution and made a comprehensive effort, focused effort, to get to the churches and to some of the other institutions that are so important in our community, disseminate it widely so that we could broaden the individuals and groups who are involved in this whole discussion and fight against HIV and AIDS?

Mr. TOWNS. No doubt about it. Reclaiming my time, Mr. Speaker, let me say that I think that we need to involve our churches in this battle. Not only our churches but also our 501(c)(3) organizations. They need to be involved in this as well because we are talking about life and death. And the fact is that if we get involved, I think that we can begin to turn this around.

Right now we are not winning the battle, and I think that we need to win. In order to win, we have to get all the soldiers involved. And I think that the church is crucial. They need to be involved in this issue. So we need to try to get the word out to them and hope that they will respond in a major kind of way because people are dying that really don't have to die if we get this information to them.

Ms. LEE. Mr. Speaker, will the gentleman yield?

Mr. TOWNS. I would be delighted to yield to the gentlewoman from California.

Ms. LEE. Mr. Speaker, I thank the gentleman for yielding. And I am delighted that we have a chance to have this colloquy because I would like to highlight the importance of getting tested.

Congresswoman WATERS and I and others last year, actually approximately 16 Members of Congress, were tested publicly. The importance of members of the clergy and Members of Congress and leadership getting tested, showing our communities that it is the correct thing to do, there is a large percentage of individuals living with HIV and AIDS who don't know they have the virus, and in fact, once tested the results are confidential.

There are several tests, but one is a swab test where you get the results back within 20 to 30 minutes. Again, the results of those tests are very confidential. It is important that ministers and, Mr. TOWNS, you are a great member of the clergy as well as a Member of Congress, and your voice in this entire effort is so important because once people eliminate that fear, then, in fact, they can move forward and get tested and begin to help reduce this pandemic, which is what it is.

So I want to thank you for giving us a chance to talk about this, about getting tested also, because this is one way you actually can have a reduction of the incidences of HIV and AIDS very quickly.

Mr. TOWNS. Mr. Speaker, reclaiming my time, let me say that I want to salute both of you. Ron Dellums, when he was here in the Congress, Ron, of course, was really in the forefront of the fighting to get additional resources for AIDS patients and AIDS victims, and, of course, now you have picked it up and Congresswoman MAXINE WATERS from California. I want to let you know that we really appreciate your voices, and I want to let you know that I look forward to working with you in the days and months ahead to make certain that we get this information out to people that need to have this information because a lot of people don't know, and if they don't know, then they don't do anything about it. So I want to say to you thank you for helping to get the word out to make certain that they do know. I want to thank both of you for your hard work in this effort.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of H. Con. Res. 35 supporting the goals and ideals of National Black HIV/AIDS Awareness. Established in February 2000, National Black HIV/AIDS Awareness and Information Day,'NBHAAD, is an annual observance day that was created to raise awareness among African-Americans about HIV/AIDS and its devastating impact on African-American communities.

There is no question that we must continue to mount a massive campaign to support the mission of National Black HIV/AIDS Awareness Day, NBHAAD to build the capacity and increase awareness, participation and support for HIV prevention, care and treatment among African-Americans. February 7, 2007 marks the seventh year of this annual event. The day is part of a national mobilization effort to get African-Americans to learn more about the threat posed by the disease, get tested, get treated and make a commitment to fight HIV/AIDS. For this day and everyday forward we must raise our voices to volumes that can be heard across the globe. Unfortunately, for too long we have settled for surviving our tragic losses in silence. But listen to these screaming statistics:

According to CDC estimates, at the end of 2005, African-Americans accounted for 44 percent of all individuals living with AIDS—188,000.

In 2005, African-Americans accounted for nearly 50 percent of all new HIV infections, despite representing only about 12.3 percent of the population, according to the 2000 Census.

In 2005, African-American women represented 66 percent of all new HIV/AIDS cases among women, and were 25 times more likely to be infected than White women.

CDC estimates that 73 percent of all children born to HIV infected mothers in 2004 were African-American.

With an estimated 38.6 million people worldwide living with HIV at the end of 2005, and more than 25 million people having died of AIDS since 1981, NBHAAD serves to remind everyone that action makes a difference in the fight against HIV/AIDS. Let there be no mistake; we are here to acknowledge that AIDS is a deadly enemy against which we must join all our forces to fight and eliminate.

Though I stand here today in recognition of National Black HIV/AIDS Awareness Day, Americans should be reminded that HIV/AIDS does not discriminate. With an estimated 1,039,000 to 1,185,000 HIV-positive individuals living in the U.S., and approximately 40,000 new infections occurring every year, the U.S., like other nations around the world is deeply affected by HIV/AIDS.

Mr. Speaker, there is no doubt that AIDS is devastating the African-American community. As of February 2006, African-Americans represented only 13 percent of the U.S. population, but accounted for 40 percent of the 944,306 AIDS cases diagnosed since the start of the epidemic and approximately half, 49 percent of the 42,514 cases diagnosed in 2004 alone. African-Americans also account for half of new HIV/AIDS diagnoses in the 35 States/areas with confidential name-based reporting.

The AIDS case rate per 100,000 population among African-American adults/adolescents was nearly 10.2 times that of Whites in 2004. African-Americans accounted for 55 percent of deaths due to HIV in 2002 and their survival time after an AIDS diagnosis is lower on average than it is for other racial/ethnic groups. HIV was the third leading cause of death for African-Americans, ages 25–34, in 2002 compared to the sixth leading cause of death for Whites and Latinos in this age group.

African-American women and children have been disproportionately victimized by this deadly disease. African-American women account for the majority of new AIDS cases among women—67 percent in 2004; White women account for 17 percent and Latinas 15 percent. Among African-Americans, African-American women represent more than a third, 36 percent of AIDS cases diagnosed in 2004. Although African-American teens, ages 13–19, represent only 15 percent of U.S. teenagers, they accounted for 66 percent of new AIDS cases reported among teens in 2003. We must continue to forge a tough fight to reverse all of these costly trends.

Mr. Speaker, combating this crisis will take a team effort. All of us—researchers, legislators, clergy, community organizers and activists and others—must work tirelessly to find solutions and to help so that our work will bring forth a wealth of wisdom that creates a climate of compassionate care and healing.

Let us go forth as warriors, renewed in our commitment to stand in solidarity with everyone who has been affected by HIV and AIDS, and let us be encouraged in our efforts to comfort the afflicted and confront the passiveness of so many who contribute to the spread of this deadly disease; and let us be emboldened to speak out in our own communities so that silence may no more mask the ringing alarms of rapidly rising infection rates.

I hope that our inner human spirits will move us to a place and time where we no longer turn our heads and close our eyes to those communities who need our help the most. We must find the strength to look past our fears and find compassion to create a world where no man, woman or child is confronted with the perils of this current AIDS crisis.

Mr. Speaker, I strongly support the goal of NBHAAD to motivate African-Americans to get tested and know their HIV status; get educated about the transmission modes of HIV/AIDS; get involved in their local community; and get treated if they are currently living with HIV or are newly diagnosed.

Let me take this moment to recognize a major inspiration for NBHAAD, Mr. Louis E. Harris, 1947–2003, who passed away in January 2003 due to complications with bladder cancer. Mr. Harris served as the executive director of Concerned Black Men, Inc. of Philadelphia during NBHAAD's conception. His work and dedication will be missed along with his kind and warm words of encouragement. It is hoped that NBHAAD will continue to build the capacity of community based organizations, CBOs, as well as community stake holders to increase awareness, prevent HIV and get those who need treatment into care. I applaud the efforts of NBHAAD advocates to:

1. Increase reporting of accurate up-to-date statistics on the HIV and AIDS epidemic among Blacks by electronic and print media, radio and television stations;

2. Increase collaboration and sharing of resources at the national and local levels;

3. Increase resources and support including capacity building assistance for health departments, community based organizations and stakeholders serving Black communities; and

4. Increase the number of Blacks at high risk for acquiring HIV that receive HIV counseling, testing and other HIV prevention, treatment and care services.

Observance of this day provides an opportunity for governments, national AIDS programs, churches, community organizations and individuals to demonstrate the importance of the fight against HIV/AIDS. Though funding for research is an important key to tackling the tragic devastation of HIV/AIDS in our communities, I realize that providing funding for research alone is simply not sufficient to eradicate the high rates of HIV/AIDS cases within the African-American community. We must also provide funding for prevention and education.

Billions and billions of private and Federal dollars have been poured into drug research and development to treat and "manage" infections, but the complex life cycle and insane mutation rates of HIV strains have made these efforts futile in the fight to remove HIV/AIDS as a global public health threat. Though the drugs we currently have are effective in managing infections and reducing mortality by slowing the progression to AIDS in an individual, they do little to reduce disease prevalence and prevent new infections.

A thousand drugs that "manage" infection will not suffice. We can make and market drugs until we have 42 million individually tailored treatments, but so long as a quarter of those infected remain detached from the importance of testing, we have no chance of ending or even "managing" the pandemic. Currently, the only cure we have for HIV/AIDS is prevention. While we must continue efforts to develop advanced treatment options, it is crucial that those efforts are accompanied by dramatic increases in public health education and prevention measures.

During my time in office, I have fully and eagerly supported all legislation that has given increased attention to HIV/AIDS, including the Ryan White CARE Act, which is currently slated to receive about $2.2 billion in funding for FY2007. I have supported legislation to reauthorize funding for community health centers—H.R. 5573, Health Centers Renewal Act of 2006—including the Montrose and Fourth Ward clinics right here in Houston, as well as supported legislation to provide more nurses for the poor urban communities in which many of these centers are located—H.R. 1285, Nursing Relief Act for Disadvantaged Areas. I have also supported and introduced legislation aimed to better educate our children—H.R. 2553, Responsible Education About Life Act in 2006) and eliminate health disparities—H.R. 3561, Healthcare Equality and Accountability Act and the Good Medicine Cultural Competency Act in 2003, H.R. 90. And I will continue to endorse and push for similar legislation.

Twenty-five years from now, I hope that we will not be discussing data on prevalence and mortality, but rather how our sustained efforts at elimination have come into fruition. But if we are ever to have that discussion, there are a number of actions that we must take right now. We must continue research on treatments and antiretroviral therapies, as well as pursue a cure. And we absolutely have to ensure that everyone who needs treatment receives it. In order to do this, we have to increase awareness of testing, access to testing, and the accuracy of testing. How can we stop this pandemic if we are unable to track it?

We must also increase funding for local health departments and community health clinics, as well as fully fund the Ryan White CARE Act. Lastly, but perhaps most importantly, it is imperative that we work to increase funding for HIV prevention and education, so that our children will be equipped with sufficient and appropriate knowledge of this growing threat within our communities, especially within our Black communities and among Black women. If Blacks are 11 times as likely to acquire infection, then we need to make 11 times the effort to educate. And we need to apply similar efforts in every community until HIV/AIDS becomes a memory. If not, our friends and family will be memories instead.

I would like to take a moment to applaud the enormous efforts of community volunteers from churches and other organizations which have done commendable work across our Nation. I think everyone can learn something from their selflessness and their will to serve their communities. We need more people to follow their lead. We do not have time for excuses or hesitation. We have the passion and dedication, and we are securing more and more resources. It is up to us to get the resources where they are needed. I know a lot of people don't want to take things seriously until it hits home; until a brother or a sister or a son or a daughter falls victim to our blithe and ignorance. We cannot afford nor do we want to bear that cost; however, if we continue to sit by and wait for the next person to act, we may all have brothers and sisters and sons and daughters with HIV/AIDS.

We need to be proactive and act with unprecedented urgency. Now is not the time to get comfortable. If you feel like you're getting comfortable, just remember that there is a face to every number, to every statistic. This is not a hypothetical or theoretical or metaphysical phenomenon. There are no imaginary numbers in this equation; only real people. And I am confident that we can protect and save real people with increased efforts.

I will continue work tirelessly to keep the spotlight on this dark disease that is devastating many people in the African-American community, United States and around the world. My hope is that all of our efforts will lead to the elimination of HIV and AIDS not just from the African-American community but from every community. I urge my colleagues to support H. Con. Res. 35 supporting the goals of National Black HIV/AIDS Awareness Day.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in favor of H. Con. Res. 35, in support of the seventh anniversary of goals and ideals of National Blacks HIV/AIDS Awareness Day.

This concurrent resolution will raise awareness about HIV/AIDS within the African American community and will point out the devastating impact this disease has on African American communities.

This day is a part of a national mobilization effort to get African Americans to learn about the threat that HIV/AIDS poses to the African American community.

The National Blacks HIV/AIDS Awareness Day is a day to remember those infected and affected by this epidemic. Since the beginning of this epidemic, 42 percent of all deaths occurred within the African American community.

Dallas accounts for one of the top 26 cities where African Americans are disproportionately impacted by AIDS.

From 2000 to 2005, more than half of new HIV/AIDS diagnoses in 32 states were among African Americans, although African Americans represented only 13 percent of the population of those states.

In 2004, black men had the highest rate of HIV/AIDS diagnoses of any racial/ethnic population, approximately seven times the rate among white men and twice the rate among black women.

Black women are also severely impacted by HIV. During 2000–2004, approximately 69 percent of women who had HIV/AIDS diagnosed were black.

We must take the lead in supporting National Blacks HIV/AIDS Awareness Day. We must continue to educate/prevent and care for our members who have been affected by this atrocious epidemic and continue the fight against HIV/AIDS.

Mr. CROWLEY. Mr. Speaker, I rise today in support of this important resolution supporting the goals and ideals of National Black HIV/AIDS Awareness Day.

HIV/AIDS is one of the worst epidemics we have ever seen in the United States. More than 900,000 cases of AIDS have been reported in the US since 1981. Nearly 1,000,000 people may be infected with HIV, one quarter of them is unaware about their infection.

In my hometown New York City more than 100,000 people are living with HIV. Approximately 1 in 70 New Yorkers is infected with HIV.

Statistics just help us to number the dimension of HIV/AIDS in our country but every single number reflects more, reflects the life and the living with HIV/AIDS of one of our fellow citizen.

While we are far away from curing AIDS, science has made enormous progress.

Today, we can say that early and correct treatment enables people to live longer and to live with HIV/AIDS more as a chronic illness than a definitive death sentence.

Even with these opportunities, we face new challenges.

The African-American community is disproportionately affected by HIV/AIDS.

According to the New York City Department of Health and Mental Hygiene, black women are 9 times more likely to die of AIDS than white women; black men in New York City are 6 times more likely to die of AIDS than white men.

This is another sign of the massive health disparities that exist in our nation. We need to work together, all of us in Congress, to address and eliminate the disparities in health and health care between the people of our country.

That is why I strongly support the National Black HIV/AIDS Awareness Day, celebrated on February, 7.

The goal of this day is clear to all of us: We have to fight against both the stigma and the spread of HIV/AIDS in our African-American community, and I would add, in every American community.

Groups like Bronx AIDS Services and the AIDS Center of Queens County do excellent work, but we in Washington need to back them up with the right support.

This includes full funding for Ryan White, ensuring the housing needs of those afflicted are met through the HOPWA program, and eliminating the stigmas attached to the illness.

We also need to allow each community group to speak to and target those at greatest risk of exposure in the most effective ways possible.

But overall, we know that educating about and against HIV/AIDS, engaging in safe sex, and getting tested are the main elements of comprehensive prevention efforts.

Closing, I like to emphasize the importance of the National Black HIV/AIDS Awareness Day by quoting its goals:

Get tested to know about your HIV status.

Get educated about HIV/AIDS.

Get involved in your local community.

Get treated if you are currently living with HIV.

It is these missions that we must work to achieve.

I thank the gentle lady for her resolution.

Mrs. CHRISTENSEN. Mr. Speaker, reports have been coming out since the HIV/AIDS epidemic first surfaced in the United States more than 25 years ago and every year, they have—and continue to—report the same findings: Since the beginning, this epidemic has had—and continues to have—a disproportionate and detrimental impact on the African American community. In fact, over time, the impact of the epidemic on the Black community has gotten worse, leaving African Americans—more so than any other population group—hardest hit by HIV/AIDS at every stage of life.

Today, African Americans—who are represented in about 13 percent of the U.S. population—account for more than 40 percent of all individuals currently living with AIDS and nearly 50 percent of all new HIV infections. More than 7 in 10 children born to women infected with HIV are African American and the AIDS case rate among African Americans is nearly ten times higher than that among whites. Additionally, African Americans account for 40 percent of all AIDS deaths. In fact, African Americans are 7 times more likely than whites to die from an AIDS-related causes.

Particularly affected by the HIV/AIDS epidemic are African American women, who are represented in roughly 7 in 10 new AIDS cases among women and who are an estimated 25 times more likely than white women to be infected with HIV. In fact, in 2002, AIDS was the leading cause of death for African-American women, aged 25 to 34 years of age.

Mr. Speaker, this epidemic has and continues to kill African Americans during their most productive life years, robbing them of their opportunity to follow their dreams, pursue their destinies and contribute not only to their communities, but to our society. As a physician who has seen—first hand—what the HIV/AIDS epidemic does not only to the people it afflicts, but to their families, friends, and communities, and given the incidence and prevalence numbers, the unnecessary, often-premature deaths, and the unbelievable toll that this epidemic has in the African American community, I feel strongly that the time has come for us to do more. We can do more, and we must.

I, therefore, rise today in strong and unwavering support of H. Con. Res. 35, which supports the goals and ideals of National Black HIV/AIDS Awareness Day. Recognized on February 7, National Black HIV/AIDS Awareness Day—which reaches its 7th anniversary of being observed this year—is a critically important day because it raises awareness about the disastrous impact of the HIV/AIDS epidemic on the African American community.

We all should support H. Con. Res. 35 and on February 7, 2007, we should observe National Black HIV/AIDS Awareness Day in a manner that is consistent with its intent. We should publicize the importance of being informed about HIV/AIDS and about ones HIV status, and we should encourage our friends in the media to deliver messages stressing the importance of getting educated, involved and tested. Additionally, I urge all of my colleagues, on February 7 and beyond, to: encourage de-stigmatization of the disease among African Americans; expand voluntary testing because knowledge is power; work to reduce the social determinants of health—such as poverty and lack of education—that put people at greater risk for HIV infection; ensure that incarcerated and ex-offender populations have access to adequate and realistic HIV prevention methods, receive voluntary and confidential HIV testing and, if necessary, are rolled into adequate HIV/AIDS-related care, treatment and services; expand access to culturally appropriate substance abuse prevention programs, as well as to drug treatment and recovery services; and create the necessary political to fully fund the Minority AIDS Initiative in the amount of at least $610 million in order to target needed funds to build capacity in minority communities to give those who are hardest hit by HIV/AIDS a fighting chance.

Mr. Speaker, our new political climate has brought us a new day. As the Chair of the CBC Health Braintrust, I am asking all of my colleagues to seize that new day and to support H. Con. Res. 35, to observe National Black HIV/AIDS Awareness Day on February 7 and to use it as a day to commit to act with cognizance of the impact that this epidemic has on the African American community.

Mr. DINGELL. Mr. Speaker, I rise in recognition of National Black HIV/AIDS Awareness Day and to show my support for its goals and ideals.

Domestically, the HIV/AIDS crisis in the United States continues to have a disproportionate impact on African Americans in terms of illness, survival times, and deaths. According to the Centers for Disease Control and Prevention, HIV/AIDS is a leading cause of death for African Americans.

Each year, the 7th of February marks National Black HIV/AIDS Awareness Day, a national community-wide effort to build capacity and increase awareness of HIV prevention, testing, education, treatment, and support among African Americans, who are at greater risk of HIV/AIDS infection. National Black HIV/AIDS Awareness Day reminds us of the uneven effect of HIV/AIDS on African Americans and provides us with an opportunity to renew our commitment to the promise of finding a cure.

We must do more than just bring attention to this epidemic. We must also remain vigilantly committed to prevention programs and to finding a cure for HIV/AIDS.

I invite people throughout the Nation to learn more about HIV/AIDS. I urge my colleagues to join me in support of this resolution.

Mr. RANGEL. Mr. Speaker, I rise today to urge my colleagues on both sides of the aisle to fully support the goals and ideals of National Black HIV/AIDS Awareness Day. In 2005, African Americans accounted for nearly 50 percent of all new HIV infections, despite representing nearly twelve percent of the total population. The HIV/AIDS infection rate among Black men is six times that of white men and the rate among Black women is sixteen times that of white women. More children with AIDS are African American than all other race and ethnic groups combined. There is no question that we must continue to devote considerable attention and resources to support the efforts of National Black HIV/AIDS Awareness Day and its mission to build capacity and increase the awareness, participation and support for HIV prevention, care and treatment among African Americans in particular. For these many reasons, I urge you to support the passage of H. Con. Res. 35, National Black HIV/AIDS Awareness Day.

While a cure for HIV/AIDS remains just beyond our reach, there are many known factors that contribute to the devastating effects that HIV/AIDS continues to have in the African American community in particular. For example, we know that the stigmatization surrounding those with HIV/AIDS deters many from being tested and learning about treatment needed to prolong their lifespan. We also know that economic issues such as the need for more inexpensive housing, substantial increases in livable wages and affordable health care, weakens community ties making it difficult to build capacity, disseminate information and target interventions. It is also evident that funds are needed to support these initiatives, perform meaningful outreach and provide organizations with the resources necessary to serve this vulnerable population.

It is important for us to increase knowledge about preventative measures, educational techniques, capacity building and outreach to find targeted solutions to the problem of HIV/AIDS in the Black Community. In the State of New York alone there are 33,747 Black Americans living with HIV/AIDS. Sadly, this number will continue to grow at exponential rates without the attention, care and resources supported by the National Black HIV/AIDS Awareness Day. While it is important to direct resources to Black Americans and others who are disproportionately affected by HIV/AIDS, we must remember that HIV/AIDS does not discriminate. It is estimated that between 1,039,000 and 1,185,000 infected persons live in the United States and approximately 40,000 new infections occur each year. Those affected belong to all gender, racial, ethnic, religious, socio economic and regional configurations. Those affected are mothers and fathers, sisters and our brothers, bosses, friends, and children.

The devastating effect of HIV/AIDS impacts us all. Confronting this international crisis will require the collective efforts of researchers, legislators, clergy members, community activists and organizations, and all others committed to reducing the force of HIV/AIDS. We must work together to find solutions that are scaleable and make possible innovations that result in value adding and sustainable positive changes.

Observance of the National Black HIV/AIDS Awareness Day provides an opportunity for governments, national AIDS programs, churches, community organizations and individuals to communicate the importance of the fight against HIV/AIDS. If we have any hope of ending conversations about the injurious effects of HIV/AIDS, we must immediately devote the time, energy and resources needed to educate, treat and prevent against future transmission.

Mr. CONYERS. Mr. Speaker, today I rise in support of H. Con. Res. 35—Supporting the goals and ideals of National Black HIV/AIDS Awareness Day. While we do not yet have a cure, and HIV/AIDS continues to consume the lives of Black people, their values and their worth here in the United States and in other parts of the world, we know Black AIDS Day can help to mobilize our communities to help shift and turn this epidemic around.

In the past decades and sadly still today, HIV infection rates continue to escalate at an alarming pace among Black men and women as shown by reports year after year. Although Blacks make up around 13 percent of the population of the United States, they represent 49 percent of the total AIDS cases reported in this country, according to the Centers for Disease Control and Prevention (CDC). Sixty-four percent of all American women living with HIV/AIDS are black, and this disease has become the leading cause of death for black women ages 25 to 34. Every day, 72 African Americans are infected with HIV in the U.S.

While poverty plays a role and access to health care and lack of information are factors, we cannot deny that the main reason for this plague is the silence, the closed-mouth social conservatism, of a people still ill at ease discussing sexuality, homosexuality, drug use and other realities. Instead, we mouth piety, prayers and platitudes.

We now recognize National Black HIV/AIDS Awareness Day, as declared six years ago by the Community Capacity Building Coalition, an affiliate of the Centers for Disease Control and Prevention, and we cannot remain still. We must work together to ensure that programs for prevention remain adequately funded and that programs such as Ryan White CARE Act can be used for early detection of HIV so we can use all tools available to us to fight this epidemic. Everyone should be encouraged to get tested for HIV, learn more about the disease and how it is transmitted, seek medical advice if infected, and become involved in local community efforts to educate people and fight this disease.

It is also important that Blacks are at the forefront of clinical research to achieve culturally appropriate results for treatment in our communities. Some of the biggest challenges we face, particularly in the Black community today are the misperceptions of and lack of knowledge about HIV/AIDS, and fear related to clinical research.

I encourage my colleagues in the Congressional Black Caucus and the rest of Congress to stay committed in their effort in whatever way possible to combat this epidemic which has taken too many lives, too early, and unnecessarily.

□ 1515

Mr. TOWNS. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. TOWNS) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 35, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those voting have responded in the affirmative.

Mr. TOWNS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.

CONTINUING NATIONAL EMERGENCY WITH REGARD TO COTE D'IVOIRE—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 110–11)

The Speaker pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice to the *Federal Register* for publication, stating that the national emergency and related measures blocking the property of certain persons contributing to the conflict in Côte d'Ivoire are to continue in effect beyond February 7, 2007.

The situation in or in relation to Côte d'Ivoire, which has been addressed by the United Nations Security Council in Resolution 1572 of November 15, 2004, and subsequent resolutions, has resulted in the massacre of large numbers of civilians, widespread human rights abuses, significant political violence and unrest, and attacks against international peacekeeping forces leading to fatalities. This situation poses a continuing unusual and extraordinary threat to the national security and foreign policy of the United States. For these reasons, I have determined that it is necessary to continue the national emergency and related measures blocking the property of certain persons contributing to the conflict in Côte d'Ivoire.

GEORGE W. BUSH.
THE WHITE HOUSE, *February 5, 2007.*

REPORT ON MATTERS RELATING TO INTERDICTION OF AIRCRAFT ENGAGED IN ILLICIT DRUG TRAFFICKING—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 110–12)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Consistent with the authorities relating to official immunity in the interdiction of aircraft engaged in illicit drug trafficking (Public Law 107–108, as amended, 22 U.S.C. 2291–4), and in order to keep the Congress fully informed, I am providing a report prepared by my Administration. This report includes matters relating to the interdiction of aircraft engaged in illicit drug trafficking.

GEORGE W. BUSH.
THE WHITE HOUSE, *February 5, 2007.*

BUDGET OF THE UNITED STATES FOR FISCAL YEAR 2008—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 110–3)

The Speaker pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Appropriations and ordered to be printed:

THE BUDGET MESSAGE OF THE PRESIDENT

America is a country of opportunity. Throughout our history, we have overcome great challenges by drawing on the strength, creativity, and resolve of the American people. We have adapted to change—while maintaining our commitment to freedom and an open economy.

Our economy is strong and growing, Federal revenues are robust, and we have made significant progress in reducing the deficit. The Budget I am presenting achieves balance by 2012. My formula for a balanced budget reflects the priorities of our country at this moment in its history: protecting the homeland and fighting terrorism, keeping the economy strong with low taxes, and keeping spending under control while making Federal programs more effective.

As Commander in Chief, my highest priority is the security of our Nation. My Budget invests substantial resources to fight the Global War on Terror, and ensure our homeland is protected from those who would do us harm. We will transform our military to meet the new threats of the 21st Century and provide the brave men and women on the front lines with the resources they need to be successful in this decisive ideological struggle. The Budget will support a new strategy in Iraq that demands more from Iraq's elected government, and gives American forces in Iraq the reinforcements they need to complete their mission. And it will continue to provide the tools necessary to keep America safe by detecting, disrupting, and dismantling terrorist plots.

The U.S. economy is strong. Since August 2003, 7.2 million jobs have been created. Unemployment is low. Wages are growing. Productivity is strong. Inflation and interest rates are low. And we have seen tremendous progress despite a series of challenges, including recession, the terrorist attacks of 2001, corporate scandals, the costliest natural disaster in our Nation's history, energy price spikes, and a temporary slowdown in the housing sector. The resilience of our economy is a tribute to America's workers and entrepreneurs. And well-timed, pro-growth tax policies helped create the right climate for innovation and entrepreneurship.

The Federal deficit is declining and on a path to elimination. Last year, we successfully met our goal of cutting the deficit in half, three years ahead of schedule. This occurred because tax relief helped the economy to recover and grow, resulting in record-high revenues while we restrained non-security discretionary spending. With continued strong economic growth and spending discipline, we are now positioned to balance the budget by 2012, while providing for our national security and making tax relief permanent.

My Budget proposes to keep non-security discretionary spending below inflation for the next five years. My Budget also reforms projects and spending that don't get the job done. We need lawmakers' support to help us accomplish this goal—including reforms that will improve the Congressional budget process.

To bolster public confidence in the Government's ability to manage taxpayers' money successfully, Congress should adopt earmark reform. The earmark process should be made more transparent, ending the practice of concealing earmarks in so-called report language never included in legislation. The number and cost of earmarks should be cut by at least half by the end of this session. I have also called on Congress to adopt the legislative line-item veto, which gives the Legislative and Executive Branches a tool to help eliminate wasteful spending. These common-sense reforms will help prevent billions of taxpayers' dollars from being spent on unnecessary and unjustified projects.

To keep this economy strong we must take on the challenge of entitlements. Social Security, Medicare, and Medicaid are commitments of conscience, and so it is our duty to keep them permanently sound. If we do not address this challenge, we will one day leave our children with three bad options: huge tax increases, huge deficits, or huge and immediate cuts in benefits.

In the short term, my Budget works to slow the rate of growth of these programs, saving $96 billion over five years. This Administration is also actively working with Congress to comprehensively reform and improve these vital programs so they will be strong for the next generations of Americans.

I am optimistic about the future of our country. We are an entrepreneurial and hard-working Nation. And while we face great challenges, we enjoy great opportunities. This Budget reflects our highest priorities while reducing the deficit and achieving a balanced budget by 2012. I am confident that this approach will help make our country more secure and more prosperous.

GEORGE W. BUSH.
February 5, 2007.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 3 o'clock and 23 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

☐ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. LORETTA SANCHEZ of California) at 6 o'clock and 30 minutes p.m.

COMMUNICATION FROM HON. JOHN A. BOEHNER, REPUBLICAN LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable JOHN A. BOEHNER, Republican Leader:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 5, 2007.

Hon. NANCY PELOSI,
Speaker,
Washington, DC.

DEAR SPEAKER PELOSI: Pursuant to 2 U.S.C. 88b–3, amended by Section 2 of the

House Page Board Revision Act of 2007, I am pleased to appoint the Honorable Ginny Brown-Waite of Florida to the Page Board. Ms. Brown-Waite has expressed her interest in serving in this capacity and I am pleased to fulfill her request.

Sincerely,

JOHN A. BOEHNER,
Republican Leader.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H. Res. 94, by the yeas and nays;

H. Con. Res. 35, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. The remaining electronic vote will be conducted as a 5-minute vote.

SUPPORTING THE GOALS AND IDEALS OF NATIONAL CONSUMER PROTECTION WEEK

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 94, as amended.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. MATHESON) that the House suspend the rules and agree to the resolution, H. Res. 94, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 398, nays 0, not voting 36, as follows:

[Roll No. 74]

YEAS—398

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boustany
Boyd (FL)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole (OK)
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Gonzalez
Goodlatte
Gordon
Granger
Graves
Green, Al
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Musgrave
Nadler
Napolitano
Neugebauer
Nunes
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Paul
Pearce
Pence
Perlmutter
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—36

Boucher
Boyda (KS)
Brown, Corrine
Burton (IN)
Butterfield
Buyer
Carson
Coble
Conaway
Cubin
Davis, Jo Ann
Doolittle
English (PA)
Fortenberry
Goode
Green, Gene
Grijalva
Hastert
Johnson (IL)
Kennedy
Lewis (GA)
Miller, George
Murtha
Myrick
Neal (MA)
Norwood
Ortiz
Payne
Peterson (PA)
Price (NC)
Pryce (OH)
Rothman
Royce
Shimkus
Udall (CO)
Wexler

□ 1858

So (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

SUPPORTING THE GOALS AND IDEALS OF NATIONAL BLACK HIV/AIDS AWARENESS DAY

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 35, as amended.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. TOWNS) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 35, as amended, on which the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 396, nays 0, not voting 38, as follows:

[Roll No. 75]

YEAS—396

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boustany
Boyd (FL)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Calvert
Camp (MI)
Campbell (CA)
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole (OK)
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.

Dicks
Dingell
Doggett
Donnelly
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Gonzalez
Goodlatte
Gordon
Granger
Graves
Green, Al
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Musgrave
Nadler
Napolitano
Neugebauer
Nunes
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Paul
Pearce
Pence
Perlmutter
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—38

Boucher
Boyda (KS)
Brown, Corrine
Burton (IN)
Butterfield
Buyer
Cannon
Carson
Coble
Conaway
Cubin
Davis, Jo Ann
Doolittle
English (PA)
Fortenberry
Goode
Green, Gene
Grijalva
Hastert
Hunter
Johnson (IL)
Kennedy
Lewis (GA)
Miller, George
Murtha
Myrick
Neal (MA)
Norwood
Ortiz
Payne
Peterson (PA)
Price (NC)
Pryce (OH)
Rothman
Royce
Shimkus
Udall (CO)
Wexler

□ 1908

So (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. CARSON. Madam Speaker, I was unavoidably detained in my district and not able to record my rollcall votes. Had I been present, I would have voted "yea" on rollcall votes 74 and 75.

PERSONAL EXPLANATION

Mr. JOHNSON of Illinois. Madam Speaker, unfortunately today, February 5, 2007, due to major delays in my airline options, I was unable to make it into Washington, DC in time to cast my votes on H. Res. 94 and H. Con. Res. 35.

Had I been present for rollcall No. 74 on final passage of H. Res. 94, as amended, Supporting the goals and ideals of National Consumer Protection Week, I would have voted "yea."

Had I been present for rollcall No. 75 on final passage of H. Con. Res. 35, as amended, Supporting the goals and ideals of National Black HIV/AIDS Awareness Day, I would have voted "yea."

THE PRESIDENT'S BUDGET

(Mr. DEFAZIO asked and was given permission to address the House for 1 minute.)

Mr. DEFAZIO. Madam Speaker, the budget the President unveiled today fails to restore fiscal responsibility and meet the budget priorities of a majority of Americans. Critical to my district is county and rural school funding. We have a half-hearted proposal, the same one rejected out of hand by the Senate last year. Not only half-hearted, but half-funded. It would be only half the money needed to meet the obligations of the Federal Government over the next 5 years.

In addition, it is speculatively funded with controversial land sales, while he diverts a stable force of funding from oil and gas revenues to pet projects and tax cuts for rich people.

Despite all that, he fails to deliver on his promise of a balanced budget, and he borrows $1.5 trillion from Social Security and Medicare, jeopardizing those programs. His budget is full of holes like Swiss cheese, but it smells like Limburger.

CONGRESSIONAL INACTION JEOPARDIZES WASCO COUNTY ROADS, SCHOOLS, AND POLICE PROTECTION

(Mr. WALDEN of Oregon asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WALDEN of Oregon. Madam Speaker, the failure of Congress to reauthorize the Secure Rural Schools and Community Self-Determination Act amounts to a breach of faith to more than 600 forested counties and 4,400 school districts across our country. For Wasco County, Oregon, this means cutting core school programs, removing the one detective from the drug enforcement task force, and losing 40 percent of the road department employees.

In their own words, Sheriff Rick Eisland says, "Losing these funds will leave a huge void in our fight against illegal drug activity and we would also be forced to cut our contract with the Forest Service to patrol in the Federal lands."

School Superintendent Candy Armstrong says, "Rural schools have nowhere else to cut except core services. Lost funding represents the entire high school math program."

And Judge Dan Ericksen says, "Roads are the lifeblood of rural America, and losing this funding is the equivalent of applying tourniquets to our arms and legs. We will no longer be able to function."

My colleagues, Congress must keep the Federal Government's word to timber communities and pass H.R. 17. Time is running out.

NATIONAL BLACK HIV/AIDS AWARENESS DAY

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Madam Speaker, I rise today to join my colleagues, Congresswoman BARBARA LEE, Dr. CHRISTENSEN, Congresswoman WATERS, Congressman TOWNS, Congresswoman KILPATRICK, and many of my other colleagues in support of the goals and ideals of National Black HIV/AIDS Awareness Day.

It is unbelievable, Madam Speaker, to hear the numbers that are escalating now with HIV/AIDS in the African American community, which accounted for nearly 50 percent of all new

HIV infections despite representing only about 12.3 percent of the population.

The CDC estimates that in 2005, African American women accounted for over 66 percent of all HIV/AIDS cases among women and were 25 times more likely to be infected than white women.

Drastic, drastic, drastic decisions have to be made. We may be able to address this question by educating, but I do believe we must confront the question of testing. In our high schools today we are finding that there are those who are proving to be HIV positive as early as ninth grade and as early as middle school. We have to address this question. I ask my colleagues to wake up and confront this crisis in America.

RECOGNIZING THE WORK OF THE THIRD GRADE CLASS AT BROOK FOREST ELEMENTARY

(Mrs. BIGGERT asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BIGGERT. Madam Speaker, this past Friday I had the privilege of visiting the third grade classes at Brook Forest Elementary School in Oak Brook, Illinois. They gave me a wonderful and informative presentation on current efforts to protect the Mexican Grey Wolf and save it from extinction. I was impressed by their thorough research and their dedication to protecting this endangered species. They felt so strongly about it that they held a bake sale and raised $448 to donate to Chicago's Brookfield Zoo for its wolf breeding program.

I commend their teachers for their creativity in planning such a comprehensive and engaging curriculum. They combined lessons in science, social studies, public speaking, and environmental and civic responsibility into one challenging and complete unit.

I want to offer a big "thank you" to my new friends at Brook Forest for teaching me so much. I join them in their noble cause, and will continue to work in Congress to protect endangered species like the Mexican Grey Wolf.

HEROIC ACT OF SPC GURLEY

(Mr. HARE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HARE. Madam Speaker, I rise today to pay tribute to another great American hero. On July 15, 2006, Specialist Nathan Gurley of Fayetteville, North Carolina, though wounded, fiercely pulled Specialist Josh Eckley of Little York, Illinois and another crew member from a military vehicle that had been hit by an IED while on combat logistics control in Al Anbar Province in Iraq. For his heroism, Specialist Gurley was awarded a Bronze Star with Valor and the Purple Heart.

Madam Speaker, on behalf of the constituents of the 17th District of Illinois, I thank Specialist Gurley for saving the life of one of our beloved sons. Specialist Gurley and Specialist Eckley represent the best the United States military has to offer in Iraq. These two brave soldiers risked their lives to fight an unrelenting insurgency in one of our country's most dangerous areas. For their service, the American people will be forever indebted.

Madam Speaker, brave men such as Specialist Gurley and Specialist Eckley are hard to come by, so for their sake and for all those continuing to fight, it is my sincere hope that at the conclusion of this war their sacrifice will not be in vain.

□ 1915

BENEFITS OF TRADE AGREEMENTS

(Mr. TIAHRT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TIAHRT. Madam Speaker, today's Wall Street Journal ran an editorial on the benefits of trade agreements. It is clear that additional trade agreements are an essential part of our economic future if we want high-quality, high-paying jobs for ourselves and our children.

Several years ago, I formed the Economic Competitive Caucus to reveal the barriers, created by Congress, that keep us from bringing jobs back to America.

Lack of free trade agreements is one of those barriers, and it is clear that from the information from the U.S. Trade Representative's office that our trade has increased 26 percent with 10 of the countries that we signed trade agreements with since 2001, compared with the rest of the world, which has only grown by 13 percent. This success has meant more union jobs at U.S. manufacturers like Caterpillar, Boeing, and Cessna.

Madam Speaker, I believe America would have a stronger economy and more high-quality, high-paying jobs, including more union jobs, if Congress had approved 40 trade pacts like the Chilean Government has over the past 15 years.

Madam Speaker, let us tear down the trade barriers for American working families.

END THE RHETORIC

(Mr. KINGSTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KINGSTON. Madam Speaker, in the Senate right now, there is a piece of nonbinding legislation that disapproves of the troop surge or the Bush Doctrine. Now, it is nonbinding.

What I find offensive, when we have troops on the ground in combat, is you have a bunch of self-proclaimed moralist Senators saying that we should not do this, and so what they want is a nonbinding legislation.

Well, if they really feel like this idea is a bad idea and it imperils Americans, then they should follow their conviction and introduce real legislation. After all, they do carry the impact of changing the law since they are the U.S. Senate.

I think it is silly to have an extracurricular, intramural exercise. They should bring real legislation to the floor. I am hoping that Members of the House will do that.

There are a lot of critics of the war in the House. Well, it is time to tone down the rhetoric and beef up the legislation, whether you want immediate withdrawal, phased-down withdrawal, a surge, maybe a bigger surge than the President.

We should be having real conversations in Washington. The election is over.

MEMBERS NOT ABOVE THE LAW

(Ms. GINNY BROWN-WAITE of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. GINNY BROWN-WAITE of Florida. Madam Speaker, over the last 2 years Americans have heard story after story about what my constituents very frequently call, "Members Gone Wild."

Duke Cunningham, James Traficant, Bob Ney, Frank Ballance have all been convicted of crimes and are serving time in prison. These are all former Members of Congress and hail from both sides of the partisan divide.

Madam Speaker, constituents are fed up with this behavior. They expect their elected representatives to be held to a higher standard.

When the FBI gets an authorized search warrant and enters the office of a sitting Member accused of taking bribes, it just makes sense to constituents and to me that Congress should not interfere.

Last week, I reintroduced my legislation, H. Res. 88, a resolution that declares to our constituents that we agree with them: Members of Congress should not be above the law.

Listen up, America. Turning a blind eye to alleged indiscretions by elected Members of Congress will no longer pass muster.

I urge my colleagues to join with others who are cosponsoring this resolution.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

CHARACTER COUNTS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Mrs. CAPPS) is recognized for 5 minutes.

Mrs. CAPPS. Madam Speaker, I rise today to commend and highlight the wonderful education framework called Character Counts.

I am very proud of the Santa Barbara YMCA and the Santa Barbara county education programs in my district that support this important framework which promotes civil responsibility through the following six pillars.

The first pillar is called "trustworthiness." This program teaches children and young adults the value of reliability, honesty, loyalty and the courage to do the right thing. It is followed in sequence by a pillar named "respect."

Respect encourages students to treat others with the same kind of tolerance of differences and consideration that they would wish to be treated themselves. It is never too early to begin to teach that framework that is centered around respect for one's self and respect for others.

The third pillar in the framework called Character Counts is titled "responsibility," which teaches young people to consider the consequences of their actions and to be accountable for the choices that they make. Again, the earlier we can begin to both model and teach ways to make choices which lead to good consequences for a young person's life, the better the results can be for them and for those with whom they associate.

Then we have the pillar of Character Counts that is labeled "fairness," and that is easy to see but it is hard to teach. It is taught by repetition on a playground, in a classroom, by following rules and understanding why rules are established, to be open-minded and not to take advantage of others, to learn to wait for one's turn.

Then we come to the pillar of responsibility called "caring." Caring can be described in so many ways, but again, we learn to be caring individuals by seeing how others care for us and we begin to experience compassion, gratitude, forgiveness. These are behaviors that we want to repeat with young people over and over again until they become second-hand.

Finally, we come to the sixth pillar in this framework called Character Counts which is labeled "citizenship." Here we teach students the merits of getting involved in making a community an environment, a place where they would want to live and be themselves and where they can see the benefits for those they care about.

Madam Speaker, last October I had a chance to see Character Counts firsthand in my district on two separate occasions. I attended the Fifth Annual Civic Mission of Schools Forum sponsored by the county schools office. I also was part of the Santa Barbara YMCA Character Counts event where each of these promoted these six pillars.

So I want to particularly thank Art Fisher for his dedication and his tireless work toward civic education at the Santa Barbara County Education Office. I know that the work he is doing to teach our children the value of responsibility, respect, honesty and compassion is remarkable.

I want also to highlight the work of Aaron Martinez at the Santa Barbara YMCA in promoting the very same program for children as young as 2 and 3 years old, stretching all the way through every age of life, which is what the YMCA is all about.

By promoting these six pillars of Character Counts, the YMCA gives our children, our young people, lifelong tools for success, and of course, our children will be the leaders of tomorrow.

So these lessons are invaluable, not just for them and for their day-to-day life but also for the future of our community and our society.

I told these young people as I listened to them describe these pillars that from what I have seen in Washington, D.C., and in the House of Representatives in the Congress, these principles of trustworthiness, respect, responsibility, fairness, caring and citizenship are absolutely necessary for making decisions affecting their lives and should be important for us to model here in the United States Congress ourselves.

I told them that I could envision these six pillars here on the floor of the House of Representatives, that we would say to ourselves every day that just as we want to teach these values to our young people we want to model them here.

We need to set the example in our own House to remind our children that character does count.

HONORING DEL REEVES

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from North Carolina (Ms. FOXX) is recognized for 5 minutes.

Ms. FOXX. Madam Speaker, I rise today to recognize and pay tribute to a proud son of Sparta, North Carolina, country singer and Grand Ole Opry legend, Del Reeves. Del Reeves passed away after a long and painful battle with emphysema on New Year's Day 2007.

Del Reeves was born in 1933 and was named Franklin Delano Reeves after Franklin Delano Roosevelt who was nominated to be the Democratic Presidential candidate just a few days before his birth. Del was a driven individual who knew at a very young age that he wanted to be a performer.

As a young child, Del spoke of music on the radio and said, "I listened on the radio on Saturday nights and it was the ultimate," referring to the Grand Ole Opry. "As a child, I told my daddy I was going to sing on the Opry one day. He said, 'Yeah, sure you are.' I kept my goal in mind and in '66 we achieved it." He was one of the select members of the Grand Ole Opry for 40 years.

Del achieved that goal and many others. From a very young age, Del would borrow his brothers' instruments, and by the time Del had turned 12 years old, he had become a local radio star on WPAQ in Mount Airy on the "Merry Go Round Show," a program which is still aired today.

□ 1930

But this was just a start for Del Reeves. He went on for years performing and recording numerous hits, including 55 charted hits, two of them in the top 10.

Del was just more than a performer. He attended what is now Appalachian State University and served in the Air Force at Travis Air Force Base, where he wrote a number of his songs.

Del was very dedicated to his hometown and the advancement of others. He started the Del Reeves Scholarship Fund, and for 10 years came back to Alleghany for the "Del Reeves Homecoming," where he held concerts to benefit the scholarship fund he set up.

I am so proud that Del, a Sparta native, was successful in his performing career, yet never lost touch with his roots and never let go of his dedication to helping others. Del had a wonderful career that spanned over 40 years. Beyond being a member of the elite group of the Grand Ole Opry, Del also wrote and performed a number of hit songs and appeared in eight movies, including "Sam Whiskey," starring Bert Reynolds and Clint Walker. Del also worked in television, hosting a TV program called the "Del Reeves' Country Carnival."

Some of Del's greatest hits were "The Belles of the Southern Belle," his first hit in 1963; "The Girl on the Billboard," his number one billboard hit; "Sing a Little Song of Heartache," which he wrote with his wife; and "Looking Through the Windshield," his trucker anthem released in 1965.

Other notable hits that charmed and thrilled country music fans were hits such as "Women Do Funny Things to Me," "Good Time Charlie's," "Be Glad" and the "Philadelphia Fillies." In addition, Del wrote many songs for country legends such as Carl Smith, Roy Drusky, Rose Maddox and Sheb Wooly. Del enjoyed performing lighter material as well as singing ballads, and he reflected on that saying, "Under this clown's face, there's a serious guy . . . I've been clowning as long as I can remember." That is what made Del Reeves unique, he was such a multifaceted and talented person.

When asked how he would like to be remembered, he said, "I want to be remembered as a great showman and a nice guy . . . that's all I could hope for." That is exactly what Del got, as he certainly is remembered as a nice guy and a great showman.

One of his closest friends, J.D. Higgins, appropriately commented that on New Year's Day country music lost a tremendous entertainer, and I will miss him greatly. He will be missed by country music fans all over the world. I know he will be missed by family, friends and his numerous admirers. Del was a true inspiration who made his hometown friends and North Carolina proud.

Del Reeves showed his large heart and love for his hometown community by creating a scholarship fund and always coming home to perform in Alleghany. Del's contributions will serve as a lasting testimony of his tremendous talent, kindness, motivation and delightful personality. We will all miss Del Reeves but know that his timeless music will never be forgotten. He leaves quite a legacy for fans and future generations.

PAKISTAN REFUSING TO TAKE ACTION AGAINST TALIBAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

Mr. PALLONE. Madam Speaker, I come to the floor this evening to once again call upon Pakistani President Musharraf to take action against Taliban fighters in the western region of his country. President Musharraf continues to deny that Taliban leaders are hiding in Pakistan and that the Taliban are regrouping there, despite numerous international press accounts describing otherwise.

President Musharraf claims that securing the border between Pakistan and Afghanistan is not the sole responsibility of his country. He has admitted that border guards at the tactical level often, quote, turn a blind eye when insurgents cross the border into Pakistan. Yet he still shirks the responsibility his country must take in dealing with the situation.

In Musa Qala, a town in southern Afghanistan where a peace deal last year was signed by NATO-led troops and local elders, government officials confirmed that Taliban forces had taken partial control of the town in the last few days. The Taliban's movement into Musa Qala completely disregards the peace agreement and goes against the wishes of the Afghani citizens living in the town.

A similar deal was developed last year in North Waziristan, a region in western Pakistan. As was the case in Musa Qala, Taliban fighters disregarded this deal and have taken partial control of the region. Yet President Musharraf continues to defend this peace deal, despite the fact that the Taliban seemed to have created a stronghold in the region where they can likely plan future offensives against U.S. forces and the citizens of Afghanistan.

If the Pakistani President truly wishes to defend this peace deal, he must take the necessary steps towards eliminating Taliban forces, not only in North Waziristan, but throughout his country. President Musharraf has also scaled back plans to enforce and patrol the border between Afghanistan and Pakistan. If Musharraf actually wishes to eliminate Taliban forces in Pakistan, he must work to control this border in a safe and diplomatic manner.

Madam Speaker, last week I came to the floor to highlight H.R. 1, a bill that implements the recommendations of the bipartisan 9/11 Commission. This is part of our first 100 hours. Included in H.R. 1 is language that would end U.S. military assistance and armed sales licensing to Pakistan unless it is certified that the Islamabad government is, I quote, making all possible efforts to end Taliban activities on Pakistani soil.

It is my hope that once this law is passed, the bill will finally force President Musharraf to crack down on Taliban training camps and leaders within his country. The Bush administration, however, has already signaled its opposition to this language in H.R. 1. Last week, Deputy Assistant Secretary of State John Gastright assured Musharraf's government that the administration opposed any end to military assistance to Pakistan.

I believe it is absolutely unacceptable for President Bush to oppose these actions against the Pakistani government. The language in H.R. 1 places appropriate pressure on President Musharraf to finally take suitable action against the Taliban forces currently plotting within his country's borders.

The Bush administration claims that it deals with President Musharraf regardless of his actions, because it believes the Pakistani President is better than the Islamic extremist and anti-Western alternatives in Pakistan.

However, there are Democratic alternatives in Pakistan. According to a recent poll by the International Republican Institute, the second most popular leader in Pakistan is former Prime Minister Benazir Bhutto. Now, Mrs. Bhutto's party, the Pakistani People's Party, has joined with the Muslim League Party to form the Alliance for Restoration of Democracy and hopes to restore democratic government to Pakistan in the near future.

Madam Speaker, it is essential for the United States to increase pressure on President Musharraf to step up his commitment to eliminate Taliban fighters in training hubs in his country. A significant step towards applying this pressure came with the language in H.R. 1, which we passed in the first 100 hours, ending military aid to Pakistan unless the Pakistani President takes steps towards this goal of routing out Taliban forces. It is imperative for President Bush to realize the importance of the language in this bill and support the provisions outlined in H.R. 1.

HONORING SARKIS ACOPIAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. DENT) is recognized for 5 minutes.

Mr. DENT. Madam Speaker, I rise today to commemorate the life of a national treasure, Sarkis Acopian. Mr. Acopian died on January 18, 2007, at his home in Palmer Township, Pennsylvania, which is located in my Congressional district near the City of Easton. He was 80 years old.

To say that Mr. Acopian lived a full life does not do justice to the legacy of this extraordinary man. His is, in part, the classic immigrant success story. He was born on December 8, 1926, in Tabriz, Iran, to Armenian parents. He came to this country in 1945 to study engineering at Lafayette College in Easton, Pennsylvania. While here, Mr. Acopian was drafted into the United States Army. After completing his military service, Mr. Acopian returned to Lafayette, where he graduated with a Bachelor of Science Degree in mechanical engineering in 1951.

Mr. Acopian used his prodigious intellectual gifts and business acumen to design and build things that helped to make people's lives better. While working for the Weller Electric Corporation, he designed a power sander which became one of the company's main products. After forming the Acopian Technical Company in 1957, he designed and manufactured the first ever solar radio. Mr. Acopian subsequently led his company into the power supply business, and the company, which is still operating today, became and remains quite successful in that enterprise.

But Sarkis Acopian was much, much more than just an outstanding entrepreneur. In that regard, he loved outdoor venture and throughout his life he was an avid pilot, scuba diver and skydiving enthusiast who made more than 200 jumps during the 1960s. But where he really made his presence known was in his philanthropic work.

Mr. Acopian was a self-effacing man who believed passionately in supporting the community quietly but with unmatched generosity. He was passionate about education. He made significant donations to Columbia University, to the Acopian Engineering Center at Lafayette College and to the Acopian Center for Ornithology at Muhlenberg College located in Allentown, Pennsylvania.

He was passionate about his faith, building the Saint Sarkis Armenian Apostolic Church in Charlotte, North Carolina, and giving generously to the Diocese of the Armenian Church of America and the Armenian Apostolic Church of America, as well as to local churches in Armenia.

He was passionate about nature, creating the Acopian Center for Conservation Learning at Hawk Mountain Sanctuary and the Acopian Bog Turtle Preserve, as well as endowing the environmental education program at the American University of Armenia and the Florida Institute of Technology.

He was passionate about the locality in which he lived, Easton, Easton, Pennsylvania. He gave generously to the Children's Home of Easton, a sanctuary for underprivileged youth. The State Theater of Easton and the Easton National Canal Museum. His contributions made children's lives better, raised appreciation for the arts in his community, and helped to preserve important local history.

As an immigrant to this country, Mr. Acopian was eternally grateful for the opportunities that had been afforded to him here. He showed that gratitude, in part, by providing $1 million towards the construction of the World War II Memorial in Washington D.C., that is right, $1 million to the World War II Memorial in Washington D.C. His generous donation was the single largest contribution to that fundraising effort.

I must tell a story, former Senator Bob Dole came to the Easton area several years ago and said that one day in front of a few hundred people he received a check for $1 million for the World War II Memorial. He picked up the phone and called this man, Mr. Acopian. He said, Mr. Acopian, this is very generous. Is there anything you would like because of this very generous gift? Mr. Acopian wanted anonymity. He said no, there is really nothing I want, Senator. After a few moments, he thought about it and said, Senator, there is actually one thing, Senator, I do want. He said, I would like to have a seat at the dedication. Bob Dole said, well, heck, yes, he can have mine. That is the way Sarkis Acopian was. He sought anonymity, but Bob Dole blew his cover.

His greatest passion, however, was for his lovely wife of 59 years, Mrs. Bobbye Seitze Mixon Acopian. Together the couple had two sons, Gregory, who is married to Karen; and Jeffrey, who is married to Helen, both of whom still reside in Easton. He is survived also by six grandchildren and two great grandchildren.

IRAQ AND THE PRESIDENT'S FISCAL YEAR 2008 BUDGET REQUEST

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Madam Speaker, the devastating blast in the Baghdad market over the weekend was the worst suicide bombing since the American occupation began nearly 4 years ago, 121 killed and 226 wounded. The Iraqi Interior Ministry says approximately 1,000 people have been killed over the last week alone.

This so-called "surge" that the President is force feeding us is getting off to quite a start, isn't it? Indeed, The New York Times reported on Sunday that Iraqis are saying that the security situation has gotten worse, not better, with the escalation of American troops.

The National Intelligence Estimate released last week offers little hope that sectarian violence will abate or that Iraq can repair its political rifts between Sunni and Shi'a. Under these circumstances, with American soldiers thrown into this unwinnable occupation with no hope of turning the situation around, there is only one solution, bring our troops home.

I have introduced a bill, H.R. 508, with Congresswoman LEE and Congresswoman WATERS and 30 others, which will do just that. H.R. 508 will end the occupation within 6 months of enactment. H.R. 508 will prohibit the construction of permanent U.S. military bases in Iraq. It will restore the sovereignty of the Iraqi people, even as we continue to provide nonmilitary assistance and to support a short-term international stabilization force will be available, if requested by the Iraqi government.

What a difference from the White House approach. Staring at the colossal, tragic failure of his Iraq policy, what did the President do today? He submitted a budget that asked Congress to sign off on $145 billion to continue waging war in Iraq and Afghanistan. Meanwhile, he wants us to make his tax cuts permanent, and he says the budget will be balanced by 2012. So where is the money going to come from? Why, of course, it is going to come from the most vulnerable members of society, that is where.

Actually, over time, the very troops and their families, who are sacrificing life and limb in Iraq today, will be paying for this debt.

□ 1945

The President's budget seeks deep Medicare and Medicaid cuts at just the moment when we need to be expanding access to affordable health care. Actually, it is simple, Madam Speaker. The money is there for the folly of occupying Iraq. The money is there for wealthy people to get tax breaks; but when old and when poor people need nursing home care, or kids need immunizations, suddenly it is time to tighten the belt.

It is a disgrace, Madam Speaker, this ongoing occupation of Iraq. It is not only morally indefensible; it is fiscally irresponsible. So many of our own communities need investment. So many of our own poor and middle-class families are taking on more and more risk, struggling to get by, getting squeezed economically. But we are spending our grandchildren's money on a fantasy that is getting young soldiers killed, igniting a civil war, inciting jihadists, inspiring hatred of the United States around the world, harming national security and making Americans less safe.

There is a solution: One, end the occupation; two, return Iraq to the Iraqis; three, spend our foreign affairs budget on humanitarian endeavors, not on war and conquest. Spend it on economic development, on democracy promotion, on building schools and hospitals.

In addition, bring our troops home. Bring our soldiers home. Bring our tax dollars home where they can be put to work meeting the needs of Americans, strengthening American communities.

GLOBALIZATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. DREIER) is recognized for 5 minutes.

Mr. DREIER. Madam Speaker, when we look at the issue of globalization, inevitably the question of wealth and equity comes up. We see reports of massive payouts for executives, and the natural inclination is to question the fairness of this.

But the acquisition of wealth, we need to remember, is not a zero-sum game. If one worker brings in a big new client and gets a bonus as a result of that, that does not mean that someone somewhere else has to take a pay cut. The question we must ask ourselves is not are some individuals getting wealthier at a faster rate than others. The question is whether everyone is becoming more prosperous; is everyone's standard of living going up. If all individuals who wish to climb the economic ladder have the opportunity to do so, we are then on the right track. And the economic data show that that is exactly, absolutely the case in America today. With a workforce of 146 million, there are more Americans working today than ever before.

Unemployment is at an incredibly low 4.6 percent. Two million new jobs were created in the last year alone. Average weekly earnings grew by 4.8 percent over the same time period. And as we had reported last week, gross domestic product growth grew at an annualized rate of 3.5 percent last quarter, propelled by a dramatic rise in what? Exports. We have been exporting goods and services from the United States, and that has played a big role in the GDP growth.

These are excellent numbers, Madam Speaker, and they demonstrate the strength and vitality of the U.S. economy. But to really understand what they mean for individuals and working families, we have to delve in a little deeper. We have to look at the broader context and the bigger picture. Let's focus on the issue of wages.

As I have stated, earnings are on the rise. This is obviously extremely important to working families trying to make ends meet. But even more important than growing wages is growing purchasing power. A bigger paycheck is meaningless if the government increases taxes and takes a bigger portion of that paycheck. That is why Republicans have focused so heavily on the issue of tax relief.

Because of the tax cuts we have passed in 2001 and 2003, after-tax income is up nearly 10 percent. That is extra disposable income that Americans have to pay college tuition, get their car fixed, or take a family vacation.

It is extra income, Madam Speaker, that Americans would not have without the tax relief that Republicans provided. Now, the cost of consumer goods also plays a major role in a family's purchasing power. That is why keeping our economy open to imports is so important.

A tariff on inexpensive clothes from Bangladesh, for example, is a tax on the American family. A tariff is a tax. A tariff on affordable furniture from China is a tax on the American family. What is more, tariffs and other protectionist barriers constitute a regressive tax because they hit and hurt working families the hardest.

It is not Italian leather bags or antique Belgian furniture that gets slapped with tariffs. It is the low-cost everyday items that families need to buy. The more we open up our economy, the more we increase the purchasing power of Americans who need it most.

Wages are rising, and that is essential. But we must remember that increased wages cannot be accompanied by a reduction in the purchasing power of those wages through greater protectionism and higher taxes.

Republicans have pursued an agenda of economic liberalization and embrace the great benefits of globalization. As a result, we can look at the question of whether everyone is growing in prosperity. And we can answer the question with a definitive and decisive, yes, they are.

Madam Speaker, I call on my colleagues on both sides of the aisle to continue on this path. I call on them to reject any calls to reverse the course to saddle Americans with greater taxes and cut off their access to the goods they need at prices that they can afford; to reject any efforts to impose the regressive taxes of protectionism. Our economy cannot afford it, Madam Speaker, and we must recognize that those who are struggling most can afford it least.

SUPPORT FOR INCREASED SCHIP FUNDING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. JOHNSON) is recognized for 5 minutes.

Mr. JOHNSON of Georgia. Madam Speaker, today I rise to call upon this Congress to assist States facing overwhelming shortfalls in funding their State health insurance programs.

In 1997, Congress created the SCHIP programs to help States provide health care coverage to the growing number of uninsured children throughout the United States. Ten years later, more than 6 million children have been enrolled in this program. They are going for annual check-ups to the doctor, and they are getting their prescription medications that they need. And they are also receiving care when they are extremely sick.

Unfortunately, Madam Speaker, this program's success is threatened by inadequate funding, and hundreds of thousands of these children stand to lose this health care coverage they have grown to rely upon.

Federal funding has failed to keep up with the program's expanding enrollment. An inefficient allocation of these funds means some States are sitting on more than $1 billion of SCHIP funding, while 14 States, including my own State of Georgia, face severe shortfalls on the order of hundreds of millions of dollars.

This inadequate funding has forced some States to consider stopping all SCHIP medical services. Without help from the Congress, Congress will be unable to continue to provide health care for the 300,000 children enrolled in its Peachcare SCHIP program. Without increased Federal funding, these children will no longer receive their immunizations. They will no longer get their teeth cleaned, or their eyesight checked. And worse still, they will not be able to afford emergency room care in the event of a tragedy.

Madam Speaker, terminating coverage for these children would lead this country further away from decreasing the number of uninsured children in the United States. Congress must act expediently to allocate Federal funding to those States facing SCHIP shortfalls. It must reauthorize the program to ensure that all six million enrolled children continue to receive health care.

It must increase Federal funding so that more uninsured children can be enrolled in this program and get the health care that they deserve. I look forward to working with my colleagues from Georgia and other affected States to rectify this increasingly dire situation.

CHIEF ERNIE MENDOZA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE. Madam Speaker, peace officers are a noble breed, daily risking their lives to protect and serve the rest of us. They are what separate the evil of the lawless from us.

Two weeks ago on a dark, cool, misty Texas night, Needville, Texas, Independent School District Chief of Police Ernie Mendoza, was coming home from his job. He had been supervising a basketball game at one of the local schools. As chief of police of Needville Independent School District, it was his job to protect students during school and during events.

However, on the same road was 29-year-old construction worker Guillermo Paniagua. Guillermo was drunk and driving his pickup truck. He was headed toward the chief's car. And within moments, Gulliermo's truck crossed the center stripe of the road, slammed head first into the chief of police's vehicle. The crash instantly killed this dedicated police chief.

The chief had devoted 25 years of his life as one of Texas's lawmen. It was something that meant a lot to him. He was proud to serve his country as a peace officer. He was a 1983 graduate of the Waco Police Department where he worked in this small central Texas town.

Then he moved on to the big city of Houston, Texas, where he worked with the Houston Independent School District Police Department—one of the Nation's largest school districts. And then in 1996 he accepted the position with the Needville ISD Police Department where he became chief of police.

ISD police officers have the responsibility to protect children and teachers while they are in school. They maintain law and order and discipline. They keep the kids safe from day to day. And Chief Mendoza was one of the best. He strived to be a positive role model for the kids he protected, and he made peace officers look good.

He took the time to talk to kids and was well liked throughout the school. But it all ended a mile from his own home and the indifference of a drunk driver.

Like most drunk drivers, Guillermo had only minor cuts and bruises. He was not injured. But those bruises did not keep him, the coward, the killer, from running from the scene in the darkness of the night.

He was quickly captured by the Wharton County, Texas Sheriff's Department, and now he faces first-degree felony murder charges, and failure to stop and render aid.

You see, when you drink and drive and kill somebody, that is a felony. As it ought to be.

Chief Mendoza's wife and four children are now deprived of their husband, and father for the rest of their lives. The kids of the Needville school system have lost a good protector.

But, Madam Speaker, this was not Guillermo's first rodeo. You see, he has a total of four intoxication convictions in the United States, two in Texas and two in Georgia. In Texas he was given probation for a DWI, but that was revoked when he was rearrested. And then when he got that second DWI, he only spent 3 days in jail and got 18 months probation and his license was suspended.

This drunk should never have been given his driver's license back at all. His four DWI convictions proved that the system is not holding him accountable for being a drunk driver.

But the most disturbing thing about Guillermo Paniagua is he is illegally in this country. So why is he still here? How did he get a driver's license in the first place? Why was his immigration status not checked by the police officers each and every time he was picked up for drunk driving? He should have been deported the first time he was arrested.

Police Chief Ernie Mendoza was killed at the hands of an illegal, a drunk driver. And this could have all been prevented. He and his family have become more victims of the U.S.'s inability to secure the border and protect its citizens.

Madam Speaker, Chief Mendoza was a real person. This is a photograph of him taken shortly before he was killed. The Needville ISD and the great State of Texas have lost a fine lawman. And the casualty list continues to mount in the U.S. by those lawless insurgents who are illegally occupying our land.

This government should be as concerned about the homeland casualties as it is about those casualties killed in lands far, far away. Or there will be more Chief Mendozas killed.

And that is just the way it is.

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IN SUPPORT OF H.R. 514, SGT. LEA MILLS POST OFFICE

The SPEAKER pro tempore (Ms. LORETTA SANCHEZ of California). Under a previous order of the House, the gentlewoman from Florida (Ms. GINNY BROWN-WAITE) is recognized for 5 minutes.

Ms. GINNY BROWN-WAITE of Florida. Madam Speaker, I rise today about my bill, H.R. 514, which passed the House earlier today. The bill will rename the Aviation Post Office in Brooksville, Florida, after Sergeant Lea Robert Mills. This is the Post Office that Lea used because it is close to his parents' home in Masaryktown, Florida.

Lea was a resident of my district who gave his life for his country while serving in Iraq. At 21 years old, Lea was proud to serve his fellow citizens, and he actually requested to be sent to Iraq.

After being inspired to volunteer for the military after the September 11 attacks, he felt it was his duty, as a Marine, to go where the mission was. Lea told his father that the Marines would give him the best opportunity to make a difference in people's lives.

He joined right after graduating from Hernando High School in 2002, and he had just recently "re-upped" for a second stint with the Marines. Tragically, he was killed by an IED explosion, leaving behind a young wife and a grieving family.

Sergeant Mills was a true patriot and brave hero, and our community feels his loss immensely. His dedication to his country and turning his ideals into action are truly inspiring. It is a sad truth that in a cynical world, we are sometimes surprised by such courageous acts.

Learning about Lea from his family and friends helped me to have faith that not everyone is just trying to get by. Some are trying to change the world for the better.

Dee Mills, who is Lea's mother, was so brave and so patriotic at the funeral. I don't think I will ever, ever forget that. While others who have lost loved ones grieve in very different ways, Dee Mills, like her son, decided to help change the world. Dee has put together a 501(c)(3), and it is called Lea's Prayers and Postage. And the purpose of this organization is to raise money to send packages to our young men and women currently serving in Iraq. What a wonderful cause, what a wonderful way to work out one's grief at losing her son.

I can only hope that in renaming this Post Office we will memorialize Lea's courage and never, ever forget his sacrifice for this great Nation.

Both Lea Robert Mills and Dee Mills, his mom, have given so much to the community and so much to America that I am very proud to represent the Masaryktown area and certainly the Mills family.

HONORING SCIPIO A. JONES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arkansas (Mr. SNYDER) is recognized for 5 minutes.

Mr. SNYDER. People throughout America, Madam Speaker, celebrate our heroes of the Civil Rights Movement. Every American knows of the great contributions of Martin Luther King. No Arkansan celebrates these heroes without celebrating the Little Rock Nine. No Arkansan remembers these heroes without remembering Daisy Bates.

I recently introduced a bill to remember another noteworthy Arkansan who is not as well known as he deserves to be, Scipio A. Jones. Scipio A. Jones contributed to moving Arkansas and our Nation forward, and I am pleased that earlier today the House adopted this measure, H.R. 433, to designate the facility at 1700 Main Street in Little Rock as the Scipio A. Jones Post Office Building.

His is the life of which movies should be made, Madam Speaker. Scipio Africanus Jones was born a slave in Dallas County, Arkansas in 1863. He moved to Little Rock, Arkansas in the 1880s, took preparatory courses at Philander Smith College and graduated from North Little Rock's Bethel University, now Shorter College, with a Bachelor's Degree in 1887.

Jones apprenticed to practicing attorneys and was accepted into the Arkansas Bar in 1889. He was admitted to the Supreme Court of Arkansas in 1900, to the U.S. District Court for the Western Division of the Eastern District of Arkansas and the U.S. Circuit Court for Arkansas in 1901, the U.S. Supreme Court in 1905 and the U.S. Court of Appeals in 1914.

In 1915 and 1924, Jones was appointed as a special judge to preside over cases when the regular judge had been incapacitated.

He was the National Attorney General for the Mosaic Templars of America, an international fraternal organization headquartered in Little Rock, Arkansas which provided services to African Americans in an era when discrimination resulted in few basic services being readily available. The location of the Post Office we will designate is less than a mile away from the Mosaic Templars headquarters.

On a visit to Little Rock, Arkansas by Treasury Secretary W.G. McAdoo during World War I, Scipio A. Jones personally wrote a check to purchase $50,000 worth of Liberty bonds to support the Allied cause in World War I, and soon thereafter raised another $50,000 for this effort.

He was honored by President Woodrow Wilson, who appointed him to the National Advisory Board to the Liberty Bond effort.

He opposed and helped defeat grandfather clause legislation that some southerners were seeking to add to the Arkansas Constitution to disenfranchise and prevent African American voter participation.

In the aftermath of the Elaine Massacre of 1919, which resulted in the deaths of five Caucasians and an estimated 856 African Americans, Scipio A. Jones garnered national attention with the successful defense of 12 sharecroppers who had been condemned to death and by securing the release of nearly 100 other Elaine defendants who had been sent to prison.

The legal work of Jones ultimately resulted in the case of Moore v. Dempsey being argued before the United States Supreme Court, which found that mob-dominated trials were a violation of the due process clause of the 14th amendment to the Constitution.

He was widely respected by people of all races in the central Arkansas community. He died on March 28, 1943 and is buried at Haven of Rest Cemetery in Little Rock.

☐ 2015

I am pleased that this designation will acknowledge the lifelong service of Scipio A. Jones as a civic leader, talented lawyer, skillful jurist and civil rights leader and for his remarkable courage and notable contributions to the advancement of social justice.

I would like to thank Chairman WAXMAN of the Oversight and Government Reform Committee for bringing H.R. 433 to the floor, and Denise Wilson of that committee for assistance in moving it forward. I also thank Representative LYNCH and Representative SHAYS for the kind words they offered during debate on the bill today, as well as James Savage, of my staff, for his work on this legislation.

A RESPONSIBLE EXIT STRATEGY IN IRAQ

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maine (Mr. ALLEN) is recognized for 5 minutes.

Mr. ALLEN. Madam Speaker, our country faces great challenges: energy independence, global warming, economic competitiveness, health care, and widening income inequality. But when I visit with people in Maine, the first issue they bring up is Iraq.

We cannot address our other pressing issues unless we solve our most urgent problem: Iraq. We cannot make many needed investments in our future until we put our involvement in Iraq in the past. The war in Iraq is straining our military and compromising our ability to address vital priorities like global terrorism and nuclear proliferation. It is diverting attention from dealing with Iran, North Korea, and Afghanistan. Since the President will not, Congress must lead to force Iraqis to take responsibility for their own security by directing an orderly redeployment of troops and promoting a political solution in Iraq with a focus on transition to Iraqi control.

Recent experience shows that the U.S. must impose deadlines with consequences so that Iraqi leaders will be compelled to take responsibility. An unending U.S. military presence in Iraq creates a climate of dependency that undermines the goal of having the Iraqi Government control internal security.

There is a growing consensus that only a political solution, not a military one, will address the sectarian conflict in Iraq. Yet President Bush has rejected the wisdom of military commanders, the Iraq Study Group, and the voters by choosing to send more troops into the crossfire of a sectarian civil war. If the President won't provide an exit strategy, Congress must take the lead in ending the war.

To achieve this goal, I have cosponsored H.R. 645, a bill introduced by Representatives DAVID PRICE and BRAD MILLER. The bill would, by December 31, 2007, terminate the authorization for military operations in Iraq that passed, over my objection, in 2002.

The original mission Congress authorized, eliminating weapons of mass destruction and ousting Saddam Hussein, is no longer operative. If the President wants U.S. troops in Iraq beyond the end of this year, he should justify his plans and seek new approval from Congress. I am confident that the new Congress will not give the President a blank check, as the congressional majority wrongly did in 2002.

H.R. 645 also requires the President to submit a plan and timetable for phasing out troop deployments by December 31, 2007. It declares that U.S. policy is to withdraw forces in order to transfer responsibility to Iraqis; prohibits funding for permanent U.S. bases; authorizes employment, democracy, and governance programs; and creates a special envoy for Iraq regional security.

America's servicemen and -women in Iraq have served with skill, determination, and courage. We owe them and their families our gratitude and our unwavering support. Our legislation does not cut off funds for armor and protective equipment still needed by our troops in the war zone.

No exit strategy will succeed unless it has broad public support. I support H.R. 645 as a responsible approach to ending the war by focusing on U.S. policy and on the now outdated congressional authorization for the use of force. Citizens deserve to know where their elected officials stand on the war and not just on the escalation. I have let my constituents in Maine know where I stand and how I believe Congress should take a long overdue leadership role in ending this war.

SUPPORT NATIONAL BLACK HIV/AIDS AWARENESS DAY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. AL GREEN) is recognized for 5 minutes.

Mr. AL GREEN of Texas. Madam Speaker, I would like to thank the Honorable BARBARA LEE for introducing the National Black HIV/AIDS Awareness Day resolution. I also thank the 396 Members who voted in support of this resolution in a true spirit of bipartisanship.

And I ask the question, why is it important to support National Black HIV/AIDS Awareness? Why? Because as of 2005, 188,000 African Americans were living with AIDS. Why? Because African Americans are 12 percent of the population and over 50 percent of the new cases diagnosed. Why is it important? Because for African Americans, HIV/AIDS is a leading cause of death. Why is it important, Madam Speaker? Because AIDS is the number one cause of death for African American women 25 to 34.

However, Madam Speaker, notwithstanding the impending crisis, I am hopeful. I am hopeful that we will allocate more funds, more funds for medication, because this disease can be treated. More funds for counseling because this disease can be prevented. More funds for research because this disease can be cured. And, Madam Speaker, I believe that we must end AIDS because it has the potential to be our end.

CEDAW

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Mrs. MALONEY) is recognized for 5 minutes.

Mrs. MALONEY of New York. Madam Speaker, it is time that the U.S. ratify the Convention on the Elimination of All Forms of Discrimination against Women, or CEDAW.

The treaty has been in force since 1981 and has been ratified by 185 countries; 185 countries cannot be wrong, and they include such countries as Saudi Arabia, Rwanda, Nigeria, and Pakistan. The U.S. stands out as the only Western country that has not ratified the treaty and, in doing so, keeps company with Iran, Sudan, and Somalia.

Women continue to be subjected to severe human rights violations simply because of their gender. Women in many parts of the world are unable to receive a basic education, earn a living, own or inherent property, or protect themselves against HIV/AIDS. Violence against women continues to be a terrible problem in all corners of the globe.

In the Mexican cities of Juarez and Chihuahua, over 400 women have been killed since 1993. In Guatemala over 2,500 women and girls have been murdered since 2001.

Women are still stoned to death and killed by members of their family in the name of honor. In 2002 at least 270 women were murdered in "honor killings" in the Punjab Province of Pakistan alone.

Domestic violence continues to hurt and kill women at alarming rates. In Russia 70 percent of married women have been hurt in one form or another of violence from their husbands.

CEDAW is an important tool in combating discrimination and human rights abuses against women around the world. It seeks to ensure that women have equal access to education, public health, credit, property rights, as well as prevent violence against women. There have been numerous positive changes because of the convention, such as the implementation of equality legislation, the eradication of harmful practices such as sex slavery, and changes in inheritance laws. But there is clearly a great deal more to do.

As one of the most powerful nations in the world, the U.S. must be the leader in the fight against these violations of women's human rights. Our refusal to ratify the treaty sends the message that CEDAW is not important and does not need to be enforced. There is no valid reason why the U.S. should not ratify CEDAW.

The Senate Foreign Relations Committee has voted twice to send the convention to the full Senate for ratification, first in 1994 and then again in 2002; but it has never been voted on by that body.

The U.S. is already substantially in compliance with the treaty and agrees with its fundamental principles of nondiscrimination and equality for women. We cannot claim to be a defender of human rights without including over half of the world's population.

Ratifying CEDAW is something the U.S. can do that can make a difference in the lives of thousands of women around the globe. So what are we waiting for? We should move forward and ratify it.

RESPONSE TO PRESIDENT BUSH'S HEALTH CARE PROPOSAL

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. SOLIS) is recognized for 5 minutes.

Ms. SOLIS. Madam Speaker, today I rise to discuss the need to make access to health insurance for everyone a priority in our country.

As you know, 46 million Americans are uninsured, including more than 9 million children in the U.S. One in three people in the San Gabriel Valley, which I represent, is uninsured; and across the State of California, 6.5 million adults and 750,000 children lack health care insurance. Nationwide, 83 percent of the uninsured are from working families. Of uninsured Californians, more than two-thirds of those families have full-time jobs. Fourteen million uninsured are Latinos, including one in five children.

In the past 5 years, the number of Latinos without health insurance, as you know, has increased. According to the Kaiser Family Foundation, uninsured children are five times less likely to have visited a doctor or dentist in the past 2 years compared to those children who are insured. Fewer doctor visits can lead to serious illness and health problems, as well as avoidable costly emergency room visits. The Institute of Medicine estimates that each year at least 18,000 people die prematurely due to lack of health insurance.

But President Bush's proposal will not help the 46 million uninsured men, women, and children in our country. Instead of finding real solutions, President Bush wants to provide tax deductions to wealthy Americans who can already afford their health care insurance. Tax deductions, as you know, will not solve the real problem of skyrocketing health care costs. Tax deductions will not make it easier for low-income families and middle-class working families to purchase health care insurance. In fact, as you know, our families may be better off without the President's so-called help.

According to Families USA, President Bush's plan is "like throwing a 50-foot rope to someone in a 40-foot hole." And for the majority of uninsured people, his plan is like throwing them nothing at all.

People without employer-sponsored coverage, such as people who work in small businesses, who make up the majority of those individuals in some of our districts, will not benefit from Bush's tax breaks. Even White House officials admit that only 3 to 5 million uninsured people would actually become insured under Bush's proposal. The President's plan, as you know, fails to relieve the problems that most uninsured adults and children face.

We have to do better for the American people. And we must ensure that everyone has access to affordable and quality health care insurance and that programs are easily accessible by all. Programs such as the State Children's Health Insurance Programs, as you know, are very important. We call them the SCHIP program, and in the State of California they are known as the Healthy Families Program. Across the Nation, Medicaid and SCHIP provide coverage for more than 34 million children. These programs must be adequately funded and include needed tools to reach all eligible populations.

However, as you know, millions more children are eligible for these programs but are not enrolled. In fact, 74 percent of the uninsured children are eligible but are not somehow showing up on these enrollment applications. Many are low income. They come from families that are poor and unaware of the fact that they are eligible even for these services. And recent research shows that the SCHIP program may be failing to reach the hardest to reach subpopulations of the uninsured children like Latinos. And according to Families USA, distrust of the health care system, language, culture, these are all barriers that are confusing to our families, and those eligibility rules are high obstacles for families to enroll.

Community health care workers, such as the promotoras, play key roles in overcoming these barriers to enrollment for public programs. Promotoras, as you know, exist in the State of California and along the frontera, along the border on the U.S. side. They are qualified people who could help patients access and navigate the complex and confusing health care system. They can reach racial and ethnic minorities that would otherwise remain locked out of our system.

A recent report by the Journal of the American Academy of Pediatrics compared the effectiveness of community workers with traditional Medicaid and SCHIP outreach enrollment. The report found that families who interacted with community health workers such as the promotoras were eight times more likely to obtain health insurance.

☐ 2030

Almost 96 percent of children who work with promotoras in the study obtained health insurance. Seventy-eight percent were insured continuously. The study provides that community health workers can reduce the number of uninsured children, and we should move forward asking for the SCHIP program to also provide for assistance through the promotoras program.

I know that the gentlewoman from California understands what I am talking about, because those promotoras also exist in her district as well.

We need to make sure that President Bush plans for a significant funds for those children that are uninsured, and I would ask that our colleagues please continue to provide funding for the SCHIP program and to expand that in those needed areas.

PUBLICATION OF THE RULES OF THE COMMITTEE ON VETERANS' AFFAIRS, 110TH CONGRESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. FILNER) is recognized for 5 minutes.

Mr. FILNER. Madam Speaker, in accordance with clause 2(a)(2) of Rule XI of the Rules of the House of Representatives, I respectfully submit the rules of the Committee on Veterans' Affairs for printing in the CONGRESSIONAL RECORD. The Committee on Veterans' Affairs adopted these Rules by voice vote, with a quorum being present, at our organizational meeting on January 30, 2007.

Rules of the Committee on Veterans' Affairs, U.S. House of Representatives, for the 110th Congress (Adopted January 30, 2007)

RULE 1—GENERAL PROVISIONS

(a) Applicability of House Rules—The Rules of the House are the rules of the Committee on Veterans' Affairs and its subcommittees so far as applicable, except that a motion to recess from day to day, and a motion to dispense with the first reading (in full) of a bill or resolution, if printed copies are available, are non-debatable privileged motions in Committees and subcommittees.

(b) Subcommittees—Each subcommittee of the Committee is a part of the Committee and is subject to the authority and direction of the Committee and to its rules so far as applicable.

(c) Incorporation of House Rule on Committee Procedure—Rule XI of the Rules of the House, which pertains entirely to Committee procedure, is incorporated and made part of the rules of the Committee to the extent applicable. Pursuant to clause 2(a)(3) of Rule XI of the Rules of the House, the Chairman of the full Committee is directed to offer a motion under clause 1 of Rule XXII of the Rules of the House whenever the Chairman considers it appropriate.

(d) Vice Chairman—Pursuant to clause 2(d) of Rule XI of the Rules of the House, the Chairman of the full Committee shall designate the Vice Chairman of the Committee and a Vice Chairman of each subcommittee established under Rule 5(a)(1).

RULE 2—REGULAR AND ADDITIONAL MEETINGS

(a) Regular Meetings—The regular meeting day for the Committee shall be at 10 a.m. on the second Wednesday of each month in such place as the Chairman may designate. However, the Chairman may dispense with a regular Wednesday meeting of the Committee.

(b) Additional Meetings—The Chairman of the Committee may call and convene, as he considers necessary, additional meetings of the Committee for the consideration of any bill or resolution pending before the Committee or for the conduct of other Committee business. The Committee shall meet for such purpose pursuant to the call of the Chairman.

(c) Notice—The Chairman shall notify each member of the Committee of the agenda of each regular and additional meeting of the Committee at least 24 hours before the time of the meeting, except under circumstances the Chairman determines to be of an emergency nature. Under such circumstances, the Chairman shall make an effort to consult the ranking minority member, or in such member's absence, the next ranking minority party member of the Committee.

RULE 3—MEETINGS AND HEARINGS GENERALLY

(a) Open Meetings and Hearings—Meetings and hearings of the Committee and each of its subcommittees shall be open to the public unless closed in accordance with clause 2(g) of Rule XI of the Rules of the House.

(b) Announcement of Hearing—The Chairman, in the case of a hearing to be conducted by the Committee, and the subcommittee Chairman, in the case of a hearing to be conducted by a subcommittee, shall make public announcement of the date, place, and subject matter of any hearing to be conducted on any measure or matter at least one week before the commencement of that hearing unless the Committee or the subcommittee determines that there is good cause to begin the hearing at an earlier date. In the latter event, the Chairman or the subcommittee Chairman, as the case may be, shall consult with the ranking minority member and make such public announcement at the earliest possible date. The clerk of the Committee shall promptly notify the Daily Clerk of the Congressional Record and the Committee scheduling service of the House Information Resources as soon as possible after such public announcement is made.

(c) Wireless Telephone Use Prohibited—No person may use a wireless telephone during a Committee or subcommittee meeting or hearing.

(d) Media Coverage—Any meeting of the Committee or its subcommittees that is open to the public shall be open to coverage by radio, television, and still photography in accordance with the provisions of clause 4 of House rule XI.

(e) Requirements for Testimony—

(1) Each witness who is to appear before the Committee or a subcommittee shall file with the clerk of the Committee, at least 48 hours in advance of his or her appearance, a written statement of his or her proposed testimony. Each witness shall, to the greatest extent practicable, also provide a copy of such written testimony in an electronic format prescribed by the Chairman. Each witness shall limit any oral presentation to a summary of the written statement.

(2) Pursuant to clause 4 of Rule XI of the Rules of the House, in the case of a witness appearing in a non-governmental capacity a written statement of proposed testimony shall include a curriculum vitae and a disclosure of the amount and source (by agency and program) of any Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two preceding fiscal years by the witness or by an entity represented by the witness.

(f) Calling and Questioning Witnesses

(1) Committee and subcommittee members may question witnesses only when they have been recognized by the Chairman of the Committee or subcommittee for that purpose, and only for a 5-minute period until all members present have had an opportunity to question a witness. The 5-minute period for questioning a witness by any one member may be extended only with the unanimous consent of all members present. The questioning of witnesses in both Committee and subcommittee hearings shall be initiated by the Chairman, followed by the ranking minority party member and all other members alternating between the majority and minority. Except as otherwise announced by the Chairman at the beginning of a hearing, members who are present at the start of the hearing will be recognized before other members who arrive after the hearing has begun. In recognizing members to question witnesses in this fashion, the Chairman shall take into consideration the ratio of the majority to minority members present and shall establish the order of recognition for questioning in such a manner as not to disadvantage the members of the majority.

(2) Notwithstanding the provisions of paragraph (1) regarding the 5-minute rule, the Chairman after consultation with the ranking minority member may designate an equal number of members of the Committee or subcommittee majority and minority party to question a witness for a period not longer than 30 minutes. In no event shall the Chairman allow a member to question a witness for an extended period under this rule until all members present have had the opportunity to ask questions under the 5-minute rule. The Chairman after consultation with the ranking minority member may permit Committee staff for its majority and minority party members to question a witness for equal specified periods of time.

(3) When a hearing is conducted by the Committee or a subcommittee on any measure or matter, the minority party members on the Committee shall be entitled, upon request to the Chairman of a majority of those minority members before the completion of the hearing, to call witnesses selected by the minority to testify with respect to that measure or matter during at least one day of the hearing thereon.

(g) Subpoenas—Pursuant to clause 2(m) of Rule XI of the Rules of the House, a subpoena may be authorized and issued by the Committee or a subcommittee in the conduct of any investigation or series of investigations or activities, only when authorized by a majority of the members voting, a majority being present.

RULE 4—QUORUM AND RECORD VOTES; POSTPONEMENT OF PROCEEDINGS

(a) Working Quorum—A majority of the members of the Committee shall constitute a quorum for business and a majority of the members of any subcommittee shall constitute a quorum thereof for business, except that two members shall constitute a quorum for the purpose of taking testimony and receiving evidence.

(b) Quorum for Reporting—No measure or recommendation shall be reported to the House of Representatives unless a majority of the Committee was actually present.

(c) Record Votes—A record vote may be demanded by one-fifth of the members present or, in the apparent absence of a quorum, by any one member. With respect to any record vote on any motion to amend or report, the total number of votes cast for and against, and the names of those members voting for and against, shall be included in the report of the Committee on the bill or resolution.

(d) Prohibition Against Proxy Voting—No vote by any member of the Committee or a subcommittee with respect to any measure or matter may be cast by proxy.

(e) Postponing Proceedings—Committee and subcommittee chairmen may postpone further proceedings when a record vote is ordered on the question of approving a measure or matter or on adopting an amendment, and may resume proceedings within two legislative days on a postponed question after reasonable notice. When proceedings resume on a postponed question, notwithstanding any intervening order for the previous question, an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

RULE 5—SUBCOMMITTEES

(a) Establishment and Jurisdiction—

(1) There shall be four subcommittees of the Committee as follows:

(A) Subcommittee on Disability Assistance and Memorial Affairs, which shall have legislative, oversight and investigative jurisdiction over compensation; general and special pensions of all the wars of the United States; life insurance issued by the Government on account of service in the Armed Forces; cemeteries of the United States in which veterans of any war or conflict are or may be buried, whether in the United States or abroad, except cemeteries administered by the Secretary of the Interior; burial benefits; the Board of Veterans' Appeals; and the United States Court of Appeals for Veterans' Claims.

(B) Subcommittee on Economic Opportunity, which shall have legislative, oversight and investigative jurisdiction over education of veterans, employment and training of veterans, vocational rehabilitation, veterans' housing programs, readjustment of servicemembers to civilian life, and servicemembers civil relief.

(C) Subcommittee on Health, which shall have legislative, oversight and investigative jurisdiction over veterans' hospitals, medical care, and treatment of veterans.

(D) Subcommittee on Oversight and Investigations, which shall have oversight and investigative jurisdiction over veterans' matters generally, and over such matters as may be referred to the subcommittee by the Chairman of the full Committee for its oversight or investigation and for its appropriate recommendations. The subcommittee shall only have legislative jurisdiction over such bills or resolutions as may be referred to it by the Chairman of the full Committee.

(2) Each subcommittee shall have responsibility for such other measures or matters as the Chairman refers to it.

(b) Vacancies—Any vacancy in the membership of a subcommittee shall not affect the power of the remaining members to execute the functions of that subcommittee.

(c) Ratios—On each subcommittee, there shall be a ratio of majority party members to minority party members which shall be consistent with the ratio on the full Committee.

(d) Referral to Subcommittees—The Chairman of the Committee may refer a measure or matter, which is within the general responsibility of more than one of the subcommittees of the Committee, as the Chairman deems appropriate. In referring any measure or matter to a subcommittee, the Chairman of the Committee may specify a date by which the subcommittee shall report thereon to the Committee.

(e) Powers and Duties—

(1) Each subcommittee is authorized to meet, hold hearings, receive evidence, and report to the full Committee on all matters referred to it or under its jurisdiction. Subcommittee chairmen shall set dates for hearings and meetings of their respective subcommittees after consultation with the Chairman of the Committee and other subcommittee chairmen with a view toward avoiding simultaneous scheduling of Committee and subcommittee meetings or hearings whenever possible.

(2) Whenever a subcommittee has ordered a bill, resolution, or other matter to be reported to the Committee, the Chairman of the subcommittee reporting the bill, resolution, or matter to the full Committee, or any member authorized by the subcommittee to do so shall notify the Chairman and the ranking minority party member of the Committee of the Subcommittee's action.

(3) A member of the Committee who is not a member of a particular subcommittee may sit with the subcommittee during any of its meetings and hearings, but shall not have authority to vote, cannot be counted for a quorum, and cannot raise a point of order at the meeting or hearing.

(4) Each subcommittee shall provide the Committee with copies of such record votes taken in subcommittee and such other records with respect to the subcommittee as the Chairman of the Committee deems necessary for the Committee to comply with all rules and regulations of the House.

RULE 6—GENERAL OVERSIGHT RESPONSIBILITY

(a) Purpose—Pursuant to clause 2 of Rule X of the Rules of the House, the Committee shall carry out oversight responsibilities. In order to assist the House in—

(1) Its analysis, appraisal, evaluation of—

(A) The application, administration, execution, and effectiveness of the laws enacted by the Congress, or

(B) Conditions and circumstances which may indicate the necessity or desirability of enacting new or additional legislation, and

(2) Its formulation, consideration and enactment of such modifications or changes in those laws, and of such additional legislation, as may be necessary or appropriate, the Committee and its various subcommittees, consistent with their jurisdiction as set forth in Rule 5, shall have oversight responsibilities as provided in subsection (b).

(b) Review of Laws and Programs—The Committee and its subcommittees shall review and study, on a continuing basis, the applications, administration, execution, and effectiveness of those laws, or parts of laws, the subject matter of which is within the jurisdiction of the Committee or subcommittee, and the organization and operation of the Federal agencies and entities having responsibilities in or for the administration and execution thereof, in order to determine whether such laws and the programs thereunder are being implemented and carried out in accordance with the intent of the Congress and whether such programs should be continued, curtailed, or eliminated. In addition, the Committee and its subcommittees shall review and study any conditions or circumstances which may indicate the necessity or desirability of enacting new or additional legislation within the jurisdiction of the Committee or subcommittee (whether or not any bill or resolution has been introduced with respect thereto), and shall on a continuing basis undertake future research and forecasting on matters within the jurisdiction of the Committee or subcommittee.

(c) Oversight Plan—Not later than February 15 of the first session of a Congress, the Committee shall meet in open session, with a quorum present, to adopt its oversight plans for that Congress for submission to the Committee on House Administration and the Committee on Oversight and Government Reform, in accordance with the provisions of clause 2(d) of Rule X of the Rules of the House.

(d) Oversight by Subcommittees—The existence and activities of the Subcommittee on Oversight and Investigations shall in no way limit the responsibility of the other subcommittees of the Committee on Veterans' Affairs for carrying out oversight duties.

RULE 7—BUDGET ACT RESPONSIBILITIES

(a) Budget Act Responsibilities—Pursuant to clause 4(f)(1) of Rule X of the Rules of the House, the Committee shall submit to the Committee on the Budget not later than six weeks after the President submits his budget, or at such time as the Committee on the Budget may request—

(1) Its views and estimates with respect to all matters to be set forth in the concurrent resolution on the budget for the ensuing fiscal year that are within its jurisdiction or functions; and

(2) An estimate of the total amounts of new budget authority, and budget outlays resulting therefrom, to be provided or authorized in all bills and resolutions within its jurisdiction that it intends to be effective during that fiscal year.

RULE 8—RECORDS AND OTHER MATTERS

(a) Transcripts—There shall be a transcript made of each regular and additional meeting and hearing of the Committee and its subcommittees. Any such transcript shall be a substantially verbatim account of remarks actually made during the proceedings, subject only to technical, grammatical, and typographical corrections authorized by the person making the remarks involved.

(b) Records—

(1) The Committee shall keep a record of all actions of the Committee and each of its subcommittees. The record shall contain all information required by clause 2(e)(I) of Rule XI of the Rules of the House and shall be available for public inspection at reasonable times in the offices of the Committee.

(2) There shall be kept in writing a record of the proceedings of the Committee and each of its subcommittees, including a record of the votes on any question on which a recorded vote is demanded. The result of each such record vote shall be made available by the Committee for inspection by the public at reasonable times in the offices of the Committee. Information so available for public inspection shall include a description of the amendment, motion, order or other proposition and the name of each member voting for and each member voting against such amendment, motion, order, or proposition, and the names of those members present but not voting.

(c) Availability of Archived Records—The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with Rule VII of the Rules of the House. The Chairman shall notify the ranking minority member of any decision, pursuant to clause 3 or clause 4 of Rule VII of the Rules of the House, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination on written request of any member of the Committee.

(d) Availability of Publications—Pursuant to clause 2(e)(4) of Rule XI of the Rules of the House, the Committee shall make its publications available in electronic form to the maximum extent feasible.

EULOGY HONORING FATHER ROBERT DRINAN

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. PELOSI) is recognized for 5 minutes.

Ms. PELOSI. Madam Speaker, a little over a week ago our country suffered a great loss with the passing of Father Robert Drinan. He was a great man. He was a great humanitarian. He was a priest and he was a Member of Congress.

When asked to talk about Father Drinan, it is impossible not to speak in the superlative in every case. And also the words that I would like to use are to quote a great man, Father Drinan himself.

At his funeral, which I had the privilege to eulogize Father Drinan, I said that when Saint Francis of Assisi, who is the patron saint of my City of San Francisco, when St. Francis of Assisi was asked what a person had to do to lead a good and virtual life, he said, Saint Francis did, "Preach the gospel. Sometimes use words."

Father Robert Drinan preached the gospel, sometimes from the pulpit, sometimes from the floor of this House for 10 years as a Member of Congress, and sometimes from the classroom at the Georgetown University School of Law. But he always preached the gospel through the power of his example.

Father Drinan lived and legislated according to an expansive view of the gospel, believing that it had something to teach us about the whole range of public policy, from war and peace to poverty and justice, to how we treat our children and our parents. It was because of his faith that he was one of our great champions for human rights. He believed that there was a spark of divinity in every person, and he acted upon that belief. But he did so selflessly.

When the Soviet dissident Anatoly Sharansky was freed after 8 years in a Siberian labor camp, it was because of years of advocacy by many. Yet, at a reception welcoming him to the United States that was held in this Capitol, Sharansky, surrounded by supporters and admirers, looked to the back so he could find and thank the man who was his major champion, Father Drinan. That was Father Drinan, eager to help, slow to accept credit.

I was particularly honored that earlier, it was the beginning of January actually, Father Drinan celebrated a mass at my alma matter, Trinity College, before I was sworn in as Speaker. He said that mass in honor of the children of Darfur and Katrina. And he prayed there that "the needs of every child are the needs of Jesus Christ himself." Those were Father Drinan's words.

He challenged us by saying, "Imagine what the world would think of the United States if the health and welfare of children everywhere became the top objective of America's foreign policy! It could happen, and it could happen soon, he said, if enough people cared."

He continued, "Let us reexamine our convictions, our commitments and our courage." He emphasized courage. "Our convictions and our commitments are clear and certain to us. But do we have the courage to carry them out," he asked? "God has great hopes for what this great Nation will do in the near future. We are here to ask for the courage to carry out God's hopes and aspirations."

He inspired us with those words, and as he led us in prayer that day, Father Drinan said, "We learn things in prayer that we otherwise would never know."

That day in church at his funeral, and since then, we are praying for the courage of Father Drinan. That may have been Father Drinan's last sermon from the pulpit, but afterwards, he sent me a letter asking that I place that sermon in the CONGRESSIONAL RECORD. And I commend to all of you his call for "peaceful revolution" to all who read our RECORD. He quoted John F. Kennedy, who said that we could make that possible with our actions.

These words join the many courageous words Father Drinan said on this House floor. He came to Congress to oppose the war in Vietnam. They join his powerful words on the day, last May, when Congress had the privilege of honoring him with the Congressional Distinguished Service Award. He received that award, along with our former Ambassador to the Vatican and our former colleague in this House, Ambassador and Congresswoman Lindy Boggs.

In his service, it was repeated during the communion service, "Where there is charity there is Christ. Where there is charity there is God." Ubi caritas Deus ibi est. And on that day, in the Capitol, when we honored the two of them, charity was present and so was God's goodwill.

They also, Father Drinan's words that we have submitted to the CONGRESSIONAL RECORD, join the words he shared with his students. He was a priest, he was a politician, he was an American patriot who loved our Constitution and fought for our civil liberties, and he loved his students as a teacher.

When he left here because Pope John Paul II, when he became Pope said he had to choose between being a priest and being a Member of Congress, he said, "I am a priest forever," and he left the Congress.

His successor, I know, is a source of great hope to the people in his district. Congressman BARNEY FRANK will be leading the special order in honor of Father Drinan shortly.

But as a teacher, as I say, he loved his students, his law students. And just before graduation of one class, Bob Hickmont told me this, who was one of his students, Father Drinan offered advice to a group of Georgetown law students. He said, "As I look out at all of you, with your new and expensive law school educations, I would urge you to go forth into society not as mere legal tradesmen, but as moral architects. Design, create and build a better and more equitable society and use your skills to help those who are otherwise not being served."

Father Drinan, this statement and others of your statement are entered into the CONGRESSIONAL RECORD. Again, those words, with those of your 10 years in Congress, will serve as an inspiration for all who follow the proceedings of Congress and all who ever knew you.

Again, to his family, the Drinan family, to Helen and all of the family, his sister-in-law, Helen, I hope it is a comfort to them that so many people mourn their loss and are praying for them at this sad time. And I extend my deepest sympathy to his family.

GENERAL LEAVE

Mr. FRANK of Massachusetts. Madam Speaker, I ask unanimous consent that all Members have five legislative days to revise and extend their remarks and include extraneous material on the subject of my Special Order tonight.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

TRIBUTE TO FATHER ROBERT F. DRINAN, SJ

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Massachusetts (Mr. FRANK) is recognized for 60 minutes as the designee of the majority leader.

Mr. FRANK of Massachusetts. Thank you, Madam Speaker.

Madam Speaker, I rise with a sad duty, although also a proud one. It is a chance for our colleagues to mourn the death and celebrate the life of one of the ablest and most principled people ever to serve as a Member of this body, the late Father Robert Drinan.

Madam Speaker, I will include for the RECORD of these proceedings the eulogies that were given at his funeral mass last Thursday by two of his fellow Jesuits, the Reverend John Langan and Professor Ladislas Orsy; by John DeGioia, the President of Georgetown University, where he taught for so many years; by our colleague Senator EDWARD KENNEDY; and by former Ambassador Max Kampelman. The Speaker also gave a eulogy, which she herself inserted in the RECORD.

Madam Speaker, Bob Drinan was an extraordinary man. He had several careers, any one of which would have been extremely impressive. He was a Member of this body for only 10 years. By Congressional standards, that is not a long career, and many people are surprised to learn it was only 10 years, because his impact on this body and through this body, this country and this world was so significant. He was a man of such force of intellect and strength of character and energy and determination that he made 10 years here do more than many do in 30 or more years.

He was a prolific author of serious and thoughtful books. As I said in Massachusetts on Saturday, Father Drinan wrote more books than some high officials in this town have ever read.

He was a very distinguished educator. Had he been nothing but the Dean of Boston College Law School, and two of our colleagues who attended that law school during his deanship, the gentleman from Massachusetts, Mr. MARKEY and the gentleman from Virginia, Mr. SCOTT, will be addressing us soon, had he simply been that dean for 16 years when he helped make that into the first rate educational institution it is today, that would have been a significant career.

Then on leaving this place, he spent 26 years teaching at Georgetown. At 86, Bob Drinan was a vigorous and engaging teacher who was widely sought after by students interested in the intellectual stimulation that they got from him.

Now, with all of this, he was, of course, a Jesuit priest, and it was striking to me last Thursday here in Washington, Saturday at Boston College, to see the justifiable pride that his fellow Jesuits had in this man. And not just their pride in him, but their pride and gratitude that he remained first and foremost a member of that Jesuit community, an extra community of people who have made such contributions to education and other important causes in this country.

But what was particularly striking was the gap between the immensity of his accomplishments, the dignity of his intellect and his person. No one was ever less inclined to stand on ceremony. He was a down-to-earth individual. People who met him, and simply met him without knowing who he was, although that became increasingly harder as his fame grew, would be surprised to learn that he was a man of such accomplishments.

He was a delight to be with. He was one of the most irreverent reverends you will ever meet, and did not need ceremony, did not need any kind of false dignity. He had the talents.

What I want to talk about now is the common theme in that multiplicity of careers, of teacher and law school dean and Member of Congress and priest and author.

We have a lot of debate in our society and American politics about morality in politics, what is the role of morality in politics, and there are some who style themselves as very religious, who believe that they are the exemplars of morality in politics and who have been critical of people like Father Drinan and said that he failed in that task.

Absolutely the contrary is true. Father Drinan's life was dedicated to public morality. Few people worked as consistently and effectively to bring a moral tone to the relationships we have with each other.

Now, people have said, "well, what about on some of these individual matters?" Let's be very clear. This is a man who lived by an extraordinary exacting moral code personally. He was a priest. He was a priest for over 60 years and a member of the Jesuit community. As a Member of Congress, he served the Jesuit community in Georgetown. When he went back to his district, it was the Jesuit community at Boston College. He voluntarily subjected himself to the very stringent discipline that the Jesuit community and priests in general follow.

In 1980, when he was ordered by Pope John Paul II not to run again for Congress, that was a decision that caused him great anguish. It denied him the chance to do something that he thought was terribly important to his very being, and he wished that he could reverse the decision. But when it became clear that that decision could not be reversed, there was no hesitation.

People who want to talk about living by a moral code should look at the example of this very important Member of Congress with great accomplishments behind him who voluntarily left this body because the moral code of the priesthood to which he had committed himself required him to do that.

So in his personal life, he lived by the code of celibacy and of obedience and of poverty. And it was a voluntary decision, and anyone who knew him knew that he had talents which would have allowed him to break those bonds, but he didn't see them as bonds, he saw them as an essential part of his being.

So for those who wonder about his dedication and personal morality, look at his life. Look at this man, who at 86 awoke 10 days ago feeling ill, feeling very sick, and ignored the advice of others to stay home and went to class to teach at 86 and collapsed in class, because he had a sense of duty and an insistence on living by that personal code that no one could deny.

On the other hand, he did not believe, and I do not claim that this is something he told me, he was a man who taught in his life by example as well as articulately. As the Speaker said in her eulogy, he quoted Saint Francis of Assisi, who said, "Preach the gospel, and sometimes use words," and Bob Drinan preached the gospel by his life and his life's work very effectively.

I believe that his view was that, yes, he was happy to follow a stringent moral code personally that few human beings would be able to do with the dedication and discipline that he did for as long as he did, but he also felt that that was his personal choice. It was a choice that he would urge on others. He was a member of that important religious community, and through that religious community, yes, he would convey that message.

But he did not believe, and this is what is critical, that it was legitimate to use the coercive mechanism of government to impose his personal choices on others, and that is the distinction that Father Drinan stands for. In those matters of life where we affect each other, where human beings come together and impact each other, than morality must guide our actions.

I would caution many of my liberal friends who say, well, we don't want to have morality in politics, because they are reacting against people who would use the government to impose personal choices on others. That is not morality, and the problem there is not that they are imposing morality in politics, but that they are intruding politics into personal lives.

What Father Drinan stood for in his writings, as a Member of Congress, as an activist, as an advocate, as a teacher, was that in those areas of life where we come together and affect each other, we are obligated to follow a moral code, and that is a moral code which focused on the dignity of human beings and the right of every human being to be treated decently, because that was the common core of Bob Drinan.

What issues did he care about? He cared most about those issues where there was a danger that some people would be mistreated. In the fifties and sixties, he was the leader in the fight against racism and for racial justice, one of the great examples of wrongdoing in American history, of people of African descent being mistreated. Bob was a leader in the civil rights movement.

He was a great civil libertarian, opposing efforts to oppress people who spoke in terms that other people did not like.

He was a great defender of the Jewish community, against anti-Semitism.

He then became the founder, more than any other individual, of the doctrine of international human rights. Before the seventies, there were people on the left who criticized governments on the right for not respecting human rights. There were people on the right who criticized left governments for not following human rights.

Bob Drinan was one of those who forged the doctrine that we could demand respect by any government of any political stripe, that they respect the rights of individuals, and he was a leader in his writings and his work here in the Congress. That was the central core, whether it was racism or anti-Semitism, whether it was governments denying people basic rights, whether it was our own government denying the rights of our own citizens in the name of security.

He was a very good lawyer. In fact, in the seventies, he was working hard on rewriting a criminal code which some of the people on the left thought was too tough, because he understood that people had a right to be protected against those who would violate their rights and property. But he also believed deeply from his experience that there was no need for the government to disregard basic human rights in protecting all of us, and there were no more articulate defenders of that principle.

When he stood up against Richard Nixon, it was because of his conviction that the Nixon administration was defying fundamental human rights, a conviction which, of course, proved to be absolutely true.

That is the common thread. And Bob Drinan believed, and this is very important I think to note, that it was as a priest that he wrote, as a priest that he served here, as a priest that he advocated for human rights, because he genuinely believed that in his insistence that we treat each other with the dignity that human beings are entitled to, he was following the word of his God as he understood it, a God that created in his mind human beings with this inherent dignity.

So this is a man whose life had many parts, but they had a common theme. They had a common theme, whether it was in his religion or his politics or his writing or his teaching. It was that we owe each other the duty of respect and dignity. And, yes, morality belongs in politics, and Bob Drinan's life, both as a Member of Congress, as a political activist afterwards, yes, it was dedicated to morality in politics.

He was a man who understood that there is no greater political immorality than an unjust war; that nothing more greatly degrades human beings than wars which violate the doctrine of the just war. And he came to this Congress as a leading opponent of the Vietnam War at a time when it was not the most popular thing, and up until his last days he was a leader in agitation against another unjust war as he saw it.

So I am very proud to be the inheritor of that tradition. I do not claim to exemplify all aspects of it. But I do share with him this commitment, that people have a right to make personal choices; that your personal choices ought to be guided by a moral code; and that we ought to urge on each other that we bring out the best. But that when it comes to using the coercive mechanisms of the government, the central point is to make sure that people are treated fairly by each other, that the role of morality in politics is to enforce the fundamental right of each person to be treated with dignity and respect.

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Bob Drinan was an exemplar of what is appropriately morality in politics. We will miss him terribly, but we have, enduring, his example to drive us forward.

Now, Madam Speaker, I want to yield to one of my colleagues, who is the only member of the Massachusetts delegation who was able to serve with Bob Drinan, one of the few Members who served with him and who has the dual distinction of both serving with him and being his student at Boston Law School and is a man who very much carried out the ethic of respect for human rights that Bob exemplified. The gentleman from Massachusetts, I yield him such time as he may consume.

Mr. MARKEY. I thank the gentleman very much, and I thank him for his eloquent statement. I thank him for the eulogy which he delivered on behalf of Father Drinan at St. Ignatius Church in Massachusetts on this past Saturday. You captured the essence of Father Drinan in that eulogy, and I thank you for doing that on behalf of all of us.

Mr. Speaker, the House of Representatives mourns the passing of Father Robert Drinan, Society of Jesus, Member of Congress. His death is a blow to those of us who revered his wit and wisdom, and a great loss for those who continue to struggle for human rights and life's basic necessities. Yet, tonight we also celebrate Father Drinan's life and know well that the life he brought to the issues of our time will continue to shine on in the efforts of those he touched and those whom he exhorted to do more.

I had the privilege of having Father Drinan as my dean at Boston College Law School. I met him in August of 1968 as the school year at Boston College Law School was about to commence. But the truth is that I had set my goal to attend Boston College Law School 6 years before when I was a sophomore in high school because it became my goal to go to Boston College Law School so that I could have Father Drinan as my dean; and, to be honest with you, I didn't even know if you had to go to college in order to go to law school, such was my desire to go and to be in this school that was training lawyers to help humanity.

At Boston College Law School in the late 1960s, Father Drinan used his power as the dean of that school to actively recruit minorities, to actively recruit women to come to Boston College Law School. He did so using the greatest power that a dean of a law school has, and that is admissions and full scholarships. He wanted Boston College Law School to be at the cutting edge of the change which was taking place in our society, and he wanted to ensure that those who had been excluded from our society would be given access to the law school education that they would need in order to effect the laws in our society. And today, all of those who were exposed to him during the years that he was dean at Boston College Law School continue to have a debt to him, not only those to whom he brought in, in order to ensure that they were not excluded, but all of the rest of us who were then exposed to these injustices and the remedies to them that Father Drinan ensured that that law school embodied.

Just a few years after graduating from Boston College Law School, only 4 years later, I had the great honor of coming here as Father Drinan's colleague. I felt that there was no greater honor in fact in being elected to Congress than in knowing that I would be his colleague. It seemed somewhat asymmetrical that I would have the same vote that he had here on the House floor. And when he would consult me on which choice he should make, should he become the chairman of the criminal law subcommittee or the immigration subcommittee, it was an honor for me to be consulted by Father Drinan as a young man now, but his colleague in Congress, as to what was the best place. And his criteria of course was what was the best place where he could do the most good for those most in need in our society. And of course, the way he saw our society was not just the United States of America but the whole planet.

So I had that unique opportunity to see him in both of those settings, both in law school and here on the House floor. And I saw him play the role of the catalyst, of the idealist, of the man who continued to push others when they say they can go no further in trying to strive for excellence and to stand up for an ideal. And that is the role that Father Drinan played not just in law school and not just here in Congress, but for the last 26 years since he left this Chamber.

When we stand in this Chamber of Congress, when Members of Congress are coming here to cast their vote, all of our names are flashed up on a board over the head of the Speaker to vote "aye" or "nay" on the key issues of our time. During the years that Father Drinan was a Congressman, as the Members would look up to see how other Members of Congress voted, when they looked up at Father Drinan's name, they knew he was not casting a vote looking at the next election, but rather he was looking at the next generation on every vote. And that led to almost every one of his elections being as close as an election can be, because he was not factoring in his own electoral life but rather the life of every person in our society. His vote was true north, every vote that he cast here in Congress.

As a Jesuit, he clearly lived up to the Jesuitical ideal of being a contemplative in action. He worked tirelessly for both tolerance and for social justice. He took on each task in this institution, large and small, as he did others in life, and offered them Ad Majorem Dei Gloriam, To the Greater Glory of God, which was a favorite phrase of St. Ignatius of Loyola, the founder of the Jesuit order.

He was unambiguous in his convictions that America could do better, could aspire to greater things for its people and the world. The direct and candid quality of Father Drinan's personality added to the moral force that Father Drinan brought to the quality of the debate in this Chamber. His personality animated these discussions in hearings and debates here on the floor. His eloquent, passionate, heartfelt speeches are greatly missed.

Madam Speaker, I think that one of the real ironies of Father Drinan's career is that at its very end here in Congress, in his very last term here that he served in this body, that he was unopposed. In other words, just at the point at which he had convinced those who lived in his district that in fact not only was he not outside the main stream, but his views were those that should be embraced by everyone who lived within that district, he was unopposed. He had fought Richard Nixon on Vietnam; he had called for Richard Nixon's impeachment because of the illegal bombing on Cambodia. He was someone who, by the time he had reached 1980, people looked up to with admiration that he had been unafraid during those fights during the early 1970s, one that had been able to now command the admiration of everyone in this body.

His defense of human rights was tireless, from the plight of Soviet Jewry to the victims of apartheid to the dislocated and the powerless in Central America. He risked his own life in going down to Central America after the assassination of Archbishop Romero. He was the first. His voice was the most powerful. He brought a moral dimension to the crimes that were being committed in Central America. He elevated that to a point where Congress had to deal with it. He mobilized the Jesuit community, the moral community not only here but around the world to focus on what was happening in Central America. It was Father Drinan. And he was literally risking his life when he went down there in those early years. There was no protection for him. That was the unwavering commitment of his life, that he would use it in order to advance the cause of those who were most powerless.

And at Trinity College, as Speaker PELOSI said, on the day before she was sworn in he delivered a sermon to each of us who was there on our responsibilities to help the children of Darfur, the children of Katrina, and every child in need of help around the planet. And he told us that it was our job here to make sure that those children were taken care of, that God's work was truly our own here in this great body.

Now, when Father Drinan was forced to choose between political life and his priestly life, it really wasn't a choice. On that day, I went up into his office and sat with him and I asked him how he felt. And he said, "EDDIE, it really isn't a difficult choice. I am a priest for life, not a politician. I will find other ways to serve God, and I will be able to accept this, although it is difficult." And that is just how he was. And for the next 26 years, it can be argued that he had the most productive part of his life, because during those 26 years he, then at Georgetown Law School, trained thousands of young lawyers to go out across this country and across this world in order to advocate on behalf of human rights.

So he showed us how we could pursue justice, seek continued incremental progress towards peace, towards a more just distribution of society's assets, and towards a Nation which celebrated diversity and fostered tolerance.

In the final analysis, Father Robert Drinan was a gift to all of us. Here in the House of Representatives, the memory of this iconic and comprehensively decent man of our friend and our colleague will be long remembered and venerated. He will be sorely missed not just here in Washington and in Massachusetts, but all around the world.

I thank the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. I thank my colleague. And I would now recognize another colleague who is carrying on very much that work. The gentleman from Massachusetts who just spoke alluded to Father Drinan's role in Central America, and our next speaker is a man who along with our late colleague Joe Moakley played a very important role in carrying forward that work of bringing people to justice which had begun with Father Drinan.

I yield such time as he may consume to the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. I want to thank my colleague from Massachusetts, BARNEY FRANK, for organizing this Special Order, and I want to thank him for his beautiful words paying tribute to Father Drinan as well as my other colleague from Massachusetts, ED MARKEY, for his very beautiful words honoring a truly great man.

I feel truly privileged to have known Father Drinan. As was made clear by the previous speakers, he was a remarkable man, remarkable in his incredible faith and remarkable in his strong political beliefs.

I think all of us who knew Bob Drinan will miss him; however, I believe that even those who didn't know Father Drinan personally will feel a great sense of loss, because we have lost a man who was truly dedicated to good. He was a man of unbelievable intellect, of unbelievable conviction and compassion. He also was a man with a great sense of humor.

You know, the day after his passing, I delivered a tribute to him on this House floor, and I recalled his early and steadfast opposition to the war in Vietnam and his most recent opposition to the war in Iraq.

□ 2100

He thought both wars were senseless and moral blunders. Father Drinan was someone who spoke his mind, regardless of the political polls or political consequences. Indeed, many of his closest allies would caution him to be careful in some of his pronouncements on some of the more controversial issues that he took on.

But even when his words were controversial, he had this kind of uncanny knack of usually being proven right; and whether it was the war in Vietnam or whether it was his call for the impeachment of Richard Nixon, he turned out to be right, on those issues and so many other issues.

I admired his commitment to peace and human rights. Whether it was speaking out on behalf of Jews who were being persecuted by the former Soviet Union or, as mentioned, whether it was his advocacy on behalf of so many people in Central America who were victimized by the wars that engulfed that region of the world in the late 1970s and early 1980s, nobody was more dedicated to human rights than Bob Drinan.

When raising his voice in Congress and trying to change U.S. policy was not enough, he would travel to the countries where people were being oppressed to speak out. Those of us who were involved in El Salvador during the 1980s recall with great admiration his visit to that country in the midst of a civil war where he said mass alongside of Archbishop Oscar Romero. Only a few months after that visit, Archbishop Romeo was murdered by Salvadoran death squads.

We also remember in 1989 when six Jesuit priests were murdered by the Salvadoran military. I was working for Congressman Joe Moakley at the time, who was investigating those killings. Father Drinan spoke up forcefully, demanding justice in that case.

It is also important to note that his service to people did not end when he left the House of Representatives. He continued to advocate for what was right and just in his teachings, his lectures, his numerous TV appearances and his writings.

Many of us would get calls from him, Did you see my piece in the National Catholic Reporter, he would ask, or we would get letters citing specific passages in a book that he wrote or a book that he read or some article that he thought was worth mentioning. He would sometimes suggest we use the material in a speech or perhaps insert something in the CONGRESSIONAL RECORD. He never stopped making a difference.

I have also had the privilege over the years of attending many dinners with Father Drinan. He always kind of held court. All the attention focused on Father Drinan because he was brilliant, and he had well-thought-out answers to every single policy question that ever existed.

Over the last several days, I have attended his calling hours at Georgetown University and his funeral mass at St. Aloysius Church here in Washington. I was struck by how many people whose lives he had touched. So many of them had dedicated their lives and their careers to public service and education. He inspired people, and the only thing that he scorned was indifference.

Mark Gearan, who was a former staffer of Father Drinan and who actually met his wife Mary Hurley working on Father Drinan's campaign, is now the President of Hobart and William Smith Colleges in New York, and he recently wrote an article that appeared in the Boston Globe entitled, "Father

Drinan was our unfailing champion." I would just like to read a passage here:

"But for me and countless others, it was his role as a mentor that distinguished Father Drinan. Amid the pressures of tough campaigns and congressional duties, he always reached out to young staff and encouraged their interest in politics and policy. He took time to ask your opinion on issues and was genuinely interested in knowing why you felt that way. 'Tell me something I don't know,' he would bark out in an elevator ride or driving to the airport. A tough assignment to respond to the author of 12 books with such a keen and inquisitive mind."

I recall one time attending a speech that Father Drinan gave before the Americas for Democratic Action here in Washington, D.C. When his speech was over with, he asked me what did you think. I said it was a great speech. He said what specifically did you like about the speech. I had to think for a minute.

But the bottom line was Bob Drinan was not interested in just empty plaudits. He wanted to know what moved people, what worked, how to get things done, how to move an audience.

This country is better off, not just because of Father Drinan. This country is better off because of the countless people he brought into the political process, people who love this country, people who want to make a difference, people who want to change it for the better.

Several years ago, I attended a graduation commencement ceremony, and the late John Kenneth Galbraith was the speaker, and he said to the audience of students, I would ask you to go out and comfort the afflicted, but given the current political climate that might be considered eccentric. So instead I will ask you to go out and afflict the comfortable.

That is what Father Drinan did, and that is what we are going to miss, a truly great man who did some extraordinary things not only for this country but for people all over the world.

Let me close as I began by saying I feel it a great privilege I had the opportunity to get to know this wonderful man, and I thank my colleague.

Mr. FRANK of Massachusetts. I thank the gentleman. Let me call on another of Father Drinan's former students who now serves on the committee where Father Drinan did such good work, the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Mr. Speaker, I thank you for organizing this Special Order so that we could pay appropriate tribute to Father Drinan.

I rise today to honor the memory of our former colleague, the distinguished gentleman from Massachusetts, Father Robert Drinan. Father Drinan was elected to this body in 1970 on a platform that advocated progressive ideals, basic human rights for all, and ending our involvement in Vietnam.

During his tenure in the House, Father Drinan was a powerful voice for the poor and disadvantaged; and as a man of faith, he clearly understood morality in its true sense. Just 2 years ago on NBC's "Meet the Press," Father Drinan eloquently stated:

> There's a common core of moral and religious beliefs, and frankly, we are in total violation of that. We are supposed to be good to the poor; we have more poor children in America than any other industrialized nation. We're supposed to love prisoners and help them; we have 2.1 million people in prison, the largest of any country on the Earth. We also allow 11 children to be killed every day. All of the religions are opposed to that. That's violence. Why don't we organize on that?

Father Drinan spent his life advocating to change these realities. As chairman of the Subcommittee on Criminal Justice, Father Drinan strived to reform our still broken criminal justice system; and as the new chairman of that subcommittee, I hope to carry on Father Drinan's legacy in that regard.

Father Drinan's compassion for the disadvantaged did not end with his tenure in Congress. After leaving Congress, Father Drinan continued to advocate for basic rights with his service with the International League of Human Rights, the Lawyers Committee for Human Rights, the International Labor Rights Fund, and the NAACP Legal Defense and Education Fund. He also spent the last 26 years as a law professor at Georgetown University.

I did not have the personal privilege of serving alongside Father Drinan in this Chamber, but I first encountered Father Drinan's commitment to equality during my senior year in college. At that time, Father Drinan was dean of the Boston College Law School, and he went out of his way to open opportunities for minorities at the law school. This motivated me to apply to Boston College Law School, and today, I am a proud graduate of the class of 1973.

Mr. Speaker, this evening we pay final tribute to one who dedicated his life to improving the lives of others and making the American Dream accessible to all. A Jesuit priest who, even as a Member of Congress, lived in a small room in the Jesuit community at Georgetown, Father Drinan helped make better the lives of countless millions of Americans of all religious, racial and ethnic backgrounds. Our great Nation will certainly feel the loss of this courageous and compassionate humanitarian.

I thank you for yielding to me and thank you for the opportunity to pay tribute to Father Drinan.

Mr. FRANK of Massachusetts. Mr. Speaker, I thank the gentleman for his contribution, and now let me call on another member of the Massachusetts delegation who did not serve with Father Drinan here, but has provided very important service to the Commonwealth of Massachusetts in the State legislature as a leader during the time that Father Drinan was here and another one who carries on in that tradition, the gentleman from Massachusetts (Mr. OLVER).

Mr. OLVER. Mr. Speaker, I thank my friend from Massachusetts for organizing this tribute, and I am grateful for the opportunity to add a few thoughts to the eloquent comments of my colleagues in celebration of the life of Father Robert Drinan.

Priest, lawyer, teacher, author, law school dean, Congressman and international statesman, Father Robert Frederick Drinan was an amazing individual who touched the lives of thousands.

More than 100,000 of my current constituents in the northern part of Worcester County, Massachusetts, were fortunate enough to have been represented by Father Drinan during his time in Congress, and they were served extremely well by his unique brand of politics and conscience.

Father Drinan was elected to this House by what was essentially an anti-Vietnam War platform. He was the first to call for the impeachment of President Nixon but not on Watergate grounds. Father Drinan's cause was the President's illegal bombing of Cambodia.

He was a passionate supporter of international human rights. Father Drinan spoke out against injustice wherever he saw it. He even privately funded several humanitarian missions to Chile, El Salvador, Vietnam, the Philippines, and other developing countries torn apart by violence and oppression. He repeatedly urged the President and Congress to do more to restore religious and social freedom to the people of Russia, Bolivia, and Iran.

While he served in the Congress, he uniquely balanced matters of faith with matters of state. Although he opposed abortion on moral grounds, he held that particular religious belief as separate from the issue of the legality of reproductive rights and thus was a fervent supporter of those constitutionally protected rights.

In his district, Father Drinan worked to increase affordable housing in older cities like Fitchburg and Gardner, both of which are in my current district. He was also instrumental in securing funding to begin the cleanup of the Nashua River in north Worcester County. Twenty-five years later, his efforts are the foundation on which we build today.

Later in his life, Father Drinan continued his crusade for international human rights by teaching that subject at Georgetown University and by lending his expertise to numerous international justice organizations here in

Washington. For his distinguished career in public service, the American Bar Association and later this House of Representatives awarded him official honors.

Father Drinan's life's work is an enduring example of public and humanitarian service that few will ever equal, but we should all aspire to follow his example. He led with superior conviction, and he lived his life with universal compassion. He will be remembered for many, many years to come.

Mr. FRANK of Massachusetts. I thank the gentleman, and finally, very appropriately, a colleague of Father Drinan's in the fight against racism on the central, moral fights then and now in this country, the delegate from the District of Columbia, a woman who prior to coming here was a leader, as she still is, in the movement against racism and for civil rights, and in that capacity, worked very closely then and later with Father Drinan who paid her the ultimate political tribute I think of becoming her constituent. Although I think he was still voting absentee up in my district, I will tell the gentlewoman, but you had his body. I had his vote. It was a good trade. I recognize now the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Speaker, I thank the gentleman for yielding to me, and he will understand that Bob Drinan was also a politician; and by voting for you in Massachusetts, he at least had a vote. Whereas living in the District, I appreciate that you provided him with a way for him to express his views.

Mr. FRANK of Massachusetts. I think the gentlewoman would agree that he was confident there would not have been much daylight between our voting records. So he could do either one.

Ms. NORTON. The gentleman knows well that he would have expected you to lead this Special Order and he would have wanted you to lead this Special Order, and he would have been right. He would have been right not only because you had the good fortune to inherit his district, but as he would have known, that the gentleman who inherited his district, the new chairman of the Financial Services Committee, would bring it all together for us.

I appreciate the way you have capsulized Bob Drinan's life, and I appreciate the words of his several colleagues, because each has, in his own way, told us something we did not know about this remarkable man.

Now, I have listened in patience to my Massachusetts colleagues who, with some reason, can claim Father Robert Drinan, son of Massachusetts after all, a man who represented the State, a man who after all was born and spent much of his life in the State; but you will forgive me if I come forward to speak for the residents of the District of Columbia and especially for my colleagues at Georgetown University where he lived and worked as a priest and scholar who also this evening and forever will lay claim on Father Bob Drinan.

For me this is a very sad occasion because I was and remain a tenured professor of law at Georgetown University and go every other week to teach a course there. How else could I retain my tenure which is harder to get than to be selected, and he and I joked about that.

□ 2115

But the fact is that there has been an outpouring on the Web site of students, of faculty, because Bob died so suddenly. We got a faculty notice just last week saying Professor Drinan is ill, he is in the hospital, we fully expect his recovery, and telling us that we should leave notes for Bob in a faculty box, and they will see that they got there. This is a man who died on his feet, remarkably vital to the very end. He died the way we all want to die, just like that. No long illness, going to his last class, he died as he lived.

I must say, to the gentleman from Massachusetts, I can only imagine what the experience must have been when Bob Drinan was on this floor, because I did not know him as a Member of the House. He was gone for a long time by the time I got there.

He was 86 when he died, that is living a long life. I was tickled to read a quote of his in the Legal Times when he was asked about whether he thought about retiring from the faculty? And Bob Drinan said, "Jesuits don't necessarily retire," they just did what you do, and he did keep doing what he did, and he did it through a fare thee well. Dean Aleinikoff said, well, when writing for the faculty and students, he said, "his life was fully devoted to the service of others—in the church, in the classroom, and in Congress."

Of course, Bob does not need more recognition. I am not sure there was a more recognized man. He loved being recognized. Not out of hubris, but out of the delight and joy that was just a part of his life. He was joyful every time you saw him. He was a man of ideas who always wanted to stop you to pluck one of those ideas out of his brain and see where it would go in yours.

Among the honors that are most delighted him was the faculty, the vote of the faculty at the law school to establish the Robert F. Drinan Chair in Human Rights. I suppose the only thing that might have delighted Father Drinan as much as what we did in just last year, an award, that is, seldom given to past Members of Congress. After all, all of them merit our love for their service, and he was one of three you heard Speaker PELOSI speak about how rare is that honor.

In 2004, the ABA awarded him its highest award, calling him a man of the stuff of which legends are made and legendary, and he was, even in his lifetime. He is really, and we have to face it, the first and the only priest to serve in the Congress. He will be the last probably.

I note that there was a nonvoting delegate who served before him, but you see it doesn't count in the Congress. That is why D.C. is trying to get the vote. So Rob Drinan is the only priest who served. When he first ran, he was asked by one of the Boston papers, well, why are you a priest running for Congress, and he answered, "Why? Why not? Jesuit priests always have been avant-garde. Right?" Right, Bob, but have no doubt about it. Bob was a priest first.

When he wore the collar on the floor, he was not trying to impress anybody. He was, I think, being entirely candid when he said it is the only suit I own. Of course, it startled those who have never seen a priest on this floor, much less as a Member.

When he was running for Congress in Boston, there were some who irreverently said "Our father, who art in Congress," as an unofficial campaign slogan. Yet, when he bowed to the discipline of his church and was asked whether he had pain and regret, he answered it is just unthinkable that he would renounce the priesthood to hold office. Here I am quoting him, "I am proud and honored to be a priest and a Jesuit. As a person of faith, I must believe that there is work for me to do which somehow will be more important than the work I am required to leave." I hope Members of Congress will hear those words, this man who had a life after Congress understood, that honor though it be to be elected to the House and the Senate, that may well not be the greatest honor you will ever receive.

For Bob Drinan, it was not what, of course, you, Mr. Chairman, have spoken of, what his colleagues from Massachusetts have spoken of, is the extent to which his deep religious beliefs did not stop at the altar, did not stop at the church door.

I think that Father Drinan would have been very much at home with the bishops, the bishops who are first to stand up against war, the bishops who are the first to speak out for the minimum wage, the bishops who are the first to decry the inattention to the poor. Bob Drinan was, indeed, a priest.

He, when he went to teach at Georgetown, this was no favor to the law school. I had to go on a tenure track like everybody else, 7 years of writing. Bob Drinan did not, he had been a dean of a great law school, he had gotten his tenure, and he was welcomed with open arms at the law school. He was no first-time scholar. What was his discipline? In law school you have to teach what the law school needs, but if you have a specialty, it becomes yours. Can anybody doubt why Father Drinan focused on legal ethics and international human rights?

Mr. Chairman, you have said he virtually created the field. It is a field now that our students, Georgetown and throughout the country, study. It is one of the great and growing legal disciplines of our time. One of his last statements was made in a book called, "Can God and Caesar Coexist," balancing religious freedom and international law? For Bob Drinan, father and priest, God and Caesar existed together, but the magic and marvel of the man, that when he spoke and acted for Caesar, for the State, he understood that he was subject to the discipline of the State, and that meant the first amendment of the United States Constitution, which protects, after all, the State and the church from each other.

They are dangerous for each other. They can impose their will on each other. It is the great first amendment that keeps that from happening, standing side by side, freedom of religion, but that is impossible in our country only when there is no action connoting the establishment of religion.

The President, Mr. Chairman, and you have already, I think, entered for the RECORD, the statements of those who spoke at the funeral, you and I, and many other Members who attended, President of Georgetown, John DiGioia, said in his statement something that reminds us the deep character of man for whom choices that many of us would find difficult were easy because he had assimilated who he was decades before, and our President DiGioia said. At the peak of his engagement Bob Drinan was told he could no longer serve as an elected Member. And we can all imagine how difficult that choice might have been for us. But for Bob, there was never any real choice. The true character of the man, the depth of his identity as a priest was revealed by his act of obedience.

Mr. Chairman, my appreciation is particularly great to you. I have waited my turn. I have waited my turn, not because of seniority, but because those of you who came from the Massachusetts delegation were, of course, those who spoke first and foremost for and about Father Drinan. But if I may say so it is with the greatest sorrow and the greatest respect that the residents of the District of Columbia, the faculty and students of Georgetown University join you in honoring a remarkable Member of Congress, a remarkable priest, a remarkable son of Massachusetts and, yes, a resident of the District of Columbia.

Mr. FRANK of Massachusetts. I thank the gentlewoman.

As I summarize, let me say I think there is a common theme here. We have discussion again about the global morality of politics, and the role of morality in our lives. Father Robert Drinan exemplified that. In his personal life for over 60 years a priest, he gave the exemplary disciplined life that he chose as a priest and adhered to a code of personal morality that very few human beings achieve with a dedication and a belief.

At the same time, he recognized that the personal moral choices he made as a priest, and that he urged others to make, were those personal choices and voluntary choices, and he understood the difference in the scope of governance. He understood that there is a private morality and a public morality. Not that they are in conflict, but that they cover different spheres, and where human beings interact with each other, it is required that government set the rules.

He was a man who did as much to make sure that those interactions were governed by a set of moral principles founded on what was for him a fundamental religious belief and the dignity of man, and in his side-by-side example of a strict code of personal morality, which he followed as a matter of choice, and his insistence that government, when it became coercive, followed the morality of recognizing the dignity of all human beings, he helped us, if, when we listen and read the lesson of his life, to understand what for some people is a difficult decision.

Mr. LANTOS. Mr. Speaker, it is with great sadness that I rise today to honor a remarkable man, whose recent passing leaves a tremendous void in the world. I am referring of course to Father Robert Frederick Drinan, the first Catholic priest to serve as a voting Member of Congress and a pioneer advocate for human rights.

According to news reports Father Drinan passed away from complications from pneumonia and congestive heart failure, but during his life Father Drinan spoke out clearly and loudly on behalf of those without a voice. His passion to protect the fundamental rights of the human condition both great and small was second to none.

Mr. Speaker, Father Drinan's was a powerful force on behalf of human rights and he helped pave the way for the establishment of the Congressional Human Rights Caucus. Although I came to Congress after he was forced to resign his seat, I fondly remember working with him in the defense of Soviet Jews in the early 1980s and I recall that he was routinely denied entry into the Soviet Union because of these convictions.

I think it is poignant to know that Father Drinan never got caught up in the trappings of power or the personal ambitions of high public office. The best evidence of this fact is that Father Drinan never considered resigning from the priesthood when Pope John Paul II asked him to retire from Congress or resign.

Robert Drinan was born in 1921 in Boston and entered the Society of Jesus after graduating from Boston College in 1942. He completed his seminary work at Weston College, where noted activist Daniel Berrigan was a classmate. After earning a master's degree from Boston College in 1947, Father Drinan headed south to Washington, DC, where he received two law degrees from Georgetown University. Father Drinan was ordained in 1953 and completed his doctorate in theology from Rome's Gregorian University. In 1955 he returned to his native Boston to take a position as associate dean and professor at Boston College Law School. He became dean of the law school until 1969, when he left to run for Congress. After besting a 14-term Member in the Democratic primary, Father Drinan sailed to victory to become the first Catholic priest to be elected as a voting Member of Congress. During his 10 years as a Member of the House of Representatives, Father Drinan was an active member of the House Judiciary Committee and brought the first resolution of impeachment against President Nixon. For years after he left office until his death he continued to write and teach as a professor at the Georgetown University Law School.

Mr. Speaker, during his time in Congress Father Drinan's dual role as priest and Representative personified the beauty of our constitutional underpinning of the separation of church and state. Using his priestly authority, he easily fit the mold of moral architect on efforts to end the war in Vietnam and to highlight abuses of human rights around the globe. However, he also disregarded church doctrine to faithfully represent the views of his "pro-choice" constituency on issues like abortion that rankled and angered many conservative Catholics.

Truly, Father Drinan was a beacon to follow for those of us who know the difficulties and challenges of having to fight for sometimes unpopular positions. He fought those fights all of his remarkable life that we will long remember.

Mr. HOLT. Mr. Speaker, I rise today to celebrate the life of our former colleague and man of faith, Father Robert Drinan. I never had the honor to serve with Father Drinan in Congress, but the effects of his advocacy and leadership remain. In the years after he left Congress and contining through my election and service, I was encouraged and honored to have the friendship and counsel of Father Bob.

His life is unique in American history. He was the only Roman Catholic priest to be elected to Congress. He represented the best that we, as Members of Congress, can aspire to. Not bound to special interests or enticed by political gains, he truly cared about the people who had elected him and those around the globe who were persecuted or malnourished, who could be called "the least of these."

He was a passionate advocate for the poor and he called ending world hunger his "number one passion." His opposition to the Vietnam war was the centerpiece of his 1970 campaign. Asked by a reporter for the Boston Globe why he decided to run for Congress, Father Drinan replied, "Why? Why not. Jesuit priests have always been avant-garde. Right?"

Born in Boston on November 15, 1920, Father Drinan never strayed far from the city and people he loved. After earning his bachelor's degree at Boston College in 1942, he enrolled in the Society of Jesus. He completed his seminary work at Weston College, earned a master's degree from Boston College, and a law degree from Georgetown University. In 1953, Father Drinan was ordained and shortly thereafter completed his doctorate in theology from Gregorian University in Rome. As dean of the Boston College Law School, he transformed the institution into one of the premiere law schools in the country.

In 1980, when he left Congress, he returned as a teacher to Georgetown University Law School. It was there that he not only taught but wrote important works of scholarship and continued to serve as a moral compass to his students, government officials and all Americans. He was deeply interested in human rights, constitutional rights, civil liberties and ethics. Until the very end of his life he continued to celebrate Sunday evening mass with the law students he taught and loved.

It has been recalled recently that when asked about his decision to wear a clerical collar and a black suit, his standard reply was, "It's the only suit I own." He was a sharp wit, but also a deeply moral man. Many current and former members have called Father Drinan "the conscience of the House." Senator EDWARD KENNEDY said of Father Drinan that, "of all the hats he wore, none fit better than teacher, for he was a teacher to all of us." Father Drinan will be sadly missed by this institution and our Nation. I am glad that last year the House honored Father Drinan with the Distinguished Service Award for his decade of service in the House.

I knew Father Drinan best from his work as chairman on PeacePAC, a division of Council for a Livable World, and as director of the Center for Arms Control & Non-Proliferation. He was a man who believed deeply in world peace and he struggled mightily to achieve it. He and the Council for a Livable World encouraged me when I first considered running for this office, and I will always remember their support and true belief that peace should be a goal of all Members of Congress.

In November of 2006, the Council for a Livable World established the Father Robert F. Drinan National Peace and Human Rights Award to be given annually by the council to the individual who best exemplifies Father Drinan's commitment to peace. As Father Drinan said at the unveiling of the award, "people will be reminded that: you cannot just make war." He was right to oppose the Vietnam war and right to oppose the Iraq war. We can all learn from his life's commitment to peace.

Georgetown University President John J. DeGioia recently eulogized that, "Bob Drinan never faltered, was never discouraged. It remains for all of us to carry on the work for which he prepared us, to build an earth in which justice will prevail."

Mr. Speaker, let us carry the spirit of Father Drinan in our hearts as we in Congress continue to work to complete the work he called us to do.

Mr. RANGEL. Mr. Speaker, I rise today to pay tribute to the life of Father Robert F. Drinan, his enduring faith, and lifelong commitment to human rights. Father Drinan passed on January 28, 2007, at his residence in the Georgetown University Jesuit community in Washington, DC. He was 86 years old and had recently been ill with pneumonia and congestive heart failure.

Father Drinan was an unwavering defender of the civil and human rights of all Americans. His commitment to these principles was anchored by his religious conviction and a fundamental belief in the rights of all people to be respected and protected by their governments and elected leaders. It was this conviction that led Father Drinan to politics in 1970 when he sought a seat in the U.S. House of Representatives. During his tenure in Congress, Father Drinan was an outspoken opponent of the Vietnam War and was the first person to call for the impeachment of President Nixon. Father Drinan was re-elected four times, serving from 1971 until 1981. He stepped down in accordance with a directive from Pope John Paul II, barring priests from holding public office.

Father Drinan was the first Roman Catholic priest to serve as a voting member of the U.S. Congress. I had the honor of serving with him on the Judiciary Committee during the Watergate proceedings. He was a man of deep convictions, a passionate leader and a good friend. Long after he left Congress, Father Drinan continued to be a vocal supporter of human rights. Through his words and his actions he demanded morality in our political leadership. Ever committed to his work, Father Drinan spent the past 21 years as a professor at the Georgetown Law Center where he focused on legal ethics and international human rights.

We all mourn the loss of Father Robert F. Drinan, a man who committed his life to standing up for what he believed. He will be greatly missed.

Mr. HONDA. Mr. Speaker, I rise today to memorialize the recent passing and pay tribute to a great and former Member of this House, Father Robert Drinan. Many Members of this House have already praised his advocacy of human rights and women's rights, his efforts to uphold government morality, his role as an educator, and his commitment to his Catholic faith. I rise today to highlight and honor Father Drinan for a particular element of his human and civil rights advocacy work.

In 1981, as a former Congressman and noted advocate for social justice, Father Drinan was named to the Commission on Wartime Relocation and Internment of Civilians (CWRIC). This commission was formed to investigate the facts and circumstances surrounding Executive Order (EO) 9066 and the impact of this order and the ensuing exclusion, relocation, and internment on American citizens and permanent resident aliens of Japanese ancestry.

The CWRIC found that EO 9066 and the decisions that followed were not justified by military necessity, but shaped by racial prejudice, wartime hysteria, and a failure of political leadership. As a member of the commission, Father Drinan was among the most outspoken about the need to remedy the injustices done to these loyal Americans and permanent residents. Based on the CWRIC's findings and recommendations, Congress passed the Civil Liberties Act of 1988, which provided a national apology and redress to all surviving individuals who were excluded from their place of residence due to EO 9066.

The CWRIC and its findings are cited as historic and remarkable due to their impeccable credentials, solid research, and far-reaching influence, As such, we cannot understate the role of Father Robert Drinan in the proceedings and findings of this commission. He spoke for redress to former internees in his Congressional testimony on behalf of the commission. His testimony was truly instrumental in the passage of the Civil Liberties Act and sent a message to the Nation and the world that the U.S. Government is able to admit its mistakes and take responsibility in making reparations. In a speech before Congress in 1987, Father Drinan profoundly stated, "No U.S. Government may take away the liberty of its citizens, even in wartime, unless there is some clear and provable reason. Lacking any such reason, the deprivation of liberty of any U.S. citizen is a clear violation of the Constitution, which states in the 14th Amendment that no person may be deprived of 'life, liberty, or property without due process of law.'"

Father Drinan maintained his commitment to the causes of human rights, education, and promoting awareness of the triumphs and follies of U.S. history throughout his life and well after his tenure on the CWRIC. On the matter of Japanese American Internment, Father Drinan was among the founding board members of the Civil Liberties Public Education Fund which was created by the Civil Liberties Act of 1988 to fund educational and humanitarian purposes related to the wartime internment of Japanese Americans. As part of this board, Father Drinan ensured that we as a Nation never forget the mistakes in our history and are reminded to uphold the virtues of equality and justice for all.

Mr. Speaker, Father Robert Drinan has certainly impacted this Nation in innumerable ways, but I have been personally touched by Father Drinan's work and advocacy on behalf of the Japanese American community towards redress. Our Nation owes Father Drinan much honor, respect, and gratitude for his work to address the wrongs done to Japanese Americans during World War II and his tireless effort to ensure this Nation lives up to its own standards. He will be sorely missed.

Mr. FRANK of Massachusetts. I appreciate the indulgence of the House; I appreciate the Members who spoke and submitted information and material for this RECORD.

Mr. Speaker, I submit for printing in the RECORD the eulogies for Father Robert Drinan referred to previously.

St. Aloysius Church, Washington DC,
February 1, 2007.

HOMILY FOR THE FUNERAL OF ROBERT DRINAN, S.J.

(By John Langan, S.J.)

John XXIII, in his great encyclical, Pacem in terris (1963), which was written exactly halfway through the course of Robert Drinan's life, has a passage which puts before us an important goal, the vision of a society of citizens exercising and claiming rights: It is agreed that in our time the common good is chiefly guaranteed when personal rights and duties are maintained. . . If any government does not acknowledge the rights of man or violates them, it not only fails in its duty, but its order completely lack juridical force." Pacem in terris (60–61)

A society built on the practice of rights is not so sweetly transcendent as the holy mountain of feasting and joy which Isaiah summons up for us; it is not so intimately and delicately responsive as the virtue of charity or agape which St. Paul commends to us. But it is essential to the realization of the common good in a world which is marked by enormous human diversity and intermittently intense social conflict. It is a reality which protects those of us who are neither beasts nor angels from our own worst impulses and from the harms which others would do to us. It is the not the realm of the best but of the imperfect good and the necessary. It has been the favored realm of Anglo-American jurisprudence and a refuge for those who suffered from brutal and destructive social experiments carried on in the name of ideology and religion. It is a realm which Robert Drinan, as a distinguished American lawyer and professor of law, and John Courtney Murray, the great American theologian, valued and commended to other Catholics, especially for its affirmation of religious liberty. It is a realm of ideas which has enabled Catholicism to flourish in this country and which has taught Catholicism important lessons about the theory and practice of human rights, a cause to which Bob Drinan devoted enormous amounts of his apparently inexhaustible energy and many years of that life whose end we now mourn. It is a realm which always needs to be defended, but especially in times of fear and uncertainty when false prophets would persuade us that the magnitude of some threat justifies the overriding of those rights which constitute the core of our liberty. It is a realm which we as Americans have been anxious to extend, perhaps even beyond the limits of our capabilities. In taking up the causes of South African victims of apartheid, of Soviet Jews, of the disenfranchised in Central America and the disappeared in the Southern Cone, and of the Muslims of Darfur, and in arguing for effective judicial protection for universal human rights, our friend Robert was preaching the same values and ways of thinking as he did in opposing segregation and capital punishment and protecting civil liberties in this country.

For the most part, his advocacy of human rights harmonized with the social and moral teaching of the Catholic church. But it must be acknowledged that on the immensely painful subject of abortion there was sharp conflict, a conflict which I wish neither to minimize nor to revisit but only to put into a larger context of common concern for the well-being of women and children in a society wracked by moral disagreement. This point also reminds us that the notion of human rights is not transparent in its content but is often used to express profound conflicts in a common legal language. It is not what Bob would call a MIGA, it does not "make it go away." In the matter of abortion, it is important to remember that a decisive point of disagreement for many Catholic politicians is about the appropriate limits of state action and about the attainability of a stable democratic consensus on a matter on which the major religious and philosophical traditions reach conflicting conclusions, not about the moral issue in itself or about Catholic teaching. The shape of legislation can be a matter for prudential disagreement, not an issue of faithfulness.

Three years after Bob began his career in Congress, Roe v. Wade turned abortion from a contested legal issue to a divisive political issue. This he had to live through, for in addition to being an advocate for human rights, he was also a practicing politician. This, in combination with his priesthood, was the feature of his life which most attracted the attention of the media and the general public. It was also what made him particularly significant to his colleagues; for here was a moral and religious leader who was ready to walk the walk and talk the talk of politics with them. In fact, it became clear to everyone that he enjoyed doing so and that he was very good at it. In listening to comments from various of Bob's colleagues over the years, I heard a gratitude and a pride which arose from the fact that he as a priest was ready to work alongside them in the demanding though often derided task of legislation in a modern democracy. This is an indispensable and noble contribution to our common life, a vocation in itself. Bob had the vision and the grace to combine two difficult vocations in a way which strengthened the commitment and the morale of his colleagues. His ability to do this was a consequence of the fact that he lived what he was doing as the work of justice, not merely the ambitious pursuit of a career.

The contribution which he made as a priest in politics was a suitable prelude to the work of his later years in promoting the study of legal ethics and in founding the Journal of Legal Ethics here at the Georgetown University Law Center. Events of the last twenty years have presented a series of disillusioning crises which have created widespread public demands for reform of the profession and a continuing need for careful scholarship and prudent judgment. This was a work in which Bob could find a happy convergence of his professional and priestly roles. It also provided an academic and professional counterpart to the concern he always had for the growth and the well being of those aides whom he called his "minions" and whom he enjoyed for the generous energy which they brought to political life. This energy was, of course, their imitation of and response to his own enormous energy and sharpness of focus. If Robert Drinan, was like Christ and all Christians, a grain of wheat destined to fall into the earth and die, as today's Gospel reminds us, he has born much fruit in those supporters and aides and in the generations of students who cherished him as one of the most remarkable teachers they ever had and who have been filling up the web page at the Law Center with testimony to his impact and his dedication.

But the underlying unity of the incredible amount of work he did as teacher, writer, speaker, political leader was his commitment to his identity as a member of the Society of Jesus and as a Catholic priest. When he was confronted with a very stark and public choice, he made it clear what his own priorities were. This may have puzzled and pained many of his friends and colleagues, but it made it clear that his commitment to the work of justice in the law and in politics was truly an expression of his response to the love of God, a response which affirmed that love and justice are indeed bound together, but that neither requires a particular office or role, that at the center of his being he would be God's faithful servant first, last, and always and that this meant he would continue to be a very American, very pragmatic idealist, an advocate of the society of right in which the work of justice still needed the dedication and guidance of one who would remain priest and prophet.

I do not know what purgatory will be like for Bob. He would dismiss any form of physical suffering or infirmity as a trivial restraint on the desire of his heart for the good and an empty distraction from the important work to be done, as he did in the year before his death. I surmise that the central part of his purgatory will be accepting that he has indeed arrived in a jurisdiction where justice can be attained without lawyers and where the administration is reliably good and beyond impeachment. But I cannot imagine that this will be a long or traumatic episode.

Through his eighty-six years he learned much and gave much to his students, his colleagues, his country, and to his community of vocation and choice, the Society of Jesus. As a result, so many of us mourn him and look to him as an iconic and exemplary figure, a man in whom the religious and political issues of our age came together fruitfully, if not always happily. We salute a life well lived for the good of others. We recognize a Catholic son of New England, who learned Protestant virtues and institutions and who came to share Jewish joys and sorrows, and who in consequence became more comprehensively Catholic and more universally human. We give thanks for a man of talent who seized opportunities to serve and a man of peace who was not afraid of conflict. We give praise for a friend who gave generously of his time and his knowledge to so many of us even while he remained splendidly and eccentrically himself.

But in this task of capturing Bob's special union of the vitally personal and the universally good, the deeply Christian and the proudly American, I will give the last and best word to our fellow Jesuit, Gerard Manley Hopkins, who wrote in 1881 this sonnet:

"As kingfishers catch fire, dragonflies draw flame;
As tumbled over rim in roundy wells
Stones ring; like each tucked string sells, each hung bell's
Bow swung finds tongue to fling out broad its name;
Each mortal thing does one thing and the same:
Deals out that being indoors each one dwells;
Selves—goes itself; myself it speaks and spells,
Crying What I do is me: for that I came.

I say more: the just man justices;
Keeps grace: that keeps all his goings graces;
Acts in God's eye what in God's eye he is—
Christ—for Christ plays in ten thousand places,
Lovely in limbs, and lovely in eyes not his
To the Father through the features of men's faces."

So we salute a man who has challenged our judgments of what is truly important, who has given a superlative example of generous service, and who never rested from his desire to do the work of justice. As he said to me in what turned out to be our final conversation, "I do not rest in the daytime." He goes on one final trip back to the district, where he will finally rest with his brother Jesuits in New England. We pray—may God be with you, Bob, and may God be with us as we take up our share in the great work. For, as Congressman Hoyer reminded us the other day of the motto above the Speaker's Rostrum in the House, where Bob spent his happiest and richest years, "In God We Trust."

EULOGY FOR FR. ROBERT DRINAN

(By Ladislas Orsy, SJ)

At this sacred place,
As the ancient and solemn prayers are unfolding,
And our spirits are finding peace and rest,
We remember the faithful servant of God, Robert Drinan, our friend.

He was a priest who offered prayers on our behalf in troubled days;
He was a teacher who had no fear to tell the truth in confused times;

He was a voice for those who had no voice;
He reached out for those who were in distress.

In our spirit he is still alive, his words still echo in our mind.

Now, a silence envelops him,
A silence surrounds us.

How shall we keep his memory alive?

Powerful persons build monuments for themselves so that they are remembered: the pharaohs built pyramids in their quest for immortality.

But, a good person will be remembered for what he was: he needs no monuments; he lives in the minds and hearts of those who knew him.

My task is to speak well of him (this is what eulogy means).

This task is hard and easy.

It is hard because he had a rich and complex personality.
And throughout his life he struggled to receive an abundance of grace.
And God struggled to get hold of him.

It is easy because what I am going to say you already know, all I do is to articulate what you have perceived.

Let me then say it simply and plainly—with no ornament:

Fr Robert Drinan was a good man.
He had an immense capacity to give: that tells it all.

Whenever his restless eyes caught sight of someone,
He or she could be a local or a visitor, a student or a teacher, a poor soul or a rich benefactor,
If conversation ensued
Fr. Drinan invariably unfailingly was ready to help him, to help her; and then he the helper said gently "Thank You!"

He fulfilled the greatest commandments in the law:

"You shall love the Lord, your God"
And "you shall love your neighbor as yourself."
These two commandments—Jesus said—Are the perfection of the law (cf. Mt. 22:34–40).

He was therefore a good lawyer: he fulfilled the greatest commandments of the law.

How did he come to that? He gave from his own riches.

I presume, (I do not know, but no other assumption makes sense),
That once upon a time,
The young Robert Drinan discovered the gift of this beautiful creation,
And had a glimpse of its almighty Creator,

Thus he became rich
And he conceived a gratitude
For all that he received,
And responded by enriching others.

And then the decisions that shaped his life simply followed:
He became a priest, a teacher, an advocate of human rights, a helper of those in distress.

The goodness that he received and possessed shaped his personality,
And throughout his life he kept giving,
Assiduously and impatiently,
Perfectly and imperfectly,
But always magnanimously
To all and sundry.

In one way or another, we all experienced it.
I am indeed articulating what you know.

Indeed, he was a good lawyer.
And he fulfilled the perfection of the law.

In response to the gift that he has received he wanted to mend a broken world.
Now we understand his bursts of energies, his broken sentences, his impatient gestures, and—the quiet retreats year by year.

Fr. Robert Drinan needs no monument to be remembered:

His spirit is alive in many minds and hearts,

May his spirit be the driving force of our lives.

FATHER DRINAN FUNERAL MASS FEBRUARY 1, 2007, ST. ALOYSIUS CHURCH, WASHINGTON, DC

(By John J. DeGioia)

"Here is my servant, whom I uphold, my chosen one in whom I delight; I will put my Spirit on him and he will bring justice to the nations."

These words of the Prophet Isaiah describe a man we all know as a true servant of the Lord, because he was a true servant of justice.

Our University community, our country, our global community—we were all profoundly fortunate to have known him, to have benefited from his wisdom, his keen intellect, his principled leadership, his great heart.

A devoted patriot, he demanded that the government serve all of the people and not only the wealthy and the influential.

A cherished pastor, he shared the joys of countless weddings and baptisms and provided guidance and unwavering support to so many as they wrestled with difficult questions and great personal challenge.

A gifted teacher, he expected that students master the letter of the law, while cultivating in them a respect for the spirit of justice and preparing them to accept the ethical responsibilities of their profession.

A man of deep and abiding faith, embraced the command to love his neighbor—and for Bob, that meant solidarity with those in need throughout the global community.

Bob understood that human dignity is not contingent on the whims of the state. It is an absolute, objective good that government, that power, that the rule of law must protect and promote. Human dignity is not constrained by manmade boundaries and borders, and neither is our obligation to foster and support it. Bob traveled the globe on human rights missions, telling the stories of those whose voices those in power could not or would not hear, and championing those who could not fight.

The way Bob brought his faith into public life can be an inspiration to us all. Public service was a means of living out his deep faith, his vocation as a priest. And so, he was a public servant of extraordinary compassion and conviction, conscience and character who knew that the power and platform of public office were subordinate to justice.

It was the depth of commitment to his vocation that was the most striking dimension of Bob's character.

I first met Bob more than 25 years ago when I was serving as assistant to Father Tim Healy, then President of Georgetown. For those of you who knew Tim, you will remember that he was not easily awed.

When he spoke of Bob Drinan, there was a sense of awe in his voice.

No doubt, Tim was as impressed by Bob's achievements as all of us were. But there was something else that moved Tim when he reflected on the example of Bob Drinan. They shared the most profound dimension of their identities—they were both Jesuit priests.

When asked about his ability to serve Georgetown, Tim would often say, "I serve at the will of our Board of Directors, but I am available to serve because my superiors in the Society of Jesus permit me. If my superiors believe that I can best serve in some other way, then I will do as I am told."

At the peak of his engagement in the Congress, Bob Drinan was told he could no longer serve as an elected member. We all can imagine how difficult the choice might have been for us. But for Bob, there was never any real choice. The true character of the man, the depth of his identity as a priest, was revealed by his act of obedience.

The passage from Isaiah concludes, "He will not falter or be discouraged until he establishes justice on earth."

Whether as a dean of law school at Boston College of 14 years, or as a member of Congress for 10 years, a member of our Law center faculty for 26 years, a Jesuit of 65 years, the call was that of justice. Bob Drinan never faltered, was never discouraged.

It remains for all of us to carry on the work for which he prepared us, to build an earth in which justice will prevail.

REMARKS OF SENATOR EDWARD M. KENNEDY AT THE MASS OF THE RESURRECTION FOR REVEREND ROBERT F. DRINAN, SJ

Father Brown, Father Langdon, Madam Speaker, Helen, Betsey, Suzy, Anne and all family and friends of Father Drinan, and members of his Georgetown Community. It's an honor to join in celebrating Bob's extraordinary life and enduring legacy. More than any person I've ever known Bob took to heart the belief that here on earth, God's work must be our own.

We know how hard he worked every day to make our community, our country and our world a better place. Now he is with God, and we know the Lord has told him, "Well done, thou good and faithful servant." Well done indeed Bob.

To look back over the sweep of his incredible life is to see vivid proof of what even lone individuals—armed with moral clarity and courage—can do when they set their minds on making a difference. He demonstrated constantly that each of us has the capacity to work for change and have an impact, and he did it by example—through his service, his faith and ministry, and his writings and his passion for education.

Of all the hats he wore, none fit him better than that of teacher, and we'll never forget all he taught us.

His election to Congress was a dramatic turning point in the effort to end the tragic, misguided, and wasteful war in Vietnam. We miss him more than ever in the halls of Congress today, when that cruel history is repeating itself.

He stood up to the abuses of a President—at first as a lonely voice, but in the fullness of time, the nation agreed and the President stepped down.

He took on immensely challenging and often unrewarding tasks such as rewriting the federal criminal code to make the administration of justice both effective and fair. The challenge was tough; it was complex; it was thankless; it took a decade—but it was no match for the brilliant legal mind and the will of iron of this Jesuit.

He summoned all of us to ease the plight of the oppressed—whether African Americans in our own country; Jews in the Soviet Union, or the countless heartbreaking number of impoverished, dispossessed and neglected throughout the world. He held up a mirror to our conscience, both in and out of

Congress. He touched us all, and made us see in our own lives the truth of those great words:

For I was hungry, and you gave me food,
I was thirsty, and you gave me drink,
a stranger and you welcomed me,
naked and you clothed me,
ill and you cared for me,
in prison and you visited me. . .
whatever you did for one of these least
brothers of mine, you did for me.

When I think of Bob Drinan, I'm reminded of the famous lines from Oliver Wendell Holmes: "As life is action and passion, it is required of a man that he should share the passion and action of his time at peril of being judged not to have lived."

He served with us in Congress for only ten years, but for that brief time, he was like a meteor across our sky. I think back to that first campaign, and to the team of extraordinary young people he inspired—like a young John Kerry—whom he affectionately referred to as his "minions."

They were brimming with ideas and determination to change our nation for the better, and—decades later—many remain passionately engaged in the public square unbent and unbowed in their commitment to serving others.

That's how great his influence was, and I'm grateful too to Bob, because from this group of young idealists, I think I've gotten a Senate colleague; at least two chiefs of staff; a pollster; a team of advisors; and one determined core of volunteers. So thank you Father!

That his droll wit, immense intellect, and his unwavering commitment to justice and peace are gone from us now, makes me sad.

But we know that "Blessed are the peacemakers for they shall be called the children of God"—and we know too that our great teacher, friend, and leader is smiling down on us today. God Bless you, Father Drinan.

Your inspiration still guides us.

TRIBUTE TO FATHER DRINAN

(By Max M. Kampelman)

Father Drinan and I first met in early 1980, the last year of the Carter administration. President Carter had unexpectedly asked me to spend three months in Madrid heading the American delegation to the Conference on Security and Cooperation in Europe, known as the Helsinki process and consisting of thirty-five countries.

The Congress had established a joint House and Senate Commission to make certain that the United States would not permit the human rights dimension of the agreement to be buried by the Soviet Union and those states more interested in economics and security. Father Drinan was an active member of the Congressional Commission.

In my role as Chairman, I invited the Commission to be an integral part of our delegation and urged its Members to spend as much time in Madrid with me as they could. Father Drinan took advantage of that opportunity and I was proud to have him, a frocked Jesuit and a Member of Congress, symbolically and actively representing our country and our values.

The meetings lasted for three years and not for three months. With the help of Father Drinan and the Members of the Commission, our Delegation decided not to bring the meeting to a close until we could see signs of improved Human Rights on the part of the Soviet Union and its Eastern European colleagues. We quietly negotiated significant achievements in that area.

Father Drinan and I remained friends even after he left Congress. The decision by the Pope that he leave politics and, in the Jesuit tradition, engage in teaching was, we know, not an easy one for him to accept. My own view was that the Pope knew that Massachusetts would be in good hands with Ted Kennedy in the Congress and that there was an urgent need for the legal profession to learn what Father Drinan would teach.

Our last meeting was a few weeks ago when he invited me to lunch in the lovely new dining 'room for Priest at Georgetown University. I pointed out to him that I was five days older than he and, therefore, should be considered the senior, but he insisted on paying the bill. He had read an article I had written which was published in The New York Times calling for a serious active rebirth by our government of the Reagan effort for the world to destroy all of our nuclear weapons of mass destruction. This interested him immensely. I told him of the progress being made in that direction and I promised to keep him informed. I will. Death, after all, is only a horizon; and the horizon is only the limit of our sight.

□ 2130

COUNTDOWN TO TAX INCREASE

The SPEAKER pro tempore (Mr. ELLSWORTH). Under the Speaker's announced policy of January 18, 2007, the gentleman from Kentucky (Mr. DAVIS) is recognized for 60 minutes as the designee of the minority leader.

Mr. DAVIS of Kentucky. Mr. Speaker, we would like to take some time this evening to continue the conversation that we began the first full week of Congress, talking about the impact of world view on policies that affect the creation of jobs, that affect families, working families, creating hope and creating opportunity for the future.

As we have shared each week, we want to point out that though there were a variety of motivations in the most recent elections, one thing is clear that was not talked about by the American people, I don't think realized the full impact and the emotion of many of the votes that were taken, is that we are now 1,426 days away from one of the largest tax increases in American history.

It has only been 18 days since the last time the Democratic Party voted unanimously to raise taxes in this Chamber. The reason that I bring this up is I go back to the last time there was a significant raising of taxes. In 1992, Bill Clinton was elected President of the United States. He promised to cut taxes on working families, and, in fact, came into office and decided that he needed to change his mind based on a different statistic and brought about what was the largest tax increase in American history.

Now that was particularly interesting to me. I remember the night of that election, was not in politics, was working in business, and was getting ready at that time, had just started, my wife and I started a manufacturing consulting business to begin working with other companies, helping them with their business systems, helping them to improve productivity to compete in the international arena and helping them to create jobs and keep our jobs in the Midwestern United States in the Ohio Valley.

I was informed by the Internal Revenue Service the next year that I was going to be allowed to invest in our government. And what it did was that investment took away money that was hard earned by all of the families that were working together with us.

Over time what that would have added up to would not have been a fancy lifestyle, because we were focused very much on serving our community. What it would have added up to quite simply was more jobs. It would have been not only more jobs in our company where we would employ people to empower others to work together, but especially where we saw the impact of these regressive tax policies was in the damaging of the economy during the 1990s.

The Clinton administration actually inherited the fruit of Ronald Reagan's vision. Ronald Reagan cut taxes. He sought to streamline regulation. He sought to empower people. It led to the longest period of sustained continuous growth in the history of this country.

Mr. Clinton was able to inherit that. But Ronald Reagan was the author of that. The fruit of the policies of the Clinton administration were most felt in the late 1990s. They were felt as the Internet bubble burst, as we began to see increasing pressure from foreign competition, as we began to see jobs leave this country.

We saw regulation increase, we saw taxes increase. Ultimately, all of that adds up to money coming from one place, and that is the pocketbook of the American taxpayer. I look back on companies that we went to serve over and over again. We heard about the increased tax burdens that were on the working families, that were on the middle managers, that were on the engineers.

Out in the community, that translates into an increased burden on teachers and police officers, on people providing services, small business owners and the local community. It was something that was not often seen in the national press, but was felt very much in the Ohio Valley. It was felt in the Rust Belt; it was felt across the Northern Midwest.

We saw that working in manufacturing, in the machine tool industry, where these taxes and regulations were difficult and created a tremendous burden. They did not create jobs, in fact, created quite the opposite. The cost of health care began going up.

There was a cost of compliance with environmental regulations that went up. And all of that was ultimately passed to the American consumer. When George W. Bush was elected President, he wanted to carry on that vision of Ronald Reagan and so did the Republican Congress that had passed tax cuts through the late 1990s that had been vetoed by President Clinton.

When President Bush came into office, he inherited a recession that was well under way. Combined with the 9/11 attacks, it was a devastating impact on the American economy. But the tax cuts that were enacted in 2001 and 2003 and that we extended each of the past 2 years had quite the opposite effect in time of war, in a time of national threat: seven million new jobs were created.

More importantly than that, I think that the leadership in the Republican Party, the conservative vision, the Ronald Reagan vision for America, understood one thing, that by allowing people to keep more of what they had earned, they will spend it wisely. They will spend it in a way that will bring back more to them and build for their future and invest in their future.

That is why we have constantly introduced legislation to allow people to keep more of what they earn. That is why last year we introduced the 401 Kids Bill, to allow parents, at the birth of their child, to set aside money for college that could be accrued year after year just like an IRA.

That legislation has no hope in this Congress, because the chairman of the Ways and Means Committee has said that every one of the tax cuts that has created these record revenues will be repealed in 1,426 days. One thing that many of us did not understand before in this country, but I want to share with all of you tonight watching from home, is this: that in order for the Democratic Congress to bring about one of the largest tax increases in history, they simply have to do nothing.

The compromise that was negotiated for the original tax cuts was that those taxes had a sunset and that many of the taxes, particularly small business taxes, education tax credits had to be extended from Congress to Congress, from year to year to reauthorize them.

It is very clear from the candidates in the Democratic Party for Congress, over and over they are saying that taxes must be raised. The gentleman from North Carolina made a statement over the weekend that not only did taxes need to be raised, but we needed to have universal health care and dramatically encumber the cost of providing for health care for small businesses.

CHARLES RANGEL, the chairman of the Ways and Means Committee, said that he saw none of the tax cuts that were passed in 2001 and 2003 and that we had extended in previous Congresses to see any merit in being continued.

What that means at the level of the working family, what that means for every family, for the vast majority of us in this Chamber tonight, and those who are watching at home, is this: you will have, if you are making between 30 and $60,000 a year, at a minimum a $2,098 tax increase, that will come automatically with no legislation.

The reason for that is, in 1,426 days these taxes simply increase. And I think that we need to keep in mind one thing. The goal of government cannot be and is not to create jobs, because government cannot create jobs. It does not have free assets that can generate value that can build a nest egg for a working family.

What we can do is create a framework to empower a framework that allows people to achieve, to pursue the American Dream, that allows them to go forth and to work, to create a vision for their own future, to build a future for their children and grandchildren, and to encourage their children that they can pursue one.

That is why America is the number one destination for people from all over the world, because America is the land to begin again. I saw that with the grandparents of my wife, Pat, who came through Ellis Island. My children have been to Ellis Island to see the names of their great grandparents on the wall.

They came to this country because they believed in their own way the streets were paved with gold, with opportunity, with a future that they could pursue by hard work, by savings, by serving others that they could make a difference. Within one generation of that, their children were educated. They had their children going through college, their children were out working in the economy. And they in two generations have created jobs.

My wife was the first woman in the history of her family to graduate from college, and she pursued that opportunity and that vision. I have a daughter now who is getting ready to teach school, who is student teaching now. She is not going to face that same kind of opportunity because the tax policies, the economic policies toward working families in this country are about to regress in 1,426 days.

I believe that our role must not be to raise taxes, to create additional burdens for small business, to create additional burdens for the creation of jobs, to create additional regulations. What we need to do is create taxpayers. And by cutting taxes, by allowing people to keep more of what they earn, a phenomenal thing has happened. The United States Government has had record revenue of taxes coming into the government.

And the challenge is not the revenue coming in by so many new taxpayers by the millions of new jobs that are created. The real challenge is reducing government spending, addressing the validity of programs and whether they add value or not, and making sure that our bureaucracy is leaned up, flattened out and made more efficient to serve the taxpayer more effectively and allow those resources to go to the place where they are needed the most.

My colleague joining me tonight who has been the leader of this Countdown Crew over the past 5 weeks is my friend from Pennsylvania, BILL SHUSTER, also coming out of the small business world like me, who understands what it is like to meet a payroll, understands what it is like to pay for health benefits, understands what it is like if we do not get up in the morning and go to work, there is no salary at the end of the month, and in order to make sure that we can make a difference for our family, we had to go to work and work hard.

In that time, we both understood the impact of those tax increases on limiting our ability to provide for our children's future and also to have money in the economy that is going to create more jobs. With that I would like to yield to the gentleman from Pennsylvania.

Mr. SHUSTER. Mr. Speaker, I thank the gentleman for hosting this evening's hour, as we count down the tax increase that is going to occur in this country in 1,426 days unless this Congress acts, unless the Democratic majority acts to stop it.

I think it is important, you pointed out, that you are a small business owner. I was a small business owner. I know there are many small business owners in Congress. And I think it is important that the American people understand there are people serving in Congress that know what it is like to meet a payroll, to get up and unlock the doors every day and make sure that your business and the people that you employ have a job there.

It is extremely difficult to do when the tax burden goes up. And if we do not act, as I said in this Congress, the Democratic majority does not even have to act; it just has to run out the clock.

As you mentioned, what we will experience on January 1, 2011, is over a $200 billion tax increase. And that will occur over the next 3, 4 years as tax cuts that we put in place in 2001 and 2003, if they are not extended as you pointed out, that there was a deal made that we had to have them sunset. But we need to make sure that those tax cuts stay in place so that the millions of small business owners and families, hardworking families in this country, get to keep more of that money in their pockets, so that they can go out and spend it or save it for whatever the purposes that they have.

You have, I know, six kids. So you know what is coming down the road for you, and college tuition is going to be a lot of money. And for you to be able to save, as millions of hardworking

Americans being able to save, that money is extremely important. My daughter, we just had her at Penn State this weekend. She was accepted there. As we start to look at colleges, you start to realize the expense. It is not just tuition, but kids going away to school, and living expenses.

A family in this country of four that make 40, $50,000 a year, if we do not extend those tax cuts, they are going to get a tax increase of about $2,000. $2,000 is a lot of money to hardworking Americans. If you take that $2,000 and invest it in an account that is going to get you 5 percent, a modest 5 percent return, you do that over 10 years, that grows to $30,000. That is a significant nest egg of savings that you can spend on your children's education.

It is better that we leave it in the pockets of the American people than to bring it here in Washington and spend it on the array of things that do not make sense to the people back home. It is their money. They worked hard for it. And they should be able to keep most of it and not send it here to Washington.

What happened when we cut taxes in 2001 and 2003? Well, over the last 4 years alone, we have created 7.2 million jobs in this country. That is something that is very worthwhile.

The unemployment rate is down to 4.5 percent. That is well below what it was in 2005, and on average it is the lowest in four decades. This economy is moving forward. You mentioned that the national media did not cover something very well in the past. Well, this is one of those cases where the national media is not covering the strength of this economy.

4.5 percent unemployment is a good number. Creating 7.2 million jobs over the last 4 years is a good number. In December alone, 167,000 jobs were created, in December. We have not got the January numbers, but the estimate is it is going to be in that 150,000 job-creation range.

The 7.2 million jobs we have created, that is more jobs than the European Union and Japan combined created in the last couple of years.

Mr. DAVIS of Kentucky. Mr. Speaker, the gentleman was talking about the employment impact numbers, particularly when the tax cuts came in. I can remember working on a factory floor in Orleans, Indiana in the weeks immediately after 9/11, and the economic shock that hit the entire home products and office products industry, every segment of our economy, but in this particular town this factory was the largest employer in that area.

□ 2145

And there was a great fear about what the economic impact was going to be over time. I was working in business, I was contemplating running for Congress at that time. And the one thing that we began to see as we entered 2002 in that work with that business was that the economy, even then, began creeping back because those tax incentives to working families, to individuals, to reinvest their money, to invest in the economy, to continue to save made a tremendous difference. In fact, that company continued to grow. It came out of that post-9/11 slump and continued to grow in a great way.

And when you talk about 4½ percent unemployment, it is remarkable to me. I remember about the time that we graduated from college, right when Ronald Reagan was introducing his proposal that was said to be so radical and they were going to be ineffective, that even though we had unemployment that was approaching 10 percent at that time, they said that the best economy, 6 percent in this economy would be the very best you could do for full employment. And here we are at 4½ percent. But on top of that, we are at record manufacturing productivity levels in this history of this Nation. And I think it just further personifies the point that you are making.

Mr. SHUSTER. And it is no mystery what happens when you cut taxes. And as you mentioned, I heard the same interview you heard on Meet the Press, or Tim Russert's show, I forget what it is called. John Edwards, the 2004 vice presidential candidate for the Democratic Party, said quite matter of factly and calmly that yes, we are going to have to raise taxes; yes, we are going to have to raise taxes to provide a universal health care that is really code for a Federal Government program that is going to take the decision-making process out of the American people's hands, and there is going to be some bureaucrat sitting in some cubicle in Washington deciding what medication you can take or can't take, what procedure you can have or can't have.

And I think that we have proven that when you put the forces to work in the marketplace, like we did on Medicare part D, that not only do you give people a choice, but with that choice comes competition and with competition comes the stabilizing and in some cases the decrease of prices. And that is the way we need to move forward, not with a huge tax increase which John Edwards, as I said, I think he had a Walter Mondale moment with Tim Russert saying, oh, sure we are going to increase the taxes. And you know, for a guy who is a multi-millionaire, who I see lives in a multi-million dollar home in North Carolina, it is certainly easy for him to say, well, sure we are going to increase. Now, he says they are going to do it on just the wealthiest. But I think we all know when you increase to get the kind of revenues that he is talking about to fund a huge government run program, it is going to trickle down and the people that are making 50 and $60,000 a year, people in my district, two-income earners, if they are teachers from the Altoona School District, two teachers that have been around 15, 20 years are making $100,000 or better now. And those are the people that are going to get hammered on these tax increases.

But back to the point I was making. It is no mystery what happens when you cut taxes. And don't listen to me. Don't listen to George Bush. Don't even listen to Ronald Reagan. Go back in history to when President Kennedy in the sixties when he cut taxes, cut the marginal income tax rate, it spurred the economy on. Revenues to the government increased. And again, that is what happened under Ron Reagan and that is what is happening today under George Bush. Cutting taxes is a positive thing. When you let people keep more money, they spend it. They spend it on what they want to spend it on, which helps to spur the economy on. So once again, don't listen to me, if you are a Democrat. Look at what Jack Kennedy did back in the sixties. I think that is the way we want to move this economy forward.

Mr. DAVIS of Kentucky. I think it illustrates a universal principle too that if you, kind of like the verse in Ecclesiastes of casting your bread upon the waters and it will come back to you and by allowing a seed to be sown, to grow over time it will make a big difference. And the real difference, I think, that needs to be highlighted is this is a fight, a battle of world views, of seeing, really, the short term versus the long term. A lot of money can be taken into the Federal Government in a short term by raising taxes. But in the long term it could have a devastating effect.

I think if the gentleman from North Carolina who is running for President had laid out what he actually did with his tax money or the money that he earned, the American people would probably have a somewhat different view of things. And when I see a super rich Senator, or a very, very wealthy liberal who in many cases inherited their money, making statements about wanting to raise taxes on the rich, what they don't talk about is the tremendous amount of money that they spend to create special investment trusts where they effectively don't pay taxes.

And again, to your point, it comes back down onto working families. It comes back down onto teachers, onto police officers, small business owners, people working in retail, people in transportation, pilots, engineers, the folks who keep our economy moving forward. And to our point, leave it in people's own pockets, and they will make a difference.

But I think it is especially important that the message gets sent, that our friends and neighbors are going to see that increase.

Mr. SHUSTER. If the gentleman would yield. I have started to accumulate little stories of people in the ninth Congressional district of Pennsylvania that I represent, what has happened to them over the past several years with these tax cuts. Gregg Rothman, who owns or is partner in RSR Realty in Cumberland County, Pennsylvania, which is the county seat, is Carlisle, Pennsylvania, which is known to many where the War College is and where Jim Thorpe made his name at the Carlisle Indian school.

But Gregg Rothman, he became a partner with this firm in 1999. Because of the reductions in the capital gains tax, that has allowed many empty nesters to enter the housing market. It has increased sales and their business has grown tremendously. And, in fact, since 1999 when they went into business, or when he bought into the partnership, they had 20 realtors. Today they have 60, and that is an addition of 40 new jobs of people out in Cumberland County, in central Pennsylvania, working. Creating jobs is what these tax cuts enabled people like Gregg to do. He saw his highest volume of sales since entering the realty business just in the last couple of years.

Now I have got another story in my hometown in Everett, Pennsylvania. A couple of young guys started BC Stone several years ago. Travis Collins is the President of that company and he went to high school a couple of years behind me. What they have been able to do is create a tremendous business. In this little town of Everett, Pennsylvania they are selling stone granite tops, marble tops all across the State of Pennsylvania, all across the region, in the mid-Atlantic region. He has grown from 16 employees in 2001 to today he employs 70 people. And that is because this economy is growing. Not only are people building and buying new homes and remodeling them, which helps his business, but he is able to go and buy equipment, modernize what he is doing there and along the way, go from 16 employees to 70 employees in this town of about 2,000 people. And they are good paying jobs.

They have been successful enough that they have bought an old hotel, the Union Hotel in downtown Everett, and they are renovating it and going to revitalize it and they hope by 2008 they are going to open up this hotel and restaurant and employ 20 full-time employees. Adding on to the, from the 16 to the 70 and then this new business with 20, and that is all because of this, of the tax cuts we have put into place in early 2000, 2001, 2003 and extended them here a couple of years ago. That is what makes this economy, or helps to make this economy move forward, by letting people keep their own money, by letting entrepreneurs and small business owners and families decide how to spend their money, not the Federal Government.

And as you mentioned earlier, your background as a small business owner, your background as a person who has children, who has a family, you know the importance, and it is important for the American people to realize that if this Congress doesn't act in 1,426 days, a $200 billion tax increase is going to occur. And if anybody doubts it, you mentioned earlier, the chairman of the Ways and Means Committee, Congressman RANGEL from New York, said quite frequently and quite clearly that all those tax cuts were on the table. He didn't see any of them or many of them that were, that he thought were good or that they were tax cuts that he supported. And, in fact, I don't think he supported any of them, if I am not mistaken.

But further than that, the Democratic majority, when they came to Congress, one of the first things they did was to make it easier to raise taxes. They call it PAYGO, which sounds good but really it is TAXGO because what they are going to do is they will ratchet up spending. They will pay for their increase in spending by increased taxes. And so you have PAYGO or TAXGO is what it really should be called.

And then they decreased, or they made it easier to raise taxes by going from a three-fourths majority, which the Republicans put in place, because we wanted it to be difficult to raise taxes on the American people. But they changed it from three-fourths to a simple majority. Now, many of the incoming Members on the Democratic side I know ran on a conservative agenda. You know, I want to see how they are going to go back home and tell the people back there that we made it easier to raise taxes on you. They talk about, I know the Blue Dogs come down here and talk about fiscal responsibility and talk about cutting the budget or balancing the budget. But how are they going to do that if they are not willing to make the hard choices on what programs, not just to cut, more importantly to reform the entitlement programs. Reform doesn't necessarily mean cut. It means make them efficient. Make them produce or become more efficient. You get more out of your bang for your buck. You don't have to necessarily cut the programs. But so more and more people can get those programs more efficiently, instead of just raising taxes or slashing benefits.

At the end of the day, if you are going to increase spending, I believe this has been very clear by the Speaker and the leadership of the majority party, that they are going to increase spending and they are going to increase your taxes. Why else would you make it easier to pass a tax increase? And that is, again, one of the very, very first things they did when they came into the majority party here. So it is going to be interesting to watch how that plays out with the Blue Dogs and many of the incoming Members that they claim that they are going to be fiscally responsible, that they are going to be conservative, that they are not going to tap into their constituents' wallets and bring more money here to Washington instead of leave it home with them.

Mr. DAVIS of Kentucky. I think that is a good point. The whole PAYGO budget system really is more smoke and mirrors than it is reality, because I think the thing, again, the American people were not told by the media and certainly weren't told during the run-up to the election that they exempted their existing programs from that. They say there has to be a spending cut or a tax increase to offset any other increases in spending in other programs. But there were loopholes that were left for them to increase spending.

But I think the real thing that we have got to look at here is the impact on American families that will come from the tax increases that are coming if Congress does not act. And this is not a Democrat or Republican issue. This is an American issue, this is an economic security issue.

And I would just like to recap. Nationwide, a family of four making $65,000, which is the midpoint income for all families in the United States, will see their taxes go up over $2,000 if nothing is done by Congress. Married couples with an average income like this family I just mentioned would experience a 12 percent tax penalty just for being married. For focusing on the values of family, the strength of the family, there is going to be a tax penalty reinstated upon them. I think that is simply unacceptable that that would take place.

More importantly, the cost of raising children has gone up. We certainly know that. We have six children. We have one in college, one who is on deck to go to college, another one who is going to be in college shortly behind the first two. These children are working hard. They have jobs. They are contributing now to the economy and the community and they are taxpayers. And they understand firsthand the impact of these policies. But our family, for the cost that we have in raising our children, making sure they are not a burden on society, making sure that we are providing for all of their needs, appreciated the $1,000 tax credit that was provided by the Republican Congress in 2001, and what we are going to see is that is going to be reduced by $500.

A family with four children will see a $2,000 increase just on their tax bill because they have children. They will see an additional 12 percent penalty because they are married. This flies in the face of the kind of empowerment and freedom and opportunity that families need. We need to have policies that encourage families, that encourage moms and dads to stay together. I think every child deserves to have a mom and dad. I grew up without a dad. I know what that is like, to be alone, to have my mom working sometimes two jobs to make sure that our needs were met. I remember going to work when I was 16. And the first time I saw, wondering what those taxes were, all that money that had come out of my pay then.

One of the things that were done, and I entered that as a minimum wage worker. One of the things that was done, again, by a very progressive focus, conservatives in Congress, was to create a 10 percent tax bracket. We took millions of people at the lower end of the economy off the tax rolls for a simple reason, to make sure that they could keep more of what they earn. And it is important that we keep in mind the impact on families of every one of these decisions.

I wish that everybody in Congress had been in business in some capacity where they created jobs, where they had to make a payroll, where they had to generate opportunity for others, where they had to personally make sure that health benefits were paid. And I think what they would experience is a very different perspective when it is your name that is on the bottom line having to produce that revenue to provide for those benefits.

And I remember times that those of us in our little company family would go without a paycheck or take reduced pay simply to make sure that we got those benefits paid. And regressive policies that increase taxes discourage people from doing what I think is the right thing and taking care of their employees.

Tax increases and health care are very much this way. We saw in Kentucky, in my State, or in the commonwealth, a very devastating approach to health care that had a huge rise in cost by driving 45 of 47 carriers out. It was a program very similar to what HILLARY CLINTON wanted to see passed back in 1993. And what was the impact of that? Was there an increase in the quality of health care provided by small business owners? No, it was a significant decrease. It was a significant driving of people out of health care and into other means of provision for that care.

□ 2200

Why was that? Because the incentives mostly punished the small businesses. We need to allow small businesses to band together to get the same low rates that big businesses do. But in that vein I want to keep in mind what the impact is. We saw businesses that provided for their employees, that provided for basic benefits either give their employees a cash subsidy because they wanted to get out of the business altogether or they simply had to cut benefits because costs were going up so much. And there are many hidden taxes in this process that have a tremendous impact over the long term.

Payroll tax is another issue. There is a lot of talk about Social Security right now. The system needs to be reformed. I think if we sit down and do the numbers and we see that the increase is at three to three and a half times the rate of inflation for Medicare and Social Security that down the road we are going to have a significant problem.

But we are not talking in this Congress now about reforms in the system. What is the novel solution that is being provided? Raise taxes. That would be, in fact, the largest single payroll tax increase in history, to take the cap off the Social Security taxes. And who gets hurt? It is not the super-rich. It is not the billionaires who are calling for tax increases because they don't really pay taxes the way you and I do. It is going to be those folks who are in the middle who bear the burden of this economy who are going to bear that burden as well. And I think that the impact of millions of jobs is simply unacceptable. It has a ripple effect throughout the economy and a regressive effect.

Just keep in mind, as we talk about competition with China, people see the Chinese economy as this great juggernaut; but one point that I would like to make in particular when we look at the increases, in less than 3 years the U.S. has added economic output by over $3.2 trillion of additional economic output. That number of our increase in economic output is bigger than the entire economy of China. That is a staggering statistic when we think about that, the economic engine that we have. And it would be a grave error to put additional burdens on the families who are the producers, who create the value in that economic engine, that would hurt the generation that comes behind us.

Would the gentleman from Pennsylvania have some other perspectives?

Mr. SHUSTER. Absolutely. And you talked about the size of the U.S. economy. Those tax cuts that we put in place from 2001 and 2003 that helped this economy move forward, the reason it happened is because those tax cuts put $1.1 trillion in the pockets of the American taxpayer, $1.1 trillion. And a lot of that money went into savings, but most of that money went back into this economy directly, into whether it was paying for your child's college education, whether it was to buy a washer and dryer, buy a new car, buy a house, remodel your house. I mean, there are hundreds of thousands of ways that people put that money back into the economy. And we did that by cutting taxes on every American that pays taxes. Some folks in this country were even taken off paying taxes. We lowered the rates so that there were many people that didn't have to pay taxes. And once again, when you put money back into people's pockets, what happens is the economy grows.

I have another story from my district. Smith Elliott Kearns & Company, it is a regional accounting firm located in my district in Franklin County, Pennsylvania, and they service clients throughout central Pennsylvania, western Maryland, and actually up and down the east coast. They have clients from New England to Florida. And they characterize their clients as mom and pop shops, small and mid-size companies. And they told me about one of the tax cuts we put into place, which was a section 179 deduction, which allows smaller companies to elect to expense up to $108,000 of equipment purchased in the year of the acquisition, and that that is phased out from 108,000 up to over $400,000 of equipment. They phase out the amount of money they are able to expense. But that has tremendous growth in this economy of people going out and buying equipment, whether it is a truck to do pickup and delivery or whether it is a piece of equipment that makes the company more efficient. And in 2009, at the end of 2009, beginning of 2010, those deductions will revert back to the amount before we passed the law of $25,000.

It is amazing how much money companies are saving and reinvesting in their companies to make them more efficient, to add jobs, create jobs. And when you buy that equipment, not only does it make your company more efficient but some other company has to produce it, and those companies have to put people back to work. So it is a snowball effect on our economy. And once again, it is something that the national media is just not covering it the way it should. I watch Lou Dobbs, and he is doom and gloom all the time about what is happening in our economy. All he sees is the negative side, and there is so much positive occurring in our country.

As I mentioned, this accounting firm has hundreds of clients that are using these tax cuts, using these ways to save themselves money, to reinvest in their company, to create jobs. And that is why it is so important for the American people to really pay attention to what is happening here in the United States Congress.

The Blue Dogs have been down on the floor. They haven't been down in a week or so, but they talk about the change, the American people want a change. And they may be right. The American people want a change. But there is nobody that I know of in the United States, in the Ninth Congressional District and across this country, that I have heard say they want a change to increase their taxes. I haven't heard it, except for maybe folks like George Soros and Bill Gates and, of course, John Edwards, who are multimillionaires and multibillionaires. They don't mind paying more taxes. But when you have that much money, there is certainly a lot less pain, or I should say there is no pain at all when you have that much money.

But if you are a hardworking American in Pennsylvania, in Kentucky, in Indiana, in Missouri that are out there every day getting up, trying to save money for your kids to go to school, trying to pay the bills, it is significant when the Federal Government reaches into your pocket. And as we talked about here earlier tonight, a family of four that earns $40,000 to $50,000, when these various tax cuts expire, people are going to get about a $2,000 tax increase. And that is significant for a family of four making that kind of money, and it is just wrong.

And we here in Congress have to make sure that we are making the tough decisions on controlling spending. Controlling spending and continuing to see this economy grow because we are getting record levels of revenue flowing into the Federal Treasury because this economy is growing, because of the Gregg Rothmans of the world and the Travis Collinses and the people throughout this country, the small businessmen, the small entrepreneurs that are creating jobs, buying things, putting people to work so that this economy continues to flourish.

So as the sign says there, in 1,426 days, which means December 31 of 2010, this Congress and the next, all we have to do is run the clock out. Run the clock out, and the American people are going to get a huge tax increase.

And we need to make sure that we are here fighting. But we can't do it without the help of the American people. The American people have to be communicating to their representatives to keep those tax cuts in place because it is good for America, and the numbers bear out: 4.5 percent unemployment, 7.2 million jobs created over the last 4 years. These job gains are throughout our economy. Also, when you look at the different segments, the educational attainment groups in this country, all those groups have seen unemployment drop. Even for those without a high school diploma, we have seen their jobless rates drop by about three quarters of a percentage point just last year, and over the last 2 years a 1½ percent drop in the unemployment rate of people who don't have a high school diploma. That is significant.

And if you look at the want ads, I think in almost any newspaper in this country, you will see where people are advertising for jobs. It takes training. It takes some level of education to get these jobs, whether it is a truck driver, which is a pretty good paying job. Today it is a very good paying job. You have got to have the training. So the way to do it is, I believe, not to have some new vast government program, but to keep cutting taxes on people so that people who are in a job can get some training so that maybe they can get another job that pays more.

Mr. DAVIS of Kentucky. Relating to your point, if I may reclaim my time for a moment, the welfare to work tax credits that have been extended progressively every year are a perfect example of that by giving incentive to a small business owner, considering that 88 percent of all new jobs are created by small business owners, but to give them a direct tax incentive to take that risk, to invest in an individual, to teach them and train them to give them a job, it proves your point.

Mr. SHUSTER. Right. And just to sum up, there are millions of Americans out there, hardworking Americans, that in the last election didn't vote to see their taxes increased. And I defy anybody in here to show me that their constituents, that the majority of their constituents, the vast majority of their constituents voted to have a tax increase.

It is going to be very interesting here in the coming months. We are going to have the budget come up here next month. It is going to be very interesting to see what our Democratic colleagues on the other side propose. The President has proposed a budget that is a budget that is controlling government spending. It is extending the tax cuts that we have put in place, and along the way we are going to move towards a balanced budget and even surpluses. But the only way we do it is not to increase taxes but to allow this economy to grow so that the revenues continue to flow into the Federal Government and that we control spending.

Control spending and reform entitlements. Medicare, Medicaid, and Social Security, we have got to look at reforming them. That doesn't mean cutting benefits. That doesn't mean necessarily increasing taxes. It means looking at ways to better provide those services so that we are not wasting as much money in the entitlement programs.

So as I said, I think it is going to be an interesting next couple of months. We are going to see what the Democrats propose as their plan. And as I mentioned earlier this evening, I think we are going to see the proposal of significant tax increases, which I think is going to make many Members on the other side of the aisle very uncomfortable if they have to vote for a tax increase. But if we don't act, if we run out the clock, in 1,426 days, January 1 of 2011, we are going to see one of the most massive tax increases in American history.

Mr. DAVIS of Kentucky. Mr. Speaker, reclaiming my time, I would like to close by a sharing a little bit of a story I think that brings some of this into perspective.

You heard us share earlier that 88 percent of all new jobs created in this country are created by small businesses, companies that employ less than 500 employees, and those small businesses are started by men and women who have vision, that want to take risks, that are willing to step out. Congressman SHUSTER and I know that feeling of taking that step. That is a scary thing when you are going to make it on your own and not try to depend on a large corporation, suddenly realizing that you can create that value, create that future, and that others will follow and join with you and that you can begin to perpetuate it and grow. And the great industries, the great technologies that have come in this country, the great opportunities that have been created have been by those entrepreneurs who have gone out and made that difference.

See, our key must be to create taxpayers, not raise taxes. Our goal is very simple in government. We want to provide policies and we must provide policies that empower people, that don't restrain them or constrain them from achieving their fullest potential. And I shared earlier one thing I think that is very, very important. We have a kind of have-it-now view in society of what is in the 24-hour news cycle, what is the impact going to be of this decision in the next 24 hours or in the next three months or one year on Wall Street. But those whom we are competing with internationally right now think in terms of generations. They think in a 20- or 30- or 40-year window, what the impact of their policies will be on their children or their grandchildren. If we step back and we take the vision of our Founders or even the vision of some of our leaders in the community, we will prove the fact that those who are forward thinking, who want to see into the future and invest accordingly and make that difference to create opportunity, they are the ones who will be successful.

And one of the stories that comes to mind, I am going to end it with a small business, but it began over 20 years ago in Kenton County, Kentucky, in the city of Covington.

□ 2215

Covington basically laid in the shadow of Cincinnati. There was residential development up in the hills, but once the great flood levee, as one of the great entrepreneurs in that region shared with me, when the flood levee went up after World War II, much of the business began to leave, the riverfront literally died and the tremendous amount of river commerce.

As the decades went by, small businesses began to leave. There was a movement out to the suburbs. Then Interstate 75 came through. Even more business was diverted from downtown and the economy became weaker and weaker. There were less good jobs there, less jobs for the payroll tax base to support community services.

As we entered the 1980s and the Reagan tax cuts were beginning to take hold, some interesting things happened. Some business people, some developers, community leaders, had a vision that they could reform the way the city looked, they could change the image of northern Kentucky.

It included many people from all different backgrounds. But they agreed on one thing, that they were going to change the direction of their city. They were not going to depend on outside government to do it. They were going to do it themselves, by investing their time and their talent and their treasure in that vision.

What began to change was, first of all, a significant change in image. And then a few years ago, the mayor, my friend Butch Callery, who is a Democrat, and I want to say this for our friends at home, for my conservative Republican friends, Butch is a real Democrat, but he is a Democrat who cares deeply about his city, and we worked together, any way we can help with development and growth.

He went from being on the city commission into the position of mayor, leading with this vision of economic development. And he saw two things to do that were very critical. He has developed and empowered a new arts district, where we have artists and artisans who are coming literally from around the Nation to bring their businesses, their galleries and outlets into Covington, Kentucky. The city fathers, 50 years ago it would not have looked anything like it is starting to look right now in development. It is an awesome thing to see happen.

But the second thing, and to me the even more exciting thing, is the broad public-private partnership that he has forged, working with the chamber of commerce, working with the State, working with other elected officials and working with the business community and working with the educational community.

Getting the proper incentives and then joining with northern Kentucky University and Gateway Technical Community College, he worked to create a project called the Madison E-Zone, an enterprise zone for high technology businesses where there were going to be special opportunities to work together, to network together. And right there, in the urban heart of Covington, they laid this in.

The vision is very simple. We want to get the synergy of high technology education. Northern Kentucky University started a School for Informatics. Instead of simply bringing an academic in, though there are many, many competent academics out there, when we deal with high technology, when we deal with information technology, electrical engineering, it is good to have somebody coming from industry, and they brought a man named Bob Farrell, a tremendously successful information technology entrepreneur, to come in and begin running that School for Informatics. They have a School for Entrepreneurship that is also tied into the same venue.

Finally, these incentives, working with the local businesses, have created a new knowledge base. That is how Silicon Valley got started in the community around Stanford University. We may is not have Stanford University here. We are starting in a new way with a new vision. But like my colleague to my south, HAL ROGERS, likes to say, we are going to have "Silicone Holler" in Kentucky, because we are going to create those technology jobs, and we are not going to see our young people have to leave the State, because now new businesses are not only coming, but they are small businesses, and what is so exciting is they are new businesses that are starting by Kentuckians who have grown up in Kentucky who are educated here and they are creating a future here.

One of those companies is Tier 1 Software. It started out when two of the partners, Kevin Moore and Norm Desmarais, reached out. They took that chance. They took that big step to start their business. They began seeking opportunity to do software development, implement the applications that they developed, begin to build that business, beginning to create additional jobs, working alongside the School for Informatics. They began doing work with the Department of Defense. Again, what they are working on is knowledge preservation.

My point in bringing this up, it all started note just 2 years ago or 4 years ago, it began with that long-term vision, with an application of policy from the Federal Government to make a difference in development. Here is the challenge. Even these businessmen are inheritors of Ronald Reagan's legacy.

When these tax increase Goss into effect in 1,426 days, businesses like Tier 1, companies with startup potential to create jobs in my State for my citizens and my constituents so they don't have to leave are going to go away because of the burdens that will be restored. A regressive burden will be restored with payroll taxes, with income taxes. And also the inability to depreciate or write off investments for hardware, as Congressman SHUSTER mentioned earlier, are going to go away, and it is going to put a tremendous burden on the economy and our region.

I want to see it flourish. I want to see us continue to grow and change and transform and create more taxpayers in the future. That is why progressive tax policy reduces the rates, allows people to keep more of what they earn, and, in the end of the day, we don't burden them unnecessarily. We empower them and free them to build a future for their children.

IMPACT OF THE PRESIDENT'S BUDGET ON AMERICA

The SPEAKER pro tempore (Mr. ELLSWORTH). Under the Speaker's announced policy of January 18, 2007, the gentleman from Pennsylvania (Mr. ALTMIRE) is recognized for half the remaining time until midnight.

Mr. ALTMIRE. Thank you, Mr. Speaker. We are going to initiate the 30-something Special Order, as we have done so many times in the past. I am filling in for our colleague Mr. MEEK from Florida, who usually is in this spot leading the way. But he attended the Super Bowl, which was in his district yesterday, and made it back today and had some things to take care of. So we are going to do ably in his absence tonight. But I appreciate the Speaker's generosity to give us the hour tonight.

We are going to talk tonight about the President's budget and the impact that is going to have not only on the Nation and on the Congress and what we are going to need to do, but I am going to talk specifically about what this budget does to my home State of Pennsylvania. I have some statistics on health care and veterans and Social Security recipients, and we will go right down the line and talk about my home State, but also what this budget is going to do for the country and what we are going to have to deal with as a Congress.

I brought down a copy of the budget so the folks at home can see what was dropped in our lap today. Each office got a copy of this budget. This is what we are talking about tonight. It is the President's fiscal year 2008 budget which we are going to talk about.

Now, as he has done in the past, 6 years in a row, now seven including this budget, the President's fiscal year 2008 budget continues with more of the same, the wrong priorities from the past 6 years and the same fiscal irresponsibility and misguided priorities that have been taking our country in the wrong direction. The President's budget is fiscally reckless and adds $3.2 trillion to the deficit over the next 10 years when we use honest accounting.

Despite the President's claim, his budget does not achieve balance, Mr. Speaker, in the year 2012. The President leaves out many programs and uses accounting gimmicks to reach what he claims is a balance. But an honest assessment of what this budget does shows an increase in the deficit of $3.2 trillion over the next 10 years.

Now, that is on top of what has already happened over the past 6 years, which has been to increase the Federal deficit, the Federal debt, by $3 trillion. I would remind my colleagues that when this President took office, we had just had four consecutive years of budget surpluses and those surpluses were forecast to continue as far as the eye could see. In fact, the 10 year budget projection was a surplus of over $5 trillion.

Well, now we are 7 years down the road, and let's take a look at what has happened since then. As I said, instead of having a surplus of $5 trillion, this President has added $3 trillion to the national debt, and from this point forward, using honest accounting, this budget which the President has submitted here today is going to add $3.2 trillion more to the national debt. This is fiscally irresponsible, but the cuts that the President makes in programs are morally irresponsible, and this is what I am going to focus my remarks on tonight.

He cuts health care. He cuts Social Security through his privatization scheme which he continues to try to push, even though the public clearly opposes it. He cuts $300 billion from Medicare and Medicaid programs. He cuts terrorism funding. He cuts the COPS Program.

Mr. Speaker, this is just incredible, that the President came here for the State of the Union and talked about what his budget priorities were and what his goals were, and this budget doesn't represent any of the rhetoric that we heard in the State of the Union. Unfortunately, the reality of this budget doesn't match the rhetoric that we heard.

Now, we have been joined once again by our 30-something colleague from Connecticut, Mr. MURPHY, and I would yield to him to discuss his views on this budget.

Mr. MURPHY of Connecticut. Thank you very much, Mr. ALTMIRE. It is a pleasure to be with my new 30–Something colleague on the floor here to discuss what I think you set out before us very accurately is a fiscally reckless and irresponsible budget, but also a morally irresponsible budget.

You outlined what the problem here is. The problem here, Mr. Speaker, is that we have got a budget that doesn't paint the whole picture for this Congress, doesn't tell the whole story for this country. We have got a budget which claims to be in balance.

Mr. ALTMIRE, I remember being here for my first State of the Union speech, I did not sit too far away from you, and we listened to the President stand up at the podium there at the second level and say we could work together on a balanced budget, that we could do the right thing for the American people, do the things that Mr. MEEK and Mr. RYAN and Ms. WASSERMAN SCHULTZ have been talking about for 2 years in the 30–Something Working Group, and that is making sure that we don't pass on the cost of government to our children and our grandchildren by these massive deficits that we are racking up.

Instead, the President handed us a budget today, a pretty big stack of papers there, that claims to balance the budget, but does so by omitting some of the biggest costs within the budget.

At the top of the list is the cost of the wars in Iraq and Afghanistan. They are not in that budget. Those are emergency expenditures, emergency appropriations, and so the President hasn't seen fit to incorporate those in the budget.

He also doesn't include the cost of fixing what is called the Alternative Minimum Tax, which is a tax that, if not repealed, it was supposed to be for the wealthiest taxpayers, but because we haven't made any adjustments over the years, this Alternative Minimum Tax is all of a sudden not going to be much of an alternative, because millions of middle class families throughout this country are going to have to pay it. So that is not in there either.

By the way, it also assumes that we are going to take in billions of dollars in revenue beyond what most reasonable economists will tell you we are going to bring in in the next 5 to 10 years.

So, Mr. Speaker, what we have is a budget that doesn't tell the whole story. I can balance my budget pretty easily at home if I just, for instance, don't include the cost of my mortgage. I could spend everything. I could buy five flat screen TVs for my house, I could get a caretaker to mow my lawn and cut my shrubs, so long as my budget didn't include my mortgage. But, do you know what? My family and your family and everybody else's family in this country has to make their budget meet, their revenues and expenditures meet, by incorporating all of their costs. The budget that you held up there doesn't do that. It only encapsulates parts of our costs.

Mr. ALTMIRE. Reclaiming my time on that point, what the President has done does not coincide with what the Congressional Budget Office says the cost of these programs is. Just because in his budget he estimates costs and ignores issues like the Alternative Minimum Tax, which needs to be fixed, doesn't mean those things aren't going to happen.

He can ignore some of the costs of the Iraq war and the actions in Afghanistan and pretend like we are not going to spend as much money as it is going to take to carry on activities there. That doesn't mean those dollars don't add up. And the Congressional Budget Office and any reasonable economist who has taken a fair look at this budget shows that he is hundreds of billions of dollars below in his estimations what it is going to cost to carry out those.

Mr. MURPHY of Connecticut. We are talking here about adding $3.2 trillion to the deficit over the next 2 years, $3.2 trillion to a deficit that is already exploding beyond any numbers of previous Congresses. Remember, this Congress inherited when the Republicans took control in 1994 a surplus. They had money to spend and they have turned it into record deficits, and now the President is going to add on to it.

□ 2230

Now, here is the other part, Mr. ALTMIRE, that creates the problem. This budget that was presented to us today not only doesn't include the cost of the war, doesn't include fixing this middle class tax increase, also paints a real rosy picture in term of revenues, but it also has some tax breaks in it, but they are tax breaks for the very, very wealthy. We have got another $2 trillion in tax breaks over the next 10 years in this budget, and as we know because we have all seen the charts in the 30-something Working Group, because I have watched them on TV talk about it for the last 2 years. Those tax breaks, Mr. ALTMIRE, are going to end up going to the richest 1, 2, 3 percent of Americans, and the hard working middle class families in and around the Pittsburgh area where you are and in and around northwestern Connecticut aren't going to get the benefit of those tax breaks.

So what throws this thing so out of balance is not just that we are not counting some massive expenditures in the war in Iraq, and hopefully the Congress is going to do something about that, but it also includes in it these big tax breaks that just aren't going to go to families like yours or families throughout Philadelphia, throughout Connecticut, in fact throughout this whole country.

So Mr. Speaker and Members, we have got some work to do on this budget. And I am frankly upset by the budget that the President put before us, but I am glad that we have a party in control and a leadership in control of this House that is going to take that budget, it is going to take that budget and twist it and turn it so that middle class families end up coming out in the lead at the end of this process. Because what has happened in the past is the President puts forth one of these backwards budget, the Republicans sort of tinker with it here and there to make sure that it ends up favoring the special interests of the lobbyists that are currently in favor in Congress, and in the end people that we care about don't get helped at all.

So, Mr. ALTMIRE, I am just looking forward to a budget process here which takes I think what is a very flawed document and turns it around and makes it work for regular middle class, working class families throughout this country.

Mr. ALTMIRE. I appreciate Mr. MURPHY's remarks. And for the folks here listening, I just wanted to let them know how we are going to approach this tonight for the remaining time that we have. I am going to give a broad overview of the cuts that have been made in some of these programs at the national level included in this budget that we received today; then I am going to yield time to Mr. RYAN, who has joined us and can ably respond to his side of things and how he views this budget. Then, Mr. MURPHY, you can go again. And then I am going to focus my remaining time on Pennsylvania specific programs and how this is going to affect my home State of Pennsylvania.

But for the national overview, I mentioned that this budget cuts Medicare.

Mr. RYAN of Ohio. Would the gentleman yield briefly? I didn't see where I fit.

Mr. ALTMIRE. That is because you weren't listening. I did mention your name. I am going to give a broad overview, and then I am going to give you as much time as you need.

Mr. MURPHY of Connecticut. You get 2 minutes, Mr. RYAN.

Mr. ALTMIRE. To complete whatever it is that you want to say.

So the Medicare and Medicaid cuts of $300 billion, that is outrageous, that at a time when the number of Medicare beneficiaries is growing every year, the baby boomers are starting to qualify for Medicare in fiscal year 2008, which is where this budget takes us, and they are going to start retiring en masse in 2011 which is during the 5-year budget, that they would reduce spending for Medicare beneficiaries at a time when the number of beneficiaries is going up exponentially.

Now, these Medicare cuts include premium increases for millions of beneficiaries totaling $10 billion over the next 10 years. Let me repeat that. Medicare beneficiaries at home, many of them, are going to see their premiums increase to the point where it is going to add up to $10 billion in premium increases over the next 10 years. But, at the same time that this budget slashes Medicare funding, of course it protects special interests, it leaves untouched massive overpayments by Medicare to the HMOs in the Republican's Medicare Modernization Act of 2003.

Now, many of the Federal Medicaid cuts simply increase cost to the State. These aren't costs that are going away, they are just passing the buck along to the States. So instead of assisting State efforts to reduce the number of uninsured, this budget actually impedes progress on States being able to insure children and others.

Mr. MURPHY of Connecticut. Will the gentleman yield for a moment on that point? Just very quickly, I want to hammer that home. Because when people out there in the public, and I did this too when I was watching Congress for years, sees some of these cuts to programs here that people up here in Washington talk about, you know, the government tightening their belts and doing the right thing for curbing the growth of spending programs; what they don't understand is that just passes on the buck, as you said, to the states. Now, the States sometimes pick up the tab and pass it along in increases in the sales tax or the income tax. But in Connecticut what often happens is that the cuts to these programs just get passed down again. In Connecticut, they get passed down to the local towns, counties, and other States. And in Connecticut, the property taxes just go up. So all of this supposed belt tightening that happens here to programs that need to get taken care of, whether they be education programs or health care programs, just get passed down and somebody else pays for them. That really in the end, Mr. ALTMIRE, to me is one of the worst cases of fiscal irresponsibility, because you are pretending that you are taking care of a problem when really you are just handing it down for somebody else to take care of. And we will take some hits up here if we need to in order to get taken care of what needs to be taken care of here rather than just making somebody else be responsible.

Mr. ALTMIRE. I appreciate Mr. MURPHY's comments. When the President gave his State of the Union Address, he talked about energy independence and he always talks about energy independence and our addiction to foreign oil, which he likes to talk about. But here again, the rhetoric did not match the reality.

President Bush promised in his State of the Union speech that he was committed to reducing our dependence on foreign oil, but this budget fails to fulfill this promise. For example, and this is just a few examples, total energy efficiency and renewable energy funding is essentially at the level from when President Bush first took office. That doesn't make any sense for someone who claims to want to reduce our dependence on foreign oil.

In addition, the President's budget severely cuts weatherization assistance and low income home energy assistance.

Now, this budget also cuts most egregiously renewable energy grants programs. How can we expect to reduce our dependence on foreign oil if we are actually cutting the amount of money that we are putting into research and development for alternative fuels? It just doesn't add up.

Most alarming, under homeland security: Now, if there is any issue where we should be able to achieve bipartisan support on funding levels, it should be homeland security and keeping us safe at home. But particularly disappointing is this President's request for programs that support first responders. Under the President's budget, State preparedness grants and training are reduced 33 percent. They are cut by a full third. Fire fighter grants amazingly are reduced by 55 percent. State and local law enforcement grants through the Department of Justice also have deep cuts, thereby depriving our communities of the critical support they need to operate in this post 9/11 world. It just doesn't make any sense.

On jobs and the economy, the folks who came before us on the other side bragged about the economy and the job situation, but 3 million manufacturing jobs have been lost over the past 6 years. Families continue to struggle to pay the bills. I know that is the case in my district in western Pennsylvania. But this budget slashes funding for the manufacturing extension partnership which helps small U.S. manufacturers, everything from plant modernization to employee training, it cuts them by 60 percent.

Funding for the advanced technology program which sponsors research to solve manufacturing programs is also slashed.

Mr. RYAN of Ohio. Would the gentleman yield?

Mr. ALTMIRE. I would. And I would say that that concludes my overview, so the gentleman has as much time as he needs to continue the discussion.

Mr. RYAN of Ohio. I thank the gentleman. And part of what you were saying, some of those initiatives, the manufacturing extension program and some of these initiatives that we have had in this country that have really been able to help small businesses kind of retool themselves, where this budget is cutting them we have had to fight over the last few years to get the levels up. These are budgets we need to not only not be cutting, but we need to be probably doubling the size of the budget because of the kind of value that they yield and the kind of businesses that they help.

When you look at what has happened over the past 5 years, we have had economic growth, but wages are down 3.2 percent. We are not arguing that the economy is not growing. We all know it is. We all see the same statistics. What we are saying is that it is not benefiting everybody. And what does our response need to be from the President, from the Congress as to how do we close that gap between the rich and the poor? And some of the initiatives that are being cut are going to further harm and aggravate and exacerbate the problems that we have now that we are trying to fix.

So a couple points that I want to make here, and I want to thank you guys for being down here, that the President just doesn't even address. Here they are: Updated by Tom Manatos, one of the go to guys in the Speaker's office. Here we have the new charts for the budget, 2008 budget authority.

Interest payments on the debt. That in the red is the interest payments. We are talking about $230-some billion of what we are going to spend. That is what this country will spend just on interest on the debt; not paying the debt down, just paying the interest payments from the people we are borrowing the money from.

This is what we are going to pay in education or spend on education, and green what we are going to spend on veterans. This is what we are going to spend on homeland security. So the American people, Mr. Speaker, know quite clearly that we are spending too much of our money on paying down the interest.

Now, it is an important point to be made that this President, Ms. Wasserman Schultz, and the previous Republican Congress borrowed more money from foreign interests in the last 5 years than every President in Congress previous to them combined.

So I find it very interesting that we hear our friends talk about how when they owned a small business they had to balance the budget. We know that. But when you got into this institution, this is what you did. So please spare us the lectures on fiscal responsibility.

Mr. ALTMIRE. If the gentleman would yield on that point. That is a tax on everyday Americans. When you increase the national debt to that extent, and we are talking trillions of dollars, not even billions of dollars, that adds to the cost of every American's mortgage, for example. Interest rates go up. If you have a house that is $200,000, you are going to be paying between $1,500 and $3,000 more every single year as a result of the interest rates going up because we have to pay for that debt. When we have $400 billion of this budget that is dedicated to reducing the national debt or paying the interest on the national debt, that reduces all of our ability to meet our needs at home, because that increases interest rates and we all have to pay for that.

Mr. RYAN of Ohio. So not only is the government not making the investments to keep tuition costs down, not making sure that we try to invest our money to reduce the cost of health care and Medicare and Medicaid, SCHIP, and some of these fundamental programs that we all believe in. We are not only not making those, but here is the critical components because, as you said, you get the additional burden of the interest rates going up for credit cards and everything else that ripples throughout your own than personal life.

Here is the kicker. Of that red graph there, that red bar of net interest that we are paying interest on the debt, where are we getting the money? That is the question that we ask. Where do we get the money to close the budget deficit? Here it is, ladies and gentlemen: Foreign debt held doubled under the Bush administration to over $2 trillion.

So we are not only spending money we don't have, we are not only giving millionaires tax cuts. But in order to close the gap, we are borrowing the money from the Chinese, OPEC countries, the Japanese in order to close this gap. So our kids are going to be paying the Bank of China and the Bank of Japan and the countries from OPEC, which is totally, totally ridiculous as to what our priorities need to be. So we need to get this budget balanced.

I want to make one final point before I kick it back to you guys. We are going to ask people who make millions of dollars a year to pay more in taxes, because they have benefited from this system. Here is our option: We either go back to the Chinese and we borrow more money from them, or we ask people who have made millions and hundreds of millions if not billions of dollars to help us close this budget gap.

□ 2245

Now what would you do if you were in our position? Do you ask a millionaire to pay a little bit more in taxes or do you go borrow more from the Chinese and ask middle class kids and lower middle class kids to foot the bill?

There is not a decision to be made. We have got to ask the wealthiest in our country to be responsible citizens of the United States of America. You benefit from our military. You benefit from the stability of our markets. You benefit from our public education. You benefit from our public infrastructure. You benefit from the water lines and sewer lines, clean air and clean water. All we are saying is we have to ask you to contribute so that we do not have to borrow money from the Chinese in order to fund it.

We cannot be afraid. We do not want to stymie small business. We do not want to take away tax incentives from small business people to reinvest back into the economy. We want to keep things like that intact, but we do need to ask the wealthiest in the country to pay their fair share.

Ms. WASSERMAN SCHULTZ. Thank you so much to my good friend from Ohio. What is more baffling is that it is bad enough that the President is, in this proposed budget, asking for more tax cuts for the wealthiest few, but what is more disheartening, deflating, insulting is that he is doing it on the backs of Medicaid recipients and Medicare beneficiaries.

There is a $252 billion Medicare cut, a net $28 billion Medicaid cut in this budget. Yet still there are billions of dollars in tax cuts for the wealthy. I mean, how do you stand behind a podium at a press conference, how do you hold up this big, thick, hulking document and say that this is a representation of your values, of our country's values?

Tax cuts for the wealthy and slashing health care for those who need it most and who can least afford it. I just honestly wonder every single day who raised these people. What were they talking about around their dinner table? It was obviously a different conversation than what was discussed around my dinner table.

I come from not a poor background, not a wealthy background, but you know, I ate every night, we woke up and ate breakfast every day. Because I was comfortable in that regard and because my family was able to provide for us, we were taught around that dinner table that you took care of and gave back. In the Jewish religion, it is called Tikkun Olam. You give back to the community and help people who can least afford it, and this budget is the antithesis of that. This is give to the people who can best afford it and do it and take from the people who can afford it the least.

I guess that is another example of why Democrats were successful across this country. Why both of my colleagues were successful in defeating Republican incumbents because the message was clear and they wanted a new direction.

Mr. RYAN of Ohio. You know what is interesting, and it just hit me, that if we were not here, if Nancy Pelosi was not Speaker of the House, that budget would get implemented. That budget would become law in the United States of America. The only thing standing between that budget and the American people is Nancy Pelosi and Harry Reid, or that stack of paper would become law, and the wealthiest in the country would continue to get tax cuts. We would continue down this road, borrow more money from Japan and China and OPEC countries. There would not be an investment in S-CHIP. There would not be all the stuff that Mr. Altmire listed. It is interesting to just say, hey, the American people did make a point to put us between that budget and their everyday lives.

Ms. WASSERMAN SCHULTZ. Speaking of S-CHIP, the children's health insurance program, there is actually a proposal in this budget document that narrows who would be eligible for the children's health insurance program.

Right now, I think the eligibility is twice that of the poverty level, and Secretary Leavitt just signed off on a formula that would narrow those children who could potentially be eligible for children's health insurance, I mean, at a time in our country when people are struggling to afford health care, when we have more and more people, especially children join the ranks of the uninsured, which means when you are sick, they cannot afford to go to the doctor and they use our emergency rooms as primary health care. Like I said, where are their values coming from?

Mr. MURPHY of Connecticut. To me, this budget does not spare anybody in who it offends. This budget has something to offend poor people, middle class folks, and it has a lot to offend rich people in this country.

My district is good enough that it has a little bit of everything, and part of the reason that some of us got sent here after having the other party represent our districts for a very long time was that the fiscal policies of this President, which are symbolized by this document he sent here, are offensive to people of every income bracket. For the folks at the bottom of the scale who need those public schools, who need those health care programs, well it takes money out of their pocket. From middle class families, who are trying to get their kids through college, who are trying to fill up their tank and go to work, it does not do anything for them either. It cuts alternative energy programs.

For people at the top end of the income scale who admittedly are giving a decent percentage of their income to the Federal Government, they are looking at the charts that Mr. RYAN is throwing up here and saying how on earth can I justify giving a big chunk of my income to the Federal Government and the Federal Government sending more and more control of our money overseas to Chinese and OPEC Nations.

One last thing on that point. We also do not give people at the upper end income brackets enough credit. They see what is happening to the poor families, to the senior citizens struggling to decide whether they pay their property tax bill or whether they pay their prescription drugs. Those same people who have enjoyed these massive tax breaks, a lot of them will say to me, you know what, I cannot understand the government who has the choice to put $40,000 in my pocket or help the guy around the corner from me pay for his prescription drugs for another month and he chooses to give me $40,000.

There are people of every income in this country who will find something offensive in this budget, and Mr. RYAN is exactly right. For the last 6 years, as you guys said over and over again, all this House was was a big rubber stamp on that budget when it showed up here and no longer.

We now have to stand up for all the people who have found something to object to in that budget.

Ms. WASSERMAN SCHULTZ. Just actually if you are momentarily at a loss, I have the privilege of sitting on the House Appropriations Committee, as does Mr. RYAN, and we will have a chance to take this document apart pretty carefully, one of the things that I was reviewing as we received this today was just the continuous example that this administration provides in representing a policy in one way and doing something completely different.

I mean, we have to be careful about the words we choose when we are on the House floor referring to the President, but I will point you to the section of the proposed budget that talks about how we finally are including at least some portion of the war budget inside the budget, instead of doing it all as emergency supplemental funding. So we have to give the President credit for at least including a portion of that in the budget.

However, he actually does not have any funding for the war, assumes no funding for the war past the end of 2008. There is no funding in his proposed budget for 2009. I think probably everyone in this country would like nothing more than for us to be completely finished in this war in Iraq by that point, but that is not the track that we are on and it is not the track that the President has suggested that we are going to be on.

So, there is a certain lack of clarity in terms of the distinction between what his budget represents and his rhetoric. They are not matching each other, and I think people see through that. We are fortunately now running this institution. So, through our accountability process, we can show the disparity between what the budget represents and what the actual policy implementation is.

Mr. RYAN of Ohio. I think what is important, too, is we are not sitting here saying, and I do not want anyone, Madam Speaker, to misconstrue what we are saying. We are not just saying we are going to write bigger checks and all these problems are going to disappear.

Included in our analysis of that document are going to be hearing upon hearing upon hearing. I have seen the schedule. We are going to get into the nuts and bolts of that to figure out how we can make these programs run better, how we can make S–CHIP with the same amount of money or more money cover more people, how does it get executed, the same with what we need to do with FEMA. Obviously, we saw that in Katrina.

Mr. MURTHA's having hearings and Mr. SKELTON in the Armed Services Committee about the war, and how do we make that mess go away and make it work better, the execution of war and what we are trying to do, how do we make this thing work better.

So this is not just about writing bigger checks. This is about making this whole system run better and more efficiently and more effectively and serve more people.

Mr. ALTMIRE. I thank Mr. RYAN from Ohio. I did want to take a moment or two and just point out the impact specifically that these cuts are going to have on my home State of Pennsylvania because we have talked a lot about what the budget does for the Nation and the impact those cuts are going to have. I wanted to bring it closer to home for some of my constituents, and this is what they can expect out of this budget in Pennsylvania.

We talked about Social Security and the fact that the President inexplicably once again moves toward his privatization scheme. Well, in Pennsylvania we have 1.7 million Social Security beneficiaries, many of whom could see retirement savings cut if we moved in that privatization direction.

More egregiously, the Medicare program, as we have talked about sees dramatic cuts, $300 billion of cuts to Medicare and Medicaid.

In the State of Pennsylvania, I want to talk about what this does. Pennsylvania's Medicare beneficiaries would have to pay higher premiums for coverage of prescription drugs and doctors' services.

Reimbursement cuts are going to take effect to home health agencies, to hospitals and to nursing homes. That is what the President's budget does not only around the Nation but in Pennsylvania.

This administration's budget, which we talked about assumes, an eight percentage point cut in reimbursement for Medicare physicians. I do not think anybody thinks the cost of health care is going to go down over the next several years. It is certainly not going to go down 8 percent. It usually rises in double digits each year.

The number of Medicare beneficiaries, as we have talked about, is going to go up exponentially over the next several years. Yet, this budget cuts physician reimbursement for Medicare by 8 percent. There is no excuse for that.

The State Children's Health Insurance Program, which is a program that was enacted during a period of bipartisan government, one of the ways that this Congress and the White House worked together back in the 1990s when the situation was reversed, they put together the children's health insurance program. Well, this budget submitted by the President gives $10 billion less than is needed just to maintain the current level of coverage in services.

Mr. RYAN of Ohio. I suggest you just let the other Members know exactly who this S–CHIP is supposed to cover, what it is.

Mr. ALTMIRE. It is covering children that are uninsured. In Pennsylvania alone, there is 281,000 uninsured children. We are talking about children in this country that lack health insurance, and this program in States all across this country has gone above and beyond and covered these children. But again, the President's budget gives $10 billion less than is needed just to maintain the current level of service, not even moving in the direction of extending the program.

□ 2300

Mr. RYAN of Ohio. We often hear in these debates how, you know, a certain party wants to spend money and waste money on this or that, and we are not saying that there is not waste in government, and we certainly want to address that. Our friends, our Republican friends, have done absolutely nothing to try to improve that. In fact, they borrowed more money from China to help fund the inefficiencies.

But what we are saying here is here is a program that covers poor kids. It gives health care coverage to poor kids. So they don't go to school and cough on your kid and get your kid sick, not to mention the humanity of trying to make sure that they have the proper amount of health care.

Ms. WASSERMAN SCHULTZ. Mr. RYAN, naturally we should cut it.

Mr. RYAN of Ohio. Yes, so this is what the President is offering to cut in his budget. And, as we said before, would pass if it was not for Speaker PELOSI.

Mr. ALTMIRE. Now, I wanted to talk about education funding. The President is going to talk about how he proposes an increase in Pell Grant funding for the first time in many years. But what he doesn't tell you is in this budget, it again cuts or freezes funds for key college programs like work study programs, which many of us benefited from, and there are millions of students around the country that benefit from that today, and it zeroes out, completely eliminates, supplemental education opportunity grants.

Now, that doesn't add up. If you are going to claim you are helping education by increasing Pell Grants on one side, and you are going to cut, and in many cases, completely eliminate other programs for higher education, those two things don't balance. As tuition and fees at schools like Penn State University and my home State increase year after year, the administration's cuts in student aid will put college further out of reach for many Pennsylvania students and students all around this country.

I wanted to close my Pennsylvania portion by talking about something I mentioned earlier, which is perhaps the most egregious part of this whole budget, and that is the fact that funding for Pennsylvania's terrorism prevention and disaster response is slashed under this budget. The President's budget guts programs that help Pennsylvania's local governments, prevent and respond to acts of terrorism and other major disasters.

The State Homeland Security Grant Program is cut. The Bush administration also cuts law enforcement, terrorist prevention programs which have helped prevent terrorist attacks. They cut the intelligence gathering, and they cut interoperability. Now, if everyone remembers back to 9/11, the biggest issue that was exposed, the biggest flaw in our response, our disaster response, was interoperability.

The police and the fire units could not coordinate and communicate with each other, and that was what we wanted to fix. What we saw in 2005 with Katrina, 4 years later, the problem had not been addressed at all.

Now, a year and a half, going on 2 years later, not only has the problem not been addressed, but the President, with this budget, does not even take it seriously, because they are cutting interoperability to find solutions to those problems.

Lastly, with regard to Pennsylvania, this budget again proposes elimination for two local crime-fighting tools that are used extensively in Pennsylvania, the Community Oriented Policing Service programs, the COPS program, COPS, and the justice assistance grants. Now, the COPS program helps Pennsylvania's law enforcement agencies hire police officers, enhance crime fighting technology, and supports crime prevention initiatives, while the justice assistance grants support State and local task forces, community crime prevention, and prosecution initiatives.

What sense does it make to reduce funding for these programs, especially at a time when we are trying to remain safe in our homeland security while we have actions taking place overseas. So I just don't see the point of what the President has tried to accomplish with this budget. We will hold it up again one more time before I yield, just so everybody can take a look at what we are talking about. This is what was dropped on all of our desks today. It does not represent the values of the American people. It slashes key funding priorities.

I would yield at this point to Mr. MURPHY.

Mr. MURPHY of Connecticut. I think every Member in this House, Republican or Democrat, can tell the same story about what this does for their district, and it is particularly acute in Pennsylvania. But let us hammer home what we are talking about. Mr. RYAN said it very eloquently, we are not just talking about writing a check. You are, Mr. RYAN.

We are talking about making choices, we are not talking about solving these problems by putting money into health care, putting more money in education. We are talking about where to make choices on the budget, on who to help and who to take from, who to help and who to take.

Let's start with the health care budget for a moment. Let's start with the premise that we need to rein in the health care budget. It is spiraling at a cost well above inflation, it is one of the biggest cost drivers in our budgets, in State budgets, families' budgets and small businesses' budgets. But here is the choice that you have. You can either raise the costs for beneficiaries for seniors and for people within the children with within that SCHIP program.

You can cut people out of the system, you can take kids off the rolls or seniors off the rolls, or, you can choose to ratchet down some of the profits that you are handing to the drug companies, or you can choose to roll back some of the massive overpayments that we have given to the HMOs, the health maintenance organizations, in the 2003 Medicare Modernization Act.

Common sense tells you that as you are looking at massive record profits being wrapped up by the latter groups, that maybe, maybe, if you have that choice, you should take a look at wiping away that little slush fund that you gave to the HMOs, or allowing the Federal Government to negotiate using their bulk purchasing power to just trim a little bit off of those billion dollar profits being made by the drug companies. Instead, this budget makes a different choice. It cuts people off of the rolls and it raises the fees for people on there. So this is not just about writing a bigger check.

Ms. WASSERMAN SCHULTZ. That brings me back to my, you know, sort of private thoughts, when reviewing the budget proposal, and the changes in the SCHIP program formula, where are their values, where are their priorities? If you lay out the choices they had, they choose covering the formula and covering fewer kids.

Perhaps it is that President Bush's daughters are grown now, or that they have always had health care coverage or that he grew up in a family that maybe didn't understand need. But there is something desperately wrong with the priorities and the values of this administration in terms of the direction they are moving in this country.

That is why, at least fortunately now, Mr. RYAN, Mr. ALTMIRE, Mr. MURPHY, we have some balance. We have the ability to exert Congress' role as a check and balance. We have the 30-something Working Group that can come to the floor each night and talk about those issues, talk about what is important to the American people, and the way we want to continue to move this country in the new direction that our constituents have asked for.

Mr. RYAN of Ohio. I find this an appropriate time, as we are wrapping up, I think, we only have a couple of minutes left, to remember what happened here in the first 100 hours that is in contrast to that document there. Of all the things we talked about in the last 55 minutes or so, 45 minutes, we should make note of that in the first 100 hours the Democratic Congress raised the minimum wage to $7.25 an hour. We cut student loan interest rates in half that will save the average family $4,400, so you get a pay raise. If you have a kid in school that is taking out loans, we will save you $4,400.

We allowed the Secretary of Health and Human Services to negotiate down drug prices so our seniors will have less cost to bear for their drug prices, and then we repealed the corporate welfare and invested that money in alternative energy and passed a stem cell research bill to open up two new sectors of the economy for job growth. Compare the first 100 hours and who we helped, and you take that document there that cuts health care for poor kids. That is the difference between what the American people did in the last election, and what we had to deal with within the last, between 6 and 14 years, depending on how you are counting.

Now I get to do this again, show you guys how to do this. If you want to e-mail us, any of the Members, 30SomethingDems@mail.house.gov or you can get on the Web site at www.speaker.gov/30Something and send us your comments. All of these charts that we have here are available on the Web site for other members.

Mr. ALTMIRE. Madam Speaker, at this time we yield back our time.

□ 2310

DOT-COM BUBBLE BURST

The SPEAKER pro tempore (Ms. GIFFORDS). Under the Speaker's announced policy of January 18, 2007, the gentleman from Iowa (Mr. KING) is recognized for the remainder of the time until midnight.

Mr. KING of Iowa. Madam Speaker, I want to thank the presenters of the previous hour that have come down here, especially my friend, Mr. RYAN from Ohio. They have been persistent and they have been relentless.

At some point I think it would be very engaging for us to be able to actually share an hour and do that kind of point, counterpoint that can bring these issues to the top for the American people. And I want to say again, my highest compliment is for persistence. I am going to make some comments here on accuracy and on perspective.

I think we need to take us back. Since we have gone back to the future in this last hour, Madam Speaker, I would take us back to where we were here in the United States of America on the date, and I will call it September 10, 2001.

That was the date on which we were in the middle of the bursting of the dot-com bubble, the day before the September 11 attacks on our financial centers, the Pentagon and in the fields of Pennsylvania, which may have been the White House or this Capitol building itself, Madam Speaker.

On that day, the American people were just beginning to understand what had happened to our economy. We had this growing economy that has been credited over here many, many times over to President Clinton. I want to tell you that the Republican Congress balanced the budget through the 1990s. And they might have done so because they did not approve of the Clinton policies. There might have been a measure of spite. But they balanced the budget.

And the reason I will give that credit to the Republican majority in this Congress is because Bill Clinton vetoed their budget several times. That kept us from having a balanced budget until finally they had to reach a compromise, and those balanced budgets flowed forward.

This economy grew, and it grew out beyond expectations. And the biggest reason, Madam Speaker, that it grew was because we had this economic phenomenon called the dot-com bubble. Well the dot-com bubble was that we had discovered in our research, in our technology and science and in information, that the microchip and the configuration of the microchip and the configurations of the software and our infrastructure that allowed us to put that all together, we found out in the middle 1990s that we could store and transfer information more quickly than ever before in all of history.

And when that happened, there were companies that looked around and said, voila, we have a microchip. We can find a way to do something with that. Let's start up a dot-com company and we will go public and we will sell shares on our ability to store and transfer information more efficiently than ever before, Madam Speaker.

And so those companies lit up and did that. And the stock market grew and grew and grew and grew. And there was a return on those investments, not because the companies were making money, but on the speculative value, Madam Speaker, on the ability to store and transfer information faster than ever before.

That went through the 1990s and into the year 2000. And in the year 2000, President Bush was elected. And about that time, sometime about the beginning actually of the year 2000, the market, the stock market began to understand that this dot-com bubble, which was this growth in the values of their shares on the New York Stock Exchange was really based upon the speculation that we could store and transfer information more quickly than ever before, and not based upon the economic value of the ability to be able to store and transfer information more quickly than ever before.

And so the adjustments began to be made in that stock market. And when they were made, it took it down to, what is this information worth? Just because we can store and transfer it more quickly does not mean it has more value, it has to add efficiency to the productivity of companies, or it has got to have a marketable value to people that will say pay a higher price for a higher speed Internet, not just for their business reasons, that is legitimate, but also for their recreational reasons.

Only two reasons this information age that had blossomed and grown, Madam Speaker, only had value because it added efficiency to the companies that we had and those that would be developed and grown, or that ability to store and transfer information could be marketed for recreational purposes.

Well, about the year 2000 the market began making those adjustments. And the market decided there is too much capital invested in this. There is too much speculation invested in this. We really cannot turn out the kind of productivity that is necessary to justify the capital investment that had grown this dot-com bubble in our marketplace.

And so astute investors began to divest themselves of their investments within those dot-com companies, some of them not all of them. Those that had the highest promise, at least on the measure of the capital invested, the money stayed with them. Those that had the least promise the money left them.

As the market adjusted, we had this thing we called the bursting of the dot-com bubble. That took place in about the year 2000, 2000, 2001, as President Bush was being sworn in out here on the west portico of the Capitol for his first term in January of 2001, the bursting of the dot-com bubble was almost audible at that point.

Well, as that bubble slowly burst and flowed across the year 2001, Madam Speaker, it took us up to September 11 of 2001, when, as we know, the planes went crashing into the Twin Towers and into the Pentagon, into the field in Pennsylvania.

And the attack on our financial centers, and an attack on our strategic center over here at the Pentagon, of our military strategic center, was devastating. It was designed to take the financial center of the United States of America to its knees.

Well, that did shut down our financial center the rest of that week. We were open for business, might have actually been on the following Friday, but we were at least open for business the following Monday after September 11. But we got our stock market up and going again, our financial centers started going again. We patched things in. We rigged them up so that we could work and we could trade. As we began to trade, the markets began to adjust the impact on them.

That blow to our financial centers on September 11, on top of the bursting of the dot-com bubble where there were two devastating hits on our economy, yes we were cruising along, Madam Speaker, with anticipated balanced budgets as far as the eye could see. But those balanced budgets did not anticipate the bursting of the dot-com bubble, nor did they anticipate the attack on the Twin Towers in New York City.

And so we began to make our adjustments. And then following that, the obvious result was, that we had to spend hundreds of billions of dollars to protect us from the terrorists who were attacking the United States of America and western civilization itself.

That took money, Madam Speaker. And this Congress pulled together in bipartisan effort, Democrats over here, Republicans over here, came together and said we are one people. We are the United States of America and our number one most responsible Constitutional position is to protect the American people.

And so we set forth here in this Congress to protect the American people. And some of the things that we did were to provide that our military could, number one, go over to Afghanistan and into the mountains in Pakistan and go take out those al-Qaeda centers where they had been strategizing and planning these terrorist attacks on the United States.

And in the process it was necessary to liberate Afghanistan and set up a government in Afghanistan that reflected the will of the people, a government of, by and for the people of Afghanistan. We did that within 2 to 2½ months of the September 11 attacks in 2001, at the cost of billions of dollars, Madam Speaker.

Now here we are, the bursting of the dot-com bubble, the attacks on the Twin Towers, our financial centers, and the Pentagon and in Pennsylvania, and the necessity to engage in military conflict clear across the globe over in Afghanistan and Pakistan, which our glorious United States military did so successfully, and took out the Taliban and liberated the Afghani people. The Afghan people went to the polls there in that country for the first time in the history of the world. A magnanimous thing, all at great cost for a great cause.

These three things that I have talked about, Madam Speaker, the bursting of the dot-com bubble, which brought our stock market down, the attacks on our financial centers at the Twin Towers took it down further, and the cost of supporting and maintaining and equipping our military to liberate the Afghan people all three things hit this budget hard.

Now, I do not think there was anyone on that side of the aisle that made the argument then that we should have only done these things within the confines of a balanced budget. I did not hear them say that. I did not hear anybody say that. I did not even read an editorial that said, well, you know, it is a pretty responsible thing that we have to do here, we have to recover from the bursting of the dot-com bubble, we have got to recover from the attack on the Twin Towers, and we have to spend tens of billions, in fact more than a hundred billion dollars going into Afghanistan to take out the Taliban and al-Qaeda and free the Afghan people, but we should only do so within the confines of a balanced budget.

No, nobody said that, Madam Speaker. Nobody on that side said that. Nobody on this side said that. We were unanimous in our judgment that we needed to protect the American people at whatever cost. And so our military went forth, under the command and order of our commander in chief and carried out their duty and liberated the Afghan people and took out the Taliban and took out al-Qaeda in the mountains in Afghanistan and in Pakistan.

□ 2320

They did their job. We all knew that we would be deficit spending here in this Congress to protect the American people because the decision of balancing the budget in a time of great national peril was not a hard decision. When you are in great national peril you go into debt.

Can anyone imagine fighting World War II when we spent 38 percent of our gross domestic product on our military, fighting that war without going into debt? We sold war bonds over and over and over again. We ginned up Hollywood. Hollywood started running movies to raise the morale of the American people and to keep us together as one people. And strategy after strategy was designed here out of Washington and from Franklin Delano Roosevelt to pull us together as a people, to not be divisive, to unify in our efforts against the Nazis to our east and the imperialist Japanese to our west. That was the strategy of the United States, and we pulled together as one people, Madam Speaker. And we spent 38 percent of our gross domestic product in those years of World War II.

And the zero unemployment that we have today at about 4.6 percent during World War II went to 1.3. That is closer to a full employment economy. It is still not a full employment economy, but that is a lot closer.

And we sit here today, and I am hearing the argument that somehow we should have walked through this whole thing with a balanced budget. You know, if we had done that, there is something my friends on the other side of the aisle that know to be fact and, in fact, I think they are whistling through the graveyard crossing their fingers behind their back saying I wish that that had been the case. They know that if we had done so and balanced the budget then we would have gone into a tailspin recession, if not a hard core depression.

But what happened throughout that, the bursting of the dot-com bubble, the attacks on the twin towers, the liberation of Afghanistan and subsequently the liberation of the Iraqi people, what happened, was our Commander in Chief, who also is the President of the United States, George W. Bush, came to this Congress with two financial proposals, two tax cut proposals, one in 2001 and one in 2003. And the vision was this, if we don't reduce taxes and stimulate this economy, the burden of this bursting of the dot-com bubble and the attack on the twin towers and the necessity to liberate Afghanistan and Iraq, the burden of all of that will fall on this economy, and the United States of America would certainly, and I don't mean, Madam Speaker, almost certainly, I mean the burden certainly would have fallen on this economy and it certainly would have put us in a recession, and perhaps a severe depression.

Now, Madam Speaker, I would submit that if we were to consider what this country would have been like if we had not cut taxes, if we had not reduced capital gains, if we had not reduced dividend taxes, if we hadn't let people keep more of the money that they earn and allow them to reinvest it and get a return on that investment, if we hadn't made those changes in the 2001 and 2003 Bush tax cuts, this economy would have slowed to a crawl. It would have tail spun into a recession, perhaps a depression.

But the President knew, and this Congress knew, and the Republican majority knew, and I thank you all of my colleagues for being part of that, knew that if we could cut taxes we could stimulate economic growth. If we can stimulate economic growth, we can grow our way out of this deficit spending that is necessary at this time of great national peril. And that is what we did. We did follow the leadership of the White House and President Bush. We did cut taxes in 2001. We did cut taxes in 2003. And the economy responded in kind. And there is no logical argument that the cutting of taxes did not stimulate the economy.

If anybody over on this side has a disagreement, I would be happy to yield some time. But it did stimulate the economy, and this economy grew. And quarter after quarter after quarter, we saw the longest period of economic growth in the history of the United States of America flow forth through this economy, quarter after quarter. And most of those quarters were over 3 percent growth. And I would quote it all back to you but it has been so good that I have lost track the last two or three quarters, so I can't tell you exactly what those numbers are. But I know there have many, many quarters that this economy has grown and grown significantly, perhaps grown dramatically. But this is a stable, long term growth just the kind you want if you draw it up on the chart.

And so here we are. After a political campaign, November 7 election, after I have heard over here this economy is bad and it is not providing jobs for people, well, when has it been better? If anybody on that side of the aisle has an answer to that, I would be happy to yield to you. Just stand up. I would be happy to yield to you. When has the economy been better than it is now? When has it grown more consistently? When has it provided more jobs? When has the private sector had more stimulation than it has now? Not in my lifetime, Madam Speaker. This is the best economy that we have ever seen.

And here we are, it is stimulated by the Bush tax cuts of 2001 and 2003, and we are faced with, now, a Democrat majority that wants to increase taxes. So I have a few charts here to help people out, Madam Speaker. And this chart says, having called the tax cuts beyond irresponsible, the chairman of the Ways and Means Committee said, he cannot think of one of George Bush's first term tax cuts that merit renewal.

Well, those first term tax cuts include all of the Bush tax cuts, as my recollection is. So if he can't think of one that merits renewal, Madam Speaker, I would point out, I can't think of one that does not merit renewal, that this economic growth and this economic recovery has been almost a historical miracle.

But for the chairman of the Ways and Means Committee to not acknowledge an economic fact, Madam Speaker, is an astonishing thing. And as I listen to the debate here on the floor tonight, and as I listen to my colleagues here deliver their view and their opinion, which they are entirely welcome to, and I respect that, it occurs to me that their probably isn't one shred of empirical data that would pry them off of their political position.

But I will say that we have the ability over here on this side of the aisle to deductively reason, and we know that there are incentives for people, and when there is profit involved, people produce more. When there is less profit involved they will produce less. And if there is no profit involved, even if they want to produce, they won't last long. Their business will go under and they will go broke.

So in a free market economy, you have to have people that can make a little bit of money. And if they can make a little money, they are going to like it and they will make a little more money. And when you have a tax and a regulatory structure that allows for people to have some profit, they will continue to produce. And our gross domestic product goes up and the number of jobs go up and the wages that they can afford to pay go up and the benefits that they pay go up, which means the families are better off, that is more money, Madam Speaker, in the pockets of the families of the American people. And then we become a better place to live.

And these Bush tax cuts have not reduced the revenue stream into this country. They have increased it by every measure imaginable. And it might be possible to do a static kind of a calculation that says, well, yes, if we just increase taxes 50 percent we will get 50 percent more revenue. Madam Speaker, I won't disagree with that. You can do that static calculation, and you may actually even get 50 percent more revenue the very first quarter that you increase taxes by 50 percent.

But human nature has got to play into that equation too, and human nature says, well, taxes were too high. I don't think I really want to work those extra overtime hours. I don't want to do 60 hours a week. I am going to be happy with 40 because Uncle Sam takes too big of a cut. The taxes are too high. I am not going to sit there and make those extra sales phone calls at night. I am going to go home and see my family. I am going to settle for less income. Or the business owner that says well, the taxes are too high. I was going to add an extra line on to my manufacturing plant here and hire an extra hundred people, but, no, taxes are too high. The regulations are too high. I am going to be just satisfied with what I have. Or maybe shrink it down a little bit and maximize my profits and just stay here, hold the status quo.

□ 2330

That is what goes on in the minds of the people who are creating the jobs in America, especially America's small business people. For when they hear over here, Madam Speaker, that they want to increase taxes and punish the producers in America, the producers aren't stupid. They are going to decide I can take so much punishment but I can't take that much punishment; so I am going to back up a little bit and I am going to back off. I am going to quit creating jobs and probably lay a few people off. I am going to consolidate my business, and maybe I will just coast out the rest of my life. And you have lost that business owner for the rest of their life. And you have got to then rely on some young entrepreneur to come in and light this thing up. But why will they if you take away, in your perverse way, taxing the incentives of the entrepreneurs of America, which is a life blood of who we are as a people?

So the chairman of the Ways and Means Committee, having called the tax cuts beyond irresponsible, the chairman said he cannot think of one of George Bush's first-term tax cuts that merits renewal. Astonishing. Would you really want to back up and give up on the longest period of growth in history, and I have to be careful of that, at least in my history? And I know of no time in the history of the United States of America where we had more growth.

Well, it is one thing, Madam Speaker, to take the position that the chairman of the Ways and Means Committee cannot think of one that merits renewal, but here is a statement that comes from the chairman of the Ways and Means Committee, and that is September 26 of 2006, where he vowed to put all of President Bush's 2001 and 2003 tax cuts on the chopping block.

Why? Why in the world, Madam Speaker, would you take something that has proven success, this long period of growth that has run 3 percent and more for most of the last dozen quarters or more, dozen and a half quarters at least, and put them all on the chopping block and chop them off and let them go? Why? Why would that be the case? Aren't we looking forward to a chairman of the Ways and Means Committee that maybe is an economist or at least a well-versed, well-read amateur economist, and wouldn't an economist who is the chairman of the Ways and Means Committee want to have reasonable growth, maybe even dynamic growth, here in the United States of America? What would be the merit in trying to kill the economy of the country that you have sworn to defend and that you love, and, in fact, in his case, has stood up and put his life on the line and defended, to his credit?

It can only be one thing. I do not think he really wants to destroy the economy of the United States of America, but I think there is a political agenda, Madam Speaker. And this will be devastating to the economy of the United States if these tax cuts from 2001 and 2003 are put on the chopping block. And it isn't that they have to be put on the block and voted down. These tax cuts sunset. They will need action in the House and the Senate to be renewed. And they need to be renewed because we know what kind of growth they have stimulated.

In fact, last September, and I believe the date was September 15, under these Bush tax cuts, the Federal Government collected more money on that day than any other day in the history of the United States of America. September 15, 2006. That would be the last time that happened under the Rangel plan.

So, Madam Speaker, I would submit that these tax cuts do have a sunset and that sunset for them, the date that they expire, is 1,426 days from now; 1,426 from now, Madam Speaker, and if this Congress does nothing, they expire.

Now, I would ask why would it be that the chairman of the Ways and Means Committee, Speaker PELOSI, and the leadership on the Democrat side of the aisle would want to see the Bush tax cuts expire. Well, it is because if that does not happen, they cannot balance their budget. They can't balance their budget without an increase in taxes. And this brings about, when those dates expire, a real increase in taxes. Regardless of how it is voted, regardless of how the bill is brought forward, regardless of what might be amended, in the end if these tax cuts are not extended, the result is a tax increase. A tax increase will temporarily fund their spending increases, and they will be able to claim that they have a balanced budget for a little while.

But that won't last long, Madam Speaker. But the temporary timing of this comes together in such a way that the expiration of the Bush tax cuts in 1,426 days is nice and handy because they can use that to claim that they are complying with PAYGO, the pay-as-you-go plan, the not-going-to-spend-any-more-money-than-you-have-coming-in plan, the plan that says if we want to spend more money, we will just increase taxes on the backs of the American people, the hardworking American people. And I believe the government takes enough out of their paychecks, Madam Speaker.

I believe we have hardworking Americans who are still working hard and struggling to make ends meet. They have to have a budget. The American people have to meet that budget. When they look at what they need to do in order to live within their means, they make those decisions, Madam Speaker. And they don't have the option to decide in 1,426 days I am going to raise taxes. I am going to kick that up to the point where now I can raise spending.

No. The American people have to be responsible. They have to look at the paycheck they have coming in and make decisions on what they can afford, what standard of living they can afford to have. And so they will decide if they can have that cabin at the lake or that new SUV or that boat or whether they are going to plastic their windows and try to keep their heat bill down so that they can live within their means. We all have to make those kinds of decisions to live within our means, and when a decision is made to take money out of the pockets of the American people, those people that are out there putting plastic over their windows in one of the coldest winters that we have had in a long, long time, Madam Speaker, and we are taxing them, raising their taxes so that this government can spend more money to buy more votes and influence more people across this country, it is a travesty of justice.

I have been with some of the Democrats, Madam Speaker, and some of them said they want to balance the budget. And when they say that, you can't get them to admit that they want to increase taxes to balance the budget. Some of the Blue Dogs will say they want to balance the budget in a responsible way. I can't get them to say they would do so without increasing taxes. In fact, whenever they have offered a balanced budget here on the floor, it always has had an increase in taxes as part of their balanced budget.

So I have taken a look at our budget, Madam Speaker, and decided what needs to happen. If we are going to balance the budget, the American people ought to know what it takes to balance the budget here in the United States of America. About $2.8 trillion is our budget, and we have a lot of revenue coming in, and the revenue increase has been double digits the last 2 to 3 years because this economy has been so strong and the unemployment has been so low and the new jobs created have been so dynamic. All of this seems to be a secret to the American people, but that is all fact, Madam Speaker. But still we have this growth in entitlements. The entitlements of Medicare, Medicaid, Social Security, and you add to that the cost of interest that is going up, and as interest goes up, of course, the more national debt that we have. No one in this Congress aside from myself, Madam Speaker, is talking about how do you balance the budget, how do you balance the budget without increasing taxes.

I want this dynamic economy. I want to see double-digit increase in our revenue stream. I don't want to kill the goose that lays the golden egg. The people on this side of the aisle, Madam Speaker, have a belief that there is something evil about that goose that lays the golden egg, and they want to kill that goose by increasing taxes. But as for me, I will submit that I am willing to cut some spending. Let us take this on down to the point where we can balance this budget and then balance the budget without increasing taxes, Madam Speaker.

And I have done a little calculation on this, and this is nothing but a little napkin calculation with a calculator off of my belt, and the final numbers will be coming in in the next couple of days, and if all goes well, I will be able to introduce a bill and we can have a debate on this floor on a real balanced budget, Madam Speaker.

□ 2340

But if we were to hold defense spending harmless, let defense spending grow the way it needs to, because we have to protect the American people, set that part aside, and then put into it non-defense discretionary spending, that is the spending that is not including the entitlements, being Social Security, Medicare, Medicaid, also the necessity to pay for the interest on the national debt, those things all tied together, plus non-defense discretionary, all of that together, if we would look at the 2007 fiscal year budget and make adjustments in that for 2008, it would be necessary for us to cut about 8 percent across-the-board in all of those categories if we were going to balance the budget.

So when the American people clamor for a balanced budget, they need to understand what they are talking about. They need to understand the impact on their own budget, what happens to their Social Security benefits, their Medicaid and Medicaid benefits, and, of course, we have to pay the interest bill, and then how we have to shrink down some of the discretionary spending in this Federal budget.

All of that can happen with the support of the American people. An 8 percent cut seems to me to be a bit Draconian. But if we had frozen our Federal spending when I came to this Congress in 2003, we would have a balanced budget today, Madam Speaker, with a minimal amount of pain, and we would be able to have a debate for the American people that would be focused on what is the future of this country going to be?

We can't make these adjustments to Social Security if we are not willing to make those changes that were called for by President Bush with personal retirement accounts. If we can't give people a percentage of their Social Security that they are contributing into their own control so that they can have some investment in their own destiny, while we guarantee those benefits to our seniors, if we can't make those changes, the inevitable result is, Madam Speaker, we will have to cut the benefits to our seniors.

I want to keep that pledge to our seniors. Because of that, I want to configure a kind of Social Security reform that will allow for a measure of that to go into personal retirement accounts so that we can get people with their own accounts down the road a ways that can be independent and stand up and take care of their own retirement. That an essential component of this.

If we don't do that, we are going to have to look the American people in the eye and say we didn't have the will to do the right thing. Now we are going to have to do the necessary thing. The necessary thing then would be to reduce benefits or increase contributions. In either case, increasing contributions at a time when we have fewer people working and more people collecting, as the baby-boomers come on line, and I am one, Madam Speaker, it is no time to put more burden on the workers in America. That will be the inevitable result if we are not able to bring reform to the Social Security plan.

So, 8 percent across-the-board, holding defense spending harmless, that will get us pretty close to a balanced budget. That is 8 percent plus or minus about half a percent. Closer numbers are coming in in the next few days.

Now, the question is, over here as I listen to the people on the other side of the aisle, they don't seem to trust the free markets. In fact, I don't know that they understand the free markets. But the question for the American people, Madam Speaker, is do you trust government or do you trust free markets? Do you trust them when it comes to who is going to do the best job of managing and controlling your money?

I will submit that the people that earn the money ought to have control of the money, and they will spend it better than government spends it almost every time. When it comes to health care, they need control of their own health care. They have to be able to control their own destiny, to have the freedom of choice to decide where they want to invest their health care dollars.

I appreciate the President coming here to this floor and speaking from the location where you are, Madam Speaker, about the need to provide for full deductibility for health insurance premiums, at least for those with under $15,000 in health insurance premiums.

We have had a pretty good and healthy history with employer-based health care plans, but it is not enough. We have too many American people that are not insured for health care. If we can give them full deductibility of their health care benefits so they can make that deduction and make the calculation on their bottom line and determine it is better for them to be insured than not be insured, we will have, instead of having 47 million people uninsured, we will have far less uninsured, and this country is better off and people will be making more decisions individually between them and their doctor.

I want the American people to negotiate with their doctor, every individual American to have that personal relationship and be able to control that account and have an insurance policy that they know and understand and one that is fully deductible and one that is portable; one that even though the employer may contribute to the premium, they can take it with them when they go from job to job, which there is more job moving now than in the history of this country.

I want the American people to have a Health Savings Account, Madam Speaker, that they can invest money in; that goes in tax-free, and then as the money rolls out that is spent back into premiums, in major medical health care and having regular annual tests to monitor their health situation, so that we have a healthy America with all the right incentives that are set up, rather than the perverse incentives being set up.

Then one day, having those Americans that are young today, they could put a little over $5,000 into their Health Savings Account annually and manage their health care and get the tests done, watch their weight, exercise, abstain from tobacco, minimize their alcohol use and have a healthy lifestyle, those Americans will arrive at retirement with six figures times something in their Health Savings Account.

Madam Speaker, it is my view and my vision that that day will come when there are hundreds of thousands of dollars wrapped up in individual Health Savings Accounts that haven't been used because they have a healthy lifestyle, and they have been insured for catastrophic insurance and had enough money to take care of the deductible in order to do that, and saved hundreds and thousands of dollars in their health insurance premiums. When they arrive at 65 and qualify for Medicare, we can look at them and say, well, Joe and Sally, you have done pretty well. You have taken care of your health and you have got this nice nest egg in your Health Savings Account. And let's just say it is half a million dollars, just to put a big number up there on the board, and let's just say at age 65 they can negotiate for a paid up health insurance plan, Madam Speaker, for the balance of their life that would substitute for Medicare.

Let's just say the Federal Government can step in there and say, you know what we are going to help subsidize that? We would like to buy you down on that. We can get together on that. Out of your $500,000 and our Federal Treasury, we will put together some money so that we can provide a paid health insurance plan, and that paid up health insurance plan would substitute for Medicare, and the rest of your life you would be covered under that, kind of like an annuity that takes care of your health care.

Then, let's just say that that takes $250,000 out of the $500,000 that happens to be in the Health Savings Account by the time Joe and Sally, who are now at the young age, arrive at 65 and qualify for Medicare, now they have a quarter of a million dollars left over. What we would they do that? My answer would be whatever you so choose. You have managed your lives well. You have been fortunate. You have a strong Health Savings Account. You provided a paid up health insurance plan for the rest of your life, you and our Medicare funding has supplemented to create that. Now we want to reward you and let you take the money out of your Health Savings Account, travel the world, will it to your kids, do whatever you would like to do.

Madam Speaker, who could be opposed to such a thing? I would submit there will be many on this side of the aisle that will be opposed to such a thing because they don't want independence for the American people. They don't have confidence in the judgment of the American people. They want dependence for the American people. They want the American people to be dependent so they can come back to Congress and say I need you. Set me up a health care plan and tax my neighbor, tax that rich person, punish them for their productivity. Give me some of the benefits of that. They set up this class warfare which empowers them politically. That is the side of the aisle, the psychology that comes there.

Then, Madam Speaker, as I watch this clock tick down, there are a few other pieces of subject matter that need to be addressed. One of them was brought up by our group here in the previous hour, and that was the issue of energy.

I know that we have disagreed consistently on what we should do to develop American energy sources. My view is we need to develop our American energy sources. Every place where we can legitimately do so in an environmentally friendly fashion, we should open up American energy.

□ 2350

We have at least 406 trillion cubic feet of natural gas offshore, and most of that is offshore around Florida and some in the gulf that is not Florida. 406 trillion cubic feet of natural gas; and yet we sit here, and last fall, last minute in our lame duck session we opened up a tiny little sliver of offshore drilling.

We have mineral rights out to 200 miles, and yet the idea is if we would put a gas well down at 199 miles out, somebody that was planning on going to Florida to sit on the beach would hear about that and decide, well, I know I can't see 199 miles out offshore, but somehow I would know that was out there so I don't want to sit on a beach that has somebody drawing natural gas off a platform that is invisible to me and environmentally friendly.

And, by the way, there has been no gas well that has ever polluted anything anytime. If there has ever been a gas well eruption, it went off into the atmosphere. And so it is not an environmental issue; and because they are out so far from the shoreline it is not a scenery issue, which is no excuse anyway, Madam Speaker. It is a political issue.

Here in this country we have people who are environmentalists who jump on the environmental band wagon and then they oppose anything that they decide could have an argument that would be against the environment, and they do so so they can raise political money and they can support political candidates, and they do so in defiance of rationale and they do so in defiance of logic.

Again, they have set aside this Western Civilization tenet of the age of reason, deductive reasoning. Deductive reasoning says, well, if you have a lot of natural gas offshore in Florida and if you can only see about 12 miles offshore, and even if you could see those rigs out there, it doesn't matter to me, I could sit on the beach with a rig out there, it is something to look at. But it is beyond where they could see.

Would you not in a deductively reasoning way, Madam Speaker, go in there and explore for that oil and the gas and open that up and bring that natural gas into the United States and produce all the things we do, plastics and fertilizer? I mean, the cost of our fertilizer is the cost of our food. The nitrogen fertilizer that goes in, 90 percent of the input comes from natural gas. So you can't grow anything without nitrogen. And our corn that produces our ethanol is founded in a nitrogen base.

So if we are going to be able to reduce our dependency on foreign oil, we have got to have more natural gas to produce the fertilizer. And we can go out there and explore for that and have American energy coming up out of the bottom of the ocean and pumping it into the United States and turning it into fertilizer and heating our homes and our factories and using it to produce all kinds of a myriad of products. But somehow the environmentalists have blocked that all down, not because it is rational, not because they can deductively reason that it makes sense, but simply because there is some visceral instinct that says we think we can raise some campaign dollars and we can get some people to oppose that.

And, by the way, if we are emotional about it, they won't even stop and think. Which is the truth, Madam Speaker. They didn't stop and think about ANWR, either. And I did. And I thought, well, if this is perhaps today's largest energy reserve that the United States of America has, and if I am seeing commercials that show the Sierra Club and they put out this commercial that shows this pristine alpine forest and they say don't go up there and explore in ANWR because you will be destroying this pristine alpine forest, and I looked at that and I thought some of that doesn't add up so good for me, Madam Speaker.

So I went up there to ANWR, the Arctic National Wildlife Refuge, ANWR, traveled all over it, flew over it, down low, looked for everything, looked for wildlife, hours in the air at the lowest altitude they let us fly looking out the windows trying to find massive caribou herd or maybe reindeer herd or a lot of polar bears or maybe some seals swimming around out there. And in all of that flight back and forth and looking down and all of us looking out the windows, Madam Speaker, we saw two white birds and four musk oxen. And those four musk oxen were standing there with their heads down doing nothing, of course it was cold, and they weren't disturbed by anything going on.

Madam Speaker, I would submit that some of the environmentalists on the other side of the aisle, and one comes to mind would perhaps be my friend DENNIS KUCINICH from Ohio, go up there with me sometime and let's look out the window of the plane and fly along and see if you can point out the oil fields that are there in the North Slope, the North Slope that went through all the court action back in the early 1970s, the beginning of the Alaska pipeline, and point out there on the North Slope where are these oil wells; where is this desecration to our environment; where is the desecration to the scenery. Show it to me.

I will fly you over the whole thing, Madam Speaker, and look down. And I can point them out now because I have been there and I have been to school, and I will tell you there is not a single derrick sticking out of the air like you imagine, no Texas oil rig from the 1930s. There is not a single pump jack sitting there cranking out the oil out of the ground and leaking a little oil back into the ground. It doesn't exist. The only thing you will see, and now I will tip you off if you want to go, you might be able to see it as I tell you what you are going to be looking for, and that is a rock workover pad maybe 50 feet wide by 100 feet long, maybe a little longer, that sits up about 3 feet above the arctic tundra, white stone like limestone, probably is, a pad that you can bring a workover rig on if you need to work the well in the wintertime.

And as they come in to work those wells, they will come in on ice roads, ice roads that will melt in the summertime that don't damage the tundra, and they will set the rig up. And the pumps are all submersible. You can't see the well, you can't see the casing, you can't see the pump, and you can't see the collection tubes.

That is all out of the sights and minds of the people that are up there because this is an environmentally friendly development of the North Slope.

Madam Speaker, we can do better in the development, even better in the development of the Arctic National Wildlife Refuge. We have technology to do directional drilling, and that will reduce our footprint considerably.

So why would we, the American people, insist upon going over to the Middle East and buying oil from, some are friends, many are enemies, enriching them, making us more dependent on Middle Eastern oil while we have these massive supplies of energy within our own country? Why would we not, Madam Speaker, develop American energy supplies. Why would we not go down into the Gulf of Mexico and open up the Chevron fields down there that have been found that might increase the supply of our energy by 50 percent, just what is found offshore in the gulf south and west of New Orleans, the Chevron fields. Why would we not do that?

Why would this Congress, Madam Speaker, pass legislation that would change the deal that these companies have with the United States of America and say to our best friend oil companies who are developing this energy: we are going to have to renegotiate your leases. We thought it was a good deal when we made it, but now we know something that we didn't know then. So we want to scrap and tear up the leases that you had, the ones that gave you enough profit that you put some incentive into research and development and the exploration, and we want that money, we want that profit. We as a Federal Government want to tax your income more. And then if you don't do that, then we are not going to let you ever sign another lease with the Federal Government or the United States.

What are you going to do, Madam Speaker, if you are Chevron or if you are Exxon or if you are Shell or any other company that is one of those great oil companies here in the United States if you get that kind of message from this Congress? I will submit, Madam Speaker, that what you would do is you would take your investments over to foreign countries. You would go offshore in Australia, you would go somewhere else, you would go up in the North Sea, you would go somewhere offshore in West Africa and put your investments there where they are safer. They might be nationalized by some tyrannical government, but they are probably not going to come in and change the deal. They are probably not going to come in and confiscate your investment like this legislation that passed off the floor of this Congress last week or the week before. When the United States of America makes a deal, Madam Speaker, they have got to keep the deal.

We saw oil prices go up, we saw barrel price go up to $75 a barrel. We watched it now drop down to the low $50 a barrel. The reason for that is because the supply has gotten greater on the marketplace. The biggest reasons for that is because there was profit in it, that companies that were making money were reinvesting that profit in research and development and producing more oil and putting more of it on the market. We need to thank those companies that have provided this supply for the United States, not punish them for the extra taxes, because these American companies have made us less dependent on Middle Eastern oil, not more dependent. And the actions of this Congress in this past month have made the United States of America more dependent on Middle Eastern oil, not less dependent on Middle Eastern oil. And that is the difference.

What we have passed has hurt America's economy, and what we need to do is allow the companies that invest in research and development to make some profit so they will do more of the same. And if there is more energy on the market, then energy will be cheaper.

So I will submit, Madam Speaker, that we need more BTUs in the marketplace; we need to grow the size of the energy pie. The more energy there is in the marketplace, the cheaper it all will be. And we have to have incentives for business to step in and do the right thing. That is the natural part that we should understand when we understand free enterprise capitalism.

If anybody has a little difficulty handling that, they should pick up a copy of "Wealth of Nations" written by Adam Smith published in 1776. He was an economist at the University of Glasgow in Scotland, and he laid out the principles of free enterprise capitalism, free market economics, and he understood human nature. And all of those things have to be tied together to make these work. We can't defy human nature, Madam Speaker. We must respect and honor human nature.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. GENE GREEN of Texas (at the request of Mr. HOYER) for today on account of official business.

Mr. ORTIZ (at the request of Mr. HOYER) for today on account of official business in the district.

Mr. BUYER (at the request of Mr. BOEHNER) for today and February 6 on account of medical reasons.

Mr. HASTERT (at the request of Mr. BOEHNER) for today and the balance of the week.

Mr. ROYCE (at the request of Mr. BOEHNER) for today on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. SOLIS) to revise and extend their remarks and include extraneous material:)

Ms. PELOSI, for 5 minutes, today.

Mrs. CAPPS, for 5 minutes, today.

Mr. GEORGE MILLER of California, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. JOHNSON of Georgia, for 5 minutes, today.

Mr. SNYDER, for 5 minutes, today.

Mr. ALLEN, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. GENE GREEN of Texas, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Mrs. MALONEY of New York, for 5 minutes, today.

Ms. SOLIS, for 5 minutes, today.

(The following Members (at the request of Ms. FOXX) to revise and extend their remarks and include extraneous material:)

Mr. PAUL, for 5 minutes, February 6, 7, and 8.

Mr. BURTON of Indiana, for 5 minutes, today and February 6, 7, and 8.

Mr. WALDEN of Oregon, for 5 minutes, February 6.

Ms. FOXX, for 5 minutes, today.

Mr. DREIER, for 5 minutes, today and February 6, 7, and 8.

Mr. DENT, for 5 minutes, today.

Mr. POE, for 5 minutes, today and February 6, 7, and 8.

Mr. ENGLISH of Pennsylvania, for 5 minutes, February 7.

Ms. GINNY BROWN-WAITE of Florida, for 5 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. AL GREEN of Texas, for 5 minutes, today.

ADJOURNMENT

Mr. KING of Iowa. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at midnight), under its previous order, the House adjourned until today, Tuesday, February 6, 2007, at 10:30 a.m., for morning hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

491. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report pursuant to Section 3 of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

492. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report pursuant to Section 25(a)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

493. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report pursuant to Section 3(c) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

494. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report pursuant to Paragraph (5)(D) of the Senate's May 1997 resolution of advice and consent to the ratification of the Conventional Armed Forces in Europe Treaty Flank Document of May 31, 1996; to the Committee on Foreign Affairs.

495. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a Memorandum of Justification under section 451 of the Foreign Assistance Act of 1961; to the Committee on Foreign Affairs.

496. A letter from the Assistant Director, Executive & Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

497. A letter from the Assistant Director, Executive & Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

498. A letter from the Assistant Director, Executive & Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

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500. A letter from the Assistant Director, Executive & Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

501. A letter from the Assistant Director, Executive & Political Personnel, Department of the Air Force, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

502. A letter from the Assistant Director, Executive & Political Personnel, Department of the Army, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

503. A letter from the Assistant Director, Executive & Political Personnel, Department of the Army, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

504. A letter from the Assistant Director, Executive & Political Personnel, Department of the Army, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

505. A letter from the Assistant Director, Executive & Political Personnel, Department of the Army, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

506. A letter from the Assistant Director, Executive & Political Personnel, Department of the Navy, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

507. A letter from the Assistant Director, Executive & Political Personnel, Department of the Navy, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

508. A letter from the Assistant Director, Executive & Political Personnel, Department of the Navy, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

509. A letter from the Assistant Director, Executive & Political Personnel, Department of the Navy, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GORDON of Tennessee: Committee on Science and Technology. H.R. 547. A bill to facilitate the development of markets for alternative fuels and Ultra Low Sulfur Diesel fuel through research, development, and demonstration and data collection; with an amendment (Rept. 110–7). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Ms. BALDWIN (for herself, Mr. BOOZMAN, Mr. FILNER, Mr. MILLER of Florida, Ms. HERSETH, Ms. BERKLEY, and Mr. HALL of New York):

H.R. 797. A bill to amend title 38, United States Code, to improve compensation benefits for veterans in certain cases of impairment of vision involving both eyes, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. OBERSTAR (for himself, Mr. MICA, and Ms. NORTON):

H.R. 798. A bill to direct the Administrator of General Services to install a photovoltaic system for the headquarters building of the Department of Energy; to the Committee on Transportation and Infrastructure.

By Mr. OBERSTAR (for himself, Mr. MICA, Ms. NORTON, Mr. GRAVES, Mr. RAHALL, Mr. LATOURETTE, Mr. HOLDEN, Mr. SHUSTER, Mr. MICHAUD, Mr. KUHL of New York, Mr. HIGGINS, Mr. SPACE, Mr. ALTMIRE, Mr. WALZ of Minnesota, Mr. SHULER, Mr. ARCURI, Mr. CARNEY, Mr. COHEN, Mr. DOYLE, Mr. BOUCHER, Mr. MOLLOHAN, Mr. WILSON of Ohio, Mr. KANJORSKI, Mr. LINCOLN DAVIS of Tennessee, Mr. MARSHALL, and Mr. SCOTT of Georgia):

H.R. 799. A bill to reauthorize and improve the program authorized by the Appalachian Regional Development Act of 1965; to the Committee on Transportation and Infrastructure.

By Mr. GEORGE MILLER of California (for himself, Mr. KING of New York, Mr. ANDREWS, Mr. PETERSON of Minnesota, Mr. DOYLE, Mr. MURTHA, Mr. OLVER, Ms. MOORE of Wisconsin, Ms. KILPATRICK, Mr. BRADY of Pennsylvania, Mr. DINGELL, Mr. KILDEE, Mr. BERMAN, Ms. MATSUI, Mr. WEXLER, Mrs. TAUSCHER, Mr. NADLER, Mr. ROTHMAN, Mr. BOSWELL, Mr. HOLT, Mr. CONYERS, Mr. ENGEL, Ms. BERKLEY, Ms. DELAURO, Mr. HARE, Mr. RYAN of Ohio, Mr. KUCINICH, Mr. CLAY, Mr. ROSS, Mr. BAIRD, Mr. HOYER, Mr. VAN HOLLEN, Ms. CARSON, Mr. HINCHEY, Mr. FARR, Mr. BUTTERFIELD, Ms. MILLENDER-MCDONALD, Ms. BALDWIN, Mr. SHERMAN, Mr. RAHALL, Mrs. MALONEY of New York, Ms. WATERS, Mr. POMEROY, Mr. WU, Mr. PAYNE, Ms. WOOLSEY, Mrs. DAVIS of California, Mr. HINOJOSA, Ms. SCHAKOWSKY, Mr. KIND, Mr. DAVIS of Illinois, Mr. HOLDEN, Ms. LEE, Mr. UDALL of New Mexico, Mr. MCDERMOTT, Ms. MCCOLLUM of Minnesota, Ms. HOOLEY, Mr. HONDA, Mr. MILLER of North Carolina, Mr. FILNER, Mr. GRIJALVA, Mr. JOHNSON of Georgia, Mrs. MCCARTHY of New York, Mr. LEWIS of Georgia, Mr. MORAN of Virginia, Mr. WYNN, Mr. AL GREEN of Texas, Mr. PRICE of North Carolina, Mr. SPACE, Mr. CLEAVER, Mr. HIGGINS, Mr. ABERCROMBIE, Mr. YARMUTH, Mr. GENE GREEN of Texas, Mr. ALTMIRE, Mr. SCHIFF, Mr. CAPUANO, Mr. MOLLOHAN, Mr. STARK, Mr. DONNELLY, Mr. DEFAZIO, Mr. COOPER, Mr. RUPPERSBERGER, Mr. KAGEN, Mr. BISHOP of New York, Ms. SLAUGHTER, Mr. CHANDLER, Mr. WELCH of Vermont, Ms. BEAN, Mr. OBEY, Ms. SCHWARTZ, Mr. SALAZAR, Mr. BISHOP of Georgia, Mr. BACA, Ms. VELÁZQUEZ, Mr. ALLEN, Mr. GUTIERREZ, Mr. ORTIZ, Ms. LINDA T. SÁNCHEZ of California, Mr. LEVIN, Mr. ISRAEL, Mr. LANGEVIN, Mr. ELLSWORTH, Ms. SOLIS, Mr. MEEHAN, Mr. HILL, Mrs. JONES of Ohio, Mr. INSLEE, Mr. RUSH, Mr. BOUCHER, Mr. PATRICK MURPHY of Pennsylvania, Mr. SHAYS, Mr. BRALEY of Iowa, Mr. LOEBSACK, Mr. JEFFERSON, Mr. WATT, Mr. CUMMINGS, Mr. PALLONE, Ms. JACKSON-LEE of Texas, Mr. PASTOR, Mr. DELAHUNT, Mr. SIRES, Mr. LYNCH, Mr. LARSON of Connecticut, Mr. FALEOMAVAEGA, Ms. SUTTON, Mr. BLUMENAUER, Ms. KAPTUR, Mr. FRANK of Massachusetts, Mr. NEAL of Massachusetts, Mr. LIPINSKI, Mr. MCGOVERN, Mr. MEEK of Florida, Mr. SARBANES, Mr. THOMPSON of Mississippi, Mr. VISCLOSKY, Mr. MARSHALL, Mr. MOORE of Kansas, Mr. BARROW, Mr. CARNAHAN, Mr. SHULER, Ms. CORRINE BROWN of Florida, Mr. WILSON of Ohio, Mr. ARCURI, Mr. RODRIGUEZ, Mrs. CAPPS, Mr. WALZ of Minnesota, Mr. MARKEY, Mr. SMITH of Washington, Mr. PERLMUTTER, Mr. SCOTT of Virginia, Mr. DICKS, Mr. STUPAK, Mr. REYES, Ms. WASSERMAN SCHULTZ, Mr. EDWARDS, Mr. UDALL of Colorado, Mr. KENNEDY, Mr. DAVIS of Alabama, Ms. ZOE LOFGREN of California, Ms. SHEA-PORTER, Mr. CROWLEY, Mr. LANTOS, Mr. CARDOZA, Ms. LORETTA SANCHEZ of California, Mr. COHEN, Mr. CARNEY, Mr. COSTELLO, Mrs. LOWEY, Mr. HODES, Mr. TOWNS, Mr. LINCOLN DAVIS of Tennessee, Mr. WEINER, Ms. HARMAN, Mr. MURPHY of Connecticut, Mr. PASCRELL, Mr. GORDON, Mr. MICHAUD, Mr. ETHERIDGE, Mr. MATHESON, Mr. KLEIN of Florida, Mr. ACKERMAN, Mr. SESTAK, Mr. MCNERNEY, Mr. HALL of New York, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. GILLIBRAND, Ms. NORTON, Mr. WAXMAN, Mr. LARSEN of Washington, Mr. ELLISON, Mr. HASTINGS of Florida, Ms. ROYBAL-ALLARD, Mr. JACKSON of Illinois, Ms. ESHOO, Mr. OBERSTAR, Mr. SERRANO, Mr. TIERNEY, Mr. LATOURETTE, Mr. BECERRA, Mr. COURTNEY, Mrs. NAPOLITANO, Mr. MEEKS of New York, Mr. GONZALEZ, Mr. SCOTT of Georgia, Ms. HIRONO, Ms. WATSON, Mr. THOMPSON of California, Ms. GIFFORDS, Mr. MCHUGH, Mr. FATTAH, Mr. COSTA, Mr. MCNULTY, Mr. SMITH of New Jersey, Mr. KANJORSKI, Ms. DEGETTE, Mr. EMANUEL, Ms. CLARKE, Ms. HERSETH, Mr. CLYBURN, Mr. SKELTON, Mr. FOSSELLA, Mr. RANGEL, Mr. LOBIONDO, Ms. CASTOR, Mr. MELANCON, Mrs. BOYDA of Kansas, Mr. MITCHELL, Mr. LAMPSON, Mrs. CHRISTENSEN, and Mr. DOGGETT):

H.R. 800. A bill to amend the National Labor Relations Act to establish an efficient system to enable employees to form, join, or assist labor organizations, to provide for mandatory injunctions for unfair labor practices during organizing efforts, and for other purposes; to the Committee on Education and Labor.

By Mr. KIRK (for himself, Mr. EMANUEL, Ms. WATSON, Ms. MCCOLLUM of Minnesota, Ms. JACKSON-LEE of Texas, Ms. SHEA-PORTER, Ms. WOOLSEY, Ms. SCHAKOWSKY, Mr. HIGGINS, Mr. ELLISON, Mr. EHLERS, Mr. KUCINICH, Mr. LIPINSKI, Mr. KLINE of Minnesota, Mr. REYNOLDS, Mr. MCHUGH, Mrs. MILLER of Michigan, Ms. BEAN, Mrs. BIGGERT, Mr. MCCOTTER, and Mr. WALSH of New York):

H.R. 801. A bill to amend the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 to require application to all vessels equipped with ballast water tanks, including vessels that are not carrying ballast water, the requirement to carry out exchange of ballast water or alternative ballast water management methods prior to entry into any port within the Great Lakes, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. OBERSTAR (for himself and Mr. CUMMINGS):

H.R. 802. A bill to amend the Act to Prevent Pollution from ships to implement MARPOL Annex VI; to the Committee on Transportation and Infrastructure.

By Mr. CARNEY (for himself, Mr. ROGERS of Alabama, Mr. THOMPSON of Mississippi, Mr. KING of New York, Mr. DICKS, Mr. SHAYS, Ms. HARMAN, Mr. SOUDER, Mr. DEFAZIO, Mr. MCCAUL of Texas, Ms. JACKSON-LEE of Texas, Mrs. CHRISTENSEN, Mr. ETHERIDGE, Mr. LANGEVIN, Mr. CUELLAR, and Mr. AL GREEN of Texas):

H.R. 803. A bill to amend the Homeland Security Act of 2002 to enhance the procurement-related activities of the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security.

By Mr. DOGGETT (for himself, Mr. ACKERMAN, Mr. ALLEN, Mr. ANDREWS, Mr. BECERRA, Mr. BLUMENAUER, Mr. BUTTERFIELD, Ms. CARSON, Mr. CLEAVER, Mr. CUMMINGS, Mr. DAVIS of Illinois, Mr. DEFAZIO, Mr. DELAHUNT, Ms. DELAURO, Mr. EDWARDS, Mr. EMANUEL, Mr. FARR, Mr. FILNER, Mr. FRANK of Massachusetts, Mr. GONZALEZ, Mr. AL GREEN of Texas, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Mr. HOLT, Mr. INSLEE, Mr. JACKSON of Illinois, Ms. KAPTUR, Mr. KUCINICH, Mr. LARSON of Connecticut, Ms. LEE, Mr. LEVIN, Mr. LEWIS of Georgia, Mrs. MALONEY of New York, Mr. MARKEY, Ms. MATSUI, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MCNULTY, Mr. GEORGE MILLER of California, Mr. NADLER, Mrs. NAPOLITANO, Mr. NEAL of Massachusetts, Mr. RODRIGUEZ, Ms. SCHAKOWSKY, Ms. SLAUGHTER, Mr. STARK, Mr. TIERNEY, Mr. UDALL of New Mexico, Mr. WAXMAN, and Ms. WOOLSEY):

H.R. 804. A bill to amend the Lobbying Disclosure Act of 1995 to require certain coalitions and associations to disclose their lobbying activities, and to require reporting on a quarterly basis; to the Committee on the Judiciary.

By Mr. DOYLE (for himself, Mr. Terry, Mr. Wamp, and Mr. Wynn):

H.R. 805. A bill to provide incentives for the use of hydrogen fuel, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Transportation and Infrastructure, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. EMERSON (for herself, Mr. Berry, Mr. Wamp, and Mr. Moore of Kansas):

H.R. 806. A bill to amend the Federal Food, Drug, and Cosmetic Act to prohibit the marketing of authorized generic drugs; to the Committee on Energy and Commerce.

By Mr. GOHMERT:

H.R. 807. A bill to direct the Secretary of the Interior to conduct a special resource study to determine the feasibility and suitability of establishing a memorial to the Space Shuttle Columbia in the State of Texas and for its inclusion as a unit of the National Park System; to the Committee on Natural Resources.

By Mr. KUCINICH (for himself, Mr. Abercrombie, Mr. Andrews, Ms. Baldwin, Ms. Corrine Brown of Florida, Ms. Carson, Mr. Clay, Mr. Conyers, Mr. Cummings, Mr. Davis of Illinois, Mrs. Davis of California, Mr. DeFazio, Mr. Ellison, Mr. Farr, Mr. Filner, Mr. Al Green of Texas, Mr. Grijalva, Ms. Hirono, Mr. Holt, Mr. Honda, Mr. Jackson of Illinois, Ms. Jackson-Lee of Texas, Ms. Eddie Bernice Johnson of Texas, Mrs. Jones of Ohio, Ms. Kaptur, Ms. Kilpatrick, Ms. Lee, Mr. Lewis of Georgia, Mrs. Maloney of New York, Mr. McDermott, Mr. McGovern, Mr. Meeks of New York, Mr. George Miller of California, Ms. Moore of Wisconsin, Mr. Moran of Virginia, Mr. Nadler, Ms. Norton, Mr. Payne, Mr. Rangel, Mr. Rothman, Mr. Ryan of Ohio, Ms. Schakowsky, Mr. Scott of Virginia, Mr. Serrano, Mr. Sherman, Mrs. Tauscher, Mr. Towns, Ms. Waters, Ms. Watson, Ms. Woolsey, Mr. Wu, and Mr. Wynn):

H.R. 808. A bill to establish a Department of Peace and Nonviolence; to the Committee on Oversight and Government Reform, and in addition to the Committees on Foreign Affairs, the Judiciary, and Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HINCHEY (for himself, Mr. Arcuri, Mr. Tom Davis of Virginia, Mr. Grijalva, Mr. Hall of New York, Mr. Wolf, and Mr. McHugh):

H.R. 809. A bill to repeal section 216 of the Federal Power Act (as added by the Energy Policy Act of 2005) providing for the use of eminent domain authority for the construction of certain electric power lines, and for other purposes; to the Committee on Energy and Commerce.

By Mr. HINCHEY (for himself, Mr. Arcuri, Mr. Grijalva, Mr. Hall of New York, and Mr. McHugh):

H.R. 810. A bill to amend certain provisions of the Federal Power Act added by the Energy Policy Act of 2005 relating to the use of eminent domain authority for the construction of electric power lines, and for other purposes; to the Committee on Energy and Commerce.

By Mr. HOLT (for himself, Mr. Tom Davis of Virginia, Mr. Wexler, Mr. Emanuel, Mr. Petri, Mr. Wolf, Mr. Lewis of Georgia, Mr. Langevin, Mr. Cooper, Mrs. Jones of Ohio, Mr. Clay, Mr. Shays, Ms. Kaptur, Mr. English of Pennsylvania, Mr. Hastings of Florida, Mr. Ramstad, Mr. Meek of Florida, Mr. Issa, Mr. Cummings, Mrs. Biggert, Ms. Lee, Mr. Castle, Ms. Kilpatrick, Mr. Kuhl of New York, Ms. Corrine Brown of Florida, Mr. Mack, Mr. Scott of Virginia, Mr. Abercrombie, Mr. Ackerman, Mr. Allen, Mr. Becerra, Ms. Berkley, Mr. Berman, Mr. Berry, Mr. Bishop of Georgia, Mr. Blumenauer, Mr. Boren, Mr. Boswell, Mr. Boucher, Mr. Boyd of Florida, Mr. Brady of Pennsylvania, Mr. Braley of Iowa, Mr. Butterfield, Mrs. Capps, Mr. Carnahan, Mr. Chandler, Mr. Cohen, Mr. Costa, Mr. Costello, Mr. Courtney, Mr. Crowley, Mr. Davis of Illinois, Mr. Lincoln Davis of Tennessee, Mrs. Davis of California, Mr. DeFazio, Ms. DeGette, Mr. Delahunt, Ms. DeLauro, Mr. Dicks, Mr. Dingell, Mr. Doggett, Mr. Doyle, Mr. Edwards, Mr. Ellison, Mr. Engel, Ms. Eshoo, Mr. Etheridge, Mr. Fattah, Mr. Filner, Mr. Fortuño, Mr. Frank of Massachusetts, Mrs. Gillibrand, Mr. Gonzalez, Mr. Gordon, Mr. Gene Green of Texas, Mr. Grijalva, Mr. Gutierrez, Mr. Hall of New York, Ms. Harman, Ms. Herseth, Mr. Higgins, Mr. Hinchey, Ms. Hirono, Mr. Hodes, Mr. Holden, Mr. Honda, Ms. Hooley, Mr. Inslee, Ms. Jackson-Lee of Texas, Mr. Jefferson, Ms. Eddie Bernice Johnson of Texas, Mr. Johnson of Georgia, Mr. Kagen, Mr. Kennedy, Mr. Kildee, Mr. Kind, Mr. Klein of Florida, Mr. Kucinich, Mr. Lantos, Mr. Larsen of Washington, Mr. Loebsack, Mrs. Lowey, Mrs. McCarthy of New York, Ms. McCollum of Minnesota, Mr. McIntyre, Mr. McNulty, Mrs. Maloney of New York, Mr. Marshall, Mr. Matheson, Ms. Matsui, Mr. Melancon, Mr. Michaud, Mr. Miller of North Carolina, Mr. George Miller of California, Mr. Mitchell, Mr. Mollohan, Mr. Moore of Kansas, Mr. Moran of Virginia, Mr. Patrick Murphy of Pennsylvania, Mr. Nadler, Mrs. Napolitano, Ms. Norton, Mr. Oberstar, Mr. Obey, Mr. Olver, Mr. Ortiz, Mr. Pallone, Mr. Pastor, Mr. Payne, Mr. Peterson of Minnesota, Mr. Price of North Carolina, Mr. Reyes, Mr. Rothman, Ms. Roybal-Allard, Mr. Ruppersberger, Mr. Salazar, Ms. Linda T. Sánchez of California, Ms. Loretta Sanchez of California, Ms. Schakowsky, Mr. Schiff, Ms. Schwartz, Mr. Scott of Georgia, Mr. Serrano, Mr. Sherman, Mr. Shuler, Ms. Slaughter, Mr. Smith of Washington, Ms. Solis, Mr. Spratt, Mr. Stark, Mr. Stupak, Ms. Sutton, Mr. Tanner, Mrs. Tauscher, Mr. Taylor, Mr. Tierney, Mr. Towns, Mr. Udall of Colorado, Mr. Van Hollen, Mr. Walz of Minnesota, Ms. Wasserman Schultz, Ms. Waters, Ms. Watson, Mr. Waxman, Mr. Weiner, Ms. Woolsey, Mr. Wu, Mr. Wynn, and Mr. Altmire):

H.R. 811. A bill to amend the Help America Vote Act of 2002 to require a voter-verified permanent paper ballot under title III of such Act, and for other purposes; to the Committee on House Administration.

By Mr. KLINE of Minnesota (for himself, Mr. Ellison, Mr. Walz of Minnesota, Mr. Ramstad, Ms. McCollum of Minnesota, Mrs. Bachmann, Mr. Peterson of Minnesota, and Mr. Oberstar):

H.R. 812. A bill to provide for the conveyance of an A-12 Blackbird aircraft to the Minnesota Air National Guard Historical Foundation; to the Committee on Armed Services.

By Mr. GARY G. MILLER of California:

H.R. 813. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Prado Basin Natural Treatment System Project, to authorize the Secretary to carry out a program to assist agencies in projects to construct regional brine lines in California, to authorize the Secretary to participate in the Lower Chino Dairy Area desalination demonstration and reclamation project, and for other purposes; to the Committee on Natural Resources.

By Mr. MOORE of Kansas (for himself, Mr. Bachus, Mr. Burton of Indiana, Mr. Clay, Mr. Cleaver, Mr. Coble, Mr. Cummings, Mr. Lincoln Davis of Tennessee, Mr. Gillmor, Mr. Gutierrez, Mr. Holden, Mr. Holt, Ms. Eddie Bernice Johnson of Texas, Ms. Kaptur, Mr. Kennedy, Ms. Zoe Lofgren of California, Mrs. McCarthy of New York, Mr. Michaud, Mr. Moran of Virginia, Mrs. Napolitano, Mr. Price of North Carolina, Ms. Schakowsky, Ms. Schwartz, Mr. Sherman, and Mr. Wynn):

H.R. 814. A bill to require the Consumer Product Safety Commission to issue regulations mandating child-resistant closures on all portable gasoline containers; to the Committee on Energy and Commerce.

By Mr. PORTER:

H.R. 815. A bill to provide for the conveyance of certain land in Clark County, Nevada, for use by the Nevada National Guard; to the Committee on Natural Resources.

By Mr. PORTER:

H.R. 816. A bill to provide for the release of certain land from the Sunrise Mountain Instant Study Area in the State of Nevada and to grant a right-of-way across the released land for the construction and maintenance of a flood control project; to the Committee on Natural Resources.

By Mr. PRICE of Georgia:

H.R. 817. A bill to provide for the establishment of a working group to identify and advance the development and use of alternative sources for motor vehicle fuels; to the Committee on Energy and Commerce.

By Mr. RANGEL:

H.R. 818. A bill to secure the Federal voting rights of certain qualified ex-offenders who have served their sentences; to the Committee on the Judiciary.

By Ms. SLAUGHTER (for herself, Ms. DeGette, Mr. Shays, Ms. DeLauro, Ms. Harman, Ms. Lee, Mrs. Lowey, Mr. Rothman, Ms. Solis, Mr. Waxman, Mr. Abercrombie, Mr. Ackerman, Mr. Allen, Mr. Baca, Ms. Baldwin, Ms. Berkley, Mr. Berman, Mr. Bishop of New York, Mr. Blumenauer, Mr. Boucher, Ms. Corrine Brown of Florida, Mrs. Capps, Mr. Carnahan, Mr. Clay, Mr. Cohen, Mr. Crowley, Mr. Cummings, Mrs. Davis of California, Mr. DAVIS of Illinois, Mr. DELAHUNT, Mr. DICKS, Mr. DINGELL, Mr. EMANUEL, Mr. ENGEL, Mr. FARR, Mr. FATTAH, Mr. FILNER, Mr. FRANK of Massachusetts, Mr. AL GREEN of Texas, Mr. GRIJALVA, Mr. GUTIERREZ, Mr. HIGGINS, Mr. HINCHEY, Ms. HIRONO, Mr. HOLT, Mr. HONDA, Ms. HOOLEY, Mr. INSLEE, Mr. ISRAEL, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Mr. JOHNSON of Georgia, Mr. KENNEDY, Ms. KILPATRICK, Mr. KIND, Mr. LANGEVIN, Mr. LANTOS, Mr. LARSEN of Washington, Mrs. MALONEY of New York, Ms. MATSUI, Mrs. MCCARTHY of New York, Ms. MCCOLLUM of Minnesota, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MCNULTY, Mr. MEEHAN, Mr. MEEKS of New York, Mr. GEORGE MILLER of California, Mr. MILLER of North Carolina, Ms. MOORE of Wisconsin, Mr. MOORE of Kansas, Mr. MORAN of Virginia, Mr. PATRICK MURPHY of Pennsylvania, Mr. NADLER, Mrs. NAPOLITANO, Ms. NORTON, Mr. OLVER, Mr. PAYNE, Mr. PRICE of North Carolina, Ms. ROYBAL-ALLARD, Ms. LORETTA SANCHEZ of California, Ms. SCHAKOWSKY, Mr. SCHIFF, Ms. SCHWARTZ, Mr. SCOTT of Virginia, Mr. SHERMAN, Mr. SIRES, Mr. STARK, Ms. SUTTON, Mrs. TAUSCHER, Mr. TIERNEY, Mrs. JONES of Ohio, Mr. UDALL of Colorado, Mr. VAN HOLLEN, Ms. WASSERMAN SCHULTZ, Ms. WATSON, Mr. WEINER, Mr. WEXLER, Ms. WOOLSEY, Mr. WU, and Mr. WYNN):

H.R. 819. A bill to expand access to preventive health care services that help reduce unintended pregnancy, reduce abortions, and improve access to women's health care; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TOWNS:

H.R. 820. A bill to amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services under part B of the Medicare Program, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. VAN HOLLEN (for himself, Mr. FERGUSON, and Ms. HOOLEY):

H.R. 821. A bill to amend part B of the Individuals with Disabilities Education Act to provide full Federal funding of such part; to the Committee on Education and Labor.

By Ms. WATERS (for herself, Ms. LEE, Mrs. CHRISTENSEN, Mr. STARK, Ms. CARSON, and Mr. TOWNS):

H.R. 822. A bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, the Internal Revenue Code of 1986, and title 5, United States Code, to require individual and group health insurance coverage and group health plans and Federal employees health benefit plans to provide coverage for routine HIV/AIDS screening; to the Committee on Energy and Commerce, and in addition to the Committees on Education and Labor, Ways and Means, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WELCH of Vermont:

H.R. 823. A bill to authorize Federal agencies and legislative branch offices to purchase greenhouse gas offsets and renewable energy credits, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committees on House Administration, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WELLER:

H.R. 824. A bill to amend the Internal Revenue Code of 1986 to classify ethanol and biodiesel refining property as 7-year property for purposes of the accelerated cost recovery system; to the Committee on Ways and Means.

By Mr. WELLER:

H.R. 825. A bill to amend the Internal Revenue Code of 1986 to extend and expand tax incentives for renewable fuels; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina (for himself, Mr. SPRATT, Mr. NORWOOD, and Mr. MILLER of Florida):

H.R. 826. A bill to amend title 32, United States Code, to improve the readiness of State defense forces and to increase military coordination for homeland security between the States and the Department of Defense; to the Committee on Armed Services.

By Mr. WILSON of South Carolina:

H.R. 827. A bill to amend the Internal Revenue Code of 1986 to extend bonus depreciation for 2 years; to the Committee on Ways and Means.

By Mr. WOLF (for himself and Mr. EHLERS):

H.R. 828. A bill to preserve mathematics- and science-based industries in the United States; to the Committee on Education and Labor.

By Mr. WOLF (for himself, Mr. HINCHEY, Mr. TOM DAVIS of Virginia, Mr. GRIJALVA, Mr. ARCURI, and Mr. HALL of New York):

H.R. 829. A bill to amend the Federal Power Act to make certain changes in provisions relating to National Interest Transmission Corridors, and for other purposes; to the Committee on Energy and Commerce.

By Mr. YOUNG of Alaska:

H.R. 830. A bill to authorize the exchange of certain lands in Denali National Park in the State of Alaska; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska:

H.R. 831. A bill to provide for the conveyance of certain Forest Service land to the city of Coffman Cove, Alaska; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska:

H.R. 832. A bill to provide that Federal property reversions on land deeded to the Municipality of Anchorage be conveyed to the Municipality in order to unencumber the Municipality's title; to the Committee on Natural Resources.

By Mr. BLUMENAUER:

H. Con. Res. 53. Concurrent resolution celebrating the contributions of the architectural profession during National Architecture Week; to the Committee on Oversight and Government Reform.

By Mr. BOUSTANY:

H. Con. Res. 54. Concurrent resolution expressing the support of Congress for the creation of a National Hurricane Museum and Science Center in Southwest Louisiana; to the Committee on Natural Resources.

By Mr. WILSON of South Carolina (for himself, Mr. CROWLEY, Ms. JACKSON-LEE of Texas, and Mr. TOWNS):

H. Con. Res. 55. Concurrent resolution recognizing that the plight of Kashmiri Pandits has been an ongoing concern since 1989 and that their physical, political, and economic security should be safeguarded by the Government of India and the state government of Jammu and Kashmir; to the Committee on Foreign Affairs.

By Mr. MORAN of Kansas (for himself, Mr. TIAHRT, Mr. MOORE of Kansas, and Mrs. BOYDA of Kansas):

H. Res. 124. A resolution congratulating the Department of Agronomy in the College of Agriculture at Kansas State University for 100 years of excellent service to Kansas agriculture; to the Committee on Agriculture.

By Ms. ROS-LEHTINEN (for herself, Mr. KLEIN of Florida, Mr. PENCE, Mr. BURTON of Indiana, Mr. MANZULLO, Mr. TANCREDO, Mr. CHABOT, Mr. SMITH of New Jersey, Mr. SHERMAN, and Mr. FORTUÑO):

H. Res. 125. A resolution expressing deep concern over the use of civilians as "human shields" in violation of international humanitarian law and the law of war during armed conflict, including Hezbollah's tactic of embedding its forces among civilians to use them as human shields during the summer of 2006 conflict between Hezbollah and the State of Israel; to the Committee on Foreign Affairs.

By Ms. WATSON (for herself, Mrs. BONO, Ms. ROYBAL-ALLARD, Ms. HARMAN, Ms. SOLIS, Mr. HELLER, and Mr. CAMPBELL of California):

H. Res. 126. A resolution commending the University of Southern California Trojan football team for its victory in the 2007 Rose Bowl; to the Committee on Education and Labor.

By Mr. YOUNG of Alaska:

H. Res. 127. A resolution recognizing and celebrating the 50th anniversary of the entry of Alaska in the Union as the 49th State; to the Committee on Oversight and Government Reform.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 25: Mr. WELDON of Florida, Mr. KELLER, Mr. CARTER, and Mr. FRANKS of Arizona.

H.R. 63: Mr. TIM MURPHY of Pennsylvania, Mr. PITTS, Mr. BOOZMAN, Mr. TIBERI, Mr. JONES of North Carolina, Mr. RENZI, Mr. EHLERS, Mr. HALL of Texas, Mr. HAYES, Mr. SHIMKUS, Mr. HUNTER, Mr. TIAHRT, Mr. SULLIVAN, Mr. HENSARLING, and Mr. TERRY.

H.R. 73: Mr. MANZULLO.

H.R. 111: Mrs. MCMORRIS RODGERS, Mr. ROTHMAN, Mr. PALLONE, Mr. MCNERNEY, Mr. ISRAEL, Mr. ORTIZ, Ms. DEGETTE, Mr. GUTIERREZ, Mr. BISHOP of Utah, Mr. ANDREWS, Mr. FRELINGHUYSEN, Ms. ZOE LOFGREN of California, Mr. VAN HOLLEN, and Mr. TURNER.

H.R. 119: Mr. FILNER and Mr. BURTON of Indiana.

H.R. 156: Mr. POE, Ms. KAPTUR, Mr. BISHOP of Georgia, and Mrs. JONES of Ohio.

H.R. 161: Mr. SMITH of Washington.

H.R. 201: Ms. CLARKE and Mr. ENGEL.

H.R. 211: Mr. JEFFERSON.

H.R. 237: Ms. HERSETH.

H.R. 296: Mr. THOMPSON of California, Mr. BERMAN, Mr. STARK, Mr. FARR, Mr. HONDA, Ms. LEE, Mr. BECERRA, Ms. SOLIS, Mr. COSTA, Mr. CARDOZA, and Mr. FILNER.

H.R. 349: Ms. MCCOLLUM of Minnesota, Mr. EHLERS, Mr. WAMP, Mr. KUHL of New York, and Mr. BISHOP of Georgia.

H.R. 353: Mr. BISHOP of New York.

H.R. 358: Mr. GRIJALVA, Mr. MILLER of Florida, and Mr. REHBERG.

H.R. 359: Mr. KILDEE, Ms. CARSON, and Mr. JOHNSON of Georgia.

H.R. 365: Mr. MICHAUD, Mr. CRAMER, Mr. HALL of New York, Mrs. TAUSCHER, Ms. SUTTON, Mr. BOREN, Mr. DEFAZIO, Mr. BERMAN, Mr. JOHNSON of Georgia, Mr. LIPINSKI, Mr. FILNER, Mr. MCDERMOTT, Mr. DOGGETT, Mr. OBERSTAR, Mr. CARNEY, Mr. SESTAK, Mr. SALAZAR, Mr. STUPAK, Mr. CUELLAR, Mr. MEEHAN, Mr. LANTOS, Mr. GEORGE MILLER of California, Ms. CLARKE, Mr. COSTA, Mr. ENGEL, Mr. GRIJALVA, Mr. ETHERIDGE, Mr. VAN HOLLEN, Mr. BOUCHER, Ms. CORRINE BROWN of Florida, Mr. ORTIZ, Mr. LINCOLN DAVIS of Tennessee, Mr. COOPER, Mr. AL GREEN of Texas, Mr. SHULER, Mr. WALZ of Minnesota, Mr. INSLEE, Mr. KIND, Mr. DOYLE, Mr. RODRIGUEZ, Mr. HOLT, Mr. UDALL of New Mexico, Mr. WELCH of Vermont, Ms. SHEA-PORTER, Mr. BLUMENAUER, Mr. CUMMINGS, Mr. BARROW, Mr. BACA, Mr. CAPUANO, Mr. CLEAVER, Mr. MITCHELL, Mr. GONZALEZ, Ms. BORDALLO, Ms. LORETTA SANCHEZ of California, Mr. KAGEN, Mr. SHERMAN, Ms. WATSON, Mr. YARMUTH, Mr. BRADY of Pennsylvania, Mr. WILSON of Ohio, Mrs. MALONEY of New York, Mrs. CHRISTENSEN, Mr. PETERSON of Minnesota, and Mrs. BOYDA of Kansas.

H.R. 368: Mr. WILSON of South Carolina, Mr. SAXTON, Mr. DUNCAN, Mrs. NAPOLITANO, Mrs. CUBIN, Ms. KAPTUR, Mr. GRIJALVA, Mr. HIGGINS, Mr. ENGEL, Mr. LARSEN of Washington, Mr. ACKERMAN, Mr. SMITH of New Jersey, Mr. MCINTYRE, and Mr. MORAN of Kansas.

H.R. 372: Mrs. CAPPS, Mr. LAMPSON, Mr. MARSHALL, Mr. HODES, Mrs. BOYDA of Kansas, Mr. SHULER, and Mr. KAGEN.

H.R. 380: Mr. BOUCHER, Ms. SOLIS, Ms. WASSERMAN SCHULTZ, Mr. MCNERNEY, Mr. GEORGE MILLER of California, and Mr. MORAN of Virginia.

H.R. 402: Mr. BRADY of Pennsylvania, Mr. REICHERT, Ms. DEGETTE, and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 437: Mr. HINOJOSA, Mr. SESSIONS, Mr. PAUL, Mr. GENE GREEN of Texas, Mr. MCCAUL of Texas, Mr. HENSARLING, Mr. GONZALEZ, Ms. GRANGER, Mr. POE, Mr. BRADY of Texas, Mr. BURGESS, Mr. AL GREEN of Texas, Mr. DOGGETT, Mr. GOHMERT, Mr. BARTON of Texas, Mr. CARTER, Mr. CONAWAY, Mr. CULBERSON, Mr. EDWARDS, Mr. HALL of Texas, Ms. JACKSON-LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SAM JOHNSON of Texas, Mr. LAMPSON, Mr. MARCHANT, Mr. NEUGEBAUER, Mr. ORTIZ, Mr. REYES, Mr. RODRIGUEZ, Mr. SMITH of Texas, and Mr. THORNBERRY.

H.R. 440: Mr. GENE GREEN of Texas and Mr. JOHNSON of Georgia.

H.R. 455: Mr. SERRANO, Mr. OLVER, and Mr. TOWNS.

H.R. 464: Mr. ACKERMAN.

H.R. 468: Mr. GRIJALVA and Mr. WAXMAN.

H.R. 473: Mr. COLE of Oklahoma and Mr. EHLERS.

H.R. 477: Mr. PLATTS, Mr. GERLACH, Mr. JOHNSON of Georgia, Mr. MATHESON, Mr. LANGEVIN, Mr. WYNN, Mr. BOUCHER, Mr. BOREN, Mr. SERRANO, Mr. TANNER, and Mr. MCINTYRE.

H.R. 491: Mr. KIND and Mr. CLEAVER.

H.R. 493: Mr. BOUCHER, Mr. SESTAK, Mr. KIND, and Mr. COSTELLO.

H.R. 508: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. TOWNS, Mr. JOHNSON of Georgia, and Mr. WELCH of Vermont.

H.R. 511: Mr. GRAVES, Mr. CULBERSON, Mr. SALI, Mr. LINCOLN DIAZ-BALART of Florida, Mr. BARTON of Texas , Mr. FORTENBERRY, and Mr. PEARCE.

H.R. 512: Mr. ACKERMAN , Ms. BERKLEY, Mr. BISHOP of Georgia, Ms. CARSON, Ms. CASTOR, Mr. COHEN, Mr. CONYERS, Mr. EMANUEL, Mr. FATTAH, Mr. HARE, Ms. HARMAN, Ms. HERSETH, Mr. KILDEE, Mr. LANTOS, Mr. LEWIS of Georgia, Mrs. MALONEY of New York, Mr. MCDERMOTT, Mr. MCKEON, Mr. MEEHAN, Mr. MEEK of Florida, Mr. MEEKS of New York, Mr. GEORGE MILLER of California, Ms. NORTON, Mr. PALLONE, Mr. PEARCE, Mr. RANGEL, Ms. SCHAKOWSKY, Mr. SHAYS, Mr. STARK, Mr. THOMPSON of Mississippi, Mrs. JONES of Ohio, Ms. WASSERMAN SCHULTZ, and Mr. WEINER.

H.R. 522: Mr. AL GREEN of Texas.

H.R. 539: Mr. MCGOVERN, Mr. MEEKS of New York, Mr. MCNERNEY, Ms. ZOE LOFGREN of California, Mr. FORTUÑO, Mr. ROSS, Mrs. TAUSCHER, and Mr. LIPINSKI.

H.R. 547: Mr. MCHUGH, Mr. CARNAHAN, Mr. MCCAUL of Texas, Mr. MELANCON, Mr. UDALL of Colorado, and Mr. LIPINSKI.

H.R. 548: Ms. SCHAKOWSKY.

H.R. 550: Mr. MCDERMOTT, Mr. CARTER, Mr. COSTA, Mr. ABERCROMBIE, Mr. UPTON, Mr. MCHUGH, Mr. KUHL of New York, Mr. BISHOP of New York, Mr. HONDA, Ms. JACKSON-LEE of Texas, Mr. JEFFERSON, Mr. CALVERT, Mrs. MCMORRIS RODGERS, Mr. ROHRABACHER, and Mr. MCCAUL of Texas.

H.R. 552: Mr. SALAZAR, Mr. PLATTS, and Mr. MCCOTTER.

H.R. 556: Mr. SHAYS and Ms. GINNY BROWN-WAITE of Florida.

H.R. 563: Mr. MARCHANT.

H.R. 566: Mr. SCOTT of Virginia and Mr. RUSH.

H.R. 579: Ms. KAPTUR, Mr. MCDERMOTT, and Mr. YOUNG of Florida.

H.R. 589: Mr. MCDERMOTT, Mr. DICKS, Mr. MCNERNEY, Mr. LARSEN of Washington, Mr. BLUMENAUER, Mr. ENGEL, Mr. BAIRD, and Mr. MORAN of Virginia.

H.R. 590: Mr. MCCAUL of Texas.

H.R. 617: Mr. MACK.

H.R. 618: Mr. COLE of Oklahoma.

H.R. 620: Mr. COSTA, Mr. MCNERNEY, Mr. ACKERMAN, Mr. SMITH of Washington, and Ms. WATSON.

H.R. 621: Mrs. EMERSON, Mr. ACKERMAN, Mr. ALLEN, Mr. HIGGINS, Mr. MCNULTY, Mr. OLVER, Mr. PRICE of North Carolina, Mr. CUMMINGS, Mr. HINCHEY, and Mr. COBLE.

H.R. 650: Mr. MILLER of Florida.

H.R. 651: Mr. REICHERT.

H.R. 652: Ms. FOXX, Mr. POE, Mr. MCCOTTER, Mr. GINGREY, and Mrs. MUSGRAVE.

H.R. 653: Mr. POE, Mr. COHEN, and Mr. HIGGINS.

H.R. 661: Mr. BAIRD and Mr. NEAL of Massachusetts.

H.R. 677: Mr. ORTIZ, Mr. HARE, and Mr. MICHAUD.

H.R. 683: Mr. POE.

H.R. 695: Mr. MARKEY and Ms. BERKLEY.

H.R. 713: Mr. KUHL of New York and Mr. HINCHEY.

H.R. 714: Mr. SCOTT of Georgia and Mr. WILSON of Ohio.

H.R. 718: Mr. WELCH of Vermont, Mr. LAHOOD, Mr. LOBIONDO, Mr. GOODE, Mr. HOLDEN, Mr. MORAN of Virginia, Mr. DEFAZIO, Mr. ETHERIDGE, Ms. KAPTUR, Mr. MCDERMOTT, Mr. WALZ of Minnesota, Mr. DICKS, Mr. MCGOVERN, and Mr. DELAHUNT.

H.R. 723: Mr. PLATTS, Mr. BILBRAY, Mr. FOSSELLA, and Ms. CORRINE BROWN of Florida.

H.R. 728: Mr. KENNEDY, Ms. CORRINE BROWN of Florida, Mr. KUHL of New York, and Mr. HASTINGS of Florida.

H.R. 729: Mr. PASTOR, Mr. MCCAUL of Texas, Mr. MCDERMOTT, Mr. BAIRD, Mr. MORAN of Virginia, and Ms. WOOLSEY.

H.R. 743: Mr. FLAKE and Mr. MCCAUL of Texas.

H.R. 746: Mr. CAPUANO.

H.R. 748: Mr. PAUL, Mr. HIGGINS, Mr. BUTTERFIELD, Mr. MCCOTTER, Mr. ENGEL, Mr. ACKERMAN, Mr. KIRK, Mr. LARSEN of Washington, Mr. WICKER, Ms. WASSERMAN SCHULTZ, Mr. CLAY, Mr. MCNULTY, Mr. WEINER, Mr. BOOZMAN, Mr. HINCHEY, and Mr. BOUSTANY.

H.R. 759: Mr. SHERMAN, Mr. WAXMAN, and Mr. MEEKS of New York.

H.R. 787: Ms. MATSUI.

H.J. Res. 1: Mr. BILIRAKIS, Mrs. MILLER of Michigan, Mr. MELANCON, Mr. SALAZAR, Mr. SHUSTER, Mr. BOUSTANY, Ms. GRANGER, and Mr. COSTA.

H.J. Res. 15: Mr. CAMP of Michigan.

H.J. Res. 16: Mr. MILLER of Florida.

H.J. Res. 21: Mr. PUTNAM.

H. Con. Res. 21: Mr. ELLISON, Mr. POE, Mr. FOSSELLA, Mr. ALLEN, and Mr. HODES.

H. Con. Res. 30: Mr. MCCAUL of Texas.

H. Con. Res. 33: Mr. BOUCHER, Ms. BALDWIN, Mr. MCNULTY, Mr. WU, Mrs. MALONEY of New York, Mr. BOSWELL, and Ms. SCHAKOWSKY.

H. Con. Res. 35: Mr. JACKSON of Illinois, Mr. SCOTT of Virginia, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Mr. CONYERS, Mr. DAVIS of Illinois, Mr. MEEK of Florida, Mr. ELLISON, Ms. CLARKE, Mr. BURGESS, Mr. WATT, and Mr. COHEN.

H. Con. Res. 47: Mr. YOUNG of Florida.

H. Res. 37: Mr. FILNER.

H. Res. 41: Ms. SHEA-PORTER and Mr. PALLONE.

H. Res. 63: Mr. MCCOTTER.

H. Res. 79: Mr. WILSON of South Carolina, Mr. BARRETT of South Carolina, Mr. FORTUÑO, Mr. SESSIONS, Mr. FEENEY, Mr. BISHOP of Utah, Mr. AKIN, Mr. RYAN of Wisconsin, and Mrs. MUSGRAVE.

H. Res. 84: Mr. TOM DAVIS of Virginia, Mr. FORTUÑO, and Ms. HERSETH.

H. Res. 87: Mr. GINGREY and Mr. BRADY of Pennsylvania.

H. Res. 94: Mr. KANJORSKI, Ms. JACKSON-LEE of Texas, and Mr. WILSON of Ohio.

H. Res. 97: Mr. BRADY of Pennsylvania, Mr. MCNERNEY, Mr. MITCHELL, and Mr. ALLEN.

H. Res. 98: Mr. CROWLEY.

H. Res. 100: Ms. DEGETTE, Mr. WEXLER, Mr. MCGOVERN, Mr. BLUMENAUER, and Ms. WOOLSEY.

H. Res. 101: Mr. SERRANO, Mr. GEORGE MILLER of California, Ms. SHEA-PORTER, Ms. LORETTA SANCHEZ of California, and Mr. BLUMENAUER.

H. Res. 102: Mr. HINCHEY, Mr. MCCOTTER, and Mr. GARRETT of New Jersey.

H. Res. 106: Mr. ELLISON, Mr. MCNERNEY, Ms. DEGETTE, Ms. VELÁZQUEZ, Mr. GENE GREEN of Texas, and Mr. MCCARTHY of California.

H. Res. 113: Mr. MCCOTTER, Mr. GEORGE MILLER of California, Mr. MARKEY, Mr. AL GREEN of Texas, Mr. GRIJALVA, Mr. WYNN, Mr. MCNULTY, Mrs. CAPPS, and Ms. SHEA-PORTER.

H. Res. 120: Mr. WATT, Mr. DAVIS of Illinois, Mrs. MCCARTHY of New York, Mr. GEORGE MILLER of California, Ms. KILPATRICK, Ms. HERSETH, and Ms. WATSON.

EXTENSIONS OF REMARKS

TRIBUTE TO JOHN A. HOOPER

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 5, 2007

Ms. ESHOO. Madam Speaker, I rise today to honor my constituent John A. Hooper who passed away on January 17, 2007, at the Sequoias Portola Valley, California, at the age of 89. He was an extraordinary Californian and a public servant who devoted much of his career to serving his country.

Mr. Hooper was born in San Francisco in 1917, graduating from Thacher School in 1934 and from Stanford University in 1938 where he earned a bachelor's degree in political science. He earned a law degree from Harvard Law School and served as a captain in the U.S. Army from 1942 to 1946. He married Trish Lowrey, the great love of his life, in 1943 and they had four children during their enduring marriage of 63 years.

Mr. Hooper was a distinguished attorney with the law firm of Pillsbury, Madison and Sutro and practiced tax law for 10 years until he was asked by President Eisenhower to represent the U.S. Department of Defense in NATO. He also served under Presidents Kennedy and Johnson as Minister to the U.S. Mission to NATO. He was based in Paris with his wife and four children until 1967 and was honored with the Pentagon's Meritorious Civilian Service Award for his great work. His son, John C. Hooper, said: "All of Europe was emerging from World War II, and the United States was helping Europe to get back on its feet; that was a real high point of my parents' lives."

Upon their return to the United States, John, Trish and their family moved to the land his grandfather purchased, Mountain Home Ranch in Woodside where they lived until moving to the Sequoias. He devoted himself to working with charitable and community organizations, serving as president of Planned Parenthood of Northern California, as president of the Auxiliary of the University of California Hospital, and as president of the Board of Delegates for Planned Parenthood Affiliates of California. He was a member of the Woodside Planning Commission for 7 years and served as its chair from 1979 to 1980. He was a member of the Pacific Union Club and president of the Cypress Lawn Cemetery Association.

I had the privilege of knowing John Hooper. He was an elegant, intelligent gentleman who was respected by his entire community. I benefited from his wise counsel and our country is better because of his patriotism and service. John Hooper was a national treasure and that's why Madam Speaker I ask my colleagues to join me in extending our deepest sympathy to Trish Hooper and their children, John C. Hooper of Point Arena, Margo H. Blair of Chicago, Lawrence Hooper of Twisp, WA, and Helen McCloskey of Rumsey, CA.

REMEMBERING STATE SENATOR WILLIAM A. TRUBAN

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 5, 2007

Mr. WOLF. Madam Speaker, I rise today to bring the attention of the House to the passing of Virginia State Senator William A. Truban on Saturday, February 3, 2007. Senator Truban represented Virginia's 27th district in the Virginia General Assembly for over 20 years.

A veterinarian and father of six from Shenandoah County, Senator Truban was a leader in his community and dedicated his life to helping those in Winchester and the surrounding area. Inserted for the RECORD is the obituary published in the Winchester Star which details the many accomplishments of Senator Truban.

[From the Winchester Star, Feb. 5, 2007]

FORMER STATE SEN. TRUBAN DIES

(By Suzanne E. Wilder)

WINCHESTER.—William A Truban, a longtime Virginia state senator who represented Winchester and the surrounding region for more than two decades, died on Saturday.

The resident of Shenandoah County and retired veterinarian was 82.

Truban represented the state's 27th District—which then included Shenandoah, Frederick, Clarke, and Warren counties and the city of Winchester—from 1971 through his 1992 retirement from politics.

His family and friends are mourning the loss of a man who was well known in the Shenandoah Valley as "Senator Truban," "Doc," or—to his loved ones—"Pap," according to a statement from one of his sons, John W. Truban.

Born in 1924 in Garrett County, Md., Truban served during World War II as a member of the U.S. Army Air Force.

After his service, he attended West Virginia Wesleyan College, where he met his future wife, Mildred Hayes. He then attended the University of Pennsylvania School of Veterinary Medicine.

John Truban, one of Truban's six children, said his parents selected Woodstock and the Shenandoah Valley for their home after visiting Winchester, where one of William Truban's sisters lived.

Truban became the only licensed veterinarian in Shenandoah County, John Truban said.

He worked all over the Valley and cared for animals from Woodstock to Haymarket to Stephens City. His veterinary practice, Shenandoah Animal Hospital, is still in business though Truban retired several years ago. His son, Thomas, continues to run the clinic.

In 1970, Truban was elected to the Virginia State Senate. He had been urged to run by several prominent Republicans, including then-Gov. A. Linwood Holton Jr.

"I met him when he was under a cow," Holton said in a telephone interview on Sunday.

Their first phone conversation, Holton recalled, had been after someone informed him that Truban was caring for a sick cow.

Holton had heard that Truban would make "an excellent candidate for state Senate," he said. "And he became a strong leader in the Senate."

"You need good people to represent the area. He was well known and well liked," said Warren B. French, a former chairman of the state Republican party who lives in Woodstock. "And he made a great senator."

"He'll be missed, but he made a valuable contribution in many ways to his community," said French, who is a former chairman at Shentel and knew Truban from the Woodstock United Methodist Church.

Many of the people who worked with him politically remember Truban as a person with "strong integrity," in Holton's words.

I. Clinton Miller served in the General Assembly for much of the time Truban was a state senator.

Miller represented Shenandoah County and Woodstock in the House of Delegates and was also a Republican. At the time, the GOP was in the minority in Virginia politics.

"We shared a lot of time on the road, and we shared a lot of discussions," Miller said.

Truban "was especially well-repected by both sides of the aisle," Miller said. "He was always concerned with whatever was best for Virginia."

John Truban said his father instilled the value of hard work in his children.

"He loved working," he said. "His hobby was working."

That diligent attitude likely came from growing up during the Great Depression, the son said. "His era, they had no safety net."

"I think what we all probably got from his is a sense of working hard and . . . trying to help others," John Truban said.

But that was not the only trait Truban passed to his kids. John Truban said his dad, who was Italian by blood, loved to cook and passed the same interest to his five sons and one daughter.

"My dad always would cook and help out in the kitchen," he said.

Truban had health problems in recent years, including congestive heart failure. He died as a result of those illnesses, John Truban said.

Truban is survived by his wife, six children, 25 grandchildren, seven great-grandchildren, and one brother. Truban's two sisters and a brother are deceased.

A memorial service will be at 1 p.m. Saturday at the Woodstock United Methodist Church. Dellinger Funeral Home in Woodstock is in charge of arrangements.

Memorials may be made to the Woodstock United Methodist Church, the Virginia Maryland Regional College of Veterinary Medicine at Virginia Polytechnic Institute and State University, and the Shenandoah County Animal Shelter.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

IN RECOGNITION OF COACH TONY "MAC" McDONALD'S 600 CAREER VICTORIES

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 5, 2007

Mr. MILLER of Florida. Madam Speaker, I rise today to recognize Coach Tony McDonald for his tremendous achievement of 600 career victories as head basketball coach at Central High School in Allentown, FL, located in my district in northwest Florida.

Coach Mac himself graduated in 1969 from Allentown School, one of three schools that would come to be known as Central High School. After graduating, he went on to honorably serve his country for 4 years in the United States Air Force at Eglin Air Force Base, not far from home. During his time in the service, Tony was able to come back to Allentown and watch the basketball games, developing a stronger desire to return and coach at the spirited school.

After the Air Force, Tony stayed in northwest Florida and attended the University of West Florida, graduating from there in 1977. It was shortly after this graduation that he returned to become the Junior Varsity Basketball coach at his alma mater of Allentown High School. A year later, he became head coach, a position he stayed with for three seasons. Tony left for rival Milton High School to serve as their head basketball coach for the following season.

Tony's heart was always with his alma mater, though, and soon enough he returned once again to Allentown School. By the time the 1985–86 basketball season kicked off with Coach at the helm, Allentown School had consolidated with Chumuckla School and Munson School, and the high school sections became Central High School, and under this name Tony would coach his students for the next 22 seasons, having a banner career in the process.

For six seasons during those early years at Central, Coach Mac was in charge of both the boys' and girls' teams, and was able to bring the girls' team their first winning season. Every day was another challenge to better his students, and many acknowledge how well he motivated them. What many rival schools noted was Coach Mac's ability to turn a small squad into a basketball powerhouse. While many other schools had teams of several more players, Central's smaller squads continued to play tireless games. While the energy that Coach Mac put into his players was a great factor, so was the energy they gave back to their dedicated coach. Coach's energy also carries into the classroom, where he teaches both geography and American history. It would be difficult to find someone more committed to helping students than Tony McDonald.

Reaching 500 career wins was a milestone in itself, so it was with even more excitement that Coach Mac reached his 600th career win on January 16, 2007. Given the devotion to his players on and off the court, it should not come as a big surprise. During his time as head coach, he has led the team to nine playoff appearances and five district championships. In fact, a sixth district championship this season is not out of the realm of possibility.

Coach McDonald has set a high standard in his dedication to his work and his devotion to his students. A benchmark has been established for many other high school coaches. Coaches serve as role models for students, and Coach Mac has without a doubt been a great role model for those that played for him. Madam Speaker, on behalf of the United States Congress, it is a great honor for me to congratulate Coach Tony "Mac" McDonald for over 20 years of dedication to his high school students and an amazing 600 career wins as head coach of Central High School.

IN MEMORY OF WALTER SHERIDAN HARPOOL

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 5, 2007

Mr. BURGESS. Madam Speaker, I rise today to honor Mr. Walter Sheridan Harpool of Denton, Texas, who passed away at 84 years of age on Sunday, January 28, 2007.

Mr. Walter Harpool, also known as "Pinky", was born in Hebron, Texas on February 14, 1922 to Josephine and R.T. Harpool. The family moved to Denton, Texas in 1928, and later started the company Harpool Seed, Inc. Created in 1962, Harpool Fertilizer Co. was the first independent bulk blending plant for fertilizer in Texas.

Mr. Harpool served in the Army Air Force during World War II. After training at Santa Ana, King City and Lancaster, CA, he received his wings at Phoenix, AZ. He became a flight instructor at Perrin Field, Sherman, TX, and then took B–18 training at Sebring, FL. Mr. Harpool was later stationed at Langley Field as a pilot for radar students.

Due to his dedication and passion for agriculture and agribusiness, he was honored as Man of the Year in Texas Agriculture in 1987, and in 1998 was name Conservation Businessman of the Year. He had a fine interest in farm production and improvement, and regularly donated materials such as seed and fertilizer for agriculture research and demonstrations across the state of Texas. Not only did he serve as Chairman of the Denton County Program Building Committee, where he worked with numerous crop and livestock committees, but he also served on the State Board of Agriculture during Governor Bill Clements administration. Mr. Walter Harpool was an avid supporter of many civic functions, such as the Denton Youth Fair, the North Texas State Fair, United Way, and the Denton Chamber of Commerce.

In 1987 Mr. Harpool bought and renovated an old train caboose, which he used as his office. He enjoyed the occasions on which his friends and customers would drop by to visit him. His outstanding and honest character continued to delight those he came into contact with. Despite his life as a strong businessman, taking care of his family held the utmost importance to Mr. Harpool. He showered them with love and devotion, and took pride in providing for them.

Mr. Walter Sheridan Harpool is survived by his wife, Rose Harpool, his son, Walter S. Harpool, Jr., and his brother, Tom Harpool. I extend my sincerest sympathies to his family and friends, and I am honored to have been able to represent such a remarkable man.

HONORING THE DEDICATION OF THE KEISER FAMILY

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 5, 2007

Mr. HASTINGS of Florida. Madam Speaker, I rise today to honor the hard work and commitment of the Keiser family. Evelyn Keiser was born in Philadelphia, Pennsylvania and graduated from Temple University. She was one of the first women in the United States to receive a Bachelors Degree in Medical Technology.

Evelyn Keiser moved to south Florida in 1961 and co-founded Keiser College in 1977. Art & Belinda Keiser, along with Evelyn, have continued to serve our community by providing superior education through Keiser College, now known as Keiser University.

The Keiser Family continues to contribute to Broward County and the State of Florida, not only through their educational institutions, but also through philanthropy. Keiser University will celebrate their 30th Anniversary in 2007.

Madam Speaker, I proclaim January 31, 2007, as Keiser University Day in the 23rd Congressional District.

HONORING BLACK HISTORY MONTH

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 5, 2007

Mr. HONDA. Madam Speaker, in honor of Black History Month, I welcome you to join me in commemorating the the history of Africans in the Americas. Since 1926, the month of February has been the designated time for honoring the Black contribution. It serves as a reminder that we must be ever vigilant of the Black experience in this country, and the African roots of our shared concepts of freedom, hope, and justice. This year's theme for Black History Month is fittingly, "From Slavery to Freedom: The Story of Africans in the Americas."

As Chair of the Congressional Ethiopia and Ethiopian American Caucus, I am particularly interested in the history of Africans in this country. My experience with this community has taught me that the history of the Diaspora is as complex and divergent as the communities themselves. Our challenge this month is educate ourselves about the Diaspora and to understand how African Americans embrace and explore their heritage.

This February, let us broaden our understanding of the myriad ways people of African descent arrived here—beyond the slave trade. Let us be honest and open about the impact that slavery has had on African descendant communities today, but let us also celebrate the African contribution to our culture in spite of it. The best way to honor the African American experience is to educate oneself and one's community. I urge you to use this month to expose yourselves to the ways in which the African American experience has already been made a part of your life.

MATH AND SCIENCE INCENTIVE ACT OF 2007

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 5, 2007

Mr. WOLF. Madam Speaker, today I introduced with Congressmen EHLERS the Math and Science Incentive Act of 2005. This legislation would pay—over the life of the loan up to $10,000—the interest on the undergraduate student loans of math, science or engineering majors who agree to work 5 years in their respective fields. The idea for this legislation came from the book Winning the Future, by my friend and our former colleague Newt Gingrich. America's dominance in science and innovation is slipping, but this legislation can help combat this trend.

We are facing today a critical shortage of science and engineering students in the United States. Unfortunately, there is little public awareness of this trend or its implications for jobs, industry or national security in America's future. We need to make sure we have people who can fill these science and engineering positions. In an era in which students are graduating college with record levels of debt, I am hopeful that this incentive will be a significant motivator in attracting or retaining math, science and engineering students.

How do we know that our Nation is slipping in the areas of math, science, engineering and technology? Americans, for decades, led the world in patents. But we can no longer claim that lead. The percentage of U.S. patents has been steadily declining as foreigners, especially Asians, have become more active and in some fields have seized the innovation lead. The United States share of its own industrial patents now stands at only 52 percent. Foreign advances in basic science now often rival or even exceed America's. Published research by Americans is lagging.

Physical Review, a series of top physics journals, last year tracked a reversal in which American scientific papers, in two decades, dropped from the most published to minority status. In 2003—the most recent year statistics are available—the total number of American papers published was just 29 percent, down from 61 percent in 1983.

Another measuring stick: Nobel prizes. From the 1960s through the 1990s, American scientists dominated. Now the rest of the world has caught up. Our scientists win now about half of the Nobel prizes, the rest go to Britain, Japan, Russia, Germany, Sweden, Switzerland and New Zealand. According to the National Science Foundation, the United States has a smaller share of the worldwide total of science and engineering doctoral degrees awarded than both Asia and Europe.

This is a real problem. In 2000, Asian universities accounted for almost 1.2 million of the world's science and engineering degrees. European universities—including Russia and eastern Europe accounted for 850,000.

North American universities accounted for only about 500,000. Since 1980, science and engineering positions in the U.S. have grown at five times the rate of positions in the civilian workforce as a whole.

The Math and Science Incentive Act augments the recently approved National Science and Mathematics Access to Retain Talent grants—National SMART grants. National SMART grants provide grants of up to $4,000 to Pell Grant-eligible students in their third and fourth academic year of undergraduate education at a 4-year, degree-granting institution of higher education. The student must be pursuing a major in the physical, life, or computer sciences, math, technology, or engineering or a foreign language. The student must also have a grade-point average of at least 3.0.

SMART grants are an important tool for attracting and retaining lower-income students in the critical areas of math, science and engineering. The Math and Science Incentive Act will build on the SMART grants by providing a direct incentive to middle class students who may not meet Pell grant eligibility. We critically need to attract and retain the best and brightest to study these challenging fields and this loan forgiveness may just make the difference for some.

I urge my colleagues to join me in cosponsoring this legislation to help America continue to be the innovation leader of the world.

RECOGNIZING THE 80TH ANNIVERSARY OF BOY SCOUT TROOP 10

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 5, 2007

Mr. MILLER of Florida. Madam Speaker, on behalf of the United States Congress, it is an honor for me to rise today to recognize the 80th Anniversary of Boy Scout Troop 10.

In 1927, Boy Scout Troop 10 was founded and chartered to First Baptist Church Pensacola in Pensacola, Florida. Today, eighty years later, it is recognized as the oldest active Boy Scout troop in the Boy Scout Gulf Coast Council, which serves the Florida panhandle and lower Alabama.

Over the course of its history, thousands of young men have made the trek with Troop 10 under the leadership of twenty-nine Scoutmasters, and eighty-six have achieved the Eagle Scout rank, The Boy Scouts of America's highest honor.

As trustworthy, loyal, courteous, brave, and reverent young men, Troop 10 exemplifies everything which scouts stand for, and the very ideals that all Americans should strive to attain as our duty to God and this great Nation. From the beginning, Troop 10 has won the hearts and high respect of the communities of Northwest Florida and their presence will continue to do so.

Madam Speaker, on behalf of the United States Congress, I am proud to recognize the 80th Anniversary of Boy Scout Troop 10 and its service to God and Country.

IN MEMORY OF DR. DAVID RAY REDDEN

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 5, 2007

Mr. BURGESS. Madam Speaker, I rise today to honor Dr. David Ray Redden who passed away at 85 years of age on Sunday, January 21, 2007.

Dr. David Ray Redden lived a long, beautiful life. He was born on December 22, 1921 in McKinney, Texas. He served in World War II from 1944–1946 as a Technical Sergeant (4th Corps-5th Army), and earned the Bronze Star for his bravery while serving as a Forward Sound Ranging Observer in Italy's Po Valley Campaign. Once the war ended, Mr. Redden completed his Bachelor of Science degree in Biology at the University of North Texas, which is where he met his wife, Ruth Hillin, who attended Texas Women's University at the time. The couple was married three months after their first date, and they were married for 58 years.

Mr. David Redden obtained his M.S. degree from the University of North Texas, and then received a Ph.D. from Baylor University Medical School and Graduate Research Institute. Due to his passion for research and teaching, Dr. Redden joined the UNT faculty after teaching Physiology at Baylor University College of Dentistry, where he remained for 30 years. As the Chair of the Pre-Professional Advisory Committee, he was involved in the placement of students into medical, dental, and veterinary schools. He was also a member of the adjunct faculty at the UNT Health Science Center in Fort Worth, Texas. Dr. Redden achieved many honors while at UNT, which include: Outstanding Professor, Outstanding Service Award, Distinguished Teaching Award, Outstanding Educator, and Outstanding Alumni for Excellence in Biological Sciences. After his retirement, he was named Professor Emeritus.

Not only was Dr. Redden an intelligent and meritorious professor, but he was also a talented duck carver, skilled hunter, and loyal church member. Most importantly, however, was his love and devotion to his wife, children, and grandchildren.

Dr. David Redden is survived by his wife, Ruth Hillin Redden; five children: Pam Drenner, Mike Redden, Ken Redden, Ron Redden, Chris Redden; eleven grandchildren: Bryan and Matt Drenner, Corbett Redden, Collin, Sean, Jennifer, Matthew Ryan, Tracy, Shannon, Kevin and Derek Redden; and two great-grandchildren Riley and Price Webb.

As a professor of mine, Dr. Redden was not only a mentor, but also an inspiration to me, and I was honored to represent him in Congress. I extend my sincerest sympathies to his family and friends; he will truly be missed by all.

COMMENDING THE CHAMBER OF SOUTHWEST LOUISIANA AND MEMBERS OF THE ZETA PSI LAMBDA CHAPTER OF ALPHA PHI ALPHA FRATERNITY

HON. CHARLES W. BOUSTANY, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 5, 2007

Mr. BOUSTANY. Madam Speaker, I rise today to commend some of my constituents in Lake Charles, Louisiana for their efforts to help complete the Martin Luther King, Jr. National Memorial. As a result of the hard work of the Chamber of Southwest Louisiana and members of the Zeta Psi Lambda Chapter of Alpha Phi Alpha Fraternity, a model of the historic Martin Luther King, Jr. National Memorial will make Lake Charles its first stop on a national tour. The goal of the tour is to raise additional funding for the memorial, which is set to be erected on the National Mall in Washington, DC in 2008.

Because of Dr. King's courage, words, and actions, America is stronger and stands as a beacon of hope for people around the world. The monuments on our National Mall tell the story of our achievements as a country, but they also tell the story of our struggles. It is only fitting that Dr. King be honored with a memorial to provide a living history of his role in the civil rights movement.

Dr. King did not just talk about character, he lived it everyday. His leadership changed American life, and his legacy will continue to endure. Today, I commend the leadership of the Chamber of Southwest Louisiana and members of the Alpha Phi Alpha Fraternity for doing their part to ensure that Dr. King's legacy endures.

IN HONOR OF LITTLETON AND JANE MITCHELL

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Monday, February 5, 2007

Mr. CASTLE. Madam Speaker, it is with great pleasure that I rise today to recognize the accomplishments of Littleton P. Mitchell and Jane E. Mitchell, two of the leading civil rights advocates from my home state of Delaware. On February 6th, Howard High School of Technology will kick off a fundraising drive to establish a chair in honor of the Mitchells at the University of Delaware. I cannot think of two more worthy recipients.

Littleton was born in Milford, Delaware and attended Howard High School. He served as a lieutenant in the United States Army Reserve and spent time at Fort Bragg in North Carolina, as well as the Tuskegee Air Base in Alabama. In addition to his Army service, Lit, as he was known to his friends, worked at the Governor Bacon Residential Treatment Center for Social and Emotional Disturbed Youth for 36 years. Most noteworthy though, were his contributions as State President of the National Association for the Advancement of Colored People (NAACP).

During his 31 years as President of Delaware's NAACP, Littleton played an important role in several civil rights advancements. He helped integrate all of Delaware's hospitals and worked to eliminate Delaware's Inn Keepers Law that allowed restaurants to refuse service to Black citizens. During the same period, Lit oversaw the integration of local movie theaters and Delaware's volunteer fire companies. I could continue but his accomplishments are too vast to cover in a single document.

Jane Mitchell was not only Littleton's loving wife, but an accomplished registered nurse and community activist. Also a graduate of Howard High School, Jane's nursing career led her to many different hospitals around the United States, including the Tuskegee Institute Hospital in Alabama, the Jewish Hospital of Philadelphia and several hospitals throughout Delaware. She held the distinguished titles of Head Nurse at the Governor Bacon Health Center, and Director of Nursing at Delaware State Hospital.

Jane's impressive career achievements and numerous volunteer activities have earned her a great deal of recognition. Most notably, she was recognized by the National Association of College Women as the Woman of the Year and the Alpha Nu Sigma Chapter of the Rho Sorority awarded her the Outstanding Negro Woman Award.

This couple has achieved so much in their lives, it is truly impossible to do them justice at this time. I am grateful for all they have given to the State of Delaware and I cannot think of two better people to name a chair after. I wish Howard High School luck in their endeavor and I know they will work diligently to honor their distinguished alumni.

TRIBUTE TO THE MOUNT ZION AME CHURCH OF MILLBURN, NEW JERSEY

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, February 5, 2007

Mr. FRELINGHUYSEN. Madam Speaker, I rise today to honor the Mount Zion African Methodist Episcopal Church in the Township of Millburn, Essex County, New Jersey, a vibrant community I am proud to represent. On February 18, 2007, its good parishioners will celebrate the Mount Zion African Methodist Episcopal Church's 105th Anniversary.

The Mount Zion AME Church was organized in the Spring of 1888 by former members of the Methodist Episcopal Church of Springfield, New Jersey, in order to give African American domestic workers a place of their own to gather and worship on Sunday mornings. Mr. Henry Chambers, Mrs. Willhelmina Veals and Ms. Ella Taylor began the church with a Sunday School in a florist shop on Taylor Street in Millburn. A short while later the church moved to the Old Mountain House on Church Street, where it remained until 1902.

In 1889, Reverend Chase was appointed as pastor of the Mount Zion AME Church and served for 4 years. The Reverend John Roberts succeeded Reverend Chase in 1893 and served until 1895. Reverend Pendleton served as pastor in 1895, followed by Reverend Johnson in 1896.

The Reverend Adolfus Willis became pastor in 1897 and served until 1909. On August 20, 1902, Reverend Willis was instrumental in the church's purchase of the building located at 56 Church Street. The Mount Zion AME Church remains at this location today.

A total of twenty pastors led the church from between 1909 and 2003, when the Reverend Cecil Bonds was appointed pastor. Reverend Bonds continues as pastor of the Mount Zion AME Church today.

Madam Speaker, I urge you and my colleagues to join me in congratulating the Mount Zion AME Church of Millburn, New Jersey on the celebration of its 105th anniversary.

TRIBUTE TO W.R. "REG" GOMES

HON. DENNIS A. CARDOZA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 5, 2007

Mr. CARDOZA. Madam Speaker, I rise today to pay tribute to W.R. "Reg" Gomes, who is retiring with distinction as Vice President, Agriculture and Natural Resources, for the University of California.

Over the past four decades, Reg has dedicated his life to the land-grant university missions of teaching, research and public service. He has mentored hundreds of current agricultural leaders from his early career as a professor at The Ohio State University, then as the Dean of Agriculture at the University of Illinois and finally in his home state to which he returned 11 years ago to lead the vast and varied agricultural education, science and Cooperative Extension programs of the University of California.

The grandson of immigrants from the Azores of Portugal, Reg was raised in the hard working dairy farming culture of California's Central Valley. This early appreciation for farming life led Reg to California Polytechnic State University (San Luis Obispo) to study animal science. Reg and his brother became the first in their family to graduate from college. Reg went on to earn a master's degree from Washington State University and a Ph.D. from Purdue University. This is an impressive collection of degrees for a young man from a small dairy farm in the small town of Hanford, California and it was the beginning of a remarkable academic career.

As an internationally recognized scientist and educator, Reg has been a leading voice on several prominent State and national boards, including the Farm Foundation Agricultural Round Table, the California State Board of Food and Agriculture, the California Farm Bureau Federation Board and the Board on Agriculture and Natural Resources of the National Research Council, which he currently chairs.

As a member of the House Agriculture Committee, I am particularly proud that California is the Nation's leading agricultural state with nearly $30 billion in sales coming from over 88,000 farms which produce 350 different commodities. These impressive statistics are due in large part to the innovative spirit of

California farmers who are usually the first to use new technologies and science-based farming practices, and it is our state's great land-grant university—the University of California—and leaders like Reg Gomes whom we have to thank for much of our farming successes.

Madam Speaker, it is my honor to offer these words in tribute to my friend Reg Gomes and to wish him and his wife Anne a wonderful next phase of their lives.

IN RECOGNITION OF JOSEPH "DUKE" CARTER FOR OVER 40 YEARS OF SERVICE TO THE INTERNATIONAL UNION OF PAINTERS AND ALLIED TRADES

HON. STEPHEN F. LYNCH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 5, 2007

Mr. LYNCH. Madam Speaker, I rise today in honor of a man whose professional life has been dedicated to improving the lives of working men and women in Massachusetts and our Nation. Joseph "Duke" Carter is a remarkable labor leader with a long and illustrious career with the International Union of Painters and Allied Trades.

Duke joined the International Union of Painters and Allied Trades in 1965 and over the next 21 years worked on numerous jobs throughout Boston and the State of Massachusetts. In this capacity Duke developed complete comprehension of the trade and was known for his expertise and attention to detail.

In 1986, Duke became a Business Representative for the International Union of Painters and Allied Trades District Council #35 until 2005 when he was appointed to the position of Assistant Director of Servicing. Duke has also contributed to the improvement of workers' rights as a Delegate to the International Painters and Allied Trades at their National Convention as well as being a Trustee to the Pension, Annuity, Health and Apprenticeship funds program.

Despite his various accomplishments, the title that Duke has always been most proud of and which he cherishes most, is the title of a proud and loving husband. Duke has had the enormous pleasure and tremendous good fortune to be married to his wife Patti for over 43 years.

Madam Speaker, it is my distinct honor to take the floor of the House today to join with Joseph "Duke" Carter's family, friends and brothers and sisters of labor to thank him for over 40 years of remarkable service to the American Labor Movement. I hope my colleagues will join me in celebrating Duke's distinguished career and wishing him good health and God's blessing in all his future endeavors.

TRIBUTE TO DENVER EAST HIGH SCHOOL

HON. DIANA DeGETTE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 5, 2007

Ms. DEGETTE. Madam Speaker, I rise to congratulate Denver's East High School for winning the "We the People" state competition on December 13, 2006. These students will represent Colorado in the national finals, held in Washington, DC on April 28–30, 2007.

This fantastic program seeks to develop the civic understanding of our nation's elementary, middle, and high school students. Each year competitions are held across the country, with students demonstrating their knowledge of the U.S. Constitution and Bill of Rights.

After months of preparation, the students of East will represent the State of Colorado at the national competition, "testify" before a panel of judges, and display their knowledge of American government and history.

I am so proud to have these students representing the First Congressional District and the entire state of Colorado. I wish them luck in the national finals, and look forward to welcoming them to Washington.

I want to personally recognize the participating students, including Caitlin Bell, Tucker Larson, Tessa Caudle, Sean McCarthy, Mats Engdahl, Manon Scales, Dan Aschkinasi, Matt Valeta, Catie Gliwa, Brian McQuinn, Katrina Sondermann, Tyler Castle, Davis Wert, Kaitlyn Randol, Mackenzie Gilchrist, Carlo Davis, Morgan Hall, Tim Hambidge, Emery Donovan, Rachel Banks, Rye Finegan, Charlie Fine, Michelle Murphy, Taylor Jones, Alexa Morrill, Max Viski-Hanka, Sam Keene, and Marissa Latta. Additionally, I would like to congratulate Kathy Callum, the principal of East, teacher Susan McHugh, and Loyal Darr, who coordinates the "We the People" program in Denver and is a tireless advocate for civic education.

PERSONAL EXPLANATION

HON. CHARLIE NORWOOD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 5, 2007

Mr. NORWOOD. Madam Speaker, had I been present on Rollcall Vote No. 58, I would have voted "yes." Had I been present on Rollcall Vote No. 59, I would have voted "yes." Had I been present on Rollcall Vote No. 60, I would have voted "yes." Had I been present on Rollcall Vote No. 61, I would have voted "yes." Had I been present on Rollcall Vote No. 62, I would have voted "yes." Had I been present on Rollcall Vote No. 63, I would have voted "no." Had I been present on Rollcall Vote No. 64, I would have voted "yes." Had I been present on Rollcall Vote No. 65, I would have voted "yes." Had I been present on Rollcall Vote No. 66, I would have voted "no." Had I been present on Rollcall Vote No. 67, I would have voted "no." Had I been present on Rollcall Vote No. 68, I would have voted "no." Had I been present on Rollcall Vote No. 69, I would have voted "no." Had I been present on Rollcall Vote No. 70, I would have voted "no." Had I been present on Rollcall Vote No. 71, I would have voted "yes." Had I been present on Rollcall Vote No. 72, I would have voted "no." Had I been present on Rollcall Vote No. 73, I would have voted "yes."

NATIONAL INTEREST ELECTRIC TRANSMISSION CORRIDOR CLARIFICATION ACT

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 5, 2007

Mr. WOLF. Madam Speaker, I am introducing legislation today to clarify provisions in Section 1221 of the Energy Policy Act of 2005 regarding the designation of National Interest Energy Transmission Corridors (NIETC).

As the Department of Energy and the Federal Energy Regulatory Commission (FERC) begin implementation of Section 1221, concerns have arisen in my state and in other states about this section of the new law. Specifically, those concerns include how the designation of these corridors could work to usurp the state decisionmaking process, override merit-based decisions by state siting authorities, destroy protected lands, ignore alternative energy solutions, and fail to provide compensation for landowners adjacent to new transmission lines. My legislation attempts to clarify Section 1221 to ensure that the necessity of building interstate energy transmission lines is balanced with other important national interests.

Building transmission lines that use 200-feet rights-of-way and rise up to 270 feet into the air have a tremendous and permanent impact on the surrounding landscape and property values. Patterning the electric transmission line process after current gas line siting regulations does not take into consideration the far reaching visual impact of power lines. Above ground facilities for gas lines are generally a maximum of eight feet high, therefore the viewshed affected is minimal. But power lines towering over 100 feet can be seen for miles around. It is traditionally understood that local and state governments are best equipped to properly consider and evaluate land use needs for local communities. Federal siting processes for transmission lines must be carefully tailored to allow greater protections to both local landowners and to the state decisionmaking process.

Currently, Section 1221 provides that state regulatory authorities can have their jurisdiction to approve or disapprove an application for new transmission lines in the state usurped by the federal government after one year in the application process. Additionally, the FERC can simply override disapproval by the state regardless of how sound the rationale for disapproval might have been. This is unacceptable.

Under my legislation, if the state entity denies an application, any subsequent application to FERC would first have to prove that the state decision was arbitrary and capricious. Furthermore, if the state goes beyond a year to act, the applicant must show that the state had no valid reason for delaying action.

Additionally, in order to ensure that lands that have been protected by the federal or state governments through conservation easements, ownership and similar preservation initiatives will not be impacted, the legislation prohibits these lands from being included in a NIETC and requires that the Department of Energy consider the national interests in protecting these resources.

I fully support investment in alternative energy sources and conservation, yet current law requires no assessment of alternative energy solutions before action is taken to designate a NIETC. My legislation would require the Department of Energy to consider all energy use alternatives to building new transmission lines before designating a NIETC. Furthermore, the Department of Energy will be required to solicit public comments on the analysis.

Finally, under current law landowners are compensated only for the portion of their property actually taken for a NIETC right-of-way. There is no compensation for any reduction in the value of the remainder of a landowner's property or for adjacent landowners whose property is devalued. This legislation would allow all landowners who are able to prove a 10 percent diminution in property value because of the construction of the transmission lines a cause of action to recover those damages from the energy company. The fact is that transmission lines that tower 270 feet into the air have an impact far beyond the footprint required for construction and maintenance and this must be acknowledged.

Madam Speaker, I invite our colleagues to join with me in support of this legislation.

REHABILITATED, NONVIOLENT OFFENDERS NEED A SECOND CHANCE

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 5, 2007

Mr. RANGEL. Madam Speaker, I rise today to bring to your attention the devastating impact of imprisonment on the lives of rehabilitated ex-offenders and to enter into the RECORD an opinion editorial in the New York Times entitled, "Closing the Revolving Door."

Last week I introduced the Second Chance Act which would provide for the expungement of criminal records of certain non-violent offenders who have paid their debts to society. This "second chance" would only apply to individuals who have clearly demonstrated their commitment to turning themselves into industrious members of our communities.

It is preposterous that many states have often been forced to choose between building new prisons or new schools, because of the federal mandatory minimum sentencing laws. Worse still, the country has created a growing felon caste, now more than 16 million strong and growing, of felons and ex-felons, who are often driven back to prison by policies that make it impossible for them to find jobs, housing or education.

The U.S. Sentencing Commission and the Department of Justice have both concluded that mandatory sentencing fails to deter crime. Furthermore, mandatory minimums have worsened racial and gender disparities and have contributed greatly toward prison overcrowding. Mandatory minimum sentencing is costly and unjust. Mandatory sentencing does not eliminate sentencing disparities; instead it shifts decision-making authority from judges to prosecutors, who operate without accountability. Mandatory minimums fail to punish high-level dealers. Finally, mandatory sentences are responsible for sending record numbers of women and people of color to prison.

I urge your support for H.R. 623, the "Second Chance for Ex-Offenders Act of 2007," which would provide for the expungement of criminal records of certain non-violent offenders who have paid their debts to society.

[From the New York Times]

CLOSING THE REVOLVING DOOR

The United States is paying a heavy price for the mandatory sentencing fad that swept the country 30 years ago. After a tenfold increase in the nation's prison population—and a corrections price tag that exceeds $60 billion a year—the states have often been forced to choose between building new prisons or new schools. Worse still, the country has created a growing felon caste, now more than 16 million strong, of felons and ex-felons, who are often driven back to prison by policies that make it impossible for them to find jobs, housing or education.

Congress could begin to address this problem by passing the Second Chance Act, which would offer support services for people who are leaving prison. But it would take more than one new law to undo 30 years of damage:

Researchers have shown that inmates who earn college degrees tend to find jobs and stay out of jail once released. Congress needs to revoke laws that bar inmates from receiving Pell grants and that bar some students with drug convictions from getting other support. Following Washington's lead, the states have destroyed prison education programs that had long since proved their worth.

People who leave prison without jobs or places to live are unlikely to stay out of jail. Congress should repeal the lifetime ban on providing temporary welfare benefits to people with felony drug convictions. The federal government should strengthen tax credit and bonding programs that encourage employers to hire people with criminal records. States need to stop barring ex-offenders from jobs because of unrelated crimes—or arrests in the distant past that never led to convictions.

Congress should deny a request from the F.B.I. to begin including juvenile arrests that never led to convictions (and offenses like drunkenness or vagrancy) in the millions of rap sheets sent to employers. That would transform single indiscretions into lifetime stigmas.

Curbing recidivism will also require doing a lot more to provide help and medication for the one out of every six inmates who suffer mental illness.

The only real way to reduce the inmate population—and the felon class—is to ensure that imprisonment is a method of last resort. That means abandoning the mandatory sentencing laws that have filled prisons to bursting with nonviolent offenders who are doomed to remain trapped at the very margins of society.

PERSONAL EXPLANATION

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, February 5, 2007

Mr. MCDERMOTT. Madam Speaker, due to a death in my family I was unable to travel to Washington, DC, and missed votes in the House of Representatives on January 29, 30, and 31. Had I been here, I would have voted "aye" on:

1. H.R. 521, 2. H.R. 49, 3. H.R. 335, 4. H. Res. 70, 5. H. Res. 82, 6. H. Res. 24, 7. H. Con. Res. 20, 8. H. Res. 59, 9. H. Con. Res. 34, 10. H. Con. Res. 5, 11. H. Res. 90, 12. H. Res. 24, 13. H. Res. 116, and 14. H.J. Res. 20.

MARITIME POLLUTION PREVENTION ACT OF 2007

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 5, 2007

Mr. OBERSTAR. Madam Speaker, I rise today, together with the Chairman of the Subcommittee on Coast Guard and Maritime Transportation, Mr. CUMMINGS, to introduce the "Maritime Pollution Prevention Act of 2007".

For many years, the International Maritime Organization, an entity of the United Nations, has been developing international standards to prevent pollution from ships that ply the world's oceans. The international convention they developed is called the International Convention for the Prevention of Pollution from Ships, 1973, The United States has implemented these environmental laws by enacting and amending the Act to Prevent Pollution from Ships (APPS).

On May 19, 2005, Annex VI of that Convention came into force internationally. Annex VI limits the discharge of nitrogen oxides from large marine diesel engines, governs the sulfur content of marine diesel fuel, prohibits the emission of ozone-depleting substances, regulates the emission of volatile organic compounds during the transfer of cargoes between tankers and terminals, sets standards for shipboard incinerators and fuel oil quality, and establishes requirements for platforms and drilling rigs at sea.

This bill is the necessary implementing legislation for Annex VI of that Convention. This legislation will provide the Coast Guard and the Environmental Protection Agency the authority that they need to develop U.S. standards and enforce these requirements on the thousands of U.S.- and foreign-flag vessels that enter the United States each year from overseas.

Everyone here recognizes the challenge that the world faces in combating global climate change. We must pursue all avenues in the effort to turn around the rising temperatures on this planet. I am pleased that the International Maritime Organization stepped up to the plate and developed amendments to the International Convention for the Prevention of

Pollution from Ships to regulate air pollution from ships.

Last year, the Committee on Transportation and Infrastructure favorably reported H.R. 5811, the MARPOL Annex VI Implementation Act of 2006. This bill was subsequently added as an amendment to H.R. 5681, the Coast Guard Authorization Act of 2006, and passed the House on October 28, 2006.

The bill that Mr. CUMMINGS and I introduce today is very similar to H.R. 5811. Pursuant to requests by the Administration, the bill allows the Environmental Protection Agency ("EPA") and the Coast Guard to enforce the standards. The Coast Guard acknowledges that the EPA has far more experience than it does on air quality emission standards. However, it is important for the EPA to develop the standards jointly with Coast Guard because of the Coast Guard's expertise regarding vessel safety issues.

I am hopeful that the Committee on Transportation and Infrastructure will report this bill to the House very quickly and that the House will have an opportunity to consider the bill in the coming weeks.

I would like to take the opportunity to thank our new Chairman of the Subcommittee on Coast Guard and Maritime Transportation, Mr. CUMMINGS, for his contributions in developing this bill.

I urge my colleagues to join us in supporting the Maritime Pollution Prevention Act of 2007.

PERSONAL EXPLANATION

HON. NEIL ABERCROMBIE

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Monday, February 5, 2007

Mr. ABERCROMBIE. Madam Speaker, I regret that I was unavoidably detained on Wednesday, January 24, 2007, and missed rollcall no. 56. Had I been present, I would have voted "aye."

DEPARTMENT OF HOMELAND SECURITY PROCUREMENT REFORM ACT OF 2007

HON. CHRISTOPHER P. CARNEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 5, 2007

Mr. CARNEY. Madam Speaker, the Department of Homeland Security purchases $10 billion worth of goods and services per year. Unfortunately, the Department's procurement process is rife with problems that need to be addressed. Whether buying ice to aid disaster victims or cameras and sensors to secure our borders, the Department has struggled. The bill I am introducing today is a first step toward addressing some of the Department's most pressing needs in this area. It is an outgrowth of the excellent bi-partisan work spearheaded during the last Congress by then-Chairman MIKE ROGERS of Alabama and then-Ranking Member KENDRICK MEEK in the Subcommittee on Management, Integration, and Oversight of the Committee on Homeland Security.

Specifically, this bill requires regular procurement training for the Department's acquisition employees and the development of courses for both new and experienced employees. To assist the Chief Procurement Officer in developing policies and curriculum for the training, it establishes a "Council on Procurement Training" made up of eight component-level chief procurement officers in the Department. In order to ensure that training occurs as required, the Chief Procurement Officer is required annually to submit a report on training activities to the Secretary.

Selection of able and responsible contractors is, of course, crucial to any procurement success. To that end, this bill puts new requirements on the Department to review the past performance of all offerors seeking contracts. And to ensure that all contractors are on an equal playing field, it requires offerors to provide information concerning any role the offeror or its employees played in developing a contract solicitation or similar document. Further, if an offeror is delinquent or in default on any payment of tax, the bill requires offerors to disclose this information.

The bill also directly addresses one area that requires particular attention, the use of purchase cards. A Goverment Accountability Office (GAO) review released this past July revealed a disturbing lack of guidance and controls over their use. It highlighted potential incidents of fraud, waste, and abuse that could run into the millions of dollars. To address this problem, the bill directs the Department to develop and quickly disseminate Department-wide guidance concerning the use of such cards. Finally, the bill directs the GAO to issue a report on the contracting processes of the Department within six months of enactment.

This bill will not solve all of the problems of the Department's procurement operations. It will, however, start the process of reform that is badly needed.

MEASURE Y: IRAQ WAR ADVISORY

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 5, 2007

Mr. THOMPSON of California. Madam Speaker, I rise today in agreement with the wishes of 19,290 voters in Mendocino County, California concerning the United States military engagement in Iraq.

On November 8, 2006, Measure Y: Iraq War Advisory was on the ballot in Mendocino County. The measure asked the following: Should the United States end the military occupation of Iraq and bring the troops home now? It passed by 67.17 percent of the vote.

Madam Speaker, the voters who approved Measure Y know what has been evident for some time—we need to begin redeployment of the United States military forces out of Iraq. As of today, 3,056 brave American servicemen and women have been killed in Iraq and over 23,000 have been wounded. We must redeploy our troops as quickly and safely as possible while putting an emphasis on diplomacy and shifting security responsibilities to the Iraqi people.

The President has already spent close to half a trillion dollars on war spending and he has called for more troops and more money, but the results of our efforts have been to endanger American lives, and worsen living conditions for Iraqis. It is time to bring our troops home. The will of the American people is indisputable. They want a swift end to the U.S. involvement in Iraq.

Madam Speaker, in accordance with the wish of my constituents, I submit this advisory into the CONGRESSIONAL RECORD.

SUPPORT FOR THE EDUCATE ACT

HON. DARLENE HOOLEY

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, February 5, 2007

Ms. HOOLEY. Madam Speaker, I rise today to urge my colleagues to support the EDUCATE Act that Congressman VAN HOLLEN introduced today on behalf of myself and Congressman MIKE FERGUSON. I believe that this bill is one of the most important pieces of legislation that will be introduced in this chamber this year because it speaks to the Federal Government keeping a promise to children.

When Congress passed the Individuals with Disabilities Education Act of 1975, we made a commitment to our country's special education students. By providing only half of the promised funding in recent years, the Federal Government has passed on another unfunded mandate to States and local school districts and failed to honor our promise that students with special education needs deserve the best education possible.

Despite the fact that current law requires the Federal Government to match State IDEA costs at 40 percent, the President's budget in recent years has included funding for less than half of the Federal Government's IDEA obligation. Budgeting shortfalls at the federal level and the rising cost of special education have forced local school districts to assume a larger percentage of the funding burden. As a result, they have had to seek out alternative funding sources such as higher taxes or diverting monies from other educational initiatives in order to comply with IDEA requirements.

Now I know that many of my colleagues have been angered with the funding that IDEA has received in the past few years, and a few of them have introduced their own legislation to correct this funding shortfall. But I believe that the EDUCATE Act is the most fiscally responsible funding solution that has been offered. In the current fiscal climate and with the PAYGO requirements that have been put in place, this legislation offers the most responsible means of achieving our goals. It will do no good if we succeed in providing these children with a quality education and then leave them a country in financial ruin.

I am proud to have been involved in the crafting of this legislation and I hope that my colleagues will support it.

TRIBUTE TO ISRAEL "IZZIE" BARLAS

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 5, 2007

Ms. WOOLSEY. Madam Speaker, I rise today to honor Israel "Izzie" Barlas who passed away on January 23, 2007. Izzie led a long and full life, married for 59 years to Helene, raising his son Lance, and cherishing his two grandsons.

The youngest of six children born to Russian immigrants Max and Esther Barlas, Izzie was raised in Petaluma, California and attended Santa Rosa Junior College. He was a world traveler, but always came home to Petaluma the "best place to live, work and raise a family".

Izzie and his two brothers co-owned Barlas Feeds, founded by their father. The feed and livestock store began by supplying to local farmers, but the business grew to include shipments as far away as the South Pacific. Those business interests developed from Izzie's tour of duty as a U.S. Marine stationed in the South Pacific during World War II.

The years spent with the Marine Corp held a sense of pride for Izzie. He took part in four major battles: Guam, Bougainville, Guadalcanal, and Iwo Jima. He was present at the flag raising on Iwo Jima, a defining moment of the Pacific battles, captured on film and made into a Marine Corps War Memorial in Washington, DC.

Izzie became active in politics in the 1950s when the state legislature considered a bill requiring all chickens be sold with the head and feet off and eviscerated. The Jewish farmers in Petaluma, many of whom were customers of Barlas Feeds, were selling their chickens "New York dressed" (with the head and feet on and not eviscerated). To oppose the bill, Izzie drove carloads of farmers to meet with committee members. Each member was given a roaster and asked to cook and eat it before deciding it was not healthy. An amendment passed to allow "New York Dressed" chickens. Thus began his career as a poultry industry lobbyist.

Not satisfied with only meeting with elected officials, Izzie decided to make change from within. He ran and was successfully elected to the local Democratic Central Committee, founded the Petaluma Democratic Club, and became a delegate to the California Democratic Council. In 2004, the Sonoma County Democratic Central Committee honored him as the Democrat of the Year. He also became active with the Congress of Democratic Farmers, which led to his relationship with President John Kennedy and an appointment to the National Agricultural Advisory Committee. He fondly recalled visits to the White House pressroom denying reporters his identity, leaving them wondering who he was and his importance.

Madam Speaker, it is with sadness that I honor Israel "Izzie" Barlas, who fought and worked for his country. He touched many lives in his 84 years as a role model and inspiration as a mover and shaker.

INTRODUCING A RESOLUTION HONORING THE ARCHITECTURAL PROFESSION

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, February 5, 2007

Mr. BLUMENAUER. Madam Speaker, today I am introducing a resolution which recognizes the contributions of the architectural profession during National Architecture Week. The architectural profession has made unique contributions to the history, texture, and quality of life in the United States. Through advances in building technology and design innovation, architects are vital to the creation of communities which are safe, livable and sustainable.

This year is the 150th Anniversary of the founding of the American Institute of Architects, which signifies the founding of the organized architectural profession. This bill will honor and celebrate the work of the approximately 281,000 individuals in the United States who create the structures we cherish and towns we treasure. The bill additionally requests that the President issue a proclamation calling upon the people of the United States to recognize and celebrate National Architecture Week beginning April 8th.

THE PREVENTION FIRST ACT

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 5, 2007

Ms. SLAUGHTER. Madam Speaker, today, I am again proud to introduce the Prevention First Act. By emphasizing prevention first, my bill will help protect women's reproductive health, reduce unintended pregnancies, decrease the spread of STDs, and give women the tools they need to make the best decisions possible for themselves. The Prevention First Act will help to achieve these goals by providing comprehensive access to all forms of contraception and sex education.

Throughout the years, conservative leaders have sought to limit women's rights and freedoms by imposing stricter penalties on doctors who help women faced with an unintended pregnancy. At the same time, these leaders have done very little to ensure that millions of unintended pregnancies and sexually transmitted diseases (STDs) are prevented in the first place. If they are opposed to abortion, if they support women's health, and if they believe that the right to choose when to start a family should apply to all women, no matter their economic or social situation, then they should be in favor of this bill.

It has been more than 40 years since the Supreme Court said women had the right to access contraception. This decision was revolutionary, for the first time allowing women to choose when to become pregnant and how many children to have. Access to contraception greatly enhanced women's equality in American Society.

It also helps to ameliorate economic disparities among women. The social and economic realities surrounding contraception could not be starker. Many poor and low-income women cannot afford to purchase contraceptive services and supplies on their own. About 1 in 5 women of reproductive age were uninsured in 2003, and that proportion has increased by 10% since 2001. Half of all women who are sexually active, but do not want to get pregnant, need publicly funded services to help them access public health programs like Medicaid and Title X, the national family planning program. These programs provide high-quality family planning services and other preventive health care, such as pap smears, to underinsured or uninsured individuals who may otherwise lack access to health care and alternative options for birth control. What's more, each year, publicly funded family planning services help women to prevent an estimated one million unplanned pregnancies and 630,000 abortions. Despite the obvious benefits they bring, these programs are currently struggling to meet the growing demand for subsidized family planning services without corresponding increases in funding. The Prevention First Act authorizes funding for Title X clinics and strengthens states' coverage of Medicaid family planning services.

Contraception is, of course, more than a means of fighting economic inequalities. It also provides a way to save scarce public health dollars. For every $1 spent on providing family planning services, an estimated $3.80 is saved in Medicaid expenditures for pregnancy-related and newborn care.

And what's more, improved access to emergency contraception (EC) has been proven to significantly reduce the staggering rates of unintended pregnancy and, as a result, abortion. EC prevents pregnancy after unprotected sex or a contraceptive failure. The Alan Guttmacher Institute estimates that increased use of EC accounted for up to 43 percent of the total decline in abortion rates between 1994 and 2000. In addition, EC is often the only contraceptive option for the 300,000 women who are reported to be raped each year. Unfortunately, even with the recent FDA decision to allow EC to be sold over-the-counter to women 18 years of age and over, many women do not know about EC and many still face insurmountable barriers in accessing this important product. The Prevention First Act mandates that the Secretary of Health and Human Services implement an education campaign about EC and requires that hospitals receiving federal funds provide victims of sexual assault with information and access to EC.

Despite the fact that contraceptives have a proven track record of enhancing the health of women and children, preventing unintended pregnancy, and reducing the need for abortion, far too many insurance policies do not cover them. While most employment-related insurance policies in the United States cover prescription drugs in general, many do not include equitable coverage for prescription contraceptive drugs and devices. Although 21 states now have laws in place requiring insurers to provide contraceptive coverage if they cover other prescription drugs, 29 states still have no corresponding law on the books. Out of pocket expenses for contraception can be costly. Women of reproductive age currently spend 68 percent more in out-of-pocket health care costs than men, much of which is due to reproductive health-related supplies and services.

The Prevention First Act requires that private health plans to cover FDA-approved prescription contraceptives and related medical services.

Madam Speaker, it is critical in any discussion of reproductive rights to devote time to teenagers, who face the consequences of so many of these issues more acutely than other age groups. Teens face additional barriers regarding access to services and information. Sixty percent of teens have sex before graduating high school. Those who receive comprehensive sexuality education that includes discussion of contraception as well as abstinence are more likely than those who receive abstinence-only messages to delay sex, to have fewer partners, and to use contraceptives when they do become sexually active. Efforts by conservatives to restrict access to family planning services and promote abstinence-only education programs—which are prohibited from discussing the benefits of contraception—actually jeopardize adolescent health and run counter to the views of many mainstream medical groups.

Nearly 50 percent of new cases of STDs occur among people ages 15 to 24, even though this age bracket makes up just a quarter of the sexually active population. Clearly, teens have the most to lose when faced with an unintended pregnancy or an STD infection.

Moreover, 1 in 3 girls becomes pregnant before the age of 20, and 80 percent of these pregnancies are unintended. Teen mothers are less likely to complete high school. Children of teenage mothers have lower birth weights, are more likely to perform poorly in school, and are at greater risk of abuse and neglect. Improving access to contraceptive services and information does not cause non-sexually active teens to start having sex. Instead, teens need information to help them both postpone sexual activity and to protect themselves if they do become sexually active. A November 2006 study of declining pregnancy rates among teens concluded that the reduction in teen pregnancy between 1995 and 2002 is primarily the result of increased use of contraceptives.

The Prevention First Act provides funding to public and private entities to establish or expand their teenage pregnancy prevention programs. This bill also provides for comprehensive, medically accurate sex education programs that teach young people about abstinence, health, and contraceptives. Moreover, this bill requires federally funded programs that provide information on the use of contraceptives to ensure that the information is medically accurate and includes health benefits and failure rates.

Madam Speaker, virtually everyone can agree that reducing unintended pregnancies, lowering STD infection rates, and promoting the health of all women and their children, regardless of their economic or social situation, are important public health goals. It should come as no surprise that the Centers for Disease Control and Prevention included family planning in their published list of the "Ten Great Public Health Achievements in the 20th Century." My bill, the Prevention First Act, will improve access to family planning services for women in need throughout America, and will go a long way toward fulfilling the promise of this important public health achievement.

Madam Speaker, I urge every Member to stand with the women of our country and to support this important bill.

INTRODUCTION OF H.R. 800, THE EMPLOYEE FREE CHOICE ACT

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 5, 2007

Mr. GEORGE MILLER of California. Madam Speaker, today, I am pleased to be joining 230 of my colleagues in introducing H.R. 800, the Employee Free Choice Act. The Employee Free Choice Act is a bipartisan bill designed to provide workers with a fair opportunity to bargain with employers for better wages, benefits and working conditions.

In recent years, despite a growing economy, the middle class has been squeezed. Corporate profits and executive compensation have skyrocketed, but the middle class has seen their wages stagnate, while the costs for basic needs like healthcare, education, food, energy and housing continue to increase. Globalization and misguided government policies have contributed to a growing income disparity and less economic security for middle class families.

One way to help the middle class is to provide them with a fair opportunity to organize and join unions, so they can have a say in what goes on in the workplace. Workers who belong to unions earn 30 percent more than nonunion workers. In addition, they are 62 percent more likely to have employer-provided health coverage and four times more likely to have pensions.

The current process for forming unions is badly broken and so skewed in favor of those who oppose unions, that workers must literally risk their jobs in order form a union. Although it is illegal, one quarter of employers facing an organizing drive have been found to fire at least one worker who supports a union. In fact, employees who are active union supporters have a one-in-five chance of being fired for legal union activities. Sadly, many employers resort to spying, threats, intimidation, harassment and other illegal activity in their campaigns to oppose unions. The penalty for illegal activity, including firing workers for engaging in protected activity, is so weak that it does little to deter law breakers.

Even when employers don't break the law, the process itself stacks the deck against union supporters. The employer has all the power; they control the information workers can receive, can force workers to attend anti-union meetings during work hours, can force workers to meet with supervisors who deliver anti-union messages, and can even imply that the business will close if the union wins. Union supporters' access to employees, on the other hand, is heavily restricted.

The Employee Free Choice Act would add some fairness to the system by: (1) allowing a majority of employees the opportunity to select to be represented by a union by expressing their decision through the signing of authorization cards; (2) provide for mediation and arbitration when workers and employers cannot agree on a first contract; and (3) increase penalties against employers who threaten, intimidate or fire workers for engaging in protected activity.

I urge all my colleagues to join in this effort to provide working people with a real opportunity to bargain for better wages and benefits.

TO REQUIRE THAT ALL SHIPS WITH BALLAST WATER TANKS, INCLUDING VESSELS THAT ARE NOT CARRYING BALLAST WATER, TO CARRY OUT THE EXCHANGE OF BALLAST WATER OR ALTERNATIVE BALLAST WATER MANAGEMENT METHODS PRIOR TO ENTRY INTO ANY PORT WITHIN THE GREAT LAKES

HON. MARK STEVEN KIRK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 5, 2007

Mr. KIRK. Madam Speaker, today I introduced a bill to require all vessels, including those with no ballast water on board, NOBOBs, to undergo ballast water exchange before entering the Great Lakes.

Invasive species pose a dangerous threat to the Great Lakes. These creatures can cause irreparable ecological and economic damage to a variety of locations and industries. In 2005, economic losses were estimated at an annual $5 billion to the region. More than 160 non-native species have already invaded the Great Lakes ecosystem. As the largest source of our Nation's fresh water, the Great Lakes must be protected from further introduction of invasives.

One method by which these species enter the Great Lakes is through ballast water tanks. Current law requires ships carrying ballast water to undergo ballast water exchange to flush out invasive species before entering the Great Lakes from another port. However, 90 percent of all ships entering the Great Lakes have no ballast water on board. These NOBOBs are not subject to the same ballast water exchange laws, even though they still have ballast tanks. Invasive species often survive in the sediment at the bottom of these tanks. When these ships operate in the Great Lakes, they may add and then pump out new ballast water before leaving. This mixes with residual ballast water and sediments, and provides an unregulated pathway for the introduction of new invasive species when the ballast water is released.

In other words, the contamination begins.

We must not leave 90 percent of ships entering the Great Lakes untreated. This bipartisan legislation requires all ships with ballast tanks, including NOBOBs, to undergo ballast water exchange. In addition, the bill commissions a study of the effectiveness and environmental soundness of other ballast treatment options. The language fixes a current problem and works towards an even stronger solution for the future.

Madam Speaker, this legislation, while small, has enormous consequences for the health and safety of one of our national treasures. I am proud to introduce this ballast water legislation to significantly reduce the infiltration of invasive species into the Great Lakes.

STAFF SERGEANT RICHWELL ARZADON DORIA—A TRUE HERO

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 5, 2007

Mr. FILNER. Madam Speaker, United States Army Staff Sergeant Richwell Arzadon Doria was killed by small-arms fire during the battle with the insurgents in Iraq on November 7, 2006.

He was born on December 6, 1980 in Dagupan City, Philippines. He immigrated to the United States of America in 1991 and graduated from Samuel Morse High School in San Diego, California in 2000. He enlisted in the United States Army and completed the Basic and Advanced Individual Training at Fort Benning, Georgia in 2001. He was naturalized as an American citizen in 2004.

Staff Sergeant Doria was assigned to the 25th Infantry Division at Schofield Barracks in Hawaii. He reported to the 2nd Battalion, 35th Infantry Regiment and was assigned to Alpha Company. He participated in training exercises at the National Training Center, Pohakuloa Training Area, and Operation North Wind in Japan. In 2004, he deployed with the Cacti Battalion in support of the Operation Enduring Freedom V in Afghanistan and also served with the Cacti Battalion in Operation Iraqi Freedom V. While in Alpha Company, he served as a rifleman, M203 gunner, machine gun operator, team leader, and as a squad leader.

SSG Doria was posthumously awarded the Army Commendation Medal with "V" device for valor. On November 1, 2006, his action saved the lives of his fellow soldiers following an insurgents attack. He was also posthumously awarded the Bronze Star, the fourth highest U.S. military award for gallantry in action and the Purple Heart for his courageous actions on November 7, 2006, when he made the ultimate sacrifice while covering for his fellow soldiers during an air assault and rescue mission in Iraq.

He is survived by his wife, Jasmine; daughter, Jada; parents, Fred and Rose; sister, Rowena; aunts, Zenaida and Minda, and grandfather/adopted father, Benito Doria. His last wish to be buried at the Eternal Gardens Memorial Park in Dagupan City, Philippines was fulfilled, complete with full military honors, 21-gun salute, and the American flag was presented to the grieving Doria family by BG Simeon G. Trombitas, who is the Commander of the U.S. Army's Special Operations Command in South Korea.

U.S. Army SSG Richwell Arzadon Doria is a true hero and will forever remain in our hearts and memories for his bravery, dedication to duty, and service to the United States of America.

HONORING ROSEANNA WABEL McDERMOTT (1909–2007)

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, February 5, 2007

Mr. McDERMOTT. Madam Speaker, on behalf of loving family and friends, I enter into the RECORD our memory of Roseanna Wabel McDermott, born in Streator, Illinois, who died peacefully on January 29, 2007, at Columbia Lutheran Home in Seattle. We will miss her gentle spirit and twinkling eye.

Roseanna and her husband, Mac, came to the great Northwest in 1971. Early in their marriage, they had founded a church in their garage in the Chicago suburbs. Throughout her life, Roseanna continued to live her Christian faith of love, charity and compassion. She fundamentally rejected racism and unjust war.

A true mid-Westerner and a bride of the Depression, Roseanna had sizeable grit and an entrepreneur's resourcefulness. She could make something out of nothing, and for her everything had at least one more use before it went into the trash. She re-wired lamps, rejuvenated Charlie Brown Christmas trees with a bit of careful grafting, and mended furniture. She was a saver—of string, rubber bands, and plastic twist ties. And, she showed us there was always hope for a dying plant, a broken chair, or a difficult personality.

As a consummate gardener, Roseanna fed her family from her backyard and taught her offspring the wonders of composting, the satisfaction of baking and the skill of darning. She was a crack gin rummy player (despite her misgivings about the danger of cards), and she loved the interaction and challenge of a good game of Scrabble. She enjoyed all things northwest—Dungeness crab, Pacific oysters and the Seattle Mariners.

Roseanna possessed a wide curiosity and believed in the power of education. A Streator High School graduate, yet financially unable to go to college herself, she sacrificed for the education of her children and served as their constant reminder of the benefits of hard work and life-long learning.

Roseanna's loving presence and beautiful smile were dwarfed only by her huge heart and unwavering belief in the goodness of all. She is preceded in death by her husband of 68 years, William Morrell (Mac), and survived by her children Jim, John, Lois, Mark; her grandchildren Katherine, Jim and Nicholas; and, her great grandchildren Kendall and Lachlan.

In tribute to their loving care of Roseanna, donations may be sent to Columbia Lutheran Home (columbialutheranhome.com) 4700 Phinney Ave. N., Seattle, WA 98103. Please join in celebration of this beloved woman on February 10th at University Congregational United Church of Christ at 2 p.m. (4515 16th Ave NE, Seattle).

PERSONAL EXPLANATION

HON. NEIL ABERCROMBIE

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Monday, February 5, 2007

Mr. ABERCROMBIE. Madam Speaker, I regret that I was unavoidably detained on Wednesday, January 31, 2007, and missed rollcall No. 68. Had I been present, I would have voted "aye."

H.R. 798. DEPARTMENT OF ENERGY HEADQUARTERS SUN WALL PHOTOVOLTAIC SYSTEM

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 5, 2007

Mr. OBERSTAR. Madam Speaker, today I introduce a bill to direct the Administrator of General Services to install a sun wall photovoltaic system, known as the "Solar Net" on the headquarters building of the Department of Energy. There is no more appropriate or symbolic federal building with which to demonstrate the power and promise of photovoltaics than the Department of Energy headquarters building, known as the Forrestal Building, located in Washington, DC.

Our energy needs continue to increase, but as a nation we have not done enough to try to meet these needs with new technologies and alternative fuels. As a result, our dependence on fossil fuels—and foreign oil in particular—continues unabated.

As the nation's largest single energy consumer, the Federal Government is in a unique position to promote energy conservation and efficiency, particularly in the operation of Federal buildings. By applying the principles of sustainable, green design, agencies have the ability to reduce energy usage, reduce life-cycle costs, and reduce environmental impacts in the construction and operation of federal facilities.

A photovoltaic system turns light energy into electricity. Photovoltaics reduce the consumption of fossil fuels and offer distinct advantages over diesel generators and primary batteries. These systems are highly efficient panels and have no moving parts, so the need for maintenance is virtually non-existent. Photovoltaics have tremendous potential. As an example, estimates have shown that the electricity needs of the entire U.S. could be met by installing photovoltaic panels in a 100-mile by 100-mile area in the Southwest.

The Federal Government owns or leases approximately 500,000 buildings. According to U.S. Department of Energy estimates, in FY 2005, the cost of energy consumption by Federal agencies totaled $14.5 billion—more than $5.5 billion of which was spent on buildings and facilities. The General Services Administration, through its Public Building Service, manages 218.9 million square feet of owned office space and 168.8 million square feet of leased space. Imagine the benefits if this space utilized photovoltaics and solar power.

More than 25 Federal buildings nationwide already utilize photovoltaics in some capacity.

These projects have demonstrated that we have the technology and ability to provide electricity for the Federal Government office buildings with photovoltaic rays. We have the ability to keep our public buildings running on clean and quiet sources of energy, and still produce extra electricity to put back into the power grid.

The bill I introduce today addresses only one project, but it is a necessary and important step in the overall effort to increase energy efficiency in public buildings. Located in our Nation's capital, the Solar Net project will serve as a model for the entire country, as the largest building-integrated solar energy system on any federal building in the country. The design for the sun wall project was selected in 2000 after an open competition. It is an attractive and energy-efficient design that can generate a maximum of 200 kW of electricity and includes a solar thermal installation for hot water and hot air.

A similar provision to this bill was enacted as part of the Energy Policy Act of 2005 (Pub. L. 109–58). While the Energy Policy Act authorized funding for fiscal year 2006, no funding was appropriated for that year. Today, this bill specifically sets aside federal building repair and alteration funding for construction of the sun wall project in fiscal year 2007.

The time is long overdue for the Federal Government to lead in the development and promotion of energy-efficient technologies and alternative and renewable fuels. The plans are ready to go. The needs and the potential impacts on our nation's energy use are great. All that is left is to do is to provide the funding needed to purchase and install the proper equipment. This bill does just that.

I thank Mr. MICA, Ranking Member of the Committee on Transportation and Infrastructure, and Ms. NORTON, Chairman of the Subcommittee on Economic Development, Public Buildings, and Emergency Management, for joining me on this critical, bipartisan initiative. I urge my colleagues to join us in supporting H.R. 798.

RECOGNIZING THE CELEBRATION OF THE 20TH ANNIVERSARY OF REV. ZAIDAN'S PRIESTHOOD AND THE LIFE OF JOHN MILAD NISSER

HON. RAY LaHOOD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 5, 2007

Mr. LAHOOD. Madam Speaker, as a Lebanese American, I rise here today to recognize the celebration of St. Maron Feast Day on February 11, 2007, by The Parish of Our Lady of Mount Lebanon in Los Angeles. They are planning a grand banquet at the Biltmore Hotel for this occasion and are honoring the 20th anniversary of the priesthood of Father Abdallah Zaidan, their pastor, and John Milad Nisser, who is receiving a Lifetime Achievement Award.

Born in Kseibe, Lebanon, Rev. Zaidan joined the Congregation of Maronite Lebanese Missionaries and earned his Master's degrees at St. John's University in New York. He entered Novitiate in September 1980 and was ordained in July 1986. Father Abdullah E. Zaidan received his Master's in Theology in 1986, his Master's in Philosophy in 1987, and his Master's in Education in 1990.

Beginning his service in Lebanon as a Chaplain and teacher, Rev. Zaidan immigrated to the United States in 1988. He became Assistant Rector at Our Lady of Lebanon Cathedral in Brooklyn, and in January 1990, became Pastor of St. George Maronite Catholic Church in San Antonio. Beginning in August 1992, Father Zaidan became Regional Superior of Maronite Lebanese Missionaries in the United States and is currently the Rector of Our Lady of Mt. Lebanon-St. Peter Cathedral in Los Angeles, and Protopresbyter for the Southwest and Northwest Regions of the Eparchy of Our Lady of Lebanon of Los Angeles, as well as several other important positions within the church and the community. I join the parishioners of Our Lady of Mount Lebanon to congratulate Rev. Zaidan for his 20 years of wonderful service.

Furthermore, I would also like to honor John Milad Nisser who will be presented the Lifetime Achievement Award. John Nisser was born in Batroun, a small town north of Beirut, in Lebanon. His father died when he was just 15, so John took it upon himself to provide for his family by taking odd jobs and tutoring the children of wealthy families. By doing so, he was able to provide for the other five children while becoming fluent in French, Arabic, English, and later Spanish. In 1947, John left Lebanon and journeyed first to South America and eventually to California. In California, he turned to the place of his faith for comfort and joined the church of Our Lady of Mt. Lebanon. Here he married Rosalie Barhouse in 1949. Dreaming of owning his own business, he purchased and operated a small market. Still, he wanted to do more. After finally securing the necessary loans, he and Rosalie built and managed several apartment buildings, and later constructed three senior citizen homes. Through all this, he has never stopped giving thanks to God and his country for what life has given him. Due to his generosity, the church of St. Stephens in Batroun has been given new windows, an organ, pews, and a hearse. He has sponsored the building of the St. Vincent DePaul nursing home and set up an Endowment Fund through Our Lady of Mount Lebanon to provide for the poor in Lebanon. Here in the United States, many Lebanese transfer students were offered free rent in his apartments during the duration of their education. Our Lady of Mt. Lebanon has consistently been a recipient of his generosity.

Madam Speaker, I ask my colleagues to join me in honoring these two men who have contributed greatly to their communities and touched the lives of many.

CONGRATULATING THE UNIVERSITY OF FINDLAY ON ITS 125TH ANNIVERSARY

HON. JIM JORDAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 5, 2007

Mr. JORDAN of Ohio. Madam Speaker, it is my honor to congratulate a crown jewel of Northwestern Ohio on the occasion of its 125th anniversary.

The University of Findlay was founded as Findlay College in 1882 by the Churches of God, General Conference. Back then, the City of Findlay's total population was less than 5,000; today, total enrollment at the University is approaching that milestone. The 1989 renaming of the College better reflects the size of the student population and the wide variety of academic programs offered: degrees are now awarded in more than 60 undergraduate areas.

Throughout its history, the University has earned accolades for its hands' on learning environment and its excellent faculty' student ratios. Named a 2007 Best Midwestern College by the Princeton Review, Findlay excels in distance learning programs through cutting-edge technologies; all of the required coursework to earn a Master of Business Administration degree may be taken online.

I am especially proud of the University's innovative work on terrorism response initiatives. Following the Oklahoma City bombing in 1995, Ken Zirkle, who was then serving as President of the University, came to Congress to discuss how communities could better prepare to respond to terrorist attacks. Since then, Congress has helped the University form the Center for Terrorism Preparedness, a nationally recognized program that is helping first responders deal with emerging threats to our homeland.

Madam Speaker, ceremonies marking the 125th anniversary of the University's founding will take place on campus later this week. On behalf of the Fourth Congressional District of Ohio, I congratulate the administration, faculty, staff, and students of the University of Findlay on this historic occasion. The people of Hancock County and throughout Ohio can take great pride in the work done at the University to prepare students to meet the challenges of the future.

INTRODUCTION OF THE EVERYONE DESERVES UNCONDITIONAL ACCESS TO EDUCATION (EDUCATE) ACT MANDATORY FULL FUNDING FOR IDEA BIPARTISAN COMPROMISE BILL

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, February 5, 2007

Mr. VAN HOLLEN. Madam Speaker, I rise today to introduce the Everyone Deserves Unconditional Access to Education Act, a bill to fully fund the Individuals with Disabilities Education Act. I thank my colleagues, Representatives FERGUSON and HOOLEY, for their work on this bill.

Madam Speaker, it was more than 30 years ago that Congress passed IDEA, requiring states to provide an appropriate education to students with special needs. At that time, Congress promised states that it would cover 40 percent of the costs to meet this goal. However, Congress has yet to fulfill its promise to states. In fact, Congress has never met even half of its commitment. This is unacceptable.

The bill I introduce today with Representatives FERGUSON and HOOLEY will fulfill our promise to states with guaranteed funding increases for IDEA every year. It will relieve the burden on states and ensure a quality education for all special needs students. And it will restore the integrity of this Congress by ensuring that a promise made is a promise kept.

Madam Speaker, states and students have waited more than 30 years for Congress to fulfill its pledge. I encourage members from both sides of the aisle to join with Representatives FERGUSON, HOOLEY, and me to support our schools and provide our students with the resources they need.

HONORING DOUGLAS D. HAWTHORNE

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 5, 2007

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, it has been my distinct honor over the years to take note of the extraordinary valuable work done by Douglas D. Hawthorne for the 30th Congressional District of Texas, the State of Texas and this Nation.

Mr. Hawthorne, president and chief executive of Texas Health Resources was recognized this fall, when he received the Greer Garson-E.E. Fogelson Humanitarian Award at the Greer Garson Gala. Mr. Hawthorne serves as a national role model through his leadership and unwavering commitment to helping people and furthering the awareness of Parkinson's disease in our community.

For more than a decade, Mr. Hawthorne has conducted a “quite revolution'” in the treatment of Alzheimer. He helped establish the APDA's Parkinson's Information and Referral Center at Presbyterian Hospital of Dallas in 1990 and developed a relationship with the local chapter.

Hawthorne served as president and chief executive officer of Presbyterian Healthcare Resources from 1983 until the formation of Texas Health Resources in 1997. He is past chairman of Dallas/Fort Worth Hospital Council and the Texas Hospital Association (THA). In 1996, he received the Boone Powell Sr. Award of Excellence for distinguished hospital administration by the Dallas/Fort Worth Hospital Council. In 1994, he received THA's highest award, The Earl M. Collier Award for Distinguished Hospital Administration. He has chaired several American Hospital Association (AHA) committees and is a former at-large member of AHA's Board of Trustees. A Fellow of the American College of Healthcare Executives (ACHE), he received the Gold Medal Award in 2002, ACHE Regent Senior Level Health Care Executive Award in 1991 and served as Regent for Texas Greater Dallas/Fort Worth area of the ACHE. In 2003, Modern Healthcare magazine named Hawthorne number 30 on its list of the “100 Most Powerful People in Health Care.”

Madam Speaker, as one who has worked closely with Alzheimer patients, I know that his efforts for battling this disease are unequaled and he is certainly one of our community's great leaders. Therefore, Madam Speaker, I rise with great pleasure to honor Douglas Hawthorne, on the occasion of his receiving the Greer Garson-E.E. Fogelson Humanitarian Award.

RECOGNIZING THE CONTRIBUTIONS OF ENTERPRISE RENT-A-CAR

HON. RUSS CARNAHAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, February 5, 2007

Mr. CARNAHAN. Madam Speaker, I rise today to recognize the achievements and contributions of Enterprise Rent-A-Car, the largest car-rental company in North America and an integral part of the local Saint Louis community.

Enterprise has annual revenues of more than 9 billion and is currently number 21 on the Forbes “500 Largest Private Companies in America” list.

Operating on the principle that good business derives from a well-trained and well-treated staff, the company has been cited by Business Week as one of the Best Places to Launch a Career. In 2005, Enterprise received the Secretary of Defense Employer Support Freedom Award for efforts on behalf of its employees serving in the National Guard and Reserve.

Enterprise is as dedicated to the public, as they are to their own employees.

In 1982, the Enterprise Rent-A-Car Foundation was created, and has, over the past 25 years, given more than $87 million to nonprofit entities, has donated $30 million to schools and scholarships to support minorities and economically-challenged students, and has contributed $1 million each to both the Red Cross relief effort for the Gulf Coast, as well as the victims of 9–11.

With its charitable works, avid support of its employees, and economic success, Economic Rent-A-Car is a truly dynamic corporation.

Madam Speaker, I am honored to pay tribute to this organization, who has made great contributions to the local Saint Louis community and the larger national community, and is a model for effective and charismatic business.

HONORING OPERATION HELMET

HON. PATRICK J. MURPHY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 5, 2007

Mr. PATRICK J. MURPHY of Pennsylvania. Madam Speaker, it is with great honor and personal gratitude that I recognize the remarkable work of Mike and Marie Farley who, along with Rodney Van Pelt and other members of the Quakertown Moose Lodge No. 1622, took bold initiative to provide our soldiers with life-saving equipment.

Marie Farley of Nockamixon, Pennsylvania was shocked to learn that antiquated gear was being issued to U.S. soldiers—including to her 23-year-old son Michael, a Marine stationed in Anbar Province, Iraq. She learned that with an upgrade kit, her son's helmet could do more to protect him. If Michael was knocked down by an explosion, the shock-absorbing pad and new strap system could save his life. But Mrs. Farley and her husband Mike discovered that if they wanted their son and his unit to have this simple safety feature, they would have to raise the money themselves.

The Farleys were not alone in their desire to provide U.S. soldiers with proper equipment. A national initiative—Operation Helmet—was underway and the Farleys quickly sought to localize the effort. Mrs. Farley made up signs asking for donations and put one of those signs at the Quakertown Moose Lodge. That is where the project took off. After learning about the need for the protective pads, Rodney Van Pelt of the Moose Club joined the Farleys to aggressively pursue the goal of equipping Michael's entire unit with the upgrade. The Moose Club and the rest of the community rallied around the family and raised enough to take care of Michael's entire company, not just his unit.

As of today, the Farleys and the Quakertown Moose Club have raised $35,000, enough for almost 500 upgrade kits. The kits have been shipped out and came as early Christmas presents for soldiers overseas. This accomplishment is inspiring and is a telling example of true patriotism and respect.

Having led convoys in a Humvee without doors while serving with the 82nd Airborne Division in Baghdad, I understand what it means to fight a war without proper equipment. So I speak from experience when I say that this kind of support from home is whole-heartedly appreciated and serves as a tremendous morale boost. But Madam Speaker, family members should not be forced to pay for their loved ones' military equipment. The Farleys were able to gather tremendous community support but despite their best efforts they couldn't supply all U.S. forces, and many families are paying out-of-pocket. This is unfair and I urge you all to support the Helmet Pad Reimbursement Act of 2007. I am proud to be an original cosponsor of this bill because at the very least, these families should have the opportunity to request a reimbursement.

This is an issue of critical importance to our troops and I commend all who have brought it to light. On behalf of the men and women with whom I served, Mr. and Mrs. Farley, Mr. Van Pelt, the Quakertown Moose Lodge and most importantly, Michael and all the soldiers who continue to risk their lives for this country, I urge Congress to support this bill.

TRIBUTE TO HAROLD REYNDERS FOR HIS SERVICE TO THE CATHOLIC DIOCESE OF ST. PETERSBURG

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 5, 2007

Ms. GINNY BROWN-WAITE of Florida. Madam Speaker, I rise today to honor Harold

Reynders as the recent recipient of the St. Jude Medal from the Catholic Diocese of St. Petersburg. A dedicated volunteer at the St. Frances Cabrini Catholic Church for nearly two decades, Harold has given his time and energy to help his fellow parishioners.

Born in Lancaster, NY, Harold ran his own construction company in Buffalo for 37 years. Moving with his wife Corinne to Spring Hill, FL in 1988 in search of warmer weather, Harold began attending St. Frances Cabrini Catholic Church in 1989.

Each day Harold would go to church, work throughout the sanctuary and help keep the church neat and clean. His efforts were eventually brought to the attention of Monsignor John Cippel, who gave Harold Keys to the church and an official position as a sacristan.

For the next 10 years, Harold prepared the altar for the Mass and cleaned up following the sermon. He also was given the responsibility of opening the church doors each morning, and served as a lector and minister at the Sunday Masses.

This past November, Harold was presented with the St. Jude Medal that "honors individuals who have consistently given of themselves to living the gospel of Jesus Christ by their generosity and service." Presented on the Feast of Christ the King Day at the Cathedral of St. Jude in St. Petersburg, Harold was truly humbled to receive the honor.

Madam Speaker, Harold Reynders has spent a lifetime as a devout Catholic, working to make his parish and his church a better place to worship. He should be commended for his years of service and for being honored with the St. Jude Medal.

APPALACHIAN REGIONAL DEVELOPMENT ACT AMENDMENTS OF 2007

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 5, 2007

Mr. OBERSTAR. Madam Speaker, today I, together with Ranking Member MICA, Economic Development Subcommittee Chairwoman NORTON, Subcommittee Ranking Member GRAVES, and many Members who represent communities of the Appalachian region, introduce the Appalachian Regional Development Act Amendments of 2007. This bipartisan bill improves the programs authorized by the Appalachian Regional Development Act of 1965 and reauthorizes the Appalachian Regional Commission for five years through FY 2011.

I am proud to sponsor this bill, which builds on more than four decades of economic development successes through job creation in some of the Nation's most disadvantaged yet deserving communities. I have witnessed firsthand the triumph that is possible when the Federal Government joins in partnership with states, localities, economic development districts, and private businesses to break the cycle of crippling and pervasive poverty. It is an economic certainty that job deficiencies reduce the tax base, which reduces the ability of governments to provide public infrastructure, which further reduces the ability to create and attract new industries. Generating jobs must therefore continue to be our top priority in communities suffering economic distress, particularly in Appalachia.

The Appalachian Regional Commission (ARC) was created by the Appalachian Regional Development Act of 1965 (P.L. 89–4) to address economic issues and social problems of the Appalachian region as a part of President Lyndon B. Johnson's Great Society program. Congress created the ARC in 1965 to assist the Appalachian region "in providing the infrastructure necessary for economic and human resource development, in developing the regions' industry, in building entrepreneurial communities, in generating a diversified regional economy and in making the region's industrial and commercial resources more competitive in the national and world markets."

As a regional economic development agency, ARC's primary function is to support development of Appalachia's economy and critical infrastructure to provide a climate for industry growth and job creation. ARC includes all or part of 13 States: Alabama, Georgia, Kentucky, Mississippi, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia, and West Virginia.

Historically, the Appalachian region has faced high levels of poverty and economic distress resulting from geographic isolation and inadequate infrastructure. Since its creation in 1965, ARC has administered a variety of programs to aid in the development and advancement of the region, including the creation of a highway system, enhancements in education and job training, and the development of water and sewer systems.

ARC's funding and projects have contributed significantly to employment, health, public works, and general economic development improvements in the region. The regional poverty rate has been reduced by almost one-half. High school graduation rates have doubled, and the percentage of Appalachian students now completing high school is slightly above the national average. The infant mortality rate has been cut by two-thirds, and ARC funds have helped build more than 400 health facilities serving four million people in Appalachia.

ARC projects have also helped to construct 2,496 miles of new Federal-aid highways. In the last five years alone, ARC-funded infrastructure projects have resulted in the creation or retention of 136,000 jobs, and over 183,000 households have reaped the benefits of clean water and sanitation facilities.

Yet, our work to ensure the economic viability and vitality of the communities that are part of the ARC is far from finished. Approximately one-fifth of ARC's counties remain in a state of economic distress. One-fourth of Appalachia's counties have a poverty rate that is more than 150 percent of the national average. Additional Federal investments are necessary to build upon the progress made to date.

Specifically, this bill directs ARC to designate as "at-risk counties," which are counties in the Appalachian region that are most at risk of becoming economically distressed; establishes the maximum Federal share for Appalachian Regional Commission non-highway grant amounts for designated at-risk counties as 70 percent; authorizes additional appropriations to the Commission through FY 2011 to carry out Appalachian regional development; and extends, for five years, the termination date of the Appalachian Regional Development Act of 1965 (with exceptions for the Appalachian development highway system and certain definitions).

During the 107th Congress, the House passed the Appalachian Regional Development Reauthorization Act of 2001 (P.L. 107–149), which built upon past successes of the Appalachian Regional Commission, made several amendments to existing law, and extended the authorization for an additional five years.

ARC's authorization expired at the end of FY 2006. During the 109th Congress, the Committee's bipartisan leadership introduced H.R. 5812, a bill reauthorizing ARC through FY 2011. Although the Senate passed S. 2832 to reauthorize the ARC, the Senate-passed bill did not include the anti-earmarking provision of H.R. 5812. The House did not pass S. 2832 and no further action was taken on H.R. 5812. This bill includes the anti-earmarking provision that I insisted upon in the 109th Congress.

The ARC, and the critical investments that it provides, are far too important for further delay. Congress should show its commitment to the people of Appalachia by getting this bill to the President's desk early in the 110th Congress.

I urge my colleagues to join us in supporting this bipartisan bill to reauthorize the Appalachian Regional Commission.

HONORING KRISTIN WILLETT

HON. RON LEWIS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, February 5, 2007

Mr. LEWIS of Kentucky. Madam Speaker, I rise today to congratulate Kristin Willett, an exemplary citizen from my district who was recently named recipient of the Elizabethtown Independent Schools' 2006–07 Excellence in the Classroom and Educational Leadership (ExCEL) Award.

An art teacher at the Morningside Elementary School in Elizabethtown, KY, Mrs. Willett has made a personal commitment to education, creating an environment in her classroom where students of varying ages and abilities can comfortably learn and demonstrate their creative talents. For more than 4 years, she has captured the attention of her students through her innovative and interactive approach, using a wide variety of visual resources to promote connections to art.

Mrs. Willett chose to pursue a career in teaching as a way to make a tangible difference in the most important foundation of our society—children. In her interaction with students, she personifies honesty, trust, organization, creativity, and knowledge; qualities that consistently make her a favorite teacher and role-model. Her best reward, she explains, is seeing children excited by their own creativity.

I applaud Mrs. Willett for her accomplishments in public education, a profession of great responsibility and even greater reward. On behalf of many others in the Elizabethtown area, I would like to express my profound appreciation for her service.

It is my great privilege to recognize Kristin Willett today, before the entire U.S. House of Representatives, for her special achievement. Her unique dedication to the development of young people and the communities they will someday serve make her an outstanding citizen worthy of our collective honor and respect.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, February 6, 2007 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

FEBRUARY 7

9:30 a.m.
Energy and Natural Resources
To hold hearings to examine the President's proposed budget request for fiscal year 2008 for the Department of Energy.
SD–366

9:45 a.m.
Agriculture, Nutrition, and Forestry
To hold hearings to examine the United States Department of Agriculture farm bill proposal.
SD–106

10 a.m.
Banking, Housing, and Urban Affairs
Business meeting to consider an original bill entitled "Public Transportation Terrorism Prevention Act of 2007"; to be followed by hearings to examine predatory lending practices and home foreclosures.
SH–216

Budget
To hold hearings to examine the President's Fiscal Year 2008 budget proposal.
SD–608

Commerce, Science, and Transportation
To hold hearings to examine climate change research and scientific integrity.
SR–253

Finance
To hold hearings to examine the President's Fiscal Year 2008 budget proposal.
SD–215

Environment and Public Works
Private Sector and Consumer Solutions to Global Warming and Wildlife Protection Subcommittee
To hold hearings to examine global warming and wildlife, focusing on informing the Committee and the United States Senate on issues related to global warming and wildlife.
SD–406

Rules and Administration
To hold hearings to examine the hazards of electronic voting, focusing on the machinery of democracy.
SR–301

2:30 p.m.
Intelligence
To hold closed hearings to examine certain intelligence matters.
SH–219

FEBRUARY 8

9:15 a.m.
Foreign Relations
To hold hearings to examine the President's foreign affairs budget; there is a possibility of a business meeting to consider the nomination of John D. Negroponte, of New York, to be Deputy Secretary of State.
SD–106

9:30 a.m.
Energy and Natural Resources
To hold hearings to examine issues relating to labor, immigration, law enforcement, and economic conditions in the Commonwealth of the Northern Mariana Islands.
SD–366

Indian Affairs
Business meeting to consider pending calendar business; to be followed by an oversight hearing on diabetes in Indian Country, focusing on the Special Diabetes Program for Indians.
SR–485

Appropriations
Transportation, Treasury, the Judiciary, and Housing and Urban Development, and Related Agencies Subcommittee
To hold hearings to examine the President's budget request for Fiscal Year 2008 for the Department of Transportation.
SD–138

10 a.m.
Budget
To hold hearings to examine the President's Fiscal Year 2008 budget and revenue proposals.
SD–608

Commerce, Science, and Transportation
To hold hearings to examine the present and future of public safety communications.
SR–253

Health, Education, Labor, and Pensions
To hold hearings to examine No Child Left Behind reauthorization, focusing on strategies that promote school improvement.
SH–216

Judiciary
Business meeting to consider S. 188, to revise the short title of the Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006, S. 214, to amend chapter 35 of title 28, United States Code, to preserve the independence of United States attorneys, S. 316, to prohibit brand name drug companies from compensating generic drug companies to delay the entry of a generic drug into the market, S. 236, to require reports to Congress on Federal agency use of data mining, S. Res. 36, honoring women's health advocate Cynthia Boles Dailard, S. Res. 37, designating March 26, 2007 as "National Support the Troops Day" and encouraging the people of the United States to participate in a moment of silence to reflect upon the service and sacrifice of members of the Armed Forces both at home and abroad, and the nominations of Marcia Morales Howard, to be United States District Judge for the Middle District of Florida, Nora Barry Fischer, to be United States District Judge for the Western District of Pennsylvania, Norman Randy Smith, of Idaho, to be United States Circuit Judge for the Ninth Circuit, John Alfred Jarvey, to be United States District Judge for the Southern District of Iowa, and Sara Elizabeth Lioi, to be United States District Judge for the Northern District of Ohio.
SD–226

2:30 p.m.
Intelligence
To hold closed hearings to examine certain intelligence matters.
SH–219

FEBRUARY 9

9:30 a.m.
Armed Services
To receive a briefing on the Department of Defense Inspector General's report on the activities of the Office of Special Plans prior to the war in Iraq; to be followed by a closed session in SR–232A.
SR–222

FEBRUARY 12

2:30 p.m.
Energy and Natural Resources
Energy Subcommittee
To hold hearings to examine recommendations on policies and programs to improve the energy efficiency of buildings and to expand the role of electric and gas utilities in energy efficiency programs.
SD–366

FEBRUARY 13

10 a.m.
Energy and Natural Resources
To hold hearings to examine the "Stern Review of the Economics of Climate Change" examining the economic impacts of climate change and stabilizing greenhouse gases in the atmosphere.
SD–106

Appropriations
Interior and Related Agencies Subcommittee
To hold oversight hearings to examine the Outer Continental Shelf oil and natural gas royalty management by the Department of the Interior.
SD–124

FEBRUARY 14

10 a.m.
Banking, Housing, and Urban Affairs
To hold hearings to examine the semiannual monetary policy report to the Congress.
SD–106

Judiciary

To hold hearings to examine judicial security and independence.

SD–226

FEBRUARY 15

9:30 a.m.

Armed Services

To hold hearings to examine the current and future readiness of the Army and Marine Corps; there is a possibility of a closed session in SR–222 following the open session.

SH–216

Commerce, Science, and Transportation

Aviation Subcommittee

To hold hearings to examine the Administration's proposal to reauthorize the Federal Aviation Administration (Part 1).

SR–253

Energy and Natural Resources

To hold hearings to examine the President's proposed budget request for fiscal year 2008 for the Department of the Interior.

SD–366

10 a.m.

Finance

To hold hearings to examine the Administration trade agenda for 2007.

SD–215

FEBRUARY 28

2:30 p.m.

Commerce, Science, and Transportation

Science and Space Subcommittee

To hold hearings to examine the President's budget for the National Aeronautics and Space Administration (NASA).

SR–253

HOUSE OF REPRESENTATIVES—*Tuesday, February 6, 2007*

The House met at 10:30 a.m. and was called to order by the Speaker pro tempore (Mr. JOHNSON of Georgia).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
February 6, 2007.

I hereby appoint the Honorable HENRY C. "HANK" JOHNSON, Jr. to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2007, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from Georgia (Mr. PRICE) for 5 minutes.

ORWELLIAN EARMARKING

Mr. PRICE of Georgia. Mr. Speaker, in his novel, 1984, George Orwell presents this concept of doublethink, which is defined as, "The power of holding two contradictory beliefs in one's mind simultaneously and accepting both of them."

I come to the floor today, Mr. Speaker, to review the repetitive lack of openness and accountability that we have seen on this House floor over the last month. Time and again, this new majority has governed on the premise that if you simply just say it, it will become true. It is Orwellian doublethink, an amazing concept.

They believe that if you simply just say you are lowering drug prices, poof, it's done, ignoring the reality that prices really won't be lowered and fewer drugs will be made available to our seniors.

They believe that if you just say you are implementing all of the 9/11 Commission's recommendations, it changes the fact that the bill that was passed here on the floor doesn't reflect the totality of those recommendations.

They believe that if you just say you are cutting interest rates in half for college students, it doesn't matter that in reality you've pulled a bait-and-switch, with the rate cut lasting just 6 months.

Mr. Speaker, saying it doesn't make it so. And Democratic doublethink does a disservice to this Nation.

Now this makes for great talking points and great press releases, but yields very little for the people back home. Rather than bold policy initiatives, people are starting to realize that the Democratic agenda has been more pop than fizz. And now, Mr. Speaker, the Democrats are using this Orwellian newspeak, doublethink, in regard to spending Americans' hard-earned tax dollars.

On December 11 of last year, 2006, the two chairmen of the Appropriations Committee in the House and Senate, OBEY and BYRD, said, and I quote, "There will be no congressional earmarks in the joint funding resolution that we will pass." No earmarks. But sadly, once again, the facts just don't match the promises. Democratic doublethink is alive and well.

The majority used a loophole in the House rules to include millions of dollars of earmarks by simply saying that there were none. Clause 9 of rule XXI of the House rules says that it shall not be in order to consider a bill or joint resolution unless the chairman of each committee of initial referral has a statement that the proposition contains no congressional earmarks. So the chairman of the Appropriations Committee, Mr. OBEY, conveniently submitted to the record on January 29 that prior to the omnibus bill being considered, quote, "does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits." But, in fact, Mr. Speaker, this omnibus spending bill that the Democrats passed last week contained hundreds of millions of dollars of earmarks. Democrat doublethink.

If we follow this Democrat policy as long as you submit to the record that there are no earmarks, you can feel free to just load up any appropriations bill with as many earmarks as you like with absolutely no accountability.

Their actions completely violate the spirit of our earmarking rule, designed to bring greater transparency to our spending process. Rather than take the new rule seriously, the Democrat majority has used this sly interpretation that essentially allows for unlimited earmarks. In this new Democrat majority, if you just close your eyes and say there are no earmarks, miraculously millions of dollars of earmarks are wasted on things like rain forests in Iowa.

This isn't the type of open and honest government that our constituents expected in this Congress. Mr. Speaker, this doublethink is unacceptable to the American people, who work hard every day to provide for their families only to have Washington throw away their money, unsupervised, on pork projects.

There was a positive and honest and principled alternative to this spending injustice. Republicans offered an alternative eliminating these earmarks and targeting funds for military housing and drug enforcement. Our friends on the other side of the aisle chose to ignore it and throw money at their pet earmark projects.

For 12 years our colleagues on the other side blamed Republicans for every ill under the sun, and now that it is their time to govern, they hide behind bumper sticker and press release politics. Never before has such an enormous amount of taxpayer money been spent so quickly, over $400 billion in one hour.

If our friends on the other side of the aisle truly desired to clean up earmarks and bring greater transparency to our spending, why would they then make this their first act? Their actions simply don't match their rhetoric. The American people expect more than a wink and a nod that they have gotten so far from this Democrat majority. Democrat doublethink does a disservice to our Nation.

In George Orwell's 1984 Doublethink Newspeak, he said that the lie always was one step ahead of the truth; but the American people are catching up, Mr. Speaker. Just saying something doesn't make it so.

IT'S TIME FOR A NEW DIRECTION IN IRAQ

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2007, the gentleman from Oregon (Mr. BLUMENAUER) is recognized during morning hour debates for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, I come to the floor with some observations about Iraq, but I must comment on the presentation I just heard from my friend from Georgia.

You know, Mr. Speaker, independent observers agree that Democrats have moved quickly and aggressively to implement what we said we were going to do in the first 100 hours. I find it disingenuous that our friend was talking

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☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

about somehow the Democrats not dealing with its commitment on earmarks, and mentioning the rain forest in Iowa. Mr. Speaker, again, independent observers agree that Mr. OBEY and Mr. BYRD did bring forward a clean continuing resolution that didn't have any new earmarks. It killed the earmarks that had been set aside in the failed budget of the Republicans in the last session of Congress.

What my friend is talking about, the rain forest in Iowa, was an earmark from several years ago, a Republican earmark, I might say, from several years ago. And now he is suggesting that as we have moved forward to clean up the budget mess left by the Republicans, failing to meet their commitments to produce budgets in a timely fashion, that we didn't go back and surgically remove earmarks that they had scattered throughout the budget for years. Well, I'm sorry. With all due respect to George Orwell and my friend from Georgia, I think that is doublespeak. We did what we said we were going to do. The CR has come forward without earmarks, and we have put in place a much more transparent process so people will know who is doing what on whose behalf.

But, Mr. Speaker, I came to the floor today to make a few comments about the situation in Iraq. There is much ado in the other body to work to catch up with the reality on the ground in Iraq and where the American public is. This is not the time just to oppose escalation of more troops in Iraq. We find that the 21,000 that the President referred to is actually going to mean 50 additional thousand when you put all the support in. It is time for Congress to deal in a comprehensive fashion with what we need to do to make the best of this tragically mismanaged situation, a war of choice that we didn't have to do, sadly mismanaged by the administration. It is time for Congress to rediscover our war powers with Iraq, and even more important, the saber rattling that is directed now towards Iran. It is time for us to rediscover the power of the purse, not provide an open-ended bank account, but tighten down the resources that are provided by Congress to the administration, and to rediscover oversight where there are daily reminders in every major newspaper of where Congress in the last few years has frankly been missing in action.

To be able to advance those goals in a comprehensive fashion, I have introduced new directions for Iraq. It sets forth goals for United States policy, supporting the Iraqi people, preventing greater violence, reestablish our international credibility and military readiness, and focusing on real national security threats. It calls not for escalation, but prohibiting the escalation without specific congressional approval, and for the redeployment of troops from Iraq to be completed in approximately 1 year.

It calls for the United States to forswear the establishment of permanent bases in Iraq, as well as U.S. control over Iraq's oil infrastructure and economic policies. It redirects United States reconstruction funding from large foreign contractors to Iraqi-owned businesses to help create jobs in Iraq. It instructs the President to nullify contracts where any company has not fulfilled an Iraq reconstruction contract, and to recover lost funds.

We ought not to just stop the fraud in terms of the contracting, but we ought to aggressively punish war profiteering, encouraging Congress to investigate and the Attorney General to aggressively prosecute profiteering and fraud.

It requires a regional diplomatic initiative because ultimately it is going to require diplomacy on the part of the United States and all of the surrounding countries to be able to turn this around.

I strongly urge my colleagues to look at the New Direction For Iraq Act of 2007 as a comprehensive way to change the situation in Iraq.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 43 minutes a.m.), the House stood in recess until noon.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order at noon.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Creator of the stars in the heavens and all upon Earth, the winter sun You let shine upon our Nation is a great gift for which we give You thanks.

In the midst of cold winds and uncertain and sometimes disastrous weather patterns, the consistent warm rays of light fall upon the good and the bad, the believers and unbelievers alike. Gradually, the days are already growing longer but like the movement of Your grace often unnoticed.

Lord, You are ever-present, especially to those most in need. Show Your mercy to the most vulnerable, the children, the poor, the elderly, the homeless. We commend them to You now and forever.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Oregon (Mr. WALDEN) come forward and lead the House in the Pledge of Allegiance.

Mr. WALDEN of Oregon led the Pledge of Allegiance as follows:

> I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

PRESIDENT BUSH UNDERESTIMATES NUMBER OF TROOPS AND AMOUNT OF MONEY NEEDED FOR TROOP ESCALATION PLAN

(Mr. WALZ of Minnesota asked and was given permission to address the House for 1 minute.)

Mr. WALZ of Minnesota. Madam Speaker, last week, the nonpartisan Congressional Budget Office released a report saying that President Bush is understating the number of troops and the amount of money needed to move forward with his troop escalation plan.

While the President claims he plans to send 21,500 troops to Iraq, the Congressional Budget Office says the number will be as high as 48,000. As any soldier like myself knows, that to put a combat unit on the ground you need substantial support forces, including personnel to staff headquarters, serve as military police, provide communications, provide mess facilities, engineering and other services.

The Congressional Budget Office also said that the President has seriously underestimated the cost of troop escalation. While President Bush claims it should not cost any more than $5.6 billion, the Congressional Budget Office says a 4-month deployment will cost between $9 and $13 billion, 12 months between $20 and $27 billion. This is a 400 percent underestimate.

Madam Speaker, this is a serious report that cannot and will not be ignored. President Bush cannot expect Members of Congress to support his troop escalation plan when he is not telling us the whole story on the number of troops and the funds involved to make it happen.

CONGRESSIONAL INACTION JEOPARDIZES HOOD RIVER COUNTY SEARCH AND RESCUE

(Mr. WALDEN of Oregon asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WALDEN of Oregon. Mr. Speaker, the failure of Congress to reauthorize the Secure Rural Schools and Community Self-Determination Act amounts to a breach of faith to the almost 600 forested counties across America and 4,400 school districts.

Hood River County, Oregon, is my home and hosts two of Oregon's icons: Mount Hood and the powerful Columbia River, both attractions for outdoor recreation and the dangers that come with it. Surely you remember the December search for the mountain climbers lost on Mount Hood? This event unfolded just miles from my home.

The county paid for this rescue and recovery effort entirely with county payment funds. This included the airplanes, snowcats and equipment for volunteers, radios and medical supplies.

County Sheriff Joe Vampler says, "We will do search and rescue on Federal lands and waterways no matter what but the Nation must share this cost."

County payments also fund many other vital services like the County Health Department's vaccination program for children.

County Commission Chair Ron Rivers says, "The loss of these funds will have a significant impact on all services, including those provided to protect our most vulnerable citizens."

Congress must keep the Federal Government's word to timbered communities and pass H.R. 17. Time is running out.

CREATION OF A U.S. DEPARTMENT OF PEACE

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to address the House for 1 minute.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I would like to express my strong support for H.R. 808, as it would create a U.S. Department of Peace.

The importance of peace in the world today is often overlooked due to the severity of constant conflict, but, as a mother and lawmaker, the reality of war concerns me for the future of our Nation and this planet. The promotion of peace, not violence, should be number one on our agenda.

For years, I have worked to raise awareness in the women within our society, and around the world, so that they can spread the word of peace and build a culture of peace in this world.

Women in themselves are a powerful entity, and I believe by working together we as a society can stop the escalation of violence. We can prevail by joining together and building a U.S. Department of Peace. War is not the way, but peace is.

I am proud to support this resolution, creating a U.S. Department of Peace and urge my colleagues' support.

SUPPORT REPUBLICAN SENATORS

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, I rise today in disbelief at the actions of the Democratic Senators' resolutions against the United States efforts in Iraq. These very same Senators voted unanimously to confirm General David Petraeus. It is unbelievably hypocritical to undermine the efforts of the very man they confirmed, along with all the brave men and women who serve with him.

The actions of these Senators will simply encourage the terrorists and undermine the U.S. efforts to succeed in Iraq and the war on terror. Republicans want to debate this issue, yet the Democrats only want to pass a resolution. It is time to take a real stand on the issue. If the Democrats want to end the war, then they should stand up and call for it.

The hypocritical actions of the Democrats are wrong. They have offered no plan for success in Iraq and are interfering with the President's powers to execute a war that the Congress has already approved. Democrats must realize there is only one commander-in-chief, and it is his job and responsibility to manage the war as he sees fit.

Mr. Speaker, I support my Republican colleagues in the Senate who want a real debate on this issue and victory in the central front on the global war on terror.

NEED TO SUPPORT OUR TROOPS

(Mr. ELLISON asked and was given permission to address the House for 1 minute.)

Mr. ELLISON. Mr. Speaker, soldiers don't choose to go to war. Soldiers do not allocate funds for which they use to fight the war. Soldiers may face danger, soldiers may risk their lives and sometimes lose their lives, but the least a Nation can do that sends a young person into harm's way is to fully support, fully equip and fully allow that young person to be successful to protect their own lives.

And yet this administration has not done that. We failed in the early part of this war to provide Kevlar. This administration has failed to provide Humvees that were fully armored for our young people, and now what we see is tens of billions in backlog on maintenance so that the equipment that young people are relying on to protect their lives and to fully do their duty is unavailable.

This is wrong, and we must call attention to this wrong, and we must do something about it now.

NO END BUT VICTORY

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, as debate continues surrounding President Bush's new way forward in Iraq, I hope all sides are heard.

I am a 31-year veteran of the South Carolina Army National Guard. I have four sons serving in the military, the eldest of whom served for a year in Iraq. I sit on the Armed Services Committee, and I have visited Iraq six times and Afghanistan twice. I am committed to my family and our Nation's survival and prosperity, all of which will be threatened should we not triumph in the global war on terrorism.

As elected public officials, Members of Congress have an obligation to debate war strategy and exercise congressional oversight. If by conscience they disagree with the President's direction, they have a responsibility to put forth an alternative plan.

Political posturing in the form of nonbinding resolutions, however, brings nothing to the debate regarding the protection of American families.

In conclusion, God bless our troops, and we will never forget September 11.

HONORING THE MEMORY OF POLICE OFFICER SHAWN JOSHUA DEAN WILLIAMS

(Mr. SHULER asked and was given permission to address the House for 1 minute.)

Mr. SHULER. Mr. Speaker, I rise today in honor of the memory of Police Officer Shawn Joshua Dean Williams. Officer Williams died while responding to a fellow officer's call for assistance last Thursday night in Old Fort, North Carolina. He was only 23 years old.

I offer my condolences to his wife, Shannon Kirby Williams; his young daughter, Rye-Lee Alexis; his parents, Max Suttles and mother Holly Williams; and all of his family and friends.

I also want to extend my thoughts and prayers to his fellow Old Fort police officers and the entire law enforcement community in McDowell County.

Mr. Speaker, Officer Williams' life was an example of service for all of us to follow.

I ask my colleagues to join me in expressing remorse at all the passings and the dedication of all law enforcement officers and gratitude to all those who protect and serve our communities every day.

ANTI-WAR PROTESTERS' GRAFFITI

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, a week ago, the anti-war rally in Washington made headlines across America. Lost in most of the coverage, however, was the complete lack of basic decency displayed by some of these protesters. The anti-war protesters defaced our Capitol by spray-painting graffiti on the Capitol's west terrace.

Mr. Speaker, it never ceases to amaze me how nonpeaceful these so-called peace protesters can be. There is no question that Americans have a constitutional right to peaceably assemble, but when you brazenly deface cherished public property, you are no longer assembling peacefully. You are committing a crime.

Mr. Speaker, we can have a thoughtful public debate on our policies overseas, but we must remember this. Our freedom was not earned by protesters with poster paint. It was earned by the thousands of brave men and women who courageously stand up to fight for it, many of whom paid with their lives.

☐ 1215

DEPARTMENT OF PEACE BILL INTRODUCTION

(Ms. LEE asked and was given permission to address the House for 1 minute.)

Ms. LEE. Mr. Speaker, it is time to make a real commitment to the peace that we want to see in the world. That is exactly what H.R. 808, introduced by Congressman KUCINICH, with 52 cosponsors, would do by creating the Department of Peace.

We are now spending $8 billion each month on the occupation of Iraq. Imagine if a small portion of that money was invested, instead, in conflict resolution, diplomacy, weapons reduction, and human rights. As the drum beats of war against Iran are now heard, imagine if the debate included not only the Secretary of State and Secretary of Defense, but a Secretary of Peace. Guaranteed the military option would be taken off the table and our world would not be led again into another useless, senseless war.

Imagine if we were to direct a small portion of the $583 billion Pentagon budget to promoting nonviolence here at home by investing in efforts to stop domestic violence, gun violence, child abuse, gang violence, violence in schools, hate crimes, racial violence, religious intolerance and the mistreatment of the elderly.

Dr. King said that peace is not just the absence of tension; it is the presence of justice. This isn't something we should just hope for, but we must work for it.

RUSSIAN BORDER CONTROL

(Mr. POE asked and was given permission to address the House for 1 minute.)

Mr. POE. Mr. Speaker, a government spokesman has said "people from poor countries are taking jobs and giving nothing back to the country." But the government spokesman was not from the United States, but Russia.

Under a new Russian crackdown on illegal immigration, illegals are being ordered out of the country and employers who hire them are being prosecuted. Russia is also securing its visa program against fraud. All of these actions are working. The illegals are leaving the country by the thousands. No massive deportation is needed. No amnesty or path to citizenship.

Similar to the United States, millions of illegals are crossing Russian borders. They take government resources from legal citizens. The Russian Government, however, unlike the U.S. Government, isn't giving in to those who want cheap plantation labor. The Russian Government doesn't care if illegals or businesses don't like the new rules.

Russia is enforcing border security by prosecuting illegals and those that hire them. The U.S. Government could learn something from Russia. Prosecute businesses that knowingly hire illegals, and illegals will leave. Russia has proven it. But does America have the moral will to do the same? We shall see.

And that's just the way it is.

THE NATIONAL INTELLIGENCE ESTIMATE

(Mr. HARE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HARE. Mr. Speaker, no one can deny that the situation on the ground in Iraq is grave and rapidly deteriorating and therefore deserves the immediate and undivided attention of this Congress.

Last week, the National Intelligence Estimate released a pessimistic outlook on the future of Operation Iraqi Freedom. The NIE offers no hope that under the likeliest of scenarios the level of violence in Iraq will be significantly reduced between the next 12 to 18 months.

Additionally, the Iraq Study Group has identified the increase of sectarian violence in Iraq as a principal challenge to stability in the Middle East. In light of the current situation, a military approach is no longer a viable solution to stabilizing Iraq. Our success in Iraq is dependent upon a forward change in direction, which involves input of Iraq's neighbors and the entire international community.

Through political and diplomatic engagement we have a serious chance of reducing sectarian tensions, bringing our troops home, and ultimately declaring victory in Iraq. I urge my colleagues in both Houses to put aside partisan differences and honestly debate our strategy in Iraq.

THE CONSTITUTION AND WAR

(Mr. PENCE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PENCE. The father of our Constitution, James Madison, wrote, "The Constitution expressly and exclusively vests in the legislature the power of declaring a state of war. The separation of the power declaring war from conducting it is wisely contrived to exclude the danger of its being declared for the sake of its being conducted."

As we begin the process of hearing resolutions down the hall of this Capitol in the United States Senate, nonbinding resolutions over the way and the manner in which we would conduct our war, we would do well to reflect on the wisdom of our Founders, who separated the article I powers of this body from the article II powers of our Commander in Chief.

Let us remember, as Franklin Roosevelt said, "Hostilities exist, there is no blinking at the fact that our people, our territory and our interests are in grave danger." Let this grave danger color our debates. Provide the oversight that is our purview, but we have but one Commander in Chief, and let him lead us to victory in Iraq.

CELEBRATING TONY DUNGY, THE FIRST AFRICAN AMERICAN COACH TO WIN A SUPER BOWL

(Ms. CASTOR asked and was given permission to address the House for 1 minute.)

Ms. CASTOR. Mr. Speaker, I rise today on behalf of my district in the Tampa Bay area to herald the terrific achievement of our hometown hero, Tony Dungy. While Coach Dungy is the first African American coach to win a Super Bowl title, he is also a living testimony to faithful leadership.

Since Coach Dungy's 11-year path to the Super Bowl title came through my hometown of Tampa, I think it is fair to say that everyone in the Tampa Bay area feels attached to his win, and we are proud to claim him as a resident. My friends and neighbors back home remember Coach Dungy as the former coach of the Buccaneers, who in that capacity brought a winning spirit and gracious leadership to that team and our community.

We watched with pride Sunday when this man showed that nice guys can finish first. His team came from eight points behind, withstood the weather and won the game. Coach Dungy, as the first African American coach to win a Super Bowl, provides the perfect start to the month-long celebration of Black History Month. His victory follows the march of other men and women who have stood up for justice and opened doors for others.

Congratulations to him and all that understand that perseverance and teamwork is the best answer to life's obstacles.

HONORING DR. DARRELL JOHNSON, SUPERINTENDENT OF GREENWOOD SCHOOLS

(Mr. BARRETT of South Carolina asked and was given permission to address the House for 1 minute.)

Mr. BARRETT of South Carolina. Mr. Speaker, Dr. Darrell Johnson, the superintendent of Greenwood School District 50 for South Carolina, was quoted saying: "I pledge to do the best I can and work together as a team."

I would like to honor Dr. Johnson during February's Black History Month as a very notable and distinguished African American who has heavily impacted the Third Congressional District of South Carolina. Dr. Johnson's extensive background and his many leadership positions as a teacher, coach and administrator has laid the groundwork for him being named to the position of district superintendent.

Since 1991, Dr. Johnson worked for Rock Hill School District Three, beginning as assistant principal at the Rock Hill High School. After serving as assistant principal and principal for Sunset Park Elementary School, he moved to the district office in 1998 as director of student services. In 2001, he was named assistant superintendent.

His dedication to making a difference in education propelled him to earn his superintendent position, and rightfully so. I congratulate Darrell Johnson for being able to excel in this capacity where he may apply his natural ability to lead those who are most important to our future, our students.

HEALTH CARE REFORM

(Mr. MURPHY Connecticut asked and was given permission to address the House for 1 minute.)

Mr. MURPHY of Connecticut. Mr. Speaker, when it comes to health care, I agree with the President in one respect, it is time to start redistributing resources within our health care system. The problem comes when we talk about where we bring those resources from.

The President's plan that he put before us in his State of the Union speech and in his budget presented to this House yesterday would take resources from families who have good insurance and give it to families who have no insurance.

I would propose instead, and many of my colleagues on this side of the aisle would propose instead, that we take resources from the HMOs that have enjoyed massive profits off our Medicare systems, to take money from the drug companies who have enjoyed the pleasure of not having to negotiate with the bulk purchasing power of the Federal Government, and redistribute resources from those that are making millions of dollars of profit off this system and put those resources into the hands of those who have nothing.

We can agree on some things. We can agree that this health care system has to be made better. It is just a matter of where we take and who we give it to.

GO RED FOR WOMEN DAY AND THE AMERICAN HEART ASSOCIATION

(Mrs. CAPITO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CAPITO. Mr. Speaker, I rise today to recognize February as National Heart Month. Heart disease is the number one killer of women in America, taking the lives of nearly half a million women a year. That is one per minute.

It claims the lives of more women than the next five causes of death. In my home State of West Virginia, heart disease kills 12 women per day. That is 31 percent of all female deaths between the years of 1999 to 2003.

On February 2, people from across the Nation participated in Go Red for Women Day to support the fight against heart disease. Go Red for Women is the American Heart Association's nationwide movement that celebrates the energy, passion and power we have as women to band together and fight this disease.

Too few people realize the threat associated with heart disease. The good news is that heart disease can largely be prevented. By learning all of the serious health threats such as high blood pressure, high cholesterol, diabetes, obesity, we can work to reduce our risks.

Go Red for Women is an innovative way to raise awareness of heart disease, and 64 percent of women who died of coronary heart disease had no symptoms. We have to take action for our hearts. By joining together across America, we can help support ongoing research and education about women and heart disease. When we wear our red, it reminds us of our responsibility.

I urge my colleagues to join together in celebrating National Heart Health Month.

WASTEFUL SPENDING IN IRAQ

(Mr. GRIJALVA asked and was given permission to address the House for 1 minute.)

Mr. GRIJALVA. Mr. Speaker, as the President gets ready to ask this Congress for an additional $145 billion to fund his efforts in Iraq and Afghanistan, a new report has come out showing tens of millions of dollars in wasteful spending by our government in Iraq.

Stuart Bowen, the Special Inspector General for Iraqi Reconstruction, released his quarterly report last week. It concluded that the $300 billion U.S. war and reconstruction effort is plagued with waste, spiraling violence, and corruption. Among the worst misuses are $43.8 million for a residential training camp that stands empty, about $4.2 million for 20 VIP trailers and an Olympic-sized pool that was ordered by the Iraqi ministry of interior.

Perhaps the most disconcerting, however, is that our government spent $36.4 million for armored vehicles, body armor and communications equipment that could greatly benefit our troops, but it is completely unaccounted for. Mr. Speaker, this abusive spending in Iraq must stop for the American taxpayer and for the troops.

LENAWEE COUNTY, ONE OF THE 100 BEST COMMUNITIES FOR YOUNG PEOPLE

(Mr. WALBERG asked and was given permission to address the House for 1 minute.)

Mr. WALBERG. Mr. Speaker, I come before the House today to draw attention to an honor recently received by my home community back in Lenawee County, Michigan. America's Promise—The Alliance for Youth, a foundation formed in 1997 to help children and youth from all socioeconomic sectors in the United States, recently named Lenawee County one of the 100 best communities for young people as part of its 10-year anniversary celebration.

The criteria for winning included strong community support of children and youth, possessing valuable resources for children and youth, youth and child outcomes, overall progress within communities, and innovations in the areas of policy, practice, and resources.

Communities in 38 States received this award and Lenawee County is one of the five communities in the Great Lakes State to be named a winner. This recognition is a tribute to all of the police officers, local officials, firefighters, outstanding teachers, community leaders and civil servants that make Lenawee County and south-central Michigan a great place to live.

DEPARTMENT OF PEACE AND NONVIOLENCE

(Mr. KUCINICH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KUCINICH. Mr. Speaker, yesterday a bill was introduced into the House of Representatives that gives the promise of transforming our country and the world. H.R. 808 creates a Department of Peace and Nonviolence. It is now supported by 52 Members of the House of Representatives, and it is supported by groups who yesterday came to Washington representing 45 States. Last night, nearly 1,000 people came to the George Washington University campus to hear about the Department of Peace and the hope that it brings for America.

Mr. Speaker, if you were to look at this clerk's desk, just around the corner you will see engraved right into the desk of the clerk of the House of Representatives the word "peace." Peace is a foundational principle of this Congress and of this country, and the bill gives it a chance to have an animating power in our civic life by addressing the issues of domestic violence, spousal abuse, child abuse, violence in the schools, racial violence, all of those concerns we have both domestically and internationally.

Peace.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. BAIRD). The Chair will remind all persons in the gallery that they are here as guests of the House, and that any manifestation of approval or disapproval of the proceedings or other audible conversation is in violation of the rules of the House.

CONTINUE FUNDING OUR TROOPS IN IRAQ

(Mr. GINGREY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GINGREY. Mr. Speaker, in the other body yesterday, under the leadership of Senator REID, the gentleman from New Hampshire, Senator GREGG, had a resolution supporting the funding of our troops, and the Senate leadership prevented that resolution from being brought to the floor under regular order because they wanted first to bring a resolution condemning the President.

Now the Speaker of the House has announced that next week we will have a resolution brought to the floor of this body condemning the President's plan for a new way forward in Iraq.

I challenge the Speaker and the Democratic leadership, if that resolution is on this floor, to bring forward also the resolution of a true war hero, Representative SAM JOHNSON of Texas, supporting the continued funding of the troops in Iraq.

We have heard Members on the other side of the aisle continue to say we can and will, if necessary, cut off funding. This will give them an opportunity to put their money where their mouth is.

SUPPORT AND FULLY FUND OUR TROOPS

(Mrs. BLACKBURN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BLACKBURN. Mr. Speaker, we do know that the war in Iraq will come up for debate in this body, as it should. But the debate on this floor should not be about partisan politics. It should be about doing what is in the best interests of our troops, making certain that we win in this global war on terror, and how we are going to keep this Nation and our communities and our cities safe.

I recently read a quote from Specialist Tyler Johnson. He is serving his first tour of duty in Iraq. When asked about the criticism back home, he said that passing no-confidence resolutions does send a message to our troops overseas: "You may support or say we support the troops, but you're not supporting what they do, what they're here sweating for, what we bleed for, what we die for. It all just doesn't make sense to me."

Mr. Speaker, I agree with Tyler and our troops. Passing no-confidence resolutions does send a message, and it is not a message of courage, of confidence and strength.

I agree, let's support Sam Johnson's House Resolution 511. Stand with and fully fund our troops.

☐ 1230

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. BAIRD). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken later today.

BAINBRIDGE ISLAND JAPANESE AMERICAN MONUMENT ACT OF 2007

Mr. GRIJALVA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 161) to adjust the boundary of the Minidoka Internment National Monument to include the Nidoto Nai Yoni Memorial in Bainbridge Island, Washington, and for other purposes.

The Clerk read as follows:

H.R. 161

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Bainbridge Island Japanese American Monument Act of 2007".

SEC. 2. BOUNDARY ADJUSTMENT.

(a) IN GENERAL.—The boundary of the Minidoka Internment National Monument, located in the State of Idaho and established by Presidential Proclamation 7395 of January 17, 2001, is adjusted to include the Nidoto Nai Yoni ("Let it not happen again") memorial. That memorial—

(1) commemorates the Japanese Americans of Bainbridge Island, Washington, who were the first to be forcibly removed from their homes and relocated to internment camps during World War II under Executive Order 9066: and

(2) consists of approximately 8 acres of land owned by the City of Bainbridge Island, Washington, as depicted on the map titled "Bainbridge Island Japanese American Memorial", numbered 194/80,003, and dated September, 2006.

(b) MAP.—The map referred to in subsection (a) shall be kept on file and made available for public inspection in the appropriate offices of the National Parks Service.

SEC. 3. ADMINISTRATION OF MONUMENT.

(a) ADMINISTRATION.—The Secretary of the Interior (hereinafter in this section referred to as the "Secretary") shall administer the Nidoto Nai Yoni Memorial as part of Minidoka Internment National Monument in accordance with—

(1) Presidential Proclamation 7395 of January 17, 2001;

(2) laws and regulations generally applicable to units of the National Park System, including the Act of August 25, 1916 (popularly known as the "National Park Service Organic Act,"; 16 U.S.C. 1 et seq); and

(3) any agreements entered into pursuant to subsection (b).

(b) AGREEMENTS.—

(1) For the purposes of defining the role of the National Park Service in administering the Nidoto Nai Yoni Memorial owned by the City of Bainbridge Island, the Secretary is authorized to enter into agreements with—

(A) the City of Bainbridge Island;

(B) the Bainbridge Island Metropolitan Park and Recreational District;

(C) the Bainbridge Island Japanese American Community Memorial Committee;

(D) the Bainbridge Island Historical Society;

(E) successor entities to the entities named in subparagraphs (A) through (D); and

(F) other appropriate individuals or entities, at the discretion of the Secretary.

(2) In order to implement an agreement provided for in paragraph (1), the Secretary may—

(A) make grants to the City of Bainbridge Island for development of an administrative and interpretive facility for the Nidoto Nai Yoni Memorial;

(B) enter into a cooperative management agreement with the City of Bainbridge Island, pursuant to section 3(l) of Public Law 91–383 (16 U.S.C. 1a–2(l); popularly known as the "National Park System General Authorities Act"), for the purpose of providing assistance with operation and maintenance of the memorial;

(C) make grants to other non-Federal entities for other infrastructure projects at the memorial, subject to a match of non-Federal funding equal to the amount of a grant made pursuant to this paragraph; and

(D) make grants or enter into cooperative agreements with non-Federal entities to support development of interpretive media for the memorial.

(c) ADMINISTRATIVE AND VISITOR USE SITE.—The Secretary is authorized to operate and maintain a site in Seattle, Washington, for administrative and visitor use purposes associated with Minidoka Internment National Monument, using to the greatest extent practicable the facilities and other services of the Seattle unit of the Klondike Gold Rush National Historical Park.

(d) COORDINATION OF INTERPRETIVE AND EDUCATIONAL MATERIALS AND PROGRAMS.—

The Secretary shall coordinate the development of interpretive and educational materials and programs for the Nidoto Nai Yoni Memorial and the Minidoka Internment National Monument site in the State of Idaho with the Manzanar National Historic Site in the State of California.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. GRIJALVA) and the gentlewoman from Washington (Mrs. MCMORRIS RODGERS) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona.

GENERAL LEAVE

Mr. GRIJALVA. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and exclude extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. GRIJALVA. Mr. Speaker, I rise in strong support of H.R. 161, introduced by my colleague on the Natural Resources Committee, the gentleman from Washington State, Representative INSLEE.

This noteworthy legislation would authorize a memorial to commemorate the Japanese Americans of Bainbridge Island, Washington, who were the first Americans to be forcibly removed from their homes and relocated in internment camps during World War II.

The new memorial will serve as an important remembrance of a sad chapter in American history. Shortly after the Japanese attack on Pearl Harbor, President Franklin Roosevelt issued an executive order providing for the relocation of Japanese Americans living along the west coast.

On March 30, 1942, the relocation began at the Eagledale Ferry Dock, with 227 Bainbridge Island residents being forcibly removed to internment camps away from the coast. Eventually, more than 12,000 Japanese Americans in Washington State and more than 110,000 Japanese Americans along the west coast were relocated.

Public Law 107-363 directed the Secretary of the Interior to study the Eagledale Ferry Dock on Bainbridge Island, Washington, to determine the suitability of designing the site as a unit of the National Parks System. The study was to include an analysis of the historical events associated with the dock and the potential for preserving and interpreting the site.

On May 1, 2006, the Department of Interior transmitted to Congress the study report. The study recommended designating a memorial site on Bainbridge Island, and that memorial will be managed as a satellite site of the Minidoka Internment National Monument, an existing National Park System unit in Idaho. H.R. 161 would implement the recommendations contained in the study.

Mr. Speaker, I want to commend and congratulate my colleague, Mr. INSLEE, for his commitment and leadership in this matter. A hearing was held on a nearly identical measure last Congress, and Representative INSLEE arranged for the Subcommittee on National Parks to receive moving testimony from an internee whose photograph showing her holding her infant child has become a searing image of the internment.

I would also note that for most of us the internment of Japanese Americans was a historical event that we read about in history books, but for two of our colleagues it was part of their life experience. My colleagues, MIKE HONDA and DORIS MATSUI, spent part of their childhoods in internment camps. I want to acknowledge their experiences in this unfortunate episode in history.

Mr. Speaker, we strongly support passage of H.R. 161 and urge its adoption by the House today.

Mr. Speaker, I reserve the balance of my time.

Mrs. MCMORRIS RODGERS. Mr. Speaker, I rise in support of H.R. 161 and yield myself as much time as I may consume.

This legislation further recognizes a tragic period in our Nation's history by designating the "let it not happen again" Memorial on Bainbridge Island, Washington, as part of the Minidoka Internment National Monument in the State of Idaho.

While a hearing was held on this legislation in the 109th Congress, we are concerned that this bill has not gone through the markup process, where issues in this bill, such as its inclusion of 8 acres of land in the State of Washington in a monument over 700 miles away, could have been discussed.

Additionally, it is critical to point out that the National Park Service testified that this bill could divert scarce resources that are needed for existing parks and programs.

That being said, we will not oppose the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. GRIJALVA. Mr. Speaker, I would like to commend Congressman JAY INSLEE of Washington for bringing forth H.R. 161 and yield to him as much time as he may consume.

Mr. INSLEE. Mr. Speaker, today, when we pass the Bainbridge Island Japanese American Monument Act of 2007, we will be making a strong American statement. That statement will be that the power of fear will never again be allowed to overcome the promise of liberty. These are images we should never see again in America; and today, with the passage of this bill, we will make a strong American statement that they will not.

On March 30, 1942, the American Army, pursuant to an executive order by an American President, rounded up 227 Americans living on Bainbridge Island and marched them down the Eagledale Dock in Eagle Harbor of Bainbridge Island, Washington, surrounded by American soldiers, some having bayonets deployed. They were taken away to internment against their will, without trial and without recognition of their rights as citizens and their honor to serve America.

And now, today, when we are making the memorial on Bainbridge Island at the site of this dock, which is now being prepared and is under construction, we will be making an American statement that this cannot happen again.

The saying is "Nidoto Nai Yoni, never let it happen again," and by making this part of our National Parks System, we will be making a statement that these images will never happen to any generation of any creed in America.

I want to note some of the people. This is a picture of a young fellow at that time named Frank Kinamoto. In this picture, Frank had his little tag. Everyone was given a little tag they had to wear with a number on it. Frank grew up to be a respected dentist on Bainbridge Island, and Frank has done personally what this legislation will do nationally. He has spent many years going around showing a collection of photographs telling young students why the protection of our civil liberties is critical and why we should never be overcome by fear again, and I pay respects to Frank and his efforts.

Another young woman at the time, who testified several months ago, who has been pivotal in this effort, Fumiko Hayashida, shown with her daughter here just before she was marched down that pier. Fumiko came to town, who is 95 years young, who is the oldest internee that we are aware of, to send Congress a message to make a national statement to memorialize this.

Now, there are three reasons I think it is important that we pass this bill.

First, although this was a tragic episode in American history, it was an episode involving patriotism because, and this is incredible to me, of the 227 people marched down that pier, 62 of them turned around and volunteered to serve their nation in World War II, and 62 of these people served with distinction. These people were the ultimate patriots. Having been sent to camps by Uncle Sam, to turn around and fight for the freedoms to which they were not entitled was the ultimate act of patriotism, and we honor them as an act of patriotism in this memorial.

Second, it is a memorialization of their neighbors. Many of their neighbors rallied around them. Many of their neighbors guarded some of their equipment to wait for them to come home. And Walt Widward, the publisher of the Bainbridge Island Review, was the only publisher on the western coast of the United States to editorialize against this violation of American values. That is something to memorialize.

But, most importantly, Nidoto Nai Yoni, never let it happen again. And this will be a statement to ourselves, to our children, to our grandchildren, that, when we are in fear in this country, we should never lose that anchor of American civil rights and civil liberties in respect to what we are as Americans.

We have gone through these days in the last several years. We have experienced fear that sometimes has infected the discussion here in the Chamber; and when we go through and deal with our fears today, I think it is well that we take a lesson from history of 1942 to hew to the power of liberty, rather than the power of fear.

So I am happy today that we will pass this bill that will make this part of our National Parks System. I will invite all Americans to come visit us in Bainbridge Island. We will invite the world to come see that America is a country that makes mistakes but learns and improves. And this is a continuation of that American tradition of improving the American value system. So I am happy today this House will take this step.

I want to thank the Bainbridge Island community and all of those who worked on this project. Clarence Moriwaki, who has led the effort on Bainbridge Island, congratulations. And congratulations to America for always being an improving country.

Mr. GRIJALVA. Mr. Speaker, at this point, I would like to yield 6 minutes to my good friend and colleague from Oregon, Congressman WU.

Mr. WU. Mr. Speaker, I rise today to support H.R. 161, to expand the Minidoka Internment National Monument to include the Nidoto Nai Yoni Memorial, which commemorates the Japanese Americans of Bainbridge Island, the Japanese Americans of Bainbridge Island, Washington, who were interned during World War II.

On February 19, 1942, President Franklin Roosevelt signed an executive order which forcibly removed approximately 120,000 Americans of Japanese ancestry from their homes, their friends, and their communities. They were incarcerated by this government for their ancestry. Just over 1 month after the executive order was signed, 227 Bainbridge island men, women, and children were sent to internment camps. They were the very first Japanese American families in the United States to be incarcerated.

We in the Pacific Northwest would like to think that we live in a better part of the country, in a part of the country where things are the way they ought to be. But sometimes the way we want things to be is not the way things happen or reality. Because these Japanese Americans were taken from their homes in the heart of the Puget Sound. They were sailed to Seattle. They were loaded onto trains for a 3-day journey to Manzanar, a concentration camp in California's Mojave Desert. These Americans were the very first Americans to be so detained, and the last of the detainees were not released until October of 1946, 4½ years after the signing of the executive order and over a year after the end of World War II.

But this chapter of our history did not end there. Upon release from the internment camps, Japanese Americans could not return to the lives that they had led before the tragic and misled executive order. I would like to submit further information about General DeWitt's decisions and recommendations, and I will do that at a different time, but during the period of internment, they had lost their homes, their businesses, and their livelihoods.

By commemorating Japanese Americans who were so detained, we ensure that this sad episode in our history will never be forgotten and hopefully not repeated, because we need to learn from the mistakes of the past.

Thirty years passed before the executive order was formally rescinded in 1976. In 1988, a Presidential apology was issued internees.

This is not an abstraction. This is not a theoretical debate. The Military Commissions Act passed by this Congress on September 30, 2006, potentially puts American citizens at risk of military detention. That is a plain reading of the Military Commissions Act. It was hotly debated between the then chairmen of two committees and this Member. It has been commented upon to a limited extent in the national press.

But I think that a fair reading of the Military Commissions Act would show you that if a person is just walking down the street and is detained by military authority for whatever reason, and we are not talking about aliens in Afghanistan, we are talking about someone walking down the streets of Portland, Oregon, or in Bainbridge Island. What could potentially happen to that person?

The better course under the Military Commissions Act is that they are subject to military justice, a very limited review by a military tribunal, and the end of that appeal road is the Secretary of Defense. That is actually the better course.

Now, I have to point out that there are 25 detainees in Guantanamo who, after 5 years of detention, have not had their first review yet; and I say that is the better course because the course that is actually more troubling under the Military Commissions Act is that if there is not a review, there is no appeal. There is no appeal to a civilian court. There is no habeas corpus, a doctrine which has served Anglo American societies well for almost a thousand years.

This memorial, which H.R. 161 helps us remember, is not an abstraction. It was real suffering for the Japanese Americans, for the Americans who were incarcerated. But it is also a reminder that, as was said of the executive order much later, when actions are taken by this government in an atmosphere of hysteria, great injustices can be perpetrated; and we need to be careful in our era lest we be put in a position to issue an apology decades from now.

Following the attack on Pearl Harbor, Hawaii passed under martial law, the writ of habeas corpus was suspended, and the military police took several hundred suspected spies and saboteurs of Japanese extraction into custody. But the very size of the Japanese community in Hawaii (nearly half the territory's population), and its vital importance to the islands' economy, foreclosed any thought of wholesale evacuation. The mainland community, however, was proportionately much smaller (in California, barely 1 percent of the population), more economically marginal and socially isolated, and long buffeted by racist pressures. The mainland Japanese for the most part kept warily to themselves, many of them toiling with exemplary efficiency on their family fruit and vegetable farms. Insular and quiescent, they were also internally riven by age and legal status. Their elders, the forty thousand first-generation immigrant Japanese, or Issei, were generally over the age of fifty and debarred from citizenship by the Immigration Restriction Act of 1924, a statutory impediment that perversely exposed them to the accusation that as non-citizens they were poorly assimilated into American society. A majority of their children, the eighty thousand second-generation Nisei, were under the age of eighteen. Born in the United States, they were also citizens. Alien and citizen alike, the peculiarly vulnerable Pacific Coast Japanese community was about to feel the full wrath of war-fueled hysteria.

Curiously, no clamor for wholesale reprisals against the mainland Japanese arose in the immediate aftermath of the Pearl Harbor attack. The Los Angeles Times soberly editorialized on December 8 that most of the Japanese on the Coast were "good Americans, born and educated as such," and serenely foresaw that there would be "no riots, no mob law." General John L. DeWitt, chief of the army's Western Defense Command, at first dismissed loose talk of mass evacuations as "damned nonsense." He condemned any broadside assaults on the rights of the American-born Nisei. "An American citizen, after all, is an American citizen," he declared. Individual arrests were another matter. Government surveillance, ongoing since 1935, had identified some two thousand potentially subversive persons in the Japanese community. Along with fourteen thousand German and Italian security risks nationwide, they were quietly rounded up in the last days of 1941. But those individual detentions stopped well short of wholesale incarcerations. "I was determined," Attorney General Francis Biddle wrote, "to avoid mass internment, and the persecution of aliens that had characterized the First World War."

In fact, the immigrants whose loyalty had been questioned during World War I had then been freshly arrived and seemed to many observers unarguably alien. But by 1941 those older European groups were settled communities, well assimilated, their patriotism as well as their political loyalty actively cultivated by Roosevelt's New Deal. Though a surprising six hundred thousand Italians—more than 10 percent of the entire Italian-American community—remained Italian citizens and were automatically labeled "enemy aliens" after Mussolini's declaration of war, Roosevelt instructed Biddle to cancel that designation in a joyfully received announcement at Carnegie Hall, shrewdly delivered on Columbus Day 1942, just weeks before the congressional elections.

The Japanese were not so fortunate. As war rumors took wing in the weeks following Pearl Harbor, sobriety gave way to anxiety, then to a rising cry for draconian action against the Japanese on the West Coast. Inflammatory and invariably false reports of Japanese attacks on the American mainland flashed through coastal communities. Eleanor Roosevelt's airplane, en route to Los Angeles on the evening of the Pearl Harbor attack, was grounded in the Midwest while the first lady telephoned Washington to check a radio message that San Francisco was under bombardment. Painters at Stanford University blacked out the skylight of the library's main reading room so that it could not serve as a beacon to enemy pilots. Carpenters hammered up dummy aircraft plants in Los Angeles to decoy Japanese bombers away from the real factories. Athletic officials moved the traditional New Year's Day football classic from the Rose Bowl in Pasadena, California; the game was played instead in North Carolina, presumably safe from Japanese attack. Japan's astonishing string of victories in the Pacific further unsettled American public opinion. Hong Kong fell on December 2, Manila on January 2, Singapore on January 25.

The release at the end of January of a government investigation of the Pearl Harbor attack proved the decisive blow. The report, prepared by Supreme Court Justice Owen J. Roberts, alleged without documentation that Hawaii-based espionage agents, including Japanese-American citizens, had abetted Nagumo's strike force. Two days later, DeWitt reported "a tremendous volume of public opinion now developing against the Japanese of all classes, that is aliens and non-aliens." DeWitt himself, described by Biddle as having a "tendency to reflect the views of the last man to whom he talked," soon succumbed to Rumor's siren. He wildly declared to an incredulous Justice Department official that every ship sailing out of the Columbia had been attacked by submarines guided by clandestine radio operators near the river's mouth. When evidence of actual attacks failed to materialize, DeWitt invoked the tortured logic that the very absence of any sabotage activity on the West Coast proved the existence of an organized, disciplined conspiracy in the Japanese community, cunningly withholding its blow until it could be struck with lethal effect. In February the respected columnist Walter Lippmann alleged that military authorities had evidence of radio communications between "the enemy at sea and enemy agents on land"—a charge that FBI director J. Edgar Hoover had already advised Biddle was utterly without foundation. A radio technician from the Federal Communications Commission reviewed DeWitt's "evidence" of electronic signals and declared it hogwash. All 760 of DeWitt's suspicious radio transmissions could be accounted for, and not one involved espionage. "Frankly," the technician concluded, "I have never seen an organization [the U.S. Army's Western Defense Command] that was so hopeless to cope with radio intelligence requirements. The personnel is unskilled and untrained. Most are privates who can read only ten words a minute. . . . It's pathetic to say the least."

But by this time facts were no protection against the building gale of fear and prejudice. "Nobody's constitutional rights," Lippmann magisterially intoned, "include the right to reside and do business on a battlefield." Lippmann's colleague Westbrook Pegler echoed him less elegantly a few days later: "The Japanese in California should be under armed guard to the last man and woman right now," Pegler wrote in his widely read column, "and to hell with habeas corpus until the danger is over." Unapologetically racist voices also joined the chorus. "We're charged with wanting to get rid of the Japs for selfish reasons," a leader of California's Grower-Shipper Vegetable Association declared. "We might as well be honest. We do. It's a question of whether the white man lives on the Pacific Coast or the brown man." Prodded by such sentiments, in early February 1942 DeWitt officially requested authority to remove all Japanese from the West Coast. It was impossible he claimed, to distinguish the loyal from the disloyal in the peculiarly alien and inscrutable Japanese community. The only remedy was wholesale evacuation. The same man who had said a month earlier, "An American citizen, after all, is an American citizen," now announced, "A Jap's a Jap. . . . It makes no difference whether he is an American citizen or not. . . . I don't want any of them."

At the Justice Department several officials, including conspicuously Edward J. Ennis, director of the Alien Enemy Control Unit, as well as Biddle's assistant James H. Rowe, struggled to quell this irrationally mounting fury. Rowe denounced Lippmann and Pegler as "Armchair Strategists and Junior G-Men" whose reckless charges came "close to shouting FIRE! in the theater; and if race riots occur, these writers will bear a heavy responsibility." Attorney General Biddle informed Secretary of War Stimson "that the Department of Justice would not under any circumstances evacuate American citizens." But at a fateful meeting in the living room of the attorney general's Washington home on the evening of February 17, the gentle and scholarly Biddle buckled. Facing off against Assistant Secretary of War John J. McCloy and two army officers, Ennis and Rowe argued heatedly that DeWitt's request for evacuation orders should be denied. Unknown to his two subordinates, however, Biddle, new to the cabinet, unsure of his standing with Roosevelt, and overawed by the Olympian figure of Stimson, had told the secretary of war by telephone earlier in the day that he would not oppose DeWitt's recommendation. When this became clear, Rowe remembered, "I was so mad that I could not speak. . . . Ennis almost wept." Even Stimson had grave misgivings. "The second generation Japanese can only be evacuated," he wrote in his diary, "either as part of a total evacuation, giving access to the areas only by permits, or by frankly trying to put them out on the ground that their racial characteristics are such that we cannot understand or even trust the citizen Japanese. This latter is the fact but I am afraid it will make a tremendous hole in our constitutional system to apply it." Despite his own reservations and the sputtering opposition of the Justice Department officials, Stimson advised the president that DeWitt should be authorized to proceed. The cabinet devoted only a desultory discussion to the matter. On February 19 Roosevelt signed Executive Order 9066. It directed the War Department to "prescribe military areas . . . from which any and all persons may be excluded." No explicit reference to the Japanese was necessary. When Biddle feebly objected that the order was "ill-advised, unnecessary, and unnecessarily cruel," Roosevelt silenced him with the rejoinder: "[T]his must be a military decision."

Ms. BORDALLO. Mr. Speaker, I rise today in strong support of H.R. 16, the Bainbridge Island Japanese American Monument Act of 2007. This important legislation will expand the boundaries of the federally-recognized Minidoka Internment National Monument to include the Nidoto Nai Yoni 'Let It Not Happen Again' Memorial in Bainbridge Island, Washington.

President Franklin Delano Roosevelt signed Executive Order 9066 that authorized the forcible removal and relocation of Americans of Japanese ancestry from the western United States nearly 3 months after the Imperial Japanese attack on Pearl Harbor precipitated the United States' entrance into World War II. Under the authority of Executive Order 9066, on March 24, 1942, Lieutenant General John DeWitt issued Civilian Exclusion Order No. 1, forcing the removal of the 227 Japanese Americans residing on Bainbridge Island.

This edict allowed Japanese Americans residing on Bainbridge Island only 6 days to sell their belongings, close their businesses, and pack up their lives before resettlement and internment in camps elsewhere in the United States. These Americans endured the additional burden and injustice of being congregated at Eagledale Ferry Dock under armed guard before transport to the mainland. Friends and neighbors converged as a symbolic gesture of unity and support for these Japanese Americans who were involuntarily removed from the community. They left behind all the belongings and possessions that they could not carry or wear. These Americans of Japanese ancestry were the first of over 100,000 Japanese Americans to be interned in remote and desolate camps. They were the first group of Japanese Americans to be stripped of their rights as American citizens under the authorities of Executive Order 9066.

Today, by authorizing this historical piece of land to be within the boundaries of the Minidoka Internment National Monument, we memorialize the sacrifices Japanese Americans made during World War II. We also would acknowledge through the enactment of this legislation the occurrence of an egregious infringement of American citizenship rights. By adopting this legislation we would provide an official record of our hope and determination that an act similar to this one is never repeated in the future. This site marks the beginning of the forced exodus of an entire ethnic minority from the western United States and today we hope to transform it into a means of educating future generations of the importance of civil liberties, especially in times of war.

This memorial, a short ferry boat ride from Seattle, is a fitting symbol of this disturbing and unfortunate chapter in American history. While the internment camps themselves are located in desolate areas, far away from everyday sight and thought, this monument, in the heart of the Pacific Northwest, will serve as a continual reminder of the patriotism of Japanese Americans during the Second World War and the mistakes that we should never let happen again. I urge my colleagues to join me in supporting this important legislation and I commend our colleague, the gentleman from Washington, Mr. INSLEE, for his sponsorship of this bill.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of H.R. 161, to adjust the boundary of the Minidoka Internment National Monument in Idaho to include the Nidoto Nai Yoni ("Let it not happen again") memorial. This memorial commemorates the Japanese Americans of Bainbridge Island, Washington, who were the first to be forcibly removed from their homes and relocated to internment camps during World War II.

In 1942, 120,000 people of Japanese ancestry were forcibly removed from their homes and placed in internment camps—two-thirds of these were American citizens, none of which had ever shown disloyalty to the American cause. Forced to live under harsh conditions, the last internment camp closed 4 long years later.

These innocent Americans were treated unjustly by their own government during a time of war, simply because of their national origin, and such a crime against them must not go unnoticed. The memorial is rightly named with the words, "Let it not happen again," for it is important to remember the past mistakes of our government in an effort to avoid future ones.

As we recognize this, we must strive to ensure that all Americans know about these mistakes to prevent their repetition. H.R. 161 helps accomplish this by requiring the Secretary of the Interior to coordinate the development of interpretive and educational materials and programs regarding the Bainbridge Island Japanese Americans.

In times of war it may be easy to get carried away and put labels on those around us, assuming what their political ideals are based solely on their national origin or religious background. But as we have seen in World War II, such assumptions are unjust and can lead to disastrous consequences for a group of individuals.

I thank my colleague, Mr. INSLEE, for introducing this important legislation, to ensure that we never let such unjust practices occur in this great Nation again. I urge my colleagues to join me in supporting this resolution.

Mr. HONDA. Mr. Speaker, the House unanimously passed H.R. 161, the Bainbridge Island Japanese American Monument Act of 2007. This measure would provide for the preservation of a historic site on Bainbridge Island, WA, where the first Japanese Americans were assembled for internment during World War II.

I thank my friend, Congressman JAY INSLEE, for his heartfelt commitment and leadership in introducing this legislation and working so effectively through the years to provide for this historic site. As an original cosponsor of this legislation and supporter of past efforts, I am proud to see its passage in the House. In addition, I wish to thank the Committee on Natural Resources and especially my friend, Chairman RAÚL GRIJALVA of the Subcommittee on National Parks, Forests and Public Lands for their support and quick action.

During the war hysteria in 1942, Executive Order 9066 was signed by President Roosevelt which effectively trampled on the rights of U.S. citizens by ordering the internment of approximately 120,000 Japanese Americans.

Due to the military importance of Bainbridge Island, WA, lawful Japanese American families of this community were the first to be forcibly removed from their homes and sent to internment sites. These families would not be able to return to the island for more than four years. H.R. 161 would preserve their story.

H.R. 161 would enact recommendations from the National Park Service by extending the boundary of the Minidoka Internment National Monument, located in Idaho, to include the Bainbridge Island site as a satellite location. The Minidoka internment camp was the final destination until the end of the war for most of the families from Bainbridge Island. Including the Bainbridge Island site into an existing national monument would make it eligible to receive grants for funding.

Mr. Speaker, I am truly grateful for the support H.R. 161 enjoyed in the House of Representatives, and I anticipate similar endorsement in the Senate. Memorializing the Bainbridge Island site will preserve the stories of injustice fallen on these innocent American families and serve as a reminder of how easily the civil rights can be discarded in guise of homeland security. Appropriately, the Bainbridge Island Memorial will be named Nidoto Nai Yoni, which translated from Japanese means "Let It Not Happen Again."

Mrs. McMORRIS RODGERS. Mr. Speaker, I yield back the balance of my time.

Mr. GRIJALVA. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. GRIJALVA) that the House suspend the rules and pass the bill, H.R. 161.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. GRIJALVA. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.

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COMMISSION TO STUDY THE POTENTIAL CREATION OF THE NATIONAL MUSEUM OF THE AMERICAN LATINO ACT OF 2007

Mr. GRIJALVA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 512) to establish the Commission to Study the Potential Creation of the National Museum of the American Latino to develop a plan of action for the establishment and maintenance of a National Museum of the American Latino in Washington, DC,' and for other purposes, as amended.

The Clerk read as follows:

H.R. 512

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Commission to Study the Potential Creation of the National Museum of the American Latino Act of 2007".

SEC. 2. ESTABLISHMENT OF COMMISSION.

(a) IN GENERAL.—There is established the Commission to Study the Potential Creation of a National Museum of the American Latino (hereafter in this Act referred to as the "Commission").

(b) MEMBERSHIP.—The Commission shall consist of 23 members appointed not later than 6 months after the date of the enactment of this Act as follows:

(1) The President shall appoint 7 voting members.

(2) The Speaker of the House of Representatives, the minority leader of the House of Representatives, the majority leader of the Senate, and the minority leader of the Senate shall each appoint 3 voting members.

(3) In addition to the members appointed under paragraph (2), the Speaker of the House of Representatives, the minority leader of the House of Representatives, the majority leader of the Senate, and the minority leader of the Senate shall each appoint 1 nonvoting member.

(c) QUALIFICATIONS.—Members of the Commission shall be chosen from among individuals, or representatives of institutions or entities, who possess either—

(1) a demonstrated commitment to the research, study, or promotion of American Latino life, art, history, political or economic status, or culture, together with—

(A) expertise in museum administration;

(B) expertise in fundraising for nonprofit or cultural institutions;

(C) experience in the study and teaching of Latino culture and history at the post-secondary level;

(D) experience in studying the issue of the Smithsonian Institution's representation of American Latino art, life, history, and culture; or

(E) extensive experience in public or elected service; or

(2) experience in the administration of, or the planning for the establishment of, museums devoted to the study and promotion of the role of ethnic, racial, or cultural groups in American history.

SEC. 3. FUNCTIONS OF THE COMMISSION.

(a) PLAN OF ACTION FOR ESTABLISHMENT AND MAINTENANCE OF MUSEUM.—The Commission shall submit a report to the President and the Congress containing its recommendations with respect to a plan of action for the establishment and maintenance of a National Museum of the American Latino in Washington, DC (hereafter in this Act referred to as the "Museum").

(b) FUNDRAISING PLAN.—The Commission shall develop a fundraising plan for supporting the creation and maintenance of the Museum through contributions by the American people, and a separate plan on fundraising by the American Latino community.

(c) REPORT ON ISSUES.—The Commission shall examine (in consultation with the Secretary of the Smithsonian Institution), and submit a report to the President and the Congress on, the following issues:

(1) The availability and cost of collections to be acquired and housed in the Museum.

(2) The impact of the Museum on regional Hispanic- and Latino-related museums.

(3) Possible locations for the Museum in Washington, DC and its environs, to be considered in consultation with the National Capital Planning Commission and the Commission of Fine Arts, the Department of the Interior and Smithsonian Institution.

(4) Whether the Museum should be located within the Smithsonian Institution.

(5) The governance and organizational structure from which the Museum should operate.

(6) How to engage the American Latino community in the development and design of the Museum.

(7) The cost of constructing, operating, and maintaining the Museum.

(d) LEGISLATION TO CARRY OUT PLAN OF ACTION.—Based on the recommendations contained in the report submitted under subsection (a) and the report submitted under subsection (c), the Commission shall submit for consideration to the Committee on Transportation and Infrastructure of the House of Representatives, the Committee on House Administration of the House of Representatives, the Committee on Rules and Administration of the Senate, the Committee on Natural Resources of the House of Representatives, the Committee on Energy and Natural Resources of the Senate, and the Committees on Appropriations of the House of Representatives and the Senate recommendations for a legislative plan of action to create and construct the Museum.

(e) NATIONAL CONFERENCE.—In carrying out its functions under this section, the Commission may convene a national conference on the Museum, comprised of individuals committed to the advancement of American Latino life, art, history, and culture, not later than 18 months after the commission members are selected.

SEC. 4. ADMINISTRATIVE PROVISIONS.

(a) FACILITIES AND SUPPORT OF DEPARTMENT OF THE INTERIOR.—The Department of the Interior shall provide from funds appropriated for this purpose administrative services, facilities, and funds necessary for the performance of the Commission's functions. These funds shall be made available prior to any meetings of the Commission.

(b) COMPENSATION.—Each member of the Commission who is not an officer or employee of the Federal Government may receive compensation for each day on which the member is engaged in the work of the Commission, at a daily rate to be determined by the Secretary of the Interior.

(c) TRAVEL EXPENSES.—Each member shall be entitled to travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

(d) FEDERAL ADVISORY COMMITTEE ACT.—The Commission is not subject to the provisions of the Federal Advisory Committee Act.

SEC. 5. DEADLINE FOR SUBMISSION OF REPORTS; TERMINATION.

(a) DEADLINE.—The Commission shall submit final versions of the reports and plans required under section 3 not later than 24 months after the date of the Commission's first meeting.

(b) TERMINATION.—The Commission shall terminate not later than 30 days after submitting the final versions of reports and plans pursuant to subsection (a).

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated for carrying out the activities of the Commission $2,100,000 for the first fiscal year beginning after the date of the enactment of this Act and $1,100,000 for the second fiscal year beginning after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. GRIJALVA) and the gentlewoman from Washington (Mrs. MCMORRIS RODGERS) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona.

GENERAL LEAVE

Mr. GRIJALVA. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. GRIJALVA. Mr. Speaker, I rise in strong support of H.R. 512, which was introduced by my colleague from California, Representative BECERRA.

The legislation directs the establishment of a commission to study the potential creation of a National Museum of the American Latino, to be located here in Washington, D.C. The commission will be composed of 23 qualified individuals, with seven appointed by the President and the remainder appointed by the majority and minority leadership of the House and Senate.

Under H.R. 512, the commission would be required to prepare a plan of action for the establishment and maintenance of the museum, including recommendations for a legislative plan of action to create and construct the museum. The commission's plan would be due not later than 24 months after the date of the commission's first meeting.

Mr. Speaker, I am proud to be an original cosponsor of H.R. 512. Given the contributions that American Latinos have made and continue to make to the cultural and social history of the United States, this is a most fitting measure.

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The legislation was the subject of hearings in the House last Congress, and I would note that a nearly identical measure passed the House on September 27, 2006.

As the face of this Nation is represented by many people, the museum would be an opportunity for all of America to look at the diversity, to appreciate the many peoples that make up this great country of ours.

And I want to take this opportunity to also commend and congratulate my colleague from California, XAVIER BECERRA, for his leadership on this matter. He has worked very hard with many parties to bring this legislation to fruition.

Mr. Speaker, we strongly support H.R. 512 and urge the adoption of the legislation by the House today.

Mr. Speaker, I reserve the balance of my time.

Mrs. MCMORRIS RODGERS. Mr. Speaker, I rise in support of H.R. 512, and yield myself as much time as I may consume.

Latinos have played an integral part in American history since the founding of the United States. In fact, they were on the continent for more than two centuries prior to the signing of the Declaration of Independence. Despite the growth of Latino inclusion programs at the Smithsonian over the past decade, supporters of H.R. 512 believe that the "mosaic portrayed in the Washington museums" is incomplete without a museum dedicated to the community.

This bill passed the House in the 109th Congress, but we have concerns that this legislation requires the Secretary of the Interior to provide administrative services, facilities and funds for the operation of the commission. In a hearing on the bill, the National Park Service testified that the commission would fit better at the General Services Administration, whose mission is well suited to serve the commission. If the bill had been crafted this way, it would have enabled the Transportation and Infrastructure Committee to provide its expertise on these issues.

Despite these concerns, I support the bill, commend the authors, including Congresswoman ILEANA ROS-LEHTINEN for her persistence and hard work in helping craft this measure.

Mr. Speaker, I reserve the balance of my time.

Mr. GRIJALVA. Mr. Speaker, I would like again to commend Congressman XAVIER BECERRA of California for bringing H.R. 512 before us and yield him as much time as he may consume.

Mr. BECERRA. Mr. Speaker, I would like to begin by thanking the committees of jurisdiction for helping move this legislation forward quickly.

Last session what we found was that we just ran out of time. This bill passed unanimously out of the House of Representatives, not a single opposing vote, and we came very, very close in the Senate to having this actually go to the desk of the President, where I am sure he would have signed it. Unfortunately, time became the enemy. And I hope that now, moving this quickly through the process, we will be able to give the Senate the time it needs to move through its process as well.

I want to thank my colleague and friend from Florida, Ms. ILEANA ROS-LEHTINEN, for her tireless efforts on behalf of this legislation. She and I have served as a, I hope, dynamic duo in trying to move this forward with all our colleagues who were supporting this legislation.

Many us believe that there is no place on this Earth like the National Mall that we have here in Washington.

D.C. If anyone from Mars were to come and ask what is it like to be an American, I would send them directly to the National Mall and say, go through the museums that we have at the Smithsonian. Take a look at the various artifacts that give you a sense of our culture, our history, our heritage as a Nation; and you will have a better sense of what it means to be an American after that walk. It would probably take you a few weeks if you want to go through all the different museums, but you will have a better sense of what it means to be an American than, I think, if you go anywhere else in this world.

The only problem I have, and the only disappointment I have, is that you don't get the full picture of what it has meant to be an American. We have moved forward to try to take care of that over the years. We have a museum that recently opened in the last 4 or 5 years that will help us better understand what it has meant to be a Native American in this country. We are going to put shovel in ground very soon in trying to help America understand the history and the plight of many Americans of African descent who have come into this country and the generations that have followed, and what it means to be African American in this country.

I hope, at some point, this commission will report back to us on what best we can do as a Nation to make sure that when someone does walk through the Mall of the Capital and visits those precious museums that we have, that they will have that symphony and that understanding that comes from visiting those tremendous facilities of what it means to be an American and what it is to be proud of our American history and culture.

This legislation, which has the support, I am very glad to say, of a bipartisan group of Members in the House, should help us get a sense from the experts, not politicians, not people who have no real understanding of this, but from the experts of whether or not there is value in moving forward the idea of trying to have a place where we have resided within it, the culture, the experience, the history, the art, the heritage of Americans of Latino descent.

Mr. Speaker, I thank the gentleman from Arizona for yielding me the time; thank the two committees of jurisdiction and certainly all the cosponsors of this legislation, but principally to my colleague in crime here, the Congresswoman from Florida, Ms. ILEANA ROS-LEHTINEN.

Mrs. McMORRIS RODGERS. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Florida (Ms. ROS-LEHTINEN), a co-author of the legislation.

Ms. ROS-LEHTINEN. I rise in strong support today, Mr. Speaker, of H.R. 512, the commission to study the potential creation of a National Museum of the American Latino Community Act. And I would like to thank my dear friend, Mr. BECERRA of California, for his commitment in bringing this important legislation to the floor. We have been working on it for a number of years. It has got strong bipartisan support, and it has been a delight for me to have worked with him and members of my staff to have worked with his staff as well.

As the Republican lead on this legislation, I am so pleased that this bill will take the next step in developing a plan of action for an establishment of a National Museum of the American Latino.

The commission would be comprised of experts in art and museum administration, as well as individuals with experience in the development of similar cultural institutions. The commission would have the responsibility of examining and reporting to Congress and the President a plan to establish a new national museum.

Even as the largest minority group in the United States, Hispanic Americans, are not fully represented by one of the permanent exhibits in Washington's museums, currently there are over 42 million Hispanics in the United States. Furthermore, the Census Bureau estimates that in the year 2050, the Hispanic population in the U.S. will reach over 100 million.

As we can see, Hispanic Americans are our country's largest and fastest growing minority group, and they continue to expand and contribute to the greatness of our wonderful country.

As the first Hispanic American woman elected to Congress, I am so proud to advance the issues affecting all citizens living in our great country. I have been proud to represent my diverse south Florida constituency for many years now in Congress, and I look forward to a future that is, indeed, bright for individuals across our terrific country.

Hispanic Americans are playing an increasing role also in the Nation's economy and in our workforce. For example, according to the Office of Management and Budget, the unemployment rate among the Hispanic community dropped to 4.7, an all-time record low. This statistic demonstrates that the economic policies of lower taxes and less government regulations are working and that all Americans are benefiting from it.

The great diversity of ethnicities and nationalities of the many people of the United States is what makes our Nation strong, is what continues to be a home for many different cultures; and this national museum will signify our strong commitment to proudly exhibit America's rich cultural diversity.

Therefore, I ask all of my colleagues to join me in support of this important legislation to ensure that visitors to our Nation's Capital gain a more complete understanding of who we are as Americans.

Mr. GRIJALVA. Mr. Speaker, at this time I would like to yield as much time as he may consume to my good friend from California (Mr. BACA), for remarks on H.R. 512, in which he has been a participant and a hard worker getting the legislation to this point.

Mr. BACA. Mr. Speaker, I thank the gentleman from Arizona for allowing me the time to say a few words. And I want to raise my strong voice in support of H.R. 512. This is important legislation that would establish a commission to study the potential creation of a National Museum of the American Latino.

And I want to thank my good friend, XAVIER BECERRA, for sponsoring this bill and championing this cause, which is of great significance to many Hispanics, Latinos throughout the Nation, throughout the country, including myself.

This is a bipartisan legislation that basically asks for a study to create a National Museum of the American Latino. Bipartisan.

Currently, there are over 45 million Latinos in the United States, including Puerto Rico. The social, cultural and economic contributions of Latinos in the United States have an important history, an important history, and are growing daily. We must realize that.

American Latinos are natives to many different parts of the world. Some are from Puerto Rico, some are from South America, while others have roots and ties to Mexico. But while we hail from different countries, including from right here in the United States, we have different backgrounds, and many of us share a similar experience and a wealth of common values.

A national museum of the American Latino will help share this experience and the values not only with Latinos, but with all. It will be a sense of pride, tradition, culture and arts that would be exhibited to all Americans to see, all individuals.

I urge my colleagues to cast a vote in favor and understanding of heritage of all Americans and support this legislation.

Mrs. McMORRIS RODGERS. Mr. Speaker, I yield such time as he may consume to the ranking Republican of the Committee on House Administration, which also has jurisdiction over the bill, the distinguished gentleman from Michigan (Mr. EHLERS).

Mr. EHLERS. Mr. Speaker, I rise in support of H.R. 512, which establishes a commission to study the possible creation of a national museum of the American Latino community. As you know, this bill mirrors H.R. 2134, which was referred to the Committee on House Administration in the last Congress and which I was pleased to guide through that committee and present to the House for passage on September 27 of last year. It is only our regret that it did not pass the Senate.

The Latino American community is often recognized for its rich traditions, its sense of community, and deeply rooted beliefs which are woven throughout the fabric of American history. As the Nation's fastest growing ethnic community, the Latino population in America has more than doubled in size in the last 10 years to over 40 million, and continues to grow.

The creation of a national museum of the American Latino community would enable Latino Americans to tell their story in their own words and would create a destination for students, families and visitors that would accurately depict Latino American history.

In order to explore the possibility of creating such a museum, the legislation before us specifies that a commission be created with 23 members, seven of whom would be appointed by the President, and three voting and are non-voting. Each would be appointed by the Speaker, the House Republican leader, the Senate majority leader, and the Senate Republican leader.

Once appointed, the commissioners would assess the cost of the museum, its impact on other Hispanic and Latino-related museums, identify a possible location for the museum, and propose guidelines on the museum's operation. The commission would also work closely with the Latino American community during the design and development phase to ensure that the museum accurately captures the Latino American experience.

I urge my colleagues to, once again, support this important legislation which is the first step in creating a national museum of the American Latino community that will serve as a testament to the vibrant history and tradition of Latino Americans. And I would just be delighted to eventually see this constructed.

Now, Mr. Speaker, at the risk of being the skunk at the garden party, I would like to add a postscript expressing my concern about the proliferation of museums on the Mall and what this may do to the Mall. As you recall, the Mall was designed many, many years ago as a gathering place for America, and it has nobly served that purpose. I believe it is very important that we, in building any additional museums, not impinge on that intent.

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So establishing location is I think going to be one of the most difficult parts of the work of this Commission, and I wish them well. But I think it is extremely important that we preserve the National Mall as the gathering place for America and make certain that any additional buildings on the Mall fit well with that purpose.

Ms. MILLENDER-MCDONALD. Mr. Speaker, as chairwoman of the Committee on House Administration, which shares jurisdiction over H.R. 512 with the Committee on Natural Resources, I urge my colleagues to move quickly so that the bill can become law this year and we can begin the process of planning a National Museum of the American Latino here in Washington, D.C.

I congratulate Representative BECERRA and Representative ROS-LEHTINEN for their leadership in introducing this legislation and for their hard work in pushing it successfully through the House last year.

Persons of Hispanic, or Latino, descent have lived in the Western Hemisphere for 500 years. In the United States, they have become the largest minority group, and their impact will only grow stronger in the future. The culture of the Americas reflects a unique mixture of what was brought from Europe, inherited from the indigenous Native Americans, contributed by Africans forced to come here during the era of slavery, and stirred in the melting pot of interaction with later immigrants from all around the world.

I am pleased to support consideration of a Latino Museum which I hope would undertake serious scholarly research, as well as create and display exhibits to tell the story of the American Latino to an ever growing population which will be increasingly exposed to such cultural influences in the years ahead. This is a project which all Americans can enthusiastically embrace.

Our Committee on House Administration worked for years with the gentleman from Georgia, Representative JOHN LEWIS, to establish the Smithsonian African American Museum which finally became law in 2003. That legislation worked its way through Congress over a period of 17 years, passed the House and the Senate in different forms during that time, and then was successfully revived and studied by a Commission appointed by the President and Congress.

Mr. Speaker, that Commission worked through 2002 and early 2003 to compile information and recommendations for Congress to use in considering whether to finally establish the museum, and in what form. While we did not accept all of the Commission's recommendations, I found that it provided invaluable focus and momentum in moving the project forward.

H.R. 512, and any future legislation to establish a new museum which may spring from it, will hopefully enjoy a less tortuous path to a successful conclusion. The Commission to be created relating to the Museum of the American Latino is largely patterned after the African American Museum Commission, and this time we are considering establishing the Commission at the beginning of the process of studying a museum rather than near the end.

The new Commission will examine, among other issues, whether this new museum should be part of the Smithsonian Institution, as is the new African American Museum. The Smithsonian has unique expertise in both museum governance and successfully presenting information which tells a story in both educational and entertaining ways.

Mr. Speaker, I urge passage of this legislation.

Mr. LARSON of Connecticut. Mr. Speaker, today I rise in strong support of H.R. 512, the Commission to Study the Potential Creation of the National Museum of the American Latino Act of 2007, which would recognize the tremendous cultural contributions of the American Latino community.

I am proud to be an original cosponsor of H.R. 512, which would create a 23 member commission responsible for developing a plan of action for the establishment and maintenance of a National Museum of the American Latino in Washington, DC. Specifically, this commission would be tasked with bringing experts, policymakers, and other interested parties together to discuss a viable blueprint for the museum. The commission would also design a public-private partnership to fund the museum. These recommendations would be reported to Congress within 24 months of the bill being signed into law.

During my tenure as Ranking Member of the House Administration Committee in the 108th Congress, the committee held a long overdue hearing on this legislation. In the 109th Congress, I was a cosponsor of this legislation and it passed in the House by a voice vote on September 27, 2006. Unfortunately, the Senate was unable to pass this bill before the adjournment of the 109th Congress.

The Latino population in the United States is estimated at 42.7 million, making the community the fastest growing group in the country. They also have a rich heritage in this country that is worth celebrating. I am hopeful that we can finally get this bill to the President's desk for signature and get the process underway for establishing this important museum. As a former high school history teacher, I believe that passage of this legislation is crucial in educating all Americans of our nation's cultural diversity.

Mr. REYES. Mr. Speaker, I rise in strong support of H.R. 512, a bill introduced by my good friend, Rep. XAVIER BECERRA (D–CA), expressing Congressional support for the establishment of a commission to study the potential creation of a National Museum of the American Latino.

As a Hispanic American and a former chair of the Congressional Hispanic Caucus, I know the importance of creating a museum to honor and preserve the history of Latino Americans. We need to celebrate the diverse history, art, music, and literature of the Latino culture. We also need to make strides in increasing public awareness of the important contributions that Latino Americans have made in the United States. The establishment of this commission and subsequent museum would be an important step towards reaching this goal.

Mr. Speaker, as you are well aware, according to the United States Census Bureau, Hispanic Americans constitute fourteen percent of the total United States population and are the largest growing minority with a current population of 41.3 million Americans. In fact, the 16th Congressional District of El Paso, Texas is eighty-two percent Hispanic American. El Pasoans have a rich history which contributes to the tapestry of American culture.

The establishment of a National Museum of the American Latino is important to my constituents and Hispanics across the nation.

Mr. Speaker, I ask all my colleagues to join me in supporting this important bill.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of H.R. 512, to establish the commission to study the potential creation of the National Museum of the American Latino to develop a plan of action for the establishment and maintenance of a National Museum of the American Latino in Washington, DC, and for other purposes.

Here in our Nation's Capitol we are proud of the history from the past that surrounds us and embrace the history that is made each and every day. Amongst the many museums that pay tribute to our rich history as a nation, there still remains a sense of incompletion in our lessons of our history, art and culture. Even though 40 million United States residents share the Latino heritage and culture, hardly any permanent exhibits in Washington's museums commemorate their cultural contributions. I commend Representative BECERRA for recognizing the need to share the collective history of Latino-Americans and to ensure that their stories, cultural contributions and heritage are not forgotten for generations to come.

This bipartisan bill was first introduced as H.R. 2134 during the 109th Congress and passed by a unanimous vote but time ran out before the Senate could act on the bill. I was a co-sponsor of H.R. 2134 and it is my sincere hope that my colleagues in the Senate will take quick action and speedily move this important legislation forward upon its passage in the House. This legislation recognizes the need for detailed and careful planning and proposes a 23 member commission to discuss the museum's vitality and is charged with producing a national conference to bring stakeholders, experts, policy makers and other interested parties together. It is important to take the chief ideas discussed and move them from concept to reality; the commission would be tasked with designing a fundraising plan to create an extensive public-private partnership as well as reporting to Congress a detailed recommended plan of action on how to do so.

Again, I thank my colleague, Mr. BECERRA, for introducing this important legislation, to ensure that we celebrate, commemorate and remember the contribution of Latino Americans by moving to establish a National museum and I urge my colleagues to join me in supporting this resolution.

Mr. EMANUEL. Mr. Speaker, I rise today in support of H.R. 512 the Commission to Study the Potential Creation of the National Museum of the American Latino Act of 2007.

H.R. 512 would establish a commission to develop a plan of action to establish and maintain a National Museum of the American Latino in our nation's capital.

The 23 qualified individuals selected for membership in the commission would be charged with producing a national conference to bring together experts, stakeholders, policymakers and other interested groups to discuss the museum's viability. In addition, the commission would create a comprehensive fundraising plan of action to be presented to Congress.

America is home to nearly 40 million Latinos who share in its unique culture and heritage, yet no permanent exhibit exists in Washington, DC to commemorate the Latino community's unique contributions to the rich cultural tapestry of America.

Washington, DC's wonderful museums reflect the rich mosaic of cultural diversity that is America. It is important that the unique lessons of history, art and culture of the Latino community are included when Washingtonians, Americans, and international travelers come to learn about America and Americans.

Mr. Speaker, I am proud to support H.R. 512 establishing a Commission to study the potential creation of the National Museum of the American Latino, and I encourage my colleagues to join me in supporting this important legislation.

Mrs. MCMORRIS RODGERS. Mr. Speaker, I yield back the balance of my time.

Mr. GRIJALVA. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. GRIJALVA) that the House suspend the rules and pass the bill, H.R. 512, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

ALLOWING FOR RENEGOTIATION OF PAYMENT SCHEDULE OF CONTRACTS BETWEEN SECRETARY OF THE INTERIOR AND REDWOOD VALLEY COUNTY WATER DISTRICT

Mrs. NAPOLITANO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 235) to allow for the renegotiation of the payment schedule of contracts between the Secretary of the Interior and the Redwood Valley County Water District, and for other purposes, as amended.

The Clerk read as follows:

H.R. 235

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. RENEGOTIATION OF PAYMENT SCHEDULE.

Section 15 of Public Law 100–516 (102 Stat. 2573) is amended as follows:

(1) By amending paragraph (2) of subsection (a) to read as follows:

"(2) If, as of January 1, 2006, the Secretary of the Interior and the Redwood Valley County Water District have not renegotiated the schedule of payment, the District may enter into such additional non-Federal obligations as are necessary to finance procurement of dedicated water rights and improvements necessary to store and convey those rights to provide for the District's water needs. The Secretary shall reschedule the payments due under loans numbered 14–06–200–8423A and 14–06–200–8423A Amendatory and said payments shall commence when such additional obligations have been financially satisfied by the District. The date of the initial payment owed by the District to the United States shall be regarded as the start of the District's repayment period and the time upon which any interest shall first be computed and assessed under section 5 of the Small Reclamation Projects Act of 1956 (43 U.S.C. 422a et seq.).".

(2) By striking subsection (c).

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Mrs. NAPOLITANO) and the gentlewoman from Washington (Mrs. MCMORRIS RODGERS) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Mrs. NAPOLITANO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Mrs. NAPOLITANO. Mr. Speaker, I yield myself such time as I may consume.

I rise in very strong support of H.R. 235, as amended. This legislation will allow the Redwood Valley County Water District in Northern California to renegotiate loans it received from the Federal Government for an unsuccessful water project. This action will clear the way for the Water District to initiate a new project that will develop a reliable supply of drinking water for that area. The District will rely only on private financing for the new project. No Federal money will be spent on this new project.

However, before the District can secure private financing for any project, it must renegotiate the existing loans to provide for their repayment subsequent to repayment of the new loan. Once the new project is built and delivering water, it will provide enough revenue to allow the District to repay both its private loan and the United States Government.

Specifically, this legislation allows the Redwood County Valley Water District to secure a private loan for a project to provide the region with a reliable water supply. It also requires the Water District to repay its current suspended loan to the Federal Government once the renewed water project is paid for.

In consultation with the minority, the legislation includes a minor amendment to clarify the requirement that the Secretary of the Interior must reschedule loan payments and that the payments must begin immediately upon satisfaction of the Water District's newer financial obligation.

Similar legislation was passed by this House in the 109th Congress; and I congratulate my colleague, Congressman MIKE THOMPSON, for all of his hard work on behalf of the Redwood Valley County Water District.

I do urge my colleagues to support passage of H.R. 235, as amended.

Mr. Speaker, I reserve the balance of my time.

Mrs. MCMORRIS RODGERS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in reluctant support of H.R. 235.

There were many last-minute questions about this bill mainly because a hearing wasn't held on it. I hope this will not be the standard procedure for how the majority party brings legislation to the House floor. That is why I am pleased that the majority has made additional inquiries regarding this bill and has decided to offer an amendment to address some concerns. With this amendment, I will not oppose the legislation.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mrs. NAPOLITANO. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Mrs. NAPOLITANO) that the House suspend the rules and pass the bill, H.R. 235, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

REMOVING CERTAIN RESTRICTIONS ON MAMMOTH COMMUNITY WATER DISTRICT'S ABILITY TO USE CERTAIN PROPERTY ACQUIRED FROM THE UNITED STATES

Mrs. NAPOLITANO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 356) to remove certain restrictions on the Mammoth Community Water District's ability to use certain property acquired by that District from the United States.

The Clerk read as follows:

H.R. 356

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REMOVAL OF CERTAIN RESTRICTIONS ON PROPERTY.

Notwithstanding Public Law 90-171 (16 U.S.C. 484a; 81 Stat. 531), the approximately 25 acres patented to the Mammoth County Water District (now known as the "Mammoth Community Water District") by Patent No. 04-87-0038, on June 26, 1987, and recorded in Volume 482, at page 517, of the official records of the Recorder's Office, Mono County, California, may be used for purposes other than the purpose for which those lands were being used prior to the conveyance to the Mammoth County Water District and such lands may be transferred as authorized under State law.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Mrs. NAPOLITANO) and the gentlewoman from Washington (Mrs. MCMORRIS RODGERS) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Mrs. NAPOLITANO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Mrs. NAPOLITANO. Mr. Speaker, I yield myself such time as I may consume.

H.R. 356 removes congressionally imposed restrictions on the use of lands transferred in 1987 from the United States to the Mammoth Community Water District in California. This legislation would allow the District to modify the use of these lands so that those 12 acres of land now used for material storage may be put to a more beneficial use.

In 2004, the Subcommittee on Water and Power held a hearing on similar legislation. In the 109th Congress, similar legislation was favorably reported by the committee and passed by the House.

We have no objections on this noncontroversial bill.

Mr. Speaker, I reserve the balance of my time.

Mrs. MCMORRIS RODGERS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 356. H.R. 356, introduced by our colleague from California, BUCK MCKEON, removes land use restrictions on property acquired from the Forest Service by the Mammoth Community Water District in Mono County, California.

In 1987, the U.S. Forest Service conveyed 25 acres to the Water District under land use conditions at the time. Of these lands, 12 acres are now needed for different uses, including much-needed water utility operations. Implementation of this noncontroversial bill will ultimately benefit the local water consumer and will adhere to all Federal, State, and local environmental laws.

I urge my colleagues to support this commonsense legislation.

Mr. MCKEON. Mr. Speaker, I rise today to offer my strong support for HR 356, legislation I introduced earlier this year to remove restrictions on 25 acres of land patented to the Mammoth County Water District.

Prior to 1987, the District occupied this land through a special use permit with the Forest Service. Of these 25 acres, 12 acres were used for the storage of materials, and prior to 1987, for oxidation ponds, which had become obsolete by that year.

After that time, Congress passed Public Law 97-465 that allowed these lands to be transferred directly to the District. While the law allowed for acquisition of these lands, it also directed that they could only be used for those purposes prior to the time of the conveyance.

Today, however, these 12 acres are no longer needed for the storage of materials and the community would like to utilize this land in a more economically and socially viable manner.

Such restrictions as those currently placed on the aforementioned acreage hinder the Mammoth community's ability to respond to the growing needs of its citizens and visitors.

As such, passage of this legislation would allow the town to accommodate for the growing economic and social needs of the region. In particular I am pleased to inform my colleagues of plans to use these acres for enhanced emergency services availability for the people of Mammoth Lakes.

I would like to express my deep appreciation to Chairman RAHALL for bringing this legislation to the floor and ask my colleagues to support its passage here today.

Mrs. MCMORRIS RODGERS. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mrs. NAPOLITANO. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Mrs. NAPOLITANO) that the House suspend the rules and pass the bill, H.R. 356.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

□ 1315

YAKIMA-TIETON IRRIGATION DISTRICT CONVEYANCE ACT OF 2007

Mrs. NAPOLITANO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 386) to authorize the Secretary of the Interior to convey certain buildings and lands of the Yakima Project, Washington, to the Yakima-Tieton Irrigation District.

The Clerk read as follows:

H.R. 386

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Yakima-Tieton Irrigation District Conveyance Act of 2007".

SEC. 2. CONVEYANCE OF CERTAIN BUILDINGS AND LANDS OF THE YAKIMA PROJECT, WASHINGTON.

(a) CONVEYANCE REQUIRED.—The Secretary of the Interior shall convey to the Yakima-Tieton Irrigation District, located in Yakima County, Washington, all right, title, and interest of the United States in and to the buildings and lands of the Yakima Project, Washington, in accordance with the terms and conditions set forth in the agreement titled "Agreement Between the United States and the Yakima-Tieton Irrigation District to Transfer Title to Certain Federally Owned Buildings and Lands, With Certain Property Rights, Title, and Interest, to the Yakima-Tieton Irrigation District" (Contract No. 5-07-10-L1658).

(b) LIABILITY.—Effective upon the date of conveyance under this section, the United States shall not be held liable by any court for damages of any kind arising out of any act, omission, or occurence relating to the conveyed buildings and lands, except for damages caused by acts of negligence committed by the United States or by its employees or agents before the date of conveyance. Nothing in this section increases the liability of the United States beyond that provided in chapter 171 of title 28, United States Code (popularly known as the Federal Tort Claims Act), on the date of the enactment of this Act.

(c) BENEFITS.—After conveyance of the buildings and lands to the Yakima-Tieton Irrigation District under this section—

(1) such buildings and lands shall not be considered to be a part of a Federal reclamation project; and

(2) such irrigation district shall not be eligible to receive any benefits with respect to any buildings and lands conveyed, except benefits that would be available to a similarly situated person with respect to such buildings and lands that are not part of a Federal reclamation project.

(d) REPORT.—If the Secretary of the Interior has not completed the conveyance required under subsection (a) within 12 months after the date of the enactment of this Act, the Secretary shall submit to Congress a report that explains the reason such conveyance has not been completed and stating the date by which the conveyance will be completed.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Mrs. NAPOLITANO) and the gentlewoman from Washington (Mrs. MCMORRIS RODGERS) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Mrs. NAPOLITANO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Mrs. NAPOLITANO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 386 would transfer title for approximately 9 acres of land and several buildings to the Yakima-Tieton Irrigation District. The terms of the transfer are included in a formal agreement between the Bureau of Reclamation and the irrigation district. Other parts of the reclamation project, including the Tieton diversion dam and associated canals, would not be affected.

In the 109th Congress, the Subcommittee on Water and Power held a hearing on similar legislation. That bill was favorably reported by the committee and passed by this House. We have no objection to this legislation.

Mr. Speaker, I reserve the balance of my time.

Mrs. MCMORRIS RODGERS. Mr. Speaker, I rise in support of H.R. 386 and yield myself such time as I may consume.

Mr. Speaker, H.R. 386, sponsored by our colleague, the gentleman from Washington (Mr. HASTINGS), conveys 9 acres of federally owned land and administrative buildings to the Yakima-Tieton Irrigation District in Washington State. No project facilities, such as dams, diversion structures or canals, are included in this title transfer. The transfer has been in the works for almost a decade.

This legislation, also introduced by the junior Senator from Washington State, will enhance more private ownership and decrease the Federal Government's liability. It is a win for the local community and a win for the American taxpayer.

I urge my colleagues to support this important bipartisan legislation.

Mrs. NAPOLITANO. Mr. Speaker, I reserve the balance of my time.

Mrs. MCMORRIS RODGERS. Mr. Speaker, I yield such time as he may consume to the gentleman from Washington (Mr. HASTINGS).

Mr. HASTINGS of Washington. Mr. Speaker, I thank the gentlelady for yielding.

Mr. Speaker, H.R. 386 is a pretty straightforward bill. This legislation would authorize the transfer of about 9 acres of Federal property along with a few associated structures from the Bureau of Reclamation to the Yakima-Tieton Irrigation District in central Washington.

The irrigation district has fully repaid its obligations to the Federal Government related to these properties and now simply pays the bureau for their operation and maintenance. This conveyance would enable the irrigation district to make needed improvements, while allowing the bureau to focus its limited resources where they are more urgently needed.

This legislation is based on a formula agreement negotiated between the bureau and the Yakima-Tieton Irrigation District in 2004. I commend the irrigation district and the staff of the bureau for working together at the local level to resolve the concerns of the parties involved.

Mr. Speaker, this same legislation passed unanimously during the previous Congress, but didn't get through during the final parts of the session. So I urge my colleagues to support this bill again today so that we may move it on to the other body.

I want to thank Chairman RAHALL and Ranking Member YOUNG of the Natural Resources Committee and their staff for their assistance in expediting this bill.

Mrs. MCMORRIS RODGERS. Mr. Speaker, I have no additional speakers, and I yield back the balance of my time.

Mrs. NAPOLITANO. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Mrs. NAPOLITANO) that the House suspend the rules and pass the bill, H.R. 386.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mrs. NAPOLITANO. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.

AMERICAN RIVER PUMP STATION PROJECT TRANSFER ACT OF 2007

Mrs. NAPOLITANO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 482) to direct the Secretary of the Interior to transfer ownership of the American River Pump Station Project, and for other purposes.

The Clerk read as follows:

H.R. 482

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "American River Pump Station Project Transfer Act of 2007".

SEC. 2. AUTHORITY TO TRANSFER.

The Secretary of the Interior (hereafter in this Act referred to as the "Secretary") shall transfer ownership of the American River Pump Station Project located at Auburn, California, which includes the Pumping Plant, associated facilities, and easements necessary for permanent operation of the facilities, to the Placer County Water Agency, in accordance with the terms of Contract No. 02–LC–20–7790 between the United States and Placer County Water Agency and the terms and conditions established in this Act.

SEC. 3. FEDERAL COSTS NONREIMBURSABLE.

Federal costs associated with construction of the American River Pump Station Project located at Auburn, California, are nonreimbursable.

SEC. 4. GRANT OF REAL PROPERTY INTEREST.

The Secretary is authorized to grant title to Placer County Water Agency as provided in section 2 in full satisfaction of the United States' obligations under Land Purchase Contract 14–06–859–308 to provide a water supply to the Placer County Water Agency.

SEC. 5. COMPLIANCE WITH ENVIRONMENTAL LAWS.

(a) IN GENERAL.—Before conveying land and facilities pursuant to this Act, the Secretary shall comply with all applicable requirements under—

(1) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(2) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

(3) any other law applicable to the land and facilities.

(b) EFFECT.—Nothing in this Act modifies or alters any obligations under—

(1) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); or

(2) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

SEC. 6. RELEASE FROM LIABILITY.

Effective on the date of transfer to the Placer County Water Agency of any land or facility under this Act, the United States shall not be liable for damages arising out of any act, omission, or occurrence relating to the land and facilities, consistent with Article 9 of Contract No. 02-LC-20-7790 between the United States and Placer County Water Agency.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Mrs. NAPOLITANO) and the gentlewoman from Washington (Mrs. MCMORRIS RODGERS) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Mrs. NAPOLITANO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Mrs. NAPOLITANO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 482 directs the Secretary of the Interior to convey certain lands and the water pumping facility under construction on the American River to the Placer County Water Agency in California. Currently, the Bureau of Reclamation is obligated by a previous agreement to supply temporary pumping service to satisfy the water rights of the Placer County Water Agency. This temporary pumping is done at considerable cost to the Bureau of Reclamation. The American River Pump Station will provide a permanent facility for the delivery of water to that agency.

H.R. 482 allows the bureau to satisfy its contractual obligations by transferring this facility and eliminates the continued cost of providing temporary pumping service to that agency.

In the 109th Congress, the Subcommittee on Water and Power held a hearing on similar legislation, and the bill was subsequently favorably reported by the committee and passed by the House. We have no objections to this legislation.

Mr. Speaker, I reserve the balance of my time.

Mrs. MCMORRIS RODGERS. Mr. Speaker, I rise in support of H.R. 482, and yield myself such time as I may consume.

Mr. Speaker, H.R. 482, introduced by our colleague, the gentleman from California (Mr. DOOLITTLE), directs the Secretary of the Interior to transfer ownership of the American River Pump Station Project to the Placer County Water Agency in Northern California. To facilitate construction of the Auburn Dam nearly 40 years ago, the Federal Government removed a locally owned pump station located at the dam site.

The dam was never built. Now the Federal Government is building a permanent pump station to replace the one it removed years earlier. Under an agreement, the Federal Government must transfer the pump station to the local water users once construction is complete. Before the transfer can take place, congressional authorization is needed, and this legislation achieves that purpose.

Mr. Speaker, I urge my colleagues to support this commonsense bill.

Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. DOOLITTLE), the author of the bill.

Mr. DOOLITTLE. Mr. Speaker, I would like to thank the chairman of the committee, Mr. RAHALL, and the ranking member, Mr. YOUNG, and also thank Mrs. NAPOLITANO and Mrs. MCMORRIS RODGERS for their help on this legislation.

This has been quite a few years in production. The pump station is almost complete. It will be completed next year sometime, we anticipate; and we would like to have this last detail of the transfer put in order.

You have heard the explanation as to why we need the legislation, fulfilling an obligation made by the Federal Government years ago to the Placer County Water Agency.

I am very appreciative to our colleagues for bringing this bill up and urge its passage.

Mr. Speaker, I am pleased to be here today in support of H.R. 482, the American River Pump Station Project Transfer Act. This legislation will authorize the transfer of ownership of the American River Pump Station, located in Auburn, CA, to the Placer County Water Agency (Agency). I would like to thank the Chairman and Ranking Member of the Natural Resources Committee for bringing this legislation to the floor in such a timely manner.

During the 1960s, the Bureau of Reclamation (Bureau) acquired the site of the original American River Pump Station and removed it to facilitate contraction of the Auburn Dam. When construction of the dam was halted, the Agency was left unable to meet its water needs. Since 1990, the Bureau has installed seasonal pumps to help the Agency provide water during the dry summer. Unfortunately, these pumps need to be removed each winter and reinstalled in time for the summer months. This is an expensive process that leaves the Agency without the long-term water-use certainty it needs. To remedy this situation, a new American River Pump Station will be constructed by the Bureau, and this legislation is needed to authorize the transfer of that station to the local agency for future operations.

This legislation is supported by the Bureau, the Agency and the local elected officials, and I appreciate all their hard work in this endeavor. I would specifically like to thank the members of the Placer County Water Agency: Current Board Chairman Lowell Jarvis; board members Alex Ferreira, Otis Wollen, and Mike Lee; and new board member Grey Allen have all worked to enable the Agency to meet the water-use needs of the community it serves. I also want to recognize former board member Pauline Roccucci who spoke with me many times on this issue. I want to thank General Manager Dave Breninger, who has been and remains a tireless and passionate advocate of the permanent pump station and Strategic Affairs Director Einar Maisch who offered strong testimony in support of this bill and helped us to get here today.

As the completion of the pump station will provide regional benefits to so many in Western Placer County, I want to thank the City Councils in Rocklin and Lincoln and our County Board of Supervisors for their steadfast support of this critical project. I would also be remiss for not recognizing the commitment and dedication of two local U.S. Bureau of Reclamation staff: Regional Director Kirk Rodgers and Central Area Office Manager Mike Finnegan.

This entire group made up the team which worked for years in advancing the permanent American River Pump Station to get us to the point we are at today, and it is with them in mind that I urge my colleagues to join me in supporting H.R. 482.

Mrs. NAPOLITANO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank my colleague, Mrs. MCMORRIS RODGERS. Hopefully, we will be able to continue working in a bipartisan manner to get these very, very critical projects going and approved and moving out of this House. I am sure that we are going to have others that are just equally important. I hope the same consideration is given to all those.

Mrs. MCMORRIS RODGERS. Mr. Speaker, let me just say congratulations to the chairman of the Water and Power Subcommittee. I do look forward to working with her on a bipartisan basis to move many of these projects forward, important projects, all across the country.

Mr. Speaker, I yield back the balance of my time.

Mrs. NAPOLITANO. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Mrs. NAPOLITANO) that the House suspend the rules and pass the bill, H.R. 482.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. DOOLITTLE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 161, by the yeas and nays;

H.R. 386, by the yeas and nays.

The postponed vote on H.R. 482 will be taken tomorrow.

The first electronic vote will be conducted as a 15-minute vote. The remaining electronic vote will be conducted as a 5-minute vote.

BAINBRIDGE ISLAND JAPANESE AMERICAN MONUMENT ACT OF 2007

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 161.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. GRIJALVA) that the House suspend the rules and pass the bill, H.R. 161, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 419, nays 0, not voting 15, as follows:

[Roll No. 76]

YEAS—419

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conyers
Cooper
Costello
Courtney
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—15

Bono
Buyer
Carter
Conaway
Costa
Davis, Jo Ann
Davis, Lincoln
Hastert
Lampson
McHenry
Norwood
Peterson (PA)
Pryce (OH)
Rothman
Royce

☐ 1351

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

YAKIMA-TIETON IRRIGATION DISTRICT CONVEYANCE ACT OF 2007

The SPEAKER pro tempore (Mr. BAIRD). The pending business is the question of suspending the rules and passing the bill, H.R. 386.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Mrs. NAPOLITANO) that the House suspend the rules and pass the bill, H.R. 386, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 417, nays 0, not voting 17, as follows:

[Roll No. 77]

YEAS—417

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conyers
Cooper
Costello
Courtney
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
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Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth
Higgins
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Hinchey
Hinojosa
Hirono
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Hoekstra
Holden
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Honda
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
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Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—17

Bono
Buyer
Capito
Carter
Conaway
Costa
Davis, Jo Ann
Davis, Lincoln
Hastert
Lampson
McHenry
Norwood
Nunes
Peterson (PA)
Pryce (OH)
Rothman
Royce

☐ 1400

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

RESIGNATION AS CLERK OF THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 6, 2007.

Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.

DEAR SPEAKER PELOSI: This is to inform you that I am resigning my position as Clerk of the House effective midnight on February 14, 2007. Thank you for the honor of renominating me to serve in the position of Clerk of the House in the 110th Congress.

It has been an honor to serve the House of Representatives and to work with so many dedicated individuals. I will especially miss those hardworking men and women in the Office of the Clerk. Our Nation is a stronger place because of their efforts.

With best wishes, I am,
Sincerely,
KAREN L. HAAS.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

RESIGNATION AS CHIEF ADMINISTRATIVE OFFICER OF THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore laid before the House the following communication from the Chief Administrative Officer of the House of Representatives:

OFFICE OF THE CHIEF ADMINISTATIVE OFFICER, HOUSE OF REPRESENTATIVES,
Washington, DC, February 6, 2007.

Hon. NANCY PELOSI, M.C.,
Speaker, House of Representatives,
Washington, DC.

DEAR SPEAKER PELOSI: This is to inform you that I am resigning my position as Chief Administrative Officer of the House of Representatives effective at midnight on February 14, 2007. Thank you for the honor of renominating me to serve in the position of Chief Administrative Officer in the 110th Congress.

Sincerely,
JAY EAGEN,
Chief Administrative Officer.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

ELECTING OFFICERS OF THE HOUSE OF REPRESENTATIVES

Mr. HOYER. Mr. Speaker, I offer a privileged resolution (H. Res. 129) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 129

Resolved, That Lorraine C. Miller of the State of Texas, be, and is hereby, chosen Clerk of the House of Representatives, effective February 15, 2007; and

That Daniel P. Beard of the State of Maryland be, and is hereby, chosen Chief Administrative Officer of the House of Representatives, effective February 15, 2007.

Mr. HOYER. Mr. Speaker, I would like to have an opportunity to speak on the resolution before its immediate adoption.

The SPEAKER pro tempore. The Chair will distribute the time.

The gentleman from Maryland (Mr. HOYER) and the gentleman from Michigan (Mr. EHLERS) each will control 30 minutes.

The Chair recognizes the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, we will not take, certainly, the hour that is allotted; but I first of all want to say something about the two individuals who have just resigned their appointments as Clerk and as Chief Administrative Officer of the House of Representatives.

Mr. Speaker, I had the opportunity to serve from 1987 to 2000 on the House Administration Committee and worked with my friend, Mr. EHLERS, Mr. THOMAS, and others. I was a member of the House Administration Committee on which Vic Fazio, our former colleague from California, was the ranking member. He and Mr. THOMAS came together and selected Jay Eagen to be the Chief Administrative Officer.

I think it would be inappropriate if I did not rise and congratulate Mr. Eagen on the job that he has done. I believe that Jay Eagen has brought a degree of professional management to this House of Representatives, which has been a credit to the institution and a credit to all of the Members, and a credit, I might say, to my colleagues on the Republican side, to the Republican leadership on this issue, and I congratulate them for that.

Mr. Eagen is someone who has worked on this Hill for many years. He will be leaving the Hill and leaving this city and moving his family to the west, and we wish him the very, very best.

Mr. Speaker, Karen Haas, who has been the Clerk and who submitted her resignation is, as well, someone who has worked for this institution, cares deeply about the House, and has comported herself, although for a relatively short period of time as the Clerk of our House, in a way that brought honor to the Office of Clerk and brought credit to the House of Representatives.

I know from my perspective personally and from Speaker PELOSI, and I both want to, on behalf of our caucus, extend to them our deepest thanks and gratitude for the service that they have rendered to the House of Representatives and to our country. Both of them, I know, have very exciting things to come. They are both young, they both have much to offer, and we wish them the very best.

Mr. Speaker, I will reserve the balance of my comments on Ms. Miller and Mr. Beard and would certainly yield now to Mr. EHLERS, who may also want to say something.

Mr. EHLERS. Mr. Speaker, I would join my colleague from Maryland in commending Jay Eagen and Karen Haas for the tremendous job they have done, and, before Karen, Jeff Trandahl, who served temporarily as CAO during the bridge time before the selection of Mr. Eagen, and who also served as the Clerk of the House very ably.

They both, Jay Eagen and Karen Haas, have done a great job in that office. The House has run very, very well as a result, and I commend them and wish them well in the future. I am certain that they have bright futures based on the excellent work that they did here.

I also would like to comment about the appointments that have been made. The new appointment for the Clerk, Ms. Miller, from everything I see, is an outstanding appointment. We recognize that as traditionally the appointment of the Speaker and can be made solely by the Speaker and has been in the past.

I look forward to good things from her. She is obviously very capable, has an outstanding record in working in the House, the Senate, and various other places. I look forward to good work from her.

In regard to the selected candidate for Chief Administrative Officer for the House, Mr. Beard, I do not object to his appointment. He is, I think, of relatively good background and should be able to manage the job, at least I seriously hope so.

But I have serious concerns about the lack of transparency and the selection process that resulted in his appointment. Just to give a better history, when I first arrived here, it was shortly before the Republicans took over the majority, and there had been considerable confusion in the House. We had the bank scandal, the post office scandal and so forth. A position was created, I forget the precise title, but something along the line of the director of the nonlegislative and financial functions of the House of Representatives.

The Speaker at that time, who was a Democrat, since they were in the majority, appointed a person to fill that post. It was General Wishart, I believe, and he resigned after several months saying basically he could not do the job, given the parameters that were imposed upon it.

When the Republicans took over the House of Representatives, they also appointed, and it was largely a Speaker's appointment at that time, appointed someone to serve as the Chief Administrative Officer of the House. That position was created and described by the new majority.

Mr. Faulkner had a good resume and had a lot of good ideas, but, frankly, did not really meet the needs that we had for that position at that time. We then decided, and I believe Mr. HOYER was on the committee at the same time with me, and we simply decided that we had to make this as nonpartisan a position as possible.

So we formed a group, two Republicans, two Democrats, and they conducted a nationwide search with a search firm to find the best person for the Chief Administrative Officer position.

They ended up selecting someone from the House of Representatives, someone who was familiar with it, but also someone with extensive administrative background who did a tremendous job of operating this institution since that time.

The main point I want to make is a process was set up that was bipartisan. It resulted in an excellent appointment, and I believe we should use that same process again.

In fact, I felt so strongly about it, I sent a letter to the Speaker last week pointing out that we should use that same process again. Barely was the letter delivered that she announced publicly that she had selected a new CAO, without using that process at all, without input from the minority party. Simply, we had the courtesy of chatting with the new appointee, but nothing to say in the appointment or whether or not that person should have the appointment.

I have met with him; I recognize he has considerable administrative ability. He has been around a long time, but I am very concerned because we did not use the same process. I think this new appointee is going to owe his allegiance to only one person, that is the Speaker of the House, and I don't believe that is the best way to operate the House of Representatives.

At the same time, should anything deleterious or improper happen, we recognize where the responsibility for that will lie, because it will be with the person who made the appointment.

But I have firsthand knowledge, having served on the House Administration Committee now for over 12 years, firsthand knowledge of the important role the Chief Administrative Officer plays in the House operations, and it is an extremely important job.

This is a complex organization on the Hill, over 10,000 employees. The position has many responsibilities that are of significant consequence to the House of Representatives.

While the proper administration of the House is ultimately the responsibility of the majority, the successful operation of the House is most certainly not a partisan manner.

Republicans and Democrats alike maintain a shared investment in preserving and building upon the professional improvements made by the House Chief Administrative Officer over the last 12 years.

In 1997, as I mentioned, the last occasion a new CAO was appointed, a search committee was constituted that, as I said, required a unanimous decision from all search committee members in order to select a candidate for the position of Chief Administrative Officer.

That last provision, I think, is very important, to ensure that it was not a partisan position required that both Republicans and both Democrats had to vote to select the final candidate for the position.

At that time, our current House majority leader, my colleague from Maryland, stated that the formulation of a search committee comprised of the leaders of both parties "was done to assure that we would have a bipartisan agreement on an administrator for the business of the House."

Mr. HOYER also stated that what this House needs is a bipartisan and effectively nonpartisan way to assure ourselves and the American people that the business of the House, the paying of our bills, the managing of our information systems, all of that which has nothing to do with the formulation of the policy, but everything to do with the effective management of the people's House, is being done in a proper fashion.

Now, I am not quoting this to throw the words in Mr. HOYER's face. That is not my intent at all. It is simply my intent to show how at that time we worked very hard to get a bipartisan agreement. That bipartisan agreement, which Mr. HOYER spoke of, resulted in the appointment of Jay Eagen, our current Chief Administrative Officer, who has served us so well for a number of years.

Under Mr. Eagen's tenure, just as an example, the House has achieved eight consecutive clean opinions from independent auditors, an impressive result by any measure. This should be contrasted with the result when the Republicans first took office, we asked for an independent outside audit, and the auditors came back and said the books are such a mess, we cannot even audit them; you will have to construct an entire new financial management system.

I was pleased that since I had helped develop the computer system that I was able to help develop a system that was appropriate for that task. I think all of this together has led to the clean audits that we have had for a number of years.

I certainly support the comments that Mr. HOYER made some years ago. They were very appropriate. They described the procedure accurately; and his points, as he made them, I totally agree that the appointment of a post was such a significant impact to this institution, we should be able to put aside our party affiliations and work together to find a suitable candidate.

I wish I could make a comparable statement today. I wish that such a bipartisan process had been followed this time. Instead, I am left only to express my sincere disappointment that it did not take place.

Let me make it clear, the qualifications of Mr. Beard are not under attack; but the process that Speaker PELOSI administered to make this appointment is. I think we should have had the same process, and I am disappointed that the Speaker chose not to do that.

Without a fair, open and competitive process, there simply is no way to determine whether the selection is in the best interest of the House, and the complete absence of transparency is cause for alarm for those who value the integrity of this institution.

Mr. Speaker, I reserve the balance of my time.

Mr. HOYER. I will tell my friend, I don't have any other speakers on this side. Do you have a speaker?

Mr. EHLERS. Yes, I have several.

Mr. Speaker, I yield 5 minutes to the gentleman from California, a newly appointed member of the Committee on House Administration, the gentleman from California (Mr. DANIEL E. LUNGREN).

Mr. DANIEL E. LUNGREN of California. I thank the gentleman for yielding.

Mr. Speaker, I would like to echo the words of those who have spoken the words about the job that Jay Eagen and Karen Haas have done. They have served this body well. They have done us honor by their service. I am sure they will continue with honorable service in the future.

When I returned to the House of Representatives after being away for 16 years, I observed that there were some things that were better about this House and some things that were worse about this House.

☐ 1415

I noted that there was always a partisanship in this House, but there appeared to be a harder edge to that partisanship. And one of the things that struck me was that we needed to be around here more often. That is why I, frankly, am one of those on this side of the aisle that believes that attempting to go to a 5-day workweek not only is good in terms of the product that we will put out eventually, when we actually do go to 5-day workweeks, but the interchange and the interplay and the opportunity for Members to deal with one another and get to know one another I think may very well take the hard edge off the partisanship that is always going to be a part of the House when you have strong feelings argued by Members on both sides.

At the same time, I must say it is a disappointment, as a Member of the House Administration Committee, to see the manner in which the decision was made to choose a Chief Administrative Officer.

When I served here before, there is no doubt that the administration of this place was in a mess. You could ask questions and get no answers. You could attempt to try and decipher how this place was organized, and you could not find out. You would ask questions, and you would get a wink and a nod and a sense of don't ask, don't tell. You would try and find, for legitimate reasons, information; and you would find that either that was not made available to you or that it could not be made available to you.

And since that time, primarily I believe because of the institution of the position of Chief Administrative Officer and the organization that flow from that, it has changed. So I was trying to look back at the experience of the House to see how this was made and how the decision was made to fill that position.

When I discovered that both the Republican and the Democratic sides had come together stressing bipartisanship, making a national search, attempting to try and find the best possible person for the job but, above that, requiring unanimous support from both sides of the aisle, it seemed to me that that was an encouraging step towards righting a wrong that existed in this House.

And that is why, even though I do not know Mr. Beard, and I will take on its face the recommendations that have been made on the other side about Mr. Beard, it is a missed opportunity we had in this House to manifest an effort in one of the legitimate areas where bipartisanship should reign, that is, in filling the position of someone who is to be the chief administrator of this body. It is a sorely missed opportunity.

I know that we should not be complaining about process, and people are tired about complaining about process, and I am tired about hearing the complaints about process. But this was a unique opportunity for us to work together, not as Democrats or Republicans but Members of the House of Representatives who have respect for this institution, who understand the necessity of having this place run at that level on a businesslike basis so that every Member can feel that the person who filled that job was chosen by the entire membership and that no one has to feel that they have allegiance only to one side.

It is very difficult in this place, because of the way it is organized, for us to find that sort of sweet spot, if you will, in the activities in which we are involved. This was one of those chances, and I am very sorry that we rejected the experience and the precedent of the recent past in making this selection.

I join the gentleman from Maryland and others in hoping that Mr. Beard will do an excellent job. It is in the interests of all of us that he does an excellent job. My only point is this was a tremendous opportunity for us to remove partisanship, to work together, as the gentleman suggested a number of years ago when the selection of Mr. Eagen was made.

My only hope is that this does not suggest how things will be done in the future when there is abundant reason for us to work together as Members of the House rather than as Democrats and Republicans.

Mr. Speaker, with that, I congratulate Mr. Beard on his selection. I hope he will do the best for us, as Mr. Eagen has done. I only lament the fact that we had an opportunity that we missed.

Mr. HOYER. Mr. Speaker, I yield myself such time as I may consume.

I appreciate the comments. I appreciated my comments when I made them. I still want you to know that I appreciate them, and I think that is a good practice.

I had the opportunity of sitting down with Mr. Beard just a few days ago, essentially, almost verbatim, in terms of how I believe he ought to operate his office in the sense that this is a business office, this is not a partisan office. Hopefully, he will respond to doing what is in the best business management practice, best practices as well as his own judgment without respect to party or partisanship. I would hope that that would happen. I expect it to happen.

But I appreciate the comments that have been made.

I want to say that, also, I am strongly in support of Lorraine Miller. This is a historic appointment, first African American to serve as an officer of the House, not just as Clerk of the House but as an officer of the House.

Lorraine Miller has served for three Speakers now. She served President Clinton in the White House. She is president of the NAACP in Washington, D.C. She is an extraordinarily knowledgeable, able individual; and she will be a tremendous asset to this institution and I think will send a very strong and powerful message to all of America about inclusion, as the election of our Speaker did.

Mr. Beard, as some of you know, has more than three decades of experience in policy and executive management, including senior positions in the House of Representatives, the United States Senate, the White House and the Interior Department, as well as the Library of Congress. Obviously, he has a long, distinguished career in management and, as such, is a professional appointment.

Again, I appreciate the comments that have been made. Mr. Speaker, I strongly support the nomination of both, because I believe both will serve this institution in a professional manner that brings credit on their offices and on this institution.

Mr. Speaker, I ask unanimous consent that Mr. CLYBURN be able to manage the balance of time available to me.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. EHLERS. Mr. Speaker, I thank the gentleman from Maryland for his comments.

I would also echo his comments about Mrs. Miller. I was astounded at her resume. In fact, I would love to have a resume that complete myself. She has served government in so many different agencies and in so many different ways that I am certain that she will perform very, very well as the Clerk of the House.

Mr. Speaker, I yield 3 minutes to Mr. McCARTHY of California, a brand new member of the Committee on House Administration but one with considerable experience on it because of his previous work as a staff member for the Honorable Bill Thomas, who chaired the committee.

Mr. McCARTHY of California. I thank the gentleman for yielding.

Mr. Speaker, I rise today actually for two reasons, to congratulate Mrs. Miller, rightfully so. She was selected, rightfully so, that the Speaker was able to appoint her. But today I actually rise in disappointment, disappointed in this resolution.

As the Member said, I am a new Member from California. But I am not new to this House. I had the pleasure of serving Mr. Thomas, who had served as the chairman of House Administration in 1995.

I know the work that was done and the respect for this House on both sides of the aisle. I never questioned the respect for this institution on either side. But to go about in bringing an audit to this House I knew the work that needed to be done. I worked as a staffer, and I found out in 1995 when we went to do the first audit, we did not keep enough books to even have an independent audit.

And what has transpired, in the last 8 years, we have had a clean, independent audit. And how were we able to achieve that? This body was able to achieve that by being bipartisan in the selection of the chief administrative officer, and to do this resolution today is actually a step backwards.

Transparency in this House, both sides will agree, is the best thing for the House of Representatives; and my question today is, I do not question the credentials of Mr. Beard. Will he make a great CAO? I do not know, quite frankly, because he has never come before us. We have never had the ability to go for the search, and we have actually done a disjustice to him, because we have gone through to select and not even empower him, when both sides of the aisle could go by and make a selection. That would empower that office in a bipartisan manner, much like we have done in the past.

My biggest disappointment is this side of the aisle was ready to work. I know the ranking member had sent a letter to the new Speaker to ask about doing it just like we did in 1997, where somebody from the Democrats and some from the Republicans got together and agreed unanimously. That is the respect of this office.

On my first day on this floor, I listened intently. I came with no animosity. I came to work together. I came to find common ground. And up in that top, I listened to the Speaker when she said, this is about partnership not partisanship.

But today is a step backwards. This was the opportunity to move forward in a partisanship much like we have done in 1997, much as history has shown. And I will tell you, in the end, the respect for this House has to come from both sides of the aisle that we have, and we have to do it when it comes to the resolution.

Mr. CLYBURN. Mr. Speaker, I, too, wish to offer my congratulations to those who have done so well, Mr. Speaker, Karen Haas and Mr. Jay Eagen in their duties and responsibilities to all of us as Members of this body.

I am a little bit interested in some of the convenient memory that is taking place here. I happen to recall, Mr. Speaker, that in 1995 we had a CAO appointed; and, of course, I was a member of the bipartisan group that was selected by this body to hire Mr. Eagen. I was one of the ones that interviewed him, as well as others, and was one of the ones that decided to put him in the capacity that he is in.

So I just wanted to say to my friends on the other side that we hired Mr. Eagen to clean up a mess that was not created by those who were in power. It was created by the gentleman who took the office in 1995.

I would want us to be careful about how we recall the history of this, because that is the way all of this developed, and I was on that group that helped to clean it up with the hiring of Mr. Eagen. He has done a professional job. I want to thank him for that.

I, too, have met with Mr. Beard; and I have known Mrs. Lorraine Miller for a long, long time. I think she is an excellent choice. I think she is going to do great work for this institution, and I join with those who see this as a history-making and I think marble-ceiling-shattering appointment.

But when I met with Mr. Beard I said to him that I recognized his professional background. But I also said to him that I had one wish of him, that he carry out his duties and responsibilities in a professional manner. But I said to him when I spoke with him that this is my first elected job. I have been director or manager of something all of my life before coming here.

☐ 1430

And one of the things I learned as a manager is that you have to try to balance efficiency and effectiveness. And in order to do the work of this body, I want all of those people who assume positions to be efficient. But I also would like to see the work done be effective. And to do so, we have to, I think, recognize the individual worth that exists in every human being. There are a lot of people working in and around this building who we sometimes don't see, but they come under the purview of the Chief Administrative Officer. So I asked Mr. Beard to remember, as he carried out his duties and responsibilities, that we must always work to balance out efficiency and effectiveness. So I think they will make good additions to the work here in this body, and I want to thank them for being willing to serve and thank the Speaker for making this appointment.

Mr. Speaker, I reserve the balance of my time.

Mr. EHLERS. Mr. Speaker, I am pleased to yield 4 minutes to the gentleman from Texas (Mr. BURGESS).

Mr. BURGESS. Mr. Speaker, I too want to join my colleagues at wishing a fond and reluctant farewell to Jay Eagen and Karen Haas. They have both served this institution with great distinction and reflected well on the institution of the House.

But I rise today to honor Lorraine Miller of Fort Worth, Texas, on her appointment as Clerk of the House of Representatives. Of course, as Clerk of the House of Representatives, Ms. Miller's responsibilities will include but not be limited to the page board, congressional travel reports and disclosure forms, the voting system, oversight of the legislative operation of the House floor. She is well prepared for this. She has worked at the highest levels of government, which have contributed to her leadership abilities and her knowledge of management.

The role of the Clerk is demanding and requires someone with great intellect. Ms. Miller will certainly bring strength and diversity to the Office of Clerk as the first African American woman to hold this top House position.

Ms. Miller first worked for the House of Representatives for U.S. Congressman Jim Wright back in Fort Worth, Texas, when he was majority leader. She moved on to work for then-Speaker Tom Foley, U.S. Congressman JOHN LEWIS, and finally the current speaker, Speaker PELOSI. Ms. Miller also worked as deputy assistant to the president of

Legislative Affairs for the House of Representatives during the administration of Bill Clinton. She additionally held positions at the Federal Communications Commission and the Federal Trade Commission.

It is with great honor that I recognize Ms. Lorraine C. Miller for decades of hard work and selfless dedication. I want to join her friends and family, both here in Washington, D.C. and particularly back home in Fort Worth, Texas, where I represent, in congratulating her on this prestigious milestone. She has been an inspiration and a role model to many, and I know she will continue to be a role model to many of the young men and women who will watch her progress with pride here in the House of Representatives. And I, for one, look forward to working with her here in Congress.

Mr. CLYBURN. Mr. Speaker, I reserve the balance of my time.

Mr. EHLERS. Mr. Speaker, in that case I will make my final comments. I assume the gentleman from South Carolina is able to close right after that.

Just hearing this debate reminds me again of all the things that happened. And first of all, I have to clarify that Mr. Eagen did not have to clear up a mess left by Mr. Faulkner. Mr. Faulkner may or may not have been the best choice for CAO at the time he took the job, but certainly improved the situation. And I was there. I saw the books as they were, ledger cards made out in pencil with erasures in the ledger book, an erasure of a number filled in with $2,500,000 just to make the books balance. I have seen those books. I know the facts. It was a mess after 40 years of the rule of one party.

Now, I am not defending or criticizing either General Wishart or Scot Faulkner. They were there. They did the best job they could in very difficult circumstances. But they were not there very long.

The point is simply that when we followed a good process, when we used a bipartisan process, we appointed someone who has served for a number of years and has served extremely well.

You know as well as I that if you hire a person, that person's loyalty is going to be to you. It is very important that this position be operated in a bipartisan fashion. And since the Speaker has appointed Mr. Beard, no matter how capable he is, no matter how much he tries, he will be suspected of partisanship in his decisions.

Daniel Beard may, in fact, be the right person to lead the CAO organization, and I truly hope that he is. However, given the selection process, there is simply no way of knowing that with any degree of confidence. This appointment could and should have occurred with the full confidence of all Members of the House. Unfortunately, the burden of proof now lies with Mr. Beard and, ultimately, Speaker PELOSI, to ensure that Mr. Beard is able to maintain the level of skill, professionalism and bipartisanship we have come to expect from the House CAO.

Mr. Speaker, I demand a division of the question on the adopting of the resolution.

The SPEAKER pro tempore. The question will be divided.

Mr. EHLERS. Mr. Speaker, I yield back the balance of my time.

Mr. CLYBURN. I yield back the balance of my time, Mr. Speaker.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the resolution.

There was no objection.

The SPEAKER pro tempore. The question on adopting the resolution is divided.

First, the question is on adopting the first portion of the question (relating to the election of Clerk).

The first portion of the question was adopted.

The SPEAKER pro tempore. Now, the question is on adopting the second portion of the question (relating to the election of Chief Administrative Officer).

The second portion of the question was adopted.

A motion to reconsider the adoption of the resolution was laid on the table.

GENERAL LEAVE

Mr. CLYBURN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H. Res. 129.

The SPEAKER pro tempore (Mr. TIERNEY). Is there objection to the request of the gentleman from South Carolina?

There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

ALLOCATIONS OF SPENDING AUTHORITY TO HOUSE COMMITTEES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from South Carolina (Mr. SPRATT) is recognized for 5 minutes.

Mr. SPRATT. Mr. Speaker, section 511 clause (a)(4)(B)(i) of H. Res. 6 provides that I submit the 302(a) allocations contemplated by House Concurrent Resolution 376 of the One Hundred Ninth Congress, as adopted by the House. In addition, section 511 clause (a)(4)(B)(ii) of H. Res. 6 provides that I submit accounts identified for advance appropriations pursuant to section 401(b) of House Concurrent Resolution 376 of the One Hundred Ninth Congress, as adopted by the House.

The attached tables, which I submit, provide that information.

DIRECT SPENDING LEGISLATION—AUTHORIZING COMMITTEE 302(a) ALLOCATIONS FOR DISCRETIONARY ACTION

[Fiscal years, in millions of dollars]

House committee	2007		2007–2011 total	
	BA	Outlays	BA	Outlays
Agriculture				
Armed Services	45	45	45	45
Education and Labor		1		30
Energy and Commerce				
Financial Services			2	2
Foreign Affairs	1	1	5	5
Homeland Security				
House Administration				
Judiciary	19	16	116	113
Natural Resources			6	6
Oversight and Government Reform				
Science and Technology				
Small Business				
Transportation and Infrastructure	13	13	22	22
Veterans' Affairs				
Ways and Means				

DISCRETIONARY APPROPRIATIONS FOR FISCAL YEAR 2007—APPROPRIATIONS COMMITTEE 302(a) ALLOCATION

[In millions of dollars]

	BA	OT
Section 302(a) Allocation	872,778	963,711

FY2008 ADVANCE APPROPRIATIONS—UNDER SECTION 401 OF H. CON. RES. 376

[In millions of dollars]

	Budget authority
Appropriate Level	23,565
Accounts Identified for Advances:	
Elk Hills	
Corporation for Public Broadcasting	
Employment and Training Administration	
Education for the Disadvantaged	
School Improvement	
Children and Family Services (Head Start)	
Special Education	
Vocational and Adult Education	
Transportation (highways, transit, Farley Building)	
Payment to Postal Service	
Section 8 Renewals	

IMPRISONMENT OF TWO U.S. BORDER PATROL AGENTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

Mr. JONES of North Carolina. Mr. Speaker, 3 weeks ago two U.S. Border Patrol agents entered Federal prison. Agents Ramos and Compeon never should have been sent to Federal prison. These agents were convicted last spring for shooting a Mexican drug smuggler who brought 743 pounds of marijuana across our southern border into Texas.

Members of Congress have, and let me say, not only Members of Congress, but many American citizens, have repeatedly petitioned President Bush to pardon these agents. At the House Democratic Caucus last week, the President said: "We want our Border Patrol agents guarding the borders from criminals and drug dealers and terrorists."

Mr. President, we are calling on you today, as you said you would weeks ago, to take a sober look at this case.

Many Members of Congress have warned that if these two Border Patrol agents entered prison their safety would be threatened by those who hate law enforcement officers. Tragically, this happened last Saturday night when Agent Ramos was beaten while being in prison.

Mr. President, you have the authority to correct an injustice. Please, Mr. President, expedite your consideration of a pardon for these two men and help their families realize that America is a country that believes in justice.

Mr. Speaker, before closing, I want to repeat that: Mr. President, you have the authority to correct an injustice. Please expedite your consideration of a pardon for these two men and help their families realize that America is a country that believes in justice.

THE PRESIDENT'S BUDGET

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. EMANUEL) is recognized for 5 minutes.

Mr. EMANUEL. Mr. Speaker, yesterday the President submitted his budget to the United States Congress and to the country. And in that budget, the President made clear a number of priorities that I think are in direct opposition to the wishes and aspirations of the American people.

Most egregious, in my view, is that the President leaves in place a tax increase on the middle-class families of this country. Today, about three million Americans are affected by the alternative minimum tax, meant to tax only the superwealthy. This year alone, it will reach 23 million middle-class families across the country. And the only way the President accomplishes any of his goals is to leave in place a tax that was never intended by the Congress or the President to affect middle-class families.

The Democrats make a pledge to, in fact, deal with the alternative minimum tax this year so middle-class families do not have a tax increase either this year, next year or the following year. It has been consistently.

But this is only one of the egregious misplaced priorities in the President's budget. The other highlights, in addition to increasing taxes on the middle class, it cuts health care for seniors $100 billion over 5 years, $300 billion over 10 years.

While we are dealing with the temperatures outside that are near freezing in my home area of Chicago, below zero, it cuts home energy assistance to our seniors by 18 percent.

It eliminates the COPS program for community policing, which has supported 120,000 police officers throughout the country.

It goes forward in the President's desire to privatize Social Security.

It cuts health care benefits for our returning veterans, forcing them to pay up to $750 a year to enter the health care for veterans, one of the best health care systems in the country. And I don't think that is a welcome-home mat that our veterans from Iraq and Afghanistan deserve.

It also has cuts to education. It underfunds Leave No Child Behind by $15 billion.

It cuts housing assistance for affordable housing. Returning again, in relationship to our veterans, it cuts the funding for research into brain trauma research, which is so significant. One of the greatest injuries for our veterans coming home from Iraq and Afghanistan have been the brain injuries that they have incurred there. And the first time ever we have gotten funding inside the Pentagon for that area, it makes a cut.

And then it doesn't deal with what we call earmarks here, as the President continues his earmarks in his budget. Across the board, from Social Security privatization to health care cuts in Medicare and Medicaid, to also not cutting children from their health care, to raising taxes on the middle class, in time and place, from health care to taxes to supporting our law enforcement community, this budget makes the wrong priorities.

It is time to have a new direction and a change here in the priorities in Washington. In addition to all that, while we have families not being able to get to their homes in the area of Louisiana and Mississippi and the Gulf Coast, the President asked for an additional $245 billion for Iraq and Afghanistan. In every turn that we can, we have to right this ship that is wrong.

Most importantly, in the area the President's budget has relied on tax increases on middle class families, cuts Medicare and Medicaid, asked for $245 billion in increased funding for Iraq and Afghanistan, cuts children from their health care, cuts heating assistance from our elderly, also cuts benefits for veterans. Those are not the priorities of the American people.

□ 1445

Every President in the history of the country in a time of war has thought about how to invest in America. Abraham Lincoln, in the height of the Civil War, had the land-grant colleges. Roosevelt, in the height of the final 2 years of World War II, developed the GI Bill of Rights. During the height of the Cold War, Eisenhower saw the interstate system as a way to invest in America. Kennedy, a man on the moon when we were facing down the Soviet Union.

At every critical juncture when America was at war, a President thought about how to invest in America to turn this country's efforts overseas here at home to make this a stronger and better country.

This is the first Presidential budget that in time of war, rather than looking for increases here on how to make America stronger, it looks for cuts in America. It looks for the areas of education, health care, veterans, and law enforcement to sacrifice, while we increase our investments in Iraq and Afghanistan.

If you look at the history of every time there has been a period of America's engagement around the world militarily, every President has looked to invest here at home to make America stronger. This is the first budget that leaves America weaker in a time of military engagement.

DON'T DO IT, MR. PRESIDENT

The SPEAKER pro tempore (Mr. TIERNEY). Under a previous order of the House, the gentleman from Texas (Mr. PAUL) is recognized for 5 minutes.

Mr. PAUL. Mr. Speaker, if the President were to ask me for advice on foreign affairs, this is what I would say: Don't do it, Mr. President. It is a bad idea. There is no need for it. There is great danger in doing it. America is against it, and Congress should be. The United Nations is against it. The Russians, the Chinese, the Indians, the Pakistanis are against it. The whole world is against it. Our allies are against it. Our enemies are against it. The Arabs are against it. The Europeans are against it. The Muslims are against it.

We don't need to do this. The threat is overblown. The plan is a hysterical reaction to a problem that does not yet exist. Hysteria is never a good basis for foreign policy. Don't we ever learn? Have we already forgotten Iraq?

The plan defies common sense. If it is carried out, the Middle East and possibly the world will explode. Oil will soar to over $100 a barrel, and gasoline will be over $5 a gallon.

Despite what some think, it won't serve the interests of Israel. Besides, it is illegal. It is unconstitutional. And, Mr. President, you have no moral authority to do it.

We don't need it. We don't want it. So, Mr. President, don't do it. Don't bomb Iran.

The moral of the story, Mr. Speaker, is this: If you don't have a nuclear weapon, we will threaten to attack you. If you do have a nuclear weapon, we will leave you alone. In fact, we will probably subsidize you. What makes us think Iran does not understand this?

Mr. Speaker, I would like now to yield to my friend from North Carolina (Mr. JONES).

Mr. JONES of North Carolina. Mr. Speaker, I want to thank Mr. PAUL for so many years coming down to the floor to defend the Constitution of the United States.

The United States Constitution, article I, Section 8, clause 11, vests in the Congress the exclusive power to declare war. Many of us in the past few days have put in a resolution, H.J. Resolution 14, to say that the President should not go into and bomb Iran unless he comes to the Congress so that the Congress can meet its constitutional responsibility.

James Madison said, ". . . The power to declare war, including the power of judging the causes of war, is fully and exclusively vested in the legislature . . . the Executive has no right, in any case, to decide the question, whether there is or is not cause for declaring war."

I want to thank you, RON PAUL, for always being a spokesman and a protector of the Constitution.

Mr. PAUL. I thank you very much for those comments.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would remind Members to direct their remarks to the Chair and not to the President.

ENDING THE IRAQ WAR

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. MCDERMOTT) is recognized for 5 minutes.

Mr. MCDERMOTT. Mr. Speaker, the President has isolated himself from all the evidence, military advice, members of his own party, and the American people. He is not staying the course in Iraq. The President is making matters even worse by escalating the war.

He has ordered at least 21,500 more U.S. soldiers into the middle of a bloody and violent civil war. This President has stepped backward in history. He is making the same tragic mistakes of Vietnam all over again.

The President's speeches won't stop a bullet, and they won't protect soldiers from the tsunami of violence inundating Iraq. Our soldiers don't have enough equipment or support. Soldiers know it, but the White House ignores it.

Some of the best newspapers and magazines in the Nation are reporting the facts, and they are not just repeating the President's spin.

From the McClatchy newspapers, here is a recent headline: "Soldiers in Iraq view troop surge as a lost cause."

From the San Francisco Chronicle: "Corners cut in rush to add troops; shorter training time, lack of equipment hurt readiness, experts say."

And the latest issue of Business Week said: "Military equipment: Missing in action."

I will enter these stories into the RECORD.

[From BusinessWeek]

MILITARY EQUIPMENT: MISSING IN ACTION

A NEW DEFENSE AUDIT SAYS THE PENTAGON HAS FAILED TO PROPERLY EQUIP SOLDIERS IN IRAQ—JUST AS THE PRESIDENT STRUGGLES TO FIND SUPPORT FOR A TROOP INCREASE

(By Dawn Kopecki)

The Inspector General for the Defense Dept. is concerned that the U.S. military has failed to adequately equip soldiers in Iraq and Afghanistan, especially for nontraditional duties such as training Iraqi security forces and handling detainees, according to a summary of a new audit obtained by BusinessWeek.

The findings come as the Pentagon prepares to send another 21,500 troops to Iraq and as Democratic leaders levy threats to restrict funding for a war that's already cost about $500 billion. The Army alone expects to spend an extra $70 billion on an additional 65,000 permanent troops from fiscal year 2009 through 2013. According to Army officials, $18 billion of that will be spent on equipment.

The Inspector General found that the Pentagon hasn't been able to properly equip the soldiers it already has. Many have gone without enough guns, ammunition, and other necessary supplies to "effectively complete their missions" and have had to cancel or postpone some assignments while waiting for the proper gear, according to the report from auditors with the Defense Dept. Inspector General's office. Soldiers have also found themselves short on body armor, armored vehicles, and communications equipment, among other things, auditors found.

"As a result, service members performed missions without the proper equipment, used informal procedures to obtain equipment and sustainment support, and canceled or postponed missions while waiting to receive equipment," reads the executive summary dated Jan. 25. Service members often borrowed or traded with each other to get the needed supplies, according to the summary.

Pentagon officials did not immediately return phone calls seeking comment.

The audit supports news reports and other evidence that U.S. troops have been stretched too thin or have performed tasks for which they were ill-prepared. It is likely to add fuel to the opposition to President George W. Bush's decision to send more troops to Iraq in an effort to quell the violence there.

Already, support for the troop increase is tepid in the Senate, where Democrats are preparing to vote on a nonbinding statement against the President's plan. While lawmakers have threatened to reduce funding for the war, few have publicly committed to using the "power of the purse" to block funding for the troop surge. "The thing we're going to do now is very important, to show the American people that the United States Senate, on a bipartisan basis, does not support an escalation," says Majority Leader Harry Reid (D-Nev.). "Even the Republicans are very timid in their support for the President at this stage."

In the summary of the Inspector General's audit, the equipment shortages were attributed to basic management failures among military commanders in Iraq and Afghanistan. U.S. Central Command lacked standard policies for requesting and tracking equipment requirements or for equipping units to perform nontraditional duties. Auditors surveyed 1,100 service members stationed in Iraq and Afghanistan from all four military branches, the National Guard, and Reserves.

The Inspector General recommended that the Pentagon establish new internal controls and policies to address the funding, equipping, and sustaining forces performing nontraditional duties.

[From McClatchy Newspapers]

SOLDIERS IN IRAQ VIEW TROOP SURGE AS A LOST CAUSE

(By Tom Lasseter)

BAGHDAD, IRAQ.—Army 1st Lt. Antonio Hardy took a slow look around the east Baghdad neighborhood that he and his men were patrolling. He grimaced at the sound of gunshots in the distance. A machine gunner on top of a Humvee scanned the rooftops for snipers. Some of Hardy's men wondered aloud if they'd get hit by a roadside bomb on the way back to their base. "To be honest, it's going to be like this for a long time to come, no matter what we do," said Hardy, 25, of Atlanta. "I think some people in America don't want to know about all this violence, about all the killings. The people back home are shielded from it; they get it sugar-coated."

While senior military officials and the Bush administration say the president's decision to send more American troops to pacify Baghdad will succeed, many of the soldiers who're already there say it's a lost cause.

"What is victory supposed to look like? Every time we turn around and go in a new area there's somebody new waiting to kill us," said Sgt. 1st Class Herbert Gill, 29, of Pulaski, Tenn., as his Humvee rumbled down a dark Baghdad highway one evening last week. "Sunnis and Shiites have been fighting for thousands of years, and we're not going to change that overnight." "Once more raids start happening, they'll (insurgents) melt away," said Gill, who serves with the 1st Infantry Division in east Baghdad. "And then two or three months later, when we leave and say it was a success, they'll come back."

Soldiers interviewed across east Baghdad, home to more than half the city's 8 million people, said the violence is so out of control that while a surge of 21,500 more American troops may momentarily suppress it, the notion that U.S. forces can bring lasting security to Iraq is misguided.

Lt. Hardy and his men of the 2nd Brigade of the Army's 2nd Infantry Division, from Fort Carson, Colo., patrol an area southeast of Sadr City, the stronghold of radical Shiite cleric Muqtada al-Sadr.

A map in Hardy's company headquarters charts at least 50 roadside bombs since late October, and the lieutenant recently watched in horror as the blast from one killed his Humvee's driver and wounded two other soldiers in a spray of blood and shrapnel.

Soldiers such as Hardy must contend not only with an escalating civil war between Iraq's Sunni and Shiite Muslims, but also with insurgents on both sides who target U.S. forces.

"We can go get into a firefight and empty out ammo, but it doesn't accomplish much," said Pvt. 1st Class Zach Clouser, 19, of York, Pa. "This isn't our war—we're just in the middle."

Almost every foot soldier interviewed during a week of patrols on the streets and alleys of east Baghdad said that Bush's plan would halt the bloodshed only temporarily. The soldiers cited a variety of reasons, including incompetence or corruption among Iraqi troops, the complexities of Iraq's sectarian violence and the lack of Iraqi public support, a cornerstone of counterinsurgency warfare.

"They can keep sending more and more troops over here, but until the people here start working with us, it's not going to change," said Sgt. Chance Oswalt, 22, of Tulsa, Okla.

Bush's initiative calls for American soldiers in Baghdad to take positions in outposts throughout the capital, paired up with Iraqi police and soldiers. Few of the U.S. soldiers interviewed, however, said they think Iraqi forces can operate effectively without American help.

Their officers were more optimistic.

If there's enough progress during the next four to six months, "we can look at doing provincial Iraqi control, and we can move U.S. forces to the edge of the city," said Lt. Col. Dean Dunham, the deputy commander of the 2nd Infantry Division's 2nd Brigade, which oversees most of east Baghdad.

Maj. Christopher Wendland, a senior staff officer for Dunham's brigade, said he thinks there's a good chance that by late 2007 American troops will have handed over most of Baghdad to Iraqi troops.

"I'm actually really positive," said Wendland, 35, of Chicago. "We have an Iraqi army that's actually capable of maintaining once we leave."

If the Iraqi army can control the violence, his thinking goes, economic and political progress will follow in the safest areas, accompanied by infrastructure improvement, then spread outward.

In counterinsurgency circles, that notion is commonly called the "inkblot" approach. It's been relatively successful in some isolated parts of Iraq, such as Tal Afar on the Syrian border, but in most areas it's failed to halt the bloodshed for any length of time.

Across America, the newspapers are filled with stories and editorials about the tragic consequences of this war and the dread over the President's escalation. From the Seattle Post Intelligencer, their editorial published yesterday is titled: "Iraq War: Advice and dissent."

While the President is acting like he can go it alone, the PI correctly places responsibility on the co-equal legislative branch of government: Congress. The PI wrote: "No resolution, however, can absolve Congress of its responsibility to cut off spending on a hopeless occupation."

It is time for Congress to act responsibly by exercising its constitutional responsibility and deny funding for the President's escalation of the Iraq War. The history of the Vietnam War shows us how to deal with the Iraq War, and I am prepared to apply the lessons of history in this Congress.

In 1970, the McGovern-Hatfield amendment was introduced to stop the President from continuing to escalate the Vietnam War. It capped funding for troops for a short period of time, after which money could be used to bring the troops home and for bringing the prisoners home. It didn't pass, but it began a 5-year process that ended the war.

I intend to offer a similar amendment to the first appropriation bill related to Iraq that is introduced in this House. There should be no new funding for any escalation of this war, not one dime, because it only leads to more U.S. casualties. Resolution in Iraq will never come on the bloody streets of Baghdad. It is time for us to act on behalf of the American people and on behalf of our soldiers. They deserve our strong and unwavering support.

We can provide that by passing my amendment to channel our funds to the immediate redeployment of U.S. forces out of Iraq, out of occupation, and out of harm's way. We have waited far too long to act, and our soldiers have paid for our delay with their lives and their limbs.

I believe it is time for Congress to reassure the American people that the President cannot go it alone. It is time for Congress to put an end to the President's reckless disregard of the truth about Iraq.

Those who fail to learn the lessons of history are doomed to repeat them. The President is doing today exactly what happened in Vietnam. On September 1, 1970, George McGovern spoke eloquently on the floor of the other body where he introduced the McGovern-Hatfield amendment.

He said, "It does not take any courage at all for a Congressman or a Senator or a President to wrap himself in the flag and say we are staying in Vietnam, because it is not our blood that is being shed. But we are responsible for those young men" and now young women "and their lives and their hopes. And if we do not end this damnable war, those young men will someday curse us for our pitiful willingness to let the Executive carry the burden that the Constitution places on us."

I believe we must apply the lessons of history, and I urge my colleagues to approve that amendment when it comes up so that we can begin to end a damnable war that never should have been brought in the first place.

COLTS SUPER BOWL XLI VICTORY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

Mr. BURTON of Indiana. Mr. Speaker, I would like to respond to my colleagues who have just spoken here on the floor, but today I am here on some happy news, so I will confine my remarks to what I consider to be a real celebratory event.

Sunday, the day before yesterday, I sat in the rain with 75,000 other Americans cheering the Indianapolis Colts to victory in the Super Bowl, and I want to tell you that it was one of the greatest football games that I have ever seen.

We were very much in favor of the Colts, as you might imagine, and when the kickoff came to the Bears, and Devin Hester ran 92 years for a touchdown, everybody's heart went down to their feet because we thought it was going to be a real letdown for us.

But Peyton Manning and the Colts came roaring back and won a very convincing victory in the Super Bowl. And after that they had a parade in downtown Indianapolis for the Colts in 8-degree weather. Can you imagine people going out in 8-degree weather to be in a parade? I can't. But the streets were filled by Hoosiers who were celebrating the victory and giving tremendous accolades to the Colts and the coach and Manning and everybody else that made this victory possible.

I would like to just make a couple of comments on what happened. The Colts gained 430 yards in that game against the third strongest defense in the National Football League. Peyton Manning completed 25 of 38 passes for 247 yards and was named the Most Valuable Player. Running back Dominic Rhodes ran for 113 yards against that Bears defense, in driving rain, I might add. Running back Joseph Addai received 10 passes for 66 yards and ran the ball for 77 more yards in that driving rain.

And the Colts did a tremendous job on defense. Kelvin Hayden intercepted one of the Chicago quarterback's passes and ran it back 56 yards for a Colts touchdown, and the Colts scored in every single quarter in all four playoff games for the first time in playoff history.

So I would just like to congratulate Tony Dungy, the coach of the Colts, one of the most popular people in football and especially in Indianapolis; and we think he is one of the nicest guys you will ever meet. He is only the third person in football history to win a Super Bowl both as a coach and a player.

I want to congratulate my friend Bill Polian, the president of the Indianapolis Colts, who put this team together over the past several years and did an outstanding job. Bill, we are very proud of you.

And I want to congratulate the CEO and owner of the Colts, Jim Irsay, who took control of the team in 1997 and dedicated himself to making us a Super Bowl champion.

It was a great day for Indianapolis. We are very, very proud of the Colts. On behalf of all Hoosiers, we want to say to the Indianapolis Colts, you are the world champions, and we are very proud of each and every one of you.

One more thing I want to mention. The Colts defense was maligned throughout the season. Later in the season, they said the Colts defense was one of the worst in football. In the playoff games, they took on everybody and held them to very, very low yardage. So congratulations to the Colts defense as well as our offense. You did a great job.

PUBLICATION OF THE RULES OF THE COMMITTEE ON WAYS AND MEANS, 110TH CONGRESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. RANGEL) is recognized for 5 minutes.

Mr. RANGEL. Mr. Speaker, I am pleased to submit for printing in the CONGRESSIONAL RECORD, pursuant to rule XI, clause 2(a) of the Rules of the House, a copy of the Rules of the Committee on Ways and Means, which were adopted at the organizational meeting of the committee on January 17, 2007.

RULES OF THE COMMITTEE ON WAYS AND MEANS, HOUSE OF REPRESENTATIVES, 110TH CONGRESS

PART I

A. General

RULE 1. APPLICATION OF HOUSE RULES

The rules of the House are the rules of the Committee on Ways and Means and its subcommittees so far as applicable, except that a motion to recess from day to day, and a motion to dispense with the first reading (in full) of a bill or resolution, if printed copies are available, is a non-debatable motion of high privilege in the Committee.

Each subcommittee of the Committee is part of the Committee and is subject to the authority and direction of the Committee and to its rules so far as applicable. Written rules adopted by the Committee, not inconsistent with the Rules of the House, shall be binding on each subcommittee of the Committee.

The provisions of rule XI of the Rules of the House are incorporated by reference as the rules of the Committee to the extent applicable.

RULE 2. MEETING DATE AND QUORUMS

The regular meeting day of the Committee on Ways and Means shall be on the second Wednesday of each month while the House is in session. However, the Committee shall not meet on the regularly scheduled meeting day if there is no business to be considered.

A majority of the Committee constitutes a quorum for business; provided however, that two Members shall constitute a quorum at any regularly scheduled hearing called for the purpose of taking testimony and receiving evidence. In establishing a quorum for purposes of a public hearing, every effort shall be made to secure the presence of at least one Member each from the majority and the minority.

The Chairman of the Committee may call and convene, as he considers necessary, additional meetings of the Committee for the consideration of any bill or resolution pending before the Committee or for the conduct of other Committee business. The Committee shall meet pursuant to the call of the Chair.

RULE 3. COMMITTEE BUDGET

For each Congress, the Chairman, in consultation with the Majority Members of the Committee, shall prepare a preliminary budget. Such budget shall include necessary amounts for staff personnel, travel investigation, and other expenses of the Committee. After consultation with the Minority Members, the Chairman shall include an amount budgeted by Minority Members for staff under their direction and supervision.

Thereafter, the Chairman shall combine such proposals into a consolidated Committee budget, and shall present the same to the Committee for its approval or other action. The Chairman shall take whatever action is necessary to have the budget as finally approved by the Committee duly authorized by the House. After said budget shall have been adopted, no substantial change shall be made in such budget unless approved by the Committee.

RULE 4. PUBLICATION OF COMMITTEE DOCUMENTS

Any Committee or Subcommittee print, document, or similar material prepared for public distribution shall either be approved by the Committee or Subcommittee prior to distribution and opportunity afforded for the inclusion of supplemental, minority or additional views, or such document shall contain on its cover the following disclaimer:

Prepared for the use of Members of the Committee on Ways and Means by members of its staff. This document has not been officially approved by the Committee and may not reflect the views of its Members.

Any such print, document, or other material not officially approved by the Committee or Subcommittee shall not include the names of its Members, other than the name of the full Committee Chairman or Subcommittee Chairman under whose authority the document is released. Any such document shall be made available to the full Committee Chairman and Ranking Minority Member not less than 3 calendar days (excluding Saturdays, Sundays, and legal holidays) prior to its public release.

The requirements of this rule shall apply only to the publication of policy-oriented, analytical documents, and not to the publication of public hearings, legislative documents, documents which are administrative in nature or reports which are required to be submitted to the Committee under public law. The appropriate characterization of a document subject to this rule shall be determined after consultation with the Minority.

RULE 5. OFFICIAL TRAVEL

Consistent with the primary expense resolution and such additional expense resolution as may have been approved, the provisions of this rule shall govern official travel of Committee Members and Committee staff. Official travel to be reimbursed from funds set aside for the full Committee for any Member or any Committee staff member shall be paid only upon the prior authorization of the Chairman. Official travel may be authorized by the Chairman for any Member and any Committee staff member in connection with the attendance of hearings conducted by the Committee, its Subcommittees, or any other Committee or Subcommittee of the Congress on matters relevant to the general jurisdiction of the Committee, and meetings, conferences, facility inspections, and investigations which involve activities or subject matter relevant to the general jurisdiction of the Committee. Before such authorization is given, there shall be submitted to the Chairman in writing the following:

(1) The purpose of the official travel;

(2) The dates during which the official travel is to be made and the date or dates of the event for which the official travel is being made;

(3) The location of the event for which the official travel is to be made; and (4) The names of the Members and Committee staff seeking authorization.

In the case of official travel of Members and staff of a Subcommittee to hearings, meetings, conferences, facility inspections and investigations involving activities or subject matter under the jurisdiction of such Subcommittee, prior authorization must be obtained from the Subcommittee Chairman and the full Committee Chairman. Such prior authorization shall be given by the full Committee Chairman only upon the representation by the applicable Subcommittee Chairman in writing setting forth those items enumerated above.

Within 60 days of the conclusion of any official travel authorized under this rule, there shall be submitted to the full Committee Chairman a written report covering the information gained as a result of the hearing, meeting, conference, facility inspection or investigation attended pursuant to such official travel.

RULE 6. AVAILABILITY OF COMMITTEE RECORDS AND PUBLICATIONS

The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with Rule VII of the Rules of the House of Representatives. The Chairman shall notify the Ranking Minority Member of any decision, pursuant to clause 3(b)(3) or clause 4(b) of Rule VII, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination on the written request of any Member of the Committee. The Committee shall, to the maximum extent feasible, make its publications available in electronic form.

RULE 7. COMMITTEE WEBSITE

The Chairman shall maintain an official Committee website for the purpose of furthering the Committee's legislative and oversight responsibilities, including communicating information about the Committee's activities to Committee members and other members of the House. The ranking minority member may maintain a similar website for the same purpose, including communicating information about the activities of the minority to Committee members and other members of the House.

B. Subcommittees

RULE 8. SUBCOMMITTEE RATIOS AND JURISDICTION

All matters referred to the Committee on Ways and Means involving revenue measures, except those revenue measures referred to Subcommittees under paragraphs 1, 2, 3, 4, 5 or 6 shall be considered by the full Committee and not in Subcommittee. There shall be six standing Subcommittees as follows: a Subcommittee on Trade; a Subcommittee on Oversight; a Subcommittee on Health; a Subcommittee on Social Security; a Subcommittee on Income Security and Family Support; and a Subcommittee on Select Revenue Measures. The ratio of Democrats to Republicans on any Subcommittee of the Committee shall be consistent with the ratio of Democrats to Republicans on the full Committee.

1. The Subcommittee on Trade shall consist of 15 Members, 9 of whom shall be Democrats and 6 of whom shall be Republicans.

The jurisdiction of the Subcommittee on Trade shall include bills and matters referred to the Committee on Ways and Means that relate to customs and customs administration including tariff and import fee structure, classification, valuation of and special rules applying to imports, and special tariff provisions and procedures which relate to customs operation affecting exports and imports; import trade matters, including import impact, industry relief from injurious imports, adjustment assistance and programs to encourage competitive responses to imports, unfair import practices including antidumping and countervailing duty provisions, and import policy which relates to dependence on foreign sources of supply; commodity agreements and reciprocal trade agreements involving multilateral and bilateral trade negotiations and implementation of agreements involving tariff and non-tariff trade barriers to and distortions of international trade; international rules, organizations and institutional aspects of international trade agreements; budget authorizations for the customs revenue functions of the Department of Homeland Security, the U.S. International Trade Commission, and the U.S. Trade Representative; and special trade-related problems involving market access, competitive conditions of specific industries, export policy and promotion, access to materials in short supply, bilateral trade relations including trade with developing countries, operations of multinational corporations, and trade with non-market economies.

2. The Subcommittee on Oversight shall consist of 13 Members, 8 of whom shall be Democrats and 5 of whom shall be Republicans.

The jurisdiction of the Subcommittee on Oversight shall include all matters within the scope of the full Committee's jurisdiction but shall be limited to existing law. Said oversight jurisdiction shall not be exclusive but shall be concurrent with that of the other Subcommittees. With respect to matters involving the Internal Revenue Code and other revenue issues, said concurrent jurisdiction shall be shared with the full Committee. Before undertaking any investigation or hearing, the Chairman of the Subcommittee on Oversight shall confer with the Chairman of the full Committee and the Chairman of any other Subcommittee having jurisdiction.

3. The Subcommittee on Health shall consist of 13 Members, 8 of whom shall be Democrats and 5 of whom shall be Republicans.

The jurisdiction of the Subcommittee on Health shall include bills and matters referred to the Committee on Ways and Means that relate to programs providing payments (from any source) for health care, health delivery systems, or health research. More specifically, the jurisdiction of the Subcommittee on Health shall include bills and matters that relate to the health care programs of the Social Security Act (including titles V, XI (Part B), XVIII, and XIX thereof) and, concurrent with the full Committee, tax credit and deduction provisions of the Internal Revenue Code dealing with health insurance premiums and health care costs.

4. The Subcommittee on Social Security shall consist of 13 Members, 8 of whom shall be Democrats and 5 of whom shall be Republicans.

The jurisdiction of the Subcommittee on Social Security shall include bills and matters referred to the Committee on Ways and Means that relate to the Federal Old Age, Survivors' and Disability Insurance System, the Railroad Retirement System, and employment taxes and trust fund operations relating to those systems. More specifically, the jurisdiction of the Subcommittee on Social Security shall include bills and matters involving title II of the Social Security Act and Chapter 22 of the Internal Revenue Code (the Railroad Retirement Tax Act), as well as provisions in title VII and title XI of the Act relating to procedure and administration involving the Old Age, Survivors' and Disability Insurance System.

5. The Subcommittee on Income Security and Family Support shall consist of 13 Members, 8 of whom shall be Democrats and 5 of whom shall be Republicans.

The jurisdiction of the Subcommittee on Income Security and Family Support shall include bills and matters referred to the Committee on Ways and Means that relate to the public assistance provisions of the Social Security Act, including temporary assistance for needy families, child care, child and family services, child support, foster care, adoption, supplemental security income social services, eligibility of welfare recipients for food stamps, and low-income energy assistance. More specifically, the jurisdiction of the Subcommittee on Income Security and Family Support shall include bills and matters relating to titles I, IV, VI, X, XIV, XVI, XVII, XX and related provisions of titles VII and XI of the Social Security Act.

The jurisdiction of the Subcommittee on Income Security and Family Support shall also include bills and matters referred to the Committee on Ways and Means that relate to the Federal-State system of unemployment compensation, and the financing thereof, including the programs for extended and emergency benefits. More specifically, the jurisdiction of the Subcommittee on Income Security and Family Support shall also include all bills and matters pertaining to the programs of unemployment compensation under titles III, IX and XII of the Social Security Act, Chapters 23 and 23A of the Internal Revenue Code, and the Federal-State Extended Unemployment Compensation Act of 1970, and provisions relating thereto.

6. The Subcommittee on Select Revenue Measures shall consist of 13 Members, 8 of whom shall be Democrats and 5 of whom shall be Republicans.

The jurisdiction of the Subcommittee on Select Revenue Measures shall consist of those revenue measures that, from time to time, shall be referred to it specifically by the Chairman of the full Committee.

RULE 9. EX-OFFICIO MEMBERS OF SUBCOMMITTEES

The Chairman of the full Committee and the Ranking Minority Member may sit as ex-officio Members of all Subcommittees. They may be counted for purposes of assisting in the establishment of a quorum for a Subcommittee. However, their absence shall not count against the establishment of a quorum by the regular Members of the Subcommittee. Ex-officio Members shall neither vote in the Subcommittee nor be taken into consideration for the purposes of determining the ratio of the Subcommittee.

RULE 10. SUBCOMMITTEE MEETINGS

Insofar as practicable, meetings of the full Committee and its Subcommittees shall not conflict. Subcommittee Chairmen shall set meeting dates after consultation with the Chairman of the full Committee and other Subcommittee Chairmen with a view towards avoiding, wherever possible, simultaneous scheduling of full Committee and Subcommittee meetings or hearings.

RULE 11. REFERENCE OF LEGISLATION AND SUBCOMMITTEE REPORTS

Except for bills or measures retained by the Chairman of the full Committee for full Committee consideration, every bill or other measure referred to the Committee shall be referred by the Chairman of the full Committee to the appropriate Subcommittee in a timely manner. A Subcommittee shall, within three legislative days of the referral, acknowledge same to the full Committee.

After a measure has been pending in a Subcommittee for a reasonable period of time, the Chairman of the full Committee may make a request in writing to the Subcommittee that the Subcommittee forthwith report the measure to the full Committee with its recommendations. If within seven legislative days after the Chairman's written request, the Subcommittee has not so reported the measure, then there shall be in order in the full Committee a motion to discharge the Subcommittee from further consideration of the measure. If such motion is approved by a majority vote of the full Committee, the measure may thereafter be considered only by the full Committee.

No measure reported by a Subcommittee shall be considered by the full Committee unless it has been presented to all Members of the full Committee at least two legislative days prior to the full Committee's meeting, together with a comparison with present law, a section-by-section analysis of the proposed change, a section-by-section justification, and a draft statement of the budget effects of the measure that is consistent with the requirements for reported measures under clause 3(d)(2) of Rule XIII of the Rules of the House of Representatives.

RULE 12. RECOMMENDATION FOR APPOINTMENT OF CONFEREES

Whenever in the legislative process it becomes necessary to appoint conferees, the Chairman of the full Committee shall recommend to the Speaker as conferees the names of those Committee Members as the Chairman may designate. In making recommendations of Minority Members as conferees, the Chairman shall consult with the Ranking Minority Member of the Committee.

C. Hearings

RULE 13. WITNESSES

In order to assure the most productive use of the limited time available to question hearing witnesses, a witness who is scheduled to appear before the full Committee or a Subcommittee shall file with the Clerk of the Committee at least 48 hours in advance of his or her appearance a written statement of their proposed testimony. In addition, all witnesses shall comply with formatting requirements as specified by the Committee and the Rules of the House. Failure to comply with the 48-hour rule may result in a witness being denied the opportunity to testify in person. Failure to comply with the formatting requirements may result in a witness' statement being rejected for inclusion in the published hearing record. In addition to the requirements of clause 2(g)(4) of Rule XI of the Rules of the House regarding information required of public witnesses, a witness shall limit his or her oral presentation to a summary of their position and shall provide sufficient copies of their written statement to the Clerk for distribution to Members, staff and news media.

A witness appearing at a public hearing, or submitting a statement for the record of a public hearing, or submitting written comments in response to a published request for comments by the Committee must include in their statement or submission, a list of all clients, persons or organizations on whose behalf the witness appears. Oral testimony and statements for the record, or written comments in response to a request for comments by the Committee, will be accepted only from citizens of the United States or corporations or associations organized under the laws of one of the 50 States of the United States or the District of Columbia, unless otherwise directed by the Chairman of the full Committee or Subcommittee involved. Written statements from non-citizens may be considered for acceptance in the record if transmitted to the Committee in writing by Members of Congress.

RULE 14. QUESTIONING OF WITNESSES

Committee Members may question witnesses only when recognized by the Chairman for that purpose. All Members shall be limited to five minutes on the initial round of questioning. In questioning witnesses under the five minute rule, the Chairman and the Ranking Minority Member shall be recognized first, after which Members who are in attendance at the beginning of a hearing will be recognized in the order of their seniority on the Committee. Other Members shall be recognized in the order of their appearance at the hearing. In recognizing Members to question witnesses, the Chairman may take into consideration the ratio of Majority Members to Minority Members and the number of Majority and Minority Members present and shall apportion the recognition for questioning in such a manner as not to disadvantage Members of the majority.

RULE 15. SUBPOENA POWER

The power to authorize and issue subpoenas is delegated to the Chairman of the full Committee, as provided for under clause 2(m)(3)(A)(i) of Rule XI of the Rules of the House of Representatives.

RULE 16. RECORDS OF HEARINGS

An accurate stenographic record shall be kept of all testimony taken at a public hearing. The staff shall transmit to a witness the transcript of his or her testimony for correction and immediate return to the Committee offices. Only changes in the interest of clarity, accuracy and corrections in transcribing errors will be permitted. Changes that substantially alter the actual testimony will not be permitted. Members shall have the opportunity to correct their own testimony before publication. The Chairman of the full Committee may order the printing of a hearing without the corrections of a witness or Member if he determines that a reasonable time has been afforded to make corrections and that further delay would impede the consideration of the legislation or other measure that is the subject of the hearing.

RULE 17. BROADCASTING OF HEARINGS

The provisions of clause 4(f) of Rule XI of the Rules of the House of Representatives are specifically made a part of these rules by reference. In addition, the following policy shall apply to media coverage of any meeting of the full Committee or a Subcommittee:

(1) An appropriate area of the Committee's hearing room will be designated for members of the media and their equipment.

(2) No interviews will be allowed in the Committee room while the Committee is in session. Individual interviews must take place before the gavel falls for the convening of a meeting or after the gavel falls for adjournment.

(3) Day-to-day notification of the next day's electronic coverage shall be provided by the media to the Chairman of the full Committee through an appropriate designee.

(4) Still photography during a Committee meeting will not be permitted to disrupt the proceedings or block the vision of Committee Members or witnesses.

(5) Further conditions may be specified by the Chairman.

D. Markups

RULE 18. PREVIOUS QUESTION

The Chairman shall not recognize a Member for the purpose of moving the previous question unless the Member has first advised the Chair and the Committee that this is the purpose for which recognition is being sought.

RULE 19. POSTPONEMENT OF PROCEEDINGS

The Chairman may postpone further proceedings when a record vote is ordered on the question of approving any measure or matter or adopting an amendment.

The Chairman may resume proceedings on a postponed request at any time. In exercising postponement authority the Chairman shall take reasonable steps to notify Members on the resumption of proceedings on any postponed record vote.

When proceedings resume on a postponed question, notwithstanding any intervening order for the previous question, an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

RULE 20. MOTION TO GO TO CONFERENCE

The Chairman is authorized to offer a motion under clause 1 of rule XXII of the Rules of the House of Representatives whenever the Chairman considers it appropriate.

RULE 21. OFFICIAL TRANSCRIPTS OF MARKUPS AND OTHER COMMITTEE MEETINGS

An official stenographic transcript shall be kept accurately reflecting all markups and other official meetings of the full Committee and the Subcommittees, whether they be open or closed to the public. This official transcript, marked as "uncorrected," shall be available for inspection by the public (except for meetings closed pursuant to clause 2(g)(1) of Rule XI of the Rules of the House), by Members of the House, or by Members of the Committee together with their staffs, during normal business hours in the full Committee or Subcommittee office under such controls as the Chairman of the full Committee deems necessary. Official transcripts shall not be removed from the Committee or Subcommittee office.

If, however, (1) in the drafting of a Committee or Subcommittee decision, the Office of the House Legislative Counsel or (2) in the preparation of a Committee report, the Chief of Staff of the Joint Committee on Taxation determines (in consultation with appropriate majority and minority committee staff) that it is necessary to review the official transcript of a markup, such transcript may be released upon the signature and to the custody of an appropriate committee staff person. Such transcript shall be returned immediately after its review in the drafting session.

The official transcript of a markup or Committee meeting other than a public hearing shall not be published or distributed to the public in any way except by a majority vote of the Committee. Before any public release of the uncorrected transcript, Members must be given a reasonable opportunity to correct their remarks. In instances in which a stenographic transcript is kept of a conference committee proceeding, all of the requirements of this rule shall likewise be observed.

RULE 22. PUBLICATION OF DECISIONS AND LEGISLATIVE LANGUAGE

A press release describing any tentative or final decision made by the full Committee or a Subcommittee on legislation under consideration shall be made available to each Member of the Committee as soon as possible, but no later than the next day. However, the legislative draft of any tentative or final decision of the full Committee or a Subcommittee shall not be publicly released until such draft is made available to each Member of the Committee.

E. Staff

RULE 23. SUPERVISION OF COMMITTEE STAFF

The staff of the Committee shall be under the general supervision and direction of the Chairman of the full Committee except as provided in clause 9 of Rule X of the Rules of the House of Representatives concerning Committee expenses and staff.

Pursuant to clause 6(d) of Rule X of the Rules of the House of Representatives, the Chairman of the full Committee, from the funds made available for the appointment of Committee staff pursuant to primary and additional expense resolutions, shall ensure that each Subcommittee receives sufficient staff to carry out its responsibilities under the rules of the Committee, and that the minority party is fairly treated in the appointment of such staff.

PART II—SELECTED RULES OF THE HOUSE OF REPRESENTATIVES

Part II of the Manual of Rules of the Committee on Ways and Means consists of selected Rules of the House of Representatives, which are also part of the Committee's rules and which affect its organization, administration, and operation. The rules cited herein are not exclusive of other rules of the House of Representatives applicable to the Committee, but rather are considered to be some of the more important rules to which frequent reference is made.

RULE VII. RECORDS OF THE HOUSE

Archiving

1. (a) At the end of each Congress, the chairman of each committee shall transfer to the Clerk any noncurrent records of such committee, including the subcommittees thereof.

(b) At the end of each Congress, each officer of the House elected under rule II shall transfer to the Clerk any noncurrent records made or acquired in the course of the duties of such officer.

2. The Clerk shall deliver the records transferred under clause 1, together with any other noncurrent records of the House, to the Archivist of the United States for preservation at the National Archives and Records Administration. Records so delivered are the permanent property of the House and remain subject to this rule and any order of the House.

Public availability

3. (a) The Clerk shall authorize the Archivist to make records delivered under clause 2 available for public use, subject to paragraph (b), clause 4, and any order of the House.

(b)(1) A record shall immediately be made available if it was previously made available for public use by the House or a committee or a subcommittee.

(2) An investigative record that contains personal data relating to a specific living person (the disclosure of which would be an unwarranted invasion of personal privacy), an administrative record relating to personnel, or a record relating to a hearing that was closed under clause 2(g)(2) of rule XI shall be made available if it has been in existence for 50 years.

(3) A record for which a time, schedule, or condition for availability is specified by order of the House shall be made available in accordance with that order. Except as otherwise provided by order of the House, a record of a committee for which a time, schedule, or condition for availability is specified by order of the committee (entered during the Congress in which the record is made or acquired by the committee) shall be made available in accordance with the order of the committee.

(4) A record (other than a record referred to in subparagraph (1), (2), or (3)) shall be made available if it has been in existence for 30 years.

4. (a) A record may not be made available for public use under clause 3 if the Clerk determines that such availability would be detrimental to the public interest or inconsistent with the rights and privileges of the House. The Clerk shall notify in writing the chairman and ranking minority member of the Committee on House Administration of any such determination.

(b) A determination of the Clerk under paragraph (a) is subject to later orders of the House and, in the case of a record of a committee, later orders of the committee.

5. (a) This rule does not supersede rule VIII or clause 11 of rule X and does not authorize the public disclosure of any record if such disclosure is prohibited by law or executive order of the President.

(b) The Committee on House Administration may prescribe guidelines and regulations governing the applicability and implementation of this rule.

(c) A committee may withdraw from the National Archives and Records Administration any record of the committee delivered to the Archivist under this rule. Such a withdrawal shall be on a temporary basis and for official use of the committee.

Definition of record

6. In this rule the term "record" means any official, permanent record of the House (other than a record of an individual Member, Delegate, or Resident Commissioner), including—

(a) with respect to a committee, an official, permanent record of the committee (including any record of a legislative, oversight, or other activity of such committee or a subcommittee thereof);

* * * * *

RULE X. ORGANIZATION OF COMMITTEES

Committees and their legislative jurisdictions

1. There shall be in the House the following standing committees, each of which shall have the jurisdiction and related functions assigned by this clause and clauses 2, 3, and 4. All bills, resolutions, and other matters relating to subjects within the jurisdiction of the standing committees listed in this clause shall be referred to those committees, in accordance with clause 2 of rule XII, as follows: * * *

(t) Committee on Ways and Means.

(1) Customs revenue, collection districts, and ports of entry and delivery.

(2) Reciprocal trade agreements.

(3) Revenue measures generally.

(4) Revenue measures relating to insular possessions.

(5) Bonded debt of the United States, subject to the last sentence of clause 4(f).

(6) Deposit of public monies.

(7) Transportation of dutiable goods.

(8) Tax exempt foundations and charitable trusts.

(9) National social security (except health care and facilities programs that are supported from general revenues as opposed to payroll deductions and except work incentive programs).

General oversight responsibilities

2. (a) The various standing committees shall have general oversight responsibilities as provided in paragraph (b) in order to assist the House in—

(1) its analysis, appraisal, and evaluation of—

(A) the application, administration, execution, and effectiveness of Federal laws; and

(B) conditions and circumstances that may indicate the necessity or desirability of enacting new or additional legislation; and

(2) its formulation, consideration, and enactment of changes in Federal laws, and of such additional legislation as may be necessary or appropriate.

(b)(1) In order to determine whether laws and programs addressing subjects within the jurisdiction of a committee are being implemented and carried out in accordance with the intent of Congress and whether they should be continued, curtailed, or eliminated, each standing committee (other than the Committee on Appropriations) shall review and study on a continuing basis—

(A) the application, administration, execution, and effectiveness of laws and programs addressing subjects within its jurisdiction;

(B) the organization and operation of Federal agencies and entities having responsibilities for the administration and execution of laws and programs addressing subjects within its jurisdiction;

(C) any conditions or circumstances that may indicate the necessity or desirability of enacting new or additional legislation addressing subjects within its jurisdiction (whether or not a bill or resolution has been introduced with respect thereto); and

(D) future research and forecasting on subjects within its jurisdiction.

(2) Each committee to which subparagraph (1) applies having more than 20 members shall establish an oversight subcommittee, or require its subcommittees to conduct oversight in their respective jurisdictions, to assist in carrying out its responsibilities under this clause. The establishment of an oversight subcommittee does not limit the responsibility of a subcommittee with legislative jurisdiction in carrying out its oversight responsibilities.

(c) Each standing committee shall review and study on a continuing basis the impact or probable impact of tax policies affecting subjects within its jurisdiction as described in clauses 1 and 3.

(d)(1) Not later than February 15 of the first session of a Congress, each standing committee shall, in a meeting that is open to the public and with a quorum present, adopt its oversight plan for that Congress. Such plan shall be submitted simultaneously to the Committee on Oversight and Government Reform and to the Committee on House Administration. In developing its plan each committee shall, to the maximum extent feasible—

(A) consult with other committees that have jurisdiction over the same or related laws, programs, or agencies within its jurisdiction with the objective of ensuring maximum coordination and cooperation among committees when conducting reviews of such laws, programs, or agencies and include in its plan an explanation of steps that have been or will be taken to ensure such coordination and cooperation;

(B) review specific problems with Federal rules, regulations, statutes, and court decisions that are ambiguous, arbitrary, or nonsensical, or that impose severe financial burdens on individuals;

(C) give priority consideration to including in its plan the review of those laws, programs, or agencies operating under permanent budget authority or permanent statutory authority;

(D) have a view toward ensuring that all significant laws, programs, or agencies within its jurisdiction are subject to review every 10 years; and

(E) have a view toward insuring against duplication of Federal programs.

(2) Not later than March 31 in the first session of a Congress, after consultation with the Speaker, the Majority Leader, and the Minority Leader, the Committee on Oversight and Government Reform shall report to the House the oversight plans submitted by committees together with any recommendations that it, or the House leadership group described above, may make to ensure the most effective coordination of oversight plans and otherwise to achieve the objectives of this clause.

(e) The Speaker, with the approval of the House, may appoint special ad hoc oversight committees for the purpose of reviewing specific matters within the jurisdiction of two or more standing committees.

Special oversight functions

3. * * *

(f) The Committee on Foreign Affairs shall review and study on a continuing basis laws, programs, and Government activities relating to customs administration, intelligence activities relating to foreign policy, international financial and monetary organizations, and international fishing agreements.

* * * * *

Additional functions of committees

4. * * *

(b) The Committee on the Budget shall—

* * *

(6) request and evaluate continuing studies of tax expenditures, devise methods of coordinating tax expenditures, policies, and programs with direct budget outlays, and report the results of such studies to the House on a recurring basis.

* * * * *

Budget Act responsibilities

(f)(1) Each standing committee shall submit to the Committee on the Budget not later than six weeks after the President submits his budget, or at such time as the Committee on the Budget may request—

(A) its views and estimates with respect to all matters to be set forth in the concurrent resolution on the budget for the ensuing fiscal year that are within its jurisdiction or functions; and

(B) an estimate of the total amounts of new budget authority, and budget outlays resulting therefrom, to be provided or authorized in all bills and resolutions within its jurisdiction that it intends to be effective during that fiscal year.

(2) The views and estimates submitted by the Committee on Ways and Means under subparagraph (1) shall include a specific recommendation, made after holding public hearings, as to the appropriate level of the public debt that should be set forth in the concurrent resolution on the budget.

* * * * *

Election and membership of standing committees

5. * * *

(2)(A) The Committee on the Budget shall be composed of members as follows:

(i) Members, Delegates, or the Resident Commissioner who are members of other standing committees, including five who are members of the Committee on Appropriations and five who are members of the Committee on Ways and Means;

* * * * *

Expense resolutions

6. (a) Whenever a committee, commission, or other entity (other than the Committee on Appropriations) is granted authorization for the payment of its expenses (including staff salaries) for a Congress, such authorization initially shall be procured by one primary expense resolution reported by the Committee on House Administration. A primary expense resolution may include a reserve fund for unanticipated expenses of committees.

An amount from such a reserve fund may be allocated to a committee only by the approval of the Committee on House Administration. A primary expense resolution reported to the House may not be considered in the House unless a printed report thereon was available on the previous calendar day. For the information of the House, such report shall—

(1) state the total amount of the funds to be provided to the committee, commission, or other entity under the primary expense resolution for all anticipated activities and programs of the committee, commission, or other entity; and

(2) to the extent practicable, contain such general statements regarding the estimated foreseeable expenditures for the respective anticipated activities and programs of the committee, commission, or other entity as may be appropriate to provide the House with basic estimates of the expenditures contemplated by the primary expense resolution.

(b) After the date of adoption by the House of a primary expense resolution for a committee, commission, or other entity for a Congress, authorization for the payment of additional expenses (including staff salaries) in that Congress may be procured by one or more supplemental expense resolutions reported by the Committee on House Administration, as necessary. A supplemental expense resolution reported to the House may not be considered in the House unless a printed report thereon was available on the previous calendar day. For the information of the House, such report shall—

(1) state the total amount of additional funds to be provided to the committee, commission, or other entity under the supplemental expense resolution and the purposes for which those additional funds are available; and

(2) state the reasons for the failure to procure the additional funds for the committee, commission, or other entity by means of the primary expense resolution.

(c) The preceding provisions of this clause do not apply to—

(1) a resolution providing for the payment from committee salary and expense accounts of the House of sums necessary to pay compensation for staff services performed for, or to pay other expenses of, a committee, commission, or other entity at any time after the beginning of an odd-numbered year and before the date of adoption by the House of the primary expense resolution described in paragraph (a) for that year; or

(2) a resolution providing each of the standing committees in a Congress additional office equipment, airmail and special-delivery postage stamps, supplies, staff personnel, or any other specific item for the operation of the standing committees, and containing an authorization for the payment from committee salary and expense accounts of the House of the expenses of any of the foregoing items provided by that resolution, subject to and until enactment of the provisions of the resolution as permanent law.

(d) From the funds made available for the appointment of committee staff by a primary or additional expense resolution, the chairman of each committee shall ensure that sufficient staff is made available to each subcommittee to carry out its responsibilities under the rules of the committee and that the minority party is treated fairly in the appointment of such staff.

(e) Funds authorized for a committee under this clause and clauses 7 and 8 are for expenses incurred in the activities of the committee.

Interim funding

7. (a) For the period beginning at noon on January 3 and ending at midnight on March 31 in each odd-numbered year, such sums as may be necessary shall be paid out of the committee salary and expense accounts of the House for continuance of necessary investigations and studies by—

(1) each standing and select committee established by these rules; and

(2) except as specified in paragraph (b), each select committee established by resolution.

(b) In the case of the first session of a Congress, amounts shall be made available under this paragraph for a select committee established by resolution in the preceding Congress only if—

(1) a resolution proposing to reestablish such select committee is introduced in the present Congress; and

(2) the House has not adopted a resolution of the preceding Congress providing for termination of funding for investigations and studies by such select committee.

(c) Each committee described in paragraph (a) shall be entitled for each month during the period specified in paragraph (a) to 9 percent (or such lesser percentage as may be determined by the Committee on House Administration) of the total annualized amount made available under expense resolutions for such committee in the preceding session of Congress.

(d) Payments under this paragraph shall be made on vouchers authorized by the committee involved, signed by the chairman of the committee, except as provided in paragraph (e), and approved by the Committee on House Administration.

(e) Notwithstanding any provision of law, rule of the House, or other authority, from noon on January 3 of the first session of a Congress until the election by the House of the committee concerned in that Congress, payments under this paragraph shall be made on vouchers signed by—

(1) the member of the committee who served as chairman of the committee at the expiration of the preceding Congress; or

(2) if the chairman is not a Member, Delegate, or Resident Commissioner in the present Congress, then the ranking member of the committee as it was constituted at the expiration of the preceding Congress who is a member of the majority party in the present Congress.

(f)(1) The authority of a committee to incur expenses under this paragraph shall expire upon adoption by the House of a primary expense resolution for the committee.

(2) Amounts made available under this paragraph shall be expended in accordance with regulations prescribed by the Committee on House Administration.

(3) This clause shall be effective only insofar as it is not inconsistent with a resolution reported by the Committee on House Administration and adopted by the House after the adoption of these rules.

Travel

8. (a) Local currencies owned by the United States shall be made available to the committee and its employees engaged in carrying out their official duties outside the United States or its territories or possessions. Appropriated funds, including those authorized under this clause and clauses 6 and 8, may not be expended for the purpose of defraying expenses of members of a committee or its employees in a country where local currencies are available for this purpose.

(b) The following conditions shall apply with respect to travel outside the United States or its territories or possessions:

(1) A member or employee of a committee may not receive or expend local currencies for subsistence in a country for a day at a rate in excess of the maximum per diem set forth in applicable Federal law.

(2) A member or employee shall be reimbursed for his expenses for a day at the lesser of—

(A) the per diem set forth in applicable Federal law; or

(B) the actual, unreimbursed expenses (other than for transportation) he incurred during that day.

(3) Each member or employee of a committee shall make to the chairman of the committee an itemized report showing the dates each country was visited, the amount of per diem furnished, the cost of transportation furnished, and funds expended for any other official purpose and shall summarize in these categories the total foreign currencies or appropriated funds expended. Each report shall be filed with the chairman of the committee not later than 60 days following the completion of travel for use in complying with reporting requirements in applicable Federal law and shall be open for public inspection.

(c)(1) In carrying out the activities of a committee outside the United States in a country where local currencies are unavailable, a member or employee of a committee may not receive reimbursement for expenses (other than for transportation) in excess of the maximum per diem set forth in applicable Federal law.

(2) A member or employee shall be reimbursed for his expenses for a day, at the lesser of—

(A) the per diem set forth in applicable Federal law; or

(B) the actual unreimbursed expenses (other than for transportation) he incurred during that day.

(3) A member or employee of a committee may not receive reimbursement for the cost of any transportation in connection with travel outside the United States unless the member or employee actually paid for the transportation.

(d) The restrictions respecting travel outside the United States set forth in paragraph (c) also shall apply to travel outside the United States by a Member, Delegate, Resident Commissioner, officer, or employee of the House authorized under any standing rule.

Committee staffs

9. (a)(1) Subject to subparagraph (2) and paragraph (f), each standing committee may appoint, by majority vote, not more than 30 professional staff members to be compensated from the funds provided for the appointment of committee staff by primary and additional expense resolutions. Each professional staff member appointed under this subparagraph shall be assigned to the chairman and the ranking minority member of the committee, as the committee considers advisable.

(2) Subject to paragraph (f) whenever a majority of the minority party members of a standing committee (other than the Committee on Standards of Official Conduct or the Permanent Select Committee on Intelligence) so request, not more than 10 persons (or one-third of the total professional committee staff appointed under this clause, whichever is fewer) may be selected, by majority vote of the minority party members, for appointment by the committee as professional staff members under subparagraph (1). The committee shall appoint persons so selected whose character and qualifications are acceptable to a majority of the committee. If the committee determines that the character and qualifications of a person so selected are unacceptable, a majority of the minority party members may select another person for appointment by the committee to the professional staff until such appointment is made. Each professional staff member appointed under this subparagraph shall be assigned to such committee business as the minority party members of the committee consider advisable.

(b)(1) The professional staff members each standing committee—

(A) may not engage in any work other than committee business during congressional working hours; and

(B) may not be assigned a duty other than one pertaining to committee business.

(2)(A) Subparagraph (1) does not apply to staff designated by a committee as "associate" or "shared" staff who are not paid exclusively by the committee, provided that the chairman certifies that the compensation paid by the committee for any such staff is commensurate with the work performed for the committee in accordance with clause 8 of rule XXIII.

(B) The use of any "associate" or "shared" staff by a committee other than the Committee on Appropriations shall be subject to the review of, and to any terms, conditions, or limitations established by, the Committee on House Administration in connection with the reporting of any primary or additional expense resolution.

(c) Each employee on the professional or investigative staff of a standing committee shall be entitled to pay at a single gross per annum rate, to be fixed by the chairman and that does not exceed the maximum rate of pay as in effect from time to time under applicable provisions of law.

(d) Subject to appropriations hereby authorized, the Committee on Appropriations may appoint by majority vote such staff as it determines to be necessary (in addition to the clerk of the committee and assistants for the minority). The staff appointed under this paragraph, other than minority assistants, shall possess such qualifications as the committee may prescribe.

(e) A committee may not appoint to its staff an expert or other personnel detailed or assigned from a department or agency of the Government except with the written permission of the Committee on House Administration.

(f) If a request for the appointment of a minority professional staff member under paragraph (a) is made when no vacancy exists for such an appointment, the committee nevertheless may appoint under paragraph (a) a person selected by the minority and acceptable to the committee. A person so appointed shall serve as an additional member of the professional staff of the committee until such a vacancy occurs (other than a vacancy in the position of head of the professional staff, by whatever title designated), at which time that person is considered as appointed to that vacancy. Such a person shall be paid from the applicable accounts of the House described in clause 1(i)(1) of rule X. If such a vacancy occurs on the professional staff when seven or more persons have been so appointed who are eligible to fill that vacancy, a majority of the minority party members shall designate which of those persons shall fill the vacancy.

(g) Each staff member appointed pursuant to a request by minority party members under paragraph (a), and each staff member appointed to assist minority members of a committee pursuant to an expense resolution described in paragraph (a) of clause 6, shall be accorded equitable treatment with respect to the fixing of the rate of pay, the assignment of work facilities, and the accessibility of committee records.

(h) Paragraph (a) may not be construed to authorize the appointment of additional professional staff members of a committee pursuant to a request under paragraph (a) by the minority party members of that committee if 10 or more professional staff members provided for in paragraph (a)(1) who are satisfactory to a majority of the minority party members are otherwise assigned to assist the minority party members.

(i) Notwithstanding paragraph (a)(2), a committee may employ nonpartisan staff, in lieu of or in addition to committee staff designated exclusively for the majority or minority party, by an affirmative vote of a majority of the members of the majority party and of a majority of the members of the minority party.

* * * * *

RULE XI. PROCEDURES OF COMMITTEES AND UNFINISHED BUSINESS

In general

1. (a)(1)(A) The Rules of the House are the rules of its committees and subcommittees so far as applicable.

(B) Each subcommittee is a part of its committee and is subject to the authority and direction of that committee and to its rules, so far as applicable.

(2)(A) In a committee or subcommittee—

(i) a motion to recess from day to day, or to recess subject to the call of the Chair (within 24 hours), shall be privileged; and

(ii) a motion to dispense with the first reading (in full) of a bill or resolution shall be privileged if printed copies are available.

(B) A motion accorded privilege under this subparagraph shall be decided without debate.

(b)(1) Each committee may conduct at any time such investigations and studies as it considers necessary or appropriate in the exercise of its responsibilities under rule X. Subject to the adoption of expense resolutions as required by clause 6 of rule X, each committee may incur expenses, including travel expenses, in connection with such investigations and studies.

(2) A proposed investigative or oversight report shall be considered as read in committee if it has been available to the members for at least 24 hours (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such a day).

(3) A report of an investigation or study conducted jointly by more than one committee may be filed jointly, provided that each of the committees complies independently with all requirements for approval and filing of the report.

(4) After an adjournment sine die of the last regular session of a Congress, an investigative or oversight report may be filed with the Clerk at any time, provided that a member who gives timely notice of intention to file supplemental, minority, or additional views shall be entitled to not less than seven calendar days in which to submit such views for inclusion in the report.

(c) Each committee may have printed and bound such testimony and other data as may be presented at hearings held by the committee or its subcommittees. All costs of stenographic services and transcripts in connection with a meeting or hearing of a committee shall be paid from the applicable accounts of the House described in clause 1 (i)(1) of rule X.

(d)(1) Each committee shall submit to the House not later than January 2 of each odd-numbered year a report on the activities of that committee under this rule and rule X during the Congress ending at noon on January 3 of such year.

(2) Such report shall include separate sections summarizing the legislative and oversight activities of that committee during that Congress.

(3) The oversight section of such report shall include a summary of the oversight plans submitted by the committee under clause 2(d) of rule X, a summary of the actions taken and recommendations made with respect to each such plan, a summary of any additional oversight activities undertaken by that committee, and any recommendations made or actions taken thereon.

(4) After an adjournment sine die of the last regular session of a Congress, the chairman of a committee may file an activities report under subparagraph (1) with the Clerk at any time and without approval of the committee, provided that—

(A) a copy of the report has been available to each member of the committee for at least seven calendar days; and

(B) the report includes any supplemental, minority, or additional views submitted by a member of the committee.

Adoption of written rules

2. (a)(1) Each standing committee shall adopt written rules governing its procedure. Such rules—

(A) shall be adopted in a meeting that is open to the public unless the committee, in open session and with a quorum present, determines by record vote that all or part of the meeting on that day shall be closed to the public;

(B) may not be inconsistent with the Rules of the House or with those provisions of law having the force and effect of Rules of the House; and

(C) shall in any event incorporate all of the succeeding provisions of this clause to the extent applicable.

(2) Each committee shall submit its rules for publication in the Congressional Record not later than 30 days after the committee is elected in each odd-numbered year.

(3) A committee may adopt a rule providing that the chairman be directed to offer a motion under clause 1 of rule XXII whenever the chairman considers it appropriate.

Regular meeting days

(b) Each standing committee shall establish regular meeting days for the conduct of its business, which shall be not less frequent than monthly. Each such committee shall meet for the consideration of a bill or resolution pending before the committee or the transaction of other committee business on all regular meeting days fixed by the committee unless otherwise provided by written rule adopted by the committee.

Additional and special meetings

(c)(1) The chairman of each standing committee may call and convene, as he considers necessary, additional and special meetings of the committee for the consideration of a bill or resolution pending before the committee or for the conduct of other committee business, subject to such rules as the committee may adopt. The committee shall meet for such purpose under that call of the chairman.

(2) Three or more members of a standing committee may file in the offices of the committee a written request that the chairman call a special meeting of the committee. Such request shall specify the measure or matter to be considered. Immediately upon the filing of the request, the clerk of the committee shall notify the chairman of the filing of the request. If the chairman does not call the requested special meeting within three calendar days after the filing of the request (to be held within seven calendar days after the filing of the request) a majority of the members of the committee may file in the offices of the committee their written notice that a special meeting of the committee will be held. The written notice shall specify the date and hour of the special meeting and the measure or matter to be considered. The committee shall meet on that date and hour. Immediately upon the filing of the notice, the clerk of the committee shall notify all members of the committee that such special meeting will be held and inform them of its date and hour and the measure or matter to be considered. Only the measure or matter specified in that notice may be considered at that special meeting.

Temporary absence of chairman

(d) A member of the majority party on each standing committee or subcommittee thereof shall be designated by the chairman of the full committee as the vice chairman of the committee or subcommittee, as the case may be, and shall preside during the absence of the chairman from any meeting. If the chairman and vice chairman of a committee or subcommittee are not present at any meeting of the committee or subcommittee, the ranking majority member who is present shall preside at that meeting.

Committee records

(e)(1)(A) Each committee shall keep a complete record of all committee action which shall include—

(i) in the case of a meeting or hearing transcript, a substantially verbatim account of remarks actually made during the proceedings, subject only to technical, grammatical, and typographical corrections authorized by the person making the remarks involved; and

(ii) a record of the votes on any question on which a record vote is demanded.

(B)(i) Except as provided in subdivision (B)(ii) and subject to paragraph (k)(7), the result of each such record vote shall be made available by the committee for inspection by the public at reasonable times in its offices. Information so available for public inspection shall include a description of the amendment, motion, order, or other proposition, the name of each member voting for and each member voting against such amendment, motion, order, or proposition, and the names of those members of the committee present but not voting.

(ii) The result of any record vote taken in executive session in the Committee on Standards of Official Conduct may not be made available for inspection by the public without an affirmative vote of a majority of the members of the committee.

(2)(A) Except as provided in subdivision (B), all committee hearings, records, data, charts, and files shall be kept separate and distinct from the congressional office records of the member serving as its chairman. Such records shall be the property of the House, and each Member, Delegate, and the Resident Commissioner shall have access thereto.

(B) A Member, Delegate, or Resident Commissioner, other than members of the Committee on Standards of Official Conduct, may not have access to the records of that committee respecting the conduct of a Member, Delegate, Resident Commissioner, officer, or employee of the House without the specific prior permission of that committee.

(3) Each committee shall include in its rules standards for availability of records of the committee delivered to the Archivist of the United States under rule VII. Such standards shall specify procedures for orders of the committee under clause 3(b)(3) and clause 4(b) of rule VII, including a requirement that nonavailability of a record for a period longer than the period otherwise applicable under that rule shall be approved by vote of the committee.

(4) Each committee shall make its publications available in electronic form to the maximum extent feasible.

Prohibition against proxy voting

(f) A vote by a member of a committee or subcommittee with respect to any measure or matter may not be cast by proxy.

Open meetings and hearings

(g)(1) Each meeting for the transaction of business, including the markup of legislation, by a standing committee or subcommittee thereof (other than the Committee on Standards of Official Conduct or its subcommittee) shall be open to the public, including to radio, television, and still photography coverage, except when the committee or subcommittee, in open session and with a majority present, determines by record vote that all or part of the remainder of the meeting on that day shall be in executive session because disclosure of matters to be considered would endanger national security, would compromise sensitive law enforcement information, would tend to defame, degrade, or incriminate any person, or otherwise would violate a law or rule of the House. Persons, other than members of the committee and such noncommittee Members, Delegates, Resident Commissioner, congressional staff, or departmental representatives as the committee may authorize, may not be present at a business or markup session that is held in executive session. This subparagraph does not apply to open committee hearings, which are governed by clause 4(a)(1) of rule X or by subparagraph (2).

(2)(A) Each hearing conducted by a committee or subcommittee (other than the Committee on Standards of Official Conduct or its subcommittees) shall be open to the public, including to radio, television, and still photography coverage, except when the committee or subcommittee, in open session and with a majority present, determines by record vote that all or part of the remainder of that hearing on that day shall be closed to the public because disclosure of testimony, evidence, or other matters to be considered would endanger national security, would compromise sensitive law enforcement information, or would violate a law or rule of the House.

(B) Notwithstanding the requirements of subdivision (A), in the presence of the number of members required under the rules of the committee for the purpose of taking testimony, a majority of those present may—

(i) agree to close the hearing for the sole purpose of discussing whether testimony or evidence to be received would endanger national security, would compromise sensitive law enforcement information, or would violate clause 2(k)(5); or

(ii) agree to close the hearing as provided in clause 2(k)(5).

(C) A Member, Delegate, or Resident Commissioner may not be excluded from nonparticipatory attendance at a hearing of a committee or subcommittee (other than the Committee on Standards of Official Conduct or its subcommittees) unless the House by majority vote authorizes a particular committee or subcommittee, for purposes of a particular series of hearings on a particular article of legislation or on a particular subject of investigation, to close its hearings to Members, Delegates, and the Resident Commissioner by the same procedures specified in this subparagraph for closing hearings to the public.

(D) The committee or subcommittee may vote by the same procedure described in this subparagraph to close one subsequent day of hearing, except that the Committee on Appropriations, the Committee on Armed Services, and the Permanent Select Committee on Intelligence, and the subcommittees thereof, may vote by the same procedure to close up to five additional, consecutive days of hearings.

(3) The chairman of each committee (other than the Committee on Rules) shall make public announcement of the date, place, and subject matter of a committee hearing at least one week before the commencement of the hearing. If the chairman of the committee, with the concurrence of the ranking minority member, determines that there is good cause to begin a hearing sooner, or if the committee so determines by majority vote in the presence of the number of members required under the rules of the committee for the transaction of business, the chairman shall make the announcement at the earliest possible date. An announcement made under this subparagraph shall be published promptly in the Daily Digest and made available in electronic form.

(4) Each committee shall, to the greatest extent practicable, require witnesses who appear before it to submit in advance written statements of proposed testimony and to limit their initial presentations to the committee to brief summaries thereof. In the case of a witness appearing in a nongovernmental capacity, a written statement of proposed testimony shall include a curriculum vitae and a disclosure of the amount and source (by agency and program) of each Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two previous fiscal years by the witness or by an entity represented by the witness.

(5)(A) Except as provided in subdivision (B), a point of order does not lie with respect to a measure reported by a committee on the ground that hearings on such measure were not conducted in accordance with this clause.

(B) A point of order on the ground described in subdivision (A) may be made by a member of the committee that reported the measure if such point of order was timely made and improperly disposed of in the committee.

(6) This paragraph does not apply to hearings of the Committee on Appropriations under clause 4(a)(1) of rule X.

Quorum requirements

(h)(1) A measure or recommendation may not be reported by a committee unless a majority of the committee is actually present.

(2) Each committee may fix the number of its members to constitute a quorum for taking testimony and receiving evidence, which may not be less than two.

(3) Each committee (other than the Committee on Appropriations, the Committee on the Budget, and the Committee on Ways and Means) may fix the number of its members to constitute a quorum for taking any action other than one for which the presence of a majority of the committee is otherwise required, which may not be less than one-third of the members.

(4)(A) Each committee may adopt a rule authorizing the chairman of a committee or subcommittee—

(i) to postpone further proceedings when a record vote is ordered on the question of approving a measure or matter or on adopting an amendment; and

(ii) to resume proceedings on a postponed question at any time after reasonable notice.

(B) A rule adopted pursuant to this subparagraph shall provide that when proceedings resume on a postponed question, notwithstanding any intervening order for the previous question, an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

Limitation on committee sittings

(i) A committee may not sit during a joint session of the House and Senate or during a recess when a joint meeting of the House and Senate is in progress.

Calling and questioning of witnesses

(j)(1) Whenever a hearing is conducted by a committee on a measure or matter, the minority members of the committee shall be entitled, upon request to the chairman by a majority of them before the completion of the hearing, to call witnesses selected by the minority to testify with respect to that measure or matter during at least one day of hearing thereon.

(2)(A) Subject to subdivisions (B) and (C), each committee shall apply the five-minute rule during the questioning of witnesses in a hearing until such time as each member of the committee who so desires has had an opportunity to question each witness.

(B) A committee may adopt a rule or motion permitting a specified number of its members to question a witness for longer than five minutes. The time for extended questioning of a witness under this subdivision shall be equal for the majority party and the minority party and may not exceed one hour in the aggregate.

(C) A committee may adopt a rule or motion permitting committee staff for its majority and minority party members to question a witness for equal specified periods. The time for extended questioning of a witness under this subdivision shall be equal for the majority party and the minority party and may not exceed one hour in the aggregate.

Hearing procedures

(k)(1) The chairman at a hearing shall announce in an opening statement the subject of hearing.

(2) A copy of the committee rules and of this clause shall be made available to each witness on request.

(3) Witnesses at hearings may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights.

(4) The chairman may punish breaches of order and decorum, and of professional ethics on the part of counsel, by censure and exclusion from the hearings; and the committee may cite the offender to the House for contempt.

(5) Whenever it is asserted that the evidence or testimony at an investigative hearing may tend to defame, degrade, or incriminate any person or it is asserted by a witness that the evidence or testimony that the witness would give at hearing may tend to defame, degrade or incriminate the witness—

(A) notwithstanding paragraph (g)(2), such testimony or evidence shall be presented in executive session if, in the presence of the number of members required under the rules of the committee for the purpose of taking testimony, the committee determines by vote of a majority of those present that such evidence or testimony may tend to defame, degrade, or incriminate any person; and

(B) the committee shall proceed to receive such testimony in open session only if the committee, a majority being present, determines that such evidence or testimony will not tend to defame, degrade, or incriminate any person.

In either case the committee shall afford such person an opportunity voluntarily to appear as a witness, and receive and dispose of requests from such person to subpoena additional witnesses.

(6) Except as provided in subparagraph (5), the chairman shall receive and the committee shall dispose of requests to subpoena additional witnesses.

(7) Evidence or testimony taken in executive session, and proceedings conducted in executive session, may be released or used in public sessions only when authorized by the committee, a majority being present.

(8) In the discretion of the committee, witnesses may submit brief and pertinent sworn statements in writing for inclusion in the record. The committee is the sole judge of the pertinence of testimony and evidence adduced at its hearing.

(9) A witness may obtain a transcript copy of his testimony given at a public session or, if given at an executive session, when authorized by the committee.

Supplemental, minority, or additional views

(l) If at the time of approval of a measure or matter by a committee (other than the Committee on Rules) a member of the committee gives notice of intention to file supplemental, minority, or additional views for inclusion in the report to the House thereon, that member shall be entitled to not less than two additional calendar days after the day of such notice (excluding Saturdays, Sundays, and legal holidays except when the House is in session on such a day) to file such views, in writing and signed by that member, with the clerk of the committee.

Power to sit and act; subpoena power

(m)(1) For the purpose of carrying out any of its functions and duties under this rule and rule X (including any matters referred to it under clause 2 of rule XII), a committee or subcommittee is authorized (subject to subparagraph (2)(A))—

(A) to sit and act at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, and to hold such hearings as it considers necessary; and

(B) to require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents as it considers necessary.

(2) The chairman of the committee, or a member designated by the chairman, may administer oaths to witnesses.

(3)(A)(i) Except as provided in subdivision (A)(ii), a subpoena may be authorized and issued by a committee or subcommittee under subparagraph (1)(B) in the conduct of an investigation or series of investigations or activities only when authorized by the committee or subcommittee, a majority being present. The power to authorize and issue subpoenas under subparagraph (1)(B) may be delegated to the chairman of the committee under such rules and under such limitations as the committee may prescribe. Authorized subpoenas shall be signed by the chairman of the committee or by a member designated by the committee.

(ii) In the case of a subcommittee of the Committee on Standards of Official Conduct, a subpoena may be authorized and issued only by an affirmative vote of a majority of its members.

(B) A subpoena duces tecum may specify terms of return other than at a meeting or hearing of the committee or subcommittee authorizing the subpoena.

(C) Compliance with a subpoena issued by a committee or subcommittee under subparagraph (1)(B) may be enforced only as authorized or directed by the House.

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Audio and visual coverage of committee proceedings

4. (a) The purpose of this clause is to provide a means, in conformity with acceptable standards of dignity, propriety, and decorum, by which committee hearings or committee meetings that are open to the public may be covered by audio and visual means—

(1) for the education, enlightenment, and information of the general public, on the basis of accurate and impartial news coverage, regarding the operations, procedures, and practices of the House as a legislative and representative body, and regarding the measures, public issues, and other matters before the House and its committees, the consideration thereof, and the action taken thereon; and

(2) for the development of the perspective and understanding of the general public with respect to the role and function of the House under the Constitution as an institution of the Federal Government.

(b) In addition, it is the intent of this clause that radio and television tapes and television film of any coverage under this clause may not be used, or made available for use, as partisan political campaign material to promote or oppose the candidacy of any person for elective public office.

(c) It is, further, the intent of this clause that the general conduct of each meeting (whether of a hearing or otherwise) covered under authority of this clause by audio or visual means, and the personal behavior of the committee members and staff, other Government officials and personnel, witnesses, television, radio, and press media personnel, and the general public at the hearing or other meeting, shall be in strict conformity with and observance of the acceptable standards of dignity, propriety, courtesy, and decorum traditionally observed by the House in its operations, and may not be such as to—

(1) distort the objects and purposes of the hearing or other meeting or the activities of committee members in connection with that hearing or meeting or in connection with the general work of the committee or of the House; or

(2) cast discredit or dishonor on the House, the committee, or a Member, Delegate, or Resident Commissioner or bring the House, the committee, or a Member, Delegate, or Resident Commissioner into disrepute.

(d) The coverage of committee hearings and meetings by audio and visual means shall be permitted and conducted only in strict conformity with the purposes, provisions, and requirements of this clause.

(e) Whenever a hearing or meeting conducted by a committee or subcommittee is open to the public, those proceedings shall be open to coverage by audio and visual means. A committee or subcommittee chairman may not limit the number of television or still cameras to fewer than two representatives from each medium (except for legitimate space or safety considerations, in which case pool coverage shall be authorized).

(f) Each committee shall adopt written rules to govern its implementation of this clause. Such rules shall contain provisions to the following effect:

(1) If audio or visual coverage of the hearing or meeting is to be presented to the public as live coverage, that coverage shall be conducted and presented without commercial sponsorship.

(2) The allocation among the television media of the positions or the number of television cameras permitted by a committee or subcommittee chairman in a hearing or meeting room shall be in accordance with fair and equitable procedures devised by the Executive Committee of the Radio and Television Correspondents' Galleries.

(3) Television cameras shall be placed so as not to obstruct in any way the space between a witness giving evidence or testimony and any member of the committee or the visibility of that witness and that member to each other.

(4) Television cameras shall operate from fixed positions but may not be placed in positions that obstruct unnecessarily the coverage of the hearing or meeting by the other media.

(5) Equipment necessary for coverage by the television and radio media may not be installed in, or removed from, the hearing or meeting room while the committee is in session.

(6)(A) Except as provided in subdivision (B), floodlights, spotlights, strobelights, and flashguns may not be used in providing any method of coverage of the hearing or meeting.

(B) The television media may install additional lighting in a hearing or meeting room, without cost to the Government, in order to raise the ambient lighting level in a hearing or meeting room to the lowest level necessary to provide adequate television coverage of a hearing or meeting at the current state of the art of television coverage.

(7) In the allocation of the number of still photographers permitted by a committee or subcommittee chairman in a hearing or meeting room, preference shall be given to photographers from Associated Press Photos and United Press International Newspictures. If requests are made by more of the media than will be permitted by a committee or subcommittee chairman for coverage of a hearing or meeting by still photography, that coverage shall be permitted on the basis of a fair and equitable pool arrangement devised by the Standing Committee of Press Photographers.

(8) Photographers may not position themselves between the witness table and the members of the committee at any time during the course of a hearing or meeting.

(9) Photographers may not place themselves in positions that obstruct unnecessarily the coverage of the hearing by the other media.

(10) Personnel providing coverage by the television and radio media shall be currently accredited to the Radio and Television Correspondents' Galleries.

(11) Personnel providing coverage by still photography shall be currently accredited to the Press Photographers' Gallery.

(12) Personnel providing coverage by the television and radio media and by still photography shall conduct themselves and their coverage activities in an orderly and unobtrusive manner.

Pay of witnesses

5. Witnesses appearing before the House or any of its committees shall be paid the same per diem rate as established, authorized, and regulated by the Committee on House Administration for Members, Delegates, the Resident Commissioner, and employees of the House, plus actual expenses of travel to or from the place of examination. Such per diem may not be paid when a witness has been summoned at the place of examination.

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RULE XIII. CALENDARS AND COMMITTEE REPORTS

Calendars

1. (a) All business reported by committees shall be referred to one of the following three calendars:

(1) A Calendar of the Committee of the Whole House on the state of the Union, to which shall be referred public bills and public resolutions raising revenue, involving a tax or charge on the people, directly or indirectly making appropriations of money or property or requiring such appropriations to be made, authorizing payments out of appropriations already made, releasing any liability to the United States for money or property, or referring a claim to the Court of Claims.

(2) A House Calendar, to which shall be referred all public bills and public resolutions not requiring referral to the Calendar of the Committee of the Whole House on the state of the Union.

(3) A Private Calendar as provided in clause 5 of rule XV, to which shall be referred all private bills and private resolutions.

(b) There is established a Calendar of Motions to Discharge Committees as provided in clause 2 of rule XV.

Filing and printing of reports

2. (a)(1) Except as provided in subparagraph (2), all reports of committees (other than those filed from the floor as privileged) shall be delivered to the Clerk for printing and reference to the proper calendar under the direction of the Speaker in accordance with clause 1. The title or subject of each report shall be entered on the Journal and printed in the Congressional Record.

(2) A bill or resolution reported adversely shall be laid on the table unless a committee to which the bill or resolution was referred requests at the time of the report its referral to an appropriate calendar under clause I or unless, within three days thereafter, a Member, Delegate, or Resident Commissioner makes such a request.

(b)(1) It shall be the duty of the chairman of each committee to report or cause to be reported promptly to the House a measure or matter approved by the committee and to take or cause to be taken steps necessary to bring the measure or matter to a vote.

(2) In any event, the report of a committee on a measure that has been approved by the committee shall be filed within seven calendar days (exclusive of days on which the House is not in session) after the day on which a written request for the filing of the report, signed by a majority of the members of the committee, has been filed with the clerk of the committee. The clerk of the committee shall immediately notify the chairman of the filing of such a request. This subparagraph does not apply to a report of the Committee on Rules with respect to a rule, joint rule, or order of business of the House, or to the reporting of a resolution of inquiry addressed to the head of an executive department.

(c) All supplemental, minority, or additional views filed under clause 2(l) of rule XI by one or more members of a committee shall be included in, and shall be a part of, the report filed by the committee with respect to a measure or matter. When time guaranteed by clause 2(l) of rule XI has expired (or, if sooner, when all separate views have been received), the committee may arrange to file its report with the Clerk not later than one hour after the expiration of such time. This clause and provisions of clause 2(l) of rule XI do not preclude the immediate filing or printing of a committee report in the absence of a timely request for the opportunity to file supplemental, minority, or additional views as provided in clause 2(l) of rule XI.

Content of reports

3. (a)(1) Except as provided in subparagraph (2), the report of a committee on a measure or matter shall be printed in a single volume that—

(A) shall include all supplemental, minority, or additional views that have been submitted by the time of the filing of the report; and

(B) shall bear on its cover a recital that any such supplemental, minority, or additional views (and any material submitted under paragraph (c)(3) or (4)) are included as part of the report.

(2) A committee may file a supplemental report for the correction of a technical error in its previous report on a measure or matter. A supplemental report only correcting errors in the depiction of record votes under paragraph (b) may be filed under this subparagraph and shall not be subject to the requirement in clause 4 concerning the availability of reports.

(b) With respect to each record vote on a motion to report a measure or matter of a public nature, and on any amendment offered to the measure or matter, the total number of votes cast for and against, and the names of members voting for and against, shall be included in the committee report. The preceding sentence does not apply to a report by the Committee on Rules on a rule, joint rule, or the order of business or to votes taken in executive session by the Committee on Standards of Official Conduct.

(c) The report of a committee on a measure that has been approved by the committee shall include, separately set out and clearly identified, the following:

(1) Oversight findings and recommendations under clause 2(b)(1) of rule X.

(2) The statement required by section 308(a) of the Congressional Budget Act of 1974, except that an estimate of new budget authority shall include, when practicable, a comparison of the total estimated funding level for the relevant programs to the appropriate levels under current law.

(3) An estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974 if timely submitted to the committee before the filing of the report.

(4) A statement of general performance goals and objectives, including outcome-related goals and objectives, for which the measure authorizes funding.

(d) Each report of a committee on a public bill or public joint resolution shall contain the following:

(1) A statement citing the specific powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution.

(2)(A) An estimate by the committee of the costs that would be incurred in carrying out the bill or joint resolution in the fiscal year in which it is reported and in each of the five fiscal years following that fiscal year (or for the authorized duration of any program authorized by the bill or joint resolution if less than five years);

(B) A comparison of the estimate of costs described in subdivision (A) made by the committee with any estimate of such costs made by a Government agency and submitted to such committee; and

(C) When practicable, a comparison of the total estimated funding level for the relevant programs with the appropriate levels under current law.

(3)(A) In subparagraph (2) the term "Government agency" includes any department, agency, establishment, wholly owned Government corporation, or instrumentality of the Federal Government or the government of the District of Columbia.

(B) Subparagraph (2) does not apply to the Committee on Appropriations, the Committee on House Administration, the Committee on Rules, or the Committee on Standards of Official Conduct, and does not apply when a cost estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974 has been included in the report under paragraph (c)(3).

(e)(1) Whenever a committee reports a bill or joint resolution proposing to repeal or amend a statute or part thereof, it shall include in its report or in an accompanying document—

(A) the text of a statute or part thereof that is proposed to be repealed; and

(B) a comparative print of any part of the bill or joint resolution proposing to amend the statute and of the statute or part thereof proposed to be amended, showing by appropriate typographical devices the omissions and insertions proposed.

(2) If a committee reports a bill or joint resolution proposing to repeal or amend a statute or part thereof with a recommendation that the bill or joint resolution be amended, the comparative print required by subparagraph (1) shall reflect the changes in existing law proposed to be made by the bill or joint resolution as proposed to be amended.

(f)(1) A report of the Committee on Appropriations on a general appropriation bill shall include—

(A) a concise statement describing the effect of any provision of the accompanying bill that directly or indirectly changes the application of existing law; and

(B) a list of all appropriations contained in the bill for expenditures not previously authorized by law for the period concerned (except classified intelligence or national security programs, projects, or activities) along with a statement of the last year for which such expenditures were authorized, the level of expenditures authorized for that year, the actual level of appropriations in the bill for such expenditures.

(2) Whenever the Committee on Appropriations reports a bill or joint resolution including matter specified in clause 1 (b)(2) or (3) of rule X, it shall include—

(A) in the bill or joint resolution, separate headings for "Rescissions" and "Transfers of Unexpended Balances" and

(B) in the report of the committee, a separate section listing such rescissions and transfers.

(g) Whenever the Committee on Rules reports a resolution proposing to repeal or amend a standing rule of the House, it shall include in its report or in an accompanying document—

(1) the text of any rule or part thereof that is proposed to be repealed; and

(2) a comparative print of any part of the resolution proposing to amend the rule and of the rule or part thereof proposed to be amended, showing by appropriate typographical devices the omissions and insertions proposed.

(h)(1) It shall not be in order to consider a bill or joint resolution reported by the Committee on Ways and Means that proposes to amend the Internal Revenue Code of 1986 unless—

(A) the report includes a tax complexity analysis prepared by the Joint Committee on Internal Revenue Taxation in accordance with section 4022(b) of the Internal Revenue Service Restructuring and Reform Act of 1998; or

(B) the chairman of the Committee on Ways and Means causes such a tax complexity analysis to be printed in the Congressional Record before consideration of the bill or joint resolution.

(2)(A) It shall not be in order to consider a bill or joint resolution reported by the Committee on Ways and Means that proposes to amend the Internal Revenue Code of 1986 unless—

(i) the report includes a macroeconomic impact analysis;

(ii) the report includes a statement from the Joint Committee on Internal Revenue Taxation explaining why a macroeconomic impact analysis is not calculable; or

(iii) the chairman of the Committee on Ways and Means causes a macroeconomic impact analysis to be printed in the Congressional Record before consideration of the bill or joint resolution.

(B) In subdivision (A), the term "macroeconomic impact analysis" means—

(i) an estimate prepared by the Joint Committee on Internal Revenue Taxation of the changes in economic output, employment, capital stock, and tax revenues expected to result from enactment of the proposal; and

(ii) a statement from the Joint Committee on Internal Revenue Taxation identifying the critical assumptions and the source of data underlying that estimate.

Availability of reports

4. (a)(1) Except as specified in subparagraph (2), it shall not be in order to consider in the House a measure or matter reported by a committee until the third calendar day (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such a day) on which each report of a committee on that measure or matter has been available to Members, Delegates, and the Resident Commissioner.

(2) Subparagraph (1) does not apply to—

(A) a resolution providing a rule, joint rule, or order of business reported by the Committee on Rules considered under clause 6;

(B) a resolution providing amounts from the applicable accounts described in clause 1 (1)(1) of rule X reported by the Committee on House Administration considered under clause 6 of rule X;

(C) a resolution presenting a question of the privileges of the House reported by any committee;

(D) a measure for the declaration of war, or the declaration of a national emergency, by Congress; and

(E) a measure providing for the disapproval of a decision, determination, or action by a Government agency that would become, or continue to be, effective unless disapproved or otherwise invalidated by one or both Houses of Congress. In this subdivision the term "Government agency" includes any department, agency, establishment, wholly owned Government corporation, or instrumentality of the Federal Government or of the government of the District of Columbia.

(b) A committee that reports a measure or matter shall make every reasonable effort to have its hearings thereon (if any) printed and available for distribution to Members, Delegates, and the Resident Commissioner before the consideration of the measure or matter in the House.

(c) A general appropriation bill reported by the Committee on Appropriations may not be considered in the House until the third calendar day (excluding Saturdays, Sundays, and legal holidays except when the House is in session on such a day) on which printed hearings of the Committee on Appropriations thereon have been available to Members, Delegates, and the Resident Commissioner.

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RULE XVI. MOTIONS AND AMENDMENTS

Motions

1. Every motion entertained by the Speaker shall be reduced to writing on the demand of a Member, Delegate, or Resident Commissioner and, unless it is withdrawn the same day, shall be entered on the Journal with the name of the Member, Delegate, or Resident Commissioner offering it. A dilatory motion may not be entertained by the Speaker.

Withdrawal

2. When a motion is entertained, the Speaker shall state it or cause it to be read aloud by the Clerk before it is debated. The motion then shall be in the possession of the House but may be withdrawn at any time before a decision or amendment thereon.

Question of consideration

3. When a motion or proposition is entertained, the question, "Will the House now consider it?" may not be put unless demanded by a Member, Delegate, or Resident Commissioner.

Precedence of motions

4. (a) When a question is under debate, only the following motions may be entertained (which shall have precedence in the following order):

(1) To adjourn.
(2) To lay on the table.
(3) For the previous question.
(4) To postpone to a day certain.
(5) To refer.
(6) To amend.
(7) To postpone indefinitely.

(b) A motion to adjourn, to lay on the table, or for the previous question shall be decided without debate. A motion to postpone to a day certain, to refer, or to postpone indefinitely, being decided, may not be allowed again on the same day at the same stage of the question.

(c)(1) It shall be in order at any time for the Speaker, in his discretion, to entertain a motion—

(A) that the Speaker be authorized to declare a recess; or

(B) that when the House adjourns it stand adjourned to a day and time certain.

(2) Either motion shall be of equal privilege with the motion to adjourn and shall be decided without debate.

Divisibility

5. (a) Except as provided in paragraph (b), a question shall be divided on the demand of a Member, Delegate, or Resident Commissioner before the question is put if it includes propositions so distinct in substance that, one being taken away, a substantive proposition remains.

(b)(1) A motion or resolution to elect members to a standing committee of the House, or to a joint standing committee, is not divisible.

(2) A resolution or order reported by the Committee on Rules providing a special order of business is not divisible.

(c) A motion to strike and insert is not divisible, but rejection of a motion to strike does not preclude another motion to amend.

Amendments

6. When an amendable proposition is under consideration, a motion to amend and a motion to amend that amendment shall be in order, and it also shall be in order to offer a further amendment by way of substitute for the original motion to amend, to which one amendment may be offered but which may not be voted on until the original amendment is perfected. An amendment may be withdrawn in the House at any time before a decision or amendment thereon. An amendment to the title of a bill or resolution shall not be in order until after its passage or adoption and shall be decided without debate.

Germaneness

7. No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

Readings

8. Bills and joint resolutions are subject to readings as follows:

(a) A first reading is in full when the bill or joint resolution is first considered.

(b) A second reading occurs only when the bill or joint resolution is read for amendment in a Committee of the Whole House on the state of the Union under clause 5 of rule XVIII.

(c) A third reading precedes passage when the Speaker states the question: "Shall the bill [or joint resolution] be engrossed [when applicable] and read a third time?" If that question is decided in the affirmative, then the bill or joint resolution shall be read the final time by title and then the question shall be put on its passage.

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RULE XIX. MOTIONS FOLLOWING THE AMENDMENT STAGE

Previous question

1. (a) There shall be a motion for the previous question, which, being ordered, shall have the effect of cutting off all debate and bringing the House to a direct vote on the immediate question or questions on which it has been ordered. Whenever the previous question has been ordered on an otherwise debatable question on which there has been no debate, it shall be in order to debate that question for 40 minutes, equally divided and controlled by a proponent of the question and an opponent. The previous question may be moved and ordered on a single question, on a series of questions allowable under the rules, or on a amendment or amendments, or may embrace all authorized motions or amendments and include the bill or resolution to its passage, adoption, or rejection.

(b) Incidental questions of order arising during the pendency of a motion for the previous question shall be decided, whether on appeal or otherwise, without debate.

Recommit

2. (a) After the previous question has been ordered on passage or adoption of a measure, or pending a motion to that end, it shall be in order to move that the House recommit (or commit, as the case may be) the measure, with or without instructions, to a standing or select committee. For such a motion to recommit, the Speaker shall give preference in recognition to a Member, Delegate, or Resident Commissioner who is opposed to the measure.

(b) Except as provided in paragraph (c), if a motion that the House recommit a bill or joint resolution on which the previous question has been ordered to passage includes instructions, it shall be debatable for 10 minutes equally divided between the proponent and an opponent.

(c) On demand of the floor manager for the majority, it shall be in order to debate the motion for one hour equally divided and controlled by the proponent and an opponent.

Reconsideration

3. When a motion has been carried or lost, it shall be in order on the same or succeeding day for a Member on the prevailing side of the question to enter a motion for the reconsideration thereof. The entry of such a motion shall take precedence over all other questions except the consideration of a conference report or a motion to adjourn, and may not be withdrawn after such succeeding day without the consent of the House. Once entered, a motion may be called up for consideration by any Member. During the last six days of a session of Congress, such a motion shall be disposed of when entered.

4. A bill, petition, memorial, or resolution referred to a committee, or reported therefrom for printing and recommitment, may not be brought back to the House on a motion to reconsider.

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RULE XXI. RESTRICTIONS ON CERTAIN BILLS

Reservation of certain points of order

1. At the time a general appropriation bill is reported, all points of order against provisions therein shall be considered as reserved.

General appropriation bills and amendments

2. (a)(1) An appropriation may not be reported in a general appropriation bill, and may not be in order as an amendment thereto, for an expenditure not previously authorized by law, except to continue appropriations for public works and objects that are already in progress.

(2) A reappropriation of unexpended balances of appropriations may not be reported in a general appropriation bill, and may not be in order as an amendment thereto, except to continue appropriations for public works and objects that are already in progress. This subparagraph does not apply to transfers of unexpended balances within the department or agency for which they were originally appropriated that are reported by the Committee on Appropriations.

(b) A provision changing existing law may not be reported in a general appropriation bill, including a provision making the availability of funds contingent on the receipt or possession of information not required by existing law for the period of the appropriation, except germane provisions that retrench expenditures by the reduction of amounts of money covered by the bill (which may include those recommended to the Committee on Appropriations by direction of a legislative committee having jurisdiction over the subject matter) and except rescissions of appropriations contained in appropriation Acts.

(c) An amendment to a general appropriation bill shall not be in order if changing existing law, including an amendment making the availability of funds contingent on the receipt or possession of information not required by existing law for the period of the appropriation. Except as provided in paragraph (d), an amendment proposing a limitation not specifically contained or authorized in existing law for the period of the limitation shall not be in order during consideration of a general appropriation bill.

(d) After a general appropriation bill has been read for amendment, a motion that the Committee of the Whole House on the state of the Union rise and report the bill to the House with such amendments as may have been adopted shall, if offered by the Majority Leader or a designee, have precedence over motions to amend the bill. If such a motion to rise and report is rejected or not offered, amendments proposing limitations not specifically contained or authorized in existing law for the period of the limitation or proposing germane amendments that retrench expenditures by reductions of amounts of money covered by the bill may be considered.

(e) A provision other than an appropriation designated an emergency under section 251(b)(2) or section 252(e) of the Balanced Budget and Emergency Deficit Control Act, a rescission of budget authority, or a reduction in direct spending or an amount for a designated emergency may not be reported in an appropriation bill or joint resolution containing an emergency designation under section 251(b)(2) or section 252(e) of such Act and may not be in order as an amendment thereto.

(f) During the reading of an appropriation bill for amendment in the Committee of the Whole House on the state of the Union, it shall be in order to consider en bloc amendments proposing only to transfer appropriations among objects in the bill without increasing the levels of budget authority or outlays in the bill. When considered en bloc under this paragraph, such amendments may amend portions of the bill not yet read for amendment (following disposition of any points of order against such portions) and is not subject to a demand for division of the question in the House or in the Committee of the Whole.

Transportation obligation limitations

3. It shall not be in order to consider a bill, joint resolution, amendment, or conference report that would cause obligation limitations to be below the level for any fiscal year set forth in section 8103 of the Transportation Equity Act for the 21st Century, as adjusted, for the highway category or the mass transit category, as applicable.

Appropriations on legislative bills

4. A bill or joint resolution carrying an appropriation may not be reported by a committee not having jurisdiction to report appropriations, and an amendment proposing an appropriation shall not be in order during the consideration of a bill or joint resolution reported by a committee not having that jurisdiction. A point of order against an appropriation in such a bill, joint resolution, or amendment thereto may be raised at any time during pendency of that measure for amendment.

Tax and tariff measures and amendments

5. (a)(1) A bill or joint resolution carrying a tax or tariff measure may not be reported by a committee not having jurisdiction to report tax or tariff measures, and an amendment in the House or proposed by the Senate carrying a tax or tariff measure shall not be in order during the consideration of bill or joint resolution reported by a committee not having that jurisdiction. A point of order against a tax or tariff measure in such a bill, joint resolution, or amendment thereto may be raised at any time during pendency of that measure for amendment.

(2) For purposes of paragraph (1), a tax or tariff measure includes an amendment proposing a limitation on funds in a general appropriation bill for the administration of a tax or tariff.

Passage of tax rate increases

(b) A bill or joint resolution, amendment, or conference report carrying a Federal income tax rate increase may not be considered as passed or agreed to unless so determined by a vote of not less than three-fifths of the Members voting, a quorum being present. In this paragraph the term "Federal income tax rate increase" means any amendment to subsection (a), (b), (c), (d), or (e) of section 1, or to section 11(b) or 55(b), of the Internal Revenue Code of 1986, that imposes a new percentage as a rate of tax and thereby increases the amount of tax imposed by any such section.

Consideration of retroactive tax rate increases

(c) It shall not be in order to consider a bill, joint resolution, amendment, or conference report carrying a retroactive Federal income tax rate increase. In this paragraph—

(1) the term "Federal income tax rate increase" means any amendment to subsection (a), (b), (c), (d), or (e) of section 1, or to section 11(b) or 55(b), of the Internal Revenue Code of 1986, that imposes a new percentage as a rate of tax and thereby increases the amount of tax imposed by any such section; and

(2) a Federal income tax rate increase is retroactive if it applies to a period beginning before the enactment of the provision.

Designation of public works

6. It shall not be in order to consider a bill, joint resolution, amendment, or conference report that provides for the designation or redesignation of a public work in honor of an individual then serving as a Member, Delegate, Resident Commissioner, or Senator.

Reconciliation

7. It shall not be in order to consider a concurrent resolution on the budget, or an amendment thereto, or a conference report thereon that contains reconciliation directives under section 310 of the Congressional Budget Act of 1974 that specify changes in law reducing the surplus or increasing the deficit for either the period comprising the current fiscal year and the five fiscal years beginning with the fiscal year that ends in the following calendar year. In determining whether reconciliation directives specify changes in law reducing the surplus or increasing the deficit, the sum of the directives for each reconciliation bill (under section 310 of the Congressional Budget Act of 1974) envisioned by that measure shall be evaluated.

Applying points of order under Budget Act to bills and joint resolutions considered under special rules

8. With respect to measures considered pursuant to a special order of business, points of order under title III of the Congressional Budget Act of 1974 shall operate without regard to whether the measure concerned has been reported from committee. Such points of order shall operate with respect to (as the case may be)—

(a) the form of a measure recommended by the reporting committee where the statute uses the term "as reported" (in the case of a measure that has been so reported);

(b) the form of the measure made in order as an original bill or joint resolution for the purpose of amendment; or

(c) the form of the measure on which the previous question is ordered directly to passage.

Point of order against congressional earmarks

9. (a) It shall not be in order to consider—

(1) a bill or joint resolution reported by a committee unless the report includes a list of congressional earmarks, limited tax benefits, and limited tariff benefits in the bill or in the report (and the name of any Member, Delegate, or Resident Commissioner who submitted a request to the committee for each respective item included in such list) or a statement that the proposition contains no congressional earmarks, limited tax benefits, or limited tariff benefits;

(2) a bill or joint resolution not reported by a committee unless the chairman of each committee of initial referral has caused a list of congressional earmarks, limited tax benefits, and limited tariff benefits in the bill (and the name of any Member, Delegate, or Resident Commissioner who submitted a request to the committee for each respective item included in such list) or a statement that the proposition contains no congressional earmarks, limited tax benefits, or limited tariff benefits to be printed in the Congressional Record prior to its consideration;

(3) an amendment to a bill or joint resolution to be offered at the outset of its consideration for amendment by a member of a committee of initial referral as designated in a report of the Committee on Rules to accompany a resolution prescribing a special order of business unless the proponent has caused a list of congressional earmarks, limited tax benefits, and limited tariff benefits in the amendment (and the name of any Member, Delegate, or Resident Commissioner who submitted a request to the proponent for each respective item included in such list) or a statement that the proposition contains no congressional earmarks, limited tax benefits, or limited tariff benefits to be printed in the Congressional Record prior to its consideration; or

(4) a conference report to accompany a bill or joint resolution unless the joint explanatory statement prepared by the managers on the part of the House and the managers on the part of the Senate includes a list of congressional earmarks, limited tax benefits, and limited tariff benefits in the conference report or joint statement (and the name of any Member, Delegate, Resident commissioner, or Senator who submitted a request to the House or Senate committees of jurisdiction for each respective item included in such list) or a statement that the proposition contains no congressional earmarks, limited tax benefits, or limited tariff benefits.

(b) It shall not be in order to consider a rule or order that waives the application of paragraph (a). As disposition of a point of order under this paragraph, the Chair shall put the question of consideration with respect to the rule or order that waives the application of paragraph (a). The question of consideration shall be debatable for 10 minutes by the Member initiating the point of order and for 10 minutes by an opponent, but shall otherwise be decided without intervening motion except one that the House adjourn.

(c) In order to be cognizable by the Chair, a point of order raised under paragraph (a) may be based only on the failure or a report, submission to the Congressional Record, or joint explanatory statement to include a list required by paragraph (a) or a statement that the proposition contains no congressional earmarks, limited tax benefits, or limited tariff benefits.

(d) For the purpose of this clause, the term "congressional earmark" means a provision or report language included primarily at the request of a Member, Delegate, Resident Commissioner, or Senator providing, authorizing or recommending a specific amount of discretionary budget authority, credit authority, or other spending authority for a contract, loan, loan guarantee, grant, loan authority, or other expenditure with or to any entity, or targeted to a specific State, locality or Congressional district, other than through a statutory or administrative formula-driven or competitive award process.

(e) For the purpose of this clause, the term "limited tax benefit" means—

(1) any revenue-losing provision that—

(A) provides a Federal tax deduction, credit, exclusion, or preference to 10 or fewer beneficiaries under the Internal Revenue Code of 1986, and

(B) contains eligibility criteria that are not uniform in application with respect to potential beneficiaries of such provision; or

(2) any Federal tax provision which provides one beneficiary temporary or permanent transition relief from a change to the Internal Revenue Code of 1986.

(f) For the purpose of this clause, the term "limited tariff benefit" means a provision modifying the Harmonized Tariff Schedule of the United States in a manner that benefits 10 or fewer entities.

10. It shall not be in order to consider any bill, joint resolution, amendment, or conference report if the provisions of such measure affecting direct spending and revenues have the net effect of increasing the deficit or reducing the surplus for either the period comprising the current fiscal year and the five fiscal years beginning with the fiscal year that ends in the following calendar year or the period comprising the current fiscal year and the ten fiscal years beginning with the fiscal year that ends in the following calendar year. The effect of such measure on the deficit or surplus shall be determined on the basis of estimates made by the Committee on the Budget relative to—

(a) the most recent baseline estimates supplied by the Congressional Budget Office consistent with section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 used in considering a concurrent resolution on the budget; or

(b) after the beginning of a new calendar year and before consideration of a concurrent resolution on the budget, the most recent baseline estimates supplied by the Congressional Budget Office consistent with section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985.

RULE XXII. HOUSE AND SENATE RELATIONS

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11. It shall not be in order to consider a conference report to accompany a bill or joint resolution that proposes to amend the Internal Revenue Code of 1986 unless—

(a) the joint explanatory statement of the managers includes a tax complexity analysis prepared by the Joint Committee on Internal Revenue Taxation in accordance with section 4022(b) of the Internal Revenue Service Restructuring and Reform Act of 1998; or

(b) the chairman of the Committee on Ways and Means causes such a tax complexity analysis to be printed in the Congressional Record before consideration of the conference report.

12. (a)(1) Subject to subparagraph (2), a meeting of each conference committee shall be open to the public.

(2) In open session of the House, a motion that managers on the part of the House be permitted to close to the public a meeting or meetings of their conference committee shall be privileged, shall be decided without debate, and shall be decided by a record vote.

(b) A point of order that a conference committee failed to comply with paragraph (a) may be raised immediately after the conference report is read or considered as read. If such a point of order is sustained, the conference report shall be considered as rejected, the House shall be considered to have insisted on its amendments or on disagreement to the Senate amendments, as the case may be, and to have requested a further conference with the Senate, and the Speaker may appoint new conferees without intervening motion.

(3) In conducting conferences with the Senate, managers on the part of the House should endeavor to ensure—

(A) that meetings for the resolution of differences between the two Houses occur only under circumstances in which every manager on the part of the House has notice of the meeting and a reasonable opportunity to attend;

(B) that all provisions on which the two Houses disagree are considered as open to discussion at any meeting of a conference committee; and

(C) that papers reflecting a conference agreement are held inviolate to change without renewal of the opportunity of all managers on the part of the House to reconsider their decisions to sign or not to sign the agreement.

(4) Managers on the part of the House shall be provided a unitary time and place with access to at least one complete copy of the final conference agreement for the purpose of recording their approval (or not) of the final conference agreement by placing their signatures (or not) on the sheets prepared to accompany the conference report and joint explanatory statement of the managers.

13. It shall not be in order to consider a conference report the text of which differs in any way, other than clerical, from the text that reflects the action of the conferees on all of the differences between the two Houses, as recorded by their placement of their signatures (or not) on the sheets prepared to accompany the conference report and joint explanatory statement of the managers.

RULE XXVII. STATUTORY LIMIT ON PUBLIC DEBT

1. Upon adoption by Congress of a concurrent resolution on the budget under section 301 or 304 of the Congressional Budget Act of 1974 that sets forth, as the appropriate level of the public debt for the period to which the concurrent resolution relates, an amount that is different from the amount of the statutory limit on the public debt that otherwise would be in effect for that period, the Clerk shall prepare an engrossment of a joint resolution increasing or decreasing, as the case may be, the statutory limit on the public debt in the form prescribed in clause 2. Upon engrossment of the joint resolution, the vote by which the concurrent resolution on the budget was finally agreed to in the House shall also be considered as a vote on passage of the joint resolution in the House, and the joint resolution shall be considered as passed by the House and duly certified and examined. The engrossed copy shall be signed by the Clerk and transmitted to the Senate for further legislative action.

2. The matter after the resolving clause in a joint resolution described in clause 1 shall be as follows: "That subsection (b) of section 3101 of title 31, United States Code, is amended by striking out the dollar limitation contained in such subsection and inserting in lieu thereof '$ '.", with the blank being filled with a dollar limitation equal to the appropriate level of the public debt set forth pursuant to section 301(a)(5) of the Congressional Budget Act of 1974 in the relevant concurrent resolution described in clause 1. If an adopted concurrent resolution under clause 1 sets forth different appropriate levels of the public debt for separate periods, only one engrossed joint resolution shall be prepared under clause 1; and the blank referred to in the preceding sentence shall be filled with the limitation that is to apply for each period.

3. (a) The report of the Committee on the Budget on a concurrent resolution described in clause 1 and the joint explanatory statement of the managers on a conference report to accompany such a concurrent resolution each shall contain a clear statement of the effect the eventual enactment of a joint resolution engrossed under this rule would have on the statutory limit on the public debt.

(b) It shall not be in order for the House to consider a concurrent resolution described in clause 1, or a conference report thereon, unless the report of the Committee on the Budget or the joint explanatory statement of the managers complies with paragraph a).

4. Nothing in this rule shall be construed as limiting or otherwise affecting—

(a) the power of the House or the Senate to consider and pass bills or joint resolutions, without regard to the procedures under clause 1, that would change the statutory limit on the public debt; or

(b) the rights of Members, Delegates, the Resident Commissioner, or committees with respect to the introduction, consideration, and reporting of such bills or joint resolutions.

5. In this rule the term "statutory limit on the public debt" means the maximum face amount of obligations issued under authority of chapter 31 of title 31, United States Code, and obligations guaranteed as to principal and interest by the United States (except such guaranteed obligations as may be held by the Secretary of the Treasury), as determined under section 3101(b) of such title after the application of section 3101(a) of such title, that may be outstanding at any-one time.

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OFFICIAL TRUTH SQUAD

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentlewoman from North Carolina (Ms. FOXX) is recognized for 60 minutes as the designee of the minority leader.

Ms. FOXX. Mr. Speaker, the gentleman from Georgia (Mr. PRICE) works very hard on organizing our Truth Squad and making sure that we are getting the word out about what needs to be gotten out in terms of the issues that are important, I think, to the American people. We are going to talk about the economy and what is happening to the economy in the United States, and I want to talk a little bit about that to begin with until Mr. PRICE gets here, and I probably will recognize my colleague from Tennessee, who is also here to speak on this issue, and ask him if he would share some comments.

The first thing I want to say is that our economy is in wonderful, wonderful shape. It is the best economy that we have had in this country for many, many years. Now, a major reason that the economy is in such great shape is because of the tax cuts of 2001 and 2003. I was not here when those tax cuts were passed, but I am very pleased that they were passed and that they brought about such a positive economy for this country. We have the lowest unemployment rate that we have had in 50 years. We have growth in all sectors. We have more people owning their homes than have ever owned them before. Incomes are up and revenues are up.

And I want to say something about revenues, using some information from the Heritage Foundation. Tax revenues in 2006 were 18.4 percent of gross domestic product, which is above the 20-year, 40-year and 60-year historical averages. The inflation-adjusted 20 percent tax revenue increase between 2004 and 2006 represents the largest 2-year revenue surge since 1965 and 1967.

There is a myth out there that tax revenues are low. Tax revenues are actually above the historical average, even after the tax cuts. We know that tax cuts are good for this economy; they are always good for the economy. The more money that we leave in the hands and the pockets of our taxpayers, the better off we are. When the government appropriates that money and spends it, the government is very inefficient in its spending of that money, and that does not grow the economy, contrary to what many of our colleagues on the other side of the aisle would like to say.

We are going to talk again more and more about the economy and the fact that it is in very good shape. And it is very unfortunate that the economy doesn't get the positive press that the economy has gotten under Democratic Presidents, when in fact most of the time the results of the good economy are coming from a Republican Congress, which knows how to do things in terms of growing the economy.

I would like to recognize now my colleague from Tennessee, who is here to make a presentation on this issue, also. I know that he will bring some enlightened points to the discussion.

Mr. DAVID DAVIS of Tennessee. Thank you, Ms. Foxx. I appreciate your leadership and your friendship just across the mountain in North Carolina from Tennessee. And thank you, Mr. Speaker, for allowing me to speak today.

It is an interesting time in America; things are going well in the economy. It is going well because Americans are working hard. I grew up in an era of politics looking back at Ronald Reagan, who was a great President. And as we all know, his birthday is today. If you go back 96 years ago was the date of his birth. And one of his quotes was, We don't have a trillion dollar debt because we haven't taxed enough, we have a trillion dollar debt because we spend too much. And I think that is a good starting point as we look towards our economy and how we run this Congress and how we work for the people across America.

Revenues are coming in at a record pace. If we continue the pace that we are at now, we will actually be able to balance our budget by the year 2012 without raising taxes; and I think that is exactly what the American people would like to see. I think they want us to hold the line on spending, I think they want a pro-growth economy, and they want a good, sound financial policy.

If you look at the Congressional Budget Office, the CBO, which is nonpartisan, it confirmed just last week that tax cuts of 2003 have helped boost our Federal revenues by 68 percent. That is good news. There are other signals that keeping taxes low, coupled with fiscal restraint and economic growth, help move us forward and help us balance our budget; and we can do that and take care of that deficit that we have.

If you look at some other statistics that are vitally important, our economy has grown for 21 straight quarters. That is rather impressive. And in the period between 2004 and 2006, Federal tax revenues rose the largest margin in nearly 40 years, not because we had raised taxes, but because we had lowered taxes. In addition to that, the deficit has been cut in half 2 years early, or ahead of schedule. That is good news for Americans. I think that is the type of leadership that America is looking for.

If you look at the way you balance a budget, like a small business does back in east Tennessee, or a family sitting around the kitchen table, and they have a small budget, their budget is tight, they are trying to decide what they need to do, they have to decide, do you cut what you spend or do you bring in additional revenue. And most people understand, as they sit around their kitchen table, you have to hold the line on spending; you can't spend more than you make, unlike government.

I am excited about a good starting point that we see from the President in his budget. It calls for making the 2001-2003 tax relief provisions permanent. I think that is exactly what the American people want. And if we do that, the administration projects total revenue to grow an average of 5.4 percent per year. The way we maintain this healthy economy that we have today is keep tax cuts permanent; that is what the American people want us to do.

We really have a simple choice, Mr. Speaker: we have the choice between a bigger economy or bigger government. And I really believe that if we look forward, what the American people want is us to hold the line on spending, hold the line on increasing the taxes and allow the economy to work the way it has worked in the past and the way it is working today.

We also need to work very hard to make sure that we hold the line not only on spending, but we need to take a good strong look in a bipartisan way at reducing earmarks. I think we need to pass the line item veto. And if we do that, it will allow the President to have better control of how tax dollars are spent.

I would also like to see a biennial budget process where we can actually sit back and let this House and this Congress take a breathing period from every other year and to find out if what we are doing works. And back in Tennessee, as State legislature, I was a State representative for 8 years, we had a balanced budget amendment in our constitution. We couldn't spend more than we brought in. And I signed on as a cosponsor to House Joint Resolution 1, which calls for a balanced budget amendment right here at the Federal level. I think that is exactly what the American people are looking for.

And, again, going back to what Ronald Reagan had to say, just to reiterate, President Reagan said: "We don't have a trillion dollar debt because we haven't taxed enough, we have a trillion dollar debt because we spend too much." And if we can remember that in this body and over in the Senate and we pass a good balanced budget that would take care of the deficit without raising taxes, I think the American people would be very pleased.

Ms. FOXX. I thank Mr. Davis, the gentleman from Tennessee, for his remarks. And I appreciate his being involved and sharing some information with us that is so important. This is his first term, and he has done a wonderful job.

He is my neighbor to the west. His district in Tennessee joins the 5th District in North Carolina. We both live in a wonderful, wonderful place. Every time somebody speaks to me about where I live, they say, what a beautiful place you live in, and I feel that way about it. And I want to say that it is a great honor to serve in Congress, but I can tell you that my feet are planted very firmly on the ground in the 5th District of North Carolina, and I don't ever forget where I came from and the people that I represent.

I want to talk a little bit on this issue about the economy that Mr. Price set up today for the Truth Squad. And I know he is going to be here probably very shortly, and when he does I am going to yield back to the Chair and hope that the Chair will recognize him so that he can continue this discussion.

I want to talk a little bit today about the economy and an egregious situation that we are facing here in the Congress as it deals with unions. I have come to the floor several times in this session and talked about what I consider the hypocrisy that is going on in this Congress by the majority party. We are having black called white and white called black in terms of pieces of things on the paper. It is astonishing to me the hypocrisy that is going on. And I think there is probably no more greater piece of hypocrisy than this so-called Employee Free Choice Act which has been introduced by the Democrats. It deals with the ability for unions to twist people's arms to get them into unions.

The unions have been steadily losing ground in this country for many, many years. My understanding is that the percentage and number of U.S. workers that belong to unions declined again in 2006, after having stabilized a little bit in 2005. BLS data show that only 13 percent of all construction workers were members of building trade unions, and that is down from 18 percent in 2001.

There is a steady erosion in the percentage of construction workers represented by unions in the past 23 years. What is happening is because the unions are losing membership, they want to take away the secret ballot.

I am going to enter into the RECORD today several different pieces which I have in front of me that I am quoting from. I am going to quote from a Wall Street Journal article of February 2, and from some other information which I will enter into the RECORD. But I want to read the beginning of this article from the Wall Street Journal because I think it is so pertinent. It says: "Why is the new Congress in such a hurry to take away workers' right to vote?" It seems extraordinary, but the so-called Employee Free Choice Act is right there near the top of the Democrats' agenda. This legislation replaces government-sponsored secret ballot elections for union representation with a public card-signing system.

One of the reasons that union membership is down so much in this country is because of the abuses of the unions, and also because our economy is so good. And, again, I think that Representative PRICE is going to talk more about the economy. I mentioned earlier that it is the best that it has ever been in terms of wages, in terms of income and wages and homeownership and the burden that we place on the American people from the government. But people don't need to join unions like they needed to 125 years ago or so. We did have abuses in this country by employers, and I am very sorry about that, but those abuses don't go on anymore, and people are finding out they don't have to belong to unions.

But the Democrats, who are so beholden to unions, want to take the right of a secret ballot, which is so fundamental to us in this country, and which they argue for on this floor for voters, and they want to take it away from union members or people who are thinking about forming a union. And I, again, want to make some quotes, because this article is so excellent.

Most important, it is totally unreasonable to deny all 140 million American workers the right to a secret ballot election because some employers break the law. Yes, occasionally somebody may not do what they are supposed to do. Not only is such a remedy disproportionate, it is counterproductive. If one goal is worker empowerment, how can a worker be better off if both his employer and his prospective union boss know his views on the union when the secret ballot is replaced with a public card signing? For the worker, it is the ultimate example of being caught between a rock and a hard place.

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Mr. EDWARDS, who is running for President, has said that if you can join the Republican Party, you should be able to join a union by simply signing a card. But Mr. EDWARDS' analogy is a very false one, because signing a card to join the Republican Party does not oblige you to vote for the Republican ticket in a secret ballot election. And I quote again from the article from the Wall Street Journal: "The Employee Free Choice Act would take care of that by abolishing such elections. If the Edwards principle was applied to the political process in the 28 non-right to work States, Karl Rove and Republican Party organizers could force all Democrats and Independents to become Republicans and pay dues to the party if a majority of voters signed Republican cards. That's free choice?"

The final proof that this bill is about union power and not worker choice is revealed by its treatment of the flip side of unionization: decertification elections. These are secret ballot elections in which workers get to decide that they have had enough of the union. Under the Employee Free Choice, can a majority of workers decertify the union by signing a card? Not on your life. Here, unions want the chance to engage in a campaign to give workers both sides of the story and maybe do a better job of representing them before the union's fate is decided by a secret ballot vote.

Again, the hypocrisy is absolutely mind-boggling, and is just one more example. We have bills called one thing and they do another. It just goes on and on and on. But I think it is very important that we point out this particular hypocrisy, because the title of this bill, the Employee Free Choice Act, is I think particularly egregious in this respect.

Mr. Speaker, I yield back my time.

[From the Wall Street Journal Online, Feb. 2, 2007]

ABROGATING WORKERS' RIGHTS

(By Lawrence B. Lindsey)

Why is the new Congress in such a hurry to take away workers' right to vote? It seems extraordinary, but the so-called "Employee Free Choice Act" is right there near the top of the Democrats' agenda. This legislation replaces government-sponsored secret ballot elections for union representation with a public card-signing system.

Under the act, once a union gets a majority of the workers to sign a card expressing a desire for a union, that union is automatically certified as the bargaining representative of, and empowered to negotiate on behalf of, all workers. In the 28 states that do not have right-to-work laws, all employees would typically end up having to join the union or pay the equivalent of union dues whether or not they signed the card. Moreover, under the act, the bargaining process would be shortened, with mandatory use of the Federal Mediation service after 90 days and an imposed contract through binding arbitration 30 days after that.

I am sympathetic to the argument that strengthening the negotiating position of workers is good public policy, and that expanding the choices available to them is the best way to accomplish that. So, for example, pension portability unlocks the golden handcuffs that financially bind workers to jobs they may become dissatisfied with after they have become vested. Health savings accounts are an important first step to liberating people from jobs they put up with only because they fear a disruption in health-care coverage.

When it comes to unions, it doesn't take a very deep appreciation of game theory to understand that a worker's best position comes when a nonunion company has a union knocking on the door. Indeed, one allegation about "union busting" by supporters of the bill is that, during union certification elections, one employer in five "gave illegal previously unscheduled wage increases while a similar number made some kind of illegal unilateral change in benefits or working conditions."

In other words, they made workers better off. But, never fear, the Employee Free Choice Act will limit these unconscionable increases in pay, benefits and working conditions by imposing fines of up to $20,000 against employers who make such "unilateral changes." Similar penalties will be assessed against employers who caution that unionization may cause them to shut down or move production elsewhere.

Sometimes the interests of workers and unions coincide, sometimes they do not. The chief complaint by the bill's sponsors is that unions only win secret-ballot elections half of the time. Apparently workers, after they think things over and when neither the union nor the company knows how they vote, often decide they are better-off without the union. The solution of the Employee Free Choice Act is to do away with such elections. It is hard to see how that "empowers" workers. And it is hard not to conclude that this bill has little to do with employee choice or maximizing employee leverage, and everything to do with empowering union bosses and organizers.

The unions allege that companies use unfair election campaign tactics and that a pro-employer National Labor Relations Board doesn't punish them. But statistics cited by the leftwing Web site, Daily Kos, on behalf of this allegation come from 1998 and 1999—when the entire NLRB had been appointed by President Clinton. In any event, roughly half the injunctions brought against companies by the NLRB were overturned by federal courts: This does not suggest underenforcement of the law by the NLRB.

All of this does not mean that there are no legitimate complaints about the union certification process. Companies have been found that fired workers for union organizing activities. One careful examination of

NLRB data found that there were 62 such cases in fiscal 2005. This is not a large number in a work force of 140 million, or in a year where there were more than 2,300 certification elections. But it is 62 too many, and it would be reasonable to stiffen the penalties for employers who break the law. But it is hard to think of offering more pay or better worker conditions as something that should be punished with draconian penalties, as the Employee Free Choice Act does.

Most important, it is totally unreasonable to deny all 140 million American workers the right to a secret ballot election because some employers break the law. Not only is such a remedy disproportionate, it is counterproductive—if one's goal is worker empowerment. How can a worker be better off if both his employer and his prospective union boss know his views on the union when the secret ballot is replaced with a public card signing? For the worker it is the ultimate example of being caught between a rock and a hard place.

The political rhetoric in support of this bill is a willful exercise in obfuscation. For example, on the presidential campaign stump John Edwards says, "if you can join the Republican Party by just signing a card, you should be able to join a union by just signing a card." The fact is, you—and everyone else—can join any union you want by just signing a card, and paying union dues and meeting any other obligations imposed by the union. But, under this bill, contrary to Mr. Edwards's false analogy, signing a card to join the Republican Party does not oblige you to vote for the Republican ticket in a secret ballot election. The Employee Free Choice Act would take care of that by abolishing such elections. If the Edwards principle was applied to the political process in the 28 non-right-to-work states, Karl Rove and Republican Party organizers could force all Democrats and independents to become Republicans and pay dues to the party if a majority of voters signed Republican Party cards. That is free choice?

The final proof that this bill is about union power, and not worker choice, is revealed by its treatment of the flip side of unionization: decertification elections. These are secret ballot elections in which workers get to decide that they have had enough of the union. So under the Employee Free Choice Act can a majority of workers decertify the union by signing a card? Not on your life. Here unions want the chance to engage in a campaign to give workers both sides of the story—and maybe do a better job of representing them—before the union's fate is decided, by a secret-ballot vote.

No one has ever argued that secret-ballot elections are a perfect mechanism, either in politics or in deciding unionization. But they are far and away the best mechanism we have devised to minimize intimidation and maximize the power of the people to really matter, whether citizen or worker. Congress should think a lot harder before it decides to do away with workers' right to vote.

[From the Coalition for a Democratic Workplace]

THE SO-CALLED "EMPLOYEE FREE CHOICE ACT" UNION LEADERS" RHETORIC VS. THE FACTS

Union Rhetoric: Secret ballot elections take too long and delays of months or years are common.

Facts: The average time for an election to be held is just 39 days and 94 percent of elections are held within 56 days. The rare exceptions that take longer hardly justify abandoning the entire secret ballot election process.

Union Rhetoric: Card check procedures are the most effective way to determine the wishes of a majority of employees.

Facts: Federal courts have repeatedly ruled that secret ballot elections are the most foolproof method of ascertaining whether a union has the support of a majority of employees, noting that, workers sometimes sign cards not because they intend to vote for the union in an election, but to avoid offending the person who asks them to sign (often a fellow worker), or simply to get the person off their back.

Union Rhetoric: Employers illegally fire employees in 25 to 30 percent of all organizing drives.

Facts: Those who falsely claim employers illegally fire a large number of employees during organizing drives cite to two studies, one by Cornell professor Kate Bronfenbrenner and another commissioned by the pro-union group American Rights at Work. Unfortunately, these reports are in fact surveys of uncorroborated reports of union organizers—hardly an unbiased source. National Labor Relations Board statistics show that employees are illegally fired in just over one in 100 (1 percent) organizing drives. Furthermore, if the NLRB finds that an employer illegally fired workers during an organizing drive it has the power to order the employer to recognize and bargain with the union, even if the union lost the election.

Union Rhetoric: The secret ballot election process enables employers to wage bitter anti-union campaigns.

Facts: In almost nine out of ten cases the employer and union reach agreement on the most contentious issues surrounding union elections: the scope of the bargaining unit (who is eligible to vote), and the date and time of the election.

Union Rhetoric: In an election, management has total access to the list of employees at all times, while union supporters may have access very late in the process to a list that is often inaccurate.

Facts: Employers are required to submit complete and accurate lists of employees within one week of the determination that an election will be held. The list is then provided to the union. If the employer fails to provide the list or the list is inaccurate, the Board can set aside the election and order another, especially if errors involve a determinative number of voters.

Union Rhetoric: The Employee Free Choice Act gives employees the option of using a card-check system; it does not replace the secret ballot election. Employees are still free to choose a secret ballot process.

Facts: The card-check process does not give employees a choice at all. Instead, it gives union organizers the choice of whether to organize through a card check process. If the union chose to submit authorization cards, workers would be barred from seeking an election. In addition, the card check process can cut up to almost half of all employees out of the organizing process because the union only needs signatures from a simple majority in order to gain collective bargaining rights. During the card-check process, those employees who do not want a union do not have a voice and are in effect removed from the process of making decisions about their own jobs.

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Georgia (Mr. PRICE) is recognized for the remaining time as the designee of the minority leader.

Mr. PRICE of Georgia. Mr. Speaker, I appreciate the opportunity to come to the floor again today and appreciate the confidence of my leadership in allowing me to organize this hour and come chat a little bit with our Members here and to point out some interesting information in another edition of the Official Truth Squad.

The Official Truth Squad is a group of individuals who try to come to the floor on this side of the aisle at least once a week in an effort to bring some truths and some facts to the items that we talk about on this floor. I know it won't surprise you, Mr. Speaker, but oftentimes some of the things we hear on this floor aren't necessarily the truth. So what we try to do is to point out items that are of importance in terms of information to the American people and how we on this floor ought to be making decisions on their behalf.

And in so doing, we have a number of individuals we like to point to as kind of leaders in the public arena, both present and past, who have had as one of their hallmarks making certain that they discussed truth and made certain that they used facts in developing their positions.

One of my favorite quotes comes from Senator Daniel Patrick Moynihan, former United States Senator from New York, and he had a quote that said: "Everyone is entitled to their own opinion but not their own facts." I think that is incredibly important as we talk about this issue that we are discussing today, the economy and the budget and issues that relate to how Washington spends hard-earned taxpayer money.

One of the most important facts is it is the taxpayers' money, it is not the government's. And there are many people who are here in Washington who believe that somehow, just by some miraculous nature, when the money is sent to Washington that somehow it becomes the government's money. Well, Mr. Speaker, I would hope you would agree with me that in fact it is the taxpayers' money and we need to spend it very, very wisely.

One of the other relative issues that I think has seen a lot of naysayers and a lot of misinformation is the state of our economy right now. If you ask folks, most people across this Nation will say that their own economic situation is pretty good and they feel pretty good about the future. If you ask them how the economy in the Nation is going, the majority of them say that it is not going well at all. And that, I believe, to be in large part due to much of the messaging that comes out of Washington. Our good friends on the other side of the aisle have been down-talking this economy for years, literally years.

So I was curious that over the weekend the Wall Street Journal had an editorial that they entitled: "The Current

'Depression,'" and they used "depression" in quotes, because if you really look at the numbers, if you look at the facts, Mr. Speaker, they kind of belie the naysayers in what they have been saying: 110,000 new jobs in January, 41 straight months of job growth in this Nation. The average job growth in 2006 was 187,000 jobs; 2.2 million new jobs in 2006, and 7.4 million new jobs since 2003; 7.4 million new jobs since 2003.

When you compare this expansion to the expansion that all sorts of folks talk about as being the be-all and the end-all, and that is with the expansion of the 1990s, when you compare this expansion, the expansion that we are currently in, the economic success that we are currently in is better when you look at many, many parameters.

Unemployment, for example. The first six years of the 1990s, 1991 through 1996, had an average unemployment rate of 6.4 percent. The average unemployment rate for the first 6 years of this decade: 5.4 percent. And as you know, Mr. Speaker, that unemployment rate is at 4.6 percent. And the last time I looked, if the average unemployment rate is 4.6 percent, it means that 95.4 percent of folks are working.

Real wage growth. Our friends on the other side of the aisle often talk about, well, this is a recovery, an economy that isn't resulting in real jobs; the wage growth isn't occurring, people's wages aren't increasing. Well, if you compare it to the vaunted years of the early 1990s, real wage growth for those first 6 years averaged 0.6 percent per year increase. 2001 through 2006, real wage growth in this Nation up 1.5 percent, and last year it was 1.7 percent increase. And that is accounting for inflation. It is accounting for inflation, Mr. Speaker.

Now, one might want to ask, given the success of the current economy, how did that happen? What happened? How did that occur? How are we seeing the kind of results in the economy, the good news that we are currently seeing?

And I am fond of using charts because I think that they paint a picture that is oftentimes, at least for me, easier to comprehend and easier to get my arms around. This is a chart that runs from 2000 through 2006, and we are going to update the numbers for this most recent quarter. But what it shows here on this vertical line, this dotted green vertical line is when we began this remarkable expansion. And what occurred on that at that point was, you guessed it, Mr. Speaker, appropriate tax reductions for the American people. So when you decrease taxes, what happens is that the blue line, you get more jobs; the red line, you get increasing business investment; and, lo and behold, something that President Kennedy knew and President Reagan knew, when you decrease taxes, which occurred at the nadir of this graph here, what happens is that you increase government revenue.

It sounds counterintuitive, but in fact it isn't. If you decrease taxes, if you allow individuals to have more of their hard-earned money, what happens is that the economy grows and, because of that, tax revenue flows to the Federal Government.

Now, an individual who is joining us today for this edition of the Official Truth Squad, an individual who is a new member of our conference from California who knows a lot about taxes and a lot about the issue of taxes and how they affect us on a daily basis, I am pleased to ask my friend Kevin McCarthy from California to join us and give us some insight into exactly where those taxes come from and how often we are taxed. I think that is the kind of truth and facts you would like to bring to us today.

Mr. McCARTHY of California. I thank the gentleman for yielding the time.

I do come from California and I am a new Member, and I think as is only fitting we are talking about how letting people keep their hard-earned money, how jobs grow, revenue grows, and individuals can spend the money on what they desire, like putting their kids through college. But we would be remiss if we didn't mention this day, because I think it is rather ironic. Today is the 96th birthday of Ronald Reagan, and nobody finer than that talked about taxes and talked about which way they went. And President Ronald Reagan was actually Governor of California at one time. That is where I come from prior to serving in this House; I served in the State assembly. And when I got elected to the State assembly, we had a $36 billion deficit.

And much like the other side of the aisle here, the other side of the aisle there, their answer was to raise taxes. We sat down, the Republicans, and crafted a bill that actually proposed a budget that didn't raise taxes. It gave incentives that let people keep more of what they earned. We have seen revenues continue to grow. We are now about out of our deficit, which was fundamentally the biggest one they have ever had, and it has continued to move forward that we were able to bring more revenues in.

But I want to put forth really the graphs you have been talking about, put it into everyday life, put it into where people understand it. Where you saw that graph continue to take off, that is when the tax cut happened.

Now, what does that mean to the millions of Americans? Well, more than 100 million Americans have now had more than $2,200 of tax relief. That may not sound like a lot of money to Washington where they spend trillions of dollars, but that is $180 a month. Do you know what that means? That means day care, that means you can take your kids maybe to Disneyland, that means you can go and invest for your kids' college future. That is what it means when you send more than $1 trillion back to the taxpayers that actually earned the money.

Now, to put it in a much broader perspective where a person can understand day-to-day life, I always like to see what I did today and what did it mean about taxes and what did it take out of my pocket on my money.

When I woke up this morning, I took a shower. Do you know what? I paid a tax on that water. When I got out, a friend of mine needed a cup of coffee. I bought a cup of coffee. I paid a tax on that. We had to stop at the gas station and put gas in the car. We paid a tax there. When we got to work, most Americans work the first 3 hours just paying the taxes before they earn any money. When I go home, I am going to turn on the TV. Hopefully, I made C-SPAN. I am going to pay a cable tax just to watch the government at work. Then when I go out, somebody is going to have to travel for their work. They are going to buy an airline ticket; they are going to pay a tax on the ticket. They are going to rent a car; they are going to pay a tax on the car.

They check into the hotel; they are going to pay an occupancy tax. And, God forbid, if the other side of the aisle gets their way and we are successful in individuals earning money, the death tax is going to come back. We are taxed from the morning we wake up to take a shower to the night we go to sleep. It is tax, tax, tax.

And I am here to say, just like Ronald Reagan said: "We don't have a tax issue when it comes to that, we have a spending problem."

Our revenues are coming in and coming in very strong. So I would proclaim and what I would like to see happen is we actually reform so that we can compete. I will tell you, I have two small kids, Connor and Megan who are just 12 and 10, and every day I call home when I'm back here and we talk about their education, we talk about if they have done their home work. Because I am not concerned with my kids from Bakersfield, California competing with kids with Sacramento, California or even competing with kids from Georgia. Do you know who I am concerned with my children competing with when they grow up? Kids from China and India. And we need a system that allows us to be competitive. We need a tax system that creates jobs, we need a tax system that creates entrepreneurs. And the way we do that is let taxpayers keep more of what they earned.

That is why I applaud you today for your truth, and I applaud you for coming down and doing this work.

Mr. PRICE of Georgia. I thank the gentleman for coming and joining us today and helping out and bringing truth and facts to the issue of the economy and especially taxation, because oftentimes people don't think about the times that they do indeed pay tax.

I try to visit as many schools as I can in my district back in Georgia, and when I am in front of student groups, I oftentimes ask them, Do you pay any tax? And of course most often they say, Oh, no. We don't pay any tax. Our parents pay some tax, but we don't pay any tax. Then you ask them, Did you buy a pack of gum? Paid for any of your shoes lately? Have you bought any food? Anything that you buy, anything that you buy has taxes on it. So any consumable product whatsoever has taxes on it. So everybody contributes into it. And when individuals are able to keep more of their own money, what happens is that the economy is able to flourish to a much greater degree. So I appreciate the information that you brought about taxes.

I also want to point out that you mentioned that our good friends on the other side of the aisle seem to be moving in the direction of allowing the appropriate tax reductions that resulted in this success, to allow those tax reductions to go away, which means a tax increase for the vast majority of Americans all across this Nation. And if they do what they have basically said they are planning on doing, and that is allow those tax reductions to expire, allow taxes to go up, the marginal tax rate, that is the rate, the percentage of income that each and every American pays to government to run the services, will be over 50 percent for the first time since the late 1970s. And, Mr. Speaker, some of our Members may not remember the late 1970s, but I remember it and I know that my good friends here remember it, and that is that we had something called the misery index.

□ 1530

It was the last time that inflation and unemployment were just skyrocketing, both of them because of poor programs of the Federal Government.

So I fear that what will happen if our good friends on the other side of the aisle get their way is that we will revisit the misery index. So we are here to try to bring truth and fact and light to the issue of the economy and taxation and the budget.

I am so pleased to be joined by my good friend from Tennessee, the congresswoman MARSHA BLACKBURN, who understands business, understands the economy and budgetary issues as well or better than the vast majority of folks in this Chamber. I look forward to your comments today as we talk about budget, economy and taxes.

Mrs. BLACKBURN. Mr. Speaker, I thank the gentleman from Georgia; and I was so pleased that the gentleman from California mentioned Ronald Reagan and his birthday and brought up the Ronald Reagan quote that government does not have a revenue problem; government has a spending problem. This is something that we all know and we all realize and certainly because of the tax reductions that were put in place, and the gentleman from Georgia showed us the charts that showed how the tax reductions went into place in 2003, and we have seen not only growth in our GDP, not only jobs growth but a reduction in the deficit and record revenues for the Federal Government. Because when those rates of taxation go down, we know that revenues to the government go up.

I was listening to the gentleman from California, and I recalled a conversation with one of my constituents this weekend. He came to me and he said, MARSHA, look at this here in the paper. It was a note that on February 3, 1913, is when the Federal income tax went into place. So here we are at a time when that is being remembered. February 3, 1913, a 1 percent temporary tax, only on the wealthiest, went into place to pay for a war.

And look at what we have got now: an IRS that is big and is bloated and is cumbersome and wants more and more and more, a government that wants more and more and more of the dollar that the taxpayer earns. It is like another saying that Ronald Reagan had: The closest thing to eternal life on earth is a Federal Government program.

1913, a tax was put in place to pay for a war, to fund a defense effort; and today it is bigger than ever and is still in place.

So how appropriate that we come this week and we talk about the budget and we talk about what the President is bringing forth and we talk about the Tax Code and the changes that should be made and the changes that ought to be made and the steps that we should be taking to be certain that the American people retain more of their paycheck. It is an important thing to do.

As I was looking through the President's budget that he is offering forth this week, one of the things that caught my eye and that I was pleased to see is that he is recommending the elimination of 141 programs that maybe have outlived their usefulness, that need to be revisited, that the duties could be shuffled to another one, that could be merged with another program so that services are delivered more effectively and more efficiently. I was very pleased to see that because, as I said earlier, we know that there is a spending problem in Washington, DC.

We have had our focus on addressing that; and what we want to do is reduce that spending, eliminate programs that have outlived their usefulness and make certain that we do not raise taxes. It is important that we move forward balancing the budget. It is important that we get the fiscal house in order. It is imperative that we do it without raising taxes.

So I am looking forward to working to make certain that we focus on waste, fraud and abuse, working to make certain, Mr. Speaker, that we eliminate those programs and, Mr. Speaker, working to make certain that we keep the commitment to the American people that their tax bill is not going to go up, that their tax bill is going to be going down.

I thank the gentleman from Georgia for yielding.

Mr. PRICE of Georgia. I thank you so much for joining us again today and bringing light and truth to an issue that is so remarkably important because it gets to the bottom line for each and every American and each and every American family.

What we do at home, when we have discussions about our family budget, is that we determine how much money we have to spend and then we determine what our priorities are. Depending on what those priorities are, that is how we allocate money, and we try to make certain that we set aside some savings as well for a rainy day, for a difficult time. That ought to be what the Federal Government does, as you well know, but, sadly, that appears to be not the plan of the new majority here.

So it is important that we talk about family budgets, about how family budgets ought to parallel Federal budgets, government budgets.

I would be pleased to yield if you have a comment.

Mrs. BLACKBURN. I thank the gentleman from Georgia.

One of my constituents this weekend was talking about this very issue, and he was very concerned. He had been reading some of the reports, hearing some of the things about the tax reductions that had been put in place in 2003 may be allowed to expire; and he said, MARSH, you know, it is all too often that I have got too much month left over at the end of my money.

His point to me and his admonition was the time has come to achieve greater efficiencies. Every one of our constituents can go through their district and see any number of Federal agencies, State agencies, local agencies that are wasting taxpayer money. They know they cannot do that in their family budget. They know that they cannot do that in their small business budget. As we have said time and again, this is the hold-on-to-your-wallet Congress. They are determined to get more of the taxpayer money, and we are going to stand solid with the taxpayers to make certain that we help protect those pocketbooks.

Mr. PRICE of Georgia. I thank the gentlewoman for her comments and for again pointing out how important it is to have our budget here at the Federal level compare or track what we do at home.

In fact, what we do at the State level, virtually every single State has a balanced budget because they cannot do what Washington does, and that is print money. Having served in the State legislature, we would spend days and weeks and months sometimes dealing with the hard-earned taxpayer money, again not government money, but hard-earned taxpayer money and make certain that our budget was balanced at the State level.

In fact, in Washington I am distressed that is not exactly what occurs. I am a strong supporter of a balanced budget, and what you will see on some of the charts and information that we currently have is that the tax policies that have been put in place and the program changes that have been put in place, something that is not well-known, is that the nondefense discretionary money, which is about 16 to 17 percent of our overall budget right now, has been actually decreasing as it relates to inflation. So Congress has been trying diligently to try to make certain that it reins in costs and spending. Because, Lord knows, we have not got a revenue problem; we have got a spending problem.

If you track out the budget itself, and this is with Congressional Budget Office numbers, they are not the kind of numbers that I think demonstrate the upside that we receive from tax reductions, but, in any event, what they do show is that at about 2011 the budget is balanced. The budget is balanced, and that is if we keep our current programs in place. Now, we can get to that point a lot sooner if we get more responsible on the spending side.

Now, my good friends on the other side of the aisle will tell you, well, we are going to balance the budget, too, and they can do that if they just left things alone. We would get to a balanced budget. But what they will tell you is we need to spend more in other areas, and so we need to tax Americans more. We are going to balance the budget, yes, but we are going to do it by taxing the American people more, and I would suggest, Mr. Speaker, that that is not the way in which we need to move forward.

We will talk about some other revenue items and some other aspects of a balanced budget, but I want to address what has been termed by many myths, 10, 12 number of myths about President Bush's tax reductions. These are the tax reductions, appropriate tax reductions, that our friends on the other side of the aisle say they have to end. They have to increase taxes on the American people.

The Democrat majority has to write a budget. They have to write a budget. Each year, the majority party has to write a budget, and the House has to pass a budget.

The new majority, the Democrat majority, has three options in that budget as to how they are going to deal with these appropriate tax reductions that were put in place earlier in this decade. They can extend them. They can continue the appropriate tax reductions, something that I and the vast majority of folks on our side of the aisle believe ought to occur. They could allow them to expire. Virtually all of them are slated to expire in 2011.

So, if no action is taken, then the other side will, in fact, increase taxes, or they can repeal them. They could increase taxes right way. So they have the responsibility of determining exactly what they are going to do with those appropriate tax reductions.

There are a number of myths that have grown up around these tax reductions that I would like to highlight. One is that the tax reductions themselves or the tax revenues themselves remain low. In fact, Mr. Speaker, as I have on a previous chart shown, the tax revenues are above the historical average, even after these appropriate tax reductions.

Tax reductions in 2006 were about 18.4 percent of the gross domestic product, which is actually above the 20-year, 40-year and 60-year historical averages. Now the inflation-adjusted 20 percent tax revenue increase between 2004 and 2006 represents the largest 2-year surge in tax revenue since 1965 and 1967. Let me repeat that, Mr. Speaker. The revenue to the Federal Government increased 20 percent over a 2-year period between 2004 and 2006, which is the largest increase in revenue to the Federal Government since 1965 and 1967. So claims that Americans and the American people are undertaxed according to history are simply patently false, absolutely untrue, and so it is important to remember that tax revenues are up because of a decrease in taxes, decrease in liability to the American people.

When you compare the tax revenues in the fourth fiscal year after each of the past recessions, it shows that the tax revenues were basically the same. So, in 1987, tax revenues were about 1.4 percent of gross domestic product; 1995, 18.5 percent; and 2006, 18.4 percent.

All of that is to say, Mr. Speaker, that when you decrease taxes, the revenue that comes into the Federal Government stays about the same as a percentage of the overall economy, but you decrease the number for each and every American because the economy is increasing and the revenue increases to the Federal Government. So tax reductions are good for the government. Tax reductions are good for the American people.

The second myth that I want to talk about and discuss as it relates to the appropriate tax reductions that were adopted by this Congress back in 2001 and in 2003, the myth that is out there is that these tax reductions substantially reduced 2006 revenues and expanded the budget deficit. Well, the fact of the matter, Mr. Speaker, is that nearly all of the 2006 budget deficit resulted from additional spending above the baseline.

I am the first to tell you, Mr. Speaker, that the Federal Government, Washington, has been spending too much money, too much of hard-earned taxpayer money. That being said, I think it is important that our friends on the other side of the aisle, who say that they want to balance the budget, do so by doing the responsible thing and that is decreasing spending and not increasing taxes.

In the first place, if you increase taxes, what you do is, over the long term, you get less revenue to the Federal Government, but in terms of budget deficit, what you see is that you will decrease the deficit more rapidly by decreasing taxes and by decreasing spending.

□ 1545

Now critics tirelessly contend that America's swing from budget surpluses in 1998 through 2001 to a $247 billion budget deficit in 2006 resulted chiefly from what they call "irresponsible" tax reductions. This argument, however, ignores the historic spending increases that pushed Federal spending up from 18.5 percent of GDP in 2001 to 20.2 percent of spending in 2006.

Furthermore, tax revenues in 2006 were actually above the levels projected. We have talked about that before. They were above the levels that were projected before the 2003 tax cuts.

Now, immediately before the 2003 tax cuts, the Congressional Budget Office projected that the 2006 budget deficit would be $57 billion. Yet the final 2006 budget deficit was $247 billion. Now, the $190 billion deficit increase resulted from Federal spending, resulted from Federal spending that was $237 billion more than projected. So revenues were actually $47 billion above projections even after the $75 billion in tax cuts that the other side says hurt, hurt the bottom line and hurt the deficits.

So these myths, I think, are important to correct to point out the factual nature of what is going on as opposed to just flying by the seat of your pants, which is not the way folks do their family budget and certainly ought not to be the way that we do our Federal budget.

The next myth I want to talk about is the capital gains taxes; tax cuts do not pay for themselves. There is kind of this sense that folks say, well, if you keep capital gains low, those are the taxes that people pay on the profits that they made on investments.

I am in favor of doing away with them all together. But if you keep them low, what happens is you don't get the same amount of revenue into the Federal Government. Well, the fact of the matter is that capital gains tax revenues doubled, doubled following the 2003 tax cut.

Did you hear that? Capital gains tax revenues doubled following the 2003 tax cut.

Now, whether a tax cut pays for itself depends on how much people alter their behavior in response to that policy. Investors have shown to be the most sensitive to tax policy because capital gains tax cuts encourage new investment to more than offset the lower tax rate.

This chart here is a demonstration of exactly that. What we see here is a chart that shows capital gains tax revenues that doubled following the 2003 tax cut. The yellow line here projected from 2003 through 2006, the yellow line demonstrates what the Congressional Budget Office said would be the taxes gained from capital gains tax revenue. The blue line which you see is significantly higher than that are the actual revenues that came into the Federal Government following the 2003 capital gains tax reduction.

So in 2003 capitalize gains tax rates were reduced from 20 percent to 10 percent, depending on income, to 15 percent and 5 percent. Now, rather than expand by 36 percent from the current $50 billion level to $68 billion in 2006, as the CBO projected, capitalize gains revenue more than doubled $103 billion, $103 billion, more than twice what was projected. Past capital gains cuts have shown similar results as well.

The fact of the matter is, remember, you can have your own opinions as you walk through this discussion of the economy and of tax policy and of budget policy, but it is important that we look at facts so that we are making appropriate decisions here on behalf of the American people.

The fact of the matter is that when you decrease capital gains taxes you increase investment in America and you increase the revenue to the Federal Government, which is demonstrated clearly by this chart that we see right here.

Another myth that I want to talk about is the myth that says that the tax deductions are to blame for the long-term budget deficits. In fact, that isn't true at all. Projections show that entitlement or automatic spending, automatic costs, will dwarf the projected large revenue increases of the current tax reductions. As you remember, the graph that I had up here had revenue to the Federal Government increasing because of the appropriate reductions in taxes to the American people.

However, those increases will all be eaten up by automatic spending that occurs here in Washington. Some folks call these programs entitlement programs. They are primarily Medicare, Medicaid and Social Security.

These are the automatic programs where the spending continues to increase based upon a formula.

I have a chart that I would like to share with you that demonstrates clearly the challenge and the problem that confront not just those of us representing Americans but all of America. These are three pie charts that demonstrate the mandatory or automatic spending that occurs, primarily again in Medicare, Medicaid and Social Security. This is 1995. Those programs comprised approximately half of the Federal budget, 48.7 percent of the Federal budget.

Now, the percent of the Federal budget that was utilized at that time for interest on the debt was 15.3 percent, a point much greater than current, and then discretionary spending where we have all of the Federal programs that people think about in terms of transportation, national park programs, all of those kinds of things, in addition to defense, that portion, in 1995, was 36 percent.

Again, about 48.7 percent was the mandatory portion of the budget. In 2005, just 2 years ago, that portion had grown from 48.7 percent to 53.4 percent. Again, Medicare, Medicaid, Social Security, there were automatic spending increases over a period of time with those three specific programs.

If you track out to 2016, you get to 63.9 percent of the Federal budget. So those are the automatic programs that are in place, the automatic spending programs that are in place. This is clearly, clearly unsustainable. Spending of the entire GDP has kind of hovered around 20 percent for the past half century.

However, with the retirement of the baby boomers, this is the first year that baby boomers will begin to receive Social Security. Social Security, Medicare and Medicaid will see significant increases in the amount of revenue projected to increase over 10.5 percent over the next 10 years. What you see is an increase to 63.9 percent by 2016.

Clearly, clearly, these French-style spending increases, not tax policy, are the problem. In Washington, lawmakers, all of us, all of us have a responsibility and should focus on getting these entitlements under control, as opposed to raising taxes on the American people. That not only will not work, they may be good bumper sticker politics, but they will not work to solve the problem. This is hard work, significant challenges that confront all of us.

Next myth I would like to address very briefly is that raising tax rates is the best way to raise revenue. There is kind of this general belief on the other side of the aisle that all you have to do to get more money is to raise more taxes.

As you know, tax revenues themselves correlate with economic growth, not with tax rates, so that as the government increases its revenue as the economy grows, many of those who desire additional tax revenues regularly call on Congress to raise taxes. But tax revenues are a function basically of two variables. One is tax rates and two is the tax base.

Since 1952, the highest marginal income tax rate has dropped from 92 percent to 35 percent, dropped from 92 percent to 35 percent. At the same time, tax revenues have grown in inflation-adjusted terms while remaining basically a constant percent of GDP. They are basically a perfect correlation between those two.

I think it is exceedingly important for all of us here and the American people to realize and appreciate that raising taxes doesn't raise tax revenue. In fact, as we saw from the previous charts, it is decreasing taxes that increase tax revenue.

One other myth that I would like to talk about very briefly is that there is this myth that reversing the upper income tax reductions, the upper income tax cuts, would raise substantial revenues. In fact, the lower income tax cuts reduced tax revenue more than the high income tax reductions.

I have a chart that will show that as well. This chart oftentimes comes as a real eye opener for the American people and for so many of my colleagues here, as a matter of fact. This chart shows the share of individual income taxes that are paid by different portions of our society, and I would like to just point to the last two bars, the last two bar graphs down there.

This one, the larger one, that demonstrates that over 96 percent of all tax revenue comes from folks in the upper half of the income bracket of this Nation, and that the bottom 50 percent, the lower 50 percent pay less than 4 percent of the tax revenue that comes into the United States.

Now, that is important because if you try to concentrate on just the middle-income folks, in fact, you will not generate the kind of money that you are talking about or that you need, and you also will significantly depress the economy.

Again, it is important to talk about facts. It is important to talk about truth as we talk about making certain that we have the right policy here at the Federal Government.

Finally, there is a myth out there that these reductions, tax reductions, haven't helped the economy. In fact, the economy has responded to the 2003 tax reductions in remarkable ways, as we have already pointed out. GDP grew at an annual rate of 1.7 percent in the six quarters before the tax reductions. The six quarters that followed the tax reductions, it grew at 4.1 percent; 1.7 percent before, 4.1 percent afterward. It is a fact.

Nonresidential fixed investment declined for 13 consecutive quarters before the 2003 tax reductions. Since then, it has expanded for 14 consecutive quarters. Down 13 quarters before, up 14 quarters afterward. It is a fact, not an opinion.

Standard & Poor's 500 dropped 18 percent in the six quarters before the 2003 tax cuts. After, increased 32 percent over the next six quarters; before, down 18 percent; after, up 32 percent. That is a fact, not an opinion.

The economy, six quarters before the 2003 tax cuts lost 267,000 jobs. In the six quarters after, increased 307,000 jobs, and, as you well know, since then we have burgeoned by having 7.3 million new jobs since the middle of 2003.

What we have tried to do today is try to bring to the American people some truth, some facts as we talk about the budget that will have to be laid out here over the next month to 6 weeks, pointing out the remarkable fallacy of so many of the arguments that are used on the floor of this House to say that, well, we have just got to raise taxes. You have heard some of the Presidential candidates out there on the stump, saying, we have just got to raise taxes. In fact, some of my good friends on the other side of the aisle say just that, nothing we can do except raise taxes.

You know and I know that the truth of the matter is that when you look at how the economy operates, how the Federal Government gains revenue, that, in fact, decreasing taxes, maintaining the appropriate tax reductions, allowing the American people to keep more of their hard-earned money is exactly what is the prescription that is necessary for America and for the economy to continue to flourish.

So I look forward to working with my colleagues on both sides of the aisle. I look forward to a spirited debate. I think the question really is, when you get right down to it, the question becomes who ought to decide; who should decide how the American people spend their hard-earned money. Should it be the government? Should it be more government programs? Regardless of whatever area of the society you want to talk about, is it the Federal Government and State governments that ought to be making those decisions?

Or should it be, as I and so many of my friends on this side of the aisle believe, that those decisions are better left to individual Americans? They make better decisions about what to do with their hard-earned money when they are allowed to keep their hard-earned money and not have it rolled into the Federal Government as tax revenue.

I am pleased to be able to provide hopefully a bit of light, a bit of truth, a bit of fact for this Chamber, and deal with the issues that are coming before us over the next 4 to 6 weeks. I look forward to this discussion on this debate.

Mr. TIAHRT. Mr. Speaker, yesterday President Bush sent us his budget request for Fiscal Year 2008. This request includes his spending priorities for each federal agency.

I applaud his efforts to balance the budget by the end of the decade, and to do so without raising taxes on American families. I also applaud his recent efforts to reduce the burden of agency guidance documents through the Final Bulletin for Agency Good Guidance Practices that was published on January 25th.

In addition to federal regulations, which are burdensome enough, the past decade has seen an explosion in "guidance documents" that are not legislated but have the same effect as regulation on American employers and can stifle their growth. As OMB itself noted:

> The phenomenon we see in this case is familiar. Congress passes a broadly worded statute. The agency follows with regulations containing broad language, open-ended phrases, ambiguous standards and the like. Then as years pass, the agency issues circulars or guidance or memoranda, explaining, interpreting, defining and often expanding the commands in regulations. One guidance document may yield another and then another and so on. Several words in a regulation may spawn hundreds of pages of text as the agency offers more and more detail regarding what its regulations demand of regulated entities. Law is made, without notice and comment, without public participation, and without publication in the Federal Register or the Code of Federal Regulations.

In this spirit, I encourage my colleagues on both sides of the aisle to examine the agency budget requests not only with regard to fiscal matters but also with regards to how spending priorities affect our economic competitiveness.

Taxpayer dollars should be used to benefit the public good. Unfortunately, we have seen over and over again that—often with good intention—agencies instead use taxpayer money to impose and enforce regulations that literally strangle businesses and impede job growth.

Regulation imposes its heaviest burden on small and medium sized businesses because it is harder for them to handle the necessary overhead costs of paperwork, staff time and attorney and accountant fees.

Richard Vedder, an economist at the Center for the Study of American Business, finds that federal regulations cause $1.3 trillion in economic output to be lost each year. This is roughly equivalent to the entire economic output of the mid-Atlantic region.

I have to imagine that processing this paperwork also requires a lot of agency time and reduces their ability to clean up the environment, provide better health care, improve labor conditions, make our transport systems more efficient, etc. If the government instead worked with employers to create a better work environment and a cleaner and safer nation, both sides could better accomplish their goals. The real winner would be the American people.

As we go through the budget and appropriations process, I hope that we do so with an eye towards keeping our nation economically competitive now and in the future. We should look for ways in which the government can better work with employers, and also for the best programs to fund to train our children and children's children for the 21st Century economy.

□ 1600

NO BLANK CHECK FOR THE PENTAGON

The SPEAKER pro tempore (Mr. TIERNEY). Under a previous order of the House, the gentleman from Tennessee (Mr. DUNCAN) is recognized for 5 minutes.

Mr. DUNCAN. Mr. Speaker, in an interview published yesterday by the McClatchy newspaper chain, Dick Armey, our former Republican majority leader, said he felt really bad about voting to go to war in Iraq. Mr. Armey said, "Had I been more true to myself and the principles I believed in at the time, I would have openly opposed the whole adventure vocally and aggressively."

It takes a big man to admit something like that. Chris Matthews on MSNBC on election night said, "The decision to go to work in Iraq was not a conservative decision historically" and said the President asked Republicans "to behave like a different people than they intrinsically are."

In 2004, William F. Buckley, Jr., often called the godfather of conservatism, wrote that if he knew in 2002 what he knew by 2004 he would have opposed going to war in Iraq.

Today, the Oversight and Government Reform Committee held a hearing on the subject of waste, fraud and abuse in Iraq. A couple of years ago the same committee, then under Republican leadership, held a similar hearing.

David Walker, now head of the GAO but then Inspector General of the Defense Department, testified at that time that $35 billion had been lost in Iraq due to waste, fraud and abuse and another $9 billion had just been lost and could not be accounted for at all.

I heard a talk by Charlie Cook, the very respected political analyst, who said people could not really comprehend anything over $1 billion. But $44 billion is an awful lot of money in anybody's book.

A Foreign Service Officer told me last year, a few months after he had left Iraq, that he sometimes saw SUVs there filled with cash with barely enough room for the driver.

Conservatives have traditionally been the strongest opponents and biggest critics of Federal waste, fraud and abuse. Conservatives have traditionally been the strongest opponents and biggest critics of wasteful, lavish and ridiculous Federal contracts. Conservatives, especially fiscal conservatives, should not feel any obligation to defend wasteful spending or lavish Federal contracts just because they are taking place in Iraq.

Ivan Eland, in the January 15 issue of the American Conservative Magazine, wrote this. He said, "Many conservatives who regularly gripe about the Federal Government's ineffective and inefficient use of taxpayer dollars give the Pentagon a free ride on their profligate spending habits."

Conservatives admire, respect and appreciate the people in the military as much or more than anyone. Conservatives believe national defense is one of the few legitimate functions of the Federal Government and one of its most important. However, this does not mean we should just routinely give the Pentagon everything it wants or turn a blind eye to waste in the Defense Department.

The Defense Department is a gigantic bureaucracy, in fact, the biggest bureaucracy in the world. It has the same problems and inefficiencies of any giant bureaucracy; and conservatives, especially fiscal conservatives, should not give a free ride to waste, fraud and abuse just because it is done by the Defense Department.

Counting our regular defense appropriations bill, plus emergency and supplemental appropriations bills, plus the military construction appropriations bill, plus the end-of-the-year omnibus appropriations bills, we spend more on defense than all of the other Nations of the world combined. Yet the military, like all other bureaucracies, always wants more money.

Well, at some point, we are going to have to decide, do we want national defense for our own people, or are we going to be the policeman of the world and provide international defense for all countries that claim to be our allies?

With a national debt of almost $9 trillion and unfunded future pension liabilities of many trillions more, I believe it is both unaffordable and unconstitutional for us to try to be the policeman of the world. We will soon not be able to pay Social Security and veterans' pensions with money that means anything, and all of the other things the Federal Government is doing, if we try to maintain an empire around the world.

Conservatives have traditionally been the biggest critics of interventionist foreign policies because they create so much resentment for us around the world.

Finally, Mr. Speaker, conservatives have traditionally been the biggest critics of nation building, as President Bush was when he ran for the White House in 2000. We need the more humble foreign policy he advocated then, or we need to tell the people to forget about their Social Security because we are giving blank checks to the Pentagon.

GENERAL LEAVE

Mr. PRICE of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the subject of my Special Order today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

BLUE DOG COALITION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Arkansas (Mr. ROSS) is recognized for 60 minutes as the designee of the majority leader.

Mr. ROSS. Mr. Speaker, this afternoon, I rise on behalf of the 44-member-strong, fiscally conservative Democratic Blue Dog Coalition, as we demand from this Government fiscal accountability as well as fiscal responsibility.

Mr. Speaker, as you walk the halls of Congress, it is easy to know when you are walking by the door of a fellow fiscally conservative Democratic Blue Dog Coalition member, because you will see this poster as a welcome mat to his or her office to remind Members of Congress, to remind you, Mr. Speaker, to remind me, and to remind the American people and all of those who walk the halls of Congress, that the U.S. national debt today is $8,696,414,214,377.65.

For every man, woman and child in America, their share, our share, my share of the national debt is $28,900.92. That is a big number.

A lot of people think, well, it really does not matter what the debt is, our Government can simply print more money. I wish it was that simple.

Our Nation today is spending the first half a billion dollars it collects in taxes not to improve veterans' health care, to protect our troops, to build roads, to fund health care, to protect Social Security and Medicare, to ensure the 47 million folks without health insurance have access to it. No. The first half a billion dollars that we collect every day in taxes from the hard-working people in this country go to simply pay interest, not principal but interest, on this number, the national debt.

And those which should be America's priorities will continue to go unmet until we get our Nation's fiscal house in order. This is something that affects every man, woman and child in America. We have a plan, a 12-point plan for budget reform to ensure that we can live within our means, that we can pay down this debt and restore fiscal discipline and common sense to our Government.

One of those 12 points, by the way, Mr. Speaker, is what we referred to as PAYGO rules, which means pay as you go. And I am real proud that the leadership under this Democratic Caucus in the first 24 hours, not 100 hours, but the first 24 hours, the Democratic leadership reinstituted PAYGO rules on the floor of the House. Which means, quite simply, if you want to fund a new program, you got to show us where the money is coming from.

Now the Republicans tend to think that that means that to fund new programs you raise taxes. I find it quite interesting that the Republicans think that PAYGO, pay as you go, means raise taxes to pay for new spending. It does not mean that. It means cut programs. It means make the tough choices to put an end to the waste in Government.

I got some 8,000 brand new, fully furnished mobile homes sitting at the airport in Hope, Arkansas, that were destined for Hurricane Katrina storm victims but never reached them. That is $400 million right there.

We are not talking about raising taxes to pay for a new program. But I can tell you what we are talking about, Mr. Speaker. We are talking about putting an end to the days of the Republican leadership borrowing money from China to fund a new program creating this large number, making it go up daily. It is still going up nearly a billion dollars a day under the Republican budget that was approved last year.

No more of that, Mr. Speaker. No more borrowing money from China to build a rain forest in Iowa. We are demanding that you show us how you pay for your projects and your programs. We are going to restore fiscal discipline and accountability to our Government.

This week, the President came out with his budget; and we will be visiting more about the President's budget during this hour.

But another thing that the fiscally conservative Democratic Blue Dog Coalition is doing is we have gotten together and we have written and endorsed what is referred to as House Resolution 97. And House Resolution 97, we have 39 cosponsors. It is providing for Operation Iraq Freedom cost accountability.

Put quite simply, we are demanding accountability on how your tax money, Mr. Speaker, and the tax money of the hard-working people of this country is being spent in Iraq. You ask 100 different people what they think about this Iraq policy, you will get about 100 different answers. You will find some Members of the Blue Dog Coalition that are for the surge, some are against. I am against the surge. I think the American people want us to go in a different direction in Iraq.

But one of the things that unites us as a coalition and the things that we have endorsed and that we have written and we are trying to put in place is House Resolution 97, which has four crucial points that demand fiscal responsibility in Iraq.

Point number one, a call for transparency on how Iraq war funds are spent. The American people are sending some $9 billion a month to Iraq. That is about $12 million an hour. And the American people in this country that work hard and pay taxes deserve to know how their money is being spent in Iraq.

Number two is the creation of a Truman Commission to investigate the awarding of contracts. It is time, Mr. Speaker, to put an end to war profiteering in Iraq.

Number three, a need to fund the Iraq war through the normal appropriations process. Play by the rules. No more of this so-called emergency supplemental appropriations to hide from the American people the true cost of the war.

Finally, number four, use American resources. This is America. We are the leader of the free world, and we should be using our resources to improve Iraqi assumption of internal policing operations. In other words, it is time for the Iraqi people to step up to the plate and buy into this and take more responsibility and accountability.

I am joined this hour by a number of my Blue Dog colleagues, Mr. Speaker. At this time, I yield to the gentleman from Kentucky (Mr. CHANDLER).

Mr. CHANDLER. Mr. Speaker, I appreciate all that the gentleman from Arkansas is doing to bring these issues to the forefront, to the American people, because I believe they are extremely important and I know all Members of the Blue Dog Coalition believe that accountability and responsibility to the people of our Nation is of the utmost importance.

Mr. Speaker, the President sent a $2.9 trillion budget to Congress yesterday. That is quite a lot of money. And you would think that among those trillions of hard-earned tax dollars the President would find resources for the most essential services like education for our kids and health care for our veterans. But, once again, those who need our help the most are the very people who have been pushed aside.

If we follow this budget, Medicaid and Medicare will be cut by $101 billion over the next 5 years; health care for our veterans will be slashed by $3.5 billion over 5 years; Perkins loan funds for our college students will be recalled; and No Child Left Behind will be underfunded by some $15 billion. The President, in addition, would have us cut State preparedness training programs and firefighter and law enforcement grants, depriving our first responders of the funds necessary to operate in this post-9/11 world.

These policies make no sense. They rob our children of opportunity, make our communities less safe, and dishonor those who have sacrificed while wearing our Nation's uniform. I could understand some of these cuts if they were being made in the name of fiscal responsibility, but they are not.

If we were truly making an effort to reduce our public debt, I could, and I believe the American people could, accept some pain. Because the cause that we would be fighting in that case would be a good one, and it would be about our future.

But that is not the case. This budget is not trying to reduce the debt. The President's budget will drag us even deeper into debt, to the tune of $3.2 trillion over the next 10 years. Trillion. That is a lot of money. Burdening future generations with mountains of debt, not of their own making.

Mr. Speaker, when I talk with my constituents back home in communities rich in values and common sense, they ask me a simple question over and over again.

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Where is their tax money going?

If we are cutting all of these programs, yet going deeper into debt, what value are we getting for our tax dollar?

We owe it to our constituents to answer these questions. And it starts with ending the black hole of waste, fraud and abuse that is plaguing our reconstruction efforts in Iraq.

Here are the facts: we have already budgeted some $108 billion on reconstruction. Yet, the Inspector General for Iraq Reconstruction is telling us that we haven't come close to recovering the level of basic services that Iraqis enjoyed under Saddam Hussein.

Here is the return Americans are getting on their over $100 billion tax investment: only 25 percent of Iraqis have access to clean water; access to modern sewer facilities remains an incredible problem for most Iraqi families; Iraqis now have electricity for only 4.3 hours per day; and oil production is down almost one million barrels a day since the levels before the war.

How long are we going to let this farce continue?

We can argue all day about spending priorities. But can we not at least agree to make sure that our tax dollars are being efficiently spent to accomplish good? Because right now the only thing I see these tax dollars are doing efficiently is lining the pockets of government contractors.

How many reports of jobs being billed that were never authorized; jobs being started without permission; individuals admitting to stealing millions of reconstruction dollars, and private contractors, such as Halliburton, being awarded unprecedented numbers of no-bid government contracts do we have to put up with before we do something about it?

Well, Mr. Speaker, it is my belief and the belief of the Blue Dog Coalition that we must demand accountability. The President, with his proposed budget, is telling our seniors, our students, our veterans, and our working families that our country doesn't have the money to help pay for their health care or for their education.

I say we will come closer to having the money for health care and education if we stop mismanaging funds in Iraq and greasing the pockets of contractors who are failing, in many instances, to get the job done. That is why our coalition, the Blue Dog Coalition, has introduced the House resolution for the Operation Iraqi Freedom Cost Accountability.

In the spirit of the Truman Committee, which defeated so much corruption and saved our country in excess of $15 billion during World War II, this resolution outlines the critical steps this body must take to hold the administration accountable for its neglect of taxpayer dollars.

It is our constitutional obligation, as Members of this body, to provide oversight for war spending. And Congress has neglected this duty for far too long. We owe it to the taxpayers of this country, to the troops who are fighting this war, and, yes, we owe it to future generations who are going to be financing this war for many, many, many years to come to stop the wasteful spending of this administration and war profiteering by contractors.

We need a modern-day Truman Committee. And we need transparency on how Iraq war funds are being spent. The days of offering the President a blank check are over. We need to ask the tough questions, and we need to send a message that waste, fraud and abuse in Iraq reconstruction just simply will not be tolerated.

I thank all of my fellow Blue Dogs for the work that they are doing on this issue, for continuing to raise awareness, and I hope that my colleagues on both sides of the aisle will join forces to restore fiscal integrity to this war.

Thank you, Mr. ROSS. I appreciate the time. I appreciate the job that you are doing.

Mr. ROSS. I thank the gentleman from Kentucky for his valued insight into H.R. 97, which is the Blue Dog-endorsed House resolution to demand accountability and fiscal responsibility in how tax money is being spent in Iraq, some $9 billion a month; put another way, some $12 million an hour.

Let me be clear that as members of the Blue Dog Coalition, we support our troops 110, 120, 130 percent. We can't do enough for our troops. And as long as we have troops in harm's way, we are going to be there to ensure they have what they need to get the job done and to get it done as safely as possible, and hopefully get on back home to their families.

This has impacted every family in America in one way or another. My brother-in-law is in Kyrgyzstan now, which is the entry point for Afghanistan, just as Kuwait is oftentimes the entry point for Iraq. My first cousin was in Iraq when his wife gave birth to their first child.

Before coming down here today, I visited with a Ms. Watson in Pine Bluff, Arkansas, whose son, and she is so very proud of him and I am too, Lt. Colonel Watson, continues to serve us today in Baghdad. We thank him. We thank all soldiers for their dedicated service to our country.

This is about accountability. This is about having responsibility and oversight on how our tax money is being spent in Iraq.

Not only that, but this hour is dedicated to talking about this new Bush budget that was delivered to Capitol Hill yesterday. Thank goodness that, as Members of Congress, we get a vote on this budget, that we can ensure that funding is there for education and for our veterans. And, yes, we are creating a new generation of veterans in Afghanistan and Iraq today. And we have got to be there for them.

I yield to the gentleman from Tennessee, a former cochair of the Blue Dogs for policy, Mr. COOPER.

Mr. COOPER. I thank my good friend from Arkansas, and I thank my Blue Dog colleagues.

Mr. Speaker, I would like to focus for a minute on the release of the President's budget. As has been mentioned, it just came out yesterday, and today, as a member of the Budget Committee, we had our first hearing with Rob Portman, the director of the Office of Management and Budget and former trade ambassador and former Member of this House.

This is what a part the budget looks like. It is available online. It is about 150, 200 pages. This looks like a very credible document. But that is what I would like to discuss today.

One of the first claims in this budget is in the second paragraph, it says: "The budget I am presenting achieves balance by 2012." Hallelujah. Wouldn't that be nice, if it were true.

Now, if you look deeper in the budget, you will see that they claim, after years of deficits in the Bush administration, remember, we had a surplus in the last 3 years of the Clinton administration, but after years of Bush deficits, they claim that by mid-term of the next President, we will have a surplus. Well, that would be good news if it were true. They claim that the surplus in that year will be $61 billion. And I hope that a number like that would be true.

But if you look at page 168 of their document, you will see that that $61 billion surplus is really a $187 billion deficit disguised by borrowing $248 billion from the Social Security trust fund. In other words, we would have a sizeable, large deficit if it weren't for the money they are planning on taking from the Social Security trust fund in that year.

And this isn't just a once-a-year practice. They are planning on doing it every year between now and then. In 2007 they took $183 billion from Social Security. In 2008 they are taking $212 billion from Social Security. In 2009 they are taking $226 billion from Social Security. In 2010, $245 billion from Social Security. And in 2011, $264 billion.

So, basically, what this budget says, although it looks very respectable and credible, it says we are going to take over $1 trillion, close to $1.25 trillion from Social Security so we can disguise the budget deficit and make it look like a surplus 5 years from now. Mr. Speaker, that doesn't sound like honest budgeting to me.

But don't take my word for it. Look at this other document. This came out about a month ago. This is from the U.S. Treasury Department. This uses a different and better method of accounting to tell us where we are financially in this country. And it says, basically, we are at deficits as far as the eye can see. And the deficits are far, far larger than what the President admits to in this document.

But even if you don't believe any of these government documents, either the President's or the Treasury Department's, look at a private sector organization called Standard & Poor's. They are on Wall Street. They are probably the top credit analyst agency in the world. They projected this last summer that the U.S. Treasury Bond, the most important financial instrument on the planet, would lose its triple A credit rating by the year 2012, just 5 years from now.

So in other words, S&P, the leading credit analyst, said that although this document says we are going to have a surplus then, they say we are going to have continuing deficits as far as the eye can see, in fact, deficits that damage and possibly destroy America's credit rating.

Standard & Poor's went on to say in their analysis, they said that by the year 2025 the U.S. Treasury Bond wouldn't have just lost its triple A credit rating. They say that the U.S. Treasury Bond would actually become junk debt by the year 2025. Below investment grade. That would be a true tragedy for our Nation. We cannot let that happen. And that is why we need to examine the credibility of the numbers in this document. We need to make sure that they are correct.

And if you look at the assumptions in this document, you will see not only trouble with the terrific borrowing they are planning on doing from the Social Security surplus; you will see trouble in the fact that they are planning on the AMT tax taking a bigger and bigger bite out of the middle class in America for the next 4 or 5 years. They do nothing to remedy that in this document.

There are so many other features of this document that make it almost completely unrealistic as a starting point for our budget debates.

Mr. Speaker, we have a lot of work to do. It is not easy putting together budgets. I have done it because I had the privilege of serving back in the majority days, over 12 years ago here. It is a very difficult process to come up with a proper budget. But that must begin now. And I would just wish that the President's offering were going to be of more help to us. It is not all bad. There are some good elements of the President's budget. But if you look at the overall promise of a balanced budget by 2012, I am not sure anyone in the administration really believes that. It is here on paper, and it sounds mighty good. But if you look at the assumptions underneath it, whether it is borrowing from Social Security or whether it is taking the big bite out of the middle class with the AMT tax, it looks like the President's budget is not standing up to scrutiny.

But I thank my friend from Arkansas. I thank my Blue Dog colleagues. This is the day that we start the budget debates. Over the next 2 months we will be trying to bring this to a conclusion.

I hope that all Americans will download these documents off the Internet, will participate in the debate, and let me and other Blue Dogs know your opinions on what we should do on those budget matters.

Mr. ROSS. I thank the gentleman from Tennessee (Mr. COOPER) for his valued input and insight into this budget process. The President has done the annual ceremoniously bringing of the budget, if you will, to Capitol Hill. And, in fact, Mr. Speaker, here is a copy of it. This is the budget of the United States Government for Fiscal Year 2008 from the Office of Management and Budget. And it is quite a lengthy document.

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But if you read over it, you will learn that the budget submitted this week continues the same policies that helped create the fiscal mess now facing our government.

While the administration's budget claims to reach balance in 2012, unfortunately, this budget is in deficit every year under realistic Bush policy assumptions. The budget continues to make the wrong choices for the American people. It proposes substantial cuts to programs that benefits seniors, working families and children, all to help pay for an extensive tax cut for folks earning over $400,000 a year. It is about priorities, Mr. Speaker; and the priorities found in this budget, this budget as delivered this week by President Bush, are misplaced.

I yield to the gentleman from Georgia (Mr. SCOTT).

Mr. SCOTT of Georgia. Thank you very much, Mr. ROSS. It is always a pleasure to be on the floor with you.

There is so much we need to cover. Sometimes, you wonder where to really begin. But I think today we need to begin with what the President brought over here in his budget. I have had a chance to look at it, to go through it, and I am just astounded. I truly am astounded at the recklessness of the President's budget, at the irresponsibleness of the President's budget.

Here we are at a time when this country is crying out for very serious attention in health care, especially health care for those at the lower income end and the middle class, and what do we get in the President's budget but a tax increase for the middle class in health care. What we get in this budget is a slash to Medicare and to Medicaid.

I want to go through it just very quickly so the American people and our colleagues who might not have had a chance to really get into this budget can see how surprisingly irresponsible this budget is.

The President's budget that he just sent to us slashes Medicare and Medicaid by about $300 billion, at a time when Medicare and Medicaid are in greatest need, to slash those programs by $300 billion over the next 10 years, with legislative and regulatory Medicaid cuts totaling about $50 billion and Medicare cuts totaling $252 billion.

And rather than using these monies to reverse the growing number of uninsured Americans, and, indeed, listen to this startling statistic, since President Bush took office in the last 6 years, we have added an additional 6.8 million uninsured Americans. This is not a time to cut the basic government safety net program for insuring Americans when we are having more. This is why I say it is reckless. This is why I say it is irresponsible. And these monies are being offset, in his mind, by tax cuts to millionaires. It is totally out of sync.

The Medicare cuts include premium increases for millions of beneficiaries totaling $10 million over the next 10 years. And at the same time the budget slashes Medicare funding, it protects special interests. Here is how: It leaves untouched massive overpayments by Medicare to HMOs under the GOP 2003 Medicare Modernization Act. And many of the Federal Medicaid cuts will simply increase State costs or lead to further restrictions in Medicaid benefits. Thus, instead of assisting State efforts to reduce the number of uninsured, the Bush budget will impede those efforts.

But in the area of health care, and I mentioned at the outset that there would be in here this hidden tax increase for the middle class. Here is where we find it. Under the President's budget, employee health benefits would, for the first time, be treated as income and would be subject to income and payroll taxes, just like wages. This is new, for the first time.

Listen carefully. At the same time, the President would create a tax deduction for health insurance of $15,000 for families and $7,500 for individuals. This proposal would fail to reduce the number of uninsured, and it would also mean a tax increase for millions of middle-class families who have employer-sponsored health insurance worth more than $15,000. You have to really look at the fine print.

And also, because the new deduction would reduce taxable income, people's future Social Security benefits would be reduced as well; and, as many health experts have pointed out, the President's proposal would undermine employer-provided health insurance and would push people into the individual health insurance market, a market where insurers are able to refuse coverage to workers based on their health.

As Karen Davis, who is head of the nonpartisan Commonwealth Fund, pointed out about the President's proposal, it is not solving the uninsured problem and it is not solving the cost problem, so it is not really advancing what we need to have happen.

Here at the most basic need, where government and people need the help, soaring high health care costs, this budget not only fails but, to add insult to injury, adds a tax increase to the middle class in the process.

Mr. ROSS. I thank the gentleman from Georgia, a very active member of the fiscally conservative Democratic Blue Dog Coalition, Mr. SCOTT. I hope he will stay for the remainder of this hour as we discuss the President's budget for fiscal year 2008, as well as the Blue Dog Coalition-endorsed House Resolution 97 to demand accountability on how the hardworking people of this country's tax money is being spent in Iraq.

Mr. Speaker, in the 6 years of the Bush Administration, the government has posted the highest deficits in the Nation's history. The administration has squandered the budget surplus it inherited, transforming a $5.6 trillion projected 10-year surplus into a deficit of some $2.9 trillion over the same period, a swing of $8.4 trillion, based on realistic estimates of the cost of the President's policies. The President's new budget calls for a deficit of $244 billion for 2007, and $239 billion for 2008, marking 6 years in a row of deficits of more than $200 billion.

This budget that the President delivered to Capitol Hill this week includes $244 billion worth of hot checks for fiscal year 2008 and $239 billion worth of hot checks for fiscal year 2009. Unbelievable, Mr. Speaker. That means that this Nation will continue to borrow about a half a billion dollars a day every day, Monday, Tuesday, Wednesday, Thursday, Friday, Saturday, Sunday. Every day, under the Bush budget, we will borrow over a half a billion dollars, and that is before we spend a half a billion dollars each day paying interest on the debt we have already got.

America's priorities will continue to go unmet until we get our Nation's fiscal house in order. Meanwhile, this budget continues to climb the climb of decline of our Nation's debt, which has already grown by $3 trillion during this administration.

Put another way, this President, this administration has borrowed more money from foreign lenders, foreign central banks than the previous 42 Presidents combined. In fact, we had only borrowed $623.3 billion in foreign holdings in 1993. Today, foreign lenders currently hold a total of about $2.199 trillion of our public debt.

I was with the President at a meeting Saturday morning. The gentleman from Tennessee (Mr. TANNER) asked him about whether he believed borrowing so much money from foreign central banks and foreign investors was a security threat to our country. His response was that he didn't know how much money we had borrowed from foreigners.

So, Mr. Speaker, I hope the President is listening to us today, because, Mr. Speaker, I want to share with you, Mr. Speaker, what I refer to as the top 10 list. This is the top 10 list of the 10 countries that we have borrowed the most money from: Japan, $637.4 billion; China, $346.5 billion; the United Kingdom, $223.5 billion.

Can I go back to China for a moment? You know, we don't do business with Cuba because they are Communist, and yet we do business with Communist China out of a spirit of international relations. And while we are all focused on the Middle East and what is going on in Iraq and Afghanistan, Cuba has hired China to drill for oil on their behalf 55 miles from Key West, Florida, when the United States does not allow drilling within 100 miles of Key West. Can you imagine that? And yet we have borrowed $346.5 billion from China to give folks who live in this country who earn over $400,000 a year a tax cut and to leave our children and our grandchildren with the bill.

I yield to the gentleman from Georgia.

Mr. SCOTT of Georgia. Will the gentleman yield just a moment?

On the issue of China and our lending, we are now in debt to China well over $350 billion. Now just to show you why this debt in the hands of foreign governments is such a threat to our national security, just this example. China is now engaged with Iran in building a, supposedly building, a gas pipeline from China to Iran. The United States, in its efforts to tighten certain screws, economic and political, on Iran, in addition to the saber rattling we are doing, has begun to ask China if they would desist from that relationship. To this point, China has stonewalled; and in large measure it is because we don't have the leverage. If you owe me $360 billion, that weakens my position.

The other area, in terms of our national security, is the situation in Iran as we are dealing with it, because that is in the news now. There are all kinds of questions and issues now of whether or not we are going to attack Iran, which is why we have got to hurry up and get our resolution passed and make sure that the President understands what article I, section 8 of our Constitution gives the Congress the extreme role, the exclusive role in determining the funding and the declaration of war in that regard.

But the whole reason why this whole funding operation puts us in a weakening position from our lending and our debt with our foreign countries is this: Iran has to depend upon a tremendous amount of lending from other countries to support them. It puts our Treasury Department, our Secretary of Treasury, our Secretary of State, and I plan to ask Ms. Condoleezza Rice tomorrow, we will have an opportunity to meet with her, this specific question. The fact that we need our partners, who we are working with, to stop lending to Iran, if we tighten that financial economic screw, that is how you avoid this unfortunate military clash that might be pending.

But the point I wanted to make is, as long as we are so overly dependent and have this indebtedness in the hands of the foreign governments, we lose the leverage we need to secure our Nation and to secure a better peace in the world.

Mr. ROSS. I thank the gentleman from Georgia. Point well taken. Thanks for sharing that with us.

Let me just round out the top 10 current lenders. These are the countries the United States of America is borrowing money from in order to provide tax cuts for folks in this country earning over $400,000 a year. That is in the President's budget. That is what he is proposing to do. Here is what he has done already.

In the past 6 years, our Nation has borrowed more money from foreigners than the previous 42 Presidents combined. Again, Japan $637.4 billion; China, $346.5 billion; the United Kingdom, $223.5 billion. OPEC. And we wonder why gas was approaching 3 bucks a gallon in August. Our Nation has borrowed $97.1 billion from OPEC to give folks who live in this country a $400,000 tax cut.

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That is exactly what the President is proposing to continue. Mr. Speaker, I dare say that in this new Democratic majority, we will stop that.

Korea, $67.7 billion. Taiwan, $63.2 billion. If China decides to invade Taiwan, the gentleman from Tennessee, Mr. TANNER, has made this point before, our country and our fiscal house is in such a mess that if China decides to invade Taiwan, we will have to borrow more money from China to be able to afford to go assist and defend Taiwan.

The Caribbean banking center, $63.6 billion. Hong Kong, $51 billion. Germany, $52.1 billion. A lot of discussion about our border, and I believe we must secure our border, but are you ready for this: the United States of America has borrowed $38.2 billion from Mexico in the past 6 years to fund tax cuts for people who live here earning over $400,000 a year, leaving our children and grandchildren with the bill, which is the very reason why our Nation today is in debt $8,696,414,214,377.

That is a big number. How do you explain it? If you divide it by everybody that lives in America, some 300 million of us, every one of us owes $28,900. I don't know about you, Mr. Speaker, but I can't afford to write a check for $28,900 to the government. It is what we call the debt tax, D-E-B-T, and it is one tax that can't go away until we get our fiscal house in order and begin to meet America's priorities again.

Today, the money is going to pay interest on the debt, and it is going to borrow more money to fund the war that is costing us $9 billion a month, again, a big number, break it down, $12 million an hour. $12 million an hour.

I yield to the gentleman from Ohio (Mr. WILSON).

Mr. WILSON of Ohio. Thank you, Mr. Ross, and thank you, Mr. Speaker, for the opportunity to speak on the budget that has been sent to us just as recently as yesterday.

I was elected by the people of eastern Ohio and sent to Washington to try to bring a commonsense approach to what is going on down here. I must say that the budget that we received yesterday and have looked through today making different points, it is astonishing, the math that is used. The budget doesn't add up, the numbers don't fit together, the lack of real fiscal responsibility, the tax increases on the middle class, the continued cutting of programs that are good for people, the lack of oversight over our war that is going on right now. It is frightening. It is frightening for everybody. There are several things that are wrong, though, that I would like to talk about.

As I said, the numbers don't add up; they just don't come together. There are assumptions that are made that are unrealistic, and it provides us with an opportunity for real failure, more so than we have now.

As Mr. Ross recently indicated, we are near $9 trillion right now in debt, and with everyone's share, with 300 million residents of America, we are looking at $29,000 per person. That is man, woman, child.

Looking at this, it is unfortunate that under this budget proposal there are crucial investments that have been cut to programs that are important to people. For example, they are cutting commodities for seniors and people with low incomes and people who have disabilities, but yet we are making real strong assumptions on the scenario of what can happen for the right things to give more tax breaks.

I did an interview today, Mr. Speaker, with a newspaper in Ohio, and was asked, how will you pay to restore the commonsense benefits that are in this budget? Well, one of the ways would be to eliminate some of the tax breaks for the people who need them least, and this would certainly be a thing that we as the Democratic Blue Dog Coalition would be supportive of.

We need to look at common sense. We need to find ways, such as PAYGO, which we are putting forward, to say that no program goes forward for more spending, Mr. Speaker, without eliminating a program that is costing us in the present time. This is what PAYGO is about. It is a direction that our country needs. PAYGO stands for common sense, and that is really what we are trying to do.

When we look at this budget, we say that in the President's budget this time for the 2008 series, it is more of the same, that there has been no change. It takes many, many assumptions that it is going to be a best-case scenario. But when you really look at the numbers, Mr. Speaker, it winds up quite bad again.

We are moving in the wrong direction, doing the wrong things. The unbid contracts in the war, the situation that we have where money is being drained on a daily basis out of America, I can't help but wonder all the good that could be done if we had fiscal responsibility, if we had people that were looking at the realities of what this budget could do.

So I am confident as a new Democrat in this Congress that we are going to work hard to try to bring common sense to the budget to try to benefit the American people. This best-case scenario assumption is just not a fair way to go. It hasn't proven good in the last 6 years, and I doubt very much it is going to prove good in the next 2 years.

I am happy to be part of the Blue Dog Coalition, to look for fiscal responsibility and fight for the rights of what should be done in America.

Mr. ROSS. I thank the gentleman from Ohio for joining us during this Special Order to discuss the President's budget, which has been delivered to Congress this week, as well as to talk about the War Accountability Act, House Resolution 97, to demand transparency, accountability and just good government, Mr. Speaker, in how we are spending the hardworking people of this country's tax money in Iraq.

There are a lot of misplaced priorities in this enormous budget. Here is the top ten list:

Number one, it includes tax increases for middle-class families.

Number two, it has cuts in it to health care and to seniors.

Number three, while it is very cold outside right now, while much of the country is frozen, if you will, Mr. Speaker, it cuts home energy assistance for those who need help the most with finding the money to afford to heat their home in the winter months.

After 5 years following 9/11, it has devastating cuts to police and firefighters.

In direct opposition to the wishes of the people of this country, here it comes again, it has a plan to privatize Social Security.

The President's budget includes cuts to veterans health care. At a time when we are creating a new generation of veterans coming home from Iraq and Afghanistan, the President's budget includes cuts to our veterans. We need to ensure that our veterans receive the health care they so desperately need.

I don't know about you, Mr. Speaker, but I get letter after letter and call after call from veterans who have to wait in line weeks and months at a time to be able to see a doctor. That is not the kind of health care we promised America's veterans. We should honor them by properly caring for them.

It includes cuts to education and cuts to housing assistance. And with Iraq veterans returning with devastating injuries, it includes cuts to the brain trauma research that is so desperately needed by many of these returning veterans from Iraq and Afghanistan.

President Bush's budget says a lot, but it does very little. It is filled with misplaced priorities. I will challenge you, Mr. Speaker, to read it for yourself, make your own decision.

As members of the Blue Dog Coalition, we are not here to beat up the President. He can't even run again. We are here to reach out across that aisle and work with him and work with the Republican Members of Congress, because the American people have sent a message very loud and clear, they want us to work together. That is what the fiscally conservative Democratic Blue Dog Coalition is all about. We want to work in a bipartisan manner to put this Nation on a track toward a balanced budget, to pay down the debt, and to restore some fiscal discipline and common sense to our Nation's government.

Mr. Speaker, I yield to the gentleman from Tennessee, Mr. LINCOLN DAVIS.

Mr. LINCOLN DAVIS of Tennessee. Mr. Speaker, we often hear from our friends on the right that when the Democrats question the war or the strategy in Iraq, we are disheartening our troops and emboldening the enemy. I guess it doesn't matter that there are many Republicans who also ask the same questions about the war. This attempt by the right to use fear and shame to quiet the administration's critics is distasteful and, I believe, hurts America.

Those on the right who take the argument further, suggesting that folks who don't agree with the administration's policies and don't keep their views to themselves are being un-American, really saddens me. It saddens me because it seems like those on the right are trying to discourage the very actions that led to the founding of our Nation, the very actions that allowed the United States to continue evolving toward the never-ending goal of a more perfect Union.

Our country derives its strength from the diversity of views and ideas that come from its people. If one idea isn't working, then someone has the freedom to suggest another idea that is different and might yield different results. In my opinion, the ability of the American people to discuss differing ideas gives our Nation great strength.

Additionally, I believe that when Iraqi people see Americans exercising their right to freedom of speech, the Iraqi people are not disenchanted by their prospects, but rather they are inspired to have a country as free as ours. They see our freedom as a beacon of hope for what their nation could become some day.

Frankly, it is the freedom we enjoy here that scares the enemy over there so much, because they know that once the people taste freedom, they will demand it for eternity for themselves. So we should not stifle our freedom here for fear that it may be negatively impacting the war over there, which I seriously doubt it is.

Furthermore, if the actions of Senators of both parties and House Members of both parties embolden the enemy, then doesn't public opinion also embolden the enemy? Since polls show a large majority of Americans disagreeing with the administration's policy in Iraq, not the war, the administration's policy in Iraq, if this is the case, then why don't we see those on the right condemning the American people for expressing their views and emboldening the enemy? It is because probably politically they know they can't criticize the American public. It is because it is easier to take pot shots at politicians than at everyday men and women in American society.

Additionally, if the actions of the Senate and the House and American public embolden the enemy, then I think we need to take a look at the administration. I quote: "Such statements give a morale boost to the terrorists," Iraqi Prime Minister Nouri al-Malaki, on remarks of the Bush administration describing the Iraqi Government as being on "borrowed time." In essence, the Prime Minister of Iraq is accusing our President of emboldening the enemy by making such a statement.

I contend that the American people love America, that Democrats love America, that Republicans love America and that President Bush loves America. I contend that we all love America, and that the discussion everyone is having on Iraq right now is not an extension of their love for America, because we all want what we think is best for the country. We want success and we want security. If only we also wanted civility in Washington.

I know that once folks cross into the District of Columbia or read about something in Washington, it seems there is something triggered in their brains and our rhetoric is raised to a sensational point. We need to stop and ask ourselves, is this rhetoric helpful to the end goal, or just hurtful?

There certainly have been plenty of failures in Iraq and there is plenty of blame to spread. We should have sent in more troops, some say. We should have not disbanded the Iraqi Army. We should have kept better track of how our taxpayer dollars were being spent. We should have squashed the militias before they built a strong following, some say, and on and on.

□ 1700

I will tell you who has not failed: Our soldiers on the ground. The American soldiers won in Iraq. They defeated Saddam's Army, deposed a dictator and tore down the statue. They gave the country to the Iraqis.

Sadly, in my opinion and many others, the leaders in Washington have failed our soldiers because those in charge of Iraqi policy have been weak in dealing with the new Iraqi government, have not pushed them to find political solutions to the problems they face. The lack of political structure in Iraq falls squarely on the shoulders of the war planners, and I for one will not let the reputation of our fighting men and women be tarnished by the miscalculations of those in charge.

The question now must be, what are the next steps to bring success and security? That is our goal, is success and security.

The Blue Dog Coalition has drafted a resolution that can help us along our goals towards success and security. House Resolution 97 would improve our accountability in Iraq so we can make sure our taxpayer dollars are being spent wisely and going where they are needed to achieve success.

In my opinion, this resolution is the first step of many steps down the path to stability and success in Iraq. I, for one, stand with our military men and women, ready and able to walk down the path of success with them.

Thank you, Mr. Speaker.

Mr. ROSS. I thank the gentleman from Tennessee, an active member of the fiscally conservative Democratic Blue Dog Coalition.

And the gentleman is exactly right. As members of the Blue Dog Coalition, we are sick and tired of all the partisan bickering that goes on in Washington. As members of the Blue Dog Coalition, we don't care if it is a Democratic idea or a Republican idea. All we care about is, is it a commonsense idea, and does it make sense for the people who sent us here to be their voice? That is really what the fiscally conservative Democratic Blue Dog Coalition is all about: restoring fiscal discipline, accountability and common sense to our government.

I yield to the gentleman from Georgia (Mr. SCOTT).

Mr. SCOTT of Georgia. I thank you, Mr. ROSS.

I just want to make clear, as colleagues are saying, and I want to make sure that this debate is within the right frame of mind. This is not a debate that is personally against the President. The President is a likeable person. It is just his policies. His policies are wrong for the American people. Even the American people are rising up and saying so.

We have, as Congress, the responsibility to respectfully disagree with the President. That is what we are doing. We are simply saying it is wrong to cut veterans', it is wrong to cut seniors' programs, it is wrong to cut education, it is wrong to cut the COPS program out, from getting folks in to be employed for first responders. It is wrong to cut homeland security. It is wrong to cut every single basic domestic program that is cut in this budget. It is wrong to do that.

It is wrong also for the President to say on the one hand that he is going to have a surge of 21,500 more troops, when, in fact, we now know that it is not 21,500. It is more like 48,000, according to the CBO that has just corrected that.

So when we have these kinds of situations, this is what makes this government what it is. This is what makes us the envy of the world. This is why we have this House. This is why we run every other year, why people hold us accountable, to come and to make sure that the voters and the people of America and their tax dollars, that we are good stewards of them. That is our responsibility.

And we have a right, more than that, we have a duty, to raise the tough questions and to hold the President's feet to the fire when he comes with such a wrong-headed budget as this that goes right to the heart of where America is hurting. This is why we are here today, and this is why the Blue Dogs are offering this. This is why the Blue Dogs are also offering Resolution 98, to bring this fiscal accountability and financial accountability, to stop war profiteering, and to make sure the money goes to the soldiers so that we can take care of them while they are on the battlefield and to make sure we restore these cuts to make sure we take care of them when they come home. This budget doesn't do it, and it is our obligation to raise these questions and to make sure that this budget responds appropriately.

Mr. ROSS. I thank the gentleman from Georgia.

Mr. Speaker, if you have any comments or questions or concerns, you can e-mail us at BlueDog@mail.house.gov.

I yield to the gentleman from Tennessee.

Mr. LINCOLN DAVIS of Tennessee. I so often hear that cut and run is a strategy from Democrats. That is not the case. When we finished the war in 1945, military bases were established in western Europe, in Turkey and other places throughout the world. They are still there. As we finished our endeavors, as many people thought during the Korean War, our military bases are still located in South Korea.

We will never leave the Middle East, if the American people think that is the case. What we are talking about is being able to redeploy and do certain other endeavors that have not been done to make sure we win this war, win the peace, and have success in Iraq. We will be in the Middle East for a long, long time. My great-grandchildren will still see us be there. That is an area in which we have to defend America's freedom and liberty.

But we have got to take another look at having success, because what we are doing now is not having the success the American people demand, expect and we should have for them, and our troops deserve better than that.

Mr. Speaker, I yield back the remaining portion of my time.

PEAK OIL

The SPEAKER pro tempore (Ms. JACKSON-LEE of Texas). Under the Speaker's announced policy of January 18, 2007, the gentleman from Maryland (Mr. BARTLETT) is recognized for 60 minutes.

Mr. BARTLETT of Maryland. Madam Speaker, there are three different groups in our country and indeed worldwide at least for some of these issues that have common cause in campaigning for a reduction in the use of fossil fuels. These three groups come from very different perspectives, but as you will see from our discussions this evening they really do have common cause. Because to solve the problems that brings them to this dialogue, all three of these groups are advocating essentially the same thing. That is, a reduction in our use of fossil fuels.

The first of these groups is a very large group which has genuine concern about national security interests. Probably 2 years ago now, or nearly that, 30 of our prominent Americans, Boyden Gray, McFarland, Jim Woolsey and 27 others, some of them senior retired military people, wrote a letter to the President saying: Mr. President, the fact that in our country we have only 2 percent of the known reserves of world oil and we use 25 percent of the world's oil, importing almost two-thirds of what we use, represents a totally unacceptable national security risk.

The President himself recognized this in his State of the Union a year ago when he noted that we get some of this oil from countries, as he said, that don't even like us very much. That is a bit of an understatement for some of those countries.

The next chart shows a recognition of this on the part of our Secretary of State. This was April 5 of last year. We do have to do something about the energy problem.

I can tell you that nothing has really taken me aback more as Secretary of State than the way that the politics of energy is, I will use the word, "warping" diplomacy around the world. We have simply got to do something about the warping now of diplomatic effort by the all-out rush for energy supply.

I am sure that in her head she had a mental picture of this really interesting map of the world. This shows what our world would look like if the size of each country was determined by its reserves of oil. And you can see how in America right here, tiny on this map of the world, we represent about less than 5 percent of the people of the world and we have only about 2 percent of the oil in the world, but we are using 25 percent of the oil.

Look how small we are. We would fit many times in Saudi Arabia. We are about the size of Qatar here. We would fit four times in Kuwait, if the size of Kuwait, if the land mass of Kuwait was relative to how much oil they have.

Russia up there, they are a big exporter now, but they can be a big exporter because they aren't using anywhere near as much as we have. You see Russia is two or three times as large as we are.

Well, that large community in our country which is genuinely concerned about national security interests understands our problems that come from this distribution of oil. Many of these oil reserves are in countries that, what we call the royal families. They are really dictatorships, aren't they? And Kuwait and the United Arab Emirates and Saudi Arabia. And then in Iran, that is run as a theocracy pretty much totally controlled by the Mullahs. And here we have Venezuela, a Communist state.

The President very wisely said in that State of the Union message a year ago that we are getting oil, many of the reserves are in countries that don't even like us very much.

Now, fortunately, our imported oil doesn't come from the mix as we see it here, because we are getting oil where it is cheaper to ship it and so forth. So a lot of our oil comes from Canada. They are pretty tiny in terms of total reserves, but there aren't many people there, so they are an exporter. We get oil from Mexico, and we get oil from Venezuela simply because of economics. It is just cheaper to ship it the short distances around the world.

So this is one group that has common cause in wanting to reduce our consumption of fossil fuels, particularly oil, because we are so dependent on the rest of the world which, as Condoleezza Rice says, presents a very real national security problem.

A second group that is interested in reducing our use of these fossil fuels, particularly oil, is the group that believes that, whereas the United States reached its maximum production of oil in 1970, that the world is about to approach that point now. And if you aren't concerned about national security risks and if you aren't concerned about climate change, which is going to be the third one that we talk about, you would really be concerned about oil if you recognized that there is not going to be enough of it in the future. It is going to be a real economic problem.

What we have here, it says here, the United States production Hubbert versus Actual. This is a report from CERA, the Cambridge Energy Research Associates, who were trying to point out that M. King Hubbert was not very accurate in his prediction of what the United States would do, and therefore you shouldn't take him very seriously when he predicted the world would be peaking about now.

The average person looking at this would say that they were kind of nitpicking, because this is the Hubbert's Lower 48 Projection, this yellow line here, and the red is the actual. And of course added to the Lower 48 was our big discovery in Dead Horse and Prudhoe Bay, Alaska, and our oil discoveries in the Gulf of Mexico. Well, I think that these two curves here run pretty darned close together; and for that growing community of people that have a genuine concern about the availability of oil in the future, this chart has real meaning.

I might look at the next chart here before we move to those who are concerned about climate change. This is a chart which presents the challenge that we face from what is called peak oil, and these bars here represent the discoveries of oil. You note that the big discoveries were back in the 1960s and 1970s; and ever since 1980, on average, the discoveries have been reducing, going down, down, down.

Now, anyone who has had any math and charting and so forth in school knows that if you draw a smooth curve over this, the area under the curve will represent the total amount of oil that we have found. Indeed, each of these represents a reservoir of oil. If you add up all these little bars, why you have the total; and that is what you do when you smooth them out. You, in effect, add them all up.

The solid dark line here represents the amount of oil that we have been using. We started out really rich, didn't we? We found this much oil, and we are just using this tiny bit down here.

□ 1715

It looked like oil was going to be forever. When would it run out? Look at how little we are using and how much there is out there.

But now look what happened. We continued to use more and more as the industrial revolution grew and as our population grew and we found more ways to use energy to make our lives comfortable. The use continued to grow and grow, but the discovery started falling off.

In 1965 or so, they started falling off, down, down, down, and that is in spite of ever better techniques for finding oil, computer modeling, 3-D seismic and so forth. We now have a pretty good idea of what the geology of the world looks like, and we will find gas and oil in only very unique geological formations. Maybe a little later this evening we will have a little chance to talk about those so you have some expectation of what we might find in the future.

Here we are now, and this is about 2007, and we have been using more oil ever since about 1980 than we have been finding. Of course, we have had lots of reserve, and we have been eating up that reserve now, until we have taken some of this to fill in this space.

Now you look to the future, and what does the future look like? We have some options of what the future looks like. One of the options we do not have, though, is pumping oil we have not found. So unless you think we are going to find more oil than this chart indicates, and of course it will not be a smooth, down curve like that. It will be up and down but generally it will be down most people recognize. Well, we can use all sorts of enhanced oil recovery techniques and pump it sooner, and you may get a little more from those enhanced recovery techniques, but you cannot pump what you have not found.

So this shows you very graphically. If you had only one graph to look at to help you understand what we are facing in terms of peak oil, this would be the graph. So you understand now why this second group is really concerned about our use of fossil fuels, particularly oil, because it is very probable that the world is going to reach its maximum production of oil, maybe has already, but if not now, very soon, and the demand for oil, which has been going up at a roughly 2 percent per year growth is going to continue. So it is going to be an ever increasing difference between the available oil and the demand for oil.

Of course, when that happens, of course when demand exceeds supply, price goes up, and we have seen oil prices go up relatively few years ago from $10 a barrel to $60 a barrel now. It was just a few months ago $78 a barrel. Kind of fear factor in that way, it went away, and it dropped very quickly $18 a barrel. But very volatile market, up and down $1 or more a day. Another fear factor, it could jump another $18.

The next chart I have here is one that shows the concerns that this third group has, and that is those who are concerned about climate change. I have something I want to read here. This chart comes from this document by the way, "Stern Review: The Economics of Climate Change." It says here, "The scientific evidence is now overwhelming: climate change presents very serious global risks, and it demands an urgent global response.

"Climate change is global in its causes and consequences, and international collective action will be critical in driving an effective, efficient and equitable response on the scale required."

This international cooperation reminds me of a visit we just made. I came back just about a month ago from China. Nine of us, nine Members of Congress went over and the primary reason of the trip was to talk to them about energy. I was surprised and pleased when they began their discussion of energy by talking about post-oil. Gee, I says, they get it. Somehow a civilization that was a golden civilization when my Fore Fathers were barbarians running around Europe has a longer view of things than we seem to have. We have trouble seeing beyond the next quarterly report in our industry. We have real trouble here seeing beyond the next election. But they are looking post-oil they say. They recognize that there will be a post-oil period.

A thousand years of recorded history, we have been in the age of oil about 100, 150 years. If it is half gone and if it follows a bell curve, as it did in our country and it probably will in the world, you have probably got another 100, 150 years of oil, with ever increasing costs and ever decreasing amounts as we get the oil, which is harder and harder to get.

Climate change presents a unique challenge for economics. It is the greatest and widest ranging market failure ever seen. The benefits of strong, early action on climate change outweigh the costs they say.

So this is a little chart that shows where these gases come from. Just a moment of explanation as to why the use of oil and so forth produces climate change.

When you go out into your car this evening, if you go out, if it is parked outside and the sun is shining in, and if you go out before dark, your car will be very much warmer inside than it is outside, and we call that the greenhouse effect. What happens is the light from the sun comes in in a very broad wavelength spectrum from very long waves to very short waves, and they go easily through your car, most of them through the car window, and then that sun heats up the material inside your car, and that reradiates in the infrared. Well, the glass is relatively impervious to infrared so it simply reflects it back, and that is called the greenhouse effect, and your car then gets warmer and warmer. You see it especially on a summer day when it may be 80 outside and 120 inside your car which is why you should not leave your children and animals inside the car when you leave it.

Well, there are gases in the atmosphere that essentially do the same thing as the glass in your automobile. You may remember riding in the airplane and you are very comfortable sitting in there at 38, 40,000 feet and the pilot tells you it is minus 40 degrees centigrade outside. That is really cold. The reason you could be so warm down here and you are so cold up here is the reflection of all this heat which is radiated back from the earth, long infrared rays, and they are reflected back. One of the things that reflects them back are gases up in the atmosphere. There a number of those gases, methane, and carbon dioxide is one of the major ones.

Of course, carbon dioxide, absolutely essential for plant life, and they are so efficient. Our oxygen is about 21 percent. We can do with maybe half of that. If you are at 18,000 feet, that is all you have got because of the atmospheric pressure there. But these plants make due on .04 percent. Do you not wish you could be as efficient as these plants? You could get by on the top of Mt. Everest very easily. You would not need to pressurize the cockpit in the aircraft you are riding in.

What stunned me in this report was when I read that our earth now is only 5 degrees centigrade, that is 9 degrees Fahrenheit, warmer than it was in the last ice age. Wow, what a huge change in climate, a relatively small change in temperature makes, just 9 degrees cooler Fahrenheit, and we had glaciers that came down to southeast Ohio. They came down that far, scooping up the dirt and from it you can see where it melted and left the mounds of gravel and dirt there where they came down that far.

Well, I am very pleased to be joined by one of the Nation's leading voices and authorities on climate change, my colleague, also from the great State of Maryland, Congressman GILCHREST.

Mr. GILCHREST. I thank the gentleman from Maryland (Mr. BARTLETT) for yielding and for having this time we can discuss these issues of energy, its ramifications to national security, the environment and to the economy. I would like to reiterate some of the comments that Congressman BARTLETT has made as far as energy use, and it is a single issue, energy use, the ramifications of our energy use now is to our economy, to our national security and to our environment.

Our energy use is dependent on fossil fuel, and our whole economy then is dependent on fossil fuel. Our national security to a great extent is the ramifications of national security are as a result of where we get our fossil fuel sources from throughout the world, and fossil fuel burning has a pretty big impact on the environment. So our energy policy affects our economy, affects our national security and affects our environment.

Each of these, because it is fossil fuel, because like Mr. BARTLETT said, two-thirds of our energy sources for oil come from foreign sources, that makes our economy fragile. That makes our national security much more difficult, and the ramifications to our environment is that it degrades our environment.

What I would like to discuss here is the legacy of oil to our environment, and the environment, in particular, is our climate. The air, sea and land, upon which life exists on the planet depends to a great extent on the atmosphere, and the atmosphere, in order to support life as we know it, as Mr. BARTLETT described, has a certain heat balance to it in order for life to exist.

That heat balance that we talk about is the greenhouse effect which keeps the planet and its heat at a certain temperature in order for us to live, vegetation to grow, life in the sea to exist and life on the land.

The greenhouse effect is as a result of the chemistry of the atmosphere and the chemistry of the atmosphere, whether it is carbon, whether it is methane, whether it is oxygen or whether it is water vapor, does hold the heat of the sun's rays enough for us to have life the way we know it, the greenhouse effect.

The greenhouse effect has had huge fluctuations over the eons of time that the earth has existed. We have ice ages, we have warming trends. So throughout earth's history we have had a natural range of fluctuation to the temperature, to CO_2, to other greenhouse gases. That is a natural range. No huge rapid fluctuations in that natural range of chemicals that make up the atmosphere to hold on to the greenhouse effect.

The question is, when we debate this issue in Congress or in other political situations, are humans impacting the climate? Are humans the cause of a warming trend?

Well, let us take a look at that. Right now, is there a warming trend? I would say that every single scientist in the United States, throughout the planet who is a meteorologist or an atmospheric chemist or anybody in that scientific community, every single one of them will say that, yes, we are in a warming trend and we have been in a warming trend for the past 10,000 years.

If you could go back 10,000 years using ice cores drilled into the glaciers in Greenland or the Antarctic, then you could see that 10,000 years ago, as Mr. BARTLETT mentioned earlier, the temperature of the planet was about 5 degrees centigrade cooler than it is now, and the value assessment of that is evaluated by the makeup of the chemistry of the atmosphere 10,000 years ago.

One of those elements in the atmosphere was carbon dioxide. If you look at carbon dioxide, you would see that 10,000 years ago, there was about 180 parts per million of CO_2 in the atmosphere.

Now let us come ahead almost 10,000 years to 1890 or 1900 and you evaluate CO_2 in the atmosphere at that point. You would see that in 10,000 years, you increased the amount of CO_2 in the atmosphere from 180 parts per million to 280 parts per million. It took the earth in its natural range of fluctuation 10,000 years to increase 100 parts per million of CO_2.

Now, let us project the next 100 years, which is essentially the industrial age. We have increased another 100 parts per million. We are now at 380 parts per million. So what took the natural forces in a natural range of fluctuation over a period of 10,000 years to increase 100 parts per million, in the industrial age we have done it in 100 years.

Now some people will say that has nothing to do with human activity, that is volcanoes, that is the natural decaying of matters, that is nature producing that 100 parts per million. The answer to that is this. You can distinguish between the kind of CO_2 that comes from volcanoes or forest fires or other natural sources from burning fossil fuel. Every human being has their own DNA marker.

☐ 1730

You can tell one human being from another human being by their DNA. Carbon dioxide has a DNA; it has a marker. It is a radioactive isotope, so you can determine where this CO_2 in the atmosphere comes from. Is it coming from your automobile, or is it coming from a volcano in southeast Asia, or is it coming from a forest fire in California or Brazil?

The radioactive isotopes are markers for CO_2. It is very easily discerned that an extreme increase in CO_2 has come from human activity. What do we see as a result?

We see warmer air temperatures and warmer sea temperatures. What are some of the results of that? Sea water is warming; the atmosphere is warming. Fuel for hurricanes is warm air and warm sea water. So we are seeing a fairly dramatic increase in stronger hurricanes.

What are some of the other implications of increasing temperatures as a result of burning fossil fuel, human activity? That is sea level rise.

Sea level rise from the melting of the Arctic ice, Arctic glacier such as Greenland and the Antarctic has the potential, in this century, to raise sea levels by 3 feet. What will that do to New York or Baltimore or Miami or all the other low-lying communities throughout the world, the Thames River in London? Sea level rise would flood the City of London. Coastal erosion, coastal communities. The insurance industry in the United States, as a result of climate change, global warming and potential increasing violent storms and sea level rise, and the insurance companies in the United States are beginning to stop their homeowners insurance coverage for these communities at risk along the gulf and Atlantic Coast. The insurance companies of the United States and Lloyd's of London, the only reinsurance company that I know of in the world that is continuing to cover these homeowners, have doubled, tripled and quadrupled their premiums to look at the risk.

The other problem with increasing CO_2 and other greenhouse gases is what it does to the actual chemical make-up of our oceans. Our oceans have a certain balance in their Ph. It is just a little bit above 7, and it has been that way for aeons of time. How long have the sharks been in the ocean? You hear on shows in television that sharks have been around for millions of years. Other creatures on our planet have been around for millions of years.

Some of the best habitat in the world for ocean creatures are coral reefs. Increasing CO_2 into the atmosphere and the world's oceans have absorbed fully half of the CO_2 that we have put into the atmosphere. The result of that, the legacy of oil, burning fossil fuel, is it makes the oceans more acidic. Ocean chemistry would change, be more acidic and more corrosive. It could destroy the vast resources we get from coral reefs by destroying the very fabric of the beginning of the ecology of the world's oceans.

Warmer temperatures we have already begun to see cause more forest fires, more infestations, more problems with agriculture. Weather patterns become more violent in some places. They become more unpredictable. The storm cycles are more violent and unpredictable. Shifting vegetation zones, we have already talked about sea level rise, habitat loss.

The Arctic ice cap at the top of the world in the last 50 years has lost 40 percent of its ice volume, 40 percent. The list of dramatic ramifications of not addressing one of the problems of the legacy of oil and our dependence on it is climate change, is global warming.

What are some of the answers to this? Well, Mr. BARTLETT has made some comments about this, but we have a bill on the Senate side, on the House side. Mr. BARTLETT is a cosponsor. JOHN OLVER from Massachusetts is a cosponsor. A number of our colleagues have gotten on this bill to try to understand the nature of this problem, at least part of our dependence on fossil fuel, which is global warming, climate change.

We think the debate is over. The debate is over because the science is clear that human activity is causing the climate to change and all those other problems or ramifications of increasing carbon dioxide in the atmosphere. We need to take action now to stop global warming. We subject our economy, our national security, our way of life to great risk and catastrophic harm. We have a bipartisan bill that will reduce the Nation's greenhouse gas emissions substantially and in a timely fashion.

We have a series of Fortune 500 companies from Alcoa to BP to Caterpillar to Duke Energy to DuPont to a number of environmental groups that support the Federal Government making a goal of reducing greenhouse gases by the year 2050 to 70 percent below 1990 levels, creating a regulatory structure to do that.

Then these companies that I just read say that the market can resolve the issue. It would create a cap and trade program with large tax incentives to unleash the ingenuity of the American free marketplace to capture the technology, which will make us much more economically viable to use efficiency, technological advances, alternative fuels. This will reduce over a period of decades not only our dependence on fossil fuel from foreign sources, not only improve our economy, not only improve our national security situation with the rest of the world, but drastically begin to improve our environment. The U.S. can take the lead in finding solutions to this seemingly intractable problem.

The Federal Government sets a goal with the regulatory structure, the market produces the results, and human ingenuity, once again, solves some of the problems. I want to thank Congressman BARTLETT for the time and for his enormous interest in this issue and his skill and expertise.

Mr. BARTLETT of Maryland. I want to thank my colleague very much for joining us here. Congressman GILCHREST mentioned market forces. They are, indeed, very powerful. They have served us very well in this country. They have provided for us the highest quality of life of any place in the world. But market forces are limited. They cannot do what they cannot do.

As I noted somewhat humorously, there are even some things that God cannot do. God can't make a square circle, for instance. The market forces are very powerful. As long as there are unlimited forces, market forces will work. I remember mentioning to one of our very high government officials the problem of limited oil supply in the future. The response was, gee, I guess the market will take care of that.

I guess when oil gets more expensive, we will use less of it, and then we will find alternatives. That is true. When oil prices get higher, we will use less of it, and we will look for alternatives.

But when you look at the potential for exploiting these alternatives, you see that a large amount of time and energy must be invested in these alternatives before they yield any meaningful amount of replacement for the fossil fuels, which are so abundant and so energy rich.

Let me give you just one little example of some of the unintended consequences of trying to do this. This is a big push to make ethanol from corn in our country. We have noted that the Brazilians are making ethanol from sugar cane, and they now don't have to import any oil. We would like to emulate them and make enough ethanol from corn that we will not have to import oil. That, by the way, is the impossible dream. That will not happen.

With the relatively small amount of ethanol that we are now making, and there aren't very many E–85 pumps or blends of ethanol in gasoline in this part of the country, there are in the Midwest, but with the relatively small amount of ethanol that we are making, the demand for corn raised the price of corn from $2.11 a bushel in September to $4.08 in December. That is causing a huge problem for our people that raise animals.

We are having a meeting in a few days with a number of our dairy people from Maryland. Unless milk goes up to more, I think it is about $14 per 100, now it needs to be at least $18 before they can break even.

With this kind of a price for food for their animals, they will go bankrupt. So the relatively small demand for corn to make the relatively small amount of ethanol that we are making now has essentially doubled the price of corn.

What this does is to reflect the enormous amount of energy that is in these fossil fuels. There they are really energy dense. This chart shows something about what has happened to our world as a result of the incredible energy density in these fossil fuels.

Hyman Rickover, and let me get a copy of his paper, it was not really a paper, it was a talk that he gave to a group of physicians 50 years ago. The anniversary of that will be May 14 of this year, and that was at a banquet of the annual scientific assembly of the Minnesota State Medical Association. This talk had nothing to do with medicine. He apologized for that at the beginning of his talk. But he thought that the physicians might enjoy some diversion.

He was talking about the enormous fossil energy in these fuels. Hyman Rickover, of course, is the father of our nuclear submarine. I had no idea that he had given this talk. It just appeared in the Energy Bulletin December 2 of last year, 2006. So it has only been out in the general public for these couple of months.

I noted this the other night that we need to hear this again, because this is just so revealing as to what this energy has done for us. With high energy consumption goes a high standard of living. Does the enormous fossil fuel energy in this country which we control feed machines which makes each of us a master of an army of mechanical slaves? Now at that time we didn't import any, so he could say we controlled it. Now we import almost two-thirds of what we use.

Another writer has indicated the incredible amount of energy in fossil fuels in oil. Let me give you the analogies he uses, and then I will read the ones that Hyman Rickover gave in that speech 50 years ago. One barrel of oil produces the energy equivalent of 12 men working all year for you.

If you figure the price that you could hire a man, the equivalent a man to work for you, by buying $10 of fossil fuel, of oil, it will work a full year for you. Now let me read what Hyman Rickover said 50 years ago and more so today. Man's muscle power is rated at 35 watts continuously, 1⁄20 of a horse power. That is 24/7. You can do a little better than that when you are working, but you have to eat, sleep, so forth.

Machines, therefore, furnish every American and industrial worker with energy equivalent to that of 244 men. Wow. How many man-months of work without any energy from fossil fuels would it have taken to build your automobile?

While at least 2,000 men push his automobile along the road and his family is supplied with 33 faithful household helpers. Each locomotive engineer, he says, controls energy equivalent to that of 100,000 men. Each jet pilot of 700,000 men.

You know, thinking of that jet pilot in that plane up there just the other day, and I look at those contrails and sometimes they are the only cloud-like things in the sky, it finally occurred to me the dynamics of this CO_2 thing that Congressman GILCHREST was talking about, carbon; and that is what is in these fuels, is largely carbon and hydrogen.

Carbon has a molecular weight of 12, and hydrogen has a molecular weight of 1. It is the lightest element in the universe. When you burn this carbon, it combines with oxygen, one molecule of carbon with two molecules of oxygen. Oxygen weighs 16. So what that says is, Congressman GILCHREST, that if you weigh the gasoline that goes in your car, you produce three times that weight in carbon dioxide. That is incredible.

Now, all of that carbon dioxide was taken out of the atmosphere a very long time ago. I didn't know, as a little boy, where oil came from; but I did know where coal came from, because we had a coal furnace in our house, and I would have to break those big lumps of coal. We bought it just as it came out of the mine.

□ 1745

When I would break a lump of coal open, there would be a fern leaf. Nobody had to tell me where coal came from. I knew very well where it came from. It came from plants that grew a very long time ago, they fell over under pressure and in time and they became coal.

So we were releasing incredible amounts of carbon dioxide, which is a greenhouse gas, which will change the acidity of the ocean. Fortunately carbon dioxide is very soluble in water. But it still changes the pH of the water because it forms a very weak acid, carbonic acid, when it gets in the water.

Truly, the humblest American, Admiral Rickover says, enjoys the services of more slaves than were once owned by the richest nobles, and live better than most ancient kings. In retrospect and despite wars, revolutions and disasters, the 100 years just gone by, that was 1950, that is right here, the 100 years just gone by, may well seem like a Golden Age.

And what this chart shows here is the history of the world, energy wise, for only about 400 years out of that 8,000 years that Admiral Rickover talks about. And the industrial revolution began with wood, the brown curve here, and it did not produce very many quadrillion BtUs of energy, and then coal, and boy did the economy grow with coal and trains and so forth. But then look what happened. It exploded when we found gas and oil. And that is because gas and oil are so easy to change into compounds that we can readily get energy from.

And they are much more adaptable and flexible than coal. Although you can get gas and oil from coal. Hitler had to do that when we cut off his oil supplies, and under embargoes South Africa had to do that. We may be turning to that again shortly.

As I mentioned, Madam Speaker, there are three groups that really have common cause in talking about the use of these fossil fuels. One is that very large and growing group of people, including our Secretary of State, who are concerned that our growing dependence on foreign oil is a very serious national security risk.

Well, what do we do? We obviously need to use less of it. The President says we are hooked on it, we need to use less of it. And we can use less of it two ways. One. We can simply conserve and be more efficient. And we have done some of that. We can do a great deal more of that.

The second thing that we can do is to get energy from alternatives. As this chart shows, and as Dr. Rickover mentioned, there will come a time when the world will be getting less and less energy from fossil fuels, and finally at some point in history down the road, we will be getting essentially no energy from fossil fuels, because obviously they are not infinite in their supply and they will not last forever.

In 8,000 years of recorded history, the Age of Oil will represent but a blip in terms of energy production, a pretty big blip. But we are probably about halfway through the age of oil. In another 100, 150 years if M. King Hubbert is correct and we are now at the peak, and it will be tailing off and going down the other side of what is commonly called Hubbert's Peak, oil will be ever more difficult to get and ever more costly.

In another 100, 150 years we will have transition to renewables, we will be steady-state, having used up the coal we have, having gotten all of the energy we can from these unconventional oil sources, like the tar sands of Canada and the oil shales of the United States.

The next chart looks at what obviously we need to be about. And that is addressing this problem. Now, whether you believe that we need to reduce our use of fossil fuels because it is a national security problem, whether you believe we need to reduce our use of fossil fuels because it is causing climate change, or whether you believe we need to reduce the use of fossil fuels because they are just not going to be there in the quantities that we are using today in the future, you still must do the same things.

Well, the first thing that you need to do is to buy some time. We now, knowing that we should have known at least by 1980 that we were going to be here today, because we were already 10 years down the other side of our Hubbert's Peak in this country, and M. King Hubbert had already predicted that the world would be peaking about now.

For these last 27 years, we should have been addressing this problem and investing energy and time in alternatives. Unfortunately, we in large measure have not done that. And so today we are faced with a problem. We have no excess oil, no excess oil energy to invest in alternatives. If there were any excess it would not be $55, $60 a barrel. And we have essentially run out of time.

Now, we can buy some time and free up some oil with an aggressive program in conservation. And you really can do that. Europe is using half the energy that we use. It would be hard to argue that they do not live as comfortably as we do. The average Californian uses 65 percent of the electricity that we use. And there are 50 some of those in our Congress. I doubt that any would agree that they live less well than we do, and they still use a lot less energy than we use.

What we need to do then is use it wisely. What will we do with this energy that we freed up and the time that we have bought by this aggressive conservation program? We have to invest that wisely in alternatives.

Now whichever of these camps that you come from, whether it is the climate change camp, or the camp that is concerned that we are too dependent on foreign oils, that is going to be a big national security risk, or whether you believe that we need to move from fossil fuels to alternatives simply because there are going to be less and less, and more and more expensive fossil fuels in the future, you still want to do essentially the same thing.

Enormous benefits can accrue from this. Congressman GILCHREST mentioned the enormous creativity and entrepreneurship of our people. We put a man on the moon in less than a decade. When you realize where we started from, that was a really big feat. We can do this. We were challenged to do that.

Today, the average American does not know that oil is probably limited in its future supply. They probably are unaware, today is an interesting day to talk about the potential for global warming, because it is the coldest day that we have had this winter. But I understand it is 20 degree above normal in Alaska and 20 degrees above normal today in Russia.

I just wanted to make a comment about some of the potentially unexpected consequences of this climate change. If you look at a globe, you will see that England is way up there, about mid Canada. And I had to stop for a refueling flight in Ireland. That really is the Emerald Isle, it is so green. And that has a climate like, what, South Carolina. How can you have a climate like South Carolina at a latitude of central Canada?

The reason for that is a huge conveyor belt that carries heat from the tropics to the British Isles and Europe. And that huge conveyor belt is called the Gulf Stream. And the Gulf Stream picks up heat in the Gulf area near the equator, and it then carries that like a giant conveyor belt up to the British Isles and Europe.

They have a very moderate climate compared to what they would have in the absence of the Gulf Stream. Now, water is not piling up up there around Europe and England, so it is obvious that if it flows up there and carries that heat up there, it has got to come back.

It comes back by going down. And why does it go down? We will talk about that in just a moment. Then it comes back flowing in just a large as volume and just as fast, it comes back to the lower part of this big conveyor belt. Again in the tropics, picking up more heat, and continues this transfer of heat to the British Isles and England.

Well, a very interesting thing is happening to this conveyor belt. The waters as they flow north, they are warm. And the sun shines on them, and water evaporates. And when the water evaporates, it leaves the salt there. And that makes the water more salty and heavier. And of course that is what produces the rains that then drops in our mountains and produces the indirect solar energy from the waterfalls that we use the turbines in to produce electricity.

Well, two things are happening. A major one is the fact that the polar ice cap is melting. And a lot of that fresh water, water without saline in it, very light compared to this heavy water, it is in addition to the general global warming of the oceans, it is the effect of this polar ice cap melting. And strangely the melting of the polar ice cap may so dilute the waters in the Gulf Stream that they do not become dense enough to drop down to continue this conveyor belt on back down to the tropics.

The Gulf Stream could stop. If the Gulf Stream slows down appreciably, or if it stopped, the climate in the British Isles and in Europe would be very, very different than it is today.

Now, if we were in Siberia talking about global warming and so forth, we may have a very different view of it. It might be hard to convince me that a little global warming might not be good if I lived in Siberia. But noting that just this 9-degree Fahrenheit, 5 degrees Centigrade change from the Ice Age has produced the incredible climate changes that we see from that time to this, you see the potential for really devastating climate changes as a result of very modest changes in temperature. Congressman GILCHREST.

Mr. GILCHREST. If the gentleman would yield just for a second on the issue of the Gulf Stream and the conveyer belt. As Mr. BARTLETT described the conveyor belt, it is part of this whole system of the climate that we are used to, because it creates this heat balance that humans over the last thousands of years have become used to in North America and especially Europe and England.

Mr. BARTLETT talked about Ireland being just about on the same latitude as northern Labrador, but has a much warmer climate. That is partly based on the fact that ocean currents bring warm air to that particular region.

With global warming, the ice cap on Greenland, which is about 600,000 square miles. The ice cap about 20 years ago was melting at a rate of about 20 cubic miles on an annual basis. About 5 years ago, it was melting at the rate of about 50 some cubic miles.

Today, it is 80 cubic miles of free water flowing into the northern part of the north Atlantic Ocean, putting what Mr. BARTLETT described, more fresh water, less likely to sink or drop and create the pump that drives the conveyor belt.

So the unexpected climate changes, instead of the potential for a much warmer climate in Europe, especially northern Europe, there is a slight chance because of global warming that you could have a much colder climate in northern Europe, the British Isles as a result of the fresh water pouring into the north Atlantic from the melting of the glaciers to stop this conveyor belt from functioning, the unpredictability of this climate change as a result of our dependance on foreign sources of oil and burning fossil fuel.

Mr. BARTLETT of Maryland. Madam Speaker, Congressman GILCHREST and I have both been twice to Antarctica. One of those trips we made together. We are on the Science Committee. We have a large experiment station down there right at the pole. When you go to Antarctica, that is a continent that nobody owns. I think Argentina claims they own it, and Russia claims they own it, but nobody honors those statements. It is an international area.

It has got ice piled nearly 2 miles high. So high and so heavy that it has actually pushed the continent down a little bit under it. 90 percent of all the world's ice is in Antarctica, and 70 percent of all the world's fresh water. You take our Great Lakes and all of the relatively thin ice at the North Pole and Greenland, that is relatively thin compared to nearly 2 miles in Antarctica.

So we have 90 percent of the ice down there and 70 percent of the fresh water. And Congressman GILCHREST mentioned that the oceans would rise maybe 3 feet with the melting of the glacial cap in Greenland and so forth and in the Arctic. If all of the ice melted, that would take a very long time, that is not going to happen tomorrow because there is a whole lot of it there.

But if all of the ice melted in Antarctica, I am told that the oceans would rise 200 feet.

□ 1800

Now, that would really, really change our world because I don't know what percent of our population lives within 200 feet altitude of the ocean. I suspect it is more than 50 percent, if you look around the world of the people that live at less than 200 feet altitude.

Now, there is an interesting ocean current that goes around Antarctica, talking about ocean currents and their affect on climates, that is the circumpolar current. And what it does is it keeps the, like our gulf stream, it will either let the cold air down if it is further south or keep it from coming down if it is further north. This circumpolar stream around the Pole keeps the northern, down there, of course, it is northern waters that are warm, it keeps the northern waters from coming down into Antarctica. And if something happened that stopped that circumpolar stream, the Antarctica polar ice cap might melt much more quickly than we anticipate that it might melt.

As an indication of how much these ocean currents affect climate, about 5 years ago, I guess it was, an iceberg broke off down in Antarctica, which was the size of Delaware. And in spite of the circumpolar current, some northern warm waters do get through it and down there to temper the climate a little, and that usually melts the sea ice enough so that they could get a boat in that is full of diesel file to McMurdo, which is where the main station is. You fly from there to the Pole. And because that big iceberg the size of Delaware blocked the flow of this water that year, and that was 4 years ago, it was so cold there that the sea ice didn't melt, and the closest they could get, with the help, by the way, of a Russian ice-breaker, the closest they could get was 3 miles out, so they laid a hose 3 miles across the ice to fill their tanks at McMurdo.

By the way, Congressman, one of the things that amazed me there, when I was down there the sun was shining all day long and the wind blew incessantly. I didn't see any solar panels down there, and I didn't see any wind machines down there. In the summer down there, in their summer, our winter, they could clearly make all of their energy from the wind and from solar. It just reflects the President's wise observation that we are hooked on oil. We are so hooked on oil that we are really quite irrational in our use of it. You had a comment?

Mr. GILCHREST. Mr. BARTLETT and I have been down there twice, the first time I went was probably about 10 years ago, and the supply ship to get to McMurdo station had to break ice. I believe it was about 12 miles from open water to McMurdo. And then after the ice shelf or that huge chunk of the glacier broke off about the size of Delaware, it was close to 30-something miles that they had to break that ice from open water all the way to McMurdo station. So a few degrees, a few changes have some pretty significant dramatic events.

On just a lighter note, on one of those trips, I can't remember which one it was, we went to watch the penguins. The first time I was in the Antarctic they didn't have that far to go to get to open water. The Adelie penguins, the second time, as a result of the increasing ice because it was blocked, had to go miles and miles and miles, and unfortunately it really reduced the population of those Adelie penguins in that part of the Ross ice shelf.

Mr. BARTLETT of Maryland. They have a very interesting rookery down there; we enjoyed seeing it. Both times I was down we went out to the rookery to see the penguins. The big Emperor penguins, they didn't like us; they waddled off. And they scoot along on their bellies when they are moving fast, by the way, rather than marching.

I am very pleased to have been joined by Congressman GILCHREST. And again I want to emphasize that we have three groups that have a common cause: those that are concerned about oil and national security, those that are concerned about the excessive use of fossil fuels and the climate change that may very well result from that, and those of us, and I am with all of those groups actually, but I am particularly concerned about the fact that we may muddle through the national security thing and somehow God may save us from the global warming, but nothing is going to save us if there really is a limited supply of oil.

So, I am very pleased to be joined by my colleague, and I join all of those in these three camps. We really do have common cause. Please join and help us do the right thing.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. LAMPSON (at the request of Mr. HOYER) for today.

Mr. ROYCE (at the request of Mr. BOEHNER) for today on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. MCDERMOTT) to revise and extend their remarks and include extraneous material:)

Mr. EMANUEL, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. GEORGE MILLER of California, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mrs. MCCARTHY of New York, for 5 minutes, today.

Mr. MCDERMOTT, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Ms. CORRINE BROWN of Florida, for 5 minutes, today.

Mr. SPRATT, for 5 minutes, today.

(The following Members (at the request of Mr. PAUL) to revise and extend their remarks and include extraneous material:)

Mr. TIAHRT, for 5 minutes, today and February 7.

Mr. GINGREY, for 5 minutes, today.

Mr. DUNCAN, for 5 minutes, today.

ADJOURNMENT

Mr. BARTLETT of Maryland. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 5 minutes p.m.), the House adjourned until tomorrow, Wednesday, February 7, 2007, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

510. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting Copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b; to the Committee on Foreign Affairs.

511. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting Copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b; to the Committee on Foreign Affairs.

512. A communication from the President of the United States, transmitting a report including matters relating to the interdiction of aircraft engaged in illicit drug trafficking, pursuant to 22 U.S.C. 2291-4; (H. Doc. No. 110-12); to the Committee on Foreign Affairs and ordered to be printed.

513. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-677, "D.C. Housing Authority Rent Supplement Temporary Amendment Act of 2007," pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

514. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-676, "School Without Walls Development Project Temporary Amendment Act of 2007," pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

515. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-674, "National Association for the Advancement of Colored People Grant Authority Temporary Act of 2007," pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

516. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-675, "Fiscal Year 2007 Operating Cash Reserve and Revised Revenue December Allocation Temporary Act of 2007," pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

517. A letter from the Deputy Archivist, National Archives and Records Administration, transmitting the Administration's final rule — Use of NARA Facilities [NARA-06-0005] (RIN: 3095-AB55) received December 21,

2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

518. A letter from the Director, Office of Federal Housing Enterprise Oversight, transmitting pursuant to the requirements of Section 4 of the Government Performance and Results Act of 1993, the Office's annual Performance and Accountability Report for FY 2006; to the Committee on Oversight and Government Reform.

519. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule — Implementation of Title II of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 — Reporting & Best Practices (RIN: 3206-AK55) received December 22, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

520. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule — Awards (RIN: 3206-AL06) received January 9, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

521. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Amendment [USCG-2001-10881] (RIN: 1625-AA36) received January 29, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

522. A letter from the Secretary, Department of Transportation, transmitting a report entitled, "Fundamental Properties of Asphalts and Modified Asphalts-II" submitted in accordance with Section 6016(e) of the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), Pub. L. 102-240, and Section 5117(b)(5) of the Transportation Equity Act of the 21st Century (TEA-21) and the extension of those provisions through FY 2006; to the Committee on Transportation and Infrastructure.

523. A letter from the American Legion, transmitting the financial statement and independent audit of The American Legion proceedings of the 88th annual National Convention of the American Legion, held in Salt Lake City, Utah from August 25-31, 2006 and a report on the Organization's activities for the year preceding the Convention, pursuant to 36 U.S.C. 49; (H. Doc. No. 110-10); to the Committee on Veterans' Affairs and ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. LEWIS of Kentucky (for himself, Mr. PAUL, and Mr. ROGERS of Kentucky):

H.R. 833. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income interest received on loans secured by agricultural real estate and rural housing; to the Committee on Ways and Means.

By Mr. WELLER:

H.R. 834. A bill to provide permanent relief from the marriage penalty under the Internal Revenue Code of 1986; to the Committee on Ways and Means.

By Mr. ABERCROMBIE (for himself, Ms. HIRONO, Mr. FRANK of Massachusetts, and Ms. WATERS):

H.R. 835. A bill to reauthorize the programs of the Department of Housing and Urban Development for housing assistance for Native Hawaiians; to the Committee on Financial Services.

By Mr. SMITH of Texas (for himself, Mr. FORBES, Mr. GALLEGLY, Mr. CHABOT, Mr. DANIEL E. LUNGREN of California, Mr. COBLE, Mr. FRANKS of Arizona, Mr. GOODLATTE, and Mr. PENCE):

H.R. 836. A bill to amend title 18, United States Code, to better assure cyber-security, and for other purposes; to the Committee on the Judiciary.

By Mr. SMITH of Texas (for himself, Mr. FORBES, Mr. GALLEGLY, Mr. CHABOT, Mr. FEENEY, Mr. DANIEL E. LUNGREN of California, Mr. FRANKS of Arizona, and Mr. PENCE):

H.R. 837. A bill to amend title 18, United States Code, to protect youth from exploitation by adults using the Internet, and for other purposes; to the Committee on the Judiciary.

By Mr. BISHOP of Utah (for himself and Mr. CANNON):

H.R. 838. A bill to provide for the conveyance of the Bureau of Land Management parcels known as the White Acre and Gambel Oak properties and related real property to Park City, Utah, and for other purposes; to the Committee on Natural Resources.

By Mr. BISHOP of Utah:

H.R. 839. A bill to authorize the Secretary of the Interior to study the feasibility of enlarging the Arthur V. Watkins Dam Weber Basin Project, Utah, to provide additional water for the Weber Basin Project to fulfill the purposes for which that project was authorized; to the Committee on Natural Resources.

By Ms. CARSON (for herself, Mr. DAVIS of Kentucky, Ms. LEE, and Mr. RENZI):

H.R. 840. A bill to amend the McKinney-Vento Homeless Assistance Act to consolidate the housing assistance programs for homeless persons under title IV of such Act, and for other purposes; to the Committee on Financial Services.

By Ms. FOXX:

H.R. 841. A bill to amend the Federal charter of the Military Order of the Purple Heart of the United States of America, Incorporated, to authorize the corporation to extend eligibility for associate membership in the corporation to the spouse and siblings of a recipient of the Purple Heart; to the Committee on the Judiciary.

By Mr. NORWOOD:

H.R. 842. A bill to provide for enhanced Federal, State, and local assistance in the enforcement of the immigration laws, to amend the Immigration and Nationality Act, to authorize appropriations to carry out the State Criminal Alien Assistance Program, and for other purposes; to the Committee on the Judiciary.

By Mr. BILIRAKIS:

H.R. 843. A bill to amend the Internal Revenue Code of 1986 to provide to employers a tax credit for compensation paid during the period employees are performing service as members of the Ready Reserve or the National Guard; to the Committee on Ways and Means.

By Mr. BILIRAKIS:

H.R. 844. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit to employers for the value of the service not performed during the period employees are performing service as members of the Ready Reserve or the National Guard; to the Committee on Ways and Means.

By Mr. CHABOT (for himself, Mr. SMITH of Texas, Mr. GALLEGLY, Mr. DANIEL E. LUNGREN of California, Mr. FRANKS of Arizona, and Mr. PENCE):

H.R. 845. A bill to improve and consolidate the law relating to restitution in criminal cases; to the Committee on the Judiciary.

By Mr. CHABOT (for himself, Mr. SMITH of Texas, Mr. GALLEGLY, Mr. DANIEL E. LUNGREN of California, Mr. COBLE, Mr. FRANKS of Arizona, and Mr. PENCE):

H.R. 846. A bill to amend title 18, United States Code, with respect to fraud in connection with major disaster or emergency funds; to the Committee on the Judiciary.

By Mr. COOPER:

H.R. 847. A bill to amend the Internal Revenue Code of 1986 to require that amounts paid for employer-provided coverage under accident or health plans be included on W-2 Forms; to the Committee on Ways and Means.

By Mr. FORTUÑO:

H.R. 848. A bill to amend the State Department Basic Authorities Act of 1956 to authorize assistance to combat HIV/AIDS in certain countries of the Caribbean region; to the Committee on Foreign Affairs.

By Mr. GALLEGLY:

H.R. 849. A bill to amend the Internal Revenue Code of 1986 to require the Secretary of the Treasury to notify the Secretary of Homeland Security of employer returns showing the employment of individuals not authorized to be employed in the United States and to notify the employers that they must terminate the employment of those employees, to provide an opportunity for those employees to contest the information, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Education and Labor, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GALLEGLY:

H.R. 850. A bill to amend the Internal Revenue Code of 1986 to establish a procedure for determining whether individuals who are not authorized to be employed in the United States are so employed; to the Committee on Ways and Means, and in addition to the Committees on Education and Labor, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOHMERT (for himself, Mr. SMITH of Texas, and Mr. FRANKS of Arizona):

H.R. 851. A bill to modify the law with respect to the death penalty, and for other purposes; to the Committee on the Judiciary.

By Mr. INSLEE (for himself and Mrs. BLACKBURN):

H.R. 852. A bill to prohibit the obtaining of customer information from telecommunications carriers by false pretenses, and the sale or disclosure of such records obtained by false pretenses; to the Committee on Energy and Commerce.

By Mr. KNOLLENBERG:

H.R. 853. A bill to promote preventive health care for Americans; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LARSON of Connecticut (for himself, Mr. LEWIS of Georgia, Ms. DELAURO, Ms. MATSUI, Mr. HASTINGS of Florida, Mr. GRIJALVA, Mr. KENNEDY, Mr. CONYERS, Mr. NADLER, Mr.

BERMAN, Mr. ROTHMAN, Mr. MOORE of Kansas, Mr. CAPUANO, Mr. KUCINICH, Ms. WOOLSEY, Ms. LEE, Mr. WEXLER, Mr. SERRANO, Ms. CASTOR, Ms. ZOE LOFGREN of California, Ms. WATSON, Mr. BRADY of Pennsylvania, Mr. SPRATT, Mr. AL GREEN of Texas, Mr. FATTAH, Mr. CUMMINGS, Mr. ENGEL, Ms. JACKSON-LEE of Texas, Ms. SHEA-PORTER, Ms. SLAUGHTER, Mr. STARK, Mr. CLEAVER, Mr. COHEN, Mr. BACA, and Mr. ELLISON):

H.R. 854. A bill to authorize the Secretary of Health and Human Services to award grants to eligible entities to prevent or alleviate the effects of youth violence in eligible urban communities by providing violence-prevention education, mentoring, counseling, and mental health services to children and adolescents in such communities; to the Committee on Energy and Commerce, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DANIEL E. LUNGREN of California (for himself, Mr. COBLE, Mr. CHABOT, Mr. GALLEGLY, Mrs. DRAKE, Mr. MILLER of Florida, Mr. HERGER, Mr. GINGREY, Mr. FOSSELLA, Mr. MCKEON, Ms. GINNY BROWN-WAITE of Florida, Mr. MCCARTHY of California, Mr. SESSIONS, Mr. POE, Mr. MCCOTTER, Mrs. MYRICK, Mr. PENCE, Mr. SMITH of Texas, and Mr. FRANKS of Arizona):

H.R. 855. A bill to amend title 18, United States Code, to improve the criminal law relating to terrorism, and for other purposes; to the Committee on the Judiciary.

By Mrs. MALONEY of New York (for herself, Mrs. CAPPS, and Ms. CLARKE):

H.R. 856. A bill to honor Susan B. Anthony by celebrating her legacy on the third Monday in February; to the Committee on Oversight and Government Reform.

By Mr. MCNULTY:

H.R. 857. A bill to clarify the rules of origin for certain textile and apparel products; to the Committee on Ways and Means.

By Mr. MELANCON (for himself, Mr. BAKER, Mr. MCCRERY, Mr. JEFFERSON, Mr. BOUSTANY, Mr. ALEXANDER, and Mr. JINDAL):

H.R. 858. A bill to amend the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 to authorize the Federal Emergency Management Agency to provide additional assistance to State and local governments for utility costs resulting from the provision of temporary housing units to evacuees from Hurricane Katrina and other hurricanes; to the Committee on Transportation and Infrastructure.

By Mr. SALAZAR:

H.R. 859. A bill to establish the Sangre de Cristo National Heritage Area in the State of Colorado, and for other purposes; to the Committee on Natural Resources.

By Ms. SOLIS:

H.R. 860. A bill to designate certain public land as wilderness and certain rivers as wild and scenic rivers in the State of California, to designate Salmon Restoration Areas, to establish the Sacramento River National Recreation Area and Ancient Bristlecone Pine Forest, and for other purposes; to the Committee on Natural Resources.

By Mr. STEARNS (for himself and Mr. BOUCHER):

H.R. 861. A bill to amend title 18, United States Code, to provide a national standard in accordance with which nonresidents of a State may carry concealed firearms in the State; to the Committee on the Judiciary.

By Mr. STUPAK:

H.R. 862. A bill to provide for the return of the Fresnel Lens to the lantern room atop Presque Isle Light Station Lighthouse, Michigan, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. THOMPSON of Mississippi:

H.R. 863. A bill to improve communications interoperability for emergency response; to the Committee on Energy and Commerce, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TOWNS (for himself and Mr. UPTON):

H.R. 864. A bill to amend title XVIII of the Social Security Act to provide for reimbursement of certified midwife services and to provide for more equitable reimbursement rates for certified nurse-midwife services; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Alaska:

H.R. 865. A bill to grant rights-of-way for electric transmission lines over certain Native allotments in the State of Alaska; to the Committee on Natural Resources.

By Mr. DANIEL E. LUNGREN of California (for himself, Mr. BOUSTANY, Mr. CANNON, Mrs. EMERSON, Mr. KING of Iowa, Mr. LEWIS of Kentucky, Mr. NORWOOD, Mr. ROGERS of Alabama, Mr. BARTLETT of Maryland, Mr. CALVERT, Mr. FRANKS of Arizona, Mr. HUNTER, Mr. MCCOTTER, Mr. RADANOVICH, and Mr. BACHUS):

H.J. Res. 22. A joint resolution proposing an amendment to the Constitution of the United States relating to marriage; to the Committee on the Judiciary.

By Mr. RANGEL:

H. Con. Res. 56. Concurrent resolution expressing the sense of Congress that Arthur Schomburg should be recognized for his leadership and contributions in documenting, recording, and researching the historical contributions to society of peoples of African descent and for his efforts to combat racial and ethnic discrimination in the United States; to the Committee on the Judiciary.

By Mr. RANGEL:

H. Con. Res. 57. Concurrent resolution recognizing the contributions of the New York Public Library's Schomburg Center for Research in Black Culture in educating the people of the United States about the African-American migration experience, and for other purposes; to the Committee on the Judiciary.

By Mr. RANGEL:

H. Con. Res. 58. Concurrent resolution expressing the sense of Congress that Madame C. J. Walker should be recognized for her achievements in business, her inventions, and her commitment to the African-American community; to the Committee on Oversight and Government Reform.

By Mr. RANGEL:

H. Con. Res. 59. Concurrent resolution expressing the sense of Congress that Zora Neale Hurston should be recognized for her achievements as a novelist and anthropologist, and for her contributions to the Harlem Renaissance movement; to the Committee on Oversight and Government Reform.

By Mrs. MALONEY of New York (for herself, Mr. FOSSELLA, Mr. ENGEL, Mr. TOWNS, Mr. WEINER, Mr. NADLER, Mr. ACKERMAN, Mr. SMITH of New Jersey, Mr. MCNULTY, Mr. DENT, Mr. SERRANO, Mr. SHAYS, and Mr. ISRAEL):

H. Res. 128. A resolution urging the Department of Health and Human Services to prepare a long-term, comprehensive plan to medically monitor all individuals who were exposed to the toxins of Ground Zero following the terrorist attacks of 9/11 and to treat all those sick or injured; to the Committee on Energy and Commerce.

By Mr. HOYER:

H. Res. 129. A resolution electing officers of the House of Representatives; considered and agreed to.

By Ms. CARSON (for herself, Mr. BURTON of Indiana, Mr. VISCLOSKY, Mr. DONNELLY, Mr. SOUDER, Mr. BUYER, Mr. PENCE, Mr. ELLSWORTH, and Mr. HILL):

H. Res. 130. A resolution congratulating the National Football League champion Indianapolis Colts for winning Super Bowl XLI and for bringing the City of Indianapolis and the State of Indiana their first Lombardi Trophy; to the Committee on Oversight and Government Reform.

By Mr. MEEK of Florida (for himself, Mr. LINCOLN DIAZ-BALART of Florida, Mr. MARIO DIAZ-BALART of Florida, Ms. WASSERMAN SCHULTZ, Mr. FEENEY, Mr. CRENSHAW, Mr. MACK, Mr. MILLER of Florida, Mr. WEXLER, Mr. HASTINGS of Florida, Mr. MICA, Mr. BILIRAKIS, Mr. PUTNAM, Mr. KELLER, Ms. ROS-LEHTINEN, Mr. STEARNS, Mr. KLEIN of Florida, Mr. BUCHANAN, Ms. CORRINE BROWN of Florida, Mr. MAHONEY of Florida, Mr. BOYD of Florida, Ms. GINNY BROWN-WAITE of Florida, and Ms. CASTOR):

H. Res. 131. A resolution recognizing and honoring the lifetime contributions of Rafael Jose Diaz-Balart on the dedication of the Rafael Diaz-Balart Hall at the Florida International University College of Law; to the Committee on Education and Labor.

By Mr. RANGEL:

H. Res. 132. A resolution recognizing and honoring the life and achievements of Constance Baker Motley, a judge for the United States District Court, Southern District of New York; to the Committee on the Judiciary.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

5. The SPEAKER presented a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 248 memorializing the Congress of the United States to enact legislation to amend the definition of "Physician" in the Medicaid program to include Podiatric Physicians; to the Committee on Energy and Commerce.

6. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 288 memorializing the Congress of the United States to increase funding to dredge Michigan's Deep-Draft Great Lakes Ports and Waterways; to the Committee on Transportation and Infrastructure.

7. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 313 memorializing the Congress of the United States to approve full federal funding for the barriers designed to protect the Great Lakes from Asian Carp; to the Committee on Transportation and Infrastructure.

8. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 266 memorializing the Congress of the United States to enact the Hearing Aid Assistance Tax Credit Act; to the Committee on Ways and Means.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 25: Mr. Hall of Texas and Mr. Lewis of California.

H.R. 26: Mr. Wamp and Mr. Campbell of California.

H.R. 73: Mr. Sessions, Mr. Gingrey, Mr. Wicker, and Mr. Simpson.

H.R. 82: Mr. Baird, Mr. Boustany, Ms. Ginny Brown-Waite of Florida, Mr. Conaway, Mr. Hall of Texas, Mr. Lewis of Kentucky, Mr. Gary G. Miller of California, Mr. Miller of Florida, Mrs. Capito, Mr. Peterson of Minnesota, Ms. Pryce of Ohio, Mr. Thompson of California, and Mr. Tiberi.

H.R. 137: Mr. Ellison, Mr. Hall of New York, Mr. Perlmutter, Mr. Wilson of Ohio, Mr. Space, Mr. Klein of Florida, Mr. Kagen, Ms. DeGette, Ms. Giffords, Mr. Sestak, Mr. Sarbanes, and Ms. Castor.

H.R. 156: Mr. Johnson of Georgia, Mr. Altmire, Ms. Jackson-Lee of Texas, and Mr. Gonzalez.

H.R. 177: Mr. Meeks of New York.

H.R. 180: Mr. Israel, Mr. Olver, Ms. Moore of Wisconsin, Mr. Oberstar, Mr. Price of North Carolina, and Ms. Woolsey.

H.R. 184: Mr. Bonner.

H.R. 196: Mr. Jindal and Mr. Altmire.

H.R. 197: Mr. McCaul of Texas, Mr. McNerney, Mr. Cleaver, Mr. Moran of Virginia, and Mr. Patrick J. Murphy of Pennsylvania.

H.R. 211: Mr. LaTourette and Mr. McCarthy of California.

H.R. 224: Mr. Gohmert, Mr. Pearce, Mr. Sam Johnson of Texas, and Mr. Pence.

H.R. 225: Mr. Miller of Florida, Mr. McCotter, Mr. Feeney, Mr. Gohmert, Mr. Sam Johnson of Texas, Mr. Marshall, Mr. Neugebauer, Mrs. Cubin, Mr. Garrett of New Jersey, Mr. King of Iowa, Mrs. Myrick, Mr. Norwood, and Mr. Souder.

H.R. 232: Mr. Smith of Nebraska.

H.R. 270: Mrs. Drake.

H.R. 273: Mr. Paul.

H.R. 303: Mr. Allen, Ms. Berkley, Mr. Space, and Mr. Oberstar.

H.R. 327: Mr. Markey, Mr. Kildee, Ms. DeLauro, Mr. Van Hollen, Mr. Altmire, and Mr. Jefferson.

H.R. 353: Mr. Gutierrez.

H.R. 369: Mr. Payne and Mr. Hare.

H.R. 395: Mr. Moran of Virginia and Mr. Gillmor.

H.R. 400: Mr. McGovern, Mr. Johnson of Georgia, Ms. Schakowsky, Mr. DeFazio, Mr. Etheridge, Ms. Corrine Brown of Florida, Mr. Fattah, Ms. Velázquez, and Ms. Hirono.

H.R. 418: Ms. Kilpatrick, Mr. Poe, Mr. Spratt, Mr. Cole of Oklahoma, Mr. Faleomavaega, and Ms. Jackson-Lee of Texas.

H.R. 458: Mr. Cummings and Mr. Cohen.

H.R. 460: Mr. Payne and Mr. Clay.

H.R. 464: Ms. Castor and Ms. Woolsey.

H.R. 468: Ms. Woolsey.

H.R. 473: Mr. Fortenberry and Mr. Gerlach.

H.R. 493: Ms. Shea-Porter, Mr. Abercrombie, Mr. Cummings, and Mr. Sherman.

H.R. 500: Mr. Miller of Florida, Mr. English of Pennsylvania, and Mr. Flake.

H.R. 512: Mr. Gonzalez, Mr. Jefferson, Ms. Watson, Ms. Slaughter, Mrs. Davis of California, Ms. Bordallo, Mr. English of Pennsylvania, and Mr. Walsh of New York.

H.R. 524: Mr. Lipinski, Mr. McNerney, Ms. Kilpatrick, and Ms. Bordallo.

H.R. 526: Mr. Gordon and Ms. Woolsey.

H.R. 544: Mr. Baca.

H.R. 545: Mr. Peterson of Minnesota, Mr. Michaud, Mr. Smith of Washington, Mr. Ramstad, and Ms. Jackson-Lee of Texas.

H.R. 549: Mr. McCaul of Texas, Mr. Walz of Minnesota, Mr. Moore of Kansas, Mr. Reichert, and Mr. Cole of Oklahoma.

H.R. 556: Mr. LaTourette, Mr. Buchanan, and Mr. Miller of North Carolina.

H.R. 566: Ms. Woolsey.

H.R. 567: Ms. Shea-Porter and Mr. Rehberg.

H.R. 569: Mr. Saxton, Mr. Kagen, Ms. Matsui, Mr. Michaud, Ms. Shea-Porter, Ms. Schakowsky, and Mr. Lynch.

H.R. 579: Mr. Johnson of Georgia, Mrs. Capito, Mr. Gutierrez, and Mr. Rogers of Alabama.

H.R. 582: Mr. Hare.

H.R. 584: Mr. Rahall, Mr. Chandler, Mr. Cooper, Mr. Pastor, Mr. Altmire, Mr. Serrano, and Mr. Moore of Kansas.

H.R. 590: Mr. Terry.

H.R. 592: Mr. Gutierrez, Mr. English of Pennsylvania, Mr. Burton of Indiana, Mrs. Napolitano, and Mrs. Capps.

H.R. 594: Mr. McHugh.

H.R. 607: Mr. Saxton.

H.R. 620: Mr. Hall of New York, Mr. Ellison, Mr. Conyers, Mr. Grijalva, Mr. Pastor, Mr. Lewis of Georgia, Mr. Lynch, Mr. Delahunt, Mrs. Napolitano, Mr. Pallone, Ms. Velázquez, Mr. Wexler, Mr. Wynn, and Mr. Davis of Illinois.

H.R. 621: Mr. McHugh, Mr. Gerlach, Mr. Israel, and Mr. Westmoreland.

H.R. 622: Mr. Meek of Florida and Mr. Jefferson.

H.R. 623: Mr. Wynn, Mr. Grijalva and Mr. Serrano.

H.R. 624: Mr. Clay, Mr. McNulty, Mr. Filner, Mr. Grijalva, Mr. McGovern, and Mr. George Miller of California.

H.R. 631: Mr. McCaul of Texas and Mr. Shadegg.

H.R. 645: Mr. Moran of Virginia.

H.R. 654: Mr. Paul, Ms. Lee, Mr. Moore of Kansas, Mr. Shays, Ms. McCollum of Minnesota, Mr. McDermott, Ms. Schakowsky, Mr. McNulty, Mr. Grijalva, Mr. Meeks of New York, Mr. Farr, Mr. Filner, Mr. Serrano, and Mr. Thompson of California.

H.R. 657: Mr. McIntyre.

H.R. 659: Mr. Dent, Mr. Shays, Mr. David Davis of Tennessee, Mr. Cuellar, Ms. Jackson-Lee of Texas, Ms. Zoe Lofgren of California, and Mr. Souder.

H.R. 664: Mr. Calvert.

H.R. 667: Mr. Hunter, Mrs. Tauscher, Mr. Stark, and Mr. Everett.

H.R. 676: Mr. Rush.

H.R. 678: Mr. Kennedy.

H.R. 692: Mr. Fattah and Mr. Towns.

H.R. 695: Mr. Yarmuth and Mr. Pascrell.

H.R. 698: Mr. Boren, Ms. Loretta Sanchez of California, Mr. Boswell, Mr. Bishop of Georgia, Mr. Deal of Georgia, Mr. Jordan, Ms. DeGette, Mr. Wilson of Ohio, Mr. Etheridge, and Mr. Oberstar.

H.R. 699: Mr. Terry and Mr. Hoekstra.

H.R. 700: Mr. Kagen.

H.R. 711: Mr. Blumenauer, Mrs. Drake, Ms. Corrine Brown of Florida, and Mr. Gingrey.

H.R. 714: Mr. Price of North Carolina.

H.R. 720: Mr. Kagen, Mr. Costello, Ms. Matsui, Mr. Mitchell, Mr. Nadler, Ms. Hirono, Mr. Faleomavaega, Mr. DeFazio, Mr. Cummings, Mr. Boucher, Mr. Gallegly, and Mr. Arcuri.

H.R. 721: Mr. Royce, Mr. Daniel E. Lungren of California, Mr. Boren, Mrs. Blackburn, Mr. Rogers of Kentucky, Ms. Berkley, Mr. Peterson of Minnesota, Mr. Boswell, Mr. Smith of Texas, Mr. Herger, Mr. Etheridge, Mr. McIntyre, Mr. Pickering, Mr. Wu, Mr. Oberstar, Mr. Everett, Mr. Renzi, Mr. Graves, Mr. McCaul of Texas, and Mr. Lucas.

H.R. 724: Mrs. Myrick.

H.R. 725: Mrs. Myrick.

H.R. 758: Mrs. Boyda of Kansas.

H.R. 759: Ms. Watson and Mr. Serrano.

H.R. 768: Mr. Bonner and Mr. Forbes.

H.R. 769: Mr. Hoekstra, Mr. Forbes, Mr. Bonner, Mr. Regula, and Mrs. Miller of Michigan.

H.R. 780: Ms. Shea-Porter and Mr. Shimkus.

H.R. 782: Mr. LaTourette, Ms. Shea-Porter, Mr. Marshall, Mrs. Maloney of New York, Mr. Burton of Indiana, and Mr. Wilson of Ohio.

H.R. 787: Mr. Hare.

H.R. 800: Mr. Snyder.

H.R. 811: Ms. Bean, Mr. Hare, Mr. Kanjorski, Mr. Tim Murphy of Pennsylvania, Mr. Levin, and Ms. Castor.

H.R. 819: Mr. Ellison, Ms. Zoe Lofgren of California, Ms. Linda T. Sánchez of California, Mr. Scott of Georgia, Mr. Ruppersberger, and Mr. Rangel.

H.R. 820: Mr. Pickering.

H.J. Res. 3: Ms. Eddie Bernice Johnson of Texas, and Mr. Johnson of Georgia.

H.J. Res. 14: Mr. McNulty, Mr. Allen, Mr. Capuano, Mr. Boswell, and Ms. Schakowsky.

H.J. Res. 18: Mr. Hall of New York.

H. Con. Res. 26: Mr. Baca.

H. Con. Res. 27: Mr. Nadler, and Mr. Neal of Massachusetts.

H. Con. Res. 39: Mrs. Maloney of New York, Mr. Waxman, Mr. Crowley, Ms. Lee, Mr. Baca, Mr. Moore of Kansas, and Mrs. Jones of Ohio.

H. Con. Res. 46: Mr. Miller of North Carolina, Mr. Gutierrez, Ms. Baldwin, and Ms. Hirono.

H. Res. 25: Mr. Grijalva, Mr. Holt, Mr. Israel, Ms. Schakowsky, Ms. Berkley, Mrs. McCarthy of New York, Mr. Gutierrez, and Mr. Wexler.

H. Res. 55: Ms. Schakowsky, Mr. Moran of Virginia, Mr. Van Hollen, Mr. Al Green of Texas, and Mr. McDermott.

H. Res. 71: Ms. Schakowsky.

H. Res. 72: Mr. Young of Florida, Ms. Shea-Porter, and Ms. Jackson-Lee of Texas.

H. Res. 87: Mr. Hare, Mrs. Drake, Mr. Gonzalez, and Mrs. Myrick.

H. Res. 97: Mr. Baird, Mr. Hare, Mr. Altmire, Mr. Welch of Vermont, Ms. Castor, Ms. Schwartz, Mrs. Boyda of Kansas, Mr. Miller of North Carolina, and Mr. Hodes.

H. Res. 100: Mrs. Davis of California, Ms. Schakowsky, Mr. Lewis of Georgia, Mr. Moran of Virginia, Mr. Shays, Mr. Baca, Ms. Watson, and Ms. Linda T. Sánchez of California.

H. Res. 119: Mr. Jones of North Carolina, Mr. Gordon, Mr. Young of Alaska, Mr. Lynch, and Mr. Hare.

SENATE—*Tuesday, February 6, 2007*

The Senate met at 10 a.m. and was called to order by the Honorable JON TESTER, a Senator from the State of Montana.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Gracious God, who reveals Yourself gloriously in the rising and setting Sun, make us good stewards of Your blessings. Give us opportunities to help solve the problems in our world by using our minds to produce creative solutions.

Inspire our Senators. As they abide in Your presence, make them receptive to Your guidance. Fill their minds with insight and wisdom, their hearts with resiliency and courage, and their bodies with vigor and vitality. Today, give them the grace to think not of what they can get but of what they can give. Empower them to practice conciliation without compromise. Place Your arms of protection around them and their loved ones.

We pray in Your all-powerful Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JON TESTER led the Pledge of Allegiance, as follows:

> I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, February 6, 2007.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JON TESTER, a Senator from the State of Montana, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. TESTER thereupon assumed the chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, today the Senate will be in morning business. During the period of morning business, the first 30 minutes will be controlled by the majority, with Senators LEAHY, MIKULSKI, and KENNEDY each controlling 10 minutes. The next 30 minutes will be controlled by the Republicans. Following that division, the remaining time until 12:30 will be equally divided and controlled between the minority and the majority.

The Senate will be in recess this Tuesday, today, for a longer period of time than normal, from 12:30 to 3:30. The recess is longer because we have a 2:30 p.m. briefing in room 407 on the National Intelligence report we just received.

ORDER OF PROCEDURE

I ask unanimous consent that the time from 3:30 to 6:30 today also be equally divided and controlled between the majority and minority.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will be a period for the transaction of morning business, with Senators permitted to speak therein for up to 10 minutes each, with the first half hour under the control of the majority and the next half hour under the control of the minority.

RECOGNITION OF MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

IRAQ FUNDING

Mr. McCONNELL. Mr. President, at this time there is no more important issue facing our country than the mission and the fate of the American service men and women in Iraq. This means, of course, that the men and women of this body have no higher duty than to express ourselves openly and honestly on this issue—to take a stand on where we stand.

The only truly meaningful tool the Framers gave us to do this was our ability to fund or to not fund a war. That is it. And this is what Republicans are insisting upon: that the Members of this body express themselves on the question of whether to fund or not fund the war in Iraq.

By blocking a vote on the Gregg funding resolution, our good friends on the other side are blocking a vote on this most essential question—the only question that ultimately matters. Do we oppose this war to the point of action or do we simply want to make a point?

Our colleagues say they want progress in Iraq, but by blocking a vote on the McCain benchmarks resolution, they are blocking a vote that would actually set concrete goals.

So let's be very clear about what happened last night. Our colleagues on the other side do not want to vote on whether troops should be funded—period. There is no more critical question at this moment. We have the duty to take it up, and we will continue to fight for that right.

Mr. President, I yield the floor.

RECOGNITION OF THE MAJORITY LEADER.

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

IRAQ ESCALATION

Mr. REID. The issue before the American people that relates to Iraq is the surge—the escalation of the war in Iraq. That is the debate that should be before this body, and last night that was prevented. An up-or-down vote on MCCAIN, who is supporting the surge, or a vote in opposition to the surge, the escalation sponsored by WARNER and LEVIN—that is the issue before this body today.

This is a diversion. This is a diversion. We finished the Super Bowl. This is a trick play by the Republicans. The real issue before this body is surge or no surge, escalation or no escalation. That is the debate the American people deserve.

The ACTING PRESIDENT pro tempore. The Senator from Vermont is recognized.

Mr. LEAHY. Mr. President, what is the parliamentary situation?

The ACTING PRESIDENT pro tempore. The Senator from Vermont is recognized for 10 minutes.

Mr. LEAHY. I thank the distinguished Presiding Officer.

I heard what the distinguished majority leader said. I agree with him. The Senate, as I have often said, should be the conscience of the Nation. There are only 100 of us to represent 300 million people. Americans expect us to speak up on the war. Americans expect us to vote on the war. Americans expect us to vote on the issue of the surge.

Now, I understand some Senators will support the surge, some will oppose it, but allow us to have those votes. Allow us to express the conscience of this Nation.

I ask unanimous consent that a column by E.J. Dionne entitled "The War To Save The Surge" from today's Washington Post be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washingtonpost.com, Feb. 6, 2007]

THE WAR TO SAVE THE SURGE

(By E. J. Dionne, Jr.)

When political opponents tell you that to prove your seriousness you need to pursue a strategy they know is doomed to failure, shouldn't you be skeptical of their advice?

As the Senate considers a resolution to put itself on record opposing President Bush's escalation of the Iraq war through a "surge" of troops, Bush's backers are saying one thing and doing another.

They are saying that the resolution is meaningless and that true opponents of the war should prove their sincerity by cutting off funding altogether. But they are doing all they can to keep the Senate from even voting on a bipartisan anti-surge resolution that would send a powerful message to Bush that most Americans have lost faith in his bungled war policy.

If you doubt that the war's supporters would love its opponents to put all their eggs in the fund-cutoff basket, consider what it means for them to sound as if the administration's only serious foes were the likes of Dennis Kucinich and Cindy Sheehan.

"I don't think these resolutions, nonbinding resolutions, are going to accomplish anything," Sen. John Cornyn, a Texas Republican and a Bush loyalist, told Gwen Ifill on PBS's "NewsHour" last week. "If we really had the courage of our convictions," Cornyn said, the "we" referring to the war's opponents, "if people said, 'You know what? This is an immoral task we've asked our troops to do because we don't believe in the mission, we think they're going to fail.' They ought to cut off funds. But to have this sort of—this debate without any real consequence, I just don't think is the best use of our time."

So Cornyn wants to block a vote on a supposedly unimportant anti-surge resolution, but he would be happy to entertain a debate on a funding cutoff. Does that not send a message to the war's critics?

And it's not just Cornyn. It is now a standard talking point for supporters of this war, from the editorial pages of the Wall Street Journal and the Weekly Standard to Vice President Cheney himself, to try to block any statement by Congress of its views, except through a vote to block funds for Iraq.

"The Congress has control over the purse strings," said Cheney, who on most other occasions insists upon the executive's supremacy over Congress. In an interview with CNN's Wolf Blitzer last month, Cheney added: "They have the right, obviously, if they want to cut off funding, but in terms of this effort the president has made his decision. . . . We'll continue to consult with the Congress. But the fact of the matter is, we need to get the job done."

In other words: Even if a substantial majority of Congress that includes many Republicans demonstrates a lack of confidence in the Bush-Cheney surge, the administration will feel free to ignore the other elected branch of our government—and the more recently elected branch (remember November, anyone?) at that.

Oh, and if an anti-surge resolution were trivial, why would William Kristol, editor of the Weekly Standard and one of the war's most passionate advocates, devote a long and angry editorial in the latest issue of his magazine to attacking Sen. John Warner (Va.) and other Republicans as "ignominious" for their support of an anti-surge measure? Kristol knows that every Republican vote against escalation carries special weight in speeding this war to an end. So does the Senate's Republican leadership, which used a procedural vote yesterday evening to impede the majority's will on the surge.

Supporters of Bush's war policy would love a vote on a full funding cutoff right now because they know that, at this moment, they could win it. They would love responsibility for the failures in Iraq to fall not on an administration that planned its policy so badly and carried it out so incompetently. Far better for them to heap blame on the war's opponents for "losing faith."

And they know, as the war's opponents should, that in a democracy whose constitution accords so much power to the president, turning around even a failed war policy takes time, persuasion, organizing, legislative strategizing and pressure.

The impatience of the administration's critics is entirely understandable. But it would be a shame if impatience got in the way of a sensible long-term strategy to bring America's engagement in this war to as decent an end as possible as quickly as possible—even if not as quickly as they'd like. The anti-surge resolution is a necessary first step, which is why those who are against a genuine change in our Iraq policy are fighting so hard to stop it.

(The remarks of Mr. LEAHY pertaining to the introduction of S. 495 are located in today's RECORD under "Statements on Introduced Bills and Resolutions.")

Mr. LEAHY. Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Maryland.

IRAQ

Ms. MIKULSKI. Mr. President, to my colleagues, my constituents, and the American people, I rise today to absolutely say without any equivocation that I do support the Warner-Biden-Levin resolution on Iraq opposing the escalation of our troops. I also stand in the Senate to say: We were robbed! We were robbed of our ability to be able to vote on this resolution!

The American people, on November 7, sent a message to Congress and to the President of the United States: Change the tone in Washington, change the direction in Iraq, and change the priorities of this Nation. We, on this side of the aisle, got the message. The other side does not seem to have. This parliamentary maneuver to block a vote on the Warner-Biden-Levin resolution, to allow us to vote up or down on approving the escalation, shows that it is the same old tone. Please, let's give the process a chance.

Second, it also robs us of the ability to begin to express our vocal support for changing the direction.

This bipartisan resolution is a first step. It is not going to be the last word in bringing our troops home safely and swiftly. The Warner-Biden-Levin resolution affirms clearly and unequivocally a commitment to our men and women in uniform: Congress will not abandon you while you are in Iraq and when you come home. We stand by our troops. However, this resolution says "no" to the President's reckless plan to escalate troop presence in Iraq. The bipartisan resolution insists that the Iraqi Government stand up for its own people to provide security, services, and an agreement on oil revenue sharing.

I am not new to this position. I never wanted to go to war in the first place. I was 1 of the 23 who voted against this war on October 11, 2002—4 years ago. I will never forget it. I didn't believe the administration's arguments then, and I don't believe them now. I opposed giving the President unilateral authority to launch a preemptive attack. I said the United States had to exhaust its diplomatic options. I encouraged the administration to stick with the U.N., to let the U.N. meet its responsibility to deal with the Saddam threat. I said we should not go on our own.

The day of the vote, I was so filled with apprehension about the course of the war, about the course we were embarking on, I said in this Senate that we don't know whether our troops will be greeted with flowers or landmines. Well, now we know. That mission did not get accomplished. I called the 72 families in Maryland who gave their lives and made the ultimate sacrifice. I know what is going on out there with the families. I also know when we got to Iraq there were no weapons of mass destruction, but the destruction happened, and it happened fast.

No one can ask more of our troops. They are brave. They are courageous. They have fought valiantly. But after 4 years of fighting, where are we in Iraq? Well, the United States, went to war with Iraq, but right now we are at war within Iraq. Saddam is gone, but we are still there. And we are mired in a civil war between different ethnic and sectarian groups.

I have stated what I am against, but let me state what I am for. I am for the Warner-Levin-Biden resolution. I salute the leadership who produced it: JOHN WARNER, a decorated war hero, former Secretary of the Navy, chairman of the Committee on Armed Services when the Republicans were in control, a distinguished person, and a man of great comity and civility—no one more compassionate about America's security than JOHN WARNER; JOE BIDEN, chair of our Foreign Relations Committee; CARL LEVIN, an expert on the Committee on Armed Services and now the chairman. They put their heads together and they came up with this resolution, and to a man—and this woman supports them—the Senate opposes the President's plan because we think it is reckless.

The bipartisan resolution says the objective of overall U.S. strategy in Iraq should be to encourage Iraqi leaders to make political compromises, to foster reconciliation, and strengthen the unity government. This is what I consider essential.

The resolution says the primary objective of our military strategy should be to maintain Iraq's territorial integrity—fancy words for protecting the border; deny the terrorists a safe haven—yes, but they weren't there in the first place; promote regional stability; promote counterterrorism; train and equip the Iraqi forces. We have been doing it for 3 years. Guess what? They have not been showing up! And the other day when they were supposed to show up for a battle, 55 percent of them showed up in Baghdad. Gates, our new Secretary of Defense, said: Isn't this improvement? Last year, they didn't show up at all. It is their war and they are not showing up. Why should we show up for their war when they have a 50-percent attendance rate? What is wrong with this thinking?

As much as possible, the current U.S. military operations should be confined to these goals. We show up, they don't. Something is really wrong with this picture.

The bipartisan resolution calls for the United States to engage the nations in the Middle East to develop a regionally and internationally sponsored peace and reconciliation process. That is what we should be doing. The resolution says it should not be an open-ended commitment or unconditional. Sure, there should be benchmarks, but benchmarks with enforcement capability.

I do support this resolution because it makes clear to our men and women in uniform that Congress will not abandon them. It explicitly says that Congress should not take any action that will endanger U.S. military forces in the field. Whether on the battlefield or on the homefront, our troops deserve the best.

Also, the latest intelligence shows that Iraqi leadership has to make difficult changes. The solution in Iraq requires a political solution from the Iraqis—not military muscle—from the Americans.

There are parts of this resolution with which I don't agree. They call it an augmentation; I call it escalation. I oppose the calls for the vigorous operations at Anbar until there is greater clarification. There is no doubt that al-Qaida is operating in Iraq. But when I voted 4 years ago, al-Qaida was not there; they were in Afghanistan. Why didn't we stick with Afghanistan and really clean their clock? Now the President wants to send more Marines to Anbar to fight al-Qaida when we should have been in Afghanistan, catching Osama bin Laden.

We do need a way forward in Iraq. The Iraq Study Group gave us 79 recommendations as a way to go forward. Surely the President of the United States could have found 50 for us to sit down at a table, talk, and work together for the good of our country, the good of our troops, and the good of peace in the Middle East. Seventy-nine recommendations and they have all been cast aside. The Iraq Study Group calls for diplomatic and political efforts, a change in their primary mission to move our troops out of Iraq responsibly. They gave us a way forward that they believe could have gotten our troops out by the first quarter of 2008. Let's give those 79 recommendations at least a forum to be debated and discussed and acted on.

Where do we go from here? I will tell you where I think we ought to go. First of all, we ought to have a vote on the Warner-Biden-Levin resolution. If they do not want to give us that, give us a vote on the McCain resolution to vote to approve this escalation. One way or the other, that is our constitutional duty.

The President says he does not need congressional consent to be able to do this reckless escalation. But he sure does need congressional advice. And my advice is, let's send in the diplomats before we send in more troops. We need a robust diplomatic strategy to match our robust military strategy. We need to make it clear that the Congress will not abandon our troops in the field, and we will not abandon them when they come home. Look at this President's budget; we are abandoning our troops. This whole escalation—sure, they talk about money for the 21,000, but it takes another 20,000 to support them. They don't walk their talk. They don't put the money in the budget.

Then we have our troops coming home. You look at the President's budget on Veterans Affairs—not only have they lost the records, they have lost their way at VA. We are not equipped to deal with Iraq and Afghanistan veterans coming home. They have horrific, permanent wounds of war, and we have a weak, unreliable funding system. You can't just support the troops with yellow ribbons. You have to put the money behind it. How about putting the money behind it when they come home? They need us. And they need us not only with words; they need us with deeds in the budget process. And I don't see it.

Now, we also need to make it clear to Iraqi Prime Minister Maliki that he has to start to act. Speaking of showing up, I saw they could not get a quorum in the Iraqi Parliament. Only 50 percent of the troops show up, their own Parliament doesn't show up, but we show up with 21,000 more troops? The Prime Minister must meet benchmarks.

Let me conclude by saying that a great American military should not be a substitute for a weak Iraqi Government. Neither Congress nor the American people will abandon our troops, but the best way to support our troops is not to send more in harm's way.

Mr. President, I ask unanimous consent that the remaining time for Senator KENNEDY be reserved.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Ms. MIKULSKI. I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Texas.

IRAQ

Mr. CORNYN. Mr. President, I noted with some interest the headline in today's Washington Post. It says "GOP Stalls Debate on Troop Increase." I must say, in light of the remarks of the Senator from Maryland, obviously nobody has stalled the debate on troop increase or anything else to do with the conflict in Iraq. In fact, I think that is a positive thing because there isn't anything more important, in my view, than debating this important issue and, as the Senator from Maryland said, supporting our troops.

I do have profound disagreement, though, that these nonbinding resolutions which have been offered do anything other than encourage our enemy and undermine our troop morale.

I wonder why it is that so many are insistent that we proceed forward on nonbinding resolutions when, in fact, we know what power the Congress has when it comes to war. It is not to supplant the Commander in Chief, it is not to have 535 micromanagers, but it is the power of the purse. Yet it is the very amendment that Senator GREGG, the Senator from New Hampshire, has offered that the majority leader has denied an opportunity to debate and on which to have have an up-or-down vote. That is what the vote yesterday was about. It is not to cut off debate; it is to make sure the debate continues and that the varied positions espoused by Members of the Senate are not only fully debated but that there is an opportunity to vote on those positions.

At least two Members of the majority—Senator DODD and Senator FEINGOLD—have made it clear that they believe the power of the purse should be exercised to cut off funding to support this new plan forward. While I disagree with them, I do respect the fact that they actually intend to vote for something that would make a difference in the outcome as opposed to the nonbinding resolutions which have been offered by Senator LEVIN and others.

I do not understand why it is the critics—the President's critics and the critics of what is happening in Iraq—why they will not take yes for an answer. Yes, as the Senator from Maryland said, on November 7, obviously, Iraq was on the minds of the American people. It is one of the reasons why, frankly, the then majority is no longer the majority.

There were critics on the other side of the aisle who said the Secretary of Defense needed to be replaced. Now we have confirmed a new Secretary of Defense, Secretary Robert Gates.

There are those who said: What we are doing in Iraq is not working, so we need a new commander. And, indeed, we have confirmed, unanimously, a new commander of Coalition Forces in Iraq.

There are those who said: We need a new plan in Iraq. And lo and behold, the President announced a new plan after lengthy consultation.

I think there is a fair amount of revisionist history or selective memory going on. For example, there are some who said the President did not consider, in coming up with this new plan, the provisions of the Iraq Study Group. Of course, this is a bipartisan group that made 79 different recommendations. But I would challenge the critics who say the President ignored the Iraq Study Group report to look at page 73 of that report, where they say, unanimously—a bipartisan group—they could support a temporary surge of troops to secure Baghdad if it was necessary.

Indeed, if you look at this new way forward, that is precisely what it is, a temporary surge, supporting Iraqi troops to provide an opportunity not only to clear but to hold Baghdad and then to build and begin the political reconciliation process that is necessary for stabilization.

My colleagues on the other side of the aisle are saying we do not want to debate, when the truth is they are denying us a right to vote on some of the key resolutions that define the nature of the debate in this Congress.

We want a debate. We want a debate, but we want it to be a fair debate. And we want it to be representative. We want to expand and extend the debate so we can fully examine and discuss what is at stake in this central front in the global war on terror. We want a full and comprehensive debate and an opportunity to vote. Do they?

If our friends on the other side of the aisle are serious when they say they do not want to block funding for our troops, then why are they dodging an amendment offered by Senator GREGG that would allow them a vote on that important issue?

Now, I disagree that we should ever cut off funds to support our troops while they are in a time of war. But I think if you feel what is happening in Iraq cannot be justified, if you feel we have already lost and we are merely sending more troops into harm's way, with no chance of accomplishing the mission, then I would say the only real vote that matters would be one that would cut off the funds to allow that to happen. That would be the moral decision to make. I simply disagree with the judgment. I do not believe all is lost. I do believe this new plan, this new commander, this new Secretary of Defense have a reasonable chance of success.

Now, we all agree the consequences of failure in Iraq are not simply something we can walk away from. The Iraq Study Group said that failure in Iraq could result in a regional conflict, most likely ethnic cleansing, where the sectarian violence would spiral out of control, perhaps bringing in other countries to defend the various sectarian parties to that conflict.

We know from sad experience what happened in Afghanistan after the Soviet Union was defeated by the Afghan rebels, where the Taliban and al-Qaida set up business in Afghanistan and used that as a place to train and recruit and then to launch terrorist attacks against the United States, such as what occurred on September 11, 2001.

Where is the plan of the critics of this new way forward in Iraq? What is their plan to avoid a failed state in Iraq? Where is their plan to avoid the kind of regional conflict and the humanitarian crisis that will most likely occur if, in fact, we do not try to support this new plan forward and bring stability to Iraq long enough to where the Iraqis—which is their responsibility—can engage in the reconciliation process and the political process necessary to stabilize that country, which is in their best interest, which is in our best interest? Because we know if things spiral out of control in Iraq, if we decide to precipitously leave Iraq and it becomes a failed state or becomes a killing field for ethnic cleansing, we will most likely have to return at even greater loss of blood and treasure.

So I would ask the new majority, since the Senator from Maryland mentioned the election of November 7, what is your plan? To criticize may be OK if you are in the minority. But if you are the majority, surely you have a responsibility to offer a constructive alternative. It is not constructive to merely criticize the new plan that is going to be executed by the new commander, unanimously confirmed by this Congress, and a new Secretary of Defense.

I must say, with all due respect, it is not supporting our troops to send them into harm's way if, in fact, our colleagues believe all is lost and they cannot succeed. I do not believe that. But if, in fact, they truly do believe that, then they should stand up and be willing to vote on the only resolution that would have an outcome on that determination. That is the Gregg amendment.

It is because we have been denied an opportunity to vote on that only amendment that counts that this debate continues. It was not cut off yesterday; merely a fair process was secured for those of us who think that all views ought to be represented and we ought to have more than one vote rather than be railroaded in this process.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from South Dakota.

Mr. THUNE. Mr. President, yesterday, by a vote of 49 to 47, a cloture motion failed that would have essentially cut off a broader debate on the big issue of the day; that is, how are we going to deal with the situation in Iraq? I think the vote failed not because, as was reported in some newspapers, Republicans did not want to debate the issue but, rather, because we want a full debate on the issue.

The importance of this issue and the stakes associated with its outcome warrant a full debate, not one restricted by one party in the Senate. The full range of views on this issue deserves to be heard. They deserve a voice in the Senate. The American people deserve that debate. And surely, the Americans in uniform who are fighting and dying deserve that debate in the Senate.

Saturday, I attended two welcome home ceremonies for National Guard units. Both performed superbly in fighting the global war on terror. The 114th Air Wing, a National Guard unit in Sioux Falls, SD, has been deployed all over the planet. They have been in Afghanistan. They have been in Iraq—16 different places since 2001, after the terrorist attacks, in each case performing with distinction. They support an F-16 mission and have been utilized extensively. In fact, 72 percent, I believe, of all the members of that unit have been deployed someplace in the last 5 years, as we have been fighting this war on terror.

They and their families deserve a debate in the Senate about the future of that mission they have been undertaking. There has been a lot of debate around the country, a lot of debate in Washington about what to do next. We have now before us a plan which is a change of strategy. It incorporates more involvement by the Iraqi security forces in terms of their military. Also, their political structures, their Government has certain benchmarks it has to meet and economic requirements they have to comply with regarding the division, distribution of oil revenues—a whole range of things that have given us a new opportunity, a new opening to get this right with the situation in Iraq.

I believe the families of those who have served and sacrificed certainly deserve to have a full debate, not a restricted debate, in the Senate, a full debate where the full range of views, the full range of options that are held by the American people can be adequately voiced.

I also attended a welcoming home ceremony for the 147th Field Artillery, 1st Battalion, Charlie Battery, in Yankton, SD. This is a unit which has contributed mightily to the war on terror and suffered greatly. They have had four members of their unit who never came back, killed by IEDs: SGT Richard Schild, SGT Daniel Cuka, SGT Allen Kokesh, and SGT Greg Wagner—young Americans who will never be with their families again.

Also, they had a young sergeant in their unit who has suffered debilitating injuries, brain injuries that he continues to receive intensive medical treatment for and perhaps will never be the same. They had a young specialist, Brian Knigge from Plankinton, SD, who suffered injuries from which he is still recovering.

They are a unit that has suffered greatly in this war on terror. Yet there is a tremendous resilience and commitment and dedication to the mission. The area in which they were involved was the training of Iraqi security forces, specifically the Iraqi police, in the area of Baghdad, which is why it was so very dangerous for them. And the IEDs that have killed and seriously injured so many of our young American soldiers who are serving in that region did four of their comrades in. And as I said, a couple are very seriously injured.

They and their families who have sacrificed so greatly—and when I go to these events, I, obviously, have opportunities to interact with the families, with those whom these soldiers left behind. It is heartbreaking to see the separation, the consequence, and the cost of war. Yet at the same time, we have to realize when we get into a conflict like this, it is not just about what we are doing today, it is about securing a better, safer, more secure future for the next generation of Americans.

That is why this debate is so important. Many have argued what is happening today in the Middle East, in Iraq, is simply a regional conflict or a conflict between different sects within Iraq. But, frankly, we all know this—you do not have to be a rocket scientist to see what happens when these terrorist organizations are left free to prey in areas such as that, where there is not a lot of control and security. They begin to use these places as sanctuaries and safe havens to launch attacks against other places across the world, including the United States.

It is important, in this global war on terror, that we understand what the consequences and stakes of our failure are. I believe that is why, when we have a debate, we need to have a debate that reflects the full range of options and the full range of views that are available to the Senate when it comes to the future of Iraq—again, the discussion about consequences of failure, the discussion about plans going forward.

Right now we have a plan in front of us. We have a strategy that has been put forward by the President and his commanders in the region. We have a new commander on the ground, General Petraeus. We have some new troops heading into the area. There are changes in the rules of engagement. This may be our last best shot, our last best hope of being able to get this right.

We have engaged in this debate in the Senate which, again, in my view, sends entirely the wrong signal, the wrong message to our troops and to our enemies who interpret these messages that we send as a lack of resolve, a lack of will to finish what we started. More importantly, ultimately, the reason this has such great weight and gravity is that the people who are the primary receivers of the messages we send are the troops in the field. It is very difficult to say to those troops who are day in and day out putting on the uniform of the United States, performing a mission that we have asked them to do, which we have pointed out has grave consequences not only for that immediate region but for the entire free world—if you look at the arc of extremism that branches from areas such as Afghanistan and al-Qaida to areas such as some of the terrorist organizations in Lebanon, in the Palestinian territories, all these terrorist organizations and attacks are orchestrated by organizations that want to kill and destroy Americans.

We have a responsibility in the debate to make sure that when we are putting young Americans in harm's way, we are allowing a debate to go forward that examines the full range of views, the full range of options that are available to the Senate. Frankly, the one that matters the most, in terms of the options we have as a nation and as the Senate, comes down to the issue of funding. Frankly, we don't have an opportunity in this debate to talk about the real tool the Senate has when it comes to this issue; that is, the issue of funding. We have nonbinding resolutions. Everybody wants to debate nonbinding resolutions. They are nonbinding, but they are not meaningless. They send a message that we are not supportive of the mission our troops are undertaking.

But if the Senate is serious about doing its work, and if there are well-meaning and thoughtful people on the other side of the aisle who want to have this debate, then we ought to get down to what real options, what the real tools are at the disposal of the Senate when it comes to having any kind of a role in what happens in the future of Iraq. That is the issue of funding.

The leadership on the other side has said: We are not going to allow you to have a debate that includes that option, that includes the other options proposed, some from the other side that have talked about troop caps, withdrawal timelines.

Ultimately, fundamentally, if the other side is serious, let's have a debate about funding because that is the tool the Congress has at its disposal. If that is not a part of the debate, we are not serious about this debate or the range of options that ought to be heard and voiced in the Senate.

I see I have other colleagues who want to speak on this issue.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I believe I have 10 minutes; is that correct?

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. KENNEDY. Would the Chair remind me when there is a minute remaining?

The ACTING PRESIDENT pro tempore. Yes.

Mr. KENNEDY. I thank the Chair.

Mr. President, last evening the Republicans said no to an honest debate about what is best for our troops in Iraq, our national security, and for the American people. Our men and women in uniform have done everything that we have asked them to do. They have served with dignity, honor, and valor. They have served in Iraq longer than American forces fought in World War II. It has been said by Republicans and Democrats: This doesn't cry for a military solution, it cries for a political solution and resolution. Still we have a President who is relying on sending an additional 20,000 to 38,000 troops more to what is effectively a civil war.

The cost in blood and treasure has been staggering. More than 3,000 Americans have been killed so far, including 64 from Massachusetts; more than 23,000 have been wounded. In my home community, SGT Alexander Fuller of Centerville, MA, was buried last week; Keith Callahan of Woburn, MA—Woburn, MA, that had a higher percentage of soldiers killed in Vietnam than any other community in our State. High school class after high school class joined the U.S. Marines. They were in the thick of the fighting with devastating losses. Keith Callahan, in his fourth trip to Iraq, was killed just 10 days ago. The services in that community took place last week.

Hundreds of thousands of Iraqis have been killed, and millions have fled their homes. We have spent hundreds of billions of dollars on the war already. Today the President is asking for hundreds of billions of dollars more. President Bush insists on his policy of escalation, while most of us in Congress are increasingly convinced that deescalation is the only realistic strategy. The American people do not support further escalation of this war. The legislation on which we seek an honest debate is intended to make a record of who is on the side of the American people and opposes sending tens of thousands more American troops into this civil war.

Despite the clear result of the November election, our Republican colleagues are not prepared to face the truth on Iraq. They are determined to avoid a debate on the most important national security issue of our time. They are willing to allow tens of thousands of more young men and women to be dropped in the cauldron of a civil war.

The cost in precious American lives is reason enough to end this mistaken and misguided war, but the cost at home came into full view yesterday as we received the President's budget. This President's budget devotes more than $200 billion to the war in Iraq. Where does the money come from? It comes from the Children's Health Insurance Program, as the President's budget underfunds the CHIP program by $8 billion. That program provides health care to low-income children. It has had bipartisan support in the Senate and the House of Representatives. It has made an extraordinary difference to the quality of health of millions of children. There are millions of children who are qualified for this program. But because the Federal Government doesn't provide the help to the States, those children are not going to get covered.

Make no mistake about it. We are taking those resources that ought to be devoted to the CHIP program and sending them to Iraq. It comes from our children's education, the No Child Left Behind Act, because this budget underfunds the No Child Left Behind reforms by almost $15 billion. What are we saying? We are not going to get the well-trained teachers that this legislation requires. We are not going to have the adequacy of supplementary services to help those children in high school. We are not going to move toward smaller class sizes. We are not going to have an effective program to bring in parents. We are not going to have the examination of these children to find out what they need in terms of help in their classes. No, because we are shipping billions of dollars to Iraq.

Twenty-three thousand children are in the streets of Philadelphia today, having dropped out of school; 22,000 children have dropped out of school in Cleveland, OH. It is happening all over the country. And what are we doing? Sending away billions and billions of dollars that ought to be there for prevention programs to stop those children from dropping out of school, to help those children get back into school so they will have useful and productive lives. They are the ones who are paying for these wars.

As to seniors, our disabled citizens, the President cut $66 billion from the Medicaid Program which is a lifeline to millions of retirees and disabled children. I was there when President Johnson said: You work hard, you pay into the Medicare Program, pay into those programs, and we guarantee you that you are going to have the health care you need for the rest of your life. That is a commitment that we made. Now we are skimping on it. We didn't provide at that time a prescription drug program. We provided one eventually that served more for the drug industry and the HMOs than it did for the senior citizens. We are cutting back on health care for our seniors and the disabled.

It comes from our workers who are looking for good jobs to support their families because the President's budget slashes $1 billion from programs that train Americans for jobs for the future. How many speeches will we hear about competitiveness and the problems we are facing in terms of the world economy, how we are going to have to redouble our efforts in order to be competitive, to have the new industries that will provide new jobs and new benefits and new opportunities for our citizens. Every Member of this body will be making that speech someplace in their State next week. We know that. What are we doing?

In my State of Massachusetts, we have 275,000 people who are unemployed, and we have 78,000 job vacancies. The only thing that is lacking is training. We have 24 applications for every opening for training. People want the training to get the skills to participate and take care of their families. What does this President do? He cuts that program. That is part of the cost.

People are asking back home—down in New Bedford and Fall River and Lowell and Lawrence and Holyoke and Springfield—who is going to stand up for us? It is not only the loss of their sons and daughters from those communities, but they see that it is gutting the lifelines to their communities, the children and the elderly, those who are the most vulnerable in our society. They are paying the price. Read the President's budget. Make no mistake about it. Who is paying the price? They are paying the price, the neediest people in our society.

Then it comes from the poor who are struggling against the bitter cold. It cuts 17 percent of the funding for the Low Income Energy Assistance Program that helps low-income families heat their homes. Maybe it is warm in certain parts of this country, but it is cold as can be in many others. There are a lot of needy people in those cold areas where there is a completely inadequate fuel assistance program now. This administration has cut back on that program year after year after year, and this year is no different, a 17-percent reduction.

Most of the elderly people, the needy people in my State, need to have their oil tanks, if they are using home heating oil, filled three times a year. This won't even let them get one tank of fuel assistance in their homes over the year. The poor are paying a fearsome price. They are seeing their funding diverted to these conflicts and the surge in Iraq.

This is a war that never should have happened. It is a war that should be brought to an end. Yet the administration is allowing it to go on and on, mistake after mistake after mistake. This terrible war is having an effect not only on our troops, who are paying the highest price, but on our children, our elderly, our schools, our workers, and the poorest of the poor here at home. Make no mistake about it. While the President forges ahead with a surge in Iraq, the American people need a surge at home. Americans see the cost of their health care and the cost of college going up. What about a surge in our health and education policy to help meet their needs? What about a surge in those areas?

I have introduced legislation which would require the President to get the authority he needs from Congress before moving forward with further escalation in Iraq. I intend to seek a vote on it, unless the President changes course. The debate is about what is best for our troops and our national security. Our forces have served with great valor. They have done everything they have been asked to do. Sending more of them into a civil war will not make success any more likely. We have a responsibility to vote on this issue before it is too late. The American people deserve to know where the Republicans stand and where the representatives in the Congress stand.

I look forward to that debate and a vote at the earliest possible time.

I yield the floor.

ORDER OF PROCEDURE

The ACTING PRESIDENT pro tempore. The Senator from South Carolina is recognized.

Mr. DEMINT. Mr. President, how much time does the minority have?

The ACTING PRESIDENT pro tempore. The minority has 8½ minutes.

Mr. DEMINT. I ask unanimous consent that the Senator from Colorado be able to speak for 10 minutes following my remarks and the remarks of Senator COBURN.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

WORLDWIDE WAR ON TERROR

Mr. DEMINT. Mr. President, I rise to speak about one of the most important issues of our time: the worldwide war on terror.

I have to say I was disappointed to read in this morning's Roll Call that many of my Democratic colleagues are using this debate for the 2008 elections rather than focusing on the real damage that the resolution we have been discussing will do to our national security.

One of our greatest Presidents, Theodore Roosevelt, once said, "It is not the critic who counts. The credit," he said, "belongs to the man who is actually in the arena, whose face is marred by dust and sweat and blood, who strives valiantly, who errs, who comes short again and again, because there is no effort without error and shortcoming.

"The credit," Roosevelt said, belongs to the man "who spends himself in a worthy cause, who at the best knows in the end the triumph of high achievement, and who at the worst, if he fails, at least fails while daring greatly."

At this very moment, our Commander in Chief and those he commands are daring greatly.

Our men and women in uniform are paying with blood, sweat, and tears. Yet many in this body prefer to sit in the stands and offer criticism rather than support.

For the past 50 years, the Middle East has been a cauldron of brutality, war, and despair. The region's instability has threatened the entire globe and reached our shores on 9/11 with a stark awakening.

This is why we are involved in the Middle East. The future security of our homeland is tied directly to a successful outcome not only in Iraq but in Afghanistan, Lebanon, the Palestinian territory, and a number of Middle East countries that harbor evil men who foment hate through a perverted version of Islam.

Yet as our efforts in Iraq encounter fierce resistance from a determined and evil enemy, support for our efforts has waned here in Congress. Instead, many of my colleagues prefer to support a nonbinding resolution that would express disapproval of the President's plan to reinforce our troops in Iraq.

Voting for this resolution is not leadership, it is criticism—criticism without the courage of offering real solutions. While this resolution may be toothless by force of law, its symbolism is dangerous. Voting to condemn the President's plan is a vote of no confidence in the mission we have told our troops to fight and die for. But it is also a slap in the face to General Petraeus just days after we voted unanimously to support his leadership of our troops in Iraq.

"Godspeed, General," was what one of my colleagues said before introducing the very resolution that would undermine the general's authority and his plan for victory.

This is not leadership. We were elected to make tough decisions and that requires understanding our choices, selecting the best choice, and then following through. But I am afraid the critics in this body do not acknowledge the real choices before us. There are only three:

First, to continue the unworkable status quo; second, to admit defeat and withdraw; third, to renew our strength until we win.

I respect my colleagues who disagree with the President's strategy in Iraq, but only if they exercise leadership and support an alternative solution, one that proposes a serious path to victory, or announces defeat and ends our involvement immediately, not only in Iraq but throughout the Middle East, because America will no longer have any credibility to carry out our work in any part of the world.

If my colleagues do not support sending reinforcements to Iraq, they should introduce legislation blocking that action. While I believe this is shortsighted and wrong, it would at least be genuine leadership.

My hope is we will stop trying to second guess past decisions in order to lay blame and instead remember we are locked in a struggle much larger than Iraq. It is a struggle of security, hope, and freedom versus hate, despair, and fear. The battlefield is the entire world.

We must understand the stakes and demonstrate real leadership. This is not the President's war, it is freedom's war, and we all share the responsibility for the outcome.

A century later, Teddy Roosevelt is still correct. The critic "who points out how the strong man stumbles, or where the doer of deeds could have done them better" is destined to be relegated to that terrible place "with those cold and timid souls who neither know victory nor defeat."

There is only one policy worthy of the blood and sweat of our troops: a policy that completes our mission with dignity, honor, and victory.

Mr. President, I reserve the remainder of my time and yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma is recognized.

Mr. COBURN. Mr. President, I have not come to the floor, except once, in the 2 years I have been here to discuss the war in Iraq. I have been to Iraq and had experience in Iraq as a medical missionary during the first gulf war.

I am very much concerned as to how the world will read us. What we know is that enemies try to defeat us not by trying to defeat us on the battlefield or in Iraq; they try to defeat our will, try to defeat the will of the American public.

Senator DEMINT talked about leadership. Leadership is laying out the real consequences of our action. What are those consequences? What next? What is going to happen next? What is going to happen? We heard this morning that we are trying to delay this resolution. We are not trying to delay it. As a matter of fact, they are saying we would not debate it. We are debating it right now. The fact is, we believe you ought to have a resolution that says we support our troops in this group of resolutions. Unless we get some semblance of saying we want to send a signal to our troops that we support them, we should not have a rule that precludes that.

So politics aside, and the next election aside, and the Presidential election aside, what does it mean to the American people about what we end up doing in Iraq? That is the question we should be asking. We should be making sure that the mistake we do not make is to have an ill-informed American public about what the consequences will be.

Regardless of whether we should be in Iraq, we are there. We cannot change that. The question comes, what does the Iraq Study Group say? They said we needed to secure Baghdad; they said we needed reinforcements to be able to do that; they said we needed more funds to make a difference in people's lives. These are the funds that go to the generals to actually approve things.

Can we accomplish something in Iraq or do we walk away? Here is what happens when we walk away. No. 1, there will be a genocide in Iraq. The minority Sunni population will scatter out of Iraq, and those who don't will be killed.

The northern Iraqis, the Kurds—what will happen to them? If we are gone and full-blown civil war breaks out, what will happen to the Kurds? This is a group of 36 million people who have not had a homeland since the Ottoman Empire. Genocide was committed against them by Saddam. What will happen to them? They will be seen as a risk to Turkey. Turkey already has problems with its Kurdish population.

What will happen in Lebanon? Probably civil war.

What will happen in Jordan?

What will happen to the Sunni gulf states, as they now fear Iran and its dominance?

This is a war Iran wants us to leave. Why? Because they want to empower themselves to be the dominant force in the Middle East. We can talk about all of the resolutions and how we disagree; that is basically political posturing, and you can disagree. But as the Senator from South Carolina said, unless you put something into force of action, it is criticism, not leadership. We need to calculate whatever we do in this body, based on what the outcome of that calculation is going to be, not by giving bellicose speeches that set up false choices that are not there. The fact is we have an obligation to the very people—the innocent people—in Iraq today.

We can walk away from that, but history will judge us harshly. The estimates are there will be 5 million people displaced out of Iraq. There will be between 700,000 and 1 million additional Iraqis who will die. Do we not have an obligation to make that not happen? Do we not have an obligation to do what is in the best long-term interests of this country? Is it in our best interest for this country to get out of Iraq? Is it? How does that fit with the war on terror and our ability to conduct that war when we create in Iraq, by withdrawing, a new state that is run by al-Qaida and by the Shia, which will in fact have the funding to dominate in the international arena with terrorism and hatefulness and murder and pillaging of innocent people?

It is not as simple as everybody here wants to make it seem. It certainly should not be political. But that is where we are going. The very comment that we cannot have a debate on supporting the policy, that we will not allow a resolution that says we are going to support our troops—why don't they want that? It is because that will get the highest number of votes. That will become the story—not the story that somebody postured in a position that is well-intended and well-meaning, that they don't think a surge or a reinforcement in Iraq is correct.

America is at a crossroads. The crossroads is whether we will fulfill and carry out the responsibilities, some of which we added to ourselves by our very position, but whether we will fulfill that. We will be judged by history.

To undermine many of the steps that the Iraq Study Group said, which is in the President's plan, nobody knows if this will work, but I guarantee it will not work if we send a signal to those who oppose us that this is it. All they do is sit and wait. More of Iran's influence and more dollars from Iran coming into Iraq—more to defeat us. If you defeat the will of the American people—and, by doing that, that is our problem—if we allow that to happen as leaders in this country, then we will be responsible for that 5 million displacement, for those million deaths, and the millions that will follow when you have a Middle East dominated by Iran with a nuclear weapon.

We should think long and hard. The American people should not respond just to the urge to get out of Iraq but respond to the well-thought-out consequences of what happens next. And what happens next is a disaster, not only for the people of Iraq, for the people of the Middle East, but also for the national security of this country and our ability to carry out our foreign policy in the future.

I earnestly pray that we will consider the actions here and the words here in light of what comes next, not in terms of politics but what happens to our country.

Denying the heritage we have of sacrifice for freedom and liberty and denying that it costs something and walking away from that, we will reap that which we sow as we walk away from it. Caution to us as we do that.

Mr. President, I yield back the remainder of my time.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 12:30 p.m. shall be divided between the majority and the minority.

The Senator from Colorado.

Mr. SALAZAR. Mr. President, this is a disappointing day for the Senate and for the United States of America because the debate we should be having on this floor, which is taking place around procedural issues, should really be a debate about what is happening in Iraq and the new direction we should be heading in Iraq.

It is disappointing as well that it has been postured somehow as a political debate from the other side. The fact is that what happens in Iraq today and what happens in Iraq in the months and years ahead is, in fact, perhaps the most important issue we can face in the United States of America and in the world, and it is important that this body, elected by 300 million Americans in each of our respective States, grapple with the fundamental defining issue of our time.

It is also important, as we grapple with this issue of the future of Iraq and the involvement of the United States, that we try to move forward in a manner that is bipartisan. At the end of the day, the only way in which we are going to achieve stability in the Middle East and we are going to bring our troops home—which I believe is a goal that is shared by the 100 Members of this body—is if we develop a bipartisan approach to getting it done. Yet, at the end of the day, we can't even seem to get beyond a procedural obstacle to get to a debate on the central issue that was presented by a bipartisan resolution, led by some of the most distinguished Members of this Senate, including Senator WARNER, Senator LEVIN, and others. We cannot even get past the procedural problem for us to end up having a discussion and a vote on that very simple issue.

I ask our brethren on the other side that they join us in getting through this procedural roadblock so that we can have an effective debate and a vote on a question that is before us concerning the future of Iraq and the President's plan on how we move forward.

I am disappointed as one Senator that today we are not on this floor debating the alternative resolutions that were submitted in the last week, which are bipartisan in nature, and then deciding how to move forward as a Senate. I am very disappointed that we have not been able to get there.

Let me also say that for those who have said the political posturing is taking place on this side, I don't believe that is at all the case. The fact is, what we have been trying to do on this side is to have an open and honest debate, and again underscoring the reality that if we are going to find our way out of the quagmire in which we find ourselves in Iraq, it is going to take a true bipartisan effort to get us to a place where we can say we have peace and stability in the Middle East and we have brought our troops home. I hope as we move forward in this discussion that we will be able to find some of that bipartisan consensus.

At the end of the day, when we look at what is happening in Iraq, we need to recognize the realities. We need to know and remember the 3,100 men and women who have given their lives on behalf of the mission the President assigned to them in that country. We need to remember the 23,000 men and women in uniform who today are wounded and who are carrying the scars of the war with them day by day and for many of them for the rest of their lives. We need to remember the 137,000 men and women who are on the ground in Iraq today. The bipartisan resolution we put forward with Senator WARNER, Senator NELSON, Senator COLLINS, and others recognizes that. We recognize the bravery of the men and women who have given so much of their time and their life in Iraq, and we recognize the need for us to support our men and women on the ground in Iraq.

But we also recognize that what the American people are asking us to do is to chart a new direction for Iraq. I have heard some of my colleagues on the other side—as there is criticism on this side—that all we are doing is being critical and not offering alternatives. The fact is that we are attempting to come up with a new direction in Iraq, and that is what is embodied in the Warner-Levin resolution. It is, in fact, a new direction and new strategy in Iraq.

Mr. President, I ask the Members of this body and I ask the people of the United States of America to consider what are the options before us. In my view, there are three options. There is plan A. Plan A is a plan—which was put forth by the President after several months of deliberation in which he concluded what we had to do in order to be successful in Iraq—to send 21,500 additional troops. In real terms, that is about 48,000 additional troops assigned, mostly in Baghdad. Some people have called it an escalation. Some people have called it a surge. That is the heart of the plan. It is a plan he announced in early January, a plan he reiterated at the State of the Union, that we assign 21,500 troops to Baghdad.

The question we all ought to be asking ourselves is whether that will work. Will plan A work? I believe those who have studied the issue in great depth would answer the question no—no, it will not work; no, it will not work because Operation Going Forward in June of 2006, just 7 months ago, showed that it does not work. And when that didn't work, we went in with a surge of some 7,000 troops in August in Operation Going Forward Together No. 2, and again that did not work. If today we go in with 21,500 additional troops, plus all the support for the troops that is going to be necessary, what is going to be the result of that endeavor? In my view, we have been there, we have done that, and it hasn't worked. So we have to look forward to a new direction. So I believe plan A, the President's plan, is not a plan that is going to work.

Then there is plan B. Plan B is being advocated by many, including some who have demonstrated in Washington and have called our offices every day, and that is to just bring our troops home today; it is over; it is a precipitous withdrawal; let's get out of there and get out of there right now. The mistakes of the past have compounded the problems in the Middle East and Iraq to the point that we can't put Humpty Dumpty together. Not all the king's men or all the king's horses could ever put Humpty Dumpty together again, some people would say, because the problems in Iraq today are so severe.

I, as one Senator, reject plan B as well. I don't believe we can afford to move forward with that kind of precipitous withdrawal.

There is plan C, and plan C is really the plan of trying to move forward in a bipartisan way so that we can achieve success in Iraq—success, again, being defined by stability in Iraq and in the region and by bringing our troops home.

I know there are lots of people in this body who have much more experience than I, and I know there are lots of people who have studied this issue extensively over a very long period of time, and yet it is amazing to me that when we have a group of people in a bipartisan way coming forward with a new direction, we have the President and others of the minority party essentially rejecting that plan of going forward together in a new direction.

When I look at the Iraq study report and I look at names such as former Secretary of State James Baker, former Attorney General Ed Meese, former Secretary of State Lawrence Eagleburger, former U.S. Supreme Court Justice Sandra Day O'Connor, former U.S. Senator Alan Simpson, I see all of these Republicans who are saying we need a new direction going forward together. I believe that is what we ought to be doing, and I believe that new direction going forward together is what is embodied in the bipartisan resolution which was put together by Senator WARNER, Senator LEVIN, and others. It is that kind of new direction which we ought to be debating and discussing on the floor of the Senate today.

When one looks at this group of elder statesmen, which includes not only the Republicans whose names I mentioned, but they include esteemed elder statesmen who are also Democrats, such as Lee Hamilton, Vernon Jordan, Leon Panetta, William Perry, and Charles Robb, when we see those kinds of elder statesmen who have taken a year to try to figure out how we deal with this quagmire in Iraq, we have to say those recommendations should be paid very serious attention. The recommendations are many, but they are important because they show the depth of thinking that commission went through in coming up with those recommendations.

In essence, what that bipartisan group of elder statesmen said to the people of America is that the way forward requires a new approach. The way forward requires a new approach. They talk about the external approach, which is to build an international consensus on how we move forward in Iraq. They talk about a new diplomatic offensive which is important if we are to succeed because there are too many nations in that part of the world and around the world who have been sitting on their hands letting America do it alone. They have to stop sitting on their hands if ultimately we are going to achieve stability in the Middle East.

They talk about the Iraq International Support Group, and that kind of a group would be a group that would make sure the efforts on reconstruction and building the peace and security in Iraq are, in fact, successful. Where is that group? It hasn't been there. It has been the United States alone moving forward on this effort. We need to have the international community involved.

It talks about dealing with Iran and dealing with Syria. They are part of that region, like it or not. This group of elder statesmen has said we need to deal with those countries. We know the limitations. We know the threats they also embody and present to the United States of America, but we need to bring them into the dialog if ultimately we are going to bring stability to that region.

The study group goes on with a whole host of other recommendations on the internal approach, helping the Iraqis help themselves. It says that we must require the Iraqis to have performance on milestones, that we need to push them hard on national reconciliation, that we need to make sure the Iraqi Government takes responsibility for security and for their military forces, that they establish a functioning police force, and that they establish a criminal justice system that does, in fact, work. And the list goes on with 79 recommendations on the way forward, a new approach.

That is what we ought to be talking about, Mr. President, on the floor of the Senate today—how we move forward.

I look at this resolution which was put together by some of my esteemed colleagues, of which I am a proud original cosponsor, and I say at least we have tried on a bipartisan basis to figure out a roadmap for how we ought to move forward together as Democrats and Republicans, as Americans, on this issue, which is the defining issue of our times. I see the names of people such as Senator WARNER, I see Senator COLLINS, I see Senator LEVIN, I see Senator NELSON of Nebraska, and others who have been involved in this effort. What we are trying to do as a group is to say we ought to figure out a way of charting a new direction forward together, much like the elder statesmen did in coming up with the Iraq Study Group recommendations. Yet we are being refused the opportunity to even engage in a debate on a resolution that essentially says this is a direction we propose to the President in how we move forward together.

I hope that at the end of the day, with the discussions that are going on between the leadership, we are able to come to some agreement. I believe there is too much at stake. I believe there is too much at stake not only in the Middle East, but there is too much at stake for the United States of America and for the free world. At the end of the day, it is going to take Republicans and Democrats working together to try to chart this new and successful direction for how we move forward in Iraq.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota.

Mr. DORGAN. Mr. President, my understanding is that I will be recognized for 10 minutes in morning business.

The ACTING PRESIDENT pro tempore. That is correct.

Mr. DORGAN. Mr. President, I ask unanimous consent that all time consumed in any quorum call today be equally divided.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DORGAN. Mr. President, my colleague, Senator FEINSTEIN of California, this weekend made a point that I think is very important. She, on a television program, said that Iraq is being debated virtually everywhere in our country: debated at kitchen tables, business places, workplaces, and schools. The only place in America that Iraq is not being debated is in the Senate. Here we are debating whether we should debate.

That was what went on yesterday, and it is what is going on today, a debate about whether the debate on Iraq should occur in the Senate. It is unbelievable. We have a cloture vote on a motion to proceed to the debate, and the minority party in the Senate voted nearly unanimously to say, no, we shouldn't be debating. I don't understand that at all, Mr. President.

Why would we not want to engage in this national discussion about what is happening in Iraq; what are our obligations, and what are our national interests with respect to these issues? This is not a war against terrorists in the main. It is sectarian violence that is occurring in Iraq. Yes, there are some terrorists in Iraq, I understand that, but it is largely sectarian violence, Shia on Sunni, Sunni on Shia.

Let me make a point about Iraq that I think is important. The dictator who used to exist in Iraq no longer exists. Yes, he was a madman and a dictator. We have unearthed mass graves in Iraq to show that nearly a half million people were murdered by the man who ran that country. But he has been executed, and the people of Iraq have had the opportunity to vote for a new constitution.

The people of Iraq have had the opportunity to vote for a new government. Things have changed in Iraq. We now have in Iraq what is largely a civil war, sectarian violence. Things have changed.

What is the role, then—given that Saddam Hussein has been executed, given that there is a new constitution, given that there is a new government—what is the role for the United States and its soldiers? Is the role to continue to be in the middle of a civil war in Iraq, to surge additional troops, as the President suggests? That is what was to be debated this week in the Senate. But at this point we still cannot debate that because we are debating whether we will be able to debate it. It is unbelievable to me. Only here on this small piece of real estate, one of the wonderful places on this Earth, the United States Senate, do we have a serious debate about whether we should debate.

We should have moved very quickly past this issue of a motion to proceed and been to the substance of this issue on behalf of this great country of ours. There is a majority in this Congress for a bipartisan resolution. And I emphasize bipartisan resolution. Senator WARNER, a very distinguished American, a Republican, and former chairman of the Armed Services Committee, and Senator LEVIN, a Democrat, the same. Warner-Levin. When we get to a vote on the Warner-Levin resolution, which disapproves of surging additional American troops to Iraq and deepening our involvement in Iraq, a majority of the Senate will support that resolution. There is a clear majority for that resolution. The question is, Can we get to that point?

I hope in the coming hours that the minority will relent and give us the opportunity, the opportunity the American people would expect to exist in the United States to debate one of the most important questions of our time. This is about obstruction and it is about political maneuvering and about protecting the White House. It is about a lot of things, unfortunately. It ought to be about this country's national interest, this country's best interest. It ought to be about the soldiers we have asked to don America's uniforms and go fight for this country and what is best for them as well.

Two months ago, General Abizaid said this in open testimony in the Senate:

> I met with every divisional commander. I said, in your professional opinion, if we were to bring in more American troops now—he is talking about Iraq—does it add considerably to our ability to achieve success in Iraq? And they all said no.

That is what the commanding general said 2 months ago in testimony before the Senate. Why did they all say no? Here is what General Abizaid said the reason is:

> We want the Iraqis to do more. It is easy for the Iraqis to rely upon us to do more. I believe more forces prevents the Iraqis from doing more and taking responsibility for their own future.

Finally, Mr. President, a week ago, the head of our intelligence services came to the Senate and testified in open public hearings. Here is what he said:

> Al-Qaeda is a terrorist organization that poses the greatest threat to U.S. interests, including the homeland.

That is from the top intelligence chief of our country. Here is what he said:

> Al-Qaeda continues to plot attacks against our homeland and other targets with the objective of inflicting mass casualties. They continue to maintain active connections and relationships radiating outward from their leaders' secure hideout in Pakistan.

Let me say that again. Our top intelligence person says that al-Qaida is the greatest terrorist threat to our country; that they direct their operations from a secure hideout in Pakistan.

Mr. President, a question: If al-Qaida is the greatest terrorist threat to America, and our intelligence chief says it is directed from their secure hideout in Pakistan, and we know that Osama bin Laden continues to talk to us in his missives that they send out; if we have 21,000 additional soldiers to surge anywhere, why on Earth would we not use those 21,000 soldiers to eliminate the greatest terrorist threat to our country, which would be to eliminate the leadership of al-Qaida?

No, that is not what the President recommends. He recommends we send 21,000 additional soldiers into the neighborhoods of Baghdad where sectarian violence is occurring in massive quantities and a civil war exists. With all due respect, and I do respect the President, he is wrong, and I believe the majority of this Senate would say he is wrong by voting for the Warner-Levin resolution.

In a Byzantine twist, however, on this Tuesday morning, we find ourselves debating the question of whether we should debate one of the central questions of our time.

That is unworthy of the Senate. What is worthy of this Senate, and I am proud to be a part of it what is worthy of us is to have on the floor of the United States Senate the great questions before this country, the questions the American people ask this morning and discuss this morning all across this country: What is our role here? What is happening here? How have things changed in Iraq? What is the greatest threat to our country? How do we deal with that threat? What about Mr. Negroponte pointing out that the greatest terrorist threat is al-Qaida? What about the fact he says they are in a secure hideaway in Pakistan? What about the fact that no one has done anything about it? What about the fact that if 21,000 soldiers are available to be surged, that the President says let's send them to Baghdad, in the middle of a civil war in Iraq, rather than going to Pakistan after the leadership of the greatest terrorist threat to this country, according to our intelligence chief?

I simply do not understand this logic. There is a lot to be said about these issues. All of us in this Chamber want the same thing for our country. All of us love this country. All of us respect our soldiers and will do everything to make sure we support them. All of us want this country to do well and to make the right decisions. In the last 5 years, however, we have been involved in a war that has lasted longer than the Second World War. We have been in a war that has cost us far too many lives and too much of America's treasure. We have been put in a situation in which there has been dramatic change. Yet the policy has not changed. This is not the circumstance for which we went to war in Iraq. All of that intelligence, it turns out, was wrong.

Colonel Wilkerson, who served as Secretary of State Colin Powell's aide for 17 years and was present when the information was compiled that led to the presentation at the United Nations, testified before the Senate, and he said publicly that it was the perpetration of a hoax on the American people. That is not me speaking. That is someone who had a distinguished record and who served 17 years with Colin Powell. He was a Republican and proud of his service to this country, but he said all of the intelligence that was basketed together and presented was the perpetration of a hoax on the American people.

Whatever happened, happened. We went to Iraq. Saddam Hussein has now been executed. Iraq has a new constitution and a government. It is time, long past time for this country to say this to the country of Iraq: Saddam Hussein is gone. You have a new constitution. You have a new government. The question is this: Do you have the will to provide for your own security? Because if you don't, no one in the world can do it for you. Do you have the will to take your country back? This is your country, not ours. This country belongs to you, not us. Do you have the will to provide the security for a free Iraq? Because if you do not, I say to the people of Iraq, American soldiers cannot, for any indefinite period, provide order and security in Iraq for you. You have to make that judgment, and you have to understand that it is your responsibility to provide security in Iraq.

This is not a circumstance where we are trying to embarrass anybody. We are not trying to say to the President: You have an awful situation you have created, shame on you. That is not what this debate is about. All of us understand that things have changed. This debate is about what do we do at this point. Do we agree with the President that we should send 21,000 more American troops into Baghdad and surge and deepen America's involvement in this war?

Quite clearly, if we are allowed to get to this debate and have a vote on Warner-Levin, a bipartisan resolution, this Senate will say, no, we believe it is the wrong thing, and that will be the first step in beginning to change policy. It will say to the President, we believe you must change the policy, and then use our energies and our efforts to go after the leadership of al-Qaida. They are the ones who murdered Americans on 9/11, and they still exist in secure hideaways, according to our intelligence chief. Let's deal with the greatest terrorist threat to this country, according to Mr. Negroponte, the head of American intelligence. The greatest threat to our country. They exist. They live today, he says, in Pakistan. Let's deal with those issues.

As I indicated earlier, all of us want the same thing for our country. This is not about politics. It cannot be about politics. It is about policy and what works for America's future, what strengthens our country, what keeps our promise to our soldiers, and what keeps our commitment to ourselves as one of the great symbols of freedom in the world. That is why I hope we will get past this issue that has now impaled this Senate, a debate about whether we should debate. The answer clearly ought to be, yes, we ought to get to the debate that is significant and important to the future of this great country of ours.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDENT pro tempore. The absence of a quorum has been suggested.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Ms. KLOBUCHAR. Mr. President, for the last few weeks, a bipartisan group of Senators has worked to bring to the floor a resolution expressing opposition to the President's proposal to increase American troops in Iraq. In an effort to have an honest, thoughtful, and productive debate, they put aside their differences, only to be run over by partisan politics. I support the bipartisan resolution opposing the escalation. I support an honest and open debate on a policy that clearly needs to change. But I do not support what I saw take place in this Chamber yesterday.

Our soldiers and their families have sacrificed too much to accept the political obstructionism that is keeping this body from having a debate on a most critical issue. Our troops have given so much, and they deserve much more than what they got from the U.S. Senate yesterday. The least we can do is to have this debate, and the best we can do is to get this policy right for our troops.

I would like to thank those who worked on this resolution: Senators LEVIN and WARNER and Senators BIDEN and HAGEL and others. Throughout their careers, they have shown how much they care for the men and women in uniform. In crafting these resolutions, they showed us that when principled individuals from opposing parties care strongly about an issue, politics doesn't always have to win out.

Unfortunately, some in this body still don't want to have a debate about Iraq. It is long past time to have this debate. The American people have called for it, our troops have earned it, and we should be big enough to have it.

Over 3,000 American soldiers are dead, more than 20,000 have been wounded in combat, over 2,000 have lost their limbs, and more than $350 billion of taxpayer money has gone to Iraq. Scores of Iraqis are killed every day in what has essentially devolved into a civil war.

All across my State, I have heard a strong and clear message from Minnesotans: Change the course in Iraq and push for the strategy and solutions that will bring our troops home. We need a surge in diplomacy, Mr. President, not a surge in troops. It is a message that was echoed all across this country from Montana to Minnesota, from Pennsylvania to Virginia. Unfortunately, there were those in this Chamber yesterday who did not listen to that message, who would prefer no debate. This bipartisan resolution expresses the strong opposition of this body to the President's decision to stay the course and send an additional 21,000 American troops to Iraq. I strongly support this bipartisan resolution and implore my colleagues to allow this resolution its due course.

The people of Minnesota, like their fellow citizens around the country, recognize what is at stake in Iraq. Of the 22,000 troops involved in the surge, nearly 3,000 are from Minnesota. As I have traveled throughout our State, I have spoken with many families who have paid a personal price in this war, and I think of them often.

I think of Claremont Anderson from Hoffman, MN, who would drive hundreds of miles to attend public events in the last 2 years. I just saw him and his wife Nancy this weekend; they braved 7-degree below-zero wind chills to come to an event in Glenwood, MN. When I see Claremont, any time anyone even talks about the war, he starts to cry. That is because his son Stuart, an Army Reserve major, was killed in a helicopter crash in Iraq.

I think of Kathleen Wosika from St. Paul, MN. Just last month, her son, James Wosika, Jr., was killed while he was patrolling on foot in an area near Fallujah. He was a sergeant with the Army National Guard 1st Brigade, whose current duty will be extended under the President's escalation. Sergeant Wosika was the third member of his unit to die within a 6-month period. He was the seventh member of the brigade to be killed since their deployment last spring.

I also think of Becky Lourey of Kerrick, MN. That is near Duluth. She is a mother of 12 and a former State senator. Her son Matt was killed when the Army helicopter he was piloting went down north of Baghdad. I watched this Gold Star mother, a woman who has adopted eight children, comfort her grandchildren, hold her shaking husband, and stand tall for hours in a high school gym in Finlayson, MN, where hundreds of people came to gather for her son's memorial service.

Claremont Anderson, Kathleen Wosika, and Becky Lourey are parents whose children made the ultimate sacrifice in service to their country, and they are among the many Minnesotans who told me without apology they want to see a change of course in Iraq. They pray others will not have to experience their pain.

Although I opposed this war from the beginning, I recognized that many did support it. But 4 years later, we are now dealing with a dramatically different situation. What we know now about the events and facts leading up to this war has changed dramatically. The conditions inside Iraq have changed dramatically. Our role there has changed dramatically.

Last November, citizens in Minnesota and across the country voted for a new direction in Washington. Americans made clear at the ballot box they were tired of the politics-as-usual partisan bickering and that they wanted a meaningful and bipartisan change of course in Iraq. To the country's bewilderment, the President responded with a plan to escalate the number of American troops in Iraq. That is not the change in course the American people voted for. It is not the change in course the Iraq Study Group recommended. It is not the change in course Iraq needs to halt its civil war. It is not the change in course our military forces deserve.

Distinguished Senators from both sides of the aisle are seeking ways for this body to bring about the right kind of change. The bipartisan resolution proposes a strategy that recognizes the facts on the ground in Iraq. It incorporates many of the recommendations of the Iraq Study Group.

For years, we have heard from administration officials, from military officials, and from the Iraqis themselves that there can be no military solution in Iraq. Stability can only be achieved through diplomatic and political solutions. This resolution calls on the administration to engage other nations in the region to create conditions for the compromises between Iraqi Shiites, Sunnis, and Kurds that will be necessary for peace. Furthermore, the resolution calls on the administration to apply pressures on the Iraqis themselves to stand up and take responsibility for their country. By following the recommendations of this resolution, the President would send a much stronger signal to the Iraqis that we are not going to be staying there indefinitely.

As of last Thanksgiving, this war has now lasted longer than World War II, and after nearly 4 years of intensive military involvement in Iraq, including more than 3,000 American deaths, we have to be focused on reducing our troop presence in Iraq instead of putting even more American service men and women in harm's way. Haven't we asked our men and women to sacrifice enough?

Recently, at the funeral for a fallen soldier, I heard a local priest say that our leaders have an obligation to do right by our children when we send them to war. He said that our children may be over 6 feet tall when we send them to war, but they are still our children. "If the kids we are sending to Iraq are 6 feet tall," he said, "then our leaders must be 8 feet tall." I would add that if these soldiers are willing to stand up and risk their lives for our country, then those of us in the Congress must be brave enough to stand up and ask the tough questions and push for the tough solutions.

Claremont Anderson, Kathleen Wosika, and Becky Lourey are standing tall. The parents I met with this weekend whose kids are supposed to be coming home this month but are now staying much longer, they are now doing everything to be brave and stand tall. The 400 members of the Air Minnesota National Guard whose deployment ceremony I attended Sunday, in Duluth, MN, they are standing tall. The teenage brother and sister who will see not only their dad but also their mom be deployed in the next 2 weeks, those two kids are standing tall. My friend Senator WEBB, who will speak with us momentarily and whose son is serving bravely, he is over there and he is not afraid. He is standing tall. The injured soldiers in the VA hospital in Minnesota recovering from traumatic brain injuries and in their wheelchairs with their strength and their spirit, they too are standing tall.

I would say to my friends across the aisle, by having an honest and open debate on this war and on this resolution, we in Congress can also and finally stand tall.

Our Constitution says that Congress should be a responsible check and balance on Presidential power. Congressional oversight for Iraq policy is long overdue. We have seen this bipartisan resolution and bipartisan work challenging the President's proposal for an escalation of American troop levels in Iraq. Even as Commander In Chief, our President does not enjoy unlimited power. On behalf of the public, Members of this body have a responsibility to exercise our own constitutional power in a fairminded, bipartisan way, to insist on accountability, and to demand a change of course. Ultimately, the best way to help our soldiers and their families is not only to give them the respect they deserve but also to get this policy right.

I hope that my friends across the aisle will see the merits of this resolution and the urgency of having an open and honest debate on this issue; our troops and their families deserve nothing less.

I thank the Chair.

Mr. President. I yield the floor.

The PRESIDENT pro tempore. The Senator from Virginia is recognized.

Mr. WEBB. Mr. President, I thank my good friend, the Senator from Minnesota, for her kind remarks about the people who have served.

I emphasize my support for the resolution—actually, the resolutions—that were so painstakingly put together by a number of senior Senators from both sides of the aisle, only to be denied a full debate and an open vote through the procedural motions yesterday evening.

Winston Churchill once wrote about watching good ideas getting nibbled to death by ducks. Last night, we saw this phenomenon in action. We had before the Senate a measure that would allow this Congress to speak clearly of concerns regarding the woeful lack of leadership by the President on an issue that affects our Nation and our military people such as no other. And the other side—including some Senators who had helped to draft the resolutions and had their names on it—punted the ball down field rather than giving the people of this country the debate they not only need but are calling for in every opinion poll.

Quite simply, there is no way, other than through a strong resolution or restrictive language in an appropriations bill, for this Senate to communicate to this administration that its so-called new strategy is lacking in the most crucial elements that might actually lead to a solution in Iraq. This is not a strategy. It is a one-dimensional tactical adjustment that avoids the elements of a true overarching national strategy. It relies too heavily on our military, while ignoring the overwhelming advice of those with long experience in this region that we must pursue robust diplomacy in order to bring this misguided effort to a conclusion.

There have been allegations by those on the other side that we who take this position are not supporting the troops. I submit that the best way to support the troops would be for this administration to outline and pursue a comprehensive strategy that includes the diplomatic measures that will be essential to ending our involvement.

Mr. President, a reminder: During the Vietnam war our military killed more than a million enemy soldiers—enemy soldiers—by official count of the present Hanoi Government. Actually, that count is 1.4 million enemy soldiers. But without a clear strategy and without adept diplomacy, that simply was not enough. From the very beginning in Iraq, this administration has consciously neglected its proper diplomatic duties. It has attempted to frame the debate over Iraq's future as one of military action on the one hand and a set of vague guidelines to the Iraqi Government on the other, as if the rest of the region were somehow not crucial to the eventual outcome. This, in and of itself, is a recipe for continued violence and for American failure in Iraq.

It is widely known that the Iraqi Government lacks the power to control the myriad of factions that are causing chaos. The latest National Intelligence Estimate not only confirms this, it indicates that these factions have been broken into so many different components that it is not even fair to call this problem one of sectarian violence any longer. The administration knows this. Most of the administration's strongest supporters know this. Their reaction has been to increase the pressure on an impotent government and to go to the well, again and again, asking for even greater sacrifices from the military, while ignoring their most basic responsibility, which is to put together a clear diplomatic effort that will bring full context to the issues that face us and, in short order, end our involvement. This is not supporting the troops. This is misusing the troops.

With respect to the troops, I would caution any political leader who claims to speak on behalf of the political views of our men and women in uniform. Our military people are largely a mirror of our society, particularly in the enlisted ranks, and their political views are as diverse as our own.

As one example, last year, a survey of those in Iraq indicated that more than 70 percent believed that the United States should exit Iraq within a year. That was a year ago. As I have said before, it is inverted logic to claim we should continue to fight this war on behalf of the troops. The fact is, they are fighting this war on behalf of the political process. They deserve political leadership that is knowledgeable and that proceeds from an assumption that our national goals are equal to the sacrifices we are asking them to make.

For the last 5 years, from before this invasion, this administration and its supporters have refused to admit the most fundamental truth of the entire war. It is a truth that was echoed over and over again last month by expert witnesses during more than a dozen hearings before the Foreign Relations Committee and the Committee on Armed Services, both of which I am privileged to serve upon. It is a truth that this administration and the architects of this war too often refuse to recognize, perhaps because they fear it might potentially embarrass them in the eyes of history.

The unavoidable truth is that this war will never be brought to a proper conclusion without the active participation of the other countries in the region—all of them.

We hear stories of the Saudis helping the Sunni insurgency. We are told by this administration Iran is equipping and training portions of the Shia militias. We hear Turkey and Iran are quietly cooperating to limit the influence of Kurds. We hear Syria is the favorite starting point for many al-Qaida gerillas who infiltrate into Al Anbar Province. We know the entire region is being flooded with refugees from the violence in Iraq, including, especially, Jordan and Syria.

None of this is surprising. Indeed, all of it was predictable and predicted, even before the invasion of Iraq. I recall many of the speeches by the Presiding Officer on those points. What is truly surprising and unsettling is that this administration has not developed an overt diplomatic effort to bring order out of this chaos in a way that might allow us to dramatically decrease our presence in Iraq and, at the same time, increase the stability of the region, increase our ability to fight terrorism, and allow us to address strategic challenges elsewhere in the world.

These countries have historic, political, and cultural ties to Iraq. They are going to be involved in Iraq's affairs in the future, long after the United States departs the region. It is in our national interests and, as a great nation, it is our obligation to take the lead in causing each of these countries to deal responsibly with Iraq's chaos and with its future. We did exactly this in 2001, after the invasion of Afghanistan, bringing the major players to the table, including India, Pakistan, and Iran, and we should do so now.

This approach would have additional benefits beyond Iraq. It would begin to loosen the unnatural alliance between Iran and Syria which could, in turn, increase the potential for greater stability in Lebanon, Israel, and the surrounding territories. It would begin to bring countries such as Iran to a proper role of responsibility inside the international community.

On this point, I cite an important historical reference. In 1971, China, similar to Iran today, was considered a rogue Nation. China, in those days, was already a nuclear power. It had an American war on its borders in Vietnam, a war it was actively assisting. We, the United States, took the initiative, aggressively opening China through diplomatic energy and, over time, helped to bring China into the international community. We should not be afraid of taking similar actions with Iran and also, by the way, with Syria.

The bottom line of all this is this administration and its supporters must understand the realities that are causing us as a Congress to finally say "enough is enough;" that the time has come for a new approach; that the answer in Iraq and to our fight against international terrorism and to our diminished posture around the world is for us to show not only our prowess on the battlefield but also our leadership in the diplomatic arena; that, indeed, we have an obligation to the men and women who have served so selflessly on our behalf, to match their proficiency and their loyalties with the kind of thoughtful leadership that will bring this effort to a proper conclusion.

If there were other ways to convince this administration to change its ineffective one-dimensional approach to the situation in Iraq, I would welcome them, but after 5 years of political disarray, I do not believe it is so. I support this resolution as a first step in reclaiming America's strategic purpose and international reputation. I urge my fellow Senators to do the same.

I yield the floor.

The PRESIDENT pro tempore. The Senator from Missouri.

Mr. BOND. Mr. President, I came to the Senate to talk about the loss of a great soldier and dear friend of mine, but before I do that, I will comment on a few things we have heard discussed this morning.

First, our efforts on this side are to get an opportunity to debate and vote on the Gregg amendment. The Gregg amendment, very simply stated—I don't have the full text in front of me—supports our troops. It says we should support our troops and not cut off funding. That is a valid viewpoint. We are at war. Traditionally, this Senate has supported our troops. That used to be the absolute baseline which everyone accepted. The main resolution that has been referred to, I fear, goes in the wrong direction.

We, in time of war, ought to debate, and we will debate fully, and everyone will have an opportunity to express their views—but I think it is very important we not only have an opportunity to vote on the two resolutions which have been discussed but also to vote on the Gregg amendment. As soon as we can get agreement to do that, I am confident the leaders can move forward.

I have also heard in the Senate a number of comments from Members who do not support a cut-and-run policy. I have addressed previously the disaster of an immediate withdrawal from Iraq. In open testimony, the intelligence community—the Director of National Intelligence—the Director of CIA, the Director of Military Intelligence, said chaos would reign in Iraq if we withdrew precipitously. It would fall into chaos. The primary beneficiary of that chaos would be al-Qaida. Osama bin Laden and Al-Jazeera have said how important it was for them to establish Iraq as their main base of operations.

Second, there would be chaos and slaughter of innocent civilians, both Shia and Sunni. There would be a tremendous increase in the deaths of civilians. But even more frightening, the neighboring states would likely be brought in. The Sunni states would likely come to the aid of their Sunni brethren, and if that had not already triggered the entrance of Iran into it on behalf of the Shia, it surely would, and we could potentially be facing a major Middle East conflict with many states involved.

I have heard it said that the Levin-Warner resolution asks we chart a new direction. We have charted a new direction. And the way forward is a new direction. The President has the agreement of Prime Minister al-Maliki and the Shia, Sunni, and Kurdish government of Iraq that they will take control and they will assume responsibility. They need help in training particularly their police, but they will take control. That is where we need to be.

We can help pick off the al-Qaida and the other committed international terrorists, the radical Islamists. But we need them to resolve this civil strife between Shia and Sunni, and do so in a fair way, including the Kurds and the Sunnis.

This happens to be the military plan the Baker-Hamilton group supported. They said to enable the Iraqi security, military, and police to take over, we should send in some troops temporarily. That is what the President is doing, adding another 21,000 to support them.

Is this going to work? Well, again, with the release of the National Intelligence Estimate on Iraq and the open testimony of the leaders of the intelligence community, they said it is an open question. It is a tough decision. But it is the best option we have.

Yes, they think there is a chance it will work. And the Iraqi Government knows this is their last best chance. They had best make it work. And they best get their police trained and their military trained.

Many people have called for bringing in other nations in the Middle East. That is what the President and Secretary Rice have done, to bring in other nations that will help rebuild the Sunni areas and help provide support to the Iraqis.

There are some people who say we should not have an unlimited commitment. Well, the President has told not only this Nation but Prime Minister al-Maliki there is a time deadline. We are committed to them but not indefinitely. And if they do not take advantage of this opportunity, it will be their country which will fall into chaos and be the battleground, perhaps embroiling the entire region, but certainly wiping out and causing great death and destruction in their own country. So we do have a new direction.

Now, some are pushing a resolution that challenges the President's implementation of the plan. We are trying to be generals and say General Petraeus—whom we just confirmed unanimously because he is such a great general, who said we should have those 21,000 troops—they are challenging his military judgment in the implementation of the plan.

I know many of my colleagues have followed military policy for many years, but I do not think we in this body can determine for the generals what the proper level of troop commitments is. They are the ones who take responsibility for the lives of their men and women. To send a message by adopting a resolution that says we oppose the President's plan, implementation of his plan, is not going to change sending more American troops there.

But it will tell al-Qaida: Good news, boys, the Congress is opposing the President. Our chances look better to take over the country.

And it will send a message to friendly countries that are trying to help the Iraqis telling them: Sorry guys, we are not interested in winning this, so you probably would not want to waste your effort helping us.

Finally, what does it send as a message to our troops: We do not support the military plan they are being asked to carry out, the men and women who are risking their lives? Does that make any sense? I fear not.

I hope we can reject very soundly the Levin-Warner amendment and adopt the Gregg amendment and also the McCain amendment.

REMEMBERING LIEUTENANT GENERAL CHARLES M. KIEFNER

Mr. BOND. Now, Mr. President, let me turn to another matter, a matter of sorrow. I tell this body that at a wonderful military ceremony last Saturday, we laid to rest LTG Charles M. Kiefner, formerly Adjutant General of the Missouri National Guard—a man who I considered a friend for almost 40 years, a man whose career was an amazing one.

I called on him to serve as my Adjutant General for the 8 years I served as Governor. Having come from the Guard, he was the youngest Adjutant General at the time, still by far the youngest Adjutant General in Missouri. But he knew the citizen soldiers who made up the Guard. He knew those citizen soldiers and respected them, and they respected him.

When I left office and Governor Ashcroft took over, he made him his Adjutant General for the next 8 years. He served 16 years. In that time, he not only built the Missouri National Guard to be one of the finest units—Air and Army National Guard—in America, but he was very strong in establishing a Guard presence on Capitol Hill.

It was at his urging that I went to my colleague, Wendell Ford of Kentucky, and we set up the National Guard Caucus, on which today Senator PAT LEAHY and I proudly serve as cochairmen. That caucus has brought together 75 to 80 Members of this body to stand up for the necessary resources, the necessary personnel, and the necessary support of the Guard when active forces in the Pentagon tend to overlook them.

The Guard is a better place today because of the leadership that General Kiefner showed as he headed the National Guard, the Adjutants General Association, as he worked with his colleagues throughout the country, and as he and those generals worked to make sure the Guard was strengthened.

The Guard remembers him with great fondness. Lieutenant General Vaughn of Missouri, who had served in the Guard under General Kiefner, presented the flag to his wonderful wife Marilyn, his sons John and Keith.

Charles M. Kiefner was born June 28, 1930, in Cape Girardeau, MO. He graduated from high school in 1948 and attended Westminster College in Fulton. He earned his bachelor of arts degree from Columbia College in 1975.

General M. Keifner, or Charlie to his friends—and I am lucky to have counted myself as one of his many—was a great man and a great American patriot. Under his strong leadership, including as the youngest Adjutant General, the men and women in the Missouri National Guard came to exemplify the best this country has to offer.

Having begun his military career by enlisting as a private in Company F, 140th Infantry Regiment of the Missouri Army National Guard on September 24, 1947, General Keifner entered active duty on September 11, 1950, with the 175th Military Police Battalion of Missouri Army National Guard and served in Germany with that unit. He was commissioned a second lieutenant, Infantry on December 21, 1951. He served as platoon leader, company commander, battalion motor officer, Battalion S–2, brigade adjutant and S–3, executive officer and logistics officer on the staff of the Adjutant General. As a member of the U.S. Army Reserve, from September 11, 1978, to November 5, 1980, he served as liaison officer to the U.S. Military Academy, West Point.

General Kiefner was first appointed Adjutant General by me on May 8, 1973, when I served as Missouri's Governor, and held the Adjutant General's position until March 1977, when I left the Governor's office. Upon my reelection in 1981, I once again called on this great leader and appointed General Kiefner to lead the Missouri National Guard. General Kiefner served as Adjutant General throughout my two terms as Missouri Governor. As a testament to his skill and great leadership, he was later called upon by Governor John Ashcroft to serve 8 more years in the Ashcroft administration.

General Kiefner not only served Missouri admirably, he also served his nation with honor. A friend who knew him for 35 years during his service in the Guard recalls:

> He was a professional soldier who made a point to know what was going on at every level of the Guard, from the enlisted soldiers to the three star Generals. He knew precisely what the threat to our homeland was and made great efforts to ensure the Guard was prepared to protect us from those threats.

Members of the Army National Guard knew and respected General Kiefner and called upon him to serve as president of the National Guard Association of the United States, a position he held proudly and worked diligently to enhance our Nation's modern-day minutemen's and women's ability to meet their dual-mission at home and abroad.

Upon his retirement from the National Guard in 1993, Major General Kiefner was promoted to the grade of lieutenant general, Missouri National Guard Retired List by Governor Mel Carnahan. "At his own retirement he could not speak because he knew the overwhelming emotion he would feel at leaving the service he loved so dearly would overcome him," said one friend and colleague. "He was an emotional man that was totally committed to his country, Missourians, and the men under his command."

His many decorations and awards include: the Distinguished Service Medal, Legion of Merit with Oak Leaf Cluster, Meritorious Service Medal, Army Commendation Medal, Air Force Commendation Medal, Good Conduct Medal, Army Reserve Components Achievement Medal, Humanitarian Service Medal, Armed Forces Reserve Medal, Department of Defense Identification Badge, Ranger Tab, NGB Distinguished Service Medal, NGAUS Distinguished Service Medal, Missouri Meritorious Service Medal, Missouri Conspicuous Service Medal, Indiana Distinguished Service Medal, Minnesota Distinguished Service Medal, Tennessee Distinguished Service Medal, Minnesota Medal for Merit, 1992 Distinguished Alumni Award—Westminster College, Field Artillery Association Order of Saint Barbara, Army Engineers Association Silver Order of the de Fleury Medal, and the Sons of the American Revolution Silver Good Citizenship Award.

Charlie understood the great citizen soldiers who signed up for the Guard. When he gave them an order they knew he understood them and they were willing to follow.

I have lost a great friend, not just a former Adjutant General. There have been many fine individuals who have worn the uniform of our Nation's Army National Guard, but none more proudly than LTG Charles M. Kiefner.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BOND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

RECESS

Mr. BOND. Mr. President, I ask unanimous consent that under the previous order the Senate stand in recess until the appointed hour.

The PRESIDENT pro tempore. Without objection, it is so ordered. The Senate will stand in recess until the appointed hour.

There being no objection, the Senate, at 12:22 p.m., recessed until 3:30 p.m. and reassembled when called to order by the Presiding Officer (Mrs. MURRAY).

The PRESIDING OFFICER. The Senator from California is recognized.

ORDER OF PROCEDURE

Mrs. BOXER. Madam President, I ask unanimous consent that during the time controlled by the Democrats this afternoon, the following be recognized to speak for up to 10 minutes each, except where noted, and that each side alternate when appropriate: BOXER, MURRAY, DODD, 15 minutes; KERRY, 15 minutes; NELSON of Florida, REED, HARKIN, and WHITEHOUSE.

The PRESIDING OFFICER (Mrs. MCCASKILL). Without objection, it is so ordered.

HONORING OUR ARMED FORCES

CALIFORNIA CASUALTIES FROM IRAQ AND AFGHANISTAN

Mrs. BOXER. Madam President, today I rise to pay tribute to 37 young Americans who have been killed in Iraq since November 17, 2006. This brings to 677 the number of soldiers who were either from California or based in California that have been killed while serving our country in Iraq. This represents 22 percent of all U.S. deaths in Iraq.

SFC Tung M. Nguyen, 38, died on November 14, in Baghdad, Iraq, of injuries sustained from small arms fire. Sergeant First Class Nguyen was assigned to B Company, 2nd Battalion, 3rd Special Forces Group, Fort Bragg, NC. He was from Tracy, CA.

LCpl Jeromy D. West, 20, died November 25, while conducting combat operations in Al Anbar province, Iraq. Lance Corporal West was assigned to the 2nd Battalion, 3rd Marine Regiment, 3rd Marine Division, III Marine Expeditionary Force, Kaneohe Bay, HI. He was from Aguanga, CA.

Cpl Dustin J. Libby, 22, died December 6, while conducting combat operations in Al Anbar province, Iraq. Corporal Libby was assigned to the 2nd Battalion, 4th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, CA.

SPC Micah S. Gifford, 27, died of injuries suffered when an improvised explosive device detonated near his unit while on patrol during combat operations in Baghdad, Iraq, on December 7. Specialist Gifford was assigned to the 3rd Battalion, 509th Infantry Regiment, Airborne, 4th Brigade Combat Team, 25th Infantry Division, Fort Richardson, AK. He was from Redding, CA.

MAJ Megan M. McClung, 34, died December 6, while supporting combat operations in Al Anbar province, Iraq. Major McClung was assigned to I Marine Expeditionary Force Headquarters Group, I Marine Expeditionary Force, Camp Pendleton, CA.

SPC Nicholas P. Steinbacher, 22, died on December 10, in Baghdad, Iraq, when an improvised explosive device detonated near his military vehicle. Specialist Steinbacher was assigned to B Company, 2nd Battalion, 5th Cavalry Regiment, 1st Cavalry Division, Fort Hood, TX. He was from La Crescenta, CA.

LCpl Clinton J. Miller, 23, died December 11, while conducting combat operations in Al Anbar province, Iraq. Lance Corporal Miller was assigned to Marine Wing Support Squadron 373, Marine Wing Support Group 37, 3rd Marine Aircraft Wing, I Marine Expeditionary Force, Marine Corps Air Station, Miramar, CA.

Cpl Matthew V. Dillon, 25, died December 11, while conducting combat operations in Al Anbar province, Iraq. Corporal Dillon was assigned to Marine Wing Support Squadron 373, Marine Wing Support Group 37, 3rd Marine Aircraft Wing, I Marine Expeditionary Force, Marine Corps Air Station, Miramar, CA.

LCpl Budd M. Cote, 21, died December 11, while conducting combat operations in Al Anbar province, Iraq. Lance Corporal Cote was assigned to Marine Wing Support Squadron 373, Marine Wing Support Group 37, 3rd Marine Aircraft Wing, I Marine Expeditionary Force, Marine Corps Air Station, Miramar, CA.

MSgt Brian P. McAnulty, 39, died December 11, when the CH–53 helicopter he was riding in crashed just after takeoff in Al Anbar province, Iraq. Master Sergeant McAnulty was assigned to the 3rd Battalion, 4th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Twentynine Palms, CA.

CPT Kevin M. Kryst, 27, died December 18, from wounds received while conducting combat operations in Al Anbar province, Iraq. Captain Kryst was assigned to Marine Light-Attack Helicopter Squadron 267, Marine Aircraft Group 39, 3rd Marine Aircraft Wing, I Marine Expeditionary Force, Camp Pendleton, CA.

LCpl Nicklas J. Palmer, 19, died December 16, while conducting combat operations in Al Anbar province, Iraq. Lance Corporal Palmer was assigned to the 1st Combat Engineer Battalion, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, CA.

LCpl Luke C. Yepsen, 20, died December 14, due to injuries suffered from enemy action in Al Anbar Province, Iraq. Lance Corporal Yepsen was assigned to the 1st Tank Battalion, 1st Marine Division, I Marine Expeditionary Force, Twentynine Palms, CA.

Cpl Joshua D. Pickard, 20, died December 19, while conducting combat operations in Al Anbar province, Iraq. Corporal Pickard was assigned to the 2nd Assault Amphibian Battalion, 2nd Marine Division, II Marine Expeditionary Force, Camp Lejeune, NC. He was from Merced, CA.

LCpl Ryan L. Mayhan, 25, died December 21, while conducting combat operations in Al Anbar province, Iraq. Lance Corporal Mayhan was assigned to the 3rd Battalion, 4th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Twentynine Palms, CA. He was from Hawthorne, CA.

LCpl Ryan J. Burgess, 21, died December 21, while conducting combat operations in Al Anbar province, Iraq. Lance Corporal Burgess was assigned to the 3rd Battalion, 4th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Twentynine Palms, CA.

Hospitalman Kyle A. Nolen, 21, died December 21, in Al Anbar Province, Iraq, as a result of enemy action. Hospitalman Nolen was assigned to H Company, 3rd Battalion, 4th Marine Division, Regimental Combat Team 7, I Marine Expeditionary Force Forward, Twentynine Palms, CA.

LCpl Fernando S. Tamayo, 19, died December 21, while conducting combat operations in Al Anbar province, Iraq. Lance Corporal Tamayo was assigned to the 3rd Battalion, 4th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Twentynine Palms, CA. He was from Fontana, CA.

SPC Elias Elias, 27, died December 23, in Baghdad, Iraq, of wounds suffered when an improvised explosive device detonated near his vehicle while on patrol. Specialist Elias was assigned to the 3rd Squadron, 61st Cavalry Regiment, 2nd Brigade Combat Team, 2nd Infantry Division, Fort Carson, CO. He was from Glendora, CA.

SPC Michael J. Crutchfield, 21, died December 23, in Balad, Iraq, of a noncombat related injury. Specialist Crutchfield was assigned to the 3rd Battalion, 4th Air Defense Artillery Regiment, Fort Bragg, NC. He was from Stockton, CA.

SGT Lawrance J. Carter, 25, died December 29, in Baghdad, Iraq, of wounds sustained when an improvised explosive device detonated near his vehicle during combat operations. Sergeant Carter was assigned to the 1st Battalion, 18th Infantry Regiment, 2nd Brigade Combat Team, 1st Armored Division, Schweinfurt, Germany. He was from Rancho Cucamonga, CA.

SPC Luis G. Ayala, 21, died December 28, in Taji, Iraq, of wounds suffered when an improvised explosive device detonated near his unit while on combat patrol. Specialist Ayala was assigned to the 2nd Squadron, 8th Cavalry Regiment, 1st Brigade Combat Team, 1st Cavalry Division, Fort Hood, TX. He was from South Gate, CA.

Sgt Aron C. Blum, 22, died December 28, at the Naval Medical Center in San Diego, California, of a nonhostile cause after being evacuated from Al Anbar province, Iraq, on December 8. Sergeant Blum was assigned to Marine Aerial Refueler Transport Squadron 352, Marine Aircraft Group 11, 3rd Marine Aircraft Wing, I Marine Expeditionary Force, Marine Corps Air Station, Miramar, CA.

PFC Ming Sun, 20, died January 9, in Ar Ramadi, Iraq, of wounds suffered when his unit came in contact with enemy forces using small arms fire during combat patrol operations. Private First Class Sun was assigned to the 1st Battalion, 9th Infantry Regiment, 2nd Brigade Combat Team, 2nd Infantry Division, Fort Carson, CO. He was from Cathedral City, CA.

2LT Mark J. Daily, 23, died on January 15, in Mosul, Iraq, when an improvised explosive device detonated near his military vehicle. Lieutenant Daily was assigned to the 2nd Battalion, 7th Cavalry Regiment, 1st Cavalry Division, Fort Bliss, TX. He was from Irvine, CA.

CAPT Brian S. Freeman, 31, died January 20, in Karbala, Iraq, of wounds suffered when his meeting area came under attack by mortar and small arms fire. Captain Freeman was assigned to the 412th Civil Affairs Battalion, Whitehall, OH. He was from Temecula, CA.

SPC Jeffrey D. Bisson, 22, died January 20, in Karma, Iraq, of wounds sustained when an improvised explosive device detonated near his Humvee. Specialist Bisson was assigned to the 3rd Battalion, 509th Infantry, Airborne, 4th Brigade Combat Team, 25th Infantry Division, Fort Richardson, AK. He was from Vista, CA.

LCpl Andrew G. Matus, 19, died January 21, from wounds received while conducting combat operations in Al Anbar province, Iraq. Lance Corporal Matus was assigned to Battalion Landing Team 2nd Battalion, 4th Marine Regiment, 15th Marine Expeditionary Unit, Special Operations Capable, I Marine Expeditionary Force, Camp Pendleton, CA.

LCpl Emilian D. Sanchez, 20, died January 21, from wounds received while conducting combat operations in Al Anbar province, Iraq. Lance Corporal Sanchez was assigned to Battalion Landing Team 2nd Battalion, 4th Marine Regiment, 15th Marine Expeditionary Unit, Special Operations Capable, I Marine Expeditionary Force, Camp Pendleton, CA.

SSG Jamie D. Wilson, 34, died January 22, in Fallujah, Iraq, from wounds suffered while conducting security operations in Karmah, Iraq. Staff Sergeant Wilson was assigned to the 3rd Battalion, 509th Infantry Regiment, Airborne, 4th Brigade Combat Team, 25th Infantry Division, Fort Richardson, AK. He was from San Diego, CA.

PFC Michael C. Balsley, 23, died on January 25, in Baghdad, Iraq, when an improvised explosive device detonated near his military vehicle. Private First Class Balsley was assigned to the 3rd Squadron, 61st Cavalry Regiment, 2nd Infantry Division, Fort Carson, CO. He was from Hayward, CA.

LCpl Anthony C. Melia, 20, died January 27, while conducting combat operations in Al Anbar province, Iraq. Lance Corporal Melia was assigned to Battalion Landing Team 2nd Battalion, 4th Marine Regiment, 15th Marine Expeditionary Unit, Special Operations Capable, I Marine Expeditionary Force, Camp Pendleton, CA. He was from Thousand Oaks, CA.

SPC Carla J. Stewart, 37, died January 28, in Tallil, Iraq, of injuries suffered when her convoy vehicle rolled over. Specialist Stewart was assigned to the 250th Transportation Company, El Monte, CA. She was from Sun Valley, CA.

CWO 3 Cornell C. Chao, 36, died on January 28, in Najaf, Iraq, of injuries sustained when his helicopter crashed. Chief Warrant Officer Three Chao was assigned to the 4th Battalion, 227th Aviation Regiment, 1st Cavalry Division, Fort Hood, TX. He was from Orange, CA.

PFC David T. Toomalatai, 19, died on January 27, in Taji, Iraq, when an improvised explosive device detonated near his military vehicle. Private First Class Toomalatai was assigned to Headquarters and Headquarters Company, 2nd Battalion, 8th Cavalry Regiment, 1st Cavalry Division, Fort Hood, TX. He was from Long Beach, CA.

LCpl Adam Q. Emul, 19, died January 29, from wounds received while conducting combat operations in Al Anbar province, Iraq. Lance Corporal Emul was assigned to 3rd Battalion, 4th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Twentynine Palms, CA.

SGT William M. Sigua, 21, died on January 31, in Bayji, Iraq, when his dismounted patrol received small arms fire. Sergeant Sigua was assigned to C Company, 1st Battalion, 505th Parachute Infantry Regiment, 82nd Airborne Division, Fort Bragg, NC. He was from Los Altos, CA.

I would also like to pay tribute to the soldier from California who has died while serving our country in Operation Enduring Freedom since November 17.

SPC Jeffrey G. Roberson, 22, died on November 28 in Logar, Afghanistan, from injuries sustained when an improvised explosive device detonated near his patrol. Specialist Roberson was assigned to the 230th Military Police Company, Kaiserslautern, Germany. He was from Phelan, CA.

IRAQ ESCALATION

When General William Sherman said "war is hell," he certainly knew what he was talking about. After nearly 4 years in Iraq, I know of no one today who would argue with that statement.

As Members of Congress, we have an awesome responsibility to decide whether to send America's sons and daughters into war. I voted against the resolution authorizing the President to go to war in Iraq because I didn't believe we should have been rushing to say to the President: Go it alone, you have a blank check.

This is what I said at the time, October 10, 2002, which is just before this Senate voted to give the President authority to go to war:

> I never have seen a situation where the President of the United States asked for the ability to go to war alone and yet has not told the American people what that would mean. How many troops would be involved? How many casualties would there be? Would the U.S. have to foot the entire cost of using force against Iraq? If not, which nations are ready to provide financial support? Troop support? What will the cost be to rebuild Iraq? How long would our troops have to stay there? What if our troops become a target for terrorists?

Obviously, I didn't know the answers to those questions that weighed on my heart that day, but today I know that there are more than 138,000 troops serving in Iraq, with a big escalation to come, an escalation that the Republicans would not allow us to vote on. I know that 3,098 soldiers have been killed and more than 23,000 have been wounded. I know we have spent $379 billion and that doesn't include the President's latest request. And I know, as we all do, that our troops are targets for terrorism and that 61 percent of Iraqis think it is OK to shoot an American soldier. How can this President send more of our troops into a country he says he is trying to help when 61 percent of the Iraqi people say it is OK to shoot and kill an American soldier, and 71 percent of Iraqis want us out of Iraq within a year? We now have answers to the questions I raised that bleak day—terrible answers. Yet my Republican colleagues wouldn't allow us to vote on a resolution opposing an escalation of this war, an escalation of over 40,000 troops, when you consider the support troops.

We know that a majority of Senators oppose this escalation. We know the majority of the American people oppose this escalation. Yet we can't vote on it. Many of us have gone further. We have proposed resolutions and bills to start redeploying our troops out of Iraq. We have called on the Iraqis—a majority of us last year—to shoulder the burden of defending their own country.

It seems like yesterday when we passed the 1,000 dead mark and then 1,500 dead mark and then the 2,000 dead mark and then the 2,500 dead mark. Now it is more than 3,000 dead. I remember when we hit the 2,500 dead mark last June. A reporter at the White House press briefing asked Mr. Bush's press secretary, Tony Snow, if the President had any reaction. Mr. Snow said: "It's a number, and every time there's one of those 500 benchmarks, people want something."

What does that even mean? He calls 500 American dead benchmarks? That was a low point even for this administration that keeps on saying, if you don't support the war, you don't support the troops. That is hogwash. How do you support the troops when you send them into the middle of a civil war where they don't even know who is shooting at them? How do you support the troops? Three thousand ninety-eight soldiers dead is not just a number; those are people. That is 3,098 families who are forever changed. To put more of them in harm's way, to escalate our involvement does not say to me we love them. It says to me we have not thought this through. We are not listening or this administration is not listening to the Iraq Study Group. It is not listening to the military generals who came before us to say this is wrong. It is not listening to the American people.

Again and again this White House closes its eyes on the reality of this war. I know they don't want to see the tragic truth. But if you are going to make a decision to send our soldiers to war, you better be able to look at the consequences of that decision. They would not even let us vote on this escalation. The White House doesn't want that vote. They don't want to be second-guessed. They don't want to be embarrassed. They don't want to hear what this Democratic Congress has to say. And guess what. Elections have consequences—how many times has the President told us that—and this election had consequences. It means we have to take off the rose-colored glasses.

Let's look at the events of Sunday, January 28, in Iraq, as told by two Los Angeles Times reporters, Louise Rough and Borzou Daragahi. That Sunday in America happened to be my wedding anniversary, a day of rest for many, a day of relaxation, a day for religion, a day for football, a day for basketball, a day for movies, a day for fun, a day for family; in Iraq, a day of hell.

The headline of the LA Times, the following Monday, reads: "Hundreds Die in Clash near Iraq Holy City." Here is the article. I don't know if this can be seen on the television, but it is a beautiful young girl, an Iraqi teenage girl. It could be your daughter; it could be mine. She is leaving school. She is stepping down steps that are bloodied by the blood of her schoolmates. She is barely looking around, and no one is helping her. This is a sight that is too often the reality in Iraq. The child has seen what no child should ever see, what we would do anything in the world to stop our children from seeing. And she appears numb.

The reporters write about fighting erupting near holy city of Najaf on the Shiite holiday of Ashura. There were conflicting reports as to whether the fighters causing the trouble were Shiite or Sunni militia, but we know that our soldiers, working with Iraqis, killed several hundred gunmen in a fierce fight and a helicopter went down, our helicopter, and we lost our people.

The reporters point out that our forces are fighting "a complex patchwork of elusive enemies," and the deaths outside of Najaf would constitute the highest daily casualty toll inflicted by U.S. and Iraqi forces since U.S. troops arrived in Baghdad shortly after the March 2003 invasion.

This group we wound up fighting, because the Iraqi soldiers couldn't handle it and they called us in, call themselves Heaven's Army, a messianic cult who believes in the imminent return of Imam Mahdi, the last in the line of Shiite saints who disappeared more than 1,000 years ago.

Nomas, who is a spokesperson for the Iraqis, went on to lament to the reporters that many Shiites believe the end days are coming, due to all of the violence. This is what he said:

> There's nothing bizarre in Iraq anymore. We've seen the most incredible things.

People think the end is near, and that is what this President is sending more troops into.

Our troops have seen things we can hardly imagine, things that may haunt them throughout their lives. I have worked hard with my colleagues on both sides of the aisle to try and fashion some legislation so we have a commission that is set up to look at the mental health problems of our soldiers. They are deep, the signature wounds of this war, brain damage and post-traumatic stress.

In other parts of Iraq that Sunday, in addition to that school I showed and in addition to the fight with Heaven's Army, the messianic cult, we lost two U.S. soldiers and a marine. In Kirkuk, violence raged. In Babil Province, mortar rounds killed 10, and 5 bodies were found in the Tigris River. There was an assassination in Kut, a deadly car bombing in Fallujah. In western Baghdad, explosives hidden in a wooden cart killed 4 and injured 18, and an Industry Ministry advisor and his daughter were shot to death.

On the east side of the Tigris, a bomb exploded on a bus, killing one. Two other bombs exploded, killing seven. A bank clerk was killed by gunmen in a car near her home. This was all in this one article. This is one day, January 28, one day. Fifty-four bodies were found, including a woman kidnapped 2 days prior.

And finally, in Diyala Province northeast of Baghdad, 1,500 policemen, Iraqis, were charged with absenteeism and fleeing fighting. And this is what the President is sending more of our American soldiers into, and they wouldn't let us vote on it here. It is absolutely outrageous. It is immoral that we cannot vote on whether we agree with this escalation. Our soldiers gave the Iraqis their freedom, their Government, a sovereign nation, and now it is the Iraqis' turn to decide their future.

President Franklin Delano Roosevelt, the man who knew a thing or two about being at war said:

> In the truest sense, freedom cannot be bestowed; it must be achieved.

The Iraqis must achieve it. We cannot want it for them more than they are willing to fight for it themselves. All we are doing by sending more troops to Iraq is feeding an already out-of-control dependence. So I believe we must not only speak out against the escalation, but we should do everything in our power to stop it. We need to convene an international conference, as the Iraq Study Group called for. We need to call for a cease-fire. I haven't heard the word out of the Malaki's lips, "cease-fire." It is his country. His people are killing each other. "Cease-fire" would be a term of art to give people hope that there can be peace. At this international conference, we can look at the long-term solutions. Right now our troops have mission impossible, acting as a police force in the middle of what is, by most accounts, a civil war.

Nowhere in the resolution this Senate voted on authorizing force is it stated our soldiers' mission is being in the middle of a shooting civil war. We ought to ask this President to come back with a new authorization, if that is what he wants to do.

Senator WARNER has said that in the past. He said:

> I think we have to examine very carefully what Congress authorized the president to do in the context of a situation, if we're faced with all-out civil war.

Well, that time has come. This President should, A, send a signal that he wants to see us vote on this escalation of his and, B, be willing to come back with a new authorization that says clearly that it is fine for our troops to be in the middle of a civil war. Enough is enough.

Enough is enough. We have to end the paralysis of "stay the course." This is a time of great challenge for the U.S. Congress. I have been very proud these past few weeks to see my colleagues on both sides of the aisle begin to speak out forcefully against this. For me, it is easy to oppose the President on this war because, as I said, I voted against it, as did the occupant of the chair at that time. We didn't have our questions answered. I understand it is harder for others. But I believe everybody—at least a majority of the Senate—wants to vote on this escalation. They want to be heard on behalf of their constituents.

So it is times like these that I recall the words of one of my heroes, the great Martin Luther King, who said:

> The ultimate measure of a man [and I suspect he meant woman, also] is not where they stand in the moments of comfort, but where they stand at times of challenge and controversy.

He also said:

> Our lives begin to end the day we become silent about things that matter.

Well, this escalation matters. We ought to be heard on it.

I commend my leader, Senator REID, for holding firm on this issue. There ought to be an up-or-down vote on this escalation.

I yield the floor.

The PRESIDING OFFICER. The Republican leader is recognized.

UNANIMOUS-CONSENT REQUEST

Mr. McCONNELL. Madam President, my good friend, the majority leader, and I have been in a discussion over the last few days, going back to last week, over how to go forward on the Iraq debate. As I have indicated to him both privately and publicly, we on this side of the aisle were certainly looking forward to having an Iraq debate this week and are prepared to do so and are ready to go forward.

I think we all agree at this moment that there is no more important issue facing the Nation than the mission and the fate of the American service men and women in Iraq. This means, of course, that the men and women of this body have no higher duty than to express ourselves openly and honestly on this issue, to take a stand on where we stand. The only truly meaningful tool the Framers gave us to do this was our ability to fund or not fund a war. That is it. This is what Republicans are insisting upon—that the Members of this body express themselves on the question of whether to fund or not to fund the war in Iraq.

I had indicated to my good friend, the majority leader, that I would be propounding another unanimous-consent request at this point, and I will do that now.

I ask unanimous consent that, at a time determined by the majority leader, after consultation with the Republican leader, the Senate proceed en bloc to the following concurrent resolutions under the following agreement: S. Con. Res. 7, the Warner resolution, which is to be discharged from the Foreign Relations Committee; McCain-Lieberman-Graham, regarding benchmarks; Gregg, relating to funding.

I further ask unanimous consent that there be a total of 10 hours of debate equally divided between the two leaders or their designees; provided further that no amendments be in order to any of these measures; further, that at the use or yielding back of time, the Senate proceed to three consecutive votes on the adoption of the concurrent resolutions in the following order, with no further action or intervening action or debate: McCain-Lieberman-Graham, on benchmarks; Gregg, on funding and supporting our troops; S. Con. Res. 7, the Warner resolution.

Finally, I ask unanimous consent that any resolution that does not receive 60 votes in the affirmative, the vote on adoption be vitiated and the concurrent resolution be returned to its previous status.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Madam President, reserving the right to object, this is basically the same thing that has been asked before. The issue before the American people is whether the President of the United States, on his own, should be able to send 48,000 American soldiers to Iraq, costing approximately $30 billion extra.

The Republicans can run, as I said yesterday, but they cannot hide. That is the issue before the American people. We all support the troops, and we have fought very hard, in spite of our misgivings about this war, to make sure they have everything they have needed.

It is interesting that there is a lot of talk about the Gregg amendment. But if you look at the Gregg amendment and at page 2—the last paragraph on page 2 of his amendment—and you look in the Warner amendment on page 3, paragraph 4, it is identical language. Warner has encapsulated within his amendment what Gregg wanted, which is the so-called "resolve clause."

This is all a game to divert attention from the fact that we have before us now an issue that the American people want us to address: whether there should be a surge, an escalation, an augmentation of the already disastrous war taking place in Iraq, causing 3,100 American deaths, approximately; 24,000 wounded American soldiers, a third of whom are hurt very badly; 2,000 are missing multiple limbs—brain injuries, blindness, paralysis. That is what 8,000 American soldiers now are going through—men and women.

So I ask my friend to amend his request in the following manner:

I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration of S. Con. Res. 7, by Senator WARNER, and S. Res. 70, by Senator McCAIN, and the Senate proceed to their consideration en bloc; that there be 6 hours for debate equally divided between the two leaders or their designees on both resolutions, to be debated concurrently; that no amendments or motions be in order to either resolution; that at the conclusion or yielding back of the time, the Senate vote on Senator McCAIN's resolution, followed by a vote on Senator WARNER's resolution; that if either resolution fails to garner 60 votes, the vote be vitiated and the resolution be returned to its prior status; that immediately following the votes on the resolutions I have just mentioned, the Senate turn to the consideration of H.J. Res. 20, the infamous continuing resolution, funding the Government after February 15 for the rest of the fiscal year; that there be 4 hours for debate on the joint resolution; that no amendments or motions be in order in relation to it; that at the conclusion or yielding back of the time, the Senate vote on final passage of the joint resolution; that if the joint resolution fails to get 60 votes, the vote be vitiated and the joint resolution be returned to the calendar.

I announce that if we are able to do that—dispose of these three items I have mentioned—this week, or whenever we finish them, then we would begin the Presidents Day recess at the conclusion of this week. One of the things we found is that because of the accelerated work schedule, people are having a lot of work to do at home. So that is why we would do this.

Madam President, there would be no amendments to the CR from either side. I mention that because, in getting to the point where we are, there has been total consultation by the majority and minority, each subcommittee, and the majority and ranking members. The chair and ranking members work very closely. One of the people heavily involved in this, for example, is Senator DOMENICI, my long-term partner on the Energy and Water Subcommittee on Appropriations. He fought for more, and he got more. That happened with many Republicans who spoke out, and most of them did.

I further say that if there were ever a bipartisan measure, it is the continuing resolution. But we have to finish before February 15.

So I ask my friend, the Republican leader, to accept my alteration to his unanimous-consent request.

The PRESIDING OFFICER. Is there objection to the request?

Mr. McCONNELL. Madam President, reserving the right to object, and I will object, let me remind our colleagues that 4 years ago last month, we were at exactly the same situation. My party came back to the majority. The Democratic majority of the previous Congress had not passed 11 out of the 13 appropriations bills. And what did the new Republican majority do? We took up an omnibus collection of appropriations bills. We had over 100 amendments offered. We gave everybody in the Senate an opportunity to offer amendments, and we disposed of all of those appropriations bills over a couple-week period.

What my good friend, the majority leader, is suggesting is that we take up a continuing resolution of 11 appropriations bills, with no amendments whatsoever, and he offers as an enticement an extra week off. This is completely unacceptable to the minority. First, he is saying that we cannot get adequate consideration to our Iraq proposals. Second, he is saying we cannot have any amendments to an over $400 billion continuing appropriation. Therefore, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. Madam President, I will continue reserving the right to object to my friend's unanimous consent request. Prior to making a decision on that, I want to read to everybody here from page 3, paragraph 4, of the Warner resolution:

> The Congress should not take any action that will endanger United States military forces in the field, including the elimination or reduction of funds for troops in the field, as such an action with respect to funding would undermine their safety or harm their effectiveness in pursuing their assigned missions.

Madam President, I object.

Mr. McCONNELL. Madam President, it is clear now to the minority that five proposals on our side were too many, three proposals were too many, and two proposals were too many, but the majority leader offered us one last week. He said: I will take one and you take one. So I am going to modify my request of a few moments ago which, as the leader indicated, was exactly the same as my request of late last week. I am going to modify my request.

As I have said repeatedly, the Members on this side of the aisle are ready and willing to proceed with this debate. At the outset, I indicated we were prepared to enter into, as I said a moment ago, an agreement for debate and votes on various resolutions. We had hoped for a number—and it was pretty challenging, frankly, to pare down the number on our side. As I indicated, we started with five. That was rejected from the other side. We pared our proposals down to two. That meant three proposals in total—the Warner proposal and two additional ones—to be debated for a reasonable amount of time and then three votes—the unanimous consent request I just propounded.

I think what we just offered was a reasonable approach and would allow the Senate to have those votes this week. Evidently, as I indicated, three proposals are too many. So, therefore, in order to allow us to move forward with this important debate, I am prepared to have votes on just two resolutions.

Therefore, I ask unanimous consent that at a time determined by the majority leader, after consultation with the Republican leader, the Senate proceed en bloc to two concurrent resolutions under the following agreement: S. Con. Res. 7, the Warner resolution, which is to be discharged from the Foreign Relations Committee; and Senator GREGG's amendment related to the funding and supporting our troops.

I further ask unanimous consent that there be a total of 10 hours of debate equally divided between the two leaders or their designees; provided further that no amendments be in order to any of the measures; further, that at the use or yielding back of time, the Senate proceed to two consecutive votes on the adoption of the concurrent resolutions in the following order, with no further action or intervening debate: the Gregg resolution supporting the troops and S. Con. Res. 7, sponsored by Senator WARNER.

Finally, I ask unanimous consent that any resolution that does not receive 60 votes in the affirmative, the vote on adoption be vitiated and the concurrent resolution be returned to its previous status.

Mr. REID. Reserving the right to object, we have gone from this morning and trying to copy one of the trick plays from the Super Bowl to now going to the science bill, and I guess it is modern math. We don't accept that, Madam President. What we demand for the American people is an up-or-down vote on the escalation of the war in Iraq. McCain has been filed. Let's vote on it. Let's vote on Warner. That is our proposal. We haven't wavered from that. We will not waiver from that. That is what the American people demand and ultimately they will get. I object.

The PRESIDING OFFICER (Mrs. McCASKILL). Objection is heard.

The Republican leader.

Mr. McCONNELL. Madam President, as my good friend on the other side of the aisle frequently reminded us last year, the Senate is not the House. It is not possible in this body for the majority to dictate to the minority the contents of this debate. What we are asking for, by any standard, is reasonable: One alternative—just one—to the proposal on which my good friend, the majority leader, is seeking to get a vote. We don't object to having this debate. We are ready and willing to have this debate, anxious to have this debate, but we insist on fundamental fairness.

The Gregg amendment is about the troops. How can we have a debate on Iraq and have no debate about the troops? Do we support them or don't we? That is what the Gregg amendment is about, and Senate Republicans insist that we consider those who are being sent to Iraq, over and above the current troops deployed there, in our debate, which is entirely about the additional troops going to Iraq.

I assume the whole genesis of this debate this week is the question of additional troops going to Baghdad under the direction of General Petraeus to try to quiet the capital city and allow this fledgling democracy to begin to take hold. And the Gregg amendment—Senator GREGG is right here on the floor of the Senate and is fully capable of explaining what the Gregg amendment is about. I ask the Senator from New Hampshire, what is the essence of the Gregg amendment which we seek to have voted on in the context of this Iraq war?

Mr. GREGG. Madam President, I will attempt to read it. I first have to find my glasses. My wife told me I had to use my glasses.

The resolution which I proposed and which I understand the Republican leader has suggested be the Republican alternative or the alternative presented—in fact, it will have Democratic support. I suspect, enough so that maybe the majority leader doesn't want it voted on because it might have so much Democratic support.

In any event, it is a proposal that simply states that it is the sense of the Congress that Congress should not take any action that will endanger U.S. military forces in the field, including the elimination or reduction of funds for troops in the field, as such action with respect to funding would undermine their safety or harm their effectiveness in pursuing their assigned missions.

I don't think it requires a great deal of explanation. It is simply a statement of commitment to our troops which seems reasonable. It is hard for me to understand how we can send troops on a mission, walking the streets of Baghdad—American troops, American men and women—and not say to those men and women: Listen, we are going to support you with the financing, with the logistics, with the equipment you need to be as safe as you possibly can be in this very dangerous mission you are undertaking for our Nation.

That is all it says. I can't understand why the other side isn't willing to allow a vote on that resolution. If they want to vote on the Warner amendment, it doesn't make any sense.

Mr. McCONNELL. Madam President, reclaiming my time, the other side just proposed an agreement that mandates 60 votes on two resolutions. Those are their words on paper. We agree to those terms, but at least we are suggesting that we be allowed to pick the proposal on our side, as Senator GREGG has just outlined what the proposal on our side would be.

The majority leader apparently seeks to dictate to us what the proposal on our side would be. That is simply unheard of in the Senate, that he is telling us that on the continuing resolution, we will get no amendments at all, and on the Iraq resolution, he will pick for us what our proposal is to be. I think that doesn't pass the fairness test.

I see the Senator from New Hampshire on the Senate floor. I wonder if he has any further observations he would like to make.

Mr. GREGG. Madam President, I would simply like to inquire of the Republican leader, have you ever in your experience seen a time when—either the Republican leadership or the Democratic leadership—the majority party says to the minority party: We will set forth the amendments on which we are going to vote, and we will also set forth and write the amendment on which you are going to vote?

Mr. McCONNELL. Madam President, I say to my friend from New Hampshire, I have been here now—it is hard to believe—a couple of decades, and I cannot recall a time in which one side has dictated to the other side what their proposal will be in a legislative debate.

Mr. GREGG. I understand, I ask the Republican leader further, especially since it seems ironic in the context of putting forward a commitment to say to the men and women who are fighting for us: We shall give you the support you need when you are sent on a mission; they are not choosing to go on this mission; they are members of the military who, under their responsibility as members of the military, are being sent on a mission; is it not reasonable that we should say to them: We will give you the logistical support, financial support, the equipment you need in order to fulfill that mission correctly?

Mr. McCONNELL. Madam President, I say to my friend from New Hampshire, I can't think of anything more relevant to an Iraq debate about the appropriateness of this new mission, which General Petraeus will lead, than the amendment which Senator GREGG has authored and which we request be our proposal as this debate goes forward.

Mr. GREGG. Madam President, if the Senator will yield just for one further point, would it not be truly unusual in a democratic forum, which is supposed to be the most deliberative body in the world, to not allow the minority to bring forward a resolution—which is probably going to get more than a majority vote should it ever be voted on—which is not contestable as to its purpose—its purpose being well meaning; it is certainly not a purpose that is anything other than to express a sense of support for those who are defending us—would it not be a new form of democracy, maybe closer to the Cuban model, to not allow an amendment presented by the minority as their option but, rather, have the majority write the minority's amendment which would then be voted on? That way the majority gets to write both amendments, I guess is my bottom line.

You have one-party rule, sort of a Cuban model of democracy.

Mr. McCONNELL. Madam President, I thank my friend from New Hampshire for his observations about not only the process but the merits of his proposal.

Let me conclude by reiterating once again that I think the Senator from New Hampshire and I and others, including those who have been speaking on the Senate floor on this side this morning, welcome the debate about Iraq policy. We had anticipated having the debate this week. It is not too late to have the debate this week.

We are now down to two proposals, just two proposals. It took a lot of time on our side to get down to one for us and, of course, the majority has a preference of its own. This debate could be wrapped up in relatively short order, and then we could move on with the continuing resolution, where I hope it might be possible for the minority to have at least some amendments.

Madam President, with that, I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, the Presiding Officer is a new Member of this body, but she should have seen when the Republicans were in the majority. We didn't have amendments. They filled every tree. I will also say, it speaks volumes here today—volumes. There is not a single person on the other side of the aisle who has come to the floor and supported the troop surge of President Bush—not a single person. I wonder if President Bush is aware that not a single Republican Senator has come to the floor and said: I support President Bush sending 48,000 more troops to Iraq. That speaks volumes.

I will also say this, Madam President: Senator BOXER, a couple rows back, just a few minutes ago, talked about one short snapshot of one day from the Los Angeles Times: Scores of people being murdered and killed and mutilated; a little girl leaving school with blood-drenched steps over which she was walking. One could see the red in the photograph, and Senator BOXER was one, two, three rows back. We could all see that.

Not a single person has come to the floor to support the surge, but that is what is dictating what we vote on today. It is not the majority leader. We, for the American people, need to have this debate.

Also, I certainly care a lot about the Senator from New Hampshire—and he knows that is true—but I have to smile. What has he done the first few weeks of this legislative session? He has brought to the Senate floor during the debate on ethics, lobbying reform, and earmark reform the line-item veto, and then he brought it forth again on minimum wage. And now to stop a debate on the escalation of the war in Iraq, he now comes up with this other diversionary tactic. He is a wonderful man, a gentleman, but, Madam President, do you know what he kind of reminds me of this first few weeks of this legislative session? Somebody who comes into a basketball game, not to score points, just to kind of rough people up, just to kind of get the game going in a different direction.

The game we have going today has nothing to do with supporting the troops. We support the troops. Every speech that a Democrat has given in the last 4 years has talked about how much we support the troops. In fact, we were the first to raise the issue. We were the first to raise the issue about a lack of body armor. We raised that first. We support the troops. We have done that not only with our mouths but with the way we voted.

The debate in the Senate should be on the resolution submitted by the Senator from Arizona, which they have obviously dropped—the resolution from the Senator from Arizona and Senator LIEBERMAN from Connecticut. They threw that out in an effort to go for this diversion.

So why don't we see how the minority feels about voting on the President's surge of $30 billion and 48,000 troops? That is what this debate is about.

Mr. GREGG. Madam President, will the Senator yield for a question?

Mr. REID. Sure.

Mr. GREGG. First, I appreciate the Senator's generous comments. I take them as a compliment. I have been active legislatively. That is, obviously, our job.

I ask the Senator: He heard me read the language of my resolution earlier, and I will read it again, if he wishes.

Mr. REID. If I can interrupt, and I do that apologetically, I read it before the Senator from New Hampshire arrived in the Chamber because it is in the Warner resolution.

Mr. GREGG. Good. If the Senator is of such a mind, I ask if this were a freestanding resolution brought to the floor, would the Senator vote for my resolution?

Mr. REID. I don't think I have to make that judgment now because the judgment, I say to my friend from New Hampshire, is not some diversionary matter. The issue before this body and the issue before the American people—that is why we are getting hundreds of phone calls in my office and other Senate offices around the country. The issue is does the Senate support the President's surge? That is the question.

I have to say the Senator from Arizona at least was willing to put his name on it and move forward. We haven't heard a lot of speeches in favor of his resolution. Where are they?

Mr. GREGG. Madam President, if the Senator will yield further, I guess I find it difficult to argue that it is a diversion when the resolution that I am proposing simply says that we will support the troops who are being asked to carry out the mission they have been assigned. This is not a diversion. This is a responsibility, I would think, of every Member of the Senate to take a position on whether they support giving the troops who have been assigned the task, the equipment, the financial support, and the logistical support they need to protect themselves and carry out that mission.

I think to call that a diversion does not do justice to our troops in the field, so I am concerned about that. It does seem to me for the Senator from Nevada to take that position is inconsistent with the basic philosophy of Congress, which is that the first responsibility in a matter of warfighting is to support the troops.

Mr. REID. Madam President, I have been asked to yield to my friend from Washington, and I am glad to do that.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, I asked the majority leader to yield for a question. I have been on the Senate floor and listened to the exchange between the majority leader and the Republican leader and, quite frankly, I was astonished and I want to understand if the majority leader heard the same thing I did.

The Republican leader came back to you and offered to remove from consideration the McCain amendment, which is the pro-escalation amendment, essentially offering a vote on just the Warner and Gregg amendment. Leaving aside what this says about the lack of support of the proposal on their side, are we hearing from the other side that they do not even want a vote on whether they support the President's escalation?

It seems to me we are hearing a phony debate request on who supports the troops. That is not a debate that we need to have. Everyone in this body supports the troops. I ask the leader if he heard the request from the Republicans the same way I did, that they no longer even want to have a vote on whether they support the President's escalation.

Mr. REID. Madam President, I say to my friend from Washington that we have a record of supporting the troops. We did it in Kosovo, we did it through the entire Balkans, and we did it in Afghanistan. We did it in Afghanistan with very few questions asked, and rightfully so. We have supported every effort made by this President to defeat the war on terror, with rare exception. But the troops in the field? Never, never have we wavered from that.

In fact, I don't know of a speech, although there could be some given, where a Democrat has talked about the war in Iraq and hasn't talked about how much we appreciate the work done by these valiant troops and the sacrifices of their families. That is why we were stunned during the State of the Union Address when the President even mentioned the veterans.

I am happy to have answered the question from the Senator from Washington.

Mr. MCCAIN. Madam President, if the Senator will yield for a question.

Mr. REID. I yield.

Mr. MCCAIN. I thank the Senate majority leader for yielding for a question, and I appreciate his willingness to engage in a dialogue on this issue.

In reference to the question of the Senator from Washington to the majority leader, I do want our resolution debated. We are trying to move forward. As I think the Senator from Nevada is aware, there was a proposal to have a 60-vote, which is the way the Senate does business, on three resolutions—on the Warner, McCain, and Gregg resolutions—and that was turned down. I only agreed to the latest proposal because I think we need to move the process forward.

I guess what I am asking the Senator from Nevada is, isn't it really true that the way we do business here does require 60 votes? It is just a reality of the way the Senate functions. When there was an attempt a year ago, 2 years ago, actually, with the so-called nuclear option, I was one who fought hard to preserve the right of the majority to have 60 votes in the case of the appointment of judges, and I think we reached a bipartisan agreement on that.

So I still am a bit puzzled why we could not have a vote on my resolution that would require 60 votes in order for it to be adopted, just as it would be for the Warner resolution and as it would be for the Gregg resolution. I don't quite understand why we couldn't do that, as we have done hundreds of times in the past, as the Senator knows, because we have been in the Senate for many years.

That is my question. Again, I thank the majority leader for allowing me to engage in this discussion with him.

Mr. REID. Madam President, I say to my friend who came to the House at the same time as myself, and then we came to the Senate together—in fact, there is only one person ahead of me in seniority, and that is the Senator from Arizona because the State of Arizona has more people in it than the State of Nevada—no one has ever doubted the courage of the Senator from Arizona. I have read the books. I know about Senator MCCAIN. He has not only been heroic on the field of battle but also legislatively, and I respect that.

But I say to my friend, yes, there are 60 votes required on some things in this body. Not everything. The vast majority of legislation that passes here is with a simple majority. I would say to my friend, recognizing that it does take 60 votes, that is why I offered to do the deal: McCain, 60 votes; Warner, 60 votes. That is the proposal I made.

That is pending before the body right now, and that has been turned down five or six times. So I would be willing to do it on a simple majority, if you want to do McCain on a simple majority or the Warner resolution on a simple majority. I would try to get that done. Right now, Madam President, we have the proposal I have made.

I do say that the debate is not whether we support the troops. That is a diversion. We support the troops. The issue before this body is whether the American people deserve to see how their Senator is going to vote; whether their Senator approves the surge, the escalation, the augmentation of 48,000 troops, costing approximately $30 billion extra. That is what the American people care about, not whether we support the troops. We all support the troops.

Mr. DURBIN. Madam President, will the Senator from Nevada yield for a question?

Mr. REID. I will be happy to yield.

Mr. DURBIN. Madam President, I want to understand what has happened over on the other side, the Republican side. Is it my understanding they have asked now to drop the McCain-Lieberman amendment?

Mr. REID. I have to be honest with my friend from Illinois, who also came with us at the same time from the House to the Senate, that the answer is, yes. The Lieberman amendment has been given up.

Mr. DURBIN. If I might continue through the Chair to ask the Senator from Nevada a question, on the issue that I think is before America today—whether we should escalate the number of troops into this war in Iraq—we had offered to the Republican side a choice between two Republican amendments: Senator WARNER's amendment, which said the President's policy is wrong, and Senator MCCAIN's amendment, which says the policy is advisable and should be followed. Even given the option of two Republican amendments, the Republican minority, yesterday, voted to deny any opportunity for the Senate to debate two Republican amendments?

Mr. REID. I would say to my friend, yes, that is true. We were willing because the Senator from Arizona had the ability, the courage, and the dignity to put this issue before the American people, even though—and he knows this—the vast majority of American people do not support the escalation in Iraq. But he did it. We were willing to take two Republican resolutions—one supporting the surge, one opposing the surge—and let Senators from every State in the Union raise their hand and tell the American people how they feel about it.

Mr. DURBIN. Madam President, I might ask the Senator from Nevada whether this resolution being offered by Senator GREGG really is focused not on the major issue of escalating the war but somehow is focused on supporting the troops. Even the Warner resolution, a Republican resolution, has the identical language of the Gregg resolution when it comes to that support of the troops; is that not true?

Mr. REID. I say to my friend that the rumor around here is that Senator WARNER put that in there thinking he could get the support of the Senator from New Hampshire, but, obviously, he was wrong.

Mr. DURBIN. Madam President, I might also ask the Senator whether it appears to him now that the Republicans, at this point, don't want to debate either of the Republican amendments and want to change the subject; that they want to move to a Gregg resolution, which deals with, as the Senator has just said repeatedly, support for the troops, which is not an issue?

We all support the troops. It appears to me that we have made no progress in the last 24 hours, and I would ask the Senator from Nevada if he has a different conclusion.

Mr. REID. I say to my friend that the only thing I sense this afternoon—and I have to say it with a smile on my face, and I hope everyone recognizes this—is that every piece of legislation we have brought up, the Senator from New Hampshire has tried to throw a monkey wrench into it. It happened on ethics, it happened on the minimum wage, and now on this Iraq issue.

I guess my dear friend, who has a stellar political record as Governor, Member of the House of Representatives, United States Senator, chairman of the Budget Committee—and I have commented for the record many times about my admiration for him, but I guess he is the designated "see if we can mess up the legislation" guy this year. I would hope in the future to get somebody I don't care so much about because it is hard for me to try to oppose my dear friend from New Hampshire. Maybe when they do this every couple of months they will change.

Mr. MCCAIN. Madam President, will the Senator yield for one more question?

Mr. REID. I will be happy to yield.

Mr. MCCAIN. Madam President, again, I appreciate the courtesy of the majority leader.

Is it not true that when the Senator says he supports the troops, that there is disapproval of what they are doing and that the Senator does not think their mission is going to succeed? And is it not true that maybe some of the troops may not view that as an expression of support?

I talked to many men and women in the military in recent days, ranking from private to general. Isn't it true that most of them, if you had the opportunity to talk to them, would say: When they do not support my mission, they do not support me?

Therefore, isn't it just a little bit of an intellectual problem to say: Of course, we support the troops; of course, we support the troops; of course, we support the troops, but we are sending you over—and they are going because this is a nonbinding resolution—aren't we saying that we think they are going to fail and this is a vote of no confidence?

The so-called Warner amendment, by the way, is not a Republican amendment, no matter whose name is on it.

Is it not true that when I look one of these soldiers or marines in the eye and say: I really support you, my friend, and I know you are going into harm's way, but I don't think you are going to succeed, in fact, I am against your mission, but I support you, that they do not buy it? They do not buy it, I will say to my friend from Nevada, and don't think that they do.

So I would ask my friend if it isn't true a vote of no confidence is a vote of no confidence to the men and women who are serving in the military. It doesn't sell.

Mr. REID. Madam President, I also have had the opportunity to go to Iraq as many times as my friend from Arizona, and I also speak to the troops and the people at the Pentagon. I have to respectfully suggest to my friend that there are many individuals whom I have spoken to who really like what we have suggested—we, the Democrats—that there be a redeployment of troops.

Does that mean they all pull out of Iraq and leave immediately? Of course, it doesn't. But redeploy the troops. Redeploy the troops. Redeploy them to do what? Counterterrorism, force protection, and training the Iraqis. And my contacts in the military say they think our proposal is pretty good. We were on this proposal before the Iraq Study Group, but they adopted it, and I hope they got it from us, and that is that there should be a regional conference, including Saudi Arabia, Egypt, Jordan, Syria, and, yes, Iran. This is a regional problem. This war will not be handled and dealt with and taken care of militarily. It can only be done diplomatically.

We are a wonderful fighting force, and we will continue to be, but where we have lost our edge is diplomatically. We have not done well at all in that regard, and the people I have talked to in the military support what we are trying to do: redeployment; they support a regional conference; they support, of course, recognizing that this must be handled politically. There has to be some meaningful reconstruction that goes forward—producing less oil now than before the war, less potable water, and less electricity. These are the things which have to be changed, and the people I talk to in the military think we are headed in the right direction.

They also think we are headed in the right direction when we speak out on the state of deterioration of our military. This war has taken a toll on our equipment—not on our troops alone, on our equipment. It is going to cost $75 billion to bring the military up to the situation they were in prior to this war. They are grateful we are fighting for them in that regard.

So, Madam President, I respect—and I don't have the military background of my friend from Arizona, but I have contacts in the military, and I think a lot of those people are more willing to talk to me than someone who is running for President and someone who is more noteworthy than I am. He is better known in the military, and they know he can respond to them probably better than I. So they are willing to tell me a lot of things they wouldn't tell someone as significant as JOHN MCCAIN.

So, Madam President, I think the Democratic plan we have enunciated is pretty good, much of which we have enunciated for a long time and has been picked up by the Iraq Study Group.

Mr. DURBIN. Madam President, would the Senator yield for a question?

Mr. REID. Certainly.

Mr. DURBIN. I would like to ask the Senator from Nevada the following question: If I follow the inquiry of the Senator from Arizona, it leads me to this conclusion—and let me add my voice in chorus commending his service to our country and commending his courage. I share the admiration, and I mean it sincerely, I say to the Senator from Arizona. But his argument goes something like this: If you are not loyal to the policies of the Commander in Chief, then you are not loyal to the troops. If you are not prepared to say you will stand behind the policy, the military policy of the President, whether you agree with it or not, then you do not respect the troops and don't have confidence in the troops. Nothing is further from the truth.

I ask the Senator from Nevada, does he think it is possible to disagree with the President's policies and still be loyal to the troops? Is it possible to say the President was wrong in not bringing more countries in as allies in this conflict before we invaded and still be loyal to the troops? Is it possible to say we didn't send enough soldiers when we should have and still be loyal to the troops? Is it possible to say disbanding the Army of Iraq was a bad decision and still be loyal to America's troops? Is it possible to say the situation that is grave and deteriorating in Iraq is evidence of a need for a new direction and still be loyal to the troops?

I just don't buy the premise by the Senator from Arizona that if you question the policy of the President, somehow you are disloyal to the soldiers. They are the ones following orders from the Commander in Chief. We have a special obligation to them—I think a loyalty to them—far and beyond any Chief Executive.

I would ask the Senator from Nevada if he believes you can be loyal to the troops and still disagree with the President?

Mr. REID. I think that is part of being a patriotic Member of this Congress.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. WARNER. Madam President, I was, unfortunately, engaged in a briefing in S. 407 on the most recent NIE, and I have just come down to join my colleagues on the Senate floor and I caught some portions of the debate. But I would like to say to my colleagues that the Senator from Virginia, together with probably six or eight other Republicans, has been discussing this issue very carefully and thoughtfully and respectfully.

Frankly, we have taken to heart what the President said when he addressed the Nation on January 10. His very words were: "If there are those with ideas, we will consider them." We accept that invitation by our President and have tried in a very respectful way to simply state that we have some serious concern with the level of 21,500 additional troops. Now we learn it could even be larger than that, in testimony, open testimony this morning with the Secretary of Defense and the Chairman of the Joint Chiefs. It could be 3,000 or 4,000 more. We tried in a very respectful way simply to express our concerns about an increase of that level at a time when polls show most of the Iraqi people don't want us there, much less increase the force. Now, I am not following the polls, but we are asking our troops to go into a very heated, emotional situation in that country. We simply said to the President: Shouldn't we put more emphasis on the utilization of the Iraqi forces? Shouldn't we let them bear the brunt of such additional security as must go into Baghdad?

We learned this morning that the efforts to build up the forces have fallen short. I am not going to pronounce judgment on what happened on just 2 or 3 days' reporting, but clearly the number of Iraqis showing up is far below the estimates or significantly below the estimates we anticipated their participation would be in this operation which, in many respects, is to be joint. We talked with General Pace this morning about my concern of this concept of joint command and control. He assured us the American forces would have a linear straight line from an American senior officer right down to the sergeants operating the platoons on the front lines. But nevertheless the Iraqis are going to have their chain of command, and I think that puts a challenge to us.

But I don't want to digress from my main point. Our group, in a conscientious and a respectful way, even wrote into the resolution that we in no way contest the right of the President of the United States under the Constitution to take the actions he has taken thus far and will take. But as long as I have been in this Chamber—now in my 29th year—I have always tried to respect another Senator's way of thinking. I don't question his integrity or her integrity or their patriotism or anything else. I do not do that now. I wish to make my points based on what I have put forth in this resolution with about six other Republican colleagues and a number of Democrats.

We simply want to suggest—and we use the word "urge"—we urge you, Mr. President, not "direct you" or "you shall do this," we simply urge that you take into consideration all the options by which you can bring down this level and consider greater utilization of the Iraqi forces.

Then we have the subsidiary question that this program is in three parts—one part military. So much of our focus has been on that. There is a diplomatic part. There is an economic part. In our testimony today with the Secretary of Defense and the Chairman, we stressed the need for all three of those parts to come together at one time to have the effect that the President desires with his new plan. Somehow, we gained the impression today that maybe the political part and perhaps the economic part are not quite as far along as some of the military thinking and planning. Actually, the troops are moving in as we debate this on the Senate floor.

So there were several questions we respectfully raised with the President, urging him to take a look at this, by means of which to lessen—lessen the total number of 21,500 and, indeed, more now—troops.

We also point out the importance of the benchmarks. That is all in there. We carefully lay out that the benchmarks should be clearly and fully understood by both sides and a method put in place by which we can assess the compliance or noncompliance for those benchmarks. The Secretary of Defense today, in his testimony to us, in response to questions from this Senator and others, said: Yes, we will put in a mechanism by which to evaluate the degree to which the Iraqi compliance is taken with respect to benchmarks, the benchmarks that basically have to support the President's plan. In addition, we put in the resolution of the Senator from New Hampshire. I think it is important that we have an expression in here about the non-cutoff of funds.

So our resolution has been presented to try as best we can to put together right here on the floor of the Senate a bipartisan consensus. I think the American public is entitled to see whether the Senate, an institution that is followed throughout the world, can come together and express in a single document—accompanied by lots of debate but in a single document—a joinder of a number of Republicans and a number of Democrats, so it is truly bipartisan, and therefore the American public will get, I think, the sense of confidence that this body is carrying out its responsibility under the Constitution to speak to this issue and to put onto a piece of paper what we think is the nearest a group of us can gather and express ourselves. And that includes a vote.

I am not going to enter into further debate with the two leaders. I think they are trying to work out and resolve this problem. I support my leader with respect to the cloture, and that raises a question: How can I advocate that I strongly adhere to my resolution and at the same time support my leader? Well, when I first came to this Chamber many years ago, the old-time Senators who taught me so many lessons said: This is what separates the Senate from the House—the ability to have this almost unlimited debate by a single Senator. And it is, throughout the history of this institution, one of its revered tenets and its rules. To take that and deny it, deny Senators the ability to bring up their own resolutions to express their own views, is a curtailment that I believe we should consider long and hard. That is why I cast that vote yesterday.

So I leave it to the two leaders, but I come back again to the need for this great institution to express itself through the votes of hopefully a significant number of Senators, that this is what we believe is the best course of action for our Nation to take as we revise our strategy in Iraq, as we move ahead. And in our resolution, we put in there ever so expressly that we agree with the President; it would be disastrous were we to allow this Government to collapse not knowing what government might or might not take their place, and to allow the Iraqi people to lose the ground they gained through courageous votes several times to put this Government together. It would be bad for Iraq, it would be bad for the region, and it could have ramifications on world peace and our efforts to stem this terrible growth of terrorism worldwide.

I yield the floor.

Mrs. MURRAY. Madam President, I ask unanimous consent that the time used by the two leaders in the exchange on the floor not be counted against the 90 minutes on each side.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. I ask unanimous consent to proceed for 15 minutes.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mrs. MURRAY. Madam President, war is the most serious and the most consequential issue we can debate here in the Senate. American lives, American security, and America's future are all on the line when our country decides questions of war and peace. For years, we have been denied a real opportunity to fully debate this war in Iraq, a war that has now claimed more than 3,000 American lives with no end in sight.

Last November, the voters sent us a message. They want a new direction. What do we hear from the President? More of the same. In fact, his plan is to escalate the war by putting up to 48,000 more Americans in the middle of a deadly civil war. They are two completely different approaches. On one side, we have the American people, the Iraq Study Group, generals who have spoken out, and a bipartisan majority of Congress. On the other side, we have the President and his supporters. In a democracy, we resolve these issues through debate. We in the Senate are ready for that debate. We are ready to move in a new direction, and it starts by putting this Senate on record as opposing the President's plan to escalate the war in Iraq.

I have been looking forward to finally having this debate in the Senate, but apparently some of the Republicans have a very different strategy. They don't want to have a real debate. They don't want to consider the resolutions that have been offered. In fact, I think the discussion we just witnessed right now showed that to us.

Last night, by voting against a motion to proceed to this debate, they said they didn't want to talk about this. Now, I am not here today to question their motives, but I do want to point out the consequences. Every day they block a debate, they send a message that Congress supports escalation. Every day they block a debate, they deny our citizens a voice in a war that has cost us dearly in dollars and in lives. And every day they block a debate, they are blocking the will of the American public.

I am on the Senate floor today because I know this debate is long overdue, and I am not going to let anyone silence me, the troops for whom I speak, or the constituents I represent. Ever since the start of combat operations in March of 2003, I have been very frustrated that we have been denied a chance to hold hearings, a chance to ask critical questions, a chance to demand answers, to hold those in charge accountable, and to give the American people a voice in a war that is costing us terribly. We are going to have that debate whether some in this Senate like it or not.

Four years ago, I came to the Senate to discuss the original resolution to give the President the authority to wage war in Iraq. At that time, I asked a series of questions, including: What is the mission? What will it require? Who is with us in this fight? What happens after our troops go in? How will it impact the Middle East? How will it affect the broader war on terror? And are we being honest with the American people about the costs of that war?

After exploring those questions back almost 4 years ago, I announced on October 9 of 2002 that I could not support sending our men and women into harm's way on an ill-defined solo mission with so many critical questions unanswered.

Now, here we are today, 4 years later, $379 billion and more than 3,000 American lives taken. Now the President wants to send more Americans into the middle of a civil war against the wishes of the majority of the public and Congress?

As I look at the President's proposed escalation, I am left with the exact same conclusion I met with 4 years ago. I cannot support sending more of our men and women into harm's way on an ill-defined solo mission with so many critical questions unanswered. Today, President Bush wants to send Americans into battle without a clear mission, without equipment, without an endgame and without explaining the cost.

When he tried it 4 years ago, I stood up and spoke out and I voted no. Again today, President Bush wants to send more Americans into battle without a clear mission, without equipment, without an endgame and without explaining the costs. Once again, I say: Not on my watch. We need a new direction, not more Americans in the middle of a civil war. I will vote for a bipartisan resolution to send a clear message that we oppose the surge. It is the first step in demanding a new direction in Iraq.

No debate on Iraq can begin without first recognizing our men and women in uniform who risk their lives and all too often give up their lives to keep all of us safe. Whenever our country calls, they answer, no matter the cost to them or their families. They are our best. They are our brightest, they are our bravest, and I hope to give them a voice in this debate.

While most Americans today are going about as normal, our troops and their families are quietly making tremendous sacrifices. The burdens of this war have not been shared equally, and we owe so much to those who shoulder those heavy burdens.

I had a chance to visit servicemembers from my home State on the ground in Kuwait and in Baghdad. Every one of them makes us proud. I have sat down with servicemembers and their families at Camp Murray, at McChord Air Force Base, at Fairchild Air Force Base. I have talked with returning servicemembers in every corner of my State. I have worked to help give them the health care and the benefits and the transition and support they deserve.

My home State of Washington has made tremendous sacrifices to help us fight and win the war on terror. To date, more than 59,000 servicemembers with the Washington State connection have served in Operation Enduring Freedom and Operation Iraqi Freedom. Currently, there are nearly 10,000 people with the Washington State connection who are serving in OEF and OIF. According to the Department of Defense, as of January 20, for OEF and

OIF, 702 servicemembers whose home of record is Washington State have been injured. That is 702 injured from my State. In addition, 66 servicemembers whose home of record is my home State of Washington have paid the ultimate sacrifice. The number is even higher when you include those who have a connection to Washington State.

Each one of those brave Americans is someone whose mother or father, sister or brother, daughter or son, their families are never going to be the same. Their communities will never be the same. I offer my prayers for those who have sacrificed for our country. We owe them a debt that can never fully be repaid.

After nearly 4 years of losses and misrepresentations and miscalculations, the American people have said they want a new direction in Iraq. Generals have spoken out calling for a new direction. The bipartisan Iraq Study Group called for a new direction. Yet President Bush has ignored everyone and is now pushing to send even more of our American troops into the middle of a civil war. He is wrong. And a bipartisan resolution is the first step we can take in helping to forge a new direction.

But now what we have is Republicans who are denying the Senate a chance to vote for that new direction. In fact, they are preventing the Senate from even debating the merits of that direction. They may have stopped us from moving forward last night, but they cannot stop this debate forever. The American people would not allow it.

If the Republicans stop their obstruction and start allowing the Senate to debate this misguided surge proposal, there are plenty of questions we have to ask. What would be the impact of a surge? How would it affect our men and women in uniform? Will it put more of them into the crossfire and cause more deaths and injuries? My home State is home to Fort Lewis and two of the Army Stryker Brigades. How is the surge going to affect them? Will some members see their current deployment extended? Will others see their deployment date moved up? Will all of them have the equipment they need when they are there? Those are the first questions we have to ask.

How will the surge affect our ability to care for our returning veterans? We are having trouble meeting their needs today; how will we do the job in an escalated war?

I have heard several Members on the other side demand ideas from Democrats, and my first response is simple: To discuss ideas, shouldn't we discuss, first, the President's ideas? He is, after all, the Commander in Chief. That is the point of the resolutions, to foster a debate on the President's plan for the future of Iraq. But the Senate Republicans would not allow that. The Republicans' obstruction and the President's decision so far have left us with very few options.

I am looking at every resolution and every proposal. I am looking forward to having hearings and getting the facts and moving forward in a bipartisan way.

Personally, I believe the way forward should include three steps. First of all, we should strategically redeploy our troops. Second, we should work with Iraq's neighbors and other countries in the area to build a regional framework. And third, we need the Iraqis to take ownership of their own country and their own future. We can send troops for decades and never have a peaceful, stable Iraq until the Iraqi people are willing to work together for a purpose that is larger than their own tribe or their own sect or their own self.

We need to refocus our efforts on the war on terror, on fighting al-Qaida, and on addressing the other challenges that threaten our security. I am very concerned by the reports we hear about Afghanistan, that it is sliding backward and becoming more unstable. Those are some of the steps I would take to improve our security. That is the debate we ought to be having.

Before I conclude, let me address two concerns. First, some people have suggested that if you question the President's policies, you are somehow hurting our troops. As the Vice President would say, hogwash. Supporting our troops means giving them a clear mission, making sure they have the equipment and support they need and making sure we have a clear endgame. If any of those critical ingredients are missing, it is our duty to question the policy until we provide our troops with what they need. Sending more Americans into the middle of a civil war without a clear mission, without equipment, without support, without an endgame, is endangering our troops, not supporting them.

I don't shrink from war. I voted for the war in Afghanistan. My father served in World War II and he was injured in combat. I know war is sometimes necessary. But I also know that if we don't answer the critical questions, our troops pay the price. For too long, partisans have claimed to be speaking for our troops but have blocked the discussions that could truly protect them. I say, no more.

Finally, some people say that a nonbinding resolution is not enough. And I agree. That is why this is a first step. We can't take the other steps until this Congress goes on record, in a bipartisan voice, telling the President the surge is wrong. Once we have done that, the ball is in the President's court. But today, Senate Republicans are preventing us from getting there. If he still will not change course, we will look at the other tools before us.

Senators have discussed a wide series of steps that we could take. I will review all of them. We are also holding hearings to find out what options we can take. This is the first step. If the President doesn't hear us, we will take the next step. And the next step. And the one after that.

I understand that many Americans are frustrated that our troops are in the middle of a civil war. I am frustrated, too. I wish we had been allowed to start this process, these hearings, these debates and votes a long time ago. But we are moving aggressively forward now. Democrats have been in charge now for 5 weeks. And already, finally, we are having more debates, more hearings, more progress, than we have had in the past 3 years. But I can promise you, this is only a beginning.

We can't have these debates if the Republicans are blocking us in an open discussion of the war. The Republicans need to stop denying a real debate in the Senate, so that together we can move our country in a new direction. I believe for us to have an impact, Congress has to speak out in a clear, bipartisan voice. We could vote on hundreds of resolutions that make us feel better, but that would not help us change direction. It is a strong, bipartisan message from Congress to the executive branch and to the country that has the power to make progress.

I am willing to take the time and do this right and to build the support we need so that at the end of the day we can have a real impact. I strongly oppose the surge. I believe escalation is the wrong direction. I will vote to put the Senate on record opposing the surge if the Republicans will end their filibuster. I will continue to fight for new direction in Iraq.

For too long, the voices of our troops and our citizens have been blocked. Today, Senate Republicans are trying to continue that obstruction. I say, no longer. The debate must begin because our country will be better for it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Madam President, how much time remains?

The PRESIDING OFFICER. The Senator has 15 minutes.

IRAQ

Mr. DODD. Madam President, let me commend my colleague from the State of Washington for her comments and her views. I associate myself with many of the things she expressed in the Senate. I congratulate her for her words, her passion, and her strong feelings about where we stand today on this issue.

Let me also commend the Democratic leader for his efforts to engage in what is probably the single most important debate this Senate could possibly be engaged in. There are other very important matters at home and around the globe—but everyone would agree, regardless of your views on policy, that the issue of Iraq and where we stand and the effort by the President to increase the number of troops on the ground in Iraq, particularly to place them in the large, highly densely populated urban areas of Iraq, is one of the most serious issues facing our country.

We have had a series of serious and thought-provoking hearings conducted by Chairman **BIDEN** of the Senate Foreign Relations Committee over the last number of weeks on this issue, with people who represent a variety of ideological perspectives. Yet without fear of contradiction, I believe the overwhelming majority of the witnesses who have appeared before that committee have expressed serious reservations about this escalation, this surge, placing some 21,000 of our young men and women into Baghdad to try and act as a referee in what we all admit today is clearly a civil war.

Having this debate is important. I wish to take, if I can, the few minutes allotted to me to express my concerns about the process, my concerns about the surge, and my concerns about the overall direction of the policy in Iraq. There is not a lot of time to do that, but let me share some thoughts.

First of all, I believe that every Member in this Chamber, regardless of his or her view on the issue before the Senate regarding Iraq, would do everything he or she could to make sure that our brave men and women in uniform, serving in harm's way, would receive everything they could possibly need to defend themselves. That ought not to be a debating point. I know of no one in this Senate who feels otherwise. And the fact that we have to have some discussion about this very point is a reflection, I think, of what has gone wrong in this debate already.

In fact, I point out that over the last 4 years or so, there have been amendments offered by those of us here to provide different additional resources, such as for body armor, because we felt our troops were not getting what they needed. There has been significant discussion here in the wake of testimony offered by our senior military leaders about what has happened to the combat readiness of our troops as a result of our failure to continue to provide the kind of equipment and support they deserved over the years. Certainly what has happened to veterans coming back has also been the subject of debate. But, nonetheless, I believe most Members here, if not all Members here, believe our troops deserve the kind of support they ought to have when they are serving in harm's way.

And so, the debate is not whether you support our troops. The debate is whether the policy direction the President wishes to lead us in is the right one. That is a debate which ought to occur in this Chamber. Frankly, in my view, it ought to be a debate that resolves around at least a legislative vehicle that might have some meaning to it, some bite, some teeth, some reality, some accountability.

My leaders know I have strong reservations about a sense-of-the-Senate debate. Now, normally, we have sense-of-the-Senate resolutions when there is a consensus that develops. Normally, sense-of-the-Senate resolutions are offered around matters that are noncontroversial and we wish to express ourselves regarding these matters, so we all sign on or virtually everyone signs on.

I would say if, in fact, the goal here was to get 70 or 80 Members of this Chamber—Republicans and Democrats—to sign on to a proposition that said we think the surge and escalation is the wrong thing to be doing, then the vehicle of a sense-of-the-Senate resolution would have value. But I would suggest here we are into the second day of this debate and we cannot even decide what sense-of-the-Senate resolution we want to debate.

So if you are sitting out there watching this Chamber at this moment, in terms of where we ought to be going and what the effect of what we are about to do is, it is rather confusing, to put it mildly, as to where we stand in all of this. We cannot even decide what sense-of-the-Senate resolutions to bring up. If we are going to have a debate around here that is meaningful, why not debate something that is meaningful?

So my concerns are, in many ways, that given this moment in time, before these young men and women are placed in harm's way—because I know full well, after a quarter of a century here, once they are on the ground, once they are in place, the debate changes. The debate changes. So if we are truly concerned about dealing with the surge and escalation, then I believe we ought to be engaging in a debate that has some meaningful outcomes when it comes to the decision of whether we go forward.

I, for one, would like to see a new authorization come to this body to be debated. The resolution on which we are operating today is one that was crafted 5 years ago. It was fundamentally linked to weapons of mass destruction and the conduct of Saddam Hussein. The first argument was, of course, a fiction. There were no weapons of mass destruction. And the second argument is no longer viable. Saddam Hussein is gone.

Today, we are being asked to place men and women in uniform in the middle of a civil war. It seems to me that if the President of the United States wants that to be a policy endorsed by the American people through the actions of this body, then we ought to be voting on a matter that says this is something we agree with and go forward. That would have some meaning to it, it seems to me. If we rejected it, then the President would have a strong answer from the Congress about whether we are about to continue to finance and support that activity—again, not undercutting the needs of our troops in harm's way but a legitimate debate about a real issue that requires Members to stand up and vote yes or no.

I realize I am in sort of a minority of one or two here who believes the vehicles we are choosing to debate over the next several days, if, in fact, the debate goes on, are ones that in the final analysis are nothing more than really message proposals. If we are highly divided over which one to bring up, what is the message, in effect, if we cannot even decide which vehicles we want to choose to discuss?

Regarding the surge itself and regarding the Warner-Levin or Levin-Warner proposal, I have some problems with the language of that proposal. It essentially abdicates the power of the purse. It calls for selective diplomacy in the region instead of engaging all of Iraq's neighbors. The language opposing the surge is weak to the point of being nonexistent. And there is language that suggests that nothing in this resolution ought to imply a call for redeployment—something I wholeheartedly believe we should be pursuing in a phased manner.

But those are my concerns about it, both in terms of the process and the language under consideration. I realize other Members do not have those problems. I respect that. But those are my concerns.

Now, regarding the surge itself, again this has been stated by others who have examined this proposal in great detail, including our senior military people and senior diplomats. As I said a moment ago, in testimony before the Senate Foreign Relations Committee, they have spoken eloquently about their concerns that this proposal does nothing but contribute to the chaos that reins in Iraq.

There are some 6 million people who live in the city of Baghdad. To suggest we are going to send 17,000 or 18,000 service men and women into a city of 6 million, where there are at least 23 militias along with insurgents, Baathists, hardened criminals, and possibly some al-Qaida elements, and that we are going to sort this out in a way that is going to move us toward a political settlement in the country is I believe, frankly, beyond dreaming. I do not think it has any viability whatsoever. In fact, I think it contributes to a further escalation of the conflict in the country and delays even further what everyone agrees must occur: some sort of political accommodation between Shias and Sunnis and Kurds—between Shias and Shias, for that matter. The idea that placing our troops as a referee in the middle of this civil conflict is going to get us closer to that result, I think, has been successfully argued against by those whom we respect and admire in these debates.

Secondly, may I say that, in fact, if you are trying to encourage those elements to get together and you are also trying to encourage regional diplomacy to play a role here, then it seems to me we ought to be talking about how best we can achieve that. When you have an administration that refuses to even engage in any kind of conversation or negotiations with governments in the region with which we have serious disagreements, then I think we get even further away from the suggestions made by the Baker-Hamilton study group on Iraq that proposed what I thought were very commonsense, sober, and sound recommendations that would allow us to have a greater likelihood of achieving the success we ought to be pursuing. I see little likelihood of that occurring if, in fact, we are talking about a further military escalation of the conflict here. Every single person who has looked at the situation in Iraq has drawn the following conclusion: There is no military solution—no military solution—in Iraq. So continuing to pursue that option, continuing to pursue that particular goal in the face of all the evidence to the contrary, I believe is a major, major mistake for this country.

I think this body—the Senate—ought to be on record expressing its opinion about it and that we ought to go forward in a meaningful, real, accountable way. Unfortunately, that is not likely to happen. In fact, we may end this debate without voting on anything at all regarding Iraq, as we need to move on to other items that the leadership clearly must address in the coming weeks. So we are missing an opportunity, other than to express our views, which most people have done. I know of no Member in this Chamber who has not spoken out publicly about whether they think the surge is the right direction to go in, what alternatives they would offer in terms of how we might begin to talk about redeployment, and the need for the Iraqis to assume responsibility for their own country.

The American people have also publicly spoken out. They voted for a change of course in Iraq last November and according to recent polls, a majority of Americans oppose a surge. Now I do not believe polling data ought to be the way you conduct foreign policy, but the fact is that the American public is exhausted and fed up, to put it mildly, with our Iraq policy. And let's consider the following data out of Iraq: Over 80 percent of the people in that country believe that our continued presence in that country contributes to the chaos they are facing, and over 60 percent of Iraqis believe it is appropriate to attack American service men and women. Over 60 percent of the people in Iraq believe that.

How do you justify supporting an escalation, a surge in our military presence, when the very people whom we are told we are trying to help in this case believe that, one, we contribute to the chaos, and only a slightly smaller number believe it is appropriate to attack our service men and women? For the life of me, I do not understand how an American President could possibly support a policy that takes us further down that road.

Now we are not just talking about only two options here of escalating or leaving. There are policies that come in far between these two. For example, there have been suggestions about redeployment, with our service men and women filling other roles like training the Iraqi military, which was suggested by Baker-Hamilton. I think we should do this. We could engage in counterterrorism activities. Border security; we could play a very meaningful role in that as well. So there are those of us here who believe we ought to be redeploying, bring down those numbers, but none of us whom I know of have suggested we ought to be just packing our bags over the next 6 months and leaving Iraq. We are talking about other roles we can perform, as the 300,000 Iraqi soldiers and police take over the responsibility of their country.

Madam President, I am telling you as I stand before you today, if we continue to provide the kind of level of support militarily we are engaging in, there is less and less likelihood that the Iraqis are going to assume the responsibility, both politically and militarily, to take over leadership of their country.

For those reasons, I urge that we find a means and a vehicle, sooner rather than later, for this body—the Senate, this coequal branch of Government—to say to the administration and to others: We believe in a different direction. We would like a new authorization. We would like debate on a meaningful proposal that would allow us to be accounted for, yes or no, as to whether you want to move forward.

Again, with all due respect to those who crafted this, I have no greater admiration for any two Members than I do for CARL LEVIN and JOHN WARNER, people I have served with here for many years. I respect immensely the effort they have engaged in here to try to build a proposal that would attract a substantial majority of our colleagues to support. If you could do that, then sense-of-the-Senate resolutions have value. But I rest my case on what is occurring at the very moment I stand before you this afternoon. We are divided here. We have some four or five different resolutions. All of them are sense-of-the-Senate resolutions. None of them have any meaning in law at all. And we cannot seem to come around a single debate. We ought to be having one about whether we believe our resources and our young men's and women's lives ought to be placed in harm's way. That is the debate which ought to be occurring here. It is not occurring yet. I think that is unfortunate. It is tragic. My hope is we will find a means to address that in short order.

I yield the floor.

The PRESIDING OFFICER (Mr. SALAZAR). The Senator from Massachusetts.

Mr. KERRY. Mr. President, I ask unanimous consent that I be permitted to proceed for such time as I consume.

The PRESIDING OFFICER. The Senator was allotted 15 minutes. Does the Senator seek UC for more time?

Mr. KERRY. Well, I ask that, yes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KERRY. I probably will not use more time, but at least I am protected. I thank the Chair.

Mr. President, I listened carefully to the comments of my colleague, the Senator from Connecticut. I appreciate the frustration he expressed about what has gone on in the last hours here and the difficulty of presenting to the country a Senate that appears unable to make up its mind about what resolution we ought to vote on.

The fact is, the last 24 hours in the Senate have not been a profile in courage; they have been a profile in politics. Rather than protect the troops, our colleagues on the other side of the aisle have decided to try to do what they can to protect the President. I think they have made an enormous mistake.

The fact is, if we voted on the Warner resolution, those who support the mission, the escalation—but the mission, as the Senator from Arizona said—have a chance to vote no, and those who believe the escalation is a mistake have an opportunity to vote yes. It just does not get any clearer than that.

No matter what happens with all this argument about the process of one resolution versus another resolution, the bottom line is that people who on Sunday shows and in hearings stand up and say they oppose the escalation were, yesterday, unwilling to allow the Senate to vote on that. They were unwilling to have a vote of conscience on the question of the direction of this war.

So rather than protect the troops, those troops who are about to be sent into a mission that, in fact, does not resolve the issue of Iraq—and perhaps even makes it far more dangerous, certainly more dangerous for those troops being asked to perform it—are not protected by the Senate, making its best effort here to try to make a vote that disagrees with the President.

The Senator from Arizona was down here a few minutes ago asking the question of the majority leader: If you do not support the troops' mission, then aren't you, by definition—if you vote as we would like to vote here—not supporting the troops? That is just an extraordinary leap of logic which has no basis whatsoever in real reasoning.

The Senator from Arizona himself has criticized the policies of this administration time and again—in fact, not enough. But time and again, he has said Mr. Rumsfeld was wrong or he did not have confidence in him or this and that. Was that a criticism of the troops? Was that not supporting the troops? I am absolutely confident the answer is no. I know, and we all know, the Senator from Arizona supports the troops, but he has been able to draw a distinction between criticizing the policy and support for the troops. I will tell you, the best way you support the troops, you support the troops by getting the policy right.

Right now, all over the Hill here in Washington, there are veterans of the Iraq war who are going around and talking to Congressmen and Senators and the public, advocating that this mission in Iraq ought to change, that we ought to begin a process of terminating our involvement there. They have a very different view of their own service than that which is expressed by some on the other side of the aisle. The fact is, there is a growing sentiment among many of those being asked to do this very difficult job that the missions they are being sent on don't, in fact, always make sense.

I remember—and I know the Senator from Arizona remembers—what it is like to be a troop in a war. I remember being on a river in Vietnam when the Secretary of Defense was flying over us on one of his visits to take a look at what was going on. Every single one of us said to each other: Boy, wouldn't it be great if he came down here and talked to us and found out what we really think is going on. We would have loved the policy to change. The fact is that more and more of the veterans I have talked to who are returning from Iraq and some, regrettably, as Senator DODD and I noticed a few days ago, whom we met over there who have not returned alive, are against what is happening and believe there is a better way to manage this war.

What we are trying to do is have a vote, albeit on a nonbinding resolution, a vote that expresses the view of the Senate with respect to this war. We have a moral obligation to make that statement in the Senate. It is our duty to have that vote. The soldiers in Iraq are performing their duty. Why aren't the Senators in the Senate performing theirs? Is it their duty to obstruct? Is it their duty to protect the President, to prevent a vote? Even though they go out publicly and talk about their opposition to the war, their opposition to the escalation, their belief that the direction is wrong, we are not supposed to vote in the Senate on the question of whether you support the troops or don't support the troops by sending an additional 21,000 troops over there. Now is the time for the Senate to register its opposition to the escalation.

If you pursue the logic of the other side of the aisle when they say: Well, we can't have a vote here, we shouldn't express anything, we shouldn't try to change anything, then we are complicit in the very process with which we disagree. If lives are lost subsequent to our unwillingness to stand up and vote, do we bear any responsibility for the loss of those lives? Do you go home and say to yourself at night, to your wife or your children: Do you know I did everything possible to try to stop what is happening? When you make the next phone call to a mother or father or wife in your State and express your sorrow for their loss in the next days ahead, will you also be able to say, with a clear conscience, that you did your best to try to prevent that loss, to set this war on its proper course? I don't think so. I don't think anybody, with a clear conscience, can say that.

I hate the fact that we are reduced to having a vote on something that isn't at this moment going to change the direction. But every step is incremental; every step is a building block. Every step helps to build the change of opinion we need to achieve in this country, where people will understand the way you best define patriotism and the way you best defend the interests of our troops on the ground in Iraq. Surely, we haven't reached a point in the Senate where you can't even have a debate on the most important life-and-death issue facing people in this country. What are we supposed to do? Pack up and go home and let the President continue to make a mistake? Are we supposed to be somehow satisfied that the President has earned the right and the new Secretary of Defense? Who knows yet; the decision is out. But the record of the last 5 years, 6 years is one of mistake after mistake after mistake after mistake after mistake, one after the other, from the planning to the numbers of troops, to what you do afterwards, to how you preserve the peace, to what kind of politics we are going to pursue.

So we are doing what we can, within our limited power, with 60-vote restrictions, to register our disapproval to sending an additional number of troops, which has been told to the American people is 21,000 but which, in fact, is over 40,000 when you finish with the support troops who are necessary. These troops deserve a policy that is worthy of their sacrifice. No Senator that I know of is not committed to success. We would like to be successful. But what is the definition of success now?

We have heard month after month from Ambassador Khalilizad. General Casey, over 7 months ago, said this is the last 6 months for Iraq. They have a fundamental 6-month period within which they have to get their act together, and if they don't, serious problems.

That time came and passed. What happened? We hear another promise of the next few months. We have had months and even years now of these promises about how this is a moment of turning the corner. This is the critical moment for Iraq. This is the moment of the difference. Everybody has known for the whole last year or more that you have to resolve the oil revenues issue. As I stand on the floor tonight, the oil revenues issue is not resolved. They say they are making progress, they are getting closer, but it isn't resolved.

The fundamental question of federalism, the role between the Shia and the Sunni and a strong Baghdad and a strong central government is unresolved. That is a fundamental part of the struggle. Our troops, with their technology, with their great weapons, with their unbelievable willingness to sacrifice and their courage, they can't resolve that issue. Iraqi politicians have to resolve that issue. Right now, as we are debating or not debating this issue, Iraqi politicians are still jockeying for power at the expense of our young men and women. I object to that. I get angry that we have to have a private fundraising effort to put together a rehab for our soldiers—thank God for the people who did it—in order to take care of those who are going to be wounded. And our people are talking about patriotism and supporting the troops? We have lost all contact with what is reasonable or what is real in this effort.

It is unacceptable that any young American ought to be giving their life or going through the sacrifice for Iraqi politicians who refuse to compromise, for a legislature that refuses to even meet. Less than 50 percent of them can be convened, a Parliament that doesn't meet, that is the democracy we are supposedly fighting for—Shia and Sunni politicians who are jockeying amongst each other, creating their own militias, each of them playing for a future with a U.S. security blanket lying over it, preventing the full explosion of the kind of sectarian violence that would flow, if all were left to their own devices. That is the one thing our presence is doing. There is a stopgap. It does prevent absolute chaos, but it is creating a slow, cancerous, insidious kind of chaos that is building on itself.

A couple of days ago, the largest number of civilians were killed by a bomb, by one single suicide bomb. It gets worse by the day because the fundamental issues of difference between people who have always lived there and will live there after we are gone are not resolved.

If you stand back from this and look at it and ask, as any reasonable American would ask: What do you do to resolve this, what do you do to make a difference in Iraq, I don't think any American is going to come to the conclusion that a soldier with a gun is going to make that difference. General Casey has told us he doesn't believe it will make the difference. General Abizaid said he didn't think it would make a difference. The President has even said there is no military solution. So if there is indeed no military solution, my question to this administration is: Where is the robust diplomacy and the robust political jawboning, arm twisting that is necessary to get a solution? Where is it? It is invisible to the average American.

If we don't get serious about that diplomacy, if we don't have a summit that some of us have been calling for for 3 years, and that is ultimately the only way to resolve these differences, then our soldiers are being sacrificed and being asked to sacrifice each day without a reasonable policy that is guiding this war.

What are we left to do? Are we left to say that our colleagues can stop a vote? We are going to walk away, and we are not going to try to do what we can to change this or to stop it? I don't think so. That is not the Senate that I came to serve in or I think most of our colleagues came to serve in. This is a silly sort of process that is going back and forth.

If you are opposed to the escalation, you ought to have a right to vote on it. If you are for it, you will have the right to vote for it. Go register your vote and then go out to the country. The troops over there are tougher than anybody in this room. They understand what their mission is. And what we do, ultimately, barring the effort to either cut off the funds or force the President to do something with 60 votes that we don't yet have, is not going to change their dedication or their courage or their commitment to the specific mission. Because that is the kind of troops we have.

But while we are talking about the kind of troops we have, let me ask a question: Our troops, most of them, go through basic training. They go through a specialized school. They train with their brigade unit company for a while. Then they are sent over. Most of our troops are ready to go to battle, and some of them do, new recruits, within 7 months, 9 months. We are now at the 3-year mark, 4-year mark on training of 300,000 troops in Iraq. What I hear from the experts is the problem with them is not training. The problem is motivation. How much training do you think the terrorists get? How much training do you think the guys get who have those machineguns and go out? Where is their training camp? Where are their barracks? Where is their 9-week basic training or 12 weeks? Most of those people are out there in a matter of days and hours because they are motivated.

Right now in the streets of the West Bank and the streets of Lebanon and in the streets of Iraq, the guys we are struggling against are getting up earlier, staying up later, and they have more motivation. And the guys we are supporting and putting forth money and guns and all the technology and all the training in the world are not motivated. Many of them don't show up. So unless we deal with this issue of motivation, of people who are willing to die for their country and people who are willing to go out and put their lives on the line and a group of politicians who are willing to make the decisions necessary to resolve this, this is going to go on and on and on, and it is not going to end well.

Everybody knows what the public assessment is on the latest NIE. People are learning privately what it is. The fact is, these are difficult times over there. This is not getting better. It is getting worse. Twenty-one thousand troops are not going to change that. An escalation is not going to change that. More troops on the ground raises the stakes. More troops on the ground provides more targets. More troops on the ground raises the stakes in a way that says, because we heard it from the administration: Boy, this is kind of our last-ditch stand. And if we don't make this work, we don't know what is going to happen. What a wonderful message to send to the other side.

We are being accused of sending bad messages. If you raise the stakes like that but create a mission and actually can't necessarily achieve it, you are preordaining the potential of even worse consequences because you will make the negotiation even harder. You will make it harder for the surrounding countries to say: This is sensible, we ought to get involved now. And you will make it harder for the people there to make the compromises necessary because they know that down the road is this confrontation with reality with an administration that has already said: We don't have a plan beyond this.

What a predicament. That just defies common sense. So we have made matters worse. We will raise the stakes, but we don't have a way to deal with it. A wing and a prayer. This is a "Hail Mary" pass by this administration, with no guarantee. I think our troops deserve some guarantees of an outcome.

The best guarantee I can think of is to redeploy them in a way that puts more emphasis on what the Iraqis need to do. It doesn't mean leaving Iraq completely. There are plenty of over-the-horizon strategies, such as in the desert deployments, a capacity to be there for emergency assistance, to tamp down chaos and go after al-Qaida, an ability to remain in a truly supportive training role without having our troops on the front line of a civil war. But those are not the ones they are putting on the table, and that is not what we hear them talk about.

We hear these two dramatic things: We have to go down this road where we have telegraphed our move and raise the stakes, and saying they are talking about complete withdrawal. No, they are not. Most are talking about how to achieve success in a responsible way which honors the sacrifice of our troops and meets the important national security needs of the United States of America.

The only way I know of to do that is to get to the diplomatic table; bring our neighbors into a new dynamic where they begin to have credibility; get Syria and others through the Arab League, the U.N, Perm 5, and begin a process of legitimate diplomacy, such as we have read about in the history books of our Nation for years. The great diplomats of our country are aghast at what we are doing now. Listen to any number of them privately, some who served in the administration of George Herbert Walker Bush, the 41st President—Secretaries of State, such as Jim Baker. Jim Baker is a model in how to build a true coalition. It took him 15 trips to Syria before. On the 15th trip, he finally got President Assad to agree to support what we were engaged in. I am not sure the current Secretary of State has made 15 trips in the last 5 years. I cannot tell you the exact number, but I don't think it is 15 in the years she has been in office, let alone the prior Secretary of State.

Mr. President, we have to get serious about what we are going to do. The fact is, there are over 3,000 young Americans who have now died. I think four were reported in the newspapers yesterday. There will be more tomorrow and the next day. The fact that we are losing young Americans is not a reason to say we should leave. But it is a reason to say we should get the policy right. It is a reason to say we owe them a strategy that supports the sacrifice they are making. We ought to be able to do better than what we are doing now, Mr. President.

So this is really pretty simple. The Iraqi Study Group put forward some 79 recommendations. They have all been cast aside. This was a moment where the President could have brought Democrats to the table, all of us. We could have sat down and come together around, OK, let's put all these recommendations together. These will work, and we are willing to support these. Let's go out jointly and see if we can leverage the full power of the Senate and the Congress and the country behind the kind of strategy we need in the Middle East in order to protect these real interests, which range from Israel, to containing Iran, dealing with the protection of the gulf states, to Lebanon, the fledgling democracy, and obviously to stability in Iraq. We all understand that, not to mention oil and the economy and the other interests that we have. Those are real.

But I respectfully submit that the current policy we are on is recklessly putting those very interests at greater risk. And the measurement of that statement is in the fact that Iran is actually more powerful today as a consequence of what we are doing. Iran loves the fact that we are bogged down in Iraq because it makes it far more difficult for us to play a legitimate card in order to deal with their nuclear ambitions. There is nobody in the world who doubts that. Lebanon is more in jeopardy today, with Hezbollah and Nasrallah in greater positions of threat to the Government and the Prime Minister. Hamas has been in an ascendency in the last months, and we have been unable to move forward with a legitimate entity with which to be able to ultimately make peace. All these things are worse off today than a year ago, than 2 years ago, and worse off than 6 years ago.

If they are worse off, how do you stand there and say this is a good policy, that we ought to keep doing what we are doing, digging a deeper hole, and making it worse? I was over in the Middle East a month ago. I met with leaders of the region. I can tell you that while, yes, they say they don't want a precipitous departure and a crazy consequence of chaos as a result, they also do want the United States to play a sensible, constructive, and legitimate role in resolving the fundamental issues of the region.

So I think a lot of us have had enough of hearing these phony debates about who supports the troops. We all support the troops. This is the best trained military that many of us have ever seen. They are doing an amazing job under difficult circumstances. Again and again, I say that they deserve the support of a Congress that gets this policy right and that fights for them while they are over there and guarantees that when they come home, they don't have to fight for themselves to have the promises that were made to them kept. That is what this is about.

I think we can have a very simple vote. If you are for the escalation and you think it is the right policy, vote no against the resolution. If you are against the policy of escalation and you think it is the wrong policy and you want to be counted, then you ought to vote aye for the resolution. That is a vote we can have tonight, tomorrow, or any time. Most people here know where they stand, but they are unwilling to show the American people and unwilling to hold this President accountable. Shame on us.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. NELSON of Florida. Mr. President, I thank my colleague from Missouri for being so understanding. I will make my comments quite brief.

The entire success of the President's plan of escalation is predicated on the fact that the Iraqi Army is, in fact, reliable. Therefore, in every one of our hearings in our committees—be it the Armed Services Committee, be it the Senate Foreign Relations Committee, be it the Senate Intelligence Committee—I have asked that question of the various witnesses, most of whom are representatives of the administration or representatives of our U.S. military. Up to this moment, not one of the administration witnesses can tell us that the Iraqi Army is, in fact, reliable in a plan that is essential that they are, which is to clear the area, hold the area, and then rebuild the infrastructure. In the clear phase, it is not only the Iraqi Army and the U.S. military—by the way, not in a single unified command but in dual commands of which the Iraqi Army will be the most force in personnel—and I have heard that 60/40 is the ratio; maybe it is more than that—60 percent Iraqi Army and 40 percent U.S. Therefore, it is essential that the Iraqi Army is reliable.

Yet every witness has not been able to tell us that, including up to today's witness, the Secretary of Defense, Secretary Gates, who I think is doing an excellent job. But when I laid this out to him in front of our committee—in this case, the Senate Armed Services Committee—today, his answer was, as of this morning, that we have to wait and see.

Well, I am just a little country lawyer, but doesn't it seem logical that if the President's whole plan is predicated on the reliability of the Iraqi Army, and at this moment we still have to wait and see on the reliability of the Iraqi Army, then is that reason for us to escalate our troops in Baghdad out of 21,000, with some 17,500 going into Baghdad, on a plan that we do not know is going to work?

It is on that basis that this Senator from Florida opposes this troop increase. I have said on this floor several times that the Marine generals in the west of Iraq, in Anbar Province, convinced me that an escalation of troops there would help them, since that is all Sunni, and since the main enemy there is al-Qaida. But that is western Iraq; that is not Baghdad where the sectarian violence is.

Mr. President, I will just conclude my remarks by saying that I think it is our only hope of stabilizing Iraq, that it depends on three successful initiatives: No. 1, an aggressive diplomatic effort led by the U.S. with Iraq and its neighbors to quickly find a political settlement between Iraq's warring factions; two, Iraqis taking responsibility for providing for their own security; three, a massive and effective international reconstruction program.

With regard to the first of these initiatives, an intense diplomatic effort aimed at helping Iraq with a political settlement has been discussed many times by most of our Senators. This Senator believes it must include sufficient autonomy for Iraq's various regions and communities but a stake for all in the central government; an oil revenue sharing law; a reversal of debaathification—partial reversal—and a revised constitutional amendment process.

The lack of a major diplomatic effort to build an international coalition to support a political settlement is truly baffling. Iraq is in a full-blown crisis.

So we need at least one, if not several, high-level special envoys empowered by the President and endorsed by congressional leadership. Working together, they need to be on the ground every day, throughout the Middle East, in Europe and Asia, and at the United Nations.

The goal should be—within a month—to assemble an international conference at which all of Iraq's neighbors and other key nations would endorse the framework of a political settlement.

It became painfully evident to me during my last trip to Iraq that Prime Minister al-Maliki either lacks the will or the nerve to take on the Shiite militias on whose backing he depends for power. For example, his rushed execution of Saddam Hussein—certainly justified, but horribly carried out—spoke volumes about his insensitivity to the concerns of the Sunnis.

Initiative No. 2: As for Iraqis taking responsibility for their own security, this will only take place if U.S. troops begin to pull back from the primary combat role they now play and shift to an advisory capacity.

Where are those words ringing familiar, Mr. President? From the Iraq study commission, Jim Baker and Lee Hamilton's commission. They offered this recommendation.

Rather than increasing our forces in Iraq, as the President has proposed, we should be transitioning the troops to training and advising Iraqi troops, training and advising antiterrorism missions and border security.

Finally, the third initiative: The massive reconstruction effort requires a reconstruction czar, a person of the highest integrity who will cut through the redtape, demand our agencies produce the results working together and deliver construction assistance quickly and directly to Iraqi communities.

Concurrently, this official should convene a donors conference to elicit pledges of assistance from our international partners and to hold them accountable for delivering this aid quickly.

In short and in summary, the cost of failure in Iraq will be catastrophic in growing threats to us and to our allies and in more American and Iraqi lives lost if we do not awaken to the reality that diplomacy, not a military solution, is what is needed to end the sectarian violence in Iraq.

I wish to paraphrase what the President of the United States, when I was a student in college, President Kennedy, said in 1961: We must always be ready and willing to bear arms to defend our freedoms, but as long as we know what comprises our vital interest or our long-range goals, we have nothing to fear from diplomacy.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

Mr. BOND. Mr. President, I spoke briefly this morning about the need to have votes on the Republican resolutions—the Republican Gregg resolution and the bipartisan Lieberman-McCain resolution. It is very important we give the opportunity for this body to go on record saying, No. 1, they do support and will not cut off funding for our troops in Iraq. That needs to be said in the Gregg resolution.

It is unusual and very unfortunate that at this time, when we are actually at war, we are considering resolutions which would say: Well, we don't support sending more troops over. We are actually sending troops over, and there are some who want to say: Well, we don't support the mission; good luck, guys and gals; you are going over, but we don't support what you are doing.

We owe them more than that. We owe them what used to be the baseline in our discussions. Unfortunately, in time of war, we can debate and we should debate. However, the Levin-Warner resolution, the only resolution at this point the majority would let us vote on, sends a wrong message to the insurgents, militia, and, obviously, to our troops.

This is a very serious and difficult situation in Iraq, no question about it. We got the national intelligence estimate, and it says these are tough times. But—and I agree with my colleague from Florida—we cannot afford to fail.

During General Petraeus's testimony before the Armed Services Committee last week, he chillingly described the typical Iraqi terrorist as "determined, adaptable, barbaric" and that "he will try to wait us out."

And now we are considering a resolution signaling to this enemy that this body doesn't think the terrorists will have to wait too long. By capping the troop strength, this resolution limits the very leaders this body confirmed as fit to lead and determine strategies and levels of troops.

The proponents of the resolution to limit troop strength must now believe that sitting here 8,000 miles away, this body is more equipped than our military leaders to say what our force structure should be in Iraq. That is unacceptable; it is totally unacceptable.

The question has been raised: Will this plan work? There are lots of challenges. It is a challenging situation. The intelligence community, in its National Intelligence Estimate, says there are many difficult factors; it is a complex situation. But they said this is the best we can hope to do. This is our best effort to make sure something comes out that provides a stable Iraq, one that will not be a haven for terrorist groups such as al-Qaida to operate.

The intelligence community was also very forthright, both in the NIE that we received last week and in testimony several weeks earlier in an open hearing of the Intelligence Committee. They said if we cut and run, Iraq would descend into chaos, giving the terrorist groups, such as al-Qaida and probably the Shia terrorist groups, the chance to operate freely in that country. It would lead to slaughter of more and more Iraqis—innocent Iraqis—and it would likely involve the entire region.

It is clear that cutting and running should not be an option. There may be some people who would vote to cut off funding. We ought to let them have a chance at least to say we want to end it now, not we want to tinker with the military strategy so perhaps we can gain some political points at home.

I have heard it said that some of the people who are supporting the Levin-Warner resolution think we should be following the guidelines of the Iraq Study Group. I had the opportunity on Sunday to ask Jim Baker is this military plan the military plan you have supported? He said: Yes, it is.

Others have said we need a new strategy, and I agree. I agree we shouldn't have gone forward with debaathification and disbanding the Iraqi Army. That mistake is behind us. But we need a new strategy that can lead us to victory in Iraq.

It seems to me the place where we want to be is getting the Iraqi Government, al-Maliki and his Sunni and Kurdish counterparts in the Government, to take responsibility and say we are going to establish stability, we are going to end the insurgency. To do that, they have said: We need the support of American troops, not to be on the frontlines—and I agree with those who said we want to move the Iraqis out front when they are stopping the Shia and Sunni violence; that is where they should be. We still have a role, and we can play a very important role in helping to take out the al-Qaida leadership and the other organized international radical Islamist terrorists, whether they be Shia or Sunni, and we can do that. That is part of what the troop surge will do. But we need to have them take over, and we need to train them.

The intelligence community said the police are not ready to take over now. We have found that when we embed American troops, provide American troops in smaller numbers but with Iraqis, they function better. We can help show them how to win, and that is a plan I think we ought to pursue because what is the cost if we lose? Iraq is the center point in the war on terror. And unfortunately, we have no better source than Osama bin Laden, who says:

> I now address my speech to the whole of the Islamic Nation: Listen and understand. The issue is big and the misfortune is momentous. The most important and serious issue today for the whole world is this Third World War, which the Crusader-Zionist coalition began against the Islamic Nation. It is raging in the land of the two rivers. The world's millstone and pillar is in Baghdad, the capital of the caliphate.

That is what he calls Baghdad, "the capital of the caliphate." There are similar transmissions by Ayman al-Zawahiri, who said: "We must have Iraq as our caliphate." So we have to wait. We have to make sure we stabilize the area.

It seems to me this is absolutely the best plan than fiddling around and adopting a resolution that says, no, we don't need 21,000 more troops. Some of the same people who said earlier this year and last year that we need more troops now are saying no, no, 21,000 more troops is not necessary. Whom are we going to believe, someone standing on the floor of the Senate or the commanding general who has responsibility for making sure that our troops accomplish their mission and they are safe? If he says we need those troops, I wish to vote for a resolution that says we need those troops. I wish to vote for a resolution that says we shouldn't cut off funding; we need to support our troops when they are in the field.

What is at stake in this resolution deserves a commitment that goes far beyond what the political pundits and political operatives pontificate in Washington. I don't say all the people supporting this resolution have a desire to undercut our troops, to send the wrong message to our allies in the region or to encourage al-Qaida and Jaysh al-Mahdi. But, unfortunately, that is what this resolution can do.

I had the honor today of talking with the head of the intelligence agency of one of our allies in the region. I said: What message would it send to your country if we adopt a resolution saying the President can't send over more troops? He said: That would be very bad because we want to see peace and stability survive in Iraq. It is vitally important to the entire region, and we are prepared to help the coalition make sure stability is achieved. We want to make sure Iran doesn't take over that country, that chaos doesn't ensue, and we—and he was speaking for several of the countries in the region—we want to provide aid to help rebuild the economy so there will be a stable economy because a stable economy is one of the best ways to convince people they don't need to get 25 bucks from setting out an improvised explosive device along the roadside.

So we would be sending a bad message to our allies, and we would be sending a message of great hope to the people of al-Qaida.

That is not what we ought to be doing, Mr. President. What is at stake deserves a commitment that goes far beyond the political pundits. Those who call for an end to the war don't want to talk about the fact that the war in Iraq will not end but, in fact, will only grow more dangerous if we leave with that country in chaos.

So as we debate these resolutions, Congress's role in the Iraq policy is clear: Either Congress needs to exercise its constitutional powers of the purse and cut funding for the operations of the troops, which is madness, or get behind them. We shouldn't confirm General Petraeus and then say: Oh, but we don't support your plan. So if we are not using our power of the purse to cut off funds and force a hasty withdrawal, what are we doing? Are we telling 21,000 brave men and women who will be going to Iraq that we are uncomfortable with the dangerous mission you are about to undertake but not offering any alternative? I am sure our troops would find that encouraging.

Simply put, this may be a situation where there are good politics, but these good politics equal bad policy. Politics are trumping good policy.

A headline in today's Roll Call reads: "Democrats to Launch PR Blitz on Iraq Vote."

> . . . Senate Democrats are launching a national public relations campaign aimed at tying GOP moderates and incumbents facing difficult 2008 re-election races to Bush in the public's mind, Democratic leadership aides said Monday.

Is that what this is all about? Is that the politics? I think that is a very sad message.

What is at stake is so much bigger than politics, bigger than the 2008 election, and it is a real disservice to our troops to see our national security become a political election gamble.

I previously entered into the RECORD an article about 12 days ago by Robert Kagan, senior associate at the Carnegie Endowment for International Peace and transatlantic fellow at the German Marshall Fund. He wrote a piece saying it is a grand delusion if we think we can walk away from Iraq and not solve it. He went on to say:

> Democratic and Republican Members of Congress are looking for a different kind of political solution: the solution to their problems in presidential primaries and elections almost 2 years off.

This is coming, as he indicates in his article, just as American soldiers are finally beginning the hard job of establishing a measure of peace, security, and order in critical sections of Baghdad.

He goes on to say:

> They have launched attacks on Sunni insurgent strongholds and begun reining in Moqtada al-Sadr's militia.

And, finally, he concludes, and it is fitting advice for this body:

> Politicians in both parties should realize that success in this mission is in their interest, as well as the Nation's. Here's a wild idea: Forget the political posturing, be responsible, and provide the moral and material support our forces need and expect.

Mr. President, I hope we will vote on resolutions that do that.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mrs. HUTCHISON. Mr. President, you have just heard an extraordinary speech, and I want to put it in perspective, if I may.

There was a Foreign Relations Committee meeting several weeks ago at which one of the Senators insinuated that the Secretary of State didn't understand this war because she didn't have enough of a personal interest. Well, we thought that was an unfair question because this is a woman who is spending 24 hours a day, 7 days a week, trying to do the right thing for our country, and that was considered a personal thing that was out of line.

We have just now heard a U.S. Senator make a speech that was a wonderful, principled speech on the merits of what he is going to support in this war effort, the resolution that will come before us, and he never mentioned that he had a personal interest. So I want to mention it. I want to mention Sam Bond.

Sam Bond is a Princeton graduate. He is the light of Senator KIT BOND's life. He is his only child, his only son. Sam Bond has been a star from the day he was born, and we have all heard about it. Sam Bond graduated from Princeton University, and he didn't get a job on Wall Street to then sign up to go to business school. No, Sam Bond signed up for the Marine Corps.

Sam Bond has spent 1 year in Iraq already, in Fallujah, and he is going back in 1 month. Sam Bond is going back to Iraq in 1 month, and we just heard the Senator from Missouri not even mention his only son because he is talking about what is right for our country. He believes that Sam Bond's future depends on our doing the right thing in Iraq. So I applaud Senator BOND, and I applaud Sam Bond.

I want to talk about the resolution that we are going to vote on at some point. First, I think Senator BOND is correct; that we ought to have the right to vote on at least two resolutions, not just one that is unamendable. This is, as we have been reminded time and time and time again, the most important issue raging in our country and maybe the world today. So I think having two resolutions, or one amendable resolution, is a legitimate request because there are legitimate differences of opinion. There are legitimate debatable issues that I think the Senate is capable of putting forth for our country, representing the division in our country on this important issue.

Some people say we should never have gone into Iraq. In hindsight, it is an easy thing to say. Let's remember what we were looking at as Senators, and let's look at what the President was looking at as the Commander in Chief of this Nation, whose responsibility it is to protect the people of this country. The buck stopped on the President's desk.

I don't agree with everything the President has done. Not one person on the Senate floor agrees with everything the President has done. But I will tell you this: no one—no one—can ever say this President isn't committed to one thing, paramount in all of his responsibilities, and that is to protect the people of the United States. He is doing what he thinks is best to protect our children and freedom for our way of life.

When he went into Iraq, many people questioned whether it was the appropriate thing to do. I did myself. But the President had just been through 9/11, where we saw airplanes used as weapons of mass destruction that killed thousands of Americans and people working in New York City. So he said, to look at it from his view: I can't afford to take a chance that a weapon of mass destruction would hit America again, only this time it would be a chemical or a biological weapon.

I believe that is what the President was thinking. He knew that Saddam Hussein had chemical weapons, had used them on his own people and had kicked the weapons inspectors out in 1998. He had kicked the weapons inspectors out. Why would he have done that, was the thinking, if he didn't have something to hide?

Then there were the intelligence reports. There were the intelligence reports that we saw and there were the intelligence reports that the President received which were at a much higher level than even we were able to get. All of that pointed to Saddam Hussein having weapons of mass destruction and the capability to deliver them. So it is a legitimate debate to ask why are we there, but it is not the debate we ought to be having today.

The debate we ought to be having today is what should we do to have success in Iraq because success in Iraq and Afghanistan is a part of the war on terror.

After 9/11, we didn't treat what happened as a criminal act. In 1993, after the first World Trade Center bombing, that is what America did. We treated it as a criminal act. America didn't know this was the beginning of a war on terror. Then there was Khobar Towers, attacked in Saudi Arabia, and 19 American soldiers killed. We treated it as a criminal act. There was the bombing of our embassies, and then there was the USS *Cole*. We treated those as criminal acts. But America woke up on 9/11/2001 and realized, finally, 10 years after the war had started, that America and our way of life was under attack. This was not a crime, it was the continuation of a war.

So we are there now. We are not succeeding. Success would be a stabilized Iraq, an Iraq where people can go to the market in security and buy food or necessities and visit and have coffee on the street. That is what success in Iraq will be. Success in Iraq will be when they have self-governance. Success in Iraq will be when there are not security forces that kill people of a different sect. Success in Iraq will be when they are a stable neighbor in the Middle East and terrorists will not be able to get a foothold.

We are not succeeding yet. How can we do better? We should be debating how we can do better to succeed. If victory is not the end result, we will have failed our children and grandchildren. So I ask, what could possibly be the purpose of passing a resolution in what has been considered the world's most deliberative body that would send General Petraeus to take charge of Baghdad and a new strategy and say, General Petraeus, we have faith in you but not the mission? That is not the right resolution to pass in this Senate.

I hope we can debate that resolution, and I hope we can debate against those who would send a signal to our troops that we don't have faith in the possibility of success in their mission. I want to debate a resolution that would say we are not going to send any more troops, and even if we need troop protection we are not going to send those troops because Congress is going to take the place of the Commander in Chief and the generals on the ground.

I want to debate a resolution that would cut off funding for our troops in the field. I would like to debate what would happen to our troops who are there now if a signal were sent that we were not going to give them the support they needed to do the job they have right now.

I very much hope that we will be able to take up the Levin-Warner resolution, and I hope we will be able to take up an alternative which will not have amendments because those are not in order. But we must have the ability to exercise a voice that would go in a different direction, that would set benchmarks for what the Iraqi Government must do if they want America to stay and help them become strong and stable and free.

I want to be able to debate also the McCain-Lieberman resolution because I think there will be a clear choice. And I hope that we have the opportunity to bring that out to the American people because there are consequences of setting a timetable and trying to have some kind of graceful exit strategy that basically says this is too tough for America, we just can't take it and, therefore, we are going to walk away.

How about keeping our commitments, so that our allies and our enemies will know, when they are partners with America or enemies of America, we will stick through thick and thin, arm in arm with our allies and be formidable against our enemies? How about having a strategy that says we have not succeeded in the way this has gone, so here is a different approach? We expect the Iraqis to stand up now. We are going to help you, but you must lead. You must meet certain benchmarks if you are going to keep us helping you help yourselves.

We want the Iraqi people to succeed because we don't want terrorists to takeover Iraq, get the oil revenue and come and deliver their weapons of mass destruction to America. That is what we are talking about. That is what is at stake in this war. How we execute our responsibilities as Senators who have the leadership mantle is going to determine how successful our troops can be.

I hope we can have that debate. I hope we can have the debate on the Levin-Warner resolution. I hope we can have a debate on the Gregg resolution. I hope we can have a debate on the McCain-Lieberman-Lindsey Graham resolution because I think it would be the right thing for the American people. But don't try to put one resolution on the floor with no amendments and call that an opportunity to have a voice. No one could keep a straight face and say that is a fair process.

There are 100 Members of the Senate. I do not question one Member's patriotism. I do not question the motives of one Member. Everyone has a view that we believe is the right way for our country. We ought to be able to support resolutions that put forward those views. This is too important to have a struggle over process keep us from having the ability to come together and try to reason and pass one good resolution or two that would allow us to have a voice in this debate. The world is going to listen to what we say. I hope we don't send the wrong signal to our allies or to our enemies that America cannot stand it when it gets tough. America is the beacon of freedom to the world. If we do not stand and fight for freedom, who will? America must never step back from that mantle and that responsibility. Freedom will die everywhere if we don't fight and keep it for America and our allies.

Let's have that debate. Let's have that debate on whatever differing resolutions come forward. I am not afraid to debate the Levin-Warner resolution, and I am certainly proud to support the Gregg and the McCain-Lieberman resolutions. I wish to talk more about it.

I yield the floor.

The PRESIDING OFFICER (Mr. MENENDEZ). The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I am dismayed at where we now stand. Last fall, the people of the United States sent a message to the President of the United States that the current course of his war in Iraq is deeply misguided and that bold, new solutions are called for. The President failed to listen. Yesterday, the Senate, this historic institution, was prevented from speaking.

What we say in this historic Chamber about our course in Iraq, and even more what I hope we will do in this Chamber to correct that course, are among the most urgent concerns of the community of nations. It matters to millions of Americans who have already raised their voices in concern at a strategy lacking in foresight and cratered with flaws. It matters to millions more souls throughout the world whose lives, whose hopes, whose futures depend on American leadership and authority.

But we are silenced as a Senate, silenced because yesterday, on the single most important issue facing America today, on the issue that has cost more than 3,000 young Americans their lives, tens of thousands more their limbs and livelihoods, and countless families their well-being—on the issue where this President has squandered so much of our national Treasury and national good will—the Senate was silent. It was silenced by a parliamentary maneuver.

The people we represent deserve better from us. As you know, I am new to this body, but each time I step through these doors, I bring with me the hopes and expectations of thousands of Rhode Islanders I have heard who know it is time for a new direction in Iraq. Tired of a President who has failed to listen and failed to learn, last November, they joined millions of their countrymen and voted for change.

Whenever I think of these men and women, I am filled with an enormous sense of responsibility. They trusted me to hear their voices and to make sure the Senate hears them too. So I speak today. I share Rhode Island's conviction that it is time for a change of course. Our troops and their families have made countless sacrifices, and our choices in this Chamber must be worthy of them.

The situation in Iraq is dire, rife with sectarian conflict that can only be resolved by Iraqi political cooperation, not by American military force. A broad consensus has emerged from senior military commanders to the bipartisan Iraq Study Group and throughout the American people that our best course would be to begin to redeploy American troops out of Iraq. Instead, the President has insisted on a costly strategy of escalation that would send more of our soldiers into harm's way. I believe that to be a terrible mistake.

It is my deeply held conviction that in order to create the best environment for real change, the President must announce, clearly and unequivocally, that the United States plans to redeploy our troops from Iraq. That announcement would change the dynamic, enhancing our national security position in Iraq, in the Middle East, and throughout the world in three important ways.

First, a clear statement of American intent to redeploy forces from Iraq would eliminate the Iraqi insurgents' case that we are an army of occupation. It would eliminate it once and forever. The Iraqi population's nationalist sentiment would no longer be engaged against us. The Iraqi people don't want us there, and a majority of them consequently believe it is acceptable to kill American soldiers. That is not an environment in which we can gain likely success.

Second, without a buffering American presence, the world community would understand it must face the consequences of the Iraq situation. Other nations in the region and elsewhere around the world would be motivated to take a more active role to work together to bring peace and stability to the region. Now, for all intents and purposes, we are alone.

In particular, Arab nations, facing the risk of a pan-Arabic, Sunni-Shiite conflict igniting in Iraq, must then assume greater responsibility for averting such an outcome. Under current U.S. policy, these Arab countries have little incentive to help calm the conflict or reduce the violence. Any incentive they have is buffered by America's role as the peacekeeper and offset by the cost, in so many eyes, of even associating with the United States.

Third, Iran presently gains immensely from fomenting violence in Iraq. Keeping America bogged down in a civil war in Iraq undermines critical U.S. policy objectives, including the effort to work effectively with the international community to address the serious threat posed by Iran's nuclear weapons program. The threat of American redeployment changes that calculation for Iran. The advantages Iran currently enjoys from bogging America down in Iraq would diminish or evaporate.

Some argue—we hear it right in this Chamber—that to fail to support this President's judgment is to fail to support the troops. Never mind the manifest and repeated flaws in that judgment: Misjudgment on weapons of mass destruction; misjudgment on when the mission was completed; misjudgment on the risks, costs, and demands of occupation; misjudgment on the wisdom of de-Baathification; misjudgment that the insurgency was in its last throes; and now misjudgment on whether there is civil war. There has never been a record of error, failure, and falsity similar to it. Now, the unfortunate fact is the President's bad misjudgments and failed diplomacy leave us few good options.

Changing the Iraq dynamic can set the stage for an aggressive international diplomatic effort to restore security in Iraq and combat terrorism worldwide. An intense diplomatic effort, with the parties thus motivated by the prospect of American redeployment, is our best remaining real chance for success. It will also staunch the hemorrhage of two critical American assets: Our international standing and our national Treasury—and most importantly, it will bring our troops home.

Without such a change in the dynamic, we are likely to remain trapped there, seen by many as more provocative than helpful, a great nation ensnared. For the safety of our troops, the stability of the region and the security of our Nation, that must not happen.

The situation in Iraq is grave and deteriorating. It undermines our national security by hurting our troops and their families, by diverting our attention from al-Qaida and other critical threats, and by degrading our military capability for other actions. The Iraq quagmire demands a new strategy that is both bold and realistic. If we lead boldly, sensitively, and firmly on the diplomatic front, if we speak, again, in realities instead of slogans, if we build consensus instead of polarizing nations, we can restore America's prestige, leadership, and good will. The President's escalation does not help achieve these goals, and yesterday the Senate had the opportunity to say so. We did not. We were silenced—silenced by parliamentary maneuver.

The Senate has been called the world's greatest deliberative body. Let us deliberate. The debate over our course in Iraq echoes all over the world, from world capitals to the kitchen tables of middle America—everywhere except this silenced Chamber.

Mr. President, I call on my colleagues on the other side of the aisle to stop the stalling and allow this body to deliberate. Ultimately, the free and unfettered clash of ideas that a real Senate debate represents is exactly what our troops in Iraq are fighting for.

Let us, in this historic Chamber, not undermine their sacrifice with our silence.

For my part, it remains my view that announcing our intent to bring our soldiers home will help us start down the long road toward renewed American strength and leadership in the region and in the world. It is a critical journey, and it is long past time to begin.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

SOURCES OF ENERGY IN AMERICA

Mr. GRASSLEY. Mr. President, every time a President gives a State of the Union message, there are a lot of people who praise it, there are a lot of people who disagree with it. One of the areas where there was some agreement—but also a lot of disagreement—was on the energy package the President suggested in his State of the Union message. Since I come from a State that is No. 1 in almost all of the alternative energies such as biodiesel, such as wind—we are third in wind energy, we are first in biodiesel, we are first in ethanol production—I would like to set the record straight and encourage people to see that a lot of good has been accomplished over the last several years and that we ought to forget a lot of disagreeing rhetoric and move on and even enhance what we have already done. So I am here to address an issue President Bush mentioned in his State of the Union message and an issue that those particularly on the other side of the aisle have been quick to criticize.

In the President's speech to the Nation, he once again highlighted the need for the United States to reduce our dependence upon foreign oil. This has been something that Presidents have been stating on a very regular basis, both Republican and Democratic, going back to 1973, when President Nixon gave a speech, during the first energy crisis, speaking about energy independence. Of course, President Nixon was saying we can do it by 1980. I don't know why he picked that date, but actually we are much more dependent upon foreign sources now than we were even in 1980 because of the consumption of the United States and the standard of living we have. People want to be free to drive their car wherever they want to drive it as long as they want to. Whether it is a big car or little car, it is freedom in America to do it, so we become more dependent. But also along the lines of alternative energy, we have made tremendous progress.

So President Bush did not do anything that Presidents probably haven't been doing for the last 34 years, in saying we need to move toward energy independence, but what they mean is less dependence upon foreign sources and less dependence upon petroleum. Because I would be misleading my colleagues, I would be misleading my constituents if I said we have the capability—at least I don't know that we have the capability—of being totally independent of foreign sources of energy, but we surely have the capability of being less dependent upon foreign sources of energy, and we have the capability of being less dependent upon petroleum as a basis of our energy.

So the critics, though, it seems, have been quick to point out that the President has mentioned our dangerous dependence on foreign oil in seven straight addresses to the Congress. That is why I pointed out that every President since President Nixon has been talking about this issue. So it is not just President Bush who has been mentioning it and, presumably and impliedly, not doing anything about it. I wish to remind my colleagues he has also talked about the value of domestic, homegrown, renewable sources. But at the same time, there has been criticism that he has done little to actually support the growth of alternative energy. I say my colleagues are wrong.

I am going to quote Senators, but I am not going to mention their names because I am not here to embarrass anybody; I am here to try to get people to be responsible. I do wish to refer to these as all Members of the Democratic Party, but I am not going to mention their names. One Democratic Senator stated after the President's speech last week:

> The President acknowledged the need to develop alternative energy, but he did not offer a real plan to put us on the path to energy independence.

Now, I am going to show my colleagues how the President has been very much involved in this.

Another Democratic Senator stated:

> So many of us believe that though the President continues to refer to the problem—

Meaning the problem of not being energy independent enough—

> he has never quite moved us—

Never quite moved us—

> as we would like in the direction of a solution. We did little or nothing in Washington to address the addiction.

Maybe he hasn't addressed the addiction, but because there is an addiction, he has tried to make us less dependent upon a petroleum addiction, as opposed to an energy addiction.

Finally—and I could go on and quote many more, but I will stop at the third one—one more Democratic Senator commented:

> We have waited 6 long years for the aggressive new incentives needed to really get our biofuels industries off the ground and break America's oil addiction.

Of all the statements I have quoted, it seems to me that is the one that is flatout intellectually dishonest, as I am going to give some facts here. The facts would suggest otherwise. The fact is the ethanol industry is growing at the fastest pace in its history. There are over 110 ethanol facilities operated across the country. These plants have the capacity to produce 5.3 billion gallons of ethanol annually. I said 110—110 ethanol facilities. We only have 170 petroleum refineries to make gasoline and fuel oil in this country. So I think we are developing an industry.

Here my colleagues can see the States that are darker, where the ethanol industry is being located. Iowa is No. 1, my State is No. 1 in the production of ethanol, but it is rapidly expanding. I still remember 3 or 4 years ago, or maybe it has only been 2 years ago now, when we had Members from this State and Members from this State who would stand up here and offer amendments against ethanol, and it wasn't long that once we got into the point where everybody realized they had to use ethanol, we had Members from this State and we had Members from this State saying to Senator HARKIN and me: Why don't you get us more ethanol, as an example. So people are becoming more ethanol friendly, but it seems you have to take them dragging and screaming into the new world of alternative energy.

So we have a developing industry. Twenty-three States currently have ethanol plants in operation or under construction. Today, there is some level of ethanol blended in more than 46 percent of our Nation's fuel. In my State, that would be about 80 percent. In Minnesota, I will bet it is more because Minnesota has a State mandate. I have been embarrassed because when the Republicans controlled the State legislature and I went to them and said we ought to be doing what Minnesota is smart enough to do, I had Republican legislators tell me: GRASSLEY, go back to Washington and stick to your own business. But I told them how I fought for the ethanol industry and alternative fuel and for the agricultural industry because that is where the source of the energy comes from, from the family farmers of America, and I told them it was embarrassing to me to fight big oil here while they were kowtowing to big oil back in Des Moines.

Well, anyway, I think things are going to be moving along. We have a Democratic Governor who wants to do more with the biofuel industry in my State, and I think we are going to make some progress. We may not have a mandate, but we may not need a mandate now.

I wish to talk about where we are located. Now, according to the Renewable Fuels Association, the ethanol produced in 2006 resulted in the reduction of oil imports by 170 million barrels of oil, with a value of $11.2 billion. Remember, $11.2 billion being spent on ethanol that is not going to the Middle East to produce a profit for the oil barons over there who shoot bullets at our soldiers as we are trying to take on the war on terrorism.

Now, I say to the critics on the other side—the other side chooses, as evidenced by the earlier statements I quoted of Democratic Senators—to ignore this data when they discuss the energy track record of President Bush and the Republican-controlled Congress in past years.

I was cynical when there was a Governor Bush running for President and coming to Iowa to campaign saying he would be for anything but big oil. So I had the opportunity in January of 2000, when we have our caucuses in the coldest time of the year, to be in a minivan with President Bush, as a candidate for the Republican caucuses at that time, to ride with him for 2 or 3 days. I thought, what a wonderful opportunity to be in a small car with a Governor who might be President of the United States, to teach him about the facts of ethanol. It didn't take me very long because he came back—and you never remember the exact quotes because I didn't write this stuff down. But I remember him saying something along the effect of: Well, it is just common sense. We only have so much petroleum. We have to start relying on ethanol to a greater extent. I guess I believed him then, but maybe I had some question marks. So we went on for 2 or 3 days, and there wasn't anything in those 2 or 3 days to change my mind. But you wonder: you say one thing as a candidate; you might perform another thing as an officeholder. But I found back in 2000 that the President was a friend of ethanol when he told me about it, and he has performed that way in office. So I am satisfied that this President is coming from where he started and albeit from a State where oil is big business and where you wouldn't expect him to be for it, but he has been a friend, as he indicated to me privately he was going to be. I think this President has done well for alternative fuel. So I don't think the criticism of him is legitimate.

The fact is that when President Clinton left office in 2000, our farmers were only producing 1.6 billions of gallons of ethanol. Now, I am not saying President Clinton was not friendly to ethanol. He was friendly to ethanol. But I think there are degrees of friendliness. But for the people on the other side of the aisle who tend to be criticizing this President, I want them to see where we have come since this President took office. During the 8 years of the Clinton presidency, domestic ethanol production grew 33 percent, as my colleagues can see here. Now, when we compare that to what it is since President Bush came to office in January 2001, the domestic ethanol industry is producing 1.7 billion gallons annually. That grew to 4.9 gallons last year. When President Bush leaves office—this chart is somewhat of an estimate, but we think it is on target because the plants are coming online and ethanol is catching on and the need for ethanol is very real—we think this will grow to 10 billion gallons. That is a 488-percent increase during this period of time compared to a 33-percent increase.

I am not belittling President Clinton's efforts, but I think people on the other side of the aisle ought to take into consideration when they are raising a question about whether we have done enough in recent years about alternative energy these facts and this growth and not belittle this growth that seems to me is going on. This growth is no accident.

In fact, a key turning point took place in March of 2001 when President Bush took a courageous step that President Clinton should have taken but did not take during the last year of his Presidency. In 1999, the big State of California, with a tremendous consumption of fuel for automobiles and energy—generally, the State of California, at that time, was deciding to ban the competitor to ethanol as an octane enhancer that is known by the acronym MTBE. It stands for methyl tertiary-butyl ether. It was found to contaminate ground water.

Obviously, California had to quit using it, but they did not want to substitute ethanol. According to the 1990 Clean Air Act, they had to substitute ethanol without a waiver by the President or Congress. They were asking for that waiver. It did not happen, so we did not know where the ethanol industry sat versus the MTBE, so ethanol did not benefit the way it could have if President Clinton had made a decision.

California Governor Gray Davis did not want his citizens to have to use ethanol—which the 1990 law required—and he petitioned Clinton for that waiver. While many of my colleagues and I lobbied President Clinton to deny the waiver, he took no action. When President Clinton had the opportunity to demonstrate his confidence in our Nation's farmers and ranchers to produce this clean renewable alternative energy, President Clinton was nowhere to be found.

That changed when Governor George Bush was elected President. Less than 90 days into his term as President, George Bush denied the waiver which put the ethanol industry firmly on a path to growth because California uses so much energy.

Along the way, Congress considered and enacted a number of incentives and supportive policies to foster the development of this important industry. In August 2005, President Bush signed into law the Energy Policy Act which included the renewable fuels standard, or RFS, for short. This provision was a culmination of the work of dozens of Senators during a period that spanned three Congresses. It has also been key to the growth of the domestic ethanol industry.

The effort to enact a strong renewable fuels standard was bipartisan, but it was approved by the majority Republican Congress with the help of President Bush.

During the consideration of the Energy Policy Act, President Bush asked Congress for a bill that would help diversify the U.S. away from crude oil. He put his public support behind the renewable fuels standard to require the use of ethanol and/or biodiesel. The President supported our efforts toward a renewable fuels standard because he recognized that increasing our use of ethanol and biodiesel would create new markets for farm products and increase our energy security.

During the consideration by the Senate during this period of time—and I referred to this a little bit before—no fewer than 11 amendments were offered by Members of the other side of the aisle to delay, reduce, or render useless the renewable fuels standard which had broad bipartisan support, particularly from those from the Midwest. It was not the Republicans offering these amendments to kill the growth of the domestic renewable fuels market. It was members of the other side, some of whom are the same ones who may be criticizing the President today for not doing enough to decrease dependence upon foreign oil.

Perhaps more ironic is that a strong renewable fuels standard could have been enacted earlier than 2005. In November 2003, an Energy bill conference report came to the Senate with a renewable fuels standard but ran into a filibuster in the Senate. Had there not been a Democratic-led filibuster, what the President signed in August of 2005 would have been signed in November 2003. We would have been 2 years ahead of the game.

In addition to the renewable fuels standard, other provisions enacted in the past 6 years have perhaps done even more to spur the growth of the renewable fuels, particularly ethanol and particularly biodiesel. In 2004, Congress enacted the American Jobs Creation Act. This legislation included modification and extension of the ethanol tax incentive. While improving the incentive, it also extended it through 2010.

In the Energy Policy Act, which the President signed in August of 2005, Congress expanded the incentive for small ethanol producers and created a new credit for small producers of biodiesel. Most recently, Congress extended the tariff on imported ethanol through the year 2008. The tariff ensures that U.S. taxpayers are not subsidizing foreign ethanol and that we continue to grow our domestic production of ethanol.

As a result of the tax incentives, the ethanol import tariff and the renewable fuels standard, the domestic renewable fuels industry, is growing faster than anyone could have ever imagined. The policies put in place by the Congress when Republicans controlled it, with the support and assistance of President Bush, have put this industry on a path of extraordinary growth. We have recognized that renewable fuels, such as ethanol and biodiesel, improve air quality, strengthen national security, reduce the trade deficit, decrease dependence upon the volatile Middle East for oil, expand markets for agricultural products, increase income for farmers, and create good-paying jobs in rural America.

In other words, it is as the Campbell's soup advertisement of 25 years ago: everything about ethanol is good, good, good.

The fact is, President Bush has been the most prorenewable fuels President our country has ever had. I stated earlier when he was a candidate for President coming from big oil Texas and being Governor of that State, would I expect him to be a renewable fuels person in the future? No, because I have been dealing with big oil and fighting them versus ethanol for a long period of time. It is only within the last 3 or 4 years that we had the freedom of not having to fight big oil. Who knows, maybe today we will have to fight big oil again when it comes to some ethanol products for the future, but there has been a lull. I thank President Bush for keeping his word to the people when he promised to be prorenewable fuels.

Getting back to those who claim the renewable fuels industry has lacked attention from President Bush and previous Republican Congresses, I leave with one final point. In the year 2000, the final year of the Clinton administration, we produced 1.6 billion gallons of ethanol. That is nothing negative about President Clinton. He seemed to be, for the most part, very ethanol friendly. But you cannot criticize this President when we have this figure: By the time he leaves office in 2008, we will be producing 10 billion gallons. The policy supported by the Republican Congress led to this growth.

I have proven that I don't want to sit by quietly while the other side tries to say otherwise.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Does the Democratic side seek unanimous consent to address the Senate?

Mr. HARKIN. Mr. President, I ask unanimous consent I be permitted to speak as if in morning business for such time as I may consume.

The PRESIDING OFFICER. Without objection, it is so ordered.

IRAQ

Mr. HARKIN. Mr. President, I have been periodically tuning in today during committee hearings and other work we do around here on some of the debate surrounding whether we are going to have a debate on Iraq. It is hard for the average American out there who may be watching C–SPAN to understand whether there is any sanity in this place, whether we are really rational individuals running the Senate.

This is supposed to be the most deliberative body, as we keep calling ourselves, in the world. The function of the Senate is to debate and to discuss, sometimes ad nauseam, different measures. Sometimes we can debate for a long time around here. People in this country wonder what is happening here that the Republicans won't even allow debate on the most important single issue confronting America today: the war in Iraq and the escalation.

I make it clear from the outset to those who may be watching, to try to clear it up as much as possible, the Republicans, through parliamentary maneuvers and through their vote yesterday, will not even allow the Senate to debate Iraq. I can talk on it if I want to. Of course, I can. But they will not allow us to go to a debate on the Warner resolution, which has very strong bipartisan support, and has a majority of the votes in the Senate.

We are faced with an unusual situation which I don't know has ever occurred here before. A matter which is life and death for so many of our young men and women—disrupting families, causing untold drain on our Federal Treasury, not just now but for years in the future, causing us to lose friends and allies around the world—and we can't even debate it. But that is the situation in which we find ourselves.

I can tell you, over the last few weeks I have had thousands contact my office through e-mails and phone calls. I must say, the vast majority, the overwhelming majority, oppose the President's escalation and the war in Iraq.

Over the last 24 hours, since yesterday, much of their anger and focus has been not so much on the President and his misguided policies but on the Republicans in the Senate who won't allow Members to debate the issue. As one said, we debate this in our workplace, we debate it in the parking lot, we debate it after church on Sunday, we debate it with our neighbors, in our clubs, at the bowling alleys, but you guys can't debate it in the Senate? They just cannot believe that Republican Senators are blocking debate on the No. 1 issue before our Nation.

In a nutshell, what callers are saying to my office is that Senators have a right if they want to support the President's position on the war in Iraq. They have a right to embrace his escalation of the war, but they do not have a right to block legitimate debate in the Senate on whether the escalation is wise or appropriate. They do not have the right to silence the voices of tens of millions of Americans who have had enough of our quagmire in Iraq.

People in Iowa, and I suspect across the country, are saying the election last November was a referendum on the war. Voters spoke loudly and clearly; they want our troops out of the civil war in Iraq. I imagine the American people probably thought their elected leaders in Washington got the message. Well, maybe they see now that the Republican minority in the Senate does not even care about what happened in the election. They want to escalate the war. But that is fine. If that is their choice, that is their choice. But what should not be their choice is to silence debate by a majority of Senators who oppose the escalation in Iraq.

I think this is what got people so upset and are calling and e-mailing my office. People in this country, in times of crisis such as this, are always way ahead of the politicians. They know that by voting against debating the war, the Republican Senators have voted to endorse President Bush's escalation of that war.

It is one thing for Republican Senators to ignore the Iraq Study Group's recommendations. It is one thing for Republican Senators to ignore the results of the November election. It is one thing for them to ignore all the warnings of the generals last year. But what is unacceptable is that Republicans in the Senate refuse to listen to the families of soldiers who are being asked to put their lives on the line for this last and reckless roll of the dice in Iraq.

Among those being committed to the escalation are more than 600 soldiers from the Iowa Army National Guard. Many of them are from the 1st Battalion of the 133rd Infantry headquartered in Waterloo, IA. Other units are from Dubuque, Iowa Falls, Charles City, and Oelwein. These soldiers have been deployed since early last year in Anbar Province, the most violent region in Iraq.

These soldiers were supposed to come home in the spring. But just 1 day after the President announced his escalation, they learned they would not be coming home. Instead, their combat tour in Iraq would be extended to 16 months. Think about that—nearly a year and a half in the middle of some of the most deadly combat in Iraq. To make matters worse, as we now know, many of the soldiers and their families learned about it through the media before they were officially notified.

I want to make it clear, I know some of these members of the Iowa Army National Guard. They are disciplined professionals. Even those who I know profoundly disagree with this escalation, I know they will do their duty. And they are doing their duty in Iraq. They deserve our profound respect and admiration. But they deserve to be listened to. And their families deserve to be listened to.

From the letters, e-mails, and phone calls I have gotten, people are outraged that Republicans are not allowing the Senate to even debate the escalation.

We got some e-mails in, and I started reading some of them. I asked my staff to contact them to see if I could read them on the Senate floor. I would not want to read an e-mail on the floor unless I had permission from the sender.

So I have three letters I am going to read because they are so profound. One is from Barbara—I will not use the last name—in Iowa whose husband is with the 133rd Infantry. This is what she writes:

> Senator Harkin: I sit here to write this letter, not knowing why since I'm feeling like no one cares anymore or will be able to do anything about it. I am a 41 year old woman, (as of today), a military wife of 23 years and a mother of 3. My husband is a proud member of the 1–133rd Infantry. This unit was called up to serve in the Sinai for 9 months from April 2003 until January of 2004. Just a short 18 months later they were ripped away from their families once again to be a part of Operation Iraqi Freedom. They are currently serving in Iraq and have been gone for 16 months so far on this mission. The soldiers and the families have finally been feeling like we were seeing the light at the end of the tunnel. As the new year began we all started our countdown for our reunions expected for the first part of April. Three days ago, our worlds came crashing down once again as we learned that our loved ones would not be coming home in April, but were being extended until August, thus being deployed for almost 2 years by the time they return. I am angry, I am devastated! How could this happen? How could you let this happen? How could this be right? I have lost all hope and faith in our government. I don't understand much about politics so my biggest question is if so many people are against this war and the increase of troops being sent over then why is the president not listening? Doesn't he care? I voted for him and believed in him and he has let me down. I attended a meeting that was to discuss this extension and we were told some good things were happening for the future for the guards. Limited times of 12 months being deployed and 5 years in between call ups. Even though I am so happy for these changes for the future, you have to understand that 700 families are devastated right now, feeling left out, and not cared for because this doesn't help our soldiers or us right now. Please, please think about the effects this is having on our soldiers and their families. We all have given so much and though we are proud to have been part of serving our country, it's time for our soldiers to come home. Please bring them home.
>
> Sincerely,
> Barbara

The next letter is from Jodi in Iowa. She said:

> I have a 20 year old son who has put his life on hold for the past 18 months. He left after only two weeks of his freshman year of college. He deployed to Iraq last April and was due to come home in three months. Now we are told he is to stay another 4 months. I have seen no progress in the Iraqi war and can not justify my son losing another 4 months of his life. I feel it is the lower and middle class people who are providing the men and women who are fighting this war. How many of your fellow congressmen have sons, daughters, husbands, wives, nieces or nephews serving in this war? I have a son, a nephew and a niece in Iraq. They joined the Guard for money so they could attend college, not because they were eager to go to

> war. They were assured when they signed up that they would not need to worry about being deployed. They do not want nor do we want them to stay longer than what they were told when they left last April. Please help bring my son home. He has served his time and his country and served it well.
>
> Sincerely,
> Jodi

Last, I will read a letter from Nikole:

> Dear Senator Harkin:
>
> I write to you as the wife of a soldier in the 1-133. My husband, SSG Nicholas . . . , has been stationed in Iraq since the end of March 2006. He also trained at Camp Shelby, Mississippi for five months prior. He was to come home at the beginning of April; however, he has now been extended for an additional four months.
>
> My husband and I have been married for almost six years. He was in the US Army when we married and then joined the Iowa National Guard after exiting the service to continue to serve his country. My husband is 27 years old. He has served eight years in the military. Before his deployment he was a junior at Iowa State University majoring in Community Regional Planning and had plans to attend graduate school.
>
> Our lives have been put on hold during this deployment. We both went into the deployment knowing that it would be difficult, but we knew that our love would allow us to make it through. Our motivation was the ability to secure our future with financial freedom.

Think about that: "Our motivation was the ability to secure our future with financial freedom."

> We planned to purchase our first house with the money that we saved.
>
> During his two-week leave in September, we began building a new home. The house was to be finished in February. This would allow me time to move in and decorate just in time for his return. It was PERFECT timing. We would be able to pick up our lives and move on.
>
> As you can imagine, we were both extremely disappointed to hear the news that he would be extended for an additional four months, already a longer time than any other unit deployed to Iraq.
>
> I have not only lost my husband. I have lost my very best friend, my lover, my confident, my motivation and inspiration for life, that one person that knows and understands me the most. I am sure you can relate to someone in your own life.

Sure, my wife.

> Now imagine that person being torn away from you for two years and place them in harm's way in a war zone. I act tough to my husband so that he will have one less thing to worry about. However, it IS an act. I miss him. I need him. I am falling apart.
>
> My intention is not to be rude, complain, and say nasty comments. I am sure that you receive enough of those types of letters. I just pray that our story can give you a glimpse into our lives and the effect of the situation. I also pray that by hearing a personal story you will reconsider and allow the 1-133 to return home to their families, their children, their jobs, and continue their lives as American citizens.
>
> Sincerely,
> Nikole

Mr. President, I took the time to read those three letters. If we do not speak for these families, who will? If we are not allowed to debate here, are their voices to be silenced? They do not have the right to come here on the Senate floor and speak. I have the right to read their letters, with their permission, but why can't we debate this and speak on behalf of them and so many other families in this country who want their stories told and who want an end to this quagmire in Iraq?

They now know—people are so far ahead of us; they are so far ahead of the politicians around here—they know what is happening. They know that Iraq was a lie; it was a mistake. They know there was never any weapons of mass destruction. They know now that Saddam Hussein, however bad he was, was not involved in acts of terrorism against the United States—against his own people but not against the United States.

They now know that what is happening in Iraq is a civil war. As I was told some years ago by a person from the Emirates—close to there—he said to me: Senator, you have to understand that Iraq was really three countries. It is just a figment of the British imagination that they put it together in the Treaty of Versailles after the First World War. He said: Really it is three countries, the Shias, the Sunnis, and the Kurds. He said: Furthermore, Senator, it is a civil war waiting to happen, and there is nothing you can do about it.

Yes, maybe someone as ruthless as Saddam could put the lid on it for a while. And we would hope they would come to their senses and not have a civil war. They have had an election. They have a parliament. And now it is time for the Iraqis to take matters into their own hands. The longer we are there, the more involved we become, the more it becomes America's war against the Iraqis.

I read the article in the Washington Post this morning about how our troops are now going door-to-door in Iraq, and they just bust in. They busted into the home of a woman who had a master's degree in English translation, whose husband was a major in the Iraqi Army. And she said: Why didn't you just have the courtesy to knock? I would have let you in.

These soldiers are going into homes. They are going into bedrooms and looking under beds, tearing sheets off the beds, looking through dressers of people who have nothing to do with the war. These are just civilians and they happen to be caught in a zone.

You wonder how they feel about us after something like that happens. One soldier was quoted in the paper this morning talking about his first tour of Iraq right after the invasion. He said: Things were fine. We went out with the Iraqi people. Now I go over there and they spit at us, every one of them.

So the people of this country understand that this war was a terrible mistake from the beginning. It has been not only a mistake and a lie to get into it, it has been mismanaged from the very beginning. It has cost over 3,000 of our young men and women's lives. How many Iraqi lives? I am told the count is now way over 50,000, maybe as high as 100,000, with millions more displaced from their homes, going into Jordan. That is going to cause a lot of unrest in Jordan with all the displaced people and refugees there.

The answer is not to continue this miserable escalation the President wants to do. Everyone realizes this won't do it. It is just going to cause more misery, more suffering, cost more money, cost more lives.

That is the kind of debate we want to have. But Republican Senators will not allow us to have the debate or even to have a vote on the resolution of disapproval. We have a duty to debate this escalation, to speak up when we believe the President's policy is wrong. We have a duty to speak up for families, such as the ones whose letters I read, and for the overwhelming majority of Americans who oppose this new escalation. It is unconscionable that Republicans leaders, at the behest of President Bush, are refusing to allow the Senate to debate the escalation in Iraq. It is time for them to listen to the American people and the families of our troops in the field. It is time to stop the obstruction, allow the Senate to debate the Warner resolution, and to have a vote. That is all we are asking for. Vote your conscience. If people want to vote to support the escalation, if they want to speak on behalf of it, that is their right as U.S. Senators. But I hope they don't realize they have a right to silence the voices of millions of Americans who are looking to us to do something, to bring some reasoning, some rational discourse, and some clear thinking to what is happening in Iraq and to confront the truth.

As I said earlier, our young men and women are doing their duty. I know. I have an e-mail I received the other day from a young man in Iraq who has been there for quite a while. I won't use his name because I didn't ask his permission to use the e-mail. He said in his e-mail that he—I am not sure of the word—disagreed with the war. He said: This war is not winnable. The military cannot do this over here. But he is doing his job. He is putting himself in harm's way day after day. They realize this is a bad mistake. You think we would start realizing it around here, too.

War is not the answer in Iraq. Diplomacy is, bringing in other countries. Does it mean we have to talk with Iran? I have no problem with that. The President once said he didn't want to talk to Iran because they were our enemies. I guess all we want to talk to is our friends. If I disagree with someone here, I want to talk to that person. I want to find out why. Is there any way we can reach resolution? So we ought to be talking with Syria and Jordan and Iran, Iraq, of course, Turkey, Syria—all the countries around there. We ought to be talking to them. And there ought to be a more concerted effort on the diplomatic side than there is on the military side. We are putting too much on the military and not enough on diplomacy. I would hope the Iraqis would come to their senses and not engage in a civil war, but that is their decision to make. We can't make it for them.

The longer we are there, the worse it becomes. The longer we are there, the more and more Iraqis turn against us. More and more people in the Mideast turn against us. And more and more we lose our standing in the world community. I daresay we have precious few friends around the world today who are willing to stand with us. Prior to this war, after 9/11, the entire world was on our side. After those planes hit the Twin Towers and the one hit the Pentagon and the one went down in Pennsylvania which was probably coming here, the world was on our side. Countries all over the world—Muslim nations were on our side. Even Iran sent out some feelers to go after the Taliban. They didn't like the Taliban, either. And here we squandered it all, with the whole world on our side 5 years ago. Now we would be hard-pressed to find a few. They may be with us here and there on this or that, but we know what they are saying about our involvement in Iraq. We know what they are saying about our standing in the world community. We know that. It is going to take a long time to rebuild it. The longer we persist in this unconscionable, unwinnable quagmire war in Iraq, the longer it is going to take us to get our standing back in the word community. Try we must. We need to bring this war to its conclusion.

It is not losing the war. People say: We can't lose it. I wasn't in the Senate, but I was in the House of Representatives when the Vietnam war finally came to a close. We heard the same arguments then, that we can't afford to lose, that the whole of Southeast Asia would be in flames, communism would take over the Philippines, communism would take over Indonesia. We heard it time after time. Guess what. None of it happened. And you look back now and you go down here to the Vietnam Memorial wall and you read those names and you think about their sacrifice, families that were left behind, children, loved ones. You wonder what for. What for? They served their country proudly. They did their duty. But you wonder in the end, what was it for?

I think, as we look back on this war in Iraq years from now, the thousands of Americans who have lost their lives, we will ask that same question: What for? Why? War is not the answer. Escalation is not the answer. We need to bring our troops home.

Those on the other side are saying we ought to talk about cutting off funding. That is going to come. We are going to have a supplemental appropriations bill. It will be here probably in the next couple months. I, for one, am going to do everything I can to make sure we have some kind of amendment on that bill which will limit the President's ability to spend the taxpayers' money on the war in Iraq. After all, the Constitution gives us the power of the purse strings, not the President. If we want to say: Mr. President, you can spend the money to redeploy troops out of Iraq and to protect them while they are being deployed, you can do that, but you can't spend any of that money to send any more troops there and put them in harm's way and have them going door to door in Baghdad and have them be shot at by snipers, we will have that opportunity when the supplemental appropriations bill comes before us.

Right now is time for us as a Senate to stand up and say whether we approve of the escalation or disapprove. Republican Senators on the other side of the aisle won't even give us that opportunity. I hope they hear from more families like the letters I just read. Maybe we will get that opportunity. It is time for us to quit shirking our responsibility, time for us to stand up and say whether we are for the escalation. I, for one, am not. Maybe others are for it. I think that is what we ought to debate, and that is what we ought to vote on.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING OUR ARMED FORCES

FIRST LIEUTENANT JACOB FRITZ

Mr. HAGEL. Mr. President, I rise to express my sympathy over the loss of U.S. Army 1LT Jacob Fritz of Nebraska. Lieutenant Fritz was killed near Karbala, Iraq on January 20. He was 25 years old.

Lieutenant Fritz was raised on his family's farm near Verdon, NE. From a young age, Lieutenant Fritz knew he wanted to be a leader. After graduating from Dawson-Verdon High School in 2000, he followed through on this goal. I had the honor of nominating Lieutenant Fritz to the U.S. Military Academy at West Point. He graduated from the Academy in 2005. His brother, Daniel Fritz, 22, followed in his footsteps and is currently in his third year at West Point. Like his brother Jake, I had the privilege of nominating Dan, to West Point.

Lieutenant Fritz was leading a unit of more than 30 soldiers in Iraq since October. Lieutenant Fritz described his mission as a liaison between Iraqi police and the U.S. Army. He said the work was challenging, but rewarding.

Lieutenant Fritz was buried on January 31 with full military honors in a church cemetery 4 miles from his family home near Verdon, NE. Family and friends paid their final respects in a moving service that reminded all of the courage, commitment, and sacrifice of soldiers like Lieutenant Fritz. As his childhood friend Air Force 1LT Brett Cooper remembered, a life of service to his country followed by a retirement to the small town life that he loved was all that Lieutenant Fritz wanted. We're proud of Lieutenant Fritz's service to our country as well as the service of thousands of brave Americans who are currently serving in Iraq.

In addition to his brother Dan, Lieutenant Fritz is survived by his parents Lyle and Noala and his younger brother Ethan.

I ask my colleagues to join me and all Americans in honoring 1LT Jacob Fritz.

ADDITIONAL STATEMENTS

RECOGNITION OF G. MARTIN WAGNER

• Mr. LIEBERMAN. Mr. President, today I honor G. Martin Wagner—a dedicated public servant who, on January 31, 2007, retired from Federal service after 31 years.

Marty Wagner has had an exemplary career working for the Federal Government. Far removed from the apocryphal "faceless bureaucrat" that so many of those who wrongly belittle our Federal workforce often refer to, Marty should serve as an example to us all in how to best serve the people of this great country. Marty was a leader and a doer who accomplished much over the past three decades, and leaves the Federal Government a far better place than how he found it.

Over his 31 years in the Federal civil service, Marty earned many honors and awards for his efforts to make the Federal Government a better place to work for all Federal employees. His service has also resulted in a Federal Government that is more caring and responsive to the needs of the American public.

Marty grew up in Tucson, AZ. In his youth, he played guitar and sang folk songs in old time "hootenannies." He has a deep, recognizable voice, which would have served him well as a professional musician or radio persona. Fortunately for us, his career took a different path and Marty became a dedicated, hard-working Federal employee—serving in a number of agencies and departments over the past 31 years.

Most of us who know and have worked with Mr. Wagner over the years, associate him with his almost two decades of service with the General Services Administration, GSA, where he has been an innovative leader and promoter of initiatives for improved and more accessible information technology for Federal workers and the public alike. Most recently, Marty has served as Deputy Commissioner of the new Federal Acquisition Service, FAS. Prior to accepting this position, Mary also served as Acting Commissioner and Acting Deputy Commissioner of FAS. However, Marty was also a leader before his days at GSA, and I call to my colleagues attention just one of his major accomplishments over his Federal career.

Early on, Marty was an economic analyst at the Environmental Protection Agency. His outstanding work in the environmental arena proved to be invaluable to the quality of the air we breathe. In addressing the economic impact of pending EPA regulations, Marty was instrumental in producing the findings that resulted in the first requirement to remove lead from gasoline. I believe Marty could have retired at this point and have served his country well but, fortunately, this was just the first step in a long and distinguished career with the Federal Government.

G. Martin Wagner was a masterful manager and leader of innovative change within the Federal Government. The results of his untiring efforts over the past 30 years are evident in numerous Federal programs, resulting in a much more effective and efficient Federal Government.

Throughout his career, Deputy Commissioner Wagner has been a leader for positive change and modernization. When you worked with Marty you knew where you stood and that his positions were based upon his strong personal beliefs in how best to serve the American public and the Federal employees that he managed and with whom he worked. He is an honest, straightforward individual who did not shy away from challenges and difficult issues but, rather, sought the middle ground of compromise while always championing progress and better service.

From his work on implementing the gargantuan task of modernizing Federal telecommunications to his personal crusade of making sure each and every Federal worker was treated with respect and provided opportunities for advancement, Marty Wagner has always proved to be a capable and innovative leader. When we think of a government that is more efficient and effective, we need to pay our thanks to the good work of Deputy Commissioner Wagner.

I am sure that Marty's retirement from the Federal Government will not be the last we hear of him. Such an active, well-rounded, intelligent individual is not going to just while away the hours but, rather, seek out new challenges and opportunities to help his country and fellow citizens.

G. Martin Wagner and his good work will be missed but not forgotten.•

TRIBUTE IN HONOR OF BEASOR WALKER

• Mr. SHELBY. Mr. President, today I honor Mr. Beasor Walker, who has lived a life of great service to our Nation and to my hometown of Tuscaloosa, AL.

Beasor was a celebrated soldier in the Second World War, where he fought in the June 6, 1944, Invasion of Normandy. Despite a wound to his side, Beasor stayed with his unit during the duration of the fight and was promoted to company commander. Wounded again, he returned to his unit a second time in order to fight against the Nazis in the December 1944 Battle of the Bulge. It was during this offensive that he earned the Distinguished Service Cross, two Silver Stars, three Bronze Stars, and two Purple Hearts. After 27 years of distinguished service to the U.S. Army, including time at Fort Jackson, where he trained replacement troops for the Korean War, Beasor retired as a colonel.

A graduate of the University of Alabama, Beasor was elected sheriff of Tuscaloosa County in 1970. He served as sheriff until 1991, and during his lengthy tenure he was able to greatly improve Tuscaloosa County. Beasor is responsible for integrating the Sheriff's Department, streamlining the homicide squads, and extensively working to improve the Alabama Boys' and Girls' Ranch. Beasor has been inducted to both the Alabama Military Hall of Honor and the Alabama Law Enforcement Hall of Fame.

His service to the Nation has been exceptional, and Beasor Walker is more than deserving of this recognition. His sacrifices are appreciated and important to the freedom we enjoy every day. I hope my colleagues will join me in thanking my friend Beasor Walker for his service to our Nation and to the State of Alabama.•

MESSAGE FROM THE HOUSE

At 11:29 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 433. An act to designate the facility of the United States Postal Service located at 1700 Main Street in Little Rock, Arkansas, as the "Scipio A. Jones Post Office Building".

H.R. 514. An act to designate the facility of the United States Postal Service located at 16150 Aviation Loop Drive in Brooksville, Florida, as the "Sergeant Lea Robert Mills Brooksville Aviation Branch Post Office".

H.R. 577. An act to designate the facility of the United States Postal Service located at 3903 South Congress Avenue in Austin, Texas, as the "Sergeant Henry Ybarra III Post Office Building".

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 35. Concurrent resolution supporting the goals and ideals of National Black HIV/AIDS Awareness Day.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 433. An act to designate the facility of the United States Postal Service located at 1700 Main Street in Little Rock, Arkansas, as the "Scipio A. Jones Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 514. An act to designate the facility of the United States Postal Service located at 16150 Aviation Loop Drive in Brooksville, Florida, as the "Sergeant Lea Robert Mills Brooksville Aviation Branch Post Office"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 577. An act to designate the facility of the United States Postal Service located at 3903 South Congress Avenue in Austin, Texas, as the "Sergeant Henry Ybarra III Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 35. Concurrent resolution supporting the goals and ideals of National Black HIV/AIDS Awareness Day; to the Committee on Health, Education, Labor, and Pensions.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–592. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Emerald Ash Borer; Quarantined Areas; Michigan" (Docket No. APHIS–2006–0131) received on February 5, 2007; to the Committee on Agriculture, Nutrition, and Forestry.

EC–593. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Avermectin; Pesticide Tolerances for Emergency Exemptions" (FRL No. 8110–8) received on February 5, 2007; to the Committee on Agriculture, Nutrition, and Forestry.

EC-594. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Tris (2-ethylhexyl) Phosphate; Exemption from the Requirement of a Tolerance" (FRL No. 8112–2) received on February 5, 2007; to the Committee on Agriculture, Nutrition, and Forestry.

EC-595. A communication from the Secretary of the Air Force, transmitting, pursuant to law, a report relative to an Average Procurement Unit Cost and a Program Acquisition Unit Cost breach; to the Committee on Armed Services.

EC-596. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, the Defense Advanced Research Projects Agency's biennial strategic plan; to the Committee on Armed Services.

EC-597. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; State of Utah; Administrative Procedures" (FRL No . 8275–2) received on February 5, 2007; to the Committee on Environment and Public Works.

EC-598. A communication from the Administrator, General Services Administration, transmitting, pursuant to law, the Administration's Performance and Accountability Report for fiscal year 2006; to the Committee on Homeland Security and Governmental Affairs.

EC-599. A communication from the Senior Counsel, Federal Bureau of Investigation, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Implementation of the Private Security Officer Employment Authorization Act of 2004" (RIN1110–AA23) received on February 5, 2007; to the Committee on the Judiciary.

EC-600. A communication from the Chairman, Federal Election Commission, transmitting, pursuant to law, a report relative to its budget request for fiscal year 2008; to the Committee on Rules and Administration.

EC-601. A communication from the Legal Advisor, Wireless Telecommunications Bureau Broadband Division, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Rechannelization of the 17.7–19.7 GHz Frequency Band for Fixed Microwave Services Under Part 101 of the Commission's Rules" (WT Docket No. 04–143) received on February 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC-602. A communication from the Chief of Staff, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Part 97 of the Commission's Rules to Implement WRC–03 Regulations in WT Docket No. 05–235" (FCC 06-178) received on February 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC-603. A communication from the Attorney Advisor, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Petition of Mid-Rivers Telephone Cooperative, Incorporated for Order Declaring it to be an Incumbent Local Exchange Carrier in Terry, Montana Pursuant to Section 251(h)(2)" (FCC 06–132) received on February 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC-604. A communication from the Legal Advisor to the Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Hennessey, Oklahoma)" (MB Docket No. 05–85) received on February 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC-605. A communication from the Legal Advisor to the Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Opelika and Waverly, Alabama, and Amyrna, Georgia)" (MB Docket No. 05–79) received on February 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC-606. A communication from the Legal Advisor to the Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Hale Center, Texas)" (MB Docket No. 05–114) received on February 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC-607. A communication from the Legal Advisor to the Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Columbus, Indiana)" (MB Docket No. 05–238) received on February 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC-608. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Commission Reporting Requirements Under Section 8 of the Clayton Act, 15 U.S.C. Sec. 19(a)5" (Billing Code 6750–01P) received on February 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC-609. A communication from the Deputy Bureau Chief, Public Safety and Homeland Security Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Communications Assistance for Law Enforcement Act and Broadband Access and Services" (ET Docket No. 04–295) received on February 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC-610. A communication from the Attorney, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Hazardous Materials: Transportation of Oxygen Cylinders and Oxygen Generators Aboard Aircraft" (RIN2137–AD33) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC-611. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Sikorsky Aircraft Corporation Model S–92A Helicopters" ((RIN2120–AA64)(Docket No. 2006–SW–03)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC-612. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Gulfstream Aerospace LP Model Galaxy and Model Gulfstream 200 Airplanes" ((RIN2120–AA64)(Docket No. 2005–NM–175)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC-613. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Honeywell International Inc. T5311A, T5311B, T5313B, T5317A, T5317A–1, and T5317B Series Turboshaft Engines and Lycoming Former Military T53–L–11B, T53–L–11D, T53–L–13B, T53–L–13B/D, and T53–L–703 Series Turboshaft Engines" ((RIN2120–AA64)(Docket No. 98–ANE–72)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC-614. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bell Helicopter Textron Canada Model 222, 222B, 222U, 230, and 430 Helicopters" ((RIN2120–AA64)(Docket No. 2006–SW–12)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC-615. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A319, A320, and A321 Airplanes" ((RIN2120–AA64)(Docket No. 2006–NM–011)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC-616. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Boeing Model 737–100, –200, –200C, –300, –400, and –500 Series Airplanes" ((RIN2120–AA64)(Docket No. 2006–NM–109)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC-617. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; General Electric Company CF6 Series Turbofan Engines" ((RIN2120–AA64)(Docket No. 95–ANE–10)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC-618. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier Model CL–600–2B19 Airplanes" ((RIN2120–AA64)(Docket No. 2004–NM–176)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC-619. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Raytheon Model HS.125 Series 700A and 700B Airplanes; Model BAe.125 Series 800A, 800B, 1000A, and 1000B Airplanes; and Hawker 800, 800XP, and 1000 Airplanes" ((RIN2120–AA64)(Docket No. 2006–NM–118)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC-620. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter France Model AS355E, F, F1, F2, and N Helicopters" ((RIN2120–AA64)(Docket No. 2003–SW–10)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–621. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter France Model EC130 B4 Helicopters" ((RIN2120–AA64)(Docket No. 2005–SW–41)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–622. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Keokuk Municipal Airport, IA" ((RIN2120–AA66)(Docket No. 06–ACE–7)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–623. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of Class E Airspace; Huslia, AK" ((RIN2120–AA66)(Docket No. 06–AAL–13)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–624. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Legal Description of Class D and E Airspace; Fairbanks, Fort Wainwright Army Airfield, AK" ((RIN2120–AA66)(Docket No. 06–AAL–16)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–625. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of VOR Federal Airways; and Establishment of Area Navigation Route; NC" ((RIN2120–AA66)(Docket No. 06–ASO–1)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–626. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Area Navigation Instrument Flight Rules Terminal Transition Route T–210; Jacksonville, FL" ((RIN2120–AA66)(Docket No. 05–ASO–10)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–627. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of High Altitude Area Navigation Routes; South Central United States" ((RIN2120–AA66)(Docket No. 05–ASO–7)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–628. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Boeing Model 757–200 Series Airplanes Modified by Supplemental Type Certificate SA979NE" ((RIN2120–AA64)(Docket No. 2006–NM–099)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–629. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Pratt and Whitney Canada PW535A Turboshaft Engines" ((RIN2120–AA64)(Docket No. 2006–NE–07)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–630. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Air Tractor, Inc. Model AT–501 Airplanes" ((RIN2120–AA64)(Docket No. 2006–CE–06)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–631. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; BURKHART GROB LUFT–UND–RAUMFAHRT GmbH and Co. KG, Model G 103 C Twin III SL Sailplanes" ((RIN2120–AA64)(Docket No. 2005–CE–16)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–632. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (53)" ((RIN2120–AA65)(Amdt. No. 3172)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–633. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (33)" ((RIN2120–AA65)(Amdt. No. 3167)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–634. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (11)" ((RIN2120–AA65)(Amdt. No. 3166)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–635. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Part 95 Instrument Flight Rules (27)" ((RIN2120–AA63)(Amdt. No. 461)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–636. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Scottsbluff, Western Nebraska Regional Airport/William B. Heilig Field, NE" ((RIN2120–AA66)(Docket No. 06–ACE–5)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–637. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class D Airspace; Eastman, GA; Correction" ((RIN2120–AA66)(Docket No. 06–ASO–9)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–638. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; McDonnell Douglas Model DC–9–10, DC–9–20, DC–9–30, DC–9–40, and DC–9–50 Series Airplanes; Model DC–9–81, DC–9–82, DC–9–83, and DC–9–87 Airplanes; Model MD–88 Airplanes; Model MD–90–30 Airplanes; and Model 717–200 Airplanes" ((RIN2120–AA64)(Docket No. 2005–NM–001)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–639. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; BAE Systems Limited Model BAe 146 Airplanes and Model Avro 146–RJ Airplanes" ((RIN2120–AA64)(Docket No. 2005–NM–212)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–640. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Boeing Model 767–200, –300, and –300F Series Airplanes" ((RIN2120–AA64)(Docket No. 2005–NM–099)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–641. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Saab Model SAAB–Fairchild SF340A and SAAB 340B Airplanes" ((RIN2120–AA64)(Docket No. 2005–NM–235)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–642. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A319–100, A320–200, A321–100, and A321–200 Series Airplanes" ((RIN2120–AA64)(Docket No. 2005–NM–087)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–643. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier Model CL–600–2B19 Airplanes" ((RIN2120–AA64)(Docket No. 2005–NM–215)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–644. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Boeing Model 747–200B, 747–200C, 747–200F, 747–300, 747–400, and 747SP Series Airplanes" ((RIN2120–AA64)(Docket No. 2005–NM–223)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–645. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of Class E Airspace; Perryville, AK" ((RIN2120–AA66)(Docket No. 06–AAL–15)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–646. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of Class E Airspace; Homer , AK" ((RIN2120–AA66)(Docket No. 06–AAL–25)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–647. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of Class E Airspace; Kodiak, AK" ((RIN2120–AA66)(Docket No. 06–AAL–26)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–648. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of Class E Airspace; St. Michael, AK" ((RIN2120–AA66)(Docket No. 06–AAL–27)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–649. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of Class E Airspace; Tok Junction, AK" ((RIN2120–AA66)(Docket No. 06–AAL–28)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–650. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Restricted Area 5601F; Fort Sill, OK" ((RIN2120–AA66)(Docket No. 05–ASW–3)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–651. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class D Airspace; Castle Airport, Atwater, CA" ((RIN2120–AA66)(Docket No. 06–AWP–15)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–652. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Alaskan High Altitude Reporting Points; AK" ((RIN2120–AA66)(Docket No. 06–AAL–36)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–653. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Re-Designation of VOR Federal Airway V–431; Alaska" ((RIN2120–AA66)(Docket No. 06–AAL–18)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–654. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of Class E Airspace; Sheridan, WY" ((RIN2120–AA66)(Docket No. 06–ANM–4)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–655. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Change of Using Agency for Restricted Area R2202; Big Delta, AK" ((RIN2120–AA66)(Docket No. 06–AAL–33)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–656. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Change of Controlling Agency and Using Agency for Restricted Area R–6608A, B, and C; Quantico, VA" ((RIN2120–AA66)(Docket No. 06–ASO–12)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–657. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Kokhanok, AK" ((RIN2120–AA66)(Docket No. 06–AAL–19)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–658. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of Class E Airspace; Iliamna, AK" ((RIN2120–AA66)(Docket No. 06–AAL–21)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–659. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Removal of Class E Airspace; Cedar Springs, GA" ((RIN2120–AA66)(Docket No. 06–ASO–15)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–660. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of Class E Airspace; Hooper Bay, AK" ((RIN2120–AA66)(Docket No. 06–AAL–14)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–661. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Part 95 Instrument Flight Rules (23)" ((RIN2120–AA63)(Amdt. No. 464)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–662. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (15)" ((RIN2120–AA65)(Amdt. No. 3195)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–663. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (46)" ((RIN2120–AA64)(Amdt. No. 3192)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–664. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (113)" ((RIN2120–AA65)(Amdt. No. 3196)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–665. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (22)" ((RIN2120–AA65)(Amdt No. 3197)) received on February 2 , 2007; to the Committee on Commerce, Science, and Transportation.

EC–666. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (45)" ((RIN2120–AA65)(Amdt. No. 3198)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–667. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (31)" ((RIN2120–AA65)(Amdt. No. 3199)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–668. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of the Class B Airspace Area; Atlanta, GA" ((RIN2120–AA66)(Docket No. 06–AWA–1)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–669. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Hartzell Propeller Inc. Propellers and McCauley Propeller Systems Controllable Propellers" ((RIN2120–AA64)(Docket No. 2005–NE–01)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–670. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Pilatus Aircraft Ltd. Model PC–7 Airplanes" ((RIN2120–AA64)(Docket No. 2006–CE–42)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–671. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Pratt and Whitney PW4074, PW4074D, PW4077, PW4077D, PW4084D, PW4090, PW4090–3, and PW4098 and Turbofan Engines" ((RIN2120–AA64)(Docket No. 2006–NE–13)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–672. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; McDonnell Douglas Model DC–9–10 Series Airplanes; DC–9–20 Series Airplanes; DC–9–30 Series Airplanes; DC–9–40 Series Airplanes; and DC–9–50 Series Airplanes" ((RIN2120–AA64)(Docket No. 2002–NM–349)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–673. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Cirrus Design Corporation Models SR20 and SR22 Airplanes" ((RIN2120–AA64)(Docket No. 2006–CE–14)) received on February 2, 2007; to the

Committee on Commerce, Science, and Transportation.

EC–674. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. Model EMB–135BJ and EMB–145XR Airplanes" ((RIN2120–AA64)(Docket No. 2004–NM–36)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–675. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Boeing Model 767 Airplanes" ((RIN2120–AA64)(Docket No. 2006–NM–093)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–676. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A300 Airplanes" ((RIN2120–AA64)(Docket No. 2006–NM–143)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–677. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Gulfstream Model G–159 Airplanes" ((RIN2120–AA64)(Docket No. 96–NM–143)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–678. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Part 95 Instrument Flight Rules (28)" ((RIN2120–AA63)(Amdt. No. 465)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–679. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class D Airspace; Ft. Riley, KS" ((RIN2120–AA66)(Docket No. 06–ACE–9)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–680. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. Model EMB–135ER and –135KE Airplanes; and Model EMB–145, –145ER, –145MR, –145MP, and –145EP Airplanes" ((RIN2120–AA64)(Docket No. 2006–NM–095)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–681. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Fokker Model F27 Mark 500 Airplanes" ((RIN2120–AA64)(Docket No. 2006–NM–019)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–682. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; McDonnell Douglas Model MD–11F Airplanes" ((RIN2120–AA64)(Docket No. 2006–NM–220)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–683. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Lockheed Model L–1011 Series Airplanes" ((RIN2120–AA64)(Docket No. 2006–NM–123)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–684. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; BAE Systems Limited Model BAe 146 and Avro 146–RJ Airplanes" ((RIN2120–AA64)(Docket No. 2006–NM–137)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–685. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Boeing Model 747–100, 747–100B, 747–100B SUD, 747–200B, 747–300, 747–400, 747–400D, and 747SR Series Airplanes" ((RIN2120–AA64)(Docket No. 2006–NM–116)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–686. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Boeing Model 747 Airplanes" ((RIN2120–AA64)(Docket No. 2006–NM–234)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–687. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A330–200, A330–300, A340–200, and A340–300 Series Airplanes" ((RIN2120–AA64)(Docket No. 2001–NM–381)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–688. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Air Tractor, Inc. Model AT–602 Airplanes" ((RIN2120–AA64)(Docket No. 2004–CE–50)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–689. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Stemme GmbH and Co. AG Model STEMME S10–VT Sailplanes" ((RIN2120–AA64)(Docket No. 2006–CE–32)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–690. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Cessna Model 750 Airplanes" ((RIN2120–AA64)(Docket No. 2006–NM–229)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–691. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Boeing Model 747–100, 747–100B, 747–200B, 747–200C, 747–200F, 747SR, and 747SP Series Airplanes" ((RIN2120–AA64)(Docket No. 2005–NM–253)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–692. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Change of Using Agency for Restricted Areas R–3008A, B, C, and D; Grand Bay Weapons Range, GA" ((RIN2120–AA66)(Docket No. 06–ASO–16)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–693. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class D Airspace; Heart of Georgia Regional Airport, Eastman, GA" ((RIN2120–AA66)(Docket No. 06–ASO–9)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–694. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment to Jet Route and Colored Federal Airways; Alaska" ((RIN2120–AA66)(Docket No. 06–AAL–32)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–695. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Bethel Regional Airport, ME" ((RIN2120–AA66)(Docket No. 06–ANE–02)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–696. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Newton Field, ME" ((RIN2120–AA66)(Docket No. 06–ANE–01)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–697. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision to Class E Airspace; Mountain Home, ID" ((RIN2120–AA66)(Docket No. 06–AWP–4)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–698. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Honolulu International Airport, HI" ((RIN2120–AA66)(Docket No. 06–AWP–9)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC–699. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A330 Airplanes and Model A340–200 and –300 Series Airplanes" ((RIN2120–AA64)(Docket No. 2006–NM–134)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC-700. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Rolls-Royce plc Trent 768-60, Trent 772-60, and Trent 772B-60 Turbofan Engines" ((RIN2120–AA64)(Docket No. 2006–NE–29)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC-701. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Raytheon Aircraft Company Models C90A, B200, B200C, B300, and B300C Airplanes" ((RIN2120–AA64)(Docket No. 2006–CE–34)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC-702. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A300 Airplanes, Equipped with General Electric CF6-50 Series Engines" ((RIN2120–AA64)(Docket No. 2006–NM–075)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC-703. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Boeing Model 747 Airplanes" ((RIN2120–AA64)(Docket No. 2005–NM–205)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC-704. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Turbomeca Turmo IV A and IV C Series Turboshaft Engines" ((RIN2120–AA64)(Docket No. 99–NE–12)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC-705. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; BAE Systems Limited Model BAe 146 and Avro 146-RJ Airplanes" ((RIN2120–AA64)(Docket No. 2006-NM-136)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC-706. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Rolls-Royce, plc RB211 Trent 768-60, 772-60, and 772B-60 Turbofan Engines" ((RIN2120–AA64)(Docket No. 2006–NE–30)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC-707. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; BAE Systems Limited Model BAe 146 and Avro 146–RJ Airplanes" ((RIN2120–AA64)(Docket No. 2006–NM–086)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC-708. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; BAE Systems Limited Model BAe 146 Airplanes" ((RIN2120–AA64)(Docket No. 2006–NM–138)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC-709. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Cessna Model 750 Airplanes" ((RIN2120–AA64)(Docket No. 2006–NM–231)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC-710. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Dowty Propellers R321/4–82–F/8; R324/4–82–F/9; R333/4–82–F/12; and R334/4–82–F/13 Propellers" ((RIN2120–AA64)(Docket No. 2006–NE–40)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC-711. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Diamond Aircraft Industries GmbH Model DA 40 Airplanes" ((RIN2120–AA64)(Docket No. 2006–CE–57)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC-712. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Societe de Motorisations Aeronautiques SR305-230 and SR305-230-1 Reciprocating Engines" ((RIN2120–AA64)(Docket No. 2006–NE–36)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC-713. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (43)" ((RIN2120–AA65)(Amdt. No. 3193)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC-714. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (27)" ((RIN2120–AA65)(Amdt. No. 3194)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC-715. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Air Tractor, Inc. Models AT-502, AT-502A, AT-502B, AT-602, AT-802, and AT-802A Airplanes" ((RIN2120–AA64)(Docket No. 2006–CE–37)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC-716. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Boeing Model 757 Airplanes" ((RIN2120–AA64)(Docket No. 2005–NM–174)) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC-717. A communication from the Secretary, Bureau of Competition, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Notice Announcing 2007 Adjusted Thresholds for Clayton Act 7A" (RIN3084–AA91) received on February 1, 2007; to the Committee on Commerce, Science, and Transportation.

EC-718. A communication from the Attorney Advisor, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Hazardous Materials: Harmonization with the United Nations Recommendations, International Maritime Dangerous Goods Code, and International Civil Aviation Organization's Technical Instructions" (RIN2137-AE16) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC-719. A communication from the Paralegal, Federal Transit Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Emergency Procedures for Public Transportation Systems" (RIN2132–AA89) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EC-720. A communication from the Regulation Officer, Federal Highway Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Traffic Control Devices on Federal-Aid and Other Streets and Highways; Standards" (RIN2125–AF16) received on February 2, 2007; to the Committee on Commerce, Science, and Transportation.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. LEVIN for the Committee on Armed Services.

Army nomination of Gen. George W. Casey, Jr. to be General.

Navy nomination of Adm. William J. Fallon to be Admiral.

Air Force nomination of Brig. Gen. Thomas W. Travis to be Major General.

Air Force nomination of Col. David H. Cyr to be Brigadier General.

Air Force nomination of Col. Douglas J. Robb to be Brigadier General.

Air Force nominations beginning with Brigadier General Frank J. Casserino and ending with Colonel John T. Winters, Jr., which nominations were received by the Senate and appeared in the Congressional Record on January 18, 2007.

Army nomination of Lt. Gen. James M. Dubik to be Lieutenant General.

Mr. LEVIN. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

Air Force nominations beginning with Michael D. Jacobson and ending with Terrill L. Tops, which nominations were received by the Senate and appeared in the Congressional Record on January 18, 2007.

Air Force nominations beginning with Stuart C. Calle and ending with Edwin O. Rodriguezpagan, which nominations were received by the Senate and appeared in the Congressional Record on January 18, 2007.

By Mr. ROCKEFELLER for the Select Committee on Intelligence.

*J. Michael McConnell, of Virginia, to be Director of National Intelligence.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. SCHUMER (for himself, Mrs. CLINTON, Mr. BUNNING, and Mr. BYRD):

S. 491. A bill to clarify the rules of origin for certain textile and apparel products; to the Committee on Finance.

By Mr. FEINGOLD (for himself, Mr. COLEMAN, and Ms. KLOBUCHAR):

S. 492. A bill to promote stabilization and reconstruction efforts in Somalia, to establish a Special Envoy for Somalia to strengthen United States support to the people of Somalia in their efforts to establish a lasting peace and form a democratically elected and stable central government, and for other purposes; to the Committee on Foreign Relations.

By Mrs. BOXER:

S. 493. A bill to designate certain public land as wilderness and certain rivers as wild and scenic rivers in the State of California, to designate Salmon Restoration Areas, to establish the Sacramento River National Recreation Area and Ancient Bristlecone Pine Forest, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. LUGAR:

S. 494. A bill to endorse further enlargement of the North Atlantic Treaty Organization (NATO) and to facilitate the timely admission of new members to NATO, and for other purposes; to the Committee on Foreign Relations.

By Mr. LEAHY (for himself, Mr. SPECTER, Mr. FEINGOLD, Mr. SCHUMER, and Mr. SANDERS):

S. 495. A bill to prevent and mitigate identity theft, to ensure privacy, to provide notice of security breaches, and to enhance criminal penalties, law enforcement assistance, and other protections against security breaches, fraudulent access, and misuse of personally identifiable information; to the Committee on the Judiciary.

By Mr. VOINOVICH (for himself, Mrs. CLINTON, Mr. WARNER, Mr. BYRD, Mr. LOTT, Mr. BROWN, Mr. COCHRAN, Mr. SCHUMER, Mr. BURR, Mr. CARDIN, Ms. MIKULSKI, Mrs. DOLE, Mr. ALEXANDER, Mr. SHELBY, and Mr. GRAHAM):

S. 496. A bill to reauthorize and improve the program authorized by the Appalachian Regional Development Act of 1965; to the Committee on Environment and Public Works.

By Mrs. BOXER:

S. 497. A bill to repeal a prohibition on the use of certain funds for tunneling in certain areas with respect to the Los Angeles to San Fernando Valley Metro Rail project, California; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. FEINGOLD (for himself and Ms. COLLINS):

S. 498. A bill to amend title XVIII of the Social Security Act to improve the Medicare program for beneficiaries residing in rural areas; to the Committee on Finance.

By Mr. SALAZAR (for himself and Mr. ALLARD):

S. 499. A bill to amend the Internal Revenue Code of 1986 to allow section 1031 treatment for exchanges involving certain mutual ditch, reservoir, or irrigation company stock; to the Committee on Finance.

By Mr. SALAZAR (for himself, Mr. MARTINEZ, Mr. MENENDEZ, Mr. BAYH, Mr. BIDEN, Mr. BINGAMAN, Mrs. BOXER, Mr. DOMENICI, Mr. DURBIN, Mrs. FEINSTEIN, Mrs. HUTCHISON, Mr. KENNEDY, Mr. KERRY, Mr. LAUTENBERG, Mr. LIEBERMAN, Mr. LUGAR, Mr. MCCAIN, Mr. NELSON of Florida, Mr. OBAMA, Mr. REID, Mr. SCHUMER, Mr. BROWN, Mr. FEINGOLD, and Mrs. CLINTON):

S. 500. A bill to establish the Commission to Study the Potential Creation of the National Museum of the American Latino to develop a plan of action for the establishment and maintenance of a National Museum of the American Latino in Washington, DC, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. KYL:

S. 501. A bill to the relief of Ilko Vasilev Ivanov, Anelia Marinova Peneva, Marina Ilkova Ivanova, and Julia Ilkova Ivanova; to the Committee on the Judiciary.

By Mr. CRAPO (for himself, Mr. MCCONNELL, Mr. LOTT, Mr. KYL, Mr. SMITH, Mr. BUNNING, Mr. ENSIGN, Mr. CRAIG, Mr. VITTER, Mr. DEMINT, Mr. SUNUNU, Mr. BURR, Mr. ENZI, Mr. ROBERTS, Mr. BOND, Mr. ALLARD, and Mr. HAGEL):

S. 502. A bill to repeal the sunset on the reduction of capital gains rates for individuals and on the taxation of dividends of individuals at capital gains rates; to the Committee on Finance.

By Mrs. DOLE (for herself, Mr. NELSON of Florida, Mr. BURR, Mr. GRAHAM, Mr. CHAMBLISS, Mr. ISAKSON, Mr. LOTT, Mr. COCHRAN, and Mr. MARTINEZ):

S. 503. A bill to establish the SouthEast Crescent Authority, and for other purposes; to the Committee on Environment and Public Works.

By Mr. SMITH:

S. 504. A bill to amend the Internal Revenue Code of 1986 to establish long-term care trust accounts and allow a refundable tax credit for contributions to such accounts, and for other purposes; to the Committee on Finance.

By Ms. COLLINS (for herself, Mr. WARNER, Ms. LANDRIEU, Mr. COLEMAN, Mr. VITTER, Mr. SMITH, and Mr. NELSON of Nebraska):

S. 505. A bill to amend the Internal Revenue Code of 1986 to increase the above-the-line deduction for teacher classroom supplies and to expand such deduction to include qualified professional development expenses; to the Committee on Finance.

By Mr. LAUTENBERG (for himself, Ms. SNOWE, and Mrs. BOXER):

S. 506. A bill to improve efficiency in the Federal Government through the use of high-performance green buildings, and for other purposes; to the Committee on Environment and Public Works.

By Mr. CONRAD (for himself, Ms. COLLINS, Ms. CANTWELL, and Mr. DURBIN):

S. 507. A bill to amend title XVIII of the Social Security Act to provide for reimbursement of certified midwife services and to provide for more equitable reimbursement rates for certified nurse-midwife services; to the Committee on Finance.

By Mr. GRASSLEY:

S. 508. A bill to amend the Congressional Accountability Act of 1995 to apply whistleblower protections available to certain executive branch employees to legislative branch employees, and for other purposes; to the Committee on Homeland Security and Governmental Affairs .

By Mr. INOUYE (for himself, Mr. STEVENS, Mr. ROCKEFELLER, Mr. LOTT, and Mr. LAUTENBERG):

S. 509. A bill to provide improved aviation security, and for other purposes; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. LANDRIEU:

S. Res. 72. A resolution acknowledging the severity of the wetland loss occurring in Louisiana and supporting the observance of World Wetlands Day in the United States; to the Committee on Environment and Public Works.

By Mr. ALLARD (for himself, Mrs. FEINSTEIN, Mr. COLEMAN, Mr. STEVENS, Mrs. DOLE, Mrs. HUTCHISON, Mr. VITTER, Mr. HATCH, Mr. MCCAIN, Mr. MCCONNELL, and Mr. REID):

S. Res. 73. A resolution designating February 6, 2007, as "Ronald Reagan Day"; considered and agreed to.

By Ms. LANDRIEU:

S. Con. Res. 9. A concurrent resolution celebrating the contributions of the architectural profession during "National Architecture Week"; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 43

At the request of Mr. ENSIGN, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 43, a bill to amend title II of the Social Security Act to preserve and protect Social Security benefits of American workers and to help ensure greater congressional oversight of the Social Security system by requiring that both Houses of Congress approve a totalization agreement before the agreement, giving foreign workers Social Security benefits, can go into effect.

S. 55

At the request of Mr. BAUCUS, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 55, a bill to amend the Internal Revenue Code of 1986 to repeal the individual alternative minimum tax.

S. 65

At the request of Mr. INHOFE, the name of the Senator from Georgia (Mr.

ISAKSON) was added as a cosponsor of S. 65, a bill to modify the age-60 standard for certain pilots and for other purposes.

S. 206

At the request of Mrs. FEINSTEIN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 206, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 254

At the request of Mr. ENZI, the names of the Senator from Iowa (Mr. GRASSLEY) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. 254, a bill to award posthumously a Congressional gold medal to Constantino Brumidi.

S. 294

At the request of Mr. LAUTENBERG, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 294, a bill to reauthorize Amtrak, and for other purposes.

S. 326

At the request of Mrs. LINCOLN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 326, a bill to amend the Internal Revenue Code of 1986 to provide a special period of limitation when uniformed services retirement pay is reduced as result of award of disability compensation.

S. 367

At the request of Mr. DORGAN, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 367, a bill to amend the Tariff Act of 1930 to prohibit the import, export, and sale of goods made with sweatshop labor, and for other purposes.

S. 380

At the request of Mr. WYDEN, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 380, a bill to reauthorize the Secure Rural Schools and Community Self-Determination Act of 2000, and for other purposes.

S. 388

At the request of Mr. THUNE, the name of the Senator from Nevada (Mr. ENSIGN) was added as a cosponsor of S. 388, a bill to amend title 18, United States Code, to provide a national standard in accordance with which nonresidents of a State may carry concealed firearms in the State.

S. 430

At the request of Mr. LEAHY, the names of the Senator from Oregon (Mr. SMITH), the Senator from Iowa (Mr. HARKIN), the Senator from Louisiana (Ms. LANDRIEU), the Senator from Ohio (Mr. BROWN) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 430, a bill to amend title 10, United States Code, to enhance the national defense through empowerment of the Chief of the National Guard Bureau and the enhancement of the functions of the National Guard Bureau, and for other purposes.

S. 435

At the request of Mr. BINGAMAN, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 435, a bill to amend title 49, United States Code, to preserve the essential air service program.

S. 439

At the request of Mr. REID, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 439, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation.

S. 450

At the request of Mr. ENSIGN, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 450, a bill to amend title XVIII of the Social Security Act to repeal the medicare outpatient rehabilitation therapy caps.

S. 479

At the request of Mr. HARKIN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 479, a bill to reduce the incidence of suicide among veterans.

S. RES. 70

At the request of Mr. McCAIN, the name of the Senator from Idaho (Mr. CRAIG) was added as a cosponsor of S. Res. 70, a resolution expressing the sense of the Senate that the Commander of Multinational Forces-Iraq and all United States personnel under his command should receive from Congress the full support necessary to carry out the United States mission in Iraq.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LUGAR:

S. 494. A bill to endorse further enlargement of the North Atlantic Treaty Organization (NATO) and to facilitate the timely admission of new members to NATO, and for other purposes; to the Committee on Foreign Relations.

Mr. LUGAR. Mr. President, I rise today to introduce the "NATO Freedom Consolidation Act of 2007". Last year this legislation passed the Senate by unanimous consent. Unfortunately, the House was unable to act prior to adjournment last year.

I was pleased that thirteen of my colleagues, including Senators BIDEN, CHAMBLISS, COLEMAN, DODD, HAGEL, HUTCHISON, MARTINEZ, McCAIN, SMITH, and SUNUNU, joined me in proposing this important legislation.

The goal of this bill is to reaffirm United States support for continued enlargement of NATO to democracies that are able and willing to meet the responsibilities of membership. In particular, the legislation calls for the timely admission of Albania, Croatia, Georgia, Macedonia, and Ukraine to NATO and authorizes security assistance for these countries in Fiscal Year 2008. Each of these countries has clearly stated its desire to join NATO and is working hard to meet the specified requirements for membership.

I believe that eventual NATO membership for these five countries would be a success for Europe, NATO, and the United States by continuing to extend the zone of peace and security. Albania, Croatia, and Macedonia have been making progress on reforms through their participation in the NATO Membership Action Plan since 2002. Unfortunately, Georgia and Ukraine have not yet been granted a Membership Action Plan but nevertheless have made remarkable progress. This legislation will provide important incentives and assistance to the countries to continue the implementation of democratic, defense, and economic reforms.

Since the end of the Cold War, NATO has been evolving to meet the new security needs of the 21st century. In this era, the threats to NATO members are transnational and far from its geographic borders. There is strong support among members for NATO's operation in Afghanistan, and for its training mission in Iraq. NATO's viability as an effective defense and security alliance depends on flexible, creative leadership, as well as the willingness of members to improve capabilities and address common threats.

If NATO is to continue to be the preeminent security Alliance and serve the defense interests of its membership, it must continue to evolve and that evolution must include enlargement. Potential NATO membership motivates emerging democracies to make important advances in areas such as the rule of law and civil society. A closer relationship with NATO will promote these values and contribute to our mutual security. Georgia is a young democracy that has made tremendous progress since the "Rose Revolution." It is situated in a critical geo-strategic location and is host to a large portion of the Baku-Tbilisi-Ceyhan pipeline that carries important energy resources to the West from Azerbaijan and, in the future, Kazakhstan. Georgia is resisting pressure from breakaway republics backed by Moscow. In the past, border disputes have been identified as reasons a country may not be invited to join NATO. But in this case, Russia's action, not Georgia's, are frustrating Tbilisi's NATO aspirations.

Three years ago, the United States Senate unanimously voted to invite seven countries to join NATO. Today, Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia, and Slovenia are making significant contributions to NATO and are among our closest allies in the global war on terrorism. It is time again for the United States to take the lead in urging its allies to bring in new members, and to offer timely admission of Albania, Croatia, Georgia, Macedonia, and Ukraine to NATO.

By Mr. LEAHY (for himself, Mr. SPECTER, Mr. FEINGOLD, Mr. SCHUMER, and Mr. SANDERS):

S. 495. A bill to prevent and mitigate identity theft, to ensure privacy, to provide notice of security breaches, and to enhance criminal penalties, law enforcement assistance, and other protections against security breaches, fraudulent access, and misuse of personally identifiable information; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, today I am pleased to join Senator SPECTER in reintroducing the Leahy-Specter Personal Data Privacy and Security Act. This is a comprehensive data privacy package aimed at better protecting Americans' privacy. Senator SPECTER has been a valuable partner on this, and I also thank Majority Leader REID for his leadership and commitment to enacting data privacy legislation this year.

When Senator SPECTER and I introduced this bill in 2005, we had high hopes of bringing urgently needed data privacy reforms to the American people. The Judiciary Committee reported this bill favorably in November of 2005, but with the last Congress, it simply sat on the calendar. The leadership would not bring it forward.

The irony is while they refused to bring it forward, the problems of data breaches remained a persistent and pernicious threat to Americans' privacy. Yesterday we learned that the Department of Veterans Affairs has lost a portable hard drive containing the sensitive personal information on as many as 48,000 veterans. I can imagine what the veterans in my State feel about that. I can imagine what the veterans in Montana feel about that.

Last week, there was a major data breach involving a State computer server in my home State of Vermont. It jeopardized the financial data of at least 69,000 Vermonters whose personal financial information had been stored on the computer used by the Vermont Agency of Human Services. Can you imagine 69,000 people, in a State of barely over 600,000 people.

This is not unique to Vermont. Last month mega retailer TJX disclosed that it suffered a major computer breach involving credit and debt card purchases involving possibly hundreds of thousands of American consumers. And, even as disturbing as that is, while they knew about the breach in mid-December, none of those customers were told about it until a month later. It is as if a thief had gone to each one of their houses and stolen their data.

Of course, all of this comes on the heels of the theft of the personal data of 26.5 million of our veterans and active-duty personnel at the VA last year. Think about this: You are a man or a woman serving your country in Afghanistan or Iraq, and this information is stolen—with data about where you live and what family members are left at home while you are overseas. How do you think that makes you feel?

According to the Privacy Rights Clearinghouse, more than 100 million records containing sensitive personal information have been involved in data security breaches since 2005. We need strong Federal data privacy and security laws to protect Americans' personal data, and to address the ills of lax data security.

Our bill requires that data brokers let consumers know what sensitive personal information they have about them and to allow individuals to correct this. It is a simple matter of fairness. There is a clear precedent for our approach in the credit reporting context. Our bill also requires that companies who have databases with sensitive personal information about Americans establish and implement data privacy and security programs. In the information age, any company that wants to be trusted by the public must earn that trust by vigilantly protecting the databases that they use and maintain. In addition, our bill requires notice when sensitive personal information has been compromised. The American people need to know when they may be exposed to a data breach. Whether it is a government agency or a private company, if they lose your sensitive information, your Social Security number, your address, or anything about you, you have a right to know. If they are holding that information about you, and they lose it, you have the right to know it has been lost.

We also have tough criminal penalties for anyone who would intentionally or willfully conceal the fact that a data breach has occurred when that breach causes economic damage to consumers.

Then finally, we address the important issue of the Government's use of personal data. This would require Federal agencies to notify affected individuals when Government data breaches occur.

We should never have to worry about our Government having this information on us and losing it, but certainly in the last 2 or 3 years, we have seen so many millions of files that have been lost or put in jeopardy. We live in a world in which our Government also is increasingly turning to the private sector to get personal data that they, in some instances, couldn't legally get on their own. To address this, our bill puts protecting Americans' privacy first and foremost: Government data has to be protected and we have to know if the Government falls down on the job.

This is a comprehensive bill. It not only deals with the need to provide Americans notice when they have been victims of a data breach, it also deals with the underlying problems of lack of security and lack of accountability to prevent data breaches from occurring in the first place.

Today, Americans live in a world where their most sensitive personal information can be accessed and sold to the highest bidder with a few keystrokes on their computer. Our privacy laws greatly lag behind both the capabilities of our technology and the cunning of identity thieves. This legislation closes that gap. I commend the leadership for being willing to bring up our data privacy bill. I wish that the leadership in the last Congress had brought this bill up last year. But, I am glad that the new leadership will do so this year.

For the sake of all Americans, I urge all Senators to support this legislation and to act now to pass comprehensive data privacy and security legislation.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 495

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Personal Data Privacy and Security Act of 2007".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings.
Sec. 3. Definitions.

TITLE I—ENHANCING PUNISHMENT FOR IDENTITY THEFT AND OTHER VIOLATIONS OF DATA PRIVACY AND SECURITY

Sec. 101. Organized criminal activity in connection with unauthorized access to personally identifiable information.
Sec. 102. Concealment of security breaches involving sensitive personally identifiable information.
Sec. 103. Review and amendment of Federal sentencing guidelines related to fraudulent access to or misuse of digitized or electronic personally identifiable information.

TITLE II—DATA BROKERS

Sec. 201. Transparency and accuracy of data collection.
Sec. 202. Enforcement.
Sec. 203. Relation to State laws.
Sec. 204. Effective date.

TITLE III—PRIVACY AND SECURITY OF PERSONALLY IDENTIFIABLE INFORMATION
Subtitle A—A Data Privacy and Security Program
Sec. 301. Purpose and applicability of data privacy and security program.
Sec. 302. Requirements for a personal data privacy and security program.
Sec. 303. Enforcement.
Sec. 304. Relation to other laws.
Subtitle B—Security Breach Notification
Sec. 311. Notice to individuals.
Sec. 312. Exemptions.
Sec. 313. Methods of notice.
Sec. 314. Content of notification.
Sec. 315. Coordination of notification with credit reporting agencies.
Sec. 316. Notice to law enforcement.
Sec. 317. Enforcement.
Sec. 318. Enforcement by State attorneys general.
Sec. 319. Effect on Federal and State law.
Sec. 320. Authorization of appropriations.
Sec. 321. Reporting on risk assessment exemptions.
Sec. 322. Effective date.
TITLE IV—GOVERNMENT ACCESS TO AND USE OF COMMERCIAL DATA
Sec. 401. General Services Administration review of contracts.
Sec. 402. Requirement to audit information security practices of contractors and third party business entities.
Sec. 403. Privacy impact assessment of government use of commercial information services containing personally identifiable information.
Sec. 404. Implementation of chief privacy officer requirements.

SEC. 2. FINDINGS.

Congress finds that—

(1) databases of personally identifiable information are increasingly prime targets of hackers, identity thieves, rogue employees, and other criminals, including organized and sophisticated criminal operations;

(2) identity theft is a serious threat to the nation's economic stability, homeland security, the development of e-commerce, and the privacy rights of Americans;

(3) over 9,300,000 individuals were victims of identity theft in America last year;

(4) security breaches are a serious threat to consumer confidence, homeland security, e-commerce, and economic stability;

(5) it is important for business entities that own, use, or license personally identifiable information to adopt reasonable procedures to ensure the security, privacy, and confidentiality of that personally identifiable information;

(6) individuals whose personal information has been compromised or who have been victims of identity theft should receive the necessary information and assistance to mitigate their damages and to restore the integrity of their personal information and identities;

(7) data brokers have assumed a significant role in providing identification, authentication, and screening services, and related data collection and analyses for commercial, nonprofit, and government operations;

(8) data misuse and use of inaccurate data have the potential to cause serious or irreparable harm to an individual's livelihood, privacy, and liberty and undermine efficient and effective business and government operations;

(9) there is a need to insure that data brokers conduct their operations in a manner that prioritizes fairness, transparency, accuracy, and respect for the privacy of consumers;

(10) government access to commercial data can potentially improve safety, law enforcement, and national security; and

(11) because government use of commercial data containing personal information potentially affects individual privacy, and law enforcement and national security operations, there is a need for Congress to exercise oversight over government use of commercial data.

SEC. 3. DEFINITIONS.

In this Act:

(1) AGENCY.—The term "agency" has the same meaning given such term in section 551 of title 5, United States Code.

(2) AFFILIATE.—The term "affiliate" means persons related by common ownership or by corporate control.

(3) BUSINESS ENTITY.—The term "business entity" means any organization, corporation, trust, partnership, sole proprietorship, unincorporated association, venture established to make a profit, or nonprofit, and any contractor, subcontractor, affiliate, or licensee thereof engaged in interstate commerce.

(4) IDENTITY THEFT.—The term "identity theft" means a violation of section 1028 of title 18, United States Code.

(5) DATA BROKER.—The term "data broker" means a business entity which for monetary fees or dues regularly engages in the practice of collecting, transmitting, or providing access to sensitive personally identifiable information on more than 5,000 individuals who are not the customers or employees of that business entity or affiliate primarily for the purposes of providing such information to nonaffiliated third parties on an interstate basis.

(6) DATA FURNISHER.—The term "data furnisher" means any agency, organization, corporation, trust, partnership, sole proprietorship, unincorporated association, or nonprofit that serves as a source of information for a data broker.

(7) PERSONAL ELECTRONIC RECORD.—

(A) IN GENERAL.—The term "personal electronic record" means data associated with an individual contained in a database, networked or integrated databases, or other data system that holds sensitive personally identifiable information of that individual and is provided to nonaffiliated third parties.

(B) EXCLUSIONS.—The term "personal electronic record" does not include—

(i) any data related to an individual's past purchases of consumer goods; or

(ii) any proprietary assessment or evaluation of an individual or any proprietary assessment or evaluation of information about an individual.

(8) PERSONALLY IDENTIFIABLE INFORMATION.—The term "personally identifiable information" means any information, or compilation of information, in electronic or digital form serving as a means of identification, as defined by section 1028(d)(7) of title 18, United State Code.

(9) PUBLIC RECORD SOURCE.—The term "public record source" means the Congress, any agency, any State or local government agency, the government of the District of Columbia and governments of the territories or possessions of the United States, and Federal, State or local courts, courts martial and military commissions, that maintain personally identifiable information in records available to the public.

(10) SECURITY BREACH.—

(A) IN GENERAL.—The term "security breach" means compromise of the security, confidentiality, or integrity of computerized data through misrepresentation or actions that result in, or there is a reasonable basis to conclude has resulted in, acquisition of or access to sensitive personally identifiable information that is unauthorized or in excess of authorization..

(B) EXCLUSION.—The term "security breach" does not include—

(i) a good faith acquisition of sensitive personally identifiable information by a business entity or agency, or an employee or agent of a business entity or agency, if the sensitive personally identifiable information is not subject to further unauthorized disclosure; or

(ii) the release of a public record, or information derived from a single public record, not otherwise subject to confidentiality or nondisclosure requirement, or information obtained from a news report or periodical.

(11) SENSITIVE PERSONALLY IDENTIFIABLE INFORMATION.—The term "sensitive personally identifiable information" means any information or compilation of information, in electronic or digital form that includes—

(A) an individual's first and last name or first initial and last name in combination with any 1 of the following data elements:

(i) A non-truncated social security number, driver's license number, passport number, or alien registration number.

(ii) Any 2 of the following:

(I) Home address or telephone number.

(II) Mother's maiden name, if identified as such.

(III) Month, day, and year of birth.

(iii) Unique biometric data such as a finger print, voice print, a retina or iris image, or any other unique physical representation.

(iv) A unique account identifier, electronic identification number, user name, or routing code in combination with any associated security code, access code, or password that is required for an individual to obtain money, goods, services, or any other thing of value; or

(B) a financial account number or credit or debit card number in combination with any security code, access code or password that is required for an individual to obtain credit, withdraw funds, or engage in a financial transaction.

TITLE I—ENHANCING PUNISHMENT FOR IDENTITY THEFT AND OTHER VIOLATIONS OF DATA PRIVACY AND SECURITY

SEC. 101. ORGANIZED CRIMINAL ACTIVITY IN CONNECTION WITH UNAUTHORIZED ACCESS TO PERSONALLY IDENTIFIABLE INFORMATION.

Section 1961(1) of title 18, United States Code, is amended by inserting "section 1030(a)(2)(D) (relating to fraud and related activity in connection with unauthorized access to sensitive personally identifiable information as defined in the Personal Data Privacy and Security Act of 2007," before "section 1084".

SEC. 102. CONCEALMENT OF SECURITY BREACHES INVOLVING SENSITIVE PERSONALLY IDENTIFIABLE INFORMATION.

(a) IN GENERAL.—Chapter 47 of title 18, United States Code, is amended by adding at the end the following:

"§ 1040. Concealment of security breaches involving sensitive personally identifiable information

"(a) Whoever, having knowledge of a security breach and of the obligation to provide notice of such breach to individuals under title III of the Personal Data Privacy and Security Act of 2007, and having not otherwise qualified for an exemption from providing notice under section 312 of such Act, intentionally and willfully conceals the fact of such security breach and which breach causes economic damage to 1 or more persons, shall be fined under this title or imprisoned not more than 5 years, or both.

"(b) For purposes of subsection (a), the term 'person' has the same meaning as in section 1030(e)(12) of title 18, United States Code.

"(c) Any person seeking an exemption under section 312(b) of the Personal Data Privacy and Security Act of 2007 shall be immune from prosecution under this section if the United States Secret Service does not indicate, in writing, that such notice be given under section 312(b)(3) of such Act".

(b) CONFORMING AND TECHNICAL AMENDMENTS.—The table of sections for chapter 47 of title 18, United States Code, is amended by adding at the end the following:

"1040. Concealment of security breaches involving personally identifiable information.".

(c) ENFORCEMENT AUTHORITY.—

(1) IN GENERAL.—The United States Secret Service shall have the authority to investigate offenses under this section.

(2) NON-EXCLUSIVITY.—The authority granted in paragraph (1) shall not be exclusive of any existing authority held by any other Federal agency.

SEC. 103. REVIEW AND AMENDMENT OF FEDERAL SENTENCING GUIDELINES RELATED TO FRAUDULENT ACCESS TO OR MISUSE OF DIGITIZED OR ELECTRONIC PERSONALLY IDENTIFIABLE INFORMATION.

(a) REVIEW AND AMENDMENT.—The United States Sentencing Commission, pursuant to its authority under section 994 of title 28, United States Code, and in accordance with this section, shall review and, if appropriate, amend the Federal sentencing guidelines (including its policy statements) applicable to persons convicted of using fraud to access, or misuse of, digitized or electronic personally identifiable information, including identity theft or any offense under—

(1) sections 1028, 1028A, 1030, 1030A, 2511, and 2701 of title 18, United States Code; and

(2) any other relevant provision.

(b) REQUIREMENTS.—In carrying out the requirements of this section, the United States Sentencing Commission shall—

(1) ensure that the Federal sentencing guidelines (including its policy statements) reflect—

(A) the serious nature of the offenses and penalties referred to in this Act;

(B) the growing incidences of theft and misuse of digitized or electronic personally identifiable information, including identity theft; and

(C) the need to deter, prevent, and punish such offenses;

(2) consider the extent to which the Federal sentencing guidelines (including its policy statements) adequately address violations of the sections amended by this Act to—

(A) sufficiently deter and punish such offenses; and

(B) adequately reflect the enhanced penalties established under this Act;

(3) maintain reasonable consistency with other relevant directives and sentencing guidelines;

(4) account for any additional aggravating or mitigating circumstances that might justify exceptions to the generally applicable sentencing ranges;

(5) consider whether to provide a sentencing enhancement for those convicted of the offenses described in subsection (a), if the conduct involves—

(A) the online sale of fraudulently obtained or stolen personally identifiable information;

(B) the sale of fraudulently obtained or stolen personally identifiable information to an individual who is engaged in terrorist activity or aiding other individuals engaged in terrorist activity; or

(C) the sale of fraudulently obtained or stolen personally identifiable information to finance terrorist activity or other criminal activities;

(6) make any necessary conforming changes to the Federal sentencing guidelines to ensure that such guidelines (including its policy statements) as described in subsection (a) are sufficiently stringent to deter, and adequately reflect crimes related to fraudulent access to, or misuse of, personally identifiable information; and

(7) ensure that the Federal sentencing guidelines adequately meet the purposes of sentencing under section 3553(a)(2) of title 18, United States Code.

(c) EMERGENCY AUTHORITY TO SENTENCING COMMISSION.—The United States Sentencing Commission may, as soon as practicable, promulgate amendments under this section in accordance with procedures established in section 21(a) of the Sentencing Act of 1987 (28 U.S.C. 994 note) as though the authority under that Act had not expired.

TITLE II—DATA BROKERS

SEC. 201. TRANSPARENCY AND ACCURACY OF DATA COLLECTION.

(a) IN GENERAL.—Data brokers engaging in interstate commerce are subject to the requirements of this title for any product or service offered to third parties that allows access or use of sensitive personally identifiable information.

(b) LIMITATION.—Notwithstanding any other provision of this title, this section shall not apply to—

(1) any product or service offered by a data broker engaging in interstate commerce where such product or service is currently subject to, and in compliance with, access and accuracy protections similar to those under subsections (c) through (f) of this section under the Fair Credit Reporting Act (Public Law 91–508);

(2) any data broker that is subject to regulation under the Gramm-Leach-Bliley Act (Public Law 106-102);

(3) any data broker currently subject to and in compliance with the data security requirements for such entities under the Health Insurance Portability and Accountability Act (Public Law 104–191), and its implementing regulations;

(4) information in a personal electronic record that—

(A) the data broker has identified as inaccurate, but maintains for the purpose of aiding the data broker in preventing inaccurate information from entering an individual's personal electronic record; and

(B) is not maintained primarily for the purpose of transmitting or otherwise providing that information, or assessments based on that information, to non-affiliated third parties; and

(5) information concerning proprietary methodologies, techniques, scores, or algorithms relating to fraud prevention not normally provided to third parties in the ordinary course of business.

(c) DISCLOSURES TO INDIVIDUALS.—

(1) IN GENERAL.—A data broker shall, upon the request of an individual, disclose to such individual for a reasonable fee all personal electronic records pertaining to that individual maintained specifically for disclosure to third parties that request information on that individual in the ordinary course of business in the databases or systems of the data broker at the time of such request.

(2) INFORMATION ON HOW TO CORRECT INACCURACIES.—The disclosures required under paragraph (1) shall also include guidance to individuals on procedures for correcting inaccuracies.

(d) ACCURACY RESOLUTION PROCESS.—

(1) INFORMATION FROM A PUBLIC RECORD OR LICENSOR.—

(A) IN GENERAL.—If an individual notifies a data broker of a dispute as to the completeness or accuracy of information disclosed to such individual under subsection (c) that is obtained from a public record source or a license agreement, such data broker shall determine within 30 days whether the information in its system accurately and completely records the information available from the public record source or licensor.

(B) DATA BROKER ACTIONS.—If a data broker determines under subparagraph (A) that the information in its systems does not accurately and completely record the information available from a public record source or licensor, the data broker shall—

(i) correct any inaccuracies or incompleteness, and provide to such individual written notice of such changes; and

(ii) provide such individual with the contact information of the public record or licensor.

(2) INFORMATION NOT FROM A PUBLIC RECORD SOURCE OR LICENSOR.—If an individual notifies a data broker of a dispute as to the completeness or accuracy of information not from a public record or licensor that was disclosed to the individual under subsection (c), the data broker shall, within 30 days of receiving notice of such dispute—

(A) review and consider free of charge any information submitted by such individual that is relevant to the completeness or accuracy of the disputed information; and

(B) correct any information found to be incomplete or inaccurate and provide notice to such individual of whether and what information was corrected, if any.

(3) EXTENSION OF REVIEW PERIOD.—The 30-day period described in paragraph (1) may be extended for not more than 30 additional days if a data broker receives information from the individual during the initial 30-day period that is relevant to the completeness or accuracy of any disputed information.

(4) NOTICE IDENTIFYING THE DATA FURNISHER.—If the completeness or accuracy of any information not from a public record source or licensor that was disclosed to an individual under subsection (c) is disputed by such individual, the data broker shall provide, upon the request of such individual, the contact information of any data furnisher that provided the disputed information.

(5) DETERMINATION THAT DISPUTE IS FRIVOLOUS OR IRRELEVANT.—

(A) IN GENERAL.—Notwithstanding paragraphs (1) through (3), a data broker may decline to investigate or terminate a review of information disputed by an individual under those paragraphs if the data broker reasonably determines that the dispute by the individual is frivolous or intended to perpetrate fraud.

(B) NOTICE.—A data broker shall notify an individual of a determination under subparagraph (A) within a reasonable time by any means available to such data broker.

SEC. 202. ENFORCEMENT.

(a) CIVIL PENALTIES.—

(1) PENALTIES.—Any data broker that violates the provisions of section 201 shall be subject to civil penalties of not more than $1,000 per violation per day while such violations persist, up to a maximum of $250,000 per violation.

(2) INTENTIONAL OR WILLFUL VIOLATION.—A data broker that intentionally or willfully violates the provisions of section 201 shall be subject to additional penalties in the amount of $1,000 per violation per day, to a maximum of an additional $250,000 per violation, while such violations persist.

(3) EQUITABLE RELIEF.—A data broker engaged in interstate commerce that violates this section may be enjoined from further violations by a court of competent jurisdiction.

(4) OTHER RIGHTS AND REMEDIES.—The rights and remedies available under this subsection are cumulative and shall not affect any other rights and remedies available under law.

(b) FEDERAL TRADE COMMISSION AUTHORITY.—Any data broker shall have the provisions of this title enforced against it by the Federal Trade Commission.

(c) STATE ENFORCEMENT.—

(1) CIVIL ACTIONS.—In any case in which the attorney general of a State or any State or local law enforcement agency authorized by the State attorney general or by State statute to prosecute violations of consumer protection law, has reason to believe that an interest of the residents of that State has been or is threatened or adversely affected by the acts or practices of a data broker that violate this title, the State may bring a civil action on behalf of the residents. of that State in a district court of the United States of appropriate jurisdiction, or any other court of competent jurisdiction, to—

(A) enjoin that act or practice;

(B) enforce compliance with this title; or

(C) obtain civil penalties of not more than $1,000 per violation per day while such violations persist, up to a maximum of $250,000 per violation.

(2) NOTICE.—

(A) IN GENERAL.—Before filing an action under this subsection, the attorney general of the State involved shall provide to the Federal Trade Commission—

(i) a written notice of that action; and

(ii) a copy of the complaint for that action.

(B) EXCEPTION.—Subparagraph (A) shall not apply with respect to the filing of an action by an attorney general of a State under this subsection, if the attorney general of a State determines that it is not feasible to provide the notice described in subparagraph (A) before the filing of the action.

(C) NOTIFICATION WHEN PRACTICABLE.—In an action described under subparagraph (B), the attorney general of a State shall provide the written notice and the copy of the complaint to the Federal Trade Commission as soon after the filing of the complaint as practicable.

(3) FEDERAL TRADE COMMISSION AUTHORITY.—Upon receiving notice under paragraph (2), the Federal Trade Commission shall have the right to—

(A) move to stay the action, pending the final disposition of a pending Federal proceeding or action as described in paragraph (4);

(B) intervene in an action brought under paragraph (1); and

(C) file petitions for appeal.

(4) PENDING PROCEEDINGS.—If the Federal Trade Commission has instituted a proceeding or civil action for a violation of this title, no attorney general of a State may, during the pendency of such proceeding or civil action, bring an action under this subsection against any defendant named in such civil action for any violation that is alleged in that civil action.

(5) RULE OF CONSTRUCTION.—For purposes of bringing any civil action under paragraph (1), nothing in this title shall be construed to prevent an attorney general of a State from exercising the powers conferred on the attorney general by the laws of that State to—

(A) conduct investigations;

(B) administer oaths and affirmations; or

(C) compel the attendance of witnesses or the production of documentary and other evidence.

(6) VENUE; SERVICE OF PROCESS.—

(A) VENUE.—Any action brought under this subsection may be brought in the district court of the United States that meets applicable requirements relating to venue under section 1391 of title 28, United States Code.

(B) SERVICE OF PROCESS.—In an action brought under this subsection process may be served in any district in which the defendant—

(i) is an inhabitant; or

(ii) may be found.

(d) NO PRIVATE CAUSE OF ACTION.—Nothing in this title establishes a private cause of action against a data broker for violation of any provision of this title.

SEC. 203. RELATION TO STATE LAWS.

No requirement or prohibition may be imposed under the laws of any State with respect to any subject matter regulated under section 201, relating to individual access to, and correction of, personal electronic records held by data brokers.

SEC. 204. EFFECTIVE DATE.

This title shall take effect 180 days after the date of enactment of this Act.

TITLE III—PRIVACY AND SECURITY OF PERSONALLY IDENTIFIABLE INFORMATION

Subtitle A—A Data Privacy and Security Program

SEC. 301. PURPOSE AND APPLICABILITY OF DATA PRIVACY AND SECURITY PROGRAM.

(a) PURPOSE.—The purpose of this subtitle is to ensure standards for developing and implementing administrative, technical, and physical safeguards to protect the security of sensitive personally identifiable information.

(b) IN GENERAL.—A business entity engaging in interstate commerce that involves collecting, accessing, transmitting, using, storing, or disposing of sensitive personally identifiable information in electronic or digital form on 10,000 or more United States persons is subject to the requirements for a data privacy and security program under section 302 for protecting sensitive personally identifiable information.

(c) LIMITATIONS.—Notwithstanding any other obligation under this subtitle, this subtitle does not apply to:

(1) FINANCIAL INSTITUTIONS.—Financial institutions—

(A) subject to the data security requirements and implementing regulations under the Gramm-Leach-Bliley Act (15 U.S.C. 6801 et seq.); and

(B) subject to—

(i) examinations for compliance with the requirements of this Act by a Federal Functional Regulator or State Insurance Authority (as those terms are defined in section 509 of the Gramm-Leach-Bliley Act (15 U.S.C. 6809)); or

(ii) compliance with part 314 of title 16, Code of Federal Regulations.

(2) HIPPA REGULATED ENTITIES.—

(A) COVERED ENTITIES.—Covered, entities subject to the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1301 et seq.), including the data security requirements and implementing regulations of that Act.

(B) BUSINESS ENTITIES.—A business entity shall be deemed in compliance with the privacy and security program requirements under section 302 if the business entity is acting as a "business associate" as that term is defined in the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1301 et. seq.) and is in compliance with requirements imposed under that Act and its implementing regulations.

(3) PUBLIC RECORDS.—Public records not otherwise subject to a confidentiality or nondisclosure requirement, or information obtained from a news report or periodical.

(d) SAFE HARBORS.—

(1) IN GENERAL.—A business entity shall be deemed in compliance with the privacy and security program requirements under section 302 if the business entity complies with or provides protection equal to industry standards, as identified by the Federal Trade Commission, that are applicable to the type of sensitive personally identifiable information involved in the ordinary course of business of such business entity.

(2) LIMITATION.—Nothing in this subsection shall be construed to permit, and nothing does permit, the Federal Trade Commission to issue regulations requiring, or according greater legal status to, the implementation of or application of a specific technology or technological specifications for meeting the requirements of this title.

SEC. 302. REQUIREMENTS FOR A PERSONAL DATA PRIVACY AND SECURITY PROGRAM.

(a) PERSONAL DATA PRIVACY AND SECURITY PROGRAM.—A business entity subject to this subtitle shall comply with the following safeguards and any other administrative, technical, or physical safeguards identified by the Federal Trade Commission in a rulemaking process pursuant to section 553 of title 5, United States Code, for the protection of sensitive personally identifiable information:

(1) SCOPE.—A business entity shall implement a comprehensive personal data privacy and security program that includes administrative, technical, and physical safeguards appropriate to the size and complexity of the business entity and the nature and scope of its activities.

(2) DESIGN.—The personal data privacy and security program shall be designed to—

(A) ensure the privacy, security, and confidentiality of sensitive personally identifying information;

(B) protect against any anticipated vulnerabilities to the privacy, security, or integrity of sensitive personally identifying information; and

(C) protect against unauthorized access to use of sensitive personally identifying information that could result in substantial harm or inconvenience to any individual.

(3) RISK ASSESSMENT.—A business entity shall—

(A) identify reasonably foreseeable internal and external vulnerabilities that could result in unauthorized access, disclosure, use, or alteration of sensitive personally identifiable information or systems containing sensitive personally identifiable information;

(B) assess the likelihood of and potential damage from unauthorized access, disclosure, use, or alteration of sensitive personally identifiable information;

(C) assess the sufficiency of its policies, technologies, and safeguards in place to control and minimize risks from unauthorized access, disclosure, use, or alteration of sensitive personally identifiable information; and

(D) assess the vulnerability of sensitive personally identifiable information during destruction and disposal of such information, including through the disposal or retirement of hardware.

(4) RISK MANAGEMENT AND CONTROL.—Each business entity shall—

(A) design its personal data privacy and security program to control the risks identified under paragraph (3); and

(B) adopt measures commensurate with the sensitivity of the data as well as the size, complexity, and scope of the activities of the business entity that—

(i) control access to systems and facilities containing sensitive personally identifiable information, including controls to authenticate and permit access only to authorized individuals;

(ii) detect actual and attempted fraudulent, unlawful, or unauthorized access, disclosure, use, or alteration of sensitive personally identifiable information, including by employees and other individuals otherwise authorized to have access;

(iii) protect sensitive personally identifiable information during use, transmission, storage, and disposal by encryption or other reasonable means (including as directed for disposal of records under section 628 of the Fair Credit Reporting Act (15 U.S.C. 1681w) and the implementing regulations of such Act as set forth in section 682 of title 16, Code of Federal Regulations); and

(iv) ensure that sensitive personally identifiable information is properly destroyed and disposed of, including during the destruction of computers, diskettes, and other electronic media that contain sensitive personally identifiable information.

(b) TRAINING.—Each business entity subject to this subtitle shall take steps to ensure employee training and supervision for implementation of the data security program of the business entity.

(c) VULNERABILITY TESTING.—

(1) IN GENERAL.—Each business entity subject to this subtitle shall take steps to ensure regular testing of key controls, systems, and procedures of the personal data privacy and security program to detect, prevent, and respond to attacks or intrusions, or other system failures.

(2) FREQUENCY.—The frequency and nature of the tests required under paragraph (1) shall be determined by the risk assessment of the business entity under subsection (a)(3).

(d) RELATIONSHIP TO SERVICE PROVIDERS.—In the event a business entity subject to this subtitle engages service providers not subject to this subtitle, such business entity shall—

(1) exercise appropriate due diligence in selecting those service providers for responsibilities related to sensitive personally identifiable information, and take reasonable steps to select and retain service providers that are capable of maintaining appropriate safeguards for the security, privacy, and integrity of the sensitive personally identifiable information at issue; and

(2) require those service providers by contract to implement and maintain appropriate measures designed to meet the objectives and requirements governing entities subject to section 301, this section, and subtitle B.

(e) PERIODIC ASSESSMENT AND PERSONAL DATA PRIVACY AND SECURITY MODERNIZATION.—Each business entity subject to this subtitle shall on a regular basis monitor, evaluate, and adjust, as appropriate its data privacy and security program in light of any relevant changes in—

(1) technology;

(2) the sensitivity of personally identifiable information;

(3) internal or external threats to personally identifiable information; and

(4) the changing business arrangements of the business entity, such as—

(A) mergers and acquisitions;

(B) alliances and joint ventures;

(C) outsourcing arrangements;

(D) bankruptcy; and

(E) changes to sensitive personally identifiable information systems.

(f) IMPLEMENTATION TIME LINE.—Not later than 1 year after the date of enactment of this Act, a business entity subject to the provisions of this subtitle shall implement a data privacy and security program pursuant to this subtitle.

SEC. 303. ENFORCEMENT.

(a) CIVIL PENALTIES.—

(1) IN GENERAL.—Any business entity that violates the provisions of sections 301 or 302 shall be subject to civil penalties of not more than $5,000 per violation per day while such a violation exists, with a maximum of $500,000 per violation.

(2) INTENTIONAL OR WILLFUL VIOLATION.—A business entity that intentionally or willfully violates the provisions of sections 301 or 302 shall be subject to additional penalties in the amount of $5,000 per violation per day while such a violation exists, with a maximum of an additional $500,000 per violation.

(3) EQUITABLE RELIEF.—A business entity engaged in interstate commerce that violates this section may be enjoined from further violations by a court of competent jurisdiction.

(4) OTHER RIGHTS AND REMEDIES.—The rights and remedies available under this section are cumulative and shall not affect any other rights and remedies available under law.

(b) FEDERAL TRADE COMMISSION AUTHORITY.—Any data broker shall have the provisions of this subtitle enforced against it by the Federal Trade Commission.

(c) STATE ENFORCEMENT.—

(1) CIVIL ACTIONS.—In any case in which the attorney general of a State or any State or local law enforcement agency authorized by the State attorney general or by State statute to prosecute violations of consumer protection law, has reason to believe that an interest of the residents of that State has been or is threatened or adversely affected by the acts or practices of a data broker that violate this subtitle, the State may bring a civil action on behalf of the residents of that State in a district court of the United States of appropriate jurisdiction, or any other court of competent jurisdiction, to—

(A) enjoin that act or practice;

(B) enforce compliance with this subtitle; or

(C) obtain civil penalties of not more than $5,000 per violation per day while such violations persist, up to a maximum of $500,000 per violation.

(2) NOTICE.—

(A) IN GENERAL.—Before filing an action under this subsection, the attorney general of the State involved shall provide to the Federal Trade Commission—

(i) a written notice of that action; and

(ii) a copy of the complaint for that action.

(B) EXCEPTION.—Subparagraph (A) shall not apply with respect to the filing of an action by an attorney general of a State under this subsection, if the attorney general of a State determines that it is not feasible to provide the notice described in this subparagraph before the filing of the action.

(C) NOTIFICATION WHEN PRACTICABLE.—In an action described under subparagraph (B), the attorney general of a State shall provide the written notice and the copy of the complaint to the Federal Trade Commission as soon after the filing of the complaint as practicable.

(3) FEDERAL TRADE COMMISSION AUTHORITY.—Upon receiving notice under paragraph (2), the Federal Trade Commission shall have the right to—

(A) move to stay the action, pending the final disposition of a pending Federal proceeding or action as described in paragraph (4);

(B) intervene in an action brought under paragraph (1); and

(C) file petitions for appeal.

(4) PENDING PROCEEDINGS.—If the Federal Trade Commission has instituted a proceeding or action for a violation of this subtitle or any regulations thereunder, no attorney general of a State may, during the pendency of such proceeding or action, bring an action under this subsection against any defendant named in such criminal proceeding or civil action for any violation that is alleged in that proceeding or action.

(5) RULE OF CONSTRUCTION.—For purposes of bringing any civil action under paragraph (1) nothing in this subtitle shall be construed to prevent an attorney general of a State from exercising the powers conferred on the attorney general by the laws of that State to—

(A) conduct investigations;

(B) administer oaths and affirmations; or

(C) compel the attendance of witnesses or the production of documentary and other evidence.

(6) VENUE; SERVICE OF PROCESS.—

(A) VENUE.—Any action brought under this subsection may be brought in the district court of the United States that meets applicable requirements relating to venue under section 1391 of title 28, United States Code.

(B) SERVICE OF PROCESS.—In an action brought under this subsection process may be served in any district in which the defendant—

(i) is an inhabitant; or

(ii) may be found.

(d) NO PRIVATE CAUSE OF ACTION.—Nothing in this subtitle establishes a private cause of action against a business entity for violation of any provision of this subtitle.

SEC. 304. RELATION TO OTHER LAWS.

(a) IN GENERAL.—No State may require any business entity subject to this subtitle to comply with any requirements with respect to administrative, technical, and physical safeguards for the protection of sensitive personally identifying information.

(b) LIMITATIONS.—Nothing in this subtitle shall be construed to modify, limit, or supersede the operation of the Gramm-Leach-Bliley Act or its implementing regulations, including those adopted or enforced by States.

Subtitle B—Security Breach Notification

SEC. 311. NOTICE TO INDIVIDUALS.

(a) IN GENERAL.—Any agency, or business entity engaged in interstate commerce, that uses, accesses, transmits, stores, disposes of or collects sensitive personally identifiable information shall, following the discovery of a security breach of the systems or databases of such agency or business entity notify any resident of the United States whose sensitive personally identifiable information has been, or is reasonably believed to have been, accessed, or acquired.

(b) Obligation of Owner or Licensee.—

(1) Notice to owner or licensee.—Any agency, or business entity engaged in interstate commerce, that uses, accesses, transmits, stores, disposes of, or collects sensitive personally identifiable information that the agency or business entity does not own or license shall notify the owner or licensee of the information following the discovery of a security breach involving such information.

(2) Notice by owner, licensee or other designated third party.—Nothing in this subtitle shall prevent or abrogate an agreement between an agency or business entity required to give notice under this section and a designated third party, including an owner or licensee of the sensitive personally identifiable information subject to the security breach, to provide the notifications required under subsection (a).

(3) Business entity relieved from giving notice.—A business entity obligated to give notice under subsection (a) shall be relieved of such obligation if an owner or licensee of the sensitive personally identifiable information subject to the security breach, or other designated third party, provides such notification.

(c) Timeliness of Notification.—

(1) In general.—All notifications required under this section shall be made without unreasonable delay following the discovery by the agency or business entity of a security breach.

(2) Reasonable delay.—Reasonable delay under this subsection may include any time necessary to determine the scope of the security breach, prevent further disclosures, and restore the reasonable integrity of the data system and provide notice to law enforcement when required.

(3) Burden of proof.—The agency, business entity, owner, or licensee required to provide notification under this section shall have the burden of demonstrating that all notifications were made as required under this subtitle, including evidence demonstrating the reasons for any delay.

(d) Delay of Notification Authorized for Law Enforcement Purposes.—

(1) In general.—If a Federal law enforcement agency determines that the notification required under this section would impede a criminal investigation, such notification shall be delayed upon written notice from such Federal law enforcement agency to the agency or business entity that experienced the breach.

(2) Extended delay of notification.—If the notification required under subsection (a) is delayed pursuant to paragraph (1), an agency or business entity shall give notice 30 days after the day such law enforcement delay was invoked unless a Federal law enforcement agency provides written notification that further delay is necessary.

(3) Law enforcement immunity.—No cause of action shall lie in any court against any law enforcement agency for acts relating to the delay of notification for law enforcement purposes under this subtitle.

SEC. 312. EXEMPTIONS.

(a) Exemption for National Security and Law Enforcement.—

(1) In general.—Section 311 shall not apply to an agency or business entity if the agency or business entity certifies, in writing, that notification of the security breach as required by section 311 reasonably could be expected to—

(A) cause damage to the national security; or

(B) hinder a law enforcement investigation or the ability of the agency to conduct law enforcement investigations.

(2) Limits on certifications.—An agency may not execute a certification under paragraph (1) to—

(A) conceal violations of law, inefficiency, or administrative error;

(B) prevent embarrassment to a business entity, organization, or agency; or

(C) restrain competition.

(3) Notice.—In every case in which an agency issues a certification under paragraph (1), the certification, accompanied by a description of the factual basis for the certification, shall be immediately provided to the United States Secret Service.

(b) Safe Harbor.—An agency or business entity will be exempt from the notice requirements under section 311, if—

(1) a risk assessment concludes that there is no significant risk that the security breach has resulted in, or will result in, harm to the individuals whose sensitive personally identifiable information was subject to the security breach;

(2) without unreasonable delay, but not later than 45 days after the discovery of a security breach, unless extended by the United States Secret Service, the agency or business entity notifies the United States Secret Service, in writing, of—

(A) the results of the risk assessment; and

(B) its decision to invoke the risk assessment exemption; and

(3) the United States Secret Service does not indicate, in writing, within 10 days from receipt of the decision, that notice should be given.

(c) Financial Fraud Prevention Exemption.—

(1) In general.—A business entity will be exempt from the notice requirement under section 311 if the business entity utilizes or participates in a security program that—

(A) is designed to block the use of the sensitive personally identifiable information to initiate unauthorized financial transactions before they are charged to the account of the individual; and

(B) provides for notice to affected individuals after a security breach that has resulted in fraud or unauthorized transactions.

(2) Limitation.—The exemption by this subsection does not apply if the information subject to the security breach includes sensitive personally identifiable information in addition to the sensitive personally identifiable information identified in section 3.

SEC. 313. METHODS OF NOTICE.

An agency, or business entity shall be in compliance with section 311 if it provides both:

(1) Individual notice.—

(A) Written notification to the last known home mailing address of the individual in the records of the agency or business entity;

(B) Telephone notice to the individual personally; or

(C) Electronic notice, if the primary method used by the agency or business entity to communicate with the individual is by electronic means, or the individual has consented to receive such notice and the notice is consistent with the provisions permitting electronic transmission of notices under section 101 of the Electronic Signatures in Global and National Commerce Act (15 U.S.C. 7001).

(2) Media notice.—Notice to major media outlets serving a State or jurisdiction, if the number of residents of such State whose sensitive personally identifiable information was, or is reasonably believed to have been, acquired by an unauthorized person exceeds 5,000.

SEC. 314. CONTENT OF NOTIFICATION.

(a) In General.—Regardless of the method by which notice is provided to individuals under section 313, such notice shall include, to the extent possible—

(1) a description of the categories of sensitive personally identifiable information that was, or is reasonably believed to have been, acquired by an unauthorized person;

(2) a toll-free number or, if the primary method used by the agency or business entity to communicate with the individual is by electronic means, an electronic mail address—

(A) that the individual may use to contact the agency or business entity, or the agent of the agency or business entity; and

(B) from which the individual may learn what types of sensitive personally identifiable information the agency or business entity maintained about that individual; and

(3) the toll-free contact telephone numbers and addresses for the major credit reporting agencies.

(b) Additional Content.—Notwithstanding section 319, a State may require that a notice under subsection (a) shall also include information regarding victim protection assistance provided for by that State.

SEC. 315. COORDINATION OF NOTIFICATION WITH CREDIT REPORTING AGENCIES.

If an agency or business entity is required to provide notification to more than 1,000 individuals under section 311(a), the agency or business entity shall also notify, without unreasonable delay, all consumer reporting agencies that compile and maintain files on consumers on a nationwide basis (as defined in section 603(p) of the Fair Credit Reporting Act (15 U.S.C. 1681a(p)) of the timing and distribution of the notices.

SEC. 316. NOTICE TO LAW ENFORCEMENT.

(a) Secret Service.—Any business entity or agency shall give notice of a security breach to the United States Secret Service if—

(1) the number of individuals whose sensitive personally identifying information was, or is reasonably believed to have been acquired by an unauthorized person exceeds 10,000;

(2) the security breach involves a database, networked or integrated databases, or other data system containing the sensitive personally identifiable information of more than 1,000,000 individuals nationwide;

(3) the security breach involves databases owned by the Federal Government; or

(4) the security breach involves primarily sensitive personally identifiable information of individuals known to the agency or business entity to be employees and contractors of the Federal Government involved in national security or law enforcement.

(b) Notice to Other Law Enforcement Agencies.—The United States Secret Service shall be responsible for notifying—

(1) the Federal Bureau of Investigation, if the security breach involves espionage, foreign counterintelligence, information protected against unauthorized disclosure for reasons of national defense or foreign relations, or Restricted Data (as that term is defined in section 11y of the Atomic Energy Act of 1954 (42 U.S.C. 2014(y)), except for offenses affecting the duties of the United

States Secret Service under section 3056(a) of title 18, United States Code;

(2) the United States Postal Inspection Service, if the security breach involves mail fraud; and

(3) the attorney general of each State affected by the security breach.

(c) 14-DAY RULE.—The notices to Federal law enforcement and the attorney general of each State affected by a security breach required under this section shall be delivered as promptly as possible, but not later than 14 days after discovery of the events requiring notice.

SEC. 317. ENFORCEMENT.

(a) CIVIL ACTIONS BY THE ATTORNEY GENERAL.—The Attorney General may bring a civil action in the appropriate United States district court against any business entity that engages in conduct constituting a violation of this subtitle and, upon proof of such conduct by a preponderance of the evidence, such business entity shall be subject to a civil penalty of not more than $1,000 per day per individual whose sensitive personally identifiable information was, or is reasonably believed to have been, accessed or acquired by an unauthorized person, up to a maximum of $1,000,000 per violation, unless such conduct is found to be willful or intentional.

(b) INJUNCTIVE ACTIONS BY THE ATTORNEY GENERAL.—

(1) IN GENERAL.—If it appears that a business entity has engaged, or is engaged, in any act or practice constituting a violation of this subtitle, the Attorney General may petition an appropriate district court of the United States for an order—

(A) enjoining such act or practice; or

(B) enforcing compliance with this subtitle.

(2) ISSUANCE OF ORDER.—A court may issue an order under paragraph (1), if the court finds that the conduct in question constitutes a violation of this subtitle.

(c) OTHER RIGHTS AND REMEDIES.—The rights and remedies available under this subtitle are cumulative and shall not affect any other rights and remedies available under law.

(d) FRAUD ALERT.—Section 605A(b)(1) of the Fair Credit Reporting Act (15 U.S.C. 1681c-1(b)(1)) is amended by inserting ", or evidence that the consumer has received notice that the consumer's financial information has or may have been compromised," after "identity theft report".

SEC. 318. ENFORCEMENT BY STATE ATTORNEYS GENERAL.

(a) IN GENERAL.—

(1) CIVIL ACTIONS.—In any case in which the attorney general of a State or any State or local law enforcement agency authorized by the State attorney general or by State statute to prosecute violations of consumer protection law, has reason to believe that an interest of the residents of that State has been or is threatened or adversely affected by the engagement of a business entity in a practice that is prohibited under this subtitle, the State or the State or local law enforcement agency on behalf of the residents of the agency's jurisdiction, may bring a civil action on behalf of the residents of the State or jurisdiction in a district court of the United States of appropriate jurisdiction or any other court of competent jurisdiction, including a State court, to—

(A) enjoin that practice;

(B) enforce compliance with this subtitle; or

(C) civil penalties of not more than $1,000 per day per individual whose sensitive personally identifiable information was, or is reasonably believed to have been, accessed or acquired by an unauthorized person, up to a maximum of $1,000,000 per violation, unless such conduct is found to be willful or intentional.

(2) NOTICE.—

(A) IN GENERAL.—Before filing an action under paragraph (1), the attorney general of the State involved shall provide to the Attorney General of the United States—

(i) written notice of the action; and

(ii) a copy of the complaint for the action.

(B) EXEMPTION.—

(i) IN GENERAL.—Subparagraph (A) shall not apply with respect to the filing of an action by an attorney general of a State under this subtitle, if the State attorney general determines that it is not feasible to provide the notice described in such subparagraph before the filing of the action.

(ii) NOTIFICATION.—In an action described in clause (i), the attorney general of a State shall provide notice and a copy of the complaint to the Attorney General at the time the State attorney general files the action.

(b) FEDERAL PROCEEDINGS.—Upon receiving notice under subsection (a)(2), the Attorney General shall have the right to—

(1) move to stay the action, pending the final disposition of a pending Federal proceeding or action;

(2) initiate an action in the appropriate United States district court under section 317 and move to consolidate all pending actions, including State actions, in such court;

(3) intervene in an action brought under subsection (a)(2); and

(4) file petitions for appeal.

(c) PENDING PROCEEDINGS.—If the Attorney General has instituted a proceeding or action for a violation of this subtitle or any regulations thereunder, no attorney general of a State may, during the pendency of such proceeding or action, bring an action under this subtitle against any defendant named in such criminal proceeding or civil action for any violation that is alleged in that proceeding or action.

(d) CONSTRUCTION.—For purposes of bringing any civil action under subsection (a), nothing in this subtitle regarding notification shall be construed to prevent an attorney general of a State from exercising the powers conferred on such attorney general by the laws of that State to—

(1) conduct investigations;

(2) administer oaths or affirmations; or

(3) compel the attendance of witnesses or the production of documentary and other evidence.

(e) VENUE; SERVICE OF PROCESS.—

(1) VENUE.—Any action brought under subsection (a) may be brought in—

(A) the district court of the United States that meets applicable requirements relating to venue under section 1391 of title 28, United States Code; or

(B) another court of competent jurisdiction.

(2) SERVICE OF PROCESS.—In an action brought under subsection (a), process may be served in any district in which the defendant—

(A) is an inhabitant; or

(B) may be found.

(f) NO PRIVATE CAUSE OF ACTION.—Nothing in this subtitle establishes a private cause of action against a business entity for violation of any provision of this subtitle.

SEC. 319. EFFECT ON FEDERAL AND STATE LAW.

The provisions of this subtitle shall supersede any other provision of Federal law or any provision of law of any State relating to notification of a security breach, except as provided in section 314(b).

SEC. 320. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to cover the costs incurred by the United States Secret Service to carry out investigations and risk assessments of security breaches as required under this subtitle.

SEC. 321. REPORTING ON RISK ASSESSMENT EXEMPTIONS.

The United States Secret Service shall report to Congress not later than 18 months after the date of enactment of this Act, and upon the request by Congress thereafter, on—

(1) the number and nature of the security breaches described in the notices filed by those business entities invoking the risk assessment exemption under section 312(b) and the response of the United States Secret Service to such notices; and

(2) the number and nature of security breaches subject to the national security and law enforcement exemptions under section 312(a), provided that such report may not disclose the contents of any risk assessment provided to the United States Secret Service pursuant to this subtitle.

SEC. 322. EFFECTIVE DATE.

This subtitle shall take effect on the expiration of the date which is 90 days after the date of enactment of this Act.

TITLE IV—GOVERNMENT ACCESS TO AND USE OF COMMERCIAL DATA

SEC. 401. GENERAL SERVICES ADMINISTRATION REVIEW OF CONTRACTS.

(a) IN GENERAL.—In considering contract awards totaling more than $500,000 and entered into after the date of enactment of this Act with data brokers, the Administrator of the General Services Administration shall evaluate—

(1) the data privacy and security program of a data broker to ensure the privacy and security of data containing personally identifiable information, including whether such program adequately addresses privacy and security threats created by malicious software or code, or the use of peer-to-peer file sharing software;

(2) the compliance of a data broker with such program;

(3) the extent to which the databases and systems containing personally identifiable information of a data broker have been compromised by security breaches; and

(4) the response by a data broker to such breaches, including the efforts by such data broker to mitigate the impact of such security breaches.

(b) COMPLIANCE SAFE HARBOR.—The data privacy and security program of a data broker shall be deemed sufficient for the purposes of subsection (a), if the data broker complies with or provides protection equal to industry standards, as identified by the Federal Trade Commission, that are applicable to the type of personally identifiable information involved in the ordinary course of business of such data broker.

(c) PENALTIES.—In awarding contracts with data brokers for products or services related to access, use, compilation, distribution, processing, analyzing, or evaluating personally identifiable information, the Administrator of the General Services Administration shall—

(1) include monetary or other penalties—

(A) for failure to comply with subtitles A and B of title III; or

(B) if a contractor knows or has reason to know that the personally identifiable information being provided is inaccurate, and provides such inaccurate information; and

(2) require a data broker that engages service providers not subject to subtitle A of title III for responsibilities related to sensitive personally identifiable information to—

(A) exercise appropriate due diligence in selecting those service providers for responsibilities related to personally identifiable information;

(B) take reasonable steps to select and retain service providers that are capable of maintaining appropriate safeguards for the security, privacy, and integrity of the personally identifiable information at issue; and

(C) require such service providers, by contract, to implement and maintain appropriate measures designed to meet the objectives and requirements in title III.

(d) LIMITATION.—The penalties under subsection (c) shall not apply to a data broker providing information that is accurately and completely recorded from a public record source or licensor.

SEC. 402. REQUIREMENT TO AUDIT INFORMATION SECURITY PRACTICES OF CONTRACTORS AND THIRD PARTY BUSINESS ENTITIES.

Section 3544(b) of title 44, United States Code, is amended—

(1) in paragraph (7)(C)(iii), by striking "and" after the semicolon;

(2) in paragraph (8), by striking the period and inserting "; and"; and

(3) by adding at the end the following:

"(9) procedures for evaluating and auditing the information security practices of contractors or third party business entities supporting the information systems or operations of the agency involving personally identifiable information (as that term is defined in section 3 of the Personal Data Privacy and Security Act of 2007) and ensuring remedial action to address any significant deficiencies.".

SEC. 403. PRIVACY IMPACT ASSESSMENT OF GOVERNMENT USE OF COMMERCIAL INFORMATION SERVICES CONTAINING PERSONALLY IDENTIFIABLE INFORMATION.

(a) IN GENERAL.—Section 208(b)(1) of the E-Government Act of 2002 (44 U.S.C. 3501 note) is amended—

(1) in subparagraph (A)(i), by striking "or"; and

(2) in subparagraph (A)(ii), by striking the period and inserting "; or"; and

(3) by inserting after clause (ii) the following:

"(iii) purchasing or subscribing for a fee to personally identifiable information from a data broker (as such terms are defined in section 3 of the Personal Data Privacy and Security Act of 2007).".

(b) LIMITATION.—Notwithstanding any other provision of law, commencing 1 year after the date of enactment of this Act, no Federal agency may enter into a contract with a data broker to access for a fee any database consisting primarily of personally identifiable information concerning United States persons (other than news reporting or telephone directories) unless the head of such department or agency—

(1) completes a privacy impact assessment under section 208 of the E-Government Act of 2002 (44 U.S.C. 3501 note), which shall subject to the provision in that Act pertaining to sensitive information, include a description of—

(A) such database;

(B) the name of the data broker from whom it is obtained; and

(C) the amount of the contract for use;

(2) adopts regulations that specify—

(A) the personnel permitted to access, analyze, or otherwise use such databases;

(B) standards governing the access, analysis, or use of such databases;

(C) any standards used to ensure that the personally identifiable information accessed, analyzed, or used is the minimum necessary to accomplish the intended legitimate purpose of the Federal agency;

(D) standards limiting the retention and redisclosure of personally identifiable information obtained from such databases;

(E) procedures ensuring that such data meet standards of accuracy, relevance, completeness, and timeliness;

(F) the auditing and security measures to protect against unauthorized access, analysis, use, or modification of data in such databases;

(G) applicable mechanisms by which individuals may secure timely redress for any adverse consequences wrongly incurred due to the access, analysis, or use of such databases;

(H) mechanisms, if any, for the enforcement and independent oversight of existing or planned procedures, policies, or guidelines; and

(I) an outline of enforcement mechanisms for accountability to protect individuals and the public against unlawful or illegitimate access or use of databases; and

(3) incorporates into the contract or other agreement totaling more than $500,000, provisions—

(A) providing for penalties—

(i) for failure to comply with title III of this Act; or

(ii) if the entity knows or has reason to know that the personally identifiable information being provided to the Federal department or agency is inaccurate, and provides such inaccurate information; and

(B) requiring a data broker that engages service providers not subject to subtitle A of title III for responsibilities related to sensitive personally identifiable information to—

(i) exercise appropriate due diligence in selecting those service providers for responsibilities related to personally identifiable information;

(ii) take reasonable steps to select and retain service providers that are capable of maintaining appropriate safeguards for the security, privacy, and integrity of the personally identifiable information at issue; and

(iii) require such service providers, by contract, to implement and maintain appropriate measures designed to meet the objectives and requirements in title III.

(c) LIMITATION ON PENALTIES.—The penalties under subsection (b)(3)(A) shall not apply to a data broker providing information that is accurately and completely recorded from a public record source.

(d) STUDY OF GOVERNMENT USE.—

(1) SCOPE OF STUDY.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study and audit and prepare a report on Federal agency use of data brokers or commercial databases containing personally identifiable information, including the impact on privacy and security, and the extent to which Federal contracts include sufficient provisions to ensure privacy and security protections, and penalties for failures in privacy and security practices.

(2) REPORT.—A copy of the report required under paragraph (1) shall be submitted to Congress.

SEC. 404. IMPLEMENTATION OF CHIEF PRIVACY OFFICER REQUIREMENTS.

(a) DESIGNATION OF THE CHIEF PRIVACY OFFICER.—Pursuant to the requirements under section 522 of the Transportation, Treasury, Independent Agencies, and General Government Appropriations Act, 2005 (division H of Public Law 108–447; 118 Stat. 3199) that each agency designate a Chief Privacy Officer, the Department of Justice shall implement such requirements by designating a department-wide Chief Privacy Officer, whose primary role shall be to fulfill the duties and responsibilities of Chief Privacy Officer and who shall report directly to the Deputy Attorney General.

(b) DUTIES AND RESPONSIBILITIES OF CHIEF PRIVACY OFFICER.—In addition to the duties and responsibilities outlined under section 522 of the Transportation, Treasury, Independent Agencies, and General Government Appropriations Act, 2005 (division H of Public Law 108–447; 118 Stat. 3199), the Department of Justice Chief Privacy Officer shall—

(1) oversee the Department of Justice's implementation of the requirements under section 403 to conduct privacy impact assessments of the use of commercial data containing personally identifiable information by the Department; and

(2) coordinate with the Privacy and Civil Liberties Oversight Board, established in the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458), in implementing this section.

Mr. SPECTER. Mr. President, I seek recognition today to discuss the Personal Data Privacy and Security Act of 2007, which I am introducing with Senator LEAHY. Not long ago, personal information—Social Security numbers, birthdates, mothers' maiden names, addresses—all remained relatively private. Some information—for example, whether you had a mortgage on your home—might have been publicly available, but finding that information required a trip to the local courthouse. For the most part, the sheer difficulty of obtaining personal information kept it private. This privacy—what Justice Brandeis called the freedom to be left alone—has been a cherished value throughout American history.

As everyday transactions increasingly occur electronically, personal information can be stored, transmitted and accessed much more easily. Most Americans have benefited from this change. Because personal information is available electronically, Americans enjoy the convenience of purchasing goods over the phone or on the Internet. They can obtain a home mortgage in a matter of hours. They can apply for a credit card while they wait at the store. The availability of such information also helps law enforcement agencies conduct investigations and apprehend criminals.

In electronic form, personal information is both more valuable and more vulnerable. As the multitude of security breaches that have occurred over the past 2 years demonstrate, electronic information is more vulnerable because it can be accessed anonymously from afar and can be stolen in a split second. According to the Privacy Rights Clearing House, since February 2005, over 100 million records containing personal information have been subject to some sort of security breach. The first of these incidents to come to light involved commercial data broker ChoicePoint, which in February 2005 reported that identity thieves had gained access to personal information of 163,000 people. The identity thieves had obtained the information by setting up sham accounts with ChoicePoint. ChoicePoint eventually settled with the FTC for $15 million, including $5 million for consumer redress. However, consumers might never have found out about the breach. The incident only came to light because of a law California had recently adopted requiring ChoicePoint and others to provide notice of security breaches involving personal information to California residents who were affected by the breach. As a result of the California law, Americans for the first time began learning that data brokers and others were routinely collecting and selling their personal information, and in so doing, they were not always keeping the information secure.

After the ChoicePoint incident came a long series of security breaches involving major American companies. In March of 2005, Designer Shoe Warehouse reported that hackers had gained access to personal information, including credit card numbers, on over 100,000 of its customers. Weeks later, Lexis Nexis reported that hackers had gained access to the personal information of over 300,000 individuals. Other blue-chip companies where unauthorized persons have gained access to personal information include Wal-Mart, General Motors, Wachovia Bank, H&R Block, Honeywell, AT&T, Lloyd's of London, ARCO, Visa, MasterCard, Bank of America, FedEx, OfficeMax, Blue Cross Blue Shield and Ralph Lauren. The largest incident came in June 2005, when Card Systems, which processes payments for the country's largest banks and credit card companies, reported that hackers had accessed 40 million records containing personal information. Most recently, TJ Maxx Stores and MoneyGram both had the personal information of their customers stolen from their computer systems. This list only includes security breaches involving wrong-doers who were trying to obtain personal information. The list would be much longer had it included inadvertent disclosure of personal information or incidents involving stolen computers or other equipment that happened to contain personal information.

A large number of colleges and universities have also suffered significant breaches, including the University of Southern California, which in July of 2005 reported that hackers has accessed 270,000 records containing personal data. Other educational institutions that have been hacked include Boston College, Northwestern University, Tufts University, UCLA, Michigan State, Carnegie Mellon, Perdue, Stanford, Duke, the University of Iowa, the University of Colorado, and the University of Utah.

Governments also have not been immune from attempts by identity thieves to obtain personal information. Hackers have accessed personal data at the Department of Defense, Department of Energy, the Air Force and the Department of Agriculture. Hackers obtained over half a million records containing personal data from a State agency in Georgia. The San Diego County Employees Retirement Association, the California Department of Corrections, the Nebraska Treasurers office, the city of Lubbock, TX, and a Women, Infants and Children (WIC) program in Hawaii have all been the victims of similar thefts.

Electronic personal data is more valuable because identity thieves can steal a large volume of data and use it before anyone even knows their personal information has been compromised. For the last 5 years, identity theft has topped the FTC's list of consumer complaints. From 2002 to 2004, the number of complaints rose 52 percent, to 246,570. Put another way, that's one complaint every 2 minutes. But this is only the tip of the iceberg. Not all consumers report identity theft to the FTC. Not all victims report identity theft to their local police. Sixty percent of those who did file a report with the FTC did not call their local police department. It stands to reason that many did not call the FTC.

A recent study by the Better Business Bureau concluded that 8.9 million Americans were victims of identity fraud in 2006, and that each victim lost approximately $6,300. Ultimately, it has been predicted that nearly 20 percent of Americans will become victims of identity theft. Worse, according to the study, it took victims an average of 40 hours on the phone with creditors and credit bureaus to clear their names. I use the term "clear" loosely, because in many cases the damage caused by identity theft is irreversible. Victims will have fraud alerts on their credit reports for years to come, making it more difficult for them to open new accounts or make major purchases. Some will be erroneously contacted by collection agencies. Many will not even know they have been victimized until they try to get a car loan or a mortgage on a home.

Individuals who have not yet been victims also suffer. Businesses lose nearly $50 billion a year from identity thieves posing as customers. These losses translate into increased prices for every consumer. All Americans are victims of identify theft, even if their own information remains secure.

In some cases, the availability of electronic personal data can lead to tragedy. In 1999, a former high school classmate of Amy Lynn Boyer obtained her former work address and Social Security number from an on-line data broker. Using this information, he called Amy's mother and posed as the former employer, convincing Amy's mom to give him Amy's new work address. He then drove to Amy's workplace and fatally shot her.

In an effort to protect the privacy and security of our personal information, and prevent future tragedies, small and large, last Congress, Senator LEAHY and I introduced the Personal Data Privacy and Security Act. The problem is one of large proportions and many have views on how to go about tackling it. Six committees, three on the House side and three on the Senate side, introduced legislation last Congress addressing data security. At least two other Senate committees became involved in the issue. It is my hope that the differences among committees and members can be bridged this Congress. The problem is simply too large to ignore.

In an effort to start that process, Senator LEAHY and I are again introducing the Personal Data Privacy and Security Act. We are reintroducing the bill in largely the same form that it was approved by the Judiciary Committee last Congress. The bill takes a comprehensive approach to the problem, an approach I believe is necessary. First, the legislation goes after identity thieves by increasing penalties for crimes involving electronic personal information. It also contains criminal penalties for those who intentionally conceal a security breach involving personal data. Those who actively conceal breaches attempt to protect themselves by gambling with the reputations and finances of innocent Americans. They deserve to be punished.

The bill also empowers Americans to look after the privacy of their own information. The bill will allow individuals to gain access to their personal information when it is in the hands of commercial data brokers. For individuals who believe their information is wrong—possibly because the activities of identity thieves—data brokers must provide assistance with correcting their information.

The legislation also places some of the burden of protecting privacy on those that collect personal information. It will require the companies, government agencies, universities and others that deal with personal information to identify and remedy any weaknesses in their computer systems.

Such measures will not always be enough. As I've already noted, the nature of electronic information makes it vulnerable even when reasonable steps are taken to protect it. Currently, over 30 States have adopted legislation requiring companies, agencies, universities and others to give notice when they experience a security breach that involves personal information. However, no Federal law imposes such a requirement. As a result, companies are forced to comply with over 30 different State laws, an expensive and time-consuming endeavor.

The Personal Data Privacy and Security Act requires that both affected individuals and law enforcement receive notice. Knowledge is power. Once individuals learn that their personal information is exposed, they can take steps to protect themselves. And, the company, school or agency that experienced the breach must help. They must provide individuals whose data was lost with credit monitoring. For large breaches, the media must be notified. Media reports over the 2 years have made Americans far more aware of the problem of security breaches. Hopefully, we can raise awareness by continuing the practice of making public announcements. Notice will also give law enforcement a head start in catching those who steal personal information.

Finally, this legislation will protect the privacy of all Americans by providing a check on the government's use of commercial databases. Federal law enforcement agencies use commercial databases to track criminals and criminal activity. Correctly used, these databases can be very useful tools in the fight against crime. However, there should be some check on their use. The bill makes it clear that protections similar to those provided by the Privacy Act are applied to the government's use of commercial databases. The legislation also aims at making sure the government's use of such data is secure.

This bill represents a comprehensive effort to protect the privacy and security of the personal information of all Americans. The lives of most Americans have been made easier because our personal information is readily available to those who have a legitimate need for it. This legislation aims to keep such information out of the hands of those who have no legitimate need for it. I want to take a moment to thank my colleague, Senator LEAHY, who has been tireless in his efforts to promote individual privacy. He has long fought these issues on the Senate floor and has been a leader in securing the privacy rights of all Americans. I urge my colleagues to join us in supporting this important legislation.

Mr. FEINGOLD. Mr. President, I am proud to be an original cosponsor of the Personal Data Privacy and Security Act of 2007. This bill is a much-needed solution to the daunting problem of ensuring the privacy and the security of our personal data, which has become such a precious commodity.

Several forces are converging to make our personal information more valuable—and more vulnerable—than ever. The world is digital and so is our personal data. In this day and age, almost everything we do results in a third party creating a digital record about us—digital records that we may not even realize exist. We seek the convenience of opening bank accounts, managing our credit cards, and making major purchases over the Internet. And we often complete these transactions without ever speaking to another person face-to-face or over the telephone. Businesses, nonprofits, and political parties are personalizing their messages, products, and services to a degree we've never seen before, and they are willing to invest significant amounts of money in collecting personal information about potential customers or donors. And we are living in an age where identity-based screening and security programs can be vitally important, resulting in more information being collected about individuals in an attempt to identify them accurately.

As a result, personal information has become a hot commodity that is bought, sold, and—as so often happens when something becomes valuable—stolen.

We are at a crossroads. We all know about the security breaches that have been on the front pages of newspapers. They have placed the identities of hundreds of thousands of Americans at risk. The fear among the American public is so widespread that it has become the basis of an entire ad campaign by a credit card company.

But this is about much more than information security. Until California law required a company named ChoicePoint to notify individuals in 2005 that their information was compromised and that they might be vulnerable to identity theft, many Americans had never heard of ChoicePoint. As news stories focused on the data broker business, many Americans were surprised to discover that companies are creating digital dossiers about them that contain massive amounts of information, and that these companies sell that information to commercial and government entities. The revelations about these security breaches highlighted the fact that Americans need a better understanding of what happens to their information in a digital world—and what kind of consequences they can face as a result.

When I am back home in Wisconsin, I hear from people who do not understand why companies have the right to sell their sensitive personal information. I hear from people who are shocked to discover that personal information about them is available for free on the Internet.

There is no question that data aggregators facilitate societal benefits, allowing consumers to obtain instant credit and personalized services, and allowing police officers to locate suspects. But these companies also gather a great deal of potentially sensitive information about individuals, and in many instances they go largely unregulated.

Too many of my constituents feel that they have lost control over their own information. Congress must return some power to individual Americans so that we can all better understand and manage what happens to our own personal data.

The Personal Data Privacy and Security Act takes a comprehensive approach to the privacy and security problems we face. It gives consumers back some control over their own information. The bill requires data brokers to allow consumers to access their own information and to investigate when consumers tell them that corrections are necessary. And it requires companies to give notice to affected consumers and to law enforcement if there is a serious security breach, so that individuals know their identity may be at risk and can take steps to protect themselves.

In addition, the bill extends existing criminal law to ensure that it covers unauthorized access of data broker systems, as well as concealment of security breaches. It requires companies that buy and sell information to have appropriate data security systems in place. These protections will help safeguard against future privacy violations and security breaches in the commercial data industry. But that is not all this bill accomplishes.

The bill also contains some critically important privacy and security provisions to govern the government's use of commercial data. This is an aspect of the data broker business that has not yet gotten as much attention in the wake of the security breaches over the past few years. The information gathered by these companies is not just sold to individuals and businesses; government agencies of all stripes also buy or subscribe to information from commercial sources. We all remember the discovery in 2005 that the Pentagon had a contract with a marketing firm to analyze commercial and other data about high school and college students.

Although the government should be able to access commercial databases in appropriate circumstances, there are few existing rules or guidelines to ensure this information is used responsibly. Nor are there restrictions on the use of commercial data for powerful, intrusive data mining programs. The Privacy Act, which governs when government agencies themselves are collecting data, likely does not apply because the information is held outside the government and is not gathered solely at government direction.

As a result, there is a great deal we do not know about government use of commercial data, even in clearly appropriate circumstances such as when the agency's goal is simply to locate an individual already suspected of a crime.

We don't know under what circumstances government employees can obtain access to these databases or for what purposes. We don't know how government agencies evaluate the accuracy of the databases to which they subscribe. We don't know how the accuracy level of the data affects government use of the data. We don't know how employees are monitored to ensure they do not abuse their access to these databases. We don't know how those who misuse the information are punished. And we don't know how government agencies, particularly those engaged in sensitive national security investigations, ensure that the data brokers cannot keep records of who the government is investigating, records which themselves could create a huge security risk in light of the vulnerabilities that have come to the forefront in recent months.

That is why I am so pleased that this bill includes provisions to address the government's use of commercial data. A comprehensive approach to data privacy and security would be incomplete without taking on this piece of the puzzle. The bill recognizes there are many legitimate reasons for government agencies to obtain commercially available data, but that they need to be subject to privacy and security protections. It takes a common sense approach, pushing government agencies to take basic steps to ensure that individuals' personal information is secure and only used for legitimate purposes, and that the commercial information the government is paying for and relying on is accurate and complete.

Specifically, the bill would require that federal agencies that subscribe to commercial data adopt standards governing its use. These standards would reflect long-standing basic privacy principles. The bill would ensure that government agencies consider and determine which personnel will be permitted to access the information and under what circumstances; develop retention policies for this personal data and get rid of data they no longer need, minimizing the opportunity for abuse or theft; rely only on accurate and complete data, and penalize vendors who knowingly provide inaccurate information to the Federal Government; provide individuals who suffer adverse consequences as a result of the agency's reliance on commercial data with a redress mechanism; and establish enforcement mechanisms for those privacy policies.

The bill also directs the General Services Administration to review government contracts for commercial data to make sure that vendors have appropriate security programs in place, and that they do not provide information to the government that they know to be inaccurate. And it requires agencies to audit the information security practices of their vendors.

These are basic good government measures. They guarantee that the Federal Government is not wasting money on inaccurate data and that vendors are undertaking the security programs that they have promised and for which the government is paying.

We live in a new digital world. The law may never fully keep up with technology, but we must make every effort we can. I am proud to be involved in this comprehensive, reasoned approach to privacy and security, and I hope it will move forward in this Congress. I congratulate Senators LEAHY and SPECTER for their excellent work on this bill. This bill is important and it deserves serious consideration.

By Mrs. BOXER:

S. 497. A bill to repeal a prohibition on the use of certain funds for tunneling in certain areas with respect to the Los Angeles to San Fernando Valley Metro Rail project, California; to the Committee on Banking, Housing, and Urban Affairs.

Mrs. BOXER. Mr. Pesident, today I rise to introduce a bill for myself and Senator FEINSTEIN to allow for subway tunneling in parts of Los Angeles.

In 1985, in response to a methane gas explosion that destroyed a Ross Dress for Less Store in Los Angeles, Representative WAXMAN worked to enact a law that prohibits subway tunneling in his district.

In 2004, the Los Angeles City Council passed a motion in support of reversing the laws banning tunneling. In February 2005, the Los Angeles Metropolitan Transportation Authority board also voted to begin discussions of subway expansion.

As a result, a panel of scientific experts was created to conduct an independent safety review that determined that subway tunneling could move forward safely with new technology.

Representative WAXMAN introduced a bill to lift the Federal tunneling prohibition in the last Congress—where it passed the House—and again in this Congress. Senator FEINSTEIN and I are introducing the same bill in the Senate.

This legislation has the support of Los Angeles Mayor Antonio Villaraigosa and the Los Angeles Metropolitan Transportation Authority.

This bill is necessary to expand the subway, which is extremely important in Los Angeles—a city that ranks time and time again as the most congested region in the country. The Wilshire corridor is densely populated and is a large commercial area. The freeways and streets are filled—we need transit in this area.

By Mr. FEINGOLD (for himself and Ms. COLLINS):

S. 498. A bill to amend title XVIII of the Social Security Act to improve the Medicare program for beneficiaries residing in rural areas; to the Committee on Finance.

Mr. FEINGOLD. Mr. President, today, along with my colleague Senator COLLINS from Maine, I am introducing legislation to address the needs of the nearly one-quarter of all Medicare beneficiaries who live in rural America. These beneficiaries are systematically disadvantaged in the Medicare program. The beauty of Medicare is its equity, its universality, and its accessibility. But we have compromised these values by stratifying payments, by under-representing rural voices on the Medicare Payment Advisory Commission, and by continuing to use obsolete payment data that hurts rural America.

First, we must stop indexing physician payments for work based on geographic differences. Rural areas already have a hard enough time recruiting and retaining the Nation's top talent. Currently, even though 25 percent of Medicare beneficiaries live in rural areas, only 10 percent of the Nation's physicians serve them. Lower payments to doctors in these areas only perpetuate this dangerous shortage of medical expertise. We should not be discouraging medical school graduates from moving to underserved rural areas by continuing to offer sub-par pay—in fact, we should be providing incentives to encourage them to work in underserved areas. My legislation proposes a project to help rural facilities to host educators and clinical practitioners in clinical rotations.

Lack of dollars to rural health facilities has also prevented communities from investing in vital information technology. The Institute of Medicine published a report in 2005 detailing the ways in which health IT could assist isolated communities. For example, since rural physicians tend to be generalists rather than specialists, virtual libraries within physician offices would provide both doctors and patients with a wider and deeper source of information at their fingertips. Rural residents can also be quite far from health facilities, so technology that allows emergency room physicians to communicate with EMS workers in an ambulance can help patients receive life-saving treatment before they physically reach the hospital. These kinds of technologies will improve both the quality and efficiency of care given in rural areas. My legislation offers funding for quality improvement demonstration projects, to allow isolated communities to invest in this otherwise out of reach technology.

Lastly, this legislation will end the disproportionately low representation of rural interests on the Medicare Payment Advisory Commission. This lack of representation has resulted in policies that hurt rural communities. Those policies have hurt—and continue to hurt—the people of my State of Wisconsin, and they hurt my colleague Senator COLLINS' constituents as well. For every dollar that Medicare spends on the average beneficiary in the average State in this country, Medicare spends only 82 cents on a beneficiary in Wisconsin. In Maine, Medicare spends only 80 cents per dollar it spends on the average beneficiary.

How is this the case, if beneficiaries in Wisconsin and in Maine pay the same payroll taxes as beneficiaries in other States? Because the distribution of Medicare dollars among the 50 States is grossly unfair to Wisconsin, and to much of the Upper Midwest. Wisconsinites pay payroll taxes just like every American taxpayer, but the Medicare funds we get in return are lower than those received in many other States.

With the guidance and support of people across my State who are fighting for Medicare fairness, I am introducing this legislation to address Medicare's discrimination against Wisconsin's seniors and health care providers. My bill will decrease some of the inequitable payments that harm rural areas. It will provide rural areas the help they need to grow crucial health information technology infrastructure. It will offer the necessary incentives to help attract the Nation's top medical talent to underserved rural areas. And it will mandate rural representation on the Medicare Payment Advisory Commission. Rural seniors are already underserved in their communities; they should not be underrepresented in Washington as well.

Rural Americans have worked hard and paid into the Medicare program all their lives. In return, they deserve full access to the same benefits as seniors throughout the country: their choice of highly skilled physicians, use of the latest technologies, and a strong voice representing their needs in Medicare policy.

I ask unanimous consent that the text of my bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 498

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Rural Medicare Equity Act of 2007".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Elimination of geographic physician work adjustment factor from geographic indices used to adjust payments under the physician fee schedule.
Sec. 3. Clinical rotation demonstration project.
Sec. 4. Medicare rural health care quality improvement demonstration projects.
Sec. 5. Ensuring proportional representation of interests of rural areas on the Medicare Payment Advisory Commission.
Sec. 6. Implementation of GAO recommendations regarding geographic adjustment indices under the Medicare physician fee schedule.

SEC. 2. ELIMINATION OF GEOGRAPHIC PHYSICIAN WORK ADJUSTMENT FACTOR FROM GEOGRAPHIC INDICES USED TO ADJUST PAYMENTS UNDER THE PHYSICIAN FEE SCHEDULE.

(a) FINDINGS.—Congress finds the following:

(1) Variations in the geographic physician work adjustment factors under section 1848(e) of the Social Security Act (42 U.S.C. 1395w–4(e)) result in inequity between localities in payments under the Medicare physician fee schedule.

(2) Beneficiaries under the Medicare program that reside in areas where such adjustment factors are high have relatively more access to services that are paid based on such fee schedule.

(3) There are a number of studies indicating that the market for health care professionals has become nationalized and historically low labor costs in rural and small urban areas have disappeared.

(4) Elimination of the adjustment factors described in paragraph (1) would equalize the reimbursement rate for services reimbursed under the Medicare physician fee schedule while remaining budget-neutral.

(b) ELIMINATION.—Section 1848(e) of the Social Security Act (42 U.S.C. 1395w–4(e)) is amended—

(1) in paragraph (1)(A)(iii), by striking "an index" and inserting "for services provided before January 1, 2008, an index"; and

(2) in paragraph (2), by inserting ", for services provided before January 1, 2008," after "paragraph (4)), and".

(c) BUDGET NEUTRALITY ADJUSTMENT FOR ELIMINATION OF GEOGRAPHIC PHYSICIAN WORK ADJUSTMENT FACTOR.—Section 1848(d) of the Social Security Act (42 U.S.C. 1395w–4(d)), as amended by section 101 of the Medicare Improvement and Extension Act of 2006, is amended—

(1) in paragraph (1)(A), by striking "The conversion" and inserting "Subject to paragraph (8), the conversion"; and

(2) by adding at the end the following new paragraph:

"(8) BUDGET NEUTRALITY ADJUSTMENT FOR ELIMINATION OF GEOGRAPHIC PHYSICIAN WORK ADJUSTMENT FACTOR.—Before applying an update for a year under this subsection, the Secretary shall (if necessary) provide for an adjustment to the conversion factor for that year to ensure that the aggregate payments under this part in that year shall be equal to aggregate payments that would have been made under such part in that year if the amendments made by section 2(b) of the Rural Medicare Equity Act of 2007 had not been enacted.".

SEC. 3. CLINICAL ROTATION DEMONSTRATION PROJECT.

(a) ESTABLISHMENT.—Not later than 6 months after the date of enactment of this Act, the Secretary shall establish a demonstration project that provides for demonstration grants designed to provide financial or other incentives to hospitals to attract educators and clinical practitioners so that hospitals that serve beneficiaries under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) who are residents of underserved areas may host clinical rotations.

(b) DURATION OF PROJECT.—The demonstration project shall be conducted over a 5-year period.

(c) WAIVER.—The Secretary shall waive such provisions of titles XI and XVIII of the Social Security Act (42 U.S.C. 1301 et seq. and 1395 et seq.) as may be necessary to conduct the demonstration project under this section.

(d) REPORTS.—The Secretary shall submit to the appropriate committees of Congress interim reports on the demonstration project and a final report on such project within 6 months after the conclusion of the project together with recommendations for such legislative or administrative action as the Secretary determines appropriate.

(e) FUNDING.—There are appropriated to the Secretary $20,000,000 to carry out this section.

(f) DEFINITIONS.—In this section:

(1) HOSPITAL.—The term "hospital" means any subsection (d) hospital (as defined in section 1886(d)(1)(B) of the Social Security Act (42 U.S.C. 1395ww(d)(1)(B)) that had indirect or direct costs of medical education during the most recent cost reporting period preceding the date of enactment of this Act.

(2) SECRETARY.—The term "Secretary" means the Secretary of Health and Human Services.

(3) UNDERSERVED AREA.—The term "underserved area" means such medically underserved urban areas and medically underserved rural areas as the Secretary may specify.

SEC. 4. MEDICARE RURAL HEALTH CARE QUALITY IMPROVEMENT DEMONSTRATION PROJECTS.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, the Secretary of Health and Human Services (in this section referred to as the "Secretary") shall establish not more that 10 demonstration projects to provide for improvements, as recommended by the Institute of Medicine, in the quality of health care provided to individuals residing in rural areas.

(2) ACTIVITIES.—Activities under the projects may include public health surveillance, emergency room videoconferencing, virtual libraries, telemedicine, electronic health records, data exchange networks, and any other activities determined appropriate by the Secretary.

(3) CONSULTATION.—The Secretary shall consult with the Rural Health Quality Advisory Commission, the Office of Rural Health Policy of the Health Resources and Services Administration, the Agency for Healthcare Research and Quality, and the Centers for Medicare & Medicaid Services in carrying out the provisions of this section.

(b) DURATION.—Each demonstration project under this section shall be conducted over a 4-year period.

(c) DEMONSTRATION PROJECT SITES.—The Secretary shall ensure that the demonstration projects under this section are conducted at a variety of sites representing the diversity of rural communities in the Nation.

(d) WAIVER.—The Secretary shall waive such provisions of titles XI and XVIII of the Social Security Act (42 U.S.C. 1301 et seq. and 1395 et seq.) as may be necessary to conduct the demonstration projects under this section.

(e) INDEPENDENT EVALUATION.—The Secretary shall enter into an arrangement with an entity that has experience working directly with rural health systems for the conduct of an independent evaluation of the projects conducted under this section.

(f) REPORTS.—The Secretary shall submit to the appropriate committees of Congress interim reports on each demonstration project and a final report on such project within 6 months after the conclusion of the project. Such reports shall include recommendations regarding the expansion of the project to other areas and recommendations for such other legislative or administrative action as the Secretary determines appropriate.

(g) FUNDING.—There are appropriated to the Secretary $50,000,000 to carry out this section.

SEC. 5. ENSURING PROPORTIONAL REPRESENTATION OF INTERESTS OF RURAL AREAS ON THE MEDICARE PAYMENT ADVISORY COMMISSION.

(a) IN GENERAL.—Section 1805(c)(2) of the Social Security Act (42 U.S.C. 1395b–6(c)(2)) is amended—

(1) in subparagraph (A), by inserting "consistent with subparagraph (E)" after "rural representatives"; and

(2) by adding at the end the following new subparagraph:

"(E) PROPORTIONAL REPRESENTATION OF INTERESTS OF RURAL AREAS.—In order to provide a balance between urban and rural representatives under subparagraph (A), the proportion of members who represent the interests of health care providers and Medicare beneficiaries located in rural areas shall be no less than the proportion, of the total number of Medicare beneficiaries, who reside in rural areas.".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to appointments made to the Medicare Payment Advisory Commission after the date of the enactment of this Act.

SEC. 6. IMPLEMENTATION OF GAO RECOMMENDATIONS REGARDING GEOGRAPHIC ADJUSTMENT INDICES UNDER THE MEDICARE PHYSICIAN FEE SCHEDULE.

Not later than 180 days after the date of enactment of this Act, the Secretary of Health and Human Services shall implement the recommendations contained in the March 2005 GAO report 05–119 entitled "Medicare Physician Fees: Geographic Adjustment Indices are Valid in Design, but Data and Methods Need Refinement.".

By Mr. SALAZAR (for himself, Mr. MARTINEZ, Mr. MENENDEZ, Mr. BAYH, Mr. BIDEN, Mr. BINGAMAN, Mrs. BOXER, Mr. DOMENICI, Mr. DURBIN, Mrs. FEINSTEIN, Mrs. HUTCHISON, Mr. KENNEDY, Mr. KERRY, Mr. LAUTENBERG, Mr. LIEBERMAN, Mr. LUGAR, Mr. MCCAIN, Mr. NELSON of Florida, Mr. OBAMA, Mr. REID, Mr. SCHUMER, Mr. BROWN, Mr. FEINGOLD, and Mrs. CLINTON):

S. 500. A bill to establish the Commission to Study the Potential Creation of the National Museum of the American Latino to develop a plan of action for the establishment and maintenance of a National Museum of the American Latino in Washington, DC, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. SALAZAR. Mr. President, I rise to speak about bi-partisan legislation I am introducing today. I am proud to be joined by Senator MEL MARTINEZ, Senator BOB MENENDEZ, and 20 additional Senators from both sides of the aisle.

The National Museum of the American Latino Community Commission Act will establish a Commission to study the potential creation of a National Museum of the American Latino Community. The Commission members, selected by the President and Members of Congress, will be tasked with studying the impact of such a Museum and the cost of constructing and maintaining a museum, developing a plan of action and a fundraising plan, and proposing recommendations to make the Museum a reality.

As we begin our efforts to pass this significant legislation, the U.S. House of Representatives is set to complete their consideration of H.R. 512, the House companion bill, and will pass the bill on the House floor today. It has been a pleasure to working with Representative XAVIER BECERRA and Representative ILEANA ROS-LEHTINEN, who have championed this legislation for several years. I hope to work with the Senate Energy and Natural Resource Committee to quickly advance the Senate bill, so that we can, at last, move forward.

If we are successful in our efforts, I believe we will have done our part to enhance the experience of the millions who visit our Nation's capital every year. By passing this legislation, we will contribute to the ongoing, deeply rewarding, and profoundly important process of national self-discovery.

Washington, DC is the symbolic heart of our country. When Americans travel to their capital, they expect the museums, monuments, and national parks they visit to reflect the complete American experience. I celebrate the opening of the National Museum of the America Indian and efforts underway to establish the National Museum of African American History and Culture because I believe we must celebrate our rich, diverse national heritage.

Hispanics have long been a part of our country's history and my own family's story illustrates this truth.

Over 400 years ago, in 1598, my family helped found the oldest city in what is now these United States. They named the city Santa Fe—the City of Holy Faith—because they knew the hand of God would guide them through the struggles of survival in the ages ahead. In Hispanic Pioneers in Colorado and New Mexico, a new book by Colorado Society of Hispanic Genealogy, their triumph over extreme adversity is documented. The time has come for the story of these pioneers to be told in our Nation's capital.

As a proud American, I want to ensure that every individual who visits Washington has a chance to learn the full history of who we are as Americans. It is my hope that the Senate can work to pass this important bill. In doing so, we will preserve our shared America history.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 500

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Commission to Study the Potential Creation of the National Museum of the American Latino Act of 2007".

SEC. 2. ESTABLISHMENT OF COMMISSION.

(a) IN GENERAL.—There is established the Commission to Study the Potential Creation of a National Museum of the American Latino (in this Act referred to as the "Commission").

(b) MEMBERSHIP.—The Commission shall consist of 23 members appointed not later than 6 months after the date of enactment of this Act as follows:

(1) The President shall appoint 7 voting members.

(2) The Speaker of the House of Representatives, the minority leader of the House of Representatives, the majority leader of the Senate, and the minority leader of the Senate shall each appoint 3 voting members.

(3) In addition to the members appointed under paragraph (2), the Speaker of the House of Representatives, the minority leader of the House of Representatives, the majority leader of the Senate, and the minority leader of the Senate shall each appoint 1 nonvoting member.

(c) QUALIFICATIONS.—Members of the Commission shall be chosen from among individuals, or representatives of institutions or entities, who possess either—

(1) a demonstrated commitment to the research, study, or promotion of American Latino life, art, history, political or economic status, or culture, together with—

(A) expertise in museum administration;

(B) expertise in fundraising for nonprofit or cultural institutions;

(C) experience in the study and teaching of Latino culture and history at the post-secondary level;

(D) experience in studying the issue of the Smithsonian Institution's representation of American Latino art, life, history, and culture; or

(E) extensive experience in public or elected service; or

(2) experience in the administration of, or the planning for the establishment of, museums devoted to the study and promotion of the role of ethnic, racial, or cultural groups in American history.

SEC. 3. FUNCTIONS OF THE COMMISSION.

(a) PLAN OF ACTION FOR ESTABLISHMENT AND MAINTENANCE OF MUSEUM.—The Commission shall submit a report to the President and Congress containing its recommendations with respect to a plan of action for the establishment and maintenance of a National Museum of the American Latino in Washington, DC (in this Act referred to as the "Museum").

(b) FUNDRAISING PLAN.—The Commission shall develop a fundraising plan for supporting the creation and maintenance of the Museum through contributions by the American people, and a separate plan on fundraising by the American Latino community.

(c) REPORT ON ISSUES.—The Commission shall examine (in consultation with the Secretary of the Smithsonian Institution), and submit a report to the President and Congress on, the following issues:

(1) The availability and cost of collections to be acquired and housed in the Museum.

(2) The impact of the Museum on regional Hispanic- and Latino-related museums.

(3) Possible locations for the Museum in Washington, DC and its environs, to be considered in consultation with the National Capital Planning Commission and the Commission of Fine Arts, the Department of the Interior and Smithsonian Institution.

(4) Whether the Museum should be located within the Smithsonian Institution.

(5) The governance and organizational structure from which the Museum should operate.

(6) How to engage the American Latino community in the development and design of the Museum.

(7) The cost of constructing, operating, and maintaining the Museum.

(d) LEGISLATION TO CARRY OUT PLAN OF ACTION.—Based on the recommendations contained in the report submitted under subsection (a) and the report submitted under subsection (c), the Commission shall submit for consideration to the Committee on Transportation and Infrastructure of the House of Representatives, the Committee on House Administration of the House of Representatives, the Committee on Rules and Administration of the Senate, the Committees on Natural Resources of the House of Representatives and the Senate, and the Committees on Appropriations of the House of Representatives and the Senate recommendations for a legislative plan of action to create and construct the Museum.

(e) NATIONAL CONFERENCE.—In carrying out its functions under this section, the Commission may convene a national conference on the Museum, comprised of individuals committed to the advancement of American Latino life, art, history, and culture, not later than 18 months after the commission members are selected.

SEC. 4. ADMINISTRATIVE PROVISIONS.

(a) FACILITIES AND SUPPORT OF DEPARTMENT OF THE INTERIOR.—The Department of the Interior shall provide from funds appropriated for this purpose administrative services, facilities, and funds necessary for the performance of the Commission's functions. These funds shall be made available prior to any meetings of the Commission.

(b) COMPENSATION.—Each member of the Commission who is not an officer or employee of the Federal Government may receive compensation for each day on which the member is engaged in the work of the Commission, at a daily rate to be determined by the Secretary of the Interior.

(c) TRAVEL EXPENSES.—Each member shall be entitled to travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

(d) FEDERAL ADVISORY COMMITTEE ACT.—The Commission is not subject to the provisions of the Federal Advisory Committee Act.

SEC. 5. DEADLINE FOR SUBMISSION OF REPORTS; TERMINATION.

(a) DEADLINE.—The Commission shall submit final versions of the reports and plans required under section 3 not later than 24 months after the date of the Commission's first meeting.

(b) TERMINATION.—The Commission shall terminate not later than 30 days after submitting the final versions of reports and plans pursuant to subsection (a).

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated for carrying out the activities of the Commission $2,100,000 for the first fiscal year beginning after the date of enactment of this Act and $1,100,000 for the second fiscal year beginning after the date of enactment of this Act.

By Mr. SMITH:

S. 504. A bill to amend the Internal Revenue Code of 1986 to establish long-term care trust accounts and allow a refundable tax credit for contributions to such accounts, and for other purposes; to the Committee on Finance.

Mr. SMITH. Mr. President, I rise today to introduce the Long-Term Care Trust Account Act of 2007. I am pleased to be joined by my colleague Senator BLANCHE LINCOLN who has been a tireless leader on issues of importance to the health of our Nation. I look forward to continuing to work with Senator LINCOLN on this legislation as well as other opportunities to improve health care in America.

We are an aging Nation. With baby-boomers rapidly retiring, the need for long-term care planning is becoming even more critical. However, we know all too well that planning for the likelihood of disability in young or old age is not done as actively as we would like it to be. Currently, only about 7 percent of all money spent on long-term care comes from private insurance. Too often, insurance is not being purchased, funds are not being saved and persons with disabilities are forced to rely on Medicaid for their daily care.

As a Nation, we need to do better. Senator LINCOLN and I believe that our bill will encourage Americans to invest in their futures and in their care, which is an important first step.

Specifically, our legislation will create a new type of savings mechanism for the purpose of preparing for the costs associated with long-term care services and purchasing long-term care insurance. An individual who establishes a long-term care trust account can contribute up to $5,000 per year to their account and receive a refundable 10 percent tax credit on that contribution. Interest accrued on these accounts will be tax free, and funds could be withdrawn for the purchase of long-term care insurance or to pay for long-term care services. Our bill also will allow an individual to make contributions to another person's Long-Term Care Trust Account. This will allow relatives to help their parents or a loved one prepare for their future health care needs.

The Centers for Medicare and Medicaid Services estimates that national spending for long-term care was more than $190 billion in 2004, representing about 12.5 percent of all personal health care expenditures. While those numbers already are staggering, we also know that the need for long-term care is expected to grow significantly in coming decades. Almost two-thirds of people receiving long-term care are over age 65, with this number expected to double by 2030. We also know that the population over age 85, those most likely to need long-term services and supports, is expected to increase more than 250 percent by 2040 from 4.3 million to 15.4 million.

Today, millions of Americans are receiving or are in need of long-term care services and supports. Surprisingly, more than 40 percent of persons receiving long-term care are between the ages of 18 and 64. Some were born with disabilities; others came to be disabled through accident or illness. No one can predict their long-term health care needs. Therefore, everyone needs to be prepared.

Currently, long-term care insurance is the main way to prepare for possible future care and support needs. Long-term care insurance helps protect assets and income from the devastating financial consequences of long-term health care costs. Today's comprehensive long-term care insurance policies allow consumers to choose from a variety of benefits and offer a wide range of coverage choices. They allow individuals to receive care in a variety of settings including nursing homes, home care, assisted living facilities and adult day care. Some of the most recent policies also provide a cash-benefit that a consumer can spend in the manner he or she chooses. When we buy long-term care insurance, we are also working to ensure that we can make more independent long-term care decisions and reduce the strain on state Medicaid budgets.

Unfortunately, for too many, the struggle to pay the immediate costs of long-term care insurance sometimes outweighs the security these products would provide. As Americans are spending more and saving less, I fear the American middle class is woefully unprepared to meet the coming challenges of their long-term care needs. Moving forward in our effort to help individuals prepare for life in their later years, we must encourage them to purchase long-term care insurance and save for long-term care services. The Long-Term Care Trust Account Act of 2007 is designed to achieve both goals.

It is my hope that this legislation will help all Americans save for their future and their independence during times of vulnerability. I urge my colleagues on both sides of the aisle to support this important bill.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 504

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Long-Term Care Trust Account Act of 2007".

SEC. 2. LONG-TERM CARE TRUST ACCOUNTS.

(a) In General.—Subchapter F of chapter 1 of the Internal Revenue Code of 1986 (relating to exempt organizations) is amended by adding at the end the following new part:

"PART IX—LONG-TERM CARE TRUST ACCOUNTS

"SEC. 530A. LONG-TERM CARE TRUST ACCOUNTS.

"(a) General Rule.—A Long-Term Care Trust Account shall be exempt from taxation under this subtitle. Notwithstanding the preceding sentence, such account shall be subject to the taxes imposed by section 511 (relating to imposition of tax on unrelated business income of charitable organizations).

"(b) Long-Term Care Trust Account.—For purposes of this section, the term 'Long-Term Care Trust Account' means a trust created or organized in the United States for the exclusive benefit of an individual who is the designated beneficiary of the trust and which is designated (in such manner as the Secretary shall prescribe) at the time of the establishment of the trust as a Long-Term Care Trust Account, but only if the written governing instrument creating the trust meets the following requirements:

"(1) Except in the case of a qualified rollover contribution described in subsection (d)—

"(A) no contribution will be accepted unless it is in cash, and

"(B) contributions will not be accepted for the calendar year in excess of the contribution limit specified in subsection (c)(1).

"(2) The trustee is a bank (as defined in section 408(n)), an insurance company (as defined in section 816), or another person who demonstrates to the satisfaction of the Secretary that the manner in which that person will administer the trust will be consistent with the requirements of this section or who has so demonstrated with respect to any individual retirement plan.

"(3) No part of the trust assets will be invested in life insurance contracts.

"(4) The interest of an individual in the balance of his account is nonforfeitable.

"(5) The assets of the trust shall not be commingled with other property except in a common trust fund or common investment fund.

"(6) Except as provided in subsection (e)(2), no distribution will be allowed if at the time of such distribution the designated beneficiary is not a chronically ill individual (as defined in section 7702B(c)(2)).

"(c) Tax Treatment of Contributions.—

"(1) Contribution limit.—

"(A) In general.—The aggregate amount of contributions (other than qualified rollover contributions described in subsection (d)) for any taxable year to all Long-Term Care Trust Accounts maintained for the benefit of the designated beneficiary shall not exceed $5,000.

"(B) Inflation adjustment.—In the case of any taxable year beginning in a calendar year after 2007, the dollar amount under subparagraph (A) shall be increased by an amount equal to—

"(i) such dollar amount, multiplied by

"(ii) the medical care cost adjustment determined under section 213(d)(10)(B)(ii) for the calendar year in which the taxable year begins, determined by substituting '2006' for '1996' in subclause (II) thereof.

If any amount as adjusted under the preceding sentence is not a multiple of $10, such amount shall be rounded to the next lowest multiple of $10.

"(2) Gift tax treatment of contributions.—For purposes of chapters 12 and 13—

"(A) In general.—Any contribution to a Long-Term Care Trust Account on behalf of any designated beneficiary—

"(i) shall be treated as a completed gift to such beneficiary which is not a future interest in property, and

"(ii) shall not be treated as a qualified transfer under section 2503(e).

"(B) Treatment of excess contributions.—If the aggregate amount of contributions described in subparagraph (A) during the calendar year by a donor exceeds the limitation for such year under section 2503(b), such aggregate amount shall, at the election of the donor, be taken into account for purposes of such section ratably over the 5-year period beginning with such calendar year.

"(d) Qualified Rollover Contribution.—For purposes of this section, the term 'qualified rollover contribution' means a contribution to a Long-Term Care Trust Account—

"(1) from another such account of the same beneficiary, but only if such amount is contributed not later than the 60th day after the distribution from such other account, and

"(2) from a Long-Term Care Trust Account of a spouse of the beneficiary of the account to which the contribution is made, but only if such amount is contributed not later than the 60th day after the distribution from such other account.

"(e) Tax Treatment of Distributions.—

"(1) In general.—Any distribution from a Long-Term Care Trust Account shall be includible in the gross income of the distributee in the manner as provided under section 72 to the extent not excluded from gross income under any other provision of this subsection.

"(2) Long-term care insurance premiums.—If at the time of any distribution, the designated beneficiary is not a chronically ill individual (as defined in section 7702B(c)(2)), no amount shall be includible in gross income under paragraph (1) if the aggregate premiums for any qualified long-term care insurance contract for such beneficiary during the taxable year are not less than the aggregate distributions during the taxable year.

"(3) Distributions for qualified long-term care services.—For purposes of this subsection, if at the time of any distribution, the designated beneficiary is a chronically ill individual (as so defined)—

"(A) In-kind distributions.—No amount shall be includible in gross income under paragraph (1) by reason of a distribution which consists of providing a benefit to the distributee which, if paid for by the distributee, would constitute expenses for any qualified long-term care services (as defined in section 7702B(c)).

"(B) Cash distributions.—In the case of distributions not described in subparagraph (A), if—

"(i) such distributions do not exceed the expenses for qualified long-term care services (as so defined), reduced by expenses described in subparagraph (A), no amount shall be includible in gross income, and

"(ii) in any other case, the amount otherwise includible in gross income shall be reduced by an amount which bears the same ratio to such amount as such expenses bear to such distributions.

"(4) Change in beneficiaries or accounts.—Paragraph (1) shall not apply to that portion of any distribution which, within 60 days of such distribution, is transferred—

"(A) to another Long-Term Care Trust Account for the benefit of the designated beneficiary, or

"(B) to the credit of another designated beneficiary under a Long-Term Care Trust Account who is a spouse of the designated beneficiary with respect to which the distribution was made.

"(5) Operating rules.—For purposes of applying section 72—

"(A) to the extent provided by the Secretary, all Long-Term Care Trust Accounts of which an individual is a designated beneficiary shall be treated as one account,

"(B) except to the extent provided by the Secretary, all distributions during a taxable year shall be treated as one distribution, and

"(C) except to the extent provided by the Secretary, the value of the contract, income on the contract, and investment in the contract shall be computed as of the close of the calendar year in which the taxable year begins.

"(6) Special rules for death and divorce.—

"(A) In general.—Rules similar to the rules of paragraphs (7) and (8) of section 220(f) shall apply.

"(B) Amounts includible in estate of donor making excess contributions.—In the case of a donor who makes the election described in subsection (c)(2)(B) and who dies before the close of the 5-year period referred to in such subsection, the gross estate of the donor shall include the portion of such contributions properly allocable to periods after the date of death of the donor.

"(7) Additional tax.—The tax imposed by this chapter for any taxable year on any taxpayer who receives a payment or distribution from a Long-Term Care Trust Account which is includible in gross income shall be increased by 25 percent of the amount which is so includible under rules similar to the rules of section 530(d)(4).

"(8) Denial of double benefit.—For purposes of determining the amount of any deduction under this chapter, any payment or distribution out of a Long-Term Care Trust Account shall not be treated as an expense paid for medical care.

"(f) Designated Beneficiary.—For purposes of this section, the term 'designated beneficiary' means the individual designated at the commencement of participation in the Long-Term Care Trust Account as the beneficiary of amounts paid (or to be paid) to the account.

"(g) Loss of Taxation Exemption of Account Where Beneficiary Engages in Prohibited Transaction.—Rules similar to the rules of paragraph (2) of section 408(e) shall apply to any Long-Term Care Trust Account.

"(h) Custodial Accounts.—For purposes of this section, a custodial account or an annuity contract issued by an insurance company qualified to do business in a State shall be treated as a trust under this section if—

"(1) the custodial account or annuity contract would, except for the fact that it is not a trust, constitute a trust which meets the requirements of subsection (b), and

"(2) in the case of a custodial account, the assets of such account are held by a bank (as defined in section 408(n)) or another person who demonstrates, to the satisfaction of the Secretary, that the manner in which he will administer the account will be consistent with the requirements of this section.

For purposes of this title, in the case of a custodial account or annuity contract treated as a trust by reason of the preceding sentence, the person holding the assets of such account or holding such annuity contract shall be treated as the trustee thereof.

"(i) Reports.—The trustee of a Long-Term Care Trust Account shall make such reports regarding such account to the Secretary and to the beneficiary of the account with respect to contributions, distributions, and such other matters as the Secretary may require. The reports required by this subsection shall be filed at such time and in such manner and furnished to such individuals at such time and in such manner as may be required.".

(b) TAX ON EXCESS CONTRIBUTIONS.—

(1) IN GENERAL.—Subsection (a) of section 4973 of the Internal Revenue Code of 1986 (relating to tax on excess contributions to certain tax-favored accounts and annuities) is amended by striking "or" at the end of paragraph (4), by inserting "or" at the end of paragraph (5), and by inserting after paragraph (5) the following new paragraph:

"(6) a Long-Term Care Trust Account (as defined in section 530A),".

(2) EXCESS CONTRIBUTION.—Section 4973 of such Code is amended by adding at the end the following new subsection:

"(h) EXCESS CONTRIBUTIONS TO LONG-TERM CARE TRUST ACCOUNTS.—For purposes of this section—

"(1) IN GENERAL.—In the case of Long-Term Care Trust Accounts (within the meaning of section 530A), the term 'excess contributions' means the sum of—

"(A) the amount by which the amount contributed for the calendar year to such accounts (other than qualified rollover contributions (as defined in section 530A(d))) exceeds the contribution limit under section 530A(c)(1), and

"(B) the amount determined under this subsection for the preceding calendar year, reduced by the excess (if any) of the maximum amount allowable as a contribution under section 530A(c)(1) for the calendar year over the amount contributed to the accounts for the calendar year.

"(2) SPECIAL RULE.—A contribution shall not be taken into account under paragraph (1) if such contribution (together with the amount of net income attributable to such contribution) is returned to the beneficiary before June 1 of the year following the year in which the contribution is made.".

(c) FAILURE TO PROVIDE REPORTS ON LONG-TERM CARE TRUST ACCOUNTS.—Paragraph (2) of section 6693(a) of the Internal Revenue Code of 1986 (relating to failure to provide reports on individual retirement accounts or annuities) is amended by striking "and" at the end of subparagraph (D), by striking the period at the end of subparagraph (E) and inserting ", and", and by inserting after subparagraph (E) the following new subparagraph:

"(F) section 530A(i) (relating to Long-Term Care Trust Accounts).".

(d) CONFORMING AMENDMENT.—The table of parts for subchapter F of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

"PART IX. LONG-TERM CARE TRUST ACCOUNTS".

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2006.

SEC. 3. REFUNDABLE CREDIT FOR CONTRIBUTIONS TO LONG-TERM CARE TRUST ACCOUNTS.

(a) IN GENERAL.—Subpart C of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 (relating to refundable credits) is amended by inserting after section 35 the following new section:

"SEC. 35A. CONTRIBUTIONS TO LONG-TERM CARE TRUST ACCOUNTS.

"(a) GENERAL RULE.—In the case of an individual, there shall be allowed as a credit against the tax imposed by this subtitle for the taxable year an amount equal to 10 percent of the contributions to any Long-Term Care Trust Account allowed under section 530A for such taxable year.

"(b) REDUCTION BASED ON ADJUSTED GROSS INCOME.—

"(1) IN GENERAL.—The percentage which would (but for this subsection) be taken into account under subsection (a) for the taxable year shall be reduced (but not below zero) by the percentage determined under paragraph (2).

"(2) AMOUNT OF REDUCTION.—The percentage determined under this paragraph is the percentage which bears the same ratio to the percentage which would be so taken into account as—

"(A) the excess of—

"(i) the taxpayer's adjusted gross income for such taxable year, over

"(ii) $95,000 ($190,000 in the case of a joint return), bears to

"(B) $10,000 ($20,000 in the case of a joint return).

"(3) ADJUSTED GROSS INCOME.—For purposes of this subsection, adjusted gross income shall be determined without regard to sections 911, 931, and 933.

"(c) DENIAL OF DOUBLE BENEFIT.—No deduction shall be allowed under this chapter for any amount taken into account in determining the credit under this section.".

(b) CONFORMING AMENDMENTS.—

(1) Paragraph (2) of section 1324(b) of title 31, United States Code, is amended by inserting before the period ", or from section 35A of such Code".

(2) The table of sections of subpart C of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after the item relating to section 35 the following new item:

"Sec. 35A. Contributions to Long-Term Care Trust Accounts.".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts paid or incurred in taxable years beginning after December 31, 2005.

By Ms. COLLINS (for herself, Mr. WARNER, Ms. LANDRIEU, Mr. COLEMAN, Mr. VITTER, Mr. SMITH, and Mr. NELSON of Nebraska).

S. 505. A bill to amend the Internal Revenue Code of 1986 to increase the above-the-line deduction for teacher classroom supplies and to expand such deduction to include qualified professional development expenses; to the Committee on Finance.

Ms. COLLINS. Mr. President, the bill that I am introducing today, along with Senators WARNER, LANDRIEU, VITTER, COLEMAN, SMITH, and NELSON of Nebraska, would increase and expand the Teacher Tax deduction provided in current law. The Teacher Tax deduction is available to school teachers and other educators who incur out-of-pocket expenses in order to purchase classroom supplies for their students. The bill we are offering today would increase this above-the-line tax deduction to $400, allow the deduction to be taken for expenses related to professional development, and make the deduction permanent.

This bill builds upon a $250 tax deduction in current law authored by Senator WARNER and myself, which became law as part of the tax relief package in 2001. This tax relief was later extended through the end of this year, but we need to act to extend it further.

I would suggest that there is no reason why we should not make the deduction permanent. Teachers who buy classroom supplies in order to improve the educational experience of their students deserve more than just our gratitude. They deserve this modest tax relief to thank them for their hard work.

So often teachers in my State, and throughout the country, spend their own money in order to improve the classroom experiences of their students. Many of us are familiar with a survey of the National Education Association that found that teachers spend, on average, $443 a year on classroom supplies. Other surveys show that they are spending even more than that. In fact, the National School Supply and Equipment Association found that educators spend an average of $826 to supplement classroom supplies, plus $926 for instructional materials on top of that—for a total of over $1,700 out of their own pockets.

In most States, including mine, teachers are very modestly paid for their jobs. I think it is so impressive that despite challenging jobs and modest salaries, teachers are willing to dig deep into their own pockets to enrich the classroom experience, because they care so deeply for their students.

Indeed, I have spoken to dozens of teachers in Maine who tell me they routinely spend far in excess of the $250 deduction limit that is in current law. I have made a practice of visiting schools all over Maine, and so far, I have had the opportunity to visit more than 160 schools in my State. At virtually every school I visit, I find teachers who are spending their own money to benefit their students. Year after year, these teachers spend hundreds of dollars on books, bulletin boards, computer software, crayons, construction paper, stamps, inkpads—everything you can think of. Let me just give you a couple of examples. Anita Hopkins and Kathi Toothaker, who are elementary school teachers from Augusta, ME, purchase books for their students to have as a classroom library, as well as workbooks and sight cards. They have also purchased special prizes for positive reinforcement for their students. Mrs. Hopkins estimates that she spends $800 to $1,000 of her own money on extra materials to make learning fun and to create a stimulating classroom environment.

This bill would also expand the Teacher Tax deduction to make it available to teachers who incur expenses for professional development. Whenever the provisions of "No Child Left Behind" are being debated, we hear a lot of discussion about the need for highly-qualified teachers. One of the best ways for teachers to improve their qualifications is through professional development. Yet, in towns in my State, and I suspect throughout the country, school budgets are often very tight, and money for professional development is either very limited or non-existent. For that reason, I believe we should allow this tax deduction to also apply when a teacher takes a course or attends a workshop and has to pay for it out of his or her own pocket.

In my view, students are the ultimate beneficiaries when teachers receive professional development to sharpen their skills or to learn a new approach to presenting material to their students. Studies have consistently shown that, other than involved parents, the single greatest determinant of classroom success is the presence of a well-qualified teacher. Educators themselves understand just how important professional development is to their ability to make a positive impact in the classroom.

The Teacher Tax relief that we have made available since 2001 is certainly a positive step, and I was proud to have authored that law, along with Senator Warner. This bill would increase that deduction from $250 to $400, reflecting more accurately what teachers really spend, and would make the deduction permanent. The National Education Association has endorsed this bill, and I ask unanimous consent that a copy of the NEA's letter be printed in the Record at the end of my statement.

This bill is a small but appropriate means of recognizing the many sacrifices that our teachers make every day to benefit the children of America. I urge my colleagues to support it.

There being no objection, the letter was ordered to be printed in the Record, as follows:

National Education Association,
Washington, DC, January 24, 2007.

Senator Susan Collins,
Senator John Warner,
U.S. Senate,
Washington, DC.

Dear Senators Collins and Warner: On behalf of the National Education Association's, NEA, 3.2 million members, we would like to express our strong support for your legislation that would increase, expand, and make permanent the tax deduction for educators' out-of-pocket classroom supply expenses. We thank you for your continued leadership and advocacy on this important issue.

As you know, the educator tax deduction helps recognize the financial sacrifices made by teachers and paraprofessionals, who often reach into their own pockets to purchase classroom supplies such as books, pencils, paper, and art supplies. Studies show that teachers are spending more of their own funds each year to supply their classrooms, including purchasing essential items such as pencils, glue, scissors, and facial tissues. For example, NEA's 2003 report Status of the American Public School Teacher, 2000–2001 found that teachers spent an average of $443 a year on classroom supplies. More recently, the National School Supply and Equipment Association found that in 2005–2006, educators spent out of their own pockets an average of $826.00 for supplies and an additional $926 for instructional materials, for a total of $1,752.

By increasing the current deduction and making it permanent, your legislation will make a real difference for many educators, who often must sacrifice other personal needs in order to pay for classroom supplies.

NEA also strongly supports your proposal to extend the tax deduction to cover out-of-pocket professional development expenses. Teacher quality is the single most critical factor in maximizing student achievement. Ongoing professional development is essential to ensure that educators stay up-to-date on the skills and knowledge necessary to prepare students for the challenges of the 21 st century. Your bill will make a critical difference in helping educators access quality training.

We thank you again for your work on this important legislation and look forward to continuing to work with you to support our nation's educators.

Sincerely,

Diane Shust,
Director of Government Relations.
Randall Moody,
Manager, Policy and Politics.

Mr. WARNER. Mr. President, I rise today in support, once again, of America's teachers by joining with Senator Collins in introducing legislation regarding the Teacher Tax Relief Act.

Senator Collins and I have worked closely for some time now in support of legislation to provide our teachers with tax relief in recognition of the many out-of-pocket expenses they incur as part of their profession. In the 107th Congress, we were successful in providing much needed tax relief for our Nation's teachers with passage of H.R. 3090, the "Job Creation and Worker Assistance Act of 2002."

This legislation, which was signed into law by President Bush, included the Collins/Warner "Teacher Tax Relief Act of 2001" provisions that provided a $250 above the line deduction for educators who incur out-of-pocket expenses for supplies they bring into the classroom to better the education of their students. These important provisions provided almost half a billion dollars worth of tax relief to teachers all across America in 2002 and 2003.

In the 108th Congress we were able to successfully extend the provisions of the Teacher Tax Relief Act for 2004 and 2005. In the 109th Congress we were able to successfully extend the provisions for 2006 and 2007.

While these provisions will provide substantial relief to America's teachers, our work is not yet complete.

It is now estimated that the average teacher spends $826 out of their own pocket each year on classroom materials—materials such as pens, pencils and books. First year teachers spend even more.

Why do they do this? Simply because school budgets are not adequate to meet the costs of education. Our teachers dip into their own pocket to better the education of America's youth.

Moreover, in addition to spending substantial money on classroom supplies, many teachers spend even more money out of their own pocket on professional development. Such expenses include tuition, fees, books, and supplies associated with courses that help our teachers become even better instructors.

The fact is that these out-of-pocket costs place lasting financial burdens on our teachers. This is one reason our teachers are leaving the profession. Little wonder that our country is in the midst of a teacher shortage.

Without a doubt the Teacher Tax Relief Act of 2001 took a step forward in helping to alleviate the Nation's teaching shortage by providing a $250 above the line deduction for classroom expenses.

However, it is clear that our teachers are spending much more than $250 a year out of their own pocket to better the education of our children.

Accordingly, Senator Collins and I have joined together to take another step forward by introducing this legislation.

This proposed legislation will build upon current law in three ways. The legislation will: One, increase the above-the-line deduction, as President Bush has called for, from $250 allowed under current law to $400; two, allow educators to include professional development costs within that $400 deduction. Under current law, up to $250 is deductible but only for classroom expenses; and three, make the Teacher Tax Relief provisions in the law permanent. Current law sunsets the Collins/Warner provisions after 2007.

Our teachers have made a personal commitment to educate the next generation and to strengthen America. And, in my view, the Federal Government should recognize the many sacrifices our teachers make in their career.

This Teacher Tax Relief Act is another step forward in providing our educators with the recognition they deserve.

By Mr. LAUTENBERG (for himself, Ms. Snowe, and Mrs. Boxer):

S. 506. A bill to improve efficiency in the Federal Government through the use of high-performance green buildings, and for other purposes; to the committee on Environment and Public Works.

Mr. LAUTENBERG. Mr. President, I am pleased to be joined by my colleagues, Senators Snowe and Boxer, to introduce the High Performance Green Buildings Act. This legislation encourages the government to improve the energy efficiency, indoor air quality, and environmental impacts of our Nation's Federal buildings, and will reenergize and focus the Federal Government's leadership and commitment on this issue.

Buildings in the United States have an enormous impact on the environment and also on our overall energy situation. According to the Department of Energy, buildings in the United States use almost 40 percent of the total energy consumed in this country. That figure is expected to rise to 53 percent by 2030, meaning that over half of the energy consumed in this country will be used by buildings alone. In addition, buildings are the source of 35 percent of national carbon dioxide emissions, 49 percent of sulfur dioxide emissions, and 25 percent of nitrogen oxide emissions.

However, the impact of buildings is even broader than that. Americans spend approximately 90 percent of their time indoors and the quality of the air they breathe can have an impact on their health, as well as work productivity and absenteeism. The U.S. Green Buildings Council, a national non-profit, indicates that on average, installing high performance lighting enhances worker productivity by 6.7 percent. There are also numerous sources of indoor air pollutants, ranging from mold to radon, and strong building design that considers ventilation can help to remedy these potential health problems.

It is important that we confront these issues, and our legislation does just that. High Performance Green Buildings are designed with the impact on occupants, surroundings and energy consumption in mind. Buildings designed or renovated on these merits save money, have healthier occupants, and have a more positive impact on their communities.

While the initial investment cost of green buildings may be higher than a traditional building, many of these costs are recouped over time. For instance, the Federal government spends about $170 million per year on the lighting of federal buildings; using new lighting technology can reduce energy use by 50 to 75 percent. Some estimates show that the payback time for energy efficient lighting is as little as four months.

The High Performance Green Buildings Act focuses the Federal Government's efforts on promoting sustainable design in federal buildings, and realizing the economic benefits associated with reduced energy use and increased occupant health. It creates an Office of High Performance Green Buildings within the General Services Administration (GSA), which manages buildings owned or leased by the Federal Government. GSA is the largest "landlord" in the country the government owns or leases nearly 500,000 buildings in the United States, covering 3.1 billion square feet. The new Office will promote public outreach, focus ongoing research and development, and create an Advisory Committee consisting of Agency representatives and experts from various sectors, to improve coordination across Federal Government agencies and bring best practices to the Federal government.

Additionally, the High Performance Green Buildings Act provides grants to schools, in consultation with the Environmental Protection Agency and the Department of Education, to provide technical assistance to address environmental and health concerns. The health of our children is our primary concern and this legislation takes important steps to ensure their well-being.

It is clear that having sustainable design in our buildings is smart public policy and a wise financial investment, and this bill will allow the Federal Government to increase its leadership role on the promotion of green buildings. I urge my colleagues to support this bill.

I ask unanimous consent that the full text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 506

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "High-Performance Green Buildings Act of 2007".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.

TITLE I—OFFICE OF HIGH-PERFORMANCE GREEN BUILDINGS

Sec. 101. Oversight.
Sec. 102. Office of High-Performance Green Buildings.
Sec. 103. Green Building Advisory Committee.
Sec. 104. Public outreach.
Sec. 105. Research and development.
Sec. 106. Budget and life-cycle costing and contracting.
Sec. 107. Authorization of appropriations.

TITLE II—HEALTHY HIGH-PERFORMANCE SCHOOLS

Sec. 201. Definition of high-performance school.
Sec. 202. Grants for healthy school environments.
Sec. 203. Model guidelines for siting of school facilities.
Sec. 204. Public outreach.
Sec. 205. Environmental health program.
Sec. 206. Authorization of appropriations.

TITLE III—STRENGTHENING FEDERAL LEADERSHIP

Sec. 301. Incentives.
Sec. 302. Federal procurement.
Sec. 303. Federal green building performance.

TITLE IV—DEMONSTRATION PROJECT

Sec. 401. Coordination of goals.
Sec. 402. Authorization of appropriations.

SEC. 2. DEFINITIONS.

In this Act:

(1) ADMINISTRATOR.—The term "Administrator" means the Administrator of General Services.

(2) COMMITTEE.—The term "Committee" means the Green Building Advisory Committee established under section 103(a).

(3) DIRECTOR.—The term "Director" means the individual appointed to the position established under section 101(a).

(4) FEDERAL FACILITY.—

(A) IN GENERAL.—The term "Federal facility" means any building or facility the intended use of which requires the building or facility to be—

(i) accessible to the public; and

(ii) constructed or altered by or on behalf of the United States.

(B) EXCLUSIONS.—The term "Federal facility" does not include a privately-owned residential or commercial structure that is not leased by the Federal Government.

(5) HIGH-PERFORMANCE GREEN BUILDING.—The term "high-performance green building" means a building—

(A) that, during its life-cycle—

(i) reduces energy, water, and material resource use and the generation of waste;

(ii) improves indoor environmental quality, including protecting indoor air quality during construction, using low-emitting materials, improving thermal comfort, and improving lighting and acoustic environments that affect occupant health and productivity;

(iii) improves indoor and outdoor impacts of the building on human health and the environment;

(iv) increases the use of environmentally preferable products, including biobased, recycled content, and nontoxic products with lower life-cycle impacts;

(v) increases reuse and recycling opportunities; and

(vi) integrates systems in the building; and

(B) for which, during its planning, design, and construction, the environmental and energy impacts of building location and site design are considered.

(6) LIFE CYCLE.—The term "life cycle", with respect to a high-performance green building, means all stages of the useful life of the building (including components, equipment, systems, and controls of the building) beginning at conception of a green building project and continuing through site selection, design, construction, landscaping, commissioning, operation, maintenance, renovation, deconstruction or demolition, removal, and recycling of the green building.

(7) LIFE-CYCLE ASSESSMENT.—The term "life-cycle assessment" means a comprehensive system approach for measuring the environmental performance of a product or service over the life of the product or service, beginning at raw materials acquisition and continuing through manufacturing, transportation, installation, use, reuse, and end-of-life waste management.

(8) LIFE-CYCLE COSTING.—The term "life-cycle costing", with respect to a high-performance green building, means a technique of economic evaluation that—

(A) sums, over a given study period, the costs of initial investment (less resale value), replacements, operations (including energy use), and maintenance and repair of an investment decision; and

(B) is expressed—

(i) in present value terms, in the case of a study period equivalent to the longest useful life of the building, determined by taking into consideration the typical life of such a building in the area in which the building is to be located; or

(ii) in annual value terms, in the case of any other study period.

(9) OFFICE.—The term "Office" means the Office of High-Performance Green Buildings established under section 102(a).

TITLE I—OFFICE OF HIGH-PERFORMANCE GREEN BUILDINGS

SEC. 101. OVERSIGHT.

(a) IN GENERAL.—The Administrator shall establish within the General Services Administration, and appoint an individual to serve as Director in, a position in the career-reserved Senior Executive service, to—

(1) establish and manage the Office in accordance with section 102; and

(2) carry out other duties as required under this Act.

(b) COMPENSATION.—The compensation of the Director shall not exceed the maximum rate of basic pay for the Senior Executive Service under section 5382 of title 5, United States Code, including any applicable locality-based comparability payment that may be authorized under section 5304(h)(2)(C) of that title.

SEC. 102. OFFICE OF HIGH-PERFORMANCE GREEN BUILDINGS.

(a) ESTABLISHMENT.—The Director shall establish within the General Services Administration an Office of High-Performance Green Buildings.

(b) DUTIES.—The Director shall—

(1) ensure full coordination of high-performance green building information and activities within the General Services Administration and all relevant Federal agencies, including, at a minimum—

(A) the Environmental Protection Agency;

(B) the Office of the Federal Environmental Executive;

(C) the Office of Federal Procurement Policy;

(D) the Department of Energy;

(E) the Department of Health and Human Services;

(F) the Department of Defense; and

(G) such other Federal agencies as the Director considers to be appropriate;

(2) establish a senior-level green building advisory committee, which shall provide advice and recommendations in accordance with section 103;

(3) identify and biennially reassess improved or higher rating standards recommended by the Committee;

(4) establish a national high-performance green building clearinghouse in accordance with section 104, which shall provide green building information through—

(A) outreach;

(B) education; and

(C) the provision of technical assistance;

(5) ensure full coordination of research and development information relating to high-performance green building initiatives under section 105;

(6) identify and develop green building standards that could be used for all types of Federal facilities in accordance with section 105;

(7) establish green practices that can be used throughout the life of a Federal facility;

(8) review and analyze current Federal budget practices and life-cycle costing issues, and make recommendations to Congress, in accordance with section 106; and

(9) complete and submit the report described in subsection (c).

(c) REPORT.—Not later than 2 years after the date of enactment of this Act, and biennially thereafter, the Director shall submit to Congress a report that—

(1) describes the status of the green building initiatives under this Act and other Federal programs in effect as of the date of the report, including—

(A) the extent to which the programs are being carried out in accordance with this Act; and

(B) the status of funding requests and appropriations for those programs;

(2) identifies within the planning, budgeting, and construction process all types of Federal facility procedures that inhibit new and existing Federal facilities from becoming high-performance green buildings as measured by—

(A) a silver rating, as defined by the Leadership in Energy and Environmental Design Building Rating System standard established by the United States Green Building Council (or an equivalent rating obtained through a comparable system); or

(B) an improved or higher rating standard, as identified by the Committee;

(3) identifies inconsistencies, as reported to the Committee, in Federal law with respect to product acquisition guidelines and high-performance product guidelines;

(4) recommends language for uniform standards for use by Federal agencies in environmentally responsible acquisition;

(5) in coordination with the Office of Management and Budget, reviews the budget process for capital programs with respect to alternatives for—

(A) restructuring of budgets to require the use of complete energy- and environmental-cost accounting;

(B) using operations expenditures in budget-related decisions while simultaneously incorporating productivity and health measures (as those measures can be quantified by the Office, with the assistance of universities and national laboratories);

(C) permitting Federal agencies to retain all identified savings accrued as a result of the use of life cycle costing; and

(D) identifying short- and long-term cost savings that accrue from high-performance green buildings, including those relating to health and productivity;

(6) identifies green, self-sustaining technologies to address the operational needs of Federal facilities in times of national security emergencies, natural disasters, or other dire emergencies;

(7) summarizes and highlights development, at the State and local level, of green building initiatives, including Executive orders, policies, or laws adopted promoting green building (including the status of implementation of those initiatives); and

(8) includes, for the 2-year period covered by the report, recommendations to address each of the matters, and a plan for implementation of each recommendation, described in paragraphs (1) through (6).

(d) IMPLEMENTATION.—The Office shall carry out each plan for implementation of recommendations under subsection (c)(7).

SEC. 103. GREEN BUILDING ADVISORY COMMITTEE.

(a) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Director shall establish an advisory committee, to be known as the "Green Building Advisory Committee".

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Committee shall be composed of representatives of, at a minimum—

(A) each agency referred to in section 102(b)(1); and

(B) other relevant agencies and entities, as determined by the Director, including at least 1 representative of each of—

(i) State and local governmental green building programs;

(ii) independent green building associations or councils;

(iii) building experts, including architects, material suppliers, and construction contractors;

(iv) security advisors focusing on national security needs, natural disasters, and other dire emergency situations; and

(v) environmental health experts, including those with experience in children's health.

(2) NON-FEDERAL MEMBERS.—The total number of non-Federal members on the Committee at any time shall not exceed 15.

(c) MEETINGS.—The Director shall establish a regular schedule of meetings for the Committee.

(d) DUTIES.—The Committee shall provide advice and expertise for use by the Director in carrying out the duties under this Act, including such recommendations relating to Federal activities carried out under sections 104 through 106 as are agreed to by a majority of the members of the Committee.

(e) FACA EXEMPTION.—The Committee shall not be subject to section 14 of the Federal Advisory Committee Act (5 U.S.C. App.).

SEC. 104. PUBLIC OUTREACH.

The Director, in coordination with the Committee, shall carry out public outreach to inform individuals and entities of the information and services available Government-wide by—

(1) establishing and maintaining a national high-performance green building clearinghouse, including on the Internet, that—

(A) identifies existing similar efforts and coordinates activities of common interest; and

(B) provides information relating to high-performance green buildings, including hyperlinks to Internet sites that describe related activities, information, and resources of—

(i) the Federal Government;

(ii) State and local governments;

(iii) the private sector (including nongovernmental and nonprofit entities and organizations); and

(iv) other relevant organizations, including those from other countries;

(2) identifying and recommending educational resources for implementing high-performance green building practices, including security and emergency benefits and practices;

(3) providing access to technical assistance on using tools and resources to make more cost-effective, energy-efficient, health-protective, and environmentally beneficial decisions for constructing high-performance green buildings, including tools available to conduct life-cycle costing and life-cycle assessment;

(4) providing information on application processes for certifying a high-performance green building, including certification and commissioning;

(5) providing technical information, market research, or other forms of assistance or advice that would be useful in planning and constructing high-performance green buildings; and

(6) using such other methods as are determined by the Director to be appropriate.

SEC. 105. RESEARCH AND DEVELOPMENT.

(a) ESTABLISHMENT.—The Director, in coordination with the Committee, shall—

(1)(A) survey existing research and studies relating to high-performance green buildings; and

(B) coordinate activities of common interest;

(2) develop and recommend a high-performance green building research plan that—

(A) identifies information and research needs, including the relationships between human health, occupant productivity, and each of—

(i) emissions from materials and products in the building;

(ii) natural day lighting;

(iii) ventilation choices and technologies;

(iv) heating, cooling, and system control choices and technologies;

(v) moisture control and mold;

(vi) maintenance, cleaning, and pest control activities;

(vii) acoustics; and

(viii) other issues relating to the health, comfort, productivity, and performance of occupants of the building; and

(B) promotes the development and dissemination of high-performance green building measurement tools that, at a minimum, may be used—

(i) to monitor and assess the life-cycle performance of facilities (including demonstration projects) built as high-performance green buildings; and

(ii) to perform life-cycle assessments;

(3) assist the budget and life-cycle costing functions of the Office under section 106;

(4) study and identify potential benefits of green buildings relating to security, natural disaster, and emergency needs of the Federal Government; and

(5) support other research initiatives determined by the Office.

(b) INDOOR AIR QUALITY.—The Director, in consultation with the Committee, shall develop and carry out a comprehensive indoor air quality program for all Federal facilities to ensure the safety of Federal workers and facility occupants—

(1) during new construction and renovation of facilities; and

(2) in existing facilities.

SEC. 106. BUDGET AND LIFE-CYCLE COSTING AND CONTRACTING.

(a) ESTABLISHMENT.—The Director, in coordination with the Committee, shall—

(1) identify, review, and analyze current budget and contracting practices that affect achievement of high-performance green buildings, including the identification of barriers to green building life-cycle costing and budgetary issues;

(2) develop guidance and conduct training sessions with budget specialists and contracting personnel from Federal agencies and budget examiners to apply life-cycle cost criteria to actual projects;

(3) identify tools to aid life-cycle cost decisionmaking; and

(4) explore the feasibility of incorporating the benefits of green buildings, such as security benefits, into a cost-budget analysis to aid in life-cycle costing for budget and decision making processes.

SEC. 107. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to carry out this title $4,000,000 for each of fiscal years 2008 through 2012, to remain available until expended.

TITLE II—HEALTHY HIGH-PERFORMANCE SCHOOLS

SEC. 201. DEFINITION OF HIGH-PERFORMANCE SCHOOL.

In this title, the term "high-performance school" has the meaning given the term "healthy, high-performance school building" in section 5586 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7277e).

SEC. 202. GRANTS FOR HEALTHY SCHOOL ENVIRONMENTS.

The Administrator of the Environmental Protection Agency, in consultation with the Secretary of Education, may provide grants to qualified State agencies for use in—

(1) providing technical assistance for programs of the Environmental Protection Agency (including the Tools for Schools Program and the Healthy School Environmental Assessment Tool) to schools for use in addressing environmental issues; and

(2) development of State school environmental quality plans that include—

(A) standards for school building design, construction, and renovation; and

(B) identification of ongoing school building environmental problems in the State and recommended solutions to address those problems, including assessment of information on the exposure of children to environmental hazards in school facilities.

SEC. 203. MODEL GUIDELINES FOR SITING OF SCHOOL FACILITIES.

The Administrator of the Environmental Protection Agency, in consultation with the Secretary of Education and the Secretary of Health and Human Services, shall develop school site selection guidelines that account for—

(1) the special vulnerability of children to hazardous substances or pollution exposures in any case in which the potential for contamination at a potential school site exists;

(2) modes of transportation available to students and staff; and

(3) the potential use of a school at the site as an emergency shelter.

SEC. 204. PUBLIC OUTREACH.

(a) IN GENERAL.—The Administrator of the Environmental Protection Agency shall provide to the Director information relating to all activities carried out under this title, which the Director shall include in the report described in section 102(c).

(b) PUBLIC OUTREACH.—The Director shall ensure, to the maximum extent practicable, that the public clearinghouse established under section 104 receives and makes available information on the exposure of children to environmental hazards in school facilities, as provided by the Administrator of the Environmental Protection Agency.

SEC. 205. ENVIRONMENTAL HEALTH PROGRAM.

(a) IN GENERAL.—The Administrator of the Environmental Protection Agency, in consultation with the Secretary of Education, the Secretary of Health and Human Services, and other relevant agencies, shall issue guidelines for use by the State in developing and implementing an environmental health program for schools that—

(1) takes into account the status and findings of Federal research initiatives established under this Act and other relevant Federal law with respect to school facilities, including relevant updates on trends in the field, such as the impact of school facility environments on student and staff—

(A) health, safety, and productivity; and

(B) disabilities or special needs;

(2) provides research using relevant tools identified or developed in accordance with section 105(a) to quantify the relationships between—

(A) human health, occupant productivity, and student performance; and

(B) with respect to school facilities, each of—

(i) pollutant emissions from materials and products;

(ii) natural day lighting;

(iii) ventilation choices and technologies;

(iv) heating and cooling choices and technologies;

(v) moisture control and mold;

(vi) maintenance, cleaning, and pest control activities;

(vii) acoustics; and

(viii) other issues relating to the health, comfort, productivity, and performance of occupants of the school facilities;

(3) provides technical assistance on siting, design, management, and operation of school facilities, including facilities used by students with disabilities or special needs;

(4) collaborates with federally funded pediatric environmental health centers to assist in on-site school environmental investigations;

(5) assists States and the public in better understanding and improving the environmental health of children; and

(6) provides to the Office a biennial report of all activities carried out under this title, which the Director shall include in the report described in section 102(c).

(b) PUBLIC OUTREACH.—The Director shall ensure, to the maximum extent practicable, that the public clearinghouse established under section 104 receives and makes available—

(1) information from the Administrator of the Environmental Protection Agency that is contained in the report described in subsection (a)(6); and

(2) information on the exposure of children to environmental hazards in school facilities, as provided by the Administrator of the Environmental Protection Agency.

SEC. 206. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to carry out this title $10,000,000 for the period of fiscal years 2008 through 2012, to remain available until expended.

TITLE III—STRENGTHENING FEDERAL LEADERSHIP

SEC. 301. INCENTIVES.

As soon as practicable after the date of enactment of this Act, the Director shall identify incentives to encourage the use of green buildings and related technology in the operations of the Federal Government, including through—

(1) the provision of recognition awards; and

(2) the maximum feasible retention of financial savings in the annual budgets of Federal agencies.

SEC. 302. FEDERAL PROCUREMENT.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Director of the Office of Federal Procurement Policy, in consultation with the Director and the Under Secretary of Defense for Acquisition, Technology, and Logistics, shall promulgate revisions of the applicable acquisition regulations, to take effect as of the date of promulgation of the revisions—

(1) to direct any Federal procurement executives involved in the acquisition, construction, or major renovation (including contracting for the construction or major renovation) of any facility, to the maximum extent practicable—

(A) to employ integrated design principles;

(B) to optimize building and systems energy performance;

(C) to protect and conserve water;

(D) to enhance indoor environmental quality; and

(E) to reduce environmental impacts of materials and waste flows; and

(2) to direct Federal procurement executives involved in leasing buildings, to give

preference to the lease of facilities that, to the maximum extent practicable—

(A) are energy-efficient; and

(B) have applied contemporary high-performance and sustainable design principles during construction or renovation.

(b) GUIDANCE.—Not later than 90 days after the date of promulgation of the revised regulations under subsection (a), the Director shall issue guidance to all Federal procurement executives providing direction and the option to renegotiate the design of proposed facilities, renovations for existing facilities, and leased facilities to incorporate improvements that are consistent with this section.

SEC. 303. FEDERAL GREEN BUILDING PERFORMANCE.

(a) IN GENERAL.—Not later than October 31 of each of the 2 fiscal years following the fiscal year in which this Act is enacted, and at such times thereafter as the Comptroller General of the United States determines to be appropriate, the Comptroller General of the United States shall, with respect to the fiscal years that have passed since the preceding report—

(1) conduct an audit of the implementation of this Act; and

(2) submit to the Office, the Committee, the Administrator, and Congress a report describing the results of the audit.

(b) CONTENTS.—An audit under subsection (a) shall include a review, with respect to the period covered by the report under subsection (a)(2), of—

(1) budget, life-cycle costing, and contracting issues, using best practices identified by the Comptroller General of the United States and heads of other agencies in accordance with section 106;

(2) the level of coordination among the Office, the Office of Management and Budget, and relevant agencies;

(3) the performance of the Office in carrying out the implementation plan;

(4) the design stage of high-performance green building measures;

(5) high-performance building data that were collected and reported to the Office; and

(6) such other matters as the Comptroller General of the United States determines to be appropriate.

(c) ENVIRONMENTAL STEWARDSHIP SCORECARD.—The Director shall consult with the Committee to enhance, and assist in the implementation of, the Environmental Stewardship Scorecard announced at the White House summit on Federal sustainable buildings in January 2006, to measure the implementation by each Federal agency of sustainable design and green building initiatives.

TITLE IV—DEMONSTRATION PROJECT

SEC. 401. COORDINATION OF GOALS.

(a) IN GENERAL.—The Director shall establish guidelines to implement a demonstration project to contribute to the research goals of the Office.

(b) PROJECTS.—

(1) IN GENERAL.—In accordance with guidelines established by the Director under subsection (a) and the duties of the Director described in title I, the Director shall carry out 3 demonstration projects.

(2) LOCATION OF PROJECTS.—Each project carried out under paragraph (1) shall be located in a Federal building in a State recommended by the Director in accordance with subsection (c).

(3) REQUIREMENTS.—Each project carried out under paragraph (1) shall—

(A) provide for the evaluation of the information obtained through the conduct of projects and activities under this Act; and

(B) achieve a platinum rating, as defined by the Leadership in Energy and Environmental Design Building Rating System standard established by the United States Green Building Council (or an equivalent rating obtained through a comparable system).

(c) CRITERIA.—With respect to the existing or proposed Federal facility at which a demonstration project under this section is conducted, the Federal facility shall—

(1) be an appropriate model for a project relating to—

(A) the effectiveness of high-performance technologies;

(B) analysis of materials, components, and systems, including the impact on the health of building occupants;

(C) life-cycle costing and life-cycle assessment of building materials and systems; and

(D) location and design that promote access to the Federal facility through walking, biking, and mass transit; and

(2) possess sufficient technological and organizational adaptability.

(d) REPORT.—Not later than 1 year after the date of enactment of this Act, and annually thereafter through September 30, 2013, the Director shall submit to the Administrator a report that describes the status of and findings regarding the demonstration project.

SEC. 402. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to carry out the Federal demonstration project described in section 401(b) $10,000,000 for the period of fiscal years 2008 through 2012, to remain available until expended.

By Mr. CONRAD (for himself, Ms. COLLINS, Ms. CANTWELL, and Mr. DURBIN):

S. 507. A bill to amend title XVIII of the Social Security Act to provide for reimbursement of certified midwife services and to provide for more equitable reimbursement rates for certified nurse-midwife services; to the Committee on Finance.

Mr. CONRAD. Mr. President, today I am introducing the Midwifery Care Access and Reimbursement Equity (M-CARE) Act of 2007. For too many years, certified nurse midwives (CNMs) have not received adequate reimbursement under the Medicare program. My legislation takes steps to improve reimbursement for these important healthcare providers.

Since 1988, CNMs have been authorized to provide maternity-related services to Medicare-eligible women of child-bearing age. There are approximately three million disabled women of child-bearing age on Medicare; however, if they choose to utilize a CNM for "well women" services, the CNM is only reimbursed at 65 percent of the physician fee schedule. This is not right and does not come close to offsetting the costs incurred by these professionals.

At this incredibly low rate of reimbursement, the Medicare Payment Advisory Committee (MedPAC) agrees that a CNM simply cannot afford to provide services to Medicare patients and has supported increasing reimbursement for CNMs. In fact, the Commission recommended in 2002 that CNMs' reimbursement be increased and acknowledged that the care provided by these individuals is at least comparable to similar providers.

My legislation would make several changes to improve the ability of CNMs and certified midwives (CMs) to effectively serve the Medicare-eligible population. First, and most importantly, my bill recognizes the need to increase Medicare reimbursement for CNMs by raising the reimbursement level from 65 percent to 100 percent of the physician fee schedule. CNMs provide the same care as physicians; therefore, it is only fair to reimburse CNMs at the same level. Several states have recognized this in their Medicaid programs—approximately 29 States reimburse at 100 percent of the physician fee schedule for out-of-hospital services.

In addition, the M-CARE Act would establish recognition for a certified midwife (CM) to provide services under Medicare. Despite the fact that CNMs and CMs provide the same services, Medicare has yet to recognize CMs as eligible providers. My bill would change this.

This bill will enhance access to "well woman" care for thousands of women in underserved communities and make several needed changes to improve access to midwives. I urge my colleagues to support this legislation.

By Mr. GRASSLEY:

S. 508. A bill to amend the Congressional Accountability Act of 1995 to apply whistleblower protections available to certain executive branch employees to legislative branch employees, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. GRASSLEY. Mr. President, I rise to reintroduce the Congressional Whistleblower Protection Act of 2007, which will extend whistleblower protections currently available to certain executive branch employees to legislative branch employees.

Presently, executive branch employees are shielded from retaliation for exposing waste, fraud, or abuse by the Whistleblower Protection Act. The bill I'm introducing today simply extends those same protections to legislative branch employees.

A theme that has dominated this new Congress, as well as the elections this past November, is accountability and responsibility in Washington. I have fought hard for whistleblowers over the years because they are key in our efforts to ensure government accountability to the people we are sent here to serve. In most instances, the only reason we discover waste or fraud is because employees are brave enough to stand up to the wrongdoers and expose their offenses. Without these whistleblowers, the American taxpayer would continue to foot the bill.

The Office of Compliance has called for these changes on numerous occasions in recent years, and they are very supportive of this bill. We have already taken the steps to protect whistleblowers in the executive branch. It doesn't make sense not to extend these same protections to whistleblowers in our own backyard. My bill will, very simply, give congressional employees the same protections that workers in the other branches of government already possess.

I hope my colleagues will join me in supporting this bill to ensure that those who help us in the fight to hold government accountable are not punished for their efforts.

I ask unanimous consent that the text of this bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 508

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. APPLICATION OF WHISTLEBLOWER PROTECTION RULES TO LEGISLATIVE BRANCH EMPLOYEES.

(a) SHORT TITLE.—This Act may be cited as the "Congressional Whistleblower Protection Act of 2007".

(b) IN GENERAL.—Part A of title II of the Congressional Accountability Act of 1995 (2 U.S.C. 1311 et seq.) is amended—

(1) in the heading, by striking "fair labor standards," and all that follows and inserting "and other protections and benefits";

(2) by redesignating section 207 as section 208; and

(3) by inserting after section 206 the following:

"SEC. 207. RIGHTS AND PROTECTIONS UNDER WHISTLEBLOWER PROTECTION RULES.

"(a) RIGHTS AND PROTECTIONS DESCRIBED.—

"(1) IN GENERAL.—No employing office may take or fail to take, or threaten to take or fail to take, a personnel action (within the meaning of chapter 23 of title 5, United States Code) with respect to any covered employee or applicant for employment because of—

"(A) any disclosure of information by a covered employee or applicant which the employee or applicant reasonably believes evidences—

"(i) a violation of any law, rule, or regulation; or

"(ii) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety;

if such disclosure is not specifically prohibited by law and if such information is not specifically required by Executive order or the rules of the Senate or the House of Representatives to be kept secret in the interest of national defense or the conduct of foreign affairs; or

"(B) any disclosure to the General Counsel, or to the Inspector General of a legislative or executive agency or another employee designated by the head of the legislative or executive agency to receive such disclosures, of information which the employee or applicant reasonably believes evidences—

"(i) a violation of any law, rule, or regulation; or

"(ii) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety.

"(2) DEFINITIONS.—For purposes of this section and for purposes of applying the procedures established under title IV for the consideration of alleged violations of this section—

"(A) the term 'covered employee' includes an employee of the Government Accountability Office or Library of Congress; and

"(B) the term 'employing office' includes the Government Accountability Office and the Library of Congress.

"(b) REMEDY.—The remedy for a violation of subsection (a) shall be such remedy as would be appropriate if awarded under chapter 12 of title 5, United States Code, with respect to a prohibited personnel practice described in section 2302(b)(8) of such title.

"(c) REGULATIONS TO IMPLEMENT SECTION.—

"(1) IN GENERAL.—The Board shall, pursuant to section 304, issue regulations to implement this section.

"(2) AGENCY REGULATIONS.—The regulations issued under paragraph (1) shall be the same as the substantive regulations promulgated by the Merit Systems Protection Board to implement chapters 12 and 23 of title 5, United States Code, except to the extent that the Board of Directors of the Office of Compliance may determine, for good cause shown and stated together with the regulation, that a modification of such regulations would be more effective for the implementation of the rights and protections under this section.".

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TABLE OF CONTENTS.—The table of contents for part A of title II of the Congressional Accountability Act of 1995 is amended—

(A) in the item relating to part A, by striking "**FAIR LABOR STANDARDS,**" and all that follows and inserting "**AND OTHER PROTECTIONS AND BENEFITS**";

(B) by redesignating the item relating to section 207 as relating to section 208; and

(C) by inserting after the item relating to section 206 the following:

"Sec. 207. Rights and protections under whistleblower protection rules.".

(2) APPLICATION OF LAWS.—Section 102(a) of the Congressional Accountability Act of 1995 (2 U.S.C. 1302(a)) is amended by adding at the end the following:

"(12) Section 2302(b)(8) of title 5, United States Code.".

Mr. INOUYE (for himself, Mr. STEVENS, Mr. ROCKEFELLER, Mr. LOTT, and Mr. LAUTENBERG):

S. 509. A bill to provide improved aviation security, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. INOUYE. Mr. President, I rise today to introduce the Aviation Security Improvement Act with Senators STEVENS, ROCKEFELLER, LOTT, and LAUTENBERG, who are all original cosponsors of this legislation.

When the 9/11 Commission released its report in 2004, the Commission expressed continuing concern over the state of air cargo security, the screening of passengers and baggage, access controls at airports, and the security of general aviation. Congress responded then and enacted measures to address inefficiencies highlighted by the Commission. However, implementation through the rulemaking process was slow, and as a result, significant shortfalls in our security regime remain.

In fact, a little more than year ago, the 9/11 Public Discourse project issued a scorecard that gave inadequate grades in those key areas where the Commission had advocated for improvements in aviation security. Checked Baggage and Cargo Screening received a "D," Airline Passenger Explosive Screening received a "C," and Airline Passenger Prescreenig received an "F."

Over the past year, the Transportation Security Administration, TSA, has continued working to significantly bolster air cargo security in the United States. While that is a good step in response to the report card, more must be done. The government must remain vigilant in its effort to provide security for our Nation, and the steps proposed in this bill will both improve our existing security system and give TSA the flexibility to combat new and emerging threats.

The bill we are introducing today would require the screening of all cargo going on passenger aircraft within 3 years. We expect TSA to develop a robust screening program that improves upon current measures and ensures the security of all cargo transported in commercial passenger air carriers.

To improve our ability to detect explosives in checked baggage and at passenger screening checkpoints, the bill extends the Aviation Security Capital Fund and promotes the purchase and installation of advanced baggage screening systems that can be integrated into the daily workings of our Nation's air transportation system. This capital investment will improve security screening by permitting TSA employees to better focus on potential threats while reducing the high workplace injury rates.

The bill addresses airline passenger explosive screening in several ways:

1. By promoting advanced research and development for checkpoint technology;

2. By enhancing screener training to more clearly identify and address potential threats; and

3. By requiring the Administration to complete and implement a plan over the next year that thoroughly addresses the threat of and response to carry-on explosives.

Airline passenger prescreening also remains a primary concern of the Congress. Not enough progress has been made by the TSA to develop an advanced passenger prescreening system since it took on this task nearly 4 years ago. Too many passengers are inconvenienced each year by false positives when matched against passenger watchlists.

Our bill would ensure a system is in place to coordinate passenger redress matters, and that the TSA moves rapidly to develop a strategic plan to test and implement an advanced passenger prescreening system.

Our bill also takes steps to improve general aviation security, airport access issues for airline employees, screener staffing issues, and other issues where there have been consistent shortcomings over the past several years.

The 9/11 Commission's report and subsequent Public Discourse project helped keep Congress and the Administration focused on the need for aviation security. While they did not have all the answers for quick fixes, they did offer a vital blueprint, particularly in the areas of infrastructure and transportation system security.

My colleagues and I used that guideline in drafting the legislation we are introducing today. We believe that once this bill is enacted, it will significantly improve aviation security in the specific areas I have highlighted, and the aviation system as a whole. I look forward to working with my colleagues to move this bill quickly. We have had 5 years to consider what does and does not work. Now it is time to implement what we have learned.

I ask unanimous consent that this bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 509

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SEC. 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Aviation Security Improvement Act".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

TITLE —AVIATION SECURITY

Sec. 1. Short title; table of contents.
Sec. 2. Extension of authorization for aviation security funding.
Sec. 3. Passenger aircraft cargo screening.
Sec. 4. Blast-resistant cargo containers.
Sec. 5. Protection of air cargo on passenger planes from explosives.
Sec. 6. In-line baggage screening.
Sec. 7. Enhancement of in-line baggage system deployment.
Sec. 8. Research and development of aviation transportation security technology.
Sec. 9. Certain TSA personnel limitations not to apply.
Sec. 10. Specialized training.
Sec. 11. Explosive detection at passenger screening checkpoints.
Sec. 12. Appeal and redress process for passengers wrongly delayed or prohibited from boarding a flight.
Sec. 13. Repair station security.
Sec. 14. Strategic plan to test and implement advanced passenger prescreening system.
Sec. 15. General aviation security.
Sec. 16. Security credentials for airline crews.

SEC. 2. EXTENSION OF AUTHORIZATION FOR AVIATION SECURITY FUNDING.

Section 48301(a) of title 49, United States Code, is amended by striking "and 2006" and inserting "2006, 2007, 2008, and 2009".

SEC. 3. PASSENGER AIRCRAFT CARGO SCREENING.

(a) IN GENERAL.—Section 44901 of title 49, United States Code, is amended—

(1) by redesignating subsections (g) and (h) as subsections (h) and (i), respectively; and

(2) by inserting after subsection (f) the following:

"(g) AIR CARGO ON PASSENGER AIRCRAFT.—

"(1) IN GENERAL.—Not later than 3 years after the date of enactment of the Aviation Security Improvement Act, the Secretary of Homeland Security, acting through the Administrator of the Transportation Security Administration, shall establish a system to screen all cargo transported on passenger aircraft operated by an air carrier or foreign air carrier in air transportation or intrastate air transportation to ensure the security of all such passenger aircraft carrying cargo.

"(2) MINIMUM STANDARDS.—The system referred to in paragraph (1) shall require, at a minimum, that the equipment, technology, procedures, personnel, or other methods determined by the Administrator of the Transportation Security Administration, provide a level of security comparable to the level of security in effect for passenger checked baggage.

"(3) REGULATIONS.—

"(A) INTERIM FINAL RULE.—The Secretary of Homeland Security may issue an interim final rule as a temporary regulation to implement this subsection without regard to the provisions of chapter 5 of title 5.

"(B) FINAL RULE.—

"(i) IN GENERAL.—If the Secretary issues an interim final rule under subparagraph (A), the Secretary shall issue, not later than 1 year after the effective date of the interim final rule, a final rule as a permanent regulation to implement this subsection in accordance with the provisions of chapter 5 of title 5.

"(ii) FAILURE TO ACT.—If the Secretary does not issue a final rule in accordance with clause (i) on or before the last day of the 1-year period referred to in clause (i), the Secretary shall submit a report to the Congress explaining why the final rule was not timely issued and providing an estimate of the earliest date on which the final rule will be issued. The Secretary shall submit the first such report within 10 days after such last day and submit a report to the Congress containing updated information every 60 days thereafter until the final rule is issued.

"(iii) SUPERSEDING OF INTERIM FINAL RULE.—The final rule issued in accordance with this subparagraph shall supersede the interim final rule issued under subparagraph (A).

"(4) REPORT.—Not later than 1 year after the date on which the system required by paragraph (1) is established, the Secretary shall transmit a report to Congress that details and explains the system.".

(b) ASSESSMENT OF EXEMPTIONS.—

(1) TSA ASSESSMENT OF EXEMPTIONS.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Homeland Security, through the Administrator of the Transportation Security Administration, shall submit a report to Congress and to the Comptroller General containing an assessment of each exemption granted under section 44901(i) of title 49, United States Code, for the screening required by section 44901(g)(1) of that title for cargo transported on passenger aircraft and an analysis to assess the risk of maintaining such exemption. The Secretary may submit the report in both classified and redacted formats if the Secretary determines that such action is appropriate or necessary.

(B) CONTENTS.—The report shall include—

(i) the rationale for each exemption;

(ii) a statement of the percentage of cargo that is not screened as a result of each exemption;

(iii) the impact of each exemption on aviation security;

(iv) the projected impact on the flow of commerce of eliminating such exemption;

(v) a statement of any plans, and the rationale, for maintaining, changing, or eliminating each exemption.

(2) GAO ASSESSMENT.—Not later than 120 days after the date on which the report required under paragraph (1) is submitted, the Comptroller General shall review the report and provide to Congress an assessment of the methodology used for determinations made by the Secretary for maintaining, changing, or eliminating an exemption.

SEC. 4. BLAST-RESISTANT CARGO CONTAINERS.

Section 44901 of title 49, United States Code, is amended by adding at the end thereof the following:

"(i) BLAST-RESISTANT CARGO CONTAINERS.—

"(1) IN GENERAL.—Before January 1, 2008, the Administrator of the Transportation Security Administration shall—

"(A) evaluate the results of the blast-resistant cargo container pilot program instituted before the date of enactment of the Aviation Security Improvement Act;

"(B) based on that evaluation, begin the acquisition of a sufficient number of blast-resistant cargo containers to meet the requirements of the Transportation Security Administration's cargo security program under paragraph (2); and

"(C) develop a system under which the Administrator—

"(i) will make such containers available for use by passenger aircraft operated by air carriers or foreign air carriers in air transportation or intrastate air transportation on a random or risk-assessment basis as determined by the Administrator, in sufficient number to enable the carriers to meet the requirements of the Administration's cargo security system; and

"(ii) provide for the storage, maintenance, and distribution of such containers.

"(2) DISTRIBUTION TO AIR CARRIERS.—Within 90 days after the date on which the Administrator completes development of the system required by paragraph (1)(C), the Administrator of the Transportation Security Administration shall implement that system and begin making blast-resistant cargo containers available to such carriers as necessary.".

SEC. 5. PROTECTION OF AIR CARGO ON PASSENGER PLANES FROM EXPLOSIVES.

(a) TECHNOLOGY RESEARCH AND PILOT PROJECTS.—

(1) RESEARCH AND DEVELOPMENT.—The Secretary of Homeland Security shall expedite research and development for technology that can disrupt or prevent an explosive device from being introduced onto a passenger plane or from damaging a passenger plane while in flight or on the ground. The research shall include blast resistant cargo containers and other promising technology and will be used in concert with implementation of section 4 of this Act.

(2) PILOT PROJECTS.—The Secretary, in conjunction with the Secretary of Transportation, shall establish a grant program to fund pilot projects—

(A) to deploy technologies described in paragraph (1); and

(B) to test technology to expedite the recovery, development, and analysis of information from aircraft accidents to determine the cause of the accident, including deployable flight deck and voice recorders and remote location recording devices.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Homeland Security for fiscal year 2008 such sums as may be necessary to carry out this section, such funds to remain available until expended.

SEC. 6. IN-LINE BAGGAGE SCREENING.

(a) EXTENSION OF AUTHORIZATION.—Section 44923(i)(1) of title 49, United States Code, is amended by striking "2007." and inserting "2007, and $450,000,000 for each of fiscal years 2008 and 2009.".

(b) REPORT.—Within 30 days after the date of enactment of this Act, the Secretary of Homeland Security shall submit the report the Secretary was required by section 4019(d) of the Intelligence Reform and Terrorism Prevention Act of 2004 (49 U.S.C. 44901 note) to have submitted in conjunction with the submission of the budget for fiscal year 2006.

SEC. 7. ENHANCEMENT OF IN-LINE BAGGAGE SYSTEM DEPLOYMENT.

(a) IN GENERAL.—Section 44923 of title 49, United States Code, is amended—

(1) by striking "may" in subsection (a) and inserting "shall";

(2) by striking "may" in subsection (d)(1) and inserting "shall";

(3) by striking "2007" in subsection (h)(1) and inserting "2028";

(4) by striking paragraphs (2) and (3) of subsection (h) and inserting the following:

"(2) ALLOCATION.—Of the amount made available under paragraph (1) for a fiscal year, not less than $200,000,000 shall be allocated to fulfill letters of intent issued under subsection (d).

"(3) DISCRETIONARY GRANTS.—Of the amount made available under paragraph (1) for a fiscal year, up to $50,000,000 shall be used to make discretionary grants, with priority given to small hub airports and nonhub airports."; and

(5) by redesignating subsection (i) as subsection (j) and inserting after subsection (h) the following:

"(i) LEVERAGED FUNDING.—For purposes of this section, a grant under subsection (a) to an airport sponsor to service an obligation issued by or on behalf of that sponsor to fund a project described in subsection (a) shall be considered to be a grant for that project.".

(b) PRIORITIZATION OF PROJECTS.—

(1) IN GENERAL.—The Administrator shall create a prioritization schedule for airport security improvement projects described in section 44923(b) of title 49, United States Code, based on risk and other relevant factors, to be funded under the grant program provided by that section. The schedule shall include both hub airports (as defined in section 41731(a)(3) of title 49, United States Code) and nonhub airports (as defined in section 41731(a)4) of title 49, United States Code).

(2) AIRPORTS THAT HAVE COMMENCED PROJECTS.—The schedule shall include airports that have incurred eligible costs associated with development of partial in-line baggage systems before the date of enactment of this Act in reasonable anticipation of receiving a grant under section 44923 of title 49, United States Code, in reimbursement of those costs but that have not received such a grant.

(3) REPORT.—Within 180 days after the date of enactment of this Act, the Administrator shall provide a copy of the prioritization schedule, a corresponding timeline, and a description of the funding allocation under section 44923 of title 49, United States Code, to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Homeland Security.

SEC. 8. RESEARCH AND DEVELOPMENT OF AVIATION TRANSPORTATION SECURITY TECHNOLOGY.

Section 137(a) of the Aviation and Transportation Security Act (49 U.S.C. 44912 note) is amended—

(1) by striking "2002 through 2006," and inserting "2006 through 2009,";

(2) by striking "aviation" and inserting "transportation"; and

(3) by striking "2002 and 2003" and inserting "2006 through 2009".

SEC. 9. CERTAIN TSA PERSONNEL LIMITATIONS NOT TO APPLY.

(a) IN GENERAL.—Notwithstanding any provision of law to the contrary, any statutory limitation on the number of employees in the Transportation Security Administration, before or after its transfer to the Department of Homeland Security from the Department of Transportation, does not apply after fiscal year 2007.

(b) AVIATION SECURITY.—Notwithstanding any provision of law imposing a limitation on the recruiting or hiring of personnel into the Transportation Security Administration to a maximum number of permanent positions, the Secretary of Homeland Security shall recruit and hire such personnel into the Administration as may be necessary—

(1) to provide appropriate levels of aviation security; and

(2) to accomplish that goal in such a manner that the average aviation security-related delay experienced by airline passengers is reduced to a level of less than 10 minutes.

SEC. 10. SPECIALIZED TRAINING.

The Administrator of the Transportation Security Administration shall provide advanced training to transportation security officers for the development of specialized security skills, including behavior observation and analysis, explosives detection, and document examination, in order to enhance the effectiveness of layered transportation security measures.

SEC. 11. EXPLOSIVE DETECTION AT PASSENGER SCREENING CHECKPOINTS.

(a) IN GENERAL.—Within 90 days after the date of enactment of this Act, the Secretary of Homeland Security shall issue the strategic plan the Secretary was required by section 44925(a) of title 49, United States Code, to have issued within 90 days after the date of enactment of the Intelligence Reform and Terrorism Prevention Act of 2004.

(b) DEPLOYMENT.—Section 44925(b) of title 49, United States Code, is amended by adding at the end thereof the following:

"(3) FULL DEPLOYMENT.—The Secretary shall fully implement the strategic plan within 1 year after the date of enactment of the Aviation Security Improvement Act.".

SEC. 12. APPEAL AND REDRESS PROCESS FOR PASSENGERS WRONGLY DELAYED OR PROHIBITED FROM BOARDING A FLIGHT.

(a) IN GENERAL.—Subtitle C of title IV of the Homeland Security Act of 2002 (6 U.S.C. 231 et seq.) is amended by adding at the end the following:

"SEC. 431. APPEAL AND REDRESS PROCESS FOR PASSENGERS WRONGLY DELAYED OR PROHIBITED FROM BOARDING A FLIGHT.

"(a) IN GENERAL.—The Secretary shall establish a timely and fair process for individuals who believe they have been delayed or prohibited from boarding a commercial aircraft because they were wrongly identified as a threat under the regimes utilized by the Transportation Security Administration, the Bureau of Customs and Border Protection, or any other Department entity.

"(b) OFFICE OF APPEALS AND REDRESS.—

"(1) ESTABLISHMENT.—The Secretary shall establish an Office of Appeals and Redress to oversee the process established by the Secretary pursuant to subsection (a).

"(2) RECORDS.—The process established by the Secretary pursuant to subsection (a) shall include the establishment of a method by which the Office of Appeals and Redress, under the direction of the Secretary, will be able to maintain a record of air carrier passengers and other individuals who have been misidentified and have corrected erroneous information.

"(3) INFORMATION.—To prevent repeated delays of an misidentified passenger or other individual, the Office of Appeals and Redress shall—

"(A) ensure that the records maintained under this subsection contain information determined by the Secretary to authenticate the identity of such a passenger or individual; and

"(B) furnish to the Transportation Security Administration, the Bureau of Customs and Border Protection, or any other appropriate Department entity, upon request, such information as may be necessary to allow such agencies to assist air carriers in improving their administration of the advanced passenger prescreening system and reduce the number of false positives.".

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is amended by inserting after the item relating to section 430 the following:

"431. Appeal and redress process for passengers wrongly delayed or prohibited from boarding a flight.".

SEC. 13. STRATEGIC PLAN TO TEST AND IMPLEMENT ADVANCED PASSENGER PRESCREENING SYSTEM.

Not later than 180 days after the date of enactment of this Act, the Secretary of Homeland Security, in consultation with the Administrator of the Transportation Security Administration, shall submit to the Congress a plan that—

(1) describes the system to be utilized by the Department of Homeland Security to assume the performance of comparing passenger information, as defined by the Administrator of the Transportation Security Administration, to the automatic selectee and no-fly lists, utilizing appropriate records in the consolidated and integrated terrorist watchlist maintained by the Federal government;

(2) provides a projected timeline for each phase of testing and implementation of the system;

(3) explains how the system will be integrated with the prescreening system for passengers on international flights; and

(4) describes how the system complies with section 552a of title 5, United States Code.

SEC. 14. REPAIR STATION SECURITY.

(a) CERTIFICATION OF FOREIGN REPAIR STATIONS SUSPENSION.—If the regulations required by section 44924(f) of title 49, United States Code, are not issued within 90 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration may not certify any foreign repair station under part 145 of title 14, Code of

Federal Regulations, after such 90th day unless the station was previously certified by the Administration under that part.

(b) 6-MONTH DEADLINE FOR SECURITY REVIEW AND AUDIT.—Subsections (a) and (d) of section 44924 of title 49, United States Code, are each amended by striking "18 months" and inserting "6 months".

SEC. 15. GENERAL AVIATION SECURITY.

Section 44901 of title 49, United States Code, is amended by adding at the end thereof the following:

"(i) GENERAL AVIATION AIRPORT SECURITY PROGRAM.—

"(1) IN GENERAL.—Within 1 year after the date of enactment of the Aviation Security Improvement Act the Administrator of the Transportation Security Administration shall—

"(A) develop a standardized threat and vulnerability assessment program for general aviation airports (as defined in section 47135(m)); and

"(B) implement a program to perform such assessments on a risk-assessment basis at general aviation airports.

"(2) GRANT PROGRAM.—Within 6 months after date of enactment of the Aviation Security Improvement Act the Administrator shall initiate and complete a study of the feasibility of a program, based on a risk-managed approach, to provide grants to general aviation airport operators for projects to upgrade security at general aviation airports (as defined in section 47135(m)). If the Administrator determines that such a program is feasible, the Administrator shall establish such a program.

"(3) APPLICATION TO FOREIGN-REGISTERED GENERAL AVIATION AIRCRAFT.—Within 180 days after the date of enactment of the Aviation Security Improvement Act, the Administrator shall develop a risk-based system under which—

"(A) foreign-registered general aviation aircraft, as identified by the Administrator, in coordination with the Administrator of the Federal Aviation Administration, are required to submit passenger information to the Transportation Security Administration before entering United States airspace; and

"(B) such information is checked against appropriate databases maintained by the Transportation Security Administration.".

"(4) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Homeland Security such sums as may be necessary to carry out any program established under paragraph (2).".

SEC. 16. SECURITY CREDENTIALS FOR AIRLINE CREWS.

Within 180 days after the date of enactment of this Act, the Administrator of the Transportation Security Administration shall, after consultation with airline, airport, and flight crew representatives, transmit a report to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure on the status of its efforts to institute a sterile area access system or method that will enhance security by properly identifying authorized airline flight deck and cabin crew members at screening checkpoints and granting them expedited access through screening checkpoints. The Administrator shall include in the report recommendations on the feasibility of implementing the system for the domestic aviation industry beginning 1 year after the date on which the report is submitted. The Administrator shall begin full implementation of the system or method not later than 1 year after the date on which the Administrator transmits the report.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 72—ACKNOWLEDGING THE SEVERITY OF THE WETLAND LOSS OCCURRING IN LOUISIANA AND SUPPORTING THE OBSERVANCE OF WORLD WETLANDS DAY IN THE UNITED STATES

Ms. LANDRIEU submitted the following resolution; which was referred to the Committee on Environment and Public Works:

S. RES. 72

Whereas Louisiana's coastal wetlands are among the Nation's most diverse and productive ecosystems, home to ospreys, egrets, alligators, shellfish, turtles, sea grasses, and bald cypress trees;

Whereas Louisiana's wetlands are eroding at a rate of 25 square miles per year and, as a result of Hurricane Katrina on August 29, 2005, and Hurricane Rita on September 24, 2005, 217 square miles of wetlands were turned into open water, significantly advancing Louisiana's wetlands loss;

Whereas the State has lost 2,100 square miles of coastal wetlands since the 1930s and is expected to lose another 500 square miles over the next 50 years if nothing is done to mitigate wetland loss;

Whereas 2,000,000 residents, more than 50 percent of the State's population, live within Louisiana's coastal zone;

Whereas Louisiana's working wetlands provide protection for coastal communities and for oil and gas pipelines that serve as the major energy artery in the United States, delivering more than 25 percent of the Nation's energy;

Whereas wetland ecosystems throughout the United States are threatened by erosion, invasive species, runoff, and habitat loss; and

Whereas World Wetlands Day is celebrated around the world on February 2 of each year by government agencies, nongovernmental organizations, and groups of citizens in the global community: Now, therefore, be it

Resolved, That the Senate—

(1) acknowledges the severity of the wetland loss occurring in Louisiana;

(2) recognizes and supports the observance of World Wetlands Day in the United States; and

(3) supports efforts to raise awareness about the critical need to sustain and preserve wetlands in Louisiana, the United States, and throughout the world.

Ms. LANDRIEU. Mr. President, I come to the floor today in honor of World Wetlands Day proclaiming February 2 America's Wetlands Day.

February 2, 1971 was the date of the adoption of the Convention on Wetlands in the Iranian city of Ramsar on the shores of the Caspian Sea.

Each year since 1971, leaders from all parts of the world have used this day to raise public awareness of the value and benefits of wetlands—not only as ecological gems, but as economic boons, incubators of biodiversity, and a sportsman's paradise.

The signing in 1971 of the Convention on Wetlands provided a framework for national action and international cooperation toward the conservation and wise use of wetlands and their resources. Wetlands can be found in every country and are among the most productive ecosystems in the world.

Those of us from Louisiana have a rather unique perspective on the subject of wetlands. You see, Louisiana's coast is really America's Wetland. It is not a beach, but a vast landscape of estuaries, rivers, freshwater marsh, forested floodplains, and vernal pools.

The landscape that extends along Louisiana's coast is one of the largest and most productive expanses of coastal wetlands in North America. It is the seventh largest delta on earth, where the Mississippi River drains two-thirds of the United States. It is also one of the most productive environments in America—"working wetlands" as they are known to Louisianians—producing more seafood than any other State in the lower 48. It's the nursery ground for the Gulf of Mexico and habitat for one of the greatest flyways in the world for millions of waterfowl and migratory songbirds.

Even more importantly, Louisiana's coastal wetlands provide storm protection for ports that carry nearly 500 million tons of waterborne commerce annually—the largest port system in the world by tonnage. That accounts for 21 percent of all waterborne commerce in the United States each year. In fact, four of the top ten largest ports in the United States are located in Louisiana.

These wetlands also offer protection from storm surge for two million people and a unique culture. Louisiana's low-lying coastal communities are home to more than 2 million people—nearly half the State's population. Even as those communities recover from the back-to-back 2005 hurricanes, they remain threatened and compromised as the land they occupy erodes from beneath their feet.

Tragically, Louisiana's wetlands are eroding at a devastating rate: approximately 24 square miles per year disappear—that is the equivalent of approximately one football field lost every 38 minutes. Within the next 50 years—even with current restoration efforts taken into account—those wetlands are expected to recede an additional 500 square miles.

The U.S. Geological Survey recently found that Hurricanes Katrina and Rita alone transformed 217 square miles of marsh to open water. Tragically, these eroding wetlands are Nature's levee system—they diminish a hurricane's destructive power by reducing storm surge and absorbing wave energy.

Scientists have estimated for every 2.4 square miles of wetlands, storm surges are lowered by about one foot. Some studies suggest that only one square mile of wetlands may achieve this. Because these wetlands are nurseries for many species of fish and shellfish, their loss has a profound impact on the $1 billion dollar per year fishing industry supported by Louisiana's fragile coastal environment.

The costs associated with Louisiana's coastal wetland loss are not only Louisiana's to bear—they are the entire Nation's. For instance: Hurricanes Katrina and Rita impacted more than 26,000 businesses, destroyed 275,000 homes, and caused more than $44.7 billion in insured losses.

Today, more than 40 percent of the Nation's oil and nearly a quarter of the Nation's natural gas is produced in or transported through Louisiana.

More than 20 percent of the nation's imported oil is delivered to and processed in Louisiana.

Louisiana is second only to Texas in the number of oil refineries on its soil—with 17 refineries, most of which are located in the coastal zone.

The erosion of Louisiana's coastal wetlands—America's Wetlands—endangers the U.S. energy supply and it endangers the Nation's critical infrastructure in the Gulf Coast: Refineries and petrochemical facilities that drive U.S. economic growth are at risk of being flooded, damaged and shut down, as we saw during the 2005 hurricanes.

That is why I am submitting a Sense of the Senate resolution that will acknowledge February 2, as World Wetlands Day and express that it is the sense of the Senate that we must raise awareness of the Nation's imperiled wetlands—in Louisiana and throughout the country. We need to raise awareness of these critical issues and we need to work locally, regionally, nationally, and internationally to confront this problem head on.

The good news is that scientists know how to restore the wetlands and they have been very successful in reinforcing barrier islands that protect these ecological gems. What has heretofore been lacking is not the will, but the resources with which to undertake this critical challenge. The passage of the Gulf of Mexico Energy Security Act changed that and certified America's commitment to providing long-term, sustainable funding to address this problem. Today, we have the will; we have the way; let's get to work and preserve America's wetlands.

SENATE RESOLUTION 73—DESIGNATING FEBRUARY 6, 2007, AS "RONALD REAGAN DAY"

Mr. ALLARD (for himself, Mrs. FEINSTEIN, Mr. COLEMAN, Mr. STEVENS, Mrs. DOLE, Mrs. HUTCHISON, Mr. VITTER, Mr. HATCH, Mr. MCCAIN, Mr. MCCONNELL, and Mr. REID) submitted the following resolution; which was considered and agreed to:

S. RES. 73

Whereas President Ronald Wilson Reagan, a man of humble background, worked throughout his life serving as an entertainer, a corporate spokesman, Governor of California, and President of the United States;

Whereas Ronald Reagan served for 2 terms as the 40th President of the United States;

Whereas Ronald Reagan was elected to his second term by almost three-fifths of the electorate, a percentage surpassed only by the election of President Lyndon Baines Johnson in 1964, and was victorious in 49 of the 50 States in the general election, an electoral college record unsurpassed in the history of Presidential elections in the United States; and

Whereas February 6, 2007, will be the 96th anniversary of Ronald Reagan's birth, and June 5, 2007, will be the third anniversary of his passing: Now, therefore, be it

Resolved, That the Senate—

(1) designates February 6, 2007, as "Ronald Reagan Day"; and

(2) encourages the people of the United States to observe the day with appropriate ceremonies and activities.

SENATE CONCURRENT RESOLUTION 9—CELEBRATING THE CONTRIBUTIONS OF THE ARCHITECTURAL PROFESSION DURING "NATIONAL ARCHITECTURE WEEK"

Ms. LANDRIEU submitted the following concurrent resolution; which was referred to the Committee on the Judiciary:

S. CON. RES. 9

Whereas the architectural profession has made unique contributions to the history, texture, and quality of life in the United States;

Whereas the beginning of an organized architectural profession in the United States was signified by the founding of the American Institute of Architects 150 years ago;

Whereas today there are approximately 281,000 individuals in the United States who work in the profession of architecture;

Whereas architects express the richness of the Nation's heritage and the vitality of its spirit through the vigilant stewardship of great architectural and historic treasures;

Whereas architects improve the quality of life for all individuals in the United States by combining advances in building technology with design innovation to build healthy, safe, livable, and sustainable buildings and communities; and

Whereas the week beginning April 8, 2007, has been designated by the American Institute of Architects as "National Architecture Week" to bring attention to the importance of the architectural profession to the United States: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That—

(1) it is the sense of the Congress that the contributions of the architectural profession should be recognized and celebrated during "National Architecture Week"; and

(2) the Congress encourages the people of the United States and interested organizations to observe "National Architecture Week" with appropriate ceremonies and activities.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. WEBB. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, February 6, 2007, at 9:30 a.m., in open session to receive testimony on the fiscal year 2008 budget request and the fiscal years 2007 and 2008 war supplemental requests in review of the defense authorization request for fiscal year 2008 and the future years defense program.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. WEBB. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on Tuesday, February 6, 2007.

The agenda to be considered: Oversight of Recent EPA Decisions.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. WEBB. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session on Tuesday, February 6, 2007, at 2:45 p.m., in 215 Dirksen Senate Office Building, to hear testimony on "The President's Fiscal Year 2008 Budget Proposal."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. WEBB. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, February 6, 2007, at 10 a.m. to hold a hearing on Somalia.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. WEBB. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on "Preserving Prosecutorial Independence: Is the Department of Justice Politicizing the Hiring and Firing of U.S. Attorneys?" for Tuesday, February 6, 2007 at 9:30 a.m. in Dirksen Senate Office Building Room 226.

Witness List: The Honorable Mark Pryor, United States Senator [D, AR]; The Honorable Paul J. McNulty, Deputy Attorney General, U.S. Department of Justice, Washington, DC; Mary Jo White, Partner, Debevoise & Plimpton, LLP, New York, NY; Laurie L. Levenson, Professor of Law, Loyola Law School, Los Angeles, CA; Stuart M. Gerson, Partner, Epstein Becker & Green, Washington, DC.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. WEBB. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on "Judicial Nominations" for Tuesday, February 6, 2007 at 2:30 p.m. in Dirksen Senate Office Building Room 226.

Witness List: John Preston Bailey to be U.S. District Judge for the Northern District of West Virginia; Otis D. Wright II to be U.S. District Judge for the Central District of California; George H. Wu to be U.S. District Judge for the Central District of California.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. WEBB. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on February 6, 2007 at 2:30 p.m. to hold a closed hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that Mitchell Lincoln and Shakti Shakti of my staff be granted floor privileges for the duration of today's session.

The PRESIDING OFFICER. Without objection, it is so ordered.

DESIGNATING FEBRUARY 6, 2007, AS "RONALD REAGAN DAY"

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 73.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will state the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 73) designating February 6, 2007, as "Ronald Reagan Day."

There being no objection, the Senate proceeded to consider the resolution.

Mr. ALLARD. Mr. President, the resolution I am honored to submit today with my colleague, Senator FEINSTEIN, is to commemorate today, February 6, 2007—what would be Ronald Reagan's 96th birthday—as Ronald Reagan Day.

President Ronald Wilson Reagan, a man of humble background, worked throughout his life serving freedom and advancing the public good, having been employed as an entertainer, union leader, corporate spokesman, Governor of California and President of the United States. In 1981, when Ronald Reagan was inaugurated President, he inherited a disillusioned Nation shackled by rampant inflation and high unemployment. During Mr. Reagan's presidency he worked in a bipartisan manner to enact his bold agenda of restoring accountability and common sense to government, which led to an unprecedented economic expansion and opportunity for millions of Americans.

Mr. Reagan's commitment to an active social policy agenda for the Nation's children helped lower crime and drug use in our neighborhoods. President Reagan's commitment to our armed forces contributed to the restoration of pride in America, in her values and in those cherished by the free world, and prepared America's Armed Forces to meet 21st Century challenges. President Reagan's vision of "peace through strength" led to the end of the Cold War and the ultimate demise of the Soviet Union, guaranteeing basic human rights for millions of people. It is entirely appropriate that on February 6, 2007, which will be the 96th anniversary of Ronald Reagan's birth, and the third since his passing, we declare February 6th, 2007, to be Ronald Reagan Day and urge all citizens to take cognizance of this event and participate fittingly in its observance.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that I be added as a cosponsor to this resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I ask unanimous consent that I also be added as a cosponsor to this resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and that the motion to reconsider laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 73) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 73

Whereas President Ronald Wilson Reagan, a man of humble background, worked throughout his life serving as an entertainer, a corporate spokesman, Governor of California, and President of the United States;

Whereas Ronald Reagan served for 2 terms as the 40th President of the United States;

Whereas Ronald Reagan was elected to his second term by almost three-fifths of the electorate, a percentage surpassed only by the election of President Lyndon Baines Johnson in 1964, and was victorious in 49 of the 50 States in the general election, an electoral college record unsurpassed in the history of Presidential elections in the United States; and

Whereas February 6, 2007, will be the 96th anniversary of Ronald Reagan's birth, and June 5, 2007, will be the third anniversary of his passing: Now, therefore, be it

Resolved, That the Senate—

(1) designates February 6, 2007, as "Ronald Reagan Day"; and

(2) encourages the people of the United States to observe the day with appropriate ceremonies and activities.

ORDER OF PROCEDURE

Mr. REID. Mr. President, very quickly—I know the hour is late—I spoke to Speaker PELOSI a couple of hours ago. Next week, the House is going to take up the Iraq situation. The legislation they will deal with, I have been told by the Speaker, is whether the House of Representatives will support the surge, the escalation in Iraq. They will finish that next week, and we will get it then, and it will be very direct and to the point.

ORDERS FOR WEDNESDAY, FEBRUARY 7, 2007

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m., Wednesday, February 7; that on Wednesday, following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed to have expired, the time for the two leaders be reserved for their use later in the day; that there then be a period of morning business, with Senators permitted to speak therein, with the time until 2 p.m. equally divided and controlled between the two leaders or their designees, alternating sides when appropriate, with the first 30 minutes of debate under the control of the Republicans and the next 30 minutes under the control of the majority; that during the majority time, Senators SCHUMER and KENNEDY be recognized for 15 minutes each. If at all possible, I ask that Senator SCHUMER be recognized as close to 10:30 as possible.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. For the information of the Senate, I anticipate that at 2 p.m. tomorrow, the Senate will debate several nominations on the Executive Calendar, General Casey and Admiral Fallon. I will meet with the Republican leader and find out how much time will be required on that side by 2 p.m. tomorrow afternoon.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 7:31 p.m., adjourned until Wednesday, February 7, at 10 a.m.

EXTENSIONS OF REMARKS

PAYING TRIBUTE TO DR. EMIL FREI III

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2007

Mr. PORTER. Madam Speaker, I rise today to honor Dr. Emil Frei III, one of the world's leading oncologists, a pioneer in cancer treatment and chemotherapy, and a leader in clinical research.

Dr. Frei's medical career began over 50 years ago in 1948 while serving in our country's V–12 program for the United States Navy. Since that time he has served as the chief of medicine at the National Cancer Institute, associate scientific director head at M.D. Anderson, and director and physician-in-chief at the Dana-Farber Cancer Institute. Currently, he serves as the physician-in-chief, emeritus at Dana-Farber. Dr. Frei has the proud honor of being the first Richard and Susan Smith Distinguished Professor of Medicine at Harvard Medical School

Since the beginning of his career, Dr. Frei has made many contributions to the medical field while serving on the advisory or board of directors for non-profit organizations such as Adherex Technologies, Angstrom, CaP Cure, Celator Pharmaceuticals, DIAD Research, Immunogen, Infinity Pharmaceuticals, Vion Pharmaceuticals, Aid for Cancer Research, Cancer Research Institute, Journal of Clinical Oncology and the New England Journal of Medicine. In addition to these wonderful achievements, he was awarded the Lasker Award, the Kettering Prize and the Inaugural Lifetime Achievement Award for his clinical research for cancer treatment.

Dr. Frei not only practiced medicine, but also served as a professor of medicine at the University of Texas and Harvard Medical School for over 30 years. Dr. Frei also coauthored the first text in medical oncology, which is now in its seventh edition.

Dr. Frei is continuing his research in the Las Vegas area where he serves on the chapter board of Southern Nevada Leukemia & Lymphoma Society. He has previously served as the chairman of the Cancer and Leukemia Group B clinical research group.

Madam Speaker, I am proud to honor Dr. Frei for his dedication to improving the life of others through his service in the medical community and advances in the chemotherapy and cancer research. I applaud his efforts and wish him the best with his future endeavors.

IN RECOGNITION OF THE PASSING OF M.J. MENGE

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2007

Mr. MILLER of Florida. Madam Speaker, it is with sadness that I rise today to note the passing of a man whose legacy will forever be remembered. For over 40 years, M.J. Menge has served his community as an attorney and dedicated leader in Pensacola, a city in my district in Northwest Florida.

A native Floridian born in 1936, Mr. Menge devoted his life's work to bettering our community. At a young age he demonstrated his leadership skills while attending Pensacola Junior College and the University of Florida. After attending Navy Officer Candidate School, he went on to serve as a naval gunner officer on the USS *Sarsfield* until 1962. Mr. Menge then earned a law degree from the University of Florida in 1964 and joined the Pensacola law firm of Shell, Fleming, Davis, and Menge. He was well respected by his colleagues for his integrity and concern for the law. Mr. Menge served as general legal counsel Pensacola Junior College for nearly 30 years, and in 1998 a bell tower was erected in his honor. Through his different leadership roles within the community, he became known as a man with a genuine sense of caring who fostered that sense into those with whom he came into contact.

M.J. Menge's service to Northwest Florida extended far beyond the legal profession. He was also known throughout the community for his leadership roles within the Pensacola Area Chamber of Commerce, Baptist Hospital, and March of Dimes. In 1969, Mr. Menge was named One of Florida's Five Outstanding Young Men by the Florida Jaycees. He was recognized again in 1979, as the Community Leader of the Year by the Pensacola Area Chamber of Commerce, and later honored with the Spirit of Pensacola Award in 1996. He had been an active member in the Trinity Presbyterian Church and served as a devoted member to a number of civic organizations including Rotary International, Navy League, and Fiesta of Five Flags. Though suffering from cancer for the last 7 years, the genuineness and the inspiration he had brought to those around him continued to thrive.

Madam Speaker, on behalf of the U.S. Congress, I would like to offer my sincere condolences to the family of Mr. Menge. They, along with their community, have suffered a great loss. Mr. Menge served as a model for so many, and I am confident that many will remember him fondly and model their actions in life on what he showed them through his life.

INTRODUCTION OF THE SUSAN B. ANTHONY BIRTHDAY ACT

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2007

Mrs. MALONEY of New York. Madam Speaker, today—along with Democratic colleagues, Congresswoman LOIS CAPPS, co-chair of the Congressional Caucus on Women's issues and Congresswoman YVETTE CLARKE—I am introducing the Susan B. Anthony Birthday Act, which will designate the third Monday in February as a day to celebrate the legacy of Susan B. Anthony. Susan Brownell Anthony is remembered for creating the first women's movement in the United States and leading that movement for more than 50 years.

Born on February 15, 1820, Susan B. Anthony met Elizabeth Cady Stanton in 1851 and attended her first women's rights convention in Syracuse in 1852, where she joined the fight to get women the right to vote, arguing that, "the right women needed above every other . . . was the right of suffrage." The first proposal for women's suffrage was presented to Congress in 1868 and Susan B. Anthony appeared before every Congress from 1869 to 1906 to ask for passage of a suffrage amendment. She served as the president of the National Woman Suffrage Association from 1892 until 1900.

The first formal women's suffrage amendment to the Constitution of the United States was introduced in January 1878 and was subsequently introduced in every session of Congress for the next 41 years. Before her death on March 13, 1906, Susan B. Anthony's last public words were, "Failure is impossible."

Unfortunately, Susan B. Anthony did not live to realize her dream of women's suffrage, but thankfully her legacy survives. On May 21, 1919, the House of Representatives passed the 19th amendment, and two weeks later, the Senate followed. The Secretary of State, Bainbridge Colby, certified the ratification on August 26, 1920. The text of the 19th amendment is: "The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex. Congress shall have power to enforce this article by appropriate legislation."

The United States has previously recognized Susan B. Anthony's tremendous contribution to our Nation. A marble statue of her and her women's rights colleagues, Lucretia Mott and Elizabeth Cady Stanton, was dedicated in the United States Capitol in 1921. Susan B. Anthony's picture appeared on postage stamps in 1936 and 1955. Her home in Rochester, New York, has been a National Historic Landmark since 1966, and in 1979, her image was placed on a dollar coin.

No Federal holiday celebrates the birthday of a woman. As the founder and leader of the

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

women's movement in the United States, Susan B. Anthony deserves a permanent place in our history. The Susan B. Anthony Birthday Act will allow all women and men in the United States to celebrate and honor her legacy.

IN RECOGNITION OF THE 100TH BIRTHDAY OF LUCILLE COCHRAN

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2007

Mr. ROGERS of Alabama. Madam Speaker, I would like to pay tribute to a very special occasion today for a constituent of mine—Mrs. Lucille Cochran's 100th birthday. Mrs. Cochran will gather with her friends and family to mark the occasion on February 9, 2007.

Lucille "Mama Cill" Cochran was born in Lee County, Alabama, where she resides today with her loving family and church community. "Mama Cill" credits long life to her faith and trust in God. This mother of 9, grandmother of 35, and great grandmother of 77, enjoys entertaining her family in her kitchen where she serves her Alabama nugget baked sweet potatoes and coffee.

Mrs. Cochran's vibrant personality and active life make her an important part of her community. In her own special way, she serves as a shining example for us all. On this special occasion, I salute this remarkable woman for her long life, and her dedication to family.

PAYING TRIBUTE TO PHIL MARCUS ESSER

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2007

Mr. PORTER. Madam Speaker, I rise today to honor Phil Marcus Esser for work on behalf of the Boulder City Community.

Phil is a very accomplished folk singer and musical producer and has been a resident of Boulder City Nevada for the past six years. Since moving to Boulder City, Phil has immersed himself in charitable and community orientated projects, most notably as the choir director for St. Andrew's Church.

Most recently, Phil performed at the Boulder City American Legion Hall, raising over $4000 for Emergency Aid of Boulder City. This show was the first in a series of four such performances intending to support a local cause.

Madam Speaker, I am proud to honor Phil Marcus Esser. His work on behalf of the local community is admirable and I applaud his efforts.

RECOGNIZING TAVIA MAREZ AS OKALOOSA COUNTY'S TEACHER OF THE YEAR

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2007

Mr. MILLER of Florida. Madam Speaker, on behalf of the United States Congress, it is an honor for me to rise today to recognize Tavia Marez as Okaloosa County's Teacher of the Year.

On January 30, 2007, Tavia Marez was announced Teacher of the Year. Mrs. Marez joined the school district administration in 1997 with an educational background in Genetics and Developmental Biology and as a former researcher at Johns Hopkins University. Over the past 10 years, Mrs. Marez has proudly served the school district, and Okaloosa County is honored to have her as one of their own.

Tavia Marez currently teaches Advanced Placement (AP) Chemistry at Fort Walton Beach High School in Fort Walton Beach, FL. Mrs. Marez is aware that if her students are anything like she once was, she must make Chemistry enjoyable. To get her students interested, Tavia Marez incorporates creative techniques, such as: songs, dances, and mnemonic devices.

At the same time, to ensure that she is giving her students the best preparation needed to succeed, Mrs. Marez keeps in constant communication with the AP College Board and college chemistry professors. Ten weeks prior to the AP Chemistry exam, you can find Mrs. Marez on Saturdays offering extra help to her students, who in turn mentor elementary school students from Edwins Elementary School. Since Mrs. Marez began teaching AP Chemistry, the percentage of students who pass the AP exam drastically increased from around 0 percent to 70 and the number of students taking the course from 12 to 75.

To be honored as Teacher of the Year, the proof of greatness lies well beyond the title—it lies in the hearts and minds of the students who have been deeply affected. While Mrs. Marez humbly credits her fellow colleagues with helping her get to where she is today, it is her spirit, dedication and passion for teaching, which she has developed over the past 10 years that has won her the honor of this distinguished award.

Madam Speaker, on behalf of the United States Congress, I am proud to recognize Mrs. Marez for her great achievement as Teacher of the Year and her continuing commitment to excellence at Fort Walton Beach High School and in the Okaloosa County School District.

TRIBUTE TO SERGEANT ALEXANDER HENRY FULLER

HON. WILLIAM D. DELAHUNT

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2007

Mr. DELAHUNT. Madam Speaker, I rise today so that my colleagues in the House of Representatives can join me in honoring the life and service of one of America's fallen heroes, Sergeant Alexander Henry Fuller, who gave his life to his country while serving in Iraq. I rise so that the House of Representatives can join me in conveying our deepest condolences to his wonderful wife Stacey and to his entire family.

Alex died on January 25 at the age of twenty one, while serving in Iraq. He came from New Bedford and was raised on Cape Cod. He soon fell in love with Stacey and together they were married. Today Stacey is expecting their child. Alex had dreams of someday owning a house on Cape Cod, working as a police officer and raising a family.

But he was a young man with a mission. He had another priority in his life, to answer the call of service to his country. He loved his country and he loved serving in the Army, and in the 3rd Squadron, 61st Cavalry Regiment, 2nd Brigade Combat Team, 2nd Infantry Division based in Fort Carson Colorado. Each and every American owes him and his family a great debt of gratitude. The courage he demonstrated through his service will always be remembered.

I wish to join with my colleagues in expressing our condolences to his family and friends. We hope and pray that they find peace and comfort during this most difficult time.

Sean Gonsalves, a reporter from the Cape Cod Times wrote a moving tribute that I wish to share with you.

'WE COULDN'T BE PROUDER'

(By Sean Gonsalves)

One had a Bible in his hand.

The other Army officer carried the news Anastacia "Stacey" Fuller and her husband's adopted family had been losing sleep over—wondering if their hero, Army Sgt. Alexander Henry Fuller, was alive.

He was not, they were informed late Thursday night.

Yesterday, Sgt. Fuller's 19-year-old widow still seemed disoriented, as if the repercussions from the improvised explosive device that killed Fuller and another member of his convoy in Baghdad had reverberated across the Atlantic Ocean, all the way to the Centerville home the 21-year-old soldier had shared with his wife and inlaws.

Pfc. Michael C. Balsley, 23, of Hayward, Calif., was also killed in Thursday's explosion, according to the Department of Defense.

Stacey Fuller wasn't sure if her husband's remains were in Maryland or Delaware. She wasn't sure when his casket would be brought home to Cape, or when the funeral and burial would be held.

All she knew was that the father of her yet-unborn daughter was "fearless" and had "a huge heart."

Sitting in the showroom of her family's used-car dealership on Yarmouth Road in Hyannis, Stacey Fuller rested her hands on her bulging belly as the small flags lining the awning outside flapped in the winter wind.

"He was very determined. He always said, 'I need to help my Joes,'" she recalled, explaining the love he had for the Fort Carson, Colo.-based 3rd Squadron, 61st Cavalry Regiment, 2nd Brigade Combat Team, 2nd Infantry Division.

"We tried to talk him out of going because of how dangerous it is, but we couldn't," said Fuller's mother-in-law, Irena Zinov.

Fuller, who was born in New Bedford and raised in Centerville, saw the Army as the best way to prepare for becoming a police officer.

Fuller's legacy was his concern for others, his uncle Robert Mogavero of Millis said in a phone interview yesterday.

"At the same time, he had a great zest for life. Some kids have plans that are a little far-fetched, but his head was screwed on straight. His plans were not beyond his reach," he said.

Mogavero described Fuller as a soldier "dedicated to God and country." "As a soldier he was exemplary, and we couldn't be prouder of him as a family."

Zach Hallet of Osterville remembered his best friend as the toughest, funniest person he's known.

"And he believed in what he was doing. He was proud of being a sergeant and he was proud of being a leader."

Hallet also described his fallen friend as "fearless"—a trait his wife said she'll call on in the months ahead as she prepares to give birth in April.

Besides his wife and unborn daughter, Fuller is survived by his mother, Linda; a sister, Katie, and two brothers, Christopher and Sean.

The family has set up a memorial fund for the benefit of his daughter.

TRIBUTE TO BLACK HISTORY MONTH

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2007

Mr. VISCLOSKY. Madam Speaker, it is with a great sense of honor that I rise to celebrate Black History Month and its 2007 theme—From Slavery to Freedom: Africans in the Americas. As we recall the many struggles and reflect on the immense impact African-Americans have had on this country, we are reminded that, though we have made great strides, we must continue the fight for a society that is truly equal.

The theme for this year's Black History Month, From Slavery to Freedom: Africans in the Americas, is a reminder that in striving for equality, we must examine the past. We remember those brought to America against their will, forced into slavery, working under the most inhumane conditions. From this, however, we are reminded of those who recognized this atrocity and made the decision to fight for their freedom. We pay special tribute to those who were persecuted, and in many cases murdered, for their impassioned struggle for what was right. From the earliest men and women forced into slavery to the brave soldiers, both free and enslaved, who joined forces to eventually defeat the Confederacy, thus establishing their own freedom, all are to be commended with the highest admiration and praise. Without these struggles, President Abraham Lincoln's reminder of our founding fathers' goal, the establishment of a new Nation, conceived in liberty, and dedicated to the proposition that all men are created equal, would not be possible.

It is the efforts of these brave individuals that would inspire the great leaders of the civil rights movement, like Dr. Martin Luther King, Jr., and Rosa Parks, to persevere and make great strides toward this goal. Some of these leaders, like many before them, would face similar persecution. Some, like Dr. King, would pay the ultimate price in hopes that one day all Americans would be seen as equals. We are aware, however, that as a united society, we must continue to make strides like those generations who came before us. From the days of slavery to the days of segregation, we must continue to work toward a society that is truly equal, a society with equal rights, equal justice, and equal opportunities.

Madam Speaker, I ask that you and my distinguished colleagues join me in honoring the brave men and women who have led us in the ongoing fight for justice and equality. Let us take this opportunity to honor the sacrifices and contributions of all Americans who have fought for their freedom and the freedom of others. This commitment to equality, opportunity, and an end to discrimination is to be admired.

PAYING TRIBUTE TO LANCE CORPORAL BUDD M. COTE

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2007

Mr. PORTER. Madam Speaker, I rise today to honor the life of Lance Corporal Budd M. Cote, who died Monday December 11, 2006, of injuries sustained in support of Operation Iraqi Freedom.

Lance Corporal Cote was killed by an explosive device in al-Anbar province during combat operations. He was assigned to the Marine Wing Support Squadron 373 stationed out of the Marine Corps Air Station in Miramar, CA.

Lance Corporal Budd Cote was born in Corona, CA, on June 27, 1985. He spent his childhood in the Las Vegas valley before moving to Tucson, AZ, where he attended high school.

Lance Corporal Cote was a hero whose desire to serve his country will forever make an impact on his family, his community and his country. He joined the U.S. Marine Corps to serve his country in the Global War on Terror. He will not only be remembered for his sacrifice and willing service, but for the extraordinary person that he was. His warmth and optimism brightened the lives of his family and friends. He is survived by his loving wife, Zoraida, his parents, Marcella and Roland Cote and siblings, Alex, Christopher and Tiffany.

Madam Speaker, I am proud to honor the life of Lance Corporal Budd M. Cote. Lance Corporal Budd M. Cote made the ultimate sacrifice for his country while fighting the War on Terror and defending democracy and freedom.

TRIBUTE TO PURPLE HEART RECIPIENT ROGER WILLIAM POWELL OF ZEPHYRHILLS, FLORIDA

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2007

Ms. BROWN-WAITE of Florida. Madam Speaker, I rise today to honor Roger William Powell, a native of Montrose, MI who volunteered for the U.S. Army on January 22, 1969. Assigned as a mechanic, Mr. Powell was sent to Vietnam on June 22, 1969, with an armor recon specialty where he became a part time scout driver and machine gun operator. Assigned to E Troop, 1st Calvary Regiment, 11th Infantry Brigade, his base camp was Chu Lie.

On August 8, 1969, his troop was in the field in Quang Ngai when they came under hostile fire from Viet Cong forces. Rocket propelled grenades landed amongst the troops, with Mr. Powell sustaining shrapnel wounds in his right eye, both hands and arms and a perforated eardrum. transferred by Medivac helicopter to an evacuation hospital in Japan, he remained under medical care for three months. A purple heart was noted on his record but not awarded, as Mr. Powell was not at that facility a sufficient time for the paperwork to be processed.

Following his recovery from his injuries, he was reassigned stateside to Ft. Knox, KY. Mr. Powell then volunteered for duty in Germany where he remained until his discharge on January 14, 1971.

Currently residing in Zephyrhills, Florida, Mr. Powell and his wife, Tansy, have three grown children; 32-year-old Scott, 30-year-old Shalynee and 26-year-old Shelby, all of whom reside in Michigan.

After almost 38 years, it is my distinct honor and privilege to present Mr. Powell with his long-awaited Purple Heart.

Madam Speaker, soldiers like Roger William Powell should be recognized for their service to our Nation and for their commitment and sacrifices in battle. I am honored to present Mr. Powell with his long overdue Purple Heart. He should know that we truly consider him one of America's heroes.

HONORING BORDEN BYRD

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2007

Mr. BURGESS. Madam Speaker, I rise today to recognize Borden Byrd for his heroic effort to save a possible collision between two jets on August 24, 2006.

Mr. Byrd is the air traffic controller at DFW TRACON (DIO), one of the control towers for the Dallas-Fort Worth International airport. As DFW is among the top three busiest airports in the Nation, the controllers must be focused and attentive at all times to ensure safe and smooth air traffic. If it were not for Mr. Byrd's immediate reaction and sharp eye, two jets, an American Airlines MD80 and a United Express regional jet, might have collided last August.

That day, the regional jet's pilots had entered an incorrect runway into the Flight Management System, which put the jet directly into the path of the MD80. Luckily, Mr. Byrd noticed the anticipated trajectory paths for the jets and directed the regional jet immediately to the west, out of the path of the MD80. His careful watch and proactive character saved numerous lives that day.

It is with great honor that I recognize Mr. Borden Byrd for his exceptional service not only to Dallas-Fort Worth International airport, but also to our community. His knowledge and dedication to air safety prevented a great tragedy from occurring, and I join his family and friends in congratulating him on this heroic affair.

PAYING TRIBUTE TO BONNIE SCHOFIELD

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2007

Mr. PORTER. Madam Speaker, I honor Mrs. Bonnie Schofield for her dedication to the community and families she served.

Bonnie has been serving 79 families in Hiko, NV, as a postmaster since 1973, 6 hours a day, 6 days a week. Bonnie's families picked their mail up at the Post Office in front of her house in an old-fashioned way. Instead of using the modern-day post office boxes, the mail was sorted into old-fashioned sacks Bonnie handmade herself and then hung onto pegs. Families would then pick up their mail while the traditions of past generations stayed intact.

For the 30 years prior to her appointment as postmaster, Bonnie's mother-in-law held the position. Her daughter also continues the family tradition, for she was named postmaster for 2004 in Alamo, NV. Bonnie also has served the National Association of Postmasters of the U.S., NAPUS, as State president, on its State council, and representing Nevada in Washington, DC.

On December 1, 2006, Bonnie retired from her position as postmaster and, with her, lay to rest the traditions of Hiko' s community. What she will miss the most is the customer interaction and personalized service. Now that she is retired, she plans on nurturing her garden and traveling with her husband of 49 years. Bonnie also plans on spending more time with her 4 children, 18 grandchildren, and 8 great-grandchildren.

Madam Speaker, it is with great honor that I recognize the gracious efforts of Mrs. Bonnie Schofield. Her diligence and dedication are those to be admired. I wish her luck with all her future endeavors.

TRIBUTE TO MAYOR MANUEL DIAZ

HON. KENDRICK B. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2007

Mr. MEEK of Florida. Madam Speaker, I congratulate Mayor Manuel Diaz of Miami for receiving the "Outstanding American by Choice" award on January 24, 2007 at the White House.

The "Outstanding American by Choice" award recognizes the achievements of naturalized U.S. citizens who, through civic participation, professional achievement and responsible citizenship, have demonstrated their commitment to this country and to common civic values. The award is given to citizens who have made significant contributions to their community and to this country.

Mayor Diaz was born on November 5, 1954 in Havana, Cuba and immigrated to the United States with his mother, Elisa, in 1961. He grew up in Miami's Little Havana neighborhood and attended Belen Jesuit Prep School, Miami-Dade College, Florida International University and the University of Miami's School of Law.

Mayor Diaz was elected as mayor of the city of Miami in 2001 and re-elected to a second term in 2005. He has led the effort to reform Miami city government, improve public schools, and bring increased investment and business opportunities to Miami. Vanity Fair magazine has honored Mayor Diaz, calling him one of North America's leading environmentally conscious mayors. In recognition of his accomplishments, Mayor Diaz was honored by his fellow mayors and elected chair of the Advisory Board of the United States Conference of Mayors in 2006.

Mayor Diaz's achievements should make all Americans proud that, in this Nation of immigrants, success in life is attainable through hard work and the desire to achieve great dreams.

INTRODUCTION OF RESOLUTION REGARDING 9/11 HEALTH ISSUES

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2007

Mrs. MALONEY of New York. Madam Speaker, as a next step in the long fight to ensure that the heroes of 9/11 get the medical monitoring and treatment they need and deserve, today with my colleague Rep. VITO FOSSELLA, I am introducing a resolution urging the Administration to prepare a comprehensive plan to medically monitor all individuals—responders, residents, area workers and school children—who were exposed to the toxins of Ground Zero on 9/11 and to treat all those who are sick as a result.

A peer-reviewed study released last year by the World Trade Center Medical Monitoring Program found that 70 percent of 9/11 responders have suffered from respiratory ailments and 60 percent are still sick. Among those screened, 40 percent do not have health insurance. A study previously published by the New York City Fire Department documented a 12-year lung capacity loss, on average, among New York City firefighters who responded to the World Trade Center.

Despite these well-documented illnesses and lack of medical insurance, only a fraction of 9/11 responders, area residents, workers and school children are being medically monitored. Far fewer are receiving the treatment they need. Even worse, the first federal funding for treatment of responders, which was distributed in October 2006, is projected to run out sometime this summer—just months after the treatment program began.

I am pleased that the Administration has, for the first time ever, included funding in the FY2008 budget for health treatment for sick and injured 9/11 first responders. However, the $25 million included will cover just a small fraction of the cost of monitoring and treating the thousands exposed to the toxins of Ground Zero. I am also pleased that the Administration has finally said that HHS will be producing an estimate for the heath needs of first responders—but only first responders. Quite simply, a plan that takes into account only first responders is not sufficient. The hundreds of thousands of area residents, workers, school children and federal employees who are in need of monitoring and treatment deserve to be included in any plan put forth by HHS.

I am hopeful that Congress will be taking direct action in the coming weeks and months to fund current treatment and monitoring programs as well as expand those programs to include all affected residents, school children, area workers and rescue workers who came to New York from across the country after 9/11. As we work together toward bolder action, I believe this resolution urging the Department of Health and Human Services to develop a comprehensive plan is an important first step in focusing the Administration's attention on the health needs of the all the heroes of 9/11.

HONORING THE CITY OF PIEDMONT

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2007

Mrs. LEE. Madam Speaker, I rise today to honor the City of Piedmont on the occasion of its Centennial Celebration.

Prior to its incorporation as a city in 1907, Piedmont was comprised of lands owned by individuals such as Don Luis Peralta, Walter Blair and James Gamble. During the late 1800s, Mr. Blair bought 600 acres of land from the Peraltas. He built a dairy on Highland Avenue, a quarry, a hotel and an amusement park known as Blair Park.

In 1877 James Gamble, the president of Western Union Telegraph, bought 350 acres from Mr. Blair. He built a house on Hillside Avenue and planned to sell the rest of the land so others could build houses as well. He called his business the Piedmont Land Company, which he felt was appropriate for the new community due to the fact that Piedmont means "foot of the mountain" in Italian.

In the 1880s there were only seven houses where the City of Piedmont is now. During the same time Piedmont had its first and only factory, the Ladies Silk Culture Society. Over 100 women worked spinning thread from the cocoons of silk worms that grew on the mulberry trees, but ultimately there weren't enough trees and the factory closed in 1895.

While major landowners were building large houses in the middle of Piedmont during the early 20th century, many artists and writers lived in smaller houses they built themselves on Scenic Avenue. Jack London, Xavier Martinez and George Sterling all lived in the hills of Piedmont during the early 1900s.

On April 18, 1906, the infamous San Francisco earthquake rocked the Bay Area, sending thousands of city residents across the Bay into the surrounding communities. Many of those who fled the destruction in San Francisco at that time came to Oakland, Berkeley and Piedmont, which grew 10 times larger in one year as a result.

On January 7, 1907, Hugh Craig and James Ballentine filed papers with the State of California to incorporate the City of Piedmont. An election was held on January 26, 1907 and 118 men who owned land in Piedmont voted to become a city. Some residents were displeased with this result, however, and another election was held in September of the same year; the result held and Piedmont became a city by a mere 10 votes. Varney Gaskill became the first mayor of Piedmont, but only served for three months. In May of 1907 Hugh Craig became the second mayor of the city and is considered by many to be the "father" of Piedmont. Piedmont City Hall was built in 1908.

Over the past century, the City of Piedmont has developed a governmental organization that provides its citizens with an exceptionally high level of municipal and educational services by partnering an exceptional staff with a tradition of generous community volunteerism. The residents of Piedmont have a history of service and leadership that extends from local to international endeavors. Their work contributes immeasurably to the quality of life here in California's 9th Congressional District and beyond, and it is my pleasure to extend my heartfelt congratulations to all of Piedmont's residents on the occasion of its Centennial Celebration.

IN SUPPORT OF H.R. 808, ESTABLISHING THE DEPARTMENT OF PEACE AND NONVIOLENCE

HON. MAZIE K. HIRONO

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2007

Ms. HIRONO. Madam Speaker, I strongly support H.R. 808, establishing the Department of Peace and Nonviolence.

At a time when we are spending hundreds of billions of dollars on the war in Iraq, which the majority of the American public no longer supports, there is a growing call for a diplomatic and political, in other words, a peaceful resolution to this conflict.

The establishment of the Department of Peace and Nonviolence, with its emphasis on education and dispute resolution through peaceful means, sends a clear message to our citizens and to the rest of the world that our country recognizes and values the peaceful resolution of conflicts and differences and that these methods should be emphasized to resolve conflicts at both the individual and national levels.

The Department of Peace is not a new idea. My esteemed and highly respected predecessor from the State of Hawaii, first Representative and then Senator Spark M. Matsunaga, proposed a similar institution 30 years ago as the Vietnam war waged on. After three decades of unresolved conflicts, worsening international relations, and seemingly endless wars around the world, the time has come to bring this great idea to life.

I fully support H.R. 808.

TRIBUTE TO GRACE CARTER DAWKINS

HON. PHIL GINGREY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2007

Mr. GINGREY. Madam Speaker, I rise today to honor the memory of Grace Carter Dawkins, a native of Greenville, GA. Mrs. Dawkins recently passed away, leaving behind a long legacy of compassion and spirited involvement in her community.

Mrs. Dawkins had a big heart and a willingness to help others. As a teacher in Newnan and Atlanta, she not only taught home economics and served as a class sponsor, but she helped sew prom dresses for the students and cooked up delicious meals for class banquets.

Grace was also deeply involved with her church, Brinson Chapel, where she lent her passion for service to the church's missionary, senior, and community outreach programs.

Madam Speaker, I've had the honor to experience Grace's generous personality firsthand, and I know her loving acts of kindness will be felt in Greenville for many years to come.

I also know Grace's husband, Robert, her sister, Gloria Carter Morris, and her three brothers, Rufus, Earnest, and Willie Carter, will keep her memory strong.

Madam Speaker, I ask that you join me in honoring the compassion, charity, and joy of Grace Carter Dawkins's life.

HONORING MRS. DAWN GASIOR OF ST. SYMPHOROSA SCHOOL

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2007

Mr. LIPINSKI. Madam Speaker, I rise today to honor an outstanding educator in my district, Mrs. Dawn Gasior. For 27 years, Mrs. Gasior has tirelessly served her students and the entire St. Symphorosa Parish community. As a result of her dedicated and enthusiastic efforts, she was recently nominated for the Archdiocese of Chicago's "Heart of the School" Award.

A long-time Clearing resident and student at St. Symphorosa from 1963 to 1971, Mrs. Gasior returned to the school in 1980 to establish a Kindergarten program and began teaching the second grade in 1984. Mrs. Gasior still teaches the second grade today and especially enjoys teaching the Sacraments. She not only provides valuable insight and moral guidance in the classroom, but also offers support to the parish through her work as a Eucharistic Minister.

The Archdiocese of Chicago's "Heart of the School" Award annually recognizes 14 teachers for their outstanding, unique, and innovative accomplishments. This year, the Archdiocese is acknowledging Mrs. Gasior in the area of Catholic School Identity and Mission for her work in the design and implementation of effective catechetical approaches in the curriculum and for her commitment to promoting peace and justice. Mrs. Gasior's nomination is a tribute to her work and a reflection of the Chicago Archdiocesan pledge to develop educated, thoughtful, and moral students.

It is my honor to commend Mrs. Dawn Gasior for her achievements as an outstanding teacher and advocate of Catholic education. She, along with countless other educators, serves to enhance our overall education system—impacting one student at a time. I thank Dawn, along with all of our Nation's teachers, for their dedication, passion, and noble service.

LITTLE ROCK SCHOOL BOARD HAS FIRST BLACK MAJORITY

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2007

Mr. RANGEL. Madam Speaker, I rise today to enter into the CONGRESSIONAL RECORD an article in the New York Times announcing a majority African American School Board in Little Rock, AR. This is the first time since Federal troops enforced integration in 1957 that African Americans have earned a majority on the Little Rock School Board. As pronounced in the article, it is good to see that people are looking for a change.

The events that took place in Little Rock still stand as a testament to the spirit of resiliency abiding deeply within the African American community. Similarly, the decision to integrate in 1957 echoes our countries commitment to ultimately ensuring equality among all of our Nation's sons and daughters. In the same way that 1957 remains such a pivotal year in our Nation's history, I hope that these more recent events continue to shape future generations—moving away from things as usual, as the article states, toward viewing issues of importance from the perspectives of the people directly affected rather than by socially engineered categories like race, gender, and class.

Central to the article are the issues faced by students, skin color notwithstanding. It is important to understand that what this article highlights is not simply the need to recognize the gains made by African Americans in winning the majority of seats on the school board but rather the changes in minds and hearts necessary to move to a space where people are voted for because of their desire to preserve and protect the interest of the people they serve.

I applaud the efforts of Little Rock School Board members as well as members of the community.

[From the New York Times, Oct. 13, 2006]

LITTLE ROCK SCHOOL BOARD HAS FIRST BLACK MAJORITY

(By the Associated Press)

LITTLE ROCK, AR.—For the first time since federal troops enforced public school integration here by escorting a group of black students into Central High School 49 years ago, the Little Rock school board has a black majority.

Dianne Curry won a runoff election on Tuesday, meaning four of the Little Rock School District's seven board members are black. Ms. Curry defeated Tom Brock, who had been appointed to fill an unexpired term in February.

The district, which has 26,000 students, has been mostly black for years, but until now has never had a black majority on the school board.

Until 1957, Little Rock had operated separate schools for blacks and whites. Despite an order from the United States Supreme Court, Gov. Orval E. Faubus sought to prevent nine black students from entering Central High, but President Dwight D. Eisenhower sent in the 101st Airborne to enforce the court's order.

Federal courts have monitored the desegregation effort since 1965.

Sixty-eight percent of the district's students are black, 24 percent are white, and Hispanics and Asians make up most of the remaining 8 percent. The population of Little Rock is mostly white, and there are many predominantly white private schools in the area.

The school district has sought to free itself from federal monitoring, but a judge maintained partial control after ruling two years ago that the district was not adequately appraising how well its academic programs helped black students.

Superintendent Roy Brooks is black, as is Robert Daugherty, the board's president.

"I think people are looking for a change," Mr. Daugherty said. "They're tired of things as usual, business as usual. They want people who are more in tune with the community, and I think that's what you see now."

Skip Rutherford, dean of the Clinton School of Public Service and a former board president, said that a black majority on the board was "probably long overdue."

Students will still come first, said Mr. Rutherford, who is white.

"I think the board members are going to vote much more on the content of their character than the color of their skin," he said. "Most people when they get on the school board tend to view issues not by color but by what's best for the students."

INTRODUCTION OF THE MARRIAGE TAX PENALTY PERMANENT ELIMINATION ACT OF 2007

HON. JERRY WELLER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2007

Mr. WELLER of Illinois. Madam Speaker, thank you for the opportunity to introduce the Marriage Tax Penalty Permanent Elimination Act of 2007. This important bill makes marriage tax relief permanent for the 48 million American married couples that benefit from the marriage tax relief enacted by Congress and signed into law in 2003.

Madam Speaker, if we do not act, in 2010 48 million hardworking married couples will face an annual tax increase which averages $2,726. I am sure I speak for the married couples in my district and Illinois when I say that $2,726 each year is a lot of money. In fact, if a couple were to put this money away each year to pay for the costs of a child's college education, without even earning interest they would have nearly $50,000.

My legislation will ensure that marriage tax relief becomes permanent and 48 million American couples are not subject to a $2,726 annual tax increase starting in 2010. I encourage my colleagues to join me in continuing the fight to guarantee that the values we hold most dear, marriage, family and hard work are treated fairly under our tax code.

PERSONAL EXPLANATION

HON. JEFF FORTENBERRY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2007

Mr. FORTENBERRY. Madam Speaker, on Monday, February 5, 2007, I was unavoidably detained and thus I missed rollcall votes Nos. 74 and 75.

PERSONAL EXPLANATION

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2007

Mr. GENE GREEN of Texas. Madam Speaker, I was unable to attend two votes last night due to official business, hosting a paying for college workshop in my district.

I obtained an excused absence for this event, and I ask unanimous consent to include this personal explanation in the RECORD.

On February 5, 2007, I was unable to be present for rollcall votes No. 74 and No. 75.

On rollcall vote No. 74 to suspend the rules and agree to the resolution regarding National Consumer Protection Week, I would have voted "aye."

On rollcall vote No. 75 to suspend the rules and agree to the resolution supporting the goals and ideals of National Black HIV/AIDS Awareness Day, I would have voted "aye."

PERSONAL EXPLANATION

HON. PATRICK J. KENNEDY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2007

Mr. KENNEDY. Madam Speaker, on rollcall No. 74 and No. 75 I was unable to make the vote. Had I been present, I would have voted "yea" on both No. 74 and No. 75.

PERSONAL EXPLANATION

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2007

Mr. ORTIZ. Madam Speaker, due to my attendance at a memorial service in my district, I was unable to cast the following rollcall votes. Had I been present, I would have voted as indicated below.

Rollcall No. 74: "yea".

Rollcall No. 75: "yea".

HONORING TEMPLE COLLEGE

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2007

Mr. CARTER. Madam Speaker, I would like to take this opportunity to recognize the high level of success achieved by Temple College located in Temple, Texas. The Texas Bioscience Institute established by Temple College recently garnered the highest award offered by the Community College Futures Assembly, the distinguished Bellwether Award. The Bellwether Award is given to the highest achieving institute in workforce development. This award is given to only one community college each year, effectively recognizing the Texas Bioscience Institute as the finest workforce development institute at any community college. One chancellor from a California community college was so impressed with TBI he plans to emulate the institute at his school.

This award not only recognizes TBI's success; it is an indicator of the bright future of Temple College and the Texas Bioscience Institute. With this award comes the opportunity to apply for grants from the state and federal governments, ensuring the means for further successes from this institute. Not satisfied to rest on their laurels, the institute plans to increase the number of students by 50 percent to 150 and maintain the high level of teaching achievement they are known for. I am very proud of their work and am honored to represent such a fine academic institution as Temple College and their award-winning Texas Bioscience Institute.

TRIBUTE TO JAMES C. MILES

HON. JOSEPH R. PITTS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2007

Mr. PITTS. Madam Speaker, it is my distinct honor to remember the life of a proud Berks County resident, James C. Miles. James was born August 26, 1918, to Alfred and Grace Miles, and passed away on February 5, 2007, at the age of 88.

Born and raised in Reading, Pennsylvania, Mr. Miles graduated from Reading High School in 1936 and later joined the U.S. Army during World War II. Utilizing his experience with the famous Reading Railroad industry, Mr. Miles served in Northern Africa and Europe helping to repair the rail network in support of the advance towards Germany.

Mr. Miles was a member of the Advent Lutheran Church in West Lawn, Pennsylvania. In addition, Mr. Miles was a former President of the Wernersville VFW.

Mr. Miles was preceded in death by his wife of over 40 years, the former Marjorie Elizabeth High, whom he wed November 27, 1941, and who passed away on May 22, 1986. Surviving him are his two children, Larry E. (Catherine) Miles of Wyomissing, Deborah (Michael) Shimko of Nazareth; five grandchildren, Kelly (Tony) Curtis of Glen Allen, VA, Jeffrey (Meredith) Miles currently serving at our Embassy in Mexico City, Mexico, Jennifer Miles of Chicago, IL, Michael and Mark Shimko of Nazareth; and three great-granddaughters, Caroline, Madelyn and Claire Curtis of Glen Allen, VA.

Madam Speaker, I would like to take this opportunity to remember and celebrate the life of James C. Miles. I ask my colleagues to join me in honoring his life and achievements here today.

NOW, MORE THAN EVER, WE NEED A DEPARTMENT OF PEACE

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2007

Mr. CONYERS. Madam Speaker, America needs a Department of Peace in order to have a peace-making capacity to match its war-making capacity. America should rely on preventive diplomacy, not on preventive war. We should work within the framework of international law, not defy it.

My first campaign for Congress, following the teaching of Dr. King, was based on "jobs, peace and justice." That remains my priority agenda. So I am proud to be an original cosponsor of H.R. 808, Representative KUCINICH's bill to establish a Department of Peace and Non-Violence. At a time when the world is awash in war, he and Marianne Williamson, founder of the Peace Alliance, offer this modern vision of healing and preventing violence.

It could not be more timely. According to all reports, the Bush administration is debating whether to attack Iran or to find peaceful ways to deal with its nuclear program and its intervention in Iraq. The prospect of President Bush starting a "pre-emptive war" with Iran, on top of the tragedy in Iraq, is frightening. If that is not a compelling argument for creating a Peace Department, then I do not know what is.

We attacked Iraq because President Bush would not pursue peace and let U.N. inspectors complete their work. Instead, he distorted intelligence and failed to foresee the terrible consequences of that war. We must not repeat those mistakes in Iran, or anywhere else.

Last night, I spoke to an overflowing crowd that supports this measure and I told them what I tell my colleagues now. The best way to stop the war in Iraq is for the Congress to end our fighting there as soon as possible, and the best way to prevent wars with Iran and other adversarial nations is to establish a Department of Peace. We need a Cabinet Secretary focused like a laser on how to keep peace with Iran and constantly pressing the President to choose that strategy.

President Bush has already spent some $2 trillion on the war in Iraq. Just think what we could have done with $2 trillion spent on health care and education. That is another strong reason for the Department of Peace. A small fraction of that amount could also have funded a robust, proactive Department of Peace to analyze looming conflicts and to advise the President on how to diffuse them without war.

The most crucial point is what happens when the President and his top advisors confer in the Oval Office about an international crisis. We need a Cabinet member at that table who will forcefully and persistently advocate the peaceful options. Too often, the phrase "search for peace" is simply a political sound bite. President Bush assured us he was searching for peace, and that attacking Iraq was his "last resort," while he secretly plotted war. We need to ensure that war really is America's last resort.

Some of my colleagues may find this proposal interesting but feel they must deal with "more pressing matters." What is more pressing than preventing the violent deaths of our GI's and of our fellow human beings everywhere?

Some colleagues may think a Department of Peace is being offered as a substitute for our Armed Forces. That is not true. We realize that sometimes force proves necessary to protect our truly vital interests. A Peace Department would complement the Pentagon, not replace it, but a Peace Department would make war as rare as possible.

I remind those cynical about the absolute priority of pursuing machinery for peace that Gandhi, Dr. King and Nelson Mandela, who each pioneered paths of peace and non-violence, are now hailed worldwide as heroes of humanity.

INTRODUCTION OF THE RURAL COMMUNITIES INVESTMENT ACT, H.R. 833

HON. RON LEWIS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2007

Mr. LEWIS of Kentucky. Madam Speaker, I rise to inform my colleagues of legislation I have introduced today to strengthen economies in rural America.

The legislation that I have proposed, The Rural Communities Investment Act, H.R. 833, extends tax initiatives to make the interest income on farm real estate and certain rural housing loans exempt from federal taxation.

Rural communities are facing sharp declines in population and business development due to urban migration and consolidation trends in U.S. agriculture. My bill would provide tax incentives to facilitate low cost financing options for farm and rural housing loans. More financing options will encourage greater competition among lenders and better rates for borrowers.

The Rural Communities Investment Act, first introduced as H.R. 4854 in the 109th Congress, has received the support of the Kentucky Bankers Association, a trade group representing the interests of thousands of bank employees across the Commonwealth of Kentucky.

I believe the incentives offered in The Rural Communities Investment Act will provide a solid foundation for new investment and economic stability in small town America, making rural communities affordable and attractive places to live and do business.

THE PASSING OF CHARLOTTE THOMPSON REID

HON. J. DENNIS HASTERT

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2007

Mr. HASTERT. Madam Speaker, I rise today to celebrate the life of a former member of this House and one of my predecessors, Charlotte Thompson Reid, who passed away on January 25, 2007. For those of us from the Fox Valley who have since gone on to a life of public service, Charlotte Thompson Reid is an inspiration to us all and an example of how to serve the people you have been trusted to represent with the utmost integrity.

Known as the "Grand Lady of Aurora, Illinois," and "Charley" to her friends, Charlotte accomplished great things for her hometown of Aurora and the surrounding area. Her sparkling personality and just plain Midwest-friendliness is renown throughout all of Chicago land.

As I have said before on the floor of this House, her service in Congress overlapped with the beginning of my teaching career in Yorkville, Illinois and her outstanding record helped inspire me to seek public office in the late 1970s. In fact, Charley's endorsement and work on my behalf helped me get elected in 1986 during my first and toughest race.

After raising her family of four, she worked side by side with her husband Frank as he ran for the House of Representatives in 1962. When Frank suddenly died, she was elected in his stead. She won re-election in four terms bringing her solid Midwestern values to this House. Charlotte went on to be appointed to the F.C.C. where she served with distinction until the mid-70s and was later appointed by President Reagan to serve on the Presidential Task Force on International Private Enterprise from 1985–1987.

To be sure, Charley's surviving children (Patricia, Susan, and Frank), eight grandchildren, and thirteen great-grandchildren, should be proud of the legacy she has left behind and carry her spirit for life with them in their journeys.

Madam Speaker, we are all indebted to Charlotte Thompson Reid for her energy, her gentle manner and what she meant for this country. I offer her family my sincere condolences during this difficult time and wish them the very best in the future.

BLACK HISTORY MONTH

HON. JUANITA MILLENDER-McDONALD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2007

Ms. MILLENDER-McDONALD. Madam Speaker, during the month of February, we celebrate Black History Month. This year's theme is "From Slavery to Freedom: The Story of Africans in the Americas."

I would like to call the attention of my colleagues to a man who exemplifies the characteristics of a leader in the African American community. It is with great pride that I introduce and honor Farrell J. Chiles as he celebrates his 9th year as a member of Blacks In Government (BIG) and on completion of his 5th consecutive year as its Chairman of the Board.

In 2000, Mr. Chiles began his leadership role within BIG as the President of the Los Angeles/Long Beach Area Chapter. The following year, he was elected to the board of directors of the National Organization.

In 2000, Mr. Chiles became the Chairman of the Board and has been re-elected for 4 consecutive years. During his chairmanship, the organization has grown and achieved remarkable successes.

Mr. Chiles is also a Life Member of the NAACP and the ROCKS, Inc., and an associate member of the Tuskegee Airmen, Inc.

Mr. Chiles is presently employed with the Department of the Army, at the 63rd Regional Readiness Command in Los Alamitos, California where he serves as the Division Chief of the Human Resources Division. He is a member of the United States Army Reserve, a Vietnam Veteran, and was mobilized for a year in support of Operation Enduring Freedom.

He is a Life member and former board member of the United States Army Warrant Officers Association. Mr. Chiles is also a Life Member of the Reserve Officers Association. During Black History Month in 2005, he presented a report at its MidWinter Conference entitled "African American Warrant Officers—In Service to their Country—Their History, Achievement, and Contributions to the Military and the United States." This year, his presentation is on African American Warrant Officers during World War II.

Mr. Chiles served on the 37th Congressional District's Veterans Congressional Council and is a Life Member of the Veterans of Foreign Wars.

It is my sincere hope that my colleagues will join me in honoring and recognizing Mr. Chiles and his significant accomplishments throughout his career, his leadership with Blacks In Government, and his service to the African American community and his country.

* * *

HONORING THE DIOCESE OF ORANGE COUNTY

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2007

Ms. LORETTA SANCHEZ of California. Madam Speaker, I rise today to honor the Diocese of Orange County which has recently celebrated its 30th anniversary and thank Bishop Tod Brown for his leadership of the Diocese.

The Diocese of Orange was established in 1976 after 200 years of presence by the Catholic Church symbolized by the Mission at San Juan Capistrano built in 1776.

Since its original charter, The Diocese of Orange has always stood for justice and peace and has grown with Orange County providing immeasurable service to the community.

The Diocese has a hand in the education of over 65,000 students from elementary through high school instilling values of community involvement and a strong moral compass.

The Diocese has also provided assistance to over 400,000 patients through its clinics, health centers, and hospitals in Orange County.

On top of these services, the Catholic Diocese has been a beacon of hope for the underprivileged in Orange County and always provides help to those in need.

The Diocese has united a culturally diverse group of people, including my Vietnamese and Latino communities, through faith, love and understanding. The Church has always been welcoming and I thank them for their service.

* * *

IN RECOGNITION OF ST. BARTHOLOMEW CATHOLIC SCHOOL

HON. BARON P. HILL

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2007

Mr. HILL. Madam Speaker, I rise today to congratulate St. Bartholomew Catholic School in Columbus, Indiana for receiving the Department of Education's 2006 No Child Left Behind Blue Ribbon School Award.

St. Bartholomew Catholic School is among only 250 schools in the Nation to receive the Blue Ribbon School Award, and 1 of 14 schools in Indiana honored with the award. The award recognizes the high academic achievements of the students.

The Blue Ribbon School Award is a testament to the hard work and dedication demonstrated by the students, parents, teachers, and administrators of St. Bartholomew Catholic School, including its Principal Kathy Schubel. This school has become a model for other Indiana schools for its academic excellence.

It is my honor and privilege to recognize St. Bartholomew Catholic School for its outstanding achievement in preparing our Hoosier children for their future opportunities. I urge St. Bartholomew Catholic School to continue to be a shining example of superior leadership, and continue its commitment to excellence in education.

INTRODUCING THE HAWAIIAN HOMEOWNERSHIP OPPORTUNITY ACT OF 2007

HON. NEIL ABERCROMBIE

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 6, 2007

Mr. ABERCROMBIE. Madam Speaker, I rise in support of legislation I am proud to introduce today. The Hawaiian Homeownership Opportunity Act of 2007 is the exact same language of H.R. 5851, reported out of the House Financial Services Committee on September 28, 2006, in the 109th Congress.

The measure reauthorizes existing Native Hawaiian housing programs for 5 years and makes two adjustments to the program that will allow the Department of Hawaiian Home Lands to help more Native Hawaiians whose incomes are equal to or less than 80 percent of the median income.

In 2000 Congress passed legislation authorizing the U.S. Department of Housing and Urban Development, HUD, to provide block grants for affordable housing for Native Hawaiians through the Department of Hawaiian Home Lands. The 2000 measure also authorized HUD home loan guarantees for low-income Native Hawaiians. Eligible borrowers include Native Hawaiian families, the Department of Hawaiian Home Lands, the Office of Hawaiian Affairs, and private nonprofit organizations experienced in planning and developing affordable housing for Native Hawaiians.

The Hawaiian Home Ownership Opportunity Act of 2007 reauthorizes these programs and adds a new provision authorizing loan guarantees for home mortgage refinancing. This introduces greater flexibility and allows families to take advantage of lower interest rates as millions of other American families have. The measure would also permit the Department of Hawaiian Home Lands to issue bonds. This will allow the Department to service more low-income families without a large increase in appropriations.

This bill is about homeownership; this is not welfare or public assistance. It offers another tool for a family to provide for a basic need, housing. This is unbelieveably important in Hawaii where land is scarce and the median home price on the island of Oahu is $639,000 and the median condominium price is $310,000. This measure will advance our efforts to address housing affordability in the islands.

I would like to thank the House Financial Services Committee Chairman BARNEY FRANK and Subcommittee on Housing and Community Opportunity Chairwoman MAXINE WATERS who have been extremely supportive in dealing with the housing problems of Hawaii. I would also like to recognize my colleague from Hawaii, Congresswoman MAZIE HIRONO, who, like Chairman FRANK and Chairwoman WATERS, is a cosponsor of this legislation.

I urge my colleagues to help the residents of Hawaii and support this legislation.

SENATE—*Wednesday, February 7, 2007*

The Senate met at 10 a.m. and was called to order by the Honorable BENJAMIN L. CARDIN, a Senator from the State of Maryland.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, whose loving hand has sustained our Nation, help us to find our refuge in a personal commitment to Your plan for our lives. Give us the wisdom to trust You to guide our steps and to lead us to a desired destination.

Bless our lawmakers. Let the contagion of Your presence bind them together. Speak to them above the noise and prattle of impulsive rhetoric so that they will know and do Your will. Lift them above the valley and the mists of struggle to the mountain of trust and confidence in Your power. Give them the courage to seek first Your rule and righteousness.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable BENJAMIN L. CARDIN led the Pledge of Allegiance, as follows:

> I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The assistant legislative clerk read the following letter:

> U.S. SENATE,
> PRESIDENT PRO TEMPORE,
> *Washington, DC, February 7, 2007.*
>
> *To the Senate:*
>
> Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BENJAMIN L. CARDIN, a Senator from the State of Maryland, to perform the duties of the Chair.
>
> ROBERT C. BYRD,
> *President pro tempore.*

Mr. CARDIN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, the Senate will begin morning business in just a few minutes, with the time until 2 p.m. equally divided and controlled between the two leaders or their designees. The first 30 minutes this morning will be controlled by the minority, and then the majority will control, of course, the next 30 minutes. We are going to do the best we can to alternate back and forth.

Yesterday, we had a nice debate. When a Democrat wasn't here, a Republican moved in and vice versa. It worked out well with the time.

I announced last night that I intended to have the Senate proceed this afternoon to executive session to consider a number of Executive Calendar nominations. I had spoken to the Republican leader prior to making that announcement and told him I wanted to consider GEN George Casey and ADM William Fallon to be voted on today or tomorrow. I expect there will be debate with respect to the Casey nomination. We have had word that on the minority side there are a number of statements they wish to have made, and I am confident there will be some over here, also. We will make a decision at a later time whether we should have time agreements or just move forward with these.

Let me just say a few words about what is going on in the Senate and has been going on over the last few days. As we all know, the President, in giving a speech, said he wanted to move a significant number more of American troops to Iraq. As a result of that, there have been efforts made to have the Senate vote on whether that is appropriate. We have been unable to arrive at that point, which is somewhat surprising because the people who helped write the amendment voted against proceeding to debate on that amendment. People whose names are associated with that amendment decided not to proceed to vote on that amendment.

I think it speaks volumes that there has been almost nothing said by the minority about supporting the surge. There have been no speeches over here supporting the surge. In fact, late yesterday there was a proposal to not even have a vote on supporting the surge.

That is where we are. The House is going to take up this matter next week. They will send this over to us, and in due time we will try to get to this matter. But it is pretty clear that one reason for the slowdown here is to allow the President to move troops over there. The more troops moved over there prior to this vote, the more difficult it is to say don't send the troops—when he has already sent them. But there are other ways to approach this issue in Iraq.

Just a matter of hours ago, a Sea Knight helicopter was shot down over Baghdad, the fifth helicopter shot down in the last 2 weeks. We don't know how many Americans are dead in this latest incident. We do not know because the military has not announced it. We do know these Sea Knight helicopters—they are called CH–46s—are used by the Marines primarily as a cargo and troop transport, and they carry as many as 25 combat-loaded troops.

We also know that the administration submitted its budget, requesting another $245 billion in the war in Iraq and other matters relating to the military, bringing the total to well over $500 billion. In fact, we learned yesterday that the United States had shipped money to Mr. Bremer, Ambassador Bremer, to disburse money to Iraqi ministries. How much money? It was 363 tons of money in hundred-dollar bills—363 tons. There is some dispute as to how many hundred-dollar bills it takes to make 363 tons, and they really don't know exactly how much money that is, but it is around $12 billion, most of which is not accounted for. I guess $12 billion, when you compare it to $500 billion, is not very much, but I think the American people understand that 363 tons of cash, hundred-dollar bills, is a lot of money.

We also know from reading the morning paper that the Associated Press reports:

> More Americans have been killed in combat in Iraq over the last 4 months than in any comparable stretch since the war began.

To say the war isn't going well is an understatement. To say there is a civil war going on in Iraq is an understatement. I really think it is unfortunate that we have been unable to vote on whether the surge should take place. Senators have not been allowed to cast their vote on this issue, and because of that, we are going to move on to the continuing resolution this afternoon—late this evening, I should say, after we finish these two important Executive Calendar matters.

RECOGNITION OF THE REPUBLICAN LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

INSIST ON A FAIR PROCESS

Mr. McCONNELL. Listening to my good friend, the majority leader, should remind us all that the debate we had anticipated having this week—and I might say Members on our side were certainly prepared to have the debate—would not have had any impact on the surge. These were nonbinding resolutions. I would not argue that they were not significant, because Senators would have been put on record. But we were certainly prepared for the debate. What we were not prepared to do is to have a process that denied our side other options in addition to the Levin proposal.

As we were frequently reminded last year by Democratic Senators, the Senate is different from the House. In the Senate, a minority of at least 41 can insist on a process that is fair.

Senate Republicans were united, including members of our conference who support the Levin proposal, in insisting on a fair process. We started out with five different options, gradually pared them down to two—the McCain-Lieberman-Graham proposal and the Gregg proposal relating to supporting the troops. My good friend, the majority leader, objected to allowing us to have two proposals. He only wanted us to have one proposal. So we narrowed it down to one and picked the Gregg "support the troops" proposal as our one, and the majority leader objected to that unanimous consent request as well, leading us to believe that not only did he want us to limit ourselves to one, he wanted to pick which one. Of course, in the Senate, that is just not possible. This is a deliberative body. It insists on having votes on a wide variety of proposals. Certainly, when we were in the majority last year, we had to vote on a lot of things we might not have liked to have voted on in order to advance a particular proposal. That is the way the Senate works.

At whatever point the majority would like to begin the debate again on Iraq, we will certainly be happy to have it. I particularly wish to thank Senator GREGG for his very important contribution to this debate. That is a vote we will have at some point, on some measure, when we return to the subject of Iraq.

With regard to the continuing resolution, let me just say to the majority leader, he has suggested that I survey our members and see what amendments we might like to offer, since he has indicated amendments may or may not be allowed on that proposal. I would say to him we are paring that down and hope to be able to get him—we have about seven; we are going to try to pare that down to three, submit those amendments to the majority leader, and hope they might be allowed when we do move to the continuing resolution.

Mr. REID. Mr. President, I say to my friend, we would also see what amendments, if any, we want to offer on this side—maybe three and three or whatever we can come up with that appears to move the ball along.

Mr. McCONNELL. I yield the floor.

The ACTING PRESIDENT pro tempore. The Republican whip is recognized.

RESOLUTIONS PROCEDURE

Mr. LOTT. Mr. President, I was pleased to hear just a moment ago the suggestion that maybe we go to the Omnibus appropriations bill in such a way that would allow some amendments to be offered on both sides. That is good. That is the way it ought to be. That is why I have been surprised and, frankly, disappointed that we have not been able to come to some sort of agreement about how to proceed to these resolutions dealing with the President's plan to take action in Iraq and have a full debate on the substance.

Of the plan and the resolutions, I don't think there is any excuse for the fact that we have come to the point where we are throwing up our hands and saying: I can't have it my way, you can't have it your way, therefore, we will have it no way.

If this were the Super Bowl, whether you were Grossman or Manning, you would call a time out and say, wait a minute here, there has got to be a way we can get a plan to go forward. I know how difficult it is to do this because our leaders on both sides of the aisle get pressured from all sides. They are pulled. Don't agree to that, you have to agree to that.

In the end, the leaders have to decide how we go forward in a fair and an open way, and the rest of us have to support that decision. The majority has strong power in the House of Representatives, and a good bit in the Senate. But I think the most difficult job in the city is the job of being majority leader, the job that Senator REID has right now because he doesn't have a Rules Committee. He is not the President. He can't give an order and have the bureaucracy move, not that the bureaucracy ever moves. He has to work with the minority. He has to find a way to move things forward.

Some people say: Oh, that is the process. Look, the process is substance because if you can't figure out how to get it done, you never get to the substance. This is not an autocracy. No one person possesses unlimited power. You have got to give to get a little. You can't have a deal where you say: No, no, you can't offer but one amendment; and, by the way, it has to be this.

If we were going to do anything, we should have gone with more, not less. So I don't get it. If this is the big, important, serious issue we all say it is, surely we could have worked out a way to proceed. Well, I guess the one thing we could say is, we will get back to this. We are going to get back to it in many different ways. But at least in the future, when we get to the debate, it is going to be a serious debate about something that is real.

We were talking about taking up resolutions that had no binding effect. It was a feel-good deal. Yeah, we are going to take a pop at the President. Yeah, we support the troops, but no, we don't support the troops.

Oh, yes, thank you very much. General Petraeus, 81 to nothing, you are confirmed. Go over to Iraq. Oh, and by the way, we don't agree with what you are going to try to do. We don't support the plan. How did we get into that?

At least at some point, men and women of strong principle and beliefs are going to offer up amendments that are going to say: Support the troops, stick with the plan or pull out. High tail it out. Get out of there now. And then we will have a real debate and we will have real votes. That is what, under our Constitution, we should be doing, actually.

I think the proposal that Senator GREGG had, made eminent good sense. Let's show we support the troops. Gee whiz, why is that a bad idea? The American people don't want to send our troops into harm's way around the world or even in Baghdad without knowing we are behind them.

So what is the problem? The problem is that it was able to get 80, I don't know, or 90 votes. We can't have that vote because later on we may want to actually cut off the funds to the troops. There are some little, bitty twists of language, too, such as we support funding for the troops in the field. What does that mean, "in the field"? What if you are on the way? What if you are in a brigade that is pulling out of Texas now or pulling out of Kentucky or that has landed in Kuwait? We don't support them. There are too many nuances.

Let me get away from process and talk about substance. We have a problem in Iraq. A lot of people now have shifted their position and are saying: Well, I voted for it earlier, but I am against it now. Yeah, it has gotten tough, so I don't like it.

Everybody says change the status quo. I had a chance to talk to some world leaders recently in Switzerland and they were saying: My goodness, you can't do that, can't do this, can't do something else.

I said: Here is the choice: Stay, leave or do what?

They said: No, you can't leave. You have to stay. Well, what do you propose? Deafening silence. The President understood we had to change the status quo. Action had to be taken. A plan had to be developed. He proposed a plan. He met with us. He came to the Congress. He spoke at the State of the Union: Here is what I propose to do. Give this plan a chance. Give the plan a chance.

And General Petraeus, maybe the General Grant of this war, or the General Washington of a previous war—

this is the man of the hour, and I hope and pray the good Lord will guide him in the right way because he has a serious challenge before him.

But this is not just about a surge, although that is a part of the plan. This is a plan with at least three other key components. But ask yourself, we say to the Iraqis: You have to get a political solution. Everybody is saying: No, we will never get a military solution without a political and economic solution.

Well, yeah. But how do you get a political solution in chaos? How can you get a political solution when your capital is being blown up every day by insurgents of all stripes? You have got to get a grip on security. It is similar to here in our Nation's Capital. We couldn't have orderly Government if we didn't have order. So we are going to try to send in the best we have, under the best general we have, and get some control of the violence and the chaos in Baghdad and then give the Iraqis a chance to deal with the politics.

Am I convinced all of this is going to work? I don't know. I am not the best expert in the world. I have been on the Armed Services Committee, I have been on Intelligence. I have been around awhile. But I am not going to impose my military judgment on a man such as General Petraeus. But let's see if the politics will not work. There is a lot of pressure. They know, they know.

I met with the Vice President of Iraq recently and he was talking about: Well, what is your strategic plan? I said: No, sir. Excuse me. With all due respect, it is not about what is our plan. What is your plan? It is your country, your Government. When are you going to ante up and kick in, in a way that brings leadership and order out of all of this?

So the second part of the President's plan is for different rules of engagement. It is for a requirement that some political achievements be reached. That is why I like the McCain-Lieberman-Graham proposal. I like benchmarks. So the question is: It is one thing to lay down benchmarks, but what if they don't meet them? Then, you decide. If we conclude it would not work, that they can't govern themselves, then we have to go with the next plan. Somebody said: Well, this is the last plan. It is never the last plan. There is always another plan.

But the politics, I think, we can be successful. We certainly have to try. I do think that regional solutions—getting particular provinces under control or particular sectors under control, getting generals in for different sectors—makes good sense. But also the economy. Look at America where you have people who are not working. Their life is insecure. They get into trouble. I understand that 40 percent of the young men in Baghdad don't have a job. There has to be a better job done of getting the money—the oil money—fairly distributed and done in an economic way that will create jobs so that these young men and women will not be bored and looking for ways to kill themselves.

Mr. President, we should have found a way to go forward with this debate. I don't quite understand what is going on. Maybe we are all having to learn a little different roles of who is in the majority and who is in the minority and how it works. I know for sure that in some respects it is easier to be in the minority than to in the majority.

The majority leader has to be—he has to be tough. He has to eat a little crow every now and then. He has to be prepared to say to the Republicans: We will find a way to work this out. You have to keep poking at it. Somehow or another, we didn't want to do it this time. I don't know. Maybe everybody is going to leave the field and say we won. This is not about winning or losing. This shouldn't be about the political winner or who won the PR battle.

We are playing with lives. America's finest. I think we should support them, as Senator GREGG proposes. We need to give the plan the President has developed a chance because nobody else has come up with a better plan, other than pull back at the borders. What good is that? Which way are we going to shoot? To me, that is the worst of all worlds.

We can make this work, but the President, General Petraeus, our troops, the American people need our support and our confidence in what we are attempting.

We can go on and have the debate today about these nominees—two good men. We can turn to the omnibus appropriations and find a way to get it done with order.

Nobody wants to play games. Nobody should be trying to say: Oh, if you don't do it this way, or my way, you are trying to shut down the Government. Nobody should be saying we are going to filibuster if we don't get everything we want.

This is the Senate. You have got to give everybody their chances. You have to have some order out of the chaos. This is sort of similar to Baghdad. Sometimes we get divided up into provinces. I appreciate the efforts that have been made, but the important thing is not the process in the Senate. The important thing is what our men and women are going to be trying to do in Iraq. Let's give this plan a chance.

I yield the floor.

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

Mr. REID. Mr. President, I appreciate the advice and counsel of my friend from Mississippi. He certainly has the experience to offer suggestions, having served in various capacities in leadership. I have been with him. He is a pleasant man to work with, and I like him very much. But I would suggest, this morning, that we not use Super Bowl terminology and Manning and Grossman because I think, if we do that, we would find we would have a lot of objection if suddenly we looked around and Grossman was using a baseball or basketball rather than a football. I think what they have tried to do is change the rules in the middle of the game, and they are playing around with this procedural argument.

I have to acknowledge to my friend from Mississippi that the people over there who are trying to make the President not look bad had a little victory because they have been able to stall and stall. As a result of that, soldiers are being shipped, as we speak, without the Senate having to take a vote on whether that surge should take place. So in that respect, their stalling has probably benefited the President.

As far as process, we have worked through the ethics bill, the minimum wage bill, and even though there were cloture motions filed and cloture not invoked, finally, we were able to get those things passed. But I think debate on the surge would have been very important. We have been denied that. I understand the rules of the Senate.

My friend from Mississippi also says we should be doing something that is real. I tried to talk about something real this morning. More American troops were killed in combat in Iraq over the past 4 months than in any comparable stretch since the war began—334 dead American soldiers, men and women, with mothers and fathers and brothers and sisters and husbands and wives.

I think over the last few days, though, there has been a deafening silence, and people standing here and saying what the President is doing is the right thing to do, because it hasn't been the right thing to do, what the President has been doing, and he wants to continue more of the same.

I understand we are now at a point where we are going to talk about a couple of important nominations. We are going to try to get our fiscal house in order, which is not in order, because unless we do something by February 15, basically the Government closes. This is very unusual. I have spoken with the distinguished Republican leader, and one thing we are going to work on together this year, once we get out of this situation with the continuing resolution, is to work together to try to pass appropriations bills. That is good for the institution and good for the country. We are going to try to do that. It may require some late nights and long weeks, but we are going to do that. We have 13 appropriations bills, and we are going to work very hard to get them passed.

So I am terribly disappointed we haven't had the opportunity to vote on

Senator WARNER's and Senator LEVIN's resolution, and on the McCain resolution, but we have heard enough about that. We are not going to be able to do that, and we will move on to other things.

The ACTING PRESIDENT pro tempore. The minority leader is recognized.

Mr. McCONNELL. Briefly, it is hard for me to remember how many times we were told by the other side last year that you come to the Senate to cast tough votes, but I don't think Senator GREGG's vote was a tough vote. Why would it be a tough vote to vote on supporting the troops? To me, that is an easy vote. We all will be forced, because of the process in the Senate, to cast votes we don't like. If you are in the majority, you get more of those than when you are in the minority. I can't imagine being, in effect, afraid of voting on the Gregg amendment to support the troops. That would be one of the easiest votes we ever cast around here.

Let me conclude by saying I am disappointed, as other members of my party in the Senate are disappointed, we are not having the Iraq debate this week. The distinguished minority whip, in his remarks, summed it up quite well. We will continue to talk about this important subject. There is no more important subject in the country right now. I know we will be debating other proposals in the coming months.

Mr. GREGG. Will the Senator yield?

Mr. McCONNELL. I yield.

Mr. GREGG. I was just wondering if the Republican leader, and I ask this question through the Chair, believes that the Democratic leader is correct in his characterization that we have stopped this in a procedural manner. Is it not true that the Democratic leader controls the procedure as to whether there would be a vote? And is it not true, also, that we agreed to the Democratic leader's request that we offer only one amendment but that we just ask we be able to choose our amendment, and they be able to choose their amendment?

Mr. McCONNELL. The Senator is entirely correct. We kept paring down the options that we wanted to offer in the course of this debate on the most important issue in the country. And at the end, as the Senator from New Hampshire just suggested, we were down to two: one that the majority leader and most of his party favor—and some of ours—and the amendment of the Senator from New Hampshire in support of the troops.

Apparently, the majority wanted to tell us which amendment we would offer.

Mr. GREGG. I thank the Republican leader.

Mr. McCONNELL. I thank the Senator from New Hampshire.

I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will be a period for the transaction of morning business until 2 p.m. with the time equally divided between the two leaders or their designees, alternating sides when appropriate, with the first 30 minutes under the control of the minority, the second 30 minutes under the control of the majority, during which the Senator from New York, Mr. SCHUMER, and the Senator from Massachusetts, Mr. KENNEDY, be recognized for 15 minutes each.

The Senator from New Hampshire.

IRAQ

Mr. GREGG. Mr. President, I want to, once again, state the situation. It has been very well stated by the Republican leader. The simple fact is, we, as members of the minority, requested the right to offer an alternative to the proposal of the majority. That is not an unusual event in the Senate. In fact, it is the purpose of the Senate to debate different approaches.

What we asked as an alternative was very simple, straight forward language. Let me read it again. It simply stated:

> It is the sense of the Congress that Congress should not take any action that will endanger the United States military forces in the field, including the elimination or reduction of funds for troops in the field, as such action with respect to funding would undermine the safety or harm their effectiveness in pursuing their assigned missions.

All this language says is that whether you agree with the President or whether you disagree with the President, whether you support a commitment of more troops or you don't support a commitment of more troops, once the troops are on the ground in the fight, we are going to give them the financial support, the logistical support, the equipment that they need in order to protect themselves and pursue their mission effectively.

Members do not have to support the President to support this language. It is not designed to state the President is right or the President is wrong. It is simply language designed to say that an American soldier deserves the support of the Congress of the United States. That is an elementary responsibility of this Senate.

The fact that the Democratic leadership will not allow Members to vote on this simple statement of support for American troops is a transgression on the purposes of the Senate, which is to express itself relative to the actions of our soldiers in the field and how we will support them.

It is literally impossible to address the debate on Iraq without addressing the most fundamental issue, which is whether our troops are going to be supported when they are asked to defend us in the field. The idea that we can decouple the support for the troops from the issue of policy is absurd on its face, and the position of the Democratic leadership that we should not address the issue of supporting the troops when we address the issue of whether the tactics being pursued by the military commanders in the field are correct—which doesn't happen to be the responsibility of Congress; that is the responsibility of the commanders—is by nature inconceivable, inconsistent, and simply not defensive.

In fact, it is so absurd on its face that I would simply quote the national commander of the American Legion, Mr. Paul Morin, who says:

> We will not separate the war from the warrior.

That is what this is about: whether the Democratic leadership takes the truly indefensible position that in a debate on the issue of Iraq, we do not discuss the support for the person we are asking to go out and defend this Nation.

What this really comes down to is very simple. This resolution would have received broad bipartisan support in this Senate. That is because there are very few Members in this Senate—I would guess virtually none—who don't believe that our obligation as a Senate, as a legislative body which funds the military, that our obligation is to give the soldiers in the field what they need in order to defend themselves and carry out their mission.

So rather than have a vote on our amendment which would have received a large majority in this Senate—much larger than the proposal put forward as their proposal—they decided not to have a vote at all. Then they claimed that we were responsible for slowing the process.

How inconsistent and indefensible is that statement: I don't have the votes; therefore, I will not allow a vote to happen. But it is your fault that I am not allowing the vote to happen. Really? That only makes sense if you happen to be a true partisan and believe this debate should be a partisan debate.

Somehow my language has been described as "partisan," and the other language has been described as "bipartisan," but the other language has fewer votes than my language. No, this is not true. It is simply a fact that the other side of the aisle does not wish to put their membership in a position of voting for a simple resolution that calls for the support of our troops.

That is an unfortunate statement on where the Democratic Party is today relative to support for the efforts of soldiers in the field. It is hard for me to conceive that there are folks within the community of interest in Washington who feel so strongly about their dislike for the President or his policies that they are unwilling to go on record in support of the soldier who is fighting for us on the streets of Baghdad. But that is the essence of the problem. That is why we are not going to have a vote in the Senate. It is not that the Republican membership has in some way stalled this process. The Republican leader has gone out of his way, he has gone well beyond what many in our party believe maybe we should have done in trying to be accommodating to the insistence of the Democratic leadership that there be no opposition to the one item that they want to bring to the Senate floor.

In my experience in the Senate, when something is brought to the floor of the Senate as controversial as the discussion of how we pursue a war and a war policy, there are going to be a lot of amendments. But the Senate leadership, under the Democratic leader, has said, no, not only will there not be a lot of amendments, there will only be one amendment from our side, and we on the Democratic side will pick the amendment on the Republican side that they can offer, and we will let them offer that but nothing else.

The Republican leader, in an attempt to be responsive, said, OK, if there are only going to be two amendments, we will pick the amendment. And the amendment will simply say that whether you support the President, whether you support his policies, at least you can say you support the troops, the soldiers who are asked to go out and protect America and walk the streets of Baghdad.

But that was a bridge too far for the Democratic leader, a bridge too far for the Democratic membership because they did not want to take that vote even though that would have been a bipartisan vote and would have received significantly more votes than the Democratic proposal.

I don't think there should be any confusion about why we aren't having a vote. We are not having a vote because more people would vote for my amendment than would vote for their amendment, and they don't want to embarrass their membership by having to have them vote for my amendment even though there is nothing controversial about it, unless you consider supporting troops in the field, giving them what they need to fight and defend themselves, to be controversial.

It is an ironic situation. I thank the Republican leader for having offered me the opportunity to bring this amendment forward and for making it fairly clear that we as a membership are willing to be reasonable; that we only ask for a vote on something that we think is important while they ask for a vote on something they think is important.

I yield the floor.

The PRESIDING OFFICER (Mrs. MCCASKILL). The Senator from Texas.

Mr. CORNYN. How much time does the minority have remaining in morning business?

The PRESIDING OFFICER. Twenty and one-half minutes.

Mr. CORNYN. Madam President, would you advise me when I have used 6 minutes, and I will defer to my other colleagues.

The PRESIDING OFFICER. The Chair will advise the Senator.

Mr. CORNYN. Madam President, the majority leader this morning said within my hearing that there is no support for the surge. I don't know why he would say that because, in fact, not only have Members of this Senate unanimously supported, through the confirmation hearing of GEN David Petreaus, one of the people who certainly will be instrumental in executing that surge, but that is what we have been debating for these last weeks, indeed, months: what the new plan should be in Iraq, to deal with what is, obviously, an unacceptable status quo.

I am tempted to wonder out loud if, rather than talking about issues that really matter—such as the issue that the Senator from New Hampshire has asked for a vote on but been denied, whether we will support our troops and refuse to cut off funding while we send them in harm's way—we are seeing a bunch of spin doctoring going on.

But when the majority leader says there is no support for the surge, I would simply disagree because, in fact, at least one of the amendments that has been offered that we have been denied an opportunity to vote on, as the majority leader has done what he is entitled to do, which is to move on to other subjects and to set the Senate agenda, one of those amendments would, in fact, support General Petreaus and the plan he has taken upon himself to execute in Iraq that we are sending, over a period of time, additional reinforcements to secure Baghdad.

So there is substantial support for this plan. The problem is, I am tempted to believe there are some who have simply given up, who don't believe there is any chance of success in Iraq. The problem is, those who have expressed such defeatism, who in this contest of wills say we simply lost ours, have not talked one bit about the consequences of giving up, the huge humanitarian crisis that would occur, the ethnic cleansing that would occur, the fact that another failed state in the Middle East, as in Afghanistan before it, could serve as a launching pad for recruiting and training and exporting of terrorist attacks.

Standing here and suggesting that defeat is something we will accept is, to my view, not a responsible position to take.

So I disagree with those who simply say we have no chance to turn things around. There are those who say ad nauseam that there is "no military solution in Iraq." I would commend to them an article that was written by Victor Davis Hanson that is entitled "Give Petraeus a Chance." Mr. Hanson says:

> . . . in fact, only a military blow to the insurgency will allow the necessary window for the government to gain time, trust, and confidence to press ahead with reform and services.

So, as General Petraeus said, we are engaged in a test of wills. How could it possibly be that we have lost our own will to protect America's national security, to prevent a regional conflict that will inevitably, if it occurs, cost us more in treasure and blood? How is it that America could possibly have lost its will?

I think the Senator from New Hampshire made a good point a moment ago when he said the reason why the majority leader has now taken us off of this issue—which, again, is his sole prerogative as majority leader; that is the power a majority leader has—that the reason we have not been given a chance to vote on the Gregg amendment that says we will not cut off funds, we will not fail to support our troops on the mission they have volunteered to undertake, and which we have sent them on—the real reason, as the Washington Post reported, Senator GREGG's amendment was not allowed to be voted on is because his amendment is likely the "only measure that could attract 60 votes."

The USA Today said the majority leader opposed allowing a vote on the amendment because it could have resulted in a situation where the Senate would have been on record opposing cuts in funding for the troops but not the President's policy.

I think it is absolutely imperative—whether it is today or tomorrow or next week or next month, or all of the above—we make it very clear we will not ever cut off our support for the men and women who have undertaken this dangerous mission.

When I went out to Walter Reed on Monday to visit some of the injured veterans of the Iraq conflict, I could not help but be struck by the sort of surreality of that. Here are young men and women who have lost limbs, and many, unfortunately, have lost their lives volunteering to protect us and to bring stability to the Middle East and to allow the Iraqis a better life. They have risked it all, and some have paid that ultimate sacrifice. Yet here in the Senate——

The PRESIDING OFFICER. The Senator has used 6 minutes.

Mr. CORNYN. Madam President, I would ask for 1 remaining minute by unanimous consent.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CORNYN. And here we are in the Senate this week debating about nonbinding resolutions and avoiding the tough votes on whether we will cut off funds to support this mission. Instead, we engage in the continued surreal environment of this Senate by saying: OK, now we have confirmed General Petraeus, one of the people who is going to execute this plan in Iraq. But now, today, we are going to also vote on Admiral Fallon, the head of Central Command, General Petraeus's commander, who will also be in charge of this mission, and GEN George Casey, who has been in charge of coalition forces. Do you know what I predict? We will confirm, as we did General Petraeus, Admiral Fallon and General Casey, and yet there are some who stand up here in the Senate and elsewhere and have the temerity to say: We support you, but we do not support the mission we have asked you to execute.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Madam President, I ask that the Chair inform me when I have used 6 minutes.

The PRESIDING OFFICER. The Senator will be notified.

Mr. VITTER. Thank you, Madam President.

Madam President, clearly, without doubt, without question, the war in Iraq is the leading concern of the American people, as well it should be. It is a very difficult situation, and a situation that will define our future and our security for years to come. Because it is the dominant, the leading concern of the American people, without any close second, I think it is imperative we have a debate and votes on this crucial question.

I would urge the majority leader to come back to the floor and engage in this debate and move forward with this discussion and accept the very reasonable compromise of the minority leader in narrowing down all of the universe of ideas and resolutions to simply two.

I will freely admit that is not my first preference in terms of this debate. I had always heard before coming here 2 years ago that the Senate was about open debate, unlimited debate, the ability to get your ideas and your amendments and your resolutions to the floor with very few limits. So I thought, particularly in the context of this very serious situation in Iraq, we needed an open debate, we needed more ideas, not fewer, we needed every significant vote that should be taken.

So that was my preference: unlimited debate. But the majority leader rejected that, only would allow very limited votes, very limited debate. At the end of the day—again, it was not my first choice, but at the end of the day, the minority leader said: OK, you want two votes—only two votes—OK. Let's focus on two proposals. Let's have just two votes. But our choice for our one proposal will be the Gregg amendment because we feel so strongly about supporting our troops in the field. And then the majority leader said no, I can't accept that. I need to choose your proposal. I need to choose what you want to put up for a vote.

That is not the tradition of the Senate. And, more importantly, that is not treating this very serious issue, the dominant concern among all Americans, bar none, properly. We need to debate this issue now. We need to vote on this issue now. Again, I urge the majority leader to come back to the floor and engage in this debate this week—now—because the country is concerned now about Iraq. The country has questions, understandably, now about the President's plan. And our troops in the field have questions and uncertainty now about whether we will be standing shoulder to shoulder with them no matter what policy is adopted.

Again, I think the minority leader's proposal yesterday bent over backwards—compromise and compromise and compromise—to reach an ability to have this debate we must have on the floor of the Senate. We wanted far more than two proposals debated. We wanted far more than two votes. But we accepted the majority leader's number. We accepted the majority leader's parameters of just two proposals, just two votes. But surely the minority gets to choose one of those two proposals to discuss, particularly given that this Gregg proposal has broad bipartisan support.

So let's have this Iraq debate that we must have. Let's have key votes that we must have. And let's do it now. I urge the majority leader, again, not to give up, not to reject this very reasonable compromise, bending over backwards by the minority leader to agree to his number of two. Let's take that up. Let's have this debate. Let's have crucial votes. The American people deserve that, given the very tough situation in Iraq. And our men and women in uniform sure as heck deserve that. They sure as heck deserve to hear from us: OK, we know some of you are for the President's surge plan; we know some of you are against it. But what about supporting whatever troops are put in the field? They sure as heck deserve an answer to that question. And they certainly deserve that reassurance.

Let's have that fair debate, and let's have it now.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. MARTINEZ. Madam President, it is interesting that we would be preparing today to have a debate that will not be taking place, and it will not be taking place because it is the prerogative of the leadership to set the agenda of what we do discuss and debate.

I agree with my colleagues who have requested an opportunity to have a full airing of the views, to have a full debate, to have an opportunity to express our support for the men and women in the field, in addition to whatever else we might want to debate on this topic of the most important issue facing our country today.

But getting beyond the procedural and the tit for tat that so often signifies what Washington is about, what fundamentally is this debate about? It is about the global war on terror. It is about the events that unfolded in our country on the morning of September 11, 2001, and the aftermath of all of that, the things that have occurred as our Nation has responded to the attacks that were brought upon our shores, as we have sought to carry out this difficult mission, but one in which we must not waiver, which is this war on terror.

As a result of this war on terror, our troops are in Iraq today, where they have removed a dictator from power and where they have confronted the enemy, which regardless of how someone might have felt about the original decision to go into Iraq, today we are there and we are engaging an enemy that is the very enemy that attacked us here on 9/11.

It is known that in Al Anbar Province it is fundamentally an al-Qaida operation. So to send additional reinforcements to Al Anbar Province to defeat al-Qaida in Iraq is in the best interests of this Nation. It is in our national interest to pacify, to bring some peace to Baghdad, which is the capital city of Iraq, which is essential to the peace and security of that nation, of that budding democracy that is attempting to put itself on its feet, and to bring some stability to that capital city by additional reinforcements of American troops in a new plan I think is reasonable.

We cannot get so focused on whether some in this body cannot work with this President, do not want to support any of his policies. But let's look at the people who are going to carry out this policy, the generals who are going to be in the field.

In the past few days, as has been stated, we have approved by a near—well, I guess it was unanimous; it was 81 to 0, I believe—the sending of General Petraeus as our new commander of allied forces in Iraq. I recall his testimony in the Armed Services Committee where he clearly said he believed in this plan and thought it had a reasonable chance of success. Why would we not give a reasonable chance of success a chance to succeed? Why would we not stand behind our men and women who are willing to go into harm's way to carry out this plan and see if they have an opportunity to succeed?

The goal of this new plan is threefold. First, we have to have some stability in Baghdad. We have to continue to defeat al-Qaida in Al Anbar Province. But then beyond that there are other elements to the plan. There obviously needs to be a political reconciliation. There needs to be a political settlement. But that will never take place if there is not some modicum of stability, if we do not bring down the sectarian violence and other violence in Iraq to a manageable level.

We then have an opportunity for the political settlement to take place between the Shias and Sunnis, and the Kurds in the north, so they can all come together and begin to bind as a new nation, as a new country, as a new government—a government, by the way, that has only been in place about 9 months.

In addition to that, we then have a third angle to this, which I think is so vitally important, which is the economic reconstruction, the economic development, the opportunity for there to be jobs, for there to be opportunities for folks to find a way to make a better life for themselves and their children, so they can reach their aspirations, and do it in an atmosphere of freedom, do it in an atmosphere of democracy and respect for one another. That is the goal.

What would happen if we do not give this plan a chance, if we do not see if it has an opportunity to carry out and have an opportunity for success? What is the alternative? Well, we would then have failed in this test of wills. Our enemies have clearly stated they believe if they kill enough Americans, if they cause enough grief to our mothers, if they cause enough harm to our troops, we will not stand up, we will move on, we will find an easier way, and we will not resist those who would bring the destruction of our country upon us.

Their stated aims are very clear. They want us out of the Middle East. They want to be able to get America out of the Middle East. They do not want us there because they know we are what stands between them and the opportunity of creating a radical Islamic new caliphate in that region of the world, and the danger that would all bring about.

The new intelligence estimate on Iraq we have seen gives a window into what would happen if we had a precipitous withdrawal over the next 12 to 18 months. It would not be a pretty picture. Sectarian violence would ensue. Unquestionably, we would have a Shia-dominated Middle East. Already they are, through their proxies, in Lebanon, in Syria. They have a strong alliance with them. They are trying to take over the Palestinian movement.

Over the next 12 to 18 months, the assessments would be very dire of what would take place if we were to be out of the region: an escalation of violence, a diminished chance for stability, no chance for positive change.

The estimates suggest that a key aim in Iraq is to stabilize the situation from the standpoint of violence, enough to let the political changes that have to happen take place. I am going to quote from the estimate. It says from the public version:

> If strengthened, Iraqi security forces more loyal to the government, supported by coalition forces, are able to reduce levels of violence and establish more effective security for Iraq's population, and Iraqi leaders can have an opportunity to begin the process of political compromise necessary for longer-term stability, political progress, and economic recovery.

Isn't that a better way? Isn't that what we all want, what the Senate should be on record as supporting—this opportunity for our troops to be successful, and not only to be in harm's way fighting for our country, but also to know that the Senate stands behind them, will not cut off their funds, will stand with them as they go into battle, and will stand with them as they do the hard work of freedom—work done by many other generations of America any time they have been called upon to stand for freedom, stand for the rule of law, and to give this budding new democracy an opportunity to take hold and take root.

Madam President, I am disappointed that today we will not have an opportunity to have a fuller debate, that I won't have the opportunity to be on record with a vote reflecting where I stand, which all of us should be willing to do—take a stand, take a position supporting our troops.

I personally would also be in support of this plan which I believe gives us the best opportunity for success, which is the only plan out there. Those who would not give this plan a chance owe the American people an alterative but one that would have a reasonable chance for success. Success is what we are after. A victory in this part of the world would send a strong message to our enemies. So I am disappointed we will not vote today.

I hope the majority leader will reconsider and come back to have an earnest debate and take the votes that are necessary to be taken.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SCHUMER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. Madam President, we have heard a debate over the last hour about where we stand on the resolutions and debating the escalation of the war in Iraq. Here is where we are at the end of the day. We can dot all the i's, cross all the t's, and do all of the legalistic parsing that we want. The minority is blocking a vote on the issue that the American people wish to hear us on: Do you support or oppose the escalation? It is that simple.

The minority's action ratifies the President's escalation. And any Senator who voted to prevent the Warner resolution from coming to the floor is saying to his or her constituents: I support that escalation.

We know what is going on. The minority is torn between loyalty to their President and following the will of their voters. I have not seen a single State where, at least from the polling data, the public supports the escalation. There should be a simple vote, and not as an end to this debate but as a beginning to this debate. The minority is tying itself in a pretzel so that there will not be a vote.

Now, the Gregg resolution is missing two words. Look at it. Read it. It doesn't have the word "surge," and it doesn't have the word "escalation." It is ambiguously worded so that it tries to tie support for the troops with the escalation, but without saying so. It is a resolution that is intended to befuddle, perplex, obfuscate, and to hide.

The good news is that the American people don't follow the details of all of this debate. They don't have the time. They are busy with their lives, their families, their jobs, the joys and sorrows of life. But they follow the big picture. The big picture is simple: Senator REID has labored mightily to have a clear, unobstructed, unobliterated vote on whether you support or oppose the escalation.

The minority leader, backed by all but two of his membership, has said we do not want to vote; we want to let the President go forward with the escalation, without taking responsibility for it. The public is seeing that. The public understands.

My good friend from Mississippi was talking in the hallway. He said the job of the Senate is to take the tough votes. You bet it is. It is not whether we are saying we support the troops—which everybody agrees that we do—in an ambiguously designed amendment to support escalation and get their way, and those against it get their way. The bottom line is simple: the tough vote is "yes" or "no" on the escalation.

Again, I salute our majority leader. He has done everything to try to bring that vote to the floor. The minority leader has done everything to obstruct that vote. The good news is that we will have plenty of further opportunity to get that vote and, make no mistake about it, this majority, in the belief that the escalation is wrong, in the belief that there is no strategy in Iraq other than to police a civil war, which no one bargained for, will be resolute and we will find ample opportunities to not only get a sense-of-the-Senate vote on whether you support or oppose the escalation, but to move further and ratchet up the pressure on the President so that he changes his strategy.

The number of people in America who believe that our strategy in Iraq is succeeding gets smaller every day. I think it is below 1 in 4 right now, which means that close to a majority of Republicans don't agree with the strategy. Obviously, if the President came here 3 years ago and said we are going to have our troops on Haifa Street patrolling a civil war between the Sunnis and Shiites—how many people would have voted for that? How many Americans would have supported it? But that is exactly what we are doing. The vast majority of the troops that the President is asking for will continue to do just that and only that.

So this debate is coming only to a temporary close. One thing stands out clearly: the Republican minority is allowing the President to go forward with the escalation. It is supporting the escalation but doesn't want to vote to say so. My colleagues, that will not wash. The American people are too smart. They are too concerned. They are too worried about the brave men and women over there risking their lives as Sunnis shoot at Shiites and Shiites shoot at Sunnis. To hold the minority's feet to the fire, we will be resolute in making sure that happens.

The Gregg resolution is obfuscatory. It is designed to give people cover who don't want to say yes or no. But make no mistake about it, the people want a yes or a no. They want us to act on that yes or no as we come forward with the supplementary budget request next month. And this majority, limited as it may be, will endeavor to do just that.

Mr. KENNEDY. Will the Senator yield for a question?

Mr. SCHUMER. I am happy to yield to my colleague from Massachusetts.

Mr. KENNEDY. First of all, I commend the Senator from New York for an excellent presentation. As I understand it from his comments, the principal question before the country now is the whole issue of a surge and the certain timeliness of it. We know that the President was able to extend, for example, marines in place over there and get a certain number of troops over there, but we know this is something that is going to happen in the future. A chunk of the troops are going over in February, another group in March, and another group in April.

In the Armed Services Committee yesterday, we learned it is not just the 20,000 the President talked about, but that number is going to be exceeded. We heard from General Pace.

As I understand what the good Senator has said, we have had four surges previously over there. This concept, this idea, has been utilized previously and none were successful. Secondly, as I understand what the Senator has said, the leading generals, General Abizaid and General Casey, previously suggested that this concept did not make sense; it only inflamed the insurgency. Is that the Senator's understanding?

Mr. SCHUMER. Yes, indeed.

Mr. KENNEDY. The third part of the Senator's speech, which I hope our colleagues will listen to, is the reference to the independent study by Baker and Hamilton, where a bipartisan recommendation said that such an activity would not make sense.

So does it make sense when we have that kind of lineup, so to speak, where we have the military, the background of surges, the independent study made by Republicans and Democrats alike—we are faced now with a surge, so we have to take action and express ourselves. Doesn't it make sense for this body to express itself on that particular policy issue? Isn't that the responsible thing to do?

Mr. SCHUMER. Indeed. I thank my colleague for asking the question. Again, the minority says it is our job to take some tough votes. Here, here. We want to take what is a tough vote for some: Are you for the surge? Are you for the escalation or are you against it? They are doing everything they can to avoid it. But as my good friend from Massachusetts has so aptly pointed out, the bottom line is that now is the time to go on record—now, before most of the troops are there; now, when we can ratchet up pressure on the President to change his policy, as the independent study group said, and so many generals have said. I might add, from the press reports, the Prime Minister of Iraq doesn't want them. We are almost in Alice in Wonderland here.

I will say one other thing. The good news is simple: the American people get it. They know that the war in Iraq doesn't have a strategy. They know it is headed toward a dead end. They know that policing a civil war makes no sense, and they know what we are trying to do, which is forcing a "yes" or "no" vote—get a "yes" or "no" vote and move forward to change that strategy. No amount of wordsmithing on the other side is going to change that fact.

Today, the Republican minority said: We are for the surge, and we will let the President go forward and do it.

I yield to my colleague for another question.

Mr. KENNEDY. Just a final point. Madam President, the Senator has stated it well. Basically, the recommendations of those generals I mentioned—and General Abizaid said he had inquired of all the combat commanders—all of the combat commanders—whether there should be an enhanced presence in Baghdad, and he testified before the Armed Services Committee that we should not.

But isn't the point the Senator is making is to underline what all of the generals have said and Maliki has said; that is, it is a political resolution, it is a political decision? What we are seeing now is resorting to a military solution when the independent study commission, the generals on the ground, and the political leaders in that country have said what is necessary now is a political resolution, a political decision, and we find an administration that has effectively discarded that as an option and is going to the military option.

As I understand, the Senator believes we ought to have a political resolution, political courage by the parties in power there; that we here and the U.S. troops can't care more about the freedom of the Iraqis than the Iraqi people and they have to stand up, step up, and be willing to make their judgments.

Mr. SCHUMER. Madam President, the Senator is exactly right. And I will add one other point to his very prescient comments. Let us say we have this surge and then troops leave after a certain amount of time—some say the end of the summer, some say it will go on 3, 4, 5 years. What is going to happen then if we don't have a political solution the good Senator asks about? The Sunni and Shia will resume fighting, and we will have accomplished nothing. We will have seen the lives of some of our brave men and women be taken from them, American soldiers. We will have created more havoc in Iraq. And we will have, again, delayed the very political solution my friend from Massachusetts talks about, which is essential.

If there had been a change in Government, if there had been a change in strategy, perhaps—I can't say because I don't know what it would be, given this administration hasn't changed anything—maybe the American people, maybe some on this side of the aisle would say: Give it a chance. But to send more of our brave troops over there when there is no change in strategy, when it is just increasing policing of a civil war, and when, at the end of this so-called surge, this escalation, nothing will have changed, the American people have every right to ask: To what end?

That is what we are asking. That is why we want a simple vote. And that is why today is going to go down in history as a day when this Republican minority in this House said to the President: We are supporting your surge. We don't want to vote on it, but we are allowing it to happen. We are encouraging it to happen. And the very rubberstamp nature, when the minority was in the majority, that brought them to such trouble in November of 2006 is simply continuing.

Mr. KENNEDY. Madam President, will the Senator yield for a final point?

Mr. SCHUMER. I yield to my colleague from Massachusetts.

Mr. KENNEDY. Madam President, I had the opportunity to read the national intelligence report on Monday. There has been both an intelligence report and a declassified report. Even in the declassified report, would the Senator say, in his evaluation of the best of the intelligence community that has been reviewing this situation that every aspect of that intelligence report is basically in support of the conclusions the Senator has outlined here? This is not something just the Senators from New York or Massachusetts are making up. This is a conclusion which has been made by the intelligence agencies about what the nature of the battle is in Baghdad today.

Mr. SCHUMER. I thank the Senator. Once again, he is right on the money. He is right on the money.

The PRESIDING OFFICER. The Senator has consumed his 15 minutes under the order.

Mr. SCHUMER. Madam President, I ask unanimous consent that I be given 1 more minute to finish my point, and then I will yield the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. The Senator is right on the money, and it is, again, a pattern. The experts—intelligence, military, diplomatic—tell the administration what they are doing is wrong, tell the administration that all the signs on the ground point to a policy that is failing, and they keep their head in the sand and just go forward. It is a tragedy. It is a tragedy when truth is not exalted and when there is a desire to stifle debate, as has happened in the administration and is happening on the floor of the Senate today.

We all love this country, everyone in this Chamber, regardless of politics, but at least for me—and I dearly love America—every day we delay hurts us a little more and a little more and a little more. We dig ourselves deeper in a hole from which it will be harder and harder to extricate ourselves.

Madam President, I yield the floor.

The PRESIDING OFFICER (Ms. KLOBUCHAR). The Senator from Massachusetts.

Mr. KENNEDY. Madam President, how much time do I have?

The PRESIDING OFFICER. The Senator has 14 minutes.

Mr. KENNEDY. I thank the Chair.

Madam President, to pick up where the good Senator from New York stopped, we had yesterday at Saint Francis Xavier in Hyannis, MA—I was unable to attend because I was here in the Senate—the funeral of a young serviceman who was lost. At the end of last week, a young serviceman named Callahan from Woburn, MA—his fourth time in Iraq, a father of four—was lost. Woburn, MA, is a very interesting blue-collar community. They had the highest percentage of casualties in the Vietnam war of any community in my State. They had high school class after high school class that joined the Marines and suffered devastating casualties in Vietnam. It is also a storybook community on civic action—water contamination in that community resulted in the deaths of a number of children there. But the community is made up of extraordinary men and women and families. They are weathering through this extreme, extraordinary tragedy.

Sixty-four brave soldiers from Massachusetts have been lost, killed, and this is the overriding, overarching issue in question: What can we do after 4 years where our service men and women have done everything we have asked them to do? They have served in Iraq longer than it took to end World War II, to sweep through Africa, to cross Western Europe, cross through the Pacific, and they are still out there. Many of us believe, as we mentioned a few moments ago, that the solution lies not in the increasing surge but in a political resolution and determination and decisions made by the Iraqis for their own future. It is, after all, their country.

Let me talk for a few minutes about the other costs of this war, the $200 billion which is in the President's budget for the war in Iraq and what the implications of that will be, so that Americans can understand more completely the costs.

It comes from children's health, as the President's budget underfunds the CHIP program by $8 billion. That program has been extremely successful in providing health care to low-income children.

Will the Chair let me know when I have 2 minutes remaining?

The PRESIDING OFFICER. The Senator will be so notified.

Mr. KENNEDY. Yet there are still more than 8 million children in America with no health coverage, and there is a health care crisis for our Nation's children. But what does the President propose to do about it? His budget will make the crisis even worse by cutting 400,000 children from the Children's Health Insurance Program.

It comes from our seniors and our disabled citizens. The President's budget cuts $66 billion from Medicare, which is a lifeline to millions of retirees and disabled Americans. If the President has his way, more than 700,000 people in Massachusetts who rely on Medicare could see the quality of their care go down.

It comes from those battling mental illnesses. Each year, 25 percent of Americans suffer from some sort of mental illness. We owe it to them and their families to do all we can to ensure they are able to lead full and productive lives. Yet the President's budget cuts mental health assistance by $159 million.

It comes from Hurricane Katrina victims. Despite massive ongoing needs on the gulf coast, the President's budget offers no additional assistance to help people rebuild their lives.

It comes from the Nation's defense against epidemics, such as the flu, as the President proposes to slash funding for the Centers for Disease Control by $165 million.

It comes from Medicaid, our health care lifeline for the poor, which the President intends to cut by $50 billion over the next 10 years. In Massachusetts, 880,000 citizens depend on Medicaid, and this budget places them at risk.

It comes from our children's education. The President's budget underfunds the No Child Left Behind reforms by almost $15 billion. In my State of Massachusetts, these cuts would leave behind more than 51,000 children. Nationwide, we have 3.5 million children who are not participating in the program whatsoever. Yet they will have a requirement to meet sufficiency in the year 2012.

It comes from our youngest children. By cutting $107 million from the Head Start Program, the President fails to give the youngest children a strong start in life. This is a program which is tried, tested, and true.

It comes from our students with special needs. When we passed the Individuals with Disabilities Education Act, we made a promise to disabled children and their families that they were to receive the education they deserve. President Bush's budget breaks that promise by cutting funding to IDEA by $290 million. We made the commitment we were going to provide 40 percent of all the funding. We are now at about 18 percent of funding, and we are reducing that. It is shifting the burden onto the families and the local communities.

It comes from school safety. Our children ought to be able to go to school without fearing violence, but this budget cuts funding for Safe and Drug-Free Schools. With all the challenges of schools and violence in schools, it cuts back the funding for Safe and Drug-Free Schools.

It comes at the expense of our teachers. Over the next decade, this Nation will need to hire 2 million more teachers, but this budget cuts funding for teacher quality grants.

It comes at the expense of students. At a time when college costs are skyrocketing, the President's budget completely eliminates the Perkins Loan Program, which over 500,000 students depend on to help them afford a college education. We know that a college degree is a ticket to a bright and better future, but this budget closes the college door instead of opening it wider. There are already 400,000 young people who are qualified to get into our fine community colleges, public colleges, and private colleges and don't do so because of a lack of funding.

It comes from our workers who are looking for good jobs to support their families because the President's budget slashes $1 billion from programs that train Americans for jobs. Madam President, listen to this: In Massachusetts alone, there are 25,000 people waiting to be enrolled in job training programs.

In Boston, there are 25 applicants for each job training slot. There are 78,000 jobs that are out there today that are looking for trained people, 25 people for every training slot, 275,000 people who are unemployed. What is wrong with this picture? We are cutting back on the training opportunities for those individuals to be able to pay more in taxes and provide more hopeful futures for their children.

This budget can find $200 billion more for the war in Iraq but not a dime for people at home trying to better their lives. They come from families who need help putting food on the table. The President wants to cut the Food Stamp Program by $600 million, leaving nearly 300,000 families wondering where they are going to find the next meal for themselves and their children.

I have had the chance to visit our absolutely spectacular food bank in Boston, and they talk about the increased numbers that they already have. This is going to even put more pressure on those food banks and more pressure on those families. It comes from the poor struggling against the bitter cold, as the budget cuts 17 percent of the funding for the Low Income Home Energy Assistance Program, which helps low-income families afford to heat their homes.

In my State, if you use home heating oil you need to fill your tank generally three times a winter—three times a winter. Families are down now where they are only able to fill—the needy who qualify for this—less than half a tank for the whole winter. We know what is happening. People make the choices between the prescription drugs they need, the food they need, and the heat they need for their homes. We are cutting that program by 17 percent.

Perhaps most tragically of all, the money for the war in Iraq comes from our veterans themselves. Nearly half the troops returning from Iraq will require health care services to cope with the physical or mental toll of the war. Yet the President's budget underfunds veterans' health. It provides only half the increase in funding required for the VA to keep pace with the needs of our veterans.

In Massachusetts alone, there are 453,000 veterans who have served our country when they were called to duty, and we have a moral obligation to do all we can for them.

This is the cost of this war. This is all for a war that never should have happened, for a war that should be brought to an end. Yet this administration is allowing it to go on and on, with mistake after mistake after mistake. This terrible war is having an effect not only on our troops, who are paying the highest price, but on our children, our elderly, our schools, our workers, and the poor here at home.

While the President forges ahead with a surge in Iraq, the American people need a surge here at home. Americans see the cost of health care and the cost of college going up. What about a surge in our health and education policies to meet those needs? Americans here at home worry about their economic security, about their jobs and stagnant wages, how they can support themselves on their wages. How about a surge here at home to help meet their needs?

Last week, we met with our Nation's mayors. They described the problem of school dropouts, how these young people are turning to crime in our communities, the proliferation of murders and youth homicides and suicides. Where is the surge to address that problem? No wonder the American people are growing angrier and angrier as the war wages on. They expect Congress to be an effective restraint on the President and his abuse of the War Powers Act.

Opposition to the escalation is clear already. How much clearer does it have to be before Republicans in Congress and the President finally respond to the voice of the American people? When will this war be brought to an end? An escalation now would be an immense mistake, compounding the original misguided decision to invade Iraq. Public support for the war does not exist. There is no support for this escalation. We have surged our forces four times in the past, and each time the situation hasn't changed.

The President cannot continue to unilaterally impose his failing policy on Americans who have already rejected it. Congress has the responsibility to stop the President from sending more of our sons and daughters to die in this civil war. The legislation on which the Democrats seek a vote is our first effort to meet that responsibility. It is our chance to go on record in opposition to the surge. It is a clarion call for change.

The PRESIDING OFFICER. The Senator from Massachusetts has 2 minutes remaining.

Mr. KENNEDY. I thank the Chair.

Last week, the new National Intelligence Estimate confirmed the nightmare scenario unfolding for our troops in Iraq. The country is sliding deeper into an abyss of civil war, with our brave men and women caught in the middle of it. The prospects for halting the escalating sectarian violence is bleak, with greater chaos and anarchy looming and many additional U.S. casualties inevitable.

It is abundantly clear that what we need is not a troop surge but a diplomatic surge, working with other countries in the region. Sending more troops into the Iraq civil war is not the solution to Iraq's political problems. Not only does President Bush fail to see that reality, but he is also going out of his way to deny and defy it.

Congress needs to express its opposition to this strategy. If the President refuses to change course, we must act to change it ourselves to protect our troops and end this misguided war. The war today is not the war Congress authorized 4 years ago. It is now a civil war. The war today is not about Saddam's weapons of mass destruction or alleged relationship with al-Qaeda. it is Iraqi against Iraqi. Iraq is at war with itself, and American soldiers are caught in the middle.

Madam President, it is time for the Members of this body to stand up and take a position on the issue of the surge.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. ISAKSON. Madam President, I rise for a few moments to address the subjects that have been discussed for the last 30 minutes. First of all, I rise in particular to lend my support to Senator MCCONNELL who has seen to it that the Senate is able to fully express itself on the issues before us in Iraq. No one should be confused about this debate. There are many opinions here, and every one of them deserves the right to be expressed.

Secondly, I rise in support of the President's plan, and I am going to explain why in just a second. First, however, the Senator from New York made a statement a minute ago that I want to open my remarks with.

The Senator from New York said not many people are paying attention to what we debate on the floor of the Senate, that they are too busy working in their daily lives. That may very well be right, but I want to tell you who is listening to every word. First, it is the men and women in our Armed Forces, their families, and their loved ones. All you have to do is go to Iraq, where I have been many times, go to any mess hall or almost any command post, and CNN and Fox are streaming constantly. Our men and women watch what we say, so what we say on this floor is important. The resolutions we send, binding or not, should not send mixed signals.

There is another audience that listens to what we say, and they are our enemies. They listen as well. Those networks are their intelligence agencies. The messages we send should not be a message which relays a lack of confidence to our troops or to our Commander in Chief.

I am on the Foreign Relations Committee. I have spent 20 of the last 28 hours of committee meetings listening to experts from a variety of resources, and two things became quite clear. There were varying opinions on whether a surge would work. Some thought it would conclusively; many thought it would not. Most gave it varying degrees of potential success. Without exception, however, everyone I heard testify, when asked the question: What would be the ramifications of withdrawal or redeployment, everyone, in one degree or another, said there would be tens of thousands of lives lost, and possibly millions, and the sectarian violence that we are trying to quell now could spread through the region.

The way I see it, we have two choices right now at this stage of the game. Choice one is an opportunity for success. Choice two is a recipe for disaster. I choose the opportunity for success. I think the message we ought to send to our troops is that we support them, we wish them Godspeed, and we pray for their success.

A second message we need to send, which this debate has very helpfully done, is a message to al-Malaki and the assembly in Iraq and the people of Iraq that we came to their country with three objectives, two of which we have secured. One objective was to seek out the weapons of mass destruction the entire world believed were there. Second was to allow a constitution to be written and a free election to be held. Both of those things have been accomplished.

The last most elusive goal that we had was to secure the nation and train the Iraqi military so it could carry on that security and let that fledgling democracy go forward. That third goal, which has been elusive, has gotten closer. The President's strategy to send additional troops to Anbar and to Baghdad requires the absolute cooperation of the Iraqis and the commitment of their military to assist side by side. If they blink and look the other way, they will have failed themselves. If we blink and we look the other way, we will have failed not only them but we will have failed the people of our country.

Make no mistake about it, the war in Iraq that we are now in is not the war we entered, but it is the war we are in, and those are the words of our President. Regardless of where mistakes may have been made, those of us, and I am one of those, who voted to support this when we went into Iraq did not vote for failure. I hope and I pray that our soldiers will be successful, that al-Malaki and the Iraqi military will come through and perform, and I am going to do everything I can to give them that support because I choose an opportunity for success over a recipe for failure.

With regard to the mistakes that have been made, I want to be crystal clear because there are some awfully selective memories on the floor of the Senate. I remember what I believed when I voted to go into Iraq. I remember what the National Intelligence Estimate said. And I remember the horror of 9/11 and the fear of weapons of mass destruction. We voted to do what every other member of the United Nations voted on in Resolution 1441, and that was to seek out what the world thought was there. While we didn't find the smoking gun, we found a lot of the components and a lot of the evidence. We found the 400,000 bodies in mass graves and the tyranny of a horrible dictator in Saddam Hussein. We accomplished our goal of deposing him and allowing the Iraqis to determine a free democratic society.

In the critical days of this battle, it is time for us to stand forward and stand strong and give this opportunity for success that the President has proposed a chance to succeed, rather than subscribe to a recipe of failure. These are trying times, and I respect the opinions of every Member of this body expressed on this floor, but remember who our audiences are and how important it is that the message that we send not be mixed, not be one of a political message but be a message of commitment and resolve.

I will support the President not out of partisanship, not out of blind loyalty, but I will support the President because the evidence submitted in all of the hearings in the Foreign Relations Committee told me we have two choices: We can choose an opportunity to succeed or we can subscribe to a recipe for failure. I choose success, and I pray God's blessings on our men and women in the Armed Forces of the United States.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland is recognized.

Mr. CARDIN. Thank you, Madam President.

Madam President, as a new Member of this body, I must tell you that I am frustrated and disappointed. I am disappointed that the Republicans are blocking a vote on whether we support or oppose the President's plan to add additional troops to Iraq. I can tell you that is the issue of the day. That is what my constituents are asking of us, and I think they have a right to expect that the Members of this body are willing to go on record either for or against the President's plan to add additional troops to Iraq.

I have listened to my colleagues. I have listened to my colleagues in committee, and I have listened to my colleagues on this floor, and I think the majority of us want to go on record opposing the surge. Both Democrats and Republicans oppose it. I think there is a bipartisan group that can provide the consensus in this body to go on record against the surge.

Several months ago, the President said we were going to have a new plan in Iraq. Shortly after that, the Iraq Study Group came out with its' report. To me, this has been the best analysis of the situation that we have before us. The study group is composed of distinguished members, and it was a creation of the Congress. Secretary Baker, who cochaired the group, served in three administrations and has broad experience in government. Mr. Hamilton, who served in the other body on the Foreign Relations Committee, the Committee on International Relations it is called over there, has served with great distinction both as chairman and ranking member. The other members of the committee—they said we cannot win in Iraq through our military efforts. That is not going to bring success in Iraq. The Iraqis must step forward and defend their own country and we must move forward with new diplomatic efforts. We need "a new diplomatic offensive" is what they called it, and they said: We need to start that before December 31, 2006. The ability of the United States to influence events within Iraq is diminishing. We still have not seen that new offensive diplomatic effort.

GEN George Casey said, "It has always been my view that heavy and sustained American military presence was not going to solve the problems in Iraq over the long term."

We got the President's plan and the President's plan was more of the same, stay the course but with more U.S. military presence. We had 3 weeks of hearings before the Foreign Relations Committee. Military expert after military expert, foreign policy expert after foreign policy expert, told us that there is a deterioration in Iraq and our policies are not working and we need to move in a new direction. We need to come to grips with the fact that the Iraqis must stand up and defend their own country and we must engage the international community much more aggressively.

I congratulate Senator WARNER and Senator LEVIN for coming forward with a compromise resolution that allows us to go on record opposed to the increased American military presence in Iraq. I do not agree with everything that is in that resolution, but I do think it clearly puts the Senate on record against the increased surge of American troops in Iraq, and that is our responsibility. That is what we should be doing. We should not hide behind procedural roadblocks to avoid voting on that issue. That is the most important issue facing this Nation today, and we should be willing to vote on that issue. It is not about the President of the United States. It is about this body carrying out its responsibility. That is what each of us has a responsibility to do.

Why am I so much against the increase in the U.S. military presence in Iraq? Let me first start with the numbers. The President said the surge would involve 21,500 additional American troops in Iraq. That is not the case. Michael Gilmore, the Assistant Director for National Security at the Congressional Budget Office, testified yesterday before our Budget Committee, and he said it is not going to be 21,500, it is going to be closer to 48,000 additional American troops because the 21,500 are the frontline combat troops. You need the support staff in order to support the 21,500.

The budget the President submitted to us said that is going to cost about $5.6 billion, but CBO now says it is going to be closer to $20 to $27 billion of additional cost, just with the surge, in addition to what we are already spending. The President claims his budget is to balance in 5 years, but he has no cost for the Iraq war beyond 2008.

The numbers speak for themselves. The President is asking us to go along with stay the course but at a higher cost, both in American military presence and the costs to American taxpayers in this country.

The situation in Iraq is deteriorating. Every person who has come before us who is an expert in this area has acknowledged that. There is a civil war in Iraq, and Americans have paid a very heavy price for our commitment in Iraq—over 3,000 dead and many more with life-changing injuries. There have been hundreds of billions of dollars spent. That represents missed opportunities in America—money we need to strengthen our military and national defense. We have used our National Guard and reservists. We should be supporting them, improving the quality of life for our soldiers and for our veterans. Our soldiers have served with great distinction and valor. We owe it to them to get it right. We owe it to them to do everything we can for a successful outcome in Iraq. That is why it is our responsibility, on behalf of our soldiers, to take up this issue.

We have lost our focus in the war against terror, we have weakened U.S. influence internationally, and, yes, we have lost other opportunities beyond defense because those hundreds of billions of dollars we spent could have been spent to balance our budget, could have been spent to increase our commitment to national priorities such as education and health care and the environment. But we have lost those issues.

The first order of business for us should be to go on record against increasing the American military presence in Iraq. That should be our first order of business. But then we need to do more. I opposed the war from the beginning. I voted against it in the other body. I have been a critic of the President in the management of the war, in his failure to properly engage the international community both before and after going into Iraq, and the decision made by someone in the White House to take out the Iraqi security forces when we went in, that was a mistake. I have been pretty consistent against the President, but we need to do more than pass this resolution. I think we should take up this resolution first. This is the first order of business. But then we need to do more.

The Iraqis have a responsibility to take care of their own security needs in the midst of a civil war. We need to engage the international community with a diplomatic and political initiative so the Government of Iraq has the confidence of the ethnic communities. This is sectarian violence. We need to change the way the Iraqis are doing business and help them through diplomatic efforts. We need to engage the international community. We need more assistance in training Iraqi security forces. You can't do it all by Americans; we need the international community. We need the international community to help us with the humanitarian crisis that is in Iraq. The number of refugees, displaced individuals, is in the millions. We need the help of the international community to deal with the humanitarian crisis. You are not going to have peace in Iraq until you deal with that.

We need the help of the international community on the infrastructure improvements, the economy of Iraq. The American taxpayers cannot do it alone, and we have wasted a lot of our taxpayer dollars in Iraq. We need the international community to help us. In short, we need a new direction, a plan that includes bringing some of our combat troops home, to make it clear to the Iraqis we are not going to be there indefinitely, to make it clear to the international community we expect the Iraqis to take care of their own security needs. That is what we need.

But first things first. Let's take a vote on the President's plan. Let's get that done. Let's stop using procedural roadblocks to prevent a vote in this body but to vote for or against the President's plan to bring more troops to Iraq.

Then we should consider additional options to make it clear it is our responsibility to help bring about a new direction for American involvement in Iraq.

I yield the floor.

The PRESIDING OFFICER. The Senator from Idaho is recognized.

Mr. CRAIG. Madam President, I have been on the floor of the Senate for the last half hour, listening to my colleague in what is, in fact, a very important debate for this country. I say that, even though the wringing of hands would suggest that somehow the debate is being blocked and the will of the Senate has been thwarted. I suggest quite the opposite. It has become a finger-pointing in a procedural way.

I believe the Republican leader came to the floor yesterday and said let's have a couple of votes, several votes: you can vote up or down on the Levin-Warner resolution: you can vote up or down on the Gregg resolution. It was then the leadership on the majority side, the Democratic side, blocked it. I think the American people are wise to the tactics at hand. They are not unaware, and they are frustrated by what is going on in Iraq today. Clearly, we are focused. Whether it is the Congress of the United States or a vast majority of the American people, we are becoming increasingly critical of a war that has frustrated many of us.

The Senator from Maryland voted against it. He said so a few moments ago. I voted for it. At the same time, I grow increasingly critical, as do many of the citizens of my State, as to what will be the future, what will be our success and/or failure and at a cost of how many more American lives.

I am critically concerned that this Government in Iraq now stand up. We have allowed them to form and to shape and to vote. They now have a Constitution. They now must lead. In leading, I hope it could be to stability to the region and that it will not offset and throw out of balance what the free world looks at and says is very important and that is, of course, the war on terror and the general stability of the Middle East.

Indeed, I think much has been lost in the debate around this country as to the significance of the Middle East itself. I was extremely pleased last week when that kind of an elder statesman of our country, Henry Kissinger, came before the Senate Foreign Relations Committee and in a very real and important way, and in a bipartisan way, said: Let's not forget our perspective. While for the short term and for the moment we are focused on Iraq, as we should be, let's not fail to recognize that since World War II, we have been in the Middle East to bring stability to the region for a safer, more stable Western World.

I don't think there is any question about that. He was frank about it when he stressed diplomacy as an important tool. I have long advocated frank, open talks amongst our friends and neighbors around the world, not only about the region but about the role of Iraq within the region and what we must do. However, Dr. Kissinger also stressed that, under the present conditions in Iraq, withdrawal or the signs of withdrawal is simply not an option for America's forces. So anyone who comes to the floor today and says: Oh, but it is an option and we ought to start now, or we ought to send all the signals to our friends and neighbors around the world that we are beginning to pull back, is going against a trend that I think is critically important. They could set in motion the kind of activity in Iraq that could bring about a phenomenal genocide and the possibility of neighbors tumbling in on top of neighbors to create conflict in the Middle East that could bring down the whole of the region. If that were to happen, then I am quite confident that those who want to withdraw would find themselves in a very precarious situation. What do we do? Do we go back in with greater force to stabilize the region, when friendly, moderate Arab nations are now tumbling into war because we would no longer stand or we would no longer force, through a diplomatic process, those countries of the world to come together to work with us, to cooperate?

While most agree that the current situation in Iraq must be dealt with politically—and we have heard that time and again—and economically, our military involvement is critical to provide the Iraqis the stability they need in this new democratic process. I don't mind pegging timelines a little bit and I don't mind thresholds and measurements and I think it is important we not only send that message but that we get it done, we get it done for the sake of our position in Iraq and certainly forcing the Iraqi Government to move—those are all phenomenally important issues.

Let me stress two last facts. It is quite simple. The 116th from Idaho, the largest deployment of Idaho's troops in this war, was there and served and served honorably and proudly and the work they did was phenomenally important and we are proud of them. Let me also suggest that while many will say the general we now send to Iraq is the best military mind we have available at the moment, the author of the Army's war handbook on terror, we are saying to General Petraeus: You are the best there is, go forth and be successful, but, oh, by the way, we don't agree with the mission—what kind of a mixed message is that we now send to our military?

The Senator from Georgia was right. The world is listening to this debate. Our men and women in uniform are listening to this debate. The enemies of the cause are listening and saying: Oh, the Senate of the United States is getting cold feet. Our opportunities are at hand. All we have to do is wait them out. All we have to do is accelerate the violence, and they will turn out the lights in the green zone and go home.

Then the world, at least the Iraqi world, will erupt in a civil conflict, a civil war of phenomenal proportion.

Those are the realities we deal with today. I hope this Senate stays on point. This is an issue that is critical to the future of our country, to the future of the free world, to the region of the Middle East, to any kind of stability we hope could be brought there. I hope we have the votes—and they ought to be up or down—and I don't mind being on the record at all. They need to be substantive, they need to have the force and effect of law, just not the ring of the politics of the Chamber, because that is what we are getting today—a heavy dose of politics and very little substance.

We hide behind procedure? I don't think so. Let us bring these issues forward. The Craig resolution? Up or down. Levin-Warner? Up or down. What is wrong with those votes? That is what we were sent here to do. I would hope our leadership could bring us to that.

So, to reiterate:

Many people around the country, including myself, have taken a much more critical look at the way the war in Iraq has been handled. However, through all the hardships our soldiers face day-to-day on the streets of Baghdad and elsewhere in Iraq, it still remains evident to me that our success in Iraq and the success of the current Iraq government, is critical to the security of our Nation, the stability of the Middle East, and the fight against terrorism worldwide.

Indeed, much has been lost in the debates around this country as to the significance of the greater Middle East stability when looking at the situation in Iraq. Our country has maintained a presence in that region of the world since World War II, and it should not be a surprise to anyone that many countries there depend and rely on our presence there, both economically and for their own national security. After reviewing the recent transcript of Dr. Henry Kissinger before the Senate Foreign Relations Committee, I agreed with many of Dr. Kissinger's views on the current situation in Iraq as it relates to the Middle East as a whole, and the severe consequences the international community will face should we fail in Iraq.

Dr. Kissinger stressed diplomacy, something I have long advocated in this conflict and frankly for any conflict. I don't believe there is one Member of Congress who takes the decision lightly to send out troops into combat unless we all firmly believe it is a last option. I know I certainly didn't, and I know that an overwhelming majority of both Senators and Congressmen believed that as well when we authorized the use of force in Iraq back in 2002.

However, Dr. Kissinger also stressed that under the present conditions in Iraq, withdrawal is not an option for American forces. Such a withdrawal would have long reaching consequences on the war on terror worldwide, could lead to widespread genocide in Iraq and possible neighboring countries, as well as severe economic consequences for all Middle Eastern countries. It is clear that such a circumstance would mandate international forces be sent back into Iraq, but the costs at that point would be grave.

While most agree that the current situation in Iraq must be dealt with politically and economically, our military involvement is critical to providing the Iraqis the stability they need to let their new democracy take root. If we pull our troops out of Iraq now, or deny them much needed reinforcements as some would like to do, we risk losing Baghdad and possibly the entire country to full blown civil war. Under those circumstances, the government of Iraq would fall, and Iran and Syria would strengthen their grip on the Middle East, endangering the national security of America and our allies worldwide.

It is my hope that diplomatic efforts will continue in a more aggressive fashion to bring the international community to the realization of a failed State in Iraq, and the real consequences that we all face should our efforts fall short of stabilizing Baghdad and the country as a whole. Because the consequences are so high, I do not believe that our soldiers' withdrawal from Iraq should be placed on any timetable, and we need to reassure our soldiers and commanders in Iraq that we will continue to support their efforts. After all, they are operating in Iraq, but the work they are doing will have a far reaching effect to stabilize the Middle East.

Over the past few weeks, there have been many who have been outspoken about their disapproval of the President's new plan for Iraq. Not being an expert in military tactics, I do not believe it is my role as a U.S. Senator to play general for our soldiers as some are. Instead, I believe it is my duty in Congress to provide our soldiers with the resources and funding they require to do their job with the best equipment possible, while also pledging my unending moral support for the work they do each and every day to keep Americans safe both at home and abroad.

Every 4 years the citizens of America go to the polls to elect a commander in chief, who is responsible to the American people to lead our military in times of peace and times of war. It is no mistake that the founding fathers gave the power to declare war to the Congress, but the power to lead the military to the President. Our soldiers should not have to follow 535 Congressional "generals" who hold up critical funding while they second-guess tactical decisions of the commander in chief and military leaders.

Over the last few weeks a lot has been made of the troop reinforcement President Bush outlined to the American people. Prior to his speech, I and several other Members of Congress met with the President to discuss the current situation in Iraq. I made it very clear that Idahoans and I cannot continue to support the status quo; and he agreed. President Bush has spent the last many months working with his national security advisers, commanding officers in Iraq, Members of Congress and experts in the field of military issues in order to revise our national strategy with regards to Iraq and come up with a new strategy for victory.

Make no mistake, the onus is now on the Iraqi people and the Iraqi government to act, and I was extremely pleased to hear President Bush reiterate that fact. The efforts of our soldiers have given the Iraqi people a great opportunity to live in a free and stable country, but they must stand up and accept that responsibility.

My home State of Idaho has shared some of the burden of this war in Iraq. The 116th Brigade Combat Team served courageously for twelve months in Kirkuk and surrounding areas, and they have since returned home to their families. I had the opportunity to visit them in Iraq and was extremely proud of the feedback on these soldiers I received from Iraqi government officials, civilians, and U.S. military leaders. I would also like to spotlight all Idahoans who are serving in the Armed Forces in Iraq, Afghanistan and elsewhere. I am eternally grateful for their service and I will continue to provide them with all the support I can give.

It is my hope that Members of Congress will not pursue antiwar politics to the detriment of our soldiers in the field. Our soldiers have been fighting courageously in Iraq, Afghanistan and elsewhere around the world to protect each and every American life, and I believe it is incumbent for the Congress to stand behind them. Numerous bills and resolutions have been proposed in the Senate to disapprove of their mission, cap troop levels, withhold funding for the reinforcements, or even completely de-fund the troops serving in Iraq. I cannot and will not support any legislation that I see as unproductive to our current efforts in Iraq, because I believe it places our forces in greater danger and could embolden our enemies to continue their attacks against innocent Iraqis, Americans and our allies.

In testimony before the Senate Intelligence Committee in January of this year, General Hayden, the Director of the CIA, responded to a question regarding what would happen if we pulled out now from Iraq. Director Hayden responded, Three very quick areas:

> No. 1, more Iraqis die from the disorder inside Iraq. No. 2, Iraq becomes a safe haven, perhaps more dangerous than the one Al Qaeda had in Afghanistan. And finally, No. 3, the conflict in Iraq bleeds over into the neighborhood and threatens serious regional instability.

He went on to state that this directly and immediately threatens the United States homeland because it:

> provides Al Qaida that which they are attempting to seek in several locations right now, be it Somalia, the tribal area of Pakistan or Anbar province—a safe haven to rival that which they had in Afghanistan.

During his confirmation hearing before the Senate Armed Services Committee, GEN David Petraeus supported President Bush's plan to increase troop levels in Baghdad and Anbar province. In response to questioning before that committee, General Petraeus made it clear he believes that the reinforcement of soldiers into Baghdad and Anbar in Iraq will bolster the Iraqis' ability to stabilize their government and defeat the insurgency, instead of allowing them to continue to buck that responsibility, as some have asserted.

Many in Congress have stated publicly that this is the last chance the United States has to get it right in Iraq. If that is the case, I feel there is no general better qualified to be in charge of our ground forces and get things turned around on the ground than General Petraeus. I recognize that the American people have grown weary over the last months since the violence has escalated in Iraq, but I remain optimistic that the Iraqi government, with the aid of our soldiers, can turn things around.

I had the pleasure of meeting General Petraeus during one of my two trips to Iraq and was very impressed by his knowledge of the situation and his expertise in counterinsurgency. I have no doubt that General Petraeus is the right man to lead our forces in Iraq and I believe that he will overcome the new challenges he now faces. Let us not send the right man and then tell him it is the wrong job.

In closing, while I share the concerns of many of my colleagues regarding the situation in Iraq, I will support the President's plan to provide the reinforcements necessary to provide stability in Baghdad and Anbar province. I am hopeful that this plan will give the Iraqi government the best chance to stand on their own two feet and make the positive strides necessary to take control of the security situation and function as a stable government. It is this Senator's personal opinion that resolutions condemning the President's new way forward send the wrong message to our soldiers, the Iraqi people, and especially our enemies.

I certainly appreciate and support the role of Congress to provide oversight with respect to U.S. military engagements. However, I do not believe we should cripple the Commander in Chief's ability to work with our military leadership to defeat our enemies, and passing a resolution condemning the President's new plan for Iraq would do precisely that. Instead, I support resolutions that call for the support of the American people and Congress to give the President's plan a chance to work. Mistakes have been made, unquestionably, and the violence in Baghdad and Anbar province has grown to a level that few predicted, but I am not yet ready to throw in the towel on this President's new plan and our soldiers' ability to assist in stabilizing Iraq before they even get a chance to try.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

PROCEDURAL TACTICS

Mr. SPECTER. Madam President, thank you for the recognition. I have sought recognition to discuss the procedural situation which confronts the Senate at the present time and to discuss a proposed rule change which would deal with this kind of a problem.

We have pending a motion to proceed on S. 470, which proposes a disagreement with the President's plan to send 21,500 additional troops to Iraq. Under the Senate rules, a motion to proceed is debatable, and when we deal with an issue of the magnitude of what is happening in Iraq today and the President's proposal to send additional troops, it is obviously a matter of great moment. The eyes and ears of the country are focused on the Senate. The eyes and ears of the world are focused on the Senate.

So far, what is happening is largely misunderstood, but the starting point is that a motion to proceed is debatable. But before debate even began, the majority leader filed a motion for cloture, which means to cut off debate. Now, a cloture motion would be in order, but why before the debate has even started? The cloture motion is designed to cut off debate after debate has gone on too long. But what lies behind the current procedural status is an effort by the majority leader to do what is called filling the tree, which is a largely misunderstood concept, not understood at all by the public generally and even not understood fully by many Members of this body. But the Senate is unique from the House, and the Senate has been billed as the world's greatest deliberative body, because Senators have the right to offer amendments.

In the House of Representatives they established what is called a rule, and they preclude Members from offering amendments unless it satisfies the Rules Committee. In the Senate, generally a Senator doesn't have to satisfy anybody except his or her own conscience in offering an amendment. But if the majority leader, who has the right of recognition—and that, of course, is not understood either—but if the majority leader is on the floor and seeks recognition, he gets it ahead of everybody else. And if the majority leader offers what is called a first-degree amendment to the bill, which is substantively identical to the bill but only a technical change, and then again seeks recognition and gets it and offers a second-degree amendment to the bill, which is substantively the same but only a technical change, then no other Senator may offer any additional amendment. That is a practice which has been engaged in consistently by both parties for decades, undercutting the basic approach of the Senate, which enables Senators to offer amendments and get votes.

The Congressional Research Service has tabulated the statistics going back to the 99th Congress in 1985 and 1986 when Senator Dole used this procedure on five occasions. In the 100th Congress, Senator BYRD, then the majority leader, used this procedure on three occasions. In the 103d Congress, the next majority leader, Senator Mitchell, used this procedure on nine occasions. When Senator Dole became leader again in the 104th Congress, he used this procedure on five occasions. In the 106th Congress, Senator LOTT, then the majority leader, used it nine times. In the 107th Congress, Senator Daschle, then the majority leader, used it once. He was only majority leader for about 18 months. In the 108th Congress, Senator Frist used it three times, and in the 109th Congress five times.

Now, my suggestion is that the parties ought to declare a truce on this procedural war of filling the tree which undercuts the basic thrust of Senate procedure to allow Senators to offer amendments. But the majority leaders continue to use it, which they have a right to under the current rules, which is why I am suggesting a change in the rules. But it will take a little time to change the rules. We can't do it immediately for the Iraq debate. But it would be my hope that there would be a public understanding of what we are doing, because the most effective process in our governmental operations is public understanding and public pressure. We call it a political question. We call it public understanding to have transparency or an understanding of what we do, and then the public can say yea or nay with what is happening, and that is a tremendous force to lead Senators and Members of the House of Representatives to take action, to call it the right thing, or to take action consistent with sound public policy.

Now, what is happening today is that charges are being leveled on all sides. There has been a lot of finger-pointing with most of the Democrats saying the Republicans are obstructing a vote—a debate and a vote on the Iraqi resolutions. And Republicans are saying: Well, we are insisting on our right to debate the motion to proceed. We don't think you should file cloture before the debate even starts, to cut off debate before you have debate, but the reason we are doing it is so this procedural device may not be used on what is called in common parlance to "fill the tree." But if you ask virtually anybody what is filling the tree, they are going to think about an orchard; they are not going to think about Senate procedure. But it is called filling the tree. I have described it succinctly and briefly to outline exactly what the procedure is to stop Senators from offering amendments.

There is a clue here that Senator WARNER—who is the principal proponent of the Warner resolution, the Warner-Levin resolution, which picks up the substance of the bill which is currently pending, S. 470—Senator WARNER votes against cloture, and he is the principal proponent of disagreeing with the President's plan. Well, that ought to tell us something: that Senator WARNER is not trying to stifle debate on a vote on his own initiative, on his own resolution. Senator HAGEL also—who has been characterized as the most outspoken critic of President Bush's plan to have a surge—voted against cloture. That ought to tell us something: that Senator HAGEL is not trying to defeat debate on a vote on what he seeks to accomplish.

So it would be my hope there would be a truce. Let me say candidly that I think there is very little chance there is going to be a truce in the Senate on using this procedural rule. It has been used on both sides. It has been used by Democrats and Republicans when it suits the partisan advantage of one party or another, and suiting the partisan party advantage of one party or another is not consistent with sound public policy and the public interest.

Right now this debate is being waged in the newspapers, it is being waged on the talk shows, it is being waged on the Sunday shows, even some of it is being waged on the floor of the Senate, but by and large not understood.

I spoke on the subject on Monday, outlining the rules morass, and largely misunderstood, even by senior members of my own staff not understood. You have the Democrats—and I think we ought to rise above the partisanship, Democrats and Republicans—saying they have the high ground and they intend to keep it. Well, I think they are winning the public relations battle. Let's be candid about it. Democrats are winning the public relations battle. Most people think what is going on, because we are opposing ending debate, Republicans are opposing ending debate, is that we do not want to have the debate and we do not want to have the vote.

That is not factually correct. Senator WARNER, who is proposing it, and Senator HAGEL, who is one of the sharpest critics of the President's plan, and other Senators who are critics of the President's plan, have voted against cutting off debate because it is a big issue which ought to be debated, and because what is going on behind the scenes, under the surface, is an effort to have agreement on how many votes there will be to have a fair airing of the subject matter, and to have an opportunity for Senators to vote on a variety of resolutions or amendments. Ordinarily, we come to agreement on those matters. Right now we are up against the continuing resolution, which is about to expire.

I would suggest we have plenty of time to do it all if we start to work a little earlier. We are on morning business until 2 o'clock, which means we can express ourselves and it is not wasted time, but it is not the most productive time. We don't come to work until late on Monday. We don't work on Friday. Most Americans work a 5-day week. Some Americans work 6 and 7 days. So we have time. And we could work in the evenings, too, when we are facing a time limit, or we could have a continuing resolution which was extended, so that debate could be put off. But now it is in doubt what is going to happen. It is controlled by the majority, and by the majority leader, and that is the right of the majority and the right of the majority leader.

There have been pronouncements that we are not going to come back to this debate and that it is politically advantageous for the Democrats to blame the Republicans for blocking debate on the vote, and that will be the public posture. But it is my hope there will yet be a recognition of what is going on. I would be glad to debate anybody who cares to discuss the issue as to whether my representations are accurate or inaccurate; that the majority leader has the right exercised by majority leaders of both parties for at least the last two decades to preclude amendments being offered and to preclude any consideration by what Republicans have to say on this issue.

We have a Member of the opposite party on the Senate floor. I would be glad to debate that subject with him now.

Before the week is up, I will offer a resolution to change the Senate rules to preclude this procedure in the future, but in the public interest, there ought to be a truce declared on it that won't be used by either side to the disadvantage of the other. The real party being disadvantaged is the party of the American people. That is where the impact is.

In conclusion—the two most popular words of any presentation—I hope we can explain, as a starting point, discussions we have in the Senate and follow up with explanations in the media, which really carries the message to the American people. Some people are watching on C–SPAN. I have a family very interested in the speeches I make from time to time—two sisters and a brother-in-law. I talked to them Monday night, and they had no idea what I was saying. My staff does not understand what I am saying.

The essence is, the rules being exercised by the majority, by the Democrats today, will preclude Republican amendments if they fill the tree by the procedure I have described. I do not want to stop debate. Senator WARNER, who is the principal proponent of the amendment to debate and vote, Senator HAGEL, an outspoken critic of the President—doesn't that say something?

I hope we can bring sufficient public clarity to the issue that the majority leader and the Democrats will rethink their position. As long as the Republicans are being blamed for not having debate and a vote, we are not going to have debate and a vote. If the public understands both parties are at fault, equal blame on both sides, then there may be some movement and some accommodation.

It does not take long for the American people to see the morass and procedural shenanigans going on and say: We don't care whether you are a Democrat or Republican, the American people are sick and tired of the bickering that goes on in this Chamber and in the House of Representatives. They expressed themselves in the last election. If we cannot do a better job in explaining ourselves and finding a way to work through and address the substantive problems, the enormous problems facing this country—and the No. 1 today is Iraq—we may all find ourselves seeking new employment.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey is recognized.

Mr. LAUTENBERG. Madam President, we just heard a debate about debates. It strikes me that this word war we are conducting here doesn't get to the fact that we are losing people every day in Iraq—27 Americans died in a weekend—and our friends on the other side want to discuss the rules and the process instead of being able to agree that there was a nonbinding resolution being proposed about whether you want to see this surge—a la escalation—of the war in Iraq. Our friends were so conscience-stricken that they wanted to resort to more words and amendments. Why couldn't we have just passed or discussed that nonbinding resolution, let it go, and let the debate then continue? Bring on the debates. But, no, this is the press relations battle which was just discussed by our colleague.

That is not what we are looking for. We are looking to save lives, American lives, but we can't get to the subject because there is a question about what the rules ought to be. The rules ought to be the decency of our consciences—let us make decisions that will save lives and ease the pain on American families.

This was an unfortunate dynamic we saw this week: Republican colleagues determined to block the opportunity for the Senate to vote on the President's war escalation policy for Iraq. Just when the American people want this Congress to stop the President's misguided plan, our colleagues on the other side are hard at work to shut down that opportunity. What they are afraid of is that we will confirm our support for the troops who are there now, and any insinuation that isn't the truth is a foul lie. We are just as anxious to support the troops. We are more anxious, in many ways, because we called for equipment to be available to protect our troops. We called for vehicles to be properly armored. We called for the body armor to be developed. But we didn't hear any complaints about the misdeeds of the contractors who weren't doing what they were supposed to be doing. They were not even monitored. We are going to talk about that.

Our friends in the minority can delay this debate, and I hope the American public understands what is going on—delay the debates, don't let us come to the conclusion, don't let the President see that a majority of this Senate does not want this escalation to take place. They will delay this debate and vote for now, but it is going to happen eventually. It will happen because the American people are understandably frustrated with the President's conduct and mishandling of this war.

Our children are taught a lesson in school: If you do things wrong and you don't pass your courses, don't change your ways, don't listen to advice, you get an F on your report card. In the view of many of the American people—most of the American people—President Bush has gotten an F on his report card on the handling of the situation in Iraq. But he and the Vice President refuse to be held accountable, and his allies in the Senate are blocking us from holding him accountable. It is not a good lesson for our Nation's young people. They see that if they don't do their work, they fail the course, and the President has not done his work, and he ought not to get a positive grade for his job thus far.

The American people don't want Congress to grant unlimited power to the President and his incompetent crew. Our troops have done a magnificent job, but it is the President and failed leadership at the Pentagon that have let them down.

Who can forget Secretary Rumsfeld's quote:

> You go to war with the Army you have, not the Army you might want or wish to have at a later time.

Frankly, it is a slur, in my view, against the troops we have, those courageous people over there fighting right now or at that time. It is a terrible message to send to our soldiers.

Who can forget when the insurgency first started and our troops were getting attacked with roadside bombs, when President Bush said "bring 'em on"? I wore our Nation's uniform in World War II, in Europe, and I can say none of us wanted our Commander in Chief taunting the enemy, inviting them to come on out and fight and maybe kill us. No. To be in harm's way and have your commander make such a statement from the safety and security of the White House is appalling.

Now the President wants a so-called surge. Does he want to surge our way to more problems? Does he want to surge our national debt by spending billions more every week in Iraq? Anybody who understands English knows that the real definition of "surge" as used here means "enlarge" or "escalate."

From this war, we have more than 700 Americans who have lost limbs, more than 29,000 suffer from post-traumatic stress disorder, and over 3,000 have perished in Iraq, 74 of whom have ties to my home State of New Jersey. Yet President Bush dismisses the incredible cost of this war in lives, injuries, and resources essential for the health and well-being of our people at home, domestic programs.

After all the previous failures and incompetence by this administration, why should the American people allow the President to do whatever he chooses in this war, this war which has destroyed thousands of families' lives? Look at the President's record on Iraq: false intelligence on weapons of mass destruction; no posted invasion plan because the administration was convinced that we would be greeted with sweets and flowers in a Utopian celebration. The President's team decided to fire the entire Iraqi Army, dismissing 500,000 trained troops who might have been helpful to us in fighting this insurgency. Then the Bush administration helped create further sectarian division by simply banning members from serving in the new Iraqi Government. The administration has allied itself with an Iraqi Prime Minister who supports a militia leader named Sadr who controlled a terrorist militia which disagrees with the formation of a stable government.

We all saw the waste, fraud, and abuse of taxpayer funds by contractors such as Halliburton. The Iraqi reconstruction inspector general said that nearly $3 billion in U.S. taxpayer dollars for Iraqi reconstruction has been lost—lost, vanished, $3 billion. That is not sloppy, that is incompetence. So it is understandable that a giant majority of the American people are against this escalation. The other side of the aisle obviously does not want to vote consistent with the American people's wishes or their prayers. Taxpayers are footing a massive bill for these mistakes.

The administration gave Halliburton a no-bid contract thought to be worth $50 million—well, it surged to $2.5 billion—to operate Iraqi's oil infrastructure. And what has that contract yielded in oil? Less oil 4 years after the invasion than Iraq was producing before the war. Halliburton was forced to pay back $50 million after a fine was leveled against them by the Department of Defense. That is why the American people say no surge for Halliburton.

I was a member of the Department of Homeland Security committee in the previous Congress. I wrote five letters to the chairman asking we have hearings, oversight hearings, on the Halliburton behavior in the war. I was told that it would be duplicable, and we couldn't get a review of Halliburton's behavior.

When the Republicans were in the majority, they said a vote against the President's policy was cut-and-run, but now the American people are asking the question, What is the alternative? Stay and die?

In November, the American people spoke with the most effective means they have; that is, the ballot box. They said no. They said they want a change. They voted for a voice against the President. Now the Republican minority is blocking Congress from speaking.

The President and the minority in the Senate cannot continue to ignore the will of the American people. We already saw the President ignore his own chosen Iraqi Study Group. First he appoints them; then he challenges them or ignores them. He ignored the advice of GEN John Abizaid, who thinks this escalation is a bad idea. He ignored former Secretary of State Colin Powell, who said more troops are not the answer.

When do we say enough is enough? Well, I think that time is past due.

Outside my office, to remind us all—I am very sensitive to veterans matters, to our military, not just because I served but because they are there to protect us. And they do a splendid job, even when they are asked to do more than the numbers they should have are not in place, and the equipment has not been quite what it ought to be, delays in producing that. We display a memorial outside my office showing the "Faces of the Fallen," which says: "Let Us Never Forget." There are almost 3,000 faces outside the door to my office. We have them on easels. It was our construction. The name, age, rank, battalion affiliation, and the cause of death of each of these Nation's fallen servicemembers is inscribed with their photo on the memorial. If you look, you see the ages and how young they were and what they must have meant to the families they left behind.

Friends and visitors search these photos daily for knowledge of people they might know and miss. As they search, as they review these pictures, some write notes in a book of reflections that we have out there. A woman from Englewood, NJ, wrote:

> How do we measure their sacrifice? We are so fortunate to have these brave men and women.

A woman from Minnesota says:

> This display brings tears to my eyes, to see how many lives have been lost. Please stop more boards from being added and bring those who would find themselves memorialized here home safely.

A Californian simply wrote:

> Bring them home!

These are what the American people want, and we ignore them at our own peril. We prevent a vote on this momentous issue at our own peril as well.

I close, saying to my colleagues on the other side, please stop the insinuations that we on this side of the aisle do not want to support our troops. Nothing could be further from the truth. Many of us, myself included, have been there to meet with our troops and see what they need and see what they want and listen to their tales of the days they spend in harm's way. We want to support them. We salute them. They honor their obligation to their country, even though we, in many cases, disagree with the mission.

And when we fool ourselves into believing that all we have to do is to put more people in harm's way and we will get a stabilized government there, we find, in many instances, the recruits they have in the army there are just not capably trained, don't have the will, in many instances, to take up the fight. And we want to put more of our people in there?

I think what ought to be done—as many others here do—is to start to whittle down our presence, leave enough of a resource there to help train those people, maybe instill some courage in their view of what their responsibilities are, get enough people in the flow—the Iraqi people—and plan to get them home as soon as we practically can.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. MENENDEZ). The Senator from Alabama.

Mr. SESSIONS. Mr. President, I wish to share some thoughts about the situation we find ourselves in. I do feel some obligation to comment on the nature of the debate we are having, although I do not want to descend into partisanship.

I would say that Senator SPECTER, I believe, is absolutely correct when he says the Republican Members of this body are not afraid to vote. They are prepared to vote on the Warner resolution. They are prepared to vote on the McCain resolution. They will vote on the Judd Gregg resolution. But the problem is the Democratic leadership only wants one vote, and that is a vote on their resolution. So we have had a vote. Less than 50 voted to go forward. So I do not see how we are at a point where it can be suggested the members of this side are afraid to have a vote.

Why are they afraid to have two more votes, I would ask? I am not afraid to vote. I know how I would vote on those amendments. I am going to vote against the amendment that disapproves of the policies we are sending our troops to execute. And I am going to vote for the other amendments of MCCAIN and GREGG—if I had the chance. That is a minimum. There may be others. Senator SPECTER indicated he would like to vote on something else.

But in truth, as I have said before, I am not happy about this whole resolution process. We are not in the business of resolutions here. We are in the business of funding or not funding the policies of the United States of America. We have committed to funding the policy that is now being executed. We have confirmed the general who will execute that policy. Therefore, that is what we are about. That is the action we have taken.

But, in general, let me say this one more thing because it touched my heart. Less than 30 minutes ago, right out here, I met an Alabamian whose son is at Fort Benning, a first lieutenant in the U.S. Army, an infantry officer. He thanked me for not going along with this negative resolution idea, and said: Senator, these soldiers are "watching what you do like a hawk."

Don't think what we do is just a gambit to embarrass the President. We face many difficult decisions, pressures. We wrestle with competing interests and emotions in this Senate. We have high hopes and dreams for America. We do not all agree, and we should not. Ours is, at its best, a democracy where robust and intelligent debate informs our decisions. It makes us better. And we should respect one another even while we disagree. But this is a big deal. Lives are at stake. But this is what democracy is about. I want to be sure that when I say I believe someone is making a mistake, I am not attacking their character.

In the end, if a democracy cannot reach a decision on important issues, act decisively and execute those decisions, it will be weak and it will fall prey to the cruel, the despotic, and the strong. In order to avoid indecisiveness and weakness, there are some important common principles we must share. They are built, I believe, on love of country and a sincere belief in and admiration for this great Republic we serve. That is the unifying principle.

An extended, dangerous, and costly war in Iraq is not what we had hoped would occur when over three-fourths of the Members of this body—and I was here—voted to authorize the use of force against Saddam Hussein. Certainly, I had hoped and have always favored bringing troop levels down as soon as we can. The difficulties we face have caused, understandably, much unease and frustration in our country. Things have not been going well. That is a true fact. The circumstances are grave, and our efforts in Iraq could fail, as General Casey and his replacement, General Petraeus, have made clear, although, in truth, these professionals have also made it clear they believe we can and will succeed if we carry out the new policy that is now being projected in Iraq.

A congress of a nation, constructed like ours, that aspires to be a great nation and a great congress must consider how it should respond to such difficult circumstances in this winter of our discontent. How, now, should we think about the tough challenges we face?

First, I believe the results of a failure and a precipitous withdrawal from Iraq are grave and ominous. No one disputes that. Chaos and ethnic cleansing, death to those who put their lives on the line for freedom and democracy would likely result, and more. Bad things would occur. We have had testimony on that.

So to even those few now here in this Senate who voted against the use of force, and to our newer Members of the Senate who are on record as being opposed to the policy, I say let's get together. Let's see how we can deal with the problems we now face so our Nation and its policies can be successful.

Few decisions are totally right or totally wrong. Sometimes things go better than expected. Sometimes they do not go as well. The test of a healthy and strong nation is how it handles adversity.

To those who oppose our efforts in Iraq, I would say that it would be a defensible position, I have to say, if you feel that strongly about it, to vote to cut off funds that would in effect force an immediate withdrawal. But, in truth, even when Senators truly believe our efforts in Iraq were a mistake, a mature patriotic assessment of the short and long-term consequences of such a withdrawal must be considered.

Immediate withdrawal is not a good option. It is not a good option. That is obviously why so many of our Democratic colleagues who are not happy with this war have not proposed such a step.

The one thing that is not acceptable is to take action—to take any action or concrete steps—to further the President's policy and then to vote for a resolution that makes it less likely to succeed. This is especially true when this Congress has committed our military personnel to this task, placing them in harm's way to execute the mission this Republic has given them.

Our military personnel have placed their very lives, their every waking moment, on the line to achieve the mission that is assigned to them. They are doing that every day. I have been there five times. We have a moral responsibility to them that must not be lightly broken.

That commitment also goes to those many allies who have supported us, our friends in the region, and the good and decent Iraqis who voted for and stood up for democracy and freedom.

If this is a true concept—and I believe it is—then I urge, with respect and with deep sincerity, that my colleagues do not give their support to any resolution that is likely to make our praiseworthy goal of a free and stable Iraq more difficult to achieve.

A resolution that is not binding but adversely impacts our efforts, with all due respect, is a vote that cannot be justified. Other than perceived personal political benefits, or "making a statement," what benefit does such a vote provide our Nation's efforts? It has no impact. Negative resolutions, therefore, can only place our soldiers, whom we sent to execute this policy, at greater risk. It can only place them at greater risk and make their task harder. Those in harm's way deserve our total support, and the policies we have asked them to execute should also have our total support, until such time as we withdraw it.

I urge my colleagues to think this through. Let's pull back from this precipice—not just from this vote but from votes in Congress that may come in the future. Let's reassert our time-honored tradition that "politics stops at the water's edge," that politics must never place soldiers at unnecessary risk. Let us not go down the road of passing resolutions whose only purpose is to emote, to express doubt about our Nation's decided policy during a time of great challenge and risk.

A Senate of a great nation doesn't use a toothless resolution to vent. What good does such a thing do? Surely, we all understand, as did our Founders, that there can only be one policy, one Commander in Chief, and one Congress. The Congress can cut off funds and stop it, if they are so strongly committed to do so. But we are not doing that.

How have we slid into such a muddle? The answer is that politics seems to have taken over everything around here; it infects our very being, even during war. It is a dangerous trend. We are used to "splitting the difference" here. Compromise is the nature of the game, we are told, and indeed it is. You favor a $100 million program, perhaps, and I oppose it; and maybe we end up compromising on $50 million. The thing may have worked at $50 million, or it might have been a failure at $50 million. Who knows? But we compromise. But that is about money. This is about war, about the life and death of people, as fine as you can find in this country, who volunteered to serve us.

Some may say it is not certain that negative resolutions will weaken the resolve of our friends and hurt the morale of our soldiers and embolden our enemies. Logic, however, says it will. Maybe you disagree. But how can it be otherwise? Logic says it will. General Petraeus said it well a few days ago. Negative resolutions will likely have negative consequences on our policy and place at greater risk the lives and health of our soldiers. What other purpose is there for this resolution, other than to somehow ratchet up the effort to force an abandonment of the policy we have funded and we are now executing.

Indeed, the whole world will think such a resolution that expresses only "feelings" represents a weakening of American will, even while the actual policy we are funding is to increase our strength and commitment to the Iraq effort. Think about it. As their foundations, these negative resolutions can only be described as totally contradictory to our policy that we are at this moment executing. New troops are moving there right now. Some have already arrived in Iraq. Have you not heard that?

For those unhappy and worried, I say let's get busy, all of us, and do a better job. Let's find out more about this difficult struggle that we are engaged in, find out more about Iraq, find out more about what our troops need, what their challenges are and what can and cannot be done. Let's meet with General Pace and General Casey and Secretary Gates; let's read the periodic reports that General Petraeus will be sending and spend more time keeping up with the situation on the ground in Iraq, rather than on polling numbers in our States. If we then reach a point of no return, when our honest and best judgment is that success is not possible, then we can join with those few who are prepared to cast votes to force an end to our deployment in Iraq. That is what we are supposed to do.

Certainly, at this point, none can honestly say that we know what the outcome will be. I wish I could give full assurance of success, but I cannot. We do know this is a very difficult time. Al-Qaida is still active, despite heavy losses and an inability—we may thank the Lord—to attack us again on our homeland, so far. The Iraqi Government has not been strong and decisive, and violence, especially in Baghdad, has steadily increased. The al-Qaida attack on the Samarra Mosque last February, designed to create sectarian violence in the country, succeeded in sparking a spate of sectarian killing and reprisals that continue today.

Still, General Abizaid and General Casey, our former commander, and General Petraeus, our new commander, know the true situation there better than we do. General Abizaid has been there four years, I believe, and General Casey, 30 months. They have lived it. They have studied it. They sincerely believe and have publicly stated, under oath, that this surge of American troops, with a surge of Iraqi troops and the new tactics to be employed, can lead to the goals that we seek—a stable, peaceful, and prosperous Iraq. It can be successful. We should not be overly negative. Indeed, I asked this question of General Petraeus. A few days ago in his testimony, he said he would not take this job if he didn't believe he would succeed. General

Petraeus commanded the 101st Airborne Division when they went into northern Iraq, in Mosul. He did a fabulous job. They jokingly called him the "mayor of Mosul." We toured the area the projects he had worked to establish. He understands the need of walking the streets and talking with the Iraqi people and encouraging them to take over their country. He came home, and then they asked him to go back and train the Iraqi security forces and he agreed to do so. He left his family again and went back and spent a year in Iraq. I am sure he knows every top general by name in the Iraqi Army, or virtually all of them. He spent another year there doing that. Then he came back and he spent a year drafting and writing the Department of Defense counterinsurgency manual. It is 100 or more pages, a big document; it is a very important, complex, carefully worked out document that tells how to confront and defeat an insurgency operation. That is the plan we have asked him to go back with now. I believe we need to give General Petraeus a chance.

We have lost over 3,000 lives in our Iraq effort. The losses, in my view, are less than expected during the initial assault on Baghdad in Iraq and far more than I expected in the aftermath. Much of this, I am sure, was the result of errors we made. Much arises from the inherent difficulties of the tasks that were underestimated. Of that, there can be no doubt. But no Government agency even comes close to our military in being brutally honest and doing after-action reports and self-evaluations. That is going on now and will continue for years. They are a magnificent force. I can only believe that if we truly support them, as a great Senate and a great Congress should when they are executing the policies we have directed them to execute, they will be successful. I further believe it is premature for us to withdraw. We owe it to those State Department officials, other Government agencies, NGOs, patriotic Iraqi civilians who voted for a new and better Iraq, to the Iraqi security forces who have taken more casualties than we have, to those international allies who have stood with us in Iraq and, most of all, to our military personnel who have given their heroic best to accomplish our Nation's just and decent goals in Iraq, to give this new policy and General Petraeus a chance. I think they can and will do it. But I do not doubt the difficulties and I do not doubt there is uncertainty.

If, heaven forbid, our efforts do not prevail, it will be appropriate to completely rethink our commitment to Iraq. So why do we want to pass a resolution? Senator REID says he wants to provide Senators a chance to show their disapproval of the President's policy. With respect, Senator REID has—I know it is unwitting and unintentional—crossed the line there. It is clear that this resolution, which has no binding effect and is only a political document, is not necessary, does not help, and I totally oppose it. It is wrong, in my view.

While our soldiers are courageously placing their lives on the line for us, and while there is no serious suggestion that we should cut off the funds for the surge the Commander in Chief has ordered and which the Baker-Hamilton group suggested might be necessary, a toothless resolution is the wrong thing to do. I am certainly glad it did not garner many votes.

So can we, for a while at least, stand united in our good and worthy efforts to help the people of Iraq achieve a decent, peaceful and stable Government? Can't we do that? The challenge remains great. The costs are high. I say let's follow through, united, on this new strategy under our new general. I believe we can be successful. If the Iraqis fail to respond and if the new strategy is not effective, we will know soon enough. And an honest, professional, and realistic evaluation of what to do next will fall into our hands. We should complete that task effectively, giving our best effort and judgment to it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada is recognized.

Mr. ENSIGN. Mr. President, I ask unanimous consent that the Senator from Montana be recognized next for up to 15 minutes, to be followed by myself for up to 10 minutes.

The PRESIDING OFFICER. Is there objection?

Mr. INHOFE. Reserving the right to object, I further ask unanimous consent that after the completion of the remarks of the Senator from Nevada, and after one other Democrat, I be recognized for up to 10 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. TESTER. Mr. President, I rise today on behalf of the thousands of Montanans who have lost faith in the way this administration is conducting the war in Iraq.

Our troops have given more than most of us can imagine. This administration has asked much of them. They should be commended for their performance in a war that has been mismanaged from the get-go.

In 1972, deep into the Vietnam war, the great Senator, the great statesman, Senator Mike Mansfield, whose seat I am now honored to hold, spoke of a great nation. When times demand it, it is wise for us to take a step back and look at those who served before us.

Standing not far from where I stand today, Senator Mansfield said:

> Mr. President, it does no great nation any harm to admit that a mistake has been made. And sometimes when nations and men will do so, they will be the bigger and the better for it.

Many years later, Mansfield would say that when he was gone, he wanted to be forgotten. We have not forgotten Mike Mansfield, and we must not forget his measured approach to diplomacy, his steady hand, and the lesson that admitting a mistake is the first step in correcting it.

It is time we debate the facts of this situation so this country's leaders can make the right decisions.

I have said for more than a year that this war is being conducted without a plan for success and there is no end in sight. For too long, this body has refused to ask the tough questions, to debate the merits of this war, and has not held the President accountable for the deteriorating situation in Iraq.

Disturbingly, recent reports confirm that our invasion of Iraq has created more terrorists than it has eliminated. Yet the terrorist who plotted the most deadly attack on U.S. soil—Osama bin Laden—remains at large and ignored by the administration.

In addition to the more than 3,000 killed since the war began, 17 of whom are from Montana, there have been more than 23,000 wounded in Iraq and Afghanistan. Many will come home missing one or more limbs. Others will return home to battle posttraumatic stress disorder.

Last week, I joined several of my colleagues, along with two Iraqi war veterans, and called on the administration to get serious about funding for veterans health care. I renew that call today for permanent mandatory full funding of VA health care. There is no reason veterans should be forced to come to us every year hat in hand and beg for funding. It should be permanent, and it should be fully funded. Right now, it is neither.

Our country's veterans do not seek, nor do they expect, recognition from their Commander in Chief, nor the American people. But we owe them not only the recognition but also the promise that we will care for them and their families when they return.

Following the gulf war, the Chairman of the Joint Chiefs of Staff, GEN Colin Powell, outlined his plan for efficient and decisive military action, now referred to as the Powell doctrine.

The Powell doctrine clearly outlines what U.S. military action should look like:

Military action should be used only as a last resort and only if there is a clear risk to the national security by the intended target.

Force, when used, should be overwhelming and disproportionate to the force used by the enemy.

There must be strong support for the campaign by the general public.

And last, there must be a clear exit strategy from the conflict in which the military is engaged.

One by one, this administration has violated every principle of the Powell doctrine and, as a result, we are lost in Iraq and alone in the world.

Clear risk to national security? Prior to the invasion, the administration claimed that Iraq's nuclear capabilities made it a grave threat to America's national security, allegations that proved to be false.

Overwhelming force? The administration was unprepared for the dangers of urban combat, for improvised explosive devices, and continues to send troops into harm's way without proper armor. It is unconscionable that these soldiers are being sent into battle without all of the tools they need to be safe and successful. It is unacceptable to send them there with no plan for, or definition of, success.

Public support? Perhaps the most significant difference between the first gulf war and the war in Iraq is the lack of support from our allies. Like World War II, the gulf war was successful because America built a strong coalition and did not force our troops to carry the burden alone.

As support for this war continues to erode, so, too, does our standing in the world. Just a few years ago, nearly the entire world stood at America's side following the attacks on September 11. That good will has long since been squandered.

And finally, an exit strategy? The President has proposed sending 21,500 more troops into Iraq as a strategy for victory. Staying the course by escalating this war only spells disaster.

This country should no longer tolerate, nor can it afford, an open-ended conflict that has claimed more than 3,000 lives, injured more than 23,000, and cost the United States taxpayers $2 billion every week.

Recently, the President proposed sending 21,500 more troops into downtown Baghdad. But according to the Congressional Budget Office, that actually means almost 50,000 additional troops when you include the 28,000 troops needed to provide critical support to those combat troops. This could cost up to $27 billion to sustain over the next year. That would be more than three times the largest estimate of troop escalation costs provided by the Bush administration.

The addition of almost 50,000 American troops means more American young men and women without adequate body armor riding in ill-armored humvees into one of the most dangerous combat zones in history. Historical data from this war tells us that sending 21,500 troops into Iraq will mean that between 300 and 500 additional soldiers will die in Iraq than if this escalation were not to occur.

Adding more troops is not a strategy, it is a tactic, and it is not a new one. There have been four such troop escalations in Iraq so far, and to what end? What benefit has been realized by this country, the Iraqi people, or the region?

The long-awaited National Intelligence Estimate, prepared collectively by 16 intelligence agencies for the President, was released last week. It paints a bleak picture of the deteriorating situation in Iraq, and it describes the urgent need for conditions to be reversed measurably to stop the violence and widespread polarization of the Iraqi society.

So I call on the President to heed the grave warnings of the National Intelligence Estimate, to listen to his own Iraq Study Group, the Congress, and the American people.

Last month, my colleague Senator BAUCUS called on the administration to map a new course in Iraq. Senator BAUCUS said we must not escalate the conflict, we must train Iraqi troops to stand up for themselves, we must start bringing our troops home as soon as possible, and we must engage Iraqi's neighbors and the world community. He was right then; he is right today.

The solution for a new course in Iraq will not be solely a military one. Switching to political and diplomatic solutions involving our allies in the region is not a defeatist strategy, but instead an appropriate course for a war of this complexity and magnitude.

The President needs to set a timeline to give the Iraqi people military control of their country. It should be the Iraqi Army—not Montanans, not Americans—disarming bombs and guarding bridges. The administration needs to reinvest in special forces and human intelligence if we are to win the real war on terror.

Nearly 4 years have passed, more than a half a trillion dollars have been spent, more than 3,000 American soldiers have died since the President announced that major combat operations in Iraq had ended and told us: "Mission Accomplished."

Funding for this war and its success or failure should have been debated long ago. It is time for a real debate on the direction and strategy of this war, starting with the President's proposal for escalation.

The President must also tell the American people what success means and how it should be quantified. If success is free elections in Iraq, then we should have been gone 2 years ago. If success is toppling Saddam Hussein, then we should have been gone 3 years ago. If it is something else, then the administration needs to be honest with the American people and identify a clear and achievable outcome.

I support the Warner-Levin resolution opposing the President's plan to escalate the war in Iraq. But I want to be clear: I view the Warner-Levin resolution as only a first step. We have a duty to debate the escalation on its merits and let both sides be heard.

This week's efforts to delay a vote on Warner-Levin do nothing to make our troops safer. Blocking an up-or-down vote on this resolution does nothing to bring this bloody war any closer to its close.

I have been here not too long—just a month—and I am still learning the ropes, but make no mistake, we should deliberate, we should not rush to judgment or sentence, but that does not mean we should not debate.

For 3 days we have been debating about whether we should debate the President's plan to escalate the war in Iraq. I have been all over Montana in the last couple of years, and everywhere I went people were and continue to be deeply concerned about the war. They didn't all agree, but there was always a lively and passionate debate. Not a single person told me we should debate about whether to have a debate.

Our troops, the American people, and the Iraqi people deserve an open and honest discussion. We need to ask the tough questions, we need to demand the answers, and we need to bring our troops home as safely and as quickly as possible.

I thank the Chair.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. ENSIGN. Mr. President, this afternoon, I rise to add my voice to the current debate on the President's announced plan to reinforce coalition forces in Iraq by sending additional American soldiers and marines to Baghdad and Al Anbar Province in an effort to bring stability to that volatile part of that country.

For some time now, Senators have been clamoring for President Bush to send additional troops to Iraq. They criticized him for trying to accomplish our goals in Iraq without committing sufficient resources to get the job done.

Look, the President has recognized that a change in strategy is absolutely necessary. Many have previously called for this same strategy. But it appears to this Senator that because it is the President's plan, some Senators are predisposed against it.

A simple review of newspaper and Sunday talk show transcripts reveals some Senators appear to have supported the surge before they were against the surge. Senator KERRY on NBC's "Today" program on June 29, 2005:

> We don't have enough troops in Iraq. . . . There aren't enough people on the ground. . . . The way you honor the troops and the way you provide a policy to America is to do everything possible to win.

Senator DURBIN on December 21, 2006:

> If we need initially some troops in Baghdad, for example, to quiet the situation, make it more peaceful so that our soldiers start coming home, then I would accept it.

Mr. President, that is exactly what General Petraeus has said, and Secretary Gates before the Armed Services Committee said the same thing. It is an initial surge to try to get Baghdad under control so we can begin bringing our troops home.

Senator DODD on December 18, 2006, said:

> I'd be willing to support some additional people if we needed it in order to get the job done.

He further said:

> Show me some demonstrable evidence that they are coming together as a people—Shias and Sunnis—sitting down and recognizing that they have an obligation to come together as a people. Then I'd be willing to support some additional people if we needed it in order to get the job done.

Senator LEVIN in January of 2007 said:

> A surge would be worth considering. The American people are skeptical about getting in deeper . . . But if it is truly conditional upon the Iraqis actually meeting milestones and if it's part of an overall program of troop reduction that would begin in the next four to six months, it's something that would be worth considering.

Once again, in testimony before the Senate Armed Services Committee yesterday, that is exactly what Secretary Gates said, that it is a temporary surge in order to try to bring the troops home.

Senator BIDEN on June 29, 2005, said:

> There's not enough force on the ground now to mount a real counterinsurgency.

Senator JACK REED, in a press conference on November 29, 2006, said:

> If the military commanders in Iraq said, we need, for X number of months, 20-plus, 25,000 troops, to do this mission, I would have to listen to that proposal. I think I responded to the question before: That if the military commanders in Iraq said, we need, for X number of months, 20-plus, 25,000, troops to do this mission, and with a reasonable certainty of success, I would have to listen to that proposal, certainly.

Well, Mr. President, within the last 2 weeks, there have been additional developments that would seem to add weight to the argument that this temporary reinforcement of our troops currently in Iraq is not only warranted but necessary to the overall national purpose. Those developments are the unanimous confirmation by this Senate of General Petraeus, who is to become the new commander—he is the new commander of the Iraqi multinational force—also, the testimony of the Iraq Study Group cochairman, relative to the President's plan, before the Senate Committee on Foreign Relations, and the public release of the National Intelligence Estimate report on the prospects for Iraq's stability.

During his confirmation hearing, General Petraeus, also the author of the Army's new counterinsurgency manual, stressed the fact that he could not succeed in providing needed security for the citizens of Baghdad and Al Anbar Province without the additional troops called for in the President's plan.

General Petraeus further testified at his hearing that it was his opinion that any resolution which stated the Senate did not support the strategy to be carried out by our men and women in uniform in Iraq would be harmful to their morale. Are we going to support General Petraeus or not? The one resolution before us, I believe, is not supporting General Petraeus and the troops.

Last week, the Senate Committee on Foreign Relations held a hearing on America's interests in Iraq, at which the witnesses were the Iraq Study Group cochairman, former Secretary of State James Baker, and former Congressman Lee Hamilton. Secretary Baker referenced the Iraq Study Group's report in articulating that group's position on additional troops to Iraq. He stated:

> We could support a short-term redeployment or surge of American combat forces to stabilize Baghdad or to speed up the training and equipping mission if the U.S. Commander in Iraq determines such steps would be effective. The only two conditions are short-term and commander in Iraq determines it would be effective. Both of those conditions have been met.

Mr. Hamilton made it clear his belief that the President's plan ought to be given a chance. He said:

> We did not, in the Iraq Study Group report, come to the conclusion that it was hopeless and, therefore, we should just pull out immediately.

The much anticipated and just released National Intelligence Estimate report entitled "Prospects for Iraq's Stability: A Challenging Road Ahead" was quite candid in its assessment that if coalition forces are withdrawn within the next 12 to 18 months, we will see significant increase in the scale and scope of sectarian conflict in Iraq.

Mr. President, we need to accept the fact that we are engaged in a struggle of biblical proportions. In true American fashion, though, we are doing the right thing. We are attempting to free a people from a life of tyranny and violence. We are also in a struggle against the forces of evil who are bent on our destruction. Do we pack up and leave, even though every voice of reason tells us that Iraq would implode into a terrorist state used by al-Qaida as a launching pad against the infidels, reminiscent of Afghanistan under the Taliban? And those infidels, they think, are us.

As Senator MCCAIN has reminded us time and again, Iraq is not Vietnam. When we left South Vietnam, the Viet Cong did not pursue us back to our shores. Al-Qaida is not the Viet Cong. Al-Qaida has sworn to destroy us and is committed to bringing their brand of terror to America.

President Bush never said the struggle for freedom in Iraq would be easy. But since the President is the one who said that, maybe it doesn't ring quite as true to some. Maybe by quoting another who spoke passionately about similar struggles for freedom, the point could be made more clearly. Back in 1857, Frederick Douglass spoke about the struggle he knew for freedom. He said:

> The whole history of the progress of human liberty shows that all concessions yet made to her august claims have been born of earnest struggle. If there is no struggle, there is no progress. Those who profess to favor freedom, and yet deprecate agitation, are men who want crops without plowing up the ground. They want rain without thunder and lightning. They want the ocean without the awful roar of its many waters.

We are introducing freedom to a country and a region that has no history of such freedoms. We cannot expect to spread freedom and democracy to this region simply by wishing it so.

We currently have soldiers and marines in harm's way. We have a plan before us that will aid their mission. That mission is to achieve success and leave behind a stable and democratic Iraq. Yet there are those among us who want to cut and run. There are some among us who simply want to cut and walk. And then there are others who want to have it both ways. They want to express their opposition to the idea of sending additional troops to Iraq without having to do anything that might actually translate their opposition to a reality on the ground.

I belong to another group of thinkers. I belong to a group who believes General Petraeus's plan deserves a chance. I believe the temporary surge in the number of soldiers and marines in Baghdad and Al Anbar is our best chance at getting this right. None of us knows for sure whether it will work. There are always uncertainties in war. Let us all pray, for all our sakes, that this new way works.

Last week, I stood here and spoke about what I thought needed to be done in Iraq. I acknowledged that mistakes have been made in this war and that I did not believe we should be playing politics while our soldiers and marines are deployed and fighting against an enemy bent on destroying our country and our way of life. I called on my fellow Senators then to set party differences aside and focus on winning this war. I am here again this afternoon making that same plea.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I notice there are no other Members here, so I ask unanimous consent that I be recognized for up to 15 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it so ordered.

Mr. INHOFE. Mr. President, the Senator from Nevada expressed my feelings in a much more articulate way than I ever could, and one of the last things he said is: Mistakes have been made in this war. I would suggest mistakes have been made in every war. Winston Churchill once said:

> Never, never, never believe any war will be smooth and easy. Always remember, however sure you are that you could easily win, that there would not be a war if the other man did not think he also had a chance to win.

This statement was made many years ago, but it is relevant today. Today, we face an enemy who is determined, adaptive, and willing to go to any means of terror and violence to win. He cannot be negotiated with, and he will not be satisfied until the entire world is brought under his dreadful ideology.

We have seen this kind before. We saw it with Stalin, with Pol Pot, and with Hitler, but never before has an enemy metastasized this way. There is no centralized headquarters we can bomb, no one leader we can eliminate. We will continue to strike terrorism where it appears and track down its leaders but know this will not end the conflict. Victory will come the way it always has. We will destroy the enemy's belief he can win.

Any resolution against the President's plan does two things: It tells the enemy, No. 1, that they have been successful; and, No. 2, it gives them patience to wait us out. They are a very patient people. We have already done ourselves damage by bringing the issue to the public eye. Do you believe they do not watch our news; that they are not scouring our media for any hope or any chink in our resolve? Don't be so naive. Their very survival depends on it. This is the only way they can hope to win. If we cannot destroy their will, we will destroy them.

This sounds brutal and not very reconciling, but I intend it that way. There is a clear choice and no other option. If we do not fight them in Iraq, we will be fighting them in Philadelphia, in Pittsburgh, in Kansas City, in Los Angeles, and in Seattle. We will be playing defensive until, once again, just as occurred after 9/11, our resolve hardens and we summon up the courage to destroy the enemy. And we must because the alternative is what happened to Rome: Factions of internal strife kept the great power tied up for so long that it lost its strength, its will, and its resolve. The period following was known as the Dark Ages, and this is indeed what al-Qaida seeks.

Our country represents the light of freedom and democracy. Yet I fear we have begun a terrible introspective and downward cycle. Our resolve lasts for a few months, maybe a year, but all it takes is enough time and then we break. Our enemy knows this. We can look to our mission in Somalia in 1933, at our reaction to the bombings in Lebanon at the Khobar Towers and in Vietnam. I am not saying we necessarily should have stayed in Vietnam, but I am saying we must recognize that while this introspection guarantees our freedom, it is also our greatest weakness.

There have been no major terrorist attacks on U.S. soil since 9/11. There have been attempts, and we know we have thwarted over 10 operations. However, we also know these were relatively underdeveloped and small in scale. I wish to ask a dark question: Why has al-Qaida not struck again? Because they cannot? We have stepped up our security, but they have shown their destructive creativity in the past. Because they are focused on Iraq and Afghanistan? Perhaps. But I would suggest another option. What if they have chosen not to. What if they have realized the strategy of restraint, pricking us just enough to launch ourselves at them, and then they fade back. We expend ourselves attacking new enemies, building countries, and undermining each other. Politics and personal reputations create an impetus of their own.

We should debate. That is exactly what the Senate body is intended to do. But do not undermine. The new commander in Iraq, General Petraeus, has stated that a resolution of disapproval would hurt his efforts. This is the new guy. Let us keep in mind that we voted unanimously to confirm General Petraeus to take over that very difficult job. When asked by Senator LIEBERMAN about the effect a resolution of disapproval would have on our troops and our enemies, General Petraeus stated that:

> This is a test of will at the end of the day. A commander in such an endeavor would obviously like the enemy to feel there is no hope.

That is what General Petraeus said. He went on to say he does need more troops and he believes the new plan can work.

I recognize there have been mistakes made in Iraq, as we have talked about. The President has also recognized this. Everyone has recognized this, and the President has taken full responsibility for it. Yet we still find ourselves in a difficult situation, with hard decisions to be made about the best way ahead. These decisions affect many lives, both our soldiers in harm's way and the American people they are pledged to protect. I think we all agree it would be disastrous to leave Iraq precipitously. If we do, we know we can expect increased levels of violence, the spread of extremist ideology, and Iraq itself collapsing into anarchy.

A personal friend of mine, who actually was a commander at Fort Sill in Oklahoma, General Maples, stated that:

> Continued Coalition presence is the primary counter to a breakdown in central authority. Such a breakdown would have grave consequences for the people of Iraq, stability in the region, and the U.S. strategic interest. John Negroponte and the CIA Director, General Hayden agree with that, as does General Petraeus. So it is not too late to avoid this. I don't think it is time to start cutting our losses and just hope it goes away. We have heard the President ask for our support.

Let me share, on a personal note, that I have had the occasion to be in Iraq more than any other Member of either the House or the Senate, some 12 times now, and the first thing I do is talk to the troops. The troops come up to me, and the first question they ask is: Why is it the media doesn't like us? Why is it they are constantly undermining our efforts here? Why is it the American people don't understand or appreciate what we are doing? I say, yes, the American people do, but a lot of the politicians don't act that way.

I have been very much concerned about this, and I believe any resolution, and we are talking about five or six resolutions now, any resolution that is a resolution of retreat would be a resolution of surrender.

I think it is ludicrous for any Member to say I support the troops but I don't support their mission. You try to explain that to them. I talked to the troops in Fallujah. In all this discussion about, do we need to be training the Iraqis to be fighting their own war—sure we do. That is what we have been doing. We have been doing that since we arrived on the scene in Iraq, and they are very proud and they are taking the frontal positions right now. The Iraqis are doing a good job. Their training has been good. Their equipment is not good, but it is getting better, it is improving.

I stood there at the last election in Fallujah when our marines were there and I talked, through an interpreter, to the Iraqi security forces, and they said they are very proud. We are going to be in a position—please stay with us until we can hold our own here, and that won't be too long. I know that is true. I know they have come up with the numbers, now, that would be equal to about 10 divisions. I believe this can happen.

This is very serious. Politics has crept into this thing. But any support of a resolution of surrender not only is undermining our troops and saying to our troops: We don't support you, but also saying to the loved ones of those who paid the ultimate sacrifice that they have died in vain. We can't let that happen.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, we have come to a critical crossroads with respect to our operations in Iraq. After the Iraq Study Group spent months considering the issue of the best policy going forward, suggesting a phased redeployment along with other measures, diplomatic measures that would enhance the security of the United States and protect our soldiers there in Iraq, the President had the opportunity to accept those recommendations. It was a bipartisan panel of eminent Americans—James Baker and Lee Hamilton and so many others. The President specifically rejected them, not just in substance but in tone. In his speech a few weeks ago, he declared that he had learned very little from the Iraq Study Group, that he was not committed to a phased redeployment, he was committed to an escalation of approximately 20,000 troops and a change in tactics in Baghdad.

I think he had the opportunity at that moment to do several things. First, he could have accepted the wisdom of the Iraq Study Group. But, more important, he could have communicated to the American public that his policy was based on the reality in Iraq, that he had learned from a series of mistakes he and his administration had made, and that he could have sustained a way forward in Iraq. He didn't do that, and I think the American people reacted as they should have reacted, with declining confidence in his leadership and, frankly, posing the fundamental question of, How does one sustain any policy when 70 percent of the U.S. population considers it to be erroneous and not in the best interests of this country going forward? I believe the President squandered the last opportunity he had to rally people behind his policy.

Now we are in the midst of a debate, we hope, about that policy. We are being stymied in terms of bringing this to the floor in a clear and clarion vote that tells the American people where we stand as individual Senators with respect to the President's plan for escalation. We are being frustrated in the sense that there is an attempt to present other issues and not the issue of the moment, the issue under debate. There is no debate about our support for American soldiers around the globe and marines and sailors and airmen and airwomen. We support them. We think their mission should be changed to protect them and to advance the interests of our country, but there is no stinting in our support of these valiant young Americans.

The issue which divides this Senate and the issue which captures the feelings and the passions of the American public is whether we will stand in approval or disapproval of the President's proposal to escalate forces in Iraq. I believe that vote should come. That vote should be clear. The vote should stand by itself, not shrouded by other measures that are designed not to address the concerns of American people but simply to give the President additional cover.

What has happened since the last 3-plus years, from the invasion of Iraq—indeed, preceding the invasion of Iraq, in this Senate, under the control of the Republicans, has not done a good job at all of oversight, of investigation, of asking critical questions. Where was the Republican leadership, in the fall of 2002 and early 2003, when they should have been asking a simple question: What if we win the conventional battle? What about the occupation? Where is the plan? Where are the resources? How many Americans will it take to secure a large country with a population of about 26 million people, with a history of intersectarian tensions, with a history of a colonial past under the British that has established, some would say artificially, the boundaries of this nation? Those questions were not asked seriously and consistently and, as a result, this administration made huge mistakes when it came to the issue of how to successfully translate a conventional victory against the Iraqi military forces into a successful transition to a stable country. Now we see Iraq enthralled in doubt and violence that seems to be unable to be quenched. Our American forces are in the middle of that.

It is interesting, when we come to this point, to look seriously at the National Intelligence Estimate. One of the grave deficiencies we recognize today—some of us recognized it in October of 2002—is that the intelligence being used to sell this operation was flawed. Now I think we have a much more precise and carefully adjusted view of what is happening in Iraq today.

If you look at the NIE, it presents to us some profound contradictions.

First, and I agree with this assessment, is that the violence today is principally the result of sectarian conflict. The accelerators that raise the tempo of this violence can be found in the insurgent groups, al-Qaida in Iraq, some of these Shia militias, but the underlying battles today are between sectarian groups. The NIE describes this as a winner-take-all approach, as an existential battle between Shias—who feel a sense of insecurity given the history, particularly the last decade, of total oppression by a Sunni minority—and Sunnis, who feel a sense of entitlement that is going to be frustrated by the new, emerging order in Iraq. These existential battles, as the NIE indicates, are in a sense self-sustaining.

But here is where the confusion, the conflict, the contradiction comes about. Most of the remedies we are all talking about involve reconciliation—political sectarian reconciliation. The issue—and one which will be decided in the next months and weeks in Iraq—is, can any existential conflict ever be reconciled? Has this conflict reached a point where it is truly self-sustaining and our forces in the middle of it are unable to be a moderating force at all?

My view and the view of so many others is that when you look at this situation on the ground and you consider what can be done, the decisive actions must be those of the Iraqi Government. They are political actions; that the presence of our military forces is important but not decisive. Certainly the size of our military forces is probably not as decisive as actions that must be undertaken by the Maliki government reining in the militias, truly trying to reach out beyond this huge sectarian chasm for reconciliation. These political, economic, and social decisions are not going to be made simply because we have increased our presence in Baghdad by 20 percent or we have changed the tactics.

Another aspect of this debate is the concentration, almost exclusively, on the military aspects of the President's plan. That, frankly, has been one of the great shortcomings and faults of the administration—and of this and previous Congresses, I should say—in terms of our approach in Iraq. Any military commander on the ground will tell you that they are buying time and that time has to be used for economic progress and political progress. The component in the President's plan that I heard stresses an increase of 20,000 soldiers, but where is the progress in terms of not only Iraqi decisionmakers making tough decisions but American advisers—State Department officials, USAID officials, Justice Department officials—going over there to help start the other side, the other part of the process, the economic progress, the social progress, the political mentoring? That has never been the case. As a result, our strategy has failed consistently.

Unless this plan has complementary and reinforcing elements—military, political, and economic—it, too, will fail. I do not see, frankly, the complementary political and economic support necessary to carry off this plan.

What we have is 20,000 troops. If you look at the doctrine—and it is interesting because General Petraeus, the designated commander, is one of the principal authors of this new doctrine—that doctrine today would call for 120,000 troops in Baghdad based upon the size in Baghdad. We are sending an additional 20,000, which means our presence, American presence, is about 30,000 troops. The Iraqis have committed to roughly 55,000 troops, which brings us to a total of 85,000, but that still is roughly 35,000 troops short of the doctrine.

In addition, I don't think anyone considers that the Iraqi forces can truly muster 55,000 effective troops. We have already seen the reports come in that brigades, Iraqi brigades, are showing up at 50 percent strength, and of those, one has to ask seriously how many are effective fighters. Where are the shortcomings? If it is half a brigade and they are all privates and corporals, that is not an effective fighting force, or if it is half a fighting brigade and they are all majors and lieutenant colonels, that is not an effective fighting force. So we are seeing a situation, even in military terms, where this surge is probably lacking significantly in terms of the size of the force.

In addition, we all understand that there is a divided command. One of the key issues in any military operation is unity of command. There is an Iraqi commander who is selected probably for his political reliability more than his tactical or technical skill. There is also a situation in that our new tactics require significantly more enablers. These enablers are the translators, the civil affairs officers, the combat service support officers to supply these outposts now in each neighborhood. In fact, the Government Accountability Office has done a report indicating that if a 21,000 increment is made, it might turn out to be closer to 50,000 if you truly have all the support troops you need to get the job done.

There are so many shortcomings in just the political and military aspects of this plan. So I believe, again, this is an opportunity, a moment we have to address this plan, this proposal of the President's, in a very serious way and take a stand on it one way or the other. I hope we can do that. I hope we can do that in the intervening days, certainly before the end of this month, or the end of, I hope, this week.

Now, I think there are other aspects that are important to consider when we talk about the situation as we go forward. I will go back to the point I think hindered us consistently throughout our operations in Iraq, and that is despite the extraordinary valor and technical skill of our military forces, they have never been truly complemented by non-Department of Defense personnel, by the State Department officials, by the Agriculture officials. I can recall visiting Fallujah twice in the middle of Anbar Province. Those marines are doing a magnificent job along with many Army units that are there. There is one State Department official in Fallujah who is charged with mentoring, with advice, with reconstruction, with all of these things. That is not adequate, and I don't see any indication in the President's proposal that is going to change. This is all about, again, trying to take a military solution to what is a complicated military, political, and economic problem. It hasn't worked for 3 years, it is not likely to work, and I think we have to take a stand on that proposal.

One of the other consequences I think that is ensuing from this focus on a purely military approach is we are losing out in terms of diplomatic leverage in the region. Just this week, the Saudis are meeting with delegates from Hamas and Fatah and the Palestinian Authority because the American leadership has been so lacking. We have to, I think, have a diplomatic policy to complement anything we do within Iraq. We haven't done that and it does not appear to be part of the President's agenda.

We have a situation which is grievous and which I think requires something more than simply more of the same, and that is just about what the President is offering. This is not a brand new diplomatic initiative; this is not a large-scale economic push to complement military action; this is a modest increase of forces, although I think this increase is not justified, together with new tactics in Baghdad. But again, I don't think that is going to be sufficient action. We have to start looking beyond the next several weeks and down the next several months and, indeed, the next several years.

The strategy that I think is inevitable is a phased redeployment of our forces and renewed diplomatic activity. It represents a focus on missions that are more central to the defense of the United States. The first is continue to aggressively go after those international terrorists, the al-Qaida units. We have done that. We continue, as the military indicates, to obtrude them very successfully. In fact, there are similarities of that mission to the recently conducted operations in Somalia where we sent in aircraft with some liaison from local Ethiopian forces on the ground to go out and take out identified terrorists there. That mission should continue in Iraq and frankly in Somalia and many other places where we can identify and find international terrorists.

Second, we have a continuing obligation, I think, to strengthen the Iraqi security forces. Ultimately it is their battle. We have made some progress with the Army, but we have to make more progress. That is a mission we should undertake and continue.

Third, there is the obligation, I think, to maintain the territorial integrity of Iraq, to make sure the locals do not take advantage of what is a tumultuous situation within Iraq. That, too, I think, is a valid mission, and it can be performed much differently than we are proposing to conduct this mission in Baghdad, by redeploying forces within Iraq. In fact, it was interesting yesterday before the Armed Services Committee when Secretary Gates was asked, and I think it was by Senator WARNER: Is this the last chance? If this fails, then all is lost? I think he quite authoritatively and thoughtfully said: No, of course, we have to have contingencies. Of course, there are other approaches we can take. Of course, there are other missions that can be assigned.

One of the dangers and one of the persistent aspects of the President's rhetoric has been always summoning up the false dichotomy. Recall, back in October 2002, what was the choice the President proposed? Invade Iraq or do nothing and let Saddam and the terrorists win. We recall the rhetoric. It seems hollow now when we think back to it. What was left out of the equation, of course, was what was already being done: international inspectors of the United Nations on the ground in Iraq looking for weapons of mass destruction, supposedly the source of our great conflict with the Iraq regime.

There are other things that could have been done, too, much short of an invasion. There were, in fact, reports of terrorist activities. Zarqawi was in the Kurdish region. What would have prevented the United States from launching a very discrete military operation against Zarqawi in the fall of 2002 in the Kurdish area, an area we were helping to protect by our overflights of aircraft? Nothing, except, I believe, the administration didn't want to give up a good rhetorical device: this supposed terrorist presence in a part of Iraq that Saddam did not control.

Again, here now, it is back to the false choices: Surge 20,000 troops or watch the country collapse as we leave precipitously next week. That is not the choice. The choice is missions that are more effectively aligned with our national security interests: going after terrorists, training Iraqi security forces, protecting the territorial integrity of Iraq, complemented with active diplomatic actions, complemented with, we hope, progress by the Iraqis themselves in political decision-making. That, I think, is the way to go.

We have, again, I think a very difficult situation before us. It requires not only debate, but I think it requires at this moment a decision by the Senate on a very simple proposal: where we stand with respect to the President's proposal for escalation. Now, others have come to the floor and pointed out past statements that have been made with respect to increasing American forces. I have been open to these arguments. Frankly, at this juncture I don't feel persuaded. In the past, when someone had asked me: Would you increase the size of forces in Iraq, certainly in those first few days after the invasion, and after July of 2003 when I visited Iraq and found there were thousands of weapons dumps that were not being protected, I came back here and I think, along with Senator HAGEL, was one of the first to call for an increased size of our Army so we could deploy more forces to Iraq. But that window has closed very dramatically and nothing, frankly, was done by the administration to respond to those concerns.

I have said publicly that if a commander in the field came to me and said: We need additional forces, I would look at that proposal very carefully. In fact, in a press conference I was asked:

> So in no way would you be on board with the McCain plan to surge in with, you know,

> 50,000 strong additional forces on the ground, you would not be in favor of that?

My response:

> I think I responded to the question before, that if the military commanders in Iraq said we need for X number of months 20 plus, 25,000 troops to do this mission and within reasonable certainty was assessed, I would have to listen to that proposal, sir.

Well, I have listened to that proposal and I find it wanting. I find it wanting, based on the doctrine of the U.S. Army as it has evolved today. I find it wanting because of the lack of complementary and civilian support for that proposal. I find it wanting because of the lack of any serious indication that the Government of Iraq will make those tough political decisions. So I have considered it as I said I would, but I don't think it is the right way to proceed. Not at all.

Now, I am not alone, and I don't think it would be a shock to anyone to suggest this issue of escalation has prompted criticism from a wide group of individuals. GEN Colin L. Powell, former Secretary of State, said in December:

> I am not persuaded that another surge of troops into Baghdad for the purposes of suppressing this sectarian violence, this civil war, will work.

Again, I think General Powell's insights and experience are very critical at this moment.

The Joint Chiefs indicated, at least as reported in the Washington Post in December, using anonymous White House sources, that they were opposed, that White House officials are aggressively promoting the concept over the unanimous disagreement of the Joint Chiefs of Staff. That is in December.

Time Magazine reported that General Abizaid said he opposes more troops because it would discourage Iraqis from taking responsibility for their own security. Here is a general, an officer who has served for decades, the most knowledgeable individual when it comes to Middle East military-political issues within the United States Army, within the Department of Defense, and that is his opinion.

Robert Gates—before he became Secretary of Defense, or before he was confirmed, according to two administration officials asking not to be named—Robert Gates expressed his skepticism about a troop surge in Iraq on his first day on the job—excuse me; he was Secretary of Defense—at a Pentagon meeting overseeing the Air Force, Army, Navy, and Marines.

We are not alone. There have been some perhaps eleventh-hour conversions for this surge, but I think there are a number of individuals with significant experience and insight, unquestioned patriots, who question this proposal.

ORDER OF PROCEDURE

Mr. President, I see there are other speakers on the floor, so at this time I ask unanimous consent that at 2 p.m., the period for morning business be extended for 60 minutes, with the time divided and controlled as follows: 30 minutes each for Senators MENENDEZ and ROBERTS or their designees; that the Senate then proceed to executive session to consider the nomination of GEN George W. Casey, Jr.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REED. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas is recognized.

IRAQ

Mr. ROBERTS. Mr. President, last Friday I had the privilege of attending and speaking before a "Farewell Dinner" in honor of LTG David Petraeus at the Command and Staff College of the U.S. Army at Fort Leavenworth, KS.

To say the least, it was quite an evening of tribute in behalf of the general and his wife, who has become admired and beloved serving as the Commanding General of the Army's Intellectual Center. I estimate there were around 250 officers and their wives and many from the Leavenworth community to pay tribute to General and Mrs. Petraeus, to wish them well, and to express pride and confidence in the general's immediate mission. He left for Iraq this past Monday, 2 days ago.

Throughout the evening I had the opportunity to again visit with David Petraeus, his feelings about his new mission, his impressive knowledge with regard to the war in Iraq, the history of the region, and his understanding with regard to the nature of past wars of insurgency and the insurgency we face in Iraq. While at the Command and Staff school, he wrote the Army's new manual on counterterrorism. Let me say as a former marine who helped write a similar manual years ago for the U.S. Marine Corps, I find this man unique in his knowledge and his command ability.

I made a few remarks at the dinner, and being a Senator, why, the remarks turned into a speech with some additional strongly held beliefs that I had penciled out in addition to my prepared remarks in behalf of General and Mrs. Petraeus. I thought twice about saying some very frank and candid views, but as everybody knows, marines don't hold back. So concluding my comments, I was glad I said what I said in that virtually everybody in the room—all 250—told me that I had said what they could not say. Those who wear their officer rank on their shoulders or their enlisted stripes on their sleeves in most cases do not comment on policy decisions or politics no matter how strongly they feel. They follow orders and they serve their country.

I feel somewhat the same trepidation today. However, I believe my remarks to the general, his officer corps, veterans of previous wars, are dead on to the issue we face in this debate that we have been talking about here on the floor of the Senate.

Before I express my views, I would stress I regret that we are at a stalemate in this body allegedly debating the issue of vital national security, and I think most in the Senate wish we could do just that and do it with comity, cooperation and, yes, in bipartisan fashion. The American people, who are concerned and frustrated and angry about the war, would certainly appreciate that, but that is not the case.

This issue is wrapped around a partisan and political axle procedure. My friends across the aisle insist that we debate and vote on one of the three nonbinding resolutions regarding the war in Iraq, and only that resolution. They wanted to debate and vote on the Warner resolution and call it a day. The Warner resolution supports the troops but not the mission. Let me repeat that: It supports the troops but not the mission. That is a most unique position, to say the least, and that is about as far as my colleagues across the aisle wish to wade in the waters of withdrawal at this particular time.

I also mention it might be helpful if we could consider the Feingold resolution. Senator FEINGOLD's resolution actually does something and should be considered in the Senate, as well. Others wish to debate and vote upon the McCain resolution and the Gregg resolution, but we are being denied that opportunity.

Now, to those in the press—of which I see none—those covering this debate within the media, how on Earth can you describe this situation by writing headlines in 15-second news sound bites, stating Republicans had voted to stifle debate on the war? Yes, let's debate and vote on the Warner resolution. That is entirely proper and right. But let's also debate and vote on resolutions offered by Senators MCCAIN and GREGG and, perhaps, FEINGOLD. By the way, I intend to vote for McCain and Gregg if I get the chance. I do not share the resolution in regard to Senator FEINGOLD, but I defend his honor to introduce it and to debate it.

We are not stifling or shutting down debate. They are. Hello up there. Is there any way you can discern that? I can help you. I majored in journalism. I used to be a newspaper editor. This is like playing baseball with one strike and you are out. What happened to my other two strikes? Well, sorry, back to the dugout. We are going to go to the continuing resolution. We run this ball game.

In any case, in my remarks last Friday at Fort Leavenworth, I said to General Petraeus and the crowd that was assembled in his honor:

Throughout our history as a Nation there have been numerous times when a Commander in Chief badly needed a Commanding General with keen intellect and raw courage. However, I do not think that it is a slight exaggeration to suggest the last time one was this badly needed was 144 years ago, the year 1853, when President Lincoln covered General Grant.

There are other historical allegories of tremendous consequence. General Washington selected Nathaniel Green at a crucial time in our Revolutionary War. Mr. Green was a blacksmith's assistant. There was no understanding of rank at this time. And he reputedly stuttered badly. He must have led by example.

As most military historians know, Grant was discharged from the Army for drinking. He went back home to Illinois. He failed in farming. And he failed in running a mercantile store. Four months into the war, he joined the Illinois Volunteer Regiment, was reinstalled as an officer. Lincoln chose Grant over many, many others.

As an aside, Sherman was a good friend of Grant and was discharged for "insanity." When he came back to the Army, he made a famous remark about his friend: "He was with me when I was insane and I was with him when he was drunk."

Then, of course, there was Ike. Selected by General Marshall and agreed to by Franklin Roosevelt, he was picked due to his particular talent of getting people, some with tremendous egos, to come together in common cause. Eisenhower was picked over 30 to 40 senior officers.

Then, just as now, our Nation stands at a critical crossroads. Now, just as then, the freedom of many thousands of people is at stake. Also at stake is the safety and security of the United States of America.

Now, remember, these remarks came at a dinner for General Petreaus at the U.S. Army Command and Staff College at Fort Leavenworth in Kansas. So I said to the general: General Petreaus, you and I have not been personally acquainted over a long period of years. Yet in our relatively short span of time I have come to know you well. I have had many stimulating and enjoyable conversations with you over a wide range of issues—Lawrence of Arabia, the British experience in Iraq—so I know full well you are exactly the right man for the job at the right time.

Our brave young men and women in uniform deserve nothing but the very best leadership, and they are getting it with General Petreaus.

I told him: You have captured America's imagination and enter this job with an enormous reservoir of goodwill.

However, it is a paradox of enormous irony that the Senate confirmed General Petreaus without a dissenting vote—not one—a vote of confidence unique given today's controversy, turmoil, and times.

Yet, at the same time, the same Senators who give you their vote of confidence are now in the business of proposing what I call "confetti resolutions," supporting you and the troops but not the mission you are about to undertake. That, to me, is unprecedented for the Senate and, to me, it is astounding. These resolutions are nonbinding. They have no legislative impact. They are the so-called sense-of-the-Senate resolutions—meaningless except for the message you wish to send to the Executive and the folks back home or for whatever purpose you might have a sense-of-the-Senate resolution. With all due respect, we have crossed the Rubicon with regard to sending mixed messages to our allies, our troops, the American people, the media, and, yes, our adversaries. Don't forget our adversaries.

Words have consequences. Rest assured, unlike some of my colleagues, our adversaries will read every word and try to figure out and analyze each sentence of these resolutions. And I suspect they will scratch their heads and try to discern the sense and the reading of a resolution that states support for the troops and our new commander with new rules of engagement with a limited timeframe for achieving and reporting benchmarks of progress but that opposes the mission. That mixed message should cause quite a bit of head scratching among the estimated 31 terrorist organizations we have planning various attacks around the world.

However, my real concern is that the Senate is not considering or even talking about the probable consequences of these actions, let alone our responsibilities should they happen. I make it clear, I don't question the intent, purpose, or patriotism of any Senator, regardless of the resolution, but I do question judgment and the law of unintended effects. Bluntly put, with all of this debate with regard to nonbinding resolutions, we appear like lemmings, splashing in a sea of public concern, frustration, and anger over the war in Iraq. I understand that.

In this regard, I should stress, I do not know of anybody in this Senate or the House of Representatives or anyone in America who does not want our troops home at the earliest possible date, and stability in Iraq, if possible. That is not the issue.

When all of this confetti settles—and it is settling, apparently, because we are going to a continuing resolution and we will not have a vote on any of the resolutions—the end result of all this frenzy will be: General, you and the troops have our solid support, but we don't support your mission. However, press on, and good luck.

What kind of message is that? This is not a profile in courage. This is not the Senate's finest hour. If we are going to debate and vote on nonbinding resolutions, let's at least consider resolutions that will send a clear message or that can be of useful purpose. In that regard, we should consider the McCain resolution that lists benchmarks of progress, that General Petreaus has told me would be useful in his discussions with Prime Minister Maliki, certainly the Gregg resolution that supports funding for our troops in harm's way. But that is the killer in this debate because my colleagues across the aisle do not want to vote on the Gregg resolution. Now we are not going to vote on any resolution. The only thing we voted on was cloture.

As a matter of fact, I think we should vote on a resolution, as I said before, proposed by Senator FEINGOLD, a resolution that certainly does something. I do not agree with his resolution, but he is at least forthright and has the courage and sends a clear message.

As the former chairman of the Intelligence Committee in the Senate, let me stress what has not happened in the Congress or the media and has received very little public discussion regarding this challenge that we face in Iraq. No one is talking about the consequences of what will happen if we simply withdraw. And we may just do that because I do not believe this war can or should be sustained if we do not see progress in the next 6 months.

I would also like to point out that most of the time deadlines for withdrawal that have been proposed or are in the nonbinding resolutions mirror exactly the same time period that General Petreaus told the Committee on Armed Services he would follow in reporting whether this new effort is making measurable progress along the lines of the benchmarks within the McCain resolution. The obvious question is, Who can make a better judgment? Who can better make that judgment, General Petreaus, in theater, or Senators conducting theater?

We have not discussed the difficult policy decisions that will confront us if it becomes necessary to withdraw or even how to withdraw. The reality is, what will we do when certain consequences take place? These are the possible, if not probable, consequences we should be confronting, debating, and explaining to the American people and the media, even if some have a deaf ear. First, a dramatic increase in sectarian violence quickly escalating to a civil war, not the civil war that people say exists today but a real civil war and a humanitarian disaster far more devastating than what is happening now; Shia versus Shia, Sunni versus Sunni, Shia versus Sunni. What do we do?

Second, given a civil war and a struggle for control, we can expect an incursion of Sunni troops from other Middle Eastern countries to prevent an Iranian takeover of Iraq and the very real possibility of an Iraq led by Muqtada al-Sadr whose street appeal will endanger their own governments. When that happens, the war becomes regional. What do we do?

Third, we can expect an Iraq dominated by Iran, thus completing a Shia crescent with Iran and Iraq and Syria and Lebanon—and Lebanon is going through its own problems, to say the least. Today, countries such as Jordan, Saudi Arabia, and Egypt are talking about building their own nuclear programs, given Iran's nuclear ambitions and their progress. Iran just refused inspectors from the IAEA. With the possibility of Shia Muslims and Sunni Muslims each working to achieve nuclear capability and weapons, what does Israel do? What do we do?

Fourth, Iraq will become a safe haven for terrorists. This time, it is for real. No, not the 2002 NIE, National Intelligence Estimate, that we all agree was an egregious error. What do we do?

Fifth, in their eyes, with defeat of the "Great Satan" only months away—a clear signal by this body and perhaps inevitable—terrorists around the world are already emboldened, waiting us out and planning more attacks. That is, of course, if you believe what they say. So what do we do?

Sixth, we can expect a perceived, if not real, lack of American resolve in the eyes of adversaries and potential adversaries around the world, resulting in additional national security threats. Read Putin and Belarus; Kim Jong Il, with his penchant for missile launches on the Fourth of July; read Hugo Chavez—the Southern Hemisphere's new Castro—nationalizing his oil production and directly involved in five different countries. What about American resolve? What do we do?

I realize in today's climate the obvious answer to "What do we do?" is simply to blame President Bush. But the point is that globally and over the long term, this is not a Bush issue or a Democratic or Republican issue or even how you feel about Iraq or the views of the so-called international community.

Even as we argue about whether we debate and vote on one resolution or three—or apparently just have a vote on cloture and say that is the end of it—terrorist organizations and their second-generation affiliates—guided and inspired—are plotting attacks against the United States and throughout the world, even as I speak. It is obvious we cannot really sustain the status quo in Iraq. But while we debate how to proceed, they are not giving up.

Now, given the fact there were at least five successful attacks killing Americans—and others that, thank God, were not successful—before President Bush came to office and before military action in Iraq and given the fact that this threat will face the next President—yes, the next President—and future world leaders, surely, surely we can figure out it makes no sense to fight each other when the terrorists, then and now and in the future, do not kill according to party affiliation, nationality, race, age, or gender. If you were on one of those planes the terrorists were planning to send—nine of them—over the Atlantic to American cities, and they went down and exploded in an American city or simply went down in the ocean, it would not make any difference if you were Democratic, Republican, liberal, conservative, or anything—you would be dead. It would not make any difference.

We do not need a Republican approach to national security and the war. We do not need a Democratic approach to national security and the war. We need an American approach to our national security and the war and our individual freedoms.

This is a time to engage in honest dialog to work together and think through and agree on strategy that will defeat our enemies and make the American people safe—look at those consequences of our actions that we have not even discussed on what may happen—and, yes, bring our troops home but in a way that we do not have to send them back.

My colleagues, I started my remarks by saying the majority of these comments came from a speech I gave at the dinner honoring GEN David Petraeus and his wife Holly at our Leavenworth Command and Staff College in Kansas last Friday prior to David Petraeus leaving for Iraq this Monday. I closed those remarks by saying I was confident that under his leadership, this new mission with new rules of engagement, our chances of success were greater because failure is not in David Petraeus. It never has and it never will be. So America's destiny and God's blessings are riding on the shoulders of GEN David Petraeus. And I closed by saying I was proud to offer him my full support and to call him a friend.

So I say to the leadership, with all due respect, and to all of my colleagues, let us end this business of nonbinding resolutions and get these confetti resolutions behind us. Vote on all four. Vote on all three. But let's not have the headlines that Republicans are trying to shut down debate on Iraq. That is just not the case. We should vote in regard to the Warner resolution, the McCain resolution, the Gregg resolution, and as far as I am concerned the Feingold resolution, if we must. We have all had a chance now to discuss the war. We need to vote on the three resolutions—maybe four—and come together with bipartisan commitment—a difficult and perhaps impossible task but a task that must be undertaken for the sake of our national security.

Mr. President, how much time do I have remaining?

The ACTING PRESIDENT pro tempore. The Senator has 10 minutes 23 seconds.

Mr. ROBERTS. Mr. President, I yield the 10 minutes 23 seconds to my colleague and my friend, Senator THUNE.

The ACTING PRESIDENT pro tempore. The Senator from South Dakota is recognized.

Mr. THUNE. Thank you, Mr. President.

Mr. President, I thank my colleague from Kansas for yielding and commend him on an incredibly eloquent and insightful explanation of the events of the day, why what we are doing in Iraq is so important. He is someone who has 10 years of experience on the Armed Services Committee. Has served as chairman of the Intelligence Committee. He has a great depth of knowledge when it comes to national security matters, foreign policy, and particularly with respect to the current debate about the Middle East. So I thank him for his great comments.

I just want to point out that with respect to this debate, I had watched, as everyone else did, I think, yesterday what unfolded on the floor. I believe what happened in the last 24 hours has demonstrated what a charade this whole Iraqi resolution process has been.

This is serious business. This is the most serious business we will deal with in the Senate. Young Americans are fighting and dying in Iraq. I would say, having been to Iraq on three different occasions—most recently about 6 weeks ago—things in Baghdad are not going well. There are other parts of Iraq where we have made much better progress, even in some parts of western Iraq where we have gotten some buy-in from some of the local sheiks who have decided to participate in the democratic process and support the effort to provide security in that region of Iraq. But the fact is, things in Baghdad are not good.

What that has prompted is a change in strategy. We have undertaken a new strategy. That strategy, of course, is something where the Democrats in the Senate—less Senator LIEBERMAN—and a handful of Republicans have decided to put together a resolution to oppose. That resolution, in my view, is an absolutely wrong way to approach what we are trying to accomplish in Iraq today, but it is obviously their prerogative to be able to do that. I think they ought to get a vote on it. I will not vote with them. I disagree, as I said, intensely with that resolution and its message. I know many of my colleagues on the other side intend that message to be different than it is perceived by our troops and by our enemies, but I think what we have to contend with here when we send a message like that is, how is that perceived by those audiences that are going to be impacted by it and, namely, our troops, the young men and women who wear the uniform, and, of course, obviously, the enemy they are trying to fight? It is the absolute wrong message to send at the very time our troops are embarking on a new mission.

This may be our last shot at success in Iraq. We have a new commander, GEN David Petraeus, whom my colleague from Kansas just mentioned. We have new rules of engagement on the ground in Baghdad, and we have new conditions for the Iraqis to meet. They have to take on the militias. There are military benchmarks they have to meet. There are economic benchmarks. They have to figure out a way to divide the oil revenues. They have agreed to invest $10 billion in infrastructure. There are political benchmarks they have to meet, holding provincial elections.

There have been resolutions offered on the floor that address those benchmarks but at the same time express support for this mission. Everyone agrees on the consequences of failure. As, again, my colleague from Kansas so very eloquently pointed out, it would be a humanitarian disaster in Iraq—possible genocide, possible full-blown civil war at a minimum regional instability, Shiite versus Shiite, Sunni versus Shiite; an increase in Iranian power on the Arabian peninsula. I do not know if this new strategy is going to work, but I do know this: We owe it to those who have sacrificed so much to achieve success in that mission already to make sure we give this strategy an opportunity to work.

I mentioned yesterday that I attended a couple of National Guard welcoming-home ceremonies over the weekend in my home State of South Dakota, one of which was Charlie Battery, a unit which was deployed to Iraq for over a year and a unit which was hit incredibly hard. They were in a very dangerous area in Baghdad going about the mission of trying to train the Iraqi security police in that area. Because of some IEDs, we lost four of those young men. And their families—as I visit with them—cannot help but show the pain they are experiencing and yet the incredible sense of loyalty and duty they feel to their country and to the missions and what we are trying to accomplish in Iraq. Two others of those were soldiers, one seriously injured, another also injured, both recovering from those injuries. But the point, very simply, is there is a cost to what we are trying to accomplish in Iraq. Many of our troops have already borne that cost. The point, very simply, is their sacrifice should not be in vain.

The troops we are sending now into this region are going whether we like it or not and irrespective of what the Senate does. The Senate will be sending them a vote of no confidence if we adopt a resolution saying: We support you, but we do not believe you can achieve victory, we do not believe you can accomplish your mission there in Iraq, we do not believe you can win.

On the substance, that resolution is a bad idea, but, more importantly, it seems to me it was designed more as a political statement. That came into full view yesterday when the Republican leader gave the Democratic leader exactly what they had wanted, which was a debate here on the floor of the Senate on two resolutions. We insisted on more resolutions. As my colleague from Kansas said, we wanted to have a debate on the Warner resolution, on the McCain resolution, on the Gregg resolution, even on the Feingold resolution. As I said, we could all decide how we are going to vote, but we would enter into that debate. And there ought to be, if there is going to be a debate in the Senate, a full debate. But, frankly, the Democrats objected to even debating two resolutions, the Warner resolution and the alternative Gregg resolution, because that would have forced them to vote on funding, a vote they did not want to have.

The American people deserve a full debate, not a one-sided debate, not a debate in which one side dictates the terms. This ought to be a debate about the full range of options that are available, the full views of the Members of this body who represent their constituencies across this country.

I heard one of my colleagues say—last week, I think it was, on the Democratic side—they wanted a full-throated debate. Well, we saw what a hoax that was yesterday. The agenda was exposed, and the charade about a full-throated debate came to a crashing halt.

The American people and the Members of this body deserve a debate. This is the most important issue of our time. As I said earlier, young Americans are fighting and dying in Iraq. But if we are going to debate this issue in the Senate, let's make this debate about substance, not about political statements. Let's make sure all the views in this body are heard.

We tried to do that yesterday by essentially agreeing to what the Democratic leadership had asked for; that is, two resolutions, the Warner resolution, which I happen to disagree with and would vote against, and an alternative resolution that would address the issue of funding. The Democrats objected to that. I hope that if this issue reemerges on the floor of the Senate that it not be a one-sided debate, it be a full debate, so the American people and those families who have sacrificed so much for this cause get the debate they deserve and an opportunity to have their views heard on the floor of the Senate.

Mr. President, I thank you and yield back the remainder of my time.

The ACTING PRESIDENT pro tempore. The Senator from New Jersey is recognized.

Mr. MENENDEZ. Mr. President, the question that should be before the Senate is: Do you support the President's escalation of the war? Don't confuse it. Don't obfuscate it. Let's have a clean vote. The only charade that is being played is by those who do not want to have a clean vote on this most fundamental question.

As a Senator, John F. Kennedy wrote a Pulitzer Prize-winning book titled "Profiles in Courage." His book told the stories of eight Senators from both sides of the aisle who took a stand based on principle and risked their careers to do so. Today, almost 50 years later, I believe we, too, must take a stand based on principle. Today, I believe all of us who walk on the same floor where Senator John Kennedy once stood should heed his words when he said:

> The true democracy, living and growing and inspiring . . . will not condemn those whose devotion to principles leads them to unpopular courses, but will reward courage, respect honor, and ultimately recognize right.

Today is an opportunity for every Member of the Senate to be a profile in courage. Frankly, I am disappointed in my Senate colleagues who voted against debating Senator WARNER's resolution on Iraq. With their vote, all they have done is delay honest debate on a failed foreign policy that has been misguided since the beginning. I don't believe this Senate should turn its back on the American people and cast their lot with the President in his escalation of the war in Iraq. I believe those who support the President's ill-advised plan should be willing to stand behind that principle and go on record, rather than hide behind parliamentary maneuvers to avoid a vote.

Our colleagues should not be running interference for the President on the floor of the Senate. In fact, I never supported the administration's war—a war of choice, not of necessity; a war based on fiction, not on fact; a war fought without enough troops from the very beginning and designed with no plan to win the peace. I didn't vote for the war, and I certainly would not vote for an escalation of the war.

I was in the minority when I voted against the war in 2002. I was in the minority, again, when I voted last year to transition and bring our troops home over a period of time. But the majority of the American people sent a clear message this last November. They said the President's plan for the Iraq war has failed. The American people elected the Senate and this Congress to change the course in Iraq. It is about time we started listening because it is clear the President has not. He didn't listen to his generals. He didn't listen to the Iraq Study Group. He didn't listen to anyone who disagreed with him. And he certainly has not listened to the American people. That is the only explanation for an Iraq plan that is simply more of the same.

As one of the witnesses before the Senate Foreign Relations Committee said:

> When you're in a hole, stop digging.

The President's escalation plan will not work. Look at the news over the past few days as the first wave of the new escalation troops has arrived. At least 130 people were killed and over 300 wounded on Sunday, in the deadliest single bomb blast since the U.S. invasion almost 4 years ago. The U.S. military tells us that the four U.S. helicopters that have crashed in the past 2 weeks were actually shot down, with a fifth one down today. And Iraqi insurgents are using new tactics to shoot down our helicopters. The Brookings Institute says the number of daily attacks by insurgents and militias has gone from approximately 32 in November of 2003 to 185 in November of 2006, with Iraqi civilian deaths going from 1,250 to 4,000 in that same period.

Michael O'Hanlon, an expert from Brookings, said that Iraq has become "one of the 3 or 4 most violent places on earth." And this escalation and violence has happened while U.S. troops were there and in spite of previous U.S. troop surges. You only have to look to the past to see that the President's escalation plan will not work. In fact, this escalation plan is based on false assumptions and failed ideas.

To quote one of the witnesses who testified before the Senate Foreign Relations Committee recently:

> This plan is just stay-the-course plus 20,000 troops.

The escalation plan will not work because it depends on Prime Minister Maliki to do the right thing. The Associated Press reported today that the "long-awaited security drive" is underway. "The implementation of the prime minister's plan has already begun," said a military spokesman. Yet even the architect of the escalation plan for the administration, General Keane, told the Senate Foreign Relations Committee that he doesn't know if we can count on the Prime Minister, and he admits that Prime Minister Maliki is an unknown quantity.

I don't know and certainly don't believe that we should put the lives of the sons and daughters of America on the line based on the hope—the hope—that Maliki will do the right thing. The escalation plan will not work because it depends upon Iraqis, we are told by the administration, to take the lead. The administration keeps saying that is an Iraqi plan, with the Iraqis taking the lead. But the truth is, everyone doubts that the Iraqi troops will actually show up.

Many of the troops Prime Minister Maliki promised will be Kurds. Yet an NPR story quotes General Dennis Chapman, who is commander of a team of American military advisers in Iraqi Kurdistan, saying that there have already been desertions from Kurdish troops and that out of the battalion of 1,600 Kurdish soldiers going to Baghdad, he only expects a few hundred to report for duty.

Over and over again, we heard from experts testifying before the Senate Foreign Relations Committee that there simply aren't enough Iraqi troops who are loyal to Iraq as a nation and to Maliki as Prime Minister.

A recent New York Times article painted a frightening picture of what a joint American-Iraqi patrol looks like. The article highlights the lack of troop strength and training of Iraqi forces and the confusion that comes with having underprepared Iraqi troops take the lead. To quote from the article:

> . . . As the sun rose, many of the Iraqi Army units who were supposed to do the actual searches of the buildings did not arrive on time, forcing the Americans to start the job on their own. When the Iraqi units finally did show up, it was with the air of a class outing, cheering and laughing as the Americans blew locks off doors with shotguns . . .
>
> Many of the Iraqi units who showed up late never seemed to take the task seriously, searching haphazardly, rifling through personal CD collections in the apartments.

In the article, a lieutenant colonel of the Third Stryker Brigade Combat Team talked about the difficulty of conducting such operations. He said:

> This was an Iraqi-led effort and with that come challenges and risks. It can be organized chaos.

The escalation plan will not work because similar escalation plans have already failed in Iraq, when the enemy simply waited us out. We tried a troop escalation and it didn't work, when we sent 12,000 troops to Baghdad last summer and death and violence on the streets of Baghdad actually increased. The escalation plan will not work because it has benchmarks but no consequences. And benchmarks without consequences are just aspirations. The plan doesn't hold the Iraqis accountable. We have seen countless plans from this administration with benchmarks after benchmarks that are never met.

The Iraq Study Group said, in recommendation 21, that if the Iraqi Government doesn't make progress toward milestones, "the United States should reduce its political, military, or economic support for the Iraqi government."

Yet when I asked Secretary Rice what would happen if the Iraqis failed to meet the much-heralded benchmarks, she didn't list any consequences. Instead she told me:

> I don't think you go to Plan B. You work with Plan A.

Plan A hasn't been working. I will say it again: Benchmarks without consequences are just aspirations. And they are aspirations that have failed time and time again. The escalation plan, as a consequence, will break the back of our National Guard and Reserves.

Let me be clear: The President's escalation plan cannot be implemented without using the National Guard and Reserves far beyond what they already have been used. There simply aren't enough troops. We have already seen the tours of National Guard troops extended. A week ago, I was informed that the New Jersey Army National Guard troops currently stationed in Iraq will see their tours extended by 125 days as result of President Bush's policy. I fully expect to see more extended deployments in the future.

The escalation is going to hurt our security at home by keeping those National Guard and Reserve troops away in Iraq. Those who return home leave their equipment in Iraq, resulting in severe equipment shortages for our National Guard at home. In fact, Larry Korb, an expert from the Center for American Progress, says the units returned home so depleted that the Marines have been referring to this phase as "the postdeployment death spiral." That is why it is time to transition our mission and set a timeframe to get our troops out of Iraq.

Staying in Iraq isn't in the national interest or national security interest of the United States. Our troops are caught in the middle of a civil war they can't solve. Increasing troops will only put more of them directly into a sectarian Iraqi fight. Keeping our troops there or adding more troops is trying to solve a political problem with a military solution.

In one briefing, General Pace, Chairman of the Joint Chiefs of Staff, said: We need to get the Iraqis to love their children more than they hate their neighbors.

That is a powerful truism. The problem is, you don't get Iraqis to love their children more than they hate their neighbors through military might. That is about reconciliation. It is about confidence building. It is about power sharing. It is about revenue sharing. It is about a host of other things, things that cannot be accomplished through military might.

Staying would only continue to empower and embolden Iran, a country that has turned out to be the biggest winner in our war with Iraq. Dr. Paul Pillar pointed out recently:

> Among the neighbors, the largest winner has been Iran. The war has not only toppled the dictator who initiated an earlier war that killed hundreds of thousands of Iranians; it has also crippled what had been the larger regional counterweight to Iranian influence. Meanwhile, the all-consuming preoccupation that the Iraq war has become for the United States, along with the growing unpopularity of the war among Americans, probably has made Iranian leaders less fearful than they otherwise might have been about forceful U.S. action, including military action, against Iran.

Our presence in Iraq only continues to serve as a battle cry for terrorists around the world. According to last year's National Intelligence Estimate on international terrorism, the war in Iraq has become "a cause celebre" for jihadists" and is "shaping a new generation of terrorist leaders and operatives."

Let me be clear, because of how this war was entered into—weapons of mass destruction that never existed—because of how it was executed, there are now no good options left for us in Iraq. But I do believe the first steps toward stabilizing Iraq is to set a date certain for troops to leave. It is only by setting a date certain for our troops to leave that Iraqis will have to take responsibility for security in their own country and work out their political power struggles. Right now as much as they dislike us being there, we still bear the true burden for trying to stop the violence. The Iraqis have little incentive to work out their turf wars over political power as long as we are in the country. Iraq's political leadership will never make the hard choices, compromises, and negotiations necessary to achieve a government of national unity, as long as they believe we will stay in an endless occupation, in which the lives of Americans will be shed and national treasure will be expended.

It is only by setting a date certain for our troops to leave that Iraq's neighbors will start to take responsibility for ending the chaos inside Iraq. Right now the violence has not reached the tipping point to get Iraq's neighbors involved. Ultimately, it is not in their national security interest to have the conflict spill across their borders and to have Iraq disintegrate. But by setting a date certain to leave, we create a new incentive for Iraq's neighbors to help quell the violence. It is only by setting a date certain for our troops to leave that the international community will take a responsible role in Iraq. Right now the international community sees this as America's war. Once we make clear we will not be there permanently, they, too, will have an incentive to get involved and help preserve stability in a region much closer to Europe than the United States.

So by setting a date certain for our troops to leave, we actually motivate the Iraqis, Iraq's neighbors, and the international community to take the necessary steps to stabilize Iraq.

But setting a date certain and getting our troops out of Iraq in a safe and orderly way is not enough. I believe we must do more.

What we need now is a surge in diplomacy. That will involve much more than a few trips to the region. We must actively engage with Iraq's neighbors in the international community.

But I cannot close without discussing the cost of this war in Iraq. Some say they want to have a talk about, or votes, not about the escalation but about whether there are resources for the troops. I think we should have a real, honest debate that will come in the budget process about what this war is costing. Let's have a real, honest debate about the administration's lack of honesty in telling the American people what this war costs.

Our expenditures in Iraq will saddle our Nation's finances and our children's future. We spend over $8 billion a month in Iraq; we spend $2 billion a week in Iraq; we spend $280 million every day in Iraq; we spend $11.5 million an hour in Iraq.

The Congress has already appropriated $379 billion for Iraq, and President Bush is now asking for an additional $179 billion. Yet the Secretary of Defense announced to the Budget Committee, on which I serve, that he is not going to come before the committee to justify this spending. To me, that is simply outrageous.

The Special Inspector General for Iraq Reconstruction released a new report saying the Bush administration cannot account for critical defense materiel, including over $36 million in weapons. Hearings in the other body revealed that the administration cannot account for over $8 billion that was sent in cash bundles of $400,000 into a war region, without any controls. They cannot account for over $8 billion. Now the administration wants the Congress to hand over another blank check.

Let me put our Iraq spending into perspective.

For what we spend in less than 2 months for operations in Iraq, we could fully fund No Child Left Behind next year, ensuring that every school district in the United States has the funds promised to them to meet the goals of the law.

For what we spend in less than 2 months in Iraq, we could make up the shortfall in the SCHIP program to help cover children who would otherwise be uninsured.

For what we spend in 4 days in Iraq, we could substantially improve security at our Nation's ports with an additional billion dollars, including increased scanning of cargo containers.

For what we spend in 2½ months in Iraq, we could pay the $21 billion cost of implementing all of the remaining 9/11 Commission recommendations to secure our homeland.

Yet we need to look beyond the economic costs of this war at its true cost: 3,099 American lives, to date. That is invaluable. It is priceless. More will die in the days ahead if we do not change the course in Iraq. We now have more than 23,000 sons and daughters of America who are wounded in ways that will affect their lives forever. We have a real obligation to all of those who are wounded and their families, and to the survivors of those who suffered the ultimate sacrifice. Yet we look at a budget that does not meet that responsibility.

Today, we should be debating the President's escalation plan, particularly since we recently learned from the CBO that the escalation proposed by President Bush would easily cost more than triple what the administration has told us.

Let me be clear for those who may have not heard about the Congressional Budget Office report. That report says the President's escalation plan of 21,000 troops actually only includes combat troops and not all of the other troops necessary for force operations. The Congressional Budget Office estimates this could mean an additional 28,000 support personnel, and that the cost could go as high as $29 billion. Now, to deviate from that would be to deviate from every standard operating procedure the Defense Department has had to support the men and women in the theater; it would be to deviate from every historical perspective. Yet that is not what they included in the budget sent to the Congress.

I am also deeply concerned that the administration has left open the possibility of yet another emergency supplemental to fund this war in fiscal year 2008. All that means is we are putting it upon the next generation of Americans, which is how most of the costs of this war have taken place—we are putting it on the backs of the next generation of Americans and not even being responsible for paying for it. We do all of this while we have the greatest tax cuts for some of the wealthiest people in the Nation, and at a time when the Nation is at war. That has never been seen before in the Nation's history.

The administration has never been honest with the American people about the cost of the war. It is time for that to end. This Senate must demand an honest accounting before we hand this administration any more money or, even more importantly, any more troops.

In the end, it is in honor of those men and women who have given the greatest sacrifice in the line of duty that we must change the course in Iraq. It is in honor of their courage we must ensure their comrades are not sent off to carry out a failing plan designed by their civilian leadership.

I ask each of my colleagues: Are you willing to look a young soldier in the eye and tell them you are sending them off to Iraq based upon a failed policy and a recycled plan and based upon the hope that Prime Minister Maliki will get it right? How many more American lives will we lose before we realize this plan will not work? And if it were your son or daughter, how long would you be willing to wait? How long would you be willing to listen to the counsel of patience, of delay, of only one more chance, of stay the course?

I know I certainly am not willing to wait any longer.

I believe there is a difference between deference to the Commander in Chief and blind loyalty. I cannot support blind loyalty that sends more of America's sons and daughters to die for a war of choice, to die for a continuing failed policy. In my mind, that is irresponsible and I believe the very essence of the constitutional framework this country was founded on requires us to act. That is what the majority leader wants to do. It is time for some real profiles in courage. I urge my colleagues to allow us to have an up-or-down vote on the President's escalation, and to support the Warner-Levin resolution. I hope, beyond that, at a later time, to support future binding actions to stop the failed policy in Iraq.

I started today by reminding all of us of the words of John F. Kennedy and the profiles in courage he detailed in this Senate. He said:

> In whatever arena of life one may meet the challenge of courage, whatever may be the sacrifices he faces if he follows his conscience—the loss of his friends, his fortune, his contentment, even the esteem of his fellow man—each man [and I add each woman] must decide for himself the course he will follow. The stories of past courage can define that ingredient—they can teach, they can offer hope, they can provide inspiration. But they cannot supply courage itself. For this, each man must look into his own soul.

I ask each Member of the Senate to look into your own soul and your own conscience, allow us to move to the Warner-Levin resolution, allow us to have a vote against the escalation of troops in Iraq. The Nation is waiting and they are watching, and there is accountability to be had.

With that, I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEVIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SANDERS). Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF GENERAL GEORGE W. CASEY, JR., TO BE CHIEF OF STAFF, UNITED STATES ARMY

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The assistant legislative clerk read the nomination of General George W. Casey, Jr., to be Chief of Staff, United States Army.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I support GEN George Casey's confirmation to be the next Chief of Staff of the United States Army. His nomination was approved by the Armed Services Committee by a vote of 19 to 6.

Through a long and distinguished career, he has held positions of increasing responsibility, culminating in that of Commanding General of multinational forces in Iraq, in which capacity he served for over 2½ years.

Prior to that command, he was Vice Chief of Staff of the Army, which was preceded by an assignment as Director of the Joint Staff, and before that as Director of Strategy, Plans, and Policy, J–5, on the Joint Staff.

General Casey is an infantryman, having commanded at all levels up to and including division command. As an assistant division commander, he served in Bosnia, and earlier in his career he served in Cairo as a U.N. military observer with the U.N. Truce Supervision Organization. He also served a tour of duty as a congressional liaison officer.

General Casey knows Iraq and the challenges the Army faces there. He also knows the Pentagon and the challenges he will face there. General Casey has the knowledge to perform his primary responsibilities as Chief of Staff, which is the training and equipping of soldiers and caring for them and their families.

There is some opposition to General Casey's nomination because he is identified with the administration's failed Iraq strategy, and I agree that strategy has not been successful. As a matter of fact, I have argued as forcefully as I know how that strategy has not been successful and that we need to change course in Iraq.

It is appropriate to hold military leaders responsible for their own failures, but the principal failures that have led to the chaos in Iraq were decisions of the civilian leaders. General Casey had to deal with the consequences of a myriad of flawed policies, including having insufficient forces at the outset of the operation, failing to properly plan for postwar stability operations, disbanding the Iraqi Army, then trying to build a new army, initially using civilian contractors, and an overly extensive debaathification program, to name but a few.

All of these critical mistakes, which fueled the insurgency and civil disorder, are attributed to the civilian leadership in the White House, in the Department of Defense, and in the Coalition Provisional Authority. Compounding those mistakes was the effect of detainee abuse at Abu Ghraib attributed, in part, to ambiguities in what was considered permissible in the interrogation of prisoners fostered by that very same civilian leadership in the administration, the White House, and the Pentagon, where the advice of uniformed military lawyers was overruled. Those critical mistakes were made in the year before General Casey took command and had severe adverse consequences which he inherited.

General Casey's focus in Iraq was on training and equipping Iraqi security forces to bring them as quickly as possible to a level where they could relieve American forces from the burden of providing the security that Iraqis should be providing for themselves. He was not alone in seeing this was a priority. It was also the focus of his boss, the Central Command commander, General Abizaid, and his subordinates, the Corps commander, Lieutenant General Chiarelli, and the commanders of that training effort, Generals Petraeus and later Dempsey. General Casey put it this way:

> The longer we in the United States forces continue to bear the main burden of Iraq's security, it lengthens the time that the Government of Iraq has to take the hard decisions about reconciliation and dealing with the militias. And the other thing is that they can continue to blame us for all of Iraq's problems, which are at base their problems.

Those are wise words. General Casey recognized there is no military solution to the situation in Iraq, that only a political solution enabled by Iraqi politicians making the essential political compromises can save the Iraqis from themselves. General Casey is not alone. There actually seems to be an agreement among most observers that an Iraqi political settlement is a key to ending the violence in Iraq. The difference of opinion exists on whether Iraqi politicians need breathing space, as President Bush has said, to reach required political compromises or whether, as many of us believe, Iraqi politicians need to be pressured to make those compromises and that the addition of 21,000 more troops doesn't make a political compromise more likely, it just gets us in deeper into a civil conflict.

It has been said that General Casey was too optimistic about the possibility of troops being reduced, having predicted in the spring and summer of 2006 and then subsequently predicting that reduction toward the end of 2006 and into 2007 was possible. He did make those predictions, and I think he was clearly overly optimistic. He has made a number of mistakes, but the key fundamental flaws were the mistakes made, the wrong judgments of the civilian leadership of this country, not the uniformed military leaders of this country.

Was he too optimistic? Yes. Is he still too optimistic? I believe he is. When asked about whether he agreed with what the President finally said the other day, that we are on a road to slow failure—the President finally stepping up to acknowledging the reality in Iraq—General Casey said he believed we are still on a road to slow success. That is how optimistic he is.

I am not going to hold that against him. I think he is wrong in that excessive optimism, but we expect our military leaders to be enthusiastic and positive about the missions they are assigned—the missions that they are assigned—by their civilian leaders. We expect them to be confident and to inspire their soldiers with the importance of those missions, to keep their morale high, and General Casey did that.

He has also increased and decreased troops—both—depending on the missions assigned to him by the civilian leaders.

As he testified, he requested additional troops on six occasions for specific missions, such as to provide security for the elections or otherwise deal with spikes of violence. However, mindful of the stress on soldiers and their families and on the deteriorating readiness of the nondeployed units in the Army and the Marine Corps, he also sought opportunities for reductions—both directions.

One of the real questions I had to face in addressing this nomination was whether General Casey changed his tune when it came to this surge of additional troops that is being requested or being sent by the President. I pressed him on this issue at his nomination hearing before the Armed Services Committee.

I want to read the exchange between General Casey and myself at his hearing within the last week.

I asked General Casey the following:

> We asked General Abizaid back in November when he appeared before this committee whether he needed more troops or whether he supported more troops going to Iraq. And this is just last November. And this is what he said. He said that he met with every divisional commander, General Casey, the Corps commander, General Dempsey. "We all talked together. And I said, in your professional opinion, if you were to bring in more American troops now, does it add considerably to our ability to achieve success in Iraq? And they all said no. And the reason is because we want Iraqis to do more. It's easy for the Iraqis to rely upon us to do this work. I believe—

This is General Abizaid speaking—

> that more American forces prevent the Iraqis from doing more, from taking more responsibility for their own future."

I continued in my questioning of General Casey:

> Now, General Abizaid said that he spoke to you and that his opinion reflected your opinion and all the other commanders. Was that true when he said it?

General Casey:

> I'm not exactly sure when in November it was, but it was.

Senator LEVIN:

> So you've changed your view since November?

General Casey:

> As I described in my opening testimony, Senator, in mid November was when the reevaluation of the plan was taking place. So I suspect John and I talked before that. And that does reflect my general view on additional U.S. forces in Iraq.

Senator LEVIN:

> It reflects a general view, but then there was some kind of a reevaluation which took place in mid November.

General Casey:

> That's right, Senator. We're constantly reevaluating how we're doing and what we need.

Senator LEVIN:

> But that position that General Abizaid stated was your position when you spoke to him in early November presumably still remains your general view.

General Casey:

> That's correct.

Senator LEVIN:

> Well, if that's your general view, what is the change? Why are you modifying your general view for this surge?

General Casey:

> What has changed, Senator, are several things: One, the development of a plan, a new plan that was conceived by the Iraqis and worked in concert with us; so there is a plan that laid out requirement for those forces. So just to say do you need more forces is one thing; to say do you need more forces to execute this plan is quite another. And we do need an additional two brigades to implement that plan.

I think he is giving us a straightforward answer to that question. His general view is, and was before the new plan was adopted, that we did not need more forces in Iraq; that it took the Iraqis off the hook. There was a new plan which was adopted by the administration, by the Commander in Chief, by the civilian leadership of this country. That plan requires that we not just clear neighborhoods but that we then remain in neighborhoods in Baghdad.

Do I think that is a wise plan? I do not. I am going to vote against the surge. I think it gets us in deeper militarily. This is a military officer who has been given a new plan and has been asked what are the requirements for that new plan which has been adopted by the civilian leaders of this country. And when given a new plan by the Commander in Chief, he very properly said that is going to require some additional troops.

Again, we are going to debate the plan, the wisdom of it, I hope one of these days. We are going to debate the wisdom of whether this surge makes sense. But given a new plan, given that decision, what General Casey is saying is that his general view about the lack of the wisdom of increasing the military presence in Iraq has to be modified when there is a new requirement, a new plan which requires us to be present in the neighborhoods of Baghdad.

Once again, although I disagree with the plan, I view that as a satisfactory explanation for why he now supports the additional troops. Not to the same extent that the President has proposed or decided upon, but to the extent of two brigades. He said the additional brigades will give additional flexibility. He doesn't have any problem with that, but he testified that was not what his recommendation was.

So his emphasis on building up Iraqi security forces to relieve Americans of the tasks that Iraqis should be doing for themselves is a critical part of any strategy in Iraq that has a chance of success, and it is key to the ultimate U.S. military disengagement. The real key to a stable and secure Iraq and a viable Iraq is a political solution that can only be reached by the leaders in Iraq, the politicians. And what American political leaders need to do, in my judgment, is to pressure those politicians to make that happen.

That was never General Casey's responsibility. General Casey never had the responsibility of doing what is critically essential politically, which is to put pressure on the Iraqi politicians to reach a political settlement. He is a military man. He is a military man who, by his own acknowledgment, has made a number of mistakes. Indeed, he listed a number of mistakes for us that he has made and that he takes responsibility for. But the fundamental mistakes which have led to the chaos in Iraq, which did not allow us to help to create in Iraq a stable and viable country, which is the goal of all of us, those fundamental mistakes were the mistakes made by the civilian leaders of this country. To hold him accountable or responsible, and to vote against him because of the major mistakes which led to this chaos through not the uniformed leaders' mistakes but through our civilian leaders' mistakes, it seems to me, is inappropriate and unfair, and I will vote for his confirmation.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. McCAIN. Mr. President, I rise to express opposition to the nomination of General George Casey to be the next Chief of Staff of the Army.

I admire General Casey's patriotism and his long service to our country. I have concluded, based on his role as commander of the multinational forces in Iraq, that I cannot support his nomination.

Let me first make clear that General Casey has had a long and distinguished career in the U.S. Army and is deserving of the utmost respect and gratitude for the contributions he has made to this Nation's defense over his long career. At his nomination hearing on February 1, I stated my appreciation to him and his family for their extraordinary service and personal sacrifice, as well as the support they have provided to the men and women in uniform and their families. I emphasized then, and I reiterate today, I do not in any way question General Casey's honor, patriotism or service to America, nor do I question his sincere desire to continue serving the Army.

At this critical moment in our history, however, with the obvious—obvious—lack of success in achieving our goals in Iraq, this nomination should bear unusual weight in our deliberations. All of the Armed Services, and particularly our ground forces, are undergoing difficult changes to adjust to the global war on terror. The next Chief of Staff of the Army will be faced with enormous challenges in matters relating to recruiting, training, and retention of soldiers, the continuing organizing of the Army, and requirements for the procurement of weapon systems. The next Chief of Staff must be able to evaluate ongoing strategy and be able to react with sound advice when unforeseen challenges are encountered. Perhaps most importantly, the next Chief of Staff must be unconstrained in evaluating the past while giving advice for the future.

I have questioned in the past, and question today, a number of the decisions and judgments that General Casey has made over the past 2½ years. During that time, conditions in Iraq have grown remarkably and progressively worse, and the situation now can best be described as dire and deteriorating. I regret that our window of opportunity to reverse momentum may be closing.

The bombing at the Golden Mosque in Samarra last February sparked sectarian violence throughout Iraq and in Baghdad, in particular. Yet in the face of this dramatic change in the Iraqi security environment, our military strategy—and I emphasize military strategy—remained essentially unchanged. Instead of conducting a traditional insurgency campaign, our troops focused on training and equipping Iraqis, hoping, in vain, that they could do the job. After repeated elections and political events demonstrated that the democratic process would not, on its own, bring down the level of violence, our troops did not begin focusing on protecting the population. Instead, the coalition and Iraqi forces launched Operation Together Forward in June 2006. This operation, aimed at securing Baghdad, failed. Yet the coalition launched Operation Together Forward II in August in a very similar fashion. The result, predictably, was a similar failure.

I am not going to go over the many times I complained about a failed strategy. A number of times I asked our leaders, both civilian and military, why they were continuing to pursue this failed strategy. I continued to give speeches denouncing this strategy and predicted we would end up in the dire circumstances we are in today. It is all a matter of responsibility—a matter of responsibility.

General Casey, more than any other individual, has been the architect of U.S. military strategy in Iraq over the last 2 years. During this time, I fear he consistently presented unrealistically rosy, optimistic assessments of the situation in Iraq. For example, in December 2004, General Casey stated at a Pentagon press conference:

> My view of winning is that we are broadly on track to accomplishing our objectives, with Iraqi security forces that are capable of maintaining domestic order and denying Iraq as a safe haven for terrorists. And I believe we are on track to get there by December of 2005.

I repeat that:

> I believe we are on track to get there by December of 2005.

Almost a year later, in September of 2005, General Casey repeated:

> We have a strategy and a plan for success in Iraq, and we are broadly on track in achieving our goals.

Last October of 2006, he stated, before the Armed Services Committee, I believe:

> The idea that the country is aflame in sectarian violence is just not right. General Casey said: I do not subscribe to the civil war idea.

Mr. President, we have hearings to try to get an honest, unvarnished opinion of how our Armed Forces are doing, what their needs are, what their missions are, and of course because we are in a war, what is happening in Iraq. We are not on the ground there. We visit frequently, but we rely to a large degree, obviously, on the judgment and the recommendations and the evaluations of our military leaders. This is the opening statement of GEN George W. Casey before the Armed Services Committee on 23 June of 2005:

> Thank you, Mr. Chairman . . .

Remember, this is 23 June 2005.

> . . . In the past year, the Iraqis, supported by the coalition, have established an interim government, neutralized the Shia insurgency, eliminated terrorist and insurgent safe havens across Iraq, mobilized their security forces to confront the insurgency . . .

How could he possibly give that kind of assessment? Senator LEVIN says, well, we should have put pressure on the Iraqis. Well, maybe we should have put pressure on the Iraqis, but it was pretty obvious to even the most uninitiated that the Iraqis weren't performing. They weren't performing.

In his nomination hearing last Thursday, I asked General Casey about these and other statements he has made, both publicly and privately, that seem entirely at odds with the situation as most observers find it. I noted, for example, that in recent days, the Secretary of Defense, General Pace, and Admiral Fallon, the new head of Central Command, have all stated that the United States is not winning in Iraq and that we have had a failed strategy. These were clear-cut, realistic statements. But General Casey disagreed, saying I do not agree that we have a failed policy. I do not believe that the current policy has failed.

He may be the only person in America who believes that. This is a judgment issue, not an honor issue. Of course, the civilian leadership is responsible. I believe that the former Secretary of Defense will go down in history with Robert Strange McNamara. But military leaders are also responsible. That is why we give them positions of responsibility because we place in their trust our most precious asset: American blood.

During his own nomination hearing on January 23, Lieutenant General Petraeus stated that five additional brigades were required to implement the President's new military strategy and that he could not accomplish his mission if he didn't have these additional troops. I, for one, worry that five brigades may still be insufficient to accomplish all we are asking our troops to do in Iraq and would prefer that we are on the side of too many troops rather than too few, as has been the case in the past.

General Casey, however, confounding the experts, said in his hearing:

> We do need an additional two brigades to implement that plan.

Not five, not more than five, but just two.

General Casey said the additional three brigades the Department will send "merely gives General Petraeus great flexibility."

Remember, we are putting this person, who still doesn't believe we need five brigades, in the position to be the one who is implementing the policy. Given this and other judgments, I don't see in this nominee an accurate assessment of the situation in Iraq or what is required to avoid catastrophe there.

My colleague from Michigan says, well, it is all the civilian commanders' fault. I will put plenty of blame on the civilian commanders and I have for many years, but somehow to absolve the military commander on the ground there, conducting the operations, of any responsibility flies in the face of everything I ever learned in my lifetime of involvement with the military.

Recently, I noticed in the paper there was a submarine with four sailors who were washed overboard. I believe they were later rescued. The commander of the submarine was relieved. I still remember in my earliest youth, when the captain was asleep in the cabin and the USS *Missouri* ran aground in the mudflats someplace south of here, he was relieved that day of his command.

We put people in positions of responsibility and hold them responsible and we try to reward them as much as we can when they succeed, with the approval of a grateful nation. But we also hold them responsible for failure.

My friend from Michigan and I have a very different view of the responsibilities of commanders in the field, which is why, during World War II and other wars, we have relieved commanders in the field because they were not accomplishing the mission and, if they didn't like the mission, they didn't speak up to get the mission changed, and if they embraced a failed mission, then they were held even more responsible.

I would go on. I want to emphasize, again, what General Casey said in the hearings the other day. Senator LEVIN said:

> . . . even he came to the point, after all these years, of not having what everybody wanted, which is success in Iraq. He finally described that mistakes were made. And then he said, "Yes, one could define that, doing what we're doing, as maybe a slow failure."

In other words, Senator LEVIN was asking General Casey if what has happened in Iraq was a "slow failure," as stated by the President of the United States. General Casey:

> I didn't—I actually don't see it as slow failure. I actually see it as slow progress.

In the last 4 weeks I believe we have had five helicopters shot down. Casualties have spiked to a very high level. I saw in one of the newspapers this morning that over the past 3-month period they have been perhaps as high or the highest of any time in the war. And we are in a situation of slow progress?

Judgment. Judgment. Judgment. We expect people who are placed in positions of responsibility to exercise good judgment.

There is a lot I could say in response to the statement of my friend from Michigan concerning no responsibility whatsoever for the failures in the hands of the commander on the ground in Iraq. I mean, on its face it is a rather unusual interpretation of the responsibility we give to our commanders on the ground. Of course the ultimate responsibility rests with civilian leadership. Of course it does. That is how our democracy is shaped. But we don't absolve anybody in the chain of command, civilian or military, for the responsibility for failure and it is widely believed by everyone, perhaps with the exception of General Casey, that the policy in Iraq is a failure and that is why we are trying a new strategy in hopes that we prevail in very difficult conditions. There is an old saw about those who ignore the lessons of history are doomed to repeat them. During the Vietnam war there was failure. General Westmoreland, then head of forces in Vietnam, was brought back and made Chief of Staff of the Army even though our policy and strategy in Vietnam had failed. Ask anyone who was a young officer in those days in the United States Army or Marine Corps. It was a blow to their morale because they were held responsible for their performance on the field of battle. We are holding our men and women, both officer and enlisted, responsible for their behavior on the field of battle, as to whether they succeed or fail. But now, in this particular instance, a failed commander is now, again, unfortunately, being promoted to a greater position of responsibility. We are, again, repeating the lessons of history because we ignore them.

I intend to vote against the nomination of General Casey and I hope my colleagues will as well. I say that with all due respect to the honorable service of him and his family to this Nation. It has nothing to do with honorable service. It has everything to do with judgment and positions of responsibility. Just as Abraham Lincoln held generals responsible for performance on the battlefield, so today we should hold commanders responsible for performance on the battlefield.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, a couple of quick comments on my good friend's statement. First, no one suggests that the commanders be absolved from any responsibility. In fact, when we asked General Casey what mistakes had been made, he listed a number of mistakes in his own answers, including:

> We underestimated the ability of al-Qaida, the Sunni insurgents, to provoke sectarian conflict and failed to preempt the attack against the Golden Mosque in Samarra; we thought that as more security forces were trained and equipped we would be able to gradually shift ever increasing security responsibilities to them and thus reduce our forces proportionately. This is occurring slower than we originally projected. We were slow to anticipate the extent of the radical Shia death squads.

He has acknowledged mistakes have been made. But the fundamental mistakes which have been made which caused us to be in the situation we are in were not George Casey's. Every commander makes mistakes. There is no commander I know of who would say he or she did not make mistakes. No one is absolving General Casey of the mistakes, which he is the first to acknowledge. The question is whether he is going to be held accountable—not for his mistakes but for the fundamental mistakes which were made by the civilian leadership of this Nation. That is the question.

When my friend says General Casey must be the only one in America who doesn't think this policy is a failure, let me give you a couple of other Americans who seem to think the same way. Let's start with the President of the United States, last October, when he said: "We are absolutely winning in Iraq."

That is the Commander in Chief. "We are absolutely winning in Iraq."

How about another person, the Vice President of the United States, within the last year? "The insurgency is in its last throes."

To say that General Casey is the only person in America who has made statements that are overly optimistic, to put it mildly, in terms of what is going on in Iraq, when he is trying to carry out the policies of the administration, keep the morale of his troops, and now, after November the President now says we are on a road to slow failure, after the American public told the President of the United States that we are on a road to slow failure, now what we are saying is: OK, the President acknowledges we are on a road to slow failure unless we adopt his policy of a surge. What General Casey is saying, honestly, when I pressed him—he doesn't frame it that way. He believes we are on a slow progress road. Are we going to say he is not qualified to be Chief of Staff of the United States Army, when he has been Vice Chief, he has been a Commander, he has been a three star general—because he believes it is slow progress instead of slow failure, when we have a Commander in Chief who just a few months ago said we are absolutely winning in Iraq, absolutely winning?

And George Casey, now it is all piled on him. He is the only one in America who seems to think we are winning in Iraq. Well, he doesn't think we are winning in Iraq; he thinks we are slowly making progress in Iraq, to use his words. Do I agree with him? No. I think this policy has been a failure right from the beginning. Going in was a mistake. It was a mistake that was based on arrogance, it was based on a misunderstanding of history, it was based on a misreading of what the threat was, it was based on a lot of mistakes. Disbanding the Iraqi Army? Look what it has led to. Not having a plan for the aftermath? Look what it has led to. These are the fundamentals. These are the transcendent mistakes which have created the chaos in Iraq, and George Casey inherits that.

He makes his own mistakes at a totally different level, degree, than these fundamental mistakes. Suddenly we say he is not qualified to be a chief of staff of the Army because he was a commander who inherited that mess and made his own mistakes of a much lower degree, obviously. Much too optimistic. He is a commander of troops, trying to keep morale up. So he is optimistic, I believe he is overly optimistic, history has proven he is overly optimistic. But to say we are trying to absolve him of mistakes when he acknowledges his own mistakes as any good commander will, learning from mistakes—he listed his mistakes; it is his list—no one is absolving him. We are simply saying he should not be carrying the load of the mistakes the civilian leadership of this country has made, which has helped to create such chaos in Iraq.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I repeat, in case Senator LEVIN didn't hear me, I have criticized the policies and, placed responsibilities on the President, the Vice President and the former Secretary of Defense for the last 3 years over a failed policy in Iraq. The difference Senator LEVIN and I seem to have is I also hold responsible the commanders in the field for giving accurate information, for providing recommendations that will help to win a conflict rather than subscribing and continuing to this day, to this very day to support a policy everyone acknowledges has failed.

By the way, I said today says are failed—not quotes from a month ago or 6 months ago or a year ago, I say to my friend from Michigan. No one decried those comments, such as "last throes" and "stuff happens" and "dead enders" more than I did at the time. But I hold the entire chain of command responsible down to the commanders in the field.

He says just a few days ago:

> I don't see it as slow failure. I actually see it as slow progress.

The unclassified NIE we have read, the National Intelligence Estimate on Iraq says, "We are not making progress." It says, "We are losing."

We are going to make the chief of staff of the Army the guy who thinks that "We are making slow progress" as opposed to the National Intelligence Estimate, which is agreed on by our entire intelligence establishment, that we are losing. So, of course, we hold people responsible. Of course we do. Do I hold our former Secretary of Defense responsible? Absolutely. Absolutely. If he were up for another job, I would be standing here on the floor objecting to it.

Do I hold others in the administration responsible? Absolutely. But this is a leader who is up for an increased responsibility and he has failed in his mission, and that is what it is all about. An honorable and decent man who has served his country, but the message throughout the military now is, unfortunately, as it was with General Westmoreland, "Even though you fail, you are going to be promoted."

To somehow say the commander in the field is in some way not responsible in any way for the "mistakes" I think flies in the face not only of the record but the tradition we have in the United States of America, of placing the commanders in the field in positions of responsibility and making them accountable for their performance and how they carry out those responsibilities.

I am sure the Senator from Michigan and I will continue to disagree for some period of time because we have a philosophical difference, a fundamental difference of opinion. If you want to blame everything on the civilian leadership, who are of course responsible, who of course history will judge very harshly, that is one way of looking at it. If you say that responsibility is shared down to the commanders in the field, as I do, then you probably have a different view.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. ALLARD. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEVIN. Mr. President, I have no objection at all. I am just curious as to about how long. I am not in any way trying to influence the length of time.

Mr. ALLARD. Let me just say I am anticipating somewhere around 12 or 15 minutes.

Mr. LEVIN. I thank my colleague.

Mr. ALLARD. In October 2002, this body saw fit to authorize, by a large majority, the use of force against Iraq. Specifically the resolution authorizes the President: to use the Armed Forces of the United States as he determines to be necessary and appropriate in order to defend the national security of the United States against the continuing threat posed by Iraq.

I remind my colleagues that we did so because of two important reasons—the same two reasons offered by the President to the American public.

First, Saddam Hussein was in breach of more than a dozen United Nations Security Council resolutions. He refused to cooperate with U.N. weapons inspectors even after a decade of sanctions, and rejected proposal after proposal to verify that he did not have such weapons.

Second, after September 11, it was clear that America could not afford to allow imminent threats to our Nation go unopposed. At the time, Iraq represented a dangerous crossroad between terrorism and weapons of mass destruction. In the context of Saddam's hostile intentions, it was a nexus that we could not ignore.

When critics attempt to cover up their support for the use of force against Iraq, they damage U.S. credibility overseas and send mixed messages to our servicemembers. Even more dangerously, they encourage an enemy who believes America will give up when the fighting gets tough.

Of course, there is no doubt that the strategic imperatives in Iraq have changed since 2002. I will readily admit that this fight is one that we fully recognize. But that in no way diminishes the importance of our mission there now. We have a vital national interest to remain in Iraq and help maintain a secure and stable nation.

The terrorists have made it abundantly clear that Iraq is central in their war against the civilized world. They are committed to fighting there and will not stop unless we defeat them. If we have to fight, it is preferable to fight on their own soil.

They have also made it clear that they will not stop with Iraq. They will strike Iraq's neighbors as they did in Jordan and Lebanon. They will strike Europe as they did in the Madrid bombings. And, they will not hesitate to strike America again as they did on September 11.

And yet now, in this body, we are debating another resolution, but one that does not hold any legal weight; a resolution that would tie the hands of our soldiers in the field by limiting their options, lower their morale, and harm their efforts in Iraq. I am convinced that a long-term stable Iraq is in the best interest of our national security, and as I have said many times before, the price of failure in Iraq is too great to walk away now.

We should not forfeit our progress in Iraq to meet arbitrary deadlines whether they are in the short or in the long term. We should not think about giving up when our men and women in uniform who have achieved so much. Such defeatism encourages the terrorists, undermines our efforts to persuade other nations to join us, and opens the door to attacks here at home. We must stand firm. We must stand strong.

Thus, I support the President's plan to move forward in trying to secure Baghdad.

One of the keys to success in Iraq, I believe, is obtaining a sincere commitment from the Iraqi Prime Minister to get the Iraqi government to play a much stronger role in the destiny of Iraq.

President Bush is confident that we now have that commitment and I think that this will have a major impact on our new efforts to bring stability to Baghdad.

I am supportive of this new strategy because it contains a much stronger commitment from Iraqis, in terms of their share of force strength and their financial share of the costs of the war, and includes new thresholds for the Iraqis to meet. To date, the Iraqis have become too reliant on U.S. troops and U.S. dollars. This plan shows a new commitment from the Iraqis to step up to the plate and fight for their country's future.

I am optimistic that the President's shift in direction was needed, and may have already resulted in two positive results:

No. 1, Iraq's prime minister dropped his protection of an anti-American cleric's Shiite militia after U.S. intelligence convinced him the group was infiltrated by death squads; and

No. 2, recently, U.S. forces arrested the top aide to radical cleric al-Sadr in a raid. I think this signals that the important change in our strategy shows hope for success and that Iraq is ready to come forward with a renewed commitment to solving its problems.

Mr. President, I enter in the RECORD the following newspaper articles describing these accounts.

[From the Washington Post, Jan. 20, 2007]

KEY AIDE TO SADR ARRESTED IN BAGHDAD—IRAQI-LED OPERATION PART OF BROADER PUSH

(By Ernesto Londono)

U.S.-backed Iraqi forces arrested a top aide to anti-American Shiite cleric Moqtada al-

Sadr in eastern Baghdad on Friday, amid growing signs of stepped-up efforts to quell Sadr and his supporters.

U.S. military officials said in November that Sadr's Mahdi Army militia represents the greatest threat to Iraq's security. U.S. and Iraqi forces are preparing a renewed effort to pacify Baghdad, including the deployment of additional U.S. troops.

Abdul Hadi al-Daraji, Sadr's media director in Baghdad, was arrested at his house in the neighborhood of Baladiyat, near the Mahdi Army stronghold of Sadr City, shortly after midnight, said Sadr spokesman Abdul Razak al-Nadawi.

The spokesman said a guard was killed during the operation. At least two other aides were taken into custody, according to a statement released by the U.S. military.

The statement did not identify Daraji by name, but said the main suspect was involved in the assassination of numerous members of Iraq's security forces and is "affiliated with illegal armed group cells targeting Iraqi civilians for sectarian attacks." The military said the arrest was the result of an "Iraqi-led" operation.

Nadawi said "the occupation forces are provoking Sadr . . . by these daily operations or every-other-day operations." The spokesman added that the cleric's followers "are the only ones demanding and putting a timetable for the occupation withdrawal."

Iraqi Prime Minister Nouri al-Maliki, who has been pressured by the Bush administration to bring the Mahdi Army and other Shiite militias under control, was not forewarned about the arrest, said Ali Dabbagh, a spokesman for Maliki. Dabbagh said the prime minister was not notified about every impending high-profile arrest.

"No one is untouchable for the security forces," Dabbagh said. "At the same time, no one was interested to go into a fight with the Sadr movement." Sadr, whose supporters hold 30 seats in parliament, is a key supporter of Maliki, who is a Shiite, but the cleric is also widely seen as an instigator of the country's sectarian violence.

Neither Dabbagh nor the U.S. military said whether Daraji had been charged with a crime. "Definitely, if he's not charged, he will be released in a respectful way," Dabbagh said.

Sadr said in an interview with an Italian newspaper published Friday that a crackdown had begun and that 400 of his men had been arrested, according to the Associated Press.

Maliki told reporters this week that 430 Mahdi Army members had been arrested in recent days, but Nadawi said Thursday that the arrests stretched back to August 2004.

In the interview, Sadr said his militiamen would not fight back during the Muslim holy month of Muharram, which started Friday for Sunnis and begins Saturday for Shiites, saying it was against the faith to kill at that time.

"Let them kill us. For a true believer there is no better moment than this to die: Heaven is ensured," he was quoted as saying. "After Muharram, we'll see."

Also on Friday, the U.S. military reported the death of an American soldier killed Thursday by an improvised explosive device.

The soldier, who was not identified pending notification of relatives, was traveling in a convoy conducting an escort mission in a neighborhood in northwest Baghdad when the blast occurred. Three other soldiers were injured.

[From the Los Angeles Times, Jan. 18, 2007]

MALIKI PLEDGES TO TREAT MILITANTS WITH AN IRON FIST

(By Louise Roug)

Iraqi Prime Minister Nouri Maliki promised Wednesday to crack down on Shiite Muslim militias and Sunni Arab insurgents, warning that no one—not even political ally Muqtada Sadr—would be above the law.

"We will not allow any politicians to interfere with this Baghdad security plan . . . whether they are Sunnis or Shiites, Arabs or Kurds, militias or parties, insurgents or terrorists," Maliki said in a rare interview.

The prime minister's comments appeared to align his government's security plan with the Bush administration's call to confront Shiite militias. But in other remarks, Maliki underscored his differences with the U.S., suggesting that American miscalculations had worsened the bloodshed in Iraq, and warning that his patience for political negotiation with warring factions was wearing thin.

"When military operations start in Baghdad, all other tracks will stop," Maliki said. "We gave the political side a great chance, and we have now to use the authority of the state to impose the law and tackle or confront people who break it."

U.S. officials have said that renewed military operations should go hand in hand with efforts at political reconciliation between warring Shiites and Sunnis.

Maliki said if Iraqi security forces were given sufficient training and equipment, they could stabilize the country enough to allow the withdrawal of U.S. troops starting in three to six months—a period in which President Bush's proposed troop buildup would still be underway.

He said if better U.S. training and supplies had come earlier, lives could have been saved.

"I think that within three to six months our need for the American troops will dramatically go down," Maliki said. "That's on the condition that there are real strong efforts to support our military forces."

The U.S.-Iraq security plan involves sending 21,500 more American troops to Iraq and 8,000 to 10,000 Iraqi forces to Baghdad in an effort to quell the civil war between Sunnis and Shiites that on average kills more than 100 people a day.

Maliki said Iraqi security forces this week had detained 400 Shiite militiamen affiliated with Sadr, a radical Shiite cleric whose followers constitute part of Maliki's political base. He offered no further details.

RETURN TO POLITICAL FORM

The interview, which took place in a pavilion inside the heavily fortified Green Zone, was a return to the freewheeling style that characterized Maliki's political manner before he became prime minister last year.

When asked whether the Bush administration needed him now more than he needed the administration, Maliki laughed uproariously, calling it an "evil question."

Throughout, Maliki appeared confident and seemed to relish the chance to respond to statements by Bush and U.S. officials, including allegations that his government had botched the hanging of deposed leader Saddam Hussein and had not done enough to stop the sectarian violence.

Commenting on a recent statement by Secretary of State Condoleezza Rice, he said, "Rice is expressing her own point of view if she thinks that the [Iraqi] government is on borrowed time," humorously suggesting that it might be the Bush administration that is on borrowed time.

"I understand and realize that inside the American administration there is some kind of a crisis situation, especially after the results of the last election," he said.

Maliki said suggestions by Bush officials that the U.S. did not fully support his government played into the hands of insurgents.

"I believe such statements give a morale boost to the terrorists and push them toward making an extra effort, making them believe they have defeated the American administration," Maliki said. "But I can tell you, they haven't defeated the Iraqi government."

CONCERN ALL AROUND

The widening split between the U.S. and Iraqi governments comes at an inopportune time.

Maliki has promised to carry out a security plan to halt the civil war, but his government has been riddled with sectarian fighting and corruption.

The Bush administration is under fire in the U.S. over the Iraq security plan. The strategy to send more American troops is being resisted by many Democrats, who control the House and the Senate.

In Washington on Wednesday, a group of senators introduced a nonbinding resolution opposing the troop buildup.

In the Middle East, there is great concern that Iraq's civil war could spill over into neighboring countries.

When Rice visited Kuwait this week, officials told her that the U.S. needed to start talks with Syria and Iran in order to ease the violence in Iraq. But the White House has resisted the suggestion, also put forward by the bipartisan Iraq Study Group.

U.S. rhetoric directed at Iran has become more aggressive even as Iraq is working to strengthen its ties with its eastern neighbor and largest trade partner.

When American forces detained five Iranians in northern Iraq last week, some Iraqi officials were angered by what they saw as U.S. interference in their foreign affairs.

In the interview, Maliki asserted his government's independence from U.S. interests in the region. But he underscored that the U.S. and Iraqi governments shared basic goals for his country: stability and prosperity.

"The success that can be achieved in Iraq will be a success for President Bush and the United States, and vice versa," Maliki said. "A failure here would be a failure for President Bush and the United States."

He took issue with Bush's contentions during a PBS interview Tuesday that Maliki's government "has still got some maturation to do," and that it had botched Hussein's execution by allowing Shiite guards to taunt the former leader and videotape his hanging.

Maliki said that Hussein and his codefendants were given a fair trial, and that it was his government's constitutional prerogative to carry out the death penalty. He said Hussein was shown greater respect than the former president gave to his rivals.

Maliki appeared to bristle at Bush's criticism, but he acknowledged that "mistakes had happened." He said he had personally given orders to his deputies to treat Hussein with respect before and after he was hanged.

He said the pressure Bush was feeling might have prompted the critical remarks.

"Maybe this has led to President Bush saying that he's sorry, or he's not happy, about the way the execution happened."

Significant developments like these are exactly the type of results the President is working toward. Iraqi officials must do more to defend their country and President Bush is making that clear. In turn, we must remain steadfast in our resolve to show the Iraqis that we will honor this renewed commitment by allowing the plan to proceed without trying to weaken it before it has a chance to work.

Our new Commander in Iraq, General David H. Petraeus, has testified before the Senate Armed Services Committee that he would not be able to get his job done without an increase in troops.

Think about that, Mr. President. Just two weeks ago, the Senate unanimously approved General Petraeus to head our efforts in Iraq, but some in this body would now restrict his efforts by scuttling the new strategy before the General has been given opportunity to perform.

Why would we support him and recognize his stellar career with a unanimous nomination vote, but say we would rather not give him the troops to get the job done we have sent him over there for?

General Petraeus also testified that the adoption of a Congressional resolution of disapproval of our efforts in Iraq would not have a beneficial effect on our troops. I've felt all along that the field commanders should be given the opportunity to try the new plan of action.

Mr. President, I enter in the RECORD the following media report regarding General Petraeus' Senate confirmation hearing.

[From the New York Times, Jan. 24, 2007]

GENERAL SAYS NEW STRATEGY IN IRAQ CAN WORK OVER TIME

(By Michael R. Gordon)

Lt. Gen. David H. Petraeus, President Bush's new choice as the top commander in Iraq, told senators on Tuesday that the new military strategy to secure Baghdad can work, and that he had asked that the additional troops the administration promised be deployed as quickly as possible.

In his first public comments about Mr. Bush's plan to send some 21,500 troops, the general described the situation in Iraq as "dire" but not hopeless. He asserted that the "persistent presence" of American and Iraqi forces in strife-ridden Baghdad neighborhoods was a necessary step, but also cautioned that the mission would not succeed if the Iraqi government did not carry out its program of political reconciliation.

"The way ahead will be neither quick nor easy, and undoubtedly there will be tough days," he told the Senate Armed Services Committee. "We face a determined, adaptable, barbaric enemy. He will try to wait us out. In fact any such endeavor is a test of wills, and there are no guarantees."

But much of the hearing focused not on details of the strategy about to unfold in Iraq, but rather on the political debate within the Senate over resolutions that would signal disapproval of the new strategy.

When Senator John McCain, Republican of Arizona, who has long favored sending more troops to Iraq, asked if approval of a Senate resolution assailing Mr. Bush's new strategy could hurt the morale of American troops, the general replied, "It would not be a beneficial effect, sir."

Asked by Senator Joseph I. Lieberman of Connecticut, who also backs the plan, if a resolution would also "give the enemy some encouragement" by suggesting that the American people are divided, General Petraeus replied, "That's correct, sir."

That answer sparked admonishments by critics of Mr. Bush's strategy, who insisted that the point of the Senate resolutions is to put pressure on the government of Prime Minister Nuri Kamal al-Maliki of Iraq to follow through on its political program and take more responsibility for its own security.

"We know this policy is going forward," said Senator Hillary Rodham Clinton, Democrat of New York. "We know the troops are moving. We know that we're not likely to stop this escalation. But we are going to do everything we can to send a message to our government and the Iraqi government that they had better change, because the enemy we are confronting is adaptable."

Senator John W. Warner, the Virginia Republican who is promoting a resolution opposing Mr. Bush's troop reinforcement plan, cautioned General Petraeus to be sure that "this colloquy has not entrapped you into some responses that you might later regret."

By the end of the hearing, General Petraeus sought to extricate himself from the political tussle by insisting that as a military man he did not want to take a position on the Senate debate. "There are a number of resolutions out there," he said.

"Learning that minefields are best avoided and gone around rather than walked through on some occasions, I'd like to leave that one there."

Senator Carl Levin of Michigan, the Democratic chairman of the panel, said later that he was satisfied that the general had not intended to involve himself in the debate. The exchanges at the hearing did not appear to have any ill effect on the prospects for the confirmation of General Petraeus, and Mr. McCain said he hoped the commander would "catch the next flight" to Iraq after winning Senate confirmation.

When their questions focused on the military plan, senators elicited several new details. General Petraeus said Lt. Gen. Raymond T. Odierno, the day-to-day commander of American troops in Iraq, advised that in order to carry out the new strategy, five additional brigades were needed in Baghdad and two additional battalions were needed in Anbar Province in western Iraq.

Under the current deployment schedule, it will be May before all five of the brigades are in Iraq, but General Petraeus hinted that he would like them sooner, saying that he had asked the Pentagon to dispatch them "as rapidly as possible."

General Petraeus acknowledged that the guidelines in the military's counterinsurgency manual implied that 120,000 troops would be needed to secure Baghdad. But he reasoned that the roughly 32,000 American troops that would be deployed in the capital under the plan would be enough, because the total number of American and Iraqi security personnel would be about 85,000, while the use of civilian contractors to guard government buildings would reduce troop requirements.

If the troops are sent according to the current schedule, General Petraeus said the United States would know by late summer if the plan to clear contested neighborhoods of insurgents and militias, hold them with American and Iraqi security forces and win public support through reconstruction was working.

He said he would raise the issue of suspending troop reinforcements with his military superiors if the Iraqi government appeared to have not lived up to its commitments. But he suggested that withholding assistance from specific Iraqi institutions that fall short would have a greater influence. The general also said that a decision to withdraw American troops within six months would lead to more sectarian attacks and increased "ethnic cleansing."

General Petraeus acknowledged that he had concerns about the absence of a unified command structure. Under the new plan, the Iraqi Army and police units will be under direct Iraqi command. The American Army units that work with them will be under a parallel American command. To ensure proper coordination, American officers are trying to establish joint command posts.

Senator Levin said his committee had repeatedly asked the administration to make available a list of the security and political "benchmarks" the Iraqi had agreed to meet. He warned that the committee would use its subpoena power or hold up military nominations if benchmarks were not provided.

By insisting on that the benchmarks be provided, Mr. Levin seemed to be trying to position himself to argue that the "surge" of "reinforcements be suspended if the Iraqis fell short of meeting commitments.

There is no doubt that we face extremely difficult challenges in Iraq and we have not made enough progress. The citizens of Iraq must be willing to fight for their own freedom. The President recognizes this and his new plan is the result of increased commitments from the Iraqi Prime Minister.

Again, the cost of failure in Iraq is too great as far as our future long-term national security. It's in America's security interests to have an Iraq that can sustain, govern and defend itself. Too much is at stake to simply abandon Iraq at this point; the price of failure is too great.

I wish we could move forward and have legitimate votes on when we should leave or if we should reduce funding for the effort. But unfortunately we won't proceed to those votes due to a decision of the Democratic leadership.

Let me remind the American people, it is the majority leadership which determines the schedule here in the Senate. It is the Democratic leadership that does not want to have a real debate on Iraq. I would welcome an open and fair debate over our future involvement in Iraq and the Middle East.

Personally, I cannot and will not support a proposal that would at this time condemn the new strategy our Commander in Chief has advocated for—a strategy that requires our full support in order for it to succeed. I would rather have an opportunity to vote on Senator GREGG's amendment in support of what our troops are trying to accomplish rather than a resolution that does nothing but diminish morale, sow confusion and discord without achieving anything but short term political pandering. If we are going to debate, let's have a real debate.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REED. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REED. Mr. President, I rise today to comment on the nomination of George Casey to be Chief of Staff of the U.S. Army. I have had the occasion, as so many others have had, to visit Iraq on numerous occasions to talk to General Casey. I knew of him before his appointment to Iraq. I think you have to first begin assessing his tenure in Iraq by understanding the situation as he arrived. He arrived after the CPA—the Coalition Provisional Authority—under Mr. Bremer had made systematic and fundamental mistakes with respect to the occupation. He arrived, in fact, after our national command authority entered a country and attempted an occupation without a plan. That, I think, can be attributed to many people but not to George Casey. Without this plan, they were improvising constantly, both on the military side and on the civilian side.

The chief master of improvisation was Ambassador Jerry Bremer. He and his colleagues decided to disband the Iraqi Army without any alternative approach to retaining individuals, paying them, or directing them into useful services. He also embarked on a very elaborate debaathification program.

In this time it became increasingly more obvious that our forces, because of the misguided and poor decisions by the President and the Secretary of Defense, were engaging in an occupation without sufficient resources. This became most obvious in Abu Ghraib, an incident that shocked the conscience of the world, shocked America particularly. Again, this all preceded George Casey.

When he arrived on the ground he had a situation of chaos, both administratively and also a situation in which the leadership of this Nation—not the officers but the civilian leadership—had grossly miscalculated in terms of successfully stabilizing this country.

Over the intervening months, General Casey established some degree of administrative routine, some degree of planning. He, along with colleagues such as General Petraeus, started an Iraqi training program. Once again, to understand what he saw when he came in, I can recall, as can many of my colleagues, going up and being briefed by Secretary Rumsfeld and others about the 200,000 Iraqi security forces. In fact, they usually pulled out a big pie chart which each week was designed to show the slice of American forces as growing smaller and smaller. That was a total fiction. These people could not be found. When they were found, they were not trained. Again, that is what George Casey inherited.

If people are trying to lay blame and accountability on someone, George Casey is somewhere in the middle or the end of the line. It begins at the top, with the President of the United States whose policies were flawed, with implementation that was incompetent. A large part of the burden should be shared by Secretary Rumsfeld whose personality, whose temperament added further to the chaos that we saw in Iraq. I think we could also include Secretary Wolfowitz and other civilians—Doug Feith, Steve Cambone all of them misguided and impervious to the reality of the ground in Iraq.

Yet just a few weeks ago, as Secretary Rumsfeld left, he was lauded by the President of the United States and the Vice President as the greatest Secretary of Defense we have ever had. That is really accountability.

This nomination is difficult in some respects because in that chaotic and difficult and challenging assignment, General Casey would be the first to admit that his performance was not without flaws. That is one of the appealing aspects of General Casey. He has a certain candor and honesty that he has generated throughout his entire career.

Today, we are debating his nomination. I will support that nomination. I will support it not because he succeeded in every endeavor but because he gave his last ounce of effort and energy to a very difficult and challenging role. He made progress, but that progress today is hampered—but hampered not by his role, certainly, alone—but by strategic decisions that were made by the President, by the Secretary of Defense, and by many others.

Interestingly enough, too, this nomination is not strictly the result of the President's work, but it is also that of Bob Gates who, I think, is an individual of competence and character who has already created a new tone and a good tone in the Department of Defense. Secretary Gates thought long and hard about this, and in some respects to suggest that Casey is the wrong person for this job is to question the judgment of Bob Gates. At this point, I am not quite ready to do that.

I will support General Casey's nomination. He has an important role to play in the Army, an Army that because of this administration has been severely strained. All of the nondeployed units in the United States are not combat ready. There is a huge personnel turmoil caused by extended deployments overseas. The ability of the Army to modernize is sincerely compromised by operations in Iraq and Afghanistan. He has to face all these problems.

There is something else he has to face, too—and, again, it goes right back to the top. It is the selective realism of this President and his Cabinet and his civilian leadership. I was amazed to look at the budget released yesterday, the budget that General Casey will have to operate with, to find out that this administration is estimating the cost of operations in Iraq—not in this fiscal year but the following one, starting October 1, 2008—at a mere $50 billion. Yes, I say a mere $50 billion because this year we will spend about $240 billion; yet next year it will remarkably be brought to $50 billion, although General Pace told me in my questioning that they operate with the assumption at the Pentagon they will spend at least $84 billion.

Where is this $200 billion, or $34 billion, disappearing? It is disappearing into the fiction that this administration is trying to project, not just about Iraq but the deficit reduction, their tax cut plans—all of these things. And General Casey will have to work with that budget.

And there are those in the Senate demanding we vote not to cut off funds for troops. We are not going to cut off funds. But I tell you what. If the President's budget is to be believed, come October 1 of 2008 there will be a huge reduction in funds for those troops in Iraq—but, then again, do we believe the President on this or many other issues?

I will vote for General Casey. I think he should be criticized for shortcomings that he admits readily, but he should not be condemned because he was carrying out a strategy and a policy that was seriously flawed when he arrived on the ground in Iraq. He has done his best to do the job he was given.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. DEMINT. I ask unanimous consent I be allowed to speak 10 minutes in morning business.

Mr. LEVIN. Reserving the right to object, of course, I will not—did I understand the Senator to say 10 minutes? We don't have any shortage of time, so I am not trying to restrict the Senator in any way. I just want to plan.

Mr. DEMINT. Ten minutes.

The PRESIDING OFFICER (Mrs. MCCASKILL). Without objection, it is so ordered.

Mr. DEMINT. Madam President, I take a few minutes today, despite my hoarse voice, to discuss the fiscal year 2007 spending resolution that we will be debating next week.

The operations of the Federal Government are currently being funded by a temporary spending measure that expires on February 15, and the proposed resolution will fund the Government for the rest of the year.

It is important we understand how we got to this point. Last year, we did not debate and pass all of our annual spending bills before the November elections. When we came back after the election for the lameduck session, a few Members worked successfully to stop Congress from passing a last-minute, foot-tall omnibus spending bill—like this one—that would have been filled with thousands of wasteful earmarks. As a result, we passed an earmark-free stopgap spending measure that, if continued, would have saved the American taxpayer some $17 billion.

There were several media reports last year that said Republicans were trying to push this debate into the future so Democrats would have to clean up this mess. That may have been true for some, but it was never true for me. My goal has always been to stop wasteful earmarks. I am happy to work with Members in either party to get that done. That is why I offered to work with the Democratic leader to pass a clean resolution this year that would not contain any new earmarks and that would keep spending at last year's levels.

While the Democratic leader did not work with me on this measure, I am pleased to say that it does not contain any new earmarks. Let me say that again so that there won't be any confusion. There are no new earmarks in this spending resolution. I applaud the Democrats for continuing the progress we started last year.

As my colleagues can see, this resolution is only 137 pages. That can be compared to where we were headed before we were able to stop the earmarks. It is a major improvement over the last omnibus spending bill we passed that has over 1,600 pages.

Let me make another point clear if I could. This resolution does not stop the administration from enacting the hundreds and even thousands of earmarks that are not written into this bill. As my colleagues know, over 95 percent of all earmarks never show up in our bills but are buried in hidden committee reports that do not carry the force of law. This resolution says—the one we are considering next week—that the earmarks contained in fiscal year 2006, in the committee reports in 2006, shall have no legal effect. That is a good thing, but those earmarks had no legal effect anyway. The administration was not bound by them last year and is not bound by them now.

Also, this resolution is completely silent with respect to the earmarks in fiscal year 2007 in those committee reports. I am not sure why these reports were left out of this measure, but it appears to be a glaring mistake.

The supporters of this resolution say it is earmark-free. While that is technically true, earmarks can still sneak in the back door. I praise Democrats when they call for a moratorium on earmarks, but this resolution does not actually achieve that goal. That is why I am sending a letter to the President today asking him to do his part by prohibiting anyone in his administration from giving preference to any earmark request that is not legally binding. We need to put a stop to committee report earmarks. We need to end the practice where a Member calls up a Federal agency and threatens its funding if it does not fund that Member's pet project.

Our Federal agencies need to be free to use American tax dollars in ways that meet true national priorities rather than serving one special interest or another. The President has the power to stop secret earmarks. He said in his State of the Union that he wants to stop them. I hope he will do so.

This spending resolution has several other flaws. For example, it uses budget gimmicks to hide its true cost. The proponents say it does not exceed the budget, but that is less than honest. First, it cuts spending on national defense programs with the expectation that funds will be added as emergency spending later this year. This is not the time to cut defense and security spending while adding social programs. It is not honest to hide spending this way. Second, the resolution also pays for new spending by cutting funding in budget accounts that are already empty. These are phony offsets, and they should not be used.

This resolution not only pretends to reduce spending in places where it does not, it also fails to reduce spending where it should. First, the resolution leaves out thousands of congressional earmarks worth billions of dollars. Rather than passing those savings along to American taxpayers, it spends them on other programs. Second, this resolution fails to eliminate a number of programs which were proposed for termination by the President and agreed to last year by the House and the Senate Committee on Appropriations. These programs should be terminated, but this resolution fails to do so.

There are a number of problems with this resolution. I hope we can fully debate this measure and offer amendments to make it stronger.

I understand the Democratic leader does not intend to allow amendments, which is very unfortunate since we have plenty of time to consider and debate them. The current stopgap spending measure lasts for another week, and the House can easily take up our final bill and pass it in a matter of hours. I am glad there are no new earmarks written into the text of this resolution, and I thank my colleagues for that, but if we are not allowed to fix other problems in this resolution, I will not be able to support it.

As I am sure many of my colleagues remember, I came to the floor a few weeks ago and had a spirited and important debate with the Democratic leader on how the Senate will disclose earmarks. We worked through that issue and came to a bipartisan agreement that resulted in earmark disclosure rules that were unanimously approved. It was a clear example of how this body can and should work together. I believe we can do that again on this resolution. I hope the Democratic leader will reconsider his position and work with us to allow a limited number of amendments.

Madam President, I yield the floor and the remainder of my time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BROWNBACK. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWNBACK. Madam President, I ask unanimous consent to speak as in morning business for 15 minutes.

Mr. LEVIN. No objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Kansas.

Mr. BROWNBACK. Madam President, I wish to address the body and my colleagues about Iraq, the complex situation that exists there today, the resolution we were not able to address on the floor this week. My hope is we will be able to address this resolution in the very near future.

Iraq is one of the most important and, certainly, complex subjects we will ever debate on this floor. For example, there are some Members of this body who want to reduce this to an either/or decision: surge into Iraq or withdraw from it. But the issue cannot be discussed in such oversimplified terms, I do not believe. Our decisions, whatever they end up being, carry consequences far beyond the number of troops who are deployed within Iraq's borders. Those who favor a withdrawal or a phased withdrawal from Iraq must wholly appreciate those consequences.

We have heard that withdrawal from Iraq would leave a safe haven for terrorists. That is almost certainly assured. We have heard that withdrawal would destabilize the region. That is certainly true as well. But a withdrawal is even worse than that. A cut-and-run strategy would set the stage for a regionwide conflict between gulf states, Arab countries, and Iran and its sphere of influence, and not just a regional war but a bigger one. Such a war would have enormous implications for the war on terrorism and stability around the world. We cannot withdraw from the Middle East and leave behind the kind of chaos in which al-Qaida thrives. If Arabs feel compelled to counter an Iranian threat, the governments are likely to become more radical, not more moderate. We recognized in the aftermath of September 11 that winning the war on terror requires the emergence of moderate governments across the Middle East. Withdrawing from Iraq would amount to pushing the governments of the region toward the arms of Islamist radicals and undermine the core of our counterterrorism strategy since 9/11. This is not the way to go.

We must acknowledge that we cannot afford to lose in Iraq because such a loss would reverse the gains we have made in the war on terror and extend the war on terror for years to come. On the other hand, I am not convinced that a troop surge into Iraq will usher in the sort of peace we need to take the place of the consequences I have just discussed.

I have no doubt our forces are capable of winning any and every individual battle in which they engage. I have been with the troops. I have been with the troops within the past month. They are strong. They are determined. They are courageous. And they are doing a fabulous job. I believe strongly they are capable of defeating the al-Qaida insurgency in Iraq and, as they have demonstrated recently, they are quite capable of defeating Iranian agents seeking to foment violence and instability inside of Iraq. What they cannot do, what our troops cannot do, is achieve a political solution between Iraq's sectarian groups. That is a political problem which requires a political solution. As I found out during my recent travels to Iraq, the sectarian violence is the overwhelming cause of Iraq's difficulties. Additional troops on the streets simply will not make Sunni and Shia trust each other.

I say this with great respect to General Petraeus, who is a friend, whom we have confirmed to be the commander of the multinational forces in Iraq. I met with General Petraeus several times during his tenure when he was commander at Fort Leavenworth in my home State of Kansas. He is a bright, articulate, and outstanding officer. I believe he is well qualified to take on this extraordinarily difficult assignment. I voted to confirm him because he is the right man for such a difficult position, and I wish him Godspeed.

I understand there are different constitutional roles that must be played in the debate over our strategy in Iraq. The President has the responsibility as Commander in Chief to direct the Armed Forces. As part of that responsibility, he sent us a commander he believes will serve well under his overall direction, and I could not agree more.

The Senate has the right, if it chooses, to express its opinion of the President's actions. And we do so. It is entirely possible for the Senate to express its disapproval of the President's strategy without taking steps to undermine the commander or the troops. I have indicated that I do not support the President's surge plan, but I did not attempt to undermine the Commander in Chief or our soldiers in the field by voting against General Petraeus, who is very well qualified for command, nor will I attempt or support efforts to undermine our troops by withdrawing their funding. This is the essence of disagreeing at home while being united overseas.

A Senate debate over strategy is consistent with our constitutional roles to voice opinion and oversee the executive branch. Denying promotions of qualified leaders or cutting funding to the troops in the field would not only be inappropriate but irresponsible.

Let me now turn to those things which I endorse wholeheartedly.

First, I support our troops. They are brave, as I have stated, dedicated, and talented. They deserve not only our admiration and gratitude but our very best efforts to help them achieve their mission. And I support that mission. Our troops are vital to prevent the kind of regional instability I spoke of earlier. They are crucial to denying radical Islamic extremists a safe haven from which they can launch further attacks. They are essential to providing the training necessary for the Iraqi security forces to take charge of their own country's security.

As I have said, we cannot afford to lose this fight. Iraq is the key front in the war on terrorism. We must remain in Iraq as long as it takes to ensure that Iraq can fend off external threats in a tough neighborhood as well as take full responsibility for its own internal security and prevent the establishment of terrorist safe havens within its territory. But I fully understand we cannot sustain this kind of long-term commitment in Iraq that will likely be necessary unless we have bipartisan support here at home. We must be united here if we are to achieve victory over there.

This principle was at the foundation of the efforts of the Baker-Hamilton commission, which sought to bring people together on a way forward that could have broad support. I supported the commission's report as something we could rally around together. I do not agree with every part of that report. Some recommendations, such as those linking the Arab-Israeli conflict with the problems in Iraq, just do not seem to make sense to me. Neither a peace accord between Israel and Palestinians nor new arrangements in the Golan Heights will convince Iran or al-Qaida to get out of Iraq or end the sectarian violence. But I supported the overall report because it could have been something we could use to build bipartisan support for a new strategy in Iraq.

If we cannot rally around that report, perhaps we can rally around a Senate resolution that can gain strong bipartisan support, uniting us here to win over there. Many of us have been working toward this goal. Many of us support a resolution or resolutions that provide responsible opposition to the surge. We do not want to see funds withdrawn from our troops, nor do we believe in withdrawing from Iraq. I hope the party now in the majority in this Chamber will articulate exactly what it can support.

There has been a lot of discussion in the last several days about funding for our troops. I am concerned that already there are plans to use the supplemental and the regular appropriations process to restrict funding for operations in Iraq. Our troops face the threat of real casualties daily. They ought not be casualties of our debates on Iraq.

I have indicated my support for the Warner resolution because it responsibly articulates an opposition to the surge while guaranteeing our troops in the field have the support they deserve from this body and from the American public. This is a responsible approach. I hope that whatever resolution reaches the floor includes a promise of support for our troops. I will not support proposals that do not include such provisions. We need this debate, and we need to vote on this.

I believe there is a way we can come together across the aisle. I think we can be clear about our priorities. The first priority I think we can agree on is getting the Iraqis to work and agree on a political solution to the sectarian violence occurring between Sunnis and Shias. We must encourage the Iraqis to reach a political equilibrium, eliminating the motivation for sectarian strife. We should make sure Iraq's borders are secure. We should chase the foreign fighters out of Iraq and deny the terrorists safe haven. And we should limit the influence of Iran.

I believe we can sustain this kind of military strategy for the necessary time to come, preserving our interests while we put pressure on Iraq's various groups to reach a political settlement. For this reason, I have indicated support for the resolution, as I stated, put forward by Senator WARNER. I believe it is the most constrictive resolution we will consider. It outlines the importance of winning in Iraq, opposes the surge, offers reasonable political and military goals, and praises the efforts of our men and women in uniform. This resolution moves us toward the kind of consensus needed for success.

Other proposals that fail to recognize the consequences of failure, that advocate a precipitous withdrawal, or that provide less than full support for our men and women in uniform, polarize, move us away from consensus and further from victory.

Madam President, the Senate needs to express itself on the subject of Iraq. I hope we can get to a vote on a resolution that will have strong bipartisan support that achieves the goals I have outlined and sustains our commitments for as long as it takes to win in Iraq. We need to have an open process. We need to be able to vote on various resolutions. This is the most important issue facing our country. We should have a full, open debate and debate about it a long time and vote on several resolutions that people see as key. We need to address this, and we need to do it now. We can win. We must pull together.

Madam President, I thank the Chair and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. COCHRAN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COCHRAN. Madam President, I ask unanimous consent that I be permitted to speak for up to 15 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COCHRAN. Madam President, there has been much debate and discussion about President Bush's plan for a new way forward in Iraq. In fact, there was much discussion between the President and his team of military and civilian advisers prior to his making the decision to change course and outline a new strategy to help bring stability to the country and to hasten the day when our troops could come home.

There is no easy answer and no easy solution to the situation in Iraq and the Middle East. The President's decision was informed by input from many sources, including his national security advisers, civilian and military, members of his Cabinet, his intelligence experts, as well as Members of Congress, foreign leaders, and others with foreign policy experience. In the end, it was the President who decided this new strategy and that this new strategy had the best chance of success.

He acknowledged, and we all know, there is no guarantee of success. But the dangers are too great to not try to create an opportunity to provide an increased level of stability in Iraq. A temporary deployment of additional U.S. troops in Iraq to support the Iraqi security forces will provide a new window of opportunity for Iraqi political and economic initiatives to take hold and reduce sectarian violence.

The President and his military and civilian advisers reviewed last year's efforts and determined there were not enough troops to secure the cleared neighborhoods. They also determined that unnecessarily burdensome operational restrictions were placed on the military. The President and our military leaders have assured us that these mistakes will not be repeated.

Prime Minister Maliki has assured us that more Iraqi troops will be engaged in the fight and that political restrictions will be removed. In addition, the Prime Minister of Iraq has committed to take responsibility for security for all Iraq provinces by November, to work to pass legislation to share oil revenues equitably among Iraqi citizens, and to spend $10 billion of Iraqi reserve funds for reconstruction and initiatives that will create jobs. He will also work toward demobilizing militias, holding provincial elections, and reforming debaathification laws, which should help improve the civil structure so the Government can meet the needs of its people and help promote economic growth.

Last week the National Intelligence Estimate, entitled "Prospects for Iraq's Stability: A Challenging Road Ahead," was delivered to Congress. I will not speak to the 90-page classified report. But there were some unclassified judgments provided to us that I can mention. Within this National Intelligence Estimate, this information is provided to support these conclusions:

> If strengthened Iraqi security forces, more loyal to the government and supported by Coalition forces, are able to reduce levels of violence and establish more effective security for Iraq's population, Iraqi leaders could have an opportunity to begin the process of political compromise necessary for longer-term stability, political progress, and economic recovery.
>
> Nevertheless, even if violence is diminished, given the current winner-take-all attitude and sectarian animosities infecting the political scene, Iraqi leaders will be hard pressed to achieve sustained political reconciliation in the timeframe of this Estimate.
>
> Coalition capabilities, including force levels, resources, and operations, remain an essential stabilizing element in Iraq. If Coalition forces were withdrawn rapidly during the term of this Estimate, [that is 12 to 18 months] we judge that this almost certainly would lead to a significant increase in the scale and scope of sectarian conflict in Iraq, intensify Sunni resistance to the Iraqi government, and have adverse consequences for national reconciliation.
>
> If such a rapid withdrawal were to take place, we judge that the ISF [Iraqi Security Forces] would be unlikely to survive as a nonsectarian national institution: neighboring countries—invited by Iraqi factions or unilaterally—might intervene openly in the conflict; massive civilian casualties and forced population displacement would be probable; AQI [al-Qaida in Iraq] would attempt to use parts of the country—particularly al-Anbar province—to plan increased attacks in and outside of Iraq; and spiraling violence and political disarray in Iraq, along with Kurdish moves to control Kirkuk and strengthen autonomy, could prompt Turkey to launch a military incursion.

Madam President, these statements remind me of prepared testimony presented by Dr. Henry Kissinger to the Senate Foreign Relations Committee on January 31. He indicated that U.S. forces are indispensable and withdrawal would not only have dire consequences in Iraq but would also have a negative impact on the region. I will quote from Dr. Kissinger's testimony at that hearing in the Senate:

> The disenchantment of the American public with the burdens it has borne largely alone for nearly four years has generated growing demands for some type of unilateral withdrawal, usually expressed as benchmarks to be put to the Baghdad government that, if not fulfilled in specific timeframes, would trigger American disengagement.
>
> But under present conditions, withdrawal is not an option. American forces are indispensable. They are in Iraq not as a favor to its government or as a reward for its conduct. They are there as an expression of the American national interest to prevent the Iranian combination of imperialism and fundamentalist ideology from dominating a region on which the energy supplies of the industrial democracies depend. An abrupt American departure would greatly complicate efforts to stem the terrorist tide far beyond Iraq; fragile governments from Lebanon to the Persian Gulf would be tempted into preemptive concessions. It might drive the sectarian conflict in Iraq to genocidal dimensions beyond levels that impelled U.S. intervention in the Balkans. Graduated withdrawal would not ease these dangers until a different strategy was in place and showed progress. For now, it would be treated within Iraq and in the region as the forerunner of a total withdrawal, and all parties would make their dispositions on that basis.
>
> President Bush's decision should, therefore, not be debated in terms of the "stay the course" strategy he has repeatedly disavowed in recent days. Rather, it should be seen as the first step toward a new grand strategy relating power to diplomacy for the entire region, ideally on a nonpartisan basis.
>
> The purpose of the new strategy should be to demonstrate that the United States is determined to remain relevant to the outcome in the region; to adjust American military deployments and numbers to emerging realities; and to provide the maneuvering room for a major diplomatic effort to stabilize the Middle East. Of the current security threats in Iraq—the intervention of outside countries, the presence of al-Qaida fighters, an extraordinarily large criminal element, the sectarian conflict—the United States has a national interest in defeating the first two; it must not involve itself in the sectarian conflict for any extended period, much less let itself be used by one side for its sectarian goals.

Madam President, it is clear to me from Dr. Kissinger's comments that it is truly in our national interest to support the President's new strategy to help provide a new opportunity for political and economic solutions in Iraq and for more effective diplomatic efforts in the Middle East region. Of course, we know there are no guarantees of success. But according to the National Intelligence Estimate, the perspective of one of our most experienced foreign policy experts, Dr. Kissinger, included maintaining the current course or withdrawal without additional stability in Iraq will be harmful to our national interests and to the entire region.

Over the last few weeks, there have been a number of hearings in which the situation in Iraq and the President's new plan have been debated. During the January 30, 2007, hearing before the Senate Foreign Relations Committee on his nomination to be Deputy Secretary of State, Ambassador John Negroponte stated:

> . . . I believed, and still believe, that it is possible for Iraq to make a successful transition to democracy. What I would like to say is that my belief that success in Iraq remains possible is based on my experience in dealing with Iraq as U.S. Ambassador to the U.N. and Ambassador to Iraq, and as Director of National Intelligence.

We know there are challenges in Iraq and in the region. And the President has developed a new strategy for dealing with the problem, which I applaud. This includes involving the Government in Iraq and the military forces and the police in Iraq in a more aggressive way. Together they have worked with our military and diplomatic leadership to come up with a new plan that, if it is not undermined by the Congress, has a chance of succeeding.

During the January 23 hearing before the Senate Armed Services Committee on the nomination of General David Petraeus to be Commander of the Multinational Forces-Iraq, General Petraeus said:

> I believe this plan can succeed if, in fact, all of those enablers and all the rest of the assistance is, in fact, provided.

He, also, indicated this:

> It will not be easy, but if we could get them to where they are shouting instead of shooting, that would be a very substantial improvement.

Madam President, it is obvious to me we need to do what we can to help stabilize this situation and bring our troops home. As a beginning point for this strategy, for it to work, we should show a commitment by our country to success. I support this new initiative, and I think we should give it a chance to work.

This does not mean we should not monitor the situation or that the plan should not be adjusted as new developments occur. But we need to move forward in hopes of stabilizing Iraq, stabilizing the region, and in hopes of bringing our troops home at an early date. The President deserves our support in this effort, and I intend to support him.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. GRAHAM. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. OBAMA). Without objection, it is so ordered.

Mr. GRAHAM. Mr. President, I ask unanimous consent to speak for 5 minutes as in morning business on Iraq.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRAHAM. Mr. President, this whole debate regarding what the Senate should do and how to send the right messages regarding Iraq war policy is important, but the most important message the Senate can send, to me, would be to our troops and to our potential enemies.

Everybody in America understands the war is not going well. Those who don't understand it are in denial because it clearly has not been the success we were hoping for.

The new strategy we are about to embark on, the Petraeus doctrine, for lack of a better word, I do believe has the best chance left for us to succeed, and additional troops in Iraq can make a huge difference. We have been able to clear in the past but never hold. We don't need any more combat power to clear. We have won every battle we have ever been in with the insurgents. But we have been unable to hold the territory. Mr. President, 17,500 more troops in Baghdad would allow us to hold territory for the purpose of political reconciliation.

The ultimate question for the body is how to bring out the best in the Iraqi political leadership. Some say we need to send a strong message that we are going to leave at a date certain, threaten to cut off funding for the Iraqi military, quit providing security to political leaders in Iraq.

My answer is that democracy is hard without being shot at. The reason we don't solve immigration, Social Security, and other emotional problems is because in our own country we get locked down by pretty extreme voices who have political action committees and run 527 ads.

The problem the Iraqi political leadership has to deal with is a violent country, to the point where it is hard to get political compromise. It is tough to go to Baghdad and do an oil-sharing revenue agreement among Sunnis, Kurds, and Shias when 100 of your constituents have been shot in the head and left out in the street that day.

So I believe precondition to political reconciliation is better security and the better security can only be achieved by going into militia strongholds that were previously off limits, by more combat capability on the ground to hold territory cleared, and by putting the Iraqi troops out front with a sufficient support network behind them and American hands to give them the capacity they are lacking today to deal with the insurgency.

The McCain-Graham-Lieberman resolution understands a million troops won't matter if the Iraqi political leadership doesn't reach political consensus on oil, rule of law, and on a million other problems they have. But the benchmarks in our resolution are an acknowledgment that it takes political compromise in Iraq to bring about stability, but we cannot have that political compromise with this level of violence.

The resolution also talks about a failed state in Iraq and the consequences to this country. They are long lasting and far reaching. A failed state in Iraq is partitioned, where the civil war environment spreads to the region, as a disaster. So if you throw in the towel on Iraq, you don't stop the fight; you guarantee a larger fight.

The debate for the Senate is how many votes should we have to express the differences we have in this body? If the Warner-Levin resolution—I respect both authors, but I just disagree with the message it sends—if Warner-Levin is ever adopted by this body, the headlines throughout this world will be: Senate condemns surge. Baghdad lost.

The resolution disapproves of sending more troops. I believe we need more troops in the short term to bring about political reconciliation. But it is not only me saying it. It is General Petraeus, the commander. I think the message from the resolution considers his efforts lost before they have had a chance to be implemented. It is a lack of resolve in terms of the enemy. The enemy will see this as a lack of resolve on our part, and no good comes from it because it doesn't stop the troops.

Secondly, it says you can continue operations in Anbar, the Sunni area where al-Qaida is operating, but you can't go into Baghdad. Baghdad is a mess. Baghdad is a very violent place where they have sectarian violence occurring. The question is: Do we stop it now or let it grow bigger? There are 6 million people in Baghdad. The nightmare I worry about is an open civil war, where we have a bloodletting that will bring in Sunni Arab nations to come to the aid of their Sunni brothers, Iran will get involved in the south of Iraq, and nothing good will come of that.

The reason we are having this sectarian violence is because al-Qaida struck the mother lode when it bombed the Golden Mosque in Samarra, the third most holy religious site in the Shia religion. That has created sectarian fighting that has gotten out of control.

For decades, Sunnis and Shias married and lived together in Baghdad and other places. The Shia population was terribly oppressed during the Saddam Hussein regime, but the Shia majority had remarkable restraint up until the bombing of the mosque, which was al-Qaida inspired. I don't want to give in to acts of terrorism that bring out the worst in people.

Our goal is not to get the oil from Iraq; it is not to create a puppet state for the United States in Iraq. It is to bring out the best in the Iraqi people, to allow the moderates in the region a chance to conquer and defeat the extremists who have no place for anybody other than only their way of doing business, including us.

We can't kill enough of the terrorists to win, but we surely can empower the moderates so they have a chance of winning.

I am glad we did not take a vote in isolation on Warner-Levin. It would have been 50-something votes, less than 60, and the headlines throughout the world would read: Surge condemned. Baghdad lost. It would have been embarrassing to the President. This is not about President Bush being embarrassed. It is about the message we send to our troops and our enemies.

The reason the Senate is not the House is because we have a chance for the minority; we have a chance to have a healthy, full debate. We were asking for two votes, not one. If you are going to vote on Warner-Levin, fine, I will come to the floor and take the responsibility for opposing it, vote against it, and argue vehemently that it undercuts our efforts in Iraq. But there was another vote being proposed on the Judd Gregg amendment that simply said we will not cut off funding, we will not cap troops as a statement of this body. It would have gotten 70 votes. And the reason we couldn't have those two votes, in my opinion, is because the Democratic left—and we have them on the right—would have ginned up and gone nuts over the idea that the Democratic caucus would not cut off funding for a war that the Democratic left thought should have ended last week.

I know what it is like. I have been through this on immigration. Once your base gets mad at you, it is not pleasant, but you can't build policies around bloggers.

So I am glad the Senate did not take a single vote that was designed to embarrass a single political element in the country. If we are going to debate Iraq on the floor of the Senate, we should be willing to take more than one vote. Two votes is not too much to ask.

Where we go from here, I don't know. I can't promise success from this new strategy, but I can promise the consequences of failure, and these young men and women who will leave to go off as part of this new strategy, I know every Member of the Senate wishes them well and prays for their safety. But I do hope as they leave, we do not take any action to undercut their efforts because of 2008 politics. The war in Iraq is much bigger than the next election.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. Mr. President, during the course of the afternoon, a group of Republican Senators have been meeting, including our final meeting with our distinguished Republican leader, MITCH MCCONNELL, and our assistant Republican leader, Senator LOTT. We now have a letter signed by seven Senators: myself, Senator COLLINS, Senator SMITH, Senator VOINOVICH, Senator SNOWE, Senator HAGEL, and Senator COLEMAN. The letter is addressed to our two Republican leaders and to the distinguished majority leader, Senator REID, and the assistant majority leader, Senator DURBIN.

I would like to now read the text of the letter to place it into the Record:

> Dear Leaders: The war in Iraq is the most pressing issue of our time. It urgently deserves the attention of the full Senate and a full debate on the Senate floor without delay.
>
> We respectfully advise you, our leaders, that we intend to take S. Con. Res. 7 and offer it, where possible, under the Standing Rules of the Senate, to bills coming before the Senate.
>
> On January 10, 2007, the President stated, with respect to his Iraq strategy, "if Members have improvements that can be made, we will make them. If circumstances change, we will adjust." In a conscientious, respectful way, we offered our resolution consistent with the President's statement.
>
> We strongly believe the Senate should be allowed to work its will on our resolution as well as on the concepts brought forward by other Senators. Monday's procedural vote should not be interpreted as any lessening of our resolve to go forward advocating the concepts of S. Con. Res. 7.
>
> We will explore all of our options under the Senate procedures and practices to ensure a full and open debate on the Senate floor. The current stalemate is unacceptable to us and to the people of this country.

Mr. President, for reference purposes, a copy of S. Con. Res. 7 is printed in the RECORD of Monday, February 5, 2007 at page 51556.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HATCH. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATCH. Mr. President, in the debate over whether we should be supporting or withdrawing our support from the President's plan to surge over 20,000 more troops into Iraq, I am acutely aware of one overriding irony. Those who are seeking to begin the withdrawal from Iraq are committing the same conceptual error that many of the same critics have accused the administration of committing when they made their flawed plans for the invasion of Iraq. They are not thinking about what will happen on the day after we begin our withdrawal.

Let me say that the situation in which we find ourselves today in Iraq is certainly in part due to the administration's failure to anticipate many variables in the Iraqi theater, in the region, and in Iraqi society. Those who prepared only for the military defeat of Saddam's forces committed such a profound error that it will be a lesson learned in the history books long after we are gone.

We did not prepare for the vehemence with which certain elements of the displaced Sunni elite would fight to retain their status quo.

We did not anticipate how fractured and weak the oppressed Shia society of Iraq would be once the dictator was deposed, and we did not appreciate how unprepared the Shia would be to present true leadership.

And we did not anticipate, because we apparently did not plan for this, that a political and leadership vacuum created by the fall of Saddam would invite the influence of Iran, whose interests in Iraq are anything but charitable.

The mistakes that we have read so much about—the failure to secure massive ammunition dumps, the peremptory disbanding of the Iraqi army, the sweeping de-Baathification policies that alienated many Sunnis not directly responsible for the Saddam's tyranny—all of these mistakes derive from our failure to think about what would happen in Iraq the day after Saddam fell. It was a much more profound mistake than not sending enough troops; we simply did not imagine that we would be facing problems that would require more troops.

Thinking of what was the most fundamental criticisms of our failures to anticipate the terror of September 11, I am reminded of the 9/11 Commission's conclusion that we did not have the imagination to prepare for that attack.

In Iraq, where our imagination failed again, a thorough understanding of Iraqi history and society should have helped.

I am not talking about rehashing the history of imperialists, who would argue to justify their creation of the unnatural state of Iraq, or who would argue about the superiority of one sect over the other.

I am not talking about the history as told by anthropologists, who argue about ancient fights and long-simmering disputes.

A thorough study and understanding of Iraq would have required us—and the top policymakers of this administration—to understand the complexity of Iraqi society as it was in 2003. And if we had done so, we would have had the imagination to prepare for the many contingencies that quite naturally developed when we so boldly sought to change the status quo.

We know that we had next to no intelligence on Iraq—and if you have read the latest NIE on Iraq put out last Friday, you will be dismayed, as I am, to read that we have very little more intelligence today.

But how about open source knowledge on which we could have made more careful assessments of what to expect the day after the tyrant toppled?

It was a tragic mistake to underestimate the role of criminality underpinning Saddam's regime in its last decrepit days, a criminality that was unleashed immediately after we invaded and which has added great complexity to the conflict among the many armed groups in Iraq today.

But we should not have underestimated the reluctance with which the Sunnis would accept their new declassed position in Iraq.

We should not have overestimated the ability of the Shia, with no political experience, to assume political power. Had we properly assumed the difficulties that we would have faced, we should have been prepared for a period of instability, during which the neighbor to the east, Iran, would not sit idle.

I say this because I cannot support the administration today without honestly assessing what happened in the preparation and implementation of this war over 4 years ago.

And now, 4 years later, the Senate has determined to take up an increasingly partisan debate over what to do to prevent losing the Iraq war.

And we are now debating a variety of what I hope will be non-binding resolutions in response to the President's announcement to surge 21,500 troops into the Iraq conflict.

This is an extremely somber moment in the history of this nation. We find ourselves in the midst of a war that it appears some still do not fully understand. It is a war whose dynamics and politics are completely in flux, and with the consequences of both our actions in the field—as well as in our politics right here—being profound for the Iraqi people, the Middle East region and our national security.

Make no mistake: What we do communicate is America's political will, and our political will is directly related to the morale of our troops. Those who seek to, for rhetorical purposes only, assert their support of the troops while communicating their opposition to their mission cannot sever this natural connection between political will and morale.

While it is always good for the Senate to debate great matters of war and peace—and, indeed, there are no more important matters—the imbalance between partisan rhetoric and substantive direction on this question has been, to my mind, unsettling. A perilous state of war in Iraq is not improved by the partisan level of debate here.

I have watched the course of this conflict with increasing concern and dismay.

As I said, I have been profoundly disappointed in realizing the errors we have made in implementing this war.

I have been greatly dismayed in the failure of the Iraqi people to resist the descent into sectarian violence, and their failure to demand leadership from their elected leaders.

I have been horrified by the level of barbarism. I have not been surprised, I must say, by the Sunni jihadists, whose barbarism should be well known by now, but by Shia militias, who, operating under a government dominated by the Iraqi Shia for the first time in modern Iraq's history, seem to operate without restraint or morality by their authorities in their nihilistic persecution of their real and perceived enemies. I can understand the sense of revenge one must feel when one has been released from decades of oppression; I can understand the anger and despair one feels when one's family is targeted for murder; I can appreciate the rage when one's shrines and mosques are bombed. I will never understand a revenge that takes as its victims other innocents and noncombatants.

The American people have been shocked by this level of brutality as well—but we shouldn't call it mindless, because in the diabolic minds of the Sunni al-Qaida and ex-Baathist perpetrators, it has a reason: to push Iraq into chaos. In the minds of the bloody Shia militia leaders like Moqtada al-Sadr, there is also a rationale: Their militias complete the cyclical logic of barbarism.

In this cycle is perpetuated a nihilistic violence that will so destabilize Iraq that the Sunni jihadists will be able to create a safehaven where they will expand their reach and refocus on their long-term goals. They are succeeding, and if they succeed they will focus on us.

In this cycle is perpetuated a nihilistic violence that will so destabilize Iraq that the Shia will be left so victimized and subject to militia rule that Iran will further assert its influence to undermine this fledgling nation. If post-Saddam Iraq succeeds, its success would provide the Shia world with an alternate model to the corrupt and failing regime in Tehran. If it fails, Tehran will have a field in which to meddle for years.

The Iraqi Shia, so traumatized by years of oppression under Saddam, and traumatized—let us be perfectly honest about this—by America misleading them and neglecting them in their hour of need immediately after the first gulf war—have failed to stand up and present political figures who can assert leadership instead of political impotence.

Iran is not a passive player here, no.

It is not in Iran's interest for the Iraqi Shia to build a strong, independent, Shia Arab state.

It is not in Iran's interest to have the seminaries of Najaf and Karbala returned to their central position in the world of Shia scholarship, possibly eclipsing Qum. To have this occur would lessen the legitimacy Iran desperately needs as ideological cover for Persian supremacy. The Iraqi Shia, Arabs who were the rank-and-file cannon fodder in the 8-year war against Iran, are now left open to Iran's meddling by their own weak government.

The Sunnis, Iraqi and others throughout the region, are quick to tell us we have fallen into a preexisting and ancient conflict between the Arabs and the Persians, and the Iraqi Shia and their seemingly hapless leaders are caught in between. And that is where we find ourselves today.

Now the Senate is to respond to the policy advanced by the President before the Nation on January 10.

We are to express approval or disapproval to the President's initiative in the middle of a war like this Nation has never faced. At a moment when the situation in Iraq is critical and the outcome is uncertain, some believe our excercise here will provide valuable clarity.

As I have said, it is fitting that the Senate debate this war.

From the day we passed a resolution authorizing the use of force to remove Saddam Hussein the fall of 2002, it has been fitting to debate this war, and we have, through many floor speeches and amendments to authorizing or appropriating legislation. Whether it is fitting that we respond to the President's latest change in military strategy with these resolutions is another matter.

I have paid a great deal of attention to the hearings held before the Senate Foreign Relations Committee and the Senate Armed Services Committee. I thank and commend the chairmen and ranking minority members of both committees for the many opportunities for substantive review they have sought to present to us and to the American public.

Dozens of substantive testimonies have been submitted, and the questioning has been, in many cases, direct and detailed.

As a member of the Senate Select Committee on Intelligence, I have also had the opportunity to listen to the opinions of the leaders of the intelligence community, and I have read the reports coming from Iraq including, most recently, the National Intelligence Estimate released last Friday.

The public needs to be reminded: There are no silver bullets, no glowing assessments, no confident predictions.

Surrounding this debate, there is a level of political taunting amongst ourselves that I find troubling.

From the majority leader, I hear public pronouncements of 21 Republican seats to be defended in 2008—and I find it disturbing that anyone would question that a Senator of any party would hinge his or her voice on such momentous policy problems for the purpose of personal political survival.

Does anyone doubt that the November election in 2008 is a world away from the carnage of Iraq today?

Can anyone predict with certainty what the situation will be in Iraq almost 2 years from now?

I do not like the rhetoric of "cut and run" any more than I like the rhetoric accusing members of my party for "heading for the tall grass."

Lives are in balance and we should not be throwing around glib rhetoric.

In that sense, the exclamation of a member of my party 2 weeks ago that we should all be accountable on these resolutions or go be shoe salesmen has a certain urgency, although I do not condescend to the working man, a good many of whom are fighting in this war as we speak.

Nor do I believe that if I go and buy a pair of shoes from a good shoe salesman today that those shoes will not last longer and give better value than some of the resolutions being bandied about today, to be forgotten months from now when the war will bring to us either the reality of some progress toward stability, more stalemate in strife or even greater chaos.

One should predict the future with caution and humility. But, I can make one prediction here, particularly to those on the other side of the aisle: Iraq will be a central issue before this Congress, and before the next administration, in 2009.

We cannot make it go away before then. There is no way that a withdrawal begun now will leave a new administration free from the policy problems presented by Iraq.

So we should liberate ourselves right now from seeking partisan advantage, because as much as some may wish to walk away from Iraq, its relevance to our security and standing is not going to diminish. Not for a long time.

I will support the President's plan for this surge, and I will support any resolution that articulates such support, provided I can agree with all of its language. In doing so, I am acutely aware that the situation we are addressing is at least in some part a function of policy failures committed by this administration.

Admitting this, I have to say that I am unaware, through my reading of American military and diplomatic history, of any conflict in the midst of which our leaders saw clearly the end. Rarely have outcomes been perceivable through the shifting tactics and circumstances that war presented in the moment of greatest chaos.

Many times, in hot wars and cold wars, we have reassessed and changed policy.

Retroactive analysis and accountability are important—sometimes it is critical to understand minor and major mistakes in order to correct flawed policy—but the challenge is to seek the policy amongst the realistic options that will best deliver us to our goals for the future, not to sink in self-satisfying denunciations of the past.

I have read each of these resolutions carefully. I oppose the original Biden amendment, because I fundamentally disagree with it.

Its first resolution clause states:

> It is not in the national interest of the U.S. to deepen its military involvement in Iraq, particularly by escalating the United States military force presence in Iraq.

I deeply disagree.

Not only does this set up a potential constitutional conflict between the executive and legislature as to who runs foreign policy in a war, its intent is to inhibit the President from trying to improve the situation in Iraq at a perilous time. Further, to maintain the status quo in Iraq, as this clause implies, is to guarantee greater chaos in Iraq.

If the opponents of the President want to force a withdrawal, shouldn't they say so directly?

The second clause of the original Biden resolution stated:

> The primary objective of U.S. strategy in Iraq should be to have the Iraqi political leaders make the political compromises necessary to end the violence in Iraq.

When I read this, I have to ask, where have the authors of this language been? That was our strategy, which we tried mightily, from 2004 until last year: to let politics lead the way to security. But the forces of insurgency and chaos overwhelmed the fledgling political process and now we clearly realize we have to implement and achieve security before we can regain political process.

Am I the only one here who finds it ironic that critics of the administration who support this resolution appear to be advocating a policy that has failed?

The next clause reads:

> Greater concerted regional and international support would assist the Iraqis in achieving a political and national reconciliation.

This is not a policy option, but a dreamer's delusion. It is true, in the abstract, that international support would be greatly beneficial to the Iraqis. But if you look at the region, this dream of international cooperation is not based on reality. Aspirations should not substitute for harsh reality.

Then the resolution states:

> Main elements of the mission of the U.S. forces in Iraq should transition to helping ensure the territorial integrity of Iraq, conduct counterterrorism activities, reduce regional interference in the internal affairs of Iraq, and accelerate training of Iraqi troops.

But, we are conducting counterterrorist activities, and the fight in al-Anbar for which the President has requested a small number of this surge is exactly for that. But this resolution disapproves of that, if you are to read the first clause. We are accelerating training, but we have learned that, if you are going to do it right, you can't speed it up beyond a certain point.

To paraphrase my colleague, the vice chairman of the Intelligence Committee, Senator BOND, who has said of rushed intelligence assessments:

> If you want it bad, you're going to get it . . . bad.

If we rush the training, as we have seen, we're going to get ineffective results. If our training of the Iraqi security forces is to be effective and successful, we need to take the time to do it right.

I am all for reducing regional interference, but to do so might mean exercising power and influence, and critics of this President have a conniption if you suggest anything other than a diplomatic tea party with Syria or Iran.

And I do not consider it wise to commit to the territorial integrity of Iraq. We should be agnostic about this question, and recent history should keep us humble against knee-jerk commitments to territorial lines drawn by imperial powers. A previous Bush administration fumbled on the wrong side of history in the last days of the Cold War when it argued against "suicidal nationalism" at a time when the Soviet Union was dissolving. A failure to recognize that Yugoslavia was a false state led the U.S. to delay for years an involvement that could have saved hundreds of thousands of civilian lives.

If a soft partition could be achieved without bloodshed, I would support that in Iraq, although no one has figured out how to do that, yet, and it remains unclear whether Iraqis themselves, particularly urbanized Iraqis, desire this or could survive a bloody partition.

But I repeat: If I could imagine a nonviolent partition implemented by an international organization that would have the support of the Iraqi people, I would rather find the billions to do that than the billions to fight a war. In the case of finding financial resources for soft partition, I would expect we would have a somewhat better response from the international community than we are having now.

The next resolution clause states:

> The U.S. should transfer, under an appropriately expedited timeline, responsibility for internal security and halting sectarian violence in Iraq to the Government of Iraq and Iraqi security forces.

But just because we want to shed ourselves of this war does not mean we can immediately stand up Iraqi security forces. We have been trying to do that, and it is taking time. This clause is, in effect, purely aspirational. It makes us feel good, but it doesn't change the reality on the ground.

The final clause states:

> The U.S. should engage nations in the Middle East to develop a regional, internationally-sponsored peace and reconciliation process for Iraq.

Mr. President, who are the players in the Middle East who are both: (a) sympathetic to the Iraqi cause, and (b) strong enough to be effective?

No country meets both of these simple conditions.

They aren't there. It is too typical of the critics of this administration to substitute the process of diplomacy for the substance of hard policy choices.

Now, I do not oppose diplomacy. It is a legitimate tool in the tool kit. But diplomacy must always be part of a broader policy. Before I would support this administration's diplomatic initiative toward Iran, I would want to see a comprehensive Iran policy. However late in the day, the administration appears to to be forming such a policy, and it appears to include elements of confrontation and competition, as well as a clearly stated solicitation for more constructive relations, as any sound and sophisticated policy should.

If we are to sit down with Iran while Iran is continuing with a program for nuclear development, continues to be the No. 1 state sponsor of terrorism in the world, continues to undermine the stability in Lebanon, and is working against the coalition's forces in Iraq, I would want those Iranian diplomats that we are sipping tea with to know that we are competing and challenging them on all of those fronts. It would be foolish to talk to Iran simply hoping we could convince the Iranians to see the world our way.

The nations of the region with whom we are close do support the peace and reconciliation in Iraq. And those nations want us to remain in Iraq until the situation is stabilized. Kuwait, Jordan, Turkey, Saudi Arabia—none of those governments want us to leave Iraq the way it is now. But Syria and Iran and al-Qaida, too—they want us to leave, and leave behind chaos they can exploit.

My colleague and good friend, Senator WARNER, has made an effort to write a resolution that smoothed away some of the aspects of the original Biden legislation which I find I cannot support.

In particular, the senior Senator from Virginia recognizes, in the first clause, the President's foreign policy prerogative, while somewhat ambiguously also stating that the resolution's intent is not "to question or contravene" the President's constitutional authority as Commander in Chief of the Armed Forces of the United States.

I say "ambiguously," because Senator WARNER's first resolution clause is remarkably similar to Senator BIDEN's:

> The Senate disagrees with the plan to augment our forces and urges the President to consider all options and alternatives for achieving the strategic goals set forth below.

It seems to me, however, that adding troops to meet the goals the President has set—achieving a zone of security in Baghdad from which the Iraqi political leadership can assert its leadership and implement essential policies—is a major option that the Warner resolution precludes.

Further, Senator WARNER's resolution strongly supports our efforts against Sunni jihadists, including al-Qaida, in Anbar Province, as I do.

Senator WARNER and the cosponsors of his resolution, however, do not want to see us in between the various sects fighting in Baghdad.

I have to ask: If we are to encourage the anti-al-Qaida Sunni elements in Anbar to join us in a fight to eradicate al-Qaida, what credibility do we have to do so if we are standing by while Sunni jihadists target Shia in Baghdad, and Shia militias slaughter Sunnis in response?

Part of how we got here is by not imagining the way the perpetrators of sectarian strife calculate. We can't continue to fail to understand this dynamic, nor to believe that we can ignore it.

I will support the President's surge strategy because I believe there is a reasonable chance—reasonable, not guaranteed—that a strong military presence that has open rules of engagement to attack insurgents, militias and other criminal elements may create a zone of calm and security for Baghdad. This goal is to create the space for political leaders to make effective decisions on oil resources, federalism, economic development and other critical issues to entice the majority of the Iraqis into believing there is an alternative to civil war.

Such a period of calm, if achieved, is essential not only for the political system to assert itself, but for us to complete the majority of our training of Iraqi security forces.

If we are to succeed, we won't be able to do it alone. The Iraqi Sunnis are going to have to lead in defeating the foreigners who are terrorizing them in their homes in western Iraq and leading the attacks against Shia in Baghdad.

The Sunnis will have to lead in ejecting al-Qaida, as they have begun to do so.

The Sunnis, not the Shia, are going to have to definitively expose and defeat the former Baathists who have not accepted that the Baath era is over.

The Sunni will have to address this challenge, not the Shia.

And the Shia, not the Sunni, are going to have to lead in ending the terror of the Shia militias.

The Shia are going to have to defeat those who claim to advance the Shia cause by revenge, by torture, by barbarism. If the Maliki government fails to muster the political will to do so, we cannot impose it from the outside.

Perhaps the Iraqi government can finally make progress toward building institutions that will sustain a unified Iraq, toward passing legislation that will divide Iraq's enormous natural resources equitably among the three ethnicities, that will open the civil society to Sunnis, instead of punishing them indiscriminately for their dominance during the Baath era.

Perhaps.

But if not, this Nation and this administration should not be irrationally wedded to the notion of a unitary state of Iraq. We need to imagine all options, rather than cling to ideas which may have departed from the realm of reasonable options.

I will support this surge because the option right now of withdrawing leaves three critical questions unanswered:

No. 1: How do we continue the fight against foreign Sunni extremists, including al-Qaida, in the west of Iraq?

No. 2: Are we to leave a fractured Shia substate unstable enough for Iran to exert expansionist influence, thereby strengthening Tehran?

No. 3: Are we prepared as a nation to see a bloodbath ensue, in Baghdad and elsewhere, that may make other American foreign policy failures—Budapest in 1956, Vietnam in 1975, the Shia slaughter after we ejected Saddam from Kuwait in 1991—pale in comparison?

As I said at the beginning of this speech, the critics' attempts to set the stage for withdrawal commits the same strategic blunder they legitimately accuse the Bush administration of making in its implementation of the Iraq war. They didn't think of the day after Saddam fell. Today the critics are not thinking of the day after we withdraw.

Today, however, we need to recognize that worse than the vanity about easy victory committed in 2003 is the denial of calamitous defeat that would occur if we leave before we make every attempt to stabilize the country.

For this reason, I will support the administration, but I will do so under no casual assumptions or glib assurances.

I will also do so by demanding that the administration be much more forthcoming in its plans for the day after—the day after we complete our surge into Baghdad, the day after we can honestly assess that Baghdad has been pacified, and heaven forbid, the day after we assess that the chaos unleashed and manipulated by the forces of destruction are prohibiting a meaningful and comprehensive success.

I am not conceding defeat, nor preparing for withdrawal.

I am supporting a strategy for success. So far, President Bush—who has a lot to answer for the mistakes that have been made—is offering the only way to try to leave Iraq in better shape than it is now.

He has my support, and I urge my colleagues to join me.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Ms. CANTWELL). The Senator from New York is recognized.

Mrs. CLINTON. Madam President, we are all well aware in this Chamber that our country finds itself in a deepening crisis in Iraq, and we find ourselves at a moment of decision in the Senate. Nearly 4 years ago, our President rushed us into war in Iraq, a war now longer than American involvement in World War II, which next month will actually exceed the length of our own Civil War. For 4 years, Members on both sides of the aisle have watched with shock and dismay as our President has made mistake after misjudgment after miscalculation. Even before the invasion ended, the administration rejected the voluminous plans drawn up by the State Department to deal with the chaotic aftermath. The successful examples of the U.S. experience in Bosnia and Kosovo during the 1990s were summarily rejected. State Department and other American officials with experience in nation-building were blackballed in favor of inexperienced ideologues who were selected on the basis of political litmus tests, including answering questions about whether they were for or against Roe v. Wade and whether they had voted for George W. Bush.

Despite the urgent warnings of Army Chief of Staff Rick Shinseki and other senior military commanders, the necessary number of troops to ensure security and stability was not sent at the start of the conflict. Our men and women in uniform were ordered into harm's way without the necessary body armor or armored vehicles, a mortal error I have tried to correct time and again since I first learned of it. The strategic blunders now fill an entire library shelf of books, and they are certainly too numerous for me to list in the time allotted here.

Through these 4 years, there has also been another abdication of responsibility. That was the failure of this Congress to engage in its Constitutional obligation of oversight and accountability. While our troops have stood valiantly on the frontlines, the Congress has stood on the sidelines. Defending a partisan position trumped U.S. national security interests and the welfare of our troops in the field. Many Members attempted to raise the debate, and we were unable to do so because of the majority's refusal to hold the administration accountable.

In the election last year, the American people decided the status quo was no longer acceptable. So we have a new Congress, and it is past time we in this Chamber do our duty to balance the President and provide a check against his failed policy in Iraq. As there is a majority in our country against the President's failed policy in Iraq, there is a bipartisan majority in this Senate against it, as well. The resolution before the Senate reflects that bipartisan consensus as it also reflects the sentiments of the overwhelming majority of Americans.

But a partisan minority seeking to shield the administration's continuing failure in Iraq seeks to thwart the bipartisan majority and the will of the American people. This is not a debate about abstractions. I have seen the consequences of our involvement in Iraq, as have many of my fellow Senators. Three weeks ago, I visited Iraq to express gratitude to our soldiers, to meet with Iraqi leaders and U.S. commanders and our troops on the ground.

What I saw and what I did not see underscored my concerns. I saw American service men and women performing their duty admirably, but I did not see a strategy that, under the current circumstances, has much chance of success. The collective analysis of our intelligence community in the latest National Intelligence Estimate is that the term "civil war" does not adequately capture the complexity of the conflict in Iraq. The bipartisan Baker-Hamilton Commission said the situation in Iraq is grave and deteriorating. Yet the President's response to the bipartisan commission and the latest National Intelligence Estimate does not match the urgency that is described. The so-called surge is not a new strategy but a tactic that has been tried and failed.

The absence of leadership on the part of the President leaves Congress no choice but to demonstrate the leadership that the American people and the reality on the ground demand. The previous two Congresses abdicated their duty. We must not. Every single day our feet sink deeper into the sands. Every day the crisis worsens. To hide from this debate with our troops in such danger is wrong, plain and simple.

The crisis in Iraq has fostered a crisis of democracy at home. The American people expect a debate. Our troops are owed a debate. Our Constitution commands we debate. But a partisan minority acting at the behest of the administration is standing in the way. This amounts to a gag rule on our democracy, contrary to the national security interests of the United States.

Even though America voted for a new direction in Iraq, even though the majority of Senators opposes escalation in Iraq, we cannot get the Republicans to allow us to take a symbolic vote to condemn the escalation, much less a real vote to stop it. This resolution deserves a debate. It deserves a vote. It deserves passage.

There are those in the Senate who invoke our grave troops, suggesting that a debate on the most important issue facing our country and facing our troops would somehow undermine the mission and weaken our Nation. It is a pernicious, shameful argument and it is dead wrong. Our democracy is stronger than that and the American people and our troops deserve better than that.

Our troops understand we are debating this war. We are debating it not just in this Senate, we are debating it in kitchen table conversations, around water coolers, and standing in line at supermarkets. We are debating this war everywhere Americans gather. Indeed, our troops are debating this war.

The American people understand it is the policy that undermines our national security interests, not a vote disapproving the policy.

This debate and this resolution have merit and purpose and it will, if permitted to go forward, begin the process of changing the policy; otherwise, why would the administration and my colleagues on the other side of the aisle fight so hard to prevent us from having a debate and a vote? Because they understand this will be the first step to restore our strength and renew our leadership around the world, to begin redeploying our troops out of Iraq and start on the long road of undoing the damage brought by the President to America's leadership around the world.

If you believe the escalation is the right strategy, cast your vote for it. If you believe, as the majority in this Chamber believes, that escalation is not the right strategy, then cast your vote against it. But standing on the sidelines is no way to stand up for the troops.

Now, there are many—both in the Chamber and outside—who wish to go further than this resolution and look for ways to bind the actions of the President and to require him to change course. I understand and agree with the frustration that has afflicted many Members in dealing with the President's policy. However, if we can get a bipartisan vote against escalation, it will be the first time the Senate has exercised its constitutional responsibility to be a check and balance on the President. The first step for the Senate will be a giant leap toward accountability and toward the right end to this war.

There is a big difference between calling for the end of this war and doing the difficult, painstaking work of building the political will within the Congress to take action. We, in the Senate, entrusted by our constituents to cast tough votes, should not have the luxury of standing outside the arena and lobbing criticism from within.

Once we pass this resolution, we should go further. Rather than an escalation of U.S. troops, which will not contribute to fundamentally changing the conditions on the ground, we should put pressure on the Iraqi Government in a way that they will understand there are consequences to their empty promises and their continued inaction.

Last week, the National Intelligence Counsel released the unclassified key judgments of the National Intelligence Estimate on Iraq. That presents the consensus views of the U.S. intelligence community. It underscores the need for a political solution. The NIE states that in the coming 12 to 18 months, the overall security situation will continue to deteriorate at rates comparable to the latter part of 2006. And it goes on further to say that even if violence is diminished, given the current winner-takes-all attitude and sectarian animosities infecting the political scene, Iraqi leaders will be hard-pressed to achieve sustained political reconciliation in the timeframe of the estimate, namely, a year to a year and a half. Even if the intelligence experts argue the escalation results in greater security, their best judgment is that the bloodshed and violence will continue to spiral out of control.

So what should we do? Many believe, and we have been arguing for this and voting for this for more than a year and a half, that we have to chart a new course that emphasizes greater Iraqi responsibility. I still believe that is the path we should be taking. Instead, the President has chosen a very narrow course that relies heavily on American military force.

I will be introducing legislation that I think offers a better alternative. First, my legislation will cap the number of troops in Iraq as of January 1st and will require the administration to seek congressional authorization for any additional troops. The President has finally said, this is not an open-ended commitment in Iraq, but he is providing the Iraqis with an open-ended presence of American troops.

Second, as a means to increase our leverage with the Iraqi Government and to clearly send a message that there are consequences to their inaction, I would impose conditions for continued funding of the Iraqi security forces and the private contractors working for the Iraqis.

My legislation would require certification that the security forces were free of sectarian and militia influence and were actually assuming greater responsibility for Iraqi security, along with other conditions. We must not let U.S. funds, taxpayer funds, be used to train members of sectarian militias who are responsible for so much of the violence in Iraq. Unfortunately, it appears our funds to Iraqi security forces may be going to the people we are trying to restrain.

A news report last week in an article entitled "Mahdi Army Gains Strength through Unwitting Aid of U.S." reports that:

> . . . the U.S. military drive to train and equip Iraq's security forces has unwittingly strengthened Muslin cleric Muqtada al-Sadr's Mahdi Army militia, which has been battling to take over much of the capital city as American forces are trying to secure it.

According to this new report, U.S. Army commanders and enlisted men who are patrolling East Baghdad, said al-Sadr's militias had heavily infiltrated the Iraqi police and Army units that they've trained and armed. Said one soldier:

> They'll wave at us during the day and shoot at us during the night.

We need to inform the Iraqi Government, in no uncertain terms, that there are consequences, that we will take funds away from their troops—not from our troops, many of whom still lack armored vehicles and counterinsurgency measure devices and communications equipment. And we will not fund the Iraqis if our troops are going to enter into sectarian battles where some of the participants have received American training and support.

Third, I would hold the administration accountable for their empty promises as well. My bill requires the Bush administration to certify that Iraq has disarmed the militias, has ensured that a law has finally been passed for the equitable sharing of oil revenues; that the Iraqi Government, under American influence and even pressure, has made the constitutional changes necessary to ensure rights for minority communities; that the debaathification process has been reversed to allow teachers, professionals, and others who joined the Baath Party as a means to get a job to serve in the new Iraqi Government.

I would also require the administration to engage in a regional diplomatic initiative, including all of Iraq's neighbors, to address Iraq's future and to understand and convey clearly that the United States expects Iraq's neighbors to be partners in the stability and security of the new Iraqi state.

If these conditions are not met or are not on their way to being met within 6 months, a new congressional authorization requirement would be triggered.

Finally, I would prohibit any spending to increase troop levels unless and until the Secretary of Defense certifies that our American troops will have the proper training and equipment for whatever mission they are ordered to fulfill.

Yesterday, I read the classified report outlining the findings by the Department of Defense inspector general about the problems that have been faced by our troops getting the equipment they desperately need in combat areas such as Iraq.

The inspector general did not have the full cooperation of the Department of Defense. It is heartbreaking that the inspector general could conclude that the U.S. military still has failed to equip our soldiers in Iraq and Afghanistan, especially for the kind of warfare they are confronting, with IEDs and insurgents who are attacking them in asymmetric, unconventional warfare.

This report comes on the heels of an article in the Washington Post last week titled "Equipment for Added Troops Is Lacking: New Iraq Forces Must Make Do, Officials Say." The Washington Post story raised serious questions about the adequacy of the supply of up-armored HMMWVs and trucks.

One of our generals is quoted as saying he does not have the equipment our forces need, and they will have to go into battle with what they have.

On my way back from Iraq and Afghanistan, I stopped at Landstuhl Hospital in Germany to visit with some of our wounded soldiers. I met with one young man who was lying in his bed with injuries he had suffered from one of the shape charges, these new more advanced, more sophisticated command-controlled IEDs, the improvised explosive devices. He told me that the armored, fully equipped HMMWV had saved his life and that of the lives of his buddies who were with him. But he also told me that not everybody he served with had that kind of protection because there were not enough of those armored vehicles to go around.

I do not believe the Congress can shirk its responsibility. It is past time we live up to our constitutional responsibility. If I had been President in October of 2002, I would have never asked for authority to divert our attention from Afghanistan to Iraq, and I certainly would never have started this war. But we are where we are, and this Congress must deliver a strategy to help us end this war in the right way and begin returning our troops home.

So on this most important issue of our time, I call on my colleagues not to hide from this debate but to welcome it, to welcome the opportunity to set forth whatever one's opinions might be because this debate is about more than our policy in Iraq. It is about the role and responsibility of this august institution. Great debates in our past have not only moved public opinion but furthered the progress of our country.

This debate is not merely about whether the President should escalate troops into Iraq, whether he has failed to grasp the complexity of the situation we confront in Iraq, and to take every diplomatic, political, economic, and military strategy available to him, but it is about our democracy itself.

We should consider this resolution, and I hope we will. Our duty is rooted in the faith entrusted to us by our constituents and enshrined in our Constitution. When we think about the patriotism and bravery, the humor and resolve, the optimism and strength of our soldiers, marines, airmen, and sailors, our Active Duty, our Guard, and Reserve, I think it humbles us all. But it comes out of this great democratic tradition that we are all blessed to be a part of.

I hope we have the opportunity in the next days to do our duty just as the men and women who are serving us have done and are doing theirs.

A week ago, I was privileged to go to San Antonio for the opening of a remarkable center called the Center for the Intrepid. It is a new state-of-the-art facility devoted to the rehabilitation and recovery of our wounded heroes. It was funded by contributions from more than 600,000 Americans. It was not built by our Government. It was built by our citizens.

It is not only going to be a place of great hope and healing for the brave men and women who have given their full measure, but it will also stand as a symbol of our democracy, of our values, of people coming together across our country—a unique partnership that you find nowhere else in the world except here.

As I sat on the stage during the ceremonies for the opening of this new rehabilitation center, I watched the hundreds of young men and women who had been injured march in, and in some cases wheeled in, to take their place in the audience. I believe they are owed this debate. And certainly all those who are currently serving, and the thousands who are on their way to carry out this escalation strategy, deserve it even more.

So I hope we will have a chance to express the will of our constituents, our deeply held opinions, and participate in a debate that is historic and necessary. That is the least we can do.

Mr. COBURN. Madam President, I ask unanimous consent that an analysis of the consequences of our actions in Iraq entitled "Now What?" by Army Retired LTG Jerry Max Bunyard be printed in the CONGRESSIONAL RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NOW WHAT?

(By Jerry Max Bunyard)

At church every Sunday, the Fort Belvoir, VA Installation Chaplain uses the question "now what?" to get the congregation to analyze the message he just delivered and find a way to apply it to their lives. I believe as citizens and leaders of this nation we are at a point in the continuing War in Iraq that we must ask the same question; "Now What?"

Today we have been bombarded with facts, figures, commentaries, interpretations, and subjective thoughts concerning the Middle East activities. Depending on the writer, attempts are made to sway you one way or the other concerning a particular issue. There are many half-truths that are spoken, which tend to lead the reader in a given direction. Our world-wide media has led us astray on many Middle East subjects. They tend to be over zealous to ensure what is being written follows the point they are attempting to make or stays within the bounds of being politically correct or meet their organization's marketing goals for selling air time or copy. They sometimes convince the reader to believe and support a particular political agenda. In many cases these misleading and unbalanced reports cause the reader to be convinced that what is being said is the truth. On the other hand, there are some excellent articles, books and writings that exist on the subject but they have been overlooked or ignored to some degree by both academia and the media because of political correctness coupled with political sensitivity for fear of offending major non-western religion, reigning political and ideological orthodoxies, or a mix of both. So the question is how do we get to the truth of the Middle East conundrum?

For many Americans (as well as other nationalities) they simply rely on what the newspaper, radio or TV is telling them. They do not question or seek other sources on any given event or subject being discussed. They make no attempt to understand the totality of the area of interest they just swing with the "news of the day" from their favorite news media or TV station. Then we have the politicians and their army of supporters who will do and say what they think John Q. Public wants to hear in order to glean their vote. They twist and slant the news to meet their agenda. As we approach the 2008 Presidential election this aspect has become the norm and is simply misleading the American people, causing great harm to our chances of achieving the National objectives throughout the world as well as showing, indirectly, lack of support for the members of our armed forces who are serving in harms way supporting these objectives. This, I consider personal aggrandizement and, unquestionably, it is not in the best interest of the country.

There are others, thank goodness, who do take the time and energy to study the subject pro and con and attempt to be objective and analyze the big picture along with the day to day events as they occur. Likewise, there are some very knowledgeable Middle East analysts who have made it their life's endeavor to understand the intricacies of the situation, various cultures, religion and politics of this volatile region of the world. Many of these people are not in the government. In my opinion, we should be listening to and incorporating their thoughts and experience into any decisions concerning that region of the world. These dedicated, unbiased "subject matter experts" should be consulted regularly for opinions and recommendations.

Based upon this multitude of diverse information one has to sort the wheat from the chaff. This requires some personal knowledge of the Middle East and Iraq war as well as the writer or speaker providing information concerning the area of interest. One must do his homework in order to place the information in "categories" to establish a prioritization of credible information. Once this task is completed then one only uses that information and "files" the rest. Throughout this paper I will use quotes or information from whom I consider credible sources and will footnote where the comments or quotes originated.

The purpose of this paper is to provide my two cents worth on how to answer the question of "Now What" relative to what we should be thinking about and doing concerning the Iraqi situation or, better yet, the Middle East regional situation. There will not be any effort to address the question of how we got into this situation. We are where we are, so what course of action should we follow from this point forward? To address this one must take a look at the region itself and place into perspective the consequences of the various choices that are now before us.

THE CHALLENGE

I cautioned earlier about politicians and how they use or misuse information. However, there is at least one exception in the political arena, Senator Joseph Lieberman (I-CT) who very clearly summed up the current Iraqi situation and the challenge that faces Iraq, the United States and the free world in general. Based on his long term interest in the region, the wars (both past and current), and the information gleaned from his trip to Iraq in December of 2006, he provided the following comments upon his return:

"Because of the bravery of many Iraqi and coalition military personnel and the recent coming together of moderate political forces in Baghdad, the war is winnable. We and our Iraqi allies must do what is necessary to win it.

The American people are justifiably frustrated by the lack of progress, and the price paid by our heroic troops and their families has been heavy. But what is needed now, especially in Washington and Baghdad, is not despair but decisive action—and soon.

"The most pressing problem we face in Iraq is not an absence of Iraqi political will or American diplomatic initiative, both of which are increasing and improving; it is a lack of basic security. As long as insurgents and death squads terrorize Baghdad, Iraq's nascent democratic institutions cannot be expected to function, much less win the trust of the people. The fear created by gang murders and mass abductions ensures that power will continue to flow to the very thugs and extremists who have the least interest in peace and reconciliation."

Senator Lieberman brought out very salient points—the war is winnable; American people are frustrated by lack of progress; price paid by troops and families has been heavy; what is needed, especially in Washington and Baghdad, is not despair but decisive action—and soon; most pressing problem is the lack of basic security.

To me, that captures the status that continues to exist at present.

So, this sets the stage as to the situation we find ourselves in today. Now what do we do about it and how?

BACKGROUND

Before getting into the current Middle East issues and possible courses of action it is necessary one have a general understanding of the key religious aspects along with a basic knowledge of the Jewish, Arab, and Islamic history.

Religion has once again become a force that no government can safely ignore. The United States and other Western countries experts have failed to recognize the importance of faith as it relates to world affairs. One, if not the most, important aspects to be considered when discussing the Middle East and the growing dominance of the Islam religion concerns the differences of opinion between Islam and the Western World view of separation of Church and State.

Bruce Feiler states "Abraham, the great patriarch of the Hebrew Bible, is also the spiritual forefather of the New Testament and the grand holy architect of the Koran. Abraham is the shared ancestor of Judaism, Christianity, and Islam. He is the linchpin of the Arab-Israeli conflict. He is the centerpiece of the battle between the West and Islamic extremists. He is the father—in many cases, the purported biological father—of 12 million Jews, 2 billion Christians, and 1 billion Muslims around the world. He is history's first monotheist."

Thomas Jefferson once remarked that in matters of religion "the maxim of civil government" should be reversed and we should rather say, "Divided we stand, united, we fall." In this remark Jefferson was setting forth with classic terseness an idea that has come to be regarded as essentially American: the separation of Church and State. This idea was not entirely new; it had some precedents in the writings of Spinoza, Locke, and the philosophers of the European Enlightenment. It was in the United States, however, that the principle was first given the force of law and gradually, in the course of two centuries, has become a reality.

Another very important aspect of this overall issue is to address the total Middle East environment. An important consideration is the countries that border Iraq and what impact our actions and those of others may have on these specific countries. Shown next is a map of the Middle East countries. The countries directly adjacent to Iraq are Iran, Jordan, Syria, Turkey, Kuwait and Saudi Arabia.

George Friedman describes the dilemma that now faces the United States as it relates to the potential influence of Iran on the outcome of the Iraqi war. "The Iraq war has turned into a duel between the United States and Iran. For the United States, the goal has been the creation of a generally pro-American coalition government in Baghdad—representing Iraq's three major ethnic communities. For Iran, the goal has been the creation of either a pro-Iranian government in Baghdad or, alternatively, the division of Iraq into three regions, with Iran dominating the Shiite south."

THE COSTS OF DISENGAGEMENT

The next logical step would be to understand as best as possible, the implications of not continuing our efforts in Iraq and, in so doing, what this would mean to the United States, in the future. One of the best analyses I have found thus far comes from two men outside the government who have significant experience in Middle East studies. Over the years Daniel Bynum and Kenneth Pollack have gained an excellent understanding of that region. In August of 2006 they published an article titled, "What Next," and have followed that up with a 130 page report titled, "Things Fall Apart" that was published in January 2007 by the Brookings Institution's Saban Center for Middle East Policy. This latest report states: "Iraq is rapidly sliding into all-out civil war that is likely to spill over into neighboring countries, resulting in mass deaths and refugees, serious disruption of oil supplies and a drastic decline in US influence."

In the August 2006 article, Bynum and Pollack state:

" . . . The consequences of an all-out civil war in Iraq could be dire. Considering the experiences of recent such conflicts, hundreds of thousands of people may die. Refugees and displaced people could number in the millions. And with Iraqi insurgents, militias and organized crime rings wreaking havoc on Iraq's oil infrastructure, a full-scale civil war could send global oil prices soaring even higher.

"However, the greatest threat that the United States would face from civil war in Iraq is from the spillover—the burdens, the instability, the copycat secession attempts and even the follow-on wars that could emerge in neighboring countries. Welcome to the new 'new Middle East'—a region where civil wars could follow one after another, like so many Cold War dominoes.

"And unlike communism, these dominoes may actually fall."

There are other consequences of civil war as explained by Bynum and Pollack. A top-level summary of their in-depth study reveals: ". . .civil wars tend to spread across borders . . . and Washington must decide how to deal with the most common and dangerous ways such conflicts spill across national boundaries. Only by understanding the refugee crises, terrorism, radicalization of neighboring populations, copycat secessions and foreign interventions that such wars frequently spark can we begin to plan for how to cope with them in the months and years ahead . . . massive refugee flows are a hallmark of major civil wars . . . refugee camps often become a sanctuary and recruiting grounds for militias, which use them to launch raids on their homelands . . . terrorism finds new homes during civil wars . . . radicalism is contagious as civil wars tend to inflame the passions of neighboring populations . . . the problem worsens whenever ethnic or religious groupings also spill across borders . . . Iraq's neighbors are just as fractured as Iraq itself . . . should Iraq fragment, voices for secession elsewhere will gain strength . . . the first candidate for secession is obviously Kurdistan . . . another critical problem of civil wars is the tendency of neighboring states to get involved, turning the conflicts into regional wars . . . covert foreign intervention is proceeding apace in Iraq, with Iran leading the way . . . Iran has set up an extensive network of safe houses, arms caches, communications channels and proxy fighters, and will be well-positioned to pursue its interests in a full-blown civil war. The Sunni powers of Jordan, Kuwait, Saudi Arabia and Turkey are frightened by Iran's growing influence and presence in Iraq and have been scrambling to catch up . . . Turkey may be the most likely country to overtly intervene in Iraq . . . none of Iraq's neighbors thinks that it can afford to have the country fall into the hands of the other side . . . an Iranian "victory" would put the nation's forces in the heartland of the Arab world, bordering Jordan, Kuwait, Saudi Arabia and Syria—several of these states poured tens of billions of dollars into Saddam Hussein's military to prevent just such an occurrence in the 1980s . . . similarly, a Sunni Arab victory (backed by the Jordanians, Kuwaitis and Saudis) would put radical Sunni fundamentalists on Iran's doorstepa nightmare scenario for Tehran . . . add in, too, each country's interest in preventing its rivals from capturing Iraq's oil resources . . . if these states are unable to achieve their goals through clandestine intervention, they will have a powerful incentive to launch a conventional invasion."

George Friedman provides his assessment of Iran's concern if Iraq is able to stabilize its government and the country in general. He also indicates what the Iranians are doing to counter the U.S. efforts to accomplish stabilizing Iraq.

"A stable Iraq under U.S. influence represents a direct threat to Iran, while a fragmented or pro-Iranian Iraq does not. Therefore, the Iranians will do whatever they can to undermine U.S. attempts to create a government in Baghdad. Tehran can use its influence to block a government, but it cannot—on its own—create a pro-Iranian one. Therefore, Iran's strategy is to play spoiler and wait for the United States to tire of the unending conflict. Once the Americans leave, the Iranians can pick up the chips on the table. Whether it takes 10 years or 30, the Iranians assume that, in the end, they will win. None of the Arab countries in the region has the power to withstand Iran, and the Turks are unlikely to get into the game."

The National Intelligence Estimate on Iraq, released 2 February 2007, warns that pulling U.S. troops out of the country too soon would lead to a collapse of the Iraqi military, outside intervention and the creation of safe havens for al Qaeda terrorists. It also states that if coalition forces were withdrawn rapidly . . . we judge that this almost certainly would lead to a significant increase in the scale and scope of sectarian conflict in Iraq, intensify Sunni resistance to the Iraqi government and have adverse consequences for national reconciliation. Additionally, if such a rapid withdrawal were to take place, we judge that the [Iraqi Security Force] would be unlikely to survive as a non-sectarian national institution; neighboring countries . . . might intervene openly in the conflict; massive civilian casualties and forced population displacement would be probable. The report also says that the al Qaeda terrorist group in Iraq would try to "use parts of the country"—particularly al-Anbar province—to plan increased attacks in and outside of Iraq. Additionally, Turkey could launch a military incursion if there were no U.S. or allied troops to block Kurdish attempts to control northern Iraq.

ALTERNATIVE COURSES OF ACTION (C/A) AND SUPPORTING BASE

Many alternatives and options have surfaced over the past several weeks and months. The repercussion of exercising certain alternatives have been looked at in considerable depth with some alarming results that not only impact what goes on in Iraq, but the impact they could have on the entire Middle East.

In my opinion, there are at least four alternatives that have been put on the table in respect to the way ahead in Iraq. These are not new but have been identified by different sources.

Cut and Run—The first C/A being considered was initiated by Congressman Murtha in what has been termed as the "cut and run" scenario. There are other variations of this C/A but, essentially, they all boil down to get the troops out of Iraq as quick as you can—some say immediately others say six months others say by the end of the year (2007). This is easy to say but carries with it tremendous implications and ramifications.

In my opinion, this C/A would simply embolden the terrorists to include Iran, Syria and other countries that are supportive of terrorism. At the same time it would demoralize our friends in the region. Once again it would place America in everyone's minds as a feckless country that does not have the will to see actions through to completion. How many times do we have to learn that lesson? This would be a strategic defeat for American interests with potentially catastrophic consequences both in the Middle East region and elsewhere. Thus, this C/A could lead to Iran expanding their influence throughout the region and utilizing Hamas and Hezbollah in Syria, Lebanon, Palestinian territories and Jordan. What Arab friends the U.S. may have would feel abandoned and it would place their governments in jeopardy. No longer could they look to the U.S. as a reliable ally or guarantor of peace and stability in this critical region. The implications are that the effects of pulling out of Iraq would spread over into the energy resources and transit choke points vital to the global economy. How this would all play out is unknown but these are potential outcomes of pursuing this C/A.

Annexation of Iraq—The second C/A would be the annexation of Iraq by American forces, which means the U.S. would govern with a military governor-general and local commanders, and a long-term commitment made that no matter the cost in resources (people and dollars) the U.S. would defend, assist, and help develop those who put their trust in us, in every hamlet, village, and neighborhood until they are able to defend themselves. This would entail sealing the borders and providing local security, local civic actions and local government and public services. The oil industry, agriculture and other agencies would be franchised to U.S. companies to redevelop with royalties going to the governor-general to defray the costs of the occupation and security campaign. This C/A could take decades before they are ready to become an independent nation of Iraqis—no longer Kurds, Arabs and other minorities but Iraqis. Complicating this C/A is Islam and the differences that exist within the various interpretations of Islam. In my opinion, this C/A would never be supported by either Americans or Arabs/Iraqis and, therefore, is discarded for further discussion.

Stay the Course—The third is to "stay the course," which falls in the unacceptable category, based on the failure to date, plus the votes from the recent elections and the sentiments of Congress. This C/A is not supported by the Administration, Congress or the Defense Department. Therefore, it is not considered viable and will be discarded for further discussion.

Presidential Proposal—The fourth C/A follows what the President is proposing. That is to provide support to the Iraqi government in order for it to, as quickly as possible, establish a unified democratic federal Iraq that can govern and defend itself and serve as an ally in the War on Terror. As I understand it, these have been the U.S. strategic goals and objectives from the outset.

Stephen Hadley, Presidential security advisor, described the President's proposal as follows:

"The Baker-Hamilton report explained that failure in Iraq could have severe consequences for our national interests in a critical region and for our national security here at home. In my many conversations with members of Congress and foreign policy experts, few have disagreed.

"Most people agree that we must focus on fighting al-Qaeda. The president's strategy steps up this fight—particularly in Anbar province, where al-Qaeda seeks a sanctuary. The administration also agrees that we must accelerate the training of Iraqi security forces. The president's strategy does this—with benchmarks to track progress and bolster the size and effectiveness of those forces. Training and supporting Iraqi troops will remain our military's essential and primary mission.

"But the president's review also concluded that the strategy with the best chance of success must have a plan for securing Baghdad. Without such a plan, the Iraqi government and its security institutions could fracture under the pressure of widespread sectarian violence, ethnic cleansing and mass killings. Chaos would then spread throughout the country—and throughout the region. The al-Qaeda movement would be strengthened by the flight of Sunnis from Baghdad and an accelerated cycle of sectarian bloodletting. Iran would be emboldened and could be expected to provide more lethal aid for extremist groups. The Kurdish north would be isolated, inviting separation and regional interference. Terrorists could gain pockets of sanctuary throughout Iraq from which to threaten our allies in the region and our security here at home.

"The new plan for Baghdad specifically corrects the problems that plagued previous efforts. First, it is an Iraqi-initiated plan for taking control of their capital. Second, there will be adequate forces (Iraqi and American) to hold neighborhoods cleared of terrorists and extremists. Third, there is a new operational concept—one devised not just to pursue terrorists and extremists but to secure the population. Fourth, new rules of engagement will ensure that Iraqi and U.S. forces can pursue lawbreakers regardless of their community or sect. Fifth, security operations will be followed by economic assistance and reconstruction aid—including billions of dollars in Iraqi funds—offering jobs and the prospect of better lives."

Stephen Hadley continues his explanation of the totality of the President's plan by explaining the key strategic shifts that are major changes from previous approach:

"Reinforcing our military presence is not the strategy—it is a means to an end and part of a package of key strategic shifts that will fundamentally restructure our approach to achieving our objectives in Iraq.

"Building on experience elsewhere in the country, the new strategy doubles the number of provincial reconstruction teams (PRTs) in Iraq. These civilian-led units will target development aid where it is needed and help the Iraqi government extend its reach to all corners of the country.

"Because close civilian-military cooperation is key to success, 10 new civilian PRTs will be embedded with U.S. combat brigades.

The new strategy incorporates other essential elements of the Baker-Hamilton report, such as doubling the number of troops embedded with Iraqi forces, using benchmarks to help us and the Iraqis chart progress, and launching a renewed diplomatic effort to increase support for the Iraqi government and advance political reconciliation."

DISCUSSION

Earlier in this paper the Byman-Pollack report identified consequences of an all-out civil war in Iraq. In their "what to do about it" part of their report they had the following to say:

"Much as Americans may want to believe that the United States can just walk away from Iraq should it slide into all-out civil war, the threat of spillover from such a conflict throughout the Middle East means it can't. Instead, Washington will have to devise strategies to deal with refugees, minimize terrorist attacks emanating from Iraq, dampen the anger in neighboring populations caused by the conflict, prevent secession fever and keep Iraq's neighbors from intervening. The odds of success are poor, but, nonetheless, we have to try.

"The United States, along with its Asian and European allies, will have to make a major effort to persuade Iraq's neighbors not to intervene in its civil war. Economic aid should be part of such an effort, but will not suffice. For Jordan and Saudi Arabia, it may require an effort to reinvigorate Israeli-Palestinian peace negotiations, thereby addressing one of their major concerns—an effort made all the more important and complex in light of the recent conflict between Hezbollah and Israel. For Iran and Syria, it may be a clear (but not cost-free) path toward acceptance back into the international community.

"When it comes to foreign intervention, Iran is the biggest headache of all. Given its immense interests in Iraq, some involvement is inevitable. For Tehran, and probably for Damascus, the United States and its allies probably will have to put down red lines regarding what is absolutely impermissible—such as sending uniformed Iranian military units into Iraq or claiming Iraqi territory. Washington and its allies will also have to lay out what they will do if Iran crosses any of those red lines. Economic sanctions would be one possibility, but they could be effective only if the European Union, China, India and Russia all cooperate. On its own, the United States could employ punitive military operations, either to make Iran pay an unacceptable price for one-time infractions or to persuade it to halt ongoing violations of one or more red lines.

"A full-scale war in Iraq could result in hundreds of thousands of deaths and millions of refugees streaming across the nation's borders. The level of killings and displacement from other major civil conflicts—such as those in Bosnia, Congo, Lebanon and Rwanda—suggests the toll in Iraq could surge even higher if conditions there deteriorate further."

David Dolan, a reputable journalist and author, who has spent the last 27 years living and working in Israel, provides his assessment of what is viewed from the lens of the Israeli military analysts concerning the turmoil that exists today in the Middle East and the prognosis for the coming year.

"Israeli military analysts said the main reason for growing regional instability is stepped up Iranian meddling throughout the Middle East. They noted that the oil-flushed theocratic Muslim regime in Tehran is pumping copious amounts of financial aid and weapons to its Syrian, Lebanese Hizbullah and Palestinian Hamas and Islamic Jihad allies, along with material aid going to Iranian-backed Shiite militias operating next door in violence-torn Iraq. Coming against the ominous backdrop of Iran's escalating nuclear uranium enrichment program, the mullah's meddling is succeeding in destabilizing the entire region, adding to growing prospects that major portions of the tense Middle East will erupt into full-scale warfare during 2007."

The Brookings Institution Saban Center Analysis Number 11, released 29 January 2007, examines the history of some dozen recent civil wars to reveal the general patterns by which such conflicts can "spill over" into neighboring states, causing further civil wars or regional conflicts. Historically, six patterns of spillover have been the most harmful in other cases of all-out civil war: refugees; terrorism; radicalization of neighboring populations; secession that breeds secessionism; economic losses; and neighborly interventions. The purpose of this review was to determine what policy options the United States could employ to try to contain the spillover effects of a full-scale Iraqi civil war. It is recognized that with each passing day, Iraq sinks deeper into the abyss of civil war. President Bush has proposed one last-chance effort to quell the fighting and jumpstart a process of political reconciliation and economic reconstruction. Comments coming from this review state:

"Should this last effort fail, the United States is likely to very quickly have to determine how best to handle an Iraq that will be erupting into Bosnia- or Lebanon-style all-out civil war. The history of such wars is that they are disastrous for all parties, but the United States will have little choice but to try to stave off disaster as best it can."

These tasks will be difficult and will require the deployment of large ground forces to accomplish them. Ending an all-out civil war requires overwhelming military power to nail down a political settlement. The Byman-Pollack report of 2006 states:

"It took 30,000 British troops to bring the Irish civil war to an end, 45,000 Syrian troops to conclude the Lebanese civil war, 50,000 NATO troops to stop the Bosnian civil war, and 60,000 to do the job in Kosovo. Considering Iraq's much larger population, it probably would require 450,000 troops to quash an all-out civil war there. Such an effort would require a commitment of enormous military and economic resources, far in excess of what the United States has already put forth [and planned future increases]."

MEANWHILE, BACK IN THE USA

This discussion would be incomplete if we did not discuss the home front and what is going on here in the United States relative to the Iraq War. The November 2006 elections started a fire storm of various anti-war factions rising to the surface and demanding we pull out of the war immediately or within a short period of time. With the Democrats taking over both sides of the Congress we now have a political confrontation as to who can get his or her resolution to pass both sides of the Congress. Lately, the Congress is awash with resolutions. Senator Obama submitted legislation 30 January, which would remove all combat brigades from Iraq by March 31, 2008. This timetable for completing a withdrawal puts him at odds with other leading rivals for the Democratic nomination. Senator Hillary Clinton supports capping the number of troops at their levels of Jan. 1, 2007. Sen. Christopher J. Dodd (Conn.) has proposed a similar troop cap. But neither has embraced a timetable for a troop removal. Former Senator and Vice Presidential candidate in 2004 and now a Presidential candidate for 2008, John Edwards (D–NC), has been outspoken in his opposition to Bush's new plan and has called for the immediate withdrawal of 40,000 to 50,000 troops. But he, too, has stopped short of setting a firm date by which all would be removed. New Mexico Gov. Bill Richardson is the only other prominent Democrat in the field to set a withdrawal timetable, declaring that troops "can and should" be brought home by the end of 2007. The Obama plan, called the Iraq War De-escalation Act of 2007, would begin a troop withdrawal no later than May 1, 2007, but it includes several caveats that could forestall a clean break: It would leave a limited number of troops in place to conduct counterterrorism activities and train Iraqi forces. (The question one must ask in respect to this proposal is how could you leave a small contingent of U.S. forces in a country rife with civil war?) And the withdrawal could be temporarily suspended if the Iraqi government meets a series of benchmarks laid out by the Bush administration. That list includes a reduction in sectarian violence; the equitable distribution of oil revenue; government reforms; and democratic, Iraqi-driven reconstruction and economic development efforts. Senator Obama's proposal also would reverse Bush's troop-increase plan.

On the other side of the aisle the Republicans have their own versions of resolutions. A resolution by Sen. John McCain (R–AZ) and Sen. Lindsey O. Graham (R–S.C.) demanding tough benchmarks for progress in Iraq was supposed to garner overwhelming Republican support, being a more palatable alternative to language by Sen. John W. Warner (R–Va.) that would state opposition to the troop buildup. Instead, rival measures continue to proliferate. Sen. Judd Gregg (R–N.H.) said he is circulating language that would forbid a cutoff of funding for troops in the field under any circumstance, similar to another proposal by Sen. Johnny Isakson (R–Ga.). Sen. John Cornyn (R–Tex.) is shopping around a measure that would demand that the president's policies be given a chance to work while calling for the reversal of perceived war-related mistakes, such as the wholesale purging of Baath Party members from the Iraqi government and the failure to ensure equitable oil-revenue sharing among Iraqi groups. "Resolutions are flying like snowflakes around here," Sen. Specter said. There may be more in the wings of Congress that have yet to surface but, at this writing, these appear to be the ones being discussed.

Meanwhile, the two camps promoting competing resolutions of opposition—one headed by Senators Joseph R. Biden Jr. (D–Del.) and Chuck Hagel (R–Neb.) and the other by Senator Warner (R–Va.) and Senator Levin (D–Mich.)—initially appeared to be closing in on common language that could win a clear majority within the Senate, but, at this writing it appears that may not happen.

These non-binding resolutions, regardless of which side of the aisle they come from, are not constructive—they change nothing, take responsibility for nothing, and hurt both morale and whatever semblance of national unity the USA might project. They aid and abet the enemy just like the discussions that occurred during the Vietnam War. If we set deadlines or propose certain number of troops be withdrawn by a certain date then this gives the enemy a timetable to work to in respect to holding off until the Americans leave. It certainly doesn't take a rocket scientist to figure that one out. Rhetoric influences perceptions, and perceptions can drive responses.

Unless Congress can find the intestinal fortitude to assert its true Constitutional authority and actually freeze or even mandate a drawdown in spending on operations in Iraq and use of funds to move troops individually or as units to Iraq, this is just a lot of hypocritical political theater—attempting to look assertive while in fact denying responsibility and showing the lack of commitment and fecklessness of America—once again. J. D. Pendry said, "Our enemies, just as enemies past, know that winning a war with the United States is not about combat assaults, but about wearing down the will of the American people to continue to support the fight. Because they're winning the war of wills, they wouldn't dare attack inside the country. Our enemies know that our weak link in fighting a war is our politics, media, and the socialist elites who ally with them in waging war against the American will to sustain a fight."

General David Petraeus, the new U.S. commander of the forces in Iraq, explained in hearings before Congress, that reinforcing U.S. troops is necessary for this new plan to succeed. Any plan that limits our ability to reinforce our troops in the field is a plan for failure—and could hand Baghdad to terrorists and extremists before legitimate Iraqi forces are ready to take over the fight. General Petraeus made clear his disdain for ideas that are very much in vogue in Washington these days: getting out of Iraq altogether, or the current favorite of the Democratic leadership: passing resolutions critical of the war.

In the Congressional confirmation hearing Sen. John McCain asked what would happen if we were to leave Iraq. Gen. Petraeus pointed to "the very real possibility of involvement of countries from elsewhere in the region, around Iraq, entering Iraq to take sides with one or the other groups." He added that there "is the possibility, certainly, of an international terrorist organization truly getting a grip on some substantial piece of Iraq." In response to questions from Sen. McCain and Sen. Joe Lieberman, Gen. Petraeus added that resolutions of disapproval for the war would be unhelpful to American troop morale and would encourage our enemies in Iraq.

During the recent confirmation hearing of Admiral Fallon to be the Central Command Commander Sen. Carl M. Levin (D–Mich.), the committee chairman, proposed to hold the Iraqi leaders accountable to meeting benchmarks, Admiral Fallon said he believed that imposing "edicts" or "deadlines" would be unconstructive. He also suggested a need to lower American expectations for Iraq, indicating that U.S. goals for Iraq following the 2003 invasion were unrealistically ambitious.

Sen. John Cornyn, Texas Republican said, "Congress is sending mixed messages to the troops, to voters and to the world with a "no confidence" vote that carries no force . . . We can't claim to support the troops and not support their mission," he said in a floor speech 31 January. "If we don't support the mission, we shouldn't be passing nonbinding resolutions. We should be doing everything in our power to stop it . . . we should send them the message that, yes, we believe you can succeed and it's important to our national security that you do."

We also hear from Congress and others about how "we support the troops" but also we hear anti-Iraq war and anti-surge overtones. If Congress and the American public truly support the troops then they must provide the full support. It is incoherent and irresponsible to say one supports the troops but not the war. How can Congress on one hand unanimously approve the appointment of General Petraeus to command the troops in Iraq and execute the war plan and, at the same time, refuse to support the war effort and provide resolutions restricting the necessary troops and wherewithal to accomplish the task they have assigned to him? This simply does not pass the common sense test. It is simply a cop out!

Summarization—America cannot win a counter-insurgency campaign in a Muslim territory as long as it is ruled by Muslims. That is why the effort must be led by the Muslims (Iraq) in order to win their own counter-insurgency campaign. Absolutely, we must assist them and apply more forces but the Iraqi leaders are the ones who have to gain the confidence of the populace as well as subdue and disassemble the militias, particularly that of Al Sadr. If Maliki and his government do not take the lead and insist on the breakup of the militias then we are wasting our time, soldier's lives and billions of dollars to help reconstruct that country. The world is watching to see what course of action Maliki takes and whether we will continue to provide support. If this fails we will have least tried to make it work. I don't know how long we continue this support—probably a year to eighteen months to see if it is going to work and then decide if it is being successful or not. If not, then we execute a strategic withdrawal removing our troops, equipment, and supplies. Concurrently we must have made plans for dealing with the aftermath of our withdrawal—a point which no politicians are talking about right now. This action will embolden Iran and Syria plus others and then the "global" terrorist and economic problems will start to build. The predictions of all-out civil war will prevail and the spillover to adjacent countries will most likely occur. How will the United States address this situation Madam Speaker of the House/Mr. President of the Senate?

PROBABLE SCENARIO FOLLOWING A COLLAPSE OF IRAQI GOVERNMENT AND US WITHDRAWAL

"Responsible" Middle East experts say that if we withdraw it will be a blood bath to start with and then the "Middle East region" will turn into a haven for terrorists that will be controlled by Iran and Syria—primarily Iran—all under the guise of Islam and in preparation for the return of the 12th Imam. This in turn will cause our quasi Arab friends, Egypt, Saudi Arabia, Kuwait (and perhaps a few others) to begin making alliances with Iran in fear for their own country and lives therein.

Then, guess what? Terrorism will spread like wild fire and Iran et al will now control the majority of the world oil reserves (which can be used for terrorist activities) and the rest of the world will start experiencing an economic disaster just over the price of oil. One may rest assured that President Chavez in Venezuela will chime right in there with them and raise the price of his oil as well.

The OPEC will be overtaken by Iran et al and the free world will have no choice but to, most likely, use military force to sort this out—assuming the free world has the will and determination to do so. The free world would have no leverage via the UN to do anything in respect to sanctions against Iran et al as they would just thumb their nose at them. It is a "pay me now or pay me later" situation and it appears at present that Congress and much of the American public are just sticking their heads in the sand and hoping it will all go away. We continue to debate the overwhelming importance of oil. Unfortunately, our efforts to find substitutes will not pay off in a big way for most likely another 15–20 years.

A stronger and more pointed discussion needs to occur in this country relative to the radical/militant Islamists. Our enemy is not only terrorists. Terrorism is a symptom, not the basic cause. Our true enemy is radical or militant Islam and their goals and objectives are to take over the world by jihad and impose on EVERYONE their beliefs, which include living by the law of Shari'a under their interpretation of the Koran. Daniel Pipes said, "The problem at hand is not the religion of Islam but the totalitarian ideology of militant Islam. Islam is one of the world's major religions in terms of duration, extent, and numbers of adherents; as a faith, it has meant very different things over fourteen centuries and several continents. Two common points one can note are that: Islam is, more than any other major religion, deeply political in the sense that it pushes its adherents to hold power; and once Muslims gain power, there is a strong impetus to apply the law of Islam, the Shari'a." There is no separation of Church and State. Under their belief they are one in the same.

Anyone who has any knowledge about the Islamic goals and objectives knows full well that they are not going away and will continue their pursuit to control the entire world and have it under the Islamic law/religion and, in the meantime, kill us infidels along the way. We have been told that Islam is the religion of peace, and that the vast majority of Muslims just want to live in peace. Although this unqualified assertion may be true, it is entirely irrelevant. It is meaningless fluff, meant to make us feel better, and meant to somehow diminish the specter of fanatics rampaging across the globe in the name of Islam. The fact is, in the Middle East, the fanatics rule Islam at this moment in history. The "peaceful majority" is the "silent majority" and it is cowed and extraneous. Peace-loving Muslims have been made irrelevant by their silence. Not a pretty picture at all!!

CONSEQUENCES OF CURRENTLY PROPOSED ACTIONS NEED TO BE REVISITED

The proposed Congressional alternatives of capping the number of troops, cutting off funds for the war, withdrawal within six months or a year or sending our troops to "control the borders and search out terrorists but don't get involved in Baghdad" is irrational thinking. If that is what they think we should be doing then we should withdraw completely now and turn the country over to these radical Islamists, terrorists, thugs and criminals and let them kill each other off and watch Iran come in behind us and take control. Then, watch Congress and the American public howl and complain about how "we lost the war." Sometime later this would come back to haunt us here in the US when we start having our fair share of terrorists attacks and encroachment of radical Islamists on our soil.

SO, NOW WHAT?

I submit that in lieu of the defeatist attitude shown by so many in the Congress and the media, that this is no time to feel desperate. What we need is a sense of mission, a purposeful dynamism. General Petraeus will be issuing a progress report on Iraq every two weeks. He'll report on what progress we are having on de-Baathification, disarming the Shia militias, on taking the fight to the bad guys in a very methodical way.

To lose this war is to lose our soul, the soul of our country, the soul of America. If we lose in Iraq, it is inevitable that the terrorists and radical Islamists will be here. The war will come to our shores and threaten the freedoms we so dearly cherish. It is not too late to resolve to win instead. We still have an enormously strong hand to play and we must play it.

The alternative of pursuing the President's proposal is the only viable alternative we have at present time. The Brookings Institute recent report states: "If there is anything that should make us recognize the need to stay engaged in Iraq, it is the likely impact that such a war could have on the Persian Gulf region (if not the entire Middle East) and the enormous difficulties we will face in trying to contain that impact. If we cannot prevent such a full-scale civil war, then containment, as awful as it threatens to be, might still prove to be our least bad options."

Mr. AKAKA. Madam President, earlier this week the Senate had an opportunity to begin debate on Iraq and the current plan proposed by President Bush. While I and 48 of my colleagues supported moving forward with this important debate, others in this Chamber elected to prevent discussion on an issue of national importance.

I understand that there are doubts as to what is the proper course of action to pursue in Iraq. We all wish for victory. We all wish for an end to the death and destruction. None of us want to waste additional lives in futile missions, or futile gestures. We all wish for a stable, democratic Iraq—and I would add to that Afghanistan, as this conflict is being waged on more than one front. We all share those common desires and none of us, none of us can predict the future. But what we can do is to apply our wisdom and judgement as to what is the best course of action for the United States to take. That task is our solemn duty.

We cannot perform that duty with all the honesty and clarity that this great body—the United States Senate—is known for if we cannot begin debate. Denying an open discussion of the issues of grave importance to our national security does not serve our Nation well.

We are at a great turning point and the consequences of this policy must be debated. Future generations will be affected by the course of action our Nation takes in the Middle East. No one can say with certainty which path will lead us toward light and which could lead us toward a darker future. But these courses of action demand debate.

Right now our Nation's wealth is being poured into a growing maelstrom in the Middle East—a storm that is engulfing the lives of our most talented soldiers, a storm that is exhausting our national treasure and sinking us deeper into a debt that our grandchildren and great-grandchildren will be paying off. It means our Nation's education, environment, health, and transportation systems are eroding for a lack of basic resources.

Again, the consequences of this policy must be debated. In Iraq, there is a clear choice: support the President's policy of full steam ahead and continue the current policy of putting American soldiers in harm's way or shift strategy and make it clear that it is time for the Iraqi government to govern and Iraqi troops to protect the Iraqi people.

In any case, whatever policy advocated—whether one supports staying in, getting out now, or getting out later—those choices deserve to be fully and completely debated and voted on in the United States Senate.

I urge my colleagues on the other side to support a full and open debate on the President's Iraq policy.

Madam President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Madam President, it is my understanding we are now in executive session; is that right?

The PRESIDING OFFICER. The majority leader is correct.

EXECUTIVE CALENDAR

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to the consideration of Executive Calendar Nos. 16 through 22, and all nominations on the Secretary's desk; that the nominations be confirmed; the motions to reconsider be laid upon the table; that any statements be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed are as follows:

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be admiral

Adm. William J. Fallon, 0304

THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be major general

Brig. Gen. Thomas W. Travis, 2543

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general

Col. David H. Cyr, 6543

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general

Col. Douglas J. Robb, 4098

The following named officers for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203:

To be major general

Brigadier General Frank J. Casserino, 3455
Brigadier General Stephen P. Gross, 9611
Brigadier General Clay T. McCutchan, 9267
Brigadier General Frank J. Padilla, 8474
Brigadier General Loren S. Perlstein, 3269
Brigadier General Jack W. Ramsaur, II, 8374
Brigadier General Bradley C. Young, 0584

To be brigadier general

Colonel Frank E. Anderson, 5346
Colonel Patrick A. Cord, 2364
Colonel Craig N. Gourley, 9245
Colonel Donald C. Ralph, 5242
Colonel William F. Schauffert, 3083
Colonel Jack K. Sewell, Jr., 7236
Colonel Richard A. Shook, Jr., 1131
Colonel Lance D. Dndhjem, 4026
Colonel John T. Winters, Jr., 5825

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. James M. Dubik, 1344

EXECUTIVE OFFICE OF THE PRESIDENT

J. Michael McConnell, of Virginia, to be Director of National Intelligence.

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE

PN200 AIR FORCE nominations (6) beginning MICHAEL D. JACOBSON, and ending TERRILL L. TOPS, which nominations were received by the Senate and appeared in the Congressional Record of January 18, 2007.

PN201 AIR FORCE nominations (11) beginning STUART C. CALLE, and ending EDWIN O. RODRIGUEZPAGAN, which nominations were received by the Senate and appeared in the Congressional Record of January 18, 2007.

NOMINATION OF JOHN M. McCONNELL TO BE DNI

Mr. ROCKEFELLER. Madam President, today the Senate has confirmed the nomination of VADM Mike McConnell to be the next Director of National Intelligence. It is hard for me to imagine a better choice than Admiral McConnell.

The Senate Select Committee on Intelligence received Admiral McConnell's nomination to replace John Negroponte on January 22, 2007. He completed all the requisite paperwork and the committee held a hearing with Admiral McConnell on February 1. The committee met on February 6, and voted unanimously to report the nomination to the Senate with a favorable recommendation.

I am pleased that the Senate has moved quickly to act on this recommendation. I think this swift consideration of the nomination is recognition of both the importance of this position and of the qualifications of Admiral McConnell.

As my colleagues know, the position of Director of National Intelligence was created by the Intelligence Reform and Terrorism Prevention Act 2004. That legislation drew on recommendations from the congressional and commission reports on the 9/11 terrorist attacks, the Senate Intelligence Committee report on Iraq prewar intelligence, the Report of the Joint Inquiry by the House and Senate Intelligence Committees into the events of 9/11, and the recommendations of numerous other commissions and reviews going back 50 years.

The creation of the DNI was an important step. We now have, for the first time, an individual whose primary job is to run the intelligence community as a whole. Until the creation of the DNI, the old Director of Central Intelligence wore two hats—as the head of the Intelligence Community and as the Director of the Central Intelligence Agency. But this structural change, while important, was only the first step to reforming intelligence. The DNI must make the 16 agencies of the intelligence community work as one toward a common goal. Director Negroponte has started the community down that path. It is going to be up to Admiral McConnell to move us further along.

A quick review of his resume will show even the casual observer that Admiral McConnell is incredibly well qualified for this critical position. He retired from the Navy as Vice Admiral after 29 years of service. Most of his service during this distinguished career was as an intelligence officer.

While on active duty he served as Director of Intelligence on the Joint Staff during the Persian Gulf War. This made him the principal intelligence advisor to the chairman of the Joint Chiefs, GEN Colin Powell. He went on to become the Director of the National Security Agency, our Nation's largest intelligence agency.

Upon retiring from the Navy, Admiral McConnell went to work for Booz Allen Hamilton where he has been a senior vice president for intelligence and national security. He also is currently chairman and chief executive officer of the Intelligence and National Security Alliance, an industry group that works with the Government looking for ways to solve some of our complex intelligence problems. He has the requisite Government experience supplemented by a decade in the private sector.

In his appearance before the Intelligence Committee last week I think it is fair to say that he impressed all members of the committee with his knowledge of the issues and the difficulty of the task ahead. But I was particularly encouraged by his answers to questions about the relationship with Congress.

It is no secret that I have not always been happy with the level of access the intelligence committee has had to materials it needs to do its job. On some of the most important and sensitive programs in the Intelligence Community, we have been frustrated in our attempts to do oversight because we have not been able to get documents and other information critical to understanding and therefore evaluating these programs. In other cases the administration has placed burdensome and unwarranted limits on access by Senators and staff.

Vice Chairman Bond and I are making a concerted bipartisan effort to deal with these questions. And we are making headway. One issue that we both raised with Admiral McConnell at his hearing has now been resolved. We also have seen movement, if not complete satisfaction, in other areas. Admiral McConnell's answers convinced me that he will be an ally in this area. It is my view that the intelligence community needs to view Congress as a partner in supporting intelligence activities that protect America and I think he will do that.

I thank all of my colleagues for supporting support the confirmation of Admiral McConnell and I look forward to working with him in his new role as Director of National Intelligence.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now return to legislative session.

MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent that there now be a period of morning business, with Senators allowed to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNIZING REAR ADMIRAL CHARLES HAMILTON

Mr. LOTT. Madam President, I rise today to recognize Rear Admiral Charles "Charlie" S. Hamilton, upon the completion of his current tour of duty as the Program Executive Officer, Ships, PEO Ships. Since assuming the position nearly 4 years ago, Rear Admiral Hamilton has worked with Congress on numerous issues of vital importance to our Navy and our Nation. His successes and accomplishments have been significant and many. Rear Admiral Hamilton has earned my deep respect and that of my colleagues through his exceptional competence, integrity, and innate ability to cut through bureaucracy in order to get the job done. Today, it is my pleasure to recognize some of Rear Admiral Hamilton's many accomplishments, and commend his service to the Navy, the Congress, and our grateful Nation.

Rear Admiral Hamilton was born in Amityville, NY. He entered military service in 1974 as an ensign after receiving a bachelor of science degree in Zoology from Duke University where he was a member of the Navy ROTC program. He continued his education at the Naval Post Graduate School, where he earned a master of arts degree in national security affairs, and at the National War College, where he earned a master of science degree in national security strategy. He is also a graduate of the Defense Systems Management College, and a designated surface warfare officer and joint specialty officer.

Rear Admiral Hamilton served in a variety of assignments at sea, where he consistently excelled as a leader of the highest caliber. His positions included combat information center officer aboard USS *Hawkins*, DD 873, mission fire control officer aboard USS *Coontz*, DDG 40, and operations officer aboard USS *Callaghan*, DDG 994. In September 1986, he became the executive officer aboard USS *Fox*, CG 33, where his leadership played a key role in the success of Operation Earnest Will, ensuring the safe passage of tankers and merchant vessels during the fiercest days of the Iran-Iraq conflict. In February 1991, he assumed command of USS *O'Brien*, DD 975, where he was hailed by his subordinates and superiors for his extraordinary leadership.

Rear Admiral Hamilton has also excelled in a variety of key staff positions, where he helped define and execute key elements of our national security strategy. These assignments included serving as the arsenal ship program manager; head of the Fleet Introduction and Lifetime Support Directorate, program executive officer for Theater Surface Combatants; two tours with the Office of the Chief of Naval Operations as Anti-Submarine Warfare Program analyst, OP–91, and Head of the AEGIS Destroyer Section, OP–355. He also served in the Office of the Under Secretary of Defense for Acquisition and Technology as military staff specialist for naval warfare.

On May 15, 2003, Rear Admiral Hamilton assumed command of PEO Ships, then a newly established organization responsible for acquisition and support of the Navy's entire nonnuclear surface fleet, including boats and craft, special mission ships, and foreign military sales. In this capacity, he skillfully planned and executed current and future shipbuilding programs that will carry our surface Navy well into the 21st century.

During his tenure, 16 major surface ships were delivered to the U.S. Navy and 300 boats and craft were delivered to U.S. and foreign navies. To place that in perspective, it is my understanding that Rear Admiral Hamilton successfully shepherded the design and construction of more types of new ships than has ever been accomplished under a single flag officer since the passage of the Naval Act of 1794. These new classes of surface ships included *San Antonio*, LPD 17, *Lewis and Clark*, T-AKE 1, *Makin Island* LHD 8; *Freedom*, LCS 1, and *Zumwalt*, DDG 1000, classes of ships.

In addition, he tirelessly strove to facilitate the realistic consideration of next-generation architectures as well as ship concepts such as maritime prepositioning force future, MPFF, Mobile Landing Platform, MLP, and joint high speed vessel, JHSV. Rear Admiral Hamilton's extraordinary legacy of service will be clearly reflected not only in the improved warfighting capability of this Nation, but also in the safety, readiness, and quality of life of our sailors and marines.

On the eve of Rear Admiral Hamilton's change of command ceremony, I offer my congratulations to him, his wife Debbie and his children Chip, Mike, and Christina. Rear Admiral Hamilton will be greatly missed, and I know I speak for all my colleagues in expressing our heartfelt appreciation to him. He is a man of extraordinary honor, courage, and commitment, who always shot straight regardless of risk or possible peril. He is a credit to both the Navy and the United States of America. We wish our friend the best of luck in future endeavors, and congratulate him on the successful completion of an unprecedented tour of duty.

VOTE EXPLANATION

Mr. BROWNBACK. Madam President, I regret that on January 24, 30, and 31, I was unable to vote on certain provisions of H.R. 2, the Fair Minimum Wage Act of 2007. I wish to address these votes, so that the people of the great State of Kansas, who elected me to serve them as Senator, may know my position.

Regarding vote No. 22, the motion to invoke cloture on the Gregg amendment (No. 101), I would have supported Senator GREGG's amendment and would have voted to bring debate to a close. My vote would not have altered the result of this motion.

Regarding vote No. 23, the motion to invoke cloture on H.R. 2, I would not have voted to invoke cloture on H.R. 2. My vote would not have altered the result of this motion.

Regarding vote No. 34, the motion to invoke cloture on the Baucus substitute amendment (No. 100), I would have supported ending the debate on the Baucus substitute amendment. My vote would not have altered the result of this motion.

Regarding vote No. 37, on the motion to table the Kyl amendment (No. 209), I supported Amendment No. 209 from my colleague Senator KYL and would have voted against the tabling motion.

Regarding vote No. 38, I would have supported the motion to waive the Budget Act with respect to the Kyl Amendment (No. 115) to the Baucus substitute amendment (No. 100) to H.R. 2. My vote would not have altered the result of this motion.

Regarding vote No. 39, the motion to invoke cloture on H.R. 2, as amended, I would have supported ending the debate on H.R. 2. My vote would not have altered the result of this motion.

Madam President, I regret that I was unable to vote the afternoon of January 30 on the confirmation of the nomination of both Judge Lisa Godbey Wood and Judge Philip Gutierrez to be U.S. district judges. In neither case would my vote have altered the outcome of these confirmations; however, I wish to address these confirmations so that the people of the great State of Kansas, who elected me to serve them as U.S. Senator, may know my position.

Regarding vote No. 35, the confirmation vote on the nomination of Lisa Godbey Wood, of Georgia, to be United States District Judge for the Southern District of Georgia, Executive Calendar No. 6): I support the confirmation of Ms. Godbey Wood.

Regarding vote No. 36, the confirmation vote on the nomination of Philip S. Gutierrez, of California, to be United States District Judge for the Central District of California, Executive Calendar No. 7: I support the confirmation of Mr. Gutierrez.

ADDITIONAL STATEMENTS

TRIBUTE TO DENNIS MERRELL

• Mr. GRAHAM. Madam President, today I ask the Senate to join me in recognizing Dr. Dennis Merrell on the occasion of his retirement from York Technical College in Rock Hill, SC. Dr. Merrell officially stepped down last week as president of York Tech following over 30 years of service at the vocational college. For the last seventeen of those thirty years, Dr. Merrell led York Tech as the school's president. He leaves York Tech having transformed the college into a powerful source of economic development and manufacturing workforce creation for South Carolina and the country.

After serving 2 years in the military, Dr. Merrell earned a bachelor's degree in business and computer science from Winthrop University and a master's degree in computer science from Virginia Tech. He joined the faculty at York Tech to teach computer technology and programming in 1976 and in time became chair of the Computer Technology Division. Eventually Dr. Merrell was named the college's Vice President of Instruction. He served in that capacity until he was appointed president of the school in 1989 following the death of his predecessor, Dr. Baxter Hood.

To deliver true quality technical education, Dr. Merrell understood that York Tech would need to rely on resources outside of those provided by State and local government. To that end, Dr. Merrell developed a culture of industry partnerships from which the school has tremendously benefited during his tenure. Under Dr. Merrell's leadership, enrollment in the college's continuing education programs nearly doubled. Six buildings including a child development center, library, student services building, continuing education center, institute for manufacturing productivity, and science and technology building were all constructed on Dr. Merrell's watch. Construction on a new economic development training center is also currently underway—the product of a collaboration with 3D Systems Corporation.

Like the relationship with 3D Systems, Dr. Merrell also championed partnerships with regional construction companies and other manufacturing businesses to address practical job-training issues. In the last year, York Tech has also joined with utility companies and contractors in the Carolinas to help meet the growing need for entry-level line workers in the region. For efforts like these York Tech was recognized as a Bellweather Awards Finalist in 2006 for its unique approach to industry alliances. The United States Department of Education has even acknowledged York Tech for its innovative approach to meeting the local and national workforce needs in the area of manufacturing.

Dr. Merrell even promoted distance learning, namely online instruction, allowing countless students the opportunity to reach educational goals without giving up their jobs. As such the American Association of Community Colleges named York Tech the number one digital-savvy college among the country's largest and urban community colleges.

Dr. Merrell's community service outside of his work at York Tech includes leadership roles at the Rock Hill and York County Economic Development Boards, the Rock Hill Rotary Board, the Charlotte Area Education Consortium Board, and the York County Red Cross Board, among a host of other technical education organizations.

York Tech is sure to miss Dr. Merrell's leadership and vision, but I am confident that the school will build on his impressive legacy. In conclusion, I ask that the Senate join me in wishing Dr. Merrell a healthy and happy retirement.•

IN RECOGNITION OF FLOWERS FOODS

• Mr. ISAKSON. Madam President, today I wish to recognize Flowers Foods of Thomasville, GA, which has just been named by Forbes magazine as this year's "Best-Managed" publicly traded food company. This honor comes on top of a record fourth quarter and a record year for Flowers Foods.

Flowers Foods has clearly set a standard of excellence for which all of us should strive. Operating out of Thomasville, GA, since 1919, Flowers Foods has a proven record of success and dedication not only to its customers and employees but also to the State of Georgia. I have watched as this company has grown over the years to the point where it now serves almost 40 percent of the U.S. population. I expect its continued success to serve as a shining example to businesses across Georgia and the United States.

I want to commend chief executive officer George E. Deese and all the employees of Flowers Foods and their families on a job well done.•

TRIBUTE TO RICHARD SHAPIRO

• Ms. MIKULSKI. Madam President, I join my colleagues in saluting Richard H. Shapiro, the executive director of the Congressional Management Foundation. As Rick moves on to new challenges, I want to thank him for his remarkable service to the U.S. Senate.

Rick Shapiro is responsible for bringing 21st century management skills to an institution build on 18th century rules and practices. We still have spittoons in the Senate—yet we also have blackberries.

Rick Shapiro helped us wrestle with issues that our Founding Fathers didn't even dream about. How do you answer thousands of e-mails a week? How do you hire, train, and retain excellent staff? How do you set goals and measure progress—so that promises made can be promises kept? How do you ensure that state and Washington offices communicate, coordinate and cooperate? Whenever I had a question about managing my office, I turned to Rick Shapiro—and my staff did the same.

Under Rick Shapiro's leadership, the Congressional Management Foundation has helped Members to set up their offices, upgrade office systems, and adjust to new ways of connecting with constituents. His book "Setting Course" is a must-read for all new Members of Congress. He was the first to compile and analyze information from individual offices—to enable Senators to learn from the best practices of others.

Rick Shapiro is a part of our Senate family. In fact, he met his wife Trudy Vincent when she was my legislative director. Their daughter Abby has been spotted selling Girl Scout cookies around the Capitol.

Rick Shapiro has made a lasting impact on the U.S. Senate. I ask my colleagues to join me in thanking him for his service. While he is stepping down from the Congressional Management Foundation, I look forward to great things from Rick in the years ahead.•

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the Committee on Armed Services.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 11:11 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 161. An act to adjust the boundary of the Minidoka Internment National Monument to include the Nidoto Nai Yoni Memorial in Bainbridge Island, Washington, and for other purposes.

H.R. 235. An act to allow for the renegotiation of the payment schedule of contracts between the Secretary of the Interior and the Redwood Valley County Water District, and for other purposes.

H.R. 356. An act to remove certain restrictions on the Mammoth Community Water District's ability to use certain property acquired by that District from the United States.

H.R. 386. An act to authorize the Secretary of the Interior to convey certain buildings and lands of the Yakima Project, Washington, to the Yakima-Tieton Irrigation District.

H.R. 512. An act to establish the Commission to Study the Potential Creation of the National Museum of the American Latino to develop a plan of action for the establishment and maintenance of a National Museum of the American Latino in Washington, DC, and for other purposes.

At 4:23 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House agrees to the amendments of the Senate to the bill (H.R. 434) to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958 through December 31, 2007, and for other purposes.

At 4:48 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the pursuant to 22 U.S.C. 6913, and the order of the House of January 4, 2007, the Speaker appoints the following Member of the House of Representatives to the Congressional-Executive Commission on the People's Republic of China: Mr. LEVIN of Michigan, Chairman.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 161. An act to adjust the boundary of the Minidoka Internment National Monument to include the Nidoto Nai Yoni Memorial in Bainbridge Island, Washington, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 235. An act to allow for the renegotiation of the payment schedule of contracts between the Secretary of the Interior and the Redwood Valley County Water District, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 356. An act to remove certain restrictions on the Mammoth Community Water District's ability to use certain property acquired by that District from the United States; to the Committee on Energy and Natural Resources.

H.R. 386. An act to authorize the Secretary of the Interior to convey certain buildings and lands of the Yakima Project, Washington, to the Yakima-Tieton Irrigation District; to the Committee on Energy and Natural Resources.

H.R. 512. An act to establish the Commission to Study the Potential Creation of the National Museum of the American Latino to develop a plan of action for the establishment and maintenance of a National Museum of the American Latino in Washington, DC, and for other purposes; to the Committee on Energy and Natural Resources.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–721. A communication from the Executive Director, Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "Electronic Filing of Notices of Exemption and Exclusion Under Part 4 of the Commission's Regulations" ((RIN3038–AC33)(72 FR 1658)) received on February 6, 2007; to the Committee on Agriculture, Nutrition, and Forestry.

EC–722. A communication from the Chairman and President of the Export-Import Bank of the United States, transmitting, pursuant to law, the Bank's annual report on its operations for fiscal year 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC–723. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–674, "National Association for the Advancement of Colored People Grant Authority Temporary Act of 2007" received on February 6, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–724. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–676, "School Without Walls Development Project Temporary Amendment Act of 2007" received on February 6, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–725. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–677, "D.C. Housing Authority Rent Supplement Temporary Amendment Act of 2007" received on February 6, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–726. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–675, "Fiscal Year 2007 Operating Cash Reserve and Revised Revenue December Allocation Temporary Act of 2007" received on February 6, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–727. A communication from the Secretary of Transportation, transmitting, pursuant to law, the Inspector General's semiannual report on the Department for the period ending September 30, 2006; to the Committee on Homeland Security and Governmental Affairs.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. BOXER:

S. 510. A bill to specify that the 100 most populous urban ares of the United States, as determined by the Secretary of Homeland Security, shall be eligible for grants under the Urban Area Security Initiative of the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. CLINTON (for herself, Ms. MIKULSKI, Mr. KERRY, and Mr. LIEBERMAN):

S. 511. A bill to provide student borrowers with basic rights, including the right to timely information about their loans and the right to make fair and reasonable loan payments, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HATCH:

S. 512. A bill to authorize the Secretary of the Interior to study the feasibility of enlarging the Arthur V. Watkins Dam Weber Basin Project, Utah, to provide additional water for the Weber Basin Project to fulfill the purposes for which that project was authorized; to the Committee on Energy and Natural Resources.

By Mr. LEAHY (for himself and Mr. BOND):

S. 513. A bill to amend title 10, United States Code, to revive previous authority on the use of the Armed Forces and the militia to address interference with State or Federal law, and for other purposes; to the Committee on Armed Services.

By Mr. NELSON of Florida (for himself and Mr. MARTINEZ):

S. 514. A bill to extend Federal recognition to the Muscogee Nation of Florida; to the Committee on Indian Affairs.

By Mr. GRASSLEY (for himself, Mr. OBAMA, Mr. BIDEN, and Mr. KENNEDY):

S. 515. A bill to provide a mechanism for the determination on the merits of the claims of claimants who met the class criteria in a civil action relating to racial discrimination by the Department of Agriculture but who were denied that determination; to the Committee on the Judiciary.

By Mr. PRYOR (for himself, Mr. WARNER, and Mrs. LINCOLN):

S. 516. A bill to amend the Internal Revenue Code of 1986 to make permanent the option of including combat pay when computing earned income; to the Committee on Finance.

By Ms. LANDRIEU:

S. 517. A bill to amend the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 to authorize the Federal Emergency Management Agency to provide additional assistance to State and local governments for utility costs resulting from the provision of temporary housing units to evacuees from Hurricane Katrina and other hurricanes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. SNOWE (for herself and Mrs. MURRAY):

S. 518. A bill to amend the Education Sciences Reform Act of 2002 to require the Statistics Commissioner to collect information from coeducational secondary schools on such schools' athletic programs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MCCAIN (for himself, Mr. SCHUMER, and Mr. KYL):

S. 519. A bill to modernize and expand the reporting requirements relating to child pornography, to expand cooperation in combating child pornography, and for other purposes; to the Committee on the Judiciary.

By Mrs. MURRAY (for herself and Ms. CANTWELL):

S. 520. A bill to enhance ecosystem protection and the range of outdoor opportunities protected by statute in the Skykomish River valley of the State of Washington by designating certain lower-elevation Federal lands as wilderness, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. KLOBUCHAR:

S. 521. A bill to designate the Federal building and United States courthouse and customhouse located at 515 West First Street in Duluth, Minnesota, as the "Gerald W. Heany Federal Building and United States Courthouse and Customhouse"; to the Committee on Environment and Public Works.

By Mr. BAYH (for himself and Mr. VOINOVICH):

S. 522. A bill to safeguard the economic health of the United States and the health and safety of the United States citizens by improving the management, coordination, and effectiveness of domestic and international intellectual property rights enforcement, and for other purposes; to the Committee on the Judiciary.

By Mr. VITTER:

S. 523. A bill to amend the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 to authorize the Federal Emergency Management Agency to provide additional assistance to State and local governments for utility costs resulting from the provision of temporary housing units to evacuees from Hurricane Katrina and other hurricanes; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. BOXER:

S. 524. A bill to provide emergency agricultural disaster assistance for agricultural producers, manufacturers, and workers in the State of California; to the Committee on Agriculture, Nutrition, and Forestry.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. SNOWE (for herself and Mrs. MURRAY):

S. Res. 74. A resolution designating each of February 7, 2007, and February 6, 2008, as "National Women and Girls in Sports Day"; to the Committee on the Judiciary.

By Mr. LUGAR (for himself and Mr. BAYH):

S. Res. 75. A resolution congratulating the Indianapolis Colts on their victory in Super Bowl XLI; considered and agreed to.

ADDITIONAL COSPONSORS

S. 57

At the request of Mr. INOUYE, the names of the Senator from New York (Mrs. CLINTON) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 57, a bill to amend title 38, United States Code, to deem certain service in the organized military forces of the Government of the Commonwealth of the Philippines and the Philippine Scouts to have been active service for purposes of benefits under programs administered by the Secretary of Veterans Affairs.

S. 85

At the request of Mr. MCCAIN, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 85, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to clarify that territories and Indian tribes are eligible to receive grants for confronting the use of methamphetamine.

S. 231

At the request of Mrs. FEINSTEIN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 231, a bill to authorize the Edward Byrne Memorial Justice Assistance Grant Program at fiscal year 2006 levels through 2012.

S. 336

At the request of Mr. DURBIN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 336, a bill to require the Secretary of the Army to operate and maintain as a system the Chicago Sanitary and Ship Canal dispersal barriers, and for other purposes.

S. 355

At the request of Mr. DOMENICI, the names of the Senator from Tennessee (Mr. ALEXANDER) and the Senator from Minnesota (Mr. COLEMAN) were added as cosponsors of S. 355, a bill to establish a National Commission on Entitlement Solvency.

S. 357

At the request of Mrs. FEINSTEIN, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 357, a bill to improve passenger automobile fuel economy and safety, reduce greenhouse gas emissions, reduce dependence on foreign oil, and for other purposes.

S. 413

At the request of Mrs. CLINTON, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 413, a bill to amend the Bank Holding Company Act of 1956 and the Revised Statutes of the United States to prohibit financial holding companies and national banks from engaging, directly or indirectly, in real estate brokerage or real estate management activities, and for other purposes.

S. 439

At the request of Mr. REID, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 439, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation.

S. 442

At the request of Mr. DURBIN, the names of the Senator from Louisiana (Ms. LANDRIEU) and the Senator from Maine (Ms. SNOWE) were added as cosponsors of S. 442, a bill to provide for loan repayment for prosecutors and public defenders.

S. 446

At the request of Mr. DURBIN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 446, a bill to amend the Public Health Service Act to authorize capitation grants to increase the number of nursing faculty and students, and for other purposes.

S. 450

At the request of Mr. ENSIGN, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 450, a bill to amend title XVIII of the Social Security Act to repeal the medicare outpatient rehabilitation therapy caps.

S. 481

At the request of Mr. CONRAD, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 481, a bill to recruit and retain more qualified individuals to teach in Tribal Colleges or Universities.

S. 502

At the request of Mr. CRAPO, the names of the Senator from Florida (Mr. MARTINEZ) and the Senator from Alabama (Mr. SESSIONS) were added as cosponsors of S. 502, a bill to repeal the sunset on the reduction of capital gains rates for individuals and on the taxation of dividends of individuals at capital gains rates.

S. 504

At the request of Mr. SMITH, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 504, a bill to amend the Internal Revenue Code of 1986 to establish long-term care trust accounts and allow a refundable tax credit for contributions to such accounts, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. BOXER:

S. 510. A bill to specify that the 100 most populous urban areas of the United States, as determined by the Secretary of Homeland Security, shall be eligible for grants under the Urban Area Security Initiative of the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mrs. BOXER. Mr. President, I rise today to introduce the "Urban Area Security Initiative Improvement Act," which addresses eligibility for the Department of Homeland Security's Urban Area Security Initiative (UASI) grant program.

This bill will improve the existing grant award process by broadening the number of urban areas eligible to apply. In Fiscal Year 06, the Department of Homeland Security made arbitrary decisions about areas' need for homeland security funding, threatening the eligibility of eleven worthy areas to apply for future grants.

The eligibility of Sacramento and San Diego, in my State of California, were threatened in this way. Sacramento is the capital of the most populous State in the Nation and home to dozens of critical Federal and State government buildings. In addition, much of the State's water, electricity, and telecommunication systems are managed from Sacramento. The San Diego area contains the Nation's seventh-largest city adjacent to a heavily trafficked international border, a busy port, tourist attractions, and major military installations.

My bill would ensure that the 100 most populous urban areas of the country are eligible to apply for UASI grants each year. The Department of

Homeland Security would then have the discretion to award funds to as many applicants as it deems worthy and needy.

The bill would also require that the Department employ a "sensitivity analysis" in its grant process, to deal with uncertainty in the mathematical models that it uses to evaluate the risk of terrorism for urban areas. The Department's leadership could make better-informed policy decisions if it used a sensitivity analysis to better understand the effects of policy judgments in estimating risk each year.

I urge my colleagues to consider and pass this bill, with its important implications for making our Nation more secure against terrorism.

By Mrs. CLINTON (for herself, Ms. MIKULSKI, Mr. KERRY, and Mr. LIEBERMAN):

S. 511. A bill to provide student borrowers with basic rights, including the right to timely information about their loans and the right to make fair and reasonable loan payments, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mrs. CLINTON. Mr. President, I rise today to introduce legislation to give rights to student borrowers. The Student Borrower Bill of Rights Act will provide student borrowers with five basic rights to protect them when trying to repay their loans.

Students are borrowing now more than ever to pay for higher education. Need-based grant aid has stagnated while college costs have grown, resulting in more students borrowing and at higher levels. In 1993, less than one-half of students graduating from 4-year colleges and universities had student loans. Now two-thirds are faced with this debt.

Unlike other debt, young people take out student loans to invest in themselves. Because these loans help to pay for college, student loans can help people earn more money over the course of their lifetimes and offer students greater choices in their careers. Student borrowers must take the responsibility of repaying their debt seriously so that future generations of students can have the chance to invest in themselves.

However, too many borrowers in New York, and around the country, are overly burdened or treated unfairly as they repay their student loans. That is why I am introducing the Student Borrower's Bill of Rights Act.

This bill will make it easier for students to repay loans and give them a basic set of enforceable rights. This bill would give student borrowers the right to fair monthly payments that do not exceed a percentage of their incomes, as well as access to fair interest rates and fees. This bill would also give students the right to shop in a free marketplace for their lender and to borrow without exploitation. Finally, the bill will give students access to better information about their loans to provide students with better options during repayment.

The unfortunate truth is that student loan debt may even prevent borrowers from pursuing a higher degree. According to the Nellie Mae Corporation, 40 percent of college graduates cite alarming student loan debt as the reason for not pursuing a graduate degree. Most disturbingly, the burden of student loan debt alone can force graduates out of important, but low-paying professions, such as social workers, teachers and police officers. Our Nation cannot remain competitive in the global economy if these trends continue.

I am happy to report that two of the provisions from the Student Borrower Bill of Rights Act of the 109th Congress were enacted into law through the Emergency Supplemental Appropriations Act for Defense 2006. These provisions, a repeal of the single holder rule and consolidation between loan programs, will enable borrowers to choose lenders with acceptable income-sensitive repayment terms when consolidating student loans.

We need to make sure that student loans do not prevent students from following their dreams. It is in our Nation's economic interest to provide student borrowers with effective rights to make repayment of student loans easier.

The rights found in my bill are long overdue. I urge my colleagues to join me in supporting the Student Borrower Bill of Rights.

By Mr. HATCH:

S. 512. A bill to authorize the Secretary of the Interior to study the feasibility of enlaring the Arthur V. Watkins Dam Weber Basin Project, Utah, to provide additional water for the Weber Basin Project to fulfill the purposes for which that project was authorized; to the Committee on Energy and Natural Resources.

Mr. HATCH. Mr. President, not long ago, Utahns suffered a long and devastating drought, from which we have not fully recovered. The drought has instilled in us the need to plan for the future and ensure sound management of our water resources. For that reason, I rise to introduce an important bill that will help make better use of Utah's scarce water supply.

The Arthur V. Watkins Dam Enlargement Act of 2007 would authorize the Bureau of Reclamation to conduct a feasibility study on raising the height of the Arthur V. Watkins Dam in Weber County. The bill would give the Bureau of Reclamation access to the dam to study it and make adjustments as necessary to cater to the ever growing needs of Utah citizens. This is no ordinary dam. It is roughly 14 miles long and encloses a reservoir containing more than 200,000 acre-feet of water.

Thousands of Utahns rely on the water provided by the reservoir. And the Weber Basin is one of Utah's fastest growing areas, making the need to find additional water resources even more pressing. In my view, expanding the dam is a simple and inexpensive way to increase water storage capacity in an area that desperately needs it.

Moreover, last year, the Watkins Dam began to leak slightly. If the dam were to breach, it would flood many hundreds of acres of farm and grazing land, which would spell an agricultural disaster. This legislation would provide the resources and the opportunity to address quickly that looming problem, as well.

I urge my colleagues to support this bill.

I ask unanimous consent that the text of the bill printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 512

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Arthur V. Watkins Dam Enlargement Act of 2007".

SEC. 2. FINDINGS.

Congress finds the following:

(1) Arthur V. Watkins Dam is a feature of the Weber Basin Project, which was authorized by law on August 29, 1949.

(2) Increasing the height of Arthur V. Watkins Dam and construction of pertinent facilities may provide additional storage capacity for the development of additional water supply for the Weber Basin Project for uses of municipal and industrial water supply, flood control, fish and wildlife, and

SEC. 3. AUTHORIZATION OF FEASIBILITY STUDY.

The Secretary of the Interior, acting through the Bureau of Reclamation, is authorized to conduct a feasibility study on raising the height of Arthur V. Watkins Dam for the development of additional storage to meet water supply needs within the Weber Basin Project area and the Wasatch Front. The feasibility study shall include such environmental evaluation as required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and a cost allocation as required under the Reclamation Project Act of 1939 (43 U.S.C. 485 et seq.).

By Mr. LEAHY (for himself and Mr. BOND):

S. 513. A bill to amend title 10, United States Code, to revive previous authority on the use of the Armed Forces and the militia to address interference with State and Federal law, and for other purposes; to the Committee on Armed Services.

Mr. LEAHY. Mr. President, last year, Congress quietly made it easier for this President or any President to declare martial law. That's right: In legislation added at the Administration's request to last year's massive Defense Authorization Bill, it has now become easier to bypass longtime posse comitatus restrictions that prevent the Federal Government's use of the military, including a federalized National Guard, to perform domestic law enforcement duties. That change runs counter to our founding principles, to the optimal use of our superb National Guard here at home, and to whatever sensible reforms are needed to improve our Nation's emergency response capabilities.

Today Senator BOND and I are introducing legislation to repeal these unwarranted and perilous changes, which were made to a little-known law called the Insurrection Act. Our amendment replaces every word, comma, and period from the original act and returns it to its original form. Repealing this ill-considered change in the Insurrection Act would allow Congress to have a more orderly, thoughtful, open and consultative discussion on whether such sensitive and massive powers should be changed, if at all. It is difficult to see how any Senator could disagree with the advisability of having a more transparent and thoughtful approach to this sensitive issue.

The Insurrection Act is a Reconstruction-era law that provides the major exemption from posse comitatus—the legal doctrine that bars the use of the military for law enforcement directed at the American people here at home. The Insurrection Act is designed to ensure that Federal laws are enforced and to ensure that American citizens' basic constitutional rights are respected and protected. When the Insurrection Act is invoked, the President can—without the consent of the respective governors—federalize the National Guard and use it, along with the entire military, to carry out law enforcement duties. Treading as this does across basic constitutional issues relating to separation of power and to state and local sovereignty, this is a sweeping grant of authority to the President. Because the use of the military for domestic law enforcement is so sensitive an issue, the Act has been invoked only sparingly since it was enacted.

The primary reason that the law has been invoked so rarely is that there has been an inherent tension in the way it was crafted. Before it was changed last year, the law was purposefully ambiguous about when the President could invoke the Act in cases beyond a clear insurrection or when a state clearly violated Federal law in its actions. Because there was this useful ambiguity—a constructive friction in the law—a President until now would have to use the power with great caution, and with the impetus for appropriate consultation.

Yet by the time committee work was completed in the House and the Senate on the Fiscal Year 2006 Defense Authorization Bill, the law had been changed and that useful ambiguity had vanished. In addition to the cases of insurrection, the Act can now be invoked to restore public order after a terrorist attack, a natural disaster, a disease outbreak, or—and this is extremely broad—"other condition." Restoring public order has suddenly become an entirely new purpose for the Insurrection Act. And, as if to underscore this fundamental change, the conference committee changed the name of the Act from "Insurrection" to "Enforcement of the Laws to Restore Public Order."

This significant change was made without consulting the Nation's Governors, mayors, sheriffs, or the National Guard Adjutants General. It was made without consulting the other relevant policy committees in the Senate and the House. It was merely slipped in, at the Administration's request, as rider to a bill that was hundreds of pages long. And when the Nation's Governors learned of the change and expressed their strong opposition, they were ignored, and this facilitation of presidential ability to federalize the National Guard—even over the objections of the Nation's Governors—remained in the bill that was signed into law by President Bush.

Now this President and future Presidents can more easily take control of the National Guard and use our entire military apparatus for law enforcement at home. In a situation like another Katrina or even a more contained incident like a terrorist incident, the President will be able to bring in Federal troops and take away control from the Governors, the Emergency Managers, the Sheriffs, and the State Adjutants General who know their communities best and are responsible for responding.

What we should be doing instead is buttressing the response abilities of these local and State officials. We should ensure every State has a state-of-the-art emergency operations center, that our first responders have the best equipment and training, and that the National Guard has adequate equipment and available people at home to provide support. Any Federal assets—military or otherwise—that might come into a State should be in a supporting and not commanding role. The local officials who know their communities are in the best positions to control the situation, not the President or the military.

Some have argued that the changes made were only a clarification of existing law or that the Insurrection Act already gave the power to the President to use the military for law enforcement in an emergency. I strongly disagree with that explanation, and so do the Governors, Adjutants General, and a host of other officials. They see it, as Senator BOND and I see it, as a tangible and troubling expansion of the President's powers and a parallel reduction in State sovereignty. But if some believe the original Act already gave the President this expansive power, they should not object to bringing the law back to its original form.

Repeal of the recent changes to the Insurrection Act will help ensure that our National Guard and larger emergency response capabilities remain strong. Repeal is crucial to ensuring that our Governors and local officials remain in control and that they are consulted when anyone considers overriding their authority. Repeal is simply essential to ensuring the military is not used in a way that offends and endangers some of our more cherished values and liberties.

We enter this effort with the strong support of Governors and of the National Guard community, including the National Governors Association, the National Guard Association, the Adjutants General Association, and the Enlisted Association of the National Guard. I ask unanimous consent that support letters from the National Governors Association, the Adjutants General Association, and the Enlisted Association of the National Guard be printed at this point in the RECORD.

I ask unanimous consent that the text of the bill be printed in the RECORD.

Last year's Insurrection Act rider reflects the general lack of close oversight that has taken a toll on our system of government. I hope the days of rubberstamping are over, and I hope the Senate will quickly remedy this situation by considering and passing the bill that we introduce today.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NATIONAL GUARD ASSOCIATION OF
THE UNITED STATES, INC.,
Washington, DC, February 7, 2007.

Hon. PATRICK LEAHY,
U.S. Senate, Washington, DC.
Hon. CHRISTOPHER BOND,
U.S. Senate, Washington, DC.

DEAR SENATORS LEAHY AND BOND: The National Guard Association of the United States (NGAUS) is pleased to support your efforts to repeal those provisions of Section 1076 of the John Warner National Defense Authorization Act (Public Law 109-364) enacted in the 109th Congress.

We believe those provisions removed the governors of the several states from their constitutional role as the commanders in chief of their respective states' National Guard forces in responding to domestic emergencies, in both an unnecessary and unwarranted manner.

We further believe that the exploitation of the language of the Insurrection Act as a surreptitious method to gain special presidential authority where clearly the Congress has never intended the federal executive to hold sway is "creative" but "poor" public policy. Please spare no effort to reverse this dangerous precedent.

Thank you for your reasoned and forthright protection of the prerogatives of the governors and the National Guard.

Sincerely,

STEPHEN M. KOPER,
Brigadier General (Ret),
President.

NATIONAL GOVERNORS ASSOCIATION,
Washington, DC, February 5, 2007.

Hon.PATRICK J. LEAHY,
U.S. Senate, Washington, DC.
Hon. CHRISTOPHER "KIT" BOND,
U.S. Senate, Washington, DC.

DEAR SENATOR LEAHY AND SENATOR BOND: Section 1076 of the John Warner National Defense Authorization Act (Public Law 109–364) unnecessarily expanded the President's authority to federalize the National Guard during certain emergencies and disasters. The nation's governors opposed the inclusion of this section in the bill because responsibility for responding to disasters and other local emergencies to assure the security and wellbeing of our residents along; with managing the Guard within a state must rest with the governor. The changes made in Section 1076 of the National Defense Authorization Act undermine governors' authority over the Guard, place the safety and welfare of citizens in jeopardy and should be repealed.

Unless activated in purely federal service, the National Guard is and should remain under state control with governors as commanders-in-chief. The dual mission of the Guard, a combat ready force that can be called on by the President and a first responder in domestic emergencies or disasters under the command and control of the governor, requires that federal law clearly delineate chains of command for each mission. The changes made to the "Insurrection Act" by Section 1076 of the National Defense Authorization Act are likely to confuse the issue of who commands the Guard during a domestic emergency. By granting the President specific authority to usurp the Guard during a natural disaster or emergency without the consent of a governor, Section 1076 could result in confusion and an inability to respond to residents' needs because it calls into question whether the governor or the President has primary responsibility during a domestic emergency.

The Insurrection Act, prior to passage of the National Defense Authorization Act served the nation well as an extraordinary remedy that allowed the President to take control of the Guard in the most rare and exceptional of cases. Despite the role of governors as commander-in-chief of the Guard in their states, Section 1076 of the National Defense Authorization Act was drafted without consultation with governors and without full discussion or debate regarding the ramifications of such a change on domestic emergency response. We urge Congress to repeal the provision in Section 1076 of the Act and open a dialogue with governors regarding how to best enhance the effectiveness of the Guard in responding to domestic disasters and emergencies.

Sincerely,

GOVERNOR MICHAEL F. EASLEY,
Co-Lead on the National Guard.
GOVERNOR MARK SANFORD,
Co-Lead on the National Guard.

ADJUTANTS GENERAL ASSOCIATION OF THE UNITED STATES,
Washington, DC. 2001, February 7, 2007.

Hon. PATRICK LEAHY,
U.S. Senate, Washington, DC.
Hon. KIT BOND,
U.S. Senate, Washington, DC.

The Adjutants General Association of the United States (AGAUS) represents the 54 Adjutants General of the fifty states, three territories, and District of Columbia who are responsible for training and readiness of Army and Air National Guard units under their jurisdiction. We are united in support of your legislation that repeals all language contained in the John Warner National Defense Authorization Act for Fiscal Year 2007 that significantly altered existing law known as the Insurrection Act.

The language in the NDAA seriously upset the delicate balance between Governors and the President in determining the authority under which the National Guard will be used to respond to domestic conditions endangering citizens. The language significantly broadens the President ability to declare martial law and mobilize the National Guard under national command without consulting with the Governors. It may in fact cause factions to pressure the President into ill advised actions because the constructive ambiguity of the original language which encourages consultation with Governors no longer exists. For the National Guard this can mean being federalized prematurely thereby losing important capabilities available under State Active Duty and Title 32.

The National Guard has proven capable of operating flexibly and responsively when retained under governor control. This is well documented from the airport security mission in the aftermath of 9/11 to sending 6,000 National Guard Soldiers and Airmen to the southwest border in 2006 (with over 50,000 citizen-soldiers rapidly deployed under EMAC and Title 32 to support Hurricane Katrina recovery sandwiched in between). The language in NDAA 2207 would likely discourage using the National Guard in these innovative, responsive, and cost effective ways.

NDAA 2007 enabled something completely unnecessary without committee or floor debate in either legislative chamber and with explicit opposition from the Governors. Your bill restores the Insurrection Act to a proper balance. Expect willing and energetic support from the AGAUS.

Sincerely,

ROGER P. LEMPKE,
Major General
President.

EANGUS,
Alexandria, VA, February 6, 2007.

Hon. PATRICK LEAHY,
U.S. Senate Washington, DC.
Hon. CHRISTOPHER BOND,
U.S. Senate Washington, DC.

The Enlisted Association of the National Guard of the United States (EANGUS) is the only military service association that represents the interests of every enlisted soldier and airmen in the Army and Air National Guard. With a constituency base of over 414,000 soldiers and airmen, their families, and a large retiree membership, EANGUS engages Capitol Hill on behalf of courageous Guard persons across this nation.

On behalf of EANGUS, and the soldiers and airmen it represents, I'd like to communicate our support for legislation to repeal the changes to the Insurrection Act as passed in Public Law 109–364, Section 1076, and to restore the authority of the Governors as our founding fathers designed over 230 years ago.

Public Law 109–364 stripped the nation's Governors of their rightful authority to use the militia of the United States (to wit, the National Guard) in times of natural disasters and major public emergencies. Congress made this move without any consultation with those Governors, duly elected by the people of this great nation. It was an obvious knee-jerk reaction to the events surrounding Hurricane Katrina in 2005, yet without merit.

We applaud you for taking legislative steps to repeal this law, and to restore to the Governors their rightful authority over the militia when not in Federal service. The people of America have a unspoken need for the National Guard in times of public emergencies, and Washington is too far removed from the challenges in each state. We look forward to working with your staff as this legislation works its way into law.

Working for America's Best!

MSG MICHAEL P. CLINE, USA (Ret),
Executive Director.

S. 513

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REVIVAL OF PREVIOUS AUTHORITY ON USE OF ARMED FORCES AND MILITIA TO ADDRESS INTERFERENCE WITH STATE OR FEDERAL LAW.

(a) REPEAL OF AMENDMENTS MADE BY PUBLIC LAW 109–364.—Section 1076 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364), and the amendments made by that section, are repealed.

(b) REVIVAL OF PREVIOUS AUTHORITY.—The provisions of chapter 15 of title 10, United States Code, that were amended by section 1076 of the John Warner National Defense Authorization Act for Fiscal Year 2007, as such provisions were in effect on the day before the date of the enactment of the John Warner National Defense Authorization Act for Fiscal Year 2007, are hereby revived.

(c) CLERICAL AMENDMENTS.—

(1) HEADING AMENDMENT.—The heading of chapter of 15 of title 10, United States Code, is amended to read as follows:

"CHAPTER 15—INSURRECTION".

(2) CLERICAL AMENDMENTS.—(A) The tables of chapters at the beginning of subtitle A of title 10, United States Code, and at the beginning of part I of such subtitle, are each amended by striking the item relating to chapter 15 and inserting the following new item:

"15. Insurrection .... 331".

(B) The table of sections at the beginning of chapter 15 of such title is amended by striking the item relating to section 333 and inserting the following new item:

"333. Interference with State and Federal law.".

By Mr. GRASSLEY (for himself, Mr. OBAMA, Mr. BIDEN, and Mr. KENNEDY):

S. 515. A bill to provide a mechanism for the determination on the merits of the claims of claimants who met the class criteria in a civil action relating to racial discrimination by the Department of Agriculture but who were denied that determination; to the Committee on the Judiciary.

Mr. GRASSLEY. Mr. President, I am introducing the Pigford Claims Remedy Act of 2007. This bill establishes a new cause of action for those African-American farmers who filed late claim petitions as required by the Pigford v. Glickman Consent Decree, but whose petitions were rejected.

These rejections have effectively barred African-American farmers from the one process that was established to bring closure to the claims of discrimination by African-American farmers, many of which have been pending for decades.

My bill attempts to remedy what appears to be a lack of sufficient notice, indicated by the late applicants. It helps bring justice for farmers who have historically been discriminated against while being mindful of the constitutional constraints on Congress's authority. This bill will provide a new cause of action that will assist those putative claimants whose claims have never been evaluated on the merits.

Studies conducted by the USDA revealed the depth and impact of this disparate treatment. In 1994, the Department of Agriculture commissioned a study to analyze the treatment of minorities and women in farm programs and payments.

In 1997, Secretary Glickman commissioned the Civil Rights Action Task Force to look into allegations of racial discrimination in the agency's loan program. In conjunction with this the Inspector General conducted its own investigation into the allegations of disparate treatment.

Each report confirmed what African-American farmers already experienced first hand. USDA failed to act to adequately address these past wrongs. It took a class action lawsuit filed by African-American farmers in 1997 to get USDA to respond.

The resulting Pigford v. Glickman Consent Decree was believed to be a turning point in this unfortunate history. Hopes were high that African-American farmers would finally be compensated for the history of injustice. The consent decree was intended to provide a swift resolution for the claims of discrimination that had gone unaddressed for decades.

Yet, in a sad twist, the process that was created to provide a forum for those whose claims had been shut out, has itself shut out more than 75,000 African American farmers who wish to have their claims of discrimination heard.

Hearings before the House Subcommittee on the Constitution revealed that almost 76,000 farmers who submitted late claim petitions were denied entry because they could not show that extraordinary circumstances prevented them from filing a timely complaint.

Despite the lack of knowledge about the consent decree, which was cited by more than half of these petitioners, lack of notice was not deemed an extraordinary circumstance under the consent decree. So these petitioners are left without any recourse to have their claims of discrimination heard on the merits. These people should be allowed to have their case heard.

I urge my colleagues to support this important legislation.

By Mr. PRYOR (for himself, Mr. WARNER, and Mrs. LINCOLN):

S. 516. A bill to amend the Internal Revenue Code of 1986 to make permanent the option of including combat pay when computing earned income; to the Committee on Finance.

Mr. PRYOR. Mr. President, I rise today to urge my colleagues to make the Tax Relief for Americans in Combat Act permanent. This measure corrects a discrepancy in the Tax Code that penalizes certain service men and women serving in combat situations.

To give my colleagues a bit of history and perspective on this: In 2003 I approached the distinguished chairman of the Senate Finance Committee, Senator CHUCK GRASSLEY, and ranking member of the committee, Senator MAX BAUCUS, and asked them to join me in an effort to get a fresh look at the overall picture of how our Tax Code treats our military.

I was very pleased when they agreed to work with me, and was delighted to jointly request an expedited study by the General Accounting Office, GAO. It was an honor to work with them and their staffs throughout this process.

The GAO raised many interesting findings but there was one especially important issue that demanded our immediate attention. In a nutshell service men and women who were serving in combat zones and receiving nontaxable combat pay were not able to also take advantage of the Earned Income Tax Credit, EITC, and the Child Care Tax Credit.

The result was that thousands of our men and women serving in combat—serving in Iraq, Afghanistan, and around the globe—were seeing a reduction or elimination of their EITC or child credit and in effect losing money. In other words, the Tax Code had the impact of penalizing them because they are serving in combat zones.

The GAO report characterized this result as an "unintended consequence." I saw it as just plain wrong and I am pleased to introduce legislation to fix this glitch.

In 2004, we passed the Tax Relief for Americans in Combat Act. The bill allowed men and women in uniform serving in combat to include combat pay for the purpose of calculating their earned income and child tax credit benefits. In other words, they would be able to continue receiving their rightful combat pay exclusions while having the ability to take full advantage of other tax credits.

However, this legislation only made permanent the child tax credit benefit, while the earned income tax credit provision must be continuously extended.

As of December 2006, the earned income provision was extended for another year, but I believe we must work to permanently resolve this glitch and ensure our men and women in combat are fairly treated.

I would like to take the opportunity to thank cosponsors Senator JOHN WARNER and Senator BLANCHE LINCOLN for their leadership and assistance to help gamer support for this bill.

The urgency of this situation is highlighted especially when you focus on those of our troops which this really affects. We're talking about troops that tend to be in combat for more than 6 months, those in lower pay grades, those who are married with children, and have little or no savings or spousal income.

The GAO analysis suggested that the amount of the tax benefit loss could be up to $4,500 for enlisted personnel and $3,200 for officers. This is real money—make or break money—to many of these families that are already under enormous stress.

I want to work in bipartisan fashion and permanently extend this tax provision. This bill corrects the problem and lets our troops, risking life and limb, know that while they are away fighting for us we will be here in the Senate fighting for them and their families.

By Mr. McCAIN (for himself, Mr. SCHUMER, and Mr. KYL):

S. 519. A bill to modernize and expand the reporting requirements relating to child pornography, to expand cooperation in combating child pornography, and for other purposes; to the Committee on the Judiciary.

Mr. McCAIN. Mr. President, I am pleased to be joined today by Senator SCHUMER in introducing the Securing Adolescents From Exploitation-Online Act of 2007, otherwise known as the SAFE Act. This bill would clarify and strengthen the requirement that has been a Federal law for almost a decade for electronic communications providers to report images of child pornography to the National Center for Missing and Exploited Children (NCMEC) and then law enforcement. Simply put, this bill is designed reduce the sexual exploitation of our children, and punish those who cause them physical and emotional harm through sexual exploitation.

This bill would state specifically what information must be reported by electronic communications providers to NCMEC; impose higher penalties on companies that do not report child pornography; and require the Department of Justice to report on the number of investigation and convictions of sex offenders and purveyors of child pornography. In addition, the bill would make the use of the Internet for the exploitation of a child an aggravating factor to the underlying offense that would add 10 years imprisonment to a convicted offender's sentence.

Almost 20 years ago, President Reagan inaugurated the opening of the National Center for Missing and Exploited Children, and called on the Center to "wake up America and attack the crisis of child victimization." Today, thanks to the efforts of NCMEC and many others in the public and private sectors, America is more conscious of the dangers of child exploitation. Unfortunately, our children still face significant threats from those who see their innocence as an opportunity to do harm. The continuing victimization of our children is readily and all too painfully apparent in the resurgence of child pornography in our world via the Internet.

Technology has contributed to the greater distribution and availability, and, some believe, desire for child pornography. Cyberspace is host to more than one million images of tens of thousands of children subjected to sexual abuse and exploitation, according to a report by the Texas State legislature. The same report estimated that the over 14 million pornography sites on the Internet house an estimated one million pornographic images of children with 200 new images being posted daily.

According to ECPAT International, a group dedicated to eliminating the sexual exploitation of children, the production and distribution of abuse images of children is estimated to be at least a 3 billion dollar business annually in the U.S. alone. Of all the child pornography images on the Internet, 55 percent are generated from the United States, according to the same group, but these images are also produced around the world.

Just today, the Associated Press reported that Austrian authorities uncovered a major international child pornography ring involving more than 2,360 suspects from 77 countries, including over 600 in the United States, who paid to view videos of young children being sexually abused. According to authorities, the children shown in the videos were under the age of 14 and could be heard screaming in fear.

This investigation would not have happened without the good work of an employee of a Vienna-based Internet file hosting service who noticed the pornographic material during a routine check and then approached authorities. The employee blocked access to the videos while recording the I.P. addresses of people who continued to try to download the material, and gave the details to authorities. Within a 24-hour period, investigators recorded more than 8,000 hits from 2,361 computer I.P. addresses in 77 countries ranging from Algeria to South Africa.

The Federal Government already has a system in place for electronic communications providers to report these images to NCMEC. The Center is directed by law to relay that information to local, State and Federal law enforcement agencies. This reporting system has been useful, but it is in need of several vital improvements.

Today, Federal law requires electronic communication service providers to report child pornography they discover to NCMEC through the CyberTipline, but the current reporting system does not specify exactly what information should be reported. This failure to set forth specific reporting requirements makes the current statute both difficult to comply with and tough to enforce. This omission may have led to less effective prosecution of child pornographers. During a Senate Commerce Committee hearing I chaired last September, NCMEC testified that, "because there are no guidelines for the contents of these reports, some [companies] do not send customer information that allows NCMEC to identify a law enforcement jurisdiction. So potentially valuable investigative leads are left to sit in the CyberTipline database with no action taken." This is unacceptable.

This bill would address the problem by requiring that reporting companies convey a defined set of information to the Center, which is in large part the information that is provided to NCMEC today by the nation's leading Internet service providers. Among other things, the bill would require electronic communications providers to report specific information about any individual involved in producing, distributing, or receiving child pornography. In addition, it would require reporting companies to provide NCMEC with the geographic location of the involved individual such as the individual's physical address and the IP address from which the individual connected to the Internet.

To ensure that law enforcement officials have better odds of prosecuting involved individuals, the bill would also require online service providers to preserve all data that they report to NCMEC for at least 180 days. The bill would help to ensure greater compliance with the child pornography reporting requirements under Federal law by increasing the penalties threefold for knowing failure to report child pornography to NCMEC. It would also move the reporting requirement from title 42, which relates to the public's health and welfare, to title 18, our Federal criminal code. This is to underscore that a breach of the reporting obligations constitutes a violation of criminal law. In addition, the legislation would eliminate the legal liability of online service providers for actions taken to comply with the child pornography reporting requirements.

The goal of this legislation, is to ensure more thorough reporting of child pornography to NCMEC. I expect that more and better information provided to the Center will lead to a greater number of prosecutions and enhanced protection of our children. However, let me stress that this bill does not require surveillance by electronic communications providers or require that they monitor the content of any communication. The legislation also does not require electronic communications providers to affirmatively seek out child pornography. Rather, it requires online service providers to report child pornography when they become aware of it, either through a report from a subscriber or user, or through a discovery of the material by an employee. As a result, the reporting requirement would protect children while not imposing a financial or administrative burden on online service providers.

To emphasize the heinous nature of these crimes, this bill would make the use of the Internet in the commission of a crime of child exploitation an aggravating factor that would add 10 years to the offender's sentence. The Internet is likely the greatest invention of the 21st century; however, it has also allowed these children to be victimized again and again as these images are widely distributed via the Internet. The fight to protect our children from exploitation has moved from the playground to the Internet, and we must update our laws to reflect this reality.

To address the international nature of child pornography, the bill would permit NCMEC to share reports with foreign law enforcement agencies, subject to approval by the Department of Justice. In addition, the legislation would state the sense of Congress that the executive branch should make child pornography a priority when engaging in negotiations or talks with foreign countries.

The bill would authorize $25 million for our Nation's Internet Crimes Against Children Task Forces, which is identical to the amount requested by the Administration in its FY 2008 budget. NCMEC, the National Sheriffs Association, and others believe that such funding would significantly improve the efforts of local, State and Federal law enforcement officials dedicated to identifying and prosecuting those who use the Internet to prey upon our Nation's children.

Lastly, in order to aid law enforcement, the bill would reiterate the position of the Administration that all suppliers of web site domain names should investigate and correct inaccurate data regarding registered domain names so that law enforcement can more easily locate the hosts of such vile pictures of children. To aid Congress in understanding the need for more resources or legislation to combat the proliferation and distribution of child pornography, the bill would require the Department of Justice to report on the number of investigations, prosecutions and convictions of crimes involving the sexual exploitation of children.

This is the second bill Senator SCHUMER and I have introduced this session to protect our nation's children. Last month, we introduced the Keeping the Internet Devoid of Sexual-Predators Act of 2007, known as the KIDS Act, which would establish a database of e-mail addresses and other Internet identifying information of convicted sex offenders. The database information would then be available to commercial social networking sites for the purpose of screening their sites' to ensure convicted sex offender are not using the site to prey on children.

Protecting our children is a top priority for all members of Congress. I look forward to working with my colleagues to eradicate the victimization and exploitation of our children, the most innocent members of society, by enacting the KIDS Act and the SAFE Act.

By Mrs. MURRAY (for herself and Ms. CANTWELL):

S. 520. A bill to enhance ecosystem protection and the range of outdoor opportunities protected by statute in the Skykomish River valley of the State of Washington by designating certain lower-elevation Federal lands as wilderness, and for other purposes; to the Committee on Energy and Natural Resources.

Mrs. MURRAY. Mr. President, I rise today to reintroduce the Wild Sky Wilderness Act, a bill to protect some of Washington's most unique and remarkable public lands for families today and for future generations.

For more than six years, citizens, community leaders, groups and organizations have worked together with Representative Rick Larsen and me to make this proposal a reality. I am proud to offer our bill here in the Senate on their behalf. This is the fourth time I've introduced this bill, and I'm really excited about finally moving this bill across the finish line this year.

The Wild Sky Wilderness Act reflects the best values of my home State of Washington—environmental protection, stewardship of our land, and community partnership. It also respects the economic and recreational interests of the people of Snohomish County. Our bill will protect an important area while keeping it accessible for recreation and enjoyment today and for generations to come.

For many years, I've been concerned by the rapid growth taking place in Western Washington. It's no surprise that more people want to live and work in the region, but we need to make sure that development does not destroy the natural beauty that is such an important part of our State's identity and our quality of life. We also need to ensure that growth and development do not destroy native species of plants and animals that have flourished here for centuries.

So several years ago, I began to consider new wilderness legislation. I learned that we haven't added any new wilderness areas in Washington state since 1984. I knew that if we were going to protect public land, I wanted to do it in an inclusive way by seeking input from local communities and stakeholders and working with them to develop a sound proposal. I am proud to say that the fruits of our labor are now before the United States Senate. My partner in the House of Representatives, Congressman Larsen, and I worked alongside all of the local stakeholders every step of the way to select these particular areas in the Mt. Baker-Snoqualmie Forest.

The Wild Sky Wilderness will protect wildlife and promote clean water by preserving the landscapes that host many native plants and animals. We can still find many of the species that have historically called this area home, but their populations are much smaller today. If these animals are going to be here centuries from now, we must protect their habitats. This wilderness designation is especially critical for threatened species of salmon, steelhead and trout, and it will protect the upper reaches of water to ensure prime habitat and clean water.

In addition, our bill ensures that the public will have access to these remarkable, protected places. It's estimated that 2.4 million people live nearby in King, Snohomish and Skagit counties. Our bill will ensure they have new recreational opportunities in the Wild Sky Wilderness. In this hectic, fast-paced time, more and more people and their families are turning to outdoor recreation on our public lands. This bill will provide new opportunities for the public to use this land by directing the U.S. Forest Service to develop a series of hiking and equestrian trails.

In addition to the environmental protections and recreational opportunities, the Wild Sky Wilderness Area will be good for the local economy. Every climber, hiker, hunter and angler setting out for the Wild Sky Wilderness will be stopping at hotels, campgrounds, restaurants, and stores in the gateway communities of Index, Skykomish, Monroe, Miller River, Startup, Grotto, Baring, Sultan, and Gold Bar.

Over the years, so many people have worked hard to make this bill possible. I can't name all of them, but I do want to recognize one great leader who is not with us to see the progress she helped make possible, Karen Fant. Anyone involved in wilderness protection knows the legacy that Karen has left us through her years of advocacy for our state's natural places. Early on, Karen recognized the need to bring together and involve local people in efforts to protect wilderness. She cofounded and directed the Washington Wilderness Coalition, and she was instrumental in forming a statewide community of wilderness advocates.

To those who knew her—and especially those lucky enough to sample her famous cookies—Karen provided never-ending inspiration and enthusiasm to continue working to protect wilderness and wild lands in the Pacific Northwest and beyond.

I cannot summarize Karen's amazing four decades of service, but I think some of her many friends said it best when they wrote:

> "There are thousands of miles of trails and millions of acres of wilderness that are protected due to her work and the work of others she organized to make a difference. As we walk these trails and gain renewal from these lands, we should all remember the work we shared and the fun and camaraderie we all experienced with Karen."

With Karen's passing, we've lost a pioneer in the fight to protect our wild spaces, but thankfully she's left a clear trail and a generation of inspired, empowered advocates to continue her work.

I urge my colleagues to help my State take a great step forward in protecting our environment, improving recreation and supporting economic development by supporting the Wild Sky Wilderness Act.

I ask unanimous consent that the text of this bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 520

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Wild Sky Wilderness Act of 2007".

SEC. 2. ADDITIONS TO THE NATIONAL WILDERNESS PRESERVATION SYSTEM.

(a) ADDITIONS.—The following Federal lands in the State of Washington are hereby designated as wilderness and, therefore, as components of the National Wilderness Preservation System: certain lands which comprise approximately 106,000 acres, as generally depicted on a map entitled "Wild Sky Wilderness Proposal" and dated February 6, 2007, which shall be known as the "Wild Sky Wilderness".

(b) MAPS AND LEGAL DESCRIPTIONS.—As soon as practicable after the date of enactment of this Act, the Secretary of Agriculture shall file a map and a legal description for the wilderness area designated under this Act with the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives. The map and description shall have the same force and effect as if included in this Act, except that the Secretary of Agriculture may correct clerical and typographical errors in the legal description and map. The map and legal description shall be on file and available for public inspection in the office of the Chief of the Forest Service, Department of Agriculture.

SEC. 3. ADMINISTRATION PROVISIONS.

(a) IN GENERAL.—

(1) Subject to valid existing rights, lands designated as wilderness by this Act shall be managed by the Secretary of Agriculture in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.) and this Act, except that, with respect to any wilderness areas designated by this Act, any reference in the Wilderness Act to the effective date of the Wilderness Act shall be deemed to be a reference to the date of enactment of this Act.

(2) To fulfill the purposes of this Act and the Wilderness Act and to achieve administrative efficiencies, the Secretary of Agriculture may manage the area designated by this Act as a comprehensive part of the larger complex of adjacent and nearby wilderness areas.

(b) NEW TRAILS.—

(1) The Secretary of Agriculture shall consult with interested parties and shall establish a trail plan for Forest Service lands in order to develop—

(A) a system of hiking and equestrian trails within the wilderness designated by this Act in a manner consistent with the Wilderness Act (16 U.S.C. 1131 et seq.); and

(B) a system of trails adjacent to or to provide access to the wilderness designated by this Act.

(2) Within two years after the date of enactment of this Act, the Secretary of Agriculture shall complete a report on the implementation of the trail plan required under this Act. This report shall include the identification of priority trails for development.

(c) REPEATER SITE.—Within the Wild Sky Wilderness, the Secretary of Agriculture is authorized to use helicopter access to construct and maintain a joint Forest Service and Snohomish County telecommunications repeater site, in compliance with a Forest Service approved communications site plan, for the purposes of improving communications for safety, health, and emergency services.

(d) FLOAT PLANE ACCESS.—As provided by section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)), the use of floatplanes on Lake Isabel, where such use has already become established, shall be permitted to continue subject to such reasonable restrictions as the Secretary of Agriculture determines to be desirable.

(e) EVERGREEN MOUNTAIN LOOKOUT.—The designation under this Act shall not preclude the operation and maintenance of the existing Evergreen Mountain Lookout in the same manner and degree in which the operation and maintenance of such lookout was occurring as of the date of enactment of this Act.

SEC. 4. AUTHORIZATION FOR LAND ACQUISITION.

(a) IN GENERAL.—The Secretary of Agriculture is authorized to acquire lands and interests therein, by purchase, donation, or exchange, and shall give priority consideration to those lands identified as "Priority Acquisition Lands" on the map described in section 2(a). The boundaries of the Mt. Baker-Snoqualmie National Forest and the Wild Sky Wilderness shall be adjusted to encompass any lands acquired pursuant to this section.

(b) ACCESS.—Consistent with section 5(a) of the Wilderness Act (16 U.S.C. 1134(a)), the Secretary of Agriculture shall ensure adequate access to private inholdings within the Wild Sky Wilderness.

(c) APPRAISAL.—Valuation of private lands shall be determined without reference to any restrictions on access or use which arise out of designation as a wilderness area as a result of this Act.

SEC. 5. LAND EXCHANGES.

The Secretary of Agriculture shall exchange lands and interests in lands, as generally depicted on a map entitled "Chelan County Public Utility District Exchange" and dated May 22, 2002, with the Chelan County Public Utility District in accordance with the following provisions:

(1) If the Chelan County Public Utility District, within ninety days after the date of enactment of this Act, offers to the Secretary of Agriculture approximately 371.8 acres within the Mt. Baker-Snoqualmie National Forest in the State of Washington, the Secretary shall accept such lands.

(2) Upon acceptance of title by the Secretary of Agriculture to such lands and interests therein, the Secretary of Agriculture shall convey to the Chelan County Public Utility District a permanent easement, including helicopter access, consistent with such levels as used as of date of enactment, to maintain an existing telemetry site to monitor snow pack on 1.82 acres on the Wenatchee National Forest in the State of Washington.

(3) The exchange directed by this Act shall be consummated if Chelan County Public Utility District conveys title acceptable to the Secretary and provided there is no hazardous material on the site, which is objectionable to the Secretary.

(4) In the event Chelan County Public Utility District determines there is no longer a need to maintain a telemetry site to monitor the snow pack for calculating expected runoff into the Lake Chelan hydroelectric project and the hydroelectric projects in the Columbia River Basin, the Secretary shall be notified in writing and the easement shall be extinguished and all rights conveyed by this exchange shall revert to the United States.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 74—DESIGNATING EACH OF FEBRUARY 7, 2007, AND FEBRUARY 6, 2008, AS "NATIONAL WOMEN AND GIRLS IN SPORTS DAY"

Ms. SNOWE (for herself and Mrs. MURRAY) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 74

Whereas women's athletics are one of the most effective avenues available for women of the United States to develop self-discipline, initiative, confidence, and leadership skills;

Whereas sports and fitness activities contribute to emotional and physical well-being;

Whereas women need strong bodies as well as strong minds;

Whereas the history of women in sports is rich and long, but there has been little national recognition of the significance of women's athletic achievements;

Whereas the number of women in leadership positions as coaches, officials, and administrators has declined drastically since the passage of title IX of the Education Amendments of 1972 (Public Law 92-318; 86 Stat. 373);

Whereas there is a need to restore women to leadership positions in athletics to ensure a fair representation of the abilities of women and to provide role models for young female athletes;

Whereas the bonds built between women through athletics help to break down the social barriers of racism and prejudice;

Whereas the communication and cooperation skills learned through athletic experience play a key role in the contributions of an athlete at home, at work, and to society;

Whereas women's athletics has produced such winners as Flo Hyman, whose spirit, talent, and accomplishments distinguished her above others and who exhibited the true meaning of fairness, determination, and team play;

Whereas parents feel that sports are equally important for boys and girls and that sports and fitness activities provide important benefits to girls who participate;

Whereas early motor-skill training and enjoyable experiences of physical activity strongly influence life-long habits of physical fitness;

Whereas the performances of female athletes in the Olympic Games are a source of inspiration and pride to the people of the United States;

Whereas the athletic opportunities for male students at the collegiate and high school levels remain significantly greater than those for female students; and

Whereas the number of funded research projects focusing on the specific needs of women athletes is limited and the information provided by these projects is imperative to the health and performance of future women athletes: Now, therefore, be it

Resolved, That the Senate—

(1) designates each of February 7, 2007, and February 6, 2008, as "National Women and Girls in Sports Day"; and

(2) encourages local and State jurisdictions, appropriate Federal agencies, and the people of the United States to observe "National Women and Girls in Sports Day" with appropriate ceremonies and activities.

SENATE RESOLUTION 75—CONGRATULATING THE INDIANAPOLIS COLTS ON THEIR VICTORY IN SUPER BOWL XLI

Mr. LUGAR (for himself and Mr. BAYH) submitted the following resolution; which was considered and agreed to:

S. RES. 75

Whereas, on Sunday, February 4, 2007, the Indianapolis Colts defeated the Chicago Bears by a score of 29-17 to win Super Bowl XLI;

Whereas Colts owner and chief executive officer Jim Irsay and the Irsay family have worked to build the Colts organization not only into a championship caliber team, but also a group dedicated to service in communities across the State of Indiana;

Whereas Tony Dungy is the first head coach of African-American descent to lead a team to victory in the Super Bowl;

Whereas Peyton Manning, having thrown for 247 yards and made 1 touchdown, was named the game's Most Valuable Player;

Whereas the Colts' defense and special teams were able to force 5 turnovers and to limit the Bears to 17 points;

Whereas Colts president Bill Polian, widely considered the "architect" of much of the Colts' recent success, and the Colts management have assembled a group of players and coaches that has worked together to win 4 straight championships in the Southern Division of the American Football Conference;

Whereas the Colts' regular season record of 12-4 marks the team's fourth straight year with at least 12 wins, and makes the Colts only the second team to achieve such consistent success in the history of the National Football League;

Whereas the Colts are committed to community leadership, working to help those in Indiana communities who are disadvantaged and underserved, through the generosity of the Irsay family and player groups such as the Peyback Foundation and D.R.E.A.M. Alive, Inc.;

Whereas tens of thousands of fans braved bitterly cold temperatures to line the streets of Indianapolis, Indiana for a victory parade and the rally that followed in the RCA Dome; and

Whereas Hoosiers from across Indiana and the Nation have rallied together to cheer the Colts not just for winning, but for winning the right way, with dignity and professionalism: Now, therefore, be it

Resolved, That the Senate congratulates the Indianapolis Colts on their victory in Super Bowl XLI.

AMENDMENTS SUBMITTED AND PROPOSED

SA 233. Mr. SMITH (for himself, Mr. STEVENS, and Mr. CRAPO) submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, making further continuing appropriations for the fiscal year 2007, and for other purposes; which was ordered to lie on the table.

SA 234. Mr. COBURN submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, supra; which was ordered to lie on the table.

SA 235. Mr. COBURN submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, supra; which was ordered to lie on the table.

SA 236. Mr. COBURN submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 233. Mr. SMITH (for himself, Mr. STEVENS, and Mr. CRAPO) submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, making further continuing appropriations for the fiscal year 2007, and for other purposes; which was ordered to lie on the table; as follows:

On page 25, between lines 13 and 14, insert the following:

"SEC. 20125. (a) In addition to amounts otherwise appropriated or made available in this division, $400,000,000 is appropriated to make safety net payments for fiscal year 2007 under section 101 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 500 note; Public Law 106–393).

"(b) Notwithstanding any other provision of this Act, each amount provided by this Act is reduced by the pro rata percentage required to reduce the total amount provided by this Act by $400,000,000.

SA 234. Mr. COBURN submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, making further continuing appropriations for the fiscal year 2007, and for other purposes; which was ordered to lie on the table; as follows:

On page 65, line 8, strike ": (1)" and all that follows through "or (2)" on line 10.

SA 235. Mr. COBURN submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, making further continuing appropriations for the fiscal year 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. AIDS DRUG ASSISTANCE PROGRAM.

Notwithstanding any other provision of this Resolution, of the amount appropriated to the Department of Commerce to carry out the Advanced Technology Program, $75,000,000 shall be transferred to the Health Resources and Services Administration to carry out the AIDS Drug Assistance Program.

SA 236. Mr. COBURN submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, making further continuing appropriations for the fiscal year 2007, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the resolving clause and insert the following: "That the Continuing Appropriations Resolution, 2007 (Public Law 109–289, division B) is amended by striking the date specified in section 106(3) and inserting 'March 1, 2007'.".

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. TESTER. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition and Forestry be authorized to conduct a full committee hearing during the session of the Senate on Wednesday February 7, 2007, at 9:15 am in SD–106, Dirksen Senate Office Building. The purpose of this hearing will be to discuss the United States Department of Agriculture Farm Bill Proposal with Secretary of Agriculture, Michael Johanns.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. TESTER. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Wednesday, February 7, 2007, at 10 a.m. to mark up an original bill entitled "Public Transportation Terrorism Prevention Act of 2007;" immediately following the executive session, the Committee will meet in open session to conduct a hearing on "Preserving the American Dream: Predatory Lending Practices and Home Foreclosures."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. TESTER. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to hold a hearing during the sessions of the Senate on Wednesday, February 7, 2007, at 10 a.m., in room 253 of the Russell Senate Office Building. The purposes of the hearing is to discuss climate change research and scientific integrity.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. TESTER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to hold a hearing during the session of the Senate on Wednesday, February 7, 2007, at 9:30 a.m. in room SD–366 of the Dirksen Senate Office Building. The purpose of the hearing is to consider the President's Proposed budget for FY 2008 for the Department of Energy.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. TESTER. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session on Wednesday, February 7, 2007, at 10 a.m., in 215 Dirksen Senate Office Building, to hear testimony on "The President's Fiscal Year 2008 Budget Proposal."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON RULES AND ADMINISTRATION

Mr. TESTER. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on Wednesday, February 7, 2007, at 10 a.m., to conduct a hearing on the Hazards of Electronic Voting—Focus on the Machinery of Democracy.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. TESTER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on February 7, 2007 at 2:30 p.m. to hold a closed hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON PRIVATE SECTOR AND CONSUMER SOLUTIONS TO GLOBAL WARMING AND WILDLIFE PROTECTION

Mr. TESTER. Mr. President, I ask unanimous consent that the Subcommittee on Private Sector and Consumer Solutions to Global Warming and Wildlife Protection be authorized to meet during the session of the Senate on Wednesday, February 7, 2007.

The agenda to be considered: Global Warming and Wildlife.

The PRESIDING OFFICER. Without objection, it is so ordered.

FOREIGN TRAVEL FINANCIAL REPORTS

In accordance with the appropriate provisions of law, the Secretary of the Senate herewith submits the following reports for standing committees of the Senate, certain joint committees of the Congress, delegations and groups, and select and special committees of the Senate, relating to expenses incurred in the performance of authorized foreign travel:

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2006

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Martha Scott Poindexter:									
United States	Dollar				10,228.70				10,228.70
India	Rupee		1,285.24						1,285.24
Elizabeth Croker:									
United States	Dollar				10,228.70				10,228.70
India	Rupee		1,285.24						1,285.24
Total			2,570.48		20,457.40				23,027.88

SAXBY CHAMBLISS,
Chairman, Committee on Agriculture, Nutrition and Forestry,
Jan. 4, 2007.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON APPROPRIATIONS FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2006

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Paul Grove:									
United Arab Emerites	Dirham		842.00						842.00
Afghanistan	Afghani		300.00						300.00
China	Yuan		322.00						322.00
Japan	Yen		800.00						800.00
United States	Dollar				11,318.00				11,318.00
Tom Hawkins:									
United Arab Emerites	Dirham		842.00						842.00
Afghanistan	Afghani		300.00						300.00
China	Yuan		322.00						322.00
Japan	Yen		800.00						800.00
United States	Dollar				11,318.00				11,318.00
Jonathan Kamarck:									
Russia	Ruble		1,746.00				300.00		2,046.00
United States	Dollar				903.00				903.00
Ellen Stein:									
Russia	Ruble		1,746.00				300.00		2,046.00
United States	Dollar				903.00				903.00
Rachel Jones:									
Russia	Ruble		1,746.00				300.00		2,046.00
United States	Dollar				903.00				903.00
Heideh Shahmoradi-Holley:									
Russia	Ruble		1,746.00				300.00		2,046.00
United States	Dollar				903.00				903.00
Tim Rieser:									
Vietnam	Dollar		995.00				45.00		1,040.00
United States	Dollar				5,358.00				5,358.00
Katherine M. Kaufer:									
Germany	Dollar		850.00						850.00
Romania	New Leu		507.42						507.42
Bulgaria	Lev		464.00						464.00
United States	Dollar				6,442.55				6,442.55
Sid Ashworth:									
Germany	Dollar		850.00						850.00
Romania	New Leu		507.42						507.42
Bulgaria	Lev		464.00						464.00
United States	Dollar				7,278.55				7,278.55
Brian T. Wilson:									
Germany	Dollar		850.00						850.00
Romania	New Leu		507.42						507.42
Bulgaria	Lev		464.00						464.00
United States	Dollar				7,278.55				7,278.55
Galen Fountain:									
Kenya	Shilling		1,974.00						1,974.00
Uganda	Shilling		664.59						664.59
Italy	Euro		2,007.00						2,007.00
United States	Dollar				9,130.83				9,130.83
Jessica Frederick:									
Kenya	Shilling		1,974.00						1,974.00
Uganda	Shilling		664.59						664.59
Italy	Euro		2,007.00						2,007.00
United States	Dollar				9,130.83				9,130.83
Dianne Preece:									
Kenya	Shilling		1,974.00						1,974.00
Uganda	Shilling		664.59						664.59
Italy	Euro		2,007.00						2,007.00
United States	Dollar				9,130.83				9,130.83
Fitzhugh Elder:									
Kenya	Shilling		1,974.00						1,974.00
Uganda	Shilling		664.59						664.59
Italy	Euro		2,007.00						2,007.00
United States	Dollar				9,130.83				9,130.83
Warren Harper:									
Kenya	Shilling		1,974.00						1,974.00
Uganda	Shilling		664.59						664.59
Italy	Euro		2,007.00						2,007.00
United States	Dollar				9,130.83				9,130.83
Stacy McBride:									
Kenya	Shilling		1,974.00						1,974.00

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON APPROPRIATIONS FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2006—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Uganda	Shilling		664.59						664.59
Italy	Euro		2,007.00						2,007.00
United States	Dollar				9,130.83				9,130.83
Senator Richard J. Durbin:									
Pakistan	Rupee		309.00						309.00
Qatar	Rial		338.00						338.00
United States	Dollar				8,705.41				8,705.41
Michael Daly:									
Pakistan	Rupee		309.00						309.00
Qatar	Rial		338.00						338.00
United States	Dollar				8,705.41				8,705.41
Scott O'Malia:									
Switzerland	Franc		864.00						864.00
France	Euro		347.00						347.00
United States	Dollar				6,495.76				6,495.76
Drew Willison:									
Switzerland	Franc		864.00						864.00
France	Euro		347.00						347.00
United States	Dollar				6,495.76				6,495.76
Total			49,560.80		137,792.97		1,245.00		188,598.77

THAD COCHRAN,
Chairman, Committee on Appropriations, Feb. 2, 2007.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON ARMED SERVICES FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2006

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Ambrose R. Hock:									
United States	Dollar				8,143.20				8,143.20
Kuwait	Dinar		611.42						611.42
Elaine A. McCusker:									
United States	Dollar				8,143.38				8,143.38
Kuwait	Dinar		604.55						604.55
Evelyn N. Farkas:									
United States	Dollar				12,487.00				12,487.00
Djibouti	Franc		365.00						365.00
Kenya	Shilling		227.00						227.00
Michael J. McCord:									
United States	Dollar				8,869.00				8,869.00
Italy	Dollar		263.00		28.00		6.00		297.00
Spain	Dollar		82.00						82.00
United Kingdom	Dollar		202.00				37.00		239.00
Lucian L. Niemeyer:									
United States	Dollar				8,600.35				8,600.35
Italy	Dollar		777.69		78.95				856.64
Spain	Dollar		75.55						75.55
United Kingdom	Dollar		132.65						132.65
Gregory T. Kiley:									
United States	Dollar				8,600.40				8,600.40
Italy	Dollar		645.50						645.50
Spain	Dollar		158.00						158.00
United Kingdom	Dollar		617.00						617.00
Senator Jeff Sessions:									
Jordan	Dinar		258.00						258.00
Israel	Dollar		709.00						709.00
Arch Galloway:									
Jordan	Dollar		258.00						258.00
Israel	Dollar		709.00						709.00
Charles S. Abell:									
Jordan	Dollar		305.00						305.00
Israel	Dollar		665.00						665.00
Senator Bill Nelson:									
Israel	Shekel		791.42				113.86		905.28
Jordan	Dinar		102.09				2.82		104.91
Lebanon	Pound		5.00				18.00		23.00
Saudi Arabia	Riyal		434.96				95.57		530.53
Bahrain	Dinar		110.84				7.95		118.79
Kuwait	Dinar		35.82				1.67		37.49
Pete Mitchell:									
Israel	Shekel		797.52				10.77		808.29
Jordan	Dinar		111.19				2.82		114.01
Lebanon	Pound		5.00				0.00		5.00
Saudi Arabia	Riyal		406.75				3.07		409.82
Bahrain	Dinar		117.10				7.95		125.05
Senator John McCain:									
Kuwait	Dollar		309.00						309.00
Pakistan	Dollar						35.00		35.00
Israel	Dollar						36.00		36.00
Senator Susan M. Collins:									
Kuwait	Dollar		309.00						309.00
Afghanistan	Dollar		5.00						5.00
Pakistan	Dollar		70.00						70.00
Israel	Dollar		156.00						156.00
Senator Lindsey O. Graham:									
Kuwait	Dollar		309.00						309.00
Senator Lindsey O. Graham:									
United States	Dollar				4,509.10				4,509.10
Senator John Thune:									
Kuwait	Dollar		406.00						406.00
Afghanistan	Dollar		75.00						75.00
Pakistan	Dollar		339.00						339.00

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON ARMED SERVICES FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2006—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Israel	Dollar		434.00						434.00
United States	Dollar						25.00		25.00
Michael J. Kuiken:									
Niger	Dollar		324.00						324.00
Nigeria	Dollar		1,127.00						1,127.00
Chad	Dollar		640.00						640.00
United States	Dollar				12,403.04				12,403.04
Total			15,086.05		71,862.42		403.48		87,351.95

JOHN WARNER,
Chairman, Committee on Armed Services, Jan. 31, 2007.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2006

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Valerie West:									
Austria	Euro		138.00						138.00
Italy	Euro		747.00						747.00
United States	Dollar				6,014.98				6,014.98
Garret Graves:									
Republic of Kenya	Shilling		1,333.00						1,333.00
United States	Dollar				7,942.00				7,942..00
Floyd Deschamps:									
Republic of Kenya	Shilling		1,315.00						1,315.00
United States	Dollar				7,854.74				7,854.74
Total			3,533.00		21,811.72				25,344.72

TED STEVENS,
Chairman, Committee on Commerce, Science, and Transportation,
Dec. 31, 2006.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON ENERGY AND NATURAL RESOURCES FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2006

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Kathryn Clay:									
Japan	Dollar		839.84						839.84
	Dollar				8,287.13				8,287.13
Kenya	Dollar		1,440.00						1,440.00
	Dollar				7,476.31				7,476.31
Total			2,279.84		15,763.44				18,043.28

PETE V. DOMENICI,
Chairman, Committee on Energy and Natural Resources,
Feb. 1, 2007.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2006

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Stephen Higley:									
United States	Dollar				6,411.23				6,411.23
Belgium	Euro		310.00						310.00
Michael Goo:									
United States	Dollar				6,326.23				6,326.23
Belgium	Euro		310.00						310.00
Bettina Poirier:									
United States	Dollar				6,326.23				6,326.23
Belgium	Euro		310.00						310.00
Total			930.00		19,063.69				19,993.69

JAMES M. INHOFE,
Chairman, Committee on Environment and Public Works,
Jan. 26, 2007.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2006

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Frank Fannon:									
United States	Dollar				7,002.00				7,002.00
Brazil	Real		2,224.00						2,224.00
John Shanahan:									
United States	Dollar				8.166.68				8,166.68
Kenya	Shilling		1,440.00						1,440.00
Stephen Higley:									
United States	Dollar				8,451.85				8,451.85
Kenya	Shilling		1,728.00						1,728.00
Marc Morano:									
United States	Dollar				10,447.31				10,447.31
Kenya	Shilling		1,728.00						1,728.00
Michael Goo:									
United States	Dollar				7,869.14				7,869.14
Kenya	Shilling		2,016.00						2,016.00
Eric Thu:									
United States	Dollar				7,869.14				7,869.14
Kenya	Shilling		2,016.00						2,016.00
Total			11,152.00		49,806.12				60.958.12

JAMES M. INHOFE,
Chairman, Committee on Environment and Public Works,
Jan. 26, 2007.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON FOREIGN RELATIONS FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2006

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Norm Coleman:									
Bahrain	Dinar		214.92				189.92		404.84
United Arab Emirates	Dirham		800.00				775.00		1,575.00
United States	Dollar				8,682.53				8,682.53
Senator Russ Feingold:									
Kenya	Shilling		600.00						600.00
Ethiopia	Birr		700.00						700.00
United States	Dollar				9,172.00				9,172.00
Senator Chuck Hagel:									
Japan	Yen		208.00						208.00
Vietnam	Dollar		251.00						251.00
United States	Dollar				8,969.00				8,969.00
Senator John Kerry:									
Egypt	Dollar		366.40						366.40
Jordan	Dollar		969.00						969.00
Syria	Dollar		875.32						875.32
Israel	Dollar		217.00						217.00
United States	Dollar				10,963.18				10,963.18
Senator Richard Lugar:									
Latvia	Dollar		378.00						378.00
Austria	Dollar		476.00						476.00
United Kingdom	Dollar		546.00						546.00
United States	Dollar				6,756.77				6,756.77
Jay Branegan:									
Germany	Euro		1,677.50						1,677.50
Cameroon	CFA		344.30						344.30
Nigeria	Dollar		868.00		708.00				1,576.00
Senegal	CFA		96.21		464.00				560.21
United States	Dollar				11,384.43				11,384.43
Isaac Edwards:									
Norway	Krone		316.00		50.00				366.00
United States	Dollar				6,059.00				6,059.00
Paul Foldi:									
United Kingdom	Pound		80.00						80.00
Switzerland	Franc		1,666.00						1,666.00
United States	Dollar				6,358.99				6,358.99
Grey Frandsen:									
Niger	CFA		364.00						364.00
Nigeria	Naira		1,041.00						1,041.00
Chad	CFA		479.00						479.00
United States	Dollar				12,403.04				12,403.04
Grey Frandsen:									
Kenya	Shilling		714.00						714.00
Ethiopia	Birr		672.00						672.00
United States	Dollar				9,172.00				9,172.00
Frank Lowenstein:									
Egypt	Dollar		366.40						366.40
Jordan	Dollar		969.00						969.00
Syria	Dollar		875.32						875.32
Israel	Dollar		217.00						217.00
United States	Dollar				8,278.43				8,278.43
Carl Meacham:									
Dominican Republic	Peso		560.00						560.00
Panama	Balboa		1,180.00						1,180.00
Venezuela	Bolivares		320.00						320.00
Chile	Peso		540.00						540.00
Peru	Nuevo Sol		576.00						576.00
Ecuador	Dollar		512.00						512.00
Guyana	Dollar		92.00						92.00
United States	Dollar				6,499.00				6,499.00
Thomas Moore:									
Austria	Euro		1,128.00						1,128.00
United States	Dollar				5,917.35				5,917.35
Austria	Euro		700.00						700.00

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON FOREIGN RELATIONS FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2006—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
United States	Dollar				5,093.90				5,093.90
Kenneth Myers, Jr.:									
Latvia	Dollar		378.00						378.00
Austria	Dollar		476.00						476.00
United Kingdom	Dollar		546.00						546.00
United States	Dollar				6,756.77				6,756.77
Kenneth Myers, III:									
Latvia	Dollar		378.00						378.00
Austria	Dollar		476.00						476.00
United Kingdom	Dollar		546.00						546.00
United States	Dollar				6,756.77				6,756.77
Janice O'Connell:									
Jordan	Dollar		639.00						639.00
Syria	Dollar		195.31						195.31
Israel	Dollar		346.00						346.00
United States	Dollar				7,300.23				7,300.23
Michael Phelan:									
Germany	Euro		1,488.00		70.00		986.00		2,544.00
Chad	Franc		928.00				462.00		1,390.00
Ethiopia	Birr		822.00				885.00		1,707.00
Kenya	Shilling		1,152.00				1,114.00		2,266.00
Djibouti	Franc		478.00				150.00		628.00
United States	Dollar				13,241.97		60.00		13,301.97
Rexon Ryu:									
Japan	Yen		162.00						162.00
Vietnam	Dollar		283.00						283.00
United States	Dollar				8,969.00				8,969.00
Jennifer Simon:									
Switzerland	Franc		1,676.00						1,676.00
United States	Dollar				6,350.00				6,350.00
Jordan Talge:									
Bahrain	Dinar		214.92				195.55		410.47
United Arab Emirates	Dirham		800.00				763.00		1,563.00
United States	Dollar				9,554.04				9,554.04
Caroline Tess:									
Israel	Dollar		1,191.00						1,191.00
Syria	Dollar		273.00						273.00
Qatar	Dollar		160.00						160.00
Saudia Arabia	Dollar		430.00						430.00
Bahrain	Dollar		523.00						523.00
Kuwait	Dollar		146.00						146.00
United States	Dollar				8,860.15				8,860.15
Bernard Toon:									
Dominican Republic	Peso		560.00						560.00
Panama	Balboa		1,180.00						1,180.00
Argentina	Peso		3,348.00						3,348.00
Equador	Dollar		512.00						512.00
Guyana	Dollar		92.00						92.00
United States	Dollar				6,865.40				6,865.40
Patrick Garvey:									
Jordan	Dinar		1,414.00		25.00		360.00		1,799.00
Kuwait	Dinar		50.00						50.00
United States	Dollar				9,487.91				9,487.91
Keith Luse:									
Sri Lanka	Rupee		357.00						357.00
Cambodia	Riel		382.19						382.19
Thailand	Baht		1,340.00						1,340.00
Burma	Kyat		247.50						247.50
United States	Dollar				3,756.63				3,756.63
Christopher Stevens:									
Lebanon	Dollar		154.00						154.00
Syria	Dollar		850.00						850.00
Jordan	Dollar		546.00						546.00
Israel	Dollar		1,589.00						1,589.00
Saudi Arabia	Dollar				638.00				638.00
United States	Dollar				11,995.98				11,995.98
Puneet Talwar:									
Switzerland	Dollar		838.00						838.00
Lebanon	Dollar		504.00						504.00
Syria	Dollar		250.00						250.00
United States	Dollar				7,168.01				7,168.01
Total			51,876.29		224,727.48		5,940.47		282,544.24

RICHARD G. LUGAR,
Chairman, Committee on Foreign Relations, Jan. 22, 2007.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON JUDICIARY FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2006

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Arlen Specter:									
United States	Dollar				6,933.43				6,933.43
United Kingdom	British Pound		72.05						72.05
India	Rupee		1,546.59						1,546.59
Qatar	Riyal		311.71						311.71
Syria	Pound		355.59						355.59
Israel	Shekel		1,028.80						1,028.80
Italy	Euro		163.82						163.82
Scott Boos:									
United States	Dollar				6,330.30				6,330.30
United Kingdom	Pound		230.00						230.00
India	Rupee		2,009.77						2,009.77

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON JUDICIARY FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2006—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Qatar	Riyal		387.00						387.00
Syria	Pound		250.00						250.00
Israel	Shekel		1,191.00						1,191.00
Italy	Euro		233.00						233.00
Total			7,779.33		12,580.16				20,359.49

ARLEN SPECTER,
Chairman, Committee on Judiciary, Jan. 29, 2007.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON HEALTH, EDUCATION, LABOR AND PENSIONS FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2006

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Adam Briddell:									
United States	Dollar				657.86				657.86
Italy	Euro		2,240.00						2,240.00
Total			2,240.00		657.86				2,897.86

MICHAEL B. ENZI,
Chairman, Committee on Health, Education, Labor, and Pensions,
Dec. 20, 2006.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON VETERANS' AFFAIRS FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2006

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Edward B. Pusey:									
United States	Dollar				6,375.96				6,375.96
Germany	Euro		656.00						656.00
Luxembourg	Euro		369.00						369.00
Italy	Euro		645.00						645.00
Dahlia Melendrez:									
United States	Dollar				6,355.96				6,355.96
Germany	Euro		656.00						656.00
Luxembourg	Euro		369.00						369.00
Italy	Euro		645.00						645.00
Total			3,340,00		12,731.92				16.071.92

LARRY E. CRAIG,
Chairman, Committee on Veterans' Affairs, Dec. 11, 2006.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON INTELLIGENCE FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2006

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Paul Matulic			1,125.00						1,125.00
	Dollar				8,568.82				8,568.82
Thomas J. Pack			1,140.75						1,140.75
	Dollar				8,568.82				8,568.82
Gregory Thielmann			1,272.00						1,272.00
	Dollar				7,619.77				7,619.77
David Grannis			1,463.00						1,463.00
	Dollar				8,581.77				8,581.77
Jennifer Wagner			1,736.00						1,736.00
	Dollar				8,568.82				8,568.82
Todd Rosenblum			828.00						828.00
	Dollar				1,966.00				1,966.00
Eric Rosenbach			2,372.00						2,372.00
	Dollar				8,441.00				8,441.00
Evan Gottesman			1,172.00						1,172.00
	Dollar				9,123.77				9,123.77
Lorenzo Goco			1,612.00						1,612.00
	Dollar				3,151.18				3,151.18
Randall Bookout			1,730.00						1,730.00
	Dollar				3,151.18				3,151.18
Louis Tucker			1,780.00						1,780.00
	Dollar				3,704.20				3,704.20
Nancy St. Louis			1,839.00						1,839.00
	Dollar				6,079.78				6,079.78
Christopher White			1,839.00						1,839.00
	Dollar				6,079.78				6,079.78
Darren Dick			1,839.00						1,839.00
	Dollar				6,079.78				6,079.78
Mehan Dubee			2,375.00						2,375.00

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON INTELLIGENCE FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2006—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
	Dollar				8,441.00				8,441.00
Michael Davidson			2,420.00						2,420.00
	Dollar				8,440.86				8,440.86
John Dickas			2,447.00						2,447.00
	Dollar				8,441.00				8,441.00
Total			28,989.75		115,007.53				143,997.28

PAT ROBERTS,
Chairman, Committee on Intelligence, Jan. 26, 2007.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), CODEL FRIST FOR TRAVEL FROM NOV. 30 TO DEC. 2, 2006

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator William H. Frist, M.D.									
Mexico	Pesos		514.00						514.00
Stephen Rademaker:									
Mexico	Pesos		510.00						510.00
Anna M. Gallagher:									
Mexico	Pesos		590.00						590.00
Delegation Expenses:*									
Mexico	Pesos						6,211.63		6,211.63
Total			1,614.00				6,211.63		7,825.63

WILLIAM H. FRIST,
Majority Leader, Dec. 13, 2006.

*Delegation expenses include payments and reimbursements to the Department of State, and the Department of Defense under the authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Sec. 22 of P.L. 95–384, and S. Res. 179 agreed to May 25, 1977.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), CODEL FRIST FOR TRAVEL FROM SEPT. 30 TO OCT. 5, 2006

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator William H. Frist, M.D.:									
Pakistan	Rupee		199.22						199.22
Kuwait	Dinar		260.00						260.00
Senator Mel Martinez:									
Pakistan	Rupee		199.22						199.22
Kuwait	Dinar		260.00						260.00
Amy Call:									
Pakistan	Rupee		184.00						184.00
Kuwait	Dinar		260.00						260.00
Eric Ueland:									
Pakistan	Rupee		184.00						184.00
Kuwait	Dinar		260.00						260.00
John Klemmer:									
Pakistan	Rupee		184.00						184.00
Kuwait	Dinar		260.00						260.00
Anna Gallagher:									
Pakistan	Rupee		184.00						184.00
Kuwait	Dinar		260.00						260.00
Delegation Expenses:*									
Estonia	Kroon						1,237.55		1,237.55
Pakistan	Rupee						2,138.01		2,138.01
Afghanistan	Afghani						1,007.12		1,007.12
Kuwait	Dinar						2,933.67		2,933.67
Iraq	Dinar						924.32		924.32
Jordan	Dinar						2,034.36		2,034.06
Total			2,694.44				10,274.73		12,969.17

WILLIAM H. FRIST,
Majority Leader, Dec. 13, 2006.

*Delegation expenses include payments and reimbursements to the Department of State, and the Department of Defense under the authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Sec. 22 of P.L. 95–384, and S. Res. 179 agreed to May 25, 1977.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMISSION ON SECURITY AND COOPERATION IN EUROPE FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2006

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
H. Knox Thames:									
United States	Dollar				6,822.24				6,822.24
Poland	Zloty		1,041.00						1,041.00
Dorothy Douglas Taft:									
United States	Dollar				6,500.26				6,500.26
Poland	Zloty		1,288.37						1,288.37

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMISSION ON SECURITY AND COOPERATION IN EUROPE FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2006—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Kyle Parker:									
United States	Dollar				6,687.91				6,687.91
Poland	Zloty		1,719.93						1,719.93
Erika Schlager:									
United States	Dollar				6,844.51				6,844.51
Poland	Zloty		3,679.52						3,679.52
Cliff Bond:									
United States	Dollar				6,798.23				6,698.23
Poland	Zloty		3,821.00						3,821.00
Ron McNamara:									
United States	Dollar				6,500.26				6,500.26
Poland	Zloty		1,740.00						1,740.00
Janice Helwig:									
Germany	Euro				486.33				486.33
Poland	Zloty		3,457.00						3,457.00
Shelly Han:									
United States	Dollar				12,028.98				12.028.98
Kazakhstan	Tenge		795.00						795.00
United Kingdom	Pound		1,420.00						1.420.00
Kyle Parker:									
United States	Dollar				9,664.55				9,664.55
Tajikistan	Somoni		595.00						595.00
Kyrgyzstan	Som		466.00						466.00
H. Knox Thames:									
United States	Dollar				7,249.17				7,249.17
Tajikistan	Somoni		682.00						682.00
Kyrgyzstan	Som		718.45						718.00
Shelly Han:									
United States	Dollar				5,608.32				5,607.32
Kyrgyzstan	Som		932.00						932.00
Sean Woo:									
United States	Dollar				8,341.28				8,341.28
Laos	Kip		444.00						444.00
Thailand	Baht		218.00						218.00
South Korea	Won		1,680.00						1,680.00
Total			24,697.27		83,531.54				108.228.81

SAM BROWNBACK,
Chairman, Commission on Security and Cooperation in Europe, Jan. 9, 2007.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), DEMOCRATIC LEADER FOR FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2006

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Marcel Lettre II:									
United States	Dollar				9,506.05				9,506.05
United Arab Emirates	Dirham		1,030.00						1,030.00
United Kingdom	Pound		312.37						312.37
Oman	Rial		309.00						309.00
Total			1,651.37		9,506.05				11,157.42

HARRY REID,
Democratic Leader, Jan. 24, 2007.

CONGRATULATING THE INDIANAPOLIS COLTS FOR WINNING SUPER BOWL XLI

Mr. REID. Madam President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 75, which was submitted earlier today.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 75) congratulating the Indianapolis Colts on their victory in Super Bowl XLI.

There being no objection, the Senate proceeded to consider the resolution.

Mr. BAYH. Madam President, today I pay tribute to the Super Bowl Champions from my home State of Indiana, the Indianapolis Colts. The Colts' 29-17 historic win over the Chicago Bears in Super Bowl XLI was the first professional football championship for the State of Indiana and a proud moment for our State and country.

As Tony Dungy hoisted the Lombardi Trophy high into the rainy Miami night, the first African American coach to do so, I was reminded of what people used to say about the great Joe Louis: "He is a testament to his race, the human race." This was a great moment for African Americans but one that we all should take pride in. Tony Dungy, Peyton Manning, Jim Irsay, and the entire Colts team and organization are a testament to what professional athletes should be, and they should be commended for winning with class, courage, and character.

It is rare in today's sports world that an organization carries itself with such character and class, on and off the field. Throughout the year, the Colts battled week after week, fighting uphill, and never buckling under the pressure.

Once the playoffs started, the Colts' true character shined even brighter. They never lost faith in themselves and prevailed as a team. Their conduct this season should be an example for all other teams, not an exception.

I will never forget sitting with my two young boys cheering as our team won the Super Bowl, but it was just as important that they got to see professional athletes carry themselves with such integrity. I congratulate the Indianapolis Colts on their Super Bowl victory and for the example they set for my children and the millions of others who I hope are inspired by their example.

Mr. LUGAR. Madam President, I am pleased to join my colleague Senator BAYH in supporting a resolution congratulating the Indianapolis Colts on their historic season, culminating Sunday in a thrilling victory over the Chicago Bears in Super Bowl XLI.

Like so many of my fellow Hoosiers, I have enjoyed cheering on the Colts since the Irsay family brought them to Indianapolis almost a quarter of a century ago. Over the years Colts owner and CEO Jim Irsay and president Bill Polian have brought together a remarkable group of dedicated professionals such as Tony Dungy and players who through their hard work and dedication to community service are a credit to the Colts organization, the City of Indianapolis, and the State of Indiana.

Special recognition should be given to Tony Dungy as the first head coach of African-American descent to lead his team to victory in the Super Bowl. I have enjoyed following Coach Dungy remarkable leadership and appreciate the example he sets for all Hoosiers.

I am hopeful that each of my colleagues in the Senate will join Senator BAYH and me in congratulating the Colts on this signal achievement.

Mr. REID. Madam President, I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 75) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 75

Whereas, on Sunday, February 4, 2007, the Indianapolis Colts defeated the Chicago Bears by a score of 29–17 to win Super Bowl XLI;

Whereas Colts owner and chief executive officer Jim Irsay and the Irsay family have worked to build the Colts organization not only into a championship caliber team, but also a group dedicated to service in communities across the State of Indiana;

Whereas Tony Dungy is the first head coach of African-American descent to lead a team to victory in the Super Bowl;

Whereas Peyton Manning, having thrown for 247 yards and made 1 touchdown, was named the game's Most Valuable Player;

Whereas the Colts' defense and special teams were able to force 5 turnovers and to limit the Bears to 17 points;

Whereas Colts president Bill Polian, widely considered the "architect" of much of the Colts' recent success, and the Colts management have assembled a group of players and coaches that has worked together to win 4 straight championships in the Southern Division of the American Football Conference;

Whereas the Colts' regular season record of 12–4 marks the team's fourth straight year with at least 12 wins, and makes the Colts only the second team to achieve such consistent success in the history of the National Football League;

Whereas the Colts are committed to community leadership, working to help those in Indiana communities who are disadvantaged and underserved, through the generosity of the Irsay family and player groups such as the Peyback Foundation and D.R.E.A.M. Alive, Inc.;

Whereas tens of thousands of fans braved bitterly cold temperatures to line the streets of Indianapolis, Indiana for a victory parade and the rally that followed in the RCA Dome; and

Whereas Hoosiers from across Indiana and the Nation have rallied together to cheer the Colts not just for winning, but for winning the right way, with dignity and professionalism: Now, therefore, be it

Resolved, That the Senate congratulates the Indianapolis Colts on their victory in Super Bowl XLI.

ORDERS FOR THURSDAY, FEBRUARY 8, 2007

Mr. REID. Madam President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m., Thursday, February 8; that on Thursday, following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that there then be a period for the transaction of morning business for 60 minutes, with Senators permitted to speak therein during the period for morning business, with the first 30 minutes under the control of the majority, with Senator WYDEN allocated 20 minutes of that 30 minutes and Senator NELSON of Florida the following 10 minutes; that the next 30 minutes be under the control of the Republicans; further, that at the close of morning business, the Senate proceed to executive session and resume consideration of the nomination of GEN George Casey; that there be 30 minutes of debate remaining on the nomination, with the time equally divided and controlled between Senators LEVIN and MCCAIN or their designees; that upon the use or yielding back of time, without further intervening action or debate, the Senate proceed to vote on confirmation of the nomination; that upon disposition of the nomination, the motion to reconsider be laid upon the table, the President be immediately notified of the Senate's action, and the Senate resume legislative session and then proceed to consideration of Calendar No. 18, H.J. Res. 20, the continuing funding resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Madam President, I appreciate the ability to move forward on this joint resolution. The distinguished Republican leader and I are going to spend some time tomorrow talking about amendments to this joint resolution. The Republican leader has been consistent in asking for amendments to the continuing resolution, and staff has exchanged paper on this matter. We are going to see what we can do to meet the demands of the Republicans.

PROGRAM

Mr. REID. Madam President, the Senate just entered into an agreement which establishes parameters for the final debate on the nomination of General Casey. The vote on confirmation will occur around 11:30 a.m. tomorrow. We don't know the exact time because it is according to how much time is used by the leaders, and other matters may get in the way.

After we dispose of that nomination, the Senate will begin consideration of the continuing funding resolution. As I indicated, the Republican leader and I have had discussions about this CR, and we will continue to have discussions as we move forward with this most important legislation.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. Madam President, if there is no further business to come before the Senate today, I ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 6:59 p.m., adjourned until Thursday, February 8, 2007, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate February 7, 2007:

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS THE CHIEF OF ENGINEERS/COMMANDING GENERAL, UNITED STATES ARMY CORPS OF ENGINEERS, AND APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY, WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 3036:

To be lieutenant general

LT. GEN. ROBERT L. VAN ANTWERP, JR., 8468

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. MARC L. WARREN, 3744

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. TRACY L. GARRETT, 7668

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be admiral

ADM. TIMOTHY J. KEATING, 8508

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

GINO L. AUTERI, 2663
PETER G. BREWER, 6928
JAMES J. BURKS, 7883
LINNES L. CHESTER, JR., 9900
LESLIE L. DIXON, 7550
KEVIN W. GLASZ, 4502
THOMAS S. HAINES, JR., 0170
MARK A. KOPPEN, 6523
LESLIE K. NESS, 2605
BRUCE D. PETERS, 2765
BRIAN L. RIGGS, 6043
MARK S. WHITE, 1357
GLENN A. YAP, 1987
JESUS E. ZARATE, 3971

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

BRIAN E. BERGERON, 0906
DOUGLAS B. CURRY, 8761
DOUGLAS E. FORD, 6212
LEE A. FULSAAS, 9929
JAY D. GRAVER, 4908
SCOTT R. GREENING, 0523
TIMOTHY C. KIRKPATRICK, 3652
STEVEN L. KLYN, 0254
ALLAN S. PARKE, 5840
JOHN K. PAUL III, 7459
MICHAEL E. POTH, 8361
GLENN L. TERRY, 2386
FRANCESCA VASTAFALLDORF, 9026
JAMES A. WIMSATT III, 7345
LOLO WONG, 1203

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

BRIAN D. AFFLECK, 8523
JIMMIE D. BAILEY II, 1756
JAMES R. BENNION, 2681
KEITH E. BRANDT, 5444
GERRY L. BROWER, 1512
JEFFREY N. DAVILA, 2918
PAUL S. DOAN, 5598
ALDO J. DOMENICHINI, 2886
DANIEL K. FLOOD, 1599
SPENCER J. FRINK, 8063
MARK D. GOODWIN, 7001
TIMOTHY P. GREYDANUS, 2511
DOUGLAS J. GRIDER, 4992
MICHAEL D. GRINKEMEYER, 3140
BRIAN H. HALL, 5778
BARTLETT H. HAYES, 0324
WOODSON S. JONES, 4402
BRIAN S. KENDALL, 7670
JOSEPH J. LEGAN, 4846
JOHN T. MANSFIELD, 5777
BRIAN F. MCCRARY, 3039
KEITH H. MORITA, 2612
DIANE C. NAPOLI, 3474
RANDALL H. NEAL, 4878
SANDRA S. OSSWALD, 8848
RORY G. OWEN, 8272
WILLIAM B. PERRY, 2502
TOD S. RUSSELL, 9118
ROBERT A. SCHMITZ, 2204
GARY N. STOKES, 5494
CHARLES S. TEDDER, 8695
GUILLERMO J. TELLEZ, 9541
WILLIAM A. THOMAS, JR., 2984
WILLIAM E. VENANZI, JR., 9603
LORNA A. WESTFALL, 8754

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

WILLIAM R. BAEZ, 6207
ROBERT K. BOGART, 1243
TIMOTHY D. BONNIWELL, 6046
MATTHEW J. BRONK, 9539
SOTO D. CANDELARIO, 9204
RENEE D. CARLSON, 4792
WILLIE T. CHI, 4375
MARGARET A. CURRY, 8934
DANNY R. ELLER, 6807
CHRISTOPHER A. GARZA, 0256
KATHLEEN A. GATES, 5416
MARTIN E. JORDAN, 2609
JAMES F. KNOWLES, 6338
RICHARD A. MCCLURE, 3153
EVERETT S. ONG, 8460
ERIC R. SCHMIDT, 5005
DARRELL S. SMITH, 8814
BRENT A. SONDAY, 6097
COREY M. STANLEY, 8327
BRYAN K. TALLENT, 6972
RICHARD A. VANDERWEELE, 3763
JAMES E. VANGILDER IV, 4817
JOHN K. WALTON, 9986
MICHAEL D. WEBB, 1426

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

KENT D. ABBOTT, 1354
JAYE E. ADAMS, 3214
PER K. AMUNDSON, 7926
DINA M. ANDREOTTI, 6799
CHESTER P. BARTON III, 6132
KRISTEN J. BEALS, 9799
RACHEL L. BECK, 6683
CELESTE S. BLANKEN, 4671
DAVID E. BLOCKER, 9199
KENNETH J. BOOMGAARD, 4246
CHRISTOPHER J. BORCHARDT, 9216
LINDA R. BOYD, 1833
KIMBERLY R. BRADLEY, 8564
JOSEPH V. BROWNE, 0801
KEVIN BRYAN, 0699
DAVID S. BUSH, 1349
MARK E. CAMPBELL, 3807
THOMAS J. CANTILINA, 9322
ALESIA C. CARRIZALES, 4414
SCOTT C. CARRIZALES, 8930
JAMES A. CHAMBERS, 3793
ARTEMIO C. CHAPA, 8513
MOLINDA M. CHARTRAND, 9719
JOHN H. CHOE, 8928
DIXON L. CHRISTIAN, 8697
VALERIE J. CLEGG, 8754
JASMIN K. COLE, 6178
JOSEPH CONNOLLY III, 3030
JOHN J. COTTON, 5552
MITCHELL W. COX, 0784
STEVEN J. CYR, 1524
MONICA A. DALRYMPLE, 5958
PIERRE ALAIN L. DAUBY, 1679
EDWIN P. DAVIS, JR., 9387
YVONNE M. DIETRICH, 8988
REYNOLD R. M. DLIMA, 1460
PETER G. DREWES, 3033
RITA L. DUBOYCE, 5426
CASEY E. DUNCAN, 2100
JAMES M. EGBERT, JR., 3626
CHRISTINE R. ERDIELALENA, 3661
JOYCE P. FIEDLER, 9155
DOUGLAS S. FILES, 2089
VAL W. FINNELL, 5150
MICHAEL L. GALLENTINE, 8130
ARTHUR J. GAMACHE, JR., 5677
VINOD K. GIDVANIDIAZ, 1101
STEPHEN A. GILL, 4803
HOWARD R. GIVENS, 0427
PAUL D. GLEASON II, 9149
SANDRA L. GRAVES, 3722
KERYL J. GREEN, 0982
PATRICK M. GROGAN, 5119
MELINDA B. HENNE, 8367
MICHAEL J. HIGGINS, 8655
PATRICK E. HILL, 5438
MARK A. HINTON, 9125
DUNCAN G. HUGHES, 8294
KATHRYN G. HUGHES, 5351
JAMES E. HUIZENGA, 1809
GREGORY S. HYLAND, 8830
CONSTANCE L. JACKSON, 7155
JOHN F. JAMES, 9249
SAMUEL O. JONES IV, 8614
SARAH S. JONES, 6677
ROBERT F. KACPROWICZ, 7543
WARREN R. KADRMAS, 4904
PATRICK S. KELLEY, 0095
GREGORY A. KENNEBECK, 8846
ROBERT S. KENT, 9011
CHETAN U. KHAROD, 0771
STEVEN M. KINDSVATER, 3673
TODD T. KOBAYASHI, 0772
PETER J. KOBES, 0169
DONALD C. KOWALEWSKI, 1955
ROBERT J. KOWALSKI, JR., 6918
DONALD J. LANE, 9895
JANICE M. LANGER, 8887
HENRY K. K. LAU, 1074
JIMMY J. S. LAU, 7961
DAVID P. LAUGHLIN, 0490
CRYSTINE M. LEE, 7491
ADMIRADO A. LUZURIAGA, 1885
WALTER M. MATTHEWS, 6483
JOHN D. MCARTHUR, 5613
JEFFREY D. MCNEIL, 1186
ANITA L. MCSWAIN, 6662
EVAN R. MEEKS, 0948
MICHAEL L. MILLER, 4514
DANIEL I. MIRSKI, 2559
TERENCE B. MITCHELL, 3606
ANDREW E. MOORE, 3797
PATRICK M. MUEHLBERGER, 4696
DAVID W. MUNITZ, 5030
CABOT S. MURDOCK, 2939
JEFFREY G. NALESNIK, 4463
SALLY W. NALESNIK, 7757
JUSTIN B. NAST, 5292
DOUGLAS A. NELSON, 3086
STEPHEN L. NELSON, JR., 7774
THOMAS C. NEWTON, 9626
WILFREDO J. NIEVES, 4097
STEVEN L. OLSEN, 4409
DONALD T. OSBORN, 1951
JOSEPH A. OUMA, 6756
ROBERT G. PATTERSON, 7913
CHRISTOPHER P. PAULSON, 1363
BARAK PERAHIA, 9619
KENNY J. PETERSON, 8899
JOSEPH A. POCREVA, 9732
MANOJ RAVI, 9377
LYRAD K. RILEY, 8193
JOY A. N. RODRIGUEZ, 2816
DAVID M. ROGERS, 7821
ROBERT J. SCHIMMEL, 7803
KEITH E. SCHLECHTE, 7539
JAMES M. SCOTT III, 1038
MELINDA D. SCREWS, 3873
GUY M. SHOAF, 8918
FERNANDO SILVA, 3760
PETER T. SIPOS, 0569
PAMELA D. SMITH, 5012
BRANDON T. SNOOK, 0059
JOHN B. STETSON, 2500
ROBERT T. SULLIVAN, 7542
GREGORY B. SWEITZER, 5263
DEREK A. TAGGARD, 9276
MICHAEL A. TALL, 6826
NATHAN L. TAYLOR, 8219
STEVEN B. TAYLOR, 9105
ROBERT E. THAXTON, 0526
NICOLE M. THOMAS, 7195
ALICIA L. TSCHIRHART, 2444
DANIEL R. TUCKEY, 4925
ANTHONY P. TVARYANAS, 5574
LAURENCE A. ULISSEY, 9019
GINA G. VITIELLO, 5925
ANTHONY W. WALDROUP, 3992
CRAIG A. WARDELL, 8997
DANIEL J. WATTENDORF, 5038
LEE D. WILLIAMES, 5488
PAMELA M. WILLIAMS, 3397
WILLIAM E. WINTER III, 2257
BRUCE A. WOODFORD, 4127
EDWARD B. WOODWARD, 8652
YI YANG, 0140
ROBERT R. YORK, 1505
JEFFREY M. YOUNG, 7322
SHAWN P. ZARR, 5665
JIANZHONG J. ZHANG, 9021
AN ZHU, 8580

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT IN THE GRADES INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531(A):

To be lieutenant colonel

ANTHONY J. PACENTA, 7126
BARNEY E. SELPH, 9025

To be major

GWENDOLYN A. FINLEY, 5290
CHARLES J. MALONE, 3492

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

TANSEL ACAR, 4065
LAURA A. AESCHLIMANN, 2148
COURTNEY A. ANDERSON, 7373
DEBORAH ASHCRAFT OLMSCHEID, 2010
AREZOO BARANI, 9603
ELHAM BARANI, 9614
STEVEN W. BLACK, 4049
ERIC W. BLUDAU, 0653
SETH R. BRIGGS, 5361
BRYAN E. CARDON, 9298
JASON A. CARTER, 5252
JACK K. CHUNG, 9556
PAUL M. CREER, 3901
MICHAEL J. DAILEY, 9084
JOHN C. DAVIS, 5529
PEGGY L. DICKSON, 1782
WILLIAM J. DICKSON, 0987
KERRI FONT, 3723
JEFFREY A. FORD, 1067
STEPHEN R. GASPAROVICH, 7876
USHA S. GOKHALE, 2465
SHANNON K. GRABARKEWITZ, 7212
JEREMY D. HAMAL, 9118
SHANE R. HANSON, 7704
JOSHUA M. HETHCOX, 9761
FRED P. KREY, 4626
SCOTT J. LAFONT, 0362
BEN S. LEE, 0068
DAVID R. LUKE III, 8947
JAMES F. MASON, 3948
CHRIS Y. MAYEDA, 5676
ROBERT B. MCLEOD, 3438
ROGER L. MILLER, 9592
BRIAN G. MIN, 5466
JEFFREY A. MOELLER, 0156
MICHELLE M. MOFFA, 3583
LEON A. NIEH, 7112
JAMES W. PLEDGER II, 4881
BRIAN RHEUDE, 8065
MARK D. ROBERTS, 8526
JEREMY F. SCARPATE, 7433
DONALD R. SCHMITT, 9212
DANIEL J. SIMON, 4840
ERIC D. SMITH, 7503
JUAN M. TEODORO, 3817
STUART P. THOMPSON, 2930
SCOTT E. THOMSON, 9473
CHAD M. WATTS, 6360
AMY E. WESTERMAN, 6262
BRANDON H. WILLIAMS, 5012
DAVID A. ZIMLIKI, 2004

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

BRIAN G. ACCOLA, 2775
DERICK H. ADAMS, 8207
SAMUEL E. AIKELE, 3683
NIMA A. ALINEJAD, 0251
ANDREW T. ALLEN, 6301
CANDENA L. ALLENBRAND, 5722
JOSHUA B. ALLEY, 2428
GREGORY W. ANDERSON, 8028
MARK A. ANDERSON, 8055
PETER I. ANDERSON, 3972
SHANE K. ANDERSON, 0499
FLORIN D. ANDRECA, 6046
JONATHAN L. ARNHOLT, 1257
AARON S. ASHABRANER, 7925
MICHAEL S. ATHA, 5279
NORMAN D. BAKER, JR., 8966

TIMOTHY P. BALLARD, 8421
ROBERT L. BALTZER, JR., 8152
ERIC W. BARNES, 7966
ANDY S. BARNETT, 4720
JASON BARNETT, 6188
JOHN P. BARON, 5526
MICHAEL J. BENCA, 4605
RONALD M. BERNARDIN III, 1731
JONATHAN M. BISHOP, 1101
DAVID J. BONILLA, 7725
EDWARD J. BORMAN, 1017
LANCE H. BORUP, 0840
JEFFEREY L. BOWDEN, 2724
KENNETH J. BRASLOW, 3490
REBEKAH G. BRISCOE, 0070
MATTHEW W. BROWN, 7967
SANDRA BRUNO, 2711
STEPHEN A. BURKY, 2063
TREVER M. BURNETT, 7819
ANTOINETTE T. BURNS, 4827
CASSANDRA J. BURNS, 9732
GLENN D. BURNS, 6243
KENT D. BURR, 4301
GEORGE J. BUSE, 0314
DAVID M. CALL, 8297
CHRISTOPHER N. CARAGAN, 3732
JEFFREY J. CARLSON, 2890
MICHAEL C. CAROZZA, 4608
LYDIA CARPENTER, 9486
YOVANNI CASABLANCA, 4264
HEATHER X. CERESTE, 0030
CHRISTY Y. H. CHAI, 0760
EDWARD CHAMPOUX, 4745
MICHAEL J. CHASE, 5791
MICHAEL CHEN, 9097
MARC A. CHILDRESS, 9720
JARED A. CHUGG, 8537
TRICIA L. CLARK, 0350
PETER M. CLIFTEN, 9915
FRANCIS J. CLORAN, 1009
JASON G. COISMAN, 4033
AMY E. COLEMAN, 2208
DEAN R. CRANNEY, 9977
PETER J. CRONIN, 5014
SCOTT J. CROSBY, 8186
JUSTIN L. CUMMINGS, 5401
MATTHEW J. DARLING, 6259
EVERETT J. DE LEON, 6806
PATRICK D. DEAN, JR., 7023
ADAM M. DEBIN, 1290
KAYLYNN DECARLI, 1678
STEVEN D. DEMARTINI, 4934
MICHAEL V. DEMASI, 5765
MICHAEL J. DERR, 6370
JUSTIN F. DEVITO, 1929
ERIN M. DOLAN, 5566
KENDRA L. DOLAN, 3416
JOHN R. DORSCH, 2967
ELIZABETH DUNCAN, 5226
ANTHONY M. DURSO, 2570
MARYANN J. ELACATE, 0991
ROBERT L. EMERY, 2000
RICHARD ENDORF, 1116
KELLY M. ENGLUND, 0072
GREGORY A. ERICKSON, 6227
JEFFREY S. FAIT, 0473
KEVIN A. FAJARDO, 3238
MARION B. FARNSWORTH, 8941
JACQUELINE S. FERNANDES, 9851
CECELIA M. FICEK, 4828
IRENE FOLARON, 3127
LEELEE E. FRANCISCO, 9965
JULIE A. FREILINO, 5303
BRIAN L. FRENCH, 3737
TRAVIS W. GERLACH, 4054
DANIELLE L. GIDDINS, 8969
MATTHEW C. GILL, 5135
TERRY A. GODFREY, 5078
ERIKA G. GONZALEZ, 1525
ANNE GRAY, 4487
ELIZABETH A. GREENE, 6587
DAVID S. GROUNDS, 2422
BRANDON T. GROVER, 7608
ALAN D. GUHLKE, 3815
GREGORY D. GUTKE, 5858
PATRICK A. HAGEMAN, 6195
CHARLES J. HAGGERTY, 3804
LENONIE M. HANLEY, 5955
MELISSA E. HANNA, 6654
RYAN D. HANSON, 4889
HERBERT J. HARMAN, 5797
KIRBY G. HARVEY, JR., 8519
STEVEN D. HELD, 1853
GIAN P. HERNANDEZ, 2770
ERIC A. HIGH, 7758
WILLIAM M. HILTON, 9927
BRADLEY S. HOCHSTETLER, 9920
BRIAN K. HOGAN, 3289
FAWN S. HOGAN, 6823
ROBERT L. HOLMES, 5978
JESSICA G. HORNE, 5765
STEPHANIE E. HORTON, 2919
MATTHEW D. HOWELL, 0346
LARA F. HUFFMAN, 2452
JONATHAN C. JACKSON, 0738
NORRIS J. JACKSON, 1272
HANS C. JENKINS, 2214
CASEY JIMENEZFERREIRA, 0134
KEITH J. JOE, 9499
ROY L. JOHNSON III, 9411
ANDREA R. JUDY, 2608
CARRIE A. JUDY, 9066
JEREMY S. KENNEDY, 0326
JESSICA A. KENT, 0630
MATTHEW R. KEYSOR, 8197
DAVID D. KIM, 1308
GARY S. KIM, 6425
KELLY S. KING, 5828
SCOTT A. KING, 3609
KRISTI N. KINSEY, 8006
DAVID J. KIRBY, 8828
SARAH V. KRINGER, 0866
DAVID E. KUHLMAN, 3515
TRISTAN T. LAI, 3995
JEFFREY M. LAMMERS, 9384
DANIEL R. LAMOTHE, 3160
FRANCESCA M. LANE, 9869
THOMAS M. LARGE, 6905
BRIAN D. LAYTON, 8948
DEWAYNE C. LAZENBY, 2812
BENJAMIN D. LEDERER, 1212
VINCENT J. LEE, 9486
MICHELLE K. LEGGETT, 6619
AARON D. LEIS, 5164
RUSSELL L. LEMMON, 3453
MARK R. LENTHE, 9904
MICHELLE R. LESTER, 7410
ADRIAN G. LETZ, 1032
HUI L. LI, 7482
MATTHEW B. LIPPSTONE, 2786
JOSEPH D. LOVE, 6868
FRANK L. LOYD IV, 3368
SEAN MACDERMOTT, 2039
MATTHEW M. MALAN, 6249
VALERIE J. MALLOY, 7172
KENNETH A. MARRIOTT III, 4491
BRYANT R. MARTIN, 4948
JOSHUA MATTISON, 1291
LENA M. MAYES, 9851
OLIVER MAYORGA, 4393
DEIRDRE M. MCCULLOUGH, 8497
JOSEPH H. MCDERMOTT, 8876
KERI J. MCHUGH, 9487
MARIEFRANCE M. MCINTEE, 4145
GREGORY M. MEIS, 9195
KENT A. MELDRUM, 7364
MICHAEL MICHEL, 1026
MARVIN J. MIKESKA, 7666
CHRISTINA M. MILLHOUSE, 6230
AASIF H. MIRZA, 6712
JENNIFER M. MOHR, 6590
NISHA N. MONEY, 9613
BENJAMIN E. MONTGOMERY, 1200
ZACHARY R. MUCHER, 6759
JOHN J. MURDOCK, 9009
SCOTT R. NASPINSKY, 3557
CUONG M. NGUYEN, 8930
NEIL B. NIPPER, 6997
ERIK V. NOTT, 3800
LANCE M. NUSSBAUM, 8729
ERIK D. OBERG, 5869
ELIZABETH A. OCONNOR, 4637
KEVIN W. ODONNELL, 0121
MARY J. M. ODTOHAN, 8019
JASON F. OKULICZ, 9503
DEREK A. OLDHAM, 9458
KRISTINA E. ORIO, 0419
PETER J. OSTERBAUER, 7821
TREMIKAE R. OWENS, 7069
PAUL C. PALECEK, 5937
VASUDHA A. PANDAY, 5357
TARANG V. PATEL, 0405
CHRISTINE M. PATTON, 3604
THOMAS B. PAYNTER, 3874
NATHAN H. PEKAR, 8840
MARIA E. PEREZJOHNSON, 5516
JOHN K. PLEMMONS, 6140
ANDREA M. PORROVECCHIO, 6659
PAUL PUCHTA, 7363
BRADLEY S. PUTTY, 0882
AARON R. QUINN, 2049
ROLANDO Y. RAMOS, 2626
CARL S. RAMSEY, 8628
JENNIFER R. RATCLIFF, 5891
LANCE D. REAL, 0258
CHRISTOPHER M. REED, 3292
DAVID G. REEL, 0155
LUCIENNE L. REIDDUNCAN, 2237
JOHN S. RENSHAW, 7576
RICHARD D. RHODES, 4408
DEVIN A. RICKETT, 5518
IAN C. RIDDOCK, 6519
HEATHER D. RIGGS, 9512
JON K. B. RIGGS, 2387
JANELLE L. ROBERTSON, 2956
JON M. ROBITSCHEK, 8626
JONATHAN M. ROGERS, 7896
JOHN RUSHTON, 2358
MICHAEL J. RUSSELL, 8297
TOMEKA D. RUSSELL, 2960
RAFAEL SANTIAGO, 2942
TAMAR E. SAUTTER, 8869
TREVOR J. SCHAR, 9786
TANJA R. SCHERM, 3682
CARRIE A. SCHMID, 6499
MELISSA SCHOENWETTER, 1956
ERICH W. SCHROEDER, 5428
DANIEL R. SCHULTEIS, 9744
ERIK R. SCHWALIER, 7807
TROY M. SCHWARTZ, 5597
ANDREW D. SEDIVY, 7120
CARRIE L. SELVARAJ, 2297
JAMES D. SENECHAL, 3918
AALOK D. SHAH, 9710
TAVIS M. SHAW, 2170
ERIC SHERMAN, 6858
JEFFREY W. SIMMONS, 4076
SUSANNAH L. SIMONE, 5536
CHRISTY R. SKIBICKI, 6464
BENJAMIN D. SMITH, 7406
BRENT W. SMITH, 4281
CHRISTIAN J. SMITH, 7806
JEANINE A. SOMMERVILLE, 4054
THOMAS D. SPRINKLE, 9413
JENNINGS R. STALEY, 0990
ERIC S. STOVER, 2003
JONATHAN L. STREETER, 1429
IVETTE E. SUBER, 1244
DREW N. SWASEY, 9703
JASON SWEENEY, 5242
WILLIAM D. TALLEY, JR., 2501
ARLO M. TAN, 5405
PEI Y. TANG, 3292
GREGORY H. TAYLOR, 0792
AARON S. THAKER, 5155
THOMAS J. THERRIEN, 0649
ELSA THOMAS, 9600
MONICA J. TILLMAN, 5379
JUSTIN J. TINGEY, 8330
CHRISTOPHER M. TSUEDA, 6797
JOHN M. TUDELA, 2749
MARISSA M. VALENCIA, 3662
LOUIS M. VARNER, 4027
GUY C. VENUTI, 8229
FRANKLIN D. WADDELL, 7048
CLAUDINE T. WARD, 3226
CHRISTOPHER M. WEBBER, 9540
BENJAMIN D. WEINTRAUB, 3699
DAVID J. WEITZ, 8501
SUK C. WHANG, 5329
BRIAN K. WHITE, 8716
BRYAN M. WHITE, 6677
ANNETTE L. WILLIAMS, 3259
JON P. WINKLER, 7560
OLIVER J. WISCO, 0008
JESSICA M. WRIGHT, 3036
MATTHEW W. WRIGHT, 6096
DARRELL M. ZAUGG, 1450
SCOTT M. ZELASKO, 1960
ALEXANDER J. ZENZICK, 8521
DAVID H. ZONIES, 8940

IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

TODD A. PLIMPTON, 7389

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

PERRY L. HAGAMAN, 9209
WILLIAM A. HALL, 8524

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SPECIALIST CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

DAVID W. ADMIRE, 9426
SUZANNE A. AKULEY, 8837
DOUGLAS W. AVILLA, 6690
LORIE Y. BARKER, 3762
RACHELLE M. BESEMAN, 9744
WILLIAM J. BOWMAN, 0979
KIMBERLY D. BRENDA, 5125
ALEXANDER K. BRENNER, 9928
TRACY H. BROWN, 5131
BRIAN E. BURK, 9157
RICHARD CAPO, 3781
RONALD A. CARDEN, 5928
PAUL T. CIECHOSKI, 1415
LARRY P. CLIFTON, 4563
JACQUELINE L. COLEY, 3124
ROBERT F. COLLINS, 5177
TIMOTHY S. CONGDON, 0697
PETER J. CONTOS, 9146
KYLE G. COOPER, 2020
THEODORE W. CROY III, 6422
SAEZ J. CRUZ, 8683
JOHN P. DANA, 6407
CHARLES K. DEAN, 7920
JOHN F. DETRO, 4899
JAMES C. DICKINSON, 0229
GAIL A. EVANS, 2716
SCARLETT A. FOSTER, 2241
JAMES C. FULTON, 0865
MICHAEL S. GAGNET, 0457
MICHAEL K. GARCIA, 8400
FLORIE GONZALES, 7516
JAY M. HARDY, 6930
PAUL J. HAWKENSON, 0242
NEIL T. HEDDEN, 5759
CHRISTOPHER L. HINTZ, 0504
FREDDIE C. HOBSON, 0988
KEVIN M. HOUCK, 3277
KENNETH E. HYDE, 0643
RODERICK KELLY, 9799
TOMMY W. LAIRD, JR., 4513

SHELENA I. LAY, 2624
ESTHER L. LAZO, 8568
IAN E. LEE, 8988
ANDREW E. LEIGH, 9561
DAVID S. LEVY, 8594
LARRY T. LINDSAY, 1525
SUE L. LOVE, 3966
ROBERTO E. MARIN, 7674
STEPHANIE A. MEYER, 2787
JOHN A. MILLWARD, 3703
ROBERT D. MONTZ, 6212
KEARY J. MUDIE, 0079
ROBERT P. NUTTER, 4432
ARNE E. OAS, 8518
EDWARD B. OBRIAN, 6755
DAWN L. ORTA, 7653
JAMES G. PAIRMORE, 3880
MARLIN D. PAYNE, JR., 3570
EVAN J. PETERSEN, 6676
ANN M. PIERCE, 7577
LANCE J. PLATT, 8689
KEITH A. POWELL, 7296
JAMES L. PULLIAM, 8045
MARC C. RACITI, 2804
JERRY L. RIDER, 8935
CHARLES A. ROBERTS, 4222
LAWRENCE A. ROBINSON, 2802
JOSEPH T. SENESI, 1791
HOLLIS L. SMITH, JR., 6999
JORGE E. SMITHLEON, 0908
LEANDRO SOLIS, JR., 3548
CAMERON C. STOKES, 7359
KERRYN L. STORY, 2553
MARK D. THELEN, 3732
RONNA L. TRENT, 6325
FRANKLIN L. TUCKER, 1211
BETH A. VANDERPOOL, 6289
JOSEPH W. WALBERT, JR., 1903
ROY E. WALLACE, 1878
SHELDON WATSON, 1871
RHONDA WYNDER, 7182
KATHLEEN E. YANCOSEK, 1607
ARTHUR F. YEAGER, 8811
D060341

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

JAMES A. ADAMEC, 8411
ELIZABETH E. ADAMS, 2413
RICHARD C. ALES, 9992
JEFFREY M. ALLERDING, 7271
MAEVELYN A. ANDALIS, 7288
LARRY B. ARAMANDA, 1774
JESSICA J. ARENS, 1437
VON M. ARNEY, 2429
FRANKIE B. BAILEY, 3497
RODDEX G. BARLOW, 9599
NEVADA D. BEDWELL, JR., 6842
ANNABEL J. BIGLEY, 8502
JEFFERY R. BORDERS, 9371
PHILLIP T. BRAY, 2237
WILLIAM J. BROWN, 4551
WINSTON C. BRUCE, 3647
KARI A. BRULEY, 9739
ANISSA J. BUCKLEY, 5393
JESS A. CALOHAN, 1241
ROMICO D. CAUGHMAN, 9955
MEKEISHA M. CAULK, 8866
ERIC K. CHA, 6746
MONIQUE R. COURTSCARTER, 2709
PAUL M. CRUM, 9269
PATRICIA L. DAVIS, 1936
STEVEN W. DAVIS, 9974
THOMAS J. DERION, 3905
JODY L. DUGAI, 1074
ROBERT P. DUPREY, JR., 9442
JAMES A. EADS, 7963
CHRISTOPHER L. ERKKILA, 8019
PAUL F. ESTES, 6385
CARABALLO D. ESTRADA, 6036
DARRELL B. EVANS, 2020
BRETT W. EVERS, 3338
JONATHAN F. FELLION, 6350
STACEY L. FERREIRA, 4954
ELIZABETH A. FINDLEY, 2110
CHARLES M. FISHER, JR., 2035
JAMES R. FOX, 4204
TAMARA S. FUNARI, 6913
KRISTEN J. GOODWIN, 8254
KENNETH R. GORE, 9782
AMY J. HADSALL, 2725
GREGORY D. HALL, 3491
ROBIN R. HARROLD, 3425
CARLA M. HERRERA, 4293
JENISE L. HILLS, 3966
DANIELLE T. HOCKEY, 1486
LAURA M. HUDSON, 7868
TODDY F. INGRAM, 0111
BONNIE J. JEANICE, 5787
JACK M. JENKINSON, 2727
JIMMIE C. JOHNSON II, 7374
JAROLD T. JOHNSTON, JR., 4634
JERROMY L. JONES, 5565
JOHN D. KEENER, 5604
MARK C. KILLEBREW, 7639
JOHNNY KING III, 0040
JULIE E. LEE, 2496
JENNIFER D. LORILLA, 6557
CHRISTINE M. LUDWIG, 5456
THERESA C. MACK, 3223
BRUCE MATHEWS, 8092
TERRY MATHEWS, 5497
DENISE A. MCFARLAND, 6311
WILLIAM J. MEEK II, 8504
ELBRIDGE A. MERRITT, 0249
VIVIANNA MESTAS, 5244
CARRIE B. MILES, 1244
GENERA D. MILLER, 2602
MICHAEL K. MOHAMMADI, 1425
RANDALL L. MOORE, 3550
ANNE M. MORGAN, 2043
TINA M. MORGAN, 8027
LELAND B. MORGANS, 2882
JOHN A. MURPHY, JR., 1142
TINA J. MURRY, 4491
LISA K. MUTZIG, 2792
STACEY E. NAPPER, 3736
JAMES R. NOLIN, 3896
KELLIE J. NORRIS, 7226
DORENE A. OWEN, 0545
TROY J. PALMER, 8067
SHARON Z. PARKER, 0045
KIM L. PARKS, 3223
BRANDI L. PECK, 4602
CLAUDIA A. PETERSON, 4539
CLAUSYL J. PLUMMER, 7095
AMBER L. POCRNICH, 5792
PRENTICE R. PRICE, 9383
RIKKINA G. PULLIAM, 8749
RODOLFO G. QUINTANA, JR., 9587
THOMAS O. RAWLINGS, 3071
WESLEY A. REYNOLDS, 2070
ARMI T. RHODES, 9249
SHERRI K. RIBBING, 2692
LAURA E. RICARDO, 8281
CHERYL C. RIVERA, 5786
SONYA R. ROBERTS, 9357
AMY K. ROY, 8690
PERRY C. RUIZ, 5099
JEFFREY D. RUMFIELD, 2669
RANDALL M. SCHAEFER, 2057
JODELLE M. SCHROEDER, 9196
DARIN S. SCHWARTZ, 0402
BENJAMIN E. SEELEY, 4002
DAWN M. SEELEY, 3590
PAUL A. SEXTON, 8525
JACK D. SHAPIRO, 8789
GREGORY V. SHUMATE, 6794
LEILANI A. SIAKI, 6591
JERREMIE V. SIEGFRIED, 5813
ANN C. SIMS, 8125
KEVIN E. SNYDER, 9732
WARREN A. STEWART, 8707
TINA M. STREKER, 3953
MICHAEL G. SWINDLE, 9361
BING TANWINTERS, 1240
MEEMIE J. THA, 4975
KENNETH J. THOMPSON, 8181
BRADLEY C. TIBBETTS, 5528
PAUL R. WARE, 5053
KEITH A. WARHURST, 1264
KEVIN M. WHELAN, 9778
EUNOTCHOL WHITE, 1461
MARK WILKINSON, 3599
CONREAU L. WILLIAMS, 5506
VANESSA WORSHAM, 9743

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY VETERINARY CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

DENNIS R. BELL, 8949
MICHAEL BERECZ, 2655
STEPHANIE L. BOYD, 0996
RONALD L. BURKE, 0191
TAYLOR B. CHANCE, 0781
MARK G. CHAPPELL, 6753
MATTHEW J. ENROTH, 9972
GERRI L. FLETCHER, 5986
CHAD D. FOSTER, 4024
MICHELLE E. GOODNIGHT, 0034
MARGARET A. HANSON, 8272
CARY HONNOLD, 8048
BRYAN D. HUX, 7934
GWYNNE E. KINLEY, 9324
NORMAN KREISELMEIER, 3183
ERIC LOMBARDINI, 1859
ANDREW L. MCGRAW, 2518
AUDREY C. MCMILLANCOLE, 9970
RACHEL S. MOULTON, 1221
ROBERT PAUL, 7257
CONNIE W. SCHMITT, 1804
TRACY H. SCHMITT, 3318
KRISTIE L. SOUDERS, 7322
BRETT J. TAYLOR, 4326
APRIL ULMER, 8732
KENT J. VINCE, 8605

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

RONALD J. AQUINO, 9567
ORTIZ E. ARROYO, 9773
CAROL A. ASADOORIAN, 2577
ROBERT T. ASHBURN, 3852
PRINCESS L. ATUNRASE, 2824
SEREKA L. BARLOW, 1514
MICHAEL F. BELENKY, 9657
ALVIN BLACKMON III, 6621
JEFFERY K. BLACKWELL, 3759
GERALD L. BONNER, JR., 3895
MICHAEL W. BOYE, 7350
DAVID A. BOYER, 8625
PATRICK J. BRADY, 6736
DANIEL D. BRIDON, 4517
BURKE L. BRISTOW, 8947
ALAN D. BRYANT, 1429
PATRICK M. CAREY, 4220
CLAYTON A. CARR, 3942
PHILLIP W. CHRISTY, 5118
DAMON P. CLEATON, 5124
JAMES F. COLE, 9958
JUSTIN D. COLE, 6023
GARY S. COOPER, 5839
JASON B. CORLEY, 3675
MATTHEW T. COX, 6731
JAMES E. CRAIG, 8306
GARRICK L. CRAMER, 6951
RICHARD L. CURTIS, 5039
LORNETTE D. DALLAS, 5950
COREY V. DAUGHTREY, 1995
JASON S. DAVIS, 3118
LANA G. DAVIS, 3197
CLARISSA DEJESUSMORALES, 3627
DAVID A. DERRICK, 9396
MICHAEL DESENA, 5486
DAVID L. DOUGLAS, 1097
JAMES A. EDDIS III, 8260
JASON FAIRBANKS, 7352
MATTHEW A. FARISHON, 9199
SEAN P. FARLEY, 7059
GLEN J. FIORENZA, 3609
LEE C. FREEMAN, 6525
OSCAR S. FRIENDLY, 5373
BRADY A. GALLAGHER, 4796
JAMES H. GERLACH, 1847
KATHLEEN M. GIBSON, 5186
GEORGE O. GILBERT, JR., 3127
JACOB H. GIN, 4068
PAUL C. GRAVES, 8061
ANTHONY D. GRAY, 5416
NIZAMETTIN GUL, 1967
MICHAEL HAEDT, 5667
VERONICA L. HAGER, 4179
JAMES T. HAMACHER, 1697
MICHELLE HANNON, 4975
SHIRLEY L. HARP, 9639
DARIN L. HARPER, 4962
ANDREW J. HARTMAN, 7801
BERNARD HARVEY, 8100
CORY L. HEINEKEN, 9351
KENNETH S. HELGREN, 8490
ROBERT C. HOERAUF, 2783
TIMOTHY J. HUNT, JR., 3813
RAYMOND J. JABLONKA, 6601
DOUGLAS R. JACKSON, 7719
FREDERICK C. JACKSON, 4626
MARY A. JOHNSON, 1929
TAMMIE M. JONES, 7180
STEVIE T. JORDAN, 7381
NICOS KARASAVVA, 7332
ALEXANDER K. KAYATANI, 2978
AMY S. KING, 3678
ANTHONY M. KING, 3328
DANNY KITTRELL, JR., 8665
CLEMENS S. KRUSE, 5550
THOMAS M. LANDINO, 4218
KENDRA L. LAWRENCE, 5213
JOHN W. LEE, 9674
SEAN C. LESTER, 0924
JACQUELINE N. LEWIS, 2332
DANIEL M. LIEDL, 7311
ROBERT A. LINDSAY, 5555
ROBERT G. LOWEN, 5348
PETER B. MARKOT, 3099
WINICO M. MARTINEZ, 8400
JAMES N. MASTERSON, 2445
CHRISTOPHER D. MAYHUGH, 5759
YVETTE M. MCCREA, 9603
DARRYL A. MCGUIRE, 0531
DAVID S. MCILWAIN, 0922
SEAN A. MCMURRY, 9672
STEVEN A. MEADOW, 5642
MARK D. MELLOTT, 4676
MICHAEL S. MENDENHALL, 5727
SCOTT C. MENKING, 8715
WANDA L. MICHAELS, 5488
DAVID R. MILLER, 3121
DANIEL MISIGOY, 1639
SHELLEY N. MIZELLE, 4041
HEIDI P. MON, 0111
JAMES A. MORRISON, 4799
JITTAWADEE MURPHY, 0453
BERNADETTE A. NITER, 9953
MARCO A. OCHOA, 6600
TERRIE L. PITTMAN, 6699
MATOS J. PIZARRO, 5083
MARK C. PLOOSTER, 0874
PETER J. PRESLEY, 2464
JOSE F. QUESADA, 2172
MCKINLEY N. RAINEY, 9186
PETER A. RAMOS, 5360
LYLE D. RASMUSSEN, JR., 2072
DEVON O. REED, 0036
JEFFREY L. REIBESTEIN, 8267
CRAIG D. RENNARD, 9017
CABRERA E. REYES, 8775

DANIEL E. REYNOLDS, 1346
RANDALL W. RHEES, 1513
FRANK E. RIGGLE, JR., 5620
SHANE A. ROACH, 5667
CODY R. ROBERSON, 4781
JASON L. ROBERTS, 5639
ADMINDA L. RODRIGUEZ, 3470
DAVID L. ROLLINS, 2666
PHILLIP D. ROOKS, 6854
KURT E. SCHAECHER, 9921
TIMOTHY A. SHARPE, 1048
JEFFREY S. SIGMON, 8382
MICHAEL S. SMITH, 1699
SAUDIA D. SMITH, 3924
NELSON S. SO, 0992
EDWARD SONAK, 7264
STEPHEN T. SPEER, 7378
RAYMOND D. SPIAK, JR., 2350
ERIC SPOTTS, 4835
SCOTT J. STOKOE, 9773
KEVIN L. STRAIT, 1979
SCOTT F. SWANDAL, 3697
NICOLA A. THOMPSON, 3855
ARISTOTLE A. VASELIADES, 9186
RICHARD VELAZQUEZ, 5627
CARYN R. VERNON, 4231
GEORGE C. WALKER, 7390
KENNETH L. WALTERS, 0713
LAWANDA D. WARTHEN, 2891
HANS H. WEI, 3638
STATON W. WEST, 1795
JO A. WHISENHUNT, 6033
DANIEL M. WOODLOCK, 3096
TODD M. YOSICK, 0307
HASSAN ZAHWA, 8572
PATRICK A. ZENK, 8672
DAVID R. ZINNANTE, 4856
REBECCA A. ZINNANTE, 6506
JOHN P. ZOLL, 5787
D060342
D060343

CONFIRMATIONS

Executive nominations confirmed by the Senate Wednesday, February 7, 2007:

EXECUTIVE OFFICE OF THE PRESIDENT

J. MICHAEL MCCONNELL, OF VIRGINIA, TO BE DIRECTOR OF NATIONAL INTELLIGENCE.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be admiral

ADM. WILLIAM J. FALLON

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. THOMAS W. TRAVIS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. DAVID H. CYR

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. DOUGLAS J. ROBB

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIGADIER GENERAL FRANK J. CASSERINO
BRIGADIER GENERAL STEPHEN P. GROSS
BRIGADIER GENERAL CLAY T. MCCUTCHAN
BRIGADIER GENERAL FRANK J. PADILLA
BRIGADIER GENERAL LOREN S. PERLSTEIN
BRIGADIER GENERAL JACK W. RAMSAUR II
BRIGADIER GENERAL BRADLEY C. YOUNG

To be brigadier general

COLONEL FRANK E. ANDERSON
COLONEL PATRICK A. CORD
COLONEL CRAIG N. GOURLEY
COLONEL DONALD C. RALPH
COLONEL WILLIAM F. SCHAUFFERT
COLONEL JACK K. SEWELL, JR.
COLONEL RICHARD A. SHOOK, JR.
COLONEL LANCE D. UNDHJEM
COLONEL JOHN T. WINTERS, JR.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. JAMES M. DUBIK

IN THE AIR FORCE

AIR FORCE NOMINATIONS BEGINNING WITH MICHAEL D. JACOBSON AND ENDING WITH TERRILL L. TOPS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 18, 2007.

AIR FORCE NOMINATIONS BEGINNING WITH STUART C. CALLE AND ENDING WITH EDWIN O. RODRIGUEZPAGAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 18, 2007.

HOUSE OF REPRESENTATIVES—*Wednesday, February 7, 2007*

The House met at 10 a.m.

The Reverend Kenn Hucks, Pastor, Immanuel Baptist Church, Lebanon, Tennessee, offered the following prayer:

Our Father, we offer to You our greatest praise and thanksgiving for another day to serve You and our fellow man. Thank You for the grace and blessing to live in this great land.

Grant to every American in this great assembly a craving for Your wisdom, the courage to express it, and the commitment to never turn away from what is right.

Bring true and lasting peace to our world. Allow spiritual renewal to sweep our great land, and help us to truly become one Nation under God that is indivisible, with liberty and justice for all.

Help each of us to humble ourselves under Your mighty hand and truly love our neighbor as our self.

Protect our Armed Forces, prosper our workforce, and prescribe the path of Your will for all of America and for every American. In our Savior's name, amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Indiana (Mr. HILL) come forward and lead the House in the Pledge of Allegiance.

Mr. HILL led the Pledge of Allegiance as follows:

> I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING THE REVEREND KENN HUCKS

(Mr. COOPER asked and was given permission to address the House for 1 minute.)

Mr. COOPER. Madam Speaker, we were privileged today to have deliver our opening prayer the Reverend Kenn Hucks from Lebanon, Tennessee, Immanuel Baptist Church, formerly in BART GORDON's district, and now in my district. We are also privileged to have his beautiful wife Kim with us today sitting in the family gallery.

This is a church that started in 1947 with just a few dozen members, and now it is in the top 1 percent of the Tennessee Baptist and the Southern Baptist Conventions, due to a long line of inspirational pastors, the latest of whom is Kenn Hucks, who joined the congregation, was called to the ministry in 2002. We appreciate his great spiritual leadership in our community, and we appreciate his being with us today.

BUSH BUDGET

(Mr. KLEIN of Florida asked and was given permission to address the House for 1 minute.)

Mr. KLEIN of Florida. Madam Speaker, I would like to speak about the budget this morning and the concern that I have that the budget President Bush has proposed makes it very clear that his priorities are out of touch with everyday Americans. President Bush would rather maintain his tax cuts for the wealthiest in our communities, while leaving seniors, veterans and working families behind.

He also believes that his budget will rid our Nation of debt in 5 years, even though he wants to keep spending billions of dollars in Iraq and maintain these tax cuts for the most wealthy.

Further, President Bush continuously fails to be up front with the American people about the true cost of the war. Even in the supplemental that he proposed, he fails to acknowledge the additional cost of the troops and support personnel that will be required by the troop surge. Folks, the numbers simply don't add up.

I am disappointed that the budget fails to include ample funding for the Everglades restoration and beach renourishment, which are an important asset and resource in our country. The Everglades and our beaches in Florida are not only important to Floridians, but also national treasures enjoyed by millions of Americans each year.

It is time for our government to step up to the plate and fulfill its commitment to the Everglades, our beaches, and all our other natural assets; I am going to fight to make this happen.

President Bush's priorities are out of step, and as we continue to debate his budget, I am confident Congress will restore funding to many of the programs our American families deserve and depend on.

ELIMINATING PREVENTABLE HEALTH CARE ASSOCIATED INFECTIONS

(Mr. TIM MURPHY of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TIM MURPHY of Pennsylvania. I would like to welcome my colleague from Pittsburgh in his first time in the Speaker's chair.

Mr. Speaker, more people die each year from infections they pick up in hospitals than from AIDS, breast cancer or auto accidents. The Centers for Disease Control reports these health care-associated infections contribute to 90,000 deaths per year, with annual costs exceeding $50 billion. Medicare costs for patients who contract an infection while hospitalized is five times higher than for patients without these infections. For Medicaid patients, costs are 14 times higher.

Many hospitals have dramatically reduced infection rates by implementing patient safety procedures. I will be introducing the Healthy Hospitals Act to provide financial incentives to hospitals for savings gained from eliminating these infections, and require public reporting of infections so health care providers and patients can work together to save lives and money. We need patient-centered health care that promotes patient choice, patient safety and patient care quality.

To learn more about eliminating preventable health care-associated infections, I invite my colleagues to visit my Web site at Murphy.house.gov.

PRESIDENT'S BUDGET CONTINUES TO SHORTCHANGE VETERANS AND MILITARY RETIREES

(Mr. WILSON of Ohio asked and was given permission to address the House for 1 minute.)

Mr. WILSON of Ohio. Mr. Speaker, we have an obligation as a government to provide assistance to the men and women who have bravely served our Nation in our military; but once again, President Bush sent us a budget this week that significantly shortchanges veterans health care.

While our brave troops are fighting abroad as of right now, the President proposes a $3.5 billion cut in veterans health care over the next 5 years. His budget also provides less than veteran service organizations say is needed to meet the growing needs of veterans, including the fact that we have a growing robust amount of veterans with the Iraq-Afghanistan war.

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

For the fifth year in a row, the budget raises health care costs on 1.3 million veterans, imposing $4.9 million in increased copayments on prescription drugs, and new enrollment fees on veterans over the next 10 years.

The budget also increases TRICARE health care premiums for the Nation's military retirees, and includes several other changes in military health care that have been rejected by Congress in previous years.

If these proposals are not successful during the 2008 fiscal year, the budget for military health care will continue to be underfunded by at least $1.8 billion.

Mr. Speaker, America's veterans deserve better, and they will get it from this Democratic House.

CAMERAS IN THE SUPREME COURT

(Mr. POE asked and was given permission to address the House for 1 minute.)

Mr. POE. Mr. Speaker, the Supreme Court is the most powerful Court in the world. These nine black-robed individuals rule on constitutional matters that affect all Americans for lifetimes. The third branch of government holds its session in public, as it ought to be.

The theory behind public court proceedings is that the more public and open, the more likely they are to be fair. More courts throughout the vastness of America are expanding on this public trial concept by allowing unobtrusive cameras in the courtroom. This allows citizens to view court proceedings. When I was a judge in Texas, I allowed cameras to film criminal trials, including a capital murder case. I found that this enhanced the concept of a fair public trial.

Those that have never been a trial lawyer or a trial judge say that lawyers play to the cameras; but lawyers don't play to the cameras, they play to the jury or the court.

So open Supreme Court proceedings to cameras. Let America see what takes place. And to those judges who are opposed to this openness, maybe they shouldn't be doing what they do when the camera is not rolling.

And that's just the way it is.

KUCINICH 12-POINT PLAN FOR IRAQ

(Mr. KUCINICH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KUCINICH. Mr. Speaker, we are sacrificing our entire domestic agenda for an illegal war in Iraq.

When you look at the President's budget, reductions in education and health care over a period of time will cause many necessary programs to be cut for the American people. Meanwhile, the White House is discussing whether or not to bring refugees from Iraq to the United States.

Now, think about it a minute. We are prosecuting an illegal war in Iraq, we are illegally occupying the country, we are building permanent bases in Iraq, and now we are talking about bringing refugees here. The real humanitarian thing to do would be to end the war by ending the occupation, closing the bases and bringing our troops home.

That is exactly what my 12-point plan would do. I reached it with the help of people from the international community, the U.N., people who have experience in peacekeeping. They say we can bring in an international security force once we get agreement from the countries in the region, and we can bring our troops home.

We have to stop this disaster in Iraq, bring our troops home, end the occupation.

CONGRESSIONAL INACTION JEOPARDIZES WALLOWA COUNTY ROADS, RESCUE SERVICES AND PILT

(Mr. WALDEN of Oregon asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WALDEN of Oregon. Mr. Speaker, the failure of Congress to reauthorize the Secure Rural Schools and Communities Self-Determination Act amounts to another breach of faith to more than 600 forested counties and 4,400 school districts across our great country.

For Wallowa County, Oregon, this means the road department and the sheriff search and rescue budgets will be slashed in half. There are more than 700 miles of roads in Wallowa County maintained by a current staff of 14. Soon only seven will try and keep up with this responsibility; that is one person for every 100 miles of road in Wallowa County. That is the same distance as between Washington, DC, and Richmond, Virginia. County Commissioner Mike Hayward says, "Impact to our roads and rescue services will put our citizens and visitors at risk."

Loss of the county payments program will also have a significant negative impact on more than 18 county governments across America whose Payment in Lieu of Taxes funds could be reduced by as much as 20 percent.

This Congress must keep the Federal Government's word to the people who live in timbered communities and pass H.R. 17. Time is running out for them.

BUSH SLASHING FUNDING TO EDUCATION AND JOB TRAINING PROGRAMS IN 2008 BUDGET

(Mr. HILL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HILL. Mr. Speaker, the President's budget serves as a blueprint as to what his priorities will be for the upcoming year.

At a time when our economy is becoming increasingly competitive, it is essential that we fully fund education programs across the board. Unfortunately, education is not prioritized in the President's budget.

Funding for No Child Left Behind remains about $15 billion below the level promised when the bill was first signed into law in 2001. How can we hold our schools accountable when the President refuses to provide the funds needed to improve many of these schools?

The President finally makes good on a 6-year-old promise to increase the amount of money given to low-income students through the Pell Grant program, but it comes at a price. The President proposes recalling all Perkins loans and eliminating nine other higher education assistance programs.

At a time when college is becoming more out of reach for many Americans, we should be looking to strengthen all college assistance programs so more high school seniors have a chance to attend.

Mr. Speaker, Democrats, this one included, will once again make education a priority for our Nation's students.

AFGHANISTAN

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, I rise to stress the importance today of our partnership with the people of Afghanistan.

The 9/11 attacks were planned in Afghanistan, and a number of those who planned it are still at large, including Osama bin Laden. President Hamid Karzai's leadership is vital, as is his continuing work to bring stability and security to Afghanistan; he is an important ally in the global war on terrorism. Unfortunately, reports suggest that progress in Afghanistan continues to be undermined by Taliban and terrorist forces operating out of Pakistan.

Mr. Speaker, we cannot allow Afghanistan to become a failed state again; therefore, we must ensure that terrorist operations in Afghanistan stop and terrorist sanctuaries and safe havens across the border in Pakistan are eliminated. And we need more cooperation from Pakistan. Let's not neglect the situation in Afghanistan. We do so at our peril.

BUSH ADMINISTRATION NOT PREPARED TO SEND TROOPS TO IRAQ WITH PROPER SUPPLIES

(Mr. SARBANES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SARBANES. Mr. Speaker, as we know, President Bush wants to send another 22,000 young American men and women into harm's way in Iraq in the face of overwhelming opposition, even within his own party and his own administration. Now we are learning that the military does not have all the equipment needed to safely send these troops to Iraq. The Washington Post reported last week that the increase in troop levels will create major logistical hurdles for the Army and Marine Corps, which are short thousands of vehicles, armor kits and other equipment. Even the Army's Deputy Chief of Staff for Force Development said, "We don't have the armor kits and we don't have the trucks," and it will take months for the Army to obtain the necessary supplies.

This is simply one more piece of evidence that the administration's proposal to increase troops in Iraq is terribly misguided. It is another example of how the rhetoric of supporting the troops is not matched by the reality.

□ 1015

FORMER BORDER PATROL AGENTS IGNACIO RAMOS AND JOSE COMPEAN

(Mrs. BLACKBURN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BLACKBURN. Mr. Speaker, you know, we are discussing national security every single day on the floor of this House, and our Border Patrol agents seem to be the forgotten soldiers fighting this war on terror. They guard our border every single day and protect our country from terrorists, from human traffickers, from drug traffickers.

Former Border Patrol agents Ignacio Ramos and Jose Compean were recently convicted of shooting a drug smuggler while they were patrolling and protecting the border. Then they were sentenced to a decade in prison. You may have read that our own U.S. Attorney had this drug smuggler brought from Mexico, gave him immunity to testify against our agents, and then the smuggler was released.

Now the drug smuggler is suing the U.S. Government for damages. As soon as Agent Ramos began his sentence in a Federal prison, he was assaulted by drug smugglers and drug users who were inmates in that prison. Ramos was doing his duty, protecting Americans from the thugs and the drug smugglers. Now we have failed to protect him.

BUSH WANTS TO MAKE TAX CUTS FOR WEALTHY PERMANENT WHILE INCREASING TAXES ON 30 MILLION

(Mr. BUTTERFIELD asked and was given permission to address the House for 1 minute.)

Mr. BUTTERFIELD. Mr. Speaker, last month during his State of the Union message, President Bush said that it is possible to balance the budget without raising taxes, but that is not the case. The President's health care proposal would increase taxes on more than 30 million Americans.

You didn't hear that during the State of the Union address, but the President wants to tax Americans who have what he calls gold-plated health coverage. The overwhelming majority of these Americans are middle class workers who oftentimes accepted better health care coverage over pay increases during negotiations with their employers. Many of these workers either need the substantial coverage for themselves or a sick family member.

The President's tax increase proposal is the latest assault on employer-provided health care. Employers with older and sicker workers pay higher insurance premiums, not because they have gold-plated insurance, but because their insurance companies charge them for more coverage. At a time when 1 million more Americans are becoming uninsured every year, the administration should not provide employers another reason to drop their health care coverage for their workers.

HOPE SHINES AFTER THE DISASTER

(Mr. STEARNS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEARNS. Mr. Speaker, this weekend, a deadly tornado inflicted enormous damage in my Congressional district. Yet even in the darkest times, the victims of the storm were enveloped in the incredible generosity of its neighbors. By Saturday, over 1,400 volunteers provided 22,000 meals and snacks and distributed 1,000 health kits.

Tim Miller and his three sons helped the Suggs family gather their belongings after the storm left. Tim Miller said, "I'm just doing what I can to help."

Villages resident Al Seiden said, "Despite our house being destroyed . . . if you look around, there are at least eight people, volunteers, friends and neighbors who have come in and helped us . . . The spirit of this community is unbelievable."

Wendy Spencer, the COE of the Governor's Commission on Volunteerism adds, "We are receiving so many offers to help, which is wonderful. Our goal is to maximize this generosity to be as effective as it can be for meeting the needs of the tornado survivors now and in the weeks and months to come."

Congratulations to all these volunteers. Great job.

AMERICAN HEART MONTH

(Mrs. CAPPS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CAPPS. Mr. Speaker, I would like to take this opportunity to acknowledge American Heart Month, which is observed each year throughout February. I anticipate that many of my colleagues will attend events in their districts commemorating Heart Month, as I will.

As we do, I urge all of us to pay special attention to the effects of heart disease on women. The good news is that heart disease deaths are beginning to decline among women.

The bad news remains, however, that heart disease is still the number one killer of women in this country. Although awareness among women about their risks for heart disease is increasing, awareness remains particularly low among minority women.

Let's take the opportunity during American Heart Month to talk with the women in our lives and in our community about their risks for heart disease and the preventive steps they can take to decrease these risks.

SUPPORT THE METHAMPHETAMINE REMEDIATION RESEARCH ACT OF 2007

(Mr. WALZ of Minnesota asked and was given permission to address the House for 1 minute.)

Mr. WALZ of Minnesota. Mr. Speaker, I rise today in support of H.R. 365, the Methamphetamine Remediation Research Act of 2007. In Minnesota, methamphetamine usage has increased dramatically over the past decade. With that being said, legislators, law enforcement and concerned citizens are all taking the necessary steps to protect our communities from the threat of methamphetamine usage and production.

This legislation addresses the difficult problem of meth lab remediation. Meth production, which occurs most often in residential homes, leaves behind dangerous toxic waste. In fact, according to the Minnesota Department of Health, meth production leaves behind up to 7 pounds of dangerous chemical waste for every pound of meth produced. This waste presents a health risk to future residents and an environmental risk to the surrounding area.

In 2005, in Minnesota, 88 major meth labs were discovered, each of which presented significant risk. Although Minnesota has strong local and State guidelines for dealing with meth lab remediation, the Federal Government can still play an important role in making our communities safer.

H.R. 365 will direct the EPA to research and establish important voluntary guidelines for meth lab remediation. Furthermore, the bill will bring together local and State agencies, organizations and individuals to share their best strategies for cleaning up meth labs and determining when they are inhabitable.

Mr. Speaker, this legislation is a necessary step toward improving the meth lab remediation process nationwide. It will help local, State and Federal law enforcement safely move forward after discovering a meth lab, and it will make local communities dealing with the methamphetamine problem cleaner and healthier. I encourage its passage.

AMERICAN HEART MONTH

(Ms. BORDALLO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. BORDALLO. Mr. Speaker, February marks the 44th annual American Heart Month, an effort to raise awareness of the single largest cause of death for both men and women in this country, heart disease. Like the country as a whole, heart disease is the leading cause of death on my island of Guam.

However, heart disease is increasingly becoming an issue for Pacific Islander women. In fact, a recent Centers for Disease Control study indicates that heart disease is responsible for 214 deaths per 100,000 women on Guam. This is a staggering rate, and only through greater awareness and education can we begin to confront this challenge.

I urge everyone, Mr. Speaker, to take this opportunity to battle this disease by educating others about the benefits of healthy living and the risk factors contributing to heart disease.

NEW NATIONAL SECURITY ESTIMATE SHOWS THAT THERE IS NO MILITARY SOLUTION IN IRAQ

(Mr. PERLMUTTER asked and was given permission to address the House for 1 minute.)

Mr. PERLMUTTER. Mr. Speaker, last week, the White House received a new National Intelligence Estimate from our intelligence agencies that confirms what we already know: The situation in Iraq is bad and likely to get worse. The NIE report concluded that the U.S. has little control over the day-to-day developments in Iraq and that there is a strong possibility of further deterioration.

The report also refutes the President's claim that we could begin to see progress from his troop escalation within the next 6 months. Instead, the President's own intelligence experts expressed deep doubts that the Iraqis will be able to gain any real control over their militias within the next 18 months.

They also stressed that the major security problem is not the presence of al Qaeda but instead is the Iraqi-on-Iraqi violence. The intelligence officials make clear that the political accommodations are crucial to reducing sectarian tensions, but the report concludes that the parties are unwilling or unable to make them at this point.

ADMINISTRATION DOESN'T HAVE ENOUGH SUPPLIES FOR TROOP ESCALATION PLAN

(Mr. SIRES asked and was given permission to address the House for 1 minute.)

Mr. SIRES. Mr. Speaker, as President Bush moves forward with his unpopular plan to send an additional 22,000 troops to Iraq, it is crucial that this Congress take a hard look at how this surge affects our national security throughout the rest of the world.

Last week, General James Conway, the Marine Corps Commandant, told the House Armed Services Committee that if troops were needed somewhere else in the world, the response would be a lot slower than we might like. Army Chief of Staff Peter Schoomaker went as far as saying that pooling resources for troops in Iraq limits our ability to respond to emerging strategic contingencies.

Mr. Speaker, after hearing all these warnings from military officials about the President's escalation plan, Congress must step in and voice its opposition in the name of protecting our national security. The days of rubber stamping the President's war plans are over.

STIFLING IRAQ DEBATE IN SENATE

(Mr. PALLONE asked and was given permission to address the House for 1 minute.)

Mr. PALLONE. Mr. Speaker, democracy is based on the free exchange of ideas, debating issues to find a solution reasonable people can agree upon. However, when it comes to discussing the most important issue facing our Nation, the Senate Republican leadership is more concerned with giving the President political cover than engaging in a democratic debate of ideas.

The Republican Senate leadership is even blocking the voices in their own party by filibustering debate on any resolution dealing with the war in Iraq, including the McCain-Graham resolution supporting the President's troop surge and the Warner-Levin resolution in opposition to it. The consideration of these resolutions, especially the bipartisan Warner-Levin resolution, would serve as the basis for the first real debate on the President's flawed Iraq war policy since the war began nearly 4 years ago.

Mr. Speaker, the American people deserve a democratic discussion of ideas on the issue that is most important to them. Next week we will have a debate here in the House that will allow each of us to speak our minds on the President's plan, and I would hope that the Senate leadership would allow the same debate over in the other Chamber.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. DOYLE). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Recorded votes on postponed questions will be taken later today.

METHAMPHETAMINE REMEDIATION RESEARCH ACT OF 2007

Mr. GORDON of Tennessee. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 365) to provide for a research program for remediation of closed methamphetamine production laboratories, and for other purposes.

The Clerk read as follows:

H.R. 365

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Methamphetamine Remediation Research Act of 2007".

SEC. 2. FINDINGS.

The Congress finds the following:

(1) Methamphetamine use and production is growing rapidly throughout the United States.

(2) Materials and residues remaining from the production of methamphetamine pose novel environmental problems in locations where methamphetamine laboratories have been closed.

(3) There has been little standardization of measures for determining when the site of a closed methamphetamine laboratory has been successfully remediated.

(4) Initial cleanup actions are generally limited to removal of hazardous substances and contaminated materials that pose an immediate threat to public health or the environment. It is not uncommon for significant levels of contamination to be found throughout residential structures after a methamphetamine laboratory has closed, partially because of a lack of knowledge of how to achieve an effective cleanup.

(5) Data on methamphetamine laboratory-related contaminants of concern are very limited, and cleanup standards do not currently exist. In addition, procedures for sampling and analysis of contaminants need to be researched and developed.

(6) Many States are struggling with establishing remediation guidelines and programs

to address the rapidly expanding number of methamphetamine laboratories being closed each year.

SEC. 3. VOLUNTARY GUIDELINES.

(a) ESTABLISHMENT OF VOLUNTARY GUIDELINES.—Not later than one year after the date of enactment of this Act, the Administrator of the Environmental Protection Agency (in this Act referred to as the "Administrator"), in consultation with the National Institute of Standards and Technology, shall establish voluntary guidelines, based on the best currently available scientific knowledge, for the remediation of former methamphetamine laboratories, including guidelines regarding preliminary site assessment and the remediation of residual contaminants.

(b) CONSIDERATIONS.—In developing the voluntary guidelines under subsection (a), the Administrator shall consider, at a minimum—

(1) relevant standards, guidelines, and requirements found in Federal, State, and local laws and regulations;

(2) the varying types and locations of former methamphetamine laboratories; and

(3) the expected cost of carrying out any proposed guidelines.

(c) STATES.—The voluntary guidelines should be designed to assist State and local governments in the development and the implementation of legislation and other policies to apply state-of-the-art knowledge and research results to the remediation of former methamphetamine laboratories. The Administrator shall work with State and local governments and other relevant non-Federal agencies and organizations, including through the conference described in section 5, to promote and encourage the appropriate adoption of the voluntary guidelines.

(d) UPDATING THE GUIDELINES.—The Administrator shall periodically update the voluntary guidelines as the Administrator, in consultation with States and other interested parties, determines to be necessary and appropriate to incorporate research findings and other new knowledge.

SEC. 4. RESEARCH PROGRAM.

The Administrator shall establish a program of research to support the development and revision of the voluntary guidelines described in section 3. Such research shall—

(1) identify methamphetamine laboratory-related chemicals of concern;

(2) assess the types and levels of exposure to chemicals of concern identified under paragraph (1), including routine and accidental exposures, that may present a significant risk of adverse biological effects, and the research necessary to better address biological effects and to minimize adverse human exposures;

(3) evaluate the performance of various methamphetamine laboratory cleanup and remediation techniques; and

(4) support other research priorities identified by the Administrator in consultation with States and other interested parties.

SEC. 5. TECHNOLOGY TRANSFER CONFERENCE.

(a) CONFERENCE.—Not later than 90 days after the date of enactment of this Act, and at least every third year thereafter, the Administrator shall convene a conference of appropriate State agencies, as well as individuals or organizations involved in research and other activities directly related to the environmental, or biological impacts of former methamphetamine laboratories. The conference should be a forum for the Administrator to provide information on the guidelines developed under section 3 and on the latest findings from the research program described in section 4, and for the non-Federal participants to provide information on the problems and needs of States and localities and their experience with guidelines developed under section 3.

(b) REPORT.—Not later than 3 months after each conference, the Administrator shall submit a report to the Congress that summarizes the proceedings of the conference, including a summary of any recommendations or concerns raised by the non-Federal participants, and how the Administrator intends to respond to them. The report shall also be made widely available to the general public.

SEC. 6. RESIDUAL EFFECTS STUDY.

(a) STUDY.—Not later than 6 months after the date of enactment of this Act, the Administrator shall enter into an arrangement with the National Academy of Sciences for a study of the status and quality of research on the residual effects of methamphetamine laboratories. The study shall identify research gaps and recommend an agenda for the research program described in section 4. The study shall pay particular attention to the need for research on the impacts of methamphetamine laboratories on—

(1) the residents of buildings where such laboratories are, or were, located, with particular emphasis given to biological impacts on children; and

(2) first responders.

(b) REPORT.—Not later than 3 months after the completion of the study, the Administrator shall transmit to Congress a report on how the Administrator will use the results of the study to carry out the activities described in sections 3 and 4.

SEC. 7. METHAMPHETAMINE DETECTION RESEARCH AND DEVELOPMENT PROGRAM.

The Director of National Institute of Standards and Technology, in consultation with the Administrator, shall support a research program to develop—

(1) new methamphetamine detection technologies, with emphasis on field test kits and site detection; and

(2) appropriate standard reference materials and validation procedures for methamphetamine detection testing.

SEC. 8. SAVINGS CLAUSE.

Nothing in this Act shall be construed to affect or limit the application of, or any obligation to comply with, any State or Federal environmental law or regulation, including the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) and the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).

SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

(a) ENVIRONMENTAL PROTECTION AGENCY.—There are authorized to be appropriated to the Environmental Protection Agency to carry out this Act $1,750,000 for each of the fiscal years 2007 and 2008.

(b) NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.—There are authorized to be appropriated to the National Institute of Standards and Technology to carry out this Act $750,000 for each of the fiscal years 2007 and 2008.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. GORDON) and the gentleman from Florida (Mr. MARIO DIAZ-BALART) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

Mr. GORDON of Tennessee. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 365, the bill now under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. GORDON of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 365, the Methamphetamine Remediation Research Act. This is the same legislation which passed the House a year ago, but was not enacted into law. Unfortunately, the need for this legislation is just as strong today as it was then.

We have a terrible problem with methamphetamine in Tennessee and the Nation as a whole. One side effect of the methamphetamine epidemic is the chemical waste dump left behind by meth cooks. H.R. 365 focuses on cleanup needs for former meth labs, a tremendous problem facing communities across the country.

The Drug Enforcement Agency reported more than 12,500 domestic meth lab seizures in 2005 alone. These meth labs, most often found in residential settings, are contaminated, not only with methamphetamine but also with other toxic residue associated with the production of meth. These chemical residues pollute the inside of a residence and also threaten septic and water systems. The meth epidemic has not only devastated families, it has also left thousands of potentially toxic waste dumps spread across the country.

Right now, there are unsuspecting families living in homes that were once illegal meth labs. Dangerous and hidden toxic substances on these sites threaten the health of these families, with children being the most vulnerable to the devastating long-term effects of exposure.

H.R. 365 addresses the specific problem of determining the level of cleanup required to ensure that a former meth lab is safe for occupation.

I want to stress that H.R. 365 is not a Federal mandate. Rather, it requires the EPA to develop model, voluntary, health-based cleanup guidelines for use by States and localities if they desire.

In addition, H.R. 365 authorizes this to initiate a research program to develop meth detection equipment for field use.

This will help law enforcement agents detect active meth labs faster and assist in measuring the levels of contamination in former meth labs.

Finally, H.R. 365 requires a study by the National Academy of Sciences on the long-term health impact of exposure to meth labs on children and first responders. It authorizes a total of $5 million for EPA and NIST to carry out these activities over 2 years, a bargain by any standard. The bill is endorsed by the National Association of Counties, the National Sheriffs' Association, the Fraternal Order of Police, the National Narcotics Officers' Associations' Coalition, the National Association of Realtors, the National Multi-Housing Council and the National Apartment Association.

H.R. 365 is not the complete solution to the methamphetamine epidemic. Unfortunately, there will always be people who decide to harm themselves by using methamphetamines, dangerous drugs such as meth or manufacturing dangerous drugs such as meth.

□ 1030

H.R. 365 aims to protect innocent people whose lives are endangered by these illegal activities.

Mr. Speaker, I want to thank Ranking Member HALL, Representative WU, and Representative CALVERT for working with me on this legislation in the past Congress, and for sponsoring this legislation for reintroduction in the 110th Congress, as well as I want to thank Mike Quear for the good staff work that has helped bring this bill before us.

This bill is an important component in helping our local communities combat the meth problem. I would urge everyone to vote "yes" on this bill.

Mr. Speaker, I would like to place two letters in the RECORD.

COMMITTEE ON SCIENCE AND TECHNOLOGY,
Washington, DC, February 7, 2007.

Hon. JOHN D. DINGELL,
Chairman, Committee on Energy and Commerce, House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN DINGELL: Thank you for your willingness to allow floor consideration of H.R. 365, the Methamphetamine Remediation Research Act of 2007, to proceed unimpeded. As you may know, this bill addresses very important environmental research issues and is a priority for our caucus; approximately half of the House Democratic Caucus has cosponsored the legislation.

I have been cognizant of the jurisdictional limits of the Committee on Science and Technology since I began writing this legislation. Therefore, I instructed my staff to work with the Office of the Parliamentarian to assure a sole referral to the Committee on Science in the 109th Congress and to the Committee on Science and Technology in the 110th Congress. I am pleased that they were successful in both Congresses in keeping the bill within the Science and Technology Committee's black letter jurisdiction over environmental research and development and standardization of weights and measures.

I acknowledge that your committee, if it had so chosen, would have had the right to request a sequential referral of this legislation, both in the 109th Congress and in the 110th Congress. Since this did not occur, I am unable to predict whether the Speaker would have given the Committee on Energy and Commerce a formal referral. I would like to make it clear that I recognize that sequential referrals sometimes do occur at this point in the process and I further recognize that our proceeding to the Floor of the House with this legislation should not be construed as deciding this issue one way or the other.

As you requested, I will insert our two letters in the Congressional Record as part of the consideration of the bill on the House floor. I value your advice and expertise and welcome it any time you wish to share it on legislation that has been referred to the Committee on Science and Technology.

Sincerely,

BART GORDON,
Chairman.

COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, February 6, 2007.

Hon. BART GORDON,
Chairman, Committee on Science, House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: I write with regard to H.R. 365, a bill to provide for a research program for remediation of closed methamphetamine production laboratories. You introduced it on January 10, 2007, and it is scheduled for floor consideration tomorrow under the procedure for suspending the rules.

As you know, I support passage of the bill, and I do not intend to object to its consideration on the House floor. I want to make clear, however, that my support is provided with the understanding that you and I agree that the referral and consideration of the bill does not in any way serve as a jurisdictional precedent as to our two committees.

I request that you send to me a letter confirming our agreement and that, as part of the consideration of the bill on the House floor, you insert our two letters in the Congressional Record. If you wish to discuss this matter further, please contact me or have your staff contact Jonathan Cordone, Deputy Chief Counsel to the Committee, at ext. 5-2927.

Sincerely,

JOHN D. DINGELL,
Chairman.

Mr. Speaker, I reserve the balance of my time.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I also rise in support of H.R. 365, the Methamphetamine Remediation Research Act of 2007, that was introduced by our colleague Mr. GORDON, who is obviously the chairman of the Science and Technology Committee, along with ranking member Mr. HALL, Mr. CALVERT, and also Mr. WU.

I want to especially thank Congressman CALVERT for his steadfast leadership on this issue for such a long time. He has really been the voice on this issue in Congress for a long time, and has worked with everybody on both sides of the aisle on this legislation.

As Mr. GORDON said, he stated just a while ago, this legislation is very similar to the legislation that passed the Science Committee and the House in the 109th Congress. Mr. Speaker, it passed by a voice vote then. This one also, though, addressed changes made by the Senate in that bill that passed the Congress before.

Over the past decade this issue, the spread of methamphetamine, has been plaguing really everyplace around the country. It has been killing individuals, destroying families, devastating communities in every conceivable part of our country in areas that you would not think that this could happen, in residential areas. It is a huge, huge problem.

We also have to deal with the harmful residue that this horrible substance leaves behind in homes. Those substances cause harm to human beings and to their health for years to come. This legislation focuses on the cleanup of the former meth labs.

H.R. 365 addresses the significant contamination associated with these labs and would provide voluntary guidelines to clean up the former labs. And, again, as I said a little while ago, these meth labs are present all over the United States in residential areas, in places that one would never think this could happen.

Currently, Mr. Speaker, there are no national guidelines or regulations on how to clean up and remediate a residential meth lab for reoccupation of people. States and localities are struggling to protect the public and also the law enforcement officers and the first responders, and they are trying to find a solution that is practical also for the property owners.

Many of the ingredients used in the manufacture of this product are highly dangerous and toxic, and are believed to damage the skin, the eyes and the lungs of even people who move into a house where there used to be a lab. Mr. Speaker, I look forward to hopefully the passage of this legislation and the Senate sending it to the desk of the President for his signature.

Mr. Speaker, I reserve the balance of my time.

Mr. GORDON of Tennessee. Mr. Speaker, let me first compliment Mr. DIAZ-BALART for a good explanation of the bill and the threats that go with this.

I now would like to yield 2 minutes to the gentleman from Missouri (Mr. CARNAHAN), a member of our Science Committee.

Mr. CARNAHAN. Mr. Speaker, I rise in strong support of H.R. 365, the Methamphetamine Remediation Research Act of 2007. This bill will be an important tool in the methamphetamine epidemic that is sweeping across our country.

Mr. Speaker, I want to thank Chairman GORDON for moving these bills so quickly through the Science Committee so that we may continue the antimeth initiatives in this new Congress. The bill charges the EPA with the development of health-based guidelines to assist State and local authorities in cleaning up former meth lab sites.

According to the 2006 National Drug Threat Survey of State and Local Law Enforcement, meth was named most often the greatest drug threat. Well, I am proud to say that my home State of Missouri has been a leader nationwide on issues such as expansion of stem cell research and creation and implementation of the historic preservation tax credit. My State, unfortunately, has the most prevalent meth problem.

Based on data from 2005, Missouri had a reported staggering 2,252 meth lab incidents, the highest in the Nation. Jefferson County, in the heart of my district, has the highest number of meth lab incidents in Missouri, reporting 259 incidents in 2005 alone.

I have seen firsthand the negative and harmful impact of this in my district. I have met with law enforcement throughout my district and compliment them on their aggressive and innovative programs.

But the large amount of meth lab incidents in Missouri means that police, firefighters and other first-line responders are exposed to meth labs in the line of duty. While some States have already passed laws to require cleanup of meth labs, Missouri and many others have not.

This bill is vital, because we need the EPA to create these voluntary guidelines for first responders nationwide. This bill would be beneficial in determining the effects of meth exposure. In addition to creating guidelines for cleanup, the bill would also require the National Academy of Sciences to study the long-term impacts on first responders, children and property owners.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. CALVERT).

Mr. CALVERT. Mr. Speaker, I am proud to join Chairman GORDON, Mr. HALL and Mr. WU as the lead sponsors of H.R. 365, the Methamphetamine Remediation Act of 2007.

Mr. Speaker, we were very close to sending this legislation to the President for signature at the end of the last Congress, so I greatly appreciate the chairman keeping this issue at the forefront of this Congress and for steering the bill quickly through the Science and Technology Committee at the start of the 110.

Mr. Speaker, I also thank the committee's majority and minority staffs who have diligently worked together and with the Senate over the last few years to develop and revise this legislation.

As a founder and cochairman of the Congressional Caucus to Fight and Control Methamphetamine, I know the meth epidemic in our country shows no deference to district or party line. This is an issue everyone can agree is wreaking havoc on communities across our Nation.

As mentioned by my colleagues, H.R. 365 focused its efforts on procedures and standards needed to decontaminate a site where a methamphetamine lab is found so our communities can more thoroughly remediate these sites.

The creation of voluntary health-based remediation guidelines for former meth labs, created by the Environmental Protection Agency, will protect and ensure the health of our citizens and the surrounding environment.

This is a distressing issue with many, and certainly my area of Riverside, California, and, quite frankly, most of America has been all too familiar. Meth poses significant environmental threats as its production leaves, as mentioned, 5 to 6 pounds of toxic waste per pound of methamphetamine developed.

The Drug Enforcement Agency estimates that more than 68 percent of all meth labs are located in ordinary homes in rural and residential areas. State and local agencies need all of the resources and tools that we can provide them to remediate the contamination that remains after meth labs are dismantled so that innocent families are not in danger.

Although we are all aware that more needs to be done to win the fight against this devastating drug, I am convinced that H.R. 365 will be an important step and will be welcomed by our communities.

So I thank Chairman GORDON for his good work, and I encourage all of my colleagues to pass this commonsense legislation.

Mr. GORDON of Tennessee. Mr. Speaker, I thank Mr. CALVERT for cosponsoring this legislation last session as well as this session, and for his work as cochair of the important Methamphetamine Caucus.

I now yield 2 minutes to my friend from Texas (Mr. AL GREEN), an alumnus of the Science Committee.

Mr. AL GREEN of Texas. Mr. Speaker, it was a preeminent privilege to serve with the gentleman on the Science Committee when he was a chairperson in waiting, and I am honored to call you Mr. Chairman today.

Mr. Speaker, this is a serious problem. I beseech, I urge, I implore, I beg that my colleagues would support this legislation, H.R. 365.

365 is an appropriate number for this legislation, because this is a 365/24/7 problem. And this problem must be dealt with. This is a dangerous drug to produce. It is toxic. It is poisonous. It is deadly. It can explode. Twenty percent of all labs are discovered because of fire or explosion.

And as bad as this is, there is a sinister side to this drug. Innocent people are being harmed by virtue of this drug being in residential property that landlords are not aware of. And when these innocent persons move in with their children, the residue from this product is causing damage to the liver, damage to the lungs, may cause cancer, and it creates problems in the neurological system.

Mr. Speaker, we must act now. These labs are in all 50 States. No State is beyond the scope of this problem. Two-thirds of the residential settings are victimized with these labs. Between 2003 and 2005, the DEA pointed out that 47,000 lab incidents occurred. We must act now if the innocent are to be protected from this deadly assassin. I beg that we all support this important piece of legislation.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I reserve the balance of my time.

Mr. GORDON of Tennessee. Mr. Speaker, I yield 2 minutes to the gentleman from Iowa (Mr. BOSWELL).

Mr. BOSWELL. Mr. Speaker, I rise today in strong support of H.R. 365, and I associate myself with the remarks just made. Well said. It is a scourge to our country.

I want to thank Chairman GORDON and Ranking Member HALL of the Science and Technology Committee for their hard work on this important piece of legislation. I also want to thank the Meth Caucus leadership, Messrs. CANNON, CALVERT and LARSEN, who I have worked with.

Meth has wreaked havoc on our communities. Every district in our Nation has in some way felt the impact of what methamphetamine can do to families, the burden it places on local law enforcement and public health, and the toxic effect it has on the environment. In my State of Iowa alone, we had roughly 350 meth lab busts last year. Although this number is significantly down from 1,500 busts in 2004, it still presents a tremendous problem for my State.

I personally thank Marvin Van Haaften of Marion County, our recent drug czar, for his great work and leadership in this cause. In order to effectively continue our efforts to eradicate meth from our communities, we need every piece of information available. This legislation will increase the pool of information that local law enforcement and others rely upon.

Mr. Speaker, I am particularly pleased that this legislation takes the necessary steps to coordinate the development of meth detection equipment with emphasis on field detection equipment. I believe having reliable equipment in the field will not only strengthen meth-related cases, it will increase the safety of our law enforcement officers, enabling them to take necessary steps to protect themselves from the toxic environment caused by the production of methamphetamine.

Furthermore, the study commissioned by the legislation exposes the long-term effects of exposure of meth labs on children and first responders. This help is long overdue. I am proud this legislation addresses the issue.

Mr. Speaker, as a cosponsor of H.R. 365, I strongly urge my colleagues to support and pass this measure.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I reserve the balance of my time.

Mr. GORDON of Tennessee. Mr. Speaker, I yield 2 minutes to the former youngest attorney general in the Nation, who saw firsthand the problem with methamphetamine in Kentucky (Mr. CHANDLER).

Mr. CHANDLER. Mr. Speaker, I come to the floor today in support of my good friend and chairman, the fine gentleman from Tennessee, who is on a mission of mercy.

Mr. Speaker, this issue is extremely important to all people in this country, and truly it represents an epidemic. It is a problem that does affect every single State in our country, and unfortunately it has had a disproportionate effect on my home State of Kentucky, as I know it has also in Tennessee.

Law enforcement officials, in my view, have done an incredible job in fighting the meth epidemic. According to the Office of Drug Control Policy, in June of last year, there were almost 57 percent fewer methamphetamine lab seizures in Kentucky than in the previous years; however, our State still ended the year with well over 500 meth lab incidents.

Our law enforcement officials cannot do it alone. Fighting production of meth is not the last battle we face when dealing with this terrible drug. We have to take it a step further.

□ 1045

Meth is highly volatile, and because it is often produced in homes, apartments or hotel rooms, this drug can threaten the health of whomever may occupy that space later. We must ensure that the environments of our families are free of the remnants of meth production. We must take the necessary steps so that the authorities know how to best clean former sites and develop new technologies for detecting this harmful drug. And, Mr. Speaker, that is exactly what this bill does.

I encourage my colleagues to support this fine piece of legislation and help our communities in their fight against this truly difficult epidemic.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I reserve the balance of my time.

Mr. GORDON of Tennessee. Mr. Speaker, I yield 1 minute to a former DA from New York State who, once again, has seen this epidemic firsthand and has dealt with it there, and now, as a new Member of Congress, he is dealing with it on a national basis, Mr. ARCURI.

Mr. ARCURI. Mr. Speaker, as a former DA from upstate New York, I know firsthand the scourge that methamphetamine has laid upon our rural areas. And I represented a district that was both urban and rural, and I saw that methamphetamines did to the rural areas what crack cocaine did to the urban areas. And I think that it is imperative that we take these steps that we are taking to fight methamphetamines.

The difference, however, between methamphetamines and crack is that there is a derivative effect that methamphetamine has, and that is that it affects the people who live in the households of people who produce methamphetamines and law enforcement officers when they go into those areas. So it is very important that this bill is passed because it does exactly what local law enforcement needs, and that is for the Federal Government to act in a way that develops strategies for fighting methamphetamines, strategies for protecting our law enforcement officials.

So I strongly support this bill, and urge my colleagues to support it.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I reserve the balance of my time.

Mr. GORDON of Tennessee. Mr. Speaker, Oregon has long had a terrible problem with methamphetamines, and a real fighter there has been Ms. HOOLEY, and I yield 2 minutes to her.

Ms. HOOLEY. Mr. Speaker, and Mr. Chairman, thank you so much for all of your leadership on this issue. I applaud you.

In my three decades of public service, I don't think I have ever seen a problem as pervasive or as damaging as the methamphetamine epidemic that is sweeping our country. Meth is a serious threat to public health and safety, not only because of the highly addictive nature of the drug and what it does to the user, but also the ease of production and the danger of toxic chemicals used to manufacture it.

These toxic chemicals cause significant property damage from residue contamination in the floors and the walls of the house, to fires, even deadly explosions. Chemicals used to make meth are highly flammable and toxic. It is estimated, for every pound of meth produced, we have 6 to 7 pounds of toxic waste.

And meth addicts don't care where the toxic chemicals end up, often dumping the waste down the drain or onto the ground, leaving it to contaminate the community's water supply and their soil.

In conversations with local health officials in my district, they have stressed to me the harmful health effects that living not only in the former meth houses but even next door to one can have on people, particularly children and the elderly.

Because the meth epidemic began in the west coast before moving east, Oregon has long been a leader in the fight against meth and the destruction it brings to our communities. We have been a leader in developing standards for the cleanup of meth labs, setting standards for decontamination and certifying that a property has been cleaned by a State-licensed contractor before it is sold or rented. Oregon's standards have been seen as the highest in the Nation. I would encourage the EPA to look at Oregon as they develop national standards. But we need a consistent Federal standard that is based on research and best practices.

When the cost to clean up a small, single family home can easily reach $15,000, we need to make sure that we are spending our money wisely by using the best possible remediation methods. This bill will help us do this.

I urge my colleagues to support H.R. 365.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I reserve the balance of my time.

Mr. GORDON of Tennessee. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. HILL).

Mr. HILL. Mr. Speaker, I would like to thank Chairman GORDON for introducing this important piece of legislation, the Methamphetamine Remediation Research Act.

In my home State of Indiana and throughout our country, meth labs are a growing problem, and we all know this. In Jackson County, Indiana, where I grew up and raised my family, 64 meth labs were found there in 2003. That was the fourth highest total in the State.

These meth labs pose a serious threat to the safety and physical well-being of communities and particularly our Nation's children. This bill will provide States with specific guidelines and advice on the most effective way to decontaminate a meth lab. In addition, this bill will also help keep our local law enforcement safe during a meth lab cleanup.

I would like to thank our law enforcement agents who I have had many, many conversations with about this growing problem in America and Indiana. I want to thank them for working to dramatically lower the number of meth labs in Indiana to fewer than 1,000 for the first time since 2002. We need to continue to support our local law enforcement and give them the knowledge and tools they need to make sure our communities stay safe.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I reserve my time.

Mr. GORDON of Tennessee. Mr. Speaker, no Member of this Congress has done more to fight this epidemic of methamphetamine than the cochairman of the Methamphetamine Caucus, Mr. LARSEN. I thank him for his good work and yield him 1 minute.

Mr. LARSEN of Washington. Mr. Speaker, I rise in full support of H.R. 365, and I want to thank Chairman GORDON, Mr. HALL and my fellow cochairs of the Meth Caucus, Mr. CALVERT, Mr. BOSWELL and Mr. CANNON for their work in drafting this bill, getting it to the floor here today.

Meth is literally a chemical cocktail. It is made from hazardous caustic substances. In the process of cooking a batch of meth, those chemicals seep into the interior of a home, and often innocent families move into these houses and apartments completely unaware that their new home was once used to cook meth. It isn't until they become ill that they know something is terribly wrong.

The DEA reported over 12,000 meth lab busts in 2005 in 49 States. There are currently no Federal standards or health-based guidelines to determine when a former lab is safe to inhabit.

This bill will create the research both to know when a home is safe to reinhabit and the health impacts of exposure to a lab. We owe it the children found in meth labs each year to know how their health has been affected and how best to treat them. This bill does that.

As a cochair of the Meth Caucus, I am very pleased to see an important meth bill like this one brought to the floor, and I urge all of my colleagues to vote "yes."

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I reserve the balance of my time.

Mr. GORDON of Tennessee. Mr. Speaker, our final speaker is the gentleman from Texas (Mr. DOGGETT) and I yield him 1½ minutes.

Mr. DOGGETT. Mr. Speaker, as an active member of the Congressional Caucus to Fight and Control Methamphetamines, and a sponsor of this bill, I am pleased that early in this Congress we are addressing a killer that strikes fear in the hearts of parents and exacts great cost from our communities.

Over 10 million Americans age 12 and older are reported to have tried methamphetamine. In 2005, in Texas alone, some 250-plus meth labs were seized. Their dangers are not limited to the criminal manufacturers of this wretched drug or the consumers of this poison. Rather, these highly toxic labs represent a much wider threat. Even the remains of the illicit production of a meth lab can, by themselves, produce life-threatening injuries, death, and destruction of property.

Our votes today supporting the Methamphetamine Remediation Research Act are votes to protect our families, our neighborhoods, and support our law enforcement organizations as they attack the destructive impact of meth labs. We must continue to work with local, State and Federal law enforcement to ensure that we are combating this scourge at every level—that our local officials have the technology, the funding, and the support they need to detect these labs, close them down and clean them up.

I applaud the leadership of Chairman GORDON and all those who have worked on this piece of legislation. We took some action last year and there is much more action which is necessary, but this is a very important next step in our efforts against meth.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I yield myself 30 seconds.

I just want to also thank the chairman of the Science and Technology Committee, the gentleman from Tennessee (Mr. GORDON), for putting this on the top of his agenda, at the top of his priorities. It is an important issue, and I want to thank him for doing that.

Mr. Speaker, we have no further requests for time, and so I would yield back the balance of my time.

Mr. GORDON of Tennessee. Mr. Speaker, it certainly is nice to see a good bipartisan piece of legislation pass through this House. It is a good way to start. I appreciate the cooperation of everybody involved.

In closing, I want to say that this targeted bill can help every community where a meth lab has been discovered. I would urge a "yes" vote on H.R. 365.

Mr. LANTOS. Mr. Speaker, I rise today in support of H.R. 365, the Methamphetamine Remediation Research Act of 2007. This critically important piece of legislation helps detect and safely dispose of Methamphetamine production sites across this nation.

The issue of illegal methamphetamines is a top health concern for me and my constituents in the 12th district of California. According to the National Drug Intelligence Center's February 2005 National Drug Threats Assessment Report, the level of methamphetamine consumption in San Francisco is critically high compared with that of most other cities in the United States.

Mr. Speaker, let me start by emphasizing the extreme danger that methamphetamines pose on today's youth. Methamphetamine is a drug concocted from a variety of household items including gasoline, paint thinner, battery acid, propane, and lighter fluid among other things, cooked together to form a powder or crystal like substance that is either smoked, ingested or injected.

According to the Office of National Drug Control Policy methamphetamines are a highly addictive drug that can cause progressive social and occupational deterioration and lead to episodes of violent behavior, paranoia, anxiety, confusion, and insomnia. Habitual usage can lead to physical complications such as inflammation of the heart lining, damaged blood vessels, skin abscesses, as well as variety of cardiovascular problems that ultimately can lead to death. Doctors have equated damage to the brain caused by methamphetamine use with brain damage caused by Alzheimer's disease, stroke, and epilepsy. Psychotic symptoms can sometimes persist for months or years after drug use has ceased.

According to the 2005 National Survey on Drug Use and Health an estimated 10.4 million Americans aged 12 or older used methamphetamine at least once in their lifetimes. The Drug Abuse Warning Network estimates that in 2004 methamphetamine was involved in 73,400 emergency room visits.

Mr. Speaker, in addition to the horrific effects that methamphetamine has on the human body the caustic nature of the production of the drug has enormously detrimental effects on the environment. This horrendous drug is produced in what is often referred to as "Meth Labs." These laboratories can exist virtually anywhere, in fact methamphetamine laboratories have been found in all 50 states. They are overwhelmingly hidden amongst residential communities and pose a detrimental risk to millions of Americans. It is estimated that methamphetamine production creates approximately six pounds of waste for every one pound of product. If not properly cleaned, this highly volatile waste product leaves a toxic residue that can threaten the health of whoever may come in contact with it.

According to the Drug Enforcement Agency (DEA) there were more then 47,000 reported Meth Lab incidents between the years 2003 and 2005. Nearly one in five of those were fires or explosions caused by the highly toxic and potentially flammable ingredients used to create the drug.

Even after these Meth Labs are discovered by authorities and shut down, and the criminals operating the labs are long incarcerated, the effects of their morally reprehensible action can continue to adversely affect the health and well-being of the innocent citizens living and working nearby.

While some states including my home State of California have taken the initiative to pass laws that outline methamphetamine laboratory cleanup procedures, there are currently no federal standards for cleaning up these potentially toxic sites. Mr. Speaker, the time is long overdue for us to take action to seek out and shut down these labs in a safe and healthy way. H.R. 365, The Methamphetamine Remediation Research Act of 2007 will do just that by creating a road map to assure the safety of our children and first responders.

The bill authorizes $1.75 million in funding for the Environmental Protection Agency (EPA) to research best practices programs for detection and proper sanitation of methamphetamine labs. It will also specifically authorize $750,000 for the National Institute of Standards and Technology in collaboration with the EPA to research and develop methamphetamine detection equipment. Thirdly, the bill will direct the EPA to work with the National Academy of Sciences to study the long term health effects of methamphetamine laboratory exposure to children and first responders.

Mr. Speaker, the war against meth is being waged on many fronts. This bill is a critical step to ensuring that law enforcement agencies and first responders are provided with the best information and ability to mitigate the numerous detrimental effects caused by methamphetamine production. I urge all of my colleagues to join me in supporting this legislation in an effort to rid our communities of this epidemic.

Mr. PEARCE. Mr. Speaker, I rise today to support H.R. 365, the Methamphetamine Research Remediation Act. Methamphetamines represent a tremendous growing threat to the fabric of our society. Last year, I held more than 40 town hall meetings across Southern New Mexico, listening to law enforcement, health officials, recovering addicts, and other experts. Time and time again I heard horror stories about whole families in my district destroyed by methamphetamines. It is our duty as members of the United States Congress to protect America from all enemies foreign and domestic. Mr. Speaker, methamphetamines are one the greatest domestic threats that our nation faces. We must confront its production, its trafficking, its abuse, and its effect on the land itself.

Meth is a problem concentrated in the West and Southwest, but be aware that this great evil is moving across America, and soon no one will be able to say it is not their problem. As meth spreads across our nation it leaves a trail of destroyed lives, families, homes, communities, property and public lands in its wake. H.R. 365 the Methamphetamine Research Remediation Act of 2007 will set needed standards for the clean-up of property and public lands destroyed by methamphetamines. Unlike other drugs, the cooking of methamphetamines is hazardous to everything that it touches and can render houses and property uninhabitable. H.R. 365 will address the environmental impact of methamphetamines, and how to recover our properties and lands.

In the Second District of New Mexico half-million dollar homes have been left uninhabitable, and state parks have become unusable. This destruction occurs because of methamphetamine cooking and the dumping of meth related chemicals. I fear that unsuspecting New Mexicans will encounter these environmental hazards and endanger their lives. H.R. 365 The Methamphetamines Research Remediation Act of 2007, will provide communities across America with the proper information and procedures on how to clean up meth labs and reclaim the land they have poisoned.

This bill is the first in many steps we should take to track and fight Meth in our communities. I have introduced H.R. 304, the CLEAN TOWN Act to help in our battle against meth. As we talk about this bill, I hope my colleagues will examine my legislation that has tremendous promise to help change the way we fight drugs and drug dealers. I urge all my colleagues to join me in fighting Meth and help us save America's families.

Mr. GINGREY. Mr. Speaker, as Congress debates measures to clean up meth labs, I believe it is important to offer a physician's perspective to help some people understand why this drug is so dangerous. Also called crank, blue acid, speed, and ice, meth is a popular drug because it is cheap, easy to manufacture, and acts as a powerful stimulant. An investment of just a few hundred dollars in over-the-counter medications and chemicals can produce thousands of dollars worth of methamphetamine, which can be cooked in something as small as a suitcase.

The average meth "cook" annually teaches an average of ten people how to make the drug. Typical ingredients include over-the-counter cold and asthma medications containing ephedrine or pseudoephedrine, in addition to red phosphorous, hydrochloric acid, drain cleaner, battery acid, lye, lantern fuel, and antifreeze.

In fact, users of this drug are often not aware that they are potentially ingesting toxic chemicals. The toxic fumes emitted during manufacturing are highly flammable, even explosive, and can suffocate plants, animals, and even people. For my colleagues concerned about the environment, each pound of meth produced leaves behind five or six pounds of toxic waste. Meth "cooks" often pour leftover chemicals and byproduct sludge down drains in nearby plumbing, storm drains, or directly onto the ground, creating long-term hazards: the chemical waste can remain in our soil and groundwater for years. The average cost to clean up a methamphetamine laboratory ranges between $2,000 and $3,000. However, this does not include the ancillary costs of cleaning up a former laboratory.

In February 2005, the Atlanta Police, U.S. Drug Enforcement, the MCS drug taskforce, and other law enforcement agencies discovered Georgia's first "super lab" at a house in Smyrna, Georgia, which is in the Congressional District I represent. With 39 pounds of meth-crystal and 250 gallons of the drug in liquid form, one mistake could have destroyed an entire neighborhood due to the explosive volatility of the materials.

No longer just the addictive scourge of 1970's biker gangs, meth is a very real problem that affects our children and neighbors in very real ways. The drug works directly on the brain and spinal cord by interacting with neurotransmitters—chemical substances produced in nerve cells—which communicate throughout the body. The foremost neurotransmitter affected by methamphetamine is dopamine, which is involved with our natural reward system. This is known as the automatic nervous system. For example, a pat on the back for a job well done, getting enjoyment from family and social interactions, and the feeling that our lives are meaningful, all rely on dopamine transmission.

With properties that target the nervous system, it should be no surprise that side affects of meth include extreme paranoia, violent behavior, rapid weight loss, tooth loss, hallucinations, unexplained voices, pale complexion, speech impediments, Parkinson's disease-like symptoms, depression, insomnia, suicide contemplation, and schizophrenia. It is important to mention these various symptoms and health problems because without proper clean-up unseen chemicals can spread from one home through entire neighborhoods, creating an unknown danger to current and future owners.

Considering the numerous dangers caused by methamphetamines, I believe it is more important than ever to make sure our law enforcement community has the laws, equipment, and training necessary to protect our communities from this drug. Mr. Speaker, I want to congratulate the House of Representatives for the passage of today's Methamphetamine Remediation Research Act of 2007, which includes substantive legislation that will establish voluntary guidelines to assist state and local governments in the development and implementation of policies for the clean-up of former methamphetamine laboratories.

Mr. COSTELLO. Mr. Speaker, I rise in support of H.R. 365, the Methamphetamine Remediation Research Act to initiate standards for methamphetamine (meth) cleanup in our neighborhoods. As a cosponsor of H.R. 365, I believe this legislation is necessary in order to protect unsuspecting families from the dangers of illegal meth labs and provide the necessary tools for law enforcement to detect labs throughout our communities.

As a member of the Congressional Caucus to Fight and Control Methamphetamine and a former law enforcement official, I am actively working with my colleagues to decrease methamphetamine use. In my home state of Illinois, there were 1,189 methamphetamine laboratory seizures reported in 2005, many in my district in Southern Illinois. In order to combat meth, I believe we need a comprehensive plan to deal with the environmental, health, and law enforcement challenges facing our communities because of the growing use of this dangerous drug.

Mr. Speaker, the national guidelines this bill creates will help protect our communities by ensuring that dangerous meth labs are cleaned properly and efficiently. It is my continued hope that by raising national awareness about meth and providing increased federal resources to combat the drug problem, we can make significant progress to overcome methamphetamine use. This legislation is a critical step we can take toward this goal and I urge my colleagues to support H.R. 365.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of H.R. 365, the Methamphetamine Remediation Research Act of 2007. As a member of the Congressional Caucus to Fight and Control Methamphetamine, I am proud to be a sponsor of H.R. 365, which will help combat the scourge of methamphetamines and ameliorate the serious problems it is causing our Nation.

First and foremost, H.R. 365 will require the Environmental Protection Agency (EPA) to develop health-related guidelines for the cleanup of methamphetamines. It will also call for the National Academy of Science to perform a study on the long-term health effects on children rescued from living in methamphetamine lab homes. In addition, NIST, the National Institute of Standards and Technology, will establish a research program to develop field kits that will test for and detect methamphetamine.

Despite improvements in state and local efforts to reduce its prevalence, the problems produced by methamphetamines and incidents related to methamphetamines continue. In 2005, 5,846 methamphetamine labs were seized, and in 2003, 7.6 percent of high school students reported having used methamphetamines. Self-reported use of methamphetamines by adults and adolescents continues to rise. As methamphetamine usage increases, the demand for the drug rises. Nowhere is it a bigger problem that in the Midwest, where methamphetamines account for nearly 90 percent of all drug cases. In states such as Oklahoma, methamphetamines are surpassing cocaine as the drug of choice. The state medical examiner's office reports the number of death cases testing positive for methamphetamines has been higher than cocaine. The office also reports methamphetamine is found in more cases of homicides, and motor vehicle accidents.

Methamphetamine labs not only damage individuals, they affect our children and our environment. As the founder and co-chair of the Congressional Children's Caucus, I am horrified by the effects methamphetamine labs have on children. Children living at methamphetamine labs are at increased risk for severe neglect and abuse, both physical and sexual abuse. A child raised in or near a methamphetamine lab environment experiences stress and trauma that significantly affect his or her overall safety and health, including behavioral, emotional, and cognitive functioning.

Hazardous living conditions and filth are common in methamphetamine lab homes where explosives and loaded guns are often present and in many instances, within easy reach. The safety and development of our children are negatively influenced by living in methamphetamine lab homes.

Our environment suffers from methamphetamine labs as well. In general, there are 5–7 pounds of toxic waste produced for every pound of methamphetamine manufactured. There are more than 30 chemicals used to produce methamphetamines, and most are explosive, caustic, and carcinogenic. The chemicals are often poured into streams, down drains or disposed of in fields, yards or gutters. Many highway cleanup crews have reported finding toxic garbage from methamphetamines in ditches. All of this illicit toxic waste eventually winds up in waterways via rainwater runoff.

Mr. Speaker, these dire problems require immediate action and H.R. 365 does this appropriately. I urge my colleagues to join me in the fight against the methamphetamine epidemic by supporting H.R. 365, the Methamphetamine Remediation Research Act of 2007.

Mr. SHULER. Mr. Speaker, I rise today as a cosponsor of H.R. 365, The Methamphetamine Remediation Act of 2007, which will help communities across North Carolina clean up methamphetamine labs and the dangerous toxins that they leave behind. We must work toward making our communities safer, while also protecting our environment against the harmful effects of methamphetamine.

The chemicals used in the production of methamphetamine are extremely hazardous to our health and to our environment. These chemicals are toxic both during production and in their post-production residue. They can cause soil contamination through chemical dumping, in addition to hazardous waste problems. This residue seeps into carpets, furnishings, drapery and walls, so anyone who occupies the space now or in the future will be exposed to the dangerous toxins. This is extremely alarming since two-thirds of all methamphetamine labs are found in residential areas. Future residents are often exposed to these toxic chemicals without even knowing it, with children particularly vulnerable to harm.

Despite the best efforts of our dedicated men and women in law enforcement, this problem is growing. In 2005 there were 322 methamphetamine lab incidents in North Carolina alone. In 2003, the Asheville Port of Duty targeted large methamphetamine trafficking group in the region that was distributing over 40 pounds of methamphetamine monthly to habitual users in Western North Carolina.

H.R. 365 addresses these problems in several ways. It will help protect innocent families against the after affects of methamphetamine labs and make our communities safer and cleaner places to live. It will direct the National Institute of Standards and Technology to work with the EPA to develop technologies that will detect methamphetamine labs. The bill authorizes funding for the EPA to research the chemical residues and work with State and local officials to ensure that all levels of government are using the best practices for methamphetamine lab recovery and remediation, so that future residents of a home are safe from harmful toxins.

Mr. Speaker, I urge my colleagues today to vote for this important legislation that will help protect our environment from pollution and our innocent families from the dangerous poisons that are imposed unknowingly upon them.

Mr. GORDON of Tennessee. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. GORDON) that the House suspend the rules and pass the bill, H.R. 365.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. GORDON of Tennessee. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.

RECOGNIZING THE WORK AND ACCOMPLISHMENTS OF MR. BRITT "MAX" MAYFIELD, DIRECTOR OF THE NATIONAL HURRICANE CENTER'S TROPICAL PREDICTION CENTER UPON HIS RETIREMENT

Mr. GORDON of Tennessee. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 72) recognizing the work and accomplishments of Mr. Britt "Max" Mayfield, Director of the National Hurricane Center's Tropical Prediction Center upon his retirement.

The Clerk read as follows:

H. RES. 72

Whereas Mr. Britt "Max" Mayfield is known as the "Walter Cronkite of Weather", trustworthy, calming, and always giving the facts straight;

Whereas Mr. Mayfield is a Fellow of the American Meteorological Society and a nationally and internationally recognized expert on hurricanes, and has presented papers at national and international scientific meetings, lectured in training sessions sponsored by the United Nations World Meteorological Organization, and provided numerous interviews to electronic and print media worldwide;

Whereas in 2006, Mr. Mayfield received the Government Communicator of the Year Award from the National Association of Government Communicators, a national not-for-profit professional network of government employees who disseminate information within and outside the government, as well as the prestigious Neil Frank Award from the National Hurricane Conference;

Whereas in 2005, Mr. Mayfield received a Presidential Rank Award for Meritorious Service from President George W. Bush and was named ABC Television Network's "Person of the Week" after Hurricane Katrina;

Whereas in 2004, the Federal Coordinator for Meteorological Services and Supporting Research presented the Richard Hagemeyer Award to Mr. Mayfield at the Interdepartmental Hurricane Conference for his contributions to the hurricane warning program of the United States;

Whereas also in 2004, the National Academy of Television Arts and Sciences Suncoast Chapter recognized Mr. Mayfield with the Governor's Award, more commonly known as an "Emmy", for extraordinary contributions to television by an individual not otherwise eligible for an Emmy;

Whereas in 2000, Mr. Mayfield received an Outstanding Achievement Award at the National Hurricane Conference and in 1996 the American Meteorological Society honored him with the Francis W. Reichelderfer Award for exemplary performance as coordinator of the National Hurricane Center's hurricane preparedness training for emergency preparedness officials and the general public;

Whereas Mr. Mayfield and his colleagues have been recognized by the Department of Commerce with Gold Medals for work during Hurricane Andrew in 1992 and Hurricane Isabel in 2003, and a Silver Medal during Hurricane Gilbert in 1988;

Whereas Mr. Mayfield was also awarded a National Oceanic and Atmospheric Administration Bronze Medal for creating a public-private partnership to support the disaster preparedness of the United States; and

Whereas Mr. Mayfield is the current Chairman of the World Meteorological Organization Regional Association-IV, which supports 26 members from Atlantic and eastern Pacific countries: Now, therefore, be it

Resolved, That the House of Representatives—

(1) honors Mr. Britt "Max" Mayfield's commitment to improving the accuracy of hurricane forecasting as Director of the National Hurricane Center's Tropical Prediction Center;

(2) thanks Mr. Mayfield for his service, which has undoubtedly helped to save countless lives and the property of citizens around the world;

(3) commends Mr. Mayfield's dedication to expanding educational opportunities for State and local emergency management officials;

(4) acknowledges the critical role that Mr. Mayfield has played in forecast and service improvements over his 34-year career;

(5) recognizes the unwavering support of Mr. Mayfield's family in supporting his career;

(6) wishes Mr. Mayfield continued success in his future endeavors; and

(7) recognizes the support and work of the staff of the National Hurricane Center's Tropical Prediction Center during Mr. Mayfield's tenure as Director of the Center.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. GORDON) and the gentleman from Florida (Mr. MARIO DIAZ-BALART) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

Mr. GORDON of Tennessee. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include extraneous material on H. Res. 72, the resolution now under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. GORDON of Tennessee. Mr. Speaker, I ask unanimous consent that the gentleman from Florida (Mr. MAHONEY) be allowed to control the time on our side. Mr. MAHONEY has taken the lead on this bill, and I appreciate him doing so.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. MAHONEY of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of this resolution honoring Max Mayfield, former director of NOAA's National Hurricane Center.

In less than 2 years, my home State of Florida suffered damage from four tropical storms and eight hurricanes. Likewise, on August 29, 2005, Hurricane Katrina made landfall near New Orleans, devastating the gulf coast region of the United States. In the days that followed, we learned that Katrina had left nearly 80 percent of the Crescent City under water, caused an immeasurable amount of damage, displaced thousands of families and resulted in the deaths of nearly 1,500 people.

While hurricanes cannot be prevented, accurate storm forecasting has helped millions of people prepare for them and prepare for evacuation. The individual responsible for providing the public with these accurate and easy-to-understand forecasts was Mr. Mayfield, who retired from the National Hurricane Center on January 3 of this year.

Born in Oklahoma, Mr. Mayfield began his forecasting career with the Air Force in 1970 after graduating from the University of Oklahoma with a degree in mathematics. In 1972, he received his master's degree in meteorology from Florida State University.

Mr. Mayfield joined the National Weather Service as a satellite meteorologist in Miami. During his 34-year career at the center, Mr. Mayfield served as a senior forecaster, deputy director and then director.

Mr. Mayfield has received numerous awards for his work in the field of meteorology. In 1996, the American Meteorological Society presented him with the Francis W. Reichelderfer Award for exemplary performance as coordinator of the National Hurricane Center's hurricane preparedness training for emergency preparedness officials and the general public.

He has also received an Outstanding Achievement Award at the 2000 National Hurricane Conference for developing and expanding educational opportunities for the State and local emergency management officials.

In addition, the U.S. Department of Commerce has recognized Mr. Mayfield with gold medals for his work during hurricanes Andrew, Isabel, and a silver medal during Hurricane Gilbert.

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Maybe more important than the many awards, however, are the countless lives that have been saved by the work of Mr. Mayfield and his team at the National Hurricane Center. The Nation is truly grateful to Mr. Mayfield; his wife, Linda; for a lifetime of love and dedication to the National Hurricane Center, and the people in this great country are thankful for his service.

Mr. Speaker, I reserve the balance of my time.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise also in support of House Resolution 72, recognizing the incredible work and the accomplishments of Mr. Max Mayfield, the director of the National Hurricane Center, the Tropical Protection Center, again, of the National Hurricane Center, which is located in Miami, Florida. He has recently retired. I want to also commend my colleague from Florida (Mr. MAHONEY) for introducing this timely and very good resolution.

As a Floridian, I am keenly aware, Mr. Speaker, of the wrath that Mother Nature can throw our way when she is so inclined to do so, especially when it comes to hurricanes. We all recall that, for example, in a time of just 2 years, 2 short years, Florida had eight hurricanes that actually hit and made landfall on the State of Florida.

Mr. Mayfield has worked and strived to improve the warning lead times, to increase the understanding of the track of where the hurricanes are going, and also particularly the intensity of those hurricanes.

Mr. Speaker, one of the things that always struck me was that, as these storms were coming our way, coming towards the United States, Director Mayfield would actually personally get on the phone. This was not something that was required by his job. He would pick up the phone and call Governors and call mayors and tell them, Hey, this is a real storm. It is coming your way. Get ready. I don't see that you are ready enough. Get ready. And he would make sure that those governments were prepared and evacuating the people that they needed to evacuate to make sure that the people were safe.

He and his staff have helped protect the lives and the property of millions of people in our country and even of other countries, countries throughout the Caribbean.

He is the epitome of a dedicated public servant, Mr. Speaker. He has received many awards, including in 2005 he received the Presidential Rank Award for Meritorious Service from President George W. Bush.

After more than 30 years of distinguished service to weather forecasting and hurricane forecasting, Mr. Max Mayfield retired in January of 2007. I know that the residents of south Florida and of the entire country and all the Caribbean will miss his calm, clear voice when those hurricanes are threatening our shores. His retirement marks the end of an exceptional career, and his successors at the National Hurricane Center will clearly have very large shoes to fill as Max and his wife Linda now prepare to spend a little bit of time, hopefully a lot of time, with their families, because, again, Max has been on call 24/7, and we are used to seeing him on TV, and one always wondered does that man ever sleep? The answer is, Mr. Speaker, that when there was a storm coming, no, he and his staff did not sleep. Well, now he is going to be spend a little more time with his wife Linda and his family.

I know that my colleagues will join this Congress in wishing both him and his wife and his family all the best. We know they will enjoy their time together.

But on a personal note I just want to say, Max, thank you for a life well lived. Thank you for a job well done. Millions of people are grateful for your sacrifice, for your hard work. We are indebted to you. Thank you, my friend. Enjoy your retirement. But we will miss you.

Mr. Speaker, I reserve the balance of my time.

Mr. MAHONEY of Florida. Mr. Speaker, I reserve the balance of my time.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I will now yield 2 minutes to the gentleman from Florida (Mr. LINCOLN DIAZ-BALART).

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I have got some very important visitors in my office at this time, but I mentioned to them, and I know they understand, that I wanted to come down to speak a minute on someone who has long been south Florida's treasure and really became the national treasure, Max Mayfield, who has saved countless lives.

And with his demeanor and professionalism even in those extraordinarily tense moments, Mr. Speaker, when storms are approaching or have arrived, Max was that great sea of tranquility that helped our communities wherever those storms were approaching through those tense moments. And he is really an extraordinary human being with a wonderful team. So my heart goes out to that team that he helped build and is still there doing great work.

And to Max, as he begins this new chapter in his life, Godspeed, with our profound gratitude for having helped so many for so many years with your very important work, Max Mayfield.

Mr. MAHONEY of Florida. Mr. Speaker, I reserve the balance of my time.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I would now like to yield 3 minutes to the gentleman from Michigan (Mr. EHLERS).

Mr. EHLERS. Mr. Speaker, I rise today to congratulate Mr. Britt "Max" Mayfield on an exemplary career of service to his fellow citizens, and to wish him well in his much-deserved retirement.

In his 34 years of service to the Nation, Max Mayfield has personified the dedication and excellence that make the National Oceanic and Atmospheric Administration's National Weather Service one of the crown jewels of the Federal Government.

Since he began forecasting weather for the Air Force in 1970 and over more than three decades with the National Weather Service, Max has helped push forward the science of forecasting to help make our Nation a safer place. But just making better forecasts has never been enough for Max, because a forecast does no good if no one hears it. Mr. Mayfield has also dedicated his career to making sure that his always-improving forecasts got out quickly, as quickly as possible, to the people who need them. He understands not only the science of forecasting hurricanes, but the science of communication.

There is no doubt in my mind that Max Mayfield's exemplary efforts and those of his hardworking staff at the National Hurricane Center's Tropical Prediction Center have helped communities prepare for impending disasters and have saved lives in communities around the country and around the world.

I am not alone in my esteem for Mr. Mayfield. The American Meteorology Society, the National Association of Government Communicators, ABC Television, the National Academy of Television Arts and Sciences, the National Hurricane Conference, the Department of Commerce, the National Oceanic and Atmospheric Administration, and President George W. Bush have all presented Max with formal awards for his outstanding achievements and service to his craft and to society. And those are just the formal awards. They do not include the many personal "thank yous" that he has received from the very people he has spent his life serving, and from the people whose lives he has helped save.

My colleagues, in Congress we think we are busy, and, indeed, we are. But I understand that in the thick of storm season, Mr. Mayfield sometimes did more than 100 interviews in 1 day. Now, that is busy. I am certain he is looking forward to retirement.

I am pleased to express my deepest gratitude to Max Mayfield and to his endlessly supportive family for sharing him with us for this time.

Max, God bless you and the work you have done. I wish you calm weather and smooth sailing in your retirement.

Mr. MAHONEY of Florida. Mr. Speaker, I reserve the balance of my time.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I yield myself 30 seconds.

We do a lot of important work in Congress, and we pass a lot of good resolutions for good people, but rarely can you actually say that here is a person who has saved thousands upon thousands upon thousands of lives in his work. He is truly a fine, wonderful public servant, and it is wonderful to be able to have the opportunity to now support and vote on this fine resolution.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. MAHONEY of Florida. Mr. Speaker, I would like to thank Chairman GORDON and his staff and my colleagues who have helped me put together this resolution and to honor Mr. Mayfield.

I would just like to conclude by saying that we wish Mr. Mayfield a wonderful retirement with his wife Linda and their three kids. And, again, I would like to congratulate him for his exemplary service and his distinguished career at the National Weather Service and National Hurricane Center. The Nation is going to miss him.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, it is my privilege to honor the years and extraordinary work by Britt "Max" Mayfield the Director of the National Hurricane Center's Tropical Prediction Center. His work has been invaluable to the State of Texas and this Nation.

Mr. Mayfield has played a key role in forecast and service improvements for over 33 years.

A Fellow of the American Meteorological society, he has lectured in the United Nations' World Meteorological Organization sponsored training sessions, and provides numerous works for the worldwide media.

In 1996, Britt "Max" Mayfield was honored by the American Meteorological Society with the Francis W. Reichelderfer Award for an exemplary work as the coordinator of the National Hurricane Center.

His calm voice but unwavering strength has guided Florida and million others through some of the worst hurricane seasons in the history of the United States and has helped saved millions of American lives.

In the wake of Hurricane Katrina, Mayfield was summoned to testify at six congressional hearings.

He and his staff won numerous praises for their efforts to alert the people of Louisiana and Tennessee.

As he leaves the Hurricane Center's Tropical Prediction Center, he continues to serve his nation and the world. Mayfield is the current member chairman of the World Meteorological Organization's Regional Association—IV, which supports 26 members from Atlantic and eastern Pacific countries.

Therefore Mr. Speaker, I rise with great pleasure to honor Britt "Max" Mayfield.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of H. Res. 72, which honors Dr. Britt "Max" Mayfield upon his retirement from his position as the Director of the National Hurricane Center. This resolution recognizes his leadership at the National Oceanic and Atmospheric Administration's Tropical Prediction Center.

Although we continue to mourn the loss of the thousands of victims who perished in Hurricane Katrina and its aftermath, because of Max Mayfield's cool head and steady hand the lives of the countless thousands were saved since they were able to heed Dr. Mayfield's warnings and evacuate the area. His accurate forecasts and persistent warnings have hundreds of thousands of lives over the last three decades and it is fitting that we honor him today.

Dr. Mayfield began working at the National Hurricane Center 34 years ago as an intern. Through hard work and demonstrated performance, Max Mayfield was promoted through the ranks of the National Hurricane Center: forecaster, senior forecaster, deputy director, and finally, director.

His extensive work in the field of meteorology has earned him numerous awards. In 1996, the American Meteorological Society honored him for his outstanding performance as coordinator of the National Hurricane Center's hurricane preparedness training. In 2000, he received an Outstanding Achievement Award for his work in the development and expansion of educational opportunities for state and local emergency management officials. Dr. Mayfield has also been recognized by the U.S. Department of Commerce with Gold and Silver Medals for his work during some of this nation's most destructive hurricanes.

Dr. Mayfield retired one month ago, and we will surely miss his outstanding service and leadership at the National Hurricane Center. I thank the gentleman from Florida, Mr. Mahoney, for introducing this legislation to honor Dr. Max Mayfield for his dedication to meteorology and his 34 year career of distinguished service to NOAA and our nation. For these reasons, I strongly support H. Res. 72 and urge all members to do likewise.

Mr. MAHONEY of Florida. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MAHONEY) that the House suspend the rules and agree to the resolution, H. Res. 72.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

COMMENDING THE UNIVERSITY OF NEBRASKA-LINCOLN VOLLEYBALL TEAM FOR WINNING NCAA DIVISION I WOMEN'S VOLLEYBALL CHAMPIONSHIP

Mrs. DAVIS of California. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 99) commending the University of Nebraska-Lincoln volleyball team for winning the NCAA Division I Women's Volleyball Championship, as amended.

The Clerk read as follows:

H. RES. 99

Whereas the University of Nebraska-Lincoln Husker volleyball team won the 2006 NCAA Division I Women's Volleyball National Championship at the Qwest Center in Omaha, Nebraska, on December 16, 2006;

Whereas Husker junior Sarah Pavan was chosen as the Nation's top collegiate female volleyball player, winning the 2006-07 Honda Sports Award for volleyball;

Whereas Pavan was named the ESPN the Magazine Academic All-American of the Year, becoming Nebraska's 234th Academic All-American and the program's 29th Academic All-American in volleyball, totals that lead the Nation;

Whereas the Huskers completed the 2006 season with a record of 33–1;

Whereas Husker head coach John Cook has lead the team to 2 national championships;

Whereas the Husker volleyball team made its sixth appearance in the NCAA finals;

Whereas the 2006 Huskers are only the third team in the history of the NCAA to lead the American Volleyball Coaches Association poll for an entire season;

Whereas the entire Husker volleyball team should be commended for its determination, work ethic, attitude, and heart;

Whereas the University of Nebraska is building an impressive legacy of excellence in its volleyball program; and

Whereas the University of Nebraska volleyball players have brought great honor to themselves, their families, their university, and the State of Nebraska: Now, therefore, be it

Resolved, That the House of Representatives—

(1) commends the University of Nebraska-Lincoln Husker volleyball team for winning the 2006 NCAA Division I Women's Volleyball National Championship; and

(2) recognizes the achievements of the players, coaches, students, and staff whose hard work and dedication made the Championship possible.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Mrs. DAVIS) and the gentleman from Michigan (Mr. EHLERS) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Mrs. DAVIS of California. Mr. Speaker, I ask unanimous consent that Members may have 5 legislative days to insert material relevant to House Resolution 99 into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Mrs. DAVIS of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to congratulate the University of Nebraska-Lincoln for winning the NCAA Division I Women's Volleyball Championship.

On December 16, 2006, the University of Nebraska-Lincoln Huskers volleyball team won the 2006 NCAA Division I Championship by defeating the Stanford University Cardinals at the Qwest Center in Omaha, Nebraska.

I want to extend my congratulations to head coach John Cook, head assistant coach Lee Meas, assistant coach Charlene Johnson-Tagaloa, and the director of volleyball operations Lindsay Wischmeier. Also supporting the team was athletic director Steve Pederson and the University of Nebraska-Lincoln chancellor Harvey Perlman.

The Huskers, Mr. Speaker, had an exceptional record of 33–1 and had four All-Americans on their team. Junior Sarah Pavan also won the 2006–2007 Honda Sports Award. This award is given to the Nation's top collegiate female volleyball player. Pavan was also named the ESPN Magazine Academic All-American of the Year.

And I also want to extend my congratulations to the Stanford University Cardinals. The Cardinals had a record of 30–4. The Cardinals were the PAC–10 Conference champions and were honored by four women receiving All-American honors.

☐ 1115

Student athletes, as we know, balance a rigorous school workload with the many practices and games in which they compete.

So I am proud of all the student athletes for their dedication to their school work and their sport. The NCAA promotes its 380,000 student athletes to work with numerous service organizations, including the American Red Cross, Habitat for Humanity and the American Cancer Society.

Winning the national championship and finishing the season with a 33–1 record has brought positive national recognition and attention to the University of Nebraska-Lincoln, and I know that the fans of the university will cherish this moment as they look forward to the 2007 season.

Mr. Speaker, once again, I congratulate the University of Nebraska-Lincoln for their success.

Mr. Speaker, I reserve the balance of my time.

Mr. EHLERS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it is my pleasure to rise in support of House Resolution 99. This resolution honors the top-ranked University of Nebraska women's volleyball team for their victory over the second-ranked Stanford University Cardinals. The Huskers rallied to defeat Stanford 3–1 for their third NCAA Division I women's volleyball championship in front of a record crowd of 17,209 fans at the Quest Center in Omaha.

Led by four All-Americans, including national player of the year Sarah Pavan, the Huskers won the school's ninth Big 12 title in 11 years with a 19–1 Big 12 record, and a 33–1 overall record. This is the second national title that the team has won with head coach John Cook leading the team.

I extend my congratulations to Coach John Cook, all of the hard-working players, the fans and the University of Nebraska. I am happy to join my good friends and colleagues, Representatives SMITH, FORTENBERRY, and TERRY, in honoring this exceptional team and all of its accomplishments, and wish all involved success in the future.

My only regret, since I enjoy playing volleyball myself, is that I never had the opportunity to watch them play in person. But it would have been a real pleasure, had I been able to.

I ask my colleagues to support this resolution.

Mr. Speaker, I reserve the balance of my time.

Mrs. DAVIS of California. Mr. Speaker, I reserve the balance of my time.

Mr. EHLERS. Mr. Speaker, on behalf of Mr. SMITH, the sponsor of this resolution, I apologize on his behalf that he is unable to be here, but he dearly wanted to be here to speak on this resolution. In his absence, I am next pleased to yield 3 minutes to another gentleman from Nebraska (Mr. FORTENBERRY).

Mr. FORTENBERRY. Mr. Speaker, I thank the gentleman from Michigan for his time and his commendations of the University of Nebraska volleyball team.

Mr. Speaker, I rise to also thank Representative ADRIAN SMITH for originally sponsoring this resolution congratulating all the members of the volleyball team. I am pleased to cosponsor this resolution as well to bring attention to the national successes of this team out of Lincoln.

Just a month ago, as it was mentioned, the team won the 2006 NCAA Division I women's volleyball championship. I am very proud of the Husker team and particularly proud to say that this team represents all of Nebraska.

Mr. Speaker, success isn't something that just happens. It takes forethought, hard work, persistence and dedication, and the members of the Huskers women's volleyball team certainly earned it.

Every member of the team should be commended for her dedication, as well as Head Coach John Cook, who led the team with skill and discipline. Under Coach Cook's leadership, the team finished the season with an astounding record of 33–1. Not only did Coach Cook lead this team to a national championship, but this is his third time in that leadership seat.

The University of Nebraska women's volleyball team is a shining example of the best that Nebraska has to offer. Again, I would like to congratulate the team.

Mrs. DAVIS of California. Mr. Speaker, I reserve the balance of my time.

Mr. EHLERS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, first of all, I want to thank the previous speaker for commending me for my support of Nebraska athletes. That is certainly true, except for one time when I was invited to speak to a conference at the University of Nebraska. At this conference, I was speaking on teaching better mathematics in elementary schools. Then I saw a huge billboard as I was driving into Lincoln to give the speech, and I saw how badly they needed my speech on mathematics, because there was a big billboard that announced "Welcome to the University of Nebraska. Home of the number one football team in America." Well, that year, of course, Michigan was the number one team, but Nebraska refused to concede that.

Mr. Speaker, it is my pleasure to yield 3 minutes to another gentleman from Nebraska (Mr. TERRY).

Mr. TERRY. Mr. Speaker, yes, we enjoy, ranking member, former chairman, Michigan Stater, having that 1997 national championship trophy prominently displayed when you walk into the athletic facilities. It is too bad that we weren't able to leave that game on the field back then, but I am sure that Nebraska would have won by 30 or 40 points.

Now, I have to defend the football team, Mr. Speaker, when challenged like that.

But I am so proud of our women's volleyball team and to be a cosponsor with ADRIAN SMITH of this resolution. What an incredible achievement. Our volleyball team started the season ranked number one with high expectations and ended the season number one in a hard-fought duel with Stanford, the number two rated team in the Nation. And some even had the audacity to think that Stanford was a better team. But, boy, it was the match of a century, two titans battling it out. And the University of Nebraska in the fifth game prevailed for the national championship.

Not only are we proud of the University of Nebraska women's volleyball team for their play on the court but also those in attendance. My hometown of Omaha hosted the national championship tournament, and we now hold the record for attendance for a women's volleyball match in America; 17,200 fans attended each session. I think that speaks well of the sports enthusiasm in Nebraska.

I also want to acknowledge one of the players on that team, Sarah Pavan, a junior, who has become the second player in NCAA history to be named the American Volleyball Coaches Association Player of the Year and Academic All-American of the year from ESPN Magazine. That is truly a student athlete.

I urge all of my colleagues to join the Nebraska delegation today in recognizing the outstanding play of our volleyball team, the coaching and the support that this volleyball team has from its fans in Nebraska.

Mr. EHLERS. Mr. Speaker, I have no further speakers, so I am pleased to yield back the balance of my time.

Mrs. DAVIS of California. Mr. Speaker, I am just going to close on this resolution and thank my colleagues for bringing it to the floor. This is House Resolution 99, which commends the University of Nebraska-Lincoln volleyball team for winning the NCAA Division I women's volleyball championship. It has been fun for me to listen to my colleagues as they commend this spectacular team. And even though I am a Californian, I still want to let them know that this is a wonderful accomplishment, and particularly, I applaud the women athletes that were part of this contest.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Mrs. DAVIS) that the House suspend the rules and agree to the resolution, H. Res. 99, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

RECOGNIZING THE AFRICAN AMERICAN SPIRITUAL AS A NATIONAL TREASURE

Mrs. DAVIS of California. Mr. Speaker. I move to suspend the rules and agree to the resolution (H. Res. 120) recognizing the African American spiritual as a national treasure.

The Clerk read as follows:

H. RES. 120

Whereas beginning in 1619, when slavery was introduced into the European colonies, enslaved Africans remained in bondage until 1865, when the United States ratified the 13th amendment to the Constitution;

Whereas during that period of the history of the United States, the first expression of that unique American music was created by enslaved African Americans who—

(1) used their knowledge of the English language and the Christian religious faith, as it had been taught to them in the New World; and

(2) stealthily wove within the music their experience of coping with human servitude and their strong desire to be free;

Whereas, as a method of survival, enslaved African Americans who were forbidden to speak their native languages, play musical instruments they had used in Africa, or practice their traditional religious beliefs, relied on their strong African oral tradition of songs, stories, proverbs, and historical accounts to create this original music, now known as spirituals;

Whereas Calvin Earl, a noted performer and educator on African American spirituals, remarked that the Christian lyrics became a metaphor for freedom from slavery, a secret way for slaves to "communicate with each other, teach their children, record their history, and heal their pain";

Whereas the New Jersey Historical Commission found that "some of those daring and artful runaway slaves who entered New Jersey by way of the Underground Railroad no doubt sang the words of old Negro spirituals like 'Steal Away' before embarking on their perilous journey north";

Whereas African American spirituals spread all over the United States, and the songs we know of today may only represent a small portion of the total number of spirituals that once existed;

Whereas Frederick Douglass, a fugitive slave who would become one of the leading abolitionists of the United States, remarked that the spirituals "told a tale of woe which was then altogether beyond my feeble comprehension; they were tones loud, long, and deep; they breathed the prayer and complaint of souls boiling over with the bitterest anguish. Every tone was a testimony against slavery and a prayer to God for deliverance from chains. . . ."; and

Whereas the American Folklife Preservation Act (Public Law 94-201; 20 U.S.C. 2101 note) finds that "the diversity inherent in American folklife has contributed greatly to the cultural richness of the nation and has fostered a sense of individuality and identity among the American people": Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes that African American spirituals are a poignant and powerful genre of music that have become one of the most significant segments of American music in existence;

(2) expresses the deepest gratitude, recognition, and honor to the former enslaved Africans in the United States for their gifts to our Nation, including their original music and oral history; and

(3) requests that the President issue a proclamation that reflects on the important contribution of African American spirituals to American history, and naming the African American spiritual a national treasure.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Mrs. DAVIS) and the gentleman from Michigan (Mr. EHLERS) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Mrs. DAVIS of California. Mr. Speaker, I request 5 legislative days during which Members may insert material relevant to H. Res. 120 into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Mrs. DAVIS of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today to recognize the African American spiritual as a national treasure. From 1619 to 1865, enslaved African Americans created their own unique form of expression known today as spirituals. As African Americans were not allowed to speak their native languages or play African musical instruments, spirituals were incorporated into the English language and the Christian religious faith. These spirituals were the strong African oral tradition of songs, stories, proverbs and historical accounts. Spirituals have been a part of American culture from times of slavery to today, and their legacy is clear in today's gospel music.

Spirituals were also sung during the civil rights movement in the 1960s. Songs that we are familiar with, such as "We Shall Overcome" and "Marching 'Round Selma," were heard in the South to unite African Americans in the struggle for civil rights.

Some of the more commonly known songs, including "Swing Low Sweet Chariot" and "The Gospel Train," used language which described religious activities but had a second meaning relating to the Underground Railroad.

Calvin Earl, a noted performer and educator of African American spirituals, stated that the lyrics used in spirituals became a metaphor for freedom from slavery, and they were a secret way for slaves to communicate with each other, teach their young, record their history and heal their pain.

Frederick Douglass, a fugitive slave who became one of the United States' leading abolitionists, stated that spirituals "told a tale of woe which was then altogether beyond my feeble comprehension" and that "every tone was a testimony against slavery and a prayer to God for deliverance from chains."

This resolution is endorsed by the NAACP and the National Council of Negro Women, and I want to add my voice to theirs in support of helping to preserve a treasured, a really treasured piece of American history.

I urge my colleagues to resoundingly pass this resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. EHLERS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of House Resolution 120, recognizing African American spirituals as a national treasure.

Simply defined, spirituals are the songs created and first sung by African Americans during the times of slavery. These songs should be celebrated as a part of the American culture today, for they are the source from which gospel, jazz and blues evolved. The lyrics of these songs are tightly linked with the lives of their authors and were inspired by the message of Jesus Christ and the Gospel of the Bible.

☐ 1130

The most pervasive message conveyed by spirituals is that of an enslaved people yearning to be set free. The slaves believed they understood better than anyone what freedom truly meant in both a spiritual and a physical sense, and I believe they were correct in believing that.

The Old Testament Scriptures that are referenced in their songs spoke of deliverance in this world, and they believed God would deliver them from bondage just as he had delivered the people of Israel.

These spirituals are different from hymns and psalms, because their creators used them as a way of sharing the hard condition of being a slave while also singing about their love and faith in God. They used the songs to teach their young, to record their history, and to heal their pain. These songs awakened possibilities in their lives and inspired so many to dream.

Because the slaves were forbidden to learn how to read and write, they had to find ways to communicate secretly. The spirituals were a medium for several layers of communication and meaning.

Throughout the 20th century the spirituals experienced a renaissance as African Americans documented their struggles for equality. During the 1950s and 1960s, before and during rallies for civil rights, demonstrators often sang spirituals such as, "We Shall Overcome," and, believe it or not, "This Little Light of Mine," one of my favorite songs in my childhood.

The lyrics of these new spirituals dealt with improvement and with a new kind of freedom. Many of them were inspired by social problems such as segregation, drug and alcohol abuse, and a basic lack of human equality. Today the congregation of my church in Grand Rapids, Michigan, and so many other churches in our community and across the country, continues to sing these spirituals. They inspire in us the human struggle for freedom and remind us of the lessons of history.

I am honored to stand here today in support of House Resolution 120 to express the deepest gratitude and recognition to the former enslaved African Americans for their gifts to our Nation, including their spiritual music and oral history. I ask my colleagues to support this resolution.

Mr. Speaker, I reserve the balance of my time.

Mrs. DAVIS of California. Mr. Speaker, I am pleased to recognize the gentlewoman from Connecticut (Ms. DELAURO) for 5 minutes.

Ms. DELAURO. Mr. Speaker, I rise today in support of legislation that would recognize the African American spiritual as a national treasure, and would like to say thank you to my colleague from Georgia (Mr. LEWIS) with whom I introduced this legislation in the Congress, as well as my colleagues on the floor this morning, the gentlewoman from California and the gentleman from Michigan, and also the chairman, Mr. MILLER, for bringing the bill to the floor.

Mr. Speaker, even though they sprang from one of the darkest periods of our Nation's history, a period of turmoil that Americans still live with to this day, as we all know, African American spirituals have inspired many of America's most remarkable and enduring musical accomplishments. Name the modern music form, and it owes a debt to the spiritual. Jazz, blues, rock and roll, gospel all trace their origins to this particular musical heritage. Today people around the world play, listen to, and find the deepest of inspiration in the music of Africans who lived their lives in slavery.

In so many ways this is a uniquely American music, one born of our uniquely American experience, reminding us who we are, where we come from, and all that we are capable of as a society and as a Nation.

The African American spiritual is as poignant and powerful a genre of music as any in history. And throughout history the African American spiritual has been kept alive through that oral tradition. For certain, this was so before the abolition of slavery in 1865 when these songs provided comfort and an outlet for spiritual yearning for so many, but also in the years immediately following abolition when few wished to sing African American spirituals, so acute was the pain and anguish they called to mind.

Thankfully there were some who recognized in the power of these songs the collective experiences from which they came and their intrinsic cultural and musical value. And by the late 19th and early 20th century, the spiritual was kept alive by churches and singing groups like the Fisk Jubilee Singers, who traveled and performed these remarkable pieces in the face of hostility and intolerance. Indeed, in 1872, the Jubilee Singers sang at the World Peace Festival in Boston and were invited to perform at the White House that year by no less than President Grant himself.

Today African American spirituals are not only performed in spirituals and concert halls across the world, they are also studied by sociologists and musicologists across the country. The University of Denver's Spirituals Project puts it aptly in its mission statement: "Spirituals uplift in times of crisis, heal, comfort, inspire, and instill hopes and dreams, thereby transforming individuals, communities, and whole societies."

And in much the same spirit of the Fisk Jubilee Singers, I want to say thank you to a good friend, a musicologist himself, for bringing to my attention the need for the Congress to honor this vital piece of our national heritage, Calvin Earl. As the youngest of nine children in North Carolina, Calvin taught himself the guitar at age 7, forming his first rhythm and blues group while serving in the Army before spending several decades performing jazz and big band music. Since 1989, Calvin has dedicated himself to preserving and sharing spirituals with a new generation of Americans. Traveling the country, he builds on the traditional words and melodies to illuminate the history and complexity of this unique art form.

It was from Calvin that I learned about this remarkable tradition, how spirituals enabled slaves to teach their children, record their history, and surreptitiously communicate with one another. Indeed, songs such as "Wade in the Water," "The Gospel Train," and "Swing Low, Sweet Chariot" all reference the Underground Railroad. Another, "Follow the Drinking Gourd," even contained a coded map to the Underground Railroad. As these songs were spontaneous, their authors are not known, though they were the inspiration for the writers of the first gospel songs, from Charles Albert Tindley to Harry Thackert Burleigh to John Rosamond Johnson.

Mr. Speaker, no less than Frederick Douglass remarked that such spirituals "told a tale of woe which was then altogether beyond my feeble comprehension. They were tones loud, long, and deep. They breathed the prayer and complaint of souls boiling over with the bitterest anguish. Every tone was a testimony against slavery and a prayer to God for deliverance from chains."

Indeed, in so many ways the African American spiritual embodies who we are as Americans. The impact it has made on the cultural heritage of America, and indeed every American, is incalculable. I thank all who have allowed us to bring this resolution for consideration today. I urge my colleagues to support honoring this national treasure and this timeless reminder of the enduring human spirit.

Mrs. DAVIS of California. Mr. Speaker, I am pleased to recognize the gentleman from New Jersey (Mr. SIRES) for 2 minutes.

Mr. SIRES. Mr. Speaker, I rise in support of H. Res. 120, which recognizes the African American spiritual as a national treasure. The slave Africans who came to the European colonies were forbidden to speak their native languages, use African musical instruments, or practice their spiritual beliefs. To keep their African traditions alive through songs and stories, the slaves created a new kind of music. Today these are known as spirituals.

Mr. Calvin Earl, my constituent from Jersey City, has devoted his entire life to educating people about the history and the importance of African American spirituals. He started a program called The Gifts from My Ancestors. Through songs, dances, and storytelling, this program has helped people experience the story of enslaved African Americans.

Mr. Speaker, I commend Mr. Earl for his work, and I believe it is time to recognize the importance of these spirituals and preserve them for future generations by voting in favor of H. Res. 120.

Mrs. DAVIS of California. Mr. Speaker, I am pleased to recognize the gentleman from Illinois (Mr. DAVIS) for 2 minutes.

Mr. DAVIS of Illinois. Mr. Speaker, I want to thank the gentlewoman from California for yielding. I rise in strong support of H. Res. 120, recognizing the African American spiritual as a national treasure.

Growing up in the rural South in the 1950s, we grew up on what was then called the Negro spiritual, and many of these songs, of course, had great meaning, especially the lyrics. I remember, "Follow the Old Man" that is "Coming to Carry Me to Freedom" if you "Follow the Drinking Gourd." Well, gourds supposedly grew northward, and if you followed the direction of the gourd, you would get out of the slave South back during slavery and the abolitionist period, and you would be headed north. And so not only did these songs sound good, not only were they spiritually uplifting as one that I heard on this past Sunday at the Second Baptist Church in Maywood, Illinois, but they also were didactic; they were teaching and inspirational.

So I commend the gentlewoman from Connecticut for her introduction of this great resolution and urge its support.

Mrs. DAVIS of California. Mr. Speaker, I am pleased to recognize the gentleman from Tennessee (Mr. COOPER) for 2 minutes.

Mr. COOPER. Mr. Speaker, I thank the gentlewoman from California for yielding.

I would like to lend my voice and praise of the African American spiritual and a group that I consider to be the leading practitioners of today and for the last 135 years, namely the Fisk Jubilee Singers.

As the Representative from Nashville, Tennessee, I have the honor of representing Fisk University, which, under the able leadership of President Hazel O'Leary, is achieving new heights and excellence. The Fisk Jubilee Singers have been there since 1871, singing some of the most beautiful music in the world and a music that is laden with a God-given message.

No other music that I am familiar with covers the range from agony to inspiration, from the depths of human misery and despair all the way up to religious bliss. This is remarkable music, and I would suggest to you if you haven't heard the Fisk Jubilee Singers sing it under the able direction of Dr. Paul Kwami, you have not fully lived. This is a truly remarkable group and a remarkable inspirational message.

So let's praise today the anonymous African American genius that has allowed these songs to flourish and survive some of the toughest conditions on our planet, and let's honor groups like the Fisk Jubilee Singers that keep that tradition alive and fresh for each new generation. Yes, Mr. Speaker, this is truly a national treasure. We need to honor and preserve it and spread its wonderful message all around the world. The African American spiritual is part of God's great heritage.

Mr. Speaker, I am proud that today this House will honor one of America's oldest and most unique cultural treasures, the African American spiritual. No music in the world communicates as much as the African American spiritual. It is music borne of suffering. Music that expresses anguish, unity, and hopeful transcendence. Our reverence and deep gratitude for this music is only surpassed by our shame over the conditions that gave it rise. What we are doing today is wholly appropriate—and long overdue.

Mr. Speaker, I am particularly proud to represent Fisk University, a fine American college with a tremendous sense of history and purpose. Fisk was founded in the wake of the Civil War to educate all students, regardless of color. It was a costly and controversial mission, and in order to keep the school's doors open, a group of students embarked on a fundraising tour in October 1871. This choral ensemble soon became known as the Fisk Jubilee Singers. They earned renown all over the world, singing for U.S. presidents and poets, European royals and American intellectuals alike.

But most of all, Mr. Speaker, in their 135 years of existence, the Fisk Jubilee Singers have exposed people across the globe to the African American spiritual. They have reminded us all of our country's shared history, and they have told, in vivid word and tune, the story of a People. From "Wade in the Water" to "Go Down, Moses," and many songs between and since, the African American spiritual is a vital piece of American culture. Today we honor that tradition and those groups who keep it alive—groups like the Fisk Jubilee Singers.

The word "jublilee," Mr. Speaker, rooted in the Hebrew Scriptures, came to signify the proclamation of freedom from slavery. Today let this House rededicate itself to that powerful message and to those who have lifted their voices to express the pain of bondage and redemptive promise of freedom—of jubilee—throughout our Nation's history.

Mrs. DAVIS of California. Mr. Speaker, we have no further speakers.

Mr. EHLERS. Mr. Speaker, I yield myself such time as I may consume.

It always amazes me how the Lord manages to turn evil to good. And this is a good example of that; how under the terrible abuse and sin of slavery came the beautiful spirituals that we are honoring in this particular resolution. It is a real national treasure. It is something that I grew up with.

I recall my family, in which we had a number of musicians. Very frequently we were singing Negro spirituals, and in groups at church we would sing Negro spirituals, and yet look where this music came from, out of the terrible black mark on the history of this country when we had slavery over half the Nation. And yet the human response guided by God came out of these people and produced this beautiful, beautiful music. It is a heritage we all have, it is a heritage we must enjoy and, above all, a heritage that we must honor, as we are honoring in this resolution today.

Mr. Speaker, I yield back the balance of my time.

Mrs. DAVIS of California. Mr. Speaker, I am happy to close on House Resolution 120.

□ 1145

I want to thank my colleagues for their eloquence in speaking to this resolution. Truly, the African American spiritual is a national treasure. It must be embraced as such, enjoyed and enhanced, always in our thoughts and in our history because it has played such a critical part to so many thousands and thousands and thousands of people. And so I thank everyone for being here today and for presenting that to us.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in strong support of this resolution to recognize the African American spiritual as a national treasure.

Till the passage of the 13th Amendment, African Americn slaves were prevented from speaking their native languages, playing musical instruments they had used in Africa, and practicing their traditional religious beliefs. Despite attempts to strip away the history and identity of these individuals, they relied on a strong oral tradition to pass down stories and family narratives in the form of original songs, now known as spirituals.

These African American spirituals came to represent a part of history that many tried to silence through oppression and slavery. These songs are a part of the spirit that could not be destroyed by the institution of slavery. And while the spirituals we know today likely represent only a small portion of the total number, they remain an important link to the past as we teach new generations the meaning of our roots.

For African Americans, identifying their history and researching genealogy becomes challenging due to a lack of organized records. Many are left with piecing together records of their ancestors left from former slave owners. Through song we can identify with our past, and the African American spiritual is oe of the few remaining bastions of African American tradition and history though art.

I urge my colleagues to honor our history by voting for this importance piece of legislation.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of H. Res. 120, to recognize the African American spiritual as a national treasure.

When slavery was introduced into the European colonies in 1619, the dark days that followed ignited the faith and hope of our ancestors that one day their descendants would live in freedom and helped them bear the unbearable burden of bondage.

To help our ancestors tolerate the incorrigible injustices they suffered as slaves, they gathered together in unity and sang spiritual songs. Their strong faith in God was displayed through song and gave them hope that they would one day be free from the bondage of slavery. There was a transportation that took place when those songs were sung, for that moment they were carried away with their tunes from the problems and injustices they faced in their daily lives and could sing aloud to God who they depended on for help.

Frederick Douglass, a fugitive slave who would become one of the leading abolitionists of the United States, remarked that the spirituals, "told a tale of woe which was then altogether beyond my feeble comprehension; they were tones loud, long, and deep; they breathed the prayer and complaint of souls boiling over with the bitterest anguish. Every tone was a testimony against slavery and a prayer to God for deliverance from chains. . . ."

Unfortunately their plight for freedom from slavery would not end until 1865 when the United States ratified the 13th amendment to the constitution, but our fight for equality against injustices, though easier today, still tarries on. The singing of these African American spirituals is just as much a part of America as our flag and should be celebrated and seen as a thread in the fabric of our rich and diverse nation.

Many slaves were not allowed to learn to read and write but they were allowed to have their faith and their song. It was these two things that became a foundation in the African American community and intertwined, was used as a method of survival, as a means to cope with human servitude and echoed their strong desire to be free. It was in these songs that an oral history of their plight was communicated to each other, taught to their children, recorded their sad history and healed their broken hearts.

The Old Negro spiritual is still alive today. The influence of these songs is felt in gospel and the many popular genres of music that evolved from gospel. African American spirituals spread all over the United States, and the songs we know of today may only represent a small portion of the total number of the spirituals that once existed.

I thank my colleague, Ms. DELAURO, for introducing this important legislation, to ensure that we celebrate, treasure and recognize the African American spiritual as a national treasure and I urge my colleagues to join me in supporting this resolution.

Mr. LARSON of Connecticut. Mr. Speaker, I rise today to express my strong support for H. Res. 120, which recognizes the African American spiritual as a national treasure. The African American spiritual is both an expression of culture and faith, and a symbol of the path to triumph in our democracy.

The African American spiritual originated with many cultures in Africa, and became one of the few forms of expression that the African slaves were able to maintain while held in bondage in America. The spirituals not only served to uplift, but also served as a secret code to direct those enslaved to freedom. Lyrics from songs like "Steal Away (to Jesus)" and "Wade in the Water" were guides for those who planned to escape and served as instructions to allow those escaping to avoid being traced by slave catchers. Spirituals such as "Follow the Drinking Gourd" were also means of secretly communicating maps and directions for escaping slaves to reach the network of the Underground Railroad. After the abolition of slavery in the United States in 1865, the African American spiritual remained an important expression of culture, faith, and social justice, especially during the Civil Rights movements across the Nation in the 1950s and 1960s.

And so today, also in honor of Black History Month, I ask my colleagues to join me in celebrating the African American spiritual and the legacy left to us by those who fought for freedom and rights in this country for all citizens. The African American spiritual is not only testimony of history, but is a part of our national heritage.

Mr. DAVIS of California. Mr. Speaker, I yield back my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Mrs. DAVIS) that the House suspend the rules and agree to the resolution, H. Res. 120.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mrs. DAVIS of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.

TEMPORARY EXTENSION OF AUTHORIZATION OF PROGRAMS UNDER SMALL BUSINESS ACT AND SMALL BUSINESS INVESTMENT ACT OF 1958

Ms. VELÁZQUEZ. Mr. Speaker, I move to suspend the rules and concur in the Senate amendments to the bill (H.R. 434) to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958 through December 31, 2007, and for other purposes.

The Clerk read as follows:

Senate amendments:

Strike out all after the enacting clause and insert:

SECTION 1. ADDITIONAL TEMPORARY EXTENSION OF AUTHORIZATION OF PROGRAMS UNDER THE SMALL BUSINESS ACT AND THE SMALL BUSINESS INVESTMENT ACT OF 1958.

(a) IN GENERAL.—Section 1 of the Act entitled "An Act to extend temporarily certain authorities of the Small Business Administration", approved October 10, 2006 (Public Law 109–316; 120 Stat. 1742), is amended by striking "February 2, 2007" each place it appears and inserting "July 31, 2007".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on February 2, 2007.

Amend the title so as to read: "An Act to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958 through July 31, 2007, and for other purposes".

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Ms. VELÁZQUEZ) and the gentleman from Ohio (Mr. CHABOT) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

Ms. VELÁZQUEZ. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, today we will consider H.R. 434 as it came back to us from the Senate. This bill extends the authorization of the Small Business Administration and its programs through July 31, 2007. This short-term extension will ensure entrepreneurs continue to have access to the programs at the SBA that are designed to stimulate job creation and economic development throughout the United States.

Small businesses rely heavily on the SBA and its programs to start and run their ventures. As the sole Federal agency charged with assisting this Nation's 26 million small businesses, it is critical that the SBA is able to meet their needs.

While the original bill would have extended the agency until December 31, 2007, we will support this bill in order to ensure the agency's programs can operate through the end of July with no disruptions. As such, we move to pass H.R. 434 today.

I look forward to working with Ranking Member Steve Chabot to draft a bipartisan bill that will ensure the SBA can adequately and efficiently respond to the needs of entrepreneurs. Our Nation's main job creators, small businesses, deserve nothing less.

Mr. Speaker, I reserve the balance of my time.

Mr. CHABOT. Mr. Speaker, I yield myself such time as I might consume.

This bill simply, as the chairwoman indicated, extends all the programs, including pilot programs, the authorities or provisions of the Small Business Act and the Small Business Investment Act as they are presently constituted until July 31 of this year. The programs and authorities of the Small Business Administration expired on February 2. We would have preferred a longer extension, but the other body insisted on a shorter extension date of July 31.

Passage of this bill will hopefully give the Small Business Committees in both the House and the Senate the time necessary to work in a bipartisan manner on a more comprehensive SBA reauthorization bill.

Many of the programs of the SBA do not operate under a direct appropriation. This legislation will reaffirm their legality to operate, including the Advisory Committee on Veterans Business Affairs.

Mr. Speaker, this bill is quite simple. It contains the exact same language, with only the date changed, that passed the House last month by an overwhelming vote of 413–2.

Again, I look forward to working in a bipartisan manner with Chairwoman VELÁZQUEZ and other committee members to produce a good, fiscally responsible SBA reauthorization bill that can eventually be signed into law by the President. I especially want to thank Chairwoman VELÁZQUEZ for her graciousness in agreeing to bring up this bill in such a quick manner.

I urge my colleagues to support H.R. 434 with the Senate amendments so that our Nation's small businesses will see no interruption of service from the SBA over the next 5 months while we work to adopt a comprehensive reauthorization bill.

Mr. Speaker, I reserve the balance of my time.

Ms. VELÁZQUEZ. Mr. Speaker, I have no further speakers at this time, and I yield back the balance of my time.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of H.R. 434, the Short Term Extension of the Small Business Administration, SBA, as amended by the Senate. H.R. 434 will provide for additional temporary extension through July 31, 2007, of programs under the Small Business Act and the Small Business Investment Act of 1958. This very important extension is crucial to the success of many small businesses across the country. Our entire Nation's economy relies on the success of small businesses.

Mr. Speaker, small businesses represent more than the American dream—they represent the American economy. Small businesses account for 95 percent of all employers, create half of our gross domestic product, and provide three out of four new jobs in this country.

Small business growth means economic growth for the Nation. But to keep this segment of our economy thriving, entrepreneurs need access to loans. Through loans, small business owners can expand their businesses, hire more workers and provide more goods and services. The Small Business Administration, SBA, a Federal organization that aids small businesses with loan and development programs, is a key provider of support to small businesses. The SBA's main loan program accounts for 30 percent of all long-term small business borrowing in America.

Recently, my colleagues and I were able to restore funding to the SBA's main loan program for small businesses for 2005. And I am confident that we will continue to protect loan programs that will create and expand American small businesses. I have worked fervently and will continue to work to make sure small businesses have access to loans. These loans contribute greatly to the viability of many of these small businesses.

Providing loans for small businesses has also played a role in "Rebuilding the Gulf Coast" contracting opportunities. As of March 6, 2006, the Small Business Administration there have been: 55 Disaster Home Loans approved for $727,000; 27 Disaster Business Loans approved for $1,750,800; 17 Disaster Economic Injury Loans approved for $750,100; and 99 Total Disaster Loans approved for $3,227,900.

In my own district, small businesses are vital to our economy. That is why I have worked to introduce minority, women, and small business owners to contracting officials at NASA to help promote and develop Houston small businesses.

Mr. Speaker, I have worked hard to help small business owners to fully realize their potential. That is why I support entrepreneurial development programs, including the Small Business Development Center and Women's Business Center programs. These initiatives provide counseling in a variety of critical areas, including business plan development, finance, and marketing.

I also support investing in the highly successful Manufacturing Extension Partnership, MEP, Program, which offers services to help small U.S. manufacturers stay competitive. These measures are important to keeping jobs here at home, and helping American small business prosper.

Small business owners are leaders in innovation, creative business operations and new technologies and products. I urge my colleagues to join me in support of the extension of the Small Business Administration.

Mr. CHABOT. We also have no further speakers, and we yield back the balance of our time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Ms. VELÁZQUEZ) that the House suspend the rules and concur in the Senate amendments to the bill, H.R. 434.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate amendments were concurred in.

A motion to reconsider was laid on the table.

HONORING THE LIFE OF BENNY PARSONS

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 69) recognizing and honoring Benny Parsons and expressing the condolences of the House of Representatives to his family on his death.

The Clerk read as follows:

H. RES. 69

Whereas Benny Parsons was born in Wilkes County, North Carolina, on July 12, 1941, and resided in the towns of Ellerbe and Concord, North Carolina in the Eighth Congressional District;

Whereas Benny Parsons was the son of Hazel and the late Harold Parsons and the brother of Steve, Phil and Patty;

Whereas Benny Parsons started racing in 1963 at the Mt. Clemens Speedway in Mt. Clemens, Michigan;

Whereas Benny Parsons was the Automobile Racing Club of America (ARCA) Rookie of the Year in 1965 and ARCA Champion in 1968 and 1969;

Whereas Benny Parsons was the first ARCA Champion inducted into the International Sports Hall of Fame;

Whereas Benny Parsons made his Winston Cup debut in 1970 and had his first Winston Cup victory at South Boston Virginia Speedway in 1971;

Whereas Benny Parsons was Winston Cup Champion in 1973;

Whereas Benny Parsons had an extraordinary career as a National Association for Stock Car Auto Racing (NASCAR) driver, winning 21 races, including the 1975 Daytona 500;

Whereas in 1982 Benny Parsons qualified for the NASCAR Winston 500 at Talladega Superspeedway at 200.175 miles per hour, the first NASCAR qualification run over 200 mph;

Whereas in 1998 Benny Parsons was named one of the 50 Greatest Drivers in NASCAR History;

Whereas after a successful career as a driver, Benny Parsons developed a successful career in broadcasting, further expanding his sport through his insight and commentary;

Whereas Benny Parsons was known for his kindness by all who had the good fortune to meet him;

Whereas Benny Parsons was a loving husband to his wife Terri and an exceptional father to his sons Kevin and Keith;

Whereas Benny Parsons was a man of strong faith and character; and

Whereas Benny Parsons passed away on January 16, 2007, prompting friend and former competitor Darrell Waltrip to state that "Benny Parsons was the kindest, sweetest, most considerate person I have ever known. He was a great champion, a great ambassador for our sport but more than that, he was a great person. He exemplified that good guys can be winners too.": Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes Benny Parsons as one of the greatest race car drivers ever to participate in the sport of auto racing and recognizes his many contributions to the Nation throughout his lifetime;

(2) honors Benny Parsons for transcending the sport of auto racing to become a role model as both a talented competitor and mentor and as a loving husband and father; and

(3) extends its deepest condolences to the family of Benny Parsons.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. DAVIS) and the gentleman from Indiana (Mr. BURTON) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. DAVIS of Illinois. Mr. Speaker, I ask that all Members may have 5 legislative days in which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today we honor and remember the life of Benny Parsons and his contribution to the racing community. Mr. Parsons was a legendary NASCAR driver and TV analyst. His thoughtful insights as an announcer earned him the nickname The Professor, and his achievements as a driver include a Winston Cup NASCAR championship.

Born in Wilkes County, North Carolina, he developed a penchant for cars and racing with his father. At the age of 18, he moved to Detroit where he drove taxis and worked at a service station. Soon thereafter he started his NASCAR career. In 1971, he won his first race, and in 1973 won the NASCAR championship. Mr. Parsons battled with drivers like Richard Petty and Carl Yarborough throughout his racing career that stretched over 20 years.

After Parsons retired from racing in 1988, he became a commentator and a recognized voice for NASCAR. His work helped NASCAR become one of the most widely watched sports in America and taught many newcomers to understand and enjoy racing. Earlier this year Mr. Parsons succumbed to complications from lung cancer.

So I urge my colleagues to rise in support of H. Res. 69.

Mr. Speaker, I reserve the balance of my time.

Mr. BURTON of Indiana. Mr. Speaker, I yield myself such time as I may consume.

We are very sorry to hear about Benny Parsons losing his life and his battle with lung cancer. He was a great race car driver, known to his friends as BP. He spent his early years in North Carolina, where he began his career in sports playing high school football.

Shortly after high school, his family moved to Detroit where his father ran a taxicab company. He helped his father and drove cabs and also worked at a local gas station.

In a town known as Motor City, Benny's interest and experience in automobiles and racing thrived. He quickly became a real huge race fan.

As the story goes, he lucked out when a truck towing a race car pulled into the station for a fill-up, and after talking with the truck driver, he was invited to join him on his way to nearby Mount Clemens Speedway. Once they arrived at the track, the race car driver who was supposed to drive the car did not show up, and so BP offered to drive the car, and that was his first race.

It is hard to believe that somebody would go from a gas station to a race car and get in it right away. I am from Indianapolis, Indiana. The Indianapolis 500 is driven there, and I cannot imagine anybody without any past experience getting into a race car and driving it and doing well, but BP did.

□ 1200

In 1964, Benny Parsons drove in his first official NASCAR race. Only a year later, he received the Rookie of the Year award from the Auto Racing Club of America, in one year. He would go on to win the ARCA championship in both 1968 and 1969. He had an impressive record in racing during 1971 and 1972, and his points earned him the NASCAR championship in 1973.

He also won the Daytona 500 in 1975 and the 1980 World 600 championship at Charlotte, and he continued on to win the National Speedway USA, the Texas World Speedway and his career final victory at the Coca-Cola 500 in Atlanta, Georgia. Overall, he had 283 top-10 finishes and won 21 major races.

After he finished his last race in 1988, he switched gears from driving to commentating. He started out reporting from the pits during his final years of racing but began full time for both ESPN and TBS in 1988. His firsthand knowledge of the sport captivated his audiences. He could talk from the prospective of both a fan and a driver, and was skilled at sharing his insights through his broadcasts.

As the NASCAR industry grew more popular and was televised more frequently, he commentated for both NBC and TNT. Parsons received an ACE award in 1989 and an ESPN Emmy award in 1986. His talent as an announcer earned him the new nickname, The Professor. It is a long way from race car driver to professor, but he earned it.

When he spoke, audiences listened and learned from him. In the summer of 2006, Parsons began to have trouble breathing. His doctors diagnosed him with lung cancer, even though he had quit smoking over 25 years ago.

After a successful treatment, he noticed more trouble breathing. Doctors found that his left lung had not fully recovered from the radiation. This past December, he reentered the hospital for treatment and passed away on January 16 of this year from complications from lung cancer.

His career encompassed four decades of racing, followed by nearly two decades of announcing. Among other awards, he was inducted into the International Motor Sports Hall of Fame in 1994, the Court of Legends at Lowe's Motor Speedway in 1994, and the Motor Sports Hall of Fame of America in 2005. In 1998, he was named one of NASCAR's 50 greatest drivers.

Benny Parsons, known for his lovable personality and his positive attitude, will be greatly missed by all of those in the NASCAR community and family.

Mr. Speaker, I ask all Members to join me by supporting this resolution. We have a NASCAR race, the Brickyard 400, in Indianapolis, and we are going to miss Benny Parsons there. We wish his family well.

Mr. Speaker, I reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I have no further speakers and would ask if the gentleman would want to yield back his time.

Mr. BURTON of Indiana. Mr. Speaker, we have one more speaker who is not yet here, but since he is not here, we would like to have permission to have his remarks put in the RECORD.

Mr. Speaker, we yield back the balance of our time.

Mr. DAVIS of Illinois. I thank the gentleman from Indiana. This seems to be the day for Indiana and Indianapolis.

Mr. BURTON of Indiana. I would just ask my colleague from Illinois, isn't every day the day for Indiana?

Mr. DAVIS of Illinois. I would urge support for this resolution.

Mr. BURTON of Indiana. Mr. Speaker, may I reclaim my time? Mr. HAYES just arrived.

The SPEAKER pro tempore. Without objection, the gentleman from Indiana reclaims his time.

There was no objection.

Mr. BURTON of Indiana. Mr. Speaker, I yield as much time as he may consume to the gentleman from North Carolina (Mr. HAYES).

Mr. HAYES. I thank my friends DANNY DAVIS and DAN BURTON.

Mr. Speaker, I rise today to honor the life of Benny Parsons, a friend, a true friend and a legend in the racing community. Benny passed away in January; a great loss to all our community.

Benny was born and raised in the foothills of North Carolina. After literally stumbling into the racing industry while working for his dad's service station in Detroit, Michigan, Parsons returned to Ellerbe, North Carolina in Richmond County to drive for car owner L.G. DeWitt, a local businessman who also just happened to own the Rockingham race track.

Benny Parsons led a legendary career as a NASCAR driver, and he helped make the sport what it is today. From 1964 until his retirement in 1988, Benny made 526 starts. Benny Parsons was the first stockcar driver to go over 200 miles an hour, and he turned that speed into incredible success on the track. Benny won 21 major races, including the Daytona 500 and, in 1973, earned the highest honor in NASCAR, the Winston Cup.

Benny's work and contribution did not end on the race track. Upon his retirement from racing, Benny Parsons entered broadcasting, where he further expanded the sport through his insight and his down-home commentary. Benny was a fan favorite and became known as The Professor for his relaxed and uncanny style of commentary.

Besides being a champion and Hall of Famer, Benny Parsons was most revered by his colleagues and fans for his generous nature and lovable personality.

Benny told me he was always grateful for the support the people of Richmond County gave him. Despite his fame, my conversations with Benny seemed to flow around eating at the Dixie Burger and talking Raider football in Richmond County. He maintained a home there even after settling in my hometown of Concord.

To the people of North Carolina's Eighth District, Benny Parsons will always be a hometown boy as well as a champion. I ask that you join me today in extending your sympathy to Benny's wife, Terri; his sons, Kevin and Keith; and his entire family in the racing community.

Mr. Speaker, I ask to observe a moment of silence in honor of Benny Parsons' legacy of giving.

Mr. Speaker, I yield back for a life well lived.

Mr. DAVIS of Illinois. Mr. Speaker, I want to thank the gentleman from North Carolina. We have no further speakers.

As I indicated earlier, NASCAR racing is one of the most watched sports in America, and I am amazed at the number of people who participate. I would urge passage of this resolution.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and agree to the resolution, H. Res. 69.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

CONGRATULATING THE INDIANAPOLIS COLTS FOR WINNING SUPER BOWL XLI

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 130) congratulating the National Football League champion Indianapolis Colts for winning Super Bowl XLI and for bringing the City of Indianapolis and the State of Indiana their first Lombardi Trophy.

The Clerk read as follows:

H. RES. 130

Whereas on February 4, 2007, in Miami, Florida, the Indianapolis Colts defeated the Chicago Bears by a score of 29 to 17 in Super Bowl XLI to win the National Football League (NFL) Championship;

Whereas this is the first Super Bowl win for the Indianapolis Colts following an overall season record of 16-4 and a regular season record of 12-4;

Whereas the Colts won their fourth American Football Conference (AFC) South Title this year and the AFC championship title with a stunning come-from-behind 38-34 victory over the New England Patriots on January 21, 2007;

Whereas Tony Dungy, in his fifth season with the Colts, is the first African-American head coach to win the Super Bowl and is one of the most respected coaches in the league, cultivating Championship success for the team and boasting 10-plus victories and playoff appearances in his first four seasons with the Colts;

Whereas Colts Owner and Chief Executive Officer Jim Irsay, who assumed ownership of the Colts in 1997, has helped revitalize the Colts franchise along with Colts President Bill Polian whose name is synonymous with pro football success;

Whereas quarterback Peyton Manning, who had 25 completions for 247 yards, was selected as the Most Valuable Player (MVP) of Super Bowl XLI; and

Whereas the entire Colts franchise has become a model of professionalism, goodwill, and community service in representing the City of Indianapolis and the State of Indiana and brings pride to Hoosiers and Colts fans everywhere: Now, therefore, be it

Resolved, That the House of Representatives congratulates the National Football League champion Indianapolis Colts for winning Super Bowl XLI and for bringing the City of Indianapolis and the State of Indiana their first Lombardi Trophy.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. DAVIS) and the gentleman from Indiana (Mr. BURTON) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. DAVIS of Illinois. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DAVIS of Illinois. Mr. Speaker, I will defer my opening remarks, and first shall be first. And I am going to yield such time as she might consume to the first lady of Indiana, Representative JULIA CARSON, who is the sponsor of this resolution.

Ms. CARSON. I do thank you very much, Representative DAVIS, for your courtesy and your indulgence, especially being from Illinois, the Chicago Bears. And the Bears have been overcome by the Colts. If you watch the Animal Planet channel, you can see that the Colts are not to be pushed around. So I want to thank you very much for your courtesy.

I come to the floor today to join my colleague, DANNY BURTON. We have contiguous districts. I am fighting over mine because the Colts' headquarters and the team is in my district, but I am sure he doesn't mind that at all. I heard the wonderful remarks that he made yesterday about the Colts, about Tony Dungy and Bill Polian and Jim Irsay. I want to thank him for it.

I come today to congratulate the Indianapolis Colts, who are in my district. See, we have good things in my district. They are not all drive-by shootings. The Indianapolis Colts have made us extremely proud. Here is a man, Tony Dungy, who incurred major tragedy, who hung out about a week or two, and then he came back and got back on the plate. I admired him for that. He sets an example for a lot of our young kids to follow that your setbacks can be your setups and your stumbling blocks can be your stepping stones.

Tony Dungy was determined to lead. He lead in a very positive way. He could have stayed out, moaned and groaned about what had happened, but he didn't do that. He incurred his spirituality and kept on moving.

I heard somebody mention the NASCAR a few minutes ago. We lost Paul Dana in NASCAR out in Indianapolis, and he fought successfully to get race cars to use ethanol. In 2008, all the race cars of NASCAR will be fired up and fueled up by ethanol. I want to be sure and mention that.

I rise today to recognize the Indianapolis Colts, the Super Bowl champions. The path they took was not easy, but they made it look easy because they operated as a team. I think that is an illustration of what we can become if we operate in unison as a team. When one member faltered, two others would be there to fill the gap. And after a long season, they filled the gap on a rain-soaked field in Miami to claim the title of world champions. Tony Dungy, game MVP Peyton Manning and Robert Sanders have all earned the title of champions.

I am proud that Indianapolis was represented by a very classy team with character. In a day when so many athletes are questionable examples, this team shows that you can be an active citizen and a winner at the same time.

This is a championship of firsts. This is the first Super Bowl win for the Indianapolis Colts, and the first time an African American head coach led the team to an NFL title.

Congratulations, Indianapolis Colts, and team owner Jim Irsay and President Bill Polian and all those who have supported this team through the years. I want to thank Lovie Smith, class act; Chicago Bears; and all my friends in Chicago for a wonderful Super Bowl.

You go, Colts.

I yield back to DANNY, and I won't take my district away from him right now.

Thank you, Mr. BURTON.

Mr. DAVIS of Illinois. Mr. Speaker, I reserve the balance of my time.

Mr. BURTON of Indiana. Mr. Speaker, I yield myself such time as I may consume.

You know, there are a lot of reasons to thank Tony Dungy and Peyton Manning and the whole team for the great victory they had last Sunday. I sat in the rain for about 5 hours and watched them, and I didn't feel a drop of rain because they did such a great job.

I might have felt a drop of rain in the first part when Devin Hester ran 92 yards for the opening kickoff touchdown. It kind of scared everybody to death who were Colts fans, but we all had faith in Peyton Manning and the Colts, and we knew that they wouldn't give up, especially after watching them coming back from the biggest deficit in championship history to defeat New England 2 weeks before.

But the reason I want to thank them today is for my Illinois colleagues. I want Coach Dungy and Peyton Manning and the whole team to know, from my colleagues in Illinois, I want a deep-dish pizza, a pound of cheese cake and a bunch of DVDs for our troops over in Iraq. So I want to thank them very much for making sure I didn't have to pay for all that other stuff, but my colleague on the other side of the aisle does.

Let me be serious for just a moment. We are very, very thrilled to have a Super Bowl champion in Indianapolis, we waited for a long, long time. And it came at a time when we had some of the finest people that have ever been on a football team playing in Indianapolis. It came at a time when we had one of the finest coaches who ever coached football in Indianapolis. And not only is Tony Dungy a great coach, but he is a great American and a very patriotic man and a good Christian fellow. And everybody in Indianapolis really respects him.

Peyton Manning has been a gentleman on and off the field. The whole team has. I can name everybody on the team. And I just want to say, on behalf of the Congress, me and JULIA CARSON, my colleague who represents Indianapolis, and STEVE BUYER and others, that we are very, very proud of the Colts. We hope they bring us another Super Bowl next year, but even if they don't, we are very, very thrilled. They have done Indianapolis proud, and we are very proud to talk about them here today.

Mr. Speaker, I reserve the balance of my time.

□ 1215

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, this is obviously a bitter pill to swallow, especially given the fact that I represent the Chicago Bears, who happen to be in my district, the stadium that they use. We were anticipating great thrills and great delights, and for a brief moment we did, in fact, have that. But then someone said to me that we came in like lions and went out like lambs.

I guess that is exactly what happened. This past Sunday, Tony Dungy and the Indianapolis Colts beat Lovie Smith and his Chicago Bears 29–17 in a wet Super Bowl XLI.

The slippery conditions made for several muffs and miscues throughout the game, including a Romo-like botched hold during the extra point after the Colts' first touchdown.

The Bears got off to a quick start with Devin Hester returning the opening kickoff for a TD, and Rex Grossman hitting Muhsin Muhammad with a 4-yard pass in the first quarter for another seven points.

After this the Bears' offense sort of fizzled, and the Colts took advantage with Peyton Manning leading several drives that ended in Adam Vinatieri's field goals and a TD pass to Reggie Wayne. Joseph Addai and Dominic Rhodes also both contributed some hard runs with a combined rushing total of 190 yards and a touchdown. On the other side of the ball, the Colts were the better defense, causing five turnovers.

As noted last week, this game made history with two African American coaches facing each other for the title, and Tony Dungy being the first black coach to win a Super Bowl.

Of course, I want to congratulate Coach Dungy on a job well done, and adding to the celebration of Black History Month. I also want to commend Peyton Manning for his leadership of the team. I want to thank Representative CARSON's staff for their hard work, especially Kathleen Taylor, who did such a quick job of putting all of this together so that we did not have to delay.

And so with serious regret on the part of the Chicago Bears, I commend and congratulate the Indianapolis Colts and urge support for this resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. BURTON of Indiana. Mr. Speaker, it sure is nice to hear the gentleman from Illinois extol the virtues of the Indianapolis Colts. I really appreciate that, DANNY.

I am very happy to yield to my colleague from Indiana, another great Colts fan, Congressman STEVE BUYER, 2 minutes.

Mr. BUYER. Mr. Speaker, I am pleased to stand here to honor the Indianapolis Colts and Super Bowl champions. The Colts are a team that I believe represent the best of professionalism and goodwill.

My congratulations to Tony Dungy for his accomplishments in leading the Colts to an overall season record of 16–4 and for becoming the first African American head coach to win a Super Bowl. I am most hopeful that such reference does not have to be made in the future. That is the goodness of America. Coach, you have also demonstrated that nice guys can win.

I also commend the passionate Indianapolis Colts who braved single-digit temperatures to welcome back home for the first time to the city of Indianapolis and the State of Indiana the Vince Lombardi Trophy.

Mr. Speaker, I also learned something, though, that I think America should know about the Super Bowl. You see, the teams that actually play the Super Bowl actually get 17 percent of the tickets. Those tickets go to those fans of the two teams, and they are upper deck, end zone seats, which means that all of the prime seats of the

Super Bowl go to all of the other owners. So what I am most hopeful is that America takes note here that actually the fans of the teams that get to play the Super Bowl really do not get to see much of their team in a Super Bowl. And so what happens here is the city who wants a Super Bowl in their city, they trade seats for votes. And so it is like, hey, if I want the Super Bowl in Detroit, and you are the team owner in Detroit, I will give you 1,500 seats at the 35-yard line.

By the end of the first quarter with all of the rain, you had over 10,000 empty seats. You say, what happened to the fans? Well, those are people there who wanted to see a football game, but do not necessarily like to sit in the rain because they didn't like either team.

So we need to redo how they do the Super Bowl and actually sit the fans where they can enjoy the game. So hopefully that is taken into account.

To Coach Dungy, the entire team, the owner Jim Irsay, the dedicated staff of the Colts organization and thousands of Colts fans. I offer my congratulations to the Colts for the Super Bowl victory over my father's beloved Chicago Bears. Go Colts.

Mr. DAVIS of Illinois. Mr. Speaker, of course maybe the NFL could learn from the House and realize that there should be no trading of seats for votes, and that would make the disposition a bit different.

I yield 3 minutes to Representative BRAD ELLSWORTH from Indiana.

Mr. ELLSWORTH. Mr. Speaker, I rise today to extend my congratulations to the Super Bowl champions, the Indianapolis Colts. The NFL season came to a triumphant close Sunday night in Miami. But I am most proud that the Colts began their history run to this Super Bowl in Indiana's Eighth District last August on the training fields of Rose-Hulman Institute of Technology in Terre Haute, Indiana.

On Sunday, Coach Dungy, along with Lovie Smith of the Bears, became the first African American head coaches to walk the sidelines on the Super Bowl. As the clock expired and the scoreboard read 29 for the Colts and 17 for the Bears, a rain- and Gatorade-soaked Dungy made NFL history again by becoming the first African American to win the Lombardi Trophy.

After a sloppy start in a rainy Miami that included a kickoff returned for a touchdown and an interception by the Bears, the Colts found themselves in an early hole. But the Dungy-led team refused to give up and charged back to take a 16–14 halftime lead, with Reggie Wayne and Dominic Rhodes providing touchdowns.

The Colts dominated the second half of the game on both sides of the ball, surrendering only three points while bolstering their lead. Cornerback Kelvin Hayden, who was playing in place of injured starter Nick Harper, put the game nearly out of reach in the fourth quarter when he intercepted Rex Grossman's pass and returned it for 56 yards for a touchdown.

Safety Bob Sanders, who forced a fumble earlier in the game, clinched it on the ensuing drive with an interception of his own, and Colts kicker Adam Vinatieri, the NFL's all-time leader in career Super Bowl field goals, contributed the remainder of the team's scoring.

I am proud to congratulate the Super Bowl MVP Peyton Manning. With his performance, Manning silenced all of the critics who throughout his career claimed that he could not win the big game. They do not get any bigger than this.

Manning threw for 247 yards and a touchdown, while leading his team to victory. Manning was aided in the backfield by the two-pronged running attack of Rhodes and rookie Joe Addai, who combined to rush for 190 yards.

The Colts excelled on the field at the Super Bowl, but what makes it truly a pleasure to cheer for is the dignity and class the team displayed throughout the season. I believe that this starts at the top with Coach Dungy. Karen Crouse of the New York Times summed up the Colts' coach best when she wrote, and I quote, "Dungy has the most victories of any NFL coach since 1999 with a record of 90–38. But the bottom line is not what defines him. His life has been about opening people's eyes so they may see talent and not skin color; spirituality and not celebrity; integrity and not self-interest. He has helped a lot of people see more clearly," and I could not agree more. Go Colts.

Mr. BURTON of Indiana. Mr. Speaker, I yield 5 minutes to another great Colts fan, Congressman MIKE PENCE.

Mr. PENCE. Mr. Speaker, today I rise in this bipartisan gathering with thanks to the leadership of Congresswoman JULIA CARSON to congratulate the world champion Indianapolis Colts. I congratulate the gentlewoman from Indianapolis for her leadership on this resolution and its eloquent drafting.

As others of my colleagues have suggested, the Colts' victory was not just a demonstration of athletic prowess, but it was a moment where I think the world got to see a little bit of Indiana on the world stage. They got to see the kind of serious work ethic, humility, commitment to getting the job done without a lot of flash and a lot of fanfare that really characterizes the people of Indiana.

As Congressman BURTON said, I also had the privilege, along with my wife Karen, of witnessing some history, not only the first world championship to come to Indianapolis, but also I saw the first African American coach lead a team to the Super Bowl, and to see two great teams led by two African American coaches shatter that glass ceiling, that for reasons of culture and habit had somehow been long established, in that stadium for that great championship game.

You know, Mr. Speaker, it is said that attitude reflects leadership, and I believe that Coach Tony Dungy really personifies just the type of leadership that deserves rewarding in the NFL and is heralded in the State of Indiana.

Let me say that Coach Dungy should be admired not only for that calm, steady leadership on the sidelines, but also his career off the field is equally impressive. Since his time in Tampa Bay, he brought his commitment to Christian values to young people through the Fellowship of Christian Athletes. He launched Mentors for Life, a program that provided tickets to young people for home games and their mentors. And I was there about a year ago when Coach Dungy, one of many such occasions around the country, spoke in Anderson, Indiana, to a stadium full of young people about his profound faith in Christ and about his belief in the relationship of character to success.

But we also celebrate Peyton Manning, the man awarded with Most Valuable Player in the Super Bowl, and of course now a man who others have said has minted his reputation as one of the greatest quarterbacks of all time. He personifies a humility and a work ethic that I believe are rightly celebrated.

Let me close by saying, as Peyton Manning remarked on being selected MVP, he said, "I am excited, but I am proud to be on this team."

I would like to close my remarks today by asking unanimous consent to add to the CONGRESSIONAL RECORD the names of all of the members of the Colts' offense, defense, substitutions and the coaching staff, because this truly was a team effort. It was men and women in the head offices, and on the fields, on the training staff, and the catching staff that brought this world championship home to our capital city.

They have our praise, our congratulations.

Offense: Reggie Wayne—Wide Receiver, Tarik Glenn—Offensive Tackle, Ryan Lilja—Offensive Guard, Jeff Saturday—Center, Jake Scott—Offensive Guard, Ryan Diem—Offensive Tackle, Dallas Clark—Tight End, Marvin Harrison—Wide Receiver, Peyton Manning—Quarterback, Joseph Addai—Running Back, and Ben Utecht—Tight End.

Defense: Robert Mathis—Defensive End, Anthony McFarland—Defensive Tackle, Raheem Brock—Defensive Tackle, Dwight Freeney—Defensive End, Cato June—Linebacker, Gary Brackett—Linebacker, Rob Morris—Linebacker, Nick Harper—Defensive Back, Jason David—Defensive Back, Antoine Bethea—Defensive Back, and Bob Sanders—Defensive Back.

Substitutions: Adam Vinatieri—Kicker, Terrance Wilkins—Wide Receiver, Hunter Smith—Punter, Kelvin Hayden—Defensive Back, Marlin Jackson—Defensive Back, DeDe Dorsey—Running Back, Dominic

Rhodes—Running Back, Dexter Reid—Defensive Back, Matt Giordano—Defensive Back, Justin Snow—Tight End, Rocky Boiman—Linebacker, Keith O'Neil—Linebacker, Freddy Keiaho—Linebacker, Tyjuan Hagler—Linebacker, Dylan Gandy—Offensive Guard, Dan Klecko—Defensive Tackle, Bo Schobel—Defensive End, Charlie Johnson—Offensive Tackle, Bryan Fletcher—Tight End, Aaron Moorehead—Wide Receiver, Josh Thomas—Defensive End, and Darrell Reid—Defensive Tackle.

Coaching Staff: Tony Dungy—Head Coach, Jim Caldwell—Assistant Head Coach/Quarterbacks, Clyde Christensen—Receivers Coach, Leslie Frazier—Special Assistant to Head Coach/Defensive Backs, Richard Howell—Assistant Strength Coach, Gene Huey—Running Backs Coach, Ron Meeks—Defensive Coordinator, Pete Metzelaars—Offensive Quality Control, Tom Moore—Offensive Coordinator, Howard Mudd—Offensive Line Coach, Mike Murphy—Linebacker Coach, Russ Purnell—Special Teams Coach, Diron Reynolds—Defensive Quality Coach, John Teerlinck—Defensive Line Coach, Ricky Thomas—Tight End Coach, Jon Torine—Strength and Conditioning Coach, and Alan Williams—Defensive Backs Coach.

Mr. DAVIS of Illinois. Mr. Speaker, I yield 3 minutes to the gentleman from Indiana (Mr. DONNELLY).

Mr. DONNELLY. Mr. Speaker, I want to congratulate Congresswoman CARSON on her resolution, to add my name to it, and to also say I come from a unique place, and that my district is not far from Chicago. Our beautiful district has numbers of Bears fans in it as well as Colts fans. And so to the Bears fans from Michigan City, Laporte, and South Bend, I say a season well done; one step short is still a heck of a year. We are incredibly proud of the Bears, but we are also beaming about our world champion Indianapolis Colts who did it in a way to reflect what our State's values are: dignity, hard work, class, and a never-give-up attitude.

To Peyton Manning, to Joseph Addai, to all of the outstanding players, and especially to Coach Tony Dungy, Tony Dungy and Lovie Smith come from a long tradition of fine men like Sherm Lewis, men like Eddie Robinson, and to see Tony Dungy as the first African American coach to win the Super Bowl was a tremendous moment. But he will not be the last. There will be many, many more. But his name will be etched in history forever. And as a man, we can only look at Tony and hope that we can be as fine in image and in value to our sons and daughters as he has been to all of us.

Hard work, nonstop class, I am proud to be from our beloved State and proud of our world championship Super Bowl champion Indianapolis Colts.

□ 1230

Mr. BURTON of Indiana. Mr. Speaker, I am very happy to yield 3 minutes to another Colts fan who is a friend of Peyton Manning from Tennessee, the great Congressman from that State (ZACH WAMP).

Mr. WAMP. Mr. Speaker, I thank the gentleman for yielding, and everyone from Illinois and Indiana for bringing us to this moment.

Mr. Speaker, it is a privilege to represent the State of Tennessee in coming to congratulate the Indianapolis Colts. Few people would know this, but last Thursday here in Washington was our annual prayer breakfast, where we bring people from all around the world for our prayer breakfast. And Dr. Francis Collins of the Human Genome Project was the speaker, and he just did an extraordinary job.

But what people wouldn't know was that before we invited Dr. Francis Collins, we actually extended an invitation to Tony Dungy. But Tony Dungy knew when we extended that invitation where he was going to be the following Sunday, and he told us. Sorry, I can't come speak at the National Prayer Breakfast because I will be preparing to play in the Super Bowl. And boy, was he preparing.

Many people know the connections to Tennessee here with this Super Bowl because of Peyton Manning, because he played his college football at the University of Tennessee. And I dare say, other than the State of Indiana, and maybe Mississippi, the State of Tennessee was cheering for the Indianapolis Colts in greater numbers than any State in the Union because of Peyton Manning, because he is our favorite son because of where he played his college football.

To this very day, he owns real estate in Chattanooga. He plays his golf in Chattanooga. We see him a lot. He is married to a Chattanooga girl. We are very proud of that.

You wouldn't know also that R.V. Brown, who was the chaplain for the Tampa Bay Buccaneers, is one of Coach Dungy's closest friends and the person to whom we extended the invitation. We are so very proud of these relationships.

What about Lovie Smith? He coached at the University of Tennessee as well. So all of these great players and coaches that really represented the goodness of America on Sunday and in the days leading into Sunday have some kind of Tennessee connections.

But I just want to close with this thought. Proverbs 16:15 says this: Good-tempered leaders invigorate lives. They are like spring rain and sunshine.

And I have got to tell you that Tony Dungy and Lovie Smith are good-tempered leaders straight from that scripture. They have invigorated lives, and they refresh and give life to this great Nation. We honor them today because of their leadership. We honor this team because of what they stood for. And we are grateful, frankly, that this brings the country together and lifts us to a new level.

Congratulations, Indianapolis Colts.

Mr. DAVIS of Illinois. Mr. Speaker, now it is my pleasure to yield 3 minutes to the distinguished gentleman from Indiana (Mr. HILL).

Mr. HILL. Mr. Speaker, I was in my office just a few minutes ago watching, doing my work in my office, but I caught my colleagues talking about the victorious Indianapolis Colts, and I couldn't resist coming down here. I don't have any prepared remarks, but I want to come to the floor today to also extend my congratulations to the Indianapolis Colts.

My wife and my three daughters had the opportunity to see the Colts win the AFC championship at Indianapolis. And at the time, I thought it was good enough that we just made it to the Super Bowl. But that wasn't good enough for Peyton Manning and Marvin Harrison and the rest of the Colts and Tony Dungy. They wanted the ring. And they stepped up to the plate and took it to another level. And I watched in amazement how they held steady when the chips were down, especially when they were playing against the Patriots, and how they held steady when the Chicago Bears scored that touchdown right off the bat. They didn't panic. They showed true leadership, and I am so proud of the Colts, and I am proud of the fact that I had the opportunity to extend congratulations to them.

I think Marvin Harrison and Peyton Manning are the best one-two punch in the history of the NFL. These two players are magnificent athletes, but they are also magnificent human beings in who they are and how they lead. And I couldn't be more happy.

I also have to say something about the Chicago Bears. They are a great football team. We beat a great football team. And Rex Grossman, who is the quarterback of that team, has caught a lot of heat recently for what he did. But he took the Chicago Bears to the Super Bowl, and that is a feat in itself.

And I single him out because I believe it was his dad or his uncle that I actually played football against in Bloomington, Indiana, where Rex Grossman actually is. So I consider him a constituent. Bloomington is in my district. It is great to applaud him for his accomplishments. I applaud the Chicago Bears, and I applaud the Indianapolis Colts for all the good things that they have done for the State of Indiana.

Mr. BURTON of Indiana. Mr. Speaker, might I inquire of my colleague, do you have any more speakers?

Mr. DAVIS of Illinois. No, I don't believe we do.

Mr. BURTON of Indiana. Well, if he has no more speakers, I am prepared to yield back the balance of my time. But I just want to say to my colleagues from Illinois, and I say this in a good-natured way, if you need a Colts hat, I just happen to have a few in my office. I will be very happy to buy you one.

But I still want my deep-dish pizza, my cheesecake, and I want to make sure those DVDs get to the troops in Iraq.

Mr. Speaker, I yield back the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, to close, I will just simply say that, of course, Eli's has the best cheesecake in the world, and Representative BURTON, you shall be able to partake of that.

But also, let me say that we will congratulate all of the players, all of the owners, all of those who made these two great teams. I have never seen two men who have given more to a sport than Tony Dungy and Lovie Smith. Not only are they masters of the game, not only are they great coaches and leaders, but they exemplify the best of human beings, the best that you could possibly be, and that is what they have done for the game of football. That is what they have done for America. And I am sure that Americans all over the Nation will be cheering them on for years and years to come.

Mr. Speaker, I yield to Representative JULIA CARSON for the last word.

Ms. CARSON. Mr. Speaker, I am pleased that all of the delegation of Indiana has come to the floor to speak on behalf of this worthy resolution.

Tony Dungy, if you don't mind, I will single him out, exhibits the kind of character that we would all like our men to exhibit. Young men, who were jumping up and down at the Colts Super Bowl, can learn so much about how far you get in this world by displaying strength, by displaying honesty and integrity and loving the Lord. That is what Tony Dungy does.

He belongs to Northside New Era Church in Indianapolis, which is a little church on a hill. It is not a big, palatial church that swings around city blocks; just a little church on a hill. And the members there love him.

And I notice that he took many of the young people from Northside New Era to Miami, which was an experience that they will never replicate.

So I want to thank the Dungy family. His wife, when the church has an event, she is right there with her little apron on cooking, too.

So it shows you that you can't think too highly of yourself. And Tony Dungy certainly doesn't do that. He thinks highly of the Lord and of all the people that he serves. And I am just happy that I lived long enough to see this major event happen on behalf of the district that I represent.

Mr. DAVIS of Illinois. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and agree to the resolution, H. Res. 130.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

ANTITRUST MODERNIZATION COMMISSION EXTENSION ACT OF 2007

Mr. CONYERS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 742) to amend the Antitrust Modernization Commission Act of 2002, to extend the term of the Antitrust Modernization Commission and to make a technical correction.

The Clerk read as follows:

H.R. 742

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Antitrust Modernization Commission Extension Act of 2007".

SEC. 2. EXTENSION OF TERMINATION.

Section 11059 of the Antitrust Modernization Commission Act of 2002 (15 U.S.C. 1 note) is amended—

(1) by striking "30 days" and inserting "60 days"; and

(2) by striking "section 8" and inserting "section 11058".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. CONYERS) and the gentleman from Texas (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. CONYERS. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I rise in support of this measure cosponsored with me by the distinguished ranking member of the Judiciary Committee, Mr. LAMAR SMITH, to extend the Antitrust Modernization Commission by 30 days so that it may have time to wrap up and finalize its report and shut down its operations.

This modernization commission dealing with antitrust has been in existence since 2002 and was created with the purpose of examining whether the need exists to modernize the antitrust laws. It began meeting in 2004 and for the past 3 years has been studying many aspects of antitrust law, including how these laws operate in a modern, information-driven economy.

Also, they were charged with examining the intersection between antitrust law and intellectual property law; about immunities and exemptions that are enjoyed under our current antitrust law; the relationship between the Federal and State antitrust law enforcement; the application of antitrust laws in regulated industries; and the merger review process. I look forward to reviewing the commission's final report, which is due in April of this year.

I anticipate that the Judiciary Committee will take a close look at the recommendations contained in the report and will continue to work with the commissioners even after the report is completed.

Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I support H.R. 742, the Antitrust Modernization Commission Extension Act of 2007.

Our Nation's first antitrust laws were enacted at the turn of the 20th century. The Antitrust Modernization Commission Act of 2002 created a commission to examine how to update our antitrust laws in light of the new technologies that have developed in recent years.

The Antitrust Modernization Commission, or AMC, was required to produce a report 3 years after the date of its first meeting on April 2, 2004.

Mr. Speaker, I am happy to report that the AMC will submit its recommendations to Congress and the President by the statutory deadline of April 2, 2007.

The AMC is required to terminate 30 days after submitting its report. However, the commission has requested an extension of its authorization by an additional 30 days so that it can effectively conclude its operations. This additional 30 days will allow the AMC to properly archive its records and transfer property to other agencies.

Pursuant to that request, H.R. 742 extends the authorization of the AMC by 30 days and also makes a small technical correction to the original authorization statute. This bill will not delay the submission of the AMC's report to Congress nor will it require the appropriation of any additional funds.

Mr. Speaker, I am happy to cosponsor this bill, along with the chairman of the Judiciary Committee, to allow the AMC to wrap up its important work without imposing any additional cost on the American taxpayer.

I urge my colleagues to join me in supporting this legislation.

Mr. Speaker, I do not believe I have any others who want to comment on this legislation, and so, because of that, I will yield back the balance of my time.

Mr. CONYERS. Mr. Speaker, I continue to yield myself as much time as I may consume.

The reason we have this commission is because there are acknowledged to be some serious considerations, some problems that we need to examine in the area of antitrust law.

☐ 1245

The antitrust laws were derived from the Sherman Act of over a century ago, and they are very important, and they have helped us in terms of developing an economy that is in some respects the envy of the entire planet.

But there has been so much activity in the antitrust area that there has been some concern whether or not we have gone overboard. This past year is the fourth largest in the history for mergers. Since the Oracle merger, which the Department of Justice sued on and lost, the Department of Justice itself hasn't gone to trial to block a proposed merger in memory.

And we are having larger and larger mergers and acquisitions. They are troubling: SBC and AT&T, a $16 billion-valued merger; AT&T and BellSouth, an $86 billion merger; Verizon and MCI, an $8.5 billion merger; Sprint and Nextel, $36 billion; Cingular and AT&T Wireless, about $47 billion worth of coming together; Kmart with Sears, Roebuck; Hewlett-Packard and Compaq; NBC Universal and NBC and Vivendi; Morgan Chase and Bank One; Procter & Gamble buys $54 billion in new acquisition; the Bank of America with FleetBoston. We have got something that needs far more consideration.

And I want to praise the former chairman of the Judiciary Committee, the gentleman from Wisconsin, who helped us create the special outside committee to aid us, and we look forward to their reports. And I join the gentleman from Texas in helping to develop the time needed for us to get the report.

We on the Judiciary Committee feel this is a hugely important subject. And we want to particularly praise the vice chairman of the commission, Attorney Jon Yarowsky, who himself was a former member of the House Judiciary staff for a considerable number of years.

Mr. Speaker, the bill we are considering today is a modest one, but I want to emphasize that the issue it relates to is of utmost importance.

For over a century, the antitrust laws have provided the ground rules for fair competition. They are our economic bill of rights. Antitrust principles are necessary to preserve competition and to prevent monopolies from stifling innovation. Competition produces better products, lower prices, and wider choices—all to the benefit of consumers.

The cornerstone premise of our antitrust laws is essentially a conservative notion: that free and unfettered competition will produce the best results for consumers. To the extent that anticompetitive conduct or conditions have hindered this healthy process, the antitrust laws are there to arrest those violations and remedy the competitive harms.

In the Sherman Act, we prohibit contracts or conspiracies that restrain trade, and exclusionary or predatory conduct that sabotages the efforts of rivals. For egregious violations, there are high fines and prison terms. There are also treble damages for victims.

And we have supplemented those protections in the Clayton Act, by giving the antitrust enforcement agencies the power to challenge anticompetitive mergers in their incipiency, to prevent their harmful effects from ever taking place.

The competitive landscape in the United States has been undergoing dramatic change in recent years. Technological and market innovation has come at us at breakneck speed. We have witnessed a wave of consolidation in some of our key industries. According to Thomson Financial, this past year was the fourth largest in history for mergers and acquisitions.

At the same time, we have also seen familiar and novel forms of exclusionary conduct that interferes with the enterprising efforts of competitive businesses to cultivate and serve customers.

The telecommunications industry is one key industry that has experienced significant consolidation. This year, AT&T acquired BellSouth Corp.—after just last year acquiring SBC—in a deal that creates a telecom behemoth with $117 billion in revenue.

This has particular consequences in the area of net neutrality. For people who innovate in the area of technology, and for those who enjoy those innovations, this free and open access to the Internet has been a boon. New applications are being developed every hour and are able to be instantly distributed on the Web. These new applications—coupled with new content, such as broadband television—have the potential to offer a new array of choices to consumers.

Unfortunately, some telecommunications companies have a different vision for the Internet. They have floated the idea of charging websites for access. Those who pay will get faster and more reliable delivery of their content to web surfers. Those who do not will see the delivery of their content degraded.

The antitrust laws can help ensure that network neutrality, the bedrock of the growth of the Internet, remains in place.

In the media, the FCC's relaxed cap on ownership in national and local broadcast markets, and relaxed cross-ownership restrictions between broadcasters and newspapers, has enabled concentrated wealthy interests to control a large portion of the media in some areas. Consumers are thereby often deprived of a diversity of viewpoints and voices in news and entertainment.

Imagine a world where you wake up, read the local newspaper, turn on the television to watch the news, drive to work and listen to the radio, pass a few billboards containing advertisements, return home later at night and turn on your cable to watch a movie or some sports—only to find that each of those media outlets is owned by the same company. It may sound farfetched, but it is not. This is the world we are evolving into. In this world, instead of ten voices with ten different viewpoints, there may only be three. The antitrust laws may be our only hope of preventing this.

The story is even bleaker for independent broadcasters, and for minority participation in the media industry. As of 2001, minorities owned only 3.8 percent of the full-power commercial radio and television stations in the nation, and only 1.9 percent of TV stations. If ownership of the media is controlled by four or five conglomerates, minority-owned stations and programming that appeals to minority interests could become a thing of the past.

In the home appliance industry, Whirlpool Corp., the largest maker of home appliances, merged with Maytag Inc., the third largest. The deal cost $1.8 billion and produced a company that manufactures much of Sears' Kenmore line as well as the brands Jenn Air, KitchenAid, Amana, and Magic Chef, and controls as much as 70 percent of the U.S. market for large home appliances such as washers and dryers.

In the oil industry, we've seen massive increases in gasoline prices. After Hurricane Katrina, the Washington Post reported price increases of as much as 88 cents per gallon in a single day. Some stations in Georgia were reported to be charging as much as $6 a gallon. In Illinois, prices reportedly shot up 50 cents per gallon overnight, and the state attorney general received more than 500 reports of price gouging. At first blush, it would seem that these increases go far beyond anything justified or relating to the market disruptions caused by Hurricane Katrina. The FTC's report on this phenomenon was less than satisfactory.

We have also seen significant consolidation in the health insurance industry. In recent years, Aetna agreed to acquire Prudential Health Care, the fifth largest for-profit health care company, at the same time it was in the midst of completing its purchase of New York Life. In 1996 Aetna was also permitted to acquire U.S. Health Care. As a result of these acquisitions, Aetna became the largest health care provider in the nation.

Recent years have seen more than a dozen health insurance competitors eliminated through mergers and acquisitions. A study of market concentration by the Robert Wood Johnson Foundation found that "both the group and individual [health insurance] markets are heavily dominated by a relatively few large insurers." Business consumers of health care have become increasingly alarmed by this concentration, with Charles Blankenstein, a health expert at William Mercer Consulting, warning that employers are "bear[ing] the cost of these acquisitions" as "choice in the marketplace is rapidly diminishing."

In the airline industry, lagging profits have led to a marked trend toward further consolidation. Because air travel is a vital portion of the nation's transportation infrastructure, we can't simply turn a blind eye and chalk this up to economic bad times. Often these mergers have the potential to reduce the flight options available to consumers, and ultimately may lead to higher ticket prices.

In this environment, vigorous antitrust enforcement is particularly important. We need to be able to rely on the federal antitrust enforcement agencies—the Antitrust Division in the Department of Justice, and the Federal Trade Commission. We need to be able to have confidence that they are doing everything they should to protect competition in our economy and the benefits it brings to us all.

That is why active oversight of antitrust must and will be an important part of the work of the Judiciary Committee. We will ask these agencies about merger enforcement, and why they do not seem to be challenging an mergers. We will ask them about their policy on civil non-merger enforcement against monopolization and other anticompetitive business arrangements. And we will ask them about their commitment to prosecute criminal antitrust violations.

The Committee will also create a task force, as we did in the last Congress, so that we can more closely examine competitive developments in important industries, including telecommunications, pharmaceuticals, and insurance, as well as topics such as interoperability of new technologies, credit card interchange fees, and transparency in standard setting.

As we prepare for the work ahead in this vital area, we will look forward to reading the Antitrust Modernization Commission's final report, and reviewing its assessment of the state of health of the laws we rely upon to preserve our economic liberty.

I thank the Antitrust Modernization Commission for all its work over the past few years. I urge my colleagues to support this measure.

Mr. CONYERS. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. CONYERS) that the House suspend the rules and pass the bill, H.R. 742.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 12 o'clock and 50 minutes p.m.), the House stood in recess subject to the call of the Chair.

☐ 1334

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. POMEROY) at 1 o'clock and 34 minutes p.m.

GERALD W. HEANEY FEDERAL BUILDING AND UNITED STATES COURTHOUSE AND CUSTOMHOUSE

Mr. OBERSTAR. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 187) to designate the Federal building and United States courthouse and customhouse located at 515 West First Street in Duluth, Minnesota, as the "Gerald W. Heaney Federal Building and United States Courthouse and Customhouse".

The Clerk read as follows:

H.R. 187

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION.

The Federal building and United States courthouse and customhouse located at 515 West First Street in Duluth, Minnesota, shall be known and designated as the "Gerald W. Heaney Federal Building and United States Courthouse and Customhouse".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building and United States courthouse and customhouse referred to in section 1 shall be deemed to be a reference to the "Gerald W. Heaney Federal Building and United States Courthouse and Customhouse".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Missouri (Mr. GRAVES) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. OBERSTAR. Mr. Speaker, I yield myself such time as I may consume

For me, today is a very fulfilling, as well as nostalgic, moment to move this bill to designate the Federal building and the U.S. courthouse and customhouse in Duluth for Judge Gerald W. Heaney.

He was appointed judge of the U.S. Circuit Court of Appeals for the Eighth Circuit on November 3, 1966. He took senior status in December 31, 1988; finally retired last August after 40 years on the bench. But that is only part of the story.

Gerald Heaney was born January 29, 1918, in Goodhue, a rural community in southeastern Minnesota. He grew up in a farming community, learned the values of rural America, went to my college which I attended many years later, College of St. Thomas, where he graduated and went on to the University of Minnesota where he got his law degree in 1941, but then started a new chapter in the life of Gerald Heaney.

He enlisted in the Army in World War II. He was trained as a United States Army Ranger, and he was on the landing craft at 6:30 in the morning on Omaha Beach in Normandy.

I interviewed Judge Heaney for the Library of Congress project on World War II veterans. They are attempting at the Library to get the personal views of those who participated in World War II, and he told this story:

"We were all herded into the landing craft. At 6:30 we arrived close to the beach. We could not quite get into the beach because of the obstacles that the Germans had placed under water and also had proximity bombs that would blow up ships. They were having trouble getting the vessels in, so they could not get to the beach, but they got into relatively shallow water. And the door went down on the landing craft, and the captain stood up and said, everyone ashore, and he was cut down by gunfire. And the first lieutenant stood up and said, everyone ashore, and he was cut down by gunfire. And then," said Judge Heaney, "that left me, Second Lieutenant Gerald Heaney, in charge, and I looked up and said, we are not going out that door; everybody over the side."

How many lives he saved we will never know, but they got into water that was too deep for them to touch the bottom. They tried to swim. They were sinking. They all cut off their backpacks loaded with their food and supplemental ammunition and made it to the shore.

I was privileged to be in the group of Speaker HASTERT on the 60th anniversary of D-Day and stood at that beach, at that shoreline, and looked up at where the German gun implacements were located. It is an awesome crossfire site, fearsome.

Men were cut down right and left as they crawled and inched their way up. By 3:30 in the afternoon, they had made progress of just about a mile, circled around the German guns, which was their objective, and with hand grenades and other explosives, explosive packs, took out the German gun implacements, making that segment of the beach safer for more landings.

By then they were out of ammunition. Judge Heaney said, I said to my men, and there were only a few of us left, we will go back to the beach; they will have landed supplies, and we can be replenished. So they turned around, and he stopped and choked and said, and that is when I saw the carnage, thousands killed.

But they returned, got supplemental ammunition, went back up that beachhead, and their job was to then circle around La Pointe du Hoc, which is a straight, rocky cliff. Rangers are going to scale La Pointe du Hoc from below, and Heaney and his Ranger group were to distract the Germans, take out the gunnery and make it safe, and they did. They attacked. They took out powerful German machine gun implacements and long-range artillery.

For that heroism at La Pointe du Hoc, Judge Heaney was awarded the Silver Star, the second highest award our Government gives to our military personnel, but that was not the end. They continued all across France and into Germany.

By 1945, they had gotten to the Elbe, and there the British units, Russian units and American units met, but they postponed the formal meeting until the following morning where they would have a flag-raising ceremony. And as Judge Heaney said, he looked over, and the Russians had a flag, the British had a flag; he said, where is ours? They did not have a flag. No one had thought to bring a flag. They just fought their way courageously across Europe.

So Judge Heaney, Gerald Heaney, by then Captain Heaney, went into the village nearby and bought red, white and blue cloth and found seamstresses in the village who could sew that into an American flag with 48 stars at the time. He still has that flag. He brought it with him for the Labor Day celebration this year at Park Point in Duluth, and there was not a dry eye in the crowd.

That is the man, that is the courage, that is the strength. He went on to be appointed a U.S. circuit court judge by Lyndon Johnson, and displaying the same courage that he showed for his country in defense of liberty and freedom, he presided over the case to desegregate the St. Louis school system. He wrote the opinion and has written a book about not only the opinion, but the 20 years that he presided over the continuing desegregation of the St. Louis schools in his capacity as circuit court judge. It is entitled, "Unending Struggle. The Long Road to an Equal Education in St. Louis," with Dr. Susan Uchitelle, who was a law clerk for Judge Heaney.

He writes, Our involvement in the St. Louis public school case over a period of 18 years convinced us that, after having recused ourselves from further participation in the case, that we should write a history of education in St. Louis. Much has been written about education during the slave years, 1820 to 1865. No one has attempted to pull together the rich material written over the period from 1820 to the 1980s.

It is all compiled in this remarkable document of how one court case changed the lives of children, of generations of children, of an entire community, made life better for not only African Americans but all citizens living in St. Louis.

□ 1345

I know that as I have traveled to that city from time to time to meet people, Gerald Heaney is nearly revered. He is enormously respected. His courage and standing and his steadfastness, just as he pursued the German forces across France and Germany, he pursued justice in the name of all of our fellow citizens as a sitting judge.

It is most fitting that we should designate the courthouse where he spent a great deal of his office hours. Although his cases were heard in St. Louis, in the courthouse there, his office hours were in the Federal building and the courthouse and customhouse in Duluth, a venerable facility that was built during the Depression years and, like Judge Heaney's work, will withstand the test of time for generations to come.

Mr. Speaker, I reserve the balance of my time.

Mr. GRAVES. Mr. Speaker, I yield myself such time as I may consume.

Though many have made light of the schedule we have had for the past few weeks, the grueling schedule of naming a lot of Federal buildings, it doesn't mean that any of these individuals are any less deserving or should not be honored.

Today in committee in the Transportation Committee, we named a courthouse in Missouri, my home State, after Rush Hudson Limbaugh, Sr., who practiced law in the State of Missouri for over 80 years and was highly revered. Today on the floor, we are honoring somebody that, going through his accomplishments and what he has done in life, is somebody that truly should be recognized.

H.R. 187, which was introduced by Representative OBERSTAR of Minnesota, chairman of the Transportation Committee, designates the Federal building and the United States courthouse and customhouse at 515 West First Street in Duluth, Minnesota, as the Gerald W. Heaney Federal Building and United States Courthouse and Customhouse. The building honors Judge Heaney's dedication to public service.

As the gentleman from Minnesota pointed out, he served with great distinction during the Army in World War II and acquired a law degree from the University of Minnesota law school after his time. Judge Gerald W. Heaney engaged in private practice then just after the war, from 1946 to 1966.

Judge Heaney's career as a judge began then in 1966 with an appointment to the U.S. Court of Appeals for the Eighth Circuit by President Lyndon B. Johnson. Judge Heaney had a reputation for championing equal justice for underprivileged and vulnerable citizens. Judge Heaney retired after 40 years of service on August 31, 2006.

I support this legislation, Mr. Speaker, and I urge my colleagues to do the same.

Mr. Speaker, I yield back the balance of my time.

Mr. OBERSTAR. I want to say, once again, what a great privilege this is to author this legislation, bring it from the Committee on Transportation and Infrastructure, which I have the honor to chair, and bring it to the House floor and pay tribute to a truly great heroic American who served his country in war, in peace, on the bench and in the hearts of our fellow citizens.

In addition to my statement on the Floor today, I want to include in the CONGRESSIONAL RECORD this passage from "Unending Struggle: The Long Road to an Equal Education in St. Louis" by Judge Gerald W. Heaney and Dr. Susan Uchitelle:

> Unless additional resources are provided to the St. Louis public schools, they will fail, leading to a demand by some parents for alternative educational opportunities. . .
>
> Excellent public schools are essential in a democracy. Experience has demonstrated that urban city schools educate and will continue to educate most school-age children. Moreover, public schools have an obligation to educate all children—rich and poor, black, brown, and white, gifted or special. Unless children are well educated and well trained, they will be unable to take their place as full participants in our vibrant democracy.
>
> Segregated housing, a long history of discrimination in education and employment, and the historic lack of opportunity for African Americans to participate fully and equally in all aspects of life make the task ahead a challenging one.

This is but one simple passage from the works of Judge Heaney. I urge my colleagues to join me in supporting H.R. 187.

H.R. 187 is a bill to designate the federal building and United States Courthouse located at 515 West First St., Duluth, Minnesota as Judge "Gerald W. Heaney Federal Building and United States Courthouse and Customhouse." Gerald Heaney was appointed Judge of the United States Court of Appeals for the Eighth Circuit on November 3, 1966. He took senior status on December 31, 1988, and retired on August 31, 2006, after over 40 years of distinguished service to his country and the citizens of Minnesota. I rise in strong support of this bill.

Judge Heaney was born on January 29, 1918 in Goodhue, a rural community in the southeastern part of Minnesota. As a child growing up in a farming community Judge Heaney learned the value of a close family, honesty, and hard work. These qualities have marked not only his personal life but also his life as a public servant. He was educated at the College of St. Thomas, St. Paul, and received his law degree from the University of Minnesota in 1941.

Gerry Heaney is a decorated World War II veteran. He was a member of the distinguished Army Ranger Battalion and participated in the historic D-Day landing at Normandy. He was awarded the Silver Star for extraordinary bravery in the battle of La Pointe du Hoc in Normandy. He also received a Bronze Star and five battle stars.

At the end of the war Judge Heaney returned home and entered private practice in Duluth. During that time he was instrumental in improving the state education system, and served on the board of regents for the University of Minnesota. He was instrumental in helping develop for the Duluth school system the same pay scale for both men and women.

In 1966 he was appointed by President Johnson to the Eight Circuit Court of Appeals. In that capacity he has been a champion in protecting the rights of the disadvantaged. He was devoted to making sure that every person had an equal opportunity for an education, a job, and a home. He firmly believes the poor, the less educated, and less advantaged deserve the protection of the Constitution.

As a hard working, well prepared, and fair minded jurist he left his legal imprimatur on school desegregation cases, bankruptcy law, prisoner treatment, and social security law.

His public service is discerned by industry, brilliance, and scholarly excellence. His compassion and dedication to those of us who are the most disadvantaged is unparalled.

Judge Heaney is most deserving of this honor. I ask my colleagues to join me in supporting this bill.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. OBERSTAR) that the House suspend the rules and pass the bill, H.R. 187.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. OBERSTAR. Mr. Speaker, I ask unanimous consent all Members have 5 legislative days within which to revise and extend their remarks on the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

REPEALING PROHIBITION ON USE OF CERTAIN FUNDS WITH RESPECT TO LOS ANGELES TO SAN FERNANDO VALLEY METRO RAIL PROJECT, CALIFORNIA

Mr. OBERSTAR. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 238) to repeal a prohibition on the use of certain funds for tunneling in certain areas with respect to the Los Angeles to San Fernando Valley Metro Rail project, California.

The Clerk read as follows:

H.R. 238

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REPEAL OF PROHIBITION.

The second sentence of section 321 of the Department of Transportation and Related Agencies Appropriations Act, 1986 (99 Stat. 1287) is repealed.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Missouri (Mr. GRAVES) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. OBERSTAR. Mr. Speaker, I yield myself such time as I may consume.

This bill will repeal a prohibition on the use of Federal transit funds for tunneling in certain areas for construction of the San Fernando Valley Metro Rail project in Southern California.

Many of us can remember the tragedy over 20 years ago caused by an explosion due to the buildup of methane gas, which ignited after accumulating over a long period of time, on the Third Street Corridor in the Wilshire-Fairfax District of Los Angeles. It just rocked the entire area. The explosion damaged a building structure, injured 22 people. A preliminary investigation pointed to the ignition of underground pockets of pressurized gas.

The incident raised a great many safety concerns related to tunneling in the area to build the Metro Rail system. The Los Angeles City Council created a task force at the time to investigate the explosion to determine the cause of the accident, to make recommendations to avoid further incidents.

The results of the investigation identified two methane risk zones to assure that the safety concerns on construction of that segment of the Metro Rail were fully addressed. A provision was included in the fiscal year 1986 transportation appropriations bill to prohibit the use of Federal funds until safety concerns had been properly addressed.

The gentleman who took that cause to the committee, to the House, the gentleman from California, my colleague, we were elected in the same year, 1974, Mr. WAXMAN, has been vigilant on this issue and vigorous in his pursuit of safety for the people of Los Angeles County.

Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. WAXMAN).

Mr. WAXMAN. Thank you very much for yielding to me.

Mr. Speaker, this bill is noncontroversial. It relates to a situation in Los Angeles where prohibition was put in place to prevent tunneling in an area that has been designated as a high risk for methane gas explosions. The bill before us would repeal that prohibition about tunneling, because, at the request of Mayor Villaraigosa, we agreed to convene a panel of experts to assure us that it is technically feasible to handle the tunneling in a very safe manner, that the technology is there and that we need not fear the tunneling as we might have, appropriately so, in the mid-1980s.

In 2004, the L.A. City Council passed a motion urging reversal of this 1985 law, and in February of 2005, the LAMTA board renewed discussions of the subway expansion in this area.

I strongly support this legislation. There is no opposition to it. I appreciate the committee having reported out unanimously, and I would urge my colleagues in the House to agree with the proposal coming from the committee.

Mr. Speaker, H.R. 238 is noncontroversial legislation. In the last Congress, it was reported unanimously by the House Transportation Committee and passed the House by voice vote.

H.R. 238 would repeal a law enacted in 1985 that prohibits subway tunneling in a part of Los Angeles I represent. I authored the 1985 legislation after a methane gas explosion demolished a Ross Dress-for-Less store in the Third and Fairfax area of Los Angeles.

After the explosion, serious safety concerns were raised about the city's plans to extend the subway in this area due to underground pockets of methane gas. In recent years, experts have indicated that technologies have been developed that could make tunneling in the area safe.

In 2004, the Los Angeles City Council passed a motion urging a reversal of the 1985 law, and in February 2005 the Los Angeles Metropolitan Transportation Authority's board voted to renew discussions of the subway's expansion in this area.

As a result, I worked with Mayor Antonio Villaraigosa to select a panel of scientific experts to conduct an independent safety review. These experts made a unanimous determination in a November 2005 report that tunneling in the methane gas area can be done safely if proper procedures and appropriate technologies are used.

H.R. 238 simply lifts the Federal tunneling prohibition that has been in place since 1985. I urge my colleagues to support it.

Mr. GRAVES. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 238 repeals a 21-year-old prohibition on the use of Federal transit funds to tunnel in the San Fernando Valley area west of Los Angeles.

In 1985, an explosion of naturally occurring methane gas blew up a department store in the Wilshire Boulevard Corridor in Los Angeles, injuring 22 people. As the gentleman from Minnesota aptly pointed out, concerned about the safety of tunneling in the area of Los Angeles, the city council created a task force to investigate the explosion. The task force identified methane risk zones along the Wilshire Boulevard Corridor.

The fiscal year 1986 transportation appropriations bill included a legislative provision that prohibits the use of Federal transit funds associated with the Los Angeles project for tunneling in or through an identified methane risk zone. The appropriations provision was written very broadly, binding future funds provided by Congress and affecting all parts of the Metro Rail subway project, including future extensions. The prohibition prevented any transportation planners in the Los Angeles area from considering any transportation improvements that might involve tunneling in the very broadly congested Wilshire Boulevard Corridor.

For me, Mr. Speaker, the need for this bill to be passed simply highlights the dangers of legislating an appropriations bill. H.R. 238 undoes something that should never have been done in the first place. In November 2005, a panel of engineering experts reported that tunneling along the Wilshire Boulevard Corridor can be done safely if proper procedures and appropriate techniques are used.

This bill, H.R. 238, will repeal the current prohibition on tunneling in that corridor. This legislation was first introduced by Congressman WAXMAN in December of 2005 as H.R. 4653 and was passed by the House in September of 2006. However, the Senate failed to act on the legislation, which is the reason we are back here on the floor today.

I do support H.R. 238, and I urge its passage.

Mr. Speaker, I reserve the balance of my time.

Mr. OBERSTAR. I want to supplement the remarks of the gentleman from California, my colleague from Missouri, the ranking member on the subcommittee, that we now believe that the city council has resolved the issues. The mayor has put in place the process by which the tunneling can continue in all safety to both those doing the tunneling and those above ground and now advance the urgently needed transit project in Los Angeles into the San Fernando Valley area. So I urge the passage of H.R. 238.

Mr. GRAVES. Mr. Speaker, I yield back the balance of my time.

Mr. OBERSTAR. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. OBERSTAR) that the House suspend the rules and pass the bill, H.R. 238.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 365, by the yeas and nays;

H. Res. 120, by the yeas and nays;

H.R. 482, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

METHAMPHETAMINE REMEDIATION RESEARCH ACT OF 2007

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 365.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. GORDON) that the House suspend the rules and pass the bill, H.R. 365, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 426, nays 2, not voting 7, as follows:

[Roll No. 78]

YEAS—426

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NAYS—2

Flake
Paul

NOT VOTING—7

Davis, Jo Ann
Hastert
Murtha
Norwood
Pryce (OH)
Rothman
Royce

☐ 1423

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

RECOGNIZING THE AFRICAN AMERICAN SPIRITUAL AS A NATIONAL TREASURE

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 120.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Mrs. DAVIS) that the House suspend the rules and agree to the resolution, H. Res. 120, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 426, nays 0, not voting 9, as follows:

[Roll No. 79]

YEAS—426

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney

Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pelosi
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—9

Bishop (UT)
Davis, Jo Ann
Hastert
Norwood
Nunes
Pryce (OH)
Radanovich
Rothman
Royce

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that there are less than 2 minutes remaining in this vote.

☐ 1430

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BISHOP of Utah. Mr. Speaker, on rollcall No. 79 I was unavoidably detained. Had I been present, I would have voted "yea."

AMERICAN RIVER PUMP STATION PROJECT TRANSFER ACT OF 2007

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the bill, H.R. 482.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Mrs. NAPOLITANO) that the House suspend the rules and pass the bill, H.R. 482, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 425, nays 0, not voting 10, as follows:

[Roll No. 80]

YEAS—425

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costello
Courtney
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pelosi
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)

Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—10

Costa
Davis, Jo Ann
Hastert
Lewis (GA)
Norwood
Pryce (OH)
Radanovich
Rothman
Royce
Tiahrt

☐ 1439

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Any record vote on the postponed question will be taken tomorrow.

RECOGNIZING AND HONORING THE LIFETIME CONTRIBUTIONS OF RAFAEL JOSÉ DIAZ-BALART

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 131) recognizing and honoring the lifetime contributions of Rafael José Diaz-Balart on the dedication of the Rafael Diaz-Balart Hall at the Florida International University College of Law.

The Clerk read as follows:

H. RES. 131

Whereas a native of Santiago de Cuba, Rafael José Diaz-Balart completed his studies at the University of Havana with a law degree in 1919;

Whereas soon after joining the Bar, he became a municipal judge in the city of Palma Soriano, where he served with distinction for four years until, by civil service examination, he obtained the post of civil law notary in the town of Banes in eastern Cuba;

Whereas, while maintaining his law practice, Rafael José Diaz-Balart was elected City Council President and Mayor of Banes;

Whereas he was later elected Congressman and transferred his law practice to the city of Holguín and subsequently to Havana, where he founded the law firm of Diaz-Balart, Diaz-Balart and Amador, with his son, Rafael Lincoln, and Rolando Amador;

Whereas, years later, also by examination, Rafael José Diaz-Balart assumed the post of Land Registrar, a prominent achievement for lawyers in many civil law countries, including Cuba;

Whereas Rafael José Diaz-Balart lived in exile after 1959, and became a proud citizen of the United States;

Whereas along with his son, Rafael Lincoln Diaz-Balart, Rafael José Diaz-Balart commenced law school at the University of Madrid, Spain, and in 1965, at age 66, earned a second Law Degree;

Whereas Rafael José Diaz-Balart died in Miami, Florida in 1985;

Whereas Rafael José Diaz-Balart instilled not only in his son, but in his four grandsons a sense honor and service, which led them to become prominent members of American society;

Whereas his son, Rafael Lincoln, was a prominent member of the Cuban House of Representatives, and his grandsons, Lincoln Diaz-Balart and Mario Diaz-Balart were elected to the United States House of Representatives in 1992 and 2002, respectively, Jose Diaz Balart became a prominent journalist as the Washington bureau chief for Telemundo Network and was the first United States journalist to host daily Spanish and English language newscasts, and Rafael Diaz Balart became a prominent Miami investment banker;

Whereas, on February 10, 2007, Florida International University will dedicate the Rafael Diaz-Balart Hall as the new home of the College of Law;

Whereas Rafael Diaz-Balart Hall will provide a state-of-the-art facility for teaching, research, and study, as well as scholarly and social interaction; and

Whereas the Rafael Diaz-Balart Hall was designed by the internationally renowned architect Robert A. M. Stern, Dean of the School of Architecture at Yale University: Now, therefore, be it

Resolved, That the House of Representatives honors the lifetime accomplishments and legacy of Rafael José Diaz-Balart for his numerous contributions to democracy, and recognizes the Florida International University dedication of the Rafael Diaz-Balart Hall at the College of Law as an appropriate tribute in his memory.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. DAVIS) and the gentleman from Florida (Mr. KELLER) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. DAVIS of Illinois. Mr. Speaker, I request 5 legislative days during which Members may insert material relevant to H. Res. 131 into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DAVIS of Illinois. Mr. Speaker, I ask unanimous consent to yield the time to Representative MEEK from Florida for the purpose of managing the Democratic side of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida.

Mr. MEEK of Florida. Mr. Speaker, it is an honor to come before the House today in support of Resolution 131, to recognize Rafael José Diaz-Balart, grandfather of two of our great colleagues here in this great House, LINCOLN and MARIO DIAZ-BALART.

Rafael Diaz-Balart was a native of Santiago de Cuba and completed his law degree at the University of Havana in 1919. Soon after he joined the bar, Rafael Diaz-Balart became the municipal judge in the city of Palma Soriano, where he served with great distinction. Four years later, he earned a post of civil law notary in the town of Banes in eastern Cuba, where he was later then elected city council president and mayor of the city.

Upon his election to the Cuban House of Representatives, he founded the law firm of Diaz-Balart, Diaz-Balart and Amador in Havana, with his son, Rafael Lincoln, MARIO and LINCOLN's father, and Rolando Amador. Years later, he earned the post Land Registrar, a prominent achievement for lawyers in Cuba.

After the 1959 coup, Rafael Diaz-Balart lived in exile and became a proud citizen of the United States. In exile, Rafael José Diaz-Balart entered law school at the University of Madrid, and in 1965, at age 66, earned his second law degree.

While Rafael Diaz-Balart had many great accomplishments, his greatest of all may have been the honor and sense of duty that he instilled his son Rafael Lincoln and his four grandsons: LINCOLN and MARIO, whom I proudly serve with here in the House; also José, who is a prominent journalist; and Rafael, a successful businessman in Miami.

This week Florida International University Law School will be dedicated in the name of Rafael Diaz-Balart Hall, a tribute to their grandfather. The keynote address will be given by Supreme Court Justice Ruth Bader-Ginsburg, and there will be countless Federal, State and local municipal elected officials.

This honor to the Diaz-Balart family is a testimony to the American Dream. Here is a family in a bloodline that left Cuban exile, but came to the United States to make this country better.

The entire family has contributed not only to the south Florida community, but the entire State of Florida, and also this great country of ours, which is the United States of America.

I think the House is full within its right to be able to recognize this great American for what he was able to do in his contributions to those that not only serve here in the House of Representatives, but serve in the fields of journalism and in business. I am honored to bring this to the floor at this time.

Mr. Speaker, I reserve the balance of my time.

Mr. KELLER of Florida. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I rise today in support of H. Res. 131, a resolution recognizing and honoring the lifetime contributions of Rafael José Diaz-Balart, on the dedication of the Rafael Diaz-Balart Hall at the Florida International University College of Law.

I would like to thank my friend Mr. MEEK for introducing this important resolution.

The founding of the Florida International University College of Law did not become possible until 2000. The college of law received full accreditation from the American Bar Association in December 2006.

The law school is home to 382 law students and 25 faculty members. The Rafael Diaz-Balart Hall was designed by the renowned architect and dean of architecture at Yale University, Robert A.M. Stern. It incorporates two interior courtyards, an atrium, a reading room, an auditorium, a legal clinic, and two teaching courtrooms. In addition, the hall will have two additional rooms solely for expanding international and foreign law collections.

Of particular interest to the students and the school are volumes focusing on international organization and Caribbean and Latin American law.

☐ 1445

Rafael Diaz-Balart, for whom the hall was named, was born in Cuba and earned a law degree from the University of Havana in 1919. He later served as a lawyer, a judge, president of the city council and was eventually elected mayor of the city of Banes and then was elected congressman. Diaz-Balart went into exile in 1959 and earned his second law degree from the University of Madrid in 1965. He died in Miami in 1985. Mr. Diaz-Balart is also the grandfather of two distinguished Members of Congress, MARIO and LINCOLN DIAZ-BALART.

I congratulate the Florida International University College of Law on receiving its full American Bar Association accreditation and the inauguration of this beautiful new hall.

Mr. Speaker, I reserve the balance of my time.

Mr. MEEK of Florida. Mr. Speaker, I yield such time as she may consume to one of my great colleagues from the Florida delegation (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I thank both of my good friends from Florida, Mr. KELLER and Mr. MEEK. It is my privilege to join with my colleagues in honoring the life and legacy of the Diaz-Balart family, and particularly Rafael Diaz-Balart, who distinguished himself not just in the Cuban House of Representatives, but by becoming a wonderful citizen of the United States of America and contributing his subsequent generations of his family to the history of the State of Florida and to the United States by lending his two grandsons to the United States House of Representatives.

Mr. Speaker, across this country we have a wonderful history of naming institutions like law centers after our giants, and Florida is no exception. The Shepard Broad Law Center at Nova Southeastern University is named after a Florida giant. The University of Florida Law Center, the Holland Building, is named after a Florida giant. And now the law center at Florida International University will be named after a Cuban-American, a Florida giant, Rafael Diaz-Balart, and it is my privilege to join my colleagues in honoring his legacy and his life today.

Mr. KELLER of Florida. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Florida (Ms. ROS-LEHTINEN), the ranking member of the Foreign Affairs Committee, and the first Hispanic woman elected in the history of the United States Congress.

Ms. ROS-LEHTINEN. Mr. Speaker, I thank the gentleman for yielding. I thank my good friend Mr. MEEK of Florida for presenting this resolution for us today.

I rise in strong support of this resolution, which honors the life of Rafael José Diaz-Balart, a prominent attorney, an elected official in pre-Castro Cuba, who is also the grandfather, as we have heard, of our esteemed South Florida Congressional colleagues, LINCOLN DIAZ-BALART and MARIO DIAZ-BALART, as well as their two other brothers, José Diaz-Balart, a very well known television personality and news anchor, and Rafael Diaz-Balart, a prominent South Florida businessman.

Their grandfather, Rafael José Diaz-Balart, was a native of Santiago de Cuba, and completed his studies at the University of Havana with a law degree in 1919. While maintaining his law practice, he was also elected city council president and mayor of Banes, and later as a member of the Cuban House of Representatives, similar to our body.

Following the 1959 communist takeover by Fidel Castro, Rafael José Diaz-Balart fled to the United States to live in exile with his family. Shortly following, he proudly became a citizen of the United States. Along with his son, Rafael Lincoln, he commenced law school at the University of Madrid, Spain, and in 1965, at the age of 66, earned a second law degree. He sadly passed away in Miami, Florida, in 1985.

He, like my father Enrique Ros and so many others who fled Cuba due to Castro's tyrannical regime in the last 50 years, Rafael dreamt of a free Cuba, a country where human rights are respected, where political prisoners are freed, with a democratic, multi-party political system that flourishes and a free market economy that thrives, thus allowing the Cuban people and their foreign economic partners to own their businesses and to prosper. None of those things are allowed today.

I am so glad that this Saturday, February 10, the Florida International University College of Law will dedicate its new law center as the Rafael Diaz-Balart Hall. We are also proud of the many accomplishments of FIU, Florida International University, my alma mater, and we think this is a positive step forward.

So I ask my colleagues to join us in commemorating the life of a great patriot, Rafael José Diaz-Balart, a tremendous mentor, a loving husband, a father and one of the most outstanding members of the South Florida community, a freedom fighter from his first to his last breath.

I urge my colleagues to vote "yes" on House Resolution 131.

Mr. MEEK of Florida. Mr. Speaker, I reserve my time.

Mr. KELLER of Florida. Mr. Speaker, I yield such time as he may consume to the grandson of Rafael Diaz-Balart, my friend and colleague, the gentleman from Florida (Mr. MARIO DIAZ-BALART).

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I want to thank the gentleman from Florida, Mr. KELLER. I want to thank all of those colleagues who have spoken here today. On behalf of my brother, Congressman LINCOLN DIAZ-BALART, who is actually now in a committee and cannot be here. I want to particularly thank Congressman KENDRICK MEEK for this profound and deep honor.

Congressman MEEK, I have to tell you, there are not a lot of secrets in this process, but somehow you kept this a secret, and I am not quite sure how you were able to do this, because both my brother and I didn't know about this until very, very recently. That is something that is frankly unusual, for anything to be kept a secret in this process.

I particularly want to thank the sponsor of this resolution for, again, this honor to our grandfather and our family, our entire family, that this House is giving all of us today.

But when I think of families who have public service in their background, our dear friend Congressman KENDRICK MEEK comes from a family of deep service to our country. As I said recently in a public meeting in Miami, the matriarch of the Florida congressional delegation and particularly the South Florida Members congressional delegation is Congresswoman Carrie Meek, who was not only a fine Member of this institution and also was a member of the Florida legislature for many years, but she is an icon in the history of our Nation. She is one of those who has broken through, her entire life, that glass ceiling, not once, not twice, but many, many times. Then, of course, her son, KENDRICK, who is a tough fighter for issues that he believes in and for the people he represents and who I am honored to call a dear friend of mine.

So I am deeply honored, Congressman. I am deeply honored for all of this. On behalf of the Diaz-Balart family, I just want to thank you for this deep honor, this deep privilege. It is a day that we will not soon forget. Again, just thank you all very much.

Mr. MEEK of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it is very interesting when you look at this resolution, because it is the American Dream. Some Americans don't have the opportunity to have a resolution brought before the House of Representatives honoring the memory of their bloodline, their father and their grandfather and their entire family. But I can tell you that, in the words of my grandmother, saying "isn't God good," this resolution displays the American Dream.

As we start to look at this resolution, as we start to reflect on the contributions of the Diaz-Balart family to the United States of America, to find that it not only didn't start totally with Rafael José Diaz-Balart, but he had a lot to do with the pilgrimage to the United States of America and the contributions that his grandchildren have made and that his son made in this society, that have made America better. It has brought us together in many ways.

Understanding a story of some of the issues facing America right now, as some folks may feel about recent immigrants to this country, this is a perfect example to set up on the pedestal of how those that come to our country with the will and desire to serve this country, not to pull from this country, but to serve on behalf of this country, what can happen.

We have four individuals that are the grandchildren of the very man that we are recognizing here in the House of Representatives, this great country of ours, individuals fought to allow us to salute one flag. Two are contributing to this country, serving at the same time in the U.S. House of Representatives in this Congress and in the last Congress and the Congress before that, and one is at the top of journalism as it relates to Spanish language international television, and another is a prominent businessman in South Florida. I think this is a time that the House is rightfully recognizing these great Americans for what they were able to do.

Mr. Speaker, to Mr. DIAZ-BALART and to Mr. KELLER and to all of my colleagues here, it is a great honor to bring this before the House, because I believe everyone can understand the reason why we are here, and it is justified. But this could be one of many examples of families that have contributed to our country. I know they will continue to do so, and I know their children's children will continue to do so, and this moment in history will just be one beacon of light to show how appreciative we are for not only the Diaz-Balart family for their contributions but other families like them.

Mr. Speaker, I reserve the balance of my time.

Mr. KELLER of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would totally agree with my colleague, Mr. MEEK, that the Diaz-Balart family has made America a much better place for all of our children to grow up. I have been very honored to serve with both LINCOLN and MARIO DIAZ-BALART, and I know they both have a lot of pride in their grandfather.

I am very happy that Mr. MEEK introduced this resolution honoring Rafael Diaz-Balart. Mr. MEEK also obviously has a lot of pride in the bloodline he has with the famous Congresswoman Carrie Meek. I was reminded of her just this past weekend when I was down in Miami for the football game on Sunday and I parked on Carrie Meek Boulevard down there.

I explained to the parking lot attendant that I served with Carrie Meek and I am friends with her son, KENDRICK MEEK. He said, Yeah, man. That will be thirty bucks. It only gets you so far. But I have a lot of pride in knowing both of these families.

Mr. Speaker, I yield back the balance my time.

Mr. MEEK of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in closing, I just would like to thank Mr. MILLER of the Education Committee, also the majority leader's office and the Speaker's office for allowing us to bring this resolution so that it can be timely for the dedication this weekend when the good people of Florida and this great country and the Supreme Court Justice will honor the memory of Rafael José Diaz-Balart at the naming of the hall of the law school.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MEEK) that the House suspend the rules and agree to the resolution, H. Res. 131.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

□ 1500

AMERICAN HEART MONTH

(Ms. FALLIN asked and was given permission to address the House for 1 minute.)

Ms. FALLIN. Madam Speaker, as you know, February is American Heart Month. It is a time when we here in Congress and the people across America can reaffirm their commitment to fighting heart disease, the number one killer in Oklahoma and the entire United States.

Nearly 80 million American adults suffer from some form of heart-related illness. Every 35 seconds, an American dies from that illness. Heart disease kills more Americans than the number two, three and four leading causes of death combined.

Madam Speaker, heart disease is a big problem for women just as it is for men, if not more so. In 1984, more women than men died from heart disease. In Oklahoma, 19 women die every day of a heart-related illness.

Last Friday, millions of men and women participated in National Wear Red Day to honor the many women who have been touched by heart disease. This was a great gesture, reminding us of the importance of fighting the disease. And we can fight it by exercising, maintaining health, eating healthy and refraining from smoking.

Madam Speaker, I encourage all my colleagues and all Americans to remember the millions of people affected by heart disease this month and to Wear Red Day for heart disease. By raising awareness of this disease, we can improve the lives of millions of men and women in this country.

SPECIAL ORDERS

The SPEAKER pro tempore (Ms. SOLIS). Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

THE MIDDLE EAST

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. MCDERMOTT) is recognized for 5 minutes.

Mr. MCDERMOTT. Madam Speaker, the President and his administration would be wise to avoid making Iran the next Iraq. Despite that, the demonizing of Iran has begun as the President tries to divert the attention of the American people away from the Iraq debacle. Instead of advocating diplomacy in the region as recommended by the Iraq Study Group and countless leaders in both political parties, the President is making veiled threats that are becoming increasingly worrisome. The boiling caldron of violence in the Middle East is growing hotter, and to many people, the policies and pronouncements of the President concerning Iran are seen as throwing gasoline on the fire.

As the situation worsens in Iraq, the President talks more and more about Iran, as if the attention of the American people and the world can so easily be diverted. That is not going to work this time. The focus of the American people, indeed the focus of the world, is on the U.S. occupation of Iraq and the disastrous war the President continues to wage and escalate. We know he is raising the stakes in Iraq. Many fear Iran is not behind. And we see an irony in that.

Leaders in the Middle East I met with recently in Jordan blame Paul Bremer, the President's first administrator in Iraq, believing Bremer, unwittingly or otherwise, handed Iraq to the regime in Iran. He did it with disastrous decisions.

First, he dismantled the Iraqi army. That left the border between Iraq and Iran unguarded and open to the infiltration of weapons and insurgents to foment violence in Iraq.

Bremer gave the Shi'a effective control by mandating they receive a majority of seats in reconstituting an Iraqi government.

These decisions opened the border and at the same time tightened relationships between Iranian Shi'a and Iraqi Shi'a. It set the stage for Iran's influence to grow stronger and stronger inside Iraq and unleashed a torrent of violence, pitting Iraqi against Iraqi with American soldiers caught in the cross fire. Is there any wonder that many Iraqis believe their nation is being handed over to Iran by the U.S.?

Now, many believe the President's saber rattling toward Iran has less to do with its efforts to develop a nuclear weapon and more to do with his failure to understand the region and contain Iran from the outset of the war. Thoughtful people in the United States and around the world fear the President is compounding the trouble, not confronting the problems in a troubled region. Where does all this saber rattling go? History shows us the way.

In less than one generation, we have done what we vowed never to do again: We have allowed a President to stampede the Nation into a hopeless war, not because we had to but because he wanted to. This President believed he could have victory by saying it was so. We have seen the tragic consequences of that.

There are so many parallels between the Iraq debacle and Vietnam; it is unbelievable. The President and many people in America forgot the lessons of history when a blank check was given to a President in Iraq. There are still some lessons to learn.

The Vietnam War was going badly, so much so that an earlier President did not merely escalate the war, he expanded it into Laos and Cambodia, secret bombing that did not shorten the Vietnam War or offer a path to resolution.

My fear is that we will forget all the lessons of the Vietnam War. It is time to ask the question: Is Iran the next Laos or Cambodia?

With things going badly in Iraq, will the President continue to ignore the lessons of history and order the American military not merely to escalate but to expand the war beyond Iraq? I wish a question like this did not have to be asked, but we cannot watch Iraq, consider Vietnam, and not worry that a President who refuses to learn from history or admit mistakes is not doomed to repeating the same mistakes.

Military action is not the answer in Iraq, in Iran or Gaza, or any other flash point in the Middle East. We need to dispatch an army all right, an army of diplomats armed not with bullets but with ideas, with resolve and with a book of American history in every briefcase.

The way out of Iraq must begin here on Capitol Hill, because down the street at the White House, they are only talking about more ways in and, we fear, other places to go. This war must end now, and there should be a binding resolution to indicate that to the President and to the American people.

AMNESTY FOR U.S. BORDER PATROL AGENTS RAMOS AND COMPEAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

Mr. JONES of North Carolina. Madam Speaker, 3 weeks ago, two U.S. Border Patrol agents entered Federal prison. Agents Ramos and Compean never should have been sent to prison.

These agents were convicted last spring for shooting a Mexican drug smuggler who brought 743 pounds of marijuana across our southern borders into Texas. Members of Congress and countless American citizens have repeatedly petitioned President Bush to pardon these agents. At the House Democratic Caucus last week, the President said, and I quote the President, "We want our Border Patrol agents guarding the borders from criminals and drug dealers and terrorists."

Agents Ramos and Compean were protecting the American people from an illegal drug dealer. Mr. President, we are calling on you today, as you pledged you would last month, to take a sober look at this case.

Many Members of Congress have warned that if these two border agents enter prison, their safety would be threatened by those who hate law enforcement officers. Madam Speaker, tragically this happened last Saturday evening to Agent Ramos who was beaten in prison by a group of Mexican nationals.

Mr. President, the safety of these men is in jeopardy and time is running out. You alone have the authority to correct this injustice by pardoning these two men. Mr. President, please do not delay your review of the facts of this case.

Madam Speaker, my colleagues and I will soon be sending a fifth letter to the President concerning these agents. We are asking the President to please expedite his consideration of a pardon for these two men and help these families realize that America is a country that believes in justice. Madam Speaker, I want to repeat that phrase very quickly: America is a country that believes in justice.

Mr. President, please help these two Border agents. They deserve our praise, not to be in prison. Please, Mr. President, help them out now.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

THE PRESIDENT'S BUDGET

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

Mr. DEFAZIO. Well, finally, I have some grounds for agreement with the President, at least rhetorically. He says he is committed to balancing the budget by 2012. Unfortunately, after that statement, our disagreements begin.

First and foremost, he forgets or neglects to tell the American people that he achieves this so-called balance by borrowing $1.2 trillion of Social Security surplus, spending it and replacing it with IOUs.

Remember, just last year, the President was shocked, shocked, when he went to Parkersburg, West Virginia, that the Social Security trust fund consisted of nothing but IOUs.

Now, the Federal Government is pretty good for its debts unless you run up such a mountain of debt and you cut revenues so much with tax cuts for the wealthy that you can't afford to meet those obligations; you can't afford to cash in the bonds or the IOUs to Social Security. And I believe that is his long-term plan, to bankrupt Social Security, Medicare and other New Deal programs that this administration viscerally hates because they don't encourage people to stand on their own. They say it would be a more productive society if we just didn't have all those social support programs or guarantees of Social Security.

I think they give people an opportunity. They allow people to take chances during their life because they know, if they don't make it in that business or something else they are trying to do, at least they have got a foundation there for their later years. So we should not jeopardize Social Security; the President should not borrow and spend the entire Social Security surplus just before the baby boomers retire.

But even after he does that, the President's budget does not achieve balance. Far from it. The President's budget assumes there will be no cost for the war in Iraq or the war in Afghanistan after 2009. I guess he has a withdrawal plan he has not told us about.

What about the much vaunted war on terror? No money in the future budgets for that. He assumes all that goes away, you know, the incredible amounts of money we are spending there.

He further assumes that if we cut taxes more for the wealthy, that the government will get more revenues. Now, isn't that a beautiful world? If we could just eliminate taxes for the wealthy, I guess we would go back to having surpluses for the Federal Government under the bizarre economic theories followed by these neoconservatives who thus far have been proven to be pretty wrong on a host of things, starting with Iraq and on down to their bizarre theories that, as you reduce revenues, your revenues increase. They don't.

Plain and simple, the wealthiest among us have to start paying their fair share to support this country particularly in a time of crisis. Why shouldn't they sacrifice? Like the young men and women, many of whom are in the National Guard because they needed an income. Yes, they wanted to serve our country, but they also needed the income; many of whom are in the military, yes, because they want to serve our country but also because they hope to get those education benefits and some training to do better when they come out.

But the wealthiest, they are given a total buy. They have been given tax cuts, the first tax cuts in a time of war in the history of the United States of America. But the President doesn't think we should ask anything of the wealthy, and he pretends that if we extend their tax breaks forever, if we eliminate taxes on estates worth over $5 million, then in fact the government will have more revenues. Unfortunately, it is not true. It will increase the deficit wildly beyond the numbers in his budget.

So he borrows all of the Social Security surplus, robs the trust funds, spends the money, replaces it with IOUs, cuts taxes for the rich people. How else does he pretend to get the balance? By cutting Medicare.

□ 1515

That will help. $252 billion cut in Medicare, cutting Medicaid health care for poor people, that will get us to balance, would not want to ask the rich people.

The tax cuts for the rich people so far exceed the cuts that he is making in Medicare and Medicaid, we could fully fund those programs and just ask to restore a fraction of the taxes on people who earn over $300,000 a year and have estates more than $5 million, but the President does not want to do that.

He goes on through the entire budget slashing. Again, I agree with what he said. Unfortunately, he did not deliver. He said he would increase Pell Grants. His budget does not increase Pell Grants. It does not increase opportunity for young people to go to college. He does not take on the student loan programs where, if we converted from a bank subsidy program to a national direct student loan program, like I got when I went to college, we could give lower interest rates and make money for the taxpayers. No, he would rather give 17 cents of every dollar of every loan to the banks as profits and subsidies and take it out of the pockets of the students.

This is not an opportunity budget, it is not an honest budget, and it will take this country further down the road toward bankruptcy. That will be George Bush's legacy.

DOES ANYBODY CARE? HAS ANYBODY NOTICED?

The SPEAKER pro tempore (Ms. SOLIS). Under a previous order of the House, the gentleman from Texas (Mr. PAUL) is recognized for 5 minutes.

Mr. PAUL. Madam Speaker, does anybody care, has anybody noticed, that:

Our policy toward Iran is hostile and provocative, and thus war seems inevitable?

That we have seized Iranians in Iraq, who claim they are diplomats, and now we have announced that any Iranians found in Iraq may be shot?

Has anybody noticed that large numbers of Iranians go back and forth into Iraq for many reasons, including family, religious and medical reasons, and probably for their own security as well?

Iraq Prime Minister Maliki has expressed opposition to the surge of U.S. troops?

That the violence in Iraq has sharply escalated since Saddam Hussein was hanged?

That the American electorate voted for deescalation of the war, and yet the war is being expanded with no new strategic goals?

That Iraqi officials, from the government we installed, have held conciliatory talks with Iranian officials, something we refuse to do?

That our own CIA acknowledges that Iran is not likely to have a nuclear weapon for at least 10 more years?

That Iran has a right to enrich uranium for peaceful purposes under the Nuclear Non-Proliferation Treaty, yet we claim they do not? By denying this right to Iran, we actually are violating the NPT.

The neoconservative propagandists promote the idea that President Mahmoud Ahmadinejad speaks for the Iranian people and her government, even though he lacks real power, in order to stir up hatred and generate popular support for an attack on Iran?

We completely ignore the leaders of Iran's National Security Council who have made reasonable statements about the United States and are open to direct talks with us?

That our threats and sanctions against Iran compound the problem by unifying the Iranians against us and undermining the moderates who are favorable toward America?

The latest accusations against Iran sound like a replay of the same charges against Iraq 5 years ago?

But not only does Iran not have a nuclear weapon, it has no significant military power; it is a Third World nation that could be wiped off the face of the Earth by the U.S. or by Israel if it ever attempted hostilities toward us?

One thing for sure, the Iranians are not suicidal?

But our policies toward Pakistan, India and North Korea serve as a great incentive for nations to seek a nuclear weapon, and thus gain respect at home and abroad while greatly lessening the odds of being attacked by us?

The promoters of military confrontation, who glibly criticize those who do not support preemptive, aggressive war are themselves the most extreme diplomatic isolationists, refusing any dialogue with our enemies or potential enemies?

There is no definition for victory in Iraq, and our goals are constantly changing, while the supporters of the war refuse to recognize that a war without purpose, by definition, cannot be won?

That it is now argued that after 4 years of killing, we cannot leave Iraq because a worse chaos would ensue?

That the U.S. naval buildup in the Persian Gulf has ominous overtones, none peaceful?

The world is preparing for a significant escalation of hostilities in the region, but are the American people prepared?

Most Americans in the November election asked for something quite different?

Our proxy war to bring about regime change in Somalia and gain control of the Horn of Africa scarcely has been noticed by the American public or the politicians in Washington?

That few observers noticed that we have placed in power some of the same warlords who humiliated us in 1993 in Mogadishu?

That the empty slogan "War on Terror" has no meaning and, therefore, it has no end?

That it serves as an excuse for endless war, anyplace, anytime.

That terrorism is a mere tactic and does not describe the nature of the enemy?

That acts by criminal gangs do not justify remaking the Middle East and Central Asia?

The careless support for this international war on terrorism has permitted the U.S. to intervene militarily and to bring about regime change in three countries: Iraq, Afghanistan, and Somalia. Now we are provoking Iran so we can have an excuse to do the same thing there. But who knows, maybe we will have to deal with a regime change in Pakistan first, a regime change that will not be to our liking.

Let us hope Congress comes to its senses soon and starts to defund our interventionist policies before we go broke. Time is short.

HONORING NATIONAL BLACK HIV/AIDS AWARENESS DAY 2007

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. MILLENDER-McDONALD) is recognized for 5 minutes.

Ms. MILLENDER-McDONALD. Madam Speaker, today we mark the seventh year that we commemorate National Black HIV/AIDS Awareness Day. This is a bittersweet accomplishment. While I am proud to say that awareness of this epidemic's effect on the black community has grown over these 7 years, it pains me to admit that this disease continues to affect African Americans at a disproportionately large and growing rate.

I consider the fight against the HIV/AIDS epidemic to be one of the most pressing issues of our time and of my tenure here as a Member of Congress. This issue attracted my concern years ago when I became aware of the staggering rate at which infants contract HIV from their mothers during birth or breast-feeding.

I helped to raise awareness of this important issue when I came to Congress in 1996 through the introduction of and authorizing a bill and going to the Appropriations Committee to target the mother-to-child transmission. At that time, it was mother-to-child transmission internationally, and President Bush eventually incorporated aspects of my legislation in PEPFAR, the President's Emergency Plan for AIDS Relief.

While mother-to-child transmission continues to be a pressing problem abroad, we have shown some success in fighting this here in the United States. The rate of perinatal HIV has decreased steadily from 122 in 2000 to 47 in 2004. Of course, the only acceptable rate of mother-to-child transmission is zero. However, we would do well to achieve a similar 60 percent reduction in all categories of HIV infection.

So today we focus on the HIV epidemic among African Americans. The statistics are staggering, and it highlights the growing impact this epidemic has on African Americans.

In 1985, blacks accounted for 25 percent of AIDS diagnosed, whereas in 2005 they accounted for 50 percent of new diagnoses. This statistic is all the more staggering because in 2005 African Americans only made up 12 percent of the population of this country.

In 2005, 75 out of every 100,000 African Americans had AIDS, compared to only 7.5 out of every 100,000 whites.

Perhaps more disturbing, African American women and children suffer at a rate that is even greater than that of African Americans overall.

Black women accounted for 67 percent of new AIDS cases among women in 2005, compared to 16 percent among white women.

In 2005, young African Americans accounted for only 15 percent of U.S. teens, yet they accounted for 75 percent of new AIDS cases.

In 2002, HIV was the number one cause of death for black women between the ages of 25 and 34, and this is why, Madam Speaker, that I started the first-of-its-kind AIDS Walk for minority women and children and dedicated that to minority women and children. We celebrated 10 years last year because of the staggering statistics that we are still faced with, and we will not stop until we eradicate this dreadful disease. It is ravishing the communities of Latinos, especially Latinas, African American women and both our children.

The devastating effects of this epidemic have not escaped the notice of African American communities, in part due to the success of the National Black HIV/AIDS Awareness Day. Half of the African Americans say the HIV/AIDS is a more urgent problem than it was a few years ago, and indeed, it is. Half of African Americans also believe that the U.S. is losing ground in the fight against this epidemic domestically.

Today is an important day in the effort to increase awareness of the HIV/AIDS epidemic in the African American community. However, awareness is not enough. We must work toward solutions to reduce and eventually eradicate not only the racial disparities of HIV/AIDS, but the disease itself. To do so we must increase funding for domestic HIV/AIDS programs, particularly those that target minorities. We must strengthen our efforts to educate the public, particularly young people. We must work harder to encourage HIV testing, and we must also work to care for those who already have contracted this devastating illness.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 547, ADVANCED FUELS INFRASTRUCTURE RESEARCH AND DEVELOPMENT ACT

Ms. SLAUGHTER, from the Committee on Rules, submitted a privileged report (Rept. No. 110–9) on the resolution (H. Res. 133) providing for consideration of the bill (H.R. 547) to facilitate the development of markets for alternative fuels and Ultra Low Sulfur Diesel fuel through research, development, and demonstration and data collection, which was referred to the House Calendar and ordered to be printed.

NYPD'S FINEST

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE. Madam Speaker, the NYPD is one of the most recognizable police departments not only in the United States, but the world.

Nearly 38,000 strong, these brave men and women protect and serve the greater New York metropolitan area and its citizens. Being a peace officer in New York City is a dangerous job. It has always been a dangerous job, and New York peace officers risk their lives daily.

The starting salary for a peace officer in New York City is $25,000, and once they graduate from the academy, it is only $32,000. Almost poverty wages in one of the most expensive cities in the country to live in.

Yet, each year's recruiting classes, young men and women choose to wear the blue uniform and badge of NYPD. They choose to serve New York City and its citizens with honor and bravery.

Madam Speaker, I have had the opportunity as a former judge in Texas to address NYPD peace officers. And after we got through the language barrier, I found them to be dedicated keepers and protectors of the law.

Officer Patrick Lynch, Christine Schmidt and Joseph Cho are three of the valiant PD police officers from New York City. Little did they know that in the early morning hours of February 5, just a few days ago, they would make and become a cut above the rest of us.

It all started with a guy by the name of Danny Fernandez. He was broke, and he was in debt. So he decided how he was going to get some money to pay his debt and pay off other expenses. He wanted to commit many serious felony crimes ranging from robbery to attempted murder.

So to begin his crime spree, he needed a weapon to commit these robberies. So he decided to attack an NYPD officer to get a firearm. His choice was 30-year-old Officer Joseph Cho, a 2-month rookie assigned to late-night foot patrol on the tough New York streets.

That night, Officer Cho unknowingly became Fernandez's target. Fernandez attacked him and smashed Cho twice over the head with a baseball bat.

Meanwhile, Officer Patrick Lynch, another rookie, who was also out of the academy just 2 months and assigned to the latenight foot patrol, was on patrol. Around 1:00 a.m., Officer Lynch came face-to-face with the menacing Fernandez, armed with a baseball bat, standing over Officer Cho ready to strike him a third time, even though Officer Cho was on the ground.

So seeing Officer Cho on the ground, unconscious, with the bat-wielding outlaw standing over him, Officer Lynch charged after the suspect, and then he radioed for backup. Responding to his calls for assistance was Officer Christine Smith, a 26-year-old, yes, that is right, rookie within NYPD.

She, like Officers Cho and Lynch, had only been out of the academy for 2 months, and she was on foot patrol just a few blocks away. She had given up a career in teaching to become a peace officer.

Together, this dynamic duo quickly caught the outlaw and held him and charged him with serious crimes.

Their bravery and heroism has earned these three rookies commendations from NYPD Police Commissioner Raymond Kelly. It has also earned them the respect of their fellow officers and the gratitude of the entire city.

Officer Cho received numerous skull fractures and required 20 stitches, but eventually he will recover. The criminal will be facing a jury in New York City for his crimes against New York City's finest, the NYPD.

Lawmen and women like Officers Lynch, Smith and Cho are a rare breed, but they are the Americans who wear the badge to protect and to serve. So, today, we thank rookies Lynch, Schmid and Cho and the thousands other peace officers in this country for their daily valor, courage and sense of duty to the people. These individuals fight the local thugs, child molesters, robbers, killers and street terrorists. They do our work for us. They are what stands between us, the law and the lawless, and we thank them for that.

And that's just the way it is.

□ 1530

THE SURGE AND IRAQI FORCES

The SPEAKER pro tempore (Ms. SOLIS). Under a previous order of the House, the gentlewoman from West Virginia (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Madam Speaker, you will recall that the hallmark of the President's so-called surge, the escalation of troops into Iraq, was that Iraqi forces would actually be on the front lines, while American troops would be providing support.

In fact, a White House fact sheet from the day the President announced escalation, says that the primary element of the strategy is to let the Iraqis lead.

Well, the escalation has begun, and not only are they not leading, we are lucky if they even show up. That is right. Reportedly, as many as 50 percent of the Iraqi troops expected and needed for the Baghdad operation aren't reporting to duty. This doesn't bode well, Madam Speaker. American troops will now bear the brunt of what promises to be deadly, violent, urban warfare.

We are now finding out that the escalation will be twice as large as the President has said, requiring 48,000 additional troops, as opposed to 21,000, as originally announced by the President. Now, if Iraqis aren't prepared for the fight, it is easy to imagine still more U.S. soldiers being sent into the grinder. The surge has barely begun, and already, it is failing.

It is clear, furthermore, that the Maliki government is powerless to live up to its promises. Maliki himself owes much of his political authority to one of Iraq's most powerful militia leaders. So how, exactly, is he going to keep Iraqi communities safe from the militias?

On their way out the door, General Abizaid and General Casey warned that increasing force levels just absolves Iraqis of the responsibility for their own security, and they were absolutely right.

In the State of the Union address, the President said, and I quote him, " . . . it's time for [the Iraqi] government to act. They have promised to deploy more of their own troops to secure Baghdad . . . They pledged that they will confront violent radicals of any faction . . . and they need to follow through."

If they don't, where is the "or else" in the President's words, and where are the consequences if they don't meet these benchmarks and honor these commitments?

Madam Speaker, it is time for fewer carrots and more sticks. Edward Luttwak of the Center for Strategic and International Studies put it succinctly. He said, "it's time for the Iraqis to make their own history." Or, in the words of Luttwak's New York Times op-ed piece yesterday, he said, "To Help Iraq, Let It Fend for Itself. "

There is only one solution, a quick military withdrawal from Iraq. I have a bill that was sponsored by 33 other Members of Congress that will do precisely that. H.R. 508, the Bring Our Troops Home and Iraq Sovereignty Restoration Act will do exactly what we need. It will take our troops out of harm's way and force Iraqis to secure their own country. We won't leave them high and dry. The bill calls for an international stabilization force, but one that would come only at the request of the Iraqi government for no more than 2 years, and with other nations taking on the burden as well.

H.R. 508 will have our troops home in 6 months, leaving behind no permanent military bases and turning over control of the Iraqi oil to the Iraqi people. We will not abandon Iraq. We will continue to be a partner in the reconciliation and reconstruction, but it is time for us to end the military occupation that has failed so tragically. There are no good answers here, but one thing is for sure: There is nothing more our soldiers can do to bring peace to the streets of Baghdad or any other part of Iraq. If anything, our continued presence is aggravating an already combustible situation, which, in fact, we created. We created this situation with our invasion in the first place. Madam Speaker, it is time for Iraqis to defend Iraq, and it is time for American troops to come home.

HONORING TAYLOR SIAS AND KEVIN TEMPLAN

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from West Virginia (Mrs. CAPITO) is recognized for 5 minutes.

Mrs. CAPITO. Madam Speaker, I rise today to talk about two outstanding youths in my district and to highlight, I think, something that we do too rarely here and across America. We talk a lot about our young people in their teens playing video games, not getting involved in their communities, not trying new sports, not enjoying the outdoors.

Today I am very privileged to talk about two such individuals in my district who are breaking the mold and are, I think, achieving at high levels, but they are also doing it by enjoying the great outdoors and also bringing strength to their communities.

First, I would like to recognize Taylor Sias from Weston, West Virginia, for representing our State in the 2007 Bassmaster CastingKids National Semi-Finals Competition in Gadsden, Alabama.

Taylor is a sixth grade student at Robert L. Bland Middle School in Weston and is a three-time State champion. Taylor previously competed in the 2004 semifinals in Tulsa, Oklahoma, and in the 2005 semifinals in Orlando, Florida. The Bassmaster CastingKids challenge is to flip, pitch and cast a hookless lure into a bull's eye target. Sounds kind of hard to me.

BASS developed the Bassmaster CastingKids program in 1991, open to young people in two age groups, 7-10 and 11-14. The goals of this competition are to involve America's youth in fishing and to foster in each participant an appreciation and a concern for our outdoors. Participants compete in local events conducted by affiliated BASS federation national clubs. Local event winners proceed to their State finals where each State then determines two to represent their State at the national semifinals. From the national semifinals, only 10 contenders advance on to the national championship. Since its inception, over 1.5 million youth have participated in the program, and over $2 million in cash prizes and scholarships have been awarded.

I would again like to congratulate Taylor and thank him for proudly representing West Virginia at the 2007 Bassmaster CastingKids National Semifinals Championship and wish him the best of luck in becoming an accomplished angler.

Madam Speaker, the other youth I would like to talk about today is Kevin Templan of Charlestown, West Virginia. Kevin became the first member of Boy Scout Troop 82 to achieve the rank of Eagle Scout. His commitment to family and community and church played an integral part in this achievement. Kevin worked on a beautification project at Saint Peter's Catholic Cemetery for his Eagle Scout project.

He is recognized by the Boy Scout National Honor Society, Order of the Arrows, for adhering to the traditions and values of scouting. A senior at Jefferson County High School, Kevin is a drummer in the Cougar Marching Band. He attends Saint James Greater Catholic Church where he will soon be a member of the Knights of Columbus. Kevin enjoys reading, origami and spending time with his younger brother and sister.

The Templan family recently moved to my district from Bryan, Texas, and we welcome them. I would like to take this opportunity to extend a warm West Virginia welcome to Kevin and his family. Jefferson County is fortunate to host such an accomplished young leader. It is a pleasure to serve such devoted young citizens like Kevin in West Virginia's Second District.

BLACK AIDS AWARENESS DAY

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. LEE) is recognized for 5 minutes.

Ms. LEE. Madam Speaker, today is Black HIV/AIDS Awareness Day, a day when we urge African Americans to get educated, get involved and get tested. On Monday, the House passed my resolution H. Con. Res. 35, recognizing the goals and the ideals of Black HIV/AIDS Awareness Day.

The global HIV/AIDS pandemic is simply devastating black America, Africa and the Caribbean in disproportionate numbers to the rest of the world.. With 40 million people infected around the world, over 1 million of which are right here in the United States, this disease is as much a problem in South Africa as it is in my district in Alameda County.

In the United States, among young people, among women, and among men, African Americans are at the most risk of getting infected with HIV, of developing AIDS and of dying of this disease. The unfortunate reality is that to be black in America is to be at greater risk of HIV and AIDS.

The numbers are staggering, but let me just mention a few specifically. According to CDC, in 2005, African American women accounted for 66 percent of all new HIV/AIDS cases among women. Compared to white women, African American women were 25 times more likely to be infected. Today, AIDS is the number one, number one cause of death among African American women between the ages of 25 and 34. That is, quite frankly, just mind boggling.

Black gay men are also heavily affected by this disease. In 2005, CDC surveyed black gay men in five United States cities and found that 46 percent, 46 percent were HIV positive. The situation is just as stark in my own district. In Alameda County, over 6,600 cases of AIDS have been diagnosed since 1980, and nearly 4,000 people have died. Of those numbers, African Americans represent well over 40 percent of the cumulative AIDS cases and AIDS deaths in the county.

In 1998, we became the first county in the nation to declare a state of emergency in the African American community. We tapped into the emergency funds and started a community-wide task force that included local AIDS service organizations, elected officials and county health departments. Together, this task force sought to provide a focused and very targeted response to the AIDS epidemic within the African American community in Alameda County.

At the same time, here in Congress, with the leadership of my colleague, Congresswoman MAXINE WATERS, who was then chair of the Congressional Black Caucus, and Congresswoman DONNA CHRISTENSEN, and, of course, with President Clinton signing this, we created the Minority AIDS Initiative in 1998. I have to thank the gentlelady from California for her leadership in helping us break the silence here on Capitol Hill with regard to the devastating cases and the situation of African Americans in America as it relates to HIV and AIDS, and recognizing the inability of our traditional programs to serve the minority communities.

The Minority AIDS Initiative was specifically designed to build capacity and to expand HIV/AIDS outreach activities so that we can target programs and services, target them directly to those who need them. It took us 8 years, but I am happy to say that, last year, we finally codified the Minority AIDS Initiative by passing the Ryan White Treatment Modernization Act at the end of the Congress last year, which included the Minority AIDS Initiative.

□ 1545

But now, of course, what do we have to do? We have got to fully fund it. We need a minimum of $61 million, and that is just a drop in the bucket. We need billions of dollars to address this pandemic. And at the same time we have got to go further. We have got to get to the real factors that are ultimately driving the epidemic in the African American community: poverty and discrimination, the lack of affordable housing, the disproportionate rates of incarceration among black men, poor access to care, and limited cultural competency for health service providers.

All of these deserve our attention and deserve action. We can start to get at one of these factors by ending really what this is, is a head-in-the-sand approach to HIV prevention that is turning our prisons, really turning our prisons into a breeding ground for this disease.

We need to provide routine, but rigorous opt-out HIV testing that is linked with treatment for all incarcerated persons. Congresswoman WATERS, I am sure she will talk about her bill in her presentation. But this is, again, a major step in the right direction. We have got to pass Congresswoman WATERS' bill, my bill, H.R. 178, which is called the Justice Act. This would allow condoms in our prisons and demand accountability in stopping the spread of HIV and other sexually transmitted infections among incarcerated persons.

We have got to do this. This is a crisis. And we have to do this part, our part, in Congress to make sure that this happens. We must continue to work with advocates and health providers and faith communities to raise awareness, to get tested and to get active in our communities.

We participated last year with the International Aids Conference in Toronto, and there were wonderful, unbelievable activists at that conference from America, African Americans, who came to Toronto to raise the plight of the African American AIDS pandemic to the international level.

Many were amazed that here in America we have a pandemic that is just killing many of our communities. At that conference many of our civil rights organizations recommitted themselves to making the stamping out of HIV and AIDS a top priority in terms of their overall objectives.

LIFT THE RESTRICTION ON MEMBER TRAVEL ON PERSONAL AIRCRAFT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Mexico (Mr. PEARCE) is recognized for 5 minutes.

Mr. PEARCE. Madam Speaker, I appreciate the opportunity to address the group today. I represent the southern district of New Mexico, New Mexico 2. I come with a chart today, and with a map of the district.

Now, if you can visualize, I live all the way on the east side of the State, Hobbs, New Mexico. We are about 3 miles from the Texas border and represent all of the way to Arizona. Now, it is almost a 9- to 9½-hour drive to come across to the Silver City area, and then if we have to go further north up into the Zuni area, it takes an additional 2 to 3 hours.

So each time I go home is a lot of miles. On a 3-day weekend, we have made up to 1,000 miles. On the 10-day breaks, we have been known to make up to 2,500 miles with events all of the way across. And then on our first 30-day break, our August break in my first year here, we had 29 different motel rooms and about 6,500 miles that we made to cover this large district.

Now, my particular approach today is to talk about a rule that the new majority put into place when we voted on January 4, 2007. I will read from those rules, House Resolution 6, section 207, rule 23, item 15(a). A Member, Delegate or Resident Commissioner may not use personal funds, official funds or campaign funds for a flight on a nongovernment airplane that is not licensed by the FAA to operate for commission or hire.

Now, in the FAA there are basically two categories of operating for hire. There is the category of airlines. Those operate under section 121 of the FAA rules. The second section that is predominately used is section 135; that is, the charters. Those are the private aircraft that are used that you call, and they are like a taxi. They show up so they are called air taxis or air charters.

Now, these are the only two categories who live in the West, in these broad, sprawling districts. We all represent about 6- to 800,000 people. That is determined by our districting process. So everybody represents the same number of people, but it requires a lot more ground for me to represent 600,000 people, so I have a small aircraft, a four-place aircraft, single engine, that I use to fly around the district.

Now, when it takes me 9 hours to drive across this district, I can make it in about 2½ in that small aircraft. That is about the size of a Volkswagen. If I get in, the ceiling is just barely above my head. My knees are touching. And if people get in the rear seats, their knees are absolutely up against us. So this is not like some limousine service.

This is just basically a small aircraft with a 210 horsepower engine, very economical. I would use the same gallons of gas to fly across the district as I would to drive across it. But according to the rules that are adopted by the new majority, we cannot any longer use this. I cannot even pay for this out of my own pocket to serve the constituents of New Mexico. It is against the rules. I will be held in violation of House rules. And why they did it, I do not know. It affects as many people in their party as it does ours.

Now, given that backdrop, it is very interesting to see that the Speaker of the House now wants a 42-place aircraft to transport her. She was given the access to a Lear jet-type aircraft that the former Speaker used, 12 seats, 5 crew members, and those are very comfortable, plush seats. But now then she is wanting a 42-person aircraft with a crew of 16.

The cost of flying that aircraft is $22,000 per hour. The cost for her to round-trip back and forth to California is going to be an astounding $420,000. Now, we just voted for an omnibus where we took funds away from our military, and yet she is asking the military to not only take funds away from the troops, but also to fund this $420,000 trip, presumably every weekend, because all of us try to go home every weekend.

At the same time she has taken a constitutional provision for me to use my private property, to use my own funds, my own aircraft, and I cannot do that because she has made it against the rules.

Now, we were told when the Democratic majority took over that there was going to be a new way of doing business, and we are finding out what that way of doing business is today. We are finding the willingness to limit people from using personal assets, while on the other hand reaching for these extraordinarily large perks.

Madam Speaker, I would request unanimous consent to submit for the RECORD the actual words of the rule. Also I would like to submit for the RECORD the Washington Post article which brings out the observations about this new Speaker requesting these. It is dated February 6, 2007. And then I would like to submit for the RECORD the Lou Dobbs comments last night that she could take a circus with her. So we will submit those.

H. RES. 6 RULES RESTRICTIONS ON MEMBERS TRAVEL

SEC. 207. FURTHER LIMITATION ON THE USE OF FUNDS FOR TRAVEL.

Rule XXIII is further amended by redesignating clause 15 (as earlier redesignated) as clause 16, and by inserting after clause 14 the following new clause:

15. (a) A Member, Delegate, or Resident Commissioner may not use personal funds, official funds, or campaign funds for a flight on a nongovernmental airplane that is not licensed by the Federal Aviation Administration to operate for compensation or hire.

"(b) In this clause, the term 'campaign funds' includes funds of any political committee under the Federal Election Campaign Act of 1971, without regard to whether the committee is an authorized committee of the Member, Delegate, or Resident Commissioner involved under such Act.".

[From CNN, Feb. 5, 2007]

42 BUSINESS CLASS SEATS, A FULLY-ENCLOSED STATE ROOM, AN ENTERTAINMENT CENTER

CORRESPONDENT: "It's clear skies for Nancy Pelosi. The Pentagon is providing the House speaker with an Air Force plane large enough to accommodate her staff, family, supporters and members of the Californian delegation when she travels around the country. . . .

"Pelosi wants routine access to a larger plane. It includes 42 business class seats, a fully-enclosed state room, an entertainment center, a private bed, state-of-the-art communications system and a crew of 16. . . .

"It would be 42 people, and clearly she won't be the only one on this plane. She wants to have members of the congressional delegation. And her critics will say, look, this is a very nice perk that she can share with her colleagues and use as leverage, should she need to."

LOU DOBBS: "Well, it's really a fascinating thing: 42. She could take a circus with her, for crying out loud."

[From the Washington Post, Feb. 6, 2007]

PELOSI CATCHES NONSTOP FLIGHTS HOME

Amid rumblings from conservatives that she is seeking special treatment, House Speaker Nancy Pelosi (D) will receive use of an Air Force jet larger than the one used by her predecessor, Rep. J. Dennis Hastert, so she can fly nonstop to her home in San Francisco.

Ever since the Sept. 11, 2001, attacks, the speaker, who is next in line for the presidency after the vice president, has been given use of a government plane for security reasons. Hastert (R-Ill.), who had flown commercially before the attacks, was the first to have use of a plane. But the one he traveled in was too small to make it to California without refueling.

Yesterday, the House sergeant-at-arms issued a statement saying that the leadership is awaiting word from the Air Force on the rules for using the plane. It is unclear, for example, who can travel with Pelosi and whether she can return home from a political event on taxpayer-funded plane.

Pelosi's office requested the guidelines, triggering a story in the Washington Times in which sources questioned whether she was asking for more than the former speaker received.

Democratic aides sputtered about a "right-wing hatchet job" to make Pelosi look bad. But, said one involved in the negotiations, "this is about security, not about convenience."

An aide in Hastert's office said yesterday that the former speaker used the plane for official business but not for political travel. He did at times transport his wife and staff when he was flying to and from Illinois.

Brendan Daley, a spokesman for Pelosi, said that she will not use the plane for political travel.

[Feb. 5, 2007]

Source: Standard Plane Not Big Enough for . . . Supporters and Other Members

"The Department of Defense offered Speaker Pelosi the same aircraft" as the one used by Hastert, said one senior Republican who has spoken extensively with Defense Department officials about Pelosi's requests. "She found it was not big enough for staff, supporters and other Members.".

[From the Examiner, Feb. 5, 2007]

Columnist: Speaker Nancy Pelosi Now Wants To Be Cut in on the Take

"Well, that didn't take long. After campaigning against the 'waste, fraud, and abuse' of the Bush administration, House Speaker Nancy Pelosi now wants to be cut in on the take.

"The woman who five months ago said, "Democrats are committed to a new direction in the way our government does business so taxpayers' money is handled responsibly," is dunning the White House to put an Air Force jet at her disposal—reportedly, not only for her use, but for her family's as well. . . .

"But all of this luxury doesn't come cheap. Hourly operating costs for an Air Force C-32—the planes that typically carry the vice president, the first lady, and Cabinet officials—are about $15,000 an hour.

"So for one of those planes to fly the speaker home to San Francisco, drop her off, and fly back and get her, would cost taxpayers around $300,000—while round-trip commercial fares start at $233. That doesn't qualify as "waste and abuse"?

[From the Washington Times, Feb. 5, 2007]

Source: Pelosi Aides Pressing the Point of Her Succession

"The sources, who include those in Congress and in the administration, said the Democrat is seeking regular military flights not only for herself and her staff, but also for relatives and for other members of the California delegation. A knowledgeable source called the request 'carte blanche for an aircraft any time.'

" 'They [Pelosi aides] are pressing the point of her succession and that the [Department of Defense] needs to play ball with the speaker's needs,' one source said. . . .

"U.S. Air Force travel for VIPs such as members of Congress is first-rate. The planes are staffed with stewards who serve meals and tend an open bar."

[From Fox News Channel, Feb. 5, 2007]

Pelosi Seeks Military Plane for Mere "152-Mile Trip" to Democrat Retreat

"Pelosi's office also inquired about a military plane for the 152-mile trip to a Democratic party congressional conference in Williamsburg, Virginia last week. No plane was provided."

MINORITY AIDS INITIATIVE

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. Waters) is recognized for 5 minutes.

Ms. WATERS. Madam Speaker, the first annual National Black HIV/AIDS Awareness Day was organized on February 23, 2001, with the message: Get educated, get involved, get tested. The National Black HIV/AIDS Awareness Day dates back to 1999 when the Centers for Disease Control and Prevention's Division of HIV/AIDS Prevention funded five national nonprofit organizations known then as the Community Capacity-Building Coalition, which are Concerned Black Men, Incorporated, of Philadelphia; Health Watch Information and Promotion Services, Jackson State University; Mississippi Urban Research Center; National Black Alcoholism and Addictions Council; and National Black Leadership Commission on AIDS.

On February 23, 2001, the CCBC organized the first annual National Black HIV/AIDS Awareness Day. The date was changed to February 7, the following year, that was in 2002, and now it is recognized on February 7 of each year.

Madam Speaker and Members, many members of the Congressional Black Caucus and many Members of Congress have joined in the struggle and the fight to find a cure to prevent HIV and AIDS. I need to congratulate all of these Members right in the CBC. I need to congratulate Barbara Lee, and Ed Towns, and Donna Christensen, and Mr. Cummings, and Eleanor Holmes Norton, and Diane Watson, and so many more for the years of work that they have put in on dealing with HIV and AIDS, and HIV and AIDS in the minority community.

That is why back in 1998 I worked to establish the Minority Aids Initiative with the support of the Congressional Black Caucus and the Clinton administration. The Minority Aids Initiative provides grants for HIV/AIDS treatment and prevention programs that serve minority communities and enables health care providers and community-based organizations to expand their capacity to serve these communities.

The initiative received an initial appropriation of $166 million in fiscal year 1999, and was funded at slightly less than $400 million in the most recent spending cycle.

However, the AIDS virus has continued to spread in the minority communities, and more needs to be done. This year I am calling for at least $610 million in funding to expand the Minority Aids Initiative, and redouble our efforts to address the HIV/AIDS epidemic which has been especially devastating to African Americans and other communities of color.

But it is important to remember that HIV/AIDS affects us all. Over 1 million Americans are living with HIV/AIDS, and 24 to 27 percent of them do not know they are infected. That is why on Monday I introduced H.R. 822, the Routine HIV/AIDS Screening Coverage Act, a bill to require health insurance plans to cover routine HIV/AIDS tests under the same terms and conditions as other routine health screening.

Routine HIV/AIDS screening will allow thousands of African Americans and other infected individuals to find out about their infection, begin life-extending treatment and avoid spreading the virus to others. I also very soon will reintroduce the Stop AIDS in Prison Act, a bill to require routine HIV/AIDS screening of all Federal prison inmates upon entry, and prior to release from prison. The bill would also require HIV awareness education for all inmates and comprehensive treatment for those inmates who test positive.

Madam Speaker and Members, we here today come on the floor of Congress, all of us, to speak about this because it is a pandemic. It is a pandemic in the world that must be dealt with. We must lead the way here in the United States of America.

And for those of us whose communities are being overtaken by HIV and AIDS, we must stand up and be counted. We must ask for the money. We must demand the resources. We must take our heads out of the sand. We must call on all of the members of our community to accept personal responsibility. We must get our churches involved, all of our social clubs and organizations. Today we make a special appeal to them.

ON THE PASSING OF LEO T. McCARTHY

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. Pelosi) is recognized for 5 minutes.

Ms. PELOSI. Mr. Speaker, this week the State of California and indeed the Nation has lost a great leader. Leo McCarthy was a statesman, he was a great champion for justice, and he was a dear friend and purposeful mentor to me. As speaker of the California State House and Lieutenant Governor, Leo McCarthy promoted a values-based agenda to educate our children, grow our economy and protect our environment.

After he left office as the head of the Leo T. McCarthy Center for Public Service and the Common Good at the University of San Francisco, Mr. McCarthy taught children and students about promoting justice according to the highest ethical standard. He was brilliant, he was principled and committed to the future.

I am proud to have called Leo a friend for more than 30 years. He encouraged me not only to support candidates and be involved in the political process, but he was the main force in encouraging me to run for office in the first place in my own right.

Again, he was my friend and mentor, but he was that to so many people in California. Many who serve in this Congress today were mentored by Leo McCarthy, going back many years.

As recently as Saturday night when I spoke to Leo, he was optimistic about the future. He said, "My morale is high. I am surrounded by my children and my grandchildren," and of course his wife, whom he adored, Jackie. "They are with me, and I am not getting better as quickly as I would like, but I am happy."

My husband, Paul, and I and indeed our entire family, extend our deepest sympathy and condolences to many who loved Leo, especially his wife, Jackie, who he adored, and his children, Sharon, Conna, Adam and Niall.

I also want to recognize our former mayor of San Francisco, Art Agnos, who was a dear friend of Leo and a great comfort to him in his last months. I know Congresswoman ESHOO and I were regular visitors to Leo McCarthy's bed side, and he followed the proceedings of Congress with great interest right up until the last day.

I hope it is a comfort to his family, as I said, whom he adored, that so many people are praying for them at this sad time and that are mourning his loss.

I just wanted to make our colleagues aware of the loss of Leo McCarthy, a great person, a great friend, a great American. He served our country in the military, he served our country in the legislature. He served our country by teaching our young people. He will be sorely missed.

☐ 1600

IRAQ STUDY GROUP

The SPEAKER pro tempore (Ms. SOLIS). Under a previous order of the House, the gentleman from Virginia (Mr. WOLF) is recognized for 5 minutes.

Mr. WOLF. Madam Speaker, before I begin, I would also like to second what the Speaker said with regard to Leo McCarthy. He was also a member of the National Commission on Gambling, which I was the author of. And he came by my office a number times. And I was actually going to put his bio in the CONGRESSIONAL RECORD. So I thank the Speaker for that comment, and second it.

Madam Speaker, I was the author of the amendment to set up the Iraq Study Group. I felt that more should be done to look at what we were doing in Iraq, and so we put together a group and picked 10 people. It was chaired by former Secretary of State Jim Baker and former Congressman Lee Hamilton, head of the 9/11 Commission. Also serving on it was former Secretary of State Larry Eagleberger; former prominent lawyer, Vernon Jordan; former Justice of the Supreme Court Sandra Day O'Connor; former Member of the House and Chief of Staff, in the Clinton administration, Leon Panetta; former Secretary of Defense, in the Clinton administration, Bill Perry; former Senator, and Governor from my State, Chuck Robb; and at one time, up until the end, a month before, current Secretary of Defense Gates, former head of the CIA.

This group was provided the opportunity to, in depth, to take a look at what was going on in Iraq and to develop some recommendations. The resolution that I have introduced as House Con. Res., that puts the Congress on record in support of the recommendations of the Iraq Study Group.

Now, here's a group that has taken 9 months to analyze extensive hearings. Also there were 45 military and diplomatic experts, retired and active duty, of all political persuasions, along with key congressional leaders that came up with these recommendations. So I am asking Members to support my resolution when it comes up next week in support of this.

Secondly, it makes a major effort and encourages the administration to adopt also a diplomatic effort in addition to what it is doing. We urge the administration to engage Syria the same way that President Reagan during the 1980s, when we were defeating communism, President Reagan, God bless him, one of the greatest presidents we have ever had, gave the famous speech in Orlando about the evil empires. But he was also having his administration engage with the Soviet Union. And when Ronald Reagan then gave his speech, saying, "Mr. Gorbachev, tear down that wall," Reagan also had emissaries going to Moscow to engage.

Those of us in the Congress, when we used to go behind the Soviet Union, the Berlin Wall in the Soviet Union, during the 1980s would always meet with the dissidents, would always attempt to meet with the leadership of the government on behalf of freedom, on behalf of liberty.

President Reagan was self-confident in what he believed. He believed that to engage the Soviets was not a sign of weakness. It was a sign of strength.

Madam Speaker, I would like to put in the RECORD an article from the Wall Street Journal by Abraham D. Sofaer, who was counselor to Secretary of State Schultz, who also explains how Reagan engaged with the Soviets and how it is appropriate now how he would engage with Syria.

I am hopeful and I ask all Members to support the resolution when it comes up.

[From the Wall Street Journal, Dec. 20, 2006]

A REAGAN STRATEGY FOR IRAN AND SYRIA

(By Abraham D. Sofaer)

The Iraq Study Group's recommendation that the Bush administration drop its preconditions and negotiate with Syria and Iran has been praised as a "no-brainer"—and condemned as an improper effort to reward rogue regimes. Neither reaction is correct. Negotiating with enemies can be a useful aspect of effective diplomacy. But successful negotiations with enemies result not from the talks themselves but from the diplomatic strategy that accompanies them. The Group's recommendations deserve support, but must be effectively integrated into President Bush's strategy of ending state-sponsored terror.

The arguments against negotiating with Syria and Iran were also made against negotiating with the Soviet Union, and by some of the same people. Soviet misconduct easily matches that of Syria or Iran in aggression, oppression, murder, support for terrorist groups and mendacity. President Reagan challenged Soviet behavior by supporting groups fighting communist intervention, building the military, strengthening NATO, condemning human-rights violations, commencing a missile-defense program, and conveying the message of freedom in every way possible. George Shultz supported these efforts but sought to negotiate with the Soviets in an attempt to increase stability, reduce nuclear weapons, attain freedom for oppressed groups, and enhance understanding. To make negotiations possible the U.S. adopted specific policies, including:

Regime acceptance. The U.S. refrained from activities aimed at destroying the Soviet regime it was seeking to influence, while vigorously denouncing its political and moral legitimacy.

Limited linkage. Negotiations on human rights, arms control, regional issues and bilateral relations were pursued without linkage to Soviet conduct, enabling negotiations to proceed while the U.S. responded firmly through deeds.

Rhetorical restraint. Reagan vigorously criticized the Soviet system and its behavior, but promised not to "crow" when the Soviets agreed to U.S. proposals, enabling Soviet leaders to avoid being seen as capitulating to U.S. demands.

Self-Interest. U.S. negotiating policy was based on convincing the Soviets to act in their own best interests.

The Study Group's "external" strategy for Iraq contains several elements necessary for successful diplomacy: the need for both incentives and "disincentives"; negotiations "without preconditions"; and negotiations that are "extensive and substantive," requiring a balancing of interests. The general incentives identified by the Group are unlikely, however, to lead to constructive discussions. While Syria and Iran should realize that preventing a breakdown in Iraq is in their interests, they see great advantages in having the U.S. lose strength and credibility in a costly effort to help a state they are relieved to see powerless. The notion that they will help in order to have "enhanced diplomatic relations" with the U.S. assumes that states, will do what they know the U.S. wants simply because Washington will not otherwise talk to them. The pronouncements that accompany this Bush policy exemplify the sort of rhetoric that discourages cooperation. The possibility of obtaining U.S. assistance in joining the WTO would be a real incentive in an ongoing negotiation, but it is not a credible incentive in the context of hostile confrontation and proliferating sanctions.

The incentives proposed for negotiating with Syria are, by contrast, concrete and substantial. Syria are, by contrast, concrete and substantial. Syria would benefit economically from a stable Iraq, and getting back the Golan Heights would give President Bashar Assad's standing a much needed boost. Syria has no deep commitment to Hezbollah or Hamas to prevent it from accepting peace and with Israel and increased cooperation in Iraq. Lebanon and the Palestinian areas, in exchange for the Golan and a constructive role in the area. But the Study Group too casually assumes that the U.S. can secure "Syria's full cooperation with all investigations into political assassinations in Lebanon." The "full cooperation" of a sovereign state in such situations must be negotiated, rather than made a precondition. Convincing Israel to give up the Golan Heights will also be difficult, and Syria's help in securing the release of Israeli soldiers seized by Hamas and Hezbollah is a good place to start. While the security threat posed by returning the Golan has largely been worked out in prior negotiations, the challenge posed by Syria's claim to access to the Sea of Galilee, and the meaning of a "full and secure peace agreement" will require great of forts. Still, bringing Syria into a responsible nationhood is an objective well worth pursuing.

The anger and scorn heaped on the Study Group for advocating negotiations with Syria echo the opposition to negotiating with the Soviet Union. But Syrian behavior must be addressed, not just condemned. Egypt, too, wrongfully supported terrorism against Israel after the 1967 war, and launched the 1973 war, to get back the Sinai. Yet, the U.S. properly urged Israel to negotiate with Egypt, and the peace between them serves the interests of both countries. Similarly an agreement to return the Golan in exchange for peace would have the support of most Israelis and the current Israeli government, and would be consistent with governing Security Council resolutions and the principle that precludes acquiring territory by force.

The Study Group is probably right that Iran is unlikely to agree to negotiate with the U.S. to bring stability to Iraq. The distrust between the U.S. and Iran suggests that negotiations between them should commence on limited issues, in a noncontroversial forum. The U.S./Iran Tribunal in The Hague might well work. Iran resents that many of its significant claims against the U.S. remain unresolved there after over 20 years. The U.S. should offer to negotiate these claims on an expedited basis. As progress is made, the dialogue would likely expand to include such issues as Afghanistan, Iraq, commercial matters and human-rights concerns. (During my negotiations with Iran as legal adviser between 1985 and 1990, we resolved many cases and discussed other issues; my interlocutor eventually agreed, for example, that the fatwa against Salman Rushdie could not be enforced in any state outside Iran.) A successful negotiation will include Iranian demands, such as an end to efforts at regime change. Major change in Iran is in fact more likely to result from normalization and internal activities, than by opposition groups seeking to overthrow the regime.

Finally, any effort to negotiate with Syria or Iran will fail if based only on incentives. The Study Group's proposal lacks a program of sufficient pressure to make diplomacy potentially successful. James Baker was able to convene the Madrid Conference in 1991 only after the U.S. had expelled Saddam Hussein from Kuwait. The effort to impose sanctions on Iran for its nuclear program should continue as forcefully as possible. Multilateral sanctions helped get Libya to abandon its quest for nuclear weapons. A clear warning that Syria and Iran must end all forms of state-sponsored terrorism, as now required by Security Council resolutions, must be a central element of U.S. negotiating policy, backed with meaningful preparations for action. The power of the U.S. to inflict damage on its enemies remains substantial, despite current difficulties in Iraq. While it is now difficult to contemplate military action against Syria or Iran, continued sponsorship of terror against other states will eventually provoke the American people, if not the international community, to exercise their right of self-defense through affordable wars of destruction instead of costly nation-building exercises.

No one can convey this message more effectively than George Bush, who remains determined to prevent a future of state-sponsored terror. He should accept the Study Group's sound message on negotiating with enemies but supplement it with the toughness that effective diplomacy demands.

IN OBSERVANCE OF NATIONAL BLACK HIV/AIDS AWARENESS DAY

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) is recognized for 5 minutes.

Mrs. CHRISTENSEN. Madam Speaker, today I rise to observe National Black HIV and AIDS Awareness Day. In doing so, I ask my colleagues and I ask the Nation this question: How many more reports on the HIV/AIDS epidemic in the United States and its disproportionate, detrimental and devastating impact on the African American community must be published before we, as a Congress and as a Nation, acknowledge, observe and uphold the objectives of National Black HIV and AIDS Awareness Day?

African Americans have been and continue to be the hardest hit by this epidemic. Today, HIV/AIDS kills African Americans during the most productive years of life, robbing them of their opportunity to follow their dreams and pursue their destinies and to contribute, not only to their families and their communities but to our society and our Nation. What's more, the numbers are not improving.

African Americans have a HIV diagnosis rate that is more than eight times that of whites. African Americans, who are represented in about 13 percent of the population, account for nearly 50 percent of all new HIV infections, and more than 40 percent of all individuals currently living with AIDS, and 40 percent of all AIDS deaths. The AIDS case rate among African Americans is nearly 10 times, 10 times higher than that among whites.

Particularly affected by HIV and AIDS are African American women. In fact, in 2002, AIDS was the leading cause of death for African American women age 25 to 34 years of age. African American women today are represented in about 7 in 10 new AIDS cases among women and are roughly 25 more times more likely than their white counterparts to be infected with HIV.

Madam Speaker, often as Members of Congress we take to the floor to discuss and debate an issue that resonates with us, not only because of our constituents who are affected but because we personally identify and are disturbed by the issue. And not only as a physician and as chair of the Health Brain Trust of the Congressional Black Caucus but as an African American woman with daughters and granddaughters, this issue is particularly salient. The numbers are particularly disturbing, and our inaction as a country inspires me to stand here today and call on my colleagues to stand up and do more.

I also rise today, Madam Speaker, not only to observe National Black HIV Awareness Day but to encourage my colleagues in Congress on both sides of the aisle to do the same in a manner that is consistent with the day's intent. That intent is to get educated, to get tested and to get involved.

We know that, as members of the Congressional Black Caucus, almost all of whom have been tested, we have a key role to play. I urge all of my colleagues to embrace these objectives today, February 7, and beyond. The HIV epidemic in the United States will not be conquered until we not only encourage but also embrace the destigmatization of the disease among not only African Americans but also all people living and struggling with HIV/AIDS. How one gets infected is irrelevant. HIV affects all people the same way. And we, along with all Americans, should extend a hand of compassion, understanding, fellowship and, most of all, action to help.

Madam Speaker, in this new time with new opportunities, we need to leverage ourselves as Members of Congress to fully fund the Minority AIDS Initiative to at least $610 million, although we should be asking for more in order to really build the capacity in the minority communities that are hardest hit by the epidemic. That includes the Latino community as well. We should expand voluntary testing, especially among incarcerated, ex-offenders and other high-risk groups, and ensure that all individuals who need it are enrolled in adequate HIV/AIDS related care.

We should also work together to reduce the social determinants of health that put people at greater risk for HIV infection. And we should expand access to culturally appropriate substance abuse prevention programs as well as to drug treatment and recovery services.

Madam Speaker, the budget that was released on Monday clearly deprioritizes the health and health care needs of all people with HIV and AIDS and their families. However, our new political climate has brought us a new day, and we, therefore, must leverage ourselves to redeclare HIV and AIDS as a state of emergency. We must demand that this administration responds to this emergency with adequate funding and resources instead of tax breaks to the wealthy. The lives of far too many people literally depend on it.

And so, today, Madam Speaker, I am proud to stand with my colleagues to observe National Black HIV and AIDS Awareness Day. I affirm, and we all must stand to affirm that HIV and AIDS in the African American community and communities of color has long been a state of emergency, and from today forward we must respond with compassion and justice. And we, the representatives of the people who are infected and affected, as all of us are, must act.

HONORING THE LIFE OF RAY BECK

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. GINGREY) is recognized for 5 minutes.

Mr. GINGREY. Madam Speaker, I rise today to pay tribute to the memory of football all-star and community hero Ray Beck, who passed away recently in Cedartown, Georgia.

Mr. Beck is a football legend both in my home State of Georgia and across the Nation. After 4 years as a star on the Cedartown High School football team, Ray attended Georgia Tech, my alma mater, to play guard for the legendary coach Bobby Dodd.

In 1951, he was named an All-American by the American Football Coaches Association and the Football Writers Association. That same year, he helped lead Georgia Tech to an 11–1 record and an Orange Bowl victory over Baylor University.

After college, Beck was drafted by the New York Giants. He was part of the 1956 World Championship Team. And Madam Speaker, that team included the likes of Y.A. Tittle, Kyle Rote and Sam Huff. They led the Giants to a 56–7 victory over the Chicago Bears, a far more lopsided score than the Indianapolis Colts achieved this past weekend.

On the football field, Ray was known as a team player, someone who gave his all to the game. Because of his tremendous work ethic he was inducted into the Georgia Sports Hall of Fame and the College Football Hall of Fame.

But Ray was more than just a football player. He was an active and enthusiastic supporter of the Cedartown community. The same attitude that made him a star on the field made him a hero in his community. There is hardly an organization in Cedartown that hasn't been touched by Beck's generosity.

Madam Speaker, he was chairman of the Cedartown Development Authority. He was president of the Cedartown Chamber of Commerce, a member of the Polk Medical Center Advisory Board, a board member of the Georgia Motor Trucking Association.

But perhaps he will be best remembered for a charity golf tournament he arranged with his long time friend, Doc Ayers. This annual event raised thousands of dollars for Polk County, for charities such as children's literacy and all the way to local food banks.

It is a little wonder Beck was named Citizen of Excellence by the Cedartown Civic Arts Commission for his philanthropy to this great community.

One of Ray's former teammates commented that he was, and I quote, "one of the people you could always count on." Ray took that attitude from the football field to the community of Cedartown, and his contributions to both will live on as his legacy. I send my deepest, deepest condolences to his wife, Claire, and to his whole family. I know all of Polk County mourns your loss.

Madam Speaker, as a younger generation looks to sport stars as heroes and role models, I hope they come across men like Ray Beck. He was committed to his team and committed to his community. He gave his all on the field and then gave back to the town where he was raised. He was generous with his time, his wisdom and his energy, and Cedartown, Georgia, is a far, far better place because of him.

Madam Speaker, I ask that you join me in honoring the legacy of Ray Beck.

APPOINTMENT OF MEMBER TO CONGRESSIONAL-EXECUTIVE COMMISSION ON THE PEOPLE'S REPUBLIC OF CHINA

The SPEAKER pro tempore. Pursuant to 22 U.S.C 6913, and the order of the House of January 4, 2007, the Chair announces the Speaker's appointment of the following Member of the House to the Congressional-Executive Commission on the People's Republic of China:

Mr. LEVIN, Michigan, Chairman.

30-SOMETHING WORKING GROUP

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Florida (Mr. MEEK) is recognized for 60 minutes as the designee of the majority leader.

Mr. MEEK of Florida. Madam Speaker, it is an honor to be here on the floor once again on behalf of the 30-Something Working Group. I am glad to be joined by my good friend, Mr. RYAN, from Niles, Ohio, who has joined me on a number of occasions here. We have joined one another.

□ 1615

We look forward to other members of the 30-Something Working Group joining us here on the floor.

There is a lot going on in the Capitol Building today, a lot of committees meeting, Madam Speaker. A number of bills are moving through the process, and the American people are being served, with a new attitude of the U.S. House of Representatives, especially 110th Congress, that we will work as every American does. We will punch in at the beginning of the week and punch out at the end of the week and work on the weekends sometimes. So that is a good attitude to have, especially when you have two wars going on. You have the President passing on a budget that the American people don't see eye to eye with, nor this Congress sees eye to eye with. But we will work those issues out, and we will talk about them a little further as we move along.

One of the other things that I think that we can touch on are some of the findings, that now these committees are meeting and we have some level of oversight, Madam Speaker, that we are going to find out some things that have been happening in Iraq or what has not been happening in Iraq.

We are also going to learn more about the President's budget as we move along. And I am having a copy of the budget brought to us here on the floor because I want to make sure that the American people and definitely the Members get an opportunity to see this big document. Yesterday and today the Ways and Means Committee held hearings and had the Secretary of the Treasury and now the Office of Management and Budget Director here before the committee today. And there are a lot of questions that are being asked, and very few are being answered. And we will talk about a little of that today.

But once again, I yield to my good friend Mr. RYAN from Niles, Ohio. I am glad that you are here and am looking forward to talking about some of the issues that are facing this Congress and the American people.

Mr. RYAN of Ohio. It is an honor to be with you, Mr. MEEK. And I appreciate that you were on the floor today passing legislation commemorating a fine citizen down in Florida, a leader in that community. And I want to thank you for taking the time to come out.

There are so many issues that we need to discuss today, Mr. MEEK. The President submitted his budget this week to the Congress, and we are going to have to go through that with a fine-tooth comb and recognize some of the mistakes that are in there and correct them.

And as I said the other night here, Madam Speaker, the only thing that stands between President Bush's budget, which would have been passed post the election, is Speaker PELOSI. And so we have got a real opportunity here to make things right and to make some real progress.

A couple of things that we want to talk about that are in President Bush's budget that we need to fix immediately as we go through the hearing process is the tax increase that is going to be placed on middle-class families. The President's entire budget is balanced on the backs of 33 million American families who will be forced to pay higher taxes through the alternative minimum tax. This was a tax that was put on years and years ago to make sure that wealthy Americans had to at least pay a base level, the minimum level, of taxes. Regardless of how much you make, you had to pay this much. And through that process over the years, that AMT started creeping and creeping and creeping into middle-class families now to the point where it may go past the $100,000 point, meaning that if you make $100,000 or possibly even less, you will be forced to pay this alternative minimum tax. The President did not deal with that. We are going to have to fix that because the alternative is it means a tax increase on 33 million Americans.

Cuts to health care and to our seniors, Madam Speaker. The President's budget cuts Medicare and Medicaid by over $100 billion over 5 years, $300 billion over the next 10 years. And these are two key components of our health care system in the United States of America that cover about 80 million Americans. There have also been cuts to home energy assistance for poor families. As cold as it is today here in Washington, D.C., and across the country, the President submits a budget that cuts that by about 18 percent.

There are a couple other things I want to talk about here, Mr. MEEK, and I am glad you are paying attention and asking me to help you out here today. We have seen this tremendous change in the economy over the past couple of decades where we went from basically a national economy to an immediate global superpower post-World War II. And with that there have been tremendous changes.

Here is one of the key components that have affected us, and as capital moves and globalization occurs, whether we like it or not, Mr. MEEK, here is what has happened. This is a chart that indicates the new global workforce. And the increase, from the left side, 1985 to 2000, the increase from about 2 billion people that were considered in the global workforce to almost 6 billion people. That means China has been added to the list. That means India has been added to the list. That means Central American countries have been added to the list. And now all of a sudden we have expanded the global labor supply, which has driven down wages for people here in the United States. This is a major issue that we have to deal with.

And, Mr. MEEK, as you know, Speaker PELOSI was kind enough to appoint me to the Appropriations Committee, and today we had a meeting with our chairman Mr. OBEY, and he said we want our committee to be about the future, and we want our committee to solve future problems. And that is really what we need to deal with here.

Here is another issue. As we have had the increase in labor, most Americans have been losing ground, Madam Speaker. And if you look at real median household income, and this comes from the New Democratic Network Web page, this is from the U.S. Census Bureau. Real median household income: In 1999, it was $47,500, real median household income. It was, in 2005, $46,500. That real median household income is dropping, not rising. And so this is an issue that the President's budget does not address, but we are going to have to address this, and we have already made great strides to do this.

Two other charts I want to share with Mr. MEEK, Madam Speaker, real quickly is people say, well, if you are productive, you will make more. The top line here in the red is the increase in productivity; the blue line is the median income. As productivity has increased by 15 percent, wages have actually gone down. So the tie between productivity and wages no longer exists because of this new global market that we are in, which is a major public policy issue, Madam Speaker.

And then, finally, the share of national income in 2003 and 2004. This is the change. The change. The bottom 99 percent, their share of national income went down 2 percent. The top 1 percent, they went up 2 percent. And the top .01 percent went up 1 percent. So you can see that the bottom, the 99 percent hasn't benefited from what is going on here, and the top 1 percent has. So the question is what do we do, and what have we already done?

If you look at what the new Democratic majority has already done, Mr. MEEK, they have already, in the first 100 hours, made strides to try to rectify this. Passed the minimum wage to try to give the American people a pay raise to $7.25 an hour, and that means thousands of dollars a year depending on how many minimum-wage workers or how many minimum-wage jobs you perform. It could mean a couple thousand dollars a year. In addition to that, we have cut student loan interest rates in half for both parent loans and student loans, which will save the average person taking out a loan about $4,400. So you add the minimum wage. And in addition to that, we were able, in the first 100 hours, through the leadership of Speaker PELOSI, to also repeal corporate welfare and invest that money in new alternative energy sources. We passed the stem cell research bill, and alternative energy and stem cells are going to open up two new sectors of the economy. And then in addition to that, we were able to pass and give permission to the Secretary of Health and Human Services to negotiate down drug prices on behalf of the Medicare recipients.

So this package, the first 100-hour package, has done a lot to try to address some of these problems: Boost the minimum wage, cut student loan interest rates in half, and allow drug prices to be negotiated so that we will actually reduce the burden that is being placed on people.

So, Mr. MEEK, I think there has been a lot that has been done. There has been a lot that has been done here on behalf of the American people just in the first 100 hours, and we are going to continue to move on global climate change, global warming. We are going to continue to move on alternative energy. We are going to move on research and development. We are going to continue to provide the kind of oversight that the American people deserve in order to fix some of these problems.

Mr. MEEK of Florida. Reclaiming my time, Mr. RYAN, I am just so glad you had those charts to really spell out what the President's budget wants to do to Americans versus for Americans.

And I think it is very, very important that we continue to march on and do the things that we need to do to represent the American people, Madam Speaker. The reason why we come to the floor to point some of these issues out, this is an unopened copy of the budget that we received this week here in the Capitol, in the House of Representatives and in the Senate, and it is our job to look through this budget and see what is good and what is bad for the American people.

The American people delivered this people's House a change. The change for accountability, the change for oversight, and the change to be able to make sure that this country moves in the right direction. America said they want to move in a new direction. We said we wanted to move them in a new direction and that we were going to be a part of that atmosphere.

The reason why we are pointing these things out, Madam Speaker, is because we want to make sure the Members know the work we have before us not only on the Ways and Means Committee, but also on the Budget Committee. Every Member of this House, their said committees are having hearings now, need it be the Secretary of Education or the Secretary of Labor or even the EPA Administrator, to come before their said committees of jurisdiction to talk about why they submitted certain things in the budget, need it be the environment or education or justice or what have you.

But I think it is very, very important to point out how this budget continues to move in the wrong direction, the

President's budget, as it relates to the growth of our country and the health of our local communities and States. I learned a term about 8 years ago when I was in the State legislature, and it is called "devolution of taxation." Cut the taxes at the Federal level, and pass unfunded mandates down to the States and local government. And in this budget I see the President continues to embrace that philosophy, devolution of taxation.

Let me go further on in that definition of "devolution of taxation." Here in Washington, D.C., we have made a paradigm shift in this House to use the philosophy of pay as we go. We want to show how we are going to pay for it if we are going to fund it, not pay for it and continue to work on this chart and borrowing from foreign nations and owing foreign nations money, as the Republican Congress did and the President did. What we want to do is do it in a responsible way.

But as we start talking about devolution of taxation, when you cut opportunities for local government, and some statistics have shown that as it relates to this budget, from the Center on Budget and Policy Priorities, they estimate the total aid to States and local governments will decline, has declined $12.7 billion. So we pass this on to the States, and they have to fill the gap that we are not willing to fill, or obviously the President is not willing to fill, that we are going to try to do our best to fill here in this House of Representatives. They have to rob from Peter to pay Paul. Well, who is Peter? Nine times out of ten, it is a person that is trying to educate him or herself or their family, or grandparents that are trying to educate their children, that the tuition at the State university system is going to up.

□ 1630

The assistance for the elderly in a said State may end up being cut. Health care to children and other opportunities that States like to provide for the citizens of their State will end up being cut because they have to fill the gap that the Federal Government is not filling.

Then, on top of that, it continues to roll down, because, by constitution, by all State constitutions, they have to balance. They don't have the prerogative of saying, we will put it on a credit card or borrow from a foreign nation. They have to balance their budget. So they balance their budget on the backs of local government. Then the local government has to figure out how they are going to raise money, be it needed for education, school districts, or needed for local county or city commissions. Then they end up putting some sort of levy or penny tax or referendum on the local communities and voting for transportation needs or voting for parks and recreation.

The reason why that is happening more and more in U.S. cities is because of the kind of budget that the President sent to the Hill on the backs of the American people.

Now, what else is in this budget? You have to think about, this budget is standing for the individuals that are not even asking for tax cuts to be made permanent on behalf of wealthy Americans.

Mr. RYAN of Ohio. If the gentleman will yield, I think this is very illustrative of your point. Here we said earlier, the share of the national income went up 2 percent for those people in the top 1 percent of the country. The bottom 99 percent, their share of the national income went down 2 percent.

Add on that what you are saying, okay, what you just said about the devolution of taxation. Okay. So now these are the same people who have to vote on property tax issues. These are the same people who have to vote on libraries. These are the same people that have to vote on the penny sales tax to keep their counties running. So I think they are getting squeezed from all sides.

Then, when you look at what the top 1 percent have benefited from the globalization of America and the ability to be in the stock market and benefit from that, and get tax cuts and the tax loopholes and everything else, the bottom line is, Mr. MEEK, the bottom 99 percent have not benefited from all of this.

Mr. MEEK of Florida. Mr. RYAN, once again, thank you for your charts, sir, because we need to make sure the Members know exactly what was handed down from the President of the United States to this Congress and the work that we have cut out.

Some tough decisions are going to have to be made, Madam Speaker. Some millionaire may not get all of the tax break they have been waiting and counting on from the President of the United States. We have hardworking Americans out there looking for a break. We have small businesses out there looking for a break. Meanwhile, the President says, make my original thoughts permanent because I had a rubber stamp Congress in the 109th and 108th and so on, that did what I said do, continue that, and let's cut assistance to State and local governments. Let's cut the COPS Program. Let's cut Medicaid benefits. Let's make life harder for veterans as it relates to their benefits and the clinics that are open out there, that we just did something about in the continuing resolution. Let's continue that philosophy.

But for those individuals that are being driven and buying new cars every other year, let's continue to make life wonderful for them. And, by the way, let me send an escalation of more troops over to Iraq, where we just had a hearing just yesterday here in the House of Representatives that we are now getting down to the nitty gritty on what happened to $8 billion that no one can account for that was cash money. Very little of it can be accounted for, very little. Eighty percent can't be accounted for. Let's continue to practice that philosophy in Iraq.

So, Mr. RYAN, the only, I guess, comfort that I have at this moment is the fact that the American people voted to move in a new direction, Madam Speaker, and we are willing to take them in that direction. But, at the same time, Mr. RYAN, the philosophy of the 30-Something Working Group, we want to make sure that every Member understands their responsibility.

We have Veterans' Day coming up. We have Memorial Day coming up. We have a number of holidays that are recognizing the contributions of Americans that allowed us to salute one flag. The least that we can do is break it down to the point that every Member understands his or her responsibility in the House of Representatives.

So, if you want to be on the side of the super, super billionaires and millionaires, you make that choice. If you want to be on the side of the American people that work hard every day, to give them some sort of break so hopefully they can pay for tuition to make sure their children can make it through college, and, as Mr. RYAN said, in the first 100 hours, we dealt with a lot of that. We dealt with the minimum wage, which is now coming back from the Senate that will be over here in the House either today or tomorrow, or is already here. We dealt with the issue of being able to make a reverse about face on the interest rates that the previous Congress put on students and their families. We rolled that back.

There are a number of things that we have already put through the process, pay-as-you-go principles here in this House, to put this country on the right track.

Yes, tough decisions have to be made. But, at the same time, we have to be responsible, and we can't just rely on sound bites as though, well, that will get us past the process.

I believe that we can make it to the promised land, not through doing the same thing expecting different results, but having the kind of oversight and having the kind of foresight and watching out for these individuals.

Weatherization. You mentioned weatherization, Mr. RYAN, as it relates to keeping our most frail and poor warm during the wintertime. The President is asking to keep a tax cut permanent for super billionaires but cut weatherization assistance for a lady on fixed income in Detroit, Michigan.

I am just trying to understand the balance here and the priorities as we start to look at this. The President is asking for a cut in a number of the Department of Justice programs, Madam Speaker, that assist local sheriffs and police chiefs in combating and preventing crime. The COPS Program, zeroed out.

The President last week, Mr. RYAN, had an announcement come out that we are going to move for the maximum Pell Grant. Then the budget comes out, and it is the same level of what he has recommended over the last 4 years. So, the words don't match the action.

So our job here in the House, Madam Speaker and Members, is to make sure that even if the President makes a commitment to the American people and we agree with that commitment, that we have to find some room in this budget, which I know that Chairman SPRATT and other members of the Budget Committee and members of committees that have jurisdiction and oversight, will have some say in how we move in the new direction as it relates to America. So we are going to have a serious paradigm shift.

I see Mr. RYAN here has one of our favorite charts out right now just to illustrate what past budgets have done, Madam Speaker, and where it left this Congress in spending the majority of its money, not on the priority that the majority of the American people would like us to balance on but because of bad management.

Mr. RYAN of Ohio. I appreciate your insight, Mr. MEEK. You have talked about this, and we have been talking about this for a long time.

We would love to come in, as the Democrats did in January and swore in Speaker PELOSI, and come in and bump the Pell Grant up two thousand bucks and eliminate student loans altogether as far as paying interest on them and all kinds of other things we would like to do. But we are limited by the kind of budget that we have inherited from the President in a 6-year presidency and a 14-year Republican control of this Chamber.

Here is what they are doing: The 2008 budget authority says that the red on the left, $230 billion or $240 billion a year, is going to be spent just paying the interest on the money that this country has borrowed; not to pay down the debt, but just to pay the interest payments. We are going to have to spend $230 billion because of that. Look how that just dwarfs other priorities in the budget of the United States.

The next one is education. The next one is veterans. The next one is homeland security. All pale in comparison to what we are forced to spend to pay the interest on the money we are borrowing.

As Mr. MEEK has said in his previous chart, this money, over $1 trillion, has come from foreign interests. This President and the Republican Congress borrowed more in 4 years from foreign interests than all of the previous Presidents and Congresses combined. Combined. This is the net result, the interest that we have to pay on the debt.

So what has happened is that we have a huge number; $2.102 trillion in 2006 is the amount of foreign held debt, $2 trillion. That is unacceptable in the most powerful, wealthiest country on the face of this Earth.

So we have seen what has happened since the Clinton administration had some sanity. We had a $5.6 trillion projected surplus. It went down $8.4 trillion. Now we are in a $2.8 trillion deficit. We have some real problems.

So when it goes to making the investments that we want to make in education, the investments that we want to make in health care, SCHIP, the COPS Program, making sure young kids are covered, have some form of health care coverage, Madam Speaker, we are limited by the budget that we have been handed.

Unfortunately, we can't start from scratch, but there are some decisions that need to be made, and I can tell you that it is not acceptable to me, and I know it is not acceptable to my friend from Florida, to continue to allow people who make millions and millions and millions of dollars a year to continue to get a tax cut.

Some may say they earn it. Maybe they do. Some do. And some work hard. Just because you wear a white collar doesn't mean you don't work hard. But what we are saying is, that group of people benefit the most from the lavishness that this country has given them, the roads and the bridges and the safety and the security provided by defense, the stable markets in which to invest money, in which many, many do, into the stock market. This is all provided for by the stability that comes out of this institution, and therefore they owe a little bit back.

Now, even if you don't believe that, our alternative, we have a decision to make: Either we borrow this money from the Chinese, the Japanese and the OPEC countries, which gets us to that chart where there is $2 trillion in foreign-held debt by this country, or we ask those people who are making millions and millions of dollars a year, Mr. MURPHY, to pay their fair share, to step up to bat and help us solve this problem that we have so we don't have to put the future of our kids and our grandkids in the hands of Communist China.

Mr. MURPHY of Connecticut. Mr. Speaker, I thank my friend from Ohio. As you dig deeper into this budget, Mr. RYAN, what you find is the financial gimmickry involved in the President's claim that this budget will be balanced by 2012 is accomplished by forgetting about this little thing that hides in our Tax Code called the Alternative Minimum Tax. That is a difficult concept for some people to understand, but it is not going to be so difficult for millions of middle-class families to figure out when, next year and the year after that, they are going to be hit for the first time with a massive new tax increase.

The Alternative Minimum Tax was introduced first to try to make sure that those at the highest end of income scales were forced to pay some type of income tax. But because we haven't adjusted that number over the years, more and more middle-class families are going to fall into that trap.

Mr. RYAN, you are exactly right. You and Mr. MEEK and Ms. WASSERMAN SCHULTZ have talked about the fact that, during a time in which we are expending vast amounts of money overseas while we have major overdue investments here at home, we are giving away this multi-billion dollar tax cut to the richest 1 percent of Americans. That is wrong. We need to reinvest that money back into our infrastructure, back into education and energy and all of the things that help regular families.

But what we need to tell people about is, this budget not only decreases taxes for folks at the very top of the income echelon, but it also raises taxes on middle-income folks, because the President in this budget does nothing to address that looming Alternative Minimum Tax.

It is kind of a difficult subject to talk about, because it is complex tax policy, and you have to dig a little bit into that income tax form to figure out how much it is going to hit you. But it is going to hit you.

□ 1645

And unless we do something about it, we are not just going to have a tax decrease for those at the top, we are going to have a big tax increase for those in the middle. And as we know, this budget does nothing to help the costs that all the middle-class families are facing. Their premiums go up every year from their employer, as the cost of higher education spirals, as we know, a 41 percent increase since 2001. This budget does nothing, little if nothing, to help those families.

So, Mr. RYAN, this is a double whammy for American taxpayers. Not only are we sucking money out of the budget by giving away tax breaks to the very wealthiest, but we are then very explicitly hammering those in the middle income.

But here is the good news. We know what the good news is, is that, as you have said, in previous years that budget which stands in front of Mr. MEEK would have been delivered to Congress and would have had a little cursory look by the Members here and would have sailed out basically intact, at least when it comes to those priorities.

This year it is very different. And by the grace of the American people that sent a new Democratic Congress here, that budget is going to have a very, very hard look, and it is going to look very, very different when it leaves here, Mr. RYAN.

Mr. RYAN of Ohio. And you are right. In years gone by, they would have greased that sucker up, and it would have flown through the House and the Senate, who knows what kind of changes. It wasn't until in the last year or so that the Republican majority at that point couldn't even agree with each other. So we have had to come in and clean up with the continuing resolution, which we made some great advances with veterans and some other issues that we were able to deal with.

But when you look at it, we don't want to get into, and you are exactly right, there is going to be an increase in taxes if the President's budget over the next few years stays, because that alternative minimum tax is going to creep in and is going to creep in to average American families' lives, middle-income families. And so I appreciate you making that point.

We have been joined by a special guest who periodically jumps in and joins with the 30-something Working Group, the gentlewoman from Texas. I would be happy to yield.

Ms. JACKSON-LEE of Texas. I thank the distinguished gentleman. It is a delight to be here with all of my colleagues, and I might say that it is a pleasure to jump in and to accept the glory of the 30-something once in a while, particularly on this very vital and important issue.

And I want to say to the distinguished gentleman from Ohio, having watched the Ohio election process; if there was a State that spoke loudly about a decided necessity of change, it certainly was Ohio, and the rest of us followed. And I can't imagine that we would be facing this budget but for mistakes and missteps that have been made in foreign policy, for example the Iraq war and funding that has been somewhat misplaced.

But the good news is, and that is what I wanted to just focus on for a moment, that we now have the opportunity; Speaker PELOSI, the leadership, Chairman DINGELL, Chairman WAXMAN on the health issues, we now have an opportunity to address the American people and to, frankly, make sure that we listen.

I want to start very briefly on tracking the reauthorization of the Ryan White bill that was authorized in the last Congress. But an authorization goes nowhere unless there is, if you will, the funding that is necessary. And so I just wanted to briefly highlight the fact that we have a continuing AIDS crisis in the United States which really requires a focused and concerted effort at funding. And I don't believe that with the President's budget, these enormous tax cuts, we will be able to address the fact that there are now over 1 million people in the United States living with AIDS, and that particular communities, African Americans and Hispanics, are disproportionately affected by HIV/AIDS, and they account for nearly 50 percent of the people living with HIV/AIDS.

That means that we need more Federal funds made available to help in the minority health initiatives, the AIDS initiatives, and we need more funds to encourage testing for as many people as possible. So I cite that as a challenge to this budget that is going to impact many of us extremely negatively.

Then I would encourage my colleagues from the various States, 50 States, to take a litmus test or to take a thermometer and measure the temperature of the President's budget against the health of your State.

Let me just share with you what is going to happen to the State of Texas. We have a sizable young population, the State of Texas. Most of our population is under the age of 25; we have an extensive population of under 5, and we need, if you will, a refocus on the domestic agenda for this country.

I am looking forward to Chairman SPRATT'S, the Budget Committee's reforming of the President's budget because this is what will happen to Texas: Two million Texans could see retirement benefits cut under the President's privatization proposal that is in his budget. And I would simply ask the question, how many times do we have to say that privatization of Social Security will not work? And it will not work.

The President's health care proposal will squeeze Texas middle class of more cost and less coverage. So the President's health insurance proposal, which is opposed by my public health system, Harris County, who says, "Are you trying to close our doors?" We will see a squeeze on the middle class; 5.5 million uninsured in the State of Texas will be impacted.

Let me give three other points. Huge Medicare cuts which we are seeing in the President's budget would endanger 2.5 million Texan Medicare beneficiaries' access to quality care and impose new taxes on seniors. The one thing our seniors said on the prescription benefit part D, no more burdens, no more doughnut holes. And that is what the President's budget gives us.

In addition, one of the greatest tragedies of the President's budget is the cut in the State grants for children's health insurance could add some 1.4 million children to the uninsured ranks in Texas. Now, they say that they are going to leave this to the States. The States need to find out how to handle this. This is, this is, this is comedic. This is joking. This is completely impossible. I am lacking for words. We are fighting in our State to be able to insure children who need to be insured, and you are telling us we will give you, the State, a certain amount of money, and it is how you do it. It is not how we do it. We can't do it without the funding. So you are going to deepen the hole of health disparities by suggesting that we cut off 1.4 million uninsured children in the State of Texas.

I would ask my colleagues to check the temperature of their State by taking a thermometer and measuring the President's budget against the needs of the American people. In Texas, 1.6 million veterans could be hurt by VA funding shortfalls. And I spent time with homeless veterans in my community at stand-down. I have homeless veterans in shelters in my community, as many of us do, but I see many of my homeless veterans under our bridges. We can't afford any more cuts in veterans health coverage because they are already paying the maximum amount.

Let me conclude by suggesting that we likewise have made a commitment, 30-something and 30-something-plus, have made a commitment to America's youth. We want to ensure that the doors of our institutions are open. And just today I heard the fact that in our own community in Houston, we don't enough seats in colleges to be able to help educate young people. This may be a phenomenon across American in many communities, and that means we are closing the door to higher education to our children. Well, the budget that the President has put forward, aid for Texas college students, may be whacked again; and, therefore, tuition increases may go up almost 100 percent, because under State laws that we have in the State of Texas, we give that latitude to our universities. Our students cannot be whacked again, and they can't take the burden again.

So I am hoping that, in addition to cutting the Department of Homeland Security, which we will obviously not tolerate because we are certainly not, we have not met the test of the 9/11 Commission Report, this budget needs fixing, it needs a fixing, and we need to rally around the American people's voice of health care, education, security, and the environment and affordable energy before we allow this budget to come to the floor of this House. And I hope that we will have the opportunity to be able to work our will, the will of the American people, and work our will on behalf of seniors, on behalf of those suffering with AIDS in minority populations and other, on behalf of the working middle-class families that struggle every day, that we would choose them over outrageous tax cuts that have been proposed by this President's budget.

And I thank the distinguished gentlemen for allowing me to participate and to acknowledge that these policies are not family-friendly. And I look forward to a budget coming to this floor that we pass, the majority, Democrats, with our friends on the other side of the aisle, that will be family-friendly, children-friendly, those who are suffering from various diseases, education-friendly, environment-friendly, and certainly a new day in energy by the budget that we put forward on this floor.

Mr. RYAN of Ohio. We thank the gentlewoman. As we have been saying in the last few weeks here and the last few days especially, that years ago that budget would come and get greased up and come right through this Chamber and on to the other side of Capitol Hill and get signed into law, with the tax cuts for the top 1 percent and cuts to the kids. And now NANCY PELOSI stands between that budget and the American people, and we are going to make sure, and our friend from Florida. So we thank you for joining us. It is always a special treat for our friend to come down from Texas. And I would be happy to yield to our friend from Florida, who is standing to be recognized.

Mr. MEEK of Florida. Thank you, Mr. RYAN, for yielding to me. And I just think it is important that we have this dialogue here on the floor, Ms. JACKSON-LEE, just to make sure that we prepare the Members for the decisions that have to be made.

We talk about bipartisanship a lot, and I have my information here to talk about some of the votes that we have moved on this floor in a bipartisan nature, and I know I will have it in a minute, that kind of set a tone through this Chamber that we can work together, Madam Speaker, when the ideas are good and when they are sound.

And I know that the budget is probably one of the most partisan votes that we have taken in past Congresses, especially the last two that I have been involved in, Mr. RYAN. But the way the President's budget has been drawn up, with cuts of 20 percent to first responder grants and high-threat and high-density areas, and a cut in State grants as relates to training and buying equipment and conducting exercises for their first responders by 64 percent, for many of the Members on both sides of the aisle that talk a lot about the war on terror, we have to make sure we are prepared.

All of these things, all of these speeches that people come to the floor and make, Members of Congress, this budget is not in the spirit of those speeches. And I think it is important that those Members on both sides of the aisle, and I would say mainly with my Republican colleagues, that they start preparing their leadership now on the things that they can vote for. And I know that making tax cuts permanent for the superbillionaires is not something that is going to fly back home.

Now, I was thinking about staying in the majority always, which is not a bad idea, but if that was my paramount reason for being here on this floor, then I wouldn't say out loud that they need to start telling their minority party, on the Republican side of the aisle, that there is things that I have to vote for. I am not willing to cut veteran benefits. I am not willing to not do the things that we need to do for the children of America. I am not willing to not give the middle class a tax cut or give billionaires a tax cut. I am not willing to cut local government assistance, especially in the area of homeland security and other areas of law enforcement. I am not willing to do those things because I don't think my constituents will send me back to Congress.

That is the kind of discussion they need to be having with their leadership, because one thing that I have seen, Madam Speaker, especially with the past votes that we have taken on the minimum wage, on taking big-time subsidies from oil companies, on the whole issue of cutting tuition, on the issue of a few of the other packages that we passed, but on the main issue as it relates to how we are going to move from this point of pay as you go, I have noticed that the leadership on the Republican side have voted opposite of the majority of the Members of the House, with some Republicans joining us on those votes, or we are voting together. I hate to say joining us, because it seems like it is something that was a last-minute thought.

□ 1700

No, they were great ideas, and they need to be passed, and they were passed overwhelmingly.

But as it relates to this budget, this is going to be one of the most important documents that we pass in the 110th Congress' first session, and I think it is important that Members start talking to their leadership now and saying this to the Republican side about the votes that they cannot and the votes that they will take.

Now, I have watched in the 109th Congress the moderate Members on the Republican side who went to their leadership and tried to make things happen, and you know something, if the leadership would have listened to some of the moderate Members of the Republican Party on the other side of the aisle, maybe, just maybe, the majority on the Democratic side would not be as wide as it is.

Now, the American people want us to move as one, not just as Democrats and Republicans. They want us to move in a responsible way that will lead this country in a new direction; not in a Democratic direction, not in a Republican direction, not in an Independent direction, but in a new direction.

Mr. RYAN of Ohio. For America.

Mr. MEEK of Florida. Which is good and as American as apple pie and Chevy trucks and what have you. But I think it is important that we say this out loud, because when we get around budget time, there is a lot of interesting things that are said on the floor. Some Members are even gaveled down for some of these statements because they try to justify a good or bad vote.

With the continuing resolution that was passed, we saw a little spike in Members having to reflect back on to the rules, the Parliamentarian running around the floor saying, you cannot say that, you cannot do this. Before we get all animated and excited about this budget, I just want to make sure that the Members understand that you have to start having that discussion with your party leaders, especially on the Republican side of the aisle.

Now, let us just look at this. On the 9/11 Commission, 68 Republicans voted with 231 Democrats to do what the bipartisan Commission said we should do in protecting America, but the shocking part is that 128 Republicans decided not to vote with the majority of the Members of the House, Republicans and Democrats. What is going on there? The American people cannot understand that overwhelmingly.

Minimum Wage Act, 82 Republicans voted with the majority of the supermajority and every last Democrat, 233, voted to give the American people a pay raise after years and years and years, and as you can see here, Madam Speaker, over the years under the Republican Congress, Member of Congress did not have a problem in giving themselves a pay raise until the Democratic majority put a stop to it, saying that we will not agree to a pay raise until the American people get one. But 116 Republicans voted against it for people who were making $5.15 an hour. It reminds me of the President saying, let us make those tax cuts permanent for superbillionaires, and let us forget about the middle class, and let us cut programs on the local level for the most fragile Americans.

Stem cell research, again bipartisan vote. A number of Republicans voted against it. Medicare prescription drug price negotiating, 24 Republicans joined 231 Democrats; 170 Republicans voted against it. College Student Loan Relief Act, 232 Democrats voted for it, 124 Republicans voted for it, supermajority Members of the House, 71 Republicans, hard-core holdouts, on the bipartisan spirit. Held out again on creating long-term energy alternatives for the Nation Act; 228 Democrats voted for it, 36 Republicans voted for it, 159 Republicans voted against it.

I am saying all of this, and I am not trying to speak fast on this, Madam Speaker, I am just saying that if we are going to come together as a country, and we are going to work in a bipartisan way, now here I am in the majority saying that it is important that we work in a bipartisan way.

Madam Speaker, I know the officers of the House who have witnessed many of these 30-something sessions that we have had in the minority. They were like some of them Tivo'd it when we were on break because they just heard it so many times, and they wanted to hear it again. If I have said it once, I have said it 30 times: Bipartisanship can only be allowed when the majority allows it.

Now we have the will and the desire by the Speaker of the House of Representatives that has said that she wants to move in a bipartisan way, and we still have Republicans that are saying, no, we do not; we want to be different, even when we are wrong. And that is not the philosophy that the American people have embraced. I do not care if it is a Republican voter or Independent voter or Democratic voter, the American spirit will prevail, and that is what happened last November.

So we have some individuals that are saying, we are willing to continue to hold on to the old way versus moving in a new direction. I am not trying to be offensive. I am just saying, I am reading the CONGRESSIONAL RECORD and the vote chart. I am trying to encourage folks to work in a bipartisan way. So let us have the discussion now in the Budget Committee, in the Ways and Means Committee, and discussions in committees of jurisdictions standing. Let us have those arguments, but let us come together on the fiber of the budget and for us to be fiscally sound and for us to be able to move this country in a new direction.

That has nothing to do with what the Republican leadership may believe what is right or the Democrat leadership believes what is right. It is what is right for America.

So we are willing to do that. Pollwise, the American people are on the side of doing things that we are trying to outline here and that we are speaking against in this budget, and as we move through that process, I look forward to not only fruitful debate, but I look forward to a paradigm shift in the minority side, in a number of double-digit, hopefully triple-digit, Republicans voting for a budget that comes before this floor that this House hammers out.

Mr. MURPHY of Connecticut. I am not sure that I believe the people were Tivo-ing, but if they were, it was only because of your eloquence when you talk about issues like bipartisanship, because you should be right to crow.

Mr. MEEK of Florida. Please mention Mr. RYAN's name. He gets a little jealous when folks started mentioning the fact I make a good argument on bipartisanship, so, please.

Mr. MURPHY of Connecticut. I hear people talk about him as well.

Mr. RYAN of Ohio. Will the gentleman yield? I have family members who have Tivo'd, okay.

Mr. MURPHY of Connecticut. So here is what those of us who are new to this Chamber sort of see from the outside, and I think it probably matches up with what Mr. RYAN and Mr. MEEK keep seeing from the inside.

What used to happen here was that the agenda that came before the House was decided essentially by folks sitting in the third floor of the Republican National Committee, a bunch of Republican Party insiders who decided that they were going to put a Republican agenda on the floor. They were going to put a party agenda on the floor at the exclusion of the minority party.

So what you saw, for those us that turned on C–SPAN late at night when we were not watching the 30-somethings, we saw votes go up on the screen. And everybody sees those C–SPAN votes where they have got Republicans in one column, Democrats in the other column. You see all the Republicans voting one way, all the Democrats voting the other way, vote after vote after vote, because what was being put before this House was a Republican agenda. Occasionally you would have some people slide over, but by and large that is what you saw.

Here is the difference. The agenda that was part of the first 100 hours and the agenda that was behind the continuing resolution, as Mr. MEEK says, if we have anything to do with it, the agenda that will underlie the budget that finally arrives before this body is not going to be a Democratic agenda. It is not going to be a Democratic budget. It is going to be a people's agenda. It is going to be a budget that comes from the voices and the concerns and the hopes and the fears of people back in all of our districts, Republicans and Democrat.

That is why you see on the 100 hours agenda and even on the continuing resolution, which is probably maybe the most controversial piece of legislation that came before that, even on the continuing resolution, the bill that kept the Federal Government going for the next few months, you have Republican votes, because no longer is the legislation that gets put before us a partisan agenda. It is now a people's agenda.

And for someone who spent the last 2 years in my district campaigning to come here, talking to people that were so utterly frustrated with what was happening in Washington, yes, people were angry about the agenda here from issue to issue. They were upset that people were not listening to them about their concerns on rising energy prices, rising health care prices, why they could not send their kids to college. But they were maybe more overarchingly concerned with the tone this place had taken, and I think that is our lasting legacy, because, as I think I said the first time that I got to talk with you both on this floor, our legacy as a Congress may be that we have some small role in restoring people's faith in government.

When we go around and talk to elementary schools, we are talking to some of the most cynical 10-year-olds you have ever seen, because all they think government is is a bunch of people fighting with each other, yelling at each other, disagreeing instead of agreeing.

So what we do here is we are going to start putting those middle-class families first. That is what this budget will be about. If we can do it with Republicans, and when you do it with Democrats, in the end we make people believe a little bit again in government.

And for those of us who are in this 30-something caucus who might be around long enough to hopefully see government do a few more good things over the next 10, 20, 30, 40 years, that could be one of the most important things we can do.

Mr. RYAN of Ohio. I appreciate that. As we are wrapping things up, I found it interesting, I saw as we are talking about budget priorities and the kind of investments that we want to make as a country, looking at what the Federal Reserve Chairman Ben Bernanke has to say and what he said yesterday and was quoted in the Wall Street Journal and a lot of other media outlets.

Focusing on, and I will say, and I will quote, he said, Ben Bernanke said, The best way to narrow the gap between high-income and low-wage workers in the U.S. would be to strengthen education and training programs.

That is our call, and that is the mission for us, to make sure that average people have the skills and the tools and the opportunity with the increase in the Pell Grants, with what we already did by cutting student loan interest rates in half for both parent and student loans, cutting that in half and giving thousands of dollars back to those families. Those are the kinds of things that we need to continue to do, and No Child Left Behind and everything else.

So we need to make sure that as we reform these systems, we also provide the resources, as we started this, for the local level to make sure they can get the job done.

We are just wrapping up. We only have 1 minute. I want to give out Speaker PELOSI's e-mail, 30-Something Working Group e-mail, 30somethingdems@mail.house.gov, or you can come to our Web site, www.speaker.gov/30something.

Mr. MEEK of Florida. I thank Mr. RYAN for doing such an outstanding job. I thought Mr. MURPHY had the assignment, but I can see you have taken responsibility to do that.

Madam Speaker, we would like to thank the Speaker and the majority leader and majority whip and others for allowing the 30-Something Working Group to come to the floor once again. It was an honor to address the House of Representatives.

REPUBLICAN STUDY COMMITTEE

The SPEAKER pro tempore (Ms. SOLIS). Under the Speaker's announced policy of January 18, 2007, the gentleman from California (Mr. CAMPBELL) is recognized for 60 minutes as the designee of the minority leader.

Mr. CAMPBELL of California. Madam Speaker, I would like to take this first moment to recognize my colleague from Iowa (Mr. KING).

Mr. KING of Iowa. Madam Speaker, I thank Mr. CAMPBELL for yielding to me, and I appreciate Mr. RYAN sticking around after the Special Order and the work that you have done. Over the last 2-plus years, we spent a lot of hours here on the floor together. It occurred to me as I arrived on the floor—

Mr. RYAN of Ohio. Not necessarily together, but on the floor. Not necessarily together.

Mr. KING of Iowa. I would concede that point that not necessarily together, but on the floor. We have been together in some other things as well.

But the point that occurred to me as I arrived here on the floor this afternoon is we often do not commingle our policies. We have an argument that is set separate on this side and on that side, and it occurred to me that Lincoln and Douglas had some effective debates that were very, very instructive, and it helped the people understand the distinctions between the policies.

So as I mull this around in my mind, it occurs to me to offer an invitation that if our side could set aside an hour Special Order, and if your side would be interested in setting aside an hour Special Order, we could merge those together and then perhaps three from your side, three from our side, and we could spend 2 hours with an open debate type of a format so that we could have a free exchange with the best of attitude and comity. I think that would be a very good thing to do for the people across this country as they review what is going on here on the floor.

I would ask your opinion on that.

□ 1715

Mr. RYAN of Ohio. I appreciate the gentleman's opportunity. Those decisions are made above my pay grade, but I can honestly say that we have numerous debates on this floor, which I think have been significant and monumental, especially in the first 100 hours, as we have talked about here. I don't exactly know how to respond to you. I think we do have adequate debate here, depending on what the issue of the day is, both sides getting an opportunity to do that.

We get our hours and talk about the things that we want to talk about, and you get your hour to talk about what you want to talk about. There can be, I am sure, some discussion. If there is room for us, as we push certain policies, that is what we are here to talk about. That is the issue of the day.

Mr. KING of Iowa. Reclaiming my time.

Mr. RYAN of Ohio. You are welcome to respond to that.

Mr. KING of Iowa. Reclaiming my time. If the gentleman would be interested, I would suggest you take it up above that pay grade and see if you come back with a positive response. I didn't check with anybody above me. I happened to be able to claim some time on the floor and make that decision.

I offer that openly with the best intentions. I think 2 hours would be a very good thing for all of us to have that discussion. The offer is there. I leave it on the table, and I thank the gentleman.

Mr. RYAN of Ohio. I appreciate the gentleman making the offer. Last year or 2 years ago, we were asking for opportunities to speak on the floor. We weren't given that opportunity, but I will take it to the leadership, and we will take that under consideration.

Mr. KING of Iowa. Reclaiming my time, I would point out that, as we have had exchanges here during special orders, I am one who has yielded, especially to Uncle BILL from Massachusetts. I would point that out. That is a matter of record. We can continue in that vein, I would hope.

Mr. RYAN of Ohio. In spite of your age discrimination, we will take it under consideration.

Mr. KING of Iowa. Thank you very much, Mr. RYAN.

I yield back to the gentleman from California.

Mr. CAMPBELL of California. Thank you, Mr. KING.

We are talking about the budget this evening, and a number of things about the budget. The problem out there: We have a deficit. The problem is not that people are taxed too little; it is the government is spending too much.

I didn't just make that up. I didn't come up with that now. I am paraphrasing the words of President Ronald Reagan and comments he made several decades ago. But it is every bit as true today as it was then. The reason that we have a deficit, the issues with our government budget, are not that people are taxed too little; it is that government spends too much.

Why, as a matter of fact, since 2003, revenues to the Federal Government, income to the Federal Government, have increased by 46 percent, assuming that this year it continues at the rate that the increases have begun this year, 46 percent since 2003.

Let me put that in a way maybe that folks listening can understand even more clearly. If you are making $50,000 a year in 2003, in order for your income to keep up with what the Federal Government's income has been, you would have to be making over $72,000 today, not bad. I bet most of you out there listening, if you were making $50,000 back in 2003, would be pretty happy if you had gotten raises to be at $72,000 or $73,000 today. But that is where the Federal Government is.

But what's interesting is, that is not because taxes were increased. That 46 percent increase in revenue is because taxes were decreased, because there were tax cuts in 2003.

Because there were tax cuts in 2003, a whole bunch of good things happened: More people are working. The unemployment rate is down. Business investment is up. Gross domestic product is up, and millions and millions of new jobs have been created. All that since these tax cuts that are so demagoged by the other side. Now, the people who spoke in the hour before me here were talking about tax cuts for the rich, and I think they said super billionaires or something like that.

Let us talk about what these tax reductions were. One of them was a reduction in the tax on capital gains and dividends. Let's see. Over 50 percent of Americans now own stocks or have been investing in the stock market. So I guess over 50 percent of Americans must be hyper billionaires because capital gains and dividends tax cuts saved them money.

Almost 70 percent of Americans own homes. When you sell your home at some point, you might be subject to a capital gains tax. I guess almost over 70 percent of Americans are hyper billionaires or the super rich.

Or perhaps the marriage penalty reduction, which saved money for every married taxpayer. I guess that means everyone who is married is a hyper billionaire type of rich.

Not true, but what is particularly interesting is that these tax reductions, these tax rate reductions, saved Americans at all income levels money, and it resulted in the economy growing, which is why you have had this 46 percent increase in revenue.

But even with that 46 percent increase in revenue, we still have a deficit, because we are spending too much. Now, the other side does have a tax that they don't like, which is interesting. It is the alternative minimum tax.

Now, I stand before you as a Member of Congress, yes, but also as a certified public accountant and an individual with a master's in business taxation. So I do have a little bit of knowledge in the area of taxation. The alternative minimum tax is pretty complicated. But basically you figure your tax on a regular tax, and then there is another tax, and you pay whichever one is greater.

The alternative minimum tax only kicks in if it results in more tax than the regular tax. The reason that would happen is because you pay a high rate. By definition, if you are not in one of the highest tax brackets, the alternative minimum tax cannot apply to you.

If you were to compare the capital gains tax, alternative minimum tax, and look at which one is more for the rich, it would certainly be the alternative minimum tax. Yet you just heard the Democratic colleagues on the other side of the aisle just say that the capital gains, the dividends, all these tax reductions that were in 2003 are terrible and are hurting the economy, and they are hurting people, and they are only for the super billionaires. But, yes, they insist on doing something to get rid of the alternative minimum tax, which, by definition, can only hit people in the highest tax brackets, can only create more tax for them.

You can't have it both ways, Democrats, you cannot have it both ways. If eliminating or reducing the alternative minimum tax is good policy, then so is reducing the tax on capital gains and on dividends and on the marriage penalty and all the other rate reductions that we did back in 2003.

Now, the President released a budget this week. The budget he released balances in 5 years without raising taxes. The other side of the aisle, the majority here spent the last 2 days saying how terrible it is. I am trying to figure out what is so bad. Is balancing the budget in 5 years bad? I would rather balance it in 2; I would rather balance it in 1, sure.

I don't think balancing the budget in 5 years is that bad of an objective, and it balances it without raising taxes. Ah, that is really the part they don't like, balancing the budget without raising taxes. They don't want that to happen because they want to raise taxes, because a 46 percent income growth since 2003 is not good enough, because increases in jobs, increases in the economy, increases in gross domestic product, that is not good enough, because they want to spend more, more and more and more. They want to tax, and they want to spend.

The new Democrats are the same as the old Democrats. You are seeing it on this floor, in this hall, today, this week and this month. Unfortunately, I am afraid you are going to see it in the months going forward.

So what is the problem with balancing the budget without tax increases? That is what we want to do. That is what the President wants to do. But, unfortunately it is not what the other side wants to do.

Let me take a moment, and if I may, and yield to the gentleman from Iowa (Mr. KING). Would you like to speak on some of these matters for a few moments?

Mr. KING of Iowa. I thank the gentleman from California for yielding to me both times here this afternoon.

Mr. Speaker, taking up the issue of the budget that is coming before us and this sense of responsibility and debates that I have had this year and debates that I recall I had in the national media that I had with members of the other party, and some of them took the oath that they would be willing to support a balanced budget without raising taxes; I don't hear any of that talk here on the Democrat side of the aisle. Nobody is stepping forward, and saying, yes, I remember what I said, I didn't mean it, or even, I remember what I said. They seem to have forgotten what they said.

They do say they want to balance the budget. But we also know from listening to Mr. RANGEL, there isn't any one of the Bush tax cuts that he would not want to eliminate, which would result in a tax increase.

Yet we have the strongest economy that we have had in my lifetime, the most consecutive quarters of growth. We have a very healthy unemployment rating of about 4.5 percent, and that has been staying low. Inflation has been staying low. Interest has been staying low. Every economic indicator that is low when it is good is low. Every economic indicator that is high when it is good, it is high. The stock market has reached any number of all-time highs.

These Bush tax cuts, the 2001 cuts and the 2003 cuts were essential and necessary to keep us out of a depression and a recession at a time when the dot.com bubble had burst, when our financial centers were attacked on September 11, and we had to go to war and spend hundreds of billions of dollars to protect the American people, of which there has been no significant attack against Americans by terrorists in our country since that time.

Who would believe that our economy would be this strong, our safety would be this good, that there are so many things sitting where they are today? But we need to step forward and make progress. I can tell you frankly that I was not thrilled by the proposal here several years ago, 3 years ago, that we were going to cut the deficit in half in 5 years. That was not enough for me.

Now, I believe that President Bush has offered a budget, and I think that we will see the House Republicans offer a budget that will reach balance within 5 years. That is a balance without dynamic scoring, and the increase that we are seeing in the revenue because of this dynamic economy indicates that could well happen within the next 3 years. I expect it will happen in the next 3 years.

I am an individual, though, who would be willing to sign on to a budget that would balance the budget this year. I will not go very far into that for these purposes, because I recognize, practically speaking, there aren't enough votes to pass a budget like that. It would be a bit too Draconian.

But had we have been able to slow some of this growth, we could be at balance today, except that we have been facing the war, and we took the hit from the burst in the dot.com bubble. So we are pulled together here now, and the principle needs to be, slow this growth in discretionary, nondefense discretionary spending. We are doing that, and we have effectively done that. We have kept it at below the rate of inflation or at the rate of inflation.

The biggest problem we have is the constant growth in entitlements called Medicare, Social Security, Medicaid to a lesser degree, and, of course, the interest that goes up on that. You will see a budget comes from Republicans that gets us to a balanced budget within 5 years. I am grateful that that is coming out.

But, again, I believe that if we can give the investors the confidence that we can continue the Bush tax cuts, the 2001 and the 2003 tax cuts, then I think that you will see this economy continue to grow, and you will see the budget balanced before the 5 years are up.

But if we turn this over to the other side, if we turn it over to the Chairman of the Ways and Means Committee, who wants to see the end of all of those tax cuts, we will see the goose that lays the golden egg slaughtered and on the field of class warfare.

Now, we know that what you tax you get less of. The Federal Government has the first lien on all taxation in America. We tax everything that moves, that produces. We tax labor. We tax interest, investment, dividends capital gains, you name it, all the way down the line. Then the alternative minimum tax sits there and sneaks up on people and grabs people, and it is creeping down into the lower brackets over and over again.

So to make this call, I would say this, extend those tax cuts. The American people need to clamor in order to extend the Bush tax cuts. If that can happen, the confidence in this economy will continue. We will get this budget balanced.

The other side wants a balanced budget, too, because they called for one. But they want to raise your taxes to do it. I guarantee you, that is the only way that they can balance this budget, and that is the effort that they are down on. I stand with the remarks made by the gentleman from California, and I appreciate very much him taking the leadership to come to the floor and yielding to me.

Mr. CAMPBELL of California. Mr. KING, one second, before you leave, figures, we talk about the progress we have made on this budget so far. The 12-month budget deficit, the last 12 months, is $188 billion. Remember, some time ago, we were talking about nearly half a trillion dollars. That $188 billion is down 38 percent as a rolling 12-month budget deficit from what it was a year ago.

For 22 straight months now, the budget deficit has declined by about 18 percent, year on year. There is a lot of progress happening on this budget deficit because of the growth in the economy, because of those tax cuts, and because we, the prior couple of budgets, were beginning to start to control spending. It is something we haven't done, well, frankly, a lot, lately. But we are starting to in the last couple of years. Isn't that right, Mr. KING?

Mr. KING of Iowa. It is interesting to me, the statistics that you put out on that data, that if you believe in a free market economy, you understand that description intuitively. You understand there is going to be dynamic growth that is stimulated because there is a return on investment.

If you don't believe in the free market economy, then you think somehow that people that make money and create jobs are evil, and they should be punished for their productivity. When you punish productivity and tax it, you get less of it. That was another Reagan statement. What you tax you get less of. What you subsidize you get more of.

We are going to see productivity more highly taxed. We get less productivity, and this economy will slow down.

□ 1730

I point also that if we could freeze our spending at current levels, sometime in the middle of fiscal year 2010 we would be looking at a surplus. That is something else to consider.

Mr. CAMPBELL of California. Mr. Speaker, we all understand how much we would rather have the private markets than us making decisions, than some nameless, faceless bureaucrat somewhere close to where we are all sitting right now, someone here in Washington. Someone who fully understands that is my colleague who will be speaking next, Dr. PRICE from the State of Georgia. Dr. PRICE.

Mr. PRICE of Georgia. Mr. Speaker, I thank my good friend from California for yielding and for organizing this and his leadership on this issue. I appreciate your perspective and your expertise as a CPA practicing before you came to Congress. I know that you have the knowledge that all of us should utilize as we talk about budget and the economy.

You know, I was sitting over in my office and listening to our good friends on the other side of the aisle as they were discussing their issues before. I could not help but being amused by their comments. And you sense that they are trying to lay the groundwork now for a budget that they are going to propose, and they are going to propose it obviously with more spending, because that is what our friends on the other side of the aisle do.

But I could not help but just be reminded of the Orwellian sense of how the folks on the other side of the aisle seem to govern. You know, they just seem to think that if they just say it, that it is so. All you have got to do is say it, then it is so. They passed a bill last week that they said did not have any earmarks or any special projects. In fact, it had hundred of millions of dollars of earmarks that they could have taken out; in fact, voted against taking them out.

But I did want to review very briefly, before I mentioned a word or two about the budget and the economy, these wonderful Six for '06 programs that they passed. And of course they are celebrating them as if they were law. However, the Senate has not acted on any of these, so, in fact, they have not become law. And thank goodness they have not become law, because what this highlights is the hypocrisy of our good friends on the other side of the aisle.

They talk about passing all of the 9/11 Commission recommendations. In fact, that is not what they did. That is not what the bill did that they brought to the floor. In fact, they did not pass some of the most important recommendations that allow for communication between committees here that make it so all America would be safer.

They talk about the minimum wage increase. In fact, what they would do if they increased it in the way that they wanted to is to decrease the number of jobs on America and propose this unfunded mandate on American small businesses, which actually cuts the level of employment in our Nation. The Senate has recognized that, and they are working to try to correct the damage that the Democratic House has done.

They denied completely the proven results. I am a physician, practiced medicine for over 20 years before coming to Congress. And the Democratic majority here denied the proven results of adult and cord stem cell research on a bill that they passed here earlier. I suspect the Senate will have to correct the damage that they have done there as well.

As a physician I recognize the importance of doctors and patients making health care decisions by themselves without governmental intervention. And what our good friends on the other side of the aisle did was, in fact, work to fix prices in the area of Medicare prescription drugs, which would decrease the number of drugs available for seniors and, in fact, harm seniors, I believe, in the health care that they receive. And consequently I think the Senate is going to have to work on fixing that.

One of the remarkable hypocritical things that they did in their discussion points about decreasing student loans, in fact that is not what they did at all. What they did was pass a bill that kind of tracks down, decreases the interest on student loans, and then for 6 months cuts the interest on student loans in half, not for students, though, for graduates; cuts it for 6 months, and then, bam, at the end of that 6 months, the interest rates pop right back up.

Then the most amazing thing that they have done is to tax domestic oil companies, not foreign oil companies, Mr. Speaker, not foreign oil companies. They tax domestic oil companies so that domestic oil costs more, foreign oil costs less. So what will happen is that Americans will be more reliant on foreign oil.

So it is a remarkable, remarkable culture of hypocrisy and misinformation, disinformation, I call it Orwellian government, that our good friends on the other side of the aisle have promoted.

I do want to mention some of economic issues that you had talked about before, the good news, remarkable news in the economy: economic growth, 3.4 percent growth in GDP over the last year; business investment up for 14 straight quarters; job growth of 7.2 million new jobs since the summer of 2003; low unemployment rate, 4.5, 4.6 percent unemployment rate. That is a rate lower than the average of the 1960s, 1970s, 1980s and 1990s combined.

Tax revenues, tax receipts are up. Deficit reduction you mentioned, Mr. CAMPBELL, the latest numbers that are out on the 12-month rolling deficit, the budget deficit, down to $188 billion. That is the lowest that it has been since 2002. And a steady increase in labor productivity.

So one would think that if our friends on the other side of the aisle were interested in a good economy, they would look at this economy and they would say, well, how did that happen? What made that happen? Were there actions that were taken by the Federal Government and Congress that resulted in those good numbers?

Well, in fact, there were. And they happened in 2001 and 2003, as my friends know, and those were the tax reductions, the appropriate tax reductions on the American people, capital gains, dividends, tax reductions, and a decrease in income tax for the vast majority of Americans. What that did, as it did under President Reagan and as it did under President Kennedy, what that did was to stimulate the economy in a way that resulted in the numbers that we have seen.

And so our good friends on the other side of the aisle would do well to study history. They would do well to study history. They would do well to learn from history as they try to formulate their budget and make certain that they appreciate, as we do on this side of the aisle, that Washington does not have a revenue problem, it has got a spending problem.

We look forward to working with our good friends on the other side of the aisle in decreasing Washington's spending, solving those difficult challenges that we have, as my good friend from Iowa mentioned just a little bit ago, in the area of Social Security, Medicare and Medicaid, all of those automatic spenders that are comprising more and more of the budget.

I look forward to working with him, I know that my friend from California does, and again I appreciate his leadership and the information that he has been bringing to the floor of the House today and to the American people. Because we are challenged with solving these problems and difficulties that we have as a Nation, we ought to do it together. We are proposing the kind of positive and uplifting messages that I think all America can embrace. I appreciate the time.

Mr. CAMPBELL of California. Thank you, Dr. PRICE.

It is as though the people on the other side, the Democrats, the facts of what is going on in the economy, what is going on in the budget, what tax cuts do, what they do not do, it just does not fit with what they want to do, which is tax more and spend more.

You know, I could put all of you here, keep you in this room where there is no windows, and tell you tomorrow morning that the sun did not rise. Now, you would have no proof that the sun did not rise, but it is very likely that it, in fact, did rise. And the fact that I keep you in this room and do not let you see it does not mean that the sun did not rise.

That is what they are doing. And we are trying to open the windows so people can see, no, you know what, the sun did rise this morning. Tax cuts do stimulate the economy. The budget is moving towards balance. But the problem is spending.

Mr. PRICE of Georgia. Exactly. I appreciate the gentleman's comments because they are absolutely true. That is why I call it Orwellian politics, bumper sticker politics, because just because they say it is so does not make it so. I appreciate your comments. I know we have got some other colleagues who are interested in shedding light and bringing truth and facts to the issues regarding the budget and the economy.

Mr. CAMPBELL of California. Well, we do have other speakers. The next one is from Georgia (Mr. WESTMORELAND).

Mr. WESTMORELAND. Mr. Speaker, before I begin my remarks, I would like to call on my fellow Members to keep the gentleman from Georgia, Congressman CHARLIE NORWOOD, in your thoughts and prayers. As many of you know, CHARLIE has suffered from cancer for some time and has fought valiantly, just as he did when he recovered from a lung transplant several years ago.

Today CHARLIE announced that he is going to decline further treatment and return home to Augusta, Georgia, where he will receive hospice care in his home. CHARLIE NORWOOD has served the people his entire life. He has served his Nation as a soldier in Vietnam. He served Augusta, Georgia, but also as a dedicated father to his children, and a husband to his loving wife Gloria.

Since 1995, he has ably and some would say tenaciously represented the people of eastern, northern Georgia, but his service and his wisdom has benefited us all. To me he is not just a great Georgian and a great American, he is a great friend. He served as a mentor to me and to many others in this House. And I know that everyone, Mr. Speaker, here has CHARLIE and Gloria in their thoughts and prayers.

He said today that he is turning it over to the Lord's hands, and I know that he can be in no better place than that. I look forward to working with CHARLIE again. I look forward to him getting back.

Mr. Speaker, it is appropriate that we are talking about the budget and the economy here today, because CHARLIE was a great champion, is a great champion, for the taxpayers of this country, fighting for smaller government, less spending and lower taxes.

In these hallowed halls we hear the word "compassion" when we are talking about spending other people's money, when we are talking about disbursing the hard-earned tax dollars of American workers.

Mr. Speaker, we talk about how important this spending is, how much it is going to help people. Certainly there is no end to the good and well-meaning projects that we could fund. We all want well and qualified students to have the resources they need to go to college. We all want to find an answer to cover the 47 million people who do not have health insurance. We all want to see the benefits that come from new roads, expanded public transportation, infrastructure improvements and economic development projects. We all scrape and fight to ensure that our constituents get their fair share of the Federal pie.

But as we consider the massive spending obligations that our government faces in coming years, everyone in this House, Republican and Democrat, liberal, moderate, conservative, can agree that we cannot stay on our present course.

Mr. Speaker, as the baby-boomers near retirement, we will soon face a scenario where there will not be enough workers to support the entitlement spending slated for Medicare and Social Security. We have talked often in recent years about the funding shortfall that Social Security faces. We know that Social Security will run out of money in less than 50 years.

Perhaps we have focused on Social Security because it seems to be the more manageable problem. As dire as the Social Security situation is, our shortfall in the Medicare program is eight times larger. That should concern not just Members of Congress, but all Americans.

The Medicare shortfall will affect not just retirees and those retiring in the next 10 years, it also is of concern to the younger generations. How will they pay for their parents' health care and long-term care without the guarantees of Medicare?

Mr. Speaker, how would their generation afford a pay-as-you-go system for their parents' generation when there are only two workers supporting every retiree? And finally they must ask themselves, will Medicare be there for me when it is my time to retire?

These are serious questions that demand serious answers. That is why I think we need to refine what we consider compassionate in this House. I would argue that it is compassionate for us to do a much better job of making tough decisions on spending in today's Congress to save programs not only for present generations, but for the future generations of Americans.

Quite frankly, to maintain current benefits after the baby-boomers retire would require crippling levels of taxation that would grind our economy to a halt and put all of our Federal programs at risk. In our effort to be compassionate today, we are spending tomorrow's money. At our present rate we are going to leave future generations with nothing but IOUs.

The best thing that we can do to save Medicare and Social Security for future generations is to reduce the growth of the programs and maintain the growing economy that allows us to sustain tax revenues and keep these important entitlements afloat.

The tax cuts of the past 6 years have served this purpose. I think the gentleman from California and the gentleman from Iowa have explained that very well. Last year the Federal Treasury took in more money than it ever has before, because our tax policies have allowed Americans to keep more of their money, and they have allowed U.S. businesses to flourish and expand despite the strain caused by the technology bubble, the tragedy of September 11, and the cost of the war on terror.

Mr. Speaker, the tax cuts boost the economy. In order to preserve the tax cuts, we have to reduce our spending. Certainly we have to cut back on earmarks and local projects, and I certainly hope we heed President Bush's call to cut the number of earmarks in half.

But that is not going to be enough. We must curtail the growth of entitlement spending, or else cuts elsewhere in the budget will never offset those exploding costs. We have to fund our national priorities, but we must be more selective in what we consider priorities.

□ 1745

We took an important step last year when we saved $40 billion in the Deficit Reduction Act. That legislation required courageous leadership, and we are going to need more of that kind of leadership in the future.

So to sum it up, the tax cuts boost the economy. A strong economy fills Federal coffers, and tax revenues allow us to fund programs important to all Americans so long as we learn to live within our means.

I would like to thank the gentleman from California for leading this important discussion. In his time here in the House, he has proven to be a leader on these issues, and I appreciate his experience as a CPA, as a businessman, and one who has furnished jobs and helped this economy grow. I appreciate this time he has yielded me.

Mr. CAMPBELL of California. I thank very much the gentleman from Georgia for his remarks, with which I can fully associate. But there are people who have been in Congress less time than I have, and one of them will be our next speaker here, Mr. DAVIS, the gentleman from Tennessee. I would like you to yield time to Mr. DAVIS from Tennessee, one of our freshmen.

Mr. DAVID DAVIS of Tennessee. Thank you, Mr. CAMPBELL. Thank you for your leadership and bringing this important debate.

And thank you, Mr. Speaker, for allowing me to rise. One of my favorite people in Washington all through history was President Ronald Reagan. Most of us know that the anniversary of his birth was just this week; 96 years ago President Reagan was born. And he once said, we don't have a $1 trillion debt because we haven't taxed enough. We have a $1 trillion debt because we spend too much. And I think that is important for this Congress to understand. I think that is a commonsense approach that the people of America can understand. It is about spending. It is not about taxing. We overspend, we don't overtax. I think that is very important.

As a matter of fact, if we continue on the pace that we have today, our revenues are outpacing us, and we continue to do that, we have our revenues outpace our spending over the next 5 years, President Bush's budget will be balanced by the year 2012, and we can do that without raising taxes. Now, to me, that is an exciting prospect to be able to balance the budget without raising taxes. And we do that at the same time maintaining the successful pro-business economic policies that we put in place. I think that is very important. And it is not just Republicans saying that. It is the Congressional Budget Office. It has actually given us data to support the data that we have in front of us. Just last week, the CBO supported the fact that tax cuts of 2003 helped boost the Federal revenues by 68 percent. Cut taxes, bring in more revenue, allow people across America and from the First District of Tennessee to keep more money in their pockets. As they do that, they spend it back in their districts. It circulates through the economy. It helps the Federal Government. You do it by keeping taxes low, not overtaxing. And we need to do that at the same time we keep fiscal restraint in place. Our economy has actually grown through 21 straight quarters. That is a good thing. We don't want to go back on that. We want to make sure that we stand strong, keep our tax cuts in place, keep our economy humming along and see that we could go from 21 straight quarters to 22 to 23 to 24.

In the period between 2004 and 2006, Federal tax revenues rose by the largest margin in 40 years. You do it by keeping taxes low, not by raising them.

Another exciting fact about our economy, the deficit has been cut in half 2 years ahead of schedule. And we did it by keeping taxes low. I think that is what the people of northeast Tennessee, good commonsense, hardworking people, want to have happen. Keep our taxes low. Let us keep the money in our district. Let us provide for our families. And as we do that, the economy will grow. As the economy grows, we take care of the Federal Government.

I think we need to look at government much like we look at a family sitting around a family table back in east Tennessee. People do have tight budgets. Unlike the Federal Government, though, people back in east Tennessee have to make tough decisions. When they have a tough budget, they can't say, well, I will just go out and raise my taxes and have somebody send me some more money so I can spend more. What they do in east Tennessee and across America is they have to make decisions about, well, I can't spend as much as I used to. And if we continue to do the right things, they will have that money back home.

The President, once again, in his budget is calling for making the 2001 and the 2003 tax relief provisions permanent. The administration projects total revenue growth to grow 5.4 percent per year if we keep those tax cuts in place.

Tax cuts are critical to maintaining our present healthy economy. We simply have a choice. We have a choice of a bigger economy or bigger government. That is the choice we have. And I certainly hope that my colleagues here on the House floor will understand how important it is to allow people back home to keep more of their money and keep government small and allow families to take care of themselves.

To reach the goal of a balanced budget, we need to hold the line on spending. We need to reduce earmarks. And I think we need to pass line item vetoes to crack down on worthless pork barrel spending. I don't think the Congress has done a good enough job on that.

I know there was a bill passed just last week and said there was no earmarks. Well, reading through the data, I am from east Tennessee, and I didn't realize we had a rainforest in Iowa. That is interesting for me to know. I didn't study that back in school in east Tennessee. Maybe someone else can explain that to me when they get up to speak. But that is an earmark that was in the resolution that passed last week.

We are being disingenuous with the American people. And the American people are smart. They will catch on to what is going on. They will not be fooled.

Another thing that I heard before I came over, I was sitting in my office, and I heard the other side speaking. And they talked about the Medicare cuts and what we are doing to health care. The reality is, under President Bush's budget, Medicare will grow 5.6 percent. Now, back in east Tennessee, that is not a cut. That is a growth of 5.6 percent in Medicare. So please, do not be fooled. Do not be fooled. There is not a rainforest in Iowa, and Medicare is not being cut.

I think if people continue to use common sense, they will support the Congress. They want the Congress to do the right thing. It goes right back to what Ronald Reagan said. We don't have a $1 trillion debt because we haven't taxed enough. We have a $1 trillion debt because we spend too much. And I ask my colleagues to make sure we don't spend too much in this Congress. Thank you for allowing me to take part.

Mr. CAMPBELL of California. I thank the gentleman from Tennessee. And, you know, we don't have a rainforest in Iowa right now. But if the budget passed by the Democrats in this House, when was it, last week, were to become law, then we will have a rainforest in Iowa, and it will be built with $50 million of your money. That is you people watching. It will be tax money taken from you to pay to build a rainforest in Iowa.

Now, Democrats have only been in charge for a little longer than 30 days, and already they have made it easier to raise taxes. They raise taxes on domestic oil and gas producers. I mean, I totally don't get that when here we are trying to become less reliant on foreign oil, and we have gas prices where they are, and they are going to tax domestic oil and gas producers. And, of course, when they tax them, they spend the money on an entirely new program, and then on top of that then they pass this budget which allows this rainforest in Iowa to go through and spends another $10 billion, which increases the deficit not reduces it.

But I don't need to explain any of this to our next speaker, the gentlelady from Tennessee (Mrs. BLACKBURN). I would like to yield to the gentlelady from Tennessee.

Mrs. BLACKBURN. Mr. Speaker, how pleased I am to join the gentleman from California and my Republican Study Committee colleagues in this special order hour. As we talk about the budget and we really begin to focus on some of the components in this budget, you know, I think that many of my Republican Study Committee colleagues are interested in digging into this document, and their constituents are well served by that, like the gentleman from Tennessee talking about his First District constituents who are logging on to his Web site, who are looking at this budget. And certainly we want to direct people to the Republican Study Committee Web site. Here it is: RSC@mail.house.gov. We will be happy to point out some of the fallacies.

Our colleagues across the aisle like to talk about fiscal responsibility, but then they don't practice it. They don't practice what they preach. And we have appropriately dubbed the work that the Democrats are doing as the "Hold on to your wallet Congress" because they are definitely coming to a pocket near you. And they want more of your money. That is one thing that you can basically take that IOU to the bank. They are going to try to cash it in. It is in the form of your hardearned dollars. So RSC@mail.house.gov. We invite everybody to work with us through this process. We want to be certain that we have your ideas. And we know, as the gentleman from Tennessee was saying, as Ronald Reagan, so many times has said, government doesn't have a revenue problem. It has a spending problem. Government never gets enough of your money. You know, one of the things that I have repeatedly done in my town hall meetings is to say, how much is enough? How much is enough for government to tax? What is the ceiling? When are they going to say, we have got it, we are flush with money? We all know that, and I will yield to the gentleman for comment.

Mr. CAMPBELL of California. As you say, one of the great differences between us and them, we talked about it being your money, their money, the People's money, the taxpayers' money. Your money, watching on television, they talk about it like it is their money, like it is the government's money.

Mrs. BLACKBURN. If the gentleman will yield, that is an excellent point, because every dollar we spend is not ours. It is not the government's. It is the taxpayers'. And this is a government of, by and for the people. It is not a government of the government.

And our friends across the aisle, through the New Deal, through the great society, putting all of these programs that sound good, that really answered a lot of questions and needs, you know, they put these in place, and then it grows and grows and grows. And then you have a big, big bureaucracy, and the bureaucracy becomes unresponsive. And the constituents want accountability with that.

I had at one point said, you know, it reminded me very much of The Little Shop of Horrors, that stage play that we have all seen. And the plant grows and grows and grows, and then finally it says, feed me more, Seymour, and it envelops everything because that is what the government is saying to the American taxpayer, feed me more.

We have an expert who is with us on so many of our family budget matters, our Republican Study Committee, RSC, chairman, Mr. HENSARLING of Texas, and I will yield to the gentleman from Texas.

Mr. HENSARLING. Well, I thank the gentlelady for yielding, and I want to thank her for all the great communications work that she does for the conservative caucus in Congress, the Republican Study Committee. Thank the gentleman from California, our Budget and Spending Task Force chairman for the excellent work he does in helping bring this debate to the American people. And you know, the gentlelady is so right. This debate really reduces down to a very fundamental issue. Do you want more government and less opportunity, or do you want more opportunity and less government?

People in this institution need to remember that every time they vote for more money for some government program, they are taking money away from some family program.

In many respects, Mr. Speaker, this isn't a debate about how much we are going to spend on health care or how much we are going to spend on education. It is a debate about who is going to do the spending. Republicans want families to do the spending. We want small businesses to do the spending. And yet, our friends on the other side of the aisle, the Democrats, they want government to do more of the spending.

Now, as I am fond of saying, people are entitled to their own opinions, but they are not entitled to their own facts. As a member of the Budget Committee, I just came from a hearing earlier this morning on our annual budget that was quite instructive. We heard accusations of massive tax cuts.

Well, it is kind of interesting, because when you look at the record, when we have provided tax relief to the American people, guess what? We have ended up with more tax revenue. We have the greatest amount of tax revenue that we have ever had in the history of the United States of America. And in 2004, after the pro-growth tax relief, tax receipts were up 5.5 percent. Well, how did that add to the deficit, Mr. Speaker?

In 2005, tax receipts were up 14.5 percent. Well, how did that add to the deficit? In 2006, 11.8 percent. And now in the first quarter of the first quarter of 2007, they are up approximately 7.2 percent.

Now I am not here to tell you that every time you engage in tax relief, you get more tax revenues, but, guess what? Facts don't lie.

You are entitled to your opinion. You are not entitled to your own facts. When you allow small businesses and American families to keep more of what they earn so that they can save and invest and create more jobs, guess what? They go out and do it. So that is myth number one that somehow by allowing American people to keep more of what they have earned, that somehow that is adding to the deficit.

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The deficit has dropped. The American people are not overtaxed. Government spends too much.

Now, we have another myth in the debate that I heard in the Budget Committee this morning, and that is talk about all the massive budget cuts. Well, Mr. Speaker, people have to be very careful. I took the liberty of looking up the word "cut" in Webster's dictionary. It means to reduce. Ninety percent of the time somebody in Washington talks about cutting a budget, what they mean is that the budget isn't growing quite as fast as I want it to grow, and so, therefore, that is a cut. I mean, that is like somebody's child coming up to him and saying, Dad, I would like an extra dollar a week in allowance. And you say, Well, you know what? Maybe you deserve an increase in your allowance, Daughter. I will give you 75 cents. And they say, Gee, Dad, that is a 25 percent cut. I wanted a dollar extra a week, and you are only giving me 75 cents. Well, the point is you are getting 75 cents more.

So we are going to hear the usual misleading rhetoric about all these budget cuts. But guess what? Since President Bush came into office, and I know we will hear about this one, total antipoverty spending is up 41 percent, one of the most dramatic increases in the history of America. That is assuming that you think that somehow government is ultimately going to solve this problem. And if you look at almost every major budget area and don't just look at what has happened under the Bush administration, as long as Republicans have been in control of Congress, look for the last 10 years, you can see energy up almost 200 percent; education spending, elementary and secondary education, 100 percent. So, again, you are entitled to your own opinions, but you are not entitled to your own facts. That simply does not equate into a cut.

So we will have increased debates as we go through and talk about this budget. But what is most exciting is that because of the economic progrowth tax relief provided by a Republican Congress, we have over 7 million people who now have paychecks who used to not have paychecks. We have one of the highest levels of homeownership in the history of America. We have the highest stock market we have had in a long time. And these people want to raise taxes on the American people.

Mr. GARRETT of New Jersey. Mr. Speaker, will the gentleman yield?

Mr. HENSARLING. I would be happy to yield.

Mr. GARRETT of New Jersey. Mr. Speaker, I appreciate those latter points. And it gets to the question of people who hear our discussions of why is this all-important to me? Over the last several days, as we have begun to look at the President's budget as he submitted it to Congress, we have heard from the experts, we have heard the debates, we have heard the speeches, we have heard talk of the CBO, the OMB, dynamic scoring, static scoring, a whole list of other acronyms and technicalities and the like. But you have to really at some point in time step back from all the Byzantine makeup that Congress is when it comes to a budget and say is there some sort of common principle that we can base all this on that underpins this almost $3 trillion endeavor that we are all engaged in?

For all the complexities of this process, the fact of the matter is that what we are doing is nothing different than what every family in America has to do every day of their lives. They have to look at the amount of money that they expect to have and get over the next 12 months and decide what are their priorities, where are they going to spend it, how are they going to spend it. Now, there are some differences, of course. I guess there are three of them between what we are doing and what the average family budget is. First of all, it is on the scale. We are doing things here on a mammoth scale compared to the average homeowner.

Years ago there used to be a $1,000 bill. I don't think there is a $1,000 bill anymore. I think they did away with that. But if you took a $1,000 bill and you stacked them up, you would need 1,000 of those $1,000 bills just to get up to $1 billion; and then if you had that stack of $1,000 bills, you would need 1,000 of those stacks to get up to $1 trillion. And we are looking at a $3 trillion budget. So we are looking here at a size that is different.

Also, families realize that their family budget has a finite amount of money that they deal with, whereas we look at it slightly differently because we know we can always borrow and spend and print more money.

And, finally, one other major difference in what we do here than the family budget is that we are spending other people's money. So many times people come down to the floor and say we have to be compassionate for this program or that, but we have to realize at the end of the day it is not our money we are taking out of the pocket. It is the American taxpayers' dollars that are coming out of the pocket to pay for these programs. So that is where the difference is.

But at the end of the day, it is all the same in the sense that we have to live within the boundaries, just like a family should. At least that is what the American taxpayer is looking at and asking us why we don't. Why don't we live within a confined budget like they do? And why don't we go one step further, as many families do? Just as many families save for their children's education for the future, why can't we get to the point of actually having a balanced budget where we can set aside some dollars for the future generations?

Now, I, like my colleague from Texas who just spoke, also serve on the Budget Committee. And I have to be honest with you that what we have heard there from the other side of the aisle is that they are laying the groundwork, from their comments at least, to do two things, to attack the budget on the point of taxing and spending. They are laying this groundwork on spending saying that we are not spending enough and on the side of the taxes that we are not taxing enough.

And on that latter point I will just close on this point. The budget cuts that this Congress, Republican Congress, has done in the past have been progressive budget cuts. That means it helps the average-income family more than anybody else. And I get the static information not from the CBO or these other experts. I get this information from nobody else but the New York Times. And they have looked at the budget cuts that we have done, and they proved the point for us; that if you are making less than $50,000, that you saw the percent change in your average tax bill by a 48 percent reduction. So the lowest incomes under the progressive tax cuts help the lowest-income people the most. If you are making between $50,000 and $100,000, a 21 percent reduction; $100,000 to $200,000, a 17 percent reduction; $200,000 to $500,000, it flows into a 10 percent reduction. So you see the trend.

What we have done in the past is help the average taxpayer in the State of New Jersey around $200,000. What we must do now is make those tax cuts permanent and do as a family budget, live within our means.

Mr. CAMPBELL of California. I thank the gentleman from New Jersey. Wow, what a shock. The other side says they are tax cuts for the rich, and they are not, unless making under $50,000 makes you rich.

Now if we can go to the other side of the country, I yield to a great defender of taxpayers and taxpayers' rights, Mr. JEFF FLAKE, the gentleman from Arizona.

Mr. FLAKE. Mr. Speaker, I thank the gentleman for yielding and putting together this Special Order. And I just have a minute, but I would like to submit a statement for the RECORD and to point out how important it is.

I am glad so many are making the distinction between tax relief and spending, overall government spending. You simply can't assume that spending money on a teapot museum ought to be treated the same as leaving money in people's pockets. You simply can't equate them the same. You can't score them the same. Whenever we have tax relief, we have increased revenue. As the gentleman from Texas correctly pointed out, those are the facts, and it has happened again and again and again.

So I am glad that so many are saying that tonight, and, again, I will submit a statement for the RECORD.

I applaud the President's commitment to balancing the budget by 2012 without raising taxes. I also support the attention given to cutting entitlement growth. Mandatory entitlement spending eats up 50 percent of the almost $3 trillion budget and is growing at an alarming rate.

However, I am concerned that Members will erode these savings by proposing to increase entitlement programs and, in order to adhere to the new PAYGO rules, claim that the increases will be offset by eliminating some of the important tax relief Congress has passed over the last 5 years.

This rationale assumes that a tax cut is simply a straight-out loss of revenue for the Federal Government. This is why it is extremely important to consider how tax cuts have actually affected revenues over the last couple of years.

For example, the Joint Committee on Taxation estimated that the cost of the 2003 and 2004 tax cuts would equal $296 billion in lost revenues for fiscal years 2003 to 2005.

However, tax revenues actually finished fiscal year 2005 at $124 billion above the adjusted baseline, meaning that 42 percent of the projected revenue loss had been recouped. That number still continues to grow each year.

It is irresponsible to assume that by eliminating tax relief the government will see an increase in revenues. I believe the opposite is true.

We must take into account the increased capital that tax relief produces, which translates into more investments and savings, more jobs, and, ultimately, more income tax revenues.

This is why I will soon reintroduce my bill to require the CBO and Joint Committee on Taxation to include dynamic scores in their analysis of all revenue bills, and encourage my colleagues to cosponsor it.

We cannot continue to make policy decisions based on predictions that simply do not take into consideration fundamental economic principles that have been proven time and again.

Mr. CAMPBELL of California. Mr. Speaker, I thank the gentleman from Arizona.

And now from the great desert Southwest to the South, I yield to Dr. GINGREY, the gentleman from Georgia.

Mr. GINGREY. Mr. Speaker, I thank the gentleman from California for yielding.

And I want to take just a second to join my colleagues from Georgia and particularly the two that are on the floor tonight, Dr. PRICE and Representative WESTMORELAND, in saying to our colleague CHARLIE NORWOOD that we are praying for you, buddy. All of us from Georgia, but every Member of this body on both sides of the aisle are praying that the miracle of God's healing will deliver you back to us soon, and we think about you constantly.

Mr. Speaker, this hour is a great opportunity for us to discuss the budget. And I had an opportunity this morning to be on the C–SPAN program, and the host said to me, Congressman, are you aware of the fact that one of the Members of the other body has recommended that maybe we need something called a war tax to pay for our Operations Iraqi and Enduring Freedom? And I said to the host, I know that has probably been done in the history of this country. Maybe it was necessary to fund a previous war. But the thing about this President and this administration is because of these economic principles of cutting taxes and growing revenue, fortunately, Mr. Speaker, we have been able to do this without raising the people's taxes. And I certainly commend President Bush for that foresight and wisdom and the former majority party as we supported those tax cuts when it was predicted that it would cost the economy over a 10-year period something like $1.3 trillion.

So what I would like to say to my friends on the other side of the aisle in particular as I wrap up quickly, and I know time is limited, on the defense budget, please, please do not cut future combat systems. Don't cut our missile defense system to pay for some social programs when the defense of this Nation is so important at this time of war.

With that, I really appreciate my colleague giving me the opportunity to weigh in tonight.

Mr. CAMPBELL of California. Mr. Speaker, I thank the gentleman from Georgia. And I would just like to say to everyone who is watching and listening, you have been listening for the last hour to members of the Republican Study Committee. You will be hearing a lot from us because we want to watch out for your money and your interests, not the government and the government's interests.

To close things I would like to yield to another new Member of Congress, the gentleman from Ohio (Mr. JORDAN).

Mr. JORDAN of Ohio. Mr. Speaker, I thank the gentleman from California for yielding.

I just want to follow up on the gentleman from Georgia's comments. He is exactly right about the defense portion of this budget. It is critical at this time with the terror threat that we face that we do what is right by the defense budget. In 1945, 38 percent of gross domestic product was spent on the defense. Today it is 3.8 percent at a time, as I said earlier, where we have terrorists around the world who want to do our families and our country harm.

Normally when we talk about budgets, and folks have pointed this out, we get focused on the numbers, on the data, on the policy, and I think all too often we forget about the people, the families out there who are impacted by our decision. And I am hopeful over the next few weeks that we really focus on the impact our decisions are going to have on families and taxpayers and business owners.

I am reminded of a story of a constituent of ours a few years ago who wanted to meet with our U.S. Senator. And our constituent is a successful businessman in the manufacturing sector, and we were discussing the whole issue of trade and competing with China and India. And we sat down with our United States Senator, and our constituent took the piece that they make, and he had taped to that piece two pennies, and he took that manufactured piece of steel and he slid it across the table to our Senator, and he said, Senator, those two pennies, those 2 cents, represent our labor costs in that piece. He said, we can compete with anybody on labor. We are so efficient, our processes, our systems. What we do in our business, we are so good at it, we can compete with anybody. He says, what makes it tough for us to compete is the things you guys do, and he pointed right to our Senator.

It is the things the politicians do. It is the high taxes. It is the high regulation. It is the ridiculous spending we have heard others talk about here over the last hour. Those are the things that make it tough on the families and taxpayers of this great country to compete; to start their business; to go after their goals, their dreams; to pursue those things that have meaning and significance to them as a family.

And I am hopeful, as we proceed on this debate over the next weeks, several months, that we will remember the business owners and the families out there who are making it and doing the things that make this country the greatest Nation in the world.

I appreciate the time we have had here. I appreciate the gentleman from California and this opportunity to share with the American people.

HEALTH CARE

The SPEAKER pro tempore (Mr. HILL). Under the Speaker's announced policy of January 18, 2007, the gentleman from New Jersey (Mr. PALLONE) is recognized for 60 minutes.

Mr. PALLONE. Mr. Speaker, this evening I am joined by some of my colleagues who are new Members, and we are going to talk about the President's health care proposals and also what he articulated both in his State of the Union Address, and more recently last Monday when he gave us his budget message.

And my concern, as always, is that President Bush has prioritized, or says he wants to prioritize, health care as an issue and particularly deal with the problem of the uninsured. And we certainly recognize that under his watch as President for the last 6 or 7 years that the problem of the uninsured has grown greater in this country. There are more uninsured than ever. But at the same time the proposals that the President puts forward, in particular the amount of money that has been allocated in his budget for some of these health care needs, does not go along, essentially, with the rhetoric that he has been using, saying that he wants to cover the uninsured and prioritize the concerns of the uninsured.

And, again, I always say my effort is not to chastise the President. I appreciate the fact that President Bush is prioritizing health care and talking about it, because he has the bully pulpit, and to the extent that he is out there talking about health care, it gives us an opportunity in the Congress to address the issue.

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But it is unfortunate that the proposals in the budget that he proposes do not really go along with any kind of concerted effort that would be meaningful to address those health care concerns, and particularly the problems of the uninsured.

Before I begin, I wanted to yield to my colleague from Colorado. I know he and I were both watching the debate by our Republican colleagues in the last hour. I know he would like to address some of those concerns.

I yield to the gentleman from Colorado.

Mr. PERLMUTTER. Mr. Speaker, I thank my friend, Congressman PALLONE.

We did have a chance to hear our friends from the Republican side of the aisle. They talked about how they could manage the budget, how this President's budget was great and good for America. But last November, the people of this country cut through the smoke and mirrors of the Republican budgets, and they asked for and voted for a change in direction of this country.

Let's just start with where this Republican President and the Republican Congress left off last fall when we had the elections. Under George Bush, under this presidency, we have had another $3.9 trillion added to the debt of this country. The debt on each one of us now is about $29,000 per person and rising every day under this White House and the Republican Congress. There was nowhere near a balanced budget at any time over the last few years, just continuing to dig us deeper and deeper and deeper into debt.

The people of this country saw it. They didn't want anymore of that, because they understand that, right now, because of that debt that has been incurred over the last few years, the interest that we pay on our debt now dwarfs what we spend on education, veterans' benefits and homeland security, to just name a few, because we are spending so much, because we borrowed so much. The President and White House has proposed a budget where we continue to borrow and spend and drive our country farther and farther into debt.

They talked about how they could manage the budget so much better. My friends here know they didn't even finish the budget. We had to take a mess that was left over by the Republican Congress and really the White House where they didn't finish their business. We had to deal with it last week to try to get our budget in order.

The Democratic Congress really is changing the way business is being done here in our Nation's Capital because we are addressing budget problems. And we are going to show that we really do believe in making health care a priority and not just giving lip service to it.

So I would like to yield back to Mr. PALLONE or to our friend, Representative CASTOR, for their comments, and then I would like to talk about how the President's health care budget affects the people in Colorado, my fair State.

Mr. PALLONE. Mr. Speaker, I appreciate the gentleman's comments. This does directly relate to the health care debate, because if you are in a State where your deficit continues to climb, as we face now under the years of the Republican majority, it is very difficult to address any unmet needs, whether it be health care or whatever, because of the deficit and the constant having to pay back on the debt.

I wanted to say something about what you mentioned in response to our Republican colleagues. I have been here a long time, almost 20 years now, I am in my 19th year. When I first started in 1988, the Democrats were in the majority.

There were a group of Republicans who used to come down every night doing special orders, just like we are, and they would have the pages bring this huge digital clock that literally was the whole length of the well, from this chart over to where my colleague from Colorado is, and there would be two or three pages that would bring this big digital clock down. They would go on and rail about the deficit and the deficit was going up so much a day. This literally went on for like 6 years while I was down here, from when I first started in 1988 until 1994.

In 1994, the Republicans took the majority under Newt Gingrich. The digital clock disappeared, and all we heard were constant spending and going deeper into debt, and nobody in the Republican Party ever mentioned the deficit again as it continued to climb in those years, and particularly now under President Bush. For the life of me, I don't understand where this whole traditional Republican philosophy, which was to care how you spent the money and you didn't want to go into debt, just disappeared from their ideology.

In fact, I have to say, in the last campaign, because you mentioned it, President Clinton was actually at an event that I attended in New Jersey, and I am not sure I can repeat exactly what he said. But essentially he said that he watched the Republican party under their congressional majority in the 12 years or so that they were in the majority go from this party of principles that was worried about not getting involved in wars that were not in the interest of the United States, worrying about the debt and spending money, to a party that just abandoned all these ideals.

He actually said, right now, the Democrats cover both the left and right ideologically, because we are still concerned about the problems of the average person in that we want to cover people who don't have health insurance. We want to make sure people can afford to send their kids to college. But at the same time, we have covered the area where we don't want to get involved in foreign wars or foreign entanglements that are not in our interest. And, most importantly, we are the ones most worried about the debt and trying to make sure we are not spending a lot of money.

Now, all of a sudden, we are in the majority, and they are starting to talk about the deficit that they have grown so much in the last 12 years. It is unbelievable.

When you talk about the health care debate, this goes to the heart of it, because the bottom line is, if you want to expand and deal with the problem of the uninsured, some of them are people that are not going to be able to afford to buy their own health insurance. If you don't have any money because you just keep racking up this huge debt, you are not going to be able to cover the people. So it directly relates.

I just wanted to give these statistics about where we have been in the last few years. If you look at this, the point I have been trying to make is under the President's watch for the last 6 or 7 years, not only have the number of uninsured gone up, but the cost of health care and health insurance keeps rising. Therefore, it has just become unaffordable for a lot of Americans.

This chart says that workers are now paying an average of $1,094 more in annual health care premiums for their families than they did in the year 2000. You can see the problem with the affordability of health care.

Then the next chart has the number of uninsured in 2001, 41.2 million, and the number of uninsured in 2006, 47 million. One million more Americans become uninsured each year under the President's watch.

The chart over there, I will leave to the gentleman to explain.

Mr. PERLMUTTER. Our chart in this instance shows the number of uninsured now exceeds the cumulative population of 24 States plus the District of Columbia, so all of those States that are in red and the District of Columbia, we have more people who don't have insurance. Under the budgets that have been proposed by the President and have been passed or just sort of glossed over by the prior Congresses, we have seen an assist to the wealthiest people in this country, while at the same time the people in the middle, the hardworking people of this country, have found themselves finding it harder and harder to make ends meet and have health insurance for themselves and their families.

Mr. PALLONE. Just briefly, I want to yield to the gentlewoman, and I have my colleague from the Virgin Islands here, too. The problem with what the President has proposed, both in the State of the Union and the budget message on Monday, there are really two major ways to cover more of these uninsured. One is, you do something with the employer-based system, which is traditionally the way most people get their insurance, on the job, so it is easier for employers to provide health insurance and for their employees to contribute to it.

The other, of course, is to build on existing Federal programs, whether it be Medicaid or Medicare or SCHIP, the program for kids, to expand eligibility and make it so more people can sign up for them.

The problem that I wanted to point out tonight, and we will get into it more, is that between the State of the Union address and the budget message.

what the President has proposed totally really does nothing to affect either of those areas. He is basically talking about taxing employer-sponsored benefits, group plans, if they are a good plan, and sending people into the individual market with some kind of a tax break. Generally speaking, that is not very helpful because it is going to penalize the people who have a good employer-sponsored plan and at the same time push people into the individual market where they probably cannot afford to buy a good policy. Then with the budget message on Monday, we got all these cuts in Medicaid, SCHIP, the government programs that we would like to see expanded to cover more of the uninsured.

So, between the two, he is addressing the problem but coming with proposals that, in my opinion, actually make it worse.

I yield now to the gentlewoman from Florida. I am glad she is with us tonight.

Ms. CASTOR. I thank my colleague from New Jersey, who has been such a leader for the American people for access to better health care. He is absolutely right, that the President's actions don't match his words. I have also been combing through the Presidential budget proposal. One of my hometown newspapers said that the Presidential budget should begin with these words: "Once upon a time," as in a fairy tale. I am a mom with two young daughters at home. We do a lot of reading at night and try to get the homework done. We will do reading of fairy tales. This, what the White House has sent over, is a political fairy tale. Unfortunately, it is going to hurt a lot of folks. It is going to hurt a lot of our constituents back home. I thought we could explain that a little bit.

Oftentimes we talk in such technical terms in government. When we talk of Medicaid and people say Medicaid, sometimes they get Medicaid and Medicare mixed up.

Medicaid, these are pregnant women, infants, children in families earning about $25,000 a year, foster kids, medically needy adults, a lot of our senior citizens in nursing homes. So when you hear there are Medicaid cuts, I would like us to really put a face on that and say they are going after the most vulnerable in this country, infants, poor kids, foster kids and seniors in nursing homes.

Also the budget sent over from the White House will hurt our seniors. The White House proposes to cut Medicare. Now, I am from Florida, and a lot of folks retire down to Florida. They have worked hard all their lives, and this is really one of the only benefits that we can give them, in addition to Social Security. So what the White House budget is proposing to do is ask them to pay even more. They are asking our hardworking doctors to take a cut as well.

What that does in my community in Tampa Bay is it discourages the best doctors from participating in Medicare. You see, I want my seniors to have the best medical care. I want them to see the best doctors, and I want those good doctors to stay in the Medicare system.

This would also hurt our children, our kids back home. My colleague from New Jersey knows this very well, that under the State Children's Health Insurance Program, we have a lot of needs. The States, our local communities, the Feds, we have been doing a pretty good job. But, do you know what? We can do a whole lot better. We must do a lot better.

So it was very disappointing to receive this budget from the White House that says: Do you know what? Even though we are making such progress, and we have such tremendous needs in this country for children to be able to go in and see a doctor, get their immunizations, get some advice on how to take care of themselves, they say we are not going to do that.

Their priorities are out of whack. Instead, I think it is a blatant political statement that we are going to continue these tax cuts for the wealthiest among us, and we are going to sock it to the most vulnerable, our seniors and our kids.

Mr. PALLONE. Mr. Speaker, I appreciate the gentlewoman's remarks. You brought it home. It is hard sometimes to talk about the budget. The budget at the Federal level is a very complex thing. But we have to give an explanation, I think, about what the President's proposal is doing, which is really the opposite. It is not going to make it easier to cover the uninsured, it is going to make it more difficult.

I now yield to the gentlewoman from the Virgin Islands, who is a physician and who has been very active in the whole health care issue for a number of years here in the Congress, particularly on the whole health care disparities issue, which is another thing that we haven't really talked about so much in this Congress, but has to be addressed.

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I thank my colleague for yielding, and I want to thank Congressman PALLONE for his leadership on health care for a number of years. And we are really happy that you are going to be chairing the Health Subcommittee, and we look forward to addressing all these issues with you.

But certainly, as you were saying, as we look at how we can expand access to health care and bring more Americans under coverage, we can't start by cutting what has been the backbone of health care, Medicare and Medicaid, SCHIP. Those need to be really strengthened.

As we look at the President's budget, which is very disappointing and one fairy tale that is not going to end, "and they lived happily ever after," because the cuts that we are seeing are leaving our seniors, our disabled, and our children and pregnant women who are about to bring children into the world without the access to the kind of health care that they need.

Beyond that, as we look at health disparities for people of color, African Americans, Latino Americans, Native Americans, Asian Pacific Islanders, there is nothing in the budget that addresses the gaps in health care for these populations. And certainly, if we are ever going to reduce the skyrocketing cost of health care, we need to focus on prevention and comprehensive systems of care that help people to stay healthy. And we also have to look at the social determinants of health care. You can't live in rundown housing and polluted neighborhoods and be healthy. So we have a lot of things to address.

And going beyond the cuts that you have already talked about in Medicare and Medicaid and SCHIP, there are so many other areas that are being cut as well that further undermines what we need to do to provide good quality comprehensive health care for people in this country. Some of them, funding for training: In the President's budget, again, nursing training is cut $88 million; the National Health Service Corps is cut; health profession training programs that bring some of the underrepresented minorities to serve our increasingly diverse population are cut $135 million, and it has already been cut in 2006; $143 million for children's vaccines is cut, vaccines, one of the bulwarks of prevention in this country; mental health programs cut $159 million; rural health cut $143 million.

So instead of helping, and you rightly point out that the proposal, the only proposal that we have heard with respect to health care in this country, the President's proposal and tax credits does more to harm the system than help the system. And then, in addition to that, undermining the safety net of Medicaid, Medicare, and SCHIP, as well as cutting some of the programs that provide the services that would be there to keep people healthy.

So this budget is a terrible budget. I know that we are under very, very tight fiscal constraints with huge unprecedented deficits, huge debts, but somehow the people are counting on us to improve health care in this country. And improving health care in this country really improves productivity. It keeps our country strong, and it is a matter of national security. And the health of our people is the health of our Nation, and we have to find a way to restore these cuts in the budget and close the gaps in health care, expand access to more Americans; and in doing so, we really will be helping our country.

Mr. PALLONE. I appreciate the gentlewoman's comments, and I know how much you have worked on this issue and, in particular, the disparities issues. I could go on, too, with some of these things. We have worked a lot on health care for American Indians and the Indian Health Service. Now, there is a slight increase for the Indian Health Service, but he took out the whole urban Indian issue. And we find a lot of American Indians now gravitating toward urban areas, and he just cut out the whole program for them.

I want to yield to some of the other Members. But if we could just, because it is hard to explain this whole thing with the President's tax initiatives, but I think we should spend a little time on it. In his State of the Union Address, what he basically said is that, for the people who are in employer-sponsored health insurance, which still most Americans get their health insurance that way, a lot of them either through their union or individually with their employers have bargained, if you will, to have a very good health care package that is comprehensive; and what basically he is saying is, if it is too good, I will call it the Cadillac proposal, then we are going to tax you because you don't need such great health coverage. And then, at the same time, whatever money we are going to save on that, we are going to use by giving a tax break for those who go and try to buy insurance through the individual market. But the problem with that is, you know, the individual market is very volatile, very insecure, no guarantee that you can even buy a policy. So most of these people that are uninsured are not in a position to buy a policy in the individual market. So even if they get a break, it is probably not going to mean that much to them that they would actually be able to buy a good policy. So why would you sacrifice people who have a good policy and tax them to pay for people to go into the individual market, which is one that you may not be able to even get into anyway because it is expensive or there are all kinds of problems with eligibility. So that is the biggest concern. I don't know if anybody wants to talk about that, but that is why I think his proposal for employer sponsored care just makes no sense. If anybody wants to address that, otherwise, I will yield to you, and you talk about whatever you would like. The gentleman from Wisconsin.

Mr. KAGEN. I thank you for yielding and thank you for putting on this opportunity, making it possible for some of us to express not just our views but the views of the people back home that we represent.

Mr. PALLONE. I should mention that you are a physician as well.

Mr. KAGEN. But I don't want you to hold it against me. And I won't hold it against Mrs. CHRISTENSEN that you have "M.D." behind your name.

But if you ask around the Chamber and ask around back home, everyone that I know understands that how you spend your money and where you spend your money is a reflection of your values. And the current administration has shown us where their values are, and they are not with people. They are not really helping us to provide care to millions of people, 48 million, who don't have access to affordable health care, in this country.

His State of the Union was very uplifting. He should be commended for bringing up the subject of providing access to health care for everyone. But his policy, as we talked about last week, raises taxes and offers no hope of lowering the cost of health care for insurance costs or prescription drug costs. And, more recently, with his 2,500 page budget, which I haven't finished all the fine print yet, he has shown us his values once again.

The first thing he did was to cut benefits to veterans and make it much more difficult for veterans to get the well-deserved benefits that they have earned and that they deserve.

What did he do? He is asking for $3.4 billion to come from veterans who have already earned their benefits, but now they have to kick it in. They are going to have to pay for their benefits that they have already earned. There are increasing copayments for veterans in their budget. I don't know where he is coming from on this, but he can't be coming from Wisconsin.

Mr. PERLMUTTER. My friend from Wisconsin is so right on this subject. It really is, where are your values? They are reflected in a budget. Now, as I said earlier, they didn't pass a budget last year. But last week, we passed a budget, and we wanted to show this country how much veterans mean to this country. And instead of cutting benefits, we raise benefits for our veterans.

We are changing the direction of this Nation because we know what the values of this Nation are, and they aren't reflected in the President's budget. They weren't reflected by the Republican's failure to deal with a budget last year. But they were reflected in what we did last week in taking a budget that hadn't been dealt with by the prior Congress and showing the world, showing this country, showing your State, my district, that we care about our veterans. And in this budget that the President has given to us for next year, again, this President has cut veterans benefits and medical benefits over the next 5 years.

I would like to yield back to my friend from Wisconsin.

Mr. PALLONE. If you could just yield to me for a second. I really appreciate you bringing this up because I think it is so much on point. And I know there is a lot of confusion.

We have a fiscal year that goes from October to October. Last year, when the Republicans were in the majority, they didn't deal with the budget at all. They literally left at the end of the session in their lame duck in December and said, we can't pass the budget, we can't deal with the appropriations, so we are going to go home, and we will leave it to the next Congress. So literally last week, we had to adopt the budget of the appropriations of the previous year that had already began October 1st, and it was level funding. In other words, it was basically a continuing resolution that didn't add any money and used the previous year's budget as a baseline. And even with that, we were able to increase money for veterans' health, for Ryan White, which deals with HIV, for global AIDS, for the National Institutes of Health. The emphasis and the priority was on trying to provide more money for health care even as we were cutting other things, and we did that.

The reality is that President Bush's budget that we got this week, which is for next year, because the last year's budget has not been passed in the Senate and gone to his desk yet, didn't even take into consideration, and in many of the cases, those health care items that he put in this budget are less than what we adopted in that continuing resolution.

So here we are trying to make everything right, and we are not getting any help either from the Republicans last year when they were in the majority or now from the President and the Republicans on the other side. And for them to even come down here tonight and talk about the budget or the deficit is absurd given their record.

I yield back.

Mr. KAGEN. Thank you very much, Congressman PALLONE. And what Congressman PERLMUTTER says is true. Really, let's ask the right question. A lot of times in your career, being an attorney, you have to ask the right question to get the truth out of somebody. So what kind of Nation are we, and in which direction shall we move? Are we a Nation that values and treasures those who have served in harm's way in our military? I think we are. Are we a Nation that values the health and education of our children and the mothers that care for them? I think that we are. And that is really where Democrats differ from our opposition party. I really believe that our core values resonate with everyone, not just in Wisconsin where I come from but everywhere, in Florida as well.

I yield to Congresswoman CASTOR.

Ms. CASTOR. We talked earlier about how the White House budget proposal we received this week is a fairy tale, but its impact on our veterans really is a nightmare. The State of Florida where I am from, we have the second highest number of veterans in the country, and in my district, I have the busiest VA center in the country.

the James Haley Center, which saw over 1.5 million vets last year. That is more than the population of the State of Kansas we saw at the Haley Center in Tampa.

The Haley Center is specialized for current Iraq war vets injured, coming back, that are suffering the IED blasts, spinal cord injuries, brain injuries. And in Florida, out of all the VA medical centers, Haley, the busiest, we have gone now over the past 10 years from 2 million visits to over 5 million visits. And how can we say this is a reflection of values? How can we say we are going to step back from that responsibility? How can the White House send us a budget that steps back, at a time where they are escalating the war in Iraq, they are going to deescalate the commitment to our veterans? I don't think so.

In this Democratic Congress, we are going to take a new direction. There is new leadership in Washington, DC. And I am proud to be joined by some of the new Members, my colleagues, tonight, and also join with the efforts of leaders like my colleague from New Jersey. And I yield back.

Mr. PALLONE. I appreciate your comments. And I really think it is important that we keep stressing how we want to prioritize these health care needs, and there are so many, whether it is veterans or children or whatever it is.

I just want to give you a couple statistics. And I know it gets so bureaucratic to say, what is he doing up here with these statistics?

□ 1845

When we talk about the uninsured, the biggest groups still are the kids, and the gentlewoman from the Virgin Islands knows how much over the years what this SCHIP or kid care program, that we have tried to prioritize that, send the money back to the States, use their help to try to insure a lot of these kids.

I just use my State, but you could use any State. In my State right now for this SCHIP or kid care program, we have more kids that are eligible, meaning that they could theoretically sign up, or their parents could sign up, for this program than are currently enrolled, even though the program has been around for a while, and that is true in almost every State.

What we were hoping was that the President, in saying he wanted to deal with the uninsured, and knowing that the biggest group of uninsured is children, believe it or not, that he would simply provide funding to at least enroll those kids that are not enrolled who are currently eligible for the program. I am not even talking about expanding eligibility to kids who would not be eligible right now.

We got some statistics because we had a hearing with the Secretary of Health and Human Services earlier this week, and the number of children, if you want to just enroll those who are currently eligible, we figure it would take about $12- to $14 billion over 5 years to keep up with medical inflation to prevent current enrolled children from losing their coverage. I am talking about the ones that are now in the SCHIP program, $12- to $14 billion over 5 years just to make sure that they are still funded, those that are in it, and then at least another $35- to $45 billion over 5 years to reach eligible but uninsured children. These are the ones that could enroll, but they just have not for some reason. Their parents do not know about the program, the application is difficult, who knows.

So you are talking about what, maybe $60 billion over the next 5 years if you want to keep, to keep those that are in the program and expand it to those who are eligible, and we are not even talking about expanding eligibility.

He comes in, the President, in his budget with $5 billion. That would not even allow us to keep up with the kids that are currently in the program. These are not kids that are really poor and the parents are not working. These are working parents. I think the eligibility is up to like $38,000 for a family of four. They are working, but they cannot get health insurance on the job. We went into that before, and so they try to tap into this Federal program.

Well, the Secretary said, well, we think $5 billion is enough, and if it is not, well, then the States will have to take care of it. You know, the States are not in a position, I mean, they already have a hard enough time coming up with the money under the current match without having to go beyond that. So I just use that as an example.

The SCHIP, the kids health care program, is for those kids whose parents are working and who are making a little more money and are not eligible for Medicaid, which is for kids that are actually at the poverty level, like less than $20,000 for a family of four.

Mr. PERLMUTTER. Would the gentleman yield? I think the gentlewoman from Virgin Islands has something to say on this, too, but a couple of things.

In Colorado, on the point you are talking about, the SCHIP for kids, we have 176,000 kids who are at risk in this instance, and based on the President's budget, we cannot keep up with them. We cannot continue to provide them with the care that they deserve.

And as some of you know, I have a daughter with a chronic illness, and luckily, through my law firm, we had a good insurance program for all the trips to the emergency room and the different things like that. So we see on the one hand poorer kids, uninsured kids that are at risk, they are not going to be served, and under this President's budget, as you were saying, those of us who were fortunate enough to have a good insurance policy for kids with chronic illnesses or whatever might affect us, we are going to be taxed on this.

The President has said this budget, and some of his people have said this is a balanced budget with no new taxes over a 5-year period. Well, it is not a balanced budget, and there are new taxes on a lot of people, as you said, who have contracted for, worked for good insurance policies, and at the same time he says we are going to help the underinsured and the uninsured. What we see under the budget, it gets cut as well.

Mrs. CHRISTENSEN. I go back to the day that we were sworn in and our Speaker saying that this was going to be a Congress that was dedicated to our children, and certainly, as everybody has pointed out, this budget that the President has sent out is just going in the opposite direction.

I would say, too, that in the Virgin Islands we do not get full SCHIP, we do not get full Medicare, and therefore, a lot of the services that even, meanwhile limited in the States, you take for granted, we are not even able to provide to our residents. Our veterans as well have to travel to Puerto Rico for their veterans care, and the cuts will cut deeply into their ability to travel to Puerto Rico to get the care that they need.

So, having just laid to rest two soldiers in the Virgin Islands, we are very sensitive to this issue, and we really have to sit down and work on this budget and ensure that our children, our veterans, our seniors receive the kind of health care that they need and deserve, and that we put that investment also to close the gaps in health care for people in our rural communities and people of color in this country.

Mr. PALLONE. I appreciate the gentlewoman's comments.

I just wanted to mention one more thing. The President in his budget message highlighted this SCHIP program, this kid care program, saying they are going to get another $5 billion, which, as I said, is not enough to keep up with the kids currently in the program.

But at the same time the Medicaid program, which deals with those who really are in poverty and whose parents probably are not working because they are disabled or whatever their situation is, covers even more kids than the SCHIP, because SCHIP was put in place to try to supplement Medicaid.

So I asked this question of the Secretary. I did not even get a response, because in the President's budget Medicaid, which covers 23 million children, SCHIP only covers 6.6-. So Medicaid covers 23-, SCHIP covers 6.6-. They herald the fact that they are giving $5 billion in extra dollars to SCHIP which does not even keep up with inflation, but in the same time over the 5 years, they cut Federal funding for Medicaid by $25.7 billion, and Medicaid covers, what did we say, five times as many kids and five times the cut. So we are not even talking about the poor kids here. He is just saying, well, forget them. I mean, I am not even addressing the problem of the poor kids and what happens to them.

I yield to the gentleman.

Mr. KAGEN. Well, the question then comes up, it is not just about values; it is about choices. So, if we are not going to be spending our hard-earned tax dollars for the good health of children, children who are in need, where are we going to spend that money? Where does the budget choose to spend it? Not here in our country, but in the sands of Iraq.

And I would suggest to you and everyone listening that we really cannot solve our health care problems, we really cannot solve many of the problems we are facing until we begin to bring an end to that involvement in that civil war in Iraq. I do not think any day should go by that we do not all stand up and ask the question where do you want to spend your hard-earned money, here at home or in the sands of Iraq?

You are quite correct; the budget the President has proposed is deficient, is neglectful to those who are most at risk, the children in poverty, and if you are not healthy, if you are not well fed, you cannot go to school and learn anything. If you do not get your education, you are not going to build a better future that we all require.

Mr. PALLONE. Can I just ask you, because I know you are a physician, when we talk about some of these programs like Medicaid, SCHIP, Medicare, and I know the gentlewoman from Florida brought it up. I know it is hard a lot of times when you are on the floor and you talk about doctors and they are not getting enough money for Medicare. They will say the doctors are all making a lot of money; why are you bringing that up?

The reality is we are getting to a crisis now where many physicians simply will not accept payment from some of these programs because the reimbursement rate has gotten so low.

Now, you mentioned Medicare, because that is the big one for seniors and the disabled, and how a lot of doctors now are not even looking to take Medicare, but when you talk about Medicaid, which I mentioned before, that has gotten to the point of no return.

Could I yield to you? Do doctors even take Medicaid in Wisconsin anymore?

Mr. KAGEN. Yes, they do. We go into medicine, most of us, because we care about people. We seek to solve problems for people.

The model at our clinic was how can we help you today. So we take people, and we take all people, but the real question is this: Is Medicare able to pay for the cost of producing the service at an institution? They do not. So that cost is shifted to others who can afford to pay, and those prices are sky high.

So many of the problems that we face, government has not really had its feet put to the fire saying, you know, you should pay for the cost of producing the service, at least for the overhead plus a margin of profit; you should pay for the entire cost of producing a medication or a vaccine, or it will not be there.

There are two ways to get rid of anything. Let us take cigarettes as the example. If you want to get rid of cigarettes, tax the heck out of it or do not pay for it. It will be gone. The same is true in health care. If you do not pay for the service, the institution at the hospital, it cannot stand. It cannot balance its budgets.

Most hospitals that I am familiar with in Wisconsin are running margins of profit anywhere from 3 to 5 percent, if they are profitable. So it is very difficult to make it.

But to summarize Medicare, it is over 40,000 pages of rules and regulations. I do not know that there is anyone that fully understands it, and just think of it as a mess, and it does need to be repaired. But I think the more important point is institutions, hospitals, research centers, educational facilities are not being compensated, and the people that will suffer are those yet to become aged, because we are not really adequately funding higher education for the physicians' training and their fellowships and the nurses' positions.

So there are a lot of problem to go after. I will not put you to sleep with the data.

Mr. PALLONE. Well, the one thing that I keep hearing, of course, with the hospitals is their ability to care for what they call uncompensated care. One of the things that the President proposed both in the State of the Union and his budget was to take money from the hospitals that get what they call disproportionate share, DSH. I hate to use these acronyms because it gets so bureaucratic, but your hospitals that have a disproportionate share of people that do not have health insurance, the uncompensated care.

Over the years, we have provided more funding for those hospitals through Medicare and other Federal programs so that they can cover the uninsured. Again, the President says we will give the States more money by cutting the payments to these disproportionate share hospitals.

In my home State of New Jersey, I mean, that is absurd. We have State legislators and the Governor now that are talking about trying to provide some kind of comprehensive health insurance so nobody in New Jersey goes without health insurance. The only way to do that is if the Federal Government provides some additional help in some of the ways we discussed tonight, but if you start cutting back on the funding that is going to these hospitals that cover all these uninsured people, it is like robbing Peter to pay Paul, I guess is the expression. It just does not work.

So I yield to the gentleman.

Mr. KAGEN. It does not have to be that way. With the money we have already spent in Iraq, we could immunize every human on Earth with every vaccine that we know about for the next 95 years. We could have sent 14 million children, our children, to a college education. We could have built over 100, maybe 150, hospitals in each and every State in the Union. There is a lot we could be doing with the money we are spending overseas in Iraq, and it is all about values, and it is all about choices, and we are really getting to a tipping point, I believe, not just in our economy, but people feel it in their gut that we are headed in the wrong direction still, even though the difference makers, the three of us that just got the opportunity to serve here in Congress, have arrived.

Ms. CASTOR. You all are absolutely right. It is very difficult to understand why the White House wants to sock it to our safety net hospitals. Have you all been to the emergency room lately, tried to get in? The long lines? People are ending up in our emergency rooms for their primary care because they have the flu. They are clogging the emergency rooms.

I was a county commissioner before I was elected to Congress, and the brave men and women in fire rescue said they would transport to the emergency room. It would be so busy and so full, they would have to stay with the emergency patient in the EMS truck for hours because the emergency room was clogged.

We have a crisis in this country, and it is inexplicable that the Bush administration would say by administrative rule and through this budget that has been sent to the Congress this week that we are going to cut money to those hospitals that provide the charity care in our country.

□ 1900

In my district, in the Tampa Bay area, the impact on Tampa General Hospital, which is a level one trauma center, $64 million. The great All Children's Hospital across the bay in Saint Petersburg, $31 million; the great St. Joseph's Hospital, another $20 million.

I would like to go back to SCHIP and also talk about the real-world, children's health insurance, because a few months ago, I ran into a friend of mine from high school, haven't seen her since I graduated 20-something years ago, and I saw her at a children's health insurance discussion.

She told me her story. Her name is Nan Dorton, and she lives in Tampa. She is married and has three kids. Her husband went through a tough time, and he lost his job, so they lost their health insurance. They didn't know what to do. It was very, very tough times. They didn't know about children's health insurance in Florida called KidCare or Healthy Kids, because the State has cut back under Governor Jeb Bush and the Republican legislature and they don't do any more outreach, so it is hard to find out about it.

Fortunately, he got a job. They were provided with health insurance through the employer. But you know how much it costs for that family to have the kids covered, $700 a month. She said it was hard to choose whether to put food on the table or take the kids to the doctor and sign them up for health insurance. She said, you live in constant fear of your child having to go to the hospital.

But then she found out about children's health insurance and KidCare, and signed them up. She said it revolutionized their lives because under these health services, they pay a $20-per-month copayment for all three kids, and they don't have any copays for hospital visits or prescriptions. You know how much money that is saving us because they are not showing up in the emergency room, which is passed on to all of us in our health insurance? That is going to save us because that family is healthier today, and we are going to save that money later on down the road.

Mr. PALLONE. You are absolutely right. I appreciate the fact that you talk about how, by covering kids or even adults, you save money in the emergency room or in hospitalization or whatever it is. But also, you mentioned the outreach, because I talked earlier about how you have more kids that are eligible for this children's health care program than are even in it. The reason is because a lot of States have cut back on outreach, so they don't tell people that they can apply. They don't even know about it. Some States may even be doing it on purpose because they want to save money in the short run. So that is why we talk about reauthorizing this and expanding it. You even need money for the outreach, which is clearly not in the budget.

I yield to the gentleman from Colorado.

Mr. PERLMUTTER. I thank my friend from New Jersey. Just for me, this past election was, the people wanted a new direction. They wanted checks and balances back in this country. They wanted a different perspective to be brought to the values of this Nation. As my friend from Wisconsin and my friend from New Jersey, my friend from Florida said, this budget that the President has presented reflects his values, but I don't think it reflects the values of this country.

Just as we did last week with the concurrent, with the continuing resolution, with the budget that we passed last week, we are going to reflect what I believe are the values of this country, whether it is with veterans. And I just notice, in the President's proposed budget, he is increasing medical care fees for military retirees. The budget increases enrollment fees and deductibles under TRICARE. I can tell you, as I have gone around, my area, Golden, Colorado, Brighton, Aurora, wherever it might be in the suburbs of Denver, those military retirees are already complaining about increases in TRICARE and cuts in benefits that come with respect to that, that we haven't fulfilled the promises that we have made for the great service that we have received from these men and women in our Armed Services.

Now, you know, what are our troops in Afghanistan and Iraq to expect? We are going to provide them with the best care and the best service that we can. And we have got to show prior military retirees that same respect. We have got to do it for our troops now. I question the President's budget on these things. We are going to change the direction of this Nation. We are going to show what our values are, and they are the values of the people of this country. I am glad to be here, to be a check and balance on this current administration.

Mr. PALLONE. I appreciate the gentleman's comments.

I yield to the gentleman from Wisconsin again.

Mr. KAGEN. Would my colleague agree with me that we will never cut and run from our veterans?

Mr. PERLMUTTER. Absolutely, I will agree. We are not going to cut and run from our veterans. We are going to fulfill the promises that we have made to them for the services that they provided to our country.

Mr. KAGEN. Would my colleague agree that we will support the troops, but not this failed policy?

Mr. PERLMUTTER. Your colleague would agree with that, that our troops are giving us the greatest service, the greatest sacrifices, and they deserve better policies from those who are leading them, particularly, the White House and the administration. Our military is doing great, and we have got to live up to that greatness that they are providing.

Mr. KAGEN. One of the things that I learned by listening to people on the campaign trail, perhaps the greatest lesson, came from a Native American, an outspoken woman, Gwenn Carr, who said, Dr. KAGEN, it is not doctors that determine who lives and who dies, it is politicians. It is politicians that take us to war based on lies and deception. It is politicians that prevent people from having access to affordable health care that they require.

I will share with you a story of Jerry Gajeske. Jerry Gajeske I discovered by knocking on his door. It was not even on his door. It was in Waupaca, Wisconsin, with a college student who 2 days earlier in a dialysis center fainted because of the blood that was available for the eye to see.

We were at the door, and I knocked, a gentleman came and said, ha, are you a real doctor? I said, yes, sir, I am, but I am running for Congress now. He said, well, if you are a real doctor, would you take a look at my cousin?

I said, sure. Because there were barking dogs, I asked him to come out on the porch. While he went out to retrieve his cousin, I turned to my assistant, I said, Katie, are you going to be okay with this because you don't know what this is going to be. "Doc, what could it be"?

Well, his cousin came to the door and stepped out into the sunlight and had an obvious tumor protruding like a softball at the side of his sinus pushing his eye into the orbit. I said, sir, I can tell you it is not an allergy because I am an allergist, but what did your doctor say? He said, well, I saw my doctor several months ago. I could afford him, but I couldn't afford the tests. The tests were going to cost thousands of dollars. But I had lost my job. I had no coverage. I didn't get the tests. I have been hanging out here. I have 75 bucks to my name hanging out here with my cousin.

Well, I said, that ends right now.

I took him to the local hospital and asked one of my colleagues to see him. We referred him to a tertiary care center. Several weeks ago, he died of a cancer of the sinus.

It is not bad enough that you have to find these people knocking on doors, trying to get elected to office to change things. It is not bad enough that he died without any money or by getting care delayed.

To me, the bad thing was he died of the same cancer that my golden retriever did. But my golden retriever got better health care than Jerry in this country at this time. Jerry didn't make it.

We will never know if by being seen early and diagnosed early, having the availability of the tests, the radiation, the chemotherapy, if he would not be here today. Don't think that it was opportunistic for me to tell this story, he didn't even live in my district.

Jerry is like many, many other people today, who have just fallen off the edge into the crack of the sidewalk; is not being forgotten. Our party, this time, will change health care, not State by State, but across the country and guarantee access to care for everyone.

I will share with you this story that I tell often about Jenny, a single mother of two asthmatic children, who came to see me, and I wrote some prescriptions for the children to get medicine for their asthma. They were missing school.

When she returned a month later, the children were still sick. I said, Jenny, you know, this is good medicine but it only works if you put it in their mouth. She took the same prescriptions out of her purse and said, here they are. I went to the pharmacy, I stood at the counter, and I could see the medicine, but I couldn't afford to put it in their mouth. What are you going to do? I said, well, I am going to run for Congress because I couldn't help her in the office.

I think, by working together, we can build a better future and a better Nation for everyone by changing our health care system now, not later.

Mr. PALLONE. I appreciate your comments, because I know, as a physician and someone so caring, that you really understand how these problems relate to individuals.

I also appreciate the fact that you brought up the issue of priorities, because when we spend so much on the war in Iraq, as you say, we don't have the money, and the gentleman from Colorado talked about the deficit. The fact of the matter is that the President and the Republicans built up this deficit for so long, and now it makes it more difficult for us to find the funds to pay to cover the uninsured in the same way that we are spending all this money in Iraq, and it means that we don't have the money left.

If I could just conclude, because I know we are running out of time, I do appreciate the fact that, in his State of the Union Address and also in the budget message, that the President was prioritizing health care and pointing out that we have a big problem with the uninsured.

But unless the solutions and the money are there to lead us down the path of covering the uninsured or lowering health care costs, then it is not going to be good enough to just say that is a problem.

I think, as you say, when we talk about going in a new direction, it means that the Democrats and the Democratic majority are determined to not only highlight that these problems exist and that we need to cover the uninsured to reduce cost, but to come up with solutions that practically are going to make a difference. That is why I am so happy that not only are you both here tonight speaking, but just that you are here, because all the new Members and particularly the new Democratic Members, I think, are going to make it possible to address these problems in a practical way.

I would conclude, again, by thanking both of you and everyone who joined us tonight, because we are moving in a new direction, and it is going to make a difference. Thank you.

FREE BORDER PATROL AGENTS IGNACIO RAMOS AND JOSE COMPEAN

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from California (Mr. BILBRAY) is recognized for 60 minutes.

Mr. BILBRAY. Mr. Speaker, tonight I am privileged to yield to the second best surfer in Congress, Mr. DANA ROHRABACHER of the great State of California, and I yield to him whatever time he may consume.

Mr. ROHRABACHER. Mr. Speaker, today we discuss a black mark on this administration, a vile crime against two law enforcement officers whose job has been protecting our families and communities and keeping control of America's borders. This sad episode started back on February 17, 2005, just another routine day for Border Patrol agents Ignacio Ramos and Jose Compean. Both were Border Patrol veterans with unblemished service records. Agent Ramos, in fact, had been nominated for Border Patrol Agent of the Year.

As they did their rounds that day 2 years ago, a trip sensor at the border was discovered, and Agent Compean then discovered footprints and drag marks, a usual indication of a drug load being smuggled across the river. He then spotted a vehicle and radioed the description and then followed the suspect. The suspect realized he had been made and turned around to rush back towards Mexico.

Agent Ramos then spotted the van driving at a high rate of speed. After the driver ignored all commands to pull over, of course, Ramos gave chase.

By the way, according to the prosecuting attorney, pursuing fleeing suspects without a supervisor's permission is against Border Patrol policy.

This, in and of itself, is an insane policy. The drug smuggler who they were pursuing abandoned his vehicle and fled toward Mexico on foot but was intercepted by Agent Compean. Once again, ignoring several commands by Agent Compean to stop, a physical altercation ensued with Compean ending up in a ditch.

While seeing his opportunity, the smuggler then ran toward the border, which was nearby. According to Agent Compean's sworn testimony, while running, the suspect turned and pointed with something shiny in his left hand. Believing his life was in danger, Agent Compean opened fire. Hearing gunshots, Agent Ramos came to his side, and he, too, shouted for the smuggler to stop.

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But instead of obeying his command, the illegal drug smuggler once again turned as he ran and again pointed something shiny at the officers. Ramos, believing it to be a weapon, fired one shot. After disappearing into the banks of the Rio Grande, the smuggler reappeared on the Mexican side where he jumped into a waiting van. Unbeknownst to the officers, Ramos's bullet may have hit the illegal drug smuggler in the left buttocks.

Minutes after the shooting, seven other agents were on the scene, including two supervisors. When the abandoned van was examined, 743 pounds of marijuana were found. The payload was seized, and one would think congratulations would have been in order. Agent Ramos and Compean are heroes, right? They are responsible for taking off the streets $1 million worth of drugs bound for our communities. Good job fellows, right? Wrong.

At this moment Agents Ramos and Compean, not the illegal drug smuggler, are languishing in a Federal prison serving 11- and 12-year sentences. This is the worst miscarriage of justice that I have seen in my 25 years of public service. It is a nightmare for the two Border Patrol agents and their families, these Border Patrol agents who willingly risk their lives protecting us for 5 and 10 years.

The whole rotten episode turned justice on its head. The book was thrown at our heroes who protect us, while the drug smugglers got immunity. According to the U.S. attorney, Johnny Sutton, a Bush appointee and a longtime friend of the President, Ramos and Compean are not heroes. In fact, he considers those two officers to be criminals, charging them with assault with serious bodily injury, assault with a deadly weapon, discharge of a firearm while committing a crime of violence, which carries, of course, a minimum mandatory sentence of 10 years, and a civil rights violation.

Sutton claims that he had no choice but to prosecute the two Border Patrol agents because, according to Sutton, they broke the law when they violated these procedures concerning the discharge of their weapons at this fleeing suspect.

No. Even if procedures were not followed, Sutton could have granted immunity to the law enforcement officers and thrown the book at the drug smuggler. That was his choice. He chose the side of the drug smuggler and threw the book at the Border Patrol agents. This was an indefensible decision, and now Sutton lies to us and to the American people, suggesting that he did not have a choice, that he had to prosecute.

Well, the facts don't back him up. And what happened after this man got away? After the incident the drug smuggler contacted Renee Sanchez, a childhood friend for advice.

Now, why did she contact Renee Sanchez? Because Renee Sanchez happens to be a current Border Patrol agent in Arizona. And instead of turning in this drug smuggler, turning the drug smuggler over to the authorities for prosecution, this law enforcement officer, Agent Sanchez, he is sworn to uphold the laws of the United States, but he chose to personally intervene on behalf of his childhood friend who was a known mule for the drug cartels.

He was also called as a character witness on the drug smuggler's behalf during the trial. Mr. Sanchez contacted the Department of Homeland Security, who in turn decided to open an investigation into the conduct of Ramos and Compean. What? What? You have got a drug smuggler with 750 pounds of narcotics who is being thwarted from making his delivery, and that he complains that he was shot at, and our Government decides to investigate the law enforcement officers.

Mr. Sutton had every chance to focus his enormous prosecutorial powers on the drug dealer, but he chose to target the law enforcement officers. He chose to turn a procedural violation into a criminal act rather than prosecuting a career drug smuggler.

As part of their investigation, the Department of Homeland Security Office of Inspector General sent a special agent to Mexico to offer the drug smuggler immunity in exchange for testimony against the Border Patrol officers. The smuggler was then brought back to the United States and given free medical care at all taxpayers' expense.

Now, one has to wonder if Mr. Sutton, our U.S. attorney, would have even spent one-tenth of that effort trying to find this criminal himself and track him down in Mexico so that he could be extradited and punished for smuggling narcotics into our country. No. No effort was made to do that. Instead, an expensive Herculean effort was made to try to get the Border Patrol agents.

Now the drug smuggler is being portrayed as a victim because he swears he was not armed. Our government takes the word of this nefarious character over two law enforcement officers. In short, the initial decision to prosecute the two Border Patrol agents instead of the drug smuggler was indefensible. Period.

Sutton's only defense, to cover up this horrendous decision, has been to lie and to demonize the two Border Patrol agents. Well, it just does not jive.

According to that investigative report, Agent Compean's sworn statement, in his sworn statements he repeatedly stated he believed the drug smuggler had a weapon and felt threatened. The Border Patrol training manuals allow for this type of deadly force to be used when an agent fears imminent bodily injury or death. Both of the officers say they saw this drug smuggler turn and point what they believed to be a weapon in their direction while he was running away. The wound created by the bullet corroborates their version of the events.

So we have the prosecutor, even with the direction of the trajectory of the bullet as indicated by the wound, but the prosecutor is ignoring the fact that it backs up the Compean and Ramos position.

During the trial an Army doctor, a prosecution witness I might add, testified that the drug smuggler's body was bladed away from the bullet that struck him. That is consistent with the motion of a left-handed person running away while pointing backwards, causing his body to twist.

Once again, this corroborated Ramos's and Compean's belief that the smuggler had a weapon. And that was a reasonable belief considering the smuggler was transporting over $1 million of drugs that day. And I am sure, of course, drug dealers with $1 million worth of drugs are not armed.

Now, it is important to understand that only three individuals were eyewitnesses to the crucial events of that day, the two accused Border Patrol agents and a self-admitted drug smuggler. Those are the only two people who saw what happened. The other Border Patrol agents who responded to the scene testified under immunity, and quite often contradicting themselves; however, the most important thing when thinking about their testimony is their view of the events was completely obscured by a levee at the road, which is about 12 feet higher than the road on which they stood, and about 8 feet higher from the spot on the other side of the levee where Ramos and Compean stood and where they fired their pistols.

So let me make it very clear what I just said. None of the other agents could possibly have seen what transpired between Ramos and Compean and this drug smuggler, even if they climbed on top of their vehicles. It was physically impossible for them to see. Yet these agents were threatened with prosecution if they did not testify against Ramos and Compean. They agreed to testify. If they agreed, they would be granted immunity. It begs the question why these agents need to be granted immunity if they were not involved in the incident, and this whole thing calls into question what effect that this threat that was held over their head had on the truthfulness of their testimony.

The U.S. attorney's version of what happened that day relies almost exclusively on the testimony of the drug smuggler. Despite the fact that there were seven other agents, including two supervisors on scene within minutes, no report of the shooting was ever filed, even though the Border Patrol regulations require the supervisors to file the report.

Agents are only required to orally notify their supervisors, and Ramos and Compean justifiably believed that their supervisors were totally aware that there was a shooting. They were within about 50 feet or 100 feet of what was going on. So, as a matter of fact, the agents, those agents are prohibited from actually filing a written report, as in INS firearms policy, section 12B, 1G states: Ensure that supervisory personnel or investigative officers are aware that employees involved in a shooting incident shall not be required or allowed to submit a written statement of the circumstances surrounding the incident. All written statements regarding the incident shall be prepared by the local investigative officers and shall be based on an interview of the employee. That is what their regulations state.

Yet U.S. Attorney Johnny Sutton continues to claim that the officers filed a false report to cover up their crime. They are not even permitted to file a report, much less a false report. And they were not asked by their supervisors who heard the shots.

So the supervisors decided not to ask questions about it, probably because had they then officially known about the incident, they would have had to fill out about 5 hours' worth of paperwork. This is about bureaucratic requirements of the people at the border. If one shot is fired, on their own time they end up having to work about 5 hours.

Because it looked like the incident was over, all of them, including the supervisors, decided to just close the book. Was that a good decision? Well, probably not, considering that you have an out-of-control prosecutor trying to find something to prosecute our defenders about.

By no means did their actions rise to the level of criminality, what might be considered an unauthorized discharge of their weapons, because, of course, they could not absolutely prove they knew that the drug dealer had a weapon. Well, if they could not absolutely prove it, then according to the U.S. Attorney, they are guilty of attempted murder.

Again, let me note, the agents thought the drug dealer was aiming something at them. He had just been in a physical altercation with one of the officers. Of course, when it came to the details about that, our U.S. attorney believed the drug dealer, who swears that Compean, for example, in the altercation just fell down.

You know, you would be surprised how many police officers just fall down in the middle of trying to enforce the law when dealing with professional criminals like the ones that Compean and Ramos were dealing with. Just fell down. Yeah.

You believe that, but you do not believe these guys with an unblemished record of 5 and 10 years of protecting the American people. So even though this investigation determined that all seven officers on the scene knew about or heard the shooting, the U.S. attorney granted those officers immunity even though it was their job to report the incident.

But of course they did not think it was an incident, they thought it was closed, the guns went off. They did not want to spend 5 hours filling out paperwork. Well, guess what? It was their job to do it. Actually one of them was actually promoted after all of this.

But the U.S. attorney decided to prosecute the Border Patrol agents, and in doing so, he had to intimidate these supervisors by saying that he was going to charge them and giving them immunity unless they went along with this legal lynching of Ramos and Compean.

□ 1930

If this incident would have been kept in perspective, all seven supervisors and agents who were failing to report a shooting that may or may not have been consistent with regulations governing the discharge of weapons, but just keep this all in perspective, they might have deserved a disciplinary action, maybe a week without pay or some mark on their record; that would have been the end of it. But the penalty for not reporting a shooting is a 5-day suspension. That is the maximum penalty. This was an issue of a procedural violation, not criminality, and there is a serious question about the viability of those procedures which are mandated by the policy. This, of course, flows directly from the insane border policy, and it led directly to this unconscionable situation.

Over 78 Members of Congress have expressed concern, if not outrage, at the troubling aspects of this case. Our repeated attempts for Presidential intervention or even to communicate with the President have been ignored. Our pleas to keep the officers out of jail on bond pending their appeal have been denied. The President could have just had the prosecutor go to the judge and say, please, let these guys stay out at least until their appeal. No, no. It was the opposite. They insisted on the maximum. They wanted their pound of flesh. The maximum penalty, the maximum message to other Border Patrol agents: Don't you dare ever to even think about firing your weapon at the border.

Instead, the President, after we appealed to try to get him to look at this, the President dug in his heels, sent Tony Snow out to chastise us, you know. We were trying to save Ramos and Compean, and then we were told by Tony Snow to take a closer look at the facts.

Well, we have taken a closer look at the facts. We also know what happened. There has been a publicity campaign that has been put out to destroy and demonize Ramos and Compean even as they languish in prison, because the Federal prosecutor knows he is the one who made the mistake. He made the initial decision to grant immunity to the drug dealer, rather than for a procedural mistake by the Border Patrol agents. He made that decision. It is a horrendous decision, and he is trying to cover it up and destroying the lives of these two Border Patrol agents in the process. That is what he has to do. So he has gone on the air waves and lied to the public to discredit these agents.

We found out today, for example, that the Department of Homeland Security lied to Congress trying to cover up for their lies to Congress. What happened is five Members of Congress were briefed. We will hear about this later on tonight from another Member of Congress. They were told that Compean had claimed he was going to go out and shoot a Mexican. Now, here is Compean, Jose Compean, right? These are two Mexican American, proud Hispanics, and they were going to go out and shoot a Mexican. And this is from five or six areas that were just total lies given to Members of Congress looking into this. And then they were questioned, when the Department of Homeland Security investigators were questioned, they said, oh, yes, we have all of this proved in various reports. And so they asked for them, those reports. And today it was just determined that for 4 months the Department of Homeland Security has been lying to Members of Congress because those reports never existed. There was nothing to substantiate the charges, the horrendous charges that were made against Compean and Ramos.

Well, what we hear now is, well, you have got to just forget it because the jury has spoken. That is what Mr. Sutton and the prosecutor want to say. That is the end of it. That is the last word.

Well, let's look at what the jury knew about and whether or not this was a fair trial. The drug dealer we are talking about, in between the time he was shot and all of this was going on, and Ramos and Compean are waiting to be tried, he was caught again, this time with 1,000 pounds of marijuana that he was trying to smuggle into our country. But that information was kept from the jury. That information never made it to the jury.

Now, was that important for the jury to know? The prosecution told the judge that this would in some way jeopardize other prosecutions or investigations, so the jury was kept from that information. And, in fact, that information has been expunged from the record, so we can't get that information. But we know it happened. And they play word games with us to say, well, he really wasn't arrested. He was apprehended. No, this man was caught again with 1,000 pounds of drugs. Do you think the jury should have known that? Would that have been something important for the jury to know when they are deciding on the lives of these two brave Americans? Well, it is something that the jury never knew.

The jury also never knew that the drug dealer, after the bullet fragment was removed from his body, he was taken by an investigator, and the bullet was taken by the investigator and spent the night at the home of this agent.

Well, let me tell you something. You don't take evidence and break the chain of custody of evidence. He took the bullet into his home, and he took this witness into his home. Any lawyer will tell you that this is the type of sloppiness that taints the evidence and disqualifies a prosecution.

It is also significant to mention that of those 12 jurors, three of them later submitted sworn affidavits alleging that they had been misled by the jury foreman into believing that, if the majority of people wanted to vote guilty, they had to also vote guilty, that a hung jury was not going to be allowed by the judge. They felt pressured to vote guilty, and they have since signed affidavits and made statements that they would have changed their vote. They believed these men to be innocent, and some of them actually broke down in tears when they heard that they could have actually saved these men had they stuck to their guns. But they were told that the judge, these are not lawyers, these are simple people; they were told they had to go along with the majority.

And when the judge heard this, and the judge heard that there was evidence, he knew that this evidence had been kept from the jury, he, even after knowing this, denied the request that the two agents be permitted to stay out on bond until their appeal was made.

Well, let's look at this. There is no doubt that Johnny Sutton had a choice. This U.S. attorney decided to prosecute the good guys and gave immunity to the bad guys when he could have done it the other way around. But he chose not to. And now he is engaged in this propaganda campaign against these two men.

Well, the prosecution's only witness of course, the major witness testified that, of course, this drug smuggler was hit in the buttocks, not from the back. And even with that, we hear the U.S. attorney claiming that the essence of this case is these corrupt agents shot an unarmed man in the back. That is what he says.

Well, of course, this was not an unarmed man. You know, we are not talking about a nun or some tourist who happened to stray across the border. This was a professional drug smuggler who works for a drug cartel, a delivery man to deliver vile drugs into our communities to corrupt our children and destroy the lives of our families. These Border Patrol agents were up against this man, not just a man, a criminal of this level. And of course, they didn't, as I just said, they didn't shoot him in the back. One bullet, we think, maybe from the gun of one of these officers, actually shot him in the buttocks, but the medical officer said that he was turned around. So it was like he had something that he was pointing with his hand, which could well have been a gun. So it wasn't in the back. It was in the buttocks, and it confirms what the law enforcement officers were saying.

Now, let me say, remember this, this is really important. There is no way to know that this drug dealer, whether he was armed or not. Mr. Sutton chose to believe the drug dealer, but how do we know he wasn't armed that day? The two agents claimed they said they saw something in his hand. They have to take the word of the drug smuggler. Now, he has been smuggling drugs since he was 14, and his family in an interview said he always was armed. There is no question. He was a member of the drug cartel.

But Mr. Sutton, our U.S. attorney, takes his word over the word of our defenders. He has turned reality on its head. He has sided with a drug smuggler over two men who risk their lives every day to protect us, and now he must destroy them and vilify them in order to protect this horrendous decision that he made to go with the bad guys rather than the good guys.

There is no evidence, for example, that Mr. Sutton claims they were corrupt. The Wall Street Journal printed an editorial saying these are corrupt law enforcement officers. Corrupt. The Wall Street Journal vilified these two men. Of course the Wall Street Journal, of course, has a policy, an editorial policy of an open border policy. But now, to back up their guy, their open borders guy, they vilify these officers with a total falsehood. There has never been a charge of corruption against either one of these two agents. They have never been charged with corruption. They have, in fact, a totally clean work record.

And, yes, Ramos had some family problems a few years ago. And let's make it clear what has happened. Another part of this vilification campaign is that Mr. Sutton, even though he was not permitted to bring this up in the court because it is totally irrelevant, brought up a family problem that Officer Ramos had many years ago. This is a despicable tactic on the part of the U.S. attorney. Indefensible. Except it does illuminate what this U.S. attorney is all about.

The family situation for Mr. Ramos was recognized as an aberration. The fact is, Ramos has been recognized as a solid and respected officer, and this is why he was nominated for Border Patrol agent of the year.

And of course the U.S. attorney says, oh, well, that is not true. He never became Border Patrol agent of the year. That is the type of dishonest communication that calls into question his entire decision-making process. No one has ever claimed he was Border Patrol agent of the year. But he was nominated for that, and that means something.

So our U.S. attorney has found that he is just compelled to vilify these people. So what is the real significance of this case? The U.S. attorney's despicable prosecution of these border agents has put all of our border agents on notice: Any use of force to protect America, to secure our borders, if you do that, use any force, you will go to prison and your life will be destroyed and you will be shown no mercy.

The consequences of the Ramos and Compean case extend far beyond the destruction of these two men and their families. And yes, it is horrible that these families are being driven into destitution. The Compeans have lost their home. Their kids and the family, all their family is shattered. They have no health insurance.

But what are the consequences for us? What does it mean for our families? I will tell you what it means: It means that our southern border is now open, not just to an invading army of illegal immigrants but to drug dealers and to terrorists.

Let's ask ourselves this question: What if that van that they found all the drugs in, what if it turned out to be a dirty bomb that they discovered, a dirty bomb headed towards a major city that would have destroyed the lives of hundreds of thousands if not millions of Americans? Instead of 750 pounds of drugs, which is bad enough, what if it was a dirty bomb? And what if the drug dealer turned out to be a terrorist instead of a Mexican national?

Well, those two men would have been invited to the White House to be congratulated. It is clear there is a larger and a hidden agenda at play here. And Ramos and Compean simply are pawns who got in the way.

Johnny Sutton is a dishonest and overzealous prosecutor who has lied to us about this case. And he is on the wrong side of the law by siding with drug smugglers, letting them go free while he is prosecuting two men for criminal activity when it may just well have been a procedural matter.

His claim of not being able to prosecute the drug smuggler is ludicrous. Both his office and the investigation have no trouble in tracking down the drug smuggler, yet he chose to turn a blind eye to the drug smuggler's offenses. And according to the investigation, there were lots of prints, sets of prints that he could have used on that van. Plus we had agents Ramos and Compean who identified him as the guy who jumped out of that van. They could have prosecuted the drug smuggler. But they chose to prosecute our heroes, our defenders.

Well, did Ramos and Compean make mistakes? Well, maybe they did. Should they have been punished and reprimanded for them? Maybe. Should they have been charged with a crime? Absolutely not. And by doing so, the Justice Department has demoralized our Nation's defenders. And what does that mean to us? That means that our defenders cannot now count on their government to support them even when they are up against a drug smuggler who may very well be armed.

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What does that mean for the rest of us? That means we have absolutely lost control of our border. Border agents are put in a situation on a daily basis that they must make a split-second decision.

By the way, this is the first time Compean has ever used his weapon in the 5 years of service. He is being portrayed as some trigger-happy Border Patrol agent? Well, these agents don't have a second chance when someone aims something at them. So this policy that you can't fire until you are in the sights of a drug smuggler's gun is a death warrant to our defenders. Ironically, Ramos and Compean thought that the drug smuggler was aiming at them. Interestingly, as I say, Compean had never fired his weapon before.

These are the facts. These are the facts that have enraged the public, causing Americans to wonder what in God's name is their government doing? What is their President thinking? How can our President be so mean-spirited and arrogant not to hear the pleas from so many of our citizens, even from Members of Congress, for some type of mercy for Ramos and Compean, who had risked their lives to defend us for so long?

Well, there is a hidden agenda here. That is what this is all about. Very powerful economic interests in this country want cheap labor. They want open borders. They want cheap labor from illegals to come here so they can depress the wages of working Americans.

Well, the out-of-control flow of illegal immigrants is a nightmare to regular Americans, not this one group of elitists. But the policymakers here in Washington and their elite corporate interests are so arrogant and so smug that they do not care about the suffering of the American people. They don't care. These elites don't care that illegal immigrants are shutting down the emergency rooms so if your children in California have a car accident, they will die. They are overcrowding our classrooms so our kids aren't getting the education they deserve. They are driving down wages. And our criminal justice system is breaking down in California. We have American citizens who are being victimized. They are being murdered and raped and robbed by criminal illegal immigrants every day. But these elitists don't care, and our President doesn't seem to care.

The only heroes in this entire immigration mess, the only heroes are the thin green line of the Border Patrol. And the elites now have decided they have to brutally smash two of them in order to warn the others not to get in the way of their open border policy.

The public has every right to be angry about this case, and I join them in this outrage. Let me note that today I received 304,000 petitions that were signed by citizens of this country for the President of the United States asking for pardon. As we know, Officer Ramos was attacked last night or the night before. He was brutally attacked in prison. And this should do nothing but ask for another plea. This man's life is in danger. Compean's life was in danger. We knew that. That is why they should have been out until their appeal is heard.

We are pleading with the President. The American people are asking the President to pay attention. Please pardon these men. Give them a chance. If they are murdered in prison, the President will be held accountable. The President is accountable of the fact that Ramos was beaten up.

This case shows the insanity of this administration's border policy and perhaps the hidden agenda of this border policy. No guest worker program, no amnesty program is going to be feasible if we cannot control our borders. If this country cannot stop an illegal alien drug smuggler, this country has no border controls whatsoever.

And let me end my comments by this following statement: Our job is to watch out for the interests of the people of the United States. The people of the United States and many of these illegals who stream across our border are wonderful people. The vast majority are wonderful people. But we have to be concerned about the interests of our people who are suffering because of this out-of-control illegal immigration flow.

United States, who is it? It is us, U.S. Who are we? We are Mexican American people just like Ramos and Compean. We are Irish Americans. We are black Americans. We are people who came here from every corner of the world. And if we don't have a consideration for Americans over and above what we care about people in other countries, then we will not have an America that our Founding Fathers dreamed about. We are losing our country. And if we lose control of the southern border, the terrorists and the drug dealers and the invading armies of illegals will make it so that within a short period of time, maybe 10 years from now, maybe 20, we will have lost America.

The American people are crying out in a rage. The President should listen. The President has to listen.

Mr. BILBRAY. Mr. Speaker, I appreciate the gentleman from California.

And at this time, Mr. Speaker, I would like to yield to the gentleman from the great State of North Carolina (Mr. JONES).

Mr. JONES of North Carolina. Mr. BILBRAY, I want to thank you very much for yielding. You will soon be the leading the Immigration Caucus here in Washington, D.C., that is involved with many Members from both parties and who are concerned about the future of this great Nation.

To my friend Mr. ROHRABACHER, I want to thank him for his passionate feelings tonight. The American people had to feel that.

I want to say to you, Mr. BILBRAY and Mr. ROHRABACHER, that we have for the last 7 months, a large number of us, have been fighting for these two border agents.

I am not going to try to repeat anything that has been said. I want to be short in my time because of the limited time that is left tonight. But I want to say that, as Mr. ROHRABACHER articulated every aspect of this case, there is nothing I could add to it except this: We have written, at least myself alone, four letters to the President of the United States going back to August 21 of 2006. We have a letter today, which will be the fifth letter. Many of these letters by me personally have been signed by at least 30 to 40 Members of Congress. Mr. ROHRABACHER had one back in December signed by 50 Members. And I want to join him very briefly. Why will this administration not listen to the truth?

And I am not going to try to articulate anything that has already been said, but these men are heroes in this country. I don't know how these Hispanic Americans, and that is what they are, a great part of America, Hispanic Americans, Compean and Ramos, how their families could believe in America tonight, with their loved ones who tried to fight drug traffickers in this country. Their husbands tonight, Ramos and Compean, are in the Federal prisons. And as was said by Mr. ROHRABACHER, Mr. Ramos last Saturday night was beaten up by Mexican nationals.

I close my brief comments tonight by saying to the President of the United States, please listen to the Members of Congress. But more important than the Members of Congress, listen to the American people. For the last 8 months they have been calling talk shows throughout this great Nation and saying to the President of the United States please pardon these men.

And when I heard Tony Snow answer the question a month ago and said that this is nonsensical, Mr. Snow, wake up yourself. Awaken the President to what has happened. These men deserve to be heroes, not to be crucified by this government.

If we believe in justice, Mr. President, and I hope and believe that you do believe in justice, then soon, in the next few days, you will grant a pardon to these two men.

And with that, Mr. Speaker, I want to thank my friend for this brief time. And that is all I needed was this brief time.

Mr. BILBRAY. I appreciate the gentleman from North Carolina.

And at this time I yield to the gentleman from the Volunteer State, the great State of Tennessee, Chattanooga's favorite son, Congressman WAMP.

Mr. WAMP. Mr. Speaker, I appreciate the gentleman's yielding to me.

I came to the Capitol tonight to actually take the eighth-graders from Silverdale Baptist Church on a Capitol tour here, which I am going to do downstairs in a few minutes. But this is a very important issue that really strikes to the heart of what our priorities are in this country today.

My responsibilities here in Washington and in this Congress are, as the ranking member of the Appropriations Committee, charged with resourcing the legislative branch. We ask Capitol Police officers and the Sergeant at Arms personnel to stand in harm's way on our behalf. I have got to tell you all across the country we are asking men and women of all ethnic backgrounds, all religions, all cultures who are proud to be called Americans to stand in harm's way on behalf of our civilian population and, in this case, our elected leadership in this country. And you can't ask them to do that and then send the wrong signals by not standing with them when they are doing their job. And I know that people are entitled to due process, but this is one of those obvious cases where the President needs to get involved and take decisive action.

My district director in Chattanooga's son works for Border Patrol on the southern border. It is a difficult job. These people are harassed. Their lives are on the line all the time. It is a tough, nasty business. It does not always go perfectly, but if we are ever going to recruit new people to serve and to stand in the gap on behalf of our country, we have to stand behind the people that do. I don't think we have done that. I do not think due process has, frankly, been served here. And I think the President should take action, and I was proud to join on the letters asking the President to do this.

Thoughtful people from all across the country are saying what in the world is going on? How could this happen? And I want that next generation of Border Patrol agents to be recruited and know that their country is not going to leave them hanging and leave them in Federal prison for doing their job. It is dangerous. Our country needs to stand behind them. And these are difficult days. Our generation is going to be called to enormous sacrifice. We have got to make difficult decisions on whether or not we are going to stick together, because if we do not hang together, we will indeed hang separately.

Mr. BILBRAY. Mr. Speaker, I appreciate the chance to be able to present this issue before this body. I think that, as the Congressional Immigration Caucus has pointed out, there is an issue here that obviously the American people are interested in and we were able to present tonight.

I just have to close with a few comments. One is the fact that the White House has discussed that there are procedures they have to go through. I think it is quite clear to anyone who reads the Constitution that the White House, the President, does not have to go through any procedure except to the decide either to pardon or not to pardon.

We hear a lot over the years of Executive privilege. Executive privilege. And every White House since George Washington has loved to discuss the concept of Executive privilege. But with that privilege goes Executive responsibility. And the White House bears the responsibility and the sole responsibility to issue pardons where there has been a miscarriage of justice. And I think the consensus is among many of us that this is exactly the kind of situation that the Founding Fathers had in mind when they proposed that the Executive and only the Executive would have this power, and this unencumbered power, separate from other procedures, to be able to right a wrong when the justice system has failed. I think that this is a chance that we can talk about.

But the thing that concerns me, Mr. Speaker, as being a Member who was born and raised on the border, I think that what has happened in Texas with this case reflects the total lack of understanding of just how out of control our borders are.

I hear people again and again in the Federal Government say that there are not the resources down at the border to be able to enforce the laws against drug smugglers, that there just isn't enough money and manpower to be able to address the problem, that we must allow these people to go free.

Well, Mr. Speaker, if there was enough money to go down into Mexico, find a drug smuggler, negotiate a backroom deal with this drug smuggler, bring the drug smuggler back, and give them amnesty not just once but twice, if there were enough resources to cut this kind of deal and make this kind of effort to make sure that two Border Patrol agents get convicted, my God, aren't there enough resources to use the same effort to go after the drug smugglers? And I really ask that we consider that.

I would just like to say that tonight we were able to spend almost an hour discussing an issue that is very near and dear to those who are concerned about the fact that our borders are out of control, that this incident happened in an area where Border Patrol agents had a firefight with smugglers with automatic weapons a few months ago, if you remember. And we wanted to remind the American people how out of control and absurd the situation has become in a lot of ways.

We hope, as the Congressional Immigration Caucus, Mr. Speaker, that over the next few months that Wednesday night will be spent as a night where those of us who are concerned about the illegal immigration issue and the out-of-control border will spend an hour every Wednesday night reporting to the American people of what is going on, on this most critical issue that Democrats and Republicans both care about.

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If there was ever a situation and ever an issue where partisanship should be put aside and being an American should be first, it is time that we find a way to work together on the immigration issue. I call on you and everyone that has the honor of working in this House of the people to join together to address that. I invite you and every Member of the House to join the Immigration Caucus, so that we can work together for the good of all Americans.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ROYCE (at the request of Mr. BOEHNER) for today on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. MCDERMOTT) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mr. MCDERMOTT, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. GEORGE MILLER of California, for 5 minutes, today.

Mr. ELLISON, for 5 minutes, today.

Mr. KAGEN, for 5 minutes, today.

Ms. LEE, for 5 minutes, today.

Ms. WATERS, for 5 minutes, today.

Ms. MILLENDER-MCDONALD, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

(The following Members (at the request of Mr. TIAHRT) to revise and extend their remarks and include extraneous material:)

Mr. WOLF, for 5 minutes, today.

Mr. JONES of North Carolina, for 5 minutes, February 12, 13, and 14.

Mrs. CAPITO, for 5 minutes, today.

Mr. GINGREY, for 5 minutes, today.

(The following Members (at their own request) to revise and extend their remarks and include extraneous material:)

Mr. PEARCE, for 5 minutes, today. Ms. PELOSI, for 5 minutes, today.

Mrs. CHRISTENSEN, for 5 minutes, today.

ENROLLED BILL SIGNED

Mrs. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 434. An act to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958 through July 31, 2007, and for other purposes.

ADJOURNMENT

Mr. BILBRAY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock p.m.), the House adjourned until tomorrow, Thursday, February 8, 2007, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

524. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 07-13, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, pursuant to 22 U.S.C. 2776(a); to the Committee on Foreign Affairs.

525. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the annual report relating to the prevention of nuclear proliferation from January 1 to December 31, 2005, pursuant to 22 U.S.C. 3281(a); to the Committee on Foreign Affairs.

526. A letter from the Secretary, Department of the Treasury, transmitting a six month periodic report on the national emergency with respect to Cote d'Ivoire that was declared in Executive Order 13396 of February 7, 2006, pursuant to 50 U.S.C. 1641(c); to the Committee on Foreign Affairs.

527. A letter from the Secretary, Department of the Treasury, transmitting a six month periodic report on the national emergency with respect to Liberia that was declared in Executive Order 13348 of July 22, 2004, pursuant to 50 U.S.C. 1641(c); to the Committee on Foreign Affairs.

528. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting the Agency's reports containing the 30 September 2006 status of loans and guarantees issued under Section 25(a)(11) of the Arms Export Control Act; to the Committee on Foreign Affairs.

529. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to Section 620C(c) of the Foreign Assistance Act of 1961, as amended, and in accordance with section 1(a)(6) of Executive Order 13313, a report prepared by the Department of State and the National Security Council on the progress toward a negotiated solution of the Cyprus question covering the period October 1, 2006 through November 30, 2006; to the Committee on Foreign Affairs.

530. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting consistent with the resolution of advice and consent to ratification of the Convention on the Prohibition of the Development, Production, Stockpiling, and Use of Chemical Weapons and on Their Destruction, adopted by the Senate of the United States on April 24, 1997, and Executive Order 13346 of July 8, 2004, certification pursuant to Condition 7(C)(i), Effectiveness of the Australia Group; to the Committee on Foreign Affairs.

531. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the annual inventory of U.S. Government-sponsored international exchanges and training programs, as well as the FY 2006 report on the activities of the Interagency Working Group on U.S. Government-Sponsored International Exchanges and Training (IAWG); to the Committee on Foreign Affairs.

532. A letter from the Chief, Administrative Law Division, Central Intelligence Agency, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

533. A letter from the Secretary, Mississippi River Commission, Department of the Army, Department of Defense, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act covering the calendar year 2006, pursuant to 5 U.S.C. 552b(j); to the Committee on Oversight and Government Reform.

534. A letter from the Assoc. Gen. Counsel for General Law, Department of Homeland Security, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

535. A letter from the Assoc. Gen. Counsel for General Law, Department of Homeland Security, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

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539. A letter from the Assoc. Gen. Counsel for General Law, Department of Homeland Security, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

540. A letter from the Senior Associate General Counsel, Office of the Director of National Intelligence, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

541. A letter from the Senior Associate General Counsel, Office of the Director of National Intelligence, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

542. A letter from the Acting Assistant Secretary for Fish, Wildlife and Parks, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Alabama Beach Mouse (RIN: 1018-AU46) received January 25, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

543. A letter from the General Counsel, Office of Justice Programs, Department of Justice, transmitting the Department's final rule — Grants for Correctional Facilities [OJP (OJP)-Docket No. 1382] (RIN: 1121-AA41) received January 23, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

544. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification to Congress regarding the Incidental Capture of Sea Turtles in Commercial Shrimping Operations; jointly to the Committees on Natural Resources and Appropriations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GORDON of Tennessee: Committee on Science and Technology. H.R. 365. A bill to provide for a research program for remediation of closed methamphetamine production laboratories, and for other purposes (Rept. 110–8). Referred to the Committee of the Whole House on the State of the Union.

Mr. WELCH of Vermont: Committee on Rules. House Resolution 133. Resolution providing for consideration of the bill (H.R. 547) to facilitate the development of markets for alternative fuels and Ultra Low Sulfur Diesel fuel through research, development, and demonstration and data collection (Rept. 110–9). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. NORWOOD (for himself, Mr. McKEON, Mr. KLINE of Minnesota, Mr. BOEHNER, Mr. PUTNAM, Mr. AKIN, Mr. BARTLETT of Maryland, Mr. BISHOP of Utah, Mrs. BLACKBURN, Mr. BONNER, Mr. BOUSTANY, Mr. BRADY of Texas, Ms. GINNY BROWN-WAITE of Florida, Mr. BURTON of Indiana, Mr. CALVERT, Mr. CAMPBELL of California, Mr. CHABOT, Mr. COBLE, Mr. CONAWAY, Mr. CRENSHAW, Mrs. CUBIN, Mr. CULBERSON, Mr. DEAL of Georgia, Mr. MARIO DIAZ-BALART of Florida, Mr. DOOLITTLE, Mr. FEENEY, Mr. FLAKE, Ms. FOXX, Mr. FRANKS of Arizona, Mr. GARRETT of New Jersey, Mr. GILCHREST, Mr. GINGREY, Mr. GOHMERT, Mr. HAYES, Mr. HENSARLING, Mr. HERGER, Mr. INGLIS of South Carolina, Mr. ISSA, Mr. SAM JOHNSON of Texas, Mr. KELLER, Mr. KING of Iowa, Mr. KINGSTON, Mr. LAMBORN, Mr. LATHAM, Mr. LEWIS of Kentucky, Mr. MANZULLO, Mr. MARCHANT, Mr. McHENRY, Mrs McMORRIS RODGERS, Mr. MILLER of Florida, Mrs. MUSGRAVE, Mr. PEARCE, Mr. PENCE, Mr. PITTS, Mr. PRICE of Georgia, Mr. ROGERS of Michigan, Mr. SESSIONS, Mr. SHADEGG, Mr. SIMPSON, Mr. SOUDER, Mr. SULLIVAN, Mr. WESTMORELAND, Mr. WICKER, and Mr. WILSON of South Carolina):

H.R. 866. A bill to amend the National Labor Relations Act to ensure the right of employees to a secret-ballot election conducted by the National Labor Relations Board; to the Committee on Education and Labor.

By Mr. REYNOLDS:

H.R. 867. A bill to amend the Internal Revenue Code of 1986 to make permanent the provision for penalty-free withdrawals from individual retirement plans for qualified reservist distributions; to the Committee on Ways and Means.

By Mr. DOGGETT (for himself, Mr. BECERRA, Mr. BLUMENAUER, Mr. DAVIS of Illinois, Ms. DeLAURO, Mr. FILNER, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Mr. HINOJOSA, Mr. HOLT, Mr. KIND, Mr. LARSON of Connecticut, Mr. LEWIS of Georgia, Mr. McDERMOTT, Mr. McGOVERN, Mr. MEEK of Florida, Mr. MOORE of Kansas, Mrs. NAPOLITANO, Mr. NEAL of Massachusetts, Mr. KENNEDY, Mr. PASCRELL, Ms. SCHWARTZ, Mr. SHERMAN, Mr. STARK, Mr. THOMPSON of California, Mrs. JONES of Ohio, Ms. VELÁZQUEZ, and Mr. RODRIGUEZ):

H.R. 868. A bill to amend the Internal Revenue Code of 1986 to allow a married couple who operates a unincorporated business as co-owners to file separate self-employment tax returns; to the Committee on Ways and Means.

By Mr. TOM DAVIS of Virginia (for himself, Mr. WALZ of Minnesota, Mr. HARE, Mr. JOHNSON of Georgia, Mr. POE, Ms. JACKSON-LEE of Texas, Mr. McINTYRE, Mrs. MILLER of Michigan, Mr. McCAUL of Texas, and Mrs. CHRISTENSEN):

H.R. 869. A bill to amend title 10, United States Code, to revive previous authority on the use of the Armed Forces and the militia to address interference with State or Federal law, and for other purposes; to the Committee on Armed Services.

By Mr. GILLMOR (for himself, Ms. DeGETTE, and Mr. TAYLOR):

H.R. 870. A bill to amend the Public Health Service Act to provide liability protections for employees and contractors of health centers under section 330 of such Act who provide health services in emergency areas; to the Committee on Energy and Commerce.

By Mr. WEXLER:

H.R. 871. A bill to amend title 18, United States Code, to strengthen enforcement of spousal court-ordered property distributions, and for other purposes; to the Committee on the Judiciary.

By Mr. BRALEY of Iowa:

H.R. 872. A bill to authorize the Secretary of Agriculture to make competitive grants to community colleges and advanced technology education centers partnering with community colleges to support the education and training of technicians in the fields of bioenergy and other agriculture-based, renewable energy resources, and for other purposes; to the Committee on Education and Labor.

By Mr. ACKERMAN (for himself and Mrs. MALONEY of New York):

H.R. 873. A bill to amend the Truth in Lending Act to prohibit fees by creditors for payments on credit card accounts by electronic fund transfers, and for other purposes; to the Committee on Financial Services.

By Mr. CARDOZA:

H.R. 874. A bill to amend title 18, United States Code, to provide an additional penalty for public officials who abuse their office in furtherance of a felony; to the Committee on the Judiciary.

By Mr. CARDOZA:

H.R. 875. A bill to amend the Federal Financial Management Improvement Act of 1996 to require the head of an agency to be reconfirmed by the Senate unless the agency is found to be in compliance with the requirements of such Act, as reported by the Comptroller General; to the Committee on Oversight and Government Reform.

By Mr. CHABOT (for himself, Mr. LAMPSON, Mrs. BIGGERT, and Mr. CRAMER):

H.R. 876. A bill to modernize and expand the reporting requirements relating to child pornography, to expand cooperation in combating child pornography, and for other purposes; to the Committee on the Judiciary.

By Mr. DELAHUNT:

H.R. 877. A bill to amend the Adams National Historical Park Act of 1998 to include the Quincy Homestead within the boundary of the Adams National Historical Park, and for other purposes; to the Committee on Natural Resources.

By Mr. EMANUEL (for himself, Mr. JONES of North Carolina, Mr. BISHOP of New York, Mr. DOGGETT, Mr. DAVIS of Alabama, Ms. JACKSON-LEE of Texas, Mr. SIRES, and Ms. HIRONO):

H.R. 878. A bill to amend the Internal Revenue Code of 1986 to require broker reporting of customer's basis in securities transactions, and for other purposes; to the Committee on Ways and Means.

By Mr. FEENEY:

H.R. 879. A bill to amend the Help America Vote Act of 2002 to require individuals to present a government-issued photo identification as a condition of voting in elections for Federal office, to prohibit any individual from tabulating votes in an election for Federal office unless the individual has been subject to a criminal background check, and for other purposes; to the Committee on House Administration.

By Mr. FORBES (for himself, Mr. WOLF, Mr. CHABOT, Mr. COBLE, Mr. FRANKS of Arizona, Mr. GALLEGLY, Mr. GOODLATTE, Mr. PENCE, and Mr. SMITH of Texas):

H.R. 880. A bill to amend title 18, United States Code, to reduce violent gang crime and protect law-abiding citizens and communities from violent criminals, and for other purposes; to the Committee on the Judiciary.

By Mr. WELDON of Florida (for himself and Mrs. MALONEY of New York):

H.R. 881. A bill to amend the Federal Food, Drug, and Cosmetic Act to reduce human exposure to mercury through vaccines; to the Committee on Energy and Commerce.

By Mr. GORDON (for himself, Mr. SESSIONS, Mr. ALLEN, Ms. JACKSON-LEE of Texas, Mr. HAYES, Mr. ENGLISH of Pennsylvania, Mr. MCNULTY, Mr. COHEN, Mrs. MCCARTHY of New York, Mrs. CAPPS, Mr. CHANDLER, Mr. SENSENBRENNER, Mr. LARSEN of Washington, Mr. HOLT, Mr. PRICE of Georgia, Mr. MCCAUL of Texas, Mr. DENT, Mr. SOUDER, and Ms. ROYBAL-ALLARD):

H.R. 882. A bill to amend title XVIII of the Social Security Act to improve access to emergency medical services and the quality of care furnished in emergency departments of hospitals and critical access hospitals by establishing a bipartisan commission to examine factors that affect the effective delivery of such services, by providing for additional payments for certain physician services furnished in such emergency departments, and by requiring reports on certain emergency department information as a condition of participation in the Medicare Program, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. HERSETH:

H.R. 883. A bill to enhance and provide to the Oglala Sioux Tribe and Angostura Irrigation Project certain benefits of the Pick-Sloan Missouri River basin program; to the Committee on Natural Resources.

By Mr. KING of New York (for himself, Mr. THOMPSON of Mississippi, Mr. LANGEVIN, Mr. MCCAUL of Texas, Ms. HARMAN, Mr. REICHERT, Ms. JACKSON-LEE of Texas, Mr. SHAYS, Mr. ROGERS of Alabama, Mr. DENT, Mr. DAVID DAVIS of Tennessee, Mr. PASCRELL, Mr. DAVIS of Kentucky, and Mr. MCNULTY):

H.R. 884. A bill to provide for the establishment of the Science and Technology Homeland Security International Cooperative Programs Office, and for other purposes; to the Committee on Homeland Security.

By Mr. LANTOS (for himself, Mr. ACKERMAN, and Mr. SHERMAN):

H.R. 885. A bill to support the establishment of an international regime for the assured supply of nuclear fuel for peaceful means and to authorize voluntary contributions to the International Atomic Energy Agency to support the establishment of an international nuclear fuel bank; to the Committee on Foreign Affairs.

By Mr. LARSEN of Washington (for himself, Mr. INSLEE, and Mr. DICKS):

H.R. 886. A bill to enhance ecosystem protection and the range of outdoor opportunities protected by statute in the Skykomish River valley of the State of Washington by designating certain lower-elevation Federal lands as wilderness, and for other purposes; to the Committee on Natural Resources.

By Mrs. MCCARTHY of New York (for herself and Ms. PRYCE of Ohio):

H.R. 887. A bill to provide for Project GRAD programs, and for other purposes; to the Committee on Education and Labor.

By Mr. MEEKS of New York (for himself and Mr. FEENEY):

H.R. 888. A bill to provide for the admission to the United States of nonimmigrant business facilitation visitors; to the Committee on the Judiciary.

By Mrs. MILLER of Michigan:

H.R. 889. A bill to amend the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 to establish vessel ballast water management requirements, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GEORGE MILLER of California (for himself, Mr. HINOJOSA, Mr. BISHOP of New York, Mr. COURTNEY, Mr. YARMUTH, Mr. TIERNEY, Mrs. DAVIS of California, Mr. GRIJALVA, Mr. DAVIS of Illinois, Mr. MICHAUD, Mr. MCDERMOTT, Ms. MATSUI, and Mr. VAN HOLLEN):

H.R. 890. A bill to establish requirements for lenders and institutions of higher education in order to protect students and other borrowers receiving educational loans; to the Committee on Education and Labor, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MORAN of Virginia (for himself, Mr. FERGUSON, Mr. GEORGE MILLER of California, Mr. SHAYS, Ms. ZOE LOFGREN of California, Ms. SCHAKOWSKY, Mr. SAXTON, Ms. JACKSON-LEE of Texas, Ms. BERKLEY, Mr. STARK, Mr. SHERMAN, Mr. PLATTS, Mrs. MALONEY of New York, Mr. GALLEGLY, Mr. WILSON of South Carolina, Mr. CAMPBELL of California, Mrs. CAPPS, Mr. COHEN, Mr. MARCHANT, Mr. NADLER, Mr. DEFAZIO, Mr. BERMAN, Mr. WAXMAN, Ms. HIRONO, Mr. LOBIONDO, Mr. KUCINICH, Mr. ROGERS of Michigan, Mr. FILNER, Ms. LEE, and Mr. SMITH of New Jersey):

H.R. 891. A bill to ensure that domestic dog and cat fur is prohibited from being imported, exported, manufactured, sold, or advertised in the United States and to require the labeling of all fur products under the Fur Products Labeling Act; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PITTS:

H.R. 892. A bill to establish and provide for the treatment of Individual Development Accounts, and for other purposes; to the Committee on Ways and Means.

By Mr. POE:

H.R. 893. A bill to provide for loan repayment for prosecutors and public defenders; to the Committee on the Judiciary.

By Mr. PRICE of North Carolina (for himself and Mr. CASTLE):

H.R. 894. A bill to amend the Federal Election Campaign Act of 1971 to apply certain requirements regarding the disclosure of identifying information within communications made through the Internet, to apply certain disclosure requirements to prerecorded telephone calls, and for other purposes; to the Committee on House Administration.

By Mr. REYNOLDS (for himself, Ms. BERKLEY, Mr. SHAYS, Mr. KIRK, Mr. NORWOOD, Mr. BILIRAKIS, Mr. SOUDER, Mr. SESSIONS, Mr. TERRY, Mr. LAMBORN, Mr. MCNULTY, Mr. CANTOR, Mr. KING of Iowa, and Mr. BURTON of Indiana):

H.R. 895. A bill to take certain steps toward recognition by the United States of Jerusalem as the capital of Israel; to the Committee on Foreign Affairs.

By Mr. RYAN of Wisconsin (for himself and Ms. MOORE of Wisconsin):

H.R. 896. A bill to amend part D of title IV of the Social Security Act to provide for the pass through of all child support collected on behalf of families receiving assistance under the program of block grants to States for temporary assistance for needy families; to the Committee on Ways and Means.

By Ms. SCHAKOWSKY (for herself, Mr. PRICE of North Carolina, Mr. WEXLER, Mr. FRANK of Massachusetts, Mr. McGOVERN, Mr. PAYNE, Ms. CORRINE BROWN of Florida, Mr. BRADY of Pennsylvania, Mr. STARK, Ms. SHEA-PORTER, Mr. JOHNSON of Georgia, Mr. COHEN, Ms. WOOLSEY, Mr. HARE, Mr. ELLISON, Mrs. MALONEY of New York, Mr. CUMMINGS, Mr. FATTAH, Mr. GRIJALVA, and Ms. JACKSON-LEE of Texas):

H.R. 897. A bill to require the Secretary of Defense, Secretary of State, Secretary of the Interior, and the Administrator of the United States Agency for International Development to provide to Congress copies and descriptions of contracts and task orders in excess of $5,000,000 for work to be performed in Iraq and Afghanistan; to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SCHWARTZ (for herself and Mr. RAMSTAD):

H.R. 898. A bill to amend the Internal Revenue Code of 1986 to allow employers to claim a work opportunity credit for hiring military service personnel returning from service in Iraq or Afghanistan; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia (for himself and Mr. CHABOT):

H.R. 899. A bill to provide a mechanism for the determination on the merits of the claims of claimants who met the class criteria in a civil action relating to racial discrimination by the Department of Agriculture but who were denied that determination; to the Committee on the Judiciary.

By Mr. SERRANO (for himself, Mr. FORTUÑO, Mr. RAHALL, Mr. YOUNG of Alaska, Mr. HOYER, Mr. BLUNT, Mr. WAXMAN, Mr. CANTOR, Mr. KENNEDY, Mr. PUTNAM, Ms. BORDALLO, Mr. McCOTTER, Mr. KIND, Mr. BROWN of South Carolina, Mr. KILDEE, Mr. FLAKE, Mr. ABERCROMBIE, Mr. RENZI, Mr. SALAZAR, Mr. BURTON of Indiana, Mr. WEXLER, Mr. DENT, Mr. CROWLEY, Ms. PRYCE of Ohio, Mr. ENGEL, Ms. ROS-LEHTINEN, Mr. WU, Mr. POE, Mrs. TAUSCHER, Mr. MARIO DIAZ-BALART of Florida, Ms. JACKSON-LEE of Texas, Mr. WILSON of South Carolina, Mr. SMITH of Washington, Mr. FEENEY, Mr. BAIRD, Mr. MACK, Mrs. MALONEY of New York, Mr. KUHL of New York, Mr. GENE GREEN of Texas, Mr. KELLER, Mr. MOLLOHAN, Mr. SAXTON, Mr. MORAN of Virginia, Mrs. MILLER of Michigan, Ms. LORETTA SANCHEZ of California, Mr. THOMPSON of Mississippi, Mr. SMITH of New Jersey, Mr. DOYLE, Mr. COBLE, Mr. MEEHAN, Mr. WELLER, Mr. CUELLAR, Mr. BOUSTANY, Mr. CLAY, Mr. McKEON, Mr. FATTAH, Mr. TOM DAVIS of Virginia, Mr. JEFFERSON, Mr. DOOLITTLE, Mr. McGOVERN, Mr. PAUL, Mr. McNULTY, Mr. GERLACH, Mr. OLVER, Mr. LINCOLN DIAZ-BALART of Florida, Mr. CALVERT, Ms. WASSERMAN SCHULTZ, Mrs. BLACKBURN, Mr. PETERSON of Minnesota, Mr. MICA, Mr. TAYLOR, Mr. ENGLISH of Pennsylvania, Mr. WYNN, Mr. GILCHREST, Mr. LEWIS of Georgia, Mr. PEARCE, Mr. HINCHEY, Mr. McCAUL of Texas, Mr. COSTA, Mr. CASTLE, Ms. KILPATRICK, Mr. RODRIGUEZ, and Mr. CARDOZA):

H.R. 900. A bill to provide for a federally sanctioned self-determination process for the people of Puerto Rico; to the Committee on Natural Resources.

By Ms. SLAUGHTER (for herself, Mrs. CAPITO, Mrs. CAPPS, Mrs. BIGGERT, Ms. BORDALLO, Ms. ROS-LEHTINEN, Ms. CLARKE, Mr. SHAYS, Mr. CONYERS, Mrs. DAVIS of California, Ms. DELAURO, Mr. ELLISON, Mr. GRIJALVA, Ms. HARMAN, Ms. JACKSON-LEE of Texas, Mrs. JONES of Ohio, Mr. LARSON of Connecticut, Ms. LEE, Mrs. MALONEY of New York, Ms. McCOLLUM of Minnesota, Ms. SCHAKOWSKY, Mr. VAN HOLLEN, Ms. WOOLSEY, and Mr. KENNEDY):

H.R. 901. A bill to amend the Elementary and Secondary Education Act of 1965 to direct certain coeducational elementary and secondary schools to make available information on equality in school athletic programs, and for other purposes; to the Committee on Education and Labor.

By Mr. UDALL of Colorado (for himself, Mr. EDWARDS, and Mr. PEARCE):

H.R. 902. A bill to facilitate the use for irrigation and other purposes of water produced in connection with development of energy resources; to the Committee on Natural Resources.

By Mr. UDALL of Colorado:

H.R. 903. A bill to provide for a study of options for protecting the open space characteristics of certain lands in and adjacent to the Arapaho and Roosevelt National Forests in Colorado, and for other purposes; to the Committee on Natural Resources.

By Mr. UDALL of Colorado (for himself and Mr. PERLMUTTER):

H.R. 904. A bill to better provide for compensation for certain persons injured in the course of employment at the Rocky Flats site in Colorado; to the Committee on the Judiciary, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. UDALL of Colorado:

H.R. 905. A bill to increase accountability and equity in the Federal budget; to the Committee on Oversight and Government Reform, and in addition to the Committees on Ways and Means, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. UDALL of Colorado (for himself and Mr. INGLIS of South Carolina):

H.R. 906. A bill to promote and coordinate global change research, and for other purposes; to the Committee on Science and Technology, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAUL (for himself and Mr. MILLER of Florida):

H.J. Res. 23. A joint resolution proposing an amendment to the Constitution of the United States relative to abolishing personal income, estate, and gift taxes and prohibiting the United States Government from engaging in business in competition with its citizens; to the Committee on the Judiciary.

By Mr. PALLONE:

H. Con. Res. 60. Concurrent resolution expressing support for the goals of Veterans Educate Today's Students (VETS) Day, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CARNEY (for himself, Mr. BILIRAKIS, Mr. THOMPSON of Mississippi, Mr. ROGERS of Alabama, Mr. MARKEY, Mr. KING of New York, Mr. DICKS, Mr. McCAUL of Texas, Ms. HARMAN, Mr. DAVID DAVIS of Tennessee, Mrs. LOWEY, Ms. JACKSON-LEE of Texas, Mrs. CHRISTENSEN, Mr. LANGEVIN, Mr. CUELLAR, and Mr. AL GREEN of Texas):

H. Res. 134. A resolution recognizing and honoring the employees of the Department of Homeland Security for their efforts and contributions to protect and secure the Nation; to the Committee on Homeland Security.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Mr. HALL of Texas, Mr. WILSON of South Carolina, Ms. KILPATRICK, Mr. LEWIS of Georgia, Mr. HOLT, Mr. SPRATT, Mr. SCOTT of Virginia, Ms. CARSON, Mr. CLEAVER, Mr. JEFFERSON, Mr. VAN HOLLEN, Mr. CUMMINGS, Ms. CORRINE BROWN of Florida, Ms. MOORE of Wisconsin, Mr. BISHOP of Georgia, Mr. BRADY of Pennsylvania, Mrs. JONES of Ohio, Mr. RUSH, Mr. BUTTERFIELD, Mr. SESTAK, Mrs. DRAKE, Mr. THOMPSON of Mississippi, Mr. FILNER, Mr. MEEK of Florida, Mr. JOHNSON of Georgia, and Mr. HASTINGS of Florida):

H. Res. 135. A resolution expressing the sense of the House of Representatives that a National Historically Black Colleges and Universities Week should be established; to the Committee on Education and Labor.

By Mrs. McCARTHY of New York:

H. Res. 136. A resolution commending the Girl Scouts of the United States of America on the occasion of their 95th anniversary, for providing quality age-appropriate experiences that prepare girls to become the leaders of tomorrow and for raising issues important to girls; to the Committee on Oversight and Government Reform.

By Mr. NADLER (for himself, Mr. WEINER, Mr. BURTON of Indiana, Mr. WAXMAN, Mr. ENGEL, Mr. ACKERMAN, Mrs. MALONEY of New York, Mr. COHEN, Mr. WEXLER, Mr. JOHNSON of Georgia, Mr. HOLT, Ms. KILPATRICK, and Mr. HASTINGS of Florida):

H. Res. 137. A resolution honoring the life and six decades of public service of Jacob Birnbaum and especially his commitment freeing Soviet Jews from religious, cultural, and communal extinction; to the Committee on Foreign Affairs.

By Mr. ROSS (for himself, Mr. SNYDER, Mr. BERRY, and Mr. BOOZMAN):

H. Res. 138. A resolution recognizing the importance of Hot Springs National Park on its 175th anniversary; to the Committee on Natural Resources.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. LANTOS:

H.R. 907. A bill for the relief of Denes and Gyorgyi Fulop; to the Committee on the Judiciary.

By Mr. LANTOS:

H.R. 908. A bill for the relief of Kuan-Wei Liang and Chun-Mei Hsu-Liang; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 18: Ms. BEAN, Ms. BERKLEY, Mr. BERMAN, Mr. BISHOP of Georgia, Mr. BISHOP of New York, Mr. BOYD of Florida, Mr. BRADY of Pennsylvania, Mr. BRALEY of Iowa, Ms. CORRINE BROWN of Florida, Mr. BURGESS, Mr. BUTTERFIELD, Mr. CAPUANO, Ms. CARSON, Mrs. CHRISTENSEN, Mr. CLAY, Mr. CLEAVER, Mr. CLYBURN, Mr. COHEN, Mr. CUMMINGS, Mr. DAVIS of Illinois, Mr. DAVIS of Alabama, Mr. DENT, Mr. LINCOLN DIAZ-BALART of Florida, Mr. MARIO DIAZ-BALART of Florida, Mr. DINGELL, Mr. DOYLE, Mrs. DRAKE, Mr. EHLERS, Mr. EMANUEL, Mr. ENGLISH of Pennsylvania, Mr. FATTAH, Mr. GERLACH, Mr. GILCHREST, Mr. GENE GREEN of Texas, Mr. GONZALEZ, Mr. GRIJALVA, Mr. HASTINGS of Florida, Ms. HERSETH, Ms. NORTON, Mr. ISRAEL, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Mr. JEFFERSON, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. KAPTUR, Ms. KILPATRICK, Mr. KIRK, Mr. KUCINICH, Mr. LANGEVIN, Mr. LEWIS of Georgia, Mr. MCCOTTER, Mr. PASTOR, Mr. REYES, Ms. ROS-LEHTINEN, Mr. RYAN of Ohio, Ms. SLAUGHTER, Mr. SPRATT, Mr. THOMPSON of Mississippi, and Ms. WOOLSEY.

H.R. 36: Mr. ALLEN.

H.R. 42: Ms. JACKSON-LEE of Texas, and Mr. GONZALEZ.

H.R. 43: Mr. HARE.

H.R. 73: Mr. NORWOOD, Mr. JOHNSON of Illinois, Mr. MILLER of Florida, Mr. JONES of North Carolina, Mr. MCCOTTER, Mr. PETERSON of Minnesota, and Mr. LAHOOD.

H.R. 89: Mr. LAHOOD.

H.R. 137: Mr. FATTAH.

H.R. 238: Mr. SHERMAN.

H.R. 241: Mr. PLATTS.

H.R. 269: Mr. SPRATT, Mr. REHBERG, and Mrs. CAPITO.

H.R. 303: Mr. KANJORSKI, Mr. SHERMAN, Mr. BOOZMAN, Mr. KILDEE, and Mr. LAHOOD.

H.R. 312: Mr. POE and Mr. GONZALEZ.

H.R. 314: Mr. HALL of Texas.

H.R. 353: Mr. HALL of New York.

H.R. 358: Mr. SPRATT, Mr. SHULER, Ms. KAPTUR, Mr. CUMMINGS, and Mr. WALSH of New York.

H.R. 365: Mr. BOOZMAN, Mr. OBEY, Mr. HOLDEN, Ms. KILPATRICK, and Ms. MCCOLLUM of Minnesota.

H.R. 370: Mr. WILSON of Ohio.

H.R. 411: Mr. PUTNAM, Mr. SULLIVAN, Mr. GARRETT of New Jersey, Mr. MCCOTTER, Mrs. BONO, Mr. LINCOLN DIAZ-BALART of Florida, Mr. CANTOR, Mr. PORTER, Mr. MCCAUL of Texas, Mr. JORDAN, Mr. FOSSELLA, and Mr. SALI.

H.R. 450: Mr. REICHERT.

H.R. 455: Mr. STARK, Mr. HALL of New York, and Mr. FATTAH.

H.R. 491: Mr. ISRAEL, Mr. BOOZMAN, and Ms. CORRINE BROWN of Florida.

H.R. 511: Mr. ALEXANDER, Mr. WESTMORELAND, Mr. SOUDER, Mr. MARIO DIAZ-BALART of Florida, Mr. JORDAN, Mr. RYAN of Wisconsin, Mr. ROGERS of Kentucky, Mr. ADERHOLT, Mr. SAXTON, Mr. HELLER, Mr. CAMPBELL of California, Mr. CANNON, Mr. FRELINGHUYSEN, Mr. KNOLLENBERG, Mr. TIAHRT, Mr. DANIEL E. LUNGREN of California, Mr. REGULA, Mr. SMITH of Texas, Mr. TIBERI, Mr. KINGSTON, Mr. REHBERG, Mrs. MUSGRAVE, and Mr. GARRETT of New Jersey.

H.R. 566: Mr. JOHNSON of Georgia, Ms. KILPATRICK, and Mr. MEEK of Florida.

H.R. 583: Mr. GORDON and Mr. ETHERIDGE.

H.R. 584: Mr. FILNER and Mr. COHEN.

H.R. 589: Mr. SMITH of Washington and Mr. REICHERT.

H.R. 608: Mr. SHIMKUS, Mr. STEARNS, Mr. MILLER of Florida, Mrs. CUBIN, and Mrs. BONO.

H.R. 620: Mr. COHEN, Mr. EHLERS, Mr. MITCHELL, Mr. UDALL of Colorado, Mr. SIRES, Ms. WATERS, and Ms. BALDWIN.

H.R. 634: Mr. ALEXANDER, Mr. BAKER, Ms. BORDALLO, Mrs. BOYDA of Kansas, Mr. BURGESS, Mr. BUTTERFIELD, Mr. CAMPBELL of California, Mrs. CAPPS, Mr. CARNAHAN, Ms. DELAURO, Mr. LINCOLN DIAZ-BALART of Florida, Mr. DINGELL, Mr. DOGGETT, Mr. DOYLE, Mr. EDWARDS, Mr. EHLERS, Mr. ETHERIDGE, Mr. HOLT, Mr. ISSA, Ms. JACKSON-LEE of Texas, Mr. JOHNSON of Illinois, Mr. KIND, Mr. LIPINSKI, Mr. MCCARTHY of California, Ms. MCCOLLUM of Minnesota, Mr. MCCOTTER, Ms. MILLENDER-MCDONALD, Mr. MORAN of Virginia, Mr. PAYNE, Mr. ROHRABACHER, Mr. RYAN of Ohio, Mr. RYAN of Wisconsin, Ms. LINDA T. SÁNCHEZ of California, Mr. SCOTT of Virginia, Mr. STUPAK, Ms. SUTTON, Mr. UDALL of Colorado, and Mr. YARMUTH.

H.R. 651: Mr. CARTER.

H.R. 652: Mr. CARTER.

H.R. 653: Ms. HIRONO and Mrs. MYRICK.

H.R. 656: Mr. KING of New York and Ms. SHEA-PORTER.

H.R. 663: Ms. EDDIE BERNICE JOHNSON of Texas and Mr. HALL of New York.

H.R. 676: Mr. COHEN and Mr. SERRANO.

H.R. 677: Mr. MORAN of Virginia, Mr. THOMPSON of Mississippi, Ms. MATSUI, Mr. RUSH, Mrs. JONES of Ohio, Mr. BOSWELL, Mr. RUPPERSBERGER, Mr. REYES, Mr. DAVIS of Illinois, and Ms. SUTTON.

H.R. 678: Mr. ROTHMAN.

H.R. 684: Mr. HARE.

H.R. 687: Mr. CUMMINGS, Mr. COHEN, and Mr. PLATTS.

H.R. 688: Ms. PRYCE of Ohio, Mr. YOUNG of Alaska, and Mr. FOSSELLA.

H.R. 690: Mr. LARSON of Connecticut, Mr. SCOTT of Georgia, Mr. RUPPERSBERGER, Mr. WOLF, Mr. JEFFERSON, and Mrs. CAPITO.

H.R. 699: Mr. MANZULLO, Mr. SULLIVAN, and Mr. SESSIONS.

H.R. 703: Ms. DEGETTE.

H.R. 710: Mr. WYNN, Mr. BURGESS, Mr. RUPPERSBERGER, Mr. WESTMORELAND, Mrs. CAPPS, Ms. DEGETTE, and Mr. WEXLER.

H.R. 722: Mr. GENE GREEN of Texas.

H.R. 731: Mr. GERLACH and Mr. ROSKAM.

H.R. 743: Mr. GILLMOR and Mr. MANZULLO.

H.R. 746: Mr. HALL of New York.

H.R. 748: Mr. PASTOR, Mr. SOUDER, Mr. TERRY, Mr. GERLACH, Mr. SHIMKUS, Ms. LORETTA SANCHEZ of California, Mr. TOM DAVIS of Virginia, and Mr. LOBIONDO.

H.R. 753: Mr. DAVID DAVIS of Tennessee, Mr. DUNCAN, Mr. WAMP, Mr. LINCOLN DAVIS of Tennessee, Mr. COOPER, Mr. GORDON, Mrs. BLACKBURN, and Mr. TANNER.

H.R. 757: Mr. MCDERMOTT.

H.R. 759: Mr. KUHL of New York and Mr. MOORE of Kansas.

H.R. 777: Mr. PAYNE.

H.R. 784: Mr. WOLF, Mr. ALLEN, Mr. SCOTT of Virginia, Ms. FOXX, Mr. MCKEON, Ms. SCHWARTZ, Mr. KIND, Ms. HERSETH, Ms. SCHAKOWSKY, and Mr. WAMP.

H.R. 811: Mr. BISHOP of New York, Mr. MCDERMOTT, Mr. WALDEN of Oregon, Mr. CUELLAR, and Mr. HINOJOSA.

H.R. 822: Mr. LEWIS of Georgia, Ms. CORRINE BROWN of Florida, Mr. CUMMINGS, Mr. MEEKS of New York, Mr. BRADY of Pennsylvania, Mr. MCNULTY, and Ms. KILPATRICK.

H.R. 845: Mr. FORBES.

H.R. 846: Mr. FORBES.

H.R. 851: Mr. PENCE.

H.R. 852: Mr. DICKS and Mr. WESTMORELAND.

H.J. Res. 16: Mr. WELDON of Florida.

H.J. Res. 19: Mr. GOODE.

H. Con. Res. 37: Mr. GOODE.

H. Con. Res. 53: Mr. ENGLISH of Pennsylvania.

H. Con. Res. 55: Mr. GONZALEZ.

H. Res. 53: Mr. WATT, Mr. AL GREEN of Texas, Mr. ELLISON, Mr. SHERMAN, Mr. SCOTT of Virginia, Mr. BUTTERFIELD, Ms. MOORE of Wisconsin, and Ms. JACKSON-LEE of Texas.

H. Res. 69: Mr. SHULER, Mrs. DRAKE, Mr. MILLER of Florida, Mr. GINGREY, Mr. MILLER of North Carolina, and Mr. BISHOP of Georgia.

H. Res. 107: Mr. CHABOT, Mrs. MALONEY of New York, Mr. WEXLER, Mr. BROWN of South Carolina, Ms. MATSUI, Mr. ENGEL, Mrs. TAUSCHER, Mr. PALLONE, Mr. CROWLEY, Mr. MCNULTY, Mr. MARSHALL, Mr. DOYLE, Mr. WAXMAN, Mr. KIRK, Mr. FOSSELLA, Mr. NORWOOD, Ms. CORRINE BROWN of Florida, Mr. SHAYS, Mr. BURTON of Indiana, Mr. BERMAN, Mr. MACK, and Mr. KING of Iowa.

H. Res. 113: Ms. SCHAKOWSKY, Mr. ROYCE, and Mr. WILSON of South Carolina.

H. Res. 128: Mr. GRIJALVA and Mrs. CAPPS.

H. Res. 130: Mr. JOHNSON of Illinois, Mr. TOWNS, Mr. BISHOP of Georgia, Mr. PAYNE, Mr. HINOJOSA, Mr. CROWLEY, Mr. BOSWELL, Mrs. JONES of Ohio, Ms. KILPATRICK, Mr. CLEAVER, Ms. CORRINE BROWN of Florida, Mr. GONZALEZ, Ms. JACKSON-LEE of Texas, Mr. BUTTERFIELD, Mrs. CHRISTENSEN, Mr. FATTAH, Mr. BACA, Mr. THOMPSON of Mississippi, Ms. CASTOR, Mr. SHULER, Ms. HOOLEY, Mr. YARMUTH, Mr. JEFFERSON, Mr. RUSH, Mr. AL GREEN of Texas, Ms. MOORE of Wisconsin, Mr. COHEN, Mr. RANGEL, Mr. CLAY, Mr. WYNN, Mr. ELLISON, Mr. CARNAHAN, Mr. SHAYS, Mr. KUCINICH, Mr. MEEK of Florida, Mr. HASTINGS of Florida, Mr. SCOTT of Virginia, Mr. DUNCAN, Mr. DAVIS of Illinois, Mr. BECERRA, Mr. LINCOLN DAVIS of Tennessee, Ms. WATSON, Mr. TANNER, Mrs. BLACKBURN, Mr. CAPUANO, Mr. MEEKS of New York, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LAHOOD, Mr. MELANCON, and Ms. WATERS.

H. Res. 131: Mr. WELDON of Florida and Mr. YOUNG of Florida.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 547

OFFERED BY: MR. ROGERS OF MICHIGAN

AMENDMENT NO. 1: Redesignate section 6 as section 7 and insert after section 5 the following:

SEC. 6. ENERGY SECURITY FUND AND ALTERNATIVE FUEL GRANT PROGRAM.

(a) ESTABLISHMENT OF FUND.—

(1) IN GENERAL.—There is established in the Treasury a fund, to be known as the "Energy Security Fund" (referred to in this section as the "Fund"), consisting of—

(A) amounts transferred to the Fund under paragraph (2); and

(B) amounts credited to the Fund under paragraph (3)(C).

(2) TRANSFERS TO FUND.—For fiscal year 2008 and each fiscal year thereafter, the Secretary of the Treasury, subject to the availability of appropriations, shall transfer to

the Fund an amount determined by the Secretary of the Treasury to be equal to 50 percent of the total amount deposited in the general fund of the Treasury during the preceding fiscal year from fines, penalties, and other funds obtained through enforcement actions conducted pursuant to section 32912 of title 49, United States Code (including funds obtained under consent decrees).

(3) INVESTMENT OF AMOUNTS.—

(A) IN GENERAL.—The Secretary of the Treasury shall invest in interest-bearing obligations of the United States such portion of the Fund as is not, in the judgment of the Secretary of the Treasury, required to meet current withdrawals.

(B) SALE OF OBLIGATIONS.—Any obligation acquired by the Fund may be sold by the Secretary of the Treasury at the market price.

(C) CREDITS TO FUND.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Fund shall be credited to, and form a part of, the Fund in accordance with section 9602 of the Internal Revenue Code of 1986.

(4) USE OF AMOUNTS IN FUND.—Amounts in the Fund shall be made available to the Secretary of Energy, subject to the availability of appropriations, to carry out the grant program under subsection (b).

(b) ALTERNATIVE FUELS GRANT PROGRAM.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary of Energy, acting through the Clean Cities Program of the Department of Energy, shall establish and carry out a program under which the Secretary shall provide grants to expand the availability to consumers of alternative fuels (as defined in section 32901(a) of title 49, United States Code).

(2) ELIGIBILITY.—

(A) IN GENERAL.—Except as provided in subparagraph (B), any entity that is eligible to receive assistance under the Clean Cities Program shall be eligible to receive a grant under this subsection.

(B) EXCEPTIONS.—

(i) CERTAIN OIL COMPANIES.—A large, vertically-integrated oil company shall not be eligible to receive a grant under this subsection.

(ii) PROHIBITION OF DUAL BENEFITS.—An entity that receives any other Federal funds for the construction or expansion of alternative refueling infrastructure shall not be eligible to receive a grant under this subsection for the construction or expansion of the same alternative refueling infrastructure.

(C) ENSURING COMPLIANCE.—Not later than 30 days after the date of enactment of this Act, the Secretary of Energy shall promulgate regulations to ensure that, before receiving a grant under this subsection, an eligible entity meets applicable standards relating to the installation, construction, and expansion of infrastructure necessary to increase the availability to consumers of alternative fuels (as defined in section 32901(a) of title 49, United States Code).

(3) MAXIMUM AMOUNT.—

(A) GRANTS.—The amount of a grant provided under this subsection shall not exceed $30,000.

(B) AMOUNT PER STATION.—An eligible entity shall receive not more than $90,000 under this subsection for any station of the eligible entity during a fiscal year.

(4) USE OF FUNDS.—

(A) IN GENERAL.—A grant provided under this subsection shall be used for the construction or expansion of alternative fueling infrastructure.

(B) ADMINISTRATIVE EXPENSES.—Not more than 3 percent of the amount of a grant provided under this subsection shall be used for administrative expenses.

H.R. 547

OFFERED BY: MR. BURGESS

AMENDMENT NO. 2: Page 4, line 17, strike "and".

Page 4, line 18, redesignate paragraph (3) as paragraph (4).

Page 4, after line 17, insert the following new paragraph:

(3) issues with respect to increased volatile emissions or increased nitrogen oxide emissions; and

EXTENSIONS OF REMARKS

IN RECOGNITION OF ARTHUR A. JUTTON ON HIS RETIREMENT

HON. JAMES T. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 2007

Mr. WALSH of New York. Madam Speaker, I rise today with great pride, to honor someone who is very close to me and for whom I have the greatest respect; Mr. Arthur A. Jutton. Known as Art or Mr. Jutton to his colleagues, Art served as my Chief of Staff since my first day in office until his recent retirement this month. As one of the longest serving staff members here in the House of Representatives, there are very few Hill staffers and Washington professionals who did not know or have the utmost respect for him. I cannot begin to describe all the contributions that Art has made throughout what seems like an endless tenure here on Capitol Hill.

Art began his career working for former Congressman John Terry back in 1970. He served as Mr. Terry's District Representative until 1972. Art then worked for former Congressman Bill Walsh, my father, as his Field Representative from 1972 to 1978. In 1978, Art moved down to Washington D.C. to serve as the Administrative Assistant to former Congressman Gary Lee until 1982. In 1983, Art became the Administrative Assistant to former Congressman Gerry Solomon and served in that post until 1988 when he became my Chief of Staff. For the most part, all of the Members of Congress that Art has served have represented the Central New York region. As a Central Yorker himself, Art has helped all of us work diligently on behalf of the people of that region and also for the greater good of the country.

During his time in government, Art became a pillar of strength among those with whom he worked with. From his first days until his last minute, Art carried a work ethic second to none and was an everlasting source of knowledge. In the late 1970s, he started the New York State Republican Administrative Assistant Association. This group would meet once a month for a breakfast to discuss the issues that were not only on the political forefront, but primarily issues that affected the citizens of New York State. These meetings have since turned into the New York Republican Chiefs of Staff breakfasts that continue to this day. Over the years, Art became a mentor to all staff that was lucky enough to have worked with him. Though sticking true to his beliefs, he had an uncanny ability to maintain an open mind and adjust with the times as they changed.

Art not only created close relationships with staffers, but with all the employees of the House of Representatives. Every morning, bright and early, you could find Art in the Rayburn cafeteria sharing a cup of coffee with the Superintendent's staff. It was these early morning talks that Art credited as the source for the most useful information and inside tips.

Madam Speaker, I am happy for Art on his retirement and extremely proud of the 37 years of service he has given the people of Central New York. I know that although not here in Washington, Art will find a way to stay involved. The work he accomplished was done with the highest level of professionalism, a vigorous work ethic, and most importantly a loving heart. On behalf of my constituents, the constituents of the aforementioned former members and all of the wonderful staff with whom he worked with, I personally thank Art Jutton for all he has done. We will miss him.

RECOGNIZING THE 92ND BIRTHDAY OF DANNY QUILL

HON. PATRICK J. MURPHY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 2007

Mr. PATRICK J. MURPHY of Pennsylvania. Madam Speaker, I am proud to rise before you today to recognize the 92nd birthday of Danny Quill, decorated World War II veteran and Sergeant of Arms for the Yardley VFW Post 6393. Mr. Quill is the oldest and longest standing member of the Yardley VFW Post and the Knowles-Doyle American Legion Post 317. His service to this country began in 1942, and ever since he has inspired generations of men and women who have had the privilege of knowing him.

Mr. Quill was originally assigned to Washington, D.C. with the 176th Infantry Division responsible for protecting President Franklin D. Roosevelt. Following this assignment, Private First Class Quill was transferred to Fort Benning, Georgia, where he served as a machine gun instructor. Mr. Quill began his tour overseas with the 91st Infantry Division in Africa, but was quickly transported to Italy.

Alongside Polish and English Army regiments, Mr. Quill, a member of the 5th Army, saw his first combat near Naples under the command of General Mark Clark. From there, Madam Speaker, PFC Quill engaged in heavy combat as a machine gunner during campaigns through Appennino Mountains and Po Valley. Madame Speaker, so extreme and deadly was the fighting there, PFC Quill suffered the loss of 13 assistant ammunition loaders, along with many other men serving beside him.

His bravery and courageous service earned Mr. Quill a Combat Infantry Badge, Three Bronze Stars, a European Campaign Medal, a European-African Campaign Medal, a World War Two Victory Medal, and a Good Conduct Medal.

When Mr. Quill returned home, his sense of duty held strong, so with the same passion he began serving his community, a role he has played now for the better half of a century. For such enduring commitment to his family, friends and neighbors; to the men and women of his community and his country, Mr. Quill deserves the utmost respect and unconditional admiration. Madam Speaker, Mr. Quill stands as an ever-steady example of the American ideal of integrity and character he fought for then and inspires today.

INTRODUCTION OF BILL FOR COMMISSION ON UNFAIR TAX BREAKS AND SUBSIDIES

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 2007

Mr. UDALL of Colorado. Madam Speaker. I am today introducing another bill intended to help reduced waste and inequity in the Federal budget.

There has been much discussion of individual spending items—"earmarks"—requested by individual members. They are not all bad, but I agree that some need closer scrutiny. That's why I have introduced a bill, H.R. 595, the Stimulating Leadership in Cutting Expenditures, or "SLICE" Act, to give the President a constitutionally sound version of a line-item veto that can force Congress to reconsider individual spending items.

But we need to recognize that earmarks are not the whole story. Much waste and inequity in the budget results not from 1-year spending items, but from ongoing tax breaks and subsidies that are built into the budget and will persist unless and until there are changes in relevant law.

Like earmarks, not all tax breaks and subsidies are bad—in fact, I think many are good for our country and deserve to continue or even be expanded. One example would be the tax breaks and other provisions to promote renewable energy and to help Americans become more efficient in their use of energy. And there are other examples as well.

But there is also an array of direct subsidies, tax breaks and indirect assistance created for the special benefit of a relatively small number of beneficiaries, sometimes at the expense of others.

Too often, such provisions have persisted because of the phenomenon that once made it nearly impossible for Congress to close unneeded military bases—the cost of each one is relatively small in overall terms, but very important to a few States or Congressional Districts, with the result that the potential budgetary benefit of a reform is not great enough to overcome the strong opposition from its defenders.

So, the bill I am introducing today would resolve this dilemma in the same way that an earlier Congress resolved the similar problem of eliminating unneeded military bases. It would do that by establishing an independent, bipartisan, and expert commission to review special-interest tax breaks and subsidies to see which should be ended or revised.

But this would not be just another commission to produce another report fated only to gather dust on congressional shelves. Instead, like the special commissions that have reviewed military bases, it would be key to a process that would require Congress not just to read the report but to vote on whether to adopt its recommendations.

Here's how my bill would work:

BIPARTISAN CUTS COMMISSION

The Commission on Unfair Tax Breaks and Subsidies, or "CUTS Commission", would consist of five members. Its chair would be a person named jointly by the Speaker and the Senate majority leader. The Speaker and the majority leader of the Senate would each pick one other member, and so would the minority leaders in each Chamber. Members would be chosen on the basis of their expertise and to represent a fair balance of views.

The Commission's job would be to identify and evaluate payments, benefits, services, or tax breaks to see if they meet the test of a reasonable expectation that they will bring a return to the public at least equal to the value of the cost to the taxpayers.

SCOPE OF REVIEW

The scope of this review would not include payments made to or tax breaks benefiting individuals, to state or local government or Indian tribes, or Native corporations organized under the Alaska Native Claims Settlement Act, or to nonprofit, tax-exempt organizations.

It also would not cover support for research and development based on peer-reviewed or other open, competitive and merit-based procedures where the subject is in the public interest and the work is not likely to be done, or done with equal benefit to the public, by the private sector.

Similarly, the review would not include payments or tax breaks primarily benefiting public health, safety or protection of the environment; the development and use of renewable energy; improved energy efficiency; or education.

Finally, the Commission would not review matters of national security, including homeland security, compliance with trade agreements or treaties, or procurement contracts—and could not propose new programs or taxes or the termination of federal agencies.

RECOMMENDATIONS

The Commission would have a year to complete its work. Within that time, it would first prepare a preliminary report for review by the Government Accountability Office, GAO, and then a final report to Congress.

The Commission's report would specify which changes in subsidies the commission is recommending—and any recommendation supported by at least four of the five members of the Commission would be assured of prompt consideration by Congress.

LEGISLATIVE ACTION ON RECOMMENDATIONS

Under the bill, recommendations with that high degree of bipartisan support on the commission would have to be introduced as bills, and each committee to which they were referred would have a 20-day deadline to reporting them.

A committee could consider only amendments that would terminate or reduce an inequitable subsidy, except that the tax-writing committees could offset revenue increases with broad-based tax cuts, they could not use limited tax breaks of the kind that would have been subject to a line-item veto under the Line-Item Veto Act of 1996. If a committee failed to meet the deadline for reporting, it would be discharged.

Bills reported from committees would go to the Rules Committees of each Chamber. If more than one bill is reported, Rules would consolidate them into one measure which would go to the floor. After 5 days, excepting weekends and holidays, a motion to proceed to its consideration would be privileged and not debatable and, if adopted, the bill would be considered under procedures limiting the time for debate. Similar procedures would apply to conference reports after each Chamber had acted.

In short, Congress could not ignore consensus recommendations by the Commission. It would have to debate them and then vote on whether to adopt them.

POTENTIAL FOR SAVINGS

It is not possible to say exactly how much this bill will save the taxpayers—that depends on what the Commission might recommend and how many of their recommendations Congress would approve. I have seen estimates that the kinds of subsidies and tax breaks covered by this bill could be costing tens of billions of dollars annually just in terms of special-interest spending programs, not to mention special tax breaks—such as provisions to suspend the tariffs on certain items—many of which are of particular benefit to just one or a few companies. So, I think the potential is considerable.

EQUITY AND ACCOUNTABILITY

And as important as the savings that could come from enactment of my bill is the increased budget equity and congressional accountability that it would promote. Special-interest subsidies, whether through spending or tax breaks, are great for the beneficiaries but they aren't always great for the taxpayers and they often are harmful to competing companies or other entities that don't get the benefit of the subsidies.

So, trimming or eliminating that kind of subsidies could save money and would remove inequities—and requiring those of us in Congress to stand up and be counted on whether to trim or eliminate some of them would increase our accountability to the taxpayers, to those hurt by the subsidies, and to the American people.

For these reasons, Madam Speaker, I think this bill deserves the support of our colleagues. For their benefit, here is an outline of its major provisions.

OUTLINE OF COMMISSION ON UNFAIR TAX BREAKS AND SUBSIDIES ("CUTS") BILL

Commission—5 members: chair appointed jointly by House Speaker and Senate Majority Leader, plus one each appointed by House Speaker, Senate Majority Leader, and House and Senate Minority Leaders. Members to be chosen on basis of expertise and to reflect diverse views. No Federal employees on the commission, but agencies can detail people to provide technical expertise.

Duration—Commission would have one year to complete its review and report to Congress.

Scope of Review—Commission would review payments, benefits, services, and tax breaks provided to companies, joint ventures, associations, etc. but not to individuals, state or local governments, Indian tribes and Alaska Native Corporations, or tax-exempt nonprofits. Review would not cover support for research and development based on open, merit-based competition if it is consistent with public interest and federal agency purposes and private sector cannot reasonably be expected to do it as well. Also outside scope of review: matters involving public health or safety or the environment; development or use of renewable energy; greater energy efficiency; national security (including homeland security); or education. Review also would not involve matters needed to comply with international trade or treaty obligations or federal procurement contracts.

Report—Commission's preliminary report would be reviewed by GAO; final report would go to Congress with recommendations for changing or eliminating subsidies covered by commission's review. Any recommendation backed by at least 4 commission members would have to be introduced as legislation.

Action by Congress—Committees would be limited in amending bills to adopt recommendations by at least 4 of the 5 commission members and would have to report them for floor action with time limits on debate. So, Congress would have to act on those recommendations.

RECOGNIZING GRANT SAMPSON FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Grant Sampson, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 314, and in earning the most prestigious award of Eagle Scout.

Grant has been very active with his troop, participating in many scout activities. Over the many years Grant has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Grant Sampson for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

CELEBRATING THE MEMORY OF BARBARA McNAIR

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 2007

Mr. CONYERS. Madam Speaker, on Saturday, February 4, 2007, after a long battle with throat cancer, pioneering singer and actress Barbara McNair passed away. I rise today to remember and memorialize this important American.

Born March 4, 1934, in Racine, Wisconsin, Ms. McNair began performing at an early age. Encouraged by a family that saw her potential, Barbara McNair began singing at 5 years old in the local churches. She would later go on to study at the American Conservatory of Music in Chicago and thereafter attended the University of California, Los Angeles, before moving to New York City to pursue her dream of becoming an entertainer.

A 1957 engagement at New York's Village Vanguard earned her the notice which would eventually lead to her first Broadway performance in the play "The Body Beautiful" a year later. She went on to star in the Broadway musical "No Strings" in 1963. While Barbara McNair continued to gain a following as a nightclub singer throughout the early 1960s, her big break came with a win on Arthur Godfrey's television show, Talent Scouts. Her appearance on the show led to bookings at The Purple Onion and the Cocoanut Grove. Reviewing a nightclub appearance in late 1965, a New York Times writer commented that the "strikingly beautiful" McNair "does not have to depend on looks alone. She is a highly knowledgeable performer who projects an aura of beauty, a warm personality and an appealing sense of fun." She soon became one of the country's most popular headliners and a guest on such television variety shows as The Steve Allen Show, Hullabaloo, The Bell Telephone Hour, and The Hollywood Palace, while recording for the Coral, Signature, and Motown labels.

Towards the end of the 1960s, as opportunities were opening up for African-American women in film and television, Barbara McNair made her Hollywood acting debut in 1968 in the film, "If He Hollers, Let Him Go." The following year she starred with Elvis Presley in his 1969 film "Change of Habit" and as Sidney Poitier's wife in the 1970 film "They Call Me MISTER Tibbs!" As she told the Washington Post in 1969, she found movie acting "a more rewarding kind of work than singing. When I'm working in a club, I must go from one song to another rapidly and I don't have much time to express myself emotionally. In a movie, you can concentrate on one scene at a time."

In 1969, Barbara McNair expanded her love of performing onscreen by becoming the host of her own syndicated variety series, The Barbara McNair Show. While the show was on the air for only two seasons, as one of the few television shows of the period to have a black host, it marked a tremendous step forward for African-Americans in general and African-American women in specific.

Barbara McNair retained a devoted following and continued to perform until shortly before her passing. While Ms. McNair is no longer with us, her music and contributions to breaking down the race and gender barriers on television live on.

HONORING THE TOWN OF WOLCOTT ON ITS 200TH ANNIVERSARY

HON. JAMES T. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 2007

Mr. WALSH of New York. Madam Speaker, I rise today in recognition of the 200th anniversary of the town of Wolcott. This small town rests on the shore of Lake Ontario and currently has a population just under 4,700.

Named after Gov. Oliver Wolcott of Massachusetts, Wolcott was founded in 1807. The original town of Wolcott included what are now the present day towns of Huron, Rose, Butler, and Wolcott. At that time, the area was part of Seneca County.

In 1806, one of Wolcott's first settlers, Jonathan Melvin, purchased 500 acres in what would eventually become the village of Wolcott. Mr. Melvin built a gristmill and sawmill along with a frame house for his family, which he painted black. Known to be a very generous man, Mr. Melvin donated land for the construction of a local school and church.

One of the landmarks of Wolcott is the statue of Venus Rising from the Sea. In 1913 the statue was placed at the four corners in Wolcott at the site of the old town pump. Constructed of cast iron, the fountain has been a landmark in Wolcott for over eight decades. Venus Rising from the Sea is one of only eight such statues in America.

Production of iron was one of Wolcott's early main industries. The town was one of the two principle locations of the iron industry for western New York. The Wolcott furnace was located north of the village of Wolcott along the west bank of Wolcott Creek, on what is now Furnace Road. The Wolcott furnace was put into operation in 1821. The iron was formed into castings and hauled to Clyde, once the Erie Canal was constructed and began serving as the major transportation hub for bringing Wayne County products to market. The furnace remained operational until 1869 when the last run of iron making in Wolcott was completed. Today, Wolcott's main industries are fruit farming and food processing.

On behalf of the constituents of the 25th District of New York, I congratulate the town of Wolcott on its 200th anniversary.

HONORING JAMES A. MICHENER

HON. PATRICK J. MURPHY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 2007

Mr. PATRICK J. MURPHY of Pennsylvania. Madam Speaker, I rise today to pay tribute to one of America's most prominent 20th century authors, James A. Michener.

Born on February 3, 1907 and raised in Doylestown, PA by his adopted family, this great man would have been 100 years old this weekend and I find it fitting to commemorate his great contributions to our society on this day.

The author of over 40 great works, Michener is one of the United States' most important literary figures and one of the 8th district's most notable sons. His most famous work, Tales of the South Pacific, was based on his experiences while serving in the U.S. Navy during World War II. This descriptive account of soldiers' lives during the war was awarded the Pulitzer Prize in 1948 for its great ability to show the human side of war.

Throughout his career, Madam Speaker, Mr. Michener continued to explore the human side of our American experience with many stirring novels, including The Bridges at Toko-Ri, Alaska, Chesapeake, and Centennial. These excellent glimpses into our national history and character illustrate the genius of Mr. Michener, who in 1977 was awarded the Presidential Medal of Freedom, our nation's highest civilian honor.

Although most of his works were literary, Mr. Michener was truly a man of the world, a citizen servant, and a promoter of the arts.

Madam Speaker, from running for Congress in 1962, to serving on the Advisory board for NASA, to his appointment as cultural ambassador to numerous countries, Mr. Michener has left an indelible mark on our Nation.

Indeed, he has also left a strong mark on the 8th district of Pennsylvania, where he donated large sums of money directed to the promotion of the arts. In 1988, the James A. Michener Art Museum opened in Doylestown, PA, promising to preserve and display the rich artistic heritage of the Bucks County region. With the help of many donors who shared in Mr. Michener's vision this museum stands today as one of the great collections of Pennsylvanian art.

Madam Speaker, I ask my colleagues to join me in commemorating this fixture of American literary history. Truly, James A. Michener was an experienced traveler, a dedicated citizen and an inspiring writer.

In commemoration of the centennial of his birth, I am proud and honored to remind this body of his many contributions to our Nation.

REINTRODUCTION OF THE COLORADO NORTHERN FRONT RANGE MOUNTAIN BACKDROP PROTECTION STUDY ACT

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 2007

Mr. UDALL of Colorado. Madam Speaker, today I am again introducing the Colorado Northern Front Range Mountain Backdrop Protection Study Act. I introduced similar bills in the 107th and 108th Congresses, and last year the legislation was passed by the House but the Senate did not complete action on it before the end of the 109th Congress.

The bill is intended to help local communities identify ways to protect the Front Range Mountain Backdrop in the northern sections of the Denver-metro area, especially the region just west of the Rocky Flats Environmental Technology site. The Arapaho-Roosevelt National Forest includes much of the land in this backdrop area, but there are other lands involved as well.

Rising dramatically from the Great Plains, the Front Range of the Rocky Mountains provides a scenic mountain backdrop to many communities in the Denver metropolitan area and elsewhere in Colorado. The portion of the range within and adjacent to the Arapaho-Roosevelt National Forest also includes a diverse array of wildlife habitats and provides many opportunities for outdoor recreation. The open-space character of this mountain backdrop is an important esthetic and economic asset for adjoining communities, making them attractive locations for homes and businesses. But rapid population growth in the northern Front Range area of Colorado is increasing recreational use of the Arapaho-Roosevelt National Forest and is also placing increased pressure for development of other lands within and adjacent to that national forest.

We can see this throughout Colorado and especially along the Front Range. Homes and shopping centers are sprawling up valleys and along highways that feed into the Front Range. This development then spreads out along the ridges and mountain tops that make up the backdrop. We are in danger of losing to development many of the qualities that have helped attract new residents. So, it is important to better understand what steps might be taken to avoid or lessen that risk—and this bill is designed to help us do just that.

Already, local governments and other entities have provided important protection for portions of this mountain backdrop, especially in the northern Denver-metro area. However, some portions of the backdrop in this part of Colorado remain unprotected and are at risk of losing their open-space qualities. This bill acknowledges the good work of the local communities to preserve open spaces along the backdrop and aims to assist further efforts along the same lines.

The bill does not interfere with the authority of local authorities regarding land use planning. It also does not infringe on private property rights. Instead, it will bring the land protection experience of the Forest Service to the table to assist local efforts to protect areas that comprise the backdrop. The bill envisions that to the extent the Forest Service should be involved with federal lands, it will work in collaboration with local communities, the state and private parties.

Madam Speaker, I strongly believe it is in the national interest for the Federal Government to assist local communities to identify ways to protect the mountain backdrop in this part of Colorado. The backdrop beckoned settlers westward and presented an imposing impediment to their forward progress that suggested similar challenges ahead. This first exposure to the harshness and humbling majesty of the Rocky Mountain West helped define a region. The pioneers' independent spirit and respect for nature still lives with us to this day. We need to work to preserve it by protecting the mountain backdrop as a cultural and natural heritage for ourselves and generations to come. For the information of our colleagues, I am attaching a fact sheet about this bill.

COLORADO NORTHERN FRONT RANGE MOUNTAIN BACKDROP PROTECTION STUDY ACT

Generally: The bill would help local communities preserve the Front Range Mountain Backdrop in the northern sections of the Denver-metro area in a region generally west of the Rocky Flats Environmental Technology site.

Front Range Mountain Backdrop: The backdrop consists of the mountainous foothills, the Continental Divide and the peaks in between that create the striking visual backdrop of the Denver-metro area and throughout Colorado. Development in the Denver-metro area is encroaching in the Front Range backdrop area, and thus adversely affecting the esthetic, wildlife, open space and recreational qualities of this geographic feature. Now is the time to shape the future of this part of the Front Range. There is a real but fleeting opportunity to protect both protect Rocky Flats—a "crown jewel" of open space and wildlife habitat—and to assist local communities to protect the scenic, wildlife, and other values of the mountain backdrop.

What the bill does:

Study and Report: The bill requires the Forest Service to study the ownership patterns of the lands comprising the Front Range Mountain Backdrop in a region generally west of Rocky Flats, identify areas that are open and may be at risk of development, and recommend to Congress how these lands might be protected and how the federal government could help local communities and residents to achieve that goal.

Lands Covered: The bill identifies the lands in southern Boulder, northern Jefferson and eastern Gilpin Counties in the Second Congressional District; specifically, an area west of Rocky Flats and west of Highway 93, south of Boulder Canyon, east of the Peak-to-Peak Highway, and north of the Golden Gate Canyon State Park road.

What the bill would not do:

Affect Local Planning: The bill is designed to complement existing local efforts to preserve open lands in this region west of Rocky Flats. It will not take the place of—nor disrupt—these existing local efforts.

Affect Private Property Rights: The bill merely authorizes a study. It will not affect any existing private property rights.

RECOGNIZING MATTHEW HELM FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Matthew Helm, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 138, and in earning the most prestigious award of Eagle Scout.

Matthew has been very active with his troop, participating in many scout activities. Over the many years Matthew has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Matthew Helm for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

IN HONOR OF VERNA M. WOOLFOLK-SLOAN

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 2007

Mr. FARR. Madam Speaker, I rise today to speak in honor of Verna M. Woolfolk-Sloan, who passed away on Wednesday, January 31, at the age of 81. Verna lived in Central California's Monterey County for more than 50 years. In that time she built a great record of personal, professional, and community achievement in advancing equal employment opportunity for women and minorities.

Verna was born in Providence, Kentucky and received straight A's throughout school, indicative of professional successes to come. She graduated as class Valedictorian from Rosenwald High School. Verna married Sergeant First Class Robert D. Sloan and they traveled throughout the United States and Germany with their son Joseph. They first set down roots in Seaside with her husband's 1955 posting to Fort Ord. A lifelong learner, Verna studied at Monterey Peninsula College, was awarded high honors in a Masters Degree in Business Administration from Golden Gate University, and later completed a Ph.D. in Organizational Psychology from International University.

Verna's motivation for education and equal opportunity came from her paternal grandparents, former slaves, who established Woolfolk School as the first Black secondary school in Kentucky. These principles guided her civil service career, which she began in 1956 as a simple typist, before climbing the career ladder as an accountant, manager, and ultimately Director of the U.S. Army's Equal Opportunity Office, which monitored and oversaw equal employment opportunity programs at Fort Ord and Fort McArthur. Here, she was the highest-ranking civilian employee at these bases.

Retiring after forty years of civil service employment gave Verna an opportunity to become ever more deeply involved in her local community as a volunteer. She was a Golden Heritage life member, Secretary and Executive Committee member of the Monterey Peninsula's branch of the National Association for the Advancement of Colored People, and held seats on the boards of many Christian, cultural, and women's organizations. Verna was a role model and inspiration to countless young women and minorities in her local Monterey County, and was recognized with a number of awards, including the Outstanding Woman of Achievement Award and the Outstanding Equal Opportunity Officer award.

She is survived by her sister Eloise Wells of Marina, her brother Thomas Woolfolk of Chicago, grandson Joseph Sloan, Jr. of Atlanta, along with numerous beloved family members, including two great great nieces, one great great nephew, and three godchildren. Many of her family are also based in Seaside or Monterey County, which will ensure her legacy is continued and her work remembered in the district.

Madam Speaker, on behalf of the House, I would like to extend our Nation's deepest thanks for Verna's service to the United States and her local community. Her dedication and commitment opened the door to equal opportunity for many to whom that door would have otherwise been closed, and I know that I speak for every member of Congress when I say that it is our honor to recognize her today.

TOM MARTIN

HON. JANE HARMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 2007

Ms. HARMAN. Madam Speaker, every once in a while, someone great comes along who flawlessly fills a position and epitomizes the role he or she performs. Tom Martin, long-time aide and Field Representative to Los Angeles County Supervisor Don Knabe, is such a person.

Tom spent almost 35 years working in state and local government, retiring only after a serious health condition forced him from the job he loved. These many years of public service earned him the well-deserved nickname "Godfather of Field Deputies." It's widely acknowledged that few people in the region have done as much as Tom has for so many. And his upbeat demeanor is always matched with seemingly effortless action. For Tom, helping people has always been second-nature.

I do not think I have ever seen Tom without a smile on his face, or heard him say "no" to someone. From 1969 until his retirement in 2005, Tom worked to improve the lives of his neighbors and enhance the community. During that time, the South Bay saw many changes, but one thing remained constant: Tom was always there to listen and to assist those who came to him with their problems, concerns, and ideas.

No item was too small for Tom when it came to helping others and he seemed to involve himself in everything. He ensured that the lights would be promptly fixed in Marina del Ray. He made limiting growth at LAX and its modernization a priority. And he was instrumental in engineering the land swap that saved Los Angeles Air Force Base in the most recent base closure round. Over the years, Tom worked closely with me and my office and grew to be a personal friend.

But I never saw 'working' with Tom as work. Each meeting, each conversation was more of an interaction with an old friend than official business. His personal generosity integrated itself into the way he approached his job and how he lives his life.

Today, I honor his career and his service to the community. And I wish Tom improving health and Jeri and Tom many, many more years of happiness together.

DEPARTMENT OF PEACE

HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 2007

Mr. LEWIS of Georgia. Madam Speaker, I rise today to support the establishment of a Department of Peace and Nonviolence as a cabinet-level office of the executive branch of our government. I agree with Representative KUCINICH that war and the threat of war have dominated international relationships for much too long. As a participant in the Civil Rights Movement, as a human being who has faced the barrel of a loaded gun armed only with the philosophy of peace, it has been my belief for many years that war is obsolete as a tool of our foreign policy. But I realize that position may be too progressive for many of my colleagues to accept.

But maybe, just maybe at this moment in our nation's history, when we find ourselves struggling with the hopeless legacy of violence, maybe, just maybe we might be willing to consider the methods of peace as an intelligent, strategic alternative to war. At this very moment our sons and daughters are battling in the middle of an unnecessary war, a war we started, hoping that we could force democracy to grow.

But Mahatma Gandhi once said that violence begets violence. And a recipient of the Nobel Prize for Peace, Martin Luther King, Jr., once said if we as a people want peaceful ends, we must use peaceful means. When will the warring factions in Syria, Lebanon, Israel, Iran, Iraq, Afghanistan and the United States be willing to say they have spilled enough innocent blood? When will they say it is time for us to lay down the tools and instruments of war? Today, can we hear the words of Gandhi, perhaps stronger now than ever before, "We must choose non-violence or non-existence"?

Are we finally willing to hear the words of Martin Luther King, Jr., "We must learn to live as brothers and sisters or perish as fools"? Can we, the most powerful nation in the world, use our influence, to raise these questions and give peace a chance?

Madam Speaker, as a nation and as a people we have researched, written about, studied, constructed, deployed and spent trillions of dollars on the best ways to destroy humanity. We have used the power of fear to dominate world affairs. What would happen if the most powerful nation on earth took the lead and through this Department of Peace decided to put even half of those resources toward developing ways to sustain humanity, ways to keep the peace in spite of competing international interests, and ways to gain influence using the power of diplomacy and negotiation?

Without constructive, alternative policies, without viable tools that leaders of nations and leaders of human kind can reach for, peace will always be a vanishing ideal that holds no substance. If we truly believe that peace is our ultimate goal, then we must use the resources of this great nation to that end. We must use the brilliance of American intelligence to develop the methods and mechanisms of peace, even more actively than we develop the mechanisms of war. That's why we need a Peace Academy that will create a diplomatic corps armed with the tools of peaceful influence.

We are all one people, Madam Speaker. We are one family, the human family, and we must find a way to understand each other, to make peace, and learn to live together.

THE GLOBAL CHANGE RESEARCH AND DATA MANAGEMENT ACT OF 2007

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 2007

Mr. UDALL of Colorado. Madam Speaker, today I am pleased to introduce the Global Change Research and Data Management Act of 2007 with my colleague from South Carolina, Mr. INGLIS. This bill updates the existing law that formally established the U.S. Global Change Research Program (USGCRP) in 1990. This bill is also similar to the Global Change Research and Data Management Act that I introduced in the 107th and 108th Congresses.

Over the past decade, the USGCRP has significantly advanced our scientific knowledge of Earth's atmosphere and climate and has provided us with a wealth of new data and information about the functioning of our planet.

However, the program has not produced sufficient information, both in terms of content and format, to be the basis for sound decisions. The program has focused nearly all of its resources and efforts on scientific inquiry. Only one broad assessment of the impact of global change on society has ever been attempted by the program, and that assessment was completed nearly 7 years after its Congressionally mandated deadline. The local, state, regional, and national policymakers responsible for managing resources, fostering economic development, and responding to natural disasters need information to guide their decisions. In my view, it is critical that Congress reorient the USGCRP toward a user-driven research endeavor.

The recent release of the policy summary from the Fourth Assessment Report by the Intergovernmental Panel on Climate Change (IPCC), Working Group I, has helped solidify the growing scientific consensus that our climate is changing. This international effort had government support from around the world, including strong involvement from the U.S., and is a summary of the latest science about our climate. It reports that the Earth is warming—sea temperatures are rising, glaciers are melting, and air temperatures worldwide are increasing.

Most of the public and policy makers also agree that the climate is changing, but disagreement remains about how much is the result of human activities. I think this bill deserves the support of people on both sides of that argument.

We need to move beyond debates about whether global change is occurring and allocating responsibility for the changes. I continue to believe fervently that we must do all we can to soften our impact on the environment and to slow the pace of global change. But we are going to have to deal with climate change with some mix of mitigation and adaptation. We must acknowledge the interdependence of our social, economic and environmental systems and learn to anticipate and adjust to changes that will inevitably occur.

In its 2003 review of the Administration's draft strategic plan for the USGCRP, the National Academy of Sciences (NAS) acknowledged the need for research to evaluate strategies to mitigate and adapt to the impacts of global change, and the Academy recommended that the plan be revised to enhance efforts to support decision-making. The Global Change Research and Data Management Act of 2007 reorients the program to accomplish these goals.

The NAS praised the Administration for including the development of decision support tools in the strategic plan, but criticized the plan for its failure to "recognize the full diversity of decision makers" and for failing to "describe mechanisms for two-way communication with stakeholders."

The Global Change Research and Data Management Act would address these criticisms by requiring the Administration to identify and consult with members of the user community in developing the USGCRP research plan. The bill would also mandate the involvement of the National Governors Association in evaluating the program plan from the perspective of the user community. These steps would help to ensure that the information needs of the policy community will be met as generously as the funding needs of the academic community.

The 1990 law outlined a highly specific organizational structure for the USGCRP. Our bill would eliminate this detailed organizational structure and provide the President with the flexibility to assemble an Interagency Committee and organizational structure that will best deliver the products Congress is requesting. Our bill would, however, retain many of the key features of current law—the requirements for a ten-year strategic plan, for periodic assessments of the effects of global change on the natural, social, and economic systems upon which we depend, and for increased international cooperation in global change science.

Our bill would establish a new interagency working group to coordinate federal policies on data management and archiving. Advances in computer, monitoring, and satellite technologies have vastly expanded our ability to collect and analyze data. We must do a much better job of managing and archiving these important data resources to support the work of current and future scientists and policymakers.

I would like to thank Mr. INGLIS from South Carolina for cosponsoring of this bill. Crafting a new approach for the USGCRP is a nonpartisan issue—increasing access to better and more relevant science is something that we all can agree will help us make better decisions.

As is clear from the current debate in response to the release of the IPCC report, we have yet to agree on how much more information, if any, is needed before we take actions to slow the effects of human activities on global change. These are tough policy questions that we will continue to wrestle with. This bill does not offer specific policy direction, but it does affirm the need for the continued strong federal support for global change research, and it does map out a new emphasis on the production of information needed to inform these important policy debates. As the world's leader in science and technology, it is incumbent on us to develop solutions that will protect our planet's resources and permit continued economic and social progress for our Nation and for the world.

UNITED STATES CARIBBEAN ECONOMIC RELATIONSHIP—ACKNOWLEDGMENT OF IMPORTANCE

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 2007

Mr. RANGEL. Madam Speaker, I stand before you today to acknowledge the importance of the economic relationship between the United States and the Caribbean and to enter into the RECORD an article from the Carib News by Tony Best entitled "A Picture of U.S.-Barbados Trade."

For many years, the United States has cultivated a trade relationship with the Caribbean that goes far beyond rum. As a result, both the U.S. and the Caribbean have benefited. In recent years, trade in the areas of natural gas, garments, seafood, sodium hydroxide, peroxide, and textiles are noteworthy.

A focus on Trinidad and Tobago is particularly important because Trinidad and Tobago is an abundant energy producing nation with 60 percent of the oil reserves in the Caribbean. The U.S. receives the majority of its natural gas imports from this resource rich nation and imported over $1.7 billion of various energy commodities in 2005. That is remarkable.

In turn, the U.S. has exported approximately $491 million in industrial commodities such as computers, cell phone transmission equipment, and lab furnaces, just to name a few, to Trinidad and Tobago.

Another key trade area is with textiles. The nation of Haiti exported $169 million in garments, while the U.S. reciprocated with imports of $124 million.

The Caribbean U.S. trade relationship continues to grow and provide mutually beneficial benefits for both the U.S. and the Caribbean nations.

A PICTURE OF U.S.-BARBADOS TRADE

(By Tony Best)

How solid is your knowledge of U.S.-Caribbean trade? To find out take the trade test.

First question: Name the Caricom state which has a whopping $6 billion trade surplus with the U.S.?

Second query: Identify the country which exports tens of millions of dollars in live crustaceans—mostly aquatic species with a hard shell and many legs, such as lobsters, crabs and shrimp—every year but ends up with a $1 billion deficit with the U.S.

How about the nation whose beer exports went through the roof but its garment exports have fallen sharply in recent years. At the same time, this country bought large amounts of sodium hydroxide and peroxide from the U.S.

Then there is the coastal state, which often sells more sweaters, pullovers, vests and other garments to the U.S. than it buys American made T-shirts and tank tops?

Finally, list the island whose Cricket World Cup construction could boost its trade with the U.S.

If you identified Trinidad and Tobago as the Caribbean nation, one of the 16 Western Hemisphere nations with a healthy trade balance with the economic giant next door, you would be right on the money. But if your answer about the exporter of $45 million in lobsters and crabs to Florida and other parts of the U.S. as the Dominican Republic you would be away off base. Actually, the country was the Bahamas.

On the other hand Jamaica's textile industry was not a strong exporter in 2005, the latest year for which there was trade data. Exports of Jamaica-made garments plunged to $55.5 million down from $82 million the year before. However, it did export $23.5 million in beer, up by 82 percent over 2004 but bought $113 million in sodium hydroxide and peroxide, a 119 percent jump. It exported 60 percent more aluminum ores and concentrate to the U.S. in 2005 than it did in 2004. Those exports amounted to almost $69 million.

Like Jamaica, Haiti exports large amounts of textiles but unlike its Caricom partner, the French-speaking republic exported almost $100 million more in garments to the U.S. than it bought, $169 million in exports as compared with $124 million in imports of T-shirts, tank tops and knit or crocheted items. But the U.S. turned around and sold an extra $52.4 million in miscellaneous knitted or crocheted fabrics to Haiti.

Barbados, which will play host to the Cricket World Cup final in April, is experiencing a construction boom and analysts believe the major sporting event could trigger more trade with the U.S.

The picture of Caribbean-U.S. trade was sketched from U.S. Census Bureau data and published in a guide on U.S. trade in the Western Hemisphere distributed by World City, a journal that emphasizes global trade.

What the figures and analyses show, according to trade specialists, is that as Caribbean nations continue their efforts to diversify their economies, export trade with the U.S. hasn't come close to reducing the dominant role played by the U.S.

Energy-rich Trinidad and Tobago is by far the most successful Caribbean exporter and that's attributed to the fact that the twin-island nation is the largest natural gas supplier to the U.S., which bought $3.3 billion in liquefied natural gas from the ethnically diverse country. Trinidad controls 60 percent of Caribbean's oil reserves. In 2005, for instance, it sold $3.3 billion in petroleum gases to the U.S.; $1.2 billion in ammonia; $1.2 billion in crude oil; $972 million in non-crude oil; $714 million in acyclic alcohols; and $101 million in nitrogenous fertilizers.

On the other side of the trade ledger, the U.S. exported almost $250 million in machinery to Trinidad, over $46 million in electrical equipment for line telephony; $36 million in computers; and $29 million in "transmission apparatus for cellular phones. Add another $28 million in industrial or lab furnaces and ovens; $84 million in low value shipments; and $18 million in iron or steel tubes and pipefittings and it would become clear that Trinidad and Tobago's industrial base is expanding.

In much the same way that Jamaica's oil imports from the U.S. skyrocketed to unbelievable levels in 2005, Barbados saw its refined oil imports rise by 127 percent, going to almost $18 million.

In the end, Barbados sold a mere $32 million in goods to the U.S. while it imported close to $400 million. Its deficit with the economic colossus in the north was $360 million. Between them their trade rose by 10 percent, reaching $424.7 million.

Guyana was another Caribbean state whose trade with the U.S. rose in 2005. Exports went up marginally, by less than two percent but the amount of U.S.-made goods jumped by 26 percent, reaching $175 million, less than half of what Barbados bought and close to 10 percent of Jamaica's imports of American commodities, which were valued at $1.6 billion.

Guyana's key exports were aluminum ores and concentrate valued at just under $50 million; $32 million in live crustaceans; and $11 million in diamonds. Interestingly, the top U.S. commodity exported to Guyana was listed as "charitable items," with a value of about $42 million.

As for Guyana's neighbors, the Census Bureau's data stated that in 2005:

St. Lucia-U.S. trade rose by almost 40 percent in 2005, reaching $167 million. The U.S. had a surplus of $107 million.

U.S. trade with Antigua jumped by almost 50 percent, reaching $149 million. U.S. export went up by 51 percent and Antigua's by less than two percent.

St. Kitts-Nevis exported $49 million to the U.S.

That was more than the combined totals of Dominica $3.3 million, Grenada $5.8 million; St. Antigua's $4.4 million and Vincent's $15.6 million.

It exported more than Barbados did to the U.S. Electrical supplies, transformers and other power supplies, electric motors, generators and sets accounted for more than $36 million of the total.

The Bahamas, whose negative trade picture of $1 billion made it Caricom's largest, was third on the list of Western Hemisphere countries with large trade deficits.

Barbados was fourth on the trade deficit ridden partners of the U.S. followed by Haiti, Antigua, Belize, St. Lucia, Suriname, Grenada, Guyana, St. Kitts-Nevis, and St. Vincent.

RECOGNIZING WILL GORMAN FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Will Gorman, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 214, and in earning the most prestigious award of Eagle Scout.

Will has been very active with his troop, participating in many scout activities. Over the many years Will has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Will Gorman for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

RESOLUTION HONORING THE EMPLOYEES OF THE DEPARTMENT OF HOMELAND SECURITY

HON. CHRISTOPHER P. CARNEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 2007

Mr. CARNEY. Madam Speaker, our Nation must remain vigilant against all threats to the homeland, including acts of terrorism and natural disasters. Department of Homeland Security employees stand willing, ready, and able to respond should catastrophe strike. They work long hours to deter, detect, and prevent acts of terrorism against the homeland.

As protectors of our Nation's borders, airports, seaports, rail lines, and other transit systems, they are always on call. Together with other agencies and departments of the Federal Government, they work with State, local, and tribal partners to enhance preparedness at all levels of Government.

On January 24th, the Department of Homeland Security marked its fourth anniversary. The Department, which has more than 208,000 employees, plays a vital role in ensuring the Nation's security and preparing the American people for future catastrophes.

In light of this anniversary, it is fitting and appropriate for the House of Representatives to take a moment to honor the employees of the Department for their contributions in protecting the homeland and the sacrifices they make to protect the American people.

HAPPY BIRTHDAY, MRS. PLACIDA PEÑA BARRERA

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 2007

Mr. CUELLAR. Madam Speaker, I rise today to honor Mrs. Placida Peña Barrera on her reaching the milestone of her 80th birthday. She is one of the most inspiring members of the community in the City of Laredo and in the State of Texas.

Mrs. Placida Peña Barrera was born on July 13, 1926, in the City of Guerra in the great State of Texas. She moved to Roma, Texas, and commuted to Rio Grande City to attend high school, where she graduated in 1945. Five years later, she met Raymundo Barrera and together they raised six children. She was committed to being the best mother for her children.

With her husband's retirement, she decided to work as a clerk for the Laredo Independent School District, while also taking classes at Texas A&M International University. Placida graduated from Texas A&M International University in 1978, at the age of 52 with a degree in teaching.

Mrs. Barrera has worked consistently to uplift the lives of children in Laredo, Texas, through her 22 years of teaching at United Independent School District. While there, she established the Laredo chapter of the NASA's Young Astronauts program. For her work, she was awarded certificates of appreciation. She and her husband were also recognized by the Department of Journalism at the University of Texas at Austin for their publication of "U.S. Latinos and Latinas and World War Two Oral History."

After serving her community as an educator for nearly two decades, Mrs. Barrera retired in 2000, and is enjoying her time with her husband and their grandchildren. It is because of her work that the youth in the community were able to realize their potential to create a new and better future for themselves.

Madam Speaker, I am honored to have had the opportunity to recognize the dedication of Mrs. Placida Peña Barrera to her community, and ask you to join me in honoring her on her birthday. I thank you for your time.

PERSONAL EXPLANATION

HON. MARY BONO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 2007

Mrs. BONO. Madam Speaker, yesterday, February 6, 2007, I was unable to attend suspension votes due to personal illness.

Were I present for the rollcall votes, I would have voted in the following manner for the following votes:

1. Rollcall Vote No. 76, H.R. 161, the Bainbridge Island Japanese American Monument Act of 2007—Vote: "Yea."
2. Rollcall Vote No. 77, H.R. 386, the Yakima-Tieton Irrigation District Conveyance Act of 2007—Vote: "Yea."

HONORING BEST BUDDIES

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 2007

Ms. ROS-LEHTINEN. Madam Speaker, I would like to call your attention to Best Buddies, an organization founded the same year I was first elected to Congress, in 1989. If Best Buddies has one message, it can be articulated by its founder, Anthony K. Shriver, who lives in Miami and has stated "that every person has a gift. And that every person can contribute." This message is emblematic of what makes America successful and, in turn, has made Best Buddies a thriving international organization serving thousands of deserving individuals every year.

The main concept behind this organization is simple, yet profoundly effective. Best Buddies establishes one-on-one friendships between people with and without intellectual disabilities. This simple concept allows those who are often excluded because of their differences, the opportunity to engage socially and become integrated into society. Best Buddies' efforts in our communities are commendable and I encourage all Americans to embrace this organization, its ideals and initiatives.

Best Buddies also opens doors and provides opportunities for people with disabilities. Through the support of this organization, many are able to attain jobs allowing them to earn an income, pay taxes and work alongside others in our workforce. For students, Best Buddies' initiatives at schools and colleges are helping the intellectually disabled integrate socially with their peers. In the past, many were often separated into special education classes making their social life somewhat isolated. To address this issue, Best Buddies has established several programs at different levels, from Best Buddies Middle Schools and a Peer Buddy system in High Schools, to Best Buddies Colleges. All three programs use the founding principles of this organization, allowing students with and without intellectual disabilities to create friendships and bonds that will last a lifetime.

The success of Best Buddies can be attributed to the indelible experiences, not only for those with intellectual disabilities, but for the many volunteers and buddies involved with this tremendous program. I am proud that the main headquarters is located in South Florida, in my Congressional district, and I look forward to supporting Best Buddies as it continues to grow and positively affect so many lives.

IN RECOGNITION OF GILBERT RIVERA

HON. NYDIA M. VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 2007

Ms. VELÁZQUEZ Madam Speaker, I rise today on the floor of the U.S. House of Representatives to recognize the life and contributions of a tremendous community advocate, businessman, and cherished friend, Gilbert Rivera.

In 1957, Gilbert Rivera migrated from Puerto Rico with his mother, father and twelve brothers and sisters to Bedford Stuyvesant with little money, and a dream to one day own his own business.

After graduating from Automotive High School and serving in the U.S. army, Gil started a small construction firm. But with his drive and determination, the company did not stay small for long and overtime grew to become one of the largest Hispanic owned contracting and building supply businesses in New York City. AM&G's diverse portfolio of projects includes landmarks admired by preservationists, such as Carnegie Hall, Erasmus Hall HS, and Columbia University as well as residential buildings on Fifth Avenue.

But despite his good fortune, Gil never forgot his roots. He stayed in Brooklyn, placing a premium on working to better neighborhoods and communities, and continuing to create jobs for young people.

One of the many things that made Gilbert Rivera unique was that he used his success to improve the lives of everyone he touched. He was a socially conscious, philanthropic man who was a loyal and generous supporter of the causes he believed in. He founded the Hispanic Business Group to advocate for greater business opportunities for Hispanic owned businesses with corporate America and was actively involved with numerous community organizations, including the Brooklyn Chamber of Commerce, Brooklyn Botanic Gardens, Brooklyn Bridge Park, and the scholarship fund for young Latinos.

During his time with us, he walked upon this earth and used the power of his beliefs and determination to instill hope and inspiration, not only to his family but in all who knew him. Therefore, Madam Speaker, I rise with my colleagues in the House of Representatives to honor the life and contributions of Gilbert Rivera—a true American success story.

INTRODUCTION OF "MORE WATER AND MORE ENERGY ACT"

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 2007

Mr. UDALL of Colorado. Madam Speaker, I am today again introducing legislation to facilitate the use of water produced in connection with development of energy resources for irrigation and other uses in ways that will not adversely affect water quality or the environment.

The bill is similar to one I introduced in the 109th Congress (as H.R. 5011) that passed the House last year but on which the Senate did not complete legislative action. It is cosponsored by Representative PEARCE of New Mexico, who is the ranking Republican member on the Natural Resources Committee's Subcommittee on Energy and Mineral Resources and also by Representative EDWARDS of Texas. I greatly appreciate their support.

The bill's purpose is to help change an energy-industry problem into an opportunity, not just for oil and gas producers but for everyone else who would benefit from increased supplies of usable water.

Especially in the arid west, that covers everyone—not least our hard-pressed ranchers and farmers.

The focus of the bill is what's called "produced water"—the underground water extracted in connection with development of energy sources like oil, natural gas or coalbed methane. It would do two things:

First, it would direct Reclamation and the USGS to identify the obstacles to greater use of produced water and how those obstacles could be reduced or eliminated without adversely affecting water quality or the environment.

Second, it would provide for federal help in building 3 pilot plants to demonstrate ways to treat produced water to make it suitable for irrigation or other uses, again without adversely affecting water quality or the environment.

At least one of these pilot plants would be in Colorado, Utah, or Wyoming. At least one would be in one of the three States of New Mexico, Arizona or Nevada. And there would be at least one each in California and Texas. This is to assure that, together, the plants would demonstrate techniques applicable to a variety of geologic and other conditions.

Under the bill, the federal government could pay up to half the cost of building each plant, but no more than $1 million for any one plant. No federal funds could be used for operating the plants.

The bill's goal is reflected in its title—the "More Water and More Energy Act of 2006."

The extent of its potential benefits was shown by the testimony of Mr. David Templet at a hearing on the similar bill of mine the House considered last year.

Mr. Templet testified in support of that bill on behalf of the Domestic Petroleum Council and several other groups, including the Colorado Oil & Gas Association. He noted that produced water is the most abundant byproduct associated with the production of oil and gas, with about 18 billion barrels being generated by onshore wells in 1995.

And he pointed out that if only an additional 1% of that total could be put to beneficial use, the result would be to make over 75 billion gallons annually available for use for irrigation or other agriculture, municipal purposes, or to benefit fish and wildlife.

Now, remember that in the West we usually measure water by the acre-foot—the amount that would cover an acre to the depth of one foot—and an acre-foot is about 32,8560 gallons, so an additional 75 billion gallons is more than 230,000 acre-feet—more water, indeed.

And at the same time making produced water available for surface uses, instead of just reinjecting it into the subsurface, can help increase the production of oil and gas.

At least year's hearing, this was illustrated by the testimony of Dr. David Stewart, a registered professional engineer from Colorado. He cited the example of an oil field in California from which an estimated additional 150 million barrels of oil could be recovered if water were removed from the subsurface reservoir. And he pointed out that where oil recovery is thermally enhanced, a reduced amount of underground water means less steam—and so less cost—is needed to recover the oil.

The potential for having both more water and more energy is also illustrated by the example of a project near Wellington, Colorado, that treats produced water as a new water resource. An oil company is embarking on the project to increase oil production while a separate company will purchase the produced water to supplement existing supplies, eventually allowing the town of Wellington and other water users in the area to have increased water for drinking and other purposes.

In view of its potential for leading to both "more water" and "more energy" I was pleased but not surprised that last year the Administration, through the Interior Department, testified that it "agrees that the goals of the bill are commendable and the needs that could be addressed are real" and that the roles the bill would assign to the Bureau of Reclamation and the USGS are consistent with the missions and expertise of those agencies.

In view of all this, Madam Speaker, I submit that this bill—and its promise of helping provide our country with both more water and more energy—deserves the support of the House.

For the benefit of our colleagues, here is a summary of the bill's provisions:

SUMMARY OF PROVISIONS OF THE "MORE WATER AND MORE ENERGY ACT"

Section One—provides a short title (the "More Water and More Energy Act of 2007").

sets forth several findings regarding the basis for the bill, and states the bill's purpose: "to facilitate the use of produced water for irrigation and other purposes without adversely affecting water quality or the environment, and to demonstrate ways to accomplish that result."

Section Two—defines terms used in the bill.

Section Three—requires the Interior Department (through the Bureau of Reclamation and the U.S. Geological Survey) to conduct a study to identify the technical, economic, environmental, legal, and other obstacles to increasing the extent to which water produced in connection with energy development can be used for irrigation and other purposes without adversely affecting water quality or the environment, and legislative, administrative, and other actions that could reduce or eliminate those obstacles. Results of the study are to be reported to Congress within a year after enactment.

Section Four—provides that within existing authorities and subject to appropriation of funds, the Interior Department is to provide financial assistance for development of facilities to demonstrate the feasibility, effectiveness, and safety of processes to increase use of produced water for irrigation, municipal or industrial uses, or other purposes without adversely affecting water quality or the environment. The section specifies that assistance is to be provided for at least one project in (1) Colorado, Utah, or Wyoming; (2) New Mexico, Arizona, or Utah; (3) California; and (4) Texas. Assistance to any facility cannot exceed $1 million and cannot be used for operation or maintenance. The section specifies that assistance under this bill can be in addition to other federal assistance under other provisions of law.

Section Five—requires the Interior Department to—(1) consult with the Department of Energy, EPA, and appropriate Governors and local officials; (2) review relevant information developed in connection with other research; (2) include as much of that information as Interior finds advisable in the report required by section 1; (3) seek the advice of people with relevant professional expertise and of companies with relevant industrial experience; and (4) solicit comments and suggestions from the public.

Section Six—specifies that nothing in the bill is to be construed as affecting—(1) the effect of any State law, or any interstate authority or compact, regarding the use of water or the regulation of water quantity or quality; or (2) the applicability of any Federal law or regulation.

Section Seven—authorizes appropriation of—(1) $1 million for the study required by section 1; and (2) $5 million to implement section 4.

IN RECOGNITION OF RIGHTING HISTORICAL UNTRUTHS, RUTH J. SIMMONS FORCES BROWN TO ATONE FOR INVOLVEMENT IN SLAVERY

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 2007

Mr. RANGEL. Madam Speaker, I rise today to enter into the CONGRESSIONAL RECORD an article in the Washington Post discussing a Brown University committee's call for the institution to make amends by building a memorial, creating a center for the study of slavery and injustice and increasing efforts to recruit minority students, particularly from Africa and the West Indies. It is good to see the subject of slavery and the question of reparations being addressed with integrity and grace.

The article announces the findings of the university's Committee on Slavery and Justice. Appointed three years ago by Brown's president, Ruth J. Simmons, the committee recently investigated Brown's historical legacy, focusing specifically on its involvement in the transatlantic slave trade. The descendant of slaves and the first African American president of an Ivy League institution, Ruth Simmons has been steadfast in her commitment to uncovering the truths of Brown's past in ways that are academically and historically rigorous and just.

Arguably one of the most traumatic events in western history, the issue of slavery continues to instigate debate. Most recently questions of reparations, repairing the lives of those forced into the barbarous institution of slavery, often discussed in the form of repaying debts owed to descendants of slaves, have proven divisive at best and controversial at least. Although not called reparations, as reported in the article, the committee's recommendations are substantive and represent a form of repair. The committee's findings offer an example of the many ways that conversations and inquiries around reparations may be had in intelligent and sensible ways.

As stated in the article, the argument around reparations is not about a simple monetary gain, rather at the core of the debate is the need to acknowledge a part of our history that not anyone has fully come to terms with. It is important that we recognize and champion Brown's lead. This issue is central to who we are as a people and to who we are as a country.

[From the New York Times, Oct. 19, 2006]

PANEL SUGGESTS BROWN U. ATONE FOR TIES TO SLAVERY

(By Pam Belluck)

BOSTON, OCT. 18.—EXTENSIVELY DOCUMENTING *Brown University's* 18th-century ties to slavery, a university committee called Wednesday for the institution to make amends by building a memorial, creating a center for the study of slavery and injustice and increasing efforts to recruit minority students, particularly from Africa and the West Indies.

The Committee on Slavery and Justice, appointed three years ago by Brown's president, Ruth J. Simmons, a great-granddaughter of slaves who is the first black president of an Ivy League institution, said in a report: "We cannot change the past. But an institution can hold itself accountable for the past, accepting its burdens and responsibilities along with its benefits and privileges."

The report added, "In the present instance this means acknowledging and taking responsibility for Brown's part in grievous crimes."

The committee did not call for outright reparations, an idea that has support among some African-Americans and was a controversial issue at Brown several years ago. But the committee's chairman, James T. Campbell, a history professor at Brown, said he believed the recommendations "are substantive and do indeed represent a form of repair."

The committee also recommended that the university publicly and persistently acknowledge its slave ties, including during freshmen orientation. Dr. Campbell said he believed that the recommendations, if carried out, would represent a more concrete effort than that of any other American university to make amends for ties to slavery.

"I think it is unprecedented," Dr. Campbell said, adding that a few other universities and colleges have established memorials, study programs or issued apologies, but not on the scale of the Brown recommendations. It was not clear how much the committee's recommendations would cost to carry out.

"We're not making a claim that somehow Brown is uniquely guilty," Dr. Campbell said. "I think we're making a claim that this is an aspect of our history that not anyone has fully come to terms with. This is a critical step in allowing an institution to move forward."

Even in the North, a number of universities have ties to slavery. Harvard Law School was endowed by money its founder earned selling slaves for the sugar cane fields of Antigua. And at Yale, three scholars reported in 2001 that the university relied on slave-trading money for its first scholarships, endowed professorship and library endowment.

Dr. Simmons issued a letter in response to the report, soliciting comments from the Brown community and saying she had asked for the findings to be discussed at an open forum. She declined to give her own reaction, saying, "When it is appropriate to do so, I will issue a university response to the recommendations and suggest what we might do."

She said "the committee deserves praise for demonstrating so steadfastly that there is no subject so controversial that it should not be submitted to serious study and debate."

Initial reaction to the recommendations seemed to be appreciative.

"It sounds to me like this makes sense," said Rhett S. Jones, a longtime professor of history and Africana studies at Brown. "I did not expect the committee would emerge saying, Well, you know, Brown should write a check.

"I never thought that was in the cards. I'm not sure I think it's even appropriate that a university write a check, even though it's pretty widely agreed on that Brown would not be where it is if it were not for slave money. These recommendations seem to me to be appropriate undertakings for the university."

Brown's ties to slavery are clear but also complex. The university's founder, the Rev. James Manning, freed his only slave, but accepted donations from slave owners and traders, including the Brown family of Providence, RI. At least one of the Brown brothers, John, a treasurer of the college, was an active slave trader, but another brother, Moses, became a Quaker abolitionist, although he ran a textile factory that used cotton grown with slave labor.

University Hall, which houses Dr. Simmons's office, was built by a crew with at least two slaves.

"Any institution in the United States that existed prior to 1865 was entangled in slavery, but the entanglements are particularly dense in Rhode Island," Dr. Campbell said, noting that the state was the hub through which many slave ships traveled.

The issue caused friction at Brown in 2001, when the student newspaper, the Brown Daily Herald, printed a full-page advertisement produced by a conservative writer, listing "Ten Reasons Why Reparations for Slavery Is a Bad Idea And Racist Too."

The advertisement, also run by other college newspapers, prompted protests by students who demanded that the paper pay "reparations" by donating its advertising fee or giving free advertising space to advocates of reparations.

The Brown committee was made up of 16 faculty members, students and administrators, and its research was extensive.

"The official history of Brown will have to be rewritten, entirely scrapped," said Omer Bartov, a professor on the committee who specializes in studying the Holocaust and genocide.

The report cites examples of steps taken by other universities: a memorial unveiled last year by the University of North Carolina, a five-year program of workshops and activities at Emory University, and a 2004 vote by the faculty senate of the University of Alabama to apologize for previous faculty members having whipped slaves on campus.

Katie Zezima contributed reporting.

TRIBUTE TO PHILLIP BRADLEY BELCHER FOR THE AWARD OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Phillip Belcher, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1433, and by earning the most prestigious award of Eagle Scout.

Phillip has been very active with his troop, participating in many scout activities. Over the years Phillip has been involved in scouting, he has earned 31 merit badges and held numerous leadership positions, serving as Senior Patrol Leader and Den Chief for Cub Scouts. Phillip is a member of the Tribe of Mic-O-Say and is in the Order of the Arrow.

For his Eagle Scout project, Phillip built concrete stairs at the Rolling Hills Community Church.

Madam Speaker, I proudly ask you to join me in commending Phillip Belcher for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

INTRODUCTION OF THE HIGH SCHOOL ATHLETICS ACCOUNTABILITY ACT

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 2007

Ms. SLAUGHTER. Madam Speaker, I am proud to rise today to introduce the High School Athletics Accountability Act. As opportunities for girls and women to participate in sports and athletics have been made increasingly available, women's participation has grown exponentially. Nearly 2.6 million high school girls now participate in organized sports, as opposed to 294,015 in 1971 before Title IX was enacted. Athletic participation has brought with it confidence and camaraderie among young women, giving them memories and friends that will last a lifetime.

Despite our progress, persistent attacks against equality for women's sports require that we continue to protect the rights our nation's young women deserve. Currently high schools are not required to disclose any data on equity in sports, making it difficult for high schools and parents to ensure fairness in their athletics programs. The High School Athletics Accountability Act requires that high schools report basic data on the number of female and male students in their athletic programs and the expenditures made for their sports teams. The data will help high schools improve opportunities for girls in sports, and thereby help high schools and parents of schoolchildren foster fairness in athletic opportunities for girls and boys. Ultimately better information will encourage greater participation of all students in athletics.

Without information about how athletic opportunities and benefits are being allocated at the high school level, female students may be deprived of their chance to play sports. For many young women, sports are often their ticket to higher education. A survey conducted by the National Federation of State High School Associations indicates that female students receive 1.25 million fewer opportunities to play high school sports than do male students, which translate into many lost opportunities for athletic scholarships. Other studies show that student athletes tend to graduate at higher rates, perform better in school and are less likely to use drugs and alcohol. Women athletes also tend to have more confidence, better body image, and higher self-esteem than female non-athletes—critical attributes that help them succeed throughout their lives. We must give our schools the tools they need to identify inequities in their programs so that current and future generations of women can enjoy the benefits of sports.

Madam Speaker, I urge my colleagues to join me in this effort to help girls move toward equality in athletics at every level and in every community across the nation.

INTRODUCTION OF THE LIBERTY AMENDMENT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 2007

Mr. PAUL. Madam Speaker, I am pleased to introduce the Liberty Amendment, which repeals the 16th Amendment, thus paving the way for real change in the way government collects and spends the people's hard-earned money. The Liberty Amendment also explicitly forbids the federal government from performing any action not explicitly authorized by the United States Constitution.

The 16th Amendment gives the federal government a direct claim on the lives of American citizens by enabling Congress to levy a direct income tax on individuals. Until the passage of the 16th amendment, the Supreme Court had consistently held that Congress had no power to impose an income tax.

Income taxes are responsible for the transformation of the federal government from one of limited powers into a vast leviathan whose tentacles reach into almost every aspect of American life. Thanks to the income tax, today the federal government routinely invades our privacy, and penalizes our every endeavor.

The Founding Fathers realized that "the power to tax is the power to destroy," which is why they did not give the federal government the power to impose an income tax. Needless to say, the Founders would be horrified to know that Americans today give more than a third of their income to the federal government.

Income taxes not only diminish liberty, they retard economic growth by discouraging work and production. Our current tax system also forces Americans to waste valuable time and money on complacence with an ever-more complex tax code. The increased interest in flat-tax and national sales tax proposals, as well as the increasing number of small businesses that questioning the Internal Revenue Service's (IRS) "withholding" system provides further proof that America is tired of the labyrinthine tax code. Americans are also increasingly fed up with an IRS that continues to ride roughshod over their civil liberties, despite recent "pro-taxpayer" reforms.

Madam Speaker, America survived and prospered for 140 years without an income tax, and with a federal government that generally adhered to strictly constitutional functions, operating with modest excise revenues. The income tax opened the door to the era (and errors) of Big Government. I hope my colleagues will help close that door by cosponsoring the Liberty Amendment.

HIRE A VETERAN WEEK

HON. TODD TIAHRT

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 2007

Mr. TIAHRT. Madam Speaker, I rise to support H. Con. Res. 5, a resolution supporting "Hire a Veteran Week." Supporting our troops should not be confined just to the battlefield; supporting our troops extends beyond their time in active duty. The liberties we enjoy today were earned through the bravery and sacrifice of patriotic Americans. America must never turn her back on her veterans.

Historically, unemployment of veterans is higher than in the civilian populations. This is a national tragedy. Veterans are hard-working, self-sacrificing patriots. Unfortunately, many employers simply do not understand the skills, capabilities, and tremendous value that veterans bring to any workplace. Through efforts such as "Hire a Veteran Week," coupled with those of the Departments of Defense, Veterans Affairs and Labor, Veteran Service Organizations, and various non-profit groups, we will bring attention to the benefit of hiring veterans.

I am very pleased to see that the unemployment rate for veterans has fallen by one-third since 2005. Although the unemployment rate is still higher than the civilian population, these new numbers are clear evidence that progress is being made. As with most progress, we must not be content to rest on past accomplishments. I will not be happy until every veteran who wants to work is able to make a good living for themselves and their families.

To those companies that have hired a veteran, I say, "thank you." I have never met a business owner who has regretted hiring a veteran, and appreciate their willingness to understand the value of our veterans and make room for them in their organization.

While I say it all the time, I can never say it enough. "Thank you" to the men and women of our Armed Forces for guaranteeing freedom for all Americans. May God bless you, and may God bless America.

IRAQ POLICY

HON. PETER HOEKSTRA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 2007

Mr. HOEKSTRA. Madam Speaker, I believe that Congress should continue to encourage an open and robust debate about its Iraq policy. I found former Speaker Newt Gingrich's recent testimony before the Senate Foreign Relations Committee on the situation in Iraq of particular interest. I would like to share it with my colleagues.

[From Gingrich Communications, Jan. 23, 2007]

THE COST OF DEFEAT IN IRAQ AND THE COST OF VICTORY IN IRAQ

TESTIMONY TO SENATE FOREIGN RELATIONS COMMITTEE

(By Newt Gingrich)

Chairman Biden, Ranking Member Lugar, and members of the committee: Thank you for allowing me to testify.

This is an extraordinarily important series of hearings on a topic of enormous national importance.

The United States finds itself in a global struggle with the forces of Islamic fascism and their dictatorial allies.

From a fanatic American near Chicago who attempted to buy hand grenades to launch a personal Jihad in a Christmas mall, to 18 Canadians arrested for terrorist plots, to the Scotland Yard disruption of a plot in Britain to destroy ten civilian airliners in one day that if successful would have shattered worldwide confidence in commercial aviation and potentially thrown the world into a deep economic contraction.

We are confronted again and again with a worldwide effort to undermine and defeat the system of law and order which has created more prosperity and more freedom for more people than any previous system.

The threats seem to come in four different forms:

First, from individuals who are often self recruited and randomly inspired through the internet, television and charismatic social and religious friendships.

Second, from organized non state systems of terror of which Al Qaeda, Hezbollah and Hamas are the most famous. Additional groups have sprung up and provide continuity, training, and support for terrorism.

Third, from dictatorships in the Middle East most notably Iran and Syria who have been consistently singled out by the State Department (including in 2006) as the largest funders of state supported terrorism in the world. These dictatorships are investing in more advanced conventional weapons and in chemical and nuclear weapons.

Fourth, from a strange assortment of anti-American dictatorships including North Korea, Venezuela and Cuba.

This coalition of the enemies of freedom has growing power around the world. Its leaders are increasingly bold in their explicit hostility to the United States.

To take just two recent examples: Ahmadinejad of Iran has said "[t]o those who doubt, to those who ask is it possible, or those who do not believe, I say accomplishment of a world without America and Israel is both possible and feasible." He has also said that Israel should be "wiped off the map." Chavez of Venezuela, just last week in a joint appearance with the Iranian leader in Latin America, announced a multi billion dollar fund to help countries willing to fight to end "American imperialism."

Both of these statements were on television and are not subject to misinterpretation.

Similarly there are many web pages and other public statements in which various terrorists have described in great detail their commitment to killing millions of Americans. I described these publicly delivered threats in a speech on the fifth anniversary of 9/11 which I gave at the American Enterprise Institute. The text of this speech is attached as an appendix to this testimony.

These threats might be ignored if it were not for the consistent efforts to acquire nuclear and biological weapons by these enemies of freedom.

I first wrote about the extraordinary increase in the threat to our civilization from nuclear weapons in the hands of terrorists in Window of Opportunity in 1984. Attached to this testimony is a copy of the relevant pages from this book.

It is not accurate to suggest today that people were not aware of terrorism or were not warning about the threat to America's very survival prior to 9/11.

Many sophisticated observers and professional military and intelligence officers have been issuing these warnings for two decades.

What has been amazing to watch has been the absolute inability of our system of government to analyze the problem and react effectively.

It is this collapse of capacity for effectiveness which is at the heart of our current dilemma.

The United States is now in a decaying mess in Afghanistan and an obviously unacceptable mess in Iraq.

While this language may seem harsh to defenders of the current policy, it is sadly an accurate statement of where we are.

Efforts to think through and solve the problems of Afghanistan and Iraq have to be undertaken in a context of looking at a wider range of challenges to American leadership around the world and potentially to our very survival as a country. These larger challenges are described in my attached presentation entitled "The Real World and The Real War".

With these caveats I want to focus on the challenge of Iraq.

TWO VERY HARD PATHS FORWARD IN IRAQ

America is faced with two very hard paths forward in Iraq.

We can accept defeat and try to rebuild our position in the region while accommodating the painful possibility that these enemies of freedom in Iraq—evil men, vicious murderers, and sadistic inflictors of atrocities will have defeated both the millions of Iraqis who voted for legal self government and the American people and their government.

Alternatively we can insist on defeating the enemies of America and the enemies of the Iraqi people and can develop the strategies and the implementation mechanisms necessary to force victory despite the incompetence of the Iraqi government, the unreliability of Iraqi leaders, and the interference of Syria and Iran on behalf of our enemies.

Both these paths are hard. Both involve great risk. Both have unknowable difficulties and will produce surprise events.

Both will be complicated.

Yet either is preferable to continuing to accept an ineffective American implementation system while relying on the hope that the Iraqi system can be made to work in the next six months.

THE INHERENT CONFUSION IN THE CURRENT STRATEGY

There are three fundamental weaknesses in the current strategy.

First, the strategy relies on the Iraqis somehow magically improving their performance in a very short time period. Yet the argument for staying in Iraq is that it is a vital AMERICAN interest. If we are seeking victory in Iraq because it is vital to America then we need a strategy which will win even if our Iraqi allies are inadequate. We did not rely on the Free French to defeat Nazi Germany. We did not rely on the South Koreans to stop North Korea and China during the Korean War. When it mattered to American vital interests we accepted all the help we could get but we made sure we had enough strength to win on our own if need be.

President Bush has asserted that Iraq is a vital American interest. In January 2007 alone he has said the following things:

But if we do not succeed in Iraq, we will leave behind a Middle East which will endanger America in the future.

[F]ailure in one part of the world could lead to disaster here at home. It's important for our citizens to understand that as tempting as it might be, to understand the consequences of leaving before the job is done, radical Islamic extremists would grow in strength. They would be emboldened. It would make it easier to recruit for their cause. They would be in a position to do that which they have said they want to do, which is to topple moderate governments, to spread their radical vision across an important region of the world.

If we were to leave before the job is done, if we were to fail in Iraq, Iran would be emboldened in its pursuit of nuclear weapons. Our enemies would have safe havens from which to launch attacks. People would look back at this moment in history and say, what happened to them in America? How come they couldn't see the threats to a future generation?

The consequences of failure are clear: Radical Islamic extremists would grow in strength and gain new recruits. They would be in a better position to topple moderate governments, create chaos in the region, and use oil revenues to fund their ambitions. Iran would be emboldened in its pursuit of nuclear weapons. Our enemies would have a safe haven from which to plan and launch attacks on the American people. On September the 11th, 2001, we saw what a refuge for extremists on the other side of the world could bring to the streets of our own cities. For the safety of our people, America must succeed in Iraq.

Iraq is a central component of defeating the extremists who want to establish safe haven in the Middle East, extremists who would use their safe haven from which to attack the United States, extremists and radicals who have stated that they want to topple moderate governments in order to be able to achieve assets necessary to effect their dream of spreading their totalitarian ideology as far and wide as possible.

This is really the calling of our time, that is, to defeat these extremists and radicals, and Iraq is a component part, an important part of laying the foundation for peace.

The inherent contradiction in the administration strategy is simple. If Iraq matters as much as the President says it does (and here I agree with the President on the supreme importance of victory) then the United States must not design and rely on a strategy which relies on the Iraqis to win.

On the other hand if the war is so unimportant that the fate of Iraq can be allowed to rest with the efforts of a new, weak, untested and inexperienced government then why are we risking American lives.

Both propositions cannot be true.

I accept the President's analysis of the importance of winning in Iraq and therefore I am compelled to propose that his recently announced strategy is inadequate.

The second weakness is that the current strategy debate once again focuses too much on the military and too little on everything that has not been working. The one instrument that has been reasonably competent is the combat element of American military power. That is a very narrow definition and should not be expanded to include the noncombat elements of the Department of Defense which also have a lot of difficulties in performing adequately.

The great failures in the Iraq and Afghanistan campaigns have been in non-combat power. Intelligence, diplomacy, economic aid, information operations, support from the civilian elements of national power. These have been the great centers of failure in America's recent conflicts. They are a major reason we have done so badly in Iraq. The gap between the President's recent proposals and the required rethinking and transforming of our non-combat instruments of power is simply breathtaking.

No military leader I have talked with believes military force is adequate to win in Iraq. Every one of them insists that the civilian instruments of power are more important than the combat elements. They all assert that they can hold the line for a while with force but that holding the line will ultimately fail if we are not using that time to achieve progress in nonmilitary areas.

This failure of the non-combat bureaucracies cannot be solved in Iraq. The heart of the problem is in Washington and that brings us to the third weakness in the current strategy.

The third weakness in the current strategy is its inability to impose war-time decisionmaking and accountability in Washington.

The interagency process is hopelessly broken.

This is not a new phenomenon. I first wrote about it in 1984 in Window of Opportunity when I asserted:

> [W]e must decide what sort of executive-branch planning and implementation system are desirable.

At a minimum, we will need closer relationships between the intelligence agencies, the diplomatic agencies, the economic agencies, the military agencies, the news media and the political structure. There has to be a synergism in which our assessment of what is happening relates to our policies as they are developed and implemented. Both analyses and implementation must be related to the new media and political system because all basic policies must have public support if they are to succeed.

Finally, once the professionals have mastered their professions and have begun to work in systems that are effective and coordinated, those professionals must teach both the news media and the elected politicians. No free society can for long accept the level of ignorance about war, history, and the nature of power which has become the norm for our news media and our elected politicians. An ignorant society is on its way to becoming an extinct society.

In 1991 my concern for replacing the broken interagency system with an integrated system of effective coordination was heightened when General Max Thurmond who had planned and led the liberation of Panama told me unequivocally that the interagency process was broken.

In 1995 that process was reinforced when General Hartzog described the failures of the interagency in trying to deal with Haiti.

As early as 2002 it was clear that the interagency had broken down in Afghanistan and I gave a very strong speech in May 2003 at the American Enterprise Institute criticizing the process.

By the summer of 2003 it was clear the interagency was failing in Iraq and by September and October 2003 we were getting consistent reports from the field of the gap between the capability of the combat forces and the failure of the civilian systems.

No senior officer in the Defense Department doubts that the current interagency cannot work at the speed of modern war. They will not engage in a fight with the National Security Council or the State Department or the various civilian agencies which fail to do their job. But in private they will assert over and over again that the interagency system is hopelessly broken.

It was very disappointing to have the President focus so much on 21,500 more military personnel and so little on the reforms needed in all the other elements of the executive branch.

The proposals for winning in Iraq outlined below follow from this analysis.

KEY STEPS TO VICTORY IN IRAQ

1. Place General Petraeus in charge of the Iraq campaign and establish that the Ambassador is operating in support of the military commander.

2. Since General Petraeus will now have responsibility for victory in Iraq all elements of achieving victory are within his purview and he should report daily to the White House on anything significant which is not working or is needed

3. Create a deputy chief of staff to the President and appoint a retired four star general or admiral to manage Iraq implementation for the Commander in Chief on a daily basis.

4. Establish that the second briefing (after the daily intelligence brief) the President will get every day is from his deputy chief of staff for Iraq implementation.

5. Establish a War Cabinet which will meet once a week to review metrics of implementation and resolve failures and enforce decisions. The President should chair the War Cabinet personally and his deputy chief of staff for Iraq implementation should prepare the agenda for the weekly review and meeting.

6. Establish three plans: one for achieving victory with the help of the Iraqi government, one for achieving victory with the passive acquiescence of the Iraqi government, one for achieving victory even if the current Iraqi government is unhappy. The third plan may involve very significant shifts in troops and resources away from Baghdad and a process of allowing the Iraqi central government to fend for itself if it refuses to cooperate.

7. Communicate clearly to Syria and Iran that the United States is determined to win in Iraq and that any further interference (such as the recent reports of sophisticated Iranian explosives being sent to Iraq to target Americans) will lead to direct and aggressive countermeasures.

8. Pour as many intelligence assets into the fight as needed to develop an overwhelming advantage in intelligence preparation of the battlefield.

9. Develop a commander's capacity to spend money on local activities sufficient to enable every local American commander to have substantial leverage in dealing with local communities.

10. Establish a jobs corps or civil conservation corps of sufficient scale to bring unemployment for males under 30 below 10 percent (see the attached oped by Mayor Giuliani and myself on this topic).

11. Expand dramatically the integration of American purchasing power in buying from Iraqi firms pioneered by Assistant Secretary Paul Brinkley to maximize the rate of recovery of the Iraqi economy.

12. Expand the American Army and Marine Corps as much as needed to sustain the fights in Iraq and Afghanistan while also being prepared for other contingencies and maintaining a sustainable rhythm for the families and the force.

13. Demand a war budget for recapitalization of the military to continue modernization while defeating our enemies. The current national security budget is lower as a percentage of the economy than at any time from Pearl Harbor through the end of the Cold War. It is less than half the level Truman sustained before the Korean War.

14. The State Department is too small, too undercapitalized and too untrained for the demands of the 21st century. There should be a 50 percent increase in the State Department budget and a profound rethinking of the culture and systems of the State Department so it can be an operationally effective system.

15. The Agency for International Development is hopelessly unsuited to the new requirements of economic assistance and development and should be rethought from the ground up. The Marshall Plan and Point Four were as important as NATO in containing the Soviet Empire. We do not have that capability today.

16. The President should issue executive orders where possible to reform the implementation system so it works with the speed and effectiveness required by the 21st century.

17. Where legislation is needed the President should collaborate with Congress in honestly reviewing the systems that are failing and developing new metrics, new structures and new strategies.

18. Under our Constitution it is impossible to have this scale of rethinking and reform without deep support from the legislative

branch. Without Republican Senator Arthur Vandenburg, Democratic President Harry Truman could never have developed the containment policies that saved freedom and ultimately defeated the Soviet Empire. The President should ask the bipartisan leaders of Congress to cooperate in establishing a joint Legislative-Executive working group on winning the war and should openly brief the legislative branch on the problems which are weakening the American system abroad. Only by educating and informing the Congress can we achieve the level of mutual understanding and mutual commitment that this long hard task will require.

Thank you for this opportunity to share these proposals.

HONORING FORT WORTH HISPANIC CHAMBER OF COMMERCE PRESIDENT ROSA NAVEJAR

HON. KAY GRANGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 2007

Ms. GRANGER. Madam Speaker, today I'm honored to recognize the accomplishments of Rosa Navejar, winner of the 2006 Coors Hispanic Leader of the Year Award.

This wonderful award goes to a good woman who has had a great career. Thirty years ago, Rosa Navejar's professional journey began in the banking industry where her command of Spanish and her commitment to all customers set her apart. She always viewed her work as not just a job but as a mission. Throughout her career, she took time to mentor young people many of whom are now leaders themselves.

In 2001, Rosa left banking to make history as the first female Hispanic to lead the Fort Worth Hispanic Chamber of Commerce. She helped revitalize and reshape the Chamber as a force for good throughout the community. Under her leadership, the Fort Worth Hispanic Chamber has grown in size and influence. Perhaps the greatest example of this is the Hispanic Leadership Development Course. This unique program trains today the Hispanic leaders of tomorrow.

In life, there are those who seek to make a profit. And then there are people like Rosa Navejar: those who seek to make a difference. Thanks to her life, legacy and leadership, our community is stronger, better and more united than ever before.

Rosa Navejar truly represents the spirit of engagement, passion and success.

I congratulate my friend Rosa for this award. And I thank her for her efforts.

IN HONOR OF D. WAYNE HOLDEN & SHERMAN L. TOWNSEND

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 2007

Mr. CASTLE. Madam Speaker, it is with great pleasure that I rise today to recognize Mr. D. Wayne Holden and Mr. Sherman L. Townsend for their distinguished contributions to my home state of Delaware. In 2001, the Delaware Community Foundation established an award, now known as the Allen Cup Award, in order to honor the achievements of philanthropic leaders that posses the vision and drive to affect meaningful change throughout Delaware, and more specifically in the central and southern regions of my home state. I cannot think of two more deserving recipients.

Wayne Holden, a Dover, Delaware native, has always been deeply passionate about improving his community. Many of his philanthropic projects are carried out through The Thank You Fund, a donor-advised fund that he and his wife, Betsy, started through the Delaware Community Foundation (DCF). The Holdens are responsible for supporting numerous charitable organizations ranging from the Nature Conservancy to the DCF Youth Philanthropy Board.

Wayne has also played a pivotal role in preserving the quality of Delaware's communities. At a time when the Schwartz Center for the Arts and the Dover Art League experienced serious financial instability, Wayne donated his own leadership skills and financial resources in order to save these organizations. Through his work as First Vice President at Merrill Lynch in Dover, Wayne has been able to inspire others to create charitable legacies and thus furthered his own philanthropic mission of improving Delaware.

Sherman Townsend, has worked alongside Wayne on the Board of the Delaware Community Foundation and also in business as the First Vice President for Investment at Merrill Lynch. Throughout his many endeavors, Sherman has been successful at building a legacy of leadership and charity within his community. As an active board member of the DCF since 1986, he has helped the foundation grow and flourish. His noble efforts have secured $2 million grants, established a $3.3 million endowment and lead to partnerships with organizations such as the United Way.

Sherman's philanthropic spirit shines brightly in all aspects of his life. In addition to advising and helping his clients build charitable legacies, he and his family have established a fund which supports many important organizations such as, the Children's Beach House, Meals on Wheels, and the Bayhealth Foundation. Sherman has further demonstrated his dedication to the community through his involvement on the University of Delaware Board of Trustees, paying particular attention to the development of scholarships for students and the School of Nursing.

I could speak for hours and still not do these two men justice. Their contributions will have a lasting impact upon our state and I am truly grateful for all they have done. I cannot think of two men more fit to receive the Allen Cup Award. I wish the Delaware Community Foundation warm wishes as they bestow this honor upon such deserving recipients.

INTRODUCTION OF THE OGLALA SIOUX TRIBE ANGOSTURA IRRIGATION PROJECT REHABILITATION AND DEVELOPMENT ACT

HON. STEPHANIE HERSETH

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 2007

Ms. HERSETH. Madam Speaker, today I am pleased to introduce the Oglala Sioux Tribe Angostura Irrigation Project Rehabilitation and Development Act. This legislation authorizes much-needed efficiency improvements to the irrigation facilities at the Angostura Unit, a Federal Bureau of Reclamation dam on the Cheyenne River in South Dakota. These improvements will restore critical water resources and promote economic development on the nearby Pine Ridge Indian Reservation.

This bill provides important resources to the citizens of South Dakota and the Lakota people of the Pine Ridge Indian Reservation. It authorizes funds to carry out the Bureau of Reclamation's recommended improvements to the irrigation facilities at the Angostura dam. The dam provides substantial economic benefits to many South Dakotans. It provides irrigation to 12,218 acres of land which benefits ranchers and agricultural producers in the area, and it supports an important recreational boating and fishing industry which is enjoyed by many of our citizens.

Until now, however, the Angostura dam has failed to provide any of these economic benefits to the members of the Oglala Sioux Tribe who live just 20 miles downstream of the dam on the Pine Ridge Indian Reservation. The Oglala Sioux Tribe has long relied on the resources provided by the Cheyenne River, which forms part of the northern boundary of its reservation. Long before the dam was constructed as part of the Pick-Sloan Missouri River Basin Project, the tribe relied on the river as an important economic resource. Since it was completed, however, the dam has taken an enormous toll on the tribe. The dam curbed the Cheyenne River's natural flow, reducing water quality on the reservation, diminishing natural riparian habitats, adversely impacting fish and wildlife and forcing important tribal agricultural enterprises to shut their doors.

The bill implements the Bureau of Reclamation's preferred alternative in its revised water management plan for the Angostura Unit, which calls for improved efficiencies in irrigation operations that will free up additional water resources for both existing water users and the tribe. In addition, the legislation would authorize the creation of a trust fund to compensate the tribe for the devastating economic impacts and loss of natural resources caused by the operation of the dam. The fund will be used to promote economic and infrastructure development on the Pine Ridge Indian Reservation and enhance the education, health and general welfare of the Oglala Lakota people.

I hope that my distinguished colleagues will take up and pass this legislation quickly. It will allow all of us in South Dakota to better use our natural resources, while keeping our solemn commitment to deal fairly and honorably with the Oglala Sioux Tribe and the Lakota people of the Pine Ridge Indian Reservation. I ask for your help and support in moving it forward.

McCLATCHY COMPANY SESQUICENTENNIAL ANNIVERSARY

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 2007

Ms. MATSUI. Madam Speaker, I rise today in recognition of the McClatchy Company's 150 years of journalism in Sacramento. On this date in 1857, the first issue of the Daily Bee was published in Sacramento marking the historic establishment of what is now the second largest newspaper company in the United States. Headquartered in Sacramento, the McClatchy Company and the Sacramento Bee have earned a legacy of providing reliable news for Sacramentans and the nation.

The rise of the McClatchy Company began with founding editor James McClatchy who moved west from New York during the height of the Gold Rush. The company's newspapers would be owned and operated by McClatchy family members for the next 130 years. James McClatchy helped craft the company's values of quality journalism, free expression and community service.

The Sacramento Bee was one of the first newspapers on the West Coast. In the newspaper's first editorial, McClatchy explained the name of the newspaper: "The name of The Bee has been adopted as being different from that of any other paper in the state and as also being emblematic of the industry which is to prevail in its every department." Over the years, the McClatchy Company expanded on that name and characterization by establishing the Fresno Bee in 1922 and acquiring the Modesto Bee in 1927.

In recent times, the McClatchy Company has continued to expand its portfolio. In 2006, it acquired 32 daily newspapers when it purchased Knight Ridder. Today, the McClatchy Company is the second largest newspaper company in the United States and publishes 32 newspapers in 16 different states with unparalleled market success. These achievements were evident in 1999, when the McClatchy Company revenues exceeded $1 billion. By 2004, the McClatchy Company entered its 20th consecutive year of daily circulation growth, an achievement unmatched by any other newspaper company in the United States.

Throughout the decades, the McClatchy Company newspapers have been honored for their journalistic integrity through numerous awards. McClatchy's flagship newspaper, the Sacramento Bee, has earned numerous distinctions, including Pulitzer prizes for Editorial writing, Beat Reporting and twice for the Public Service Gold Medal.

Madam Speaker, I am honored to pay tribute to the McClatchy Company for its distinguished commitment to journalistic integrity and success throughout the years. As the McClatchy Company's colleagues and friends gather to honor their 150th anniversary, I ask all my colleagues to join me in wishing them continued prosperity.

PAYING TRIBUTE TO WHMI RADIO, HOWELL, MI, ON ITS 50TH ANNIVERSARY

HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 2007

Mr. ROGERS of Michigan. Madam Speaker, I rise to honor the accomplishments of WHMI radio in Howell, Michigan, on the occasion of the station's 50th anniversary celebration scheduled for one week from today, on February 14, 2007.

Serving Livingston County since Valentine's Day, February 14, 1957, WHMI has grown through the past five decades into a modern broadcast station serving the fastest-growing county in Michigan.

Awards for broadcast excellence and community service fill a wall at the station's state-of-the-art facility, exhibiting innumerable testimonies to the commitment of WHMI and its service to its community, listeners, and supporters.

Today, under the ownership of Greg and Marcia Jablonski, WHMI broadcasts a classic rock hits format with local news, sports, traffic, and weather via a signal that covers all of Livingston County and reaching into the outskirts of the Detroit, Ann Arbor, Flint and Lansing markets.

When the station was launched in 1957, the Valentine's Day start-up was very fitting as the call letters, WHMI, stand for "Heart of Michigan." The theme was drawn from an advertising campaign of the late 1950s that promoted Livingston County as a good place to live. WHMI has grown with the community and today reflects the pulse of Livingston County life. Madam Speaker, I ask my colleagues to join me in honoring WHMI's 50th anniversary and in recognizing the station's contributions to the community it serves. The station, its owners and its staff are truly deserving of our respect and admiration.

INTRODUCTION OF THE STUDENT LOAN SUNSHINE ACT OF 2007

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 2007

Mr. GEORGE MILLER of California. Madam Speaker, I rise to introduce the Student Loan Sunshine Act of 2007, a bill that aims to protect students and families from the predatory practices of unethical student loan lenders.

This comes on the heels of an announcement made last week by the Attorney General of New York, expanding an ongoing investigation into the activities of lenders and their relationships with colleges and universities across the country.

The allegations are quite troubling and are worthy of the attention of every state as well as the Federal government in the interest of protecting students and limited taxpayer funds.

At issue here, Mr. Speaker, is the practice of lenders buying their way into colleges and universities through excessive "inducements," or what some might term bribery.

Over the last year stories have surfaced with lenders offering exotic vacations to employees of colleges as well as offering to run student aid offices during high volume times.

These activities often result in lenders securing a coveted place on a college's "preferred lender list."

While some may see this as not so troubling or not the business of government, I beg to differ. When these activities directly result in limited options for students and families in deciding how to pay for college, I believe it is not only our business but our responsibility to do something.

Preferred lender lists are, for the most part, a non-issue with some colleges and universities. These institutions have indeed done the work of looking for the best deal in the interest of students and families and can justify why lenders have a place on their preferred lender list.

But this is the exception rather than the rule.

Entry into a school's preferred lender list means more than just having a coveted spot and a near guarantee of business, it means there are opportunities for lenders to prey on students and families and offer them private loans.

This problem is exacerbated by the fact that students are taking out loans in record number and doing so before having exhausted all of their options with federal student loans.

Why is this a problem? Private loans carry interest rates as high as 19 percent—compared to federal loans that are offered at 6.8 percent.

Something must be done about the practices by lenders to limit choice for students as well as encourage students to take out high-interest and risky private loans before exhausting all of their borrowing options through the federal programs.

To begin the process of addressing this, I join my colleagues from the Education and Labor Committee, RUBEN HINOJOSA, TIM BISHOP, JOE COURTNEY and JOHN YARMUTH in introducing the Student Loan Sunshine Act. The legislation: Requires full disclosure of special arrangements that lenders and institutions of higher education have to offer loan products at the institution; Bans lenders from offering gifts worth more than $10 to college employees, including travel, lodging, entertainment, and in-kind services that lenders provide to college financial aid offices; Requires full disclosure of the reasons why an institution of higher education has selected a lender for its "preferred lender" list, including any special arrangements the lender has with the school; Encourages borrowers to maximize their borrowing through the government's loan programs before taking out alternative loans and direct-to-consumer loans with higher interest rates.

The legislation has also been introduced by Senators EDWARD KENNEDY and RICHARD DURBIN in the Senate.

It is clear that we need to take steps to address the complex activities of lenders and their relationships with institutions. The Student Loan Sunshine Act is a necessary first step in starting the dialogue at the national level.

HONORING CATHOLIC SCHOOLS WEEK

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 2007

Mr. DAVIS of Illinois. Madam Speaker, the theme of the 33rd annual Catholic Schools Week is "Good News in Education," and there is much good news to share. There are over 7500 Catholic schools nationwide educating over 2 million students. Catholic high schools have an impressive graduation rate, with 97 percent of students going to college. Chicago boasts the second largest Catholic school system in the country, with 102,000 students and 5,400 teachers in 258 schools. In Chicago, as in other urban areas, Catholic schools play an important role in providing quality academic training to children and youth.

Yet, Catholic schools do more than educate, they emphasize discipline and service—two critical elements to raising responsible youth. In a society where many individuals place primacy on their personal needs, Catholic schools focus on preparing students to contribute to society by considering the needs of others. The close involvement of parents, a cornerstone of Catholic education, makes clear that education is not something that occurs only within the school house.

From Chicago to across this nation, Catholic schools have provided education and service to those who have been traditionally left behind in our society. They have taken in poor and neglected children and released to the nation leaders and champions. For this I want to commend the Catholic school system in America. It is a beacon of hope to neighborhoods and communities throughout the nation.

Catholic schools, however, like all other components of education, Madam Speaker, are facing difficult times. I would hope that as the year goes on and as we discuss and debate education, we commit to putting as many resources into education as we possibly can, ensuring the vitality of the institution, knowing that the investment secures the success of the future generations.

So I graciously thank our teachers, counselors, nuns, and priests in our Catholic schools for their years of dedicated service. I offer heartfelt appreciation for their enormous dedication to our nation's children, and I urge them to continue to strive for excellence as they prepare our young people's hearts and minds to lead the nation.

Again, I salute the Catholic schools for their outstanding contributions, and I would like to recite for the record those in my district, which are as follows:

Chicago Jesuit Academy, Divine Infant Jesus School, Divine Providence School, St. Bernardine School, St. Edmund School, St. Jerome School, St. Stanislaus Kostka, St. Elizabeth School, St. Helen School, Children of Peace School, Santa Lucia School, St. Pius V School, St. Therese School, Visitation School, St. Domitilla School, Ascension School, St. Giles School, St. Luke School.

St. Vincent Ferrer School, Old St. Mary's, St. Angela School, St. Malachy School, St. Nicholas Cathedral, San Miguel-Comer Campus, Frances Xavier Warde, Our Lady of the Westside, St. Catherine/St. Lucy, Immaculate Conception School, Archbishop Quigley Preparatory, Fenwick High School, Holy Trinity High School, St. Ignatius College Prep., St. Joseph High School, Trinity High School.

TRIBUTE ON THE RETIREMENT OF JUDGE DIANE KARPINSKI

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 2007

Mr. KUCINICH. Madam Speaker, I rise today to honor Judge Diane Karpinski of Ohio's 8th District Court of Appeals who is retiring after a long and illustrious career. Actually, Judge Karpinski has had two careers. After earning both bachelor's and master's degrees in English from Ohio State University, she taught for 19 years, first at Ohio State and later at Cleveland State University. Then, upon graduation from Cleveland-Marshall College of Law in 1980, Judge Karpinski worked for thirteen years as an Assistant Attorney General for the State of Ohio, trying more than 1600 cases at the trial level and practicing extensively in the appellate courts of five different districts in northern Ohio and at the Ohio Supreme Court. She was elected in 1995 to a six-year term as judge in the Court of Appeals of the 8th District of Ohio and subsequently re-elected to a second term. She was appointed as a visiting judge on the Ohio Supreme Court for a series of significant cases on automatic license suspension.

Judge Karpinski has demonstrated a strong commitment to her professions, first as a teacher and also as an attorney. Active in the Cuyahoga County Bar Association, she served on its Certified Grievance and the Court of Appeals Committees. Since 1998 she has been a Trustee of the Cuyahoga Bar. She is also a member of the Cleveland Bar Appellate Court Committee. In 2001, she was the first to chair a new committee of the Ohio State Bar Association: On the Independent Judiciary and Unjust Criticism of Judges. Because of her dual professions, she is often invited to lecture on appellate writing.

Judge Karpinski values her community and her Polish ethnic heritage. With her two sisters, Mercedes Spotts and Gloria Joy Battisti, she was a founding trustee of the East Side Catholic Shelter for the Homeless. For years she has sung in Our Lady of Peace Church Choir, and for one summer was its interim organist. After studying Polish at the Alliance of Poles for three years, she joined a team of teachers who traveled to Gdansk to teach English in the summer of 1993. Continuing her mother's interest in ethnic affairs, especially in the Cleveland Cultural Garden Federation, Judge Karpinski volunteered her services as its counsel. She was a long-time member of the American Polish Women's Club, has chaired the Budget and By-Laws Committees at Alliance of Poles Conventions, and served as Treasurer of Group 88 of the Polish Women's Alliance. For two years she was a judge for the Polonia Foundation Scholarship Committee and currently is a member of the Foundation Board.

Madam Speaker and colleagues, please join me in recognizing the great accomplishments of Judge Diane Karpinski and her tremendous commitment to the people of Northeast Ohio. Let us wish her tremendous success in her upcoming third career as retired citizen, where she is sure to continue serving the people with energy, distinction, and talent.

INTRODUCTION OF ROCKY FLATS SPECIAL EXPOSURE COHORT ACT

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 2007

Mr. UDALL of Colorado. Madam Speaker, I am today again introducing a bill to make it more likely that red tape and missing documents will not frustrate Congress's attempt to provide compensation and care for some nuclear-weapons workers made sick by on-the-job exposure to radiation.

The bill is cosponsored by my colleague from Colorado, Mr. PERLMUTTER. I appreciate his support and that of Senator KEN SALAZAR, who is introducing a similar bill in the Senate.

The bill would revise the part of the Energy Employees Occupational Injury Compensation Act ("the Act") that specifies which covered workers are part of what the law designates as the "Special Exposure Cohort."

The revision would extend this "special exposure cohort" status to Department of Energy employees, Department of Energy contractor employees, or atomic weapons employees—all terms defined by the current law—who worked at the Rocky Flats site, in Colorado, for at least 250 days prior to January 1, 2006.

The result would be to help provide the Act's benefits to any of those workers who contracted a radiation-linked cancer specified in the Act after beginning employment at Rocky Flats.

As the law now stands, before a Rocky Flats worker suffering from a covered cancer can receive benefits, it must be established that the cancer is as likely as not to have resulted from on-the-job exposure to radiation.

That sounds like a reasonable requirement—and it would be appropriate for Rocky Flats if we had adequate documentation of radiation exposures for the years when it was producing nuclear-weapons components as well as for the more recent time when DOE and its contractors have been working to clean it up and prepare it for closure.

However, in fact there were serious shortcomings in the monitoring of Rocky Flats workers' radiation exposures and in the necessary recordkeeping—to say nothing of the slowness of the current administrative process for making the required determinations concerning links between exposure and employment.

So there is a risk that a significant number of Rocky Flats workers who should be able to benefit from the Act will not obtain its benefits in a timely manner or will be denied them entirely.

The bill would prevent this miscarriage of justice, by recognizing that Rocky Flats workers have been plagued by the same kinds of administrative problems that entangled workers at some other locations—administrative problems that were addressed through inclusion in the Act of the provisions related to the "Special Exposure Cohort."

My understating of the need for this bill came from meeting with Rocky Flats workers and their representatives and by consulting experts. I have particularly benefited from the great experience and expertise of Dr. Robert Bistline. Dr. Bistline has served as Program Manager of the Energy Department's Oversight of Radiation Protection Program at the Rocky Flats field office and has few if any peers in terms of his understanding of the problems addressed by the bill.

In particular, the bill reflects these aspects of Rocky Flats history—

Many worker exposures were unmonitored over the plant's history. For some, estimated doses were assigned, and radiation exposures for many others are missing. As a result, there are at best incomplete records and many inaccuracies in the exposure records that do exist.

No lung counter for detecting and measuring plutonium and americium in the lungs existed at Rocky Flats until the late 1960s. Without this equipment the very insoluble oxide forms of plutonium cannot be detected and a large number of workers had inhalation exposures that went undetected and unmeasured.

Exposure to neutron radiation was not monitored until the late 1950s and most of those measurements through 1970 have been found to be in error. In some areas of the plant the neutron doses were as much as 2 to 10 times as great as the gamma doses received by workers but only gamma doses were recorded.

As a result of these and other shortcomings, some Rocky Flats workers have been denied compensation under the Act despite having worked with tons of plutonium and having known exposures leading to serious health effects.

Since early in my tenure in Congress I have worked to make good on promises of a fairer deal for the nuclear-weapons workers who helped America win the Cold War. That was why enactment and improvement of the compensation Act has been one of my top priorities. I saw this as a very important matter for our country—and especially for many Coloradans because our state is home to the Rocky Flats site, which for decades was a key part of the nuclear-weapons complex.

Now the site's military mission has ended and the last of the Rocky Flats workers have completed the job of cleaning it up for closure. And just as they worked to take care of the site, we in Congress need to take care of them and the others who worked there in the past.

That was the purpose of the compensation act. I am very proud that I was able to help achieve its enactment, but I am also aware that it is not perfect. The bill being introduced today will not remedy all the shortcomings of the current law, but it will make it better.

For the benefit of our colleague, I am attaching an outline of the bill's provisions.

OUTLINE OF ROCKY FLATS SPECIAL COHORT BILL

Section 1: Short Title, Findings, and Purpose

Subsection (a) provides a short title, "Rocky Flats Special Cohort Act."

Subsection (b) sets forth several findings regarding the need for the legislation.

Subsection (c) states the bill's purpose: "to revise the Energy Employees Occupational Illness Compensation Act of 2000 to include certain past Rocky Flats workers as members of the special exposure cohort."

Section 2: Definition of Member of Special Exposure Cohort

Subsection (a) amends section 3621(14) of the Energy Employees Occupational Injury Compensation Act (EEOICPA). The effect of the amendment is to provide that a person employed by the Department of Energy or any of its contractors for an aggregate of at least 250 work days at Rocky Flats before January 1, 2006 would be a "member of the Special Exposure Cohort." Under EEOICPA, a member of the special exposure cohort suffering from one of the cancers specified in the Act is covered by the Act if the cancer was contracted after the person began employment at a covered facility.

Subsection (b) provides that someone employed by the Energy Department or any of its contractors for an aggregate of at least 250 work days at Rocky Flats before January 1, 2006 may apply for compensation or benefits under EEOICPA even if the person had previously been denied compensation or benefits under the Act. This is to make clear that the subsection (a)'s change in the law will apply to people who had applied previously.

CONGRATULATING LORRAINE C. MILLER ON HER APPOINTMENT AS CLERK TO THE U.S. HOUSE OF REPRESENTATIVES

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 2007

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I rise today to congratulate Lorraine Miller on her years of outstanding service and much deserved appointment as Clerk to the U.S. House of Representatives. I have known Lorraine Miller a number of years, and am certain that she will prove to be an outstanding Clerk.

On February 15, 2007, Lorraine Miller will be sworn in as the 35th Clerk of the House, and notably the first African-American Clerk. In this position she will be responsible for the legislative operations of the House floor, the voting system, oversight, and supervision of more than 100 staffers.

A native of Forth Worth, and a fellow Texan, Lorraine Miller began her career with the U.S. House with the office of then Majority Leader, Jim Wright. Following her service with Speaker Wright, she went onto serve on the staffs of Speaker Foley and Congressman JOHN LEWIS. In addition, during the Clinton Administration she served as Deputy Assistant to the President for Legislative Affairs for the House. She has also held high-level positions at the Federal Communications Commission and the Federal Trade Commission. Currently, Lorraine Miller serves as a Senior Advisor to Speaker PELOSI, and president of the Washington D.C. chapter of the NAACP.

Lorraine Miller has dedicated her career to public service and I can think of no one better to serve as Clerk. I am certain that she will serve the House with distinction. The recognition she is receiving is imminently well deserved, and I wish her all the success in the years ahead.

HERMOSA BEACH TURNS 100

HON. JANE HARMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 2007

Ms. HARMAN. Madam Speaker, many congressional districts have fine beaches, but the town of Hermosa Beach in my district is the official birthplace of surfing in California.

Originally purchased in 1900 by the Hermosa Beach Land and Water Company, the area consisted of little more than giant sand dunes and grain fields. It has since developed into a serene beach community with a population of over 18,000 residents, hundreds of shops, fine restaurants and a quiet, laid-back beach atmosphere.

Hermosa Beach celebrates its centennial this year, and will observe this most important milestone with a series of events, including a ribbon cutting-ceremony for the newly expanded Museum of the Hermosa Beach Historical Society; a luncheon in honor of longtime Hermosa Beach residents; a car show displaying automobiles from each decade, and the on-going "100 Acts of Beautification" Project—chaired by Public Works Commissioner and former member of my staff Michael DiVirgilio.

Hermosa Beach is the site of the Surfer's Walk of Fame, where the sport's pioneers and innovators are honored. I am a proud member of the Congressional Surfer Caucus and display my local "Jane's" surfboard in my Washington office. As the Beach Boys sang in 1963, "Catch a wave and you're sitting on top of the world / Don't be afraid to try the greatest sport around."

Jazz music is also a key component of Hermosa Beach's culture. In the 50's and 60's, the Lighthouse Cafe on Pier Avenue was the premier jazz club in the Los Angeles area. It attracted fans and performers from all over the world, including some of the foremost interpreters of the West Coast school of cool jazz like Chet Baker and Gerry Mulligan. The Hermosa Beach Jazz Walk is a living, breathing standing ovation to those legendary artists who enriched the region with their mellow sounds. This historic musical heritage is celebrated each year with the Annual Jazz Stroll Dedication and concert.

But Hermosa Beach is much more than the sum of its remarkable parts, it is also home to many hardworking, talented and conscientious individuals and families. I am thinking of people like the kids from Hermosa Valley School—now college age!—who joined me in

Manhattan shortly after 9/11 to present a memorial quilt at the New York Firefighters Museum, or civic leaders like retiring Mayor Sam Edgerton, Councilmember and former Mayor J.R. Revitzsky, the police and firefighters, and so many others whose thoughtful planning and vision have allowed the city to flourish year after year.

It is an honor for me to represent this remarkable coastal community, and a privilege to celebrate 100 years of Hermosa Beach history.

PERSONAL EXPLANATION

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 2007

Mr. UDALL of Colorado. Madam Speaker, on Monday, February 5, I was unavoidably detained in Colorado and so was not present for two votes:

Rollcall No. 74, on passage of H. Res. 94—Supporting the goals and ideals of National Consumer Protection Week; had I been present, I would have voted "yea."

Rollcall No. 75, on passage of H. Con. Res. 35—Supporting the goals and ideals of National Black HIV/AIDS Awareness Day; had I been present, I would have voted "yea."

HAPPY NEW YEAR TO THE ORGANIZATION OF CHINESE AMERICANS

HON. JASON ALTMIRE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 2007

Mr. ALTMIRE. Madam Speaker, I would like to wish the membership of the Organization of Chinese Americans a healthy and happy New Year for the year 4705, the year of the pig.

The New Year is a time for reflection and thanksgiving for the joys of life and loved ones and I am thankful for the richness that this organization brings to my region. Chinese Americans have made great contributions to western Pennsylvania and to our Nation as a whole and I am honored for this opportunity to wish them a wonderful year in 4705.

I ask my colleagues in the United States House of Representatives to join me in wishing the members of the Organization of Chinese Americans a very happy and prosperous New year.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, February 8, 2007 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

FEBRUARY 9

9:30 a.m.

Armed Services

To receive a briefing on the Department of Defense Inspector General's report on the activities of the Office of Special Plans prior to the war in Iraq; to be followed by a closed session in SR–232A.

SR–222

FEBRUARY 12

2:30 p.m.

Energy and Natural Resources

Energy Subcommittee

To hold hearings to examine recommendations on policies and programs to improve the energy efficiency of buildings and to expand the role of electric and gas utilities in energy efficiency programs.

SD–366

FEBRUARY 13

9:45 a.m.

Agriculture, Nutrition, and Forestry

To hold hearings to examine challenges and opportunities relating to rural development.

SR–328A

10 a.m.

Budget

To hold hearings to examine the President's Fiscal Year 2008 budgetary proposals for the Department of Health and Human Services.

SD–608

Energy and Natural Resources

To hold hearings to examine the "Stern Review of the Economics of Climate Change" examining the economic impacts of climate change and stabilizing greenhouse gases in the atmosphere.

SD–106

Environment and Public Works

To hold hearings to review and report the recommendations of the United States Climate Action Partnership Report.

SD–406

Health, Education, Labor, and Pensions

To hold hearings to examine The Healthy Families Act, focusing on safeguarding Americans' livelihood, families and health with paid sick days.

SD–430

Homeland Security and Governmental Affairs

To hold hearings to examine the Homeland Security Department's budget request for Fiscal Year 2008.

SD–342

Appropriations

Interior and Related Agencies Subcommittee

To hold oversight hearings to examine the Outer Continental Shelf oil and natural gas royalty management by the Department of the Interior.

SD–124

Small Business and Entrepreneurship

To hold hearings to examine alternatives for easing small business health care costs.

SR–428A

FEBRUARY 14

10 a.m.

Banking, Housing, and Urban Affairs

To hold hearings to examine the semiannual monetary policy report to the Congress.

SD–106

Health, Education, Labor, and Pensions

Business meeting to consider Mental Health Parity Act of 2007, Head Start for School Readiness Act, and any pending nominations.

SD–430

Judiciary

To hold hearings to examine judicial security and independence.

SH–216

Commerce, Science, and Transportation

Trade, Tourism, and Economic Development Subcommittee

To hold hearings to examine overseas sweatshop abuses, focusing on their impact on U.S. workers and the need for anti-sweatshop legislation.

SR–253

2:30 p.m.

Commerce, Science, and Transportation

Fisheries and Coast Guard Subcommittee

To hold an oversight hearing to examine recent setbacks to the Coast Guard Deepwater Program.

SR–253

FEBRUARY 15

9:15 a.m.

Foreign Relations

To hold hearings to examine the nominations of Ryan C. Crocker, of Washington, to be Ambassador to the Republic of Iraq, and William B. Wood, of New York, to be Ambassador to the Islamic Republic of Afghanistan.

SD–628

9:30 a.m.

Armed Services

To hold hearings to examine the current and future readiness of the Army and Marine Corps; there is a possibility of a closed session in SR–222 following the open session.

SH–216

Commerce, Science, and Transportation

Aviation Subcommittee

To hold hearings to examine the Administration's proposal to reauthorize the Federal Aviation Administration (Part 1).

SR–253

Energy and Natural Resources

To hold hearings to examine the President's proposed budget request for fiscal year 2008 for the Department of the Interior.

SD–366

10 a.m.

Finance

To hold hearings to examine the Administration trade agenda for 2007.

SD–215

FEBRUARY 28

2:30 p.m.

Commerce, Science, and Transportation
Science and Space Subcommittee

To hold hearings to examine the President's budget for the National Aeronautics and Space Administration (NASA).

SR-253

SENATE—*Thursday, February 8, 2007*

The Senate met at 10 a.m. and was called to order by the Honorable ROBERT P. CASEY, Jr., a Senator from the State of Pennsylvania.

PRAYER

The PRESIDING OFFICER. Today's prayer will be offered by our guest Chaplain, Rev. Henry Holley, Billy Graham Evangelical Association of Marietta, GA.

The guest Chaplain offered the following prayer:

"Blessed is the Nation whose God is the Lord."

Almighty God, our Heavenly Father, who made and sustained us as a Nation, we bow before Thee at this hour. Thou art our refuge and strength and a very present help in time of trouble.

Today, I pray for all those in authority and especially for the Senators of this great institution. I ask that You give them wisdom and blessing this day, to make decisions that would strengthen and prosper our Nation.

Thank You for Your grace and protection over our beloved United States of America. Cause us to know that righteousness exalts a nation, but sin is a reproach to any people. May we be renewed in mind and spirit so we can be a channel of Thy love to others. Thank You for the promise that someday every knee will bow and every tongue will confess that You are Lord, to the glory of God.

With respect for persons of other faiths, I humbly make my prayer in the Name of my Savior, the Lord Jesus Christ. Amen.

PLEDGE OF ALLEGIANCE

The Honorable ROBERT P. CASEY, Jr., led the Pledge of Allegiance, as follows:

> I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, February 8, 2007.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable ROBERT P. CASEY, Jr., a Senator from the State of Pennsylvania, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. CASEY thereupon assumed the chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, today following whatever time the leaders might utilize, the Senate will be in a period of morning business for 1 hour, the first 30 minutes will be for the majority, the second 30 minutes will be for the Republicans. Once morning business closes, under a previous order, the Senate will return to executive session and conclude the debate on the Casey nomination. Up to 30 minutes of debate is in order, and that time will be equally divided and controlled between Senators LEVIN and MCCAIN. At the end of that time, the Senate will conduct a rollcall vote on confirming the nomination.

Through the Chair, I direct a question to my distinguished counterpart, the Senator from Kentucky. I would like to take about 10 minutes prior to the vote on Casey. We can put that in the order now, if you would like to also do that, and reserve that time, at least, whether you decide to do that or not. Shall we reserve the time?

Mr. MCCONNELL. I say to my friend, the majority leader, that will be fine. I may or may not use that time.

Mr. REID. I ask the request be amended to allow the last 20 minutes of the debate be equally divided between the Republican leader and me, and I will take the final 10 minutes prior to the vote.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. After the confirmation vote, the Senate will proceed to the continuing funding resolution.

The ACTING PRESIDENT pro tempore. The Senator from Georgia.

THE GUEST CHAPLAIN

Mr. ISAKSON. Mr. President, I pause for a moment to pay tribute and welcome Rev. Henry Holley, our Chaplain of the day. It is a special occasion for me because this is personal. I have known Henry Holley for 30 years, his beautiful wife Betty and his daughter Debbie, who are with us today. I have known him in many ways. I would like the Senate to know, first of all, that this is a U.S. marine. For 22 years, he served the United States of America in the Marine Corps and retired in 1966, upon which time he joined the Billy Graham organization and for the last 40 years has traveled 12 million miles to countries around the world. He leads now the Graham evangelical organization throughout the Pacific rim. His reach is so important that it is countless millions of people. One evening in 1990, in Hong Kong, Dr. Henry Holley and Dr. Graham preached the Gospel to more than 100,000 people in Asia.

But he has a special reach. He has a reach around the corner and around the world. Just about any Tuesday, Wednesday or Thursday in Marietta, GA, at the Caribou Coffeehouse, which has been renamed the Caribou Cathedral, Henry holds court with countless individuals in our community, celebrating the joy of our life and the belief of his faith. And this Friday or Saturday he takes off again on his third trip, third trip to Korea and to China—this year. He will travel, before this year is out, probably a quarter of a million miles to countries around the world. He probably knows more leaders of business and politics, of Government and of religion than any single individual in the United States of America.

It is an honor and a privilege for me to introduce him to the Senate, but it is a greater privilege to know him as a friend, a pastor, and a mentor.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will be a period for the transaction of morning business for up to 60 minutes with Senators permitted to speak for up to 10 minutes each, with the first 30 minutes under the control of the majority. The Senator from Oregon, Mr. WYDEN, is in control for up to 20 minutes and the Senator from Florida, Mr. NELSON, is in control of 10 minutes and the final 30 minutes under the control of the minority.

The Senator from Oregon is recognized.

SAUDI ARABIA AND COUNTERTERRORISM

Mr. WYDEN. Mr. President, as a member of the Senate Select Committee on Intelligence, I wish to talk a

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

bit this morning about the all-important war against terrorism and particularly the sources of funding that allow the terrorists to obtain the resources with which they conduct this war.

It is impossible to talk about funding terrorism without mentioning Saudi Arabia. With its extraordinary oil wealth, the Saudis have a tremendous economy which is home to many strains of extremist Islamist thought. Over the years, the combination of wealth and extremism has proved to be a volatile combination.

A few years ago, a telethon in Saudi Arabia raised more than $100 million for the families of "Palestinian martyrs," a group which reportedly included suicide bombers. According to public news reports, Saudi Arabia's ruler, King Fahd, ordered the fundraising drive as a way to channel public anger in the kingdom against the United States and Israel.

Just because the Saudis are no longer holding telethons for terrorists does not mean that they aren't providing substantial funding for terrorism in other ways.

A number of Government agencies have noted that Saudi Arabia is a source of funding for hate-filled extremist ideologies, but Saudi-based support for terrorism does not stop there. In fact, it may be a part, a small part of what we face in this war against terrorism. According to the State Department, Saudi donors and unregulated charities have been a major source of funding and support, not just for groups that preach radical ideologies but for actual terrorist organizations.

I wish to cite now some specific examples. An examination of the public record reveals clear connections with some of the world's most infamous organizations, such as al-Qaida. The staff of the 9/11 Commission, for example, noted that the intelligence community identified Saudi Arabia as the "primary source of money for al-Qaida both before and after the September 11th attacks." They went on to say "fundraisers and facilitators throughout Saudi Arabia and the Gulf raised money for al-Qaida from witting and unwitting donors and divert[ed] funds from Islamic charities and mosques."

The Iraq Study Group, to look at another effort to examine these issues, stated that "Funding for the Sunni insurgency in Iraq comes from private donors in Saudi Arabia and other Gulf states," and Iraqi officials have reportedly asked the Saudi Government to do more to limit the support that these donors provide to Iraqi insurgents.

The State Department has reported that private Saudi donors are a primary source of funding for Hamas.

Early last year, Ambassador Crumpton, the State Department's coordinator for counterterrorism, told a House subcommittee that the Saudi Government, "had made a bit of progress in reducing the flow of funds from Saudi Arabia to Hamas and other Palestinian rejection groups, but conceded that the money funding these terrorists is still going on."

Other governments have gone even further in their statements with respect to the funding of terrorism. In the fall of 2005, Israeli officials announced they arrested an individual, who they claimed was acting as a courier between Hamas members in the Palestinian territories and Hamas members in Saudi Arabia. No other governments have confirmed this, but if it is correct, it certainly raises a host of troubling questions. Clearly, one can see that the threat posed by these donors goes beyond the spread of religious intolerance and extremely dogmatic forms of Islam. Rather, money is flowing from Saudi Arabia to support insurgent groups in Iraq; money is flowing from Saudi Arabia to Palestinian terrorist groups such as Hamas; money is flowing from Saudi Arabia to al-Qaida.

Under Secretary of the Treasury Stewart Levey summed up this situation pretty clearly. He said:

> Is money leaving Saudi Arabia to fund terrorism abroad? Yes. Undoubtedly some of that money is going to Iraq, it's going to Southeast Asia, and it's going to other places where there are terrorists. There is money leaving Saudi Arabia.

I think it is also appropriate to put this in the context of what it means to folks this Pennsylvania and Oregon and everywhere else, and in effect what happens when you pull up at a gas station in Pennsylvania and Oregon is you are paying a terror tax. A portion of what you pay for gasoline in Pennsylvania or Oregon or elsewhere, in effect, finds its way eventually to the Government of Saudi Arabia, and then we see that the Saudis end up back-dooring it to various kinds of terrorist organizations.

The Government Accountability Office describes this problem very succinctly, stating it this way:

> Saudi Arabia's multibillion-dollar petroleum industry, although largely owned by the government, has fostered the creation of large private fortunes, enabling many wealthy Saudis to sponsor charities and educational foundations whose operations extend to many countries. Government and other expert reports have linked some Saudi donations to the global propagation of religious intolerance, hatred of Western values, and support to terrorist activities. So that is what we are talking about when we talk about this terror tax which literally is paid every time an American pulls up in Pennsylvania, Oregon, or anywhere else and fills their tank with gasoline.

The former Director of Central Intelligence, James Woolsey, summed it up pretty well just recently. He said:

> We live in a world where Saudi Arabia earns about $160 billion from exporting oil and a big share of that, several billion dollars, goes to the Wahabbi sect for their worldwide work, which is to set up madrassas in Pakistan and other places. And the ideology that is taught in those madrassas is for all practical purposes the same as al-Qaida's.

As the GAO report notes, this problem appears to go beyond the funding of an "al-Qaida ideology"—it appears to be funding terrorist activities.

So let me now turn for a few minutes to the question of the Saudi Government's role in all of this. When you look at all the evidence, it is pretty clear there is a serious problem, and the question is, What has the Saudi Arabian Government been doing about all of this? Are they part of the problem? Are they doing anything to address it?

Let me review the history. First, there appears to be no question that in the first couple of years after the 9/11 attacks, Saudi Arabia was directly involved in supporting terrorism. The telethon that raised money for families of suicide bombers was sponsored by the Saudi King. In many ways, the Saudis' position changed when terrorism hit home in the aftermath of the horrible terrorist bombings that hit Riyadh in mid-2003. Since then, there seems to be broad agreement throughout the U.S. Government that the Saudi Government's counterterrorism efforts have improved.

It is not at all clear that the Saudi Government is going far enough to help in this fight against terrorism. Following the Riyadh bombings, the Saudi Government instituted a number of new antiterrorism laws and policies, but all the evidence indicates they have fallen short with respect to implementation of those laws. Here is an example: The Saudi Government announced that all charitable donations distributed internationally must flow through a new national commission that purportedly would ensure the money did not end up in the hands of terrorists. It has now been nearly 3 years since this announcement was made, and the commission is still not yet up and running. Even worse, our Treasury officials reported last year that the Saudi Government's brandnew, highly touted finance intelligence unit was not "fully functioning." Similarly, while the Saudi Government has worked with the United States to designate particular charities as terrorist financiers, it is not always possible for our Treasury officials to independently verify that particular problem charities—the ones we are most concerned about—have actually been shut down.

Certainly, there have been some individuals in the Saudi Government who have attempted to address the terrorism question. At least since 2003, Saudi leaders have made a number of public statements indicating they wish to address the problem. But these examples make clear that the reality of what is needed to win this war against terrorism still is not in line with some of the rhetoric.

With respect to implementing and enforcing antiterrorism policies, the actions of the Saudi Arabian Government are questionable at best. There are two problems. The first is, as I have indicated, not all of the proposed new laws and policies have been implemented, and the second is that we have to get the Saudis to make a more aggressive commitment to enforcement. So you have to get them implemented, and then you have to get them enforced.

John Negroponte, of course, the Director of National Intelligence, has been following this. At one of our open meetings of the Intelligence Committee, I asked him his assessment of the situation. Director Negroponte indicated that, in his view, the situation had improved a bit since 2003, but he made it clear, stating specifically that more work needs to be done, especially in the area of private Saudi donors, and that more is needed to crack down on their activities.

This sentiment was echoed by the Congressional Research Service, which reported that no high-profile donors—none—had been subject to criminal punishment by the Saudi Government. The State Department has said publicly:

> Saudi Arabia should demonstrate its willingness to hold elites accountable.

But, unfortunately, in Saudi Arabia, the elites hold all the cards, and the Saudi Arabian Government, as indicated by the Congressional Research Service, is not willing to go after those who are most influential—the elites—in their country.

Now, some have gone even further and suggested that the Saudi Government might actually be involved in the propagation and financing of terrorism. The evidence on this point is inconclusive, but this does not rule out the possibility that lower level officials in the Saudi Government may, in fact, be involved in funding or facilitating terrorism. Given the high levels of corruption reported in Saudi Arabia, this is certainly a possibility.

Moreover, as the General Accounting Office points out, the distinction between the Government's support and funding versus that provided by entities and individuals, especially in the case of Saudi charities' alleged activities, is not always clear. The Saudi Royal Family is an excellent example. The Royal Family contains several thousand family members who collect Government allowances of varying amounts. If one of these royalties took a portion of their allowance money and funneled it to al-Qaida or Hamas, Saudi officials might claim that this did not even constitute Government support for terrorism. Certainly, I and others would say that the Government still bears significant responsibility.

I would also argue that just because Saudi leaders are not personally involved in financing terrorism, this should not absolve them from accountability. Most of my constituents would contend that if terrorist activities are being planned or financed inside Saudi Arabia, then the Saudi Arabian Government has a responsibility to get off the dime and stop it. As we say in our State, you are either part of the problem or you are part of the solution.

The Congress has a responsibility now to investigate this issue, and there are a number of key questions that ought to be answered.

First, how much money is flowing from Saudi Arabia to terrorist groups? Which groups are the major beneficiaries and to what extent is official corruption a major factor?

Second, there needs to be an examination of how far the Saudi Arabian Government has gone in implementing its new antiterrorist laws. Implementation and enforcement have clearly fallen short, but where can we see concrete examples of actual followup? What major gaps still remain?

Finally, there needs to be an examination of the internal situation in Saudi Arabia. Currently, the Saudi Government is run by a small group of men in their seventies and eighties. What is likely to happen when they are gone? How secure is the regime now? What sort of government would be likely to emerge if the Royal Family lost their power?

It would be premature to try to offer answers to these and the other key questions. What is clear is that our Government will need to put more pressure on Saudi leaders than the current administration has applied thus far.

It also seems very likely the answers will have a dramatic effect for U.S. energy policy which currently perpetuates our dependence on foreign oil. My guess is that people in Pennsylvania, like Oregonians, think that just about the most red, white, and blue thing we can do for our country is to get a new energy policy. Certainly, as we go forward to look into the activities of the Saudis, a bipartisan effort to get a new energy policy is a key factor in ensuring our ability to protect our citizens at a dangerous time.

In the coming weeks and months, I plan to examine this issue as a member of the Senate Intelligence Committee. I have asked our chairman, our very able chairman, Senator ROCKEFELLER, to hold a closed hearing specifically dedicated to this topic, and one has been scheduled for this afternoon. It is time to bring to light the way in which Saudi oil money is fueling the fires of terrorism so people can actually see who is getting burned and what is necessary to protect the security and the well-being of Americans in a perilous world.

Mr. President, I yield the floor, and I note the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

IRAQ

Mr. NELSON of Florida. Mr. President, I will speak on the President's decision to escalate by 21,000 troops into Iraq and whether it will be effective. If we determine the likelihood of success is not going to be effective, and we put 21,000 more troops in harm's way in the middle of sectarian violence, then it doesn't seem to me to be a wise policy if it is not going to be effective. It is naturally legitimate to debate whether it is effective.

The President's plan specifically is among the 21,500 to take about 17,500 to put into Baghdad and another 4,000 into the western part of Iraq, Anbar Province. I happen to agree with the latter part because I was convinced by the Marine generals that an increase of our forces would help them augment the success they have had, since all of that area is almost entirely Sunni and the problem there has been al-Qaida and the al-Qaida insurgents. I agree with that part of the President's strategy.

However, most of the troops—some 17,500—are scheduled to go into Baghdad, in the midst of the sectarian violence, and that is where I disagree. I point out to the Senate, the President's strategy is predicated on the fact of the Iraqi Army being reliable. Now, will it be reliable? If the President's strategy is predicated on that fact of the Iraqi Army being reliable, one would think the administration has come to the conclusion the Iraqi Army will be reliable. The fact is, they haven't.

In testimony after testimony by administration witnesses, not one witness in any of the hearings that have been held in the committees upon which I have the privilege of serving—the Senate Foreign Relations Committee, the Senate Committee on Armed Services, the Senate Intelligence Committee—not one witness has been able to state that the Iraqi Army will be reliable. To the contrary.

The Secretary of Defense, the new commander of American forces in Iraq, the new combatant commander for the United States Central Command—every one of them has been unable to answer in the affirmative that the Iraqi forces are going to be reliable. As a matter of fact, a few days ago the Secretary of Defense said to the Senate Committee on Armed Services that we will have to wait and see if they are reliable. The very underpinning of the President's strategy for success is an unknown.

I bring to the Senate's attention what has been released 2 days ago. This is the unclassified version of the National Intelligence Estimate. This is the best estimate by our intelligence community. Listen to what they have to say on exactly this subject. I am reading from the unclassified version.

> Despite real improvements, the Iraqi security forces, particularly the Iraqi police, will be hard pressed in the next 12 to 18 months to execute significantly increased security responsibilities, and particularly to operate independently against the Shia militias with success. Sectarian divisions erode the dependability of many units. Many are hampered by personnel and equipment shortfalls and a number of Iraqi units have refused to serve outside of areas where they have been recruited.

That is word for word the National Intelligence Estimate, unclassified version, that says the same thing as Secretary Gates, General Petraeus, Admiral Fallon, and the soon-to-be new Army Chief of Staff, General Casey, who served for the last 2½ years in Iraq.

I come back to the question I continue to ask. If the President's plan for success by an escalation of troops in Baghdad is predicated on the Iraqi Army, the Iraqi security forces being reliable—since they are to take the burden of the clearing and then the holding of an area—and if no one can state they are reliable, why are we pursuing this plan of an escalation of forces into Baghdad?

We hope they are going to be reliable. We hope for the success of our forces. The stakes are high, unquestionably, of stabilizing Iraq. But is this the wisest course, putting 17,500 more American forces in Baghdad at high risk? In this Senator's opinion, the very underpinning, the foundation of the President's plan, is undermined by virtue of the fact that none of the administration principals can answer the question that they are reliable. They can't answer that question. Therefore, I do not think it is in the best interests of our country or of our troops to escalate these forces into Baghdad.

I yield the floor.

The PRESIDING OFFICER (Mr. OBAMA). The Senator from Oklahoma.

CONTINUING RESOLUTION

Mr. COBURN. Mr. President, I spend a few minutes talking about the supposed continuing resolution we are going to have that is really an omnibus. Every time we have an omnibus, the American people get hurt. The reason is we play games.

We came off an election in November of 2006 where we had the claim made that the party in power had used earmarks irresponsibly, had played the budget gimmicks, had done all these things. We had a claim we would work toward bipartisanship, be honest and open in what we do. I come to challenge that in terms of what I would call an "omni terrible" bill.

First, under the rules of the Senate, although we are going to be shut out on amendments, it is harmful for the American public that there are no amendments to this. It is harmful because, first, it destroys comity in this Senate. It creates hard feelings. I would be the first to admit that the procedure that is being used on this was first used by a Republican. It is wrong.

The second thing that is important is there are all sorts of budget gimmicks with it. The quote is we stay within the budget. That is a lie because what they do is they steal money from our grandchildren which they will get back on the next supplemental, but that won't have to be within the budget limitations. So we are playing games. Nothing has changed about the Senate and the wink and the nod to the American public about what is happening to our future financial conditions. Mr. President, $3.1 billion out of this will be transferred to the next supplemental to pay for things that absolutely have to happen with our troops in terms of transferring them from Germany and the BRAC relocation process. That has all been stolen so we can do other things. They may be a priority, but maybe something else should be eliminated rather than to break the budget and charge more to our grandkids. So that is not true.

The third thing that is extremely wrong with this is the claim that this has no earmarks. In 2006 appropriations bills, 96 percent of all earmarks were in report language. That means there is a bill that is a law and then there is language that accompanies the bill that is not law. That is where we find most of the shenanigans going on in Congress. And it is equal among Democrats and Republicans as far as the earmarks.

To make the claim that there are no earmarks in this bill is an outright falsehood that the American people should not accept. The reason it is false is there is a little statement in this bill that these earmarks don't carry the force of law. It doesn't say they eliminated them. But you know what. They don't carry the force of law now. They haven't for the last 10 or 12 years. They haven't ever carried the force of law, but they carry the force of coercion because the agencies know if this is written into the report language and they don't do it, there is retribution they will face when it comes to the Congress and the appropriations process.

Ninety-four percent of all the earmarks that were in 2006 in these bills are in this bill. To claim otherwise is inaccurate and it should make the people of America reject with disdain how this Senate operates.

I remind this Senate that it wasn't but 2 or 3 weeks ago that Senator DEMINT put in transparency of earmarks, much like Congresswoman PELOSI had asked. That was voted against by the majority of the Democrats until they found out they were going to lose. Then we modified it so they could vote "yes" after they had voted "no." That is okay if you don't want them, but be honest about it. The fact is, there is no transparency with these earmarks. Most Americans will never know how they got there. The lobbyists will know; the Members will know; the campaign checks that come from them will know. But the regular "American Joe" won't know.

So the claim that we are operating under a new standard, the claim that we are going to have bipartisanship, the claim that we are not going to use budget gimmicks is all a farce. It is a farce. Let's change that. Let's give the American people something to be proud of. Let's have the hard debates on the questionable areas on this bill.

I will spend a minute and talk about one area of this bill. The one area where we have been very successful in eliminating HIV infections has been women who are pregnant and are having babies who are HIV infected. In 1996, New York passed a law saying all babies whose mothers' status with HIV wasn't known would be tested, and if they carried the antibodies for the mother, they would be treated. New York, since that time, has gone from at least 500 babies a year getting infected with HIV to less than 7.

Connecticut passed a law in 1998. They have gone from whatever their level was to zero since 2001. It is an area of hope where we have made tremendous progress in terms of preventing transmission to young babies, identifying pregnant women so they can be under treatment earlier so they don't go to full-blown AIDS, and preventing infection of other people by identifying people who are infected.

It is all based on an option of being able to opt out. If you do not want to be tested, you do not have to. This bill precludes any moneys to be spent on that. How dare we. How dare we stop the area where we are most effective in the country at preventing HIV infection.

Let me detail that a minute. For a newborn baby—we don't know the mother's status—it only costs us $10 to identify whether that baby is carrying the antibodies from a woman who is infected with HIV. The treatment, which is 99 percent curative, costs $75.

Now, to abandon all this, the treatment to treat a baby infected with HIV—which will result in this—costs a quarter of a million dollars for the first 10 years—$25,000 a year. So it is not only that we are not preventing an infection, we are not preventing an infection after that through breast-feeding, we are wasting money that could go to buy drugs for those people who cannot afford drugs today who have HIV.

The HIV epidemic is totally controllable. To block the funding, especially for African-American women who carry the burden of this disease in pregnancy, is unconscionable. There is not a good answer for why this prohibition was put into this. And whoever did it—whoever did it—does not care a whit about the innocent children who are going to get the HIV infection, does not care about the African-American woman who is carrying it but does not know she has it, who could be treated and never progress to AIDS. What they care about is politics and political correctness.

Former President Clinton recently announced he thinks we need to reassess, we need to be testing. That is a 180-degree turn from where he was. Why? Because he looks at this country and says: Why aren't we controlling this epidemic? It is because we are not testing, we are making it too hard to be tested. We have had great advances in drugs. We have great ways to prevent transmission. But if we do not know who is carrying it—and one out of every three people in this country who have HIV does not know they are infected. So what we should be about is making testing easier—easier to do, more available, more accessible—and in a way that will make a major impact on people's lives.

I am sorry the majority leader has decided to run this bill this way because I think it portends lots of things for the future of this body that are not going to be good. Nobody can accuse me of being partisan on earmarks. I went after my own party harder than I went after anybody else. I did not see anybody last year from the other side come down here and challenge an earmark. I saw nobody in the last 2 years from the other side come down here and challenge an earmark. And then to claim there are no earmarks in this bill, and to try to do a wink and a nod to the American public that oh, yeah, we are fixing it, when in fact 95 percent of them are there, it gives us cause to pause: Has anything changed? It has not. It is still the game, American public. The only way you are going to have this place cleaned up is transparency in everything we do.

I hope the majority leader will reconsider his position on not allowing amendments to this bill. If he does not, one, he hurts the next year and a half in this body in terms of relationship and fairness; but, No. 2, he hurts the American public worse than that.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. BROWN). The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I thank the Senator from Oklahoma for beginning to talk about this Omnibus appropriations bill that is coming to the floor in the form of a continuing resolution.

At this point, we are told the amendment tree will be immediately filled and there will be no amendments allowed to this over $400 billion Omnibus appropriations bill. It is not too late for the distinguished leader of the Democrats, the majority leader, to allow some amendments. He said on the floor yesterday he was open to discussions and thought that probably maybe some amendments on the Democratic side and the Republican side would be in order.

When you take something that is this big—$400 billion—this number of appropriations bills, and you see the incredible changes that have been made in these bills, without any hearings, without sufficient time to even digest everything that is in these bills, I think a few amendments are warranted.

I think Senator COBURN pointed out something that surely no one intended—surely no one intended—to stop babies from being able to have the HIV/AIDS test that would give them a chance at a quality of life which they will not be able to get if they do not have this test and catch potential AIDS in their bodies right at birth.

I am going to talk about one I know a lot about, and that is the military construction and BRAC. Military construction is completely dropped in this bill, completely dropped from last year's military construction bill. We passed this bill in the Senate. We tried to go to conference. The Senate sent it to conference. But we were not able to get the House to agree; therefore, the bill died last year.

I will say that it is not the Democrats' fault that bill died last year. But, nevertheless, the Democrats now are in charge, and I would ask the distinguished leader to acknowledge we have bills that have not been fully passed, conferenced, and sent to the President, but a continuing resolution that is unamendable is not the right approach, particularly if we take to heart what the distinguished leader said was going to be different about the Senate under his leadership.

In fact, there is precedent. In 2003, the Republicans took over the Senate after the Democrats had been in control. There were 11 appropriations bills undone. Those 11 bills were put together in an Omnibus appropriations by the Republicans. There were 6 days of debate. There were 100 amendments offered. The majority of the amendments that were added to the bill were Democratic amendments.

So I think that is the precedent we should follow in the Senate. This is a body that is supposed to allow for discussion, debate, transparency, and minority rights. We are in the minority. We know that. But we have never been denied on such a continuing basis the ability to even affect legislation or amend legislation. That seems to be a pattern in the first 5 weeks of this session. I do not think it is what was intended by the majority when they took control of the Senate, and I think there is a chance to come together and maybe go a different way; that is, to allow amendments on major bills.

We now have a bill that is called a continuing resolution, and it strips BRAC, it strips the base closing construction that will keep the Base Closing Commission results that were adopted by Congress that are the law of this country from going forward with the 6-year timetable that was set out by Congress.

We have 6 years to do the construction that will prepare bases that are going to receive troops and to close bases in an expeditious manner so the cities that have these large amounts of land will be able to take over those bases and do something productive for their respective cities with those bases.

What we have now is a delay that will last 1 year. It is going to cause a backup in the system of adhering to the congressional responsibility for BRAC. It is going to begin to handicap the ability to move troops from overseas that are scheduled as early as this year to move.

Mr. President, 12,000 troops will begin to move that are part of the rebasing operation from foreign bases to American bases. Twelve thousand will not be able to move with all of the amenities we require.

Let me read excerpts from a few of the military leaders of our country, letters that were sent on behalf of the military of our country, asking that Congress act on both the military construction bills that were passed by both Houses of Congress but not conferenced last year and the $3 billion that was taken out of the budget and spread throughout the other bills that are in this omnibus continuing resolution.

The Democrats have taken $3 billion out of military construction to effect our mandate of a 6-year period in which the military has to make the transfers we adopted in BRAC. It takes $3 billion out of this year's budget and transfers it to other priorities that have never had 1 day of hearing and never had even a discussion in the committees.

This is a letter from Robert Gates, the Secretary of Defense:

> As you prepare to complete the Joint Continuing Resolution, we urge you to include provisions to permit the execution of the Fiscal Year 2007 President's Budget request [as it relates to the Department of Defense].
>
> Funding programs at FY 2006 levels under a year-long Continuing Resolution—

Which is what is in this bill—

> would negatively impact critical priorities and missions within the Department. If the

> [continuing resolution] levels are set at [these] enacted levels, the Department will face shortfalls of over $1 billion in the Defense Health Program—

Part of that is accommodated in this bill—

> $0.5 billion in Basic Allowance for Housing, and $4 billion in the Base Realignment and Closure programs.

Now, this was sent before this omnibus continuing resolution came over. Part of those are funded but not the Base Realignment and Closure programs. Mr. President, $3 billion of the $4 billion requested was taken out.

Secretary Gates goes on to say:

> Delays in completing BRAC could result in postponing scheduled redeployments from overseas stations to the United States. Deferring BRAC implementation would also impede community efforts to quickly transition the affected bases to civilian use, so that the impact of BRAC on local economies can be reduced. Furthermore, congressionally approved BRAC recommendations were developed to provide cost savings benefits; any delays will jeopardize those benefits.

Mr. President, I ask unanimous consent that the letter I have just read, addressed to Senator BYRD, with a copy to Senator COCHRAN, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the Record, as follows:

SECRETARY OF DEFENSE,
Washington, DC, January 26, 2007.

Hon. ROBERT C. BYRD,
Chairman, Committee on Appropriations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: As you prepare to complete the Joint Continuing Resolution, we urge you to include provisions to permit the execution of the Fiscal Year 2007 President's Budget request.

Funding programs at FY 2006 levels under a year-long Continuing Resolution (CR) would negatively impact critical priorities and missions within the Department. If the CR levels are set at FY 2006 enacted levels, the Department will face shortfalls of over $1 billion in the Defense Health Program (DHP), $0.5 billion in Basic Allowance for Housing (BAH), and $4 billion in the Base Realignment and Closure (BRAC) programs. Funding for the DHP is needed to avoid reductions in health care benefits for members, retirees, and their families; funding for BAH is needed to ensure that members receive timely housing payments.

Delays in completing BRAC could result in postponing scheduled redeployments from overseas stations to the United States. Deferring BRAC implementation would also impede community efforts to quickly transition the affected bases to civilian use, so that the impact of BRAC on local economies can be reduced. Furthermore, congressionally approved BRAC recommendations were developed to provide cost savings benefits; any delays will jeopardize those benefits.

Thank you for your help on this important matter. Our warfighters will be the direct beneficiaries of your assistance.

Sincerely,

ROBERT M. GATES.

Mrs. HUTCHISON. Mr. President, the $3 billion that has been cut out is going to affect many important bases in our country. One of the bases is in Texas. Fort Bliss is in great need of military construction because it is designated by the Department of Defense to receive 30,000 troops, and there is much that needs to be done to prepare the base for those overseas redeployments.

I happen to know that one the best, of course. But let's talk about Fort Riley, KS, where a good number of the redeployed troops are also going to be stationed. They are very concerned in Kansas. I know Senator ROBERTS and Senator BROWNBACK plan to speak this afternoon. But I am speaking now because I am hoping the majority leader will decide that maybe we do need some amendments to this bill, that maybe we can work together in a bipartisan way and work these out.

These BRAC budget provisions have been adopted by the Senate. The military construction appropriations bill was a quite bipartisan bill that was adopted last year by the Senate as well.

When you look at Fort Riley in Kansas, which is one of the major-need areas for BRAC funding that we are going to talk about—I know Senators ROBERTS and BROWNBACK will expand on it—you have a Battle Command Training Center. This is for troops coming from Europe to Fort Riley for training. The major part of the military construction for Fort Riley is a training center. You have runway improvements, a child development center for quality of life for our troops—all of this is at Fort Riley, KS—a soldier-family medical clinic at Fort Riley, a division headquarters. All of that is Fort Riley, KS, which is one of the major areas that would be hit by this delay in taking out the $3 billion from BRAC.

I have been talking to Senators CHAMBLISS and ISAKSON of Georgia. They will have a huge hit as well in Fort Benning. Fort Benning is another of those that is in need of great enhancement.

The PRESIDING OFFICER. The Senator from Texas has consumed 10 minutes.

Mrs. HUTCHISON. I ask unanimous consent to extend my time for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CORNYN. Mr. President, I will not object, but may I inquire how much time remains to the minority under morning business?

The PRESIDING OFFICER. Six minutes 15 seconds.

Mrs. HUTCHISON. I did not realize that. I ask the Senator from Texas how much time he would like to have.

Mr. CORNYN. Mr. President, I was hoping to have at least 5 minutes, but I see that time is running short.

Mrs. HUTCHISON. Mr. President, I will give him 5 minutes. Just let me have the rest of that time and notify me when there is 5 minutes remaining then I will yield to the Senator from Texas.

The PRESIDING OFFICER. The Senator from Texas has 1 minute.

Mrs. HUTCHISON. In Georgia, Fort Benning is going to be a major loser because of the delay. You have two major training barracks and training brigade complex units that will not be able to be started, a fire and movement range, a modified record fire range, brigade headquarters, training barracks complex No. 2, and the stationary gunnery range.

Again, we are trying to enhance training for our troops. Many of those being brought home, the 70,000 troops being brought home in the Department of Defense plan, are being brought home to increase their training capability.

I encourage and ask Senator REID to reconsider. Let's have some agreement on equal numbers of Republican and Democratic amendments. Let's have some say in this Omnibus appropriations bill. I cannot imagine we would pass a bill such as this with no amendment whatsoever in either House of Congress. I don't think that is what the American people hoped for when they voted last November.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas is recognized for the remainder of the time, 4 minutes 20 seconds.

Mr. CORNYN. I appreciate the courtesy of the senior Senator from Texas in giving me a few minutes to speak on this continuing resolution.

This is, to say the least, disappointing. We have a bill that addresses more than $400 billion worth of spending but cuts $3.1 billion from our men and women in uniform for the Department of Defense at a time when we hope to be able to build facilities in the United States to accommodate them and their families as we bring them back from places such as Europe and Korea and elsewhere. We know that we have an all-voluntary military. As a member of a military family myself—my father was in the Air Force for 31 years—it is more than just the individual servicemember who serves; it is a family proposition.

I urge the majority leader and the majority to reconsider this cut of $3.1 billion in the very meat and bone of what it takes to recruit and retain a volunteer military. As the saying goes, you recruit an individual servicemember but you retain a family. These kinds of cuts, $750 million of which will come out of the money that is allocated for the State of Texas, are just extraordinarily unwise.

I have heard rumors to the effect that the majority is going to try to add this money back in the supplemental appropriations bill we will be taking up, I guess sometime in March. Of course, that would be a budgetary trick which would exacerbate the budget deficit and be in stark conflict with the kind of rhetoric we have heard from our colleagues on the majority side who have said that we need a pay-as-you-go budget. In other words, if there is going to be spending, there has to be commensurate offsets.

Cutting out of this so-called continuing resolution or Omnibus appropriations this $3.1 billion for our military families and then coming back and adding it in as emergency spending in a supplemental avoids the budgetary requirement of an offset and, thus, will add to additional deficits which are irresponsible and certainly in conflict with the statements our colleagues have made on the other side.

Mrs. HUTCHISON. Would the Senator from Texas yield for a question?

Mr. CORNYN. I certainly will.

Mrs. HUTCHISON. I was just listening to his statement and agree that there is going to be a budget gimmick if this comes up in a supplemental. But is the Senator from Texas a part of an amendment we would like to proffer which would restore $39.1 billion but cut .73 percent across the board in all of the other accounts in this bill except for defense, veterans, and homeland security, so that we could pay for it, be fiscally responsible, and yet do what we need to do for the Active-Duty military, not to drain their operations to fund military construction projects that should be funded in this bill? Is the Senator aware of that?

Mr. CORNYN. I am proud to be a cosponsor, along with the distinguished senior Senator from Texas, of an amendment which would accomplish that goal. This is the way to handle our budgetary responsibilities appropriately. I implore the majority leader to allow us an opportunity to have amendments and to have a full and fair debate on this continuing resolution. We started this Congress in a spirit of compromise, but certainly if the amendment tree is filled and we are denied an opportunity to have debate and consideration of an amendment such as that, it would be extraordinarily disappointing and in conflict with some of the early rhetoric and hopes we all had for bipartisan cooperation.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF GENERAL GEORGE W. CASEY, JR., TO BE CHIEF OF STAFF, UNITED STATES ARMY

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of Calendar No. 15, which the clerk will report.

The bill clerk read the nomination of General George W. Casey, Jr., to be Chief of Staff, United States Army.

The PRESIDING OFFICER. Under the previous order, there will be 50 minutes for debate, with the time equally divided and controlled by the senior Senator from Michigan, Mr. LEVIN, and the senior Senator from Arizona, Mr. MCCAIN, or their designees, and 10 minutes for each of the leaders.

The Senator from Arizona is recognized.

Mr. MCCAIN. Mr. President, may I inquire, how much time do I have again?

The PRESIDING OFFICER. There is 50 minutes total. The Senator from Arizona gets 15 minutes and 15 minutes for the Senator from Michigan, and the leaders have 10 minutes each.

Mr. MCCAIN. I thank the Chair.

I ask the clerk to tell me when I have consumed 8 minutes.

I come again this morning to the not particularly pleasant task of opposing the nomination of General Casey to be Chief of Staff of the U.S. Army. I preface my remarks, again, with my appreciation for honorable service to the country, his family, and the sacrifices they have made for many years. This isn't a question of character because his character is outstanding; it is a question of judgment.

I will try to put this in context, why I am in opposition. For several years, I and a number of others have bemoaned and complained and criticized and been saddened as we have watched this train wreck in Iraq. Not long after the initial invasion, I came back from a visit to Iraq and visited with the then-Secretary of Defense, who bears great responsibility for this debacle, and history will judge him very badly for his performance as Secretary of Defense. I told him how it was that we were not going to win, we were not going to succeed, that we didn't have enough troops over there, that Anbar Province was going to erupt—basically all the things many of us saw were going to transpire. General Casey, for 2½ years up until recently, would come back to the Congress and say that things were going well. I quoted many quotes yesterday, from time to time, including in 2005, saying we could start withdrawing by 2006 and on and on and on, completely divorced from reality on the ground, as was the Secretary of Defense.

I will state at the beginning that Presidents are responsible, but Presidents also rely on the advice and counsel of their military leaders. That is a normal thing and has happened in every conflict.

President Bush said time and time again: I have said to the American people, as Iraqis stand up, we will stand down. But I have also said our commanders on the ground will make that decision. We will talk to General Casey. On and on. The Army is getting on its feet. We have turned over a lot of territory to the Army. They are good fighters. I have spent a great deal of time with General Abizaid and General Casey. They are in Washington. They are generals who will be happy to tell me the way it is, not the way they think I would like to it be.

Time after time, it has been clear that the President of the United States, as appropriate, has been relying on the advice and counsel of commanders in the field who did not give him appropriate information or recommendations. We are all responsible. In the military, you are responsible for the decisions you make on the battlefield, particularly when they cost our most valuable and important asset—American blood.

In his opening statement at a Senate Armed Services Committee hearing on September 29, General Casey said: "The capacity of Iraqi security forces has increased quantitatively and qualitatively over the past year" and "we have also developed with the Iraqis a readiness reporting system, not unlike the one we have in place for our own forces. So over the past 18 months we have built enough Iraqi capacity where we can begin talking seriously about transitioning this counterinsurgency mission to them."

Did he realize at the time that statement was wrong? And when did he tell someone?

At the same hearing, General Casey said:

> More coalition is not necessarily better. More and more capable Iraqi security forces are better. Increased coalition presence speeds the notion of occupation. It contributes to the dependency of Iraqi security forces on the coalition. It extends the amount of time it will take for Iraqi security forces to become self-reliant and exposes more coalition forces to attacks at a time when Iraqi security forces are increasingly available and increasingly capable.

There has been no sign of that. Why did it take 15 months for General Casey to change that assessment and then not even agree with the new strategy of five additional brigades, which most of us pray is enough and most of us believe is a direct contravention to the Powell doctrine, which is, use overwhelming force in order to gain military victory?

President Bush said General Casey will make decisions as to how many troops we have there. Why did it take 2½ years? Why did it have to take 2½ years of steady degradation for General Casey to figure out we didn't have enough troops there, and the situation is worsening in Iraq.

The NIE that came out yesterday should frighten anyone, any American, because of the stark depiction in the NIE—the public document—that states that the situation is grave and deteriorating in Iraq, which is also the conclusion of the Iraq Study Group, whether you happen to agree with their recommendations or not.

Mr. President, responsibility is one of the first things that is taught at our service academies. We are responsible for our decisions. When the Missouri runs aground, we relieve the captain. When four sailors are washed overboard, we relieve the captain. Now we are rewarding failure as we did during the Vietnam war when we named General Westmoreland as Chief of Staff of the Army after a failed search and destroy. There are eerie parallels here. General Westmoreland employed the search and destroy strategy which is counter to any counterinsurgency strategy. That kind of strategy is clear, hold, and build. That is what General Petraeus is trying to do now. That is not what has been done in the past under General Casey.

So what are we doing? We are promoting a general who has pursued a failed policy, advocated it to the President, whom he is responsible to advise, and he is advocating it to the Congress of the United States despite the overwhelming view by many of us that it was not a successful strategy. Still, today, where he will be in place if he is confirmed by the Senate, he will be responsible for the operation, training, and doctrine that will be employed in Iraq, and he still, to this day, as far as I know, from the hearing of a short time ago, believes—and I could give the quote—that we are not failing but we are succeeding. I don't know of anyone who believes that who is in a responsible position in Government.

Mr. President, it is with a bit of regret that I do this. Again, I repeat what I said yesterday. Senator LEVIN asked him:

> I am wondering whether you would agree that what we are doing in Iraq was maybe a slow failure.

General Casey said:

> I don't actually see it as a slow failure. I actually see it as slow progress.

How could you depict the situation in Baghdad today, with six helicopters being shot down in the last few weeks, with a spike in casualties that has taken place, and the continued level of sectarian violence, as a slow progress?

So I want to tell my friends that people in the military, particularly our young officers, are watching what we do here. We teach them in our service schools, and we teach our noncommissioned officers and junior officers: You are responsible for success or failure. That is why we appoint you as leaders. In this case, this leader, despite his honorable character and dedication to this country, has not led, and his responsibility has not been carried out.

So I hope my colleagues will turn down this nomination and that we will appoint one of the many highly qualified senior military officers we have to fulfill this position.

May I finally say that I am very nervous about this new strategy. I am very doubtful that we have enough troops. I don't know if the Maliki government will be strong enough. But if General Casey is appointed to this position, my confidence will be lowered because it is not appropriate to put someone who does not support wholeheartedly the new strategy in a position where he will be responsible for a great deal of it. To this day, he doesn't admit that this present strategy has failed.

Do I have any time remaining?

The PRESIDING OFFICER. The Senator has 5½ minutes.

Mr. McCAIN. Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. LEVIN. Mr. President, again, it is extraordinarily ironic that my good friend from Arizona says there is no one in a high position in this Government who thinks we are succeeding, when the President, just 2 or 3 months ago, said we are absolutely winning in Iraq. That is the Commander in Chief—a pretty high position of responsibility. The Vice President, just last year, said that the insurgency is in its last throes, when it was not. So it was clear to everybody, and apparently to my good friend from Arizona because he says he had seen this for years—failure after failure in Iraq—identified by the highest levels and the highest level of this administration as being a success.

Year after year, we were told this is a successful strategy. Now all of a sudden, a general who was assigned to carry out that strategy and did the best he could, acknowledging some mistakes in implementation, is going to be held accountable by some who will vote against his nomination for the massive failures at the highest levels of civilian authority. The strategy was wrong going into Iraq; it was poorly implemented. The Iraqi Army was disbanded. That was not General Casey; that was before he came.

The people who made those decisions were given awards and medals by the administration. George Tenet was given a medal for his work. He said the intelligence was a slam-dunk, that there were weapons of mass destruction. Medal after medal was given to the civilian leaders. A Medal of Freedom was awarded to George Tenet. Ambassador Bremer was given a medal. He just disbanded the Iraqi Army and had a debaathification program, which was a complete failure because of its excess. He was given a Medal of Freedom.

William Haynes, General Counsel of the Department of Defense—his dubious legal judgment contributed to the interrogation abuses of detainees that led to the horrors of Abu Ghraib. He was given the Department of Defense medal for distinguished public service.

Under Secretary of Defense Doug Feith, who hyped false intelligence used to justify the war in Iraq, was given a medal.

Now you have a general who was given a strategy and was told to implement the strategy. Yes, he was optimistic that it could work. He is in charge of the morale of his troops. Now, suddenly, some say he should be, in effect, punished. He should carry the burdens that properly should be carried by the top civilian leaders of this Nation. It is not appropriate.

It is not fair that General Casey be held responsible for massive failures that were caused by the wrong policies, the deceptions, the ignorance, the arrogance, and the cockiness of civilian leaders in this administration. It is just plain wrong that this all be heaped onto his back.

What do we know about General Casey? By the way, we know he is forthright and acknowledges his mistakes. There is not a commander I know of who does not acknowledge his mistakes. Every commander worth his or her salt acknowledges mistakes, and General Casey has done that. In fact, he has given us a list of mistakes. We asked him what went wrong that you contributed to, and he gave us a list very openly. But you cannot lay the chaos and the violence in Iraq on General Casey's doorstep. This belongs on the doorstep of the top civilian leaders of this country who went into Iraq the way they did, who didn't plan for an aftermath, who disbanded the Iraqi army, and who perpetrated some of the other mistakes that have put us in some of the positions that we are in, in Iraq.

General Casey is a long and distinguished servant in the military, including the position of Vice Chief of Staff of the Army. This was preceded by assignments on the joint staff and a career commanding Infantry units at all levels, up to and including Division Command. He knows Iraq, he knows the challenges the Army faces in Iraq, he knows the Pentagon, and he knows the challenges he will be facing in the Pentagon if we confirm him. He has the knowledge and skills to carry out his primary responsibility as Chief of Staff, which is the training and equipping of soldiers, caring for them and their families.

I want to discuss two issues that have been raised. One is the general's decision to support an increase in U.S. forces in Iraq after previously opposing such an increase, and also the proposition that General Casey somehow or other should be denied this position because of mistakes that he may have made in Iraq.

First, the issue of additional troops. I pressed General Casey about this issue at his nomination hearing before the Armed Services Committee. He said his general view was that he agreed with

General Abizaid's view that more American forces prevent the Iraqis from doing more, from taking more responsibility for their own future. That is something, it seems to me, that is key to those of us who oppose this surge. That goes to the heart of our argument—the fact that General Casey believed more American forces prevent the Iraqis from doing more, from taking more responsibility for their own future.

So how is it that now General Casey supports the surge? That is the question I asked him:

> Senator LEVIN: We asked General Abizaid back in November when he appeared before this committee whether we needed more troops or he supported more troops going to Iraq. And this is just last November. And this is what he said. He said that he met with every divisional commander, General Casey, the Corps commander, General Dempsey. "We all talked together, and I said, 'In your professional opinion, if you were to bring in more American troops now, does it add considerably to our ability to achieve success in Iraq?' And they all said no. And the reason is because we want Iraqis to do more. It's easy for the Iraqis to rely upon us to do this work. I believe that more American forces prevent the Iraqis from doing more, from taking more responsibility for their own future."

I asked General Casey:

> Now, General Abizaid said that he spoke to you and that his opinion reflected your opinion and all the other commanders. Was that true when he said that?
>
> General Casey: I'm not exactly sure when in November it was, but it was.
>
> Senator LEVIN: So you've changed your view since November?
>
> General Casey: As I described in my opening testimony, Senator, in mid-November was when the reevaluation of the plan was taking place. So I suspect John and I talked before that. And that does reflect my general view on additional U.S. forces in Iraq.
>
> Senator LEVIN: It reflects a general view, but then there was some kind of reevaluation which took place in mid-November.
>
> General Casey: That's right, Senator. We're constantly reevaluating how we're doing and what we need.
>
> Senator LEVIN: But that position that General Abizaid stated was your position when you spoke to him in early November presumably still remains your general view.
>
> General Casey: That's correct.
>
> Senator LEVIN: Well, if that's your general view, what is the change? Why are you modifying your general view for this surge?
>
> General Casey: What has changed, Senator, are several things. One, the development of a plan, a new plan that was conceived by the Iraqis and worked in concert with us; so there is a plan that laid out requirements for those forces. So just to say do you need more forces is one thing; to say do you need more forces to execute this plan is quite another. And we do need an additional two brigades to implement that plan.

Now, there is a new plan, a plan that I very strongly disagree with, the surge plan of the President. It is a new plan given to the commanders, and they are now told, with this new plan, to insert troops into neighborhoods of Iraq, hold that territory, and have more American troops—many more—embedded with Iraqi forces. That is the plan. That is the Commander in Chief's decision.

Will that require more troops? And now General Casey gives his honest answer that it will require, in his judgment, two additional brigades.

General Abizaid says it will require more brigades, but General Casey said two. I give him credit for giving his honest opinion.

So what has changed? He still believes in general that putting more troops in there takes the Iraqis off the hook, but if you change your plan, you change your mission and you say, as the Commander in Chief has, that is now our mission, that is what we are going to do, it is obviously up to the commanders to say how many additional troops it would take to carry out that mission.

That is an honest response, and that is the response we expect of our leaders. But his general view has been correct, and so has General Abizaid's. More American troops is a mistake. It takes the Iraqis off the hook. It lessens the responsibility on them to do what only they can do with their military and with their political leaders.

People who have visited General Casey in Iraq—colleagues—have always found him to be honest about the situation in Iraq and true to the pledge that he would give Congress his personal views, even if those views differ from the administration in power. And he did this again at his nomination hearing when he disagreed with the Commander in Chief's sudden epiphany that things are not going well in Iraq.

All of a sudden, now the Commander in Chief says we are on the road to slow failure. That is a new revelation. Until a few months ago, the Commander in Chief was telling the American people we are absolutely winning in Iraq. So now I pressed General Casey about that:

> Do you agree with the President that now the situation in Iraq is maybe a slow failure?

He said:

> I actually don't see it as a slow failure. I actually see it as slow progress.

Do I agree with his assessment? I do not. I have seen chaos in Iraq—consistent chaos, growing chaos. But do I admire an honest answer even when it disagrees with the Commander in Chief? I do. Even though I disagree with that answer, I think it was an honest answer that he gave to the committee.

What about denying him confirmation as Chief of Staff because of the mistakes he may have made? Again, I think this is an ironic argument given the fact that the architects of these policies, the architects of the major failures which led to the mess General Casey was assigned to clean up, are given medals—Medals of Freedom, medals by the Defense Department. They are given the medals, and now some will want to lay on General Casey's doorstep the mess that was not created by his policies but by the policies of others.

I want to read for the RECORD a statement of Senator JIM WEBB on the Casey nomination. He is tied up in a hearing, and so I will read this very brief statement into the RECORD for Senator WEBB:

> Mr. President, I rise today to speak in support of GEN George Casey, Jr.'s, nomination as the Chief of Staff of the U.S. Army. General Casey's service to the Nation during a long career and his experiences in Iraq qualify him well to address the formidable challenges facing the U.S. Army today.
>
> Questions have been raised regarding General Casey's tenure as commander of the Multinational Force-Iraq. The national strategy in Iraq was flawed even before the invasion, and attacks on General Casey's performance only divert attention from the true architects of that strategy.
>
> The situation faced by General Casey in Iraq represents the classic conundrum of military service at the highest level of command. In this administration, it has not been unheard of for some officers who spoke too loudly, very often, to have lost their jobs. At the same time, to speak too softly often causes the military leader, rather than the civilian boss, to be blamed when things go wrong. While I believe strongly that military leaders should be held accountable, General Casey performed as well as one could expect given the strategy for the war's direction that he inherited when he reported to Baghdad.

I wonder, Mr. President, if there is any time remaining.

The PRESIDING OFFICER. The Senator from Michigan has 25 seconds remaining.

Mr. LEVIN. I thank the Presiding Officer.

This is the conclusion of Senator WEBB's statement:

> The consequences of a failed U.S. national strategy should be raised at a far higher level than General Casey's in Iraq.
>
> Mr. President, I urge my esteemed colleagues to support General Casey's nomination to be the next Chief of Staff of the U.S. Army.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. LEVIN. I thank the Chair.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. WARNER. Mr. President, I ask the two managers, is it possible that the Senator from Virginia could get 2, 3 minutes at most to speak?

Mr. McCAIN. Mr. President, I ask unanimous consent that the Senator from Virginia be allowed 3 minutes to speak on this issue, not to be taken from the time remaining.

The PRESIDING OFFICER. Is there objection?

Mr. LEVIN. Reserving the right to object, and I obviously will not object, I apologize to the Senator from Virginia. I didn't realize he was here to speak on the nomination. If he is speaking in favor, I would have reserved some time for him.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Alabama.

Mr. SESSIONS. Mr. President, would it be acceptable that I be given 2 minutes to speak after Senator WARNER?

Mr. MCCAIN. Mr. President, I ask further unanimous consent—and I tell my colleagues that I will not seek further unanimous consent after this; I will object to a further unanimous consent request—that an additional 2 minutes be given to the Senator from Alabama to speak on this issue.

The PRESIDING OFFICER. The unanimous consent request is 3 minutes for the Senator from Virginia and 2 minutes for the Senator from Alabama. Is there objection? Without objection, it is so ordered.

The Senator from Virginia.

Mr. WARNER. I thank the Presiding Officer. I thank the two managers of this very important nomination.

Mr. President, I have the deepest respect for my colleague, Senator MCCAIN. We have an association that goes back some 30 years. It is not often we are on different sides of an issue. I wish to respect Senator MCCAIN's evaluation of a military officer. I think probably he is as well qualified as anyone in this Chamber to speak to those critical issues.

I bring a different perspective to this nomination. There is going to be, clearly, a division of thought as to General Casey and his role as the senior officer in charge of our combat missions in Iraq. But I wish to clearly say that throughout the history of the United States, the doctrine is civilian control over the military.

True, we hold accountable, as best we can, those who we feel have not carried out their responsibilities in the best interests of the country. I believe the accountability of General Casey has been spoken to by the general himself. He recognizes mistakes were made, and I think he accepted that level of accountability he, as a military officer, had. But, indeed, it is the civilians above him, if there is greater wrong, who should be held accountable.

Second, I think of the institution of the U.S. Army. The Chief of Staff is the very pinnacle of the military service, and those nominations are exceedingly carefully thought out from the President on down through the Department of Defense before a nomination goes forward.

I was privileged for some many years to serve as the Navy Secretary and witness the careful process that went through selecting a chief of service. I was personally involved in two of those processes for the U.S. Navy. So I say to my colleagues, do take into consideration the differing views of Senator MCCAIN and others eminently qualified to assess this nomination, but I believe this nomination was carefully thought through at all levels. It represents the institution of the U.S. Army, and they have to take pride in their senior Chief of Staff.

I believe that General Casey, when one looks at the entirety of the record, is deserving of the support of colleagues in the Senate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. President, I thank the Senator from Arizona for granting me this extra time. He is not required to do so.

I think we have had a problem and a difference of opinion for some time. Senator MCCAIN has been quite open that he is concerned about the troop levels in Iraq not being sufficient. History may well record he is right on that regard, but our policy was different.

General Abizaid, the commander for that region, the Central Command, studied the area throughout his career. He was concerned about too many troops in Iraq from the beginning. General Casey came on after General Abizaid was CENTCOM commander and became the commander in Iraq. He was Vice Chief of Staff of the Army at that time, he was to be gone for 18 months. He ended up being away from his family for 30 months, 2½ years, and he executed the policy as best he could.

He testified that in his view, he didn't want to ask for a single soldier more than he needed to do the job. I don't know what the tension is, but there was a constant tension between the need to have more soldiers and to not take over the entire effort in Iraq.

General Abizaid and General Casey made their recommendations. We followed them. That experience in Iraq, in my view, can only make him better as Chief of Staff.

He was Vice Chief of Staff, lead our forces for 30 months in Iraq, and now he will be Chief of Staff. He was born in an Army hospital. His father was killed in Vietnam. He served 37 years in the Army. His son is a member of the Army.

He should not bear the brunt of a difference of opinion about how we should have conducted the effort in Iraq. He gave his absolute best effort to it. He could not help but have learned a lot in the process. He will be a fine Chief of Staff.

Mr. President, my time is up. I yield the floor.

Mr. FEINGOLD. Mr. President, I voted for GEN George W. Casey, Jr., to be U.S. Army Chief of Staff. While questions have been raised about General Casey's performance as U.S. commander in Iraq, I do not believe the general can be held responsible for the failures of a policy devised at the highest levels of this administration.

But my vote to confirm General Casey does not change my opposition to the President's policies in Iraq. The President has made the wrong judgment about Iraq time and again, first by taking us into war on a fraudulent basis, then by keeping our brave troops in Iraq, and now by sending 21,500 more American troops into harm's way.

The indefinite presence of U.S. military personnel in Iraq will not fix that country's political problems. And as we have seen over the last few years, sending more troops will not provide the stability in Iraq that can only come from a political agreement. Congress must develop the courage to confront this President on what has become one of the greatest foreign policy mistakes in our history.

Mr. DOMENICI. Mr. President, I would like to recognize the service of General Casey and speak in support of his confirmation as Chief of Staff of the Army.

General Casey has had a long and distinguished career. After his graduation from Georgetown University in 1970, he received his commission and served in the mechanized infantry. During his career, he has commanded the 3rd Brigade of the 1st Cavalry Division and acted as the assistant division commander of the 1st Armored Division. In 1999, General Casey assumed command of the 1st Armored Division. Additionally, General Casey has served as Director of Strategic Plans and Policy at the Pentagon and as Director of the Joint Staff.

As we all know, General Casey has most recently served as the commander of Multi-National Forces—Iraq. As commander of our forces in Iraq, General Casey faced extremely difficult issues everyday.

I believe General Casey to be a good man, and I would like to again congratulate him on his promotion and thank him for his continued service to our country. I look forward to working with him while he serves as Chief of Staff of the Army.

Mr. DODD. Mr. President, I rise today to express my support for the confirmation of General George Casey to become the next Chief of Staff of the U.S. Army.

Let us be clear. Our soldiers are fighting a grueling and dangerous war. They need to know that their leaders will have no higher priority than their safety and well-being. I believe that General Casey will do just that.

He has been on the frontlines of the war in Iraq. As commander of U.S. forces there, he has overseen operations on the ground; he understands our soldiers' basic needs and will take action to keep them fighting safely and effectively.

I believe that in this new position, like GEN Peter Schoomaker before him, he will work hard to ensure that our soldiers have the equipment and support they need to get the job done.

Regrettably, I am concerned that some in this administration and in this

Congress have decided to blame General Casey for the worsening situation on the ground. To them I would say that it is simply wrong, and frankly un-American, to hold one soldier responsible for the administration's policy failures in Iraq.

In his book, "Deriliction of Duty," H.R. McMasters put the blame for Vietnam on our military leaders. To McMasters, it was our generals who were at fault for not speaking out when they disagreed with the civilians at the Pentagon and White House.

As a result of their silence, America became further entrenched in Vietnam. Nine years ago, then-Chairman of the Joint Chiefs of Staff GEN Hugh Shelton took this message to heart; requiring all 17 four-star general commanders to read Major McMasters' book. The book had an impact. As the situation in Iraq has deteriorated, we have seen our generals stand up to civilian leaders—putting their country before their careers—and courageously advocating for alternative, more sensible policies.

Unfortunately, the same arrogance and incompetence that has blinded U.S. foreign policy for the past 6 years has also allowed the dire warnings from these generals to fall on deaf ears. The candor from the likes of Generals Shinseki and Riggs, and now Abizaid, Casey, and Schoomaker, has been rewarded with dismissal, transfer or demotion.

In my private meeting with General Casey in Iraq 2 months ago, he explained his concern over proposals to "surge" additional troops into Iraq if Iraqis are unable to meet their own responsibilities to unite politically and contribute more meaningfully to their own security.

He echoed these objections along with then-Central Command's top general, GEN John Abizaid, in a Washington Post report on December 21, 2006.

Obviously, General Casey is uniquely qualified to make these statements. He has been thoroughly immersed in our Iraq operations. And it is for this reason that he is uniquely prepared to assume the Army Chief of Staff post.

But there is another quality of his that I believe will also serve our Nation and our Army well during his tenure as Chief of Staff. It his is loyalty to our soldiers—from the newly enlisted private to the career officer.

I observed this quality firsthand 3 years ago on a visit to Walter Reed Medical Center. I met with soldiers recuperating from injuries they had suffered in Iraq and Afghanistan, and expressed my gratitude for their brave service.

General Casey happened to be at Walter Reed that day as well. I knew he was there for the same reason I was: to thank these soldiers for their service and to assure them that their sacrifices will never be forgotten.

The Chief of Staff must constantly exhibit such loyalty to his troops. He must be their strongest advocate and continue to address their needs, even when doing so is in direct conflict with the orders being handed down from civilian leadership. General Schoomaker, the outgoing Chief of Staff, has been faced with this situation time and again as the administration proposed inadequate budgets to carry out their deeply flawed Iraq strategy. And he has performed superbly.

As Chief of Staff for the last few years, General Schoomaker, has long voiced concern that the administration failed to budget for the replacement and repair of thousands of war-battered trucks, aircraft, and vehicles. In fact, it was General Schoomaker's testimony last year that compelled me to offer an amendment to fund these priorities and help begin restoring Army readiness. I regret that the White House decided to reward General Schoomaker's candor by replacing him at the Pentagon.

At his recent confirmation hearing the other day, I was pleased to hear that General Casey will resume General Schoomaker's mission to ensure that our forces are outfitted with the equipment they need to get the job done.

Mr. President, there are no easy answers in Iraq. But, when it comes to discerning tactics on the ground, our civilian leaders must defer to our generals. In this case, it is my sincere hope that the President takes heed of the advice of his newly installed Army Chief of Staff, to make the safety and well-being of our soldiers a top priority and not an afterthought. I urge my colleagues to join me in supporting this nominee for confirmation.

Mrs. BOXER. Mr. President, I support the nomination of General George Casey to be Chief of Staff of the U.S. Army and disavow attempts to blame him for the failures in Iraq.

The blame for the disastrous and reckless war in Iraq lies with the President, Vice President DICK CHENEY, former Secretary of Defense Donald Rumsfeld and Secretary of State Condoleezza Rice. The blame starts at the top. It is they who must be held accountable.

General Casey did not author the misguided doctrine of preemptive war. General Casey did not manipulate and politicize intelligence to sell the Iraq war to the American people. And General Casey did not fail to provide a political solution to end the sectarian violence that is now engulfing Iraq. It is the civilian leadership of the Bush administration that continues to fail us in Iraq.

When I traveled to Iraq and met with General Casey, he told me the truth. He said that the U.S. presence was fueling the insurgency. I appreciated his candor. He fully understood the dangers and challenges in Iraq. Unlike so many in the Bush administration, his view of the situation in Iraq was not distorted by rose-colored classes.

General Casey did not lead us down this dangerous path in Iraq. Therefore I cast a "yes" vote.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Arizona is recognized for 5 minutes 20 seconds.

Mr. McCAIN. Mr. President, let me make it clear, I don't support medals for failure. I don't support promotion to a higher position for failure. I believe that the awards and accolades Senator LEVIN alluded to that have been provided to those who have committed egregious failures was not only inappropriate, it was absolutely insulting.

I also, though, point out that history will judge many of these people who have been given medals of various types, and already that judgment has been harsh. All of us are more concerned about our place in history than we are medals. History and the American people are already judging the failures and the misleading statements, such as "stuff happens" and "mission accomplished" and a few "dead-enders" and "last throes" and all of those statements which have been made over the past 3½ years which led the American people to believe we were succeeding in Iraq when many of us knew we weren't because we violated a fundamental principle called the Powell doctrine: If you want to win, you go in with overwhelming force.

The reason I am very concerned today, even though we have a very outstanding general in Petraeus, is that I am not sure we have enough troops still.

Throughout our history, military commanders have been held responsible. Abraham Lincoln held General McClellan responsible and fired him. In World War II, those who were in command who were responsible for December 7, 1941, were held responsible. In the Korean war, General MacArthur was held responsible. The fact is that military leaders are held responsible as well as civilian leaders.

Mr. President, I ask unanimous consent to print in the RECORD the number of times President Bush said that he relied on the judgment of the military commanders. Those military commanders did not exercise good judgment and therefore are responsible for the rosy scenario and the inaccurate depiction of facts on the ground in Iraq as they came before our committee, the Armed Services Committee, and spoke to the President of the United States and the American people.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

PRESIDENT GEORGE W. BUSH ON SUPPORT FOR COMMANDERS/GENERALS

President Bush: "One of the things that's important is for—and one of the reasons why you trust the commanders on the ground is because there needs to be flexibility. And I explained to the Prime Minister that I'll be making my decisions based upon the recommendations of General Casey." (President George W. Bush, Press Conference, 7/31/06)

President Bush: "I have said to the American people, as the Iraqis stand up, we'll stand down. But I've also said that our commanders on the ground will make that decision. And I have—we'll talk to General Casey once he is—conferred with the new Government of Iraq." (President George W. Bush, Press Conference, 5/29/06)

President Bush: "And so the army is getting on its feet. We've turned over a lot of territory to the army. And they're good fighters; they really are. I spent a great deal of time with General Abizaid and General Casey—they were in Washington this past week—these are generals, you'd be happy to hear, who tell me the way it is, not the way they think I would like it to be." (President George W. Bush, Remarks On The War On Terror And A Question-And-Answer Session, Louisville, KY, 1/16/06)

President Bush: "The best people to give any politician advice about whether or not we're achieving a military objective is the people you put out there on the ground. I told you I've got good confidence in these generals and the people who report to them. These are honest, honorable, decent, very capable, smart people, and they'll decide the troop levels." (President George W. Bush, Remarks On The War On Terror And A Question-And-Answer Session, Louisville, KY, 1/16/06)

"President Bush said he relies on military advisors and other officials on the ground in Iraq to keep him abreast of the situation in the country, and they're telling him civil war is not imminent. 'This notion that we're in civil war is just not true according to them,' he told Wolf Blitzer in an interview taped earlier this week that aired today. ("President Bush: Iraq Not On Brink Of Civil War," Congressional Quarterly, 9/24/06)

"Bush also has said he would rely on the opinions of U.S. military commanders in the two countries for determining how soon troops would be withdrawn. 'As we see more of these Iraqi forces in the lead, we'll be able to continue with our desire, our stated strategy that says as Iraqis stand up, we'll stand down,' the president said. "In 2006, we expect Iraqis will take more and more control of the battle space, and as they do so, we will need fewer U.S. troops to conduct combat operations around that country." ("Bush Says U.S. Forces Will Be Reduced In Iraq, Afghanistan," State News Service, 1/4/06)

Mr. McCAIN. Mr. President, in 2004, General Casey said:

> My view of winning is that we are broadly on track to accomplishing our objectives . . . with Iraqi security forces that are capable of maintaining domestic order and denying Iraq as a safe haven for terror, and I believe we are on track to get there by December of 2005.

In September of 2005, General Casey said:

> We have a strategy and a plan for success in Iraq, and we are broadly on track in achieving our goals.

Time after time, the American people were told that things were going fine, and they were not.

I wish to emphasize again that I believe General Casey has served this Nation honorably. I think he and his family have made great sacrifices for this country. I have nothing but respect. But to reward failure is going to send a message all around the military that I don't think is a healthy one. I don't support promotion and I don't support medals for failure. I support people being held responsible, and I regret that those who are responsible on the civilian side have not been held more responsible, although, as we speak today, the American people, by their opinions as reflected in the polls, are certainly reflecting their judgment about the performance and responsibility of our civilian leaders.

I hope we can move forward and obtain successes in Iraq under this new strategy. I am not sure right now that General Casey completely supports it, and I don't think that it enhances our chance for succeeding in Iraq. I urge my colleagues to vote against this nomination and select a leader, of which there are many, who is far more capable, in my view, of carrying out the new strategy in Iraq.

Mr. President, I yield back the remainder of my time, as I see the majority leader here on the floor.

Mr. REID. Mr. President, it is my understanding that I will be the last speaker. The distinguished minority leader is not going to speak at this time. So after I speak, we will vote. Is that the understanding of the Chair?

The PRESIDING OFFICER. That has not been made clear at this time.

Mr. REID. That is what I have been told. But if the minority leader comes to the floor to speak, he can, and I will make my statement now.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, when Harry Truman was President, he put a sign on his desk. It said: The buck stops here. He chose this message because it conveyed to the American public that, as President, Truman was responsible for everything in his administration. Everything.

The buck stops here. It is a phrase we should keep in mind as we vote on GEN George Casey's nomination to be Army Chief of Staff.

Despite his service to our country, I know many Senators would like to vote no on General Casey's nomination because he has been associated with a broken Iraq policy. I understand others would like to vote no in an attempt to make the general a scapegoat for a war that has gone horribly wrong. I believe there are still others who are using this nomination as a way to express opposition to the President's escalation proposal, a plan General Casey once opposed but now supports. While I understand these reasons for voting no, I am reminded of that sign on President Truman's desk. In Iraq, the buck stops with President Bush. The Commander in Chief, not General Casey, is responsible for the failed policy in Iraq.

Four years and running, the cost of the war has been staggering. We have lost, as of this morning, 3,111 of our soldiers and seen tens of thousands more wounded. The war has stretched our military and their families to the breaking point, depleted our Treasury of hundreds of billions of dollars, detracted our attention from al-Qaida and the real war on terror, and hurt our image in the Arab community and around the world. Yet despite all this sacrifice and all these costs and because of numerous errors by the Commander in Chief, America is less safe. We must change course.

Unfortunately, President Bush's answer to this growing chaos and sectarian violence in Iraq is not a new direction but more of the same. He wants to send 48,000 more troops to Baghdad and give them mission impossible—policing an Iraqi civil war.

This so-called surge policy has many critics, and one of them used to be General Casey. On January 2 of this year, the general is quoted as saying in the New York Times:

> It's always been my view that a heavy and sustained American military presence was not going to solve the problems in Iraq over the long term.

In other words, escalation is not the answer. But just a month later, in his Senate confirmation hearing, he reversed course, saying:

> The increase in the U.S. forces is a key piece of our new strategy to secure Baghdad.

One day, escalation was not going to solve the problem; the next day, escalation was a key piece of our strategy. There is a troubling disconnect between General Casey's two statements. I understand he has since attempted to explain his change of heart by noting, in the time between his two comments, that a new strategy, the so-called surge, had been propounded by the White House and more troops were needed to institute the President's new policy. But does General Casey really believe this? Do we believe a general on the battlefield or in his plush Pentagon office? I will take General Casey at his word. After all, the buck stops with the President, not with General Casey.

Even though I have grave concerns about the direction of the war and General Casey, I will vote for his confirmation to be Army Chief of Staff. I do, however, pray that General Casey has the courage to speak his convictions in his new post. The last thing our Nation and our troops need is a "yes" man with access to the Oval Office—someone who tells the President what he wants to hear and not what he needs to hear. "Yes" men, such as Vice President CHENEY and former Secretary of Defense Rumsfeld and Wolfowitz, led us into this Iraq quagmire. To end the war, the President is going to have to start listening to and heeding the advice of those who disagree with him in order to get us out.

In the Senate this week, we attempted to give the President another chance to listen. We tried to give the bipartisan majority of Senators who oppose escalation the chance to send a clear message to President Bush. Unfortunately, our majority was silenced by a minority of Republicans who decided protecting the President was more important than sending him a message: Do not surge. Do not escalate.

It is time the White House and its champions in Congress stopped playing politics in the war. We have had enough politics and far too little diplomacy. What we need is a strategy that will succeed in Iraq. I hope General Casey will play such a role in bringing such a strategy about and, thus, I will vote for his confirmation.

Mr. President, I yield back all the time, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is, Will the Senate advise and consent to the nomination of General George W. Casey, Jr., to be Chief of Staff, United States Army?

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from South Dakota (Mr. JOHNSON) is necessarily absent.

Mr. LOTT. The following Senators were necessarily absent: the Senator from Florida (Mr. MARTINEZ) and the Senator from Ohio (Mr. VOINOVICH).

The PRESIDING OFFICER (Mr. TESTER). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 83, nays 14, as follows:

[Rollcall Vote No. 45 Ex.]

YEAS—83

Akaka
Alexander
Allard
Baucus
Bennett
Biden
Bingaman
Boxer
Brown
Brownback
Burr
Byrd
Cantwell
Cardin
Carper
Casey
Cochran
Coleman
Collins
Conrad
Corker
Cornyn
Craig
Crapo
Dodd
Dole
Domenici
Dorgan
Durbin
Enzi
Feingold
Grassley
Gregg
Hagel
Hatch
Hutchison
Inhofe
Inouye
Isakson
Kennedy
Kerry
Klobuchar
Kohl
Kyl
Landrieu
Lautenberg
Leahy
Levin
Lieberman
Lincoln
Lott
Lugar
McCaskill
McConnell
Menendez
Mikulski
Murkowski
Murray
Nelson (FL)
Nelson (NE)
Obama
Pryor
Reed
Reid
Roberts
Rockefeller
Salazar
Sanders
Schumer
Sessions
Shelby
Snowe
Specter
Stabenow
Stevens
Tester
Thomas
Thune
Vitter
Warner
Webb
Whitehouse
Wyden

NAYS—14

Bayh
Bond
Bunning
Chambliss
Clinton
Coburn
DeMint
Ensign
Feinstein
Graham
Harkin
McCain
Smith
Sununu

NOT VOTING—3

Johnson
Martinez
Voinovich

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is laid upon the table, and the President shall be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate shall now resume legislative action.

CONGRATULATING SENATOR THAD COCHRAN ON HIS 10,000TH VOTE

Mr. McCONNELL. Mr. President, I rise on behalf of a colleague and friend, Senator THAD COCHRAN. Last Tuesday, THAD cast his 10,000th vote here in the Senate, and in typical fashion, we didn't hear a whole lot about it. As THAD once told a reporter:

> That is just the way I was brought up. I believe you don't have to toot your own horn too much.

Always humble, THAD is the perfect embodiment of the southern gentleman, and the Senate is a better and more civil place because of him.

THAD's political career got off to an early start. As a teenager, he passed out campaign literature with his mom in Utica, MS. He helped his dad with voter registration drives, and a few decades later, he would make Bill and Emma Cochran proud by becoming the first Mississippi Republican in more than a century to win a statewide office—no small feat for a guy whose first job was working as a carhop at Gunn's Dairy Bar.

THAD was always a standout. An Eagle Scout, he earned varsity letters in football, basketball, baseball, and tennis and was valedictorian of his high school class. He served with distinction in a 2-year tour with the Navy. He excelled in law school and became a partner in one of Mississippi's top law firms in just 2½ years. And he served the people of the Magnolia State with distinction and grace in the U.S. Congress for 35 years.

THAD's colleagues in the Senate have seen his humility up close. The people at the Neshoba County Fair got to see it for themselves a few years back. As THAD's car pulled up, a big crowd gathered around to shake his hand. So when the passenger side door opened, they all rushed in and got a good close look at THAD's personal assistant, Fred Pagen. They didn't expect to see THAD behind the wheel, nor do a lot of other folks who have picked him up at events in DC and back home.

THAD gets a lot of special treatment. The Ten Thousandth Vote Club is sort of like the Five Hundredth Home Run Club in baseball. As you might expect, Senator BYRD is the Hank Aaron of the Senate, but THAD might get there yet, and those of us who have had the good pleasure of working with him hope that he does.

Winston Churchill once said of an enemy:

> He has all the virtues I dislike and all the vices I admire.

Mr. President, I feel the opposite about my friend, THAD COCHRAN. He has all the virtues I admire and none of the vices I dislike.

So I congratulate him on his many years of dedicated service and thank him for his friendship and, above all, his extraordinary example.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, if there were ever a time during my career here in the Senate where I say I associate myself with those remarks, I do now. THAD COCHRAN is a wonderful man. As the distinguished Republican leader said, he is strong. He doesn't talk very much. He is silent most of the time. He loves the Senate. He is one of the people I look to for maintaining the dignity of the Senate.

On the Appropriations Committee, which I have had the pleasure of serving with him since I came to the Senate, he is as dignified as he is in the Senate and as he is everyplace else. He believes in following regular order. He believes in working through the tedious process the Senate requires. I look forward to working with him this year.

Senator McCONNELL and I have made a commitment, and Senator COCHRAN knows this, to do our appropriations bills this year. We are going to work together on a bipartisan basis to get those bills completed and Senator COCHRAN will be an integral part of our being able to do this.

We all have fond memories of THAD COCHRAN. My personal feeling of warmth relates to a trip we took. I took my wife Landra and he took his lovely wife Rose and we had a wonderful time. Senator Glenn was there leading the delegation. I will always remember that. I will always remember the relationship of the two of you.

So as we proceed through the difficult days ahead of us in the Senate, everyone within the sound of my voice should understand that one reason we will be able to make it through the troubled waters of the Senate is because of THAD COCHRAN.

The PRESIDING OFFICER. The Republican whip is recognized.

Mr. LOTT. Mr. President, I want to thank my colleague from Vermont, Senator LEAHY, for allowing me to go next in line so I can speak briefly about my colleague from the State of Mississippi. I thank Senator McCONNELL for his remarks, and Senator REID. They did a magnificent job summing up the character of this great Senator from Mississippi.

Senator COCHRAN and I have been in the Congress together now for—this is our 35th year. We came together in the House of Representatives in 1973. He moved over to the Senate in 1978. He was elected, and came here in 1979, and eventually I tagged along with him again.

Senator COCHRAN and I go back to the 1960s. We were both students at the same university, the University of Mississippi. His wife Rose and I were in the same class, and we worked together in student activities. I always felt I had a special friendship with Senator COCHRAN because of my friendship also with his wife Rose.

Our parents were schoolteachers—both his mother and father and my mother. We both started out as Baptists, and I think we still are, in a way. Just right down the line, we have a lot in common. In fact, some people wonder how I get as many votes as I do in Mississippi. It is because I think some people get confused between THAD and TRENT, and I am known in some areas as Thad Lott, but it seems to work. I benefit by standing in the reflection of his great stature in our State of Mississippi.

I am very proud of my colleague from our State. We have had some great Senators from our State, but Senator COCHRAN is rising to the level of the stature of the best of those. So I am very proud of the record he has achieved here, the number of votes he has cast, and I am hoping that he will cast 10,000 more before he decides to leave this great institution.

But I must say on a very personal note, I have never been more proud of my colleague from Mississippi than I was in the aftermath of Hurricane Katrina in 2005 and 2006. His quiet, steady, methodical, rational effort to help us get what we needed to recover from that major disaster was an incredible thing to watch. The respect he has in this institution on both sides of the aisle helped him to lead the way in getting the help we needed for our State. I was belated in doing it, but I will never quit doing it, when last fall I thanked the Senate—the Congress—for what they did do for us after that hurricane. Everything Senator COCHRAN and I and others from our State asked the Congress to do, they did it, and we will always be in debt.

On the 1-year anniversary of that cataclysmic event in our State, he and I were sitting on the same platform as the Sun came up in Biloxi, MS, on August 29, 2006—a hot morning. A year earlier, the water had been about—probably 25 feet from where we were sitting. The surge was that high, or more. There were many of us on that platform: mayors, supervisors, Congressmen, the Governor. We were all taking deep bows for all the money we had brought to the people of this devastated area.

Finally, I had about all I could stand, including taking my own bows, and I finally rose and said: It is fine to share the credit, and there are many of us here who have done our best. But most of us could not be taking credit for what has happened if it were not for the man sitting right behind me on this platform, Senator THAD COCHRAN of Mississippi.

It is an incredible thing we have experienced in terms of pain and suffering but also in honor and in glory and in appreciation for what has happened since then. So I hope there are many other high-water marks in his great career, but none will ever be appreciated so much as the service he gave to our State and to our country in the aftermath of that hurricane.

Thank you, my colleague. It is a pleasure serving with you.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. BYRD. Mr. President, I think the Senator from Vermont has to go to a meeting quickly. How much time do you need?

Mr. LEAHY. Less than a minute.

Mr. BYRD. I yield to the Senator for that purpose.

Mr. LEAHY. Mr. President, I thank the distinguished Senator from West Virginia, the most senior person here and, of course, the one who serves the closest with Senator COCHRAN on the Appropriations Committee. I could not help but think, listening to the wonderful things my distinguished other friend from Mississippi, Senator LOTT, was saying about Senator THAD COCHRAN, about a recent trip overseas we took together, and I heard him saying many of those same things out of the hearing of Senator COCHRAN, praising Senator COCHRAN very much on that trip with myself and other Senators. I mention that because sometimes praising you outside your presence means more than doing it inside your presence.

THAD COCHRAN is as close a friend as I have ever had in the Senate. We have traveled together overseas. I have traveled to Mississippi with him. He explained to me I had to slow down my speech a little bit. He has come to Vermont with me. My late parents used to tell me what a nice young man he is. I know how much my mother and father enjoyed meeting him not only in Vermont but in subsequent visits to Washington.

I recall what Senator Stennis once said of Senator COCHRAN: He is a Senator, all in capital letters. You could hear John Stennis's voice boom over here: He is a Senator's Senator. He is a Senator. Most importantly to me, he is my good friend.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, Senators know of my good nature, and so some of them want me to yield, which I will do. I am the President pro tempore. I wouldn't ask another President pro tempore to do that. But may I yield to my seatmate, Mr. DODD.

Mr. DODD. Mr. President, I thank my seatmate and colleague from West Virginia. I just want to add my voice to those who have spoken and those who are about to speak in saying that—just to repeat what Senator LEAHY said well—we use the words "Senator's Senator" with some frequency here, but if I were to ask the question of which Senators reflected that expression more so than anyone else, it would have to be my colleague from West Virginia and my colleague from Mississippi. It is a pleasure to serve with him. I admire him immensely. He is exactly what a Senator ought to be: a good legislator and a good person who cares about his country, and I am proud to serve with him.

Mr. KENNEDY. Mr. President, I know the Senator from West Virginia wants to make his comments. I wonder if I could just have one moment as well.

Mr. BYRD. Of course. I yield to my friend from Massachusetts, Mr. KENNEDY.

Mr. KENNEDY. Mr. President, I had the good fortune of meeting THAD COCHRAN before he was even a Senator. This was when he was wearing the uniform of the U.S. Navy and he was stationed up in the New England area in the late 1950s and early 1960s. I didn't know at that time, when I was about to become a freshman Senator and he was in the service of our military, that our paths would cross again in this wonderful Chamber, or that he would go on to have the kind of career he has had in the Senate. But it was evident then, so many years ago, that this impressive young naval officer possessed the same qualities we all see today. Then as now, THAD COCHRAN possessed a deep sense of fairness and compassion, a great commitment to this country we all love, and, above all, good judgment and good humor.

THAD and I don't always agree on policy matters—and more often than not we find ourselves on the opposite side of the issues—but those disagreements never diminish my respect for his thoughtfulness, and nor do they diminish the friendship I feel toward him.

So I, too, want to join my colleagues in paying tribute to an extraordinary Senator and a great patriot as he marks this wonderful milestone. The people of Mississippi are fortunate indeed to have him fighting for them every day in the U.S. Senate, and all of us are lucky as well to call THAD COCHRAN our colleague and friend. He is a Senator of great integrity, and we congratulate you THAD on this extraordinary day.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. BYRD. Mr. President, last week my friend—my friend—Senator THAD COCHRAN, the very distinguished member of the Senate Appropriations Committee, achieved a milestone in his career of public service to the people of Mississippi and the United States. Senator COCHRAN cast his 10,000th vote, his 10,000th rollcall vote, a record only 27 other Senators have achieved since the founding of this great Republic.

A Senator's vote is so much more than a number on the final tally. Each and every vote represents an investment of time, research, and analysis on the part of himself and, in many cases, on the part of the staff, also on a given issue. Each vote is an evaluation of what best serves one's constituents, one's State, and one's country.

Over these many years, I have personally noted that Senator COCHRAN approaches his responsibility with diligence. I have many reasons to know that. He approaches his votes with diligence, with a fine and keen intelligence, with sterling courage—he is from Mississippi—with courage and compassion.

This son of public-spirited and politically aware schoolteachers demonstrated all these qualities at an early age as an Eagle Scout—I was never an Eagle Scout; I was a Tenderfoot—as a valedictorian—I know what that means—class valedictorian, as a varsity athlete—I don't know what that means—as a varsity athlete in four sports. Man, that is something, a varsity athlete in four sports. He is a hard worker—I know what that means—at whatever task to which he applies himself. I can't say much more than that.

Senator COCHRAN achieved a scintillating academic record at the University of Mississippi School of Law and went on to serve as a naval officer in the Armed Forces of the United States. The discipline and the critical thinking he learned in those venues has served him well during his tenure in the Congress.

The senior Senator from Mississippi has been a Member of the Senate since 1978, and 1978 was when I was serving as the Senate majority leader. He served three terms in the House of Representatives prior to that—and so did I, three terms in the House of Representatives.

Throughout this time, Senator COCHRAN has paid particularly close attention to the needs of his constituents in Mississippi. That was his duty. Most recently, after his home State was hit by the worst natural disaster in the history of the United States, the distinguished Senator—a colleague of his has already spoken of that but I mention it here—Senator COCHRAN used his role as the chairman of the Senate Committee on Appropriations to advance legislation that provided over $87 billion—that is "billion;" a billion is one dollar for every minute since Jesus Christ was born—Mr. COCHRAN provided over $87 billion in supplemental Federal assistance to the States affected by Hurricanes Katrina and Rita.

A country western artist once asked in song "where would we be without the love of a woman?" "Where would we be without the love of a woman?" Undoubtedly, the love and the support of his wife of over 42 years, Rose—I remember Rose—helped Senator COCHRAN achieve this great milestone. As I have risen to recognize the Senator, I also wish to salute Rose. She was a beautiful lady, very warm smile, Rose.

Again, I congratulate my colleague whose record in this Senate has been that of a true Christian gentleman and a man of genuine political humility.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I join my many colleagues today in recognizing this remarkable achievement of my longtime friend, THAD COCHRAN, who has crossed the threshold of casting 10,000 rollcall votes in the U.S. Senate. In the over 200-year history of the Senate, only 28 Senators have reached this historic milestone. THAD and I both are privileged to be 2 of the 28.

THAD and I were first elected to the Senate in 1978, and we are the only remaining Republican Senators of the class. He was sworn in 4 days prior to my taking the oath of office; and, consequently, he is senior to me. I have always dutifully acknowledged that seniority.

Colleagues have extolled his extraordinary record, and I shall not add further to his wonderful chapter of public service to Mississippi and our Nation.

I have, however, a most unique, unlike any other Senator, reason to have the highest regard for this wonderful man. For an extensive period in my life, over 20 years, I was a bachelor. There was a tragic loss of a life in our community—Belle Haven—of a man greatly admired and respected by all. I was privileged to have a friendship with this man. THAD helped his family and widow in the wake of that tragedy.

There came a time in the years that followed that loss when I said to THAD, you know, this widow is someone I admire greatly, could I be of help, for I am making little or no progress whatsoever in gaining her attention. Being very protective, he allowed he would—in his own good time—try to draw his friend's attention to me. And I am so grateful today to have my extraordinary wife, Jeanne, who as you well know, loves you dearly.

Mr. BYRD. Hear, hear.

Mr. WARNER. I don't know that I would be standing here today, given my wayward ways in life, had it not been for THAD COCHRAN and this wonderful lady who cares for me now. So, THAD, I wish you well. What the future holds for both of us remains to be seen. But I am proud to be counted among your most devoted friends.

As one describes you, I would say you reflect all the qualities a Senator should have—but foremost among them, is always your calm dignity. I yield the floor.

I yield the floor.

(Applause.)

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. Mr. President, I ask to be able to address the Senate as if in morning business for up to 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ISAKSON. At the outset, let me say as a rookie in the Senate, I add and echo everything that was said about Senator COCHRAN. He is truly one to whom all of us who are new to this body should subscribe and hope in time we could equal his accomplishment.

PRAYERS FOR CONGRESSMAN NORWOOD

Mr. ISAKSON. I rise for a moment to ask all Members of the Senate to join me in expressing their concern, their hopes, and their prayers for Congressman CHARLIE NORWOOD. Congressman NORWOOD, of Georgia, yesterday notified the House and the Senate that he would be returning to his home in Augusta.

A little over 2 years ago, CHARLIE had a lung transplant to try to correct a degenerative disease which he had had with him throughout his life. That transplant was successful and he returned to the House of Representatives and, as he always did, he represented the State of Georgia with courage, with dignity, and with tenacity.

Unfortunately, last year, cancer occurred in the lung and successfully was removed by surgery. But it has reappeared now in his liver. CHARLIE is fighting for his life.

His lovely wife Gloria is in Augusta with him, and his countless thousands of friends are there. But in this business that we go through in this Senate, there is always a time that all of us should reflect on the blessings we have, and that is the blessing of life. I pray now that the good Lord will look after CHARLIE and give him as much of that life as He possibly can.

I think it is also appropriate that we reflect a minute on how important his service in the Congress has been. We all know that domestically health care, affordability of health insurance, doctor-patient relationship is probably the singular thing the American people look to us to help solve. CHARLIE NORWOOD and his cosponsorship of Norwood-Dingell laid a platform for which one day many of those problems will be solved. He has fought tenaciously for better health care, for better patient-doctor relationships, and a better relationship between the Federal Government and the providers of lifesaving health care around the country.

At this moment, while a champion of health care is in dire straits himself, I hope all Members will join me and pray that his recovery will be fast and swift and that God puts His blessed hand on his shoulder.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONGRATULATING SENATOR THAD COCHRAN ON HIS 10,000TH VOTE

Mr. NELSON of Florida. Mr. President, I just want to say a word about my friend, THAD COCHRAN. What a terrific gentleman and fellow legislator he has been over the years.

When I have gone to him to work out an appropriations problem, particularly with regard to the 2004 hurricanes we had—and you will recall we had four hurricanes within the span of 6 weeks in Florida, and we so desperately needed that assistance coming in to FEMA—Senator COCHRAN was there ready to help.

Mr. President, if I could get Senator COCHRAN's attention.

Senator COCHRAN, I am saying some good things about you, and I just want to say what a gentleman you have been to this Senator, particularly with regard to that time we had such difficulty in Florida during the 2004 hurricanes. When I came to you asking for appropriate help, you were there. And then, lo and behold, the next year is when you had your set of hurricanes, and it was my privilege to try to help return the favor.

You are a real gentleman, and passing the 10,000 vote mark is quite an achievement.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Texas.

Mrs. HUTCHISON. Mr. President, let me just say that when the distinguished majority leader is prepared to go forward or the chairman of the Appropriations Committee is ready to proceed to H.J. Res. 20, I will stand down. But I wish to take this opportunity to also commend my colleague, Senator COCHRAN.

It is truly amazing when someone has been here long enough to cast 10,000 votes. It means they have represented their State well, and it means they are indeed diligent because they are here doing their duty.

I have loved working with Senator COCHRAN. He has been the kind of person who has helped every State when that State needed it. And I hope he has 10,000 more.

Mr. President, I yield the floor.

MAKING FURTHER CONTINUING APPROPRIATIONS FOR THE FISCAL YEAR 2007

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of H.J. Res. 20, which the clerk will report by title.

The assistant legislative clerk read as follows:

A joint resolution (H.J. Res. 20) making further continuing appropriations for the fiscal year 2007, and for other purposes.

The PRESIDING OFFICER. The majority leader is recognized.

AMENDMENT NO. 237

Mr. REID. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 237.

Mr. REID. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end of the resolution add the following:

This division shall take effect 2 days after date of enactment

Mr. REID. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 238 TO AMENDMENT NO. 237

Mr. REID. Mr. President, I send a second-degree amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 238 to amendment No. 237.

Mr. REID. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

In the amendment strike 2 and insert 1

MOTION TO COMMIT

Mr. REID. Mr. President, I have a motion to commit at the desk and ask the clerk to report that.

The PRESIDING OFFICER. The clerk will report the motion.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] moves to commit the joint resolution to the Appropriations Committee with instructions to report back forthwith with the following amendment numbered 239.

Mr. REID. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

AMENDMENT NO. 239

At the end of the regulation add the following:

This division shall take effect 5 days after date of enactment.

Mr. REID. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 240

Mr. REID. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 240 to the instructions of the motion to commit H.J. Res. 20.

Mr. REID. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

In the amendment strike 5 and insert 4.

Mr. REID. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 241 TO AMENDMENT NO. 240

Mr. REID. Mr. President, I send a second-degree amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 241 to amendment No. 240.

The amendment is as follows:

In the amendment strike 4 and insert 3.

CLOTURE MOTION

Mr. REID. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close the debate on Calendar No. 18, H.J. Res. 20, Continuing Funding resolution.

Robert C. Byrd, Sherrod Brown, Joe Lieberman, Pat Leahy, Patty Murray, John Kerry, Barbara A. Mikulski, Dick Durbin, Ken Salazar, Jack Reed, Tom Harkin, Dianne Feinstein, H.R. Clinton, Mary Landrieu, Herb Kohl, Carl Levin, Byron L. Dorgan, Ben Nelson.

Mr. REID. Mr. President, the Republican leader and I have had many discussions about possible amendments to this important funding bill. The distinguished Republican leader has told me on several occasions it is very important that we arrange that there be amendments to this bill. I am doing my very best to try to work something out in that regard. I do not know how to say this again. He does not need to tell me again because he has told me so many times how important it is.

This bill was put together with bipartisan cooperation. The chairmen, their staffs, and the subcommittees have worked very hard on getting us to where we are now. We are in an unusual situation because this legislation, which is truly bipartisan—as was the minimum wage bill, as was the ethics and lobbying reform bill—is many degrees—many degrees—more important than that because this legislation funds almost every element of our Federal Government for the remainder of the fiscal year. It has to be signed into law by Wednesday, a week from today. It has to be. This bill allows us to complete last Congress's work and permit the new leadership on both sides of the aisle to begin to address the tasks involved in putting together the fiscal year 2008 appropriations bills.

We are in the position we are in because we are in this position. It is not the first time. But I am confident, in my experience here, we have never had such bipartisan cooperation trying to work our way out of a difficult situation. It has not been easy. But we are where we are. I express my appreciation to Senator BYRD, his staff, Senator COCHRAN and his staff, and all their counterparts—the chairmen and ranking members—for helping us get to the point where we are. It is so important we do this so we can get on with the fiscal year 2008 appropriations bills.

As I said earlier today in congratulating Senator COCHRAN on his 10,000th vote, we need to pass appropriations bills, not for the Republicans, not for the Democrats, not for the Senate, but for our country. We are going to do everything we can to do that. And I will continue to work with the distinguished Republican leader. I am sure I will hear from him in the next few days more than I want to on this subject. I am trying to work something out on the amendments, and I will do my best to try to work something out.

Mr. President, I ask unanimous consent that following the opening statements of Senator BYRD and Senator COCHRAN, we go into morning business. Of course, that would also be after any remarks the distinguished Republican leader wants to make.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Republican leader is recognized.

Mr. McCONNELL. Mr. President, I thank my good friend, the majority leader, for his observations about our discussions over the last few days about the possibility of consideration of some amendments on this side of the aisle. I have been presenting those amendments to the majority as we have collected them. There are a number of concerns Members on this side of the aisle have that they would prefer to see addressed through the amendment process, particularly given the magnitude of this bill. I appreciate the majority leader considering those requests and will continue to funnel those amendments over as we get them.

Let me just say, by way of comparison, we have been here before. Four years ago last month, the Senate had just changed hands from the Democrats to the Republicans. Our good friends on the other side of the aisle, at that point, had also not passed 11 of the 13 appropriations bills. What the new Senate majority did in January of 2003 was to take up a collection of bills, typically referred to around here as Omnibus appropriations. Over 100 amendments were offered during the process of consideration of that collection of appropriations bills, after which they were passed. I had hoped that would have been the way we would have proceeded this year. There was precedent for it 4 years ago.

Nevertheless, I understand the concern the majority leader has about completing this work before midnight a week from now, and I understand the other complications presented by trying to do a measure of this magnitude in such a short period of time. Nevertheless, we will be continuing our discussion, the majority leader and myself, about the possibility of offering amendments that Senators on our side of the aisle believe are important and would improve this massive bill, which would fund the Government from now until September 30 of this year.

Mr. President, I yield the floor.

Mr. REID. Mr. President, if I could make one final statement—I see the distinguished Senator from Texas on the floor—I have not only heard from her staff but a number of her colleagues. This is one of the amendments my staff is working on now to see if there is some way we can maybe allow the Senator to move forward. But I say to the Senator, I want you to know we are looking at it. I have had personal conversations with my office staff based on being directed that way by the Republican leader. So we are taking a look at this. I want you to know that. There are other people who have concerns, not just you, about base realignment closings. What is it called? BRAC, base realignment. OK.

Mrs. HUTCHISON. Mr. President, if I could ask the majority leader if I could respond.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I so appreciate what you have just said. I do hope the door is still open. Originally, I had hoped we could do the military construction as well as the base-closing commission funding because the delays are going to have impacts throughout the military services. But the amendment I am hoping to offer, that I am told now you are considering—the Hutchison-Inhofe amendment—only does the BRAC funding. It only restores the funding for BRAC so that the 6-year time allotment this Congress itself has mandated for BRAC to be completed can, in fact, be done. If we delay the BRAC, it will have severe consequences on 12,000 troops coming home hopefully this year. And there are so many other things. I know some of the Members on your side of the aisle have talked to you about environmental remediation that will not be able to be done, and other things. So I so hope we can work this out so the House could approve it and we would not have to have a conference.

I hope the majority leader will also consider, when we do go into the supplemental, looking at some of the MILCON that must be done before the 2008 budget starts for that year of funding. There are some prerequisites that are necessary. But I have set that aside in deference to the wishes of the majority to try to move a bill forward. But I do think the BRAC has been the single area where we have not been able to accommodate what needs to be done to move forward. And delays are very costly.

I do thank you for making it a point to say that to me, and I think we certainly would have time. I would work with anyone on the Democratic side or House side to work out differences, if there are differences. All of these projects in the $3.1 billion we would like to put back in have been approved by Congress, approved by the Senate, and asked for by the Department of Defense.

Mr. REID. I will be brief because I know the two managers of the bill need to speak. As the distinguished Senator from Texas knows, I have recognized the good work she and Senator FEINSTEIN have done on the Military Construction Subcommittee. It has been exemplary. It speaks volumes about how the Senate has changed, that we had two women taking care of the billions of dollars needed every year for military construction. I know you know this issue.

On the BRAC issue, I have spoken to Senator BYRD and his staff. That was one of the big issues that was in the beginning of trying to get this CR to the point where it is. I personally have spoken to Chairman OBEY about this issue. This is a problem. It is a problem that has been raised by Members of the House of Representatives and Senators. You have my assurance that we will continue to look at this amendment. I spoke to Chairman OBEY, because he is getting a lot of talk on the other side. He said: If you don't work something out on this, you have my commitment that we will take care of this in the supplemental appropriations bill. We are weighing all the considerations we have in the most important phase of keeping our military safe, not only keeping them safe but doing what we promised them to do, not only them but their community which is depending on what we do here to make up for the bases we are closing.

The PRESIDING OFFICER (Mrs. MCCASKILL). The Senator from West Virginia.

Mr. BYRD. Madam President, I want to assure all Senators that the Appropriations Committee intends to address the $3.1 billion increase proposed in the Senator's amendment when the Senate takes up the $100 billion supplemental that the President sent to the Congress this week. I have every expectation that the supplemental will be before the Senate next month.

Today marks the 131st day of fiscal year 2007. We are debating H.J. Res. 20, a joint funding resolution for the nine remaining appropriations bills that were not completed during the 109th Congress. The Republican leadership, during the 109th Congress, left us with a great deal of unfinished business in the appropriations process. Only 2 of the 11 appropriations bills were enacted into law. Thirteen of the fifteen Federal departments—all but Defense and Homeland Security—are limping along through February 15 under a very restrictive continuing resolution.

This is not the fault of the Appropriations Committee. Under the very able leadership of Chairman THAD COCHRAN, all of the fiscal year 2007 appropriations bills were reported from the committee by July 20. All of the bills were bipartisan bills, with all but one of the bills approved, 28 to nothing, in committee. Unfortunately, the Republican leadership chose not to bring domestic appropriations bills to the floor before the election and then chose not to finish those bills after the election. Instead, Congress passed three very restrictive continuing resolutions.

These resolutions, if simply extended, would leave huge problems for veterans and military medical care, education programs, law enforcement programs, funding for global AIDS, for energy independence, and for agencies that provide key services to the elderly, such as the Social Security Administration and the 1-800-MEDICARE call centers.

In December, I sat down with my friend, Senator REID, and the new House Appropriations chairman, DAVE OBEY, to plot a course for dealing with this problem. We charted a course for developing a bipartisan and bicameral funding resolution that the House and Senate could pass quickly. During January, there were intense negotiations, which included the majority and the minority in the House and Senate. I consulted with Senator THAD COCHRAN several times during that process, and his ranking members and their staffs were included throughout the process. The resolution that passed the House last week and is now before the Senate is the product of those efforts.

The resolution, which totals $463.5 billion and provides funding for the nine appropriations bills that were not completed during the 109th Congress, meets several goals. Namely, first, funding stays within the $872.8 billion statutory cap on spending, the cap which was set during the 109th Congress and which equals the President's request. Second, the legislation does not include earmarks—hear me—the legislation does not include earmarks. The Appropriations Committee took the lead in confronting the earmarks issue. We eliminated over 9,300 earmarks. We will have a temporary moratorium on earmarks until Congress passes the ethics reform bill. Hopefully, that bill will establish greater transparency and accountability in the earmarking process. Once the ethics reform bill is in place with its added transparency, we will establish a more open, more disciplined, and more accountable process for congressional directives in the fiscal year 2008 bills.

Third, there is no emergency spending in this resolution.

Fourth, for most agencies, funding is set at the fiscal year 2006 level. This formula replaces the current restrictive formula which was based on the lower of the fiscal year 2006 or the unsustainable House-passed level.

Finally, the essential national priorities receive a boost in the legislation. To help pay for these essential national priorities, we cut over $11 billion from 125 different accounts and we froze spending at the 2006 level for 450 accounts.

While we decided to include a continuing resolution formula for funding most agencies, it was essential that we, on a bipartisan basis, make choices to deal with the many problems that would result from simply extending the current continuing resolution.

As noted in the White House Statement of Administration Policy, many of these increases also reflect administration priorities. For example, for veterans medical care, we included $32.3 billion, an increase of $3.6 billion over the fiscal year 2006 level, so that the VA can continue to meet the growing demand for health care for our veterans. For defense health initiatives, we included $21.2 billion, an increase of $1.2 billion over fiscal year 2006, to provide care for military members and their families, including treating servicemembers wounded in action in Iraq and Afghanistan. Consistent with the fiscal year 2007 Defense Authorization Act, the President's proposal to charge members of the military $735 million for their health care is rejected.

For the Labor, HHS, and Education bill, funding is increased by $2.3 billion, $7 billion above the President's request. Title I grants for our schools are funded at $12.8 billion, an increase of $125 million over fiscal year 2006, which will provide approximately 38,000 additional low-income children with intensive reading and math instruction. In addition, the legislation funds the title I school improvement fund at $125 million to target assistance to the 6,700 schools that failed to meet the No Child Left Behind requirements in the 2005–2006 school year.

For the first time in 4 years, Pell grants will expand thanks to the $13.6 billion included in this legislation, an increase of $615.4 million over fiscal year 2006 that will increase the maximum Pell grant by $260 to $4,310.

The National Institutes of Health are funded at $28.9 billion, an increase of $620 million over fiscal year 2006, for research to cure debilitating and often deadly diseases. Community health centers would receive $1.9 billion, an increase of $207 million, to finance more than 300 new or expanded health centers.

Three hundred million is included for the Federal Mine Safety and Health Administration, MSHA, an increase of $23 million over fiscal year 2006 and $13 million more than the request, to allow the agency to continue its national efforts to hire and train new mine safety inspectors for safety in the Nation's 2,000 coal mines.

The legislation increases funding for Federal, State, and local law enforcement by $1.6 billion. According to the FBI, last year violent crime rose in America for the first time in 15 years. In response, this legislation directs $6 billion to the FBI, an increase of $200 million over fiscal year 2006, to ensure that the FBI not only retains all of its special agents but also completes the effort to double the number of intelligence analysts hired since September 11, 2001. Other law enforcement programs receiving support include State and local law enforcement grants, the Judiciary, Treasury antiterrorism efforts, and other crime prevention programs.

Under the continuing resolution now in law, highway funding is frozen at the 2006 level. Under this joint funding resolution, the Federal aid highway program is fully funded at the level guaranteed in the 2005 Safe, Accountable, Flexible, Efficient Transportation

Equity Act by providing an obligation limitation of $39.1 billion for fiscal year 2007, $3.5 billion over the fiscal year 2006 enacted level.

The joint resolution includes $4.8 billion for Global AIDS and Malaria programs, an increase of $1.4 billion over fiscal year 2006.

The Food and Drug Administration and the Food Safety and Inspection Service receive increases of $220 million over fiscal year 2006 in order to improve food and drug safety and to combat the threat of pandemic flu.

We also include funds for technology and innovation. The Department of Energy, Office of Science receives an increase of $200 million over fiscal year 2006; the National Science Foundation receives an increase of $335 million, and the National Institute of Standards and Technology receives an increase of $50 million.

In an effort to promote energy independence, Energy Efficiency and Renewable Energy programs will receive an increase of $300 million over fiscal year 2006.

Finally, we also include $785 million to provide agencies with 50 percent of the cost of the January 2007 pay raise in order to avoid RIFS and furloughs. The resolution will avoid the service delays for Social Security and the 1-800-Medicare call centers that would result from extending the current continuing resolution.

This is not a perfect resolution—we don't claim that—but it is a thoughtful resolution. By complying with the statutory cap on spending, it is a fiscally disciplined resolution. By eliminating earmarks, it provides Congress with time to pass ethics reform legislation to increase transparency and accountability. By targeting resources toward national priorities, such as veterans and military medical care, we solve the most distressing of the problems created by the existing continuing resolution.

On February 2, 2007—that was Groundhog Day, wasn't it—I received a letter from the Veterans of Foreign Wars, the Disabled American Veterans, the Paralyzed Veterans of America, and AMVETS, urging quick passage of this legislation.

I ask unanimous consent that the letter be printed in the RECORD following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. BYRD. Madam President, adoption of this joint resolution will ensure that we answer some of our Nation's most pressing needs and avoid a totally unnecessary Government shutdown. The last time each of the appropriations bills was signed into law by October 1, the beginning of the fiscal year, was 1994. I was the chairman of the Appropriations Committee that year. I am committed to working with my friend and colleague, Senator THAD COCHRAN, to bring 12 individual, bipartisan, and fiscally disciplined fiscal year 2008 appropriations bills to the floor this year.

I urge swift adoption of the resolution. I thank all Senators.

I yield the floor.

EXHIBIT 1

THE INDEPENDENT BUDGET

A BUDGET FOR VETERANS BY VETERANS

FEBRUARY 2, 2007.

Hon. ROBERT C. BYRD,
Chairman, Committee on Appropriations, U.S. Senate, Washington, DC.

DEAR SENATOR BYRD: On behalf of the coauthors of The Independent Budget—AMVETS, Disabled American Veterans, Paralyzed Veterans of America, and Veterans of Foreign Wars—we urge you to quickly pass H.J. Res. 20, a bill making continuing appropriations for FY 2007 for the federal government, including the Department of Veterans Affairs. Currently, the VA is operating at FY 2006 funding levels.

The stop-gap budget bill, or continuing resolution, funding much of the federal government for the current fiscal year, includes a $3.6 billion increase for the Department of Veterans Affairs while spending for many other agencies was held at the 2006 level. Approving funding for the VA at levels included in H.J. Res. 20 would show that the Senate believes veterans are a national priority.

Any attempt to retreat from the levels established in this legislation will have a drastic impact on veterans' health care and benefits services provided to the men and women who have served and sacrificed so much for this country. Without this critically needed funding, the VA will be forced to place further freezes on hiring of critical staff. It will also lead to additional canceled appointments and longer waiting times. The VA will also be unable to address the rapidly growing claims backlog.

We hope that the Senate will show its support for the men and women who have in the past and continue to place themselves in harm's way. With these troops still in the field, now is not the time to allow politics to get in the way of doing what is right.

Sincerely,

DAVID G. GREINEDER,
National Legislative Director, AMVETS.
CARL BLAKE,
Acting National Legislative Director, Paralyzed Veterans of America.
JOSEPH A. VIOLANTE,
National Legislative Director, Disabled American Veterans.
DENNIS CULLINAN,
National Legislative Director, Veterans of Foreign Wars of the United States.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. COCHRAN. Madam President, first, I want to express my deepest appreciation for the compliments and recognition given to me for reaching the milestone of casting 10,000 votes in the Senate. I sincerely thank all of those who said such generous things about me and my service in this body.

It is with decidedly mixed feelings that I join my distinguished friend from West Virginia, the chairman of our Committee on Appropriations, in calling up and discussing H.J. Res. 20, the continuing resolution. This is the fourth continuing resolution we will have considered in this fiscal cycle, but without question it is the most critical. It is critical because it provides more than $463 billion to fund, for the remainder of this fiscal year, virtually all of the agencies and activities of the Federal Government outside the Departments of Defense and Homeland Security, as well as certain critical problems within the Department of Defense itself. It is a very important piece of legislation.

Yet the way the legislation is constructed concerns me greatly. It is an odd hybrid between a continuing resolution and an Omnibus appropriations bill. Continuing resolutions are not a desirable means of funding the operations of Government over the long term or in the routine way of providing funding. They are useful in buying time until Congress can complete its work on individual appropriations bills, but they are blunt, formula-driven instruments.

Omnibus appropriations bills, though certainly not without precedent, are far from an ideal means of funding our Government. Omnibus bills combine funding for too many programs into a single bill, and they are not conducive to careful deliberation. Combining these two structures—a continuing resolution and an omnibus bill—is not the way the American people deserve Members of Congress to fulfill our constitutional obligations.

We have a responsibility to fully debate and pass the individual spending bills, funding each department of Government as we have structured them, with close supervision of subcommittees who have become aware of individual needs and opportunities in each of these bills for the hearings process, and that is not the way this continuing resolution has been constructed. The Appropriations Committee has had hearings, we have had markups, we have listened to outside witnesses, and we have taken into consideration recommendations from the President and department officials about what should and should not be funded, and at what levels the funding should be. This is an open process—and this has been an open process—where anybody can observe and review any provision that is part of any bill. It is truly a public process.

The process has helped us make good decisions historically about programs that deserve funding—careful decisions, identifying programs that are of lower priorities within the constraints of the budget resolution, decisions about which programs should be terminated and have served their usefulness.

The Congress should consider these individual appropriations bills on their individual merits in both the House and the Senate and on the floor of each body. Then conferences occur and we iron out differences between the House and Senate-passed bills in the regular order. That gives all Members—not just those on the committee—the opportunity to offer amendments, to reduce or increase spending funded in the bills. Members have the opportunity to offer amendments to remove, or add, or revise language that shapes agency policies. We should not shy away from these debates and these amendments.

I am concerned that the continuing resolution before us is deficient because we did not follow that process. The continuing resolution required a great number of difficult decisions, including the elimination of some important projects and programs. Programs that provide flood control and natural resources conservation, grants to schools and health clinics and fire departments have been eliminated. The funding levels for various Federal scientific research institutions and programs are below levels proposed by the President. The funding levels for programs, such as defense base closure and realignment, which has been pointed out, may compel us to consider future supplemental funding requests. In some cases, reductions proposed by the President, or by the House or Senate, have not been adopted.

I understand the circumstances that led us to this point. The House of Representatives last year passed all but one of the appropriations bills before the end of June. In the Senate, the Committee on Appropriations completed action and reported all of the appropriations bills before the end of July. Those bills were available to be called up and considered by the Senate in the regular order at that time. It would have been the earliest that had occurred in a very long time. But after that, the process broke down. Most of the bills were not called up for consideration in the Senate. We did pass the bill for the Departments of Defense and Homeland Security, and Military Construction and the Veterans Affairs appropriations bill was approved in November. But for reasons that have not been explained to this date, that bill did not proceed to conference with the House. Congress eventually adjourned and the new leadership in the 110th Congress was created with a range of unattractive options.

My preference would still have been to consider individual appropriations bills and send them to conference, but that was not my decision to make. I hope to work with the majority to make sure we don't face this situation again.

The chairman, Mr. BYRD, my dear friend, is correct when he says there were extensive bipartisan consultations in the drafting of this legislation. That was important. I appreciate his efforts to seek our input, all members of the committee; but no Senator—certainly not this Senator—can speak for the entire Senate. There is little doubt in my mind that if individual appropriations bills had been considered by the Senate and sent to conference in either this Congress or the last, many of the individual decisions would be different from those provided in this continuing resolution.

Having said that, this resolution does conform to the discretionary allocation of $873 billion approved by the previous Congress. It funds many important programs and department activities at the fiscal year 2006 levels, and it increases other priority programs beyond fiscal year 2006 funding levels. Judged by any reasonable standard, it is devoid of earmarks, as the distinguished chairman has pointed out.

I wish the Congress had completed floor action on the individual bills, but we did not. This continuing resolution appears to me to be the best option to meet our obligation to fund Government programs and services. It is a 137-page piece of legislation that Senators should be able to amend. This is not the same as a conference report. It is the first time these bills have come before the Senate. So I urge the Senate to restore regular order to the fiscal year 2008 budget process so we can avoid this type of situation in the future. I know that is the goal of my friend from West Virginia, and I pledge to him my best effort to help accomplish this goal.

The PRESIDING OFFICER (Mr. SALAZAR). The Senator from West Virginia.

Mr. BYRD. Mr. President, I thank the Senator for his views. I am absolutely committed to bringing 12 individual bipartisan and fiscally responsible fiscal year 2008 bills to the floor this year. However, for the nine remaining 2007 bills that we must have, we are now 131 days into the fiscal year. Over one-third of the fiscal year is gone, it is over, it is past.

I very much appreciate the Senator and his colleagues for joining me in the bipartisan development of this bill, and I believe we must move forward.

Again, I thank the Senator very much for his cooperation.

I was about to suggest the absence of a quorum, but I yield the floor. I see the distinguished Senator seeking recognition.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to a period for the transaction of morning business.

BASE REALIGNMENT AND CLOSURE

Mrs. HUTCHISON. Mr. President, I have heard the remarks of the distinguished majority leader, the distinguished chairman of the Appropriations Committee, and the distinguished ranking member. All I have now is hope because the distinguished majority leader has said he will still work to get the BRAC amendment, which I am going to offer, or attempt to offer, this afternoon. I know there will be an objection. But I want it to be on the record what we are trying to do, with the hope, as the leader said, that perhaps we can adopt this amendment and still make the deadline.

The deadline is actually over a week away, and I think if all of us want to fully fund our Base Closure Commission projects, we can do that.

I also will say I am very hopeful from the chairman's remarks that we will have bipartisan bills. As has been noted on this floor already today, I have been chairman and ranking member of the Military Construction and Veterans Affairs and Related Agencies Subcommittee for some 6 years. I have never noticed a difference when I was chairman and when I was ranking member because Senator FEINSTEIN and I were working together, trying to accommodate the needs of every State in our country. We worked so well together that when she was chairman, it wasn't any different from when I was chairman.

I want that to be the case for our appropriations bills again. But I have to say, in all honesty, I don't feel I have had any input into this particular bill. I don't see the bipartisanship. I don't see the cooperation. We could have done what the Senate normally does, and that is allow some number of amendments—not a filibuster amendment tree, not an unreasonable number. But I think some of the issues that have been brought forward today and in recent days, since the H.J. Res. 20 was made known, are legitimate. I believe we would agree on a bipartisan basis, if we had the ability to offer amendments and debate them, that we should be funding the Base Closure Commission recommendations that were ours, with a deadline that is ours so that we can meet our own standard.

I believe we could work that out. We have already passed the exact same $3.1 billion—actually $5 billion—appropriation in this body, so I know we can do it. We have a week. I suggest it would be a wonderful gesture on the part of the majority to allow that to happen.

In addition, what Senator COBURN talked about earlier today, the HIV/AIDS testing of babies, I know there is not one Member on that side who wouldn't make it a priority to give babies a test that would allow them to be inoculated immediately and give those children a chance to have a life. But the funding for the Ryan White Act was cut back, so that is not going to be allowed to go forward.

I don't think that is the intention. I ask, if that is not the intention, can we not sit down as responsible Members of the Senate and work out these few items, work with the House and do a preconference? Nobody wants to delay this legislation, but we would like to have a say.

Where I have talked bipartisanship, that is what we do in the Senate. That is the way we act, in a bipartisan way, which, in the past, the Appropriations Committee has certainly done.

I am disappointed in this resolution. I am disappointed especially in the process that does not allow for an amendment.

Mr. President, is it in order to call up amendment No. 242, the Hutchison-Inhofe amendment to H.J. Res. 20?

The PRESIDING OFFICER. The Senate is in morning business.

Mrs. HUTCHISON. It is not in order then, Mr. President?

The PRESIDING OFFICER. The Senator is correct, it would not be in order to call up the amendment at this point.

Mrs. HUTCHISON. I thank the Chair.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, the Hutchison-Inhofe amendment is cosponsored by 27 Members of our Senate. The cosponsors, besides myself and Senator INHOFE, are Senators ALLARD, BAUCUS, BENNETT, BROWNBACK, BUNNING, BURR, CHAMBLISS, COBURN, CORNYN, CRAPO, DEMINT, DOLE, ENZI, GRAHAM, KYL, LOTT, MARTINEZ, MCCAIN, ROBERTS, SESSIONS, STEVENS, THOMAS, VITTER, VOINOVICH, and WARNER. That is a good number. That is almost a third of the Senate, and there are many who said they would like to cosponsor the amendment, but they were concerned about stopping the bill or going against the leadership on the Democratic side.

It is clear we can work this out, that people want to have this amendment. The amendment is very simple. It restores $3.136 billion that was taken out of the Department of Defense base closure account, and it is paid for so that we keep the fiscal responsibility with a rescission of .73 percent—that is three-quarters of 1 percent—across the board of all of the accounts, except for defense, homeland security, and veterans.

With a .73-cut, which I think any agency or program could take without any disruption whatsoever, I believe we could fully fund our military and the important operations they are doing, and that is what I think is essential.

I have a much longer set of remarks, but at this point, I will yield for a question from the Senator from Alabama, who I know is on a timetable.

Mr. SESSIONS. Mr. President, I thank Senator HUTCHISON so much for her leadership on this important matter. While she is here, I wish to ask the Senator a few questions about the situation in which we find ourselves.

I believe it was the year before last that we voted, after much anguish and concern and fear by local communities, to go forward with the BRAC, which is the Base Realignment and Closure Commission. Nobody was sure how that would come out and whether some of our bases would be closed. When the dust settled and the long process concluded, a number of bases were closed. At the same time, we are also closing facilities around the world and bringing back more of our troops that are deployed around the world. Isn't it true that the continuing resolution that is proposed would take 55 percent, or $3.1 billion, out of a little over $5 billion that was set aside to carry this forward? Isn't that correct?

Mrs. HUTCHISON. Mr. President, the distinguished Senator from Alabama is right. Actually, he may be a little under because the original need was $5.6 billion, and we are cutting it by $3.1 billion. We are cutting it by $3.1 billion. I think that it is a huge cut. It is going to affect the whole synchronization.

We gave the Defense Department 6 years in which to accomplish what the Base Closure Commission recommended, passed and then was adopted by Congress and signed by the President. We have given them a deadline, and yet as the Senator points out, of the $5.6 billion that was in the budget that has been approved by the Senate before, we only have $2.5 billion.

Mr. SESSIONS. In other words, the only way to have a savings under the BRAC is to consolidate facilities and avoid waste. To go halfway with this project seems to me, clearly, will cause all kinds of backlogs and make it very difficult for our military people to plan. It could actually drive up costs significantly, could it not?

Mrs. HUTCHISON. Yes, and I point out the cost savings projection is $20 billion over the period we would be closing and then gearing up the bases that are being consolidated.

In addition to that, it has been said the majority intends to bring this $3.1 billion back in the supplemental, but the supplemental is outside the budget process; therefore, it is going to be $3.1 billion added to the deficit, which will have to be subtracted from the $20 billion savings we were envisioning from the BRAC.

I have to say to the distinguished Senator from Alabama, I didn't like some of the recommendations of BRAC, but we passed it, the President signed it, and Congress has mandated the Department of Defense to go through with it. We certainly cannot do it halfway if we are going to be responsible stewards of the security of our country, as well as its tax dollars.

Mr. SESSIONS. I agree. I don't think there is anyone here who is more committed to frugality and trying to manage our dollars well in this Senate. I certainly believe in that strongly. We knew upfront we were going to have to have some initial moneys to make these moves and consolidations to save money for years and years to come.

This has the potential to eliminate the whole process, to eviscerate the process and actually run our costs up over the long run; wouldn't the Senator agree?

Mrs. HUTCHISON. I am very concerned about it. I think we are going to cut back on the savings. We are thwarting the mandate we set down by not going forward.

We should have governed last October 1. We should have gone forward in November and December, but for a variety of reasons, including some on our own side, we didn't do that. Now we have an opportunity to do it, and do it right. I am just hoping, and I haven't given up hope, that we will do this the right way; that we will pay for it so that we achieve the objective of staying within that budget because we can do that. It has been planned for, it has been in the budget, and we shouldn't have to add it to a supplemental and increase the deficit for these particular projects.

Mr. SESSIONS. Mr. President, I thank the excellent Senator from Texas for her work, and I believe she is doing it the right way. She is doing it by staying within our budget.

This funding of BRAC was put in at $5.5 or $6 billion. It was within the budget. What has happened is that money was spent on other programs, and now it looks as though if we are to fund it, we are going to have to add it to the supplemental, which is extra spending and extra debt, more than we should have.

I thank Senator HUTCHISON for her leadership.

Mr. BUNNING. Mr. President, will the Senator yield for a question?

Mrs. HUTCHISON. I will be happy to yield to the Senator from Kentucky.

The PRESIDING OFFICER. The gentlewoman yields to the Senator from Kentucky.

Mrs. HUTCHISON. Mr. President, I still control the floor. I am yielding for a question.

The PRESIDING OFFICER. The Senator is yielding for a question.

Mr. BUNNING. Mr. President, I also rise to express my complete dismay at the events that have unfolded on the floor of the Senate this week concerning not only debate on Iraq but the BRAC itself. I hope the American people are watching this debate.

Mr. BYRD. Mr. President, will the very distinguished Senator just allow me 1 minute to make a response to the discussions that have been going on here? Just for 1 minute.

Mrs. HUTCHISON. Mr. President, I will be happy to yield to the Senator from West Virginia for a response for 1 minute.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. BYRD. Mr. President, I thank the Chair, and I thank the Senator.

I want to assure all Senators that this resolution does not reduce funding for AIDS. In fact, it has significant increases with regard to funding for base closures. This resolution has a $1 billion increase above the levels available under the current continuing resolution. The remaining $3.1 billion that the Senator from Texas is seeking can be addressed—and I assure her can be addressed—in the war supplemental that the Senate will consider next month. There is no need to cut funding for the FBI, the NIH, for NASA, or for our Nation's highways.

I thank the Senator, and I thank the Chair.

Mrs. HUTCHISON. Mr. President, I yield to the Senator from Kentucky for a question.

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

DOING THE SENATE'S BUSINESS

Mr. BUNNING. First of all, I hope the American people are watching the debate and paying close attention to it. This debate is not just an important lesson in civics and civility, it is a debate that goes back to the days of our Founding Fathers. The Founding Fathers created the Senate to be a body of unlimited debate. This institution was created to be a deliberative body. It was not created for speed or for quick action.

I would like to remind my friend, the majority leader, whom I wish were on the floor, that the Senate is not the House of Representatives. The majority leader and I both served in the House of Representatives. Unlike the House, however, we do not have a rules committee in the Senate that sets the rules for floor debate. Any Senator can come to the floor seeking recognition to speak and offer amendments. In the House, the majority can roll the minority through the Rules Committee. This cannot be done in the Senate. The minority party cannot be ignored. Yet our friends on the other side of the aisle are trying to dictate the terms not only of the debate on Iraq and the resolutions concerning them, they are telling 49 Republicans in the Senate how business will be conducted in the Senate.

I want to be very clear that I would vote in opposition to the Warner resolution. Nonbinding resolutions that question military decisions made by our Commander in Chief and top military generals are not in the best interests of our Nation. But I do support the right of Senator WARNER to get an up-or-down vote on his resolution, even though I would oppose it.

Earlier this week, we had a vote to invoke cloture on the motion to proceed with the Warner resolution. Forty-seven Republicans voted against the motion because we believe we should have more debate, not less, and the ability to offer other resolutions. Yet many of my friends on the other side of the aisle accuse my Republican colleagues of not wanting to debate this issue and not wanting to vote on the Warner resolution. And, not surprisingly, the media is regurgitating the talking points from the other side of the aisle. But nothing could be further from the truth.

Senator WARNER, the author of the resolution favored overwhelmingly by the Democrats, voted against invoking cloture on his own resolution because he believes in Republicans keeping their rights as Senators. We want a fair debate, not a one-sided conversation. We are asking for more debate, not less, like many on the other side of the aisle suggest.

Our request is a simple one. If we are going to vote on the Warner resolution, those of us who oppose this resolution should at least be allowed to offer our own resolution, and the senior Senator from New Hampshire offered his resolution concerning funding for the war in Iraq. Some have said his resolution is incorporated in the Warner resolution, but they are missing two key points. The Gregg resolution expresses our full support of our troops and not support that is just cloaked behind other language that criticizes their mission.

My friend, my good friend, General Petraeus, whom the Senate unanimously confirmed, said in his confirmation hearing that a resolution condemning the President's new Iraq strategy would have a detrimental effect on troop morale. It must be our top priority to assure American troops that we will not cut off their funding midmission. We already are cutting some of their funds, as seen in this year's continuing resolution.

I find it ironic that some of the same Senators who have been on the Senate floor assuring their full support for the troops are the same individuals who are cutting their funding behind closed doors. I am talking about the funding for the Base Realignment and Construction Program. This is a program that, by law, we have to complete in 6 years. Yet my friends across the aisle have decided not to fund this program because it is not a priority.

Well, it is a priority for me. By doing this, they will cause a delay for up to 1 year for military base construction. Because of this, and I ask my good friend, the Senator from Texas, what happens to the 12,000 troops that will not be able to be redeployed back home from Iraq or from Germany or from around the world?

Mrs. HUTCHISON. Mr. President, I appreciate the Senator from Kentucky asking the question, and I will read a letter signed by all four of the Joint Chiefs of Staff, dated last November, where they are asking that we pass a short-term CR rather than a complete year's CR because they are so concerned about that very issue. They say in their letter:

> As required by law, we are executing thousands of interrelated moves to implement all the base realignment and closure projects by September 2011 and to reposition our forces under the Global Defense Posture review. Disruptions in resources will cause delays and desynchronize these moves. This, in turn, can disrupt our force generation and deployment schedules, which ultimately degrades readiness while increasing the burden on servicemembers and their families.

So we know now from their own reports, I would say to the Senator from Kentucky, that 12,000 of those who are scheduled to be coming home just this year are going to be delayed, which is going to cause a domino effect all the way down the line. It is incomprehensible that we have this opportunity, but we are not able to go forward.

I thank the Senator from Kentucky for asking the question.

Mr. BUNNING. Mr. President, to say that I find this disappointing is quite an understatement.

I ask the majority leader to allow us to have a full and fair debate on the CR and allow us to offer amendments. We should be able to debate and vote on the Gregg resolution. This is a resolution that does not play into our enemies' hands. General Petraeus commented that a commander needs to show the enemy that there is no hope of victory. The Gregg resolution does this. It expresses our absolute support for our Commander in Chief and our men and women in Iraq, instead of showing that the will of the American people has been stripped by opportunistic terrorists.

Mr. President, for Republicans, this is not about a Senate procedural process but about the priorities of the American people. Our Republican leader, my colleague from Kentucky, has tried all week to negotiate to get a vote on the Gregg resolution, in conjunction with the other resolution, the Warner resolution. I appreciate Senator MCCONNELL's efforts, but the majority leader, and many on both sides of the aisle, do not want the vote on the Gregg resolution. Instead, they claim that Republicans do not want to debate the war in Iraq. This is completely false. The American people need to know that, and the media needs to report the truth.

No one Republican, not one to whom I have spoken, is running from this debate. We want to debate the war in Iraq. Many of us oppose the Warner resolution. It is nonbinding. It sends the wrong message to our enemies and our allies. It will not end the war in Iraq, and it will not bring peace to the Middle East. But we should vote on it, and we should vote on the Gregg resolution because even though the Gregg resolution is nonbinding, it actually relates to the proper role of the Congress with respect to war.

Essentially, the Gregg resolution says that Congress will not vote to defund the war when we have troops in harm's way. This is the proper role of Congress. It does not deter from the Commander in Chief. We don't dictate military strategy, but we do have the power of the purse. We can either fund the war or not fund the war. I am not a lawyer, thank God, but I have spent over two decades in Congress, in both the House and the Senate. And I know the proper role of the legislative branch. I know the rules of the House, and I know the rules of the Senate. I also know the importance of not sending the wrong message to our troops in the field.

Mr. President, I have voted to send my own son into war. That was the gulf war. I know the stakes are very high. I know this is an issue that is on every American's mind. But I resent my colleagues on the other side of the aisle saying that Republicans are running from this debate. We are not. I hope today that we can remind my colleagues that this is the U.S. Senate, and the minority has its say. We should vote both on the Warner resolution and the Gregg resolution and we should also vote to have amendments to the CR and be able to address the BRAC problem that we face and what will happen if they reduce this by $3.2 billion.

I have an editorial of the New York Times I will submit for the Record at this time. I ask unanimous consent that it be printed in the Record, and I yield to my good friend from Texas.

There being no objection, the material was ordered to be printed in the Record, as follows:

[From the New York Times, Feb. 7, 2007]

It's the War, Senators

It is not an inspiring sight to watch the United States Senate turn the most important issue facing America into a political football, and then fumble it. Yet that is what now seems to have come from a once-promising bipartisan effort to finally have the debate about the Iraq war that Americans have been denied for four years.

The Democrats' ultimate goal was to express the Senate's opposition to President Bush's latest escalation. But the Democrats' leaders have made that more difficult—allowing the Republicans to maneuver them into the embarrassing position of blocking a vote on a counterproposal that they feared too many Democrats might vote for.

We oppose that resolution, which is essentially a promise never to cut off funds for this or any future military operation Mr. Bush might undertake in Iraq. But the right way for the Senate to debate Iraq is to debate Iraq, not to bar proposals from the floor because they might be passed. The majority leader, Harry Reid of Nevada, needs to call a timeout and regroup. By changing the issue from Iraq to partisan parliamentary tactics, his leadership team threatens to muddy the message of any anti-escalation resolution the Senate may eventually pass.

As it happens, the blocked Republican alternative, propose by Judd Gregg of New Hampshire, itself represents an end run around the Senate's constitutional responsibilities. The rational way to oppose cuts in funds is to vote against them, if and when any ever come before the Senate. Mr. Reid should not be shy about urging fellow Democrats to vote against this hollow gimmick, which tries to make it look as if the senators support Mr. Bush's failed Iraq policies by playing on their fears of being accused of not supporting the troops.

America went to war without nearly enough public discussion, and it needs more Senate debate about Iraq this time around, not less. The voters who overturned Republican majorities in both houses last November expect, among other things, to see energized Congressional scrutiny of the entire war—not just of the plan for an additional 21,500 troops but also of the future of the 130,000 plus who are already there.

Another Republican resolution, proposed by Sen. John McCain, gives the appearance of moving in that more promising direction by ticking off a series of policy benchmarks and then urging the Iraqi government to meet them. But listing benchmarks is one thing. It is another to spell out real consequences for not meeting them, like the withdrawal of American military support. Instead of doing that, the McCain resolution hands an unwarranted blank check to Mr. Bush's new Iraq commander, Lt. Gen. David Petraeus. It breathtakingly declares that he "should receive from Congress the full support necessary" to carry out America's mission.

Frustrated by the Senate's fumbles, the House plans to move ahead next week with its own resolution on Mr. Bush's troop plan. When the Senate is ready to turn its attention back to substance again, it should go further.

Senators need to acknowledge the reality of four years of failed presidential leadership on Iraq and enact a set of binding benchmarks. These should require the hard steps toward national reconciliation that the Iraqi prime minister, Nuri Kamal al-Maliki continues to evade and that the White House refuses to insist on.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I will yield up to 15 minutes to Senator Roberts, after which I will yield up to 10 minutes to the Senator from Georgia, Senator Chambliss.

I am going to send my remarks to the desk and ask unanimous consent they be printed in the Record after Senator Chambliss has spoken. I will need to follow him in that order. I ask unanimous consent my remarks be printed in the Record after Senator Chambliss.

The PRESIDING OFFICER. Is there objection to the sequence of speakers? The Senator from Washington.

Mrs. MURRAY. Reserving the right to object. I ask to amend the request of the Senator to limit each Senator to 15 minutes apiece, under her order. But I also request Senator Kennedy be inserted after your first two speakers, so the order I believe—your first two speakers were?

Mrs. HUTCHISON. Senator Roberts and Senator Chambliss.

Mrs. MURRAY. I ask unanimous consent Senator Kennedy be allowed 15 minutes after Senator Chambliss.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mrs. HUTCHISON. Mr. President, Senator Inhofe has been here for several hours as well. He has been waiting patiently, as has Senator Shelby. I ask if it would be possible to allow the people who are on the floor to be put in an order. If Senator Kennedy would be able to then come after Senator Roberts, Senator Chambliss, Senator Shelby, and Senator Inhofe?

Mrs. MURRAY. Mr. President, again reserving the right to object, what we do on the floor is allow Senators to go back and forth. Senator Kennedy has also been waiting. He is not on the floor, but he has been waiting his turn.

I again ask if the Senator will allow us to go ahead and let your two Republican Senators speak, then allow Senator Kennedy to speak, and then go back to your side of the aisle?

The PRESIDING OFFICER. The Senator from Texas?

Mrs. HUTCHISON. Mr. President, at this point I think I will keep the floor and yield to Senator Roberts for 15 minutes and let me talk to Senator Murray. I wish to try to accommodate Senator Murray, but I will not do that at this time.

I yield up to 15 minutes to Senator Roberts.

The PRESIDING OFFICER. Is there objection?

Mrs. MURRAY. Parliamentary inquiry: I assume the Senator from Texas can only yield for a question at this time; is that not correct?

Mrs. HUTCHISON addressed the Chair.

The PRESIDING OFFICER. Will the Senator from Texas withhold for a second. It takes unanimous consent to yield for more than a question.

Mrs. HUTCHISON. Mr. President, I believe the Senator from Washington asked for me to yield to her for a question, and I will yield to her for a question.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, at this time I will object. I will suggest the absence of a quorum—

Mrs. HUTCHISON. Mr. President, I have the floor.

Mrs. MURRAY. Mr. President, I object.

Mrs. HUTCHISON. Mr. President, I have the floor.

The PRESIDING OFFICER. Objection is heard. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I will yield to the Senator from Kansas for a question at this time. For a question only.

The PRESIDING OFFICER. The Senator from Kansas.

BRAC

Mr. ROBERTS. Mr. President, I do have a question, and it involves what I believe to be an utter failing by Congress on behalf of our Nation's military men and women. My question to my colleague from Texas is this. I know in Kansas we are at risk of losing $365 million in regard to BRAC construction. My question would be to the Senator whether the same thing is true in Texas.

I think, probably to put it in perspective, I need to get a little background information so the Senator could reply. That brings attention to why I am bringing a question to the distinguished Senator and why I wished to take the floor for 15 minutes. I hope we don't get into an objection. I certainly have no problem with Senator KENNEDY speaking on any subject. I think he does that very well—and often.

Basically, let me say, with apologies to the Lizzie Borden family, that:

> The Democrat House took a continuing resolution axe,
> and gave the military 40 whacks,
> and when they saw what they had done,
> then they gave Kansas 41.

I don't think that is right. I am not here to speak about our military presence in Iraq. We have moved away from the debate on our presence in Iraq. We must now address the issue of support for our troops at home, and that is why I am going to ask the Senator a question, as soon as I give the background in regard to the question I have.

As we have heard some of my colleagues already state today, we are in danger of underfunding military construction associated with BRAC by over $3 billion—actually it is $3.1 billion. Should the Senate let this occur, we will have failed our Nation's soldiers and their families.

Why did this occur? Because there was $6 billion within the military budget, within the Department of Defense, who wanted $6 billion for BRAC construction. Is that not correct, I ask my distinguished friend?

Mrs. HUTCHISON. The distinguished Senator from Kansas is exactly right. You know, it was pointed out earlier that we had $1.5 billion in fiscal year 2006, with the implication that we were increasing from that amount in this budget because it has $2.5 billion. The problem is, in 2006, the money was planning money, now we are trying to actually build the project and we are missing $3.1 billion. Now we are in the building stage.

Mr. ROBERTS. Basically, if I understand the Senator, we are down to $2.88 billion, which means if we had a whole pie and there were six slices, now we are down to less than three. And somehow or other the Department of Defense has to spread that money for BRAC construction to these other projects? That is going to be extremely difficult.

I am trying to figure out why on Earth the House acted in such a fashion. I think it is, if I read the press about this—and I ask the Senator if she would agree—it is that under the banner of "earmark reform," there was at least a theory, by some, that all of the money in the $6 billion was somehow earmarks.

I ask another question. The $3.1 billion is the first time in my memory where we have had a breach in the agreement to say we are not going to fund nondefense programs—which are very meritorious and should stand on their own right, and I support many of them—out of the military budget. I can't remember when we have done that.

Mrs. HUTCHISON. The Senator is correct. I have no memory of ever doing that. Of course, there are no earmarks in the BRAC funding. The funding, the $3.1 billion that was set out was all Department of Defense. They are doing the planning for BRAC, not Congress. There are no earmarks.

Mr. ROBERTS. If I could ask my distinguished colleague one more question? I am going to own up. The $365 million for Kansas in BRAC construction funding, there were no earmarks to that, no earmarks. That was requested by the Department of Defense and put in the President's budget for projects that are essential for our men and women in uniform when they come back from Iraq.

There were three earmarks in there. They are gone and I understand that. I had one for a childcare center, TODD TIAHRT had one for lighting a ramp on a runway—I don't know what you are going to do if you don't have any lights on a runway when you land—and then there was another vehicle maintenance center at Fort Riley to take all the humvees and vehicles back from the desert and get them fixed up and replenished. They are gone. The rest of it, the $365 million that is at risk in Kansas, goes for projects in regard to BRAC construction.

I don't know if this happened because of somebody who didn't know what was going on—sheer incompetence or ignorance—or this was political, under the banner that we are going to stop all the earmarks. This is not an earmark.

As a matter of fact, let me ask the Senator from Texas a question. Is not the breach of taking $3.1 billion from military spending and putting it over into non-Federal spending—isn't that an earmark, a $3.1 billion earmark by itself?

Mrs. HUTCHISON. It would appear the Senator is correct.

Mr. ROBERTS. Let me go on with a little background about this because I want the Senator to understand how serious the situation is in Kansas. Should this $3.1 billion deficit be allowed to move forward and become law, soldiers in Kansas and many other States will suffer greatly. As I said before, $375 billion—I have been saying $365 billion. I am $10 billion short—$375 million worth of Kansas BRAC-related projects will be put at risk, and there are even more projects at risk in future years if the operational tempo of the Army is disrupted.

I wish to be sure all of our colleagues understand exactly what this shortfall could mean—as it would be in Texas or Oklahoma or any State—what this would mean to our men and women in uniform and their families based in our respective States.

The Combat Aviation Brigade, which is coming to Fort Riley, KS, as a result of the BRAC process, is in danger of losing $152 million for a complex that will house their barracks, their office space, their hangars, their fueling aprons, and their crash rescue fire station.

This unit, this aviation brigade, is going to deploy to Iraq soon, and they need these facilities when they return. The commanding general at Fort Riley, General Carter Hamm, told me yesterday that if the aviation brigade comes home in 2008 to find these projects incomplete, they will have to live in dated facilities.

What do I mean by dated facilities? We call them the white elephant barracks. They have holes in the walls. There are even rumors they have snakes underneath these barracks.

The general said they will have to live in dated facilities that will provide worse living conditions than the brigade will find in Iraq.

Let me repeat that statement to the Senator from Texas. I don't know if she has a dire situation like this. I will ask her to respond, for our colleagues.

If this construction fails to move forward, members of the air brigade will return to housing at Fort Riley that will be below anything they have experienced in Iraq. Is this the way the Senate wants to treat these soldiers? Does the Senator from Texas have a similar situation, where men and women in uniform coming back will find their housing less than what it was in Iraq? I am incredulous.

Mrs. HUTCHISON. Absolutely incredible. As a matter of fact, 30,000 troops are going to be moving into Fort Bliss. There have been many accommodations begun. But now it is going to stop in its tracks and we are going to have the same situation. We could be having either substandard barracks or worse, it could be tents or mobile homes.

Mr. ROBERTS. Let me ask the Senator another question and give a little background. Not only is the air brigade in danger of losing all of their support facilities—they need a new runway, specifically they need a $17 million runway. That is in danger of being cut from this $3.1 billion earmark. That is what I call it—a cut in an earmark going to nondefense programs. I find it unacceptable to move these people and then inadequately support them when they return home. Fort Riley is also in danger of losing an $87 million division headquarters, a sustainment brigade headquarters, to support another group of soldiers who will be returning from their current deployment in Iraq. If these facilities are not done by the time they return, they will be required to live in trailers, modular buildings. That is not acceptable. These soldiers are already sacrificing for the Nation. I refuse to ask them to also sacrifice when they return home from a deployment.

Let me mention something else to the Senator. As a result of the BRAC process, nearly 11,000 soldiers and their families have already begun moving back to Fort Riley. This is unprecedented growth. I know at Fort Bliss the situation is somewhat similar. But Fort Riley does not have the support facilities to ensure these soldiers and families have full access to health, dental, and childcare.

Let me ask the Senator from Texas another question, if I could have her attention. At Fort Riley we do not have the facilities to ensure these 11,000 soldiers and their families full access to health, dental, and childcare. Is there a similar situation in Texas?

Mrs. HUTCHISON. Absolutely. Absolutely. We are talking about all the facilities that would accommodate the move of soldiers and their families. So you have childcare facilities—the Senator from Georgia is on the floor and he has essential not only childcare facilities and housing and barracks but training facilities. The reason we are bringing the troops home from Germany is for better training facilities, and at Fort Benning, part of this BRAC funding is for the training facilities that are the upgrades the Department of Defense is trying to give to our men and women for their readiness for their missions.

Mr. ROBERTS. Mr. President, I truly appreciate the response of the Senator from Texas. The reason I ask that is we are losing a $17.5 million health and dental clinic and a $5.7 million child development center, which will make an enormous difference in the quality of life in regards to the soldiers coming back.

There is another project I want to mention, and the Senator has brought it up. We need a $27 million battle command training center. What is that all about? That is 4,000 people going through that center which is going to be improved, who are going immediately to Iraq to serve under General Petraeus to see if that mission can work, and they are following the doctrine General Petraeus laid down at Fort Leavenworth, KS, which is the intellectual center of the Army. This center is necessary for training command, control, and communications functions that are critical to the training of the brigade and division staff. If you don't want to have them go to Iraq, rest assured they need the training to basically have them prepared for any kind of national security threat in the future.

Another Kansas project in jeopardy of losing funding that is of deep concern to me and should be of deep concern to the Army is the joint regional correctional facility at Fort Leavenworth. This is a little different. I don't know if the Senator has something like this, but I would ask the Senator a question. We need to build a joint regional correctional facility to house prisoners from around the Nation who are moved to Kansas. Currently, the Army is stretched to its limit. It needs these new beds for prisoners, and as the general told me, there is no place to put them.

The Acting Commanding General at Fort Leavenworth, BG Mark O'Neill, told me yesterday, add to the equation that the facility is underfunded at $68 million—they need $95 million at a bare minimum. What do we do with the prisoners? That is $27 million more than was even budgeted.

So the House is saying they will receive zip, nada, zero. Now, that is a correctional facility. I know it doesn't compare to the readiness problem, but with more prisoners and no place to put them, what are we going to do? That is a real problem.

I want to give you some good news, and I am going to ask the Senator if she has a similar situation in Texas. Kansas leaders share my concern. Last night, our Governor Sebelius's Military Council passed a unanimous resolution supporting our efforts to bring this amendment before the Senate.

I ask unanimous consent the letter of support be printed in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

GOVERNOR'S MILITARY COUNCIL,
STATE CAPITOL,
Topeka, KS, February 7, 2007.

Hon. PAT ROBERTS,
U.S. Senator,
Washington, DC.

DEAR SENATOR ROBERTS: Today, the Governor's Military Council (GMC) passed unanimously a resolution in support of your amendment to H.J. Res. 20 which would fully restore funding for implementation of the 2005 Base Realignment and Closure (BRAC) round to the level requested by the Administration.

Full funding of the BRAC budget request is critical to military readiness, quality of life, as well as Department of Defense's transformation efforts. Furthermore, failure to fully fund the budget for BRAC will delay implementation of base closure and realignment actions, postponing indefinitely the realization of budget savings resulting from the BRAC round and the completion of BRAC movements for all affected military installations.

The GMC was originally constituted through an Executive Order signed by Governor Kathleen Sebelius as the Governor's Strategic Military Planning Commission (The Commission) in January of 2004 to represent the State of Kansas during the 2005 BRAC process.

In January of 2006, the Commission stood down and the GMC was created by another Executive Order to support the military in the State of Kansas. The GMC's membership consists of 25 individuals from the communities in which the state's four major installations are located, state legislators, the Adjutant General and representatives of the Kansas Congressional Delegation.

We thank you for your leadership on the issue of critical importance to our nation's military and the military installations in the State of Kansas.

Sincerely,

JOHN E. MOORE,
Chair, Governor's Military Council.

Mr. ROBERTS. This bipartisan support shows how important these funds are to our military. So underfunding BRAC MILCON by $3 billion, or even $1, sends a terrible message to our troops. It tears to shreds the bipartisan support involved with the BRAC process.

Isn't it ironic, I would say to the Senator from Texas, and to you, Mr. President, and to my colleagues, that at a time when many of our colleagues in the House and Senate are saying, bring the troops home now, and everybody wishes we could, these same colleagues in the House—again, either through ignorance or incompetence or politics—apparently do not think it is necessary to provide the facilities that will support these troops and their families.

There is no other option, I say to the Senator from Texas and to my colleagues. I urge the majority leader to support our troops and their families by allowing a vote on this amendment, and I urge my colleagues to support it.

I thank the Senator from Texas for yielding me this time for these many questions.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mrs. HUTCHISON. Mr. President, I thank the Senator from Kansas for pointing out some of the real problems delaying this BRAC funding are going to bring. I hope the distinguished majority leader and the distinguished chairman of the Appropriations Committee will find a way we can move the BRAC military construction forward. It is essential that we do this, and we can do it. We have a week in which we can work out any details that need to be worked out. I think it is very important that we do what is right for our country. We have time to do it. There is no reason not to do it, and we can do it in a fiscally responsible way.

What has been suggested by the distinguished chairman of the Appropriations Committee is that we will handle this in a supplemental, that we will put $3 billion into the supplemental. But, of course, that means we will be spending $3 billion outside of the budget and added to the deficit, which is not necessary. We can fix this with a very small cut across the board of all of the projects in the bill, except for Defense, Homeland Security, Veterans. I think anyone can put together a program that has less than a 1-percent cut, and I think most people would say our priorities should be the active-duty military, that we should have the ability to put the housing and the childcare centers and the training facilities in place that would accommodate the needs of the military. My goodness, look what our military people are doing for us and for our country.

The idea that we wouldn't give them what they need to do the job, and when they come home, to have a place to stay and live and do their training so they can be the very best, would be unthinkable. It would be unthinkable. So I do hope we can go forward. I don't remember ever taking up an Omnibus appropriations bill with no amendments in order. I hope it will be possible that we will be able to take it up in the normal process—or maybe not even the normal process. We would settle for not normal, but for some number of amendments.

ORDER OF PROCEDURE

Mrs. HUTCHISON. Mr. President, I would propound a unanimous consent request. I ask unanimous consent that during the period of morning business, Senators be permitted to speak therein for up to 10 minutes each, and that the following Senators be recognized in this order: Senators HUTCHISON, INHOFE, CHAMBLISS, KENNEDY, and LEAHY; and following that, Senator SHELBY be recognized for up to 45 minutes; and that after this sequence, the sides alternate where appropriate.

The PRESIDING OFFICER. Is there objection?

Mr. LEAHY. Mr. President, reserving the right to object, this is, as I am sure the Senator from Texas knows, somewhat unusual, and not the way this is normally done. Normally we would alternate from side to side. I have actually discussed this with some of the Senators on her side. However, in the interests of at least having some idea of where we are going to go so we won't have to do the procedural fix of having Senators stand up and propound speeches that are put in the form of a question as we have been seeing here for some time, I will not object.

The PRESIDING OFFICER. Without objection, it is so ordered. The unanimous consent request is granted.

Mrs. HUTCHISON. Mr. President, my remarks will not last 10 minutes, and I hope the Senator from Georgia will be able to have his time in turn, because he has been waiting for quite a long time.

ACCOMMODATING THE NEEDS OF THE MILITARY

Mrs. HUTCHISON. Mr. President, what we are asking with the amendment I have tried to put forward but which was ruled out of order is to simply restore the $3.1 billion that was cut from the Base Closing Commission military construction. We cut—not we, but the bill that is on the floor that we are not able to amend—$3.1 billion out of the Base Closing Commission military construction funding. Our amendment, the Hutchison-Inhofe amendment, has 27 cosponsors. That is almost one-third of the Senate, and there are many who said they would like to sponsor the amendment but in deference to their leadership did not feel they could, because so many States have major projects in this BRAC military construction funding.

These are not projects that any Member of Congress put in this bill or in the bill that passed the House and Senate. These are the Department of Defense projects, for them to be able to meet the congressionally mandated deadline of 2011 for finishing the BRAC process. So they are projects that were selected in order of priority by the Department of Defense. There is not one earmark, not one congressional add in the military construction budget that we are trying to restore. We are trying to restore the budget we have already passed so the Department of Defense can meet the deadline we have set.

I think this amendment should be in order. It is my great hope that the distinguished leader and the distinguished chairman of the Appropriations Committee will allow it to go forward with no further delay, because there is going to be a delay if we wait until the supplemental. Not only will the $3 billion be outside of the scope of the budget and add $3 billion more to the deficit, but it will, in fact, delay the building projects for yet another 2 months, which will be a whole half year that the Department of Defense will be strapped for the funds to do what it needs to do to have its synchronized movement of troops be able to accomplish what they are trying to accomplish.

I hope we will have a reconsideration. I hope the House will work with us. We have a whole week to do it. We have done things in 24 hours that were harder than this, and I believe that delaying the return of 12,000 troops to facilities they deserve to have is not a good bargain. So I am very hopeful we will eventually have true bipartisanship in the Senate, true bipartisanship in the Appropriations Committee, which has been the tradition in the Senate for all these years. I ask that the majority in leadership help work with us to accommodate the needs of the military.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senator from Oklahoma is recognized for 10 minutes.

Mr. INHOFE. Mr. President, let me inquire as to how much time is left open from the 10 minutes of the Senator of Texas?

The PRESIDING OFFICER. There is 5 minutes 40 seconds.

Mr. INHOFE. Mr. President, I ask unanimous consent that those 5 minutes be divided between myself and Senator CHAMBLISS.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. INHOFE. And that at the conclusion of the unanimous consent request wherein the last speaker, it is my understanding, is the Senator from Alabama, Mr. SHELBY, that the Senator from Pennsylvania, Mr. SPECTER, be recognized for 15 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. INHOFE. Mr. President, I have been watching this debate as it has taken place. I am disappointed that procedurally we dropped the ball. We were hoping to be able to speak all afternoon on probably the most immediate crisis we are facing in terms of the budget; that is, the BRAC process.

Let me share a couple of ideas as to what this is all about. A lot of people are not all that familiar with the process we are talking about. The BRAC process is the Base Closure Realignment Commission. It was brought to our attention and first voted on by a Congressman from Texas, Dick Armey. Prior to that time, it appeared that all of our military establishments that were in the United States had been looked at as economic bases. Consequently, it is very difficult to close down some that are either not efficient or not needed for defending the country.

It was the idea of Congressman Armey to put together a system to take politics out of the base-closure system and to allow some criteria to be put forth and have a base-closure commission make recommendations and then take those recommendations and put them into effect. The bottom line would be they may find, in my State of Oklahoma, that one of our installations should be closed or should be realigned and part of it moved somewhere else. If that is the case, we would have to vote on the overall picture. You could not pick or choose. That way, as nearly as you can take politics out of a procedure on this Senate floor, I believe they successfully did that.

We had the first BRAC round back in 1988. We have had four since then. The last one is the one we are talking about now.

I have to say that when we came to this fifth BRAC closure vote as to whether we are going to allow the Commission to reconvene and make determinations as to priorities, I voted against it. I led the opposition. In fact, we only lost it by two votes. We have had a BRAC round, after all.

I made a statement from this Senate floor, from this podium, that whatever recommendations they came up with on this independent, nonpartisan BRAC Commission, I would not object to, and that is exactly what has happened.

The problem we are facing—and I can remember so well saying in the Senate before this last round was decided upon, I said it may be that we will save $20 billion over a period of time with another BRAC round. We don't know that for sure, but there is one thing we do know; that is, it is going to cost us a lot of money in the next 3 or 4 years, right when we are going to need the funding for our military.

We went through the 1990s downgrading and downsizing the military. I remember this euphoric attitude that many people had—the Cold War is over, and we no longer need a military. Consequently, the attention was not given to the military.

I have a chart I have not used for quite a while. This is during the Clinton administration, from fiscal year 1993 through fiscal year 2001. If we take the black line, that shows that if we merely kept the budget we had for the military from fiscal year 1993 and added nothing but inflation, the black line would represent the amount of the budget and what it would have been at the end of that period of time. The red line represents what the President's budget—it was President Clinton at that time and what he was requesting. You can see the huge difference in there, about a $412 billion difference.

Congress, in its wisdom, increased the President's budget insofar as military spending is concerned to this line right here. Nonetheless, over that period of time, while we did bring it up a little bit, it still was $313 billion below what a static budget would have been from that year, in bringing that year forward.

That is the problem we are facing in the 1990s, the late 1990s. I remember so many times coming to the Senate and saying that we will rue the day we downgraded the military. And we did. We went down to about 60 percent of the force strength, did away with and slowed down a lot of our military modernization programs.

I remember watching other countries producing better equipment, so when we send our young people out to do battle, they don't have the kind of equipment someone else might have. A good example would be our non-line-of-sight cannon, artillery piece. The best piece we have today is the Paladin. That is World War II technology where you have to swab the breach after every shot—something that is totally unacceptable. There are five countries, including South Africa, that make a better cannon than we have. We are going to remedy that now, and we have future combat systems where we will start modernizing.

We also slipped behind in the Air Force. I remember when General Jumper at that time came to the Senate, in 1998, and he said that now the Russians are making the Su series, and he referred to the Su-35 and he said it was better than any strike vehicle we have, our F-15s and F-16s. Now we have an F-22 that will do a better job. This is what happened to us in the 1990s.

Now we come to the BRAC process. We had an opportunity to save $20 billion. But to do that, we have to build installations in different areas, divest ourselves of other installations. That is where we are today.

As has been said by several speakers in the Senate, we are in a position now going into a continuing resolution, that it would tie us to the 2006 budget. If this happens, the BRAC funding that is necessary to implement the changes to accommodate our fighting troops over there, in their rotations coming back home—all of these things that are taking place are things that can't be taking place now because we are $3 billion short.

My next chart shows we are scraping just to fund the BRAC process. The money the military needs to pursue the BRAC round in fiscal year 2007 is $5.6 billion. You can see that on the chart. That is the amount the President requested. That is also the amount in our authorization bill, the John Warner National Defense Authorization Act. Those on the Senate Committee on Armed Services authorized this $5.6 billion. The Senate appropriators thought they could shave a little bit off, so they cut from that $.4 billion. That brings it down to $5.2 billion.

Because there is no appropriated amount, the BRAC was funded at the fiscal year 2006 level, which is $1.6 billion—far lower than what is required to even start the process of this latest BRAC round. Under the continuing resolution now being considered, the funding was increased by $1 billion, which puts us at a total of $2.5 billion less what the military is going to have to have. That means it is a $3.1 billion shortfall. I know it is confusing, so we put it on a chart so we can clearly understand it. That is what is necessary to carry out those requirements we had in the BRAC round.

We did get $1 billion. Let me tell Members where that came from. The Democrats scraped and squeezed all the unfunded amounts that were needed to be funded by the CR. They were able to get an extra $13 billion to fund their own priorities. We talked about those priorities, many of them social programs, many of them programs I would support, some programs I would oppose. To me, they were not in the league of necessity that we have in our military construction in carrying out and implementing BRAC.

The chart shows the amount of money, the $13 billion, and where this money went. If you go around the chart, you see Veterans' Administration, $4.5 billion—we supported that; defense health, $1.4 billion; State and Foreign Ops—this is HIV/AIDS, which has been talked about in the Senate—that is $1.25 billion; law enforcement, $1.35 billion—quite frankly, I am not sure what that is referring to; pay raise for Federal workers, $1 billion; Labor-HHS, Head Start, AIDS, Social Security, and so forth, Pell grants, that is $2.3 billion; Interior Department, $200 million. Finally, after everyone else is taken care of, everyone else has been funded, there is $1 billion left over to put toward BRAC. The need was $4.1 billion. It brings it down to the $3.1 billion. So the need is still there. That is how we got where we are today.

What this Senate needs to do is to evaluate and establish priorities as to what is really significant. What do we need to add? We are at war. It is inconceivable to me, when we come along with a BRAC process that applies housing and other needs for our troops who are rotating back and forth, that we are not able to do that.

One of the concerns I have that I have not talked about in the Senate is the problems we have in the communities. One of the reasons my State of Oklahoma has always, throughout all BRAC processes, all five of them, benefited—and I am bragging a little bit here, and I know other States do a good job—Oklahoma has always done an excellent job on community support. In our five major military installations, we have the communities building hospitals, doing child health care, helping with roads, donating land. For that reason, we have always done a very good job of that in my State. A lot of people were concerned when the BRAC processes took place; that is something which has actually been a benefit to my State. However, in this case, there isn't a State that isn't involved either in pluses or minuses, but overall it is a way to take care of those kids when they come back, when they rotate through.

We have two things that are happening right now. We are trying to rotate our troops who were in battle, and the second thing is, we are trying to establish a program where, instead of sending some of our people overseas for 3 and 4 years with their families, to bring them back and let them rotate.

With that, I am going to yield the floor. It is my intention to come back. I have quite a few more things to talk about.

The PRESIDING OFFICER. Under the previous order, the Senator from Georgia is recognized for 12½ minutes.

Mr. CHAMBLISS. Mr. President, let me say to my friend from Oklahoma, as well as to my colleague from Texas, we appreciate their leadership on this issue, restoring this funding for the transition as required under BRAC. The Senator from Oklahoma and I both went through some very difficult times under BRAC. Now, to not be able to carry out the direction of the Commissioners with the difficult decisions that were made is simply not right. Without his leadership, we would not be where we are today.

Mr. INHOFE. Will the Senator yield?

Mr. CHAMBLISS. I yield.

Mr. INHOFE. The point I was trying to make in terms of community support, many communities in Georgia and Oklahoma have made commitments predicated on this next BRAC round coming forward. I ask the question, Aren't you a little concerned how to face the communities if we renege on what the Government's portion is?

Mr. CHAMBLISS. The Senator is exactly right. I will address that in my comments in a few minutes. It is not fair to the taxpayers in general but specifically those communities that are affected, as communities in Oklahoma and Georgia are, that we now come back and say: I know you have made these plans and you were preparing to receive additional infrastructure, but now it will not happen because the folks in the Senate have decided they want to spend that money on social programs as opposed to spending it on our military.

I do rise today to support my colleagues in restoring funds for the Department of Defense fiscal year 2007 BRAC requirements in the continuing resolution. The fiscal year 2007 President's budget requested $16.7 billion for MILCON, which included $5.7 for fiscal year 2005 base realignment and closure actions required to meet a statutory deadline of September 15, 2011, to complete all realignments and closures.

The fiscal year 2007 Defense authorization bill authorized MILCON appropriations of $17.4 billion after accounting for $278 million in prior year rescissions proposed by appropriators in both Chambers. The final authorized amount was $17.1 billion—$400 million above the President's budget for fiscal year 2007.

The Senate passed a fiscal year 2007 MILCON appropriations bill at $434 million below the fiscal year 2007 President's budget by cutting the BRAC request and accounting for additional rescissions. The House version of the fiscal year 2007 MILCON appropriations bill is $803 million below the President's budget, and it cut BRAC and $500 million in projects requested in the President's budget. No conference allocation was provided and a conference agreement was never reached.

A continuing resolution was enacted through February 15, 2007, at levels equaling the fiscal year 2006 appropriations, but currently does not allow for military construction new starts in fiscal year 2007. In addition, the fiscal year 2006 BRAC appropriation is $4 billion below the request for fiscal year 2007. Therefore, over 90 percent of the authorized fiscal year 2007 MILCON projects will not be able to be constructed.

The new CR language proposed by House and Senate appropriators on January 30 would provide fiscal year 2007 MILCON funds at levels requested in the fiscal year 2007 President's budget, but would underfund BRAC in fiscal year 2007 by $3 billion, seriously jeopardizing the ability of the Department of Defense to carry out all BRAC actions by 2011.

Senator INHOFE offered a bill in early January that I cosponsored along with several other Members of the Senate that would appropriate funds for all MILCON projects authorized in the fiscal year 2007 Defense authorization bill.

The administration issued a Statement of Administration Policy on January 30, strongly opposing the reductions that are in the continuing resolution we are considering. The Secretary of Defense and the service chiefs and Secretaries have met with many of us to provide an assessment of the impact on military programs as well as military readiness. By cutting $3.1 billion in the fiscal year 2007 BRAC request, the proposed continuing resolution does not allow the Department to carry out the investments and the timing required to complete all BRAC initiatives by 2011. That is a statutory requirement established to assist communities affected by BRAC by mandating an accelerated transition to aid in economic recovery.

Deferring funds will result in higher contract costs as construction will be delayed and ultimately compressed in a tighter execution timeframe, forcing a greater demand for limited resources. Resolving this issue has the support of key members of the Senate Appropriations Committee, as well as many military and local community advocacy groups.

I understand the chairman of the Senate Appropriations Committee intends to attempt to restore BRAC funding in the supplemental appropriations bill. But what kind of solution is this? Supplemental funds have been requested by the President for military operations in Iraq as well as Afghanistan. The funds requested in the supplemental are critically needed to purchase equipment for force protection and IED defeat initiatives. These funds would be used to train and equip Iraqi security forces. The funds will be used for military intelligence, coalition support, and other regional operations in the global war on terror.

Since when do base realignments and closures qualify as an emergency directly supporting the global war on terror? How do we explain to the American taxpayer that BRAC should be considered along with body armor, additional military end strength, and vehicles being used in Iraq and Afghanistan?

Furthermore, we are having this discussion because my colleagues who developed the resolution share with all of us the common goal to reduce overall Government expenditures. In that spirit, what critical warfighting requirement do we cut in the supplemental to pay for the BRAC increase that is proposed? What do we deny to our frontline fighting troops? While I heard the idea of funding BRAC in the supplemental, I have not heard one idea on how we pay for it.

Do they instead advocate for an increase in the supplemental? Why not just add funds to the resolution we have in front of us, as this is proper? Could it be they want to hide the additional funds they have inserted for domestic programs by pushing BRAC to an inappropriate method of funding? Is this how we propose to manage military appropriations for the future? By using budget gimmicks and shell games which will have devastating results for the military and for local communities? We must address full fiscal year 2007 funding for BRAC in this continuing resolution.

Including funds for BRAC in the CR is critical to modernizing and increasing the readiness of our Armed Forces.

The current CR provides $2.7 billion for Base Realignment and Closure programs, which is $3.1 billion below the President's request, as I previously stated. These reductions are inconsistent with congressional emphasis on force and readiness. Such a severe reduction to BRAC funding will force the Department to rephase BRAC implementation plans. This will have a negative ripple effect on the movement of troops and missions throughout our global defense posture restructuring.

This planned approach could delay force rotations to Iraq and Afghanistan, as well as the Army's overall readiness posture, which relies on completing the Modular Force conversions on time. This move will impact readiness. And soldiers at Fort Campbell, Fort Drum, and Fort Stewart will not have adequate places to train, work, or sleep.

This move will devastate the Department's ability to complete BRAC actions within statutory deadlines. It will stymie efforts to construct facilities and move equipment and people to receiver locations, thereby impeding our ability to realize savings and organizational efficiencies. Over 82 percent of the fiscal year 2007 BRAC request is for construction that is required before these moves can occur. The current continuing resolution cuts funding for family housing by $300 million below the President's request. This will directly and adversely affect the quality of life of our servicemembers by perpetuating the continued use of inadequate facilities where they work, train, and live.

Regarding my home State of Georgia, the following projects will be in jeopardy—and these are going to have very serious consequences to the ability to train and give quality of life to the soldiers, which they deserve—a child development center at Fort Benning; two trainee barracks complexes at Fort Benning; training brigade complex at Fort Benning; fire and movement range at Fort Benning; modified record fire range at Fort Benning; brigade headquarters building at Fort Benning; stationary gunnery range at Fort Benning; Marine Corps Reserve center at Robins Air Force base; Marine Corps Reserve center in Rome, GA; three facilities to prepare Moody Air Force Base to receive A–10 aircraft; and relocation of a vehicle maintenance complex at Robins Air Force Base.

None of these improvements can be made for our fighting men and women without this funding. It is imperative we do so in this CR.

Mr. President, I inquire as to how much time I have remaining?

The PRESIDING OFFICER (Mr. NELSON of Nebraska). There is 1 minute 55 seconds.

COMMENDING CONGRESSMAN CHARLIE NORWOOD

Mr. CHAMBLISS. Mr. President, in that remaining minute 55 seconds, I will very quickly say a word of commendation about a good friend of mine, a good friend of all Members of Congress, who is now serving in the other body, Congressman CHARLIE NORWOOD.

Congressman NORWOOD has been in a severe battle for his life for the last 3 years, and he is having a tough time. He has made a decision to now go back to Augusta, GA, and spend the rest of his time with his family.

And, boy, what a great warrior CHARLIE NORWOOD has been. It was my privilege to be elected to Congress with Congressman NORWOOD in 1994. He is an avowed conservative. He does not back away from any of his positions in supporting conservative values. He is a strong supporter of our men and women who wear the uniform of the United States. He is a Vietnam veteran. He is a very professional dentist. And he is one of the greatest guys I have ever had the privilege of being associated with.

As CHARLIE and his wife Gloria return to Augusta to spend the rest of his time there, I want to say it has been a privilege to know him. It has been a privilege to serve with him. I hope to have the opportunity to spend some more time with him in the next several weeks, months, whatever it may be.

But he is a great trooper. He is a great American. And I hope all Members of this body, as well as all Americans, will keep Congressman NORWOOD and his wife Gloria in their thoughts and prayers.

Mr. President, I yield back.

The PRESIDING OFFICER. The Senator from Vermont.

APPROPRIATIONS

Mr. LEAHY. Mr. President, one thing that should be noted, and has been noted on this floor today, is that the former chairman of the Senate Appropriations Committee and its members got all the appropriations bills passed out of Committee early on last year. Had they been brought up by the then-leadership in the House and the Senate we would not even be talking about a CR because, of course, they would have been passed and signed into law.

But 2 weeks ago, the Senate and House Appropriations Committees finished drafting H.J. Res. 20, the joint spending resolution. The House passed the joint resolution on January 31 by a bipartisan vote of 286 to 140. The current continuing resolution left to us by the last Congress expires on February 15. So we have to act.

Total funding in the joint resolution is within the ceiling imposed by President Bush and the Republican Congress last year for fiscal year 2007. There are, however, some adjustments from the fiscal year 2006 funding levels in the continuing resolution that the Republican Congress agreed to.

During the past month, we worked together on a bipartisan basis to make these adjustments so there would not be severe hardships to the most vulnerable people or layoffs of Federal employees.

As chairman of the State and Foreign Operations Subcommittee I am gratified by the additional funding that was included to meet urgent humanitarian needs that do not reflect any partisan interest. These are moral needs.

I thank Chairman BYRD and Ranking Member COCHRAN for their help and also the ranking member of the subcommittee, Senator GREGG of New Hampshire, and also his able staff for their support and cooperation during this process, and Tim Rieser and Kate Eltrich of my staff for what they have done.

The adjustments include additional funding to combat HIV and AIDS. Under the continuing resolution we enacted last year funding within State and Foreign Operations to combat HIV and AIDS totaled $2.57 billion, including $445 million for the Global Fund that fights also tuberculosis and malaria.

Under H.J. Res. 20, those amounts will go to $3.84 billion and $625 million, respectively, again, with bipartisan support. I thank Senators DURBIN and BROWNBACK and the others who supported me in this effort.

Currently, only 20 percent of the people needing AIDS drugs in poor countries get them, and only 10 percent of the people at risk of infection are receiving the services to help them protect themselves.

If we had continued funding at last year's level, we would not have been able to provide lifesaving antiretroviral drugs to an estimated 350,000 HIV-infected people.

According to the Office of the Global AIDS Coordinator, 110,000 to 175,000 people would die of HIV-related causes if the fiscal year 2006 funding levels had not been increased in the joint resolution. Funding to combat malaria would have been frozen at the fiscal year 2006 level under the continuing resolution passed last year.

Of course, malaria is something we do not have to worry about in this country. It is both preventable and treatable. Yet it kills more than a million people each year. Most of those who die are African children. An expansion of programs to combat malaria would have been stalled under the continuing resolution and the eight additional countries targeted for the next round of malaria prevention and treatment would have been placed on hold.

The additional funding will enable us to meet our commitment to cut malaria-related deaths by 50 percent in 15 of the hardest hit countries in Africa. These funds will go to support the purchase of lifesaving drugs, the distribution of insecticide-treated bed nets, and the treatment of pregnant women at risk for malaria.

What we do here will help people none of us here will ever meet. Yet think of nearly a million children in Africa who would die if we do not act. So it becomes a moral issue. America, again, helping people we will never know or see, but we do it because it is the moral thing to do and we have the wealth and technology to do it.

Under H.J. Res. 20, funding for international peacekeeping operations will receive an additional $113 million above the amount in the continuing resolution enacted last year. This will ensure that our assessed dues to the U.N. are paid and we do not fall further behind in our support for troops in 13 countries, including Lebanon, Sudan, Haiti, and the Congo where, again, it is in our best interests to support these peacekeeping missions.

We provide $50 million to support the African Union troops in Darfur and southern Sudan. These funds had been omitted last year, but they are needed for the 7,000 troops at 34 camps throughout Sudan. When we read about the genocide in Sudan, about the children who have been murdered, women who have been raped, people who have been killed as they flee the ashes of their homes, how can we, as Americans say we can't do something to stop it?

There is $20 million here to support Iraqi refugees. That is an amount which, unfortunately, will only begin to address the catastrophe that is unfolding. In fact, additional aid, as we know, will be needed for Iraqi refugees in the fiscal year 2007 supplemental. The number of refugees is going up every day. The ability to care for them is insufficient.

So the clock is ticking. The urgency with which the Senate must act to pass the joint funding resolution should be measured not in time but in human lives. As Members of the Senate and the American people can readily see, this legislation involves issues of life and death.

The additional funds were designated by the chairmen and ranking members of the Senate and House Appropriations Committees to support the priorities of both Democratic and Republican Senators, without exceeding the total funding ceiling set by the President.

I have said so many times on the floor of the Senate, on questions of diseases that could be prevented, if Members of the Senate have young children or grandchildren or their friends do, we know that at certain times as they are growing up they go to the pediatrician, they get vaccinated against measles and other diseases. And they are protected. We take it as a matter of course. We get the bill and we pay it, but that bill is close to the amount many people in Africa would earn in a year. They also know that their children may not get those vaccinations. They will not go to the pediatrician when they are 5 years old because many of them die before they are 5 years old.

Oftentimes the mothers are not there to care for them either because of hundreds of thousands of women die needlessly in childbirth.

We can make a dramatic change. I agree with the President, I agree with Members on both sides of the aisle, and I commend those who have supported this. But also to those people around the world who have urged America, the most powerful Nation on Earth, to stand up and do these humanitarian things, this is a small down payment on what the wealthiest, most powerful Nation on Earth can do. It is something that speaks to the moral character of America and makes us a better nation and makes the lives of people we will never see better.

I am reminded of my dear friend Bono, who is known all over the world for doing this, and who I commended for helping people throughout the world who would never hear his music, who do not recognize him, who will never buy a ticket to one of his concerts but whose lives are measurably better because of him. We have it in our power to do the same thing.

Madam President, while I have been here the occupant of the Chair changed from the time I started my comments to now. I hope it will show on the RECORD and will be corrected to say "Madam President." One of the problems when you have been here as long as I have is you get used to saying "Mr. President." And, of course, the Chair is now occupied by the Senator from Minnesota, one of the welcome new faces in the Senate, somebody who has improved the Senate just by being here.

I was reminded of some who came here at a time when this was an all-male Senate, and it has improved substantially by the fact that it is no longer nor ever will be, I believe, in our lifetimes, an all-male body.

I apologize to the Presiding Officer who came to the Chair following the distinguished Senator from Nebraska. Of course, I refer to her with pride, I might say, and with gratitude, as Madam President.

I yield the floor.

The PRESIDING OFFICER (Ms. KLOBUCHAR). Under the previous order, the Senator from Alabama has 45 minutes.

CONGRATULATING SENATOR THAD COCHRAN ON HIS 10,000TH VOTE

Mr. SHELBY. Madam President, before I get into what I want to talk about this afternoon at length, and that would be Iraq and our military operation there, I would be remiss if I didn't say a few words about our colleague and friend, Senator THAD COCHRAN of Mississippi, the former chairman and now the ranking Republican on the Appropriations Committee, who cast, as we all know from our colleagues' talks today, his 10,000th vote in the Senate. I have known Senator COCHRAN for 28 years, since I first came to the U.S. House of Representatives. I can tell you, without any reservation, he is a gentleman. He is a bright, very engaged Senator. He knows the appropriations process, but he is courteous to all of us. He will always listen to us, although his position might be 180 degrees from what we are talking about.

I congratulate him for this achievement. This is a milestone in the Senate. I don't know if I will ever be here for 10,000 votes. Not many people, as Senator BYRD mentioned this morning, have. So this is a feat in itself. I congratulate Senator COCHRAN for his diligence and his service to the Nation and to the people of Mississippi in the Senate and, before then, in the House of Representatives, and also as a naval officer, as a young man out of Old Miss Law School.

IRAQ

Mr. SHELBY. Madam President, I rise today to discuss U.S. military operations in Iraq.

Four years ago, we invaded Iraq to disarm an oppressor's regime and restore control of that country to its own people. In the early hours of March 20, 2003, the United States, joined by our coalition partners, began a military campaign against the regime of Saddam Hussein. Code named "shock and awe," the first 24 hours of combat operations filled the country with punishing air attacks. As the massive firestorm of bombs and missiles targeted Iraqi leadership, ground forces rolled towards Iraq's capital.

Without question, our military operations were swift and decisive. Approximately 120,000 U.S. troops, as well as a number of forces from our coalition partners, led the invasion into Iraq. Ground forces moved into Baghdad, formally occupied the city, and the Hussein government collapsed approximately 3 weeks after military operations began. Saddam Hussein and his top leadership were captured, killed, or forced into hiding by coalition forces.

With Saddam on the run many Iraqis celebrated the downfall of the oppressive regime.

While some fighting in Iraq continued, the major battles appeared over just one month after the start of the military campaign. And 43 days after announcing the beginning of the war, President Bush declared that, "Major combat operations in Iraq have ended. In the battle of Iraq, the United States and our allies have prevailed."

Undoubtedly, the President was wrong. After remarkable success during the initial combat operations, it appears that the Bush administration did not sufficiently prepare for the consequences of their military victory. The Bush administration could not have known everything about what it would find in Iraq.

But it could have, and should have, done far more than it did.

As George Washington once said, "There is nothing so likely to produce peace as to be well prepared to meet the enemy." In the aftermath of the overthrow of Saddam Hussein and the Baathist regime, the U.S. proved it was ill-equipped for the post combat environment it would face. As a result, the Bush administration made grave and glaring political, military, and intelligence miscalculations.

As it turned out, the defeat of the Iraqi army was just the beginning of the war. Prewar plans drastically underestimated the number of troops necessary in a post-Saddam Iraq.

The troop level of the invasion force proved inadequate to hold the country together after Saddam's regime was removed. The Bush administration failed to heed the warnings of experienced, senior military officers who stressed the need for a large force structure in country to provide security.

In particular, on the eve of the invasion, then Chief of Staff of the Army, General Eric Shinseki, predicted "something on the order of several hundred thousand solders" would be required to keep peace in a postwar Iraq.

While it is evident that General Shinseki was on the mark with his force calculations, the general's comments were quickly dismissed by the Department of Defense as "wildly off the mark." Consequently, the U.S. invaded with what proved to be an insufficient number of troops to secure a postwar Iraq.

Immediately after the invasion, it was readily apparent that serious miscalculations, poor prewar planning, misguided assumptions, and wildly optimistic administration reporting was the order of the day. When the Iraqi Government collapsed, there was no framework in place capable of filling the military, political, and economic void.

U.S. combat units were assigned to patrol large urban areas with no sense of their mission and no standard set of operating procedures. Looting and other criminal activities were rampant. The U.S. forces were vastly inadequate to control the mounting violence, since the Bush administration had mistakenly believed that U.S. forces would be greeted as liberators rather than as occupiers. The reality was widespread lawlessness throughout the country.

To make matters worse, Secretary of Defense Donald Rumsfeld denounced the extent of the chaos as simply an expression of pent-up hostility towards the old regime.

"It's untidy." Rumsfeld said. "And freedom's untidy. And free people are free to make mistakes and commit crimes."

We clearly underestimated the disorder and chaos the toppling of the regime would cause. Then we failed to effectively respond to it once it did. The Bush administration simply did not believe that a major reconstruction effort would be required and they were unprepared when the Iraqi infrastructure collapsed. As a result, interagency rivalry and turf wars between the Departments of Defense and State plagued the immediate restoration of security and basic services.

Amid the escalating violence and civil disorder, the Department of Defense deployed a small reconstruction effort, led by retired Lieutenant General Jay Garner. Garner became the Bush administration's fall guy for the problems and chaos in Iraq. He was blamed for not implementing key services or restoring order fast enough. Yet, he was prevented from cooperating with planners in the Central Command and denied key personnel increases. He was replaced less than one month after reconstruction efforts began.

At this critical juncture, perhaps the single most important event in the destabilization of Iraq after the cessation of large scale military operations occurred—Garner's replacement, Ambassador Paul Bremer, demobilized the Iraqi Army.

The abrupt decision in May 2003 to disband the entire force, including apolitical conscripts, may have been one of the most grievous mistakes made by our occupying force. The decision allowed enemies of a democratic Iraq the time necessary to regroup and infiltrate the under-secured nation.

We disbanded an organization that would have been vital for providing security and assisting in the rebuilding. The 300,000 strong force almost immediately morphed from soldiers to bitter, unemployed, armed terrorists who became prime recruits for the insurgency efforts. The result of this one decision, gave an enormous boost to the forces of instability in Iraq.

In the fall of 2003, the administration faced the dilemma of securing a nation with a limited occupation force and no Iraqi security structures in place.

While the Bush administration could have opted to deploy additional forces from the United States, the Department of Defense chose to speed up the Iraqi Army training program. The effect, inevitably, produced Iraqi soldiers who were neither properly trained nor fully committed to the mission.

This problem became even more severe with the creation of the Iraqi Civil Defense Corps. The Corps' purpose was to provide local militia forces as adjuncts to the Iraqi army. However, the Bush administration was impatient to create more Iraqi troops to illustrate that additional U.S. forces were unnecessary.

They once again increased the training pace which restricted the vetting process of the Iraqi troops. The result was an Iraqi Civil Defense Corps limited in its combat capability, thoroughly infiltrated by insurgents, who predictably collapsed whenever committed to combat.

With nothing to fill the power void left by the regime's fall, the U.S. ended up creating a failed state that allowed the insurgency to develop.

The United States did not anticipate the deeply divided Iraqi society—one with the Sunnis resentful over the loss of their dominant position and the Shiites seeking power commensurate with their majority status—would devolve the country into sectarian violence.

The Bush administration was clearly unprepared for the likelihood that these ethnic differences and the dramatic shift in the power dynamics would cause the sects to engage in violent conflict. Perhaps even more importantly, the administration did not foresee that the U.S. military, as an occupying force, would itself be the target of resentment and armed attacks.

Since the invasion, lingering Shiite resentment and Sunni fears associated with the shift in power have helped transform local and individual political or economic disputes into broader religious confrontations. Moreover, the Bush administration insisted that all of the problems of the country were caused by the insurgency, rather than that all of the problems of the country were helping to fuel the insurgency. Security was not established after the fall of the Ba'athist government and still remains beyond our grasp.

As a result, the hardening of sectarian and ethnic identities in a postwar Iraq has created significant anxiety among Iraq's neighbors, many of whom also have religiously and ethnically diverse populations. Toppling the regime and dismantling the Iraqi armed forces removed a potential military threat to the Middle East region. Yet, it also eliminated the area's principal strategic counterbalance to Iran. The instability and violence in Iraq, coupled with Iraq's neighbors' fears of an emboldened and potentially hostile Iran, has created new concerns among Middle Eastern nations and sparked increased interest in the future of Iraq.

In particular, Gulf governments worry that escalating sectarian violence in Iraq could spread to Iraq's mainly Sunni neighbors and force them into conflict with Shiite-controlled Iran. Gulf governments also believe that regions in Iraq could become safe havens for terrorist organizations if the Iraqi government collapses or the U.S. withdraws troops precipitously.

As we debate a strategy for Iraq, we need to make certain we paint the big picture and understand what is at stake. If we precipitously withdraw our troops, we will open the door for the Iranians to exert even more influence in both Iraq and the Middle East.

Iran clearly has regional aspirations that will significantly increase without a counterbalance in the Persian Gulf.

However, more than just the strategic balance of the region is at stake. The oil reserves in Iraq are vast—believed to be only second in size in the Middle East to those of Saudi Arabia. Imagine over half the world's oil in the hands of the mullahs in Tehran. Picture the world with another nuclear power that hates the United States and all it stands for. The President is correct when he states that those who say the future of Iraq is not a direct threat to our national security are deluding themselves.

Madam President, we are now living with the consequences of successive policy failures. The blunders, miscalculations, and failed leadership made by the Bush administration continue to this day.

As I stand here today, one thing is clear—we are at a crossroads.

One month ago, President Bush addressed the Nation and outlined a new strategy in Iraq. Since that time, the merit and purpose of escalating U.S. troops has been debated around the country. This week, the Senate brought forth several resolutions expressing various viewpoints on the subject.

One resolution, introduced by Senators WARNER and LEVIN, disagrees with the troop escalation strategy, but like all the resolutions on Iraq, it is not binding. It cannot deter the President from sending more troops. It cannot withdraw the troops currently in Iraq. And it does not limit the President's power as Commander-in-Chief. That is set in the Constitution.

However, what this resolution does is state that we, the United States Senate, the same body that 4 years prior authorized the use of force in Iraq, no longer has confidence in the U.S. strategy in Iraq.

Far more significantly, it sends the message to our brave fighting men and women that although the Senate will not stop you from deploying and engaging the enemy, we do not think you can succeed in your mission. That is a message I refuse to send.

Therefore, I do not support the Warner-Levin resolution. Our service members need clear direction—not mixed messages from the United States Senate. The Armed Forces need support, both materially and morally, from the policymakers who sent them into combat. Ambiguity has no place in our strategy or operations in Iraq.

My opposition to this resolution, however, should not be confused with blind support of the President's policy. I have grave concerns and serious doubts about the future of Iraq and what role the United States will play there. As we scrutinize the new strategy put forth by the President, numerous and troubling questions arise about the future of U.S. involvement.

Should we put more of our servicemembers in harm's way?

Is the number of troops in the surge enough? Or do we need more?

Is it too late to recover and should we just cut our losses and begin to withdraw our troops?

If we did withdraw, what would be the cost?

American prestige?

An unleashing of transnational terrorism?

The establishment of Iran as the dominant force in the Middle East?

Will the Iraqi government step up to help secure the country? Or will sending more troops only delay Iraq's government from taking more responsibility?

The questions could go on and on. In the words of Winston Churchill who once said, "You ask, what is our policy? You ask, what is our aim?" I believe there are three fundamental questions that must be answered before moving forward:

What is our goal in Iraq? How do we measure success? Just stating that success is the establishment of a democratic and secure government in Iraq is too broad a definition. It represents an endless engagement for the U.S. We need more definable, measurable objectives. That is a basic principle of war.

How do we achieve it? What is our strategy? Not just our military strategy, but our overall strategy involving military, political, economic, and social components.

And is this new plan set forth by the President a viable option? Is it a rational strategy that will lead to achieving our objectives, which will in turn lead to success in Iraq?

When combat operations began, our goal was straightforward—to enable Iraq to be stable, unified, and democratic, able to provide for its own security, a partner in the global war on terror, and a model for reform In the Middle East.

Four years later, the country has descended into chaos. While the formal political framework for a democratic government has advanced, insurgent and sectarian violence has increased and become more widespread. Is it still plausible to believe that the U. S. can unify this country so that it will be able to sustain a viable democratic government?

We are fighting an insurgency in Iraq. American forces and the Iraqi people have the same enemies—the Shiite, Sunni, and al-Qaida terrorists, illegal militias, Iranian agents, and Saddam loyalists who stand between the Iraqi people and their future as a free nation.

Only through a combination of military force, political dialogue, economic development and reform, and increased security for the population will we be able to restore peace. Therefore, we are now confronted with this question: How . will the United States reverse Iraq's steady decline into sectarian and radical religious chaos and bring stability to violence-torn parts of the country?

In the announcement of an imminent deployment of 21,500 additional U.S. servicemembers to Iraq, the Bush administration radically shifted its Iraq policy.

By increasing the amount of "boots on the ground," many of the basic tenets of the President's Iraq strategy thus far have been repudiated—in particular, that political progress would eventually suppress the violence. The question now becomes, will the increase in our armed forces in Baghdad help stabilize the country and stop the spiral into a civil war, or is it too late?

We have entered into a quagmire, and there is no easy exit. This is not a war that will be won overnight and it is dangerous to believe that if we set an artificial time line to withdraw troops that the terrorist violence would not follow us home.

The consequence of failure in Iraq is the strengthening and growth of radical extremists who will use the country as a safe haven for their terrorist organizations to threaten the safety and security of the United States and the entire free world.

No one appears to have the answer to the calamity that is the current state of affairs in Iraq.

Even those outspoken detractors of the Bush plan do not offer practical alternatives. Cutting and running is not an option, not for the United States. Even the appearance of doing so under another name is unacceptable, I believe, at any level. It is clear, though, that things cannot continue forward on this path. The administration and the Congress must find a viable strategy for U.S. involvement in Iraq.

I will not stand before you, Madam President, and assert that the Bush plan is not without flaws, nor will I state I am completely confident an additional 21,500 troops will turn the war around, will stabilize Baghdad. We will know that answer soon enough, all of us. But what I do know is this: When you vote to send troops into combat, it becomes your responsibility to ensure their mission is clearly defined, they have realistic military objectives, and they have the best equipment to achieve these goals.

As Congress debates the President's plan—and we will—as new ideas and strategies, perhaps new resolutions are brought forward, one thing, I submit, must remain constant: the support we give our soldiers, our service members around the world in harm's way.

I acknowledge there are different views within Congress about the way forward in Iraq, but Congress, in my judgment, should never let political infighting lead to bartering for bullets. Cutting off funding for our troops or even under any kind of name or guise should never be an option. The members of the U.S. Armed Forces willingly face grave dangers for each and every one of us. They have bravely faced sometimes an unknown enemy and have done everything that has been asked of them. Abandoning our servicemembers, our soldiers, hampering their ability to fight or cutting off funds for necessary military equipment or supplies cannot be an alternative, in my judgment. We should never take any action that will endanger our Armed Forces fighting in combat.

No one, I believe, wants to bring our troops safely home more than I do or you do, Madam President. Yet while many oppose sending more troops, no one in Congress has yet proposed an alternative that allows Iraq to stabilize. Therefore, the last question I pose to the Senate is: Why is no one looking for a way to win as opposed to simply a way out? This should be part of the debate in the few weeks ahead.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LOTT. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LOTT. Madam President, if I may inquire about the situation, are we now considering the continuing resolution, the appropriations bill?

The PRESIDING OFFICER. The Senate is in a period for the transaction of morning business. The Senator is permitted to speak for up to 10 minutes.

CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2007

Mr. LOTT. Madam President, I will take advantage of the 10 minutes, then, to talk about the pending continuing resolution or, as others refer to it, the Omnibus appropriations bill. I have watched bills of this nature come and go over the years. Obviously, it is not the best way to do the job.

On occasion—I remember back in 1996 and two or three times since I have been in the Senate—we actually completed all of our appropriations by the end of the fiscal year, and that is the way it ought to be done. In order to get that done, we have to start working on it in May, not June, not July, and not in the fall. Regular order is the way it should be done, and I am pleased to hear our two leaders say that is the way they intend to proceed this year.

But for a variety of reasons, sometimes in spite of our best efforts, we don't often complete our work by the end of the fiscal year because it is quite difficult to get agreement as to what the figures will be in providing funds for the people's business in the Federal Government.

And so we pass these continuing resolutions. They always bother me because they pull in a huge number of agencies, bureaus, departments, and money into one big pile, and it is very hard to know all that is going to go on as a result of that kind of procedure. That is where we find ourselves.

This is a $463 billion bill, as I am sure others have pointed out, and it funds most all of the discretionary programs of the Federal Government, from transportation and education to housing. The only thing it doesn't include is defense and homeland security. And so here we are trying to finish up that process for this year's funds, this fiscal year.

We can certainly exchange criticisms of how we got here, and I think there is some legitimate criticism that is due. But the way we handled things the last time we had a similar situation, in 2003, we did go through an amendment process. According to Senator McCONNELL, I think we had close to probably 100 amendments. We voted about 30 times, but we got through it in a reasonable period of time, and we can do that here, too.

I understand the leadership would like to go ahead and move through this as quickly as possible and get on to the regular business in the calendar year, so I can't be too critical about that. But I am very concerned about how we deal with some of the substantive issues in this legislation.

I have no doubt Democrats and Republicans have issues they think should have been funded that are not going to be funded by this bill, and others believe some of the things that are funded shouldn't be. One should never believe that there are not earmarks on an appropriations bill. I have tried to deal with earmarks. I have tried to out-wrestle appropriators ever since I have been in Congress, going back to when I was in the House. You always lose because they know where all the numbers are buried. So don't be fooled. There are some earmarks in here. Maybe they are justified. There are what we call anomalies, which are those situations where if we do not increase the funding it will create some problems.

The perfect example is the Federal Aviation Administration. We don't want the FAA furloughing air traffic controllers, so we have to add enough funds to make sure they have their straight-line funding or whatever is necessary to make sure they can continue their operations.

There are, however, two or three areas that specifically bother me. I am not a fan of the base closure procedure. I have voted against it every time it has come up while I have been in Congress. I did it in the House, and I have done so in the Senate. I have always opposed BRAC. I think it is an abrogation of responsibility of those serving in the Congress. We shouldn't hand off to some commission the decision as to whether we leave a base open or close it, or what troops are moved in and moved out.

Rightly or wrongly, we did it. As part of that package, we told our different communities that we were going to clean up the base facilities that were going to be closed and that we were going to have remediation so that when the community got it back they had something that was usable and not environmentally dangerous. We told communities in Kansas and in Georgia that we were going to move huge new numbers into their bases to take the place of bases that we were closing in Europe and other bases around the country.

We said we were going to provide additional funds to provide training facilities and living facilities to improve the quality of life for our troops and their families, so that when they do come back by the thousands—and 12,000 are being added to at least one of the bases in the country—we will have the facilities to provide for proper housing and training.

This bill, however, cuts out $3.1 billion that was to go for that purpose, and it redistributes that money around social welfare spending. We can debate the value of those other programs, but my question is: Is that a wise thing to do right now when we are trying to bring some of our troops home from Europe? Who are they defending the Europeans against? The Soviet Union? It is gone. Eastern Europe is part of Europe now. So I really am concerned.

I do think we should have it paid for, and a .8-percent, across-the-board cut will take care of the funds so that it is revenue neutral. I just think it sends a terrible message, once again, to our troops, troops whom we have been fighting to bring home from these remote assignments, that when they get here there is going to be a problem. They are going to be living in World War II barracks in Fort Leavenworth, KS. I am sure Senator ROBERTS talked about that. And that is an issue we need to address.

Some people have said we will add the $3.1 billion back with the appropriations supplemental bill, but that means it will be added to the deficit. I think we should provide the funds and make sure they are paid for.

There are a number of other areas to which others have referred. Education is one area. We can argue over our priorities, but I have every reason to believe that there are some areas in education where we need to be able to adjust the numbers a little bit.

So I wanted to talk about the substance, first of all. I think Republicans and Democrats should be able to have a reasonable number of amendments. I am not for an unlimited number. I don't think we should use it to be dilatory. But there has never been a bill written that was perfect, and neither is this one. We need to have a few opportunities for Democrats and Republicans to offer some relevant amendments.

I don't think we ought to get off and relitigate budget issues or budget process issues or issues with regard to Iraq but not directly related here, but I do think we should allow a few amendments. I would urge our leaders to come to that agreement. I would urge Senator REID to be amenable to that. The majority is never going to be able to force their way in the Senate. It doesn't make a difference how big the majority is or how much power they have. It doesn't work that way. How do I know? I found out the hard way, more than once.

I don't think we should have a permission slip in the Senate. We can't have a deal where in order to offer an amendment we have to have permission. No. This is the Senate. Senators are going to offer their amendments. Sooner or later, they are going to do it.

I even filled up the tree. I am tied for the record of filling up the tree. Senator George Mitchell and I are the champs. I filled up the tree nine times, and I blocked amendments. What happened? They were all back on the next bill. If I out-maneuvered them and pushed them off from that bill, they were back on the next bill.

In fact, it seemed as though the same 100 amendments appeared on every bill. Sooner or later in the Senate the majority has to ante up and kick in. We have to just let out a little steam, just a little pressure, turn the spigot a tad. If you don't, it is going to blow up in your face.

We are all adjusting to our new roles. We are learning how, once again, to be in the minority. It is not the preferred role, but it is one where we can have an effect, and it can be fun. There is a new majority in town. Lots of power. They are going to run this thing.

No. This is a consensus body. We will adjust. We will learn our new role, the loyal opposition within the Senate, as will the majority.

The one thing I like about our leaders now in the Senate, these are experienced hands. These are not new kids on the block. They know what they are doing. They are naturally going to have to test each other out a bit, but I believe with time we are going to see the Senate make a little more progress.

I wish we could begin that on this bill. We are not going to agree to a deal where the majority leader says: OK, I give you a permission slip to offer an amendment, and by the way, I am also going to tell you what that amendment is. No. No. That is not going to happen. It might happen here, or it might happen there, but the majority cannot ultimately dictate things like this, especially when we are talking about things such as abandoning assistance for AIDS babies.

There are some things we can do with babies who have AIDS. There are drugs that can keep them from being born with AIDS, or to address their problems and they live a happy, normal life. So we don't want to eliminate that funding. That is just one example of where we need to have an amendment in order, and I hope that we will find a way to do that.

Madam President, $460 billion is a lot of money, and most of it is for very good purposes, but this is the Senate, and I hope we can find order and a way to do this. We could probably get three or four amendments on each side, have some debate on those amendments, and be out of here by next Wednesday and feel as though we did the best we could. I think that would be a good idea. I think it would be good for the country.

I am committed to being here and helping in any way I can. There is nobody here who has ever been in leadership who has clean hands, but I think we ought to learn from the past, learn from the recent past and find a better way to get the job done.

Madam President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COCHRAN. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING LEWIS H. WHITE, JR.

Mr. COCHRAN. Madam President, when most Americans were celebrating annual religious holidays and the beginning of a new year, my family was mourning the loss of one of our favorite and most outstanding relatives, Louis H. White, Jr. Louis White was the husband of my father's sister, Dale White. Their children, Charlotte and Curtis, in addition to being my first cousins, were good friends as well.

Louis White was a member of the fabled "greatest generation," made up of those who left homes and families and volunteered to serve in the armed services during World War II. He left college at Mississippi State University and became an officer in the Army Air Corps. He was qualified soon as a pilot of a B–17 and flying combat missions over Germany. He and his crew were shot down eventually, and he spent several months in a prisoner of war camp before being liberated by the Russians as they moved into Germany from the east.

After the war, after completing his engineering studies, graduating from college, he became an outstanding engineer, enjoying a career of great success as a paper company executive, where he designed and managed the operation of several large paper mills in Florida, Alabama, and Texas.

My parents, my brother, and I often enjoyed visits with him and his family during holidays, particularly when they were living on Santa Rosa Island, near Pensacola, FL.

When Louis retired, he was a senior staff project engineer with BE&K, an engineering firm in Birmingham, AL, where he was involved for 11½ years at high levels of management in the paper industry. At his retirement celebration, it was said he should qualify for the "Guinness Book of World Records" because of 52 years of never missing a day of work because of illness or the weather.

His first job, incidentally, was at age 14, when he was a dairy delivery boy. He always was dutiful and dependable. In the German prison camp, for instance, he developed an exercise routine that helped save his life and the lives of those who decided to exercise with him every day. He once told me about a Red Cross package that would come with an assortment of things that would help the prisoners survive, that they included things such as vitamin pills, cigarettes, and other things. He would trade the cigarettes for vitamin pills, for those who wanted to swap.

His example of generosity with his voluntary contributions in the communities where he lived to the schools his children and grandchildren would attend, helping install, personally, the infrastructure of cables and wiring necessary for all the classrooms to have computers, for example, were marks of his contribution to his community.

The quality of his life, the patriotism he displayed, his courage in battle, his survivability under the most difficult and challenging circumstances in the prisoner of war camps, his loyalty to his family and the level of excellence of his career as an engineer in business and industry are worthy of emulation and high praise.

I extend my heartfelt compassion and love to his wife and family members who miss him greatly. We wish them well and thank them for the support they gave him throughout his life and his career.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

CONGRATULATING SENATOR THAD COCHRAN ON HIS 10,000TH VOTE

Mr. SPECTER. Madam President, I sought recognition for a number of purposes. But first, let me congratulate my distinguished colleague, the senior Senator from Mississippi, for casting his 10,000th vote today. Senator COCHRAN came to the Senate after the 1978 election, having served previously in the House of Representatives for 6 years, and has had an illustrious career. He served on the Judiciary Committee for 2 years and demonstrated, at an early point in his Senate career, his wisdom by leaving the Judiciary Committee after only 2 years. All those hot-button issues—school prayer, abortion, flag burning, et cetera—were not for Senator COCHRAN. He was on the big issues of the day and specialized in appropriations.

He has been the distinguished chairman of the Appropriations Committee and has an outstanding record. I challenge anybody to search the record, 10,000 votes, and find any mistakes by Senator COCHRAN. It has been, truly, an outstanding career.

Beyond his extraordinary capability as a Senator, he is always of good cheer, always personable, always upbeat. He has made a great contribution to the Senate and to the House before that. He will have many more years of very distinguished service for the Senate.

SENATE RULES CHANGE

Mr. SPECTER. Madam President, I turn to the subject of submitting a resolution which I spoke about yesterday, and I do formally submit the resolution at this time. This resolution will eliminate the practice of filling the tree, which means there is a procedure to eliminate the opportunity of a Senator to offer an amendment.

This is a particularly problemsome week for the Senate. We are on Thursday, and twice this week action has been taken in the Senate, on two separate matters, to foreclose Senators from offering amendments. I spoke on Monday and again yesterday on the subject of U.S. policy in Iraq, and we have a bill which has been offered by Senator LEVIN, and the majority leader was expected to fill the tree, if given an opportunity to do so. No denial has been made of that practice, which was anticipated by the majority leader.

A motion to proceed is a debatable motion under Senate rules. When you have a matter as important as the Iraq war, there ought to be very careful consideration given by the Senate—reputed to be the world's greatest deliberative body. Immediately upon taking up the bill, the majority leader filed a cloture motion. It was kind of odd, even for people not versed in Senate procedure, to bring up a bill which is debatable and immediately to file a motion to cut off debate, but that was what was done.

On the Republican side, there was an interest in having alternative resolutions, ideas considered—by Senator MCCAIN, to support the surge with benchmarks; by Senator WARNER, to express opposition to a surge of 21,500; and by Senator GREGG, to have a resolution which would deal with the prohibition against funding for the troops—which obviously nobody wants to do. The troops are in harm's way. We are not going to cut off funding.

But behind the scenes what was happening was negotiations between Senator REID and Senator MCCONNELL—the agreement could not be reached giving the Republicans a fair opportunity to offer alternative resolutions, so almost all Republicans joined together to reject the cloture motion and keep the debate going.

It is not understood in America what is happening because it is arcane, it is esoteric, it is unintelligible—they can't figure it out. But the popular view, the public perception was the Republicans were trying to protect the President, to cut off debate on the Iraq policy and not to have a vote. That, simply stated, was not true.

I have been on the record for some time, expressing my skepticism about the surge position. There is no doubt that Senator WARNER opposes the President's position because he is the author of the resolution to express disapproval on the surge position. He voted against cloture. No doubt, Senator HAGEL was against the President's proposal. He has been the most severe critic of the President's proposal. Senator HAGEL also voted against cloture, as did almost all Republicans. But the perception was the Republicans were trying to block debate in the consideration of the resolution of disapproval.

After I announced my intention to introduce this rule change, I went to the third floor, to the press gallery, to sit down with the reporters to explain and to answer questions, to try to get a public discussion on what was happening. One of the reporters from the wire services commented that no story was written about it because it couldn't be explained to anybody beyond the beltway. It could not be explained.

Two of the newspapers on Capitol Hill carried brief stories about it, but the matter has been dropped. Republicans have lost the public relations battle. The issue will be taken up in the House. Maybe it will be reconsidered in the Senate. But this procedure of allowing the majority leader to stop alternative considerations is inappropriate and unfair.

There are some pretty good authorities for the proposition that this procedure is inappropriate. I wish to cite three very distinguished Senators: Senator HARRY REID, the majority leader; Senator RICHARD DURBIN, the assistant majority leader; and Senator CHRIS DODD, Democrat from Connecticut. As I said yesterday, this business about filling the tree has been practiced by both parties. The Congressional Research Service did a study that showed that going back to Senator DOLE in the 1985–1986 Congress, every majority leader has used this procedure—Senator Dole, Senator BYRD, Senator Mitchell, Senator LOTT, Senator Daschle, Senator Frist, and now Senator REID, twice in 1 week. In the fifth week of the new session, it is twice already being used. So that Democrats and Republicans are equally at fault. If people want to know whom to blame in Washington, it is a pretty good conclusion it is equally divided, that the bickering is the responsibility of both parties—a plague on both houses.

But when we Republicans controlled the Senate and we had the PATRIOT Act, Senator REID had this to say on February 28 of last year. He was speaking in defense of a fellow Democrat's ability to offer amendments to the PATRIOT Act reauthorization. This is what Senator REID said:

> Of course, even a good bill can be improved. That is why we have an amendment process in the Senate . . . I am disappointed that he has been denied that opportunity by a procedural maneuver known as "filling the amendment tree."
>
> This is a very bad practice. It runs against the basic nature of the Senate. The hallmark of the Senate is free speech and open debate. Rule XXII establishes a process for cutting off debate and amendments, but Rule XXII should rarely be invoked before any amendments have been offered.

That is what Senator REID said less than a year ago. I couldn't say it better. In fact, I couldn't say it as well.

Then, a few days later on March 2, Senator REID said this:

> Don't fill the tree. This is a bad way, in my opinion, to run the Senate.

Then Senator DURBIN spoke on May 11 of 2006 on the tax increase prevention and reconciliation act. Speaking about that conference report, this is what Senator DURBIN had to say:

> The Republican majority brings a bill to the Senate, fills the tree so no amendments can be offered, and then files cloture, which stops debate. So we cannot have this conversation. We cannot offer amendments.

Well, that is exactly the plan for the Iraq issue, and that is what is being done now on the continuing resolution which has been filed.

Senator DOLE had this to say, speaking about health care legislation:

> I want to point out to our colleagues why I am terribly disappointed with the procedures we have been confronted with this evening dealing with this legislation . . . This is the Senate. This Chamber historically is the place where debate occurs. To have a process here this evening . . . to basically lock out any amendments that might be offered to this proposal runs contrary to the very essence of this body . . . If you believe the Senate ought to be heard on a variety of issues relating to the subject matter—when the amendment tree has been entirely filled, then obviously we are dealing with a process that ought not to be . . . the Senate ought to be a place where we can offer amendments, have healthy debate over a reasonable time, and then come to closure on the subject matter.

Well, ARLEN SPECTER doesn't have to say anything more on the subject because Senator REID, Senator DURBIN, and Senator DODD are much more eloquent than I. So I offer this resolution to correct this problem for the future. It is very hard to change a Senate rule, but nobody has proposed it in the past, to my knowledge, and today we will start on it.

Beyond the procedure used by the majority leader, the leader of the Democrats, to shut off debate and consideration of alternative proposals on the Iraq policy, the majority leader has utilized the procedure again on the continuing resolution.

Now the continuing resolution characteristically is a brief document, usually about a page, which says the Government will continue to operate under existing appropriations, since there has not been time to consider a new appropriations package. But what we have in H.J. Res. 20 is an omnibus bill running 137 pages. I want to have an opportunity to amend it. Other Senators want to have an opportunity to amend it. Some have spoken on the floor of the Senate here today. But we are foreclosed from doing so.

When the announcement was made that we were going to go to this kind of a procedure, in my capacity as chairman last year, now ranking member of the Appropriations Subcommittee on Labor, Health and Human Services, and Education, I wrote a letter to Senator REID asking that we follow regular order and consider the appropriation bills sequentially. I sent identical letters to Speaker PELOSI, the Republican leader, BOEHNER, in the House, Senator MCCONNELL, Senator BYRD, Representative OBEY, Representative LEWIS, and Senator COCHRAN, the leaders of both bodies and the chairmen and ranking members of both Appropriations Committees. Because if we had the will; we had the time; we had the way, to get it all done. But the leadership has chosen not to follow that path, and now we have a continuing resolution which does not allow for any amendments. That is not in the public interest.

After having been in the Senate for 26 years and being on the Appropriations Committee for 26 years, I have turned into a rubberstamp. That is what the Senators are here, those who did not have a say in the preparation of this continuing resolution. We are all rubberstamps: Take it or leave it. Now we would employ the procedure used on the Iraqi issue to avoid cutting off debate, but the Treasury will run out of money at midnight on February 15—that is Thursday night—so we have the option of closing down the Government if we don't approve this rubberstamp procedure, and we are not going to do that. We had experience with the closing down of the Government back in December of 1995, and it was a very bitter experience; great political peril in closing down the Government.

Here we have a very important measure. For a few minutes I want to point out what has happened to the subcommittee which funds health care, which is our No. 1 capital asset; you can't do anything if you don't have good health, and I can testify to that personally from my own experience in the last 2 years. Secondly, education. If you are not trained, you can't do anything, even with good health. The Department of Labor on job training and worker safety. The level of the budget for fiscal year 2005 was $143.4 billion. The President has proposed a budget for fiscal year 2008 of $141.5 billion. If you take a look at the cuts in the budget for Health, Education and Labor and you add in the inflationary factors, the committee is being asked to operate at a level of $14.7 billion less than the fiscal year 2005 budget. That simply is inadequate to take care of the National Institutes of Health, offering the greatest chance through medical research to find cures for Alzheimer's and Parkinson's and cancer and heart disease; funding for Head Start, funding for Title I, funding for education programs, funding for job training. It simply is totally insufficient.

Those are the kinds of matters we ought to address on this continuing resolution. That is what we ought to be talking about, instead of having our last vote before noon on a Thursday as part of our 5-day workweek. We have yet to see that; we have yet to take the time we need to consider these matters. Had we taken up these appropriations bills in regular order, as I asked the leadership back on January 10, we would have had adequate time to do so.

It is my hope that one day, and hopefully sooner rather than later, the Senate will change its rules so the majority leader will not be able to create a procedural morass to stop Senators from introducing amendments. It is my hope Senator REID's admonitions when the shoe was on the other foot back last year, that filling the tree is a bad practice, it runs against the basic nature of the Senate, the hallmark of the Senate is free speech and open debate, and similar comments by Senator DURBIN and Senator DODD, that we will be able to have a process so when an issue such as Iraq comes before the Senate, we can function as a deliberative body and we can have debate; we can consider alternative matters, and we can decide what U.S. policy should be. Because the President is not the sole decider. It is a shared responsibility; that when we have a budget and a resolution to fund the U.S. Government, we are not shut out from offering amendments.

Madam President, I ask unanimous consent that the resolution be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. RES. _____

Resolved, That (a) rule XV of the Standing Rules of the Senate is amended by adding at the end the following:

"6. Notwithstanding action on a first degree amendment, it shall not be in order for a Senator to offer a second degree amendment to his or her own first degree amendment.".

(b) The amendment made by subsection (a) shall take effect at the beginning of the 111th Congress.

Mr. SPECTER. Madam President, I ask unanimous consent that the summary of the statements of Senators REID, DURBIN, and DODD be printed in the RECORD at this time.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Sen. Reid (NV)—talking to a new Senator in the chair. "she should have seen when the Republicans were in the majority. We didn't have amendments. They filled every tree." 2/6/07 (Tues.) Iraq debate

Sen. Reid (NV)—Speaking in defense of a fellow Democrat's ability to offer amendments to the Patriot Act reauthorization: "Of course even a good bill can be improved. That is why we have an amendment process in the Senate . . . I am disappointed that he has been denied that opportunity by a procedural maneuver known as 'filling the amendment tree.' This is a very bad practice. It runs against the basic nature of the Senate. The hallmark of the Senate is free speech and open debate. Rule [twenty-two] XXII establishes a process for cutting off debate and amendments, but Rule XXII should rarely be invoked before any amendments have been offered . . . I will vote against cloture to register my objection to this flawed process." 2/28/06 Patriot Act Reauthorization

Sen. Reid (NV)—"Don't fill the tree . . . That is a bad way, in my opinion, to run this Senate." 3/2/06 Patriot Act

Sen. Durbin—Speaking about the 2005 Tax Reconciliation conference report: "The Republican majority brings a bill to the Senate, fills the tree so no amendments can be offered, and then files cloture, which stops debate. So we cannot have this conversation. We cannot offer other amendments." 5/11/06 Tax Increase Prevention and Reconciliation Act of 2005 Conf. Rept.

Sen. Dodd—Speaking about healthcare legislation: "I want to point out to our colleagues why I am terribly disappointed with the procedures we have been confronted with this evening dealing with this legislation . . . This is the Senate. This Chamber historically is the place where debate occurs. To have a process here this evening . . . to basically lock out any amendments that might be offered to this proposal runs contrary to the very essence of this body . . . if you believe the Senate ought to be heard on a variety of issues relating to the subject matter—when the amendment tree has been entirely filled, then obviously we are dealing with a process that ought not to be . . . .the Senate ought to be a place where we can offer amendments, have healthy debate over a reasonable time, and then come to closure on the subject matter." 05/11/06 Health Insurance Marketplace Modernization and Affordability Act of 2006

Mr. SPECTER. Madam President, I ask unanimous consent that a copy of my letter of January 10 to Senator REID, which notes identical records to the other leaders in the House and Senate, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, DC, January 10, 2007.

Hon. HARRY REID,
Majority Leader, U.S. Senate,
Washington, DC.

DEAR HARRY: In light of the significant problems caused to so many entities funded by the federal government to operate under a continuing resolution, I urge the leaders of both Houses and the Chairmen and Ranking Members of the Appropriations Committees of both Houses to bring the unfinished Appropriation bills for fiscal year 2007 to the floors of the House and Senate as early this year as possible.

The extraordinary problems caused for so many entities are typified by a letter which I received yesterday from Chief Judge Paul Michel of the United States Court of Appeals for the Federal Circuit. With this letter, I am enclosing a copy of Judge Michel's letter. I am also enclosing a copy of a memorandum prepared by my Staff Director on Appropriations, Bettilou Taylor, itemizing some of the major problems faced by federally-funded entities.

Last year, I tried repeatedly and unsuccessfully to have my Subcommittee's bill on Labor, Health & Human Services and Education brought to the Senate floor for action. My House counterpart, Chairman Ralph

Regula, and I were prepared to conclude our bill and wrap it up in a conference report. We could still do so on short order. As an alternative to considering the bills individually, there could obviously be an omnibus bill excluding earmarks which could be taken up in relatively short order.

I know there is other pressing business to be taken up by both Houses on many matters, but we could find time to complete action on key items from last year's appropriation process if we have a sense of urgency to do so.

I appreciate your consideration of this request.

I am sending identical letters to Speaker Pelosi, Representative Boehner, Senator McConnell, Chairman Byrd, Chairman Obey, Representative Lewis and Senator Cochran.

Sincerely,

ARLEN SPECTER.

Mr. SPECTER. Madam President, I ask unanimous consent that a letter from Judge Paul Michel to me, dated December 18, about the problems caused to the Federal judiciary to the U.S. Court of Appeals for the Federal Circuit, which was referenced in my letter to Senator REID and others, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. COURT OF APPEALS
FOR THE FEDERAL CIRCUIT,
Washington, DC, December 18, 2006.

Hon. ARLEN SPECTER,
U.S. Senate,
Washington, DC.

DEAR ARLEN: With the new Congressional leadership suggesting a Continuing Resolution at the 2006 appropriated level, the Judiciary is threatened with degradation of essential functions because of increased costs mandated by law. Thus, the funding level of 2006 applied in 2007 has the effect of nearly a ten percent reduction.

Although the Judiciary can and should improve efficiency and do its share of belt-tightening, the funding reduction suggested would impede critical operations to a material degree.

As your own proposals on habeas corpus, NSA wire taps, immigration and other priorities illustrate, federal courts are becoming not less but more important to the welfare of the country and to its security.

I imagine the new leaders are so focused on eliminating earmarks that they are unaware of the operational impact of the cuts being discussed. In addition to the Appropriations Committee and subcommittees, surely the Judiciary Committee has a crucial role here. As a member of the Executive Committee of the Judicial Conference, I would welcome the opportunity to brief you and Senator Leahy on this urgent subject.

Best,

PAUL R. MICHEL,
Chief Judge.

Mr. SPECTER. Madam President, I ask unanimous consent that the chart showing the fiscal impact on the budgetary process from the fiscal year 2005 to the President's recommended budget of 2008 be printed in the RECORD, demonstrating the problems we have on adequately funding health, education, job training, and worker safety.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Fiscal Years 05 Through 07

	Dollars in billions
FY'05 Enacted	$143.4
FY'06 Enacted	141.5
FY'07 President's Budget	137.4
FY'07 Budget Resolution—Specter/Harkin amendment passed (73–27) Assumed an additional $7 billion	
FY'07 302(b) allocation for Labor-HHS over the FY'07 budget	+5.0
FY'07 Senate reported bill	142.4
FY'07 Continuing Resolution thru Feb 15, 2007	142.1
FY'07 H.J. Res 20 plus additional subcommittee allocation	+2.3
Total Labor-HHS in H.J. Res 20	144.4
Total over FY'07 President's budget	+7.0

Fiscal Year 08

	Dollars in billions
FY'05 Enacted	$143.4
Inflation as measured by the price index for the GDP:	
To restore to the FY'05 level plus FY'06 inflation—3.1	3.5
To restore to the second year (FY'07) inflation—2.5%	2.9
To restore to the FY'08 inflation—2.4%	2.9
NIH:	
To restore NIH plus FY'06 biomedical inflation—4.5%	1.3
To restore NIH plus FY'07 biomedical inflation—3.7%	1.1
To restore NIH plus FY'08 biomedical inflation—3.7%	1.1
FY'08 with inflation only	156.2
FY'08 President's budget	141.5
Shortfall	14.7

Based on the updated inflationary costs—the FY'08 President's budget would require an additional $14.7 billion or 10.4% more to fund programs at the FY'05 inflation adjusted level.

Mr. SPECTER. Madam President, I ask unanimous consent that the summary prepared by the Congressional Research Service as to the use of the procedure to fill the tree since the 99th Congress be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TABLE 1.—INSTANCES WHERE A SENATE MAJORITY LEADER OR DESIGNEE FILLED THE AMENDMENT TREE: 1985–2006 [1]

Congress	Senate Majority Leader	Number of times floor leader/designee filled the tree	Measures/subjects on which tree was filled
99th (1985–1986).	Robert Dole (R–KS).	5	Congressional Budget Resolution Public Debt Limit Legislation National Defense Authorization Act
100th (1987–1988).	Robert C. Byrd (D–WV).	3	Parental and Medical Leave Act Campaign Finance Reform Omnibus Trade and Competitiveness Act of 1987
101st (1989–1990).	George J. Mitchell (D–ME).	0	
102nd (1991–1992).	George J. Mitchell (D–ME).	1	Balanced Budget Amendment
103rd (1993–1994).	George J. Mitchell (D–ME).	9	Economic Stimulus Legislation Gays in the Military Senate Whitewater Investigation

TABLE 1.—INSTANCES WHERE A SENATE MAJORITY LEADER OR DESIGNEE FILLED THE AMENDMENT TREE: 1985–2006 [1]—Continued

Congress	Senate Majority Leader	Number of times floor leader/designee filled the tree	Measures/subjects on which tree was filled
104th (1995–1996).	Robert Dole (R–KS). Trent Lott (R–MS) (As of 06/12/96).	5	Minimum Wage Increase White House Travel Office Investigation Constitutional Amendment on Congressional Term Limits Immigration Control and Financial Responsibility Act
105th (1997–1998).	Trent Lott (R–MS).	3	Bipartisan Campaign Reform Act ISTEA/Transportation Funding
106th (1999–2000).	Trent Lott (R–MS).	9	Education (Ed-Flex) Social Security Lockbox Year 2000 (Y2K) Legislation Africa Growth Act H1–B Visa Immigration Labor-HHS/Ergonomics
107th (2001–2002).	Thomas A. Daschle (D–SD). 01/03/01—01/20/01 and also. 06/06/02—01/07/03.. Trent Lott (R–MS). 01/20/01—06/06/02.	1	Homeland Security Act of 2002
108th (2003–2004).	William H. Frist (R–TN).	3	Energy Policy Act of 2003 Class Action Fairness Act Jumpstart our Business Strength Act.
109th (2005–2006).	William H. Frist (R–TN).	5	Lawful Commerce in Arms Act Tax Relief Extension Reconciliation USA Patriotic Act Amendments Health Insurance Marketplace Modernization Act

[1] As of September, 2006. Preliminary draft, subject to additional review and revision.

Mr. SPECTER. I thank the Chair, and I yield the floor. I know my colleagues are waiting to speak.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

CONTINUING APPROPRIATIONS

Mr. REED. Madam President, I want to speak very briefly about the resolution pending, H.J. Res. 20, the resolution that is funding the Government for the remainder of the fiscal year.

I particularly want to talk about the veterans health care issues in this continuing resolution. This is not a perfect solution to the problem of funding our Government going forward. Nevertheless, it is, I believe, an equitable and fiscally responsible approach, particularly since we are trying to address the failure of the leadership in the last Congress to pass all the appropriations bills.

We are in a very difficult position where this continuing resolution will get us through this fiscal year and allow us to begin to work on the following year 2008 fiscal year appropriations bills and budget so we can take all of those in regular order and hopefully pass them all by the end of this fiscal year, which would be September 30. The continuing resolution we are discussing today freezes the level of spending at most agencies at fiscal year 2006 levels, while at the same time increasing funding for priorities such as caring for our Nation's veterans. This is one of the key priorities Senator BYRD and others insisted upon. Frankly, I want to commend Senator BYRD for his leadership, as well as other members of the Appropriations Committee, for bringing this continuing resolution to the floor.

The resolution before the Senate would make veterans funding a priority by adding $3.6 billion above the fiscal year 2006 appropriated levels for the VA health care system. This is one of the few areas where there is a substantial growth in spending, and it is appropriate. If we do not take care of our veterans, then we are breaking a trust that they established by serving valiantly in the uniform of the United States, and we are sending a very bad signal to those young men and women who serve today. We honor their sacrifice by taking care of today's veterans, and certainly giving them the confidence that they will be taken care of in the future.

The VA estimates it will treat 219,000 more patients in fiscal year 2007 than it did in fiscal year 2006. So obviously they need the increased resources. The VA estimates it will have 4.2 million more outpatient visits this year than it did in fiscal year 2006, and the Veterans' Administration estimates it will treat almost 26,000 more patients on an inpatient basis this year than it did last year. For medical services and administration not provided, this increase would mean that the VA would be short more than $250 million a month—not total but $250 million a month—in funding for critical medical services, leaving the VA with little choice but to push out waiting times, defer maintenance, and put off purchasing new equipment.

Included in this $3.6 billion increase is an additional $271 million for medical facilities. First-rate medical facilities are essential to deliver first-rate health care services to our veterans. The additional funding will ensure that leaky roofs and broken pipes will be fixed in a timely fashion. It also means there will be no disruption in food and dietetic services for veterans seeking inpatient care at any of our VA medical centers throughout the Nation.

These are not designed to scare veterans or the American people, that the VA was close to facing some of these maintenance problems and some of these basic problems of feeding veterans at hospitals. That is the reality unless we act today. That is why it is so essential that we not only increase this funding for the Veterans' Administration but we also pass this continuing resolution in a timely fashion.

We don't need to look too far back in history to see what shortchanges at the VA would mean. This Senate stood united on both sides of the aisle a year and a half ago when the administration's poor actuarial modeling and budget created a shortfall of almost $3 billion. It was the Congress that responded. If we do not pass this resolution, which includes the needed additional funding for the Veterans' Administration health care system, we will have no one to blame but ourselves for this shortfall.

I don't think we can face veterans and active soldiers and say we did not pass this budget, this continuing resolution. That is why the resolution made veterans the No. 1 priority. They have defended this country bravely, honorably, and at a minimum we owe them this increase.

I thank Chairman BYRD for his leadership. I urge my colleagues to swiftly pass this measure so we can continue to serve those veterans who have served this country so well.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina is recognized.

Mr. BURR. Madam President, I applaud the Senator from Rhode Island, my colleague, someone committed to standing up for what our veterans need. My hope is that we are not only fixing roofs in the future but we are actually updating facilities that need to be updated to be able to handle the increasing veterans population. Many of those facilities are in my State of North Carolina.

I take somewhat of an objection to something he stated—that we are here today because of our lack of moving these bills in the last Congress. This Senate requires tremendous bipartisan support. Without that bipartisan support, things come to a screeching halt. That is what happened last year. It was described as an election. There were some who did not want to see an appropriations process happen.

As a matter of fact, it happened some time ago in this Senate, when the majority and the minority were in different positions, when the majority came in and was handed the appropriations bills. We were in the majority. I wasn't here, but my understanding is that they went through days, if not weeks, of amendments. They came up with an omnibus bill. That is not what we did here.

We are headed into 2007, the 110th Congress, but what was the action? The action today was that the majority leader came to the Senate and offered the resolution, filled the amendment tree, filed cloture, and went off the bill. We are debating this in morning business. We are not debating it as part of the resolution.

Now, I correct my dear friend, Senator SPECTER, from Pennsylvania. He said no amendments would be offered. In fact, there were two amendments offered. They were offered by the majority leader. The first one was at the end of the resolution, this multipage document, add the following:

> This division shall take effect two days after the enactment.

And then he filed a second-degree amendment that said: In the amendment strike 2 and insert 1.

Not a lot of substance to that amendment. Not much at all. As a matter of fact, it is hard to find someone here who can actually state what it means. And grammatically, what he has done is he has now changed the amendment to say: This division will take effect "one days" after date of enactment. That is how much attention the majority leader spent on his own amendments.

Now, the fact that he did this, what does it do to the rest of us? It means we cannot offer amendments. It means that for those who are concerned with the BRAC process—which is a transformation of our military in the United States; it is a consolidation of our base structure; it is putting the right people at the right place, training for the right thing, so that America can be safer based upon new threats—what does it do? It doesn't fund any of it.

Here is a process that is supposed to be complete by 2011, and in 2007 we are going to fund none of what BRAC called for in the legislation passed by this body. In North Carolina, that is $300 million to Fort Bragg alone. That money was to build barracks, a vehicle maintenance shop for the 4th Brigade Combat Team, and a multipurpose training range. Without these funds, none of that will be completed.

As a matter of fact, I can say, just like my colleagues who came to the Senate floor, that our military bases are everyone's; they do not belong just to the States in which they are located. Our military leadership, our soldiers, our military families have begun this multiyear process to meet the requirements that Congress has given to them in the legislation we passed, and now we have done it without the funding. We risk not only placing communities and bases in disarray, but we will delay vitally needed transformation in our military.

I don't understand how my colleagues on the other side of the aisle can look the American people in the eye, tell them they support our sons and daughters, husbands and wives, brothers and sisters overseas, and simultaneously refuse to add the critical funds needed to take care of those very same troops—their families, their children, their husbands, their wives, their children—here at home. But the actions of the majority leader have, in fact, accomplished just that because there is not an opportunity for me, or for Senator HUTCHISON, who is the ranking member on the Committee on

Appropriations Subcommittee on Military Construction, to offer an amendment—one that would be overwhelmingly accepted. But if you allow one, potentially you have to allow another.

Fort Bliss, TX, which is scheduled to absorb 17,000 soldiers and 10,000 family members under BRAC, is losing $463 million because Congress did not fund it in this continuing resolution. Fort Benning, GA—$300 million that was going for barracks for the troops and a brigade training complex.

What does this mean? It means that as we try to bring troops back in from Germany and other bases around the world—we have made a determination we do not need to forward-deploy like that—we can bring them back on our soil. They can be with their families in neighborhoods where they can feel like a part of the community instead of on foreign land where only the base is considered United States territory. It means we are going to have to keep them there, or we will have to bring them back here but not have the housing for them. I have gone through that in Fort Bragg. I have had 18- and 19-year-old soldiers living in 1950s era barracks, and the Congress, in their infinite wisdom, was able to fund the type of housing that was needed at Fort Bragg and many other installations.

Now, at a time when we have already planned for these families and these troops to come back, what does Congress say? I am sorry, we will not fund it in this bill? We are going to wait until 2008, and then it may or may not be funded? Maybe that is an objective on someone's part to try to knock BRAC off and to not have this consolidation. If it is, they have to question the decisions made by our military leaders and agreed to by Congress that said this is in our long-term best interest. It doesn't end with the discussion on BRAC, as sorry as I am to see a process that excludes our ability to effect the funding that is needed for military construction and for the base realignment and closure process.

Late last year, in the last week this Congress was in session in the 109th Congress, we passed what I thought was one of the most important pieces of legislation the 109th Congress dealt with. It dealt with the threat we are faced with from chemical, biological, radiological and nuclear threats, naturally produced, intentional, or accidental. It dealt with things such as anthrax and smallpox, Ebola and Marburg. We were challenged to try to revamp our entire structure of countermeasure research and development in this country, and I daresay by unanimous consent in the Senate and in the House of Representatives we passed that important bill, one that identified the problems we had in America but, more importantly, the problems we had with our ability to take basic research, in many cases funded by companies or by the National Institutes of Health, and to convert that basic research into a countermeasure, a vaccine, an antiviral that would give us the security of being able to look at the American people and say: If terrorists get ahold of anthrax, don't worry, we have something to protect you. We have a vaccine we can give you. If, by chance, Marburg, a disease, gets out of Africa, we have a countermeasure we can give to you if, in fact, you are infected.

We were able to create this new entity which actually put the Federal Government in a position where we have facilitated the commercialization of that basic research, where we did not rely on only 1 company out of 100 to succeed because somehow they were able to go into the private marketplace and find enough money to make it through this challenging drug and vaccine development and approval process designed in America. We created the Biomedical Advanced Research and Development Authority, referred to as BARDA. BARDA was the structure at the Department of Health and Human Services. It was a structure that was under development for 2 years in Congress—enough time that sunlight was brought to every piece of it. I daresay it was one of the most open processes this Senate has seen in some time. Members had the opportunity to address every word of every sentence of every paragraph of the bill. At the end of the day, they were convinced it was the right piece of legislation, and it was passed into law.

There is only one problem. We have it in place now, and the continuing resolution doesn't fund it. Yes, $160 million was intended to be in the appropriations bills to kick start BARDA, to allow this structure to be set up under a new Assistant Secretary for Preparedness and Response and to begin to sort through the research being done at academic institutions across the country, small pharmaceutical companies, biotechnology companies, big PhRMA and to get them all to participate because for the first time they knew what the rules were.

We added a number of biological agents to our threat list. That is a function the Secretary of Homeland Security does on a regular basis as we see new threats arise. When we increase the size of that threat list, that means somebody has the responsibility in the Federal Government to begin an intense research and development process to try to create a countermeasure for it. One would think at a time when we just doubled the size of that potential list of threats that it would be high on the priority list of the Congress of the United States to fund the only mechanism we have to actually create the countermeasures. But, no, in this particular continuing resolution, it is minus the $160 million to fund BARDA.

Even worse than that, there is no opportunity in this process to offer an amendment to a bill that 100 percent of the Senators present that day voted for, that the House voted unanimously for and the President signed into law just last December.

On one side, we put our soldiers and their families on hold. To some degree, we put on hold the plans of our military leaders. On the other side, we recognize the threats we face from people who want to do bad things and from Mother Nature. We understand the responsibilities we have to prepare these countermeasures, these vaccines, these antivirals for the entire population, and we still cannot fund it. I guess we are not having the debate because we know it would become law, it would be funded. And if it was funded, then we would break the caps, so we would have to find somewhere else to get the money.

I was willing to come to the floor and propose some ways to get the money or to propose to my colleagues that I thought it was important enough that we break the cap by $160 million, which I seldom do on this floor. This is in the face of not only the threats we know about, but it is also the threat of pandemic flu. It is those natural things such as pandemic flu that we cannot look down the road and know what is around the corner. But if we have the right mechanism in place and if it works and if it is tested, we can respond in an expeditious way and begin to have those things we think are so important for the American people.

BRAC will not be settled in this continuing resolution. We will put our military on hold. We will put the changes on hold. If that has an effect on our tempo—even at a time we are at war—I guess some have made a decision that is the way it is. As it relates to bioterrorism, chemical, biologic, radiological, even pandemic flu, we put that on hold, too, because we are not going to fund the creation of the project.

We did all that because of two amendments—two amendments—that were offered by the majority leader: "At the end of the resolution add the following; this division shall take effect 2 days after date of enactment," and followed up by a secondary amendment that says, "In the amendment strike 2 and insert 1." Now we have an amendment that says—or a law that says—this division shall take effect "1 days" after enactment—clearly, no thought. It is a nice way of shutting us out from offering amendments.

I do not think the plan for this bill was to set a host of unlimited amendments. As a matter of fact, I hope and I believe we will finish the continuing resolution before the 15th, which is the date the Federal Government's money runs out. There is no scare or threat the Federal Government is going to run out of money and shut down. I think every Member is committed to do that. I am, too.

But I think it is important that we come down and talk about the things we left out but, more importantly, that we point out to everybody the fact that we were not even given the opportunity to put them back in, that when we denied the ability of Members of the Senate to consider changes to a bill—much less not have a vote—we have cut the American people out of the process, we have cut out the people who send us here to represent them. Sometimes they like it, sometimes they do not, but they expect us to take a position.

Well, that is what could have happened with two very valuable amendments, two that I believe would have overwhelmingly been accepted. Would it cause a little difficulty on our part trying to figure out where to take the money from? Probably so. But right now, in the scope of everything we are faced with, I cannot think of two more important things for us to have in this continuing resolution than to fund the troops, their families, their housing, their daycare, their schools, and to allow this transition in our military to take place as it relates to the consolidation of our bases around the world.

I certainly cannot think of anything that gets very much higher on the priority list than to make sure we have the vaccines, the countermeasures, the antivirals one might need if, Heaven forbid, we were ever attacked using chemical, biological, radiological or nuclear weapons or, in fact, Mother Nature is just so mean to us. In fact, the threat is so extensive to our country, we need to be prepared.

We could be there. We will not be there, but we could. And it is all because of the choices that were used to move this bill.

I thank the Presiding Officer for her indulgence, and I yield the floor.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. CORNYN. Thank you, Madam President.

Madam President, when we convened here in January, we had an unprecedented meeting of the new Members of the U.S. Senate, both Republican and Democratic, in the Old Supreme Court Chamber where the Senate used to meet. There were a lot of very nice speeches by the new majority leader, Senator REID, and by the Republican leader, Senator McCONNELL, about efforts at bipartisan cooperation. I think those were welcomed by all of us and I think welcomed by the American people as well because, frankly, I think they believe—and I think they are right—sometimes there is too much emphasis put on party and not enough emphasis put on the well-being and the welfare of the American people at large.

Well, we had a good start. We started out on ethics and lobbying reform. As you will recall, we initially had a vote to close off debate, and we got over that minor hurdle after that cloture motion lost and we were able to shape a bill that got the support of an overwhelming bipartisan majority of the Senate on lobbying and ethics reform. So that was a good start.

Then we moved on to the minimum wage and small business tax and regulatory relief. And we had, I guess, another period of testing there, people trying to figure out what all this new majority and new minority meant and how we might work together. Lo and behold, we got through that in a bipartisan way, and we passed a minimum wage bill, with small business tax and regulatory relief that, again, I think we could all look at and say: I don't agree with 100 percent of it, but on balance this is a good bill. This is the kind of thing we ought to be doing together.

Well, I would say that notwithstanding that good start—and I think it was a good start—we have stumbled a little bit in recent days. We see a resolution on the Iraq war where we have requested the opportunity to present alternatives that reflect the diversity of views in the Senate. Yet the majority leader, in his wisdom, decided we were not going to have an opportunity to vote on those different views, some of which are espoused by his own caucus. So we are not able to get to a vote on any of those resolutions—yet. I predict they will come back. We will be back on those issues. The issue itself is not going to go away. We are going to have plenty of opportunities to vote on whether we are going to support our troops and the mission we have called upon them to do.

But, here again, we have stumbled again on this continuing resolution. It is not, as we all know, technically speaking, a continuing resolution, which would be to continue the spending at levels of 2006 into the 2007 year. This is really what would probably more properly be called an Omnibus appropriations bill. Rather than breaking things down into their constituent parts and passing, let's say, a Department of Defense bill, a Labor, Health and Human Services bill, and different appropriations bills, this is one big, huge, appropriations bill and I think most appropriately called Omnibus appropriations.

Although I will correct myself. I think this is really—if I had to give it a name, I would call it an "Ominous" appropriations bill. The reason I say that is for the reason that has been pointed out by a number of our colleagues today. What it does is it demonstrates an unwillingness to provide the financial resources necessary for our military during a time of war. And I think that is ominous. I hope it does not give us a foretaste of the future, when we have seen our military underfunded at times and resulting in a later effort to try to catch up.

I remember the Secretary of the Department of Defense, Secretary Gates, just a couple days ago, in the Armed Services Committee, of which I am a member, said: Do you know what. We would accept a lower level of funding if it was kept relatively constant so we could actually plan rather than have the spikes and the valleys, the changes from year to year, from appropriations bill to appropriations bill.

But my point is, this bill, by cutting $3.1 billion from our military during a time of war, is simply penny-wise and pound-foolish. I may be too generous when I say it is penny-wise because the money that is actually cut from the military is then distributed through a variety of other programs, which means in the end, when we pay the bill, which we ultimately will have to pay, we are going to add to the debt rather than—and we have seen $3.1 billion in new spending that could not otherwise be done without cutting the military—but causing us problems by exacerbating a deficit that none of us would like to see compounded.

But I want to mention—because I just met with MG Robert Lennox, who is the commanding general at Fort Bliss in El Paso, TX—El Paso will, as a result of this last Base Realignment and Closure Commission, receive an additional 20,000 new uniformed servicemembers and about 25,000 in addition to that, for a total of 45,000 people, including the family members who will move there. The $3.1 billion that was cut from this bill will have a direct impact on General Lennox's ability to build the infrastructure necessary to accommodate those 45,000 servicemembers and their families in El Paso, TX.

It also will have an impact on places around Texas such as Camp Bullis where an Armed Forces Reserve Center is in jeopardy; places at Fort Sam Houston, which is a principal location for Army medicine; places such as Grand Prairie; Seagoville; Fort Worth Joint Reserve Base; Carswell Air Base; Lackland Air Force Base in San Antonio, my hometown; Laughlin Air Force Base in Del Rio, TX; and Randolph Air Force Base, also in San Antonio, TX.

All of those various programs to try to build the infrastructure and accommodate this Base Realignment and Closure Commission are in some jeopardy, and it is because our colleagues, the leadership on the other side, has determined that, without an opportunity for amendment, without an opportunity to vote on alternatives, we are going to take $3.1 billion from the military and give it to other programs and projects.

The problem we have in an All-Volunteer military is that we depend not only on our ability to recruit service members but also to retain those service members in our All-Volunteer military. And, of course, quality of life issues are very important—housing, various facilities. Of course, I mentioned this earlier today, but the saying goes: You recruit a servicemember, you recruit an individual, but you retain a family because it is important we provide the services to sort of cushion the sacrifices that so many family members make when their loved one is serving in our Armed Forces.

I am disappointed to see what started out as laudable efforts at bipartisan cooperation in the way we craft legislation on the floor of the Senate sort of degenerate into partisan railroading of important legislation. I fear what will happen is, when we come back to the supplemental appropriations bills that will be necessary to fund our military, we will then, out of these emergency supplemental appropriations, try to make up for this $3.1 billion.

The only difference is that it will result in $3.1 billion in new spending rather than the required offsets that would be necessary to maintain fiscal responsibility. An amendment that the senior Senator from Texas and I have cosponsored, along with others, would provide such an offset. And if allowed to have a vote on that amendment, for less than a three-quarters of 1 percent, across-the-board cut in this Omnibus appropriations bill, exclusive of defense spending, we could restore the complete $3.1 billion that this current Omnibus appropriations bill cuts. We could tell our men and women in the military that we not only appreciate and support them but actually back that up with real action and a real financial commitment to make sure they have what they need.

I am disappointed that after we got off to such a good start in terms of bipartisan cooperation, we find ourselves now where the majority party is attempting to dictate the terms of this Omnibus appropriations bill, without any input, without any opportunity for votes on any amendments that some of us believe are in the best interests of the military and in the best interests of the country. It represents an unfortunate and unwelcome development.

In the end, I predict the new majority will learn what the old majority learned, that no single party gets to dictate how things happen around here because of the 60-vote requirement to close off debate. The magic number, of course, for the majority is 60. The magic number for the minority is 41. That gives us the power we need to get a seat at the table. But it is clear that the majority leader has made a calculation that he can pass this legislation without any contribution, any amendments, any opportunity to vote on important amendments. Unfortunately, not only is the kind of bipartisan cooperation we started off with during the first month we have been here in January the loser, I am afraid as a result of this ill-advised cut in our military that our military is the loser as well.

I yield the floor.

The PRESIDING OFFICER (Mr. WHITEHOUSE). The Senator from Ohio.

Mr. VOINOVICH. Mr. President, I rise to address my serious concern about our consideration of H.J. Res. 20, an Omnibus appropriations measure, rather than completing our work on the remaining 2007 appropriations bills. As my colleagues are well aware, fiscal year 2006 appropriations expired on September 30, 2006. And with the exception of the Departments of Defense and Homeland Security, the Federal Government is currently operating on its third temporary continuing resolution set to expire next week. We are now considering a fourth continuing resolution, H.J. Res. 20, to fund the Government through the end of the fiscal year.

Passage of a continuing appropriations resolution, as some have incorrectly labeled it, is not the solution to our outstanding appropriations obligations. This de facto Omnibus appropriations bill covers almost 50 percent of the Federal discretionary budget at a cost of $463.5 billion. Repeatedly managing by continuing resolution, as we have done for nearly half a year, is inherently wasteful and inefficient. It results in wasteful spending, disruption and chaos in the operations of Federal programs, and dramatic productivity slowdowns. So many of our agencies have been in limbo during the last several months.

In recent years, many Federal departments have taken positive steps toward streamlining their budgets and tightening the reins of their daily operations, conduct that ought to be rewarded. Instead, when Congress failed to complete its appropriations work on time, these departments were forced to put critical projects on hold.

Such a funding shortfall has particularly adverse effects on human-capital-intensive agencies, such as the Government Accountability Office where attracting and retaining good employees is critical to running a competitive and productive organization. Agencies such as the GAO have made it clear that without budget certainty, they risk losing top-quality personnel. They are unable to properly recognize and reward individuals for good service which often pushes employees to look for other nongovernment opportunities.

For too long we have allowed a negative perception of Government workers to dominate our thinking, and we have not committed the necessary resources to funding and keeping capable, hard-working civil servants. This human capital problem contributes to a negative perception of the Federal Government, and it prevents important departments and agencies from providing their customers, our constituents, with the necessary goods and services they deserve.

Just think of somebody who is thinking about coming to work for the Federal Government and they have heard that we haven't been able to pass a budget or appropriations around here for 5 months. What kind of an organization do they think we are?

This added pressure on human capital is not limited to the GAO. In fact, there are lots of similar agencies, such as the SEC, the FBI, and the IRS, which experienced the same problem over these past 5 months. There are going to be horror stories all through this year as a result of the fact that we are going to pass a continuing resolution or an omnibus resolution.

Additionally, long-term budget uncertainty caused many companies with Government contracts to lay off people. Our inability to complete the appropriations work prevented agencies and departments from adequately planning programs and ultimately interfered with the timely award of contracts. So for the past 5 months, contractors have been uncertain whether work would be available and were forced to put a freeze on hiring. I understand that.

Two years ago, I had a nephew working for a company that had a contract with NASA. They said: They haven't passed the budget. They laid everybody off. And it wasn't until several months later that finally they could bring people back on. By that time, they had lost half their people.

Sometimes programs are ineffective, and their budgets should be reduced or eliminated. For example, under the normal appropriations process, the House would have terminated 53 programs, for a savings of $4 billion. Well, an omnibus can reduce the budget, but it goes about it in entirely the wrong fashion. Instead of undergoing negotiations and discussions over the individual merit of specific programs, the omnibus indiscriminately cuts and appropriates funds. This is neither a thoughtful nor responsible approach to managing our budget.

On the flip side, there are many programs and agencies in which we ought to be investing more resources. By failing to pass the outstanding appropriations bills and by passing an omnibus bill instead, we are ignoring America's infrastructure which is the foundation of our economy. Our physical infrastructure is a critical component of making America more competitive and maintaining our quality of life for future generations. But if we keep up this attitude toward our fiscal obligations, if we continue ignoring the upkeep of our infrastructure, we risk tremendous disruptions to our commerce and decrease protection against natural disasters. Hurricane Katrina was a wake-up call for all of us and makes the point. Had we completed our appropriations work on time and adequately funded the Army Corps of Engineers, we would have been attending to the needs of the country. For nearly half a year, we could have brought in more civil engineers, increased construction, designed stronger levees, and made real progress on improving water infrastructure. Instead, we are 5 months behind in the construction of our infrastructure and even further behind keeping our Nation competitive and safe.

What about our dependence on foreign sources of energy. I still believe one of this Nation's most pressing challenges is reforming our national energy policy. Finding a way to harmonize our energy, economic, and environmental concerns is critical to keeping our Nation strong. I know my colleagues here today agree with me that we need a second declaration of independence and that we must invest in new, alternative forms of energy. This body failed to complete its appropriations work on time, and now we have uncertainty at a critical moment when we are trying to free ourselves from entanglements in the Middle East and increase our competitiveness in the global marketplace.

If we had funded the appropriations in the routine manner 5 months ago, the Nuclear Regulatory Commission could have been preparing for the estimated eight applications it expects to receive this year from the nuclear energy industry for the construction of new nuclear reactors. Let me add the NRC anticipates receiving an additional 22 applications next year. They have been furiously working to prepare for this tidal wave of construction which requires hiring an additional 300 or more people. They haven't been able to do it because the budget hasn't been there because we have been fiddle-faddling around over here.

Yet our failure to act has delayed this process. It has introduced uncertainty for both the NRC and the nuclear energy industry at a time when we cannot afford to be dependent on foreign sources of oil. Our inability to fulfill our fiscal responsibilities has put the NRC 5 months behind in preparation, and it has put the country behind on the road to energy independence.

It is not just the Federal Government that suffers. States, counties, cities all depend on funding from Washington. I was a county commissioner. A part of our budget was the Federal budget. I was mayor of Cleveland. Part of our budget was Federal money coming into the city. All of these local governments, State governments right now have been in limbo trying to figure out when we are going to do our job.

Maintaining and improving America's transportation system is also vital to our economy, the environment, and the welfare of the American people. The Interstate Highway System is one of the country's greatest public works projects but requires a Federal investment. States plan their highway construction programs for the coming year based on their anticipated Federal funding set by SAFETEA-LU. By failing to pass the 2007 Transportation appropriations bill, States could not plan for the future and were forced to delay construction projects for the upcoming year.

I will get a report on that from around the country on all the projects that are going to be delayed because we didn't do our work or that are not going to move forward.

In my State of Ohio, for instance, construction costs and increased inflation forced our Department of Transportation to cancel and postpone nearly $450 million in highway projects. They didn't know what they were going to get.

Democrats have a right to point fingers at Republicans for failing to complete their work on the outstanding appropriations before December. But let's be clear, Democrats behaved equally poorly when they lost the majority in 2002. At that time, Majority Leader Daschle was unable to pass a budget for 2003. Subsequently, Democrats did not complete their work on appropriations before going home for the winter recess. When we came back in January 2003, we took up the issue of appropriations within 3 days. We passed three continuing resolutions through February 20, at which point the Senate voted on an omnibus bill, much the same as we are doing today.

The fact is, we both have dirty hands. This is not just a Democratic or Republican issue. Both parties have acted irresponsibly. Congress has the power of the purse, but we are not the best steward of the taxpayers' money if time and time again we blindly pass omnibus bills and fund programs without accounting for how those programs are performing.

These are not isolated instances. Let me point out—and the public should know—in 25 of the past 30 years, Congress has failed to enact all the appropriations bills by the start of the fiscal year. In fact, the last time Congress enacted appropriations bills by the September 30 deadline was 1997. And for 17 of the past 30 years, Congress has had to combine two or more appropriations bills together in omnibus and minibus legislation. When are we planning to get it done on time? By failing to do our job, we are starving the executive branch of Government and preventing it from doing its job. This is irresponsible.

One way around this annual appropriations problem is to convert the annual budget cycle into a biennial or 2-year cycle. This would save Congress valuable time eaten up every year debating appropriations matters. We spend most of our time on agency appropriations, on the budget, and no time on oversight. Under biennial budgeting, we would convert the annual budget, appropriations, and authorizing processes into a 2-year cycle. The first year would be reserved for the budget and appropriations process. The second year would be to conduct oversight and pass authorizing legislation. This would leave Congress more time to examine programs to determine which are wasteful, which should receive more funding and which should be terminated altogether. Congress would have more time to finish its business by the deadline the law imposes.

A 2-year budget proposal is long overdue. We have been talking about this since I came to the Senate in 1999, Senator DOMENICI and I and many others. We ought to reintroduce that bill. In fact, I intend to reintroduce that bill with several of my colleagues to see if we can't go to a 2-year budget cycle.

Operating without a budget impacts our effectiveness in fighting the war on terror. It affects our ability to maintain and improve our transportation infrastructure and enhance our education system. You will be hearing more about that from Senator ALEXANDER. It further contributes to the public perception that Congress has no appreciation of the importance of management and the impact of our irresponsible conduct on the delivery of services to the people in the States—our constituents. It is incredible to me, as someone who has been a mayor and Governor, that the Senate has not completed its appropriations work.

In Ohio, the law mandated that we complete our appropriations responsibilities by the end of the year. And it was the same way when I was mayor of the city of Cleveland. The city charter mandated that we do our work. If we had not completed our budget and appropriations work, we would have been reprimanded by the media roundly and recalled by the voters. Of course, we were also bound to balance our budget, which this body has been unable to do since 2000.

We have been on the path of fiscal irresponsibility for too long. Given the facts, it is an indication to the American people that we are not doing our job, our work. Congress may hold the power of the purse, but we undermine our credibility by starving good managers and agencies of necessary resources and by turning a blind eye to failing programs. This is about more than allocating funds, it is about good management and good public policy.

All of us, on a bipartisan basis, should pledge that we will not shirk our responsibilities by passing a de facto omnibus piece of legislation. As important, at this stage of the game, we should vow, all of us—the majority leader and our minority leader should come together on the floor of the Senate and pledge to the American people that we are going to pass our budget, and we are going to get our appropriations done by the deadline we are supposed to have it be done by, so next year we are not repeating the same thing we have this year.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

Mr. ALEXANDER. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. The Senator has that right. We are now in morning business.

THE BUDGET

Mr. ALEXANDER. Mr. President, no Member of the Senate has more experience in various levels of government than the Senator from Ohio, Senator VOINOVICH, who just spoke. He was a commissioner, a mayor, a lieutenant Governor, a Governor, and a Senator. Since he has come here, no Senator has spent more time on the drudgery—some Senators would say—of understanding the operations of government, how the budget decisions we make affect different parts of the Federal Government, different parts of society, the State and local governments, and how the civil service system works, how employees are fairly treated. I salute the Senator for his work.

I think we ought to hear him carefully when he reminds us of one of the most obvious solutions to that problem, the 2-year budget. That idea has broad support in this Chamber, and it is a very simple idea. It says we will make our budget every 2 years. If we have to make adjustments in the odd year, we can do that. We already do that from time to time, but then in the intervening year, we would have plenty of time to look over our programs, make sure they work, and perhaps repeal some of them and add some better ones and check the stacks of regulations. If you look at all of the regulations that small colleges in Ohio and Tennessee have to wade through every year, that stack is very high. I brought them down on the floor one time. Surely, we can get rid of those. On both sides of the aisle we would like to do that. Our process doesn't appear that way. As our Republican whip sometimes says, process is often substance in the Senate, and a 2-year budget would be a force for orderliness, a force for review of programs; it would cause us to repeal and change and revise laws.

We have plenty of forces for adding laws or spending more money. We need forces for review and repeal. The people around America who elect us and depend upon us to provide the funds we provide in an orderly flow could then make their plans and spend the money more wisely. The example the Senator from Ohio gave is a good one, about the Nuclear Regulatory Commission. On this floor, what do we hear more often than anything else now? We hear let's stop the dependence upon foreign oil or at least let's reduce it, and let's deal with global warming.

How do we do that? There are lots of different ways to try to do that, but in a country such as ours that produces and uses 25 percent of all of the energy in the world, we don't have many ways to produce large amounts of carbon-free energy; 70 percent of our carbon-free energy comes from nuclear power in the United States. So when we slow down the processing applications for new nuclear power plants—a process we invented, which our Navy used without incident since the 1950s, a process which France uses to produce 80 percent of its power—so when we slow ourselves down, we are delaying urgent action on global warming and on dealing with our dependence upon foreign oil.

That was a very good example the Senator used. I salute his interest and his call for a biennial budget, a 2-year budget, and his focus on the practical problems our failure to deal with appropriations bills on time cause, and it can be shared all around the room.

TEACHER INCENTIVE FUND

Mr. ALEXANDER. Mr. President, I wish to speak about a casualty of the budget process. It is a very disheartening development, and I hope it is an oversight, not the first symbol of the new Democratic Congress's education agenda because I don't think it should be, and I cannot believe that it would be. I don't believe that the Senator from Massachusetts, the Senator from Iowa, the Senator from Rhode Island, and others who care about education would agree that killing the Teacher Incentive Fund should be held up and said here is the way the Democrats plan to approach education. But, in fact, that is what came over from the House of Representatives. What they did was kill a Federal program, passed in a bipartisan way in No Child Left Behind called the Teacher Incentive Fund. They reduced the Teacher Incentive Fund from $100 million a year to $200,000 in this current year. What does the program do? It helps reward outstanding teachers and principals of children who attend low-income, poor-performing schools. That is what it does. This cut threatens a crucial effort to improve the Memphis schools and also other schools all across our country in 16 major cities and States.

It is a disheartening development and one I hope will change. The loudest criticism I hear of the No Child Left Behind bill is it is not properly funded. What kind of response is it to say we are going to knock $100 million out of the most important program that helps to train teachers and principals to help low-income children in poor-performing schools succeed? That doesn't make much sense to me.

So I have submitted an amendment—it is on file—which would increase the teacher incentive fund from $200,000 this year to $99 million, which is the level that was approved in the appropriations bill. It is also the level President Bush requested for the current year. The funding comes out of funds available under the education title of the Labor, HHS, Education section of the joint funding resolution. Unlike a traditional appropriations bill, the resolution doesn't fully allocate all of the dollars under the education title. So as a result, I have been advised by the Legislative Counsel's Office that our amendment doesn't need an offset.

I will add that President Bush, in the budget we received this week, has asked for $200 million for next year. So this would permit us to do what was intended to be done by the No Child Left Behind bill.

I ask unanimous consent that my amendment be printed in the RECORD at the end of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. ALEXANDER. Mr. President, let me mention a few of the details of the Teacher Incentive Fund, so that we can understand what happened in the House of Representatives. The Democratic majority in the House reduced the teacher incentive fund from $99 million to $200,000. The proposed cut jeopardizes 5-year grants that were made to 16 grantees, largely serving big-city schools and low-income students with low academic achievement. The cut will take away funds from Chicago, Denver, Memphis, Houston, Dallas, and Philadelphia. The proposed cut will take away funds from State programs in New Mexico and South Carolina. Many of these programs were developed in full consultation with teachers and principals and with their unions. As an example, Philadelphia's grant application was written and endorsed by the local teachers union. So I am trying to figure out who is against this? It would not be the teachers, principals, or the districts. Neither Democrats nor Republicans. So how did it get cut from $100 million to $200,000?

One of the most critical problems we have to solve today is how to retain outstanding teachers and principals. The more we understand about low-performing schools, the more we understand that, except for the parent, the most important people in that child's ability to succeed are the teacher and the principal. The quality of the teacher and the quality of the school leaders are the most important factors. The elimination of funding, as has been done by the joint funding resolution, could have a significant impact upon the Teacher Incentive Fund. As a result, for example, of the joint funding resolution, the Department of Education has already decided that they will have to delay the national evaluation of the Teacher Incentive Fund until 2008. So we have delayed, for a year, helping these children be exposed to teachers and principals who have more capacity, and we won't learn anything from that evaluation for another extra year.

The proposed cut in funding in the current year will undermine the current grant competition that is going on. Applications are due on February 12, 2007. So say you are sitting in Providence, Knoxville or San Francisco, and you are in the midst of an application to bring in New Leaders for New Schools or some other group, they say to the school district: OK, we will train all your teachers, send them to the Wharton School in the summer and work with them for a year, and on a continuing basis we will help these principals and teachers; we will help the principals become better school leaders. But then the New Leaders for New Schools will say you have to give the principal some autonomy, let them hire and fire the best teachers, let them make decisions. So there is this alliance. In many cases, the teachers union is involved, as in the Philadelphia case. They make concessions. So everybody is working together to try to say: What can we do to help these low-performing schools succeed?

Today, in a roundtable we had about No Child Left Behind, I suggested we are not talking about No Child Left Behind in the correct way. We are catching people doing things wrong instead of catching people doing things right. The truth of the matter is that across our country we have about 100,000 schools, more or less, and in about 75 percent of those schools, they are succeeding in what we call adequate yearly progress. Those schools are succeeding in adequate yearly progress. Now, those schools, I would say, are high-achieving schools. What we find is most of the schools I would call achieving schools. Any school that has succeeded in No Child Left Behind for a couple of years I would call a highest achieving school. One which has succeeded for 1 year would be a high-achieving school. One with only one subgroup of children who don't quite make the standards, I would call that an achieving school. So we have mainly 15, 20 percent of our schools where we need to go to work and do things differently.

These children can succeed. Memphis has a large number of low-performing schools, as we call them, but it is not because the children cannot learn. I was there during spring break last year at one of the new public charter schools in Memphis. They go to school early in the morning and leave at 5 in the afternoon. They were in AP biology courses in the 10th grade. They can all learn. They needed extra help in a different way, and the difference it has made there starts with a good school leader and an excellent teacher. Memphis plans to take this money from the Teacher Incentive Fund and take every single one of its principals through this year-long training, the summer programs, the continuing education, and then Memphis decided to give those teachers autonomy.

So that is what we are killing when we kill this program, not just in Memphis, but in many other school districts. The northern New Mexico network, the DC public schools, the Chicago public schools, Denver, Mare Island Technology Academy in California, Houston, Guilford County, NC, Alaska, the whole State of South Carolina, a couple of districts in Texas—they are all in the middle of this. They are making applications for more. They expect these to be 5-year grants. They are doing what we asked them to do, and then we come along and kill the program right in the middle of the year.

I ask unanimous consent to print after my remarks a list of the current grantees and programs.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. ALEXANDER. Mr. President, following that, I ask unanimous consent to print in the RECORD a letter from Secretary Margaret Spellings of the Department of Education pointing out what difficulty this decision by the House of Representatives will cause to the teacher incentive fund.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. ALEXANDER. Mr. President, finally, let me make this observation. I was visited today by representatives of the Tennessee Education Association. I have not always gotten along well with the Tennessee Education Association because of the subject we are discussing today. In 1983, I proposed the first master teacher program in the country, the first attempt by a State to pay teachers more for teaching well and to reward principals in the same way. The National Education Association went apoplectic for over a year. We had a brawl for a year and a half. We finally passed a program and our Career Ladder Program lasted for several years, until I got out of office is really what happened, and then it gradually went away. Mr. President, 10,000 teachers were rewarded, paid more, their retirement pay was more, and we talked about that today. I appreciated very much their visit because this includes some teachers who were part of that Career Ladder Program. They are the leadership of the teachers' union, the teachers' association in Tennessee. They came to see me about it, and they were very honest.

They said any program that picks one teacher out and rewards outstanding teaching or rewards an outstanding principal is difficult to do because it is hard to make it fair. But we must do it. Almost everyone agrees that if we make any progress in education, especially with low-income children in poor performing schools, we have to find a way to pay good teachers more and good principals more and keep them in those schools. We have to do it.

So this teacher incentive fund is a real casualty here, and I hope the majority whip, the assistant Democratic leader—he is here—I know he cares deeply about education, about the program in Chicago which is part of this.

Maybe it is an oversight. Maybe it is a casualty that both Republicans and Democrats have had to deal with over the past 2 months. What I hope is, if there are any amendments allowed to this joint funding resolution, this amendment will be one of them. If it is not, I hope we can work together in the Senate, as well as in the House, and do what President Bush has asked us to do, not only put $200 million in for next year, but send a signal to the big city school districts across America: Don't give up, we want to help you train and hire outstanding teachers and outstanding principals.

Exhibit 1

(Purpose: To provide additional funds for the Teacher Incentive Fund)

On page 72, line 20, strike "of which not to exceed $200,000" and insert "of which $99,000,000".

Exhibit 2

Current Grantees

NORTHERN NEW MEXICO NETWORK (NEW MEXICO)

The Northern New Mexico Network for Rural Education, a Non-Profit Organization, is partnering with four New Mexico school districts: Espanola Schools, Springer Schools, Cimarron Schools and Des Moines Schools. They seek funding for the Teacher Incentive Fund to implement a performance-based compensation program to serve a region of the state where high levels of poverty, high concentrations of Native American and Hispanic students, and extreme rural conditions pose unique challenges to public education systems. Three of the school districts—Cimarron, Des Moines and Springer—are small (less than 500 students), and serve a large geographical area—all over 1,000 square miles. The fourth district, Espanola, serves almost 5,000 students

NEW LEADERS, INC. (D.C. PUBLIC SCHOOLS)

This project includes a coalition among D.C. Public Schools, New Leaders for New Schools, Mathematica, Teachscape, and Standard & Poors to provide direct compensation to teachers and principals who have demonstrated their ability to move student achievement. D.C. Public Schools' currently works with the Center for Performance Assessment to "incentivize" the creation of more standards and data-driven classrooms and schools. The project plans to complement this current effort in the District of Columbia where the achievement gap is particularly troubling due to the over 90 percent of public school students coming from poverty stricken families.

CHICAGO PUBLIC SCHOOLS (ILLINOIS)

The Chicago Public Schools, in collaboration with the National Institute for Excellence in Teaching (NIET), proposes the Recognizing Excellence in Academic Leadership (REAL) program. At the center of REAL is the NIET Teacher Advancement Program (TAP). The TAP performance-based compensation system—including multiple evaluations and opportunities for new roles and responsibilities—will drive recruitment, development, and retention of quality staff in 40 high need schools that serve approximately 24,000 students in the Chicago public school system.

SCHOOL DISTRICT NO. 1 FOR THE CITY AND COUNTY OF DENVER (COLORADO)

The Denver Public Schools proposes a two-fold district-wide expansion of its Professional Compensation System for Teachers (ProComp). First, Denver PS will develop, implement, and evaluate a performance-based compensation system for principals through a national strategic partnership with New Leaders for New Schools. Second, Denver PS will strengthen its professional development, information and technology, and student assessment systems to ensure ProComp is consistently and rigorously implemented district-wide.

NEW LEADERS, INC. (MEMPHIS CITY SCHOOLS)

This project includes a coalition among Memphis City Schools, New Leaders for New Schools, Mathematica, Teachscape, and Standard & Poors to maximize their prospects of attracting, developing, supporting, and retaining a community of high-performing educators to drive academic achievement in the short and long-term. The project will likely span 17 schools that directly affect 10,000 students in Memphis City Schools—the largest school district in the state of Tennessee and the 21st largest in the nation.

MARE ISLAND TECHNOLOGY ACADEMY (CALIFORNIA)

Mare Island Technical Academy, an LEA, proposes to expand a current project to award incentives to teachers and principals instrumental in increasing student achievement. It will also award incentives to those taking the lead in implementing Strategic Plan and Professional Learning Communities initiatives in 2 independent middle and high school charter schools serving a total of 780 students with 32 teachers and 2.5 principals/administrators, in Vallejo, CA. Mare Island attracts a percentage of neighborhood students from 2 elementary schools within a block of Mare Island: Loma Vista with a 61.4% and Wiedenmann with a 67.0% free or reducedprice lunch rate.

HOUSTON INDEPENDENT SCHOOL DISTRICT (TEXAS)

The Houston Independent School District is the largest public school district in Texas and the seventh largest in the United States. Houston ISD proposes Project S.M.A.R.T. (Strategies for Motivating and Rewarding Teachers), an incentive plan for teachers that focuses on teacher effectiveness and growth in student learning. The proposed performance-pay program will provide incentives to 109 teachers and principals at Houston ISD campuses. A total of 27 schools have been targeted for inclusion of the S.M.A.R.T. program using TIP funds.

GUILFORD COUNTY SCHOOLS (NORTH CAROLINA)

Guilford County Schools has proposed a financial recruitment/retention project for the 2006–2007 school year called Mission Possible and plans to expand the program to an additional seven schools using TIF funds. The seven schools proposed for expansion include: Bessemer Elementary, Cone Elementary, Falkener Elementary, Union Hill Elementary, Allen Middle, Aycock Middle, and Penn Griffin Middle.

NEW LEADERS, INC. (CHARTER SCHOOLS IN VARIOUS STATES)

This project includes a coalition among New Leaders for New Schools, Mathematica, and most of the nation's highest-performing charter schools and charter school networks, including the national KIPP network, Achievement First, Uncommon Schools, Aspire Public Schools, YES College Prep Schools—and others. The project will likely span 47 schools, 47 principals, and 1,186 teachers in charter schools throughout the nation.

CHUGACH SCHOOL DISTRICT (ALASKA)

Chugach School District serves as the fiscal agent of the Alaska Teacher and Principal Incentive Project, created in partnership with Lake and Peninsula School District, Kuspuk School District and Chugach (the fiscal agent). The Alaska Department of Education and Early Development and the non-profit Re-Inventing Schools Coalition are also participating in this proposed project. This project expands on Alaska's performance pay initiative funded by the Alaska Legislature.

SOUTH CAROLINA DEPARTMENT OF EDUCATION (SOUTH CAROLINA)

This project, which is a modified version of an existing Teacher Advancement Program (TAP), aims to implement a performance-based compensation system to address problems with recruitment and retention in 23 high-need schools in six districts. By the fifth year of the project, SC TIF has the potential to affect more than 60,000 children and 5,000 teachers and principals. These modifications include higher and varied teacher bonuses, the introduction of principal and assistant principal bonuses, more competitive Master and Mentor Teacher addendums, a new focus on marketing and recruiting, raising the value-added percentage in the performance pay from 50% to 60%, using MAP tests to give K–3 teachers an individual value-added score, and inclusion of related arts in the individual value-added gains calculations.

DALLAS INDEPENDENT SCHOOL DISTRICT (TEXAS)

For the past decade, the Dallas ISD has provided incentives to teachers, principals, and other campus staff based on the value-added performance of their students under the Outstanding School Performance Award program. This project builds on this history and existing apparatus to identify and reward effective principals based on a combination of direct and value-added measures of student achievement and reward effective teachers based on value-added measures of their students' achievement. In addition, the project includes refinement of the Dallas database for tracking student-teacher assignments; incentives for principals and teachers to participate in substantive, high-standards professional development; incentives for highly effective teachers to move to and stay in high needs campuses; and procedures for insuring the integrity of test results.

SCHOOL DISTRICT OF PHILADELPHIA (PENNSYLVANIA)

The overall purpose of Philadelphia's initiative is to pilot a performance-based staff development and compensation system that provides teachers and principals with clear incentives that are directly tied to student achievement growth and classroom observations conducted according to an objective, standards-based rubric at multiple points during each school year. Twenty high-need urban elementary schools (grades 3–8) that have demonstrated high degrees of faculty buy-in will participate in the pilot. Leaders from the School District of Philadelphia's administration and from the two unions representing all Philadelphia teachers and principals have designed the pilot and will oversee its implementation.

OHIO DEPARTMENT OF EDUCATION (OHIO)

Key strategies of the Ohio Teacher Incentive Fund (OTIF) include implementing the Teacher Advancement Program (TAP) in the Cincinnati and Columbus City Schools, expanding the Toledo Review and Alternative Compensation System (TRACS) in the Toledo City Schools, and developing and implementing the Cleveland Teacher Incentive System, a program modeled on TRACS, in the Cleveland City Schools. OTIP is a cooperative venture of the Ohio Department of Education; Columbus, Cleveland, Cincinnati, and Toledo City Schools; and the National Institute for Excellence in Teaching.

EAGLE COUNTY SCHOOL DISTRICT (COLORADO)

In the past five years, Eagle County School District has invested over $4.5 million (not including performance awards) to implement a performance-based compensation system for teachers and principals based on the Teacher Advancement Program (TAP). This project is an expansion of the program and will utilize TIP grant funding to improve the quality of Master and Mentor teachers through increased salary augmentations and increased training. It will cover 13 high-need schools.

WELD COUNTY SCHOOL DISTRICT (COLORADO)

This project will be implemented in the 4 high-need schools in the Weld County School District. The district currently ranks last in teacher compensation compared to neighboring districts. The project objectives state that by year 2, a comprehensive principal and teacher differentiated compensation system based on student achievement gains and classroom evaluations will be fully operational. The Superintendent of Student Achievement of this district will manage the project.

EXHIBIT 3

THE SECRETARY OF EDUCATION,
Washington, DC, February 8, 2007.

Hon. LAMAR ALEXANDER,
U.S. Senate,
Washington, DC.

DEAR SENATOR ALEXANDER: Thank you for your efforts to amend the Joint Funding Resolution, H.R. 20, to provide level funding ($99 million) for the Teacher Incentive Fund (TIF).

As you may know, the lack of a fiscal year 2007 appropriation for TIF would have a significant impact on the program. The Department (ED) remains concerned that a lack of funding for TIF in fiscal year 2007 would jeopardize our ability to make timely continuation funding available for current grant recipients. While ED has reserved $8.8 million from fiscal year 2006 funds to cover the increased costs proposed for the second year of operation for the 16 current TIF grantees, this amount will not cover all continuation costs for grantees.

A lack of fiscal year 2007 funding for TIF would also significantly limit our ability to support technical assistance to TIF grantees and ensure that information on teacher and principal compensation reform is available not only to TIF grantees, but also to the general public.

Finally, a lack of fiscal year 2007 funding would impact our ability to begin a national evaluation of the TIF program, which Congress called for when appropriating funds for this program. Our planned evaluation will be delayed until fiscal year 2008 unless funds are appropriated.

It should also be noted that a lack of funding in fiscal year 2007 may undermine the current TIF grant competition that is underway (with applications due on February 12, 2007). Potential grantees may be dissuaded from applying for TIF grants or spending time and resources developing high-quality applications if they believe the program's funding is in jeopardy.

Again, I thank you for your leadership on this important issue. Please do not hesitate to call if I can answer any additional questions.

Sincerely,

MARGARET SPELLINGS.

The PRESIDING OFFICER. The majority whip.

Mr. DURBIN. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. The Senate is in morning business. The Senator from Illinois may speak for 10 minutes.

Mr. DURBIN. Mr. President, I say to my colleague from Tennessee, whose interest in education is well recognized, I couldn't agree with him more. Not only is this program important, it is important to me. When the superintendent of the Chicago Public School System, Arnie Duncan, called me yesterday and said we need this money, I said to him: I know you do. It breaks my heart that we cannot give it to you at this moment.

I can go through the sordid history that brought us to this continuing resolution—our failure to pass the appropriations bills in the normal fashion last year, extending the Government on a piecemeal basis with a CR, as we call them, for a few months, and now facing the awesome task of funding the rest of the year with certainly limitations in funding that have caused a great deal of deprivation. This is a clear illustration and example of a program that is worth funding and that should be funded.

I say to my friend from Tennessee, if we cannot resolve it in this particular bill—and I doubt that we can because of the extraordinary circumstances—please let me join him and let's have others join in making sure this program is solid and funded for the next fiscal year. It is a good program, an excellent program. I want to see it move forward.

The quality of teachers may be the single greatest determinant in the success of education. I certainly want to join the Senator from Tennessee in making that happen.

IRAQ

Mr. DURBIN. Mr. President, I want to move to another topic and say for anyone who has followed the debate this week on Iraq, it has been a frustration. We came to the Senate with the clear direction of the American people to change course in Iraq. Unfortunately, the minority—the Republican minority—decided it was more important to change the subject than to change course. So they defeated our efforts to bring this issue of our policy in Iraq to a debate on Monday.

In the Senate, it takes 60 votes to do anything that is important or controversial. And so we needed help from the Republican side of the aisle because we only have 51 when we are at full complement, and with Senator JOHNSON recuperating, we only had 50. We needed 10 of their stalwarts to join us, to move forward and say: Let's have this debate on Iraq.

I was hopeful we would have that many. At least seven or eight Republican Senators said they disapprove of President Bush's plan to escalate this war. I thought that was a good starting point, and maybe others will join in to make sure there is a real debate.

Come time for the vote on Monday, we fell short. The Democrats came and voted, with all but one exception, to move forward on the debate, but our Republican friends would not join us. So the debate on Iraq stopped in its tracks. Efforts were made over the next day or two, with no success whatever, to try to revive this debate on Iraq. Now we find ourselves in a position where we moved to the next stage.

That debate was about the Warner resolution, a Republican from Virginia, with bipartisan sponsorship that we agreed on the Democratic side would be the vote. I don't know how more accommodating the majority could be to say to the minority, in this case the Republicans: We will let one of your own write the resolution that we will debate. That is what we said on the Warner resolution. We went further and said to the Republican minority: And then the countervailing resolution, the one in opposition to Warner, write that as well. And they did. That was the resolution of Senator JOHN MCCAIN of Arizona. So we had two competing Republican resolutions in a Senate with a Democratic majority.

To argue we are playing politics with this issue, I think, fails on its face. I don't know how we could be more accommodating, but obviously we didn't reach enough on the other side to get the debate started.

Interestingly enough, I happened to turn on the television last night in my office and here Senator JOHN WARNER came to the floor to try to explain what happened when seven or eight Republican Senators who said they opposed the President's plan, some who openly supported Senator WARNER's resolution and Senator WARNER himself, all voted not to debate his resolution. It is hard to explain to most people who try to follow the arcane procedures of the Senate.

Having said that, the debate is not over. The debate will continue, maybe not on the Senate floor for the next few days. But all across America, in grocery stores, in offices, in churches, all across America, people are talking about this war. When I am contacted by people back in my hometown of Springfield, IL, or Chicago, people are saying this has to change. I understand what they are thinking about in terms of their own children, in terms of the brave soldiers who are there, and in terms of the families who are waiting patiently for their loved ones to return.

We will return to this debate, but the next stage is not going to be a sense-of-the-Senate resolution. The next stage is going to be much more serious. As I said on the floor before, the Warner resolution was a sense-of-the-Senate resolution, which is merely an expression of sentiment. Important as it is, it is still very thin soup compared to an actual amendment or bill which could make some change in the way we wage this war. That is the next stage. The House may take it up before us because we have to pass the spending bill, and then we are going to return to it.

Senator REID, our majority leader, has made it clear. The Republicans will not prevail when it comes to stopping this debate on Iraq. We believe the last election was very clear. The American people want us to change the policy in Iraq. We change it by deliberating and debating and reaching the best consensus we can, and that is what we will try to do.

I hope enough Republicans will join us in this debate. This is critically important. If they are loyal to the President and loyal to his policies, then so be it; stand on the floor and defend them. If they agree with us that there has to be a change, that this escalation of the war moves us in the wrong direction, they will also have a chance to have their voice on the floor. But to try to shut down the debate time and again will not ultimately work. The American people want us to face this issue and face the reality of this war and what it means to us.

The National Intelligence Estimate, just recently released, paints a very bleak picture in Iraq about a civil war that is complicated by an insurgency that is being fought by both Iraqis and foreign al-Qaida fighters, along with widespread violent crime. There have been 2 million refugees in Iraq so far, by the estimate of major international agencies. Some 34,000 Iraqi civilians were killed last year. Another 1,000 died last week alone—Iraqi civilians. These are not the insurgents and terrorists. Many of these are innocent people—men, women, and children—who happened to go to the market or school on the day a bomb was detonated.

We have lost more than 3,100 soldiers as of today. In this month of February, 8 days into this month, we have lost 26 American soldiers, more than 3 a day. As we postpone this debate for days and weeks, American soldiers continue to die and continue to be injured. That is the reality. We have to understand the urgency of this debate and the urgency to get it right.

The President says he needs 21,500 troops more in Baghdad and Iraq. Certainly now the CBO tells us the real number could be 35,000 or 48,000 because those 21,500 are ground troops, combat troops. They need support troops as well, and many of them will be in harm's way.

When asked how much this new escalation of the war will cost, the President estimates $5.6 billion over 8 months. The Congressional Budget Office takes a look and says: No, you are wrong; $27 billion over 12 months.

Some of us remember a man named Lawrence Lindsey, head of the White House's National Economic Council, who made the fatal political error in 2002 of saying that he thought the war in Iraq could cost us between $100 billion and $200 billion. For his estimate, for his candor, Mr. Lindsey was canned. He was fired. Secretary Rumsfeld got on television and said: I think the war might cost us $50 billion. That is on the record. The record shows us he was wrong.

To date, the American taxpayers have paid over $350 billion for this war. With the new request, it will go to over $500 billion.

Imagine the debate we just had between Senator ALEXANDER and myself about $200 million to improve teachers and schools across America that we cannot afford because we are spending $2.5 billion a week on this war in Iraq. We cannot afford to improve the quality of our teachers in America's schools because of the money we have committed to a war in Iraq, a war which, sadly, has no end in sight and a war which is being escalated by this President.

Some argue—I heard it on the floor repeatedly—that any debate about the President's policy is going to hurt the morale of the troops.

This is a copy of The Washington Times, a newspaper which I don't frequently read, but this morning's newspaper says: "War foes will not hurt morale," contradicting the statement made by some that if we express opposition to the President's war policy, we are going to hurt morale. Who was it who said that war foes—those who question the President's policy—will not hurt morale? It turns out to be none other than GEN Peter Pace of the U.S. Marine Corps, who is, of course, Chairman of our Joint Chiefs of Staff. He said it. I want to quote it. I thought this was excellent:

> From the standpoint of the troops, I believe that they understand how our legislature works and that they understand that there's going to be this kind of debate. They understand democracy. They understand you can disagree with the President without being disloyal to the men and women in uniform. They understand you can question whether we have enough troops, whether they are adequately armored, whether they are adequately trained, and question those policies of the President without in any way reflecting on our admiration for the troops and their service to our country.
>
> We are fighting for a democracy in Iraq. That is what we say. A democracy has open debate and disagreement with leadership. If we can't have the same open debate and disagreement with the leadership in America, then we are not exercising the powers of our own democracy.

Finally, I would say, Mr. President, that a friend of mine and colleague in the Senate, Senator ENSIGN of Nevada, came to the floor yesterday and quoted me. Unfortunately, Senator ENSIGN's statement was not accurate. He quoted me as saying recently that:

> If we need initially some troops in Baghdad, for example, to quiet the situation, make it more peaceful so that our soldiers start coming home, then I—myself—would accept it.

Well, he used this as evidence that many Democrats, including myself, had said, well, they are for increasing the number of troops. Here is what I was saying. If we need some additional troops to quiet the situation in Baghdad, then I would be open to it. If there was truly a plan to exit this untenable situation, where a short-term shift in troops to Baghdad could make a difference, I would happily entertain it.

But the fact is that this is not a short-term proposal, it is not part of a plan that clearly brings our troops home, and putting more troops in the heart of a civil war does not quiet the situation. Our troops have achieved what is achievable in Iraq. As the new NIE states, Iraq is now in a civil war and worse. That is not a battle that U.S. troops can win. Only the Iraqis can. The President's plan clearly is not designed to bring our troops home. Nor is he being honest about its costs or the numbers of men and women who will be sent to Iraq in this escalation.

My respect for Senator ENSIGN is not diminished by this misunderstanding.

Mr. BROWNBACK. Mr. President, I am very concerned that the continuing resolution does not adequately support our Armed Forces at this critical time. Our military commanders tell me that the resolution passed by the House of Representatives could deprive our bases of $3.1 billion of crucial Federal funding. I am particularly concerned about the nearly $375 million of BRAC funding that is supposed to go to Fort Leavenworth and Fort Riley. As a member of the Military Construction Appropriations Subcommittee, I support the Hutchinson-Inhofe amendment to reinstate the $3.1 billion for BRAC that will be lost in the current version of the continuing resolution.

Several of Fort Riley and Fort Leavenworth's projects are in jeopardy unless full funding is restored, including: the Regional Correctional Facility at Fort Leavenworth, the Battle Command Training Center at Fort Riley, the Child Development Center at Fort Riley, Fort Riley's Consolidated Soldier and Family Medical Clinic, Fort Riley runway improvements, phase I of the Combat Aviation Brigade complex, and the increment 2 of the First Division headquarters construction.

Unless we correct this problem in the continuing resolution, it will have a domino effect on future BRAC funding, which will be detrimental to our operations around the world. Fort Riley is a good example. First Division soldiers from Fort Riley continue to deploy in support of Operation Iraqi Freedom. Fort Riley trains the soldiers who will embed with both Afghan and Iraqi forces. Right now, Fort Riley has enough soldiers deployed overseas that it can manage base operations. But as one Fort Riley official put it a few weeks ago, world peace is Fort Riley's worst nightmare: if all the soldiers come home, there is no place to house them all. We need to fund BRAC priorities to stay on schedule and make sure the appropriations process in the Senate does not adversely affect the ability of our Armed Forces to execute their missions.

We cannot afford to play games with military construction funds. We worked hard last year to write good legislation that funded key priorities. That funding should be restored. All of us come to the floor pledging to support the men and women of our Armed Forces. Our promises of support will ring hollow if we fail to turn our words into action. We need to restore full funding to military construction in this continuing resolution.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered. We are still in morning business, I believe.

CLARIFYING A STATEMENT ON IRAQ

Mr. DURBIN. Mr. President, I earlier came to the floor and spoke of a statement made on the Senate floor by Senator ENSIGN. I misread my notes for that statement. I want to clarify that Senator ENSIGN did, in fact, quote me accurately when he said that I had made a statement:

> If we need initially some troops in Baghdad, for example, to quiet the situation, make it more peaceful so that our soldiers start coming home, then I would accept it.

That, in fact, was a statement that I had made. The point I would like to make at this moment is, that was part of a longer interview. In the longer interview I raised questions about whether this would be part of a strategy to bring our troops home. That has been my position consistently.

My feeling was, if, as we move troops—we recently moved troops—into Baghdad to protect that city, trying to bring peace to it so our troops could come home, I could understand that. But I believe today, as I believed when I made that statement, that whatever movement of troops we would make would have to be with the clear understanding that our troops were coming home.

I apologize if my earlier statement suggested that Senator ENSIGN had said something different. He did accurately quote me, but the quote that he used did not accurately reflect my feeling on the entire situation.

I want to make that clear to Senator ENSIGN. As I said when I finished my remarks, my feelings for him are not diminished and my feelings that this war should end and our troops should come home soon are not diminished either.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. NELSON of Florida). Without objection, it is so ordered.

HONORING OUR ARMED FORCES

SERGEANT RANDY MATHENY

Mr. HAGEL. Mr. President, I rise to express my sympathy over the loss of United States Army National Guard SGT Randy Matheny of Nebraska. Sergeant Matheny was killed in Baghdad when an improvised explosive device detonated next to the vehicle he was in. He was 20 years old.

Sergeant Matheny was part of a close-knit family in McCook, NE. A 2004 graduate of McCook High School, Sergeant Matheny is remembered as a quiet but likable young man who enjoyed learning about auto technology and computers.

Following in the footsteps of two older siblings, he joined the Army in March, 2005 as a heavy-vehicle driver. His sister, Karen, is currently serving her second tour with the Army National Guard in Iraq. His brother, Paul, is a private first class in the regular Army. Sergeant Matheny had been serving in Iraq with the 1074th Transportation Company since early fall. We're proud of Sergeant Matheny's service to our country as well as the service of thousands of brave Americans who are currently serving in Iraq.

In addition to his brother and sister, Sergeant Matheny is survived by his father Gary Matheny; his mother Jan Collins, and her husband Duane Collins; and stepsisters Kori Collins and Laci Ingels.

I ask my colleagues to join me and all Americans in honoring Sergeant Randy Matheny.

MAYORS UNITE TO FIGHT GUN VIOLENCE

Mr. LEVIN. Mr. President, on January 23, over 50 members of Mayors Against Illegal Guns met in Washington, DC, for the coalition's 2007 National Summit. Mayors from 27 States and the District of Columbia shared practices and strategies, discussed the importance of forging alliances with gun owners, and united in opposition to laws that restrict cities' access to, and use of, gun trace data. They also heard the results of a bipartisan national poll which shows strong support for tougher enforcement of existing gun laws and common sense provisions to prevent and solve crimes.

The original group of 15 mayors first met in April 2006 in New York City, where they pledged to seek the involvement of up to 50 mayors from around the country. By early June 2006, 52 mayors had joined the coalition. Within a few days following the conclusion of the 2007 summit, 31 additional mayors from across the Nation joined the coalition. The coalition currently includes 154 mayors from 44 States and the District of Columbia.

As cochair of the coalition, New York City Mayor Michael Bloomberg described this growth by saying:

> Our coalition is growing because—as the national summit showed—mayors of both parties are committed to doing more to keep illegal guns off the street, which threaten the safety of our citizens, especially our police officers. The 31 new mayors joining the ranks of our coalition demonstrate that momentum is building for our effort to crack down on illegal guns and convince state legislatures and Congress to take ideology out of law enforcement.

The coalition's basic principle is that keeping illegal guns off the street is not an issue of ideology but of law enforcement. It, therefore, is united in taking a commonsense approach to fighting illegal guns at the local, State and Federal levels. The vast majority of guns used in crimes are purchased and possessed illegally. Most gun dealers, however, are honest business people that carefully follow the law. According to gun crime trace data, 85 percent of dealers do not sell any guns used in crimes. It is only a small number of irresponsible dealers that cause the vast majority of problems. In fact, it is only about 1 percent of gun sellers who account for 60 percent of all guns used in crimes.

According to a national survey conducted by Greenberg Quinlan Rosner Research and the Terrance Group on behalf of Mayors Against Illegal Guns, 84 percent of Americans say they are concerned about gun violence. This concern crosses partisan lines, and spans big cities and small rural areas alike. Eighty-two percent of Americans favor either tougher enforcement of existing laws or tough new laws. This strong public support for commonsense measures serves to reinforce what we should already know. I would like to urge this Congress to follow the example of these mayors and work in a bipartisan manner to promote and pass sensible gun safety legislation.

DOMESTIC PET TURTLE MARKET ACCESS ACT

Ms. LANDRIEU. Mr. President, I come to the floor today as a cosponsor of the Domestic Pet Turtle Market Access Act of 2007. If enacted, this bill would re-open the U.S. market to allow the sale of baby turtles as pets. In Louisiana, we have 72 licensed turtle farmers who produce over 13 million turtles year with a farm value of $9 million. Unless Congress enacts this bill, this industry will die and Louisiana will bear the brunt of the loss.

Since 1975, the FDA has banned the sale of turtles sold as pets due to health concerns regarding salmonella poisoning. The FDA, through its Center for Veterinary Medicine, banned the sale of baby turtles in the U.S. due to salmonella poisoning occurring in children in households with pet turtles.

The industry has survived by taking their market abroad to Asia. Asia has developed their own turtle market and is no longer in need of U.S. turtles. As a result, U.S. turtle farmers have nowhere to sell their product, and they are barely getting by.

Three decades have now passed and our knowledge of the salmonella bacteria and the technology for treating this bacterium has greatly advanced. Scientists at Louisiana State University have developed salmonella treatments for pet turtles. Thanks to these methods, pet turtles can be treated for salmonella before they are shipped for sale. This treatment, combined with a much higher awareness of how serious salmonella poisoning is and how one prevents transmission of the bacteria, is more than enough to protect individuals who seek to own pet turtles—in fact, it will be more protection than any other amphibian or reptile seller currently provides.

Other similar amphibians and reptiles are not banned for sale in the United States and they also carry salmonella and are a potential health threat. There is no requirement that these pets be treated for salmonella before sale. As a result, the FDA has singled out one industry primarily located in Louisiana.

This bill will require the turtle industry to submit a plan to the FDA for approval. Turtle farmers will be required to demonstrate how they will treat turtles and ensure compliance with this act. The FDA must approve the plan if an acceptable treatment is chosen by the turtle farmer and it exceeds current similar methods being used by other amphibian and reptile pet sellers.

The Louisiana turtle industry will become a dead industry this year unless Congress enacts this bill and allows the U.S. market to re-open. In 30 years, our understanding of salmonella prevention and the technology and science has advanced tremendously. This bill keeps intact important safety provisions to protect individuals and at the same time allows the re-opening of a market to stop an important industry in Louisiana from dying. I support this bill, and I hope the rest of the Senate will join me in supporting this commonsense bill that will protect consumers, protect farmers, and bring the joy of caring for pet turtles to millions.

TRIBUTE TO JACOB N. PERKINS

Mr. WARNER. Mr. President, today with a deep sense of sadness, I wish to speak in honor of a wonderful man, Jacob N. Perkins—a former staff assistant in my office, who passed away on February 5, 2007. Although "Jake" worked for me some time ago—in 1990 and 1991—he remained a key part of what I like to call the extended Warner staff family.

Jake first came to my office as a summer intern from Virginia Tech University. From day one, he impressed all of us with his profound work ethic, his absolute dedication and loyalty, his keen interest in government and politics, and his generosity of spirit. In fact, Jake was such an impressive young man that, after his internship, he was hired on as a member of my permanent staff to serve as my chief mail clerk. He always carried out his responsibilities in an exemplary fashion, giving 150 percent of effort each and every day.

Upon leaving my office, Jake returned to Virginia Tech to finish his undergraduate work. In 1994, he received his bachelor's degree in political science, compiling nearly a 4.0 average his final 2 years of school. After graduating at Virginia Tech, Jake attended law school at the University of Maryland in Baltimore.

Through all the time that has passed, Jake has remained a steadfast friend of my office, supporting my campaigns and projects whenever possible and maintaining warm and important friendships with current and former staff members. Indeed, only this past Christmas, he was the principal organizer of our annual staff alumni luncheon.

In recent years, Jake began to have significant health problems. His passing away this past Monday at the early age of 37, reportedly due to kidney transplant complications, is a tragedy.

Jake was a remarkable man in so many ways. For one, you would never have known he was ill, not even for a day. He was the type of man who never complained, who was always upbeat, and who continuously looked out for his friends and family.

He was an avid Virginia Tech sports fan, an unfailing fan of the New York Yankees, and always eager to enjoy a game of golf with his friends.

Jake had a tremendous community presence in his home of Poolesville, MD. From his leadership role in the local Chamber of Commerce, to organizing and serving as chair of "Poolesville Day" in honor of his beloved community, to helping coach youth basketball teams, to serving as an announcer at local school sporting events, Jake's dedication to community service exemplified the motto of his alma-mater, Virginia Tech: Ut Prosim—that I may serve.

Jake Perkins was a big man with a big presence. The biggest thing about him, however, was his heart. He will be greatly missed by this Senator and many WARNER staff members past and present.

My sincere condolences go out to his dear mother, Mrs. Ellen Perkins of Poolesville, MD, and his brother and sister-in-law, Michael and Shoshana Perkins. We thank you for the gift of Jake's friendship in our lives. We will miss him, but we are forever grateful for the time we had with him. Jake Perkins will always be remembered.

CONGRATULATING BILL O'NEIL

Mr. LEAHY. Mr. President, today it is my honor to salute a longtime Vermont athletic coach, Bill O'Neil, of Essex High School. Bill has been named the 2006 Hockey Coach of the Year by the National Federation of State High School Associations. While he has amassed an impressive record in his 35 years of coaching hockey, softball and girls soccer, winning over 900 games and 16 State championships, Bill has always instilled in his players the simple attitude that the game is more than just the win. Learning to play the game, positive sportsmanship, community involvement and academics are even more important to Coach O'Neil. To his players, Bill is a coach, mentor, teacher and lifelong friend.

I am delighted that a Vermonter has been recognized with such a prestigious honor. The Burlington Free Press recent published an article about Coach O'Neil's recognition. I ask unanimous consent that the article, "O'Neil Tops in the Nation," by Ted Ryan, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Burlington Free Press,
Feb. 8, 2007]

O'Neil Tops in the Nation

(By Ted Ryan)

In 35 years of coaching at Essex High School, Bill O'Neil has won over 900 games and 16 state championships in three sports.

He's been a Vermont coach of the year twice in girls' soccer, twice in boys' hockey and three times in softball.

In 2006, his Hornets won the girls' soccer and boys hockey state titles and finished second in softball.

Now, O'Neil is the national high school boys' hockey coach of the year for 2006. "It blew me away," O'Neil said after Essex athletic director Ed Hockenbury informed him of the honor.

"I'm very surprised, very flattered," O'Neil said. "It's a very humbling experience. How can you describe how you feel?"

He said he was staggered at thinking of the many coaches for such hockey beds as Minnesota, Michigan, Massachusetts, Colorado, "even California" who were deserving of such an honor, awarded by the National Federation of State High School Associations.

O'Neil had been named the Section 1 boys hockey coach for 2006, making him eligible for the national award. Two other Vermont coaches, Northfield High School baseball coach Frank Pecora and Woodstock Union High School football coach Jim McLaughlin, were also Section 1 winners.

"Bill is extraordinarily dedicated and hard-working," said Essex athletic director Ed Hockenbury. "He loves spending his time with kids. Win or lose, he is a role model who exemplifies class and dignity in the coaching profession. He is very deserving of this award."

O'Neil will be honored by the Vermont Principals Association at its annual VPA Hall of Fame dinner in May.

O'Neil's boys' hockey teams have reached the finals 15 times, winning the title 11 times. His 2005–06 team went 19–4 and defeated BFA-St. Albans in the championship game.

Whatever the sport, O'Neil said, he has been fortunate to work for athletic directors—Paul Henry, Bruce Wheeler, Melba Masse and Hockenbury—who "emphasize the importance of involvement with kids, that it's more than winning."

"They've never been just about winning. When I'd go in and say we're down, they'd say, 'You're doing a good job with the kids. They've learned the game, they're coming along and they're doing stuff in the community.'"

"All of these mentors of mine have made these programs, not just my programs but all in Essex athletics. All the coaches here are esteemed," O'Neil said. "You don't see anybody that only wants to win and that's what matters."

O'Neil acknowledged that he is not often on the same page as the youth hockey coaches, but said, "They do a huge job of teaching kids the game, getting them involved and making them have some pride in the game and, I'd like to think, respect for the game and all that goes with it."

However, he said, he is concerned that the heavy game schedules for youth teams tend to take something away from appreciation for the sport.

At 35 years of coaching and counting, O'Neil said he can no longer demonstrate everything on the ice or field, but he's still invigorated by young assistants.

"I think more and more about that time being over," said O'Neil of his coaching tenure. "That bothers me. Sometimes I'm so old-school about stuff . . . but I like what I'm doing and I enjoy the kids."

With his children growing and leaving home, O'Neil said, "The coaching thing is my reward at the end of the day."

"As much as I like teaching, I love coaching," said the English teacher.

And as long as he feels that way, Bill O'Neil will continue adding to one of the most impressive coaching careers in Vermont high school history.

ADDITIONAL STATEMENTS

HONORING THE LIFE OF THE LATE LORNE "GUMP" JOHN WORSLEY

• Mr. COLEMAN. Mr. President, today I wish to recognize a hockey legend whose personality and character remind us all of the human side of sports; Lorne "Gump" John Worsley. During his years playing professional hockey in Minnesota, beginning his career with the St. Paul Saints and finishing with the Minnesota North Stars, he found a special place in the hearts of fans who knew him simply as "the Gumper."

Lorne Worsley was born in Montreal, Quebec, on May 14, 1929. As a child, he was given the nickname "Gump" because the cowlick in his hair looked almost identical to that of comic strip character Andy Gump. The nickname would follow him for the rest of his life. Despite growing up penniless during the Great Depression, Gump dreamed of being a professional hockey player, a dream that would lead him into the history books as one of the most memorable and accomplished goalies in hockey.

In 1950, Gump Worsley began his professional hockey career, playing for the St. Paul Saints of the U.S. Hockey League. That year, Gump obtained the first of many future accolades when he was named the league's Rookie of the Year. Two years later, in 1952, Gump joined the National Hockey League's New York Rangers, where his debut season earned him the Calder Trophy as NHL Rookie of the Year.

As Gump Worsley's career progressed, so did his accomplishments. After being acquired by the Montreal Canadiens, his hometown team, in 1963, Gump helped lead the team to four Stanley Cup Championships in the span of 5 years—winning titles in 1965, 1966, 1968, and 1969. During his time with the Canadiens, Gump was awarded the Vezina Trophy as the NHL's top goalie in both 1966 and 1968. In 1966, his record was 29-14-6 with a goals-against-average of 2.36. In 1968, he amassed a record of 19-9-8, with an amazing goals-against-average of just 1.98.

In 1970, Gump joined the Minnesota North Stars, helping fuel the team to the NHL playoffs in three consecutive seasons. Gump Worsley retired from the sport he loved in 1974 with a record of 335-352-150, including 43 shutouts. Over the course of his career, Gump was selected to the National Hockey League's All Star Game four times—in 1961, 1962, 1965, and 1972. After his retirement as a player, Gump remained active in hockey as a scout for the Minnesota North Stars. In 1980, Gump was inducted into the Hockey Hall of Fame.

Sadly, Gump Worsley passed away on January 26, 2007, at the age of 77. The world of hockey and the State of Minnesota now mourn the passing of a legend. Among his many accomplishments, Gump will be remembered for not being the "prototypical" athlete and also for not wearing a goalie's mask until the final six games of his career. Fellow hockey legend Lou Nanne described Gump Worsley as "the most unlikely-looking athlete, but when he strapped on the pads, he was one of the best in the game." Gump Worsley's determination to achieve his goals is an example of success that we can all strive for in our lives, and that is why today we honor "the Gumper."•

THE FACE OF IDAHO AGRICULTURE FOR A DECADE

• Mr. CRAPO. Mr. President, one of the marks of a successful government official is his or her ability to bridge the gap between the public and the agency in order to foster a positive and productive relationship that benefits the public good. Someone who not only accomplishes this, but takes this principle to a level of excellence, is nothing short of exceptional. A fellow Idahoan, Pat Takasugi, is just such an individual. Pat retired from the Idaho State Department of Agriculture on December 31, 2006, serving as its director for the past 10 years, under three governors. A third-generation farmer from Wilder, ID, Pat promoted excellence in Idaho agriculture on multiple fronts for a decade: foreign trade, conservation, regulation, compliance, inter-agribusiness partnerships, and beneficial relationships among producers, processors, consumers, and international partners.

Pat served his country with distinction even before leading the Idaho Department of Agriculture. He attained the rank of captain in the Army and served as a Green Beret A-team commander in the Special Forces.

Pat's knowledge of agriculture is rooted deeply in his family and, as a grower of alfalfa seed, onions, wheat, pea seed, and garden bean seed, he has a well-rounded sense of Idaho crops and the conditions and processes necessary for success. It is a fact that agriculture in Idaho and in the United States is a complex and highly interdependent system. All parts, from regulations to funding to common practices to the actual production on the ground, must work in concert in order to keep our food supply safe and efficient, and our agri-businesses thriving. Pat understands these multifaceted relationships on a systemic level; this strength lent itself to superior leadership and accomplishment in his role as director.

Regulations pose particular challenges to any commodity system; Pat met these challenges headon, pushing for a commonsense, financially feasible regulatory system. He created a Customer Assisted Inspection Program for fruits and vegetables. He moved the Weights and Measures Bureau to computerized inspection forms. He streamlined the pesticide applicator licensing process. He increased education on the proper use and application of pesticides; and he was instrument, in drafting a Memorandum of Understanding among EPA, Idaho DEQ, and industry to deal with regulatory compliance of confined animal operations including feedlots and dairies. Compliance goes hand in hand with regulations: Pat worked to improve chemigation site and equipment inspections.

Agriculture today is responding in positive and responsible ways to the environment. Pat led the way in many efforts to help Idaho agriculture respond to environmental concerns, including better identification of ground water pollutants and response strategies, increasing collections of unused pesticides, successfully fighting both Eurasian Milfoil and noxious weeds and improving the smoke management program, including local outreach to affected communities.

Throughout, Pat worked to promote Idaho agriculture products by initiating the "Idaho Preferred" marketing program. He also consistently worked to protect Idaho's agriculture producers by creating a seed fund to mirror the Commodity Indemnity Fund and improving the Warehouse Control Program. Finally, he emphasized protection of Idaho's food industry by creating the Idaho Food Quality Assurance Lab and working to isolate the potato cyst nematode outbreak and reassure our trading partners that Idaho produce remains dependably safe. Others recognized his expertise and vision. He served as president of the National Association of State Directors of Agriculture; chairman of several national committees supporting the State's commodity indemnity fund, foreign market development and agriculture research. He served as cochair of NASDA's Warehouse Task Force, a member of USDA's Agricultural Air

Quality Task Force, and cochair of the US-Canada Provincial State Advisory Group.

Undoubtedly, Pat recognizes the importance of foreign markets to Idaho agriculture. He was particularly supportive of market development overseas, participating in several foreign trade missions and several commodity groups.

I especially appreciate Pat's commitment to including multiple stakeholders during agriculture policy formulation and review. He reached out to national organizations, State, and industry leaders in Idaho and the tribes to promote partnerships that aimed to solve rather than perpetuate challenges to successful agriculture in Idaho. Pat's community outreach efforts included support of the Access Yes Program to allow sportsmen and women on to private land and the creation of a user-friendly public Web site for the Department.

Pat handled challenges such as the detection of brucellosis in Idaho livestock, grass-burning issues, and the bankruptcy of the ABT alfalfa seed company with strong leadership and deft crisis management.

Pat will be sorely missed, and his boots impossible to fill. I am honored to have worked with such a remarkable individual over the years and wish him well as he, in his own words, goes home and "starts walking fields and driving tractors—doing what real people do." Idaho agriculture will always bear the indelible mark of Pat's legacy.•

TRIBUTE TO JOHN M. QUEEN III

• Mrs. DOLE. Mr. President, I congratulate Mr. John M. Queen III, of Waynesville, NC, for recently becoming the president of the National Cattlemen's Beef Association.

John is the president and owner of John Queen Farms, a third generation cattle farm located in the mountains of North Carolina. He is a family man, a successful businessman, and a proven leader in his community and the beef industry. Over the years, John has been involved in almost every area of the beef industry from production to sale, and he has served in numerous leadership roles in the beef industry at the county, State, and national levels.

With his extensive knowledge and experience as a member of the beef industry, John Queen is the kind of leader the beef industry needs right now. In the coming months, a new farm bill will be written that will impact our livestock producers. As a producer, John Queen understands these issues firsthand, and he will have the opportunity to serve as an advocate for his fellow livestock producers.

The beef industry today is at a pivotal crossroads. As Congress works to secure fair and open markets in Europe and Asia, the beef industry must continue to work diligently to foster consumer confidence in one of our Nation's largest export commodities. As we continue to work with the Canadian Government and governments in Asia to reopen their markets to U.S. beef, we will need diligent and creative leaders such as John Queen to help promote our beef to consumers around the world.

I am very pleased that a fellow North Carolinian will be leading the National Cattlemen's Beef Association. This is a great day for our cattlemen, and for North Carolina as a whole.•

IN HONOR OF RICHARD H. SHAPIRO

• Mr. DOMENICI. Mr. President, today I wish to express my gratitude to Richard H. Shapiro for 18 years of service to the Congress in his capacities as program director and executive director of the Congressional Management Foundation, CMF. As he enters retirement, I wish the best for Richard and his family. They should know that the contributions he made during his tenure at the CMF have had positive impacts, direct or indirect, on the way every office in the Congress is managed.

Rick started working for the Congress in the late 1970s, when he was hired as a staff investigator for what was then the Senate Permanent Subcommittee on Investigations. Following the completion of his graduate education in public administration at Princeton, Rick returned to the House of Representatives as staff director for a number of subcommittees. His work in the Congress and as a management consultant in the private sector helped Rick develop a sense of the importance of effective management to the oversight responsibilities of Congress.

During his work at the CMF, Rick has helped the organization mature from a small and little known nonprofit into an established and highly used resource for congressional offices. Over the past 18 years, the CMF has doubled the size of its staff and quadrupled the size of its budget. More importantly, under Rick's leadership, the CMF has greatly increased the variety of services it offers to Member offices and committees. The CMF has prepared books specifically tailored to address management issues faced by congressional staff members; it provides confidential consulting services to offices struggling with problems of organization, operations, and performance. Lastly, the CMF has also increased the variety of training programs it offers to senior congressional staff members on topics as varied as strategic planning and interoffice communications.

I thank Rick for all his years of service to Congress. During his career, he dedicated himself to improving the efficiency and productivity of Congress. Rick's commitment to supporting this legislative body is unmatched and I know that Members of Congress and their staff will suffer a great loss when he retires. Rick, you have accomplished a lot during your time with us, and we are forever appreciative. Again, thank you for all of your hard work.•

CELEBRATING ALEXANDER McGREGOR DAO DOANE'S 1ST BIRTHDAY

• Mr. INOUYE. Mr. President, it is my great privilege to pay tribute to Alexander McGregor Dao Doane as he celebrates his first birthday on February 17, 2007, with his parents, W. Allen and Christina Doane. This is the couple's first child, born at 11:44 a.m. at the Queen's Medical Center in Honolulu. At birth, Alexander was 7 pounds 9½ ounces and 20 inches long.

In addition to being happy and fulfilled parents, the Doanes are pillars in Hawaii's corporate leadership circle. Allen is chairman of the board and chief executive officer of Alexander and Baldwin. Founded in 1870, it is one of the oldest and most prestigious companies operating in Hawaii, with its primary focus in real estate development, ocean cargo carriage and sugar production. Christina was born in Saigon, Vietnam, and immigrated to Hawaii as a child where she would earn her bachelor's degree from the University of Hawaii, a master's in business administration from Hawaii Pacific University, and enter the field of corporate marketing. She is presently enjoying the full-time joys of motherhood.

To give you some sense of the depth of the Doanes' commitment to our community, 8 days after Alex's birth, on February 25, 2006, as the event cochairs, Allen and Christina, hosted the American Heart Association's Heart Ball. With more than 1,200 guests in attendance, $792,000 was raised for this worthy charity. They never skipped a beat. I am very proud to call Allen and Christina, and now Alex, my constituents from the great State of Hawaii.

Alexander is named for one of the founders of Alexander and Baldwin, Samuel Thomas Alexander. He was described as "outgoing and adventurous, the idea man." Who knows what the future will hold for Alexander McGregor Dao Doane. It is no happenstance that Alexander and Baldwin's common stock is traded on the NASDAQ Stock Market under the symbol ALEX. Happy Birthday.•

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

ENROLLED BILL SIGNED

At 10:04 a.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 434. An act to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958 through July 31, 2007, and for other purposes.

At 12:29 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 187. An act to designate the Federal building and United States courthouse and customhouse located at 515 West First Street in Duluth, Minnesota, as the "Gerald W. Heaney Federal Building and United States Courthouse and Customhouse".

H.R. 238. An act to repeal a prohibition on the use of certain funds for tunneling in certain areas with respect to the Los Angeles to San Fernando Valley Metro Rail project, California.

H.R. 365. An act to provide for a research program for remediation of closed methamphetamine production laboratories, and for other purposes.

H.R. 482. An act to direct the Secretary of the Interior to transfer ownership of the American River Pump Station Project, and for other purposes.

H.R. 742. An act to amend the Antitrust Modernization Commission Act of 2002, to extend the term of the Antitrust Modernization Commission and to make a technical correction.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 187. An act to designate the Federal building and United States courthouse and customhouse located at 515 West First Street in Duluth, Minnesota, as the "Gerald W. Heaney Federal Building and United States Courthouse and Customhouse"; to the Committee on Environment and Public Works.

H.R. 365. An act to provide for a research program for remediation of closed methamphetamine production laboratories, and for other purposes; to the Committee on Environment and Public Works.

H.R. 482. An act to direct the Secretary of the Interior to transfer ownership of the American River Pump Station Project, and for other purposes; to the Committee on Energy and Natural Resources.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BYRD, from the Committee on Appropriations:

Special Report entitled "Further Revised Allocation to Subcommittees of Budget Totals for Fiscal Year 2007" (Rept. No. 110–4).

By Mr. LEVIN, from the Committee on Armed Services, without amendment:

S. 372. An original bill to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes (Rept. No. 110–5).

By Mr. LEAHY, from the Committee on the Judiciary, without amendment and with a preamble:

S. Res. 36. A resolution honoring women's health advocate Cynthia Boles Dailard.

S. Res. 37. A resolution designating March 26, 2007 as "National Support the Troops Day" and encouraging the people of the United States to participate in a moment of silence to reflect upon the service and sacrifice of members of the Armed Forces both at home and abroad.

By Mr. LEAHY, from the Committee on the Judiciary, with amendments:

S. 188. A bill to revise the short title of the Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. BIDEN for the Committee on Foreign Relations.

*John D. Negroponte, of New York, to be Deputy Secretary of State.

By Mr. LEAHY for the Committee on the Judiciary.

Norman Randy Smith, of Idaho, to be United States Circuit Judge for the Ninth Circuit.

Nora Barry Fischer, of Pennsylvania, to be United States District Judge for the Western District of Pennsylvania.

Marcia Morales Howard, of Florida, to be United States District Judge for the Middle District of Florida.

John Alfred Jarvey, of Iowa, to be United States District Judge for the Southern District of Iowa.

Sara Elizabeth Lioi, of Ohio, to be United States District Judge for the Northern District of Ohio.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. ENSIGN (for himself, Ms. MURKOWSKI, Mr. STEVENS, Mr. CRAIG, Mr. CRAPO, Mr. INHOFE, and Mr. KYL):

S. 525. A bill to amend title 28, United States Code, to provide for the appointment of additional Federal circuit judges, to divide the Ninth Judicial Circuit of the United States into 2 circuits, and for other purposes; to the Committee on the Judiciary.

By Mr. PRYOR (for himself, Mr. CHAMBLISS, and Ms. MIKULSKI):

S. 526. A bill to amend title 38, United States Code, to expand the scope of programs of education for which accelerated payments of educational assistance under the Montgomery GI Bill may be used, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. FEINGOLD (for himself and Mr. KYL):

S. 527. A bill to make amendments to the Iran, North Korea, and Syria Nonproliferation Act; to the Committee on Foreign Relations.

By Mr. FEINGOLD:

S. 528. A bill to amend the Agricultural Adjustment Act to prohibit the Secretary of Agriculture from basing minimum prices for Class I milk on the distance or transportation costs from any location that is not within a marketing area, except under certain circumstances, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry .

By Mr. FEINGOLD:

S. 529. A bill to allow the modified bloc voting by cooperative associations of milk producers in connection with a referendum on Federal Milk Marketing Order reform; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. FEINGOLD (for himself and Mr. SCHUMER):

S. 530. A bill to prohibit products that contain dry ultra-filtered milk products, milk protein concentrate, or casein from being labeled as domestic natural cheese, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. MCCAIN:

S. 531. A bill to repeal section 10(f) of Public Law 93–531, commonly known as the "Bennett Freeze"; to the Committee on Indian Affairs.

By Mr. HATCH:

S. 532. A bill to require the Secretary of the Interior to convey certain Bureau of Land Management land to Park City, Utah, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. MURKOWSKI:

S. 533. A bill to amend the National Aquaculture Act of 1980 to prohibit the issuance of permits for marine aquaculture facilities until requirements for the permits are enacted into law; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BIDEN:

S. 534. A bill to bring the FBI to full strength to carry out its mission; to the Committee on the Judiciary.

By Mr. DODD (for himself and Mr. LEAHY):

S. 535. A bill to establish an Unsolved Crimes Section in the Civil Rights Division of the Department of Justice, and an Unsolved Civil Rights Crime Investigative Office in the Civil Rights Unit of the Federal Bureau of Investigation, and for other purposes; to the Committee on the Judiciary.

By Mr. KOHL (for himself and Mr. LEAHY):

S. 536. A bill to amend the Organic Foods Production Act of 1990 to prohibit the labeling of cloned livestock and products derived from cloned livestock as organic; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. LANDRIEU (for herself, Mr. LOTT, Mr. KERRY, and Mr. LIEBERMAN):

S. 537. A bill to address ongoing small business and homeowner needs in the Gulf Coast States impacted by Hurricane Katrina and Hurricane Rita; to the Committee on Small Business and Entrepreneurship.

By Ms. LANDRIEU:

S. 538. A bill to reduce income tax withholding deposits to reflect a FICA payroll tax credit for certain employers located in specified portions of the GO Zone, and for other purposes; to the Committee on Finance.

By Ms. LANDRIEU (for herself, Mr. LOTT, and Mr. KERRY):

S. 539. A bill to address ongoing economic injury in Gulf Coast States impacted by Hurricanes Katrina and Rita by reviving tourist travel to the region; to the Committee on Environment and Public Works.

By Mr. VITTER (for himself and Ms. LANDRIEU):

S. 540. A bill to require the Food and Drug Administration to permit the sale of baby turtles as pets so long as the seller uses proven methods to effectively treat salmonella; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. FEINGOLD:

S. 541. A bill to amend the farm Security and Rural Investment Act of 2002 to promote local and regional support for sustainable bioenergy and biobased products, to support the future of farming, forestry, and land management, to develop and support local bioenergy, biobased products, and food systems, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. CRAIG:

S. 542. A bill to authorize the Secretary of the Interior to conduct feasibility studies to address certain water shortages within the Snake, Boise, and Payette River systems in the State of Idaho, and for other purposes; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. FEINGOLD (for himself, Mr. SUNUNU, and Mr. LEVIN):

S. Res. 76. A resolution calling on the United States Government and the international community to promptly develop, fund, and implement a comprehensive regional strategy in Africa to protect civilians, facilitate humanitarian operations, contain and reduce violence, and contribute to conditions for sustainable peace in eastern Chad, and Central African Republic, and Darfur, Sudan; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 65

At the request of Mr. INHOFE, the names of the Senator from Utah (Mr. HATCH), the Senator from Kansas (Mr. BROWNBACK), the Senator from Utah (Mr. BENNETT) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of S. 65, a bill to modify the age-60 standard for certain pilots and for other purposes.

S. 93

At the request of Mr. STEVENS, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 93, a bill to authorize NTIA to borrow against anticipated receipts of the Digital Television and Public Safety Fund to initiate migration to a national IP-enabled emergency network capable of receiving and responding to all citizen activated emergency communications.

S. 368

At the request of Mr. BIDEN, the names of the Senator from Illinois (Mr. DURBIN), the Senator from Florida (Mr. NELSON), the Senator from Louisiana (Ms. LANDRIEU) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 368, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to enhance the COPS ON THE BEAT grant program, and for other purposes.

S. 388

At the request of Mr. THUNE, the name of the Senator from Alaska (Mr. STEVENS) was added as a cosponsor of S. 388, a bill to amend title 18, United States Code, to provide a national standard in accordance with which nonresidents of a State may carry concealed firearms in the State.

S. 430

At the request of Mr. BOND, the names of the Senator from Nebraska (Mr. HAGEL) and the Senator from New Hampshire (Mr. GREGG) were added as cosponsors of S. 430, a bill to amend title 10, United States Code, to enhance the national defense through empowerment of the Chief of the National Guard Bureau and the enhancement of the functions of the National Guard Bureau, and for other purposes.

S. 431

At the request of Mr. SCHUMER, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 431, a bill to require convicted sex offenders to register online identifiers, and for other purposes.

S. 442

At the request of Mr. DURBIN, the names of the Senator from Delaware (Mr. BIDEN) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 442, a bill to provide for loan repayment for prosecutors and public defenders.

S. 456

At the request of Mrs. FEINSTEIN, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 456, a bill to increase and enhance law enforcement resources committed to investigation and prosecution of violent gangs, to deter and punish violent gang crime, to protect law-abiding citizens and communities from violent criminals, to revise and enhance criminal penalties for violent crimes, to expand and improve gang prevention programs, and for other purposes.

S. 459

At the request of Ms. SNOWE, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 459, a bill to require that health plans provide coverage for a minimum hospital stay for mastectomies, lumpectomies, and lymph node dissection for the treatment of breast cancer and coverage for secondary consultations.

S. 465

At the request of Mr. NELSON of Florida, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 465, a bill to amend titles XVIII and XIX of the Social Security Act and title III of the Public Health Service Act to improve access to information about individuals' health care options and legal rights for care near the end of life, to promote advance care planning and decisionmaking so that individuals' wishes are known should they become unable to speak for themselves, to engage health care providers in disseminating information about and assisting in the preparation of advance directives, which include living wills and durable powers of attorney for health care, and for other purposes.

S. 486

At the request of Mr. KENNEDY, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 486, a bill to establish requirements for lenders and institutions of higher education in order to protect students and other borrowers receiving educational loans.

S. 511

At the request of Mrs. CLINTON, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 511, a bill to provide student borrowers with basic rights, including the right to timely information about their loans and the right to make fair and reasonable loan payments, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. ENSIGN (for himself, Ms. MURKOWSKI, Mr. STEVENS, Mr. CRAIG, Mr. CRAPO, Mr. INHOFE, and Mr. KYL):

S. 525. A bill to amend title 28, United States Code, to provide for the appointment of additional Federal circuit judges, to divide the Ninth Judicial Circuit of the United States into 2 circuits, and for other purposes; to the Committee on the Judiciary.

Ms. MURKOWSKI. Mr. President, I am pleased to be joined by my colleagues, Senators ENSIGN, STEVENS, KYL, CRAIG, CRAPO, and INHOFE, in introducing the Circuit Court of Appeals Restructuring and Modernization Act of 2007.

Our legislation will create a new Twelfth Circuit comprised of Alaska, Washington, Oregon, Idaho, Montana, Nevada and Arizona and will go far in improving the efficiency and effectiveness of the current Ninth Circuit U.S. Court of Appeals.

One need only look at the sheer geographic size of the Ninth Circuit to find reasons for reorganization. The Ninth Circuit extends from the Arctic Circle to the Mexican border, spans the tropics of Hawaii and crosses the International Dateline to Guam and the Northern Mariana Islands. Encompassing nine States and some 1.4 million square miles, the Ninth Circuit, by any means of measure, is the largest of all U.S. circuit courts of appeal. In fact, it is larger than the First, Second, Third, Fourth, Fifth, Sixth, Seventh and Eleventh Circuits combined.

The Ninth Circuit serves a population of nearly 60 million, almost twice as many as the next largest Circuit. It contains the States that experience the fastest growth rate in the Nation. By 2010, the Census Bureau estimates that the Ninth Circuit's population will be more than 63 million—an increase which will inevitably create an even more daunting caseload.

The only factor more disturbing than the geographic magnitude of the circuit is the magnitude of its ever-expanding docket. The Ninth Circuit has more cases than any other circuit. Based on figures from March, 2006, the Ninth Circuit had 71 percent more cases than the next largest circuit—that is equivalent to the caseload of the Third, Seventh, Eighth and Tenth Circuits combined.

Moreover, because of the sheer magnitude of cases brought before the courts, citizens within the court's jurisdiction face intolerable delays in getting their cases heard. The median time to get a final disposition of an appellate case in the Ninth Circuit takes nearly 4 months longer than the national average. Former Chief Justice Warren E. Burger called the Ninth Circuit's docket an "unmanageable administrative monstrosity."

The massive size and daunting caseload of the Ninth Circuit result in a decrease in the ability of judges to keep abreast of legal developments within the circuit. The large number of judges scattered over the 1.4 million square miles of the circuit inevitably results in difficulty in reaching consistent circuit decisions. This lack of judicial consistency discourages settlements and leads to unnecessary litigation. Reversal rates by the Supreme Court remain astonishingly high. In 2005, 87.5 percent of the Ninth Circuit cases brought before the Supreme Court were reversed or vacated. In 2006, 96 percent were reversed or vacated.

Another problem with the Ninth Circuit is that it is never able to speak with one voice. Because of its size, the Ninth Circuit is the only circuit where all judges do not sit in en banc, or full court, review of panel decisions. Rather than splitting the Ninth Circuit at the time the Fifth Circuit was split, Congress decided to permit the Ninth Circuit to test a "limited" en banc procedure. The limited en banc allows a full court to be comprised of 11 members, rather than 28. Therefore, 6 members of the 28 are all that is necessary for a majority opinion.

Former Chief Justice Burger strongly opposed the limited en banc procedure:

> Six judges can now bind more than 100 Article III and Article I judges, and this is simply contrary to how a court should function I strongly believe the Ninth Circuit should be divided.

The legislation that I and my colleagues introduce today is the sensible reorganization of the Ninth Circuit. No one court can effectively exercise its power in an area that extends from the Arctic Circle to the tropics. Our legislation creates a circuit which is more geographically manageable, thereby significantly reducing wasted time and money spent on judicial travel.

Additionally, caseloads will be much more manageable. Whatever circuit that contains California will always be the giant of the circuits, but as you can see from this chart, caseloads before the new Ninth Circuit and the new Twelfth Circuit are much more in line with other circuits. Such reductions in caseload will clearly improve uniformity, consistency and dependency in legal decisions.

Additionally, this legislation is not novel. Since the day the circuit was established, over a century ago, there have been discussions to divide it. Over the last several decades, Congress has held hearings and debated a split and even mandated two congressional commissions to study the issue each of which recommended dividing the circuit. In fact, the scholarly White Commission, which reported to Congress in 1998, concluded that restructuring the Ninth Circuit would "increase the consistency and coherence of the law, maximize the likelihood of genuine collegiality, establish an effective procedure for maintaining uniform decisional law within the circuit, and relate the appellate forum more closely to the region it serves."

Furthermore, splitting a circuit to respond to caseload and population growth is by no means unprecedented. Congress divided the original Eighth Circuit to create the Tenth Circuit in 1929 and divided the former Fifth Circuit to create the Eleventh Circuit in 1980.

We have waited long enough. The 60 million residents of the Ninth Circuit are the persons who suffer. Many wait years before cases are heard and decided, prompting many to forego the entire appellate process. In brief, the Ninth Circuit has become a circuit where justice is not swift and not always served.

By Mr. PRYOR (for himself, Mr. CHAMBLISS, and Ms. MIKULSKI):

S. 526. A bill to amend title 38, United States Code, to expand the scope of programs of education for which accelerated payments of educational assistance under the Montgomery GI Bill may be used, and for other purposes; to the Committee on Veterans' Affairs.

Mr. PRYOR. Mr. President, I come to the floor today with Senator CHAMBLISS and Senator MIKULSKI to introduce legislation that is important to my constituents and young veterans all across America.

Many of our soldiers, sailors, airmen, and Marines coming back from Iraq and Afghanistan are having a difficult time finding work. I find this troubling, and I feel that we have a responsibility to support our returning veterans who are looking for work. Currently, unemployment among veterans between the ages of 20 and 24 is over 15 percent—nearly double the unemployment for non-veterans in the same age group.

At the same time, many of the fastest growing sectors of our economy are in vast need of an additional skilled labor source. The Department of Labor has identified industry sectors that are expected to experience high growth over the next several years, including trucking, construction, hospitality, and financial services. In fact, the trucking industry, which is very important to my State, currently has a driver shortage of 20,000 drivers. That shortage is expected to grow to 110,000 by 2014.

We have industries in need of skilled employees and we have many young men and women in need of good, high-paying jobs. Our legislation is intended to help match those with needs through increased training benefits in the Montgomery GI Bill. The GI Bill, established after World War II, was a commitment that Congress made to veterans of that war. We would like to extend that commitment to reflect the job opportunities of our modern economy.

To accomplish this task, I join Senators CHAMBLISS and MIKULSKI in reintroducing the Veterans Employment and Training Act—the VET Act. During the 109th Congress, Senator Burns and I worked very hard on moving this legislation, and we made a lot of progress. Late last year, the language was approved by the Committee on Veterans Affairs and even passed the full Senate. Unfortunately, the clock ran out on the 109th Congress and the bill never became law. We were very close last Congress, and I'm hopeful that this Congress will continue moving the VET Act forward and make it law.

The VET Act would expand for veterans the Accelerated Payment Program under the Montgomery GI bill to include job training education in five high-growth sectors of the economy—high technology, transportation, energy, construction, and hospitality—for the next 4 years to help veterans returning from the war on terror transition to the civilian workforce.

Many of the training programs for employment in the identified sectors are short but they are often more costly at the beginning. The current structure of the GI Bill only provides veterans with the option of a smaller monthly stipend. This arrangement works well for traditional education institutions, such as 2 and 4-year institutions. However, this same arrangement is not conducive to the nature of our changing economy and the nature of high growth occupations.

A reconfigured and expanded Accelerated Payment Program has the potential to pay big dividends for our veterans and our economy. The Arkansas Employment Security Department estimates that between one-third and one-half of all nonfarm jobs in Arkansas are in sectors that would benefit from this legislation.

For the benefit of my colleagues, let me briefly review a few reasons why I think this legislation is a wise policy decision.

First, I believe the VET Act will help veterans returning from Iraq and the war on terror. Accelerating GI Bill benefits for training in high-growth occupations will help place veterans faster in good-paying jobs.

Second, passing the VET Act will encourage returning veterans to pursue careers in occupations that will contribute most to the U.S. economy. These sectors identified by the Department of Labor are expected to add large numbers of jobs to our economy over the next several years. This legislation will assist in matching the available workforce with our needs to keep our economy growing.

Third, the VET Act will help make short-term, high-cost training programs more affordable to veterans. GI bill benefits are paid monthly with a maximum monthly stipend of $1,000. Many of the training programs for occupations identified by the Department of Labor as high-growth are short term and high cost in nature. Truck driver training courses typically last 4 to 6 weeks, but can cost up to $6,000. Without this legislation, GI bill benefits will only cover between $1,000 and $1,500 of the cost. Such a low offset discourages veterans from using GI bill benefits from these types of training programs. Accelerated benefits would cover 60 percent the cost, and benefits would be paid in a lump sum.

Last, the VET Act will help place veterans in good-paying jobs at a very low additional cost to the Federal Government. This bill merely enhances benefits already available—the total cost of the accelerated benefits program for high-tech occupations is only $5.7 million. This is a very small percentage of total benefits available to veterans already. Any additional cost will be small and incremental compared to the immediate payoff of reducing unemployment among young veterans and enhancing employment opportunities in high-growth occupations.

To date, 10 veterans and industry organizations have endorsed our legislation, including the American Legion, AMVETS, American Trucking Associations, Owner-Operator Independent Driver's Association, Associated General Contractors, and the National Restaurant Association, among others.

Distinguished colleagues, I believe this is good legislation that will benefit our veterans and our economy. I look forward to working with all of you to enact the VET Act and stand ready to assist you in your mission of helping our veterans succeed in civilian life. I ask unanimous consent that the text of the legislation, the Veterans Employment Act of 2007, be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 526

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Veterans Employment and Training Act of 2007" or the "VET Act".

SEC. 2. EXPANSION OF PROGRAMS OF EDUCATION ELIGIBLE FOR ACCELERATED PAYMENT OF EDUCATIONAL ASSISTANCE UNDER MONTGOMERY GI BILL.

(a) IN GENERAL.—Subsection (b) of section 3014A of title 38, United States Code, is amended by striking paragraph (1) and inserting the following new paragraph (1):

"(1) enrolled in—

"(A) an approved program of education that leads to employment in a high technology occupation in a high technology industry (as determined pursuant to regulations prescribed by the Secretary); or

"(B) during the period beginning on October 1, 2007, and ending on September 30, 2011, an approved program of education lasting less than two years that (as so determined) leads to employment in—

"(i) the transportation sector of the economy;

"(ii) the construction sector of the economy;

"(iii) the hospitality sector of the economy; or

"(iv) the energy sector of the economy; and".

(b) CONFORMING AMENDMENTS.—

(1) HEADING AMENDMENT.—The heading of such section is amended to read as follows:

"§3014A. Accelerated payment of basic educational assistance".

(2) CLERICAL AMENDMENT.—The item relating to such section in the table of sections at the beginning of chapter 30 of such title is amended to read as follows:

"3014A. Accelerated payment of basic educational assistance.".

By Mr. FEINGOLD:

S. 528. A bill to amend the Agricultural Adjustment Act to prohibit the Secretary of Agriculture from basing minimum prices for Class I milk on the distance or transportation costs from any location that is not within a marketing area, except under certain circumstances, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. FEINGOLD. Mr. President, today I am offering a measure which could serve as a first step towards eliminating the inequities borne by the dairy farmers of Wisconsin and the upper Midwest under the Federal Milk Marketing Order system.

The Federal Milk Marketing Order system, created nearly 60 years ago, establishes minimum prices for milk paid to producers throughout various marketing areas in the U.S. For 60 years, this system has discriminated against producers in the Upper Midwest by awarding a higher price to dairy farmers in proportion to the distance of their farms from areas of high milk production, which historically have been the region around Eau Claire, WI.

My legislation is very simple. It identifies the single most harmful and unjust feature of the current system, and corrects it. Under the current archaic law, the price farmers receive for fluid milk is higher the further they are from the Eau Claire region of the Upper Midwest. This provision originally was intended to guarantee the supply of fresh milk from the high production areas to distant markets in an age of difficult transportation and limited refrigeration. But the situation has long since changed and the provision persists to the detriment of the Wisconsin farmers even though most local milk markets do not receive any milk from Wisconsin.

The bill I introduce today would prohibit the Secretary of Agriculture from using distance or transportation costs from any location as the basis for pricing milk, unless significant quantities of milk are actually transported from that location into the recipient market. The Secretary will have to comply with the statutory requirement that supply and demand factors be considered as specified in the Agricultural Marketing Agreement Act when setting milk prices in marketing orders. The fact remains that single-basing-point pricing simply cannot be justified based on supply and demand for milk both in local and national markets and the changing pattern of U.S. milk production.

This bill also requires the Secretary to report to Congress on specifically which criteria are used to set milk prices. Finally, the Secretary will have to certify to Congress that the criteria used by the Department do not in any way attempt to circumvent the prohibition on using distance or transportation cost as basis for pricing milk.

This one change is vitally important to Upper Midwest producers, because the current system has penalized them for many years. The current system is a double whammy to Upper Midwest dairy farmers—it both provides disparate profits for producers in other parts of the country and creates artificial economic incentives for milk production. As a result, Wisconsin producers have seen national surpluses rise, and milk prices fall. Rather than providing adequate supplies of fluid milk, the prices often lead to excess production.

The prices have provided production incentives beyond those needed to ensure a local supply of fluid milk in some regions, leading to an increase in manufactured products in those marketing orders. Those manufactured products directly compete with Wisconsin's processed products, eroding our markets and driving national prices down.

The perverse nature of this system is further illustrated by the fact that since 1995, some regions of the U.S., notably the central States and the Southwest, are producing so much milk that they are actually shipping fluid milk north to the Upper Midwest. The high fluid milk prices have generated so much excess production that these markets distant from Eau Claire are now encroaching upon not only our manufactured markets, but also our markets for fluid milk, further eroding prices in Wisconsin.

The market-distorting effects of the fluid price differentials in Federal orders are shown by a previous Congressional Budget Office analysis that estimated that the elimination of orders would save $669 million over five years. Government outlays would fall, CBO concluded, because production would fall in response to lower milk prices and there would be fewer government purchases of surplus milk. The regions that would gain and lose in this scenario illustrate the discrimination inherent to the current system. Economic analyses showed that farm revenues in a market undisturbed by Federal orders would actually increase in the Upper Midwest and fall in most other milk-producing regions.

While this system has been around since 1937, the practice of basing fluid milk price differentials on the distance from Eau Claire was formalized in the 1960's, when the Upper Midwest arguably was the primary reserve for additional supplies of milk. The idea was to encourage local supplies of fluid milk in areas of the country that did not traditionally produce enough fluid milk to meet their own needs.

That is no longer the case. The Upper Midwest is no longer the primary source of reserve supplies of milk. Unfortunately, the prices didn't adjust with changing economic conditions, most notably the shift of the dairy industry away from the Upper Midwest and towards the Southwest, and specifically California, which now leads the Nation in milk production.

The result of this antiquated system has been a decline in the Upper Midwest dairy industry, not because it can't produce a product that can compete in the marketplace, but because the system discriminates against it. Over the past few years Wisconsin has lost dairy farmers at a rate of more than 5 per day. The Upper Midwest, with the lowest fluid milk prices, is shrinking as a dairy region despite the dairy-friendly climate of the region. Some other regions with higher fluid milk prices are growing rapidly.

While the distance provision is a longstanding inequity, a recent proposal threatens to heap additional inequities on top of the current distance provision. A new proposal has been made asking the USDA to change the pricing formulas by decoupling fluid milk, Class I and II, price and the price for milk used in dairy products, Class III and IV, along with increasing the support for fluid milk. This would advantage areas with high fluid milk utilization by providing them a relatively higher price and disadvantage areas like Wisconsin where cheese-making is also a major use for milk. This price signal would likely then cause overproduction in these regions, eventually driving down the price for milk used in dairy products and the price received by Wisconsin's dairy farmers.

On top of this double-threat is a third negative impact. Decoupling the fluid milk price will undercut the Milk Income Loss Contract (MILC) safety net in Wisconsin because the trigger price for counter-cyclical support is based on Class I price in Boston. A higher fluid milk price will mean the MILC safety net is less effective, especially for regions that depend on the now decoupled class II and IV price like Wisconsin. It is very conceivable that this new proposal would allow the Class III and IV price to plummet while the Class I price remains above the trigger, eliminating the MILC safety net's usefulness for Wisconsin family dairy farmers.

I joined with Senator KOHL and Representative OBEY in sending a letter expressing these concerns to Secretary Johanns last month. In this letter we urge the USDA to reject this proposal which would amount to further unfair treatment in the federal regulations for Wisconsin's hard-working dairy farmers.

In a free market with a level playing field, these shifts in production might be acceptable. But in a market where the government is setting the prices and providing that artificial advantage to regions outside the Upper Midwest, the current system is unconscionable.

I urge my colleagues to do the right thing and bring reform to this outdated system, eliminate the inequities in the current milk marketing order pricing system and reject proposals to add further inequity into the system.

I ask unanimous consent that the text of my bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 528

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Federal Milk Marketing Reform Act of 2007".

SEC. 2. LOCATION ADJUSTMENTS FOR MINIMUM PRICES FOR CLASS I MILK.

Section 8c(5) of the Agricultural Adjustment Act (7 U.S.C. 608c(5)), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, is amended—

(1) in paragraph (A)—

(A) in clause (3) of the second sentence, by inserting after "the locations" the following: "within a marketing area subject to the order"; and

(B) by striking the last 2 sentences and inserting the following: "Notwithstanding subsection (18) or any other provision of law, when fixing minimum prices for milk of the highest use classification in a marketing area subject to an order under this subsection, the Secretary may not, directly or indirectly, base the prices on the distance from, or all or part of the costs incurred to transport milk to or from, any location that is not within the marketing area subject to the order, unless milk from the location constitutes at least 50 percent of the total supply of milk of the highest use classification in the marketing area. The Secretary shall report to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate on the criteria that are used as the basis for the minimum prices referred to in the preceding sentence, including a certification that the minimum prices are made in accordance with the preceding sentence."; and

(2) in paragraph (B)(ii)(c), by inserting after "the locations" the following: "within a marketing area subject to the order".

By Mr. FEINGOLD.

S. 529. A bill to allow the modified bloc voting by cooperative associations of milk producers in connection with a referendum on Federal Milk Marketing Order reform; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. FEINGOLD. Mr. President, today I am re-introducing a measure that will begin to restore democracy for dairy farmers throughout the Nation.

When dairy farmers across the country supposedly voted on a referendum eight years ago to consolidate and modernize the order system, perhaps the most significant change in dairy policy in sixty years, they didn't actually get to vote. Instead, their dairy marketing cooperatives cast their votes for them.

This procedure is called "bloc voting" and it is used all the time. Basically, a Cooperative's Board of Directors decides that, in the interest of time, bloc voting will be implemented for that particular vote. It may serve the interest of time, but it doesn't always serve the interests of their producer owner-members.

While I think that bloc voting can be a useful tool in some circumstances, I have serious concerns about its use in every circumstance. Farmers in Wisconsin and in other States tell me that they do not agree with their cooperative's view on every vote. Yet, they have no way to preserve their right to make their single vote count.

I have learned from farmers and officials at the U.S. Department of Agriculture (USDA) that if a cooperative bloc votes, individual members have no opportunity to voice opinions separately. That seems unfair when you consider what significant issues may be at stake. Coops and their individual members do not always have identical interests. Considering our Nation's longstanding commitment to freedom of expression, our Federal rules should allow farmers to express a differing opinion from their coops, if they choose to.

The Democracy for Dairy Producers Act of 2007 is simple and fair. It provides that a cooperative cannot deny any of its members a ballot to opt to vote separately from the coop.

This will in no way slow down the process at USDA; implementation of any rule or regulation would proceed on schedule. Also, I do not expect that this would often change the final outcome of any given vote. Coops could still cast votes for their members who do not exercise their right to vote individually. And to the extent that coops represent farmers' interests, in the majority of cases farmers are likely to vote the same as their coops. But whether they join the coops or not in voting for or against a measure, farmers deserve the right to vote according to their own views.

I urge my colleagues to return the democratic process to America's farmers, by supporting the Democracy for Dairy Producers Act.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 529

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

The Act may be cited as the "Democracy for Dairy Producers Act of 2007".

SEC. 2. MODIFIED BLOC VOTING.

(a) IN GENERAL.—Notwithstanding paragraph (12) of section 8c of the Agricultural Adjustment Act (7 U.S.C. 608c), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, in the case of the referendum conducted as part of the consolidation of Federal milk marketing orders and related reforms under section 143 of the Agricultural Market Transition Act (7 U.S.C. 7253), if a cooperative association of milk producers elects to hold a vote on behalf of its members as authorized by that paragraph, the cooperative association shall provide to each producer, on behalf of which the cooperative association is expressing approval or disapproval, written notice containing—

(1) a description of the questions presented in the referendum;

(2) a statement of the manner in which the cooperative association intends to cast its vote on behalf of the membership; and

(3) information regarding the procedures by which a producer may cast an individual ballot.

(b) TABULATION OF BALLOTS.—At the time at which ballots from a vote under subsection (a) are tabulated by the Secretary of Agriculture, the Secretary shall adjust the vote of a cooperative association to reflect individual votes submitted by producers that are members of, stockholders in, or under contract with, the cooperative association.

By Mr. FEINGOLD (for himself and Mr. SCHUMER):

S. 530. A bill to prohibit products that contain dry ultra-filtered milk products, milk protein concentrate, or casein from being labeled as domestic natural cheese, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. FEINGOLD. Mr. President, I am pleased to reintroduce the Quality Cheese Act of 2005. This legislation will protect the consumer, save taxpayer dollars and provide support to America's dairy farmers, who have experienced a roller-coaster in prices over the past few years.

When Wisconsin consumers have the choice, they will choose natural Wisconsin cheese. But in the past some in the food industry have pushed the Food and Drug Administration (FDA) to change current law, which would leave consumers not knowing whether cheese is really all natural or not.

If the Federal Government creates a loophole for imitation cheese ingredients to be used in U.S. cheese vats, some cheese labels saying "domestic" and "natural" will no longer be truly accurate.

If USDA and FDA allow a change in Federal rules, milk substitutes such as milk protein concentrate, casein, or dry ultra filtered milk could be used to make cheese in place of the wholesome natural milk produced by cows in Wisconsin or other parts of the U.S.

I was deeply concerned by these efforts a few years ago to change America's natural cheese standard. Efforts to allow milk protein concentrate and casein into natural cheese products fly in the face of logic and could create a loophole that would allow unlimited amounts of imported milk proteins of unknown quality to enter U.S. cheese vats.

While the industry proposal was withdrawn, my legislation would permanently prevent a similar back-door attempt to allow imitation milk as a cheese ingredient and ensure that consumers could be confident that they were buying natural cheese when they saw the natural label.

Over the past decade, cheese consumption has risen at a strong pace due in part to promotional and marketing efforts and investments by dairy farmers across the country. Year after year, per capita cheese consumption has risen at a steady rate.

These proposals to change our natural cheese standards, however, could decrease consumption of natural cheese by raising concerns about the origin of casein and milk protein concentrate. Use of such products could significantly tarnish the wholesome reputation of natural cheese in the eyes of the consumer and have unknown effects on quality and flavor.

This change could seriously compromise decades of work by America's dairy farmers to build up domestic cheese consumption levels. It is simply not fair to America's farmers or to consumers. After all, consumers have a right to know if the cheese that they buy is unnatural. And by allowing milk protein concentrate milk into supposedly natural cheese, we would be denying consumers the entire picture.

The proposed change to our natural cheese standard would also harm the American taxpayer. If we allow MPCs to be used in cheese, we will effectively permit unrestricted importation of these ingredients into the United States. Because there are no tariffs and quotas on these ingredients, these heavily subsidized products would quickly displace natural domestic dairy ingredients.

These unnatural foreign dairy products would enter our domestic cheese market and could depress dairy prices paid to American dairy producers. Low dairy prices, in turn, could result in increased costs to the dairy price support program as the federal government is forced to buy domestic milk products when they are displaced in the market by cheap imports. So, at the same time that U.S. dairy farmers would receive lower prices, the U.S. taxpayer would pay more for the dairy price support program—and in effect be subsidizing foreign dairy farmers and processors.

This change does not benefit dairy farmers, consumers or taxpayers. Who then is it good for?

It would benefit only the subsidized foreign MPC producers out to make a fast buck by exploiting a system put in place to support our dairy farmers.

This legislation addresses the concerns of farmers, consumers and taxpayers by prohibiting dry ultra-filtered milk, casein, and MPCs from being included in America's natural cheese standard.

Congress must shut the door on any backdoor efforts to undermine America's dairy farmers. I urge my colleagues to pass my legislation and prevent a loophole that would allow changes that hurt the consumer, taxpayer, and dairy farmer.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 530

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Quality Cheese Act of 2007".

SEC. 2. NATURAL CHEESE STANDARD.

(a) FINDINGS.—Congress finds that—

(1)(A) any change in domestic natural cheese standards to allow dry ultra-filtered milk products, milk protein concentrate, or casein to be labeled as domestic natural cheese would result in increased costs to the dairy price support program; and

(B) that change would be unfair to taxpayers, who would be forced to pay more program costs;

(2) any change in domestic natural cheese standards to allow dry ultra-filtered milk products, milk protein concentrate, or casein to be labeled as domestic natural cheese would result in lower revenues for dairy farmers;

(3) any change in domestic natural cheese standards to allow dry ultra-filtered milk products, milk protein concentrate, or casein to be labeled as domestic natural cheese would cause dairy products containing dry ultra-filtered milk, milk protein concentrate, or casein to become vulnerable to contamination and would compromise the sanitation, hydrosanitary, and phytosanitary standards of the United States dairy industry; and

(4) changing the labeling standard for domestic natural cheese would be misleading to the consumer.

(b) PROHIBITION.—Section 401 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 341) is amended—

(1) by striking "Whenever" and inserting "(a) Whenever"; and

(2) by adding at the end the following:

"(b) The Commissioner may not use any Federal funds to amend section 133.3 of title 21, Code of Federal Regulations (or any corresponding similar regulation or ruling), to include dry ultra-filtered milk, milk protein concentrate, or casein in the definition of the term 'milk' or 'nonfat milk', as defined in the standards of identity for cheese and cheese products published at part 133 of title 21, Code of Federal Regulations (or any corresponding similar regulation or ruling).".

By Mr. McCAIN:

S. 531. A bill to repeal section 10(f) of Public Law 93-531, commonly known as the "Bennett Freeze"; to the Committee on Indian Affairs.

Mr. McCAIN. Mr. President, I am pleased to introduce legislation that would repeal section 10(f) of Public Law 93-531, commonly known as the "Bennett Freeze." Passage of this legislation would officially mark the end of roughly 40 years of litigation and landlock between the Navajo Nation and the Hopi Tribe. Congressman RICK RENZI has introduced an identical version today in the House of Representatives.

For decades the Navajo and the Hopi have been engrossed in a bitter dispute over land rights in the Black Mesa area just south of Kayenta, AZ. The conflict extends as far back as 1882 when the boundaries of the Hopi and Navajo reservations were initially defined, resulting in a tragic saga of litigation and damaging Federal Indian policy. By 1966, relations between the tribes became so strained over development and access to sacred religious sites in the disputed area that the Federal Government imposed a construction freeze on the disputed reservation land. The freeze prohibited any additional housing development in the Black Mesa area and restricted repairs on existing dwellings. This injunction became known as the "Bennett Freeze," named after former BIA Commissioner Robert Bennett who imposed the ban.

The Bennett Freeze was intended to be a temporary measure to prevent one tribe taking advantage of another until the land dispute could be settled. Unfortunately, the conflict was nowhere near resolution, and the construction freeze ultimately devastated economic development in northern Arizona for years to come. By some accounts, nearly 8,000 people currently living in the Bennett Freeze area reside in conditions that haven't changed in half a century. While the population of the area has increased 65 percent, generations of families have been forced to live together in homes that have been declared unfit for human habitation. Only 3 percent of the families affected by the Bennett Freeze have electricity. Only 10 percent have running water. Almost none have natural gas.

In September 2005, the Navajo and Hopi peoples' desire to live together in mutual respect prevailed when both tribes approved intergovernmental agreement that resolved all outstanding litigation in the Bennett Freeze area. This landmark agreement also clarifies the boundaries of the Navajo and Hopi reservations in Arizona, and ensures that access to religious sites of both tribes is protected. As such, the Navajo Nation, the Hopi Tribe, and the Department of Interior all support congressional legislation to lift the freeze.

The bill I'm introducing today would repeal the Bennett Freeze. The intergovernmental compact approved last year by both tribes, the Department of Interior, and signed by the U.S. District Court for Arizona, marks a new era in Navajo-Hopi relations. Lifting the Bennett Freeze gives us an opportunity to put decades of conflict between the Navajo and Hopi behind us. I urge my colleagues to support this legislation.

By Mr. HATCH:

S. 532. A bill to require the Secretary of the Interior to convey certain Bureau of Land Management land to Park City, Utah, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. HATCH. Mr. President, I rise to introduce the Utah Public Land Conveyance Act of 2007, S. 532. This legislation is designed to improve the management of public lands and open space for the benefit of the citizens of Park City, UT.

Park City has an existing lease on an 88-acre parcel of Bureau of Land Management land known as Gambel Oak and on a 20-acre parcel of BLM land known as White Acre. The leases for these properties have been for recreational and public open space purposes. This legislation would convey these two parcels to Park City, so that they can be better managed for recreation and open space. The BLM has limited resources and is not able to manage these lands for the full benefit of the public.

It's important to note that although these parcels of lands would be conveyed to Park City, they would continue to be protected from development and could be used only for recreational and public open space purposes. Moreover, this bill would require Park City to pay fair market value for the land.

I believe having public lands interspersed with private lands within a city's boundary creates unnecessary management headaches, and the land conveyance to Park City will help bring cohesion to Park City's overall effort to manage their city's growth for the benefit of its citizens.

Along those lines, the legislation also would allow two small parcels of BLM land in Park City to be auctioned off to the highest bidder, thus allowing these lands to be brought under the city's zoning scheme. Proceeds of these sales would go to the Department of the Interior to pay for the costs of administering this legislation. The remaining proceeds would be given to the BLM and dedicated toward restoration projects on BLM lands in Utah.

As you can see, this legislation goes a long way to simplify and consolidate the management of lands in Park City, UT. The legislation allows the BLM to focus to a greater extent on the public lands which lay outside of city limits while raising revenue to facilitate that effort.

I appreciate the efforts of Congressman ROB BISHOP who has worked hard to put this legislation together and has introduced a companion bill in the House, H.R. 838. I look forward to working with him to get this legislation passed for the good people of Park City.

I urge my colleagues to support this legislation.

By Ms. MURKOWSKI:

S. 533. A bill to amend the National Aquaculture Act of 1980 to prohibit the issuance of permits for marine aquaculture facilities until requirements for the permits are enacted into law; to the Committee on Agriculture, Nutrition, and Forestry.

Ms. MURKOWSKI. Mr. President, today I am reintroducing an important bill on a subject that was not resolved last year, and which continues to be an outstanding issue for those of us who are dependent on healthy and productive natural populations of ocean fish and shellfish.

Simply put, this bill prohibits further movement toward the development of aquaculture facilities in Federal waters until Congress has had an opportunity to review all of the serious implications, and make decisions on how such development should proceed.

For years, some members of the Federal bureaucracy have advocated going forward with offshore aquaculture development without that debate. While the administration has entertained some level of public input, the role of Congress must not be undermined. Doing so, would be an extraordinarily bad idea.

The Administration is in the final stages of preparing a bill to allow offshore aquaculture development to occur, and it plans to send the bill to Congress in the very near future. In the last Congress, the Administration proposed legislation to provide a regulatory framework for the development of off-shore aquaculture. While their draft bill is an improvement, it still does not establish clear mandatory environmental standards for the aquaculture industry.

I remain steadfast that any proposal should meet the standards of the National Environmental Policy Act, the Magnuson-Stevens Fishery Conservation and Management Act and the Jones Act. Why should this industry be exempt from the same laws that our commercial fisheries are subject to? Why should this industry not go through the same rigorous environmental review as any other activity that will have impacts on the environment?

Scientists, the media and the public are awakening to the serious disadvantages of fish raised in fish farming operations compared to naturally healthy wild fish species such as Alaska salmon, halibut, sablefish, crab and many other species.

It has become common to see news reports that cite not only the general health advantages of eating fish at least once or twice a week, but the specific advantages of fish such as wild salmon, which contains essential Omega-3 fatty acids that may help reduce the risk of heart disease and possibly have similar beneficial effects on other diseases.

Educated and watchful consumers have also seen recent stories citing research that not only demonstrates that farmed salmon fed vegetable-based food does not have the same beneficial impact on cardio-vascular health, but also that the demand for other fish that we use as feed in those fish farms may lead to the decimation of those stocks. Yet the Administration's bill does not address feed in a meaningful way.

Those same alert consumers may also have seen stories indicating that fish farms may create serious pollution problems from the concentration of fish feces and uneaten food, that fish farms may harbor diseases that can be transmitted to previously healthy wild fish stocks, and that fish farming has had a devastating effect on communities that depend on traditional fisheries.

It is by no means certain that all those problems would be duplicated if we begin to develop fish farms that are farther offshore, but neither is there any evidence that they would not be . . . I certainly don't believe it is prudent to extend the site permits to 20 years, as in the draft bill, given all of the questions and uncertainties of the environmental risks.

Not only do the proponents want to encourage such development, they also want to change the way decisions are made so that all the authority rests in the hands of just one Federal agency. I believe that would be a serious mistake. There are simply too many factors that should be evaluated—from hydraulic engineering, to environmental impacts, transportation and shipping issues, fish biology, management of disease, to the nutritional character of farmed fish, and so on—for any existing agency.

We cannot afford a rush to judgment on this issue—it is far too dangerous if we make a mistake. In my view, such a serious matter deserves the same level of scrutiny by Congress as the recommendations of the U.S. Commission on Ocean Policy for other sweeping changes in ocean governance.

The "Natural Stock Conservation Act" I am introducing today lays down a marker for where the debate on offshore aquaculture needs to go. It would prohibit the development of new offshore aquaculture operations until Congress has acted to ensure that every Federal agency involved does the necessary analyses in areas such as disease control, engineering, pollution prevention, biological and genetic impacts, economic and social effects, and other critical issues, none of which are specifically required under existing law.

I strongly urge my colleagues to understand that this is not a parochial issue, but a very real threat to the literal viability of natural fish and shellfish stocks, as well as the economic viability of many coastal communities. We must retain the oversight necessary to ensure that if we move forward on the development of off-shore aquaculture.

I sincerely hope that Congress will give this issue the attention it deserves. We all want to make sure we enjoy abundant supplies of healthy foods in the future, but not if it means unnecessary and avoidable damage to wild species, to the environment generally, and to the economies of America's coastal fishing communities.

I ask unanimous consent that the text of my bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 533

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Natural Stock Conservation Act of 2007".

SEC. 2. PROHIBITION ON PERMITS FOR AQUACULTURE.

The National Aquaculture Act of 1980 (16 U.S.C. 2801 et seq.) is amended—

(1) by redesignating sections 10 and 11 (16 U.S.C. 2809, 2810) as sections 11 and 12 respectively; and

(2) by inserting after section 9 (16 U.S.C. 2808) the following:

"SEC. 10. PROHIBITION ON PERMITS FOR AQUACULTURE.

"(a) DEFINITIONS.—In this section:

"(1) AGENCY WITH JURISDICTION TO REGULATE AQUACULTURE.—The term 'agency with jurisdiction to regulate aquaculture' means—

"(A) the Department of Agriculture;

"(B) the Coast Guard;

"(C) the Department of Commerce;

"(D) the Environmental Protection Agency;

"(E) the Department of the Interior; and

"(F) the Army Corps of Engineers.

"(2) EXCLUSIVE ECONOMIC ZONE.—The term 'exclusive economic zone' has the meaning given the term in section 3 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1802).

"(3) REGIONAL FISHERY MANAGEMENT COUNCIL.—The term 'regional fishery management council' means a regional fishery management council established under section 302(a) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1852(a)).

"(b) PROHIBITION ON PERMITS FOR AQUACULTURE.—The head of an agency with jurisdiction to regulate aquaculture may not issue a permit or license to permit an aquaculture facility located in the exclusive economic zone to operate until after the effective date of a bill enacted into law that—

"(1) sets out the type and specificity of the analyses that the head of an agency with jurisdiction to regulate aquaculture shall carry out prior to issuing any such permit or license, including analyses related to—

"(A) disease control;

"(B) structural engineering;

"(C) pollution;

"(D) biological and genetic impacts;

"(E) access and transportation;

"(F) food safety; and

"(G) social and economic impacts of the facility on other marine activities, including commercial and recreational fishing; and

"(2) requires that a decision to issue such a permit or license be—

"(A) made only after the head of the agency that issues the license or permit consults with the Governor of each State located within a 200-mile radius of the aquaculture facility; and

"(B) approved by the regional fishery management council that is granted authority under title III of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1851 et seq.) over a fishery in the region where the aquaculture facility will be located.".

By Mr. DODD (for himself and Mr. LEAHY):

S. 535. A bill to establish an Unsolved Crimes Section in the Civil Rights Division of the Department of Justice, and an Unsolved Civil Rights Crime Investigative Office in the Civil Rights Unit of the Federal Bureau of Investigation, and for other purposes; to the Committee on the Judiciary.

Mr. DODD. Mr. President, I rise today to introduce the Emmett Till Unsolved Civil Rights Crime Act, legislation to provide for the investigation and prosecution of unsolved civil rights crimes. In this effort, I am proud to be joined by Senator LEAHY.

There are those who would say this bill is a case of "too little, too late." In some ways they would be right. Where is the justice, I suppose, when a monster such as Edgar Ray Killen roamed free for literally decades after killing young civil rights workers in this country? That fact alone speaks to the inexcusable failures of our legal system to bring to justice those who committed brutal crimes based solely on racial prejudice.

Not that many years ago, crimes of this type were rarely investigated in parts of our country. There was often little or no effort made whatsoever to determine who engaged in these brutal violent acts. In more recent history, of course, we have seen much stronger efforts and I applaud this work. However, I believe there remains good justification for dedicating an adequate amount of resources to go back and reopen the books on those tragic unsolved crimes. Those who engaged in these activities, who think they never have to worry another day in their lives about being pursued, take note—take note that you may never and should never have a sleep-filled night again, that we will pursue you as long as you live, that we will do everything in our power to apprehend you and bring you to the bar of justice.

That is the message we want to convey to the families, the friends, and others who lost loved ones, who put their lives on the line by advocating for greater justice, helping our Nation achieve that "more perfect union" that our Founders spoke about, that Abraham Lincoln articulated brilliantly more than a century and a half ago.

That is at the heart of this effort—to try to level this field. We will never be a perfect union, but each generation bears the responsibility for getting us closer to that ideal.

America stands for the principle of equal justice for all. Yet for far too long, many Americans have been denied that equal justice, and many despicable criminals have not been held accountable for what they have done to deprive people of those equal opportunities. This is a failure we can never forget.

So this Senate, in this Congress, on this date, early in the 21st century, is saying that we will not forget. This bill is on record. This bill seeks to right the wrongs of the past and to bring justice to people who perpetrated these heinous crimes because of racial hatred. We are saying that we want to create the mechanism to allow us to pursue these wrongdoers in the coming years. It cannot bring back and make whole those who have suffered and were murdered by a racist criminal hand. But it can reaffirm our Nation's commitment to seek the truth and to make equal justice a reality.

To do this, we propose the creation of two new offices. The Unsolved Civil Rights Crime Investigative Office will be a division of the Federal Bureau of Investigation devoted to the aggressive investigation of pre-1970 cases in coordination with local law enforcement officials. The Unsolved Crimes Section will be an office within the Civil Rights Division of the Department of Justice and will focus specifically on prosecuting those cases investigated by the new FBI office.

The hour is, obviously, very late. Memories are dimming. Those who can bring some important information to the legal authorities are passing away. This bill may be the last and best chance we have as a nation to write a hopeful postscript in the struggle for racial equality in our Nation.

We are pleased to be working with our friends in the House to help right these wrongs done in our past, especially Representative JOHN LEWIS, who has worked throughout his distinguished life to make sure that the promise of America can be realized for all our citizens.

Mr. President, I ask unanimous consent that a copy of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 535

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Emmett Till Unsolved Civil Rights Crime Act".

SEC. 2. SENSE OF CONGRESS.

It is the sense of Congress that all authorities with jurisdiction, including the Federal Bureau of Investigation and other entities within the Department of Justice, should—

(1) expeditiously investigate unsolved civil rights murders, due to the amount of time that has passed since the murders and the age of potential witnesses; and

(2) provide all the resources necessary to ensure timely and thorough investigations in the cases involved.

SEC. 3. DEFINITIONS.

In this Act:

(1) CHIEF INVESTIGATOR.—The term "Chief Investigator" means the Chief Investigator of the Unit.

(2) CRIMINAL CIVIL RIGHTS STATUTES.—The term "criminal civil rights statutes" means—

(A) section 241 of title 18, United States Code (relating to conspiracy against rights);

(B) section 242 of title 18, United States Code (relating to deprivation of rights under color of law);

(C) section 245 of title 18, United States Code (relating to federally protected activities);

(D) sections 1581 and 1584 of title 18, United States Code (relating to involuntary servitude and peonage);

(E) section 901 of the Fair Housing Act (42 U.S.C. 3631); and

(F) any other Federal law that—

(i) was in effect on or before December 31, 1969; and

(ii) the Criminal Section of the Civil Rights Division of the Department of Justice enforced, prior to the date of enactment of this Act.

(3) OFFICE.—The term "Office" means the Unsolved Civil Rights Crime Investigative Office established under section 5.

(4) DEPUTY.—The term "Deputy" means the Deputy for the Unsolved Civil Rights Era Crimes Unit

(5) UNIT.—The term "Unit" (except when used as part of the term "Criminal Section") means the Unsolved Civil Rights Era Crimes Unit established under section 4.

SEC. 4. ESTABLISHMENT OF SECTION IN CIVIL RIGHTS DIVISION.

(a) IN GENERAL.—There is established in the Criminal Section of the Civil Rights Division of the Department of Justice an Unsolved Civil Rights Era Crimes Unit. The Unit shall be headed by a Deputy for the Unsolved Civil Rights Era Crimes Unit.

(b) RESPONSIBILITY.—

(1) IN GENERAL.—Notwithstanding any other provision of Federal law, and except as provided in section 5, the Deputy shall be responsible for investigating and prosecuting violations of criminal civil rights statutes, in cases in which a complaint alleges that such a violation—

(A) occurred not later than December 31, 1969; and

(B) resulted in a death.

(2) COORDINATION.—

(A) INVESTIGATIVE ACTIVITIES.—In investigating a complaint under paragraph (1), the Deputy shall coordinate investigative activities with State and local law enforcement officials.

(B) VENUE.—After investigating a complaint under paragraph (1), or receiving a report of an investigation conducted under section 5, if the Deputy determines that an alleged practice that is a violation of a criminal civil rights statute occurred in a State, or political subdivision of a State, that has a State or local law prohibiting the practice alleged and establishing or authorizing a State or local law enforcement official to grant or seek relief from such practice or to institute criminal proceedings with respect to the practice on receiving notice of the practice, the Deputy shall consult with the official regarding the appropriate venue for the case involved.

(3) REFERRAL.—After investigating a complaint under paragraph (1), or receiving a report of an investigation conducted under section 5, the Deputy shall refer the complaint to the Criminal Section of the Civil Rights Division, if the Deputy determines that the subject of the complaint has violated a criminal civil rights statute in the case involved but the violation does not meet the requirements of subparagraph (A) or (B) of paragraph (1).

(c) STUDY AND REPORT.—

(1) STUDY.—The Deputy shall annually conduct a study of the cases under the jurisdiction of the Deputy or under the jurisdiction of the Chief Investigator and, in conducting the study, shall determine the cases—

(A) for which the Deputy has sufficient evidence to prosecute violations of criminal civil rights statutes; and

(B) for which the Deputy has insufficient evidence to prosecute those violations.

(2) REPORT.—Not later than September 30 of 2007 and of each subsequent year, the Deputy shall prepare and submit to Congress a report containing the results of the study conducted under paragraph (1), including a description of the cases described in paragraph (1)(B).

SEC. 5. ESTABLISHMENT OF OFFICE IN FEDERAL BUREAU OF INVESTIGATION.

(a) IN GENERAL.—There is established in the Civil Rights Unit of the Federal Bureau of Investigation of the Department of Justice an Unsolved Civil Rights Crime Investigative Office. The Office shall be headed by a Deputy Investigator.

(b) RESPONSIBILITY.—

(1) IN GENERAL.—In accordance with an agreement established between the Deputy Investigator and the Deputy, the Deputy Investigator shall be responsible for investigating violations of criminal civil rights statutes, in cases described in section 4(b).

(2) COORDINATION.—

(A) INVESTIGATIVE ACTIVITIES.—In investigating a complaint under paragraph (1), the Deputy Investigator shall coordinate the investigative activities with State and local law enforcement officials.

(B) REFERRAL.—After investigating a complaint under paragraph (1), the Deputy Investigator shall—

(i) determine whether the subject of the complaint has violated a criminal rights statute in the case involved; and

(ii) refer the complaint to the Deputy, together with a report containing the determination and the results of the investigation.

(C) RESOURCES.—The Federal Bureau of Investigation, in coordination with the Department of Justice, Civil Rights Division, shall have discretion to re-allocate investigative personnel to jurisdictions to carry out the goals of this section.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to carry out this Act $10,000,000 for fiscal year 2008 and each subsequent fiscal year through 2017. These funds shall be allocated by the Attorney General to the Unsolved Civil Rights Era Crime Unit of the Department of Justice and the Civil Rights Unit of the Federal Bureau of Investigation in order to advance the purposes set forth in this Act.

(b) ADDITIONAL APPROPRIATIONS.—Any funds appropriated under this section shall consist of additional appropriations for the activities described in this Act, rather than funds made available through reductions in the appropriations authorized for other enforcement activities of the Department of Justice.

(c) COMMUNITY RELATIONS SERVICE OF THE DEPARTMENT OF JUSTICE.—In addition to any amounts authorized to be appropriated under title XI of the Civil Rights Act of 1964 (42 U.S.C. 2000h et seq.), there are authorized to be appropriated to the Community Relations Service of the Department of Justice $1,500,000 for fiscal year 2008 and each subsequent fiscal year, to enable the Service (in carrying out the functions described in title X of such Act (42 U.S.C. 2000g et seq.)) to provide technical assistance by bringing together law enforcement agencies and communities in the investigation of violations of criminal civil rights statutes, in cases described in section 4(b).

SEC. 7. SUNSET.

Sections 1 through 6 of this Act shall expire at the end of fiscal year 2017.

SEC. 8. AUTHORITY OF INSPECTORS GENERAL.

Title XXXVII of the Crime Control Act of 1990 (42 U.S.C. 5779 et seq.) is amended by adding at the end the following:

"SEC. 3703. AUTHORITY OF INSPECTORS GENERAL.

"(a) IN GENERAL.—An Inspector General appointed under section 3 or 8G of the Inspector General Act of 1978 (5 U.S.C. App.) may authorize staff to assist the National Center for Missing and Exploited Children—

"(1) by conducting reviews of inactive case files to develop recommendations for further investigations; and

"(2) by engaging in similar activities.

"(b) LIMITATIONS.—

"(1) PRIORITY.—An Inspector General may not permit staff to engage in activities described in subsection (a) if such activities will interfere with the duties of the Inspector General under the Inspector General Act of 1978 (5 U.S.C. App.).

"(2) FUNDING.—No additional funds are authorized to be appropriated to carry out this section.".

Mr. LEAHY. Mr. President, today, I am pleased to join Senator DODD in reintroducing the Dodd-Leahy Emmett Till Unsolved Civil Rights Crime Act. This bill strengthens the ability of our federal government to investigate and prosecute unsolved murders from the civil rights era.

I thank Senator DODD for his leadership and commitment to enacting this meaningful civil rights bill. And I look forward to working with other Senators as this bill moves forward.

I am also very pleased that the Unsolved Civil Rights Crime Act once again includes the Missing Child Cold Case Review Act, which I sponsored in the last Congress to provide the investigative expertise of our Inspectors General in reviewing the cold cases of missing children.

Under current law, an inspector general's duties are limited to activities related to the programs and operations of an agency. My bill would allow inspectors general to assign criminal investigators to assist in the review of cold case files at National Center for Missing and Exploited Children. NCMEC, so long as doing so would not interfere with normal duties. I understand that our inspectors general are eager to provide this assistance, and this measure allows them legal authorization to do that. These cases need resolution. As parents and grandparents we all know that and, where our Government can provide its resources, it should.

The primary thrust of this bill targets murders from the civil rights era.

Nearly 52 years ago, the brutal murder of Emmett Till, a 14-year-old African-American teenager, stirred the concience of our country. Young Emmett Till walked into a local country store in Money, MS, to buy some candy and allegedly whistled at the white store clerk. That night, two white half-brothers, J.W. Milam and Roy Bryant, kidnapped Emmett Till from his great uncle's home. Several days later, his brutally beaten and unrecognizable body was fished out of the nearby Tallahatchie River. No one was ever punished for this tragic and brutal murder.

Emmett Till's death served as momentum for change. It inspired a generation of Americans to demand justice and freedom in a way America had never seen before. During the civil rights movement, the road to Mississippi became the highway of change for an entire country.

Yet the movement had a darker side. Fifty-two years after Emmett Till's murder, the families of many Americans who lost their lives during the civil rights era are still awaiting justice. We must not forget their sacrifice. And one way to honor that sacrifice is acting before the window of time closes. New evidence of cold cases trickles in while older evidence continues to fade and witnesses age. We must have a sense of urgency to ensure that justice is rendered. We cannot afford to wait.

The Emmett Till Unsolved Crime Act would provide the Federal Government with much needed tools to expeditiously investigate and prosecute unsolved civil rights era cold cases. To accomplish this goal, the legislation calls for the creation of new cold case units in the Justice Department and FBI solely dedicated to investigating and prosecuting unsolved cases that involved violations of criminal civil rights statutes, resulting in death, and occurring before January 1, 1970. This measure also seeks to provide proper coordination between federal officials and state and local government officials on these cases.

This bill ensures that the Federal Government is held accountable by requiring the Justice Department and FBI cold case units to submit annual reports to Congress describing which cold cases were selected for further investigation and prosecution and which were not.

By shedding light on unsolved civil rights era murders, I hope this bill will end our Nation's "quiet game" on civil rights murders. Justice is better served by allowing our entire nation to acknowledge past wrongs, including wrongs aided by lax law enforcement. Just this week, The Washington Post reported that the briefcase of slain Florida civil rights leader Harry T. Moore, which mysteriously disappeared 55 years ago from a local courthouse, was found in a barn. We must hold our .government officials more accountable.

Progress has been made. According to a February 4, 2007, article in USA Today, entitled "Civil rights-era killers escape justice," since 1989, authorities in seven States have reexamined 29 killings from the civil rights era and made 28 arrests that led to 22 convictions, including this month's arrest of former Klansman James Seale for the May 2, 1964, abduction and killings of Henry Hezekiah Dee and Charles Eddie Moore.

Despite some progress, much remains to be done. Just how many people died during that period is uncertain. At the National Civil Rights Memorial in Birmingham, AL, is the Civil Rights Memorial Center, where 86 additional names appear on a wall dedicated to the "forgotten others." This bill ensures that no sacrifice in the pursuit of freedom goes unnoticed.

Even today, violence or the threat of violence serves as a barrier to full and equal participation in our society. On January 11, 2007, the NAACP asked the FBI to investigate three recent acts of violence and intimidation against against African-American mayors, including shots fired into the home of Greenwood, LA's first black mayor and the mysterious shooting death of Westlake, LA's, first black mayor two days before he was scheduled to take office. And two days ago the Anti-Defamation League, which monitors racist hate groups, released a report showing that "Klan groups have witnessed a surprising and troubling resurgence by exploiting fears of an immigration explosion."

There is no place for racial violence or political terrorism in a democracy. We must rededicate ourselves, as a Nation and as individuals, to protecting the full human equality of all Americans. We start today by ensuring that the guilty do not go unpunished, or that justice—even if delayed—is denied. By passing this bill and enacting it into law, we continue our march toward building a more fair and just society.

By Mr. KOHL (for himself and Mr. LEAHY):

S. 536. A bill to amend the Organic Foods Production Act of 1990 to prohibit the labeling of cloned livestock and products derived from cloned livestock as organic; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. KOHL. Mr. President, I am introducing a bill to provide further clarity that cloned animals and the products of cloned animals may not be considered organic under the National Organic Program.

A recent article in the Washington Post suggested that there has been some confusion over this point at USDA. I would hope that the Department's advisory board on these matters would utilize existing law to protect the integrity of organic standards without Congressional intervention. I believe they have more than adequate authority to do so. But if they fail to do so, Congress may be left with no option but to intervene.

This bill has one purpose and one purpose only; to protect the integrity of organic standards. The conditions under which cloned animal products enter our general food systems will be much debated in the months and years to come. But I would hope that we can begin that discussion with general consensus that it is not acceptable for cloned food products to enter the marketplace under the organic label.

By Ms. LANDRIEU (for herself, Mr. LOTT, Mr. KERRY, and Mr. LIEBERMAN):

S. 537. A bill to address ongoing small business and homeowner needs in the Gulf Coast States impacted by Hurricane Katrina and Hurricane Rita; to the Committee on Small Business and Entrepreneurship.

By Ms. LANDRIEU:

S. 538. A bill to reduce income tax withholding deposits to reflect a FICA payroll tax credit for certain employers located in specified portions of the GO Zone, and for other purposes; to the Committee on Finance.

By Ms. LANDRIEU (for herself, Mr. LOTT, and Mr. KERRY)

S. 539. A bill to address ongoing economic injury in Gulf Coast States impacted by Hurricanes Katrina and Rita by reviving tourist travel to the region; to the Committee on Environment and Public Works.

Ms. LANDRIEU. Mr. President, I again come to the floor today to highlight the ongoing needs of our small businesses in the gulf coast who were devastated by Hurricanes Katrina and Rita. In Louisiana alone, these disasters claimed 1,464 lives, destroyed more than 200,000 homes and 18,000 businesses and inflicted $25 billion in uninsured losses. Many of my colleagues here in the Senate have been down to Louisiana and have seen firsthand the size and scope of the destruction.

The Congress has been very generous in providing billions of Federal recovery dollars as well as valuable Gulf Opportunity—GO—Zone tax incentives to help spur recovery in the region. These resources will be key in the recovery of the region but there are additional needs on the ground that still must be addressed. That is why I am proud to introduce a comprehensive package of three bills today—the Gulf Coast Back to Business Act of 2007, the Helping Our States Through Tourism Act of 2007, and the Work, Hope, and Opportunity for the Disaster Area Today Act of 2007. I believe these three bills provide substantive. commonsense solutions for addressing needs on the ground in the gulf coast. I am pleased that my colleague from Mississippi, Senator LOTT, as well as Senator KERRY, chairman of the Senate Small Business and Entrepreneurship Committee, joined me in cosponsoring both the Gulf Coast Back to Business Act and the Helping Our States through Tourism Act. My friend Senator LIEBERMAN, chairman of the Senate Homeland Security and Governmental Affairs Committee, also joined me by cosponsoring the Gulf Coast Back to Business Act. I appreciate my colleagues' support on these bills and hope that we continue to work in this bipartisan manner to provide real solutions for the gulf coast.

As you know, Katrina was the most destructive hurricane ever to hit the United States. The next month, in September, Hurricane Rita hit the Louisiana and Texas coast. It was the second most powerful hurricane ever to hit the United States, wreaking havoc on the southwestern part of my State and the east Texas coast. This one-two punch devastated Louisiana lives, communities and jobs, stretching from Cameron Parish in the west to Plaquemines Parish in the east.

We are now rebuilding our State and the wide variety of communities that were devastated by Rita and Katrina. areas representing a diverse mix of population, income and cultures. We hope to restore the region's uniqueness and its greatness. To do that, we need to rebuild our local economies now and far into the future.

My State estimates that there were 81,000 businesses in the Katrina and Rita disaster zones. As I mentioned. a total of 18,752 of these businesses were catastrophically destroyed. However, on a wider scale, according to the U.S. Chamber of Commerce, over 125,000 small- and medium-sized businesses in the gulf region were disrupted by Katrina and Rita. Many of these businesses have yet to resume operations and others are struggling to survive. We will never succeed without these small businesses. They will be the key to the revitalization of the gulf coast.

After talking to the business leaders and small businesses in my State, there are three things that they need right now: immediate capital and their fair share of Federal recovery contracts, help in attracting more travel and tourism to the area, and tax relief, especially on some of the Gulf Opportunity—GO—Zone provisions which are set to expire.

For example, under current law, the SBA cannot disburse more than $10,000 for an approved disaster loan without showing collateral. This is to limit the loss to the SBA in the event that a loan defaults. However, this disbursement amount has not been increased since 1998 and these days, $10,000 is not enough to get a business up and running or to allow a homeowner to start making repairs. The Gulf Coast Back to Business Act increases this collateral requirement for Katrina and Rita disaster loans from $10,000 to $35,000.

To address the lack of access to capital for our businesses, this bill includes a provision to provide funds to Louisiana and Mississippi to help small businesses now. Not 3 months from now, but as quickly as possible. We are asking for $100 million so that businesses can have money they need for to repair, rebuild, and pay their employees until they get back up and running again. The States know what the needs of their affected businesses are and we want to provide them with this money so they can start helping businesses now. These funds would bolster existing State grant/loan programs and would help Louisiana and Mississippi reach out to more impacted businesses.

Many businesses and homeowners are also coming up on the end of their standard 1-year deferment of payment on principal and interest on their SBA disaster loans. For most disasters, 1 year is more than enough time for borrowers to get back on their feet. But for disasters on the scale of Katrina and Rita, 1 year came and went, with communities just now seeing gas stations open and some homeowners are just now returning to rebuild their homes. This is a unique situation and for French Quarter businesses, where tourism is down at least 60 percent from pre-Katrina levels, to require them to start making payments on a $50,000 loan is virtually impossible if there are no customers. Homeowners, too, are experiencing widespread uncertainty and I believe this current 1-year deferment requires serious reconsideration. That is why this bill gives borrowers an additional year to get their lives in order—allow residents to begin fixing their homes and allow businesses the time for economic activity to pick back up.

The Gulf Coast Back to Business Act also addresses the problem in which many of our local small businesses have been unable to obtain Federal recovery contracts. I understand that this is due to many reasons ranging from a lack of sufficient bonding to a lack of experience with contracts of these sizes and scope. That said, I know of countless local businesses with the right experience and personnel, yet they have had to settle for being a subcontractor on a contract some out-of-State company won. We appreciate out-of-State firms wanting to help our region recover, but if our local firms can do the work, they should get their fair share of these contracts. It is a no-brainer to let local firms rebuild their own communities but this has not happened on a wide scale in my State or across the impacted areas. This bill would fix that by designating the entire Katrina and Rita disaster area as a Historically Underutilized Business Zone. The expansion of this program to the devastated areas would help give our local small businesses a preference when they bid on Federal contracts. I should note that this proposal had bipartisan support in the 109th Congress and actually passed the Senate as part of the Fourth Emergency Supplemental Appropriations bill. However, despite the fact that this provision had widespread, bipartisan support from the gulf coast Senate delegation, it was stripped out in conference with the House of Representatives. So for the 110th Congress, I am pleased to re-introduce this provision in the Senate and to work closely with my colleagues to get our small businesses this vital help.

As I mentioned, following these disasters, about 18,000 businesses were catastrophically destroyed, many more economically impacted, and most still are struggling with the ongoing slowdown in travel and tourism to Louisiana. In terms of ongoing needs on the ground, the lack of tourism is stifling our full economic recovery, particularly the recovery of our small businesses in New Orleans. I do not think that people outside Louisiana know how vital tourism is to our economy. In 2004, tourism was the State of Louisiana's second largest industry—employing 175,000 workers. The tourism industry also had a $9.9 billion economic impact in the State in 2004 and generated $600 million in State/local taxes. That is huge for our State and, by all indications, 2004 was a record year for tourism to the State and 2005 was on course to beat that. But then came Hurricanes Katrina and Rita, and the subsequent levee breaks, and tourism literally came to a grinding halt for the rest of the year. Travel and tourism picked up somewhat in 2006 but it has remained slow and has economically impacted our small businesses, many of which are dependent on the steady stream of revenue coming in from out-of-State tourists.

For example, according to the New Orleans Conventions and Visitors Bureau, Mardi Gras brings in about 700,000 tourists each year. Jazz Fest, which is a world-renowned music festival in New Orleans that happens each summer, usually draws half that—350,000 tourists. These tourists not only spend their time and money in New Orleans, but oftentimes travel around South Louisiana or even visit our friends next door in Mississippi. So in this respect, New Orleans is the gateway to tourism elsewhere in Louisiana and the rest of the gulf coast. For this reason, I believe it is important to not only spur travel/tourism to New Orleans but also to the rest of Louisiana and Mississippi as our smaller communities in these areas depend on tourism for their economic well-being.

Take Natchez, MS, for example. This historic town is full of beautiful antebellum homes and had a thriving business district pre-Katrina. It suffered minimal damage during the storm but now is struggling to get the word out that it is open for business. New Orleans is in much the same situation. Many parts of New Orleans, such as the Lower Ninth Ward and New Orleans East, do indeed have damaged houses and vacant businesses—as seen on television. But there are also parts of these communities which are slowly recovering and many parts of New Orleans, particularly the historic French Quarter, which survived Katrina are relatively unscathed. Despite that they are open and desperately need the revenue, businesses in the French Quarter are struggling to attract visitors.

With this mind, the Help Our States through Tourism Act, or HOST Act, which I am introducing as part of this legislative package, will provide significant assets to help our tourism sectors recover. In particular, this bill provides a total of $175 million for tourism marketing for the States of Louisiana and Mississippi. This pool of money would not only be used for the promotion of the States, but also to help communities rebuild their tourism and cultural assets, such as arts and music, which makes them a unique attraction for visitors.

The $175 million is also a wise investment for the Federal Government and not without precedent. In 2004, for every dollar spent on tourism in Mississippi, the State generated $12 in revenue. Louisiana was even better, generating $14 for every dollar spent on tourism that year. Also, when we talk about small business recovery, nothing helps our impacted small businesses more than having tourists return and spend money in these communities. In effect it works just as good as a grant but also helps the airline industry, our local restaurants and hotels, as well as the small businesses themselves. Furthermore, following September 11, Lower Manhattan was able to use supplemental Community Development Block Grant—CDBG—funds for tourism marketing. The State of Louisiana also recently used $28.5 million of supplemental CDBG funds for the "Come Fall in Love With Louisiana All Over Again" campaign. Given that Katrina and Rita were the first and third most-costliest disasters in U.S. history, as well as the unprecedented media coverage on the destruction, these funds are badly needed to spread the word that our impacted communities are ready for our friends from around the country, and the world, to return and enjoy our unique culture, cuisine, and entertainment.

This bill also authorizes the U.S. Small Business Administration to provide Economic Injury Disaster Loans to tourism-dependent businesses in Mississippi and Louisiana that can demonstrate direct economic impacts from the post-Katrina and Rita tourism/travel slowdown. In talking to Federal agencies as well as our local small businesses, it is clear to me that no one believed that the economic impact would continue this long. Businesses also expected Federal/State assistance much sooner so many were left in a position of lacking revenue but waiting, and waiting, for the promised recovery funds to get into their hands. It has slowly come in the past year but now many businesses who waited months for Federal financial assistance, are now struggling to stay in business with little/no customer base. These Economic Injury Disaster Loans would help our tourism-dependent businesses stay afloat since the economic injury, as well as the tourism slowdown, has lasted much longer than most experts expected.

The HOST Act also would establish a $2.5 million fund in the Federal Treasury for Government agencies to hold conventions, workshops, and other events in the Katrina/Rita Disaster Area. Federal workers, like other convention visitors, bring in valuable revenue to our communities and pre-Katrina, New Orleans was one of the top convention destinations in the country. Post-Katrina, Federal agencies are already conducting activities and holding events in the disaster areas, but this fund would be separate of the normal administrative funds normally used for these purposes. Since this would be a separate pool of money that agencies could access, it would encourage more Federal agencies to hold their big conventions/events in the gulf coast. In the scheme of the billions allocated for recovery in the gulf coast, $2.5 million is not a large sum of money, but for Federal agencies looking to hold large events, it would serve as incentive to choose New Orleans or Mobile or Natchez for their next event. This amount of money is also not large enough to severely impact other destinations such as Las Vegas or San Francisco, but would be just enough funds to, hopefully, steer a couple of large conventions in our direction.

I am also pleased to introduce the Work, Hope, and Opportunity for the Disaster Area Today Act of 2007 to help small businesses in the hardest hit areas of the Gulf Opportunity—GO—Zone as they work to succeed in a very challenging environment. We have made great progress in rebuilding our communities and our local economies in the gulf coast. The Gulf Opportunity Zone Act of 2005 has produced needed investment in housing and provided businesses with important tax incentives to invest in new plant and equipment as part of their rebuilding. The Federal Government has made funding available to rebuild our levees. At the end of the last Congress, we passed the Domenici-Landrieu Outer Continental Shelf Revenue sharing bill that Louisiana will use to restore our wetlands as an additional barrier of hurricane protection.

However, we still face many challenges that are making it difficult for our small businesses. In Louisiana, as I mentioned, tourism—one of our most important industries—is down. We have had 22 percent fewer visitors and those that are visiting are spending 35 percent less money than before the storm. The city of New Orleans has lost more than half of its population. On top of this, labor costs and insurance premiums have skyrocketed, making it more expensive for businesses to keep paying the workers they have.

The combination of these various factors have hit our small businesses hard. They used the tax benefits of the Gulf Opportunity Zone Act to invest and rebuild, and they are open for business. But they are losing money because of downturn in tourism and they cannot afford to do that for much longer. I am hopeful that the HOST Act will address many of these needs but additional assistance is needed.

The Work, Hope, and Opportunity for the Disaster Area Today Act is a package of short-term tax breaks that will help put money in the hands of small businesses immediately, as well as extend tax breaks that already exist in the GO Zone. The main tax provision is a wage tax cut for employers. Small employers in the most heavily hit areas of the GO Zone—defined as those parishes and counties that experienced 60 percent or higher housing damage—will be eligible for a tax credit in the amount of FICA taxes they paid on up to $15,000 in salary per employee. This would lower employer tax burdens immediately, leaving them more money in hand as an offset to the losses that they are experiencing.

My bill also contains a bonus business meals and entertainment deduction to encourage business travel to the GO Zone. Under current law, businesses can only deduct up to 50 percent of meals and entertainment expenses. The Work, Hope, and Opportunity Act would allow a full deduction for these expenses if they are incurred in the areas of the GO Zone that need it the most. This will bring more conventions, meetings and conferences to the Gulf.

We must also extend some of the expiring provisions in the GO Zone Act. For example, my legislation will extend the special small business Section 179 expensing that is available in the gulf coast. Small businesses in the rest of the country can deduct up to $112,000 in 2007 of the cost of investments they make in their businesses such as computers and software, or new equipment and machinery. GO Zone small businesses can deduct an additional $100,000 for these investments. This special GO Zone benefit, however, will expire at the end of this year. The Work, Hope, and Opportunity bill will extend this much needed assistance until 2010. It will also extend the availability of the Work Opportunity Tax Credit for Katrina employees and the special 15-year depreciation schedule for restaurants, retail, and other leasehold property for the GO Zone.

In introducing this comprehensive legislative package today, I am hopeful that it sends the signal to gulf coast residents and businesses that Congress has not forgotten about them. Congress made great strides during the 109th Congress to help disaster victims, but that does not mean we should just write off recurring problems to the responsibility of States or disaster victims themselves. There are still ongoing needs in the gulf coast and I believe the 110th Congress should address these needs. I look forward to working closely with my colleagues on both sides of the aisle to provide substantive and lasting solutions for our small businesses.

I urge my colleagues to support these important pieces of legislation and ask unanimous consent that the text of the three bills be printed in the RECORD.

There being no objection, the text of the bills were ordered to be printed in the RECORD, as follows:

S. 537

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Gulf Coast Back to Business Act of 2007".

SEC. 2. FINDINGS.

Congress finds that—

(1) 43 percent of businesses that close following a natural disaster never reopen;

(2) an additional 29 percent of businesses close down permanently within 2 years of a natural disaster;

(3) Hurricane Katrina struck the Gulf Coast of the United States on August 29, 2005, negatively impacting small business concerns and disrupting commerce in the States of Louisiana, Mississippi, and Alabama;

(4) Hurricane Rita struck the Gulf Coast of the United States on September 24, 2005, negatively impacting small business concerns and disrupting commerce in the States of Texas and Louisiana;

(5) according to the United States Chamber of Commerce, more than 125,000 small- and medium-sized businesses in the Gulf Coast were disrupted by Hurricane Katrina or Hurricane Rita;

(6) due to a slow initial Federal response and the widespread devastation in the affected States, businesses impacted by Hurricane Katrina are in dire need of increased access to capital and technical assistance to recover and prosper; and

(7) without the full recovery and prosperity of affected businesses, the Gulf Coast, and the rest of the United States, will be negatively impacted.

SEC. 3. DEFINITIONS.

In this Act—

(1) the term "Disaster Area" means an area in which the President has declared a major disaster in response to Hurricane Katrina of 2005 or Hurricane Rita of 2005;

(2) the term "major disaster" has the meaning given that term in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122); and

(3) the term "small business concern" has the meaning given that term in section 3 of the Small Business Act (15 U.S.C. 632).

SEC. 4. SMALL BUSINESS CONCERN RECOVERY GRANTS.

(a) In General.—There are authorized to be appropriated to the Secretary of Commerce $100,000,000 for the Economic Development Administration of the Department of Commerce to make grants to the appropriate State government agencies in Louisiana and Mississippi, to carry out this section.

(b) Disbursement of Funds.—

(1) In general.—Subject to paragraph (2), the Secretary of Commerce shall disburse the funds authorized under subsection (a) as follows:

(A) $75,000,000 to the State of Louisiana.

(B) $25,000,000 to the State of Mississippi.

(2) Proportionate allocation.—Regardless of the amount appropriated under subsection (a), the amount appropriated shall be allocated among the States listed in paragraph (1) of this subsection in direct proportion to the allocation under that paragraph.

(c) Use of Funds.—

(1) In general.—Grants awarded to a State under subsection (a) shall be used by the State to provide grants, which may be made to any small business concern located in a Disaster Area that was negatively impacted by Hurricane Katrina of 2005 or Hurricane Rita of 2005, to assist such small business concern for the purposes of—

(A) paying employees;

(B) paying bills, insurance costs, and other existing financial obligations;

(C) making repairs;

(D) purchasing inventory;

(E) restarting or operating that business in the community in which it was conducting operations prior to Hurricane Katrina of 2005 or Hurricane Rita of 2005, or to a neighboring area or county or parish in a Disaster Area;

(F) compensating such small business concerns for direct economic injury suffered as a result of Hurricane Katrina of 2005 or Hurricane Rita of 2005; or

(G) covering additional costs until that small business concern is able to obtain funding through insurance claims, Federal assistance programs, or other sources.

(2) Criteria.—

(A) In general.—Notwithstanding any other provision of law, in making grants under paragraph (1), a State may use such criteria as the State determines appropriate, and shall not be required to apply eligibility criteria for programs administered by the Federal Government, including the Department of Commerce.

(B) Exclusion.—In making grants under paragraph (1), a State may not exclude a small business concern based on any increase in the revenue of that small business concern during the 12-month period beginning on October 1, 2005.

(3) Administrative expenses.—The Department of Commerce may use not more than $1,500,000 of the funds authorized under subsection (a) to administer the provision of grants to the designated States under this subsection.

SEC. 5. DISASTER LOANS AFTER HURRICANE KATRINA OR HURRICANE RITA.

(a) In General.—Section 7(b) of the Small Business Act (15 U.S.C. 636(b)) is amended by inserting immediately after paragraph (3) the following:

"(4) Disaster loans after hurricane katrina or hurricane rita in a disaster area.—

"(A) Definitions.—In this paragraph—

"(i) the term 'Disaster Area' means an area in which the President has declared a major disaster in response to Hurricane Katrina of 2005 or Hurricane Rita of 2005; and

"(ii) the term 'qualified borrower' means a person to whom the Administrator made a loan under this section because of Hurricane Katrina of 2005 or Hurricane Rita of 2005.

"(B) Deferment of disaster loan payments.—

"(i) In general.—Notwithstanding any other provision of law, payments of principal and interest on a loan to a qualified borrower made before December 31, 2006, shall be deferred, and no interest shall accrue with respect to such loan, during the time period described in clause (ii).

"(ii) Time period.—The time period for purposes of clause (i) shall be 1 year from the later of the date of enactment of this paragraph or the date on which funds are distributed under a loan described in clause (i), but may be extended to 2 years from such date, at the discretion of the Administrator.

"(iii) Resumption of payments.—At the end of the time period described in clause (ii), the payment of periodic installments of principal and interest shall be required with respect to such loan, in the same manner and subject to the same terms and conditions as would otherwise be applicable to any other loan made under this subsection.".

(b) Increasing Collateral Requirements.—

(1) In general.—Notwithstanding any other provision of law, including section 7(c)(6) of the Small Business Act (15 U.S.C. 636(c)(6)), the Administrator may not require collateral for any covered loan made by the Administrator.

(2) Definition.—In this subsection, the term "covered loan" means a loan in an amount of not more than $35,000 made—

(A) under section 7(b)(1) of the Small Business Act (15 U.S.C. 636(b)(1));

(B) as a result of Hurricane Katrina of 2005 or Hurricane Rita of 2005; and

(C) after the date of enactment of this Act.

SEC. 6. OTHER PROGRAMS.

(a) HUBZones.—Section 3(p) of the Small Business Act (15 U.S.C. 632(p)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (D), by striking "or";

(B) in subparagraph (E), by striking the period at the end and inserting "; or"; and

(C) by adding at the end the following:

"(F) an area in which the President has declared a major disaster (as that term is defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122)) as a result of Hurricane Katrina of August 2005 or Hurricane Rita of September 2005, during the time period described in paragraph (8)."; and

(2) by adding at the end the following:

"(8) Time period.—The time period for the purposes of paragraph (1)(F)—

"(A) shall be the 2-year period beginning on the later of the date of enactment of this paragraph and August 29, 2007; and

"(B) may, at the discretion of the Administrator, be extended to be the 3-year period beginning on the later of the date of enactment of this paragraph and August 29, 2007.".

(b) Relief From Test Program.—Section 711(d) of the Small Business Competitive Demonstration Program Act of 1988 (15 U.S.C. 644 note) is amended—

(1) by striking "The Program" and inserting the following:

"(1) In general.—Except as provided in paragraph (2), the Program"; and

(2) by adding at the end the following:

"(2) Exception.—

"(A) In general.—The Program shall not apply to any contract related to relief or reconstruction from Hurricane Katrina of 2005 or Hurricane Rita of 2005 during the time period described in subparagraph (B).

"(B) Time period.—The time period for the purposes of subparagraph (A)—

"(i) shall be the 2-year period beginning on the later of the date of enactment of this paragraph and August 29, 2007; and

"(ii) may, at the discretion of the Administrator, be extended to be the 3-year period beginning on the later of the date of enactment of this paragraph and August 29, 2007.".

S. 538

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; ETC.

(a) Short Title.—This Act may be cited as the "Work, Hope, and Opportunity for the Disaster Area Today Act".

(b) Amendment of 1986 Code.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

SEC. 2. REDUCTION IN INCOME TAX WITHHOLDING DEPOSITS TO REFLECT FICA PAYROLL TAX CREDIT FOR CERTAIN EMPLOYERS LOCATED IN SPECIFIED PORTIONS OF THE GO ZONE DURING 2007.

(a) General Rule.—In the case of any applicable calendar quarter—

(1) the aggregate amount of required income tax deposits of an eligible employer for the calendar quarter following the applicable calendar quarter shall be reduced by the payroll tax credit equivalent amount for the applicable calendar quarter, and

(2) the amount of any deduction allowable to the eligible employer under chapter 1 of the Internal Revenue Code of 1986 for taxes paid under section 3111 of such Code with respect to employment during the applicable calendar quarter shall be reduced by such payroll tax credit equivalent amount.

For purposes of the Internal Revenue Code of 1986, an eligible employer shall be treated as having paid, and an eligible employee shall be treated as having received, any wages or compensation deducted and withheld but not deposited by reason of paragraph (1).

(b) Carryovers of Unused Amounts.—If the payroll tax credit equivalent amount for any applicable calendar quarter exceeds the required income tax deposits for the following calendar quarter—

(1) such excess shall be added to the payroll tax credit equivalent amount for the next applicable calendar quarter, and

(2) in the case of the last applicable calendar quarter, such excess shall be used to reduce required income tax deposits for any succeeding calendar quarter until such excess is used.

(c) Payroll Tax Credit Equivalent Amount.—For purposes of this section—

(1) IN GENERAL.—The term "payroll tax credit equivalent amount" means, with respect to any applicable calendar quarter, an amount equal to 7.65 percent of the aggregate amount of wages or compensation—

(A) paid or incurred by the eligible employer with respect to employment of eligible employees during the applicable calendar quarter, and

(B) subject to the tax imposed by section 3111 of the Internal Revenue Code of 1986.

(2) TRADE OR BUSINESS REQUIREMENT.—A rule similar to the rule of section 51(f) of such Code shall apply for purposes of this section.

(3) LIMITATION ON WAGES SUBJECT TO CREDIT.—For purposes of this subsection, only wages and compensation of an eligible employee in an applicable calendar quarter, when added to such wages and compensation for any preceding applicable calendar quarter, not exceeding $15,000 shall be taken into account with respect to such employee.

(d) ELIGIBLE EMPLOYER; ELIGIBLE EMPLOYEE.—For purposes of this section—

(1) ELIGIBLE EMPLOYER.—

(A) IN GENERAL.—The term "eligible employer" means any employer which conducts an active trade or business in one or more specified portions of the GO Zone and employs not more than 100 full-time employees on the date of the enactment of this Act.

(B) SPECIFIED PORTIONS OF THE GO ZONE.—The term "specified portions of the GO Zone" has the meaning given such term by section 1400N(d)(6)(C) of the Internal Revenue Code of 1986.

(2) ELIGIBLE EMPLOYEE.—The term "eligible employee" means with respect to an eligible employer an employee whose principal place of employment with such eligible employer is in one or more specified portions of the GO Zone. Such term shall not include an employee described in section 401(c)(1)(A).

(e) APPLICABLE CALENDAR QUARTER.—For purposes of this section, the term "applicable calendar quarter" means any of the 4 calendar quarters beginning in 2007.

(f) SPECIAL RULES.—For purposes of this section—

(1) REQUIRED INCOME TAX DEPOSITS.—The term "required income tax deposits" means deposits an eligible employer is required to make under section 6302 of the Internal Revenue Code of 1986 of taxes such employer is required to deduct and withhold under section 3402 of such Code.

(2) AGGREGATION RULES.—Rules similar to the rules of subsections (a) and (b) of section 52 of the Internal Revenue Code of 1986 shall apply.

(3) EMPLOYERS NOT ON QUARTERLY SYSTEM.—The Secretary of the Treasury shall prescribe rules for the application of this section in the case of an eligible employer whose required income tax deposits are not made on a quarterly basis.

(4) ADJUSTMENTS FOR CERTAIN ACQUISITIONS, ETC.—Under regulations prescribed by the Secretary—

(A) ACQUISITIONS.—If, after December 31, 2006, an employer acquires the major portion of a trade or business of another person (hereafter in this paragraph referred to as the "predecessor") or the major portion of a separate unit of a trade or business of a predecessor, then, for purposes of applying this section for any calendar quarter ending after such acquisition, the amount of wages or compensation deemed paid by the employer during periods before such acquisition shall be increased by so much of such wages or compensation paid by the predecessor with respect to the acquired trade or business as is attributable to the portion of such trade or business acquired by the employer.

(B) DISPOSITIONS.—If, after December 31, 2006—

(i) an employer disposes of the major portion of any trade or business of the employer or the major portion of a separate unit of a trade or business of the employer in a transaction to which paragraph (1) applies, and

(ii) the employer furnishes the acquiring person such information as is necessary for the application of subparagraph (A), then, for purposes of applying this section for any calendar quarter ending after such disposition, the amount of wages or compensation deemed paid by the employer during periods before such disposition shall be decreased by so much of such wages as is attributable to such trade or business or separate unit.

(5) OTHER RULES.—

(A) GOVERNMENT EMPLOYERS.—This section shall not apply if the employer is the Government of the United States, the government of any State or political subdivision of the State, or any agency or instrumentality of any such government.

(B) TREATMENT OF OTHER ENTITIES.—Rules similar to the rules of subsections (d) and (e) of section 52 of such Code shall apply for purposes of this section.

SEC. 3. BONUS BUSINESS TRAVEL DEDUCTION IN SPECIFIED PORTIONS OF THE GO ZONE.

(a) IN GENERAL.—Section 274(n)(2) (relating to exceptions) is amended by striking "or" at the end of subparagraph (D), by striking the period at the end of subparagraph (E)(iv) and inserting ", or", and by inserting after subparagraph (E)(iv) the following new subparagraph:

"(F) such expense is for goods, services, or facilities made available before January 1, 2010, in one or more specified portions of the GO Zone (as defined in section 1400N(d)(6)(C).".

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to expenses paid or incurred after the date of the enactment of this Act, in taxable years ending after such date.

SEC. 4. EXTENSION OF INCREASED EXPENSING FOR QUALIFIED SECTION 179 GULF OPPORTUNITY ZONE PROPERTY LOCATED IN SPECIFIED PORTIONS OF THE GO ZONE.

Paragraph (2) of section 1400N(e) (relating to qualified section 179 Gulf Opportunity Zone property) is amended—

(1) by striking "this subsection, the term" and inserting "this subsection—

"(A) IN GENERAL.—The term", and

(2) by adding at the end the following new subparagraph:

"(B) EXTENSION FOR CERTAIN PROPERTY.—In the case of property substantially all of the use of which is in one or more specified portions of the GO Zone (as defined in subsection (d)(6)(C)), such term shall include section 179 property (as so defined) which is described in subsection (d)(2), determined—

"(i) without regard to subsection (d)(6), and

"(ii) by substituting, in subparagraph (A)(v) thereof—

"(I) '2009' for '2007', and

"(II) '2009' for '2008'.".

SEC. 5. EXTENSION OF WORK OPPORTUNITY TAX CREDIT FOR HURRICANE KATRINA EMPLOYEES HIRED BY SMALL BUSINESSES LOCATED IN SPECIFIED PORTIONS OF THE GO ZONE.

(a) IN GENERAL.—Section 201(b)(1) of the Katrina Emergency Tax Relief Act of 2005 (Public Law 109–73) is amended by striking "who is hired during the 2-year period" and all that follows and inserting "who—

"(A) is hired during the 2-year period beginning on such date for a position the principal place of employment which is located in the core disaster area, or

"(B) is hired—

"(i) during the period beginning on the date of the enactment of the Work, Hope, Opportunity, and Disaster Area Tax Act of 2007 and ending before January 1, 2010, for a position the principal place of employment which is located in one or more specified portions of the GO Zone (as defined in subsection 1400N(d)(6)(C) of the Internal Revenue Code of 1986), and

"(ii) by an employer who has no more than 100 employees on the date such individual is hired, and".

(b) EFFECTIVE DATE.—The amendment made by this section take effect as if included in section 201 of the Katrina Emergency Tax Relief Act of 2005.

SEC. 6. EXTENSION AND MODIFICATION OF 15-YEAR STRAIGHT-LINE COST RECOVERY FOR QUALIFIED LEASEHOLD IMPROVEMENTS AND QUALIFIED RESTAURANT IMPROVEMENTS LOCATED IN SPECIFIED PORTIONS OF THE GO ZONE; 15-YEAR STRAIGHT-LINE COST RECOVERY FOR CERTAIN IMPROVEMENTS TO RETAIL SPACE LOCATED IN SPECIFIED PORTIONS OF THE GO ZONE.

(a) EXTENSION OF LEASEHOLD AND RESTAURANT IMPROVEMENTS.—

(1) IN GENERAL.—Clauses (iv) and (v) of section 168(e)(3)(E) (relating to 15-year property) are each amended by striking "January 1, 2008" and inserting "January 1, 2008 (January 1, 2009, in the case of property placed in service in one or more specified portions of the GO Zone (as defined in subsection 1400Nd)(6)(C))".

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to property placed in service after December 31, 2007.

(b) MODIFICATION OF TREATMENT OF QUALIFIED RESTAURANT PROPERTY AS 15-YEAR PROPERTY FOR PURPOSES OF DEPRECIATION DEDUCTION.—

(1) TREATMENT TO INCLUDE NEW CONSTRUCTION.—Paragraph (7) of section 168(e) (relating to classification of property) is amended to read as follows:

"(7) QUALIFIED RESTAURANT PROPERTY.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), the term 'qualified restaurant property' means any section 1250 property which is an improvement to a building if—

"(i) such improvement is placed in service more than 3 years after the date such building was first placed in service, and

"(ii) more than 50 percent of the building's square footage is devoted to preparation of, and seating for on-premises consumption of, prepared meals.

"(B) PROPERTY LOCATED IN CERTAIN AREAS OF GO ZONE.—In the case of property placed in service in one or more specified portions of the GO Zone (as defined in subsection 1400Nd)(6)(C)), such term means any section 1250 property which is a building (or its structural components) or an improvement to such building if more than 50 percent of such building's square footage is devoted to preparation of, and seating for on-premises consumption of, prepared meals.".

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to any property placed in service after the date of the enactment of this Act.

(c) RECOVERY PERIOD FOR DEPRECIATION OF CERTAIN IMPROVEMENTS TO RETAIL SPACE.—

(1) 15-YEAR RECOVERY PERIOD.—Section 168(e)(3)(E) (relating to 15-year property) is

amended by striking "and" at the end of clause (vii), by striking the period at the end of clause (viii) and inserting ", and", and by adding at the end the following new clause:

"(ix) any qualified retail improvement property placed in service before January 1, 2009, in one or more specified portions of the GO Zone (as defined in subsection 1400Nd)(6)(C).".

(2) QUALIFIED RETAIL IMPROVEMENT PROPERTY.—Section 168(e) is amended by adding at the end the following new paragraph:

"(8) QUALIFIED RETAIL IMPROVEMENT PROPERTY.—

"(A) IN GENERAL.—The term 'qualified retail improvement property' means any improvement to an interior portion of a building which is nonresidential real property if—

"(i) such portion is open to the general public and is used in the retail trade or business of selling tangible personal property to the general public, and

"(ii) such improvement is placed in service more than 3 years after the date the building was first placed in service.

"(B) IMPROVEMENTS MADE BY OWNER.—In the case of an improvement made by the owner of such improvement, such improvement shall be qualified retail improvement property (if at all) only so long as such improvement is held by such owner. Rules similar to the rules under paragraph (6)(B) shall apply for purposes of the preceding sentence.

"(C) CERTAIN IMPROVEMENTS NOT INCLUDED.—Such term shall not include any improvement for which the expenditure is attributable to—

"(i) the enlargement of the building,

"(ii) any elevator or escalator,

"(iii) any structural component benefitting a common area, or

"(iv) the internal structural framework of the building.".

(3) REQUIREMENT TO USE STRAIGHT LINE METHOD.—Section 168(b)(3) is amended by adding at the end the following new subparagraph:

"(I) Qualified retail improvement property described in subsection (e)(8).".

(4) ALTERNATIVE SYSTEM.—The table contained in section 168(g)(3)(B) is amended by inserting after the item relating to subparagraph (E)(viii) the following new item:

"(E)(ix).....39".

(5) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after the date of the enactment of this Act.

S. 539

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Helping Our States Through Tourism Act of 2007" or the "HOST Act of 2007".

SEC. 2. FINDINGS.

Congress finds that—

(1) in the 12-month period ending on June 30, 2005—

(A) tourism was the second largest industry in Louisiana, employing 175,000 workers;

(B) tourism was the fifth largest industry in Mississippi, employing 126,500 workers;

(C) tourism generated $600,000,000 in State and local taxes in Louisiana;

(D) tourism generated $634,000,000 in State and local taxes in Mississippi;

(E) tourism had a $9,900,000,000 economic impact in the State of Louisiana;

(F) tourism had a $6,350,000,000 economic impact in the State of Mississippi;

(G) the State of Louisiana generated $14 in revenue for every dollar the State spent on tourism;

(H) the State of Mississippi generated $12 in revenue for every dollar the State spent on tourism;

(2) Hurricanes Katrina and Rita severely impacted Louisiana's travel and tourism industry, reducing—

(A) direct traveler expenditures by more than 18 percent between 2004 and 2005, from $9,900,000,000 to $8,100,000,000; and

(B) travel-generated employment by 9 percent between 2004 and 2005;

(3) Hurricane Katrina severely impacted Mississippi's travel and tourism industry, reducing—

(A) direct traveler expenditures by more than 18 percent between 2004 and 2005, from $6,350,000,000 to $5,200,000,000; and

(B) travel-generated employment by nearly 18 percent between 2004 and 2005, from 126,500 jobs to 103,885 jobs; and

(4) the Gulf Coast economy cannot fully recover without the revitalization of the tourism industries in Louisiana and Mississippi.

SEC. 3. DEFINITIONS.

In this Act:

(1) ADMINISTRATOR.—The term "Administrator" means the Administrator of the Small Business Administration

(2) DISASTER AREA.—The term "disaster area" means the areas in Louisiana and Mississippi in which the President has declared a major disaster in response to Hurricane Katrina or Hurricane Rita.

(3) HURRICANE KATRINA AND RITA DISASTER AREAS.—The term "Hurricane Katrina and Rita disaster areas" means the geographic areas designated as major disaster areas by the President between August 27, 2005, and September 25, 2005, in Alabama, Florida, Louisiana, Mississippi, and Texas pursuant to title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

(4) MAJOR DISASTER.—The term "major disaster" has the meaning given that term in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).

(5) RELEVANT TOURISM ENTITIES.—The term "relevant tourism entity" means any convention and visitors bureau, nonprofit organization, or other tourism organization that the governor of Louisiana or the governor of Mississippi, as the case may be, after consultation with the Secretary of Commerce, determines to be eligible for a grant under section 3.

(6) SMALL BUSINESS CONCERN.—The term "small business concern" has the meaning given that term in section 3 of the Small Business Act (15 U.S.C. 632).

SEC. 4. TOURISM RECOVERY GRANTS.

(a) IN GENERAL.—The Secretary of Commerce, acting through the Assistant Secretary of Commerce for Economic Development, shall establish a grant program to assist relevant tourism entities to promote travel and tourism in Louisiana and Mississippi in accordance with this section.

(b) ALLOCATION OF FUNDS.—From the amounts appropriated pursuant to subsection (f), the Secretary shall allocate, as expeditiously as possible—

(1) $130,000,000 to the State of Louisiana; and

(2) $45,000,000 to the State of Mississippi.

(c) USE OF FUNDS.—Amounts allocated to a State under subsection (b) shall be used by the State to provide grants to any relevant tourism entity to—

(1) promote travel and tourism in the State; and

(2) carry out other economic development activities that have been approved by the Secretary of Commerce, in consultation with the State.

(d) CRITERIA.—Notwithstanding any other provision of law, a State, in awarding grants under subsection (c)—

(1) may use such criteria as the State determines appropriate; and

(2) shall not be required to apply eligibility criteria for programs administered by the Federal Government, including the Department of Commerce.

(e) ADMINISTRATIVE EXPENSES.—Not more than 1 percent of the funds allocated to States under subsection (b) may be used for administrative expenses.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $175,000,000 to carry out this section.

SEC. 5. ECONOMIC INJURY DISASTER LOANS.

(a) LOAN AUTHORIZATION.—

(1) IN GENERAL.—The Administrator may make a loan under section 7(b)(2) of the Small Business Act (15 U.S.C. 636(b)(2)) to a small business concern located in the disaster area that can demonstrate that—

(A) more than 51 percent of the revenue of that small business concern comes from tourism; and

(B) such small business concern suffered direct economic injury from the slowdown in travel and tourism in the disaster area following Hurricane Katrina or Hurricane Rita.

(2) APPLICATION.—Notwithstanding any other provision of law, an application for a loan described in paragraph (1) shall be submitted not later than—

(A) 18 months after the date of the enactment of this Act; or

(B) such later date as the Administrator may establish.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

SEC. 6. FEDERAL GULF COAST TRAVEL AND MEETINGS FUND.

(a) ESTABLISHMENT.—There is established in the Treasury of the United States a trust fund, to be known as the Federal Gulf Coast Travel and Meetings Fund (referred to in this section as the "Trust Fund"), consisting of such amounts as are appropriated to the Trust Fund pursuant to subsection (f) and any interest earned on investment of amounts in the Trust Fund pursuant to subsection (b).

(b) INVESTMENT OF TRUST FUND.—It shall be the duty of the Secretary of the Treasury to invest such portion of the Trust Fund that is not required to meet current withdrawals. Such investments may only be made in interest-bearing obligations of the United States or in obligations, whose principal and interest is guaranteed by the United States.

(c) OBLIGATIONS FROM TRUST FUND.—

(1) IN GENERAL.—The Secretary of the Treasury may obligate such sums as are available in the Trust Fund for the purposes described in paragraph (2).

(2) ELIGIBLE USES OF TRUST FUND.—Amounts obligated under this subsection may be transferred to Federal agencies to pay for—

(A) lodging, meals, travel, and other expenditures associated with conventions, conferences, meetings or other large gatherings attended by not less than 100 Federal employees and occurring within the Hurricane Katrina and Rita disaster areas; and

(B) other expenditures in the Hurricane Katrina and Rita disaster areas, in accordance with paragraph (3).

(3) PROHIBITED USES OF TRUST FUND.—Amounts obligated under this subsection may not be transferred to Federal agencies to pay for—

(A) Federal investigations;

(B) court cases; or

(C) events attended by less than 100 Federal employees.

(4) OTHER EXPENDITURES.—Amounts may not be obligated under paragraph (2)(B) before the date that is 30 days after the Secretary of the Treasury submits a report to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives that sets forth the intended uses for such amounts.

(d) REPORT.—Not later than December 31, 2007, the Secretary of Treasury shall submit a report to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives that sets forth—

(1) the balance remaining in the Trust Fund;

(2) the expenditures made from the Trust Fund since its inception;

(3) information on the applications of the Federal agencies whose requests from the Trust Fund have been denied;

(4) information on the applications that have been approved, including the amount transferred to each Federal agency and the uses for which such amounts were approved; and

(5) such additional information as the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives shall reasonably require.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $2,500,000 for fiscal year 2007 to be deposited in the Trust Fund.

By Mr. FEINGOLD:

S. 541. A bill to amend the farm Security and Rural Investment Act of 2002 to promote local and regional support for sustainable bioenergy and biobased products, to support the future of farming, forestry, and land management, to develop and support local bioenergy, biobased products, and food systems, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. FEINGOLD. Mr. President, I laid out my vision for the legislation I introduce today, the Rural Opportunities Act of 2007, in an opinion piece that was published in the La Crosse Tribune at the end of last year. I ask unanimous consent that the article be printed in the RECORD after my statement.

My bill is a four part plan to increase opportunities for rural America. Despite its breadth, the bill is not meant to address all of the challenges facing farms, other working lands and rural communities. I know from the listening sessions that I hold across Wisconsin about the many challenges facing those communities, such as lack of access to affordable healthcare, threats from unfair competition abroad and at home and even misguided Federal policies such as the dairy pricing system that provides higher prices based on how far your farm is from Wisconsin. I will continue working to address these and other challenges. My current bill focuses on the future, by identifying and encouraging potential benefits for rural areas.

The first section of the Rural Opportunities Act of 2007 tries to fulfill the potential of bioenergy and the broader bioeconomy to be a value-added enterprise for farmers and communities by encouraging sustainable development with an emphasis on local, farmer and cooperative ownership. The second theme supports both the development of the next generation of farmers and other rural professionals and the areas of agricultural growth such as organic production that provide viable long-term models for family farms. In an exciting win/win situation, the third main section of my bill strives to improve both farmers' income and access to healthy foods by supporting local food systems. The final section, while less focused directly on working lands, would establish the goal of providing affordable broadband access to rural and other underserved areas. Moreover, my proposal doesn't pass any extra costs on to the next generation, but is offset by reducing the payment limits for the largest corporate farms and transferring funds from other unobligated balances within USDA. I hope my colleagues will join me in supporting these common sense goals.

I will now explain both the details of my proposal and how I have modeled the proposal after programs that I have seen working in Wisconsin. My goal is to both boost resources for these programs and, where appropriate, establish partnerships to fulfill common goals and direction—ultimately encouraging similar opportunities across all of rural America.

Most of the incentives and support for the development of bioenergy and other bioproducts, or the bioeconomy, has been at the macro scale. I have supported these efforts, including the renewable fuels standard and broad goals such as providing 25 percent of our energy from renewable sources by 2025 and increasing our long-term security by becoming more energy independent. But I saw a gap in the amount of support at the local and regional level, especially with regard to making sure the bioeconomy develops properly.

There is a lot of excitement in rural America about the bioeconomy and potential for renewable fuel production especially to be the driver of a rural renaissance. But there is also concern, because while this potential is definitely there, it is still unclear how it will develop and whether the potential benefits to farmers, rural communities and even the environment will be fulfilled. This concern seems well founded, as these macro level incentives may fall short, perhaps opening up a new market for corn and driving more farms toward intensive corn production, but doing little to add value at the local or regional level especially if large agribusinesses take over.

From an environmental standpoint there is also this combination of risk and opportunity. Cellulosic ethanol produced from biomass has the potential to allow for the development of less intensive perennial systems especially on environmentally sensitive land, where the continuous cover would benefit the soil and water quality. But if the only incentive is to maximize bushels and dollars or remove too much biomass, environmental damage could clearly occur. For example, land that is not well suited for corn production such as that on steep slopes could be returned to production or taken out of pasture and put in corn production. Or where farmers have shifted to no-till corn production, the corn plant residue that now feeds the soil could be diverted to biomass for cellulosic ethanol. While these risks exist, there are also abundant win-win opportunities for farmers in following a sustainable approach. For example, the Wisconsin Farmers Union is leading efforts to establish a carbon credit program so the improved soil qualities also mean a return to the farmer.

Taking these risks and opportunities into account, it seemed that more needed to be done to make sure that the development of the bioeconomy occurred in the best way to maximize the value to the public through an emphasis on sustainable local and regional research, extension and development. This emphasis isn't to say that conventional grain production and large agribusinesses don't belong, just that there needs to be balance. While many individuals have begun working to fulfill this potential in Wisconsin, there seems to be a gap at the Federal level. This is the gap my proposal aims to close both through some new initiatives and boosting and better focusing existing Federal programs.

My sustainable local bioeconomy proposal has six main parts, starting with $30 million per year in matching funds to support implementation of collaborative State-based plans. States would be required to prepare a comprehensive energy plan and support the implementation of the plan through matching funds for research, extension, energy conservation, technical assistance and direct support. When developing the plan, a State would need to consider ways to encourage the development so as to best support the local communities and protect or even enhance the environment, with an emphasis in local, farmer and cooperative ownership of the new enterprises. Wisconsin has already taken significant steps in this regard, starting with the Governor's Consortium on Biobased Industry and Biobased Industry Opportunity (BIO) grant program. In the Governor's recent State of the State address, he has proposed to go even further building on these initial efforts.

My proposal would allow the Federal Government to be a partner with him and every other State.

While charting the course of development of the bioeconomy should occur at a State and local level, research questions are often of regional or even national importance. That is why my bill provides $20 million per year for regional research, extension and education. These multi-state partnerships would follow the existing USDA research and extension divisions. Specific projects would be determined by a regional board with broad representation from each State, the region's extension service, agriculture experiment stations, agriculture secretaries, farmers, foresters, businesses, cooperatives and non-profits. This cooperative regional effort will bring together the resources to make sure these new agricultural and forestry systems can be evaluated holistically at a landscape scale. Independent of my proposal, I understand there is a discussion ongoing to develop a similar partnership within the north central region which includes Wisconsin. My bill is specifically designed to allow existing or future consortiums to coordinate or even become the regional body supporting these research and extension activities.

While there has been significant focus on agriculture as the means of developing the bioeconomy and biofuels such as ethanol and biodiesel especially, our forestlands can contribute significantly as well. While States and regions will likely include forestry components in their state energy and regional research and extension, my bill also provides $10 million per year to support a pair of specific agroforestry pilot programs. The first would evaluate whether there needs to be a support mechanism for landowners during the establishment phase of a woody biomass system which can often take up to a decade to develop, though it may be the best long-term use of the land both for biofuel production and for the environment. The second project would assist in the development of at least one commercial scale cellulosic ethanol production facility using woody biomass as a feedstock. While I expect other regions with significant forestry resources to participate as well, with the Forest Products Lab in Wisconsin and the Governor recently proposing support for forestry-based cellulosic ethanol, Wisconsin is well positioned to be a leader in this area.

The Renewable Energy Systems and Energy Efficiency Improvements program, also known as Section 9006 of the 2002 Farm Bill, provides grants to farmers and ranchers to establish a wide range of wind, solar, biomass, geothermal, and conservation technologies on their farms. This direct support is important, which is why I propose a significant increase in funding to $40m per year so farmers can do their part in this larger effort for energy independence farm by farm.

Another existing federal program that has been beneficial is the Value-added Production Grant (VAPG) program. These grants broadly assist farmers and ranchers in developing projects that help them retain more value from their crops and products, including many bioenergy projects. I propose providing an increase to $60m per year and shifting the funding to mandatory spending because this program is so important in allowing farmers to be entrepreneurs and plan their own future. Specifically for the bioeconomy, I require that at least 10% of these funds be directed toward projects relating to bioenergy or biobased products.

Without the fundamental knowledge on how to convert biomass into other products such as fuel and the applied research on how to best implement this technology, the development of the bioeconomy may be limited. For this reason, I propose to double the spending within the USDA's National Research Initiative that is dedicated toward the development of the next generation of technology, including cellulosic ethanol. The institutions of higher education in Wisconsin are ready to assist in this task and often work together or regionally toward this goal. For example, The University of Wisconsin—Madison and Michigan State University have recently submitted a proposal to establish a Great Lakes Bioenergy Research Center supported by the Department of Energy. It will take this type of collaboration and involvement of multiple Federal, State and local entities to fulfill the potential of the bioeconomy for increasing our national security and hopefully at the same time spurring a rural renaissance.

Finally, but still very important, we need to assess whether our current incentives for bioenergy production and utilization are performing as intended and having no negative side-effects. There is some concern that the current incentives may not be adequately reaching consumers and farmers. My bill requires the Government Accountability Office, GAO, to evaluate whether the current incentives are the most effective ways to encourage the production and use of bioenergy. I especially ask them to assess whether there are better ways to support local ownership and the local and regional benefits to communities, while preventing excessive payments.

There are many very positive efforts ongoing in Wisconsin to support the development of the next generation of farmers and ranchers and to provide viable models such as organic production for these new producers, which also benefit existing small and medium-sized farmers who are looking for other options. Like the sustainable local bioeconomy highlighted in the first section of my bill, I have designed my proposal so these positive projects in Wisconsin are supported and become the models for other states that may not be as far along.

There is a very strong Federal, State, university and non-profit involvement in supporting the future of farming in Wisconsin. It is heartening to see so many different groups and interests coming together to work together to support this common goal. I just wanted to highlight a few examples of many that make me proud.

From the Federal side, Wisconsin's State office of the USDA's Farm Service Agency leads the Nation or is the top five States for various loans provided to beginning farmers. Fully 37 percent of the loans in Wisconsin go to beginning farmers, a testament to the dedication of the State's FSA office.

The University of Wisconsin's Center of Integrated Agricultural Systems, (CIAS), continues to be both a leader in innovative ideas and research, but also in putting that knowledge to work for Wisconsin. To pick just one of many great projects, the School for Beginning Livestock and Dairy Farmers provides both the knowledge and the mentoring and support network to help beginning farmers get off the ground. I have followed CIAS' development and actions since my time in the Wisconsin State Senate, and always appreciate their approach.

The future of Wisconsin's agriculture and rural communities has even been the focus of a project at the Wisconsin Academy of Sciences, Arts and Letters. The Future of Farming and Rural Life project has been going around the state holding forums on this important topic and I look forward to their recommendations. I think they have been hearing a lot of the same sort of comments I hear at listening sessions in rural areas.

Organic production, especially dairy production in southwest Wisconsin, has been a bright light in that comer of the State. The growth of this production and—potential for more growth shows a need for more significant Federal support in the Farm Bill. But in the meantime, the farmer-owned Organic Valley cooperative and groups such as the Midwest Organic and Sustainable Education Service, MOSES, are providing invaluable support for the revitalization of small dairy farming in the area.

The concept of cooperatives is very important in Wisconsin and often provides support for these developing models of agriculture. For example, the Edelweiss Graziers Cooperative in Dane and Green Counties was recently established with technical assistance of the Wisconsin Federation of Cooperatives. This effort combines managed grazing and cheese making from this grass-fed milk to support both the cooperative's members and the local economy.

In addition to supporting important projects, my proposal also improves on existing Federal programs. The first element of this section is $30 million per year in funding for State-based collaborations to plan for and support beginning farmers, ranchers and other rural professionals. Specifically these State plans and projects should support, encourage the development of and reduce barriers for the next generation of farmers, ranchers and other important rural professions such as foresters. States would have flexibility to determine where to spend the funds, but required to take a broad approach that incorporates extension, public colleges, State agriculture agencies, non-profits, private-public partnerships and direct aid to support the farmers with tuition and capital.

The second main portion of the future of farming section of my bill would fund an important Federal effort from the 2002 Farm bill, which unfortunately has never been funded. My bill provides $20 million per year in competitive grants for the Beginning Farmer and Rancher Development Program, BFRDP. These funds would be mandatory to make it more likely the program was funded. The BFRDP funds initiatives directed at new farming opportunities in the areas of education, extension, outreach, and technical assistance. The program is targeted especially to collaborative local, State, and regionally based networks and partnerships.

The third main element of my future of farming proposal seeks to evaluate and improve existing Federal programs. This includes directing the USDA to provide additional support for the Advisory Committee on Beginning Farmers and Ranchers to allow for increased meetings and outreach activities. It also proposes that this committee work with the USDA Secretary to oversee a series of pilot projects, which would use $10 million per year to find ways to better support the credit and capital needs of beginning farmers and ranchers. Also along these lines, the GAO would conduct a study to evaluate the effectiveness of tax incentives, contract guarantees and other measures that could be used to support and encourage the transfer of land from retiring farmers to beginning farmers. Finally, my bill supports the bonus cost-share provided in conservation programs and highlights the importance of stewardship through the Conservation Security Program for beginning farmers as part of a broader review to ensure that all USDA farm assistance and conservation activities are accessible and useful for beginning farmers and ranchers.

Two exciting growth areas in agriculture have been the development of more sustainable agricultural systems and organic production, often driven by consumers' desire to be more responsible. This increased support includes more than doubling the authorized funding for Appropriate Technology Transfer for Rural Areas, ATTRA, to $5 million per year and for the Sustainable Agriculture Research and Education, SARE, program to $120 million per year. The boost for SARE would also include a dedicated mandatory fund of $20 million per-year for the Federal-State matching grant program.

Organic agriculture has had the greatest growth in the past decade of any segment of agriculture. The funding for research, extension, technical assistance and direct aid to organic producers has not kept up. So my bill would provide significant increases for several existing organic programs and propose one new program. More specifically, existing research, extension and education programs would receive $15 million per year and $25 million in additional certification cost-share funds would be made available. A new $50 million per year program to assist with the conversion to organic production and encourage conservation practices on the farms is also included. Since the integrity of the organic label is critical to the success of these efforts and there have been recent concerns about problems in this area, an annual report would also be required on USDA's activities to enforce proper use of the organic label and protect the integrity of the program.

Finally, no proposal on the future of farming would be complete without recognizing the need to foster more diversity within the farm community. My proposal would quadruple the current funding for outreach to socially disadvantaged farmers and ranchers by providing $25 million per year in mandatory funds. This also includes an added emphasis on encouraging the development of new farmers from these communities by requiring the USDA to periodically report to Congress on their efforts.

Local markets and especially food systems benefit farmers economically and consumers through access to food that is often fresher, riper, better tasting and more nutritious. Farmers benefit both by cutting out the middlemen and through differentiating their products to often get a premium price. My bill supports these local opportunities in several ways including giving local institutions more flexibility to preferentially select local products, providing additional funding and areas of emphasis for existing farmers markets, farm-to-cafeteria and value-added grants. A special emphasis of many of the programs my bill supports is to provide healthier food to schools and low-income populations that might not otherwise have access to local fresh produce.

More specifically, my bill allows local preference in procurement of fruits and vegetables by federally supported programs. The current procurement rules are often interpreted to prevent this local geographic preference, so I would clarify the food procurement rules for USDA and Department of Defense programs that support schools nutrition programs and other produce procurement, e.g., commissaries, to allow agencies to give a preference to locally produced products. This change would allow these institutions to select local produce which is often better tasting and more nutritious. In order to provide oversight of this modified rule, my proposal would also require any local agency that selects a bid that is more than 10 percent higher than the lowest bid to report this to the Federal agency for possible further review to help ensure the integrity of the system.

The Farm-to-Cafeteria program or, as it is also known, the Access to Local Food and School Gardens, was part of the Child Nutrition reauthorization. Unfortunately it has never been funded, but it would support projects like Madison's Homegrown Lunch that link local farmers to the cafeteria and often classroom as the students learn more about where their food comes from. My proposal dedicates $10 million per year in mandatory funding toward this important program.

There are two important programs that let low-income individuals access healthy local fruit and vegetables at farmers markets which my proposal supports. The Seniors Farmers Market Nutrition Program would be increased to $25 million per year to provide more vouchers to low-income seniors. Hunger Task Force in Milwaukee helps distribute these voucher and reports that it is extremely popular and could be expanded. A similar program, the WIC Farmers Market Supplemental Nutrition Program, provides similar vouchers to low-income mothers, infants and children and would be increased to $30 million per year.

The proposal also supports farmers markets directly as well and increases the funding for the Farmers Market Promotion Program to $20 million per year. This program provides grants to assist with the development of new farmers markets and also helps farmers markets improve their services by doing things like installing EBT readers to accept Food Stamps.

The Value-Added Producer Grants, VAPG, program supports a variety of farmer-based enterprises including support for local food systems. My bill already increased the funding for this program to $60 million per year and would also require that 30 percent of the VAPGs go to support local food, bioenergy and bioproducts. In addition, half of these funds would be dedicated to supporting mid-sized value-added chains, which establish ways for mid-sized farmers to differentiate their products and work with distributors and retailers along a supply chain. Many believe these mid-sized value-added chains are the key to accessing regional markets and expanding local food systems. There are several examples in Wisconsin of farmers and cheesemakers working together to establish this sort of relationship and value chain in producing specialty cheeses.

My proposal builds on the recommendations from the Community Food Security Coalition to expand the current Community Food Projects Competitive Grants by providing $60.5 million per year. Community food projects fight food insecurity by increasing the access of low-income people to fresher, more nutritious food supplies along with projects that increase the self-reliance of communities in providing for their own food needs.

Numerous studies have shown that rural areas lag behind their urban and suburban counterparts in access to broadband Internet services. The United States is losing ground to other nations in broadband availability. For example in 2001, the United States ranked 4th out of nations in the Organization for Economic Cooperation and Development, OECD. The United States now ranks 12th.

From my trips to rural areas of Wisconsin, I can attest that broadband availability is spotty and a concern for local officials and residents. They tell me that the lack of broadband access can limit their opportunities for employment, entertainment, education and communication. There have been several different ways proposed to increase availability of affordable rural broadband. In this legislation, I do not take a specific stand on which solution is best, but I require efforts to better assess the problem and I set forth a goal for the Senate in solving this problem.

More specifically, the Sense of the Senate finds that given the growing number of opportunities provided by broadband access, the digital divide affecting rural households and other underserved groups should be eliminated within a decade. The ultimate goal should be to provide affordable access to broadband nationwide.

The FCC data on rural broadband availability and affordability is limited in several regards, most importantly by not collecting detailed enough information. The zip-code level data now available does not have a fine enough resolution to fully understand which specific areas lack any affordable access to broadband.

Even several of the FCC Commissioners agree on that point. My proposal requires the FCC to improve this situation to get a better picture of the extent of the problem.

As technology improves and faster data transfer rates become the norm, the FCC should make sure their definition of broadband keeps up. My proposal requires a periodic review of what is standard in the marketplace and an update of the definition as warranted. Without this requirement, the government could potentially end up subsidizing an obsolete service.

The USDA Inspector General found a number of deficiencies within the Rural Utilities Service Broadband Grant and Loan Programs and set forth a series of recommendations in a report in 2005. My bill would require the USDA to update Congress on the progress of these changes so these important programs work efficiently and provide the increased access they are designed to support.

The Universal Service Fund helps ensure that rural areas have affordable access to telecommunications services such as telephone and 911. The program allows for the coverage to be extended to other services such as broadband Internet based on a review of a Federal-State Joint Board. My bill requires a new review by the Joint Board after receiving the updated and improved FCC data since they previously had limited data and have not done such a review in several years.

My proposal is fully offset by reducing payments to the largest farmers, transferring funds from unobligated balances within USDA and reallocating authorized funds that were replaced by mandatory funding in my legislation. This offset, especially the reduced payment limits, is consistent with my longstanding feeling that Federal aid should be directed toward the farmers and communities that need it instead of the largest producers who don't. In fact, I estimate that my proposal could even return a couple hundred million dollars to the treasury over 10 years.

All too often in agriculture we are filling breaches in the safety nets, combating unfair trade, seeking equity in the programs such as the dairy marketing orders, or ensuring the large don't take undue advantage of the small. So it was a welcome change to propose ways to open doors and encourage development for family farmers and rural communities.

I worked with many Wisconsin-based groups and individuals along with others nationally and regionally in developing this legislation. I will work to include my proposals in the upcoming Farm Bill or other legislation.

I would especially like to thank the following groups and individuals who have supported my legislation: Wisconsin Farmers Union; Sustainable Agriculture Coalition; Stan Gruszynski, Director, Rural Leadership and Community Development Program, UW Stevens Point; the Community Food Security Coalition; and the Land Stewardship Project. The National Organic Coalition has also sent me a letter expressing support for the organic sections of my proposal.

I ask unanimous consent that the text of the bill and the letters from the Sustainable Agriculture Coalition, the Land Stewardship Project and the National Organic Coalition be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the La Crosse Tribune]

(By Russ Feingold)

The strength of our rural communities is a big source of pride in our state. Wisconsin is known not just for its agricultural products, but for the special character of our small towns. With a changing economy and tough challenges for our hard-working farmers, it is going to take some new approaches to create more opportunities for people living in these rural communities that mean so much to our state.

The federal government has an important role to play in supporting America's small towns and rural areas, which contribute so much to our economy and to our strength as a nation. That is why, when the new Congress starts in January, I plan to introduce a bill to create more economic opportunities in rural America.

This initiative is the last in a series of proposals I have announced this year to address domestic issues raised by Wisconsinites; the first three proposals took steps to reform our health care system, fix our trade policy and create more affordable housing.

My bill will support rural America in four ways: supporting local bioproducts and food markets, encouraging local renewable fuels and bioproducts, expanding broadband Internet service in rural areas, and helping develop the next generation of farmers, ranchers and land managers.

Developing local markets is critical for the future of rural communities, since those markets help farmers get more for their products and counter the power of big agribusiness. My proposal would help schools link up with local farmers to supply their cafeterias with locally produced products. It would also provide additional funds for existing USDA programs, which help develop local markets and help farmers develop and sell products at these markets.

My bill would also boost funds to provide additional vouchers—like those distributed by the Hunger Task Force in Milwaukee—for low-income seniors to purchase items at farmers markets. This would both provide a nutritional benefit for voucher recipients and help farmers see more value from their crops.

There is a lot of discussion about how renewable energies like ethanol and biodiesel will help rural economies, but for these opportunities to fulfill their potential, we need to make sure the benefits stay local. We need more technical assistance and other efforts to ensure that the benefits of turning agricultural and forest products into fuel go back into local economies.

Otherwise, ethanol and biodiesel plants could shift from value-added local and farmer ownership to multinational investment firms and energy corporations. My bill will provide flexible federal matching funds for extension, education and applied research purposes, as well as boosting funding to develop the next generation of biofuels.

Not surprisingly, Wisconsin is already well ahead of the curve in supporting biofuels. In addition to many other exciting developments statewide, Gov. Jim Doyle has established a Consortium on Biobased Industry.

My bill would give a federal boost to such efforts in Wisconsin and every other state.

As we support local agriculture markets, we must also help rural economies grow in new directions, and broadband Internet access is key to that growth. As many Wisconsinites know, the availability of affordable broadband Internet service in rural areas of the state is spotty. The United States is falling behind some of our Western European and Asian counterparts who have supported more universal access to the Internet. My proposal includes a language encouraging improvements in existing programs to increase Internet access and a goal of universal affordable service.

Finally, no matter the type of farm, a common concern expressed by farmers across Wisconsin is this: "How we can support the next generation of farmers, and where will they come from?"

My bill will improve existing federal programs to better serve beginning farmers and ranchers, giving them more resources, and targeting those resources toward developing agricultural methods appropriate for small farmers, such as organic farming, farmers markets and grazing. It would also provide federal matching funds for states and regions to address their specific local needs.

I've designed my bill to allow Wisconsin to continue to build upon programs such as the University of Wisconsin's Center of Integrated Agricultural Systems' School for Beginning Dairy Farmers. There are even regional grants to encourage regional collaborations, and I could very well see Wisconsin becoming the regional hub for developing the next generation of dairy farmers, just as another region may focus on crop production or ranching.

In true Wisconsin style, my bill is fully offset so that it doesn't add to the deficit. The bill reforms our agricultural support system by reducing the subsidies paid to the largest farms, and uses the money to pay for the new assistance.

These efforts certainly don't address every challenge rural communities face. There is much more to be done for the small towns and rural areas across Wisconsin, and around the country, that represent America at its best—proud communities built by centuries of hard work and commitment.

SUSTAINABLE AGRICULTURE COALITION,
Washington, DC, February 6, 2007.
Hon. RUSSELL FEINGOLD,
U.S. Senate,
Washington, DC.

DEAR SENATOR FEINGOLD, The Sustainable Agriculture Coalition would like to congratulate you for introducing the Rural Opportunities Act of 2007, a bill that contains many of the reforms members of the sustainable agriculture community would like to see manifested in the next Farm Bill, including important provisions addressing the health and sustainability of rural communities and small to mid-sized family farms.

Reauthorization of the next Farm Bill is a critical opportunity to support the revitalization of family farming and ranching in the United States. Among the positive transformations taking place in American agriculture is the growing consumer demand for high quality, sustainably produced foods from family farms. Programs that support new farmers, organic production, farmer's markets, community supported agriculture, and sustainably raised energy crops help to increase the economic vitality of local and regional economies, improve the environment, and ensure the continued growth of these new markets for the next generation of family farmers.

In particular, we want to commend you for including proposals in your new bill that would create or improve the Regional Bioenergy Competitive Research, Education and Extension Program, Renewable Energy Systems and Energy Efficiency Improvements Program, Value-Added Producers Grants program, Beginning Farmer and Rancher Development Program, Sustainable Agriculture Federal-State Matching Grant Program, National Organic Certification Cost-Share, National Organic Conversion and Stewardship Incentive Program, Farmers Market Promotion Program, and Community Food Grants. We also support the language to provide geographic preference for locally produced foods for federal procurement programs.

As you know, the Sustainable Agriculture Coalition represents grassroots farm, rural, and conservation organizations from across the country that together advocate for federal policies and programs supporting the long-term economic and environmental sustainability of agriculture, natural resources and rural communities. We are committed to supporting these programs and to working with your office to make certain they are included in the 2007 Farm Bill.

Sincerely,

FERD HOEFNER,
Policy Director.

NATIONAL ORGANIC COALITION,
Alexandria, VA, February 7, 2007.
Hon. RUSSELL FEINGOLD,
U.S. Senate,
Washington DC.

DEAR SENATOR FEINGOLD: I am writing to thank you for your introduction of the Rural Opportunities Act of 2007 and to express the strong support of the National Organic Coalition for the important organic provisions included in this legislation.

Specifically, your bill would:

(1) reauthorize and increase funding for the National Organic Certification Cost Share Program, which has been a critical program to help organic producers and handlers defray the annual costs of organic certification;

(2) create a new National Organic Conversion and Stewardship Incentive Program to provide incentives for farmers to transition their farms to certified organic operations, providing assistance during the transition period when farmers are incurring high costs, but are not yet receiving the price benefits that comes with final certification;

(3) reauthorize and increase funding for organic research through the Organic Agricultural Research and Extension Program; and,

(4) require USDA's National Organic Program to update Congress regarding its enforcement activities and its reforms in response to recent critiques by USDA's Inspector General and by the American National Standards Institute (ANSI).

All of these provisions address issues of high priority for the member organizations of the National Organic Coalition. We look forward to working with you toward their enactment.

Sincerely,

STEVEN D. ETKA,
Legislative Coordinator.

LAND STEWARDSHIP PROJECT,
Minneapolis, MN, February 8, 2007.
Senator RUSSELL FEINGOLD,
Hart Senate Office Building,
Washington, DC.

DEAR SENATOR FEINGOLD, The Land Stewardship Project is pleased to endorse and support the introduction of the Rural Opportunities Act of 2007. Our membership of farmers, rural residents and other concerned citizens, based primarily in the Upper Midwest, recognize your bill as sound public policy for our nation. The bill's focus on programs that support new farmers, organic production, farmers' markets, community supported agriculture, and sustainably-raised energy crops helps to increase the economic vitality of local and regional economies, improve the environment, and ensure the continued growth of new markets for the next generation of family farmers.

The introduction of the Rural Opportunities Act underlines Senator Feingold's leadership and commitment to a sustainable and economically prosperous rural America.

Particularly important are sections in the bill that provide resources to support new and beginning farmers getting started on the land, such as the reauthorization and funding of the Beginning Farmer and Rancher Development Program (BFRDP). The BFRDP, which was passed in the 2002 Farm Bill but which never received funds for implementation, has the opportunity to create partnerships between community-based organizations and public institutions and agencies to make a difference for beginning farmers and the land. We also strongly support the language to provide geographic preference for locally produced foods for federal procurement programs such as helping schools work in conjunction with local farmers to supply their cafeterias with locally produced products. It is also critical that the bill provides funding for the Farmers Market Promotion Program and Value Added Producers Grants program, which can contribute to building regional and local food systems as a growing economic sector for family farmers and rural communities.

As the next Farm Bill is being debated, we hope many elements of Rural Opportunities Act will provide direction and be included in the final bill. The Land Stewardship Project is committed to supporting these programs and to working with your office to win reforms that are good for our nation's communities, family farmers and the land.

Sincerely,

MARK SCHULTZ,
Policy and Organizing Director.

S. 541

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Rural Opportunities Act of 2007".

SEC. 2. DEFINITIONS.

Section 9001 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8101) is amended—

(1) by redesignating paragraphs (4) through (6), as paragraphs (5) through (7), respectively;

(2) by inserting after paragraph (3) the following:

"(4) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)."; and

(3) by adding at the end the following:

"(8) STATE.—The term 'State' means—

"(A) a State;

"(B) the District of Columbia;

"(C) the Commonwealth of Puerto Rico; and

"(D) any other territory or possession of the United States.".

SEC. 3. LOCAL AND REGIONAL SUSTAINABLE BIOENERGY AND BIOBASED PRODUCT USE AND PRODUCTION.

(a) LOCAL AND REGIONAL SUSTAINABLE BIOENERGY AND BIOBASED PRODUCT USE AND PRODUCTION.—Title IX of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8101 et seq.) is amended by adding at the end the following:

"SEC. 9012. LOCAL AND REGIONAL SUSTAINABLE BIOENERGY AND BIOBASED PRODUCT USE AND PRODUCTION.

"(a) EXTENSION, EDUCATION, TECHNICAL ASSISTANCE, APPLIED RESEARCH, AND DEVELOPMENT.—

"(1) IN GENERAL.—The Secretary shall make grants to States to carry out extension, education, applied research, and development activities at appropriate institutions of higher education, State agencies, or partnerships in the States to support local and regional sustainable bioenergy and biobased product use and production.

"(2) ALLOCATION OF FUNDS.—

"(A) IN GENERAL.—Subject to subparagraphs (B) and (C), funds made available under paragraph (4) shall be allocated among the States in accordance with the terms and conditions of paragraphs (1) through (3) of section 3(c) of the Hatch Act of 1887 (7 U.S.C. 361c(c)) and subparagraph (C).

"(B) UNALLOCATED FUNDS.—

"(i) IN GENERAL.—The Secretary may use funds described in clause (ii) to provide bonus grants to States based on the need and merit of projects identified through annual reports submitted under paragraph (3)(E), as determined by the Secretary.

"(ii) RELEVANT FUNDS.—The funds referenced in clause (i) are funds that—

"(I) would otherwise remain unallocated under this subsection for a fiscal year;

"(II) remain unused by a State as of the end of the grant term, as determined by the Secretary; or

"(III) are returned to the Secretary in accordance with paragraph (3)(C)(ii).

"(C) ADMINISTRATION.—The Secretary shall use not more than 5 percent of funds made available under paragraph (4)—

"(i) to maintain a clearinghouse for projects funded under this subsection;

"(ii) to fund liaisons to provide technical assistance within—

"(I) the Department of Agriculture;

"(II) the Department of Commerce;

"(III) the Department of Energy;

"(IV) the Environmental Protection Agency; and

"(V) other appropriate Federal agencies as determined by the Secretary.

"(iii) to support studies, competitions, and administration required by this section; and

"(iv) to support the collection and sharing of local innovations between the State lead agencies designated under this section.

"(3) CONDITIONS ON RECEIVING GRANTS.—

"(A) LEAD AGENCY.—

"(i) IN GENERAL.—The Governor of a State shall designate or establish an agency, institution of higher education, or joint entity in the State as the lead agency for the distribution of grant funds.

"(ii) DUTIES.—A lead agency designated under clause (i) shall—

"(I) encourage collaboration between agencies, institutions of higher education, cooperative extension, and appropriate nonprofit organizations in the State;

"(II) support private- and nonprofit-public partnerships for purposes of the grant;

"(III) establish a local citizen and industry advisory board;

"(IV) improve the energy independence of the State; and

"(V) in consultation with the advisory board, develop a comprehensive statewide energy plan to increase energy independence described in clause (iii).

"(iii) COMPREHENSIVE PLAN.—The plan developed under clause (ii)(IV) shall--

"(I) support local and regional sustainable bioenergy and biobased product use and production;

"(II) provide flexibility for local needs;

"(III) support other renewable energy, energy efficiency and conservation activities, and coordination with other State and Federal energy initiatives (including the Clean Cities Program established under sections 405, 409, and 505 of the Energy Policy Act of 1992 (42 U.S.C. 13231, 13235, 13256));

"(IV) support a diverse array of farm sizes, crops (including agroforestry), and production techniques, with a particular focus on small and moderate-sized family farms;

"(V) have a goal of maximizing the public value of developing and using sustainable bioenergy and biobased products;

"(VI) include activities—

"(aa) to manage energy usage through energy efficiency and conservation;

"(bb) to develop new energy sources in a manner that is economically viable, ecologically sound, and socially responsible; and

"(cc) to grow or produce biomass in a sustainable manner that has net environmental benefits and considers such factors as relative water quality, soil quality, air quality, wildlife impacts, net energy balance, crop diversity, and provision of adequate income for the agricultural producers; and

"(VII) consider providing grant preferences to local and farmer-owned projects in order to retain and maximize local and regional economic benefits.

"(B) USE OF FUNDS.—

"(i) IN GENERAL.—Subject to clause (ii), a grant received under this subsection may be used to pay the Federal share of carrying out that support the establishment, growth, and use of local bioenergy and biobased products, including—

"(I) extension;

"(II) curriculum development;

"(III) education and training;

"(IV) technical assistance;

"(V) applied research;

"(VI) grants to support local production and use of bioenergy and biobased products;

"(VII) energy conservation or support for other renewable fuels, if identified as part of the comprehensive statewide energy plan developed under subparagraph (A)(ii)(IV);

"(VIII) support of bioenergy and biobased product cooperatives through education, training, technical assistance, or grants; and

"(IX) any other activity identified or approved by the Secretary as meeting those goals.

"(ii) ALLOCATION OF GRANT RESOURCES.—

"(I) IN GENERAL.—Each comprehensive statewide energy plan shall include a balanced allocation of grant resources to ensure support for each of research, education, extension, and development.

"(II) SECRETARIAL REVIEW.—If after review of a comprehensive statewide energy plan received under subparagraph (D)(i), the Secretary determines that the plan or allocation of resources is inadequate or inappropriate, the Secretary shall request clarification or revisions.

"(C) MATCHING FUNDS.—

"(i) IN GENERAL.—A recipient of funds for an activity under this subsection shall contribute an amount of non-Federal funds (including non-Federal funds from nonprofit organizations, local governments, and public-private partnerships) in the form of cash or in-kind contributions to carry out the activity that is equal to the amount of Federal funds received for the activity.

"(ii) RETURN OF FUNDS.—A recipient of funds for an activity under this subsection that fails to comply with the requirement to provide full matching funds for a fiscal year under clause (i) shall return to the Secretary an amount equal to the difference between—

"(I) the amount provided to the recipient under this subsection; and

"(II) the amount of matching funds actually provided by the recipient.

"(D) ANNUAL REPORT.—

"(i) IN GENERAL.—Not later than February 1 of each year, each State receiving a grant under this subsection shall submit to the Secretary a report that—

"(I) describes and evaluates the use of grant funds during the preceding fiscal year; and

"(II) includes the comprehensive statewide energy plan, and any revisions to the plan, developed under subparagraph (A)(ii)(IV).

"(ii) PUBLICATION.—The Secretary shall make available to the public all reports received under clause (i).

"(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $30,000,000 for each of fiscal years 2008 through 2013, to remain available until expended.

"(b) STUDY.—

"(1) IN GENERAL.—The Comptroller General of the United States shall carry out a study that assesses—

"(A) changes to law (including regulations) and policies to provide or increase incentives for the potential production of bioenergy (at levels greater than in existence as of the date of enactment of this section) to maintain local ownership, control, economic development, and the value-added nature of bioenergy and biobased product production;

"(B) potential limits to prevent excessive payments, including variable support (such as reducing subsidies based on the price of bioenergy or a comparable conventional energy source); and

"(C) the use of existing and proposed incentives for particular stages in the bioenergy system (including production, blending, or retail), including an evaluation of which incentives would be most efficient and beneficial for local and regional communities and consumers.

"(2) REPORT.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress the report under paragraph (1).

"(c) BASIC RESEARCH ON NEXT GENERATION TECHNOLOGY.—

"(1) IN GENERAL.—For each of fiscal years 2008 through 2013, the Secretary, acting through the National Research Initiative, shall use $5,400,000 of funds of the Commodity Credit Corporation, to remain available until expended, to carry out additional research on biobased products and bioenergy production with an emphasis on developing and improving the next generation of products and production methods (such as cellulosic ethanol).

"(2) MAINTENANCE OF FUNDING.—The funding provided under this subsection shall supplement (and not supplant) other Federal funding for the National Research Initiative in those research areas.

"(d) SUPPLEMENTAL RURAL COOPERATIVE DEVELOPMENT GRANTS.—

"(1) IN GENERAL.—For each of fiscal years 2008 through 2013, the Secretary, acting through the Under Secretary for Rural Development, may use up to $1,000,000 to supplement existing grants under the rural cooperative development grant program established under section 310B(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(e)) (referred to in this subsection as the 'program').

"(2) REQUIREMENT.—The Secretary may award supplemental grants under this subsection to program grant recipients the applications or ongoing activities of which support, establish, or assist the establishment of, renewable fuels or biobased product-based cooperatives.

"(3) AMOUNT.—The amount of a supplemental grant under this subsection shall not exceed 20 percent of the amount of the base program grant.

"(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $1,000,000 for each of fiscal years 2008 through 2013.

"(5) MAINTENANCE OF FUNDING.—The funding provided under this subsection shall supplement (and not supplant) other Federal funding for the program.".

(b) REGIONAL BIOENERGY AND BIOBASED PRODUCTS COMPETITIVE RESEARCH, EDUCATION, AND EXTENSION PROGRAMS.—Title IV of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7621 et seq.) is amended by adding at the end the following:

"SEC. 412. REGIONAL BIOENERGY AND BIOBASED PRODUCTS COMPETITIVE RESEARCH, EDUCATION, AND EXTENSION PROGRAMS.

"(a) IN GENERAL.—The Secretary shall establish regional funds in accordance with this section.

"(b) UNALLOCATED FUNDS.—

"(1) IN GENERAL.—The Secretary may use funds described in paragraph (2) to provide bonus grants to regional centers based on need and merit, as determined by the Secretary.

"(2) RELEVANT FUNDS.—The funds referenced in paragraph (1) are funds that—

"(A) would otherwise remain unallocated under this section for a fiscal year; or

"(B) remain unused by a regional center as of the end of the grant term, as determined by the Secretary; or

"(C) are returned to the Secretary in accordance with paragraph (3)(B).

"(3) MATCHING FUNDS.—

"(A) IN GENERAL.—A recipient of funds for an activity under this section shall contribute in the form of cash or in-kind contributions an amount of non-Federal funds to carry out the activity that is equal to the amount of Federal funds received under this section for the activity.

"(B) RETURN OF FUNDS.—A recipient of funds for an activity under this section that fails to comply with the requirement to provide full matching funds for a fiscal year under subparagraph (A) shall return to the Secretary an amount equal to the difference between—

"(i) the amount provided to the recipient under this section; and

"(ii) the amount of matching funds actually provided by the recipient.

"(C) WAIVER.—The Secretary may waive the matching funds requirement described in subparagraph (A) with respect to a project if the Secretary determines that—

"(i) the results of the project, while of particular benefit to a specific bioenergy or biobased product research question, are also likely to be generally applicable; or

"(ii)(I) the project involves a minor crop or production method and deals with scientifically important research; and

"(II) the grant recipient is unable to satisfy the matching funds requirement.

"(c) IDENTIFICATION OF REGIONS.—

"(1) IN GENERAL.—Regions under this section shall correspond with the regions of the Cooperative State Research, Education, and Extension Service of the Department of Agriculture.

"(2) SUBREGIONS.—Each regional board established under subsection (f) may establish up to 3 subregions based on common characteristics, including—

"(A) bioenergy production methods;

"(B) research questions;

"(C) the benefits in efficiency and coordination of identifying the same regions as are used by other Federal programs, such as regions used for sun grant centers under section 9011(d) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8109(d)); and

"(D) other factors important in fulfilling the goal of increasing local and regional sustainable bioenergy and biobased product use and production in the United States.

"(d) REGIONAL FUNDS.—

"(1) IN GENERAL.—The Secretary shall establish for each region identified under subsection (c) a regional fund.

"(2) ALLOCATION OF FUNDS.—Funds made available under subsection (g) shall be allocated among the regional funds in accordance with the proportional share of funds received under section 9012(a)(1) of the Farm Security and Rural Investment Act of 2002 by the States that constitute the appropriate region.

"(e) COMPETITION.—

"(1) IN GENERAL.—Not less often than once every 5 years, in conjunction with the appropriate regional board, the Secretary shall competitively award—

"(A) the funds in each regional fund to a regional center to carry out multi-State applied research, extension, education, and development; and

"(B) the designation of the regional center to an agency, institution of higher education, nonprofit organization, or joint entity in the region.

"(2) SHARED CENTERS.—An agency, institution of higher education, nonprofit organization, or joint entity may host more than 1 regional center if the appropriate regional board determines that shared administrative and other expenses benefits program efficiency.

"(f) REGIONAL BOARD.—

"(1) IN GENERAL.—The Secretary shall establish a regional board for each region.

"(2) MEMBERSHIP.—

"(A) IN GENERAL.—The membership of each regional board shall include—

"(i) representatives of—

"(I) the Agricultural Research Service;

"(II) the Cooperative State Research, Education, and Extension Service;

"(III) the Natural Resources Conservation Service;

"(IV) nonprofit organizations with demonstrable expertise in sustainable agriculture and sustainable bioenergy and biobased product use and production;

"(V) cooperatives engaged in bioenergy or biobased products production;

"(VI) agricultural producers involved in production of agricultural commodities for bioenergy and biobased products;

"(VII) landowners or businesses involved in forestry; and

"(VIII) agribusinesses; and

"(ii) 1 member from each State designated by the Governor of the State and approved by the Secretary who represents—

"(I) State cooperative extension services;

"(II) State agricultural experiment stations; and

"(III) State departments engaged in bioenergy and biobased products programs.

"(B) ROTATION.—The members of the board described in clause (ii) shall regularly rotate among representatives of the groups described in subclauses (I), (II), and (III) in order that each regional board has equitable representation of each of those groups.

"(3) RELATION TO EXISTING OR FUTURE REGIONAL CONSORTIUMS.—If a regional consortium is developed that, as determined by the Secretary, fulfills the goals of this section and reflects, to the maximum extent practicable, the membership diversity described in paragraph (2), the regional consortium or a subpart of the regional consortium may act as the regional board for the purposes of this section.

"(4) RESPONSIBILITIES.—Each regional board shall—

"(A) promote the programs established under this section at the regional level;

"(B) establish goals and criteria for the selection of projects authorized under this section within the applicable region;

"(C) appoint a technical committee to evaluate proposals for projects to be considered under this section by the regional board;

"(D) review and act on the recommendations of the technical committee, and coordinate the activities of the regional board with the regional host institution; and

"(E) prepare and make available an annual report covering projects funded under this section and including an evaluation of the project activity.

"(5) PREFERENCES.—In determining regional priorities and making funding decisions, the regional board shall give preference to—

"(A) collaborative proposals;

"(B) research that adapts existing technology to local conditions;

"(C) proposals that include more than 1 of the components of education, extension, and research and development;

"(D) proposals that examine multiple factors (including economic, social, and environmental factors) at a landscape or watershed scale to maximize the public value; and

"(E) proposals that develop and evaluate more sustainable alternatives to traditional monocultures, including perennial continuous living cover systems and incorporating bioenergy or biobased product production on conventional farms in sensitive areas, such as perennial biomass production on watercourses.

"(6) OTHER DUTIES.—The regional board shall coordinate with other Federal programs (including the research, extension, and educational programs described in section 9011 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8109)) to support joint initiatives, encourage complimentary priorities, and prevent duplication of effort.

"(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $20,000,000 for each of fiscal years 2008 through 2013, to remain available until expended.".

(c) AGROFORESTRY CONVERSION AND CELLULOSIC PRODUCTION PILOT PROGRAMS.—

(1) AGROFORESTRY CONVERSION.—

(A) IN GENERAL.—The Secretary of Agriculture (referred to in this paragraph as the

"Secretary") shall carry out an agroforestry conversion pilot program under which the Secretary shall provide technical assistance, cost share assistance, grants, or loans to landowners during the establishment phase of a woody crop.

(B) SELECTION.—In providing assistance under this paragraph, the Secretary shall—

(i) use a competitive selection process; and

(ii) consider diversity of—

(I) region;

(II) production method;

(III) type of woody crop;

(IV) method of requested support.

(2) CELLULOSIC PRODUCTION PILOT PROGRAM.—

(A) IN GENERAL.—The Secretary shall carry a cellulosic production pilot program under which the Secretary shall provide loans, loan guarantees, or grants, or any combination thereof, to cooperatives, businesses, or joint ventures to produce cellulosic ethanol from woody biomass on a commercial scale.

(B) MULTIPLE PILOT PROGRAMS.—If there is sufficient funding for the Secretary to carry out more than 1 pilot program under this paragraph, the Secretary shall ensure, to the maximum extent practicable, that the pilot programs are geographically representative of the major forestry regions of the United States.

(3) REPORT.—Not later than October 1, 2013, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that—

(A) describes the effectiveness of the pilot programs under this subsection; and

(B) recommends whether or not the pilot programs should be continued and at what funding level.

(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $10,000,000 for each of fiscal years 2008 through 2013.

(d) REAUTHORIZATIONS.—

(1) RENEWABLE ENERGY SYSTEMS AND ENERGY EFFICIENCY IMPROVEMENTS.—Section 9006(f) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8106(f)) is amended by striking "section $23,000,000" and all that follows and inserting "section—

"(1) $23,000,000 for fiscal year 2006;

"(2) $3,000,000 for fiscal year 2007; and

"(3) $40,000,000 for each of fiscal years 2008 through 2013.".

(2) GRANTS FOR CERTAIN VALUE-ADDED AGRICULTURAL PRODUCTS.—Section 231(b)(4) of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1621 note; Public Law 106-224) is amended—

(A) by striking "Not later" and inserting the following:

"(A) FISCAL YEARS 2003 THROUGH 2007.—Not later"; and.

(B) by adding at the end the following:

"(B) FISCAL YEARS 2008 THROUGH 2013.—

"(i) IN GENERAL.—Not later than October 1, 2007, and each October 1 thereafter through October 1, 2012, of the funds of the Commodity Credit Corporation, the Secretary shall made available to carry out this subsection, $60,000,000, to remain available until expended.

"(ii) USE OF FUNDS.—The Secretary shall ensure that not less than 10 percent of the competitive grants awarded during each of fiscal years 2008 through 2013 are awarded to producers of value-added agricultural products that use or produce biobased products or bioenergy.".

SEC. 4. FUTURE OF FARMING, RANCHING, AND LAND MANAGEMENT.

(a) IN GENERAL.—Subtitle D of the Consolidated Farm and Rural Development Act is amended by inserting after section 344 (7 U.S.C. 1991) the following:

"SEC. 345. FUTURE OF FARMING, RANCHING, AND LAND MANAGEMENT.

"(a) GRANTS TO SUPPORT THE FUTURE OF FARMING, RANCHING, AND LAND MANAGEMENT.—

"(1) IN GENERAL.—The Secretary shall make grants to States to support the development of the next generation of farmers, ranchers, and other land managers.

"(2) ALLOCATION OF FUNDS.—

"(A) IN GENERAL.—Subject to subparagraphs (B) and (C), funds made available under paragraph (4) shall be allocated among the States in accordance with the terms and conditions of paragraphs (1) through (3) of section 3(c) of the Hatch Act of 1887 (7 U.S.C. 361c(c)) and subparagraph (C).

"(B) UNALLOCATED FUNDS.—

"(i) IN GENERAL.—The Secretary may use funds described in clause (ii) to provide bonus grants to States based on the need and merit of projects identified through annual reports submitted under paragraph (3)(E), as determined by the Secretary.

"(ii) RELEVANT FUNDS.—The funds referenced in clause (i) are funds that—

"(I) would otherwise remain unallocated under this subsection for a fiscal year; or

"(II) remain unused by a State as of the end of the grant term, as determined by the Secretary; or

"(III) are returned to the Secretary in accordance with paragraph (3)(D)(ii).

"(C) ADMINISTRATION.—The Secretary shall use not more than 5 percent of funds made available under paragraph (4)—

"(i) to maintain a clearinghouse for projects funded under this section;

"(ii) to fund liaisons within each agency of the Department of Agriculture; and

"(iii) to support studies, competitions, and administration required by this section.

"(3) CONDITIONS ON RECEIVING GRANTS.—

"(A) IN GENERAL.—The Governor of a State shall designate or establish an agency, public institution of higher education (as that term is defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)), or joint entity in the State as the lead agency for the distribution of grant funds.

"(B) DUTIES.—A lead agency designated under subparagraph (A) shall—

"(i) encourage collaboration between agencies, cooperative extension, local nonprofit organizations, agricultural organizations, and institutions of higher education in the State;

"(ii) support private- and nonprofit-public partnerships for purposes of the grant;

"(iii) establish a local citizen and industry advisory board;

"(iv) in consultation with the advisory board, develop a statewide plan to increase opportunities for, and reduce barriers to, beginning farmers and ranchers and, in accordance with subparagraph (C), other rural professions;

"(v) support the development of local community-based support and mentoring networks;

"(vi) to the maximum extent practicable, enable the transfer of family farms to children or other relatives of owners in order to allow family farms to be kept whole in cases in which the division of the farm would result in a less viable agricultural operation; and

"(vii) support small-scale models for farms or ranches for beginning farmers and ranchers and other rural professions, including models based on—

"(I) community-supported agriculture;

"(II) organic agriculture;

"(III) farmers markets;

"(IV) speciality agricultural products;

"(V) sustainable production;

"(VI) grazing;

"(VII) agrotourism; and

"(VIII) agroforestry.

"(C) OTHER RURAL PROFESSIONS.—A State that identifies other important rural professions in the State (including professions involving forestry, conservation, land management, tourism, or a combination of those professions) may include those professions in the statewide plan under subparagraph (B)(iv).

"(D) MATCHING FUNDS.—

"(i) IN GENERAL.—A recipient of funds for an activity under this subsection shall contribute in the form of cash or in-kind contributions an amount of non-Federal funds to carry out the activity that is equal to the amount of Federal funds received for the activity.

"(ii) RETURN OF FUNDS.—A recipient of funds for an activity under this subsection that fails to comply with the requirement to provide full matching funds for a fiscal year under clause (i) shall return to the Secretary an amount equal to the difference between—

"(I) the amount provided to the recipient under this subsection; and

"(II) the amount of matching funds actually provided by the recipient.

"(E) USE OF FUNDS.—

"(i) IN GENERAL.—A grant received under this subsection may be used to pay the Federal share of carrying out the programs that support and develop the next generation of farmers, ranchers, and other rural professionals, including—

"(I) extension;

"(II) education, including targeted scholarships and loan forgiveness, for traditional degree and certificate courses and continuing education and short courses;

"(III) technical assistance, including support for development of cooperatives;

"(IV) grants to support transitional ownership, mentorships, apprenticeships, and peer-support networks;

"(V) support of matched-savings programs through individual development accounts that can be used for capitol expenses, land acquisition, or training for beginning farmers, ranchers, and other rural professionals;

"(VI) support of farmer land contract programs to provide payment guarantees to encourage retiring landowners to sell to beginning farmers, ranchers, and rural professionals; and

"(VII) any other activity identified or approved by the Secretary as meeting those goals;

"(ii) PREFERENCE.—In allocating grants and other direct assistance under this subsection, a lead agency shall give priority to limited resource and socially-disadvantaged individuals.

"(F) ANNUAL REPORT.—

"(i) IN GENERAL.—Not later than February 1 of each year, each State receiving a grant under this subsection shall submit to the Secretary a report that describes and evaluates the use of grant funds during the preceding fiscal year.

"(ii) PUBLICATION.—The Secretary shall make available to the public all reports received under clause (i).

"(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $30,000,000 for each of fiscal years 2008 through 2013, to remain available until expended.

"(b) Advisory Committee on Beginning Farmers and Ranchers.—To the maximum extent practicable, the Secretary shall use funds otherwise available to the Secretary—

"(1) to support the work of the Advisory Committee on Beginning Farmers and Ranchers established under section 5(b) of the Agricultural Credit Improvement Act of 1992 (7 U.S.C. 1929 note; Public Law 102-554) (referred to in this subsection as the 'Committee')—

"(2) to fund more frequent meetings of the Committee (including meetings at least twice per year); and

"(3) to increase the outreach activities of the Committee, including increased public field hearings, if determined to be necessary by the Committee.

"(c) Study and Pilot Program.—

"(1) Beginning farmer and rancher loan program.—

"(A) In general.—For each of fiscal years 2008 through 2013, the Secretary shall use funds made available under subparagraph (D)—

"(i) to study the provision under this Act of direct farm ownership and guaranteed loans to beginning farmers and ranchers;

"(ii) to carry out a pilot program to use additional resources to reduce the backlog of loan applications from beginning farmers and ranchers;

"(iii) to carry out a pilot program under which grants, rather than loans, are provided to support capitol investments or farm purchases at the same amount as the subsidy would be over the term of a comparable loan; and

"(iv) to carry out a pilot program under which direct and guaranteed loans are provided under this Act to beginning farmers and ranchers with no interest or payments due, and no accrual of interest, during a period of up to the first 36 months of the loans.

"(B) Reports.—

"(i) Initial report.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report that—

"(I) describes the results of the study under subparagraph (A)(i); and

"(II) recommends changes to improve the efficiency of the provision under this Act of direct and guaranteed loans to beginning farmers and ranchers.

"(ii) Additional reports.—Not later than 4 years after the date of enactment of this Act, and thereafter as appropriate, the Secretary shall submit to Congress a report that describes the effectiveness of the pilot programs described in subparagraph (A)(ii).

"(C) Additional pilot programs.—After submission of the study under subparagraph (B)(i), the Secretary may use funds made available to carry out this subsection—

"(i) to continue the pilot programs described in subparagraph (A)(ii); or

"(ii) to carry out other pilot programs based on the conclusions and recommendations of the study.

"(D) Authorization of appropriations.—There is authorized to be appropriated to carry out this subsection $10,000,000 for each of fiscal years 2008 through 2013.

"(d) GAO Study and Report.—

"(1) Study.—The Comptroller General of the United States shall carry out a study of possible tax incentives, contract guarantees, and other measures to support the transfer of land from retiring farmers and ranchers to beginning farmers and ranchers.

"(2) Report.—Not later than 2 years after the date of enactment of this section, the Comptroller General of the United States shall submit to Congress a report that evaluates, and makes recommendations concerning, the effectiveness of measures studied under paragraph (1).".

(b) Beginning Farmer and Rancher Development Program.—Section 7405 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3319f) is amended—

(1) in subsection (c)(5)—

(A) in subparagraph (B), by striking "and" at the end;

(B) in subparagraph (C), by striking the period at the end and inserting "; and"; and

(C) by adding at the end the following:

"(D) refugee or immigrant farmers or ranchers"; and

(2) by striking subsection (h) and inserting the following:

"(h) Funding.—

"(1) Fees and contributions.—

"(A) In general.—The Secretary may—

"(i) charge a fee to cover all or part of the costs of curriculum development and the delivery of programs or workshops provided by—

"(I) a beginning farmer and rancher education team established under subsection (d); or

"(II) the online clearinghouse established under subsection (e); and

"(ii) accept contributions from cooperating entities under a cooperative agreement entered into under subsection (d)(4)(B) to cover all or part of the costs for the delivery of programs or workshops by the beginning farmer and rancher education teams.

"(B) Availability.—Fees and contributions received by the Secretary under subparagraph (A) shall—

"(i) be deposited in the account that incurred the costs to carry out this section;

"(ii) be available to the Secretary to carry out the purposes of the account, without further appropriation;

"(iii) remain available until expended; and

"(iv) be in addition to any funds made available under paragraph (2).

"(2) Funding.—For each of fiscal years 2008 through 2013, the Secretary shall use $20,000,000 of funds of the Commodity Credit Corporation to carry out this section, to remain available for 2 fiscal years after the date on which the funds are first made available.".

(c) Improving and Targeting Farm Support and Conservation Programs for Beginning Farmers, Ranchers, and Rural Professionals.—

(1) In general.—The Secretary of Agriculture (referred to in this section as the "Secretary") shall carry out a study to identify and propose remedies to barriers to small, beginning, socially disadvantaged, and limited resource producers in conservation and farm support programs, including—

(A) the environmental quality incentives program established under chapter 4 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3839aa et seq.);

(B) the conservation security program established under subchapter A of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838 et seq.);

(C) the farmland protection program established under subchapter B of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838h et seq.) (commonly known as the "Farm and Ranch Lands Protection Program");

(D) the wetlands reserve program established under subchapter C of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3837 et seq.);

(E) risk management tools, such as insurance;

(F) commodity support programs;

(G) food purchases by the Agricultural Marketing Service;

(H) the provision of value-added agricultural product market development grants to producers under section 231(b) of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1621 note; Public Law 106-224); and

(I) other programs identified by the Advisory Committee on Beginning Farmers and Ranchers established under section 5(b) of the Agricultural Credit Improvement Act of 1992 (7 U.S.C. 1929 note; Public Law 102-554).

(2) Report.—Not later than 1 year after the date of enactment of this Act, and every 2 years thereafter, or otherwise on the recommendation of the Advisory Committee on Beginning Farmers and Ranchers established under section 5(b) of the Agricultural Credit Improvement Act of 1992 (7 U.S.C. 1929 note; Public Law 102-554), the Secretary shall submit to Congress a report that—

(A) describes the results of the study under paragraph (1);

(B) summarizes the participation rates for small, beginning, socially disadvantaged, and limited resource producers in the programs studied;

(C) recommends changes to make the programs studied more accessible and effective for limited resource and beginning farmers and ranchers; and

(D) for each report after the initial report, describes the status of changes recommended by previous reports.

(3) Sense of the Senate regarding conservation security program.—It is the sense of the Senate that—

(A) the conservation security program established under subchapter A of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838 et seq.) was intended to be an entitlement available to all agricultural producers, rather than available on a piecemeal basis;

(B) sufficient mandatory funds should be provided to the conservation security program to fulfill the promise of supporting conservation on working land; and

(C) the next reauthorization of the Farm Bill should—

(i) contain sufficient mandatory funding for the conservation security program; and

(ii) continue the 15 percent cost-share bonus for beginning farmers and ranchers for the conservation security program and the environmental quality incentives program established under chapter 4 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3839aa et seq.).

(d) Sustainable Agriculture Initiatives.—

(1) Appropriate technology transfer for rural areas.—There is authorized to be appropriated to the Secretary of Agriculture to carry out appropriate technology transfer for rural areas program under the same terms and conditions as funds provided under the heading "RURAL COOPERATIVE DEVELOPMENT GRANTS" under the heading "RURAL BUSINESS-COOPERATIVE SERVICE" in title III of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2006 (Public Law 109–97; 119 Stat. 2141) $5,000,000 for each of fiscal years 2008 through 2013, to remain available until expended.

(2) Sustainable agriculture research and education program.—

(A) Best utilization of biological applications.—

(i) In general.—Section 1624 of the Food, Agriculture, Conservation, and Trade Act of

1990 (7 U.S.C. 5814) is amended to read as follows:

"SEC. 1624. FUNDING.

"(a) IN GENERAL.—There is authorized to be appropriated to carry out sections 1621 and 1622 $75,000,000 for each of fiscal years 2008 through 2013, to remain available until expended.

"(b) FEDERAL-STATE MATCHING GRANT PROGRAM.—For each of fiscal years 2008 through 2013, the Secretary shall use $20,000,000 of funds of the Commodity Credit Corporation to carry out section 1623, to remain available until expended.".

(ii) MULTI-STATE REGIONS.—Section 1623 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5813) is amended—

(I) in subsections (a), (b), (c)(1), and (d)(1), by inserting "or multi-State regions" after "States" each place it appears;

(II) in subsection (a), by inserting "or multi-State" after "enhancement of State";

(III) in subsection (b)(8), by inserting "or multi-State region" after "State";

(IV) in paragraphs (1), (2), and (3) of subsection (c) and subsection (d)(1), by inserting "or multi-State" after "State" each place it appears; and

(V) in subsection (d)(2)—

(aa) in the paragraph heading by inserting "OR MULTI-STATE" after "STATE";

(bb) by inserting "or multi-State region" after "a State";

(cc) by inserting "or multi-State" after "from State";

(dd) by inserting "or multi-State" after "other State"; and

(ee) by inserting "or multi-State region" after "the State".

(B) NATIONAL TRAINING PROGRAM.—Section 1629 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5832) is amended by striking subsection (i) and inserting the following:

"(i) FUNDING.—There is authorized to be appropriated to carry out this section $25,000,000 for each of fiscal years 2008 through 2013, to remain available until expended.".

(e) ORGANIC PROGRAMS.–

(1) ORGANIC AGRICULTURE RESEARCH AND EXTENSION INITIATIVE.—Section 1672B of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925b) is amended by striking subsection (e) and inserting the following:

"(e) FUNDING.—For each of fiscal years 2008 through 2013, the Secretary shall use $15,000,000 of funds of the Commodity Credit Corporation to carry out this section, to remain available until expended.".

(2) NATIONAL ORGANIC CERTIFICATION COST-SHARE PROGRAM.—Section 10606 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 6523) is amended—

(A) in subsection (a), by striking "$5,000,000 for fiscal year 2002" and inserting "$25,000,000 for fiscal year 2008";

(B) in subsection (b)(2), by striking "$500" and inserting "$750"; and

(C) by adding at the end the following:

"(c) RECORDKEEPING REQUIREMENTS.—

"(1) IN GENERAL.—The Secretary, acting through the Agricultural Marketing Service, shall—

"(A) keep accurate, up-to-date records of requests and disbursements from the program under this section; and

"(B) require accurate and consistent recordkeeping from each State or other entity receiving program payments.

"(2) FEDERAL REQUIREMENTS.—Not later than 30 days after the closing date for States to request funding under the program, the Secretary shall—

"(A) finalize records that describe—

"(i) each State that has requested funding; and

"(ii) the amount of each funding request; and

"(B) distribute the funding to the States.

"(3) STATE REQUIREMENTS.—Annual funding requests from each State shall include data from the program during the previous year, including—

"(A)(i) a description of which entities requested reimbursement;

"(ii) the amount of each reimbursement; and

"(iii) any discrepancies between requests and the fulfillment of the requests;

"(B) data to support increases in requests expected in the coming year, including information from certifiers or other data showing growth projections; and

"(C) an explanation if an annual request is made for an amount less than the amount requested the previous year.

"(d) REPORTING.—Not later than March of each year, the Secretary shall provide an annual report to Congress that describes, for each State, the expenditures under the program under this section, including the number of producers and handlers served by the program in the previous fiscal year.".

(3) NATIONAL ORGANIC CONVERSION AND STEWARDSHIP INCENTIVE PROGRAM.—The Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.) is amended—

(A) by redesignating sections 2122 and 2123 (7 U.S.C. 6521, 6522) as sections 2124 and 2125, respectively; and

(B) by inserting after section 2121 (7 U.S.C. 6520) the following:

"SEC. 2122. NATIONAL ORGANIC CONVERSION AND STEWARDSHIP INCENTIVE PROGRAM.

"(a) DEFINITION OF SECRETARY.—In this section, the term 'Secretary' means the Secretary (acting through the Natural Resources Conservation Service), in consultation with the National Organic Technical Committee established under subsection (h).

"(b) PROGRAM.—Not later than 180 days after the date of the enactment of the Rural Opportunities Act of 2007, the Secretary shall establish a national organic agriculture conversion and stewardship incentives program under which the Secretary shall provide cost-share and incentive payments and technical assistance to eligible producers who enter into contracts with the Secretary to assist the producers in—

"(1) developing and implementing practices to convert all or part of nonorganic farms to certified organic farms; and

"(2) adopting advanced organic farming conservation systems.

"(c) ELIGIBLE PRODUCERS.—

"(1) IN GENERAL.—To be eligible for a payment or technical assistance under this section, a producer shall enter into a contract with the Secretary under which the producer shall agree to develop and implement an organic system plan that—

"(A) describes the conservation and environmental purposes to be achieved through conservation practices and activities under the contract;

"(B) demonstrates an existing market or reasonable expectation of a future market for an agricultural product that is organically produced; and

"(C) meets the requirements of this title.

"(2) COMPLIANCE.—To be eligible for a payment or technical assistance under this section, a producer shall comply with organic certification requirements as verified by a certifying agent (as defined in section 2103 of the Organic Foods Production Act of 1990 (7 U.S.C. 6502).

"(3) CONVERSION PAYMENTS FOR CERTIFIED ORGANIC PRODUCERS.—A producer who owns or operates a farm that is partially a certified organic farm and who otherwise meets the requirements of this section shall be eligible for payments under this section to convert other parts of the farm to a certified organic farm.

"(4) APPEALS.—An applicant that seeks assistance under this section shall have the right to appeal an adverse decision of the Secretary with respect to an application for the assistance, in accordance with subtitle H of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6991 et seq.).

"(d) ELIGIBLE PRACTICES AND ACTIVITIES.—The Secretary shall provide payments and technical assistance to eligible producers under this section for—

"(1) carrying out—

"(A) organic practices and activities to convert all or part of a nonorganic farm to a certified organic farm, in accordance with an organic system plan that meets the requirements of this title;

"(B) advanced organic practices that are consistent with the organic system plan;

"(C) organic animal welfare measures, so long as the measures are—

"(i) necessary to implement an organic practice standard; and

"(ii) consistent with an approved plan to transition to certified organic production; and

"(D) other measures, as determined by the Secretary; and

"(2) developing an organic system plan that meets the requirements of this title.

"(e) PAYMENT LIMITATIONS.—

"(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), an individual or entity may not receive, directly or indirectly, cost-share or incentive payments under this section—

"(A) that, in the aggregate, exceed $10,000 per year; or

"(B) for a period of more than 4 years.

"(2) SPECIALTY CROPS.—In the case of an individual or entity who annually produces 3 or more types of specialty crops (as defined in section 3 of the Specialty Crops Competitiveness Act of 2004 (7 U.S.C. 1621 note; Public Law 108-465)), the individual or entity may not receive, directly or indirectly, cost-share or incentive payments under this section—

"(A) that, in the aggregate, exceed $20,000 per year; or

"(B) for a period of more than 4 years.

"(3) DAIRY.—In the case of an individual or entity whose principal farming enterprise is a dairy operation, the individual or entity may not receive, directly or indirectly, cost-share or incentive payments under this section—

"(A) that, in the aggregate, exceed $20,000 per year; or

"(B) for a period of more than 4 years.

"(f) TECHNICAL AND EDUCATIONAL ASSISTANCE.—

"(1) IN GENERAL.—The Secretary shall use not less than 50 percent of the funds that are made available under subsection (k) for each fiscal year to—

"(A) provide technical assistance to eligible producers to carry out eligible practices and activities described in subsection (d); and

"(B) enter into cooperative agreements with qualified nonprofit and nongovernmental organizations and consultants to carry out educational programs that promote the purposes of this section, as determined by the Secretary.

"(2) COOPERATIVE AGREEMENTS.—Of the amount of funds for a fiscal year described in paragraph (1), the Secretary shall use not less than 50 percent of the funds to carry out paragraph (1)(B).

"(g) SUSPENSION AUTHORITY.—

"(1) ASSESSMENTS.—Not later than October 1 of each fiscal year, the Secretary shall publish in the Federal Register and otherwise make available an assessment for each organic product that analyzes—

"(A) the domestic production and consumption of the organic product;

"(B) the import and export organic market demand and growth potential for the organic product; and

"(C) the estimated number and total amount of new payments under this section for the fiscal year to be made to producers of the organic product.

"(2) SUSPENSION OF NEW CONTRACTS.—The Secretary shall not enter into contracts with new producers of an organic product under this section if the Secretary determines that entering into the contracts would—

"(A) produce an increased quantity of the organic product that the Secretary finds is reasonably anticipated to adversely affect the economic viability of producers who own or operate certified organic farms under this title; or

"(B) create an unreasonable geographic disparity in the distribution of payments under this section.

"(h) NATIONAL ORGANIC TECHNICAL COMMITTEE.—

"(1) ESTABLISHMENT.—The Secretary shall establish a National Organic Technical Committee to—

"(A) advise and assist the Secretary in carrying out the program established under this section; and

"(B) improve the interface between owners and operators of certified organic farms and other conservation programs and activities administered by the Natural Resources Conservation Service, including development of criteria for the approval of qualified organic technical advisors under this title.

"(2) MEMBERSHIP.—The National Organic Technical Committee shall consist of 9 members appointed by the Secretary, including—

"(A) 3 owners or operators of certified organic farms;

"(B) 2 certifying agents;

"(C) 2 inspectors of organic products;

"(D) 1 representative of an environmental organization that is knowledgeable concerning organic agriculture; and

"(E) 1 scientist with expertise in conservation planning.

"(i) ANNUAL REPORTS.—Not later than March 1 of each year, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the operation of the program established under this section, including—

"(1) a State-by-State analysis of expenditures on assistance under this section, including the number of producers served by the program and the practices and activities implemented;

"(2) an assessment of the impact of the program on organic food production; and

"(3) any recommended modifications to the program.

"(j) NATIONAL PROGRAM REVIEW.—

"(1) IN GENERAL.—Not later than 4 years after the commencement of the program established under this section, the Secretary shall—

"(A) conduct a national program review (including public hearings) of the program established under this section; and

"(B) submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of the review (including any appropriate recommendations).

"(2) CONTENT.—In conducting the review, the Secretary shall evaluate and make recommendations to—

"(A) resolve any program deficiencies;

"(B) redress any underserved States, agricultural products, and regions; and

"(C) ensure that the program is contributing positively to the profitability of small- and intermediate-size producers and existing owners and operators of certified organic farms.

"(k) FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section $50,000,000 for each of the fiscal years 2008 through 2013, to remain available until expended.".

(4) ANNUAL REPORT.—The Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.) is amended by inserting after section 2122 (as added by paragraph (3)) the following:

"SEC. 2123. ANNUAL REPORT.

"Each year, the Secretary shall submit to Congress, and make available to the public, a report that—

"(1) describes the enforcement activities carried out by the Secretary under this Act to ensure the integrity of organic labels; and

"(2) includes specific details on the number and investigative results of retail surveillance and oversight by certifying agents under this Act.".

(5) REPORT.—Not later than 120 days after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the progress in carrying out the national organic program established under the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.) in implementing the recommendations contained in—

(A) the audit conducted in 2004 by the American National Standards Institute; and

(B) the audit conducted in 2005 by the Office of the Inspector General of the Department of Agriculture.

(f) SOCIALLY DISADVANTAGED FARMERS AND RANCHERS OUTREACH AND TECHNICAL ASSISTANCE PROGRAM.—Section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279) is amended—

(1) in subsection (a)(4), by adding at the end the following:

"(C) FUNDING.—For each of fiscal years 2008 through 2013, the Secretary shall use $25,000,000 of funds of the Commodity Credit Corporation to carry out this subsection, to remain available until expended."; and

(2) in subsection (c)(1)(A), by inserting ", including beginning farmers and ranchers in those groups," after "groups".

SEC. 5. ENCOURAGING LOCAL MARKETS FOR FOOD, BIOENERGY, AND BIOPRODUCTS.

(a) GEOGRAPHIC PROCUREMENT PREFERENCE FOR DEPARTMENT OF DEFENSE AND DEPARTMENT OF AGRICULTURE.—

(1) FINDINGS.—Congress finds that—

(A) local produce, as compared to transported produce—

(i) is often harvested closer to full ripeness and can have higher nutritional quality;

(ii) can have improved ripeness, taste, or selection, which can increase rates of consumption of fruits and vegetables; and

(iii) is more efficient to store, distribute, and package;

(B) use of local produce—

(i) reduces dependence upon foreign oil by reducing fuel consumption rates associated with the production or transportation of fruits and vegetables;

(ii) can help to improve the ability of those using the procurement system to provide education on nutrition, farming, sustainability, energy efficiency, and the importance of local purchases to the local economy;

(iii) helps to maintain a robust logistics network for agricultural product procurement; and

(iv) promotes farm, business, and economic development by accessing local markets; and

(C) section 9(j) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(j)) directs the Secretary of Agriculture to encourage institutions participating in the school lunch program established under that Act and the school breakfast program established by section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773) to purchase, in addition to other food purchases, locally produced foods, to the maximum extent practicable and appropriate.

(2) GEOGRAPHIC PROCUREMENT PREFERENCE.—

(A) IN GENERAL.—Notwithstanding any other provision of law, the Department of Defense, the Department of Agriculture, schools, local educational agencies, and other entities may use a geographic preference to purchase locally produced fruits and vegetables for—

(i) in the case of programs carried out by the Department of Defense—

(I) the Defense Supply Center Philadelphia;

(II) the Department of Defense Farm to School Program;

(III) the Department of Defense Fresh Fruit and Vegetable Program;

(IV) the service academies;

(V) Department of Defense domestic dependant schools;

(VI) other Department of Defense schools under chapter 108 of title 10, United States Code;

(VII) commissary and exchange stores; and

(VIII) morale, welfare, and recreation (MWR) facilities operated by the Department of Defense; and

(ii) in the case of programs carried out by the Department of Agriculture, schools, local educational agencies, and other entities—

(I) the school breakfast program established by section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773);

(II) the school lunch program established under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.);

(III) the summer food service program for children established under section 13 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1761); and

(IV) the child and adult care food program established under section 17 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766).

(B) ADDITIONAL AUTHORIZATIONS.—A local food service director or other entity may include a geographic preference described in subparagraph (A) in bid specifications and may select a bid involving locally produced fruits and vegetables, even if that bid is not the lowest bid.

(3) SCOPE OF AUTHORITY.—The authority provided in paragraph (2) applies to the purchase of fruits and vegetables for both Department of Defense and non-Department of Defense uses.

(4) Reporting.—A school, local educational agency, or other entity participating in 1 or more of the programs described in paragraph (2)(B) shall report to the Secretary of Agriculture if the school, local educational agency, or other entity pays more than 10 percent more than the lowest bid to purchase locally produced fruits and vegetables in accordance with this subsection.

(5) Review.—The Secretary of Defense and the Secretary of Agriculture shall periodically review the program under this subsection to prevent fraud or abuse.

(b) Access to Local Foods and School Gardens.—Section 18(i) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769(i)) is amended by striking paragraph (2) and inserting the following:

"(2) Funding.—For each of fiscal years 2008 through 2013, the Secretary shall use $10,000,000 of funds of the Commodity Credit Corporation to carry out this subsection, to remain available until expended.".

(c) Senior Farmers' Market Nutrition Program.—Section 4402(a) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3007(a)) is amended—

(1) by striking "The Secretary" and inserting the following:

"(1) In general.—The Secretary;"; and

(2) by adding at the end the following:

"(2) Subsequent funding.—Of funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section $25,000,000 for fiscal year 2008, to remain available until expended.".

(d) WIC Farmers' Market Nutrition Program.—Section 17(m)(9)(A) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(m)(9)(A)) is amended by striking clause (ii) and inserting the following:

"(i) Mandatory funding.—Of funds of the Commodity Credit Corporation, the Secretary shall use to carry out this subsection $30,000,000 for fiscal year 2008, to remain available until expended.".

(e) Farmers Market Promotion Program.—Section 6 of the Farmer-to-Consumer Direct Marketing Act of 1976 (7 U.S.C. 3005) is amended by adding at the end the following:

"(f) Mandatory Funding.—For each of fiscal years 2008 through 2013, the Secretary shall use $20,000,000 of funds of the Commodity Credit Corporation to carry out this section, to remain available until expended.".

(f) Grants for Development of Local Food, Bioenergy, and Bioproducts Systems.—Section 231(b)(4)(B) of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1621 note; Public Law 106-224) (as added by section 3(b)(2)) is amended by adding at the end the following:

"(iii) Development of local food, bioenergy, and bioproducts systems.—

"(I) In general.—The Secretary shall ensure that not less than 30 percent of the competitive grants awarded during each of fiscal years 2008 through 2013 are awarded to producers of value-added agricultural products relating to developing local food, bioenergy, and bioproducts systems (such as supporting local markets, labeling of production location, local infrastructure, or local distribution).

"(II) Specific projects.—Not less than 50 percent of the grants specified in subclause (I) shall be used to fund projects that support the establishment of mid-tier food value-added chains intended to help mid-sized farms, through the marketing of differentiated products that adhere to sound social and environmental principles and equitable business practices at regional scales.

"(III) Project details.—Projects described in subclause (II) should—

"(aa) facilitate partnerships between businesses, cooperatives, non-profits, agencies, and educational institutions;

"(bb) have mid-sized farmer or rancher participation;

"(cc) include an agreement from the eligible agricultural producer group, farmer or rancher cooperative, or majority-controlled producer-based business venture engaged in the food value-added chain relating to the method for price determination; and

"(dd) articulate clear and transparent social, environmental, fair labor, and fair trade standards.".

(g) Assistance for Community Food Projects.—Section 25 of the Food Stamp Act of 1977 (7 U.S.C. 2034) is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (B), by striking "and" at the end;

(B) in subparagraph (C), by striking "or" at the end and inserting "and"; and

(C) by adding at the end the following:

"(D) supply healthy local foods to underserved markets, including—

"(i) purchase of local foods by government and nonprofit institutions;

"(ii) provision of technical assistance for retail development in underserved areas;

"(iii) support of metropolitan production linked to community-based food services and markets (such as urban, community, school, and market gardens);

"(iv) provision of technical assistance for limited-resource and socially-disadvantaged applicants;

"(v) support of local purchase of foods by food banks and other emergency providers; and

"(vi) support of an information clearinghouse on innovative solutions to common community food security challenges; or";

(2) in subsection (b), by striking paragraph (1) and inserting the following:

"(1) In general.—For each of fiscal years 2008 through 2013, the Secretary shall use, of funds of the Commodity Credit Corporation—

"(A) $15,000,000 to make grants to assist eligible private nonprofit entities to establish and carry out community food projects;

"(B) $10,000,000 to encourage eligible private nonprofit entities to purchase of local foods for community food projects;

"(C) $10,000,000 to provide technical assistance under this section for retail development in underserved areas;

"(D) $10,000,000 for the community food project competitive grant program to support metropolitan production linked to community-based food services and markets (urban, community, school and market gardens);

"(E) $7,000,000 to provide technical assistance under this section for limited resource and socially disadvantaged applicants for community food project funds;

"(F) $5,000,000 for the community food project competitive grant program to support food policy councils and food system networks to develop demonstration regional food authorities;

"(G) $3,000,000 to support local purchase of foods by food banks and other emergency food providers under this section; and

"(H) $500,000 to support an information clearinghouse on innovative solutions to common community food security challenges."; and

(3) in subsection (h)(4), by striking "2007" and inserting "2013".

SEC. 6. BROADBAND REQUIREMENTS.

(a) Findings.—Congress finds the following:

(1) While data collection on broadband access and affordability could be improved, several reports indicate that both factors have led to a digital divide in the nation, with rural areas lagging behind suburban and urban areas. .

(2) Even as early as 2000, a joint Department of Commerce and Department of Agriculture report demonstrated that there was a noticeable disparity in the availability of broadband access between rural and urban areas, with less than 5 percent of towns smaller than 10,000 people having broadband access, while 56 percent of cities with populations of 100,000 and 65 percent of cities with populations of 250,000 have broadband access.

(3) A February 2002 report by the Department of Commerce found that among Internet users, only 12.2 percent of such users located in rural areas had high speed connections versus 21.2 percent of such users located in urban areas. Furthermore, the report found higher income households were more likely to have broadband access than lower income households.

(4) A September 2004 report by the Department of Commerce evidenced growth in broadband subscribers among all Internet users, however, the broadband access gap between rural (24.7 percent) and urban areas (40.4 percent) remained.

(5) A May 2006 report by the Government Accountability Office found that 17 percent of rural households subscribe to broadband service, while suburban households had a broadband subscription rate 11 percent higher and urban households had a broadband subscription rate 12 percent higher than that of rural households.

(6) A May 2006 report by the Government Accountability Office found that data collected by the Federal Communications Commission on broadband subscribers at a zip code level was of limited usefulness for an accurate assessment of local availability of broadband service, especially in rural areas. Moreover such report found that this lack of reliable information was a key obstacle in analyzing and targeting Federal aid for increasing access to broadband service.

(7) Even with this limited zip code level data, the most recently released Federal Communications Commission data (for December 31, 2005) disclosed that 11 percent fewer of the lowest population density zip codes had at least 1 subscriber relative to the highest population density zip codes.

(8) A February 2006 report prepared for the Economic Development Administration of the Department of Commerce found that communities with early broadband availability experienced more rapid growth in employment, number of businesses, and number of information technology businesses.

(9) The United States is losing ground relative to other developed countries. According to the Organization for Economic Cooperation and Development, the United States now ranks 12th out of the 30 OECD countries in broadband access per 100 inhabitants. In 2001, the United States ranked 4th, behind only Korea, Sweden, and Canada. A similar worldwide ranking by the International Telecommunications Union put the United States even further behind at 16th in broadband penetration.

(b) Sense of the Senate.—It is the sense of the Senate that, given the growing number of opportunities provided by broadband access, the digital divide affecting rural households and other underserved groups be eliminated not later than 10 years after the date of enactment of this Act with the ultimate goal of providing nationwide universal access to affordable broadband.

(c) IMPROVING FCC DATA COLLECTION.—

(1) REPORTING REQUIREMENTS.—

(A) GENERAL REQUIREMENTS.—Not later than 180 days after the date of enactment of this Act, the Federal Communications Commission shall revise FCC Form 477 (relating to reporting requirements) to require each broadband service provider to report the following information:

(i) Identification of where such provider provides broadband service to customers, identified by zip code plus 4 digit location (in this section referred to as "service area").

(ii) Percentage of households and businesses in each service area that are offered broadband service by such provider, and the percentage of such households that subscribe to each service plan offered.

(iii) The average price per megabyte of download speed and upload speed in each service area.

(iv) Identification by service area of such provider's broadband service's—

(I) actual average throughput; and

(II) contention ratio of the number of users sharing the same line.

(B) EXCEPTION.—The Federal Communications Commission shall exempt a broadband service provider from the requirements in subparagraph (A) if the Commission determines that compliance with such reporting requirements by the provider is cost prohibitive, as defined by the Commission.

(C) REPORT TO JOINT BOARD.—Not later than 1 year after the date of enactment of this Act, the Federal Communications Commission shall provide the Federal-State Joint Board established pursuant to section 410 of the Communications Act of 1934 with any and all data and analysis collected from the initial set of submitted revised Form 477s.

(2) DEMOGRAPHIC INFORMATION FOR UNSERVED AREAS.—The Federal Communications Commission, using available Census Bureau data, shall provide to Congress on an annual basis a report containing the following information for each service area that is not served by a broadband service provider:

(A) Population.

(B) Population density.

(C) Average per capita income.

(d) REVIEWS AND REPORTS.—

(1) DATA TRANSFER RATE.—Not later than 2 years after the date of enactment of this Act, and every 2 years thereafter, the Federal Communications Commission, in consultation with the Secretary of Agriculture and any other Federal agency that administers a broadband program, shall revise its definition of broadband to—

(A) reflect a data rate—

(i) greater than the 200 kilobits per second standard established in the Commission's Section 706 Report (14 FCC Rec. 2406); and

(ii) consistent with data rates in the marketplace; and

(B) promote uniformity in the definition of broadband service.

(2) USDA REPORT.—Not later than 90 days after the date of enactment of this Act, the Secretary of Agriculture shall report on the adoption or planned adoption of the recommendations contained in the September 2005 audit report by the Inspector General of the United States Department of Agriculture entitled "Rural Utilities Service Broadband Grant and Loan Programs".

(3) UNIVERSAL SERVICE.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Federal-State Joint Board in accordance with the authority granted to such Board under section 254(c)(2) of the Communications Act of 1934 (47 U.S.C. 254(c)(2)) shall recommend to the Federal Communications Commission whether advanced services such as broadband service should be included in the definition of universal service.

(B) DEFINITIONS.—In this paragraph:

(i) FEDERAL-STATE JOINT BOARD.—The term "Federal-State Joint Board" means the joint board established pursuant to section 410 of the Communications Act of 1934 (47 U.S.C. 410).

(ii) UNIVERSAL SERVICE.—The term "universal service" means services that are to be supported by Federal universal support mechanisms under section 254 of the Communications Act of 1934 (47 U.S.C. 254).

SEC. 7. OFFSETS.

(a) LIMITATIONS ON MARKETING LOAN GAINS, LOAN DEFICIENCY PAYMENTS, AND COMMODITY CERTIFICATE TRANSACTIONS.—Section 1001 of the Food Security of 1985 (7 U.S.C. 1308) is amended—

(1) in subsection (b), by striking "$40,000" each place it appears and inserting "$20,000";

(2) in subsection (c), by striking "$65,000" each place it appears and inserting "$32,500"; and

(3) by striking subsection (d) and inserting the following:

"(d) LIMITATIONS ON MARKETING LOAN GAINS, LOAN DEFICIENCY PAYMENTS, AND COMMODITY CERTIFICATE TRANSACTIONS.—

"(1) LOAN COMMODITIES.—The total amount of the following gains and payments that a person may receive during any crop year may not exceed $75,000:

"(A)(i) Any gain realized by a producer from repaying a marketing assistance loan for 1 or more loan commodities under subtitle B of title I of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7931 et seq.) at a lower level than the original loan rate established for the loan commodity under that subtitle.

"(ii) In the case of settlement of a marketing assistance loan for 1 or more loan commodities under that subtitle by forfeiture, the amount by which the loan amount exceeds the repayment amount for the loan if the loan had been settled by repayment instead of forfeiture.

"(B) Any loan deficiency payments received for 1 or more loan commodities under that subtitle.

"(C) Any gain realized from the use of a commodity certificate issued by the Commodity Credit Corporation for 1 or more loan commodities, as determined by the Secretary, including the use of a certificate for the settlement of a marketing assistance loan made under that subtitle, with the gain reported annually to the Internal Revenue Service and to the taxpayer in the same manner as gains under subparagraphs (A) and (B).

"(2) OTHER COMMODITIES.—The total amount of the following gains and payments that a person may receive during any crop year may not exceed $75,000:

"(A)(i) Any gain realized by a producer from repaying a marketing assistance loan for peanuts, wool, mohair, or honey under subtitle B or C of title I of the Farm Security and Rural Investment Act of 2002 at a lower level than the original loan rate established for the commodity under those subtitles.

"(ii) In the case of settlement of a marketing assistance loan for peanuts, wool, mohair, or honey under those subtitles by forfeiture, the amount by which the loan amount exceeds the repayment amount for the loan if the loan had been settled by repayment instead of forfeiture.

"(B) Any loan deficiency payments received for peanuts, wool, mohair, and honey under those subtitles.

"(C) Any gain realized from the use of a commodity certificate issued by the Commodity Credit Corporation for peanuts, wool, mohair, or honey, as determined by the Secretary, including the use of a certificate for the settlement of a marketing assistance loan made under those subtitles, with the gain reported annually to the Internal Revenue Service and to the taxpayer in the same manner as gains under subparagraphs (A) and (B).".

(b) RESCISSIONS.—

(1) SECTION 32.—Of the unobligated balances under section 32 of the August of August 24, 1935 (7 U.S.C. 612c), $37,601,000 is rescinded.

(2) CUSHION OF CREDIT PAYMENTS PROGRAM.—Of the funds derived from interest on the cushion of credit payments, as authorized by section 313 of the Rural Electrification Act of 1936 (7 U.S.C. 940c), $74,000,000 shall not be obligated and $74,000,000 is rescinded.

(c) TRANSFER OF FUNDS.—For each of fiscal years 2008 through 2011, the Secretary of the Treasury shall transfer to the Commodity Credit Corporation from unobligated funds made available under section 32 of the August of August 24, 1935 (7 U.S.C. 612c), $125,500,000, to be used to carry out the amendments made by section 5.

SEC. 8. REGULATIONS.

(a) IN GENERAL.—The Secretary of Agriculture may promulgate such regulations as are necessary to implement this Act and the amendments made by this Act.

(b) PROCEDURE.—The promulgation of the regulations and administration of this Act and the amendments made by this Act shall be made without regard to—

(1) the notice and comment provisions of section 553 of title 5, United States Code;

(2) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking; and

(3) chapter 35 of title 44, United States Code (commonly known as the "Paperwork Reduction Act").

(c) CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.—In carrying out this section, the Secretary shall use the authority provided under section 808 of title 5, United States Code.

By Mr. CRAIG:

S. 542. A bill to authorize the Secretary of the Interior to conduct feasibility studies to address certain water shortages within the Snake, Boise, and Payette River systems in the State of Idaho, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. CRAIG. Mr. President, I rise today to introduce a bill to authorize the Secretary of the Interior to conduct feasibility studies to address certain water shortages within the Snake, Boise, and Payette River systems in the State of Idaho. My State has experienced unprecedented growth in recent years. That growth, coupled with years of drought, has created a serious need for additional water storage. Of course, the first step in developing additional storage is the feasibility process.

This bill provides the consent needed for the Secretary to conduct further studies of the projects that are currently underway in the State of Idaho that will help to alleviate water shortages in three of our river basins. This bill authorizes $3,000,000 to be used for the continuation of these studies.

I look forward to working with my colleagues to quickly move this much-needed bill through the legislative process.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 542

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AUTHORITY TO CONDUCT FEASIBILITY STUDIES.

(a) IN GENERAL.—The Secretary of the Interior, acting through the Bureau of Reclamation, may conduct feasibility studies on projects that address water shortages within the Snake, Boise, and Payette River systems in the State of Idaho, and are considered appropriate for further study by the Bureau of Reclamation Boise Payette water storage assessment report issued during 2006.

(b) BUREAU OF RECLAMATION.—A study conducted under this section shall comply with Bureau of Reclamation policy standards and guidelines for studies.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of the Interior to carry out this section $3,000,000.

(d) TERMINATION OF EFFECTIVENESS.—The authority provided by this section terminates on the date that is 10 years after the date of enactment of this Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 76—CALLING ON THE UNITED STATES GOVERNMENT AND THE INTERNATIONAL COMMUNITY TO PROMPTLY DEVELOP, FUND, AND IMPLEMENT A COMPREHENSIVE REGIONAL STRATEGY IN AFRICA TO PROTECT CIVILIANS, FACILITATE HUMANITARIAN OPERATIONS, CONTAIN AND REDUCE VIOLENCE, AND CONTRIBUTE TO CONDITIONS FOR SUSTAINABLE PEACE IN EASTERN CHAD, AND CENTRAL AFRICAN REPUBLIC, AND DARFUR, SUDAN

Mr. FEINGOLD (for himself, Mr. SUNUNU, and Mr. LEVIN) submitted the following resolution; which was referred to the Committee on Foreign Relations.

S. RES. 76

Whereas armed groups have been moving freely between Sudan, Chad, and the Central African Republic, committing murder and engaging in banditry, forced recruitment of soldiers, and gender-based violence;

Whereas these and other crimes are contributing to insecurity and instability throughout the region, exacerbating the humanitarian crises in these countries and obstructing efforts to end violence in the Darfur region of Sudan and adjacent areas;

Whereas on January 5, 2007, the United Nations High Commissioner for Refugees (UNHCR) reported that cross-border attacks by alleged Arab militias from Sudan and related intercommunal ethnic hostilities in eastern Chad had resulted in the displacement of an estimated 20,000 people from Chad during the previous 2 weeks and posed a direct threat to camps housing refugees from Sudan;

Whereas these new internally displaced Chadians have strained the resources of 12 UNHCR-run camps in eastern Chad that are already serving more than 100,000 internally displaced Chadians and 230,000 refugees from Darfur and providing humanitarian support and protection to more than 46,000 refugees from the Central African Republic in southern Chad;

Whereas Chadian gendarmes responsible for providing security in and around the 12 UNHCR-run camps in eastern Chad are too few in number, too poorly equipped, and too besieged by Chadian rebel actions to carry out critical protection efforts sufficiently;

Whereas on January 16, 2007, the United Nations' Humanitarian Coordinator for the Central African Republic reported that waves of violence across the north have left more than 1,000,000 people in need of humanitarian assistance, including 150,000 who are internally displaced, while some 80,000 have fled to neighboring Chad or Cameroon;

Whereas in a Presidential Statement issued on January 16, 2007 (S/PRST/2007/2), the United Nations Security Council reiterated its "concern about the continuing instability along the borders between the Sudan, Chad and the Central African Republic and about the threat which this poses to the safety of the civilian population and the conduct of humanitarian operations" and requested "that the Secretary-General deploy as soon as possible an advance mission to Chad and the Central African Republic, in consultation with their Governments";

Whereas the Presidential Statement acknowledged "the position taken by the Central African and Chadian authorities in favor in principle of such a presence and looks forward to their continued engagement in preparing for it";

Whereas a December 22, 2006, report of the United Nations Secretary-General (S/2006/1019) expressed a need to address the rapidly deteriorating security situation of Sudan, Chad, and the Central African Republic and to protect civilians in the border areas of Sudan, Chad, and the Central African Republic and recommended a robust mission that "would, among other tasks: facilitate the political process; protect civilians; monitor the human rights situation; and strengthen the local judicial, police and correctional system";

Whereas the December 22, 2006, report went on to recommend that the force also be mandated and equipped to deter attacks by armed groups and react preemptively to protect civilians, including refugees and internally displaced persons, with rapid reaction capabilities;

Whereas on August 30, 2006, the United Nations Security Council passed Security Council Resolution 1706 (2006), authorizing a multidimensional presence consisting of political, humanitarian, military and civilian police liaison officers in key locations in Chad, including in the internally displaced persons and refugee camps and, if necessary, in the Central African Republic;

Whereas continuing hostilities will undermine efforts to bring security to the Darfur region of Sudan, dangerously destabilize volatile political and humanitarian situations in Chad and the Central African Republic, and potentially disrupt progress towards peace in southern Sudan;

Whereas a December 2006 United Nations assessment mission report outlined possibilities for a mission in Chad, including a force large enough to monitor the border, deter attacks, and provide civilian protection;

Whereas the United Nations Security Council has requested proposals for a United Nations force in Chad and the Central African Republic to help protect and provide humanitarian assistance to tens of thousands of civilians affected by the conflict that began in Darfur; and

Whereas a technical assessment mission was dispatched in January 2007 toward that end: Now, therefore, be it

Resolved, That the Senate—

(1) expresses concern for the more than 1,000,000 citizens of Sudan, Chad, and the Central African Republic who have been adversely affected by this interrelated violence and instability;

(2) calls upon the Governments of Chad and Sudan—

(A) to reaffirm their commitment to the Tripoli Declaration of February 8, 2006, and the N'Djamena Agreement of July 26, 2006;

(B) to refrain from any actions that violate these agreements; and

(C) to cease all logistical, financial, and military support to each others' insurgent groups;

(3) urges the Government of Chad to improve accountability and transparency as well as the provision of basic services to redeem the legitimacy of the Government in the eyes of its citizens;

(4) urges the Government of Chad to take action to increase political participation and to strengthen democratic institutions to ensure that all segments of society in Chad can participate in and benefit from a transparent, open, and capable government;

(5) urges the Government of Chad, the Government of Sudan, and other key regional and international stakeholders to commit to another round of inclusive political negotiations that can bring lasting peace and stability to the region;

(6) calls upon the President to advocate for the appointment of a senior United Nations official to direct and coordinate all international humanitarian activities on both sides of Sudan's western border and expand the response to emergency needs related to the political and humanitarian situation in the Central African Republic;

(7) urges the President to utilize the resources and leverage at the President's disposal to press for the immediate deployment of an advance mission to eastern Chad to lay the groundwork for a robust multilateral and multidimensional presence;

(8) urges the United Nations Security Council to authorize a multilateral and multidimensional peacekeeping force to eastern Chad with the mandate and means—

(A) to ensure effective protection of civilians, particularly refugees and internally displaced persons, including by preempting, preventing, and deterring attacks on civilians;

(B) to organize regular patrols along the western border of Sudan and implement practical protection measures for asylum seekers;

(C) to maintain the civilian and humanitarian nature of the internally displaced persons and refugee camps in Chad and facilitate the efforts of aid workers;

(D) to deter, monitor, investigate, and report attacks on humanitarian personnel and assets;

(E) to provide around the clock physical security in the camps and surrounding areas, including organized patrols to guarantee freedom of movement to all civilians and humanitarian workers;

(F) to coordinate and share information with humanitarian organizations, actively preserve unhindered humanitarian access to all displaced persons, and ensure the safety of all humanitarian workers in accordance with international humanitarian law;

(G) to collect and report evidence of human rights violations and perpetrators to the United Nations on a timely and regular basis; and

(H) to support domestic and multilateral initiatives to strengthen local judicial, police, and correctional systems in Chad; and

(9) urges the President and the international community to coordinate efforts to make available sufficient resources in support of this multilateral and multidimensional mission, as well as adequate assistance to meet the continuing humanitarian and security needs of the individuals and areas most affected by this conflict.

AMENDMENTS SUBMITTED AND PROPOSED

SA 237. Mr. REID proposed an amendment to the joint resolution H.J. Res. 20, making further continuing appropriations for the fiscal year 2007, and for other purposes.

SA 238. Mr. REID proposed an amendment to amendment SA 237 proposed by Mr. REID to the joint resolution H.J. Res. 20, supra.

SA 239. Mr. REID proposed an amendment to the joint resolution H.J. Res. 20, supra.

SA 240. Mr. REID proposed an amendment to amendment SA 239 proposed by Mr. REID to the joint resolution H.J. Res. 20, supra.

SA 241. Mr. REID proposed an amendment to amendment SA 240 proposed by Mr. REID to the amendment SA 239 proposed by Mr. REID to the joint resolution H.J. Res. 20, supra.

SA 242. Mrs. HUTCHISON (for herself, Mr. INHOFE, Mr. ALLARD, Mr. BAUCUS, Mr. BENNETT, Mr. BROWNBACK, Mr. BUNNING, Mr. BURR, Mr. CHAMBLISS, Mr. COBURN, Mr. CORNYN, Mr. CRAPO, Mr. DEMINT, Mrs. DOLE, Mr. ENZI, Mr. GRAHAM, Mr. KYL, Mr. LOTT, Mr. MARTINEZ, Mr. MCCAIN, Mr. ROBERTS, Mr. SESSIONS, Mr. THOMAS, Mr. VITTER, Mr. VOINOVICH, Mr. STEVENS, Mr. WARNER, and Mr. MCCONNELL) submitted an amendment intended to be proposed by her to the joint resolution H.J. Res. 20, supra; which was ordered to lie on the table.

SA 243. Mr. ALEXANDER submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, supra; which was ordered to lie on the table.

SA 244. Mr. INHOFE submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, supra; which was ordered to lie on the table.

SA 245. Mr. INHOFE submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, supra; which was ordered to lie on the table.

SA 246. Mr. MARTINEZ submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, supra; which was ordered to lie on the table.

SA 247. Mr. MARTINEZ submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, supra; which was ordered to lie on the table.

SA 248. Mr. MARTINEZ submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, supra; which was ordered to lie on the table.

SA 249. Mr. MARTINEZ submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 237. Mr. REID proposed an amendment to the joint resolution H.J. Res. 20, making further continuing appropriations for the fiscal year 2007, and for other purposes; as follows:

At the end of the resolution add the following;

This division shall take effect 2 days after date of enactment.

SA 238. Mr. REID proposed an amendment to amendment SA 237 proposed by Mr. REID to the joint resolution H.J. Res. 20, making further continuing appropriations for the fiscal year 2007, and for other purposes; as follows:

In the amendment strike 2 and insert 1.

SA 239. Mr. REID proposed an amendment to the joint resolution H.J. Res. 20, making further continuing appropriations for the fiscal year 2007, and for other purposes; as follows:

At the end of the resolution add the following;

This division shall take effect 5 days after date of enactment.

SA 240. Mr. REID proposed an amendment to amendment SA 239 proposed by Mr. REID to the joint resolution H.J. Res. 20, making further continuing appropriations for the fiscal year 2007, and for other purposes; as follows:

In the amendment strike 5 and insert 4.

SA 241. Mr. REID proposed an amendment to amendment SA 240 proposed by Mr. REID to the amendment SA 239 proposed by Mr. REID to the joint resolution H.J. Res. 20, making further continuing appropriations for the fiscal year 2007, and for other purposes; as follows:

In the amendment strike 4 and insert 3.

SA 242. Mrs. HUTCHISON (for herself, Mr. INHOFE, Mr. ALLARD, Mr. BAUCUS, Mr. BENNETT, Mr. BROWNBACK, Mr. BUNNING, Mr. BURR, Mr. CHAMBLISS, Mr. COBURN, Mr. CORNYN, Mr. CRAPO, Mr. DEMINT, Mrs. DOLE, Mr. ENZI, Mr. GRAHAM, Mr. KYL, Mr. LOTT, Mr. MARTINEZ, Mr. MCCAIN, Mr. ROBERTS, Mr. SESSIONS, Mr. THOMAS, Mr. VITTER, Mr. VOINOVICH, Mr. STEVENS, Mr. WARNER, and Mr. MCCONNELL) submitted an amendment intended to be proposed by her to the joint resolution H.J. Res. 20, making further continuing appropriations for the fiscal year 2007, and for other purposes; which was ordered to lie on the table: as follows:

On page 89, between lines 16 and 17, insert the following:

"Sec. 20815. (a) The amount appropriated or otherwise made available by section 20804 for 'Department of Defense Base Closure Account 2005' is hereby increased by $3,136,802,000.

"(b) ACROSS-THE-BOARD RESCISSIONS.—There is hereby rescinded an amount equal to 0.73 percent of—

"(1) the budget authority provided (or obligation limitation imposed) for fiscal year 2007 for any discretionary account in this division (except chapters 2 and 8 of this title and the amounts made available by section 101 for "Department of Defense Base Closure Account 1990", "North Atlantic Treaty Organization Security Investment Program");

"(2) the budget authority provided in any advance appropriation for fiscal year 2007 for any discretionary account in any prior fiscal year appropriation Act; and

"(3) the contract authority provided in fiscal year 2007 for any program subject to limitation contained in any division or appropriation Act subject to paragraph (1).

"(c) PROPORTIONATE APPLICATION.—Any rescission made by subsection (b) shall be applied proportionately—

"(1) to each discretionary account and each item of budget authority described in such subsection; and

"(2) within each such account and item, to each program, project, and activity (with programs, projects, and activities as delineated in the appropriation Act or accompanying reports for the relevant fiscal year covering such account or item, or for accounts and items not included in appropriation Acts, as delineated in the most recently submitted President's budget)."

SA 243. Mr. ALEXANDER submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, making further continuing appropriations for the fiscal year 2007, and for other purposes; which was ordered to lie on the table; as follows:

On page 72, line 20, strike "of which not to exceed $200,000" and insert "of which $99,000,000".

SA 244. Mr. INHOFE submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, making further continuing appropriations for the fiscal year 2007, and for other purposes; which was ordered to lie on the table; as follows:

On page 54, between lines 11 and 12, insert the following:

"SEC. 20522. None of the funds made available by this division or any other Act may be used by the Administrator of the Environmental Protection Agency to promulgate the final version of the rule entitled 'NPDES Permit Fee Incentive for Clean Water Act Section 106 Grants; Allotment Formula' (72 Fed. Reg. 293 (January 4, 2007)).

SA 245. Mr. INHOFE submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, making further continuing appropriations for the fiscal year 2007, and for other purposes; which was ordered to lie on the table; as follows:

On page 51, strike line 14 and insert the following: the managers in Conference Report 109-188, except that—

"(1) not less than $5,500,000 of those amounts shall be used by the Administrator of the Environmental Protection Agency to develop alternative technologies to comply with the national primary drinking water regulations for disinfection byproducts promulgated pursuant to section 1452(q) of the Safe Drinking Water Act (42 U.S.C. 300j–12(q)); and

"(2) using not less than $11,000,000 of those amounts, the Administrator of the Environmental Protection Agency shall—

"(A) carry out a competitive grant program to continue the provision of technical assistance under section 1452(q) of the Safe Drinking Water Act (42 U.S.C. 300j–12(q)) to small public water system organizations; and

"(B) give priority for the provision of grants under the program to small public water system organizations that have the most support (or a majority of support) from small communities in each State.

SA 246. Mr. MARTINEZ submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, making further continuing appropriations for the fiscal year 2007, and for other purposes; which was ordered to lie on the table; as follows:

On 115, line 19, strike the colon and all that follows through the page 117, line 12, and insert a period.

SA 247. Mr. MARTINEZ submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, making further continuing appropriations for the fiscal year 2007, and for other purposes; which was ordered to lie on the table; as follows:

On page 117, line 10, strike the period, and insert the following: ": *Provided further*, That notwithstanding any other provision of law, the renewal funding formula set forth under the third proviso under this section shall not apply in determining the funding for the calendar year 2007 funding cycle of any public housing agency located in any jurisdiction in which the President declared a major disaster or emergency between January 1, 2004 and December 31, 2005 in connection with a hurricane."

SA 248. Mr. MARTINEZ submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, making further continuing appropriations for the fiscal year 2007, and for other purposes; which was ordered to lie on the table; as follows:

On page 94, line 23, insert after "agency support programs" the following: "(with the Administrator authorized to reduce each subaccount as necessary to ensure full funding for exploration systems)".

SA 249. Mr. MARTINEZ submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, making further continuing appropriations for the fiscal year 2007, and for other purposes; which was ordered to lie on the table; as follows:

On page 94, beginning on line 19, strike "$10,075,000,000" and all that follows through line 25 and insert "$10,524,400,000, of which $5,251,200,000 shall be for science, $724,400,000 shall be for aeronautics research, $3,978,300,000 shall be for exploration systems, and $491,700,000 shall be for cross-agency support programs (with the Administrator authorized to reduce each subaccount as necessary to ensure full funding for exploration systems); 'Exploration Capabilities', $6,234,400,000; and 'Office of Inspector General', $33,500,000. Notwithstanding any other provision of this Act, the aggregate of the levels appropriated by this Act, other than the levels appropriated for the National Aeronautics and Space Administration, are hereby reduced by $545,300,000, with the amount of such reduction to be allocated among the accounts and subaccounts funded by this Act in such manner as the President shall specify.".

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON INDIAN AFFAIRS

Mr. DORGAN. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, February 8, 2007, at 9:30 a.m. in Room 485 of the Russell Senate Office Building to conduct a business meeting to consider pending legislative business, to be followed immediately by an oversight hearing on diabetes in Indian Country, with particular focus on the Special Diabetes Program for Indians.

Those wishing additional information may contact the Indian Affairs Committee at 224–2251.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. KERRY. Mr. President, I would like to inform the Members that the Committee on Small Business and Entrepreneurship will hold a hearing entitled "Alternatives for Easing the Small Business Health Care Burden," on Tuesday, February 13, 2007 at 10 a.m. in Russell 428A.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Thursday, February 8, 2007, at 11:30 a.m. to mark up an original bill entitled "Public Transportation Terrorism Prevention Act of 2007."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to hold a hearing during the session of the Senate on Thursday, February 8, 2007, at 10 a.m., in room 253 of the Russell Senate Office Building. The purpose of the hearing is to evaluate the present and future of public safety communications.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to hold a hearing during the session of the Senate on Thursday, February 8, 2007, at 9:30 a.m. in room SD–366 of the Dirksen Senate Office Building. The purpose of the hearing is to receive testimony on issues relating to labor, immigration, law enforcement, and economic conditions in the Commonwealth of the Northern Mariana Islands.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, February 8, 2007, at 9:15 a.m. to hold a hearing on the fiscal year 2008 budget request for international affairs.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to hold a hearing during the session of the Senate on Thursday, February 8, 2007 at 10 a.m. in SH–216.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on Thursday, February 8, 2007, at 9:30 a.m. in Room 485 of the Russell Senate Office Building to conduct a business meeting to consider pending legislative business, to be followed immediately by an oversight hearing on diabetes in Indian Country, with particular focus on the Special Diabetes Program for Indians.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a markup on Thursday, February 8, 2007, at 10 a.m. in Dirksen Room 226.

Agenda

I. Nominations

Norman Randy Smith, to be U.S. Circuit Judge for the Ninth Circuit; Marcia Morales Howard, to be U.S. District Judge for the Middle District of Florida; John Alfred Jarvey, to be U.S. District Judge for the Southern District of Iowa.

II. Bills

S. 188, To revise the short title of the Voting Rights Act Reauthorization and Amendments Act of 2006, Salazar;

S. 214, To amend chapter 35 of title 28, To Preserve the Independence of U.S. Attorneys, Feinstein;

S. 316, The Preserve Access to Affordable Generics Act, Kohl, Grassley, Leahy, Schumer, Feingold; S. 236, The Federal Agency Data Mining Reporting Act of 2007, Feingold, Sununu, Leahy, Akaka, Kennedy.

III. Resolutions

S. Res. 23, National School Counseling Week, Murray;

S. Res. 36, Honoring women's health advocate Cynthia Doles Dailard, Snowe;

S. Res. 37, Designating March 26, 2007 as National Support the Troops Day, Stabenow;

S. Con. Res. 5, Honoring the life of Percy Lavon Julian, a pioneer in the field of organic chemistry and the first and only African-American chemist to be inducted into the National Academy of Sciences, Obama.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. BYRD. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on February 8, 2007 at 2:30 p.m. to hold a closed hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR MONDAY, FEBRUARY 12, 2007

Mr. DURBIN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 1 p.m. Monday, February 12; that on Monday, following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders reserved for their use later in the day; that there then be a period of morning business with Senators permitted to speak therein for up to 10 minutes each; that on Monday, Members have until 2:30 p.m. to file first-degree amendments and that the mandatory quorum required under rule XXII be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. DURBIN. Today the Senate confirmed the nomination of GEN George Casey to be the Chief of Staff of the Army. Also, we began consideration of the continuing funding resolution, and cloture has been filed on the joint resolution. However, the majority leader has indicated on more than one occasion that we will continue to discuss the parameters of how the Senate will conclude action on the legislation. There will be no rollcall votes Friday, nor will the Senate be in session. Also, there will not be any rollcall votes Monday. However, we will be in session and continue our discussions about several issues, including the issue of BRAC, which has been the subject of some debate today. Senators are advised that the cloture vote on the funding resolution will occur Tuesday morning.

Mr. President, at this point, in deference to the minority leader, to make sure there are not any housekeeping items that should be considered before we close business, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCONNELL. Mr. President, let me say to my good friend, the assistant Democratic leader, we appreciate the willingness of the majority leader and the Senator from Illinois to consider the amendments that we would like to offer to the continuing resolution. Members on my side of the aisle have been on the Senate floor all afternoon discussing what they believe to be the shortcomings of the continuing resolution as it is currently structured. I appreciate the majority taking a look at those amendments and allowing us to continue discussion about the appropriateness of making some adjustments to this massive $464 billion bill.

I have also had some conversations with the majority leader about some nominations that we hope to wrap up next week. There is a circuit judge reported out of the Judiciary Committee today. I have an understanding with the majority leader that judge will be confirmed next week. There are some other executive branch nominations that we think should not generate any controversy that, hopefully, we can wrap up before the Lincoln recess.

Mr. President, with that I yield the floor.

Mr. DURBIN. Mr. President, I am looking forward to working with the minority leader on the business ahead. We want to pass this continuing resolution and make sure there is no interruption in the services of our Government. We face an extraordinary challenge because much of the work that we are doing now is work that should have been done previously. But in a positive, constructive, and bipartisan fashion, I am confident we can complete it in time and not risk any possibility of shutting down the Government. So I look forward, on behalf of the majority leader on our side, to working closely with the minority and its leader.

ADJOURNMENT UNTIL MONDAY, FEBRUARY 12, 2007, AT 1 P.M.

Mr. DURBIN. If there is no further business to come before the Senate today, I now ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 6:12 p.m., adjourned until Monday, February 12, 2007, at 1 p.m.

NOMINATIONS

Executive nominations received by the Senate February 8, 2007:

DEPARTMENT OF EDUCATION

WILLIAMSON EVERS, OF CALIFORNIA, TO BE ASSISTANT SECRETARY FOR PLANNING, EVALUATION, AND POLICY DEVELOPMENT, DEPARTMENT OF EDUCATION, VICE TOM LUCE, RESIGNED.

DEPARTMENT OF ENERGY

STEVEN JEFFREY ISAKOWITZ, OF VIRGINIA, TO BE CHIEF FINANCIAL OFFICER, DEPARTMENT OF ENERGY, VICE SUSAN JOHNSON GRANT, RESIGNED.

CONFIRMATION

Executive nomination confirmed by the Senate Thursday, February 8, 2007:

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS THE CHIEF OF STAFF, UNITED STATES ARMY, AND APPOINTMENT TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10 U.S.C., SECTIONS 3033 AND 601:

To be general

GEN. GEORGE W. CASEY, JR.

HOUSE OF REPRESENTATIVES—*Thursday, February 8, 2007*

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. CAPUANO).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
February 8, 2007.

I hereby appoint the Honorable MICHAEL E. CAPUANO to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

You, O Lord, are our light and our salvation. Lord God, may living faith lead to greater charity and strengthen our service. Fill us with wisdom that all may know the fullness of life is not found in self-interest, but in love and commitment to others.

Whether members of a family, CEOs in business, or elected officials in government, You ask all to show their faithfulness to love and their promotion of justice in ordinary decisions each day.

Those who say they love God and do not know how to be loving to others or forgive others or how to seek justice in practical ways for the voiceless and the powerless are living in blinding darkness. You, O Lord, are light for conscience, for the heart and for the world both now and forever.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Texas (Mr. HENSARLING) come forward and lead the House in the Pledge of Allegiance.

Mr. HENSARLING led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to ten 1-minute speeches on each side.

HUD FY08 BUDGET REQUEST

(Mr. SIRES asked and was given permission to address the House for 1 minute.)

Mr. SIRES. Mr. Speaker, I rise today to share my thoughts on the Department of Housing and Urban Development fiscal year 2008 budget. In my opinion, it is disgraceful. This budget cuts vital housing assistance programs, leaving low-income families, elderly and the disabled out in the cold.

The President's request cuts the Community Development Block Grant by 20 percent, cuts public housing programs by 7 percent, cuts disabled housing programs by 47 percent, and cuts elderly housing programs by 22 percent. The budget eliminated entirely the HOPE VI housing program, among others.

At the same time, the President also cuts the Low-Income Home Energy Assistance Program by 56 percent. So with both cuts to housing and the heating assistance programs, the President will leave the most vulnerable out in the cold. I hope that this Congress will act with more thought by appropriating more funding for these vital programs.

CONGRESSIONAL INACTION JEOPARDIZES BAKER COUNTY ROADS AND VOLUNTEER FIREFIGHTERS

(Mr. WALDEN of Oregon asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WALDEN of Oregon. Mr. Speaker, failure of Congress to reauthorize the Secure Schools and Community Self-Determination Act amounts to a breach of faith to more than 600 forested counties and 4,400 school districts across America. To Baker County, Oregon, this breach of faith means the road department crew who plow snow 5 months out of the year will be cut in half. The county will also have to fire the only trainer who prepares volunteer firefighters in 13 rural communities.

If this Congress fails to act, the 11 people left in the road department will be responsible for maintaining 1,100 miles of road; that is one person for every 100 miles of road, the same distance from here to Richmond, Virginia.

If this Congress fails to act, volunteer firefighters might not receive the vital life-saving training on equipment, tactics and communications. County Judge Fred Warner says, Because we have vast Federal lands, we have no tax base to replace the lost funding. We just need the Federal Government to honor its commitment.

My colleagues, Congress must renew the Federal Government's promise to timbered communities. Pass H.R. 17. Time is running out.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would respectfully remind Members not to traffic the well while another is under recognition.

PRESIDENT'S BUDGET IS FISCALLY IRRESPONSIBLE

(Mr. ALTMIRE asked and was given permission to address the House for 1 minute.)

Mr. ALTMIRE. Mr. Speaker, the 2002 budget the President submitted this week is more of the same, the same fiscal irresponsibility and misplaced priorities that we have come to expect from this administration's budgets over the past 6 years. This budget fails to put our fiscal house in order and instead adds $3 trillion to the national debt over the next 10 years.

And while the President claims his budget achieves balance, he simply leaves out significant long-term costs. Well, American families can't leave out simple bills within their household budgets, and neither should the President be able to do so within his budget.

Mr. Speaker, Democrats will move us towards a balanced budget through fiscal responsibility and accountability, not accounting gimmicks.

CRIME OF THE WEEK

(Mr. POE asked and was given permission to address the House for 1 minute.)

Mr. POE. Mr. Speaker, the crime of the week this week was not committed by some menacing outlaw, but it was committed by a repeat offender, the Texas Board of Pardons and Paroles.

The Texas parole board has been releasing violent offenders years before they are finished serving out their sentences, and then these violent criminals continue their lawless ways.

Keith Hines was supposed to be in the jailhouse for 30 more years for violent

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

crimes against the citizens of the State, but the good old parole board gave him a get-out-of-jail-free card. And this was a fatal error.

On December 5, Hines robbed a gas station at gunpoint in Humble, Texas. The robber then ran to his vehicle to make his getaway. Witness, volunteer firefighter and good Samaritan, Steve Jackson, jumped into his car and followed Hines while relaying to 911 the locations of the hijacker.

Down the road, with Jackson in pursuit, Hines jumped out of his getaway car, ran up to Jackson's vehicle, shot Jackson twice and murdered him on the side of the road.

Hines is now charged with capital murder. All this because the Texas Board of Pardons and Paroles let this habitual offender go every which way, including loose.

And that's just the way it is.

KUCINICH'S 12-POINT PLAN

(Mr. KUCINICH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KUCINICH. The House will soon entertain a resolution relating to the surge. It is a nonbinding resolution. The war, however, is binding.

The supplemental resolution relating to funding will give Congress an opportunity to take some binding action related to the war. Congress' real power is to cut off funds.

Money is there right now to bring the troops home, and money to bring the troops home is part of a plan that involves bringing in international peacekeepers while our troops leave.

I have a 12-point plan which I have circulated among Members of Congress as to how we can get out of Iraq. The American people will not tolerate nonbinding resolutions as being an excuse for strong and substantive action to end the war as quickly as possible.

CIANA VS. COCKFIGHTING

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, yesterday the Judiciary Committee considered a bill to protect chickens, roosters, from being carried across State lines for use in illegal cockfighting. An amendment was offered on a similar "cross State line" issue, protecting minor girls from being carried across State lines for the purpose of having an abortion without their parents' knowledge or consent.

While the committee ultimately passed the animal protections, they wouldn't even allow a vote on protecting young girls. Even more outrageous, the substance of the rejected amendment has passed twice in the House last year, with large bipartisan majorities.

Mr. Speaker, in case anyone is having trouble following this, let's summarize: by rejecting this amendment, Democrats saw fit to provide greater protections to birds than to minor girls and their parents and unborn children. It is as simple as that. This is supposed to be the year of the children? Not all of the children.

Welcome to the Pelosi Congress.

BUSH TROOP ESCALATION BECOMES A WORSE IDEA BY THE DAY—CONGRESS MUST SPEAK ITS VOICE

(Mr. TOWNS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TOWNS. Mr. Speaker, it is becoming clear day by day that the President's troop escalation plan is not in the best interest of this Nation.

First, the nonpartisan Congressional Budget Office said the President's troop escalation plan would take substantially more troops and more money than the President has suggested.

The President says 21,500 troops are needed; the CBO says 48,000 troops are necessary to conduct the mission. The President says it will cost about $5.6 billion, but CBO says that the number could be four times higher than that.

Second, the administration's intelligence agencies concluded last week that violence would continue in Iraq for at least another 18 months, but the President says his plan will calm the violence in 6 months.

And, third, Pentagon officials admitted last week that they do not have enough armored vehicles, armored kits and other equipment needed to protect these additional troops.

Mr. Speaker, after hearing these three different facts, how can anyone believe the President's troop escalation plan is in the best interests of this country?

On that note, I yield back.

TED FELDER

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, last month the low country director of the office of South Carolina's Second Congressional District departed. Ted Felder, who has served the Second District since my election in 2001, has been named Economic Development Director for the City of Hardeeville, which will be one of the fastest growing cities in America in the next decade.

As a native of St. Matthews, Ted graduated from the University of South Carolina. He and his wife, Beth, have a 9-month-old son, John Goodwin. As a longtime friend of Ted's parents, John and Jane Felder, I have known Ted since he was a small child. I have also had the honor of serving with John in the general assembly.

I appreciate Ted's dedication to the low country and the needs of its constituents. I know he will bring the same commitment to the residents of Hardeeville. He has trained his successor, Allen Aimar, to be accessible and accountable, with office manager Deanna Conners.

In conclusion, God bless our troops. We will never forget September 11. Our prayers are with Congressman CHARLIE NORWOOD, his wife, Gloria, and his family.

DUBUQUE, IOWA

(Mr. BRALEY of Iowa asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BRALEY of Iowa. Mr. Speaker, I rise today to congratulate the City of Dubuque, Iowa, the oldest city in Iowa, located among the bluffs of the Upper Mississippi River for being named one of the 100 Best Communities for Young People by America's Promise.

I would also like to recognize the 11 residents of the City of Dubuque sitting in the gallery above who made the long journey from Iowa to Washington to speak with Iowa's congressional delegation about keeping their promises to Dubuque's families. These residents' dedication and commitment illustrates why their community has been recognized with this honor.

In the annual 100 Best Communities for Young People competition, America's Promise honors outstanding efforts on behalf of young people by their communities. The people of Dubuque, Iowa, have demonstrated their commitment to families and children through their involvement of the Dubuque Mentoring Partnership. Thanks to the important work of the DMP, the number of mentors in Dubuque has more than tripled and the number of children waiting for a mentor has been cut in half since 2005.

As a longtime mentor with Big Brothers/Big Sisters in my hometown of Waterloo, I learned the importance of mentoring to give children the greatest opportunity to achieve their potential.

The people of Dubuque should be proud of their accomplishment. I am proud to represent them in Congress.

LET'S SAVE MONEY, NOT WASTE IT

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, I rise in disbelief concerning the recent discussion about an airplane for the Speaker.

Time and again Members of this body, and more importantly the American people, have been promised that this would be the most ethical and fiscally responsible Congress ever. Many things have clearly derailed that pledge, including a continuing resolution spending billions of dollars without any scrutiny.

What we are seeing here is a mentality of waste. I take the Speaker's word that she did not request the luxurious plane to transport her. However, it is troubling to me that the mentality of others is such that they would recommend more than what is needed.

We are the people's House, and the people expect us to spend their money wisely. We are here to serve, not live like kings and queens. This is an opportunity for us to review procedures and seek ways to save money, not waste it.

☐ 1015

BUSH BUDGET SHORTCHANGES HOMELAND SECURITY PROGRAMS—PARTICULARLY FIRST RESPONDERS

(Mr. WILSON of Ohio asked and was given permission to address the House for 1 minute.)

Mr. WILSON of Ohio. Mr. Speaker, on Monday, President Bush sent Congress a budget for 2008 for the fiscal year that continues the misguided priorities of this administration. Last November, the American people rejected the status quo, saying that we can do better. It is time for a change, it is a time for a change in direction.

Unfortunately, the President's budget is more of the same. His budget for the Department of Homeland Security is only 1 percent more than it was in 2007. This is a modest increase for a department that is charged with such a critical mission and has yet to meet the goals of protecting our country.

Particularly disappointing is the President's request for programs to support first responders. The President has reduced the preparedness and training by 33 percent. The firefighters' grants would be reduced by 55 percent. State and local law enforcement grants would also undergo cuts, depriving our communities of critical support when they need it most after 9/11.

Mr. Speaker, House Democrats are serious about ensuring that our local police departments and our firefighters have the equipment they need to better protect our communities. The President's budget must be rejected.

RETURN TO FISCAL RESPONSIBILITY

(Mr. HENSARLING asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HENSARLING. Mr. Speaker, recently Speaker NANCY PELOSI said it is time for Congress to return to fiscal responsibility. It is often said that the best way to lead is by example. But I don't know if spending $300,000 of the taxpayer money to fly the Speaker in a personal luxury jet to travel back and forth to San Francisco sets much of an example, particularly when any American can find a $300 ticket for the same route on expedia.com.

According to CNN, Speaker PELOSI has requested that the military give her a jet that would include 42 business class seats, a fully enclosed stateroom, an entertainment center, a private bed, state-of-the-art communications system and a crew of 16.

Now, I know there are legitimate security concerns, but somehow the previous Speaker managed to use a smaller jet that seated 12 and had none of these amenities.

Why did the Speaker request this jet? According to the Washington Times, the Democrat, quote, "is seeking regular military flights not only for herself and her staff, but also for relatives and other Members of Congress."

If this is the Democrats' idea of fiscal responsibility, working families had better hold on to their wallets.

STOP TROOP ESCALATION

(Mr. WELCH of Vermont asked and was given permission to address the House for 1 minute.)

Mr. WELCH of Vermont. Mr. Speaker, it is becoming ever more clear that the troop escalation plan proposed by the administration is not—is not—in our Nation's best interest or in the best interest of bringing stability to Iraq.

Last week, three different events demonstrated why it is absolutely essential that Congress accept its responsibility to debate the President's plan. First, the cost of the escalation: The President has advertised it to be $5.6 billion; CBO, nonpartisan, estimates it will be $21 billion.

Second, the number of troops required, the President is selling it, advertising it as requiring 21,600 troops. CBO estimates suggest that it will be at least 48,000 troops.

Next, Pentagon officials admitted last week that they do not have enough armored vehicles, armored kits and other equipment that is absolutely essential to protecting the well-being of our troops. We cannot be sending troops into battle without the equipment and the protection that they need.

CELEBRATING THE LIFE OF ARMY SERGEANT JOHN COOPER OF FLEMINGSBURG, KENTUCKY

(Mr. DAVIS of Kentucky asked and was given permission to address the House for 1 minute.)

Mr. DAVIS of Kentucky. Mr. Speaker, I rise today to honor the legacy of a brave young man from my district who recently lost his life fighting in Iraq. A resident of Ewing, Kentucky, Sergeant John Cooper lost his life in a roadside bomb attack just outside of Mosul. Sergeant Cooper was serving in Iraq with the Army's 2nd Squadron, 7th Cavalry, and was working on security operations in the area.

I recently had the opportunity to meet with John Cooper's mother, friends and family. They relayed to me stories of a brave young man who answered the call to duty by joining the Army in 1995 after graduating from Fleming County High School. He served in Iraq from February of 2003 to February of 2004 before being stationed in Korea.

In October 2006, he returned on a second tour. His mother, Janice Botkin, told me that her son was living out his life-long dream of serving in the military. She spoke to me of her son's bravery, his dedication and absolute belief in his mission, and by all accounts, Sergeant Cooper was a well-respected member and leader of his unit and his community.

Today, as we celebrate the life and memory of this great soldier, my thoughts and prayers are with Sergeant John Cooper's family and friends. The entire Nation is deeply indebted to Sergeant Cooper. We thank him for his service, and we honor him for his ultimate sacrifice.

ENCOURAGE MARKET DEVELOPMENT FOR BIOFUELS

(Mr. SESSIONS asked and was given permission to address the House for 1 minute.)

Mr. SESSIONS. Mr. Speaker, the Republican Party of this country is dedicated to coming to Washington, DC, and serving the people who believe that America's greatest days lie in our future. But there is also incumbent within that promise the opportunity to present new and better ideas that will help this country to deal with the things that lay ahead of us.

Yesterday, in the Rules Committee, Congressman MICHAEL BURGESS from Texas offered an amendment that would have doubled the tax credit for making biodiesel from recycled restaurant grease from 50 cents a gallon to $1 a gallon. This comes as a result of Mr. BURGESS' working firsthand with people within his district who are trying to solve problems of not only air pollution, but also to take things that might normally be dumped into a recycle bin that ends up going somewhere to sit in a landfill.

Mr. Speaker, I think that Congressman BURGESS deserves the respect of this House for new and better ideas that will help make sure that America is facing the problems that lie ahead of us and to make sure that we have answers for it.

I congratulate Congressman BURGESS for bringing these ideas forward, and I hope we will continue to have other Members of this body do the same.

FOXES NEEDED TO GUARD HEN-HOUSE SPEAKER

(Mr. PRICE of Georgia asked and was given permission to address the House for 1 minute.)

Mr. PRICE of Georgia. Mr. Speaker, taxpayer funded luxury travel is not accorded to our brave men and women serving the cause of liberty. However, the new Democrat leadership believes they deserve just that.

While the previous Speaker of the House was afforded the use of a military aircraft as a security precaution following 9/11, it didn't include the amenities being sought by the current Democrat Speaker, room for 42 passengers, a crew of 16, state-of-the-art entertainment and communications and a private bedroom. Nonetheless, that which was good enough for prior leadership is apparently just not good enough for the new leadership.

Just a few months ago, Speaker PELOSI told the American people that Democrats were committed to a new direction in the way our government does business. At a cost of $15,000 an hour it should go without saying that this is certainly a new direction, one which frankly disgusts all Americans.

Mr. Speaker, spending watchdogs should be part of the new Democrat majority's budget, and they should be watching themselves. This has been a disgrace.

ELECTION OF MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE

Mr. WELCH of Vermont. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution (H. Res. 139) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 139

Resolved, That the following named Members be and are hereby elected to the following standing committees of the House of Representatives:

(1) COMMITTEE ON HOUSE ADMINISTRATION.—Mr. Brady of Pennsylvania, Ms. Zoe Lofgren of California, Mr. Capuano, Mr. Gonzalez, Mrs. Davis of California.

(2) COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT.—Mr. Gene Green of Texas, Ms. Roybal-Allard, Mr. Doyle, Mr. Delahunt.

Mr. WELCH of Vermont (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Vermont?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ADVANCED FUELS INFRASTRUCTURE RESEARCH AND DEVELOPMENT ACT

Mr. WELCH of Vermont. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 133 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 133

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 547) to facilitate the development of markets for alternative fuels and Ultra Low Sulfur Diesel fuel through research, development, and demonstration and data collection. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Science and Technology. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Science and Technology now printed in the bill. Each section of the committee amendment in the nature of a substitute shall be considered as read. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

PARLIAMENTARY INQUIRIES

Mr. PRICE of Georgia. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from Georgia will state his parliamentary inquiry.

Mr. PRICE of Georgia. Mr. Speaker, since this is the first time we are adopting a rule that will allow Delegates and the Resident Commissioner to vote in the Committee of the Whole, does the rule allow for a separate vote on any question once the Committee rises?

The SPEAKER pro tempore. Rule XVIII contemplates automatic, immediate review in the House of certain recorded votes in the Committee of the Whole.

Mr. PRICE of Georgia. As a point of clarification on the inquiry, so any question may be put to a separate vote once the Committee rises?

The SPEAKER pro tempore. Under clause 6(h) of rule XVIII, both affirmative and negative decisions of the Committee of the Whole may be reviewed in the House under circumstances in which votes cast by Delegates were decisive in Committee.

Mr. PRICE of Georgia. Further inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may state.

Mr. PRICE of Georgia. Under what circumstances will a separate vote not be allowed?

The SPEAKER pro tempore. The Committee will not automatically rise for such an immediate review in the case where votes cast by Delegates were not decisive.

Mr. PRICE of Georgia. Further inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may state.

Mr. PRICE of Georgia. When a vote is not decisive, but a question put loses, is there any opportunity for any Member, certified Member of the House, to ask for a separate vote?

The SPEAKER pro tempore. Under clause 6(h) of rule XVIII, immediate review in the House occurs automatically when recorded votes cast by Delegates were decisive, without regard to whether the question was adopted or rejected. In ordinary proceedings of the house on the ultimate report of the Committee of the Whole, the House considers only matters reported to it by the Committee of the Whole, which would not include propositions rejected in Committee. Simply put, an amendment rejected in the Committee of the Whole is not reported back to the House.

Mr. PRICE of Georgia. On any question put?

The SPEAKER pro tempore. Not if it is rejected in the Committee of the Whole.

Mr. PRICE of Georgia. I thank the Chair.

The SPEAKER pro tempore. The gentleman from Vermont (Mr. WELCH) is recognized for 1 hour.

Mr. WELCH of Vermont. Thank you, Mr. Speaker.

For purposes of debate only, I yield the customary 30 minutes to the gentleman from California (Mr. DREIER). All time yielded during consideration of this rule is for debate only.

Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 133 provides for consideration of H.R. 547, the Advanced Fuels Infrastructure Research and Development Act, under an open rule. The rule provides for 1 hour of general debate equally divided between the chairman and the ranking minority member of the Committee on Science and Technology.

The rule waives all points of order against consideration of the bill, except for clauses 9 and 10 of rule XXI. The rule makes in order the Committee on Science and Technology amendment in the nature of a substitute, now printed in the bill, as an original bill for the purpose of amendment, which shall be considered for amendment by section with each section considered as read.

The rule authorizes the Chair to accord priority in recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD.

Finally, the rule provides one motion to recommit, with or without instructions.

Mr. Speaker, I rise in support of this open rule and the underlying bill. As this Congress is well aware, our country faces a pressing need to chart a new energy future. In the crisis of global warming, it is real, it is urgent, and it requires our immediate action.

Furthermore, there is a growing recognition that our reliance on fossil fuels and foreign sources of energy threatens our economic future and our international security.

□ 1030

We as a Nation must seize opportunities, not miss them, to be a world leader and promote our own domestic economy, to take steps similar to what Brazil has done and has successfully demonstrated with the reliance on increasing access to biofuels.

Today, the Chair of our Science and Technology Committee, the Member from Tennessee, Chairman GORDON, with the assistance of the ranking member, the Representative from Texas, Mr. HALL, are providing us with an opportunity to take a concrete step forward to increase the use and the supply of alternative renewable fuels through research and development.

These alternatives provide hope for reducing our impact on global warming while giving a boost to our local and national economies. The particular beneficiaries of success in building capacity for biofuels will be our rural economies, Mr. Speaker.

We have a potential, if we embrace it, in facing the challenge we face with energy, to revitalize our rural economies. What this bill will do is a number of things. It will fund research to make renewable biofuels more compatible with existing infrastructure. One of the practical problems that we face in making biofuels generally available is infrastructure challenges.

Right now, the low sulfur fuels that are potentially available can do damage to the basic pumps and tanks that are in the 160,000 gas stations across this country. Ultra-low sulfur diesel fuel has just 3 percent of the sulfur in traditional diesel. But current technology does not allow for the easy testing to ensure that this standard is met.

This is the second area where the bill will help, by establishing clear national standards for testing that will allow verification about what the sulfur content is in our biofuels. New low-cost testing methods will give rise to consumer confidence and create the possibility for greater demand.

To that end, this bill will make alternative fuel compatibility information more available to the public. You know, the expansion of biofuels is going to mean additional revenue options for local farmers, like those in my State of Vermont, and a cleaner environment with less dependance on foreign oil.

As gas prices rise, we are further reminded that we are held hostage by a single source of fuel that threatens our economy, constrains our foreign policy, and does damage to our environment. The most basic level, the budgets of our seniors and our schools, our farms, and our families are strained by high energy prices.

All of the time we are exporting dollars to import energy, we are depriving our local economies of job creation potential. This legislation takes small but very specific steps that will bring us closer to a readily available source of fuel that is local and can have tremendous potential for our local economies.

We are moving in a new direction. Our first step in this Congress, the 110th Congress, last month was when we stood up to Big Oil and we rescinded tax cuts that went to an industry that had been enjoying record profits, and instead put that money into research and opportunities for alternative renewable energy sources.

Many of us come from States that have been taking steps to focus on energy independence and clean energy sources. My own State of Vermont has established a utility called Efficiency Vermont that actually makes benefits for Vermonters by finding ways to use less energy, keeping money in our pockets.

We have created a clean energy fund, something in effect that we are on a start to do with the legislation we passed in the 6-for-06. We established appliance efficiency standards that when implemented can save Vermonters and other citizens from States that have joined us millions of dollars in energy costs.

You know, in addition to just the very practical steps this legislation is taking, having government assist in coming up with standards to measure what biofuel content is, having government help come up with research money so that we can add additives to these low sulfur, less polluting fuels, helping our small businesses, the mom and pop convenience stores that have gas pumps, and would face an expense of $30,000 to $200,000 to retrofit or to replace existing facilitates in order to be able to dispense the new fuels that our private market is producing, this is a concrete step where government is helping on the energy front, helping small business by assisting and coming up with practical low-cost ways to make it easy to dispense this fuel and get it to the consumer.

These are steps where the government is acting as a partner with industry, a partner with our small businesses and doing some things that require the practical and efficient application of resources of the people of this country.

Mr. Speaker, there is also another element to this bill that I think is very important for the 110th Congress. This is a bipartisan piece of legislation, presented by the Science and Technology Committee. I want to quote some remarks that Chairman GORDON made at the outset. What he said, when he took the reins of that committee as the new chairman was this: "I made a promise that this would be a committee of good ideas and a committee of consensus. We are here to solve problems. In fact, the entire Congress is here to solve problems."

Mr. GORDON and his committee, with the ranking member, the gentleman from Texas, have presented to us a bill that has broad bipartisan support. Why? Because it is practical. It does something concrete. It recognizes we have an energy crisis that requires action, and it has found constructive ways to address that.

The committee allowed the process to be open for new ideas, inviting Members to present amendments. The chairman then came before the Rules Committee, Mr. Speaker, and asked for an open rule so as to permit Members of this body who may have amendments that will strengthen or improve this legislation to have those considered by the full Congress.

So what this bill does is two things: one, it presents us with a practical step that we can take that helps continue to move us in the right direction on energy independence, on reducing global warming, and on building our local economies.

Second, it is a model of how we can work together, the presentation of good ideas in a bipartisan piece of legislation in an open rule where other Members are invited to present relevant and thought-out ideas that may improve this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. DREIER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of the rule, and I rise to express my appreciation to my friend from Hartland, Vermont, for yielding me the customary 30 minutes.

Mr. Speaker, I rise today in support of this rule and the underlying legislation, H.R. 547, the Advanced Fuels Infrastructure Research and Development Act. I congratulate Science Committee Chairman BART GORDON and Ranking Member RALPH HALL on their efforts; and I applaud my colleague, the Rules Committee Chair, Ms. SLAUGHTER.

I extend my congratulations to my colleague, Ms. SLAUGHTER, for granting such a fair and judicious rule. I am very proud to stand here extending that congratulations to my friend and colleague.

Mr. Speaker, in his January 24, 2007, State of the Union address, President Bush called for the increased use of renewable and alternative motor fuels. As the 110th Congress begins, alternative fuels and advanced technology vehicles have already received a good deal of attention, especially in discussions over U.S. energy security. The rising cost of oil, the country's dependence on foreign oil, the debate over global warming, and the concern with air emissions have led to a heightened interest in developing clean and alternative energy sources and facilitating their use by the American consumer.

Mr. Speaker, I am very pleased that the Congress is in the forefront of this research and our effort to look for alternative energy sources.

Mr. Speaker, H.R. 547 is a good bill that authorizes $10 million for the Environmental Protection Agency to launch a research and development program aimed at making alternative fuels more compatible with the Nation's existing petroleum-based fuel infrastructure.

It also directs the EPA to develop portable, inexpensive, and accurate methods for fuel suppliers to test the sulfur content of diesel fuels. While biofuels such as ethanol are regarded as clean-burning alternatives to fossil fuels, it is clear that they can corrode or compromise pipes and storage tanks designed for petroleum products.

Now, unfortunately, retailers themselves often bear the cost of solving this problem and revitalizing the old infrastructure. This bill tasks the EPA with testing additive and other technologies to ease such problems. With new findings we will be able to mobilize the infrastructure necessary to distribute and dispense alternative fuels. With so much emphasis being placed on the development of these alternative fuels, it is only fitting that we develop the infrastructure that is necessary for us to handle those new alternative sources of energy.

Now, Mr. Speaker, it is very important to point out that in the 109th Congress legislation that is virtually identical to this, H.R. 547, was introduced to help facilitate the marketing of alternative fuels to consumers. In fact, the provisions of H.R. 547 are, as I said, virtually identical to section 15 of H.R. 6203, which was introduced last year.

Now, H.R. 6203, the Alternative Research and Energy Research and Development Act, was sponsored by our colleague from Illinois, Mrs. BIGGERT. And, Mr. Speaker, I have to say that that legislation which is virtually identical to this was passed under suspension of the rules by a voice vote. It was passed unanimously.

Democrats and Republicans in the last Congress came together on the 29th of September, clearly a time where there was a lot of division, and yet we came together on this very important piece of legislation designed to help us find ways in which we can deal with the infrastructure challenges of putting new alternative sources of energy into the hands of consumers in this country.

Now, Mr. Speaker, as I said before, I applaud this open rule. I commend Chairwoman SLAUGHTER for her first attempt at beginning to open up this legislative process to all Members. Frankly, I was wondering exactly when it would happen. However, I feel it is necessary to point out, as I have said before, that this almost exact same bill did pass under what is know as suspension of the rules. I know that that is an inside baseball, an inside baseball issue here, Mr. Speaker.

Suspension of the rules means that there is little or no controversy to an issue. It is required to have a two-thirds supermajority vote with 20 minutes of debate on each side. So that is the way this legislation passed the last time. I mean, I think it is very safe to say that consideration of this measure, H.R. 547, could have been very appropriately provided for under suspension of the rules, or even as was requested by the distinguished ranking minority member of the Committee on Science, Mr. HALL. In his discussion with Chairman GORDON, the discussion was, why do we not bring this under unanimous consent?

I made the same proposal yesterday in the Rules Committee. I understand that the new majority does in fact want to have an opportunity to point out that we are going to be considering an issue under an open rule. I commend them for that. I am just saying that it is very, very easy to bring a noncontroversial issue that will likely have unanimous support at the end of the day under an open rule.

Now, while I think that the research and development of clean alternative energy sources is highly critical to our Nation, I hope that in the future, in the future that we can save productive, yet noncontroversial, bills for consideration under the provision known as suspension of the rules, or under unanimous consent agreements which we easily could have propounded.

I hope that we can grant open rules. I hope that we can grant open rules to pieces of legislation that are very crucial and frankly where there is disagreement, where we can see what James Madison envisioned as that clash of ideas, because that is really when the open amendment process is very, very worthwhile and we can engage in extensive and vigorous debate. I know we are going to have amendments that are going to be considered on the floor today.

□ 1045

I suspect that most of them will be passed, and I suspect that there will be bipartisan passage of those amendments. And so when I am talking about the future and open rules, I hope that when we do deal with that Madisonian clash of ideas, we are able to do it under an open amendment process.

Mr. Speaker, yesterday at the Rules Committee there were seven amendments that were offered by Members, which did require protection, point-of-order protection, which, as we all know, is something that the Rules Committee can do. One amendment would have doubled the tax credit for making biodiesel from recycled restaurant grease. Now this is an issue that came forward by Dr. MIKE BURGESS from Texas, and I know my colleague on the Rules Committee from Dallas, Mr. SESSIONS, is going to be talking about this amendment.

This is a very, very creative way which will help us address this issue of alternative sources, and it is being done privately. And the notion of providing a tax incentive to deal with the utilization of restaurant grease for biodiesel is, as I said, a very, very interesting and innovative concept, and we could have allowed it to be considered during the debate here on the floor. But to my disappointment, these amendments were not made in order.

As I said, the Rules Committee does have the power to do this. And I would say that as we look at this new-found openness and opportunity for debate, I hope very much that when we have creative amendments like this that could be considered, the Rules Committee would do what the Rules Committee often has done in the past, and can do, and that is waive points of order so that a creative idea like this can come forward.

Mr. Speaker, I am overjoyed to be here in strong support of this open rule. And as I said, I look forward to many, many more open rules as we deal with controversial questions that the American people want us to address in the future. The Democrats pledged regular order and a transparent and fair legislative process, and I am very glad, I am very happy and very grateful to see it beginning at this point.

With that, Mr. Speaker, I reserve the balance of my time.

Mr. WELCH of Vermont. Mr. Speaker, just before I yield to the next speaker on our side, I want to thank the gentleman from California (Mr. DREIER) for his support for this open rule. As he knows, and I think the Members of this body know, the Chair of the Rules Committee, the Member from New York, is completely committed to fair debate.

And also, what we have seen is that there has been vigorous debate on the legislation that has already come before this body, resulting in votes of passage that included substantial support from the other party. So we have had a significant increase in the level of bipartisan support for the legislation that this body has passed.

Chairman GORDON and Ranking Member HALL have presented to us a bill that will be considered by the body, that has broad bipartisan support. They had an open amendment process in effect in their committee.

Chairwoman SLAUGHTER and the Rules Committee, with the support of the Member from California, presenting this bill once again on an open rule process. This side is committed to fair debate, and the Rules Committee will act in ways that are consistent with that.

Mr. Speaker, at this time I would like to yield 4 minutes to the gentlewoman from California (Ms. MATSUI).

Ms. MATSUI. Mr. Speaker, I thank the gentleman from Vermont (Mr. WELCH) for yielding me time. He has quickly become an excellent contributor to the Rules Committee.

Mr. Speaker, Federal energy policy has been lagging behind forward-looking States like California. It is now time for the Federal Government to lead America's transformation to a clean energy economy.

Here in Congress, we must enact smart policies that demonstrate a serious commitment to changing the way this Nation produces and consumes energy.

In the House, we took an important first step as part of the 100-hours agenda when we repealed $14 billion in subsidies and incentives for oil companies, and redirected that money to a clean energy fund.

That legislation sent a clear and strong signal to our constituents and to industry. I can tell you that businesses, universities and research institutions in my hometown of Sacramento are enthusiastic about helping America move forward on clean energy technologies.

One of those technologies, biofuels, has tremendous potential to decrease our dependence on foreign oil, and if we are serious about incorporating alternative fuels into the economy, we need to ensure that our infrastructure is compatible with them.

I am a cosponsor of H.R. 547 because it is a commonsense next step on biofuels. Chairman GORDON's legislation will allow for research and development to ensure that alternative fuels, such as E-85, biodiesel and advanced biofuels can be handled by our gas stations and pipelines. This is a smart investment because it makes a lot more sense to modify the existing infrastructure than to rebuild it.

I hope all my colleagues will be able to support this important legislation. But this is just a first step. We know that. Congress must continue to send signals that we are serious about transitioning to a clean energy economy. That means supporting the range of technologies, including clean alternative sources of energy such as wind, solar, geothermal and biomass, as well as energy-efficient technologies for buildings and transportation.

Congress and the administration should not pick winners and losers. There will be no magic bullet. When it comes to research and development, we must hedge our bets.

I look forward to working with my colleagues in the 110th Congress to move toward a clean energy economy effectively and expeditiously. This is the most important domestic priority for Congress and a generational challenge for the Nation. There is absolutely no time to waste.

Mr. DREIER. Mr. Speaker, at this time I am happy to yield 5 minutes to our very hardworking member of the Rules Committee, my friend from Dallas, Mr. SESSIONS.

Mr. SESSIONS. Mr. Speaker, I appreciate the gentleman from California (Mr. DREIER) yielding time to me.

Mr. Speaker, we are here today to debate noncontroversial legislation that will help to develop markets for biofuels and ultra-low sulfur diesel fuel through research and development.

And I am very, very pleased, and I appreciate the majority's decision to suspend its policy of a closed rule without regular order. I hope that this will not prove to be a unique circumstance, and one in which we will continue to see more open rules like the one which this legislation is being considered today.

However, I also believe that we are missing an important opportunity to improve this legislation by offering an additional provision to be considered that was offered yesterday in the Rules Committee by our colleague, Dr. Michael Burgess from Texas.

Congressman BURGESS' amendment would have doubled the tax credit for making biodiesel from recycled restaurant grease from 50 cents a gallon to $1 a gallon, thereby encouraging its further use and production. This incentive would encourage the marketplace to reduce petroleum use and the pollutant associated with removing this grease without removing arable land from food production.

Mr. Speaker, this technology works. This technology is something that we need to do more of. But, this amendment is not germane; it requires protection from a point of order, which is what the Rules Committee's job is all about. Unfortunately, yesterday, the Rules Committee voted it down along party lines with every Democrat on the committee voting to prevent this amendment from getting the protection that it would need to be considered by the House. Said another way, good ideas don't necessarily pass in the Rules Committee.

This amendment would allow the House to consider new and innovative ways to achieve our goal of energy independence in a responsible way. And I am disappointed that my Democrat colleagues on the committee prevented us from debating that and passing that in the bill today.

I support Congressman BURGESS through his thoughtful legislation to provide incentives for the free market to create new, responsible and leading-edge solutions to end our dependency on foreign sources of energy.

I hope, despite the setback that he will likely encounter today, that Congressman BURGESS will continue to offer his amendments in the future, and I also hope that he will continue to come up to the Rules Committee to make sure his ideas, thoughts, are well understood and communicated.

Mr. Speaker, the Rules Committee is open for business. That should mean that the best thoughts and ideas that may or may not have been considered throughout the process of going through regular order would be permissible in the Rules Committee. Good ideas should find the light of day upstairs in the Rules Committee, and it is my hope that the majority will continue to allow not only an open process, but will perhaps allow itself to engage in these ideas for the betterment of people who want us to make sure that we work not only in a bipartisan way, but solve, through creativity, the problems of this great Nation.

Mr. WELCH of Vermont. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Mr. Speaker, I want to thank my friend from Vermont (Mr. WELCH) for yielding me the time to speak on this open rule, and I congratulate him for managing his first rule in this body.

And I should say that after listening to the previous speaker, my friend, the gentleman from Texas (Mr. SESSIONS), I have a bad case of whiplash, first, because when his party was in the majority, he routinely supported closed rules and, second, because when his party was in the majority, I can't recall a time when he supported waiving germaneness rules for a Democratic amendment.

Now, having said that, I want to tell my colleagues that the gentleman from Vermont is part of an extraordinary new group of Members who are helping to change the culture in Washington. And I thank him for bringing forward this open rule. These new Members, the "majority makers," as the majority leader likes to call them, were elected to this body because they stand for change. They stand for openness, transparency and honesty.

They spoke truth to power during the 2006 elections, Mr. Speaker, and they are here to do what is in the best interests of their constituents and the American people.

Mr. Speaker, with this open rule, the gentleman from Vermont is carrying forward the promise these new Members made to the voters.

Now, some of us who have been around here for a while and lived under the previous Republican leadership may have forgotten what an open rule looks like. I thought it was extinct, except on appropriations bills. But the rule that we are considering today is open, and that means that any germane amendment offered by any Member, Democrat or Republican, can be debated and voted on by this body. It is the way a deliberative body should act.

Now let me assure my friends on the other side of the aisle that this is not the only open rule that you will see in this Congress. This is the return of the House of Representatives as a deliberative body.

And I am also pleased to note that with this open rule we have equaled, in 1 month, the number of open rules provided by the previous Republican majority on nonappropriations bills in the 2 years of the 109th Congress.

Mr. Speaker, I am proud that this new majority has moved in such a fashion, and I am proud that we were able to organize this House and, at the same time, pass meaningful legislation that will affect everyday Americans across this great Nation. A higher minimum wage, stem cell research, reduction in student loan interest rates, an increase in Pell Grants, ethics reform to clean up the culture of corruption that existed in the previous Congress, these are just a few of the accomplishments of this new majority in just 1 month.

Now we are moving on to the next phase, Mr. Speaker. Most of the House committees are organized, and they are beginning to hold hearings and they are producing legislation. The Transportation and Infrastructure Committee and the Judiciary Committee recently held markups. The Ways and Means Committee and Financial Services Committee are scheduling markups as we speak. Legislation these committees produce will come to the Rules Committee, and we look forward to trying to bring that legislation to the floor in a more open and honest fashion than we experienced in the previous Congress.

Mr. Speaker, the 110th Congress is a new Congress, but it is also a different Congress, and I am pleased to be able to serve with new Members like Mr. WELCH of Vermont, who is managing this open rule; KATHY CASTOR; MIKE ARCURI; BETTY SUTTON; along with DENNIS CARDOZA, who is also new to the Rules Committee. These Members are ushering in a new era in helping shape this new direction for the House of Representatives.

So I want to thank my friend from Vermont for the time. I congratulated him on this open rule, his first, but certainly not his last.

Mr. DREIER. Mr. Speaker, I reserve the balance of my time.

Mr. WELCH of Vermont. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. CARDOZA).

Mr. CARDOZA. Mr. Speaker, I want to thank the gentleman from Vermont for yielding me the time and for his able leadership on this rule.

□ 1100

I rise in full support of the rule on H.R. 547.

As a new Member of the House Rules Committee, I am very pleased that we were able to have an open rule so quickly in the 110th Congress. This rule will allow an open and honest debate on one of the most important issues facing our country: energy independence.

H.R. 547, the Advanced Fuels Infrastructure Research and Development Act, addresses an extremely important, however often overlooked, component to our emerging domestic biofuels industry: pipeline and storage infrastructure.

When ethanol and other biofuel additives are mixed with traditional fuels, it can cause disruptions to the pipeline infrastructure through corrosion and contamination, even clogging. These small obstacles should not be impediments to the full development of the biofuels industry, but they are still issues that must be addressed in order to move forward.

This important legislation we are considering today would authorize funds to EPA and the Department of Energy to develop a program for alternative bio-based fuels and low-sulfur diesel fuels to be more compatible with existing infrastructure used to store and deliver petroleum-based fuels to the point of final sale.

In California's San Joaquin Valley, we are watching the development and progression of our domestic biofuel industry with a particularly close eye. We have some of the most fertile agricultural land in the country. My district alone grows over 200 different kinds of crops, contributing over $5 billion of the $30 billion agriculture industry of our State.

But as we are blessed with our soil, we are similarly blessed and cursed by our geography. The steep mountains on both sides of the valley create a trap for air which in turn creates some of the worst air quality problems in the entire Nation. We are currently in a severe ozone non-attainment area and quickly moving towards an extreme level for both ozone and particulate matter. Limited emissions from ethanol blends and other biofuels have the potential to contribute to our increasingly dangerous air quality levels.

My colleague Ms. ANNA ESHOO and I will be offering an amendment during general debate on H.R. 547 to expand the current areas of research covered under this legislation to include strategies to minimize potential impacts of volatile emissions from biofuels. Our amendment exemplifies the importance of this open rule. Neither Ms. ESHOO nor I sit on the Science Committee; however, through this open rule, we are able to weigh in on important legislation on behalf of our constituents.

While I realize that the bill may have passed by unanimous consent last year, clearly numerous Members are interested in offering amendments, and I am pleased that our leadership has provided this opportunity to Members on both sides of the aisle.

I strongly urge my colleagues to support this open rule.

Mr. DREIER. Mr. Speaker, I yield myself such time as I may consume.

I congratulate my colleague Mr. CARDOZA on his very thoughtful statement and want to say that I am very pleased that he and my other California colleague, Ms. ESHOO, are looking forward, through this open amendment process, to offering their proposal. He stated very correctly that neither of them serve as members of the Science Committee, but by virtue of having an open amendment process, they will have an opportunity to participate. So I join him in stating that I hope very much that as we look at issues where we see great controversy in the future that we will be able to have Members participate in a way that Members will be able participate today on this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. WELCH of Vermont. Mr. Speaker, I yield 5 minutes to the gentleman from New York (Mr. ARCURI).

Mr. ARCURI. Mr. Speaker, I would like to thank my colleague and friend from Vermont for yielding time to me.

Mr. Speaker, before I begin, I would just like to respond to something that my colleague from Texas said just a few moments ago with respect to good ideas in the Rules Committee. I happen to agree with him. I think that the proposal was a very good idea, and it is something that certainly I would think very strongly about supporting. However, I voted against it because I felt that there were questions of both germaneness and also I felt that by not going through the committee process, it would somehow make it less likely that that bill would pass, and that was the reason that I voted against it. It had absolutely nothing to do with a partisan issue, but more because I feel it is a good idea and it would stand a better chance of passage by working through the committee process. So I think it is important that we point out here that the Rules Committee is, in fact, a committee that recognizes good ideas and supports good ideas; and simply because we disagree about issues does not mean we do not support good ideas on our side of the aisle.

Mr. Speaker, I rise today in strong support of an open rule on this bill, and I am pleased that my colleagues on the Rules Committee, including those on the other side of the aisle, voted unanimously to approve this rule. That level of support speaks volumes about the importance of bringing the Advanced Fuels Infrastructure bill to the floor of this Chamber for consideration.

During Science Committee Chairman GORDON's remarks before the Rules Committee yesterday, he pointed out an issue that requires our utmost attention if we as a Nation ever hope to truly address our Nation's addiction to oil. The issue is that cellulosic ethanol and other biofuels are highly corrosive and not compatible with the fuel distribution infrastructure currently in place to transport them in our country.

Biofuels are the wave of the future. Continued domestic production and use of biofuels will reduce air emissions, diversify our energy supply, and decrease our dependence on foreign oil. A classic trifecta, if you will.

Unfortunately, this transportation barrier imposes increased cost burdens and could slow the transition we hope to make away from fossil fuels. The Advanced Fuels Infrastructure bill takes a giant first step in the right direction to address the biofuel infrastructure problem by tasking the Environmental Protection Agency to develop additives, blendstocks, technologies, and other methods to make biofuels less corrosive.

Members of my staff joke that I am hooked on talking about cellulosic ethanol. I am more than hooked. I think I would say I am addicted. No pun intended. But the truth be known, I would rather be addicted to some type of energy that is produced domestically rather than a foreign or fossil fuel that is produced somewhere else other than in this country. And so are many of my colleagues in this Chamber. Like me, they understand the substantial benefits that biofuels like ethanol will provide for our Nation's growing energy demand.

We in Congress and our counterparts at the State level also realize the role which government has to play in developing cost-effective methods of producing these fuels. Last December my home State of New York awarded $14.8 million to build and operate a cellulosic biomass-to-ethanol demonstration plant in Rochester, New York. A professor at Cornell University in Ithaca, New York, was recently awarded a $10 million grant to upgrade Cornell's industrial biotechnology laboratories and improve researchers' abilities to liberate sugars from woody biomass and convert them into biofuels. In addition, the Biorefinery in New York Project is about to embark upon a $20.6 million public-private partnership to demonstrate commercial-scale cellulosic ethanol production in Lyonsdale, New York. Half of that $20.6 million is private investment from a Texas-based energy company that will be pumped directly into the New York State economy. For too long New York State has been exporting money out of state to meet our energy needs. Now we are importing those dollars back.

The President's fiscal year 2008 budget request includes many misdirected funding cuts; however, it does include a $292 million grant for research and development programs to promote biofuels, most notably the wide-scale production of cellulosic ethanol. This figure is more than double the fiscal year 2006 appropriation of $119 million. Cellulosic ethanol plants are starting to pop up all across Upstate New York and the rest of the Nation thanks to top-notch researchers.

I stand here today very proud to support this open rule.

Mr. DREIER. Mr. Speaker, at this time I am very happy to yield such time as he may consume to the very distinguished ranking minority member of the Committee on Science, the gentleman from Texas (Mr. HALL).

Mr. HALL of Texas. Mr. Speaker, I thank the gentleman for yielding.

And just to comment, this bill was originally introduced by the 109th Congress as H.R. 5658 and included in Congresswoman BIGGERT's comprehensive energy R&D bill, 6203, which was passed by the House under suspension of the rules. And I see no reason why this one couldn't have been handled that way. As a matter of fact, I am a cosponsor with the ranking member of the Energy Subcommittee, BOB INGLIS, and with the chairman of the full committee, Chairman GORDON, and Mr. LAMPSON. Actually, at leadership's suggestion and working together with our leadership over here, I sent a letter to Chairman GORDON requesting that he bring this up on the floor under unanimous consent agreement. It could have easily been done and bypassed the Rules Committee.

It is easy to bring an open rule up when there is not any opposition to it. I hope they will follow this pattern for the rest of this session.

Mr. WELCH of Vermont. Mr. Speaker, I yield 1 minute to the gentleman from Washington (Mr. INSLEE).

Mr. INSLEE. Mr. Speaker, this is a great bill and cellulosic ethanol is great from a global warming perspective because it simply recirculates carbon through the atmosphere. It doesn't add any additional carbon. It is simply that the plant takes it out of the atmosphere. They crush the plant, burn the fuel. It is a cycle. It doesn't add any net increase.

But I want to make sure Members understand this bill is just a beginning of what we need to do. Brazil is totally energy independent today because they have gone to an E–85 system. They burn fuel that is 85 percent ethanol. But I talked to the person in Brazil that made this happen, and he told me one clear lesson. If you don't do something to compel the oil and gas distribution system to put in E–85 pumps, they don't do it. Now, they in Brazil had to adopt some policies to compel the installation of these E–85 pumps because there is a competitive reason. The oil and gas industry doesn't want to put in these pumps to compete with their oil and gas. So this is a start to demonstrate why the use of cellulosic ethanol is very allowable in Brazil. They pump this stuff all over the country all the time. But we are going to need to take another step to get those E–85 pumps built to fuel our flex-fuel cars. This is a first step. There is more to come.

Mr. DREIER. Mr. Speaker, I am just going to close the debate on this spectacular open rule myself; so I reserve the balance of my time at this juncture.

Mr. WELCH of Vermont. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. MCNERNEY).

Mr. MCNERNEY. Mr. Speaker, I rise in strong support of the Advanced Fuel Infrastructure Research and Development Act, and I also thank my colleague from Vermont for his leadership on this open rule.

I have dedicated my entire career to developing new sources of energy, and I am pleased that we are making it easier to incorporate biofuels into our everyday lives. Current practices have taken us where we are today, but we need to expand our options to fight clean fuels and viable alternatives to conventional fuels. Diversification of our energy supply is the only way to rein in our country's increasing need to import oil from foreign countries.

The bill we are voting on today is a good step toward making biofuels, such as E–85 ethanol and biodiesel, easier and less expensive to access and use. This is a very good first step toward energy diversification, but we are on a long haul to sustainability.

Mr. Speaker, I urge my colleagues to support the rule and the underlying bill.

Mr. DREIER. Mr. Speaker, I will continue to reserve the balance of my time.

Mr. WELCH of Vermont. Mr. Speaker, I would ask the gentleman from

California if he is ready to close. I am the only remaining speaker on my side and will reserve my time until the gentleman is finished.

Mr. DREIER. Mr. Speaker, in light of the fact that my new friend from Hartland is prepared to close debate, I will do the same on our side.

I do so to simply say that I do rise in strong support of this open amendment process. I congratulate Mr. GORDON, I congratulate Mr. HALL, and the other Democrats and Republicans who have come together to do what we did in the last Congress, to pass this very important legislation which is designed to allow us to focus on the infrastructure challenges that we as a Nation will have to deal with as we pursue ethanol, biodiesel, all of the multifarious forms that are alternative ways of our dealing with the energy needs of this country.

□ 1115

Mr. Speaker, I have the privilege of representing the Los Angeles Basin, part of it, along with other great colleagues of mine on both sides of the aisle. We have very serious environmental challenges there: air quality problems are very great, and doing what we can to encourage these alternative sources has been a priority for my Governor, Arnold Schwarzenegger, and for Republicans and Democrats alike.

One of the things that we like to argue is that Republicans and Democrats and Independents, everyone likes to breathe clean air. Everyone wants to have an opportunity to deal with the challenges that are out there, whether it is global warming or just the overall concern about environmental quality. It is very, very important for us to do that.

I believe that this is legislation that is going to pass, probably unanimously. I can't imagine anyone voting against it. I know that there are some thoughtful amendments that will come forward on this.

But I do want to also say, Mr. Speaker, that it is a new day. It a new day because we have seen a change, a change from what we have seen in the first several weeks of this Congress.

Now, I know that a number of people talked about the fact that we have had a vigorous discussion and debate over the issues that my friend from Massachusetts mentioned, the issues of college loans, stem cell research, the minimum wage increase. But we know that those are issues that enjoy broad bipartisan support among the American people. I was proud to have supported the stem cell research legislation, identical to what I voted for in the last Congress. There would have been no reason for me to oppose it.

But, frankly, I will say that as I looked at the other issues that were included in that 6 for '06 package, Mr. Speaker, I opposed them because they didn't allow for the kind of opportunity to improve the legislation that we are going to see today.

Now, again, it is hardly necessary, because this could have been done under suspension of the rules; and my challenge to my very distinguished colleagues is, as Mr. HALL said so eloquently, we don't need to simply have an open rule for the sake of an open rule on an issue that everyone agrees over. There is complete agreement on this issue. What we need to have is an open and vigorous debate when we have disagreement and, again, a clash of ideas, as James Madison envisaged it when he talked about the establishment of this great institution.

So, Mr. Speaker, I praise my colleagues for putting together this effort. I congratulate once again my colleague from New York, Ms. SLAUGHTER, the distinguished new Chair, the first woman to chair the Rules Committee. I congratulate Mr. MCGOVERN, who so ably is carrying on his responsibility in the new majority on the Rules Committee. I look forward to working with my colleagues as we pursue our goals of making sure that we do the best thing for the American people, and that is to come together to address the very crucial public policy questions that confront us.

Mr. Speaker, I yield back the balance of my time.

Mr. WELCH of Vermont. Mr. Speaker, I thank the gentleman from California for his kind remarks about the Chair of the Rules Committee, Ms. SLAUGHTER. I also thank him, as we all do, for his support on both the open rule and the merits of this legislation.

The bottom line here is, we are all in it together. We know that we have major problems to solve. One of them is global warming and one is energy independence. This legislation is a practical step that was brought to us by the cooperation of both sides of the aisle on the Science and Technology Committee.

The Rules Committee is presenting an open rule. There will be more to come. Its commitment is to fair debate, and it is going to have to balance the responsibility of making decisions about how best to allow this body to debate clearly and directly the major issues that come before this Congress.

We can make progress by working together. It is our goal to continue to do so. That requires that the committees be given an opportunity to do their work. Amendments are going to be brought up in committees and recommended or rejected. That was done in this case. It is going to be the commitment of the Rules Committee to make the debate on all legislation that comes before this body as fair as it possibly can be.

Mr. Speaker, this is an important step. We have to give the American people some confidence that we can take concrete steps to move ahead, and that is legislation, day by day, week by week, month by month, year by year, where we are moving in the right direction.

What we have done on energy in less than a month is move away from an excessive and damaging reliance on fossil fuels by passing two pieces of legislation, if this passes, that move us in a new direction. That is the right thing for this country; it is the right thing for Republicans and Democrats to work together to achieve.

I urge a "yes" vote on this rule and on the previous question.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Pursuant to House Resolution 133 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 547.

□ 1123

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 547) to facilitate the development of markets for alternative fuels and Ultra Low Sulfur Diesel fuel through research, development, and demonstration and data collection, with Mr. MCNULTY in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Texas (Mr. LAMPSON) and the gentleman from Texas (Mr. HALL) each will control 30 minutes.

The Chair recognizes the gentleman from Texas (Mr. LAMPSON).

Mr. LAMPSON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, energy is on everyone's mind these days. The price of fuel has been rising and awareness of the extent to which we are dependent upon foreign sources of oil has grown. At the same time, in an effort to reduce emissions of air pollution, we are also transitioning to cleaner fuels.

The good news is that we have developed and are continuing to develop alternative fuels and cleaner-burning versions of our current petroleum-based fuels. But we must ensure the availability of infrastructure and equipment for transporting, distributing and utilizing these new fuels at a reasonable cost.

For a number of reasons, biofuels such as ethanol and biodiesel are often incompatible with many components of the present-day infrastructure, forcing distributors and retailers to make heavy investments in new hardware if they want to carry these fuels. H.R. 547 initiates a program to research ways to mitigate many of these problems and make bio-based fuels more compatible with the country's petroleum-based infrastructure, thus avoiding the massive costs to the country of a whole new infrastructure.

The bill also initiates a program to develop less-expensive, easier-to-use testing methods and equipment for verifying the sulfur level of clean diesel fuels. Since infrastructure is used for various fuel products with sulfur content, ranging from 15 to 5,000 parts per million, there is a concern that distributors and retailers may sell fuel with sulfur beyond 15 parts per million limits of ULSD, ultra-low sulfur diesel. This simply gives retailers and distributors a way to ensure the quality and regulatory compliance of the fuels they sell.

To ensure consistent specifications throughout the fuels market, H.R. 547 instructs NIST to begin developing standards for biofuels as they would for conventional, petroleum-based fuels. There is also an authorization of $10 million to carry out all programs within this bill.

Mr. GORDON secured numerous endorsements and support for this bill from groups as diverse as convenience store and truck-stop owners, petroleum marketers and retailers, the Renewable Fuels Association, API and the NRDC. Given the relatively small cost, the very specific concerns it addresses and the carefully negotiated language and endorsements, it would be a shame to make this bill something it is not by amending it with provisions that are outside the scope or purpose of this bill. I ask my colleagues to please consider this as they bring amendments forward.

H.R. 547 is a good idea, turned into a good, bipartisan piece of legislation. I urge my colleagues to support the bill without making major substantive changes or additions.

Mr. Chairman, I reserve the balance of my time.

Mr. HALL of Texas. Mr. Chairman, I rise today, of course, in support of H.R. 547, the Advanced Fuels Infrastructure Research and Development Act. It is a good noncontroversial bill that was passed unanimously by the Republican-led Congress last session as part of a larger energy efficiency research and development bill. I am pleased that Chairman GORDON has indicated that we will be addressing other provisions of that bill in the coming weeks and months ahead.

Subcommittee Chairman LAMPSON has already described what this bill does, so I don't really need to go into that again. But I feel it is important to point out that this bill not only addresses our energy independence issues, but it also addresses clean energy issues by working to mitigate potential problems that can rise from transporting clean fuels, such as ethanol and ultra-low sulfur diesel. By doing this, it ensures that clean burning and alternative fuels can be a viable part of our Nation's transportation fuel mix.

Energy independence and clean coal are not just buzzwords that you hear thrown around these days. They are noble and necessary goals that we are one step closer to by the passing of this bill. This bill may be a small piece of the puzzle, but every piece is important and every piece is needed.

Mr. Chairman, I reserve the balance of my time.

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Mr. LAMPSON. Mr. Chairman, I have no further requests for time at this time, and I am prepared to yield back the balance of my time.

Mr. HALL of Texas. I do have requests for time, if the gentleman pleases. I yield 3 minutes to Mr. WELLER, the gentleman from Illinois.

Mr. WELLER of Illinois. Mr. Chairman, I want to thank my good friends from Texas for this opportunity to speak during general debate.

I rise in support of the basic bill that is before us, H.R. 547. I voted for it last year when it passed the House unanimously, like all my colleagues on both sides of the aisle, and of course I stand in support of this legislation today. However, I believe we do need to make some minor improvements to the bill.

We have made a tremendous amount of progress. The energy bill of 2005 has caused hundreds of millions of dollars of new investment in biofuels production. In Illinois, in the State that I represent, we are anticipating up to 50 new ethanol and biodiesel plants, thanks to the energy bill.

When I talk to the local farmers that I represent in Illinois, they are pretty happy with $4 prices of corn. When the energy bill was passed into law, the price of corn was about $1.65 a bushel. So we are seeing the fact that rural America and small-town America, and rural Illinois and small-town Illinois were clearly the biggest winners in the energy bill.

But if you also care about energy independence, if you care about addressing the issue of climate change, we need to promote greater use of biofuels.

The basic bill makes progress when it comes to infrastructure, but we need to do more. You know, E–85, 85 percent blend ethanol fuels, offer part of that solution. As I drive or travel throughout the district I represent or my constituents travel throughout the district, many of them are looking to purchase E–85. They bought a flexible fuel vehicle; they want to contribute to our commitment for energy independence, they want to see investment in America rather than sending money overseas, so they want to buy E–85. And they question, why is it not available? Why do I have a hard time finding E–85 pumps at the gas stations that serve my community? And that is because there is a bureaucratic logjam in the certification process for the pumps, the infrastructure that is used for the installation of E–85.

I have an amendment which is germane to this bill that I am going to be offering. I believe it deserves bipartisanship support that I will be offering to this bill, this legislation to, of course, not only draw attention to this issue, but to help remove the logjam to the certification process.

We talk to some of the big distributors, some of the big operators, fuel stations across America; it is because of this issue that they have delayed or stalled installation of E–85. If you truly want to encourage the use of biofuels, if you believe that E–85 is part of that solution, if you believe that we need more installation of more infrastructure to distribute E–85 in America, then I ask that you support the amendment that I will be offering as we move through the processes of the bill.

Again, I support the basic bill. It is bipartisan legislation. I believe the amendment, which I worked on with the former Speaker of the House, Speaker Hastert, as well as a bipartisan group of Members, is a good amendment that deserves bipartisan support.

Mr. HALL of Texas. Mr. Chairman, I have no more speakers. I yield back the balance of my time.

Mr. LAMPSON. Mr. Chairman, I yield back the balance of my time.

PARLIAMENTARY INQUIRIES

Mr. TERRY. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman may state his inquiry.

Mr. TERRY. Is it correct to state that the standing committees of the House are authorized under rule XX of the House rules?

The CHAIRMAN. The gentleman's question should be addressed in the full House, not in the Committee of the Whole.

Mr. TERRY. Further parliamentary inquiry.

The CHAIRMAN. The gentleman may state it.

Mr. TERRY. Are we allowed to ask parliamentary inquiries in the Committee of the Whole?

The CHAIRMAN. In the discretion of the Chair, as they relate to the proceedings of the Committee.

Mr. TERRY. Mr. Chairman, further parliamentary inquiry.

The CHAIRMAN. The gentleman may state his parliamentary inquiry.

Mr. TERRY. Is it correct that the organization of the standing committees of the House were organized pursuant to previous enacted statutory laws?

The CHAIRMAN. Once again, that may be a proper inquiry to the House, but not to the Chairman of the Committee of the Whole.

Mr. TERRY. I understand. Then, Mr. Chairman, parliamentary inquiry.

The CHAIRMAN. The gentleman may state his inquiry.

Mr. TERRY. Is it correct that the organization of the standing committees of the House were organized pursuant to previous enacted statutory laws?

The CHAIRMAN. The gentleman may state that inquiry to the full House.

Mr. PRICE of Georgia. Mr. Chairman, parliamentary inquiry.

The CHAIRMAN. The gentleman may state his inquiry.

Mr. PRICE of Georgia. Mr. Chairman, since the House is sitting as the Committee of the Whole, are the Delegates and Resident Commissioner permitted to vote on all matters in the Committee of the Whole House?

The CHAIRMAN. Under clause 3(a) of rule III, the Delegates and Resident Commissioner possess the same powers and privileges as Members in the Committee of the Whole.

Mr. PRICE of Georgia. Further inquiry.

The CHAIRMAN. The gentleman may state it.

Mr. PRICE of Georgia. So I am correct in understanding that there are only some instances, namely the case of an adoption of an amendment, where a Member may request a revote in the full House. Is that correct?

The CHAIRMAN. It is the understanding of the Chairman of the Committee of the Whole that the special order under which it is proceeding (H. Res. 133) provides that any Member may request a separate vote in the House on amendments adopted in the Committee of the Whole to the Science Committee amendment in the nature of a substitute.

Mr. PRICE of Georgia. Further inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman may state his inquiry.

Mr. PRICE of Georgia. I appreciate the Chair's indulgence, because this is the first time for a number of questions, and I appreciate the opportunity. If there is any question or if the amendment is defeated, is there any opportunity for a duly elected Member to request a revote in the full House?

The CHAIRMAN. Only on amendments that are adopted to the amendment in the nature of a substitute or on that substitute.

Mr. PRICE of Georgia. Further inquiry.

The CHAIRMAN. The gentleman may state his inquiry.

Mr. PRICE of Georgia. It is my understanding that under the rules the House has adopted, that on any matter in which the votes of the Delegates are decisive in the vote taken in the Committee of the Whole, that those votes shall be retaken in the full House and that the Delegates and Resident Commissioner shall not be permitted to vote in the full House. Is that correct?

The CHAIRMAN. On recorded votes, yes, the gentleman is correct.

Mr. PRICE of Georgia. Further inquiry.

The CHAIRMAN. The gentleman may state his inquiry.

Mr. PRICE of Georgia. How is the Chair going to determine if the votes of the Delegates and the Resident Commissioner are decisive?

The CHAIRMAN. The test for determining whether the votes of the Delegates and Resident Commissioner are decisive under 6(h) of rule XVIII is a "but for" test, that is, would the outcome have been different had the Delegates and the Resident Commissioner not voted. The absence of some Members is irrelevant to this determination.

Mr. PRICE of Georgia. Further inquiry.

The CHAIRMAN. The gentleman may state his inquiry.

Mr. PRICE of Georgia. I thank the Chair. If the Chair determines that the votes of the Delegates and the Resident Commissioner are not decisive, but a Member believes that in fact they are, is it appropriate for a Member to lodge a point of order against the Chair's determination?

The CHAIRMAN. The Chair's decision on a question of order is not subject to an appeal if the decision is one that falls within the discretionary authority of the Chair. The Chair's count of the number rising to demand tellers, a recorded vote, or the yeas and nays is not subject to appeal, nor is the Chair's count of a quorum.

Likewise, the Chair's count of the votes of the Delegates and Resident Commissioner is not subject to appeal.

Mr. PRICE of Georgia. Further inquiry.

The CHAIRMAN. The gentleman may state his inquiry.

Mr. PRICE of Georgia. If the Chair determines that in fact the votes of the Delegates and the Resident Commissioner are not decisive, will the Chair include those numbers when reporting the tally of the vote?

The CHAIRMAN. The gentleman is correct.

Mr. PRICE of Georgia. Further inquiry.

The CHAIRMAN. The gentleman may state his inquiry.

Mr. PRICE of Georgia. Given that, then it is my understanding, is it correct that the number of individuals allowed to vote in the Committee of the Whole shall be 440, and the number in the full House shall be 435?

The CHAIRMAN. The gentleman is correct.

Mr. PRICE of Georgia. Further inquiry.

The CHAIRMAN. The gentleman may state his inquiry.

Mr. PRICE of Georgia. So the Delegates and the Resident Commissioner may not vote in the full House; is that correct?

The CHAIRMAN. It is the understanding of the Chairman of the Committee of the Whole that the gentleman is correct.

Mr. PRICE of Georgia. Further inquiry.

The CHAIRMAN. The gentleman may state his inquiry.

Mr. PRICE of Georgia. Do the Delegates and the Resident Commissioner count for the purposes of establishing and maintaining a quorum of the Committee of the Whole House?

The CHAIRMAN. The gentleman is correct.

Mr. PRICE of Georgia. Further inquiry.

The CHAIRMAN. The gentleman may state his inquiry.

Mr. PRICE of Georgia. If the Delegates and Resident Commissioner are allowed to vote on everything in the Committee of the Whole and they vote on procedural issues that may in fact affect the substantive nature of a bill, and if a procedural vote is lost within a decisive margin, is there a mechanism to have a separate vote in the full House on that procedural vote?

The CHAIRMAN. Under clause 6(h), an immediate vote in the House is contemplated under those circumstances, given a recorded vote.

Mr. PRICE of Georgia. On that procedural vote?

The CHAIRMAN. The gentleman is correct.

Mr. PRICE of Georgia. I thank the Chair. Are the Delegates and Resident Commissioner permitted to vote on the question of the Committee rising?

The CHAIRMAN. The gentleman is correct.

Mr. PRICE of Georgia. I thank the Chair for his indulgence.

Mr. WU. Mr. Chairman. I would like to commend my new colleague from Texas, the Chairman of the Energy and Environment Subcommittee, Mr. LAMPSON for his great work on this bill, and also Chairman GORDON for his leadership on alternative fuels.

We rely on fuel everyday. While the market is awakening to its ability to sell alternative fuels like E85 or biodiesel blends many of these new fuels have compatibility issues with the existing delivery systems in place in America. Fuel depots, fuel pipelines, fuel trucks and local gas stations are not truly ready to ship, store, or sell these fuels to consumers.

These fuels can cause corrosion of tanks and pipelines, clog filters, and pose danger of thermal and oxidative instability. The cost of replacing or building new infrastructure is sometimes infeasible for fuel suppliers, frequently small business owners.

H.R. 547, The Advanced Fuels Infrastructure Research and Development Act, meets the needs of fuel shippers and suppliers so they can I use alternative fuels in existing infrastructure. It directs the Department of Energy (DOE) and the National Institute of

Standards and Technology (NIST) to research and develop new technologies and methods such as fuel additives, blend stocks, and easier tank reconditioning methods that would allow fuel retailers, shippers, and storers to use alternative fuels in existing infrastructure, significantly reducing costs both for businesses and consumers.

The bill also directs the DOE and NIST to develop affordable, portable, quick and accurate ways to test the sulfur content at pump stations to make sure it complies with EPA regulations of 15ppm, and directs NIST to develop a physical properties data base and a set of standard reference materials for alternative fuels, which is not unlike the ones that currently exist for standard fuels.

If we are truly serious about bringing alternative fuels to consumers, we need to make sure that we can store, deliver, and retail these fuels with the same efficiency and safety as we deliver traditional fuels.

I urge all of my colleagues to support H.R. 547, and again want to recognize the leadership of Chairman LAMPSON and GORDON for bringing this important legislation through the Science and Technology Committee, and Speaker PELOSI for bringing this legislation to the floor as part of her efforts to stem global warming.

Mr. PEARCE. Mr. Chairman, I rise today in support of H.R. 547, the Advanced Fuels Infrastructure Research and Development Act. I commend the Chairman of the Science Subcommittee for bringing this legislation forward.

Last year under the Republican Majority, the House passed this same legislation as part of a more comprehensive bill offered by the gentlelady from Illinois, Mrs. Biggert. This legislation, called the "Alternative Energy Research and Development Act," died in the Senate. But it's never too late to take bipartisan action on good ideas.

Reducing America's dependence upon foreign oil is an economic and national security imperative. Achieving this goal requires us to exercise creativity and common sense. In particular, we must find ways to expand our use of biofuels in a safe and cost-efficient manner.

H.R. 547 provides very specific mechanisms to address the challenge of integrating ethanol and biodiesel fuels into our petroleum-based transportation system. In particular, this bill directs the EPA and the NIST to mitigate the harmful effects caused by the physical and chemical incompatibility of these fuels within the current infrastructure. H.R. 547 also tackles the quality concerns associated with Ultra Low Sulfur Diesel and biofuel production.

As the Ranking member on the Energy and Mineral Resources Subcommittee I remain committed to working with my colleagues across the aisle to reduce our nation's dependence on foreign oil. In contrast to H.R. 6, the regrettable measure the House passed a few weeks ago that increases our dependence on foreign oil, this bill constitutes a productive step forward—and I look forward to supporting other measures like it.

Mr. COSTELLO. Mr. Speaker, I rise in support of H.R. 547, the Advanced Fuels Infrastructure Research and Development Act. I am pleased we taking steps to make biofuels, like E85 ethanol, easier to access and use.

The President's State of the Union Address discussed the importance of diversifying America's energy supply, explaining that the way forward is through technological advancements. I support this approach and with Chairman GORDON and Ranking Member HALL's Leadership, the Science and Technology Committee can have an important role in accelerating these efforts by promoting research and development funds for all alternative fuels in order to use more domestic sources of fuel and less imported oil.

Given that coal is our most economical and abundant domestic resource, with a 250-year supply, I believe clean coal technology and coal-to-liquids transportation fuels must be part of any solution to achieve greater energy independence. I look forward to working with my colleagues on both sides of the aisle on energy related issues so that we clearly understand the benefits of clean coal technology and I thank Chairman GORDON and Ranking Member HALL for their commitment to examine all alternative fuels, including clean coal technology.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in the bill shall be considered by sections as an original bill for the purpose of amendment, and each section is considered read.

During consideration of the bill for amendment, the Chair may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the CONGRESSIONAL RECORD designated for that purpose. Those amendments will be considered read.

The Clerk will designate section 1.

The text of section 1 is as follows:

H.R. 547

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Advanced Fuels Infrastructure Research and Development Act".

The CHAIRMAN. Are there any amendments to section 1?

The Clerk will designate section 2.

The text of section 2 is as follows:

SEC. 2. FINDINGS.

The Congress finds that—

(1) in order to lessen United States dependence on foreign sources of petroleum, and decrease demand for petroleum in the transportation sector, the Nation must diversify its fuel supply to include domestically produced biofuels;

(2) while ethanol has been successful in the market place as a fuel additive, newer biofuels may present unique challenges that may render the fuels incompatible with the current fuel transportation and delivery infrastructure, placing the burden of costly refurbishment and construction on fuel distributors and retailers;

(3) chemical additives to the fuels may mitigate the negative impacts of some biofuels on existing infrastructure and preclude costly retrofitting or installation of new biofuel compatible infrastructure and transportation systems;

(4) in order to mitigate air pollution and comply with Federal mandates, Ultra Low Sulfur Diesel fuel was introduced into the marketplace in 2006;

(5) fuel labeled Ultra Low Sulfur Diesel may accumulate more than the statutory limit of 15 parts per million of sulfur when transported through multiple pipelines, tanks, and trucks to the final point of sale; and

(6) fuel distributors and retailers may inadvertently take delivery of fuel labeled Ultra Low Sulfur Diesel with more than 15 parts per million of sulfur without a practical means of verifying sulfur content.

The CHAIRMAN. Are there any amendments to section 2?

The Clerk will designate section 3.

The text of section 3 is as follows:

SEC. 3. BIOFUEL INFRASTRUCTURE AND ADDITIVES RESEARCH AND DEVELOPMENT.

The Assistant Administrator of the Office of Research and Development of the Environmental Protection Agency (in this Act referred to as the "Assistant Administrator"), in consultation with the Secretary of Energy and the National Institute of Standards and Technology, shall carry out a program of research and development of materials to be added to biofuels to make them more compatible with existing infrastructure used to store and deliver petroleum-based fuels to the point of final sale. The program shall address—

(1) materials to prevent or mitigate—

(A) corrosion of metal, plastic, rubber, cork, fiberglass, glues, or any other material used in pipes and storage tanks;

(B) dissolving of storage tank sediments;

(C) clogging of filters;

(D) contamination from water or other adulterants or pollutants;

(E) poor flow properties related to low temperatures;

(F) oxidative and thermal instability in long-term storage and use;

(G) microbial contamination; and

(H) problems associated with electrical conductivity;

(2) alternatives to conventional methods for refurbishment and cleaning of gasoline and diesel tanks, including tank lining applications; and

(3) other problems as identified by the Assistant Administrator, in consultation with the Secretary of Energy and the National Institute of Standards and Technology.

The CHAIRMAN. Are there any amendments to section 3?

AMENDMENT NO. 2 OFFERED BY MR. BURGESS

Mr. BURGESS. Mr. Chairman, I have an amendment at the desk to section 3.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. BURGESS:

Page 4, line 17, strike "and".

Page 4, line 18, redesignate paragraph (3) as paragraph (4).

Page 4, after line 17, insert the following new paragraph:

(3) issues with respect to increased volatile emissions or increased nitrogen oxide emissions; and

Mr. BURGESS. Mr. Chairman, this amendment which was preprinted in the CONGRESSIONAL RECORD will ensure that the Environmental Protection Agency Biofuels Research and Development Program, which was authorized in the underlying bill, will be cognizant of the potential clean air issues arising from additives to biofuels. Specifically, those issues arising from volatile emissions which occur during the fueling process and nitrogen oxide emissions which occur during combustion.

In my home State of Texas, and particularly within my district in north Texas, there has been some debate about the nitrous oxide emissions from biodiesel. It is my hope that the new data from the Environmental Protection Agency will put this debate to rest and allow biodiesel production to move forward unimpeded. But the debate raises an interesting question. As we look to increase the use of alternative fuels and the accompanying infrastructure, how do we make certain, how can we be sure that we do not hurt our efforts, that we do not roll back our efforts to clean our air?

I understand that there are some additives that may already exist for alternative fuels. In fact, I know of one approved for use in Texas for the low emission diesel that has proven to be safe and effective at reducing the nitrous oxide emissions in ultra-low sulfur diesel. It has also been shown to cut the nitrous oxide emissions in biodiesel and to eliminate the NO_x bump that some researchers have shown for biodiesel. But we must examine this issue as we move forward to other alternative fuels and additives.

This amendment will ensure that we prevent any emissions problems associated with the new additives early, at the research and development stages, before any additives may get to market.

I think the underlying bill is a good bill, and I thank my friend from Texas for introducing it. I look forward to supporting it again this year. But I think this amendment can improve the bill to ensure that we address any clean air problems, address them at the beginning before they start.

Mr. Chairman, I was to be joined in this debate by the gentleman from New Jersey. Let me just state a couple of his points in the absence of his being here, and I will submit his statement for the RECORD.

He is concerned that in his own State of New Jersey we undergo a constant struggle of clean air issues. This amendment will go far to ensure that any new fuels that are added to our market to decrease our dependence on foreign oil do not have an adverse impact on the quality of air that our citizens are now breathing.

AMENDMENT OFFERED BY MS. ESHOO TO THE AMENDMENT OFFERED BY MR. BURGESS

Ms. ESHOO. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Ms. ESHOO to the amendment offered by Mr. BURGESS:

In lieu of the matter proposed to be inserted on page 4 after line 17, insert the following new paragraph:

(3) strategies to minimize emissions from infrastructure; and

Mr. BURGESS. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. A point of order is reserved.

Ms. ESHOO. Mr. Chairman, first, I strongly support the use of biofuels to diversify our fuel supply and to reduce our dependence on imported oil.

PARLIAMENTARY INQUIRY

Mr. BURGESS. Mr. Chairman, parliamentary inquiry. Mr. Chairman, do we have copies of the amendment?

Ms. ESHOO. It is at the desk.

The CHAIRMAN. The Clerk will distribute copies of the amendment.

Mr. BURGESS. I thank the Chairman.

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Ms. ESHOO. Mr. Chairman, I think what is important to understand in this debate is that there are significant technical obstacles that have to be addressed before biofuels can be widely deployed.

Many Members this morning during this important debate have spoken about the importance of biofuels. This amendment to the amendment actually kind of drills down, as it were, into the specifics and I think strengthens a very good bill.

The bill before us recognizes the specific infrastructure challenges that we are already facing in implementing the Renewable Fuels Standards program which was enacted in the 2005 Energy Policy Act. It anticipates the challenge of the more widespread use of biofuels, which I think most of us are for, by authorizing the EPA to initiate a research and development project to make biofuels more compatible with the existing petroleum storage and distribution system. If there is not distribution in this system, it simply is not going to work.

Now, the reason I am offering this perfecting amendment to Mr. BURGESS' amendment, along with my colleague Mr. CARDOZA, simply requires the EPA, as part of this R&D program, to consider strategies to minimize emissions. I want to repeat this, because these are the two operative words, to minimize emissions that may be released when biofuels are blended, stored, and transported.

We all understand that pollutants contained in gasoline and other motor fuels are released into the atmosphere as a result of combustion, and I think Mr. BURGESS speaks to this, but his amendment is more about combustion. This is about emissions also occurring as the result of evaporation while fuel is held in storage tanks or transferred on and off tanker trucks.

In the case of gasoline containing ethanol, evaporative emissions of certain substances, specifically VOCs, can be greater than they would be from conventional gasoline. In certain regions trying to comply with the Clean Air Act, and I think Mr. BURGESS, certainly Mr. CARDOZA and others are driven by understanding that where they have ground-level ozone, these emissions could be problematic, in fact, increased.

A September 2005 report by the Bureau of Air Management for the State of Wisconsin estimated that evaporative emissions of VOCs of gasoline containing 10 percent ethanol, E-10, held in the fuel distribution system will be 15 percent higher than conventional gas.

In my view, it makes important sense for EPA to not only examine strategies that will reduce these emissions as part of this R&D program, but that it instructs them to do that.

I want to thank Chairman GORDON for his support of this effort, and I would like to yield the remainder of my time to the gentleman from California (Mr. CARDOZA) who is also a part of this amendment.

Mr. CARDOZA. Mr. Chairman, I would like to thank the gentlewoman from California, and while I support my colleague from Texas' effort to address emissions concerns, I cannot support his amendment.

Mr. BURGESS' amendment simply directs the EPA and the Department of Energy to study the effect of increased emissions from biofuels. We need to do more than study this problem; and, in fact, both the California Air Resources Board and the Wisconsin Department of Natural Resources have studies which show increased rates of VOC emissions from ethanol-blended fuels and fuel tanks and pipelines.

We must develop strategies to minimize these emissions from biofuels now so that we can accelerate the use of biofuels nationwide in the future.

The Eshoo-Cardoza amendment does exactly what needs to be done in law to make that possible.

Mr. BURGESS. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. Does the gentleman insist on his reservation?

Mr. BURGESS. Mr. Chairman, it appears the secondary amendment is germane, and I will withdraw the reservation; but I do oppose the amendment and ask for a vote on a clean amendment on my submission.

Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman is recognized for 5 minutes on the Eshoo amendment.

Mr. BURGESS. Mr. Chairman, I will be supportive of the Eshoo amendment if it is offered as a stand-alone amendment, but I do oppose it being offered as a secondary amendment.

I do ask for a consideration of my amendment as a clean amendment. It is stronger. It is more expansive because obviously it addresses the mobile sources, as well as the static sources. that may be a source of emissions.

While Mr. CARDOZA is correct in the issuance of a study, this is a research and development bill; and as such, it is appropriate to study the effects of the emissions of biodiesel and add that concept to the substance of the underlying bill.

Mr. LAMPSON. Mr. Chairman, I move to strike the last word.

I thank everyone for their interest in this particular matter regarding the subject of alternative fuels generally, but I have to support the Eshoo amendment in the nature of a substitute.

The problem of increased nitrogen oxide emissions with biofuels, and biodiesel in particular, relates to the combustion of the fuel in an engine and not to challenges retailers and distributors are encountering in transporting such fuels, and that needs to be the clear focus point here.

For this reason, we actually removed reference to the NO_X emissions in the manager's amendment in the committee markup. So Ms. ESHOO's amendment restricts research and development to evaporative emissions from infrastructure.

Therefore, I would support and ask for support for Ms. ESHOO's amendment to that amendment.

Mr. FERGUSON. Mr. Chairman, I move to strike the last word.

I thank the gentleman from Texas (Mr. BURGESS) and I thank our friends Ms. ESHOO and Mr. LAMPSON for their efforts, and I rise in support of this bill; but I think the bill can be better, and I rise in opposition to the second-degree amendment because I frankly think it would weaken the Burgess-Ferguson amendment that would really strengthen this legislation.

The amendment that Mr. BURGESS and I are offering would help take a significant step forward in advancing fuel technology and helping to secure our Nation's energy independence, but it also is key to stopping a potential environmental problem before it starts.

I have been a champion for renewable energy technologies and new developments in alternative fuels, and I really believe that we have to ensure that these new technologies do not contribute to the ongoing environmental problems that we are facing today.

While the gentlewoman from California has offered an original amendment and has offered a secondary-degree amendment to our amendment, they sound familiar, but they are very different amendments. I believe this second-degree amendment to our amendment would significantly weaken the improvements that our amendment would make to the bill.

I commend her for her commitment to improving this legislation, but our amendment is more comprehensive and frankly just goes one step further. While her amendment would seek to minimize emissions from stationary sources at the end of the process, like at gas pumps, ours would seek to minimize emissions at both mobile and stationary sources. It is more comprehensive, it is a stronger amendment, and it would help to ensure that we are careful to recognize the possible environmental impacts that these fuels have as they move from production to the end product that ends up in your gas tank.

So in my home State of New Jersey, we undergo a constant struggle with clean air issues. Our amendment would go so far as to ensure that any new fuels that are added to our market to decrease our dependence on foreign oil do not have an adverse impact on the quality of the air that our citizens are breathing.

Let me be clear. This is a good bill. I intend to support the bill. I think it can be better. I think it can be better with the Burgess-Ferguson amendment. I think it would be weakened with this Eshoo second-degree amendment.

Mr. TERRY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, as a representative of a farm State, one of the leading ethanol producers in the United States and proud to be part of this new movement of using renewable fuels to lessen our dependence on foreign oil, and I think it is important that we broaden our portfolio of fuels so that we can meet our ultimate goals of energy independence.

Now, there has always been, particularly with two States, California and New York, a traditional, and I have to admit I do not understand the depth or the reason behind those States' bias toward biofuels, but I find it odd as we stand here today trying to promote biofuels to lessen our dependence that we now have a secondary amendment that puts some restrictions on the use of biofuels that will actually slow the promotion of biofuels. I think it is odd the contradictory nature of let us have a biofuels bill, but then let us put in amendments that will eventually slow it.

Make no bones about this, this secondary amendment is an attempt to slow down the process of rolling out biofuels. It is a poison pill to a reasonable approach to the issue, the base bill from BURGESS and FERGUSON.

If you represent a State that is a major player or a player in biofuels production, you will want to vote against this poison pill amendment.

Mr. LAMPSON. Mr. Chairman, I move to strike the last word on the Burgess amendment.

I would first, Mr. Chairman, like to yield to the gentlewoman from California (Ms. ESHOO).

Ms. ESHOO. Mr. Chairman, I thank the gentleman for yielding. I will be brief.

I appreciate what my colleagues on the other side of the aisle are saying. I think it needs to be very, very clear to all the Members of the House who are going to cast a vote on this to understand what the underlying bill seeks to do.

It is an infrastructure bill. It is not a combustion bill. It is an infrastructure bill, and that is why I have offered the amendment to the amendment. It deals with infrastructure. It directs the EPA to minimize. We all want VOCs minimized. It is the way biofuels are going to become effective in our country, and how they are stored and how they are handled is going to give rise to what we are all seeking.

This is a bipartisan effort, and I do not think anyone should get confused about what we are voting on. I wish that as we did our outreach to Mr. BURGESS that they would have been part of the same effort.

So we are all for biofuels. We want to make them effective and, again, remember that this is an infrastructure bill. It is not a combustion-type bill. So I thank the gentleman for giving me time.

Mr. LAMPSON. Mr. Chairman, reclaiming my time, this bill was very narrowly drafted to address a particular issue facing the country's energy infrastructure. This amendment does not fall within that narrow focus of the bill. The program areas which are in this amendment would be better addressed by a stand-alone bill or in some other manner.

The amendment specifically refers to nitrous oxide emissions. Nitrous oxide emissions do not occur from pipelines. This bill is attempting to address the issue of transporting additives or other fuels in a manner that makes it easier and less expensive for retailers to be able to accomplish that task.

I think there are going to be many opportunities for us to discuss the engines and the burning of these fuels within those engines at other times during this year, and I would hope that we would have the support joining us in making it happen.

☐ 1200

Mr. BURGESS. Mr. Chairman, will the gentleman yield?

Mr. LAMPSON. I yield to the gentleman from Texas.

Mr. BURGESS. I am going to assume that the gentleman is not speaking in favor of increased nitrous oxide emissions. But then do I understand, would the intent of the bill be that the truck that is transporting the ethanol to the retailer would not be allowed to burn biofuels?

Mr. LAMPSON. I absolutely support biofuels and have a significant interest in wanting to do so because I believe that it is going to bring a great deal to our economy, our independence and our security. What we are trying to do here is to craft a piece of legislation. Not to not address the things that you are bringing up right now on how engines process this fuel, but on how we can transport it from one place to another so that someone can get access to put it in their engine.

Mr. BURGESS. But under that scenario you would not be able to burn biofuels in that 18-wheeler that was caught carrying the ethanol to the retailer.

Mr. Chairman, it is my understanding that this was a research and development bill, and we keep hearing it referred to as an infrastructure bill. I appreciate that infrastructure will follow from that research and development, but as we are studying this problem, as we are studying it from the origination, whether it be the cornfield or the Fry Oil to Fuel program, we are studying it from its origination to its end point. In my estimation, that end point should be the emissions that are emitted at the fuel pipe.

Mr. LAMPSON. Reclaiming my time, I would just point out to the gentleman that, yes, this is research and development, but it is not research and development on engines and how engines burn fuel, but on pipelines and infrastructure to transport that fuel so they can ultimately be placed into engines. There are going to be many opportunities for us to discuss how emissions come from these fuels.

Mr. TERRY. Mr. Chairman, will the gentleman yield?

Mr. LAMPSON. I yield to the gentleman from Nebraska.

Mr. TERRY. So as I understand this secondary amendment on the infrastructure, would it also apply, then, to tanker trucks that would haul the biofuel to determine if there are any emissions from the evaporation? That is what I understand.

Mr. LAMPSON. Reclaiming my time, only during the evaporative process of that. Not from the engine of that truck, if it is emitting something different from that.

Mr. TERRY. My fear is that because now the secondary amendment will jeopardize the ability to transport ethanol and biofuels from the Midwest because it may evaporate along the way, taking it to a refinery to be blended. That is the danger here.

Mr. LAMPSON. That is precisely what the amendment to the amendment is attempting to address. I think that this is an appropriate process right now. I support the Eshoo replacement and hope that all my colleagues will do the same.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from California (Ms. ESHOO) to the amendment offered by the gentleman from Texas (Mr. BURGESS).

The question was taken; and the Chairman announced that the noes appeared to have it.

Ms. ESHOO. Mr. Chairman, I demand a recorded vote, and pending that, I make a point of order that a quorum is not present.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from California to the amendment offered by the gentleman from Texas will be postponed.

The point of no quorum is considered withdrawn.

AMENDMENT OFFERED BY MR. HASTINGS OF FLORIDA

Mr. HASTINGS of Florida. Mr. Chairman, I have an amendment at the desk.

The Clerk read as follows:

Amendment offered by Mr. HASTINGS of Florida:

Page 3, line 23, insert "The Assistant Administrator is encouraged to utilize Land Grant Institutions, Historically Black Colleges and Universities, Hispanic Serving Institutions, and other minority-serving institutions among other resources to undertake research for this program." after "point of final sale.".

Mr. HASTINGS of Florida. Mr. Chairman, I rise today to offer an amendment to the Advanced Fuels Infrastructure Research and Development Act.

This legislation is an important step in gathering the most current research to implement the vision of fuel independence and energy efficiency set forth by this Congress.

I commend the hard work of my colleague from Tennessee, the chairman of the Science and Technology Committee, Mr. GORDON, who has brought forth this legislation, and the ranking member and I look forward to its passage.

Mr. Chairman, I rise to offer an amendment to this legislation today because I feel that as we move forward with energy reform, it is important to recognize the tremendous contributions to scientific research and academia made by land grant institutions, historically black colleges and universities, Hispanic-serving institutions and other minority-serving institutions.

This amendment specifically recommends that the assistant administrator of the Office of Research and Development of the Environmental Protection Agency utilize the wealth of knowledge currently available at the research-oriented universities throughout our great Nation.

As a graduate of Fisk University and Florida A&M University, I have seen firsthand the outstanding research generated by faculty and students alike. An example of these contributions at Florida A&M is the Environmental Sciences Institute. The institute has consistently partnered with Federal agencies to furnish informative environmental policy research. The research has included 40 publications during the 2005–2006 academic year and the services of Dr. Larry Robinson on the National Research Council.

Fisk University also embodies this important mission in its designations as a core research center for NASA and international recognition as a scientific research institution.

And since we are dealing with energy, I would urge that the president of Fisk University is the former Secretary of the Department of Energy.

The recent development of the Center for Physics and Chemistry of Materials has established an outstanding resource for chemistry studies with the support of the National Science Foundation and the Department of Defense. This center generates over 34 publications a year and holds several patents for application by the United States Air Force.

Mr. Chairman, I am confident that this amendment will emphasize the importance and value of the research conducted by the phenomenal network of Land Grant Institutions and other universities represented by many of us in this great Congress. It is vital that we acknowledge the role of research institutions as community partners in the implementation of congressional mandates.

I urge all of my colleagues to support this commonsense amendment to foster these partnerships for a prosperous future of responsible energy use.

Mr. LAMPSON. Mr. Chairman, I move to strike the last word.

I just wanted to indicate our support for the amendment proposed by Mr. ALCEE HASTINGS. We will support it. We think it is a good amendment.

Mr. PRICE of Georgia. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I have just received a copy of this amendment, but I am somewhat bemused by the amendment. I guess that what the author means is that he is saying that he doesn't believe that the assistant administrator of the Office of Research and Development of the EPA would even consider these institutions.

It would be my belief and understanding that this individual would consider all institutions where there is appropriate research being done that could be helpful. I am somewhat bemused by it. I am tempted to offer an amendment that would have the individual look at institutions in my fair State that are doing wonderful work. In fact, each one of us could offer amendments that would identify particular institutions in our jurisdiction.

Mr. HASTINGS of Florida. Mr. Chairman, will the gentleman yield?

Mr. PRICE of Georgia. I yield to the gentleman from Florida.

Mr. HASTINGS of Florida. The only thing that I am pointing out is the significance of land grant institutions. I think the gentleman makes a valid point, but this doesn't obviate the point that you are making.

Mr. PRICE of Georgia. Reclaiming my time, I appreciate the gentleman's comment. I assume that the gentleman would then believe that all 435 and now 440 of us ought to offer amendments to have the individual at EPA look specifically at the institutions in our jurisdiction. And doesn't that really do a disservice to the process that we are in in having the EPA look at the appropriate institutions that may have the greatest amount of knowledge?

Mr. HASTINGS of Florida. I am amused by your bemusement. At the very same time, I certainly understand the dynamic you have put forward. If you choose to make such an amendment and if 434 other Members and the Delegates choose to do so, I would assume that is their responsibility. I am discharging mine.

Mr. PRICE of Georgia. Reclaiming my time, I appreciate that.

Mr. Chairman, I remain amused and bemused. We all acknowledge the contributions of land grant institutions and historically black colleges and universities. We have those in our good State of Georgia. They make wonderful contributions, absolutely wonderful contributions. I think this amendment, however, points out kind of the folly of what is going on here with this bill.

As you know, Mr. Chairman, this legislation came through last year under suspension, passed by, as I understand it, unanimous vote. I think that we will all support this because it is motherhood and apple pie. But it doesn't add to the appropriate discussion of the real issue here, which is trying to make certain that we have an energy-independent policy for our Nation.

I think that we are just kind of playing on the margins, Mr. Chairman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. HASTINGS).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. PRICE of Georgia. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

AMENDMENT OFFERED BY MR. WELLER OF ILLINOIS

Mr. WELLER of Illinois. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WELLER of Illinois:

Page 4, line 17, strike "and".

Page 4, line 18, redesignate paragraph (3) as paragraph (4).

Page 4, after line 17, insert the following new paragraph:

(3) issues with respect to certification by a nationally recognized testing laboratory of components for fuel dispensing devises that specifically reference compatibility with alcohol blended and other biofuels that contain greater than 15 percent alcohol; and

Mr. WELLER of Illinois. Mr. Chairman, let me begin my commending my friends, Chairman GORDON and Ranking Member HALL, as well as my friend, Mr. LAMPSON, who is managing the bill this morning.

My amendment is pretty basic in what we are trying to achieve. I want to note that the former Speaker of the House, who, as you know, is recovering from surgery and is not able to be with us, is one I have worked with on this amendment. But this is an amendment that deals with infrastructure, as noted by those that are arguing for this bill which we all support. Our focus is infrastructure and research, affecting infrastructure of biofuels.

If we look back to when we passed the Energy Policy Act of 2005 through Congress, we included a renewable fuel standard of 7.5 billion gallons by the year 2010. Due to passage of this increase, which essentially doubled the amount of biofuels established under the renewable fuel standard, we have seen a tremendous amount of growth in investment in the biofuels industry in Illinois, my home State, as well as across America.

Currently, there are 110 ethanol plants in production, with 70 more under construction, producing today 5.2 billion gallons of ethanol as well as biodiesel. Our farmers are seeing $4 a bushel of corn, as well as $7 soybeans because of the increased demand for biofuels.

The President, as well, in seeing the need to reduce our dependence on foreign oil, announced in his State of the Union a call for a renewable and alternative fuel standard of 35 billion gallons by 2017, 10 years from now. In order for the biofuels industry to move forward and achieve these aggressive goals, we need to make sure that an infrastructure exists that can deliver fuel to the consumers.

I am often asked by my constituents, why are there so few E–85 pumps as they travel. Unfortunately, issues have arisen with the E–85 certification by Underwriters Laboratories, which is an independent, not-for-profit, product safety certification organization that tests products and writes standards for safety. UL's worldwide family of companies and network for service providers include 66 laboratory testing and certification facilities serving customers in 104 countries.

UL began work to develop standards for E–85 fuel dispensers in early 2006 at the request for certification for such a dispenser from its primary manufacturer. It was reported in August 2006 that the manufacturer was to get UL approval for their E–85 pump. UL has looked at the application for quite a long period of time. Signals were given that the approval was imminent to the point where the manufacturer issued a press release. Yet in October of 2006, UL has suspended existing authorization on components for E–85 pumps, which they had previously approved over the years, and began and are continuing a stakeholder process to develop new standards for all components in the finished pump.

According to UL, there are no documented reports on any issues, field incidents, safety issues or documented reports related to E–85 components that have been authorized, or the pumps themselves. This process could take at least another year, possibly more, depending on numerous factors.

UL will not give a timeline for completion of the standards. It is possible once these standards are published, manufacturers of E–85 pumps will have to retool their operations to comply.

□ 1215

The impacts of certification issue are already being felt in my district as well as across this country. Even though UL is continuing to engage State and local governments and fire marshals with their findings, suspension of the installation of E–85 tanks has started to occur.

While States like Michigan and Minnesota are allowing continued use with special monitoring, States like Ohio have already prohibited all dispensing of E–85 blended fuels pending UL approval or listing. Big retailers, names we recognize, like Wal-Mart and Valero, which previously had announced their intention to install E–85 pumps nationwide, have suspended the installation of any new pumps pending this certification. This represents thousands of fueling stations across the country.

The bill before us requires the Environmental Protection Agency and the Department of Energy's research and development offices to carry out an R&D program of materials to be added to biofuels to make them more compatible with existing infrastructure.

The amendment I have offered today will require EPA and DOE and recognize the impact to research and recognize the impacts any further additives they recommend through the research program may have on issues with respect to certification by UL for fuel dispensers like E–85 and other biofuel blends like biodiesel.

In the United States there are 110 ethanol plants in production with 70 more under construction producing approximately 5.2 billion gallons. There are over 1,123 E–85 fueling stations around the country today, including on Federal property.

In my district alone, there are six ethanol and biodiesel plants, either announced or are moving forward or planned under construction, and 14 fueling stations offering E–85. Unfortunately, the process of bringing more has stalled.

We in this Congress have made a bipartisan commitment to an energy policy which encourages the development and use of E–85 and other blended biofuels. Exporting America's domestic agricultural resources to achieve energy security, energy independence, providing jobs for America is of utmost importance.

Mr. Chairman, I ask bipartisan support for this legislation. E–85 and other blended biofuels are a key part of our strategy. I look forward to working with my colleague in a bipartisan way. Again I ask for bipartisan support for this amendment.

Mr. LAMPSON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, we like the amendment that Mr. WELLER has proposed and look forward to working with him on this and other things. Thank you very much for your interest. We will indeed support this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. WELLER).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. LAMPSON. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Illinois will be postponed.

AMENDMENT OFFERED BY MR. DENT

Mr. DENT. Mr. Chairman, I have an amendment at the desk and I ask unanimous consent that it be considered at any point in the reading.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. DENT:

Page 2, line 12, insert "including hydrogen" after "biofuels".

Page 3, line 8, strike "and".

Page 3, line 12, strike the period and insert "; and".

Page 3, after line 12, insert the following new paragraph:

(7) fuel distributors and retailers may transform their business by dispensing hydrogen, reformed on site from various feedstocks, or delivered by pipeline or tube trucks, resulting in new storage, handling, and equipment challenges.

Page 4, line 17, strike "and".

Page 4, line 18, redesignate paragraph (3) as paragraph (4).

Page 4, after line 17, insert the following new paragraph:

(3) challenges for design, reforming, storage, handling, and dispensing hydrogen fuel from various feedstocks, including biomass, from neighborhood fueling stations, including codes and standards development necessary beyond that carried out under section 809 of the Energy Policy Act of 2005 (42 U.S.C. 16158); and

Mr. DENT (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. DENT. Mr. Chairman, H.R. 547, the Advanced Fuels Infrastructure Research and Development Act, is an important bill that seeks to facilitate the development of markets for biofuels and ultra-low sulfur diesel fuel. I am pleased that it is being considered on the floor today.

I supported this language last year when it passed as part of the Alternative Energy Research and Development Act. I am a strong supporter of diversifying our Nation's fuel supply. Our dependence on foreign sources of petroleum is a threat to our economy, threat to our national security, and a threat to our environment.

Promoting the development and implementation of clean domestic sources of transportation fuels will advance our energy independence and reduce the detrimental environmental effects of harmful air emissions. Bio-based fuels, such as ethanol and biodiesel, are an important component of a national energy strategy, which maximizes our domestic resources.

I also believe that hydrogen must play a prominent role in an energy policy that relieves our dependence on foreign sources of oil and minimizes the environmental footprint by improving air quality and reducing greenhouse gas emissions.

This bill will direct the development of additives, blendstocks, technologies and methods which mitigate the negative effect of biofuels on infrastructure and make them more compatible with existing infrastructure used to store and deliver petroleum-based fuels to the point of final sale.

My amendment seeks to acknowledge and address the infrastructure challenges that will be presented by the advancement of hydrogen fuel, which can be made from a variety of feedstocks, including biomass. Specifically, my amendment will, one, direct the Secretary of Energy, in consultation with the National Institute of Standards and Technology, NIST, to consider the challenges for design, reforming storage, handling and dispensing hydrogen fuel from various feedstocks, including biomass.

I believe that key to our energy security is a strategy which incorporates the various technologies and alternative fuels that will coexist in the marketplace.

As we address the important infrastructure challenges raised by the promotion of biofuels and ultra-low sulfur diesel, I also believe it is incumbent upon us to start paving the way for the hydrogen economy. These are consistent technologies that are complementary and that promote alternative development.

Mr. LAMPSON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I certainly appreciate the attention the gentleman from Pennsylvania is giving to what is undoubtedly a crucial element of the possible transition to a hydrogen-based economy. But I oppose the amendment because it has no relation to H.R. 547.

This amendment is simply outside the scope of what is a very carefully and narrowly drafted bill to address specific short-term research needs that would allow currently available biofuels such as ethanol and biodiesel and ultra-low sulfur diesel to be distributed in existing pipelines, and use other current liquid fuel distribution technologies. These are all fuels that can be used in a current generation of commercially available automobiles.

The gentleman from Pennsylvania's amendment, in contrast, deals with problems of containing hydrogen, a fuel now derived from natural gas rather than biomass, and distributing it if and when hydrogen vehicles become available.

Hydrogen would require a new distribution infrastructure. So while the amendment uses similar words related to distribution, it is talking about an entirely new generation of distribution technology.

Also, while it is possible that some hydrogen could actually be developed from biomass, it is not today. So the references to hydrogen derived from biomass in the bill are not really related to the research on hydrogen distribution that would be conducted if this amendment became law.

It is also unclear what would be the funding source for the gentleman's amendment since it establishes a program at the Department of Energy while the funding in H.R. 547 all goes to the Environmental Protection Agency. For these reasons I would ask the gentleman to withdraw his amendment.

This amendment does address an important concern. I ask the gentleman to consult with his colleagues in the Hydrogen Caucus about ways to work the intent of this language into hydrogen legislation that the Committee on Science and Technology is likely to consider as it moves on to other energy research legislation later in the Congress.

Mr. HALL of Texas. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I yield to Mr. DENT, the gentleman from Pennsylvania.

Mr. DENT. Mr. Chairman, I do have a great deal of respect for the chairman, but I do respectfully disagree with his contention that this amendment is outside the scope of this legislation.

Clearly the Chair and the Parliamentarian have ruled this amendment germane. And it is germane for a number of reasons. Specifically, biomass is a feedstock, as we know. It can be used in the production of hydrogen. So I am trying to emphasize once again that these are very consistent technologies.

There is $10 million authorized in this legislation. We just seek to take some of that funding for this amendment. We are not asking for additional funding. Again, as you develop an infrastructure for biomass and biodiesel, developing one for hydrogen is just as essential.

I think that this is entirely consistent, well within the scope of the legislation before us and should be supported by all of the Members of this

Chamber. I do have a great deal of respect for the gentleman from Tennessee. I know he is dedicated to alternative fuel development.

But I think we cannot move forward on some aspects of alternative fuels while ignoring hydrogen in a hydrogen-based economy, which is where many of us would like to move at some point in the future.

Mr. DELAHUNT. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I yield to the gentleman from Texas.

Mr. LAMPSON. Mr. Chairman, the funding within the bill goes to the Environmental Protection Agency. And I believe in your amendment, the funding for the research on hydrogen goes to the Department of Energy.

Would the gentleman explain how that is going to be funded?

Mr. DELAHUNT. Mr. Chairman, I yield to the gentleman from Pennsylvania to respond to the query of the gentleman from Texas.

Mr. DENT. Mr. Chairman, the amendment says that the funding is through the EPA with consultation with the Secretary of Energy.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. DENT).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. DENT. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Pennsylvania will be postponed.

Mr. DELAHUNT. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I am pleased to rise today in support of the Advanced Fuels Infrastructure Research and Development Act. Energy policy vitally impacts our Nation's security, the strength of our economy, and the health of our planet.

Today, high gas prices stretch family budgets. Our addiction to Mideast oil threatens our national security. Increased consumption of fossil fuels contributes to global warming. These issues will dominate the 21st century, our future, and America's role in the world. It requires a new energy initiative, and the Advanced Fuels Infrastructure Research and Development Act is a critical component of that effort.

This bill is aimed at improving the Nation's transportation fuel infrastructure, to improve the storage and transportation of biofuels.

□ 1230

It will facilitate affordable delivery of alternative fuels to gas pumps throughout the country. It is just one piece of a large puzzle. But it is an important move towards a sustainable energy future. We need this legislation to address specific technical problems that hinder the storage and distribution of biofuels. Many of the country's gas stations are not equipped to handle large increases in alternative fuels. Ethanol and other biofuels have unique chemical properties that make them incompatible with much of the country's existing fuel infrastructure.

Despite their enormous promise as a cleaner, homegrown fuel source, biofuels can be corrosive to pipelines and tanks, can clog filters and contaminate water and air with volatile emissions. In the past, these technical problems have created a significant barrier to market acceptance of these alternative fuels.

The bottom line is that it would be enormously expensive to modify existing infrastructure to accept ethanol and other alternative fuels. We need a focused, scientific effort to address this problem. H.R. 547 would allocate $10 million in R&D monies on new technologies and methods, including additives, blend stocks, and easier tank reconditioning methods that allow gas station owners to retrofit their infrastructure, significantly reducing costs for businesses and consumers.

It is clear that the United States must take meaningful steps to move away from our dependence on foreign oil. I think we all agree that this is merely a first step. But in order to make alternative fuels financially feasible for American drivers and gas station owners, we need to take some of the small steps like this one today.

I am proud to support this bill. I congratulate my colleagues and urge swift passage.

PARLIAMENTARY INQUIRY

Mr. PRICE of Georgia. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman may state his parliamentary inquiry.

Mr. PRICE of Georgia. Mr. Chairman, we have dealt with on the floor this morning now a second-order amendment. If, when we get to the point of voting, the recorded vote on the second-order amendment, if that vote passes, but it is not decisive, meaning that the Delegates and the Resident Commissioner don't make the difference, is there any way for a Member to get a revote on that second-order amendment once we go into the full House?

The CHAIRMAN. Any Member may demand a separate vote on any amendment adopted in the Committee of the Whole.

Mr. PRICE of Georgia. Mr. Chairman, I have a further parliamentary inquiry.

The CHAIRMAN. The gentleman may state his further parliamentary inquiry.

Mr. PRICE of Georgia. That includes the specific second-order amendment that would have been offered; is that correct?

The CHAIRMAN. Any amendment.

AMENDMENT OFFERED BY MR. ROGERS OF MICHIGAN

Mr. ROGERS of Michigan. Mr. Chairman, I offer an amendment.

Mr. BUTTERFIELD. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. Will the gentleman from Michigan specify which amendment he is calling up?

Mr. BUTTERFIELD. Mr. Chairman, I reserve the point of order against the amendment. I am told by the proponent that he has, actually, two.

The CHAIRMAN. The Chair must ascertain which amendment is before the House.

Mr. ROGERS of Michigan. Just so I understand, Mr. Chairman, have you reserved your point of order?

Mr. BUTTERFIELD. I will at this time reserve a point of order.

The CHAIRMAN. The gentleman has an amendment that is printed in the RECORD, and he has an amendment which is freestanding. We need to determine which amendment he is seeking to offer.

Mr. ROGERS of Michigan. The amendment that is printed in the RECORD, sir, is another section of the bill. This amendment is for section 3, which we are discussing now.

The CHAIRMAN. A point of order is reserved.

The Clerk will report the amendment.

The Clerk read as follows:

Page 4, line 17, strike "and".

Page 4, line 18, redesignate paragraph (3) as paragraph (4).

Page 4, after line 17, insert the following new paragraph:

(3) issues with respect to where in the fuel supply chain additives optimally should be added to fuels; and

Mr. ROGERS of Michigan (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. ROGERS of Michigan. Mr. Speaker, I think this is going to be an improvement to the bill.

This is a good bill. And what this, my amendment, does is deal with the issue of infrastructure. This bill talks about infrastructure. And we have asked the EPA, in this particular bill, to study what additives we add to make the process better when we are talking about moving alternative fuels through the infrastructure. But that sometimes infers that you are either at the point of origin, the refinery, or the point of sale.

But there are lots of places that we may be able to apply additives in the process of making alternatives fuels viable, and what we are asking with this amendment is very simple and noncontroversial. We are saying, when you are studying what additives to put in, you should also include where is the best place to put those in in the long process.

Our fear here is that we get isolated to only looking at a very small section of where those additives ought to go in this system. And one thing that we know, and we have talked about it here, the gentleman and my friend from Massachusetts made a great argument about the retrofitting gas stations and how important the infrastructure is.

Well, if we don't know where these additives go in the system, we, in fact, may be shooting ourselves in the foot here. All it does is take what is existing in this bill and expand it by saying, don't only look at what, but where, those additives can go in the system to make an improvement in our alternative fuels as we march to the future.

Very simple. I would argue it is certainly germane to the bill.

The CHAIRMAN. Does the gentleman from North Carolina insist on his point of order?

Mr. BUTTERFIELD. Mr. Chairman, based on the statements of my friend, I will withdraw my reservation.

Mr. LAMPSON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, we believe this is an acceptable amendment and thank the gentleman for submitting it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. ROGERS).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. PRICE of Georgia. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Michigan will be postponed.

The CHAIRMAN. Is there any further amendment to section 3?

The Clerk will designate section 4.

The text of section 4 is as follows:

SEC. 4. SULFUR TESTING FOR DIESEL FUELS.

(a) PROGRAM.—The Assistant Administrator, in consultation with the National Institute of Standards and Technology, shall carry out a research, development, and demonstration program on portable, low-cost, and accurate methods and technologies for testing of sulfur content in fuel, including Ultra Law Sulfur Diesel and Low Sulfur Diesel.

(b) SCHEDULE OF DEMONSTRATIONS.—Not later than 1 year after the date of enactment of this Act, the Assistant Administrator shall begin demonstrations of technologies under subsection (a).

The CHAIRMAN. Are there any amendments to section 4?

The Clerk will designate section 5.

The text of section 5 is as follows:

SEC. 5. STANDARD REFERENCE MATERIALS AND DATA BASE DEVELOPMENT.

Not later than 6 months after the date of enactment of this Act, the National Institute of Standards and Technology shall develop a physical properties data base and standard reference materials for biofuels. Such data base and standard reference materials shall be maintained and updated as appropriate as additional biofuels become available.

The CHAIRMAN. Are there any amendments to section 5?

The Clerk will designate section 6.

The text of section 6 is as follows:

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Environmental Protection Agency $10,000,000 for carrying out this Act.

AMENDMENT OFFERED BY MR. ROSKAM

Mr. ROSKAM. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROSKAM:

Page 5, lines 18 through 21, amend section 6 to read as follows:

SEC. 6. AUTHORIZATION OF APPROPRIATIONS SUBJECT TO PAY AS YOU GO.

There are authorized to be appropriated to the Environmental Protection Agency $10,000,000 for carrying out this Act, to be derived from amounts otherwise appropriated to the Environmental Protection Agency for energy research, development, and demonstration activities related to fuels or environmental research and development activities related to fuels.

Mr. LAMPSON. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. A point of order is reserved.

Mr. ROSKAM. Mr. Chairman, like so many others who have come to the floor today, I rise in support of the underlying bill, H.R. 547. The underlying measure, without question, is one that is worthy of our support.

All of us, many of us in the course of our journeys to come here, gained the confidence of the electorate by talking about alternative energies and alternative fuel sources. I come from Illinois, which ranks second in corn production and is one of the leading producers of ethanol. In my district, I have over 140,000 residents who are directly employed in manufacturing, and they would greatly benefit from having clean fuels, that is, moving products around.

But as I was evaluating and meeting with my staff to talk about the underlying bill, there was a word that kept popping up in the analysis and that was a key word, new, N-E-W.

I know that in the course of my journey to come here, one of the things that I heard consistently throughout the course of the campaigning was that my constituents, Mr. Chairman, wanted us to live within our means. And so the amendment that I have offered is very, very simple. It directs the EPA that $10 million authorized for these three new programs that don't currently exist, created under the bill, would have to come from funds that are already appropriated. It is the simple measure of pay-as-you-go. You see, we don't get it both ways. We don't get to act as if we are fiscally disciplined, and yet at the first opportunity, not act fiscally disciplined.

My dad has a phrase that he communicated to me over and over and over when I was growing up and that was this. He said, "Life is choices," and I think we have a choice today to make. This is our first opportunity, with this open rule, to amend a new program that we have seen created in the 110th Congress. We didn't have that opportunity in other bills that have come along. But this is our first opportunity.

A $10 million appropriation, Mr. Chairman, or a $10 million authorization, is comparatively small, if you compare it to the overall EPA budget of $7.7 billion. It is less than one-tenth of 1 percent. But my argument is simple: that we need to show the American taxpayers that they can have confidence in us in these comparatively small programs, so that as we move in and continue through this Congress, as new programs are considered, that they are within the context of fiscal discipline.

Mr. Chairman, I offer this amendment today to focus the House's attention on it and to bring the attention of the Nation to it.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. The gentleman may not reserve his time. He either uses his time or yields back.

Mr. ROSKAM. Mr. Chairman, I yield to the gentleman from Missouri (Mr. BLUNT).

The CHAIRMAN. The gentleman may yield to the gentleman from Missouri if he stays on his feet.

Mr. BLUNT. Mr. Chairman, I thank the gentleman for yielding, and I may move to strike the last word as I run through the time here, if I do.

I am grateful to the gentleman for bringing this amendment. I think it is exactly the kind of fiscal responsibility that many of us on both sides of the aisle talked about during our campaigns. It is an important thing to have before the Congress.

We have talked about PAYGO for taxes, but this is really PAYGO for spending. This is trying to reprioritize the spending of the Federal Government, to look at spending we are doing now as the first way to pay for spending we should be doing in the future.

I haven't heard anything in the debate today that doesn't suggest that we need to move forward with the bill that the chairman has brought to the floor, that the committee has brought to the floor, that there is a lot of interest in amending this bill in ways that make it better. But there is no real discussion that the underlying bill doesn't do the kinds of things we need to be looking for as we move toward energy independence.

Millions and billions of dollars, however, are authorized with no real requirement for fiscal discipline. In one of the votes we have taken this year in the early bills, the 6 for '06, the implementation of the 9/11 Commission, when we finally weeks after the vote got the cost estimate of the vote, the cost estimate was an estimate of $30-or-so billion over 5 years. And so we need to be sure that we are doing things that make sense with the people's money.

I think President Reagan, who would have been 96 this week had he lived, said that a government has never voluntarily reduced its size.

One of the ways we can at least maintain the size of the government is, we look at new and worthy things to suggest that the size of the government would not grow just because the needs of the government are changing.

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In this bill we ask for the authorization——

The CHAIRMAN. The gentleman's time has expired.

Mr. BLUNT. Mr. Chairman, I move to strike the last word.

This legislation authorizes $10 billion in spending to the EPA. And, frankly, the EPA spends a lot of money that could be spent in different ways. In the EPA budget last year $47,459,367 was spent in projects in foreign countries. I would suggest, in supporting the gentleman's amendment, that probably you could find $10 million there and, if you couldn't find it there, you could find it somewhere else.

Currently, the EPA has paid for things that establish a coal bed methane clearinghouse in the People's Republic of China or developing or producing a television documentary in China, in Chinese, on mercury pollution or improving environmental monitoring quality and capacity in the Ukraine. They may all be good things, but none of them as important to American taxpayers as the proposal today. This proposal would allow this bill to move forward, but require the EPA to find the $10 million for this new program by evaluating the value to the American people and the American taxpayer of their old program.

I think the money that is there to do this can be found elsewhere. I particularly am grateful to the gentleman from Illinois (Mr. ROSKAM) for bringing this to the floor as one of our first opportunities to talk about PAYGO for spending.

If we are going to do things that meet the new priorities of the country, it is also an opportunity every time to look at the current spending and to reprioritize what the Federal Government has been doing.

Mr. LAMPSON. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. Does the gentleman insist on his reservation of a point of order?

Mr. LAMPSON. I withdraw my reservation, Mr. Chairman.

Mr. LAMPSON. Mr. Chairman, I think the two gentlemen who have spoken on this are making very good points.

The EPA, however, has been an underfunded agency, and to take money from one area that has been appropriated is like robbing Peter to pay Paul. And I will give you a good example.

The Energy Star program. The Energy Star program is an investment that we have made in the future to help consumers, and the money that we spend on the Energy Star program, for every dollar that we put into it, we get about $10 back, a tremendous investment. So it is an area where government can do something positive and save a great deal of money.

What we are trying to do right now is to improve an infrastructure that will give us the ability to have access to cleaner burning fuels, that will give us an access to having a product or products that consumers are demanding, and we do it more safely, more conveniently, and hopefully with less expense.

We believe that the bill as it stands is one that provides for the new dollars necessary to make this project one that could be very appropriate for the citizens of this country. And the bill could save consumers somewhere between $5 billion and $30 billion a year, a total of close to $30 billion on a $10 million investment. That is one heck of a return, and it is the opposite of what I believe the gentleman, Mr. BLUNT, was talking about a few minutes ago that we want to control the size of government. Government doing good works indeed brings us significant returns. This is an area where there will be a significant return, and we think that new dollars need to go into this program.

Mr. ROSKAM. Mr. Chairman, will the gentleman yield?

Mr. LAMPSON. I yield to the gentleman from Illinois.

Mr. ROSKAM. Mr. Chairman, I thank the gentleman for yielding.

It strikes me that everything the gentleman has said is actually consistent with the underlying amendment.

The amendment that is before the House simply says that it needs to make priorities and make those priorities clear. I take the gentleman at face value that the underlying program and the underlying $10 million is worthy of investment. But we don't get to have it both ways, it seems to me.

Mr. LAMPSON. Mr. Chairman, reclaiming my time, the gentleman's amendment says specifically "to be derived from amounts otherwise appropriated to the EPA." To me that means we are going to take money from another project to make this one work. That does not work, in my mind. If we are going to have a new investment that we expect a huge return on, we need to put the money into it and make sure that it is a committed project and we believe it is one that will give us a great return.

Mr. PRICE of Georgia. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I appreciate the comments from the gentleman from Texas. And I guess one of his comments that this bill would save $30 billion on a $10 million investment means that he would support dynamic scoring through CBO, which is something that we have been begging for for a long time.

So I know that you will endeavor to work with us as we move toward dynamic scoring for CBO.

But I find it amusing, distressing actually, that the other side continues to break promise after promise. I read now from "A New Direction for America," which is what the majority party put out prior to the last election, and they said: "Our new direction is committed to pay-as-you-go budgeting, no more deficit spending. We are committed to auditing the books and subjecting every facet of Federal spending to tough budget discipline and accountability, forcing the Congress to choose a new direction and the right priorities for all Americans."

Well, fiscal discipline clearly is not the order of the day today nor is pay-as-you-go. The other side will tell you they have pay-as-you-go; but, in fact, it does not apply to this sort of bill. So it doesn't apply to authorization. So when rules are rules only when you want them to be rules, then they really aren't rules at all. So it really is not pay-as-you-go. It is go and spend, which is the program that the majority party has in place.

This is a great bill. This is a great bill. And I think probably $10 million is an appropriate amount of resources of the American people's hard-earned taxpayer money to spend on this kind of endeavor. However, we are charged with developing the priorities of the Federal Government, and, in fact, I believe this to be a priority. But the majority party is charged, when they bring a bill like this to the floor, to say, well, this is indeed a priority but something else has to go to the bottom of the list, in fact, fall off the list to the tune of $10 million. That is what PAYGO is. You say we are going to spend $10 million on this, but we are not going to spend it on this. Well, in fact, the majority party hasn't done that. What they have said is that we are just going to continue to spend and spend and spend and spend.

Mr. Chairman, that is not responsible. That is not responsible spending. That is not responsible use of the hard-earned taxpayer money. So I would hope that the new majority would, in fact, embrace the policy that they talk about, which is making certain that PAYGO rules are in effect. In fact, the promise was to have PAYGO rules be in effect for everything, for everything that came to the floor. Well, we haven't seen that, and I look forward to that because I think it is the appropriate way for us to budget and for us to spend.

Mr. WESTMORELAND. Mr. Chairman, will the gentleman yield?

Mr. PRICE of Georgia. I would be happy to yield to my good friend from Georgia.

Mr. WESTMORELAND. Mr. Chairman, I would just like to ask the gentleman from Texas if he is saying that the coal bed methane clearinghouse in the People's Republic of China is more important than this and maybe doesn't need to be looked at versus the $10 million for this, or developing and producing a television documentary in China on mercury pollution or improving environmental monitoring capacity in the Ukraine, as Mr. BLUNT mentioned, that those are more important and might not be a way to redirect money.

I heard him make the comment of robbing Peter to pay Paul. I thought that was the MO of the majority party, but I guess Peter has to be rich and Paul has to be poor.

But this is something, and I applaud the gentleman for bringing this up, that if we are going to be good stewards of the money, we have got to prioritize our spending.

Mr. PRICE of Georgia. Mr. Chairman, reclaiming my time, I thank the gentleman for those comments.

And I too want to commend the gentleman from Illinois for bringing this issue forward. All of us, when we were out talking to our constituents running up to the last election, all of us heard that we needed to be responsible with the taxpayers' money. So I applaud him for bringing this bill forward so that we make certain, we make certain, that we prioritize in an appropriate way on something that is as important as this piece of legislation.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. ROSKAM).

The amendment was agreed to.

Mr. KING of Iowa. Mr. Chairman, I move to strike the last word.

First I want to state that I appreciate this open rule and this open dialogue and debate that we have here on the floor of the United States Congress today. It is a healthy process that we are going through, and it is a process that, of course, is designed to perfect legislation or allow that perfect legislation to have an opportunity to be vetted and rise as a perfect piece.

And as I look at this overall proposal to authorize $10 million to develop an additive so that we can put renewable fuels and particularly ethanol down through the pipeline, Mr. Chairman, I can't help but reflect back upon the beginnings of renewable fuels in the United States of America.

As most people know, I represent the Fifth Congressional District of Iowa. And there, of all the 435 congressional districts, we are number two in ethanol production. By the end of this year, we will be number one in ethanol production. We are number one in biodiesel production of all 435 districts. And also with renewable energy, we are today tied for fourth and will this year be tied at least for second and perhaps first in the electrical generation by wind. That puts us, Mr. Chairman, within the grasp of winning the renewable energy triple crown: ethanol, biodiesel, and wind all tied up in one congressional district.

Now, I raise this issue because I have the great privilege of having grown up and having developed my business and my life and my experience in the epicenter of renewable fuels. And that perspective is so utterly valuable, at least for me. And when I go back to Iowa and have the opportunity to visit the Iowa Senate where I formerly served, I am always proud to shake the hand of State Senator Thurman Gaskill of Corwith, Iowa, who pumped that first gallon of ethanol back in 1978. And from that first gallon, we are here today on the floor of the United States Congress talking about a problem of how to transport all of these billions of gallons of ethanol that we are producing. It is a fantastic transformation that we have taken from 1978 to today. It hasn't been without work, it hasn't been without risk, and it hasn't been without its failures along the way. But it is a glorious success.

And I appreciate the gentleman from Illinois coming forward. And here we are, Iowa is the number one ethanol-producing State in the Union as well, and it produces 26 percent of the ethanol in the country. And it is important to know that the United States has surpassed Brazil in overall ethanol production.

So we have an industry here that is growing. We have an infrastructure that is being established and founded, and we are to this point now where we have so much fuel that we are producing. Not nearly enough, I want to add that. We have to find a transportation way to resolve that issue.

I want to point out also, Mr. Chairman, that of these difficulties that we have had in the past, we have put some tax credits in place, and the private sector has been magnificent in finding solutions. For example, the increase in the production of ethanol out of every gallon of corn has come from a lot of industry-driven solutions, and this transportation problem also can come from industry-driven solutions.

So I want to watch this authorization as it moves through. The private sector has been very, very effective. And yet we will be producing more and more ethanol as the years go by and blending it in. And as we move to cellulosic, of course, this becomes more and more important.

One of the difficulties with this bill also, though, is the component of ultra-low sulfur fuels and the burden that it puts on our jobbers, on our fuel distributors, that they will have one truck and they will have to haul a load of low-sulfur fuel and then turn around and load that up and haul a load of ultra-low sulfur fuel.

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As that unfolds, they are going to find themselves in a situation where they will be vulnerable to regulations without any means to determine whether their load actually meets that very tight standard on ultra-low sulfur fuel.

So as this process moves forward, I would remind this body and ask the Department of Energy and the EPA to pay very close attention to finding a way to develop an economic testing system that will allow these jobbers to be in compliance.

So, overall, we have gone by leaps and bounds from that first gallon of ethanol that was pumped back in 1978, and here we are the number one ethanol-producing nation in the world. We have far eclipsed Brazil. Our technology is far ahead of theirs. And this is not just an ability to produce ethanol, but the intellectual property that grows from having done this.

We have the science down and we have the research and development in place and that is growing and multiplying, and as that happens we build more and more expertise. That expertise grows from the epicenter of these renewable fuels out into the regions of the country.

So I would say we will see ethanol flow out to the limits of the corn belt, biodiesel to the limits of the soybean area. We will see the cellulosics fill in the gaps. And we are going to see the markets drive this and tax structure be supportive of it.

I am supportive conceptually of this legislation that is before us, and I thank the gentleman for bringing this legislation.

AMENDMENT OFFERED BY MR. ROGERS OF MICHIGAN

Mr. ROGERS of Michigan. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROGERS of Michigan:

After section 6 insert the following:

SEC. 7. ENERGY SECURITY FUND AND ALTERNATIVE FUEL GRANT PROGRAM.

(a) ESTABLISHMENT OF FUND.—

(1) IN GENERAL.—There is established in the Treasury a fund, to be known as the "Energy Security Fund" (referred to in this section as the "Fund"), consisting of—

(A) amounts transferred to the Fund under paragraph (2); and

(B) amounts credited to the Fund under paragraph (3)(C).

(2) TRANSFERS TO FUND.—For fiscal year 2008 and each fiscal year thereafter, the Secretary of the Treasury, subject to the availability of appropriations, shall transfer to

the Fund an amount determined by the Secretary of the Treasury to be equal to 50 percent of the total amount deposited in the general fund of the Treasury during the preceding fiscal year from fines, penalties, and other funds obtained through enforcement actions conducted pursuant to section 32912 of title 49, United States Code (including funds obtained under consent decrees).

(3) Investment of amounts.—

(A) In general.—The Secretary of the Treasury shall invest in interest-bearing obligations of the United States such portion of the Fund as is not, in the judgment of the Secretary of the Treasury, required to meet current withdrawals.

(B) Sale of obligations.—Any obligation acquired by the Fund may be sold by the Secretary of the Treasury at the market price.

(C) Credits to fund.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Fund shall be credited to, and form a part of, the Fund in accordance with section 9602 of the Internal Revenue Code of 1986.

(4) Use of amounts in fund.—Amounts in the Fund shall be made available to the Secretary of Energy, subject to the availability of appropriations, to carry out the grant program under subsection (b).

(b) Alternative Fuels Grant Program.—

(1) In general.—Not later than 90 days after the date of enactment of this Act, the Secretary of Energy, acting through the Clean Cities Program of the Department of Energy, shall establish and carry out a program under which the Secretary shall provide grants to expand the availability to consumers of alternative fuels (as defined in section 32901(a) of title 49, United States Code).

(2) ELIGIBILTY.—

(A) In general.—Except as provided in subparagraph (B), any entity that is eligible to receive assistance under the Clean Cities Program shall be eligible to receive a grant under this subsection.

(B) Exceptions.—

(i) Certain oil companies.—A large, vertically-integrated oil company shall not be eligible to receive a grant under this subsection.

(ii) Prohibition of dual benefits.—An entity that receives any other Federal funds for the construction or expansion of alternative refueling infrastructure shall not be eligible to receive a grant under this subsection for the construction or expansion of the same alternative refueling infrastructure.

(C) Ensuring compliance.—Not later than 30 days after the date of enactment of this Act, the Secretary of Energy shall promulgate regulations to ensure that, before receiving a grant under this subsection, an eligible entity meets applicable standards relating to the installation, construction, and expansion of infrastructure necessary to increase the availability to consumers of alternative fuels (as defined in section 32901(a) of title 49, United States Code).

(3) Maximum amount.—

(A) Grants.—The amount of a grant provided under this subsection shall not exceed $30,000.

(B) Amount per station.—An eligible entity shall receive not more than $90,000 under this subsection for any station of the eligible entity during a fiscal year.

(4) Use of funds.—

(A) In general.—A grant provided under this subsection shall be used for the construction or expansion of alternative fueling infrastructure.

(B) Administrative expenses.—Not more than 3 percent of the amount of a grant provided under this subsection shall be used for administrative expenses.

Mr. ROGERS of Michigan (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. BUTTERFIELD. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. A point of order is reserved.

Mr. ROGERS of Michigan. Mr. Chairman, I was hoping for an 11th hour reprieve on this issue. We had sent up the call and the white flag to try to get this worked out. Hopefully, maybe in the few minutes I will take to talk about this, you will be moved to tears and be ready to accept the amendment, my friend.

One of the things that we have talked about today, and this is an important issue, is how we move forward on alternative fuels. This bill is important. It outlines some pretty important steps for us to move forward. But this amendment gives us the opportunity to have a concrete action that we can take that will immediately allow us to impact.

You think about my generation: It was going to the moon. The generation after me was the E-economy. This generation is going to be alternative fuels and how they change the course of our consumption of fuel both in our homes and in our cars; how national security, by getting us away from foreign oil, is changed forever, and not soon enough; how it helps our economy, how it helps our environment. All of that is right now. It is not 10 years, it is not 15 years, it is right now.

We have set up a pretty good system for research and development. We now have great amounts of resources going to get us to alternative fuels. We also have a look at the production of it. How do we produce biomass? How do we produce ethanol? What is the next level of cellulosic ethanol?

Then the big problem is the distribution of it. That is the one thing that we are just having a difficult time getting over. It is the one hurdle for an exponential growth in our ability to move to alternative fuels. Be it hydrogen, be it ethanol, be it biomass, all of those things have infrastructure problems.

The one thing that we know we can do is expand the number of ethanol pumps. We have to do it. It must happen. But there is a problem. If you are a small, independent gas station owner, you have to take a huge risk, $30,000 to $60,000 to put in an ethanol pump on an economy of scale that isn't there yet. So we have to kick-start it. This is our opportunity to double the number of ethanol pumps available across the country.

I know we are going to get into some wrangling about germaneness, and about this paragraph doesn't jive with that paragraph, and this committee hasn't had a chance to talk about it, but this committee has. This bill passed by voice vote last year.

Voice vote, we all agreed in a bipartisan way. It went through committee. It had its hearing and moved on to the Senate. Unfortunately, that is where we didn't move it forward. But this is our opportunity to get it done and get it done soon.

My friend from Massachusetts, Mr. Delahunt, talked about the urgency, about how fast we should go forward on this and how important it was that we get away from dependency on foreign oil; and what that means to our national security, our economic security, our environmental security. There are only 34 States where you can even get ethanol at a gas station.

Let us take this bold move now. If we are serious about moving forward, let's just swallow this one and say, this is the right thing to do. We have already had hearings. We have already voted on it in the House. Let's get this thing moving, so we can double the number of ethanol pumps and move forward for the safety and security of the next generation that will change the course of our economy here in the United States.

I ask my friends to reconsider their reservation, and I would urge the support of this amendment. I look forward to working with you on this and other issues in the future.

POINT OF ORDER

Mr. BUTTERFIELD. Mr. Chairman, my friend is eloquent as usual, but he still has an amendment that is not germane, and I continue to pose my objection.

Furthermore, Mr. Chairman, the amendment concerns matters that are not within the jurisdiction of the Committee on Science and Technology.

The CHAIRMAN. Does any other Member wish to be heard on the point of order?

Mr. LAMPSON. Mr. Chairman, I would like to comment on the point of order, Mr. Chairman.

Mr. Chairman, I thank the gentleman from Michigan for his amendment and his dedication to what I clearly believe is an important issue, deploying the necessary infrastructure to carry biofuels. However, I find it necessary to support the point of order that this amendment is nongermane because it is beyond the scope of this very narrow research bill and squarely within the jurisdiction of the Committee on Energy and Commerce because it uses the CAFE program as a funding source and essentially is an expansion of the Clean Cities program that was created under legislation coming from that committee.

While it is complementary to what we are trying to accomplish today and a subject which is potentially worth exploring elsewhere in this Congress, this is not the proper forum for this amendment, and I would oppose it.

The CHAIRMAN. Does any other Member wish to be heard on the point of order?

Mr. BUTTERFIELD. Mr. Chairman, this matter is clearly in the jurisdiction of the Committee on Energy and Commerce, and if the gentleman would be willing to withdraw his amendment, I would say to him on behalf of the committee, we will be glad to work with him in the future.

Mr. ROGERS of Michigan. Mr. Chairman, if the gentleman will yield, I thank the gentleman. I look forward to working with you on the committee. I know you are a member of the Energy and Commerce Committee. I think we can all agree this is an important direction and I look forward to working together.

Mr. Chairman, I would move to withdraw my amendment.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT OFFERED BY MR. BURGESS

Mr. BURGESS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BURGESS:

Page 5, after line 21, insert the following new section:

SEC. 7. ADDITIONAL ISSUES.

Research and development under this Act shall address issues with respect to increased volatile emissions or increased nitrogen oxide emissions.

Mr. LAMPSON. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. A point of order is reserved.

Mr. BURGESS. Mr. Chairman, the amendment under section 7 should be the increased per gallon rate for biodiesel credit.

The CHAIRMAN. Would the gentleman please submit a copy of the amendment to the desk?

Mr. BURGESS. The amendment was submitted and should be at the desk, but we will bring a copy to the Chairman.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. BURGESS:

Add at the end the following new section:

SECTION 7. INCREASE IN PER GALLON RATE FOR BIODIESEL CREDIT.

(a) INCOME TAX CREDIT.—Paragraphs (1)(A) and (2)(A) of section 40A(b) of the Internal Revenue Code of 1986 (defining biodiesel mixture credit and biodiesel credit) are both amended by striking "50 cents" and inserting "$1.00".

(b) EXCISE TAX CREDIT.—Paragraph (2) of section 6426(c) of such Code (relating to biodiesel mixture credit) is amended to read as follows:

"(2) APPLICABLE AMOUNT.—The applicable amount is $1.00.".

(c) CONFORMING AMENDMENTS.—

(1) Section 40A(b) of such Code is amended by striking paragraph (3) and redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively.

(2) Section 40A(d)(3)(C)(ii) of such Code is amended by striking "subsection (b)(5)(B)" and inserting "subsection (b)(4)(B)".

(3) Paragraphs (2) and (3) of section 40A(e) of such Code are both amended by striking "subsection (b)(5)(C)" and inserting "subsection (b)(4)(C)".

(4) Section 40A(f)(2) of such Code is amended to read as follows:

"(2) EXCEPTION.—Subsection(b)(4) shall not apply with respect to renewable diesel.".

(d) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided by paragraph (2), the amendments made by this section shall apply with respect to fuel sold or used in taxable years beginning after the date of the enactment of this Act.

(2) EXCISE TAX.—The amendment made by subsection (b) shall apply with respect to any sale, use, or removal after the date of the enactment of this Act.

Mr. BURGESS (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. LAMPSON. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. A point of order is reserved.

Mr. BURGESS. Mr. Chairman, I won't spend a lot of time expanding on why we need to reduce our reliance on foreign energy. I think it has been well stated this morning. Most of us recognize, just looking at a picture of the leader of Venezuela, what the problem is.

We recognize when we see what is happening in Nigeria and other areas, the Middle East, what the situation is. And our energy position is not sustainable within the United States. So homegrown fuels, such as biodiesel, can help move the United States toward greater energy independence.

Mr. Chairman, as animal feed prices rise because of increased use of corn for ethanol, we need to examine ways to increase alternative fuels without reducing arable land use for farming.

Mr. Chairman, there is a small company back home in my district in Texas, Biodiesel Industries, and they have discovered how to make biodiesel from a variety of feedstock. Yes, they use the usual soybean and sunflower oils, but they also manufacture it from recycled restaurant grease, and we have got an abundance of recyclable restaurant grease in the DFW area.

Biodiesel Industries runs a Fry Oil to Fuel program which recycles used vegetable oils into biodiesel. Over 130 restaurants, schools, businesses and large kitchens in the metroplex have signed up to participate. Small restaurant owners typically have to pay for a grease collection or simply throw it away, but as part of the Fry Oil to Fuel program, both the recycling service and the collection container are provided at no cost.

Large companies, on the other hand, often have contracts with animal feedlots, which could increase the risk of illnesses such as Bovine Spongiform Encephalosis and other animal neurologic diseases. If the grease goes into landfills, it creates methane, which we know is a potent greenhouse gas, much more potent than carbon dioxide. That landfill methane can be captured and used to create electricity, which is what Bioindustries does, but most often this methane is just simply vented into the atmosphere. If the grease goes into feedlots, it creates what we could politely refer to as bovine methane, again, a potent source of greenhouse gasses.

Putting that grease to work as part of our fuel supply helps to increase our energy supply here at home and could actually help to clean up our air.

This is not just happening in my district in north Texas. There are other facilities around the country doing this very same type of biodiesel protection.

The American Jobs Creation Act provided an agri-biodiesel tax credit of $1 per gallon for biodiesel from virgin agricultural production, and 50 cents per gallon for biodiesel from recycled grease through 2006. The Energy Policy Act of 2005 extended these credits through 2008.

My amendment would simply double the tax rate for making biodiesel from recycled restaurant grease from 50 cents to $1 a gallon, making it financially comparable to those from virgin agricultural sources. The text is identical to H.R. 6354, which I introduced at the close of the 109th Congress.

I believe this issue is of paramount importance. We must encourage our citizens and our entrepreneurs to think outside the box in reducing our reliance on foreign energy.

I want to thank my friend and colleague from the State of Texas (Mr. SESSIONS) for his support on this amendment, both in the Rules Committee yesterday as well as speaking so eloquently in support of the rule today.

POINT OF ORDER

Mr. LAMPSON. Mr. Chairman, I would like to comment on my reserved point of order.

I would make the point that this amendment is not germane to the committee's substitute made in order under the rule. It would be more appropriate to have it in the Committee on Ways and Means, because there is a tax provision.

Again, the amendment concerns matters not within the jurisdiction of the Committee on Science and Technology.

I ask for a ruling of the Chair.

The CHAIRMAN. Does any other Member wish to be heard on the point of order?

If not, the Chair is prepared to rule.

The gentleman from Texas (Mr. LAMPSON) makes a point of order that the amendment offered by the gentleman from Texas (Mr. BURGESS) is not germane.

The bill addresses research demonstration and development of certain fuels. Specifically, it addresses biofuel activities, sulfur content of diesel fuels and reference standards for biofuels. The bill was referred to and reported by the Committee on Science and Technology. The amendment seeks to increase a Federal income tax credit, a matter within the jurisdiction of the Committee on Ways and Means.

□ 1315

One of the fundamental principles of germaneness is that the amendment must confine itself to matters within the jurisdiction of the committee with jurisdiction over the underlying bill. The bill is within the sole jurisdiction of the Committee on Science and Technology. The amendment contains matters within the jurisdiction of the Committee on Ways and Means. The amendment is not germane. The point of order is sustained.

AMENDMENT OFFERED BY MR. CANTOR

Mr. CANTOR. Mr. Chairman, I have an amendment at the desk.

The Clerk read as follows:

Amendment offered by Mr. CANTOR:

At the end of the bill, insert the following new section:

SEC. 7. ADDITIONAL FINDING.

The Congress also finds that in order to lessen United States dependence on foreign sources of petroleum, and decrease demand for petroleum in aircraft, such as passenger planes with 42 business class seats capable of transcontinental flights, the Nation must diversify its fuel supply for aircraft to include domestically produced alternative fuels.

Mr. LAMPSON. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. A point of order is reserved.

Mr. BUTTERFIELD. I reserve the right to object as well, Mr. Chairman. We have not seen a copy of the amendment.

The CHAIRMAN. A point of order is reserved.

Mr. CANTOR. Mr. Chairman, today's debate on H.R. 547 ultimately is about finding ways for our Nation to reduce its dependence on petro fuels. I offer this amendment, Mr. Chairman, one in response to an issue that has caught the attention of the American people and is being wildly reported in the press. The subject of this report in the amendment is the request by the office of the Speaker for the use of a luxury jetliner.

Today, the New York Post cleverly questioned the "Airogance," that is A-I-R, of a request to use a $22,000-an-hour taxpayer-funded luxury jetliner to fly the Speaker from coast to coast.

While citing security concerns, a request was made by the Office of the Speaker for a plane that, according to the Air Force, has a game room, a stateroom, entertainment center, bedroom, shower, and seats 42 to 50 people.

Now, Mr. Chairman, I hardly think these amenities help with security, and I personally would describe them at the very least as inappropriate and an unnecessary extravagance.

Again, H.R. 547 is about finding ways to shift our Nation's patterns of fuel consumption. We hear a lot of talk about doing everything we can to achieve energy independence. And there is a lot of talk as well about stopping global warming. In this context, Mr. Chairman, these reports and the underlying request by the Office of the Speaker is an extravagance of power. It is something that, frankly, the taxpayers won't swallow. And I urge the passage of this amendment.

Mr. LAMPSON. Mr. Chairman, I would like to comment on my reserved point of order.

Mr. Chairman, the amendment is not germane to the committee substitute made in order under the rules. The amendment contains a different subject matter than the intent of H.R. 547.

The CHAIRMAN. Is the gentlemen continuing to reserve his point of order?

Mr. LAMPSON. Yes.

The CHAIRMAN. The point of order is reserved.

Mr. HENSARLING. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want to rise today in support of the amendment from the gentleman from Virginia. We are discussing a very important issue that faces all Americans today, and that is making America energy independent.

As part of that goal, as part of that goal we must have energy conservation. Everyday somebody comes to the floor and talks about energy conservation.

There is another aspect to making America energy independent, and that is the aspect of fiscal responsibility. We have a program here today, it may be a very worthy program, but it costs money. How do we pay for it? You cannot be energy independent and support programs represented by the underlying bill unless you have the fiscal responsibility to pay for them. And that is why, Mr. Chairman, recent actions of our Speaker are most curious.

According to CNN, the Speaker's office has now requested that the military provide her with a luxury jet that seats 42 business class seats according to CNN, a fully enclosed stateroom according to CNN, an entertainment center, a private bed, state-of-the-art communications system, and a crew of 16.

Mr. Chairman, if we are going to tell the American people that we are going to be energy independent, you have to lead by example. You have to have a culture that says, yes, we are going to do things to conserve energy.

Now, somebody has brought up the aspect of security. That is a legitimate issue. But how come our previous Speaker, according to CNN, used a smaller jet, consuming far less fuel, that seated 12, not 42, and didn't have the requested fully enclosed stateroom, entertainment center, private bed, state-of-the-art communications center, and a crew of 16? Again, Mr. Chairman, you have to lead by example.

I also noticed recently that our Speaker was critical of the President when it came to the issue of global warming. She was quoted as saying in the Boston Globe: "The signs of global warming and its impact is overwhelming and unequivocal." And in criticizing the President she said: "It is not just about what he says; it is about what he does."

So now we have the Speaker telling us, number one, we are going to have a Congress that is fiscally responsible, and we have the Speaker telling us that we have to be concerned about global climate change and energy conservation. Let's look at the fiscal responsibility aspect of this.

According to the D.C. Examiner, now a flight from the Nation's Capital to her hometown of San Francisco is going to cost $300,000. Now, any one of our constituents can go on line to Expedia.com and make the same trip for $300. Okay, well, again, maybe there is some legitimate security concerns, but do we need the 42 business class seats, a fully enclosed stateroom, an entertainment center, private bed, state-of-the-art communications system, and a crew of 16? How is that leading by example? How is that an example of this Democratic Congress's commitment to fiscal responsibility and energy conservation? I don't think it is.

So why is the Speaker requesting this? Well, according to the Washington Times, it says that she is seeking regular military flights not only for herself and her staff, but also for relatives and for other members of the California delegation. That is according to the Washington Times.

According to CNN, just recently she asked the use of the military plane to attend a retreat in Williamsburg, Virginia, that is a 2-hour drive from Washington, D.C.

Now, this plane that she wants costs $15,000 an hour. How many gallons of fuel is that consuming? How do we come forth to the American people and say let's pass a bill for energy conservation, and then we have this waste? I don't understand it, Mr. Chairman.

And now apparently there is a new wrinkle here. We understand from the San Francisco Chronicle that the gentleman from Pennsylvania (Mr. MURTHA) when asked about this said, and referring to the Pentagon: "I don't need to pressure them. I just tell them what they need to do," in dealing with this request to the military for this luxury plane.

Apparently he was further quoted in CNN, ABC, and the San Francisco Chronicle that "the Pentagon made a mistake in leaking information," quote, "since she decides on the allocations for the Department of Defense."

This is not conservation. It is not fiscal responsibility. Let's support the gentleman's amendment.

The CHAIRMAN. Is the gentleman from Texas continuing to reserve his point of order?

Mr. LAMPSON. I do not.

The CHAIRMAN. The gentleman withdraws his reservation.

Mr. KIRK. Mr. Chairman, I move to strike the last word.

Mr. Chairman, one of the key principles of leadership is to lead by example, and the leader of this House, Speaker PELOSI, has moved us to restrict access to executive jets, as she should have. She has also moved to institute new spending controls for the Congress and for the government, as she should have. And she has moved to reduce our impact on the environment, especially man's effect on climate change, as she should.

I agree with each of these priorities. But the Speaker's staff request to upgrade her military domestic taxi service from a small plane that was offered to Speaker HASTERT for 12 passengers and a crew of five, to a major airliner with 45 passengers and a crew of 16 appears to be extravagant, appears to expand the Congress's excess to executive jets, appears to remove any spending controls from our operations, and dramatically increases our impact on the environment, especially climate change.

Mr. Chairman, it seems to me that a major airliner costing over $10,000 an hour to fly is an extravagance that is beyond the Speaker's status as third in line to succeed the President under our plan in the Constitution and in procedure for the continuity of government.

In fact, the Department of Defense has ruled that since the Speaker has never become the President of the United States in the 220 years of our country's history, that the continuity of government plan does not include providing 24/7 military taxi service within the domestic United States, carrying family, other Members of Congress, staff, and supporters to both political and official events.

Now, we know that jetliners emit a large amount of greenhouse gases, and we know that this aircraft costs millions of dollars, and we know that the Congress has dramatically restricted the access of executive jets to everyone else, but the Speaker.

I might inject a point of common sense here that the Speaker's staff has said that, for security reasons, she must have unlimited access to an aircraft at the 89th Military Airlift Wing like this one.

And I may point out that in my experience of watching public officials move through airports, a figure like Senator OBAMA or Senator MCCAIN attracts a much larger crowd than one for the Speaker. I might think that if we have to offer a military taxi service to the Speaker, we would also have to offer one to the fourth in line for the Presidency, the President pro tempore of the Senate.

How much will this cost? How much in greenhouse gases will it emit? And last and not least, what sort of example does it send as a leader who is advocating all of these other policies that, in the operation of her own staff and her own offices, she is not following those principles?

For that reason, I urge the adoption of the amendment.

Mr. MCHENRY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, our Speaker loves to fly and it shows. Today, we are debating a key provision in this important bill before us, the first open rule of the 110th Congress. We are glad that the majority could get around to it in the second month we are here.

But today it is important that we discuss a revolution in biofuels, an idea that we can look at ways to relieve the burden of global warming.

☐ 1330

We know the Democratic majority is very focused on researching this idea of global warming, the idea that fossil fuels are warming the Earth and that the burning of fossil fuels are warming the Earth.

It is ironic that the highest officer of this body seeks a large jet to fly across country that could seat 42 people, perhaps some of the Speaker's friends and allies and supporters, some here in this body, some, oh, perhaps downtown, large contributors, I am not sure, although that has been denied by the Speaker in the request for those people to fly along, this plane, that are contributors and campaign supporters.

But let us talk today about a few important provisions. After the Speaker made a promise to the American people that they would be the most ethical Congress ever and after including the ban on the use of corporate jets in her lobbying reform bill, Speaker PELOSI asked for carte blanche access to one of the most extravagant and luxurious airliners in the military arsenal. It seats 42 people and has an office. It has a bedroom. Plenty of her cronies could fly along.

But the Speaker decided she, her family, her friends, her staff, her Democratic friends from California deserved to fly in style. This is not a matter of security, Mr. Chairman. It is a matter of, well, whatever is convenient for the Speaker as an individual.

But this is a bullet point to a larger value for this Democrat majority. It is about the Democrats' abuse of power since they have taken office just a short month ago, and it began when this Speaker denied minority rights to Republicans and continued with Tunagate which the Speaker, throwing a sop to her home constituents headquartered in her district, allowed American Samoa to be exempt from the minimum wage bill. Now they are seeking a matter of personal convenience and luxury.

Well, I believe the Speaker deserves security, not luxury; security, not convenience. As the New York Post reported today, the conventional view is that emissions of carbon dioxide, a greenhouse gas, are a major factor in global warming, and the jet PELOSI is demanding produces more than 10,000 pounds of carbon dioxide per hour, far more than the commuter plane the previous Speaker used.

If the Speaker is so concerned about global warming, maybe the Speaker should consider the same mode of transportation her colleagues took to the retreat this past weekend. They took a train.

It is very important that this House debate this important provision that the Speaker's request from the American military, and I think it is important that we discuss in terms of our research that we are trying to put forward on new fuels, new forms of transportation, new modes of powering our economy, and in terms of the global warming debate that is a large issue the American people are concerned about.

Let us talk about this luxury airliner and let us see what my Democrat colleagues say about the Speaker using it.

Mr. KING of Iowa. Mr. Chairman, I move to strike the last word.

I rise in support of the Cantor amendment, and I thank the gentleman from Virginia for bringing this amendment.

As we look at the overall atmosphere that is here, and not just the atmosphere in this Congress, Mr. Chairman, but in the atmosphere up above and on this Earth, and we see the effort that is coming, this strong effort, to address global warming.

Now, I am not one of those strong proponents of those kinds of efforts; I want to make that clear. I do not think the science is there, but I do look at how this Congress has started, how it was going to be the most open Congress in history, and it has now been opened up today, and I appreciate that.

We understand the issue that had to do with minimum wage and the Tunagate issue, and now here we are a judgment issue, a judgment issue of the small plane that Speaker Hastert had was plenty big enough for a very big man and the entourage that he needed to provide his security, and yet now here we have a request for a plane that I see is 42 business class seats, 16 staff people that consumes $300,000 for a round trip.

The statistics that I have are $22,000 an hour, $22,000 an hour. Mr. Chairman, that is more money than many of my constituent families make in a year. Well, let us just say that $22,000 an hour is that amount. Then how many people, how many families does it take to earn enough to pay for a year of this plane flying back and forth from Washington to the west coast every single week? So I use 50 weeks, added the math up, its overall costs by those numbers is $15 million annually for this big plane to bounce back and forth and to be able to load all of the family and the supporters, the staff, perhaps other Members, constituents, who knows who might be on that plane, $15 million.

Now, how hard is it to pay $15 million out of the Federal Treasury? Well, if we took all of the revenue of the income of those families that I reference, Mr. Chairman, those families at $22,000 a year, it would take 682 families to earn enough revenue just to pay to fly the Speaker back and forth so she could be with her family on the weekends in San Francisco.

That lays out what is happening here in my mind, and I take us back to that place near enough to Hollywood that I can reference it. Many of the people in Hollywood that have been flying around on private jets and driving around in big SUVs have been called to task for their positions promoting an effort to stop global warming, but the hypocrisy of riding in those SUVs and flying in private jet planes. Now, the pressure has gotten great enough that I do not know that Hollywood has actually seen the conflict between their public position on policy and their actual practice when they climb in the SUV or get on their private jet.

But the public does know that Prince Charles of Great Britain has recognized the conflict, and he has been flying in private jets for years; but this year, he is taking the step that he is flying commercial, not because he is not a very intense individual that is a high-risk target.

Mr. McHENRY. Mr. Chairman, will the gentleman yield?

Mr. KING of Iowa. I yield to the gentleman from North Carolina.

Mr. McHENRY. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I would invite the Speaker of the House down to this floor to answer these important questions. I think this would be something the body would appreciate. I think that would be a very helpful proposition, if the Speaker of this Chamber comes to the floor to answer these questions.

Mr. KING of Iowa. Mr. Chairman, reclaiming my time, and I thank the gentleman and my statement then would be, I also offer that same invitation.

I would say if it is good enough for Prince Charles, it should be good enough for the imperial Pelosi regime.

Mr. CONAWAY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want to rise in support of my colleague's amendment from Virginia on three points: conservation, fiscal responsibility, and example.

Those of us on our side of the aisle from time to time are criticized, perhaps correctly or incorrectly, on our lack of appreciation of conserving fuels when it comes to driving cars, buses, trains, airplanes. I have had amendments in the past that would seek to try to educate Americans how they can drive their own personal automobiles smarter, in ways to use less gasoline. Not only would that help them in the pocketbook but also help the environment.

This is a clear overreach from a standpoint of conservation because the jets available to the Speaker, she should make the most appropriate selection of that jet to accommodate not only her safety. Clearly, that is an important mission for this to be considered, but also take into consideration the operating characteristics of the airplanes that she wants to fly in.

So the selection of a 757, however it is configured, we have already paid for that configuring and somebody in the Air Force decided that they needed that particular configuration, and I am not questioning that, but the 757 itself is clearly too large an airplane to carry one person, the Speaker, to and from her district.

The fiscal responsibility stands on its face. It does not take a CPA to understand that an operating cost of $22,000 per hour versus the operating cost of a G–5, which is in the $5,000 range, that $17,000 an hour differential is being paid for by somebody.

Well, in my mind, that somebody is a taxpayer in west Texas. That taxpayer is probably working morning tower on a Parker drilling rig or a Patterson UTI drilling rig, going to work at eleven o'clock at night working till seven o'clock the next morning, trying to pay his taxes, in addition to feeding his family and providing for them.

That is who I think is going to pay the $17,000 when I look at the option of the $5,000 G–5 versus the $22,000 757.

The last point I want to make is that of example. All of us are in leadership positions. All 435 Members of this House are leaders in one small way or another. We lead our own offices, and we set the example of the way we conduct ourselves. If I conduct myself one way, my staff, in all likelihood, is going to mimic that. They are going to do what I do and hopefully maybe learn from my example. I think the same thing will happen here.

When the leader of this House, by her example, says money is no object, cost is no object, if for whatever we are trying to do, that is not a consideration to be considered when you look at decisions that have to be made.

Now cost does not drive every single decision; but where I grew up, most of the folks in District 11, that is one of the questions that gets asked whenever we are trying to make a decision, how much is that going to cost, because in our own mind we make a quick cost-benefit analysis between the benefits that we seek versus those costs. If we can get those benefits for a lower cost, then I can assure you most folks in District 11 will opt for the lower cost to get those same benefits.

So the benefits that we want is the Speaker being able to go to and from her district safely with the security folks that she needs to have on the plane. Beyond that I am not sure why we should be flying folks back and forth on this jet; but if there are empty seats in that smaller jet, I do not begrudge any of my Democrat colleagues from California wanting to ride back and forth. That is fine. As I make the stop in Dallas or Houston and wait for the next leg of my flight or I have missed that next leg of flight, I will not begrudge the fact that they are flying nonstop to San Francisco. That is fine.

So safety of the Speaker, clear, that has got to be done, but we also ought to do it in a cost-effective manner. So if she is leading from the top, with her tone from the top being that money is no object, whatever it takes to have something done that she wants done, that needs to be done, we are not going to consider costs, then I think that will percolate throughout her staff and the Democrat side of this institution, and the fiscal responsibility that they laid claim to throughout the campaign last year and they are trying to lay claim to in this Congress I think is called into question.

So I support my colleague's amendment and urge a vote "yes" in favor of it.

Mr. WESTMORELAND. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of the Cantor amendment. We all had campaigns this last November, and my opponent kept calling the 109th Congress the do-nothing Congress, and I want to officially name the 110th Congress as the smoke-and-mirror Congress.

We have consistently heard from the other side about the minimum wage and the average American. We have heard about global warming. In fact, I think the Speaker even testified today on global warming, and yet we see the abuse of power that is going on here in the fact that we have not been through regular order on a lot of the bills that have passed here, especially in the first 100-hour program.

We were going to have a 5-day work week which I am not sure that we have had one yet. We are going to be productive in the fact that we are flying up here and all Members, all 435 Members in this body have to fly back up here on Mondays to vote on naming a post office or wishing somebody a happy birthday, rather than being at home with our constituents and our families.

Now, I have learned something else today or over the last couple of days that evidently the 757 is the smallest aircraft we have that can haul one person. It seems to be that the military would have some sort of other plane that could haul one person to California that would be more fuel efficient, take less than a 16-person crew and cost less than $22,000 an hour.

I am very fortunate in I live in Georgia and I live about 45 minutes from the world's busiest airport in Atlanta, and so I can actually leave Reagan and get home in about a 3-hour period of time. I am very fortunate.

But I have flown home with many Members, my fellow Members in this House, some of them are going to Atlanta to fly on to Oklahoma or on to Texas, even had one colleague that was going on to California, having to stop in Atlanta. We are not all fortunate to have nonstop flights to our district.

I fly many times with Mr. MILLER from Florida or Mr. ROSS from Arkansas or others that have to make stops and have to make transfers of planes, that have to sit in middle seats.

□ 1345

We don't get to eat chocolate. We can have our choice of some crackers or peanuts. We don't have a crew of 16 at our disposal.

So as we sit in those middle seats because of the last-minute time that we have to catch a flight, many of us might think that, you know, we need someone to lead us by example. So I would call on the Speaker to lead by example, to put some meaning into the things that I have heard being said from the other side of the House.

You know, I keep hearing the word "bipartisan," I see people's lips moving. I hear these words coming out of their mouths. I just haven't seen any action on it.

I keep hearing the word "conservation." I hear the word, I see the lips moving, but I don't know if this is a good example of being a conservationist with our fuel and with our air quality.

I keep hearing "being compassionate," haven't seen it. So there are a lot of things that I think can be done by a leader by setting an example.

Mr. Chairman, in closing, I would just like to ask that somebody step up to the plate and lead by example.

Mr. GORDON of Tennessee. Mr. Chairman, I move to strike the last word.

The gentleman from Georgia has been talking about examples. Well, let me give you an example, we just heard about whining, whining about chocolate and whining about tobacco. Here we are trying to give you an example about leading, about doing something about this country's very, very, very major problem with global warming and with alternative energy and energy dependency.

Let me tell you what, I have just been through 3 hours of a hearing, 3 hours, where representatives of the IPCC, which represents 113 nations including the United States, came before us and said after 5 years of study, 30,000 comments, 600 scientists; they made a recommendation, and that recommendation was that with 100 percent certainty, there is global warming, and with 90 percent certainty, human action is making it worse.

Today, our example is trying to do something about that. Today, we have the first bill on this floor to deal with alternative energy, to deal with making our Nation energy independent. So this is an example of us trying to move forward.

It is a bipartisan bill, and I might remind the gentleman that when, after 9/11, when Speaker HASTERT was the first to be given transportation for security reasons, I don't think anybody over there complained. I don't think anybody over here complained.

When the President of the United States, George Bush, said that it is a matter of security, we didn't hear anybody complain; when the Department of Defense has also given a ruling on this, that again what is available will be available for the person who is the second-ranking person to be President of the United States.

Now, if Speaker PELOSI is going to be attacked here on this floor for eating chocolate or anything else, you can imagine what more serious people might be doing. So, yes, this is an example today. We have an example of, if we want to, on a bipartisan basis do something about global warming.

Let me tell you, we talk about 10 years from now, maybe. Or is it 20 years? Sometimes you can say, well, to have a serious problem with global warming, it might be 30 years or 50 years. Well, that is not hypothetical. I have a 5-year-old daughter. Some of you probably have young children or young grandchildren. If any of them were born in this century, in all likelihood, they are going to live till the end of this century. They are going to inherit a much different world.

So this is real. So I think now the time is to lead by example. Let us do something about this. We have a good bill on the floor. This is our example. You can have whatever example you want.

Mrs. BLACKBURN. Mr. Chairman, I move to strike the last word.

I rise to support the amendment of the gentleman from Virginia. I do rise on the point of conservation and pointing out some conservation. You know, it is amazing to me to hear all of this talk that we have about global warming. But you know what, the debate that we are having here just points out, Mr. Chairman, there is a difference between conservationists and environmentalists, and this is one of the debates that points this out. Conservationists walk the walk. Environmentalists talk about it, but they do not walk the walk.

You know, I remember, I appreciate so much the gentleman from Tennessee's comments about global warming and the threat that is there. Well, you know what? I am old enough to remember having been in high school in the 1960s, and I remember in the early 1970s, going into college where we were all going to freeze to death.

We were going to freeze to death. It was on the cover of every magazine out there. We had an Ice Age that was coming. I was scared to death. I thought, my goodness, I will never be able to have children, watch them grow up, because we are going to be living in igloos.

Well, but you know what? It did not happen, and now we find out, guess what, 100 years ago, they thought they had a warming cycle; or they did, they documented it. Then we find out that the rises and falls in temperatures of this great Earth are cyclical. It is there, and, yes, it is rising a little bit right there. But in 1969 and 1970 and 1971, the Ice Age was coming, and there was scientific proof.

You know, at Energy and Commerce Committee last year, we had some great hearings. We talked about the fallacy of the hockey stick theory. We discussed that. We heard testimony, and we can have all of our community of scientists who are trying to serve the purpose of validating one another's theories, but not wanting to go back and use the evidence from 100 years ago, and it just proves the point, as is often said on this floor, you are entitled to your opinion, but you are not entitled to a different set of facts, and that is the truth.

You know, it is of tremendous concern, on a day when we are talking about the environment, that we do have an example being brought forth that would be spending, not only $22,000 an hour, but would be spending a lot in emissions, in gases. This is something that does deserve to be discussed, Mr. Chairman.

I tell you what, we have named this, we have talked about this being the hold-on-to-your-wallet Congress, and for every hour that our friends across the aisle are in charge, they are racking up, not thousands and millions, but moving to billions. Hold on to your wallet because of what they are choosing to spend the taxpayers' hard-earned money on.

It is of great concern to me, when I read reports that are coming out of all sorts of papers and news organizations about how this is coming to be, people returning to smoke-filled rooms, picking up the phones, calling, saying, this is the way it ought to be done.

Mr. Chairman, it is of great concern to me, I think for those of us who are conservationists, who want to be certain that we leave this Earth a better place than we found it. We are wise to stand and to question the bill and to support the amendment of the gentleman from Virginia.

Ms. FOXX. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want to identify a little bit with my colleague from Georgia who was here talking about this being the smoke-and-mirrors Congress. There are so many things being talked about that aren't true. Today, I was speaking with one of my constituents at home from Wilkes County, Angela Henley. The issue of airplanes came up, and she said to me, you know, I think the officials should adopt the principle to lead by example and not by extravagance. I said, you know, these are the kinds of things, this is the reason we ought to be going home more instead of spending all this time we are spending in Washington.

The majority party wants people to believe that you have got to be in Washington, because that is where all the wisdom of the world is. But I think it is this Beltway mentality that gets us in trouble all the time, and gets people to thinking that we as Members of Congress are here to be served, not to serve.

I said here this morning in opening remarks that I am very troubled by this whole affair. I came here to serve the people of the Fifth District of North Carolina. I don't think that we are supposed to be treated like kings and queens.

We came here to do the work of the people. It is called the people's House, and I think it is very important that we do that.

What is happening is, the mentality of the majority party is that all the wisdom of the world is in Washington, D.C., the only work that gets done is in Washington, D.C. We should be here 5 days a week, not be in our district with the average American citizen.

Well, you lose track of what the average American citizen is dealing with. That is why I thought Angela Henley's comments were so brilliant today when I talked to her.

Again, elected officials should adopt the principle to lead by example and not by extravagance. That is the message that needs to be sent. That is not the message that is being sent by the majority party and by the Speaker in her example.

What we need to be doing is we need to make sure we are doing what is right by the American people and not putting additional burdens on them by adding costs.

The other thing I want to mention is, there has been a lot made about the fact that the Department of Defense has approved this. This was a headline in yesterday's paper saying the appropriators are going to get out of the departments what they want by twisting the arms of the various departments and agencies. And we all know that there is a close relationship between some of the appropriators and the Speaker, and I have no doubt that the appropriators are going to get from the departments what it is they want from them, to justify anything at all that they want to justify whether it is extravagant or not.

Mr. WILSON of Ohio. Mr. Chairman, I move to strike the last word, and I yield to the gentleman from Tennessee.

Mr. GORDON of Tennessee. Interesting, Mr. Chairman, the report of this amendment has reached the White House. I would like to report to you the official statement from the White House just given by Tony Snow.

Quoting Mr. Snow, "This is a silly story. I think it's been unfair to the Speaker. What happened in the wake of September 11 is the Department of Defense in order to protect the Speaker began offering aircraft to the Speaker of the House of Representatives, did it with Representative Hastert, doing so with Speaker Pelosi.

"We think it's important that the Speaker of the House enjoy the same kind of security that we arranged for Speaker Hastert in the wake of September 11. And like I said, I think that there's been a lot of overhyped reporting on this."

I certainly concur with Mr. Snow. This is a silly story. We have a chance to get on to serious business. To put this to rest, as the author of this bill, and as the chairman of the Science Committee from which it came, we want to accept this amendment and allow this country then to get on to the serious business of trying to do something about alternative fuels.

Mr. McHENRY. Mr. Chairman, will the gentleman yield?

Mr. WILSON of Ohio. I yield to the gentleman from North Carolina.

Mr. McHENRY. Thank you so much, I appreciate the gentleman yielding.

The question is, if we want to combat global warming, why should we, as an institution, allow one person to use a 737 for a $300,000 transcontinental flight? That is the question I pose to the Science Committee, Mr. Chairman.

□ 1400

Mr. WILSON of Ohio. Mr. Chairman, I reclaim my time and give it to the gentleman from Tennessee.

Mr. GORDON of Tennessee. Thank you for that commentary, and I think the White House has given you the answer. If you would like for me to read it to you again. As I heard BARNEY FRANK say here one time, I can read it to you, but I can't understand it for you. But I would be happy to read it to you again:

"This is a silly story, and I think it's been unfair to the Speaker. What happened in the wake of September 11 is that the Department of Defense, in order to protect the Speaker, began offering aircraft to the Speaker of the House of Representatives; did it with Representative Hastert, doing so with Speaker Pelosi. We think it's important that the Speaker of the House enjoy the same kind of security that we arranged for Speaker Hastert in the wake of September 11. And, like I said, there has been a lot of overhype in reporting this story."

Mr. FRANK of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. WILSON of Ohio. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. I appreciate the gentleman mentioning me. I just want to explain, I hadn't really expected to be here, but as I was walking by, I thought I heard someone yelling, The plane, boss, the plane, and I wanted to come in and see what was happening.

Mr. TERRY. Mr. Chairman, I move to strike the last word.

The gentleman from Massachusetts is really one of my heroes on the floor, and I really appreciate and respect his sense of humor.

With that, the silliness in this that I see is the silliness when about a year ago, during the height of the energy crunch, a member of the Kennedy clan, who was not a Member of Congress, flew to New York on his private jet to talk about conservation of energy and global warming. It reminds me of the silliness of those who ride in limousines to and from their dinner engagements while whining about mothers using SUVs to drive. That is the type of silliness that I see in this debate. It isn't just about having a plane for security, it is the opulence of the plane that is at discussion.

But I have got to tell you, I see something deeper in this than the type of plane, and that is comments published in the San Francisco Chronicle, made by the subcommittee chairman of Appropriations on Defense such as: "Don't need to put pressure on them, just tell them what they need to do." This gentleman is the one that has been bidding for our Speaker on what type of plane.

Then when this became a story, mentioned also, I guess, with some sort of pride that was also quoted in many newspapers, CNN, San Francisco Chronicle, reminding the Defense Department that it is them that will make the decisions on appropriations, leaving the insinuation that if the correct plane is not given to the Speaker, that they will cut the Defense Department.

Now, I see the gentleman from Pennsylvania is in our Chamber, and I would yield to the gentleman from Pennsylvania to explain which part of the defense budget he intends to cut or not appropriate if she does not get this specific plane that she wants.

I yield to the gentleman from Pennsylvania.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The gentleman will direct his comments to the Chair.

Mr. TERRY. I am sorry. I yielded to the gentleman from Pennsylvania. My remarks are to the Chair. I am yielding to the gentleman from Pennsylvania to answer the colloquy that I put forward to him.

I see the gentleman is not moving.

Mr. GINGREY. Mr. Chairman, I move to strike the last word.

PARLIAMENTARY INQUIRY

Mr. GENE GREEN of Texas. Mr. Chairman, isn't it customary that after a minority speaker speaks, then you go to the majority side?

The CHAIRMAN. The Chair did not see the gentleman.

Mr. GENE GREEN of Texas. Thank you, Mr. Chairman.

Members, I have sat in my office and got caught up on a lot of work and I was listening to the debate, and I guess I am concerned about the tenor of the debate because I am serving in this Congress and I am in my eighth term, one term in the majority, the last 12 years in the minority, and I have never seen a display of what we are seeing on the floor today.

Because I served with Speaker HASTERT and many speakers, and it is frustrating to see this activity. My concern is what we are portraying to the American people. And I think the chairman of the Science Committee pointed out the White House statement on the use of the plane.

I was here on the floor after 9/11, and I know that not one Member on the Democratic side questioned whether Speaker HASTERT needed the security, needed a nonstop to his district. And I think that is far beyond anything we should be considering.

I want to save energy, although I have to admit, I have a district where we produce a lot, and I am glad people use it. But I also know that we have more important things in this House to do than to pick at one person who happens to be the Speaker of the House. I could go back and find lots of things from former Speakers of the minority party and talk about it, but again, we didn't do that. I didn't, and I don't remember any of my colleagues doing it. But I also know that if we are going to seriously be legislators, then we need to pass this bill.

I was concerned with some of the amendments that were brought up earlier literally by members of my Energy and Commerce Committee that were not germane because their amendments would have been germane if this had been an Energy and Commerce bill, but it is not. It is a Science bill. That is why I think if we are serious about dealing with global warming, more efficiency in fuel, there are lots of ways we can do it. I know the Science Committee is doing their job, and I know the Energy and Commerce Committee will; and if there are tax issues that need to be dealt with, I know the Ways and Means Committee will deal with it.

Mr. Chairman and Members, I would hope we would realize that the actions today do not reflect good on the House itself..

Mr. GINGREY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to support the amendment offered by the gentleman from Virginia (Mr. CANTOR) to H.R. 547. I also rise to support H.R. 547, Advanced Fuels Infrastructure Research and Development Act. It is a good bill. And I am on the Science Committee, and it did pass by unanimous consent.

Mr. Chairman, I was also at the hearing this morning that lasted 3 hours on the Science Committee with my chairman, the gentleman from Tennessee. And we were honored to have the Speaker of the House of Representatives testify before that committee. Well, this is a historic opportunity. She was received with a great deal of respect and certainly respect by me.

She testified; I don't disagree with any of her testimony. She talked about global warming and the concern that she has for our young children and the environmental debt that has to be paid at some point in the future. Unfortunately, her schedule did not permit time to take questions, maybe a couple, from the Members of the Science Committee. Maybe one question that should have been asked if we had that opportunity is how about the economic debt that we would have to pay if we do something draconian when all these other countries, especially countries like China and India, are totally ignoring it, and they are going to continue to pollute the environment.

This amendment, Mr. Chairman, that the gentleman from Virginia brings is about the concern with continuing to produce carbon dioxide, and yes, polluting the environment, and jet fuel is a big problem, a big contributor to that. I commend the chairman for accepting the amendment, and I think we should do that unanimously. Maybe the Speaker would like to come down on the floor and take as much time as she would like and talk about her support for this. But the Speaker has made a mistake in requesting a jet plane far beyond what the previous Speaker had.

I don't disagree that she should have the same security as the previous Speaker; we are not arguing that point. Mistakes can be made like Tunagate; the Speaker may not have known about that. And she was smart enough to call a press conference and say we are going to correct that, she should be smart enough to hold a press conference and correct this.

Mr. WEINER. I move to strike the last word.

Mr. Chairman, this can't possibly be the best they have got. This can't be. I cannot imagine that a party that governed for the last 12-some-odd years, who had a Congress that met less days than the do-nothing Congress, who wasted billions of dollars in the Iraq war doing no oversight, drove up the deficit to record heights, wasted homeland security funds, it can't possibly be that the best that party has is to now devote an afternoon talking about the security arrangements for the Speaker of the United States House of Representatives.

Well, let's talk a little bit about what we have. Putting aside for a moment, which apparently is what the other side wants, putting aside for a moment the bill we are here to debate, which is a way to improve energy programs with existing infrastructure, and I can guarantee my colleagues will be lining up to take advantage of that program, we have, in the first 100 hours of this Congress, raised the minimum wage; we have lowered the cost of people to send their children to college; we have implemented the 9/11 Commission Report. We have moved through an agenda with efficiency to get things done for the American people, and now my colleagues on the other side want to have an argument with the White House over the appropriate arrangements for the Speaker.

Now, look, I am sure that my good friends on the other side are so detached from reality that they think this is what the American people want to work on. This is a party that squandered the leadership that they had. Now the Republic Party is in the minority for the foreseeable future. The Republic Party is so completely bankrupt of any ideas of their own, they have taken to bringing up 3 hours of discussion and a debate between the White House and themselves about what kind of security the Speaker should have.

The Republic Party is the minority party not only for this reason, but this is one of them. And then to make it worse, the Members that the Republic Party sends over can't possibly be the A team. This can't be the best. This can't be the most articulate, most informed voices of the Republic Party, can it? This is it.

I was in my office and I heard a Member of the Republic Party, and you will correct me, Mr. Chairman, if I am wrong, complaining that he had to sit in a middle seat. No, not a middle seat. Complaining that he had to eat peanuts on his flight. I don't even know what this is about.

Let me tell you what the American people are interested in. They are interested in the idea that, like Damocles' sword, global warming is now hanging over the head of all of us, all of us, Republican or Democratic, even the Republic Party must be concerned about that. We have had thousands of scientists that have reached a consensus——

Mr. McHENRY. Will the gentleman yield?

Mr. WEINER. I will certainly be glad to yield.

Mr. McHENRY. I thank the Congressman from New York for yielding, but don't you think a jet that is a 757 and can seat 42 people, flying one person is contributing to global warming?

Mr. WEINER. Reclaiming my time, even those members of this panel, these scientists that took a look at global warming, global climate change, 90 percent of them, a record level of consensus, say that human causes are to blame.

We are not going to leave it to the Republic Party to solve this problem. They are in the minority. They are probably in the permanent minority if they are going to spend their time obsessing about security arrangements for the Speaker and disagreeing with the President of the United States' spokesman. But we are. NANCY PELOSI, this party is going to do something about global warming; we are not going to wait for the Republic Party to join in. Just the same way we said we were going to increase the minimum wage, the same way we said we were going to increase safety by implementing the 9/11 Commission Report, the same way we said we were going to reduce college costs for the American middle class and those striving to make it, that is what we are going to do.

You can have this debate all you want about the security arrangements for the Speaker, but we are going to go about doing the job of the American people. That is why the Democratic Party is in charge, not the Republic Party.

Mr. GOHMERT. Mr. Chairman, I move to strike the last word.

It is always interesting hearing from my friend from New York.

You know, we are about solutions, we try to be about solutions; that is what this body ought to be about. And I would humbly submit that if we were to set up windmills surrounding the Capitol, I believe there is enough hot air that comes out of this place that we could offset all the losses of energy from an extravagant plane that flies from here to California with lots of passengers and a gym or whatever all it has got on there; but I would actually like to talk about the bill that the amendment is addressing and come back to the amendment for a moment.

□ 1415

But I come from a district there in east Texas that is blessed with an abundance of natural resources. And not only do we have oil and gas, we have got coal, and we have some something that is so often overlooked called biomass. Some folks don't know what that is, but it can take all kinds of forms, and one of those forms is the pine tree. You cut down the pine tree, you take the center of it, use it for paper, pulp, plywood, all of these other things. And then there is all this waste that can generate energy.

But the use of biomass is a source of energy, it is necessary for domestic industry purposes and actually is being used in our timber and paper industries to defray rapidly increasing overhead costs.

Presently, the uncertainty of energy supplies and prices make it impossible for domestic industry to efficiently forecast operating costs or make credible plans for future capital expenditures. For example, the forest products industry is partially self-sufficient because they use some of the biomass to provide energy to produce what they do. The biomass fuels can include bark, scrap wood, wood residuals, wood extractives from the pulping process.

So necessary to maintain a manufacturing base in this country that will sustain a driving economy is the energy produced by biomass, and I think that can play a vital role.

It is not enough simply to have a source of energy. It is also necessary to have a means to deliver it. So we have also got to improve our ability to deliver a wide array of energy resources to consumers by addressing the infrastructures. This bill doesn't really address any of those. It is kind of a feel-good bill. Anything can help a little bit.

But in conclusion, I just submit, look, if we all pitch in a little bit, districts like mine that have energy, if you allow us to use CO_2, maybe pump it in the ground, get the last bit of oil up, use biomass, convert it into energy, if we keep doing those sorts of things using alternative energy, I think eventually we can pay for all the waste and extravagance that we are already seeing coming from the Speaker's request.

Mr. ROHRABACHER. Mr. Chairman, I move to strike the last word.

I rise to support this amendment. However, I will admit that it is rather more symbolic than substantive. And earlier this morning, Speaker PELOSI spoke before the Science Committee, as we have been reminded here during this debate. And during that testimony she declared her commitment to combat global warming. And that is a high priority.

Well, it is not then irrelevant for Members of Congress to call into question the seriousness of such public proclamations when personal choices are so extravagantly contradictory to those proclamations.

I am sorry. Speaker PELOSI, by commandeering a huge government plane for her personal transport to California, this is totally contradictory to the alarm bells that we heard her ringing in the Science Committee, just a few hours ago.

And just for one, let me note that I certainly appreciate that Speaker PELOSI came to speak to us. And I certainly respect BART GORDON and the job that he did in putting together a very fine panel of witnesses for us. But I am personally a skeptic about global warming.

And let me just note that what we have here, after listening to the witnesses today, is the clear evidence that global warming and cooling have taken place in cycles throughout the history of the world. Right now, we are being told that this particular cycle is caused by human beings and how dangerous that is.

Well, let me note that even the witnesses today, the very witness that was showing how we can prove the Earth is warming on the chart, started his chart in 1850, which happened to be, by his own admission, the very end of a cooling period that had been going on for 500 years. So you start at the very low point and then you go to today and claim, oh, it is getting warmer. So what? You started at a low point.

Now, there is consensus that there is some warming going on, 1 degree over the last 30 years, supposedly. In reality, it is 1 degree over 100 years. And, yes, this is happening, but is it caused by human action? Even after hearing the witnesses today, I can't tell you that I don't believe, I still do not believe this is caused by human activity.

Now, why is this so important that we discuss this? Why is it important that we reject this alarmism? Because we are all now committed to an energy-independent America, and we are going to have to focus our energies and resources on developing new alternative sources of energy and technology that will make us independent of foreign oil.

And if we are alarmed by global warming and we are stampeded into focusing our efforts on something that is going to change a climate trend, instead of, for example, focusing on energy that will help clean the air at the same time, while making us independent, we are going to be making some bad decisions.

And who will be impacted by those decisions if we are stampeded by all of this alarmism about global warming? The people who will be better off are the researchers who have been getting grants by the billions of dollars over these years in order to claim that there is global warming. And I might add, there is plenty of evidence that researchers who are opposed to the global warming theory have been cut off from research grants.

But who will be worse off? My children will be worse off. Your children and grandchildren will be worse off because we have not developed the technology aimed at cleaning the air and making us energy independent. Rather, we will have been stampeded into spending more money on useless research and money aimed at changing the climate trend of the planet, rather than on the health of the people of this planet. It makes no sense whatsoever.

If we are committed to energy independence, let's be serious about it. Conservation is part of the answer. And if Speaker PELOSI is serious, she should be serving as an example and not be doing things like commandeering a huge aircraft, which is enormously wasteful, to take her all the way to California.

And although this is symbolic, I think there is some substance here that does deserve to be commented on, so I am supporting this amendment.

Ms. SHEA-PORTER. Mr. Chairman, I move to strike the last comment.

Mr. Chairman, I am deeply concerned by what I am hearing on the opposite side. And I understand fully the frustration of the American people, having listened to the leadership of this party for so many years distracting Americans from the real issues confronting us. And to hear them attack NANCY PELOSI, the Speaker of the House for using a private airplane to take her back and forth to California, and of that size, is just outrageous.

The truth of the matter is that this is the party that completely blocked the 9/11 recommendations that were so critical to the security of this Nation. This is the party that refused to make sure that all the cargo inside the belly of airplanes is inspected. And now, when we have the Speaker of the House, who is rightly concerned about security, using a plane to protect her, and it is absolutely critical that we have this, now they are standing up to speak about this.

I am also deeply concerned about the claim that we are not being effective on global warming, because the American people understand this. They have seen the data. They understand it. They want us to move forward in a bipartisan manner. And they want us to stop bickering.

And so I plead to all of us to stop the bickering. Let's move on with the legislation.

Mr. WEINER. Mr. Chairman, will the gentlewoman yield?

Ms. SHEA-PORTER. I yield to the gentleman from New York.

Mr. WEINER. Mr. Chairman, I want to thank the gentlelady from New Hampshire for yielding because she of all people understands, coming from New Hampshire, that these issues of global climate change are not something that we can simply choose to do, what the other side is saying, which is ignore them for generations more and just hope for the best.

You were elected, and you came to this House saying that we are going to start getting things done. You said that we are going to reject the frivolous politics of the other side. We are not going to spend our time arguing over what the correct security protocols for the Speaker are going to be. We are going to focus on things that the American people really care about.

And I just want to ask you, has anyone stopped you on the streets in New Hampshire and asked you, expressed concern about global climate change?

Ms. SHEA-PORTER. People in New Hampshire are deeply concerned; both parties, by the way, are deeply concerned about global warming. And they want us to get on with the job of taking care of this and not spending our time and the people's time. And we are on the payroll of the American people, arguing and quibbling about such minor issues as the airplane.

Mr. WEINER. Mr. Chairman, will the gentlewoman further yield?

Ms. SHEA-PORTER. I yield to the gentleman from New York.

Mr. WEINER. I thank the gentlelady.

And I would also say that I am sure that we are all very concerned about the security arrangements for the Speaker; and I think we would all agree, we want to do whatever is necessary, the same way none of us had any concerns when Speaker HASTERT got the protection.

But frankly, there are people that are working on that right now, and I think, and maybe you do as well; I will ask you. Do you agree with the statement of the White House that this is a silly issue that people are making too much of and that we should get back to the job of the country?

Ms. SHEA-PORTER. Reclaiming my time, yes. I absolutely agree that this is wasting our time. We are earning our paycheck from the American people, and we need to do the work of the American people.

Mr. WEINER. Mr. Chairman, will the gentlewoman further yield?

Ms. SHEA-PORTER. I yield to the gentleman from New York.

Mr. WEINER. I really do want to express my gratitude. The people of New Hampshire are very fortunate to have someone that came to Congress like you did. In your first 43 hours, you voted to raise the minimum wage, something that hadn't been done for years of neglect. You voted to make it less expensive for parents of New Hampshire to send their kids to school. You voted for a responsible continuing resolution that increased spending to put cops on the beat in New Hampshire.

You have, frankly, in your first several weeks here in the House, done more than your predecessors did for years and years because they were focused on issues like this on the other side. And I want to thank you for your service.

Ms. SHEA-PORTER. Reclaiming my time, I thank you and we intend to continue to deliver to the American people what they have asked us to do.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The Chair will remind all persons in the gallery that they are here as guests of the House, and that any manifestation of approval or disapproval of the proceedings, or audible conversation, is in violation of the rules of the House.

Mr. BURTON of Indiana. Mr. Chairman, I move to strike the last word.

I am not going to take much time. I am very concerned about the fiscal responsibility that we should have. And I know my colleagues on the other side of the aisle have spent a lot of time defending the $300,000 per trip that the Speaker is going to be spending flying back and forth to California. But I don't think the American people are going to understand how $15 million a year is being spent for one person to fly back and forth to California.

The Speaker is a very important person. She is third in line to the presidency, but there are other ways to get out there that cost less. I think the plane the former Speaker used would cost about one-fifth or one-fourth of that.

And I don't think, no matter what the other side says, that the American people are going to buy $1.2 million a trip for her to go to California or $15 million a year for her to go back and forth to her district. It just won't wash, especially at a time like this when we are trying to get spending under control.

Mr. Chairman, I will be happy to yield to my friend from Arizona.

Mr. SHADEGG. Mr. Chairman, it seems to me that this is one of those debates where you are sitting in your office and you are watching what has happened and you have no intention of coming down, and then you hear something said and you feel it is important to talk about that issue. That is how this strikes me, and I think it is important to set the record straight on some important points.

I don't think anybody on this side of the aisle challenges the importance of protecting the Speaker of the House and ensuring that she is secure. Indeed, that is a very important point to all people in the Nation. But that is not what this discussion is about.

I believe this discussion is about whether or not we are being asked to waste money, whether we are being asked, as has been articulated, to spend an extravagant amount of money, not to fly the Speaker and a few staff members, but to fly the Speaker and lots of staff members, plus family, plus other Members and who knows who. I think that is a legitimate issue to discuss here on the floor and an appropriate issue to discuss here on the floor.

One of the things that troubles me in this debate is that people say, well, we shouldn't be discussing this. I would like to invite my colleagues to think about the context in which this debate occurs. I would suggest that it is important to understand that when the majority takes office and brings the first six bills to the floor under what is called a marshall law or some provision that says no amendments will be offered, and that is what happened here, you brought this under a rule or a provision that said we could offer no amendments to the minimum wage bill. Can't discuss it. Can't propose an alternate idea.

You then brought the 9/11 recommendations bill to the floor. No amendments. Not allowed. Can't discuss it. Can't offer your own ideas. At that point, in fact, you didn't even have a functioning Rules Committee.

□ 1430

You proceeded to bring many other important bills to the floor. The gentlewoman said that Republicans, in her view, didn't address the important issues, and yet your first six bills including minimum wage, stem cell, the 9/11 recommendations, student loans, energy, and Medicare prescription drugs, you bring to the floor, and you do not allow a single amendment by Republicans. And then you say, well, as soon as the 6 for '06 is over, we will allow amendments. We will go back to regular order.

But, in fact, that didn't turn out to be true. The seventh bill was the page board. Then the Pension Act, a very important bill that I thought was important for the Nation to pass, no amendments. Then the delegate bill. Finally, we get to bill nine, and you allow one amendment on that bill.

Then you come to the CR omnibus bill. On the CR omnibus bill that runs this government for the balance of the year and spends billions of dollars, how many amendments were the minority allowed? Absolutely none. And now you find it odd that we would want to engage in this debate right now.

As long as the rights of the minority are repressed by the majority so that we cannot do our job and represent the people of our district then you can expect this kind of exchange to occur on the floor.

And for my colleague from Texas who came to the floor and said he was disappointed in the level of debate, I would suggest that you look within yourself. If you repress debate, if you do not allow us to speak and address our issues, then we are going to use whatever tools we can.

I want to address another point that has been raised on the other side, and that is that the White House has said that it doesn't view this issue as all that significant or views it as "silly." Well, with all due respect to the White House, I respect Tony Snow and the White House's position on the issue; but, quite frankly, Tony Snow does not hold an election certificate and Tony Snow doesn't represent the taxpayers of Arizona. He does not have a duty, as I do, to come to this floor and to discuss the consequences for our taxpayers.

It seems to me that next week we are going to debate an issue of great importance to this Nation.

The CHAIRMAN. The gentleman's time has expired.

Mr. SHADEGG. Mr. Chairman, I move to strike the last word.

Mr. BURTON of Indiana. Mr. Chairman, will the gentleman yield?

Mr. SHADEGG. I would be happy to yield to the gentleman from Indiana.

Mr. BURTON of Indiana. Mr. Chairman, this debate has gone on for a long time and my colleague is very eloquent in what he says.

Let me just say that I hope that Speaker PELOSI will take the time to come down and explain to the full House the reason why she thinks she should have $15 million a year to fly back and forth to California. I think she could be very eloquent in explaining why the taxpayers should spend that much money, and I would like to hear what she has to say.

Mr. SHADEGG. Mr. Chairman, it seems to me that it is important to understand the context in which each of these debates occur.

I agree with my colleagues on other side of the aisle who would say that this debate is not the central debate in America today, whether or not we spend an excessive amount of money to accommodate one Member of the Congress who ought to be protected. That is not exactly the most momentous moment or issue before the Nation right now.

But next week we will debate the war in Iraq. Next week we will debate the confrontation of this Nation with global terrorism. Next week we will debate the jihadis and their desire to destroy America and the importance of that fight.

Now, here is my concern: you on the other side of the aisle are concerned that we are making a big deal out of this issue. I would like to know if somebody on the other side of the aisle will promise me that next week you will have an open rule on the Iraq debate so that we can have a full discussion of all of the issues, because I welcome that debate. But what I fear, what I fear deeply is that we will not have an open rule next week. We will not have a reasonable opportunity to debate all of the alternatives.

Mr. WEINER. Mr. Chairman, will the gentleman yield?

Mr. SHADEGG. If you will answer the question of whether or not there will be an open rule next week, I would be happy to yield.

Mr. WEINER. Certainly.

Mr. SHADEGG. Will the gentleman vote for an open rule?

Mr. WEINER. Well, I have got to tell you something. I don't recall there being an open rule when we had the original vote on the war; do you, sir?

Mr. SHADEGG. All I know is we have been here so far almost 1½ months and we have been allowed, in 1½ months, one amendment. And it seems to me that you are frustrated with this debate and you want us to be discussing more important issues. It seems to me we ought to be discussing issues like the importance of the war against global terror.

Mr. WEINER. Will the gentleman yield on that point?

Mr. SHADEGG. I would be happy to yield.

Mr. WEINER. I recall we were given an up-or-down vote without any opportunity for alternatives on the original war in Iraq, and I think we are going to have eight votes, and we have accepted this amendment, eight votes on various amendments to this bill. I think the lady doth protest too much.

Mr. SHADEGG. Will the gentleman answer the question I asked, though? Will there be an open rule in the debate on Iraq next week?

Mr. WEINER. I don't have any control over that. I think the gentleman is in scant position to protest when he himself was part of the leadership that said we couldn't have an open rule when we originally voted on this thing.

Mr. SHADEGG. Reclaiming my time, Mr. Chairman, it seems to me that in the Contract with America we offered to the minority 154 amendments. We had a functioning Rules Committee. Every bill in the Contract with America went through the standing committee process. Every bill went to the Rules Committee. The minority was entitled to bring amendments to, I think, all but two of those bills. This was our first effort. This was our first initiative to claim the attention of the American people.

We allowed the minority at that time to offer 154 amendments. And in that period, 48 of the minority's amendments were accepted. Now we have been here almost 1½ months, and we are being allowed the ability to amend only those bills on which there is no controversy.

I agree with the minority: the Speaker of the House should be protected. I agree with the minority that whether she is protected or not is an important issue for this Congress. But I do not agree that the minority isn't entitled to debate the expenditure of public funds, as we are doing here. I do not agree that this is an issue where, if the White House says it is a silly issue, we are not supposed to raise it. If that is the rule in this House, then I think there are a lot of things the White House is saying that my colleagues on the other side of the aisle are challenging.

And it seems to me that if you are unhappy with this debate, then you need to look at the context in which this debate occurs. And I would suggest to you that next week when we begin a debate on the war in Iraq and a debate on the war against the jihadis who threaten our lives in America, who threaten world security, I only hope, I dearly hope, that you will give us an open rule or a rule that allows each of the alternatives to be debated, because if you don't do that, if you continue to repress the rights of the minority, then you are going to have to expect this kind of debate by us whenever we can raise it. It is our duty to our constituents. It is our obligation.

Mr. TIERNEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, some of us on this side of the aisle are not at all upset that our colleagues on the other side of the aisle have chosen to debate this particular issue. We hope it goes on forever and that the American public is tuned in to watch just what motivates that side of the aisle.

The fact of the matter is that the debate that they are having is between them and the White House. When people ask that the Speaker come down to present a case as to why there should be protection of the Speaker of the House, they miss the point that the people motivating that are the White House, who decided after 9/11 that the Speaker of the House, then a Republican, Mr. HASTERT, should, in fact, have the kind of the security that Americans would expect for the person who is two heartbeats away from the Presidency of the United States and that the President in this instance is consistent in that, in believing that no matter what party is holding the Speaker of the House position ought to also have that protection.

I don't think that they can propose a safer way to get the Speaker from Washington to California and back so that she can conduct the considerable responsibilities of her position and get back to do those in a timely fashion other than to fly back and forth.

But because some of my friends on the other side of the aisle apparently still don't understand it and don't understand whom they are debating with, and I understand that sometimes it is difficult to understand what is coming out of the White House, but just one more time so that even they can get it, I would like to yield to my colleague from Tennessee and ask him to read once again the other side of the debate as presented by the President of the United States in his own words.

Mr. GORDON of Tennessee. Mr. Chairman, I thank my friend from Massachusetts for yielding.

Once again from the White House: "This is a silly story. I think it's been unfair to the Speaker."

And let me tell you what else is silly. It is silly for the party that inherited the biggest surplus in our Nation's or world's history and then turned it into a deficit, the biggest deficit in history, to come in here and try to be fiscally conservative.

And let me tell you what is even more silly about that. What is even more silly about that is they have a silly amendment that has been accepted; yet they want to continue to talk about the silly amendment, pretending to be fiscally conservative, although it is costing the American taxpayer to keep this RECORD going even though this amendment, silly amendment, has been accepted. And that is what is silly about this.

Mr. TIERNEY. Mr. Chairman, reclaiming my time, I am not going to take too much longer except to say that I for one hope that they continue to debate this silly amendment that has already been accepted, that the American public tunes in so they understand exactly what is going on here and they reconfirm the reason why the majority has shifted to this party that is now in the majority of the House.

Mr. WEINER. Mr. Chairman, will the gentleman yield?

Mr. TIERNEY. I yield to the gentleman from New York.

Mr. WEINER. I have only been here a few terms. We are operating under an open rule, is that correct?

Mr. TIERNEY. Yes, to the gentleman. We are operating under an open rule, which, I think, equals the number of times that the other majority of the last session had open rules during their entire session.

Mr. WEINER. Mr. Chairman, if the gentleman would further yield, I think it is a reasonable expectation, when we have open rules in the future and we are all done debating security arrangements for the Speaker, I do not know what our colleagues are going to be talking about. I mean, they had months and months and months of leadership in the Republic Party to generate virtually nothing but standstill. Many of the people that are here on the floor from the Republic Party were shot down continually when they came to the floor trying to cut out wasteful spending. More wasteful spending happened under their leadership than, frankly, anytime in history.

The Republic Party showed such an inability to govern this country that they were vanquished into the minority arguably for the foreseeable future. The Republic Party was repudiated, but this is how they want to use their debate time, on a measure that we have accepted, on what protection to provide the Speaker.

I doubt very much, I say to the gentleman from Massachusetts, that the American people are tuning in with rapt attention to see how we are going to provide security to the Speaker. But if that is really what they think we should be having this debate about, I for one, Mr. TIERNEY, disagree. I think we should be figuring out how to do the people's business. We have already lowered their cost of college. We have increased the minimum wage. We have put an ethics plan into place. We have shown again and again we are doing the business of the American people; and the Republic Party seems, based on this debate, to be obsessed with how we provide security for the Speaker.

Mr. TIERNEY. Mr. Chairman, based on that, I would say to my colleague from New York that that is exactly why I hope the conversation continues on this amendment that has been accepted so that we can drive home the point again that this is the choice.

But in winding up, I would just say since we have accepted this amendment that perhaps if there is going to be more conversation, it ought to be focused on how Members suggest that they protect the Speaker of the House who has to get from Washington to California and back in some manner safely other than what the President proposes, and then they can put that information to the White House and continue the debate with the President.

Mr. MANZULLO. Mr. Chairman, I move to strike the last word.

I find it ironic. What we are trying to do over here is to save the taxpayers what could be up to $15 million, and we are accused of wasting the time and taxes of the American people by engaging in a debate to save $15 million.

The purpose of the House of Representatives, the purpose of the people on this side, is to save money. This whole debate is about saving money. This could be easily resolved if the Speaker of the House would say: I am willing to take the smaller aircraft to land halfway in Kansas or Illinois or anywhere else, fuel up again, and head on to San Francisco. That would probably save the taxpayers $10 million. It would be a much smaller aircraft, and it would inconvenience her by about an hour to 1½ hours. This is what this is all about.

But what really bothers me, Mr. Chairman, is the fact that those of us who are engaging in debate, this is the type of debate that the American people want because it is the type of debate that saves them money. It is all about saving the taxpayers' money. If this is not the debate that should take place, I really don't know what should take place.

Mr. WEINER. Mr. Chairman, will the gentleman yield?

Mr. MANZULLO. I will yield, absolutely. But first I want to ask you a question because you didn't yield to me.

Mr. WEINER. Sure.

Mr. MANZULLO. You accused the Republicans of being a do-nothing Congress. The last 3 days Members of Congress have been here with all the lights burning. That costs more money. We got out yesterday at 2 o'clock in the afternoon for six suspension votes, which if the Republicans were in control, we could have done in 3 hours. It took you 3 days.

And you know what, Mr. Chairman? I have heard complaints coming even from the Democratic side that they cannot understand what this calendar is all about because they can't see their children, they can't get back home to be with their constituents, and they wonder why they are here in the city of Washington debating for the last 3 days what could have taken place in 2 hours.

Mr. WEINER. Mr. Chairman, will the gentleman yield?

Mr. MANZULLO. Of course I will yield.

Mr. WEINER. First of all, let me just say your eloquent explanation of this amendment, perhaps you weren't here for all the discussion. We accept the amendment.

Mr. MANZULLO. I understand.

Mr. WIENER. It could have been law 3 hours ago.

Mr. MANZULLO. Reclaiming my time, the American people have a right to know what is in the amendment.

□ 1445

Mr. WEINER. If I could just further answer your question, because you asked a good question about the schedule; the gentleman asked a good question about the schedule. I just want, on behalf of all of us on this side of the aisle, to express our apologies for making you all work so hard. It wasn't our intention to inconvenience anybody. We are just trying to get the people's work done.

Mr. MANZULLO. Mr. Chairman, reclaiming my time, getting out at 2 o'clock in the afternoon—when the Republicans were in control, we were here at 10 o'clock, 11 o'clock, midnight, 2 or 3 days a week, working away on all the issues. I just find it absolutely ironic that the new Congress, intent upon coming to Washington, trying to change all the rules, to change everything, says, come back and work 3 days on six bills that could take 1 hour.

Mr. PENCE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise today in the midst of what has been characterized as a silly debate, and I don't rise so much to disagree with that characterization, but maybe for different reasons.

Let me say, as others have said, I was here on September 11, like many of my colleagues. I do not question the imperative of providing for the physical safety of the Speaker of the United States House of Representatives. I strongly supported the decision by the President to provide for private jet travel for the Speaker of the House then and support such transportation now. We must protect those who lead us and we must not play politics with that protection.

But let me say on the subject of whether this is a silly debate around the gentleman from Virginia's amendment, I think it is silly to question the right of the minority to question public expenditures. The gentleman from New York, whom I deeply respect, comes to the floor to question the very act of Congress being Congress. We are asking questions, in the minority, of the majority about the public expenditure of public assets; and that is precisely what Congress and the minority in Congress exists to do. I think it is altogether silly to question the right to question in the Congress.

Let me also say, Mr. Chairman, I think it is a little bit silly, some of the public consternation about a Democrat Speaker's airplane needing to be much bigger than a Republican Speaker's airplane, because to the extent that the airplane itself is a metaphor for government, I believe that we can expect all of the government will continue to need to be much bigger under a Democrat majority in Congress.

In a very short period of time, we have seen our colleagues bring wage and price controls and raise taxes. So to part of me, with great respect for my colleagues on this side of the aisle, it is not terribly surprising that the plane needs to be bigger too. When we think of the history of entitlements under Democrat control of Congress, we might well anticipate a fleet of planes in a fairly short period of time.

But, of course, I jest. I think it is a bit of a silly debate to question the right to question in this Congress. I think my colleagues know this to be true. But I also think it is a little bit silly for the American people to ever expect government to get smaller under Democrat control.

And it is also rather silly, and I close, to think that Republicans will ever fail to come to this floor to object when government grows needlessly under a Democrat majority. We will rise to that challenge. We will object to the expansion of government, even when it takes the shape of a 757.

Mr. GORDON of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. PENCE. I yield to the gentleman from Tennessee.

Mr. GORDON of Tennessee. What is silly is pretending to be a fiscal conservative while you are continuing to waste the taxpayers' dollars talking about an amendment that has been accepted. That is what is silly.

Mr. PENCE. Mr. Chairman, reclaiming my time, I appreciate the gentleman's sensitivity. I think the lights were already going to be paid for today, and I didn't have anywhere better to be but down here making the case for the American people for less government, less taxes. This is the role of the minority, to question, to fight for smaller government.

I commend the gentleman from Virginia for his principled stand today.

Ms. GINNY BROWN-WAITE of Florida. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, almost every day I stand down here and I encourage Members to sign on to my bill that Congress should not be above the law. While this debate was going on, a constituent called and said, why don't you amend that bill to also say that Congress should not be above coach or first-class travel?

Mr. Chairman, I yield to the gentleman from Virginia (Mr. CANTOR).

Mr. CANTOR. Mr. Chairman, I thank the gentlewoman.

Mr. Chairman, there has been a lot said on this floor today in this debate. Frankly, questions have been raised about the expectations of the American people and what it is that they seek for their Members of Congress to do.

There was one Member on the other side of the aisle who said we ought to get on with the serious business of the day. Well, Mr. Chairman, the ability to fly on a jumbo jetliner is a privilege never before granted to a Member of Congress. And I know one thing, Mr. Chairman; the American taxpayers do expect us to take seriously the decisions surrounding the expenditure of those dollars. They expect us to respect that those tax dollars do not belong to the Speaker, do not belong to any of us. They are just that, the taxpayers' dollars.

They also expect us to lead by example, and I would want to pose to every speaker that spoke today and ask them, do they really in their heart of hearts support our Speaker having the access to a 42-seat jumbo jetliner?

Mr. HALL of Texas. Mr. Chairman, I move to strike what I really hope deep down and pray might be one of the last words.

Mr. Chairman, I just want to be practical about this. You know, I sat this morning in the ranking position as a Republican with BART as chairman over there, and we listened to the First Lady. She came before us, everybody was gracious to her, she made a good speech. One of our Members used his rights under the rules to ask her some questions. She graciously answered them. Then we came on over here. I came on over here hoping that this would be about an hour and a half or maybe 2 hours.

I served as ranking member under BART today, and I was ranking as a Democrat under BOEHLERT and SENSENBRENNER, and the only airplane I would like to be thinking about was the one I wanted to be on at 12:30 today heading for Texas.

But really and truly, I don't call anybody silly or anybody's speech that they want to make here, they need to be heard and express themselves. That is just what a lot of people call the music of democracy.

But we started out, I thought, talking about a bill that would direct the

EPA, the Department of Energy and the National Institutes of Standards and Technology to initiate an R&D program to make biofuels more compatible with present-day infrastructure and to direct agencies to do so and so, to provide low-cost, affordable and accurate measurements and do all that; and it is going to cost $10 million to carry this act out.

This bill was introduced in the 109th Congress and was included in Congresswoman BIGGERT's comprehensive energy bill. It passed under suspension of the rules last year. We didn't have all this debate about it. Everybody was for that bill. It encompassed more than what this bill started out with.

Somehow—and I like BART GORDON, and I respect him. I have known very few people from Tennessee I didn't like. If it weren't for Tennessee, there probably wouldn't even be a Texas, and that may be better off for a lot of people. And I wrote BART a letter, what is it, in the Merchant of Venice or Othello, where they said, "O, that mine enemy might write me a letter." Maybe you should have read it, BART. Maybe you should have answered it.

I wrote him a letter to this effect, that I have conferred with my leadership, who agree that the best way to bring H.R. 547 to the floor is under a unanimous consent agreement. Given the uncontroversial nature of the bill, there is no need for us to go before the Rules Committee. And for some reason, we wound up with an open rule.

Now, I can only guess why that is. I wondered why. An open rule for a bill that everybody is already for? Give me a break. That doesn't make any sense.

So I can only think that perhaps maybe you, BART, or somebody over you, made the suggestion that, well, it looks like we are fair with that bunch of poor people over there that are in the minority now to give them a shot and tell them, yes, we have given you an open rule, probably thinking they wouldn't use it.

Well, I did not think it would be used either, but we have talked all day about everything in the world here. And there is a poem that says, "Maud Muller, on a summer's day, raked the meadow sweet with hay." The last verse lines are, "For of all sad words of tongue or pen, the saddest are these, 'It might have been!'"

It might have been that I would be on that airplane if we had taken that unanimous consent, sent this on over and gone about our business. All this other is just the music of democracy. It doesn't bother me 15 cents. And it might be a little cheaper on my government for me to ride the bus from here to Dallas every week, you know. Maybe we could talk about that some afternoon: Why doesn't RALPH HALL ride the bus to Texas and back every year? That would save money for this country.

But I have another feeling about the third person in command in this country. That is the leader, and I think she is entitled to protection and to a good way to go and to cut short the time that she has to spend in the air to get there and get home. Those things don't really bother me.

But what really bothers me is for us to sit here throwing things at one another when there is better work to do. We need to get about our business and pass this bill and let me get strapped in that airplane and go back to my grandchildren, who need me.

My son is a district judge, and I have got to go home and do a terrible thing. I have to go home and file suit against him in his own court. He threatened to spank one of my granddaughters last week. I don't have to stand for that type of thing.

Mr. GORDON of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. HALL of Texas. Are you going to answer my letter? See, we can all laugh.

I yield to the gentleman from Tennessee.

Mr. GORDON of Tennessee. My friend, the gentleman from Texas, that is not a contradiction of terms. As usual, you do a good job of putting oil on the water and we thank you for that.

I thank you also for cosponsoring this bill, this bipartisan bill, that went through the hearings, this bill that will be the first real effort to deal with alternative energy.

This is part of the process, unfortunately, and we will go through it. But at the end of the day we are going to have a good bill. I thank you for being a part of that.

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentleman yield?

Mr. HALL of Texas. I yield to my fellow Texan.

Ms. JACKSON-LEE of Texas. I thank the distinguished gentleman.

Let me just add my voice of support for H.R. 547, the Advanced Fuel Infrastructure Research and Development Act. I know, Mr. Ranking Member, my good friend, we have had a colorful discussion on many, many issues. The American people are waiting to pass this bill. I add my support to H.R. 547.

Mr. Chairman, I rise today in support of H.R. 547, the Advanced Research and Development Act. H.R. 547 will make biofuels, like E85 ethanol, easier to access and use by developing new technologies that would allow retailers to offer biofuels using existing infrastructure.

Mr. Chairman, providing consumers with diverse fuel choices is crucial to the viability of a strong economy and a safe environment. First, creation of alternative fuels through research and development will not only create employment opportunities across the country, but it will also allow consumers to save money previously spent on high-priced gasoline and oil. These savings will fuel the American economy by putting more money in the pockets of consumers which they will spend on other goods and services in their local communities and across the country. Moreover, businesses will be able to reinvest those savings from lower gas and oil prices to reinvest to expand its productivity and profits. Second, investing in clean renewable energy and providing consumers with diverse fuel choices will create a cleaner environment and reverse the terrible trends that have led to the Global warming throughout the world.

H.R. 547 is a vehicle by which we can drive this country in the direction of energy independence. The high costs of oil and gas derive primarily from our overwhelming dependence on foreign oil. The Energy Information Administration estimates that the United States imports nearly 60 percent of the oil it consumes.

Mr. Chairman, we cannot even remotely begin to reduce the high price of oil and gas which has caused many of our citizens to change their standards of living, unless and until we find ways to create a more self-sufficient energy environment within the United States. Investing in clean, renewable energy is an important first step to achieving this goal. For example, replacing oil imports with domestic alternatives such as traditional and cellulosic ethanol can not only help reduce the $180 billion that oil contributes to our annual trade deficit, but it can also end our addiction to foreign oil. According to the Department of Agriculture, biomass can displace 30 percent of our nation's petroleum consumption.

Under H.R. 547, costs of fuels will also decrease due to the role that the EPA, the Department of Energy and the National Institute of Standards and Technology will play in the area of research and development. The bill directs the Environmental Protection Agency EPA, in consultation with the Department of Energy DOE and the National Institute of Standards and Technology, NIST, to research and develop new technologies that would allow retailers to offer biofuels using existing infrastructure, rather than refurbishing or building new infrastructure—essentially, putting the fuel in consumers' tanks at a savings to both retailers and consumers.

Mr. Chairman, it is important for us to forge a strong surge ahead to create alternative fuels because:

Alternative fuels like E85 ethanol and some biodiesel blends have different physical and chemical properties that often make them incompatible with much of our existing infrastructure.

These fuels can experience a variety of compatibility issues, such as corrosion of tank and pipeline materials, increased sediment buildup, clogging of filters, water and microbial contamination, varying flow properties, thermal and oxidative instability, and emissions volatility.

The cost of replacing or building new infrastructure is simply not feasible for fuel retailers, most of whom are small businesses.

Even when new infrastructure is installed, those costs may be passed along to consumers.

In 2006, EPA began implementing the transition to Ultra Low Sulfur Diesel—a fuel significantly cleaner, at 15ppm sulfur, than traditional diesel, at 500ppm sulfur. Although this transition has been largely successful thus far, it is still possible that as ULSD moves from the refinery through pipelines, tanks, and trucks, it may absorb enough residual sulfur to exceed the new EPA limit.

However, there is currently no affordable, real-time mechanism for testing the sulfur content of diesel fuel at the pump.

H.R. 547 directs EPA and NIST to develop an affordable, portable, quick, and accurate way to test the sulfur content in diesel fuels.

If our country wants to decrease our dependence on foreign oil, we must get serious about creating the infrastructure necessary to distribute and dispense alternative fuels. H.R. 547 will help achieve these goals using research and development for alternative fuels and new technologies.

Mr. Chairman, H.R. 547 is a sound bill that has been endorsed by the Society of Independent Gasoline Marketers of America, National Association of Convenient Stores, Renewable Fuels Association, Natural Resources Defense Council, Petroleum Marketers Association of America, NATSO representing travel plaza and truckstop owners and operators, the Coalition of E85 Retailers, and the American Petroleum Institute.

I urge my colleagues to join me in support of H.R. 547.

☐ 1500

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia (Mr. CANTOR).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. CANTOR. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia will be postponed.

AMENDMENT OFFERED BY MS. GINNY BROWN-WAITE OF FLORIDA

Ms. GINNY BROWN-WAITE of Florida. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. GINNY BROWN-WAITE of Florida:

At the end of the bill, add the following new section:

SEC. . REPORT TO CONGRESS.

Not later than 1 year after the establishment of the program under this Act, the Secretary of Energy shall transmit a report to Congress containing suggestions for any Federal incentives that could help such program be more successful.

Ms. GINNY BROWN-WAITE of Florida. Mr. Chairman, after the technologies are developed that are needed to transport safely ultra-low sulfur diesel company products, we need to have a follow-up here. The implementation will be slow without some sort of incentive to do so.

My amendment is very simple: It directs the Secretary of Energy to provide a report to Congress within 1 year, with recommendations for Federal incentives to implement the technologies developed through this program.

Mr. Chairman, it is no secret that Congress is slow at improving programs that we create and helping the markets in which they would thrive. Hopefully, this amendment will make it a little bit faster, and I urge all Members to support the amendment.

Mr. GORDON of Tennessee. Mr. Chairman, I move to strike the last word.

I would like to thank the gentlewoman for her constructive amendment to this good bipartisan bill, and we will accept that amendment.

The Acting CHAIRMAN (Mr. TIERNEY). The question is on the amendment offered by the gentlewoman from Florida (Ms. GINNY BROWN-WAITE).

The amendment was agreed to.

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment by Ms. ESHOO of California to the amendment by Mr. BURGESS of Texas.

Amendment by Mr. BURGESS of Texas (as amended or not).

Amendment by Mr. HASTINGS of Florida.

Amendment by Mr. WELLER of Illinois.

Amendment by Mr. DENT of Pennsylvania.

Amendment by Mr. ROGERS of Michigan.

Amendment by Mr. CANTOR of Virginia.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MS. ESHOO TO THE AMENDMENT OFFERED BY MR. BURGESS

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from California (Ms. ESHOO) to the amendment offered by the gentleman from Texas (Mr. BURGESS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 242, noes 185, not voting 12, as follows:

[Roll No. 81]

AYES—242

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bartlett (MD)
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Bordallo
Boren
Boswell
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gilchrest
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Kirk
Klein (FL)
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McHugh
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Reyes
Rodriguez
Ross
Roybal-Allard
Ruppersberger
Rush
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NOES—185

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett

Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fortuño
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jordan
Keller
King (IA)
King (NY)
Kingston
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn

Latham
LaTourette
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Putnam
Regula
Rehberg
Reichert
Renzi

Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—12

Barton (TX)
Boucher
Davis, Jo Ann
Faleomavaega
Hastert

Hastings (WA)
Millender-McDonald
Norwood
Pryce (OH)

Radanovich
Rothman
Ryan (OH)

□ 1528

Messrs. ROGERS of Michigan, McKEON, REICHERT, ROSKAM and LATHAM changed their vote from "aye" to "no."

Messrs. JOHNSON of Georgia, WALSH of New York, McHUGH, BARTLETT of Maryland, CASTLE and KIRK changed their vote from "no" to "aye."

So the amendment to the amendment was agreed to.

The result of the vote was announced as above recorded.

(By unanimous consent, Mr. HOYER was allowed to speak out of order.)

LEGISLATIVE PROGRAM

Mr. HOYER. Mr. Chairman, I have had the opportunity to speak to Mr. BLUNT, the Republican whip. I want to put Members on notice early enough so they will know before they run out of here. There are going to be votes, maybe two, at least, revotes when we come out of the Committee of the Whole and into the full House.

There will be at least two votes. In conjunction with the Republican whip, we have agreed that they will be 2-minute votes. The reason I am giving that announcement now, I want all the Members to know they will be 2-minute votes so that we can try to get Members out of here on time.

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN. Without objection, 5-minute voting will continue.

There was no objection.

AMENDMENT OFFERED BY MR. BURGESS, AS AMENDED

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. BURGESS), as amended.

The amendment, as amended, was agreed to.

AMENDMENT OFFERED BY MR. HASTINGS OF FLORIDA

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. HASTINGS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 424, noes 0, not voting 15, as follows:

[Roll No. 82]

AYES—424

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Bordallo
Boren
Boswell
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine

Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chabot
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)

Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fortuño
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)

Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hayes
Heller
Hensarling
Herger
Herseth
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas

Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Norton
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen

Roskam
Ross
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stupak
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—15

Boucher
Culberson
Davis, Jo Ann
Faleomavaega
Hastert
Hastings (WA)
Millender-McDonald
Norwood
Pryce (OH)
Radanovich
Rothman
Ryan (OH)
Space
Sullivan
Velázquez

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised there are 2 minutes remaining in this vote.

☐ 1537

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. WELLER OF ILLINOIS

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Illinois (Mr. WELLER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 424, noes 0, not voting 15, as follows:

[Roll No. 83]

AYES—424

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Bordallo
Boren
Boswell
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chabot
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fortuño
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hayes
Heller
Hensarling
Herger
Herseth
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Norton
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Roybal-Allard
Royce
Ruppersberger
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—15

Boucher
Davis, Jo Ann
Faleomavaega
Hastert
Hastings (WA)
Hunter
LaTourette
Millender-McDonald
Mollohan
Norwood
Pryce (OH)
Radanovich
Rothman
Rush
Ryan (OH)

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised there are 2 minutes remaining in this vote.

☐ 1546

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. DENT

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Pennsylvania (Mr. DENT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 226, noes 201, not voting 12, as follows:

[Roll No. 84]

AYES—226

Abercrombie
Aderholt
Akin
Alexander
Altmire
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Berkley
Biggert
Bilbray
Bilirakis
Bishop (GA)
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Braley (IA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carnahan
Carney
Carter
Castle
Chabot
Coble
Cole (OK)
Costa
Costello
Crenshaw
Cubin
Cuellar
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
DeFazio
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Doolittle
Doyle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Forbes
Fortenberry
Fortuño
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (NY)
Hall (TX)
Hare
Hayes
Heller
Hensarling
Herger
Herseth
Hill
Hobson
Hoekstra
Holden
Hulshof
Hunter
Inglis (SC)
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Kanjorski
Keller
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Langevin

Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Mollohan
Moore (KS)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Neugebauer
Nunes
Oberstar
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Putnam
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Schwartz
Sensenbrenner
Sessions
Sestak
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stark
Stearns
Stupak
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Udall (NM)
Upton
Van Hollen
Walberg
Walden (OR)
Walsh (NY)
Wamp
Watt
Weldon (FL)
Weller
Westmoreland
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Young (AK)

NOES—201

Ackerman
Allen
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berman
Berry
Bishop (NY)
Blackburn
Blumenauer
Bordallo
Boren
Boswell
Boyd (FL)
Boyda (KS)
Brady (PA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carson
Castor
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Conaway
Conyers
Cooper
Courtney
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeGette
Delahunt
DeLauro
Dingell
Doggett
Donnelly
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Flake
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Higgins
Hinchey
Hinojosa
Hirono
Hodes
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Kucinich
Lampson
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Miller (NC)
Miller, George
Mitchell
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Nadler
Napolitano
Neal (MA)
Norton
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Price (NC)
Rangel
Reyes
Rodriguez
Ross
Roybal-Allard
Ruppersberger
Rush
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Shadegg
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Waxman
Weiner
Welch (VT)
Wexler
Whitfield
Wilson (OH)
Woolsey
Wynn
Yarmuth
Young (FL)

NOT VOTING—12

Bishop (UT)
Boucher
Davis, Jo Ann
Faleomavaega
Hastert
Hastings (WA)
Millender-McDonald
Norwood
Pryce (OH)
Radanovich
Rothman
Ryan (OH)

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised that 2 minutes remain in this vote.

☐ 1555

Messrs. UDALL of Colorado, LYNCH and AL GREEN of Texas changed their vote from "aye" to "no."

Mr. CUELLAR changed his vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. ROGERS OF MICHIGAN

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Michigan (Mr. ROGERS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 419, noes 6, not voting 14, as follows:

[Roll No. 85]

AYES—419

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Bordallo
Boren
Boswell
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chabot
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Ferguson
Filner
Forbes
Fortenberry
Fortuño
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hayes
Heller
Herger
Herseth
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Norton
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Roybal-Allard
Ruppersberger
Rush
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)

Snyder
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOES—6

Blackburn
Feeney
Flake
Paul
Royce
Sali

NOT VOTING—14

Boucher
Davis, Jo Ann
Faleomavaega
Hastert
Hastings (WA)
Hensarling
Millender-McDonald
Norwood
Pryce (OH)
Radanovich
Rothman
Ryan (OH)
Solis
Wasserman Schultz

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised that 2 minutes remain in this vote.

☐ 1601

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. CANTOR

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. CANTOR) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 422, noes 3, not voting 14, as follows:

[Roll No. 86]

AYES—422

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Bordallo
Boren
Boswell
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chabot
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Forbes
Fortenberry
Fortuño
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hayes
Heller
Hensarling
Herger
Herseth
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Norton
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thoimpson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wassernian Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOES—3

Flake
LaHood
Paul

NOT VOTING—14

Boucher
Davis, Jo Ann
Faleomavaega
Hastert
Hastings (WA)
Jones (OH)
Larson (CT)
Millender-McDonald
Norwood
Pryce (OH)
Radanovich
Rothman
Ryan (OH)
Whitfield

☐ 1608

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PARLIAMENTARY INQUIRIES

Mr. BLUNT. Mr. Chairman, I have a parliamentary inquiry.

The Acting CHAIRMAN. The gentleman will state it.

Mr. BLUNT. Mr. Chairman, on the vote just taken, the Chair announced the vote as 422–3. Should the Chair not have delineated the vote to properly reflect that the vote was 418–3 of those Representatives representing the several States as specified in the Constitution, and that the votes of those Delegates not representing States was 4–0?

The Acting CHAIRMAN. No.

Mr. BLUNT. I have a further parliamentary inquiry, Mr. Chairman. The further parliamentary inquiry is, am I accurate in believing that all of these votes can be revoted once we rise from the Committee of the Whole?

The Acting CHAIRMAN. Those that are adopted may be revoted.

Mr. BLUNT. I thank the chairman.

The Acting CHAIRMAN. Only those amendments adopted in the first degree may be revoted. Second-degree amendments may not be isolated for separate votes.

Mr. BLUNT. Those amendments that passed in the Committee of the Whole in the first degree would all be subject to be revoted?

The Acting CHAIRMAN. That is correct.

Mr. TERRY. Mr. Chairman, I have a parliamentary inquiry in that regard.

The Acting CHAIRMAN. The gentleman will state it.

Mr. TERRY. A question was posed by a parliamentary inquiry during the Committee of the Whole earlier asking specifically if secondary amendments could also be revoted, and the answer from the Chair was all amendments. It appears that the ruling from the Chair or the answer to the whip's parliamentary inquiry is different from an answer previously given to a similar question.

Could the Chair please clarify?

The Acting CHAIRMAN. The gentleman is correct. Those amendments adopted in the first degree are able to be voted upon and those in the second degree are not.

Mr. TERRY. So the clarification from the earlier ruling is not all amendments, but all first-degree amendments, even though the question earlier was posed on second-degree amendments. I thank the Chair.

The Acting CHAIRMAN. The speaker could address that question in the House, which would be preferable to its being addressed by the Chairman of the Committee of the Whole.

Are there any further amendments?

AMENDMENT OFFERED BY MR. BURGESS

Mr. BURGESS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BURGESS of Texas:

Page 5, after line 21, insert the following new section:

SEC. 7. ADDITIONAL ISSUES.

Research and development under this Act shall address issues with respect to increased volatile emissions or increased nitrogen oxide emissions.

Mr. BURGESS. Mr. Chairman, earlier during this process, the gentleman from New Jersey (Mr. FERGUSON) and I offered an amendment, but it did not receive a clean vote. I have redrafted the amendment to more comprehensively addressed emissions from the increased use of biofuels or additives covered in the research and development program in this bill.

Republicans and Democrats should be thought of as being environmentally friendly, and I found myself in the position of arguing for a more stringent standard than some of my Democratic colleagues.

Mr. Chairman, MTBE was an additive. Additives can cause environmental harm. We need to look at this all the way through the fuel cycle, beginning at the R&D phase, through combustion, through emission.

Mr. GORDON of Tennessee. Mr. Chairman, although this amendment is a bit oddly written, it appears to be repetitious to the previous Burgess amendment, which is repetitious to the previous Eshoo amendment.

With that said, in the spirit of civility, we accept this amendment.

AMENDMENT OFFERED BY MR. FERGUSON AS A SUBSTITUTE FOR THE AMENDMENT OFFERED BY MR. BURGESS

Mr. FERGUSON. Mr. Chairman, I have an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. FERGUSON as a substitute for the amendment offered by Mr. BURGESS:

Page 5, after line 21, insert the following new section:

SEC. 7. ADDITIONAL ISSUES.

Research and development under this Act shall address issues with respect to increased volatile emissions or increased nitrogen oxide emissions, and strategies to minimize emissions from infrastructure.

Mr. FERGUSON (during the reading). Mr. Chairman, I withdraw my amendment to the amendment.

The Acting CHAIRMAN. Without objection, the amendment offered as a substitute for the amendment is withdrawn.

There was no objection.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. BURGESS).

The amendment was agreed to.

The Acting CHAIRMAN. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The Acting CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mrs. TAUSCHER) having assumed the chair, Mr. TIERNEY, Acting Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 547) to facilitate the development of markets for alternative fuels and Ultra Low Sulfur Diesel fuel through research, development, and demonstration and data collection, pursuant to House Resolution 133, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

PERMISSION TO REDUCE TIME FOR ELECTRONIC VOTING

Mr. HOYER. Madam Speaker, I ask unanimous consent that during further proceedings today in the House, the Chair be authorized to reduce to 2 minutes the minimum time for electronic voting on any question that otherwise could be subjected to a 5-minute vote under clause 8 or 9 of rule XX.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

GENERAL LEAVE

Mr. GORDON of Tennessee. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 547.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

PARLIAMENTARY INQUIRY

Mr. TERRY. Madam Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. TERRY. Is it correct to state that the standing committees of the House are authorized under rule X of the rules of the House?

The SPEAKER pro tempore. The gentleman is correct.

□ 1615

Mr. TERRY. Further parliamentary inquiry, Madam Speaker.

And is it also correct that the organization of the standing committees of the House were organized pursuant to previous enacted statutory laws?

The SPEAKER pro tempore. They were ordained by the adoption of the rules on the opening day of this Congress.

Mr. TERRY. I am sorry, Madam Speaker. I could not hear you.

The SPEAKER pro tempore. The adoption of the standing rules on January 4, 2007, put those committees in place.

Mr. TERRY. Further parliamentary inquiry, Madam Speaker.

Is it also correct that the Committee of the Whole House is provided for under rule XVIII of the standing rules of the House?

The SPEAKER pro tempore. The gentleman is correct.

Mr. TERRY. And, Madam Speaker, is it true that the Committee of the Whole is not a standing committee of the House?

The SPEAKER pro tempore. The gentleman is correct.

Mr. TERRY. Further parliamentary inquiry, Madam Speaker.

And is it correct that under rule XVIII, the Committee of the Whole House was not created by statute, but instead comes from previous rules of the House adopted in 1789, modified in 1794, and later adopted by the House in 1880?

The SPEAKER pro tempore. Rule XVIII was adopted on opening day of this Congress, as well.

Mr. TERRY. One last parliamentary inquiry, Madam Speaker.

So under the rule adopted by the House last week giving Delegates and Commissioners voting rights, the standing committees of the House and the Committee of the Whole House have the same legal standing under the rules of the House?

The SPEAKER pro tempore. The Chair is unable to affirm that. Rules X and XVIII have the same provenance.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole?

Mr. WESTMORELAND. Madam Speaker, I demand a re-vote on the following amendments adopted in the

Committee of the Whole by those Members of this House duly recognized to vote by the Constitution:

The amendment by Mr. HASTINGS of Florida.

The amendment by Mr. WELLER of Illinois.

The amendment by Mr. ROGERS of Michigan.

The amendment by Mr. CANTOR of Virginia.

The SPEAKER pro tempore. Is a separate vote demanded on any other amendment to the committee amendment in the nature of a substitute?

PARLIAMENTARY INQUIRY

Mr. PRICE of Georgia. Madam Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. PRICE of Georgia. Madam Speaker, during the Committee of the Whole, I had a parliamentary inquiry of the Chair about a second-degree amendment, and the response from the Chair may not have been accurate.

So in an effort to clarify for the House, in the Committee of the Whole, if a second-order amendment passes but it is not a decisive vote, meaning that the Delegates and the Resident Commissioners weren't decisive in that passing, can any Member call for a revote of a second-degree amendment in the full House?

The SPEAKER pro tempore. The Chair appreciates the gentleman's inquiring in this forum because an earlier response he received about second-degree amendments in the Committee of the Whole, which should not have been given in that forum in the first place, was incorrect.

Under the regular order, the Chair must put the question in the House on amendments reported from the Committee of the Whole. In the instant case, the Committee of the Whole has reported a single amendment in the nature of a substitute on which the Chair will put the question to the House in due course.

In addition, House Resolution 133 included language to allow any Member to seek a separate vote on any amendment adopted to that original-text substitute in the Committee of the Whole. However, this opportunity for separate votes is not availing either in the case of an amendment rejected in Committee or in the case of an amendment to an amendment to the original-text substitute.

Mr. PRICE of Georgia. Further parliamentary inquiry, Madam Speaker.

The SPEAKER pro tempore. The gentleman may state his inquiry.

Mr. PRICE of Georgia. So as I understand your answer, Madam Speaker, there is no opportunity for a Member of the House of Representatives to receive a vote in the full House on a second-order amendment from the Committee of the Whole that passed by a nondecisive margin; is that correct?

The SPEAKER pro tempore. The gentleman is correct.

The Chair will designate the amendments on which a separate vote has been demanded in the order they appear in the text.

The Clerk will designate the first amendment on which a separate vote has been demanded.

The text of the amendment is as follows:

Amendment offered by Mr. HASTINGS of Florida:

Page 3, line 23, insert "The Assistant Administrator is encouraged to utilize Land Grant Institutions, Historically Black Colleges and Universities, Hispanic Serving Institutions, and other minority-serving institutions among other resources to undertake research for this program." after "point of final sale.".

The SPEAKER pro tempore. The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. WESTMORELAND. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to the previous order of the House, subsequent votes will be reduced to 2 minutes.

The vote was taken by electronic device, and there were—ayes 417, noes 0, not voting 17, as follows:

[Roll No. 87]

AYES—417

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hayes
Heller
Hensarling
Herger
Herseth
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (TX)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—17

Boucher
Davis, Jo Ann
DeFazio
DeGette
Emerson
Hastert
Hastings (WA)
Matheson
McDermott
Millender-McDonald
Norwood
Pryce (OH)
Radanovich
Rothman
Ryan (OH)
Smith (NJ)
Smith (WA)

☐ 1639

So the amendment was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. The Clerk will designate the second amendment on which a separate vote has been demanded.

The text of the amendment is as follows:

Amendment offered by Mr. ROGERS of Michigan:

Page 4, line 17, strike "and".

Page 4, line 18, redesignate paragraph (3) as paragraph (4).

Page 4, after line 17, insert the following new paragraph:

(3) issues with respect to where in the fuel supply chain additives optimally should be added to fuels; and

The SPEAKER pro tempore. The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. WESTMORELAND. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—yeas 354, nays 58, not voting 22, as follows:

[Roll No. 88]

YEAS—354

Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Chabot
Chandler
Clarke
Clay
Cleaver
Coble
Cohen
Cole (OK)
Conaway
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Donnelly
Doolittle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emerson
Engel
English (PA)
Etheridge
Everett
Fallin
Fattah
Ferguson
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Grijalva
Gutierrez
Hall (TX)
Hare
Hastings (FL)
Hayes
Heller
Hensarling
Herger
Herseth
Hill
Hobson
Hodes
Hoekstra
Holden
Holt
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Latham
LaTourette
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Manzullo
Marchant
Marshall
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNulty
Meehan
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Ruppersberger
Rush
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Smith (NE)
Smith (NJ)
Smith (TX)
Snyder
Souder
Space
Spratt
Stearns
Stupak
Sullivan
Tanner
Tauscher
Terry
Thompson (CA)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (NM)
Upton
Van Hollen
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Waters
Waxman
Weiner
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NAYS—58

Abercrombie
Ackerman
Baird
Blackburn
Brown, Corrine
Capps
Castor
Clyburn
Conyers
Crowley
Doyle
Emanuel
Farr
Feeney
Filner
Flake
Frank (MA)
Giffords
Gonzalez
Green, Gene
Hall (NY)
Harman
Higgins
Hinchey
Hirono
Honda
Inslee
Jones (OH)
Larsen (WA)
Larson (CT)
Lee
Maloney (NY)
Markey
Matsui
McNerney
Meek (FL)
Miller (NC)
Miller, George
Murphy (CT)
Neal (MA)
Roybal-Allard
Royce
Sali
Sarbanes
Serrano
Slaughter
Solis
Stark
Sutton
Taylor
Thompson (MS)
Udall (CO)
Velázquez
Wasserman Schultz
Watson
Watt
Welch (VT)
Wexler

NOT VOTING—22

Boucher
Brady (TX)
Calvert
Davis, Jo Ann
DeFazio
DeGette
Doggett
Eshoo
Hastert
Hastings (WA)
Hinojosa
Matheson
McDermott
Millender-McDonald
Norwood
Paul
Pryce (OH)
Radanovich
Rothman
Ryan (OH)
Smith (WA)
Tancredo

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised 1 minute remains in this vote.

PARLIAMENTARY INQUIRIES

Mr. WESTMORELAND (during the vote). Madam Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. Is the parliamentary inquiry related to this vote?

Mr. WESTMORELAND. It is.

The SPEAKER pro tempore. The gentleman will state it.

Mr. WESTMORELAND. Madam Speaker, could you tell me the reason this vote is being held open and could you read the rule about holding votes open?

The SPEAKER pro tempore. The Chair is not holding the vote open; the Chair is waiting for the clerks to process changes in the well.

Mr. WESTMORELAND. Okay. I didn't realize there would be so much confusion about the way they voted.

Mr. FEENEY. Madam Speaker, further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. FEENEY. Madam Speaker, I would like to ask unanimous consent that the Speaker close the board and all Members would have an opportunity to re-vote this issue. It might save a considerable amount of time.

The SPEAKER pro tempore. The Clerk is processing changes of votes in the well. The gentleman's request is not in order.

The Clerk will proceed.

☐ 1654

Mr. CROWLEY and Mr. SALI changed their vote from "yea" to "nay."

Mrs. BOYDA of Kansas, Ms. LORETTA SANCHEZ of California, Ms. JACKSON-LEE of Texas, Mrs. TAUSCHER, Mrs. MCCARTHY of New York, Ms. ZOE LOFGREN of California, Ms. KILPATRICK, Ms. SCHAKOWSKY, Ms. WATERS and Ms. HOOLEY of Oregon and Messrs. SESTAK, HASTINGS of Florida, BOREN, MCGOVERN, LANGEVIN, PERLMUTTER, COSTA, CARDOZA, SCOTT of Georgia, COURTNEY, PALLONE, COOPER, MEEKS of New York, WYNN, SKELTON, OLVER, ALLEN, LANTOS, BISHOP of New York, JOHNSON of Georgia, CUMMINGS, KAGEN, KIND, Mrs. LOWEY, Messrs. PATRICK MURPHY of Pennsylvania, PAYNE, TOWNS, Ms. WOOLSEY and Mr. YARMUTH changed their vote from "nay" to "yea."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. The Clerk will designate the third amendment on which a separate vote has been demanded.

The text of the amendment is as follows:

Amendment offered by Mr. WELLER of Illinois:

Page 4, line 17, strike "and".

Page 4, line 18, redesignate paragraph (3) as paragraph (4):

Page 4, after line 17, insert the following new paragraph:

(3) issues with respect to certification by a nationally recognized testing laboratory of components for fuel dispensing devises that specifically reference compatibility with alcohol blended and other biofuels that contain greater than 15 percent alcohol; and

The SPEAKER pro tempore. The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. WESTMORELAND. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—yeas 385, nays 24, not voting 25, as follows:

[Roll No. 89]

YEAS—385

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Chabot
Chandler
Clarke
Clay
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Hastings (FL)
Hayes
Heller
Hensarling
Herger
Herseth
Higgins
Hill
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Latham
LaTourette
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Sires
Skelton
Smith (NE)
Smith (NJ)
Smith (TX)
Snyder
Solis
Souder
Space
Spratt
Stearns
Stupak
Sullivan
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NAYS—24

Baird
Capps
Castor
Cleaver
Conyers
Crowley
Dingell
Filner
Frank (MA)
Gonzalez
Harman
Hinchey
Honda
Jackson (IL)
Kilpatrick
Larsen (WA)
Larson (CT)
Lee
Matsui
Sarbanes
Slaughter
Stark
Sutton
Waters

NOT VOTING—25

Boucher
Brady (TX)
Calvert
Davis, Jo Ann
DeFazio
DeGette
Doggett
Eshoo
Hastert
Hastings (WA)
Hinojosa
Matheson
McDermott
Millender-McDonald
Miller, George
Mitchell
Norwood
Paul
Pryce (OH)
Radanovich
Rothman
Ryan (OH)
Simpson
Smith (WA)
Tancredo

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that there is 1 minute remaining in this vote.

□ 1700

Mr. MARKEY changed his vote from "nay" to "yea."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. The Clerk will designate the fourth amendment on which a separate vote has been demanded.

The text of the amendment is as follows:

Amendment offered by Mr. CANTOR:

At the end of the bill, insert the following new section:

SEC. 7. ADDITIONAL FINDING.

The Congress also finds that in order to lessen United States dependence on foreign sources of petroleum, and decrease demand for petroleum in aircraft, such as passenger planes with 42 business class seats capable of transcontinental flights, the Nation must diversify its fuel supply for aircraft to include domestically produced alternative fuels.

The SPEAKER pro tempore. The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. CANTOR. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—yeas 385, nays 23, not voting 26, as follows:

[Roll No. 90]

YEAS—385

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)

Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Hastings (FL)
Hayes
Heller
Hensarling
Herger
Herseth
Higgins
Hill
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Lampson
Langevin
Lantos
Latham
LaTourette
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pearce
Pence
Perlmutter
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Smith (NE)
Smith (NJ)
Smith (TX)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Tanner
Tauscher
Taylor
Terry
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NAYS—23

Baird
Capps
Castor
Conyers
Crowley
Filner
Flake
Frank (MA)
Gonzalez
Hinchey
Honda
Jackson (IL)
Jackson-Lee (TX)
Kucinich
LaHood
Larsen (WA)
Larson (CT)
Lee
Matsui
Sarbanes
Slaughter
Sutton
Thompson (CA)

NOT VOTING—26

Berman
Boucher
Brady (TX)
Calvert
Davis, Jo Ann
DeFazio
DeGette
Doggett
Eshoo
Harman
Hastert
Hastings (WA)
Hinojosa
Matheson
McDermott
Millender-McDonald
Miller, George
Norwood
Paul
Peterson (MN)
Pryce (OH)
Radanovich
Rothman
Ryan (OH)
Smith (WA)
Tancredo

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there is 1 minute remaining on this vote.

☐ 1707

So the amendment was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. SHIMKUS

Mr. SHIMKUS. Madam Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. SHIMKUS. In its current form, yes.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Shimkus moves to recommit the bill H.R. 547 to the Committee on Science and Technology with instructions to report the same back to the House forthwith with the following amendments:

Strike "biofuels" each place it appears and insert "alternative fuels".

Strike "biofuel" each place it appears and insert "alternative fuel".

At the end of the bill, insert the following new section:

SEC. 7. DEFINITION.

For purposes of this Act, the term "alternative fuel" has the meaning given that term in section 301 of the Energy Policy Act of 1992.

Page 3, lines 4 and 9, redesignate paragraphs (5) and (6) as paragraphs (6) and (7), respectively.

Page 3, after line 3, insert the following new paragraph:

(5) as the Nation's recoverable coal has the energy content equivalent of one trillion barrels of oil, Ultra Low Sulfur Diesel fuel derived from coal-to-liquid technologies will help lessen our dependence on foreign sources of petroleum;

Page 5, line 3, strike "and" and insert a comma.

Page 5, line 4, insert ", and Ultra Low Sulfur Diesel derived from coal-to-liquids technologies" after "and Low Sulfur Diesel".

Mr. SHIMKUS (during the reading). Madam Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois is recognized for 5 minutes in support of his motion.

Mr. SHIMKUS. Madam Speaker, last time I spoke on the floor was on H.R. 6, and I challenged my fossil fuel Democrats, my coal Democrats, to not abandon fossil fuels. I know that the majority of the Members of the Democratic Caucus are anti-coal, but I was assured the interests of coal would not be left out in the future.

Well, here we go again. With this bill we do just that. My motion to recommit would expand the universe of this bill to do what was passed and accepted by a Democratic House in 1992 under EPACT, the Energy and Policy Act.

This bill, as written, does not use the 15-year accepted word of "alternative." By leaving this out, the bill discriminates not only on coal-to-liquid technologies that produce low sulfur diesel and aviation fuel, but also natural gas and hydrogen.

This motion to recommit improves this bill and does not limit science, research and development to not only biofuels but coal-to-liquid, hydrogen and natural gas.

It is my hope that one day the Speaker and all of us will be able to fly back to our districts using aviation fuel produced from coal from U.S. coal mines and U.S. refineries.

And with that, Madam Speaker, I yield to Ranking Member HALL.

Mr. HALL of Texas. Madam Speaker, I will be brief.

In our drive towards energy independence, we cannot exclude one of our greatest natural resources. I am a fossil fuels guy. I am from Texas, and I am for fossil fuels, but I also know the value of coal. Coal must continue to be part of our energy portfolio, along with alternative fuels and renewable fuels.

The Republican motion to recommit recognizes this fact, and I thank you for it. It ensures that coal is going to continue to have a place at the table by clearly defining coal-to-liquids as an alternative fuel and including ultra low sulfur diesel derived from coal-to-liquids in the bill.

The U.S. is in no danger of running out of coal. At current consumption rates, U.S. recoverable coal reserves are estimated to last for 250 years. The U.S. currently has over a quarter of the world's recoverable coal, more than Russia, over twice the amount of China. This compares to the U.S. oil reserves that are 2 percent of the world's total natural gas which are 3 percent of the world's total. We have plenty of coal. Actually, coal reserves are spread also over 38 of your States. Thirty-eight of you there have coal, and it is important to you.

I would just say this. John McKetta, noted author and writer from the University of Texas, said 14 years ago, We have enough coal in the mid-section of the United States to double the total output of the OPEC Nations all combined if we could but mine it.

Let's don't send our kids overseas to take some energy away from someone when we got plenty right here at home.

Mr. GORDON of Tennessee. Madam Speaker, I rise in opposition to the motion.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. GORDON of Tennessee. Madam Speaker, I want to concur with my friend from Texas in terms of his concern about coal being a part of the overall package of dealing with energy independence. He is absolutely right, and I think everyone in this body recognizes that clean coal will be a part of our energy independence.

Unfortunately, though, this amendment does not really deal with clean coal. This amendment is a continuing effort to try to undermine this good bill today dealing with alternative energy. This is a very narrow bill.

This is a bill that was cosponsored by myself as chairman of the Science Committee, the ranking member of the Science Committee, and many others, and passed out of the committee unanimously because we are trying to deal with the problem today. We want to deal today with the infrastructure problems that stop our alternative fuels from being able to be used in existing infrastructure.

Clean coal will be a part of a solution later, but clean coal is not available right now. And so why are we stopping dealing with something we can do today for something that there is no solution for today?

Clean coal will be a part of what we do over in the Science and Technology Committee. We have been in discussions about this. I think everybody should know that. So that is off the table.

The question today on this motion to recommit is, do you want to move forward and do something today about alternative energy? If you do, vote down this amendment. If you do not want to do anything about this today, if you want to talk and talk and talk and come back another day, then vote "aye."

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. SHIMKUS. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to the earlier order of the House, the Chair will reduce to 2 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 200, noes 207, not voting 27, as follows:

[Roll No. 91]

AYES—200

Abercrombie
Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carney
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Costello
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hayes
Heller
Hensarling
Herger
Hill
Hobson
Hoekstra
Holden
Hulshof
Hunter
Inglis (SC)
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mollohan
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Space
Stearns
Sullivan
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOES—207

Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carson
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
Delahunt
Dicks
Dingell
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Hastings (FL)
Herseth
Higgins
Hinchey
Hirono
Hodes
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matsui
McCarthy (NY)
McCollum (MN)
McGovern
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Mitchell
Moore (KS)
Moore (WI)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rangel
Reyes
Rodriguez
Ross
Roybal-Allard
Ruppersberger
Rush
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Snyder
Solis
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—27

Berman
Boucher
Brady (TX)
Calvert
Davis, Jo Ann
DeFazio
DeGette
DeLauro
Doggett

Eshoo
Harman
Hastert
Hastings (WA)
Hinojosa
Matheson
McDermott
McKeon
Millender-McDonald
Miller, George
Moran (VA)
Norwood
Paul
Pryce (OH)
Rothman
Ryan (OH)
Smith (WA)
Tancredo

☐ 1732

Mr. WILSON of Ohio and Mr. HILL changed their vote from "no" to "aye."

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. SHIMKUS. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 400, noes 3, not voting 31, as follows:

[Roll No. 92]

AYES—400

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Donnelly
Doolittle
Doyle
Drake
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Hastings (FL)
Hayes
Heller
Hensarling
Herger
Herseth
Higgins
Hill
Hinchey
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McGovern
McHenry
McHugh
McIntyre
McMorris Rodgers
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (WI)
Salazar
Sali
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shays
Shea-Porter
Sherman
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOES—3

Flake
Shadegg
Shimkus

NOT VOTING—31

Berman
Bishop (NY)
Boucher
Brady (TX)
Calvert
Davis, Jo Ann
DeFazio
DeGette
Doggett
Dreier
Eshoo
Harman
Hastert
Hastings (WA)
Hinojosa
Matheson
McDermott
McKeon
Millender-McDonald
Miller, Gary
Miller, George
Norwood
Paul
Pryce (OH)
Rothman
Ryan (OH)
Sánchez, Linda T.
Smith (WA)
Tancredo
Van Hollen
Wilson (NM)

☐ 1739

So the bill was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: "To facilitate the development of markets for biofuels and Ultra Low Sulfur Diesel fuel through research and development and data collection.".

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM

(Mr. BLUNT asked and was given permission to address the House for 1 minute.)

Mr. BLUNT. Mr. Speaker, I rise for the purpose of inquiring about next week's schedule, and I yield to my good friend, the gentleman from Maryland, the majority leader, Mr. HOYER.

Mr. HOYER. Mr. Speaker, I thank the Republican whip for yielding.

On Monday the House will meet at 12:30 for morning hour and 2 p.m. for legislative business. We will consider several bills under suspension of the rules. There will be no votes before 6:30 p.m. as is our practice.

On Tuesday, the House will meet at 9 a.m. for morning hour, and at 10 a.m. for legislative business. On Wednesday and Thursday, the House will meet at 10 a.m., and on Friday the House will meet at 9 a.m.

In addition to further suspension bills, a complete list of those bills for the week will be announced later this week, we will consider a small business tax relief bill, and a resolution regarding the war in Iraq.

Because we intend to make sure that every Member who wishes to speak to that matter will have the opportunity to do so, Members should be advised that we will have long days next week, meaning perhaps as late as midnight, and Friday could be a full day in order to complete our work for the week.

Mr. BLUNT. Mr. Speaker, I thank my friend for that information. I would like to yield again to him to ask when on our side we might be able to see the resolution in its completed form, or in any form for that matter.

Mr. HOYER. Mr. Speaker, we have told our Members that by Monday morning at 10 a.m. we ought to have that resolution available.

Mr. BLUNT. Mr. Speaker, I would also ask, will we see that resolution go through the Armed Services Committee and be marked up there? Or what will be the process for the resolution? I yield.

Mr. HOYER. Mr. Speaker, I thank the gentleman for yielding. There have been, I would tell the gentleman, some 22 hearings on Iraq by the Government Reform Committee, by the Armed Services Committee, by the International Relations Committee, by the Appropriations subcommittee and by the Committee on Intelligence. There have been extensive hearings on this bill. This is a resolution. It is being done in conjunction with the Armed Service Committee and the International Relations Committee. I do not anticipate that there will be a markup of the resolution.

Mr. BLUNT. Mr. Speaker, I thank the gentleman for the information. This resolution I guess we have never had a hearing on. But the resolution is going to be put before the body by the leaders. Is that what you anticipate happening, Mr. Leader?

Mr. HOYER. That is what I anticipate, the leaders being Mr. SKELTON, Mr. LANTOS, and others. We expect there to be Members on both sides of the aisle.

Mr. BLUNT. Mr. Speaker, another question: What about the Republican leaders and Members? Will we have a chance to have amendments to this bill? Will we get a chance to have a substitute? Will there be more than one substitute? What kinds of things are you thinking about in terms of the structure of the debate?

Mr. HOYER. Mr. Speaker, we believe that the issue of the President's policy, which was announced some weeks ago, is an extraordinarily serious question confronting the country and the Congress. We expect the resolution to be very straightforward and very simple.

We expect the resolution to deal only with the proposal the President has made for escalation. We believe we should present that to the House of Representatives as an issue on which they can make their advice to the President of the United States and to the Executive Department.

So the answer to the gentleman's question is that we do not believe, as you have not in the past on similar resolutions, I remember your so-called Murtha resolution, we believe that there will be a direct question propounded to the House which every Member can speak to for 3 to 4 days, and then give their advice on.

Mr. BLUNT. Mr. Speaker, would we have at least the opportunity for a recommittal with instructions? At one time I thought you had announced the likelihood that we would have a substitute on Tuesday of this week or sometime earlier this week. Am I hearing now you do not any longer believe we will have that, and will we at least have the recommittal opportunity?

Mr. HOYER. We are grappling with this, I will tell my friend. We believe the American public, the American people, have the right to know where their representatives stand on the central and sole issue that the resolution will raise.

There may be other issues that you might want to raise at some point in time. And there are going to be at least three pieces of legislation, as you know, that will be coming down the pike on this issue: the supplemental, the authorization bill, and the appropriation bill for 2008.

We expect all of those bills to be relatively broad in their treatment of various different aspects. But I will tell the gentleman, frankly, because we feel this is such a critically important question and that the clarity of the question and the clarity of the response is so important that we are trying to carefully consider how we can assure that there is no confusion as to the answer that this House gives.

Mr. BLUNT. Of course, I hope that as you grapple with this, you will grapple toward the determination of input into this important debate. I believe, as you do, it is a critically important debate. This is an important issue. You and I have been together to Iraq twice. We both have taken this issue very seriously. We watched and the American people have watched the debate on the other side of this building this week, where the whole process has come to a halt because of the unwillingness of that body to move forward without having options on the table; and even in that debate, the majority offered at least one alternative opportunity to the minority.

And that was not acceptable to that minority on that side of the building. I would hope on this side of the building that at least we would get the offer that if you are working on the other side of the building, you walked away from, which would be one opportunity to express another view.

We are going to have 3 full days of debate. The gentleman said some of them could very well last as long as midnight.

□ 1745

That is enough time to consider more than one point of view and have at least two points of view heard. And I heard the gentleman early in the week; I heard him say today, you are still grappling with that. And I would just encourage you to do your best to try to create the opportunity for this issue to be debated in the fullest possible way at this moment and move on with that.

I would also like to ask, with February 15 being the last day for the current continuing resolution to be in effect, it seems to me possible at least that the Senate is not going to deal with the bill by the end of the week. Do we have any plans as to how to deal with that issue? Or do you have any information that I don't have that would suggest that it is likely that the Senate will have agreed to a bill that we can agree to?

One option, obviously, would be agree to the bill that the House sent over. But I am interested in what happens on Friday, and between now and Friday that might settle that also, that important issue as well.

I yield to the gentleman.

Mr. HOYER. I thank my friend for yielding.

The gentleman is correct. On February 15, of course, the existing CR expires in terms of authorization for the funding of the departments that were unfunded in the budget cycle, in the appropriation cycle, so that we need to take action to keep the government operating for all agencies other than Homeland Security and the Defense Department.

We are trying to plan on the contingencies. Obviously, one of the alternatives you mentioned is one that we would hope might be followed, and that is the adoption of the House-passed CR, which we think is one that obviously a broad number of this House supported in a bipartisan fashion. We would hope that the other body would.

But if they do not move ahead, we are discussing the possibility of some short-term CR. But those discussions have not moved beyond the contemplation that they may be necessary. They have not come to any decision as to how long it would be.

Clearly, one of the problems, as the gentleman knows, is we are leaving for a week for the Presidents' Day District Work Period, so that we would not be here at least for the following week. One of the reasons obviously Friday may be a very long day will be because the CR will have expired if we don't pass something, and we may have to deal with it that day, as well as ending the debate that we referred to previously.

Mr. BLUNT. I thank the gentleman for that information.

I would assume that fairly early in the week, it is likely, it is possible, at least, that having to deal with that CR question will appear to be likely rather than not. I will be glad to join with you in watching that closely early in the week. We look forward to the debate.

Mr. HOYER. Will my friend yield?

Mr. BLUNT. I would.

Mr. HOYER. I don't want to get into a long debate, but I do want to make an observation.

Mr. DREIER was critical that we put today's bill on the floor, and he indicated he thought it would take just a few minutes to pass and that everybody would be for it. The Members were hoping that would be the case. But you never can tell.

Mr. BLUNT. I appreciate those comments. And, of course, after the 6 weeks that we have had of no opportunity to express our views, we were eager to express those, and we were grateful for the open rule. And, frankly, we were able to, I think, bring some good debate to the floor.

The re-voting issue surprised me because when we re-voted those amendments that had been passed in the House, on one amendment, 57 people changed their mind between the vote and the re-vote. And on another one, 25 people changed their mind. I had always assumed there was more consistency in the voting than that, but I guess 30 minutes can make a big difference in how that goes.

Mr. HOYER. If the gentleman will yield.

Mr. BLUNT. I would yield.

Mr. HOYER. I think the expression you saw was not on the merits of the amendments.

Mr. BLUNT. That very well could be. I am sure that those Members will be able to explain that fully in that way.

I thank the gentleman for the information.

HOUR OF MEETING ON TOMORROW, ADJOURNMENT TO MONDAY, FEBRUARY 12, 2007, HOUR OF MEETING ON TUESDAY, FEBRUARY 13, 2007, AND HOUR OF MEETING ON FRIDAY, FEBRUARY 16, 2007

Mr. HOYER. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 2 p.m. tomorrow; that when the House adjourns on that day, it adjourn to meet at 12:30 p.m. on Monday next for morning hour debate; that when the House adjourns on that day, it adjourn to meet at 9 a.m. on Tuesday, February 13, 2007, for morning hour debate as though after May 14, 2007, thereafter to resume its session at 10 a.m.; and further, when the House adjourns on Thursday, February 15, it adjourn to meet at 9 a.m. on Friday, February 16.

The SPEAKER pro tempore (Mr. BERRY). Is there objection to the request of the gentleman from Maryland?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. HOYER. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

ENERGY SECURITY

(Mr. SCHIFF asked and was given permission to address the House for 1 minute.)

Mr. SCHIFF. Madam Speaker, on Friday, the Intergovernmental Panel on Climate Change released its fourth report on the state of climate change science. This report is the most comprehensive, unbiased summary of the climate situation because it evaluates all peer-reviewed research published around the world and draws only the most conservative conclusions.

The report found that the evidence of global warming is unequivocal, and that the culprit is almost certainly our emissions.

However, this troubling scientific consensus is not acceptable to some, like the American Enterprise Institute, which sent a letter to climate scientists offering them $10,000 to write articles challenging the IPCC's analysis. This is an appalling attempt by vested interests to buy science that is more convenient for their outdated philosophy. However, it is also encouraging because it demonstrates just how desperate the climate skeptics are.

The IPCC report is the writing on the wall. The American people are demanding comprehensive climate change legislation, and we can delay no longer.

HYPOTHETICAL QUESTION

(Mr. GOHMERT asked and was given permission to address the House for 1 minute.)

Mr. GOHMERT. Madam Speaker, growing up, high school, college, even in the Army, law school, people were always coming up with these brain twister questions they want you to think about.

And as I sat here today thinking through the debates going back and forth, I had a question that I thought might be good to ask. If a luxury jet liner is flying, taking off from Washington, D.C., and flying nonstop to San Francisco with one passenger and 16 crew members, and they land in San Francisco with the one passenger, the Speaker, and then, instead of stopping, they refuel and take off nonstop for American Samoa, at what point, if any, during the flight do any of the crew members fall under the minimum wage requirements of the Federal Government?

Interesting question.

SPECIAL ORDERS

The SPEAKER pro tempore (Ms. SHEA-PORTER). Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

PUBLICATION OF THE RULES OF THE COMMITTEE ON NATURAL RESOURCES, 110TH CONGRESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from West Virginia (Mr. RAHALL,) is recognized for 5 minutes.

Mr. RAHALL. Madam Speaker, I am pleased to submit for printing in the CONGRESSIONAL RECORD, pursuant to rule XI, clause 2(a) of the Rules of the House, a copy of the Rules of the Committee on Natural Resources, which were adopted at the organizational meeting of the committee on February 7, 2007.

RULES FOR THE COMMITTEE ON NATURAL RESOURCES, U.S. HOUSE OF REPRESENTATIVES, 110TH CONGRESS

RULE 1. RULES OF THE HOUSE; VICE CHAIRMEN.

(a) Applicability of House Rules.

(1) The Rules of the House of Representatives, so far as they are applicable, are the rules of the Committee and its Subcommittees.

(2) Each Subcommittee is part of the Committee and is subject to the authority, direction and rules of the Committee. References in these rules to "Committee" and "Chairman" shall apply to each Subcommittee and its Chairman wherever applicable.

(3) House Rule XI is incorporated and made a part of the rules of the Committee to the extent applicable.

(b) Vice Chairmen.—Unless inconsistent with other rules, the Chairman shall appoint a Vice Chairman of the Committee and the Subcommittee Chairmen will appoint Vice Chairmen of each of the Subcommittees. If the Chairman of the Committee or Subcommittee is not present at any meeting of the Committee or Subcommittee, as the case may be, the Vice Chairman shall preside. If the Vice Chairman is not present, the ranking Member of the Majority party on the Committee or Subcommittee who is present shall preside at that meeting.

RULE 2. MEETINGS IN GENERAL.

(a) Scheduled Meetings.—The Committee shall meet at 10 a.m. every Wednesday when the House is in session, unless canceled by the Chairman. The Committee shall also meet at the call of the Chairman subject to advance notice to all Members of the Committee. Special meetings shall be called and convened by the Chairman as provided in clause 2(c)(1) of House Rule XI. Any Committee meeting or hearing that conflicts with a party caucus, conference, or similar party meeting shall be rescheduled at the discretion of the Chairman, in consultation with the Ranking Minority Member. The Committee may not sit during a joint session of the House and Senate or during a recess when a joint meeting of the House and Senate is in progress.

(b) Open Meetings.—Each meeting for the transaction of business, including the markup of legislation, and each hearing of the Committee or a Subcommittee shall be open to the public, except as provided by clause 2(g) and clause 2(k) of House Rule XI.

(c) Broadcasting.— Whenever a meeting for the transaction of business, including the markup of legislation, or a hearing is open to the public, that meeting or hearing shall be open to coverage by television, radio, and still photography in accordance with clause 4 of House Rule XI. The provisions of clause 4(f) of House Rule XI are specifically made part of these rules by reference. Operation and use of any Committee Internet broadcast system shall be fair and nonpartisan and in accordance with clause 4(b) of House Rule XI and all other applicable rules of the Committee and the House.

(d) Oversight Plan.—No later than February 15 of the first session of each Congress, the Committee shall adopt its oversight plans for that Congress in accordance with clause 2(d)(1) of House Rule X.

RULE 3. PROCEDURES IN GENERAL.

(a) Agenda of Meetings; Information for Members.—An agenda of the business to be considered at meetings shall be delivered to the office of each Member of the Committee no later than 48 hours before the meeting. This requirement may be waived by a majority vote of the Committee at the time of the consideration of the measure or matter. To the extent practicable, a summary of the major provisions of any bill being considered by the Committee, including the need for the bill and its effect on current law, will be available for the Members of the Committee no later than 48 hours before the meeting.

(b) Meetings and Hearings to Begin Promptly.—Each meeting or hearing of the Committee shall begin promptly at the time stipulated in the public announcement of the meeting or hearing.

(c) Addressing the Committee.—A Committee Member may address the Committee or a Subcommittee on any bill, motion, or other matter under consideration or may question a witness at a hearing only when recognized by the Chairman for that purpose. The time a Member may address the Committee or Subcommittee for any purpose or to question a witness shall be limited to five minutes, except as provided in Committee Rule 4(g). A Member shall limit his remarks to the subject matter under consideration. The Chairman shall enforce the preceding provision.

(d) Quorums.

(1) A majority of the Members shall constitute a quorum for the reporting of any measure or recommendation, the authorizing of a subpoena, the closing of any meeting or hearing to the public under clause 2(g)(1), clause 2(g)(2)(A) and clause 2(k)(5)(B) of House Rule XI, and the releasing of executive session materials under clause 2(k)(7) of House Rule X. Testimony and evidence may be received at any hearing at which there are at least two Members of the Committee present. For the purpose of transacting all other business of the Committee, one third of the Members shall constitute a quorum.

(2) When a call of the roll is required to ascertain the presence of a quorum, the offices of all Members shall be notified and the Members shall have not less than 15 minutes to prove their attendance. The Chairman shall have the discretion to waive this requirement when a quorum is actually present or whenever a quorum is secured and may direct the Chief Clerk to note the names of all Members present within the IS-minute period.

(e) Participation of Members in Committee and Subcommittees.—All Members of the Committee may sit with any Subcommittee during any hearing, and by unanimous consent of the Members of the Subcommittee may participate in any meeting or hearing. However, a Member who is not a Member of the Subcommittee may not vote on any matter before the Subcommittee; be counted for purposes of establishing a quorum or raise points of order.

(f) Proxies.—No vote in the Committee or its Subcommittees may be cast by proxy.

(g) Record Votes.—Record votes shall be ordered on the demand of one-fifth of the Members present, or by any Member in the apparent absence of a quorum.

(h) Postponed Record Votes.

(1) Subject to paragraph (2), the Chairman may, after consultation with the Ranking Minority Member, postpone further proceedings when a record vote is ordered on the question of approving any measure or matter or adopting an amendment. The Chairman shall resume proceedings on a postponed request at any time after reasonable notice, but no later than the next meeting day.

(2) Notwithstanding any intervening order for the previous question, when proceedings resume on a postponed question under paragraph (1), an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

(3) This rule shall apply to Subcommittee proceedings.

(i) Privileged Motions.—A motion to recess from day to day, a motion to recess subject to the call of the Chairman (within 24 hours), and a motion to dispense with the first reading (in full) of a bill or resolution if printed copies are available, are nondebatable motions of high privilege.

(j) Layover and Copy of Bill.—No measure or recommendation reported by a Subcommittee shall be considered by the Committee until two calendar days from the time of Subcommittee action. No bill shall be considered by the Committee unless a copy has been delivered to the office of each Member of the Committee requesting a copy. These requirements may be waived by a majority vote of the Committee at the time of consideration of the measure or recommendation.

(k) Access to Dais and Conference Room.—Access to the hearing rooms' daises [and to the conference rooms adjacent to the Committee hearing rooms] shall be limited to Members of Congress and employees of the Committee during a meeting of the Committee, except that Committee Members' personal staff may be present on the daises if their employing Member is the author of a bill or amendment under consideration by the Committee, but only during the time that the bill or amendment is under active consideration by the Committee. Access to the conference rooms adjacent to the Committee hearing rooms shall be limited to Members of Congress and employees of Congress during a meeting of the Committee.

(l) Cellular Telephones.— The use of cellular telephones is prohibited on the Committee dais or in the Committee hearing rooms during a meeting of the Committee.

(m) Motion to go to Conference with the Senate.—The Chairman may offer a motion under clause 1 of Rule XXII whenever the Chairman considers it appropriate.

RULE 4. HEARING PROCEDURES.

(a) Announcement.— The Chairman shall publicly announce the date, place, and subject matter of any hearing at least one week before the hearing unless the Chairman, with the concurrence of the Ranking Minority Member, determines that there is good cause to begin the hearing sooner, or if the Committee so determines by majority vote. In these cases, the Chairman shall publicly announce the hearing at the earliest possible date. The Chief Clerk of the Committee shall promptly notify the Daily Digest Clerk of the Congressional Record and shall promptly enter the appropriate information on the Committee's web site as soon as possible after the public announcement is made.

(b) Written Statement; Oral Testimony.—Each witness who is to appear before the Committee or a Subcommittee shall file with the Chief Clerk of the Committee or Subcommittee Clerk, at least two working days before the day of his or her appearance, a written statement of proposed testimony. Failure to comply with this requirement may result in the exclusion of the written testimony from the hearing record and/or the barring of an oral presentation of the testimony. Each witness shall limit his or her oral presentation to a five-minute summary of the written statement, unless the Chairman, in consultation with the Ranking Minority Member, extends this time period. In addition, all witnesses shall be required to submit with their testimony a resume or other statement describing their education, employment, professional affiliations and other background information pertinent to their testimony.

(c) Minority Witnesses.—When any hearing is conducted by the Committee or any Subcommittee upon any measure or matter, the Minority party Members on the Committee or Subcommittee shall be entitled, upon request to the Chairman by a majority of those Minority Members before the completion of the hearing, to call witnesses selected by the Minority to testify with respect to that measure or matter during at least one day of hearings thereon.

(d) Information for Members.—After announcement of a hearing, the Committee shall make available as soon as practicable to all Members of the Committee a tentative witness list and to the extent practicable a memorandum explaining the subject matter of the hearing (including relevant legislative reports and other necessary material). In addition, the Chairman shall make available to the Members of the Committee any official reports from departments and agencies on the subject matter as they are received.

(e) Subpoenas.—The Committee or a Subcommittee may authorize and issue a subpoena under clause 2(m) of House Rule XI if authorized by a majority of the Members voting. In addition, the Chairman of the Committee may authorize and issue subpoenas during any period of time in which the House of Representatives has adjourned for more than three days. Subpoenas shall be signed only by the Chairman of the Committee, or any Member of the Committee authorized by the Committee, and may be served by any person designated by the Chairman or Member.

(f) Oaths.—The Chairman of the Committee or any Member designated by the Chairman may administer oaths to any witness before the Committee. All witnesses appearing in hearings may be administered the following oath by the Chairman or his designee prior to receiving the testimony: "Do you solemnly swear or affirm that the testimony that you are about to give is the truth, the whole truth, and nothing but the truth, so help you God?".

(g) Opening Statements; Questioning of Witnesses.

(1) Opening statements by Members may not be presented orally, unless the Chairman or his designee makes a statement, in which case the Ranking Minority Member or his designee may also make a statement. If a witness scheduled to testify at any hearing of the Committee is a constituent of a Member of the Committee, that Member shall be entitled to introduce the witness at the hearing.

(2) The questioning of witnesses in Committee and Subcommittee hearings shall be initiated by the Chairman, followed by the Ranking Minority Member and all other Members alternating between the Majority and Minority parties. In recognizing Members to question witnesses, the Chairman shall take into consideration the ratio of the Majority to Minority Members present and shall establish the order of recognition for questioning in a manner so as not to disadvantage the Members of the Majority or the Members of the Minority. A motion is in order to allow designated Majority and Minority party Members to question a witness for a specified period to be equally divided between the Majority and Minority parties. This period shall not exceed one hour in the aggregate.

(h) Materials for Hearing Record.—Any materials submitted specifically for inclusion in the hearing record must address the announced subject matter of the hearing and be submitted to the relevant Subcommittee Clerk or Chief Clerk no later than 10 business days following the last day of the hearing.

(i) Claims of Privilege.—Claims of common-law privileges made by witnesses in hearings, or by interviewees or deponents in investigations or inquiries, are applicable only at the discretion of the Chairman, subject to appeal to the Committee.

RULE 5. FILING OF COMMITTEE REPORTS.

(a) Duty of Chairman.—Whenever the Committee authorizes the favorable reporting of a measure from the Committee, the Chairman or his designee shall report the same to the House of Representatives and shall take all steps necessary to secure its passage without any additional authority needing to be set forth in the motion to report each individual measure. In appropriate cases, the authority set forth in this rule shall extend to moving in accordance with the Rules of the House of Representatives that the House be resolved into the Committee of the Whole House on the State of the Union for the consideration of the measure; and to moving in accordance with the Rules of the House of Representatives for the disposition of a Senate measure that is substantially the same as the House measure as reported.

(b) Filing.—A report on a measure which has been approved by the Committee shall be filed within seven calendar days (exclusive of days on which the House of Representatives is not in session) after the day on which there has been filed with the Committee Chief Clerk a written request, signed by a majority of the Members of the Committee, for the reporting of that measure. Upon the filing with the Committee Chief Clerk of this request, the Chief Clerk shall transmit immediately to the Chairman notice of the filing of that request.

(c) Supplemental, Additional or Minority Views.—Any Member may, if notice is given at the time a bill or resolution is approved by the Committee, file supplemental, additional, or minority views. These views must be in writing and signed by each Member joining therein and be filed with the Committee Chief Clerk not less than two additional calendar days (excluding Saturdays, Sundays and legal holidays except when the House is in session on those days) of the time the bill or resolution is approved by the Committee. This paragraph shall not preclude the filing of any supplemental report on any bill or resolution that may be required for the correction of any technical error in a previous report made by the Committee on that bill or resolution.

(d) Review by Members.—Each Member of the Committee shall be given an opportunity to review each proposed Committee report before it is filed with the Clerk of the House of Representatives. Nothing in this paragraph extends the time allowed for filing supplemental, additional or minority views under paragraph (c).

(e) Disclaimer.—All Committee or Subcommittee reports printed and not approved by a majority vote of the Committee or Subcommittee, as appropriate, shall contain the following disclaimer on the cover of the report:

"This report has not been officially adopted by the (Committee on Natural Resources) (Subcommittee) and may not therefore necessarily reflect the views of its Members.".

RULE 6. ESTABLISHMENT OF SUBCOMMITTEES; FULL COMMITTEE JURISDICTION; BILL REFERRALS.

(a) Subcommittees.—There shall be five standing Subcommittees of the Committee, with the following jurisdiction and responsibilities:

Subcommittee on National Parks, Forests and Public Lands

(1) Measures and matters related to the National Park System and its units, including Federal reserved water rights.

(2) The National Wilderness Preservation System.

(3) Wild and Scenic Rivers System, National Trails System, national heritage areas and other national units established for protection, conservation, preservation or recreational development, other than coastal barriers.

(4) Military parks and battlefields, national cemeteries administered by the Secretary of the Interior, parks in and within the vicinity of the District of Columbia and the erection of monuments to the memory of individuals.

(5) Federal outdoor recreation plans, programs and administration including the Land and Water Conservation Fund.

(6) Plans and programs concerning non-Federal outdoor recreation and land use, including related plans and programs authorized by the Land and Water Conservation Fund Act of 1965 and the Outdoor Recreation Act of 1963.

(7) Preservation of prehistoric ruins and objects of interest on the public domain and other historic preservation programs and activities, including national monuments, historic sites and programs for international cooperation in the field of historic preservation.

(8) Matters concerning the following agencies and programs: Urban Parks and Recreation Recovery Program, Historic American Buildings Survey, Historic American Engineering Record, and U.S. Holocaust Memorial.

(9) Public lands generally, including measures or matters relating to entry, easements, withdrawals, grazing and Federal reserved water rights.

(10) Forfeiture of land grants and alien ownership, including alien ownership of mineral lands.

(11) Cooperative efforts to encourage, enhance and improve international programs for the protection of natural resources the conservation of natural resources otherwise within the jurisdiction of the Subcommittee.

(12) Forest reservations, including management thereof, created from the public domain.

(13) Public forest lands generally, including measures or matters related to entry, easements, withdrawals, grazing and Federal reserved water rights.

(14) General and continuing oversight and investigative authority over activities, policies and programs within the jurisdiction of the Subcommittee.

Subcommittee on Fisheries, Wildlife and Oceans

(1) Fisheries management and fisheries research generally, including the management of all commercial and recreational fisheries, the Magnuson-Stevens Fishery Conservation and Management Act, interjurisdictional fisheries, international fisheries agreements, aquaculture, seafood safety and fisheries promotion.

(2) Wildlife resources, including research, restoration, refuges and conservation.

(3) All matters pertaining to the protection of coastal and marine environments, including estuarine protection.

(4) Coastal barriers.

(5) Oceanography.

(6) Ocean engineering, including materials, technology and systems.

(7) Coastal zone management.

(8) Marine sanctuaries.

(9) U.N. Convention on the Law of the Sea.

(10) Sea Grant programs and marine extension services.

(11) Cooperative efforts to encourage, enhance and improve international programs for the protection of the environment and the conservation of natural resources otherwise within the jurisdiction of the Subcommittee.

(12) General and continuing oversight and investigative authority over activities, policies and programs within the jurisdiction of the Subcommittee.

Subcommittee on Water and Power

(1) Generation and marketing of electric power from Federal water projects by Federally chartered or Federal regional power marketing authorities.

(2) All measures and matters concerning water resources planning conducted pursuant to the Water Resources Planning Act, water resource research and development programs and saline water research and development.

(3) Compacts relating to the use and apportionment of interstate waters, water rights and major interbasin water or power movement programs.

(4) All measures and matters pertaining to irrigation and reclamation projects and other water resources development and recycling programs, including policies and procedures.

(5) Indian water rights and settlements.

(6) Cooperative efforts to encourage, enhance and improve international programs for the protection of the environment and the conservation of natural resources otherwise within the jurisdiction of the Subcommittee.

(7) General and continuing oversight and investigative authority over activities, policies and programs within the jurisdiction of the Subcommittee.

Subcommittee on Energy and Mineral Resources

(1) All measures and matters concerning the U.S. Geological Survey, except for the activities and programs of the Water Resources Division or its successor.

(2) All measures and matters affecting geothermal resources.

(3) Conservation of United States uranium supply.

(4) Mining interests generally, including all matters involving mining regulation and enforcement, including the reclamation of mined lands, the environmental effects of mining, and the management of mineral receipts, mineral land laws and claims, long-range mineral programs and deep seabed mining.

(5) Mining schools, experimental stations and long-range mineral programs.

(6) Mineral resources on public lands.

(7) Conservation and development of oil and gas resources of the Outer Continental Shelf.

(8) Petroleum conservation on the public lands and conservation of the radium supply in the United States.

(9) Measures and matters concerning the transportation of natural gas from or within Alaska and disposition of oil transported by the trans-Alaska oil pipeline.

(10) Rights of way over public lands for underground energy-related transportation.

(11) Cooperative efforts to encourage, enhance and improve international programs for the protection of the environment and

the conservation of natural resources otherwise within the jurisdiction of the Subcommittee.

(12) General and continuing oversight and investigative authority over activities, policies and programs within the jurisdiction of the Subcommittee.

Subcommittee on Insular Affairs

(1) All matters regarding insular areas of the United States.

(2) All measures or matters regarding the Freely Associated States and Antarctica.

(3) Cooperative efforts to encourage, enhance and improve international programs for the protection of the environment and the conservation of natural resources otherwise within the jurisdiction of the Subcommittee.

(4) General and continuing oversight and investigative authority over activities, policies and programs within the jurisdiction of the Subcommittee.

(b) Full Committee.—The Full Committee shall have the following jurisdiction and responsibilities:

(1) Environmental and habitat measures of general applicability.

(2) Measures relating to the welfare of Native Americans, including management of Indian lands in general and special measures relating to claims which are paid out of Indian funds.

(3) All matters regarding the relations of the United States with Native Americans and Native American tribes, including special oversight functions under Rule X of the Rules of the House of Representatives.

(4) All matters regarding Native Alaskans and Native Hawaiians.

(5) All matters related to the Federal trust responsibility to Native Americans and the sovereignty of Native Americans.

(6) Cooperative efforts to encourage, enhance and improve international programs for the protection of the environment and the conservation of natural resources otherwise within the jurisdiction of the Full Committee under this paragraph.

(7) All measures and matters retained by the Full Committee, including those retained under Committee Rule 6(e).

(8) General and continuing oversight and investigative authority over activities, policies and programs within the jurisdiction of the Committee under House Rule X.

(c) Ex-officio Members.—The Chairman and Ranking Minority Member of the Committee may serve as ex-officio Members of each standing Subcommittee to which the Chairman or the Ranking Minority Member have not been assigned. Ex-officio Members shall have the right to fully participate in Subcommittee activities but may not vote and may not be counted in establishing a quorum.

(d) Powers and Duties of Subcommittees.—Each Subcommittee is authorized to meet, hold hearings, receive evidence and report to the Committee on all matters within its jurisdiction. Each Subcommittee shall review and study, on a continuing basis, the application, administration, execution and effectiveness of those statutes, or parts of statutes, the subject matter of which is within that Subcommittee's jurisdiction; and the organization, operation, and regulations of any Federal agency or entity having responsibilities in or for the administration of such statutes, to determine whether these statutes are being implemented and carried out in accordance with the intent of Congress. Each Subcommittee shall review and study any conditions or circumstances indicating the need of enacting new or supplemental legislation within the jurisdiction of the Subcommittee. Each Subcommittee shall have general and continuing oversight and investigative authority over activities, policies and programs within the jurisdiction of the Subcommittee.

(e) Referral to Subcommittees; Recall.

(1) Except as provided in paragraph (2) and for those matters within the jurisdiction of the Full Committee, every legislative measure or other matter referred to the Committee shall be referred to the Subcommittee of jurisdiction within two weeks of the date of its referral to the Committee. If any measure or matter is within or affects the jurisdiction of one or more Subcommittees, the Chairman may refer that measure or matter simultaneously to two or more Subcommittees for concurrent consideration or for consideration in sequence subject to appropriate time limits, or divide the matter into two or more parts and refer each part to a Subcommittee.

(2) The Chairman, with the approval of a majority of the Majority Members of the Committee, may refer a legislative measure or other matter to a select or special Subcommittee. A legislative measure or other matter referred by the Chairman to a Subcommittee may be recalled from the Subcommittee for direct consideration by the Full Committee, or for referral to another Subcommittee, provided Members of the Committee receive one week written notice of the recall and a majority of the Members of the Committee do not object. In addition, a legislative measure or other matter referred by the Chairman to a Subcommittee may be recalled from the Subcommittee at any time by majority vote of the Committee for direct consideration by the Full Committee or for referral to another Subcommittee.

(f) Consultation.—Each Subcommittee Chairman shall consult with the Chairman of the Full Committee prior to setting dates for Subcommittee meetings with a view towards avoiding whenever possible conflicting Committee and Subcommittee meetings.

(g) Vacancy.—A vacancy in the membership of a Subcommittee shall not affect the power of the remaining Members to execute the functions of the Subcommittee.

RULE 7. TASK FORCES, SPECIAL OR SELECT SUBCOMMITTEES.

(a) Appointment.—The Chairman of the Committee is authorized, after consultation with the Ranking Minority Member, to appoint Task Forces, or special or select Subcommittees, to carry out the duties and functions of the Committee.

(b) Ex-Officio Members.—The Chairman and Ranking Minority Member of the Committee may serve as ex-officio Members of each Task Force, or special or select Subcommittee if they are not otherwise members. Ex-officio Members shall have the right to fully participate in activities but may not vote and may not be counted in establishing a quorum.

(c) Party Ratios.—The ratio of Majority Members to Minority Members, excluding ex-officio Members, on each Task Force, special or select Subcommittee shall be as close as practicable to the ratio on the Full Committee.

(d) Temporary Resignation.—A Member can temporarily resign his or her position on a Subcommittee to serve on a Task Force, special or select Subcommittee without prejudice to the Member's seniority on the Subcommittee.

(e) Chairman and Ranking Minority Member.—The Chairman of any Task Force, or special or select Subcommittee shall be appointed by the Chairman of the Committee. The Ranking Minority Member shall select a Ranking Minority Member for each Task Force, or standing, special or select Subcommittee.

RULE 8. RECOMMENDATION OF CONFEREES

Whenever it becomes necessary to appoint conferees on a particular measure, the Chairman shall recommend to the Speaker as conferees those Majority Members, as well as those Minority Members recommended to the Chairman by the Ranking Minority Member, primarily responsible for the measure. The ratio of Majority Members to Minority Members recommended for conferences shall be no greater than the ratio on the Committee.

RULE 9. COMMITTEE RECORDS

(a) Segregation of Records.—All Committee records shall be kept separate and distinct from the office records of individual Committee Members serving as Chairmen or Ranking Minority Members. These records shall be the property of the House and all Members shall have access to them in accordance with clause 2(e)(2) of House Rule XI.

(b) Availability.—The Committee shall make available to the public for review at reasonable times in the Committee office the following records:

(1) transcripts of public meetings and hearings, except those that are unrevised or unedited and intended solely for the use of the Committee; and

(2) the result of each rollcall vote taken in the Committee, including a description of the amendment, motion, order or other proposition voted on, the name of each Committee Member voting for or against a proposition, and the name of each Member present but not voting.

(c) Archived Records.—Records of the Committee which are deposited with the National Archives shall be made available for public use pursuant to House Rule VII. The Chairman of the Committee shall notify the Ranking Minority Member of any decision, pursuant to clause 3(b)(3) or clause 4(b) of House Rule VII, to withhold, or to provide a time, schedule or condition for availability of any record otherwise available. At the written request of any Member of the Committee, the matter shall be presented to the Committee for a determination and shall be subject to the same notice and quorum requirements for the conduct of business under Committee Rule 3.

(d) Records of Closed Meetings.—Notwithstanding the other provisions of this rule, no records of Committee meetings or hearings which were closed to the public pursuant to the Rules of the House of Representatives shall be released to the public unless the Committee votes to release those records in accordance with the procedure used to close the Committee meeting.

(e) Classified Materials.—All classified materials shall be maintained in an appropriately secured location and shall be released only to authorized persons for review, who shall not remove the material from the Committee offices without the written permission of the Chairman.

RULE 10. COMMITTEE BUDGET AND EXPENSES

(a) Budget.—At the beginning of each Congress, after consultation with the Chairman of each Subcommittee and the Ranking Minority Member, the Chairman shall present to the Committee for its approval a budget covering the funding required for staff, travel, and miscellaneous expenses.

(b) Expense Resolution.—Upon approval by the Committee of each budget, the Chairman, acting pursuant to clause 6 of House Rule X, shall prepare and introduce in the House a supporting expense resolution, and take all action necessary to bring about its approval by the Committee on House Administration and by the House of Representatives.

(c) Amendments.—The Chairman shall report to the Committee any amendments to each expense resolution and any related changes in the budget.

(d) Additional Expenses.—Authorization for the payment of additional or unforeseen Committee expenses may be procured by one or more additional expense resolutions processed in the same manner as set out under this rule.

(e) Monthly Reports.—Copies of each monthly report, prepared by the Chairman for the Committee on House Administration, which shows expenditures made during the reporting period and cumulative for the year, anticipated expenditures for the projected Committee program, and detailed information on travel, shall be available to each Member.

RULE 11. COMMITTEE STAFF

(a) Rules and Policies.—Committee staff members are subject to the provisions of clause 9 of House Rule X, as well as any written personnel policies the Committee may from time to time adopt.

(b) Majority and Nonpartisan Staff.—The Chairman shall appoint, determine the remuneration of, and may remove, the legislative and administrative employees of the Committee not assigned to the Minority. The legislative and administrative staff of the Committee not assigned to the Minority shall be under the general supervision and direction of the Chairman, who shall establish and assign the duties and responsibilities of these staff members and delegate any authority he determines appropriate.

(c) Minority Staff.—The Ranking Minority Member of the Committee shall appoint, determine the remuneration of, and may remove, the legislative and administrative staff assigned to the Minority within the budget approved for those purposes. The legislative and administrative staff assigned to the Minority shall be under the general supervision and direction of the Ranking Minority Member of the Committee who may delegate any authority he determines appropriate.

(d) Availability.—The skills and services of all Committee staff shall be available to all Members of the Committee.

RULE 12. COMMITTEE TRAVEL

In addition to any written travel policies the Committee may from time to time adopt, all travel of Members and staff of the Committee or its Subcommittees, to hearings, meetings, conferences and investigations, including all foreign travel, must be authorized by the Full Committee Chairman prior to any public notice of the travel and prior to the actual travel. In the case of Minority staff, all travel shall first be approved by the Ranking Minority Member. Funds authorized for the Committee under clauses 6 and 7 of House Rule X are for expenses incurred in the Committee's activities within the United States.

RULE 13. CHANGES TO COMMITTEE RULES

The rules of the Committee may be modified, amended, or repealed, by a majority vote of the Committee, provided that 48 hours' written notice of the proposed change has been provided each Member of the Committee prior to the meeting date on which the changes are to be discussed and voted on. A change to the rules of the Committee shall be published in the Congressional Record no later than 30 days after its approval.

RULE 14. OTHER PROCEDURES

The Chairman may establish procedures and take actions as may be necessary to carry out the rules of the Committee or to facilitate the effective administration of the Committee, in accordance with the rules of the Committee and the Rules of the House of Representatives.

DEPUTY GILMER HERNANDEZ ON PATROL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE. Madam Speaker, in west Texas, where the rattlesnake rules the hard, rugged land is Edwards County. It is a sparsely populated place because not much grows on that dusty soil. Local landmarks include Devil's Sinkhole, a massive bat cave and a place called Bullhead. This land used to be the home of the fierce Lipan Apache Indians, dating all the way back to the 1600s.

This county, near the Texas-Mexico border, is the size of Delaware. On patrol of this massive place of over 2,000 square miles are only three deputy sheriffs. One of them is Gilmer Hernandez.

Recently, Deputy Hernandez was on patrol about midnight, alone. He came across a truck that had run a red light in the small quiet town of Rocksprings, Texas. He pulled the vehicle over and approached it. He noticed numerous people lying on the floor of the truck.

One thing led to another, and the vehicle sped off. Hernandez says the driver turned around and tried to run him down, so he fired numerous times at the vehicle. He shot out the tires. So the vehicle stopped and the occupants, they fled into the darkness. All except one, who was lying down on the floor, hiding in the back, wounded by a ricochet.

Deputy Hernandez immediately called the sheriff, Donald Letsinger. He immediately showed up, along with the Texas Rangers, to do routine follow-up work.

But then the Federal Government shows up and takes over the investigation. The Mexican Government is notified that an illegal from Mexico has been wounded in the United States.

Using poor law enforcement investigation techniques, the illegals are all interviewed together, but still give conflicting stories at a later trial.

After the dust settled, the Feds filed charges on Deputy Hernandez for firing a gun at the van. After being tried by a zealous prosecutor, Hernandez was convicted in Federal court. He is in jail waiting to be sentenced. And, yes, Madam Speaker, by the same Prosecutor's Office that prosecuted Compean and Ramos.

Everyone in his hometown of Rocksprings, Texas has sided with Deputy Hernandez. They are taking care of his family.

But once again, our Federal Government has taken the other side, the wrong side of the border war. Our government is more concerned about illegals in the van than they are about the safety of Deputy Hernandez.

And get this: Our Federal Government even gave these illegals green cards and allowed them to stay in the United States.

Madam Speaker, this ought not to be. Deputy Hernandez did everything a normal person would have done in these circumstances, including immediately reporting the event.

Why is our government so relentless and zealous in prosecuting border protectors and not protecting the border?

Why does our government work backroom deals with illegals to convict our law officers?

Why does it seem the Federal Government is so quick to cooperate with Mexico to thwart border security?

And why does it allow these illegals more consideration than it does American peace officers?

Gilmer Hernandez is 25 years of age. He is married and has a young child. He makes $21,000 a year being a lawman in rough west Texas.

It is disturbing. This trend is disturbing. Our government is saying to peace officers on the border, don't protect yourself on this border because if you do, you will not get protection from the government. And to the illegals that come in and are caught, the Federal Government is saying to them, fear not. We are from the Federal Government and we are here to help you.

Looks like another case of the Federal Government continuing to swoop in and save the day for the illegals who cross into American land.

The American government needs to gets on the right side, the American side of the border war.

And that's just the way it is.

☐ 1800

ENERGY AND OIL COMPANY PROFITS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

Mr. PALLONE. Madam Speaker, last week ExxonMobil, the biggest of Big Oil companies, announced that its profits for 2006 totaled $39.5 billion, the highest annual profits ever recorded for an American corporation.

Now I don't begrudge the right of any company to make profits, and certainly ExxonMobil has done quite a good job of doing so; but while they are out making money, it is our job here in Congress to ask what price we have all paid for those profits. The most obvious price has been the squeeze on working families. When gas prices hit $3 per gallon last summer, it was low- and middle-income families just trying to get to work that took the brunt of the impact and had to readjust tight household budgets.

Are ExxonMobil's profits worth that kind of cost to our society? Is it fair that the world's most profitable corporation gets even more profitable while everyday Americans struggle to get by and provide for their children? Certainly that does seem unfair to me, but maybe the problem is not entirely ExxonMobil's fault—after all, they are just feeding America's fossil fuel habit. As President Bush said last, America is addicted to oil. As long as this addiction persists, Big Oil gets richer and average Americans suffer more.

Despite the President's pronouncement, however, that addiction has gotten worse over the last 6 years, when the Bush administration and the Republican-controlled Congress came up with new and clever ways to hand out goodies for oil and gas companies. That was no way to run an energy policy, and all we wound up with 6 years later is higher gas prices, greater dependence on countries that really don't like us, and the increasing threat of global warming.

That is probably one reason why during last year's elections the American people clearly chose a new direction for America, and the new Democratic majority in the House responded.

During the first 100 hours of this Congress, we repealed massive tax breaks for Big Oil and funneled the money into a fund to promote clean and efficient energy technologies. It will go a long way towards promoting the right kinds of energy sources. It also signaled that Democrats are willing to end outdated policies that do nothing more than worsen our addiction to fossil fuels. And that is certainly not the end of our efforts.

Madam Speaker, our Speaker, NANCY PELOSI, and Majority Leader HOYER are planning new efforts to get the House to focus on energy independence and combating global warming. Energy independence means diversifying our energy sources so that we can free ourselves from the national economic and environmental security concerns of being too dependent on oil, gas and coal. And that means keeping gasoline, electricity and natural gas prices stable to make sure American families aren't jolted by sudden high prices.

It means reducing our oil consumption to the point where our foreign policy isn't being held hostage because we need oil from some of the most unstable or unfriendly places in the world, including Iran and Venezuela. It also means making sharp reductions in greenhouse gas pollution so we can stave off the worst impacts of global warming.

I just want to reemphasize that last point because global warming is one of the most serious challenges we are facing in the 21st century. For a district like mine near the Jersey shore, it means dealing with rising sea levels, more frequent floods, and stronger storms. For the country as a whole, it is a security issue.

The more the Earth warms because of pollution from fossil fuels, the more American families and businesses will have to deal with bigger disasters, more unpredictable weather, and a completely different climate.

The bottom line is that working towards energy independence and fighting global warming are real security questions for the American people. Unfortunately, we have wasted the last 6 years spending more time helping ExxonMobil's bottom line than we have dealing with these serious questions.

So this new Congress means an opportunity to move in a new direction. When it comes to energy independence and global warming, the new direction means actually putting forward solutions that will move us towards a clean, sustainable, secure energy future.

We are going to raise the bar in this Congress. No longer should we be satisfied just to hear sound bites like "addicted to oil" and "serious challenge of climate change" that we heard in the President's State of the Union address. Now we can have a real dialogue about how to address these issues.

And I would just say, Madam Speaker, ExxonMobil may keep earning record profits, but this Congress, this Democratic majority Congress, has to keep its eyes on doing what is best for American families and for our environment.

NATIONAL PARKS FUNDING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. SOUDER) is recognized for 5 minutes.

Mr. SOUDER. I wanted to take a few minutes tonight to congratulate the President on the initiative to boost funding for our national parks. Of all the news stories and the ruckus about Iraq and global warming and our borders and the death of Anna Nicole Smith, whatever bumps it out of the news, it has kind of been lost about a major new initiative for the upcoming centennial of the national parks.

I say "upcoming" because it is actually in 2016, but a number of us in the House several years ago introduced a National Park Centennial Act. Congressman BRIAN BAIRD and I, we formed the National Parks Caucus and in the House led the effort where we had, I believe, 67 Members. We, quite frankly, would have had more, but we systematically were trying to make sure that we had both Republicans and Democrats in relatively even numbers to show it was a bipartisan effort. And in the Senate, Senator MCCAIN and Senator FEINSTEIN were the leaders, along with Senator ALEXANDER. They had strong support over in the Senate.

The goal was to try to get rid of not only the backlog in the national parks, but trying to address where our parks were going to head in the next 100 years; that in the national parks one of our challenges has been that we have added homeland security challenges to the national parks because many of the sites that would have the most impact if they were attacked and destroyed are actually in our national parks. Whether it be Independence Hall or the Gateway Arch, for that matter, the Golden Gate Bridge, in addition to the monuments here in Washington, all come under the national parks. That came out of the budget. It didn't come out of the Homeland Security budget, much like roads come out of the Transportation budget. They had to absorb that, they have had to move rangers in and absorb the Homeland Security costs.

Of course every agency is struggling with labor costs, health care costs, pension costs. And the net result of all this pressure on the national parks is, even though we have been steadily increasing funding here, with the additional costs in homeland security, the additional costs on employees and the additional land that we have added to the national parks system, the additional sites we have added, the additional conservation areas under a whole range of heritage areas, national roads and different things that go into their responsibility.

The net impact is that many of our national parks, we have seen as much as a 67 percent reduction in actual rangers at the parks. While we have put money on the backlog, a backlog doesn't mean that you have eliminated the problem. For example, if you fix the restroom at a park and you fix a visitors center or you fix a sewer system, because of amortization and declining facility and road use, you are constantly, by fixing the backlog, if you divert your money from your current operating to fix the backlog, it merely means now you are in effect getting a front-log. In other words, you are adding new expenses that then get added to the backlog. So even as we have increased funds here, we have fallen further behind.

And the question is what was our national parks system going to look like for our kids and for our grandkids. It is something that can easily get lost in whatever the crush of the day is. If it is immunization, if it is Medicaid, if it is prescription drugs for seniors, if it is border security, it gets lost in the system.

For the 50th anniversary that Congress passed sufficiently ahead of time, which is what we are trying to do here, what was called Mission 66, there was a commitment over a number of years to fund adequate funding for the national parks so for the 50th birthday, in 1966, we could see the roads, the visitation facilities and other things set for the 50th anniversary. That is why we require forward funding at this time.

This proposal by the administration is not exactly like the Centennial Act, but very similar. It commits dollars from the government, both directly for funding, roughly it looks like around 100 to $200 million a year in direct funding, plus it creates a challenge grant. Now, the fundamental part of our bill was a challenge grant that people could take a deduction, and then whatever the shortfall was from the 270 million we needed annually, the Federal Government would make up the difference.

The total here is the same in the President's bill, but it has a direct one-for-one match. Right now, if people give 20 million to the national parks, it will give up to a hundred million with a hundred million dollar match, plus additional to get to that 270 figure. We hopefully can do that up to now to 2016. And I hope this doesn't just put more rangers in the parks, as the President said, and meet the needs that we have in homeland security and infrastructure, but that we realize that our national park System isn't only wilderness, isn't only visitation, it isn't only going to the parks to see what are the classic mountain peaks or the great and wonderful deserts or the volcanoes, or whatever the particular natural park you think of, it is our number one place for historic preservation of buildings, of artifacts. It is the number one, arguably, place that we even have art in America because of all the parks and certain sites devoted to art. But it is more than just that. It is our number one laboratory in America where you still have wildlife, where you have trees and plants and frogs and things that you can scientifically study.

And I would also challenge, as we develop this, to look at creative ways that the National Park Service can use the Internet, can use the education to bring this to schools all over America, to families all over America, and not just if you visit the park, a ranger talk that now can draw a few people at the campfire. If we look ahead to the year 2016, that ought to be available on the Internet where in your home, by your own campfire, you can join in with the people that are actually at the campfire.

I hope that this passes Congress and that we are creatively looking at where the National Park Service will head in the year 2016.

[From USA Today]

PRESIDENT PUSHES BOOST IN FUNDING FOR NATIONAL PARKS

(By Richard Wolf)

WASHINGTON.—National parks would be a big winner under President Bush's 2008 budget, and a plan to match up to $100 million annually in private donations could guarantee increases for a decade.

Bush's budget, being unveiled today, would give the National Park Service $2.4 billion next year, administration officials told USA TODAY. That includes a $258 million increase for daily operations, up 14.5%. Since 2002, those funds have risen 1.5% above inflation.

The president proposes adding at least $100 million a year for the next 10 years. The funds would be used to hire 3,000 seasonal park rangers, guides and maintenance workers each summer, an increase of more than 50%. In addition, more than 1 million children could be enrolled in youth programs.

On top of that, Bush wants Congress to guarantee that the federal government would match philanthropic donations each year, up to another $100 million. Currently, about $20 million is contributed each year by supporters of national parks, such as family foundations.

Taken together, the proposals could provide $3 billion in new parks funding over the coming decade. In 2016, the parks will celebrate their 100th anniversary; Bush wants them to be in better shape than they are today.

"I think it can be a source of healing for Americans," Interior Secretary Dirk Kempthorne said. "This one is not partisan. This one is American."

The proposal is being welcomed by groups that advocate on behalf of the nearly 400 sites managed by the National Park Service and have been a thorn in the Bush administration's side during lean years. The National Parks Conservation Association was seeking an increase of $250 million in operating funds for the parks.

"This is a renewed commitment that national parks should be a national priority," said Tom Kiernan, the group's president. "It's a catalyzing initiative at a wonderful time for the national parks."

The proposals would have to be approved separately by Congress. The $2.4 billion parks budget, with its record increase in operating funds, would become final if Congress allocates the funding. The matching-funds proposal would have to be approved by committees with jurisdiction over the Interior Department.

Taken together, they would add thousands of new park workers to guide visitors with programs such as interpretive walks and campfire talks. Volunteer coordinators would be added in 44 sites.

Seasonal workers have been cut during lean budget years, resulting in a 10-year decline.

"We simply have lost contact people who meet the American public," said Stephen Whitesell, superintendent of the San Antonio Missions National Historical Park in Texas. "What they're not seeing are rangers in flat hats."

Since 9/11, most of the money added to the National Park Service budget has gone for added security in such places as New York City, Washington, D.C., and along the U.S. borders with Canada and Mexico.

Some of the new funds will be used to attract young people to the parks through Internet programs and podcasts. Kempthorne and others see it as mutually beneficial: The parks would avoid a loss of visitors in future generations, and children would reap the health benefits of the great outdoors.

"We're competing with an electronic world," Kempthorne said.

A LONG WAY TRAVELED AND A LONG WAY YET TO GO

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. SCHIFF) is recognized for 5 minutes.

Mr. SCHIFF. Madam Speaker, February is Black History Month, a time that we have set aside to honor the contributions that African Americans have made to this Nation. Some question the continuing need for a month-long celebration; others see it as a poor substitute for concerted national action to address the needs of African Americans. But Black History Month remains a time for reflection on the progress of our national journey towards a truly equal and just society.

America has traveled a long way in the last few decades, but we have a long way yet to go. We have seen the promise of Dr. Martin Luther King, Jr.'s vision of a colorblind America, but its reality lies in too many ways still beyond our grasps.

In some respects, this is a historic moment for this country, and historians may look back on this period as the true beginning of a post-civil rights era, a time in which the statutory gains made by an earlier generation are bearing fruit as a new generation fully realizes its dream for themselves and their children.

The current Secretary of State, Condoleezza Rice, and her predecessor, Colin Powell, are black. One of the front-runners in the Democratic Party's 2008 Presidential contest, Barack Obama, is African American.

In 1974, Boston was the scene of protracted racial violence as the result of a court-ordered busing to integrate the city's schools. Last month, Massachusetts inaugurated its first black Governor, Deval Patrick.

Here in the House of Representatives, the Chair of the Democratic Caucus is African American, and five committees are chaired by black Members: Homeland Security, Judiciary, Ways and Means, Government Administration, and the Ethics Committee. Last Sunday for the first time two black head coaches faced each other in the Super Bowl.

It would be easy to look at these examples of African Americans who have made it to the summit of our national life and conclude that the shackles of oppression and prejudice have finally been released, but that is not the case. And even as we honor those who have risen, we cannot neglect the millions more who are still trying, including many whose lives were shattered by Hurricane Katrina only a year and a half ago. As Senator OBAMA has said, things are better, but better is not good enough.

It would be easy to look at the achievements of Dr. David Satcher, who served as Surgeon General of the United States from 1998 to 2002, or Dr. Keith Black, the chairman of the Department of Neurosurgery at Cedars-Sinai in L.A., and conclude that African Americans are well represented among the Nation's physicians. Unfortunately, while blacks make up 12 percent of the population, they comprise only 3.6 percent of the Nation's doctors. This paucity of African American doctors is one reason why blacks lag behind whites in a host of crucial medical indicators.

White women in the United States can expect to live more than 4 years longer than black women, and white men have a life expectancy that is over 6 years longer than African American men.

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African Americans in the U.S. also have higher mortality rates than Caucasians for many diseases, including heart disease, stroke, diabetes, prostate cancer, breast cancer and AIDS. Nationwide, the infant mortality rate for blacks is double that, double that of the white population.

Or we could look with optimism on the achievements of black business professionals, who are increasingly found in the upper management of American corporations and who are starting their own businesses at an ever-increasing rate. African Americans who own businesses increased by nearly a third in the 5 years from 1997 to 2002 and now number more than half a million nationwide. But these numbers cannot compensate for the fact that only four of the Nation's Fortune 500 companies are led by African Americans.

More generally, the median income for white households is $48,000, while that of black households is only $31,000. More telling, nearly one in four African Americans live in poverty, while fewer than one in ten whites do.

It would be easy to look at the achievements of Neil de Grasse Tyson, the astrophysicist and director of the Hayden Planetarium, and Dr. Stephen Mayo, an associate professor of biology and chemistry at CalTech and think that the burden of inferior schools has been lifted from the shoulders of African Americans. Sadly, that is not the case.

At every level of education, blacks are disadvantaged in the classroom. According to the NAACP, far less money is spent on black pupils than on white pupils, more than $1,400 less per student in most impoverished areas. This inequality means that black children do not get access to the technology and other resources that white kids have.

More importantly, the quality of teachers in predominantly African American schools is not equal to that of teachers in white schools. These schools have the least experienced teachers, the highest percentage of out-of-field teachers, the highest teacher mobility rates, the greatest incidence of teachers who leave the profession. The consequences are predictable: profound gaps in reading and math that emerge in early elementary school and persist through high school, and much lower high school graduation rates.

So, Madam Speaker, even as we celebrate the many and profound gifts that African Americans have made to our country, we cannot lose sight of the urgent need for all of us to do more to rededicate ourselves to achieving the equality that is the cornerstone of American democracy. Things are better, but better is not good enough.

THE PAINFUL COST OF THE PRESIDENT'S BUDGET

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. ELLISON) is recognized for 5 minutes.

Mr. ELLISON. Madam Speaker, on Monday, the President submitted his budget for our Nation. In that budget, it would be easy to look at it and say, this is all about numbers, it is just a rational approach, it is just a plan, it is an impersonal thing. But, in fact, Madam Speaker, what a budget is is a moral statement about who matters in our society.

What a budget is is a reflection of our own humanity. It talks about who counts, who doesn't, who matters, who doesn't, what are our priorities. In fact, what the budget shows, Madam Speaker, is our values and what we hold dear, and what we believe is really just not that important.

Let me say as we approach this budgetary season, this process in Congress, it is very important to remember that this budget will tell much, much more about our society and who we are than we might imagine. In fact, we should use some guiding principles as we approach this budget. And one of them is very simple, and it is a quote that comes from the great late Senator Hubert Humphrey from my State of Minnesota.

Senator Humphrey said, "The moral test of any government is how it treats those in the dawn of life, the children; those in the dusk of life, the elderly; and those in the shadow of life, the disadvantaged."

This budget is a measure of how we stand, how we fit along these very important metrics that Senator Humphrey laid out for us. And by that test, the proposal that the President set forth fails. It doesn't value the hardworking investment, the hardworking energy, the blood, sweat and tears of Minnesotans or Americans.

This budget proposal diminishes the importance of health. It includes $78 billion in Medicare and Medicaid cuts and billions in new premiums that threaten to endanger Minnesota's 691,000 Medicare patients' access to care that they need to lead healthy, independent lives.

This budget proposal does not value children in the dawn of life. It underfunds by $10 billion the State Children's Health Insurance Program. The administration itself argues that it needs $15 billion just to continue covering those children already enrolled in the program. With only $5 billion proposed to cover its neediest children, we will almost certainly add to, not subtract from, the already 86,000 uninsured children in Minnesota.

Minnesota's 407,000 veterans will undoubtedly be hurt by the President's proposed VA funding cuts. Nearly one-half of the military servicemen and women in Iraq and Afghanistan will require health care services for the physical and psychological impairments and traumas of war, yet the President's budget cuts in half the minimum annual increase needed, according to the Veterans Health Administration.

The President freezes funds for college work-study funds and zeroes out Supplemental Educational Opportunity Grants at a time when tuition and fees at schools like the University of Minnesota have soared nearly 50 percent in just 4 years.

It eliminates two of Minnesota's most effective local crime fighting tools, the COPS, Community Oriented Policing Service program, and the Justice Assistance Grants.

It reduces Minnesota's Community Block Grant Development program by $17.2 million, which is the cornerstone of Minneapolis and the Fifth Congressional District's affordable housing and revitalization program.

And it goes on: public housing cut by $450 million; Section 8 housing vouchers cut by $500 million; Section 11 disabled housing cut by $121 million; elderly housing cut by $160 million; lead paint prevention cut by $38 million; zero funding for Brownfields redevelopment.

Madam Speaker, a budget is a moral barometer of a nation. It is a reflection of our values. This budget proposal does not value people, but it does value the privileged, because it proposes to maintain permanent tax breaks for the President's wealthy friends.

The President proposes making his 2001 and 2003 tax cuts permanent. This includes reducing rates on capital gains and dividends, a phaseout of the temporary repeal of the estate tax, educational tax incentives and child tax credits. The cost to you and me? Well, that is $373.9 billion over 5 years; $1.6 trillion over 10.

Remember the cuts the President proposes? Kids, COPS, Justice Assistance Grants, Community Block Grants. The fact is, Madam Speaker, we have to build a new politics of inclusion, a new politics of generosity, a new politics of peace, a new politics that says that our parents and our seniors are precious, our students are precious, our veterans are precious, and we value them.

And tax cuts for the most privileged people amongst us, there is just not time for that right now. We have to ask all Americans of all wealth positions to pony up for the good of the whole Nation.

TRIBUTE TO YARDLY POLLAS-KIMBLE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. RUSH) is recognized for 5 minutes.

Mr. RUSH. Madam Speaker, I rise today to acknowledge a woman who has touched the lives of so many people with her caring, her intelligence, her compassion and her generosity. This woman has been a friend and inspiration to me personally and has affected the lives of so many people here in the Congress, in the First Congressional District which I represent, as well as throughout the country, with her wisdom and her expertise in the legislative process.

Madam Speaker, I am referring to my deputy chief of staff and legislative director for the past 9 years, Mrs. Yardly Pollas-Kimble. It saddens me to announce that Mrs. Pollas-Kimble will be leaving my office and embarking on a career in the private sector, where I am sure she will continue to be very successful and widely acclaimed.

Madam Speaker, anyone who has worked on the Hill for any significant amount of time has probably heard of or worked with Mrs. Pollas-Kimble in some capacity. Not only has Mrs. Pollas-Kimble been the glue that has held my office together for so many years, but she is a person that countless other staffers from many offices on both sides of the aisle have come to rely on for information, for direction and for guidance. I don't know of anyone who has been so accessible to so many people, and always with a smile on her face, as Yardly has been.

Directing my legislative agenda for the past 9 years, Mrs. Pollas-Kimble has been someone that I have come to rely on deeply, and she has guided many legislative initiatives for my office, including the COPE Act, the Family Telephone Connection Protection Act, the Telecommunication Ownership Diversity Act, the Nursing Relief for Disadvantaged Areas Act, and the Payday Borrower Protection Act.

By the way, Madam Speaker, if any of my colleagues would like to sign on as cosponsors to any of these fine pieces of legislation, they can call Yardly today or tomorrow before she leaves.

But seriously, Madam Speaker, my office and Congress as a whole will truly be missing a jewel of a person when Mrs. Pollas-Kimble leaves the Hill. Rarely have I worked with a person who so seamlessly embodies the spirit of the American dream, with the perfect combination of ingenuity, creativity, class, compassion and intellect.

Born in New York City, and I won't say what year, Yardly moved with her family to Haiti when she was 8 years old. While in Haiti, Yardly saw both the natural beauty in the people, language and culture, as well as the poverty and destitution that she would later dedicate her life to helping to eradicate, not only in Haiti, but throughout the world.

After graduation from high school at the age of 16, which proves that she was a genius, Yardly returned to this country where she graduated from the University of Houston with her Bachelor's degree in politics. Yardly would go on to earn a Master's degree in public accounting and a Juris Doctorate from American University here in Washington, D.C.

After receiving her MPA, Yardly traveled to West and Central Africa, where she spent 2 years monitoring elections in fledgling democracies. While in Africa, Yardly was able to hone her multilingual skills, as today she is a fluent speaker of four languages, including French, Spanish, English and Creole.

While attending the University of Houston, Yardly would meet fellow classmates and future husband Kevin Kimble, and the two were married in 1992. Today they have two beautiful children, Anael and Kohl, who are both on the path to education and leadership.

Madam Speaker, I can't express how much Yardly has meant to my office, where she has been a trusted advisor, a confidant and a friend to me. Yardly has also served as a mentor and a tutor of the legislative process to everyone on my staff who has been a part of our family. Additionally, I cannot count the times I have seen staffers from other offices call or drop by to ask Yardly's opinions on specific legislation or the legislative process.

Madam Speaker, I have been truly blessed to have Yardly on my staff for so many years, and I am truly proud to call her a friend. I know she will be successful in future endeavors.

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MAE CARDELLA CARR

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona (Mr. FRANKS) is recognized for 5 minutes.

Mr. FRANKS of Arizona. Madam Speaker, it is such a privilege for me to stand in this Chamber to honor and speak words of tribute to a beloved lady, born Mae Cardella Fox on a cold December day in 1913. Mae was the essential coal miner's daughter and grew up in a small miner's camp close to Habersham, Tennessee.

When she was only 11 years old, her mother died of pneumonia. Being the oldest daughter at home, she bravely embraced the crushing challenge at her age of maintaining a household and cooking for her siblings and her father.

When she was 16 years old, just as the Great Depression was falling upon America, she married another coal miner by the name of Earl Carr. The two of them were deeply committed to each other, and by themselves alone, using only hand tools, they built their first home, a log cabin on Pine Mountain above Morley, Tennessee.

When Mae was still in her twenties, her husband Earl was in a terrible accident when a coal mine caved in, killing many of his friends and breaking his own back and disabling him for life. When rescue workers reached him, he had already begun to dig himself out.

To take care of her severely injured husband and family, Mae began to take in laundry and clean houses, and she said she canned every kind of berries that grew in the Smoky Mountains. The older children gathered and sold holly at Christmas time, and the entire family gathered coal that fell from the tipple where the train cars were loaded. They said sometimes the workers would deliberately throw out coal for the families.

As the children grew in number and in stature, the family would travel to Florida in citrus season to pick oranges. It was there that my first memories of Mae and Earl Carr were born. I can remember at 4 years old waking up before daylight and climbing into a tarpaulin-covered truck, called a doghouse, and going to the orange groves to help pick oranges with Mae and the rest of her family.

To find better work, the family moved to Colorado, close to Juanita Franks, one of Mae and Earl's married daughters. While they were there, a grandson with a missing palate and a cleft lip was born to Juanita. Mae lovingly helped feed this little baby with a pill cup and an eyedropper until surgery could be performed. Madam Speaker, this is only one small instance of all of the acts of love and devotion this precious woman bestowed on every member of her family.

Mae Carr loved Jesus and her family more than anything else in life, and in all of the joys and struggles of their lives and 64 years of marriage, Earl and Mae Carr became the patriarch and matriarch of a family that would number 11 children, 47 grandchildren, 76 great-grandchildren, 22 great-great-grandchildren, and two more on the way.

A few days ago, in her 94th year of life, I was called to the bedside of Mae Carr, who as it happens, Madam Speaker, is my precious grandmother, and who was called home to meet her Savior on February 7, 2007.

Among her last words to me were those contained in a phrase I had heard her say many times before, and expanded just this once. She said, "Trent, the truth will stand when the world is on fire; and the truth will still be here when the world is gone."

Madam Speaker, if all of us in this institution and this world could learn the reverence for truth and the love for humanity personified in this four-foot-eleven coal miner's daughter, the entire human family would be nobly transformed.

I will cherish those final moments with her for the rest of my life, because her mind at the time was still keen and perfectly lucid, and I was able to tell her not just how much I loved her, she already knew that, but I was able to tell her how much we were grateful for her 94 years of loving all of those about her, for loving life, and for making this world a better place to live. And, most importantly, Madam Speaker, I was able to remind her that indeed her life was a profound victory and that all of her dreams had come true.

Because you see, Madam Speaker, Mae Carr's dreams, though profound beyond words, were simple dreams: a family to love and nurture and support, children, grandchildren, great-grandchildren, and even great-great-grandchildren who would learn her heartfelt love for God and her fellow human beings. Her family now stands as a living testament to her life and her noble dreams fulfilled. And her greatest dream, Madam Speaker, is also now fulfilled as she stands in the presence of her Savior and has heard His eternal words of victory, "Well done, my good and faithful servant."

The truth will stand when the world is on fire, and the truth will still be here when the world is gone. Mae Cardella Carr.

IRAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. ANDREWS) is recognized for 5 minutes.

Mr. ANDREWS. Madam Speaker, I would like to begin my remarks with words of appreciation for Mr. Robert Knotts, who served with distinction as my legislative director and who will be leaving our office next week to further advance his career. I want to express my appreciation to Robert, Madam Speaker, for the service he has given to our constituents and the fine work he has done as a member of this institution. He has helped me prepare these remarks tonight, and I mean them in a heartfelt way to say thank you.

For the last 25 years, the regime in Iran has secretly and unlawfully commenced the process of acquiring a nuclear weapon. This is a grave threat to peaceful and freedom-loving people around the world. This is a regime headed by a president who just recently has said that one Holocaust was not enough, that we need another one; a regime headed by a president who said that Israel should be wiped off the face of the Earth; a regime that has flagrantly and blatantly disregarded international law in pursuing this weapon of mass death.

I believe that it should be a policy not only of our country but of freedom-loving nations around the world that this regime in Iran must never have a nuclear weapon that it could use against its neighbors or other peace-loving people around the world. It is truly a grave threat. In my view, Madam Speaker, it is a grave threat that calls for diplomacy, strategy, and cooperation, and not for a reckless rush into armed conflict. That is the purpose, Madam Speaker, of my remarks here this evening.

I am troubled by recent signs that I have seen from our administration with respect to the issue of Iran. Placement of naval assets in that area of the world is justified as a defensive measure, but I worry that it may be a provocative measure. The words of our President are words which can be taken, and I hope they are meant in the spirit of warning and cooperation, but they could also be taken in the spirit of provocation, and I hope and pray that they are not meant in that regard.

My principal message though this evening is not one about answering the question as to what we should do about the threat of a nuclear weapon in Iran. My principal message is to find who the "we" in that sentence is, what "we" should do about the question of nuclear proliferation in Iran.

The Constitution of this country vests the sole authority to declare war in the Congress of the United States of America. Our Presidents as commanders in chief have inherent authority to protect our country in time of emergency and to act in self-defense, but it is a clear principle of this Constitution that the power to initiate hostilities, the power to declare war, rests in this body and the other body.

I think it is imperative in the days and weeks ahead that in whatever forum, in whatever way, this House go on record as reaffirming that constitutional prerogative with specific reference to the issue of what we should do about Iran.

If there is to be consideration of military action involving Iran, in my judgment, such consideration would be reckless and premature at this time and under these facts. But if there is to be consideration of military action, it should be careful, deliberate, thoughtful consideration done under the auspices of this Constitution.

America's greatest resource in the area of national defense is the men and women who step forward voluntarily to serve this country and wear the uniform of this country. They step forward because of their faith that we are a country that follows the rule of law, and not the edict or desire of any one man or woman irrespective of what office he or she is elected to. It is my concern that that faith would be eroded and indeed misplaced if we do not follow the rule of law in this crucial instance.

This House needs to affirm our constitutional prerogative in this matter. There should be no consideration of the initiation of any preemptive hostilities against Iran or anyone else without the careful, thorough, constitutional consideration that such a question mandates and demands.

BIG OIL AND ENERGY INDEPENDENCE

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Madam Speaker, I imagine that I am not the only Member who hears from constituents regularly when oil companies report record profits, particularly with gas prices being what they have been over the past year.

Last Friday, the New York Times had this headline: World's Largest Oil Companies Gushing Profits. The Times story followed a report that ExxonMobil, the world's largest publicly traded company, had enjoyed the largest annual profit for any company in history, almost $40 billion in 1 year, at a time when extraordinarily high gasoline prices were punishing the budgets of almost every family in our country and punishing the budgets of every business in our country.

Did ExxonMobil lower the prices at the pump to adjust for these egregious profits? Absolutely not. In its first order of business, it spent almost $10 billion to buy back its own stock, and then it took some of its profits to create a disinformation campaign against the panel on climate change.

And, finally, this week what did ExxonMobil do? It went after the State of Alabama, and lawyers for the company asked the Alabama Supreme Court to overturn a $3.5 billion punitive damage award that was made by a jury 3 years ago when it found that Exxon had defrauded the State of royalties for natural gas production in Mobile Bay. Actually, the original fine had been $11.9 billion.

You know, it must be hard being a giant oil company these days. It must be hard work making so much money you don't know how to spend it. That is not a problem most American families can relate to, but that is the problem that the giant oil companies face today.

The New York Times article reported that the world's 10 biggest oil companies made more than $100 billion in profit in 2004, more than the gross domestic product of all of Malaysia, and their sales were more than $1 trillion more than the gross domestic product of Canada.

The Associated Press reported earnings of ExxonMobil, ChevronTexaco, ConocoPhillips, BP, Royal Dutch/Shell, their earnings exceeded $142 billion, enough to buy every person in the United States 175 gallons of midgrade gasoline. Those combined profits, said the AP, surpassed the gross domestic product of Iraq and more than 160 other nations.

Keep in mind, 6 years ago before President Bush was placed in office, crude oil futures were trading below $15 a barrel, one-fourth less than today. The price of oil when President Bush was placed in office was $23.19 a barrel; last month, it was $52.25 a barrel. The dollar value of imports to the United States for the first 11 months of 2001, President Bush's first year in office, was $69.9 billion, but last year it was up 187 percent to $201.2 billion. When will we learn the true cost of our dependence on foreign oil?

It is no surprise that the world's largest oil reserves are located in the Middle East: Saudi Arabia, Iran, Iraq, Kuwait, the United Arab Emirates. And the hot new area, of course, for exploration is Africa; and I imagine that may be a reason President Bush this week announced a new U.S.-Africa Command.

Not to take a back seat, the Peoples Republic of China has offered more than $5 billion in grants and loans in Africa, not out of the goodness of its heart, because we saw the compassion of the Chinese Government in Tiananmen Square, but China is interested in Africa's natural resources, including oil. And now the Bush administration is trying to play catch-up.

A cynic would say you could look at that list of nations and probably discern where the next war will break out, but that would be tantamount to saying that the Bush administration started a war with Iraq over oil, and we all know that cannot possibly be true.

But it is not hard to make the case between record high gasoline prices, record high oil company profits, and record high U.S. trade deficits.

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The American people understand the connection. They live the connection every day, and they expect this Congress to do something about it. Not 25 years from now, not 20 or 15 years from now, but this year, to move our Nation toward energy independence with dispatch.

ANNOUNCEMENT OF IRAQ RESOLUTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. JOHNSON) is recognized for 5 minutes.

Mr. JOHNSON of Georgia. Madam Speaker, today we got word that a fellow Representative from the State of Georgia, Representative CHARLIE NORWOOD, has gone home to Augusta after battling cancer here in Washington, DC. at various facilities. And he has handled his affliction bravely, and he has been an example of a great fighting spirit. We wish his family the best, and he is in our prayers as he continues his battle.

Today, Madam Speaker, I rise to give the people of the Fourth District of Georgia a voice in the debate on Iraq.

Today, I introduced the first bill of my young congressional career, House Resolution 140. I look forward to presenting plans soon to directly better the lives of my constituents and others in need throughout this great country.

However, the conflict in Iraq is consuming our time, thoughts, and funds; and people of goodwill must speak when given the opportunity, and this is my opportunity to speak.

In order to move toward an end to the Iraq war, we need to push for two things: number one, ending troop presence, U.S. troop presence, on the streets of Iraq; and, two, securing the Iraqi Government.

United States troops engaged in street patrol throughout the country expose themselves to massive violence, and it is arguably keeping this war going long past the time it should have been completed. Our troops are doing an excellent job, Madam Speaker, but the insurgents use their presence throughout the country to justify attacks on them, and actually 60 percent of the Iraqi people support those attacks against our servicemen and -women on the streets of Iraq.

So why do they continue to be sent out into the streets of Iraq, into a world of explosive devices and sniper bullets without adequate armor? Madam Speaker, I am tired of seeing our troops lose their precious lives for this seemingly unending cause. So I am requesting in this resolution, House Resolution 140, that they be taken off the streets and allowed to focus on a mission that would truly help bring about an end to this war once and for all.

Make no mistake, the job of hunting insurgents throughout Iraqi neighborhoods is noble, but this is a job for the Iraqis, not American troops who should be on their way home. The time has come for a new strategy, Madam Speaker, one that focuses on taking our troops out of harm's way and pressuring the Iraqi Government to finally take the mantle.

Once that government is up and running, they will be able to put the Iraqi military into action; develop a plan to ensure Sunnis, Shias, and Kurds benefit from Iraq's vast oil resources; create jobs; and do the numerous other things necessary to bring peace to that troubled land.

We must also consider the lives of millions of Iraqi civilians. Are the insurgents using our presence, the presence of United States troops, on the streets of Baghdad as an excuse to blow up neighborhoods? Would they be better protected if we significantly reduce our presence? I believe so, Madam Speaker, and it is another reason that the President and the Secretary of Defense should consider instituting this plan. This is a practical solution to that seemingly unsolvable problem.

The use of the Iraqis will reduce war expenses as well, lessening the burden on the American taxpayer and bring about a quicker conclusion to this conflict.

Madam Speaker, it is time to bring this war to a responsible end for the American people, for the Iraqis, and for our brave troops. And I will continue to do all I can to help make this a reality.

THE PROPOSED TROOP ESCALATION IN IRAQ

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri (Mr. CARNAHAN) is recognized for 5 minutes.

Mr. CARNAHAN. Madam Speaker, I want to congratulate the gentleman from Georgia on his legislation, and I look forward to working with him on those efforts with many others here in the House.

When the American people and this Congress stand in unity, great change is possible. Last fall from every corner of our Nation, we spoke loud and clear to demand an end to the Bush administration's open-ended stay-the-course policy in Iraq and start a new direction. That unity has changed control of this very Congress, led to the departure of Secretary Rumsfeld, helped drive the bipartisan consensus behind the Iraq Study Group recommendations.

Yet the Bush administration, in response, proposes another escalation, a so-called surge. As I said last month on this floor, the escalation plan flies in the face of military experts, of the bipartisan Iraq Study Group, Democratic and Republican leaders in this Congress, and the American public. This Congress has a solemn duty to listen and take action.

Recently, the mother of a young soldier being deployed back to Iraq told me, Congressman CARNAHAN, I am one of those mothers who is against the war in Iraq. But my son volunteered to serve his country. Please be sure they get the support and equipment they need to come home quickly and safely.

That mother's heartfelt request is a powerful example of our national unity and resolve to support our troops and oppose the escalation policy that is not making the Iraqi Government more self-reliant, not making the Middle East region more stable, and not making our country safer.

Next week, after this Iraq war has extended longer even than World War II, this Congress will have an historic, long, and thorough debate about the escalation plan. I believe the result will be a bipartisan vote reflecting the reality that a fourth U.S. escalation is the wrong direction for our country.

When this Congress acts in unison with the American people, great change is possible. In the weeks and months ahead, I believe this Congress will undertake its constitutional responsibilities with all seriousness and dispatch to continue this solemn debate, to exercise detailed oversight, and to use the tools available to us to change the direction of the war, to support our troops, to de-escalate the war, and to escalate the political solution in Iraq.

Working together, great change is possible.

THE WAR ON TERROR

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes as the designee of the minority leader.

Mr. KING of Iowa. Madam Speaker, I hope the gentleman from Missouri would just suspend a moment before he leaves the floor.

I would like to have the privilege to address the subject matter that he raised and the issue of the Iraq Study Group. And it is somewhat of a long book to read through, but I had a conversation this afternoon with the gentleman from Virginia (Mr. WOLF), and I have lifted some things out of the Iraq Study Group's report that are clearly part of the President's agenda in Iraq, "The New Way Forward," and Mr. WOLF assures me that the entire strategy in Iraq is right from the Iraq Study Group.

So I point out to the gentleman from Missouri, and I would be happy to yield to him if he had a response, that the plan and the strategy of the President's for a new way forward in Iraq is not flying in the face of the Iraq Study Group. In fact, it follows directly down the path of the Iraq Study Group. If the gentleman from Missouri would care to engage, I would certainly be willing to yield.

I came here to talk about that subject matter, in fact, Madam Speaker. And as I listened to my colleagues in preparation for this 60-minute Special Order, I will just take from the top some of the notes that come to mind.

And one is, from the beginning, the gentleman from New Jersey spoke about ExxonMobil's highest corporate profits, the highest corporate profits, perhaps, ever in the history of the country, and the promise by this Pelosi Congress to provide energy independence. And then the gentlewoman from Ohio also spoke about ExxonMobil's profits, and the details of that were such that they have $40 billion in profits. Did they lower prices at the pump?

Well, yes. Prices at the pump are a dollar a gallon cheaper than they were when oil prices were up to $75 a barrel. In fact, the prices at the pump almost directly reflect the lowering of the prices and the cost of the barrels of crude oil.

And then, of course, the argument that there was a class action lawsuit against them for $3.5 billion. And one might take that as a concern until one sees that that, Madam Speaker, is Alabama. Well, Alabama is a venue shoppers' State of choice. Someone who has a lawsuit, and the attorneys across this country know this, when they want to bring a class action lawsuit, they look around and they say what State has favorable laws; what State produces favorable juries. Where is the class envy so focused and where they have a belief that you can put 12 men and women on a jury and they would lay out a punitive case against a company because they see a company as somehow or another an evil Big Brother.

That is how you end up with these $3.5 billion or maybe $9 billion punitive damages in a class action lawsuit.

We have dealt with this, Madam Speaker, in the Judiciary Committee in the years that I have been in this Congress, and we passed legislation out of the House, and not successful in the Senate, that would allow a company that operates in multiple States, in fact, maybe internationally, to be able to ask that a case that has been venue shopped and taken to a State where there is a minimal amount of economic activity but a maximum amount of punitive damages offered by the juries there, a State that has that kind of reputation, we have passed legislation here in the House that would allow that to be changed to a Federal venue rather than a State venue so that we can eliminate some of this ghastly profiteering that is taking place and the punishment of some of our best corporate citizens that we have in America.

And I sat here tonight and listened to a handful of speakers, and two of them turned their focus on ExxonMobil, and they can't seem to understand that because we have large and successful oil companies in America that they are continuing to invest those profits into research and development and exploration.

The gentlewoman from Ohio lamented that they bought back $10 billion worth of their stock. Can she speculate that perhaps that gives them enough control now that they can invest more of their profits in exploration? And if they invest more in exploration, that means there will be more oil on the market, which means then, of course, this law of supply and demand, which I believe in, which everyone on the Republican side of the aisle believes in, which some of the people on the other side of the aisle believe in, that supply and demand will drive down our prices. And that is exactly what has been happening, Madam Speaker.

So I have to rise in defense of the companies that have provided cheap gas in this country, cheap oil in this country, and even still, whatever the price of gas is, milk is still more expensive. But not only that, the product that has been free all of my life, that product called "drinking water" and, in fact, now bottled water, is more expensive in the machine at the gas station per gallon than a gallon of gas is coming out of the pump right next to it by far. In fact, the last time I calculated that, it was a little over $9 a gallon to get your bottled water out of the machine at the gas station where gas was selling for about $2.15.

So we need to keep this in perspective. We cannot be punishing those companies that are out there exploring and putting this oil on the market so that we have the convenience of relatively cheap fuel and the mobile society that we have. If we did not have these companies and you pulled their expertise and their capital and their reserves off the market, we would be far, far more dependent upon Middle Eastern oil and much, much more of America's economy and the profits that we have would be skimmed off to go to the Middle East to fund the people who are lined up against us militarily and philosophically.

□ 1900

We are trying to get to energy independence. The Pelosi plan doesn't take us to energy independence. In the first 100 hours, one of those first six pieces of legislation, H.R. 1 through 6, pick your number, the one that addressed energy, went out and punished oil companies. It said, if you have leases, and particularly some leases that were perhaps profitable in the gulf coast, if you have leases that are deemed by the government to be profitable, we are going to require you, as a company, to renegotiate those leases. If you don't renegotiate, then we are going to forbid you, ban you, blackball you, black list you from a company that can negotiate future leases offshore, like, actually, I believe, domestically in shore on land and in the United States.

Now, what kind of a deal is it when you have a deal, and the Congress comes here and passes legislation that says a deal is not a deal. Yes, you had a deal. We signed it all in good faith, but we found out it was a good deal. So now we are going to take some of that profit ourselves. I have spent my life in the contracting business, and I have invested a little bit of capital, and I was able to add a little more to it and roll a little back in and work hard and take some chances and work smart.

Over a period of time, I was able to build a little capital up and get to the point where we could bid some projects that had some significant value. I have seen this kind of envy rise up when someone looks over and sees the industrious nature of their neighbor and decides they want some of that hard-earned profit. I have had it happen to me when I had a contract that I had significant profit in.

I can think of one in particular where I was able to purchase some materials because I negotiated. I played my cards right. I went and built those relationships with all the people that were involved. It was a string of people through bankruptcy and banks. In the process of doing that, everything had to come together just right. The timing had to be just right. I was at great risk if I was not successful in putting that all together so that I could buy a large quantity of dirt for a reasonable price and it was handy.

In fact, when I first talked to the banker about that piece of land, he said it would take $25,000 just to retain an attorney to represent me in negotiating the purchase of that. That gives you a measure of how difficult it was. But, in fact, I was successful purchasing that earth on that farm for the purposes of taking it into a project we were building, and, of course, I made some money.

If I had been wrong, if I hadn't been able to complete that purchase, then it would have cost me a lot of money. But when the time came, the owners sat me down, and the engineers sat me down, and they said, well, we see that you are making money here, and now we would like you to discount the work you are doing because we think you can afford to do that.

I looked them in the face, and I thought, well, why are you asking me to give some of my profit over to the owners? Isn't it all justly earned? And isn't it ethical, and didn't I bid this for a price, and was not it low bid? Not a no bid, but a low-bid contract? They said, well, yes, but we think that you have some to give, and so we are asking you to discount your work, do it more cleanly, because we think you can afford to.

Well, what principle are you basing that judgment on because someone can't afford to discount something? How can you ask them to do that in a free enterprise society? I asked that question of the engineers, and they said, well, again, we they think that you can afford to do that.

So let me ask you a question. If I had lost my shirt on this job, which I likely could have done, and maybe even lost my business, would you have stepped up and said things didn't go so well for you, here is some extra? They just smiled and snickered a little bit because they knew it was ludicrous to think that when things go bad that there is going to be anybody in there holding my hand or ExxonMobil's hands or Shell's or Chevron's or anybody else's. They suffer all of their losses, and they have to have a margin in the work that they do.

We must have successful companies here operating out of the United States, and especially developing our domestic supplies of energy. If we fail to do that, then we are absolutely dependent upon middle eastern oil. If we are up to that 60 percent or so of our oil that is imported now, think what it would be like, Madam Speaker, if it was 100 percent.

So this effort to go down here and argue that we will see energy dependence under Pelosi's term here in Congress, I would submit that they have done anything but. They have changed the deal and said the Federal Government's word is not good, we want a tax, windfall profits. If we can find a way where we are jealous of your profit, we will find a way where we can take it and put it into the government coffers.

A company that will look at that is going to take their profits and decide why do I want to invest my profits in further exploration if the Federal Government is going to come in and cancel the deal, which they have done. I will submit that, perhaps, $40 million that may be available, and it is probably a lot more than that is available for exploration, that will continue to put oil supply on the market.

I would submit that it is more likely that exploration investment will go overseas to foreign countries, and perhaps even into the Middle East and places where we don't have such a stable environment, while we sit on massive supplies and energy here in the United States, not because the oil is not there, not because the natural gas isn't there, but because this Congress has become a jealous Congress. This Congress has become a vindictive Congress. This Congress has become a Congress that has decided that they are going to play legislative corporate class envy against companies that are providing an economic supply of energy to this country.

I have always had the view that if I didn't like the way someone was doing business, if I thought they were making too much profit, then that should say to the whole world, well, there is opportunity there. If Exxon is making all of this profit, and it has made so many people irate that out of six or eight speakers two of them come to the floor to speak about that very thing, then I would submit, go out and start your own oil company.

That is the American way. You have a chance to do whatever you want to do in this country. Go ahead and get an investor's group together, or go buy up a group of oil companies, put them together and go out there, and invest your capital, see how you do.

In fact, I welcome that. I think we need a lot of competition, and we need a lot of exploration, and we need to be developing our oil supplies more now than we ever have before. This is the time to push, because perhaps a generation from now we will have transitioned into a lot of other kinds of fuel and gas and oil will not be so important and will not be so relevant any longer. It isn't just the gas and the oil and the fuel that comes from our crude oil, but it is all the other energy supplies out there.

Now, I understand that the other side of the aisle and the Pelosi plan is going to include some things like conservation, and I suspect reasonable conservation measures. I think it is awfully hard to legislate. I think the markets do more for that than we could probably do with legislation. Conservation is a component. But I would ask to put in your mind's eye the idea that I call the energy pie. The energy pie, shaped like a clock, for example, but slices of that pie, pieces of the pie, or the components of it would come from all of the areas where we get energy.

So I would submit that a certain percentage of our overall BTU consumption in America is gasoline. Some is diesel fuel. Some is fuel oil. Then those hydrocarbons that come from crude oil, and then, in addition to that, we have a lot of our electricity, significant amount comes from hydroelectric and nuclear and coal fired, especially clean coal fired, and we also, then, out of that energy, then, in addition to that, we have our ethanol, our biodiesel. We have hydrogen. There is a whole list of sources for energy in America, and we need to look at that, like all the BTUs consumed in America, a big energy pie, and then reprioritize that. Let us change the size of the pieces and grow the size of the energy pie.

I want more BTUs on the market. I want a lot more energy on the market. I want to go everywhere we can to get that energy and pour it into the marketplace and do it so that we can supply more BTUs than we are using.

If we can do that, we can drive down the cost of all energy. We need to do that by adding it by component by component. The ethanol, the biodiesel, more coal, more wind, I left that out, the hydrogen, on the horizon, the cellulosic ethanol that is coming, piece after piece of this energy pie needs to be added together. Then we change the proportion of the pieces so that gasoline from middle eastern oil becomes a smaller piece, and diesel fuel from middle eastern oil becomes a smaller piece.

Ethanol becomes a larger piece. Biodiesel becomes a larger piece. Cellulosic down the line a half a decade from now can really start to take hold, and we can replace some of the electricity that is being generated by the natural gas with wind energy, and that is an environmentally friendly and conservation approach that is good for our environment.

All of these tools are at our disposal, but one of the tools we seem to use is we want to punish the corporations that are busily contributing to growing the size of the energy pie, and also diversifying some of their investments so they aren't just locked into the petroleum but adding the diversification out there, so that they can contribute also to adjusting the size of the pieces in this larger growing energy pie.

That is how this needs to be done. We need to be doing it by complimenting the companies that are competing in the open market, not by punishing them, not by defying the rules of free enterprise with Congressional action, not by changing the deal, not by jerking the rug out from underneath. I would suggest that there is a Chevron find in the Gulf of Mexico, I understand it is about 265 miles southwest of New Orleans, that may add as much as a 50 percent more to the overall reserves or the overall production of oil in the United States.

With that field opening up, and the necessity to open up in ANWR, we can, if we are aggressive, we can reduce dramatically our dependency on foreign oil, and then, of course, we add to that the renewable energies that I have talked about. We can get there. We will not get there if we scare our companies off, if we punish them for doing good and doing the right thing.

So I will move from that energy discussion and move to the discussion by the gentleman, Mr. ANDREWS, on Iran. I want to compliment him for the tone and the thoughtfulness and the constitutional discussion that he brought here to the floor. I have no doubt that he understands the Constitution, and he is correct when he says the power to declare a war is with this Congress constitutionally.

But, also, the commander in chief of our military is the President of the United States, and that is clear, and that is a constitutional principle that should not be challenged by this Congress. He is the commander in chief.

There is nothing in the Constitution that says Congress shall have the authority to declare a war and then micromanage every little operation of that war. Simply when Congress declares war, they say we send a message to all sovereign nations in the world that we are at war with whichever sovereign nations may be the subject of that declaration.

That declaration shows the commitment of Congress to support our troops and their mission. I will say that again, to support our troops and their mission, and the lead troop is the commander in chief, the President of the United States, George W. Bush, who does call these shots.

Our founding fathers understood you cannot fight a war by committee, and you can't put your finger into the wind and ask the public to poll and ask how you should go about fighting a war. If we are going to sit here and say, well, the public polls say that the support for the operations in Iraq, the battleground of Iraq, which is a battleground in the broader global war on terror, if we are going to take the position that this Congress can steal the polls and make military recommendations or pass edicts here or take the budget and squeeze down our support for our troops or shut it off like they did at the end of the Vietnam War, that we can micromanage a war from the floor of the Congress?

It is a ridiculous concept, and it was a ridiculous concept for the President of the United States during the Vietnam War, to micromanage that war. President Johnson should have turned that over to his military personnel at the joint chiefs of staffs, who would have relied upon their commanders in the field. If they were not satisfied with those results, they would have changed them. It is the prerogative of the President to remove generals and appoint new generals.

Of course, the Senate confirms those higher appointments, as we saw happen a little over a week ago, with the confirmation of General David Petraeus.

Now, we find ourselves in this odd dichotomy here, this odd contradiction, where Congress has, and I am speaking, I should say specifically, the Senate has unanimously endorsed the President's choice to be the commander of all operations in Iraq, General David Petraeus.

Personally, I would put into the RECORD that he is the singular most impressive individual that I have met in a military uniform in my lifetime. I do not believe that there could be another choice. I do not believe that there could be a better choice to head up these operations in this new way forward in Iraq than General David Petraeus.

□ 1915

Not only does he understand the overall strategy, he has written the book on counterinsurgencies. He spent years in Iraq. I first met him over there in October of 2003 where he commanded the 101st Airborne that had gone in and liberated the region about three provinces and in the region of Mosul. And there, as I sat and received a briefing from him, I will tell this little anecdote about General Petraeus, that is, he started to give a briefing.

And it was in a way, a classical Powerpoint slide show, but a slide show of pictures, the reality of what had taken place there. And he had a cordless microphone.

Now I do not get very many briefings that last an hour and a half, unless I happen to be the one that is delivering them. But General Petraeus spoke for about an hour or a little more, and the battery went dead on his microphone. The moment before the battery went dead, he had picked up another microphone that was laying there, and without even breaking stride, laid the one down, picked the microphone up with the fresh battery in it, and proceeded to complete that briefing that lasted about 90 minutes.

He had the solution sitting there waiting for the problem. He used every single minute of the 90 minutes extraordinarily effectively. Not only did he talk about politics and tactics and the military deployment that they had there, the difficulties that they had faced, he talked about how he had called for elections in Mosul.

Mosul was liberated in late March 2003. They had elections there in May of 2003. And at the table later on the next day, I met with the new governor of Mosul and the vice-governor of Moss, one a Shiia, one a Kurd. One might have been a Sunni and the other was a Kurd. But regardless, he had representatives from two different sectarian factions there, and then a business leader at the table who was proficient in English.

You could tell by the eye contact of those three men, they were a team that was working together. General Petraeus understood the military and the tactics, understands them better today than he did then, and he understood them very well then. He understands the politics. He understands the economics. And he studied this. It has been his focus, it has been his life. He loves his soldiers. I am looking forward to a completion of this mission in Iraq that will be I believe a successful mission.

Mr. ANDREWS spoke about Iran. I digressed a bit before I get to that point. I support his constitutional conclusion that Congress alone declares war. But I would submit, in addition to that statement, that the Commander in Chief calls the shots. We declare war, if that is what the situation calls for.

And then Congress shall not get in the way and micromanage the operations. No war by committee, Madam Speaker, and no interference here on the part of these Members of Congress, except if they have an issue then they can do, behind-the-doors oversight. They can have those conversations. The President's door is open to the leadership of this Congress. We know that.

If they have those kind of issues, they want to discuss, we have classified briefings here. There are plenty of opportunities for oversight. If not, you can ask for opportunities for oversight. But to set up this Congress and to use the committees and use the committee chairs and the ranking members to somehow configure a away to bring in motions and micromanage a war is a guaranteed military debacle. There has never been a successful committee operation fighting a war in history, and there is no way that you can set a precedent here out of this Congress, especially as divided and as defeatist as it is on the majority side of the aisle.

It seems to me that the will to win this war runs a successful clear distinct victory that would be written by the historians as a distant victory, is not really something that is loved and anticipated by the people on the other side of the aisle. And this is not a stretch that comes out of my imagination, Madam Speaker. But it is simply an observation from in this Chamber, when the Commander in Chief gave his State of the Union Address last month, now when he spoke about committing to victory in Iraq, one-half of this Chamber stood in a thunderous standing ovation, and the other half of the Chamber, Madam Speaker, sat on their hands in silence, disgraceful silence.

Could they not know that our troops in the field have televisions in real time over there in Iraq and in Afghanistan, and in other parts where our troops are today, supporting our troops that are in the front lines? Could they not know that our commanders all the way down the line to the privates are watching this disgraceful lack of support? Their lives are on the line, and they will hear Members from this side of the aisle to a man and to a woman say, I support the troops. I support the troops. I support the troops.

And the question to follow is, what about their mission? Do you support their mission? And that is when you cannot get a question answer from hardly anybody on the Democratic side of the aisle. In fact, the Speaker herself declined to say yes to that point blank question sometime in December of last year.

She said it was not a matter of victory, it was a matter of managing. Well, they want to manage their way out of there, and I will submit that the rule of warfare is, victory goes to the side that is occupying the territory at the end of the war. You cannot lift people off with helicopters off a U.S. embassy in places like Saigon, and say, well, we really won the war, we tactically won the war, we did not lose a battle, we won, we left because we wanted to, it was kind of an asterisk that those things happened down there.

We tactically did win every battle. And our U.S. military performed courageously, heroically, and gloriously. And they need to be honored by every generation from here on out. But we did not win the battle of who stood on the terrain at the end.

And these enemies that we have in the Middle East are a philosophical enemy that goes deep back into history. And before I go deep back into history, I will speak again to the Iranian issue of Mr. ANDREWS, which is, he criticized the regime of Iran. I agree with him. It is an unstable leader that they have. And they have some mullahs that seem to be directing the action of that unstable leader. So that cabal in the middle appears to me to be, from our view, from our Western civilization view, an irrational group of leaders.

He said the regime must never have a nuclear weapon. I agree, Mr. ANDREWS, 100 percent, they must never have a nuclear weapon. And yet we cannot go forward. He said we cannot go for a reckless premature action against Iran. I agree with that as well. It cannot be reckless, it cannot be premature.

But does anybody really think that we can make nice enough, talk nice enough, be reasonable enough and take our case to the Iranians and say somehow can we just put out an olive branch here, and have an open discussion and find out what our disagreements. Does anybody really think that Ahmadinejad or the mullahs would just then peacefully come to the table, and they could be reasoned into a position of giving up their nuclear weapons?

I mean, they came out yesterday, and their announcement was that they will continue to develop their nuclear weapons, and they say they have a right to do so. But does anybody believe that they can be talked out of them? I am wondering what it is about human nature that I see this so clearly that they have gone down this path, they will not let go, they will not give up.

Why does anybody on that side of the aisle, Madam Speaker, think that they can debate Ahmadinejad into giving up his nuclear missiles and his nuclear technology and ability, when I would ask them, how long has it been since you have seen anybody in this Congress change their mind because of the shear force of a debate?

I mean, these are not so momentous a decision that we make, but we come down here on the floor. And how often can anyone point to a single time that they have said something that was so profound, so honest, so insightful that another Member said, I did not know that. I am on your side, I will switch my position, change my vote, I will be with you because you made sense.

It is so utterly rare in this Congress, why would the gentleman believe that we could send negotiators over to Iran, and they would say, well, it makes sense to me. We will just demolish all of that nuclear capability. We want to sign a peace treaty with you all. We will start trading and it will be a wonderful world again.

The reason that we have a problem there is because we have a fundamental philosophical disagreement and misunderstanding. This began in Iran when President Jimmy Carter's belief in supporting religious fundamentalists caused him to support the return of the Ayatollah and the demise of the Shaw in Iran.

And when that happened in 1979, that was the beginning of the hostile Iran. And it did not take very long before we saw 444 days, 52 American hostages paraded regularly in front of our television trying to humiliate the United States. And some believe that Ahmadinejad was part of that group, they think they have pictures that show him there, a kidnapper of American diplomats.

I do not know. I do not know if that is true or if it is not true. But he certainly was not opposed to that that we know. He is for the annihilation of Israel, the annihilation of the United States, these dictators tell us what they think, and often they follow through on those actions.

And so, no, I do not trust the Iranian leadership, I do trust a lot of the Iranian people. And I would trust the Iranian people to capture their freedom if given the chance. I would paint this image in the mind's eye, Mr. Speaker, of all who might be contemplating this.

In the map you will see Iraq to the west and Afghanistan to the east. And right in the middle, linked together bordering the two countries is Iran.

Now, I will argue that Afghanistan today is a free country. And our troops were on the ground guarding the polling places. The first time ever in the history of the world that since Adam that there had been any votes that took place on that soil.

Today it is a fledgling democracy. It has its problems. Certainly it will. We had our problems in the early years. We have our problems today. It is never pretty. It is always difficult. But it is always worth the effort. But Afghanistan is a free country. Iraq is technically a free country today.

The part that diminishes that freedom is the 80 percent of the violence that takes place in Baghdad and within 30 miles of Baghdad. But Iraq, much of Iraq is peaceful, it is pacified and it is becoming prosperous. I went over there the last time, over the last Thanksgiving, I actually spent my Thanksgiving Day eating dinner with a good number of wounded troops in Landstuhl, Germany, at the hospital, and encouraged by their courage.

That was the most monumental and profound Thanksgiving that I have ever had or ever hope or expect to have. And from there, I traveled over to Iraq where I did spend a couple of days in the Baghdad area, and then I went to a camp, a forward operating base just out of Baghdad, and then on up into Erbil in the north, in the Kurdish area in the north.

I have been to most corners of Iraq over the last few years. I try to get there as often as I can to get a feel for what is going on. I do not think it is possible to understand that operation over there without going there. I was encouraged by the level of peace and the growing prosperity, especially that that I saw in Erbil and up in the Kurdish area.

You get out of the plane there, take off your flack jacket, toss your helmet in the back, and walk across to the parliament. I sat down with some members of parliament there. And then they cooked also a turkey Thanksgiving dinner that was something that I have not seen done as well in this country. Gregarious hosts and wonderful people. That is how I find most of the Iraqi people.

I do not accept a 60-percent number that was delivered here by the gentleman from Georgia, that 60 percent of the Iraqis believe it is good or okay to be attacking Americans. I do not know where that poll would come from. Maybe if you polled the terrorists you would get a number like that.

But I do not believe, Madam Speaker, that that is the sentiment of the Iraqi people. The Iraqi people are grateful that the United States has stepped in to liberate them. There is a bit of a power vacuum, especially in Baghdad.

The President's plan is to go in and fill that power vacuum. Muqtada al-Sadr has done a job in filling that power vacuum. And he has been supported and funded and armed by Ahmadinejad's people in Iran. Iran is fighting a proxy war against the United States within Iraq.

You also have Syria fighting a lesser effective but to a lesser degree a proxy war against the United States in Iraq. When the President came out shortly after September 11, he said if you harbor terrorists, fund terrorists, train terrorists, you are a terrorist and we will treat you as a terrorist state.

□ 1930

Iran is one of those countries. Syria is one of those countries. I know of no example in the history of the world where an insurgency that could go back and hide and have sanctuary in a sovereign state has ever been defeated. You have to take your battle where the insurgency is. And if they have got a sanctuary you have to go to their sanctuary.

That doesn't mean that we need to take on Iran. It means that we have got to eliminate sanctuaries. And we cannot delude ourselves into believing that we can negotiate a nuclear capability away from Iran. It would be just utterly ineffective because they have a goal and they have a vision.

And from that point I would submit that the background here of United States history, American history, instructs us on what has been historically, and is relevant to today. Madam Speaker, I would submit that back in 1783 would be the period of time when the new United States made peace with Great Britain. And at that time, we had an American Merchant Marine that was sailing the world and trading. We have always been a very effective seafaring nation. And as our American Merchant Marine sailed and traded to the world and they went into the Mediterranean, up until 1783 they had the protection of the British Navy because we were, up until 1776, at least a colony of the British, and so we are now rectified of their Navy.

But when we were recognized by Britain and began to fly the American flag, and were not under the protection of the Union Jack, 1783, America made peace with Britain; and then, 1784, the first American ship was captured by pirates from Morocco. Thus began the Barbary wars where we took on the Barbary pirates. From 1784 and on up until about 1815, the United States was engaged sporadically and periodically, but actually almost continually in a war again the Barbary pirates along the Barbary Coast.

And before I go into that, Madam Speaker, I need to give a little bit more of the history of that region. Barbary pirates in that region had been raiding the Mediterranean shoreline, especially the European side of that, for years. And I will submit that they had been raiding the shoreline for almost 300 years at that point in 1784 when they captured the first American vessel.

Beginning about 1500, 1502, 1503 is when the Barbary pirates began an active and aggressive pirating of merchant marines that were sailing into the Mediterranean. And their goal was, capture the ship and the cargo and the crew. And the most valuable portion of that was all too often the crew, because they were pressed into slavery, Madam Speaker. And they brought back European slaves to the Barbary Coast where they pressed them into slavery.

And they built many of the edifices that you see there today, the old architecture from the 1500 era and on, clear on into the early 1800s, about 1830; much of that work was done by Christian slaves that were pressed into slavery by Muslim masters. And, in fact, there is a book written by a professor at Ohio State University called Christian Slaves and Muslim Masters. And he has gone back and studied the coastline, the European coastline of the Mediterranean and old church records and other family records and old family Bibles and put together a credible history of the slave trade by the Barbary pirates as they moved in with their corsairs and took over the merchant marine, the merchant ships from Europe.

The Barbary pirates raided the shoreline all around Greece and Italy and France and Spain and all the way up the coastline of France and the Atlantic into England and on over as far north as Iceland. In fact, there is a fairly detailed commentary about 400 Icelanders who were pulled from their beds at night just near the shore of Iceland, pressed into slavery and sailed back down to the Barbary Coast on the north shore of Africa.

And of all of the slaves that were captured along all of that coastline, from Greece all the way up to Iceland, these Icelanders survived the least, and they perished the most. They got the least amount of work out of them and they died the most quickly. And that happens to be some remarks that are written into the historical documents.

Some say it had to do with the climate change. Some say it had to do with the work they pressed them in. Some say it had to do with their hearts being utterly broken that they were pressed into slavery, and they just lost their will to live. But there is very little, if any, genetic remnant of those slaves today because the men that were pressed into slavery, and it was almost all men, they were never allowed an opportunity to do anything but walk in their chains and row the corsairs, or else do their slave labor, building the buildings and doing the kind of construction work that built those cities.

They didn't have an opportunity to procreate, so you don't see their genetics in the faces of the people that live on that part of the continent today. Occasionally, I am told that there are some blue eyes that pop up that look like they might be the descendants of the women who were captured aboard ship or offshore, who were pressed into, I will say concubinery.

And so there are some descendants from that, but it is very little, from remnants. But all together, Professor Davis documents about 1.25 million Christian slaves that were pressed into slavery by the Barbary pirates, and this period of time would be from about 1500 on to about 1583.

Well, it continued from that point forward, and Europe built a practice of paying tribute to the pirates and seeking to purchase back their most valuable citizens. And it would be those men and women of substance. If they had a wealthy family, then they would try to go and pay tribute to get that member of the family back. That went on for hundreds of years.

There was a pattern there. It was a business that was being run. And when the United States found themselves sucked into that in 1784 when our first ship was captured by the pirates from Morocco, that began the long conflict that lasted until at least 1815.

And one will remember that the United States took a posture eventually; we paid tribute here, Madam Speaker, out of this Congress to the Barbary pirates. And some of those line items that I have seen were as high as $250,000 to pay tribute to the Barbary pirates, but that would be just one line item. And, in fact, that was a line item that was refused. But we paid more than that on an annual basis, and that tribute, that bribery got so high that it became as high as 20 percent of the entire Federal budget to pay off the pirates in the Barbary Coast.

And so we decided that we couldn't afford this any longer, and we had two alternatives. One was to outfit a Navy and a Marine Corps and send them over there to punish the Barbary pirates and get them to back off of any vessel that flew the Stars and Stripes. So we sent our best diplomats over there to negotiate with the Barbary pirates; and I don't know that we have diplomats of that standing today, but historically they will stand very high in the mind's eye of Americans, Madam Speaker.

And so in 1786 Thomas Jefferson, who was then the ambassador to France, and John Adams, who was the ambassador to Britain, met in London with, and I don't have this name memorized, met in London with Sidi Haji Abdul Rahman Adja, the ambassador to Britain from Tripoli. Our American ambassadors, Jefferson and Adams, ambassadors to France and Britain respectively, asked Adja why his government was hostile to American ships, that even though there had been no provocation, his government was hostile to American ships. The ambassador's response was reported to the Continental Congress, and is a part of the permanent record today that can be reviewed over in the Library of Congress.

The response from Sidi Haji Abdul Rahman Adja, the ambassador to Britain from Tripoli, I will repeat, was this, and I quote, "It was founded on the laws of their prophet, that it was written in their Koran, that all nations who should not have acknowledged their authority were sinners, that it was their right and duty to make war upon them wherever they could be found and to make slaves of all they could take as prisoners, and that every Musselman," and that is the term for a Muslim today, "who should be slain in battle was sure to go to paradise."

Sound familiar, Madam Speaker, to some of the things that we hear today?

And Jefferson's analysis, his comments upon that valiant effort at diplomacy, an effort that has been suggested by Mr. ANDREWS here this evening, Jefferson's analysis was this, and I will paraphrase and summarize and not quote, but it is hard to reach common ground, it is hard to negotiate with people whose profound religious belief is that their salvation is from killing you.

1786; 2006–2007. We think we have come a long way; we may have not gained a single inch in this disagreement, just had some interim conflicts and relative periods of peace. I think the American people need to understand this.

And so out of the failure of that diplomatic effort, that valiant diplomatic effort, the United States Navy was born, March 1794. The Marine Corps joined with the Navy and they went to the shores of Tripoli. And that is today in the Marine Corps anthem, "From the halls of Montezuma, to the shores of Tripoli."

And our Navy was fitted, and they designed frigates for Americans, and these frigates had superior speed and superior maneuverability, very much an American thing. That was the first time that Americans went to war after the ratification of their Constitution, and they went to war with the most modern frigates that had a tactical advantage because the technology that was developed by the innovative nature and the inventiveness of American shipbuilders. And today we are off in space with that same kind of innovation.

The Marines, when they went to the shores of Tripoli, they knew what they were up against to some degree.

And Madam Speaker, we have all heard Marines called Leathernecks. Most don't recall, Marines got the nickname Leathernecks because they put leather collars around their neck, thick leather collars when they went into battle to reduce the chance that they would be beheaded by the enemy. That is how Marines got the nickname Leathernecks. They got that nickname over 200 years ago, and it is part of their history and part of their lore. And the shores of Tripoli are engraved on their Iwo Jima monument over across the Potomac River.

And so we need to go back and revisit history, Madam Speaker, and understand that this enemy is driven by the same philosophy. They still believe their path to salvation is in killing us. There are passages in the Koran that support this almost verbatim that I have happened to have read.

Thomas Jefferson had a Koran. I understand that Koran came to this Congress to be used in a swearing-in ceremony. Some say that he leaned towards Islam because he owned a Koran. I will submit that Thomas Jefferson also studied Greek, and he had a Greek Bible; he wanted to be able to understand the passages in the Bible from the perspective of the Greek, rather than relying on the translations from Greek into an English version.

Thomas Jefferson was perhaps the preeminent scholar of his time, maybe the preeminent scholar in our history. He took his work seriously. Of course he needed to understand "nosce hostem," which is Latin for "know thy enemy." And that would absolutely be the reason why Thomas Jefferson acquired a Koran, so he could understand that enemy that said that it is written in their Koran that all nations who should not have acknowledged their authority were sinners, that it was their right and duty to make war upon them wherever they could be found, and to make slaves of all they could take as prisoners, and that every Muslim who should be slain in battle was sure to go to paradise.

What a promise to make. And when that is a profound religion, it is impossible to negotiate with. So what we did, we went to war against them, and over time put them in a position where they needed to sue for peace.

And I will submit also that Algiers came under attack from the British twice and the French once. And they didn't cease their attacks on Western Europe—I will say Western civilization and the shipping industry within the Mediterranean as a piracy approach, as a government policy. They didn't cease those attacks until 1830 when the French went in and occupied Algiers.

And so here we are today with an enemy, globally, in the world, which is a segment of Islam. And I certainly respect and appreciate moderate Islam. I ask them to step forward and be our allies. I believe they are a peaceful people and a good-hearted people. And the more I travel and the more people I meet, the greater my respect and admiration for the goodness of humanity is.

But there is an element within Islam that is radical Islam, the jihadists, the Islamists, as Daniel Pipes has named them. That element is a significantly large element and there are maybe 1.2 to 1.3 billion Muslims in the world. And according to Daniel Pipes, our Benazir Bhutto, 10 percent, and according to Pipes, perhaps as many as 15 percent, are inclined to be supportive of al Qaeda.

Now, if it is 10 percent you are looking at 130 million. If it is 15 percent, add half again to that. That is a huge number of people who philosophically believe that their path to salvation is in killing us, and that they don't really take a risk with their destiny when they attack us because if they are killed in the process, they will surely go to paradise.

□ 1945

That is the enemy that we are against, Madam Speaker.

Madam Speaker, may I inquire as to how much time I have left?

The SPEAKER pro tempore. Eight minutes.

Mr. KING of Iowa. And so here we are today with a Congress that wants to micromanage a war, and a resolution or two or three over in the Senate that undermine our troops, and a resolution promise to come to the floor of this House next week that undermines our troops. As I have submitted, you cannot win a war by committee. You cannot fight a war by committee, but you can undermine the mission and you can put your troops at risk by doing so.

We have top-notch commanders in the field, Madam Speaker. They have demonstrated their ability. We have the best military ever put into the field. Their morale is strong, their technology is there, their training is high. Their sense of mission and duty and sacrifice is strong and is profound. They want to complete their mission.

I traveled over there with a lieutenant colonel who said to me, Don't pull us out of this. Don't save me. Don't save me. I volunteered. I am willing to take this risk. I want to take this burden off of my children. That is my duty to my country and to my family. I want to take this burden off my children. Don't try to save me.

I had some Gold Star families in my office a couple of months ago, shortly before I went to Iraq, Gold Star families who have lost a son or a daughter in combat over in either Afghanistan or Iraq. As I listened to them, they just intensely pleaded with me, Do everything you can to promote a successful mission. We have heard much of the dialogue, but to look them in the eye and understand that intensity. And then, one of the bereaved fathers from California, his first name was John, said to me, It's different now. Our children have gone over there and fought and died on that soil. The soil in Iraq is sanctified by their blood. They paid their price for the freedom of the Iraqi people. You cannot walk away and leave that now. That is the vision of the Gold Star families. That is the commitment of our military.

I can't find people in uniform in Iraq that don't support the mission, that aren't committed to the cause. But they ask me, why do we have to fight the enemy over here, the news media over in the United States, and the people that are undermining us in the United States Congress? It is an undermining. And I will make this prediction, Madam Speaker, that before this 110th Congress is adjourned, there will be an amendment or a bill that comes to this floor that seeks to unfund our military, one that is written off the pattern of the one at the end of Vietnam. And if that amendment comes and it is successful and it shuts off funding and our troops are forced by a defeatist attitude in Congress to pull out of Iraq, you will see a human suffering like this world has not seen since World War II.

The price for failing to succeed will be cataclysmic. I don't have enough minutes to go into the description of all of that.

But I will submit that we either succeed victoriously and leave Iraq a free democratic Iraq that can stand on its own two feet and defend itself and be represented by its people, we either do that, or the last battle in Iraq won't be fought over there, Madam Speaker. It will be fought here on the floor of this Congress through an appropriations bill that will seek to jerk the rug out from underneath our sacrificing military. And it would put this country in utter disgrace if that were to happen.

So I have introduced a resolution, a resolution that supports and endorses our troops, one that recognizes the circumstances that we are in, the constitutional power and authority of our Commander in Chief, and stands up and defends our troops and our military all the way down the line. It says, in fact, the bipartisan Iraq Study Group says on page 73 that it could support a short-term redeployment or surge of American combat forces to stabilize Baghdad or to speed up the training and equipping mission if the U.S. commander in Iraq determines that such steps would be effective.

General Petraeus has written the plan. He has determined it would be effective; it is consistent with the Iraq Study Group, page 73. Look it up. General Petraeus has endorsed the plan, as I said. And on top of that, the cochair of the Iraq Study Group, former Secretary of State James Baker III, came back to this Congress and said: The President's plan ought to be given a chance. He wants us to support the Iraq Study Group, and that is the President's plan. That means a free and liberated Iraq, not a cut and run.

Honor the troops for their service and honor their mission, and in fact honor their sacrifice. And I will fight this battle here where it is at greatest risk, Madam Speaker. And I urge my colleagues to do the same.

I look forward to the debate next week and the open dialogue, and I hope that there is a rule that is offered here under the promise of this new and open Congress that would allow for amendments to be brought to the floor so that resolutions of this type actually have an opportunity to be debated in this Congress.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. MILLENDER-MCDONALD (at the request of Mr. HOYER) for today on account of business in the district.

Mr. DEFAZIO (at the request of Mr. HOYER) for today after 4:00 p.m.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. PALLONE) to revise and extend their remarks and include extraneous material:)

Mr. PALLONE, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. GEORGE MILLER of California, for 5 minutes, today.

Mr. SCHIFF, for 5 minutes, today.

Mrs. MCCARTHY of New York, for 5 minutes, today.

Mr. ELLISON, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. KLEIN of Florida, for 5 minutes, today.

Mr. ANDREWS, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. JOHNSON of Georgia, for 5 minutes, today.

Mrs. CHRISTENSEN, for 5 minutes, today.

Mr. CARNAHAN, for 5 minutes, today.

Mr. RUSH, for 5 minutes, today.

(The following Members (at the request of Mr. POE) to revise and extend their remarks and include extraneous material:)

Mr. POE, for 5 minutes, February 13, 14, and 15.

Mr. ENGLISH of Pennsylvania, for 5 minutes, today.

Mr. SOUDER, for 5 minutes, today.

Mr. PENCE, for 5 minutes, today.

Mr. FRANKS of Arizona, for 5 minutes, today.

Mr. MCHENRY, for 5 minutes, today.

ADJOURNMENT

Mr. KING of Iowa. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 53 minutes p.m.), under its previous order, the House adjourned until tomorrow, Friday, February 9, 2007, at 2 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

545. A letter from the Administrator, AMS, Department of Agriculture, transmitting the Department's final rule — Milk in the Northeast and Other Marketing Areas; Interim Order Amending the Orders [Docket No. AO-14-A74, et al.; DA-06-01] received January 25, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

546. A letter from the Congressional Review Coordinator, APHIS, Department of Agriculture, transmitting the Department's final rule — Pine Shoot Beetle; Additions to Quarantined Areas [Docket No. APHIS-2006-0117] received Janaury 17, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

547. A letter from the Congressional Review Coordinator, APHIS, Department of Agriculture, transmitting the Department's final rule — Tuberculosis in Cattle and Bison; State and Zone Designations; Texas [Docket No. APHIS-2006-0145] received December 29, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

548. A letter from the Congressional Review Coordinator, APHIS, Department of Agriculture, transmitting the Department's

final rule — Mediterranean Fruit Fly; Remove Portions of Los Angeles, San Bernadino, and Santa Clara Counties, CA From the List of Quarantined Areas [Docket No. APHIS-2005-0116] received January 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

549. A letter from the Congressional Review Coordinator, APHIS, Department of Agriculture, transmitting the Department's final rule — National Poultry Improvement Plan and Auxiliary Provisions [Docket No. APHIS-2006-0008] (RIN: 0579-AC27) received January 12, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

550. A letter from the Under Secretary, Food, Nutrition and Consumer Services, Department of Agriculture, transmitting the Department's final rule — Senior Farmers' Market Nutrition Program Regulations (RIN: 0584-AD35) received December 29, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

551. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Thiabendazole; Pesticide Tolerance for Emergency Exemptions [EPA-HQ-OPP-2006-0962; FRL-8111-1] received January 26, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

552. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Tris(2-ethylhexyl) Phosphate; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2006-0970; FRL-8112-2] received February 2, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

553. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Avermectin; Pesticide Tolerances for Emergency Exemptions [EPA-HQ-OPP-2006-0918; FRL-8110-8] received February 2, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

554. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Spiromesifen; Pesticide Tolerance [EPA-HQ-OPP-2006-0667; FRL-8110-3] received January 19, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

555. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations — received February 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

556. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations — received February 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

557. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Determinations [Docket No. FEMA-B-7703] received February 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

558. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Final Flood Determinations — received February 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

559. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Public Record Grant Guidelines for States; Solid Waste Disposal Act, Subtitle I, as amended by Title XV, Subtitle B of the Energy Policy Act of 2005 [FRL-8274-1] received January 26, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

560. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Financial Responsibility and Installer Certification Grant Guidelines for States; Solid Waste Disposal Act, Subtitle I, as amended by Title XV, Subtitle B of the Energy Policy Act of 2005 [FRL-8274-2] received January 26, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

561. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Virginia; Emission Standards for Consumer Products in the Northern Virginia Volatile Organic Compound Emissions Control Area [EPA-R03-OAR-2005-VA-0017; FRL-8273-9] received January 26, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

562. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Michigan; Control of Gasoline Volatility [EPA-R05-OAR-2006-0547; FRL-8274-4] received January 26, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

563. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; State of Utah; Administrative Procedures [EPA-R08-OAR-2005-UT-0007; FRL-8275-2] received February 2, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

564. A letter from the Chief, Trade and Commercial Regulations Branch, Department of Homeland Security, transmitting the Department's final rule — Conditional Release Period and CBP Bond Obligations for Food, Drugs, Devices, and Cosmetics (RIN: 1505- AB57) received January 7, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

565. A letter from the Chief, Trade and Commercial Regulations Branch, Department of Homeland Security, transmitting the Department's final rule — Fees for Certain Services (RIN: 1505-AB62) received January 25, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. BILBRAY:

H.R. 909. A bill to amend the Federal Water Pollution Control Act and the Beaches Environmental Assessment and Coastal Health Act of 2000 to authorize appropriations for activities to improve the quality of coastal recreation waters, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. ENGLISH of Pennsylvania:

H.R. 910. A bill to amend the Trade Act of 1974 to make certain modifications to the trade adjustment assistance program; to the Committee on Ways and Means.

By Mr. WEINER:

H.R. 911. A bill to authorize the grant program under which the Secretary of Homeland Security makes discretionary grants for use in high-threat, high-density urban areas, and for other purposes; to the Committee on Homeland Security.

By Mr. FARR (for himself, Mr. Baca, Mr. Cardoza, Mr. Costa, Mr. Filner, Mr. Gilchrest, Ms. Zoe Lofgren of California, and Mr. Salazar):

H.R. 912. A bill to provide additional funds for food safety research related to perishable agricultural commodities, to provide emergency financial assistance to producers and first handlers of fresh spinach for losses incurred as a result of the removal of fresh spinach and products containing fresh spinach from the market and other actions undertaken in response to a public health advisory regarding spinach issued by the Food and Drug Administration in September 2006, and for other purposes; to the Committee on Agriculture.

By Mr. BILIRAKIS (for himself, Ms. Ginny Brown-Waite of Florida, Mr. Lincoln Diaz-Balart of Florida, and Mr. Mario Diaz-Balart of Florida):

H.R. 913. A bill to amend the Internal Revenue Code of 1986 to provide a credit against tax for hurricane and tornado mitigation expenditures; to the Committee on Ways and Means.

By Mr. RYAN of Wisconsin (for himself, Mr. Sam Johnson of Texas, and Mr. Sessions):

H.R. 914. A bill to amend the Internal Revenue Code of 1986 to allow individuals a refundable credit against income tax for the purchase of private health insurance, and for other purposes; to the Committee on Ways and Means.

By Mr. HINOJOSA (for himself, Mr. Reyes, Mr. Gene Green of Texas, Mr. Gohmert, Ms. Jackson-Lee of Texas, Mr. Cuellar, Mr. Ortiz, Mr. Salazar, Mr. Rodriguez, Mr. Pastor, Mr. Baca, Mr. Becerra, Ms. Roybal-Allard, Mr. Tierney, Mr. Pascrell, Mr. Lampson, Mr. Gutierrez, Mr. Grijalva, Ms. Velázquez, Mr. Burgess, Mr. Manzullo, Mr. Hall of Texas, Mr. Neugebauer, Mr. Sam Johnson of Texas, Mr. Stupak, Mr. Wilson of Ohio, Mr. Gordon, and Mr. Scott of Georgia):

H.R. 915. A bill to designate the facility of the United States Postal Service located at 110 East Alexander Street in Three Rivers, Texas, as the "Veterans Memorial Post Office"; to the Committee on Oversight and Government Reform.

By Mr. SCOTT of Georgia (for himself, Mr. Gordon, Mr. Lewis of Georgia, Mr. Payne, Mr. Deal of Georgia, Mr. Fattah, Mr. Bishop of Georgia, Ms. Woolsey, Mr. Schiff, Mr. McCotter, Ms. Lee, Ms. DeLauro, Mrs. Lowey, Mr. Markey, Mr. Delahunt, Mr. Berman, Ms. Solis, Mr. Arcuri, Mr. Moore of Kansas, Mr. Scott of Virginia, Mr. Davis of Illinois, Mr. Butterfield, Mr. Lynch, Ms. Wasserman Schultz, Mr. Nadler, Ms. Schakowsky, Mr. Ellison, and Mr. Conyers):

H.R. 916. A bill to provide for loan repayment for prosecutors and public defenders; to the Committee on the Judiciary.

By Mr. HAYES (for himself, Mr. Langevin, Mr. Spratt, Mr. McIntyre, Ms. Herseth, Mr. Baird, Mr. Jones of North Carolina, Mr. Goode, Mr. Gingrey, Mr. Hunter, Mr. Barrett of South Carolina, Mr. Gohmert, Ms. Foxx, Mr. Coble, Mr. Wilson of South Carolina, and Mr. Wamp):

H.R. 917. A bill to prohibit the Department of Homeland Security from procuring certain items directly related to the national security unless the items are grown, reprocessed, reused, or produced in the United States; to the Committee on Homeland Security.

By Mr. CARNAHAN:

H.R. 918. A bill to provide for the construction, operation, and maintenance of a connector road in Lemay, Missouri; to the Committee on Transportation and Infrastructure.

By Mr. WILSON of South Carolina (for himself, Mr. Norwood, Mr. Wicker, Mr. Sessions, Mr. Souder, Mr. Bartlett of Maryland, Mrs. Blackburn, Mr. Franks of Arizona, Mrs. Musgrave, Mr. Goode, Mr. Gary G. Miller of California, Mr. Sam Johnson of Texas, Mr. Garrett of New Jersey, and Mr. Pence):

H.R. 919. A bill to amend section 1951 of title 18, United States Code (commonly known as the Hobbs Act), and for other purposes; to the Committee on the Judiciary.

By Mr. TAYLOR (for himself, Ms. Waters, Mr. Jindal, Mr. Melancon, Mr. Jones of North Carolina, Mr. Jefferson, Mr. Bonner, Mrs. Maloney of New York, Mr. Cleaver, Mr. Al Green of Texas, Mr. Clay, Mr. Markey, Mr. Lincoln Davis of Tennessee, and Mr. Alexander):

H.R. 920. A bill to amend the National Flood Insurance Act of 1968 to provide for the national flood insurance program to make available multiperil coverage for damage resulting from windstorms or floods, and for other purposes; to the Committee on Financial Services.

By Ms. MATSUI (for herself, Mr. Frank of Massachusetts, Ms. Norton, Mr. Blumenauer, Mrs. Tauscher, Mr. George Miller of California, and Mr. Shimkus):

H.R. 921. A bill to authorize the Director of the Federal Emergency Management Agency to make grants to communities to be used for outreach efforts to encourage participation in the national flood insurance program; to the Committee on Financial Services.

By Ms. MATSUI (for herself and Mr. Frank of Massachusetts):

H.R. 922. A bill to provide for a study by the General Accounting Office on methods, practices, and incentives to increase the extent to which low-income property owners living in high-risk locations participate in the National Flood Insurance Program; to the Committee on Financial Services.

By Mr. LEWIS of Georgia (for himself, Mr. Hulshof, Mr. Conyers, Mr. Scott of Virginia, Mr. Rangel, Mr. Bishop of Georgia, Mr. Clyburn, Mr. Butterfield, Mrs. McCarthy of New York, Mr. Hastings of Florida, Mr. Fattah, Mr. Cleaver, Ms. Eddie Bernice Johnson of Texas, Mrs. Christensen, Mr. Watt, Mr. Davis of Illinois, Mr. Cummings, Mr. Meeks of New York, Mr. Payne, Ms. Waters, Mr. Johnson of Georgia, Mr. Clay, Ms. Lee, Mrs. Jones of Ohio, Ms. Kilpatrick, Mr. Towns, Mr. Scott of Georgia, Mr. Ellison, Mr. Davis of Alabama, Mr. Moore of Kansas, Ms. Watson, Ms. Corrine Brown of Florida, Mr. Wynn, Ms. Millender-McDonald, Ms. Moore of Wisconsin, Mr. Grijalva, Mr. Al Green of Texas, Mr. Schiff, Mr. Serrano, Mr. McDermott, Mr. Kucinich, Mr. Jefferson, Mr. Marshall, Mr. Rush, Mr. Thompson of Mississippi, Ms. Carson, Mr. Honda, Ms. Norton, Mr. Berman, Mr. Becerra, Ms. Schakowsky, Ms. Woolsey, Mr. Nadler, Mr. Boswell, Mr. Van Hollen, Ms. Wasserman Schultz, Mr. Cohen, Mr. Meek of Florida, Mr. Gutierrez, and Ms. Castor):

H.R. 923. A bill to establish an Unsolved Crimes Section in the Civil Rights Division of the Department of Justice, and an Unsolved Civil Rights Crime Investigative Office in the Civil Rights Unit of the Federal Bureau of Investigation, and for other purposes; to the Committee on the Judiciary.

By Mr. ALEXANDER (for himself, Mr. Baker, Mr. McCrery, Mr. Boustany, Mr. Jindal, Mr. Jefferson, and Mr. Melancon):

H.R. 924. A bill to require the Food and Drug Administration to permit the sale of baby turtles as pets so long as the seller uses proven methods to effectively treat salmonella; to the Committee on Energy and Commerce.

By Mr. NUNES (for himself, Mr. Costa, Mr. Cardoza, Mr. McCarthy of California, Mr. Radanovich, Mrs. Capps, Mr. Filner, Ms. Zoe Lofgren of California, Mr. Sherman, Ms. Loretta Sanchez of California, Mr. Thompson of California, Mr. Lantos, Ms. Eshoo, Mr. Berman, Mr. McNerney, Ms. Solis, Ms. Watson, Mrs. Tauscher, Ms. Woolsey, Mr. Baca, Mr. Honda, Ms. Linda T. Sánchez of California, Mr. George Miller of California, Ms. Harman, Mrs. Napolitano, and Ms. Matsui):

H.R. 925. A bill to provide emergency agricultural disaster assistance for agricultural producers, manufacturers, and workers in the State of California, to appropriate funds for Pacific salmon emergency disaster assistance, and for other purposes; to the Committee on Agriculture, and in addition to the Committees on the Budget, Natural Resources, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. HERSETH (for herself, Mr. Goodlatte, Mr. Boyd of Florida, Mrs. Drake, Mr. DeFazio, Mr. Smith of Texas, Mr. Lucas, Mr. King of Iowa, Mr. Kucinich, and Ms. Waters):

H.R. 926. A bill to prohibit the provision of Federal economic development assistance for any State or locality that uses the power of eminent domain power to obtain property for private commercial development or that fails to pay relocation costs to persons displaced by use of the power of eminent domain for economic development purposes; to the Committee on Agriculture, and in addition to the Committees on Transportation and Infrastructure, Financial Services, Natural Resources, and Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BURGESS:

H.R. 927. A bill to amend the Internal Revenue Code of 1986 to increase the credit for biodiesel used as a fuel; to the Committee on Ways and Means.

By Mr. COOPER:

H.R. 928. A bill to amend the Inspector General Act of 1978 to enhance the independence of the Inspectors General, to create a Council of the Inspectors General on Integrity and Efficiency, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. COSTELLO (for himself, Mr. Shimkus, Mr. Rush, Mr. Lipinski, Mr. LaHood, Mr. Gutierrez, Mr. Jackson of Illinois, Mr. Kirk, Mr. Emanuel, Mr. Johnson of Illinois, Mr. Weller, Mr. Hare, Ms. Schakowsky, Mr. Davis of Illinois, Ms. Bean, Mr. Manzullo, and Mr. Roskam):

H.R. 929. A bill to establish the Land Between the Rivers National Heritage Area in the State of Illinois, and for other purposes; to the Committee on Natural Resources.

By Ms. JACKSON-LEE of Texas:

H.R. 930. A bill to recognize the extraordinary performance of the Armed Forces in achieving the military objectives of the United States in Iraq, to terminate the Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public Law 107-243), to require congressional reauthorization to continue deployment of the Armed Forces to Iraq, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COSTELLO (for himself, Mr. Shimkus, Mr. Rahall, Mr. LaHood, Ms. Jackson-Lee of Texas, Mr. Johnson of Illinois, Mr. Holden, Mr. Lincoln Davis of Tennessee, Mr. Hare, Mrs. Cubin, Mr. Ross, and Mr. Tim Murphy of Pennsylvania):

H.R. 931. A bill to provide for the research, development, and demonstration of coal gasification technology as an energy source in ethanol production; to the Committee on Science and Technology.

By Mr. CROWLEY (for himself, Mr. Pascrell, Mr. Lewis of Georgia, Mr. Serrano, Mr. Towns, Ms. Moore of Wisconsin, Mr. Hall of New York, Mr. Hinchey, Mr. McNulty, and Ms. Berkley):

H.R. 932. A bill to amend part D of title XVIII of the Social Security Act to limit the monthly amount of prescription drug cost-sharing for full-benefit dual eligible individuals and other lowest-income individuals under the Medicare prescription drug program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CUMMINGS (for himself, Mrs. Christensen, Mr. Van Hollen, Mr. Ruppersberger, Mr. Fattah, Mr. Towns, Ms. Lee, and Mr. Payne):

H.R. 933. A bill to establish within the United States Marshals Service a short term State witness protection program to provide assistance to State and local district attorneys to protect their witnesses in cases involving homicide, serious violent felonies, and serious drug offenses, and to provide Federal grants for such protection; to the Committee on the Judiciary.

By Mr. LINCOLN DAVIS of Tennessee (for himself and Mr. Butterfield):

H.R. 934. A bill to amend section 218 of the Immigration and Nationality Act to modify the method of calculating the wages to be paid to H-2A workers; to the Committee on the Judiciary.

By Mr. LINCOLN DAVIS of Tennessee:

H.R. 935. A bill to insert certain counties as part of the Appalachian Region; to the Committee on Transportation and Infrastructure.

By Mr. DINGELL (for himself, Mr. Barton of Texas, Mr. Markey, Mr. Upton, Mr. Rush, Mr. Stearns, Ms. Schakowsky, Mr. Boucher, Mr. Gordon, Ms. Eshoo, Mr. Stupak, Mr. Gene Green of Texas, Ms. DeGette, Mrs. Capps, Mr. Doyle, Ms. Solis, Mr. Gonzalez, Mr. Inslee, Ms. Baldwin, Ms. Hooley, Mr. Matheson, Mr. Butterfield, Mr. Fossella, Mr. Terry, Mr. Burgess, and Mr. Engel):

H.R. 936. A bill to prohibit fraudulent access to telephone records; to the Committee on Energy and Commerce.

By Mr. GARRETT of New Jersey (for himself, Mr. McCotter, Mr. King of Iowa, Mr. Shuster, and Mrs. Blackburn):

H.R. 937. A bill to withhold United States contributions to the United Nations Development Program; to the Committee on Foreign Affairs.

By Mr. GINGREY (for himself, Mr. Goode, Mr. Burton of Indiana, Mr. Norwood, Mr. Alexander, Mr. Akin, Mr. Sullivan, Mr. Jones of North Carolina, and Mr. Duncan):

H.R. 938. A bill to amend the Immigration and Nationality Act to make changes related to family-sponsored immigrants and to reduce the number of such immigrants; to the Committee on the Judiciary.

By Mr. GOODE:

H.R. 939. A bill to amend title 10, United States Code, to authorize the Secretary of Defense to assign members of the regular or reserve components of the Army, Navy, Air Force, and Marine Corps, under certain circumstances and subject to certain conditions, to assist the Department of Homeland Security in the performance of border protection functions; to the Committee on Armed Services, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HERGER:

H.R. 940. A bill to amend title 18, United States Code, to prohibit the use of interstate commerce for suicide promotion; to the Committee on the Judiciary.

By Mr. JOHNSON of Illinois:

H.R. 941. A bill to authorize the conveyance of a portion of the campus of the Illiana Health Care System of the Department of Veterans Affairs to Danville Area Community College of Vermilion County, Illinois; to the Committee on Veterans' Affairs.

By Ms. EDDIE BERNICE JOHNSON of Texas:

H.R. 942. A bill to amend the Clean Air Act to clarify certain provisions in the national emission standards for hazardous air pollutants to ensure that no major stationary sources of such air pollutants are exempted by Environmental Potection Agency rules from compliance with the maximum achievable control technology standard, and for other purposes; to the Committee on Energy and Commerce.

By Mr. LARSON of Connecticut (for himself, Mr. Emanuel, Ms. DeLauro, Mr. Doggett, Mr. Shays, Mr. McIntyre, Mr. Tim Murphy of Pennsylvania, Mr. Pascrell, Mr. Holt, Mrs. McCarthy of New York, Mr. Kuhl of New York, Mr. Thompson of Mississippi, Ms. Jackson-Lee of Texas, Mr. English of Pennsylvania, Mr. McCaul of Texas, Mr. Israel, Mr. Ruppersberger, Ms. Shea-Porter, Mr. Wynn, Mr. Cummings, Mr. Courtney, Mr. Weiner, Mr. Frank of Massachusetts, Mr. Bishop of New York, Mr. Ramstad, Mr. McHugh, Mr. Engel, Mr. Etheridge, Mr. Murphy of Connecticut, Mrs. Cubin, Mr. Hare, Mr. King of New York, Mr. Van Hollen, Mr. Conyers, Mr. Doyle, Mr. Patrick J. Murphy of Pennsylvania, Mr. Hinojosa, Mr. Blumenauer, Mr. Rothman, Ms. Berkley, Mr. Cleaver, Ms. Hirono, Mr. Baca, Mr. Gordon, Mr. Camp of Michigan, Mr. Cohen, Mr. Sires, Mr. Space, Mr. Ellsworth, Mr. Wilson of Ohio, Mr. Altmire, Mr. Kagen, Mr. Klein of Florida, Mr. McNerney, Mr. Sestak, Mr. Arcuri, Mr. Hall of New York, and Mr. Shuler):

H.R. 943. A bill to amend the Internal Revenue Code of 1986 to exclude from income and employment taxes and wage withholding property tax rebates and other benefits provided to volunteer firefighters and emergency medical responders; to the Committee on Ways and Means.

By Mr. LoBIONDO (for himself, Mr. Saxton, Mr. Ferguson, Mr. Frelinghuysen, and Mr. Smith of New Jersey):

H.R. 944. A bill to prohibit the Secretary of the Interior from issuing oil and gas leases on portions of the Outer Continental Shelf located off the coast of New Jersey; to the Committee on Natural Resources.

By Mrs. MALONEY of New York (for herself, Ms. Ginny Brown-Waite of Florida, Mr. Hinchey, Mr. Rothman, and Mr. Waxman):

H.R. 945. A bill to require the Food and Drug Administration to conduct consumer testing to determine the appropriateness of the current labeling requirements for indoor tanning devices and determine whether such requirements provide sufficient information to consumers regarding the risks that the use of such devices pose for the development of irreversible damage to the skin, including skin cancer, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. MALONEY of New York (for herself, Mr. Frank of Massachusetts, and Ms. Carson):

H.R. 946. A bill to extend the protections of the Truth in Lending Act to overdraft protection programs and services provided by depository institutions, to require customer consent before a depository institution may initiate overdraft protection services and fees, to enhance the information made available to consumers relating to overdraft protection services and fees, to prohibit systematic manipulation in the posting of checks and other debits to a depository account for the purpose of generating overdraft protection fees, and for other purposes; to the Committee on Financial Services.

By Mrs. MALONEY of New York (for herself, Ms. Jackson-Lee of Texas, Mr. Abercrombie, Mr. Moore of Kansas, Mr. Conyers, Ms. Woolsey, Mr. McNulty, Mr. Schiff, Mr. Moran of Virginia, Ms. Schakowsky, Ms. Shea-Porter, Mr. Grijalva, and Ms. Eddie Bernice Johnson of Texas):

H.R. 947. A bill to empower women in Afghanistan, and for other purposes; to the Committee on Foreign Affairs.

By Mr. MARKEY (for himself, Mr. Barton of Texas, Mr. Dingell, Mr. Rush, Mr. Stearns, Ms. Schakowsky, Mr. Gordon, Ms. Eshoo, Mr. Stupak, Mr. Gene Green of Texas, Ms. DeGette, Mrs. Capps, Mr. Doyle, Ms. Solis, Mr. Gonzalez, Mr. Inslee, Ms. Baldwin, Ms. Hooley, Mr. Weiner, Mr. Matheson, Mr. Butterfield, Mr. Terry, Mr. Burgess, and Mr. Engel):

H.R. 948. A bill to strengthen the authority of the Federal Government to protect individuals from certain acts and practices in the sale and purchase of Social Security numbers and Social Security account numbers, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. McDERMOTT:

H.R. 949. A bill to extend Federal recognition to the Duwamish Tribe, and for other purposes; to the Committee on Natural Resources.

By Mr. PLATTS:

H.R. 950. A bill to authorize the Secretary of the Interior to study the suitability and feasibility of designating Camp Security, located in Springettsbury, York County, Pennsylvania, as a unit of the National Park System; to the Committee on Natural Resources.

By Mr. PLATTS:

H.R. 951. A bill to amend the Internal Revenue Code of 1986 to suspend the running of periods of limitation for credit or refund of overpayment of Federal income tax by veterans while their service-connected compensation determinations are pending with the Secretary of Veterans Affairs; to the Committee on Ways and Means.

By Mr. PLATTS:

H.R. 952. A bill to amend the Internal Revenue Code of 1986 to provide for an enhanced deduction for qualified residence interest on acquisition indebtedness for heritage homes; to the Committee on Ways and Means.

By Mr. PLATTS (for himself and Mr. Matheson):

H.R. 953. A bill to repeal the provision of law that provides automatic pay adjustments for Members of Congress; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RANGEL:

H.R. 954. A bill to designate the facility of the United States Postal Service located at 365 West 125th Street in New York, New York, as the "Percy Sutton Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. REHBERG:

H.R. 955. A bill to respond to the illegal production, distribution, and use of methamphetamines in the United States, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Agriculture, Natural Resources, Transportation and Infrastructure, Education and Labor, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RENZI (for himself, Mr. FRANKS of Arizona, Mr. UDALL of New Mexico, and Mr. MATHESON):

H.R. 956. A bill to repeal section 10(f) of Public Law 93-531, commonly known as the "Bennett Freeze"; to the Committee on Natural Resources.

By Ms. ROS-LEHTINEN (for herself, Mr. LANTOS, Mr. PENCE, Mr. ACKERMAN, Mr. CHABOT, Mr. SHERMAN, Mr. POE, Ms. BERKLEY, Mr. ROYCE, Mr. FALEOMAVAEGA, Mr. MCCOTTER, Mr. CROWLEY, Mr. BURTON of Indiana, and Mr. KLEIN of Florida):

H.R. 957. A bill to amend the Iran Sanctions Act of 1996 to expand and clarify the entities against which sanctions may be imposed; to the Committee on Foreign Affairs, and in addition to the Committees on Financial Services, Ways and Means, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RUSH (for himself, Mr. STEARNS, Ms. SCHAKOWSKY, Mr. DINGELL, Mr. BARTON of Texas, Mr. MARKEY, Mr. GORDON, Ms. ESHOO, Mr. STUPAK, Mr. GENE GREEN of Texas, Ms. DEGETTE, Mrs. CAPPS, Mr. DOYLE, Ms. SOLIS, Mr. GONZALEZ, Mr. INSLEE, Ms. BALDWIN, Ms. HOOLEY, Mr. BUTTERFIELD, Mr. HASTERT, Mrs. BONO, Mr. TERRY, Mr. BURGESS, and Mr. ENGEL):

H.R. 958. A bill to protect consumers by requiring reasonable security policies and procedures to protect computerized data containing personal information, and to provide for nationwide notice in the event of a security breach; to the Committee on Energy and Commerce.

By Mr. SAXTON:

H.R. 959. A bill to expand a Department of Defense survivor annuity program that covers unremarried surviving spouses of certain members of the uniformed services who died before October 1, 1978, to include any otherwise eligible surviving spouse who remarries after age 55 or whose remarriage before age 55 is terminated; to the Committee on Armed Services.

By Mr. SESTAK (for himself, Ms. SHEA-PORTER, and Mr. COHEN):

H.R. 960. A bill to enhance the national security interests of the United States both at home and abroad by setting a deliberate timetable for the redeployment of United States Armed Forces from Iraq by December 31, 2007, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHUSTER (for himself and Mr. HOLDEN):

H.R. 961. A bill to protect American workers and responders by ensuring the continued commercial availability of respirators and to establish rules governing product liability actions against manufacturers and sellers of respirators; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SLAUGHTER:

H.R. 962. A bill to amend the Federal Food, Drug, and Cosmetic Act to preserve the effectiveness of medically important antibiotics used in the treatment of human and animal diseases; to the Committee on Energy and Commerce.

By Mr. STUPAK:

H.R. 963. A bill to amend title 38, United States Code, to provide that the rate of reimbursement for motor vehicle travel under the beneficiary travel program of the Department of Veterans Affairs shall be the same as the rate for private vehicle reimbursement for Federal employees; to the Committee on Veterans' Affairs.

By Mr. TOWNS (for himself, Mrs. BONO, Mr. DINGELL, Mr. BARTON of Texas, Mr. RUSH, Mr. STEARNS, Mr. MARKEY, Ms. SCHAKOWSKY, Mr. BOUCHER, Mr. GORDON, Ms. ESHOO, Mr. STUPAK, Mr. GENE GREEN of Texas, Ms. DEGETTE, Mrs. CAPPS, Mr. DOYLE, Ms. SOLIS, Mr. GONZALEZ, Mr. INSLEE, Ms. HOOLEY, Mr. WEINER, Mr. MATHESON, Mr. BUTTERFIELD, Mr. HASTERT, Mr. RADANOVICH, Mr. TERRY, Mrs. MYRICK, Mr. BURGESS, and Mr. ENGEL):

H.R. 964. A bill to protect users of the Internet from unknowing transmission of their personally identifiable information through spyware programs, and for other purposes; to the Committee on Energy and Commerce.

By Mr. UDALL of Colorado:

H.R. 965. A bill to amend the Carl D. Perkins Vocational and Technical Education Act of 1998 to modify the definition of "Indian student count"; to the Committee on Education and Labor.

By Mr. UDALL of Colorado:

H.R. 966. A bill to amend the Indian Financing Act of 1974 to provide for sale and assignment of loans and underlying security, and for other purposes; to the Committee on Natural Resources.

By Mr. UDALL of Colorado:

H.R. 967. A bill to establish the treatment of actual rental proceeds from leases of land acquired under an Act providing for loans to Indian tribes and tribal corporations; to the Committee on Natural Resources.

By Mr. UDALL of Colorado:

H.R. 968. A bill to amend the Indian Self-Determination and Education Assistance Act to modify provisions relating to the National Fund for Excellence in American Indian Education; to the Committee on Education and Labor, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. UDALL of New Mexico (for himself, Mr. PLATTS, Mr. PALLONE, Mr. UDALL of Colorado, Mr. SHAYS, Ms. DEGETTE, Mr. MCNERNEY, and Mr. DOGGETT):

H.R. 969. A bill to amend title VI of the Public Utility Regulatory Policies Act of 1978 to establish a Federal renewable energy portfolio standard for certain retail electric utilities, and for other purposes; to the Committee on Energy and Commerce.

By Mr. UPTON (for himself and Mr. LARSEN of Washington):

H.R. 970. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the distribution of the drug dextromethorphan, and for other purposes; to the Committee on Energy and Commerce.

By Mr. WEINER (for himself and Mr. MORAN of Kansas):

H.R. 971. A bill to ensure and foster continued patient safety and quality of care by making the antitrust laws apply to negotiations between groups of independent pharmacies and health plans and health insurance issuers (including health plans under parts C and D of the Medicare Program) in the same manner as such laws apply to protected activities under the National Labor Relations Act; to the Committee on the Judiciary.

By Mr. WEXLER (for himself, Mr. FILNER, Mr. KUCINICH, Mr. MORAN of Virginia, Mr. MCNERNEY, Ms. JACKSON-LEE of Texas, and Mr. GONZALEZ):

H.R. 972. A bill to provide compensation to individuals who, during the Vietnam conflict, were employees of the Federal Government or contractor employees of the Department of Defense and suffered disability or death from exposure to Agent Orange; to the Committee on the Judiciary.

By Mr. WOLF:

H.R. 973. A bill to amend the Internal Revenue Code of 1986 to allow physicians a credit against income tax for providing charity care; to the Committee on Ways and Means.

By Mr. PLATTS:

H.J. Res. 24. A joint resolution proposing an amendment to the Constitution of the United States to limit the number of consecutive terms that a Member of Congress may serve; to the Committee on the Judiciary.

By Mr. LINCOLN DAVIS of Tennessee:

H. Con. Res. 61. Concurrent resolution expressing the sense of the Congress that the United States flag flown over the United States Capitol should be lowered to half-mast one day each month in honor of the brave men and women from the United States who have lost their lives in military conflicts; to the Committee on House Administration.

By Mr. TOM DAVIS of Virginia:

H. Con. Res. 62. Concurrent resolution supporting the goals and ideals of a National Children and Families Day, in order to encourage adults in the United States to support and listen to children and to help children throughout the Nation achieve their hopes and dreams, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. EMANUEL:

H. Res. 139. A resolution electing Members to certain standing committees of the House of Representatives; considered and agreed to.

By Mr. JOHNSON of Georgia:

H. Res. 140. A resolution requesting the Secretary of Defense to remove members of the United States Armed Forces from street patrol duty in Iraq; to the Committee on Armed Services.

By Mr. COLE of Oklahoma (for himself, Mr. BOREN, Mr. LUCAS, Mr. SULLIVAN, and Ms. FALLIN):

H. Res. 141. A resolution congratulating Miss Lauren Nelson for being crowned Miss America and thanking the participants in and supporters of the Miss America Competition for their contributions to young women's lives and communities; to the Committee on Oversight and Government Reform.

By Ms. JACKSON-LEE of Texas:

H. Res. 142. A resolution honoring the life and accomplishments of Kevin Dwayne Ener, a dedicated radio broadcaster who worked diligently to provide valuable broadcast services to the Acres Homes Communities in Houston, Texas; to the Committee on Oversight and Government Reform.

By Mrs. DAVIS of California (for herself, Mr. Patrick Murphy of Pennsylvania, Mr. Blumenauer, Ms. McCollum of Minnesota, Mr. Snyder, Ms. Moore of Wisconsin, Mr. Ellison, Mr. Price of North Carolina, Mr. Schiff, Mr. Klein of Florida, and Ms. Schwartz):

H. Res. 143. A resolution urging the President to appoint a Special Envoy for Middle East Peace; to the Committee on Foreign Affairs.

By Ms. JACKSON-LEE of Texas (for herself, Ms. Carson, Mrs. Christensen, Mr. Fattah, Mr. Hastings of Florida, Ms. Eddie Bernice Johnson of Texas, Mrs. Jones of Ohio, Ms. Kilpatrick, and Ms. Norton):

H. Res. 144. A resolution honoring the life and accomplishments of Arva "Marie" Johnson, a pioneer in the United States Capitol Police Department when she became the first African-American female to wear the uniform of the United States Capitol Police Department; to the Committee on House Administration.

By Mr. GONZALEZ (for himself, Mr. Baca, Mr. Cuellar, Mr. Al Green of Texas, Ms. Eddie Bernice Johnson of Texas, Mr. Marshall, Ms. McCollum of Minnesota, Mr. Moran of Virginia, Mr. Ortiz, Mr. Pastor, Mr. Paul, Ms. Loretta Sanchez of California, Mr. Serrano, Mr. Stupak, Mr. Grijalva, Ms. Jackson-Lee of Texas, Mr. Gene Green of Texas, Mr. Smith of Texas, and Mr. Rodriguez):

H. Res. 145. A resolution recognizing the public service of Archbishop Patrick Flores; to the Committee on Oversight and Government Reform.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself and Mrs. Capps):

H. Res. 146. A resolution expressing the sense of the House of Representatives that the United States should take action to meet its obligations, and to ensure that all other member states of the United Nations meet their obligations, to women as agreed to in United Nations Security Council Resolution 1325 relating to women, peace, and security, and the United States should fully assume the implementation of international law relating to human rights that protects the rights of women and girls during and after conflicts, and for other purposes; to the Committee on Foreign Affairs.

By Mr. KING of Iowa (for himself, Mr. Franks of Arizona, Mr. Hensarling, Mrs. Myrick, Mr. Pearce, Mr. Wilson of South Carolina, Mr. Miller of Florida, Mr. Gingrey, Mr. Walberg, Mr. Pence, Mr. Shadegg, Mr. Sali, Mr. Saxton, and Mr. Radanovich):

H. Res. 147. A resolution expressing the sense of the House of Representatives that the United States is committed to victory in the global War on Terror and committed to victory on that battlefield in the War on Terror that is Iraq; to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MALONEY of New York (for herself, Mr. Bilirakis, Mr. Brown of South Carolina, Mr. Pallone, Mr. Rush, Mr. Markey, Ms. Watson, Mr. McGovern, Mr. Space, Mr. Lincoln Diaz-Balart of Florida, Mr. McCotter, and Mrs. Drake):

H. Res. 148. A resolution recognizing and appreciating the historical significance and the heroic human endeavor and sacrifice of the people of Crete during World War II and commending the PanCretan Association of America; to the Committee on Foreign Affairs.

By Ms. SCHAKOWSKY (for herself, Mrs. Biggert, Mrs. Capps, Mrs. McMorris Rodgers, Ms. Fallin, Mr. Lantos, Mr. Berman, Ms. Bordallo, Mr. Boswell, Ms. Corrine Brown of Florida, Mr. Carnahan, Mrs. Christensen, Mr. Cohen, Mr. Costa, Mr. Crowley, Mr. Cummings, Mr. Davis of Illinois, Mrs. Davis of California, Ms. DeLauro, Mr. Etheridge, Mr. Farr, Mr. Fattah, Mr. Filner, Mr. Frank of Massachusetts, Ms. Granger, Mr. Grijalva, Mr. Gutierrez, Mr. Hastings of Florida, Mr. Hinchey, Mr. Hinojosa, Ms. Hirono, Ms. Norton, Mr. Honda, Ms. Jackson-Lee of Texas, Ms. Eddie Bernice Johnson of Texas, Ms. Kaptur, Mr. Kildee, Ms. Kilpatrick, Mr. Kirk, Mr. LaHood, Ms. Lee, Mr. Levin, Mrs. Lowey, Mrs. Maloney of New York, Mr. Manzullo, Ms. McCollum of Minnesota, Mrs. McCarthy of New York, Mr. McDermott, Mr. McGovern, Mr. McNulty, Mr. Meeks of New York, Ms. Millender-McDonald, Mr. George Miller of California, Ms. Moore of Wisconsin, Mrs. Capito, Mr. Moran of Virginia, Mr. Nadler, Mrs. Napolitano, Mr. Pallone, Mr. Payne, Mr. Reyes, Mr. Rush, Ms. Linda T. Sánchez of California, Ms. Loretta Sanchez of California, Mr. Scott of Virginia, Mr. Sires, Ms. Slaughter, Ms. Solis, Mrs. Jones of Ohio, Ms. Velázquez, Ms. Watson, Mr. Wexler, Mr. Whitfield, Ms. Woolsey, Mr. Wu, and Mr. Wynn):

H. Res. 149. A resolution supporting the goals of International Women's Day; to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHADEGG (for himself, Mr. Wamp, Mr. Gingrey, Mr. Price of Georgia, Mr. Pitts, Mr. Akin, Mr. Conaway, Mr. Pence, Mr. Marchant, Mr. Walberg, Mrs. Blackburn, and Mr. Lewis of Kentucky):

H. Res. 150. A resolution expressing the sense of the House of Representatives that the Commander of Multinational Forces-Iraq and all United States personnel under his command should receive from Congress the full support necessary to carry out the United States mission in Iraq; to the Committee on Armed Services, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. THOMPSON of Mississippi:

H. Res. 151. A resolution recognizing and honoring York for his role in the Lewis and Clark Expedition; to the Committee on Oversight and Government Reform.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mrs. NAPOLITANO:

H.R. 974. A bill to authorize and request the President to award the Medal of Honor to Joseph T. Getherall, of Hacienda Heights, California, for acts of valor in the Republic of Vietnam on December 22, 1966, while serving in the Marine Corps during the Vietnam War; to the Committee on Armed Services.

By Mr. PLATTS:

H.R. 975. A bill for the relief of certain aliens who were aboard the Golden Venture; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 17: Mr. Arcuri, Mr. Shuler, Mr. Scott of Georgia, Mr. Poe, Mr. Gerlach, Mr. George Miller of California, Ms. Hirono, Mr. David Davis of Tennessee, Mr. Wicker, and Mr. Rothman.

H.R. 19: Mr. Bachus.

H.R. 25: Mr. Duncan, Mr. Gary G. Miller of California, Mr. Bartlett of Maryland, Mr. Hunter, and Mr. Baker.

H.R. 40: Mr. Lewis of Georgia.

H.R. 60: Mr. Mahoney of Florida and Mr. Hall of Texas.

H.R. 66: Mr. Goode.

H.R. 73: Mr. Alexander, Mrs. Musgrave, Mrs. Cubin, Mrs. Drake, and Mr. Hall of Texas.

H.R. 87: Mr. Reichert.

H.R. 89: Mr. Burton of Indiana and Mrs. Jo Ann Davis of Virginia.

H.R. 111: Mr. Hare, Mr. Bilirakis, Mr. Kirk, Mr. Costello, Mr. Pomeroy, Mr. Pearce, and Mr. Smith of New Jersey.

H.R. 136: Mr. Campbell of California.

H.R. 137: Mr. Al Green of Texas.

H.R. 154: Mr. Gerlach.

H.R. 180: Mr. Delahunt and Ms. Watson.

H.R. 197: Mr. Reichert, Ms. DeGette, Mr. LoBiondo, and Mr. Manzullo.

H.R. 210: Ms. Roybal-Allard.

H.R. 219: Mr. Cole of Oklahoma.

H.R. 232: Mrs. Musgrave.

H.R. 260: Mr. McCotter, Mr. Gilchrest, Ms. Shea-Porter, Mr. Petri, Mr. Kuhl of New York, Mr. Upton, Mr. Castle, Mr. Rogers of Michigan, and Mr. DeFazio.

H.R. 270: Mr. Porter.

H.R. 277: Mr. Doggett.

H.R. 289: Mr. Souder, Mr. Akin, and Mr. McCotter.

H.R. 303: Mr. Bartlett of Maryland, Mr. Wamp, Mr. Tierney, Mrs. Capps, Mrs. Jo Ann Davis of Virginia, Mr. Pallone, and Mr. Garrett of New Jersey.

H.R. 321: Mr. Gerlach, Mr. Kuhl of New York, and Mr. Peterson of Pennsylvania.

H.R. 333: Mr. LaHood, Ms. Baldwin, and Mr. Holden.

H.R. 343: Mr. Goode.

H.R. 351: Mr. Fattah.

H.R. 353: Mr. Loebsack.

H.R. 358: Mr. Boozman, Mr. Reynolds, Mr. Mitchell, and Mr. McHugh.

H.R. 359: Ms. Woolsey and Mr. Al Green of Texas.

H.R. 368: Mr. Miller of Florida.

H.R. 394: Mr. Dicks, Mr. Lewis of Kentucky, and Mr. Johnson of Illinois.

H.R. 402: Mrs. Boyda of Kansas, Mr. Goode, and Mrs. Christensen.

H.R. 418: Mrs. Capito, Mr. Souder, Mr. Udall of Colorado, and Mr. Scott of Virginia.

H.R. 432: Mr. Sali, Mr. Bilirakis, Mr. Mica, Mrs. McMorris Rodgers, and Mrs. Capito.

H.R. 471: Mrs. WILSON of New Mexico, Mr. DAVID DAVIS of Tennessee, Mr. BISHOP of Utah, Mr. PRICE of Georgia, Mr. CONAWAY, Mr. FERGUSON, Mr. MACK, Mr. SMITH of New Jersey, Mr. ALEXANDER, Mr. POE, Mr. GERLACH, Mr. BURGESS, Mr. CANTOR, Mrs. BLACKBURN, Mr. CALVERT, Mr. INGLIS of South Carolina, and Mr. KUHL of New York.

H.R. 473: Mr. GARRETT of New Jersey.

H.R. 477: Ms. WOOLSEY, Mr. CASTLE, and Mr. DUNCAN.

H.R. 500: Mr. WESTMORELAND.

H.R. 506: Mr. SCOTT of Georgia, Mr. GRIJALVA, Mr. MURPHY of Connecticut, Ms. DEGETTE, Mr. GONZALEZ, Mr. KUHL of New York, Mrs. MYRICK, and Mr. HALL of Texas.

H.R. 507: Mrs. NAPOLITANO, Mr. TIBERI, and Ms. WOOLSEY.

H.R. 508: Mr. GUTIERREZ.

H.R. 539: Mr. MCCAUL of Texas, Mr. MORAN of Virginia, Mr. MCHUGH, Mr. REICHERT, Mrs. DRAKE, Mr. MCCOTTER, Mr. MICHAUD, Mr. BOSWELL, Mr. TOWNS, Mr. TIM MURPHY of Pennsylvania, Mr. SHUSTER, Ms. FOXX, Mr. PETRI, and Mr. BUTTERFIELD.

H.R. 542: Mr. FILNER.

H.R. 545: Mr. GUTIERREZ.

H.R. 549: Ms. HARMAN.

H.R. 552: Mr. GORDON, Mr. DAVID DAVIS of Tennessee, Mr. RAHALL, Mr. GERLACH, and Mrs. CAPPS.

H.R. 556: Mr. HASTINGS of Washington, Mr. DICKS, Mr. ENGLISH of Pennsylvania, and Mr. SMITH of Washington.

H.R. 562: Ms. JACKSON-LEE of Texas, and Mr. ALEXANDER.

H.R. 563: Mr. DOOLITTLE and Mr. LAMBORN.

H.R. 567: Mr. FOSSELLA, Mr. GRIJALVA, and Mr. BISHOP of Georgia.

H.R. 579: Ms. KILPATRICK, Ms. BORDALLO, Ms. SUTTON, Mr. DOYLE, Mr. REYES, Mr. MOORE of Kansas, Mr. ROSS, Mr. BARTLETT of Maryland, Mr. CUELLAR, Mr. SCOTT of Virginia, Mr. FORBES, Mr. HOLT, Ms. HERSETH, Mr. LEWIS of Kentucky, and Mr. BACA.

H.R. 620: Ms. MOORE of Wisconsin, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. JONES of Ohio, Mr. BERMAN, Mr. SESTAK, and Ms. LINDA T. SÁNCHEZ of California.

H.R. 621: Mr. FOSSELLA, Ms. KAPTUR, Mr. DAVID DAVIS of Tennessee, Mr. FORTUÑO, Mr. PORTER, and Mrs. MCCARTHY of New York.

H.R. 625: Ms. LINDA T. SÁNCHEZ of California, and Mr. STARK.

H.R. 628: Mr. TIBERI, Mr. MILLER of Florida, Mr. KING of New York, Mr. TERRY, and Ms. HIRONO.

H.R. 632: Mr. BOOZMAN, Mr. MCCOTTER, and Mr. HARE.

H.R. 633: Ms. VELÁZQUEZ.

H.R. 634: Mr. FATTAH, Mr. GONZALEZ, Mr. JEFFERSON, Mr. HALL of Texas, Mr. MARKEY, Mr. BARTLETT of Maryland, Mr. MILLER of Florida, Mr. CALVERT, Mr. MARCHANT, Mr. LEWIS of California, Mr. REYES, Mr. CUMMINGS, Mrs. CHRISTENSEN, and Mrs. MCMORRIS RODGERS.

H.R. 635: Mr. KUHL of New York and Mr. TERRY.

H.R. 636: Mr. BUYER, Mr. MCHUGH, Mr. HAYES, Mr. LINCOLN DAVIS of Tennessee, Mr. SALI, and Mr. BOOZMAN.

H.R. 642: Mr. PASCRELL, Mr. BONNER, Mr. LEWIS of Georgia, Ms. SUTTON, and Ms. JACKSON-LEE of Texas.

H.R. 645: Mr. LARSON of Connecticut.

H.R. 648: Mr. MELANCON, Mr. BONNER, Mr. MCCOTTER, and Mr. PLATTS.

H.R. 654: Ms. WATSON, Mr. BERRY, Mrs. BIGGERT, Mr. LAHOOD, Ms. SOLIS, Mr. JOHNSON of Illinois, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JEFFERSON, Mr. BLUMENAUER, Mr. BERMAN, Mr. TOWNS, Mr. HINCHEY, Ms. HARMAN, Ms. CARSON, Ms. BALDWIN, and Mr. PAYNE.

H.R. 657: Mr. BRADY of Pennsylvania, Mr. PETERSON of Minnesota, Mr. BARTLETT of Maryland, and Mr. CLAY.

H.R. 661: Mr. LEWIS of Georgia.

H.R. 662: Mr. FORTUÑO and Mr. YOUNG of Alaska.

H.R. 677: Mr. LINCOLN DAVIS of Tennessee, Ms. KILPATRICK, and Mr. BISHOP of Georgia.

H.R. 678: Ms. SCHWARTZ and Mr. CONYERS.

H.R. 686: Mr. HALL of Texas, Mr. SHAYS, and Mr. LOBIONDO.

H.R. 687: Ms. JACKSON-LEE of Texas and Mr. MCNULTY.

H.R. 690: Mr. LEWIS of Kentucky.

H.R. 694: Ms. NORTON and Mr. AL GREEN of Texas.

H.R. 697: Mr. DEAL of Georgia, Mr. NEUGEBAUER, and Mr. FORBES.

H.R. 698: Mr. PATRICK MURPHY of Pennsylvania, Ms. MCCOLLUM of Minnesota, Mr. REHBERG, Mr. GILCHREST, and Mr. WOLF.

H.R. 701: Mr. HARE and Mr. RUSH.

H.R. 711: Mrs. MYRICK and Mr. WALZ of Minnesota.

H.R. 713: Mr. BISHOP of New York and Mr. KING of New York.

H.R. 714: Mrs. JONES of Ohio.

H.R. 720: Mr. CARNAHAN, Mr. PASCRELL, Mr. DINGELL, and Mr. HALL of New York.

H.R. 721: Mr. ROGERS of Alabama, Mr. SCOTT of Georgia, Mrs. CAPITO, Mr. CARTER, Mr. WESTMORELAND, Mr. MILLER of North Carolina, Mr. ENGLISH of Pennsylvania, Mr. LAHOOD, Mr. WICKER, and Mr. RAMSTAD.

H.R. 725: Mr. MARCHANT and Mr. WESTMORELAND.

H.R. 727: Mr. SESSIONS, Mr. MCNULTY, Mrs. CAPPS, Mr. MCDERMOTT, Mr. SHAYS, and Mr. GRIJALVA.

H.R. 736: Mr. SMITH of Nebraska.

H.R. 740: Mr. BOUCHER, Ms. JACKSON-LEE of Texas, Mr. GUTIERREZ, and Mr. SHERMAN.

H.R. 746: Mr. BRADY of Pennsylvania.

H.R. 748: Mr. MORAN of Kansas, Mr. GARY G. MILLER of California, Mr. WOLF, Mr. BISHOP of New York, and Mr. PRICE of North Carolina.

H.R. 758: Mr. WATT.

H.R. 779: Mr. SAM JOHNSON of Texas.

H.R. 780: Mr. ROSS.

H.R. 782: Mrs. NAPOLITANO, Mr. MCNERNEY, Mr. WESTMORELAND, Mr. MCCOTTER, Mr. DUNCAN, and Mr. GENE GREEN of Texas.

H.R. 784: Mr. FATTAH.

H.R. 787: Mr. BRADY of Pennsylvania, Mr. WALZ of Minnesota, Mr. WELCH of Vermont, Mr. KANJORSKI, Mr. CARNEY, Mrs. JONES of Ohio, Mr. STARK, Mr. GEORGE MILLER of California, Mr. ABERCROMBIE, Mr. BACA, Mr. DUNCAN, Ms. ESHOO, Mr. LARSON of Connecticut, Mr. LEWIS of Georgia, Mr. PAYNE, and Ms. SCHAKOWSKY.

H.R. 790: Ms. BORDALLO and Mr. MARSHALL.

H.R. 797: Mr. FRANK of Massachusetts, Mr. JOHNSON of Georgia, Mr. GUTIERREZ, Ms. KAPTUR, Mr. FATTAH, Ms. KILPATRICK, Ms. JACKSON-LEE of Texas, Mr. WALZ of Minnesota, and Ms. CORRINE BROWN of Florida.

H.R. 800: Mr. BERRY.

H.R. 811: Mr. THOMPSON of California, Ms. ZOE LOFGREN of California, and Ms. BALDWIN.

H.R. 814: Ms. LORETTA SANCHEZ of California, Mr. BOSWELL, Mr. MORAN of Kansas, and Mr. HASTINGS of Florida.

H.R. 822: Mr. GEORGE MILLER of California, Mr. FRANK of Massachusetts, Mr. PAYNE, Mr. GRIJALVA, and Mr. HASTINGS of Florida.

H.R. 826: Mr. GOODE.

H.R. 851: Mr. FORBES.

H.R. 854: Ms. NORTON and Mr. PAYNE.

H.R. 897: Mr. SHAYS, Mr. TIERNEY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MORAN of Virginia, and Mr. WELCH of Vermont.

H.J. Res. 14: Mr. CLAY.

H. Con. Res. 7: Mr. MORAN of Virginia.

H. Con. Res. 40: Mr. SAXTON, Mr. TIBERI, and Mr. REGULA.

H. Con. Res. 43: Mr. ALLEN.

H. Con. Res. 45: Mr. TOM DAVIS of Virginia.

H. Con. Res. 49: Mr. LIPINSKI, Mr. BRADY of Pennsylvania, Mr. BROWN of South Carolina, Mr. FORTUÑO, Mr. JOHNSON of Georgia, Mr. PAYNE, Mr. MATHESON, Ms. CORRINE BROWN of Florida, Ms. BORDALLO, Mr. LINCOLN DAVIS of Tennessee, Mr. TANNER, Mr. DOYLE, Ms. PRYCE of Ohio, Ms. WOOLSEY, Mr. WALSH of New York, Mr. MCGOVERN, Mrs. MILLER of Michigan, Mr. WELLER, Ms. JACKSON-LEE of Texas, Ms. FOXX, Mr. BURTON of Indiana, Mr. HENSARLING, Mr. GOODE, Mr. KIRK, Mr. KILDEE, Mr. FILNER, Mr. HOLT, Mr. PETERSON of Minnesota, and Mr. BUYER.

H. Res. 18: Mr. DAVIS of Kentucky.

H. Res. 37: Mr. RODRIGUEZ.

H. Res. 42: Mr. COHEN, Mr. HOLT, Mr. GEORGE MILLER of California, Mr. MOORE of Kansas, Ms. CARSON, Mr. MARKEY, Mr. BACA, Mrs. MALONEY of New York, Mr. TOWNS, Mr. JOHNSON of Georgia, Ms. NORTON, Ms. ESHOO, Mr. ETHERIDGE, Ms. KILPATRICK, Mr. FATTAH, Mrs. NAPOLITANO, Ms. BALDWIN, Mr. PAYNE, Mr. CONAWAY, Mr. GRIJALVA, Ms. CORRINE BROWN of Florida, Mr. BRADY of Texas, Mr. MCGOVERN, Ms. MCCOLLUM of Minnesota, Mr. BARTON of Texas, Ms. WOOLSEY, Ms. LEE, Ms. DELAURO, Mr. FRANK of Massachusetts, Mr. LYNCH, Mrs. TAUSCHER, Mr. LEWIS of Georgia, Mr. SIRES, Mrs. CAPPS, Mr. DAVIS of Illinois, Mr. MILLER of North Carolina, Ms. WATSON, Mr. PASCRELL, Ms. BORDALLO, Mr. GUTIERREZ, and Ms. SCHAKOWSKY.

H. Res. 53: Mr. AKIN, Mr. COHEN, Mr. JEFFERSON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. POE, Mr. GOHMERT, and Mr. MORAN of Kansas.

H. Res. 55: Mr. WAXMAN, Mr. GONZALEZ, Mr. HARE, and Mr. MCGOVERN.

H. Res. 97: Mr. BRALEY of Iowa.

H. Res. 100: Mr. ANDREWS, Mr. NADLER, and Ms. BALDWIN.

H. Res. 101: Ms. ZOE LOFGREN of California, Mr. MCNERNEY, and Ms. BORDALLO.

H. Res. 106: Mr. JOHNSON of Georgia, Mr. LAMBORN, Mr. WALSH of New York, Mr. WU, Mr. MARCHANT, Ms. HARMAN, and Mr. MICHAUD.

H. Res. 107: Mr. LEWIS of Georgia, Mr. NADLER, Mr. WOLF, Mr. WILSON of South Carolina, Ms. FOXX, Mr. VAN HOLLEN, and Mr. HOLT.

H. Res. 117: Mr. EHLERS, Mr. GOODLATTE, Mr. UPTON, Mr. MANZULLO, Mr. WILSON of South Carolina, Mr. DENT, Mr. MCHENRY, Mr. SERRANO, Mr. KUHL of New York, Mr. SESTAK, Mr. FATTAH, and Mr. TOM DAVIS of Virginia.

H. Res. 119: Mr. PASTOR, Mrs. CUBIN, Ms. SOLIS, and Ms. NORTON.

H. Res. 123: Mr. PLATTS and Mr. ISRAEL.

H. Res. 135: Mr. HINOJOSA, Mr. WATT, Mr. AL GREEN of Texas, Mr. RUPPERSBERGER, Mr. MARSHALL, Mr. DAVIS of Illinois, Mr. FORBES, Mr. COHEN, Mr. WYNN, Ms. CLARKE, Mrs. CHRISTENSEN, and Mr. RANGEL.

EXTENSIONS OF REMARKS

RECOGNIZING MR. NATHANIEL BLUE ON ACHIEVING THE MILESTONE OF FOUR MILLION SAFE MILES WITH BOYD BROTHERS TRANSPORTATION

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 2007

Mr. BONNER. Madam Speaker, today I rise to honor Mr. Nathaniel Blue of Camden, Alabama, on the occasion of reaching an almost unprecedented level of achievement in the trucking community-logging 4 million consecutive miles with Boyd Brothers Transportation.

Nathaniel has not only worked for the same trucking company for almost 30 years, but during this span, he has never had an accident, negative incident, or ticket; an accomplishment so rare in the trucking industry.

One would think that after logging so many miles, a person would want to retire, but Nathaniel is an exception. He says that he does not want to retire to his hometown of Camden until he reaches 5 million safe miles, and I have every confidence he will achieve this goal.

Madam Speaker, I ask my colleagues to join with me in congratulating him on this remarkable achievement. I know his colleagues, his wife of 29 years, Amanda, their five children and three grandchildren, along with Boyd Brothers Transportation, join me in praising Mr. Blue for these accomplishments and extending thanks for his many efforts over the years on behalf of the citizens of the state of Alabama.

INTRODUCTION OF THE "AFGHAN WOMEN EMPOWERMENT ACT OF 2007"

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 2007

Mrs. MALONEY of New York. Madam Speaker, today I introduce the "Afghan Women Empowerment Act of 2007" which would authorize $45 million each year from FY2008 through FY2010 for programs in Afghanistan that benefit women and girls as well as the Afghan Independent Human Rights Commission and the Afghan Ministry of Women's Affairs. The funding would be directed toward important needs including medical care, education, vocational training, protection from violence, legal assistance, and civil participation. This legislation was introduced earlier this year in the Senate by Senator Barbara Boxer (D–CA).

Women's rights in Afghanistan have fluctuated greatly over the years. Women have bravely fought the forces of extremism at various points in the country's turbulent history. At one time, women were scientists and university professors. They led corporations and nonprofit organizations in local communities.

While the Afghan constitution guarantees equality for Afghan women, throughout Afghanistan,.women continue to face intimidation, discrimination, and violence. The United States has an obligation to ensure that women and girls have the opportunities that they were denied under the Taliban and that the gains that have been made are not lost in the coming months and years. It is imperative that we provide the support needed to ensure that the rights of women are protected in the new Afghanistan.

PAYING TRIBUTE TO CHRISTINE SPADAFOR-CLAY

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 2007

Mr. PORTER. Madam Speaker, I rise today to honor Christine Spadafor-Clay, the C.E.O. of St. Jude's Ranch for Children.

Christine is the first woman and non-clergy person to run St. Jude's Ranch for Children in its 39-year history. St. Jude's Ranch for Children provides a safe and caring environment for abused, abandoned, and neglected children. Since starting, Christine has overseen a number of organizational changes including updating the record-keeping process and reshaping the organizational structure system. In addition, Christine was instrumental in facilitating a much-needed renovation of the Boulder City campus.

The St. Jude's facility is spread over 40-acres in Southern Nevada and consists of 24 buildings. Over the years the facilities have come into disrepair and are in need of significant refurbishment. Now, due to Christine's leadership, St. Jude's is finally receiving the renovation it deserves. As a result of sizable contribution from a Southern Nevada non-profit, HomeAid, and its partner, Pardee Homes, eight cottages will be completely renovated and the campus will get new landscaping.

Madam Speaker, I am proud to honor Christine Spadafor-Clay of St. Jude's Ranch for Children. The service that they provide for the area's abandoned and neglected children is laudable. I applaud Christine for her leadership and with them continued success in their new, refurbished facility.

LIFTING THE EMBARGO—THE BEST WAY TO PROMOTE DEMOCRACY IN CUBA

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 2007

Mr. RANGEL. Madam Speaker, I rise today to point out the Bush administration's policy of isolating Cuba and bringing down the Castro government (or its successor) has no chance of success and enter into the RECORD the first of two parts to an article in the current issue of Foreign Affairs by Julia E. Sweig entitled "Fidel's Final Victory." Dr. Sweig's article analyzes the reality of the current relationship between the U.S. and Cuba and advocates the lifting of the embargo as a means to a more effective advance U.S. interest in establishing an economic relationship with Cuba.

I have long opposed U.S. policy towards Fidel Castro and Cuba, specifically the embargo, as I strongly believe that restricting travel and trade is a failed policy that hinders the American People from competing in the Cuban market and works against the promotion of democracy on the island. It also denies citizens of the United States the fundamental right and freedom to travel where they want and denies Cuban Americans to visit their relatives living in Cuba.

Current United States policy toward Cuba is markedly out of touch with current world realities. Almost every nation has normal trade and diplomatic relations with Cuba, especially many of our allies such as Israel, Spain, China and other European nations. Instead of collapsing, the Cuban economy is growing at a rate of 8 percent a year, and the government has new and profitable relationship involving crude oil drilling operations off of the Cuban coast with China in conjunction with India, Norway and Spain.

It is evident that continuing the current course and making threats about what kind of change is and is not acceptable after Fidel, the Bush administration will only slow the pace of liberalization and political reform in Cuba, guaranteeing many more years of hostility between the two countries.

The best approach to dealing with post-Fidel Cuba is by immediately proposing bilateral crisis management and confidence-building measures, ending economic sanctions, and by stepping out of the way of Cuban Americans and other Americans who wish to travel freely to Cuba. Further, lifting the embargo now will prevent American businesses from falling even further behind as foreign competitors in this market. I urge you to consider H.R. 624, a bill to lift the trade embargo on Cuba and for other purposes.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

FIDEL'S FINAL VICTORY

(By Julia E. Sweig)

Summary: The smooth transfer of power from Fidel Castro to his successors is exposing the willful ignorance and wishful thinking of U.S. policy toward Cuba. The post-Fidel transition is already well under way, and change in Cuba will come only gradually from here on out. With or without Fidel, renewed U.S. efforts to topple the revolutionary regime in Havana can do no good—and have the potential to do considerable harm.

Julia E. Sweig is Nelson and David Rockefeller Senior Fellow and Director of Latin America Studies at the Council on Foreign Relations. She is the author of Inside the Cuban Revolution: Fidel Castro and the Urban Underground and Friendly Fire: Losing Friends and Making Enemies in the Anti-American Century.

CUBA AFTER CASTRO?

Ever since Fidel Castro gained power in 1959, Washington and the Cuban exile community have been eagerly awaiting the moment when he would lose it—at which point, the thinking went, they would have carte blanche to remake Cuba in their own image. Without Fidel's iron fist to keep Cubans in their place, the island would erupt into a collective demand for rapid change. The long-oppressed population would overthrow Fidel's revolutionary cronies and clamor for capital, expertise, and leadership from the north to transform Cuba into a market democracy with strong ties to the United States.

But that moment has come and gone—and none of what Washington and the exiles anticipated has come to pass. Even as Cuba-watchers speculate about how much longer the ailing Fidel will survive, the post-Fidel transition is already well under way. Power has been successfully transferred to a new set of leaders, whose priority is to preserve the system while permitting only very gradual reform. Cubans have not revolted, and their national identity remains tied to the defense of the homeland against U.S. attacks on its sovereignty. As the post-Fidel regime responds to pent-up demands for more democratic participation and economic opportunity, Cuba will undoubtedly change—but the pace and nature of that change will be mostly imperceptible to the naked American eye.

Fidel's almost five decades in power came to a close last summer not with the expected bang, or even really a whimper, but in slow motion, with Fidel himself orchestrating the transition. The transfer of authority from Fidel to his younger brother, Raul, and half a dozen loyalists—who have been running the country under Fidel's watch for decades—has been notably smooth and stable. Not one violent episode in Cuban streets. No massive exodus of refugees. And despite an initial wave of euphoria in Miami, not one boat leaving a Florida port for the 90-mile trip. Within Cuba, whether Fidel himself survives for weeks, months, or years is now in many ways beside the point.

In Washington, however, Cuba policy—aimed essentially at regime change—has long been dominated by wishful thinking ever more disconnected from the reality on the island. Thanks to the votes and campaign contributions of the 1.5 million Cuban Americans who live in Florida and New Jersey, domestic politics has driven policymaking. That tendency has been indulged by a U.S. intelligence community hamstrung by a breathtaking and largely self-imposed isolation from Cuba and reinforced by a political environment that rewards feeding the White House whatever it wants to hear. Why alter the status quo when it is so familiar, so well funded, and so rhetorically pleasing to politicians in both parties?

But if consigning Cuba to domestic politics has been the path of least resistance so far, it will begin to have real costs as the post-Fidel transition continues—for Cuba and the United States alike. Fidel's death, especially if it comes in the run-up to a presidential election, could bring instability precisely because of the perception in the United States that Cuba will be vulnerable to meddling from abroad. Some exiles may try to draw the United States into direct conflict with Havana, whether by egging on potential Cuban refugees to take to the Florida Straits or by appealing to Congress, the White House, and the Pentagon to attempt to strangle the post-Fidel government.

Washington must finally wake up to the reality of how and why the Castro regime has proved so durable—and recognize that, as a result of its willful ignorance, it has few tools with which to effectively influence Cuba after Fidel is gone. With U.S. credibility in Latin America and the rest of the world at an all-time low, it is time to put to rest a policy that Fidel's handover of power has already so clearly exposed as a complete failure.

CHANGE IN THE WEATHER

On July 31, 2006, Fidel Castro's staff secretary made an announcement: Fidel, just days away from his 80th birthday, had undergone major surgery and turned over "provisional power" to his 75-year-old brother, Raúl, and six senior officials. The gravity of Fidel's illness (rumored to be either terminal intestinal cancer or severe diverticulitis with complications) was immediately clear, both from photographs of the clearly weakened figure and from Fidel's own dire-sounding statements beseeching Cubans to prepare for his demise. Across the island, an air of resignation and anticipation took hold.

The dead of August, with its intense heat and humidity, is a nerve-racking time in Cuba, but as rumors sped from home to home, there was a stunning display of orderliness and seriousness in the streets. Life continued: people went to work and took vacations, watched telenovelas and bootlegged DVDs and programs from the Discovery and History channels, waited in lines for buses and weekly rations, made their daily black-market purchases—repeating the rituals that have etched a deep mark in the Cuban psyche. Only in Miami were some Cubans partying, hoping that Fidel's illness would soon turn to death, not only of a man but also of a half century of divided families and mutual hatred.

Raúl quickly assumed Fidel's duties as first secretary of the Communist Party, head of the Politburo, and president of the Council of State (and retained control of the armed forces and intelligence services). The other deputies—two of whom had worked closely with the Castro brothers since the revolution and four of whom had emerged as major players in the 1990s—took over the other key departments. Ranging in age from their mid-40s through their 70s, they had been preparing for this transition to collective leadership for years. José Ramón Balaguer, a doctor who fought as a guerrilla in the Sierra Maestra during the revolution, assumed authority over public health. José Ramón Machado Ventura, another doctor who fought in the Sierra, and Esteban Lazo Hernández now share power over education. Carlos Lage Dávila—a key architect of the economic reforms of the 1990s, including efforts to bring in foreign investment—took charge of the energy sector. Francisco Soberón Valdés, president of the Central Bank of Cuba, and Felipe Pérez Roque, minister of foreign affairs, took over finances in those areas.

At first, U.S. officials simply admitted that they had almost no information about Fidel's illness or plans for succession. President George W. Bush said little beyond soberly (and surprisingly) pointing out that the next leader of Cuba would come from Cuba—a much-needed warning to the small yet influential group of hard-line exiles (Republican Florida Congressman Lincoln Diaz-Balart, a nephew of Fidel's, prominent among them) with aspirations to post-Fidel presidential politics.

A few weeks into the Fidel deathwatch, Raúl gave an interview clearly meant for U.S. consumption. Cuba, he said, "has always been ready to normalize relations on the basis of equality. But we will not accept the arrogant and interventionist policies of this administration," nor will the United States win concessions on Cuba's domestic political model. A few days later, U.S. Assistant Secretary of State for Western Hemisphere Affairs Thomas Shannon responded in kind. Washington, he said, would consider lifting its embargo—but only if Cuba established a route to multiparty democracy, released all political prisoners, and allowed independent civil-society organizations. With or without Fidel, the two governments were stuck where they have been for years: Havana ready to talk about everything except the one condition on which Washington will not budge, Washington offering something Havana does not unconditionally want in exchange for something it is not willing to give.

From Washington's perspective, this paralysis may seem only temporary. Shannon compared post-Fidel Cuba to a helicopter with a broken rotor—the implication being that a crash is imminent. But that view, pervasive among U.S. policymakers, ignores the uncomfortable truth about Cuba under the Castro regime.

Despite Fidel's overwhelming personal authority and Raúl's critical institution-building abilities, the government rests on far more than just the charisma, authority, and legend of these two figures.

POLITICALLY INCORRECT

Cuba is far from a multiparty democracy, but it is a functioning country with highly opinionated citizens where locally elected officials (albeit all from one party) worry about issues such as garbage collection, public transportation, employment, education, health care, and safety. Although plagued by worsening corruption, Cuban institutions are staffed by an educated civil service, battle-tested military officers, a capable diplomatic corps, and a skilled work force. Cuban citizens are highly literate, cosmopolitan, endlessly entrepreneurial, and by global standards quite healthy.

Critics of the Castro regime cringe at such depictions and have worked hard to focus Washington and the world's attention on human rights abuses, political prisoners, and economic and political deprivations. Although those concerns are legitimate, they do not make up for an unwillingness to understand the sources of Fidel's legitimacy—or the features of the status quo that will sustain Raúl and the collective leadership now in place. On a trip to Cuba in November, I spoke with a host of senior officials, foreign diplomats, intellectuals, and regime critics to get a sense of how those on the ground see the island's future. (I have traveled to Cuba nearly 30 times since 1984 and met with everyone from Fidel himself to human rights activists and political prisoners.) People at all levels of the Cuban government and the Communist Party were enormously confident of the regime's ability to survive Fidel's passing. In and out of government circles, critics and supporters alike—including in the state-run press—readily acknowledge major problems with productivity and the delivery of goods and services. But the regime's still-viable entitlement programs and a widespread sense that Raúl is the right man to confront corruption and bring accountable governance give the current leadership more legitimacy than it could possibly derive from repression alone (the usual explanation foreigners give for the regime's staying power).

The regime's continued defiance of the United States also helps. In Cuba's national narrative, outside powers—whether Spain in the nineteenth century or the United States in the twentieth—have preyed on Cuba's internal division to dominate Cuban politics. Revolutionary ideology emphasizes this history of thwarted independence and imperialist meddling, from the Spanish-American War to the Bay of Pigs, to sustain a national consensus. Unity at home, the message goes, is the best defense against the only external power Cuba still regards as a threat—the United States.

To give Cubans a stake in this tradeoff between an open society and sovereign nationhood, the revolution built social, educational, and health programs that remain the envy of the developing world. Public education became accessible to the entire population, allowing older generations of illiterate peasants to watch their children and grandchildren become doctors and scientists; by 1979, Cuba's literacy rates had risen above 90 percent. Life expectancy went from under 60 years at the time of the revolution to almost 80 today (virtually identical to life expectancy in the United States). Although infectious disease levels have been historically lower in Cuba than in many parts of Latin America, the revolutionary government's public vaccination programs completely eliminated polio, diphtheria, tetanus, meningitis, and measles. In these ways, the Cuban state truly has served the poor underclass rather than catering to the domestic elite and its American allies.

Foreign policy, meanwhile, put the island on the map geopolitically. The Cubans used the Soviets (who regarded the brash young revolutionaries as reckless) for money, weapons, and insulation from their implacable enemy to the north. Although the government's repression of dissent and tight control over the economy drove many out of the country and turned many others against the Castro regime, most Cubans came to expect the state to guarantee their welfare, deliver the international standing they regard as their cultural and historical destiny, and keep the United States at a healthy distance.

The end of the Cold War seriously threatened this status quo. The Soviet Union withdrew its $4 billion annual subsidy, and the economy contracted by 35 percent overnight. Cuba's political elite recognized that without Soviet support, the survival of the revolutionary regime was in peril—and, with Fidel's reluctant acquiescence, fashioned a pragmatic response to save it. Cuban officials traveling abroad started using once-anathema terms, such as "civil society." Proposals were circulated to include multiple candidates (although all from the Communist Party) in National Assembly elections and to permit small private businesses. The government legalized self-employment in some 200 service trades, converted state farms to collectively owned cooperatives, and allowed the opening of small farmers' markets. At Raúl's instigation, state enterprises adopted capitalist accounting and business practices; some managers were sent to European business schools. As the notion of a "socialist enterprise" became increasingly unsustainable, words like "market," "efficiency," "ownership," "property," and "competition" began to crop up with ever more frequency in the state-controlled press and in public-policy debates. Foreign investment from Europe, Latin America, Canada, China, and Israel gave a boost to agriculture and the tourism, mining, telecommunications, pharmaceutical, biotechnology, and oil industries.

These changes rendered Cuba almost unrecognizable compared with the Cuba of the Soviet era, but they also allowed Fidel's government to regain its footing. The economy began to recover, and health and educational programs started to deliver again. By the end of the 1990s, Cuba's infant mortality rate (approximately six deaths per 100,000 births) had dropped below that of the United States, and close to 100 percent of children were enrolled in school full time through ninth grade. Housing, although deteriorating and in desperate need of modernization, remained virtually free. And a cosmopolitan society—albeit one controlled in many ways by the state—grew increasingly connected to the world through cultural exchanges, sporting events, scientific cooperation, health programs, technology, trade, and diplomacy. Moreover, by 2002, total remittance inflows reached $1 billion, and nearly half of the Cuban population had access to dollars from family abroad.

In 2004, a process of "recentralization" began: the state replaced the dollar with a convertible currency, stepped up tax collection from the self-employed sector, and imposed stricter controls on revenue expenditures by state enterprises. But even with these controls over economic activity, the black market is everywhere. Official salaries are never enough to make ends meet, and the economy has become a hybrid of control, chaos, and free-for-all. The rules of the game are established and broken at every turn, and most Cubans have to violate some law to get by. The administrators of state enterprises steal and then sell the inputs they get from the government, forcing workers to purchase themselves the supplies they need to do their jobs—rubber for the shoemaker, drinking glasses for the bartender, cooking oil for the chef—in order to fill production quotas.

At the same time, the revolution's investment in human capital has made Cuba uniquely well positioned to take advantage of the global economy. In fact, the island faces an overcapacity of professional and scientific talent, since it lacks the industrial base and foreign investment necessary to create a large number of productive skilled jobs. With 10,000 students in its science and technology university and already successful joint pharmaceutical ventures with China and Malaysia, Cuba is poised to compete with the upper ranks of developing nations.

HONORING THE MAYOR OF GLADSTONE, DR. WILLIAM C. CROSS, FOR THE 2006 NORTHLANDER OF THE YEAR AWARD

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize William C. Cross, a constituent of the 6th District of Missouri who recently added another prestigious award to his resume as he was named the Northlander of the Year by the Northland Chamber of Commerce at their annual banquet held January 27, 2007.

Dr. Bill Cross has lived one of the most admirable and distinguished lives any of us could hope for as he was a teacher, coach, and school administrator for 52 years. Bill Cross earned his bachelor's degree at Westminster College in Fulton, MO, while attaining his Ph.D. at Kansas State University. Dr. Cross has been a mentor and role model for over 25,000 high school students and an additional 10,000 teachers in graduate programs. He has written and published multiple articles and authored books in the area of education. Dr. Cross has served as the sponsor for over 100 college students in the classroom practicum portion of their education major. He is frequently engaged as a speaker on the topics of business and education.

But that's not all, Madam Speaker, Dr. Bill Cross has served two terms as mayor of the great city of Gladstone, MO. He serves on the board of directors of the Mid-America Regional Council, the Missouri Municipal League, the Missouri Municipal League West Gate Division, Head Start, Teaching and Reaching Youth, Clay County Coordinating Committee, Shepherds Center of Kansas City, and is a committee member of the National League of Cities. Dr. Cross was a popularly elected member of the North Kansas City School District.

One special recognition I would like to address is that Dr. Cross is a fellow Eagle Scout, the tribe of Mic-O-Say. There is so much more that this great person has done and continues to do for his fellow man. If there ever was an example of a great person and one most deserving of recognition in the United States House of Representatives, it is truly Dr. William C. Cross. Teacher, civic leader, husband to Mary and father of three daughters and seven grandchildren, active member of North Cross United Methodist Church and valued friend and advisor to so many. Madam Speaker, I proudly ask you to join me in honoring Dr. William C. Cross whose dedication and service to the people of the Sixth District of Missouri has been exceptional.

TRIBUTE TO SERGEANT RANDY J. MATHENY

HON. ADRIAN SMITH

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 2007

Mr. SMITH of Nebraska. Madam Speaker, it is with a deep sense of gratitude and a profound sense of sadness that I rise today to pay tribute to the life of a brave man from McCook, NE. Sgt Randy J. Matheny died on Sunday in Iraq in Baghdad by an improvised explosive device.

With his entire life in front of him, Randy chose to risk everything to fight for the values Americans hold close to our hearts, in a land halfway around the world.

My heart goes out to Randy's family. He was known as a dedicated spirit and for his love of our country. All Nebraskans will remember him as a true American. We can take pride in the example he set, bravely fighting to make the world a better place.

My thoughts and prayers go out to Randy's family and friends during this difficult time.

May God grant them strength, peace, and comfort.

HOUSE OF REPRESENTATIVES—*Friday, February 9, 2007*

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. MORAN of Virginia).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
February 9, 2007.

I hereby appoint the Honorable JAMES P. MORAN to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Lord of all life. Giver of all wisdom, as a people, we Americans do not ask for special favors above others. We know already we are richly blessed. We do not seek exemption from stress or the temptations that beset all peoples. We simply and humbly ask You, Lord, to take us as we are, dwell within us by Your Spirit, and shape us to be Your very own kind of people, righteous and God-fearing.

Guide our President and this Congress in all their decisions. Be with the Members of this Chamber and their families this weekend. Protect and defend this Nation, for we place all our trust in You, Who are Sovereign Lord both now and forever.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

PUBLICATION OF THE RULES OF THE COMMITTEE ON EDUCATION AND LABOR, 110TH CONGRESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. GEORGE MILLER) is recognized for 5 minutes.

February 9, 2007

Mr. GEORGE MILLER of California. Mr. Speaker, pursuant to Rule XI, Clause 2(a)(2) of Rules of the House of Representatives, I respectfully submit the rules for the 110th Congress for the Committee on Education and Labor for publication in the CONGRESSIONAL RECORD. The Committee adopted these rules by voice vote, with a quorum being present, at our organizational meeting on January 24, 2007.

THE RULES OF THE COMMITTEE ON EDUCATION AND LABOR FOR THE 110TH CONGRESS

RULE 1. REGULAR, ADDITIONAL, AND SPECIAL MEETINGS: VICE CHAIRMAN

(a) Regular meetings of the Committee shall be held on the second Wednesday of each month at 9:30 a.m., while the House is in session. When the Chairman believes that the Committee will not be considering any bill or resolution before the Committee and that there is no other business to be transacted at a regular meeting, he will give each member of the Committee, as far in advance of the day of the regular meeting as the circumstances make practicable, a written notice to that effect; and no regular Committee meeting shall be held on that day.

(b) The Chairman may call and convene, as he considers necessary, additional meetings of the Committee for the consideration of any bill or resolution pending before the Committee or for the conduct of other Committee business. The Committee shall meet for such purposes pursuant to that call of the Chairman.

(c) If at least three members of the Committee desire that a special meeting of the Committee be called by the Chairman, those members may file in the offices of the Committee their written request to the Chairman for that special meeting. Immediately upon the filing of the request, the staff director of the Committee shall notify the Chairman of the filing of the request. If, within three calendar days after the filing of the request, the Chairman does not call the requested special meeting to be held within seven calendar days after the filing of the request, a majority of the members of the Committee may file in the offices of the Committee their written notice that a special meeting of the Committee will be held, specifying the date and hour thereof, and the measure or matter to be considered at that special meeting. The Committee shall meet on that date and hour. Immediately upon the filing of the notice, the staff director of the Committee shall notify all members of the Committee that such meeting will be held and inform them of its date and hour and the measure or matter to be considered; and only the measure or matter specified in that notice may be considered at that special meeting.

(d) Legislative meetings of the Committee and its subcommittees shall be open to the public, including radio, television and still photography coverage, unless such meetings are closed pursuant to the requirements of House Rules. No business meeting of the Committee, other than regularly scheduled meetings, may be held without each member being given reasonable notice.

(e) The Chairman of the Committee or of a subcommittee, as appropriate, shall preside at meetings or hearings, or, in the absence of the Chairman, the vice chairman, or the Chairman's designee shall preside.

RULE 2. QUESTIONING OF WITNESSES

(a) Subject to clauses (b) and (c), Committee members may question witnesses only when they have been recognized by the Chairman for that purpose, and only for a 5-minute period until all members present have had an opportunity to question a witness. The questioning of witnesses in both Committee and subcommittee hearings shall be initiated by the Chairman, followed by the ranking minority party member and all other members alternating between the majority and minority party. The Chairman shall exercise discretion in determining the order in which members will be recognized. In recognizing members to question witnesses in this fashion, the Chairman shall take into consideration the ratio of the majority to minority party members present and shall establish the order of recognition for questioning in such a manner as not to place the members of the majority party in a disadvantageous position.

(b) The Chairman may permit a specified number of members to question a witness for longer than five minutes. The time for extended questioning of a witness under this clause shall be equal for the majority party and the minority party and may not exceed one hour in the aggregate.

(c) The Chairman may permit Committee staff for the majority and the minority party members to question a witness for equal specified periods. The time for extended questioning of a witness under this clause shall be equal for the majority party and the minority party and may not exceed one hour in the aggregate.

RULE 3. RECORDS AND ROLLCALLS

(a) Written records shall be kept of the proceedings of the Committee and of each subcommittee, including a record of the votes on any question on which a roll call is demanded. The result of each such roll call vote shall be made available by the Committee or subcommittee for inspection by the public at reasonable times in the offices of the Committee or subcommittee. Information so available for public inspection shall include a description of the amendment, motion, order, or other proposition and the name of each member voting for and each member voting against such amendment, motion, order, or proposition, and the names of those members present but not voting. A record vote may be demanded by one-fifth of the members present or, in the apparent absence of a quorum, by any one member.

(b) In accordance with Rule VII of the Rules of the House of Representatives, any official permanent record of the Committee (including any record of a legislative, oversight, or other activity of the Committee or any subcommittee) shall be made available for public use if such record has been in existence for 30 years, except that—

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

(1) any record that the Committee (or a subcommittee) makes available for public use before such record is delivered to the Archivist under clause 2 of Rule VII of the Rules of the House of Representatives shall be made available immediately, including any record described in subsection (a) of this Rule;

(2) any investigative record that contains personal data relating to a specific living individual (the disclosure of which would be an unwarranted invasion of personal privacy), any administrative record with respect to personnel, and any record with respect to a hearing closed pursuant to clause 2(g)(2) of Rule XI of the Rules of the House of Representatives shall be available if such record has been in existence for 50 years; or

(3) except as otherwise provided by order of the House, any record of the Committee for which a time, schedule, or condition for availability is specified by order of the Committee (entered during the Congress in which the record is made or acquired by the Committee) shall be made available in accordance with the order of the Committee.

(c) The official permanent records of the Committee include noncurrent records of the Committee (including subcommittees) delivered by the Clerk of the House of Representatives to the Archivist of the United States for preservation at the National Archives and Records Administration, which are the property of and remain subject to the rules and orders of the House of Representatives.

(d)(1) Any order of the Committee with respect to any matter described in paragraph (2) of this subsection shall be adopted only if the notice requirements of Committee Rule 17(c) have been met, a quorum consisting of a majority of the members of the Committee is present at the time of the vote, and a majority of those present and voting approve the adoption of the order, which shall be submitted to the Clerk of the House of Representatives, together with any accompanying report.

(2) This subsection applies to any order of the Committee which—

(A) provides for the non-availability of any record subject to subsection (b) of this rule for a period longer than the period otherwise applicable; or

(B) is subsequent to, and constitutes a later order under clause 4(b) of Rule VII of the Rules of the House of Representatives, regarding a determination of the Clerk of the House of Representatives with respect to authorizing the Archivist of the United States to make available for public use the records delivered to the Archivist under clause 2 of Rule VII of the Rules of the House of Representatives; or

(C) specifies a time, schedule, or condition for availability pursuant to subsection (b) (3) of this Rule.

RULE 4. STANDING SUBCOMMITTEES AND JURISDICTION

(a) There shall be five standing subcommittees. In addition to the conducting oversight in the area of their respective jurisdictions as required in clause 2 of House Rule X, each subcommittee shall have the following jurisdictions:

Subcommittee on Early Childhood, Elementary and Secondary Education.—Including education from early learning through the high school level including, but not limited to, elementary and secondary education, education of the disabled, the homeless and migrant and agricultural labor. Also including school construction, overseas dependent schools, career and technical training, school safety and alcohol and drug abuse prevention, educational research and improvement, including the Institute of Education Sciences; and early care and education programs and early learning programs, including the Head Start Act and the Child Care and Development Block Grant Act.

Subcommittee on Higher Education, Lifelong Learning and Competitiveness.—Education and training beyond the high school level including, but not limited to higher education generally, postsecondary student assistance and employment services, the Higher Education Act; postsecondary career and technical education, training and apprenticeship including the Workforce Investment Act, displaced homemakers, adult basic education (family literacy), rehabilitation, professional development, and training programs from immigration funding; preservice and in-service teacher training, including Title II of the Elementary and Secondary Education Act and Title II of the Higher Education Act; science and technology programs; affirmative action in higher education; Title IX of the Education Amendments of 1972; all welfare reform programs including, work incentive programs, welfare-to-work requirements; the Native American Programs Act, the Robert A. Taft Institute, and Institute for Peace.

Subcommittee on Healthy Families and Communities.—Adolescent development and training programs, including but not limited to those providing for the care and treatment of certain at risk youth, including the Juvenile Justice and Delinquency Prevention Act and the Runaway and Homeless Youth Act; all matters dealing with child abuse and domestic violence, including the Child Abuse Prevention and Treatment Act, and child adoption; school lunch and child nutrition, poverty programs including the Community Services Block Grant Act, and the Low Income Home Energy Assistance Program (LIHEAP); all matters dealing with programs and services for the elderly, including nutrition programs and the Older Americans Act; environmental education; all domestic volunteer programs; library services and construction, and programs related to the arts and humanities, museum services, and arts and artifacts indemnity.

Subcommittee on Workforce Protections.—Wages and hours of labor including, but not limited to, Davis-Bacon Act, Walsh-Healey Act, Fair Labor Standards Act, workers' compensation including, Longshore and Harbor Workers' Compensation Act, Federal Employees' Compensation Act, Migrant and Seasonal Agricultural Worker Protection Act, Service Contract Act, Family and Medical Leave Act, Worker Adjustment and Retraining Notification Act, including training for dislocated workers, Employee Polygraph Protection Act of 1988, trade and immigration issues as they impact employers and workers, and workers' health and safety including, but not limited to, occupational safety and health, mine health and safety, youth camp safety, and migrant and agricultural labor health and safety.

Subcommittee on Health, Employment, Labor and Pensions.—All matters dealing with relationships between employers and workers generally including, but not limited to, the National Labor Relations Act, Labor Management Relations Act, Labor-Management Reporting and Disclosure Act, Bureau of Labor Statistics, employment-related retirement security, including pension, health and other employee benefits, the Employee Retirement Income Security Act (ERISA); all matters related to equal employment opportunity and civil rights in employment, including affirmative action.

(b) The majority party members of the Committee may provide for such temporary, ad hoc subcommittees as determined to be appropriate.

RULE 5. EX OFFICIO MEMBERSHIP

The Chairman of the Committee and the ranking minority party member shall be ex officio members, but not voting members, of each subcommittee to which such Chairman or ranking minority party member has not been assigned.

RULE 6. SPECIAL ASSIGNMENT OF MEMBERS

To facilitate the oversight and other legislative and investigative activities of the Committee, the Chairman of the Committee may, at the request of a subcommittee chairman, make a temporary assignment of any member of the Committee to such subcommittee for the purpose of constituting a quorum and of enabling such member to participate in any public hearing, investigation, or study by such subcommittee to be held outside of Washington, DC. Any member of the Committee may attend public hearings of any subcommittee and any member of the Committee may question witnesses only when they have been recognized by the Chairman for that purpose.

RULE 7. SUBCOMMITTEE SCHEDULING

Subcommittee chairmen shall set meeting dates after consultation with the Chairman and other subcommittee chairmen with a view toward avoiding simultaneous scheduling of Committee and subcommittee meetings or hearings, wherever possible. Available dates for subcommittee meetings during the session shall be assigned by the Chairman to the subcommittees as nearly as practicable in rotation and in accordance with their workloads. As far as practicable, the Chairman shall not schedule simultaneous subcommittee markups, a subcommittee markup during a full Committee markup, or any hearing during a markup.

RULE 8. SUBCOMMITTEE RULES

The rules of the Committee shall be the rules of its subcommittees.

RULE 9. COMMITTEE STAFF

(a) The employees of the Committee shall be appointed by the Chairman in consultation with subcommittee chairmen and other majority party members of the Committee within the budget approved for such purposes by the Committee.

(b) The staff appointed by the minority shall have their remuneration determined in such manner as the minority party members of the Committee shall determine within the budget approved for such purposes by the Committee.

RULE 10. SUPERVISION AND DUTIES OF COMMITTEE STAFF

The staff of the Committee shall be under the general supervision and direction of the Chairman, who shall establish and assign the duties and responsibilities of such staff members and delegate authority as he determines appropriate. The staff appointed by the minority shall be under the general supervision and direction of the minority party members of the Committee, who may delegate such authority as they determine appropriate. All Committee staff shall be assigned to Committee business and no other duties may be assigned to them.

RULE 11. HEARINGS PROCEDURE

(a) The Chairman, in the case of hearings to be conducted by the Committee, and the appropriate subcommittee chairman, in the case of hearings to be conducted by a subcommittee, shall make public announcement of the date, place, and subject matter of any hearing to be conducted on any measure or matter at least one week before the commencement of that hearing unless the Committee or subcommittee determines that there is good cause to begin such hearing at an earlier date. In the latter event, the Chairman or the subcommittee chairman, as the case may be, shall make such public announcement at the earliest possible date. To the extent practicable, the Chairman or the subcommittee chairman shall make public announcement of the final list of witnesses scheduled to testify at least 48 hours before the commencement of the hearing. The staff director of the Committee shall promptly notify the Daily Digest Clerk of the Congressional Record as soon as possible after such public announcement is made.

(b) All opening statements at hearings conducted by the Committee or any subcommittee will be made part of the permanent written record. Opening statements by members may not be presented orally, unless the Chairman of the Committee or any subcommittee determines that one statement from the Chairman or a designee will be presented, in which case the ranking minority party member or a designee may also make a statement. If a witness scheduled to testify at any hearing of the Committee or any subcommittee is a constituent of a member of the Committee or subcommittee, such member shall be entitled to introduce such witness at the hearing.

(c) To the extent practicable, witnesses who are to appear before the Committee or a subcommittee shall file with the staff director of the Committee, at least 48 hours in advance of their appearance, a written statement of their proposed testimony, together with a brief summary thereof, and shall limit their oral presentation to a summary thereof. The staff director of the Committee shall promptly furnish to the staff director of the minority a copy of such testimony submitted to the Committee pursuant to this rule.

(d) When any hearing is conducted by the Committee or any subcommittee upon any measure or matter, the minority party members on the Committee shall be entitled, upon request to the Chairman by a majority of those minority party members before the completion of such hearing, to call witnesses selected by the minority to testify with respect to that measure or matter during at least one day of hearing thereon. The minority party may waive this right by calling at least one witness during a Committee hearing or subcommittee hearing.

RULE 12. MEETINGS—HEARINGS—QUORUMS

(a) Subcommittees are authorized to hold hearings, receive exhibits, hear witnesses, and report to the Committee for final action, together with such recommendations as may be agreed upon by the subcommittee. No such meetings or hearings, however, shall be held outside of Washington, DC, or during a recess or adjournment of the House without the prior authorization of the Committee Chairman. Where feasible and practicable, 14 days' notice will be given of such meeting or hearing.

(b) One-third of the members of the Committee or subcommittee shall constitute a quorum for taking any action other than amending Committee rules, closing a meeting from the public, reporting a measure or recommendation, or in the case of the Committee or a subcommittee authorizing a subpoena. For the enumerated actions, a majority of the Committee or subcommittee shall constitute a quorum. Any two members shall constitute a quorum for the purpose of taking testimony and receiving evidence.

(c) When a bill or resolution is being considered by the Committee or a subcommittee, members shall provide the clerk in a timely manner a sufficient number of written copies of any amendment offered, so as to enable each member present to receive a copy thereof prior to taking action. A point of order may be made against any amendment not reduced to writing. A copy of each such amendment shall be maintained in the public records of the Committee or subcommittee, as the case may be.

(d) In the conduct of hearings of subcommittees sitting jointly, the rules otherwise applicable to all subcommittees shall likewise apply to joint subcommittee hearings for purposes of such shared consideration.

(e) No person other than a Member of Congress or Congressional staff may walk in, stand in, or be seated at the rostrum area during a meeting or hearing of the Committee or subcommittee unless authorized by the Chairman.

RULE 13. SUBPOENA AUTHORITY

The power to authorize and issue subpoenas is delegated to the Chairman of the full Committee, as provided for under clause 2(m)(3)(A)(i) of Rule XI of the Rules of the House of Representatives. The Chairman shall notify the ranking minority member prior to issuing any subpoena under such authority. To the extent practicable, the Chairman shall consult with the ranking minority member at least 24 hours in advance of a subpoena being issued under such authority, excluding Saturdays, Sundays, and federal holidays. As soon as practicable after issuing any subpoena under such authority, the Chairman shall notify in writing all members of the Committee of the issuance of the subpoena.

RULE 14. REPORTS OF SUBCOMMITTEES

(a) Whenever a subcommittee has ordered a bill, resolution, or other matter to be reported to the Committee, the chairman of the subcommittee reporting the bill, resolution, or matter to the Committee, or any member authorized by the subcommittee to do so, may report such bill, resolution, or matter to the Committee. It shall be the duty of the chairman of the subcommittee to report or cause to be reported promptly such bill, resolution, or matter, and to take or cause to be taken the necessary steps to bring such bill, resolution, or matter to a vote.

(b) In any event, the report, described in the proviso in subsection (d) of this rule, of any subcommittee on a measure which has been approved by the subcommittee shall be filed within seven calendar days (exclusive of days on which the House is not in session) after the day on which there has been filed with the staff director of the Committee a written request, signed by a majority of the members of the subcommittee, for the reporting of that measure. Upon the filing of any such request, the staff director of the Committee shall transmit immediately to the chairman of the subcommittee a notice of the filing of that request.

(c) All Committee or subcommittee reports printed pursuant to legislative study or investigation and not approved by a majority vote of the Committee or subcommittee, as appropriate, shall contain the following disclaimer on the cover of such report:

"This report has not been officially adopted by the Committee on Education and Labor (or pertinent subcommittee thereof) and therefore may not necessarily reflect the views of its members."

The minority party members of the Committee or subcommittee shall have three calendar days, excluding weekends and holidays, to file, as part of the printed report, supplemental, minority, or additional views.

(d) Bills, resolutions, or other matters favorably reported by a subcommittee shall automatically be placed upon the agenda of the Committee as of the time they are reported. No bill or resolution or other matter reported by a subcommittee shall be considered by the full Committee unless it has been delivered or electronically sent to all members and notice of its prior transmission has been in the hands of all members at least 48 hours prior to such consideration; a member of the Committee shall receive, upon his or her request, a paper copy of such bill, resolution, or other matter reported. When a bill is reported from a subcommittee, such measure shall be accompanied by a section-by-section analysis; and, if the Chairman of the Committee so requires (in response to a request from the ranking minority member of the Committee or for other reasons), a comparison showing proposed changes in existing law.

(e) To the extent practicable, any report prepared pursuant to a Committee or subcommittee study or investigation shall be available to members no later than 48 hours prior to consideration of any such report by the Committee or subcommittee, as the case may be.

RULE 15. VOTES

(a) With respect to each roll call vote on a motion to report any bill, resolution or matter of a public character, and on any amendment offered thereto, the total number of votes cast for and against, and the names of those members voting for and against, shall be included in the Committee report on the measure or matter.

(b) In accordance with clause 2(h) of House Rule XI, the Chairman of the Committee or a subcommittee is authorized to postpone further proceedings when a record vote is ordered on the question of approving a measure or matter or on adopting an amendment. Such Chairman may resume proceedings on a postponed request at any time after reasonable notice. When proceedings resume on a postponed question, notwithstanding any intervening order for the previous question, an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

(c) In determining the order in which amendments to a matter pending before the committee will be considered, the Chairman may give priority to:

(1) The Chairman's mark, and

(2) Amendments, otherwise in order, that have been filed with the Committee at least 24 hours prior to the Committee or subcommittee business meeting on said measure or matter.

RULE 16. AUTHORIZATION FOR TRAVEL

(a) Consistent with the primary expense resolution and such additional expense resolutions as may have been approved; the provisions of this rule shall govern travel of Committee members and staff. Travel to be paid from funds set aside for the full Committee for any member or any staff member shall be paid only upon the prior authorization of the Chairman. Travel may be authorized by the Chairman for any member and any staff member in connection with the attendance of hearings conducted by the Committee or any subcommittee thereof and meetings, conferences, and investigations which involve activities or subject matter under the general jurisdiction of the Committee. The Chairman shall review travel requests to assure the validity to Committee business. Before such authorization is given, there shall be submitted to the Chairman in writing the following:

(1) The purpose of the travel;

(2) The dates during which the travel is to be made and the date or dates of the event for which the travel is being made;

(3) The location of the event for which the travel is to be made; and

(4) The names of members and staff seeking authorization.

(b)(1) In the case of travel outside the United States of members and staff of the Committee for the purpose of conducting hearings, investigations, studies, or attending meetings and conferences involving activities or subject matter under the legislative assignment of the Committee or pertinent subcommittees, prior authorization must be obtained from the Chairman, or, in the case of a subcommittee, from the subcommittee chairman and the Chairman. Before such authorization is given, there shall be submitted to the Chairman, in writing, a request for such authorization. Each request, which shall be filed in a manner that allows for a reasonable period of time for review before such travel is scheduled to begin, shall include the following:

(A) The purpose of travel;

(B) The dates during which the travel will occur;

(C) The names of the countries to be visited and the length of time to be spent in each;

(D) An agenda of anticipated activities for each country for which travel is authorized together with a description of the purpose to be served and the areas of Committee jurisdiction involved; and

(E) The names of members and staff for whom authorization is sought.

(2) Requests for travel outside the United States may be initiated by the Chairman or the chairman of a subcommittee (except that individuals may submit a request to the Chairman for the purpose of attending a conference or meeting) and shall be limited to members and permanent employees of the Committee.

(3) The Chairman shall not approve a request involving travel outside the United States while the House is in session (except in the case of attendance at meetings and conferences or where circumstances warrant an exception).

(4) At the conclusion of any hearing, investigation, study, meeting, or conference for which travel outside the United States has been authorized pursuant to this rule, each subcommittee (or members and staff attending meetings or conferences) shall submit a written report to the Chairman covering the activities of the subcommittee and containing the results of these activities and other pertinent observations or information gained as a result of such travel.

(c) Members and staff of the Committee performing authorized travel on official business shall be governed by applicable laws, resolutions, or regulations of the House and of the Committee on House Administration pertaining to such travel, including rules, procedures, and limitations prescribed by the Committee on House Administration with respect to domestic and foreign expense allowances.

(d) Prior to the Chairman's authorization for any travel, the ranking minority party member shall be given a copy of the written request therefor.

RULE 17. REFERRAL OF BILLS, RESOLUTIONS, AND OTHER MATTERS

(a) The Chairman shall consult with subcommittee chairmen regarding referral, to the appropriate subcommittees, of such bills, resolutions, and other matters, which have been referred to the Committee. Once printed copies of a bill, resolution, or other matter are available to the Committee, the Chairman shall, within three weeks of such availability, provide notice of referral, if any, to the appropriate subcommittee.

(b) Referral to a subcommittee shall not be made until three days shall have elapsed after written notification of such proposed referral to all subcommittee chairmen, at which time such proposed referral shall be made unless one or more subcommittee chairmen shall have given written notice to the Chairman of the full Committee and to the chairman of each subcommittee that he [or she] intends to question such proposed referral at the next regularly scheduled meeting of the Committee, or at a special meeting of the Committee called for that purpose, at which time referral shall be made by the majority members of the Committee. All bills shall be referred under this rule to the subcommittee of proper jurisdiction without regard to whether the author is or is not a member of the subcommittee. A bill, resolution, or other matter referred to a subcommittee in accordance with this rule may be recalled therefrom at any time by a vote of the majority members of the Committee for the Committee's direct consideration or for reference to another subcommittee.

(c) All members of the Committee shall be given at least 24 hours' notice prior to the direct consideration of any bill, resolution, or other matter by the Committee; but this requirement may be waived upon determination, by a majority of the members voting, that emergency or urgent circumstances require immediate consideration thereof.

RULE 18. COMMITTEE REPORTS

(a) All Committee reports on bills or resolutions shall comply with the provisions of clause 2 of Rule XI and clauses 2, 3, and 4 of Rule XIII of the Rules of the House of Representatives.

(b) No such report shall be filed until copies of the proposed report have been available to all members at least 36 hours prior to such filing in the House. No material change shall be made in the report distributed to members unless agreed to by majority vote; but any member or members of the Committee may file, as part of the printed report, individual, minority, or dissenting views, without regard to the preceding provisions of this rule.

(c) Such 36-hour period shall not conclude earlier than the end of the period provided under clause 4 of Rule XIII of the Rules of the House of Representatives after the Committee approves a measure or matter if a member, at the time of such approval, gives notice of intention to file supplemental, minority, or additional views for inclusion as part of the printed report.

(d) The report on activities of the Committee required under clause 1 of Rule XI of the Rules of the House of Representatives shall include the following disclaimer in the document transmitting the report to the Clerk of the House:

"This report has not been officially adopted by the Committee on Education and Labor or any subcommittee thereof and therefore may not necessarily reflect the views of its members."

Such disclaimer need not be included if the report was circulated to all members of the Committee at least 7 days prior to its submission to the House and provision is made for the filing by any member, as part of the printed report, of individual, minority, or dissenting views.

RULE 19. MEASURES TO BE CONSIDERED UNDER SUSPENSION

A member of the Committee may not seek to suspend the Rules of the House on any bill, resolution, or other matter which has been modified after such measure is ordered reported, unless notice of such action has been given to the Chairman and ranking minority member of the full Committee.

RULE 20. BUDGET AND EXPENSES

(a) The Chairman in consultation with the majority party members of the Committee shall prepare a preliminary budget. Such budget shall include necessary amounts for staff personnel, for necessary travel, investigation, and other expenses of the committee; and, after consultation with the minority party membership, the Chairman shall include amounts budgeted to the minority party members for staff personnel to be under the direction and supervision of the minority party, travel expenses of minority party members and staff, and minority party office expenses. All travel expenses of minority party members and staff shall be paid for out of the amounts so set aside and budgeted. The Chairman shall take whatever action is necessary to have the budget as finally approved by the Committee duly authorized by the House. After such budget shall have been adopted, no change shall be made in such budget unless approved by the Committee. The Chairman or the chairman of any standing subcommittee may initiate necessary travel requests as provided in Rule 16 within the limits of their portion of the consolidated budget as approved by the House, and the Chairman may execute necessary vouchers therefor.

(b) Subject to the Rules of the House of Representatives and procedures prescribed by the Committee on House Administration, and with the prior authorization of the Chairman of the Committee in each case, there may be expended in any one session of Congress for necessary travel expenses of witnesses attending hearings in Washington, DC:

(1) Out of funds budgeted and set aside for each subcommittee, not to exceed $5,000 for expenses of witnesses attending hearings of each such subcommittee;

(2) Out of funds budgeted for the full Committee majority, not to exceed $5,000 for expenses of witnesses attending full Committee hearings; and

(3) Out of funds set aside to the minority party members,

(A) Not to exceed, for each of the subcommittees, $5,000 for expenses of witnesses attending subcommittee hearings, and

(B) Not to exceed $5,000 for expenses of witnesses attending full Committee hearings.

(c) A full and detailed monthly report accounting for all expenditures of Committee funds shall be maintained in the Committee office, where it shall be available to each member of the committee. Such report shall show the amount and purpose of each expenditure, and the budget to which such expenditure is attributed.

RULE 21. APPOINTMENT OF CONFEREES, NOTICE OF CONFERENCE MEETINGS AND CONFERENCE MOTION

(a) Whenever in the legislative process it becomes necessary to appoint conferees, the

Chairman shall recommend to the Speaker as conferees the names of those members of the subcommittee which handled the legislation in the order of their seniority upon such subcommittee and such other Committee members as the Chairman may designate with the approval of the majority party members. Recommendations of the Chairman to the Speaker shall provide a ratio of majority party members to minority party members no less favorable to the majority party than the ratio of majority members to minority party members on the full committee. In making assignments of minority party members as conferees, the Chairman shall consult with the ranking minority party member of the Committee.

(b) After the appointment of conferees pursuant to clause 11 of Rule I of the Rules of the House of Representatives for matters within the jurisdiction of the Committee, the Chairman shall notify all members appointed to the conference of meetings at least 48 hours before the commencement of the meeting. If such notice is not possible, then notice shall be given as soon as possible.

(c) The Chairman is directed to offer a motion under clause 1 of Rule XXII of the Rules of the House of Representatives whenever the Chairman considers it appropriate.

RULE 22. BROADCASTING OF COMMITTEE HEARINGS AND MEETINGS

(a) Television, Radio and Still Photography. (1) Whenever a hearing or meeting conducted by the Committee or any subcommittee is open to the public, those proceedings shall be open to coverage by television, radio, and still photography subject to the requirements of clause 4 of Rule XI of the Rules of the House of Representatives and except when the hearing or meeting is closed pursuant to the Rules of the House of Representatives and of the Committee. The coverage of any hearing or meeting of the Committee or any subcommittee thereof by television, radio, or still photography shall be under the direct supervision of the Chairman of the Committee, the subcommittee chairman, or other member of the Committee presiding at such hearing or meeting and may be terminated by such member in accordance with the Rules of the House.

(2) Personnel providing coverage by the television and radio media shall be then currently accredited to the Radio and Television Correspondents' Galleries.

(3) Personnel providing coverage by still photography shall be then currently accredited to the Press Photographers' Gallery.

(b) Internet Broadcast. An open meeting or hearing of the Committee or subcommittee may be covered and recorded, in whole or in part, by Internet broadcast, unless such meeting or hearing is closed pursuant to the Rules of the House and of the Committee. Such coverage shall be fair and nonpartisan and in accordance with clause 4(b) of House Rule XI and other applicable rules of the House of Representatives and of the Committee. Members of the Committee shall have prompt access to any recording of such coverage to the extent that such coverage is maintained. Personnel providing such coverage shall be employees of the House of Representatives or currently accredited to the Radio and Television Correspondents' Galleries.

RULE 23. CHANGES IN COMMITTEE RULES

The Committee shall not consider a proposed change in these rules unless the text of such change has been delivered or electronically sent to all members and notice of its prior transmission has been in the hands of all members at least 48 hours prior to such consideration; a member of the Committee shall receive, upon his or her request, a paper copy of the proposed change.

ADJOURNMENT

The SPEAKER pro tempore. Without objection, the House stands adjourned until 12:30 p.m. on Monday next for morning hour debate.

There was no objection.

Accordingly (at 2 o'clock and 2 minutes p.m.), under its previous order, the House adjourned until Monday, February 12, 2007, at 12:30 p.m., for morning hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

566. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report on U.S. military personnel and U.S. individual civilians retained as contractors involved in supporting Plan Colombia, pursuant to Public Law 106-246, section 3204 (f) (114 Stat. 577); to the Committee on Armed Services.

567. A letter from the Assistant Secretary of the Army for Civil Works, Department of Defense, transmitting notification that the Secretary of the Army supports the authorization and plans to implement the flood damage reduction project for the Town of Bloomsburg, Columbia County, Pennsylvania; (H. Doc. No. 110–13); to the Committee on Transportation and Infrastructure and ordered to be printed.

568. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Reporting Rules for Widely Held Fixed Investment Trusts [TD9308] (RIN: 1545-BF75) received January 3, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

569. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Qualified Amended Returns [TD 9309] (RIN: 1545-BD40) received January 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

570. A letter from the Chief, Publications and Research Branch, Internal Revenue Service, transmitting the Service's final rule — Source of Income from Certain Space and Ocean Activities; Source of Communications Income [TD 9305] (RIN: 1545-AW50) received January 3, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

571. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — User Fees for Processing Installment Agreements [TD 9306] (RIN: 1545-BF69) received January 3, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

572. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Changes in Computing Depreciation [TD 9307] (RIN: 1545-BC18) received January 3, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

573. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Guidance Necessary to Facilitate Business Electronic Filing Under Section 1561 [TD 9304] (RIN: 1545-BF26) received January 3, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

574. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Closing agreements (Rev. Proc. 2007-19) received February 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

575. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — North Dakota State University v. United States — received February 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

576. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Closing Agreements for Certain Life Insurance and Annuity Contracts that Fail to Meet the Requirements of Section 817(h), 7702 of 7702 A (as Applicable) [Notice 2007-15] received February 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

577. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Diversification Requirements for Qualified Defined Contribution Plans Holding Publicly Traded Employer Securities [Notice 2006-107] received February 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

578. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Liabilities in excess of basis (Rev. Rul. 2007-8) received January 23, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

579. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Determination of Issue Price in the case of Certain Debt Instruments Issued for Property (Rev. Rul. 2007-9) received January 23, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

580. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Special rules for certain transactions where stated principal amount does not exceed $2,800,000 (Rev. Rul. 2007-4) received January 23, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

581. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Rules and Regulations (Rev. Proc. 2007-18) received January 23, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

582. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Changes in accounting periods and in methods of accounting (Rev. Proc. 2007-16) received January 5, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

583. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Taxable year of inclusion (Rev. Proc. 2007-

1) received January 5, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

584. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Special rules for certain transaction where stated principal amount does not exceed $2,800,000 (Rev. Proc. 2007-4) received January 5, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

585. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Rulings and determination letters (Rev. Proc. 2007-4) received January 5, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

586. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Rulings and determination letters (Rev. Proc. 2007-5) received January 5, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

587. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Rulings and determination letters (Rev. Proc. 2007-6) received January 5, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. RANGEL (for himself and Mr. McCrery):

H.R. 976. A bill to amend the Internal Revenue Code of 1986 to provide tax relief for small businesses, and for other purposes; to the Committee on Ways and Means.

By Mr. BECERRA (for himself and Mr. Weldon of Florida):

H.R. 977. A bill to amend title 35, United States Code, to prohibit the patenting of human genetic material; to the Committee on the Judiciary.

By Mr. THOMPSON of Mississippi (for himself, Ms. Jackson-Lee of Texas, Mr. DeFazio, Ms. Norton, Ms. Zoe Lofgren of California, Mr. Carney, and Mr. Cuellar):

H.R. 978. A bill to reaffirm the authority of the Comptroller General to audit and evaluate the programs, activities, and financial transactions of the intelligence community, and for other purposes; to the Committee on Intelligence (Permanent Select), and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 20: Mr. Jindal, Mr. Rothman, Mr. Allen, Mrs. Capps, Mr. Moran of Virginia, Mr. Cummings, Mrs. Christensen, Ms. Schakowsky, Ms. Eshoo, Ms. Corrine Brown of Florida, Mr. Wexler, and Mrs. Davis of California.

H.R. 184: Mr. Bachus.

H.R. 511: Mr. Rogers of Michigan, Mrs. McMorris Rodgers, Mr. Lewis of Kentucky, and Mr. Sullivan.

H.R. 539: Mr. Aderholt, Ms. Baldwin, Mrs. Davis of California, Mr. Smith of Washington, Mr. Andrews, Mr. Saxton, and Ms. Loretta Sanchez of California.

H.R. 656: Mr. Wexler.

H.R. 811: Mr. Snyder.

H.R. 898: Mr. Murtha, Mr. Ackerman, Ms. Kaptur, Mr. Larson of Connecticut, Mr. Pomeroy, Mr. Doggett, Mr. Cleaver, Ms. Norton, Mr. Holt, Mr. Ehlers, Mr. Clay, Mr. Al Green of Texas, Mr. McNulty, and Mr. Van Hollen.

H.R. 960: Mr. Brady of Pennsylvania.

EXTENSIONS OF REMARKS

IN HONOR OF MARZEE ANN HYNEMAN

HON. MARION BERRY

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 2007

Mr. BERRY. Madam Speaker, I rise here today to pay tribute to a dear friend, Marzee Ann Hyneman, of Jonesboro, Arkansas. Marzee was not only a devoted mother, grandmother and wife; she was someone who spent her entire life working to make a positive impact in her community.

Marzee was born on August 28, 1919 in Jonesboro, Arkansas. After her father's death in an accident, she was raised by her mother, Carrie Rains Holt, and stepfather, William Charles Holt. She graduated from Jonesboro High School in 1936 and got her degree from Arkansas State University in 1940. While in college she was a member of the Alpha Tau Zeta and Phi Gamma Mu sororities, the French and Home Economics Club, and was selected as Journalism Queen. After college, Marzee married Frank Hyneman on December 12, 1943, just before he was sent overseas to fight in World War II. Upon his return they resided in Trumann, Arkansas.

Throughout her lifetime, Marzee was a civic leader who constantly worked to make positive changes in her community. She was an active member the Century Arts and Civic Club and the Daughters of the American Revolution. She also generously opened her home in Weona, Arkansas to host the Trumann Fine Arts Council Mayfest musical celebration for several years. Marzee was also president of the Trumann Parent Teacher Association in 1961–62 and coordinator of Trumann's celebration of the USA Bicentennial in 1976. Because of her leadership, she was the first recipient of the "Woman of the Year" award given by the Trumann Jaycettes.

As a member of the First United Methodist Church in Trumann, Marzee served as choir director for 17 years and believed that her tenure as the director was perhaps one of her proudest accomplishments.

Marzee and her husband Frank Hyneman have two sons and daughters-in-law, Ben and Janet Hyneman and Hal and Pam Hyneman of Jonesboro. They also have five grandchildren, Brian Hyneman, Matt Hyneman, Lindsey Ann Hyneman, Hunter Hyneman and Camden Rains Hyneman and three great-grand children. They carryon the family tradition of community responsibility and activism.

I ask my colleagues to join me in recognizing Marzee Ann Hyneman. She was an incredible woman who made a difference in the lives of so many Arkansans. She will be remembered as a great friend and will be missed by all who knew her.

HONORING ALABAMA'S ARMY NATIONAL GUARD

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 2007

Mr. BONNER. Madam Speaker, today I rise to pay tribute to the men and women of Alabama's Army National Guard.

Alabama has distinguished itself by having sent more Army National Guard troops to Iraq and Afghanistan than any other State except Texas since September 11, 2001. As of December 2006, a total of 7,068 men and women have been deployed to these two fronts: 6,281 Alabama Army National Guard troops to Iraq and 787 to Afghanistan.

The men and women of Alabama's Army National Guard should not simply be commended for their bravery, but for their dedication and commitment to the cause of freedom. Alabama's Army National Guard continues to distinguish itself through brave and honorable service, which is evident from the numerous awards and decorations conferred upon many units of Alabama's Army National Guard. These high deployment levels confirm that Alabama's Army National Guard units are equipped with the necessary skills to meet the United States military's mission requirements in Afghanistan and Iraq.

The dedication of the men and women of Alabama's Army National Guard, as well as the vision and leadership of the officers in charge, has brought honor to the Guard, their fellow Alabamians, and fellow Americans. They and their families have sacrificed much, while some have paid the ultimate price ensuring our freedom. The diversity of units sent to Iraq and Afghanistan includes medical, engineering, water purification, military police, special forces transportation, and communication units. Currently, seven of Alabama's Army National Guard units are serving in Iraq, comprised of approximately 1,100 troops, and others around the State are on alert awaiting possible deployment.

It is an honor for me to rise today and recognize the brave men and women of America's armed forces, and in particular, the brave men and women of Alabama's Army National Guard. May their dedication to the cause of freedom be an example to their families, friends, neighbors and citizens throughout Alabama and across the United States of America.

HONORING AND RECOGNIZING THE HEROES OF THE BATTLE OF CRETE

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 2007

Mrs. MALONEY of New York. Madam Speaker, I am reintroducing legislation to honor and recognize the heroes of the Battle of Crete and commend the PanCretan Association of America for preserving and promoting the history of Crete and its people.

During the Battle of Crete in May 1941, Allied forces and the people of Crete joined together to fight against an advancing Nazi army. Although unsuccessful in defeating the Nazi invaders, this coalition of forces inflicted enormous causalities to the airborne Nazi assault, resulting in more than 3,700 German troops killed and the destruction of multiple transport aircraft. In addition to these losses, the Allied forces were able to hold off the Nazi victory long enough to ensure that the German army would face a harsh and destructive winter as it proceeded to Russia.

This resolution observes the memory of the brave men and women who perished and honors the living that fought in the Battle of Crete.

PAYING TRIBUTE TO KATHLEEN DYE

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 2007

Mr. PORTER. Madam Speaker, I rise today to honor Kathleen Dye, the executive director of the Southern Nevada Chapter of HomeAid. She leads an organization which tirelessly works to better the lives of all Nevadans.

HomeAid is a non-profit organization that seeks to construct and renovate shelters for temporarily homeless families and individuals. In addition, every HomeAid project includes support services that help residents move toward self sufficiency, such as educational and job training, as well as physical and emotional support.

It is with this mission in mind that Kathleen is leading HomeAid's efforts to help renovate the St. Jude's Ranch for Children's Boulder City campus. HomeAid has undertaken this effort along with a team of more than 100 volunteer subcontractors since early January.

Madam Speaker, I am proud to honor Kathleen Dye. Her work with HomeAid and efforts on behalf on Southern Nevada's homeless is truly commendable. Her enthusiastic and dedicated approach has helped and inspired numerous Nevadans to better their lives. Kathleen Dye and the volunteers and staff of the

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Southern Nevada Chapter of HomeAid have made a profound difference in our community and we are most fortunate to have such a civic minded organization in Southern Nevada. I applaud her efforts and wish her the best in her future endeavors.

RECOGNIZING TYLER COVERDELL FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Tyler Coverdell, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 75, and in earning the most prestigious award of Eagle Scout.

Tyler has been very active with his troop, participating in many Scout activities. Over the years Tyler has been involved with Scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Tyler Coverdell for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

CONCERNING VENEZUELA'S PASSAGE OF THE ENABLING LAW

HON. CONNIE MACK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 2007

Mr. MACK. Madam Speaker, I rise today to call attention to a gathering storm in our own backyard.

Last week, Venezuela's self-proclaimed Communist President Hugo Chavez was granted free rein to accelerate changes in all areas of society by presidential decree.

This action, granted to him by the National Assembly, which is completely under his control, is putting Venezuela on a rapid path toward dictatorship.

Venezuelan lawmakers unanimously gave President Chavez sweeping powers to legislate by decree and impose his radical vision of a socialist state in the mold of Castro's Cuba.

The new law gives Chavez more power than he has ever had in 8 years as president.

And, based upon his own words and statements, he plans to use this power to nationalize many privately held companies, snuff out political dissent, and remove term limits, thereby allowing him to serve indefinitely as president.

Madam Speaker, some of my colleagues on both the left and the right argue that Chavez was democratically elected and that he and his quest for his Bolivarian Revolution are no threat to the Western Hemisphere.

For example, last week in response to the new law, Assistant Secretary of State for the Western Hemisphere Tom Shannon said, and I quote from an interview with the Associated Press, "the enabling law isn't anything new in Venezuela. It's something valid under the constitution. As with any tool of democracy, it depends how it is used. At the end of the day, it's not a question for the United States or for other countries, but for Venezuela."

But I vehemently disagree with this statement and the hands-off-approach-to-Chavez sentiment. The mere holding of elections is not enough.

Venezuela with Chavez at the helm is on a glidepath towards a dictatorship disguised as a democracy.

Madam Speaker, we should all be concerned about the direction President Chavez is taking his country. Any leader who tries to tighten his grip on power by destroying the institutions of democracy, curtailing press freedom, and using his office to intimidate pro-democracy opponents is setting in motion a dangerous process with potentially ominous consequences.

During almost every speech Chavez gives, he says it is "socialism or death." Madam Speaker, it is time to realize Chavez must be taken seriously. We must refocus our efforts in Latin America and defeat this gathering storm.

INTRODUCTION OF FOUR NATIVE AMERICAN BILLS

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 2007

Mr. UDALL of Colorado. Madam Speaker, I am today reintroducing four bills that would make various changes in current laws regarding Native Americans. Each of these bills is identical to one that I introduced last year, and each is identical to a bill passed by the Senate in 2005 or 2006 on which action was not completed before the end of the 109th Congress. I am reintroducing them today so that their consideration can resume without further unnecessary delay.

One bill corresponds to S. 1231 as passed by the Senate on December 14, 2005. Entitled the "National Fund for Excellence in American Indian Education Amendments Act," it would amend the Act to provide four key improvements intended to assist the Fund in achieving self-sufficiency. First, it would provide initial seed money to the Fund for three fiscal years to facilitate operations. In addition, it would authorize the Secretary to provide funding for operational costs of the Fund on a reimbursement basis. It also would authorize the Board to appoint the Chief Operating Officer rather than mandating the Secretary of the Board serve as the Chief Operating Officer. And it would increase the administrative cost cap of ten percent currently in place to 20 percent for one year, 15 percent the following year and then decreasing back to 10 percent.

Another bill corresponds to S. 1758, as passed by the Senate on September 26, 2005. It would amend the Indian Financing Act of 1974 with respect to loan guaranty and insurance to: (1) authorize the Secretary of the Interior to guarantee or insure loans to both for-profit and nonprofit borrowers; and (2) allow all or any portion of a guaranteed or insured loan, including its security, to be transferred by the lender by sale or assignment to any person, and be retransferred by the transferee. It also would allow a fiscal transfer agent to be compensated through any of the fees assessed and any interest earned on any funds or fees the agent has collected while the funds or fees are in the agent's control and before the time at which the agent is contractually required to transfer such funds to the Secretary or to transferees or other holders. And it would make loans made by an eligible Community Development Finance Institution eligible for guaranty or insurance and increase from $500 million to $1.5 billion the amount of loans the Bureau of Indian Affairs can have outstanding.

Another bill corresponds to S. 1480, passed by the Senate on July 26, 2006. It provides that any actual rental proceeds certified by the Secretary of the Interior from the lease of land acquired with a FHA Direct Loan by an Indian tribe or Tribal Corporation shall be deemed to: (1) constitute the rental value of that land; and (2) satisfy the requirement for appraisal of that land.

And another bill corresponds to S. 1483, also passed by the Senate last July 26th. It would amend the Carl D. Perkins Vocational and Technical Education Act of 1998 with respect to grants to tribally controlled postsecondary vocational and technical institutions that are not receiving federal support under the Tribally Controlled College or University Assistance Act of 1978 or the Navajo Community College Act to provide basic support for the education and training of Indian students. It also would revise the definition of "Indian student count" (essential to the formula for the determination of grant amounts). And it would require the Indian student count to be determined according to a specified formula, for each academic year, on the basis of the enrollments of Indian students as in effect at the conclusion of the third week of the fall term and the third week of the spring term, allowing the counting of students without secondary school degrees under certain circumstances.

I urge the leadership of the committees to which these bills will be referred to consider them as soon as practicable.

CONGRATULATING MRS. SHIRLEY SISCO VAUGHN ON THE OCCASION OF HER RETIREMENT

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 2007

Mr. BONNER. Madam Speaker, it is with great pride and pleasure that I rise to honor Mrs. Shirley Sisco Vaughn on the occasion of her retirement from teaching after serving the people of Mobile County and Alabama's First District for 44 years.

During her distinguished teaching career in Mobile, Mrs. Vaughn served as a teacher for Mobile County Public Schools, Mobile Christian School, and Faulkner University. She also taught in the National Guard's extended education program. Many years of her personal sacrifice and dedication have benefited our community and our service members in the military.

Mrs. Vaughn has also been a devoted mother to her two sons, John and Robert Bogle. Mrs. Vaughn has humbly guided thousands of lives throughout her career, and it is with great honor that I rise today to recognize her service.

Madam Speaker, there are few individuals more important to the development of our young men and women in this country than those who commit themselves to educating children. Mrs. Shirley Vaughn is an outstanding example of the quality individuals who have devoted their lives to the field of education, and I ask my colleagues to join me in congratulating a dedicated teacher and friend to many throughout south Alabama. I know Mrs. Vaughn's colleagues, her family, and her many friends and former students join with me in praising her accomplishments and extending thanks for her many efforts over the past four decades on behalf of Mobile County and the First Congressional District.

INTRODUCTION OF THE TANNING ACCOUNTABILITY AND NOTIFICATION ACT—THE TAN ACT

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 2007

Mrs. MALONEY of New York. Madam Speaker, today I am reintroducing bipartisan legislation along with my friend and colleague from Florida, Representative GINNY BROWN-WAITE, the Tanning Accountability and Notification Act. This bill would require the Food and Drug Administration to determine whether the current labeling of indoor tanning beds provides sufficient information to consumers about the risks associated with indoor tanning beds. It doesn't tell the FDA what the label should say, it merely tells the FDA to examine the label and figure out how to make it as effective as possible. The current tanning bed warning label hasn't been updated since 1979. It is over 104 words long and it buries the mention of skin cancer deep in the label, and it is often placed where nobody can see it.

The statistics on skin cancer are sobering. According to the American Academy of Dermatology, 70 percent of tanning bed users are women between the ages of 16 and 49. The American Cancer Society estimates that this year more than 1 million people are expected to be diagnosed with skin cancers, which is associated with exposure to ultra-violet light. In 2007, a person's chances of getting invasive melanoma was 1 in 63. In 2007, a person's chances of getting melanoma were 1 in 33. One American dies of melanoma every 65 minutes.

We need a clear, simple warning that reflects the science of the 21st century so we can help reduce the numbers of preventable melanomas.

RECOGNIZING MITCHELL KILPATRICK FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Mitchell Kilpatrick, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, and in earning the most prestigious award of Eagle Scout.

Mitchell has been very active with his troop, participating in many Scout activities. Over the many years Mitchell has been involved with Scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

For his Eagle Scout project, Mitchell researched 42 years of football statistics for defense, offense and special teams to determine the record holders for Truman High School. He also raised $1,300 to purchase a glass covered statistics case which now displays the record holders' names and their statistics at Truman High School.

Madam Speaker, I proudly ask you to join me in commending Mitchell Kilpatrick for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

TRIBUTE TO CHRISTOPHER MARTIN

HON. ALAN B. MOLLOHAN

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 2007

Mr. MOLLOHAN. Madam Speaker, the Homeland Security Appropriations Subcommittee and the Commerce, Justice, Science Appropriations Subcommittee will soon bid farewell to our Congressional Fellow, Christopher Martin, as he begins his next assignment with the U.S. Coast Guard. Lieutenant Commander Martin has proven himself to be a tremendous asset to the work of both of these subcommittees.

As he assisted subcommittee staff members, Chris brought a unique perspective to bear on many of the lively debates and sometimes convoluted issues we face as we craft appropriations bills, and in overseeing the agencies and programs in our jurisdiction. Throughout his service here, Chris's unqualified professionalism, perceptiveness, willingness to pitch in, and cool head have helped these subcommittees and the Congress move forward on a wide range of policy and budgetary issues. His assistance in planning for and coordinating a complicated trip to review all of the border and immigration issues on the southern border was of particular benefit to us.

Lieutenant Commander Martin has served these subcommittees, and the House well. Each of us on the Homeland Security and Commerce, Justice, Science Appropriations Subcommittees wish Chris all the best as he resumes his Coast Guard career, and expect to see great things there.

CHARITY CARE FOR THE UNINSURED ACT

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 2007

Mr. WOLF. Madam Speaker, there are more than 40 million uninsured Americans today—nearly a million in the Commonwealth of Virginia. Throughout the country, medical professionals and countless others have responded to the need of those who are seriously ill and cannot pay for a doctor, medicine, and other health costs. In many places, this help has come in the form of community free clinics.

Community free clinics, particularly in Virginia, have helped people in communities come together to care for those in need. The health care "safety net" for the poor, like the community free clinics in my congressional district, exists in communities across America, but often in widely varying degrees.

I am pleased to introduce today the Charity Care for the Uninsured Act. While this legislation alone will not solve the problem of the uninsured. I believe it will help strengthen community "safety nets," like the community free clinics in Virginia, for those in need and will allow doctors recognition for their willingness to give back to their communities.

The Charity Care for the Uninsured Act would provide a personal income tax credit of up to $2,000 for doctors who provide between 25 and 50 hours of uncompensated, pro bono charity care to the uninsured in a single calendar year. This legislation would encourage the many physicians who have treated patients who were not able to pay, either in their offices or in community clinics, to continue to do so.

The Charity Care for the Uninsured Act also will help provide a valuable tool—a personal tax credit—to community clinics in recruiting physicians as well as helping motivate countless specialty doctors to take community clinic referrals. Free clinics have contributed to reduced emergency room, ER, utilization among the uninsured, helping save taxpayer dollars. A safety net in which the uninsured can access specialists and medications will improve their health and guard against catastrophic illnesses and trips to the ER.

All of the cost savings and health benefits can be traced back to the commitment and the compassion of the doctors and community partners, and their concern for those who cannot afford insurance. The Charity Care for the Uninsured Act of 2007 recognizes and encourages these caring acts made to help those who need a helping hand. This legislation can be an important tool for communities as they seek to strengthen or build the health care safety net available their uninsured residents.

FLOOD INSURANCE COMMUNITY OUTREACH GRANT PROGRAM ACT OF 2007

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 2007

Ms. MATSUI. Madam Speaker, almost a year and a half after Hurricanes Katrina and Rita, it is clear that more needs to be done to protect and prepare homeowners from future catastrophic flooding. This is why I have reintroduced the "Flood Insurance Community Outreach Grant Program Act of 2007" The intent of this legislation is to increase the overall participation in the National Flood Insurance Program (NFIP) while moving the program toward long-term stability and solvency.

My legislation will forge a stronger partnership between the Federal Government and local floodplain managers. It will:

Create a grant program within FEMA to educate property owners about their flood risk and about the importance of flood insurance; and

Funds this grant program at $50 million dollars annually over 5 years.

People at risk of flooding need to know their options and our local floodplain managers are our best partners in this effort. To put it quite simply, with 20,000 participating communities in NFIP-one size does not fit all. Our local partners know the risks, they know the landscape and in many cases they know the people. They know how to reach out to the people in their flood plain.

They can focus on the estimated 20 to 25 percent of property owners who have fallen through the cracks of our flood insurance system. People who are supposed to carry flood insurance, but do not carry it. Or use the money for an educational campaign directed towards people living in areas protected by levees, but not subject to the Federal flood insurance requirement. Spreading the message: Levees can fail or overtop in severe weather. So it is common sense to carry flood insurance, even if the federal government no longer requires it.

This program can work.

A little over a year ago, with the support of a $162,000 FEMA grant, my local flood protection body, the Sacramento Area Flood Control Agency (SAFCA), conducted just such a flood insurance outreach initiative.

SAFCA reached out to more than 45,000 National Flood Insurance Program (NFIP) policyholders in the American River floodplain. In February of 2005, this densely populated region was released from the Federal flood insurance requirement.

SAFCA's efforts yielded impressive results.

More than one year after SAFCA conducted outreach, seventy-four percent of the 45,000 NFIP policyholders who were removed from the Federal requirement had maintained their flood insurance protection.

Of this group, forty-three percent now carry Preferred Risk flood insurance. Preferred Risk Policies provide property owners, who have been released from the Federal requirement, but remain at risk of flooding, with full flood insurance protection for about half the price of a Standard flood policy. Because of their lower cost, it is likely that these Preferred Risk Policies will result in a higher level of policy retention over time.

Through this partnership with SAFCA, FEMA was able to retain a high number of flood insurance policies in the Sacramento region—a region that accounts for nearly 1 in 4 of all flood insurance policies in California.

Increasing the number of people who carry and hold on to their flood insurance will only strengthen the National Flood Insurance Program. And as Katrina made painfully clear: We need a strong and functional program to be there for our constituents in times of crisis.

While this grant program would be funded at $50 million dollars annually and authorized for 5 years, I want to emphasize that this grant program has an excellent return on its investment.

For FEMA to recoup its initial grant to SAFCA, five hundred and fifty Preferred Risk Policies had to be sold to property owners who otherwise would have canceled their flood insurance. SAFCA accomplished this . . . more than 20 times over.

Because of the FEMA and SAFCA partnership, more than 35,000 property owners who did not have to carry flood insurance stayed in the Federal flood insurance pool. What is more, nearly 13,000 policyholders in the American River floodplain switched to Preferred Risk Policies.

In short, FEMA got its money's worth. And this says nothing of the Sacramento premiums that will continue to come into the Federal flood insurance pool each year these policyholders maintain their flood insurance.

Again, most of these policyholders no longer have to buy flood insurance. They do so because it is the safe thing to do. Because SAFCA has alerted them to the on-going flood risk in their community. And because they saw what happened on the gulf coast.

If we can have this type of success in Sacramento, I am confident it can be replicated across the country.

These local outreach efforts will augment and benefit FEMA's existing marketing program by targeting property owners who are most likely to leave the NFIP—those who have been or will be released from the Federal flood insurance requirement.

The lesson learned here is that people whose houses, apartments and businesses are vulnerable to flooding are willing to enter and stay in the National Flood Insurance Program when they are informed of the risk they face and the options available to them.

Let me be clear, I speak from experience. When it comes to flood risk, my district of Sacramento is the most at-risk river city in the Nation.

My highest priority is to provide the city of Sacramento, my neighbors and my constituents with the best flood protection possible. We are making strides in strengthening and reinforcing the levees in Sacramento and making improvements to Folsom Dam—but whenever I talk about these efforts I remind my constituents, "If you live behind a levee, you should purchase flood insurance."

Finally, I am encouraged by the efforts we are making as a nation to develop a comprehensive flood protection agenda.

FEMA is in the process of implementing their Map Modernization Program that will update our Nation's flood maps.

Additionally, the Army Corps of Engineers is conducting a national levee inventory. When completed, this inventory will provide communities a greater understanding of their flooding vulnerabilities. It will also provide us with a good indication as a country as to what long term investments need to be made toward our flood protection infrastructure.

Both the FEMA Remapping initiative and the levee inventory are important to the long term safety and economic security of our country. The "Flood Insurance Community Outreach Grant Program Act of 2007" would be an excellent resource for communities to augment these initiatives.

This bill is a step in the right direction in providing for comprehensive flood protection for property owners and communities. I urge my colleagues to support this important legislation.

HONORING THE MEMORY OF MR. RYAN DEGRAFFENRIED, JR.

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 2007

Mr. BONNER. Madam Speaker, the city of Tuscaloosa and indeed the entire State of Alabama recently lost a dear friend, and I rise today to honor him and pay tribute to his memory.

Former State Senator Ryan deGraffenried, Jr., was a devoted family man and dedicated community leader throughout his entire life.

A graduate of the University of Alabama and the Cumberland School of Law at Samford University, Ryan represented the Tuscaloosa area in the Alabama Senate for 16 years, 7 of which he served in the Senate's highest position, president pro tempore.

The last year and a half of his term, he became the Senate's presiding officer when Lt. Governor Jim Folsom, Jr., ascended to the governor's office.

Ryan's legacy in Alabama will certainly be his hard work and dedication, as well as the fact that his word was his bond.

Make no mistake, the University of Alabama couldn't have had a better friend in the legislature than Ryan deGraffenried and the entire State watched with awe as he played a lead role in establishing the first auto assembly plant in Alabama, the Mercedes-Benz plant in nearby Vance.

Ryan's political savvy, combined with his many friendships in the legislature, enabled him to ensure the economic incentives necessary to make the Mercedes deal a reality passed the legislature, and in so doing, he deserves the lion's share of credit for helping to create what is today Alabama's booming auto industry.

Madam Speaker, I ask my colleagues to join me in remembering a dedicated community leader and friend to many throughout Alabama. Ryan deGraffenried, Jr., will be deeply missed by his family—his wife, Sandra Sims-deGraffenried and his children, William Ryan deGraffenried III and Frances Margaret deGraffenried—as well as the countless friends he leaves behind. Our thoughts and prayers are with them all at this difficult time.

RECOGNIZING MICHAEL REYNOLDS FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Michael Reynolds, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, and in earning the most prestigious award of Eagle Scout.

Michael has been very active with his troop, participating in many scout activities. Over the years Michael has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Michael's dedication to his school work and church are outstanding. Michael works hard in school, while he remains involved with his church where he is the second assistant to the President of the Priest's quorum. Michael has also contributed significantly to the community, through his planning and organization of a food drive that collected more than 600 nonperishable food items for donation to the local food pantry.

Madam Speaker, I proudly ask you to join me in commending Michael Reynolds for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

TRIBUTE TO VOLUNTEER FIREFIGHTER SHANE DAUGHETEE

HON. ZACH WAMP

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 2007

Mr. WAMP. Madam Speaker, I rise today to honor the life and memory of Volunteer Firefighter, Shane Daughetee. We thank him for his work and that of the 750,000 Volunteer firefighters nationwide.

Recently, this valiant, young man died while rescuing a family from a fire in Hamilton County, TN. The 24-year-old volunteer fell through the roof of the burning home, but the family members' lives were spared because of his bravery.

Mr. Daughetee was part of the Highway 58 Fire department. He was a 7-year veteran of the department and had been named firefighter of the year. He was laid to rest at New McDonald East View Cemetery.

Our thoughts and prayers are with his wife, Nicole, who he had met while working at Winn-Dixie together years ago, lost touch with, and subsequently started dating in 2002. Since then, fellow volunteers said Shane and Nicole were joined at the hip.

Nicole wore her husband's firefighter jacket to his funeral. She said her husband loved being a firefighter so much that when they bought a house last summer, he insisted that it be in his station's district so he could continue to volunteer there, Mr. Daughetee is also survived by his parents, James and Linda. We mourn with the entire Daughetee family at this difficult time. Shane Daughetee will be greatly missed and was an extraordinary citizen of East Tennessee.

We are so grateful for the dedication and compassion of all Volunteer Firefighters and other rescue personnel as they put themselves at risk to save perfect strangers in our communities. These men and women put their lives on the line to help others every day and we often do not take the time to think of emergency personnel and the dangers they are willing to face. Their courage is unquestioned, their cause is noble, and we thank them for ensuring our safety.

JOE T. GETHERALL MEDAL OF HONOR LEGISLATION

HON. GRACE F. NAPOLITANO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 2007

Mrs. NAPOLITANO. Madam Speaker, I rise to introduce a bill to authorize and request the President of the United States to award the Medal of Honor to Joseph T. Getherall, of Hacienda Heights, California, for acts of valor while serving his country in the Republic of Vietnam on December 22, 1966.

Joe Getherall was a sergeant in the United States Marine Corps who served two tours of duty in Vietnam and was seriously wounded three times during his second tour. He served as a squad leader with Company M, Third Battalion, Twenty-Sixth Marines, Third Marine Division during "Operation Chinook." In the early morning hours of December 22, 1966, Company M was occupying a night defensive position in the area of the Co Bi-Than Tan Corridor, Thua Thien Province. Suddenly, the Marines came under intense small arms and mortar fire from the 802nd Viet Cong Battalion. Sergeant Getherall unhesitatingly exposed himself to intense small arms, automatic weapons, and mortar fire in order to repeatedly move across open terrain to effectively control his unit. While moving from one position to another he was seriously wounded in both legs and arms by an exploding mortar round. However, despite his painful injuries, he steadfastly refused medical evacuation and continued to direct his unit.

As the battle raged throughout the night, with most of the enemy ground assaults concentrated in front of his squad's position through 50 meters of open terrain, he continually exposed himself to enemy small arms fire. With enemy mortars and grenades exploding around him he disregarded his own safety in order to pinpoint enemy targets, direct fire, resupply his men with ammunition and ensure the integrity of the perimeter defense. He personally killed many of the enemy attackers with his own rifle fire. During one of the enemy assaults, a Marine went down in the open. Sergeant Getherall realized the gravity of the situation and fearlessly moved across the hazardous open terrain under intense enemy fire and dragged the Marine to cover.

During another assault, Sergeant Getherall observed a Viet Cong about to throw a grenade and Sergeant Getherall killed him with rifle fire. The enemy was still able to throw his grenade, which landed among the Marines. Sergeant Getherall shouted a warning to his men and with complete disregard for his own life, under heavy enemy fire he was able to get to the grenade and jump on it. He then picked it up and threw it back at the enemy where it exploded a few meters away, wounding Sergeant Getherall for a second time in one of his legs. By his prompt and courageous action in the face of almost certain death, he saved several of his squad members from death or serious injury.

During the remainder of the night, he moved among his men, encouraging them and ensuring that there was maximum security and firepower to repulse subsequent attacks. Inspired by his selfless courage and aggressive fighting spirit, his squad members repulsed a number of savage attacks while inflicting heavy casualties on a determined and numerically superior enemy force. By his outstanding leadership, resolute determination and unfaltering devotion to duty in the face of grave personal danger, Sergeant Getherall upheld the highest traditions of the Marine Corps and of the United States Naval Service.

This bill I am introducing today will waive the time limitations that require the award to be made within 5 years of the act. This is needed because the original award recommendation by Gary Loveridge, the platoon commander at the time, was lost by the Marine Corps. Additionally, six of Sergeant Getherall's squad members and his commanding officer have recently submitted sworn affidavits attesting to his heroic actions.

Madam Speaker, Joe Getherall is a great man who performed an amazing feat to defend his country and his squadron. He deserves the Medal of Honor for his heroic actions and I urge my colleagues to support this bill.

CENTENNIAL OF THE FOUNDING OF EAST MILLINOCKET

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 2007

Mr. MICHAUD. Madam Speaker, I rise today to honor the families who 100 years ago, drawn by the promise of employment at Great Northern Paper Company's new 4-machine mill on the banks of the Penobscot River, founded the town of East Millinocket in northern Maine.

Working together for the benefit of their new community, the people of East Millinocket quickly established a school, water and sewer system, and volunteer fire department. They also established a proud way of life. Today, equipped with the same community spirit and sense of common purpose, the people of East

Millinocket continue to embrace the challenges and opportunities of living and working at the gateway to Maine's North Woods.

Like my father and my grandfather before me, I joined these hardworking individuals as we all worked together to provide for ourselves and our families at the Great Northern Paper Company mill in East Millinocket. I am happy to have grown up and worked alongside these proud people, and it is these individuals and families along with the many other hardworking people of Maine that I remember every time I cast a vote here on the floor of the U.S. House of Representatives.

It is an honor and a privilege to represent the people of East Millinocket and I am happy to have this opportunity to help this community, the "town that paper made," celebrate its 100th anniversary.

IN MEMORY OF PRIVATE CLARENCE T. SPENCER

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 2007

Mr. BURGESS. Madam Speaker, I rise today to share the collective grief of the people of north Texas in the death of PVT Clarence T. Spencer, 24, who died defending our country in support of Operation Iraqi Freedom on February 4, 2007.

Mr. Clarence Spencer was assigned to B Company, 1st Battalion, 12th Cavalry Regiment, and 1st Cavalry Division at Fort Hood, Texas. While serving the U.S. Army, he put forth continuous dedication and bravery in protecting our Nation. His compassion and faithfulness in serving our country will forever be remembered, and his loss is greatly felt by all.

Mr. Spencer is survived by his wife in Killeen, Texas, and his mother and father in Fort Worth, Texas. I extend my sincerest condolences to his family and friends, and my thoughts and prayers are with them. Mr. Spencer's courage and dedication brought hope of a safer country. He will be remembered as a husband, a son, and a hero.

TRIBUTE TO HRANT DINK

HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 2007

Mr. GARRETT of New Jersey. Madam Speaker, last month, the world lost a powerful voice for free speech when journalist Hrant Dink was tragically killed for expressing his views on the Armenian Genocide. His death should serve as a watershed moment for Turkish-Armenian relations.

While Turkish officials have rightly condemned the killing, Turkey should honor the memory of Hrant Dink by using this opportunity to begin an open dialogue between Turkish citizens and their neighbors of Armenian descent. Laws that criminalize free speech and serious discussion of difficult issues are counterproductive to true democratic reform, which the Turkish government has called a priority. Taking steps to finally reconcile its past with its future by recognizing the Armenian Genocide are the foundations for real progress for Turkey.

In the wake of this tragedy, we must not allow an assassin's bullet to silence such a dynamic voice for change, but rather, continue to encourage Turkey to make positive changes with the same resolve Hrant Dink showed throughout his life as a champion of freedom.

TRIBUTE TO MR. GARY KURPIUS

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 2007

Mr. YOUNG of Alaska. Madam Speaker, I rise today to congratulate a great Alaskan, Mr. Gary Kurpius, who was recently elected Commander-in-Chief of the Veterans of Foreign Wars, the Nation's largest association of combat veterans. Gary Kurpius was elected to his position on August 31, 2006, at the VFW's 10th National Convention, in Reno, Nevada. Gary Kurpius is the first Alaskan to hold this tremendously important position.

During the Vietnam War Gary Kurpius served with the Army's 541st Transportation Company providing vital convoy security throughout the central highlands, an extremely treacherous area. He was awarded the National Defense Service Medal, the Vietnam Service Medal with four bronze service stars and the Republic of Vietnam Service Medal, for his endeavors during the conflict. In addition to the medals received during Vietnam, Gary Kurpius was selected Vietnam Veteran of the Year for St. Louis County, Minnesota by President Jimmy Carter.

After the war, Gary Kurpius continued his unremitting passion for public service. This led him to join VFW Post 1539 in Babbitt, Minnesota in 1970, where he became a life member. He earned the title of All American Post Commander in 1977 and in 1983 was named All American District Commander. Gary then transferred to VFW Post 9785 in Eagle River, Alaska in 1985. Currently Gary is a Life Member of VFW Post 9365 in Wasilla, Alaska, near to where he currently resides with his wife Nancy, in the beautiful city of Anchorage.

Gary has served diligently in the Department of Alaska service office for the last 19 years and as Department Adjutant for the past 17 years. Then in 2001, Gary was elected Department Commander and earned All-American Department Commander status. Most recently Gary completed a two-year term as Governor Tony Knowles' appointee to the Alaska Veterans Advisory Council.

Commander-in-Chief of the Veterans of Foreign Wars, Gary Kurpius, is also a member of the Military Order of the Cootie, American Legion and Vietnam Veterans of America. In 1999, he received the Alaska Community Service Medal. Few men have had such a dedicated and lengthy history of service and I know that Gary Kurpius will continue to serve with the same dedication and fortitude, meeting all the challenges he is presented with.

On behalf of The United States of America, I extend my thanks and appreciation to Commander-in-Chief Gary Kurpius, for his dedication and service to American Servicemen, the Veterans of Foreign Wars, and to the people of the Great State of Alaska.

IN MEMORY OF WILLIAM A. LUCKING, JR.

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 2007

Mr. GALLEGLY. Madam Speaker, I rise in memory of my friend, Bill Lucking, who died at home earlier this week at the age of 89, surrounded by generations of family.

There are not enough pages in the CONGRESSIONAL RECORD to do justice to the life of William A. Lucking Jr. He was a decorated World War II combat veteran, a horseman, a rancher, a hunter, a world traveler, an attorney, a community volunteer, and an outdoorsman as comfortable on land as he was on or below the water. Bill also was active in Republican politics, including being a delegate to the Republican Convention that nominated Richard Nixon in 1960, much to the chagrin of his Democratic father.

Bill Lucking would say that he worked hard and played hard. Raised in the Ventura County, California, community of Ojai, he bought more than 200 acres of rugged land there in 1956—6 years after he passed the California bar—and turned it into a thriving citrus and avocado ranch. His home there is testament to his world travels, filled with such treasures as maps and ancient pottery.

Bill served during World War II as a Navy Reserve ensign and skipper on coastal defense sailboats and as executive officer of the radar picket *Pritchett* (DD–561). It was on the *Pritchett* that he earned a Bronze Star for using a whaleboat to rescue sailors from the sinking USS *Callaghan* in the Pacific Theater.

Bill's love of the ocean continued throughout his life. He was a body surfer and a founder of the South Jetty Swells, and a diver who explored the sunken *Winfield Scott* off Anacapa Island. He put his horse-riding skills to use riding with the Ventura County Sheriff's Posse and Rancheros Adolfo—when he wasn't riding in Death Valley, Oregon, or with the Navajo in Arizona.

Bill was partner with many attorneys who went on to become judges. Bill also was offered judgeships, but turned them down. As he told a reporter in a 1970 interview, "I enjoy being on one side or the other."

In politics, he was squarely on the side of the Republican Party and was responsible for helping launch many a stellar political career, including that of my friend and mentor, a former member of this body, Bob Lagomarsino. Not only have they been close personal friends since the '50s, ("We called each other 'Cuz' because he was married to my wife's cousin," Bob recalled), but Bill also was instrumental in Bob running for the California Senate in 1961. Bob credits Bill for keeping the party in Ventura County strong in good times and bad.

True to a life lived on his own terms, when Bill learned the end was near, he left the hospital to "be at home, in front of the fire, with his arm around (his wife) Lucy," recalled his daughter, Helen.

Madam Speaker, I know my colleagues will join me in remembering Bill Lucking for a life lived to the fullest, who made contributions great and small in war and in peace, and who serves as an inspiration to all Americans.

Godspeed, Bill.

TRIBUTE TO CLARE ASHBY

HON. PHIL ENGLISH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 2007

Mr. ENGLISH of Pennsylvania. Madam Speaker, since the beginning of the year, my office has had the privilege of hosting Clare Ashby as an international trade intern.

Clare joined my Washington, D.C. team as part of the Uni-Capitol Washington Internship Program. Now in its 8th year, the educational exchange program brings 12 distinguished Australian university students to the Nation's capital each year to intern in the office of a Member of Congress. This unique bilateral exchange offers participants the opportunity to not only learn the inner-workings of the U.S. Federal Government but to also develop and maintain new, career-building relationships. Although this is only my first year hosting a student, I am impressed with Clare's intellectual curiosity and have found that she has made a real and substantial contribution in advocating my legislative efforts.

As a congressional intern in my office, Clare has actively engaged in open dialogue regarding the challenges of current U.S. trade policy; conducted extensive research and analysis on these same issues; and assisted in the drafting of legislation. Her intellectual breadth and keen ability to understand complex public policy have surely not gone unnoticed. At the same time, Clare has also taken the initiative to help bridge the gap between American and Australian cultures. My office joined Clare in the celebration of Australia Day, where we learned of Australian tradition and history. We also shared a favorite Australian treat, a sweet chocolate biscuit, known as a Tim Tam. During her time with our office, Clare also shared the same birthday as one of my legislative staffers. On that special day, we again celebrated the occasion and shared the stories of our birthday traditions.

Madam Speaker, I am proud that my office participated in this year's Uni-Capitol Washington Internship Program, as I found it to be a valuable experience on a variety of different levels. It is at this time that I hope my colleagues will join me in congratulating Clare Ashby for her successful internship in my office. It was an honor to host her and I wish her continued success in her future endeavors.

IN RECOGNITION OF MRS. ANDRA LYONS, JACKSONVILLE HIGH SCHOOL TEACHER OF THE YEAR

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 2007

Mr. ROGERS of Alabama. Madam Speaker, I rise today to pay tribute to a constituent of mine, Mrs. Andra Lyons, of Jacksonville, Alabama. Mrs. Lyons is a highly accomplished educator and was recently named Jacksonville High School's Teacher of the Year.

In 1982, Mrs. Lyons began her career as a teacher. After graduating from Jacksonville State University, Mrs. Lyons began teaching elementary school, a position she held for 15 years. She later began teaching middle school, and she currently teaches 8th grade science. As part of her career in education, Mrs. Lyons has also participated in the Alabama Math, Science, and Technology Initiative. According to her colleagues, Mrs. Lyons has been a dedicated and talented educator, who by applying new hands-on teaching methods to her classroom, has enriched her students' learning experiences. In recognition of her dedication to academic excellence, Mrs. Lyons' colleagues have named her Teacher of the Year.

Mrs. Lyons has touched hundreds of young lives over the years, helping guide our future leaders toward success in life. I congratulate Mrs. Lyons for her dedication, and for receiving this important recognition.

TRIBUTE TO SHAWN WELLS

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize the achievements of Shawn Wells, husband, father, and the postmaster of Cowgill, MO, who passed away on December 10, 2006.

Mr. Wells was a 22-year veteran of the United States Postal Service and throughout his career was a clerk at the St. Joseph, MO Post Office, and the officer in charge at the Rushville, Dearborn, Mound City and Easton Post Offices.

Mr. Wells not only provided his valuable service to the United States Postal Service, he also was a veteran of the United States Navy and served on the USS *Hunley*.

Madam Speaker, I proudly ask you to join me in recognizing the life and achievements of Shawn Wells, whose dedication and service to the United States Postal Service is truly admirable.

TRIBUTE TO KEVIN "KP" ENER, COMMUNITY SERVANT AND BROADCASTING ENTREPRENEUR

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 2007

Ms. JACKSON-LEE of Texas. Madam Speaker, I rise to pay tribute to Kevin Ener, of Houston, Texas, who died last Saturday, February 3, 2007. Kevin Ener, or simply "KP" to the multitudes who knew and loved him, was a self-made man and broadcast entrepreneur, who dedicated his life to serving his family, friends, neighbors, and the people of the community he loved more than any other, the Acres Homes community of Houston.

Kevin Ener served the people of the Acres Homes community in a multitude of ways, but most of all by keeping them informed and providing them an outlet by which their voices could be heard. He used the broadcast station he founded, FM96.1 DaZone, and managed to empower his community. Madam Speaker, I want to share with you the story of Kevin Ener and his creation, FM96.1 DaZone, so the world will understand how much KP meant to the people of Acres Homes and why he will be missed so much.

Kevin Dwayne Ener was born to Deborah and Carl Shankle on March 8, 1970 in Houston, Texas. He was educated at Aldine High School and Texas Southern University, where he learned to become a legal assistant.

But Kevin's true love and calling was music, both the performance and the business. His first business venture occurred when he was 13 and secured engagement as a mobile disk jockey at St. Monica's Catholic Church and at the Sid Ranch. By the time he was twenty, Kevin Ener had managed several record labels; he started his record label, AHEM Recording, before he was thirty.

Along with his partner, Sean Whittington, Kevin produced music for many local artists, including Billy Cook, Phoenix, Big Mello, Hahje, Eda Massberg, and Nuyorka. Kevin's interest in music production soon led him to the business of music promotion, graphic design and production, merchandizing, artist management, and, ultimately, radio broadcasting.

Madam Speaker, in his heart and soul, Kevin Ener was always a son of Acres Homes. So great was his love for this community that in May 2005, Kevin and his long-time friend Larry Williams, started a low power FM radio station. In those heady early days, the station broadcast from the living room of Kevin's house in Acres Homes. Later, as the station established its niche and found its audience, it moved the broadcast signal up the FM dial from 89.1 to 96.1, and moved its base of operations to the corner of West Montgomery and South Victory Streets.

Located in the heart of Acres Homes, FM96.1 DaZone soon became the heartbeat of the community. Led by Kevin and a team of over 30 dedicated volunteers, the station broadcast a wide range of music, public service announcements, live-remote events, and public affairs programming, including exclusive interview shows with local government officials, community activists, economic developers, performing and visual artists, and leaders of faith-based organizations.

From top to bottom, FM96.1 is and has always been a labor of love. It has no employees; no one involved with the station receives a salary; everyone serves in a volunteer capacity. The station operates largely on a barter basis, exchanging, for example, free staff haircuts for live remote broadcasts from the Acres Homes College of Barber Design, or free lunches on Fridays in exchange for "shout outs" to Chi Chi's Soulfood Kitchen. Modest cash donations are made in exchange for other on-air notices or promotions.

FM96.1's mission and programming are targeted directly to the needs of the roughly 40,000 people who live in Acres Homes, an underprivileged and underserved historic part of north Houston. The mission of FM96.1 is to enhance the services, identity, unity and overall quality of life of Acres Homes' residents by providing programming focused directly on their needs and aspirations. It promotes local activities, community events, businesses, churches, and service organizations, offering a microphone to business owners, school principals, ministers, community service providers and politicians who seek to instruct, employ, build or inspire the community.

Perhaps FM96.1's indispensable role in the Acres Homes community is best demonstrated by its response to a series of rapes and murders occurring last year within just a few miles of the station's broadcast location. Anchored by Kevin Ener, the station performed yeoman work in informing the community and participating in a series of weekly Town Hall Meetings at the Acres Homes Multi-Service Center. These meetings were held to inform local residents of the presence of a serial killer in the community, educate area women about personal safety, and inform the community about efforts being taken by a wide range of law enforcement agencies to find the perpetrator.

In addition, under the leadership of Kevin Ener, FM96.1 routinely provided free promotional advertising and live remote broadcasts for such events as Christmas toy drives, school supply drives, little league baseball registrations, basketball camps, Trail Riders, youth ministry conferences, Juneteenth celebrations, park dedications, teen dances, North Houston City College registration, Stay-In-School drives, GED certification drives, disaster-relief commodity collection projects, community health awareness events, and voter registration drives.

The depth and quality of service FM96.1, a creation of the love and vision of Kevin Ener, has delivered to the Acres Homes community is widely recognized and acknowledged and reflected in the many letters, certificates and testimonials it has received from civic organizations, churches, small business owners, community leaders, and elected officials. It is no exaggeration to say that the large radio stations serving the Houston market would be hard pressed to match the FM96.1's record of direct service to the Acres Homes community and effectiveness in addressing the real-world issues facing Acres Homes' residents.

Madam Speaker, Kevin Ener was preceded in death by his father, Carl, and by his daughter Carolyn. He leaves to cherish his memory a beloved wife, Felisha, and nine devoted children: Brittany, Brandan, William, Kevin, Lois, Dexter, Chase, Jessica, and Nyah. Mourning his loss are his mother Deborah, his grandmother Daisy; brothers Robert, James, Kerry, and Carl; sisters Cora, Carlie, and Tiffany; and a host of relatives, friends, and admirers.

In closing, Madam Speaker, let me say that although many a tear is falling in Acres Homes tonight, joy cometh in the morning. Because that is when the thousands of people whose lives were touched and uplifted by the incandescent, effervescent, and irrepressible Kevin Ener will remember that when he was in their midst, they were in the company of a hero. He will never be forgotten. Farewell, dear prince. May angels carry you to your final rest.

TRIBUTE TO JOANNA KURYLO

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 2007

Mr. CROWLEY. Madam Speaker, I rise today to pay tribute to one of my constituents, Joanna Kurylo of Queens, NY. I wish to recognize Ms. Kurylo for being awarded the 2007 New York State Dr. Martin Luther King, Jr. Humanitarian Youth Award. Joanna is a student at Christ the King Regional High School where she has achieved a high level of excellence and has already established herself as a community leader. While participating in a number of extra-curricular school activities, Joanna was honored for her notable fundraising efforts which brought aid to the Darfur region and helped advance the battle against leprosy. This award is granted to five students throughout New York State each year.

Madam Speaker, I join to wish Ms. Kurylo best wishes and good fortune in his future projects.

CONSUMER OVERDRAFT PROTECTION FAIR PRACTICES ACT

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 2007

Mrs. MALONEY of New York. Madam Speaker, I am introducing a bill that extends the protections of the Truth in Lending Act to overdraft protection programs and services provided by depository institutions. The bill also requires customer consent before a depository institution may initiate overdraft protection services and fees, and enhances the information made available to consumers relating to overdraft protection services and fees. In addition, the bill prohibits systematic manipulation in the posting of checks and other debits to a depository account for the purposes of generating overdraft protection fees, among other things.

HEALTHCARE AND THE FY 08 BUDGET

HON. DONNA M. CHRISTENSEN

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 2007

Mrs. CHRISTENSEN. Madam Speaker, today I rise to express my strong concern and disappointment over the budget that the President sent to us this week. This budget—like those that The President has presented every year for the past 7 years—clearly shows that his priorities are not in sync with that of the American people. This budget takes money that could help millions of the most vulnerable Americans—the poor, the chronically ill, the elderly, people with disabilities and children and uses it instead to give a few wealthy Americans tax breaks they don't need and many don't want.

While many have called this budget fiscally irresponsible, which is an appropriate description, Madam Speaker, in my opinion this budget goes far beyond fiscal irresponsibility! It lacks compassion and humanity and it is unjust. The American people expect better, Madam Speaker, and we must answer their call.

As others of my colleagues have conveyed, this budget does not just cut, but slashes Medicare and Medicaid, two programs that literally sustain the lives of millions of Americans who have serious health needs. And simply cannot afford coverage.

And, in this budget, the State Children's Health Insurance Program is so under-funded that the 9 million children who are uninsured today will likely remain uninsured tomorrow.

The President's budget also takes aim at people living with HIV/AIDS.

The CARE Act and its ADAP program are drastically under-funded, and will leave far too many people with HIV/AIDS without reliable access to the most advanced medications, the most appropriate health care and treatments, and the support services that they will need to manage their conditions, protect their health and care for their families.

Additionally, under this budget, the CARE Act will find itself expected to serve more people with HIV infection, but without adequate funding to do so.

Madam Speaker, as both a physician and the Chair of the Congressional Black Caucus Health Braintrust, more than just being disappointed, this budget makes me angry. As though the cuts to Medicare and Medicaid, and the inadequate funding for the CARE Act and SCHIP were not bad enough, after what has been hundreds of years of preventable premature deaths in people of color, I am particularly disturbed that the President's budget completely ignores and does nothing to end the travesty and injustice of racial and ethnic health disparities; nor is their funding in Health and Human Services for Katrina recovery or rebuilding the healthcare infrastructure in the Gulf region.

Further, this budget cuts or under-funds all of the programs—from aging programs, social service grants, and nursing programs, to SAMHSA, newborn screening programs, maternal and child health programs, state and local capacity building and training for doctors, nurses and other health providers—that are not only integral, but essential to the elimination of health disparities. Further, the cuts in that budget to Veterans programs will also impact their services and undermine their health.

And, as though to add insult to injury, even though NIH gets a slight increase in this budget, the National Center on Minority Health and Health Disparities at NIH instead gets a cut!

Madam Speaker, the nation's leading economists often talk about "good" debt as investment debt that creates or improves value and "bad" debt, which creates no value. It's time that we champion a budget that creates good debt!

By making an increased investment in the health and health care of all Americans who have unmet health and health care needs, we would be making an investment that will, in fact, create value by bolstering the health and well being of not only individuals and communities, but of the workforce, our defense and ultimately our nation and our nation's security.

Unfortunately, this budget does little more than continue to create the "bad" debt that has accumulated during the last 6 years and from which most Americans have not benefited at all. In fact, despite the very high levels of spending in those years, most find them selves worse off economically educationally and with respect to their health.

Now that the prior bad debt has been created and used for tax cuts and squandered on a war that yet leaves our soldiers under-protected and under-equipped, the poor and people of color who have been further marginalized are told they will have to continue to suffer because there is no money and now at our expense, the budget must be balanced.

This is patently unfair and unjust. This budget does not put access to healthcare within the reach of the millions of hard working, low income Americans and their families. All it does is continue to ensure the huge tax breaks for million and billionaires. The president's budget continues the misguided health priorities of the Republican Party, wealthy corporations and their conservative base.

We have a great challenge before us in this budget with the unprecedented deficit and the huge debt this administration has put us in to countries like China.

Madam Speaker and colleagues, far too many of the people we represent have waited patiently for far too long and in that time hundreds of thousand have died because of the unhealthy communities they live in and because they could not get the healthcare they needed.

Despite the fire fiscal circumstances left for us to deal with, and for us to correct, we cannot delay healthcare justice for them, for justice further delayed is justice further denied.

We must reject the president's budget and replace it with a new one that responds to the needs of the people who are depending on us and is in keeping with the ideals this nation was founded on.

The time to do more is now; this is our moment to answer the call of millions of Americans who have the desire for a healthier today and a healthier tomorrow for themselves and their families. This is the time to redefine our Country through realigning its priorities.

This budget is our opportunity to set a new direction for our Nation.

HONORING THE LIFE OF "SECRET SANTA," MR. LARRY STEWART

HON. EMANUEL CLEAVER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 2007

Mr. CLEAVER. Madam Speaker, I rise today to pay tribute to Mr. Larry Stewart, more affectionately known as "Secret Santa." He passed away January 12 of this year of complications from cancer of the esophagus. For 27 years during the Christmas season, he anonymously gave away more than 1.3 million dollars in cash to those that needed it most. Although he was a resident of Lee's Summit, Missouri in my Fifth Congressional district and was known as "Secret Santa" in the Kansas City area, he distributed his "gifts" from east coast to west coast and many areas of the country in between.

He went to New York during the holiday season of 2001. He distributed $25,000 in $100 bills to the people of New York City who were still feeling the devastation of September 11. In 2002, he distributed cash "gifts" in the Virginia area which was reeling from sniper attacks. In 2003, he visited the San Diego area which was being damaged by fires. And in 2004, he went to Florida where Larry gave nearly $30,000 to those who had suffered damage from the hurricane. As can be seen, this man's generosity touched many of my colleagues' Congressional Districts. He also traveled to the Washington, D.C. area, Chicago, Las Vegas, and Mississippi, the state of his birth.

Following the gifts in New York City, he appeared on the Oprah Winfrey show where he wore a Santa Claus costume to protect his identity. Only his family, and a handful of local law enforcement and fire officials knew his real identity, hence the name "Secret Santa." Even though I was the Mayor of Kansas City, Missouri for 8 years during his gift giving escapades, I did not know who he was, and there was quite a bit of talk of who really was Secret Santa. As I said before, his "gifts" were of cash to the less fortunate. They were gifts from his heart and were never taken as a tax deduction. Much of the money he gave away was to people he saw on the street, at pool halls, pawn shops, and Laundromats—he went where the people were.

This last holiday season, Larry came forward to reveal his real identity. For 26 years he was known only as "Secret Santa," but he received word that the tabloids were about to announce who he really was. His final holiday season, he was able to give away $100,000 in memory of his late friend, the legendary "Buck" O'Neil, who had passed away in October 2006. This amount was increased by an additional $75,000 from "elves" who had come forward to carry on his program.

Larry was a member of the Crime Commission Board, the Foundation Board for the St. Luke's Hospital, the Lee's Summit Economic Development Council, the Board of Directors of S.A.F.E., and the Eastern Jackson County Youth Court.

Madam Speaker, please join me in expressing our heartfelt sympathy to his adult children, sons Joe, John, and Mark Stewart, as well as daughter Kimberly Stewart, and his many relatives and friends. He was a shining example of humanity and kindness. He gave of himself and asked nothing in return. I urge my colleagues to please join me in conveying our gratitude to his family for sharing this great man with us, and to accept our condolences for their tremendous loss. He was an inspiration to us all.

HONORING ROSS AND JUDY PARADIS

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 2007

Mr. MICHAUD. Madam Speaker, I rise today to honor a husband and wife who have been tireless advocates for many of the disadvantaged in rural northern Maine. Ross and Judy Paradis are from Frenchville, a small town along the St. Lawrence River overlooking our neighbor to the north, Canada.

Through a range of professional positions, Ross and Judy Paradis have worked day and night to help make the lives of the residents of the St. John Valley better and more prosperous.

They were both teachers, then state representatives in the Maine Legislature. Judy was also a state senator. Even today, with no direct ties to public office, the Paradis have championed the causes of their neighbors. They continue to work as advocates on education, housing, health and human services, and many other issues that affect the day-to-day lives of those around them. They champion Maine's children, Maine's rural. communities and Maine's way of life. They have also helped to preserve the stories and culture of Maine's Acadian heritage.

Ross and Judy have always stepped up when faced with a challenge. As a result, they have gained the respect of their colleagues from all over the state and beyond. Their concern has always been the needs of their constituents in the Saint John Valley and the people of Maine.

The citizens of the State of Maine are extremely fortunate to have such wonderful advocates and friends.

TRIBUTE TO JONATHAN RIVERA

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 2007

Mr. CROWLEY. Madam Speaker, I rise today to pay tribute to the accomplishments of one of my constituents, Jonathan Rivera of Bronx, NY. I wish to recognize Mr. Rivera for being named a semi-finalist in The New York Times College Scholarship Program. Currently a senior at Monsignor Scanlan High School, Jonathan has demonstrated both a commitment to academic excellence and to serving the community through his involvement in the Campus Ministry, making him a deserving recipient of this honor.

The New York Times awards four-year scholarships and mentoring opportunities to only 20 students each year attending New York City public schools. Recipients are selected for attaining high levels of scholastic achievement in the face of adversity.

Madam Speaker, I join to wish Mr. Rivera best wishes and good fortune in his future projects.

HONORING STATE REPRESENTATIVE THOMAS TIGUE AS HE RETIRES FROM THE PENNSYLVANIA LEGISLATURE AFTER 26 YEARS OF SERVICE

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 2007

Mr. KANJORSKI. Madam Speaker, I rise today to ask you and my esteemed colleagues in the House of Representatives to pay tribute to Pennsylvania State Rep. Thomas M. Tigue, who retired this year after serving 26 years in the Pennsylvania Legislature.

Mr. Tigue represented the 118th Legislative District which includes Pittston City, Bear Creek, Buck and Jenkins Townships and Avoca, Bear Creek Village, Dupont, Duryea, Hughestown and Laflin Boroughs in Luzerne County and Chestnuthill, Eldred, Polk, Tobyhanna and Tunkhannock Townships in Monroe County.

Mr. Tigue was a member of the United States Marine Corps from 1968 to 1971. He served in the Vietnam War and earned the Silver Star. He was later elected to the Pittston Area School Board before being elected to the state House in 1980.

During his tenure as an elected state lawmaker, Mr. Tigue's accomplishments included sponsoring the PACE preservation law, securing funds to replace the dam at Brady's Lake, working to bring about property tax reform and addressing numerous education issues. Mr. Tigue was meticulous about being responsive to matters of concern and interest to his constituents.

He frequently advised his younger colleagues in the House to listen to voters. He would admonish them to be flexible, put aside partisan politics and be willing to compromise to get things done. Mr. Tigue believed that voters expect their elected officials to make tough decisions.

Mr. Tigue was born in Pittston, Pennsylvania, to Michael and the late Joan Walsh Tigue. He graduated from St. John's High School, Pittston and earned a bachelor's degree in public administration from King's College in Wilkes-Barre. He was a Legislative Fellow at East Stroudsburg University.

While serving in the Pennsylvania House of Representatives, Mr. Tigue served as the Democratic chairman of the Veterans Affairs and Emergency Preparedness Committees and the Intergovernmental Affairs Committee.

Mr. Tigue was a member of the Veterans of Foreign Wars, American Legion, Marine Corps League, Knights of Columbus, Greater Pittston Chamber of Commerce and the Greater Pittston Friendly Sons of St. Patrick.

He is married to the former Dianne Walsh and the couple has four children: Thomas, Tracy Ashby, Kristin Lazevnick and Colleen. They also have seven grandchildren.

On a personal note, let me add that it has been an honor and a pleasure to work with Tom on countless occasions through the years. I could always count on him to be thoroughly informed and willing to do the hard work necessary to solve what sometimes appeared to be intractable problems. Always a straight shooter, Tom never hesitated to tell the hard truth, not always what our constituents wanted to hear. His candor is all too uncommon, and his retirement is a great loss to the Legislature and to Pennsylvania.

Madam Speaker, please join me in congratulating Mr. Tigue on a very successful career in public service. His commitment to community service contributed greatly to improving the quality of life throughout northeastern Pennsylvania.

CONGRATULATIONS TO CHIEF JUDGE STEPHEN C. COOPER ON THIS RETIREMENT

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 2007

Mr. LEVIN. Madam Speaker, I rise to offer my congratulations to Chief Judge Stephen C. Cooper, who is retiring from the bench of the 46th District Court. Judge Cooper brings closure to a distinguished 33-year career in public service. In addition to his service to the 46th District Court, Judge Cooper also served as City Council President Pro-Tem for the Southfield City Council.

Chief Judge Cooper was elected to the 46th District Court in 1986 and re-elected in 1992, 1998 and 2004. His re-election was unanimously endorsed by both the Democratic and Republican Parties, both defense and plaintiffs lawyers, business and labor and every prominent elected official and community leader in his District. The Bar Association rated his performance "outstanding."

Judge Cooper was elected and served as president of the Michigan District Judges Association and currently in his second term as Michigan Governor of the American Judges Association (AJA). Judge Cooper was recognized by Optimist International as "triple distinguished president" of the Southfield-Lathrup Optimist Club.

Judge Cooper has received numerous awards including the Martin Luther King, Jr. Award which is given to a local citizen whose life exemplifies the ideals espoused by Dr. King. He was selected as the Honoree-of-the-year of the Women's Bar Association, the Governor's Award for Volunteer Service, and the Southfield Schools' Alumnus of the Year Award.

Judge Stephen Cooper was elected President of the Michigan District Judges Association, the Southfield Bar Association and the B'Nai Brith Association and was Vice President of the Southfield Chamber of Commerce. He also served on numerous boards including the Salvation Army, League of Women Voters, Anti-Defamation League, Southfield-Lathrup PTA Council, MLK Taskforce and the Easter Seals Society.

Upon retirement, Judge Cooper will direct his professional talents to the field of mediation and teaching. He will also have more time for his hobbies, including kayaking, ceramics, welding, roller-blading and, above all, enjoying life with Caroline, his wife of more than 36 years and being a grandparent.

Madam Speaker, I ask my colleagues to join me in recognizing this fine individual and thanking him for his dedication to our community. I extend my heartiest congratulations and warmest wishes as he starts this new chapter in his life.

PRESERVATION OF ANTIBIOTICS FOR MEDICAL TREATMENT ACT

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 2007

Ms. SLAUGHTER. Madam Speaker, I rise today to introduce legislation that is critically important in preventing our current stock of antibiotics from becoming obsolete. As a mother, grandmother, and microbiologist, I cannot stress the urgency of this problem enough.

Seven classes of antibiotics that are considered medically important for humans are currently approved by the Federal Food and Drug Administration (FDA) for nontherapeutic use in animal agriculture. Among them are penicillin, tetracyclines, macrolides, lincosamides, streptogramins, aminoglycosides, and sulfonamides. These classes of antibiotics are among the most critically important in our arsenal of defense against potentially fatal diseases.

Penincillins, for example, are used to treat infections ranging from strep throat to meningitis. Macrolides and Sulfonamides are used to prevent secondary infections in patients with AIDS and to treat pneumonia in HIV-infected patients. Tetracyclines are used to treat people potentially exposed to anthrax.

Despite their importance in human medicine, these drugs are added to animal feed as growth promotants and for routine disease prevention. This kind of habitual, nontherapuetic use of antibiotics has been conclusively linked to a growing number of incidents of antimicrobial-resistant infections in humans, and may be contaminating ground water with resistant bacteria in rural areas.

The legislation I am introducing today, the Preservation of Antibiotics for Medical Treatment Act, would phase out the use of the seven classes of medically significant antibiotics that are currently approved for nontherapeutic use in animal agriculture. Make no mistake, this bill would in no way infringe upon the use of these drugs to treat a sick animal. It simply proscribes their nontherapuetic use.

Although the FDA could withdraw its approval for these antibiotics, its record of reviewing currently approved drugs under existing procedures indicate that it would take nearly a century to get these medically important antibiotics out of the feed given to food producing animals. In October 2000, for example, the FDA began consideration of a proposal to withdraw its approval for the therapeutic use of fluoroquinolones in poultry. The review is still ongoing, and under its regulations, the FDA must review each class of antibiotics separately.

Unfortunately, upcoming actions by the FDA could make us less, not more safe. As antimicrobial resistance is on the rise, the FDA is considering an application to permit the use of a fourth-generation cephalosporin, cefquinome, in animal agriculture. Fourth-generation cephalosporins are used to treat food borne illnesses, including E. Coli and Salmonella. In Europe, where cefquinome has been approved for use in animal agriculture, scientists have noticed an increase in resistant bacteria. Already, the emerging strains of resistant bacteria are reaching a crisis level here in the United States. That the FDA is currently considering approval of a drug that will only make humans more vulnerable to resistant bacteria underscores the need for this legislation.

Madam Speaker, when we go to the grocery store to pick up dinner, we should be able to buy our food without worrying that eating it will expose our family to potentially deadly bacteria that will no longer respond to our medial treatments. Unless we act now, we will unwittingly be permitting animals to serve as incubators for resistant bacteria.

It is time for Congress to stand with scientists, the World Health Organization, the American Medical Association, and the National Academy of Sciences and do something to address the spread of resistant bacteria. We cannot afford for our medicines to become obsolete.

I urge my colleagues to support the Preservation of Antibiotics for Medical Treatment Act to protect the integrity of our antibiotics and the health of American families.

INTRODUCTION OF "WITNESS SECURITY AND PROTECTION ACT OF 2007"

HON. ELIJAH E. CUMMINGS

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 2007

Mr. CUMMINGS. Madam Speaker, I rise today to reintroduce the "Witness Security and Protection Act of 2007," to attempt to provide protection for some of our Nation's bravest citizens.

Last year, 38-year old John Dowery of East Baltimore, a murder witness, was shot and killed after having Thanksgiving dinner with his family.

Two years ago, Baltimore Police Detective Thomas Newman was murdered following his testimony in a shooting trial.

Three years ago, Edna McAbier of North Baltimore survived a series of violent attacks in apparent retaliation for her efforts to drive criminals out of her community.

And in perhaps one of the most heartbreaking incidences: Four years ago, drug dealers in East Baltimore firebombed the Dawson family home in an attempt to silence them—killing mother, father, and their five young children.

Make no mistake, Madam Speaker: Witness intimidation in Baltimore City is not dreamt up by producers of HBO's critically acclaimed drama "The Wire." The threat is real—and the reality is horrific.

To be sure, criminals in Baltimore City produced their own DVD in 2004 entitled "Stop the Snitching." It depicts grotesque images of three bullet-ridden, bloody corpses accompanied by the phrase "snitch prevention."

Sadly, my hometown of Baltimore is not the only community plagued by this horrific reality. The problem is pervasive.

The National Institute of Justice finds that intimidation of victims and witnesses is a major problem for 51 percent of prosecutors in large jurisdictions (counties with populations greater than 250,000) and 43 percent of prosecutors in small jurisdictions (counties with populations between 50,000 and 250,000).

Further, prosecutors estimate that witness intimidation occurs in up to 75 to 100 percent of the violent crimes committed in some gang-dominated neighborhoods.

Violent retaliation against witnesses and informers threatens the very fabric of our criminal justice system. Known murders walk the streets every day because we lack the evidence necessary to bring them to justice.

Thankfully, witness protection programs can provide law enforcement with an indispensable tool in combating crime and addressing witness intimidation.

The Federal Witness Security Program, established in 1970 and administered by the Department of Justice, has successfully carried out its charge to protect witnesses testifying in extremely serious Federal cases.

Under the program, the United States Marshals Service (USMS) provides witnesses and their families with long-term protection, relocation, new identities, housing, employment, medical treatment, and funds to cover their most essential needs.

In over 30 years, not a single witness that followed security procedures was harmed while being protected by the program. More to the point, cases involving the testimony of the WSP participants have an 89 percent conviction rate.

In contrast, State witness protection programs are severely under-funded and enjoy virtually no Federal support.

While non-Federal witnesses can participate in the federal program under certain conditions, States are required to reimburse the Federal Government for the cost of providing such protection unless a waiver is granted.

As a result, State and local prosecutors often must choose between funding investigations or funding costly, but necessary witness protection programs. This often leads to some jurisdictions providing no witness protection at all.

No one wins when law enforcement officials are forced to make such choices.

That is why I am reintroducing the "Witness Security and Protection Act of 2007." Senator CHUCK SCHUMER of New York has reintroduced a companion bill to this legislation in the Senate, S. 79. It also enjoys the support of the National District Attorneys Association.

The "Witness Security and Protection Act of 2007" would establish within the USMS a Short-Term State Witness Protection Program tailored to meet the needs of witnesses testifying in State and local trials involving homicide, a serious violent felony or a serious drug offense.

The Act would also authorize $90 million per year in competitive grants for the next 3 years. State and local district attorneys and the U.S. attorney for the District of Columbia, can use these funds to provide witness protection or pay the cost of enrolling their witnesses in the Short-Term State Witness Protection Program within the USMS.

Grants under this legislation would only be awarded to prosecutors in States with high homicide rates to ensure we target those most in need of Federal support.

Improving protection for State and local witnesses will move us one step closer toward alleviating the fears of and threats to prospective witnesses, and help to safeguard our communities from violence.

While we cannot bring back all those who suffered in the face of witness intimidation, we can honor their sacrifice by trying to prevent future tragedies.

I urge my colleagues to join me in taking that critical step by cosponsoring the "Witness Security and Protection Act of 2007."

HONORING THE LIFE OF JUAN DESOSA

HON. GUS M. BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 2007

Mr. BILIRAKIS. Madam Speaker, I rise today to recognize the extraordinary life and accomplishments of Mr. Juan Desosa.

Juan was born in Havana, Cuba, on February 10, 1927. His family was involved in the sugar and newspaper business, and he and his five siblings lived a happy life until 1959, when communist revolutionaries led by Fidel Castro took everything away from them. At that time, Juan made a life altering decision to leave his homeland and family and escape Cuba for freedom.

In 1960, Juan left Cuba and successfully made it to Miami, Florida. Not forgetting his homeland and the suffering of those he left behind, he worked to do everything in his power to help those that were not as lucky as he was. It was in Miami that Juan heard talk of a plan to liberate Cuba, and he soon found himself in the mountains of Guatemala with other Cuban refugees secretly training for an invasion. It was these refugees who later became the would-be liberators of the Bay of Pigs invasion. Juan fought fiercely for as long as he could, but was ultimately captured by Castro's soldiers. He suffered unimaginable conditions in a Cuban concentration camp for 3 years. Only after an exchange of prisoners for dollars between the Kennedy and Castro governments, was Juan released.

True to his character, upon returning to the U.S., Juan did not settle into a life of comfort and ease, but wanted to serve the country that liberated him twice, providing him with the economic, political, and religious freedom that was stripped away from him from his home country. He joined the U.S. Army, and during his military service, he proudly became a U.S. citizen. After serving 10 years in the Army, during which he engaged in combat missions during the Vietnam war, Juan retired as a major.

He settled down with his wife in New Port Richey, Florida, where he raised six children. Along the way, Juan has been recognized as an extraordinary businessman in his community who has owned and operated many popular restaurants in Florida's Ninth Congressional District. Currently, he owns and manages Juan Black Bean Deli in New Port Richey, an establishment that serves one of the best Cuban sandwiches on Florida's west coast.

Madam Speaker, as my good friend, Juan Desosa celebrates his 80th birthday, he has much for which to be proud. The life he has lived, and continues to live, serves as an example to us. He has displayed an uncommon courage, valor, and patriotism combined with his love of God, family and community that has benefited not only his fellow countrymen whom he endeavored to liberate, but his fellow citizens in the United States of America for whose freedom and liberty he fought for as a member of the U.S. Army.

TRIBUTE TO UNI-CAPITOL WASHINGTON INTERNSHIP PROGRAM

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 2007

Mr. CLYBURN. Madam Speaker, as we listen to our constituents, grapple with their needs, speak out, legislate, and otherwise work to improve their lives and the life of our Nation, we take great pride in the ability of Congress and our system of government to inspire the world beyond our borders. But just as important as this inspiration is the recognition of what we all can learn from that world, from people who want to study, visit or otherwise immerse themselves in this great institution as a means towards better understanding the United States.

For the last 8 years, a unique international exchange has taken place here in Congress. Future leaders of Australia have participated in what's known as the Uni-Capitol Washington Internship Program. Through this program each year, one dozen of Australia's best and brightest university students have been carefully matched to House and Senate offices for two-month full-time internships. These internships have enabled me and many of my colleagues to share our pride in the American republic while at the same time learning more firsthand about the Australian commonwealth, its people, its ideas, and our numerous shared values.

It is an understatement to say that Australia and the United States are close allies globally or that we merely have such similarities as vibrant democracies, free-enterprise economies, and diverse societies. We are in many ways close cousins with complex national histories. That is what these young Australians get to learn as they are welcomed here, and how we profit by their all-too-brief presence among us.

This year, it has been my pleasure to participate in this program for the third time and host Sylvia Gaston from the University of Melbourne.

Her kindness, can-do spirit, eagerness to learn, and willingness to share her views with me and my staff have made her an exceptional ambassador for her university and for her country. During her time with us, the closeness of the Australian and American peoples is clearly evident, just as it is evident that this exchange is not merely an academic exercise or even confined to Congress. It is about building for tomorrow, about personal and professional growth, and about lasting international friendships.

Sylvia is not alone in this experience in the First Session of the 110th Congress. Joining her in this very bipartisan effort: Emmanuel Rohan in the office of Representative MIKE CASTLE; Charis Tierney in the office of Senator MIKE CRAPO; Nicole Woodmansey in the office of Senator CHRISTOPHER DODD; Clare Ashby in the office of Representative PHILIP ENGLISH; Anna Keenan in the office of Representative SAM FARR; Nisha Sundaresan in the office of Senator CHUCK HAGEL; Anu Ambikaipalan in the office of Representative ALCEE HASTINGS; Megan Bainbridge in the office of Representative JERROLD NADLER; Stuart Broadfoot in the office of Representative ILEANA ROS-LEHTINEN; Jennifer Grant in the office of Representative LORETTA SANCHEZ; and, Michael Ng at House Transportation and Infrastructure Committee (Majority).

Both the U.S. and Australian Governments have been strong supporters of this exchange over the years, and rightly so. Seven Australian universities currently participate in the program from 4 of the 6 Australian states and the Australian Capital Territory. Students are put forward from such diverse disciplines as economics, commerce, trade, science, law, communications, politics, and of course, American studies.

One of the more noteworthy aspects of the program is that it is an entirely pro bono project. Eric Federing, who served as a senior staffer in the House and Senate for a dozen years in the 1980s and 1990s, created the program 8 years ago soon after going to work for the auditing firm KPMG. What the effort almost completely lacks in bureaucracy, it makes up for in the personal trust, practical purpose and contagious enthusiasm that gave life to this highly-personalized vision of international exchange, which followed Eric's many travels to Australia in the 1990s while still on congressional staff.

Madam Speaker, many of my colleagues have recognized this effort over the years. I did so myself 4 years ago when the annual intern group was much smaller and drawn from only a single Australian university. It is heartening to see how much this program has grown, thrived, and how tribute has been paid not just here but in the Australian Parliament.

In conclusion, Madam Speaker, there is so much we can learn when we connect people, whether here at home or around the world. Technology has greatly reduced what the Australians would call the "Tyranny of Distance." But only when you meet with and sit down with someone from another city, another state, or another country can you fully understand and appreciate the world through their eyes and divine where common ground can be found and endure.

My great hope is not only that this program continues, but that others will be founded in its spirit and focused towards as many peoples and places as possible in our world.

TO AMEND TITLE VI OF THE PUBLIC UTILITY REGULATORY POLICIES ACT OF 1978 TO ESTABLISH A FEDERAL RENEWABLE ENERGY PORTFOLIO STANDARD FOR CERTAIN RETAIL ELECTRIC UTILITIES, AND FOR OTHER PURPOSES.

HON. TOM UDALL

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 2007

Mr. UDALL of New Mexico. Madam Speaker, I rise today to introduce a bill to amend title VI of the Public Utility Regulatory Policies Act of 1978 in order to establish a Federal renewable energy portfolio standard for certain retail electric utilities. I would like to thank Representatives PLATTS, PALLONE, UDALL of Colorado, SHAYS, DEGETTE and MCNERNEY for their work on this issue and for joining me in introducing this legislation.

This bill will take a modest but important step towards developing our country's vast renewable energy resources by requiring retail sellers of electricity to use a minimum amount of electricity from renewable energy sources. That minimum increases gradually from only 1 percent in 2010 to a long-term target of 20 percent by 2020.

Developing our homegrown energy resources will create jobs, save consumers money, and bolster rural economies. In addition, diversifying our energy supply will increase our energy security and reduce the threat of global warming.

For example, a 2006 analysis by the Union of Concerned Scientists found that a standard requiring 20 percent of generation from renewable energy sources by the year 2020 would generate over 355,000 new high-paying jobs. In 2004, the Union of Concerned Scientists, using a modified version of the National Energy Modeling System, found that a 20 percent standard would have virtually no impact on consumer electric rates and would actually work to reduce natural gas prices.

Moreover, they calculated that a 20 percent standard would provide $72.6 billion in new capital investments, $15 billion in property tax revenues, and more than $17 billion in payments to farmers, ranchers, and rural landowners. Consumers would save over $12.6 billion. Commercial and industrial users would save $19.1 billion and $17.4 billion, respectively. And, all of those savings would actually be helping us reduce our reliance on foreign sources of energy and our impact on global warming.

The momentum for a national renewable portfolio standard, more simply known as an

RPS, has been building. A Federal RPS mandate has already passed the Senate three times. Twenty-one States and the District of Columbia have already enacted renewable portfolio standards of their own because they recognize the economic benefits of an RPS. Nine States have even increased or accelerated existing standards. The RPS has proven itself effective, efficient and popular. It is time to bring those benefits to the rest of the Nation.

This bill provides for a gradual start, and it has many provisions both to help utilities meet the requirement and to reward those utilities that meet the requirements ahead of schedule. It allows States, many of whom have moved far ahead on this issue, to have standards that are more rigorous than the Federal standards, and it provides incentives for the distributed generation of renewable energy and for the development of renewable energy resources on tribal lands.

I urge my colleagues to join me in support of this legislation.

HONORING THE MEMORY OF MR. PAUL ANTHONY WIESER

HON. ERIC CANTOR

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 2007

Mr. CANTOR. Madam Speaker, I rise today to honor the late Paul Anthony Wieser of Culpeper, Virginia, who passed away on Tuesday, December 12, 2006. Mr. Wieser dedicated his life to military and public service and should be honored today.

Mr. Wieser was a proud World War II veteran who served in the United States Navy aboard the USS *North Carolina* as a Boatswain Mate First Class from 1941 to 1946. After the war, he returned home to Linden, New Jersey and became a firefighter for the Linden Fire Department. He was called from the United States Naval Reserve in 1951 and served in Korea aboard the USS *Kula Gulf*. After retiring from the Linden, New Jersey Fire Department in 1980, Mr. Wieser moved to Wilmington, North Carolina to be closer to the battleship he loved, the USS *North Carolina*. He was a volunteer tour guide on the USS *North Carolina* for over 10 years. Mr. Wieser remained in touch with many of his shipmates and attended all of the USS *North Carolina*'s annual reunions. As the guest of honor at Constitution Day on September 17, 2006, he had the opportunity to ring the USS *North Carolina*'s bell. He was also featured on the cover of the October 2006 issue of Virginia Living Magazine in an issue that honored World War II heroes.

I hope that you will join me in honoring the life and service of Mr. Wieser and offering our sincerest condolences to his wife, Millie Wieser, and his family and friends.

PERSONAL EXPLANATION

HON. DEBORAH PRYCE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 2007

Ms. PRYCE of Ohio. Madam Speaker, I was absent from the House during the week beginning February 5, 2007. As a result, I was not recorded for a series of votes. Had I been present, I would have voted "aye" on rollcalls 74, 75, 76, 77, 78, 79, 80, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, and 92, and "nay" on rollcall 81.

A RESOLUTION TO URGE THE PRESIDENT TO APPOINT A SPECIAL ENVOY FOR MIDDLE EAST PEACE

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 2007

Mrs. DAVIS of California. Madam Speaker, I rise today to introduce a resolution urging President Bush to send a special envoy to the Middle East to focus on solving the Israeli-Palestinian conflict.

In my view, we have not committed enough resources to encourage peace in the region.

Maintaining the security of the State of Israel will always remain a priority of Congress and the United States of America.

This resolution does not change our policy for a secure and safe Israel, but acknowledges that we need to play a more constructive role in the region.

I was encouraged to see Secretary Condoleezza Rice make a trip to the region last month.

I was also pleased to see the Quartet recently meet to reaffirm their commitment to the peace process.

These are important steps, but I worry that they will have the same result as similar efforts and we will not see the type of sustained diplomacy required to solve such a complex issue.

I am calling on all my colleagues to help me send a message that we need a new approach. We need a special envoy with the authority to bring all responsible parties to the table.

This role was critical in the 1990s and is necessary today.

This envoy would work with the Secretary of State to ensure a constant, high-level American presence and provide our country with the ability to capitalize on every opportunity for progress.

The United States, Israel and the entire international community cannot afford to miss an opportunity to broker a lasting peace.

A special envoy, with the sanctioned mission of securing a lasting peace through negotiation, must be dispatched to the region.

Madam Speaker, thank you for the opportunity to introduce this resolution today.

RECOGNIZING PAMELA SIME

HON. PATRICK J. MURPHY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 2007

Mr. PATRICK J. MURPHY of Pennsylvania. Madam Speaker, education is the foundation of a strong nation, and I strongly believe that by investing in education and supporting our teachers, we can maintain American competitiveness in an increasingly global economy.

That is why I am honored to rise today in recognition of Ms. Pamela Sime, a science teacher at Unami Middle School in Chalfont, Pennsylvania. Today, Ms. Sime is here in Washington as one of five finalists nominated for the National Education Association Foundation Award for Teaching Excellence.

Madam Speaker, as a teacher in the Central Bucks School District, Ms. Sime has inspired students for the better part of a decade, and the people of the Eighth Congressional District are lucky to have her. Ms. Sime teaches students a very modern curriculum, emphasizing ecology, energy, and the use of technology. She employs a hands-on, interactive approach to learning. Ms. Sime's students recently released their own science publication and after studying oil, they wrote letters to soldiers stationed overseas. Every year, her students look forward to investigating the disappearance of Skully, the classroom skeleton. In this exercise, students use modern forensic techniques, incorporating real-life applications in their study of science. I believe that great science teachers like Ms. Sime are a big part of why innovation exemplifies the American spirit.

Were Ms. Sime's excellence limited only to the classroom, we would still be proud, but her activities outside of the classroom are equally impressive. She is involved in all aspects of students' lives, and is always available for extra help. This dedication to her students is one of the most inspiring things about Ms. Sime. In a field where our professionals regularly demonstrate uncommon compassion and dedication, the rarefied few that go beyond set a new standard of excellence. That is why it comes as no surprise, Madam Speaker, that Ms. Sime entered the contest not for her own recognition, but in order to secure a grant to further enrich the educational experience of her students.

For these reasons, Madam Speaker, I am delighted to honor Ms. Sime's achievements. I wish her luck today regardless of the outcome of the competition's final decision, the people of Bucks County are proud of her accomplishments and grateful for her years of service.

INTRODUCTION OF THE EMMETT TILL UNSOLVED CIVIL RIGHTS CRIME ACT

HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 8, 2007

Mr. LEWIS of Georgia. Madam Speaker, I am so pleased to join my House and Senate colleagues today in introducing this important and necessary legislation. I would like to thank Senators DODD and LEAHY and Congressman HULSHOF for their commitment to justice and to the passage of the Emmett Till Unsolved Civil Rights Crime Act.

Nearly 60 Members of the House of Representatives from across the country joined us in cosponsoring this important and historic bill. There is strong, bipartisan, bicameral commitment to passing and enacting this legislation as swiftly as possible. It is long overdue. The country is ready. The victims' families friends, and loved ones have been suffering indefinitely, and Congress needs to act.

Our purpose here today is not to open up old wounds. There is a need for those who committed horrible crimes to be brought to justice. This process of seeking justice is not just good for history's sake, but it is good for the process of healing. It will help us to put this dark past behind us and to bring closure to the families of the victims of these age-old and vicious crimes.

The Emmett Till Unsolved Civil Rights Crime Act will deliver the added focus and resources necessary to get this job done. It is my hope and prayer that many murders committed during this Nation's struggle for civil rights will be solved as a result of this legislation. I will work tirelessly to see it passed.

HONORING THE PADEREWSKI SYMPHONY ORCHESTRA'S FEBRUARY 2007 PRODUCTION OF STANISLAW MONIUSZKO'S OPERA, THE HAUNTED MANOR

HON. RAHM EMANUEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, February 9, 2007

Mr. EMANUEL. Madam Speaker, on behalf of the more than 110,000 Polish and Polish-American constituents of my district, as well as those of Polish descent around the country, I rise today to honor the late Polish composer Stanislaw Moniuszko. On February 10 and 11, the Paderewski Symphony Orchestra will perform Poland's national opera, The Haunted Manor, for audiences at the Rosemont Theater.

Considered the father of Polish opera, Moniuszko was born in the spring of 1819 to a patriotic family of Polish landowners living on the eastern edge of partitioned Poland. Revealing a passion for music at an early age, he began taking private piano lessons while still very young. In 1837, Moniuszko traveled to Berlin where he studied composition and choral conducting. By 1840, the young artist had already composed several operas as well as sacred music and secular cantatas.

Moniuszko became well-known for his many songs, operas, and ballets filled with patriotic and Polish folk themes. His music is quite stylistically distinct while incorporating various national motifs including certain Polish dances and folk tunes.

To this day, Moniuszko is considered one of Poland's great composers. One of his most famous operas is Straszny Dwor, or The Haunted Manor. In it, Moniuszko depicts Polish nobility and gentry while emphasizing Polish customs and traditions. The comic opera is claimed as Poland's national opera, as it encompasses different levels of society, and it has a vitality that speaks to everyone.

During his professional life, Moniuszko traveled numerous times to St. Petersburg to give concerts, so it is fitting that his works are traveling across the ocean to be performed by the Paderewski Symphony Orchestra of the Fifth Congressional District of Illinois.

Madam Speaker, I am honored to recognize Moniuszko and honor his success, as well as to commend the Paderewski Symphony Orchestra for bringing this important part of Poland's history to the Polish and Polish-American communities in the United States.

RECOGNIZING BENJAMIN LITTLE BEAR BRINK FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, February 9, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Benjamin Little Bear Brink, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 388, and in earning the most prestigious award of Eagle Scout.

Benjamin has been very active with his troop, participating in many scout activities. Over the many years Benjamin has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Benjamin Little Bear Brink for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

RECOGNIZING GLENDA JASEN AS WALTON COUNTY, FLORIDA'S TEACHER OF THE YEAR

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 9, 2007

Mr. MILLER of Florida. Madam Speaker, on behalf of the United States Congress, it is an honor for me to rise today to recognize Glenda Jasen as Walton County, Florida's Teacher of the Year.

Glenda Jasen joined the Walton County school district administration in 2001 with over 30 years of teaching experience and an educational background in Counseling and Personal Services; Elementary Education; and Early Childhood Education. Mrs. Jasen has proudly served the school district over the past six years, and Walton County is honored to have her as one of their own.

Glenda Jasen currently teaches fifth grade at Van R. Butler Elementary School in Santa Rosa Beach, Florida. Every morning, Mrs. Jasen walks into her classroom with hope that she can provide her students with inspiration, and it is that hope coupled with her dedication and passion for teaching that she has won the hearts and respect of her students, colleagues, community and this distinguished award. To be honored as Teacher of the Year, the proof of greatness lies well beyond the title—it lies in the hearts and minds of the students and community who have been deeply affected.

Madam Speaker, on behalf of the United States Congress, I am proud to recognize Mrs. Jasen for her great achievement as Teacher of the Year and her continuing commitment to excellence at Van R. Butler Elementary School and in the Walton County School District.

TRIBUTE TO ROXBURY TOWNSHIP HISTORICAL SOCIETY

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, February 9, 2007

Mr. FRELINGHUYSEN. Madam Speaker, I rise today to honor the Roxbury Township Historical Society in the Township of Roxbury, Morris County, New Jersey, a vibrant community I am proud to represent. On February 10, 2007, the good citizens will celebrate the Roxbury Township Historical Society's 45th Anniversary.

In the early 1960's Roxbury citizens were cataloguing historic sites and structures in preparation for participation in the State of New Jersey's Three Hundredth Anniversary when several active participants determined the need for a town historical society. The Roxbury Township Historical Society was formed on February 12, 1962 to research, preserve and promote the township's heritage, one of the four original townships designated by the County of Morris in 1740.

One home in the inventory, in the Ledgewood section of Roxbury Township, with a sloping rear roof-line reminiscent of early salt containers, was threatened by demolition. The rescue of this pre-Revolutionary dwelling became the Society's first major project. With great effort that included having the intact structure moved to its present site; fundraising; help from various sectors of the community; and the guidance of architectural historian, John Dodd, the Society transformed the Silas Riggs Saltbox House from a forlorn old building into a warm and welcoming living history museum. The house now hosts a variety of events that provide a glimpse into the past for those who step inside. It also serves as the Society's meeting place and repository of historical data.

By 1976, our nation's bicentennial's year, the house was completely restored and the Society held a dedication ceremony in honor of its restoration. During the Bicentennial, the Society spear-headed a variety of township-wide activities, and did so again in 1990 when Roxbury Township celebrated its 250th anniversary.

Over the years, Society members collectively and individually have provided numerous services to the community. Society accomplishments include the publication of three volumes of township history and lore; the sponsoring of house tours; tours of the township and activities at the Saltbox House for lower grade school children over a fourteen year period ftom 1975 through 1989. The Society members have hosted living history days for the interpretation of early skills and crafts and scouting activities that encourage community participation on the part of our young people. They reach out to other historically and preservation minded organizations; and have achieved State and National Historic Register status for the Saltbox House, as well as for other historical structures in the township, including the Theodore King Canal Store and King Homestead. Society members provide programs to civic groups and schools not only in the township, but also to neighboring communities.

Madam Speaker, I urge you and my colleagues to join me in congratulating the Roxbury Township Historical Society on the celebration of its 45th Anniversary.

IN RECOGNITION OF RICHARD A. LANGMAN

HON. DENNIS A. CARDOZA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 9, 2007

Mr. CARDOZA. Madam Speaker, it is with the greatest respect and sincerity that I rise today to honor TSgt Richard Langman. Sergeant Langman will retire today after serving 20 years in the United States Air Force.

Richard Langman was born in Dover, New Jersey, but spent most of his childhood and teen years growing up in Modesto, California. It was in Modesto where Richard showed a real talent for sports, playing in the local Bel Pasi Youth Baseball Association and even pitching a three up and three down inning during an All-Star Game. Richard continued his passion for sports during his years at Fred C. Beyer High School playing junior and senior varsity football. However, he quickly developed a new passion and entered the NASCAR "Hobby" division at Stockton "99" Speedway. As one of the youngest drivers, Richard was able to win a number of races and endear himself to many fans. His love of racing continues right up to this day.

Approximately 6 months after graduating from high school, Richard set out on a new adventure and enlisted in the United States Air Force. Upon completion of basic military training and technical training for Aircraft Environmental Systems at Chanute Air Force Base (AFB), and graduating Technical School, he was assigned to the 693rd Organizational Maintenance Squadron (OMS), KC–135A, Castle AFB in Atwater, California. While assigned to Castle AFB, Sergeant Langman was handpicked to participate in the Strategic Air Command Bombing and Navigation competition (Proud Shield 89). His technical expertise resulted in a 100 percent on-time take off rate and an overall third place finish for the 93rd Wing. In 1991, he was assigned to the 909th Air Refueling Squadron (AREFS), KC–135R Kadena AB, Japan, where he developed and implemented a much needed method of tracking aircraft engine fire suppression system bottles and squibs. His methods improved the tracking rate of over $200,000 worth of Air Force assets and earned him the Air Force Achievement Medal.

In 1994, he was assigned to the 55th Air Refueling Squadron (ARS) Altus AFB, Oklahoma, where his dedication to duty shined once again. He was selected as Electro-Environmental systems subject matter expert for the 55th ARS maintenance quality training program. He processed, trained, and certified over 150 civil service personnel in under a 4-month period to accommodate the KC–135R civil service maintenance conversion.

In January 1997, Sergeant Langman began his special operations career when he was assigned to the 16th Aircraft Generation Squadron (AGS) where he upgraded and was task qualified on a completely different airframe in less than 6 months. His superb performance aided the 16th AGS in winning the Air Force Maintenance Effectiveness Award for 1997. Shortly afterwards, Sergeant Langman retrained into the Flight Engineer career field. In June 1999, he was assigned to the 16th Special Operations Squadron (SOS) Hurlburt Field, Florida. Sergeant Langman's SOF career includes Publications Assistant NCOIC, Flight Engineer Functional Manager, and NCOIC Unit Security Office. Sergeant Langman's combat experience in Operation Enduring Freedom includes 164 combat sorties and over 750 hours. Sergeant Langman, wife Sheila, and their two children, Karissa (age 12) and Kirsten (age 7) will continue residing in Navarre, Florida.

Madam Speaker, it is an honor to share Sergeant Langman's record of accomplishments, and I thank him for his lengthy service to the United States.

CONGRATULATING MR. JOSEPH BERRIOS

HON. RAHM EMANUEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, February 9, 2007

Mr. EMANUEL. Madam Speaker, I rise today to congratulate Mr. Joseph Berrios on his appointment as Chairman of the Cook County Democratic Party.

On February 1, 2007, Mr. Joseph Berrios was elected by the Cook County Democratic Party to the position of Chairman—the first time a member of the Hispanic community has held that title.

We will all miss the man that Mr. Berrios is replacing, Tom Lyons, but the Cook County Democratic Party is in outstanding hands with its new leader at the helm.

In 1988, Mr. Joseph Berrios was elected as a commissioner of the Cook County Board of Review and has served honorably for 18 years.

As the Democratic committeeman of the 31st Ward on Chicago's northwest side, Mr, Joseph Berrios vowed to revamp the party's committee structure and to encourage more participation from minorities and suburban Democrats.

The Cook County Democratic Party has a long and illustrious tradition of working to represent the people of Cook County in Illinois. The election of Joseph Berrios as Chairman of the Cook County Democratic Party helps further realize the mission of a more integrated Illinois community.

Madam Speaker, I congratulate Mr. Joseph Berrios on his election as Chairman of the Cook County Democratic Party, and I wish him the best of luck in his new role.

RECOGNIZING MATTHEW HELM FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, February 9, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Matthew Helm, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 138, and in earning the most prestigious award of Eagle Scout.

Matthew has been very active with his troop, participating in many scout activities. Over the many years Matthew has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Matthew Helm for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING WILLYE WHITE

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Friday, February 9, 2007

Mr. THOMPSON of Mississippi. Madam Speaker, I would like to recognize an African American pioneer, athlete Willye White.

Willye B. White was born on December 31, 1939, in Money, Mississippi. She was raised by her grandparents in Greenville, Mississippi. White used athletics as her escape from working in the cotton fields for her grandparents. In high school, she spent summers training with famed track and field coach Ed Temple at Tennessee State University.

By age 16, Willye White was on the 1956 U.S. Olympic Team competing in Melbourne, Australia, where she won a silver medal in the long jump. She was the first American woman to win a medal in that event. She won a second silver medal in 1964 as a member of the 4x100 meter relay team in Tokyo. Willye White competed on five U.S. Olympic teams consecutively from 1956–1972.

White, a longtime Chicago-area resident, credited her experience as an athlete with allowing her to see beyond the racism and hatred that surrounded her as a child. She grew up before the civil rights movement, so before the Olympics, she thought that the whole world consisted of cross burnings and lynching. She reported to Sports illustrated magazine that, "The Olympic movement taught me not to judge a person by the color of their skin but by the contents of their hearts," and that "I am who I am because of my participation in sports."

She was a member of more than 30 international track and field teams and won a dozen Amateur Athletic Union long jump titles in her career, according to USA Track & Field, which inducted her into its Hall of Fame in 1981. White was inducted into 11 sports halls of fame, including the Black Sports Hall of Fame, the National Sports Track and Field Hall of Fame, and the Women's Sports Foundation International Hall of Fame. In 1999, Sports Illustrated for Women named her one of the 100 greatest women athletes in the 20th century.

After retiring from competitions, she dedicated her life to helping the underprivileged and less fortunate. She became a nurse and earned a degree in public health administration from Chicago State University. White coached, lectured and served as president of the Midwest chapter of the U.S. Olympians for 12 years. In 1991, she established the Willye White Foundation to help youth develop self-esteem and become productive citizens within the community. She also received her honorary Doctor of Humanity Degree from Springfield College in 1999.

Willye White died on February 6, 2007, of pancreatic cancer at Northwestern Memorial Hospital in Chicago.

Willye White was a pioneer for African Americans and women, by becoming the first American woman to win a gold medal in the long jump. She was a Philanthropist, who used her life experiences to help improve other's lives.

ADVANCED FUELS INFRASTRUCTURE RESEARCH AND DEVELOPMENT ACT

HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 9, 2007

Mr. ETHERIDGE. Mr. Chairman, I rise today in support of H.R. 547, the Advanced Fuels Infrastructure and Development Act of 2007.

This is indeed timely and critically needed legislation to improve the use of alternative fuels such as E85 ethanol or biodiesel. We've made great strides in developing alternative fuels, but one critical problem always remains. Simply put: we can produce all the ethanol we want, but if the local gas station can't put it in their storage tank, then you will never be able to put it in your car.

During the last Congress, I had the honor of serving with Congresswoman STEPHANIE HERSETH as a co-chair or the Democratic Rural Working Group. Working with leaders like Agriculture Committee Chairman COLLIN PETERSON and Speaker PELOSI, we identified biofuels as a win-win for America's energy needs. Some states have already begun their own initiatives to make their infrastructure compatible to alternative fuels such as E85, but we need a nationwide effort in order to make these fuels viable as a real alternative.

Anyone who has filled up a gas tank in the past year knows that gas prices are highly volatile and too high for the average American. As a former North Carolina small businessman, and a part time farmer, I believe that it is our duty to find alternatives to what has become a dangerous reliance on foreign oil.

Our Nation has the capability to gain its energy independence. We posses the technology and the ability to turn the crops growing in our fields into the fuels we need to power our economy.

H.R. 547 will help accomplish this by developing the infrastructure we need to make fuels like E85 and biodiesel viable alternatives. This legislation will direct the Environmental Protection Agency to perform research and development into the infrastructure improvements needed to facilitate the proper use and transportation for fuels such as E85 ethanol and biodiesel. H.R. 547 will provide for research into existing issues that such as alternative fuel and equipment computability with existing fuel dispersment facilities and automotive technologies.

Mr. Chairman, making these fuels available to the American consumer is the first step towards making them a real alternative to foreign oil. I encourage my colleagues to vote for H.R. 547.

THE INTRODUCTION OF THE GENOMIC RESEARCH AND ACCESSIBILITY ACT

HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 9, 2007

Mr. BECERRA. Madam Speaker, I rise today with the hope of fixing what I believe to be a regulatory mistake—a mistake that at first glance may seem minor in scope, but upon further examination has dramatic, costly and harmful implications for every American.

I speak of the practice of gene patenting, where private corporations, universities and even the Federal Government are granted a monopoly by the United States Patent and Trademark Office on significant sections of the human genome.

It is my belief that this practice is wrong, ill-conceived and stunts scientific advancement. And it is for this reason that today I introduce the Genomic Research and Accessibility Act to put an immediate end to this practice.

Fifty-four years ago this month James Watson and Francis Crick discovered the structure of Deoxyribonucleic acid (DNA), the molecule that contains the genetic information of nearly all living organisms. Few discoveries have matched theirs in the understanding of the make up of the human species. This discovery led to the 1990 founding of the Human Genome Project, a U.S.-initiated and funded undertaking through the Department of Energy and the National Institutes of Health and in collaboration with geneticists from China, France, Germany, Japan and the United Kingdom. Its goal was to code three billion nucleotides contained in the human genome and to identify all the genes present in it. This dramatic undertaking has given us a greater grasp of many of life's most basic—and tramatic—questions.

The Project's efforts have led to the discovery of approximately 35,000 genes.

Madam Speaker, 20 percent of these genes have already been patented. Put another way, one-fifth of the blueprint that makes you—me—our children—all of us—who we are is owned by someone else. And we have absolutely no say in what those patent holders do with our genes.

This cannot be what Watson and Crick intended.

Here are a few examples of the implications of gene patenting:

1. Gene patents interfere with research on diagnoses and cures. Half of all laboratories have stopped developing diagnostic tests because of concerns about infringing gene patents. One laboratory in four has had to abandon a clinical test in progress because of gene patents.

2. In countries where genes are not patented patients get better tests for genetic diseases than in the United States.

3. Forty-seven percent of geneticists have been denied requests from other faculty members for information, data, or materials regarding published research. The practice of withholding data detrimentally affects the training of the next generation of scientists. Almost one fourth of doctoral students and postdoctoral fellows reported they have been denied access to information, data and materials.

4. Disease-causing bacteria and viruses have now been patented. The genome of the virus that causes Hepatitis C, for example, is owned. This can lead to major problems, for if someone else wants to introduce inexpensive, timely public health testing for this (or another) common infectious disease, the patent holder can prevent it.

5. Few in this chamber would ever forget the SARS epidemic. From November 2002 to July 2003, this respiratory disease spread to 24 countries, killing 774 of the 8,096 people who contracted it. Scientists were apprehensive about vigorously studying the disease because three patent applications were pending and they were fearful of possibly facing charges of patent infringement and subsequent litigation.

This is a serious problem and it is growing.

My legislation, the Genomic Research and Accessibility Act, is straightforward: it ends the practice of gene patenting. It gives guidance to the United States Patent and Trademark Office (PTO) on what is not patentable—in this case, genetic material, naturally-occurring or modified. It is not retroactive—it does not rescind the patents already issued. But, fortunately, the Framers of our Constitution in their infinite wisdom made the point that any recognized invention deserved a monopoly for only a limited time. Congress has defined that scope of protected status to be 20 years from the point the patent application was filed. Thus, if we enact this bill into law quickly, we will reach balance in less than two decades—a patent-free genome that does not hinder scientific research, business enterprise, or human morality.

I do not wish to lay blame on anyone who has sought out a gene patent, for they all saw an opportunity and capitalized on it. But that opportunity should never have existed in the first place, and thus, it is time that we as a legislative body put an end to this practice.

Nor do I find fault with the Patent and Trademark Office. These days, it should not surprise anyone that innovative technology often outpaces innovative policies. Quite frankly, I don't know if the Patent and Trademark Office or anyone else for that matter had the technical expertise to fully understand the implications when the PTO granted the first gene patents. Those first patents set the precedent. The precedent created the practice. And the practice has now proliferated. This would not be the first time in our Nation's history where government has had to play catch up in order to properly understand technological innovation, and it certainly won't be the last.

Madam Speaker, precedent does not and should not simply guarantee continued practice. Indeed, Congress has the constitutional right to proliferate and reward the advancement of invention, but it also has the responsibility to intervene should that advancement be misdirected or incorrect. Article I, Section 8 of the United States Constitution states that we must "promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries." But implicit in those words is the power of discretion—Congress' charge to offer guidance on what exactly merits an exclusive right.

I make the argument that the human genome was not created by man, but instead is the very blueprint that creates man. The genome and the approximately 35,000 genes it encompasses has existed for millions of years, predating the human species; and suffice to say that it will certainly post date us as well.

If you agree with me that genes have existed beyond the full grasp of human knowledge and indeed before the dawn of human kind, then you must conclude as I have that they are a product of nature and thus not patentable. Patenting the gene for breast cancer or any other gene is the analogous equivalent to patenting water, air, birds or diamonds.

But don't take my word for it, Madam Speaker. One need only read the Supreme Court's Diamond v. Chakrabarty decision of 1980 to receive guidance on what is truly not patentable. In this landmark decision, Chief Justice William Burger wrote that "The laws of nature, physical phenomena, and abstract ideas have been held not patentable . . . Thus, a new mineral discovered in the earth or a new plant found in the wild is not patentable subject matter. Likewise, Einstein could not patent his celebrated law that $E=mc^2$; nor could Newton have patented the law of gravity. Such discoveries are 'manifestations of . . . nature, free to all men and reserved exclusively to none.' "

Proponents of gene patenting have said they are not patenting genes but instead are patenting "isolated and purified" genetic sequences. This is mere wordplay. In practice, these patents are patents on products of nature. For example, a patent on the supposedly isolated and purified breast cancer sequence prohibits a woman's doctor from looking for the breast cancer gene in her blood without paying $3,000 to the patent holder. It prohibits the same woman from donating her breast cancer gene to other researchers because the holder of the patent has the exclusive right to prevent anyone else from doing research on any individual's breast cancer gene. Such restrictions make clear that in effect, patents on isolated and purified sequences are patents on the actual genes found in nature.

We have overstepped our bounds. We have made a regulatory mistake. We have allowed the patenting of a product of nature.

Fortunately, we have the power to end the practice expeditiously and for the benefit of all. This bill will allow all doctors and researchers to have access to the genetic sequence, consisting of the chemical letters A (adenine), T (thymine), C (cytosine) and G (guanine). Just as we would never allow a patent on the alphabet that would permit the patent holder to charge people a royalty every time they spoke, we should not allow a patent on the genetic alphabet that comprises our common genome.

I want to thank my friend, the Honorable Dr. DAVE WELDON of Florida, for agreeing to join me in writing and introducing this critical piece of legislation. I am appreciative for the support that this legislation has found in the science and medical communities. The Medical Association, the College of American Pathologists, the American College of Medical Genetics, the American Society of Human Genetics, the Association for Molecular Pathology, the Academy of Clinical Laboratory Physicians and Scientists and a host of others have all made public their wish to see the practice of gene patenting come to an immediate end. I applaud their steadfast support and encourage them to stay vocal until such time as their wish becomes reality and the Genomic Research and Accessibility Act becomes law.

Enacting the Genomic Research and Accessibility Act does not hamper invention, indeed, it encourages it. Medical innovation and economic advancement will occur if the study of genes is allowed to happen unabated. Incredible manifestations of intellectual property will result: medicines, machines, processes—most deserving of recognition, some potentially life-saving, and all worthy of a patent.

Madam Speaker, let us take up and pass in short order the Genomic Research and Accessibility Act.

RECOGNIZING WILL GORMAN FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, February 9, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Will Gorman, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 214, and in earning the most prestigious award of Eagle Scout.

Will has been very active with his troop, participating in many Scout activities. Over the many years Will has been involved with Scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Will Gorman for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

SENATE—*Monday, February 12, 2007*

The Senate met at 1 p.m. and was called to order by the Honorable BENJAMIN L. CARDIN, a Senator from the State of Maryland.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Lord, sometimes we reach the limits of human ingenuity. Our knowledge seems insufficient for life's complexity, and our skills fail us in the storm.

Supply the needs of our Senators today so that no difficulty will overwhelm them. Be in their heads and in their thinking. Be in their eyes and in their looking. Be in their mouth and in their speaking. Be in their hearts and in their understanding. Fill them with Your truth and empower them to face the multitudes of pressing issues unafraid.

We pray in Your strong Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable BENJAMIN L. CARDIN led the Pledge of Allegiance, as follows:

> I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, February 12, 2007.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BENJAMIN L. CARDIN, a Senator from the State of Maryland, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. CARDIN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, today, following whatever time the leaders utilize, the Senate will be in morning business, with Senators permitted to speak for up to 10 minutes each. Last Thursday, we began consideration of the continuing resolution. I then filed cloture, and that cloture vote will occur tomorrow morning, which is Tuesday.

As Members are aware, the current funding resolution expires at midnight on Thursday, February 15. We have to complete action on this matter so it can be signed by the President. This is important. Members have until 2:30 p.m. today to file any first-degree amendments to the resolution. As I previously announced, there will be no rollcall votes today.

THE ECONOMIC FUTURE OF AMERICA

Mr. REID. Mr. President, today I wish to talk about the economic future of our country.

The economic future of our country is bleak. During the last 3 years of the Clinton administration, this Federal Government was spending less money than it was taking in. We actually retired the national debt by half a trillion dollars. Since President Clinton left office, we have had the highest deficits in the history of our country. The Bush budgets have been record-breakers but in the wrong way. We are $3 trillion in new debt in the last 6 years. We have doubled the amount of money we owe China and Japan, and we owe money—to Saudi Arabia, Singapore, on and on—to other countries. We even had to borrow money from Mexico in recent years.

Senator CONRAD has indicated—and I have spent hours with him. I have spent hours with him and JUDD GREGG talking about what we can do for the long-term economic future of this country. I had hopes and anticipation, but then these hopes were washed away. As Vice President CHENEY says, we are doing nothing to change revenues in any way. It is a one-way street, this administration—all for the rich, nothing for the poor, and in between the poor and the rich, the middle class is being squeezed. The rich are getting richer, far richer, and the poor are getting poorer.

I am disappointed—and that is an understatement—in the budget we received recently from the President. It is like Iraq: He refuses to reverse course. The budget is the same, more of the same.

Let's see why we should be concerned about this budget. It wasn't long ago that Vice President CHENEY insisted that deficits don't matter. I was speaking today to a publisher of a large newspaper—owns newspapers all over the country—and he and I lamented that we always thought Republicans were for fiscal conservatism, fiscal integrity. That is gone. No one believes anymore that they care—red ink as far as you can see. And, as Vice President CHENEY insisted, deficits don't matter. But he is wrong. I know he and many on the other side of the aisle obviously believe deficits don't matter. The Republicans obviously believe this. Senate Republicans and House Republicans may believe that but a lot fewer now than before November 6 because Republicans all over the country believe deficits do matter. They do believe in fiscal integrity, that you pay your bills, you don't spend money you don't have.

We Democrats agree with mainstream Republicans across the country. We believe in fiscal responsibility because history proves that it works, and we are convinced that massive deficits allowed to continue will undermine growth and weaken America's future. It is no different from your own personal bank accounts, how you take care of your home, your family. Sure, there may come times when you have to borrow money, but you need to pay it back. You can't have deficit-spending as far as the eye can see. How has the Republican Party gotten off on allowing these huge deficits to keep building?

The administration's budget it just gave us shows they are still trapped in an outdated and discredited ideology. Rather than accepting the need for discipline, President Bush's budget continues to reject the strong pay-as-you-go rules. What does this mean, pay-as-you-go? This is the rule we had in the Clinton years. What it means is that if you are going to lower taxes, you have to figure out a way to pay for it. If you are going to have a new spending program, you have to have a way to pay for it. You just can't borrow money, which is what has happened under President Bush. Pay-as-you-go rules during the Clinton years promoted fiscal responsibility.

Rather than reducing our debt, as the Democrats did under President Clinton, the Bush budget calls for an additional $2.5 trillion in new borrowing, causing our debt to balloon to almost $12 trillion. I am not making up these numbers. They come directly from the President's budget. The real numbers are even worse than those you find in the President's budget, which leads me to my second major concern about the President's budget—its refusal to be honest with the American people.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Let's begin with the cost of the Iraq war. While the President continues to resist bipartisan efforts to reverse the political and military course in Iraq, his own budget takes a very different approach. In fact, the budget contains $50 billion only for the war in 2009 and nothing thereafter. Does that mean the administration really wants to pull the troops out? Of course not. They want to have it both ways—they want the war, but they don't want to pay for it. And their deceptive budget isn't playing it straight. It is not being honest.

The war costs, unfortunately, are only one example of the budgets deception. Their budget also uses rosy assumptions about expected revenues. In 2012 alone, the President assumes that revenue will be $155 billion more than projected by the nonpartisan Congressional Budget Office. So instead of a rosy surplus, Bush's budget would run a huge deficit.

Beyond rosy assumptions, the budget also claims to reach balance by assuming deep future cuts in domestic priorities such as education. But how? Few details. Exactly which programs will be cut? No details. By how much? Not for sure. Few details. And who will be affected? The budget doesn't say. We know some.

Perhaps even more important than its debt and deception, the Bush budget is simply disconnected from the needs of middle-class America. Too many families today are struggling with stagnating wages and rising prices for everything from health care to the groceries we buy. That is certainly true in Nevada. But instead of developing new ways to meet these needs, the budget offers few, if any, new ideas that would help. In fact, many of its cuts would make matters worse. For example, the budget underfunds the State Children's Health Insurance Program which would jeopardize existing health coverage and leave millions of children uninsured. Its ill-conceived health proposal would threaten existing private health coverage and actually drive up premiums, the experts say. The budget cuts $300 billion from Medicare and Medicaid and thus increases health care costs for many seniors. The budget cuts education by $2 billion, and it even cuts programs that are important to veterans and police officers.

These cuts would have a major impact on many of my constituents and many of the Presiding Officer's constituents. Every State in the Union would feel the impact. There are already over 100,000 children in Nevada without health insurance. The Bush budget would increase that number. At the same time, its deep cuts to Medicare and Medicaid threaten about 300,000 Nevadans who rely on Medicare and 170,000 Nevadans who depend on Medicaid.

Unfortunately, at the same time the administration is cutting programs important to the middle class and the poor, they are insisting on spending hundreds of billions of dollars for handouts for multimillionaires. I know the administration generally believes that the very wealthy are the engine of economic growth. Democrats disagree. We believe the real engine of growth is a strong middle class, and we think it is wrong to burden middle-class taxpayers with the cost of massive spending for those at the top of the economic pyramid.

Consider the President's tax breaks for people with incomes over $1 million. They are huge—more than $150,000 a year if you make more than $1 million. In 2008 alone, that cost will be $50 billion. Who gets the $50 billion? The millionaires, Mr. President, the millionaires. Think about that—$50 billion. Where does it go? To the millionaires. At the same time he wants to cut education by $2 billion, the President wants to spend $50 billion on tax breaks for those with incomes over $1 million. That is not just fiscally irresponsible and it is not just bad economic policy, it is wrong. It is just plain wrong.

Unfortunately, tax breaks for multimillionaires are only one example of the many special interest handouts in this budget we just got.

It contains wasteful royalties and tax breaks for oil and gas companies. This industry is making more money this year than ever before, last year it was more money than ever before, and the year before it was more money than ever before.

It continues Medicare overpayments to HMOs and other managed care plans.

This budget grants drilling rights to Alaskan wilderness.

It continues tax breaks for multinational corporations that outsource jobs overseas, and remarkably it continues to call for the privatization of Social Security with the deep benefit cuts and massive debt.

These discredited and outdated policies will not promote economic growth, they will not strengthen the middle class or make our country a better place. On the contrary, they will weaken our Nation and make middle-class life harder.

We must do better. In coming weeks, led by our remarkable Budget chairman, Senator CONRAD, we will work together with our colleagues to produce a better budget; a fiscally responsible budget based on the philosophy that, yes, deficits do matter; a budget that returns the tough pay-as-you-go discipline of the 1990s and balances the budget using real numbers, not pretend numbers; a budget that puts the middle class first and starts to address the real problems facing working families, such as exploding health care costs and rising tuition; a budget that reflects the best of our core values, American values, and lays the groundwork for a strong and prosperous future.

Achieving such a budget won't be easy. Members on both sides of the aisle would have to work together and make some tough choices and compromises, and the President must be willing to rethink obsolete approaches and help move his party and our Nation in another direction.

But speaking for Democrats, while we know the challenge is great, we are going to try. It is my hope that in the end we can finally move toward a new fiscal policy that combines old-fashioned values of fiscal discipline with the new and forward-looking approach that puts the middle class first.

I ask my time not interfere with the time that has been set aside. Would the Presiding Officer remind me, do we have a certain period of time for morning business today?

The ACTING PRESIDENT pro tempore. Under the previous order, there will be a transaction for morning business with Senators permitted to speak for up to 10 minutes each.

Mr. REID. I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will be a period for the transaction of morning business, with Senators permitted to speak for up to 10 minutes each.

The Senator from Iowa is recognized.

Mr. GRASSLEY. I think the Senator from North Dakota wanted to be recognized.

Mr. DORGAN. I ask unanimous consent that following the presentation of my colleague Senator GRASSLEY of Iowa, I be recognized for a period of 20 minutes in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ALTERNATIVE MINIMUM TAX

Mr. GRASSLEY. Mr. President, lately we have heard a lot about the alternative minimum tax and the difficulties involved in fixing it. Right now is tax time so a lot of people are going through the process of determining whether they owe the alternative minimum tax. I will visit with taxpayers about that. At another time I will go into greater detail regarding some of these problems and what we need to do to fix the alternative minimum tax.

Right now I want to explain how we got into this situation. Of course, as with anything, it would be foolish to go forward on this issue without looking back to see how we got to where we are now, after 40 years of the alternative minimum tax. The alternative minimum tax, then, obviously has been with us for that long a period of time.

The individual minimum tax was the original name of the alternative minimum tax and was enacted first in 1969. This chart I am displaying highlights a few of the important and most recent milestones in the evolution of the AMT. I will not go into each of those milestones in detail, but by looking at the chart you can see the AMT has not been a constant. There has been an alternative minimum tax, but it has had some changes in the last 38 years.

First, the history of the AMT. In the 1960s, Congress discovered only 155 taxpayers—all people with incomes greater than $200,000 a year—were not paying any taxes whatever. These taxpayers were able to use legitimate deductions and exemptions to eliminate their entire tax liabilities—all legally. To emphasize, what they were doing was not illegal, but Congress could not justify this at that time and it determined at that time that wealthy Americans ought to pay "some" amount of tax to the Federal Government regardless of the amount of legal ways of not paying tax.

When Congress decided to do this, it was calculated only 1 in 500,000 taxpayers would ever be hit by the alternative minimum tax. According to the Bureau of Census, we had at that time about 203 million people compared to 300 million today. Making the assumption that every single American was a taxpayer, the individual minimum tax was originally calculated to affect only 406 people. We get that by dividing 203 million by 500,000. In 1969 Congress was motivated by the situations of the 155 taxpayers to enact a tax calculated to impact about 406 people.

Clearly, the situation has changed dramatically in the last 30 years because this year the AMT is going to hit several million taxpayers. Although not its only flaw, the most significant defect of the alternative minimum tax is that it was not indexed for inflation. If it had been indexed for inflation, we would not be dealing with this tax problem and millions of people this year would not have to figure out if they owed the alternative minimum tax.

The failure to index the exemptions and the rate brackets, the parameters of the AMT, is a bipartisan problem. Perhaps a most notable opportunity to index the AMT for inflation was the passage of the Tax Reform Act in 1986. That law was passed by a Democratic House, a Republican Senate, and signed by a Republican President. It is worth pointing out at that time, because of the bipartisan cooperation, indexing was a relatively new concept, and even though they had a bipartisan opportunity, they did not take advantage of it. One can argue that indexing of the AMT should have received more attention, but the fact is it did not then or any time since then, so we have the problems I am discussing today.

Today it is impossible for anyone to use the excuse that indexing is a new concept. Maybe it could be used in 1986. In a regular tax system, the personal exemptions, the standard deduction, the rate brackets are indexed for inflation. Government payments such as Social Security benefits are indexed for inflation and people would be hard pressed to go into most schools and find a student who does not at least know that inflation was something to be avoided or at least to be compensated for through indexing.

Despite what must be a nearly universal awareness of inflation, though, the alternative minimum tax, the Internal Revenue Code equivalent of a time capsule, remains the same year after year as the world changes around it. It must be obvious to everyone that the value of a buck has changed a lot in the last 38 years, and all here are experienced enough to have witnessed that change.

More than anything else, the problem posed by the alternative minimum tax exists because of a failure to index that portion of the Tax Code for inflation. Although $200,000 was an incredible amount of money in 1969, the situation is different today. I am not saying that $200,000 is not a lot of money—because it is, obviously, to most middle-income people a lot of money—but $200,000 is certainly going to buy less today than it did in 1969.

I also emphasize that I am not the only one saying the failure to index the alternative minimum tax for inflation is what is causing it to consume more and more of the middle-income taxpayers. On May 23, 2005, the Subcommittee on Taxation and IRS Oversight, the Committee on Finance, held a hearing entitled "Blowing the Cover on the Stealth Tax: Exposing the Individual AMT." At that hearing, the national taxpayers advocate Nina Olson said:

> [t]he absence of an AMT indexing provision is largely responsible for increasing the numbers of middle-class taxpayers who are subject to the AMT regime.

Robert Carroll, who is now Deputy Assistant Treasury Secretary for tax analysis and then was in the acting position, same title, testified:

> [t]he major reason the AMT has become such a growing problem is that, unlike the regular tax, the parallel tax system is not indexed for inflation.

We also had at that hearing Douglas Holtz-Eakin, who at that time was director of the nonpartisan Congressional Budget Office:

> If the 2005 [increased AMT] exemptions were made permanent and, along with other AMT parameters, indexed for inflation after 2006, most of the increase over the coming decade in the number of taxpayers with AMT liability would disappear.

Clearly, there is a consensus among knowledgeable people that the failure to index the AMT for inflation has been and continues to be a serious problem and, in fact, for the most part, would be a solution to the problem if you want to maintain the AMT. If you want to argue for doing away with the AMT, that is another ball game.

What makes the failure to index the AMT in 1986 and other years more disastrous is repeated failure to deal with the problem in additional legislation that has actually compounded the problem posed by the alternative minimum tax.

Before I continue, I will catalog the evolution of the alternative minimum tax rate for a moment. The 1969 bill gave birth to the alternative minimum tax which established a minimum income tax rate of 10 percent in excess of the exemption of $30,000. In 1976, the rate was increased to 15 percent. In 1978, graduated rates of 10, 20, and 25 were introduced. In 1982, the alternative minimum tax rate was set at a flat rate of 20 percent and was increased to 21 percent in 1986. This is not a complete list of legislative changes and fixes, and I am sure no one wants me to recite a full list but, very importantly, I want to make sure that everyone realizes Congress has a long history of trying to fiddle with the AMT in various ways but without doing anything permanent to it. Hence, we are here again this year considering what to do.

Now, a great detail on recent bills impacting the AMT. In 1990, the Omnibus Budget Reconciliation Act is a result of the famous Andrews Air Force summit between President Bush and Democratic leaders on Capitol Hill. Probably Republicans were involved, as well. That legislation raised the alternative minimum tax rate from 21 percent to 24 percent and did not adjust the exemption levels. That means every person who had been hit by the AMT would continue to be hit by the AMT but be hit harder.

Then we had the same title, but in 1993 we had the Omnibus Budget Reconciliation Act. The exemption level was increased to $33,750 for individuals and $45,000 for joint returns, but that was accompanied by yet an additional rate increase. In 1993, the tax increase passed this Senate with just Democratic votes for it. No Republican voted for it.

Once again, graduated rates were introduced, except this time they were 26 percent and 28 percent. By tinkering with the rate and exemption levels of the alternative minimum tax, these bills were only doing what Congress has been doing on a bipartisan basis for almost 40 years, which is to undertake a wholly inadequate approach to a problem that keeps getting bigger and bigger and bigger.

Aside from this futile tinkering that has been done every few years, Congress has, in other circumstances, completely ignored the impact of the tax legislation on taxpayers caught by the alternative minimum tax. In the 1990s, a series of tax credits, such as the child tax credit and lifetime learning credit, were adopted without any regard to the alternative minimum tax. The alternative minimum tax limited the use of nonrefundable credits, and that did not change. In other words, because of the AMT, we did not accomplish the good we wanted to with those credits for lower middle-income and lower income people. Congress quickly realized the ridiculousness of this situation and waived the alternative minimum tax disallowance of nonrefundable personal credits, but it only did it through the year 1998.

In 1999, the issue again had to be dealt with. The Congress passed the Taxpayer Refund and Relief Act of 1999. In the Senate, only Republicans voted for that bill. That bill included a provision to do what I would advocate we ought to do right now: repeal the alternative minimum tax. If President Clinton had not vetoed that bill, we would not be here today. But we are here today with a worse problem.

Later, in 1999, an extenders bill, including the fix, to fix it good through 2001, was enacted to hold the AMT back for a little longer; in other words, not hitting more middle-income people.

In 2001, we departed from these temporary piecemeal solutions a little bit—at least a little bit—for 4 years with the Economic Growth and Tax Relief Reconciliation Act of 2001. That 2001 bill permanently allows the child tax credit, the adoption tax credit, and the individual retirement account contribution credit to be claimed against a taxpayer's alternative minimum tax. While this certainly was not a complete solution, it was a step in the right direction.

More importantly, the 2001 bill was a bipartisan effort to stop the further intrusion of the alternative minimum tax into the middle class. The package Senator BAUCUS and I put together that year effectively prevented inflation from pulling anybody else into the alternative minimum tax through the end of 2005.

Mr. President, I ask unanimous consent for 3 more minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. GRASSLEY. Our friends in the House originally wanted to enact a hold harmless only through the end of 2001, while Senator BAUCUS and I were trying to do it through 2005. We got the final bill the way Senator BAUCUS and I wanted it. So it was not a problem then until the year 2005.

Since the 2001 tax relief bill, the Finance Committee has produced bipartisan packages to continue to increase exemption amounts to keep taxpayers ahead of inflation, with the most recent being the Tax Increase Prevention and Reconciliation Act of 2005, which increased the AMT exemption to $62,550 for joint returns and $42,500 for individuals through the end of 2006.

These packages put together since 2001 are unique in that they are the first sustained attempt undertaken by Congress to stem the spread of the AMT through inflation and hitting more middle-income taxpayers. Admittedly, these are all short-term fixes, but they illustrate a comprehension of the AMT inflation problem and what needs to be done to solve it.

So this leads us to the present day and the situation we currently face. In 2004, the most recent year for which the IRS has complete tax data, more than 3 million families and individuals were hit by the AMT. And those figures for each State are shown on this chart behind me. You can see a breakdown by State of families and individuals who paid the alternative minimum tax, even with our hold-harmless provisions in place.

This does not even begin to hint at what will happen if we do not continue to protect taxpayers from the alternative minimum tax. Barring an extension in the hold harmless contained in the 2006 tax bill, AMT exemptions will return to their pre-2001 levels. At the end of 2006, provisions allowing nonrefundable personal tax credits to offset AMT tax liability expired. If further action is not taken, it is estimated that the AMT could claim 35 million families and individuals by the end of this decade. That is just 3 years away. Think of it: a tax originally conceived to counter the actions of 155 taxpayers in 1969 could hit 35 million filers by the year 2010—a well-intentioned idea 40 years later with unintended consequences. Some analyses show that in the next decade, it may be less costly to repeal the regular income tax than the alternative minimum tax.

Aside from considering the increased financial burden the AMT puts on families, we also should consider the opportunity cost. Because the average taxpayer spends about 63 hours annually complying with the requirements of the alternative minimum tax, that is an awful lot of time that could be more productively used elsewhere.

As I have illustrated, the AMT is a problem that has been developing for a while. Thirty-eight years down the road are we now. On numerous occasions, Congress has made adjustments to the exemptions and rates, though not as part of a sustained effort to keep the alternative minimum tax from further absorbing our Nation's middle class.

Despite these temporary measures, the AMT is still a very real threat to millions of middle-income taxpayers who were never supposed to be subjected to a minimum tax. That the alternative minimum tax has grown grossly beyond its original purpose—which was to ensure the wealthy were not exempt from an income tax—is indisputable and that the AMT is inherently flawed would seem to be common sense.

Despite a widespread sense that something needs to be done, there is still disagreement on what needs to be done. Over the course of a few more remarks on this floor, in days to come, I will address some of those things we ought to do. But this is a case where well-intended legislation not being paid attention to has turned out to be a major tax problem in this country.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota is recognized under the consent for 20 minutes.

CONTINUING APPROPRIATIONS

Mr. DORGAN. Mr. President, I rise to talk about two issues today. First, I will talk about the continuing resolution that will be on the floor of the Senate that we will likely finish this week.

I know there is some consternation about the fact that a continuing resolution is being done, but there was no choice. We were left with an awful mess. This Congress was left with a mess where 10 appropriations bills were completed by the Senate Appropriations Committee but never brought to the floor of the Senate. They should have been done by October 1, signed by the President. We are now months into the new fiscal year, and those appropriations bills, done by the previous majority here in Congress, were not completed, and so we are left with a mess.

We have put together, as best we can, a continuing resolution. We have made some adjustments to that continuing resolution. Earmarks are gone. These are adjustments to avoid some catastrophic things that would have happened without adjustments.

I wish to mention with respect to the energy and water chapter of that resolution that we have done a number of things to try to preserve some funding for renewable energy. We have an energy issue that is very compelling in this country. We need to stimulate more renewable energy, so we are trying to keep the accounts which do that intact. We have tried to find the funding to preserve the Office of Science, which is the cutting-edge science that keeps us competitive in the world. That office would have had to lay off people had we not made some adjustments there. In the energy supply and conservation account, which is ongoing and very important, we have made some adjustments.

The fact is, we have tried to find a way to address the mess we were left. We are doing it the best way we can. I believe the best approach is to pass this continuing resolution. It is true there are no so-called earmarks or what is, in effect, legislative-directed spending. But it is also the case that adjustments have been made in a number of areas, including the energy and water accounts, that will try to remedy some of the otherwise very significant changes, in some cases catastrophic changes to the issues we care a lot about—energy independence, energy conservation, renewable energy, science, and so many other areas.

I am pleased to support this continuing resolution. I wish we were not doing it this way. If I had my druthers, we would have passed the appropriations bills last year on time. That did not happen. So we are now faced with this mess of fixing a mess that was created by last year's majority. We do not have a choice. We have to do that. The Government would shut down if the funding were not available for the agencies, so we have a responsibility, and we will meet that responsibility.

ACCOUNTABILITY IN GOVERNMENT CONTRACTING

Mr. DORGAN. Mr. President, I also rise to talk about a piece of legislation dealing with contracting. The Federal Government is the largest contractor in the world. The U.S. Federal Government contracts for a lot of things. I am going to be introducing a piece of legislation that is entitled the Honest Leadership and Accountability in Contracting Act. There are some 23 Senators who have joined me as cosponsors on that bill, and I will return to the floor to speak about this later in the week. But I wish to talk a little today about what this means and why we are introducing it.

I held 10 oversight hearings in the Democratic policy committee, as chairman of that committee, on the issue of contracting abuses in Iraq. I held two oversight hearings on the issue of contracting abuses with respect to the response to Hurricane Katrina. We have put together, as a result of the abuses we have seen with this contracting, a piece of legislation which will do the following: It will punish those who are war profiteers. And there are some. It will crack down on contract cheaters. No more of this slap on the wrist, pat on the back, have another contract. It will force real contract competition for those who want to do contract work for the Federal Government. And it will end cronyism in key Government positions—having unqualified political appointees put in positions that require people who know what they are doing.

Let me talk about some of the things we have found. I do this knowing, last week, there were some oversight hearings on the House side chaired by Congressman WAXMAN. I commend him. There has been a dearth of oversight hearings, almost none in the last couple of years—I guess the last 5 or 6 years, actually—because a majority of the same party as the President do not want to hold hearings that embarrass anyone. So there have been very few oversight hearings. But the hearing held this past week in the House that caught my eye is one that followed a hearing I held in the Senate with the policy committee. They talked about the fact that $12 billion in cash—most of it in stacks of one-hundred-dollar bills—had been sent to Iraq; 363 tons of U.S. cash currency flown in on wooden pallets on C–130 airplanes. That would be, by the way, 19 planeloads of one-hundred-dollar bills; 363 tons.

Nearly half of that cash was sent in the final 6 weeks before control of the Iraqi funds were turned over to the Iraqi Government. These were Iraqi oil funds, funds with frozen Iraqi assets here in the United States. The last shipment of $2.4 billion was the largest shipment. It was the largest shipment ever in the Federal Reserve Board's history. And that was 1 week before the government was turned over to the Government of Iraq.

Cash payments were made from the back of a pickup truck. One official was given $6.75 million in cash and told to spend it in 1 week, before the interim Iraqi Government took control of the funds.

I had a person testify at my hearing who said it was similar to the Wild West. Our refrain was bring a bag because we pay in cash. That is the way we do business.

In fact, I have a photograph of a fellow who testified at the hearing I held. These are one-hundred-dollar bills wrapped in Saran Wrap in brick form. This was in a building in Iraq. This is the fellow who testified. He said people used to play catch with them like football. He said it was the Wild West. Bring a bag, we pay in cash.

We know a substantial amount of cash disappeared—some American taxpayer money, some belonging to the people of Iraq—with almost no accountability.

I wish to talk about accountability. If there was a lack of accountability—and there certainly was, with respect to what happened in Iraq and also here at home with Katrina—what will be the accountability going forward? How do we ensure accountability? How do we ensure that someone is in charge going forward?

Let me talk about Halliburton and Kellogg, Brown and Root, its subsidiary. I know the minute you mention Halliburton, someone says you are criticizing the Vice President. No. He used to be president of that company. He has been gone a long while. This has been Halliburton that gets big contracts from the Defense Department and then doesn't perform.

Bunnatine Greenhouse is a woman who rose to become the highest ranking civilian official in the Corps of Engineers in charge of all the contracting, the highest ranking civilian official who always got great reviews on her performance evaluations, until the point when the Pentagon decided to award a massive no-bid, sole-source contract to Halliburton's subsidiary called RIO, Restore Iraqi Oil. She protested that this was done in violation of proper contracting procedures. She was appalled when Halliburton was found by auditors to have overcharged nearly double for fuel purchases. And then the Defense Department, the folks in charge of that, instead of being concerned about it, rushed to provide the company with a waiver. This waiver was provided without the approval of the contracting officer who was responsible, Ms. Greenhouse. She was kept in the dark about that decision. She learned about the waiver when she read it in the newspaper.

When she did speak up, she was bypassed, ignored, and ultimately forced to resign or face demotion. Here is what she has said publicly, the highest ranking civilian official in the Corps of Engineers who blew the whistle on the good old boys network for contracts awarded, she felt, improperly:

> I can unequivocally state that the abuse related to contracts awarded to KBR represents the most blatant and improper contract abuse I have witnessed during the course of my professional career.

For saying this, this woman was demoted. She lost the job she had for being honest. And she, by all accounts, was a top-notch contracting official. So this 20-year contracting official, responsible for all this, was ignored and then demoted when she was critical of people whom she felt were violating the rules. What happened then to fill her job? The Corps of Engineers decided to replace her with a Pentagon official who had 40 years of Government experience but none of it in Government contracting. At a hearing of the Senate Energy Committee, General Strock admitted the person who replaced Ms. Greenhouse was not certified as an acquisition professional. He stated that Ms. Riley required a waiver in order to apply for her new position. Ms. Riley has now "gone to school" and has been brought up to speed about what she needs to know as a contract official. Sound familiar? It does to me. It is happening all too often.

Let's take a look at what I found in some of the hearings. Yes, it is about Halliburton because they are the biggest contractor, but it is about other companies as well. An $85,000 brand new truck abandoned beside the road because they had a flat tire in an area where there were no hostilities at all, but they didn't have the right wrench to fix it; $85,000 brand new truck abandoned because they had a plugged fuel pump. It didn't matter. With a cost-plus contract, the American taxpayers pick up the tab. A case of Coca-Cola, $45. Gasoline was delivered by Halliburton for twice the cost that the internal part of the Defense Department said they could have provided it for. Halliburton charged 42,000 meals a day, when they were delivering 14,000 meals, overcharging by 28,000 soldiers a day. They leased SUVs for $7,500 a month.

Halliburton supplied troops with hand towels and the person who ordered the hand towels was in Kuwait. He came to a hearing I held. He said he was ordered to purchase towels that were nearly three times more expensive than regular towels. Why? Because the company, KBR, wanted their name embroidered on the towels used by the troops. Their attitude was, the American taxpayer pays for it; it doesn't matter, it's cost plus, don't worry about cost.

It is unbelievable when you see what has happened with some of this contracting. We heard from Rory Mayberry, former food production manager. He also was at KBR. He said:

> Food items were being brought into the base that were stamped expired or outdated by as much as a year. We were told by KBR food service managers, use the items anyway. The food was fed to the troops. For trucks that were hit by convoy fire and bombings, we were told to go into the trucks, remove the food items, and use them after removing the bullets and any shrapnel from the bad food that was hit. We were told, by the way, to turn the removed bullets over to the managers for souvenirs.

How about water? Contaminated water, more contaminated than raw water taken from the Euphrates River, delivered as non-potable water to our troops to shower, shave, and so on, more contaminated than raw water from the Euphrates River. Halliburton says it never happened. I have an internal Halliburton report that says it did happen, and they nearly missed having a catastrophe of mass sickness or death. I also have an e-mail sent to my by a captain, a young physician serving in Iraq. She said: I read in the newspaper about your hearing. What you alleged is exactly what is happening at our base.

Let me describe a couple of those. This is an internal Halliburton report written by the top water quality manager Wil Granger, May 13, 2005:

> No disinfection of non-potable water was occurring [at camp Ar Ramadi] for water designated for showering purposes. This caused an unknown population to be exposed to potentially harmful water for an undetermined amount of time.

It didn't just happen at Ar Ramadi. It happened at every base in Iraq.

> The deficiencies of the camp where the event occurred is not exclusive to that camp; meaning that countrywide all camps suffered to some extent for all or some of the same deficiencies noted.

This is from an internal Halliburton report written by the top water quality person at Halliburton. These are contracts we pay for. We pay a company to provide water to the military installations that now exist in Iraq. Who is accountable for having water sent to our troops, non-potable water that is more contaminated than water in the Euphrates River?

CPT Michelle Callahan, who is currently serving in Iraq—at least she was when she sent me an e-mail—found exactly the same cases of bacterial infections among the troops, traced the problem back to contaminated water that KBR was not treating properly. She had one of her officers follow the lines to find out where that water came from and why. So water to the troops, that is a health issue. Food to the troops, that is a health issue.

Two guys show up in Iraq—one's name is Custer, and the other is Battles—with not much experience and no money. But they understand you can make a lot of money in Iraq, American money. So they started a company. Within 2½ years, my understanding is, they have had contracts of over $100 million. They got into trouble. It has been in the courts. Among other things alleged, they took forklift trucks from the Baghdad airport, moved them to a warehouse, repainted them blue and sold them back to the Coalition Provisional Authority, which was us. This company got a contract for security at the Baghdad airport. Let me show you what the director of security at the airport said about Custer Battles:

> Custer Battles have shown themselves to be unresponsive, uncooperative, incompetent, deceitful, manipulative and war profiteers. Other than that, they are swell fellows.

Once again, who is accountable for the amount of money we are spending for these kind of contractors?

How about the Iraqi physician, a doctor from Iraq who came to testify at my policy committee hearing. We spent a couple hundred million dollars on the Parsons Corporation to rehabilitate 142 health clinics in Iraq. This Iraqi doctor went to the Iraqi Health Minister and said: I want to see these rehabilitated health clinics. Because he knew the money had all been spent. An American contractor got the money to do it, and it was gone.

He said: I want to see these 142 rehabilitated health clinics for the people of Iraq. The Iraqi Health Minister said: You don't understand. Most of these are imaginary clinics. The money is gone, but apparently the clinics don't exist.

Does that bother anybody? Is there any accountability for that? Seems to me there ought to be accountability for something like that.

I held hearings not just on contracting in Iraq, which I found to be a cesspool of unbelievable problems, but hearings with respect to contracting to deal with the problems of Hurricane Katrina. I wish to show you a picture of a man named Paul Mullinax. I sat in a grocery store parking lot one Sunday morning talking to Paul on the phone, asking if he would come to testify at a hearing. He wasn't anxious to do it, but he finally did. This is Paul Mullinax. This is his truck, an 18-wheel truck. Let me tell you the story Paul told.

Hurricane Katrina hit. And one of the things that was necessary to be provided to the victims of the hurricane was ice. So Paul was contracted by FEMA to pick up ice. He drove his truck from Florida to New York to pick up a load of ice. Then he was told he should take that ice to Carthage, MO. He went to Carthage with his truck and his refrigerated container full of ice. When he got to Carthage, he was told he should proceed to Maxwell Air Force Base in Montgomery, AL. When he got to Montgomery, he discovered there were over 100 trucks sitting there, refrigerated trucks there with ice. So for the next 12 days, this was Paul's life. There were victims of the hurricane waiting for relief, waiting for the cargo in his truck. For 12 days, he sat in front of this truck waiting. He finally said to them: If you are not going to tell me where to go or let me do this, I am going to go on my own and drop off the ice to some people who need it. They said: You can't do that. He said: I had no idea when I parked the truck I would be there for the next 12 days, my refrigerator unit running the entire time. Each truck cost the American taxpayer $6 to $900 a day.

You can see him sitting here with a cooler and a little girl for nearly 2 weeks waiting. Finally, he was told: You should take your ice to Massachusetts. So this man from Florida, who to New York to pick up ice, went to Missouri and then went to Alabama and then waited, then was told to take the truck to Massachusetts. Unbelievable. What was the American taxpayers' role in this, $15,000. It cost $15,000 for this incompetence.

Why does all of this happen? It happens because in this case with FEMA, a bunch of cronies were put in place to run the place. Were they qualified people? No. Most of them had political connections. They didn't have any emergency or disaster preparedness experience. That is what happens.

Who is accountable for that? Who ultimately is going to be accountable? How can we restore accountability? I have described a few of the problems. I have described a very few of the problems. The problems are unbelievable. I think it is the most significant waste, fraud, and abuse, perhaps, in the history of this country, billions and billions of dollars with no one accountable. At the hearings last week, the answer was: It is wartime. So we distribute cash from the back of a pickup truck. We say it is the Wild West, bring a bag. We pay in cash.

And it is wartime. I don't understand that. I have tried to find out who was responsible for having a Florida trucker pick up ice from New York to take to the victims of Katrina in the Gulf of Mexico and have the ice dropped off in Massachusetts, and we get stuck with $15,000, and the victims of the hurricane get nothing. But there is no accountability for anything.

So we will be introducing legislation, with 23 cosponsors later, this week. It is going to punish war profiteers—and, yes, there has been rampant profiteering going on. There will be substantial punishments for war profiteers. This antiprofiteering provision is based on a piece of legislation that Senator LEAHY introduced, and that was included in our contract and reform bill.

Our bill will also restore a Clinton administration rule on suspension and disbarment, which prohibits awarding Federal contracts to companies that exhibited a pattern of failing to comply with the law. That provision, by the way, was done away with by the current administration.

It seems to me it is time to say that you only get one chance, and if you cheat us, no more contracts. This notion of a slap on the wrist and a pat on the back is over. There was a time when exactly the same company had been in Federal court in Alexandria, VA, with allegations of fraud against the American taxpayer against that company; and on the same day, they were signing a new acquisition contract with the Department of Defense. That ought to never happen again.

We ought to crack down on contract cheaters. We ought to force real contract competition. When somebody such as Bunnatine Greenhouse speaks up and says "this is the most blatant abuse in contracting I have seen in my career," that ought not to be a cause for penalty. This woman risked her career and we are still trying to get to the bottom of who is accountable for her demotion. She was given a choice of being fired or demoted because she spoke out against contract fraud and abuse.

We think we need to strengthen whistleblower protection. We think it is important to have full disclosure of contract abuses and to restore the provision that says if there is a pattern of abuse, you don't get to engage in contracting anymore with the Federal Government.

This is very simple. I come from a small town, a town of slightly less than 300 people. There is a very simple code in towns such as that. If you are a business man or woman on Main Street and someone cheats you, you don't do business with them again. That is simple. That is a lesson apparently lost on a behemoth Federal Government.

The contracting provisions we will introduce are common sense, and this Congress ought to adopt them quickly. There will be a substantial number of cosponsors in support of the legislation that is filled with common sense, at the very time that we have witnessed the most significant waste, fraud, and abuse in this country's history. Accountability? What about accountability for what happened? What about accountability for what is about to happen? We are still spending a lot of money. We will have $100 billion requested of us and another $150 billion to replenish accounts, much of it through contracts. We say with this piece of legislation that it is long past the time for this Government to be accountable to the taxpayer and accountable to the citizens of the United States.

The PRESIDING OFFICER (Mr. PRYOR). The Senator from Tennessee is recognized.

Mr. ALEXANDER. Mr. President, I ask unanimous consent to speak for up to 15 minutes in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

HEAD START REAUTHORIZATION

Mr. ALEXANDER. Mr. President, later this afternoon, several of us will be introducing legislation to reauthorize Head Start. Senator KENNEDY, Senator ENZI, Senator DODD, and myself will be the cosponsors of the legislation. We have been working on it for a long time, all through the last Congress. We have heard from lots of parents, children, and Head Start operators. I wish to talk about that.

The Head Start program is an enormously popular and successful Federal initiative. It began in the 1960s when Lyndon Johnson was President of the United States. In fact, I have always thought it was a part of the story of the American dream that President Johnson went back to Cotulla, TX, near the Mexican border, where he taught first grade, to announce the Head Start program. It exemplifies one of the great principles of what it means to be an American—that we believe in equal opportunity. For that President of the United States to go back to where he was a first grade teacher reminds us that other children could succeed, as he did, in becoming President.

Today, Head Start has grown to a nearly $7 billion Federal program. That amount was spent last year. It served 900,000 children. In my State of Tennessee, 20,000 students or so were served. The funding was $118 million for Tennessee. This is a program that touches a lot of people. It deserves the Senate's attention, and it has had the Senate's attention.

During the last Congress, I made clear, as did several other Senators, that we want to see Head Start serve more children. But first, we wanted to make sure the program is accountable, financially solvent, and meeting the purpose for which it was formed. President Bush, in his message to Congress, said much the same thing 2 years ago. "Great program," he said. "But let's make it more accountable. Let's recognize that now we expect children to learn more and be able to do more before they arrive at school." The President said we want to get the States more involved, which was a good suggestion because when Head Start was founded, it was almost the only program to help preschool children. Today, while it is a large $7 billion program, there are $21 billion more in Federal dollars being spent to help preschool children in one way or the other, and there are a great many State and local programs that are Head Start or preschool programs.

The President's objective, as was ours, was to find a way to make all of these programs work well together. We listened carefully and I believe, as Senators KENNEDY, ENZI, and DODD believe, we have made significant improvements to the bill.

For example, the bill will establish 200 new Centers of Excellence that will serve as model Head Start programs across the country. The Governors will be involved in this. Hopefully, we can learn over the next 5 years from the States how, from these models, we can put together State efforts, local efforts, Federal efforts, and Federal Head Start efforts in a more efficient way to help children who are of preschool age.

Second, our legislation requires grant recipients to recompete for new grants every 5 years to help ensure a constant high level of quality.

Third, we clearly define what we mean by deficiency. We don't aim to catch people doing things wrong; we would rather catch them doing things right. When there are things that are wrong, the Head Start providers deserve to know what the standards are so they can make sure they meet them.

Fourth, this legislation provides clear authority to the governing boards to administer, and be held accountable for, local Head Start programs while ensuring that policy councils on which parents sit continue to play a crucial and important role.

Finally, as I mentioned earlier, this legislation continues to encourage State standards especially that cause there to be more cognitive learning, more emphasis on what children should be able to know and be able to do before they get to first grade—make sure they are ready to learn.

Americans uniquely believe that each of us has the right to begin at the same starting line and that, if we do, anything is possible for any one of us. We also understand that some of us need help getting to that starting line. Most Federal funding for social programs is based upon an understanding of equal opportunity in that way.

Again, Head Start began in 1965 to make it more likely that disadvantaged children would successfully arrive at one of the most important of our starting lines—the beginning of school. Head Start, over the years, has served hundreds of thousands of our most at-risk children. The program has grown and changed, been subjected to debate; but it has stood the test of time because it is very important. We have made a lot of progress. Only a few professionals had studied early childhood education when it began. Even fewer had designed programs specifically for children in poverty with the many challenges.

The origins of Head Start come from an understanding that success for these children wasn't only about their education. The program was designed to be certain that these children were healthy, got their immunizations, were fed hot meals and of crucial importance—that their parents were deeply involved in the program.

From the beginning, comprehensive services, including medical, dental, and nutritional services—and parent and community involvement were a part of Head Start programs, and that is still true today. In the early days, teacher training and curriculum were seen as less important. Now we know a lot more about brain development and how children learn from birth, and we understand that even for these very young children, teacher training and curriculum are very important.

Today, young children are expected to learn more and be able to do more in order to succeed in school. Many public schools now offer kindergarten. When this program started, Tennessee didn't have a public school kindergarten program. Now 40 States offer early childhood programs.

As Congress prepares to reauthorize Head Start, it is important that we recognize the program's importance and work to make it stronger. But we need to recognize also that today it is not fulfilling its promise as well as we would like. It is not meeting the purpose of serving our children who are most at risk as well as we would hope. I am not satisfied with the current practices, which fall short of the standards the taxpayers should expect, and that is why there are some changes in the bill.

We address this issue, first, by holding up successful local programs as models so others may follow their example, and by clarifying lines of accountability so any corrupt practices may be rooted out. The bill creates ways for States to help strengthen and coordinate Head Start, but would continue to send Federal funds directly to the nearly 1,700 grantees that provide services in over 29,000 Head Start centers that serve just over 900,000 disadvantaged children.

Let me talk about the Centers of Excellence first, because this is one of the most hotly debated parts of the bill—or it was. I think it is pretty well accepted now. The bill authorizes the Secretary of Health and Human Services to create a nationwide network of 200 Centers of Excellence in early childhood built around exemplary Head Start programs. These Centers of Excellence would be nominated by the Governors. Each Center of Excellence would receive a Federal bonus grant of at least $200,000 in each of 5 years, in addition to base funding.

The Centers' bonus grants could be used for some of the following:

One, to work in their community to demonstrate the best of what Head Start can do for at-risk children and families, including getting the children ready for school and ready for academic success.

Two, it can coordinate all early childhood services in the community. As I mentioned earlier, we are spending $21 billion in Federal dollars for these children. Many States and local governments are spending money. We need to spend it together.

Three, we can offer training and support to all professionals working with at-risk children.

Next, we can track Head Start families and ensure that their services are provided seamlessly to children, from prenatal to age 8.

Next, they can be models of excellence held accountable for helping our most disadvantaged children.

Finally, to have the flexibility to serve additional Head Start, or early Head Start children, or provide more full-day services to better meet the needs of working parents.

Head Start centers are uneven in performance, but usually they excel in two areas critical to success for caring and educating children: No. 1, developing community support and, No. 2, encouraging parental involvement. Alex Haley, one of my closest friends, and the author of "Roots," lived by these words:

> Find the good and praise it.

For me, that was an invaluable lesson. My hope is these Centers of Excellence will find the good and praise what is best about Head Start and show it to the rest of us.

It also helps to get the Governors involved. The President had suggested that we turn more of the funding over directly to the States. I and others are not willing to do that, at least at this stage.

One of the beauties of Head Start is that it is very decentralized and for a long time it has worked well that way. So our compromise was that the Centers of Excellence, which will get the Governors involved, will help coordinate the programs more effectively and maybe we can learn something over the next 5 years that we can put then in the next reauthorization of Head Start.

Also, this bill goes a long way to help make the spending of that $7 billion of taxpayers' money more accountable. First, it requires recipients to recompete for grants every 5 years. This ensures that after 5 years, each program is still meeting its standards.

I recognize there are concerns about this recompete requirement. Some people say we need continuity and it will create anxiety among children, among teachers if they are afraid they may lose their right to continue serving after 5 years.

Many Head Start grant recipients are doing a very good job, and rather than causing a disruption every 5 years, I hope this recompete process will highlight their success. To help streamline the process for successful programs, grant recipients that are neither deficient nor have been found to have an area of noncompliance left unresolved for more than 120 days will receive a priority designation during the recompetition process.

Second, the bill defines what makes a local program deficient. Right now, the deficiency standard is very general and inconsistent across the Nation. But if an action threatens the health, safety, or civil rights of children and staff, denies the parents the exercise of their full roles and responsibilities, misuses funds, loses its legal status or financial viability, or violates other standards specified in the bill, those are the more specific standards that are now a part of the bill. It will help make it possible for grantees to have a clearer idea of what they are expected to do.

Finally, the bill makes clear that the governing board shall be the body that is charged with running local programs and which will be held accountable for those programs. This may seem like a little bit of inside baseball, but it is actually not. It goes straight to the heart of several of the problems we have had in some Head Start grantees around the country.

Perhaps the most effective witness I heard in any of our hearings was the mayor of Shelby County, TN—that is around Memphis—A.C. Wharton. A.C. Wharton testified, as did other witnesses, that the dual governance structure between the governing board and the policy council was inadequate and neither body had adequate decision-making authority. Here is what he told the committee:

> What we're faced with is not merely a benign situation in which an errant agency through no bad intent runs afoul of the guidelines. In many instances the wrongdoings and shortfalls are calculated to bring about the political empowerment or financial enrichment of those who profit from the wrongdoing.

I believe we fix that problem based on the advice we received from Mayor Wharton and other witnesses. This bill gives governing boards direct authority and holds them accountable. That is an important element of the bill, and I think it is a necessary step. But Mayor Wharton and others reminded us that we need to be careful about how we handle this issue. Mayor Wharton said the governing body should not "be allowed to ride roughshod over the dignity that should be accorded all participants in Head Start programs whether they are grantees, policy councils, policy committees, or certainly children and parents."

I appreciate the mayor's concern, and I appreciate that note of caution. I thank him for his straightforward testimony. Perhaps he will know that long trip from Memphis to Washington was not in vain because his concerns are right in the middle of the bill that we will introduce later today.

We all understand the importance of parental involvement and parental responsibility over the operation of the Head Start Program. We want to preserve that parental responsibility, but we also want to make sure we preserve fiscal accountability of the program at the same time, and we believe we have done that. We have crafted a careful balance. We give the governing board fiscal and legal responsibility, while ensuring policy councils on which parents sit continue to play an important role in the running and operation of local Head Start Programs within the framework the governing board sets. It is a fair compromise and one that will strengthen the program.

I learned about the importance of preschool education in a very personal way. When I was growing up in Maryville, TN, at the edge of the Great Smokey Mountains, my mother operated the only preschool education program in our town—well, there may have been one other. I think Mrs. Pesterfield also had one. But she operated this program in a converted garage in our backyard. She had 25 3- and 4-year-olds in the morning and 25 5-year-olds in the afternoon. I think she charged $25 a month for this care for these children.

This was before Head Start. This was before we understood very much about preschool education and the early development of the brain. But parents instinctively knew that was a good place for their children. When Alcoa moved executives to our little town, they usually would find a way to get their children into Mrs. Alexander's nursery school and kindergarten before they looked for a home because those parents knew then that preschool education was important to their children's success.

We all understand that for all of our children. We understand that the earlier this starts—at home first—and then with all the extra help we can give that home, these children will be ready to get to the starting point.

I am the only U.S. Secretary of Education, I think, Mr. President, who spent 5 years in kindergarten. The reason I did was that my mother had no other place to put me than the kindergarten she operated in our backyard. Looking back, there probably wasn't a better place for me to have been than that 5 years of intensive preschool education. It is something we should hope for virtually every child growing up in this country. We believe anything is possible. We believe in free enterprise, we believe in competition, and we believe in the starting line. But there is no Federal program that exists that does a better job of helping disadvantaged children get to the starting line than Head Start.

I congratulate Senator KENNEDY, Senator ENZI, and Senator DODD, and the other Senators who have worked on this legislation. We look forward to introducing the legislation this afternoon. I thank all those who have taken time to come to the hearings, and I especially thank the mayor of Shelby County, Mayor Wharton, for his testimony because it has made its way directly into the legislation to help make sure Head Start not only helps children but that there is accountability to the taxpayers.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WARNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. WARNER. Mr. President, I have been on the road and I telephoned in and asked the cloakroom to reserve the period of 3:45 to 4:30 for the Senator from Virginia and seven other Senators to speak briefly. I ask unanimous consent that my request be granted.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. WARNER. I thank the Presiding Officer.

Mr. THOMAS. Mr. President, may I speak as if in morning business?

The PRESIDING OFFICER. We are in morning business, and the Senator may speak for up to 10 minutes.

Mr. THOMAS. Just 10 minutes?

The PRESIDING OFFICER. That is the order we are under.

NOMINATION OF CARL JOSEPH ARTMAN

Mr. THOMAS. Mr. President, I will talk about something very important which will soon be pending before the Senate; that is, the nomination of Carl Joseph Artman as Assistant Secretary for Indian Affairs.

The Indian program in this country is very important. As part of the Government, we have part of the Interior Department working on it. I rise to offer my strong support for the nomination of Carl Artman for Assistant Secretary for Indian Affairs in the Department of the Interior. Mr. Artman is an excellent candidate with diversity and experience in both the public and private sectors and has the leadership and the academic credentials needed for this extraordinarily demanding position.

This position is unique in that many of the issues with respect to Indian affairs are unique. Yet it has to be someone who has background in government and operations. The Assistant Secretary implements Federal Indian policy set forth by the Congress and facilitates the government-to-government relationships with 561 Indian tribal governments. That is a large challenge.

The Assistant Secretary is responsible for a variety of activities and programs in Indian communities, including economic development, law enforcement, trust assessment management, social services, and education. In discharging these duties, the Assistant Secretary must balance many competing interests and needs in working with the States, in working with the tribes, and in working with the Federal Government. Mr. Artman has pledged to facilitate more vibrant communication among the Indian tribes and their neighbors. I believe that is helpful in terms of furthering Federal policies of interaction with the Indian tribes on a government-to-government basis and encouraging Indian self-determination and self-government. That is our challenge and the challenge the tribes take, to become more independent economically and from a government standpoint so they can operate as they choose with self-government.

The job of Assistant Secretary for Indian Affairs has been made exponentially more difficult by the methamphetamine plague that has ravaged the Indian tribes and the Indian communities. I am encouraged by Mr. Artman's commitment to fighting and defeating this epidemic, which may require aggressive efforts by the agency he will lead as well as other Federal and tribal partners to achieve measurable results.

Mr. Artman is also committed to assisting tribal governments develop the socioeconomic infrastructure and fight the obstacles in many of our Indian reservations that foster hopelessness and despair. One of the issues is to provide opportunities for the tribal members to have jobs, to be somewhat sufficient and self-supporting in terms of their economy.

Although many Indian tribes have made tremendous gains through tribal self-governance and some have managed to flourish materially in recent years through economic development, it is a common misperception that most tribes have experienced economic prosperity as a result of successful gaming facilities. In fact, poverty and unemployment are sill prevalent in far too many communities in Indian Country. A robust and diversified economy is essential to improving the quality of life of these communities and to providing the people living in them with alternatives to such heartbreaking problems of suicide and substance abuse, of which there is an abundance.

I am confident that Mr. Artman will provide outstanding leadership in this daunting challenge. I urge my friends in the Senate to approve his confirmation, which I hope will come before the Senate in the very near future.

I yield the floor.

The PRESIDING OFFICER (Mr. TESTER). The Senator from Oregon.

ORDER OF PROCEDURE

Mr. SMITH. Mr. President, I know we are in morning business. I will speak in such. I came from a meeting with the majority leader. He indicated a willingness to let me speak without interruption for 20 minutes. If there is no objection, I ask for that, then, by unanimous consent.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SMITH. After that, Mr. President, we will go as we can. I know other colleagues are coming. Senator WARNER has an amendment he wants to speak to at 3:45.

SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION ACT OF 2000

Mr. SMITH. Mr. President, I came here today knowing we were in morning business but looking to find a time to make a case of my State before the United States on an issue of great emergency. The clock is running out. I am speaking of the Secure Rural Schools and Community Self-Determination Act of 2000.

I am pleased to state that in my conversation with my friend, the majority leader, he did indicate that he has become aware of this issue with some intensity through his conversations with Senator WYDEN and now with me, and that Senator WYDEN and I have little choice but to use all of our rights and privileges as Senators to focus the attention of the United States on this dire issue. I know many of my colleagues want to speak. I do not mean to disrupt their schedules, but as long as I can be allowed to speak today and at future opportunities, I intend to speak and to take a lot of time. I came prepared to speak for 5 hours today. I have a long speech, a lot of phonebooks in the cloakroom. I have a tale to tell that I believe America needs to hear about the Pacific Northwest and the people I am privileged to represent.

I want Members to understand my position in the Senate, how a rural businessman from eastern Oregon was elected to the Senate, the first time someone with my profile has been elected in my State in over 70 years. It is because my political base was heard and through my candidacy has tried to be heard. It is a political base the cornerstone of which consists of farmers, fishermen, and foresters.

The rural people I live with in rural Oregon, my hometown of Pendleton, OR, are counting on me to do everything I can to bring to the attention of this Senate and to the Congress in general the dire situation in which our State finds itself.

I talked about the Secure Rural Schools and Community Self-Determination Act of 2000. That program actually expired last December. Despite many efforts in this Senate and from my colleagues in the House, efforts to extend the safety net have simply failed. Senator WYDEN is working the way I did with my leadership before when we were in the majority. I hope he finds something different from what I found. What I found was people willing to listen, your cause is just, but we can't do anything for you unless and until everyone is in agreement.

The problem for this particular bill is that it isn't Republican and Democratic; it is the United States against the Pacific Northwest. It is State versus State. It is Idaho complaining about Oregon's formula allocation or Washington about Oregon or Montana or California or Mississippi or all the States in the Southeast that look for county funding from this act. It is really more parochial. It is more local. It is more about individual constituencies.

The formula complained about was a formula derived from this bill that Senator CRAIG, Senator WYDEN, and myself, as the original sponsors, authored. It is a formula based on historic harvest off of public lands. By that historical formula, Oregon got about half of the money allocated under this program. There is disgruntlement now with that formula. The problem is no one can agree on another formula without doing great damage to the historical position in which Oregon finds itself.

As I speak today, thousands of layoff notices are being prepared by rural counties in my State. These include law enforcement officers, county road crews, surveyors, assessors, clerks, public health workers, district attorneys, among others. These are the basic units of our extended democracy. These services are required by the Oregon State Constitution to be provided by our counties. Now those units of government are in jeopardy.

My amendment cannot be called up because the amendment tree has been filled by the majority, as is their right—a practice that is coming, though, under increased scrutiny. I will briefly describe the amendment. It provides a 1-year extension of the safety net. Literally, what we are talking in the totality of this budget is a .09 percent across-the-board cut to other programs funded in this bill. I realize the majority would prefer to have this Chamber acquiesce to the preexisting contents of the bill. The fact that we are only now considering it, just hours before the Federal Government shuts down, illustrates this point.

Some have said to me: How can you try to look for opportunities to filibuster the continuing resolution? How can you do that, Senator, and shut down the Government? I believe this Senate should know my heart and feeling is the United States will shut down Oregon in many respects if the continuing resolution is allowed to go forward without, literally, $360 million. That is what we are talking about—in a $1.7 trillion budget, $365 million. That is a lot of money to you and me individually; it is a rounding error in a $1.7 trillion continuing resolution. When that is translated to what it means to Oregon counties, it means shutdown.

This is not a pure continuing resolution, though. The Committee on Appropriations of both the House and the Senate have shifted billions of dollars between accounts in support of their priorities. Many of those adjustments are laudable and reflect the Nation's priorities. But the fact that the county payments safety net was not addressed in this bill requires me to come to this floor and do what I can to change it. It may also reflect that many of my colleagues do not understand what this program means—not only to my State but to 8.5 million schoolchildren, 557,000 teachers, and 18,000 schools nationwide.

But to fully understand the safety net and this Government's moral obligation to rural counties, a history lesson is in order. My colleagues need to understand why Federal forest management decisions make or break my State and why the consequences of these decisions have moral implications for this Chamber to consider and to act upon.

The Oregon story is a history of trees and timber, of boom and bust. The Federal Government plays a central role in this account, both as protagonist and antagonist.

Alexis de Tocqueville, writing about democracy in America in the 1830s, believed that any history—of men and nations alike—must begin at infancy. He wrote:

> A man has come into the world; his early years are spent without notice in the pleasures and activities of childhood. As he grows up, the world receives him when his manhood begins, and he enters into contact with his fellows. He is then studied for the first time, and it is imagined that the germ of the vices and the virtues of his maturer years is then formed.
>
> This, if I am not mistaken, is a great error. We must begin higher up; we must watch the

> infant in his mother's arms; we must see the first images which the external world casts upon the dark mirror of his mind, the first occurrences that he witnesses, we must hear the first words which awaken the sleeping powers of thought, and stand by his earliest efforts if we would understand the prejudices, the habits, and the passions which will rule his life. The entire man is, so to speak, to be seen in the cradle of the child.

Like Alexis de Tocqueville's America, the Oregon story must be told from the beginning.

Many of my colleagues are familiar with the slogan "54–40 or fight!" This referred to the territorial dispute between Great Britain and the United States over the Northwest Territory, lying south of the parallel 54 degrees, 40 minutes.

In 1846, Great Britain conceded absolute jurisdiction to the United States, and in 1848, Congress formally declared this land "the Oregon Territory," albeit below the 49th parallel.

Joseph Lane, of Roseburg, OR, became the first territorial Governor of Oregon Territory. Soon thereafter, the Columbia River divided it into two territories, with Washington Territory demarcated north of the river.

Two days from now will mark the 148th anniversary of a great act of this body. By the way, Oregon's birthday is Valentines Day every year.

Let me read from the CONGRESSIONAL RECORD—then called the Journal of the Senate—from February 14, 1859:

> Mr. President: The House of Representatives has passed the bill of the Senate (S. 239) for the admission of Oregon into the Union.
>
> Mr. Jones reported from the committee that they had examined and found duly enrolled the bill (S. 239) for the admission of Oregon into the Union.
>
> A message from the President of the United States by Mr. Henry, his secretary:
>
> Mr. President: The President of the United States this day approved and signed an act (S. 239) for the admission of Oregon into the Union.
>
> Mr. Pugh presented the credentials of the honorable Joseph Lane, elected a senator by the legislature of the State of Oregon.
>
> The credentials were read; and the oath prescribed by law was administered to Mr. Lane and he took his seat in the Senate.
>
> Mr. Gwin presented the credentials of the honorable Delazon Smith, elected a senator by the legislature of the State of Oregon.
>
> The credentials were read; and the oath prescribed by law was administered to Mr. Smith and he took his seat in the Senate.

I note that my colleague, Senator WYDEN, is on the floor. As a matter of interest to him and me, I sit in the seat of, I suppose appropriately, Delazon Smith. Senator WYDEN sits in the seat of Joseph Lane.

Mr. President, as an aside, I have always thought the best movie I had ever seen as a little boy was "Mr. Smith Goes to Washington." Apparently, I am going to be denied that opportunity today, but I do want to begin this 5-hour speech which the Senate will hear in its entirety eventually and on other pieces of legislation inevitably.

> Mr. Gwin submitted the following resolutions; which were considered, by unanimous consent, and agreed to:
>
> *Resolved*, That the Senate proceed to ascertain the classes in which the senators from the State of Oregon shall be inserted, in conformity with the resolution of the 14th of May, 1879, and as the Constitution requires.
>
> *Resolved*, That the Secretary put into the ballot box two papers of equal size, one of which shall be numbered one, and the other shall be numbered two, and each senator shall draw out one paper; that the senator who shall draw the paper numbered one shall be inserted in the class of senators whose term of service will expire the 3d day of March, 1859, and the senator who shall draw the paper numbered two shall be inserted in the class of senators whose term of service will expire the 3d day of March, 1861.
>
> Whereupon—The papers above mentioned, being put by the Secretary into the ballot box, the honorable Joseph Lane drew the paper numbered two, and is accordingly in the class of senators whose term of service will expire the third day of March, 1861. The honorable Delazon Smith drew the paper numbered one, and is accordingly in the class of senators whose term of service will expire the third of March, 1859.

That is the end of the citation.

This is how Oregon entered the Union and its first two U.S. Senators were welcomed into this great deliberative body—148 years ago this Wednesday.

On February 14, 1859, Oregon had a population of 52,465 people. Congress passed and President Lincoln signed into law the Homestead Act in 1862. That law offered 160 acres to any citizen who would live on frontier land for 5 years. By 1866, Oregon's population was nearly doubled by those answering the Federal Government's call into the fertile valleys and along the fish-filled rivers of Oregon. Even when the land in the valleys and along the rivers was all taken, there was another wave of pioneers ready to head into the mountains.

One such story is recounted by Jessie Wright in her book "How High the Bounty." Jessie and Perry Wright were granted the first of five homesteads in the Umpqua National Forest. This story—as were thousands of others—was a call to the Manifest Destiny, embodied in our State song, "Oregon, My Oregon." By the way, if I get a chance to get back at this, eventually I will read the whole book, "How High the Bounty," here in the Senate. But our State song embodies this Manifest Destiny. It sings like this. I will not sing it to you, Mr. President.

Land of the Empire Builders,
Land of the Golden West;
Conquered and held by free men,
Fairest and the best.
Onward and upward ever,
Forward and on, and on;
Hail to thee, Land of Heroes,
My Oregon.

Land of the rose and sunshine,
Land of the summer's breeze;
Laden with health and vigor,
Fresh from the Western seas.
Blest by the blood of martyrs,
Land of the setting sun;
Hail to thee, Land of Promise,
My Oregon.

When Oregon entered the Union in 1859, the State itself was given roughly 3.5 million acres of the 62 million acres lying within its boundaries. The remaining 95 percent of the land base was retained by the Federal Government as national public domain lands. Think of that, Mr. President. Just like your State, I suspect, the Federal Government owns most of it.

Over a period of 75 years, following Oregon's statehood, the U.S. General Land Office sold, exchanged, donated, or otherwise disposed of 23 million acres of Oregon's land—reducing Federal ownership from 91 percent to 52 percent.

The Federal Government continues to hold ownership to 33 million acres of Oregon land, wielding autocratic control over a majority of my State—a practice exercised only against Western States, holding them in what can only be described as a form of economic bondage. Neither the State of Oregon nor its counties can tax federally controlled land or exercise any control whatsoever over them. But since 1908, with the passage of the 25 Percent Act, the Federal Government has paid counties 25 percent of the income generated from timber, mining rights, grazing leases, and other benefits from the land it owns in Oregon. Twenty-five percent; that is what we are talking about. That is what has gone away through timber law changes and court decisions and administrative Executive orders.

Since 1937, the Bureau of Land Management has shared 75 percent—and more recently 50 percent—of its timber receipts with affected counties.

It was out of the 33 million acres of Federal land that were created, first, the forest reserves and then the national forests. The General Revision Act in 1891 allowed Presidential withdrawal of forest reserves. The Organic Act and the Forest Reserve Act followed, expanding the National Forest System and Federal assertion over the management of these forests.

In creating these Federal forests, President Teddy Roosevelt had a clear policy. This is what Teddy Roosevelt said:

> And now, first and foremost, you can never afford to forget for one moment what is the object of our forest policy. That object is not to preserve the forests because they are beautiful, though that is good in itself; nor because they are refuges for wild creatures of the wilderness, though that, too, is good in itself; but the primary object of our forest policy in the United States, is the making of prosperous homes. Every other consideration comes as secondary.

Unlike other Western States with national forests, Oregon has a unique tract of Federal forestland. Its official name is the Revested Oregon and California Land Grant and the Reconveyed Coos Bay Wagon Road grant lands, or

O&C for short. These forests have a fascinating history of their own. To capture this history, I will borrow from the book "Saving Oregon's Golden Goose," interviews with Joe Miller. It reads as follows:

> Think of railroads as the internet of America's Gilded Age. . . .

Am I done, Mr. President? I am just getting to the good part. You would really enjoy this.

The PRESIDING OFFICER. The Senator has used his 20 minutes. It has been good.

Mr. SMITH. I thank the Presiding Officer for the time and the majority leader for his courtesy. I was informed by the majority leader that after Senator WYDEN and other Senators who have reserved time speak, I could again ask for time, and would indicate that being my intention because I do not want you to miss this. This is really getting good, Mr. President. There is about 4½ hours to go of it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I believe the distinguished Senator from Virginia has time reserved at about 3:45. I ask unanimous consent to be able to speak up until 3:45, when the distinguished Senator from Virginia has his time allotted.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WYDEN. Mr. President, before he leaves the floor, let me tell my colleague from Oregon that I very much appreciate his comments with respect to the county payments legislation. The top priority—the top priority—for Oregon's congressional delegation in this session is getting this program reauthorized.

I wrote this law in 2000 with Senator CRAIG because it was my view in 2000 that without this program, Oregon's rural communities would not survive. I am here today to tell the Senate that if this program is not reauthorized, there is a serious question today whether these rural communities will be able to survive. Now, I want to bring the Senate up to date on three developments with respect to the reauthorization of this critically needed program.

The distinguished Senator from Nevada, the majority leader, Mr. REID, has been the majority leader for just over 1 month.

I have had many conversations with the majority leader about this program. He vacationed in our beautiful State this summer. He saw the importance of our bountiful forests. I explained to him that the Federal Government owns more than half of our State. He has told me that he is determined to work with me until our State gets a fair shake with respect to this critically important program.

Second—and this is something that the distinguished Senator from Montana knows something about—we have a good bipartisan group of Senators on the legislation I have authored to reauthorize the program. Both Senators from Oregon, both Senators from Washington, and both Senators from California, the distinguished Senator from Montana, and the distinguished Senator from Alaska have all joined us in the effort to reauthorize this program.

Third, as the chairman of the Forestry Subcommittee, I would like to announce that the first hearing we are going to have in the Forestry Subcommittee is to reauthorize this program. Because it is so important, because it is a lifeline to rural communities across our State, we are making this the subject of the first hearing. We have pink slips going out now, county commissions trying to make decisions about schools and law enforcement. These programs involved are not extras. They are not the kind of thing that you consider something you would like to have. These are programs that involve law enforcement, that raise the question of whether we are going to have school in our State other than three times a week in some of these rural communities. I am committed to making sure that doesn't happen. Senator SMITH is committed to it. The whole Oregon congressional delegation is committed to it.

In Curry County, for example, on the Oregon coast, they are looking at the prospect of laying off all nonessential workers, including patrol officers, some of whom would be left to perform only their mandated correction duties. In a few months, they will have laid off 20 percent of their county workforce. My judgment is—and this comes directly from those folks in Curry County—there is a real question about whether they are going to be able to continue as a county without this essential program.

We have seen similar cuts put on the table all through the rural part of our State. A lot of Senators—I know the Senator from Montana knows a little bit about it—can't identify with something like this. In most of the East, they don't have half of their land in public ownership. They essentially have private property. A piece of private property is sold, revenue is generated, taxes are paid. That is how they pay for services. We have not been able to do that in our State because the Federal Government owns more than half of our land.

People ask: How is it—and Senator SMITH has touched on this this afternoon—that Oregon depends on these revenues for essential services? Well, God made a judgment that what we ought to do in Oregon is grow these beautiful trees. And, by God, we delivered. That is what we do. And we do it better than anybody else. So we didn't come up with some arbitrary figure back in 2000 and say, well, let's just give the State of Oregon a whole bunch of money because we decided to exercise raw political muscle. It was essentially based on a formula that is decades old, built around the proposition that where the Federal Government owns most of the land, we ought to make it possible for those communities to get help, at least at that time, through timber receipts. But when the environmental laws changed, suddenly those counties were high and dry.

So I went to the Clinton administration. Frankly, I was pretty blunt. I have been blunt with the Bush administration, but I was even more blunt with the Clinton administration.

I said: You don't pass this program, you might as well not come to our State because you are not going to be able to make a case for cutting off this program when those communities are getting hammered through no fault of their own. They did nothing wrong.

What happened in this country is that values changed. Environmental priorities changed. All of a sudden those counties had nowhere to turn. So you are seeing that in Montana, in Oregon, throughout these small communities.

Senator SMITH has seen this as well. You can't go to a small community in rural Oregon, such as John Day, and tell them they ought to set up a biotechnology company in the next few months. They are making a big push right now to diversify and get into other industries. But these resource-dependent communities, communities that are looking at the axe falling on them, not in 6 months, not in a year, but coming up in a matter of weeks, they have nowhere to turn. So we consider ourselves the last line of defense.

What we are asking for is what I and Senator REID, the majority leader, have been talking about. And that is a fair shake for our State, not a death warrant for rural communities in our State, not a program that, in effect, has them shrivel up and disappear. We want a fair shake.

This is an extraordinarily important issue. I just had a big round of townhall meetings across my State. We are all going home for the recess. I will start another round of those townhall meetings in rural Oregon this weekend. What happens at these meetings is you have law enforcement people. I had Sheriff Mike Winter from southern Oregon—I am sure Senator SMITH knows Mike Winter—talking to us about what the cuts would mean in law enforcement in rural areas. We are talking about law enforcement, the fight against methamphetamines, which I know the Senator from Montana knows something about. It is a scourge that is clobbering the whole West. We can't leave our communities defenseless. We can't leave our communities without the resources they need to fight meth and these other critical problems.

I have open meetings, one in every county every year. I am sure the Senator from Montana will be starting something like that. Folks in these rural school districts used to come up and say: Ron, we are not going to have school but for 3 days a week if we don't have this program. So what we are talking about is any serious semblance of public instruction in rural communities in our State. We don't see how we are going to be able to achieve it without this particular program.

The consequences here are very real. The consequences are tragic. This is not a question of the Oregon congressional delegation, Senator SMITH and myself, crying wolf and coming out and just being alarmists on the floor of the Senate. This is what we hear from our constituents. I heard it at town meetings a little bit ago, just a little over a week. I am going to hear it again this weekend. Suffice it to say, over 700 counties in 39 States are involved. Many of them are in parts of the country where the Federal Government owns most of the land. That is certainly the case in Oregon where we have many rural communities where significantly over half of the land is owned by the Federal Government.

Mr. SMITH. Mr. President, I wonder if my colleague will yield for a question.

Mr. WYDEN. I am happy to yield.

Mr. SMITH. My colleague is the author of this legislation. As he has worked in the 109th Congress from the minority side, and I worked the majority side, I suppose he found, as I did, that many people said: Well, the cause is just, but just work it out. There weren't a lot of folks who wanted to work it out. Now, as we come to the final business of the last Congress in this Congress, in a congressional resolution, is it not true that we only have this piece of legislation and the emergency supplemental that we have to attach this to? And if we don't, the pink slips are for real?

Mr. WYDEN. The Senator is right with respect to how critical this question is. As he knows, because he and I have made this a top priority now for quite some time, we didn't get a fair shake in the last session of Congress. I put a hold on several appointments from the Bush administration because I wanted to make sure that they got the wake-up call. I lifted that hold and, frankly, I wish I hadn't because I think they have never put the effort into trying to get this warranted program reauthorized. So Senator SMITH is correct in terms of saying that this program should have been reauthorized some time ago. He and I have put it at the top of our priority list.

This is not an abstract question. Decisions are being made by rural school officials, by county commissions at this time. They are looking at cuts that are going to affect our ability to protect the communities from serious matters as it relates to criminal justice, to adequate public education. And we are not talking about extras. We are talking about basics, as Sheriff Mike Winter from southwestern Oregon has noted, and local school officials as well. We want to make it clear just what the consequences are going to be.

I mentioned Curry County on the Oregon coast, for example. A number of our other communities—Douglas County, Lane County, in particular—are going to see direct and painful consequences as a result of this program and the failure of this program to be reauthorized. County payments legislation is supported by a diverse coalition. We are pleased to see that this is a top priority of the National Association of Counties. A number of labor organizations have also said that they believe this is critically important.

I will just wrap it up by saying that I believe these cuts in payments to rural counties are going to hit the rural part of my State and rural America like a wrecking ball. They are going to pound these communities. And it doesn't have to happen. Senator SMITH has made that point. I have made that point. The whole Oregon congressional delegation, every member of our House delegation, we don't have 50 Members representing us in the House of Representatives like California, but we are going to be heard.

I have been gratified that Senator REID, our majority leader, has been willing to spend so much time with me. He is a westerner. He knows what the impact is in a public lands State. He was in our State. He saw what the forests mean to us. He is an honorable man and a man of his word. He said he would work with me to make sure that our State gets a fair shake. We are going to make sure that message is heard loudly and clearly when we have the hearing in the Forestry Subcommittee. We will make sure the legislation that the Senator from Montana has joined me on will get a thorough hearing at that particular discussion.

I thank the distinguished Presiding Officer for being a cosponsor of this bill. We are glad to have him in our bipartisan coalition.

I wanted to wrap up by saying I appreciate Senator SMITH's remarks here on the floor. He is going to hear from the Oregon congressional delegation and Oregon Senators again and again and again, until this critical program is reauthorized.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WYDEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. Reserving the right to object, Mr. President.

The PRESIDING OFFICER. Is there objection to calling off the quorum?

Mr. WARNER. No. Before the Senator begins to speak, I want to make this clear. I ask the Presiding Officer, am I not to be recognized for the time between 3:45 and 4:30?

Mr. WYDEN. Mr. President, the distinguished Senator from Virginia, I think, will be pleased with my request.

I ask unanimous consent that Senator WARNER be recognized at this time for up to 60 minutes and, following that, Senator MURRAY be recognized for 15 minutes, a Republican Senator be recognized next for 10 minutes, then Senator MCCASKILL be recognized for 10 minutes, and then Senator SMITH be recognized for up to 75 minutes. I will be joining Senator SMITH during his 75 minutes. That is my request.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Virginia is recognized.

IRAQ RESOLUTION

Mr. WARNER. Mr. President, I shall be joined by a number of colleagues and the purpose of our taking this time is as follows: We have decided to put in an amendment to H.J. Res. 20, amendment number 259 which will be printed in today's record. This amendment mirrors S. Con. Res. 7, a resolution prepared by myself and others sometime last week, which expresses certain concerns we have with regard to the President's plan as announced on January 10 of this year.

This amendment, to H.J. Res. 20 is cosponsored by Mr. LEVIN, Ms. COLLINS, BEN NELSON of Nebraska, Mr. HAGEL, Ms. SNOWE, Mr. SMITH, Mr. BIDEN, and as other Senators return to town, we may have further cosponsors.

We are concerned that the fighting rages on throughout Iraq, and particularly in Baghdad. It is very important that the Senate should, as the greatest deliberative body—certainly in matters of war and peace—in a prompt way address the issues regarding Iraq.

Our men and women in the Armed Forces are fighting bravely in that conflict, as they are in conflicts elsewhere worldwide. Our concerns are heartfelt, not driven by political motivation. As we gathered as a group in the past 2 weeks to work on this, we took note of the fact that the President, on January 10, in his message to the Nation explicitly said that others could come forward with their ideas. I will paraphrase it—the exact quote is in the amendment we are putting in today—that he would take into consideration the views of others. So in a very constructive and a respectful way, our group said we disagreed with the President and we gave a series of points urging him to consider those points as he begins to implement such plan as finally devised throughout Iraq but most specifically in Baghdad.

We are very respectful of the fact that the plan put in by the President was in three parts: a diplomatic part, an economic part, and a military part. We explicitly stated in the resolution our support for the diplomatic and economic parts, and we are hopeful it can be put together in a timely fashion. There is some concern as to whether the three main parts can progress together, unified, in this operation, given the short timetable to implement it. So two parts of the program we wholeheartedly support and so state in this amendment.

The concern is about the military section. We state the explicit nature of our concerns. Some Senators have suggested the resolution expresses matters which I can find no source whatsoever in the resolution for those complaints. Nevertheless, I will address in the course of this time each and every one of those concerns.

Indeed, on the weekend talk shows, one Senator said: My problem with the Warner proposal and others that criticize the surge is, what is your plan? All right. That is a legitimate question. I say that our amendment states a clear strategy. It says as follows:

> The Senate believes the United States should continue vigorous operations in Anbar Province specifically for the purpose of combating an insurgency including elements associated with the al-Qaida movement and denying terrorists a safe haven.

Secondly, the primary objective of the overall strategy in Iraq should be to encourage Iraqi leaders to make political compromises that will foster reconciliation and strengthen the unity government, ultimately leading to improvements in the security situation.

Next, the military part of the strategy should focus on maintaining the territorial integrity of Iraq, denying international terrorists a safe haven, conducting counterterrorism operations, promoting regional stability, supporting the Iraqi efforts to bring greater security to Baghdad, and training and equipping Iraqi forces to take full responsibility for their own security.

Likewise, another part of our amendment states:

> The United States military operations should, as much as possible, be confined to these goals and should charge the Iraqi military with the primary mission of combating sectarian violence.
>
> The United States Government should engage selected nations in the Middle East to develop a regional, internationally sponsored peace and reconciliation process. Overall, military, diplomatic, and economic strategies should not be regarded as an open-ended or unconditional commitment, but rather, as a new strategy, hereafter should be conditioned upon the Iraqi government meeting benchmarks that must be delivered in writing and agreed to by the Prime Minister.

Then we spell out a series of benchmarks. Such benchmarks should include, but not be limited to, the deployment of that number of additional Iraqi security forces as specified in the plan in Baghdad, ensuring equitable distribution of resources of the Government of Iraq without regard to the sect or ethnicity of recipients, enacting and implementing legislation to ensure that the oil resources of Iraq benefit Sunni Arabs, Shia Arabs, Kurds and other Iraqi citizens in an equitable manner, and the authority of the Iraqi commanders to make tactical and operational decisions without political intervention.

Further, some Senators have indicated, again incorrectly, that our resolution either fails to recognize, or disagrees with all aspects of the President's plan, namely the political and economic aspects, in addition to the military part of his plan.

In fact, our resolution acknowledges directly that the President's plan is multi-faceted. Our resolution states, whereas, on January 10, 2007, following consultations with the Iraqi Prime Minister, the President announced a new strategy, which consists of three basic elements: diplomatic, economic, and military.

As such, our resolution disagrees only with the military aspect of the President's plan, and actually supports the diplomatic and economic aspects of his plan.

Finally, some Senators have suggested that our resolution either fails to support the troops, or threatens a cut-off in funding. Actually, our resolution does neither. It states forcefully our support for the troops: whereas, over 137,000 American military personnel are currently serving in Iraq, like thousands of others since March 2003, with the bravery and professionalism consistent with the finest traditions of the United States Armed Forces, and are deserving of our support of all Americans, which they have strongly; whereas, many American service personnel have lost their lives, and many more have been wounded, in Iraq, and the American people will always honor their sacrifices and honor their families.

And our resolution, specifically protects funding for our troops in the field and states: the Congress should not take any action that will endanger United States military forces in the field, including the elimination or reduction of funds for troops in the field, as such an action with respect to funding would undermine their safety or harm their effectiveness in pursuing their assigned missions.

In sum, our resolution aims not to contravene the Constitutional authorities as Commander-in-Chief, but, rather, to accept the offer to Congress made by the President on January 10, 2007 that, "if members have improvements that can be made, we will make them. If circumstances change, we will adjust."

It is clear that the United States' strategy and operations in Iraq can only be sustained and achieved with support from the American people and with a level of bipartisanship in Congress.

The purpose of this resolution is not to cut our forces or to set a timetable for withdrawal, but, rather, to express the genuine concerns of a number of Senators from both parties about the President's plan.

It is not meant to be confrontational, but instead to provide a sense of bipartisanship resolve on our new strategy in Iraq. It follows many of the conclusions of the Baker-Hamilton report by focusing on what is truly in our national interest in Iraq, and spells those goals out in detail.

I want to divide our time between colleagues. I will ask at this time that the distinguished Senator from Nebraska, Mr. HAGEL, be recognized and that, following his comments, I shall be recognized again to give the remainder of my remarks. I say on a personal note to the Senator how much I valued our conversation over the weekend, together with our distinguished colleague from Maine, after which we decided today to put the language of S. Con. Res. 7 in as an amendment to the pending matter before the Senate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

Mr. HAGEL. Mr. President, I rise to join my colleagues, Senators WARNER, COLLINS, and others, in offering this amendment to the continuing resolution.

Last week, Senators COLLINS, SNOWE, SMITH, VOINOVICH, COLEMAN, and myself sent a letter to the Senate leadership urging our distinguished majority and minority leaders to reach an agreement so the Senate could debate the war in Iraq.

We said, and I quote from that letter:

> The current stalemate is unacceptable to us and to the people of this country.

In the letter, we pledged to—again quoting the letter—"explore all of our options under the Senate procedures and practices to ensure a full and open debate on the Senate floor." That, of course, is why we are here today.

I, similar to my colleagues, am deeply disappointed that a full and open debate on Iraq remains stymied in the Senate. All Members—Members of both parties—have the right and responsibility to present their views and, if they choose, submit other resolutions regarding the war in Iraq.

I am also deeply disappointed that both sides have used procedural tactics in this process. My colleagues and I were assured that the leaders were committed to reaching an agreement on this debate. That has not yet happened, and I, similar to my colleagues, intend to do everything in my power as a Senator to ensure a full and open debate of the Iraq war on the Senate floor in front of the American people. We owe it to our soldiers and their families, and we owe it to the American people.

I wish to focus on one particular aspect of this debate and that has to do with the resolution itself—the relevancy and importance of Senate resolutions. In the last 15 years, there is ample, strong, and significant precedent in the Senate debating a President's military policies while troops are deployed overseas—Bosnia, Somalia, Haiti, Kosovo. In each of those situations, I and many of my colleagues here today in the Senate debated and most of us voted binding and nonbinding resolutions regarding U.S. military operations abroad. Many of these measures expressed opposition to the military operations, criticizing, for example, one, the open-ended nature of the deployment; two, the danger of mission creep or escalation of military involvement; three, the danger of deploying U.S. forces into sectarian conflict; and four, the failure of the President to consult with Congress.

It might be instructive to review some of the Senate's history on these recent debates regarding these recent resolutions. Let me begin with Bosnia.

In June of 1992, U.S. forces began to deploy to Bosnia. In December 1995, the United States was preparing to deploy substantial ground forces into Bosnia, roughly 20,000 American ground force combat troops, very similar to the number we are now looking at in the President's escalation of more American troops into Iraq today.

As a result of President Clinton's decision in 1995, the Senate considered Senate Concurrent Resolution 35, a resolution submitted by our colleague from Texas, the senior Senator, Mrs. HUTCHISON. This resolution was a nonbinding resolution. Again, this was a nonbinding resolution. This resolution said:

> The Congress opposes President Clinton's decision to deploy United States military ground forces into the Republic of Bosnia and Herzegovina to implement the General Framework Agreement for peace in Bosnia. . . .

This resolution also said:

> Congress strongly supports the United States military personnel who may be ordered by the President to implement the general framework for the peace in Bosnia.

So, therefore, it is saying we support our troops, but we disapprove of the President's policy to send more troops. This resolution also said it was a continuation of the previous debate on support of the troops already deployed.

As Senator HUTCHISON said on the Senate floor on December 13:

> There are many of us who do not think that this is the right mission, but who are going to go full force to support our troops. In fact, we believe we are supporting our troops in the most effective way by opposing this mission because we think it is the wrong one. . . .

A month earlier in November 1995, Senator HUTCHISON framed the complexities of our military intervention in Bosnia in terms that are eerily relevant to today. She said:

> I am very concerned that we are also setting a precedent for our troops to be deployed on the ground in border conflicts, in ethnic conflicts, in civil wars. . . .

Opposition to the President's policy but strong support for the U.S. military—this is similar to the debate we are having today on Iraq.

Senator HUTCHISON's resolution had 28 cosponsors, including our friends and colleagues, Senators INHOFE, CRAIG, KYL, LOTT, BENNETT, HATCH, SHELBY, and STEVENS.

On December 13, 1995, 47 Senators voted in favor of Senator HUTCHISON's nonbinding resolution. That day, 47 Senators believed you could oppose the President's policy but still support our troops.

The next day, December 14, 1995, the Senate considered Senate Joint Resolution 44, a binding resolution introduced by Senator Dole. This resolution supported U.S. troops in Bosnia. This resolution had six cosponsors, including our colleagues, Senators MCCAIN and LIEBERMAN.

On December 14, 1995, the Senate adopted this resolution by a vote of 69 to 30. That was Bosnia in 1995.

Somalia: In December 1992, U.S. troops began to deploy to Somalia. Nearly a year later, in September 1993, the Senate debated the objectives, the mission, and strategy of our military deployment in Somalia. Speaking on the Senate floor on September 23, 1993, Senator MCCAIN framed the debate when he said:

> Somalia is a prime example of lofty ambitions gone awry. Our service men and women have become . . . part of a mission to build Somalia into a stable democracy—something, incidentally, it has never been, and shows no sign of ever becoming this decade.
>
> The manner in which military force is to be used to further this grandiose objective has been left unclear. Without a clear military objective, our forces in Somalia have found themselves involved in a situation where they cannot distinguish between friend and foe. They have often been presented with situations where they cannot even distinguish between civilians and combatants.

On September 9, the Senate voted 90 to 7 to adopt a nonbinding—a nonbinding—sense-of-Congress resolution submitted by Senator BYRD. This resolution called on the President to outline the goals, objectives, and duration of the U.S. deployment in Somalia and said Congress believes the President "should seek and receive congressional authorization in order for the deployment of U.S. forces to Somalia to continue."

There are 11 cosponsors of the Byrd measure, including our colleagues, Senators MCCAIN, COCHRAN, BOND, and WARNER.

One month later, after the horrible death of 18 U.S. troops in early October, the Senate considered two binding measures to cut off funds, one introduced by Senator MCCAIN and one by Senator BYRD.

On October 15, 1993, the McCain measure, which would have terminated further U.S. military operations in Somalia, was tabled 61 to 38. That same day, the Senate voted 76 to 23 to adopt the Byrd measure to cut off all funding in March 1994 for U.S. forces in Somalia.

There are two more very clear examples, such as the examples I have given on Somalia and Bosnia, that I could discuss—Haiti and Kosovo—in some detail, and I may do that later. But the point is, the facts are clear. There is clear precedent—clear precedent—for both binding and nonbinding resolutions, as well as legislation to redirect, condition or cut off funds for military operations, and this is at the same time we have and we had military forces in those countries.

So to argue, to state, to imply this is somehow not only irrelevant but unprecedented is not the case. The Congress has always had a responsibility, not just constitutionally but morally, to inject itself in the great debate of war.

Mr. WARNER. Mr. President, will the Senator yield on that very point?

Mr. HAGEL. Yes, I yield to Senator WARNER.

Mr. WARNER. We had in our discussions, and Senator COLLINS joined in this discussion—that we could not conceive—and that I, this Senator from Virginia, could ever participate in a cutoff-of-funding in regards to this situation in Iraq.

But back to historical precedents. I have this volume, the "Encyclopedia of the United States Congress," compiled by 20 eminent historians in 1995. And on this subject that the Senator addressed, they said the following:

> Another informal power of the Congress in the foreign policy field is the passage of resolutions by the House or the Senate, often called a sense-of-the-House or sense-of-the-Senate resolution. Although not legally enforceable, such resolutions are often taken seriously by the President and his foreign policy advisers because they are useful indicators of underlying public concern about important foreign policy questions. Moreover, as a general rule, the White House wants to maintain cooperative relations with the Congress and to give legislators the impression that their views have been heard and have been taken into account in policy formulation.

Clear documentation of the Senator's points in this very erudite resource of the history of the Congress. I thank the Senator.

Mr. HAGEL. Mr. President, I thank the Senator from Virginia.

In conclusion, I add that the American people have had enough of the misrepresentations, the politics, and the procedural intrigue in the Senate. I say again to our distinguished leaders of both our parties: It is your responsibility, as leaders of this body, to resolve this procedural dispute so that the Senate can have a full, fair, open debate on the war in Iraq. And I will continue to join my colleagues—Senators WARNER, COLLINS, SNOWE, and others—in making every effort to bring up our resolution at every available opportunity until that debate occurs.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. DURBIN). The Senator from Virginia.

Mr. WARNER. Mr. President, before the Senator leaves the floor, I have another point of history. I find this fascinating. I hope, hereafter, colleagues, pundits, and writers will at least recognize that, and I repeat it. Senate Historian documents confirm the Senate has been posing sense-of-the-Senate resolutions since 1789. Thus, our Framers of the Constitution and those who served in the early Congresses recognized the value of this type of resolution.

I yield the floor. I thank my distinguished colleague from Maine, again, for her steadfast support and advice throughout this entire process today, tomorrow, and well into the future.

The PRESIDING OFFICER. The Senator from Maine is recognized.

Ms. COLLINS. Mr. President, I am very pleased to join with the distinguished senior Senator from Virginia—a former chairman of the Senate Armed Services Committee, an individual who has devoted his life to the support of our military—in offering, along with a number of our colleagues, this very important resolution as an amendment to the continuing resolution. There are many differing views in this body on the road ahead in Iraq, and those views are legitimate but they deserve to be debated. There is no more pressing issue facing this country than Iraq. The public is disappointed to see the Senate avoid the debate on the most important issue of our day. The current stalemate is unacceptable. It is unacceptable to the American people. Regardless of our views on the appropriate strategy for Iraq, we have an obligation, we have a duty as Senators to fully debate this issue and to go on record on what we believe to be the appropriate strategy, the road ahead in Iraq.

I am very disappointed that the procedural wrangling on both sides of the aisle prevented that kind of full and fair debate last week. I believed strongly that we should go ahead with that debate, and I am sorry that did not occur. I hope our leaders on both sides of the aisle will work together to come up with a fair approach to debate this most important issue.

Just this last weekend, the State of Maine lost another soldier in combat in Iraq. The American people deserve to know where each and every one of us stands on the President's strategy, on whether to cut off funding, on the important issues related to this very pressing issue. There are legitimate arguments on both sides. There are those who agree with my position that a surge of 21,500 troops would be a mistake. There are those who believe that the surge is the right course to follow. I respect the views of Senators on both sides of the aisle and, indeed, this is not a partisan issue. But surely—surely this is an issue that deserves our full debate in the best traditions of this historic body. Surely—surely our constituents deserve to know where we stand.

I think this is so important that nothing should prevent us from going to this debate prior to our recessing. I think we should make this so important that if it is not done, perhaps we should reconsider our plans for next week. I think we should proceed with this most important debate without further delay. There are a number of worthwhile resolutions that have been brought forward. Let the debate begin.

Finally, I want to add just a couple of comments to those made by the distinguished Senator from Virginia and the distinguished Senator from Nebraska, and that is about the importance of these resolutions. They are by no means unprecedented, as both of my colleagues have so articulately pointed out. They offer guidance to the administration. It remains my hope that if the Senate passes the resolution that I have helped to coauthor that the President will accept our invitation to take a second look at his plan. We urge him to explore all alternatives and to work with us on a bipartisan strategy to chart a new road ahead in Iraq.

As a result of my trip to Iraq in December, I concluded that we face a number of different challenges in Iraq and the strategy depends on where you are in Iraq. In Baghdad, the capital is engulfed in sectarian violence. Yes, Baghdad is in the midst of a civil war between the Shiites and the Sunnis. To insert more American soldiers in the midst of this sectarian struggle would, in my judgment, be a major mistake. Only the Iraqis can devise a solution to the sectarian strife that is gripping Baghdad, and I think if the Iraqis had taken the long overdue political steps, if they more fully integrated the Sunni minority into the power structures, if they had passed an oil revenue bill that more equitably distributed oil revenues, if they had held the long overdue provincial elections, we would not be in the crisis in which we are today.

Indeed, that is not just my opinion, that was the opinion of General Petraeus when I asked him that question during his nomination hearing before the Armed Services Committee.

By contrast to the sectarian strife that is plaguing Baghdad, the battle is very different in Anbar Province to the west. There the fight is with al-Qaida and with foreign jihadists, and there and only there did I hear an American commander ask for more troops—only in Anbar Province—and he did so in order to capitalize on a recent positive development in which some of the local Sunni tribal leaders are now backing the coalition forces against al-Qaida.

My conclusion is that we do need more troops in Anbar, but we should reallocate from troops already in the country. I personally would choose to take troops out of Baghdad and send them west, to Anbar Province, and put the Iraqis in charge, fully in charge of security in Baghdad. I fear that by inserting thousands of additional troops into the midst of the sectarian strife in Baghdad, ironically we will ease the pressure on the Iraqi leaders to take the long-overdue steps to quell the sectarian violence, for I am convinced that the sectarian violence in Baghdad requires a political, not a military, solution.

In Basra, the third stop on our trip, I heard a British commander, a British colonel, give an excellent presentation to us. He said that initially the British and American troops were welcomed in Iraq, but as time has gone on, what he called the consent line has declined and their presence has been less and less tolerated and more and more resented.

I think perhaps the only issue on which all Members of this body can agree is that our troops have served nobly and well in Iraq, and that we need a new strategy. We disagree on the road ahead, but that is what democracy and the traditions of the Senate are all about. We should not be afraid of this debate. We should debate this issue fully and openly and let our constituents and the administration know exactly where the Senate stands.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I thank our colleague. I wonder if I could ask our colleague a question before she departs? She made reference to her trip and the discussions that she had with the senior commanders. I would like to bring to her attention testimony that came before our committee, of which the distinguished Senator from Maine is a member, at which time we heard from the Commander of the United States Central Command, General Abizaid.

In the course of his testimony to Congress on November 15, 2006—right in the timeframe the Senator made her trip—I will quote him, General Abizaid. The general said:

> I met with every divisional commander, General Casey, Corps Commander, and General Dempsey—we all talked together. And I said, "In your professional opinion, if we were to bring in more American troops now, does it add considerably to our ability to achieve success in Iraq?" And they all said no. And the reason is because we want the Iraqis to do more. It's easy for the Iraqis to rely upon us to do this work. I believe that more American forces prevent the Iraqis from doing more, from taking more responsibility for their own future.

I say to my colleague, that quote captured my own visit, which was just barely a month before that, when I came back and I described in my public comments that the situation in Iraq was drifting sideways.

That was a very serious summary. But I said it because I felt obligated to our troops who were fighting bravely and courageously and with a level of professionalism that equals the finest hour in the 200-plus-year history of our military—and the support their families give them. I felt ever so strongly that we were obligated as a country to reexamine our strategy and I called for that reexamination of strategy and it has been done.

But I say to my colleague, General Abizaid's summary about the need for more forces, does that not summarize what you learned on your trip?

Ms. COLLINS. Mr. President, if I may respond to the Senator from Virginia, I remember very well General Abizaid's testimony before the Armed Services Committee in mid-November. And as the Senator has pointed out—and he presided over that hearing—it could not have been clearer General Abizaid said that he consulted with all the American commanders and that the effect of bringing in more American troops would be to relieve the pressure on the Iraqis to step up and take control of the security themselves.

Indeed, and ironically, General Petraeus, the new commander in Iraq, had written an article for the Military Review in January of 2006 in which he said that one of the lessons from his tours of duty in Iraq was that you should not do too much, that you should call upon the Iraqis to take responsibility for themselves. Indeed, my experience was just as the Senator's was. About a month after General Abizaid's testimony, I was in Iraq. I talked with the commanders on the ground, and I would like to share with the senior Senator what one American commander told me.

He said that a jobs program for Iraqis would do more good to quell the sectarian violence than the addition of more American troops. He told me that some Iraqi men are so desperate for money because they have been unemployed for so long that they are joining the Shiite militias. They are planting roadside bombs simply for the money because they are desperate.

I thought that was such a telling comment, I say to my distinguished colleague, because this was from a very experienced commander who had been in Iraq for a long time. At that moment he was not calling for more troops. None of the American commanders with whom I talked in Baghdad called for more troops. The only place where we heard a request for more troops was in Anbar Province, and as I have explained, the situation in Anbar is totally different. It is not sectarian violence. The violence is with al-Qaida, the foreign jihadists, mainly Sunni versus Sunni, and it requires a different strategy.

So my experience, when added to the distinguished Senator's, shows a consistent pattern. Whether it was the distinguished Senator's trip in October or the testimony of General Abizaid in November or my journey in December, we heard exactly the same themes, exactly the same answers to the questions of whether we needed more troops.

Finally, let me say I went to Iraq with a completely open mind on this issue, and I came back convinced that sending more troops to Baghdad would be a colossal error.

Mr. WARNER. Mr. President, I thank our colleague. I wonder if at this point in the colloquy—and then I will yield the floor because I know other Senators are anxious to speak—but we, the United States, the military, and the taxpayers have trained and equipped over 300,000 Iraqi security forces composed of the professional Army, police, border security, and a group of others. The thrust of our resolution originally, and this one that is here, the amendment which is identical, was to give the Iraqis this opportunity, which the Prime Minister himself called for. He said: Give us the opportunity to show that we can do this operation.

That is the basis on which we drew up the resolution. And in our resolution we said two things: The responsibility for Iraq's internal security and halting sectarian violence must rest primarily with the Government of Iraq and Iraqi security forces. Then, specifically we said in the conclusion: The United States military operations should, as much as possible, be confined to the goals that are enumerated in the previous paragraph and should charge—I repeat—charge the Iraqi military with the primary mission of combating sectarian violence, and that is in the Baghdad operation.

So I think those facts, our resolution, now referred to as an amendment, absolutely parallels what we learned firsthand on our trips into that region.

Mr. President, I see other Senators are waiting. I see the distinguished senior Senator from Maine, Ms. SNOWE.

The PRESIDING OFFICER. The Senator from Maine is recognized.

Ms. SNOWE. Mr. President, first, I want to commend the senior Senator from Virginia, Senator WARNER, for his unparalleled leadership, because it is borne of a tremendous credibility based on his military and professional experience on these vital issues, and that precise credibility lends the kind of expertise to the Senate, to the Congress, and to our Nation that is so vital at this point in time. But I think in the final analysis, it is something we have. to honor as we consider the most consequential issue of our time.

I am very pleased the Senator has offered an amendment that reflects his resolution that was modified and that was supported by both sides of the political aisle. I am pleased to join my colleague from Nebraska, Senator HAGEL, and my colleague from Maine, Senator COLLINS, because this is a critical issue. It is one of the issues that is the most significant of our time.

As we begin this week, it is regrettable we don't have the Iraq debate before the floor of the Senate in the form of considering a resolution. Tomorrow, the House of Representatives is going to proceed. They are going to proceed to debate a resolution in opposition to the troop surge proposed by the President of the United States. They will have that debate this week. The question is when and if the Senate is going to have that debate on a specific resolution, on specific issues, with specific votes.

Unfortunately, what we are witnessing today is the shrinking role of the Senate when it comes to the war in Iraq, a war that has been ongoing for 4 years. I am dismayed because I don't see any evidence. I don't see any evidence of working on a bipartisan basis to coalesce around an issue and on a position where it has been demonstrated there is a majority of support in the Senate to have negotiations, to have consultation, to work it out. I don't see any evidence of that. Have we come to the point in the Senate where we haven't been able to determine procedurally how to move forward on a nonbinding resolution? It is hard to believe the Senate would be marginalized on that point.

Now I am speaking from experience. This is my 13th year in the Senate—my 13th year. I served in the House of Representatives for 16 years. I served for more than 20 years—I think about 24 years—on Foreign Affairs, Foreign Relations, Armed Services, and currently the Intelligence Committee. So I speak from experience. You have to work across the political aisle. And there wasn't a time when we didn't discuss these issues: Lebanon, Persian Gulf, Panama before the Persian Gulf. We had Bosnia and Kosovo. We were able to work it out. The fact is I well recall a statement I had drafted back in 2000 illustrating examples of bipartisanship here on the floor of the Senate, one of which I said about the Senator from Virginia, Senator WARNER, in working across the aisle with the Senator from West Virginia, Mr. BYRD, on the issue of Kosovo.

That has been the hallmark of the Senate. Does it mean that we disagree on a major issue of our time? No. There are differences of opinion, but what is the Senate afraid of? What are we afraid of? To debate and to vote on various positions, whether it is on our position on the troop surge, whether it is on the position of cutting out funding, the troop gaps, a new authorization? Some of those issues and positions I would disagree with. But does that mean to say the Senate cannot withstand the conflicting views of various Members of the Senate? It is not unheard of, that both sides of the political aisle will have differing views.

I came to this debate a few weeks ago when we were getting prepared ostensibly to work on this issue, to debate, which is consistent with the traditions and principles of this institution, which has been its hallmark. That is why it has been considered the greatest deliberative body in the world. Unfortunately, it is not living up to that expectation or characterization, regrettably. But I joined with the Senator from Nebraska in his effort across the aisle with the chairman of the Foreign Relations Committee and the chairman of the Senate Armed Services Committee because I wanted to send a message that here and now, there will be those of us on this side of the aisle who disagree with the President on the troop surge. So I wanted to send that message. I read the resolution. I know there are some on this side of the aisle who didn't accept that language. But I thought it was important to do that. I cosponsored that resolution.

We had many meetings, as the Senator from Nebraska would note, with Chairman BIDEN and Chairman LEVIN, to work through this issue: how we could work with the Senator from Virginia, because we knew we had a majority on both sides of the aisle that could work it out, who were opposed to the troop surge. So how is it we couldn't get from here to there? And we met in good faith to negotiate, working out even the procedures. We agreed: Let's have an open, unfettered, unrestricted debate, which is consistent with this institution that is predicated on our Founding Fathers' vision of an institution based on accommodation and consensus. You have to get 60 votes. So we said: Let's work it out, and the good Senator from Virginia worked it out. He incorporated our concerns in his modified resolution so we could enjoin our efforts.

Now, it is not surprising on this side of the aisle that there are strong views that support the President, that don't believe we should have a vote. But does that mean to say we can't move forward and the House of Representatives can? So the House of Representatives is going to be debating this issue this week, and the Senate is going to be dithering. While our troops are on the front lines, the Senate is sitting on the sidelines.

I am amazed we have reached this point in the Senate. We should be embracing this moment. We are the voice of the American people. Constitutional democracy is predicated on majority rule, but a respect for minority rights. I don't see any ongoing negotiations and discussions. Maybe I missed something. I don't see that happening across the political aisle. If historically we took the position: You missed your chance, that you missed your chance with a vote—2 weeks ago—you mean that is it in the Senate? How did we pass major pieces of legislation, major initiatives without saying: That is it; there is no room for discussion, there is no room for negotiation, there is no room for compromise.

Oftentimes I am challenged on this side because I work so much across the political aisle. Senator HAGEL did the same thing, as did Senator WARNER. We worked across the political aisle to make it work. But I do not see that mutual trust to say: Let's see how we can move forward on the most profound issue of our time. It is unimaginable that we cannot develop a strategy for deliberating on this most consequential issue.

We are expecting to adjourn next week for a recess. I thought to myself: Why? Why, so we will get back to Iraq before we know it? That is what we have heard: Just wait. The troop surge isn't going to wait. The Iraqi war doesn't take a recess. Our men and women aren't taking a recess. Why can't we debate now and vote on these issues? Are we saying we are simply not capable of talking?

That is what the Senate is all about. It is based on consensus. It is based on compromise. It is based on conciliation. It is based on the fact that you have to develop cooperation in order to get anything done. It is not unusual. If historically we took the position: You missed your chance because there are disparate views, so that there would be no opportunity to further discuss or negotiate—we missed our chance? Are we talking about scoring political points? Are we talking about what is the best policy for this country with respect to Iraq at a time when men and women are on the front lines; at a time when the President is proposing a troop surge which I and others joined with Senator WARNER because we oppose that; at a time in which we are almost a year to the anniversary of the bombing of the Golden Mosque in Samarra?

In fact, Senator WARNER and I paid a visit just days after that, the first congressional delegation, and we saw all the manifestations of what exists today in the most pronounced way. And we are saying we can't get it done in the Senate. Is this about scoring political points? I read every day: Who is winning politically? Because that is what it is about. It is about winning politically on a policy with respect to Iraq where we have been mired for 4 years with a strategy that hasn't been working. And we are saying, who is winning politically? Isn't it about Iraq? Isn't it about our men and women? Isn't it about what is in the best interests for this country?

We have given so much. Our men and women have sacrificed immeasurably. As Senator COLLINS indicated, we lost another from Maine this weekend, SGT Eric Ross, 26. These men and women have put themselves on the frontlines. Yet we sit and hesitate to talk about what is in their best interests. Some say it is a nonbinding resolution that has no impact. I daresay, if it doesn't have any impact, then why is it we are not voting? What has a greater resonance in America? Is it silence or is it taking action on the most consequential issue of our time? I can only imagine, if we had an overwhelming bipartisan vote on Senator WARNER's resolution—that is bipartisan, I might add—because those Members strove to make it bipartisan in the Senate, many strive to do that, so we can send a message that would be profound, that would resonate. To have a strong vote in the Senate or silence, which would have greater resonance? I think we know the answer to this question.

I am concerned we are taking a political U-turn away from the message in the last election. I was in that last election. I heard loudly and clearly. I don't blame the people of Maine or across this country for their deep-seated frustration. They are right. There was too much partisanship and too much polarization.

What we need now is leadership. We need leadership for this country. They are thirsting for a strong leadership, an honorable leadership that leads us to a common goal. No one expected unanimity in the Senate but we would give integrity to this process to allow it to work and not cynically say who is winning and who is losing today politically, so we have 30-second ads that will be run by outside groups or we are seeing them now. We are not shedding the political past. We have made a political U-turn. We are returning to it.

This isn't about party labels. This isn't whether it is good for Republicans or good for Democrats. It is what is good for America. It is not about red States and blue States. It is about the red, white, and blue.

I am dismayed we are the second month into a new Congress, after the American people resoundingly repudiated the politics of the past, the partisanship and polarization, creating a poisonous environment. They repudiated all of that. Here we are, back to the same old approach. Instead of giving confidence to the American people that we will speak, we are their voice, we give voice to their fears and to their hopes, to their concerns that they rightfully have because we are not making the kind of progress, we are moving in a different direction on Iraq that obviously has been exemplified by the continuing and ongoing sectarian warfare.

Fifteen months ago when Senator WARNER came to the Senate and offered a resolution, 2006 was going to be the year of transition to Iraqi sovereignty. It was 2006 when we would turn over all the security to the Iraqi security forces. But 2006 has come and gone. We haven't made any measurable progress.

As I said, when I was there a year ago, we saw the manifestations of the sectarian warfare, a vacuum had been created politically because no new central government had been created. That took months. We allowed that vacuum to continue. We got a new government. Yet they have been hesitant—indeed, they have been an impediment—to quelling the sectarian violence and confronting and demobilizing the militias.

I heard a year ago about the graft and corruption that was running rampant in the ministries, as we saw recently with the Deputy Minister of Health funneling money to support the sectarian violence and the militias. We have seen and we have known all of that.

So Senator WARNER got that resolution passed. We united around him. In June of 2006, we passed a resolution as well that called for a regional conference so we would begin the diplomatic offensive the Iraq Study Group spoke to. But that has been ignored as well. I know the administration has had a number of strategies in Iraq. They had the national strategy for victory that was also 15 months old, that represented all the issues Senator WARNER has embraced in his resolution, to which they only paid lip service, regrettably.

So we are here today. We want to give voice to the concerns of the American people who want us to move in a different direction, not to commit additional troops at a time in which we have a government in Iraq that hasn't demonstrated a measurable commitment to controlling the sectarian violence and make the political changes within its Government that demonstrate a good-faith effort—whether it is the oil revenue-sharing distribution money, the provincial elections and, as I said, the demobilization of the militias; in fact, impeding our efforts to capture people who were responsible for some of the genocide and the warfare. But here we are.

I hope we can find a way. What could be of higher priority than to be able to debate and to vote on our respective positions, to give a vote on the Warner resolution that is so important that a majority of Senators support? I know we can build the threshold for the 60. It is imperative we do it. It is inexcusable, frankly, that on the process for debating, we cannot reach an agreement. We are failing the American people on a colossal scale. We are held up by arcane procedural measures that could be worked out, if only we reached across the political aisle.

Mr. WARNER. Mr. President, I thank our distinguished colleague from Maine.

The PRESIDING OFFICER. The Senator's 60 minutes has been expired.

Mr. WARNER. I ask for 2 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. I thank the Senator from Maine. The Senator mentioned the bipartisan spirit. I am very pleased to state that Senator LEVIN, whom I spoke with this afternoon, Senator BEN NELSON, who has been with us steadily on this, and Senator BIDEN allowed with very extensive enthusiasm to have their names attached as cosponsors.

I thank my colleagues who have come over and participated in this debate and others who have listened. I thank the distinguished Senator, my good friend from Nebraska, for working so hard on this amendment. We will fight on.

We may be idealists, but we will fight on for what we believe in and the integrity of this institution because we firmly believe, to the extent we can, forging a bipartisan consensus is the extent to which we can hopefully regain the full confidence of the American people on what we are doing in Iraq.

I agree with the President, we should not let it slip into a chaotic situation, but we do have some different constructive thoughts as to our strategy ahead.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

CONTINUING RESOLUTION

Mrs. MURRAY. Mr. President, I come to the Senate to talk about my strong support of the House Joint Resolution 20 that is the joint funding resolution for the current fiscal year we are considering this week.

I am very concerned because we are fast approaching the wire on getting this important resolution passed. If we don't pass this bipartisan bill, the safety of American citizens could be put in danger. If this bill is not passed this week, our air traffic controllers will be furloughed. Our air safety inspectors will be furloughed. If we don't pass this bipartisan bill in the next several days, we are going to see a decline in our ability to provide railroad inspections, pipeline safety inspections, and truck safety inspections.

As chair of the Subcommittee on Transportation and Housing on Appropriations, I am very concerned. I am here to talk about some of the consequences if we don't get our work done on the CR this week. We are going to be feeling the consequences in the area of housing. If we don't pass this bill, hundreds of thousands of Americans are going to face a housing crisis.

Mr. President, 157,000 low-income people could lose their housing if we don't get this bill passed in the next several days; 70,000 could lose their housing vouchers; 11,500 units that are housing the homeless could be lost. Those are some of the consequences Americans will face under my jurisdiction if this Congress fails to pass the joint funding resolution in the next few days.

But don't take my word for it. Last Thursday, I held a hearing with President Bush's very able Secretary of Transportation, Mary Peters. Secretary Peters is not a newcomer to transportation. She has spent her entire career working to ensure safety and execute infrastructure projects, largely in her home State of Arizona, but she also served as the Federal Highway Administrator.

Secretary Peters told us last week, in very clear terms, how safety would be affected if we failed to pass this joint funding resolution. I share her exact words from a few days ago. Secretary Peters told the Senate:

> [I]f we were funded at the '06 levels . . . it would have drastic consequences, not only at the FAA, but as you mentioned with our other safety programs, such as our rail safety programs, our truck inspection programs and of course the air traffic controllers and inspectors at maintenance facilities for the aviation community.

The Bush administration's Transportation Secretary is warning of drastic consequences if we fail to pass this continuing resolution. I am here tonight to talk about some of those consequences. I asked Secretary Peters what it would mean for safety and what it would mean for hiring if Congress doesn't pass this joint funding resolution. President Bush's Secretary of Transportation said:

> [W]e will see a serious decline in the number of safety inspectors: Truck safety inspectors, rail safety inspectors, aviation inspectors across the broad range in our program.

That is directly from the President's Transportation Secretary.

I don't think any Senator wants to be responsible for voting for a serious decline in the number of truck safety inspectors, rail safety inspectors or aviation space. I don't think Members want to explain to our constituents we voted to undermine their safety as they travel by car, train or plane. Let me be clear: No one can say Members didn't know how your vote would hurt a State because we have very clear warnings from the Transportation Secretary herself.

The first reason we need to pass this joint funding resolution is to keep our critical safety inspectors on the job, protecting the American people, as they are doing today. We also need to pass a joint funding resolution because, without it, States will not be able to address their most pressing highway, bridge, and road problems. In fact, Secretary Peters also warned us that some States could miss an entire construction season if Congress does not enact this bill.

She said that State transportation commissioners need to know how money will be available to them this year. So she said to us last week at the hearing:

> It is especially important to those states who have a construction season that will be upon us very, very shortly and if they are not able to know that this funding is coming and be able to let contracts, accordingly, we could easily miss an entire construction season.

That is what this joint funding resolution is about. Let me be very clear. Your constituents, my constituents, all of our constituents will feel the impact of our vote on roads that are not fixed or roads that remain clogged or congested or unsafe.

Those are a few of the safety consequences if we fail to pass the bipartisan joint funding resolution in the next several days. The failure to pass H.J. Res. 20 will also have a painful impact on housing for hundreds of thousands of Americans. In this bipartisan bill, we worked very hard to make sure vulnerable families would not be thrown on the streets or face out-of-reach rent increases.

We provided some critical support for section 8, homeless assistance grants, housing equity conversion loans, HOPE VI, and the Public Housing Operating Fund.

For Section 8 project-based assistance, this spending resolution we will be considering this week provides an increase of $939 million over last year's fiscal year 2006 level. It provides $300 million over the President's 2007 budget request. This is essential. I want my colleagues to know, to preserve affordable housing for 157,000 low-income households. Without this increase, without us acting in the next several days, many of these low-income residents are going to become homeless or be displaced or face unaffordable rent increases.

For section 8 tenant-based assistance, this spending resolution provides an increase of $502 million, equal to the President's 2007 budget request, to continue to renew expiring vouchers. Without this increase, without us acting in the next several days, more than 70,000 housing vouchers are going to be lost. That means residents may become homeless or displaced or forced into overcrowded housing.

For homeless assistance grants, this funding resolution we are considering provides an increase of $115 million to meet expiring contracts for homeless individuals and their families. Without this increase, without us acting in the next several days, as many as 11,500 units will not be renewed—not be renewed—forcing these homeless individuals and families back onto the street.

The joint resolution also helps thousands of seniors to stay in their homes because it supports the housing equity conversion loans. Currently, 90 percent of all reverse mortgages for the elderly fall under this guarantee program. Without this language, this popular program will shut down, and it will hurt the ability of thousands of elderly individuals and couples to remain in their homes and pay for critical living expenses.

The joint resolution we are considering this week also extends the authorization for the HOPE VI Program, which is helping us across the country knock down the most deteriorated public housing units and replace them with new, safe housing units for families. If this funding resolution is not adopted this week, not a single dollar will go out for this popular program for the rest of this year.

Finally, this resolution will help housing authorities meet their soaring expenses. This resolution supports the Public Housing Operating Fund. It provides an increase of $300 million over the 2006 level to meet the tremendous shortfalls being faced by our public housing authorities when it comes to meeting things such as increased energy costs and providing necessary security to help them prevent crime. Recently, more than 700 public housing authorities have announced layoffs. According to HUD, without this increase—without this resolution—public housing authorities will receive only 76 percent of their true operating needs in this fiscal year. So the consequences will be severe for very vulnerable families if this Congress fails to pass the joint funding resolution by this Thursday.

Mr. President, I want to step back for a minute and share how we developed this bipartisan bill we are considering and how we worked to make sure those critical needs are met.

Today, every agency in the Federal Government, with the exception of the Departments of Defense and Homeland Security, are operating under what is called a continuing resolution. That freezes almost every Federal program at last year's level. If a program is not frozen at last year's level, it is operating at a level consistent with the cuts that were adopted by the House of Representatives last year. So at present, almost all of our Federal agencies are operating under a funding formula that makes no accommodations for the true needs of our agencies or the true needs of the American people. What that means is we are not addressing critical education needs, health care needs, the needs of our veterans, the needs of law enforcement, transportation, housing—you name it.

The current continuing resolution expires this Thursday, February 15. The time has now come for us in this Congress to finally stand up to our responsibility and implement a spending bill that will meet the needs of the American people. And that bill will be in front of us this week. It is H.J. Res. 20. That bill passed the House of Representatives by more than a 2-to-1 margin. The time has now come for us in the Senate to finally fulfill our responsibility.

H.J. Res. 20 was developed by both the House and the Senate Appropriations Committees on a bipartisan basis. The joint funding resolution, for the most part, freezes programs across the Government at their 2006 funding level. Importantly, however, the bill also makes necessary funding adjustments to deal with critical programs that cannot and should not endure a funding freeze.

In the case of the Transportation Department, we were not about to ignore our responsibility to ensure safety in our skies or on our highways or on our railways. This bill provides funding increases totaling more than a quarter billion dollars to ensure there are adequate numbers of personnel to control air traffic—control air traffic, critical to all of the American flying public. It also provides funds to make sure we inspect and enforce safety rules governing our commercial airliners, trucks, railroads, and pipelines. Without this additional funding—if we do not pass the CR this week—the FAA Administrator told us that she would be required to put every air traffic controller and every aviation inspector on the street for 2 weeks without pay between now and the end of September.

The joint funding resolution before us this week also boosts funding for Amtrak to $1.3 billion. Operating under the current continuing resolution, Amtrak's funding would remain $200 million lower than it was last year. If we do not pass this funding resolution which is before us, we will endanger our passenger rail service across the country, as well as the annual maintenance expenses that must be made to ensure safe operations in the Northeast corridor.

Finally, the bill pending before the Senate provides an additional $3.75 billion in formula funding for our Nation's highway and transit systems. That funding will serve to create almost 160,000 new jobs while alleviating congestion. It is an important infusion of cash to our States to help them address their most pressing bridge replacements, highway widenings, and safety enhancements. When you look at all the highway needs across just my home State of Washington, that additional $71 million our State will receive is urgently needed and will be put to work right away.

Mr. President, I ask unanimous consent that a table provided to me by the Federal Highway Administration that displays the highway funding increases that will be enjoyed by each and every State be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION

COMPARISON OF ACTUAL FY 2006 OBLIGATION LIMITATION AND ESTIMATED FY 2007 OBLIGATION LIMITATION INCLUDING REVENUE ALIGNED BUDGET AUTHORITY

(Including takedowns for NHTSA Operations and Research)

STATE	ACTUAL FY 2006 OBLIGATION LIMITATION	ESTIMATED FY 2007	DELTA
ALABAMA	535,056,170	600,869,788	65,813,618
ALASKA	228,288,252	270,731,918	42,443,666
ARIZONA	499,506,758	593,277,405	93,770,647
ARKANSAS	330,837,555	381,949,909	51,112,354
CALIFORNIA	2,381,267,388	2,680,526,468	299,259,080
COLORADO	338,198,419	400,663,892	62,465,473
CONNECTICUT	376,937,736	402,325,874	25,388,138
DELAWARE	104,178,113	121,131,724	16,953,611
DISTRICT OF COLUMBIA	112,407,878	123,804,359	11,396,481
FLORIDA	1,289,559,918	1,544,927,499	255,367,581
GEORGIA	940,654,903	1,067,010,791	126,355,888
HAWAII	120,644,520	127,596,268	6,951,748
IDAHO	197,536,278	222,829,360	25,293,082
ILLINOIS	898,006,320	1,010,811,302	112,804,982
INDIANA	661,150,145	775,353,318	114,203,173
IOWA	288,499,793	330,589,700	42,089,907
KANSAS	292,376,091	309,772,956	17,396,865
KENTUCKY	460,544,276	520,949,132	60,404,856
LOUISIANA	404,683,450	474,862,364	70,178,914
MAINE	128,192,073	136,355,671	8,163,598
MARYLAND	418,246,584	490,032,577	71,785,993
MASSACHUSETTS	466,003,994	501,926,732	35,922,738
MICHIGAN	828,533,266	909,761,902	81,228,636
MINNESOTA	425,664,013	485,442,279	59,778,266
MISSISSIPPI	310,973,491	367,059,847	56,086,356
MISSOURI	618,465,606	711,268,494	92,802,888
MONTANA	255,215,718	287,386,573	32,170,855
NEBRASKA	197,252,237	223,867,736	26,615,499
NEVADA	172,076,917	210,350,302	38,273,385
NEW HAMPSHIRE	130,407,725	137,769,576	7,361,851
NEW JERSEY	695,744,922	822,265,394	126,520,472
NEW MEXICO	250,952,902	290,194,749	39,241,847
NEW YORK	1,292,715,319	1,366,155,757	73,440,438
NORTH CAROLINA	755,312,308	872,183,722	116,871,414
NORTH DAKOTA	166,994,190	189,098,718	22,104,528
OHIO	951,965,833	1,109,710,100	157,744,267
OKLAHOMA	413,931,430	459,904,524	45,973,094
OREGON	299,292,210	347,410,836	48,118,626
PENNSYLVANIA	1,287,067,418	1,357,719,130	70,651,712
RHODE ISLAND	134,484,666	154,154,462	19,669,796
SOUTH CAROLINA	424,589,865	511,384,433	86,794,568
SOUTH DAKOTA	174,696,675	202,845,805	28,149,130
TENNESSEE	572,103,666	672,761,834	100,658,168
TEXAS	2,183,334,526	2,574,558,747	391,224,221
UTAH	190,146,092	220,645,255	30,499,163
VERMONT	115,678,528	129,379,891	13,701,363
VIRGINIA	697,407,933	830,852,486	133,444,553
WASHINGTON	448,545,807	519,595,013	71,049,206
WEST VIRGINIA	285,867,458	325,592,845	39,725,387
WISCONSIN	520,781,728	586,036,437	65,254,709
WYOMING	174,357,693	207,256,184	32,898,491
SUBTOTAL	26,447,336,756	30,170,912,038	3,723,575,282
ALLOCATED PROGRAMS	9,103,451,278	8,794,320,215	−309,131,063
TOTAL	35,550,788,034	38,965,232,253	3,414,444,219

AMOUNTS INCLUDE FORMULA LIMITATION, SPECIAL LIMITATION FOR EQUITY BONUS AND APPALACHIA DEVELOPMENT HIGHWAY SYSTEM. AMOUNTS EXCLUDE EXEMPT EQUITY BONUS AND EMERGENCY RELIEF.
ALLOCATED PROGRAMS AMOUNT REFLECT NHTSA TRANSFER OF $121M.

Mrs. MURRAY. I understand some of our colleagues have apparently suggested we should not adopt this new joint funding resolution. Instead, they have advocated we simply just extend the current existing CR for the remainder of this year. Well, they are saying we should forgo these desperately needed funds for our highways and transit. They are saying we should allow the FAA to furlough all its safety personnel for 2 weeks. They are saying we should allow our aviation, truck, railroad, and pipeline inspection workforce to dwindle.

If we want to keep our air traffic controllers on the job, we have to pass this bill. If we want to keep our air safety inspectors on the job, we need to pass this bill. If we want to keep highway, pipeline, and truck inspections on track, we need to pass this bill. If we want to help our States address their most urgent bridge, road, and highway problems, we have to pass this bill. And if we want to keep our vulnerable families from losing their housing, we have to pass this bill.

The consequences are very high. That is why I came to the floor this evening, to outline to my colleagues, under just my jurisdiction, on the transportation and housing bill, how important this joint funding resolution is and to urge my colleagues to help us move it through this week by the Thursday deadline.

I yield the floor.

The PRESIDING OFFICER (Ms. STABENOW). The Senator from New Mexico.

Mr. DOMENICI. Madam President, am I correct, I was scheduled to speak next?

The PRESIDING OFFICER. That is correct. Under the previous order, a Republican Senator, the Senator from New Mexico, is now recognized for 10 minutes.

Mr. DOMENICI. Madam President, I want to ask, does the Senator want to speak for a short time?

Mrs. McCASKILL. Go ahead.

Mr. DOMENICI. The Senator does not mind listening. I thank her so much. I would have yielded, if she had a short speech.

Madam President, I ask unanimous consent that whatever time I had be extended, if necessary, to 15 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ENERGY POLICY ACT OF 2005

Mr. DOMENICI. Madam President, I rise to speak about the great success of the Energy Policy Act of 2005. I recall when we passed the bill, you, Madam President, and everyone else were, in the well, very happy and joyous that we passed—after 15 or 20 years without one—a major energy bill. And then, right away, the next year, people wanted another energy bill. Now, this year, they want another one.

I would like to tell the Senate why the bill we have is doing so much good and how and why there is still room to try to implement it and, in doing that, to do it a lot more without a new bill. We need a bill to cover some things we did not cover, but I would like to end this, with people understanding this bill provides many things we have not done and many things that have been very successful.

First, I urge policy makers in the administration and Congress to commit themselves to investing time, energy, and economic resources to fully implement this important act. We must achieve all we envisioned in passing this comprehensive energy policy.

This past week marked the 18-month anniversary of the enactment of the Energy Policy Act. I rise today to speak about the gains we have made in strengthening our Nation's energy security and the even greater promise that lies ahead.

On August 8, 2005, the President of the United States signed the Energy Policy Act of 2005 in my home State of New Mexico. This legislation is the catalyst of our Nation's nuclear renaissance and the driving force behind new investments in clean coal technology. Passage of the Energy bill also marks the genesis of a secure American electricity grid and the transformation of an agricultural enterprise into an energy industry.

This act has helped strengthen our energy security, stimulate our economy, create American jobs, and diversify our Nation's fuel supply. Simply put, since the passage of the Energy bill, America is on the move. We are starting up a renewable fuels industry in America through the first ever renewable fuels standard and a production tax credit. These policies have helped create approximately 160,000 American jobs across almost all sectors of our Nation's economy.

In the last 18 months, 73 new ethanol plants have broken ground, spurring us to exceed the biofuel mandate for 2006 by at least 800 million gallons. As a result of the Energy bill, 759 E85 ethanol pumps have been installed around the country. Today, there are over 6 million alternative-fuel vehicles on the road.

I stand here today to tell you that even more can be done. I am pleased President Bush and my colleagues on both sides of the aisle have committed to an even stronger, more robust biofuels policy. The President spoke of it. We are all interested in enforcing it and seeing it is done in the biomass area. We will work together on this important energy issue. Chairman BINGAMAN of the Energy Committee and I, as ranking member, will build on our Energy bill success.

Because of the Energy Policy Act, we are making significant breakthroughs in coal—America's most abundant and affordable energy resource. Because of the clean coal provisions in the legislation, there are 159 new coal-based facilities in various planning stages.

Over the next 5 years, the United States will add an estimated 60,000 coal miners to the American workforce. The Energy bill will accelerate the development of a new generation of clean coal technologies. Because of title XIII of the Energy bill, the administration has appropriately and recently announced that it would award $1 billion in tax credits for clean coal projects such as IGCC projects for electricity generation, gasification projects, and other projects using innovative technologies. With $650 million in tax credits to come next year, we are providing incentives for the American people to make better choices about the kind of energy we will use. And because of the Energy bill, those choices will be clean energy choices.

Today, 50 percent of our Nation's electricity comes from coal, and the EIA estimates that by 2025, 54 percent of electricity consumed will be generated from coal. In China, they are building a coal-fired powerplant every 10 days. Let it be our mission to invest both the human and capital resources to the goal of zero-emission, coal-based power generation.

Having made the statement about China, let me hope that we will find a way to negotiate with China so that they, too, will begin to be concerned about what they are generating and begin some mutual programs of restraint. Wouldn't that be good news for the world? Let us dedicate ourselves to choosing a free-market, incentive approach rather than a punitive, regulatory approach to solving this global problem.

On nuclear energy, what did we do? In advancing nuclear power, Congress affirmed sound science and technology and rejected irrational fear. By doing this, we strengthened the nuclear renaissance in America. We provided Federal risk insurance for the first six nuclear reactors, production tax credits, and loan guarantees, and we renewed the Price-Anderson Act. All these initiatives and more provided evidence of our renewed support for clean nuclear power.

Until the passage of the Energy bill 18 months ago, the world was passing us by on nuclear power. The renaissance was fading. Then Congress acted. Since that time, as many as 32 new nuclear reactors are in the planning stages. These nuclear plants would provide enough electricity to power 29 million homes. If these plants come into fruition, they will displace 270 million metric tons of carbon dioxide each year.

Consider this: When all of those plants are operating for 5 years, it is estimated that they will have displaced the same amount of carbon emissions that the 230 million cars on the road in America today produce each year.

This is what is at stake as we implement the various provisions of the Energy Policy Act of 2005. We must do more to solve our growing nuclear waste problem, and we must do more to show Americans what the rest of the world already knows: nuclear power is the largest source of clean, carbon-free energy in the world. Advancing nuclear power is essential for our economic strength and environmental well-being. While we do it, we will not be able to stop using other kinds of energy. So the coal people need not worry. They will be used, too, because this great land needs both and more.

With the passage of the Energy Policy Act, we helped to stabilize long-term prices of natural gas by providing the Federal Energy Regulatory Commission with the tools necessary to ensure the safe operation and reliability of our Nation's liquid natural gas assets. Since the passage of the Energy bill in August of 2005, FERC has approved seven new LNG terminals or terminal expansions. Working with private sector operators, FERC has brought on line the capacity equivalent of 1.34 billion cubic feet per day of natural gas, with the potential to increase that to 13.3 billion cubic feet per day. We must continue to look for ways domestically to find additional supplies of natural gas, as we did last year with the passage of the Gulf of Mexico Energy Security Act of 2006.

In passing the Energy Policy Act, we substantially advanced renewable sources of energy in America. By the end of 2007, 2 million American homes will be powered by wind as we bring on line 6,000 megawatts of new wind power this year, part of the $4.5 billion in wind power investments spurred by the Energy bill. As a result of the wind power brought on line, we will displace 11 billion pounds of carbon dioxide annually.

And there is so much more that we did. We promoted a modernized electricity grid, invested in solar energy, tax provisions that helped add almost

340,000 hybrid vehicles, and the list goes on. I continue to look for more to be done. In this Congress, we all will focus our efforts on convincing colleagues and the American people that the solutions to our energy and environmental challenges lie in the genius of the American people. I will not support energy policies that burden the people with higher energy costs and undue regulations. I oppose the creation of additional unmanageable bureaucracy with its potential for punitive and burdensome regulations that harm the American worker. We will meet the challenge of providing clean, affordable, and abundant energy supplies in this Nation by facilitating and unlocking the ingenuity of the American people with more capital investment, more loans guaranteed for people with new ideas to build new things. That is what we did in the Energy Policy Act of 2005, and that is what we will continue to do, hopefully.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

THE BUDGET

Mrs. McCASKILL. Madam President, over the past week, I have taken a good look at the President's budget submission. I am new around here, and I will admit that the Federal budget is very complex. But as somebody who has spent the last years of my life as an auditor, I have come to one inescapable conclusion about the budget that has been presented to this Congress for consideration. First, it is not honest; second, it has the wrong priorities.

This budget reflects part of the problem we have; that is, our country is facing incredible problems that are very difficult, and we want the American people to support us and believe in us. We cannot expect them to join us in a fight against these complex problems if we aren't going to begin the process by being honest with them. We cannot expect them to support what we do if we are not willing to tell them the complete and unvarnished truth about the situation we face in America today in terms of our budget.

The President claims with a straight face that this budget will eliminate the deficit by 2012. In fact, the President claims it will create a surplus in 2012. That sounds great. The problem is, it is not true. The numbers do not add up. First, he fails to include the full cost of the war in Iraq. In this budget, it says the war will only cost $50 billion in 2009. Keep in mind that in this budget cycle, we will spend over $240 billion on the war in Iraq. The confusing part to me about the $50 billion is that it is a mystery. Why is this $50 billion a mystery? It is a mystery because no one seems to know where the figure came from.

As a member of the Armed Services Committee, I had the opportunity to listen, as the Secretary of Defense and Chairman of the Joint Chiefs of Staff, and even the Comptroller for the Department of Defense were asked the question: Where did the $50 billion figure come from? They did not know. If the leadership of our military and the highest ranking financial official in the Department of Defense do not know where a figure in the budget came from for our war effort, what does that tell you about the integrity of the document? If that figure came from somewhere other than the leaders of the military, we have a problem.

The President also conveniently left out the long-term cost of alternative minimum tax relief for the middle class, which the administration knows we all support. The AMT was never designed to reach down into the middle class, as it does and will continue to do in an ever-increasing way, to cause even more stress and pressure on a middle class that believes it is under attack from all sides. Furthermore, this budget assumes deep cuts in education and health care, cuts that the administration knows are not realistic.

Finally, it hides the long-term cost of the President's ill-advised program to privatize Social Security. This budget is a gimmick. It is the kind of gimmick that the American people have grown very tired of. If proper budgeting procedures were followed, the Federal Government would still be hundreds of billions of dollars in the red by 2012.

If it is not bad enough that this budget is not honest with the American people as to what its implications are, it is even worse when you look at the priorities. First, let's talk about the tax cuts in the President's budget. It preserves billions of dollars in oil subsidies, despite the fact that, once again, we just heard that one of the big oil companies had a record profit-making quarter. Second, there is $73 billion in this budget to extend tax cuts for millionaires through 2012. I am not talking about tax cuts for people who make $200,000 a year or $300,000 a year. I am talking about for millionaires, $73 billion. Maybe you think that is not so bad, $73 billion for millionaires, until you realize the rest of the story that is contained in this budget.

In this budget, the President wants our veterans to spend as much as $15 billion more for the health care they have been promised. According to McClatchy newspapers, this figure could be as high as $15 billion. It is at least $5 billion for additional enrollment fees in health care and additional pharmaceutical costs. Our veterans are being given a tax increase. They say it is not a tax increase; it is a revenue enhancement. This budget is filled with revenue enhancements, also known as user fees, also known as tax increases. So we have a tax cut in this budget for the millionaires, and we have taxes being raised on our veterans. We also have $37.8 billion over 10 years for seniors to increase their Medicare premiums. Tax cuts for the millionaires; tax increases for our veterans and seniors.

Besides the seniors and veterans, who else will pay? Our children will pay through cuts in the health insurance program for children. There may be a little more money in this budget, but there is not enough money to cover the children who currently are covered under this program in the United States. Missouri is one of those States that has a shortfall in funding. If we do not fix the President's budget, we will be taking care of the millionaires, and tens of thousands of children will be removed from health care rolls in the State of Missouri.

The COPS Program is cut, law enforcement. College loan programs are cut.

I have heard in the last couple of years in my life the phrase "support our troops" as often as I have heard almost the words "good morning." I have heard it in this room dozens of times in the last few days, as people have argued about the war in Iraq and said, "You are not supporting our troops. You have to show that you support our troops."

This budget is the way we show whether we support our troops. Supporting our troops is not a phrase for a political campaign. It is not something to be bandied about to get political advantage, over which resolution we are voting on, or who looks better, the Republicans or the Democrats. It should be embodied in what we do as we decide the priorities for the money we spend on behalf of the American people.

In this budget, we have said to veterans coming home—and that we are talking about veterans under the age of 65—that they will have to pay more. That is being proposed at the same time we are walking around here righteously indignant that we are not doing enough to support our troops. In reality, the veterans of this Nation have been losing benefits throughout the Iraq war conflict. They have been fighting for their health care, fighting to see a doctor, and waiting in long lines. This budget is an opportunity to quit talking the talk and begin to walk the walk when it comes to the men and women who have put their lives on the line for our flag and for the country we love.

There are not very many veterans coming home from Iraq who are having sleepless nights, worrying about the estate tax on their $10 million estates. There are not very many veterans coming home from Iraq who are worried about their capital gains tax on a multimillion dollar piece of property or their stock portfolio. But there are veterans coming home from Iraq who are having sleepless nights about their health care, about their children's health care, about their children's education, and about their retirement security.

This budget does not reflect that we care about those veterans and their sleepless nights. Let's make the phrase "support the troops" mean something other than trying to jockey for position in a political game of hardball. Let's get our priorities straight. Let's fix this deeply flawed budget for the American people, and let's begin by being honest about the budget.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

ORDER OF PROCEDURE

Mr. SMITH. Madam President, two of my colleagues came to the floor and asked that they be recognized. Out of courtesy to them, I ask unanimous consent that Senator ISAKSON be given 5 minutes and Senator CHAMBLISS be given 5 minutes, and that the time I have reserved be retained.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Georgia is recognized.

SCHIP

Mr. ISAKSON. Madam President, I rise to wholeheartedly endorse an amendment filed today prior to the 2:30 deadline, authored by Senator CHAMBLISS and coauthored by myself. The amendment relates to SCHIP, State Children's Health Insurance Program, and a crisis that exists right now, this minute, in 17 States in the United States of America.

As the occupant of the chair knows, SCHIP is a program where our most needy children are able to get health insurance. It is a 71-percent Federal Medicaid match. But unlike Medicaid, it is not an entitlement; it is an appropriated amount annually that is derived by a formula as the States get their benefit. What has happened this year is that a number of States, with a number of children eligible for the program, have run out of their Federal match and it is capitated.

Also, a number of States have a significant surplus. What Senator CHAMBLISS has proposed, and what I am advocating, is an amendment we want to propose to the CR which would take that amount of surplus SCHIP money in States with more than 200 percent of their estimated need—take that amount above 200 percent and put it into a pool and reallocate it to those States that are falling short, so that through this fiscal year every child in America who has been promised children's health insurance can in fact get it.

It doesn't penalize any State that has a surplus because that is money they have not and will not use. It doesn't benefit any State who has abused the system. It is just that we have a number of States that have grown rapidly in their numbers. In Georgia alone, in the aftermath of Hurricane Katrina, we added 43,000 children immediately into our State's population, most all of whom remain today.

I know the CR amendment tree has been filled as of now. The distinguished majority leader has filled the tree, so there will be no room for amendments to the continuing resolution. I intend to vote tomorrow for cloture to allow us to complete this resolution and continue appropriations for this year. I hope the distinguished majority leader will think about the value of saving the SCHIP program this year.

I ask unanimous consent to have printed in the RECORD a letter that was distributed by the majority leader and the Speaker, written to the President of the United States, on February 2.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CONGRESS OF THE UNITED STATES,
Washington, DC, February 2, 2007.

The PRESIDENT
The White House,
Washington, DC.

DEAR MR. PRESIDENT: We understand you plan to submit a request for emergency supplemental appropriations soon, which news reports indicate could exceed $100 billion. As you consider the emergency needs of our nation, we respectfully request that you not forget the millions of low-income Americans who are insured under the State Children's Health Insurance Program (SCHIP). We ask that you submit a separate spending proposal to cover shortfalls in SCHIP for Fiscal Year 2007 which have been estimated to be $745 million. Unless we act quickly to provide additional funds to this important program, we are putting the health coverage of thousands of Americans in jeopardy.

As you know, over 46 million Americans are without health insurance. We can ill afford to increase the rolls of the uninsured for failure to adequately fund a successful and efficient insurance program such as SCHIP. Yet we know that at least fourteen states will face a shortfall of SCHIP funds within months. The Governor of Georgia has written to us stating that "It is vitally important to our most needy citizens that Congress act expeditiously."

At the end of the last Congress, we were successful in including a provision to avert a similar crisis, but unfortunately, we are again in need of another short-term solution. While we plan to work in Congress later this year to reauthorize SCHIP and address longer-term issues, it is essential that you work with us to again provide a short-term fix. The cost of filling the funding shortfall is minor in comparison to your other emergency requests.

SCHIP has become a vital part our safety net, providing health care coverage to millions of Americans who otherwise would be uninsured. Including funds to address fully the looming SCHIP shortfall would assure that states can continue to provide this important coverage while we work to address the longer-term success of the program.

Sincerely

HARRY REID,
Senate Majority Leader.
NANCY PELOSI,
Speaker.

Mr. ISAKSON. Madam President, they made my case better than I make it in this letter. Speaker NANCY PELOSI and Majority Leader HARRY REID say we must fix the SCHIP program and suggested that the President add that to the emergency supplemental on Iraq, which we are going to take up in April.

The problem with that is, my State of Georgia runs out of SCHIP money at the end of this month—maybe, at the latest, at the end of March. We are having to cut off new enrollees now and will soon send out the notices to 273,000 children. There will be no money for the remainder of the year after March to meet the obligations of SCHIP. That will take place in States around the country, North, South, East and West.

Think about it. If you have enough money here and everybody who had that money allocated has used all they need, and you don't have enough money over here, it is a simple accounting measurement to fix that in this interim time. Senator GRASSLEY and Senator BAUCUS have already committed, and Senators ROCKEFELLER and REID—all of us on both sides have all said we have to fix the formula; we will get to it toward the end of the year. But we can fix it in the interim to see to it that no child with health care under SCHIP loses that before we make the permanent fix.

I commend Senator CHAMBLISS, who is on the floor, on his leadership and this amendment. I ask the majority leader to give close thought to this issue that was referenced in his own letter of February 2. If there was one amendment that could go on the continuing resolution and would receive unanimous support in the Congress and in the Senate, it is the amendment authored by Senator CHAMBLISS and cosponsored by myself. I ask the leadership to seriously consider allowing an opening on the amendment tree so that amendment can be passed and adopted, and children in Georgia and around the country will end up having the health care that they have been promised and that they deserve.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. CHAMBLISS. Madam President, first, I thank my dear friend from Oregon for letting us have some time here to talk about this issue that is so critical to 17 States, which my colleague so eloquently stated. I appreciate that.

I say to my colleague from Georgia, he and I have worked on this issue so closely together, and the authorship is a combination between the two of us. He has been very generous with his time on this issue and, most importantly, very generous with the thought process he always puts into the most difficult issues we face up here. Without Senator ISAKSON, we would not be where we are today on this amendment.

Today I wish to speak to a critical piece of legislation. It is my hope that this legislation will remedy a situation currently facing hundreds of thousands of hard-working families in Georgia who depend on the State Children's Health Insurance Program—or what we know as SCHIP.

In Georgia, some 273,000 previously uninsured children are now receiving health insurance provided by our State's Peachcare Program. Georgia is one of several States facing a projected funding shortfall for fiscal year 2007.

Last week, the Georgia Department of Community Health that runs Peachcare announced that it will stop enrolling new children into the program effective March 11, 2007.

Senator ISAKSON, Congressman NATHAN DEAL, and I have been working relentlessly with our Governor, the Centers for Medicare and Medicaid Services, Senator GRASSLEY, and the Finance and Budget Committees to find a short-term solution for the children of Georgia who are dependent upon this program. Unfortunately, to this point there has been no resolution.

Senator ISAKSON would like to introduce an amendment today to the continuing resolution that would redistribute fiscal year 2005 and 2006 funds from States that have an excess of more than 200 percent in Federal SCHIP funds to cover the shortfall for States in need for the remainder of fiscal year 2007.

Congress has already passed legislation in an attempt to continue to cover children in States that are running out of funding for SCHIP. H.R. 6164, which became public law on January 15, 2007, required a redistribution of SCHIP funds in an attempt to delay State shortfalls until May of 2007. The estimated remaining shortfall is approximately $750 million for 14 States. According to recent estimates there is about $4 billion in unspent funds which have accumulated in other States.

Hard-working Georgians who qualify for this program don't need to wonder how they are going to pay for their children's health care. We must bridge the gap so that these children can continue to be insured, and I hope the Democratic leadership will allow this amendment to be considered.

Time is running out on this funding issue for Georgia's children and children in other States. The continuing resolution is an important funding vehicle that will allow us to solve this problem for the remainder of the year until Congress can reauthorize this program.

Georgia's Peachcare Program is providing health insurance to the children of hardworking Americans. They are the kids of the mechanic who works on your car at the local service station, the woman who checks you out every week at the grocery store, or the teacher who is providing your children with the basic knowledge they will use throughout their life. SCHIP programs are for the men and women who make too much money to receive Medicaid yet cannot afford to provide premium insurance for their children at the level of care that they need.

I read in the Atlanta Journal-Constitution recently about Sylvia Banks, a mother of 3 from Ringgold, GA, who is a parent that is concerned the Peachcare Program will soon run out of money. Her 13-year-old son, Benjamin, wears a $7,000 insulin pump, and supplies for him are around $300 a month, paid for by Peachcare. In a recent news article, Ms. Banks, whose husband is a minister, states, "We can't do without the insurance. We are taxpayers trying our best to earn an honest living. We are not trying to suck up the government's money. We see this as a benefit and blessing."

Peachcare, and other programs funded through SCHIP throughout the country, allow families to bridge the gap between Medicaid and high priced premium insurance that many families cannot afford.

The importance of this program is too vital to our country's working class not to find a solution to this problem, and find a solution soon.

Mr. President, let me just briefly read some excerpts from a letter written to President Bush from Majority Leader REID and Speaker NANCY PELOSI, who have echoed our sentiments about this critical funding issue:

> As you consider the emergency needs of our Nation, we respectfully request that you not forget the millions of low-income Americans who are insured under the State Children's Health Insurance Program (SCHIP). We ask that you submit a separate spending proposal to cover shortfalls in SCHIP for fiscal year 2007 which have been estimated to be $745 million. Unless we act quickly to provide additional funds to this important program, we are putting the health coverage of thousands of Americans in jeopardy.
>
> As you know, over 46 million Americans are without health insurance. We can ill afford to increase the rolls of the uninsured for failure to adequately fund a successful and efficient insurance program such as SCHIP. Yet we know that at least fourteen States will face a shortfall of SCHIP funds within months. The Governor of Georgia has written to us stating that "it is vitally important to our most needy citizens that Congress act expeditiously."

The letter goes on to say:

> SCHIP has become a vital part of our safety net, providing health care coverage to millions of Americans who otherwise would be uninsured. Including funds to address fully the looming SCHIP shortfall would assure that States can continue to provide this important coverage while we work to address the longer-term success of the program.

So again, we have introduced our amendment today because Georgia's children are waiting. This is about them—our children. They are our Nation's future—and their health care needs must be met. The people in Georgia want a solution to this problem. Hard working Georgians and Americans across the U.S. don't need to wonder how they are going to pay for their children's health care. These are our middle class citizens who work to find a solution and that is what we have been doing and what we will continue to do.

I urge the Democratic leadership to allow consideration of this amendment, and I urge my colleagues to support this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

CONTINUING RESOLUTION

Mr. SMITH. Madam President, the role of the Federal Government is both a protagonist and an antagonist of Oregon, and what a desperate situation we are in. I say this because some have said to me that you cannot filibuster a continuing resolution, you will shut down the Government. My point back is that whatever it takes, maybe in getting the Federal Government to look over the abyss with me, it will understand how many Oregon counties are feeling at this critical hour.

Senator WYDEN and I are one on this issue. He is working the majority now, and I worked the majority in the 109th Congress. He will find it frustrating trying to get a focus on this issue that affects not just our State but so many others, but ours is affected disproportionately.

The Federal Government owns 53 percent of Oregon and 57 percent of our timberlands. As you know, local communities cannot tax the Federal Government. So the deal that was cut back at the turn of the last century was that, in lieu of taxes, local communities would get 25 percent of timber receipts and, with that, kids could go to school, neighborhoods could be safer, streets would be paved, and civilizations would be built in these timber-dependent, isolated areas, and you are talking about most of Oregon.

So my call tonight is to lay out before the American people the plight, the history, and the reason for my arguing now on this bill and the next bill but, frankly, if the 110th Congress doesn't solve this on the continuing resolution, or on the emergency supplemental, the pink slips that have already gone out will turn red, and there will be tremendous damage done to rural Oregon, which is most of Oregon.

So I pick up now, Madam President, where I was interrupted before by the needs of others and at the request of the majority leader:

> Think of railroads as the internet of America's Gilded Age . . . a totally transforming technology . . . that allowed people in the

late 1800s to communicate and travel great distances faster, cheaper, and more efficiently than ever before. Nowhere was this transformation more profound than in the Pacific Northwest.

Prior to the completion of the transcontinental railroad in 1869, there were less than 130,000 American settlers residing in all of the Oregon country, including the Washington and Idaho territories. Communications were typically hand delivered documents. To transport them across the country, they first had to be carried to Missouri, probably by riverboat or wagon, and then carted cross country to the Pacific Coast.

Alternatively, they could be delivered by boat from the Atlantic Coast, sailing around the southern tip of South America, then up the Pacific Coast; or, as a third option, sailing from the Atlantic coast to Central America, crossing over the mountains to the Pacific Ocean, loaded back on board ship, and sailing up the Coast.

However it was done, the trip was lengthy, dangerous and expensive. Having the ability to ride a railroad from the Atlantic to the Pacific changed America dramatically and helped to stitch together a nation nearly torn asunder by a horrific Civil War.

Eastern railroads connected to Omaha, where the route to the West began. The Union Pacific route more or less followed the Oregon Trail west to Utah where it connected with the Central Pacific, ultimately reaching San Francisco.

Building the railroad, itself, transformed the West. Congress enacted various "land grant" programs, selling off vast amounts of land in the West, to both bring settlers and raise money, to help finance construction. Many of these new "sodbusters" were attracted west by the promise of cheap farmland. They fenced and plowed the prairie to start their farms. The railroads, in turn, hauled their crops to far away cities, in so doing also transforming what Americans ate.

As rail construction moved westward, crews and supplies were constantly moved out to the end of the line, settling there until the next section of road was completed. These new towns were soon filled with a "Wild West" brood of gunslingers, cardsharps, prostitutes, saloons and bordellos, gathered to separate the construction crews from their wages.

As the line moved further along, the railroad also moved its supply stop. Some of the older towns left behind survived, and a few even thrived, but most were abandoned. Residents wanting to move to the next stop were loaded onto railroad cars, along with their buildings, including the saloons and bordellos, and hauled to the new end of the line, giving birth to the expression "Hell on wheels."

Even with completion of the transcontinental railroad, the Pacific Northwest remained largely isolated. Supplies and communications still needed to be packed in by wagon from the nearest rail line in Utah, or brought by land or ship north from San Francisco.

Rivers were the highways of the Northwest, and Portland, located near the confluence of the Columbia and Willamette Rivers, became the gateway. Millions of dollars worth of gold and silver poured through Portland on its way to San Francisco from mines as far away as Montana and Idaho.

Settlers quickly learned that the thick forests of the Northwest could be logged, and much of the lumber, when shipped south to California, created gold of its own.

In 1859, when Oregon became the first Northwest state admitted to the Union, Portland's population was less than 800 residents. Ten years later it had grown to nearly 10,000. It all happened so fast that Portland became known as "Stumptown." Early residents logged the riverfront to create the new town, not bothering to remove the stumps. Instead, they simply painted them white, hoping they could be seen in the dark.

It didn't take long for Oregonians, and East Coast financiers, to figure out that a railroad from Portland to San Francisco could transform the Northwest economy, making a lot of money along the way, for its builders.

By 1866, two rail lines had started south from Portland, one on the west side of the Willamette River, and the other on the east side. Construction was very expensive. Neither line had the financial wherewithal to make much progress. Oregonians needed the deep pockets of Uncle Sam to help build their railroad.

The Union victory in the Civil War created a spending spree in Congress. Taking advantage of this postwar exuberance, Oregon Senator George H. Williams persuaded Congress to authorize construction of a rail line from Portland to the California border.

"The Oregon and California Land Grant Act of 1866" provided that railroad construction would be subsidized by a grant of 5 million acres of public land in alternating 640 acre sections extending like a checkerboard for 10 miles on each side of the proposed rail line.

While the Act left it up to the Oregon Legislature to decide who would build the railroad, it provided that the United States Department of the Interior, through its General Land Office, would sell the land to "actual settlers" in plots no bigger than 160 acres, at a price no more than $2.50 per acre. The land turned out to be some of the richest timberland in the world.

That kind of government largesse naturally brought out less than the best in business and political interests. It wasn't long before the railroads were dominating the state legislature. Since, at that time, legislatures still selected U.S. Senators, Sen. Williams was soon replaced.

Previously proving his worth to the railroads as President of the Oregon State Senate, [Senator John Mitchell] would represent Oregon as U.S. Senator, off and on, for the next 20 years. During his entire time in public office, Mitchell was also on the payroll, as legal counsel, to both the Northern Pacific and the O&C Railroads. He was known to boast that what the railroads wanted, he wanted.

Williams, suddenly retired as Oregon's Senator, did not return directly to Oregon. Instead, he was appointed Attorney General by recently elected President Ulysses Grant.

He served in that capacity for six years until an opening occurred as Chief Justice of the U.S. Supreme Court, and Grant nominated his Oregon friend for the job.

Unfortunately for Williams, the national railroad scandals then rocking Congress, combined with increasing rumors of things not being quite what they should in Oregon, convinced the Senate not to confirm Williams. He returned to Portland to practice law, and ultimately was elected Mayor of the growing city.

Even with the O&C land grants, railroad promoters went broke several times before construction was finally completed 20 years later. By this time, the O&C Railroad was a part of the Southern Pacific line. The driving of the mandatory "golden spike" near Ashland, Oregon in 1887 linked Portland to San Francisco at last.

To help pay for the lengthy construction, the federal government, through the Interior Department's General Land Office, had been selling off 160 acre parcels of the O&C lands to all comers, regardless of whether they were "actual settlers", as the law required.

"Doing a land office business" took on a rather dubious meaning in Oregon, as land speculators hauled drunks out of saloons and sailors off ships, delivering them to the Government Land Office to claim a piece of federal land. The new "owners" then transferred their deed to the speculators, sometimes for as little as a bottle of whiskey, all with the Land Office approval.

In the process more than 3 million acres were fraudulently looted from Oregon's public domain.

Rumors of the O&C land fraud soon began circulating in the nation's capitol, but it wasn't until Teddy Roosevelt entered the White House in 1901 that the federal government responded.

Special investigators were sent by the President to Oregon in 1903, where they were met with intense hostility from Oregon's political and business community. The railroad and logging interests attempted to stonewall the investigators, but a series of damning articles, published by crusading editor Harvey Scott of the Portland Oregonian, finally exposed the fraud.

The federal investigators soon returned 1,032 indictments, including Senator Mitchell, several Oregon Congressmen, U.S. Attorney's, GLO officials, judges, mayors, lawyers and businessmen. When the cases went to trial in 1905, they were pared down to 35 of the chief culprits, of whom 34 were convicted, including Senator Mitchell. He died at age 70 before being sent to prison.

Just as completion of the railroad transformed the Northwest economy, the land scandal transformed its politics, creating a populist foundation which can still be felt.

Led by political reform groups such as the farm-based Grange, the "Oregon System" was enacted by the Oregon Legislature, calling for the direct election of U.S. Senators, and public oversight of Legislative Acts. Voters could decide public issues at the ballot box, with measures to initiate laws (initiative), repeal legislative acts (referendum), or even remove officeholders (recall).

Within a decade the 17th Amendment to the U.S. Constitution was adopted nationwide, requiring the direct election of all U.S. Senators, and the initiative, referendum and recall became the state standard for political reform.

After the spectacular trials of 1905, the federal government acted to take back the valuable O&C timberlands, now owned by the Southern Pacific, but the Railroad fought back in court. The battle raged in the courts until 1915 when the Supreme Court ruled for the government.

The following year, Congress set up an "O&C" account, funded by timber sales off the lands, to reimburse the Southern Pacific for the lands the federal government had taken back, and to provide funds to the O&C Counties where the lands were located.

It wasn't until the depression years that Oregon's Senator Charles McNary turned the O&C lands golden. Senator McNary had become the Republican Minority Leader of the Senate in 1933, at the beginning of President Franklin Roosevelt's second term.

Over martini's at the White House, the Republican Senator and the Democrat President sorted out their differences and agreed on significant legislation beneficial to the Northwest, including federal help for farmers, the creation of the Bonneville Power Administration, the International Pacific

Salmon Fisheries Act, and the O&C Lands Sustained-Yield Act, all enacted by 1937.

The new O&C Act transformed federal funding for the 18 Oregon counties home to the O&C lands, and Oregon's golden goose was born. The Act created the Bureau of Land Management in the Department of the Interior, out of the ashes of the old General Land Office, and directed the BLM to harvest timber off the O&C Lands, on a sustained yield basis, with an unprecedented 75 percent of the receipts from the timber sales being returned to the O&C counties.

At one of those White House visits, Roosevelt, in anticipation of his run for a third term in 1940, suggested McNary should be his Vice-Presidential running mate on a "Unity Party" platform. McNary declined and was later nominated by the Republicans to run as their Vice Presidential candidate with corporate attorney Wendell Willkie at the head of the GOP ticket.

With the post war building boom in the 1950s, the O&C revenues were pumping hundreds of millions of dollars into Oregon's cash starved rural counties, funding schools and other local projects. The golden goose had become the touchstone of Oregon politics.

Oregon's Mark Hatfield championed the O&C lands as governor, and used the issue to help get elected to the Senate in 1966. As he gained power on the Senate Appropriations Committee, Hatfield became the guardian of Oregon's unique golden goose.

Madam President, that is a brief history of the O&C lands—one that will become more consequential later in my statement, when I specifically discuss county payments safety net.

The fundamental point I am trying to make is that between the national forests and the O&C lands, the Federal Government holds 57 percent of Oregon's standing timber. Yet the Federal Government contributes less than 7 percent to the State's total timber harvest. This was not always the case.

The history of my State, as well as its current predicament, is closely tied to the harvest of timber, of "green gold." Atop our State capitol in Salem stands a 23-foot gold-gilded pioneer, an ax proudly in his hand.

In 1909, the Oregon State Board of Forestry described my State's timber wealth as follows:

> Beyond question, the greatest national endowment of Oregon is the unsurpassed wealth stored up in the forests of the State.
>
> Oregon has approximately 300 billion feet of standing merchantable timber. This is not an idle guess, but it is the average of the estimate of government officials, cruisers, and timber experts who have traversed the entire State and made the matter a thorough study. This is a much greater amount than is possessed by any other State in the Union and is nearly one-sixth of the total amount of standing merchantable timber in the United States. It is noteworthy that this immense amount of timber is found on an area which is only 57 percent of the area of the State. The value of this body of timber is twofold; first, as a source of lumber supply; second, as a factor in the maintenance of a perpetual flow of water in the streams and rivers of the State, by retarding the melting of the snow and holding a continuous supply of moisture in the ground during the summer months.
>
> Commercially, the value of the standing timber of Oregon, when manufactured into lumber and sold at the rate of $12 per thousand, would be $3.6 billion, a sum in excess of the total amount of currency in the United States at the present time.

Amazing. At current lumber prices, the value of this standing timber would be $150 billion in stumpage value alone. But in the early years of Oregon country, timber was not a primary commodity, it was considered a nuisance and a detriment to agriculture. Trading companies such as the Hudson's Bay Company harvested Oregon's wealth from its fur-bearing animals, such as the beaver—the State animal of Oregon and the mascot of our land grant college, Oregon State University. Go Beavs! But as time rolled on, the settlers of Oregon country sought a new source of wealth in the lush virgin forest all around them. Oregonians made great strides into turning trees into 2 by 4s. The first power-driven sawmill was built in 1836, 23 years before our statehood. The first commercial production of Douglas fir plywood was invented in St. John's, OR, by the Autzen family. That name is now familiarly associated with the University of Oregon football stadium. Go Ducks!

The single most important invention affecting logging was the chainsaw of 1935. It was not invented in Oregon, but it was perfected in Oregon. In 1947, a lumberjack named "Joseph Cox" invented chainsaw teeth. Joe was chopping firewood one chilly autumn day in 1946, when he paused for a moment to examine the curious activity in a tree stump. A timber beetle larva the size of a man's forefinger was easily chewing its way through sound timber, going both across and through the wood grain at will.

Joe was an experienced operator of the gas-powered saws used in those days, but the cutting chain was the problem. It required a lot of filing and maintenance time. He said: I spent several months looking for nature's answer to the problem. I found it in the larva of the timber beetle.

Joe knew if he could duplicate the larva's alternating C-shaped jaws in steel, it might catch on. He went to work in the basement shop of his Portland, OR, home and came up with a revolutionary new chain. The first Cox Chipper Chain was produced and sold in November 1947. The basic design of Joe's original chain is still widely used today and represents one of the biggest influences in the history of timber harvesting.

In 1907, there were 173 sawmills in Oregon, but with new and improved chainsaws in the woods, came equally impressive sawmills. C.A. Smith Lumber and Manufacturing Company built the Nation's largest sawmill in Coos Bay. Coos Bay also became the largest lumber-exporting port in the world. The world's largest pine lumber factory was built by Weyerhaeuser in Klamath Falls, south of the Winema National Forest.

By 1929, there were 608 lumber mills, 5 paper mills, 64 planing mills, and 47 furniture factories in Oregon. By 1947, Oregon had 1,573 lumber mills turning out more than 7 million board feet.

Timber also served as a national strategic interest. The Federal Government built its own sawmill in Toledo, OR, to harvest spruce trees for airplane manufacturing during World War I.

During World War II, Oregon had the unfortunate distinction of receiving the first mainland aerial bombing. On September 9, 1942, a Japanese pilot flew over the Oregon coast, with the intention of dropping a firebomb on the thick forest and causing a massive fire, shocking Americans and diverting resources from fighting the war to fighting fire. Once over forested land, the pilot released the bomb, which struck leaving a crater about 3 feet in diameter and 1 foot deep.

In 1944, Japan launched over 9,000 firebomb balloons over the Pacific Ocean. Once again, the goal was to start forest fires in Oregon and wreak havoc. The most tragic incident involving balloon bombs also found a place in history as yielding the only deaths due to enemy action on mainland America during World War II.

The events unfolded on May 5, 1945, as a pastor and his wife took five children for a picnic on a beautiful spring day east of Bly, OR. I should note that a few years ago, Mr. President, the Federal authorities thwarted al-Qaida plans to build a jihadist training camp in Bly, OR. But back in 1944, Rev. Archie Mitchell parked his car near Bly, and he heard his pregnant wife call out: Look what I found, dear.

One of the children tried to remove the balloon from a tree and triggered the bomb. The force of the blast immediately filled the air with dust, pine needles, twigs, branches, and dead logs. The entire family was killed.

During World War II, private timberlands, not Federal, fueled the war effort. This was necessary because they had roads and quick access to timber that was needed to help win the war. Lumber producers also had implicit assurances from the Federal Government that Federal forests would open up after the war. As Associate Forest Service Chief Sally Collins recently stated:

> Post-World War II, the Forest Service entered a new period characterized, in large part, by timber production. From the 1960s to the 1980s, every administration, with strong congressional support, called for more timber harvest from the national forests, with the goal of replacing the depleted stocks of private and State timber as a result of the war effort. At its peak in 1987, the national forests provided close to 30 percent of the Nation's timber supply.

The bulk of the wood came from Federal lands in Oregon. Postwar timber harvest on Federal land alone in my

State oscillated between 4 and 5 billion feet per year—enough wood to build nearly 300,000 homes. The revenues from these harvests energized rural Oregon, not to mention the Federal Treasury, since 75 percent of the proceeds came right here and were deposited in Washington, DC.

It was a win-win and in the spirit of the Federal Government acting in the aide, not the ailment, of the States united under its banner. It was the same spirit in which Franklin Delano Roosevelt dedicated the Bonneville Dam on the mighty Columbia River. Said he at the time:

> The responsibility of the Federal Government for the welfare of its citizens will not come from the top in the form of unplanned hit or miss appropriations of money, but will progress to the national capital from the ground up, from the communities and counties and States which lie within each of the logical geographical areas.

The timber industry built itself literally from the ground up and is a living legacy in Oregon to this day. Back cuts and board feet, buckers and fellers, chokers and cruisers, skidders and slashers, springboards and spring poles and widow-makers, these are terms still heard in the woods, in smokey bars, and in Forest Service rigs all across Oregon.

The great Johnny Cash once wrote a song about Roseburg, OR, the timber capital of the world. In spoken word, on his "Ride this Train" album, the "man in black" said this:

> Ride this train to Roseburg, Oregon, now there's a town for you; and you talk about rough, you know a lot of places in the country claim Paul Bunyon lived there; but you should have seen Roseburg when me and my daddy'd come there; every one of them loggers looked like Paul Bunyon to me; as I was a skinny kid about 16 and I was scared to death when we walked into that camp; none of the lumberjacks paid any attention to me at first; but when my pa told the boss that me and him wanted a job; a lot of 'em stopped their work to see what was gonna happen; that big boss walked around me, looked me up and down, and said, Mister, I believe that boy is made out of second growth timber, and I guess I was. Everybody but me and my pa had a big laugh over it. Pa got kinda mad and the boss finally said he might start me out as a high climber—I didn't know what a high climber was. Boy, I sure learned fast. That steel corded rope cut my back, and that ax, I thought it was gonna break my arms off, but I stuck with it. It wasn't long till I learned a man's got to be a lot tougher than the timber he's cuttin'. Finally I could swing that crosscut saw with the best of them.

Country singers were not the only artists to embrace Oregon's logging heritage. Ken Kesey might be known to some of my colleagues as the author of "One Flew Over The Cuckoo's Nest." Oregonians know Ken Kesey as one of their own—a countercultural figure, bridging the gap between the beatniks of the 1950s and the hippies of the 1960s.

Kesey's second novel, "Sometimes a Great Notion," tells of a hardheaded Oregon logging family hacking a family wage out of the woods. I would read some of that work, but in the interest of getting through this 5-hour speech in an hour, I will save that for another day. His work does personify the pride, passion, and perseverance of the Oregon logger and the Oregon spirit itself.

Kesey's words vividly describe the back-breaking work of logging, seen through the eyes of a long-lost brother from the east coast. In the nonfiction world, another east coast brother—"Big Brother," if you will—would break the back of Oregon's logging industry.

(Mr. SANDERS assumed the Chair.)

Mr. WYDEN. Mr. President, will the Senator yield for a question?

Mr. SMITH. I will yield.

Mr. WYDEN. Through the Chair, I would like to pose a couple of questions to my colleague making an important speech.

I have been attending a lot of town meetings across the State, and I know my colleague is attending some as well. What is your sense of how dire the situation is at home? When I talk to people, you get the sense this is a real lifeline, and I think it would be helpful if you could lay out exactly that sense of urgency you are picking up at home.

Mr. SMITH. My response is the same as the Senator's. It is a sense of abandonment, a sense of betrayal, a sense that the Federal Government made a deal, changed the terms, and now is welching on the deal.

That is why I am here giving the history of this State, trying to share with my colleagues some of the feeling, the history, the blood, sweat, and tears that went into building Oregon and why the Federal Government needs to be the protagonist for Oregon again, not the antagonist.

So that would be my answer. They feel like the Federal Government gave its word and needs to keep it.

Mr. WYDEN. Again, through the Chair, Mr. President, would it be my colleague's sense that at home the kinds of services that are on the line are not exactly what the people call the extras? We are talking about law enforcement. We are talking about schools.

I know the Senator shares a long friendship with Sheriff Mike Winters, for example, of southern Oregon, and he has told me the kinds of cutbacks we have seen in law enforcement are extraordinary, such as involving the effort to fight methamphetamines.

What is your sense of the kinds of services we would see go by the boards if this program is not sustained?

Mr. SMITH. Well, Senator, I have spoken to it at the beginning, in the middle, and at the end of this, the kinds of things you are asking, the kinds of services that will be jeopardized or the kinds of services every American citizen expects local communities to provide. Most communities provide them through property taxes, local levies of some kind that keep our teachers, our policemen, our roads paved, health services, and more. These are the kinds of things which are the cornerstone of what we would call "civilization" in rural places.

It is that and more. We could go looking at program after program that, if the Federal Government welches on its bargain, are the kinds of services that will be lost to Oregon because Oregon is over half owned by the Federal Government. It is real simple. Time is up, and the deal needs to be kept.

Mr. WYDEN. Continuing through the Chair, Mr. President, isn't it correct, I ask my colleague, that members of our delegation, of both political parties, have suggested alternatives for funding this program? For example, our whole delegation to a person was very troubled about this idea of selling off our treasures because not only was that not morally right, clearly it would have no prospect whatever of passing in the Senate. So I know our colleague in the other body who represents the eastern part of our State had some good ideas, and our colleague in the other body from southwestern Oregon had some good ideas. It seems to me—and I think it would be helpful if you could bring the Senate up to date—that both Democrats and Republicans have been trying to work in good faith for ideas that would responsibly fund this program. I think it would be helpful to have my colleague's reaction on that.

Mr. SMITH. The Senator is exactly right. There has been virtually nothing taken off the table. The administration made a proposal for funding this that had difficulties with our delegation, in selling off public lands or other forest land. To me, the offset ought to be the word of the United States, and ultimately the funding source is really the American Treasury because the American Treasury gains so much from Oregon, owns over half of Oregon, and contributes 7 percent to its local governments. So you are absolutely right. There have been many suggestions made. I have supported virtually all of them to try to break through this logjam that we find in Congress. It has been a labor of the greatest frustration for this Senator, and I know for you.

Now we have traded sides as to who is in the majority and who is in the minority. My recourse in the minority is to do what I am doing, and that is to look for every opportunity I can to speak for Oregon, to slow down the Federal Government if necessary to get the Federal Government to understand its obligation.

Mr. WYDEN. Mr. President, one last question, if I might, for my colleague. I appreciate his point with respect to the alternatives because the administration offered a proposal, a selloff of national treasures. I and others thought that was wrong. We went to work. Our colleagues came up with alternatives. Senator BAUCUS and I found an example in an area where Government contractors were not paying taxes in a prompt way. There were questions about whether it made sense, at least in the administration. Then they went off and took the revenues.

I think your point about how Democrats and Republicans have brought alternatives with respect to how to pay for this program in the Congress is an important one.

The last one I would like to have you lay out for the Senate is that I want Senators to know that this is not some exercise on our part, in terms of just plucking an arbitrary figure out of the air and saying: By God, this is the money that we want for our State. As I understand the presentation of the Senator, you are trying to lay out the history.

Mr. SMITH. I am.

Mr. WYDEN. The history goes back to the beginning of the last century, essentially. Because the Federal Government owns more than half of our land, we historically received payments for essential services—schools, police and the like—that were based on timber receipts. Now that the environmental laws have changed, those funds are not there.

So, as I understand it, the presentation that my colleague is making today is based on the idea that this is not about Oregon's seeking some kind of arbitrary figure that we basically would like to offer up as kind of a wish list or to try to get through because we will try to bull it through, but that it is really based on history. It is based on a historical formula that stems from the fact that the Federal Government owns most of the land. Is that essentially the kind of historical viewpoint that my colleague is trying to bring to the Senate?

Mr. SMITH. Absolutely. I will be making it several more times in this presentation—5 hours condensed into an hour and a half, I suppose. But when you and Senator CRAIG first cut the deal—and I was an original cosponsor with you—you had to have a basis for the money, the formula for distributing it. You all wisely came up with what is the historical timber harvest on Federal lands. That made sense. It makes logical sense. It is defensible. Now some of our neighboring Senators don't like that deal anymore. They want to change that. They would like to ignore that history, but that is the basis of the formula for these secure county schools payments. It is literally replacing the money lost from the way Oregon historically operated in collaboration with the Federal Government. The terms were changed. The terms were changed in the 1990s.

There is a cost to not harvesting timber. The rest of the country wants us not to harvest timber, but there is a cost to not doing that, and the cost is borne by humans, by local governments. I think it is a dastardly thing on the Federal Government's part to walk away from this now, for it to change the terms and not care for the people impacted by that.

Mr. WYDEN. One last question, if I might, Mr. President. Also, let me also tell the Senate we are very pleased that the Senator from Vermont has joined the Energy and Natural Resources Committee. He is going to hear us talking an awful lot in the committee about the county payments legislation, but I just want to say tonight in the Senate I am very pleased the Senator from Vermont has come to the Senate, and we are glad to have him on the committee.

The last question I would pose to my colleague deals, again, with the urgency of all of this, so the Senate is clear on this. I think there is always a sense that sometimes you come to the floor and there is a little bit of an alarmist kind of approach.

My understanding is in our home State, from county officials, there are pink slips going out now. There are budgets that are being made now that are going to be very hard to alter. I appreciate my colleague's presentation over the last bit, and I enjoyed the earlier one as well, and I felt it was an important presentation.

What exactly is taking place? So the Senate is up on this in terms of county budgets, layoff notices, and the kind of pain—that is what this is really all about, the pain we are seeing working families and citizens going through—what exactly is taking place as these budget choices are being made?

Mr. SMITH. The Senator is exactly right in his description of the local pain and the bewilderment of many public employees who work in the counties and need to make mortgage payments, want their kids educated, and would like their neighborhoods kept safe. They are getting pink slips as we speak.

This act expired in September of last year. The money runs out in June. The last two vehicles you and I have to fix this is the CR or the emergency supplemental. My good friend, my senior colleague, is doing exactly what I was doing when I was in the majority, and that is meeting with chairmen, meeting with the leader, describing the intensity of the problem and the moral importance of this for the Federal Government to keep its word. It was an experience in great frustration.

Now I am in the minority, and I am left to stall, throw wrenches in the works, make the moral case. I will continue to do that. You and I, as we have done since our earliest days in the Senate, will work in tandem because, when it comes to Oregon's interests, between Senator WYDEN and myself, politics stop at the State border. This is a perfect example of it. We have two shots.

Mr. WYDEN. I thank my colleague for his presentation. I hope the entire Senate followed this discussion—that our whole country does.

I yield the floor.

Mr. SMITH. In 1976, shortly after the Endangered Species Act became law, an Oregon State graduate student named Eric Forsman published a master's thesis.

It surmised that the spotted owls of Oregon were "declining as a result of habitat loss." The study caused a sensation among the environmental community, which was looking for an Endangered Species test case.

By 1988, the environmental activists had defined their battle—to preserve, "old growth forests." In their own words, these activists needed a "surrogate" species—one that lived in and needed old growth for its habitat. At a law clinic in 1988, one activist stated:

> Thanks to the work of Walt Disney, and Bambi and his friends . . . wildlife enjoys substantive statutory protection. While the northern spotted owl is the wildlife species of choice to act as the surrogate for old growth protection, and I've often thought "thank goodness the spotted owl evolved in the Northwest, for if it hadn't we'd have to genetically engineer it." It's a perfect species for use as a surrogate. First of all, it is unique to old growth forests. And there's no credible scientific dispute on that fact. Second of all, it uses a lot of old growth. That's convenient because we can use it to protect a lot of old growth.

And "convenient" it was to those seeking to end timber harvest in Oregon. The United States Fish and Wildlife Service was forced to review the status of the spotted owl in 1982 and again in 1987.

In both instances it found that a listing under the Endangered Species Act was not warranted. In 1986, an Audubon Society report stated that the spotted owl population was teetering toward the doomsday number of 1500 pairs.

Further reviews by the Fish and Wildlife Service in 1989 and 1990 proposed that it should be listed as threatened throughout its range—northern California, Oregon and Washington.

By 1989, environmental litigants had secured a court injunction on BLM timber sales near spotted owl sites. My predecessor, Senator Mark Hatfield, and Senator Brock Adams of Washington intervened that same year.

They passed what was called the "Northwest Compromise"—also known as the "section 318 rider." This rider required the BLM and Forest Service to map out ecologically significant old growth stands for interim protection, while insulating federal timber sales outside those areas from litigation challenges.

I would like to read from a floor statement Senator Hatfield gave that year:

> For those who like to isolate themselves in a little cocoon and talk about theoretical

and esoteric subjects, let us not forget we are talking about human problems. That leads back to a common denominator which is the adequacy or inadequacy to house human beings. There may come a time when we will have to opt for a choice between an owl and a human being, but let me tell you in this proposal today we do not have to make that choice.

We have opted to continue studying the owl as a threatened species, and there is nothing in this report that in any way impinges upon the Endangered Species Act. But at the same time we are sensitive to human need. In my 30 years as a governor and Senator, I have often found myself in the eye of the storm when I have been accused by some of trying to preserve too much of our natural resources for posterity, including seashores, including the Columbia River Gorge, including wild and scenic rivers and including wilderness.

On the other hand, I often find myself in the eye of the storm from those representing the environmental community who think somehow we have sacrificed the spotted owl for timber production.

Mr. President, the facts will not bear that out. I think sometimes that striking the balance is the most impossible political stance to take. It is far easier to line up with one side or the other. To try to strike a balance in anyone of these controversial areas, particularly as it represents economic and human need on one side and they need to preserve unique areas of our God-created Earth on the other, is very difficult. I fear that too often we are adopting the single-issue mentality that bubbles up to the top in many of these groups today.

When you subscribe to that single-issue mentality, it is not what you have done in the past or what you are trying to do for the future; it is how you cross the t's and dot the i's today, and it is a dogmatic mind that is very difficult to try to find any kind of accommodation. Thank goodness, I think that the minds of balance and the minds of many of these people in both groups prevailed and made this compromise possible.

So I want to say, Mr. President, we have made great movement in trying to accommodate those from the environmental community who have raised legitimate issues and concerns.

Unfortunately, according to many of the statements coming out of that community, it is not enough. On the other hand, when I face in my State 70 communities that are totally dependent on a 1- or 2-mill economy, I can say this: I look forward not with anything but anxiety and concern that we are going to see some of those communities so deeply impacted that I may have to repeat an experience I had in Valsetz, OR.

On that occasion I gave the last high school commencement. Instead of the usual smiles and laughter at such an event, there were tears and sadness in the faces of the members of that small timber-dependent community whose mill had recently closed. In 2 weeks the bulldozers came in, and today there is not a sign left of community life because we are now finding the underbrush taking over.

We face that reality in our State. It is awfully easy for people from other States to say, oh, well we have to do this and that. But I have to concern myself with representing the people who have to put bread on the table of their children, and to cut it off abruptly, without any consideration for the human needs, to me, is cruelty.

If we want to reduce our timber sales level by half, all right. But let us have a prospective goal, and give time to re-train those employees, give time to readjust those communities, give time to those human needs, but to do it as proposed by various members of the environmental community is to do it without human concern.

Following Senator Hatfield's action in the Senate, the House Agriculture Committee ordered the creation of a team of scientists—forest experts—to analyze and report on the management of old growth forests within the range of the spotted owl.

This group came to be known as the "Gang of Four." Their report found that the amount and distribution of old growth forests in the Pacific Northwest was insufficient to support both current timber harvest level and the viability of the spotted owl.

The Gang of Four presented 14 management alternatives, from the status quo to massive set asides of old growth reserves.

Congress considered many of these alternatives, but acted on none of them.

In 1990, the hammer finally fell. The U.S. Fish and Wildlife Service formally listed the northern spotted owl as "threatened" under the Endangered Species Act.

A federal court soon ordered the agency to declare critical habitat for the spotted owl in western Oregon and Washington and northern California. A spotted owl recovery team was appointed in 1992.

The year that the spotted owl was listed, 1990, Time Magazine ran this cover story.

It read:

> WHO GIVES A HOOT?
>
> The timber industry says that saving this spotted owl will cost 30,000 jobs. It isn't that simple.

When this story ran, the Senator from Tennessee, Mr. Gore, came to this floor to with the magazine in hand.

The distinguished Senator stated:

> Why would Time magazine do a cover story on the spotted owl, to say it is not that simple? Because the issue has been misunderstood, and it is not that simple.

Well, Senator Gore and Time Magazine were right. The battle between loggers and owls wasn't that simple. The economic fallout under the forthcoming Clinton-Gore administration would be far worse. And despite draconian federal actions, the owl would not be saved.

Following the ESA listing of the spotted owl, biologists and foresters within the federal government began their own war with each other. With critical habitat in place, the Fish and Wildlife Service warned the BLM that its planned timber sales would jeopardize the survival of the spotted owl.

In October 1991, Interior Secretary Manuel Lujan convened the Endangered Species Committee—also known as the "God Squad." The God Squad consisted of three cabinet-level appointees and one representative from the State of Oregon. They convened a month of evidentiary hearings in Portland, OR with 97 witnesses.

The God Squad decided to exempt several of the BLM's timber sales from ESA guidelines, while also requiring the agency to implement the draft spotted owl recovery plan in other areas.

Without a final recovery plan, however, litigants seized the opportunity to shut down the remaining timber sales. Blanket injunctions were issued by Federal courts in 1991 and 1992, finally bringing western Oregon's Federal timber program to a complete deadfall.

This chart shows timber harvest on each of Oregon's thirteen National Forests. The Willamette National Forest alone was producing nearly a billion board feet of timber a year. By 1992, it was in a free-fall to near zero, where it remains today.

Think of the economy, think of the human consequences. But maybe we saved the owl. We will get to that.

Enter the presidential campaign between George Herbert Walker Bush and the Governor of Arkansas, Bill Clinton. Both candidates made numerous visits to the Pacific Northwest. Bush lamented to loggers the situation that had unfurled on his watch. Clinton promised labor unions that he would convene a "forest summit" to resolve the problem and end the gridlock.

In April 1993, President Bill Clinton did just that—at least insofar as the "summit." In Portland, OR the president convened his Vice-President, Al Gore, along with the Secretaries of Agriculture, Interior, Labor, and Commerce, plus the EPA Administrator, the Deputy Director of the Office of Management and Budget, and his Science and Technology Advisor.

At the conclusion of the eight-hour, televised summit, President Clinton announced a 60-day deadline by which his Cabinet would craft a plan to break the Pacific Northwest's forest impasse.

He said that his goal was to develop a policy based on principles that would

> Produce a predictable and sustainable level of timber sales that will not degrade or destroy our forest environment.

That plan would come to be known as the "Northwest Forest Plan." It called for the set aside of 88 percent of federal forests within the range of the spotted owl. The "predictable and sustainable" level of timber would come from the remaining 12 percent of the landscape. This amounted to 1.1 billion board feet a year—a 78 percent reduction from historic levels. But it was more than zero, which is what we had. So we were happy. We would get 1.1, even though there used to be 8 billion.

In all honesty, both trenches in the timber war shirked at the Northwest Forest Plan. The timber industry did not want to codify such a dramatic drop in federal timber sales.

Environmentalists objected to the fact that the Plan explicitly relied on some old growth harvest to meet its volume prediction.

Nonetheless, the Northwest Forest Plan—and its equivalent in eastern Oregon, the Interior Columbia Basin Ecosystem Management Project—became the law of the land, without a single vote in Congress. The Plan was implemented through administrative rulemaking and blessed by federal judges.

Nonetheless, federal timber sales remained gridlocked in court. Harvest levels were still dropping. Mills were still closing. Unemployment lines were still growing. Oregon was no better off.

The year Oregon cast its electoral ballots for Bill Clinton a second time, in 1996, it also elected to send me to the United States Senate.

Holding the Clinton Administration to its own promise to Oregon was a primary directive from my constituents. And I did what I could.

I pleaded with Clinton Administration officials to fully fund its own Northwest Forest Plan. It never did.

I fought off efforts in this chamber to slash funding from the federal timber sale program. And the Senate never did.

The time between 1996 and 2000 was a grueling and frustrating fight. While the president lamented the poverty in Appalachia, his administration was creating it in Oregon.

It became obvious very quickly that the promise of the Clinton Northwest Forest Plan was a ruse—sabotaged by its own architects at every political turn.

When George W. Bush took office in 2001, he agreed to make good on Bill Clinton's 1993 commitment. His administration has tried to fix the Northwest Forest Plan, to fund it and to implement it.

Unfortunately, the current president's efforts have been stifled by federal courts.

Northwest Forest Plan timber harvest under President Bush has been consistently lower than under President Clinton. And it has never risen above 30 percent of what Bill Clinton promised Oregon 13 years ago.

These are the legal and political facts of the case. Let me take a moment to describe the human, social and economic casualties of the timber war.

Between 1989 and 2003, 213 lumber mills in Oregon were closed, some permanently. I'd like to read you the list:

			Employees
Simpson Timber Co.	Albany	Plywood	200
Stone Forest Industries	Albany	Sawmill	286
Weyerhaeuser	Albany	Sawmill	39
Willamette—Duraflake	Albany	Sawmill	
	Alicel	Sawmill	
Croman Corporation	Ashland	Sawmill	
Astoria Plywood	Astoria	Plywood	300
Ellingson Lumber Co	Baker City	Sawmill	152
	Bandon	Sawmill	
	Beavercreek	Sawmill	
Crown Pacific	Bend	Sawmill	
Weyerhaeuser	Bend	Particle board	111
Vanport Manufacturing	Boring	Sawmill	180
	Carver	Sawmill	
Cascade Cascade Locks Lumber	Cascade Locks	Sawmill	44
Rough & Ready Lumber	Cave Junction	Sawmill	
Central Point Lumber	Central Point	Sawmill	
Double Dee Lumber	Central Point	Sawmill	40
Tree Source	Central Point	Sawmill	
	Chiloquin	Sawmill	
Beaver Lumber	Clatskanie	Sawmill	70
	Coburg	Sawmill	
Coos Bay Mill	Coos Bay	Sawmill	
Weyerhaeuser	Coos Bay	Sawmill	175
Weverhaeuser—Dellwood Logging	Coos Bay	Sawmill	40
Georgia Pacific	Coquille	Sawmill	340
Brand-S Corporation	Corvallis	Sawmill	6
Leading Plywood	Corvallis	Plywood	46
Midway Engineered Wood Products	Corvallis	Sawmill	50
Superior Hardwoods	Corvallis	Sawmill	40
Cascade Lumber	Cottage Grove	Sawmill	40
Starfire Lumber Co.	Cottage Grove	Sawmill	30
Weverhaeuser	Cottage Grove	Sawmill	235
Cress Ply	Creswell	Plywood	65
Bohemia	Culp Creek	Sawmill	225
	Cushman	Sawmill	
Diversified Fiber Corp.	Dairy	Sawmill	70
Weyerhaeuser	Dalles	Sawmill	
Roseburg Forest Products	Dillard	Sawmill	275
Roseburg Forest Products	Dillard	Plywood	
	Dixonville	Sawmill	
	Drain	Sawmill	
	Eddyville	Sawmill	
Boise Cascade	Elgin	Stud Mill	37
Boise Cascade	Elgin	Sawmill	
Great Western Pellet Mills	Enterprise	Pellets	14
Estacada Forest Products	Estacada	Sawmill	
Cuddeback Lumber	Eugene	Sawmill	75
Falcon Manufacturing	Eugene	Sawmill	120
Seneca Sawmill	Eugene	Sawmill	24
Springfield Forest Products	Eugene	Sawmill	60
WTD Industries	Eugene	Sawmill	55
WTD Industries	Eugene	Veneer	80
Zip-O-Log Mills	Eugene	Sawmill	30
	Forest Grove	Sawmill	
	Foster	Sawmill	
International Paper	Gardiner	P&P	
Willamette—Bohemia	Gardiner	Sawmill	280
Gregory Forest Products	Glendale	Plywood	25
Gold Beach Plywood, Inc.	Gold Beach	Plywood	315
Cone Lumber Co.	Goshen	Sawmill	69
Goshen Veneer	Goshen	Veneer	53
Fourply Lumber	Grants Pass	Sawmill	200
Medford Corporation	Grants Pass	Plywood	170
U.S. Forest Industries	Grants Pass	Sawmill	200
Spalding & Son	Grants Pass	Sawmill	160
Olympic Mill (Interforest)	Gresham	Veneer	44
WI—Cascade Logging	Griggs	Sawmill	32
DG Mouldings	Harrisburg	Sawmill	95
Noble & Bittner Plug Co.	Hebo	Sawmill	19
Kinzua-Heppner Mill	Heppner	Sawmill	135
Frontier Forest Products	Heppner	Sawmill	
Louisiana Pacific	Hines	Sawmill	116
Snow Mountain Pine Ltd.	Hines	Sawmill	260
Hanel Lumber	Hood River	Sawmill	138
Green Veneer, Inc.	Idanha	Veneer	

			Employees
	Idanha	Sawmill	
Peacock Lumber Co.	Imbler	Sawmill	25
Mountain Fir	Independence	Chip Mill	45
	Jasper	Sawmill	
Malheur Lumber	John Day	Sawmill	30
Boise Cascade	Joseph	Sawmill	52
Joseph Timber	Joseph	Sawmill	70
R–Y Timber, Inc.	Joseph	Sawmill	68
Junction City Lumber (WTD)	Junction City	Sawmill	102
Circle D	Klamath Falls	Chip Mill	
Collins Products	Klamath Falls	Plywood	
Klamath Veneer	Klamath Falls	Veneer	50
Modoc Lumber	Klamath Falls	Sawmill	169
Roseburg Forest Products	Klamath Falls	Sawmill	680
Weyerhaeuser	Klamath Falls	Sawmill	
American Precision Millwork	Lakeview	Sawmill	27
Goose Lake Lumber	Lakeview	Sawmill	60
Lakeview Lumber	Lakeview	Sawmill	60
	Langlois	Sawmill	
Lebanon Mill	Lebanon		
White Plywood	Lebanon	Plywood	180
WI—Lebanon Plywood	Lebanon	Plywood	125
Lienton Plywood	Linnton	Plywood	235
Blue Mountain Forest	Long Creek	Sawmill	20
	Madras	Sawmill	
	Mapleton	Sawmill	
	Maupin	Sawmill	
Boise Cascade	Medford	Plywood	450
Boise Cascade	Medford	Veneer	
Pine Products	Prineville	Sawmill	97
Crown Pacific	Prinville	Sawmill	
Cascade Pine Specialties	Redmond	Sawmill	60
Crown Pacific	Redmond	Sawmill	214
DAW Forest Products	Redmond	Sawmill	45
International Paper	Reedsport	Sawmill	80
International Paper	Gardiner	P&P	325
C & D Lumber	Riddle	Sawmill	80
Louisiana Pacific	Rogue River	Veneer	
Medford Corporation	Rogue River	Veneer	75
California Cedar Products	Roseburg	Sawmill	50
Champion (Seneca Timber)	Roseburg	Plywood	260
F&M Cedar Products	Roseburg	Sawmill	
Pacific Chips	Roseburg	Chip Mill	36
Roseburg Forest Products	Roseburg	Sawmill	42
Willamette Industries	Saginaw	Sawmill	62
Diamond Pacific Milling/Dry Kilns	Salem	Sawmill	15
North Santiam Plywood	Salem	Plywood	100
Kohl Lumber	Seaside	Sawmill	13
Taylor Lumber & Treating	Sheridan	Sawmill	
Silverton Forest Products	Silverton	Sawmill	65
Georgia Pacific	Springfield	Plvwood	250
Nicolai Company	Springfield	Sawmill	163
Oregon Cedar Products	Springfield	Sawmill	80
Springfield Forest Products	Springfield	Sawmill	200
Stone Forest Industries	Springfield	Sawmill	53
Weyerhaeuser	Springfield	Sawmill	270
Weyerhaeuser Pulp and Paper	Springfield	P&P	520
Weyerhaeuser	Springfield	P&P	140
Pacific Western Forest Products	St. Helens	Plywood	288
St. Helens Mill	St. Helens		
Weyerhaeuser	Stayton	LVL Plant	43
	Sutherlin	Sawmill	
Linn Forest Products	Sweet Home	Sawmill	95
Weyerhaeuser	Sweet Home	Sawmill	81
WI—Foster Sawmill	Sweet Home	Sawmill	44
WI—Midway Veneer	Sweet Home	Veneer	80
Willamette Industries	Sweet Home	Plywood	168
	Swisshome	Sawmill	
WTD	Tillamook	Sawmill	30
Wheeler Manu. (Conf. Tribes of Siletz)	Toledo	Sawmill	90
American Hardwoods	Tualatin	Sawmill	166
	Tygh Valley	Sawmill	
WTD Industries	Union	Sawmill	80
	Vaughn	Sawmill.	
C B Cedar Co.	Medford	Sawmill	50
Eugene F. Burrill Lumber Co.	Medford	Sawmill	112
KOGAP	Medford	Sawmill	200
Medford Corporation	Medford	Sawmill	320
Miller Redwood	Merlin	Sawmill	85
Bugaboo Timber	Mill City	Sawmill	50
Green Veneer	Mill City	Veneer	40
Young & Morgan	Mill City	Sawmill	
Simpson Timber Co.	Millersburg	Sawmill	200
Murphy Co.	Milwaukie	Sawmill	97
Avison Lumber Co.	Molalla	Sawmill	
Brazier Forest Industries	Molalla	Stud Mill	83
Murphy Creek Lumber Co.	Murphy	Sawmill	24
	Myrtle Point	Sawmill	
	North Bend	Sawmill	
	North Plains	Sawmill	
Tree Source	North Powder	Sawmill	
	Norway	Sawmill	
Evergreen Forest Products	Oakland	Sawmill	480
Bald Knob	Oakridge	Sawmill	140
Pope & Talbot	Oakridge	Sawmill	370
Pope & Talbot	Oakridge	Sawmill	20
	Ophir	Sawmill	
Stimson Lumber	Oregon City	Sawmill	85
Callal Brothers	Oregon City	Sawmill	
	Paisley	Sawmill	
	Pedee	Sawmill	
Diamond B Georaia Pacific)	Philomath	Sawmill	155
Philomath Wood Products	Philomath	Sawmill	106
Tree Source Pac/Soft	Philomath	Sawmill	
Tree Source/Phil. FP	Philomath	Sawmill	
Special Products of Oregon	Phoenix	Sawmill	80
Louisiana Pacific	Pilot Rock	Sawmill	60
Boise Cascade	Portland	R&D	55
Felt Mill	Portland		
Portland Mill	Portland		

			Employees
Weyerhaeuser	Headquarters	Admin	345
	Praine City	Sawmill	
Crown Pacific Ltd.	Prineville	Sawmill	36
Crown Pacific Ltd.	Prineville	Sawmill	60
D & E Wood Products	Prineville	Sawmill	15
Northwest Pacific Moulding & Cutstock	Prineville	Moulding	18
Ochoco	Prineville	Sawmill	80
Ochoco Lumber	Prineville	Sawmill	100
International Paper	Veneta	Sawmill	100
	Waldport	Sawmill	
Rogge Wood Products	Wallowa	Sawmill	30
Wallowa Forest Products	Wallowa	Sawmill	50
Warm Springs FP	Warm Springs	Sawmill	
Warrento Lumber Products	Warrengton	Sawmill	147
Boise Cascade	White City	Veneer	30
Burrill Lumber Co.	White City	Sawmill	
Double Dee Lumber Co.	White City	Sawmill	20
Medco	White City	Sawmill	
Medford Corporation	White City	Sawmill	
Medite Corporation	White City	Sawmill	80
Conifer Plywood Co.	Willamina	Plywood	158
Williams Sawmill	Williams	Sawmill	
Winchester Sawmill	Winchester	Sawmill	
Weyerhaeuser	Winston	LVL Plant	37
Weyerhaeuser	Wood Burn	Sawmill	57
Yoncalla Timber Products (WTD)	Yoncalla	Sawmill	45

It goes on and on. These mill closures manifest themselves in the most horrific human ways. It is more than just loss of logging and truck driving jobs and destroyed communities in places I have mentioned. Thirty-five thousand Oregonians in the forest products industry lost their jobs in the 1990s—35,000. I remember those dark days. The year the Federal courts shut down the woods, I was elected as State Senator from Pendleton, OR. At the time there was talk that Oregon had to move on from the boom-and-bust cycle of Federal timber sales. There was talk that we could swap out jobs in the Douglas fir forests for ones in the silicon forest.

Such talk seems so hollow now. But of the 35,000 Oregonians who lost their jobs in the woods and in the lumber mills, nearly half of them never found work again in our State. They either moved to another State, retired or remained chronically unemployed. Those who did find other work ended up with lower wages than they earned a decade before. Mr. President, 450 workers out of 35,000, just 1 percent, joined the high-tech industry.

Not surprisingly, high unemployment in Oregon led to higher hunger rates. Between 1999 and 2001 Oregon had the Nation's highest incidence of hunger. Now my State faces a new epidemic, that of methamphetamine.

But we might ask, how is the owl doing? The answer may surprise you. It infuriates me.

The spotted owl has become one of the most intensely studied species on earth. Ten years of research and more than 1,000 published studies detail the threats to its survival, but none is conclusive.

Most recently, in 2004, the U.S. Fish and Wildlife Service reviewed the status of the northern spotted owl. It did so at the request not of environmentalists, but the timber industry—who wanted to know if the shut-down of the forests had actually worked.

The status review introduced a new antagonist to the saga. Not the logger, but another owl. The barred owl is not native to the Pacific Northwest. It is larger, more aggressive, more successful in predation and reproduces faster than the spotted owl.

No one knows for sure how the barred owl made its way to the Northwest from the east coast. Some biologists believe that, ironically, the growth and planting of trees across the Great Plains created a "tree bridge" for the barred owl to traverse the nation and into spotted owl habitat.

The Fish and Wildlife Service report found, quote:

> Barred owls react more aggressively towards northern spotted owls than the reverse. There are also a few instances of barred owl aggression and predation on northern spotted owls. The information collected to date indicates that encounters between these two species tend to be agonistic in nature, and that the outcome is unlikely to favor the northern spotted owl. Given this relationship, barred owls may be able to displace or preempt northern spotted owls from territories. Further, use of more diverse habitat types and prey, may confer some competitive advantage to barred owls over northern spotted owls with respect to reproductive output.

The report cited empirical evidence that barred owls were killing the spotted owl. Here is a biologist's account of one such incident:

> On 11 May 1997 at approximately 14:30 Leskiw found a freshly (blood fresh and wet) killed Spotted Owl along a trail in Redwood National Park, Humboldt County, California. Two sets of feathers were found within 60 meters of the body. The owl was decapitated, but the head could not be located. Additionally, what appeared to be several Spotted Owl feathers were seen in a tree 4 meters above the ground. Finally, the ground litter was disturbed in a 2 meter radius around the carcass, suggesting a struggle had occurred. Leskiw left the area and returned at approximately 15:30. When he returned to the kill site at 15:45, a Barred Owl spontaneously hooted nearby. . . . Gutierrez necropsied the Spotted Owl. The bird's head had been removed by disarticulation of the cervical vertebrae. The muscle from the left side of the bird's breast, side, and wing were eaten. These lines of circumstantial evidence combine to suggest that a Barred Owl indeed killed and partially consumed this Spotted Owl.

One writer put the relationship between barred and spotted owl more eloquently. She wrote:

> A new twist emerges in the turf war over Pacific Northwest forests as a new adversary invades the remaining haunts of the threatened spotted owl.
>
> Just before dawn, a chill fog drifts through the old-growth redwoods of northwestern California. A group of birders breathe out puffs of steam as they listen to the growing chorus of morning birdsong. Then the gentle sounds of kinglets and thrushes are buried under a torrent of avian rock 'n' roll as the wild, intense hoots of a barred owl ring out.
>
> It is one of the first recorded sightings of this species in this part of California. A couple of months later an agitated barred owl will be found perched near the body of a freshly killed spotted owl in Redwood National Park, near the Oregon border, feathers of his presumed victim stuck in his talons. The latest turf war in the Pacific Northwest has reached redwood country.
>
> Dark-eyed woodland species, the barred owl and spotted owl are cousins that look so similar that novice birders have trouble telling them apart. Until recently, the two birds never met. The barred owl haunted forests east of the Great Plains, while the spotted owl lived only in old conifer forests of the Pacific Northwest. Now the barred owl is on the move—and it is moving in on the threatened spotted owl.

Eric Forsman, the Oregon State University masters student who wrote the first major opus on the decline of the spotted owl in 1976, is now a biologist for the Forest Service and a leading researcher of the barred owl. He recently commented:

> For the last thirty years we've been trying to come up with ways of protecting the spotted owl, and now all of a sudden, this huge monkey wrench gets thrown into the works. In the past, we could assume that what we were seeing in terms of habitat would help us to understand what was happening with the spotted owl. Now we don't know if spotted owls aren't there because there is no habitat for them or because of the barred owls.

A spokesperson for the Audubon Society, which led the charge to set aside spotted owl habitat in the 1980s and 90s, reacted to news of the barred owl by simply stating: "We are ambivalent."

Biologists, too, are perplexed over another question: why more old growth forest has resulted in fewer spotted owls.

A ten year review of the Clinton Northwest Forest Plan found that there are 600,000 more acres of old growth in western Oregon and Washington than there was a decade ago.

However, the sharpest decline in spotted owl populations actually occurred where the least amount of federal timber harvest took place namely the Olympic Peninsula of Washington State. This is also the location of the greatest number of barred owls.

The spotted owl actually increased its population in southern Oregon—where the most federal harvest activity took place, and had the smallest incidence of barred owl invasion.

One thing is for certain—the future of the spotted owl is not only affected by the teeth of chainsaws, but in the bloody talon of the barred owl.

And there is a third twist. Forest fires are decimating spotted owl habitat. Over 100,000 acres of spotted owl habitat was severely burned over the last 10 years. Now, we don't clear-cut for human use, we just burn it all in wildfires.

This is the Biscuit Fire, the largest fire in Oregon's history, the most expensive to fight in Forest Service history, costing in excess of $150 million. Shoot, folks, with $150 million we could take care of all the problems I am talking about with Oregon counties. The Biscuit Fire incinerated 65,000 acres of the spotted owl habitat as seen in this picture. This is more than four times the amount affected by timber sales in the 50 years preceding the fire. One notable difference is that areas harvested were replanted.

So after 15 years of not logging old growth, growing new growth, and burning "protected" old growth, the Federal Government doesn't know what to do for the spotted owl. After 15 years since its listing under the ESA, the Federal Government does not even have a recovery plan for the spotted owl. And now we are hearing from the Federal Government it doesn't have much of a plan for the people whose lives were ruined.

As I stand here today, it is also clear that the Federal Government doesn't know what to do with these communities in the wake of its failed management decisions.

Let me also mention a fourth impact. This should be of particular interest to those Members concerned about the outsourcing of U.S. jobs and industries to other countries. As wood production fell on the Federal timberlands, it was replaced—board foot by board foot—by the Canadian Government in its "Crown Lands." Does anyone think the spotted owl knows the difference between the United States and Canadian borders? I don't think they know. But what we are doing now is not harvesting our land. What we are doing now is burning our land, and the Canadians are overcutting their lands.

This trend is mirrored in reverse by the blue line on this chart, showing Canadian lumber imports into this country.

The green and blue lines diverge in 1990—the years the spotted owl was listed as threatened. The flood of Canadian imports met the ever-growing U.S. demand for lumber.

So instead of milling our lumber, harvested from our own forests, with our own environmental laws, we are exporting the impact and the jobs to other countries—other countries with fewer environmental protections and where forests regenerate more slowly.

For a further example of the outsourcing of our lumber industry, go to Hurricane Katrina in 2005. With western timber locked up in court, southern timber blown down in the storm, the administration actually floated the idea of lowering tariffs on foreign imported lumber for the Katrina rebuilding effort.

Needless to say, that concept did not move far. Plenty of lumber was reproduced for the reconstruction. Much of it was salvaged, probably from Mississippi and Louisiana.

The point here is that actions have consequences. If the United States wants to consume wood, and it should, then it needs to recognize where wood comes from. But if Americans don't want wood to come from American forests, harvested under the strictest environmental guidelines in the world, then let's face that reality. But the reality has consequences.

I wonder if I can ask for an additional 15 minutes and that will be all I will require.

The PRESIDING OFFICER (Mr. WHITEHOUSE). Without objection, it is so ordered.

Mr. SMITH. I thank the Senator from Vermont for listening to me. I have detailed for you the dramatic story of the Federal timber in Oregon that serves as the backdrop for the issue at hand.

Beginning in the late 1980s, timber sales received the primary funding source for the 25 Percent Fund and began a precipitous decline for the reasons I have explained earlier. This plunge in receipts intensified and then bottomed out at a much lower level in the 1990s. The decline in receipts impacted rural communities in the West, particularly communities in Washington, Oregon, northern California, and Idaho.

For example, in fiscal year 1995, national forest revenues were $557 million, only 36 percent of fiscal year 1989 peak revenues of $1.531 billion. In fiscal year 2004 national forest revenues were $281 million. That is from "billions" to "millions."

Payments to many States under the 25 Percent Fund Act declined by an average of 70 percent from 1986 through 1998. These are national figures. Those in Oregon were far more severe, reflecting the drastic fall in the timber sales program.

The problem was compounded because 18 Oregon counties have different revenue-sharing agreements with the Bureau of Land Management.

Mr. SANDERS. I ask the Senator to yield so I can do some housekeeping.

Mr. SMITH. If I don't lose my place.

ADDITIONAL STATEMENTS

HONORING JOE AND DEE SPORTS

• Mr. ISAKSON. Mr. President, today I honor two wonderful Georgians, Joe and Dee Sports of Conyers, as they celebrate 50 years of marriage.

Joe and Dee both grew up in south Georgia. Joe is a native of Douglas in Coffee County, and the former Dee Plymell hails from Thomasville. They are blessed with one daughter, Susan, and two grandsons, Ali Joseph and Amir Elias.

Joe has worn many hats over the years in Georgia and Washington including political leader, newspaper and television reporter, congressional aide and public affairs consultant. He was executive director of the Democratic Party of Georgia during the administrations of 2 Governors and served as a congressional aide to U.S. Senator David Gambrell as well as four Georgia congressmen. He began his governmental affairs firm, Joe Sports & Associates, over 25 years ago. He also edits Georgia Beat, Georgia's oldest political newsletter.

Dee is retired from the Georgia Secretary of State's office after many years of distinguished service. She now enjoys helping to raise her grandsons, who live close by with their mom.

On February 24, Joe and Dee will gather together with their family and friends to celebrate this truly momentous occasion. Although I cannot be there in person, it is a privilege to stand in this Senate and honor this tremendous milestone that embodies the profound love and commitment they have for one another. Their marriage is an inspiration to us all.•

WE THE PEOPLE NATIONAL FINALS

• Mr. BINGAMAN. Mr. President, from April 28–30, 2007, more than 1,200 students from across the country will visit Washington, DC, to take part in the national finals of We the People: The Citizen and the Constitution, an important program developed to educate young people about the U.S. Constitution and Bill of Rights. The We the People program is funded by the U.S. Department of Education and administered by the Center for Civics Education.

I am proud to announce that the State of New Mexico will be represented by a class from Highland High School from Albuquerque at this prestigious national event. These outstanding students, through their knowledge of the U.S. Constitution, won their statewide competition and earned the chance to come to our Nation's Capital and compete at the national level.

While in Washington, the students will participate in a 3-day academic competition that simulates a congressional hearing in which they "testify" before a panel of judges. Students demonstrate their knowledge and understanding of constitutional principles as they evaluate and defend positions on relevant historical and contemporary issues. Independent studies show that students in the We the People program display a greater political tolerance and commitment to the principles and values of the Constitution and Bill of Rights than do students using traditional textbooks and approaches. With many reports and surveys indicating the lack of civic knowledge and civic participation, I am pleased to support such a valuable program that is producing an enlightened and engaged citizenry.

The names of these outstanding students from Highland High School are:

Aaron A. Adams, Allison J. Anglin, Richard S. Baca, Laura E. Baldwin, Kristy R. Calderon, Daniel Chavez, Danielle N. Easley, Heather L. Goldberg, Gabriel J. Hogan, Peyton K. Holloway, Martha A. Muna, Denise H. Ortiz, Milagro Padilla, Catherine U. Pham, Long Pham, Mark Ridder, Evan D. Root, Whitney A. Sousa, and Ruby R. Watkins.

I also wish to commend the teachers of the class, Bob Coffey and Steve Seth, who are responsible for preparing these young contestants for the national finals. Also worthy of special recognition is Dora Marroquin, the State coordinator, and Patricia Carpeneter, the district coordinator, who are among those responsible for implementing the We the People program in my State.

I wish these students much success as they prepare to compete at the We the People national finals and applaud their great achievement.●

IN MEMORY OF LEO T. McCARTHY

● Mrs. BOXER. Mr. President, today I ask my colleagues to honor the memory of one of California's great lawmakers and dedicated public servants, former California Lieutenant Governor and State Assembly Speaker Leo T. McCarthy. Leo passed away in San Francisco on February 5, 2007 at the age of 76. He leaves behind a legacy of commitment to California.

Leo was born in Auckland, New Zealand in 1930. When he was 3, his family moved to San Francisco's Mission District. Leo served in the Korean war, in the intelligence unit of the Strategic Air Command. He studied history at the University of San Francisco, USF, before entering USF law school. Leo began his political career through work on various political campaigns during law school.

Leo was first elected to the San Francisco Board of Supervisors in 1963, when at the age of 33, he became the youngest supervisor in San Francisco history. One of his enduring legacies is the creation of the San Francisco Human Rights Commission. He also protected San Francisco's precious open spaces. During this time, he was appointed by then Governor Edmund "Pat" Brown to the Commission on Aging, where he demonstrated his devotion to aging issues which continued throughout his career.

He was elected to the California State Assembly in 1968 and became the powerful Speaker of the Assembly in 1974. He helped bring more openness and efficiency to the legislature. He also promoted gay rights and coastal protection.

Leo served three terms as lieutenant governor from 1983–1995. As lieutenant Governor, he was active with the State Lands Commission and public education through the University of California. Lieutenant Governor McCarthy helped coordinate California's disaster relief efforts following the Loma Prieta earthquake. As a member of Congress, I was proud to work with Leo on this disaster relief effort. I am so pleased that our paths crossed many times over the years on so many important issues.

Leo retired from politics in 1994. He helped establish the Leo T. McCarthy Center for Public Service and the Common Good at USF in 2002. The Center "seeks to inspire and equip students for lives and careers of ethical public service and serving others." The Center speaks volumes about Leo's lifelong commitment to open government and public service.

Leo McCarthy was a highly respected and beloved political leader in California. My heart goes out to Leo's family and friends. He will be missed by all who knew him. We take comfort in knowing that future generations will benefit from his spirit, his vision, and his leadership. He is survived by his wife Jackie; 4 children, Sharon, Conna, Adam and Niall; and his 11 grandchildren.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a withdrawal which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE PRESIDENT

The following message from the President of the United States was transmitted to the Senate by one of his secretaries:

REPORT RELATIVE TO THE EXPORT OF ITEMS TO THE PEOPLE'S REPUBLIC OF CHINA—PM 6

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Foreign Relations:

To the Congress of the United States:

In accordance with the provisions of section 1512 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261), I hereby certify that the export to the People's Republic of China of the following items is not detrimental to the U.S. space launch industry, and that the material and equipment, including any indirect technical benefit that could be derived from such exports, will not measurably improve the missile or space launch capabilities of the People's Republic of China:

Twenty Honeywell model QA 750 accelerometers to be incorporated into railway geometry measurement systems for China's Ministry of Railways.

Equipment and technology associated with the production and testing of composite components for Boeing commercial aircraft.

GEORGE W. BUSH.

THE WHITE HOUSE, *February 11, 2007.*

ECONOMIC REPORT OF THE PRESIDENT DATED FEBRUARY 2007 WITH THE ANNUAL REPORT OF THE COUNCIL OF ECONOMIC ADVISERS FOR 2007—PM 7

The PRESIDING OFFICER laid before the Senate the following message from the President the United States, together with an accompanying report; which was referred to the Joint Economic Committee:

ECONOMIC REPORT OF THE PRESIDENT

To the Congress of the United States:

Economic growth in the United States has been above the historic average and faster than any other major industrialized economy in the world. January was the 41st month of uninterrupted job growth produced by this economy, in an expansion that has thus far added more than 7.4, million new jobs. Unemployment is low, inflation is moderate, and real wages are rising. Our economy is on the move and we can keep it that way continuing to pursue sound economic policy based on free-market principles.

Sound economic policy begins with low taxes. We should work together to spend the taxpayers' money wisely and to tackle unfunded liabilities inherent in entitlement programs such as Social Security, Medicare, and Medicaid. I have laid out a detailed plan in my budget to restrain spending, cut earmarks in half by the end of this session, and balance the budget by 2012 without raising taxes. The tax relief of the past few years has been a ingredient in growing our economy, and it should be made permanent.

Our growing economy is dynamic. The rise of new technologies, new competition, and new markets abroad is changing how we do business. We need to take action in four key areas to keep America's economy flexible and dynamic.

First, we must break down barriers to trade so our workers can sell more goods and services to the 95 percent of the world's customers who live outside of our borders. Global trade talks like the Doha Round at the World Trade Organization have the potential to level the playing field so we can compete on fair terms in foreign markets, while helping lift millions of people out of poverty around the world.

The only way we can complete the Doha Round and make headway on other trade agreements is to extend Trade Promotion Authority, which is set to expire on July 1st. This authority is essential to completing good trade agreements. The Congress must renew it if we are to improve our competitiveness in the global economy.

Second, we must work to make private health insurance more affordable and to give patients more choices and control over their health care. One of the most promising ways to do this is by reforming the tax code. We must end the unfair bias against individuals who buy insurance on their own. I propose creating a standard deduction for every American who buys health insurance, whether they get it through their jobs or on their own. In a changing economy, we need a health care system that is flexible and consumer-oriented. With this reform, more than 100 million Americans who are now covered by employer-provided insurance will benefit from lower tax bills. Those who now purchase health inurance on their own would save money on their taxes. Millions of others who now have no health insurance at all would find basic private coverage within their reach. My proposal also taps the innovation of States in making basic, affordable insurance available to all by creating Affordable Choices grants to help ensure the poor and the sick have access to private health insurance.

Third, we must continue to diversify our energy supply to benefit our economy, national security, and environment. In my State of the Union Message, I set an ambitious goal of reducing gasoline usage in the United States by 20 percent over the next 10 years. Meeting this goal will require significant changes in supply and demand, but we should let the market decide the best mix of technologies and fuels to most efficiently attain it. On the supply side, I propose a higher and reformed fuel standard that would include renewable and other alternative fuels. We should also allow environmentally friendly exploration of oil and natural gas. On the demand side, I propose enhancing Corporate Average Fuel Economy standards for cars and extending the current rule for light trucks, so that we can reduce the amount of gasoline that our passenger vehicles consume, and do so in a more efficient way.

Fourth, a strong and vibrant education system is vital to maintaining our Nation's competitive edge in the world and extending economic opportunity to every citizen here at home. Five years ago, we rose above partisan differences to enact the No Child Left Behind Act, preserving local control, raising standards, holding schools accountable for results, and providing more choice. This year, we must reauthorize and strengthen this good law preserving its core principles.

Strong productivity growth underlies much of the good economic news from the past few years and the policies discussed above. Productivity growth helps to increase our standards of living and improve our international competitiveness. To maintain this progress, we must pursue a variety pro-growth policies, including those contained in the American Competitiveness Initiative and comprehensive immigration reform.

These and other issues are discussed in the 2007 Annual Report of the Council of Economic Advisers. The Council has prepared this Report to put into broader context the economic issues that underlie my Administration's policy decisions. I commend it to you.

GEORGE W. BUSH.

THE WHITE HOUSE, *February 2007.*

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of January 4, 2007, the Secretary of the Senate, on today, February 12, 2007, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House had passed the following bill, in which it requests the concurrence of the Senate:

H.R. 547. An act to facilitate the development of markets for biofuels and Ultra Low Sulfur Diesel fuel through research and development and data collection.

MESSAGE FROM THE HOUSE

ENROLLED BILL SIGNED

The PRESIDENT pro tempore (Mr. BYRD) announced that on February 8, 2007, he had signed the following enrolled bill, which was previously signed by the Speaker of the House:

H.R. 434. An act to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958 through July 31, 2007, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–728. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, a report on the approved retirement of Lieutenant General Thomas L. Baptiste, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–729. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Revenue Procedure on Rescission Request Procedures" (Rev. Proc. 2007–21) received on February 6, 2007; to the Committee on Finance.

EC–730. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Weighted Average Interest Rate Update" (Notice 2007–20) received on February 6, 2007; to the Committee on Finance.

EC–731. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Updated Mortality Tables for Determining Current Liability" ((RIN1545–BE72)(TD 9310)) received on February 6, 2007; to the Committee on Finance.

EC–732. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Certain Transfers of Stock or Securities by U.S. Persons to Foreign Corporations" ((RIN1545–BG10)(TD 9311)) received on February 6, 2007; to the Committee on Finance.

EC–733. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Field Directive on Section 936 Exit Strategies" (Secondary Audit Index Number LMSB–04–0107–002) received on February 6, 2007; to the Committee on Finance.

EC–734. A communication from the Assistant Secretary, Land and Minerals Management, Department of the Interior, transmitting, pursuant to law, a report relative to standards and requirements for royalty relief for marginal properties for oil and gas leases on the Outer Continental Shelf; to the Committee on Energy and Natural Resources.

EC-735. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Plan for Designated Facilities and Pollutants; Florida: Emissions Guidelines for Small Municipal Waste Combustion Units" (FRL No. 8276-7) received on February 7, 2007; to the Committee on Environment and Public Works.

EC-736. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Amendments to the Minor New Source Review Program" (FRL No. 8276-3) received on February 7, 2007; to the Committee on Environment and Public Works.

EC-737. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Outer Continental Shelf Air Regulations Consistency Update for Alaska" (FRL No. 8249-2) received on February 7, 2007; to the Committee on Environment and Public Works.

EC-738. A communication from the Board Members, Railroad Retirement Board, transmitting, pursuant to law, a report relative to the justification of its budget estimates for fiscal year 2008; to the Committee on Health, Education, Labor, and Pensions.

EC-739. A communication from the Inspector General, Railroad Retirement Board, transmitting, pursuant to law, the Office's budget request for fiscal year 2008; to the Committee on Health, Education, Labor, and Pensions.

EC-740. A communication from the Director, Office of Personnel Management, transmitting, a report of proposed legislation relative to making corrections to the process for certification of Federal agencies' performance appraisal systems; to the Committee on Homeland Security and Governmental Affairs.

EC-741. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the Office's Annual Privacy Activity Report for 2006; to the Committee on Homeland Security and Governmental Affairs.

EC-742. A communication from the Director, Financial Management, Government Accountability Office, transmitting, pursuant to law, the annual report of the Comptrollers' General Retirement System for fiscal year 2006; to the Committee on Homeland Security and Governmental Affairs.

EC-743. A communication from the General Counsel, Department of Defense, transmitting a report of proposed legislation entitled "National Defense Authorization Bill for Fiscal Year 2008"; to the Committee on Armed Services.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment:

S. 214. A bill to amend chapter 35 of title 28, United States Code, to preserve the independence of United States attorneys.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. NELSON of Nebraska (for himself, Mr. BUNNING, Ms. STABENOW, Ms. SNOWE, Mr. KERRY, Ms. COLLINS, Mr. REED, Mrs. CLINTON, and Mr. MENENDEZ):

S. 543. A bill to improve Medicare beneficiary access by extending the 60 percent compliance threshold used to determine whether a hospital or unit of a hospital is an inpatient rehabilitation facility under the Medicare program; to the Committee on Finance.

By Mr. ROBERTS (for himself, Mr. NELSON of Nebraska, and Mr. ISAKSON):

S. 544. A bill to amend the Internal Revenue Code of 1986 to provide a credit to certain agriculture-related businesses for the cost of protecting certain chemicals; to the Committee on Finance.

By Mr. LOTT:

S. 545. A bill to improve consumer access to passenger vehicle loss data held by insurers; to the Committee on Commerce, Science, and Transportation.

By Mr. CHAMBLISS (for himself and Mr. ISAKSON):

S. 546. A bill to amend title XXI of the Social Security Act to make available additional amounts to address funding shortfalls in the State Children's Health Insurance Program for fiscal year 2007; to the Committee on Finance.

By Mr. VOINOVICH (for himself, Mr. AKAKA, Mr. LEVIN, and Mrs. MCCASKILL):

S. 547. A bill to establish a Deputy Secretary of Homeland Security for Management, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. LEAHY (for himself, Mr. BENNETT, Ms. CANTWELL, Mr. CARDIN, Mr. COCHRAN, Mr. COLEMAN, Mr. CONRAD, Mr. DODD, Mr. DOMENICI, Mr. DURBIN, Mrs. FEINSTEIN, Mr. KENNEDY, Mr. KERRY, Mr. LIEBERMAN, Mr. SANDERS, Mr. SCHUMER, and Mr. STEVENS):

S. 548. A bill to amend the Internal Revenue Code of 1986 to provide that a deduction equal to fair market value shall be allowed for charitable contributions of literary, musical, artistic, or scholarly compositions created by the donor; to the Committee on Finance.

By Mr. KENNEDY (for himself, Ms. SNOWE, Mr. REED, and Mr. BROWN):

S. 549. A bill to amend the Federal Food, Drug, and Cosmetic Act to preserve the effectiveness of medically important antibiotics used in the treatment of human and animal diseases; to the Committee on Health, Education, Labor, and Pensions.

By Mr. AKAKA (for himself, Mr. VOINOVICH, and Mr. LIEBERMAN):

S. 550. A bill to preserve existing judgeships on the Superior Court of the District of Columbia; to the Committee on Homeland Security and Governmental Affairs.

By Mr. ROBERTS (for himself, Mr. NELSON of Nebraska, and Mr. ISAKSON):

S. 551. A bill to amend the Internal Revenue Code of 1986 to provide a credit to certain agriculture-related businesses for the cost of protecting certain chemicals; to the Committee on Finance.

By Ms. MURKOWSKI (for herself and Mr. STEVENS):

S. 552. A bill to provide for the tax treatment of income received in connection with the litigation concerning the Exxon Valdez oil spill and for other purposes; to the Committee on Finance.

By Mr. DODD (for himself and Mr. LIEBERMAN):

S. 553. A bill to amend the Wild and Scenic Rivers Act to designate certain segments of the Eightmile River in the State of Connecticut as components of the National Wild and Scenic Rivers System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. DORGAN:

S. 554. A bill to reduce the Federal budget deficit, and for other purposes; to the Committee on Finance.

By Ms. SNOWE (for herself, Mr. BOND, and Mr. BINGAMAN):

S. 555. A bill to amend the Internal Revenue Code of 1986 to allow small businesses to set up simple cafeteria plans to provide nontaxable employee benefits to their employees, to make changes in the requirements for cafeteria plans, flexible spending accounts, and benefits provided under such plans or accounts, and for other purposes; to the Committee on Finance.

By Mr. KENNEDY (for himself, Mr. ENZI, Mr. DODD, and Mr. ALEXANDER):

S. 556. A bill to reauthorize the Head Start Act, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCHUMER (for himself, Mr. ROBERTS, Mr. NELSON of Florida, Mrs. DOLE, Ms. STABENOW, and Mr. KYL):

S. 557. A bill to amend the Internal Revenue Code of 1986 to make permanent the depreciation classification of motorsports entertainment complexes; to the Committee on Finance.

By Mr. DOMENICI (for himself, Mr. KENNEDY, Mr. ENZI, Mr. BROWN, Mr. SMITH, Mr. FEINGOLD, Mr. COLEMAN, Mr. LAUTENBERG, Mr. WARNER, Mrs. BOXER, Ms. MURKOWSKI, Mr. AKAKA, Mr. ROBERTS, Mr. CARDIN, Mr. HATCH, Ms. CANTWELL, Ms. COLLINS, Ms. STABENOW, Ms. SNOWE, Mr. BIDEN, Mr. GRAHAM, and Mr. NELSON of Nebraska):

S. 558. A bill to provide parity between health insurance coverage of mental health benefits and benefits for medical and surgical services; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. INHOFE (for himself and Mr. BROWNBACK):

S. Res. 77. A resolution expressing support for the Transitional Federal Government of the Somali Republic; to the Committee on Foreign Relations.

By Mrs. CLINTON (for herself, Mr. REID, Mr. KENNEDY, Mr. SCHUMER, Ms. MIKULSKI, Mr. CARDIN, Mr. LIEBERMAN, Mr. BROWN, Mr. KERRY, Mr. LUGAR, Mr. SANDERS, Mr. CRAPO, Mr. MENENDEZ, Ms. LANDRIEU, Ms. CANTWELL, Mr. LEVIN, Mr. WHITEHOUSE, Mr. DURBIN, Ms. STABENOW, Mrs. BOXER, Mr. BIDEN, Mr. WEBB, Mr. BYRD, Mr. ROCKEFELLER, Mr. STEVENS, Mr. WARNER, Mr. CASEY, and Mr. BAUCUS):

S. Con. Res. 10. A concurrent resolution honoring and praising the National Association for the Advancement of Colored People on the occasion of its 98th anniversary; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 21

At the request of Mr. REID, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 21, a bill to expand access to preventive health care services that help reduce unintended pregnancy, reduce abortions, and improve access to women's health care.

S. 52

At the request of Mr. ISAKSON, the name of the Senator from North Carolina (Mrs. DOLE) was added as a cosponsor of S. 52, a bill to amend the Tennessee Valley Authority Act of 1933 to increase the membership of the Board of Directors and require that each State in the service area of the Tennessee Valley Authority be represented by at least 1 member.

S. 98

At the request of Mr. KERRY, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 98, a bill to foster the development of minority-owned small businesses.

S. 117

At the request of Mr. OBAMA, the names of the Senator from New York (Mr. SCHUMER), the Senator from Maryland (Ms. MIKULSKI), the Senator from Massachusetts (Mr. KERRY), the Senator from Delaware (Mr. BIDEN) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 117, a bill to amend titles 10 and 38, United States Code, to improve benefits and services for members of the Armed Forces, veterans of the Global War on Terrorism, and other veterans, to require reports on the effects of the Global War on Terrorism, and for other purposes.

S. 170

At the request of Mr. ENSIGN, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 170, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on telephone and other communications services.

S. 179

At the request of Mr. ENSIGN, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. 179, a bill to amend title 10, United States Code, to establish the position of Deputy Secretary of Defense for Management, and for other purposes.

S. 206

At the request of Mrs. FEINSTEIN, the names of the Senator from Massachusetts (Mr. KERRY) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. 206, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 214

At the request of Mrs. FEINSTEIN, the names of the Senator from Pennsylvania (Mr. SPECTER) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 214, a bill to amend chapter 35 of title 28, United States Code, to preserve the independence of United States attorneys.

S. 238

At the request of Mrs. FEINSTEIN, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 238, a bill to amend title 18, United States Code, to limit the misuse of Social Security numbers, to establish criminal penalties for such misuse, and for other purposes.

S. 261

At the request of Ms. CANTWELL, the names of the Senator from Minnesota (Mr. COLEMAN) and the Senator from Wisconsin (Mr. KOHL) were added as cosponsors of S. 261, a bill to amend title 18, United States Code, to strengthen prohibitions against animal fighting, and for other purposes.

S. 270

At the request of Ms. SNOWE, the name of the Senator from Mississippi (Mr. LOTT) was added as a cosponsor of S. 270, a bill to permit startup partnerships and S corporations to elect taxable years other than required years.

S. 304

At the request of Mr. VOINOVICH, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 304, a bill to establish a commission to develop legislation designed to reform tax policy and entitlement benefit programs and to ensure a sound fiscal future for the United States, and for other purposes.

S. 326

At the request of Mrs. LINCOLN, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 326, a bill to amend the Internal Revenue Code of 1986 to provide a special period of limitation when uniformed services retirement pay is reduced as result of award of disability compensation.

S. 329

At the request of Mrs. LINCOLN, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 329, a bill to amend title XVIII of the Social Security Act to provide coverage for cardiac rehabilitation and pulmonary rehabilitation services.

S. 331

At the request of Mr. THUNE, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 331, a bill to provide grants from moneys collected from violations of the corporate average fuel economy program to be used to expand infrastructure necessary to increase the availability of alternative fuels.

S. 402

At the request of Mrs. LINCOLN, the names of the Senator from Oklahoma (Mr. COBURN) and the Senator from Alabama (Mr. SESSIONS) were added as cosponsors of S. 402, a bill to amend the Internal Revenue Code of 1986 to allow a deduction for qualified timber gains.

S. 407

At the request of Mrs. HUTCHISON, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 407, a bill to amend the Intermodal Surface Transportation Efficiency Act of 1991 to designate a portion of Interstate Route 14 as a high priority corridor, and for other purposes.

S. 430

At the request of Mr. BOND, the name of the Senator from New Hampshire (Mr. SUNUNU) was added as a cosponsor of S. 430, a bill to amend title 10, United States Code, to enhance the national defense through empowerment of the Chief of the National Guard Bureau and the enhancement of the functions of the National Guard Bureau, and for other purposes.

At the request of Mrs. MURRAY, her name was added as a cosponsor of S. 430, supra.

At the request of Mr. LEAHY, the name of the Senator from West Virginia (Mr. BYRD) was added as a cosponsor of S. 430, supra.

S. 432

At the request of Mrs. LINCOLN, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 432, a bill to amend title XVIII of the Social Security Act to provide coverage for kidney disease education services under the Medicare program, and for other purposes.

S. 450

At the request of Mr. ENSIGN, the names of the Senator from California (Mrs. BOXER) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. 450, a bill to amend title XVIII of the Social Security Act to repeal the medicare outpatient rehabilitation therapy caps.

S. 466

At the request of Mr. ROCKEFELLER, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 466, a bill to amend title XVIII of the Social Security Act to provide for coverage of an end-of-life planning consultation as part of an initial preventive physical examination under the Medicare program.

S. 494

At the request of Mr. LUGAR, the names of the Senator from Connecticut (Mr. DODD) and the Senator from Ohio (Mr. VOINOVICH) were added as cosponsors of S. 494, a bill to endorse further enlargement of the North Atlantic Treaty Organization (NATO) and to facilitate the timely admission of new members to NATO, and for other purposes.

S. 496

At the request of Mr. VOINOVICH, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 496, a bill to reauthorize and improve the program authorized by the Appalachian Regional Development Act of 1965.

S. RES. 33

At the request of Mr. LUGAR, the names of the Senator from Georgia (Mr. ISAKSON) and the Senator from South Carolina (Mr. DEMINT) were added as cosponsors of S. Res. 33, a resolution expressing the sense of the Senate that the United States should expand its relationship with the Republic of Georgia by commencing negotiations to enter into a free trade agreement.

AMENDMENT NO. 242

At the request of Mr. BAUCUS, his name was withdrawn as a cosponsor of amendment No. 242 intended to be proposed to H.J. Res. 20, a joint resolution making further continuing appropriations for the fiscal year 2007, and for other purposes.

AMENDMENT NO. 246

At the request of Mr. MARTINEZ, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of amendment No. 246 intended to be proposed to H.J. Res. 20, a joint resolution making further continuing appropriations for the fiscal year 2007, and for other purposes.

AMENDMENT NO. 248

At the request of Mr. MARTINEZ, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of amendment No. 248 intended to be proposed to H.J. Res. 20, a joint resolution making further continuing appropriations for the fiscal year 2007, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. NELSON of Nebraska (for himself, Mr. BUNNING, Ms. STABENOW, Ms. SNOWE, Mr. KERRY, Ms. COLLINS, Mr. REED, Mrs. CLINTON, and Mr. MENENDEZ):

S. 543. A bill to improve Medicare beneficiary access by extending the 60 percent compliance threshold used to determine whether a hospital or unit of a hospital is an inpatient rehabilitation facility under the Medicare program; to the Committee on Finance.

Mr. NELSON of Nebraska. Mr. President, today I am introducing the Preserving Patient Access to Inpatient Rehabilitation Hospitals Act of 2007 to make changes to a rule issued by the Centers for Medicare and Medicaid Services, CMS, which has restricted the ability of rehabilitation hospitals to provide critical care.

In my home State of Nebraska, Madonna Rehabilitation Hospital in Lincoln is a nationally recognized premier rehabilitation facility offering specialized programs and services for those who have suffered brain injuries, strokes, spinal cord injuries, and the latest care for cardiac, pulmonary, cancer, pain, and joint replacement patients. If the CMS rule is not updated, Madonna and other facilities will not be able to continue to offer critical care to patients eager to restore their past health and physical function.

When CMS first looked at whether facilities would qualify as inpatient rehabilitation facilities, IRFs, a list of criteria were created to determine eligibility. The narrow criteria, generally referred to as the "75-percent rule," were first established in 1984, but were never strictly enforced and ultimately suspended in 2002 due to inconsistencies in accurately determining medical necessity.

Since establishing strict enforcement of the 75-percent rule in 2004, field data estimates that as many as 88,000 Medicare patients have been denied critical IRF services. The rule will, by CMS's own estimate, shift thousands of patients both Medicare and non-Medicare into alternative care settings which may be inappropriate and inadequate. Bipartisan Congressional efforts have repeatedly petitioned both the U.S. Department of Health and Human Services and CMS for cooperation in averting an escalation of the 75-percent threshold, which currently stands at 60 percent.

For cost-reporting periods beginning July 1, 2007, the compliance threshold is scheduled to jump to 65 percent, with full 75-percent implementation scheduled for July 2008. If legislative action is not taken, IRFs will be forced to turn away more and more patients in order to operate as rehabilitation hospitals or units. By freezing the compliance threshold at 60 percent and ending the inconsistent and unpredictable use of fiscal intermediaries' local coverage determinations, our efforts will ensure that patients across America will continue to have access to the rehabilitative care they need.

I am pleased a bipartisan group of Senate Finance Committee; Health, Education, Labor, and Pension Committee; and Special Committee on Aging members have joined me in supporting this legislation. In addition, the American Association of People with Disabilities, the American Academy of Physical Medicine and Rehabilitation, the American Hospital Association, the American Medical Rehabilitation Providers Association, the Federation of American Hospitals, and numerous other associations and advocacy groups have endorsed our bill. Just as I have heard from patients and medical providers who have experienced problems with the 75-percent Rule, my colleagues and the members of these associations have witnessed the devastating effect this rule is having on those who need this type of critical care.

I urge my colleagues to join Senators JIM BUNNING, DEBBIE STABENOW, OLYMPIA SNOWE, JOHN KERRY, SUSAN COLLINS, JACK REED, HILLARY CLINTON, ROBERT MENENDEZ and me in supporting this important bill. My colleagues and I are determined to resolve this lingering problem and return medical necessity decisions back into the hands of medical providers, while ensuring access to improved inpatient rehabilitation care. The Preserving Patient Access to Inpatient Rehabilitation Hospitals Act of 2007 is a top priority, and I look forward to its passage this year.

By Mr. VOINOVICH (for himself, Mr. AKAKA, Mr. LEVIN, and Mrs. MCCASKILL):

S. 547. A bill to establish a Deputy Secretary of Homeland Security for Management, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. VOINOVICH. Mr. President, I rise today to introduce legislation with my good friend and partner on the Oversight of Government Management Subcommittee, Senator AKAKA, to address the critical management challenges facing the Department of Homeland Security (DHS). I am pleased to have Senators LEVIN and MCCASKILL as original cosponsors of this measure.

The legislation would elevate the role and responsibilities of the current Under Secretary for Management of the Department to a Deputy Secretary of Homeland Security for Management. The language preserves the authority of the Secretary and Deputy Secretary of DHS as the first-and second-highest ranking Department officials, respectively. The individual appointed as the Deputy Secretary for Management would serve a five year term and be the third highest ranking official at the Department. A term would provide management continuity at the Department during times of leadership transition, such as following a presidential election.

The role and responsibilities of the Deputy Secretary for Management would include serving as the Chief Management Officer and principal advisor to the Secretary on the management of the Department. The Deputy Secretary for Management would also be responsible for strategic and annual performance planning, identification and tracking of performance measures, as well as the integration and transformation process in support of homeland security operations and programs.

The division of labor between the Deputy Secretary and the new Deputy

Secretary for Management will be similar to the leadership structure at the Office of Management and Budget. The Deputy Secretary will continue to be the Secretary's first assistant on all policy matters, while the newly created Deputy Secretary for Management will be the Secretary's principal advisor on the development of sustained, long-term management strategies.

I offer this legislation today because of my belief that the existing Under Secretary position lacks sufficient authority to direct the type of sustained leadership and overarching management integration and transformation strategy that is needed department-wide.

There continue to be significant management challenges associated with integrating the Department of Homeland Security, whose creation represented the single largest restructuring of the Federal Government since the creation of the Department of Defense in 1947. In addition to its complex mission of securing the Nation from terrorism and natural hazards through protection, prevention, response, and recovery leadership of the Department of Homeland Security has the enormous task of unifying 180,000 employees from 22 disparate Federal agencies.

Since 2003, the Government Accountability Office (GAO) has included implementing and transforming the Department of Homeland Security on its high-risk list of programs susceptible to waste, fraud, abuse, and mismanagement. In announcing its 2007 high-risk list, Comptroller General Walker said that, "The array of management and programmatic challenges continues to limit DHS's ability to carry out its roles under the National Homeland Security Strategy in an effective risk-based way."

Similarly, in December 2005, the DHS Inspector General issued a report warning of major management challenges facing the Department of Homeland Security. The report noted that although progress has been made since the Department's inception, "Integrating its many separate components in a single, effective, efficient, and economical Department remains one of DHS' biggest challenges."

The Department's own Performance and Accountability Report, released in November 2006, states that it did not meet its strategic goal of "providing comprehensive leadership and management to improve the efficiency and effectiveness of the Department," further underscoring the need for good management.

The Homeland Security Advisory Council Culture Task Force Report, published in January 2007, detailed persisting organizational challenges within DHS, and prescribed leadership and management models designed to empower employees, foster collaboration, and encourage innovation. The third recommendation of the report is that the Department establish an operational leadership position. The report noted, "Alignment and integration of the DHS component organizations is vital to the success of the DHS mission. The CTF believes there is a compelling need for the creation of a Deputy Secretary for Operations (DSO) who would report to the Secretary and be responsible for the high level Department-wide measures aimed at generating and sustaining seamless operational integration and alignment of the component organizations."

The creation of the Deputy Secretary for Management will help address the concerns outlined by GAO, the DHS Inspector General, the Homeland Security Advisory Council, and the Department itself.

As former Chairman and now Ranking Member of the Oversight of Government Management Subcommittee, improving the management structure at the Department has been one of my top priorities. The Subcommittee's Chairman, Senator AKAKA, and I have been committed to ensuring that DHS has the proper tools to make continual improvements in its operations. It has become clear that the Department needs a stronger management focus to enable programmatic and operational success. Congress must act to strengthen the management function at DHS.

During my long career in public service, including as a Mayor and Governor, I have repeatedly observed that the path to organizational success lies in adopting best practices in management, including strategic planning, performance and accountability measures, and effectively leveraging human capital. When instituting reforms as Mayor and Governor, individuals tasked with implementation would tell me, "We don't have time for Total Quality Management; we are too busy putting out fires." I appreciate that DHS is also busy putting out fires. But the connection between good management practices and operational success should not be lost.

With the four year anniversary of the Department only weeks away, we must be honest about the remaining management challenges it faces. The legislation I offer today provides the focused, high-level attention that will result in effective management reform. I believe this legislation is vital to the Department's success. I urge my colleagues to join me in supporting this legislation.

Mr. AKAKA. Mr. President, I am extremely pleased to join with my good friend, the senior Senator from Ohio, in reintroducing legislation today to establish a Deputy Secretary for Management who would be the chief management officer at the Department of Homeland Security (DHS). I am especially pleased that we are joined by two of our colleagues on the Homeland Security and Governmental Affairs Committee, Senator LEVIN, who is also the chairman of the Armed Services Committee, and Senator MCCASKILL.

The Department of Homeland Security continues to face serious challenges, some of which stem from integrating 22 separate entities with existing management problems into one agency. Such a broad, large-scale merger is why the Government Accountability Office (GAO) continues to place DHS on the GAO High-Risk List. Our bill would assign overall management responsibilities to one individual who would be accountable for leading and instituting change. A Deputy Secretary for Management would provide the leadership necessary to move forward and sustain these needed changes. This presidentially appointed and Senate-confirmed individual, who will have a term of office of five years, would serve as a bridge between political appointees and career employees. Changing agency culture is difficult and takes time. As Comptroller General David Walker notes, successful transformation initiatives in large private and public sector organizations can take at least five to seven years.

In addition to serving as chairman of Oversight of Government Management Subcommittee, I am also the chairman of the Armed Services Readiness and Management Support Subcommittee, and I have witnessed firsthand how the Department of Defense (DoD) continues to struggle with business modernization despite clear congressional directives to do so. We cannot afford to allow the Department of Homeland Security, which has an extremely complex and critical mission, to be affected by the same management problems facing DoD. Our bill is born out of our concern and frustration that DHS is not doing better. We believe elevating the Under Secretary for Management to the Deputy Secretary level will provide DHS the necessary tools needed to avoid making the same mistakes as DoD. Having a single focus for key management functions, such as human capital, financial management, information technology, acquisition management, and performance management are essential if DHS is to avoid the stovepipe style of management at DoD.

A Deputy Secretary for Management would bring needed attention to management issues and transformational change; would integrate various key operational and transformation efforts; and would institutionalize accountability for addressing management issues and leading change. Our bill enhances, not diminishes, the ability of the Secretary and Deputy Secretary of DHS to focus on policy decisions while leaving the management efforts to the Deputy Secretary for Management. It is good business practice to have one individual responsible for integrating strategic plans and overseeing change.

I would like to note that the Homeland Security Advisory Council, established to advise and make recommendations to the Secretary of the Department of Homeland Security, created a Culture Task Force (CTF) at the request of Secretary Chertoff in June 2006. The CTF issued its recommendations to the Secretary last month. The January 2007 Report of the Homeland Security Culture Task Force recommends establishing an operational leadership position, "who would report to the Secretary and be responsible for the high level Department-wide measures aimed at generating and sustaining operational integration and alignment of the component organizations."

Congress has a responsibility to ensure that agencies are instituting sound management practices that will empower agencies to spend taxpayer dollars more wisely while carrying out critical missions. A fully accountable chief management officer at DHS will make the difference by ensuring strong leadership over essential government programs.

By Mr. LEAHY (for himself, Mr. BENNETT, Ms. CANTWELL, Mr. CARDIN, Mr. COCHRAN, Mr. COLEMAN, Mr. CONRAD, Mr. DODD, Mr. DOMENICI, Mr. DURBIN, Mrs. FEINSTEIN, Mr. KENNEDY, Mr. KERRY, Mr. LIEBERMAN, Mr. SANDERS, Mr. SCHUMER, and Mr. STEVENS):

S. 548, A bill amend the Internal Revenue code of 1986 to provide that a deduction equal to fair market value shall be allowed for charitable contributions of literary, musical, artistic, or scholarly compositions created by the donor, to the Committee on Finance.

Mr. LEAHY. Mr. President, today we reintroduce the "Artist-Museum Partnership Act," and once again, I am pleased to be joined in this effort by Senator BENNETT. This bipartisan legislation would enable our country to keep cherished art works in the United States and to preserve them in our public institutions. At the same time, this legislation will erase an inequity in our tax code that currently serves as a disincentive for artists to donate their works to museums and libraries. We have introduced this same bill in each of the past four Congresses. It was also included in the Senate-passed version of the 2001 tax reconciliation bill, the Senate-passed version of the 2003 Charity Aid, Recovery, and Empowerment (CARE) Act, and the Senate-passed version of the 2005 tax reconciliation bill. I would like to thank Senators CANTWELL, CARDIN, COCHRAN, COLEMAN, CONRAD, DODD, DOMENICI, DURBIN, FEINSTEIN, KENNEDY, KERRY, LIEBERMAN, SANDERS, SCHUMER, and STEVENS for cosponsoring this tri-partisan bill.

Our bill is sensible and straightforward. It would allow artists, writers, and composers to take a tax deduction equal to the fair market value of the works they donate to museums and libraries. This is something that collectors who make similar donations are already able to do. Under current law, artists who donate self-created works are only able to deduct the cost of supplies such as canvas, pen, paper and ink, which does not even come close to their true value. This is unfair to artists, and it hurts museums and libraries—large and small—that are dedicated to preserving works for posterity. If we as a Nation want to ensure that works of art created by living artists are available to the public in the future—for study and for pleasure—this is something that artists should be allowed to do.

In my State of Vermont, we are incredibly proud of the great works produced by hundreds of local artists who choose to live and work in the Green Mountain State. Displaying their creations in museums and libraries helps develop a sense of pride among Vermonters, and strengthens a bond with Vermont, its landscape, its beauty, and its cultural heritage. Anyone who has contemplated a painting in a museum or examined an original manuscript or composition, and has gained a greater understanding of both the artist and the subject as a result, knows the tremendous value of these works. I would like to see more of them, not fewer, preserved in Vermont and across the country.

Prior to 1969, artists and collectors alike were able to take a deduction equivalent to the fair market value of a work, but Congress changed the law with respect to artists in the Tax Reform Act of 1969. Since then, fewer and fewer artists have donated their works to museums and cultural institutions. For example, prior to the enactment of the 1969 law, Igor Stravinsky planned to donate his papers to the Music Division of the Library of Congress. But after the law passed, his papers were sold instead to a private foundation in Switzerland. We can no longer afford this massive loss to our cultural heritage. Losses to the public like this are an unintended consequence of the 1969 tax bill that should be corrected.

Congress changed the law for artists more than 30 years ago in response to the perception that some taxpayers were taking advantage of the law by inflating the market value of self-created works. Since that time, however, the government has cut down significantly on the abuse of fair market value determinations.

Under our legislation, artists who donate their own paintings, manuscripts, compositions, or scholarly compositions would be subject to the same new rules that all taxpayer/collectors who donate such works must now follow. This includes providing relevant information as to the value of the gift, providing appraisals by qualified appraisers, and, in some cases, subjecting them to review by the Internal Revenue Service's Art Advisory Panel.

In addition, donated works must be accepted by museums and libraries, which often have strict criteria in place for works they intend to display. The institution must certify that it intends to put the work to a use that is related to the institution's tax exempt status. For example, a painting contributed to an educational institution must be used by that organization for educational purposes and could not be sold by the institution for profit. Similarly, a work could not be donated to a hospital or other charitable institution that did not intend to use the work in a manner related to the function constituting the recipient's exemption under Section 501 of the tax code. Finally, the fair market value of the work could only be deducted from the portion of the artist's income that has come from the sale of similar works or related activities.

This bill would also correct another disparity in the tax treatment of self-created works—how the same work is treated before and after an artist's death. While living artists may only deduct the material costs of donations, donations of those same works after death are deductible from estate taxes at the fair market value of the work. In addition, when an artist dies, works that are part of his or her estate are taxed on the fair market value.

I want to thank my colleagues again for cosponsoring this bipartisan legislation. The time has come for us to correct an unintended consequence of the 1969 law and encourage rather than discourage the donations of art works by their creators. This bill will make a crucial difference in an artist's decision to donate his or her work, rather than sell it to a private party where it may become lost to the public forever.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 548

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Artist-Museum Partnership Act".

SEC. 2. CHARITABLE CONTRIBUTIONS OF CERTAIN ITEMS CREATED BY THE TAXPAYER.

(a) IN GENERAL.—Subsection (e) of section 170 of the Internal Revenue Code of 1986 (relating to certain contributions of ordinary income and capital gain property) is amended by adding at the end the following new paragraph:

"(8) SPECIAL RULE FOR CERTAIN CONTRIBUTIONS OF LITERARY, MUSICAL, OR ARTISTIC COMPOSITIONS.—

"(A) IN GENERAL.—In the case of a qualified artistic charitable contribution—

"(i) the amount of such contribution shall be the fair market value of the property contributed (determined at the time of such contribution), and

"(ii) no reduction in the amount of such contribution shall be made under paragraph (1).

"(B) QUALIFIED ARTISTIC CHARITABLE CONTRIBUTION.—For purposes of this paragraph, the term 'qualified artistic charitable contribution' means a charitable contribution of any literary, musical, artistic, or scholarly composition, or similar property, or the copyright thereon (or both), but only if—

"(i) such property was created by the personal efforts of the taxpayer making such contribution no less than 18 months prior to such contribution,

"(ii) the taxpayer—

"(I) has received a qualified appraisal of the fair market value of such property in accordance with the regulations under this section, and

"(II) attaches to the taxpayer's income tax return for the taxable year in which such contribution was made a copy of such appraisal,

"(iii) the donee is an organization described in subsection (b)(1)(A),

"(iv) the use of such property by the donee is related to the purpose or function constituting the basis for the donee's exemption under section 501 (or, in the case of a governmental unit, to any purpose or function described under subsection (c)),

"(v) the taxpayer receives from the donee a written statement representing that the donee's use of the property will be in accordance with the provisions of clause (iv), and

"(vi) the written appraisal referred to in clause (ii) includes evidence of the extent (if any) to which property created by the personal efforts of the taxpayer and of the same type as the donated property is or has been—

"(I) owned, maintained, and displayed by organizations described in subsection (b)(1)(A), and

"(II) sold to or exchanged by persons other than the taxpayer, donee, or any related person (as defined in section 465(b)(3)(C)).

"(C) MAXIMUM DOLLAR LIMITATION; NO CARRYOVER OF INCREASED DEDUCTION.—The increase in the deduction under this section by reason of this paragraph for any taxable year—

"(i) shall not exceed the artistic adjusted gross income of the taxpayer for such taxable year, and

"(ii) shall not be taken into account in determining the amount which may be carried from such taxable year under subsection (d).

"(D) ARTISTIC ADJUSTED GROSS INCOME.—For purposes of this paragraph, the term 'artistic adjusted gross income' means that portion of the adjusted gross income of the taxpayer for the taxable year attributable to—

"(i) income from the sale or use of property created by the personal efforts of the taxpayer which is of the same type as the donated property, and

"(ii) income from teaching, lecturing, performing, or similar activity with respect to property described in clause (i).

"(E) PARAGRAPH NOT TO APPLY TO CERTAIN CONTRIBUTIONS.—Subparagraph (A) shall not apply to any charitable contribution of any letter, memorandum, or similar property which was written, prepared, or produced by or for an individual while the individual is an officer or employee of any person (including any government agency or instrumentality) unless such letter, memorandum, or similar property is entirely personal.

"(F) COPYRIGHT TREATED AS SEPARATE PROPERTY FOR PARTIAL INTEREST RULE.—In the case of a qualified artistic charitable contribution, the tangible literary, musical, artistic, or scholarly composition, or similar property and the copyright on such work shall be treated as separate properties for purposes of this paragraph and subsection (f)(3).".

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to contributions made after the date of the enactment of this Act in taxable years ending after such date.

By Mr. KENNEDY (for himself, Ms. SNOWE, Mr. REED, and Mr. BROWN):

S. 549. A bill to amend the Federal Food, Drug, and Cosmetic Act to preserve the effectiveness of medically important antibiotics used in the treatment of human and animal diseases; to the Committee on Health, Education, Labor, and Pensions.

Mr. KENNEDY. Mr. President, it is a privilege to join Senator SNOWE in introducing "The Preservation of Antibiotics for Medical Treatment Act of 2007." I am also pleased that this year we are joined by Senator SHERROD BROWN, who championed this legislation so ably as a member of the House of Representatives.

Our goal in this important initiative is to take needed action to preserve the effectiveness of antibiotics in treating diseases. These drugs are truly modern medical miracles. During World War II, the newly developed "wonder drug" penicillin revolutionized care for our soldiers wounded in battle. Since then, such drugs have become indispensable in modern medicine, protecting all of us from deadly infections. They are even more valuable today, safeguarding the Nation from the threat of bioterrorism.

Unfortunately, in recent years, we have done too little to prevent the emergence of antibiotic-resistant strains of bacteria and other germs, and many of our most powerful drugs are no longer effective.

Partly, the resistance is the result of over-prescribing such drugs in routine medical care. Mounting evidence shows that indiscriminate use of such drugs in animal feed is also a major factor in the development of antibiotic resistant germs.

Obviously, if animals are sick, whether as pets or livestock, they should be treated with the best veterinary medications available. That is not the problem. The problem is the widespread use of antibiotics to promote growth and fatten healthy livestock. Such nontherapeutic use clearly undermines the effectiveness of these important drugs, because it leads to greater development of antibiotic-resistant bacteria that can make infections in humans difficult or impossible to treat.

In 1998—nine years ago—a report prepared at the request of the Department of Agriculture and the Food and Drug Administration by the National Academy of Sciences, concluded: "There is a link between the use of antibiotics in food animals, the development of bacterial resistance to these drugs, and human disease." The World Health Organization has specifically recommended that antibiotics used to treat humans should not be used to promote animal growth, although they could still be used to treat sick animals.

In 2001, a Federal interagency task force on antibiotic resistance concluded that "drug-resistant pathogens are a growing menace to all people, regardless of age, gender, or socio-economic background. If we do not act to address the problem . . . [d]rug choices for the treatment of common infections will become increasingly limited and expensive—and, in some cases, nonexistent."

The Union of Concerned Scientists estimates that 70 percent of all U.S. antibiotics are used nontherapeutically in animal agriculture—8 times more than are used in all of human medicine. This indiscriminate use clearly reduces their potency.

Major medical associations have been increasingly concerned, and have taken strong stands against antibiotic use in animal agriculture. In June 2001, the American Medical Association adopted a resolution opposing nontherapeutic use of antibiotics in animals. Other professional medical organizations that have taken similar stands include the American College of Preventive Medicine, the American Public Health Association, and the Council of State and Territorial Epidemiologists. The legislation we are offering has been strongly endorsed by the American Public Health Association and numerous other groups and independent experts in the field.

Ending the current detrimental practice is feasible and cost-effective. Last month an economic study by researchers at Johns Hopkins University examined data from the poultry producer Perdue. In this study of 7 million chickens, the slight benefit from the nontherapeutic use of antibiotics was more than offset by the cost of purchasing antibiotics.

In fact, most of the developed countries in the world, except for the United States and Canada, already restrict the use of antibiotics to promote growth in raising livestock. In 1999, the European Union banned such use, and funds saved on drugs have been invested in improving hygiene and animal husbandry practices. Researchers in Denmark found a dramatic decline in the number of drug-resistant organisms in animals—and no significant increase in animal diseases or consumer prices.

These results have encouraged clinicians and researchers to call for a similar ban in the United States. The title of an editorial in the New England Journal of Medicine 6 years ago said it all: "Antimicrobial Use in Animal Feed—Time to Stop."

In the last Congress, over 350 organizations representing scientific and medical associations, consumer and environmental groups as well as animal rights and religious groups endorsed this legislation and called for an end to the reckless and irresponsible use of these critically important medicines.

The Nation is clearly at risk of an epidemic outbreak of food poisoning caused by drug-resistant bacteria or other germs. In recent years, many nations, including the United States, have been plagued by outbreaks of food-borne illnesses. Imagine the consequences of an outbreak caused by a strain of bacteria immune to any drugs we have. It is time to put public safety first and stop this promiscuous use of drugs essential for protecting human health.

The bill we are introducing will phase out the non-therapeutic use in livestock of medically important antibiotics, unless manufacturers can demonstrate that such use is no danger to public health. The Act applies this same strict standard to applications for approval of new animal antibiotics. Such use is not restricted if the animals are sick, or if they are pets or are animals not used for food. In addition, FDA is also given authority to restrict the use of important drugs to treat such animals, if risk to humans is in question.

According to the National Academy of Sciences, eliminating the use of antibiotics as feed additives in agriculture will cost each American consumer not more than five to ten dollars a year. The legislation recognizes, however, that economic costs to farmers in making the transition to antibiotic-free practices may be substantial. In such cases, the Act provides for Federal payments to defray the cost of shifting to antibiotic-free practices, with special preference for family farms.

Antibiotics are one of the great miracles of modem medicine. Yet today, we are destroying them faster than the pharmaceutical industry can replace them with new discoveries. If doctors lose these vital medications, the most vulnerable Americans will suffer the most—children, the elderly, persons with HIV/AIDS, and others who are most in danger of drug resistant infections. I urge my colleagues to support this clearly needed legislation to protect the health of all Americans from the reckless and unjustified use of antibiotics.

Ms. SNOWE. Mr. President, today we face concerns about infectious disease which few could have anticipated. Over a half century ago, following the development of modem antibiotics, Nobel Laureate Sir McFarland Burnet summed up what many experts believed when he stated, "One can think of the middle of the twentieth century as the end of one of the most important social revolutions in history, the virtual elimination of infectious diseases as a significant factor in social life."

How things have changed! Today we face grave concern about pandemic influenza, and in fact every day many of the most serious health threats come from infectious diseases. When we consider the greatest killers—HIV, tuberculosis, malaria—it is clear that infectious diseases have not abated. At the same time we have seen an alarming trend as existing antibiotics are becoming less effective in treating infections. We know that resistance to drugs can be developed, and that the more we expose bacteria to antibiotics, the more resistance we will see. So it is critical to address preserving lifesaving antibiotic drugs for use in treating disease.

Today over nine out of ten Americans understand that resistance to antibiotics is a problem. Most Americans have learned that that colds and flu are caused by viruses, and recognize that treating a cold with an antibiotic is inappropriate. Our health care providers are more careful to discriminate when to use antibiotics, because they know that when a patient who has been inappropriately prescribed an antibiotic actually develops a bacterial infection, it is more likely to be resistant to treatment.

When we overuse antibiotics, we risk eliminating the very cures which scientists fought so hard to develop. The threat of bioterrorism amplifies the danger. I have supported increased NIH research funding, as well as Bioshield legislation, in order to promote development of essential drugs, both to address natural and man-made threats. It is so counterproductive to develop antimicrobial drugs and see their misuse render them ineffective.

Yet every day in America antibiotics continue to be used in huge quantities for no treatment purpose whatsoever. I am speaking of the non-therapeutic use of antibiotics in agriculture. Simply put, the practice of feeding antibiotics to healthy animals jeopardizes the effectiveness of these medicines in treating ill people and animals.

Recognizing the public health threat caused by antibiotic resistance, Congress in 2000 amended the Public Health Threats and Emergencies Act to curb antibiotic overuse in human medicine. Yet today, it is estimated that 70 percent of the antimicrobials used in the United States are fed to farm animals for non-therapeutic purposes including growth promotion, poor management practices and crowded, unsanitary conditions.

In March 2003, the National Academies of Sciences stated that a decrease in antimicrobial use in human medicine alone will not solve the problem of drug resistance.

Substantial efforts must be made to decrease inappropriate overuse of antibiotics in animals and agriculture.

Two years ago five major medical and environmental groups—the American Academy of Pediatrics, the American Public Health Association, Environmental Defense, the Food Animal Concerns Trust and the Union of Concerned Scientists—jointly filed a formal regulatory petition with the U.S. Food and Drug Administration urging the agency to withdraw approvals for seven classes of antibiotics which are used as agricultural feed additives. They pointed out what we have known for years—that antibiotics which are crucial to treating human disease should never be used except for their intended purpose—to treat disease.

In a study reported in the New England Journal of Medicine, researchers at the Centers for Disease Control and Prevention found 17 percent of drug-resistant staph infections had no apparent links to health-care settings. Nearly one in five of these resistant infections arose in the community—not in the health care setting. We must do more to address inappropriate antibiotic use in medicine, the use of these drugs in our environment cannot be ignored.

This is why I have joined with Senator KENNEDY in again introducing the "Preservation of Antibiotics for Medical Treatment Act". This bill phases out the nontherapeutic uses of critical medically important antibiotics in livestock and poultry production, unless their manufacturers can show that they pose no danger to public health.

Our legislation requires the Food and Drug Administration to withdraw the approval for nontherapeutic agricultural use of antibiotics in food-producing animals if the antibiotic is used for treating human disease, unless the application is proven harmless within two years. The same tough standard of safety will apply to new applications for approval of animal antibiotics.

This legislation places no unreasonable burden on producers. It does not restrict the use of antibiotics to treat sick animals, or for that matter to treat pets and other animals not used for food. The Act authorizes Federal payments to small family farms to defray their costs, and it also establishes research and demonstration programs that reduce the use of antibiotics in raising food-producing animals. The Act also requires data collection from manufacturers so that the types and amounts of antibiotics used in animals can be monitored.

As we are constantly reminded, the discovery and development of a new drug can require great time and expense. It is simply common sense that we preserve the use of the drugs which we already have, and use them appropriately. I call on my colleagues to support us in this effort.

By Mr. AKAKA (for himself, Mr. VOINOVICH, and Mr. LIEBERMAN):

S. 550. A bill to preserve existing judgeships on the Superior Court of the District of Columbia; to the Committee on Homeland Security and Governmental Affairs.

Mr. AKAKA. Mr. President, today I rise to introduce legislation that would preserve existing seats on the District of Columbia Superior Court. I am pleased that Senators VOINOVICH and LIEBERMAN are joining me in this effort.

As my colleagues know, the Superior Court is the trial court of general jurisdiction over local matters in the District of Columbia. When a vacancy on the court occurs, the District of Columbia Judicial Nominations Commission solicits applicants to fill the vacancy and sends three names to the President. The President then selects one candidate and sends the individual's nomination to the Senate for confirmation. Existing law caps the total number of judges on the Superior Court at 59.

However, the District of Columbia Family Court Act of 2001 created three new seats for the Family Court, which is a division of the Superior Court, but failed to increase the overall cap on the number of judges seated on the court. As a result, three existing seats in the other divisions of the court—including the criminal, civil, probate, and tax divisions—were effectively eliminated. Therefore, when vacancies in those divisions occur, new judges cannot be seated.

Ever since the Family Court Act became law, the Homeland Security and Governmental Affairs Committee and the Senate has been in the untenable position of delaying the confirmation of judicial nominees when the cap has been reached. The end result is that residents of DC will face delay of justice due to a lack of judicial personnel.

The bill we introduce today would address this problem by amending the DC Code to increase the cap on the number of associate judges on the Superior Court. Similar legislation introduced by my good friend Senator COLLINS in both the 108th and 109th Sessions of Congress was favorably reported by the Committee on Homeland Security and Governmental Affairs and passed by the Senate. I urge my colleagues to once again support this important legislation.

I ask unanimous consent that the text of the legislation be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 550

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. COMPOSITION OF SUPERIOR COURT.

Section 903 of title 11 of the District of Columbia Code is amended by striking "fifty-eight" and inserting "61".

By Ms. MURKOWSKI (for herself and Mr. STEVENS):

S. 552. A bill to provide for the tax treatment of income received in connection with the litigation concerning the Exxon Valdez oil spill and for other purposes; to the Committee on Finance.

Ms. MURKOWSKI. Mr. President, I rise to introduce a bill that will help the commercial fishermen and others whose livelihoods were negatively impacted by the Exxon Valdez oil spill. I am pleased to have Mr. STEVENS join me in introducing this important legislation.

The Exxon Valdez ran aground on Bligh Reef on March 24, 1989, spilling 11 million gallons of oil into Prince William Sound in Alaska. A class action jury trial was held in Federal court in Anchorage, AK, in 1994. The plaintiffs included 32,000 fishermen among others whose livelihoods were gravely affected by this disaster. The jury awarded $5 billion in punitive damages to plaintiffs. The punitive damage award has been on repeated appeal by the Exxon Corporation since 1994. Many of the original plaintiffs, possibly more than 1,000 people, have already died.

Once the punitive damage award of the Exxon Valdez litigation is settled, many fishermen will receive payments to reimburse them for fishing income lost due to the environmental consequences of the Exxon Valdez oil spill. The eventual settlement could be as much as several billion dollars.

My bill gives the affected fishermen, as well as other plaintiffs in this case, a fair shake when it comes to contributions to retirement plans and averaging of income for tax purposes.

With respect to retirement plan contributions, my bill increases the caps on both deductions and income for traditional IRAs to the extent of the income a plaintiff receives from the settlement or judgment. Also, it allows the plaintiffs to make contributions to Roth IRAs and other retirement plans to the extent of the income received from the settlement or judgment.

Fishermen are currently allowed to average their income over three years due to the often inconsistent nature of the fishing business. The litigation stemming from the Exxon Valdez oil spill poses an even more unique situation since fishermen and other plaintiffs have been waiting to receive lost income—in the form of a settlement or judgment—since 1994. My bill allows plaintiffs to average their income for the period of time between December 31 of the year they receive the settlement or judgment payment and January 1, 1994—the year of the original jury award in Federal court.

It is imperative that we address this important issue to help those affected by the Exxon Valdez oil spill plan for their retirement.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 552

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Exxon Valdez Oil Spill Tax Treatment Act".

SEC. 2. TAX TREATMENT OF INCOME RECEIVED IN CONNECTION WITH THE EXXON VALDEZ LITIGATION.

(a) INCOME AVERAGING OF AMOUNTS RECEIVED FROM THE EXXON VALDEZ LITIGATION.—

(1) IN GENERAL.—At the election of a qualified taxpayer who receives qualified settlement income during a taxable year, the tax imposed by chapter 1 of the Internal Revenue Code of 1986 for such taxable year shall be equal to the sum of—

(A) the tax which would be imposed under such chapter if—

(i) no amount of elected qualified settlement income were included in gross income for such year, and

(ii) no deduction were allowed for such year for expenses (otherwise allowable as a deduction to the taxpayer for such year) attributable to such elected qualified settlement income, plus

(B) the increase in tax under such chapter which would result if taxable income for each of the years in the applicable period were increased by an amount equal to the applicable fraction of the elected qualified settlement income reduced by any expenses (otherwise allowable as a deduction to the taxpayer) attributable to such elected qualified settlement income.

Any adjustment under this section for any taxable year shall be taken into account in applying this section for any subsequent taxable year.

(2) COORDINATION WITH FARM INCOME AVERAGING.—If a qualified taxpayer makes an election with respect to any qualified settlement income under paragraph (1) for any taxable year, such taxpayer may not elect to treat such amount as elected farm income under section 1301 of the Internal Revenue Code of 1986.

(3) DEFINITIONS.—For purposes of this subsection—

(A) APPLICABLE PERIOD.—The term "applicable period" means the period beginning on January 1, 1994, and ending on December 31 of the year in which the elected qualified settlement income is received.

(B) APPLICABLE FRACTION.—The term "applicable fraction" means the fraction the numerator of which is one and the denominator of which is the number of years in the applicable period.

(C) ELECTED QUALIFIED SETTLEMENT INCOME.—The term "elected qualified settlement income" means so much of the taxable income for the taxable year which is—

(i) qualified settlement income, and

(ii) specified under the election under paragraph (1).

(b) CONTRIBUTIONS OF AMOUNTS RECEIVED TO RETIREMENT ACCOUNTS.—

(1) IN GENERAL.—Any qualified taxpayer who receives qualified settlement income during the taxable year may, at any time before the end of the taxable year in which

such income was received, make one or more contributions to an eligible retirement plan of which such qualified taxpayer is a beneficiary in an aggregate amount not to exceed the amount of qualified settlement income received during such year.

(2) TIME WHEN CONTRIBUTIONS DEEMED MADE.—For purposes of paragraph (1), a qualified taxpayer shall be deemed to have made a contribution to an eligible retirement plan on the last day of the taxable year in which such income is received if the contribution is made on account of such taxable year and is made not later than the time prescribed by law for filing the return for such taxable year (not including extensions thereof).

(3) TREATMENT OF CONTRIBUTIONS TO ELIGIBLE RETIREMENT PLANS.—For purposes of the Internal Revenue Code of 1986, if a contribution is made pursuant to paragraph (1) with respect to qualified settlement income, then—

(A) except as provided in paragraph (4)—

(i) to the extent of such contribution, the qualified settlement income shall not be included in taxable income, and

(ii) for purposes of section 72 of such Code, such contribution shall not be considered to be investment in the contract, and

(B) the qualified taxpayer shall, to the extent of the amount of the contribution, be treated—

(i) as having received the qualified settlement income—

(I) in the case of a contribution to an individual retirement plan (as defined under section 7701(a)(37) of such Code), in a distribution described in section 408(d)(3) of such Code, and

(II) in the case of any other eligible retirement plan, in an eligible rollover distribution (as defined under section 402(f)(2) of such Code), and

(ii) as having transferred the amount to the eligible retirement plan in a direct trustee to trustee transfer within 60 days of the distribution.

(4) SPECIAL RULE FOR ROTH IRAS AND ROTH 401(k)S.—For purposes of the Internal Revenue Code of 1986, if a contribution is made pursuant to paragraph (1) with respect to qualified settlement income to a Roth IRA (as defined under section 408A(b) of such Code) or as a designated Roth contribution to an applicable retirement plan (within the meaning of section 402A of such Code), then—

(A) the qualified settlement income shall be includible in taxable income, and

(B) for purposes of section 72 of such Code, such contribution shall be considered to be investment in the contract.

(5) ELIGIBLE RETIREMENT PLAN.—For purpose of this subsection, the term "eligible retirement plan" has the meaning given such term under section 402(c)(8)(B) of the Internal Revenue Code of 1986.

(c) QUALIFIED SETTLEMENT INCOME NOT INCLUDED IN SECA.—For purposes of chapter 2 of the Internal Revenue Code of 1986 and section 211 of the Social Security Act, no portion of qualified settlement income received by a qualified taxpayer shall be treated as self-employment income.

(d) QUALIFIED TAXPAYER.—For purposes of this section, the term "qualified taxpayer" means—

(1) any plaintiff in the civil action In re Exxon Valdez, No. 89–095–CV (HRH) (Consolidated) (D. Alaska); or

(2) any beneficiary of the estate of such a plaintiff who—

(A) acquired the right to receive qualified settlement income from that plaintiff; and

(B) was the spouse or an immediate relative of that plaintiff.

(e) QUALIFIED SETTLEMENT INCOME.—For purposes of this section, the term "qualified settlement income" means income received (whether as lump sums or periodic payments) in connection with the civil action In re Exxon Valdez, No. 89–095–CV (HRH) (Consolidated) (D. Alaska), including interest (whether pre- or post judgment and whether related to a settlement or judgment).

By Mr. DORGAN:

S. 554. A bill to reduce the Federal budget deficit, and for other purposes; to the Committee on Finance.

Mr. DORGAN. Mr. President, this Nation was founded on the principle that the future matters more than the past. It was the first Nation in the world so conceived. The Founders took great pains to ensure that each generation would get a fresh start, free of the encumbrances of the past. They abolished primogeniture, entail, and hereditary titles. Jefferson for one believed that every twenty years or so, the books of the Federal Government should be wiped clean, so that prior generations would not be able to fob their debts off upon later ones who would have no say in the matter.

Over the last half dozen years, we have done exactly what the Founders of this Nation did not intend. We have heaped debt upon debt on the backs of our children and theirs—the very people the Founders thought should be free of such debts. In just about every corner of government and policy, the story has been the same—let's have a party today, and let our kids and grandkids clean up the mess. We've done it with energy, the environment, and, perhaps most of all, we have done it with the Federal budget.

Just six years ago, we had our fiscal house in order. The government had $5.6 trillion in projected surpluses between 2002 and 2011. We were paying down the debt. But now it's changed. We racked up the second largest deficit in our history in 2003, our largest deficit ever in 2004, the third highest deficit in 2005 and the seventh largest deficit last year.

The administration can claim to be making progress only by leaving out of its budget plans the full cost of the ongoing war against terrorism, long term relief from the alternative minimum tax, using Social Security surplus revenues for unrelated spending and by generally setting expectations so low that even failure looks good by comparison. But the reality, of course, is unless the Nation's fiscal policies are dramatically changed, we are going to see large deficits for many years in the future. At the current rate the accumulated debt of this government will grow from $8.6 trillion today to over $12 trillion by 2012.

That projected debt is bigger than the economies of Japan, Germany, France, the United Kingdom and Canada combined. It's almost $39,000 for every man, woman and child in this country. Meanwhile, the Administration has provided big tax cuts for people who use them to buy third homes, pricey wines and three-hundred-dollar dungarees. This is Me-Generation economics. It is economics that says, "Let others make the sacrifices while we have a bash." It is the total opposite of the economics envisioned by the founders of this country, who said that we should meet our own obligations, clean up our own messes and pay our own way, so that those who come after us can have a future that is clear and bright.

To this end, I rise today to introduce legislation called the Act For Our Kids that I hope will help spark a serious discussion in the U.S. Congress, and across our country, about putting the Federal Government's balance sheet back in order. This legislation provides for a package of Federal spending cuts and more revenue that would raise nearly $76 billion the first full year and some $205 billion over five years and every penny would be used to reduce the Federal deficit! It is a real first step in acting like we are serious about fixing our fiscal policies and paying our bills.

Last year on the Senate floor I spoke about an agenda that Congress could be pursuing that would benefit all Americans. Among other things, I said that two of our top priorities ought to be paying our bills and taking care of our kids. Regrettably, however, the administration and the majority in Congress at that time adopted a card credit mentality to fiscal policy that would make even the most aggressive credit card companies blush. If a part of the American dream is ensuring that one's kids and grandkids get at least the same opportunities that we had to climb the economic ladder to success, then the Federal Government's recent approach to fiscal policy has been a full-blown nightmare.

Unless we change the direction of our fiscal policy, the Federal Government will "borrow" trillions of dollars of Social Security surplus revenues over the next decade to pay for tax cuts and other spending. Social Security faces significant financial challenges as the baby boomers retire in the years ahead. Loading up the country with more debt and diverting needed revenues away from the Social Security program will only make the program's fiscal problems worse, not better.

The real question is how are we going to dig ourselves out of this fiscal quagmire? The solution offered by the White House and the Republicans in Congress was simple: They said let's run up our Federal credit card balances even more, while at the same time giving more large tax cuts to the richest Americans.

And if President Bush is successful in permanently extending the bulk of his previous tax cuts that mostly benefit the wealthiest Americans, as he proposed in his Fiscal Year 2008 budget submission just this week, another $2 trillion in revenues will be lost over the next decade.

Frankly, I am not aware of any instance in the history of this great country where those in charge of the Federal purse decided to cut revenues on such a large scale while in the midst of war. Today we ask our young men and women in uniform to sacrifice so much, yet the wealthiest among us are not asked to contribute even a portion of their tax cuts to what we are told every day is a noble cause.

In one of his famous fireside chats, President Franklin D. Roosevelt described our obligation as citizens to support our troops during times of war. He said:

> Not all of us can have the privilege of fighting our enemies in distant parts of the world. Not all of us can have the privilege of working in a munitions factory or a ship yard, or on the farms or in oil fields or mines, producing the weapons or the raw materials that are needed by our armed forces. But there is one front and one battle where everyone in the United States—every man, woman and child—is in action. . . . That front is right here at home, in our daily lives, in our daily tasks. Here at home everyone will have the privilege of making whatever self-denial is necessary, not only to supply our fighting men, but to keep the economic structure of our country fortified and secure during the war and after the war.

The sentiments of President Roosevelt's remarks are truly lost on an Administration that has borrowed every dollar it has used to pay for the war in Iraq and the global fight against terrorism.

I think the American public understands that one of our obligations as U.S. citizens is helping to defend this country in whatever way is best. But what we have been missing is leadership and at least some measure of fiscal discipline in paying our war debt and getting other parts of our fiscal house in order.

It is unfair to pile up this massive debt and heave it onto the shoulders of working families and their children. The Federal Government is expected to pay $3.3 trillion in interest payments on the debt alone during the 10-year period ending in 2017.

The legislation I am introducing today includes a number of proposals that, taken together, would reduce the Federal deficit by my estimate $205 billion over the next five years.

First and foremost, this bill requires Federal agencies to tighten their belts by cutting their administrative overhead expenses. Before we ask others to make sacrifices needed to reduce the Nation's debt load, Federal agencies must do their part.

My legislation includes other targeted cuts in Federal spending and will make changes to the tax code to ensure that the wealthiest Americans and most profitable multinational companies that do business in this country pay their fair share of taxes—revenues that are needed to defend this Nation and keep our economy strong and growing.

Among other things, the Act For Our Kids would do the following: Cut Federal agency administrative overhead by 5 percent for fiscal years 2008 through 2012 and save taxpayers an estimated $30 billion. This proposal would reduce "nuts and bolts" expenditures, including those relating to agency travel and transportation, advertising, office supplies, conferences and equipment. These savings must come from the bureaucracy, not programs. It is generally understood that administrative expenses do not include personnel compensation and benefits.

Eliminate $3.5 billion that remains in a giveaway fund in the Medicare drug plan. The 2003 Medicare drug bill included a $10 billion "slush" fund that the Secretary of the U.S. Department of Health and Human Services could tap to entice regional preferred provider organizations (PPOs) to participate in Medicare. This fund has been roundly criticized by policy experts as an inappropriate use of Federal resources. The Senate has previously supported eliminating this fund altogether and legislation enacted by Congress late last year used $6.5 billion of the $10 billion in the fund for the physician payment fix.

Make drug importation legal and safe. This will not only help consumers by reducing the cost they pay for prescription drugs, but will save the Federal Government and therefore taxpayers an estimated $1.6 billion in Federal health program costs in the five years after its enactment.

Stop providing Federal funding for TV Marti broadcasts into Cuba that are jammed and therefore are not watched by their intended recipients. This provision would save U.S. taxpayers an estimated $100 million in the next half decade.

Restore honesty and accountability in Federal contracting by, among other things, reinstating a Federal rule that would deny Federal contracts to companies with a pattern of overcharging the government or violating other Federal laws, including tax, labor and consumer protections. Other provisions in the bill would crack down on corporate cheaters and require full disclosure of contracting abuses. It requires real contract competition, bans corporate cronyism and takes other significant steps to ensure that Federal contractors, large or small, are not gouging American taxpayers. Based on information derived from similar experiences in the past, and more recently, one could easily expect these reforms would save the Federal Government some $6 billion over a five-year period.

Abolish the U.S. Court of Federal Claims. The docket of the Court of Federal Claims includes a hodgepodge of cases, including patent cases, claims involving Indian property, vaccine injury cases, claims arising from the interment of Japanese Americans, and cases arising under the Fifth Amendment's takings clause. The light caseload of this court could be handled more efficiently by Federal district courts. This elimination of the Claims Court would result in additional taxpayer savings of tens of millions of dollars over five years.

Impose a temporary 2 percent emergency tariff on all imports for two years to help correct our country's $800-billion-plus trade deficit. Article XII of the GATT, which has been incorporated into the World Trade Organization, specifically allows member countries to impose tariffs to correct a balance of payment crisis. Temporary emergency tariffs over two years would help address this crisis, while raising an estimated $66 billion for deficit reduction.

Prevent tax avoidance for U.S. multinational companies that move profits to offshore tax havens by generally treating their controlled "paper or shell" subsidiaries set up in foreign tax-haven countries as domestic companies for U.S. tax purposes. This proposal would save taxpayers another $5.8 billion over five years.

Repeal the perverse Federal tax subsidy called tax deferral for U.S. companies that shut down manufacturing plants in the U.S. and move jobs abroad, only to ship their now foreign-made products back into our country. Killing this ill-advised tax break for runaway manufacturing plants would help level the financial playing field for domestic manufacturers while saving taxpayers some $4.2 billion over a five-year period.

Clarify and enhance the application of the economic substance doctrine that courts apply to deny tax benefits from business tax shelter transactions that do not result in a meaningful change to the taxpayer's economic position other than a reduction in their Federal income tax. This proposal would save taxpayers an estimated $5.8 billion over the next five years.

Rescind on a prospective basis a portion of the major tax cuts passed by Congress since 2001 for individuals who are earning more than $1 million annually. Providing some $90 billion in additional large tax cuts over the next five years for millionaires when the Nation is still accruing massive debt and paying ongoing war costs is irresponsible in my judgment.

Disallow the tax deduction for punitive damages that are paid or incurred by taxpayers as a result of a judgment or in settlement of a claim. Allowing a tax deduction for punitive damages undermines the use of punitive damages to discourage and penalize the activities or actions for which punitive damages are imposed. Making this change would save taxpayers about $130 million over a 5-year period.

Lift the U.S. ban on travel to Cuba by U.S. citizens. Repealing this obsolete and ineffective restriction on travel to Cuba would raise an estimated $1 billion in U.S. tax revenues over five years from increased U.S. business activity.

Extend permanently the Federal Communications Commission's (FCC's) authority to auction licenses to those using the radio spectrum. This FCC authority was recently extended by Congress through 2011. A permanent extension of this authority would raise $1 billion between 2012 to 2016, about $200 million annually starting in 2012.

The provisions I have highlighted above and others in the bill would help reduce the Federal debt by what I roughly calculate is $205 billion over the next half decade. I understand that this package does not fully cover our outstanding debt obligations. But I think it is a reasonable and balanced package of spending cuts and revenue enhancements that offer a first installment that will help us begin a thoughtful process of curbing our addiction to deficit spending and hopefully head us once again toward truly a balanced budget not counting Social Security surplus revenue that should be set aside for future beneficiaries, and not used for unrelated spending.

Garrison Keillor once said, "Nothing you do for children is ever wasted. They seem not to notice us, hovering, averting our eyes, and they seldom offer thanks, but what we do for them is never wasted." I believe that one of the greatest gifts we can give for our kids is a future without a mountain of debt from under which they may never dig out. To make this happen, however, we need to set aside our differences and come together, Republicans and Democrats, conservatives and liberals alike, and begin to confront our recent obsession with debt financing. When we decide to do so, our Nation will be better for it, and so will the future of our children.

By Ms. SNOWE (for herself, Mr. BOND, and Mr. BINGAMAN):

S. 555. A bill to amend the Internal Revenue Code of 1986 to allow small businesses to set up simple cafeteria plans to provide nontaxable employee benefits to their employees, to make changes in the requirements for cafeteria plans, flexible spending accounts, and benefits provided under such plans or accounts, and for other purposes; to the Committee on Finance.

Ms. SNOWE. Mr. President, I rise today to introduce the "SIMPLE Cafeteria Plan Act of 2007," which will increase the access to quality, affordable health care for millions of small business owners and their employees. I am pleased that my good friend Senator BOND from Missouri, as well as my good friend from New Mexico, Senator BINGAMAN, have agreed to co-sponsor this critical piece of legislation.

Regrettably, our Nation's healthcare system is in the midst of a crisis. Each year, more and more Americans are unable to purchase health insurance, and there are no signs that things are improving. As evidence, the United States Census Bureau estimates that nearly 47 million people did not have health insurance coverage in 2005. Sadly, this number rose from 41.2 million uninsured persons in 2001—a 13 percent increase.

The lack of health insurance is even more troubling when we look specifically at the small business sector of our economy. In 2005, according to the Employee Benefit Research Institute, a non-partisan health policy group, nearly 63 percent of all uninsured workers were either self-employed or working for private-sector firms with fewer than 100 employees. In comparison, only 13.4 percent of workers in firms with more than 1,000 employees do not have health insurance. These numbers demonstrate that the majority of uninsured Americans work for small enterprises.

So why are our Nation's small businesses, which are our country's job creators and the true engine of our economic growth, so disadvantaged when it comes to purchasing health insurance?

The main reason that small business owners do not offer their employees health insurance is because many of them cannot afford to provide any health insurance, or other benefits to their employees. Many other small companies can only afford to pay a portion of their employees' health insurance premiums. As a result, many small business employees must acquire health insurance from the private sector rather than through their work place. This more expensive alternative is not practical or possible for the majority of the uninsured.

Clearly, we have a problem on our hands. While we can debate among ourselves why this crisis exists, and how we ended up here, what is not open for debate is that we need to start identifying ways to fix the system. It is simply unconscionable to do nothing while more and more Americans find themselves without health insurance and health care.

Currently, many large companies, and even the Federal Government, allow their employees to purchase health insurance, and other qualified benefits, with tax-free dollars. Larger companies are able to offer these accounts because they meet the specific qualifications outlined in the tax code.

Cafeteria plans is one means for employers to offer health benefits with pretax dollars. As the name suggests, cafeteria plans are programs where employees can purchase a range of qualified benefits. Specifically, cafeteria plans offer employees great flexibility in selecting their desired benefits while allowing them to disregard those benefits that do not fit their particular needs. Moreover, the employees are usually purchasing benefits at a lower cost because their employers are often able to obtain a reduced group rate price for their benefits.

Typically, in cafeteria plans, a combination of employer contributions and employee contributions are used to fund the accounts that employees used to buy specific benefits. Under current law, qualified benefits include health insurance, dependent-care reimbursement, life and disability insurance. Unfortunately, long term care insurance is NOT currently a qualified benefit available for purchase in cafeteria plans. I will come back to long term care insurance in a moment.

Clearly, cafeteria plans play a critical role in our Nation's health care system. The problem though, is that in order for companies to qualify for cafeteria plans they must satisfy the tax code's strict non-discrimination rules. These rules exist to ensure that companies offer the same benefits to their non-highly compensated employees that they offer to their highly compensated employees. These rules strive to ensure that non-highly compensated employees in fact receive a substantial portion of the employee benefits companies provide.

Now, I want to be clear. I believe that these non-discrimination rules serve a legitimate purpose and are necessary employee protections. Indeed, we need to ensure that employers are not able to game the tax system so that the cafeteria plans that qualify for preferential tax treatment are used by a majority of a companies' employees. At the same time these benefits must be made available to small companies and not just large companies.

Unfortunately, we often hear that small businesses lose skilled employees to larger companies simply because the bigger firm is able to offer a more generous employee benefit package. Many small firms have relatively few employees and a high proportion of owners or highly compensated individuals. Right now, if these small companies opened cafeteria plans they will likely violate the nondiscrimination rules, and subject their workers and organizations to taxable penalties.

Consequently, many small companies simply forgo opening cafeteria plans and offering more comprehensive employee benefits because they fear they will violate the non-discrimination rules. According to the Employers' Council on Flexible Compensation, though roughly 38 million U.S. workers had access to cafeteria plans, only 19 percent of those workers were employees of small businesses.

Allowing small business to offer cafeteria plans would provide them with much needed employee recruiting and retention tools. If more small business owners are able to offer their employees the chance to enjoy a variety of employee benefits these firms will be more likely to attract, recruit, and retain talented workers. This will ultimately increase their business output.

In order to help small companies increase their employees access to health insurance and other benefits, and help them compete for talented professionals, I am introducing the SIMPLE Cafeteria Plan Act. This bill will enable small business employees to purchase health insurance with tax-free dollars in the same way that many employees of large companies already do in their cafeteria plans. My bill accomplishes this by creating a SIMPLE Cafeteria Plan, which is modeled after the Savings Incentive Match Plan for Employees, SIMPLE, pension plan.

As with the SIMPLE pension plan, a small business employer that is willing to make a minimum contribution for all employees, or who is willing to match contributions, will be permitted to waive the non-discrimination rules that currently prevent them from otherwise offering these benefits. This structure has worked extraordinarily well in the pension area with little risk of abuse. I am confident that it will be just as successful when it comes to broad-based benefits offered through cafeteria plans.

In addition my bill will expand the types of qualified benefits that can be offered in SIMPLE cafeteria plans and existing cafeteria plans. These modifications will increase the benefits provided for all employees and the likelihood that employees will utilize their cafeteria plans to purchase these benefits.

This legislation modifies rules that pertain to employer-provided dependent-care assistance plans. First, it would increase the current $5,000 annual contribution limitation of these plans to $10,000 for employees that claim two or more dependents on their tax return. This increase is significant because it will allow taxpayers to use their cafeteria accounts to pay for the care of their children and their elderly dependent family members. As the current baby-boomer generation continues to age, this scenario will become increasingly more common.

The bill also works to address our aging populations' need for long-term care insurance. Here in the United States, nearly half of all seniors age 65 or older will need long-term care at some point in their life. Unfortunately, most seniors have not adequately prepared for this possibility, just as many working age individuals have not given much thought to their eventual long-term care needs. With the cost of a private room in a nursing home averaging more than $72,000 annually, many Americans risk losing their life savings—and jeopardizing their children's inheritance—by failing to properly plan for the long-term care services they will need as they grow older.

To address this problem, this bill would allow employees to purchase long-term care insurance coverage through their cafeteria plans and flexible spending arrangements. Allowing employers to offer long-term care benefits through these accounts would make long-term care insurance more affordable and help Americans prepare for their future long-term care needs.

Additionally, by including long-term care insurance as a qualified benefit available for purchase in cafeteria plans employers will be able to include information about long-term care options in their employee benefit packages. This will help increase employee understanding of the need to plan for their care while also increasing their access to long-term care insurance.

Small businesses are the backbone of the American economy. According to the Small Business Administration, small businesses represent 99 percent of all employers, pay more than 45 percent of the private-sector's payroll, and generated 60 to 80 percent of net new jobs annually over the last decade. It is critical that small businesses are able to offer their employees cafeteria plans so that they may purchase the health care and other benefits that will provide security for their families.

The "SIMPLE Cafeteria Plan Act of 2007" achieves these objectives, in a manner that employers and employees can afford. Although the use of pre-tax dollars to acquire these benefits reduces current Federal revenues, the opportunity to provide small business employees these same benefits currently enjoyed by the employees of the Federal Government, and larger companies, more than justifies this minimal investment. Therefore, I urge my colleagues to join me in supporting this important legislation as we work with you to enact this bill into law.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 555

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

(a) SHORT TITLE.—This Act may be cited as the "SIMPLE Cafeteria Plan Act of 2007".

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

SEC. 2. ESTABLISHMENT OF SIMPLE CAFETERIA PLANS FOR SMALL BUSINESSES.

(a) IN GENERAL.—Section 125 (relating to cafeteria plans) is amended by redesignating subsections (h) and (i) as subsections (i) and (j), respectively, and by inserting after subsection (g) the following new subsection:

"(h) SIMPLE CAFETERIA PLANS FOR SMALL BUSINESSES.—

"(1) IN GENERAL.—An eligible employer maintaining a simple cafeteria plan with respect to which the requirements of this subsection are met for any year shall be treated as meeting any applicable nondiscrimination requirement with respect to benefits provided under the plan during such year.

"(2) SIMPLE CAFETERIA PLAN.—For purposes of this subsection, the term 'simple cafeteria plan' means a cafeteria plan—

"(A) which is established and maintained by an eligible employer, and

"(B) with respect to which the contribution requirements of paragraph (3), and the eligibility and participation requirements of paragraph (4), are met.

"(3) CONTRIBUTIONS REQUIREMENTS.—

"(A) IN GENERAL.—The requirements of this paragraph are met if, under the plan—

"(i) the employer makes matching contributions on behalf of each employee who is eligible to participate in the plan and who is not a highly compensated or key employee in an amount equal to the elective plan contributions of the employee to the plan to the extent the employee's elective plan contributions do not exceed 3 percent of the employee's compensation, or

"(ii) the employer is required, without regard to whether an employee makes any elective plan contribution, to make a contribution to the plan on behalf of each employee who is not a highly compensated or key employee and who is eligible to participate in the plan in an amount equal to at least 2 percent of the employee's compensation.

"(B) MATCHING CONTRIBUTIONS ON BEHALF OF HIGHLY COMPENSATED AND KEY EMPLOYEES.—The requirements of subparagraph (A)(i) shall not be treated as met if, under the plan, the rate of matching contribution with respect to any elective plan contribution of a highly compensated or key employee at any rate of contribution is greater than that with respect to an employee who is not a highly compensated or key employee.

"(C) SPECIAL RULES.—

"(i) TIME FOR MAKING CONTRIBUTIONS.—An employer shall not be treated as failing to meet the requirements of this paragraph with respect to any elective plan contributions of any compensation, or employer contributions required under this paragraph with respect to any compensation, if such contributions are made no later than the 15th day of the month following the last day of the calendar quarter which includes the date of payment of the compensation.

"(ii) FORM OF CONTRIBUTIONS.—Employer contributions required under this paragraph may be made either to the plan to provide benefits offered under the plan or to any person as payment for providing benefits offered under the plan.

"(iii) ADDITIONAL CONTRIBUTIONS.—Subject to subparagraph (B), nothing in this paragraph shall be treated as prohibiting an employer from making contributions to the plan in addition to contributions required under subparagraph (A).

"(D) DEFINITIONS.—For purposes of this paragraph—

"(i) ELECTIVE PLAN CONTRIBUTION.—The term 'elective plan contribution' means any amount which is contributed at the election of the employee and which is not includible in gross income by reason of this section.

"(ii) HIGHLY COMPENSATED EMPLOYEE.—The term 'highly compensated employee' has the meaning given such term by section 414(q).

"(iii) KEY EMPLOYEE.—The term 'key employee' has the meaning given such term by section 416(i).

"(4) MINIMUM ELIGIBILITY AND PARTICIPATION REQUIREMENTS.—

"(A) IN GENERAL.—The requirements of this paragraph shall be treated as met with respect to any year if, under the plan—

"(i) all employees who had at least 1,000 hours of service for the preceding plan year are eligible to participate, and

"(ii) each employee eligible to participate in the plan may, subject to terms and conditions applicable to all participants, elect any benefit available under the plan.

"(B) CERTAIN EMPLOYEES MAY BE EXCLUDED.—For purposes of subparagraph (A)(i), an employer may elect to exclude under the plan employees—

"(i) who have less than 1 year of service with the employer as of any day during the plan year,

"(ii) who have not attained the age of 21 before the close of a plan year,

"(iii) who are covered under an agreement which the Secretary of Labor finds to be a collective bargaining agreement if there is evidence that the benefits covered under the cafeteria plan were the subject of good faith bargaining between employee representatives and the employer, or

"(iv) who are described in section 410(b)(3)(C) (relating to nonresident aliens working outside the United States).

A plan may provide a shorter period of service or younger age for purposes of clause (i) or (ii).

"(5) ELIGIBLE EMPLOYER.—For purposes of this subsection—

"(A) IN GENERAL.—The term 'eligible employer' means, with respect to any year, any employer if such employer employed an average of 100 or fewer employees on business days during either of the 2 preceding years. For purposes of this subparagraph, a year may only be taken into account if the employer was in existence throughout the year.

"(B) EMPLOYERS NOT IN EXISTENCE DURING PRECEDING YEAR.—If an employer was not in existence throughout the preceding year, the determination under subparagraph (A) shall be based on the average number of employees that it is reasonably expected such employer will employ on business days in the current year.

"(C) GROWING EMPLOYERS RETAIN TREATMENT AS SMALL EMPLOYER.—If—

"(i) an employer was an eligible employer for any year (a 'qualified year'), and

"(ii) such employer establishes a simple cafeteria plan for its employees for such year, then, notwithstanding the fact the employer fails to meet the requirements of subparagraph (A) for any subsequent year, such employer shall be treated as an eligible employer for such subsequent year with respect to employees (whether or not employees during a qualified year) of any trade or business which was covered by the plan during any qualified year. This subparagraph shall cease to apply if the employer employs an average of 200 more employees on business days during any year preceding any such subsequent year.

"(D) SPECIAL RULES.—

"(i) PREDECESSORS.—Any reference in this paragraph to an employer shall include a reference to any predecessor of such employer.

"(ii) AGGREGATION RULES.—All persons treated as a single employer under subsection (a) or (b) of section 52, or subsection (n) or (o) of section 414, shall be treated as one person.

"(6) APPLICABLE NONDISCRIMINATION REQUIREMENT.—For purposes of this subsection, the term 'applicable nondiscrimination requirement' means any requirement under subsection (b) of this section, section 79(d), section 105(h), or paragraph (2), (3), (4), or (8) of section 129(d).

"(7) COMPENSATION.—The term 'compensation' has the meaning given such term by section 414(s).".

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to years beginning after December 31, 2006.

SEC. 3. MODIFICATIONS OF RULES APPLICABLE TO CAFETERIA PLANS.

(a) APPLICATION TO SELF-EMPLOYED INDIVIDUALS.—

(1) IN GENERAL.—Section 125(d) (defining cafeteria plan) is amended by adding at the end the following new paragraph:

"(3) EMPLOYEE TO INCLUDE SELF-EMPLOYED.—

"(A) IN GENERAL.—The term 'employee' includes an individual who is an employee within the meaning of section 401(c)(1) (relating to self-employed individuals).

"(B) LIMITATION.—The amount which may be excluded under subsection (a) with respect to a participant in a cafeteria plan by reason of being an employee under subparagraph (A) shall not exceed the employee's earned income (within the meaning of section 401(c)) derived from the trade or business with respect to which the cafeteria plan is established.".

(2) APPLICATION TO BENEFITS WHICH MAY BE PROVIDED UNDER CAFETERIA PLAN.—

(A) GROUP-TERM LIFE INSURANCE.—Section 79 (relating to group-term life insurance provided to employees) is amended by adding at the end the following new subsection:

"(f) EMPLOYEE INCLUDES SELF-EMPLOYED.—

"(1) IN GENERAL.—For purposes of this section, the term 'employee' includes an individual who is an employee within the meaning of section 401(c)(1) (relating to self-employed individuals).

"(2) LIMITATION.—The amount which may be excluded under the exceptions contained in subsection (a) or (b) with respect to an individual treated as an employee by reason of paragraph (1) shall not exceed the employee's earned income (within the meaning of section 401(c)) derived from the trade or business with respect to which the individual is so treated.".

(B) ACCIDENT AND HEALTH PLANS.—Section 105(g) is amended to read as follows:

"(g) EMPLOYEE INCLUDES SELF-EMPLOYED.—

"(1) IN GENERAL.—For purposes of this section, the term 'employee' includes an individual who is an employee within the meaning of section 401(c)(1) (relating to self-employed individuals).

"(2) LIMITATION.—The amount which may be excluded under this section by reason of subsection (b) or (c) with respect to an individual treated as an employee by reason of paragraph (1) shall not exceed the employee's earned income (within the meaning of section 401(c)) derived from the trade or business with respect to which the accident or health insurance was established.".

(C) CONTRIBUTIONS BY EMPLOYERS TO ACCIDENT AND HEALTH PLANS.—

(i) IN GENERAL.—Section 106, as amended by subsection (b), is amended by adding after subsection (b) the following new subsection:

"(c) EMPLOYER TO INCLUDE SELF-EMPLOYED.—

"(1) IN GENERAL.—For purposes of this section, the term 'employee' includes an individual who is an employee within the meaning of section 401(c)(1) (relating to self-employed individuals).

"(2) LIMITATION.—The amount which may be excluded under subsection (a) with respect to an individual treated as an employee by reason of paragraph (1) shall not exceed the employee's earned income (within the meaning of section 401(c)) derived from the trade or business with respect to which the accident or health insurance was established.".

(ii) CLARIFICATION OF LIMITATIONS ON OTHER COVERAGE.—The first sentence of section 162(l)(2)(B) is amended to read as follows: "Paragraph (1) shall not apply to any taxpayer for any calendar month for which the taxpayer participates in any subsidized health plan maintained by any employer (other than an employer described in section 401(c)(4)) of the taxpayer or the spouse of the taxpayer.".

(b) LONG-TERM CARE INSURANCE PERMITTED TO BE OFFERED UNDER CAFETERIA PLANS AND FLEXIBLE SPENDING ARRANGEMENTS.—

(1) CAFETERIA PLANS.—The last sentence of section 125(f) (defining qualified benefits) is amended to read as follows: "Such term shall include the payment of premiums for any qualified long-term care insurance contract (as defined in section 7702B) to the extent the amount of such payment does not exceed the eligible long-term care premiums (as defined in section 213(d)(10)) for such contract.".

(2) FLEXIBLE SPENDING ARRANGEMENTS.—Section 106 (relating to contributions by employer to accident and health plans) is amended by striking subsection (c).

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2006.

SEC. 4. MODIFICATION OF RULES APPLICABLE TO FLEXIBLE SPENDING ARRANGEMENTS.

(a) MODIFICATION OF RULES.—

(1) IN GENERAL.—Section 125 of the Internal Revenue Code of 1986, as amended by section 2, is amended by redesignating subsections (i) and (j) as subsections (j) and (k), respectively, and by inserting after subsection (h) the following new subsection:

"(i) SPECIAL RULES APPLICABLE TO FLEXIBLE SPENDING ARRANGEMENTS.—

"(1) IN GENERAL.—For purposes of this title, a plan or other arrangement shall not fail to be treated as a flexible spending or similar arrangement solely because under the plan or arrangement—

"(A) the amount of the reimbursement for covered expenses at any time may not exceed the balance in the participant's account for the covered expenses as of such time,

"(B) except as provided in paragraph (4)(A)(ii), a participant may elect at any time specified by the plan or arrangement to make or modify any election regarding the covered benefits, or the level of covered benefits, of the participant under the plan, and

"(C) a participant is permitted access to any unused balance in the participant's accounts under such plan or arrangement in the manner provided under paragraph (2) or (3).

"(2) CARRYOVERS AND ROLLOVERS OF UNUSED BENEFITS IN HEALTH AND DEPENDENT CARE ARRANGEMENTS.—

"(A) IN GENERAL.—A plan or arrangement may permit a participant in a health flexible spending arrangement or dependent care flexible spending arrangement to elect—

"(i) to carry forward any aggregate unused balances in the participant's accounts under such arrangement as of the close of any year to the succeeding year, or

"(ii) to have such balance transferred to a plan described in subparagraph (E)

Such carryforward or transfer shall be treated as having occurred within 30 days of the close of the year.

"(B) DOLLAR LIMIT ON CARRYFORWARDS.—

"(i) IN GENERAL.—The amount which a participant may elect to carry forward under subparagraph (A)(i) from any year shall not exceed $500. For purposes of this paragraph, all plans and arrangements maintained by an employer or any related person shall be treated as 1 plan.

"(ii) COST-OF-LIVING ADJUSTMENT.—In the case of any taxable year beginning in a calendar year after 2007, the $500 amount under clause (i) shall be increased by an amount equal to—

"(I) $500, multiplied by

"(II) the cost-of-living adjustment determined under section 1(f)(3) for such calendar year, determined by substituting '2006' for '1992' in subparagraph (B) thereof

If any dollar amount as increased under this clause is not a multiple of $100, such amount shall be rounded to the next lowest multiple of $100.

"(C) EXCLUSION FROM GROSS INCOME.—No amount shall be required to be included in gross income under this chapter by reason of any carryforward or transfer under this paragraph.

"(D) COORDINATION WITH LIMITS.—

"(i) CARRYFORWARDS.—The maximum amount which may be contributed to a health flexible spending arrangement or dependent care flexible spending arrangement for any year to which an unused amount is carried under this paragraph shall be reduced by such amount.

"(ii) ROLLOVERS.—Any amount transferred under subparagraph (A)(ii) shall be treated as an eligible rollover under section 219, 223(f)(5), 401(k), 403(b), or 457, whichever is applicable, except that—

"(I) the amount of the contributions which a participant may make to the plan under any such section for the taxable year including the transfer shall be reduced by the amount transferred, and

"(II) in the case of a transfer to a plan described in clause (ii) or (iii) of subparagraph (E), the transferred amounts shall be treated as elective deferrals for such taxable year.

"(E) PLANS.—A plan is described in this subparagraph if it is—

"(i) an individual retirement plan,

"(ii) a qualified cash or deferred arrangement described in section 401(k),

"(iii) a plan under which amounts are contributed by an individual's employer for an annuity contract described in section 403(b),

"(iv) an eligible deferred compensation plan described in section 457, or

"(v) a health savings account described in section 223.

"(3) DISTRIBUTION UPON TERMINATION.—

"(A) IN GENERAL.—A plan or arrangement may permit a participant (or any designated heir of the participant) to receive a cash payment equal to the aggregate unused account balances in the plan or arrangement as of the date the individual is separated (including by death or disability) from employment with the employer maintaining the plan or arrangement.

"(B) INCLUSION IN INCOME.—Any payment under subparagraph (A) shall be includible in gross income for the taxable year in which such payment is distributed to the employee.

"(4) TERMS RELATING TO FLEXIBLE SPENDING ARRANGEMENTS.—

"(A) FLEXIBLE SPENDING ARRANGEMENTS.—

"(i) IN GENERAL.—For purposes of this subsection, a flexible spending arrangement is a benefit program which provides employees with coverage under which specified incurred expenses may be reimbursed (subject to reimbursement maximums and other reasonable conditions).

"(ii) ELECTIONS REQUIRED.—A plan or arrangement shall not be treated as a flexible spending arrangement unless a participant may at least 4 times during any year make or modify any election regarding covered benefits or the level of covered benefits.

"(B) HEALTH AND DEPENDENT CARE ARRANGEMENTS.—The terms 'health flexible spending arrangement' and 'dependent care flexible spending arrangement' means any flexible spending arrangement (or portion thereof) which provides payments for expenses incurred for medical care (as defined in section 213(d)) or dependent care (within the meaning of section 129), respectively.".

(2) CONFORMING AMENDMENTS.—

(A) The heading for section 125 of the Internal Revenue Code of 1986 is amended by inserting "**AND FLEXIBLE SPENDING ARRANGEMENTS**" after "**PLANS**".

(B) The item relating to section 125 of such Code in the table of sections for part III of subchapter B of chapter 1 is amended by inserting "and flexible spending arrangements" after "plans".

(b) TECHNICAL AMENDMENTS.—

(1) Section 106 is amended by striking subsection (e) (relating to FSA and HRA Terminations to Fund HSAs).

(2) Section 223(c)(1)(A)(iii)(II) is amended to read as follows:

"(II) the individual is transferring the entire balance of such arrangement as of the end of the plan year to a health savings account pursuant to section 125(i)(2)(A)(ii), in accordance with rules prescribed by the Secretary.".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SEC. 5. RULES RELATING TO EMPLOYER-PROVIDED HEALTH AND DEPENDENT CARE BENEFITS.

(a) HEALTH BENEFITS.—Section 106, as amended by section 4(b), is amended by adding at the end the following new subsection:

"(e) LIMITATION ON CONTRIBUTIONS TO HEALTH FLEXIBLE SPENDING ARRANGEMENTS.—

"(1) IN GENERAL.—Gross income of an employee for any taxable year shall include employer-provided coverage provided through 1 or more health flexible spending arrangements (within the meaning of section 125(i)) to the extent that the amount otherwise excludable under subsection (a) with regard to such coverage exceeds the applicable dollar limit for the taxable year.

"(2) APPLICABLE DOLLAR LIMIT.—For purposes of this subsection—

"(A) IN GENERAL.—The applicable dollar limit for any taxable year is an amount equal to the sum of—

"(i) $7,500, plus

"(ii) if the arrangement provides coverage for 1 or more individuals in addition to the employee, an amount equal to one-third of the amount in effect under clause (i) (after adjustment under subparagraph (B)).

"(B) COST-OF-LIVING ADJUSTMENT.—In the case of taxable years beginning in any calendar year after 2007, the $7,500 amount under subparagraph (A) shall be increased by an amount equal to—

"(i) $7,500, multiplied by

"(ii) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year, determined by substituting '2006' for '1992' in subparagraph (B) thereof.

If any dollar amount as increased under this subparagraph is not a multiple of $100, such dollar amount shall be rounded to the next lowest multiple of $100.".

(b) DEPENDENT CARE.—

(1) EXCLUSION LIMIT.—

(A) IN GENERAL.—Section 129(a)(2) (relating to limitation on exclusion) is amended—

(i) by striking "$5,000" and inserting "the applicable dollar limit", and

(ii) by striking "$2,500" and inserting "one-half of such limit".

(B) APPLICABLE DOLLAR LIMIT.—Section 129(a) is amended by adding at the end the following new paragraph:

"(3) APPLICABLE DOLLAR LIMIT.—For purposes of this subsection—

"(A) IN GENERAL.—The applicable dollar limit is $5,000 ($10,000 if dependent care assistance is provided under the program to 2 or more qualifying individuals of the employee).

"(B) COST-OF-LIVING ADJUSTMENTS.—

"(i) $5,000 AMOUNT.—In the case of taxable years beginning after 2007, the $5,000 amount under subparagraph (A) shall be increased by an amount equal to—

"(I) $5,000, multiplied by

"(II) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting '2006' for '1992' in subparagraph (B) thereof.

If any dollar amount as increased under this clause is not a multiple of $100, such dollar amount shall be rounded to the next lowest multiple of $100.

"(ii) $10,000 AMOUNT.—The $10,000 amount under subparagraph (A) for taxable years beginning after 2005 shall be increased to an amount equal to twice the amount the $5,000 amount is increased to under clause (i).".

(2) AVERAGE BENEFITS TEST.—

(A) IN GENERAL.—Section 129(d)(8)(A) (relating to benefits) is amended—

(i) by striking "55 percent" and inserting "60 percent", and

(ii) by striking "highly compensated employees" the second place it appears and inserting "employees receiving benefits".

(B) SALARY REDUCTION AGREEMENTS.—Section 129(d)(8)(B) (relating to salary reduction agreements) is amended—

(i) by striking "$25,000" and inserting "$30,000", and

(ii) by adding at the end the following: "In the case of years beginning after 2007, the $30,000 amount in the first sentence shall be adjusted at the same time, and in the same manner, as the applicable dollar amount is adjusted under subsection (a)(3)(B).".

(3) PRINCIPAL SHAREHOLDERS OR OWNERS.—Section 129(d)(4) (relating to principal shareholders and owners) is amended by adding at the end the following: "In the case of any failure to meet the requirements of this paragraph for any year, amounts shall only be required by reason of the failure to be included in gross income of the shareholders or owners who are members of the class described in the preceding sentence.".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2006.

By Mr. KENNEDY (for himself, Mr. ENZI, Mr. DODD, and Mr. ALEXANDER):

S. 556. A bill to reauthorize the Head Start Act, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. KENNEDY. Mr. President, it is a privilege to join Senators ENZI, DODD, and ALEXANDER in introducing the

Head Start for School Readiness Act. Our goal is to reauthorize Head Start and continue our bipartisan support for this very successful program to prepare low-income children for school.

For over forty years, Head Start has given disadvantaged children the assistance they need to arrive at school ready to learn. It's comprehensive services guarantee balanced meals for children, and a well-defined curriculum to see that children develop early skills in reading, writing, and math, and positive social skills as well. It provides visits to doctors and dentists, and outreach to parents to encourage them to participate actively in their child's early development.

It is clear that Head Start works. A federal evaluation found that Head Start children make gains during the program itself, and the gains continue when the children enter kindergarten. Once Head Start children complete their kindergarten year, they are near the national average of 100 in key areas, with scores of 93 in vocabulary, 96 in early writing, and 92 in early math.

We've made tremendous, bipartisan progress this year in our effort to reauthorize Head Start and build upon a program that serves as a lifeline for the neediest families and children across the Nation.

In this legislation, we build on Head Start's proven track record and expand it to include thousands of low-income children who are not yet served by the program. We provide for better coordination of Head Start with state programs for low-income children. We strengthen Head Start's focus on school readiness and early literacy. We enhance the educational goals for Head Start teachers. And we provide greater accountability for the program, including new policies to ensure improved monitoring visits and new policies to address programs with serious deficiencies.

To strengthen Head Start, we have to begin by providing more resources for it. The need for Head Start is greater than ever. Child poverty is on the rise again. Today, less than 50 percent of children eligible for Head Start participate in the program. Hundreds of thousands of three- and four-year-olds are left out because of the inadequate funding level of the program. Early Head Start serves only 3 percent of eligible infants and toddlers. It is shameful that 97 percent of the children eligible for Early Head Start have no access to it. It's long past time for Congress to expand access to Head Start to serve as many infants, toddlers, and preschool children as possible.

The bill that we introduce today will set a goal to expand Head Start over the next several years. We call for increases in funding, from $6.9 billion in the current fiscal year, to $7.3 billion in FY 2008, $7.5 billion in FY 2009, and $7.9 billion in 2010. These funding levels are critical to advance the essential reforms in this legislation, and to serve thousands of additional children in the Head Start program.

Early Head Start is an especially important program for needy infants and toddlers. Research clearly shows its benefit to infants and toddlers and their families. Early Head Start children have larger vocabularies, lower levels of aggressive behavior, and higher levels of sustained attention than children not enrolled in the program. Parents are more likely to play with their children and read to them.

This bill will double the size of Early Head Start over the course of this authorization, and deliver services to over 56,000 additional children over the course of this authorization.

Our bill establishes a Head Start Collaboration Office in every state to maximize services to Head Start children, align Head Start with kindergarten classrooms, and strengthen its local partnerships with other agencies. These offices will work hand in hand with the Head Start network of training and technical assistance to support Head Start grantees in better meeting the goals of preparing children for school.

States will also have an active role in coordinating their system of early childhood programs, and increasing the quality of those programs. Our bill designates an Early Care and Education Council in each State to conduct an inventory of children's needs, develop plans for data collection and for supporting early childhood educators, review and upgrade early learning standards, and make recommendations on technical assistance and training. For those States ready to move forward and implement their statewide plan, our bill will offer a one-time incentive grant to implement these important efforts.

Over the past four decades, Head Start has built up quality and performance standards to guarantee a full range of services, so that children are educated in the basics about letters and numbers and books, and are also healthy, well-fed, and supported in stable and nurturing relationships. Head Start is a model program, and we can enhance its quality even more.

One way to do that is to strengthen Head Start's current literacy initiative. We know the key to later reading success is to get young children excited about letters and books and numbers. Our bill emphasizes language and literacy, by enhancing the literacy training required of Head Start teachers, by continuing to promote parent literacy, and by working to put more books into Head Start classrooms and into children's homes.

We also make a commitment in this bill to upgrade all of the educational components of Head Start, and ensure that services are aligned with expectations for children's kindergarten year and continue to be driven by the effective Head Start Child Outcomes Framework.

At the heart of Head Start's success are its teachers and staff. They are caring, committed persons who know the children they serve and are dedicated to improving their lives. They help children learn to identify letters of the alphabet and arrange the pieces of puzzles. They teach them to brush their teeth, wash their hands, make friends and follow rules. Yet their salary is still half the salary of kindergarten teachers, and turnover is high—11 percent a year.

Because a teacher's quality is directly related to a child's outcome, our bill establishes a goal to ensue that every Head Start teacher have their A.A. degree and 50 percent earn their B.A. degree over the course of this authorization. Head Start teachers and staff are the greatest resource to children and families in the program, and we must match these ambitious reforms and improvements with the funding needed to see that Head Start programs can meet these goals.

We have also granted additional flexibility in this bill for Head Start programs to serve families and children that need services at the local level. We've lifted the eligibility requirements so that families living below 130 percent of the federal poverty rate can qualify and participate in Head Start. Often, these are the neighbors of Head Start children with similar needs, but currently remain barred from participating in the program.

Under this bill, Head Start programs will be empowered with greater authority to determine the needs of families in their local communities and define services to meet those needs. If programs determine that there is a greater share infants and toddlers in need of services, our bill allows them to apply to the Secretary to convert and expand Head Start to serve those youngest children, consistent with Early Head Start standards. If programs identify a need to provide full-day or full-year care for children and families, they can take steps to do so.

Accountability is a cornerstone of excellence in education and should start early. Head Start should be accountable for its promise to provide safe and healthy learning environments, to support each child's individual pattern of development and learning, to cement community partnerships in services for children, and to involve parents in their child's growth.

Head Start reviews are already among the most extensive in the field. Every 3 years, a federal and local team spends a week thoroughly examining every aspect of every Head Start program. They check everything from batteries in flashlights to how parents feel about the program. Our bill takes a further step to improve the monitoring of Head Start programs, ensures that programs receive useful and timely feedback and information, and strengthens annual reviews and plans for improvement.

Our bill also takes an important step to suspend the Head Start National Reporting System. Four years ago, I insisted that instead of rushing forward with a national assessment for every four- and five-year-old in Head Start, this Administration should instead move more deliberately to develop and implement an assessment tool that would help guide and improve Head Start programs. Unfortunately, they rejected that call and proceeded with an assessment—absent sufficient authorization or oversight from Congress—that was later proven by a GAO study to be flawed and inconsistent with professional standards for testing and measurement.

Any assessment used in Head Start must be held to the highest standard. It must be valid and reliable, fair to children from all backgrounds, balanced in what it measures, and address the development of the whole child. Our bill calls on the National Academy of Sciences to continue their work in surveying assessments and outcomes appropriate for early childhood programs, and to make recommendations to the Secretary and to Congress on the use of assessments and outcomes in Head Start programs. I hope the National Academy's work will be helpful as we consider future improvements in the Head Start program.

Finally, this bill appropriately rejects earlier calls to block grant Head Start services, preserving the community-based structure of the program. It makes no sense to turn Head Start into a block grant to the states. To do so would have dismantled the program and undermined Head Start's guarantees that children can see doctors and dentists, eat nutritious meals, and learn early academic and social skills. The current Federal-to-local structure of Head Start enables it to tailor its services to meet local community needs. Performance standards guarantee a high level of quality across all programs. Yet each program is unique and specifically adapted to the local community. Head Start is successful in serving Inuit children in Alaska, migrant-workers' children in Tennessee, and inner-city children in Boston. It is essential to maintain the ability of local Head Start programs to tailor their services to meet the needs of local neighborhoods and their children.

The Head Start for School Readiness Act we are introducing today will keep Head Start on its successful path, and enable this vital program to continue to thrive and improve. I urge our colleagues on both sides of the aisle to join us in advancing and strengthening this program, and give children the head start they need and deserve to prepare for school and for life.

Mr. ENZI. Mr. President, I rise to join my colleagues in introducing the Head Start for School Readiness Act.

Head Start programs are critical to ensuring that all children, regardless of their background, enter school ready to learn and succeed. I want to thank Senator KENNEDY and his staff for his ongoing commitment to our bipartisan approach, which has resulted in a bill that meets the needs of children and families who participate in the Head Start program throughout our Nation. I would also like to thank our colleagues Senators ALEXANDER and DODD and their staff for their fine work as well.

This legislation would reauthorize the Head Start program and help ensure that children in this important program will be better prepared to enter school with the skills to succeed. Success in life depends a great deal on the preparation for that success, which comes early in life. It is well documented in early childhood education research that students who are not reading well by the third grade will struggle with reading most of their lives. Head Start provides early education for over 900,000 children each year, most of whom would not have the opportunity to attend preschool programs elsewhere. It is because of these 900,000 children we have all worked so hard to improve and strengthen this Act.

I am particularly pleased with the accountability provisions we put forth in this legislation. The legislation we introduce today limits the timeframe for Head Start grantees to appeal decisions made by the Secretary to terminate grants. In some instances, Head Start grantees have been found to be operating programs that are unsafe or misusing Federal funds—and are often continuing those bad practices for months, as long as 600 days in some cases—during the termination process. This equates to children not receiving quality services, and instead of being prepared for success, they fall further behind.

Additional steps have been taken in this legislation to increase the quality of the Head Start program including providing the Secretary the authority to terminate a grantee that has multiple and recurring deficiencies that has not made significant and substantial progress toward correcting those deficiencies.

We recognize that a vast majority of the Head Start agencies provide high quality, comprehensive services for children in the Head Start programs. However, the provisions in this bill will create an important incentive for programs to operate at their best, and in the best interest of the children they serve.

Senator DODD has provided valuable leadership as we worked to develop a clear policy on the roles and responsibilities of the governing body and policy councils. We have worked together to clarify and strengthen the roles of the governing body and policy councils. After careful review, the Committee found that many of the important fiscal and legal responsibilities of Head Start grantees were not explicitly assigned. The bill clarifies those responsibilities leading to more consistent, high quality fiscal and legal management, which will ensure these programs are serving children in the best possible way.

I want to particularly note emphasis we have placed on the role of parents in Head Start programs. It is vital to remember that this program provides services to children and their families. Parents provide valuable insight and experience as to what a Head Start program should do for children.

Senators ALEXANDER, KENNEDY, and DODD have worked tirelessly on this legislation and championed increasing coordination, collaboration, and excellence in early childhood education and care programs. I wish to thank my colleagues on the Committee, particularly Senators KENNEDY, ALEXANDER, and DODD, for their work in drafting this bipartisan legislation to reauthorize the Head Start Act. I believe the legislation we are introducing today will improve the quality and effectiveness of the Head Start program for generations of children to come. It is my hope that our bipartisan efforts will continue to produce results as we move the bill through the Senate and into Conference.

Mr. DODD. Mr. President, I rise today to join my colleagues, Senator KENNEDY, Senator ENZI, and Senator ALEXANDER in introducing the Head Start for School Readiness Act. I am pleased that we are beginning the process of reauthorizing this important legislation early in the 110th Congress.

Since 1965, Head Start has provided comprehensive early childhood development services to low-income children. The evidence is clear: Head Start works for the more than 900,000 children enrolled in centers throughout the country. As we reauthorize this bill, we have the opportunity to refine and improve the program to make it work even better.

This reauthorization bill maintains the important characteristics of Head Start that have made it such an important program, aiding in the social, emotional, physical and cognitive development of low-income preschool children. The program is successful because each center addresses the needs of the local community. It is more than just a school readiness program; it addresses the comprehensive needs of children and their families by providing health and other services to the enrolled children. Families play the most important role in ensuring the success of their children, and our bill maintains an integral role for parents in the decision-making and day to day operations of the program. Parent involvement is a centerpiece of Head Start and I believe this bill strengthens that component.

This reauthorization bill expands eligibility, improves accountability by clarifying program governance, strengthens school readiness for children and enhances teacher quality. In addition, collaboration and coordination with other early childhood development programs and outreach to underserved populations is greatly improved.

The bill we're introducing enables more low-income children to get a head start by allowing programs to serve families with incomes up to 130 percent of the poverty level, while ensuring that the most vulnerable families below the poverty level are served first. This is important for Connecticut and other States where the cost of living is especially high and many working poor families aren't able to access services because they earn just above the poverty level. In addition, the bill expands access to services for infants and toddlers in Early Head Start by increasing the set-aside from 10 percent to 20 percent over the next 5 years. Programs are also provided more discretion to serve eligible individuals based on the needs of the each community.

Although we do not go as far as I would personally like to see in funding for Head Start, we do authorize additional resources in this bill. Despite the tight budget situation, we authorize an increase of six percent from $6.9 billion to $7.35 billion in Fiscal Year 2008, to $7.65 billion in Fiscal Year 2009 and to $7.995 billion in Fiscal Year 2009. I continue to be gravely concerned about the lack of resources for Head Start—funding levels have been essentially flat since 2002. Currently, only half of eligible children are served in Head Start and fewer than 5 percent are served in Early Head Start.

Across the country, Head Start providers are reporting rising costs in transportation, some more than 15 percent due to fuel prices. Other budget concerns include higher unemployment and health care premiums, facilities maintenance and training for staff. Rising operating costs are coinciding with State, local and private funding partners cutting back their contributions to local Head Start programs. This terrible budget crunch has caused providers to make deep cuts in already tight budgets, as they try desperately to not remove children from their enrollments. I understand the challenges facing the Federal budget and look forward to continuing to work with my colleagues on the budget and appropriations committees to increase vital resources for Head Start.

Research shows that child outcomes are directly related to the quality of the teachers and professionals who work with them on a daily basis. I am pleased that we establish goals in this Head Start bill for improving educational standards for Head Start teachers, curriculum specialists and teacher assistants. Understanding that dedicated Head Start teachers and staff work hard for relatively low wages, there will not be penalties associated with programs not meeting the goal we have established. I would hope that we could offer funding to help teachers meet these goals, but that is not possible at this juncture. I will continue to work toward increased funding to assist teachers in pursuing additional educational goals.

When Head Start began more than 40 years ago, it was the only preschool program available for low-income children; now there are many approaches. Collaboration and coordination with other early childhood programs is also an essential piece of this Head Start bill, reducing duplication and encouraging opportunities for shared information and resources.

I look forward to working with my colleagues as we move this bill through the Senate.

By Mr. SCHUMER (for himself, Mr. ROBERTS, Mr. NELSON of Florida, Mrs. DOLE, Ms. STABENOW, and Mr. KYL):

S. 557. A bill to amend the Internal Revenue Code of 1986 to make permanent the depreciation classification of motorsports entertainment complexes; to the Committee on Finance.

Mr. SCHUMER. Mr. President, I rise today to introduce "The Motorsports Fairness and Permanency Act." This bill extends the current tax treatment for speedways and race tracks around the country. Just over two years ago, Congress codified the seven-year depreciation classification for motorsports facilities. However, this provision of the tax code expires at the end of 2007. The bill I am introducing today would make the seven-year classification permanent, providing much needed clarity and certainty for facility owners who are planning capital investments.

There are over fifty motorsports facilities in every part of New York State: from Long Island Motorsports Park to Poughkeepsie Speedway to Utica-Rome Speedway to Wyoming County International Speedway. These tracks provide entertainment for thousands of fans and are important engines of local and regional economic development.

The highest profile facility in New York State is Watkins Glen International. This storied road course has played an important role in open wheel and stock car racing since it opened in 1956. The Glen has hosted NASCAR racing since 1986, and this year's schedule will include the Grand-Am Rolex Sports Car Series, the IndyCar Series and the NASCAR Nextel Cup. With these high profile events drawing thousands of out-of-state racing fans to Schuyler County it is no surprise that the Glen's economic impact has been estimated at over $200 million a year.

Watkins Glen is also a prime example of the need for continual capital reinvestment at motorsports facilities. Since 2005, the Glen has added new grandstands and spectator suites and upgraded and repaved the track. Planning multi-million dollar capital projects requires a certain and stable tax regime governing these investments. In order to provide this stability and certainty, I am introducing the Motorsports Fairness and Permanency Act, and I am pleased to be joined by Senators ROBERTS, BILL NELSON, DOLE, STABENOW, and KYL as original cosponsors. Enacting this legislation will be crucial to supporting the economic benefits that motorsports facilities provide across New York State and across the country. I hope that my colleagues will join me in supporting this legislation, and I look forward to working with my colleague from Kansas to have it considered in the Finance Committee.

By Mr. DOMENICI (for himself, Mr. KENNEDY, Mr. ENZI, Mr. BROWN, Mr. SMITH, Mr. FEINGOLD, Mr. COLEMAN, Mr. LAUTENBERG, Mr. WARNER, Mrs. BOXER, Ms. MURKOWSKI, Mr. AKAKA, Mr. ROBERTS, Mr. CARDIN, Mr. HATCH, Ms. CANTWELL, Ms. COLLINS, Ms. STABENOW, Ms. SNOWE, Mr. BIDEN, Mr. GRAHAM, and Mr. NELSON of Nebraska):

S. 558. A bill to provide parity between health insurance coverage of mental health benefits and benefits for medical and surgical services; to the Committee on Health, Education, Labor, and Pensions.

Mr. KENNEDY. Access to mental health services is one of the most important and most neglected civil rights issues facing the Nation. For too long, persons living with mental disorders have suffered discriminatory treatment at all levels of society. They have been forced to pay more for the services they need and to worry about their job security if their employer finds out about their condition. Sadly, in America today, patients with biochemical problems in their liver are treated with better care and greater compassion than patients with biochemical problems in their brain.

That kind of discrimination must end. No one questions the need for affordable treatment of physical illnesses. But those who suffer from mental illnesses face serious barriers in obtaining the care they need at a cost they can afford. Like those suffering from physical illnesses, persons with mental disorders deserve the opportunity for quality care. The failure to obtain treatment can mean years of shattered dreams and unfulfilled potential.

Eleven years ago, Congress passed the first Mental Health Parity Act. That legislation was an important first step in bringing attention to discriminatory practices against the mentally ill, but it did little to correct the injustices that so many Americans continue to face. The 1996 legislation required that annual and lifetime dollar limits for mental health coverage must be no less than the limits for medical and surgical coverage. But more steps are clearly needed to guarantee that Americans suffering from mental illness are not forced to pay more for the services they need, do not face harsher limitations on treatment, and are not denied access to care.

This bill is a chance to take the actions needed to end the longstanding discrimination against persons with mental illness. The late Senator Paul Wellstone and Senator PETE DOMENICI deserve great credit for their bipartisan leadership on mental health parity. If it were not for them, we would not be here today.

The bill prohibits group health plans from imposing treatment limitations or financial requirements on the coverage of mental health conditions that do not also apply to physical conditions. That means no limits on days or treatment visits, and no exorbitant copayments or deductibles. The bill was negotiated by and has the support of the mental health community, the business community, and the insurance industry.

The need is clear. One in five Americans will suffer some form of mental illness this year—but only a third of them will receive treatment. Millions of our fellow citizens are unnecessarily enduring the pain and sadness of seeing a family member, friend, or loved one suffer illnesses that seize the mind and break the spirit.

Battling mental illness is itself a painful process, but discrimination against persons with such illnesses is especially cruel, since the success rates for treatment often equal or surpass those for physical conditions. According to the National Institute of Mental Health, clinical depression treatment can be 70 percent successful, and treatment for schizophrenia can be 60 percent successful.

Over the years we've heard compelling testimony from experts, activists, and patients about the need to equalize coverage of physical and mental illnesses. The Office of Personnel Management talks us that providing full parity to 8.5 million federal employees has led to minimal premium increases. We heard dramatic testimony about the economic and social advantages of parity, including a healthier, more productive workforce.

Some of the most compelling testimony came several years ago from Lisa Cohen, a hardworking American from New Jersey, who suffers from both physical and mental illnesses, and is forced to pay exorbitant costs for treating her mental disorder, while paying little for her physical disorder. She is typical of millions of Americans who not only face the cruel burden of mental illness, but also the cruel burden of discriminatory treatment. No Americans should be denied equal treatment of an illness because it starts in the brain instead of the heart, lungs, or other parts of their body. No patients should be denied access to the treatment that can cure their illness because of where they live or work.

A number of States have already enacted mental health parity laws, but 86 million workers under ERISA have no protection under state mental health statutes.

Mental health parity is a good investment for the Nation. The costs from lost worker productivity and extra physical care outweigh the costs of implementing parity for mental health treatment.

Over the years study after study has shown that parity makes good financial sense. An analysis of more than 46,000 workers at major companies showed that employees who report being depressed or under stress are likely to have substantially higher health costs than co-workers without such conditions. Employees who reported being depressed had health bills 70 percent higher than those who did not suffer from depression. Those reporting high stress had 46 percent higher health costs. McDonnell Douglas found a 4 to 1 return on investment after accounting for lower medical claims, reduced absenteeism, and smaller turnover.

Mental illness also imposes a huge financial burden on the Nation. It costs us $300 billion each year in treatment expenses, lost worker productivity, and crime. This country can afford mental health parity. What we can't afford is to continue denying persons with mental disorders the care they need.

Today is a turning point. We are finally moving toward ending this shameful form of discrimination in our society—discrimination against mental illness. This bill has been seven years in the making, and brings first class medicine to millions of Americans who have been second class patients for too long.

Today, we begin to right that wrong, by guaranteeing equal treatment to the 11 million people receiving mental health services, and promising equal treatment to the remaining 100 million insured workers and their families who never know the day they may need their mental health benefit.

The 1996 Act, was an important step towards ending health insurance discrimination against mental illness. This bill will take another large step forward by closing the loopholes that remain.

It guarantees co-payments, deductibles, coinsurance, out of pocket expenses and annual and lifetime limits that apply to mental health benefits are no different than those applied to medical and surgical benefits.

It guarantees that the frequency of treatment, number of visits, days of coverage and other limits on scope and duration of treatment for mental health services are no different than those applied to medical and surgical benefits.

This equal treatment and financial equity is also applied to substance abuse.

Features of State law that require coverage of mental disorders are protected, to assure those currently protected by state parity laws that their needs will be met.

The medical management strategies needed to prevent denial of medically needed services for patients remain intact.

Finally, the bill is modeled on the parity that is already guaranteed to the 8.5 million persons, including Members of Congress, under the Federal Employee Benefits Program,

Equal treatment of those affected by mental illness is not just an insurance issue. It's a civil rights issue. At its heart, mental health parity is a question of simple justice.

It is long past time to end insurance discrimination and guarantee all people with mental illness the coverage they deserve.

I urge my colleagues to support this important principle, and end the unacceptable double standards that have unfairly plagued our health care systems for so long.

Mr. DOMENICI. Mr. President, I rise today along with my colleagues Senator KENNEDY and Senator ENZI to introduce the Mental Health Parity Act of 2007. I want to thank my colleagues for all of their hard work on this issue and I am glad we are able to introduce this paramount legislation.

Simply put, our legislation will provide parity between mental health coverage and medical and surgical coverage. No longer will people be treated differently only because they suffer from a mental illness. This means 113 million people in group health plans will benefit from our bill.

We are here today after years of hard work. We have worked with the mental health community, the business community, and insurance groups to carefully construct a fair bill. A sampling of the groups include the National Alliance on Mental Illness, the American Psychological Association, the American Psychiatric Association, the National Retail Federation, and Aetna Insurance.

This bill will no longer apply a more restrictive standard to mental health coverage and another more lenient standard be applied to medical and surgical coverage. What we are doing is a matter of simple fairness. Statistics demonstrate that there is a significant need for this change in policy. Currently, 26 percent of American adults or nearly 58 million people suffer from a diagnosable mental illness each year. Six percent of those adults suffer from a serious mental illness. Additionally, more than 30,000 people commit suicide each year in the United States. We need to reduce these numbers, and I believe expanding access to mental health services will allow us to do so.

This bill will provide mental health parity for about 113 million Americans who work for employers with 50 or more employees and ensure health plans do not place more restrictive conditions on mental health coverage than on medical and surgical coverage. Additionally, the legislation includes parity for financial requirements such as deductibles, copayments, and annual lifetime limits. Also, this bill includes parity for treatment limitations regarding the number of covered hospital days and visits. This bill does not Mandate the coverage of mental health nor does it prohibit a health plan from managing mental health benefits in order to ensure only medically necessary treatments are covered.

Again, I would like to thank everyone who contributed to the development of this legislation. I believe we are making a difference today and I look forward to working with my colleagues to move this bill forward.

I ask for unanimous consent that the text of the bill to be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 558

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Mental Health Parity Act of 2007".

SEC. 2. MENTAL HEALTH PARITY.

(a) AMENDMENTS OF ERISA.—Subpart B of part 7 of title I of the Employee Retirement Income Security Act of 1974 is amended by inserting after section 712 (29 U.S.C. 1185a) the following:

"SEC. 712A. MENTAL HEALTH PARITY.

"(a) IN GENERAL.—In the case of a group health plan (or health insurance coverage offered in connection with such a plan) that provides both medical and surgical benefits and mental health benefits, such plan or coverage shall ensure that—

"(1) the financial requirements applicable to such mental health benefits are no more restrictive than the financial requirements applied to substantially all medical and surgical benefits covered by the plan (or coverage), including deductibles, copayments, coinsurance, out-of-pocket expenses, and annual and lifetime limits, except that the plan (or coverage) may not establish separate cost sharing requirements that are applicable only with respect to mental health benefits; and

"(2) the treatment limitations applicable to such mental health benefits are no more restrictive than the treatment limitations applied to substantially all medical and surgical benefits covered by the plan (or coverage), including limits on the frequency of treatment, number of visits, days of coverage, or other similar limits on the scope or duration of treatment.

"(b) CLARIFICATIONS.—In the case of a group health plan (or health insurance coverage offered in connection with such a plan) that provides both medical and surgical benefits and mental health benefits, such plan or coverage shall not be prohibited from—

"(1) negotiating separate reimbursement or provider payment rates and service delivery systems for different benefits consistent with subsection (a);

"(2) managing the provision of mental health benefits in order to provide medically necessary services for covered benefits, including through the use of any utilization review, authorization or management practices, the application of medical necessity and appropriateness criteria applicable to behavioral health, and the contracting with and use of a network of providers; or

"(3) applying the provisions of this section in a manner that takes into consideration similar treatment settings or similar treatments.

"(c) IN- AND OUT-OF-NETWORK.—

"(1) IN GENERAL.—In the case of a group health plan (or health insurance coverage offered in connection with such a plan) that provides both medical and surgical benefits and mental health benefits, and that provides such benefits on both an in- and out-of-network basis pursuant to the terms of the plan (or coverage), such plan (or coverage) shall ensure that the requirements of this section are applied to both in- and out-of-network services by comparing in-network medical and surgical benefits to in-network mental health benefits and out-of-network medical and surgical benefits to out-of-network mental health benefits, except that in no event shall this subsection require the provision of out-of-network coverage for mental health benefits even in the case where out-of-network coverage is provided for medical and surgical benefits.

"(2) CLARIFICATION.—Nothing in paragraph (1) shall be construed as requiring that a group health plan (or coverage in connection with such a plan) eliminate an out-of-network provider option from such plan (or coverage) pursuant to the terms of the plan (or coverage).

"(d) SMALL EMPLOYER EXEMPTION.—

"(1) IN GENERAL.—This section shall not apply to any group health plan (and group health insurance coverage offered in connection with a group health plan) for any plan year of any employer who employed an average of at least 2 (or 1 in the case of an employer residing in a State that permits small groups to include a single individual) but not more than 50 employees on business days during the preceding calendar year.

"(2) APPLICATION OF CERTAIN RULES IN DETERMINATION OF EMPLOYER SIZE.—For purposes of this subsection:

"(A) APPLICATION OF AGGREGATION RULE FOR EMPLOYERS.—Rules similar to the rules under subsections (b), (c), (m), and (o) of section 414 of the Internal Revenue Code of 1986 shall apply for purposes of treating persons as a single employer.

"(B) EMPLOYERS NOT IN EXISTENCE IN PRECEDING YEAR.—In the case of an employer which was not in existence throughout the preceding calendar year, the determination of whether such employer is a small employer shall be based on the average number of employees that it is reasonably expected such employer will employ on business days in the current calendar year.

"(C) PREDECESSORS.—Any reference in this paragraph to an employer shall include a reference to any predecessor of such employer.

"(e) COST EXEMPTION.—

"(1) IN GENERAL.—With respect to a group health plan (or health insurance coverage offered in connections with such a plan), if the application of this section to such plan (or coverage) results in an increase for the plan year involved of the actual total costs of coverage with respect to medical and surgical benefits and mental health benefits under the plan (as determined and certified under paragraph (3)) by an amount that exceeds the applicable percentage described in paragraph (2) of the actual total plan costs, the provisions of this section shall not apply to such plan (or coverage) during the following plan year, and such exemption shall apply to the plan (or coverage) for 1 plan year. An employer may elect to continue to apply mental health parity pursuant to this section with respect to the group health plan (or coverage) involved regardless of any increase in total costs.

"(2) APPLICABLE PERCENTAGE.—With respect to a plan (or coverage), the applicable percentage described in this paragraph shall be—

"(A) 2 percent in the case of the first plan year in which this section is applied; and

"(B) 1 percent in the case of each subsequent plan year.

"(3) DETERMINATIONS BY ACTUARIES.—Determinations as to increases in actual costs under a plan (or coverage) for purposes of this section shall be made by a qualified actuary who is a member in good standing of the American Academy of Actuaries. Such determinations shall be certified by the actuary and be made available to the general public.

"(4) 6-MONTH DETERMINATIONS.—If a group health plan (or a health insurance issuer offering coverage in connections with a group health plan) seeks an exemption under this subsection, determinations under paragraph (1) shall be made after such plan (or coverage) has complied with this section for the first 6 months of the plan year involved.

"(5) NOTIFICATION.—An election to modify coverage of mental health benefits as permitted under this subsection shall be treated as a material modification in the terms of the plan as described in section 102(a)(1) and shall be subject to the applicable notice requirements under section 104(b)(1).

"(f) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to require a group health plan (or health insurance coverage offered in connection with such a plan) to provide any mental health benefits.

"(g) MENTAL HEALTH BENEFITS.—In this section, the term 'mental health benefits' means benefits with respect to mental health services (including substance abuse treatment) as defined under the terms of the group health plan or coverage.".

(b) PUBLIC HEALTH SERVICE ACT.—Subpart 1 of part A of title XXVII of the Public Health Service Act is amended by inserting after section 2705 (42 U.S.C. 300gg-5) the following:

"SEC. 2705A. MENTAL HEALTH PARITY.

"(a) In General.—In the case of a group health plan (or health insurance coverage offered in connection with such a plan) that provides both medical and surgical benefits and mental health benefits, such plan or coverage shall ensure that—

"(1) the financial requirements applicable to such mental health benefits are no more restrictive than the financial requirements applied to substantially all medical and surgical benefits covered by the plan (or coverage), including deductibles, copayments, coinsurance, out-of-pocket expenses, and annual and lifetime limits, except that the plan (or coverage) may not establish separate cost sharing requirements that are applicable only with respect to mental health benefits; and

"(2) the treatment limitations applicable to such mental health benefits are no more restrictive than the treatment limitations applied to substantially all medical and surgical benefits covered by the plan (or coverage), including limits on the frequency of treatment, number of visits, days of coverage, or other similar limits on the scope or duration of treatment.

"(b) Clarifications.—In the case of a group health plan (or health insurance coverage offered in connection with such a plan) that provides both medical and surgical benefits and mental health benefits, such plan or coverage shall not be prohibited from—

"(1) negotiating separate reimbursement or provider payment rates and service delivery systems for different benefits consistent with subsection (a);

"(2) managing the provision of mental health benefits in order to provide medically necessary services for covered benefits, including through the use of any utilization review, authorization or management practices, the application of medical necessity and appropriateness criteria applicable to behavioral health, and the contracting with and use of a network of providers; or

"(3) be prohibited from applying the provisions of this section in a manner that takes into consideration similar treatment settings or similar treatments.

"(c) In- and Out-of-Network.—

"(1) In general.—In the case of a group health plan (or health insurance coverage offered in connection with such a plan) that provides both medical and surgical benefits and mental health benefits, and that provides such benefits on both an in- and out-of-network basis pursuant to the terms of the plan (or coverage), such plan (or coverage) shall ensure that the requirements of this section are applied to both in- and out-of-network services by comparing in-network medical and surgical benefits to in-network mental health benefits and out-of-network medical and surgical benefits to out-of-network mental health benefits, except that in no event shall this subsection require the provision of out-of-network coverage for mental health benefits even in the case where out-of-network coverage is provided for medical and surgical benefits.

"(2) Clarification.—Nothing in paragraph (1) shall be construed as requiring that a group health plan (or coverage in connection with such a plan) eliminate an out-of-network provider option from such plan (or coverage) pursuant to the terms of the plan (or coverage).

"(d) Small Employer Exemption.—

"(1) In general.—This section shall not apply to any group health plan (and group health insurance coverage offered in connection with a group health plan) for any plan year of any employer who employed an average of at least 2 (or 1 in the case of an employer residing in a State that permits small groups to include a single individual) but not more than 50 employees on business days during the preceding calendar year.

"(2) Application of certain rules in determination of employer size.—For purposes of this subsection:

"(A) Application of aggregation rule for employers.—Rules similar to the rules under subsections (b), (c), (m), and (o) of section 414 of the Internal Revenue Code of 1986 shall apply for purposes of treating persons as a single employer.

"(B) Employers not in existence in preceding year.—In the case of an employer which was not in existence throughout the preceding calendar year, the determination of whether such employer is a small employer shall be based on the average number of employees that it is reasonably expected such employer will employ on business days in the current calendar year.

"(C) Predecessors.—Any reference in this paragraph to an employer shall include a reference to any predecessor of such employer.

"(e) Cost Exemption.—

"(1) In general.—With respect to a group health plan (or health insurance coverage offered in connections with such a plan), if the application of this section to such plan (or coverage) results in an increase for the plan year involved of the actual total costs of coverage with respect to medical and surgical benefits and mental health benefits under the plan (as determined and certified under paragraph (3)) by an amount that exceeds the applicable percentage described in paragraph (2) of the actual total plan costs, the provisions of this section shall not apply to such plan (or coverage) during the following plan year, and such exemption shall apply to the plan (or coverage) for 1 plan year. An employer may elect to continue to apply mental health parity pursuant to this section with respect to the group health plan (or coverage) involved regardless of any increase in total costs.

"(2) Applicable percentage.—With respect to a plan (or coverage), the applicable percentage described in this paragraph shall be—

"(A) 2 percent in the case of the first plan year in which this section is applied; and

"(B) 1 percent in the case of each subsequent plan year.

"(3) Determinations by actuaries.—Determinations as to increases in actual costs under a plan (or coverage) for purposes of this section shall be made by a qualified actuary who is a member in good standing of the American Academy of Actuaries. Such determinations shall be certified by the actuary and be made available to the general public.

"(4) 6-month determinations.—If a group health plan (or a health insurance issuer offering coverage in connections with a group health plan) seeks an exemption under this subsection, determinations under paragraph (1) shall be made after such plan (or coverage) has complied with this section for the first 6 months of the plan year involved.

"(5) Notification.—An election to modify coverage of mental health benefits as permitted under this subsection shall be treated as a material modification in the terms of the plan as described in section 102(a)(1) and shall be subject to the applicable notice requirements under section 104(b)(1).

"(f) Rule of Construction.—Nothing in this section shall be construed to require a group health plan (or health insurance coverage offered in connection with such a plan) to provide any mental health benefits.

"(g) Mental Health Benefits.—In this section, the term 'mental health benefits' means benefits with respect to mental health services (including substance abuse treatment) as defined under the terms of the group health plan or coverage, and when applicable as may be defined under State law when applicable to health insurance coverage offered in connection with a group health plan.".

SEC. 3. EFFECTIVE DATE.

(a) In General.—The provisions of this Act shall apply to group health plans (or health insurance coverage offered in connection with such plans) beginning in the first plan year that begins on or after January 1 of the first calendar year that begins more than 1 year after the date of the enactment of this Act.

(b) Termination of Certain Provisions.—

(1) ERISA.—Section 712 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1185a) is amended by striking subsection (f) and inserting the following:

"(f) Sunset.—This section shall not apply to benefits for services furnished after the effective date described in section 3(a) of the Mental Health Parity Act of 2007.".

(2) PHSA.—Section 2705 of the Public Health Service Act (42 U.S.C. 300gg-5) is amended by striking subsection (f) and inserting the following:

"(f) Sunset.—This section shall not apply to benefits for services furnished after the effective date described in section 3(a) of the Mental Health Parity Act of 2007.".

SEC. 4. SPECIAL PREEMPTION RULE.

(a) ERISA Preemption.—Section 731 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1191) is amended—

(1) by redesignating subsections (c) and (d) as subsections (e) and (f), respectively; and

(2) by inserting after subsection (b), the following:

"(c) Special Rule in Case of Mental Health Parity Requirements.—

"(1) In general.—Notwithstanding any provision of section 514 to the contrary, the provisions of this part relating to a group health plan or a health insurance issuer offering coverage in connection with a group health plan shall supercede any provision of State law that establishes, implements, or continues in effect any standard or requirement which differs from the specific standards or requirements contained in subsections (a), (b), (c), or (e) of section 712A.

"(2) Clarifications.—Nothing in this subsection shall be construed to preempt State insurance laws relating to the individual insurance market or to small employers (as such term is defined for purposes of section 712A(d)).".

(b) PHSA Preemption.—Section 2723 of the Public Health Service Act (42 U.S.C. 300gg-23) is amended—

(1) by redesignating subsections (c) and (d) as subsections (e) and (f), respectively; and

(2) by inserting after subsection (b), the following:

"(c) Special Rule in Case of Mental Health Parity Requirements.—

"(1) In general.—Notwithstanding any provision of section 514 of the Employee Retirement Income Security Act of 1974 to the contrary, the provisions of this part relating to a group health plan or a health insurance issuer offering coverage in connection with a group health plan shall supercede any provisions of State law that establishes, implements, or continues in effect any standard or requirement which differs from the specific standards or requirements contained in subsections (a), (b), (c), or (e) of section 2705A.

"(2) CLARIFICATIONS.—Nothing in this subsection shall be construed to preempt State insurance laws relating to the individual insurance market or to small employers (as such term is defined for purposes of section 2705A(d)).".

(c) EFFECTIVE DATE.—The provisions of this section shall take effect with respect to a State, on the date on which the provisions of section 2 apply with respect to group health plans and health insurance coverage offered in connection with group health plans.

SEC. 5. FEDERAL ADMINISTRATIVE RESPONSIBILITIES.

(a) GROUP HEALTH PLAN OMBUDSMAN.—

(1) DEPARTMENT OF LABOR.—The Secretary of Labor shall designate an individual within the Department of Labor to serve as the group health plan ombudsman for the Department. Such ombudsman shall serve as an initial point of contact to permit individuals to obtain information and provide assistance concerning coverage of mental health services under group health plans in accordance with this Act.

(2) DEPARTMENT OF HEALTH AND HUMAN SERVICES.—The Secretary of Health and Human Services shall designate an individual within the Department of Health and Human Services to serve as the group health plan ombudsman for the Department. Such ombudsman shall serve as an initial point of contact to permit individuals to obtain information and provide assistance concerning coverage of mental health services under health insurance coverage issued in connection with group health plans in accordance with this Act.

(b) AUDITS.—The Secretary of Labor and the Secretary of Health and Human Services shall each provide for the conduct of random audits of group health plans (and health insurance coverage offered in connection with such plans) to ensure that such plans are in compliance with this Act (and the amendments made by this Act).

(c) GOVERNMENT ACCOUNTABILITY OFFICE STUDY.—

(1) STUDY.—The Comptroller General shall conduct a study that evaluates the effect of the implementation of the amendments made by this Act on the cost of health insurance coverage, access to health insurance coverage (including the availability of in-network providers), the quality of health care, the impact on benefits and coverage for mental health and substance abuse, the impact of any additional cost or savings to the plan, the impact on State mental health benefit mandate laws, other impact on the business community and the Federal Government, and other issues as determined appropriate by the Comptroller General.

(2) REPORT.—Not later than 2 years after the date of enactment of this Act, the Comptroller General shall prepare and submit to the appropriate committees of Congress a report containing the results of the study conducted under paragraph (1).

(d) REGULATIONS.—Not later than 1 year after the date of enactment of this Act, the Secretary of Labor and the Secretary of Health and Human Services shall jointly promulgate final regulations to carry out this Act.

Mr. ENZI. Mr. President, first and foremost I want to thank my respective colleagues Senator KENNEDY and Senator DOMENICI for their dedication and leadership on the issues of mental health parity. Your commitment and willingness to compromise has gotten us to the point where we are today—introducing a mental health parity bill that has the potential to be signed into law this year.

For many this is monumental. Parity for mental health benefits was first championed by the late Senator Paul Wellstone. Senator DOMENICI in memory of our late colleague took over as the lead advocate for this legislation after the passing of Senator Wellstone.

Today is a reflection of your hard work, Senator DOMENICI, as well as the groundwork that was laid by the late Senator Paul Wellstone.

The advocacy of my good colleagues Senator Wellstone and DOMENICI helped to get the Mental Health Parity Act of 1996 signed into law. This legislation acted as a catalyst for many states to take action in passing their own mental health parity laws. To date 38 States have passed some sort of mental health parity or benefit law. Many of these laws go much farther than the 1996 Act. However, there is a concern that while the 1996 Act requires parity for annual and lifetime dollar limits on coverage, group plans may impose more restrictive treatment and cost sharing requirements. This is a legit concern. There is a also a valid concern that requiring parity or mental health benefits will drive up the cost of insurance, and result in group plans offering less coverage or even worse dropping coverage for both mental and physical health. The bill introduced today recognizes both of these concerns and addresses them. This in turn breaks the log jam that has halted efforts in the past three Congress's to pass a Mental Health Parity Act that is more widely known as the Paul Wellston Mental Health Equitable Treatment Act.

The Mental Health Parity Act we are introducing today is a compromise between the proponents and those who opposed the Paul Wellstone Mental Health Equitable Treatment Act. It is a result of two years of discussion and compromise between the business and insurer industry and the mental health community. I want to thank both of you for coming together in good faith to find a middle ground on an issue has polarized stakeholders. Your support and input has been critical to making this process work. Your willingness to work together to accommodate each others concerns, makes it possible for a mental health parity law to be enacted this Congress.

A vital component of the Mental Health Parity Act introduced today recognizes the importance and need for treating mental health equal to physical health, without unfairly mandating group health plans offer mental health coverage. The legislation applies only to those group health plans that already offer physical and surgical benefits as well as mental health benefits. It does not mandate what types of mental health benefits must receive parity, but leaves that to be defined under the terms of the plan or coverage or as defined under State law. What this legislation does do, is require a plan to provide financial requirements and treatment limitations applied to mental health benefits equal to the financial requirements and treatment limitations applied to medical and surgical benefits that the plan covers. For example, deductibles, co-payments, coinsurance, out of pocket expenses, frequency of treatment, number of visits and days of coverage will now be treated equally for mental health and physical health. To allow for health plans to adequately manage the new parity requirement mechanisms are authorized to allow for medical management tools to be used by health plans. Provisions of this law will preempt provisions of State law that differ. But again, this bill would not preempt State laws mandating that mental health benefits be covered. Furthermore, States that elect to adopt the Federal standards would not be subject to preemption.

In addition, the legislation recognizes the stress many small business employers are under to provide health care to their employees, thus, this bill does exempts small employers. Any employer with 50 or less employees will not be affected by the Federal law, but must still comply with its State law or regulation.

Another critical component of this compromised legislation is a cost exemption. Under the provision, an employer may elect to continue to offer mental health parity if a group plan results in an increase of 2 percent in the case of the first plan year and 1 percent in the case of each subsequent plan year.

The compromises made in this legislation are of great importance to making sure this legislation will not burden employers struggling with health care costs, while not compromising the significance or effect this legislation will have in ensuring individuals have better access to critical mental health services. Approximately 1 in 5 Americans ages 18 and older, have a mental disorder that can be diagnosed in a given year according to the Substance Abuse and Mental Health Service Administration. However, their ability to receive treatment may be hindered due to cost issues or the stigma attached to mental illness. This legislation will help to address both by sending the message that mental health is just as important as physical health, and needs to be treated with the same amount of importance. This bill signals to an individual diagnosed with schizophrenia that his or her illness is as real as an individual diagnosed with diabetes and that they should not have to pay more for the mental illness than the physical. This legislation will help an employee covered by an affected plan who has a child with bipolar disorder better access to the treatment that child needs. In the past 20 years new technologies and treatments have advanced our understanding and ability to treat a mental illness. We now know with the right diagnoses, support, treatment and case management a person with mental illness can be a contributing member of society. It is time to update our laws to reflect this.

While introduction today is a huge step forward for a Mental Health Parity law, much more needs to be done to secure its passage. The legislation, as it is currently crafted, still must pass through the Senate Health, Education, Labor and Pensions Committee as early as Wednesday, the full Senate and then the House. At this point, a process has been created that allows for open and honest discussion. I encourage my colleagues and the stakeholders to continue this process and to remain together throughout each step of the way. By working together, instead of against each other, we can achieve passage of this legislation.

Mr. SMITH. Mr. President, I rise today with my colleagues Senator DOMENICI and Senator KENNEDY to introduce a bill that will have tremendous impact for the millions of Americans who will suffer from mental illness in their lifetime. The Mental Health Parity Act of 2007 is an important bill and I look forward to its passage.

Mental illness can affect people of any age, of any race, and of any income. As a parent with a son who struggled with mental illness, I know all too well the indiscriminate nature of the illness and the frightening statistics of its regular occurrence for those we love. The statistics on the prevalence of mental illness are indeed startling. We know that in any given year, more than a quarter of our nation's adults—60 million people—suffer from a diagnosable mental disorder, many of whom suffer in silence. We also know that mental disorders can disrupt lives and are the leading cause of disability for those aged 15–44 in the United States and in Canada.

Mental illness is just as deadly and serious as a physical illness. Suicide takes the lives of more than 30,000 people each year, with more than 700,000 attempts. We also know that suicides outnumber homicides three to one each year. We also know that people who suffer from mental illness suffer from much higher rates of other chronic conditions, such as cardiovascular disease. However, unlike heart attacks and strokes, mental illness is not something that we, as a nation, want to talk about.

However, we know that effective treatment exists for most people suffering. Help is out there, and this bill will help make it available. Mental health is not a Democratic issue or a Republican issue. Too much is at stake when we talk about mental health care reform to get caught up in partisan politics. We need to work together to find solutions. This bill is a big step and an important step in moving that needed reform forward. Through parity, we can alleviate some of the burden on the public mental health system that results when families are forced to turn to the public system when they do not have access to treatment through private plans.

My home State of Oregon had the wisdom and foresight to see that mental health parity was necessary. I am proud that this year they are implementing parity for the people of Oregon. In a 2004 report by the Governor's Mental Health Taskforce, they found that in any given year 175,00 adults and 75,000 children under the age of 18 are in need of mental health services. It also listed as one of the major problems facing the Oregon mental health system the fact that mental health parity was not, at that time, in effect. That is no longer the case and I look forward to seeing significant improvements in the mental health system in Oregon as a result of the hard work done there.

The introduction of this federal legislation is hard fought and so important. I look forward to working with my colleagues to ensure its passage. I urge my colleagues on both sides of the aisle to support this bill.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 77—EXPRESSING SUPPORT FOR THE TRANSITIONAL FEDERAL GOVERNMENT OF THE SOMALI REPUBLIC

Mr. INHOFE (for himself and Mr. BROWNBACK) submitted the following resolution; which was referred to the committee on Foreign Relations:

S. RES. 77

Whereas, after the collapse of the Somali government in 1991, the main judicial system in Somalia devolved into a system of sharia-based Islamic courts, which have increased their power to include security and enforcement functions;

Whereas, in 2000, the courts consolidated to form the Islamic Courts Union (ICU), which came into conflict with secular warlords in the capitol city of Mogadishu by asserting its ever increasing power;

Whereas, the ICU is known to have links to Al-Qaeda and has provided a safe haven for members of Al-Qaeda;

Whereas, by June 2006, ICU forces controlled Mogadishu and much of southern Somalia, creating a potential haven for Islamic terrorists;

Whereas, in 2004, the Transitional Federal Government of the Somali Republic (TFG) was formed in Kenya;

Whereas, in 2006, the TFG army joined forces with the army of the Federal Democratic Republic of Ethiopia to sweep the ICU from power and, after a string of swift military victories, enter Mogadishu; and

Whereas, the current situation is still volatile, creating a short window of opportunity to positively affect Somalia's stability and future status:

Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the Senate expresses its support for the Transitional Federal Government of the Somali Republic;

(2) the Senate recognizes Ethiopia, particularly Prime Minister Meles, and Kenya for the noble efforts aimed toward pursuing peace in Somalia and support for the United States in the War on Terror;

(3) the United States should support and push efforts for serious multi-party talks aimed at establishing a national unity government in Somalia;

(4) the United States should take several measures, at an appropriate time, to promote stability;

(5) assistance from the United States will better equip the TFG to face the challenges of restoring peace to this war-torn country;

(6) the United States should promote foreign investment in Somalia and facilitate financial and technical assistance to the TFG; and

(7) the United States should aid the TFG to—

(A) locate and free Somali-owned financial assets throughout the world;

(B) solicit support from other friendly countries; and

(C) encourage nongovernmental organizations to commit more resources and projects to Somalia.

SENATE CONCURRENT RESOLUTION 10—HONORING AND PRAISING THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE ON THE OCCASION OF ITS 98TH ANNIVERSARY

Mrs. CLINTON (for herself, Mr. REID, Mr. KENNEDY, Mr. SCHUMER, Ms. MIKULSKI, Mr. CARDIN, Mr. LIEBERMAN, Mr. BROWN, Mr. KERRY, Mr. LUGAR, Mr. SANDERS, Mr. CRAPO, Mr. MENENDEZ, Ms. LANDRIEU, Ms. CANTWELL, Mr. LEVIN, Mr. WHITEHOUSE, Mr. DURBIN, Ms. STABENOW, Mrs. BOXER, Mr. BIDEN, Mr. WEBB, Mr. BYRD, Mr. ROCKEFELLER, Mr. STEVENS, Mr. WARNER, Mr. CASEY, and Mr. BAUCUS) submitted the following concurrent resolution; which was referred to the Committee on the Judiciary.

S. CON. RES. 10

Whereas the National Association for the Advancement of Colored People (NAACP), originally known as the National Negro Committee, was founded in New York City on February 12, 1909, the centennial of Abraham Lincoln's birth, by a multiracial group of activists who answered "The Call" for a national conference to discuss the civil and political rights of African Americans;

Whereas the NAACP was founded by a distinguished group of leaders in the struggle for civil and political liberty, including Ida Wells-Barnett, W.E.B. DuBois, Henry Moscowitz, Mary White Ovington, Oswald Garrison Villiard, and William English Walling;

Whereas the NAACP is the oldest and largest civil rights organization in the United States;

Whereas the mission of the NAACP is to ensure the political, educational, social, and economic equality of rights of all persons and to eliminate racial hatred and racial discrimination;

Whereas the NAACP is committed to achieving its goals through nonviolence;

Whereas the NAACP advances its mission through reliance upon the press, the petition, the ballot, and the courts, and has been persistent in the use of legal and moral persuasion, even in the face of overt and violent racial hostility;

Whereas the NAACP has used political pressure, marches, demonstrations, and effective lobbying to serve as the voice, as well as the shield, for minority Americans;

Whereas after years of fighting segregation in public schools, the NAACP, under the leadership of Special Counsel Thurgood Marshall, won one of its greatest legal victories in the Supreme Court's 1954 decision in Brown v. Board of Education, 347 U.S. 483;

Whereas, in 1955, NAACP member Rosa Parks was arrested and fined for refusing to give up her seat on a segregated bus in Montgomery, Alabama, an act of courage that would serve as the catalyst for the largest grassroots civil rights movement in the history of the United States;

Whereas the NAACP was prominent in lobbying for the passage of the Civil Rights Acts of 1957, 1960, and 1964 (Public Laws 85-315, 86-449, and 88-352), the Voting Rights Act of 1965 (Public Law 89-110), the Fair Housing Act of 1968 (Public Law 90-284), and the Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006 (Public Law 109-246), laws that ensured legislative protection for victories in the courts; and

Whereas, in 2005, the NAACP launched the Disaster Relief Fund to help survivors in Louisiana, Mississippi, Texas, Florida, and Alabama to rebuild their lives after Hurricanes Katrina and Rita: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Congress—

(1) recognizes the 98th anniversary of the historic founding of the National Association for the Advancement of Colored People; and

(2) honors and praises the National Association for the Advancement of Colored People for its work to ensure the political, educational, social, and economic equality of all persons.

Mrs. CLINTON. Mr. President, as today marks the 98th anniversary of the founding of the National Association for the Advancement of Colored People (NAACP), I am proud to submit a concurrent resolution to honor our country's oldest and largest civil rights organization for the work they have done to change the path of our Nation. The legacy of pioneers such as W.E.B. Du Bois, Thurgood Marshall, Rosa Parks, hundreds more cannot and must not be forgotten. I urge my colleagues to support this resolution honoring and praising the NAACP for 98 years of championing the cause of equality in the United States.

At the dawn of the 20th century—over half a century after the Civil War—African Americans were still denied the full rights of citizenship. They were forced to endure the daily humiliation and struggle of economic exploitation, social segregation, and sometimes even physical brutality. Racial tensions began to escalate, resulting in riots and lynchings.

It was at this critical juncture in our Nation's history that a group of concerned citizens, recognizing the urgent need to address these intolerable conditions, gathered to form the National Association for the Advancement of Colored People in New York City.

Since its founding, the NAACP has sought to eliminate racial discrimination and has fought for the social, political, and economic equality of all Americans, while maintaining its commitment to nonviolence in achieving these goals.

In 1918, the NAACP successfully persuaded President Wilson to publicly condemn lynching and continued to raise awareness about this horrifying crime. The NAACP fought for, and ultimately achieved, desegregation of the military as well as other federal government institutions.

They were also deeply influential in watershed court cases such as Buchanan vs. Warley, where the Supreme Court held that states cannot restrict and segregate residential districts. In the landmark case Brown v. Board of Education, the NAACP successfully argued that the "separate, but equal" doctrine was unconstitutional, thereby making segregation in public schools illegal. The NAACP has also played an integral role in the passage of essential civil rights legislation, including the Civil Rights Act of 1957, 1960, and 1964, the Voting Rights Act of 1965, and the Fair Housing Rights Act. Their efforts continue today. The NAACP led efforts to reauthorize the Voting Rights Act last year. They recognize that we must continue vigilantly to guard against the resurgence of discriminatory practices that would deprive African Americans of the most fundamental right of democracy—the right to vote.

Notwithstanding its powerful voice and extraordinary accomplishments, we must never forget that the NAACP works through the tireless efforts of its individual members united around a common vision of justice and equality. One act of civil disobedience, by NAACP member Rosa Parks, helped to spark the civil rights movement. Another member, Medgar Evers, worked tirelessly, despite many threats, to desegregate schools and to investigate the murder of Emmett Till.

Mary Burnett Talbert, a teacher in Little Rock, Arkansas, was one of the founders of the NAACP and eventually became its president. She once wrote that "by her peculiar position the colored woman has gained clear powers of observation and judgment—exactly the sort of powers which are today peculiarly necessary to the building of an ideal country." The NAACP continues to take us closer to the "ideal country" that Mary Talbert envisioned, with every public education campaign, every fight over a judicial nomination, and every lobbying effort to pass progressive legislation.

The NAACP's has always been a multiracial and multicultural organization. Many of its founding members were white, including Oswald Garrison Villiard, Mary White Ovington, and Henry Moscowitz.

Despite the last century of achievements, substantial racial disparities still persist today in educational achievement, access to health care, and economic prosperity. Hurricane Katrina highlighted the tragic and enduring link between race and poverty in our country, as well as emphasized our nation's failure to care for those among us least able to provide for themselves. It is no surprise that the NAACP raised nearly $2 million to aid the victims of the hurricane.

The NAACP has always stood ready to face these and other challenges. Ninety-eight years after a group of concerned citizens assembled in New York around the common goal of creating a more just society, the NAACP's half million members continue to lead the way towards positive social change.

For striving and continuing to push our nation closer to the promise of equality envisioned in our Constitution, we must honor the NAACP.

AMENDMENTS SUBMITTED AND PROPOSED

SA 250. Mr. COBURN submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, making further continuing appropriations for the fiscal year 2007, and for other purposes; which was ordered to lie on the table.

SA 251. Mr. COBURN submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, supra; which was ordered to lie on the table.

SA 252. Mr. COBURN submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, supra; which was ordered to lie on the table.

SA 253. Mr. DeMINT submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, supra; which was ordered to lie on the table.

SA 254. Mr. BURR submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, supra; which was ordered to lie on the table.

SA 255. Mr. CHAMBLISS (for himself and Mr. ISAKSON) submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, supra; which was ordered to lie on the table.

SA 256. Mr. CRAPO submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, supra; which was ordered to lie on the table.

SA 257. Mr. CORNYN submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, supra; which was ordered to lie on the table.

SA 258. Mr. CORNYN submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, supra; which was ordered to lie on the table.

SA 259. Mr. WARNER (for himself, Mr. LEVIN, Ms. COLLINS, Mr. NELSON, of Nebraska, Mr. HAGEL, Ms. SNOWE, Mr. SMITH, Mr. BIDEN, and Mr. SALAZAR) submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, supra; which was ordered to lie on the table.

SA 260. Mr. KYL submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, supra; which was ordered to lie on the table.

SA 261. Mr. KYL submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, supra; which was ordered to lie on the table.

SA 262. Mr. MARTINEZ submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, supra; which was ordered to lie on the table.

SA 263. Mr. HATCH submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 250. Mr. COBURN submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, making further continuing appropriations for the fiscal year 2007, and for other purposes; which was ordered to lie on the table; as follows:

On page 137, between lines 10 and 11, insert the following:

"CHAPTER ___—GENERAL PROVISIONS

"SEC. 2 . (a) Each audit, report, and review described in subsection (b) shall be posted for the public on the Internet website of the Federal agency or department required to submit the audit, report, or review, not later than 48 hours after the submission of the audit, report, or review to Congress.

"(b) The audits, reports, and reviews described in this subsection are those audits, reports, and reviews required by this resolution to be submitted by a Federal agency or department to the Committees on Appropriations of the Senate and House of Representatives.

"(c) In posting an audit, report, or review on an Internet website under subsection (a), a Federal agency or department may redact any information the release of which to the public would, as determined by that agency or department, compromise the national security of the United States.

SA 251. Mr. COBURN submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, making further continuing appropriations for the fiscal year 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

"SEC. . (a) Notwithstanding any other provision of this Act, in addition to amounts otherwise appropriated or made available in this division, $1,000,000,000 is appropriated to the Commodity Credit Corporation for the provision of agricultural emergency relief.

"(b) Notwithstanding any other provision of this Act, the amount made available for the Community Development Fund under section 21037 shall be $2,771,900,000, of which $2,710,916,000 shall be for carrying out the community development block grant program.

SA 252. Mr. COBURN submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, making further continuing appropriations for the fiscal year 2007, and for other purposes; which was ordered to lie on the table; as follows:

On page 43, line 5, strike "malaria" and insert: "malaria: *Provided*, That the Global Fund to Fight AIDS, Tuberculosis and Malaria shall post on a publicly available website all internally and externally commissioned audits, program reviews, evaluations, and inspector general reports and findings not later than 7 days after they are reported to the Secretariat or any member of the Board of the Global Fund to Fight AIDS, Tuberculosis and Malaria".

SA 253. Mr. DEMINT submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, making further continuing appropriations for the fiscal year 2007, and for other purposes; which was ordered to lie on the table; as follows:

On page 9, strike lines 18 through 22 and insert the following:

SEC. 112. (a) Any language specifying a congressional earmark (as defined in a bill, S. 1, as passed by the Senate on January 18, 2007) in a committee report or statement of managers accompanying any appropriations Act for any fiscal year or any direct communications between federal agencies and Members of Congress or their staff shall have no effect, legal or otherwise, with respect to funds appropriated by this division.

(b) Nothing in section 113 shall be used to circumvent the restriction on earmarks in this section.

SA 254. Mr. BURR submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, making further continuing appropriations for the fiscal year 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . BIODEFENSE MEDICAL COUNTERMEASURE DEVELOPMENT FUND.

There are appropriated $160,000,000 to the Biodefense Medical Countermeasure Development Fund (as established in section 319L of the Public Health Service Act) to implement section 319L of the Public Health Service Act (the Biomedical Advanced Research and Development Authority) and to support the advanced research and development of products that are or may become qualified countermeasures (as defined in section 319F-1 of such Act) or qualified pandemic or epidemic products (as defined in section 319F-3 of such Act).

SA 255. Mr. CHAMBLISS (for himself and Mr. ISAKSON) submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, making further continuing appropriations for the fiscal year 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . FUNDING SHORTFALLS IN THE STATE CHILDREN'S HEALTH INSURANCE PROGRAM.

(a) IN GENERAL.—Section 2104(h) of the Social Security Act (42 U.S.C. 1397dd(h)), as added by section 201(a) of the National Institutes of Health Reform Act of 2006, is amended—

(1) in the heading for paragraph (2), by striking "REMAINDER OF REDUCTION" and inserting "PART";

(2) by redesignating paragraphs (4) through (7) as paragraphs (5) through (8), respectively;

(3) in each of subparagraphs (A) and (B) of paragraph (6) (as redesignated by subparagraph (B) of this paragraph), by striking "and (3)" and inserting "(3), and (4)";

(4) in paragraph (7) (as so redesignated), by striking "and (3) in accordance with paragraph (5)" and inserting "(3), and (4) in accordance with paragraph (6)"; and

(5) by inserting after paragraph (3), the following:

"(4) SPECIAL RULES FOR ADDITIONAL REDISTRIBUTION OF AMOUNTS NECESSARY TO ADDRESS FISCAL YEAR 2007 FUNDING SHORTFALLS.—With respect to months beginning during fiscal year 2007 after April 30, 2007, the Secretary shall apply this subsection in accordance with the following rules:

"(A) ADDITIONAL REDISTRIBUTION OF CERTAIN UNEXPENDED 2005 ALLOTMENTS.—

"(i) Paragraphs (2)(A), (2)(B), (3) (A), and (3)(B) shall be applied by substituting 'April 30' for 'March 31' each place it appears.

"(ii) Paragraph (3)(C) shall be applied—

"(I) by substituting 'the amount described in subparagraph (A)(ii)(I) shall not be available for expenditure by the State on or after May 1, 2007' for 'the applicable amount described in clause (ii) shall not be available for expenditure by the State on or after April 1, 2007'; and

"(II) without regard to clause (ii).

"(iii) Paragraph (2)(B)(ii) shall be applied by substituting 'paragraph (1) and this paragraph (for months beginning during fiscal year 2007 after March 31, 2007)' for 'paragraph (1)'.

"(iv) The heading for paragraph (3) shall be applied by substituting '7 MONTHS' for 'HALF'.

"(v) Without regard to that portion of paragraph (6)(A) that begins with ', but in no case' and ends with 'March 31, 2007'.

"(B) REDISTRIBUTION OF CERTAIN UNEXPENDED 2006 ALLOTMENTS.—After applying this subsection in accordance with subparagraph (A), the Secretary shall further apply this subsection in accordance with the following rules:

"(i) Paragraph (3)(A)(i) shall be applied by substituting 'fiscal year 2006' for 'fiscal year 2005'.

"(ii) Paragraph (3)(B) shall be applied by substituting 'fiscal year 2008' for 'fiscal year 2007'.

"(iii) Paragraph (3)(C)(i) shall be applied by substituting 'May 1' for 'April 1'.

"(iv) Paragraph (3)(C) shall be applied by substituting the following clause for clause (ii) of such paragraph:

"'(ii) APPLICABLE AMOUNT.—For purposes of clause (i), the applicable amount described in this clause is—

"'(I) the amount by which the amount described in subparagraph (A)(ii)(I), exceeds the total of the amounts the Secretary determines will eliminate the estimated shortfalls for all States described in paragraph (2)(B) (after the application of subparagraph (A)) for the fiscal year; multiplied by

"'(II) the ratio of the amount described in subparagraph (A)(ii)(I) with respect to the State to the total the amounts described in subparagraph (A)(ii)(I) for all States.'."

"(v) Paragraph (6)(B) shall be applied—

"(I) by substituting '2005 OR 2006' for '2005'; and

"(II) by substituting 'fiscal year 2005 under subsection (b) that remain unexpended through the end of fiscal year 2007 or fiscal year 2006 under such subsection that remain unexpended through the end of fiscal year 2008' for 'fiscal year 2005 under subsection (b) that remain unexpended through the end of fiscal year 2007'.

"(vi) Without regard to—

"(I) that portion of paragraph (6)(A) that begins with ', but in no case' and ends with 'March 31, 2007'; and

"(II) paragraph (6)(C)(i).".

(b) Additional Conforming Amendments.—Section 2104(h) of the Social Security Act (42 U.S.C. 1397dd(h)) (as so added) is further amended—

(1) in paragraph (1)(B), by striking "paragraph (4)(B)" and inserting "paragraph (5)(B)"; and

(2) in paragraph (2)—

(A) in subparagraph (A), by striking "paragraph (5)(B)" and inserting "paragraph (6)(B)"; and

(B) in subparagraph (B), by striking "paragraph (4)(B)" and inserting "paragraph (5)(B)".

(c) Effective Date; Applicability.—The amendments made by this section take effect on the date of enactment of this Act and apply without fiscal year limitation.

SA 256. Mr. CRAPO submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, making further continuing appropriations for the fiscal year 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

"SEC. ___. SENSE OF THE SENATE REGARDING REPORTS ON CAPITAL MARKETS.

"(a) Findings.—The Senate finds that—

"(1) the Interim Report of the Committee on Capital Markets Regulation (published in November 2006) and the McKinsey Report on New York Competitiveness (published in January 2007) have expressed concerns that United States capital markets are losing their competitive edge in intensifying global competition, both reports adding considerably to the understanding of the challenges that American capital markets face and offer solutions that could help American markets, companies, and workers to better compete;

"(2) according to the Committee on Capital Markets Regulation, 'A key measure of competitiveness, one particularly relevant to the growth of new jobs, is where new equity is being raised—that is, in which market initial public offerings (IPOs) are being done. The trend in so-called "global" IPOs, i.e., IPOs done outside a company's home country, provides evidence of a decline in the U.S. competitive position. As measured by value of IPOs, the U.S. share declined from 50 percent in 2000 to 5 percent in 2005. Measured by number of IPOs, the decline is from 37 percent in 2000 to 10 percent in 2005.';

"(3) according to the McKinsey Report on New York Competitiveness, 'London already enjoys clear leadership in the fast-growing and innovative over-the-counter (OTC) derivatives market. This is significant because of the trading flow that surrounds derivatives markets and because of the innovation these markets drive, both of which are key competitive factors for financial centers. Dealers and investors increasingly see derivatives and cash markets as interchangeable and are therefore combining trading operations for both products. Indeed, the derivatives markets can be more liquid than the underlying cash markets. Therefore, as London takes the global lead in derivatives, America's competitiveness in both cash and derivatives flow trading is at risk, as is its position as a center for financial innovation'; and

"(4) according to the Committee on Capital Markets Regulation, 'Maximizing the competitiveness of U.S. capital markets is critical to ensuring economic growth, job creation, low costs of capital, innovation, entrepreneurship and a strong tax base in key areas of the country. Regulation and litigation play central roles in protecting investors and the efficient functioning of our capital markets, particularly in light of recent, highly publicized abuses. Yet excessive regulation, problematic implementation and unwarranted litigation—particularly when occurring simultaneously—make U.S. capital markets less attractive and, therefore, less competitive with other financial centers around the world.'.

"(b) Sense of the Senate.—It is the sense of the Senate that—

"(1) Congress, the President, regulators, industry leaders, and other stakeholders should carefully review the Interim Report of the Committee on Capital Markets Regulation (published in November 2006) and the McKinsey Report on New York Competitiveness (published in January 2007), and take the necessary steps to reclaim the preeminent position of the United States in the financial services industry;

"(2) the Federal and State financial regulatory agencies should, to the maximum extent possible, coordinate activities on significant policy matters, so as not to impose regulations that may have adverse unintended consequences on innovativeness with respect to financial products, instruments, and services, or that impose regulatory costs that are disproportionate to their benefits, and, at the same time, ensure that the regulatory framework overseeing the United States capital markets continues to promote and protect the interests of investors in those markets; and

"(3) given the complexity of the financial services marketplace today, Congress should exercise vigorous oversight over Federal regulatory and statutory requirements affecting the financial services industry and consumers, with the goal of eliminating excessive regulation and problematic implementation of existing laws and regulations.

SA 257. Mr. CORNYN submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, making further continuing appropriations for the fiscal year 2007, and for other purposes; which was ordered to lie on the table; as follows:

On page 39, after line 24, add the following:

"Sec. 20327. In addition to the amounts otherwise appropriated or made available by this division or any other Act, $36,000,000 shall be available to carry out the Energy FutureGen Project of the Department of Energy, to be derived by transfer of an equal percentage from each other program and project for which funds are made available by this Act, except each other program and project for which funds are made available by chapters 2, 3, and 8.".

SA 258. Mr. CORNYN submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, making further continuing appropriations for the fiscal year 2007, and for other purposes; which was ordered to lie on the table; as follows:

On page 90, line 7, before the semi-colon insert "(and an additional $18,000,000 offset by a $18,000,000 reduction in the account 'Department of State, Administration of Foreign Affairs, Educational and Cultural Exchange')".

SA 259. Mr. WARNER (for himself, Mr. Levin, Ms. Collins, Mr. Nelson of Nebraska, Mr. Hagel, Ms. Snowe, Mr. Smith, Mr. Biden, and Mr. Salazar) submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, making further ocntinuing appropriations for the fiscal year 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the end add the following:

SEC. ___. SENSE OF SENATE ON IRAQ.

(a) Findings.—The Senate makes the following findings:

(1) We respect the Constitutional authorities given a President in article II, section 2, which states that "The President shall be commander in chief of the Army and Navy of the United States"; it is not the intent of this section to question or contravene such authority, but to accept the offer to Congress made by the President on January 10, 2007, that, "if members have improvements that can be made, we will make them. If circumstances change, we will adjust".

(2) The United States strategy and operations in Iraq can only be sustained and achieved with support from the American people and with a level of bipartisanship.

(3) Over 137,000 American military personnel are currently serving in Iraq, like thousands of others since March 2003, with the bravery and professionalism consistent with the finest traditions of the United States Armed Forces, and are deserving of the support of all Americans, which they have strongly.

(4) Many American service personnel have lost their lives, and many more have been wounded, in Iraq, and the American people will always honor their sacrifices and honor their families.

(5) The U.S. Army and Marine Corps, including their Reserve and National Guard organizations, together with components of the other branches of the military, are under enormous strain from multiple, extended deployments to Iraq and Afghanistan.

(6) These deployments, and those that will follow, will have lasting impacts on the future recruiting, retention and readiness of our Nation's all volunteer force.

(7) In the National Defense Authorization Act for Fiscal Year 2006, the Congress stated that "calendar year 2006 should be a period of significant transition to full sovereignty, with Iraqi security forces taking the lead for the security of a free and sovereign Iraq".

(8) United Nations Security Council Resolution 1723, approved November 28, 2006, "determin[ed] that the situation in Iraq continues to constitute a threat to international peace and security".

(9) Iraq is experiencing a deteriorating and ever-widening problem of sectarian and intra-sectarian violence based upon political distrust and cultural differences between some Sunni and Shia Muslims.

(10) Iraqis must reach political settlements in order to achieve reconciliation, and the

failure of the Iraqis to reach such settlements to support a truly unified government greatly contributes to the increasing violence in Iraq.

(11) The responsibility for Iraq's internal security and halting sectarian violence must rest primarily with the Government of Iraq and Iraqi Security Forces.

(12) U.S. Central Command Commander General John Abizaid testified to Congress on November 15, 2006, "I met with every divisional commander, General Casey, the Corps Commander, [and] General Dempsey. We all talked together. And I said, in your professional opinion, if we were to bring in more American troops now, does it add considerably to our ability to achieve success in Iraq? And they all said no. And the reason is, because we want the Iraqis to do more. It's easy for the Iraqis to rely upon us to do this work. I believe that more American forces prevent the Iraqis from doing more, from taking more responsibility for their own future".

(13) Iraqi Prime Minister Nouri al-Maliki stated on November 27, 2006, that "The crisis is political, and the ones who can stop the cycle of aggravation and bloodletting of innocents are the politicians".

(14) There is growing evidence that Iraqi public sentiment opposes the continued U.S. troop presence in Iraq, much less increasing the troop level.

(15) In the fall of 2006, leaders in the Administration and Congress, as well as recognized experts in the private sector, began to express concern that the situation in Iraq was deteriorating and required a change in strategy; and, as a consequence, the Administration began an intensive, comprehensive review by all components of the Executive Branch to devise a new strategy.

(16) In December 2006, the bipartisan Iraq Study Group issued a valuable report, suggesting a comprehensive strategy that includes "new and enhanced diplomatic and political efforts in Iraq and the region, and a change in the primary mission of U.S. forces in Iraq that will enable the United States to begin to move its combat forces out of Iraq responsibly".

(17) On January 10, 2007, following consultations with the Iraqi Prime Minister, the President announced a new strategy (hereinafter referred to as the "plan"), which consists of three basic elements: diplomatic, economic, and military; the central component of the military element is an augmentation of the present level of the U.S. military forces through additional deployments of approximately 21,500 U.S. military troops to Iraq.

(18) On January 10, 2007, the President said that the "Iraqi government will appoint a military commander and two deputy commanders for their capital" and that U.S. forces will "be embedded in their formations"; and in subsequent testimony before the Armed Services Committee on January 25, 2007, by the retired former Vice Chief of the Army it was learned that there will also be a comparable U.S. command in Baghdad, and that this dual chain of command may be problematic because "the Iraqis are going to be able to move their forces around at times where we will disagree with that movement", and called for clarification.

(19) This proposed level of troop augmentation far exceeds the expectations of many of us as to the reinforcements that would be necessary to implement the various options for a new strategy, and led many members of Congress to express outright opposition to augmenting our troops by 21,500.

(20) The Government of Iraq has promised repeatedly to assume a greater share of security responsibilities, disband militias, consider Constitutional amendments and enact laws to reconcile sectarian differences, and improve the quality of essential services for the Iraqi people; yet, despite those promises, little has been achieved.

(21) The President said on January 10, 2007, that "I've made it clear to the Prime Minister and Iraq's other leaders that America's commitment is not open-ended" so as to dispel the contrary impression that exists.

(22) The recommendations in this section should not be interpreted as precipitating any immediate reduction in, or withdrawal of, the present level of forces.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the Senate disagrees with the "plan" to augment our forces by 21,500, and urges the President instead to consider all options and alternatives for achieving the strategic goals set forth below;

(2) the Senate believes the United States should continue vigorous operations in Anbar province, specifically for the purpose of combating an insurgency, including elements associated with the Al Qaeda movement, and denying terrorists a safe haven;

(3) the Senate believes a failed state in Iraq would present a threat to regional and world peace, and the long-term security interests of the United States are best served by an Iraq that can sustain, govern, and defend itself, and serve as an ally in the war against extremists;

(4) the Congress should not take any action that will endanger United States military forces in the field, including the elimination or reduction of funds for troops in the field, as such an action with respect to funding would undermine their safety or harm their effectiveness in pursuing their assigned missions;

(5) the primary objective of the overall U.S. strategy in Iraq should be to encourage Iraqi leaders to make political compromises that will foster reconciliation and strengthen the unity government, ultimately leading to improvements in the security situation;

(6) the military part of this strategy should focus on maintaining the territorial integrity of Iraq, denying international terrorists a safe haven, conducting counterterrorism operations, promoting regional stability, supporting Iraqi efforts to bring greater security to Baghdad, and training and equipping Iraqi forces to take full responsibility for their own security;

(7) United States military operations should, as much as possible, be confined to these goals, and should charge the Iraqi military with the primary mission of combating sectarian violence;

(8) the military Rules of Engagement for this plan should reflect this delineation of responsibilities, and the Secretary of Defense and the Chairman of the Joint Chiefs of Staff should clarify the command and control arrangements in Baghdad;

(9) the United States Government should transfer to the Iraqi military, in an expeditious manner, such equipment as is necessary;

(10) the United States Government should engage selected nations in the Middle East to develop a regional, internationally sponsored peace-and-reconciliation process for Iraq;

(11) the Administration should provide regular updates to the Congress, produced by the Commander of United States Central Command and his subordinate commanders, about the progress or lack of progress the Iraqis are making toward this end; and

(12) our overall military, diplomatic, and economic strategy should not be regarded as an "open-ended" or unconditional commitment, but rather as a new strategy that hereafter should be conditioned upon the Iraqi government's meeting benchmarks that must be delineated in writing and agreed to by the Iraqi Prime Minister. Such benchmarks should include, but not be limited to, the deployment of that number of additional Iraqi security forces as specified in the plan in Baghdad, ensuring equitable distribution of the resources of the Government of Iraq without regard to the sect or ethnicity of recipients, enacting and implementing legislation to ensure that the oil resources of Iraq benefit Sunni Arabs, Shia Arabs, Kurds, and other Iraqi citizens in an equitable manner, and the authority of Iraqi commanders to make tactical and operational decisions without political intervention.

SA 260. Mr. KYL submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, making further continuing appropriations for the fiscal year 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

"SEC. ____. Notwithstanding any other provision of law, amounts deposited or available in the Crime Victims Fund established under section 1402 of the Victims of Crime Act of 1984 (42 U.S.C. 10601) shall not be subject to any obligational limitation in any fiscal year. Amounts made available in this Act, except for amounts for defense, homeland security, and chapter 8, shall be reduced on a pro rata basis by the percentage required to reduce the overall amount made available by $1,253,000,000.".

SA 261. Mr. KYL submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, making further continuing appropriations for the fiscal year 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

"SEC. ____. Notwithstanding any other provision of law, amounts deposited or available in the Crime Victims Fund established under section 1402 of the Victims of Crime Act of 1984 (42 U.S.C. 10601) in any fiscal year in excess of $1,000,000,000 shall not be available for obligation until the next fiscal year and such additional amounts shall only be available for the purposes of such fund. Amounts made available in this Act, except for amounts for defense, homeland security, and chapter 8, shall be reduced on a pro rata basis by the percentage required to reduce the overall amount made available by $1,253,000,000.".

SA 262. Mr. MARTINEZ submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, making further continuing appropriations for the fiscal year 2007, and for other purposes; which was ordered to lie on the table; as follows:

On page 25, between lines 13 and 14, insert the following:

"SEC. _____. Notwithstanding any other provision of this Act, the Secretary of Agriculture may use 1 or more competitive grant programs to distribute funding made available under the heading 'Cooperative State Research, Education, and Extension Service' for fiscal year 2007.

SA 263. Mr. HATCH submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, making further continuing appropriations for the fiscal year 2007, and for other purposes; which was ordered to lie on the table; as follows:

On page 105, after line 6, insert the following:

SEC. . Notwithstanding section 101, for the Office of Justice Programs, State and Local Law Enforcement Assistance, $85,000,000 for Boys and Girls Clubs in public housing facilities and other areas in cooperation with State and local law enforcement, as authorized by section 401 of Public Law 104-294 (42 U.S.C. 13751 note). Amounts made available in this Act, except for amounts for defense, homeland security, and chapter 8, shall be reduced on a pro rata basis by the percentage required to reduce the overall amount made available by $85,000,000.

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON RULES AND ADMINISTRATION

Mrs. FEINSTEIN. Mr. President, I wish to announce that the Committee on Rules and Administration will meet on Wednesday, February 14, 2007, at 11:30 a.m., to conduct a hearing on Senate Committee Budget Requests.

For further information regarding this hearing, please contact Howard Gantman at the Rules and Administration Committee at 224-6352.

COMMITTEE ON INDIAN AFFAIRS

Mr. DORGAN. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, February 15, 2007, at 9:30 a.m. in Room 485 of the Russell Senate Office Building to conduct a hearing the President's fiscal year 2008 Budget Request for Tribal Programs.

Those wishing additional information may contact the Indian Affairs Committee at 224-2251.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. WYDEN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to hold a hearing during the session of the Senate on Monday, February 12, 2007, at 2:30 p.m. in room SD-366 of the Dirksen Senate Office Building.

The dual purpose of this hearing is to receive recommendations on policies and programs to improve the energy efficiency of buildings and to expand the role of electric and gas utilities in energy efficiency programs.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to the order of the Senate on January 24, 1901, as modified by the order of February 5, 2007, appoints the Senator from Tennessee, Mr. CORKER, to read Washington's Farewell Address on Monday, February 26, 2007.

ORDER FOR STAR PRINT—S. 80

Mr. SANDERS. Mr. President, I ask unanimous consent S. 80 be star printed with the changes at the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

ANTITRUST MODERNIZATION COMMISSION EXTENSION ACT OF 2007

Mr. SANDERS. I ask unanimous consent the Senate proceed to the immediate consideration of H.R. 742 received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (H.R. 742) to amend the Antitrust Modernization Commission Act of 2002, to extend the term of the Antitrust Modernization Commission and to make a technical correction.

There being no objection, the Senate proceeded to consider the bill.

Mr. SANDERS. I ask unanimous consent the bill be read the third time and passed, the motion to reconsider be laid upon the table with no intervening action or debate, and that any statements related to the bill be printed in the RECORD at the appropriate place as if read.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 742) was ordered to a third reading, was read the third time and passed.

ORDERS FOR TUESDAY, FEBRUARY 13, 2007

Mr. SANDERS. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m., Tuesday, February 13; that on Tuesday, following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that there then be a period of morning business until 12:30 p.m., with Senators permitted to speak therein, with the time equally divided and controlled between the two leaders or their designees; that at 12:30 p.m., the Senate stand in recess until 2:15 p.m., for the conference recess period; that upon reconvening at 2:15 p.m., the Senate resume H.J. Res. 20 and that the time until 2:30 p.m. be equally divided and controlled between the two leaders or their designees; that at 2:30 p.m., without further intervening action or debate, the Senate proceed to vote on the motion to invoke cloture on H.J. Res. 20; that on Tuesday Members have until 12 noon to file second-degree amendments.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered..

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SANDERS. Mr. President, I ask unanimous consent that the Senate proceed to executive session to the consideration of Executive Calendar No. 23; that the nomination be confirmed and the motion to reconsider be laid upon the table; that any statements thereon be printed in the RECORD; that the President be immediately notified of the Senate's action; and that the Senate return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nomination considered and confirmed is as follows:

DEPARTMENT OF STATE

John D. Negroponte, of New York, to be Deputy Secretary of State.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

ORDER FOR ADJOURNMENT

Mr. SANDERS. Mr. President, if there is no further business to come before the Senate today, I now ask unanimous consent that the Senate stand adjourned under the previous order, at the conclusion of Senator SMITH's remarks.

The PRESIDING OFFICER (Mr. CASEY). Without objection, it is so ordered.

Mr. SANDERS. I thank the Senator.

Mr. SMITH. I thank the Senator from Vermont.

The PRESIDING OFFICER. The Senator from Oregon.

CONTINUING APPROPRIATIONS

Mr. SMITH. Mr. President, I have detailed for you the dramatic story of Federal timber in Oregon. That serves as the backdrop for the issue at hand. As I mentioned I before, 25 percent of Forest Service timber receipts have been given to counties—nationwide—since 1908.

The Twenty-Five Percent Fund Act, Public Law 60-136, reads as follows:

PAYMENT OF RECEIPTS FOR SCHOOLS AND ROADS

On and after May 23, 1908, twenty-five per centum of all moneys received during any fiscal year from each national forest shall be paid, at the end of such year, by the Secretary of the Treasury to the State or Territory in which such national forest is situated, to be expended as the State or Territorial legislature may prescribe for the benefit of the public schools and public roads of the county or counties in which such national forest is situated:

Provided, That when any national forest is in more than one State or Territory or county the distributive share to each from the proceeds of such forest shall be proportional to its area therein. In sales of logs, ties, poles, posts, cordwood, pulpwood, and other forest products the amounts made available for schools and roads by this section shall be based upon the stumpage value of the timber.

Beginning October 1, 1976, the term "moneys received" shall include all collections under the Act of June 9, 1930, and all amounts earned or allowed any purchaser of national forest timber and other forest products within such State as purchaser credits, for the construction of roads on the National Forest Transportation System within such national forests or parts thereof in connection with any Forest Service timber sales contract.

The Secretary of Agriculture shall, from time to time as he goes through his process of developing the budget revenue estimates, make available to the States his current projections of revenues and payments estimated to be made under the Act of May 23, 1908, as amended, or any other special Acts making payments in lieu of taxes, for their use for local budget planning purposes. (16 U.S.C. 500)

LAW ENFORCEMENT ASSISTANCE

Officials of the Forest Service designated by the Secretary of Agriculture shall, in all ways that are practicable, aid in the enforcement of the laws of the States and Territories with regard to stock, for the prevention and extinguishment of forest fires, and for the protection of fish and game, and, with respect to national forests, shall aid the other Federal bureaus and departments, on request from them, in the performance of the duties imposed on them by law. (16 U.S.C. 553)

EXPENDITURES FOR FOREST FIRE EMERGENCIES

Advances of money under any appropriation for the Forest Service may be made to the Forest Service and by authority of the Secretary of Agriculture to chiefs of field parties for fighting forest fires in emergency cases and detailed accounts arising under such advances shall be rendered through and by the Department of Agriculture to the General Account Office. (16 U.S.C. 556d)

Beginning in the late 1980s, timber sale receipts, the primary funding source for the 25 Percent Fund Act, began a precipitous decline for reasons I have explained earlier.

This plunge in receipts intensified and then bottomed out at a much lower level in the 1990s. The decline in receipts impacted rural communities in the West, particularly communities in Washington, Oregon, northern California, and Idaho.

For example, fiscal year 1998 national forest revenues were $557 million—only 36 percent of the fiscal year 1989 peak revenues of $1.531 billion. In fiscal year 2004, national forest revenues were $281.1 million.

Payments to many States under the 25 Percent Fund Act declined by an average of 70 percent from 1986 through 1998.

Now these are national figures. Those in Oregon were far more severe, reflecting the drastic halt in the Federal timber sale program there.

The problem was compounded because 18 Oregon counties have a different revenue-sharing agreement with the Bureau of Land Management that manages the O&C lands of western Oregon.

In the original 1937 statute, the BLM is required to give 75 percent of timber revenue to the O&C counties. For the benefit of my colleagues, allow me to read this statute:

PUBLIC LAW NUMBER 405 OF THE 75TH CONGRESS—H.R. 7618

AN ACT Relating to the revested Oregon and California Railroad and re-conveyed Coos Bay Wagon Road grant lands situated in the State of Oregon.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any provisions in the Acts of June 9, 1916 (39 Stat. 218), and February 26, 1919 (40 Stat. 1179), as amended, such portions of the revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands as are or may hereafter come under the jurisdiction of the Department of the Interior, which have heretofore or may hereafter be classified as timberlands, and power-site lands valuable for timber, shall be managed, except as provided in section 3 hereof, for permanent forest production, and the timber thereon shall be sold, cut, and removed in conformity with the principal of sustained yield for the purpose of providing a permanent source of timber supply, protecting watersheds, regulating stream flow, and contributing to the economic stability of local communities and industries, and providing recreational facilities:

Provided, That nothing herein shall be construed to interfere with the use and development of power sites as may be authorized by law. The annual productive capacity for such lands shall be determined and declared as promptly as possible after the passage of this Act, but until such determination and declaration are made the average annual cut there from shall not exceed one-half billion feet board measure:

Provided, That timber from said lands in an amount not less than one-half billion feet board measure, or not less than the annual sustained yield capacity when the same has been determined and declared, shall be sold annually, or so much thereof as can be sold at reasonable prices on a normal market.

If the Secretary of the Interior determines that such action will facilitate sustained-yield management, he may subdivide such revested lands into sustained-yield forest units, the boundary lines of which shall be so established that a forest unit will provide, insofar as practicable, a permanent source of raw materials for the support of dependent communities and local industries of the region; but until such subdivision is made the land shall be treated as a single unit in applying the principle of sustained yield:

Provided, That before the boundary lines of such forest units are established, the Department, after published notice thereof, shall hold a hearing thereon in the vicinity of such lands open to the attendance of State and local officers, representatives of dependent industries, residents, and other persons interested in the use of such lands.

Due consideration shall be given to established lumbering operations in subdividing such lands when necessary to protect the economic stability of dependent communities. Timber sales from a forest unit shall be limited to the productive capacity of such unit and the Secretary is authorized, in his discretion, to reject any bids which may interfere with the sustained-yield management plan of any unit.

Section 2. The Secretary of the Interior is authorized, in his discretion, to make cooperative agreements with other Federal or State forest administrative agencies or with private forest owners or operators for the coordinated administration, with respect to time, rate, method of cutting, and sustained yield, or forest units comprising parts of revested or reconveyed lands, together with lands in private ownership or under the administration of other public agencies, when by such agreements he may be aided in accomplishing the purposes hereinbefore mentioned.

Section 3. The Secretary of the Interior is authorized to classify, either on application or otherwise, and restore to homestead entry, or purchase under the provisions of section 14 of the Act of June 28, 1934 (48 Stat. 1269), any of such revested or reconveyed land which, in his judgment, is more suitable for agricultural use than for afforestation, reforestation, stream-flow protection, recreation, or other public purposes.

Any of said lands heretofore classified as agricultural may be reclassified as timber lands, if found, upon examination, to be more suitable for the production of trees than agricultural use, such reclassified timber lands to be managed for permanent forest production as herein provided.

Section 4. The Secretary of the Interior is authorized, in his discretion, to lease for grazing any of said revested or reconveyed lands which may be so used without interfering with the production of timber or other purposes of this Act as stated in section 1:

Provided, That all the moneys received on account of grazing leases shall be covered either into the "Oregon and California land-grant fund" or the "Coos Bay Wagon Road grant fund" in the Treasury as the location of the leased land shall determine, and be subject to distribution as other moneys in such funds:

Provided further, That the Secretary is also authorized to formulate rules and regulations for the use, protection, improvement, and rehabilitation of such grazing lands.

Section 5. The Secretary of the Interior is hereby authorized to perform any and all acts and to make such rules and regulations as may be necessary and proper for the purpose of carrying the provisions of this Act into full force and effect.

The Secretary of the Interior is further authorized, in formulating forest-practice rules and regulations, to consult with the Oregon State Board of Forestry, representatives of timber owners and operators on or contiguous to said revested and reconveyed lands, and other persons or agencies interested in the use of such lands.

In formulating regulations for the protection of such timberlands against fire, the Secretary is authorized, in his discretion, to consult and advise with Federal, State, and county agencies engaged in forest-fire-protection work, and to make agreements with such agencies for the cooperative administration of fire regulations therein:

Provided, That rules and regulations for the protection of the revested lands from fire shall conform with the requirements and practices of the State of Oregon insofar as the same are consistent with the interests of the United States.

TITLE II

That on and after March 1, 1938, all moneys deposited in the Treasury of the United States in the special fund designated the "Oregon and California land-grant fund" shall be distributed annually as follows:

(a) Fifty per centum to the counties in which the lands revested under the Act of June 9, 1916 (39 Stat. 218), are situated, to be payable on or after June 30, 1938, and each year thereafter to each of said counties in the proportion that the total assessed value of the Oregon and California grant lands in each of said counties for the year 1915 bears to the total assessed value of all of said lands in the State of Oregon for said year, such moneys to be used as other county funds.

(b) Twenty-five per centum to said counties as money in lieu of taxes accrued or which shall accrue to them prior to March 1, 1938, under the provisions of the Act of July 13, 1926 (44 Stat. 915), and which taxes are unpaid on said date, such moneys to be paid to said counties severally by the Secretary of the Treasury of the United States, upon certification by the Secretary of the Interior, until such tax indebtedness as shall have accrued prior to March 1, 1938, is extinguished.

From and after payment of the above accrued taxes said 25 per centum shall be accredited annually to the general fund in the Treasury of the United States until all reimbursable charges against the Oregon and California land-grant fund owing to the general fund in the Treasury have been paid:

Provided, That if for any year after the extinguishment of the tax indebtedness accruing to the counties prior to March 1, 1938, under the provisions of Forty-fourth Statutes, page 915, the total amount payable under subsection (a) of this title is less than 78 per centum of the aggregate amount of tax claims which accrued to said counties under said Act for the year 1934, there shall be additionally payable for such year such portion of said 25 per centum (but not in excess of three-fifths of said 25 per centum), as may be necessary to make up the deficiency.

When the general fund in the Treasury has been fully reimbursed for the expenditures which were made charges against the Oregon and California land-grant fund said 25 per centum shall be paid annually, on or after June 30, to the several counties in the manner provided in subsection (a) hereof.

(c) Twenty-five per centum to be available for the administration of this Act, in such annual amounts as the Congress shall from time to time determine. Any part of such per centum not used for administrative purposes shall be covered into the general fund of the Treasury of the United States:

Provided, That moneys covered into the Treasury in such manner shall be used to satisfy the reimbursable charges against the Oregon and California land-grant fund mentioned in subsection (b) so long as any such charges shall exist.

All Acts or parts of Acts in conflict with this Act are hereby repealed to the extent necessary to give full force and effect to this Act.

Approved, August 28, 1937.

As my colleagues have just heard, the O&C Act mandates permanent timber production from these lands for the benefit of the counties.

This is a drastically different management direction than the National Forests. In fact, the act states that timber production should not be less than half a billion board feet a year—500 million board feet—but within the sustained yield level.

This means harvesting less than the growth rate of the trees, while still meeting goals for protection of water and wildlife.

In the 1980s, the harvest level on the O&C lands was well in excess of a billion board feet per year. By 1990, harvest had fallen to 100 million board feet—a 94-percent drop within a decade.

Between the O&C Act and the 25 Percent Act, revenue sharing with Oregon counties capitalized public services in my State for generations.

These funds literally built the libraries and schools and roads in the rural parts of Oregon. They paid the bills, bought the books and kept communities safe.

And then, all of a sudden, those funds vanished into thin air. Hundreds of communities in my State—landlocked by Federal land—were left to wither and die on the Federal vine.

In some school districts, revenues from the Forest Service have declined by as much as 90 percent. Timber receipts to Grant County, OR, for roads and schools declined from a high of $12.4 million in 1992 to $1.9 million in 1997.

Schools there operated 4 days a week. Road crews were laid off. Law enforcement and search and rescue were curtailed.

The evisceration of public services in rural counties was matched by affliction in the private sector. In April 1999, 14 of Oregon's 36 counties had an unemployment rate at least twice the national average of 4.1 percent.

There were six counties with unemployment rates in excess of 10 percent, led by Grant County with nearly 17 percent.

It is by no means an exaggeration that this condition was a direct result of Federal forest management decisions.

And Oregon was not the only State held to the flames. The shadow of the Clinton forest philosophy fell upon every State with public lands.

Impacted communities in Idaho, Alaska, California, Montana, Texas, Arkansas, Mississippi, West Virginia, and South Dakota were in equally dire circumstances.

Congress responded to the outcry of these communities. Led by my colleague from Oregon, Senator WYDEN, and my colleague from Idaho, Senator CRAIG—Congress developed a safety net to stop the hemorrhage.

The future of that safety net—and of the communities helplessly held in it—is why I stand in the Senate chamber today.

Mr. President, I do want to talk about Oregon impacts.

On October 30, 2000, Public Law 106–393 was signed into law to offset the effect of decreased revenues available to States from declining timber harvests on Federal lands.

Also known as the Secure Rural Schools and Community Self-Determination Act, it authorized a temporary alternative to the receipts-based payment of the previous 100 years.

In essence, the Secure Rural Schools Act provided direct funding to counties and States based on historic rather than actual timber harvests and receipts. This statute provided annual payments to States for fiscal years 2001 to 2006. An eligible county had the option of electing to receive its share of the State's 25-percent payment or its share of the average of the State's three highest 25-percent payments from fiscal years 1986 through 1999.

Of the 717 counties and the 4,400 rural schools in 41 States that were eligible for their share of the State's amount under the act, 550, or 77 percent, initially decided to accept that payment in fiscal year 2001. By 2003, 615 counties, or 86 percent, of eligible counties took the safety net payments rather than payment from actual timber harvests.

The majority of these counties are located in the western and southern portions of this country, while those that have remained under the 25 Percent Fund Act are primarily in the Great Lakes area, where Federal timber harvest has remained sustainable.

Payments from National Forests authorized by the Secure Rural Schools Act have totaled over $1 billion, and have averaged over $301 million each year since the act was implemented. Payments have varied by region of the country. For example, the fiscal year 2004 payments distribution included approximately $37 million to southern States, $14 million to northeast and midwest States, $273 million to Oregon, Washington, and California, and $71 million to the other western States.

I should note that these figures represent Forest Service allocations, and Oregon receives an additional payment for the O&C lands.

Funding derived from the Treasury has provided not only more stable funding but also significantly higher payments than would have been the case under the 25 Percent Fund. For example, if payments were still based on 25 percent of actual timber receipts in 2004, the total payment to all States would be $71.4 million. In comparison, the full payment amount for all States for fiscal year 2005 is $395.7 million, an 82-percent difference nationwide.

When President Clinton signed the Secure Rural Schools bill into law, his press release stated:

> Rural communities will no longer be dependent on decreasing federal timber sales to staff and equip schools and provide essential government services.

However, the President wrongly assumed that his Northwest Forest Plan was working. Again, his release stated:

> The President's Pacific Northwest Forest Plan broke the stalemate over the northern spotted owl, balancing the preservation of old-growth stands with the economic needs of timber-dependent communities.

While the current administration is doing what it can to bring Federal forest management up to speed, Oregon communities find themselves in the same situation they were in a decade ago.

The county payments safety net expired last September. As this Chamber considers this half-trillion-dollar spending bill, Oregon county commissioners are preparing for a budgetary doomsday scenario. Let me describe what this grim situation is looking like to them.

Baker County: Home of the Oregon Trail Interpretive Center, the Geiser Grand Hotel, and named for COL Edward Baker—Mr. President, I will bet you did not know that there is one State that has more than two statues in Statuary Hall. That State is Oregon. We all get two, but Oregon got three because Edward Baker was a Senator killed in one of the first actions of the Civil War at Ball's Bluff, VA. He was also a former law partner to Abraham Lincoln.

He found his way on a speechmaking tour to Oregon. They were so impressed with him they asked him to be their Senator. I have his seat today. He came back here as a sitting Senator and as an officer in the United States cavalry. While serving in both capacities, he lost his life. So Edward Baker, an Oregonian only briefly, has the third statue for Oregon in Statuary Hall. It is said that at his funeral, conducted in the Rotunda, it was difficult to hear because of the audible sobbings of the President of the United States, Abraham Lincoln.

In 2004, the Baker County Road Department received $577,000 from the Secure Rural Schools and Community Self-Determination Act. If the Baker County Road Department had to rely on actual timber receipt revenue, they would have received only a fraction of that. In 2004, the Baker County School District received $211,000 from the safety net.

Let me go to Benton County, the home of the Oregon State Beavers. It is one of seven counties nationwide to be named for a U.S. Senator, Thomas Hart Benton of Missouri—a longtime advocate of the development of Oregon country. Benton County stands to lose 15 percent of its general discretionary budget, including $285,000 from its road department.

Clackamas County, home of Mount Hood and the historic Timberline Lodge that President Roosevelt dedicated. Between 1984 and 2001, timber harvest fell on the Mount Hood National Forest by 97 percent.

Clackamas County stands to lose $10 million per year without an extension of the safety net.

In 2004, the Clackamas County Road Department alone received over $4 million from the Secure Rural Schools and Community Self-Determination Act. If the Clackamas County Road Department had to rely on actual timber receipt revenue, they would have received $333,128 from U.S. Forest Service lands, a 92-percent reduction in these Federal funds.

Clackamas County schools will receive $1.5 million a year from the Secure Rural Schools and Community Self-Determination Act. That goes away.

Columbia County: In 2004, their discretionary general fund received over $2 million from the safety net. This represents 31 percent of Columbia County's discretionary general fund.

Coos County used to be home to the world's largest lumber-exporting port. Coos County has not only been hard hit by Federal timber policies, but by the collapse of federally managed fisheries.

The safety net provides nearly $8 million a year to Coos County—more than twice what the county can collect in property taxes. Without the safety net, 45 percent of its road and general fund will vanish.

County officials expect to lay off a third of their road crew. Nineteen employees at the Coos County Sheriff's Department have already received their pink slips telling them not to show up for work on February 27. These workers included corrections officers, two patrol deputies, a 911 dispatcher, and two animal control officers. Additional cuts will be made from the district attorney's office, juvenile court counselors, and the public health department.

I should note that these types of services are constitutionally required for counties to provide.

Crook County: Home of the Ochoco National Forest, where timber harvest fell 98 percent between 1991 and 2006. If the safety net is not extended, Crook County stands to lose 28 percent of its general discretionary budget. Its roads and its schools are in great jeopardy.

In 2004, the Crook County Road Department received over $2 million from the Secure Rural Schools and Community Self-Determination Act. If the Crook County Road Department had to rely on actual timber receipt revenue, they would have received $33,160 from U.S. Forest Service lands—a 99-percent reduction in Federal funds.

In 2004, the Crook County School District received $746,535 from the safety net.

Curry County lies in the far southwest corner of Oregon.

Cape Blanco in Curry County stretches out in the Pacific Ocean to form the most western point in the lower 48.

You ought to see how beautiful it is there, Mr. President.

It shares with Josephine County the Siskiyou National Forest, the site of the 2002 Biscuit Fire—the largest in Oregon history. Between 1989 and the year of that colossal wildfire, timber harvest on the Siskiyou National Forest dropped 99.5 percent.

As such, Curry County stands to lose 62 percent of its general discretionary fund. This translates into the loss of seven sheriff's deputies, two county assessors, cutbacks in juvenile services, and loss of a deputy district attorney.

The county sheriff's office presently takes about 52 percent of the county's "safety net" dollars, which means that if they had reductions to cover the amount of their percentage, it would lose all of its patrol deputies, two sergeants, its only lieutenant, and two jailors.

The Curry County Road Department will lose 75 percent of its entire budget.

The Brookings-Harbor School District is going to lose $700,000 from the safety net. Curry County is one of those places so dominated by Federal land that new tax revenue from property development is simply impossible. Only 3 percent of the land base is developable.

Deschutes County is a high desert paradise with snow-capped mountains, rugged mountain bike trails, swift whitewater, and the Sisters Rodeo, the "Biggest Little Show in the World." Timber harvest in the Deschutes National Forest fell 83 percent between 1985 and 1999. Large forest fires continue to mar the landscape there, causing evacuations of local communities nearly every summer. We don't manage it. We just burn it now. They are going to lose huge amounts of their county budgets: from the road department, a 79-percent reduction; from the Bend/LaPine School District, they will lose $651,000 from the safety net.

Then Douglas County, timber capital of the world and home to Johnny Cash's "Lumberjack." Given the woodbasket of Douglas Fir, many believe this county was named after the silviculturist David Douglas. But Douglas County was actually named for Stephen Douglas, Abraham Lincoln's opponent in the 1860 Presidential election. Douglas was an ardent congressional supporter for Oregon's entry into the Union. Timber harvest on their forest, the Umpqua National Forest, fell 99 percent between 1984 and 2004. In 2004, Douglas County's discretionary general fund received over $26 million from the safety net. This represents 78 percent of Douglas County's discretionary general fund. The Douglas County Road Department received over $13 million from the Secure Rural Schools and Community Self-Determination Act. If the Douglas County Road Department had to rely on actual timber receipts, they would have received $791,000, a-94 percent loss of Federal revenue.

The Roseburg School District 4 received a $1.8 million from the safety net in 2004. That goes away.

Grant County, home of the John Day Fossil Beds National Monument and the Malheur National Forest, timber harvest on that dropped 98 percent. More than 60 percent of Grant County is owned by the public, and their discretionary fund is going to drop a whopping amount as well. They will lose millions in road and school funding. Two of its three county patrol officers will be eliminated. Sixty-two percent of the land in John Day School District is federally owned, so the district was heavily dependent on Federal forest fees. As a result, in 1998, the district went to a 4-day school week. We always talk about No Child Left Behind. We are going to leave a lot of Oregon kids behind if we don't keep this bargain.

Harney County, home of Steens Mountain, part of the county's 77 percent public ownership. You ought to see Steens Mountain, be down on the Alvord flat, a salt flat, and see the sun come up in the morning and hit those mountains and turn them pink. It is astonishingly beautiful. They are going to get hammered. Their road department is going to lose 70 percent of its funding. Their school district will lose nearly $700,000.

Hood River County, home of pear orchards, wind surfing, and skiing. In fact, JOHN KERRY still goes there a lot to wind surf, wind surfing capital of the world. Hood River County stands to lose 32 percent of its discretionary funds without the safety net. The road department loses over a million, and their school district will lose half a million and more.

Jackson County, home of the Oregon Shakespearean Festival, dominated by the BLM's O&C lands. Jackson County faces a $20 million shortfall without a county payments extension, 33 percent of its road and general budget. Jackson County is on the verge of closing all 15 of its public libraries, if the safety net is not extended. The county also plans to lay off 30 positions in health and human services and reduce the number of jail beds. In 2004, the Jackson County Road Department received over $3.8 million from county payments. If they had to rely on actual timber harvests, they would have received a 97-percent reduction in Federal funds.

Jefferson County, home of Mount Jefferson—that is a pretty place—Black Butte, Warm Springs Indian Reservation, 300 days of sunshine a year. In 2004, the Jefferson County Road Department received $445,000 from the county payments. If the Jefferson County Road Department had to rely on actual timber receipts, they would have received $89,000 from the U.S. Forest Service.

Josephine County, the home of Oregon Caves National Monument and the Rogue River, 62 percent of Josephine County is publicly owned. They are going to lose 79 percent of their county's general discretionary funds.

Klamath County, home of Crater Lake, the deepest lake in North America and Oregon's first national park. Klamath County is also the home of the devastating shutoff of irrigation water by Federal agencies in 2001. In 2004, Klamath County's discretionary general fund received over $3 million from the safety net. This represents nearly 30 percent of their general discretionary budget.

Lake County, home of the Hart Mountain National Antelope Refuge—78 percent of that county is owned by the Federal Government. Lake County stands to lose 50 percent of its discretionary general funds—again, roads and schools.

Lane County was named for the great Joseph Lane, first territorial Governor, first U.S. Senator from Oregon. Lane County is one of the largest recipients of safety net dollars, and for good reason. This was the epicenter of the spotted owl controversy, and timber harvest was cut back there more than anywhere else in the Nation.

Mr. President, I don't want to abuse your time. I am trying to make a point here. You can probably tell that. I speak more out of sorrow than anger, but I am angry, too. It is a tragedy. Both parties are guilty in the mutation from the Federal Government becoming Oregon's protagonist to its antagonist. I was going to tell you more about Lane County and Linn County, named for U.S. Senator James Linn of Missouri—another Missouri Senator has an Oregon County named for him.

I was going to tell you about Lincoln County, home of Depoe Bay, the whale-watching capital of the world. They will get hammered, too.

Marion County, home of the State capitol, the largest producer of agricultural products in Oregon. The Marion berry—you have probably heard of that—is delicious.

Morrow County; Polk County named for James K. Polk, one of our unsung great Presidents.

Tillamook County—you probably heard of Tillamook cheese. It is fabulous. Their county is in real peril because 64 percent of Tillamook County is publicly owned, and nearly 20 percent of its total discretionary budget is at risk

Union County, land of the Grand Ronde Valley, is near my home. This county is right in the middle of Federal forest lands. They will suffer a 55-percent reduction in Federal funds.

Wallowa County is a little Switzerland. It is one of the loveliest places on Earth. It is where Oregon joins the Rocky Mountains. Their county stands to lose a tremendous percentage of their ability to continue.

Yamhill County. If you like Oregon pinot noirs—I don't drink them, but a lot of people like Oregon pinot noirs—they come from Yamhill County. They are in trouble. And they are in trouble. Wheeler County.

Mr. President, I have talked enough, and you have been indulgent of me. I promised the majority leader I would take only the time he wanted me to speak. But the Federal Government owns my State—more than half of it. It incentivized the development of Oregon's resources. It laid down the terms for the development of timber in Oregon. It built my State. I will bet it even helped build some of the homes in which you live.

But the environmental ethic changed. Whatever side you come down on, in the middle of that contest are people and counties and governmental services that need to be continued until the Federal Government can figure out the right balance in the economic/environmental equation.

I have been down here talking a long time. I have to look for every opportunity to keep talking because I need to awaken my colleagues to the Federal obligation that exists to real people with real concerns and with a real claim on the Federal Government. As we look for offsets, let me simply say that we are out of time.

The real offset ought to be the honor of the Federal Government. It ought to meet this obligation until it can resolve this dispute. President Clinton tried, President Bush has tried, but the Congress and the courts have been in the way. In the meantime, my colleague and I need the Federal Government to get out of the way and continue to help us, instead of hurting the people whom it grew Oregon to bless.

I yield the floor.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow morning.

Thereupon, the Senate, at 7:22 p.m., adjourned until Tuesday, February 13, 2007, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate February 12, 2007:

NATIONAL CONSUMER COOPERATIVE BANK

JANIS HERSCHKOWITZ, OF PENNSYLVANIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL CONSUMER COOPERATIVE BANK FOR A TERM OF THREE YEARS, VICE RAFAEL CUELLAR, TERM EXPIRED.

DAVID GEORGE NASON, OF RHODE ISLAND, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL CONSUMER COOPERATIVE BANK FOR A TERM OF THREE YEARS, VICE MICHAEL SCOTT, RESIGNED.

NGUYEN VAN HANH, OF CALIFORNIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL CONSUMER COOPERATIVE BANK FOR A TERM OF THREE YEARS, VICE ALFRED PLAMANN, TERM EXPIRED.

DEPARTMENT OF STATE

ZALMAY KHALILZAD, OF MARYLAND, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO

THE SESSIONS OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS DURING HIS TENURE OF SERVICE AS REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS.

ZALMAY KHALILZAD, OF MARYLAND, TO BE THE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS, WITH THE RANK AND STATUS OF AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY, AND THE REPRESENTATIVE OF THE UNITED STATES OF AMERICA IN THE SECURITY COUNCIL OF THE UNITED NATIONS.

FORD M. FRAKER, OF MASSACHUSETTS, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF SAUDI ARABIA.

NATIONAL COUNCIL ON DISABILITY

MARYLYN ANDREA HOWE, OF MASSACHUSETTS, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR A TERM EXPIRING SEPTEMBER 17, 2008, VICE GLENN BERNARD ANDERSON, TERM EXPIRED.

LONNIE C. MOORE, OF KANSAS, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR A TERM EXPIRING SEPTEMBER 17, 2008, VICE MARCO A. RODRIGUEZ, TERM EXPIRED.

CYNTHIA ALLEN WAINSCOTT, OF GEORGIA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR A TERM EXPIRING SEPTEMBER 17, 2008, VICE BARBARA GILLCRIST, TERM EXPIRED.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

W. CRAIG VANDERWAGEN, OF MARYLAND, TO BE ASSISTANT SECRETARY FOR PREPAREDNESS AND RESPONSE, DEPARTMENT OF HEALTH AND HUMAN SERVICES. (NEW POSITION)

NATIONAL BOARD FOR EDUCATION SCIENCES

DAVID C. GEARY, OF MISSOURI, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL BOARD FOR EDUCATION SCIENCES FOR A TERM EXPIRING NOVEMBER 28, 2010, VICE ROBERTO IBARRA LOPEZ, TERM EXPIRED.

ERIC ALAN HANUSHEK, OF CALIFORNIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL BOARD FOR EDUCATION SCIENCES FOR A TERM EXPIRING NOVEMBER 28, 2010. (REAPPOINTMENT)

CAROL D'AMICO, OF INDIANA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL BOARD FOR EDUCATION SCIENCES FOR A TERM EXPIRING NOVEMBER 28, 2010. (REAPPOINTMENT)

UNITED STATES POSTAL SERVICE

ELLEN C. WILLIAMS, OF KENTUCKY, TO BE A GOVERNOR OF THE UNITED STATES POSTAL SERVICE FOR A TERM EXPIRING DECEMBER 8, 2014. (REAPPOINTMENT)

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT

KRISTINE MARY MILLER, OF COLORADO, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT FOR A TERM EXPIRING MAY 19, 2010, VICE D. BAMBI KRAUS, TERM EXPIRED.

BRENDA L KINGERY, OF TEXAS, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT FOR A TERM EXPIRING MAY 19, 2012, VICE JOHN RICHARD GRIMES, RESIGNED.

JULIE E. KITKA, OF ALASKA, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT FOR A TERM EXPIRING MAY 19, 2012, VICE KATHERINE L. ARCHULETA, TERM EXPIRED.

SONYA KELLIHER-COMBS, OF ALASKA, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT FOR A TERM EXPIRING MAY 19, 2008, VICE MICHAEL A. NARANJO, TERM EXPIRED.

PERRY R. EATON, OF ALASKA, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT FOR A TERM EXPIRING MAY 19, 2012, VICE A. DAVID LESTER, TERM EXPIRED.

CONFIRMATION

Executive nomination confirmed by the Senate Monday, February 12, 2007:

DEPARTMENT OF STATE

JOHN D. NEGROPONTE, OF NEW YORK, TO BE DEPUTY SECRETARY OF STATE.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

WITHDRAWAL

Executive Message transmitted by the President to the Senate on February 12, 2007 withdrawing from further Senate consideration the following nomination:

Ellen C. Williams, of Kentucky, to be a Governor of the United States Postal Service for a term expiring December 8, 2016. (Reappointment), which was sent to the Senate on January 9, 2007.

HOUSE OF REPRESENTATIVES—*Monday, February 12, 2007*

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. INSLEE).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

> WASHINGTON, DC,
> *February 12, 2007.*
> I hereby appoint the Honorable JAY INSLEE to act as Speaker pro tempore on this day.
> NANCY PELOSI,
> *Speaker of the House of Repesentatives.*

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2007, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 31 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SIRES) at 2 p.m.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Lord God, Divine Architect of history, the birthday of Abraham Lincoln is a moment to not only hear his voice echoed in countless prayers of people the world over, now is the time for this Nation to touch his spirit, for we are caught up again in the lingering debate of war and peace.

Perhaps, Lord, the wordsmith Carl Sandburg best describes our debility and Lincoln's vision for us when he writes:

"Decreed beyond any but far imagining of its going asunder was Lincoln's mystic dream of the Union of States achieved. Beyond all the hate or corruption or mocking fantasies of democracy that might live as an aftermath of the war were assurances of long-time conditions for healing, for rebuilding, for new growth.

"As a result flowing from the war, the United States was to take its place among nations counted world powers . . . and as a world power, the expectation was it would be a voice of the teachings of Washington, Jefferson, Jackson, and Lincoln speaking for a republican government, for democracy, for institutions 'of the people, by the people, for the people.'

"Though there might come betrayals and false pretenses, the war had put some manner of seal on human rights and dignity in contrast with property rights, and even the very definition of property . . .

"Out of the smoke and stench, out of the music and violet dreams of the war, Lincoln stood perhaps taller than any other of the many great heroes. None threw a longer shadow than he. And to him the great hero was the People. He could not say too often that he was merely their instrument."

Lord God, in our own day, take us beyond the hate and mocking fantasies. Hammer out renewed commitments for healing, for rebuilding and for new growth. Make today's government an instrument of Your people, that we may take our rightful place among the nations as a world power, which is witness to human rights and dignity for all Your people. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Texas (Mr. POE) come forward and lead the House in the Pledge of Allegiance.

Mr. POE led the Pledge of Allegiance as follows:

> I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

THE SIGN MUST STAY

(Mr. POE asked and was given permission to address the House for 1 minute.)

Mr. POE. "This Is America. When Ordering, Please Speak English." This sign is located in the window of Geno's Restaurant, tourist landmark for the famous Philly cheese steak.

Philadelphia's Commission on Human Relations has been ordering its owner, Joe Vento, to take down the sign, however. They have even suggested that he hire Spanish-speaking employees to help communicate. But Joe is not giving in to the bureaucrats. Vento says that Geno's will serve and his staff will help out customers who don't speak English, but the sign is staying.

Joe Vento is of Italian descent. His grandparents came from Italy. They were proud of their American citizenship and quickly learned English. But now the Commission on Human Relations is taking legal action against Vento, charging him with discrimination simply for asking his customers to speak English.

No business owner should be forced to hire a whole gauntlet of foreign-speaking translators because of individuals who feel they won't learn our language. Individuals who come here need to understand that this country is not Mexico, France, Korea or the Middle East. This is America, and English is spoken here.

And that's just the way it is.

PREMATURE WITHDRAWAL FROM IRAQ WILL ENDANGER U.S.

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, sadly, many people try to separate the current Iraq conflict from the attacks of September 11 and the Global War on Terrorism; it is impossible to do so. The attacks of September 11 were not isolated, random events. Al Qaeda has openly stated Iraq is the central front in the war on terror. And our enemy is highly intelligent, well financed and committed to the destruction of freedoms.

The concept that America's retreat in Iraq will bring an end to sectarian violence and terrorist activity in the region ignores history. Premature retreat will embolden the enemy and make us more vulnerable to attacks. Withdrawals from Beirut and

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□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Mogadishu led to the 1993 World Trade Center attack, the 1998 embassy bombings across Africa, the 2000 bombing of the USS *Cole*, and then September 11. Osama bin Laden has characterized the struggle in Iraq as the third world war. We ignore this claim at our peril, which threatens American families.

In conclusion, God bless our troops, and we will never forget September 11.

SUPPORTING THE IRAQ MISSION

(Mr. BARRETT of South Carolina asked and was given permission to address the House for 1 minute.)

Mr. BARRETT of South Carolina. Mr. Speaker, this week we will debate a non-binding resolution that will do nothing more than undermine the mission in Iraq, weaken the morale of our troops, and embolden our enemy.

No doubt mistakes have been made in the battle with Iraq. With every war mistakes are made. The question before us is, Are we going to learn from the mistakes and correct them and move forward with a plan of success, or are we going to retreat in defeat?

Mr. Speaker, the terrorists themselves believe Iraq is a central front in the war on terror. Al Zawahiri, al Qaeda's deputy leader, has repeatedly said Iraq and Afghanistan are the "two most crucial fields" in the Islamists' war. A policy of retreat and defeat would result in pervasive instability and embolden radical Islamist terrorists and rogue regimes to expand new areas in the region.

Mr. Speaker, the stakes are real and they are high. And the American people deserve leadership, not partisan politics. I will continue to support our troops by continuing to support their mission.

WE MUST WIN THE BATTLE OF IDEAS

(Mrs. BLACKBURN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BLACKBURN. Mr. Speaker, as a member of the Victory in Iraq Caucus, I continue to stand and support our troops. I feel it is imperative that we continue to strongly speak out in favor of the efforts that our troops are carrying out against terrorism, not only in Iraq, but in 30 different countries around the globe.

The terrorists tell us, just as my colleague said, that Iraq is the central battle in the war on terror. War is not quick, and it is not painless. It is up to us here in the people's House to continue to support the troops and to be behind their efforts, funding them 100 percent of the way.

In order to win, Mr. Speaker, we must not only succeed on the battlefield; we must win in the battle of ideas. We must win the civic and economic battles with the Iraqi people. They are as critical as any firefight that they face every day.

The idea of freedom and prosperity is a powerful idea. Our coalition is breathing life into that idea with the Iraqi people. We need to stand firm, fund our troops, support our men and women in harm's way.

PROCESS IN THE HOUSE OF REPRESENTATIVES

(Mr. ISSA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ISSA. Mr. Speaker, it is not good to talk process in the House of Representatives. I keep hearing that. But when the process that you are talking about is the execution of our right in a democratic society to speak and make a difference, then it is necessary to speak on process.

Mr. Speaker, this week we will spend 4 days on the Iraq resolution. I say "the" Iraq resolution because it has already been crafted by Speaker PELOSI; it already is a final product. The only thing left to do is in fact to vote on it because we will not be allowed to amend it; the rule will be a closed rule. Democracy and speech and debate will not in fact change anything. The final vote will be exactly at the end of the week where it was at the beginning. That is wrong. Republicans never did that when we held the Speaker's gavel. Democrats should not do that as they hold the Speaker's gavel.

The right to amend and the right to debate that leads to a better bill is a right of this democracy, and this body has been reduced by the taking of that right.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken after 6:30 p.m. today.

RECOGNIZING AND HONORING THE EMPLOYEES OF THE DEPARTMENT OF HOMELAND SECURITY

Mr. CARNEY. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 134) recognizing and honoring the employees of the Department of Homeland Security for their efforts and contributions to protect and secure the Nation.

The Clerk read as follows:

H. RES. 134

Whereas the United States must remain vigilant against all threats to the homeland, including acts of terrorism, natural disasters, and other emergencies;

Whereas the Department of Homeland Security marked its 4th anniversary on January 24, 2007;

Whereas the more than 208,000 employees of the Department work tirelessly to prepare the Nation to counter acts of terrorism, natural disasters, and other emergencies;

Whereas the Department's employees work diligently to deter, detect, and prevent acts of terrorism;

Whereas the Department's employees stand willing, ready, and able to respond if catastrophe strikes;

Whereas the Department's employees support the Department's mission to protect continuously the Nation's borders, airports, seaports, rail lines, and other transit systems;

Whereas the Department's employees, together with employees of other agencies and departments of the Federal Government, work with State, local, and tribal partners to enhance disaster preparedness at all levels of government;

Whereas the Department's employees are called upon to sacrifice time with their families to work long hours to fulfill the Department's vital mission; and

Whereas the Nation is indebted to the Department's employees for their efforts and contributions: Now, therefore, be it

Resolved, That the House of Representatives recognizes and honors the employees of the Department of Homeland Security for their exceptional efforts and contributions to protect and secure the Nation.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. CARNEY) and the gentleman from Florida (Mr. BILIRAKIS) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. CARNEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and insert extraneous material on the bill into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. CARNEY. Mr. Speaker, I yield myself such time as I may consume.

Just over 5 years ago, September 11 redefined our national security needs. With the loss of thousands of innocent lives at the World Trade Center, the Pentagon and in my home State of Pennsylvania, national leaders realized that the Federal Government needed the ability to better protect the United States from any and all threats, foreign or domestic, natural or man-made. And while emergency management agencies displayed resilience in the aftermath of 9/11, it was clear we needed an organization that could coordinate their efforts. We needed a single agency with the ability to prevent another 9/11 and to respond, if need be, to natural or man-made disasters.

To answer this call, Congress passed the Homeland Security Act of 2002 creating the Department of Homeland Security. In the largest reorganization of the Federal Government since the formation of the Department of Defense six decades ago, the Department of Homeland Security was tasked with the Herculean responsibility of coordinating with State, local and tribal entities to prevent future terrorist attacks, to secure our borders and to prepare for and respond to events of national significance.

Comprised of 22 different Federal agencies and employing over 208,000 of our finest Federal employees, DHS has become one of the largest Federal departments. Twenty-four hours a day, 7 days a week, 365 days a year, employees from the Department of Homeland Security are working to prevent and prepare for any threats to our country. They are patrolling our skies, securing our borders, sailing our coastal waters and screening people and cargo entering our country. They are also working with State and local governments and first responders in all 50 States and our territories to ensure we can respond to any future large-scale events, either man-made or natural.

□ 1415

These dedicated Homeland Security employees are working tirelessly to improve the safety of all Americans and are doing a job that we must commend.

Recently, the Office of Personnel Management released the results of the 2006 Federal Human Capital Survey, a review of how Federal employees feel about their work. Many Americans may not have heard about this survey or its findings, but they are significant.

DHS employees expressed frustration over a number of issues, most notably the management of the agency. These rank-and-file workers, on the front lines day after day, feel they are not being managed in the most effective manner possible. This disconnect between management and the line officers of the department is very disturbing to a number of us here in Congress. We must work to resolve these issues.

The last thing we need is for the morale problems of the Department of Homeland Security to hamper the duties of those front-line employees. As a former first responder myself, I know how important it is to have trust and faith in your management. While there was certainly shocking failures at the management levels of the Federal Emergency Management Agency in the Hurricane Katrina response, there is a good example; that is, the United States Coast Guard which is part of the DHS. It covered itself in glory by performing one of its most vital and successful missions since its creation. Over 20,000 gulf coast residents were rescued by the devoted men and women of the Coast Guard.

Tens of thousands of other line officers under the purview of the DHS have been doing a thankless job for the last 4 years as well. Our Nation must remain vigilant against all threats to the homeland, against acts of terrorism and natural disasters.

Department of Homeland Security employees stand willing, ready and able to respond should catastrophe strike. They work long hours to deter, detect, and prevent acts of terrorism against the homeland. They can be sure that during this Congress and beyond, my colleagues and I will maintain oversight of the management of Homeland Security, but I cannot stress enough how we truly appreciate the work of the DHS employees who are working tirelessly to protect the safety of all Americans.

On January 24, the Department of Homeland Security marked its fourth anniversary. In light of this anniversary, it is fitting and appropriate for the House of Representatives to take a moment to honor the employees.

I would also like to take a moment to note that Mr. ROGERS of Alabama, the ranking member on the Subcommittee on Management, Investigations, and Oversight, wanted to be here as well. He is currently out of town on a codel, but he stands with me in honoring the employees of the Department of Homeland Security.

Mr. Speaker, I encourage my colleagues to unanimously adopt House Resolution 134 in honoring the employees of the Department of Homeland Security.

Mr. Speaker, I reserve the balance of my time.

Mr. BILIRAKIS. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of House Resolution 134, which honors and recognizes the contributions the employees of the Department of Homeland Security make to our country's safety and security.

I am pleased to be an original cosponsor of this resolution with my Homeland Security colleague, CHRISTOPHER CARNEY, who chairs the Management, Investigations and Oversight Subcommittee. I also want to acknowledge other original cosponsors, including my subcommittee ranking member, MIKE ROGERS, full committee chairman BENNIE THOMPSON, and full committee ranking member PETER KING, a man who has worked on Homeland Security issues, and I greatly admire his work.

Mr. Speaker, I am pleased to help bring this resolution to the floor today because I think that DHS employees are too often overlooked and underappreciated, and unfairly criticized in most cases despite their most dedicated and earnest efforts to do their job, which they do very well.

Mr. Speaker, I believe that they have been tasked with an almost impossible job, I think you will agree, and am confident that DHS employees are doing the very best they can under some extraordinary, difficult circumstances.

I was, however, particularly disappointed to learn, as the recent survey shows, that the morale of the department is low, and that DHS employees have less job satisfaction than any other group of Federal employees. That is not good to see. I have heard that the department's employees are concerned that they do not have the resources to do their jobs effectively, that they are not promoted based on merit, that creativity and innovation are not properly rewarded, and, perhaps most troubling, most of them do not believe that they have access to adequate information about what is happening in their department.

This needs to change, as far as I am concerned. I am heartened that department secretary, Michael Jackson, has told DHS employees, "Starting at the top, the leadership team across DHS is committed to address the underlying reason for DHS employee dissatisfaction and suggestions for improvement."

I also commend DHS Secretary, Michael Chertoff, in comments before our committee last week for acknowledging the problem and promising to fix it. I believe it is imperative to the security of our homeland that the dedicated men and women who carry out the directives and policies that Congress puts forward feel good about themselves and the jobs that they are doing so they can best achieve the very noble goals toward which they are working.

It should be proud of the work the more than 200,000 employees at DHS work tirelessly to help prevent and respond to acts of terrorism, natural disasters and other emergencies. I think Secretary Chertoff's directive to the Homeland Security Advisory Council to establish a culture task force to respond on ways to empower, energize, and create a more mission-focused culture within DHS and among its Federal, State and local partners was a good first step.

I would say, however, that the answers lie not in creating more bureaucracy but in streamlining and better defining the mission of DHS headquarters and allowing its component organizations to use their particular talents and expertise to accomplish their individual mission in as efficient, creative, and innovative manner as possible.

I also believe we must acknowledge the role that Congress has played and will continue to play in the ultimate success or failure of the department in accomplishing its mission of defending America and saving lives. We in this body must be sensitive to the demands and mandates that we place on DHS employees in the conduct of the war.

I think we can all agree that an overwhelming majority of DHS employees are hardworking, as I said. They are dedicated and hardworking individuals who are personally committed to keeping us, our families, our country secure from terrorist attacks and other disasters that could befall this great Nation.

We must remember, however, that decentralized congressional jurisdiction over Homeland Security issues and the desire to provide proper oversight often makes it difficult for them to do their job. I hope that, especially as members of the Homeland Security Committee, we do not unintentionally make their jobs more difficult in our desire to do our jobs.

I want to thank full committee chairman BENNIE THOMPSON, ranking member PETER KING, subcommittee chairman CHRIS CARNEY, and subcommittee ranking member MIKE ROGERS for bringing this resolution to the floor today.

I urge all of my colleagues to support this resolution and recognize the contributions DHS employees make to protect and secure our Nation. They should know that we understand the daily challenges they face and appreciate the dedication and hard work, the professionalism which they embody, and they conduct themselves in a fine manner.

Mr. Speaker, I reserve the balance of my time.

Mr. CARNEY. Mr. Speaker, I reserve the balance of my time.

Mr. BILIRAKIS. Mr. Speaker, I yield such time as he may consume to the gentleman from Washington (Mr. REICHERT).

Mr. REICHERT. Mr. Speaker, as a member of the Committee on Homeland Security, I rise in strong support of H. Res. 134. This resolution recognizes and honors the employees of the Department of Homeland Security for their exceptional efforts and contributions to protect and secure the Nation.

Since the creation of the Department of Homeland Security 4 years ago, the department has made significant steps in ensuring the safety of the American people, specifically with regard to preparing, equipping and training our first responders, protecting our skies, and securing our borders and ports.

In my home State of Washington, we have almost 2,000 people working for the Department of Homeland Security, including 178 members of the Coast Guard, 337 Immigration employees and Custom Enforcement officers, and 1,282 Transportation Security Administration employees. Many of these men and women put their lives on the line every day to ensure that another 9/11 attack does not occur.

In addition to protecting us from another terrorist attack, the Department of Homeland Security employees thwart human smuggling networks and disrupt the international drug trade. An example of these efforts is in 2005 a discovery of a tunnel between the United States and Canada that would have been used to smuggle drugs into the United States.

Mr. Speaker, it is easy to come to this floor and come together in a bipartisan way and pass a resolution to say that we support the men and women who work in the Department of Homeland Security. It is easy to talk about morale. It is easy to criticize the men and women who protect our children, protect our neighbors and protect our communities and are out there every day. We need to show by action.

We need to support them in our legislation that we pass that provides them with the tools and the resources they need to do their job. I was in law enforcement 33 years in the Seattle area. I know that when I made a life-and-death decision, I had the support of my administration, I had the support of my leadership.

Our men and women who work for the Department of Homeland Security need a strong leadership. And our strong leadership can be supported by people right here in this body, by supporting them again with their resources and the tools that they need.

Mr. Speaker, the employees of the Department of Homeland Security have a tough job, a very tough job. They not only need our strong words of support here today, and the support that we bring with our vote in supporting this resolution, but they need our respect, and our admiration each and every day as they are out there protecting our country, our children, and the future of our grandchildren.

Mr. CARNEY. Mr. Speaker, I continue to reserve the balance of my time.

Mr. BILIRAKIS. Mr. Speaker, I yield such 3 minutes to the gentleman from Texas (Mr. POE).

Mr. POE. Mr. Speaker, I too support the efforts of the men and women who work in Homeland Security. As a former judge in Texas for over 20 years, I appreciate all of those in our country who are in law enforcement. But I was disappointed and concerned to hear that this department who is tasked with protecting our Nation's borders, ports, and other critical infrastructure is ranked dead last in employee attitude and morale of all 36 Federal departments surveyed.

To me it reflects the poor and often ambiguous leadership and policies at the top of the department, and I hope Congress can work together to correct this and correct it soon before someone does harm to our Nation.

Mr. Speaker, let me provide a couple of absurd examples of maybe the reason why those who are working at the Department of Homeland Security are so frustrated. Three years ago this Saturday, a couple of our border agents witnessed a drug smuggler illegally entering our country, bringing a million dollars worth of drugs.

They order the perpetrator to stop, he doesn't, the agents pursue the suspect, a scuffle ensues and shots are fired. Mr. Speaker, a different kind of environment exists on our Nation's border in the fight against drug smugglers, human traffickers, and terrorists. These two border agents, Ramos and Compean entered the Border Patrol and were trained with the sole duty of protecting Americans, you and me, and the sovereignty of this country.

Well, Mr. Speaker, these agents were not commended for their actions in preventing what turned out to be 700 pounds of marijuana from reaching the streets of America. No, they were prosecuted for it, convicted, and now sit in Federal prison for a decade for doing what they felt like was the right thing to do.

Our Federal Government made a deal with the drug smuggler, a back-room deal and let him loose to go after the border agents. No wonder there is low morale. You see, it is a violation of Border Patrol regulations to go after someone who is fleeing. The Border Patrol pursuit policy is unrealistic by prohibiting the pursuit of someone. This is ridiculous.

Also border agents cannot fire their weapon unless they are fired upon first. This is absurd. Now, some old Texas Ranger once said, No lawman should have to take a bullet before he can use his weapon. When border agents are approached by illegals carrying automatic weapons, they should not have to run away and retreat or be fired at before they stop the intrusion.

□ 1430

I guess this rule was conjured up by some bureaucrat up here in Washington, DC that has never been to the southern border, maybe conjured up for some political reasons.

Mr. Speaker, when we ask the border agents to protect the lawless and violent southern border, we need to give them clear rules of engagement to prevent the invasion into our Nation. We need to support them, and we need to let them know that Congress will support their actions.

Mr. CARNEY. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Texas (Mr. AL GREEN).

Mr. AL GREEN of Texas. Thank you, Congressman CARNEY, for bringing this important piece of legislation before the House.

Today, friends, we will honor and we will respect the fourth anniversary of the Department of Homeland Security. In so doing, we understand that it has been a rocky 4 years, but the importance of this mission of Homeland Security has only grown.

We must never forget the crucial mission of the Department of Homeland Security and that it cannot be fulfilled without the people who make up the Department of Homeland Security.

While there have been some difficult times, it is time for us to acknowledge that there are some good people working in the Department of Homeland Security. These people are heroes who work day and night keeping our country safe. They sacrifice their time. They are often away from their families, and they do a thankless job too often. So we are here today to say thank you, not only to those who are in the lofty offices and who hold high positions, but we are also here today to say thank you to those who sweep the floors, those who file the paperwork, those who answer the phones, those who are making a difference in the lives of Americans by making sure that while we are on their watch we are protected.

I want you to know that while the Department came in dead last with reference to job satisfaction for Federal employees, according to a recent OPM survey, and we know that this is unacceptable, they were dead last; but I believe that they can improve. I believe that they will do better. And I want to share my optimism because the Department of Homeland Security is a Department that every one of us is depending on who lives in the homeland. So the leadership in this Department must do better.

Congress today, I believe, stands with the rank and file employees of this Department, and we want everyone to do better, and we are here to support all of those many employees who are working hard for us.

So I ask today that my colleagues join me in supporting and in embracing this resolution for the Department of Homeland Security. They are making a difference in our lives.

The Department recently saw its fourth anniversary. It has been a rocky 4 years, but the importance of its mission has only grown.

We must never forget that the crucial mission of the Department cannot be fulfilled without the people who make it up. .

These heroes work day and night keeping our country safe, sacrificing time with their families, doing often thankless jobs. We are here today to thank them.

The Department came in last in the recent OPM survey of job satisfaction of Federal employees. This is unacceptable. The Department's leadership must do better; it must listen to the people on the front lines.

Congress stands with these rank-and-file employees. We will do our part to see that the Department does better by them.

We have criticized the Department's management and decisions in the past, but no one should mistake this for criticism of the men and women on the front lines, day after day.

Please join me in honoring these everyday heroes.

Mr. THOMPSON of Mississippi. Mr. Speaker, it is my pleasure to be here today to honor the employees of the Department of Homeland Security. Four years ago the Department came into being with the crucial mission of protecting and securing our homeland.

It has been a tough 4 years, and the importance of this mission has only grown with time. If you watch the news, you hear all the acronyms for the different parts of the Department—DHS, CBP, FEMA, ICE, FPS, TSA, and the list goes on.

I fear that this alphabet soup may hide the faces of the people who make up the many pieces of the Department. But the vital mission of these different components cannot be fulfilled without the people who make them up. For example, the U.S. Secret Service does not protect the President—Secret Service Agents protect the President. United States Customs and Border Protection does not protect our ports of entry, Customs and Border Protection officers do that.

The Border Patrol does not guard our border, Border Patrol Agents guard the border. The Coast Guard does not watch our shores and rescue our citizens, Coast Guard men and women do. I could go on, but the point is the same: It is not the "Department" that gives up family time to help secure our Nation. It is not the "Department" that works nights, weekends, and holidays. It is not the "Department" that puts its life on the line. It is the people of the Department who make these sacrifices.

Let's not forget that these everyday heroes I just mentioned can't do their jobs without the support personnel in their agencies and Directorates—the contracting officers, administrative assistants, technical support teams, financial managers, and many more. While these folks don't always get the best support and guidance from their management, that in no way diminishes their efforts and sacrifices. It pained me to see the recent Office of Personnel Management survey, in which the Department ranks last in terms of job satisfaction. For the sake of its employees—and for the security of our Nation—the Department's management must do better. I have been critical of the Department's management and some of its decisions in the past, and I'm sure I will be in the future. But no one should mistake my occasional criticism of the way this Department has been run with criticism for the fine men and women who are on the front lines, day after day. I pledge to the employees of the Department that the Committee on Homeland Security will not ignore this problem. We will do our part to see that things improve. We will work with the management of the Department when we can—but we will also give them a gentle push in the right direction when we need to. As Chairman of the Committee on Homeland Security, it is an honor for me to stand here today in support of this resolution. This Nation must never forget the lessons of 9/11 and Katrina. And it must never take for granted the men and women who go out every day with one purpose: to do their best, in ways small and large, to keep us all safe. I urge all the Members of the House to join me in honoring these everyday heroes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of H. Res. 134, to recognize the employees of the Department of Homeland Security for their efforts and contributions to protect and secure the Nation.

The Department of Homeland Security is critical in ensuring our great nation's preparation for future terrorist threats and attacks. Its employees step beyond the ordinary call of duty and tirelessly help to prepare our Nation to counter acts of terrorism, natural disasters, and other emergencies.

After the events of September 11, 2001 the American people became painfully aware of the difference between feeling secure and actually being secure. The president responded to the need for development and implementation of a comprehensive national strategy to secure the U.S. from terrorist threats or attacks and thus on November 25, 2002 with the largest government reorganization in 50 years, DHS was established.

More than 208,000 employees of the Department work with state, local and tribal partners to ensure disaster preparedness at all levels of government while sacrificing their invaluable time with their family and working long hours to stand willing, able, and ready to respond if catastrophe strikes.

The Homeland Security Department's employees not only stand vigilant and steadfast against terrorist attacks but fulfill the mission of the department to protect continuously our Nation's borders, airport, seaports, rail lines, and other transit systems.

While it is fitting and appropriate to recognize the contributions of DHS employees, Mr. Speaker, it is also necessary to recognize that this Administration continues to deny labor rights to some of the most vital workers in the Transportation Security Administration—the TSA Screeners. Hiding behind the argument and the rhetoric that it needs a flexible security screening force, the Bush Administration continues to equate basic collective bargaining rights with a lack of patriotism. That is, the Administration is operating under the mistaken belief that allowing employees to collectively bargain for rights that others at DHS have will negatively impact homeland security. This is simply untrue.

If the Administration's argument were true, then this means that the law enforcement officers at the Border Patrol, Customs and Border Protection, and the Federal Protective Services are all negatively impacting homeland security—since these brave men and women have collective bargaining rights. And, despite having these rights, these folks are part of a flexible and highly sought after human resource, just like the TSA Screeners. So, as we honor all DHS employees, Mr. Speaker, let us not forget that we must do more to make DHS a fair and equitable place to work.

I thank Congressmen CARNEY and BILIRAKIS for managing this important bipartisan legislation and I strongly urge my colleagues to stand together to commend, applaud and commemorate the employees of the DHS. Their important duties extend beyond the ordinary. They protect our homeland and our people.

DHS employees have sacrificed and worked tirelessly to safely protect us not only from terrorist attacks but our borders as well as our airports, seaports, rail lines, and other transit systems. For this, they deserve our gratitude.

Mrs. CHRISTENSEN. Mr. Speaker, I rise today in support of H. Res. 134, recognizing and honoring the employees of the Department of Homeland Security for their efforts and contributions to protect and secure the

Nation. I would like to commend my colleagues, Congressman CARNEY and Congressman BILIRAKIS for their leadership in bringing this resolution to the floor today.

As an original member of the Committee on Homeland Security, I know firsthand the many challenges within the Department of Homeland Security. Last week, the committee conducted hearings on the status and budget of the agency. A concern that was expressed by a majority, if not all members of the committee, was the issue of employee moral at the agency. We know that it has not been easy to withstand and respond to the harsh and constant criticism resulting from the aftermath of 911 and other disasters that followed.

But, today, I would like to take this opportunity to recognize all of the DHS employees, especially those within FEMA who have had to bear the brunt of criticisms post-Katrina. Although this committee has conducted oversight hearings to address these criticisms, we also recognize and know firsthand all the good work that they do. In addition to supporting all that H. Res. 134 provides, I would also like to add that as the members of this committee begin the appropriation process, we will do everything possible to make sure that they have the resources they need to continue to effectively and efficiently get their job done.

Congratulations to the Department of Homeland Security on their fourth anniversary.

Mr. CARNEY. Mr. Speaker, I would inquire as to whether the gentleman from Florida has any more speakers.

Mr. BILIRAKIS. Mr. Speaker, I do not.

Mr. CARNEY. Mr. Speaker, I urge my colleagues to vote "aye" on House Resolution 134.

I yield back the balance of my time.

Mr. BILIRAKIS. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. CARNEY) that the House suspend the rules and agree to the resolution, H. Res. 134.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. CARNEY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.

ESTABLISHING A PILOT PROGRAM IN CERTAIN DISTRICT COURTS TO ENCOURAGE ENHANCEMENT OF EXPERTISE IN PATENT CASES AMONG DISTRICT JUDGES

Mr. BERMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 34) to establish a pilot program in certain United States district courts to encourage enhancement of expertise in patent cases among district judges.

The Clerk read as follows:

H.R. 34

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PILOT PROGRAM IN CERTAIN DISTRICT COURTS.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established a program, in each of the United States district courts designated under subsection (b), under which—

(A) those district judges of that district court who request to hear cases under which one or more issues arising under any Act of Congress relating to patents or plant variety protection must be decided, are designated by the chief judge of the court to hear those cases;

(B) cases described in subparagraph (A) are randomly assigned to the judges of the district court, regardless of whether the judges are designated under subparagraph (A);

(C) a judge not designated under subparagraph (A) to whom a case is assigned under subparagraph (B) may decline to accept the case; and

(D) a case declined under subparagraph (C) is randomly reassigned to one of those judges of the court designated under subparagraph (A).

(2) SENIOR JUDGES.—Senior judges of a district court may be designated under paragraph (1)(A) if at least 1 judge of the court in regular active service is also so designated.

(3) RIGHT TO TRANSFER CASES PRESERVED.—This section shall not be construed to limit the ability of a judge to request the reassignment of or otherwise transfer a case to which the judge is assigned under this section, in accordance with otherwise applicable rules of the court.

(b) DESIGNATION.—The Director of the Administrative Office of the United States Courts shall, not later than 6 months after the date of the enactment of this Act, designate not less than 5 United States district courts, in at least 3 different judicial circuits, in which the program established under subsection (a) will be carried out. The Director shall make such designation from among the 15 district courts in which the largest number of patent and plant variety protection cases were filed in the most recent calendar year that has ended, except that the Director may only designate a court in which—

(1) at least 10 district judges are authorized to be appointed by the President, whether under section 133(a) of title 28, United States Code, or on a temporary basis under other provisions of law; and

(2) at least 3 judges of the court have made the request under subsection (a)(1)(A).

(c) DURATION.—The program established under subsection (a) shall terminate 10 years after the end of the 6-month period described in subsection (b).

(d) APPLICABILITY.—The program established under subsection (a) shall apply in a district court designated under subsection (b) only to cases commenced on or after the date of such designation.

(e) REPORTING TO CONGRESS.—

(1) IN GENERAL.—At the times specified in paragraph (2), the Director of the Administrative Office of the United States Courts, in consultation with the chief judge of each of the district courts designated under subsection (b) and the Director of the Federal Judicial Center, shall submit to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate a report on the pilot program established under subsection (a). The report shall include—

(A) an analysis of the extent to which the program has succeeded in developing expertise in patent and plant variety protection cases among the district judges of the district courts so designated;

(B) an analysis of the extent to which the program has improved the efficiency of the courts involved by reason of such expertise;

(C) with respect to patent cases handled by the judges designated pursuant to subsection (a)(1)(A) and judges not so designated, a comparison between the 2 groups of judges with respect to—

(i) the rate of reversal by the Court of Appeals for the Federal Circuit, of such cases on the issues of claim construction and substantive patent law; and

(ii) the period of time elapsed from the date on which a case is filed to the date on which trial begins or summary judgment is entered;

(D) a discussion of any evidence indicating that litigants select certain of the judicial districts designated under subsection (b) in an attempt to ensure a given outcome; and

(E) an analysis of whether the pilot program should be extended to other district courts, or should be made permanent and apply to all district courts.

(2) TIMETABLE FOR REPORTS.—The times referred to in paragraph (1) are—

(A) not later than the date that is 5 years and 3 months after the end of the 6-month period described in subsection (b); and

(B) not later than 5 years after the date described in subparagraph (A).

(3) PERIODIC REPORTING.—The Director of the Administrative Office of the United States Courts, in consultation with the chief judge of each of the district courts designated under subsection (b) and the Director of the Federal Judicial Center, shall keep the committees referred to in paragraph (1) informed, on a periodic basis while the pilot program is in effect, with respect to the matters referred to in subparagraphs (A) through (E) of paragraph (1).

(f) AUTHORIZATION FOR TRAINING AND CLERKSHIPS.—In addition to any other funds made available to carry out this section, there is authorized to be appropriated not less than $5,000,000 in each fiscal year for—

(1) educational and professional development of those district judges designated under subsection (a)(1)(A) in matters relating to patents and plant variety protection; and

(2) compensation of law clerks with expertise in technical matters arising in patent and plant variety protection cases, to be appointed by the courts designated under subsection (b) to assist those courts in such cases.

Amounts made available pursuant to this subsection shall remain available until expended.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. BERMAN) and the gentleman from Texas (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentleman from California.

Mr. BERMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 34 and ask my colleagues to join me in voting to pass this legislation. Last Congress, an identical bill passed unanimously through the Judiciary Committee and then passed by voice vote on suspension on the House floor.

Patents are the cornerstone of our economy and provide incentives for innovation. Therefore, it is all the more important to continually assess the effect patent litigation has on the preservation of patent quality and intellectual property rights.

H.R. 34 authorizes the Administrative Office of the United States Courts to establish pilot programs in the United States district courts where the most patent cases are filed. At minimum, five courts, spread over at least three circuits, will take part. To qualify, a court must have at least 10 judges, and at least three judges must request to take part in that program in each of the districts.

The chief judge randomly assigns the patent cases. Should that judge, who is assigned the case, decline that assignment, one of the several judges who has opted to take part in the pilot program receives the case. Further, H.R. 34 requires the Director of the Administrative Office of the United States Courts to report to Congress on the pilot program's success in developing judicial expertise in patent law and authorizes funds to increase both judges' familiarity with patent law and provide additional funding for clerks.

Patent law is an extremely complex body of law involving analysis of intricate technologies, and Federal district court judges spend an inordinate amount of time on patent cases, even though patent cases only make up 1 percent of the docket. The combination of the complex science and technology, the unique patent procedures and laws, the administration of the courts and their dockets, and the sheer number of issues raised by patent litigation makes improvement of the patent adjudication system a uniquely complicated, difficult, but necessary, task.

The impetus behind this bill, in part, is the high reversal rate of district court decisions. The Federal Circuit Court of Appeals, which has exclusive jurisdiction over patent appeals, reverses over 30 percent of the district court patent claim constructions. Critics assert that the high reversal rate is due to judicial inexperience and misunderstanding of patent law. The pilot program we are proposing here would address this problem by increasing judicial familiarity with patent law and providing funds to pay additional clerks to assist with patent cases.

The Administrative Office of the United States Courts had concerns about the effect of the pilot program on randomness of assignments. Therefore, in an amended version of the bill, we address this issue by only allowing the district courts with a large enough pool of judges to participate in the pilot program. As a result of this change, at least three judges will take part in the program to ensure that the selection of a certain court does not mean the selection of a certain judge.

Therefore, as the pilot program increases the expertise of judges who opt into the program, it also ensures that the selection of a certain district court is not outcome-determinative, and thus it does deter forum shopping.

While recent accounts demonstrate that as time passes Federal district court judges are becoming more proficient at the application of patent claim construction rules, and while reversal rates are coming down, judicial inexperience in patent law still frequently gives weak, untested and presumptively valid patents the same kind of protection previously reserved for strong and judicially tested patents.

As the importance of intellectual property continues to grow in our economy, we can expect that the Federal courts will spend even more time on patent cases. Thus, we must act now to improve the timeliness and quality of their decisions.

A patent program, combined with a study of its results, serves as a valuable tool in assessing the ability of the courts to become more knowledgeable about the specific laws and technologies involved in patent cases. By providing extra resources and fostering judicial experience in patent law, we can lower the reversal rate of district court decisions and ensure that invalid patents do not receive protections.

Questions have arisen about why the legislation is necessary. All Federal district judges should already be striving, obviously, to enhance their knowledge of patent law through extra classes and training. I want to make clear, this bill does not serve as a cushion for judges who shy away from patent law. Instead, H.R. 34 will assess the benefits of the channeling of patent cases towards judges with greater interest and expertise in patent law and determine whether the program improves patent quality and expedites the adjudication process. This bill is only a pilot program.

Patent quality has been a long-time priority of mine, and I believe H.R. 34 is a first step to resolving some of the deficiencies in the patent system. But this in no way substitutes for comprehensive overhaul of the patent system designed to ensure that innovation is not at risk in the 21st century. By increasing judicial expertise in patent law, H.R. 34 should ultimately improve both patent quality and the litigation process.

As I mentioned previously, this bill has the full support of the Judiciary Committee and many industries and trade groups, including the pharmaceutical, technology, biotech and consumer electronics industries and intellectual property owners and other intellectual property organizations.

I encourage my colleagues to join me in supporting H.R. 34.

Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it is widely recognized that patent litigation is too expensive, too time consuming, and too unpredictable. H.R. 34 addresses these concerns by authorizing the establishment of a pilot program in certain United States district courts that is intended to encourage the enhancement of expertise in patent cases among district judges.

The need for such a program becomes apparent when one considers that fewer than 1 percent of all cases in U.S. district courts, on average, are patent cases and that a district court judge typically has a patent case proceed through trial only once every 7 years. These cases require a disproportionate share of attention and judicial resources, and the rate of reversal remains unacceptably high.

The premise underlying H.R. 34 is simple. Practice makes perfect, or at least better. Judges who focus more attention on patent cases can be expected to be better prepared and make decisions that will hold up under appeal.

This bill is the product of an extensive oversight hearing which was conducted by the Subcommittee on Courts, the Internet and Intellectual Property in October 2005. The authors of H.R. 34, Representatives DARRELL ISSA and ADAM SCHIFF, introduced this measure on January 4, 2007. This legislation is identical to H.R. 5418, a bill that passed the House unanimously last September. Unfortunately, the clock on the 109th Congress expired before the other body could take up this bipartisan measure.

Mr. Speaker, H.R. 34 will require the Director of the Administrative Office of the Courts to select five district courts to participate in a 10-year pilot program that is to begin no later than 6 months after the date of enactment.

The bill specifies criteria the director must employ in determining eligibility of districts. It contains provisions to preserve the random assignment of cases and to prevent the selected districts from becoming magnets for forum shopping litigants.

The legislation also requires the director, in consultation with the director of the Federal Judicial Center and the chief judge of each participating district, to provide the Committees on the Judiciary of the House of Representatives and the Senate with periodic progress reports.

Before closing, Mr. Speaker, I want to commend the superb job that the bill's sponsors did in seeking out and incorporating the advice of numerous experts as they developed this bipartisan legislation. Congratulations go to Congressmen DARRELL ISSA and ADAM SCHIFF. Their success and cooperation have resulted in a worthy bill that deserves the support of the Members of the House.

Mr. Speaker, I urge all Members to support this bill.

Mr. Speaker, I reserve the balance of my time.

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Mr. BERMAN. Mr. Speaker, I yield myself 30 seconds.

I simply join with my friend the ranking member in complimenting both the gentleman from California (Mr. ISSA) and the other gentleman from California (Mr. SCHIFF).

If one could patent all of Mr. ISSA's ideas, the Patent Office would truly be backlogged for a very long time.

Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield 5 minutes to the gentleman from North Carolina (Mr. COBLE), the ranking member of the Intellectual Property Subcommittee and a former chairman of the Intellectual Property Subcommittee.

Mr. COBLE. Mr. Speaker, I thank the distinguished gentleman from Texas for yielding.

And I probably won't use 5 minutes, but, Mr. Speaker, H.R. 34, a bill to establish a pilot program in certain United States district courts to encourage enhancement of expertise in patent cases among district judges, is a bill that deserves the continued support of the Members of the House. As has been indicated both by Mr. BERMAN and Mr. SMITH, drafted by Representatives ISSA and SCHIFF, this bipartisan legislation was passed unanimously by the House last year, but due to the press of time the other body did not consider the measure. With House action early in this Congress, we will be able to ensure our colleagues on the other side of the Hill have maximum opportunity to fully and fairly consider this legislation.

Mr. Speaker, it is no secret that our Nation's patent laws have become the subject of much scrutiny and debate. Indeed, Judiciary Committee Ranking Member LAMAR SMITH and the chairman of the Intellectual Property Subcommittee, Representative HOWARD BERMAN, with whom I look forward to working this Congress, have been leaders in developing substantive and comprehensive reforms to our Nation's patent system. The further consideration of these proposals is the IP Subcommittee's highest priority this Congress. I am encouraged and hopeful that we will be able to look back at the end of the 110th Congress satisfied that we ran the course and completed this important task.

But there is related work this House can complete immediately that will serve as a step in the right direction. By passing H.R. 34, a commonsense and narrowly tailored measure that will provide designated Federal district judges the opportunity to improve their expertise in the handling of patent cases, the House will be taking an early, positive first step along the road to comprehensive patent reform.

Mr. Speaker, a typical Federal district judge may preside over no more than three or four, five at the most, patent cases which are litigated to conclusion during the course of his or her career. Patent cases comprise only 1 percent of cases filed in Federal court, yet they make up nearly 10 percent of complex cases. The timely and appropriate resolution of these cases is vital to uphold the rights of individual litigants. But it also serves the larger interests of consumers and the economy.

Patent litigation, Mr. Speaker, is characterized by disputes that involve the interaction of numerous parties, the integration of sophisticated technologies, and the application of technical aspects of substantive patent law by judges who are rarely presented with such cases.

Mr. Speaker, H.R. 34 is a modest bill that will enable a small number of these district judges to be designated to gain additional experience and resources in handling these cases, the outcome of which is so crucial to our economy.

This legislation also includes safeguards to prevent these districts from being used to promote "forum shopping" as well as provisions to ensure that the Congress is provided with useful periodic reports on the progress of this new initiative.

Again, I thank the distinguished gentleman from California (Mr. BERMAN), the distinguished gentleman from Texas (Mr. SMITH), and Representatives SCHIFF and ISSA for their work.

GENERAL LEAVE

Mr. BERMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on H.R. 34.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BERMAN. Mr. Speaker, I have no further requests for time, and I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. ISSA), a member of the Intellectual Property Subcommittee and one of the two principal sponsors of this very worthy legislation.

Mr. ISSA. Mr. Speaker, there are few things in this body that truly transcend party lines. The respect for the Constitution and our obligations under it clearly are the most important among them.

The Constitution makes it clear that inventors and authors and artisans are entitled to protection for a limited period of time under the Constitution. And yet, if it takes years to get through a patent case and only to have it reversed 30 to 40 percent of the time, much more often if it is a first-time case before a Federal judge, then justice is not only delayed but in some cases denied if you don't have the ability, after paying maybe $2 million, to pay another $2 million to go through the appeal process. Therefore, it is essential at the district court that the judges get it right the first time.

Under the Markman decision, a Federal judge must decide what the patent means. It is incredibly technical often to decide what 5,000 claims, sometimes looking thicker than the Bible and the Koran put together, really mean; and yet that is an obligation of the judge. Those obligations may be in the areas of mechanical engineering, electrical engineering. It could be chemical. It could be bio. It could be so technical as to require outside experts just to decipher some of the language. And yet we ask a Federal judge, most often the one who has just ascended to the bench, to take on these patent cases. This bill is designed to reduce the times in which the most complex cases get before the least prepared and sometimes even the least willing Federal judges.

It also is an example of something that has been used in other ways, but appropriate here: a theory that you must mend it, not end it. We have an obligation, and the Federal courts with us have an obligation, to deal with intellectual property properly because it is a right under the Constitution, and yet it is broken. My colleagues, Mr. SCHIFF as the cosponsor but, more broadly, Ranking Member SMITH have been supportive. The now chairman of the subcommittee, Mr. BERMAN, helped all along the way. Mr. CONYERS has been supportive, both in the last Congress and this Congress, in getting this bill out; and Senator LEAHY and Senator FEINSTEIN are working on the Senate side for a counterpart.

This type of legislation is narrowly crafted but deals with the exact problems we are facing. Let me just give you one example, Mr. Speaker. Most Americans understand in the last Congress the RIM or BlackBerry case, a case in which for years the litigation continued on and we were dealing with over half a billion dollars of final damages. Reversal after reversal, decision and indecision. That shouldn't happen when we are dealing with billions of dollars.

This legislation seeks to spend only $5 million a year to check out the feasibility of what would probably be only $50 or $60 million in total a year to make our Federal courts able to deal with what turns out to be tens or hundreds of billions of dollars of commerce.

Therefore, I hope that because we pass this early and, I trust, unanimously once again, that we will be able to deal with the Senate, bring this to the President's desk, and begin working with the courts to implement it.

Last but not least, an unusual "thank you." Justice Breyer was a major part of this discussion from the earliest stages, and as somebody who, while as a Senate staffer, was considered to be the father of the Fed circuit, his opinion that there needed to be a fix in the district court so as not to have to take from the district courts the very jurisdiction that we speak of here today, was crucial to the development of this bill.

I thank my colleagues on both sides of the aisle for this bipartisan support.

Mr. Speaker, I rise today in support of H.R. 34, a bill to establish a pilot program in certain United States district courts to encourage enhancement of expertise in patent cases among district judges. Congressman ADAM SCHIFF and I have worked together on this legislation since the last Congress, and I am grateful for the chance to move this legislation forward today.

The high cost of patent litigation is widely publicized, and it is not unusual for a patent suit to cost each party over $10,000,000. Appeals from district courts to the Court of Appeals for the Federal Circuit are frequent. This is caused, in part, by the general perception within the patent community that most district court judges are not sufficiently prepared to hear patent cases. I drafted this legislation in an attempt to decrease the cost of litigation by increasing the success of district court judges.

H.R. 34 establishes a pilot project within at least five district courts. Under the pilot, judges decide whether or not to opt into hearing patent cases. If a judge opts in, and a patent case is randomly assigned to that judge, that judge keeps the case. If a case is randomly assigned to a judge who has not opted into hearing patent cases, that judge has the choice of keeping that case or sending it to the group of judges who have opted in. To be a designated court, the court must have at least 10 authorized judges with at least 3 opting in.

The core intent of this pilot is to steer patent cases to judges that have the desire and aptitude to hear patent cases, while preserving random assignment as much as possible. Each of the test courts will be assigned a clerk with expertise in patent law or the scientific issues arising in patent cases, and funding is also allocated to better educate participating judges in patent law. The pilot will last no longer than 10 years, and periodic studies will occur to determine the pilot project's success.

I am happy to say that H.R. 34 is supported by software, hardware, tech and electronics companies, pharmaceutical companies, biotech companies, district court judges, the American Intellectual Property Law Association, and the Intellectual Property Owners Association among others.

This legislation is a good first step toward improving the legal environment for the patent community in the United States. H.R. 34 should not, however, be taken as a replacement for broader patent reform. We still need to address substantive issues within patent law, and I look forward to working with my colleagues on that broader effort as well.

I thank Judiciary Committee Chairman JOHN CONYERS and Ranking Member LAMAR SMITH, as well as Intellectual Property Subcommittee Chairman HOWARD BERMAN and Subcommittee Ranking Member HOWARD COBLE for all of their efforts in moving this legislation. I also thank Committee staff David Whitney and Shanna Winters for their counsel during the development of H.R. 34.

I encourage all of my colleagues to support H.R. 34.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise to support of H.R. 34, which authorizes a new 10-year pilot program designed to increase judges' expertise in presiding over patent cases. Under the new pilot program, district judges could request to hear cases relating to patent law or plant variety protection. Currently, cases in Federal district courts are assigned randomly. Under the measure, if one judge declines to hear a patent case, the case could be reassigned to one of the judges in the pilot program who has requested to hear such cases.

The bill directs the Administrative Office of the Courts, within six months of enactment, to designate at least five courts in at least three different judicial circuits in which the pilot program would be conducted. It requires that these districts for the pilot program be chosen from the 15 districts that have had the largest number of patent and plant variety protection cases filed within the past year, and that the pilot program is conducted in districts in which at least three judges will participate. It also requires the administrative Office of the Courts to submit periodic reports to the Committee on the Judiciary for the House and the Senate regarding the effectiveness of the pilot program.

Mr. Speaker, H.R. 34 enjoys strong bipartisan support in the Judiciary Committee. I urge my colleagues to support this pilot program.

Mr. SMITH of Texas. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. BERMAN. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. BERMAN) that the House suspend the rules and pass the bill, H.R. 34.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

HONORING AND PRAISING THE NAACP ON THE OCCASION OF ITS 98TH ANNIVERSARY

Mr. BERMAN. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 44) honoring and praising the National Association for the Advancement of Colored People on the occasion of its 98th anniversary.

The Clerk read as follows:

H. CON. RES. 44

Whereas the National Association for the Advancement of Colored People (NAACP), originally known as the National Negro Committee, was founded in New York City on February 12, 1909, the centennial of Abraham Lincoln's birth, by a multiracial group of activists who answered "The Call" for a national conference to discuss the civil and political rights of African Americans;

Whereas the National Association for the Advancement of Colored People was founded by a distinguished group of leaders in the struggle for civil and political liberty, including Ida Wells-Barnett, W.E.B. DuBois, Henry Moscowitz, Mary White Ovington, Oswald Garrison Villiard, and William English Walling;

Whereas the NAACP is the oldest and largest civil rights organization in the United States;

Whereas the mission of the NAACP is to ensure the political, educational, social, and economic equality of rights of all persons and to eliminate racial hatred and racial discrimination;

Whereas the NAACP is committed to achieving its goals through nonviolence;

Whereas the NAACP advances its mission through reliance upon the press, the petition, the ballot, and the courts, and has been persistent in the use of legal and moral persuasion, even in the face of overt and violent racial hostility;

Whereas the NAACP has used political pressure, marches, demonstrations, and effective lobbying to serve as the voice, as well as the shield, for minority Americans;

Whereas after years of fighting segregation in public schools, the NAACP, under the leadership of Special Counsel Thurgood Marshall, won one of its greatest legal victories in the Supreme Court's 1954 decision in Brown v. Board of Education;

Whereas in 1955, NAACP member Rosa Parks was arrested and fined for refusing to give up her seat on a segregated bus in Montgomery, Alabama—an act of courage that would serve as the catalyst for the largest grassroots civil rights movement in the history of the United States;

Whereas the NAACP was prominent in lobbying for the passage of the Civil Rights Acts of 1957, 1960, and 1964, the Voting Rights Act of 1965, the Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006, and the Fair Housing Act, laws which ensured Government protection for legal victories achieved; and

Whereas in 2005, the National Association for the Advancement of Colored People launched the Disaster Relief Fund to help survivors in Louisiana, Mississippi, Texas, Florida, and Alabama to rebuild their lives: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) recognizes the 98th anniversary of the historic founding of the National Association for the Advancement of Colored People; and

(2) honors and praises the National Association for the Advancement of Colored People on the occasion of its anniversary for its work to ensure the political, educational, social, and economic equality of all persons.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. BERMAN) and the gentleman from Texas (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. BERMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on H. Con. Res. 44.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BERMAN. Mr. Speaker, I yield myself such time as I may consume.

Today I rise to join my colleague AL GREEN of Texas in honoring the National Association for the Advancement of Colored People, the NAACP, on its 98th anniversary. As we observe Black History Month this February, it is only appropriate that we recognize the Nation's oldest and largest civil rights organization. Ninety-eight years after its inception, we salute the NAACP for its continued commitment to promoting equality and justice for all Americans.

The NAACP has been at the forefront of every brave and courageous moment in this Nation's civil rights history. This was particularly evident during the height of the Civil Rights Movement. In 1954 the NAACP secured one of the greatest legal victories with the Brown v. Board of Education decision. In 1960 the NAACP Youth Council organized a series of sit-ins at lunch counters throughout the country, an activity which I think for many of us, I know for myself, helped to pique and motivate our interest in the ability of politics and movement to make change on behalf of people. And in 1965 the NAACP successfully sought enactment of the Voting Rights Act.

Today the NAACP priorities continue to "ensure the political, educational, social, and economic equality of rights of all persons," as its mission statement reads. Last year the NAACP addressed such issues as voter disenfranchisement, HIV/AIDS, and the conflict in Sudan. In 2007 the organization continues to confront these and other domestic and international concerns. Most recently, the NAACP supported Congress' efforts to increase the minimum wage.

We in this body congratulate the NAACP for this work and their continued efforts to protect the civil and human rights of our citizens. On its 98th anniversary, the NAACP remains an integral and essential part of this society. We salute the NAACP on this significant occasion.

Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I support House Concurrent Resolution 44, which recognizes the 98th anniversary of the NAACP.

For almost a century, the NAACP has fought to bring justice and racial equality to all parts of America. In 1917 the NAACP won a legal victory in the Supreme Court which held that States could not restrict and officially segregate African Americans into residential areas. The same year the NAACP fought for the right for African Americans to be commissioned as officers in World War I. In 1920 the NAACP held its annual conference in Atlanta, which at the time was one of the most active areas for the Ku Klux Klan. As a result, the NAACP showed the world it would not be intimidated by racial violence.

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In 1935, NAACP lawyers Charles Houston and Thurgood Marshall won a legal battle to admit a black student to the University of Maryland.

During World War II, the NAACP led the effort that resulted in President Franklin Roosevelt's ordering a nondiscrimination policy in war-related industries and Federal employment.

And in 1948, the NAACP convinced President Harry Truman to sign an executive order banning discrimination by the Federal Government.

In 1954, under the leadership of Special Counsel Thurgood Marshall, the NAACP won one of the greatest legal victories in Brown v. Board of Education.

In 1960, in Greensboro, North Carolina, members of the NAACP Youth Council launched a series of nonviolent sit-ins at segregated lunch counters. The segregation ended, and all Americans could finally break bread together.

The history of America's modern struggle to live up to our constitutional principles was often written by the NAACP, and it continues to champion the cause of social justice today. The NAACP has served as the voice of those who were mute with fear. It has served as a key for those who were handcuffed and jailed under segregationist policies. And it carried the weight for those whose backs were broken by brutal beatings. It did so peacefully, and with dignity; and, as a result, America can hold its head higher.

It is with great pleasure that I support this concurrent resolution, which I hope raises even higher the awareness of this organization's historic contributions to the cause of civil rights.

Mr. Speaker, I yield the balance of my time to the gentleman from Texas (Mr. ISSA), and would ask unanimous consent that he be allowed to control said time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BERMAN. Mr. Speaker, I am pleased to yield 6 minutes to the sponsor of the resolution, the distinguished gentleman from Texas (Mr. AL GREEN).

Mr. AL GREEN of Texas. Mr. Speaker, thanks to the subcommittee chairman, Congressman HOWARD BERMAN. I thank you much for the many things that you have done.

Mr. Speaker, I also think it appropriate to thank today chairman JOHN CONYERS of the Judiciary Committee for assisting in this and causing this piece of legislation to move forward quickly. I thank Senator HILLARY CLINTON and the more than 20 cosponsors in the United States Senate.

My understanding is that companion legislation will be filed there today. We would like to thank the 117 cosponsors in the U.S. House of Representatives, all of whom believe that this legislation is exceedingly important. And, of course, I would like to thank last year's cosponsor with me, the ranking member of the Judiciary Committee, Congressman JAMES SENSENBRENNER.

Mr. Speaker, there are many organizations that have endorsed this legislation: the American Jewish Committee; the ADL, the Anti-Defamation League; LULAC, the League of United Latin American Citizens; and NCLR, the National Council of La Raza.

Today, H. Con. Res. 44 honors the NAACP for 98 years of service to America. Mr. Speaker, that is 98 years of upholding the constitutional notion of government of the people, by the people, and for the people. That is 98 years of standing on the Declaration of Independence and the premise that all persons are created equal; 98 years, Mr. Speaker, of saluting the proposition in the Pledge of Allegiance that we are indeed one Nation, with liberty and justice for all.

I thank God, Mr. Speaker, for the NAACP and those brave souls who assembled 98 years ago today on February 12, 1909, a group of people who met to fight for the rights of black people. They were an integrated group, both black and white, who believed in the Constitution of the United States of America.

And while we must remember that the NAACP was founded to make democracy work for black people, we shouldn't forget that it was Mary White Ovington, a white woman, who is said to have hosted the founders meeting. And we shouldn't forget that she did this in response to William English Walling, a white man who wrote an article asking citizens to rally in support of African Americans.

We don't forget in the NAACP, and we should never forget, the fact that this organization has never been a black-only organization. So, today, I salute the NAACP-ers, current and those who have gone on for their great work in this great country. I want to salute them by remembering those who are black, but I also pledge that we will never forget those who are white.

So as we remember Dr. Louis T. Wright, who in 1935 became the first black NAACP board Chair, we should not forget Oswald Garrison Villard, the white man who in 1911 became the very first Chair of the board of the NAACP. You see, there were two white NAACP board Chairs, Oswald Villard and Joel Spingarn, before we had a black NAACP board Chair.

And I believe we should remember James Weldon Johnson. He was the first black executive secretary and director of the NAACP. However, we should never forget Francis Blascon and Mary White Ovington, along with Mary Nurney and Royall Nash, all of whom were white and served before James Weldon Johnson.

Let us remember the brilliant lawyer and Supreme Court Justice, Thurgood Marshall. However, we should not forget Arthur Spingarn, the white NAACP-er who donated large sums of money and raised even more money for the NAACP Legal Redress Committee. While Thurgood Marshall was a great litigator, and he was, we should never forget that the Spingarns were great donators and made it possible for a lot of the litigation to take place.

I will remember and I beg that we all remember Medgar Evers, the black NAACP field representative who was assassinated in his front yard in 1963. However, we shouldn't forget John R. Shillady, the white NAACP executive secretary, because he was beaten by a mob in Austin, Texas, and he never recovered.

Through the efforts of a multiracial, religiously diverse and ethnically inclusive group, the NAACP has made great contributions to our society: the passage of the Voting Rights Act; the passage of the Civil Rights Act; the Fair Housing Act of 1968; filed and won many lawsuits, including Brown v. Board of Education; Shelley v. Kraemer; and recently contributed millions of dollars to assist the Hurricane Katrina victims.

So today we can literally say we eat where we eat, we live where we live and we sleep where we sleep in part due to the NAACP, and we are grateful that they have been there for us.

Mr. Speaker, I beg that all of my colleagues will support this resolution.

Mr. ISSA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H. Con. Res. 44 is and should be about the NAACP, but it is also about a history of a struggle, not just the 98 years that the NAACP has been pushing and prodding this body, the courts and the executive branch for fairness for all people, all people in the United States, but for the history of this struggle. Whether it is the Marbury v. Madison decision, or the dreaded Dred Scott decision, the Court has had to be prodded by the public, the Congress has had to be prodded by the public, and, yes, just as with Harry S. Truman, the President has had to be prodded by the public. No organization in American history has sustained the consistent legacy of being an effective prod to the government greater than the NAACP.

So I join with my colleagues on a bipartisan and undoubtedly bicameral basis to celebrate this 98 years and the struggle that it represents.

Mr. SCOTT of Virginia. Mr. Speaker, I am honored to rise to congratulate the NAACP on its 98th Anniversary. As the Nation's oldest civil rights organization, the NAACP has for 98 years fought to ensure the political, educational, social and economic equality of all persons, so that all may share and participate in this country's great Democracy.

The NAACP was founded by a multiracial group of activists who answered "The Call" for a national conference to discuss the civil and political rights of African Americans. This conference was in response to the race riots that took place in Springfield, Illinois in the summer of 1908. Since that time, the NAACP has sought to ensure equal rights for all citizens and to eliminate race prejudice in the United States by working to improve the democratic process and by seeking the enactment and enforcement of laws that secure civil rights. The NAACP also acts as a watchdog and informs the public of the adverse effects of discrimination. The NAACP also educates the public about their constitutional rights, and when necessary, undertakes court cases to enforce and secure those rights.

The NAACP has a long and impressive history of activism and has contributed greatly to shaping America as we know it today. One of its first legislative initiatives was an anti-lynching campaign in the early 1900s. In the 1940s, the NAACP was influential in President Roosevelt's decision to issue an Executive Order prohibiting discrimination in contracts with the Department of Defense and in President Truman's decision to issue an Executive Order ending discrimination in the military. In the 1950s, the NAACP worked to bring an end to segregation in public schools; that work culminated in the case of Brown v. Board of Education. In the 1960s, the NAACP worked to raise support for the passage of the Civil Rights Act. In the 1970s, it helped expand voter participation through voter registration efforts. And the list goes on.

Today, the NAACP continues to eliminate race prejudice whenever it rears its ugly head. It continues to act as a watchdog to protect the civil rights of all people. And it educates the public about civil rights so that future generations will know tolerance and equality as the norm, rather than the exception.

I am proud to be a Diamond Life Member of the NAACP and to have served as a Branch President of the Newport News Chapter.

Mr. Speaker, I congratulate the NAACP on 98 years of service to our great country and its people, and I wish them another successful 98 years.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to honor the National Association for the Advancement of Colored People on its 98th Anniversary. In 1909 the founder of the NAACP came together with the purpose of promoting the rights guaranteed under the 13th, 14th, and 15th Amendments to the Constitution. Today, the NAACP works to ensure that all individuals have equal rights and to eradicate racial hatred and discrimination.

The NAACP has influenced some of the greatest civil rights victories of the last century, including: integration of schools and the Brown v. Board decision; the Voting Rights Act; striking down segregation; and the Equal Employment Opportunity Act.

Despite the advancements of the past 98 years under the leadership of the NAACP, there is still much work to be done. The NAACP continues to promote new ideas and leadership in the fields of educational and employment opportunities, ending health care disparities, and economic empowerment.

The NAACP instilled in America a sense of consciousness, and continues to do that today through the thousands of individuals who continue to fight for equality and justice.

Mr. CARDOZA. Mr. Speaker, it is with great pleasure that I rise today to pay tribute to the National Association for the Advancement of Colored People (NAACP) as we celebrate the 98th anniversary of their inception.

Since 1909, the NAACP has been a leader in advancing civil rights and has sought to remove all barriers of racial discrimination through their use of legal and moral persuasion.

This organization has provided communities around the United States with strong and passionate leaders who have fought for social change. Among these organizations, it is an honor to note that California is home to 72 branches and youth units, each providing inspiration to their respective communities.

As we celebrate the accomplishments of the NAACP, we must also honor the values upon which it was founded, for there is much work left to be done, and the same tireless dedication and clarity of purpose will be required to continue onward.

I commend the National Association for the Advancement of Colored People for being champions of social justice and for their tireless efforts for almost a century. I look forward to celebrating their centennial in two years.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of H. Con. Res. 44, which gives fitting honor and praise to the National Association for the Advancement of Colored People on the occasion of the 98th anniversary of its founding.

The NAACP is the oldest, largest, most historic and most influential civil rights organization in the United States. First organized in 1905, the group was known as the Niagara Movement when they began meeting at a hotel situated on the Canadian side of the Niagara Falls. They had to meet in Canada because American hotels in Niagara Falls were segregated. Under the leadership of the Harvard-educated scholar, the great W.E.B. DuBois, the group would later be known as the National Negro Committee before finally adopting the name by which it has been known for the last 98 years—the National Association for the Advancement of Colored People, or NAACP—at its second conference in 1910.

The first official meeting was held in 1909 exactly 98 years ago today: February 12, the centennial of the birth of President Abraham Lincoln. The mission of the association was clearly delineated in its charter:

To promote equality of rights and to eradicate caste or race prejudice among the citizens of the United States; to advance the interest of colored citizens; to secure for them impartial suffrage; and to increase their opportunities for securing justice in the courts, education for the children, employment according to their ability and complete equality before law.

For nearly a century, the NAACP has stayed true to its charter and championed the cause of justice and equality in America. It has fought valiantly and tirelessly on behalf of African Americans and others to secure their civil rights and liberties and the full measure of justice and equality for all.

At a time when African Americans were treated as second-class citizens and the scourge of slavery was still rampant, the NAACP emerged to ensure that the rights, interests and voices of African Americans did not go unheard.

As Chair for the Congressional Children's Caucus, I am especially concerned with fair access to quality education for today's youth. I am personally grateful to the NAACP for its leadership in winning the greatest legal victory for civil rights in American history: the 1954 landmark decision in *Brown* v. *Board of Education,* 347 U.S. 483 (1954), in which the Supreme Court struck down de jure segregation in elementary schools. NAACP General Counsel Thurgood Marshall, who would later become the first African American associate justice of the Supreme Court, forcefully argued and persuaded the Court to rule unanimously that in the field of public education, "separate but equal" was inherently unequal. That decision gave hope to millions of Americans that their children might enjoy the full promise of America that had been denied their forebears for more than three centuries.

The NAACP used the Supreme Court's decision in Brown to press for desegregation of schools and public facilities throughout the country. In 1955, Rosa Parks was arrested and fined for refusing to give up her seat to a white man in Montgomery, Alabama. Her act of civil disobedience triggered the Montgomery Bus Boycott, one of the largest and most successful mass movements against racial segregation in history and ignited the Civil Rights Movement. Daisy Bates spearheaded the campaign by the Little Rock Nine to integrate Central High School in Little Rock, Arkansas.

The NAACP remains committed to achieving its goals through nonviolence, the legal process, and moral and political suasion, and through direct actions such as marches, demonstrations, and boycotts to give voice to the hopes and aspirations of African Americans and others who lack the power to make their voices heard.

There is still a need for justice and equal treatment for African Americans and other vulnerable populations in our country. Thankfully, the NAACP is alive, well, vital, and effective. I am grateful for the many fights for equality that the organization has won, and thankful that the NAACP will be there in the future to champion the cause of justice wherever and whenever it needs a spokesman.

Happy birthday, NAACP and thank you for all you have done to make our country better. I urge all Members to join me in supporting H. Con. Res. 44.

Mr. RANGEL. Mr. Speaker, I rise today to honor the National Association for the Advancement of Colored People, NAACP, on its 98th anniversary.

On February 12, 1909, the NAACP was founded by W.E.B. DuBois, Ida Wells-Barnett, Henry Moscowitz, Mary White Ovington, Oswald Garrison Villard, and William English Walling to embark on fight for the civil rights of Native Americans, Asian Americans, African Americans, and Jewish people. These brave men and women had a vision of equality and a commitment to fight for the downtrodden, in an era when people of color, meaning anyone who was nonwhite, were denied rights and subject to harassment and intimidation. Their commitment to establishing an organization that would stand up to power was unparalleled. The words, from the original charter, prove the need and urgency to establish such an organization. It stated, "To promote equality of rights and to eradicate caste or race prejudice among the citizens of the United States; to advance the interest of colored citizens; to secure for them impartial suffrage; and to increase their opportunities for securing justice in the courts, education for the children, employment according to their ability and complete equality before law." With the spirit of fighting for equality as the motivation and the constitution as the tool, the battle for equality would be with the courts and thus, they marched on.

In the beginning, the NAACP's efforts focused on fighting the segregation laws under Jim Crow. I vividly remember living with separate but equal as the accepted doctrine. I also recall stories of people who gave their lives fighting that injustice. Despite the struggle, the NAACP did not waver in the face of adversity and took its fight with separate but equal education to the highest court in the land, the Supreme Court, with the landmark case Brown vs. Board of Education and was victorious.

Today, the NAACP continues to be a voice for minorities and does excellent work with the continued fight for civil rights and equality. On this day, the 98th anniversary, I pay homage to the NAACP for work done in the past, present, and it is to be expected in the future.

Ms. WOOLSEY. Mr. Speaker, I rise today to pay tribute to an organization that has been at the forefront of the fight for civil and political liberty. The National Association for the Advancement of Colored People, our Nation's oldest civil rights organization, has been on the right side of history for 98 years.

Doing the right thing wasn't an easy task, especially given the entrenched discrimination black Americans faced. When African Americans were victims of lynching; when hostile government policies forced black Americans into substandard, segregated schools; when black voters were disenfranchised by poll taxes and other unfair barriers, the NAACP stepped up to help end discrimination and do what was right.

I feel privileged to represent a district with a strong branch of the NAACP. The Sonoma County NAACP was co-founded by my friends Gilbert and Alice Gray and other local activists. Alice was a dedicated volunteer and fearless leader. Almost 1 year ago, I rose to honor Alice after her passing. Some of her accomplishments bear mentioning again, for the scope and depth of her activism. In 1954, she led protests against segregated local business; she helped establish the National Association of Negro Busness and Professional Women's Club in Sonoma; and she helped at-risk kids in the community achieve their fullest potential by mentoring them. She also launched the Gray Foundation with her husband to help students pursue their educational goals and serve their community—"to listen and learn from the traditions of self-help and self-reliance that once gave our people strength." She was an amazing woman who honored us with her presence and the NAACP with her service.

To appreciate more fully the immense importance of the NAACP over the last century, a quick look at some of their political victories on a national scale is in order. The NAACP was instrumental in the signing of President Harry Truman's Executive order banning discrimination in 1948. The NAACP helped pass the Equal Employment Opportunity Act; the Civil Rights Acts of 1957, 1960, and 1964; the Voting Rights Act of 1965 and last year's reauthorization. The NAACP led sit-ins to protest segregated lunch counters, which led to many stores officially desegregating their counters. They also educated the public about the legacies of slavery and the importance of coming to terms with the past—for example, by protesting the racist film Birth of a Nation, or by taking out ads in major U.S. newspapers to give readers the facts about lynching. Thanks to the NAACP's courage, we all live in a fairer and more just Nation today. We owe this group a trmendous debt.

I am honored to be an original cosponsor of this bill to honor the NAACP and I thank Congressman AL GREEN for introducing it. It is important for every American to realize the great impact this institution has had on our Nation.

Mr. HASTINGS of Florida. Mr. Speaker, I rise today as a proud co-sponsor of the resolution honoring and praising the National Association for the Advancement of Colored People on this occasion of its 98th anniversary. I would like to thank my friend Rep. AL GREEN of Texas for putting forth this timely resolution.

It is with great pleasure that I stand here today to honor 98 years of the oldest and largest civil rights organization in the United States. As a young man growing up in the civil rights era, I witnessed firsthand the many struggles and efforts the NAACP encountered to fight the ugly face of racism and discrimination.

Honoring the NAACP immediately brings to mind one of the most eloquent scholars of recent history, my hero, W. E. B. Dubois. His involvement in the Niagara movement and scholarly work in developing Crisis Magazine built the foundation for what became the thriving NAACP we see today. One adage of Mr. Dubois that still motivates me to this day is his assertion, "There can be no perfect democracy curtailed by color, race, or poverty, but with all, we accomplish all, even peace." These words remind me of why I am here. Mr. Dubois understood that if America were to be a true democracy, all men and women must be involved in the process. He fought for the rights and equality of minorities in America and abroad. I rise today because I am moved by the purpose of this legislation, which perpetuates this national struggle and the legacy of W. E. B. Dubois which became the NAACP.

Mr. Speaker, although our country has overcome many obstacles since the early 1900's—it is important we recognize this historical organization today because our Nation continues to struggle against discrimination and hate crimes. We must never forget the mission of the NAACP, "to ensure the political, educational, social, and economic equality of rights of all persons and to eliminate racial hatred and racial discrimination." We must internalize this mission and continuously work together to realize the goals and mission of this organization. I urge my fellow colleagues to rise with me in support of this resolution.

Mr. HOYER. Mr. Speaker, I rise today in support of House Concurrent Resolution 44, "Honoring and praising the National Association for the Advancement of Colored People on the occasion of its 98th anniversary."

Coretta Scott King once said that "struggle is a never-ending process and freedom is never really won—you earn it and win it in every generation." And since 1909, generations of Americans who have fought for racial equality and the expansion of liberty have had a friend and advocate in the National Association for the Advancement of Colored People.

While its name entails that the NAACP seeks to advance the fortunes of African Americans, I believe that its true mission is to advance the goals of all Americans—for when we move closer to becoming a beacon of hope and opportunity for all people, regardless of race or ethnicity, we all reap the benefits.

When the light of social justice is shined in the dark corners where prejudice and bigotry still exist, our nation becomes stronger. When people who had been mistreated and oppressed become empowered to take steps towards the American Dream, our nation becomes stronger. And when we take actions that elevate the things that unite us above those that drive us apart, our nation becomes stronger.

And that is what the NAACP is all about—strengthening our nation by reminding us that while we have come a long way in our struggle for freedom and equality, we are not yet perfect, and must always remain vigilant in pursuit of a world where all men and women are treated with the respect and dignity that all human beings possess.

I'm proud to be a member of the NAACP. I'm proud to be from the state that the NAACP has called home for so many years. And I'm grateful that the NAACP has provided such strong and talented partners in working for social justice both in Maryland's Fifth Congressional District and throughout our nation as a whole.

I'd like to congratulate the NAACP on 98 years of promoting what is best about America—and I look forward to continuing to work together with NAACP members toward our shared goals of equality and prosperity for all.

I urge all Members to support this important bill.

Ms. LEE. Mr. Speaker, I rise today in strong support of H. Con. Res. 44, legislation to honor the National Association for the Advancement of Colored People (NAACP) on the occasion of its 98th anniversary. The NAACP is an established and proven civil rights organization and a leading voice for justice and human rights for all.

The NAACP has several national achievements but I'd like to highlight our local successes. In California's 9th Congressional District, I am honored to say the Oakland NAACP branch, established in 1913, was the first NAACP chapter in Northern California. It represented the cities of San Francisco, Oakland and Berkeley.

In fact, the Oakland NAACP branch played a pivotal role in the civil rights struggle in California. The branch participated in the organization's national campaign to eliminate Jim Crow laws and to support anti-lynching legislation.

In the late 1950's and 1960's, Bishop Nichols, then Pastor of Downs Memorial United Methodist Church in North Oakland, joined with national leaders to advocate for economic, social and educational justice in the Bay Area. He was chair of the Berkeley NAACP Education Committee and President of the Berkeley Board of Education (four years before the school district became the first to voluntarily integrate schools).

In addition, one of Oakland's own, Judge Cecile Poole served as director of the NAACP Defense and Legal Education Fund. Judge Poole became the first African-American United States Attorney, and the first black federal judge for the Northern District of California. And although he passed away ten years ago, his legacy and work with the NAACP to promote respect and basic civil rights for all disenfranchised people is still felt in the East Bay and throughout our Nation.

Mr. Speaker, with members, such as Bishop Nichols, Judge Cecile Poole, Thurgood Marshall, W.E.B. DuBois, Coretta Scott King, Fannie Lou Hamer, and Rosa Parks, there's no doubt that the NAACP served as the catalyst for the largest grassroots civil rights movement in U.S. history.

The NAACP remains a vehicle to push for legal action against injustice and an advocate for human and civil rights for all.

Their political accomplishments such as ending the separate but equal policy in schools or ending the racist Jim Crow segregation of buses, restaurants and public facilities, and their lobbying efforts which ultimately led to the passage of the Civil Rights Acts of 1957, 1960, and 1964, the Voting Rights Act of 1965, and the reauthorization of the Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act of 2006, must be commended.

And Mr. Speaker, the NAACP took the helm to organize the national boycott against American companies doing business with the former apartheid regime in South Africa. The NAACP also protested, most recently in 2000, the flying of the confederate flag over state buildings in South Carolina, which to date was, the largest civil rights demonstration (50,000 people) ever held in the South. The importance of this organization whose impact has been demonstrated in almost every part of the country and in many parts of the world cannot be overstated.

But the critical work of the NAACP is needed now more then ever. The slow systematic dismantling of Affirmative Action; the declining homeownership rates of African American families; the growing poverty rate of African American families and the growing achievement gap between white and black children; the disproportionate incarceration rates of black male youth, and the growing illiteracy rate of black children are all important causes for the NAACP.

Add to that fact that the NAACP was a leading champion of the Hurricanes' Katrina and Rita survivors. They are still pushing for justice for all in the Gulf Coast region and you can see why the NAACP is sill so necessary today.

We must continue to beat the drum and join the NAACP in their efforts to bring their mission for economic and social justice for all to reality.

Mr. Speaker, we have come a long way since the founding days of the NAACP, Brown vs. Board of Education, the Voting Rights Act. In the words of former NAACP president Bruce Gordon, "There is still a lot of civil rights work to be done. Many people believe the passing of Rosa Parks, Coretta Scott-King and other icons of the movement signals that the task is over. "He added, "Nothing could be further from the truth."

Mr. ISSA. Mr. Speaker, I yield back the balance of my time.

Mr. BERMAN. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. BERMAN) that the House suspend the rules and agree to the resolution, H. Con. Res. 44.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. BERMAN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.

RECOGNIZING THE SIGNIFICANCE OF THE 65TH ANNIVERSARY OF EXECUTIVE ORDER 9066 AND SUPPORTING AND RECOGNIZING A NATIONAL DAY OF REMEMBRANCE

Mr. BERMAN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 122) recognizing the significance of the 65th anniversary of the signing of Executive Order 9066 by President Franklin D. Roosevelt and supporting the goals of the Japanese American, German American, and Italian American communities in recognizing a National Day of Remembrance to increase public awareness of the events surrounding the restriction, exclusion, and internment of individuals and families during World War II.

The Clerk read as follows:

H. RES. 122

Whereas President Franklin Delano Roosevelt signed Executive Order 9066 on February 19, 1942, which authorized the exclusion of 120,000 Japanese Americans and legal resident aliens from the West coast of the United States and the internment of United States citizens and legal permanent residents of Japanese ancestry in internment camps during World War II;

Whereas the freedom of Italian Americans and German Americans was also restricted during World War II by measures that branded them enemy aliens and included required identification cards, travel restrictions, seizure of personal property, and internment;

Whereas President Gerald Ford formally rescinded Executive Order 9066 on February 19, 1976, in his speech, "An American Promise";

Whereas Congress adopted legislation which was signed by President Jimmy Carter on July 31, 1980, establishing the Commission on Wartime Relocation and Internment of Civilians to investigate the claim that the incarceration of Japanese Americans and legal resident aliens during World War II was justified by military necessity;

Whereas the Commission held 20 days of hearings and heard from over 750 witnesses on this matter and published its findings in a report entitled "Personal Justice Denied";

Whereas the conclusion of the commission was that the promulgation of Executive Order 9066 was not justified by military necessity, and that the decision to issue the order was shaped by "race prejudice, war hysteria, and a failure of political leadership";

Whereas Congress enacted the Civil Liberties Act of 1988, in which it apologized on behalf of the Nation for "fundamental violations of the basic civil liberties and constitutional rights of these individuals of Japanese ancestry";

Whereas President Ronald Reagan signed the Civil Liberties Act of 1988 into law on August 10, 1988, proclaiming that day to be a "great day for America";

Whereas the Civil Liberties Act of 1988 established the Civil Liberties Public Education Fund, the purpose of which is "to sponsor research and public educational activities and to publish and distribute the hearings, findings, and recommendations of the Commission on Wartime Relocation and Internment of Civilians so that the events surrounding the exclusion, forced removal, and internment of civilians and permanent resident aliens of Japanese ancestry will be remembered, and so that the causes and circumstances of this and similar events may be illuminated and understood";

Whereas Congress adopted the Wartime Violation of Italian Americans Civil Liberties Act, which was signed by President Bill Clinton on November 7, 2000, and which resulted in a report containing detailed information on the types of violations that occurred, as well as lists of individuals of Italian ancestry that were arrested, detained, and interned;

Whereas the Japanese American community recognizes a National Day of Remembrance on February 19th of each year to educate the public about the lessons learned from the internment to ensure that it never happens again;

Whereas H.R. 1492 (Public Law 109–441) was passed by Congress and signed into law in 2006, to allow the government to identify and acquire sites used to confine Japanese Americans during World War II, in order to preserve and maintain these historic locations for posterity and inspire new generations of Americans to work for justice while demonstrating the Nation's commitment to equal and fair treatment for all; and

Whereas the Day of Remembrance provides an opportunity for all people to reflect on the importance of political leadership and vigilance and on the values of justice and civil rights during times of uncertainty and emergency: Now, therefore, be it:

Resolved, That the House of Representatives—

(1) recognizes the historical significance of February 19, 1942, the date Executive Order 9066 was signed by President Roosevelt, restricting the freedom of Japanese Americans, German Americans, and Italian Americans, and legal resident aliens through required identification cards, travel restrictions, seizure of personal property, and internment; and

(2) supports the goals of the Japanese American, German American, and Italian American communities in recognizing a National Day of Remembrance to increase public awareness of these events.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. BERMAN) and the gentleman from California (Mr. ISSA) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. BERMAN).

GENERAL LEAVE

Mr. BERMAN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks on H. Res. 122.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BERMAN. Mr. Speaker, I yield myself such time as I may consume, but no more than 3 minutes.

Mr. Speaker, today I rise in favor of House Resolution 122. Sixty-five years ago, President Roosevelt signed Executive Order 9066, leading to the detention of approximately 120,000 Japanese Americans. They were forced to live in isolated camps, to sell or lease their property, often at huge losses, and to give up their businesses and livelihoods. The freedom and civil liberties of Italian and German Americans were also violated during World War II by measures that branded them enemy aliens and went as far as restricting their movement and seizing their personal property. Thirty years passed before Executive Order 9066 was formally rescinded in 1976.

House Resolution 122 recognizes the devastating impact of that executive order. The resolution also supports and commends the efforts of the Japanese, Italian and German American communities in recognizing a National Day of Remembrance for their history of restriction, exclusion and internment during World War II. The failure of our political and judicial system to prevent the injustices against them still reverberates today.

The decision to intern Japanese Americans was based not on evidence, but rather on fear and panic. In 1980, Congress established a Commission on Wartime Relocation and Internment of Civilians. That commission, after conducting 20 days of hearings and receiving testimony from over 750 witnesses, concluded that Executive Order 9066 was not justified by military necessity, but resulted from "race prejudice, war hysteria, and a failure of political leadership."

In 1988, Congress enacted, and I was proud to be here and a part of that fight, the Civil Liberties Act to formally acknowledge and apologize for violations of fundamental civil liberties and constitutional rights of these Japanese Americans.

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In 2000, President Clinton signed the Wartime Violation of Italian Americans Civil Liberties Act, which formally acknowledged civil liberty violations against Italian Americans.

The most honorable and principled way to show respect to those Americans who suffered injustices during World War II is to dedicate ourselves to fighting for the fundamental American principles of liberty of which their mistreatment remains to this day a glaring reminder.

Once again, I want to join with my colleagues in recognizing the very important work of the Japanese American, the German American and the Italian American communities in raising awareness of the National Day of Remembrance, and to particularly commend Representative HONDA for his efforts in bringing this resolution to the floor.

Mr. Speaker, I reserve the balance of my time.

Mr. ISSA. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H. Res. 122 which recognizes the tragic significance of Executive Order 9066 signed by President Franklin Delano Roosevelt to authorize the internment of Japanese Americans at the beginning of World War II. The resolution also highlights the injustices forced on Italian Americans and German Americans during this same period.

In 1942, President Roosevelt authorized the Army to evacuate more than 100,000 Japanese Americans from the Pacific Coast States, including Washington, Oregon, and my home State, California, and also Arizona. This grossly blunderbuss approach to maintaining America's security serves, especially today, as a continuing reminder that the civil rights of American citizens should never be lost in the midst of the chaos of war, not even in a war on terror.

President Roosevelt authorized the mass expulsion and incarceration of Japanese Americans, and these are American citizens, by signing Executive Order 9066 on February 19, 1942. A few minutes ago, I spoke about the prodding of this body, the prodding about the Presidency and the prodding of the courts. This ill-fated action unfortunately was supported by this body, the one on the other side of the Dome and, yes, the U.S. Supreme Court. Had any of us recognized our burden of freedom and democracy and taken it to heart, this could not and would not have happened.

The tragic misuse of this power was met with an equally powerful response, but unfortunately, it was too late.

In 1976, President Gerald Ford issued Proclamation 4417, in which he said, "Learning from our mistakes is not pleasant, but as a great philosopher once admonished, we must do so if we want to avoid repeating them." We recently put to rest President Gerald Ford, but there was no action that Gerald Ford ever did as President more significant than this one. President Ford, in apologizing and taking back the misconduct perpetrated on American citizens so long ago, has set a high standard for it ever happening again.

Today, we have just those threats among us and amidst us, so I am happy to support this to join with the ACLU and all the other organizations that daily fight this and recognizing that this should never happen again.

Last but not least, we are joined with our colleague, the widow of Bob Matsui, and I might note that as a freshman it was Bob Matsui who was on the Democrat side speaking about this issue firsthand. I am sorry that he is not with us today. I look forward to the statements of my colleague and his widow, because I believe that, in fact, this is something we must do every year so that it never, never, never happens again in my America.

Mr. Speaker, I reserve the balance of my time.

Mr. BERMAN. Mr. Speaker, I yield 7½ minutes to the sponsor of the resolution, the chief sponsor of the resolution, the gentleman from California (Mr. HONDA).

Mr. HONDA. Mr. Speaker, I would like to rise today in support of H. Res. 122. I also want to thank the House leadership on both sides, as well as Chairman CONYERS, for their leadership in steering this measure to the floor today. While the resolution addresses events from our past, there is much that we can learn from our history, as has been stated by our friend Mr. ISSA.

This is a resolution recognizing the 65th anniversary of the Day of Remembrance and supporting the goals of the Japanese American community in recognizing a National Day of Remembrance to increase public awareness of the events surrounding the restriction, exclusion and internment of all persons of Japanese ancestry during World War II.

The resolution also recognizes that many in the German and Italian communities experienced deprivations during this time as well.

This year marks the 65th anniversary of President Roosevelt's signing of Executive Order 9066 on February 19, 1942, and the 19th anniversary of the Civil Liberties Act of 1988, which was signed into law by President Reagan.

In 1942, some 120,000 people were rounded up in this country, primarily from the west coast, and incarcerated. Families were torn apart. Hardworking people had to sell their businesses for pennies on the dollar and their personal properties. Everything these people worked so hard for evaporated overnight.

I spent part of my childhood in a camp in southeast Colorado, an internment camp called Amache. H. Res. 122 also recognizes that many in the German and the Italian communities experienced deprivation during this period as well: public humiliation, detention and, at times, deportation.

In 1942, on the domestic front, our political leaders failed. Therefore, today we must work to educate the public about the internment of Americans in order to prevent similar injustices to be forced upon anyone in this country. Our civil liberties have not been in as much risk since World War II, and this time we, as political leaders, cannot fail.

True to the democratic process, our Nation has been able to look back and admit errors from its past. I can think of no greater evidence to show why the United States, with all its flaws, still is looked to worldwide as the Nation with the strongest and the fairest form of government.

By admitting that the government did wrong in its treatment of its citizens and legal residents who were aliens during World War II, Congress and the President reaffirmed our Nation's commitment to the principles founded in the Constitution.

However, we must always be vigilant in the protection of our civil liberties, and in this time of tension as we wage a war against terrorism, we must again reaffirm our commitment to the principles in the Constitution.

While national security is always a paramount concern for those of us making the laws, as well as executing and interpreting the laws, we see that there are those in government who continue to pursue policies once again that target our civil liberties.

The whole point of the Day of Remembrance resolution is about learning. It is about being persistent about the lessons that we have learned from the American of Japanese ancestry, experience that is really an American lesson on the Constitution and is also a lesson of the American character where, upon reconciliation, there is a healing.

There is a healing among not only those who were incarcerated, but there is also healing among those who were affected but maybe not necessarily incarcerated. So victims are both those who were directly victimized and those who were indirectly victimized by the misdeeds of our government.

Also, the further learning, when we talk about the Day of Remembrance, is that other communities get to reflect upon their own experience at that time and project into the future when this kind of thing should happen again.

As a teacher, I want to reemphasize the necessity for this type of resolution as it continues to teach us the old maxim that those of us who do not learn from the mistakes of our past are doomed to repeat them.

In today's current light, I want to underscore that national security is my highest priority. It is our government's highest priority, and I support efforts to fight our war against terrorism. But we must also understand that in doing so, we do not again have a failure among our political leadership. We must not give in to war hysteria. We must not fall back to racial prejudice, discrimination and unlawful profiling.

It is critical and important, more than ever, to speak up against possible unjust policies that may come before this body. It is critical that we educate all Americans of the Japanese American experience during World War II, as well as the experience of other Americans, like the Japanese Latin Americans.

These people were extricated from Latin America, brought over here, had their documents taken away from them, thus becoming individuals without a country, to be used as pawns in exchange for POWs in the Pacific theater. As this resolution does, we must also remember the experiences of our comrades of the German and Italian Americans who were also victimized.

In order to learn the important lessons from our own history, I introduced H. Res. 122, the Day of Remembrance resolution, here in this body. I cannot emphasize enough that the lessons of those dark days are more important than ever. Remembering Executive Order 9066, signed on February 19, 1942, rescinded on February 19, 1976, and the reconciliation brought by the redress legislation signed on August 10, 1988, are still instructive to us today.

There is a maturity in this country that I am very proud of. This maturity says that we can learn from our mistakes of the past and we can also teach to other of our lessons that we have learned. We have learned that the Executive Order 9066 was not signed out of military necessity. It was not signed out of national security. It was not signed out of personal safety and security of the Japanese Americans, but, as the Commission on Wartime Internment and Relocation of Civilians concluded, that it was a result of racial prejudice, war hysteria and the failure of political leadership.

The experiences from 1942, applied to our situation in this post-9/11, show us that the Constitution of this country is never tested in times of tranquility. Rather, our Constitution is always tested in times of trauma, tragedy, terrorism and tension, that the very principles of our Constitution continuously need to be taught until it is ingrained in our own character, so that every decision we make as a citizen, as adults, as children, as students, and as policymakers, that we will always be true to the principles of our Constitution.

The foundation of these ingrained principles is the light that draws people from around this world to overcome any obstacle to come to this country and be part of this society. The word is out around the world that this Nation will protect individual rights against even the most powerful in its government. The protection of our Constitution is what our forefathers and our veterans have shed their blood and sacrificed their limbs and lives for, in order that our Constitution may live and really be reflected in every action that we have, not only in this body but by every action of every citizen of this great country, so as to, or stated in the Preamble of the Constitution, in order to form a more perfect union.

Mr. ISSA. Mr. Speaker, I yield myself 2 minutes.

I would like to thank Congressman HONDA. Mike and I came into this Congress together. We came in at a time of peace. We came in at a time in which remembering 59 years earlier the history of the Japanese internment was a little abstract and yet necessary. I think that it is no longer abstract, and I thank the gentleman from California, because Mr. HONDA made it very clear that we have a clear and present danger in the same way.

It is easy to blame the Muslim community. It is easy to look at Arab Americans and say can we trust them.

I might point out something that is not in the body of the resolution but I know that Mr. HONDA and I have talked about in the past. During the time in which we were incarcerating women and children and old men of Japanese ancestry, the young Japanese Americans were in Europe fighting and dying in record numbers, defending our country in the most decorated way of any unit of World War II. That is a separate remembrance but it cannot be separated from the fact that today Arabs and Muslims are fighting in the war on terror in Afghanistan, in Iraq and around the world.

□ 1530

They are in fact doing exactly the same thing. And I link the two because I believe that you don't respect history the way we are trying to today, if you don't link it to the present and the future, and you don't say we will learn from this terrible mistake. We can't undo what was done to the Japanese, Italian, and German Americans, but we can dedicate ourselves to ensure that this shall not happen again in this great Union.

Mr. Speaker, I reserve the balance of my time.

Mr. BERMAN. Before yielding to our next speaker, I just want to associate myself with the comments of Mr. HONDA and Mr. ISSA. For one who remembers some of the key figures in this terrible tragedy, President Roosevelt; Justice William Douglas, who is an icon and a symbol of respect for civil liberties generally, you learn what war hysteria and a tendency to extrapolate the notion of an enemy into sweeping generalizations which are not justified by the evidence is something that we should be careful of.

At this point, I am very pleased to yield to my dear friend, whose late husband I worked with very much on the 1988 legislation who was one of the great spark plugs in passing that legislation and now his widow and our colleague, Congresswoman DORIS MATSUI, for 3 minutes.

Ms. MATSUI. Mr. Speaker, I thank my good friend from California (Mr. BERMAN) for yielding me time; and I would like to thank my good friend from California (Mr. HONDA) for his leadership on this resolution.

Mr. Speaker, the resolution before us today is a reminder that from great injustice can come great awakening.

We take up this resolution to mark the 65th anniversary of Executive Order 9066. The resolution is a reminder that each of us has a responsibility to ensure that something like Executive Order 9066 never happens again.

In a time of war, thousands of innocent American citizens were rounded up, forcibly removed from their homes, and shipped to internment camps. Sadly, this was an avoidable consequence of racial prejudice and wartime hysteria. The government at all levels was blinded by war. It is imperative that we learn the lesson this moment in history has taught us. That is why I applauded the creation of a grant program to preserve the internment camps and related historical sites where Japanese Americans were detained during World War II. We must preserve these camps as a physical, tangible representation of our government's failure to protect the constitutional right of every American, and also as a symbol of our Nation's ability to acknowledge our mistakes. Further, these designations will ensure that future generations will be able to visit the internment camps to gain a better understanding of the previous generation's experience.

Mr. Speaker, we may have won World War II; however, we were not victorious because of our treatment of Japanese, Italian, and German Americans, but in spite of it.

Now, 65 years later, we are once again engaged in armed conflict overseas, and once again the undertones of suspicion and mistrust toward particular groups of people lurk beneath the surface of our society, which is why it is more important than ever to recall our past, so we do not repeat our mistakes.

I hope every American will take this day to reaffirm their commitment to our Constitution and the rights and protections it guarantees to all of us. The resolution before us today recognizes the past injustices and points the way toward a future where such wrongs are no longer perpetuated in this country. Each Member of this Congress as a servant of the people is duty bound to apply these lessons of the past to the challenges we now face. In doing so, we show our continued efforts toward ensuring that our country avoids similarly misguided policies now and in the future.

Mr. ISSA. Mr. Speaker, I reserve the balance of my time.

Mr. BERMAN. Mr. Speaker, I yield 3 minutes to my friend, the gentleman from California (Mr. BECERRA).

Mr. BECERRA. I thank the gentleman from California, a friend and one of the champions on these issues, Mr. BERMAN, for his time. And I also thank Mr. ISSA, a gentleman from California and a friend, for his support and leadership on these issues as well.

Mr. Speaker, I think we rise here because this is what America is about. We often make mistakes, but one of the beauties of this country and the reason so many people wish to come here is because we have a way of healing and making amends, and there is such power in redemption. And for that reason I hope all of my colleagues will support House Resolution 122, authored by a champion of this cause, Congressman Mike Honda from California, because he has been at this for quite some time.

We talk about the healing that has to take place. I want to make sure I mention the strength and loyalty and commitment of the Japanese Americans, the Italian Americans, and the German Americans who never lost hope and faith in our country's values, what our Founding Fathers really meant this country to mean to the rest of the world. They are lights for the rest of us, because even in the darkest times they held out hope. And today, so many years later, 65 years later we are here to say it is a day that we will remember not because it was great but because we know how to do great things from things we did wrong.

So I stand here proudly to say to Mr. HONDA, thank you so much for your leadership in this cause. Let us continue forward. Let us not forget those who have not yet seen justice. There are about 2,300 Japanese Latin Americans who were in essence kidnapped by our U.S. Government in the 1940s, brought to this country, held here, and in many cases used as exchange for American prisoners who were caught by the Japanese during World War II. They never received any justice. And I hope that we will continue to turn the page toward more full justice for all of us here in this country.

Ms. PELOSI. Mr. Speaker, to live up to the principles on which this great nation was founded, we must stand for freedom for all Americans, in wartime and in times of peace.

On February 19, 1942, Executive Order 9066 was signed, ushering in one of the darkest periods in our nation's history. During World War II, more than 120,000 Americans of Japanese descent were removed from their homes and placed in internment camps. Under baseless fears of Japanese Americans disloyalty, families were ripped apart and entire communities uprooted.

History has shown that this action, as well as restrictions on Americans of German and Italian ancestry, was not only wrong, but also indefensible. The National Day of Remembrance is an opportunity to learn from the lessons of our past as we work for a better future. I join Representatives HONDA, BECERRA, WU, SCOTT, ABERCROMBIE, MATSUI, BORDALLO, HIRONO, and many of our colleagues for a National Day of Remembrance on February 19.

In these difficult times of war, as we face the threat of terrorism, the lessons of that dark chapter are especially relevant today. As we protect and defend the American people, we must protect and defend the Constitution and the civil liberties that define our democracy.

I join my colleagues, especially the Members of the Congressional Asian Pacific American Caucus, who fight for justice and equality every day, to ensure that history is never repeated again.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of H. Res. 122, which lends support to the goals of the Japanese American, German American, and Italian American communities in recognizing a National Day of Remembrance to increase public awareness of the restriction, exclusion, and internment that these communities suffered during World War II.

In 1942, President Franklin D. Roosevelt signed Executive Order 9066, requiring 120,000 people of Japanese ancestry to be removed forcibly from their homes and placed in internment camps—two-thirds of these were American citizens, none of which had ever shown disloyalty to the American cause. Forced to live under harsh conditions, the last internment camp closed four long years later.

A little known fact of this shameful history is that Americans of German, Italian, Hungarian, Bulgarian, and Romanian descent were interned as well. Further, those that escaped internment often suffered from discrimination and prejudice at the hands of legislators and their fellow citizens.

These innocent Americans were treated unjustly by their own government during a time of war, simply because of their national origins. Such maltreatment must not go unremembered. It is absolutely essential to remember the past mistakes of our government in an effort to avoid future ones.

In times of war it may be easy to get carried away and put labels on those around us, assuming what their political ideals are based solely on their national origin or religious background. But as we have seen in World War II, such assumptions are unjust and can lead to disastrous consequences for a group of individuals.

By celebrating a National Day of Remembrance on February 19th, we renew our promise as a Nation to never let this happen again. We must ensure that all Americans are aware of these historical events, so that they may join us in an effort to prevent the repetition of such acts of prejudice. I commend my colleague from California, Mr. HONDA, for introducing H. Res. 122 to support these goals.

I also commend the efforts of other Americans who recognize the significance of these events and create awareness within our communities, especially among our youth. The Public Broadcasting Service has made efforts to do just that, by providing a classroom resource online to teach middle and high school students about these events and to help them think critically about their impact. During the week of February 19, 2007, this year's National Day of Remembrance, I encourage our Nation's educators to teach their youth about these events in our Nation's history.

In honor of the Japanese American, German American, and Italian American communities within our Nation, let us never allow such unjust practices occur in this great Nation again. I urge my colleagues to join me in supporting H. Res. 122.

Ms. BORDALLO. Mr. Speaker, February 9th marks the 65th anniversary of the signing of Executive Order 9066 by President Franklin Delano Roosevelt, which authorized the forcible removal of 120,000 Japanese Americans—two-thirds of whom were United States citizens and the remainder of whom were permanent residents—living in the western United States to internment camps throughout the country. Today I rise in strong support of House Resolution 122, which recognizes February 19th as the National Day of Remembrance of these acts of injustice committed against Japanese Americans and of the curtailing of the rights of Italian and German Americans in the United States. I urge my colleagues' support for this resolution.

Nearly 3 months after the Imperial Japanese attack on Pearl Harbor precipitated the United States' entrance into World War II, this executive order led to the incarceration and relocation of loyal Americans of Japanese descent. I stand here today to acknowledge the pain and suffering that they, along with many Italian Americans and German Americans, endured.

The first of over 100,000 Japanese Americans stripped of their rights as Americans by the authorities of Executive Order 9066 were those that resided on Bainbridge Island in the State of Washington. They were given only 6 days to sell their belongings, close their businesses, and pack-up their lives before they were resettled in internment camps elsewhere in the United States. And on the morning of March 30, 1942, these Americans were congregated at Eagledale Ferry Dock under armed guard before being transported to an internment camp. Friends and neighbors converged as a symbolic gesture of unity and support for these Japanese Americans who were involuntarily removed from their community. They left behind all of their belongings and possessions that they could not carry or wear. Relegated to internment camps and living in barracks that were hastily built and unprotected from the elements, they tried to create stability for the families in a time of turmoil. Their children attended school and participated in extracurricular activities, all while being surrounded by barbed wire and under the watchful eyes of armed guards. Japanese Americans remained interned in these sites for the duration of the war.

Italian Americans and German Americans also were branded as enemy aliens and forced to acquiesce to provisions that included required identification cards, travel restrictions, seizure of personal property, and imprisonment during this time. Their wrongful treatment also deserves our attention and consideration to ensure that similar actions are never again repeated, experienced or relived.

This National Day of Remembrance is an opportunity for us to educate ourselves and others and to increase public awareness surrounding these harmful wartime decisions made by the United States Government. We take this time to recognize the Japanese American, Italian American, and German American communities that continue to plan events surrounding this anniversary, further ensuring that future generations never forget the mistakes of our past. These communities continue the legacy of honoring their elders, whose patriotism and courage during World War II are a testament to the enduring loyalty of ethnic minority Americans throughout this country.

We also acknowledge through passage of House Resolution 122 the occurrence of an egregious infringement of American citizenship rights. Passage of this resolution would provide an official record of our hope and determination that an act similar to this one is never repeated in the future. The National Day of Remembrance marks the beginning of the forced exodus of an entire ethnic minority from the western United States and today we hope to transform it into a means of educating future generations of the importance of civil liberties, especially in times of war.

Mr. Speaker, I thank the distinguished gentleman from California and our Chairman of the Congressional Asian Pacific American Caucus, Mr. HONDA, for his leadership in commemorating the National Day of Remembrance on the occasion of the 65th anniversary of the signing of Executive Order 9066 and for sponsoring this resolution.

Mr. PASCRELL. Mr. Speaker, on Monday, February 19, we will mark the 65th anniversary of the signing of Executive Order 9066 by President Franklin D. Roosevelt. This resolution authorized the internment of over one hundred thousand American citizens and legal resident aliens of Japanese, German, and Italian ancestry. At the hands of our government, Japanese, German, and Italian citizens suffered grievous violations of their civil liberties. These war-time measures were far-reaching, uprooting entire communities and targeting citizens as well as resident aliens.

Although the greatest numbers of those impacted by Executive Order 9066 were Japanese-Americans, little is known about the impact of the measure on Italian and German-Americans. Like Japanese-Americans, Italian and German-Americans were branded "enemy aliens" and were required to carry identification cards, saddled with travel restrictions, had their personal property seized, and placed in internment. For example, 3,200 resident aliens of Italian background were arrested and more than 300 of them were interned. About 11,000 German residents—including some naturalized citizens—were arrested and more than 5,000 were interned.

Executive Order 9066 was finally rescinded by Gerald Ford on April 19, 1976 and in 1983, the Commission on Wartime Relocation and Internment of Civilians (CWRIC) concluded that the incarceration of Japanese-Americans had not been justified by military necessity. Rather, the report determined that the decision to incarcerate was based on "race prejudice, war hysteria, and a failure of political leadership." The Civil Liberties Act of 1988, based on the CWRIC recommendations, was signed into law by President Ronald Reagan and an appropriations bill authorizing reparations to be paid between 1990 and 1998 was signed by George H.W. Bush in 1989. Finally, in 1990, surviving internees began to receive individual redress payments and a letter of apology. Through these acts, our government has attempted to make amends, yet the initial effects of Executive Order 9066 remain in the hearts and minds of many Americans.

Mr. Speaker, as co-chair of the Congressional Italian-American Delegation, I fully support H. Res. 122, which would effectively recognize the significance of the 65th anniversary of Executive Order 9066 and support the goals of the Japanese-American, German-American, and Italian-American communities in recognizing a National Day of Remembrance. This bill will go a long way in helping to increase public awareness of the events surrounding the restriction, exclusion, and internment of individuals and families during World War II, and I urge my colleagues to support it.

Mr. BACA. Mr. Speaker, February 19th marks the 65th anniversary of one of the greatest mistakes in our country's long history.

On that day in 1942, President Roosevelt signed Executive Order 9066, which authorized the internment of tens of thousands of Japanese Americans. This executive order was also applied to a smaller group of Americans of both Italian and German descent.

In recognition of the 65th anniversary of the internments, I rise today in strong support of H. Res. 122. This resolution supports the goals of the Japanese American, German American, and Italian American communities in recognizing a National Day of Remembrance for those individuals who were unjustly imprisoned.

It is said that those who do not learn from history are doomed to repeat it. A National Day of Remembrance would increase public awareness of the events surrounding the internment of innocent Americans and their families.

While our society has made important strides towards ending racial discrimination and inequality in the 65 years since President Roosevelt signed Executive Order 9066, we still have a long road ahead of us.

Just last week, alarming statistics were released on the resurgence of the KKK and other hate groups in the United States.

This is why we must pass this resolution. Our government and our leaders cannot make the mistakes of the past. Instead they must guide us to a greater understanding and respect for all Americans.

Mr. BERMAN. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. BERMAN) that the House suspend the rules and agree to the resolution, H. Res. 122.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. BERMAN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the House by Mrs. Wanda Evans, one of his secretaries.

RECOGNIZING THE HISTORICAL SIGNIFICANCE OF THE PINEDALE ASSEMBLY CENTER

Mr. BERMAN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 109) recognizing the historical significance of the Pinedale Assembly Center, the reporting site for 4,823 Japanese Americans who were unjustly interned during World War II.

The Clerk read as follows:

H. RES. 109

Whereas on February 19, 1942, President Franklin D. Roosevelt signed Executive Order 9066, which authorized the forced internment of both United States citizens and legal resident aliens of Japanese ancestry during World War II;

Whereas in the largest single relocation of individuals in the United States in U.S. history, approximately 120,000 of these Japanese Americans were forced into internment camps by the United States Government in violation of their fundamental Constitutional rights;

Whereas due to this unjust internment, these Japanese Americans faced tremendous hardships, such as the loss of their homes, businesses, jobs, and dignity;

Whereas following Executive Order 9066, Japanese Americans in parts of Washington, Oregon, California, and southern Arizona were ordered to report to assembly centers before being removed to more permanent war relocation centers;

Whereas the Pinedale Assembly Center, located in Fresno, California, was the reporting site for 4,823 Japanese Americans;

Whereas February 19th, the anniversary of Executive Order 9066, is known as the Day of Remembrance;

Whereas the Pinedale Assembly Center Memorial Project Committee is charged with the task of establishing a memorial to recognize the historic tragedy that took place at the Pinedale Assembly Center; and

Whereas the ground-breaking ceremony for the memorial at the Pinedale Assembly Center will take place on February 19, 2007, the 65th anniversary of Executive Order 9066: Now, therefore, be it

Resolved, That the House of Representatives recognizes the historical significance of the Pinedale Assembly Center to the Nation and the importance of an appropriate memorial at that site to serve as a place for remembering the hardships endured by Japanese Americans, so that the United States will be reminded of the need to remain vigilant in protecting our Nation's core values of equality, due process of law, and fundamental fairness.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. BERMAN) and the gentleman from California (Mr. ISSA) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. BERMAN).

GENERAL LEAVE

Mr. BERMAN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BERMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of House Resolution 109. We have been discussing in the previous resolution Executive Order 9066. When President Roosevelt signed that order, approximately 120,000 Japanese Americans were forced into internment camps, leading to the loss of their livelihoods, homes, and jobs. This action was the largest relocation of Americans in our history. Before being deported to permanent camps in desolate areas and behind barbed wires, thousands of Japanese Americans were temporarily held at assembly centers. Close to 5,000 Japanese Americans reported to the Pinedale Assembly Center in Fresno, California.

The Pinedale Assembly Center Memorial Project Committee will establish a memorial at that site, marking the tragedy that occurred there. The groundbreaking ceremony for the memorial will take place in just a few days, on February 19, 2007, 65 years after the signing of Executive Order 9066 and a day that the Japanese American community most appropriately recognizes as a national day of remembrance.

H. Res. 109 recognizes the historical significance of the site. The site is a symbol of the injustices suffered by Japanese Americans during World War II and a reminder of how fragile our civil liberties are in the face of fear, prejudice, and paranoia. I particularly want to commend my colleague, Representative COSTA of California, for introducing this resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. ISSA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H. Res. 109, recognizing the historical significance of the Pinedale Assembly Center, the reporting site for over 4,823 Americans of Japanese ancestry who were unjustly interned during World War II.

The Pinedale Assembly Center is located 8 miles north of downtown Fresno, California, on vacant land. It is a stark place, as was the policy that was supported by Executive Order 9066 signed by President Franklin Delano Roosevelt to authorize the tragic internment of Japanese Americans at the beginning of World War II.

The assembly center was encircled by a high chain-link fence, topped with three rows of barbed wire, and it caged American citizens whose only crime was their ancestry. Soldiers gave orders to citizens who should have been free; livelihoods were put on hold; uncertainty and fear punctuated each day. Thousands of law-abiding citizens who loved America and contributed to its strength had been trapped in endless rows of drab cell blocks.

The center serves as a symbol of America's stumbling. But our country has regained its footing. It has appropriately apologized for the tragic mistake of President Roosevelt's Executive Order 9066, and it is reaffirming its commitment, through this resolution before us today, to never forget its mistakes lest they be repeated.

Mr. Speaker, I reserve the balance of my time.

Mr. BERMAN. Mr. Speaker, I am pleased to yield 3 minutes to my colleague from California (Mr. HONDA).

Mr. HONDA. Mr. Speaker, I want to thank Mr. BERMAN for his leadership.

I rise today in support of H. Res. 109, which recognizes the historical significance of the Pinedale Assembly Center, and I want to thank House leadership for bringing two resolutions on the floor today recognizing the important historical aspects of the Japanese American internment. I also want to thank Congressman COSTA for his leadership in introducing this very important resolution.

Executive Order 9066 authorized the exclusion and internment of all Japanese Americans living on the west coast during World War II. As we recognize the Pinedale Assembly Center, I want us to place the internment period into a broader historical context rather than just focus on the plight of the Japanese Americans during World War II.

□ 1545

Our Nation has always battled the dueling sentiments of openness and freedom on the one hand and apprehension and fear of perceived outsiders on the other. Due to apprehension and fear when our economy took a downturn in the 1880s, the Asian community became the target of politicians looking for someone to blame.

In 1882 the Congress passed the Chinese Exclusion Act to keep out people of all Chinese origin. During World War II, Japanese Americans were the well-known target of the government's submission to apprehension and fear.

During this time, 10,000 Italian Americans were forced to relocate; 3,278 were incarcerated, while nearly 11,000 German Americans were incarcerated. German and Italian Americans were restricted during World War II by measures that branded them enemy aliens and required identification cards, travel restrictions, seizure of personal property as well.

Our Federal Government has made amends for the fundamental violations of the basic rights of those of Japanese ancestry that took place pursuant to Executive Order 9066, but we must continue to learn from these events. In the post-9/11 world, we need to protect our Nation and our civil liberties more than ever.

As political leaders we must not fail to uphold constitutional principles.

Mr. ISSA. Mr. Speaker, I yield myself 1 minute.

I would like to associate myself with the comments of Mr. HONDA. I think it is very clear that you can't remember 65 years ago with the resolution and not have a permanent, physical site for people to go to every day and realize what internment meant. So I join with my colleagues in supporting this resolution, urge its passage and recognize that this pairing of resolutions means a great deal, because it is only with something that the public can visit 365 days a year that we will, in fact, prevent this from happening again.

Mr. Speaker, I yield back the balance of my time.

Mr. BERMAN. Mr. Speaker, I am pleased to recognize our new colleague, the gentlelady from Hawaii (Ms. HIRONO) for 5 minutes.

Ms. HIRONO. I thank the gentleman for yielding time.

Mr. Speaker, I rise today to speak in support of House Resolution 109. Today we will be taking action on two related measures, House Resolution 122, earlier debated, and this resolution.

One of the lowest points in American history occurred 65 years ago when the Constitution and civil rights of 120,000 persons of Japanese ancestry were trampled upon by their own government. Under the cloud of war, hysteria, false rumors and racial bigotry fueled official misconduct that led to the uprooting of innocent aliens and citizens alike in one of the worst wholesale infringements of constitutional rights in the 20th century.

As a consequence, thousands of persons of Japanese ancestry were forced by their own government to dispose of their property, businesses, farms and possessions for pennies on the dollar, if anything at all. Families were split up and sent to different relocation camps. Educations were disrupted, and careers abruptly terminated on only a few days' notice. Wholesale violations of basic constitutional rights were committed in the name of national security. Yet not a single act of sedition or espionage by any of the evacuees was ever proven in any court of law.

To the contrary, the historic exploits of AJA in the 100th Battalion and 442nd Regimental Combat Team in Europe and the MIS in the Pacific and Asia proved that patriotism was not skin deep. The psychological and emotional pain of this experience was so deep that many evacuees never talked about their experiences for decades.

Many who were directly affected by the order live and work among us still. A member of my own congressional staff, my deputy chief of staff, Susan Kodani, was born in the Manzanar Relocation Camp. Her family was then relocated to Michigan, ironically to permit her college-educated father to assist in the war effort.

Many more, of course, suffered personal losses and tragedies more traumatic and devastating. By recognizing the historic significance of the Pinedale Assembly Center and by observing the Day of Remembrance as called for in earlier House Resolution 122, we say to the Nation and our fellow citizens that America can never forget this horrible tragedy. While it directly affected one segment of our population, the ramifications to all Americans are profound and no less relevant today as we wage war in Iraq.

The constitutional rights of all Americans are in jeopardy if any group of citizens can be persecuted without legal justification. We must all stand vigilant and alert for any attempt by any group, whether a small power clique or the majority of Americans, to overstep the bounds of the law for momentary expediency or even for claims of national security during war. The protection of our constitutional rights of all of our citizens require continued vigilance from all of us.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of H. Res. 109, to recognize the historical significance of the Pinedale Assembly Center in Fresno, California, the reporting site for 4,823 Japanese Americans who were unjustly interned during World War II.

It is fitting that a memorial will be established at this historical location, especially on this year's National Day of Remembrance. On that same day in 1942, President Franklin D. Roosevelt signed Executive Order 9066, requiring 120,000 people of Japanese ancestry to be removed forcibly from their homes and placed in internment camps—two-thirds of these were American citizens, none of which had ever shown disloyalty to the American cause. Forced to live under harsh conditions, the last internment camp closed four long years later.

These innocent Americans were treated unjustly by their own government during a time of war, simply because of their national origins, and such an injustice must not go unremembered. It is absolutely essential to remember the past mistakes of our government in an effort to avoid future ones.

In times of war it may be easy to get carried away and put labels on those around us, imputing disloyalty to persons of different national origins or religious backgrounds. But as we saw in World War II, such assumptions are frequently wrong, unjust, and can lead to disastrous consequences for a group of individuals.

I thank my colleague, Representative COSTA, for introducing this important legislation. We must never let such unjust practices occur in this great Nation again. I urge my colleagues to join me in supporting H. Res. 109.

Mr. BERMAN. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. BERMAN) that the House suspend the rules and agree to the resolution, H. Res. 109.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

LINO PEREZ, JR. POST OFFICE

Mr. LYNCH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 437) to designate the facility of the United States Postal Service located at 500 West Eisenhower Street in Rio Grande City, Texas, as the "Lino Perez, Jr. Post Office".

The Clerk read as follows:

H.R. 437

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. LINO PEREZ, JR. POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 500 West Eisenhower Street in Rio Grande City, Texas, shall be known and designated as the "Lino Perez, Jr. Post Office".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Lino Perez, Jr. Post Office".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentleman from California (Mr. ISSA) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. LYNCH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LYNCH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to join my colleagues in the consideration of H.R. 437, legislation naming a postal facility in Rio Grande City, Texas, after the former postmaster of Rio Grande City, Lino Perez, Jr.

Lino Perez, Jr., was the 18-year-old son of the mayor of the City of Rio Grande, Texas, where he witnessed how a breakdown in a government service could disrupt the lives of nearly all of its beneficiaries.

The City of Rio Grande, with a population of over 2,000, was disincorporated in 1933 at the height of the Great Depression over local businesses' refusal to pay taxes, causing young Perez's high school to lose its accredited status.

Thereafter, unable to complete in school in town, Mr. Perez persevered with his education, attending classes 100 miles away in Brownsville and eventually receiving his diploma from a school in Austin. Mr. Perez's father, Lino Perez, Sr., had served for 4 years as the Democratic mayor of the now disbanded town of Rio Grande. Some might have feared that a town which had financially defaulted and disbanded its government would suffer the fate of so many ghost towns in the western States, slowly fading from the map.

However, Mr. Perez, Sr., continued to look after his community, volunteering for the office of postmaster to his unincorporated neighbors. Mr. Perez, Sr., put his son, Lino Perez, Jr., to work delivering letters that same year.

Mr. Speaker, Lino Perez, Jr., succeeded his father as postmaster of Rio Grande on New Year's Eve, 1957. During his first term, Mr. Perez improved service to the growing downtown district and the surrounding rural areas of Starr County. Mr. Perez strove to further serve the city by winning approval for a new post office building.

The Perez family, senior, and then junior, ran that post office in Rio Grande from 1934 to 1975. Together, they watched the town heal from economic stagnancy and grow in population throughout the century.

When Lino Perez, Jr., retired from the postal service, he continued his public service as State warden, State secretary and finally State treasurer of Texas. Lino Perez, Jr., learned from his father and, in turn, showed his town the strength of a community to weather difficulty as one, and the power of letter carriers to knit the lives of their fellow citizens together, to make all of the neighbors' stories into one story.

Many local officials support naming this post office after Lino Perez, Jr., including the city mayor, the county judge, and the area's State Representative.

Mr. Speaker, together with my colleagues, we urge the swift passage of this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. ISSA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it is not uncommon in this body to name post offices after former Members of Congress, national figures, Presidents and the like. But it is incredibly appropriate today to name a post office after two generations of hard work on behalf of that very post office.

As a member of the Oversight and Government Reform Committee, I have managed many bills for post offices, and in my 6 years I have not seen a more befitting naming of a post office. Because, in fact, it is this group of tireless workers for the Federal Government, often the butt of jokes, the postmasters and the postmen and postwomen, that make sure that our bills, our letters, our correspondence, and, yes, our junk mail, are delivered to us.

I think this is among the most appropriate pieces of legislation that I have had the opportunity to help manage. I urge the passage of this. I urge the people of this Congress to take note that we are, in fact, naming a post office after a postman this one time.

Mr. Speaker, I reserve the balance of my time.

Mr. LYNCH. Mr. Speaker, at this time I would like to yield for as much time as he may consume to my esteemed colleague from Texas (Mr. CUELLAR).

Mr. CUELLAR. I thank the gentleman from Massachusetts for his kind words, and the gentleman also from California for the kind words.

Mr. Speaker, I rise in support of H.R. 437, a bill to name the postal facility of Rio Grande City, Texas, after Lino Perez, Jr.

Mr. Lino Perez, Jr., is a role model and a leader in south Texas, who helped ingrain a rich tradition of public service in his community. Mr. Perez was born in Rio Grande City, Texas, in 1914. He attended high school in south Texas, as well as in Austin, and then returned home to Rio Grande City shortly after graduation to begin his post office career.

He first started with the United States Post Office in 1934 under the guidance of his father, who was then the postmaster of Rio Grande City. Lino Perez, Jr., worked through the ranks of the Rio Grande City Post Office; and after two decades, 20 years, he was named postmaster for Rio Grande City.

Under his leadership, the Rio Grande Post Office was upgraded to a second-class post office. Mr. Perez also established the city's first mail delivery, created several rural routes in Starr County, and helped lay that foundation for his community's further progress.

In addition, Mr. Perez served several terms on the Starr County Hospital Board of Directors, was actively involved in the Knights of Columbus, including being Texas State deputy, the highest Knights of Columbus position in Texas. After 41 years of loyal service, Lino Perez retired from the Rio

Grande Post Office. Forty-one years of great service.

Mr. Perez still resides in the region, is warmly remembered by his family, friends and community as a community leader. Lino Perez, Jr.'s service to our country shall be remembered and celebrated through this small tribute, and I urge swift passage of this bill.

Again, I want to thank the gentleman from California and the gentleman from Massachusetts.

□ 1600

Mr. ISSA. Mr. Speaker, I reserve the balance of my time.

Mr. LYNCH. Mr. Speaker, in conclusion, we are indeed very proud that this post office is being named after a postal employee, a very proud family.

On behalf of all the workers of the United States Postal Service, we want to urge swift passage of this bill.

Mr. Speaker, I yield back the balance of my time.

Mr. ISSA. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and pass the bill, H.R. 437.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. LYNCH. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.

MIGUEL ANGEL GARCIA MENDEZ POST OFFICE BUILDING

Mr. LYNCH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 414) to designate the facility of the United States Postal Service located at 60 Calle McKinley, West in Mayaguez, Puerto Rico, as the "Miguel Angel Garcia Mendez Post Office Building".

The Clerk read as follows:

H.R. 414

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. MIGUEL ANGEL GARCÍA MÉNDEZ POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 60 Calle McKinley, West in Mayaguez, Puerto Rico, shall be known and designated as the "Miguel Angel García Méndez Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Miguel Angel García Méndez Post Office Building".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentleman from California (Mr. ISSA) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. LYNCH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LYNCH. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I am pleased to join my colleagues in this House in the consideration of H.R. 414, legislation naming a postal facility in Mayaguez, Puerto Rico after the local politician, Miguel Angel Garcia Mendez.

Mr. Garcia Mendez proudly served the territory of Puerto Rico as the youngest Speaker of Puerto Rico's House of Representatives, serving between 1932 and 1940. He later was elected senator and founded the newspaper, El Imparcial.

Born in the town of Aguadilla on November 17, 1902, Mr. Garcia Mendez became an attorney and successful businessman. During his political career, he helped start the Republican Statehood Party, which was the predecessor of today's New Progressive Party, in 1948.

Up until his death, he advocated for Puerto Rico statehood in the hope that they would gain the right as American citizens to vote for President and to have a counted vote in the U.S. Congress.

Mr. Garcia Mendez passed away in November of 1998, and his dedication to service for all Puerto Ricans should be remembered and celebrated with this small tribute.

Mr. Speaker, together with my colleagues in the House, I urge the swift passage of this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. ISSA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I urge the passage of H.R. 414. It is an appropriate naming of a post office on behalf of a gentleman who for 96 years was a champion of statehood for Puerto Rico.

Puerto Rico is not just a territory, Puerto Rico is in fact the largest of all the territories, having a population that would give it at least four Members of Congress if it were to become a State.

Although he never succeeded in bringing statehood to Puerto Rico, he kept the hope alive and the belief alive by the Puerto Rican people that in fact they were Americans, and that as Americans one of their options would be statehood.

As a prominent businessman, he founded the Western Bank and was the owner of a very prominent newspaper in Puerto Rico.

He was born on November 17, 1902, and throughout his career he championed many activities beyond statehood. He was one of the founders of the New Progressive Party. He served in the Puerto Rico House of Representatives from 1932 to 1940, where he became the youngest Speaker and later was elected to the Senate.

We remember Mr. Mendez here today, and name this post office on behalf of him at the request of our Delegate from Puerto Rico, LUIS FORTUÑO, who unfortunately could not be here today, but who in fact found this to be the most appropriate person to name the post office after because of his long years of service to the territory of Puerto Rico and to the aspirations of the Puerto Rican people.

Mr. Speaker, I yield back the balance of my time.

Mr. LYNCH. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and pass the bill, H.R. 414.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

RUSH HUDSON LIMBAUGH, SR., UNITED STATES COURTHOUSE

Mr. OBERSTAR. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 342) to designate the United States courthouse located at 555 Independence Street, Cape Girardeau, Missouri, as the "Rush Hudson Limbaugh, Sr., United States Courthouse," as amended.

The Clerk read as follows:

H.R. 342

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. RUSH HUDSON LIMBAUGH, SR. UNITED STATES COURTHOUSE.

(a) DESIGNATION.—The United States courthouse located at 555 Independence Street in Cape Girardeau, Missouri, shall be known and designated as the "Rush Hudson Limbaugh, Sr. United States Courthouse".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in subsection (a) shall be deemed to be a reference to the "Rush Hudson Limbaugh, Sr. United States Courthouse".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Ohio (Mr. LATOURETTE) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota.

GENERAL LEAVE

Mr. OBERSTAR. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill, H.R. 342.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. OBERSTAR. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 342, to designate the U.S. courthouse at 555 Independence Street, Cape Girardeau, Missouri, as the Rush Hudson Limbaugh, Sr., U.S. Courthouse.

Judge Limbaugh was a leading figure in the legal profession, not only in Missouri, not just in the United States, but worldwide. He practiced law for over eight decades. At the age of 104, at the time of his death, he was still practicing law and was in fact the oldest practicing attorney in the United States.

He argued over 60 cases before the Missouri Supreme Court, tried cases before the Interstate Commerce Commission, the Labor Board and the Internal Revenue Appellate Division. He was city attorney for Cape Girardeau from 1917 to 1919. In 1923, he started a law firm that bears his name to this day.

From 1942 through 1946, he was Missouri counsel for the War Emergency Pipelines, which transported gasoline from Texas and Louisiana to the east coast as part of our war effort.

He was president of the Missouri Bar from 1955 through 1956, and served on a committee that drafted the Missouri Probate Court. In the early days of the independence of India, the State Department sent Judge Limbaugh to that country to be an Ambassador for the U.S. legal system.

He was active in civic aspects of life; elected to the Missouri State legislature in 1932 and 1933, where he advocated for the formation of the Missouri State Highway Patrol. He was president of the State Historical Society for Missouri from 1956–1959. He was a Sunday school teacher; active in the Boy Scouts of America, his Centenary United Methodist Church, and the Salvation Army. He died at his home on April 8, 1996.

Judge Limbaugh will be remembered as a brilliant attorney and a great American. I urge my colleagues to support this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. LATOURETTE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to thank the chairman of the full committee, Mr. OBERSTAR, for moving this legislation so expeditiously to the floor. H.R. 342 was introduced by our colleague, Representative JO ANN EMERSON of Missouri, and it designates the United States courthouse located in Cape Girardeau, Missouri as the Rush H. Limbaugh, Sr., United States Courthouse.

I also want to commend Mrs. EMERSON's commitment to this legislation. She recognized Rush Limbaugh, Sr.'s tremendous record of public service and has provided a fitting tribute for one of the most remarkable figures in Missouri history.

This bill honors Rush Limbaugh, Sr., a remarkable lawyer whose awards and accomplishments over a legal career that spanned eight decades are too numerous to count.

Mr. Limbaugh was born in 1891. He attended school at a one-room schoolhouse and excelled academically from the start. He attended the University of Missouri at Columbia and the University of Missouri School of Law, paying his way through school by doing carpentry work, working on a farm, waiting tables and firing furnaces.

After passing the bar in 1916, he was admitted into the practice of law in Missouri and immediately opened a law office in Cape Girardeau.

Limbaugh was known for being extremely hardworking and ethical; he was also known for his fiery advocacy and ability to craft creative solutions.

President Reagan once remarked that Limbaugh, Sr.'s contributions read like a virtual who's who of accomplishment. His resume accurately depicts the image of an extraordinary man, superb lawyer and model citizen.

During his career, he tried more than 60 cases before the Supreme Court of Missouri and acted as city attorney and general counsel of Cape Girardeau. He was also a member of the advisory committee for the drafting of the Probate Code of Missouri, president of the Missouri Bar, and president of the State Historical Society. In his free time, he also taught Sunday school and served as a Boy Scout leader.

Limbaugh, Sr. rose to national prominence when he served as a representative of the United States on a 6-week lecture tour to the newly independent India on constitutional government and the United States judicial system.

Limbaugh, Sr. called Cape Girardeau home. It is only fitting that we name the new United States courthouse in his honor and recognize his accomplishments and dedication to his community.

Mr. Speaker, I support this legislation and encourage my colleagues to do the same.

I would indicate to my good friend, the chairman of the full committee, that I have no additional speakers. If he is prepared to yield back, I would yield back my time.

Mr. OBERSTAR. I thank the gentleman for his comments; he added several items of which I was not aware about Judge Limbaugh's distinguished career.

I, too, do join in expressing our appreciation in the committee to Representative JO ANN EMERSON for her steadfast advocacy for this naming of the courthouse, and also to Representative RUSS CARNAHAN and Representative LACY CLAY, who also expressed their strong support for the legislation.

Mrs. EMERSON. Mr. Speaker, later this year, Cape Girardeau, Missouri, will open a new United States Federal Courthouse. Over the past many months, I have watched this structure rise, due to the diligent efforts of hundreds of skilled men and women working tirelessly to give justice a new home in our region. I am certainly thankful for their beautiful accomplishment, in the form of our new Courthouse.

At the same time, we should reflect on the people who dedicated their lives to the construction of a strong, vibrant and enduring rule of law in our region and our Nation.

Rush Hudson Limbaugh, Sr. perfectly embodies our respect for the law and love for our communities. His practice of law for more than 80 years, from 1916 to 1996, is the stuff of legends. At the age of his death, the 104-year-old resident of Cape Girardeau was still going in to his office twice a week. He was the Nation's oldest practicing attorney.

The litany of legal accomplishments of Rush Hudson Limbaugh, Sr. cloud our memory of the man. He helped construct the Missouri Probate Code and begin the Missouri Highway Patrol. He was sent to India to help shape the new legal code in that fledgling democracy. He advocated for the reach of the federal judiciary to extend outside American urban centers and into the rural parts of our great Nation.

Yet he was more than an attorney—Rush Hudson Limbaugh, Sr. was also devoted to his family, his faith, and his community. He taught Sunday School. He worked to help Cape Girardeau expand its commerce of goods as well as ideas. He devoted countless hours of his time to the Boy Scouts of America. We remember him as a good citizen as well as a good lawyer.

It is safe to say that, of the many hours of Rush Hudson Limbaugh, Sr.'s life, none of them were wasted. As we devote one hour of the United States House of Representatives to remember him, we are ensuring that Rush Hudson Limbaugh, Sr.'s legacy and example endure in the community he loved, on a building that carries on the work to which he was dedicated: the American promises of liberty and law, fundamental principles of fairness, and a system of jurisprudence for all Americans that is the envy of the world.

Mr. OBERSTAR. Mr. Speaker, I yield back the balance of my time.

Mr. LATOURETTE. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. OBERSTAR) that the House suspend the rules and pass the bill, H.R. 342, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: "To designate the United

States courthouse located at 555 Independence Street in Cape Girardeau, Missouri, as the 'Rush Hudson Limbaugh, Sr. United States Courthouse'.".

A motion to reconsider was laid on the table.

DIRECTING ADMINISTRATOR OF GENERAL SERVICES TO INSTALL A PHOTOVOLTAIC SYSTEM FOR THE HEADQUARTERS BUILDING OF THE DEPARTMENT OF ENERGY

Mr. OBERSTAR. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 798) to direct the Administrator of General Services to install a photovoltaic system for the headquarters building of the Department of Energy.

The Clerk read as follows:

H.R. 798

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. INSTALLATION OF PHOTOVOLTAIC SYSTEM AT DEPARTMENT OF ENERGY HEADQUARTERS BUILDING.

(a) IN GENERAL.—The Administrator of General Services shall install a photovoltaic system, as set forth in the Sun Wall Design Project, for the headquarters building of the Department of Energy located at 1000 Independence Avenue, Southwest, Washington, D.C., commonly known as the Forrestal Building.

(b) FUNDING.—There shall be available from the Federal Buildings Fund established by section 592 of title 40, United States Code, $30,000,000 to carry out this section. Such sums shall be derived from the unobligated balance of amounts made available from the Fund for fiscal year 2007, and prior fiscal years, for repairs and alterations and other activities (excluding amounts made available for the energy program). Such sums shall remain available until expended.

(c) OBLIGATION OF FUNDS.—None of the funds made available pursuant to subsection (b) may be obligated prior to September 30, 2007.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Ohio (Mr. LATOURETTE) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota.

GENERAL LEAVE

Mr. OBERSTAR. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill, H.R. 798.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

□ 1615

Mr. OBERSTAR. Mr. Speaker, I yield myself such time as I may consume.

Over 30 years ago, Mr. Speaker, as a second-term Member of the House and serving on the Public Works Committee, as it was called then, and the Subcommittee of Public Buildings and Grounds, I heard an extraordinary presentation about the use of photovoltaics in public buildings and how, as a result of this study, energy could be saved, burning of fossil fuels could be avoided, and the Federal Government could save enormous amounts of energy costs by using a then-new technology known as photovoltaics.

I was so enthralled by the idea, I drafted legislation which I shared with my then-colleague in the Senate from the State of Minnesota, Senator Hubert Humphrey, who introduced the companion bill in the other body; and together we got the legislation enacted, signed by President Carter, funding for the first 3 years of a 3-year investment by the Federal Government in converting Federal civilian office space to photovoltaic energy. Unfortunately, President Carter lost the election. President Reagan came in and decided that the alternative energy program was an unnecessary investment of the Federal Government, and the entire alternative energy budget was deleted.

Years passed. Interest in photovoltaic cells continued. Research and development and testing and application in the private marketplace, as well as by government agencies, continued and the cost of photovoltaics dropped from $1.75 a kilowatt hour in 1977 to about 25 cents a kilowatt hour today, compared to 7 cents produced by conventional fossil fuel power centers.

Well, I thought the time was ripe again for us to make another effort at having the Federal Government lead the way and being the template, being the exemplar in the marketplace for alternative energy use and deployment and reducing its cost.

So the bill that is before us today, it was reported, we had a hearing and markup in the subcommittee and markup in the full committee to use the Department of Energy headquarters as the exemplary facility for the Nation in use of photovoltaics. The Department of Energy building, just down the street from the Capitol, on Independence Avenue and what is also known as the Forestall Building.

In 1999, our then-Secretary of Energy, Bill Richardson, conducted a national competition to get the best architectural firms to develop a conceptual design for a photovoltaic system to be installed on the south wall of the Department of Energy. Solarnet, the winning design, will transform that south wall, which was deliberately built in a solid face with no windows and no doors. It will transform that rather ugly, nondescript wall into this very attractive piece that is depicted in the panels before us in the well of the House. But that solar wall will generate 460,000 kilowatts of energy. It is 300 feet long, 130 feet high, will contain 24,750 square feet of power-generating panels.

The Federal Government is the largest single consumer of energy in the country. We are in a unique position to show the rest of the Nation how to conserve energy, how to be efficient in doing it, and to do so with our trust of management of Federal civilian office space.

The Department of Energy estimated in 2005 that the cost of energy consumption of all forms by Federal agencies was $14.5 billion; $5.5 billion of that was spent on buildings and facilities, meaning electricity.

GSA, General Services Administration, manages 387.7 million square feet of non-military, non-postal civilian office space. It ought to set the stage, it ought to set the standard for the Nation in being energy efficient and reducing the cost to the taxpayer of operating these Federal buildings.

We ought to, also, change our management of Federal office space both in the construction and in the leasing of those office facilities to life-cycle cost considerations, not just the lowest initial cost of construction; but we are going to be the tenant, we are going to be the owner of those facilities, tenant in the leased operations and owner in those that are outright owned by the Federal Government for as long as we are in there, and we ought to do the best that we can for the taxpayer, and we ought to set the stage and help create a marketplace for production of photovoltaics that will, in volume production, reduce their cost.

Photovoltaics are very simple devices. The sun strikes a panel that has lines of filament that create resistance, transmit that resistance across a grid and collectively produce direct current electricity that is then converted into alternating current electricity. It can run all the lights, the elevators, the escalators, everything, computers, everything that uses electricity in the Department of Energy building, and have excess power at the end of the day to turn back into the Potomac Electric Power Company grid so that the electric meter will run backwards at the Department of Energy at the end of the day. That is what we ought to be doing. We can do that.

It is within our authority of this committee to set the stage for advances in technology. Already some 25 buildings of the Federal Government nationwide use photovoltaics in one way or another. The Department of Agriculture does, also just down the street, Independence Avenue. The Park Service, the Forest Service, NOAA, on their weather buoys, the space program all use photovoltaics to gather information, transmit. The Highway Departments, on traffic monitoring signs, use photovoltaics, gathering electricity during the day, storing it in batteries and run those signs at night off solar power.

We are only addressing one project today, but that could be multiples in the future. And we are here doing what we can within our ability. It is not going to solve all of the problems of global climate change, but we have an obligation to do our part and to do what we can within this committee.

Toward that end, I thank the gentleman from Ohio (Mr. LATOURETTE) for his participation through the subcommittee and then to the full committee.

I thank our full committee ranking member, Mr. MICA, for his support and initiative on this matter and moving us to this point where we could pass this bill in the House.

Mr. Speaker, I reserve the balance of my time.

Mr. LATOURETTE. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, I want to congratulate, again, the chairman of our full committee, Mr. OBERSTAR, for not only being the author of this legislation, but for bringing it to the floor in such an expeditious manner.

H.R. 798, introduced by Chairman OBERSTAR, directs the administrator of GSA to install a photovoltaic system at the headquarters building for the Department of Energy and authorizes appropriations to carry out the project. I know, when the chairman speaks of his passion, of what he speaks; and I know he has been committed for over 30 years to adding a solar energy component to the DOE headquarters building.

The photovoltaic system authorized by this bill to be installed at the Department of Energy building was chosen through a competitive process. In 1999 the U.S. Department of Energy National Renewable Energy Laboratory, in cooperation with the American Institute of Architects and the Architectural Engineering Institute, sponsored a design competition to select the winning sun wall design for the south wall of the new headquarters for the Department of Energy. The winning design, called the Solarnet, was selected from 151 entries. The winning design, as the chairman has mentioned, is 300 feet long, 130 feet high and incorporates 24,750 square feet of power generating panels. The DOE building was designed and constructed to include a solar energy system on the south wall, which was never constructed. Currently, the south wall is just a big expanse of concrete. H.R. 798 will complete what was left unfinished.

This project was previously authorized in the 109th Congress. Similar language directing the administrator of GSA to install a photovoltaic system for the headquarters building was incorporated into the energy policy act of 2005.

Mr. Speaker, one of the first things you learn as a new Member of the Congress, and I believe the current occupant of the chair is a new Member of Congress, is that some of our colleagues know a little bit about a lot. Some know a lot about a little.

When you join the Transportation Committee, what you know about our chairman is he knows a lot about a lot. And it is not a surprise, nor is it ever a surprise when I go to a markup or a hearing and hear Chairman OBERSTAR talk about the history of steel or the history of transportation, or the transcontinental railroad. One of my favorites is always his focusing on 1956 and the opening of the Wellend Canal and what that meant to those of us in the Great Lakes.

But what I didn't know until I had the pleasure of chairing this subcommittee two or three Congresses ago was that he was such an expert on photovoltaic electricity. And one of the most pleasant hearings that I can recall having in that subcommittee was a hearing on this subject matter and listening to the gentleman from Minnesota expound on his 30-year quest.

And what I came away with from that hearing, and again being the beneficiary of his great knowledge, was the fact that if we had made the investment that the gentleman is talking about in this bill today 30 years ago, we would be talking about comparable rates of electricity generation. We wouldn't be talking about 25 cents a kilowatt hour. Perhaps we would be down in the 3 to 7 cent range, and the opportunity that has been wasted by not, in fact, making that investment back when the gentleman first came forward with Senator Humphrey to make this a reality.

And so I hope that this becomes the first of many pieces of legislation that the gentleman offers. And I will tell him that I will be supportive, not only of his present endeavor, but his future endeavors as well.

Again, I congratulate the gentleman for his 30-year pursuit of this goal, and I urge all of our colleagues to be supportive.

Mr. Speaker, I reserve the balance of my time.

Mr. OBERSTAR. Mr. Speaker, I yield myself 1 minute.

I am very deeply touched by the gentleman's comments, Mr. Speaker. And I thank the gentleman for his thoughtfulness and for his very much appreciated comments about my service on the committee and my work over the many years.

I do recall the hearing that the gentleman chaired. He opened the hearing to the subject of photovoltaics. I remember that the gentleman did an enormous amount of homework, and he came to the hearing and surprised me with a recitation of the evolution of photovoltaic cells and the different types of materials that go into the production of photovoltaic cells and their application in a wide diversity of uses.

The gentleman deserves enormous credit in his own right for his studious and thoughtful leadership on the committee and the several responsibilities that he has held, economic development and railroads and in the public buildings and grounds arena.

Mr. Speaker, I reserve the balance of my time.

Mr. LATOURETTE. Mr. Speaker, before yielding to our next speaker, I just yield myself such time as I might consume. And I would just tell the chairman of the committee that I learned 12 years ago that if I was going to be in the same room with the gentleman, I had to do my homework, and so it was something that I knew I had to do.

Mr. Speaker, it is my pleasure to yield such time as he might consume to the gentleman from Arkansas (Mr. BOOZMAN).

Mr. BOOZMAN. Mr. Speaker, I also want to thank Chairman OBERSTAR for bringing this legislation through committee and to the floor in a very expeditious way.

I rise today in support of the commonsense piece of legislation which I hope will serve as an example of working hard and smart toward energy independence in America.

I have long been a proponent of this kind of affordable alternative lighting method, and energy production method, and have voted before for increases in using solar panels which produce no air pollution or a single ounce of hazardous waste.

As the leader in securing our energy independence and promoting safe and effective energy alternatives, I fully support the Department of Energy's retrofitting of solar panels to reduce energy consumption and, in fact, retrofitting in other areas, Federal buildings with more such that we can get more efficient energy technology in place. I am confident that through the Department of Energy's leadership in utilizing this lighting technology, the United States, as a whole, can make significant progress towards greater energy efficiency and independence.

All of us in this room have said our Nation needs to be more energy independent.

□ 1630

There is no magic wand which will make it so. It takes many steps to get to the end of the path we are traveling, and it will take many people to make this goal a reality.

Today we have the opportunity to take another step down that path. I urge my colleagues to give us the means to take this step by passing H.R. 798.

I also want to commend Chairman OBERSTAR. Many years ago there was a country western song by Barbara

Mandrell that said she was country before country was cool, through her song, and I would say that you are very much a proponent of this legislation, a proponent of these things when it wasn't cool. And as Mr. LATOURETTE said, perhaps if we had done some of those things many years ago, as you were insisting then, we would be in much better shape from an energy standpoint in our Nation today.

Mr. OBERSTAR. Mr. Speaker, I yield myself such time as I may consume.

Again I thank the gentleman from Arkansas for his thoughtfulness. And I recall our very pleasant visit to his district on transportation and economic development issues many years ago when we saw so much of the progress that has been done through the Economic Development Administration, the need for highway investments, for which the gentleman has been a strong advocate. And I also remember a very special feeling, the presentation by the Fort Smith Chamber of Commerce of a unique award: a noose. I don't know what happened to it. I never did take possession of it to bring back with me, but someday I will make a return visit to Fort Smith. There is a long story we need not describe in this setting about Fort Smith and its role in the early days of territories and frontiers.

The sun wall design, as these posters describe it, will be a very attractive facility aesthetically but attractive energywise and more than a statement, a demonstration by the Federal Government, the leadership role that it can play and it should play in moving the Nation toward energy independence.

The Department of Energy conducted an analysis some time ago of the potential for photovoltaics and demonstrated that in a 100-mile by 100-mile square area of the Arizona desert, all the energy needs of the United States could be produced by photovoltaics. Well, we are making a start on that commitment with this legislation, moving in the right direction. It is long overdue, but we are making that step in the right direction.

I thank my colleagues on the committee, Chairman MICA for his willingness to move ahead with this legislation; and the gentleman from Ohio for his thoughtful and studious advocacy of the legislation; and Ms. NORTON, the Chair of our Public Buildings and Economic Development Subcommittee, for their participation in bringing the bill to this point.

If there are no further speakers, if the gentleman yields back, we will yield back our time.

Mr. LATOURETTE. Mr. Speaker, if I could just yield myself a moment to close before yielding back my time.

When the chairman was talking about Arkansas, I too had the pleasure of being in Arkansas, I think, before Mr. BOOZMAN was elected to the Congress, when one of the Hutchinsons was in that seat, and I had the pleasure of meeting John Paul Hammerschmidt, whom I know that the gentleman knows and was fond of working with for so many years. Just to show how we all come from different places, I noticed that all the wildlife in Arkansas was nervous when we were down there, particularly the raccoons. And another one of our colleagues, MARION BERRY, was with us on that trip for the opening of a new airport, and he indicated that his largest fundraiser was a raccoon roast. And I had not experienced that until he I had gone down to the gentleman's district as well.

I urge passage of the bill, and I thank the gentleman very much.

Mr. LATOURETTE. Mr. Speaker, I yield back the balance of my time.

Mr. MCNERNEY. Mr. Speaker, I rise in proud support of H.R. 798, which will instruct the General Services Administration to install photovoltaic panels on the roof of the Department of Energy in Washington D.C.

As a country, our energy needs continue to grow, and yet we are still heavily dependent on foreign sources of oil. The Federal Government is the country's single largest energy consumer and is in a unique position to demonstrate a commitment to taking on the challenge of global warming through the use of sustainable energy technology.

The installation of photovoltaic panels on the roof of the Energy Department headquarters in Washington D.C. is a first—and important—step in that direction. Doing so will help demonstrate the power and promise of solar energy.

It is critical that we continue to push forward on this front and expand the menu of renewable energy solutions available for use. I have recently formed the Bipartisan Freshman Caucus on Energy and Climate and am committed to working with members on both sides of the aisle to move forward with more commonsense solutions like photovoltaic panels. I urge my colleagues to do the same.

Mr. OBERSTAR. Mr. Speaker, I hope no raccoons will be caught in the energy wall because that is the sort of place that raccoons like to frequent.

Again, I thank my colleagues for their participation.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. OBERSTAR) that the House suspend the rules and pass the bill, H.R. 798.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

EXPORTS TO CHINA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 110–14)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

In accordance with the provisions of section 1512 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261), I hereby certify that the export to the People's Republic of China of the following items is not detrimental to the U.S. space launch industry, and that the material and equipment, including any indirect technical benefit that could be derived from such exports, will not measurably improve the missile or space launch capabilities of the People's Republic of China:

Twenty Honeywell model QA 750 accelerometers to be incorporated into railway geometry measurement systems for China's Ministry of Railways.

Equipment and technology associated with the production and testing of composite components for Boeing commercial aircraft.

GEORGE W. BUSH.
THE WHITE HOUSE, *February 11, 2007.*

ECONOMIC REPORT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 110–2)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Joint Economic Committee and ordered to be printed:

To the Congress of the United States:

Economic growth in the United States has been above the historic average and faster than any other major industrialized economy in the world. January was the 41st month of uninterrupted job growth produced by this economy, in an expansion that has thus far added more than 7.4 million new jobs. Unemployment is low, inflation is moderate, and real wages are rising. Our economy is on the move and we can keep it that way by continuing to pursue sound economic policy based on free-market principles.

Sound economic policy begins with low taxes. We should work together to spend the taxpayers' money wisely and to tackle unfunded liabilities inherent in entitlement programs such as Social Security, Medicare, and Medicaid. I have laid out a detailed plan in my budget to restrain spending, cut earmarks in half by the end of this session, and balance the budget by 2012 without raising taxes. The tax relief of the past few years has been a key ingredient in growing our economy, and it should be made permanent.

Our growing economy is dynamic. The rise of new technologies, new competition, and new markets abroad is changing how we do business. We need to take action in four key areas to keep America's economy flexible and dynamic.

First, we must break down barriers to trade so our workers can sell more goods and services to the 95 percent of the world's customers who live outside of our borders. Global trade talks like the Doha Round at the World Trade Organization have the potential to level the playing field so that we can compete on fair terms in foreign markets, while helping lift millions of people our of poverty around the world.

The only way we can complete the Doha Round and make headway on other trade agreements is to extend Trade Promotion Authority, which is set to expire on July 1st. This authority is essential to completing good trade agreements. The Congress must renew it if we are to improve our competitiveness in the global economy.

Second, we must work to make private health insurance more affordable and to give patients more choices and control over their health care. One of the most promising ways to do this is by reforming the tax code. We must end the unfair bias against individuals who buy insurance on their own. I propose creating a standard deduction for every American who buys health insurance, whether they get it through their jobs or on their own. In a changing economy, we need a health care system that is flexible and consumer-oriented. With this reform, more than 100 million Americans who are now covered by employer-provided insurance will benefit from lower tax bills. Those who now purchase health insurance on their own would save money on their taxes. Millions of others who now have no health insurance at all would find basic private coverage within their reach. My proposal also taps the innovation of States in making basic, affordable insurance available to all by creating Affordable Choices grants to help ensure the poor and the sick have access to private health insurance.

Third, we must continue to diversify our energy supply to benefit our economy, national security, and environment. In my State of the Union Message, I set an ambitious goal of reducing gasoline usage in the United States by 20 percent over the next 10 years. Meeting this goal will require significant changes in supply and demand, but we should let the market decide the best mix of technologies and fuels to most efficiently attain it. On the supply side, I propose a higher and reformed fuel standard that would include renewable and other alternative fuels. We should also allow environmentally friendly exploration of oil and natural gas. On the demand side, I propose enhancing Corporate Average Fuel Economy standards for cars and extending the current rule for light trucks, so that we can reduce the amount of gasoline that our passenger vehicles consume, and do so in a more efficient way.

Fourth, a strong and vibrant education system is vital to maintaining our Nation's competitive edge in the world and extending economic opportunity to every citizen here at home. Five years ago, we rose above partisan differences to enact the No Child Left Behind Act, preserving local control, raising standards, holding schools accountable for results, and providing more choice. This year, we must reauthorize and strengthen this good law while preserving its core principles.

Strong productivity growth underlies much of the good economic news from the past few years and the policies discussed above. Productivity growth helps to increase our standards of living and improve our international competitiveness. To maintain this progress, we must pursue a variety of pro-growth policies, including those contained in the American Competitiveness Initiative and comprehensive immigration reform.

These and other issues are discussed in the 2007 Annual Report of the Council of Economic Advisers. The Council has prepared this Report to put into broader context the economic issues that underlie my Administration's policy decisions. I commend it to you.

GEORGE W. BUSH.

THE WHITE HOUSE, *February 2007*.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 4 o'clock and 43 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

☐ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. ALTMIRE) at 6 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H. Res. 134, by the yeas and nays;

H. Con. Res 44, by the yeas and nays.

Votes on motions to suspend the rules with respect to H. Res 122 and H.R. 437 will be taken on a later date.

The first electronic vote will be conducted as a 15-minute vote. The second electronic vote will be conducted as a 5-minute vote.

RECOGNIZING AND HONORING THE EMPLOYEES OF THE DEPARTMENT OF HOMELAND SECURITY

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 134.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. CARNEY) that the House suspend the rules and agree to the resolution, H. Res. 134, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 412, nays 0, not voting 22, as follows:

[Roll No. 93]

YEAS—412

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Drake
Dreier
Duncan
Ehlers
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Filner
Flake
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herseth
Higgins
Hill
Hinojosa
Hirono
Hobson
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal

Johnson (GA)
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McMorris Rodgers
McNerney
McNulty
Meehan
Meek (FL)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—22

Cramer
Davis, Jo Ann
Doolittle
Edwards
Ellison
Ferguson
Gutierrez
Hastert
Herger
Hinchey
Hoekstra
Johnson (IL)
Johnson, E. B.
Kagen
McKeon
Meeks (NY)
Neal (MA)
Norwood
Peterson (PA)
Rush
Scott (GA)
Shimkus

□ 1855

Mr. CONAWAY and Mr. BERRY changed their vote from "nay" to "yea."

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

HONORING AND PRAISING THE NAACP ON THE OCCASION OF ITS 98TH ANNIVERSARY

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 44.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. BERMAN) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 44, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 410, nays 0, not voting 24, as follows:

[Roll No. 94]

YEAS—410

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Drake
Dreier
Duncan
Ehlers
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Filner
Flake
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herseth
Higgins
Hill
Hinojosa
Hirono
Hobson
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McMorris Rodgers
McNerney
McNulty
Meehan
Meek (FL)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Musgrave
Myrick
Nadler
Napolitano
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—24

Cramer
Davis, David
Davis, Jo Ann
Doolittle
Edwards
Ellison
Ferguson
Gutierrez
Hastert
Herger
Hinchey
Hoekstra
Johnson (IL)
Johnson, E. B.
Kagen
McKeon
Meeks (NY)
Murtha
Neal (MA)
Norwood
Peterson (PA)
Rush
Scott (GA)
Shimkus

□ 1905

So (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. GUTIERREZ. Mr. Speaker, I was unavoidably absent from this Chamber today. Had I been present, I would have voted "yea" on rollcall votes 93 and 94.

PERSONAL EXPLANATION

Mr. ELLISON. Mr. Speaker, on rollcall Nos. 93 and 94, for travel reasons I was unable to be present for the vote. Had I been present, I would have voted "yea" on both.

ELECTION OF MINORITY MEMBERS TO COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT

Mr. PUTNAM. Mr. Speaker, by direction of the Republican Conference, I offer a privileged resolution H. Res. 153) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 153

Resolved, That the following named members be and are hereby elected to the following standing committee of the House of Representatives:

(1) COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT.—Mr. Bonner, Mr. Barrett of South Carolina, Mr. Kline, and Mr. McCaul of Texas.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ZEBULON, NORTH CAROLINA

(Mr. MILLER of North Carolina asked and was given permission to address the House for 1 minute.)

Mr. MILLER of North Carolina. Mr. Speaker, tonight I rise to pay tribute to "The Town of Friendly People," Zebulon, North Carolina, which celebrates its 100th birthday this year.

Zebulon was founded on February 16, 1907, and was named to honor Zebulon Baird Vance, North Carolina's Governor during the Civil War. Governor Vance insisted, even in the midst of confusion and destruction of the Civil War, on maintaining the rule of law. North Carolina courts continued to function throughout the war, and North Carolina was the only State that never suspended the writ of habeas corpus.

Some of the early businesses in the town of Zebulon belonged to African American residents, like Surratt Dillard, who owned the town's first restaurant. The Wakelon School Building was built in 1909, telephones came to the town in 1911, and the first electric light system was installed in 1916. Today, some of the Nation's leading companies have chosen Zebulon as the place to do business.

In the past 100 years, the town size has grown by nearly 10 times, and nearly 5,000 folks now call Zebulon home.

I join the residents of Zebulon in their centennial celebration and I continue to work on the town's behalf.

CONGRESSIONAL INACTION JEOPARDIZES ILLEGAL DRUG ENFORCEMENT IN WHEELER COUNTY

(Mr. WALDEN of Oregon asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WALDEN of Oregon. Mr. Speaker, Congress still has not passed the Secure Rural Schools and Community Self Determination Act reauthorization. So what does that mean? For Wheeler County, Oregon, it means the sheriff's department will lay off a quarter of their workforce. Now, the force is only four deputies, four deputies including the sheriff, but they are responsible for patrolling 1,833 square miles. That is an area 30 times the size of the District of Columbia.

Last year, a deputy found 6,000 marijuana plants worth over $19 million spread over a quarter of a mile of Federal land. This operation was financed by Mexican drug cartels and cultivated by illegal aliens.

When my office inquired further, we found out that the deputy of Wheeler County who was out patrolling was doing so on horseback on your Federal lands. That is where he is protecting America from drug cartels and those that push this on our kids.

The sheriff says, "Cutting these funds will increase criminal activity on our Federal lands."

The county judge says, "County payments has been our savior." And this Congress, this Congress and the last one, have failed to reauthorize county payments.

It is time you pass H.R. 17.

IN MEMORY OF U.S. ARMY SPECIALIST CARLA JANE STEWART

(Mr. SCHIFF asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHIFF. Mr. Speaker, I rise today to honor the memory of my constituent, Army Specialist Carla Jane Stewart of the 250th Transportation Company based in El Monte, California. Specialist Stewart was killed in action on January 28, 2007 in Tallil, Iraq, when her military convoy vehicle overturned.

Carla was born in La Canada Flintridge, California to an Armenian American family. Her father, Edmond Aprahamian, a former Marine, and her mother, Emmy Aprahamian, are proud parents who will cherish the memory of their daughter who chose to enlist in the U.S. Army at the age of 35. After completing her basic training at Fort Jackson, South Carolina, she told her family and friends that if her unit was not deployed to Iraq, that she would volunteer to go. As it turned out, the 250th was deployed to Iraq last year and is due to return home in March.

Carla learned mechanical drafting alongside her father. Her family and friends have spoken with reverence of her distinctive commitment to duty, her dedication to her unit, her love of country and family. According to her father, Carla always had a smile. She was a small woman; her unit called her Stewart Little, but she was gutsy and in every other way giant.

It takes a special commitment to volunteer for military service in a time of war, and even greater devotion to country to do so at the age of 35, a time when most of us have put aside thoughts of abandoning the comfort of home to take up arms in the fight for liberty and freedom. Specialist Carla Jane Stewart did both, and on behalf of the United States House of Representatives, we honor her memory.

RECOGNIZING STAX RECORDS FOR ENRICHING THE NATION'S CULTURAL LIFE WITH "50 YEARS OF SOUL"

(Mr. COHEN asked and was given permission to address the House for 1 minute.)

Mr. COHEN. Mr. Speaker, I rise to introduce a resolution honoring Stax Records.

Soul music is a uniquely American art form that has enriched the Nation's cultural life. Indeed, its profound influences over popular music continues to be heard on today's music.

Stax Records, founded in Memphis 50 years ago, played a crucial role in soul music's rise to prominence. As such, it is an icon of the American recording industry. In fact, its iconic status was recognized by NARAS last night during the Grammys, when Stax legends Booker T. and the M.G.'s and their Green Onions, and Stax co-founder Estelle Axton were honored.

Isaac Hayes, Otis Redding, the Staple Singers, Wilson Pickett, Luther Ingram, Albert King, the Bar-Kays, Johnnie Taylor, and Rufus and Carla Thomas are just a few of the many singers and musicians who started at Stax.

This year, the Memphis Convention and Visitors Bureau, Concord Music Group, Stax Records, and the Soulful Foundation will be celebrating both Memphis soul music, American soul music, and the 50th anniversary of

Stax's founding. Therefore, I am introducing this resolution today to recognize Stax's and soul music's enormous contribution to America's cultural fabric, and ask my colleagues, including Congressman MILLER, to recognize Memphis and soul music.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. ALTMIRE). Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

UNITED STATES BORDER PATROL AGENTS CAMPION AND RAMOS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

Mr. JONES of North Carolina. Mr. Speaker, tonight I won't take nearly the 5 minutes that I have allotted, but I and many Members of the House have been trying to help two border agents, Border Agent Campion, and Border Agent Ramos, who are now serving 1 to 11 years in Federal prison, the other for 12 years in Federal prison for shooting a drug smuggler.

What makes this so sad, quite frankly, Mr. Speaker, is these men have had a wonderful record of serving the American people on the borders of this country, trying to help defend America from those who want to come to this country illegally, and especially those who have drugs or may be terrorists, quite frankly.

But these two men were found guilty in a Federal court, and I am afraid that all the information that could have been used to help these two men not go to prison was under seal. That is a legal issue, and I won't speak to that, but I will say that I want the people to know tonight, my colleagues here in the House, that the drug smuggler who had a record of smuggling drugs from Mexico to America was the one that they shot when he was trying to escape after his van crashed with 743 pounds of marijuana. These men thought they were doing their duty for this country, and therefore they shot at this drug smuggler as he was leaving. The bullet actually went through the buttocks and went out, and according to the medical examiner that meant that he was turned like he was going to face them and possibly, if he had a weapon, fire at them. They thought he had a weapon.

□ 1915

Mr. Speaker, the sad thing is that Agent Ramos 2 weeks ago was beaten in a Federal prison. These men, their lives are at stake, and we call upon the White House to look seriously at this case.

We think there are legal questions as to the indictment and to the process itself. We would like for the White House and the Attorney General's office to look seriously at whether these men should at least be given some type of pardon while their hearings are being heard. But we are calling on the White House to please look seriously at giving these two men an opportunity for pardon, because I do not know how we can say to the American people that our law enforcement, who are trying to protect this country from those who are invading this country, whether they be from Canada and Mexico, and yet with our border agents do the best job they can under very, very difficult situations, then they end up spending 11 and 12 years in Federal prison.

Again, in closing, and I will be closing, we are asking the administration to look carefully at the possibility of a pardon. There are many Members of the House, both Republican and Democrat, that are concerned about this case.

In fact, today, Senator FEINSTEIN from California, a Democrat, called upon Mr. LEAHY, chairman of the Judiciary Committee, to look into this case.

Mr. Speaker, with that, I will close by asking the President to please show the families of Mr. Compean and Mr. Ramos that justice does prevail in America if you are trying to defend the Constitution and defend the people of America.

OPIUM TRAFFICKING IN AFGHANISTAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

Mr. PALLONE. Mr. Speaker, as this body plans to debate tomorrow the ongoing war in Iraq, I come to the floor this evening to discuss what I feel is the forgotten war, the United States' war on terror in Afghanistan.

I have stressed on numerous occasions the importance of the United States not losing sight of the real front in the war on terror in Afghanistan. Too often, the Bush administration has placed all of its efforts into fighting the war in Iraq while the Taliban and al Qaeda increased their presence in Afghanistan and western Pakistan.

It was promising to see Secretary of State Robert Gates visit Pakistan this weekend to meet with Pakistani President Musharraf. Unfortunately, Secretary Gates stated that the meeting was, and I quote, not aimed at securing the assurance of action from Pakistan. As I have stated before, assurances of action are exactly what the United States must demand from Pakistan at this time.

President Musharraf has acknowledged that his country's Frontier Guards have allowed insurgents to pass freely at the border shared by Afghanistan and Pakistan. If the Pakistani President is fully aware of Taliban insurgents crossing the border, why is he not taking the necessary steps to bring an end to these violations?

Mr. Speaker, in Afghanistan the Taliban seems to be ramping up its efforts and possibly planning a spring offensive. Last week in a speech on the House floor, I mentioned a town in southern Afghanistan, Musa Qala, which has been overrun by forces despite a peace deal brokered between local leaders and NATO-led forces. This deal called for the local leaders to take control of the town and ensure that Taliban fighters not create a stronghold in the area.

Unfortunately, these deals failed, and this week it has been reported that roughly 1,500 families have fled Musa Qala and, as an anonymous Taliban commander has claimed, there are thousands of Taliban in the region preparing for a possible attack by United States or NATO forces.

Now, it is extremely important for the United States to step up its efforts in this deteriorating country. Of particular significance is the alarming rate at which the opium trade is growing in Afghanistan. According to the U.N. Office on Drugs and Crime, opium poppy production reached a record 6,100 metric tons last year, and this is 49 percent greater than the total in 2005.

Corruption is rampant within the opium trade, and the Taliban not only profit by selling and trading the opium, but also through providing protection to opium farmers and traders. Corruption is so pervasive that police chief posts in poppy-growing districts are auctioned off for as much as $100,000 for a 6-month appointment.

While these police chiefs will only make $60 a month, they know the kickbacks they will receive from working with the opium farmers and the Taliban will be extremely financially rewarding. Now, some claim that the U.S. and NATO should simply fly over Afghanistan and spray chemicals over all the opium fields to destroy the crops; but not only will this cause environmental and health damage, but it will also raise the price of opium and drive farmers towards the Taliban insurgents.

What the U.S. should do instead is use the additional aid that it plans to send to Afghanistan this year to bolster rural development in poppy-growing areas. This money must also be used to create new rural industries so the farmers will have options other than growing poppy and participating in the illicit opium trade.

The main goal of U.S. efforts to eradicate the illicit opium trade should be to target illegal drug traffickers and corrupt officials such as police chiefs. Our government must couple this with aid to the rural poor in Afghanistan in order to provide financial alternatives to the illicit opium trade.

Mr. Speaker, as my colleagues and I debate the merits of the President's plan to escalate the war in Iraq, which I oppose, it is important for us not to forget where the real war on terror continues today in Afghanistan. The United States must intensify its redevelopment efforts in Afghanistan as an alternative to the opium trade, which is only providing further financial backing for the Taliban-led insurgency.

A LITTLE GIRL'S DAY IN COURT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE. Mr. Speaker, 9-year-old Jessica Lunsford was a bright, talented and energetic little girl. She lived with her father, Mark, who was a single parent, trying to raise three children. He also lived with her grandparents, Mark's parents, who loved her as much. Jessica was a great kid. Everybody thought the world of her, and she took care of the family just like they took care of her.

Mark even moved to Florida to protect his children, thinking they would be safer in south Florida than they were where they lived. That is when the tragedy began. Almost 2 years ago, on the evening of February 23, 2005, the Lunsfords lives were changed forever.

Among the shadows of a warm Florida night, there was a perpetrator running loose. He was stalking the Lunsford home, and he was watching 9-year-old Jessica Lunsford for several days. He waited till everyone in the house was asleep, and the outlaw in the middle of the night snuck into the Lunsford home, crept down a darkened hallway, and kidnapped Jessica Lunsford from the safety of her open home in the middle of the night.

The search for Jessica, 9-year-old happy girl, went on for several weeks. Hundreds of volunteers were involved. Finally, a neighbor, and repeat sex offender, John Couey, was arrested for her murder.

Couey was a registered sex offender, but, of course, he was on the lam. He had run. He had disappeared. Couey confirmed what the police had already suspected against him, and he had kidnapped Jessica. He sexually assaulted her numerous times, and he held her captive for several days.

Mr. Speaker, when he was not abusing this little girl, he stuffed her in a closet. Then when he was ready to abuse her again, he would pull her out and have his way with her.

When he realized that the sheriff's department was out to get him, knew that he was the culprit, he decided he had to remove the evidence, this little girl. So he tied Jessica Lunsford's hands and feet together with stereo wire. He went out into the yard, he dug a hole, he came back into the house, his own home, put two trash bags over Jessica Lunsford, picked her up and threw her in the hole. Yes, he buried that 9-year-old girl alive.

When she was found several days later, she had poked her fingers through the plastic bags seeking the air of freedom, freedom that never came. Couey admitted everything that I just told you to the police, in every detail.

But while he was confessing to these horrors he inflicted on Jessica, he asked for a lawyer. Unfortunately, the police ignored his request, and this would cause Couey's confession to be inadmissible as evidence against him. You see, when a defendant asks for a lawyer, he must be given one right away or the statements he makes will not be admissible in court.

However, even without this confession, there is a lot of evidence against Couey to prove his guilt. After 2 years and several delays, Couey is standing trial for his evil deeds. Today, John Couey is sitting in a Miami courthouse as jury selection begins. Twelve men and women are being asked to decide his guilt in his crime against this little girl.

Jessica has been needing justice for 2 years. Her family has been waiting for 2 years for this justice. As a father of three girls and three granddaughters, I know how important little girls are to a father like Mark Lunsford, and he has lost his little girl.

You know, as a society, as a culture, as a Nation, we are never going to be judged by the way we treat the rich, the famous, the powerful, the important folks. We will be judged by the way we treat the weak, the innocent, the elderly, and, yes, the children, the Jessicas of the world.

So the State of Florida and this jury need to give John Couey, sex offender, child killer, his day in court. When the evidence is in, hopefully the words of this country song will ring true when it says: "A man had to answer for the wicked that he done," because "justice is the one thing you should always find. You got to draw a hard line" in the sand. "We got too many gangsters doing dirty deeds. We've got too much corruption, too much crime in the streets. It's time the long arm of the law put a few more in the ground," because justice is the one thing you should always find.

And that's just the way it is.

BRING OUR TROOPS HOME

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, tomorrow this House will begin a debate on Iraq. This is the first of a series of debates that we must have on the House floor. It is a resolution. It reflects President Bush's plan to escalate the occupation of Iraq, and it will be a clean up or down vote.

I commend the Democratic leadership for providing a time for every single Member of this body to come to the floor and have their say. If you support escalation, you vote "yes." If not, you vote "no." I will support the legislation as a very important first step in this debate.

But after that, Congress must go on record in opposition of the war in general. First we have to go on record in opposition of escalation, and then we must change our course and lay out a plan to bring our troops home. There have been many, many ideas, both inside and outside of Congress, to plan for an end to this occupation of Iraq.

Few are as comprehensive as H.R. 508, the Bring the Troops Home and Iraq Sovereignty Act. I introduced this bill last month and have 34, 35 cosponsors today, with more interest expressed every single day.

H.R. 508 will end the occupation of Iraq within 6 months of passage. It will accelerate the training and equipping of Iraqi military and security forces while preparing to bring our troops and contractors out of Iraq safely.

It will commit to working with the international community to assist the Iraqis in rebuilding and in reconciliation if they agree and want us to be there. H.R. 508 will fully fund the health care commitment to our returning veterans. Additionally, the bill revokes the President's Iraq war powers, prevents the establishment of permanent bases in Iraq, and returns the oil rights to the Iraqi people.

We owe it to our brave men and brave women in uniform and to the Iraqi people to bring our troops home now. Let us be honest, the Iraqis don't want us there. They view us as an occupying force. They want to be strengthening their security forces, and they want to establish a reliable and dependable infrastructure and provide for their most basic needs like sanitation, health care, and education.

We can assist them; but in the end, Iraq must belong to the Iraqi people. Having learned from our past, we will never turn our backs on the returning troops, those who have been put in an unimaginable position. They have seen death; they have seen destruction up close, in a way many of us will never understand. They are returning with scars, both visible and invisible. The least we can do is fulfill our commitment to them by fully funding the medical services they have been promised. This is not a gift we are giving them. This is a right, this is an entitlement.

So I rise tonight, and I will rise again during the three days of debate to signal my support for the upcoming resolution as a very important first step: my support for the troops and their promised benefits, my support for the American people, who want our troops home.

□ 1930

EVEN THE SOLDIERS WILL TELL YOU THAT NOTHING IS GOING TO HELP

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee (Mr. DUNCAN) is recognized for 5 minutes.

Mr. DUNCAN. Mr. Speaker, as the previous speaker just mentioned, tomorrow we will begin debating the Iraq war surge resolution. George Will, the conservative columnist wrote in opposition to this surge and said it would take a miracle for the surge to succeed.

Dick Armey, our former majority leader, in an interview with a major newspaper chain said just a few days ago that he deeply regretted voting to go to war in Iraq, and said, "Had I been more true to myself and the principles I believed in at the time, I would have openly opposed the whole adventure vocally and aggressively."

William F. Buckley, Jr., often called the godfather of conservatism, wrote in 2004 that if he had known in 2002 what he knew in 2004 he would have opposed the war. Chris Matthews on Election Night said, "The decision to go to war in Iraq was not a conservative decision historically," and he said it asked Republicans, "to behave like a different people than they intrinsically are."

And that confirmed what I have said many times on this floor, that the war in Iraq went against every traditional conservative position I have ever known. I would like to read into the RECORD at this time a column that I wrote for the Nashville Tennessean, Tennessee's largest circulation daily.

I wrote this. "I voted against going to war in Iraq when Congress voted on this in October of 2002. And I am opposed to sending more U.S. troops there now. President Bush has said repeatedly that he is going to listen mainly to his commanders. I wish he would listen to Specialist Don Roberts, 22, of Paonia, Colorado, now in his second tour in Iraq, who told the Associated Press: "What could more guys do? We cannot pick sides. It is like we have to watch them kill each other then ask questions."

Sergeant Josh Keim, of Canton, Ohio, also on his second term said, "nothing is going to help. It is a religious war and we are caught in the middle of it."

Saddam Hussein was an evil man, but he had a total military budget only a little over two-tenths of 1 percent of ours, most of which he spent protecting himself and his family and building castles.

He was no threat to us at all. As the conservative columnist Charley Reese has written several times, Iraq did not threaten us with war. They did not attack us, and were not even capable of attacking us.

But even before the war started, Fortune Magazine had an article saying that an American occupation of Iraq would be "prolonged and expensive" and would make U.S. soldiers "sitting ducks for Islamic terrorists."

Now we have had more than 3,000 Americans killed, many thousands more wounded horribly, and have spent $400 billion, and the Pentagon wants $170 billion more.

Most of what we have spent has been purely foreign aid in nature: rebuilding Iraq's infrastructure, giving free medical care, training police, giving jobs to several hundred thousand Iraqis and on and on. Our Constitution does not give us the authority to run another country as we have in reality been doing in Iraq.

With a national debt of almost $9 trillion, we cannot afford it. To me our misadventure in Iraq is both unconstitutional and unaffordable. Some have said it was a mistake to start this war but that now that we are there we have to finish the job, and we cannot cut and run. Well, if you find out you are going the wrong way down the interstate, you do not keep going, you get off at the next exit.

Very few pushed as hard for us to go to war in Iraq as did syndicated columnist Charles Krauthammer. Last week he wrote that the Maliki government we have installed there cares only about making sure the Shiites dominate the Sunnis. We should not be surging troops in defense of such a government, Krauthammer wrote. Maliki should be made to know that if he insists on having this sectarian war, he can well have it without us.

There is no way we can keep all of our promises to our own people on Social Security, veterans benefits, and many other things in the years ahead if we keep trying to run the whole world. As another columnist, Georgie Anne Geyer, wrote more than 3 years ago, Americans "will inevitably come to a point where they will see they have to have a government that provides services at home or one that seeks empire across the globe."

We should help other countries during humanitarian crises and have trade and tourism and cultural and educational exchanges. But conservatives have traditionally been the strongest opponents to interventionist foreign policies that create so much resentment for us around the world.

We need to return to the more humble foreign policy President Bush advocated when he campaigned in 2000.

Finally, Mr. Speaker, we need to tell all of these defense contractors that the time for this Iraq gravy train with its obscene profits is over. It is time, Mr. Speaker, to bring our troops home.

NEGATIVE IMPACTS OF PRESIDENT BUSH'S BUDGET ON NEW YORK

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Mrs. MCCARTHY) is recognized for 5 minutes.

Mrs. MCCARTHY of New York. Mr. Speaker, I rise today to discuss the negative impact of President Bush's proposed budget on New York State. New York is consistently faced with a funding imbalance. We receive far less funding than we pay out in taxes. This imbalance has held back projects in key areas. Key programs have been constantly underfunded, and this year's proposed budget again makes the wrong choices for New York's families. Gang violence is a growing problem on Long Island. Our police departments and community groups are doing all they can with this small budget.

Unfortunately, these budgets will be further reduced if the President has his way. His budget request attempts to eliminate two of New York's local crime fighting tools: the Community Oriented Policing Service, or the COPS Program, and the Justice Assistance Grants Program. These two programs allow law enforcement agencies to hire police officers and support crime prevention.

It is a lot cheaper to prevent crime than it is to send someone to prison. Police departments rely on this money to purchase new technology and equipment, to educate their members on how to best combat issues such as gun violence.

In the year 2006, New York received more than $27 million in COPS and JAG funding. If this money is not available, our law enforcement will not have the tools they need to keep our families and communities safe. But it is not just our communities that are put at risk by the President's budget.

College assistance programs to help New York students will be slashed if the President has his way. The education of our Nation's students is one of the most important issues facing us today. I have traveled to China and India and have seen the attention those countries are giving to education for their students.

We need to do a better job at funding our educational programs to give our students the tools they need to compete in a global economy. However, under the President's budget, key programs such as work study and supplemental educational opportunity grants will be frozen.

Tuition in New York State schools have increased over 20 percent over the last few years. These new cuts in student aid will put college further out of reach of so many of the New York students. This is the wrong message to be sending to our students who work hard in high school and dream of going to college. We can do a better job, but we need adequate funding to truly help our students achieve their dreams.

As you know, our health care system needs attention also. Over 40 million Americans are without health insurance. In New York 2.5 million are uninsured. In his State of the Union address, President Bush vaguely outlined a proposal to deal with this very issue. I applaud the President for bringing this issue to the forefront of the debate.

However, I do not agree with the President's plan. I am afraid his proposal will raise health care costs for New York's working class, while doing very little to help the 2.5 million uninsured. The money President Bush requested for his plan can be better used to lower premiums and truly make health care affordable for all Americans.

Since the start of the 110th Congress the House has done the people's work. We have raised the minimum wage, cut student loan interest rates, and helped Medicare beneficiaries. We have changed the focus of our Nation to help all Americans.

The President's budget request misses the mark and will harm already underfunded programs. We in Congress must devote more attention and funding to our Nation's education and health care. These issues have been long underfunded for too long.

I look forward to working with my colleagues to refocus our priorities and fully fund our educational and health care programs. I know in the next 3 days we are going to be debating Iraq, which I think is probably one of the most important issues facing this Nation.

But even with that, we as Democrats will continue doing the work of the American people and finally getting some work done that is going to help all Americans. That is what we as Democrats will do. That is what we pledged and we will follow through with that.

SUPPORT THE DRIVE ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. KINGSTON) is recognized for 5 minutes.

Mr. KINGSTON. Mr. Speaker, I rise tonight to speak about House Resolution or House bill 670, which is a bill called the DRIVE Act; that is, the Dependency Reduction through Innovative Vehicle and Energy Policy.

It is a bill that ELIOT ENGEL and I have cosponsored. It has almost an equal number of Democrats and Republican cosponsors, up to about 60. And its goal is to reduce your oil consumption by 20 percent in 20 years. What we did is sat down and said, how could we achieve that goal and do something for national security, something for the environment, and something for mom and dad back home and their pocketbook?

So we set out to try to stay true to those goals. We put fourth four things in it. To change consumer habits, we have doubled the tax credit for purchase of hybrids, flex fuel vehicles, and biodiesel, anything that would drive on something besides gasoline.

Secondly, we have sent a message to Detroit that we would like to see 80 percent of the cars made in 10 years be at least flex fuel so that Wall Street will also follow suit and invest in flex fuel vehicles and hybrids and ethanol, things like that. If Wall Street knows that the government is behind it and the market is going to be there, then the investment dollars will follow.

Too often what happens when the price of gasoline goes up, everyone rushes out and looks at alternatives; then when the price of gasoline goes down, everybody forgets all about it. We want to have a permanent investment stream from Wall Street. That is why it is a good method when you follow what we did with air bags, the air bag model.

Thirdly, we require the government to start scoring based on energy consumption. When the government goes out and buys fleets of vehicles, we want to know, are you buying innovative vehicles, flex fuels, hybrids and so forth. We believe it is important for the Federal Government to have a goal.

One thing I point out, which is not in the bill; but we deliver on Saturday, mail which is 30 percent of the volume that you have Monday through Friday, but we use 100 percent of the fuel. So it would make sense if you are in the business place to quit delivering mail on Saturday.

I understand that has some political ramifications, and thinking with our political minds instead of our business minds. I just say that is an example. Finally, we believe that a lot more research has to be done. But I want to point out, Mr. Speaker, that Toyota is already on their fourth-generation hybrid.

Unfortunately, many of the Detroit American motor companies are not that far along. But there is a lot coming down the pike. The University of Georgia, for example is making ethanol out of sweet potatoes, left-over Coca Cola and watermelon. There are all kinds of ways to make ethanol in addition to using corn.

These are the things that our bill does. You know, in Washington it is actually easy to agree to disagree. My friend, Mr. MILLER and I, we have no problem disagreeing agreeably. But what we need to do is agree to agree, which is much harder. Because when Republicans and Democrats agree to agree, we make progress, and sometimes the interest groups that surround us from both parties really do not want that, because they are not as empowered as they are when we are fighting.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 742. An act to amend the Antitrust Modernization Commission Act of 2002, to extend the term of the Antitrust Modernization Commission and to make a technical correction.

The message also announced that pursuant to Public Law 94–304, as amended by Public Law 99–7, the Chair, on behalf of the Vice President, appoints the Senator from Maryland (Mr. CARDIN) as Co-Chairman of the Commission on Security and Cooperation in Europe (Helsinki) during the 110th Congress.

The message also announced that pursuant to Public Law 94–304, as amended by Public Law 99–7, the Chair, on behalf of the Vice President, appoints the Senators as members of the Commission on Security and Cooperation in Europe (Helsinki) during the 110th Congress:

The Senator from Connecticut (Mr. DODD);

The Senator from Wisconsin (Mr. FEINGOLD);

The Senator from New York (Mrs. CLINTON);

The Senator from Massachusetts (Mr. KERRY); and

The Senator from Maryland (Mr. CARDIN).

IRAQ RESOLUTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. GEORGE MILLER) is recognized for 5 minutes.

Mr. GEORGE MILLER of California. Mr. Speaker, as already has been noted this evening, tomorrow the House will begin a 3-day debate on the question of whether or not we support the escalation of the war in Iraq by supporting the President's policy to send over 21,000 additional troops to Baghdad, what is called the surge, but is in fact an escalation of the war and of the exposure of our American troops in Iraq.

It is an important debate, and it will be an important vote. It will be a very simple proposition: Either you support the escalation or you do not. This is the vote that the American people have been asking for now for many, many months. They certainly expressed it in the election. They have expressed it since the election where we see time and again they are telling the country.

they are telling those of us who are in the Congress of the United States that they do not support this policy; they want an exit plan; they want our young men and women brought home from Iraq; and they want the Iraqis to take responsibility for the political decisions that must be made if Iraq is in fact going to be a unified country, if Iraq in fact can proceed along a road to building democratic institutions and hopefully finally building a democracy.

□ 1945

But none of that, none of that will be done by the troops from America. None of that can be done by the troops from America. The fact of the matter is that that must be done by the Iraqi people.

But there will be those in this debate who will be defending the President's failed strategy in Iraq by attacking the President's critics. They ask, what message would America send to its troops in combat if Congress votes to repudiate the President's plan? What message, indeed?

Mr. Speaker, the question really is, what message did Congress send to our troops from the very beginning of this miserable war?

What message did Congress send to the troops in the beginning of this miserable war when they voted to go to war based upon the lack of proper evidence, false evidence, manipulated evidence and, in fact, outright lies to the American people and to the world about the situation in Iraq, and certainly a war that was not vital to the interest of the United States?

What message did Congress send when it allowed the President to go to war without enough troops to secure the peace?

What message did the Congress send when it allowed our troops to go into combat without proper armored vehicles?

What message did Congress send when it allowed our troops to go into combat without proper protective body armor?

And what message did the Congress send when it allowed the President to continue a failed course in Iraq with no adjustments in strategy?

What message did Congress send when it allowed the President to effectively draft American volunteers by continuing their tours of duty over and over again?

And what message did the Congress send to our troops, indeed?

But there is a new Congress now and there is a new message for our troops. By raising objections to the President's failed strategy, and by demanding a new course in Iraq and the immediate and responsible redeployment of our forces, we will send a new and clear message to our troops. Our message to the American forces in combat is that we will not let you fight and die forever in Iraq with no plan to get you out, with no exit plan. Our message is that we will insist that the Iraqis take responsibility for their country and the building of a democracy, and that soon American forces will be brought home or redeployed to fight the real war on terror.

Our message is that the American forces will not be used to fight Iraq's civil war. Our message to the President's few remaining supporters in the House and Senate is, do not exploit our brave troops in combat in a desperate and vain effort to bolster a weak President. Do not use our brave men and women serving in Iraq to cling to a misguided policy that is dangerous for America's interests and for its troops as well.

Join us in opposing the escalation of the war in Iraq, and when we see that history is now repeating itself, where once again the administration is prepared to send our soldiers into Iraq without proper equipment and without proper training, demand, instead, a new strategy to get America out of Iraq's civil war, to get Iraq to take responsibility for its own future, and to use our troops for the proper mission, to defend America.

H. RES. 109, PINEDALE ASSEMBLY CENTER RESOLUTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. COSTA) is recognized for 5 minutes.

Mr. COSTA. Mr. Speaker, I rise today in support of House Resolution 109, recognizing the historical significance of the Pinedale Assembly Center located in Fresno, California.

The history of this internment center is a reflection of the 65th anniversary of Executive Order 9066, which reminds us of a dark chapter in U.S. history.

On February 19, 1942, President Franklin Roosevelt signed the order authorizing the forced internment of over 120,000 Japanese Americans, placing tremendous hardship on the innocent that, in many cases, resulted in a loss of jobs, businesses, property and ultimately, in some cases, their dignity.

Further, the internment was a violation of their constitutional rights. Internees were denied their liberty, their civil rights, the right to due process, and equal protection under the law. Yet, no Japanese American, before or after their internment, was ever accused or convicted of espionage or sabotage.

In fact, over 14,000 Japanese Americans served valiantly and on a voluntary basis in our Armed Forces during World War II with great distinction. One could only imagine what went through their minds, the members of our military, as they defended our Nation's freedoms, while their own families were languishing back in American internment camps.

Pinedale, then, following the order, was a relocation center, and the Japanese Americans throughout the West were asked to report to these relocation centers. This relocation center handled over 4,823 individuals.

Numbers are just numbers, ladies and gentlemen. But let me tell you some of the stories that passed through this camp.

A dear friend of mine, and a beloved Member of this body, the late Congressman Bob Matsui, arrived at the Pinedale Assembly Center at age two. Congressman Matsui fought against all odds, as did all of those, and despite the prejudice and the hardships, rose to be a great leader of our Nation.

Another story, James Hirabayashi, interned there at age 17. And he wrote, and you can imagine hearing the words: "My parents and three siblings and myself occupied a single barrack at the Pinedale detention camp. However, we were soon to be split further apart and never regained the unified family life during the war."

Later, James received his Ph.D. at Harvard, became a professor of anthropology at San Francisco State and now chairs the Asian Studies program.

Another story: Jack Hata was evacuated to Pinedale on his 21st birthday. He recalled: "The assembly center was made up of rows of tarpapered black barracks enclosed by barbed wire fencing with armed guard towers. The most vivid recollection of the Pinedale experience had to be that of a strong, hot wind picking up every mid-afternoon blowing dust over the entire camp and making seeing and breathing very difficult."

Today, ladies and gentlemen, much has changed. Pinedale is a part of our history, a place of loss, of hatred and fear. But now it will be transformed into a place of remembrance for healing and hope.

The Pinedale Assembly Center Memorial Project Committee cosponsored by the Central California District of Japanese American Citizens and the California Nikkei Foundation is establishing a memorial. The memorial would not have been possible without the dedication and diligence of all those who have supported this effort, including Judge Dale Ikeda, chairman of the memorial project.

I am one of those that serves on the Project Advisory Committee. But Dale says it best: "By preserving the Pinedale Assembly Center story, we hope to teach a lesson in history, that it takes people to ensure 'justice for all.' And rather, it is the duty of each generation to strive to form a more perfect union for ourselves and for the sake of our children."

The memorial groundbreaking will take place next week, February 19, on the 65th anniversary of the executive order.

Today, over 5,000 Japanese Americans, many former World War II internees and their families, live in Fresno County, and the Pinedale Memorial will honor these and those who suffered during that period.

The memorial sends a message that we are committed to healing historical wounds and replacing the prejudice and fear with the American values of equality and justice.

It has been said that those who cannot learn from history are doomed to repeat it. Let's make sure this memorial helps us learn.

Allow me to close by reading the parts of the memorial plaque inscription that will be dedicated next week: "This Memorial is dedicated to over 4,800 Americans of Japanese ancestry who were confined at the Pinedale Assembly Center. This was an early phase of a mass incarceration of over 120,000 Japanese Americans. They were detained without charges, trial or establishment of guilt. May such injustices and suffering never recur."

THE COUNTDOWN CREW

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Kentucky (Mr. DAVIS) is recognized for 60 minutes as the designee of the minority leader.

Mr. DAVIS of Kentucky. Mr. Speaker, we return again for the fifth consecutive leadership hour with the Countdown Crew.

I would like to welcome all of you here tonight who are watching from home. We have been surprised at the tremendous amount of response that we have received talking about the reality of tax policy, of small business policy and the impact that it has on the lives of ordinary citizens in this Nation.

In fact, the feedback has gotten so great that we have received hundreds and hundreds of calls, e-mails from around the country.

What we would like to do is invite you to become part of the Countdown Crew, as we are only 1,416 days from one of the largest tax increases in American history. We have a Web site. We would encourage you to e-mail with questions, with comments, your perspective on ways to make life better for working families to create jobs and to strengthen small business, which creates 88 percent of the jobs in the United States.

If you look behind me, our e-mail address is here. It is countdowncrew@mail.house.gov. And we would invite your comments and your feedback, and also invite you to share your stories of why the tax cuts of the last several years have made a difference for you, why a more relaxed and more structured regulatory process that focuses on sound science versus on politics allows businesses to work to create jobs, to create opportunity to create a future for our children and our grandchildren.

And there is a reason for this. In the election on November 7, so much of the emotion and so much of the focus had to do with issues related to the national security policy in the Middle East. But one thing that was forgotten in that time was something else that was voted for by the American people.

All of the tax cuts that have created 7 million jobs, that have created record revenues to the U.S. Treasury actually are on time lines. And they have to be extended by the House, and they sunset at the end of 2010. And without a President to advocate those policies, without a House of Representatives and a Senate that is going to pass those policies, all of the tax cuts that have created millions of jobs, that have created these record revenues in time of war are going to end. And that means that in 1,416 days, the average working family in the United States of America will experience a tax increase of $2,098. And that translates across every sector of America.

And the one thing I think that often gets lost, and I will speak as a former small business owner myself, is the fact that small businesses create 88 percent of all new jobs. Those are companies with under 500 employees. These are companies that pay health benefits, that do research and development, that open new doors.

The tax revenues that are generated from those businesses and those employees are what fund the infrastructure of our communities. They pay for our teachers; they pay for our public safety. They contribute to our national defense.

And one saying, I think, that is important for all of us to remember is, the focus that we need to have is not to raise taxes but it is to create taxpayers. And the way that we can create taxpayers is give those who create the jobs more resources to invest in the economy, allow working families to keep more of what they own so they can save it and build a nest egg for the future that will ultimately lead to the growth that we have experienced.

We have got several distinguished gentlemen tonight. Before the gentleman from Oklahoma begins, I would like to recognize the leadership of Congressman BILL SHUSTER from Pennsylvania who has been the principal architect of the Countdown Crew.

Remember, if you would like to contact us, that is countdowncrew@mail.house.gov if you have a question for any of the Members participating tonight or would like to share your own story of how being allowed to keep more your own money, more of your own resources has helped to create a future for you.

But before I share some stories about some friends back in Kentucky who started and created jobs that are affecting not only our region and our economy, but also the defense of this Nation, I would like to recognize Congressman SULLIVAN, the gentleman from Oklahoma, to share his perspective on this.

Mr. SULLIVAN. Thank you, Congressman DAVIS. And I want to thank you for doing this tonight.

I also want to thank Congressman BILL SHUSTER from Pennsylvania for the Countdown Crew. Tax relief is very important to the American people, the American families, American business. And we are about ready to embark on the largest tax increase in the history of this country, and it is going to be very detrimental to our economy.

And I can remember when I got to Congress just a short time ago, almost 5 years ago. Congressman SHUSTER came in a little bit before me. And since that time, with some of the tax relief measures that have been put in place, we have seen just 167,000 jobs were created in December alone. Payroll, nonfarm payroll employment increased.

Since August 2003, more than 7.2 million jobs have been created. Workers are finding jobs faster.

I remember when I came to Congress back in 2002, one of the votes that I had to make, along with others, was to extend unemployment benefits. And we don't have to do that now, in large part, because of the tax relief measures that have been put in place.

A lot of people think that we need to keep taxing and taxing and taxing our way to prosperity. And that is wrong.

And my friends on the left, the liberals on the left, think that this money belongs to them, it belongs here in Washington with the politicians. And that is not where it belongs.

□ 2000

It belongs to the people who earn the money in the first place, working families, small business people. And how does that apply to somebody, let us say, that lives in Oklahoma, a small businessman or woman? Well, I will tell you how it applies to them. When I go around my district, one of the biggest things I hear about are complaints from small- to medium-sized business people, and small- to medium-sized business people employ 85 percent of the people in our economy. They either work for, own, or operate small- to medium-sized businesses. And if we allow a small business to keep more of their money, what are they going to do with it? Well, they are going to hire more people to work. It is going to create jobs, which it has done. They are going to buy equipment to expand their business, and that money is going to bounce around the economy, that dynamic economic effect of that money bouncing around the economy, and it is going to find its way back to Washington anyway, but we get to do things with it before it does.

One of the things too, Congressman DAVIS, that I hear about a lot is small business people are really complaining right now about providing health insurance for their employees. Either they have to go to their employees and say, hey, I can't cover you anymore or they have to lessen the benefit to the employee or they have to make the employee pay more of their health care cost. Now, if we provide tax relief to them, they are able to use that money to provide health insurance for their employees. The Democrats, if they allow this tax increase to take place, we are going to have more uninsured people in this country.

Tax relief has been used many, many times. I remember last week or the week before that, Congressman SHUSTER talked about how tax relief was used when John F. Kennedy was President, a member of the other side of the aisle. And it works. He used tax relief, reducing all marginal rates. Also Ronald Reagan proposed tax relief, and it was wildly successful. We had a roaring economy. Tax relief is used by other countries in economic slow times to get out of that. It is one of the economic tools that are used.

We have to realize too that Washington is getting too big. Government is too big. It is unaccountable. There is runaway spending here in Washington. There is no accountability, no light of day on the budgetary process. People talk about the budget like it is a complicated thing here in Washington. Well, heck, a chimpanzee could do the budget here in Washington. You get what you spent last year; you try to get more money. You want $10 million, you ask for $1 billion and you get $10 million more, and you spend that and that goes to your baseline for the next year.

Instead of throwing money at all these supposed problems around here, we need to find the problems first and scrutinize the spending here in Washington, D.C. And we certainly don't need to free up more money for the politicians in Washington, D.C. to spend by allowing massive tax increases to occur.

So I really commend you for doing this countdown, the Countdown Crew. I want to commend Congressman SHUSTER for all he has done, Congressman DAVIS, JACK KINGSTON from Georgia. This is very important. And when I go around my district, even in Oklahoma, we are hearing a lot of things about what you guys are doing on this Countdown Crew. People do not want to see these tax increases occur. I talked to someone the other day that said, I am afraid that our child tax credit will go away, from $1,000 to $600. That will be critical. I have four kids. It is going to affect me. It is going to affect a lot of people. And that is what we are dealing with, people. And we want them to keep the money that they worked so hard to earn in their pockets, not here in Washington.

And, again, I want to thank you for having me here.

Mr. DAVIS of Kentucky. Thank you very much, Congressman SULLIVAN.

I think it is so important what he highlighted here when he mentioned four children. My wife Pat and I have six children. For families what this translates into, just the loss of the child tax credit alone for a family of four is $2,000. That could be a semester of college tuition. It could be an investment in savings. There is an opportunity cost that comes with that that has real effects. And when that money is in the economy, it is creating jobs.

And I would like to take a moment and share one small business story that is close to home about an environment that creates opportunity. You may have heard me say this before: The role of government is not to create jobs. Government doesn't create jobs by itself. What government does should be to create a framework that empowers people to create jobs, to create opportunity, and to protect that opportunity we pass to future generations.

We have seen tremendous change that has taken place in our region, the Fourth District of Kentucky. And specifically in the northern part of that district, right across the river from Cincinnati or, as we like to say, the greater northern Kentucky area, we are seeing economic explosions in great numbers in a variety of industries. In particular, a group of far-seeing businessmen wanted to change the view of our community, joined with community leaders. And they worked with Northern Kentucky University, first with President Jim Votruba, and talked about the need for bringing high-technology jobs and creating a climate for high-technology jobs. Dr. Votruba recruited an information technology professional named Bob Farrel, who is an entrepreneur, a great success in the business world, but also a teacher and a mentor. They collaborated in turn with the chamber of commerce, with local government, with State government, and created a zone in downtown Covington, Kentucky, on Madison Street, called the Madison E Zone. And into that came some friends of mine to build on the foundation that was given to them, those boundaries in which they could create opportunity.

Three men, Kevin Moore, Norm Desmairis, and Greg Harmeyer, I know all three of them. I have watched what they have done professionally with their business. I have watched how they have grown from a very small company to create many, many jobs; how they left one facility and had to move down the street to an even larger facility. And they are the true ideal of the American entrepreneur, a small business person who starts with a vision, pursues that vision, and wants to bring about change. And what Kevin and Norm and Greg have all done with their business that is remarkable in information technology is they have provided needed services in the preservation of knowledge and improving the efficiency of systems, helping the employees of other job-creating companies to be more effective and more competitive in this global economy. And where it comes home full circle is the idea of working with the university in conjunction with the Department of Defense and the Department of the Air Force to help preserve knowledge and help strengthen the information technology systems of our Armed Forces, of our national security establishment.

What is exciting about this is tier one with Greg and Norm and Kevin represent hundreds of small businesses that are creating thousands and thousands of jobs around the country. And what they shared with me, and Kevin shared with me tonight, is that these tax increases are going to hurt their ability to provide for health care, as Congressman SULLIVAN pointed out. It is going to hurt their ability to make needed investments in equipment. It is going to hurt their ability to compete effectively. And I believe it is better to let them keep more of what they have earned because that is going to be recycled into the economy to create more jobs.

And the model we are following, as Solomon said in the Bible, there is nothing new under the sun, was the same model that birthed Silicon Valley. There were intellectual partnerships and entrepreneurial partnerships with Stanford University that led to the greatest explosion of technology and research in the history of modern man. It changed the life of virtually every citizen in this Nation, provided us with technologies and tools and improved a way of life that had never been known before. And now we stand with an opportunity to build that type of a future right in Kentucky. As my colleague, Congressman HAL ROGERS down in the Fifth District, likes to say, representing eastern Kentucky, we may not have Silicon Valley but if we have the right economic policy and the right focus on research and the right focus on developing our young people and especially the right focus on creating an environment to stimulate small business, we may not have Silicon Valley but we can have Silicon Hollow. We can make a difference that provides not only for the next generation that follows us but to keep this Nation competitive in the long run.

And we stand at a crossroads right now. As we mentioned before, in 1,419 days, the average working family in this country is going to see a tax increase of $2,098. Money that has created 7 million jobs will be taken out of the economy. And what we need to do is look at policies that are proactive, that make a difference.

One colleague who is here with us tonight who also came out of the small business world, who has been in Congress for a long time, who understands both the political side, but most important to me is that he has created jobs, has made a payroll, and he has helped other people deal with these benefits and understand this importance, and that is my friend Congressman JACK KINGSTON from Savannah, Georgia, and I would like him to share some of his perspective.

Mr. KINGSTON. Mr. Speaker, I thank the gentleman for yielding.

First of all, I want the record to show that Mr. SULLIVAN has four kids and you commented that you have six kids. Are you saying that he does not have a commitment? Is that is what is going on here? The rest of us are getting by with one or two kids. Actually, I have four. But I wanted to say you two families are doing your share for the economy.

Mr. DAVIS of Kentucky. I would have to say, Congressman KINGSTON, that based on these tax increases that are coming and these regressive policies that will begin to take effect in 1,419 days, I would say that my six children will become my retirement plan.

Mr. KINGSTON. Well, I will tell you what. Also, you and I know people across America will lose that family tax deduction for the children, which is very important.

But I wanted to get into the perspective of a business person, but the way I explain tax increases to school kids, it seems that maybe it should apply to some of these bureaucrats here in Washington, D.C. But yesterday I was speaking to a group called the People to People Exchange, a student ambassador program. And I asked for a volunteer. A young lady who had a job, a young girl who was, I guess, in about the ninth grade named Tracy, she works at Holton's Restaurant in Midway, Georgia. Tracy makes $5.50 an hour. So I got her up in front of the class, and this was an extracurricular thing. They were actually meeting on a Sunday afternoon. And I said, Okay, Tracy, so you work for 2 hours, $5.50 an hour. After those 2 hours, you bring home $11. And she looked at me like, You really are stupid in Washington, you know I don't do that.

I said, How much do you bring home?

She said, Well, it is about nine something.

So I said, Okay. Let us just say for 2 hours' work you bring home $9 and you send $2 to me in Washington. Now, what do I do with that tax money?

And, of course, these students know you pay for schools, you pay for roads, you pay for our military. And, Mr. DAVIS, you know Midway. You probably have eaten at Holton's Restaurant. It is right down from Fort Stewart, where you were stationed. Have you eaten there?

Mr. DAVIS of Kentucky. I have been in Midway many times going between Fort Rutger and the Hunter Army Airfield.

Mr. KINGSTON. Well, they have a good fish and shrimp platter that is waiting just for you. It has got your name on it.

Anyway, I said to Tracy, Okay, for the $2 that we get from you that goes to the soldiers at Fort Stewart, goes to the schools, to the building, to the teachers, goes to the roads, goes to the police officers, you are okay with those things because we all agree we need them?

And she says, Yes, sir.

And I said, Okay. Now, if you know I could do it for $1.50, would you want that extra 50 cents or would you let me have it? Because, you know, if I had that extra 50 cents from you, I could spend money. I could go out and maybe improve some health care and take care of some farm programs. And who knows? I might even get a little bit more of the Federal Government dollars down to our part of the State.

She didn't like that idea. She felt like she could manage her 50 cents better than we could in Washington, D.C. And I serve on the Appropriations Committee, and I have to say for a high school girl, she is certainly accurate. She can manage her money better than we can manage her money. And yet we have this attitude in Washington that if something is going to happen, government has to be the one to initiate it. So we want the whole $2.

And the interesting thing that you have already underscored night after night is that if we let her keep that extra 50 cents, taking less of her $2 in taxes, what is she going to do? She and all the other millions of Tracys and millions of other people like the six Davis kids who will one day be working, they would go out and they might buy more hamburgers, more shoes, more clothes, more tires, more dryers, more washing machines, go out to eat more. And when they do, small businesses react by expanding. They increase their inventory. Then they have to have more people to sell their inventory; so they hire more people. Less people are on welfare. More people are paying taxes. And so the money comes into Washington, D.C. Small businesses win. People who are working win. And the government, at the end of the day, gets more revenue. That has been the case now with George Bush, Ronald Reagan, and John F. Kennedy.

Tax cuts, giving the people the right to keep more of their own hard-earned money actually brings in more revenue. Therefore, to let these tax breaks end and increase taxes on small businesses and on families across America is an absurd policy. And we have got to get folks motivated to realize that this is something that is going to happen unless people back home start raising Cain about it.

So I am glad you are doing what you are doing. And I wanted to yield back because I know we have some other speakers here, but I thank you for your leadership on it.

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Mr. DAVIS of Kentucky. I appreciate that, Congressman KINGSTON. It just highlights all the more what you point out, that in 1,419 days, that every working family in America is going to have a $2,000 tax increase. We think about where that money could go and what it is doing in the economy.

Just for those who might be joining us tonight, we are the Countdown Crew. We meet the first night of every vote and talk about issues that make a difference to creating jobs, that make a difference to our pocketbook, for working families, for small business owners that create the preponderance of our jobs.

We would like for you to join with us, to communicate your stories, to share your experiences. You can contact us at countdowncrew@mail.house.gov. We are standing by to hear those stories right now. And I just want to thank again BILL SHUSTER's vision to want to execute this program.

As we get ever nearer to those tax increases, we have had Members that are coming to the floor that haven't been politicians their whole life, that have had what I would like to say are real jobs, who have been out there, who know what it is like to have to make a profit.

I know what it is like to make that decision to go without a paycheck to make sure that employee health benefits are paid. And I am not saying that to impress anybody, simply to point out to you, that is a common decision that many small business owners face, making sure that our employees are taken care of. And when taxes are raised, that takes away even more of that flexibility to meet employee and family needs, but also it takes dollars out of the economy or dollars out of the potential of those businesses to create jobs.

One Member who is joining us here tonight who I think has lived a great success story in small business with her husband is Congresswoman THELMA DRAKE from Peninsula, Virginia. She represents the Norfolk area.

The thing that is very exciting about her story that is very consistent with other small business owners who have gotten to taste that piece of the American Dream and all the families that have worked with them or have been benefited by them, is her story coming up as a Realtor, seeing many, many facets of the economy and the impact of these income tax policies, of regressive policies against small business, and yet at the same time the positive impact by allowing people to keep more of what they earn. It has created record revenues, as Congressman KINGSTON mentioned.

Among all the doom and gloom stories, one thing that I would share is that many times when we talk about our global economy, there is a great fear of competing on that global stage. If we compete on a level playing field, the American worker, the American entrepreneurial and creative genius is going to win. But when we talk about competing with countries like China, an emerging superpower, one thing that I would point out is that just in less than 3 years, the U.S. has added to its economy, the increase in our economic output has been $2.2 trillion. That is bigger than the entire economy of China.

Folks, if we create taxpayers instead of raising taxes, that growth will continue and our children and grandchildren will have the opportunity to compete.

I would like to recognize the gentlewoman from Virginia to share her perspective on this.

Mrs. DRAKE. Mr. Speaker, I would like to thank the gentleman for that and thank him for his commitment to telling America how important it is that we keep our tax cuts that are in place and the very positive results that have taken place from the tax cuts of 2001 and 2003. Those are real savings that are helping Americans today. At the end of 2006, that tax relief that Americans got to keep in their pockets was valued at $1.1 trillion. That is a lot of money for families, for small businesses.

You mentioned my experience as a Realtor. I want to tell you, when I was new in the real estate business, I couldn't figure out how to put more time in the day, how do I do all the things that I needed to do. It took me just a while to realize there is no more time in the day, and there are only seven days in the week, and the only answer for me was to hire other people to do the things that I didn't have the time to do.

What that meant for me in my little real estate business was I became an employer. All of a sudden I was paying payroll taxes on employees, as well as paying double for myself as a self-employed individual in the real estate industry. At the end of each year, when I would look at a really good year and sell a lot of real estate, I would say, I am really not making any money for as hard as I am working because so much is going to the Federal Treasury in the way of taxes. So I appreciate that in 2001, when the tax cuts were put into place that we reduced those income tax rates to Americans.

I think a lot of people don't realize that today we have a 10 percent tax rate for our lowest payers, down from 15 percent. That is slated to expire in 2011 if we don't act then and keep that in place. Our other rates dropped by 3 to 4 points, not the full 5 points for our lowest-income Americans.

I have heard you talking in here tonight about your children. I have two children and I have four grandchildren. When I was ran for office, because it was something I felt I needed to do, but not something that had always been a goal of mine, the way I made myself do that every day is I took a picture of my granddaughter, who was then under 2 years old, taped it to the dash of my car, and every time I got in the car I said, Caity, I am doing this for you.

I stand here today now as a Member of Congress and say Caity, and the other three, because there are three more now, I am doing this for you. Because if we want to leave our children the America that we have enjoyed, we have got to make sure that our tax policy supports our economy, that it grows our revenues and it allows Americans to be the ones to decide how they are spending their money.

One of the big changes in growing revenues for our country, of course, is the capital gains tax, which has been reduced from 25 percent to 15 percent. As a Realtor, before coming to Congress, I can't tell you how many times I would hear from people, I can't sell that rental property because I can't pay that capital gains tax. But in 2003, when that was dropped by 10 percent, that made a lot of difference for people, and people were allowed to take assets and free them up and not be looking at such an overburden of taxes in order to do that.

We have talked about it. Congressman KINGSTON has mentioned President Kennedy. I wrote a quote of his down that I thought I would share tonight with America. This is from President Kennedy. He said: "An economy hampered by restrictive tax rates will never produce enough revenue to balance our budget, just as it will never produce enough jobs or enough profits."

That is the from the 1960s. Here we are in 2007 still having the same discussion and still trying to point out to America that when you keep your own money, that you spend it, you save it, you create jobs, you create wealth for yourself.

We have heard a lot about taxing the wealthy and how we should do more of that. But what people don't realize is by allowing people to grow their own wealth, we do raise taxes on the wealthy. They have actually risen 39 percent. Our income taxes are up 8.8 percent on personal income tax, while corporate income taxes are now up 22.2 percent. What better way is there to raise revenue than allowing people to be successful and spend their own money the way they see fit?

I am dismayed by two actions that were taken by this Congress in the very early days. There is a three-fifths majority that is needed to raise taxes. However, by a simple majority vote of this body, we now have a simple majority vote that is able to waive that. America needs to watch what this body does, and they need to hold us accountable.

The other thing that this Congress did in those early hours is pass something that is called PAYGO. It sounds very good, and Virginia is actually a pay-as-you-go State. We are not allowed to have a deficit in our budget. So it sounds good to everyone, until you stop and realize what it means.

What that means is when these taxes are ready to begin expiring, that in order to keep them in place, that other taxes either have to be raised or spending cuts have to take place to offset them. That doesn't take into consideration at all the positive impact we have seen of reducing taxes. It only looks at things on the surface.

It is like the philosophy that is out there that if we are bringing in a lot of money today with tax policy, let's raise it just a little bit and we will get more. It is actually the opposite that takes place. I believe our responsibility is to grow our economy. Our responsibility is to have a tax policy that grows revenues for us and makes sure that we have the economy and the future for our children and our grandchildren.

I thank you for letting me join you today.

Mr. DAVIS of Kentucky. I thank you, Congresswoman DRAKE, for being with us this evening. I think one thing I would like to recognize is that THELMA and her husband are real people who started and ran a real business that created real jobs and a real future for many others.

If you are just joining us, we are the Countdown Crew. We are counting down 1,419 days to one of the largest tax increases in American history if Congress does not take action to make sure that the tax cuts, the benefits that have made such a difference for so many in this country by allowing people to keep more of what they earn, are extended and hopefully made permanent.

I would just like to point out if you would like to communicate with us, we are the countdowncrew@mail.house.gov. If you have questions or would like to share your story of how being able to keep more of your own money, of your hard-earned resources has benefited you, how it has helped you build a future, we would love to hear from you.

Mr. KINGSTON. Mr. DAVIS, if the gentleman will yield, I was wondering, I was listening to Mrs. DRAKE talk about something she went over. I think we need to maybe get a good explanation here in terms of Congress voting on a simple majority now. Maybe you could explain that, because under the Republicans it was required to have, was it a three-fifths majority?

Mrs. DRAKE. A three-fifths vote in order to raise taxes.

Mr. KINGSTON. That was in place for 10 or 12 years under Republican leadership. So now the Democrats on their first day changed it from three-fifths required to raise taxes on working people to what?

Mrs. DRAKE. What the rules that were changed were is that by a simple majority vote you can waive that three-fifths vote. I have not seen that written anywhere. Everyone that I have told about this back at home is shocked. Their eyes get big. I think they felt safe to think it would take a three-fifths supermajority vote to raise taxes in America, and they are very distressed to hear it. That is why I wanted to mention it tonight, because so few people know that that took place in the opening of this session in our House rules. I think that is unfair, and I think America should know it, and I think America should watch what we do.

Mr. KINGSTON. Thanks.

Mr. DAVIS of Kentucky. I appreciate you pointing that out. That was one of those surprises that I think affected a lot of people or that will affect a lot of people in the months and the years ahead. The reason for that 60 percent or three-fifths majority was to make sure that it was clearly the will of the American people to raise taxes instead of cutting spending, that people would be accountable.

In effect, what we were doing was something similar in line to the way the Senate works, with their rules of cloture to end debate. They have to have a 60-vote supermajority. Certainly, over there that would be absolutely necessary for any type of a measure that would raise taxes or lower them. In the same vein, I think it was right for us to have that in this body, because in 1,419 days we will be raising taxes.

The one thing that we all believe in the Countdown Crew is that the goal of the government should not be to create new taxes, but to create taxpayers. We want to cut taxes, allow people to keep more of what they earn. And that is why we have had 7 million new jobs created and record revenues into the Federal Treasury, because the economy is working. Even in a time of war, it continues to grow, and it is incredible that we are able to compete so effectively in a global economy. We need to allow people to keep their resources to build that future for their children and grandchildren.

With that, I would like to recognize another real person who helped run a real business creating jobs out in the economy before he came to Congress, and that is our leader of the Countdown Crew, Congressman BILL SHUSTER from Pennsylvania.

Mr. SHUSTER. I thank the gentleman from Kentucky. I appreciate your leadership down there on the floor, and I appreciate everybody that has been here tonight. As always, with those of us down here on the Countdown Crew, we all come from business backgrounds, most of us, if not all of us, small business backgrounds. I ran a business that employed between 30 and 40 people. And many, many Americans, small business owners, know just how difficult it is to meet payroll every month, to pay your bills.

There are many people here in Congress that talk about the escalating costs of health care and how difficult it is. But there aren't that many, there are few that are in Congress that have experienced that, like Mr. DAVIS has, I know Mr. KINGSTON or THELMA DRAKE or myself. We saw it happen year after year, and it is something that we are all concerned about. It is something that we all want to make sure we find an answer to, seeing that health care costs don't continue to climb.

But the answer is not to raise taxes. That works just the opposite. And I am very, very concerned that the American people are not aware, that was one of the reasons that getting together with Mr. DAVIS and Mr. KINGSTON and Mrs. DRAKE and others, we came up with this idea to talk about the countdown to the tax increase, because we are concerned about it, and because the Democrat majority does not have to do anything.

□ 2030

They have to run out the clock, and if they run out the clock on 1419 days, there is going to be the largest tax increase in American history, over $200 billion. That does not occur all at one shot. It is going to occur over the next 4 years.

In 2008, there are certain tax cuts will expire; in 2009, 2010; and then January 1, 2011, all the tax cuts put in place will have expired, and we will see our taxes go up considerably.

If you are at home thinking about what your tax liability is going to be in the future, you need to realize that the Democrat majority, as Mrs. DRAKE and Mr. KINGSTON pointed out and discussed about the difference between the three-fifths and the simple majority, the Democrats changed those rules in the very first days of the Congress so that they can raise your taxes.

The chairman of the Ways and Means Committee, the gentleman from New York, said before the election that he did not know of any of the Bush tax cuts that he thought were worthy of continuing or extending.

So they have made it quite clear from their leadership, to the fact they changed the rules, that they intend to raise taxes. Why they keep talking about the deficits and deficit spending, and that is the answer to it, well, I believe just the opposite. It is not the answer to it.

If you look at the revenues in 2006 to the Federal Government, they increased by 9.7 percent in 2006. The deficit is down 50 percent of where we projected it to be in 2005. The 2006 deficit is down 50 percent as to where we project it to be, and why is that? That is because the revenues are coming into the Federal Government in significant numbers.

In 2005, there was an over 14 percent increase in revenues. That is because the economy is growing. That is because the Republican majority tried to hold the line on spending. We did not do enough. We need to do more, but the worst thing to do is to put a halt, put a hurdle on this economy, put a bump in the road to stop this economy from growing.

As many have said tonight, talked about the facts, the numbers, in December alone, there were 167,000 jobs created in this country; in January, 111,000 jobs. To date, over the last 4 years, there have been 7.3 million jobs created in America, and those are due to allowing the American people and small businesses to keep more of their hard-earned dollars in their own pockets so that they can go out and buy new things, whether it is a washer and dryer or whether it is a downpayment on a new car or saving money for college, putting that money away, $2,000 at a clip; and that is what the average American with a family of four and making between $40,000 and $50,000 a year, if these tax cuts are not extended, they are going to be hit with about a $2,000, $2,200 tax increase. If you take that money, $2,000 a year, and put it in a bank account at 5 percent interest over 10 years that grows to $30,000. That is a nice downpayment on a house. That is a nice downpayment on your kid's education. It is your money. It should not be sent to Washington. We want to keep it out there in the families of America and the small business of America.

As I said more of those numbers, we are at 4.6 percent unemployment, and it is the lowest rate on average over the last 4 decades. Cutting taxes drive this economy in a positive way. And others have said here tonight, and just to remind people that we are not the first to use tax cuts to move this economy forward, Ronald Reagan did it in the 1980s, and this economy grew by leaps and bounds. And President John F. Kennedy did it in the 1960s, cut taxes to spur this economy on, and that is what we need to do.

As I said, there are millions of Americans out there today that are depending on these tax rates to stay low. There are millions of small businesses which are the backbone of this economy that are counting on us keeping these tax cuts in place. There are millions of small businesses and farmers in this country hoping that we will extend the death tax so that they can plan for their future, so they can do the financial planning necessary because the alternative is it will expire at the end of 2010. The alternative is, if you cannot plan properly for expansion, for the future, you certainly do not want to die so that your family gets that tax, the tax break that we put in place.

So this is extremely important, as I said, to Americans across the spectrum, across this Nation from Arizona to Pennsylvania to Washington to Florida. I know millions of Americans, actually 10.6 Americans, low-income Americans, that are not paying taxes at all today because of the tax cuts we put into place in 2001 and 2003.

As we have been talking about for the last month this countdown to the tax increase, 1,419, dies, if Mr. DAVIS will put that chart back up, not the chart but our e-mail address. We have the CountdownCrew@mail.house.gov. We would love to hear from across this country how Americans have utilized these tax cuts, whether it is the child tax credit, whether it is the accelerated depreciation or any of the decreases in the marginal income tax rates. If you have utilized the Tax Code in a positive way, we want to hear about that. We want to be able to talk about that on the House floor.

One story that I have, back in central Pennsylvania, Dr. Greg Pyle is the president of Oil Surgery Associates. His practices are in Bedford County and Blair County, Pennsylvania, which are in the Ninth Congressional District of Pennsylvania. He has seen steady growth over the past 10 years, some of the most impressive growth being in small Bedford County. It is about 45,000. According to Dr. Pyle, medical practices usually plateau financially from 5 to 8 years. However, Dr. Pyle's medical partnership, which has been in business for 12 years, has seen some of its greatest growth just in the past couple of years. He attributes that directly to the reduction in taxes and that people have more money in their pocket that they can come in and utilize his services that he provides to them in central Pennsylvania.

Again, we have many, many other stories, but I just want at this point to yield back to my good friend from Kentucky (Mr. DAVIS).

Mr. DAVIS of Kentucky. I thank you, Congressman SHUSTER. For those of you who are watching, if you would like to share your perspective, your view, join us via e-mail at CountdownCrew@mail.house.gov, and remember that in 1,419 days, there is a bill arriving.

I would put it to you in a question like this. If you knew or you suddenly went to the mailbox and opened the box up and there was a bill for $2,100 and it was due immediately, that is what is coming if these tax cuts are not extended and made permanent.

Despite the fact of the economic improvement in this Nation, the Democratic Congress is committed to raise taxes. The last time they raised taxes was 25 days ago in the energy industry that has an effect on virtually every job in America, and now we are looking at a wide variety of taxes.

Facts are stubborn things. The success of Republican tax relief initiatives are undeniable. That is the reason that Congressman SHUSTER and I and the Countdown Crew like to say we want to create taxpayers, not raise taxes. We want to create taxpayers, not create new taxes because the job creators who are out there are real people, like Jack Kingston who was in the insurance industry; Thelma Drake from Virginia now who was a Realtor; Bill Shuster who worked in the automotive support industry. I worked in the manufacturing industry, and all of us saw firsthand the impact of government policies that were often well meant by folks that passed these laws, but they never worked out in that environment to understand the impact that it had on the pocketbook of working Americans.

As we stand here tonight for the seventh week since the Democrats took control of Congress, I am pleased to report one thing, though, is that the Democrats have come to the realization that some facts just cannot be ignored.

This week, the House will vote on H.R. 976, and that is the Small Business Tax Relief Act of 2007. This bipartisan legislation extends critical tax provisions for small business owners and paves the way for the House and the Senate to come to agreement on raising the minimum wage from $5.15 cents to $7.25.

I know you supported this measure, Mr. SHUSTER, and so did I, but we realize also how important this provision can be for young people just starting out, for working families, and I am glad that the Democrats have realized how important some of the tax incentives are to keeping our businesses growing and creating new jobs, but we cannot stop here. We have got to make this and all the other tax relief provisions permanent that affect individual families, because real people who hold real jobs out in the real world, not here in the halls of Congress, are the ones that pay those taxes, that foot that bill like that $2,098 bill that is going to be arriving in 2 years, in the very near future, if these tax policies are not extended, if they are not continued for the great benefit that they have brought forward.

I would like to highlight some tax provisions that need to be made permanent. First of all, the $1,000 child tax credit reverts to $500. For a family of four, that is $2,000. In my case, my wife Pat and I have six children. That is $3,000. It goes on and on, affecting people right in their pocketbook.

That $500 difference is not $500 that is going for a corporate jet or some rich and famous lifestyle for people who were seen in the tabloid shows on TV. That $500 tax credit goes to real people who live in the real world. They are spending that on their children and investing that in their children's future. I believe we need to allow them to keep more of what they earned because they are going to spend it in a way that is going to benefit their children and their children's children.

Congresswoman DRAKE mentioned earlier the 10 percent tax bracket. Contrary to some of the spin in the media, the truth of the matter is that the tax burdens have been pushed upward. It is those with more that are paying more now with the structure of these cuts. Millions of people have been taken off the tax rolls, and in fact, the 10 percent bracket was created specifically as a transition for lower-income earners so their tax burden would not be that high, that they would be able to keep more of what they earn to be sure they meet their basic necessities. That 10 percent bracket will disappear when those tax cuts expire in 2010 without action from Congress and from the Senate and from the President of the United States.

I would mention in a light moment that Kentucky is the home of Kentucky Fried Chicken. We were meeting with KFC franchisees from all around the country that came into Washington last week to give their small business ownership perspective, what they do in the food service industry, and they talked unceasingly about the benefits of tax policies that help working families, that help them as small business owners that made sure that they could keep the dollars in their community, creating jobs in their community instead of sending it to bureaucrats in Washington, D.C.

One thing that they brought up that was very important and really affects any capital-intensive business that they wished for was the continuation of the 15-year accelerated depreciation for improvements on new construction of restaurant buildings. Under old law, we are looking at a 30-year depreciation schedule, and when you think about the food service industry, as competitive as it is with new fads and themes to be able to meet the needs of the consumer, 30 years is quite a long time, and I can think of a difference in my lifetime.

These business owners, these men and women who were creating thousands and thousands of jobs around the United States, asked to not have their tax burden eliminated, but simply to have it structured in such a way that they could compete more effectively.

They understand the importance of creating taxpayers versus taxes because those dollars, creating jobs, will come back into the economy, and as we have seen with record revenues to the Federal Government, by cutting taxes we have improved revenue.

The Republican-led Congress had acted and extended these important tax relief provisions to 2007, but we need to make them permanent.

I would like to defer now to my colleague from Pennsylvania to share some more of his perspective on this issue.

Mr. SHUSTER. I appreciate that. You made a very important point about the minimum wage. I think you and I both voted at the end of the last Congress to increase the minimum wage, but it failed in the Senate. It was not able to get through in the Senate.

What is happening here today is that our friends on the other side, they stand up on the House floor and claim that they have raised the minimum wage when, in fact, all they have done is pass it in the House. It is not law yet. It takes both bodies to pass it.

Thank goodness for the United States Senate. They are putting back in those tax cuts for small business. They are absolutely critical for small businesses.

Mr. DAVIS of Kentucky. Just as an aside, if the gentleman would yield, I am becoming a much bigger fan of the policies and rules of the U.S. Senate since November 8.

Mr. SHUSTER. I agree with you on that.

There is a small amusement park in my district, Lakelawn Park, and I was talking to the general manager of Lakelawn Park, and he told me the increase in the minimum wage is going to cost him between $130,000 to $150,000 to the bottom line, and what they employ are mainly high school kids in the summertime to run those rides. He said that kids starting out at minimum wage, if they had been there for a period of time they certainly make more than that.

□ 2045

But without any kind of tax decrease or other kind of tax benefit, that is going to cost them $130,000. It is going to cause him to hire less kids to work in the summer because he is not going to be able to afford that kind of hit to his bottom line. So we passed it here in the House, we know, and unfortunately the national news media, unlike in 1995 when the Republicans took control, I remember it well. The first 100 days, every time the Republicans would pass something the national news media was quick to point out, Well, they haven't done anything yet, they just passed the House.

And that is all that happened here in the first 100 hours, is we passed the House. Minimum wage has not gone up. It will go up with probably a lot of Republican votes if the Senate comes through with the tax measures that they proposed. And I know the House, Johnny-come-lately to the tax cut for small businesses, we are going to hopefully pass something here this week to offer some of those tax cuts, but not near enough what small businesses need. Our small business owners are out there every day creating jobs, meeting payrolls, working long hours, and giving back to the community.

The community I come from, when you look at who are the people that are contributing to the charities and the different civic organizations, it is the small business owner, giving back to its community to make it a better place to live. So I think it is so important that we put tax breaks in, we make the ones permanent that we passed in 2001 and 2003.

And I just have another story of a small business owner from my district, Greg Rothman with RSR Realty in Cumberland County, Pennsylvania, which is Carlisle, Pennsylvania, near Harrisburg, Pennsylvania. He has seen a massive increase in his business due to the economic policies that were put in place over the last several years. The lower tax burden has trickled down, and houses are being sold and houses are being built, more attractive for the consumers to buy throughout Pennsylvania, and especially in central Pennsylvania in Cumberland County, Pennsylvania, and employment rate is about 3.3, 3.4, 4 percent, one of the lowest in the State.

Reductions in capital gains tax have allowed many empty nesters to enter the housing market to buy homes, to improve what they are living in, or downsize into nicer places. It has helped his realty business grow. And since becoming a partner in RSR realty in 1999, Greg has seen it grow from 20 Realtors to 60, which is an increase of 40 jobs in about the past 7 or 8 years. And it is these economic policies that we have put in place that have caused this to happen; and Greg said that he has seen the highest sales volume since he has entered the industry.

And I think that is important to tell those kinds of stories. Those are real people; those are real jobs. And I want to remind people that we would like to hear those kinds of stories; we want to hear from all across America. At the countdowncrew@mail.house.gov, you can send us in that story, your success story, and how you utilized those tax cuts that have been put in place in the early 2000s and why we need to keep them in place. So we would love to hear stories from business people, small, medium-sized, and large all around the country. We certainly would appreciate that.

At this time I will yield back to the gentleman from Kentucky.

Mr. DAVIS of Kentucky. I thank the gentleman and point out that we in the Countdown Crew can be contacted at countdowncrew@mail.house.gov. The stories that we tell are about real people who are creating real jobs and live in the real world, and they understand the real effects of the policies that are generated here in Washington, that create value, that create a future, and those that create impediment and create barriers to growth.

I think of my friend George Hammond who runs Hammond Automotive. He started in Covington, Kentucky, years ago, and he invested in his business the great benefits that have come from the tax cuts that were passed by the Republican Congress, allowing the American people to keep more of what they own, have benefited him and his employees and family. His business has grown. In fact, he opened a new outlet, a new store in Burlington, Kentucky, to reach even more people and to create even more jobs.

It is like my friend Don Salyers who runs a river transport operation in Ashland, Kentucky, giving opportunity for creating more jobs and a future for that community that is in economic transition.

This week we are going to vote for a tax incentive package that will help to keep the American economy strong by extending tax policies that we passed in prior Congresses. We owe it to our families and this Nation, to our working families, to small business owners, and ultimately to the health of the economy to allow people to keep more of what they earn. We need to do more that creates that future and creates taxpayers, instead of raising taxes.

One thing that I would like to comment on here tonight is the extension of the work opportunity tax credit. Small business owners, especially those that have to take somebody and intensively train them to bring them into that workplace, into that small business to make them into a taxpayer need incentives and opportunities. For example, we have many people who have had some challenges in life, that may have lived life on the edge, may be going through a transition in life, and we want to give them that opportunity. But the way to do that is not to mandate that. The way to do that is not simply to set aside the taxpayers' dollars with no stewardship or oversight, but is to allow the market and the economy to work by providing accountability for those small business owners on the frontline, and also the opportunity and the incentive to make an investment. And what the work opportunity tax credit does is it incentivizes small business owners to hire higher-risk employees, and the goal again is creating taxpayers.

What are some examples of this? Dealing with high-risk youth. My wife, Pat, and I worked with Youth on the Edge for over 20 years before I came to Congress. And the one thing that I can say is there are many young people that need a vision; they need a new start to overcome mistakes that were made earlier, some wrong assumptions they had about their environment, oftentimes the consequences of poor decisions that they made.

On first blush, a business owner could be hard pressed to want to make that investment. But what this tax credit does is gives an offset to that business owner to make that investment, to reduce the risk, to give somebody a chance. That is the kind of framework, the kind of regulation that government should give that allows the market to work, to bring out the best in people, and ultimately strengthen our economy in the long term.

You know, as I close tonight before yielding to the gentleman from Pennsylvania for his final words, our mission in the Countdown Crew is to do two things: first, it is to let the American people know that in 1,419 days, a $2,100 bill is going to arrive in the mail to basically every taxpayer in the United States when the tax cuts that have produced so much will be repealed automatically, when they sunset. We need to allow people to keep more of what they earn. We have seen the great benefits that come to the economy from that.

The other thing that we do in the Countdown Crew is we want to highlight the positive impact of policies that allow people to control their own lives. The government doesn't create jobs; all it can do is create a framework and environment that either empowers people or restrains them and holds them back. And what we want to do is join with you and the Countdown Crew, and you can contact us at countdowncrew@mail.house.gov to get the American people's story here in the House of Representatives so that the Congress will know, and compel the Congress to act, to allow the small business owners who create the bulk of jobs in this country to keep more of what they earn, to invest it in their employees, to allow working families to keep more of what they earn and invest it in their employees; so that in 1,490 days we can continue creating opportunities rather than stopping something that has been a great benefit.

With that, I will yield to the gentleman from Pennsylvania to close.

Mr. SHUSTER. I appreciate that. And I think the point you made is worth repeating, because I know you and I believe this and many of our colleagues believe this, especially on this side of the aisle, that government doesn't create jobs. We can only create an environment to give people the opportunity to create jobs, small entrepreneurs and business people across this country. And our fiscal problems in this country, our financial problems with the government, isn't that the government taxes too little. It is that we spend entirely too much. And I know the coming weeks, I know especially the new Members of Congress are going to be put to the test to stand up and be accounted for, because there are many people who say that America voted for a change in November, and they did.

But I know there is nobody in the Ninth Congressional District and nobody that I have come across as I travel this country that wanted to change from a lower tax system to higher taxes. Nobody wants to do that. And our goal is, in the Countdown Crew, to make the American people aware that the Democrats don't have to do anything; they can run out the clock, and on January 1, 2011, they will have the largest tax increase in American history, over $200 billion. And I believe it is our duty to make sure that we are talking about it so that the American people know what the majority intends to do by changing the rules on their first couple of days of Congress from a three-fifths majority to a simple majority to raise taxes, they have made it a lot easier to raise taxes.

They put PAYGO into place which only deals with new spending, and it really does nothing to address the deficits we have today. So PAYGO really should be TAXGO, because that is what the American people are going to see.

So, again, we urge you to e-mail us at countdowncrew@mail.house.gov, because we want to hear your stories about how you have put those tax cuts into use to create jobs and make America a more prosperous place.

GENERAL LEAVE

Mr. WALDEN of Oregon. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise their remarks on the subject of my Special Order this evening.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oregon?

There was no objection.

THE SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION ACT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Oregon (Mr. WALDEN) is recognized for 60 minutes.

Mr. WALDEN of Oregon. Mr. Speaker, I want to welcome my colleagues from Oregon who are in the Chamber with me tonight. Congressman DEFAZIO and Congresswoman DARLENE HOOLEY are here with me, and I know we will be joined by other members of the Northwest delegation to talk about a very, very important issue, the Secure Rural Schools and Community Self-Determination Act, H.R. 17, also known as County Payments, that in both this Congress and the last has been a strongly bipartisan issue. The DeFazio-Walden legislation, H.R. 17, a bill to reauthorize and fund the County Payments Program for 7 years to date enjoys the support of 114 cosponsors in this Congress. The exact same bill last Congress had 139 cosponsors.

As I have said in 13 of 18 one-minute floor speeches: the failure of Congress, either the last one or this one, to reauthorize the County Payments Program amounts to a breach of faith to more than 600 forested counties all across America and 4,400 school districts all across this country.

I would like to take a moment to highlight a few of the impacts of the rural forested counties and school districts in America without these funds: severe cuts in funding for jail beds; sheriffs' patrols are being cut sometimes in half; criminal prosecutions and the pursuit of meth cooks, all of that being reduced; rural school districts foregoing overdue repairs; may not be able to buy textbooks, or face significant challenges busing kids to schools. It also means libraries will close in places like Jackson County, Oregon.

I would like to draw your attention to this poster here to my left. It is from a young lady, a fifth grader named Alice from Ashland, Oregon, who utilizes one of the 15 Jackson County libraries where she lives, and they are all scheduled to close in just a couple of months, in April, if we don't reauthorize and fund the Secure County Schools legislation.

Alice has resolved to read all the "Hank the Cowdog" books, but she needs these libraries to stay open. She says: "Representative WALDEN, I live in Ashland and I go to Bellview School. I am in the fifth grade. I use our library a lot. We always use books on tape for car trips. My New Year's resolution is to read all the "Hank the Cowdog" books, and the library has them all. I need the library to stay open so I can finish my resolution. I also use a lot of books here for school reports. Please help to keep our library system open. Sincerely, Alice."

Alice is a fifth grader in Ashland, Oregon. She gets it. If Alice can get it, this Congress ought to be able to get it, and we ought to be able to keep the libraries open in Jackson County.

Many of you in this Chamber and Americans all across the land will remember the heart-wrenching service for the Kim family in southern Oregon this winter, lost in the national forest, and the mountain climbers who perished on Mount Hood just 45 minutes from my home in Hood River. Both of these counties, both of the search and rescue operations that took place used funds out of the program that Congressman DEFAZIO and others and I are trying to reauthorize to help pay for the equipment and for the search and rescue operations, to go on Federal land using county resources to look for these people who were lost, some of whom perished.

These vital county services and rural school programs were once funded by timber receipts, but because of virtual elimination of the timber harvest on our Federal forests, Congress approved the county payments to develop forest health improvement projects on public lands and simultaneously stimulate job development in some of our rural communities.

□ 2100

This law has been a primary funding mechanism to provide rural schools with educational opportunities comparable to suburban and urban students. It has also restored programs for students in rural schools and prevented the closure of numerous isolated rural schools. It has allowed over 600 rural counties to address the severe road maintenance backlog.

Before I get into that, though, I would like to show you total Pacific Northwest timber receipts. As you can see here, it has fluctuated over the years, but it has never been as low as it is today. There were big years of timber harvest, this one up, very large; but generally it has been in this framework, and you can see, really, since the 1990s it has just gone way down.

The Federal Government has had a compact with these counties dating back to when Teddy Roosevelt was President and created the great forest reserves, setting aside huge swaths of land. Upwards to half of my district is under Federal management and control, and many of my colleagues and some of my counties it is upwards to 70, 75 percent.

The Federal Government believed in 1908 and again in 1938 that it had a responsibility to help these communities surrounded by Federal lands because these lands were not going to be on their tax base. That is what started this whole program. They used to share timber receipts. As you can see, timber harvests went down, the receipts went down.

You say, what happened to our wood products system? Well, here is what happened. See what happened on Federal forest lands. This is 1980 here, top level, about 11 billion board feet sold. Then it drops way down in the red. Where did we get the lumber? Imports. Soft wood lumber imports right there, the blue and the yellow.

So this came along, we said timber receipts are down, so we are going to replace it, 6 years ago, now almost 7. We authorized this Secure Rural Schools and Community Self-Determination Act.

The country has 7,500 national forests and grasslands covering 192 million acres. That is the size of Texas, by the way. Our State of Oregon has 15 national forests. We are proud of them. You need to know they cover 14 million acres, or nearly one-quarter of the State's land mass. There are forests in my district that cover nearly 12 million acres.

To put this in perspective, within the Forest Service regions 8 and 9, which cover 34 States, all States east of the Missouri River, Oklahoma and Texas, there are 52 national forests covering 25 million acres. My district alone has nearly half that amount of acreage. You can see those of us in the rural West are really impacted by what goes on in the Federal lands, whether it is search and rescue operations, forest fire operations. You name it, it is expensive.

When the Federal reserves were created, we set up this funding mechanism, again going back to 1908 and then coming forward. The problem now is promise to rural schools, the promise to rural communities, and the promise to rural roads has been broken. It broke last year, and it is up to us now in this Congress to keep the faith with the school kids of America and rural America, to keep faith with the resource advisory committees. They are bringing environmentalists and others together to improve forest health and habitat, great projects all over the country, to keep faith with basic county services that are being provided, funded by this program.

Folks, last checks went out the end of the year. What is happening now is the pink slips are going out. Road departments are being cut in half. County sheriffs' departments are being cut in half. School teachers getting pink slips, being told, we are not sure we will have the money to hire you back next year. This is now a crisis, and it is time for Congress to act.

I would at this point like to yield to my colleague from Oregon, my partner in this effort, H.R. 17, to reauthorize the Secure Rural Schools and Community Self-Determination Act, PETER DEFAZIO from southern Oregon, the Fourth District.

Mr. DEFAZIO. I thank the gentleman for yielding and for his leadership on this issue and for bringing this both to the attention of the House and the American people. Obviously, we don't need to do much to communicate the level of concern with people at home and in our districts, or even in hundreds of counties scattered across America.

In fact, across America, over 4,400 rural schools in 40 States will lose funding if this legislation is not reauthorized. 4,400 rural school districts. You can bet most of those rural school districts are already hurting trying to provide the next generation of young Americans with a good education. In some counties all the rural schools will be closed due to a lack of funding if this legislation is not reauthorized.

My colleague from Oregon already talked earlier about the highly publicized search and rescue that went on back at the end of last year, the beginning of this year, for the Kim family. You know, this is not, this was a difficult search and rescue mission, since we didn't know where that family was. They were difficult to locate until later they were found by high-tech tech means.

But the fact is that we will not even have the capability to begin those searches in many counties in southern Oregon and, indeed, across the West and some other parts of the country if this legislation is not reauthorized. Deputy sheriffs are already receiving layoff notices. Counties don't have the same fiscal year as they have here in Washington D.C.

For many counties, the money authorized last October is going to run out about 3 months into their next fiscal year, so we have to begin now to send out layoff notices. We will have hundreds of thousands of square miles of the western United States with no rural law enforcement. What a mecca for meth dealers, organized crime and other criminal elements, potentially even terrorists, if our counties cannot support basic rural law enforcement services; 780 rural counties will lose funding for roads, roads that provide the movement of the trees to the mills that provide the movement of Americans to recreate in their great public lands. Those funds would dramatically cut and in some cases almost eliminate it.

Yes, we are talking about a lot of money here, you are right. It is a lot of money where I come from. It is a lot of money for most Americans: $400 million a year is invested in counties and rural schools across America, and the return is many times that.

Let me talk about an element of something we haven't talked about yet. It is not just critical services, not just schools, not just law enforcement, not just search and rescue. It is actually benefits to the public lands. Here on chart 1, I have before and after photos of hazardous fuels reduction near Eureka, California, in an at-risk community adjacent to public lands in northern California, obviously before, after. That will cut fire fighting costs, it will save lives, it will save resources.

Here we have another that depicts peeled logs that are being used for temporary utility poles, actually in the southeastern United States after the Katrina disaster. Again, these came out of a watershed improvement program, a fuel reduction program, funded by these payments.

Then finally I have here, yes, economic diversification, local economic development, small investments in peeling logs and creating posts here at the Hayfork South Highway Three Fuels Reduction Project in California.

So these investments benefit the resource. So we are not just talking about crucial public services. We are also talking about money that we have put back into the resources. We live there. We know how valuable these resources are. We want to save them and improve them for future generations; but without these funds, some of that investment will be put at risk.

Mr. WALDEN of Oregon. I would just like to follow up on something the gentleman said. You talked about law enforcement needs on these rural lands. Wheeler County, Oregon, population less than 2,000 people, has three deputies and a sheriff. Total of four are doing law enforcement. They will have to layoff a quarter of their force as a result of the loss of this program if we don't reauthorize it.

Now, I tell you that because they are responsible for patrolling 1,833 square miles. That is an area 30 times larger than the District of Columbia. You are going to have three officers, the sheriff and a couple of deputies, over 30 times the size of the district, you have got more than that probably standing right out behind us here.

Now, who are these deputies? One of them rides horseback. He is out riding horseback on Federal land, and what does he come across? I don't know if you can see this, but he comes across a $19 million marijuana grove. These little vertical lines here, horizontal lines here, are a marijuana grove, a Mexican drug cartel with illegal nationals doing the cultivation.

It is amazing to me they got it to grow out there, but they did. It is a $19 million growth spread over a quarter of a mile of Federal lands, and it was one of these sheriff deputies riding horseback that spotted this. These are on Federal lands. Why is the Federal Government doing this? Well, the Federal Government is helping to pay for some of this, but now it is breaking its promise.

I yield now to our colleague from Oregon (Ms. HOOLEY), who has been a real champion in helping us on this.

Ms. HOOLEY. I thank my colleague for yielding. I just want to talk a little bit about the commitment the Federal Government made. We made this commitment, as one of my colleagues said, almost 100 years ago, that we were going to help those counties that had a lot of timber. I used to be a county commissioner. Over 50 percent of the Clackamas County was in Federal forest land, which means we didn't get revenue from it.

When we first started this program, when we cut the timber, then we got revenue sharing. It was in lieu of taxes because this was land we couldn't tax, couldn't develop, couldn't tax. Then when the forest land came along, obviously those numbers were cut.

The rural counties had a double whammy. They lost good-paying jobs and they lost that revenue sharing. Almost 7 years ago, when we reauthorized this program to say we are going to help our rural communities, they are really important. I mean, rural communities, I think, are what keeps us the kind of country we are. I mean, that is where so many of our values were started.

We said we were going to help them, and we were going to help with roads, and they have just the number of miles a rural county has, we are going to help with roads. We would help with those rural schools so that all of our children had a chance to go to school and have a good education. We said we would help with law enforcement, so we were trying to help those counties make sure they could keep going.

I want to tell you every county in my district is very frugal. I do not see programs that are wasteful. They spend every dollar they have as well as they can spend it.

If this, if we do not get the money for this program, let me talk a little bit about what is going to happen to some of my counties. One of my counties is Polk County. It is a small rural farming community. It is not as big as one of the counties you were talking about. It only has 740 square miles.

The county will essentially go down to five deputies from 18 now; six of those are paid by the Grand Ronde Tribe, and they can only patrol a small portion, but they will lose at least seven deputies. They have started a wonderful program to go after meth and drugs. They have been very successful. That program is going to be gone.

The county jail is going to lose two positions, and let me tell you something, they are already at the State minimum on county positions. I don't know what they are going to do when they lose two more. I don't know how they operate. They have a small district attorney's office. They are going to lose a secretary, and they are going to lose a DA, but this is just typical of what is happening in every county.

Now, I know you put up this chart, and I want to put it up one more time, because I think it is really important; and this is a chart that is what has happened to Federal timber receipts. All you have to do is look since 1994, you can see in 1990, it was the highest, or 1988, and then it has gone down and down and down. So the counties are no longer getting money from the timber receipts.

The only way we can keep these counties going is through this program that allows us to make sure that we can continue our rural communities and that we can continue our schools, that we can continue law enforcement. You talked a little bit about search and rescue. A couple of my counties have had huge cases this year where, and, again, you talked about loss of life with the climbers on Mount Hood, we talked about the Kim family.

Search and rescue, when you have a county that has a lot of wilderness, you get people that are lost. We all feel badly when someone is lost, and none of us will hesitate to go look for that person, but it means it takes resources, it takes money to make that happen. So the loss of money for these rural counties is just devastating to them. We made a promise, and I don't know about you guys, but I grew up in a family that said, if you make a promise, you keep that promise. We need to keep our promises to our counties.

□ 2115

Mr. WALDEN of Oregon. If I could follow up. You talked about Polk County. Klamath County has a total law enforcement operation of 35 officers to patrol 6,000 square miles. 6,000 square miles. They have to cut that by a third. Sheriff Tom Evinger says they may well end up having no law enforcement patrols at night, nor do the state police patrol at night.

That is an area 100 times larger than the District of Columbia. And when they do patrol they will have no back up. I mean, this is really serious stuff, folks. Search and rescue as you mentioned, the loss on Mt. Hood, but the loss down in southern Oregon, those are just the two that caught the media's attention, and the country and the world's attention.

Let me suggest, as we all know from the northwest, there are many, many more search and rescue operations going on all of the time.

Ms. HOOLEY. They go on almost daily. I just want to mention another county. Tillamook County, which is a small coastal community. It is county that has struggled. And they struggle with high-paying jobs. They have had a terrible year with floods and wind storms. About everything bad that can happen to a county has happened to Tillamook County especially in this year.

But they are having to layoff anywhere from 25 to 60 employees, they do not know yet. But literally they will reduce their county road fund by half. Again, it is a county that has struggled with floods. They have had a lot of repairs. I tried to get into Tillamook County to go look at the damage from floods.

I found out, well, actually I couldn't get in from the north, I couldn't get in from the east, you had to go clear around and come in going south to north to actually get to Tillamook County. So many of their roads were just wiped out, and yet they are going to lose a good percentage of their county road fund.

Mr. WALDEN of Oregon. I would comment. And certainly the gentleman from southern Oregon too, that Lake County, this is 93 percent of their road budget. 93 percent of the road budget. I think you can probably put the State of New Hampshire inside Lake County and still have some room to graze cattle.

Ms. HOOLEY. I am sure you could

Mr. WALDEN of Oregon. This is so serious to those counties. We have got to get this done.

Mr. DEFAZIO. We have been joined by a couple of other Members. I am sure we want to get to those. But just a quick thing. I came from Lane County. I was a commissioner in the early 1980s, when we had a drop off in timber revenues due to markets and not as catastrophic as this. And yet at that time, in a county this size, and we have to relate this to our colleagues back here, they cannot understand how big our districts are, a county which is just one of my counties, the size of the State of Connecticut had no rural law enforcement patrols outside of contract deputies and a couple of small communities, a county the size of the State of Connecticut. And we are headed back to that point in many counties in the western United States.

Ms. HOOLEY. I just want to remind people too in trying to get our colleagues to understand, this is not an Oregon problem, it is not just a Washington problem, it is not just a northern California problem, this is a problem across the United States. We are hit specifically very hard because of the amount of Federal forests that we have in our State. But this cuts across, I think it is 4,400 different school districts benefit from this program. It is absolutely critical.

Mr. WALDEN of Oregon. I do see we have been joined by a couple other of colleagues, CATHY MCMORRIS ROGERS from the great State of Washington, who has been very active on forest and forest health issues when I chaired that subcommittee last session.

I know MIKE THOMPSON from northern California has joined us as well. He has been active in helping us on this. Perhaps we could turn from our colleague from Washington State.

Mrs. MCMORRIS RODGERS. Thank you, Mr. WALDEN and Mr. DEFAZIO for your leadership on this issue, for organizing this time for all of us this evening.

I have the honor of representing a district in eastern Washington. We are known for our vast public forests in that area. We have over 2½ million acres of forest lands.

And these lands and this timber plays a very important role in our region's economy. Maintaining healthy forests is essential to those who make a living from the land, and for those who use it for other purposes.

Unfortunately there are a number of critical issues that impact the health and the economic stability of the forests in our region. As many have mentioned this evening, since 1908 the counties that host forest lands from which timber is cut receive a share from the Federal Government of the timber receipts, about 25 percent.

This is such important money for these counties and schools, used to fund road improvements, fire stations, police protection. And yet as the timber sales have declined, funding received by the counties and schools have also declined. It is because of that issue that we come before you tonight, and that the Secure Rural Schools Fund was originally established, and why it is so important that it continues to be established.

It is essential for the livelihood of rural communities in eastern Washington. The Federal Government owns the majority of the land in many of the counties I represent, like others have mentioned tonight, for example Okanogan County, which is one of the largest counties in the country, it is 73 percent owned by the Government.

That means 27 percent of the remaining land that is under private ownership is the tax base for a county that is six times the size of Rhode Island. That is the funding from those lands that is used to support search and rescue. Last year they saved a woman's life. And this year they will be forced to cut the special training and equipment and the jobs of some of those who work on the team.

Without revenue from timber receipts, along with the inability to tax Federal land, these communities do not have enough money to provide essential community services and educational opportunities. I remain hopeful that we will be able to find the funding for the reauthorization of this program.

I am hopeful because we do not have another option. In Ferry County, the largest employer was Vaagen Brothers Lumber. I say was because they had to close in 2003. Ferry County has 18 percent private ownership of land. And they too are dependent upon these resources, and we need to keep the promise to our rural communities and schools.

In the State of Washington, half of the money from the secure rural schools goes to support schools. It means $21 million for the State of Washington, and although I would prefer this money go to the schools that are actually timber-dependent schools, nevertheless it is important money to our schools.

For Newport, Washington it means a difference in music or art or maybe the difference in a foreign language teacher. Our timber-dependent schools simply do not have the capacity to make up this kind of funding cut. The purpose of this act is to stabilize payments to counties that help support roads and schools, provide projects that enhance forest ecosystem health, and provide employment opportunities among the Federal land management agencies.

I wanted to point out last year, just one example in my district, we had over 200,000 acres burn. Now this is in Okanogan County, this is a county that is nearly 75 percent owned by the Federal Government. And what we see here is the burn, the brown and the light yellow is where over 200,000 acres were burned.

The pink areas here 1½ percent of what burned is what is proposed to be salvaged. Hopefully soon, although it is in dispute too. This in my mind demonstrates part of the challenge that we have, because this is a recent example in a county that is desperate for support for community services, trees have been lost. In the past I would have preferred for us to be able to go in there, even like 10 years ago, and be able to harvest some of these trees, create some timber receipts for this county rather than facing this situation where we have had devastating burns, with now very little of that burn being able to be salvaged.

Mr. WALDEN of Oregon. I have here a chart showing wildland acres burned over the last several years. The yellow indicates the year 2000, the green is 2005, the red is 2006, and the blue indicates a 10-year average.

As you can see, this all starts back in May and ends in November. But, again, over several periods of years, last year, we saw record amounts of fire on Federal lands. In fact, we spent a billion and a half dollars fighting fire. We burned more than 9 million acres. That is a record. And it just keeps getting worse and worse. So we have got a real problem out in the forest, and that affects our communities and our counties, because when you have these fires, what happens? Law enforcement has to go out and manage the roads and manager the flow of people, and they are doing around-the-clock vigil work on do we have to evacuate or not.

And of course the Forest Service is involved too, but a lot of that burden falls on that local community. I have had whole communities close for very important times in the summer, because of fires approaching. Sisters, Oregon comes to mind. So your comment about wildfires is very apropos tonight.

Mrs. MCMORRIS RODGERS. Like many of the counties in Oregon, I would say we face a similar situation in Washington State. And these are counties that do not want to be dependent on the Federal Government. They would prefer for the Forest Service to be managing these lands in such a way that would actually produce more timber receipts and result in a healthier forest so we do not continue to see these devastating fires every year, and they are getting worse every year.

But, unfortunately, that is not what is happening. In the meantime, we really do need to reauthorize the secure rural schools. That is so important to our local communities that are surrounded by these National forests.

It provided the funding for schools and roads, and right now is ensuring that our rural communities survive these difficult times. I thank you for the opportunity to speak.

Mr. WALDEN of Oregon. We thank you for coming out tonight to share your comments with our colleagues and others about the importance of trying to get this reauthorized. I would yield now to our distinguished colleague, the gentleman from the first district of California, MIKE THOMPSON, whose district receives more than $6 million a year to help cover the costs of law enforcement, education, and other natural resource work that goes on there. So I yield to my colleague from California.

Mr. THOMPSON of California. Well, I thank the gentleman for yielding. I want to thank all of you who have taken time to come to the floor tonight to talk about this very, very important issue, an issue that impacts all of our districts, and most important the people that live within our districts.

Mr. Speaker, and Members of this House, the Secure Rural Schools and Community Self Determination Act was created to provide critical education and transportation funding for all of the counties that do not receive property tax from lands managed by the National Forest Service and the Bureau of Land Management.

This program was enacted by this Congress to compensate local governments for the tax exempt status of these public lands. The law authorizing these payments, as you have heard tonight, expired at the end of fiscal year 2006.

And all of the counties that are touched by this issue received their last payment on December 2 of 2006. If we do not reauthorize this funding by the 15th of March, county school districts will have to fire teachers, and reduce critical education programs.

Counties will be forced to slash their transportation budgets. My Congressional district is heavily impacted by this issue, because of over 1.2 million acres that are managed by the National Forest Service.

The National Forest Service acreage in my district is twice the size of the State of Rhode Island, and every single acre is exempt from property tax. No county in my district will be hurt more than Del Norte County. I have a map of Del Norte County, not wanting to be outdone by my friends with their visuals, but no county will be hurt more in my district than Del Norte County, where nearly 80 percent of the county, 80 percent of all of the land within the county is owned by our Federal Government.

Jan Moorehouse, the Superintendent of the school district up in Del Norte, and she was I think very, very succinct in pointing out the problem. I will just tell you what she said. I cannot say it any better.

She said, the loss of funding is heart wrenching and carries an enormous impact on our ability to fund critical education programs for our youth. This is our future leaders. These are the people that will serve in Congress, serve in the State legislature, run the businesses, be on the city council, the people that will make the money to generate the greatness that our country is known for.

□ 2130

And we are taking money right out of their education, the things that will benefit them the most. Without this funding, the school district will have to increase their class size and lay off as many as 25 teachers. And that may not seem a lot to big city school districts, but up here it is nearly 10 percent of the entire teaching faculty. With more students and less teachers, this will dramatically reduce the student to teacher ratio and shortchange our kids.

In addition to the loss of faculty, Del Norte County School District will have to close their art and music programs, and some of the smaller schools in our county will have to close completely because they won't have the money to keep the doors open. Now, this is going to require that the school district bus students who live far from town travel over an hour each way to school on seasonably treacherous rural mountain roads.

Other county school districts in my district will also be hit hard and will have to eliminate teachers and staff for early literacy programs, special education and arts education. The Klamath-Trinity School District on the Hoopa Indian Reservation will have to lay off eight teachers, nearly 15 percent of their entire faculty.

And as I mentioned earlier, the Secure Rural Schools and Community Self-Determination Act also provides critical funding for county transportation needs. Again, this is because the counties do not receive property tax from land managed by the National Forest Service and the Bureau of Land Management. Humboldt County in my district has over 1,200 miles of county roads. The funding this program provides represents a large portion of that county's road maintenance budgets. Humboldt County has a maintenance backlog of over $150 million. Many other rural counties have similar backlogs, and the loss of this funding is going to be devastating.

Back in Del Norte County, the transportation money from this program represents 20 percent of the county road budget. And to add insult to injury, 40 percent of the county roads in Del Norte County are within the national forest. So the county is responsible for maintaining the roads in the very areas that are exempt from property taxes.

Mr. Speaker and Members, I urge this Congress to reauthorize and to fund this very important program as soon as possible. It is unconscionable for the Federal Government to walk away from our obligation to help these rural counties. Rural counties depend on these funds. They have no other option. We made a commitment, and it is up to us to follow through on that commitment.

Again, I thank you for taking the time to put this Special Order together and help us convince all of our colleagues how necessary and how important this program is and how critically important these funds are to a large area within our great country.

Mr. WALDEN of Oregon. Thank you, Congressman THOMPSON. We appreciate your vigilance in our efforts to try and get this reauthorized; and your comments tonight, I think, are very powerful in our efforts. You talk about roads. Morrow County road department has 19 employees to service 850 miles of county roads. They are going to be forced to lay off at least seven, perhaps as many as nine.

Wallowa County, 700 miles, county roads maintained by a staff of 14. Soon there will only be seven. That is possibly one person for every 100 miles of road or the same distance from here to Richmond, Virginia. You would have one road maintenance person. This story is repeated over and over in my district, Congresswoman HOOLEY's district, your district, Congressman DEFAZIO's district, Congresswoman MCMORRIS RODGERS' district. All over the rural West we are facing this enormous problem.

And people love to come out into their Federal forests. I love to get out into our Federal forests. I love to backpack and do all the things many of us do. It is a wonderful attraction. But people get lost, they get injured, and who is there to pick them up? The local county. The county sheriff, the local rescue patrol. And that is why this funding is so important so they will have the resources, they will have the people when you break a leg or you fall down an ice shaft somewhere. There is somebody to come get you. And that is just the rescue part and the police part. We have talked a lot about the schools as well.

I know my friend from Clackamas County, Congresswoman HOOLEY, did you want to comment?

Ms. HOOLEY. Well, this is a program that has worked well over the last 6 years. It has helped bridge that budget gap created due to the lack of timber harvested from our forest. And, again, I want to remind people this is distributed to over 42 States; 4,400 rural school districts receive funding.

If we want to support our rural communities, if we want to make sure that we have roads to drive on, if we believe law enforcement is important to every part of our State, then we have to figure out how to solve this problem.

And I thank you and Representative DEFAZIO for all the work that you have done. But we have a full blown crisis on our hands. That is what this is. This is a crisis. And it will take support from our colleagues from both sides of the aisle to help our rural communities that are, frankly, in dire straits. This is not just a little problem. This is a great big huge problem for our rural communities.

So I would urge my friends to join us in our effort to reauthorize this program and pass a 1-year extension to give us a chance to work through these difficult issues.

And, again, I thank you for all the work that you have done on it.

Mr. WALDEN of Oregon. And we appreciate your help on it too. And I think we have all signed a letter to the appropriators asking them that in the emergency supplemental they fund at least a 1-year extension while we work on a longer equitable solution to this problem.

My colleague from southern Oregon.

Mr. DEFAZIO. My friend, Representative HOOLEY, mentioned reauthorization. I do want to thank the chairman of the Resources Committee, Nick Rahall from West Virginia. And, yes, this touches West Virginia too. There are communities at risk there that are working hard to help us move the reauthorization bill for the longer-term funding in the Resources Committee, hopefully next month.

And obviously my colleague from southern Oregon, Representative WALDEN, when he was Chair of the Forest Subcommittee of Resources, he and I, quite quickly, and I think just about, almost 2 years ago—

Mr. WALDEN of Oregon. March of 2005 we moved it out of subcommittee.

Mr. DEFAZIO. Moved the authorization out, but it unfortunately got hung up in the process and never did become law although we certainly saw more action on this side of the Hill than we did in the Senate.

Mr. WALDEN of Oregon. Would you yield just on one point?

Mr. DEFAZIO. Yes, sure.

Mr. WALDEN of Oregon. Because you mentioned West Virginia. And Rita Griffith from Pocahontas County, she is a commissioner there. She says nine full-time teaching positions will be cut and funding for an after-school forestry education program will be lost. She is from Pocahontas County, West Virginia. I have got examples from Alaska and Arizona to California and West Virginia, so you are right.

I thank the gentleman for yielding.

Mr. DEFAZIO. And just since the gentleman from California had referenced Del Norte County, I just want to talk about the county immediately to the north of that which would be Curry County, Oregon.

Now, some people will say, look, why don't these counties just suck it up and take care of their own problems, raise the taxes? Well, in Oregon, our local property tax structure is dictated by the State because of a property tax initiative similar to the one that passed in California. The local commissioners do not have any options when it comes to that.

Now, if Curry County was going to grow its way out of this problem, a county that today has 12,000 houses valued at about $250,000 each, they would have to add 35,000 houses valued at $350,000 each, quadruple the size of the county. And, unfortunately, since they are constrained by public lands——

Mr. WALDEN of Oregon. And the ocean.

Mr. DEFAZIO. And the Pacific Ocean, some of those would have to be house boats, I guess.

Ms. HOOLEY. It is hard to have a house boat in the ocean.

Mr. DEFAZIO. But it is very serious. And there they are looking at the layoff of 16 of the 43 employees in the Curry County Sheriff's Office. And the sheriff would just then only be able to supervise the jail. There would no longer be a rural law enforcement, which obviously jeopardizes the traveling public and, again, raises the potential, as the gentleman from southern Oregon who represents also eastern Oregon pointed out, of a vacuum into which some of these gangs that are highly organized in this country, some of which have come across the border from Mexico could infiltrate for methamphetamine production or even growing marijuana.

Mr. WALDEN of Oregon. And, in fact, you think about in our State and in Northern California how many meth labs have been found on Federal lands, found by county sheriffs deputies generally. They are the ones out there. Now, there are other law enforcement agencies, but a lot of it is that.

And I showed you the marijuana growing that that lone deputy, by himself, no backup, on horseback out riding in the Federal lands, found 6,000 plants in a Mexican cartel drug trafficking operation. This is going on out on Federal lands. And it is not like the Forest Service has a huge police force to go patrol their own lands. They don't. And so it is a severe problem.

Ms. HOOLEY. I just want to add to the whole, when you are talking about drug problems and meth problems, we were one of the States that had, the west coast was hit the hardest with meth. It has now moved east. But I was just going to say, it is the rural counties that are hit more by meth than are the urban counties because they can go out in the forest, they can make meth, cook meth out in the forestlands, grow marijuana. But we spend a lot of our time out there looking for drug problems, and it is a huge issue in all of our rural counties.

Mr. DEFAZIO. But of course it ends up in a lot of urban areas, so it is their problem, too.

Mr. WALDEN of Oregon. Exactly. We have been joined by our colleague from Northern California, Wally Herger, who serves the adjoining area, at least to mine. And I don't know if he touches up against your district or not. But he does an extraordinarily able job representing Northern California and has been very active in forestry issues and forest health issues over the years. And we are delighted you could join us tonight to talk about the importance of reauthorizing H.R. 17.

Mr. HERGER. I thank the gentleman, my good friend from Oregon, Mr. WALDEN. And I thank the work that Mr. DEFAZIO is doing and the others in this incredibly, crucially important issue that affects those of us in rural areas of the West, particularly, and in these forested areas.

Like both of you, I have a heavily forested district and I understand the challenges that our rural communities face because of the large Federal presence in our area.

Many of our fellow citizens, and even some of the Members of this body, do not realize that the presence of Federal lands places a burden on nearby communities. I am so pleased to join you tonight in shining the light on that fact and reminding our colleagues that the Secure Rural Schools program has expired and is in need of reauthorization.

In my district of Northern California, school boards, county officials, and sheriff departments are currently in crisis mode. For example, Siskiyou County is looking at a 91 percent loss in school funding. In Tehama County, library hours, music, art, and physical education classes will be dramatically cut.

And this crisis extends well beyond education. County road safety programs will be decimated as well. Sheriff departments will also bear the brunt of these cuts. In total, eight of my 10 counties are experiencing drastic budget declines because Congress has not extended the Secure Rural Schools program.

It is important to point out to our friends who represent urban areas that this crisis is not the fault of rural counties. It is the fault of Federal policies that are out of their control, specifically the failure of Congress to address that burden by extending the Secure and Rural Schools program.

In my home State of California, close to half of the land area is owned by the Federal Government. And in my district that number is considerably larger. In one of my counties, nearly 90 percent of the land is under Federal ownership. This large Federal presence has placed the counties I represent at a severe economic disadvantage. Acreage that would normally be privately owned and, therefore, generating tax revenue to help fund essential local services, is, instead, locked away by the Federal Government.

President Teddy Roosevelt and our predecessors who served in the 60th Congress recognized this problem and addressed it with a promise which was enshrined in the law in 1908, that the Federal Government would pay its fair share of local costs by sending a percentage of national forest revenues to the counties that are home to Federal lands.

This promise acknowledged that the rural counties we represent would not be able to fund vital services like rural education, road maintenance and emergency care as long as enormous tracts of land within their boundaries were locked away under Federal control.

We need to be very clear about the nature of the promise that was struck between Congress and rural forested counties. These funds were not designed to be a handout, and they are not part of any federally sponsored rural development program. They are an obligation. They are part of a compact between the Federal Government and the people of rural America in recognition of the difficulties created by large Federal ownership. This compact must be honored by the 110th Congress that we are currently in.

□ 2145

The rural counties I represent, and I know this is true in other areas throughout the West, have sacrificed a great deal playing host to America's national forests. I don't think it is too much to ask for this Congress to set aside a fraction of our $2.9 trillion budget in order to keep our word to rural America. We need to act immediately to extend the Secure Rural Schools safety net so our rural counties can get out of crisis mode, and then we can all get back to working on a long-term solution to our forest health problems.

Again, I would like to thank my colleagues here tonight for your efforts to extend the Secure Rural Schools program. I am committed to working with each of you until we are successful, and I ask other Members of the House to recognize the incredible hardships that will result if this legislation is not renewed.

Mr. WALDEN of Oregon. Mr. Speaker, I thank the gentleman from the Second District California.

We appreciate your great work on forest health issues and your support of this effort. You mentioned this was just a fraction of what we spend federally for the Federal Government to keep its word. As you recall, we tried to get an amendment on the floor during the debate over the continuing resolution a week or so ago and we would have paid for that by just taking a fraction of what is spent for the whole government. That fraction was .00086 percent of the Federal budget that would pay for this; but not just pay for it, it would keep the commitment of this government to the people out West and elsewhere where there are forests that have been there for up until now 100 years basically, 99 years. So it doesn't take a lot to keep your word, and we need to keep the promise regarding forest health and schools and roads and other things.

So we appreciate your work on this, Congressman HERGER. Thanks for your leadership.

Mr. DEFAZIO. Mr. Speaker, let me just mention two other counties. I have got a list here. I see another gentleman from Washington that we want to hear from him. But the most heavily impacted county in my district will be Josephine County, and their general fund revenues have dropped 69 percent. Again, a dramatic loss of public safety.

Mr. WALDEN of Oregon. That is a county we share.

Mr. DEFAZIO. Right. And road services. And then in Coos County, more than half the general fund. Layoff notices have already gone out to 100 out of a 430-person workforce. Again, the deepest cuts, because it is the largest proportion of the budget, public safety, again, the loss of patrol deputies. It is going to be a very, very difficult time when tourists from all across America come to southwest Oregon this summer. If they are in an accident or have other problems in rural areas across large swaths of our State, there will be no immediate help for them.

Mr. WALDEN of Oregon. Most of the States this side of the Mississippi have less than 7 or 8 percent Federal ownership. In my district, much like like yours, Deschutes County is 79 percent federally controlled. Lake is 78; Harney is 78; Malheur is 76; Hood River is 72; Grant is 61; Wallowa is 58; and Baker is 53 percent of the land masses under Federal ownership and control. That is why this is so important that the Federal Government keep its word.

I would like now to yield to our good friend and colleague from the Fourth District of Washington, the Honorable DOC HASTINGS, whose district receives $8.8 million a year to help with roads and schools in a very federally dominated area.

DOC, you have been a terrific leader in this effort, and we appreciate your coming down tonight.

Mr. HASTINGS of Washington. Mr. Speaker, I thank the gentleman for yielding.

And I want to thank you and I want to thank Mr. DEFAZIO, both, for your work on this not only in this Congress, but your yeomen's work at the end of the last Congress to try to get this problem resolved. And I apologize for coming down late. I wanted to participate more fully, but the Rules Committee is meeting, as we are speaking, on the Iraq issue. So I was up there and didn't have a chance to come down.

But let me make a couple of points here. This really is about keeping a commitment that was made by the Federal Government to the counties. And you just made the point there that States with counties in the western part of the United States have a lot of Federal ownership. I have two counties that I just want to talk about in my district where over 80 percent of their land is owned by the Federal Government. Now, by definition that means that 80 percent of the taxable land that the county commission would have is not subject to taxation.

The decision was made over 100 years ago for these national forestlands, which is principally in my area. I know you have some development lands in yours. But since they don't have taxation, they said okay. Deals were worked out many years ago that you can have the revenue from harvesting the timber, which worked out very, very well. So that is the Federal policy that was made. The Federal Government owns the land in these counties; so, therefore, they can't tax it. It is Federal policy. In the early 1990s, another Federal policy or interpretation, I should probably say, of a Federal policy has led to a decline in timber receipts, as you can see here by the chart.

Mr. WALDEN of Oregon. This chart here shows it very clearly.

Mr. HASTINGS of Washington. When President Clinton, to his credit, tried to come up with a forest plan, the current level at that time of timber harvest was 4½ billion board-feet, and the promise was that you could at least harvest 1.1 billion, 25 percent of it. We are not even close to that. We are not even close to that because the interpretation of that law and the ensuing lawsuits have kept any activity in these multipurpose areas. And I should make this point: This is national forestland. National forests were created to be multipurpose, including commercial activity. If you want to lock it up and not have any activity at all, the way to do that is put it in a wilderness area. This is not wilderness. Some de facto policies, unfortunately, in the past have led to sometimes this being treated as wilderness areas but it is not. So as a result of this, as a result of the timber receipts going down, these counties who relied on the Federal receipts from timber because they couldn't tax land now are facing huge, huge cuts.

Chelan County in my district, one of the counties that has 80 percent ownership by the Federal Government, will have severe cuts in education, road maintenance, search and rescue, and this is a big tourist area up there, and the forestry education programs. Skamania County, a small county in the southern part of my district, loses 40 percent of its school budget. Forty percent of its school budget. And here we are and that 40 percent starts at the end of last year and they have to get through the end of the year.

So this is something that needs to be resolved, and I really appreciate your allowing me to come down to participate in this. Both of you have been really champions on getting this through. And, hopefully, we will be successful sooner rather than later, because these counties and these communities in our States simply can't wait.

Mr. Speaker, I join my colleagues here this evening to urge this Congress to take action now and extend the Secure Rural Schools and Community Self-Determination Act, commonly referred to as the county payments bill. This bill is an essential lifeline of support for rural communities throughout the country that are impacted by federal forest land ownership.

I thank my colleagues, GREG WALDEN and PETER DEFAZIO, for their steadfast efforts to address this problem.

What we are talking about here tonight is keeping a promise—a promise made to county governments a century ago in what was then still the early years of the National Forest system. County governments, of course, cannot tax the Federal Government. However, they still must provide for schools, roads, and emergency services. The Congress recognized this reality when it promised these communities that they would get a fair share of revenue produced from federal forest lands as compensation for the tax exempt status of federal forest lands. This revenue sharing, which Congress made permanent in 1908, served all parties well and was for many years an equitable solution to the problem.

Unfortunately, since the early 90s, special interest groups that oppose federal timber sales have used the Endangered Species Act to bring harvest activities in the Pacific Northwest to a standstill. The Clinton administration attempted to resolve the crisis by brokering the Northwest Forest Plan in 1994, which called for setting aside 80 percent of the federal forests in the Northwest and allowing for a modest level of continued harvest on some of what remained. This was supposed to produce a steady and reliable level of timber to help meet the growing U.S. demand for building materials and wood products.

However, even this compromise was not good enough for the radical environmentalists that have continuously used litigation to sharply limit federal harvest levels. What resulted is the closure of hundreds of mills throughout the Northwest—leaving thousands of people without family wage jobs and many counties with little or no compensation for the impact of federal land ownership. Today, we import more wood products than we ever did before, and the spotted owl—which was supposedly what all the litigation was about—isn't any closer to recovery as a result of our de facto zero harvest policy.

Fortunately, the Congress at least recognized the dramatic impact to local governments caused by the sharply declining Forest Service timber receipts. This is why we passed the Secure Rural Schools and Community Self-Determination Act in 2000. This law, which expired at the end of Fiscal Year 2006, enabled local governments to either remain with the traditional receipt sharing system or take a payment based on historical harvest levels. In addition, it authorized funding for local governments to work in cooperation with interested stakeholders to carry out special forest restoration projects. These payments made the difference for many county governments that would otherwise not be able to provide essential services.

Today, however, the future of these payments is in doubt. Despite the many efforts on both sides of the aisle, we were unable to secure an extension of this bill before the 109th Congress adjourned. I am proud of the fact that the House did at least identify and act upon a couple of legislative items last year that would have helped offset the cost of the reauthorization. However, the situation remains that we need to find a way to get the county payments extension through the Congress and on to the President. Time is quickly running out for these rural communities.

Let me give you examples of what will happen to two of my counties if we fail to act now.

Chelan County, which is almost 80 percent federally-owned land, will face severe cuts in education, road maintenance, search and rescue operations and many other county services. In addition, they would be forced to eliminate the Forestry Education Program, which takes "at risk kids" from several local rural school districts and involves them in hands on habitat restoration projects during the summer. This program is administered with the help of Washington State University and local employees of state and federal agencies and has been recognized by the National Association of County Officials.

In Skamania County, which is more than 80 percent tax exempt federal land, the local school districts will lose 40 percent of their current budget. That means the loss of dozens of teachers and support positions, the shuttering of school buildings, and dramatic cutbacks in classes and extracurricular offerings. The county government would be forced to cut more than half of their law enforcement personnel, road workers, and court employees. These people will likely have to leave the county to find alternate employment, taking their families with them and further eroding the county's economy.

Mr. Speaker, these are just a couple of examples of the kinds of the consequences to real communities if we fail to act. I again urge the leadership of the Congress to move the extension of the county payments bill on the next available legislative vehicle. Let's keep our promise to these local governments and reauthorize the Secure Rural Schools and Community Self-Determination Act before it's too late.

Mr. WALDEN of Oregon. Mr. Speaker, I thank the gentleman for his work and his help in the Rules Committee and on this issue.

You have been most diligent and most helpful and we appreciate your comments tonight. Harney County Judge Steve Grasty has said, "Loss of this program means losing future opportunities for young people here and in rural counties across America." We have comments like that, and I am sure Peter does as well, from every county that is affected, every school superintendent who is trying now to work with their school boards to figure out who stays, who goes, what gets cut, what gets left behind, and what do we do to help rural kids keep up in a school system that is going to be devastated by the loss of these dollars.

This is a national problem. These are national lands. National policy determines what happens on these lands, and you can see by the reduction in Federal timber receipts, one of the outcomes of Federal policy has been near elimination of receipts, which has brought us to this legislation, which now is expired. And I appreciate the work of my colleague from the Fourth District of Washington as we work to reauthorize this to keep the Federal Government's promise to rural schools, rural roads, rural counties, and our Federal forestlands.

And I yield to my colleague.

Mr. DEFAZIO. Well, again just to reiterate, 4,400 school districts across America, I believe, of more than 800 counties are impacted. Critical law enforcement, public safety, search and rescue services, road maintenance services, schools, school class size, school infrastructure, all these things are on the cutting block. Benton County in my district tried a levy. It failed. Again, the cuts will be targeted at law enforcement and the sheriffs' offices. That is the biggest part of the general fund for virtually all my counties. They have no choice.

Mr. WALDEN of Oregon. I am told our time is about up. I just appreciate your help and that of our colleagues.

I would encourage all of our colleagues who are listening tonight, help us pass H.R. 17. Help us keep the promise to these rural people who are surrounded in their areas by Federal lands, which are gorgeous and we love them, but we need your help to deal with them.

Again, I thank all of our colleagues who came down at this very late hour on the East Coast to share their comments and concerns. And together we can keep the promise for America.

Mr. BAIRD. Mr. Speaker, I rise today to express support for full reauthorization of the Secure Rural Schools and Community Self Determination Act.

My district in southwest Washington state is one of the 10 most forested districts in the entire country. Because so much of the land in my district is under the control of the Forest Service, counties in my district like Lewis, Skamania, and Cowlitz rely on the Secure Rural Schools program. They are among 27 counties in Washington state that rely on funds of over $40 million a year.

These communities do not want to rely on this program, but a long series of events have left them without recourse.

For decades, heavily forested counties could rely on 25 percent of revenue generated by timber harvest in our federal forests. National Forests cannot be taxed locally, so this was a fair exchange. As timber harvest plummeted in the 1980s and 1990s, these local governments were left with barely enough funds to operate essential government services, including schools. The 2000 Secure Rural Schools and Community Self Determination Act saved these communities from dying off. It has allowed them to hire teachers, keep libraries open, and provide the services that many of us take for granted.

And Secure Rural Schools is about more then county payments. The program also authorizes Resource Advisory Councils and designates 15 percent to 20 percent of the county payments towards these Councils, known as RACs. RACs bring together members of the community including environmentalists, labor groups, and local elected officials to collaborate on necessary forestry projects. These forestry projects include preventive thinning that limits the danger of fires in our forests. Over 9 million acres of land burned in fires in 2006. Collaborative efforts to prevent this damage are a model that needs to be refined and expanded. That can only happen if we continue funding the program.

For the 780 counties, 4,400 school districts, and millions of Americans affected by this program, I implore my colleagues to help reauthorize and fund the Secure Rural Schools and Community Self Determination Act. If we fail to reauthorize this critical program, counties in my district will see their school district budgets cut by more than 40 percent, community programs and services will be slashed, and jobs will be lost.

We must act now.

Mr. DOOLITTLE. Mr. Speaker, I rise today to express my great concern over the current funding situation facing rural schools. The Secure Rural Schools and Community Self-Determination Act of 2000 provided compensation to counties with a large presence of Nation Forest lands. Unfortunately, the law authorizing these payments expired at the end of 2006. When it became apparent the reauthorization would not pass the House through regular order during the 109th Congress, my colleagues and I introduced H.R. 6423, which would have extended the funding for one year, providing us with more time to work for a long-term solution. Despite our efforts, the 109th Congress adjourned without reauthorizing the Secure Rural Schools and Community Self-Determination Act. However, I maintain my commitment to providing this much-needed funding for rural counties.

I fully support the reauthorization of this law, which provides essential funding for over 4,400 schools in 780 counties. This money compensates counties for the loss of tax revenue as the Federal Government placed large amounts of land in forest reserves. The revenue-sharing mechanism that was created for the counties when this land transfer occurred is no longer viable due to decreasing timber sales.

With nearly 5.5 million acres of National Forests in my Congressional District, my counties are greatly affected by the expiration of the Secure Rural Schools and Community Self-Determination Act of 2000. As an example from a county in my district, Plumas County School District receives roughly $2.5 million annually from this program, which represents 20 percent of their annual operating budget. Without this funding, the County is preparing to:

Lay off 9 administrators (out of a total of 16); lay off 47 teachers (out of a total of 150); close all school libraries; possibly close some or all cafeterias and cut transportation activities.

In Sierra County, schools will be shut down and students will be bussed up to 3 hours over the State line to attend school in Nevada. As you can see, reauthorization of this program is essential.

The Federal Government has a responsibility to compensate these counties from which large amounts of land were taken to create the National Forest System, and by failing to produce a real solution that will provide this funding, we are neglecting that responsibility.

I was disappointed to see that no funding was provided for rural schools in the continuing resolution we have recently passed. I am hopeful that the emergency supplemental we will soon consider will contain the needed funding for these counties, which are truly in dire circumstances.

RECESS

The SPEAKER pro tempore (Mr. CARNEY). Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 9 o'clock and 55 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 2255

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CARDOZA) at 10 o'clock and 55 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H. CON. RES. 63, IRAQ WAR RESOLUTION

Ms. SLAUGHTER, from the Committee on Rules, submitted a privileged report (Rept. No. 110–12) on the resolution (H. Res. 157) providing for consideration of the bill (H. Con. Res. 63) disapproving of the decision of the President announced on January 10, 2007, to deploy more than 20,000 additional United States combat troops to Iraq, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CRAMER (at the request of Mr. HOYER) for today on account of a death in the family.

Mr. EDWARDS (at the request of Mr. HOYER) for today on account of medical reasons.

Mr. KAGEN (at the request of Mr. HOYER) for today on account of travel problems.

Mrs. JO ANN DAVIS of Virginia (at the request of Mr. BOEHNER) for February 5 through February 16 on account of medical reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. PALLONE) to revise and extend their remarks and include extraneous material:)

Mr. PALLONE, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mrs. MCCARTHY of New York, for 5 minutes, today.

Mr. GEORGE MILLER of California, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Mr. COSTA, for 5 minutes, today.

Mr. MILLER of North Carolina, for 5 minutes, today.

(The following Members (at the request of Mr. DUNCAN) to revise and extend their remarks and include extraneous material:)

Mr. MCHENRY, for 5 minutes, February 15.

Mr. BISHOP of Utah, for 5 minutes, February 13.

Mr. BURTON of Indiana, for 5 minutes, today and February 14, 15, and 16.

Mr. DUNCAN, for 5 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. KINGSTON, for 5 minutes, today.

ADJOURNMENT

Ms. SLAUGHTER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 56 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, February 13, 2007, at 9 a.m., for morning hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

588. A letter from the Administrator, Rural Housing Service, Department of Agriculture, transmitting the Department's final rule — Direct Single Family Housing Loans and Grants (RIN: 0575-AC54) received January 12, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

589. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule — Healthy Tomorrows Partnership for Children Program (RIN: 0906-AA70) received January 29, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

590. A letter from the Chief of Immigration Unit, Department of Justice, transmitting the Department's final rule — Board of Immigration Appeals: Composition of Board and Temporary Board Members [EOIR Docket No. 1581] (RIN: 1125-AA57) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

591. A letter from the Federal Register Certifying Office, Department of the Treasury, transmitting the Department's final rule — Administrative Offset Under Reciprocal Agreements With States (RIN: 1510-AB09) received January 9, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

592. A letter from the Chief, Office of Regulation Policy & Mgt., VA, Department of Veteran's Affairs, transmitting the Department's final rule — Accrued Benefits (RIN: 2900-AM28) received December 29, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

593. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Ruling and determination letters (Rev. Proc. 2007-8) received January 5, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

594. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Last-in, First-out inventories (Rev. Rul. 2007-6) received January 11, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

595. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Weighted Average Interest Rates Update [Notice 2007-12] received January 11, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

596. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Low-Income Housing Credit (Rev. Rul. 2007-5) received January 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

597. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Modification of the Substantial Assistance Rules [Notice 2007-13] received January 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. OBERSTAR. Committee on Transportation and Infrastructure. H.R. 342. A bill to designate the United States courthouse located at 555 Independence Street, Cape Girardeau, Missouri, as the "Rush Hudson Limbaugh, Sr., United States Courthouse", with amendments (Rept. 110–10). Referred to the House Calendar.

Mr. OBERSTAR. Committee on Transportation and Infrastructure. H.R. 798. A bill to direct the Administrator of General Services to install a photovoltaic system for the headquarters building of the Department of Energy (Rept. 110–11). Referred to the Committee of the Whole on the State of the Union.

Ms. SLAUGHTER. Committee on Rules. House Resolution 157. Resolution providing for consideration of the concurrent resolution (H. Con. Res. 63) disapproving of the decision of the President announced on January 10, 2007, to deploy more than 20,000 additional United States combat troops to Iraq (Rept. 110–12). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. NORWOOD (for himself and Mr. DINGELL):

H.R. 979. A bill to amend title I of the Employee Retirement Income Security Act of 1974, title XXVII of the Public Health Service Act, and the Internal Revenue Code of 1986 to protect consumers in managed care plans and other health coverage; to the Committee on Energy and Commerce, and in addition to the Committees on Education and Labor, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KILDEE (for himself and Mr. DUNCAN):

H.R. 980. A bill to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; to the Committee on Education and Labor.

By Mrs. JONES of Ohio (for herself and Mr. ENGLISH of Pennsylvania):

H.R. 981. A bill to amend the Internal Revenue Code of 1986 to exempt from the harbor maintenance tax certain commercial cargo loaded or unloaded at United States ports in the Great Lakes Saint Lawrence Seaway System; to the Committee on Ways and Means.

By Mr. LANTOS (for himself, Mr. WOLF, Ms. ROS-LEHTINEN, Mr. PRICE of North Carolina, Mr. DREIER, Mr. ACKERMAN, Mr. BERMAN, Mr. BURTON of Indiana, Mr. CROWLEY, Ms. JACKSON-LEE of Texas, Mr. SCHIFF, and Mr. SMITH of New Jersey):

H.R. 982. A bill to promote democratic values and enhance democracy, and for other purposes; to the Committee on Foreign Affairs.

By Mr. GENE GREEN of Texas (for himself and Mr. PICKERING):

H.R. 983. A bill to preserve local radio broadcast emergency and other services and to require the Federal Communications Commission to conduct a rulemaking for that purpose; to the Committee on Energy and Commerce.

By Mr. WAXMAN (for himself and Mr. TOM DAVIS of Virginia):

H.R. 984. A bill to provide for reform in the operations of the executive branch; to the Committee on Oversight and Government Reform.

By Mr. WAXMAN (for himself, Mr. PLATTS, Mr. VAN HOLLEN, and Mr. TOM DAVIS of Virginia):

H.R. 985. A bill to amend title 5, United States Code, to clarify which disclosures of information are protected from prohibited personnel practices; to require a statement in nondisclosure policies, forms, and agreements to the effect that such policies, forms, and agreements are consistent with certain disclosure protections, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COURTNEY (for himself, Mr. SHAYS, Ms. DELAURO, Mr. LARSON of Connecticut, and Mr. MURPHY of Connecticut):

H.R. 986. A bill to amend the Wild and Scenic Rivers Act to designate certain segments of the Eightmile River in the State of Connecticut as components of the National Wild and Scenic Rivers System, and for other purposes; to the Committee on Natural Resources.

By Mr. TANNER (for himself, Mr. GILLMOR, Mr. LANTOS, Ms. ROS-LEHTINEN, Mr. WEXLER, and Mr. GALLEGLY):

H.R. 987. A bill to endorse further enlargement of the North Atlantic Treaty Organization (NATO) and to facilitate the timely admission of new members to NATO, and for other purposes; to the Committee on Foreign Affairs.

By Mr. CALVERT:

H.R. 988. A bill to designate the facility of the United States Postal Service located at 5757 Tilton Avenue in Riverside, California, as the "Lieutenant Todd Jason Bryant Post Office"; to the Committee on Oversight and Government Reform.

By Mr. BOREN (for himself and Mr. CHABOT):

H.R. 989. A bill to prevent undue disruption of interstate commerce by limiting civil actions brought against persons whose only role with regard to a product in the stream of commerce is as a lawful seller of the product; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GEORGE MILLER of California (for himself, Mr. MCKEON, Mr. HINOJOSA, and Mr. KELLER):

H.R. 990. A bill to provide all low-income students with the same opportunity to receive a Pell Grant by eliminating the tuition sensitivity provision in the Pell Grant program; to the Committee on Education and Labor.

By Mr. CAMPBELL of California:

H.R. 991. A bill to amend the Internal Revenue Code of 1986 to allow individuals eligible for veterans health benefits to contribute to health savings accounts; to the Committee on Ways and Means.

By Ms. DELAURO:

H.R. 992. A bill to amend the Federal Food, Drug, and Cosmetic Act and the Federal Meat Inspection Act to require that food that contains product from a cloned animal be labeled accordingly, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FEENEY:

H.R. 993. A bill to amend title 18, United States Code, to reaffirm the intent of Congress in the Sentencing Reform Act of 1984, and for other purposes; to the Committee on the Judiciary.

By Mr. HALL of New York (for himself, Mr. HINCHEY, Mr. ENGEL, Mrs. LOWEY, and Mr. SHAYS):

H.R. 994. A bill to require the Nuclear Regulatory Commission to conduct an Independent Safety Assessment of the Indian

Point Energy Center; to the Committee on Energy and Commerce.

By Mr. HARE (for himself, Mr. KIRK, Mr. LOBIONDO, Mr. CARTER, Mr. BARTLETT of Maryland, Mr. PEARCE, Mr. BOREN, Mr. MOORE of Kansas, Mr. BILIRAKIS, Mr. BURTON of Indiana, Mr. MILLER of Florida, Mr. HINCHEY, Mr. DAVIS of Illinois, Mr. RUSH, Ms. BORDALLO, Ms. SCHAKOWSKY, Mr. WALZ of Minnesota, Mr. MITCHELL, Mr. EMANUEL, Mr. SHIMKUS, Mr. JOHNSON of Illinois, Mr. HALL of New York, and Mr. ROSKAM):

H.R. 995. A bill to amend Public Law 106-348 to extend the authorization for establishing a memorial in the District of Columbia or its environs to honor veterans who became disabled while serving in the Armed Forces of the United States; to the Committee on Natural Resources.

By Ms. KAPTUR (for herself, Mrs. CAPPS, Ms. NORTON, Mrs. MALONEY of New York, Ms. MILLENDER-MCDONALD, Ms. DELAURO, Ms. CORRINE BROWN of Florida, Mrs. JONES of Ohio, Mr. PALLONE, Ms. HIRONO, Mr. REHBERG, Ms. WATERS, Ms. BERKLEY, and Ms. WASSERMAN SCHULTZ):

H.R. 996. A bill to provide for the issuance of a semipostal in order to afford a convenient means by which members of the public may contribute towards the acquisition of works of art to honor female pioneers in Government service; to the Committee on Oversight and Government Reform, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KING of Iowa (for himself, Mr. KING of New York, Mr. SALI, Mrs. BACHMANN, Ms. FOXX, Mr. BURTON of Indiana, Mr. PENCE, Mr. DOOLITTLE, Mr. SAM JOHNSON of Texas, Mrs. BLACKBURN, Mr. FEENEY, Mr. PRICE of North Carolina, Mrs MCMORRIS RODGERS, Mr. GINGREY, Mr. SESSIONS, Mr. BURGESS, Mrs. CUBIN, Mr. SAXTON, Mr. MILLER of Florida, Mr. SHUSTER, Mr. WESTMORELAND, Mr. LINDER, Mrs. CAPITO, Mr. HALL of Texas, Mr. LEWIS of Kentucky, and Mr. CULBERSON):

H.R. 997. A bill to declare English as the official language of the United States, to establish a uniform English language rule for naturalization, and to avoid misconstructions of the English language texts of the laws of the United States, pursuant to Congress' powers to provide for the general welfare of the United States and to establish a uniform rule of naturalization under article I, section 8, of the Constitution; to the Committee on Education and Labor, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MCCARTHY of New York (for herself and Mr. LEWIS of Georgia):

H.R. 998. A bill to direct the Librarian of Congress and the Secretary of the Smithsonian Institution to carry out a joint project at the Library of Congress and the National Museum of African American History and Culture to collect video and audio recordings of personal histories and testimonials of individuals who participated in the Civil Rights movement, and for other purposes; to the Committee on House Administration.

By Mr. MILLER of Florida:

H.R. 999. A bill to provide for the Secretary of Agriculture to release the reversionary interest of the United States on certain land in the State of Florida if encroachments and trespassing have occurred on that land, and for other purposes; to the Committee on Agriculture.

By Ms. NORTON (for herself, Ms. KILPATRICK, Mr. LYNCH, Mr. DELAHUNT, Mr. MARKEY, Mr. MEEHAN, Mr. FRANK of Massachusetts, Mr. MCGOVERN, Mr. OLVER, Mr. CAPUANO, Mr. TIERNEY, and Mr. NEAL of Massachusetts):

H.R. 1000. A bill to award a Congressional Gold Medal to Edward William Brooke III in recognition of his unprecedented and enduring service to our Nation; to the Committee on Financial Services.

By Mr. SPRATT:

H.R. 1001. A bill to amend the Haitian Hemispheric Opportunity through Partnership Encouragement Act of 2006 to extend the date for the President to determine if Haiti meets certain requirements, and for other purposes; to the Committee on Ways and Means.

By Mr. SPRATT (for himself and Mrs. MYRICK):

H.R. 1002. A bill to authorize appropriate action if the negotiations with the People's Republic of China regarding China's undervalued currency and currency manipulation are not successful; to the Committee on Ways and Means.

By Ms. WATSON:

H.R. 1003. A bill to amend the Foreign Affairs Reform and Restructuring Act of 1998 to reauthorize the United States Advisory Commission on Public Diplomacy; to the Committee on Foreign Affairs.

By Ms. WOOLSEY (for herself, Mr. GRIJALVA, Mr. LANTOS, Mr. KILDEE, Ms. JACKSON-LEE of Texas, Mr. MCGOVERN, Mr. SCOTT of Virginia, Ms. NORTON, and Ms. KILPATRICK):

H.R. 1004. A bill to authorize the Attorney General to make grants to improve the ability of State and local governments to prevent the abduction of children by family members, and for other purposes; to the Committee on the Judiciary.

By Mr. SKELTON (for himself, Mr. LANTOS, and Mr. JONES of North Carolina):

H. Con. Res. 63. Concurrent resolution disapproving of the decision of the President announced on January 10, 2007, to deploy more than 20,000 additional United States combat troops to Iraq; to the Committee on Armed Services, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PENCE:

H. Con. Res. 64. Concurrent resolution expressing the sense of Congress that no funds should be cut off or reduced for American troops in the field which would result in undermining their safety or their ability to complete their assigned missions; to the Committee on Armed Services.

By Mr. LIPINSKI:

H. Res. 152. A resolution expressing the sense of the House of Representatives that the President should transmit to Congress detailed reports on the situation in Iraq to facilitate greater congressional oversight, work with the international community to create an international peacekeeping force and reconstruction program for Iraq, and seek to convene a peace conference in a neutral location to encourage Iraq's ethnic and religious factions to achieve the important goals of national reconciliation, security, and governance for Iraq; to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PUTNAM:

H. Res. 153. A resolution electing minority members to a committee of the House of Representatives; considered and agreed to.

By Mr. COHEN:

H. Res. 154. A resolution recognizing Stax Records for enriching the Nation's Cultural life with "50 years of soul"; to the Committee on Education and Labor.

By Mr. CROWLEY:

H. Res. 155. A resolution condemning the assassination of human rights advocate and outspoken defender of freedom of the press, Turkish-Armenian journalist Hrant Dink on January 19, 2007; to the Committee on Foreign Affairs.

By Mr. MORAN of Virginia:

H. Res. 156. A resolution honoring and thanking John Thomas Caulfield for a lifelong professional commitment to public service and for his years of dedicated service on behalf of the United States Capitol Police, the Capitol Police Board, and the Congress; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII.

Mr. GONZALEZ introduced a bill (H.R. 1005) for the relief of Vicente Beltran Luna; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

February 12, 2007

H.R. 23: Mr. SHIMKUS and Ms. ESHOO.

H.R. 25: Mr. TIAHRT.

H.R. 34: Mr. COHEN.

H.R. 37: Mr. DENT.

H.R. 42: Mr. GUTIERREZ and Mr. AL GREEN of Texas.

H.R. 43: Mr. GUTIERREZ and Mr. BISHOP of Georgia.

H.R. 50: Mr. BROWN of South Carolina.

H.R. 73: Mr. MCINTYRE, Mr. YOUNG of Alaska, and Mrs. MYRICK.

H.R. 82: Mr. ALEXANDER, Mr. BARTLETT of Maryland, Mr. BISHOP of Utah, Mrs. BONO, Mr. LINCOLN DAVIS of Tennessee, Mr. FORBES, Mr. GERLACH, Mr. KANJORSKI, Mr. MORAN of Virginia, Mrs. NAPOLITANO, Mr. PORTER, Mr. ROSKAM, Mrs. SCHMIDT, Mr. SIMPSON, Mr. STUPAK, Ms. SUTTON, and Mr. YARMUTH.

H.R. 84: Mr. MCCOTTER.

H.R. 85: Mr. MILLER of North Carolina.

H.R. 119: Mr. PAYNE.

H.R. 137: Mr. ARCURI.

H.R. 139: Mr. CALVERT.

H.R. 156: Mr. FATTAH and Ms. SCHAKOWSKY.

H.R. 169: Mr. GORDON.

H.R. 180: Mr. TANCREDO.

H.R. 184: Mr. DAVIS of Alabama.

H.R. 197: Mr. LEWIS of Georgia, Ms. BALDWIN, Mr. MOORE of Kansas, Mr. BOSWELL, and Mr. LEWIS of Kentucky.

H.R. 207: Mr. WAXMAN.

H.R. 211: Mr. LEVIN and Ms. KILPATRICK.

H.R. 213: Mr. ACKERMAN.

H.R. 260: Ms. SCHAKOWSKY and Mr. GILLMOR.

H.R. 279: Mr. GINGREY and Mr. PAUL.

H.R. 297: Ms. SCHAKOWSKY.

H.R. 303: Mr. ROGERS of Kentucky and Ms. SCHWARTZ.

H.R. 402: Mr. GENE GREEN of Texas.

H.R. 403: Mr. WALZ of Minnesota.

H.R. 477: Ms. SUTTON, Mr. ROSS, Mr. FOSSELLA, Mr. MCDERMOTT, and Mr. HALL of Texas.

H.R. 488: Mr. JOHNSON of Georgia and Ms. JACKSON-LEE of Texas.

H.R. 493: Mr. DOYLE, Mr. BISHOP of New York, Mr. SCOTT of Virginia, and Mr. MARKEY.

H.R. 502: Mr. GONZALEZ, Mrs. NAPOLITANO, Mr. GRIJALVA, Mr. GUTIERREZ, Mr. SERRANO, and Mr. SIRES.

H.R. 508: Mr. OBERSTAR.

H.R. 511: Mr. FORBES.

H.R. 529: Mr. MICHAUD.

H.R. 530: Mr. DELAHUNT, Mr. CAPUANO, Mr. PETERSON of Minnesota, Mr. HARE, and Mrs. CAPITO.

H.R. 535: Mr. THOMPSON of Mississippi, Mr. MCGOVERN, and Mrs. MALONEY of New York.

H.R. 539: Mr. HOLDEN, Mr. SOUDER, Ms. SCHAKOWSKY, Ms. NORTON, Mr. CARNEY, Mr. BERMAN, and Mr. GEORGE MILLER of California.

H.R. 553: Mr. GILLMOR and Mr. KNOLLENBERG.

H.R. 556: Mrs. CAPITO.

H.R. 561: Mr. LIPINSKI.

H.R. 563: Mrs. CAPITO.

H.R. 566: Mr. BRADY of Pennsylvania, Mr. DAVIS of Alabama, and Mr. FILNER.

H.R. 579: Mr. CLAY and Mr. WALZ of Minnesota.

H.R. 617: Mr. LINCOLN DIAZ-BALART of Florida.

H.R. 621: Mr. LEWIS of Georgia, Mr. GOHMERT, and Mr. MARSHALL.

H.R. 633: Mrs. BOYDA of Kansas.

H.R. 642: Ms. CARSON and Mr. PAYNE.

H.R. 643: Mr. MOORE of Kansas.

H.R. 645: Mr. OBERSTAR.

H.R. 659: Mr. TOM DAVIS of Virginia.

H.R. 670: Mrs. MALONEY of New York.

H.R. 676: Mr. DELAHUNT, Ms. KAPTUR, and Ms. SOLIS.

H.R. 677: Mrs. MCCARTHY of New York, Mr. HINOJOSA, and Mr. JOHNSON of Georgia.

H.R. 695: Ms. JACKSON-LEE of Texas and Mr. EMANUEL.

H.R. 699: Mr. DOOLITTLE, Mr. MCHENRY, Mrs. MCMORRIS RODGERS, Mr. BARTLETT of Maryland, Mr. HAYES, Mr. SIMPSON, Mr. MCCAUL of Texas, Mr. SHIMKUS, Mrs. CUBIN, Mr. HALL of Texas, and Mr. EHLERS.

H.R. 710: Mr. SESSIONS, Mr. SHIMKUS, Mr. SIMPSON, Mr. WILSON of South Carolina, Mr. FERGUSON, Mr. UPTON, Mr. WHITFIELD, Mr. ALLEN, Mr. PICKERING, Mr. GINGREY, Mrs. MYRICK, Mrs. CUBIN, Mr. JOHNSON of Georgia, Mr. PITTS, and Mr. PAYNE.

H.R. 715: Mr. COHEN, Mr. KIND, Ms. CARSON, Ms. SUTTON, and Mr. JOHNSON of Georgia.

H.R. 722: Ms. SHEA-PORTER.

H.R. 723: Mr. HOEKSTRA and Mr. EHLERS.

H.R. 734: Mr. MCKEON, Ms. WOOLSEY, Mr. BURGESS, Mr. SHIMKUS, and Mr. GONZALEZ.

H.R. 741: Mr. CUMMINGS, Mr. THOMPSON of California, and Mr. WYNN.

H.R. 743: Mrs. MUSGRAVE and Mr. BISHOP of Georgia.

H.R. 746: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CLAY, and Mr. FATTAH.

H.R. 759: Mr. COHEN, Mr. NADLER, and Mr. WOLF.

H.R. 760: Mr. GUTIERREZ, Mr. LANTOS, Mr. GEORGE MILLER of California, and Ms. BORDALLO.

H.R. 787: Mr. FILNER.

H.R. 797: Mr. DOYLE, Mr. DAVIS of Alabama, Mr. HIGGINS, and Mr. CUMMINGS.

H.R. 800: Mr. CUELLAR.

H.R. 811: Mr. RANGEL, Ms. VELÁZQUEZ, Mr. FARR, Mr. MEEHAN, Mr. LIPINSKI, and Mr. WAMP.

H.R. 819: Ms. CASTOR, Mr. GENE GREEN of Texas, Mr. COSTA, Ms. VELÁZQUEZ, Mr. HASTINGS of Florida, Mr. MARKEY, and Mr. DOGGETT.

H.R. 821: Mr. CONYERS, Mr. PAYNE, Ms. CARSON, Mr. DAVIS of Illinois, Mr. FARR, Mr. KIRK, Mr. SHAYS, and Mr. GENE GREEN of Texas.

H.R. 822: Mr. CONYERS, Mr. WYNN, Mr. COHEN, Ms. CASTOR, Mr. BACA, Mr. AL GREEN of Texas, and Mr. JOHNSON of Georgia.

H.R. 855: Mr. FORBES and Mr. LEWIS of Kentucky.

H.R. 866: Mr. LINDER, Mr. SMITH of Texas, Mr. GARY G. MILLER of California, Mr. BURGESS, and Mr. MCCAUL of Texas.

H.R. 868: Mr. POMEROY and Mr. SESTAK.

H.R. 871: Mrs. LOWEY, Mr. LEWIS of Georgia, and Mr. ROTHMAN.

H.R. 873: Ms. SCHAKOWSKY.

H.R. 896: Mr. PETRI and Mr. KIND.

H.R. 897: Mr. WALZ of Minnesota and Mr. SPRATT.

H.R. 898: Mr. WAMP, Ms. HARMAN, Mr. THOMPSON of California, Mrs. CAPPS, Mr. FATTAH, Mr. BOREN, Mr. NADLER, Mr. WEXLER, Mr. SPRATT, Mr. CHANDLER, Mr. ANDREWS, Mr. HIGGINS, Mr. BISHOP of New York, Mr. BARROW, Mr. BOSWELL, Mr. BRADY of Pennsylvania, Mr. BUTTERFIELD, Mr. CLYBURN, Mr. CUELLAR, Mr. LINCOLN DAVIS of Tennessee, Mr. EDWARDS, Ms. HERSETH, Mr. HOLDEN, Ms. HOOLEY, Mr. ISRAEL, Mr. JACKSON of Illinois, Mr. KANJORSKI, Ms. LEE, Ms. ZOE LOFGREN of California, Mrs. LOWEY, Ms. MATSUI, Mr. MORAN of Virginia, Mr. SALAZAR, Ms. LINDA T. SÁNCHEZ of California, Ms. SLAUGHTER, Mr. UDALL of Colorado, and Mr. WYNN.

H.R. 923: Mr. KENNEDY, Mrs. MALONEY of New York, Ms. SLAUGHTER, and Ms. JACKSON-LEE of Texas.

H.R. 933: Mr. SOUDER.

H.R. 971: Mr. SHAYS and Mr. GRIJALVA.

H.R. 976: Mr. STARK, Mr. LEVIN, Mr. MCDERMOTT, Mr. LEWIS of Georgia, Mr. NEAL of Massachusetts, Mr. MCNULTY, Mr. TANNER, Mr. BECERRA, Mr. DOGGETT, Mr. POMEROY, Mrs. JONES of Ohio, Mr. THOMPSON of California, Mr. LARSON of Connecticut, Mr. EMANUEL, Mr. BLUMENAUER, Mr. KIND, Mr. PASCRELL, Ms. BERKLEY, Mr. CROWLEY, Mr. VAN HOLLEN, Mr. MEEK of Florida, Ms. SCHWARTZ, Mr. DAVIS of Alabama, Mr. SPRATT, Ms. VELÁZQUEZ, Ms. BEAN, Mr. HILL, Mr. SHULER, Mr. CRAMER, Mr. MELANCON, Mr. BOSWELL, Mr. SALAZAR, Mr. LINCOLN DAVIS of Tennessee, Mr. BARROW, Mr. MATHESON, Mr. MICHAUD, Mr. ELLSWORTH, Mr. MOORE of Kansas, Mr. MARSHALL, Mr. DONNELLY, Mr. BOYD of Florida, Mr. CARDOZA, Mr. MAHONEY of Florida, Mr. ARCURI, Ms. GIFFORDS, Mr. ROSS, Ms. HERSETH, Mr. COSTA, Mrs. GILLIBRAND, Mr. BISHOP of Georgia, and Mr. BACA.

H.J. Res. 22: Mr. KUHL of New York.

H. Con. Res. 39: Mr. NADLER, Mrs. CAPPS, Ms. DELAURO, Mr. MCGOVERN, Ms. SCHWARTZ, Ms. MOORE of Wisconsin, Mrs. NAPOLITANO, Ms. MATSUI, Mr. GRIJALVA, and Ms. SOLIS.

H. Con. Res. 44: Mr. YOUNG of Alaska, Ms. WATSON, Mr. BOSWELL, Mr. CARNAHAN, Mr. MEEKS of New York, Ms. HARMAN, Mr. BECERRA, Mrs. CHRISTENSEN, and Mr. ISSA.

H. Con. Res. 45: Mr. GERLACH and Mr. SMITH of New Jersey.

H. Con. Res. 50: Mr. BURTON of Indiana, Mr. ROGERS of Kentucky, Mr. SMITH of New Jersey, and Mrs. SCHMIDT.

H. Con. Res. 55: Mr. PALLONE.

H. Res. 53: Mr. TOWNS and Ms. WATERS.

H. Res. 64: Mr. FRANK of Massachusetts, Mr. CROWLEY, Mr. ANDREWS, Mr. WEXLER, Mr. ENGEL, Mr. HASTINGS of Florida, Mr. WILSON of South Carolina, Ms. SCHAKOWSKY, Mr. PENCE, and Mrs. BIGGERT.

H. Res. 67: Ms. NORTON, Mr. HALL of New York, and Mr. HOEKSTRA.

H. Res. 76: Mr. RANGEL and Mr. FARR.

H. Res. 87: Mr. HENSARLING.

H. Res. 88: Mr. MICA.

H. Res. 101: Mr. PAYNE, Mr. NADLER, Mr. WATT, and Mr. JOHNSON of Georgia.

H. Res. 107: Mr. KLEIN of Florida, Mr. LOBIONDO, Mr. CANTOR, Mr. CARNAHAN, Ms. SCHAKOWSKY, Mr. GERLACH, Mrs. MYRICK, and Ms. BERKLEY.

H. Res. 118: Ms. JACKSON-LEE of Texas, Mr. TOWNS, Mr. LEWIS of Georgia, Mr. BRADY of Pennsylvania, Mr. PAYNE, Ms. KILPATRICK, Mr. CLAY, Mr. MOORE of Kansas, Ms. MOORE of Wisconsin, Ms. CARSON, Mr. RANGEL, Ms. CORRINE BROWN of Florida, and Ms. WATSON.

H. Res. 122: Mr. FALEOMAVAEGA.

H. Res. 126: Ms. CARSON and Ms. SLAUGHTER.

H. Res. 128: Ms. NORTON, Mr. JOHNSON of Georgia, and Ms. WOOLSEY.

H. Res. 134: Mr. RUPPERSBERGER, Mr. VAN HOLLEN, Mrs. TAUSCHER, Mr. PASCRELL, Ms. NORTON, and Ms. CLARKE.

H. Res. 137: Mr. MCNULTY and Ms. SCHAKOWSKY.

H. Res. 147: Mr. SAM JOHNSON of Texas, Mr. POE, Mrs. MUSGRAVE, and Mr. WESTMORELAND.

EXTENSIONS OF REMARKS

PAYING TRIBUTE TO FRED GUTIERREZ

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 12, 2007

Mr. PORTER. Madam Speaker, I rise today to honor Fred Gutierrez who has diligently served the Las Vegas community for 36 years as a Metropolitan Police Officer.

Fred Gutierrez was the longest-serving police officer with the Metropolitan Police Department. Fred was one of seven current officers who worked for the Las Vegas Police Department or Clark County Sheriff's Department before they consolidated in 1973. Fred was dedicated to serving the public and found his efforts could best be put to use by moving from the traffic section in 1977 to patrolling the Las Vegas valley's roadways and investigating accidents. It was there that he felt he could accomplish the most and spent the next 24 years in this division. In 2001, he moved to the agency's DUI detail to help research the criminal background of those arrested for driving under the influence.

Madam Speaker, I am proud to honor Fred Gutierrez. His commitment to protecting the Las Vegas Metropolitan community and exemplary record of service is admirable. He serves as an example to all of us and I wish him the best in his retirement.

ESTABLISHING THE HOUSE DEMOCRACY ASSISTANCE COMMISSION FOR THE ONE HUNDRED TENTH CONGRESS

HON. SILVESTRE REYES

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 12, 2007

Mr. REYES. Madam Speaker, I rise in strong support of H. Res. 24, establishing the House Democracy Assistance Commission for the One Hundred Tenth Congress.

The House Democracy Assistance Commission's mission is to strengthen democratic institutions around the world by fostering working relationships with emerging or existing democracies and providing expert insight into the democratic process. Members of Congress, key staff, and Congressional support agencies meet with selected legislative leaders from around the world to offer assistance that will enhance accountability, transparency, legislative independence, and government oversight in foreign parliaments.

We are in unprecedented times, and today the mission of the House Democracy Assistance Commission is especially vital. Promoting democracy throughout the world is essential to our Nation's immediate and long-term security, and to the future of our global community. As a member of the House Democracy Assistance Commission from its inception in 2005 through the conclusion of the 109th Congress, I know the profound effect these interactions have in the precious development of democratic governance in some of the world's fledgling democracies.

Madam Speaker, I have witnessed firsthand the good that can come from the House Democracy Assistance Commission, and I ask that all my colleagues join me in supporting H. Res. 24.

PAYING TRIBUTE TO LARRY RUVO

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 12, 2007

Mr. PORTER. Madam Speaker, I rise today to honor Larry Ruvo, founder of the Keep Memory Alive Foundation and the Lou Ruvo Brain Institute.

Larry Ruvo is a pillar in the Las Vegas community. He is a business leader and philanthropist with an extraordinary commitment to improving the world around him. Larry is senior managing partner of Southern Wines and Spirits and has contributed in a number of ways to Southern Nevada. Larry spearheaded the establishment of UNLVino wine tasting, America's largest single-day wine tasting charitable event, raising millions of dollars for the students of the William F. Harrah College of Hotel Administration at UNLV. Larry is also a founding member of the Young Presidents' Organization, Nevada Chapter and a member of the World Presidents' Organization, as well as a board member of the Nevada Ballet Dance Theater and the American Gaming Association. For his efforts, Larry has been recognized as Man of the Year by the Muscular Dystrophy Association and received Man of the Year honors from the University of Nevada Las Vegas and the Food and Beverage Directors Association.

Although all of these accomplishments have contributed immensely to the enrichment of the southern Nevada community, Larry Ruvo's vision and commitment to fighting Alzheimer's disease is perhaps his most important contribution. After experiencing the devastating loss of his father, Lou Ruvo, to Alzheimer's disease, Larry worked with members of our community as well as prominent members of the medical community to found the Keep Memory Alive Foundation to raise funds for the Lou Ruvo Brain Institute. Since its founding, the Keep Memory Alive Foundation has become one of Las Vegas's most important charity initiatives and a key participant in the Nation's fight against Alzheimer's disease. As a result of the foundation's proactive mission to fight neurological diseases, the Keep Memory Alive Foundation has raised more than $20 million and recruited leading specialists to become a part of this vital project. This month, the foundation will break ground on the Lou Ruvo Brain Institute, which will become an incredible force for researching and developing new treatments for neurological diseases including Alzheimer's, Parkinson's, and Huntington's diseases.

Madam Speaker, I am proud to honor Larry Ruvo. Through a number of endeavors he has greatly enriched the lives of those in the Las Vegas community. I commend his efforts in the fight against Alzheimer's and other neurological diseases. I express my sincerest gratitude for his vision and his commitment to this important cause and I congratulate him on the opening of the Lou Ruvo Brain Institute.

INTRODUCTION OF A BILL TO AMEND PL 10–348 TO EXTEND THE AUTHORIZATION FOR ESTABLISHING A MEMORIAL IN THE DISTRICT OF COLUMBIA OR ITS ENVIRONS TO HONOR VETERANS WHO BECAME DISABLED SERVING IN THE ARMED FORCES OF THE UNITED STATES

HON. PHIL HARE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 12, 2007

Mr. HARE. Madam Speaker, today I am proud to introduce a bill to ensure the creation of a Disabled Veterans Memorial. This bill would extend the memorial's charter until 2015, allowing the necessary time to raise the private resources and navigate the 10-year approval process required to bring the memorial to life in Washington, DC.

There are more than 3 million disabled veterans living today, and millions of veterans from past and future conflicts who will be honored by this long-overdue memorial. The memorial will be located on an impressive 2-acre site within full view of the U.S. Capitol, adjacent to the National Mall, and across Independence Avenue from the U.S. Botanical Garden, at Washington Avenue—Canal Street—and Second Street, SW.

Adding to the beauty of our Nation's capital, the memorial will soon become one of our country's treasured landmarks. It will bring together visitors of all ages and backgrounds—a fitting tribute to the brave men and women who stand watch over America. No Federal funds have been or may be used for planning and construction of the memorial.

In the 109th Congress this bipartisan bill passed by voice vote, but it was not taken up by the Senate. Therefore it is critical that this legislation be considered this Congress, since the authorization for the memorial expires in October 2007.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

I look forward to working with my colleagues to ensure the creation of this memorial to honor those who have sacrificed so much for our Nation.

PAYING TRIBUTE TO JIMMIE JACK KNOX, SR.

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 12, 2007

Mr. PORTER. Madam Speaker, I rise today to honor the life of my friend, Jimmie Jack Knox Sr., who died December 5th, 2006.

Jimmie was the former owner of Boulder City Marine, but his biggest accomplishments were serving and playing an active part in the community. He was always eager to get involved in community activities and philanthropic efforts. He was a member of the Rotary International, Boulder City Elks Lodge, Veterans of Foreign Wars, a lifetime member of the National Rifle Association, and a co-founder of Operation Godspeed. Jimmie served as the president of the National Midget Racing Association. In addition he was Vice President of Public Relations for St. Jude's Ranch for Children in which he assisted St. Jude's with grants that have provided new playgrounds and educational classroom facilities to expand the outreach program.

Madam Speaker, I am proud to honor the life and legacy of my friend Jimmie Jack Knox Sr. for his work on behalf of Boulder City community. His was dedicated to the community and enriched countless lives in southern Nevada. He was truly a distinguished humanitarian and will be profoundly missed.

RECOGNIZING DEBORAH MOSS AS WASHINGTON COUNTY, FLORIDA'S TEACHER OF THE YEAR

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 12, 2007

Mr. MILLER of Florida. Madam Speaker, on behalf of the United States Congress, it is an honor for me to rise today to recognize Deborah Moss as Washington County's Teacher of the Year.

Deborah Moss joined the Washington County School District Administration in 1996, with an education background in speech pathology and 17 years of teaching experience in Escambia and Santa Rosa Counties of northwest Florida. Mrs. Moss has proudly served the Washington County School District for over 10 years, where she currently serves as a speech pathologist at Kate M. Smith Elementary School in Chipley, Florida.

As a speech pathologist, Deborah Moss enjoys working with students from kindergarten to fourth grade who experience difficulty in the classroom due to articulation, language, voice, and stuttering disorders. She has been defined as an educator with enthusiasm, dedication, and integrity. Her passion for teaching and her love for children have positively shaped her students in a way that they are able to overcome their challenges and are given the hope and strength that is needed to succeed.

The Teacher of the Year recognition highlights one year of teaching, but the proof of greatness lies well beyond the title—it lies in the hearts and minds of the students who have been deeply affected. Deborah Moss has left her footprints over much of northwest Florida and has touched a number of lives. Through her hard work and dedication, the impact she has had on her students has proven her to be among the great teachers in northwest Florida, and Washington County is honored to have her as one of their own.

Madam Speaker, on behalf of the United States Congress, I am proud to recognize Deborah Moss on this outstanding achievement and her exemplary service in the Washington County School District.

TRIBUTE TO SGT. CARLOS MADDEN

HON. MICHAEL E. CAPUANO

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 12, 2007

Mr. CAPUANO. Madam Speaker, I rise to pay tribute to Sgt. Carlos Madden, a heroic citizen-soldier. On Saturday, February 10, 2007, Sgt. Madden was awarded the Soldier's Medal, the highest decoration given by the United States for "heroism not involving actual conflict with an enemy."

On December 22, 2005, a neighbor of Sgt. Madden, Mary Elizabeth Hooker, a professor at UMass Lowell, was attacked by a knife-wielding assailant. Sgt. Madden's 13-year-old sister, Mary, heard her screams and called her brother who rushed, unarmed, to Ms. Hooker's aid. He confronted her attacker and, directing another neighbor to call 911, pursued the man, caught him, and held him until the police arrived. His swift action very likely saved Ms. Hooker's life: his presence brought an end to the stabbing and secured prompt medical attention.

Sgt. Madden is a graduate of Cambridge Rindge and Latin High School and a junior majoring in American history at Framingham State College. He joined the Army Reserve in February 2002, and serves with the 401st Chemical Company, commanded by Capt. Jeffrey A. Fidler. Seventy members of his unit, his family, and Ms. Hooker were present to see Col. Stephen Falcone present the award.

We all hope that we would act in a crisis as Sgt Madden did. Most of us are never tested and we do not know if we would put ourselves in harm's way, without hesitation, to save the life of another person. Carlos Madden inspires us with his bravery and with his reflections on the event. "I know I would do it again, for any of you," he said, "and I know all of you would do the same for me." Madam Speaker, I want to thank Sgt. Madden for his courage and for his faith in his fellow citizens.

PAYING TRIBUTE TO EUGENE EISENMAN

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 12, 2007

Mr. PORTER. Madam Speaker, I rise today to honor the life of Dr. Eugene Eisenman, who passed away on January 29, 2007.

Eugene Eisenman was born on August 15, 1945 in St. Augustine, FL, and studied medicine at the Universadad Autonoma in Guadalajara, Mexico. Eugene completed his medical residency at Tulane University in New Orleans where he specialized in obstetrics. In 1981, Dr. Eisenman moved to Nevada to practice medicine. Throughout his 25-year medical career in Nevada, he served as chairman of Sunrise Hospital's Obstetrics Department and was president of the Clark County OB–GYN Society. During his many years of devoted service to the community, Dr. Eisenman delivered thousands of babies and cared for his patients with enduring compassion.

In addition to Eugene's many years of service to the medical community, he also served his country as an airman in the United States Air Force during the Vietnam war, was a member of the Chabad Synagogue in Las Vegas, and dedicated himself to his family and community.

Madam Speaker, I am proud to honor the life and the legacy of Eugene Eisenman. His lasting dedication to the community should serve as an example to us all. I applaud his efforts and his life's work.

TRIBUTE TO KOON-JA KIM

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 12, 2007

Mr. HONDA. Madam Speaker, I rise today in tribute to 81-year-old Koon-Ja Kim, a survivor of the Japanese Imperial Army's "comfort women" system of the World War II era.

Koon-Ja Kim was born in Pyung-Chang, in Korea's Kangwon Province. She was orphaned at the age of 14 and, to support herself and her siblings, she worked as a maid. At the age of 17, she was forcibly drafted by the Japanese Government to serve as a sex slave, or what is now euphemistically termed a "comfort woman," in China. After 3 years of being physically abused and raped on a daily basis, the war ended. With no money and physically defeated bodies, she and a small group of other women summoned their strength of spirit to walk hundreds of miles over several weeks back into Korea.

Since 1998 she has been living with nine former comfort women at the House of Sharing. All she wants in her remaining life is to receive an official apology and fair compensation from the Japanese Government. She plans to donate the money to the public if she receives the compensation. Until now, Kim had collected compensation she had received from the Korean Government—$43,000—and her life savings, and donated $100,000 to the

Beautiful Foundation, which provides financial aid for orphans to continue their studies, $10,000 to the House of Sharing, and $5,000 to a Catholic organization.

At the Beautiful Foundation, the "Kim Koon-Ja Fund" was established in 2000, where the proceeds go to college students who grew up at orphanages so that they can continue with their education. Kim dedicates her life to helping disadvantaged children to attain education because she herself grew up as an orphan, and the only education she had received was 8 months at a night school.

The House of Sharing Establishment Committee was founded in June 1992 and is supported by Buddhist organizations and other donors. Koon-Ja Kim, along with other women at the House of Sharing and around the world, has engaged in a daily battle since 1992 to educate the public about the Japanese military's brutal abuse of women, and to put pressure on the Japanese Government to apologize for their past atrocities. Koon-Ja Kim meets with community organizations, students, and activists from South Korea, the United States, and other countries around the world to inspire others to know and advocate for the comfort women's cause.

Madam Speaker, on February 15, the Subcommittee on Asia, the Pacific, and the Global Environment of the Committee on Foreign Affairs will convene a hearing entitled "Protecting the Human Rights of Comfort Women." Koon-Ja Kim has been invited to share her story with members of the subcommittee along with other surviving comfort women who want to see justice prevail.

On January 31, I introduced H. Res. 121, which expresses "the sense of the House of Representatives that the Government of Japan should formally acknowledge, apologize, and accept historical responsibility in a clear and unequivocal manner for its Imperial Armed Force's coercion of young women into sexual slavery, known to the world as 'comfort women,' during its colonial and wartime occupation of Asia and the Pacific Islands from the 1930s through the duration of World War II."

Madam Speaker, I ask my colleagues to join me in tribute to Koon-Ja Kim and the thousands of surviving comfort women.

STATEMENT IN SUPPORT OF H.R. 808 "DEPARTMENT OF PEACE AND NONVIOLENCE ACT"

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 12, 2007

Ms. JACKSON-LEE of Texas. Madam Speaker, it is with great pleasure that I rise in strong support of H.R. 808, the "Department of Peace and Nonviolence Act." This bill places efforts toward peace and nonviolence high on this Nation's list of priorities, efforts which deserve the same attention and organized structure that this government gives war through its Department of Defense.

I thank the gentleman from Ohio, Mr. KUCINICH, for introducing this legislation, to reduce violence both within our borders and across the globe.

Here at home, the Department of Peace would seek to reduce domestic violence, gang violence, child abuse, violence in schools, hate crimes, racial violence, and mistreatment of the elderly. It would also seek to develop peace education programs, instructing students in peaceful conflict resolution skills both at home and abroad.

The Department of Peace would also strive to make a difference in the current United States foreign policy. This administration's attitude toward the international community has been far too aggressive, while critical human rights issues have been ignored. The Department of Peace would analyze these aspects of foreign policy and make recommendations to the President to ensure that human rights are protected and to lessen armed international conflict as a whole. Specifically, the Department of Peace and Nonviolence would seek to strengthen nonmilitary means of peacemaking and to promote the development of human potential. It is high time for the United States to change its approach to diplomatic efforts.

We have seen in Iraq how an aggressive foreign policy can destroy so many lives, throw a country into chaos and civil war, and drain the resources and social services of the American people. We are tired of this war, yet the President announced yesterday that he wants another $235 billion for military operations in the Middle East, while cutting away funds for the American people, such as healthcare and transportation.

Let us get our priorities straight. Let us put the American people's tax dollars in programs that benefit them, not in this meaningless war. Let us promote policies of peace and make this world a better place.

HONORING GEORGE B. GOULD IN RETIREMENT

HON. TOM DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 12, 2007

Mr. TOM DAVIS of Virginia. Madam Speaker, I rise today to honor Mr. George B. Gould for over 27 years of dedicated service to the National Association of Letter Carriers, NALC.

Since joining NALC in 1979, George has been a legislative consultant involved in numerous issues, such as budget, appropriations, health care, retirement, and education. Through his advocacy, on behalf of the 300,000 members of NALC, George has made great progress on issues affecting postal operations. This progress includes his instrumental work in the creation of NALC's political action fund as well as his work in advancing political freedoms for federal workers through his efforts in reforming the Hatch Act in 1993.

During his career, Mr. Gould co-chaired the Coalition to Preserve the Postal Service, a group consisting of representatives from the mailers community, the U.S. Postal Service, the postal supervisors and managers, and postal unions. The coalition worked to secure funds for the anthrax cleanup, to bring Civil Service Retirement System funding to the Postal Service, and to make general postal reforms.

Mr. Gould also chaired the Fund for Assuring an Independent Retirement, FAIR, Committee on Legislative and Political Affairs. Representing over 8 million active and retired employees, FAIR fights to protect and enhance Federal employee pensions and other benefits.

Mr. Gould has been recognized by Regardie's Magazine on their Power 100 List of the most influential people in Washington. Additionally, he has been featured in Roll Call, The Washington Post, The Washington Times, Legal Times, The Federal Times, and The Boston Globe for his effective and tireless lobbying efforts. Mr. Gould has also received acknowledgement from Project Vote and in 1990 he received the "Good Guy" award from the National Women's Political Caucus.

It was apparent to all those who worked with George that he had a knack for the policy process and a desire to improve public policy for the Federal employee. Drawing on his years of experience, Mr. Gould went out of his way to be a teacher and mentor to the staff of NALC. As his last act of service, he trained an able replacement to ensure that the ideals and issues important to NALC do not suffer in his absence.

Madam Speaker, in closing I would like to commend and congratulate Mr. George B. Gould on all of his accomplishments. His efforts have deeply impacted the public discussion, but more importantly the policy that affects the postal service, truly meriting recognition. I call upon my colleagues to join me in applauding George for his past accomplishments and in wishing him a happy and healthy retirement.

TRIBUTE TO YONG-SOO LEE

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 12, 2007

Mr. HONDA. Madam Speaker, I rise today in tribute to Yong-Soo Lee, a South Korean woman who, decades after enduring torture and abuse by the Japanese Imperial Army, has taken it upon herself to stand up for human rights and the dignity of all by telling her personal story and demanding that the Government of Japan acknowledge and apologize for its role in the "comfort women" system of World War II.

Yong-Soo Lee is one of over 200,000 "comfort women" in Asia who suffered unimaginable dehumanization by the Japanese Imperial Army during Japan's colonial and wartime occupation of Asia and the Pacific Islands from the 1930s through the duration of World War II.

These women—who came from China, Indonesia, Korea, the Philippines, and elsewhere—suffered experiences which were unprecedented in cruelty and were officially commissioned by the Government of Japan. They endured gang rape, forced abortions, humiliation, and sexual violence resulting in mutilation, death, or eventual suicide—and to this date, they have still not received justice from this tragedy.

The hope of Yong-Soo Lee and her sisters is a modest one: Simply stated, that the government of Japan acknowledges, apologizes for, and accepts full historical responsibility for these atrocities.

Yong-Soo Lee has a poignant story to tell. At 16, she was taken far from her home in Korea to an outpost on Taiwan, where she and her schoolmates, among others, were forced to provide sexual services to Japanese soldiers and airmen in the waning days of World War II. She suffered seasickness, sleeplessness, hunger, venereal disease, and bodily harm.

When she was able to return home after the war, the pain and shame were so much that she was never able to marry, which caused conflict and ostracization within her family.

Still, she went on with her life, and in 1992 began to unburden herself of her memories. Working with the Korean Council for the Women Drafted for Military Sexual Slavery by Japan, she came forward with her story—which she had kept secret from her family for almost five decades—in order that other women will not have to endure the same sort of suffering.

Madam Speaker, on February 15, the Subcommittee on Asia, the Pacific, and the Global Environment of the Committee on Foreign Affairs will convene a hearing entitled "Protecting the Human Rights of Comfort Women." Yong-Soo Lee has been invited to share her story with members of the subcommittee along with other surviving comfort women who want to see justice prevail.

On January 31, I, along with several of my colleagues, introduced H. Res. 121, which expresses "the sense of the House of Representatives that the Government of Japan should formally acknowledge, apologize, and accept historical responsibility in a clear and unequivocal manner for its Imperial Armed Force's coercion of young women into sexual slavery, known to the world as "comfort women" during its colonial and wartime occupation of Asia and the Pacific Islands from the 1930s through the duration of World War II."

We appreciate the dedication of women like Yong-Soo Lee, who are traveling thousands of miles to be with us in Washington, to help us better understand their personal experiences and to help us formulate appropriate policy responses to both historical events and their modern equivalents. They stand as beacons of inspiration to us as we combat human rights violations and seek to extirpate war crimes wherever they might occur. By telling their stories, Yong-Soo Lee and her fellow comfort women provide the foundation for the protection of the rights of women throughout the world.

Madam Speaker, I ask my colleagues to join me in tribute to Yong-Soo Lee and the thousands of surviving comfort women.

HONORING MRS. EDITH EDNA "BETTY" VAUGHN

HON. TOM DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 12, 2007

Mr. TOM DAVIS of Virginia. Madam Speaker, I rise today to honor Ms. Edith Edna "Betty" Vaughn for a lifetime of service as a health care professional.

Born Edith Edna Lunn on November 3, 1945, Betty, as she later preferred to be called, was the only girl of her parents' four children. She became interested in nursing and health care at an early age, often having to look after her brothers. Betty decided to turn this interest into a career when she attended nursing school in 1963. She graduated in 1967 with a diploma of nursing from the University of Essex in England.

Betty met her husband, Victor Vaughn, at a hospital dance and married him 1 year later. The Vaughn's moved to Richmond, VA, where Betty began her career at the Johnston-Willis Hospital.

In 1974 the Vaughns moved to Blacksburg, VA, where Victor attended Virginia Polytechnic Institute and State University. Betty continued her career of service working at the local community hospital. Mrs. Vaughn was a dedicated professional during the days and a loving, supportive wife to her husband at night.

Upon completion of Mr. Vaughn's education, the family moved to northern Virginia where Betty joined the staff at Fairfax Hospital, today known as INOVA Fairfax Hospital. Betty has been a cheerful, positive employee to the hospital, spreading joy to all patients she encounters. While her retirement is well deserved, she will be greatly missed.

Madam Speaker, in closing I would like to commend Mrs. Edith Edna "Betty" Vaughn for her lifetime of service. I call upon my colleagues to join me in applauding Betty for her past accomplishments and in wishing her a happy and healthy retirement.

TRIBUTE TO JAN RUFF-O'HERNE

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 12, 2007

Mr. HONDA. Madam Speaker, I rise to recognize and honor an extraordinary woman of courage and integrity who is visiting Washington this week.

During World War II, Jan Ruff-O'Herne was a young Dutch national, born and raised in what is now Indonesia. She was kidnapped by Japanese Imperial forces and forced to serve as what is euphemistically known as a "comfort woman" in a brothel for the entertainment of Japanese soldiers.

For nearly 50 years, Mrs. Ruff-O'Herne kept her tortures to herself, too ashamed to admit her horrid experiences even to the people closest to her. In 1992, however, after seeing reports of other comfort women who were speaking out about the atrocities they endured, she decided to make her memories public.

Her 1994 autobiography, 50 Years of Silence, which was later adapted into a widely-praised and award-winning documentary film, explains in excruciating detail her life in the so-called "comfort station." That she survived this ordeal speaks volumes about her strength, courage, and spiritual convictions.

In the years since she brought her story to public attention, Jan Ruff-O'Herne has been granted honors by Queen Beatrix of the Netherlands, Queen Elizabeth, and Pope John Paul II, in recognition of her efforts to support the human rights of women around the globe.

On February 15, the Subcommittee on Asia, the Pacific, and the Global Environment of the Committee on Foreign Affairs will convene a hearing entitled "Protecting the Human Rights of Comfort Women." Jan Ruff-O'Herne has been invited to share her story with members of the subcommittee.

Thousands of the comfort women of World War II survive today. They are seeking a formal apology from the government of Japan, which has been unwilling to accept responsibility for violating the human rights of these women.

Madam Speaker, last month I introduced a resolution, H. Res. 121, which calls on Japan to formally and unambiguously apologize and acknowledge the tragedy that the comfort women endured under its Imperial Army during World War II. Not only should Japan's Prime Minister issue a public apology, Japan must take responsibility unequivocally.

The Japanese government owes such an apology to brave women like Jan Ruff-O'Herne.

Madam Speaker, I ask my colleagues to join me in tribute to Jan Ruff-O'Herne and the hundreds of thousands of comfort women who endured unspeakable tortures during World War II and who continue to fight for the human rights of all people more than 60 years later.

TRIBUTE TO CAROLYN CLOSS WALFORD

HON. KENDRICK B. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 12, 2007

Mr. MEEK of Florida. Madam Speaker, I rise today to honor Carolyn Closs Walford on the occasion of her promotion to the rank of Lieutenant Colonel after 20 years of service in the U.S. Army.

LTC Walford is known to many of my colleagues, because she has served in the Army's House Liaison Division for more than 3 years. Many of us have had the good fortune of working with her on a wide variety of legislative initiatives and programs. She has also coordinated 14 Congressional Delegations to Iraq, more than any other Legislative Liaison currently assigned to the Chief of the Legislative Liaison Office. LTC Walford coordinated official visits I made to Morocco, Israel, and Egypt, and I can therefore attest from first-hand experience to her professionalism and commitment to duty.

LTC Walford was born and reared in Louisburg, NC. She is the daughter of the late William L. Closs and Fannie S. Closs, the littlest in a large and loving family of ten. Her oldest brother is 30 years her senior and her oldest sister is 18 years older.

LTC Walford is not the first in her family to honorably serve in this Nation's armed forces, although she is the first generation of her family to serve in an integrated military. Her father, SSG William L. Closs, served in WWII during the Normandy Campaign with the 443rd QM Trucking Company. He was awarded the Purple Heart for his bravery and commitment to duty.

LTC Walford was a daddy's girl who joined the Reserve Officer Training Corps, ROTC, while attending Winston-Salem State University. She was commissioned as a second lieutenant in the Signal Corps upon graduation and accepted a reserve commission in the Army Reserve. She completed the Signal Officers Basic Course at Ft. Gordon, GA, relocated to Washington, DC, to pursue a fulltime career in the private sector while fulfilling her military commitment in the Army Reserve and completing her graduate studies. LTC Walford later made the decision to branch transfer to the Quartermaster Corps, a branch more fitting to support the Army Reserve mission of combat service support. LTC Walford held various positions while serving as the "Citizen Soldiers," to include Company Command, Aide-de-Camp to the Commanding General of the 352d Civil Affairs Command, Host Nations Support and a variety of logistics assignments. LTC Walford deployed and served seven months in Southwest Asia during Operation Desert Storm.

The Chief, Army Reserve requested her assistance in the start up of a new unit in 1999, the Logistics Civil Augmentation Program, LOGCAP. LTC Walford's civilian expertise in contracting and her logistical background made her a prime candidate to help facilitate this new unit. Once again, she answered the call to serve and became a fulltime active soldier. She has served in the Army's Guard/Reserve, AGR, Program since 1999.

LTC Walford has received numerous awards throughout her career, including the Meritorious Service Medal, the Joint Accommodation Medal, the Office of the Secretary of Defense Badge, and the Army Staff Badge. She is a graduate of the Army's Command and General Staff Officers Course, The Quartermaster and Civil Affairs Advanced course, and the U.S. Army Paratrooper School.

This soldier's unique skill set and extraordinarily diverse level of experience both in the public and private sector has been a tremendous asset to our great country. She is a pillar of strength for our Army, her fellow comrades-in-arms, and for her family and friends. My best wishes go out to LTC Walford on her well-deserved promotion, and to her husband, Raymond L. Walford, and her entire extended family on this important occasion.

PERSONAL EXPLANATION

HON. CHARLIE NORWOOD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 12, 2007

Mr. NORWOOD. Madam Speaker, had I been present on rollcall vote No. 74, I would have voted "yea"; had I been present on rollcall vote No. 75, I would have voted "yea"; had I been present on rollcall vote No. 76, I would have voted "yea"; had I been present on rollcall vote No. 77, I would have voted "yea"; had I been present on rollcall vote No. 78, I would have voted "yea"; had I been present on rollcall vote No. 79, I would have voted "yea"; had I been present on rollcall vote No. 80, I would have voted "yea"; had I been present on rollcall vote No. 81, I would have voted "no"; had I been present on rollcall vote No. 82, I would have voted "aye"; had I been present on rollcall vote No. 83, I would have voted "aye"; had I been present on rollcall vote No. 84, I would have voted "aye"; had I been present on rollcall vote No. 85, I would have voted "aye"; had I been present on rollcall vote No. 86, I would have voted "aye"; had I been present on rollcall vote No. 87, I would have voted "yea"; had I been present on rollcall vote No. 88, I would have voted "yea"; had I been present on rollcall vote No. 89, I would have voted "yea"; had I been present on rollcall vote No. 90, I would have voted "yea"; had I been present on rollcall vote No. 91, I would have voted "aye"; had I been present on rollcall vote No. 92, I would have voted "aye."

TRIBUTE TO THE WYOMING BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS

HON. BARBARA CUBIN

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Monday, February 12, 2007

Mrs. CUBIN. Madam Speaker, I rise today in recognition of the Wyoming Board of Registration for Professional Engineers and Professional Land Surveyors. This board has been serving Wyoming for 100 years by certifying engineers in order to ensure their competence and the highest level of training.

In 1907, when Clarence T. Johnston became the Wyoming State Engineer, there was no national or State certification process for workers. Realizing that many engineers were not trained for their positions, and thus were providing sub-par workmanship, he proposed to the Wyoming State legislature a bill to mandate registration of engineers and to create a board of examiners.

Wyoming became the first State with an engineer licensure law in 1907. Soon after, the Nation followed step; and in 1920, the organization now known as the National Council of Examiners for Engineering and Surveying was born. This organization has created licensure standards and professional ethics for engineers countrywide.

Through its licensure regulations and training, the National Council ensures the safety of our Nation's infrastructure. Engineers design our buildings and bridges, they develop our technology, and they manufacture our machines. All U.S. citizens are affected by their work, and ensuring public safety through the guarantee of quality products is a noble cause.

I am proud to represent the first State to create accountability for engineer workmanship. I commend the Wyoming Board of Registration for their continued service, and congratulate them once again on their 100-year anniversary.

TRIBUTE TO JIM MACK

HON. PHIL ENGLISH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 12, 2007

Mr. ENGLISH of Pennsylvania. Madam Speaker, the manufacturing sector plays a pivotal role in the economic success of the Commonwealth of Pennsylvania as well as that of the Nation. The pre-eminent association that represents the producers of U.S. advanced manufacturing technology equipment, promotes manufacturing equipment sales both at home and abroad, and tries to shape legislation important to the manufacturing community is AMT—the Association for Manufacturing Technology, led by its President, John B. Byrd III.

For the past 32 years, the voice for AMT on Capitol Hill has been the tireless, knowledgeable, and ardent advocate for the association's legislative and regulatory goals, James H. Mack. Jim served AMT as the vice president for Government Relations for 27 years and most recently as vice president—Tax and Economic Policy. He has also been an important aide to former Illinois Governor Richard B. Ogilvie and public affairs manager for Illinois Tool Works in Chicago.

After earning his undergraduate and law degrees from the University of Wisconsin, Jim demonstrated a life-long commitment to the manufacturing technology industry and its employees—providers of the vital equipment that has made our Nation the manufacturing leader in the world.

As Jim retires from this phase of his career, I wish to acknowledge the achievements of a man so many of us know and admire. Lest he be considered merely a master of the Tax Code wearing a smile that always includes a pipe, let me add that I know him to be trustworthy, an honest broker, and all around decent and caring individual.

Hats off and continued success to a great American, Jim Mack.

TRIBUTE TO THE FIRST UNITED METHODIST CHURCH IN CHAMPAIGN, ILLINOIS

HON. TIMOTHY V. JOHNSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 12, 2007

Mr. JOHNSON of Illinois. Madam Speaker, I rise today in honor of the 150th Birthday of the First United Methodist Church in Champaign, Illinois. This sesquicentennial celebration marks not only a significant moment for the church, but also a significant moment in the community, culture and history of Champaign.

The First United Methodist Church was first recognized as a Methodist Episcopal church on December 7, 1856 by the Illinois Annual Conference; however, the contributions of the Church go further back to 1793. With its rich history and loyal dedication to serving the community, the Church has been a vital influence in the shaping of the fine citizens of Champaign.

Officially recognized in 1856, the First United Methodist Church began with holding Sunday services in a brick schoolhouse nearby. Started with a small loyal following, the Church grew to record highs of 4,163 members. As its size and congregation grew, so did their devotion to the community.

The First United Methodist Church has been steadfast in providing a positive influence to the entire community of Champaign. Members of the Church have active roles in mission programs both local and international, volunteered in local service projects, and helped run local food banks.

Madam Speaker, I ask my colleagues to join me today in recognizing the 150th Birthday of the First United Methodist church as well as their 150 years of accomplishments and noble servitude for the city of Champaign.

THE INTRODUCTION OF THE EDWARD WILLIAM BROOKE III CONGRESSIONAL GOLD MEDAL ACT

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 12, 2007

Ms. NORTON. Madam Speaker, Senator EDWARD KENNEDY, the Massachusetts delegation, Congressional Black Caucus Chair CAROLYN C. KILPATRICK, and I are proud to introduce the Edward William Brooke III Congressional Gold Medal Act. Senator Edward Brooke has been much honored as an outstanding two-term Senator (1967–1979) who is still remembered for his courage and independence on the difficult issues of his time—from the Vietnam War to his leading work in the passage of the Fair Housing Act of 1968. President Bush awarded Senator Brooke the Presidential Medal of Freedom in 2004. At 87, his autobiography, Bridging the Divide: My Life tells the Senator's remarkable story. That story began here in the District of Columbia, where Senator Brooke was born and raised, and graduated from Dunbar High School and Howard University. Senator Brooke rose to the rank of captain in the segregated 366th Infantry Regiment in the U.S. Army, and won a Bronze Star Medal and the Distinguished Service Award. His autobiography reads like a personal and political adventure of a man born in the segregated capital, a city with no local elected officials or Members of Congress, who went on to become the first African American official elected statewide, when he won election as Attorney General, the second highest office in the state, and the only Republican to win statewide election that year. In 1966, Senator Brooke became the first African American elected by popular vote to the Senate of the United States. "Trailblazer" does not aptly describe the courage it took for an African American to run, much less win state-wide office as a Republican in a predominately Democratic state, where 2 percent of the population was African American.

I take special pride and pleasure in introducing this bill in the House, along with the Massachusetts delegation and the chair of the Congressional Black Caucus. My Massachusetts colleagues justifiably claim Senator Brooke as a son of Massachusetts. We in the District concede that Massachusetts voters also deserve credit in refusing to allow racial barriers, that still remain formidable in most states, overwhelm Senator Brooke's qualifications for high office. However, I hope that Massachusetts citizens will forgive the residents of the Senator's hometown if we insist that Edward William Brooke III be counted the adopted son of Massachusetts. Senator Brooke's family, the District of Columbia Public Schools, Howard University, and the proud African American community both sheltered and prepared him for his remarkable life and service to the people of Massachusetts and the Nation.

We are especially grateful for the Senator's devotion to H.R. 328, the District of Columbia Fair and Equal House Voting Rights Act of 2007. Senator Brooke has worked devotedly for passage of the pending legislation. While in the Senate, he never forgot that his hometown had no Senator and needed him, too. Speaking on the Senate floor for passage of the Voting Rights Amendment in 1978, Senator Brooke made it clear, as he does today, that this matter also was personal for him. He said, in part, "My enthusiastic endorsement of House Joint Resolution 554 is based primarily on fundamental concepts of liberty and justice, but my support and interest are also intensely personal, for my roots are in Washington, D.C. I was born and raised here. I attended and graduated from Shaw Junior High School, Dunbar High School, and Howard University. For as long as I can remember, I have fought, along with family and friends and colleagues, to attain the goal of providing for the citizens of the District of Columbia the same rights and privileges that other citizens throughout the Nation have enjoyed." Because the Congressional Gold Medal is the highest honor that Congress can bestow, it is necessary that at least 290 Representatives and 67 Senators sign on as cosponsors. I urge every Member of the House and Senate to become co-sponsors before the end of Black History Month on February 28th.

RAISING THE BAR: PIONEERS IN THE LEGAL PROFESSION

Born October 26, 1919, Edward Brooke was the first African American elected to major statewide office in Massachusetts (Attorney General, 1962) and the first African American elected and re-elected to the U.S. Senate (1967–79) by popular vote. His father, Edward Brooke, Jr. was a graduate of Howard University School of Law (1918) and served as an attorney for the Veterans Administration for 50 years—an exceptional achievement for an African-American person at that time.

Brooke attended public schools in Washington, DC, and graduated from Paul Laurence Dunbar High School in 1936. When he entered Howard University he originally planned to be a pre-med. major, but he changed to Sociology because he found the coursework more interesting. His professor of Political Science at Howard was diplomat, statesman and Nobel Prize winner, Ralph Bunche.

After graduating from Howard and the Reserve Officers Training Corps in 1941, he was drafted into the U.S. Army. He served with the all-Black 366th Combat Infantry Regiment. In charge of discipline and recreation at Fort Devens, in Massachusetts, Brooke defended enlisted men in military court cases.

For his leadership during 195 days in combat in Italy, he was awarded the Bronze Star and promoted to captain. He also received the Distinguished Service Award.

Motivated by his experience in the army, Brooke enrolled in Boston University Law School in 1946, and became editor of the Boston University Law Review. He earned an LLB in 1948 and an LLM in 1949 and began his private law practice in Roxbury, after declining offers to join other firms, including an offer from his father to begin a father and son practice in Washington, DC. Friends encouraged Brooke to run for political office. His first efforts to enter politics on the Republican slate in 1950 and 1952 were promising, but unsuccessful.

After those bids for office, he increased his involvement with community affairs, and became active with various groups, including the Boston branch of the NAACP and the Greater Boston Urban League, the Boy Scouts of America and the American Veterans of WW II. He also focused on his law practice during that time. In 1960 he ran for Massachusetts' Secretary of State and became the first African American to be nominated by a major party for a statewide office in Massachusetts—considered quite an accomplishment since there were only 93,000 black residents in the state. He received over one million votes, but did not win that election. In 1962, without the support of Republican party leaders who had endorsed his candidacy for lower offices earlier, he won the election to the office of Attorney General and became the first African American to be elected as a state's attorney general.

As Massachusetts' Attorney General, he battled corruption in government and targeted organized crime. He proposed laws that protected consumers, struck at housing discrimination and reduced air pollution. Brooke worked closely with the Massachusetts Crime Commission and successfully conducted the massive investigation in the "Boston Strangler Case." Due to some of his seemingly conservative and unpopular stances on issues such as a black student boycott of Boston's public schools, he endured the wrath of civil rights leaders.

In 1965 he decided to seek election to the U. S. Senate. In his book, The Challenge of Change: Crisis in Our Two-Party System, published in 1966, he attempted to encourage his Republican Party to become more responsive to social change, and he identified discrimination against 10 percent of the country's population, due to the color of their skin, as an important issue. Edward Brooke won the election, with a margin of almost a half million votes, and became the first African American to serve since Reconstruction. (He was the third black American in the U.S. Senate and the first to win a seat in a popular election.) He served two terms—enjoying an overwhelming re-election in 1972.

Appointed by President Lyndon Johnson to the Commission on Civil Disorders, Senator Brooke's work included making recommendations for the protection of black people and civil rights workers from harassment. Later, that work was expanded to include protection against housing discrimination, which led to the 1968 Civil Rights Act. He was a strong opponent of the escalation of the Vietnam War and fought proposals that would have expanded Cold War nuclear arsenals. He also worked to improve relations with the People's Republic of China, which led to the recognition of that country.

Although he had supported Richard Nixon's campaigns in 1968 and 1972, he clashed with Nixon on several issues, including the nomination of two anti-civil rights judges to the Supreme Court. He was the first senator to call for the President's resignation during the Watergate scandal.

After Senator Brooke was defeated in the 1978 election, he resumed his law practice and headed the National Low Income Housing Coalition. Senator Brooke is the father of three and currently lives with his wife in Warrenton, Virginia. He has received over 30 honorary degrees and awards, including the NAACP Springarn Medal and the National Conference of Christians & Jews' Charles Evans Hughes Award.

Throughout his career, Senator Brooke has endeavored to make America a better place for all Americans. His efforts and service to the commonwealth of Massachusetts and the United States were recognized recently, when a state courthouse in Massachusetts was named the Edward W. Brooke courthouse. He thus became the first black American to have a state courthouse named in his honor.

LAMAR UNIVERSITY

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 12, 2007

Mr. POE. Madam Speaker, today I take pride in sharing with you a grand and historic milestone for the State of Texas, specifically the Second Congressional District. Today, Madam Speaker, Lamar University's Mary and John Gray Library commemorates its fiftieth year as a federal depository. Lamar University, as well as I take great pleasure in celebrating and honoring the Mary and John Gray Library's steadfast dedication to providing and safeguarding the citizens' of Texas right to know.

The Federal Library Depository Program was created over one hundred and forty years ago with the sole purpose of keeping America informed by treasuring, producing, and distributing the Federal government information. The Mary and John Gray Library carries on this very valid and noble duty by being the only Federal depository within the region. The library plays a vital link between the government and Texas citizens. With its dedicated staff readily available to help students and Southeast Texans obtain governmental information, the Mary and John Gray Library collects, maintains, and preserves over sixty-four percent of the documents made available by the Federal government.

Ground was broken for the library in 1973. The eight story structure was constructed to be a visible monument for Lamar University. With the two main goals of expressing deserved appreciation for past services and that the name be inspirational for the future greatness of Lamar University, the library was officially dedicated in honor of Mary and John Gray on April 26, 1976. To this day it continues to be a fount of scholarly information.

The library teaches information gathering skills to promote and foster academic success, along with adding essential information for those wishing to continue their educational learning. By developing appropriate learning collections, it is able to provide efficient services within a friendly, relaxed, and educational environment. It continues to provide leadership for campus information policy.

Madam Speaker, I join the citizens of the Second Congressional District in extolling Lamar University and the Mary and John Gray Library on realizing its goal of creating a depository that fosters, preserves, and maintains the American public's right to know. Lamar University is appreciated by the good citizens of the South East Texas.

That is just the way it is.

TRIBUTE TO THROGS NECK LITTLE LEAGUE

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 12, 2007

Mr. CROWLEY. Madam Speaker, I rise today to pay tribute to a number of my constituents, the Throgs Neck Little League team of Bronx, NY. I wish to recognize the Throgs Neck Little League for celebrating their 55th anniversary this year as a community association dedicated to improving the lives of countless youth, The commitment and contributions of coaches, families, and loyal fans deserve to be acknowledged and these community members commended for their steadfast devotion to this organization.

Madam Speaker, I join to congratulate the Throgs Neck Little League for their achievements thus far and I wish them continued luck and many wins ahead in future seasons.

RECOGNIZING THE PASCO COUNTY, FLORIDA FAIR ON ITS 60TH ANNIVERSARY CELEBRATION

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 12, 2007

Ms. GINNY BROWN-WAITE of Florida. Madam Speaker, I rise today to honor Pasco County, Florida for hosting a fun and exciting annual fair for the past 60 years. While the first year of the Fair was not until 1947, Pasco County consistently won first place with its community booth at the Florida State Fair throughout the early 1940s. Partly due to Pasco County's success, the State Fair instituted a rule change that prohibited one county from winning first place more than three consecutive years.

Because of the rule change, prominent San Antonio rancher D. E. "Dan" Cannon formed a group to establish a county fair. Joined by Pasco County's agricultural agent Jimmy Higgins, Dade City businessmen Joe Collura, George Nikolai and Bob Williams began searching for property to host the Fair. Eventually finding 40 acres with a rolling hillside just west of Dade City, the group met in City Hall to raise the necessary funds to purchase the land.

On April 7, 1947, the Pasco County Fair Association was chartered for the purpose of hosting an annual fair. In the early days, they borrowed the midway rides from the Florida State Fair and drove to Tampa to disassemble the rides, deliver them to Dade City on the back of Dan Cannon's milk truck and then reassemble them on site. When the fair was over, they would disassemble the rides and return them to Tampa. The early fairs included contests in fruit packing, orange peeling and eating. In addition, there were car races and rodeos.

In 1948, the late Hazel Whitman, also a charter member, started the Miss Pasco County Pageant as a fundraiser for the fair. "Heart of Florida" was added as the fair's logo about 10 years later and is still used today.

The association originally sold memberships for $25 to raise money to host the fair. It is unique because throughout the years, it has remained a non-profit organization supported by its membership. The Fair is a great example of how entrepreneurs and warm-hearted individuals can make a difference in the community, without relying on the government for support.

Madam, Speaker, the Pasco County Fair is a beloved institution throughout the entire region. Thousands of area residents have spent their childhoods on the carnival rides and have fond memories of competing in the beauty pageant and eating contests. This year the Fair will celebrate its 60th consecutive year offering a week of fun and excitement for my Pasco County constituents. I wish the Fair organizers best wishes during this year's Fair and hope that they will continue their efforts for another 60 years into the future.

CELEBRATING THE BIRTH OF ISAAC RICHARD LESLIE

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 12, 2007

Mr. WILSON of South Carolina. Madam Speaker, I am happy to congratulate Ian and Carolyn Leslie of Beaufort, South Carolina, on the birth of their new baby boy. Isaac Richard Leslie was born in Beaufort on February 7, 2007, at 4:06 p.m., weighing 8 pounds and 3 ounces. He has been born into a loving home, where he will be raised by parents who are devoted to his well-being and bright future.

His father, Ian Leslie, serves as City Editor for The Beaufort Gazette, one of the biggest and most historic newspapers in South Carolina. His mother, Carolyn Leslie, is a teacher at the E C Montessori School in Beaufort. They are both natives of New York, but have chosen South Carolina as their new home. I congratulate the Leslie family on Isaac's birth.

PELL GRANT EQUITY ACT OF 2007

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 12, 2007

Mr. GEORGE MILLER of California. Madam Speaker, I rise today along with my colleagues Rep. BUCK MCKEON, Rep. RUBEN HINOJOSA and Rep. RIC KELLER to introduce the Pell Grant Equity Act of 2007.

As we all know, Pell Grants are the cornerstone of our federal student aid system providing approximately $13 billion for more than 5 million undergraduate students, mostly from low-income households.

Unfortunately, hundreds of thousands of low-income students, who would otherwise qualify for a full Pell Grant, have been unable to do so because of the current "tuition sensitivity" rule.

"Tuition sensitivity" is intended to reduce the Pell Grant for students attending higher education institutions that charge very low tuition.

Current law punishes very low cost schools and the students who attend those schools by reducing the Pell Grant aid they can receive.

The Pell Grant Equity Act addresses this imbalance by eliminating the discriminating "tuition sensitivity" provision in the law and ensuring students continued eligibility for the full amount of aid they would have otherwise received.

According to the Congressional Research Service, the students most negatively affected by this policy are "the poorest students attending institutions with very low tuition charges."

Since 2001, tuition and fees at public colleges and universities have exploded, increasing by 41 percent after inflation.

The exception to the rule of rising tuition and fees, are California's community colleges. This year, instead of seeing an increase in tuition and fees, California community college students' enrollment fees witnessed a decrease from $26 to $20 per unit.

The California community college system, and any other college system that experience cost reductions, is unfairly penalized by the "tuition sensitivity" provision.

Based on estimates from the Chancellor's office of the California community college system, more than 260,000 California community college students are expected to receive reduced Pell Grants because of the tuition sensitivity provision.

Rather than limit the Pell Grant—our goal is to expand it, which is what we accomplish through the Pell Grant Equity Act.

We must ensure that every student in this country has the opportunity to pursue their educational dreams, particularly those from low- and middle-income families.

There is no goal more important for our nation's students and families, for our economy and our future.

INTRODUCTION OF H.R. 982, THE ADVANCE DEMOCRACY ACT OF 2007

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 12, 2007

Mr. LANTOS. Madam Speaker, I rise today to inform my colleagues that today I, along with FRANK WOLF, DAVID PRICE, ILEANA ROS-LEHTINEN and a number of other members have introduced the Advancing Democratic Values, Addressing Non-Democratic Countries and Enhancing (ADVANCE) Democracy Act of 2007. In the 109th Congress, precursor legislation spurred the Administration to start a number of changes in its approach, including adding capacity to the Department's Bureau of Democracy, Human Rights and Labor, and creating an Advisory Committee on Democracy Promotion. H.R. 982 builds on that momentum by continuing to try to achieve five major reforms. H.R. 982

(1) Requires the Secretary to develop long-term strategies for democracy promotion and human rights protection for non-democratic and democratic transition countries and countries where there are severe human rights violations, and focuses such strategies on building democratic institutions.

(2) Requires that such strategies be developed in consultation with individuals and groups from each particular country that support democratic values and that such strategies be carried out in cooperation with our friends and allies and with international organizations.

(3) Requires training on democracy promotion and human rights protection throughout the careers of members of the Foreign Service and other State Department employees.

(4) Creates financial and promotion incentives for State Department employees who excel in democracy promotion and human rights protection.

(5) Requires that Ambassadors and other senior members of the Foreign Service do more to reach out to foreign audiences and engage robustly with government officials, foreign media, non-governmental organizations and students to have serious discussions about U.S. foreign policy, particularly that related to democracy and human rights.

The ADVANCE Democracy Act also contains a number of other additional reforms, such as requiring the establishment of an office to serve as a contact point for emerging activists, the development of guidelines for when nongovernmental organizations and contractors are appropriate implementing partners, and efforts to foster more multilateral cooperation on democracy promotion. The central thrust of these reforms is to ensure that democracy promotion is based on a long-term, multilateral approach that is created in consultation with those who are risking their lives for dignity and freedom and that does not ignore the most difficult countries.

Madam Speaker, the promotion of democracy and the protection of human rights are two sides of the same coin. We all recognize that these must be fundamental components of U.S. foreign policy, just as we realize that they are not the only components of U.S. foreign policy. We recognize the tension between these and other imperatives, but must always remember that building of democratic institutions and forward movement on democracy and human rights is always in U.S. interest, even if such movement is not as fast.

I urge my colleagues to cosponsor this important reform initiative.

TRIBUTE TO THE HISTORY OF AFRICAN AMERICAN CONTRIBUTIONS TO OUR NATION'S CAPTIOL

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 12, 2007

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, the role of African Americans in the Capitol's history precedes our arrival as elected officials. In fact, the very foundations on which we stand bear witness to the involvement of African American people. Some names became famous, such as Benjamin Banneker. He was a free African American mathematician who helped layout our capital city 1791.

But many more names will never be widely known. Although they labored in obscurity, their contributions stand today as monuments to their tenacity. Among them were skilled and unskilled laborers who helped build the U.S. Capitol building in 1793. Both free and enslaved people labored side by side to create this architectural gem. They were carpenters, sawyers, blacksmiths, bricklayers, and brickmakers. Ironically, it was an enslaved person who helped cast our magnificent Statue of Freedom. Another slave—Philip Reid—used his mechanical expertise to lift that statue to the top of the Capitol Dome in 1863.

Eventually, African-Americans moved into domestic service roles. They served as messengers, groundskeepers, cafeteria workers, and in similar service capacities. Yet black people were excluded from professional jobs until the 20th century.

The first African American known to be hired as a professional clerk was Jesse Nichols, a government documents clerk for the Senate Finance Committee from 1937 to 1971.

Later Christine McCreary, who worked for Senators Stuart Symington and John Glenn, was one of the first staffers to challenge the de facto segregation that existed on Capitol Hill. Sadly, this second class status for blacks persisted well into the 1960s. And to some degree it stubbornly persists.

In 1985, Trudi Morrison became the first woman and the first African American to serve as Deputy Sergeant at Arms of the Senate. Three years ago we saw another first for African Americans when the Senate appointed Dr. Barry C. Black as Chaplain. He continues to hold this position today.

And this year, Madam Speaker, you have expanded the train of firsts into the House of Representatives. The appointment of Lorraine C. Miller as Clerk of the House makes her the first African American to serve as an official of this chamber.

These are the unsung heroes that made possible all of the successes African Americans in civil service positions enjoy today. Whether elected or appointed, it is on their shoulders that we stand. In this month when we heighten awareness of African-American history, it is critical that we acknowledge them and pay down our debt of gratitude.

TRIBUTE TO JONATHAN RIVERA

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 12, 2007

Mr. CROWLEY. Madam Speaker, I rise today to pay tribute to the accomplishments of one of my constituents, Jonathan Rivera of Bronx, NY. I wish to recognize Mr. Rivera for being named a semi-finalist in The New York Times College Scholarship Program. Currently a senior at Monsignor Scanlan High School, Jonathan has demonstrated both a commitment to academic excellence and to serving the community through his involvement in the Campus Ministry, making him a deserving recipient of this honor.

The New York Times awards 4-year scholarships and mentoring opportunities to only 20 students each year attending New York City public schools. Recipients are selected for attaining high levels of scholastic achievement in the face of adversity.

Madam Speaker, I join to wish Mr. Rivera best wishes and good fortune in his future projects.

GEORGE McGOVERN SPEAKS ON IRAQ AT THE NATIONAL PRESS CLUB

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 12, 2007

Mr. McGOVERN. Madam Speaker, last month, on January 12th, Senator George McGovern spoke at the National Press Club about what he would advise President Bush to do on the Iraq War.

At 84 years of age, and as a veteran of World War II, Senator McGovern has the experience and knowledge that leads him to focus on the important questions surrounding this critical policy question. I hope all my colleagues, on both sides of the aisle, will review Senator McGovern's remarks and ask the same questions of our president.

REMARKS BY SENATOR GEORGE MCGOVERN TO THE NATIONAL PRESS CLUB

[Jan. 12, 2007]

I'm glad to be back at the National Press Club. Indeed, at the age of 84, I'm glad to be anywhere. In my younger years when the subject of aging came up, trying to sound worldly wise, I would say, "It doesn't matter so much the number of years you have, but what you do with those years." I don't say that anymore. I now want to reach a hundred. Why? Because I thoroughly enjoy life and there are so many things I must still do before entering the mystery beyond. The most urgent of these is to get American soldiers out of the Iraqi hellhole Bush-Cheney and their neo-conservative theorists have created in what was once called the cradle of civilization. It is believed to be the location of the Garden of Eden. I mention the neo-conservative theorists to recall Walter Lippman's observance, "There is nothing so dangerous as a belligerent professor."

One of the things I miss about my 18 years in the U.S. Senate are the stories of the old Southern Democrats. I didn't always vote with them, but I loved their technique of responding to an opponent's questions with a humorous story. Once when Senator Sam Ervin of North Carolina had to handle a tough question from Mike Mansfield, he said, "You know, Mr. Leader, that question reminds me of the old Baptist preacher who was telling a class of Sunday school boys the creation story. 'God created Adam and Eve and from this union came two sons, Cain and Abel and thus the human race developed.' A boy in the class then asked, 'Reverend, where did Cain and Abel get their wives?' After frowning for a moment, the preacher replied, 'Young man—it's impertinent questions like that that's hurtin' religion.'"

Well, Mr. Bush, Jr. I have some impertinent questions for you.

Mr. President, Sir, when reporter Bob Woodward asked you if you had consulted with your father before ordering our army into Iraq you said, "No, he's not the father you call on a decision like this. I talked to my heavenly Father above." My question, Mr. President: If God asked you to bombard, invade and occupy Iraq for four years, why did he send an opposite message to the Pope? Did you not know that your father, George Bush, Sr., his Secretary of State James Baker and his National Security Advisor General Skowcroft were all opposed to your invasion? Wouldn't you, our troops, the American people and the Iraqis all be much better off if you had listened to your more experienced elders including your earthly father? Instead of blaming God for the awful catastrophe you have unleashed in Iraq, wouldn't it have been less self-righteous if you had fallen back on the oft-quoted explanation of wrongdoing, "The devil made me do it?"

And Mr. President, after the 9–11 hit against the Twin Towers in New York, which gained us the sympathy and support of the entire world, why did you then order the invasion of Iraq, which had nothing to do with 9–11? Are you aware that your actions destroyed the international reservoir of good will towards the United States? What is the cost to America of shattering the standing and influence of our country in the eyes of the world?

Why, Mr. President did you pressure the CIA to report falsely that Iraq was building weapons of mass destruction including nuclear weapons? And when you ordered your Secretary of State, Colin Powell, to go to New York and present to the U.N. the Administration's "evidence" that Iraq was an imminent nuclear threat to the United States, were you aware that after reading this deceitful statement to the U.N., Mr. Powell told an aid that the so-called evidence was "bullshit"?

Is it reasonable to you, President Bush, that Colin Powell told you near the end of your first term that he would not be in your administration if you were to receive a second term? What decent person could survive two full terms of forced lying and deceit?

And Mr. President, how do you enjoy your leisure time, and how can you sleep at night knowing that 3014 young Americans have died in a war you mistakenly ordered? What do you say to the 48,000 young Americans who have been crippled for life in mind or body? What is your reaction to the conclusion of the leading British medical journal (Lancet) that since you ordered the bombardment and occupation of Iraq four years ago, 600 thousand Iraqi men, women and children have been killed? What do you think of the destruction of the Iraqi's homes, their electrical and water systems, their public buildings?

And Mr. Bush and Mr. Cheney, while neither of you has ever been in combat (Mr. Cheney asking and receiving five deferments from the Vietnam War), have you not at least read or been briefed on the terrible costs of that ill-advised and seemingly endless American war in tiny Vietnam? Do you realize that another Texas President, Lyndon Baines Johnson, declined to seek a second term in part because he had lost his credibility over the disastrous war in Vietnam? Are you aware that one of the chief architects of that war, Secretary of Defense Robert McNamara, resigned his office and years later published a book declaring that the .war was all a tragic mistake? Do you know this recent history in which 58,000 young Americans died in the process of killing 2 million Vietnamese men, women and children? If you do not know about this terrible blunder in Vietnam, are you not ignoring the conclusion of one of our great philosophers: "Those who are ignorant of history are condemned to repeat it." And, Mr. President, in your ignorance of the lessons of Vietnam, are you not condemning our troops and our people to repeat the same tragedy in Iraq?

During the long years between 1964 and 1975 when I fought to end the American war in Vietnam, first as a U.S. Senator from South Dakota and then as my party's nominee for President, my four daughters ganged up on my one night. "Dad, why don't you give up this battle? You've been speaking out against this crazy war since we were little kids. When you won the Democratic presidential nomination, you got snowed under by President Nixon." In reply I said, "Just remember that sometimes in history even a tragic mistake produces something good. The good about Vietnam is that it is such a terrible blunder, we'll never go down that road again." Mr. President, we're going down that road again. So, what do I tell my daughters? And what do you tell your daughters?

Mr. President, I do not speak either as a pacifist or a draft dodger. I speak as one who after the attack on Pearl Harbor, volunteered at the age of nineteen for the Army Air Corps and flew 35 missions as a B–24 bomber. I believed in that war then and I still do 65 years later. And so did the rest of America. Mr. President, are you missing the intellectual and moral capacity to know the difference between a justified war and a war of folly in Vietnam or Iraq?

Public opinion polls indicate that two-thirds of the American people think that the war in Iraq has been a mistake on your part. It is widely believed that this war was the central reason Democrats captured control of both houses of Congress. Polls among the people of Iraq indicate that nearly all Iraqis want our military presence in their country for the last four years to end now. Why do you persist in defying public opinion in both the United States and Iraq and throughout the other countries around the globe? Do you see yourself as omniscient? What is your view of the doctrine of self-determination, which we Americans hold dear?

And wonder of wonders, Mr. President, after such needless death and destruction, first in the Vietnamese jungle and now in the Arabian desert, how can you order 21,500 more American troops to Iraq? Are you aware that as the war in Vietnam went from bad to worse, our leaders sent in more troops and wasted more billions of dollars until we had 550,000 U.S. troops in that little country? It makes me shudder as an aging bomber pilot to remember that we dropped more bombs on the Vietnamese and their country than the total of all the bombs dropped by all the air forces around the world in World War II. Do you, Mr. President, honestly believe that we need tens of thousands of additional troops plus a supplemental military appropriation of 200 billion dollars before we can bring our troops home from this nightmare in ancient Baghdad?

In your initial campaign for the Presidency, Mr. Bush, you described yourself as a "compassionate conservative." What is compassionate about consigning America's youth to a needless and seemingly endless war that has now lasted longer than World War II? And what is conservative about reducing the taxes needed to finance this war and instead running our national debt to nine trillion dollars with money borrowed from China, Japan, Germany and Britain? Is this wild deficit financing your idea of conservatism? Mr. President, how can a true conservative be indifferent to the steadily rising cost of a war that claims over seven billion dollars a month, 237 million dollars every day? Are you troubled to know as a conservative that just the interest on our skyrocketing national debt is $760,000 every day? Mr. President, our Nobel Prize winning economist, Joseph Stiglitz, estimates that if the war were to continue until 2010 as you have indicated it might, the cost would be over a trillion dollars.

Perhaps, Mr. President, you should ponder the words of a genuine conservative—England's 19th Century member of Parliament, Edmund Burke: "A conscientious man would be cautious how he dealt in blood."

And, Mr. President at a time when your most respected generals have concluded that the chaos and conflict in Iraq cannot be resolved by more American dollars and more American young bodies, do you ever consider the needs here at home of our own anxious and troubled society? What about the words of another true conservative, General and President Dwight Eisenhower who said that, "Every gun that is made, every warship launched, every rocket fired signifies in the final sense, a theft from those who hunger and are not fed, those who are cold and not clothed."

And, Mr. President, would not you and all the rest of us do well to ponder the farewell words of President Eisenhower: "In the councils of government; we must guard against the acquisition of the unwarranted influence of the military-industrial complex. The potential for the disastrous rise of misplaced power exists and will persist."

Finally, Mr. President, I ask have you kept your oath of office to uphold the Constitution when you use what you call the war on terrorism to undermine the Bill of Rights? On what constitutional theory do you seize and imprison suspects without charge, sometimes torturing them in foreign jails? On what constitutional or legal basis have you tapped the phones of Americans without approval of the courts as required by law? Are you above the Constitution, above the law, and above the Geneva accords? If we are fighting for freedom in Iraq as you say, why are you so indifferent to protecting liberty here in America?

Many Americans are now saying in effect, "The American war in Iraq has created a horrible mess but how can we now walk away from it?" William Polk, a former Harvard and University of Chicago professor of Middle East Studies and a former State Department expert on the Middle East, has teamed up with me on a recent book requested by Simon and Schuster. It is entitled, "Out of Iraq: A Practical Plan for Withdrawal Now." I feel awkward praising it, so I give you the respected journalist of the New York Times, and now of Newsweek, Anna Quindlen who told Charlie Rose on his excellent TV program: "There is a wonderful book I am recommending to everyone. It's a very small, readable book by George McGovern and William Polk called "Out of Iraq". And it just very quickly runs you through the history of the country, the makeup of the country, how we got in, the arguments for getting in—many of which don't withstand scrutiny—and how we can get out. It's like a little primer. I think the entire nation should read it and then we will be united."

If you need a second for the judgment of Anna Quindlen, I give you the esteemed Library Journal: "In this crisp and cogently argued book, former Senator McGovern and scholar Polk offer a trenchant and straightforward critique of the war in Iraq. What makes their highly readable book unique is that it not only argues why the United States needs to disengage militarily from Iraq now . . . but also clearly delineates practical steps for troop withdrawal . . . Essential reading for anybody who wants to cut through the maze of confusion that surrounds current U.S. policy in Iraq, this book is highly recommended for public and academic libraries."

Professor Polk is a descendant of President Polk and the brother of the noted George Polk, is here today from his home in southern France and he will join me at the podium as I conclude this impartial interrogation of President Bush. And now, members of the National Press Club and your guests, it' s your turn to cross-examine Bill Polk and me in, of course, an equally impartial manner.

PERSONAL EXPLANATION

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 12, 2007

Mr. RYAN of Ohio. Madam Speaker, on Thursday, February 8, 2007, I was attending the funeral of the father of a member of my staff and missed rollcall votes No. 81–92. Had I been present, I would have voted "aye" on rollcall votes No. 81, 82, 83, 85, 86, 87, 88, 89, 90 and "aye" on final passage of H.R. 547, the Advanced Fuels Infrastructure Research and Development Act (rollcall vote No. 92). I would have voted "nay" on rollcall votes No. 84 and 91.

PERSONAL EXPLANATION

HON. DEBBIE WASSERMAN SCHULTZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 12, 2007

Ms. WASSERMAN SCHULTZ. Madam Speaker, I was unavoidably detained for rollcall vote No. 85, on agreeing to the Rogers amendment to H.R. 547, at 4:01 p.m. on February 8, 2007.

If present, I would have voted "aye."

RECOGNIZING DR. STEVEN SCOTT FOR HIS WORK ON BEHALF OF AMERICA'S VETERANS

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 12, 2007

Ms. GINNY BROWN-WAITE of Florida. Madam Speaker, I rise today to honor Dr. Steven G. Scott, a nominee for the U.S. Department of Veterans Affairs Employee of the Year Award, issued annually by the Disabled American Veterans. As someone who had dedicated their professional career to meeting the healthcare needs of his patients, Dr. Scott deserves recognition for his work on behalf of our nation's veterans.

While stationed at the James A. Haley VA Medical Center in Tampa, Florida for the past sixteen years, Dr. Scott has been instrumental in bringing specialized healthcare to soldiers with traumatic injuries. His work has focused on providing care for those individuals wounded through explosions, as well as those afflicted with spinal cord injuries.

Without Dr. Scott's tireless efforts, these soldiers would not have access to the high quality care they receive today. I have toured the facilities at Haley in person, and can attest to the outstanding facilities, excellent staff, and professional atmosphere. Dr. Scott deserves a great deal of the credit for the quality care provided to the severely wounded at Haley. Families around the country request the Haley Center because of the superior healthcare services Dr. Scott has brought to the Polytrauma Center.

Dr. Scott has also been recognized for his outstanding work serving veterans injured in combat. The 2006 recipient of the Tampa Bay Business Journal's Health Care Heroes Award for Health Care Innovation and Research, Dr. Scott was also awarded the 2004 Olin E. Teague Award, the highest award for treating war-related injuries in the VA.

Madam Speaker, dedicated public servants like Dr. Steven G. Scott should be recognized for their years of service to America's veterans. I know that he will continue to help the patients at James Haley VA Medical Center recover from their injuries and improve their medical care. Congress should recognize the men and women like Dr. Scott who work day in and day out on behalf of our veterans.

TRIBUTE TO JOANNA KURYLO

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 12, 2007

Mr. CROWLEY. Madam Speaker, I rise today to pay tribute to one of my constituents, Joanna Kurylo of Queens, NY. I wish to recognize Ms. Kurylo for being awarded the 2007 New York State Dr. Martin Luther King, Jr. Humanitarian Youth Award. Joanna is a student at Christ the King Regional High School where she has achieved a high level of excellence and has already established herself as a community leader. While participating in a number of extra-curricular school activities, Joanna was honored for her notable fundraising efforts which brought aid to the Darfur region and helped advance the battle against leprosy. This award is granted to five students throughout New York State each year.

Madam Speaker, I join to wish Ms. Kurylo best wishes and good fortune in her future projects.

HONORING DR. EMIL FREI III

HON. DEAN HELLER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 12, 2007

Mr. HELLER of Nevada. Madam Speaker, I rise today to pay tribute to Dr. Emil Frei III, a pioneer in cancer treatment, one of the world's foremost oncologists, and a leader in medical education.

In addition to his many different leadership roles, throughout his career Dr. Frei has made notable advances in cancer treatment. His clinical research has made major contributions to the successful application of chemotherapy, a treatment method that has cured tens of thousands of patients. Dr. Frei served as Chief of Medicine at the National Cancer Institute, Associate Scientific Director Head at M.D. Anderson, Director and Physician-in-Chief at the Dana-Farber Cancer Institute, and is now the Physician-in-Chief, Emeritus, at the Dana-Farber Cancer Institute. He has also served on the advisory or director boards of numerous companies and non-profit organizations, including: Adherex Technologies, Angstrom, CaP Cure, Celator Pharmaceuticals, DIAD Research, Immunogen, Infinity Pharmaceuticals, Vion Pharmaceuticals, Aid for Cancer Research, the Cancer Research Institute, the Journal of Clinical Oncology, and the New England Journal of Medicine. Dr. Frei's contributions have been recognized by numerous awards including the Lasker Award, the Kettering Prize from the General Motors Cancer Research Foundation, and most recently the Inaugural Lifetime Achievement Award from the American Association for Cancer Research.

Not only a medical practitioner but a distinguished educator, Dr. Frei served as Professor of Medicine at The University of Texas for seven years, and at Harvard Medical School for 24 years. The textbook he co-authored, Cancer Medicine, was the first published about oncology, and remains a seminal text in this field of medicine.

Dr. Frei is now retired in southern Nevada, but continues to lecture, write, and offer advice about the field in which he worked for more than 50 years. He now serves on the chapter board of the Southern Nevada Leukemia & Lymphoma Society, which will be hosting the inaugural Dr. Emil Frei III Symposium in March 2007.

Madam Speaker, I am proud to pay tribute to Dr. Frei for his committed service to medical oncology, service that has helped thousands of cancer patients under his care and innumerable patients in the future through his leadership and instruction. His exceptional career deserves the highest commendation and praise.

TRIBUTE TO OUR TROOPS

HON. JACK KINGSTON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 12, 2007

Mr. KINGSTON. Madam Speaker, I rise today to submit to the RECORD an article by the writer, actor, economist and lawyer, Ben Stein. This article, titled "Greetings from Rancho Mirage", expresses support and encouragement to our many hardworking and dedicated troops abroad:

GREETINGS FROM RANCHO MIRAGE—BY BEN STEIN

Dear Soldiers, Sailors, Airmen, Marines, National Guard, Reservists, in Iraq, in the Middle East theater, in Afghanistan, in the area near Afghanistan, in any base anywhere in the world, and your families:

Let me tell you about why you guys own about 90 percent of the backbone in the whole world right now and should be happy with yourselves and proud of whom you are.

It was a dazzlingly hot day here in Rancho Mirage today. I did small errands like going to the bank to pay my mortgage, finding a new bed at a price I can afford, practicing driving with my new 5 wood, paying bills for about two hours. I spoke for a long time to a woman who is going through a nasty child custody fight. I got e-mails from a woman who was fired today from her job for not paying attention. I read about multi-billion-dollar mergers in Europe, Asia, and the Mideast. I noticed how overweight I am, for the millionth time. In other words, I did a lot of nothing.

Like every other American who is not in the armed forces family, I basically just rearranged the deck chairs on the Titanic in my trivial, self-important, meaningless way.

Above all, I talked to a friend of more than forty-three years who told me he thought his life had no meaning because all he did was count his money. And, friends in the armed forces, this is the story of all of America today. We are doing nothing but treading water while you guys carry on the life or death struggle against worldwide militant Islamic terrorism. Our lives are about nothing: paying bills, going to humdrum jobs, waiting until we can go to sleep and then do it all again. Our most vivid issues are trivia compared with what you do every day, every minute, every second.

Oprah Winfrey talks a lot about "meaning" in life. For her, "meaning" is dieting and then having her photo on the cover of her magazine every single month (surely a new world record for egomania). This is not "meaning."

—Meaning is doing for others.

—Meaning is risking your life for hers.

—Meaning is putting your bodies and families' peace of mind on the line to defeat some of the most evil, sick killers the world has ever known.

—Meaning is leaving the comfort of home to fight to make sure that there still will be a home for your family and for your nation and for free men and women everywhere.

Look, soldiers and Marines and sailors and airmen and Coast Guardsmen, there are eight billion people in this world. The whole fate of this world turns on what you people, 1.4 million, more or less, do every day. The fate of mankind depends on what about 2/100 of one percent of the people in this world do every day and you are those people. And joining you is every policeman, fireman, and Emergency Medical Technician in the country, also holding back the tide of chaos.

Do you know how important you are? Do you know how indispensable you are? Do you know how humbly grateful any of us who has a head on his shoulders is to you? Do you know that if you never do another thing in your lives, you will always still be heroes? That we could live without hollywood or Wall Street or the NFL, but we cannot live for a week without you?

We are on our knees to you and we bless and pray for you every moment. And Oprah Winfrey, if she were a size two, would not have one millionth of your importance, and all of the Wall Street billionaires will never mean what the least of you do, and if Barry Bonds hits hundreds of home runs it would not mean as much as you going on one patrol or driving one truck to the Baghdad airport.

You are everything to us, as we go through our little days, and you are in the prayers of the nation and of every decent man and woman on the planet. That's who you are and what you mean. I hope you know that.

Love,

BEN STEIN.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, February 13, 2007 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

FEBRUARY 14

9:30 a.m.

Health, Education, Labor, and Pensions

Business meeting to consider the Mental Health Parity Act of 2007, the Head Start for School Readiness Act, and any pending nominations.

SD–430

10 a.m.

Banking, Housing, and Urban Affairs

To hold hearings to examine the semiannual monetary policy report to the Congress.

SD–106

Budget

To hold hearings to examine the President's fiscal year 2008 budget proposals on tax compliance.

SD–608

Homeland Security and Governmental Affairs

Business meeting to consider S. 4, to make the United States more secure by implementing unfinished recommendations of the 9/11 Commission to fight the war on terror more effectively, to improve homeland security, S. 343, to extend the District of Columbia College Access Act of 1999, S. 457, to extend the date on which the National Security Personnel System will first apply to certain defense laboratories, a proposed bill to preserve existing judgeships on the Superior Court of the District of Columbia, S. 550, to preserve existing judgeships on the Superior Court of the District of Columbia, S. 171, to designate the facility of the United States Postal Service located at 301 Commerce Street in Commerce, Oklahoma, as the "Mickey Mantle Post Office Building", S. 194 and H.R. 49, bills to designate the facility of the United States Postal Service located at 1300 North Frontage Road West in Vail, Colorado, as the "Gerald R. Ford, Jr. Post Office Building", S. 219 and H.R. 335, bills to designate the facility of the United States Postal Service located at 152 North 5th Street in Laramie, Wyoming, as the "Gale W. McGee Post Office", S. 303, to designate the facility of the United States Postal Service located at 324 Main Street in Grambling, Louisiana, shall be known and designated as the "Coach Eddie Robinson Post Office Building", S. 412 and H.R. 521, bills to designate the facility of the United States Postal Service located at 2633 11th Street in Rock Island, Illinois, as the "Lane Evans Post Office Building", H.R. 433, to designate the facility of the United States Postal Servicelocated at 1700 Main Street in Little Rock, Arkansas, as the "ScipioA. Jones Post Office Building", H.R. 514, to designate the facility of the United States Postal Servicelocated at 16150 Aviation Loop Drive in Brooksville, Florida, as the "Sergeant Lea Robert Mills Brooksville Aviation Branch Post Office", and H.R. 577, to designate the facility of the United States Postal Servicelocated at 3903 South Congress Avenue in Austin, Texas, as the "Sergeant Henry Ybarra III Post Office Building".

SD–342

Judiciary

To hold hearings to examine judicial security and independence.

SH–216

Commerce, Science, and Transportation

Trade, Tourism, and Economic Development Subcommittee

To hold hearings to examine overseas sweatshop abuses, focusing on their impact on U.S. workers and the need for anti-sweatshop legislation.

SR–253

11:30 a.m.

Rules and Administration

To hold hearings to examine Senate Committee budget Requests.

SR–301

2:30 p.m.

Commerce, Science, and Transportation

Fisheries and Coast Guard Subcommittee

To hold an oversight hearing to examine recent setbacks to the Coast Guard Deepwater Program.

SR–253

Intelligence

To hold closed hearings to examine certain intelligence matters.

SH–219

FEBRUARY 15

9:15 a.m.

Foreign Relations

To hold hearings to examine the nominations of Ryan C. Crocker, of Washington, to be Ambassador to the Republic of Iraq, and William B. Wood, of New York, to be Ambassador to the Islamic Republic of Afghanistan.

SD–628

9:30 a.m.

Armed Services

To hold hearings to examine the current and future readiness of the Army and Marine Corps; there is a possibility of a closed session in SR–222 following the open session.

SH–216

Commerce, Science, and Transportation

Aviation Subcommittee

To hold hearings to examine the Administration's proposal to reauthorize the Federal Aviation Administration (Part 1).

SR–253

Energy and Natural Resources

To hold hearings to examine the President's proposed budget request for fiscal year 2008 for the Department of the Interior.

SD–366

Indian Affairs

To hold an oversight hearing to examine the President's budget request for fiscal year 2008 for tribal programs.

SR–485

10 a.m.

Environment and Public Works

To hold hearings to examine the President's proposed budget request for fiscal year 2008 for the Environmental Protection Agency.

SD–406

Finance

To hold hearings to examine the Administration trade agenda for 2007.

SD–215

Judiciary

Business meeting to consider the nomination of Beryl A. Howell, of the District of Columbia, and Dabney Langhorne Friedrich, of Virginia, both to be a Member of the United States Sentencing Commission, S. 316, to prohibit brand name drug companies from compensating generic drug companies to delay the entry of a generic drug into the market, S. 236, to require reports to Congress on Federal agency use of data mining, S. 378, to amend title 18, United States Code, to protect judges, prosecutors, witnesses, victims, and their family members, S. 442, to provide for loan repayment for prosecutors and public defenders, S. Res. 41, honoring and the life and recognizing the accomplishments of Tom Mooney, president of the Ohio Federation of Teachers, S. Res. 47, honoring the life and achievements of George C. Springer, Sr., the Northeast regional director and a former vice president of the American Federation of Teachers, S. Res. 49, recognizing and celebrating the 50th anniversary of the entry of Alaska into the Union as the 49th State, S. Res. 53, congratulating Illinois State University as it marks its sesquicentennial, and S. Res. 69, recognizing the African-American spiritual as a national treasure.

SD–226

Aging

To hold hearings to examine those Americans born between 1946 and 1964 (baby boomers), focusing on the federal budget and senior citizens.

SD–562

2:30 p.m.

Intelligence

To hold closed hearings to examine certain intelligence matters.

SH–219

3 p.m.

Armed Services

Emerging Threats and Capabilities Subcommittee

To receive a briefing on the reorganization of the Office of the Under Secretary of Defense for Policy.

SR–232A

FEBRUARY 16

10 a.m.

Health, Education, Labor, and Pensions

To hold hearings to examine paying for college in the future relating to higher education, higher cost and higher student debt.

SD–430

FEBRUARY 27

9:30 a.m.

Veterans' Affairs

To hold joint hearings with the House Committee on Veterans' Affairs to examine the legislative presentation of the Disabled American Veterans.

345 CHOB

FEBRUARY 28

2:30 p.m.

Commerce, Science, and Transportation

Science and Space Subcommittee

To hold hearings to examine the President's budget request for the National Aeronautics and Space Administration (NASA).

SR–253

MARCH 1

9:30 a.m.

Veterans' Affairs

To hold an oversight hearing to examine the Veterans Administration adjudication process.

SR–418

10 a.m.

Commerce, Science, and Transportation

To hold hearings to examine universal service.

SR–253

MARCH 6

9:30 a.m.

Veterans' Affairs

To hold joint hearings with the House Committee on Veterans' Affairs to examine the legislative presentation of the Veterans of Foreign Wars.

345 CHOB

MARCH 8

9:30 a.m.

Veterans' Affairs

To hold joint hearings with the House Committee on Veterans' Affairs to examine the legislative presentation of the Paralyzed Veterans of America, Jewish War Veterans, and Blinded Veterans Association.

SD–106

MARCH 29

9:30 a.m.
Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to examine the legislative presentation of AMVETS, Ex-POWs, Military Order of the Purple Heart, and Fleet Reserve Association.
SD–106

SENATE—*Tuesday, February 13, 2007*

The Senate met at 10 a.m. and was called to order by the Honorable BILL NELSON, a Senator from the State of Florida.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

God of mystery and clarity, open our eyes to see the unexpected ways You come to us. Reveal to us Your presence in the beauties of nature, in the promises of sacred Scriptures, and in the challenges that deepen our dependence on You.

Manifest Your purposes to our Senators. Make clear Your plans to them and infuse them with confidence in Your power. Inspire them to use their talents as instruments of liberation and healing. Keep them purposeful and expectant so they will experience a deeper friendship with You in the living of their days. We pray in Your abiding Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable BILL NELSON led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, February 13, 2007.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BILL NELSON, a Senator from the State of Florida, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. NELSON thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, the Senate will be in morning business until 12:30, at which time we will recess for our conference work. All time during this period is equally divided and controlled between the two leaders or their designees.

Members of the Committee on Appropriations will be speaking this morning with respect to the continuing funding resolution. It is my understanding that the chairman of the Committee on Appropriations, Senator BYRD, will be here to speak shortly. The Senate will be in recess from 12:30 to 2:15 today, and when we reconvene at 2:15, we have 15 minutes remaining for debate prior to the 2:30 cloture vote on the continuing funding resolution, H.J. Res. 20. As a reminder, Senators have until 12 noon to file second-degree amendments to the resolution.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

A PRODUCTIVE WEEK

Mr. McCONNELL. I do not have an opening statement. I indicate to the majority leader that we had a good discussion yesterday about the agenda ahead, not only for the balance of the week but upon our return, and look forward to having a very productive week, including the confirmation of some judges tomorrow or the next day.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business, with Senators permitted to speak therein and with the time equally divided between the two leaders or their designees.

Mr. McCONNELL. I suggest the absence of a quorum and ask unanimous consent that the time be equally charged to each side.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. COBURN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CONTINUING APPROPRIATIONS

Mr. COBURN. Mr. President, I want to spend a few minutes talking about the importance of what we are doing with this bill and why amendments ought to be allowed in order. I have a very specific amendment I have filed that has to do with health care in this country. Basically, it has to do with the health care of the most vulnerable in this country, babies.

In the early 1980s, an epidemic of an unknown virus started in this country. We now know it as HIV/AIDS, and a lot of progress has been made in that fight. During the Reagan Presidency, his AIDS Commission recommended routine testing. That was in 1986. In 2005, the CDC finally recognized the wisdom of that AIDS Commission recommendation, and it is now CDC policy that routine testing from the ages of 17 to 64 be carried out on everybody in this country who encounters health care.

The Ryan White bill, which was recently passed in the 109th Congress, took note of those recommendations. And within the HIV community, there has been debate about the CDC guidelines. But some of that was put to rest on the basis of what we know has been an exemplary program in two States that have all but eliminated HIV transmission to babies.

The policies in many States in this country require extensive counseling before anybody can be tested. What was found by the CDC, and many other organizations, is that a small number of people who are pregnant will actually get tested. New York, led by a courageous Democratic legislator by the name of Nettie Mayersohn, passed a law in 1996. In that year they had 500 babies born with HIV. In the last 2 years, since that law has been passed, they have had less than 7.

Now, what happened? What did they do? What they did was they used commonsense public health, and they said: we test women who are pregnant for lots of diseases antenatally so we can know how to handle them and take care of their infant should they have one of those problems. They applied that same common sense to HIV, and hundreds of babies are born every year in New York who do not get HIV because commonsense public health policies were applied.

It is very simple. If we know your HIV status, and you are positive, 99

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

percent of the time we can keep your child from getting HIV. There is not hardly any other disease we have in obstetrics—and I am an obstetrician—that is that effective.

What we have done in the bill before us is take away all the money for that, take all the money away the CDC says now is the guideline, their recommendation, the recommendation of the American Medical Association, the American College of Obstetricians and Gynecologists. Why are we doing that? There is a claim it was an earmark. I will not spend the time to bore everybody with the definition of an "earmark." This came as part of the Enzi-Kennedy Ryan White bill because it is good public health policy and it applies as an incentive to every State out there to start doing something that will make a difference in someone's life.

The Centers for Disease Control and Prevention recommends that HIV be a routine testing procedure. Washington, DC, has a wonderful Director of their AIDS Commission, Marsha Martin. Last June they started routine testing in this city. This city has 3.5 percent, it would seem, of its population infected with HIV—about three and half to four times the rest of the Nation. They have identified almost 1,600 HIV patients.

Now, why is that important? The reason that is important is because 70 percent of the infections that are now occurring in HIV are occurring in people who do not know they are infected. And if they do not know they are infected, they will transmit the disease without knowing they are transmitting it.

Before the Nettie Mayersohn law in New York State, only 62 percent of the women who were pregnant knew their HIV status. After that, we are at almost 96 percent. The difference is 500 babies a year born with HIV versus 7—a very significant difference.

What does that mean in terms of the children? It means a life not having a disease, not being stuck, not being given medicine, and having a life expectancy of less than 25 years of age. That is what that means.

So with that leadership in the State of New York, what has been accomplished is 99 percent of the prenatal transmission of HIV has been prevented. It also means those pregnant women who are HIV positive are now being treated at a much earlier stage in their disease, which gives them far greater—probably the same life expectancy as you or I because of the tremendous advances in medicine. What we do know is the later the diagnosis, the shorter their life expectancy and the higher the cost.

Now, let me walk you through, for a minute, what others say about this. CDC also recommends prenatal testing and treatment of newborns. Here is what they have said:

> Considering the potential for preventing transmission, no child in this country should be born whose HIV status or whose mother's status is unknown.

It costs $10 to test, it costs $75 to treat, to prevent 99 percent of them. It makes a major difference in thousands of children's lives every year. It makes a major difference in thousands and thousands of women's lives every year to have this diagnosis.

What happens if we do not do it, if we do not encourage it? And this part of the Ryan White Act was meant to incentivize States to move to the CDC recommendation. It costs $10,000 a year to treat a newborn who is infected with HIV.

One of the problems with this tremendous epidemic that we face is it narrows in on a group of people, a large percentage of whom happen to be African-American women. They account for two-thirds of the infection in women yet are 13 percent of our population. How dare us take this away.

Multiple organizations have supported this policy. The Early Diagnosis Grant Program was established by the Ryan White HIV/AIDS Treatment Modernization Act. It provides $30 million for grants that will be utilized for States that become eligible to do the testing and the treatment for both mothers and their infants.

To be eligible for the funds, they have to offer a voluntary opt-out HIV testing program for pregnant women. They have to commit to universal HIV testing of newborns when the HIV status of their mother is unknown. They have to offer voluntary opt-out HIV testing of clients at sexually transmitted disease clinics. And they have to offer voluntary opt-out HIV testing of clients at substance abuse treatment centers, where we know most of the disease tends to be seen.

This is current CDC policy—the people whom we trust to tell us what to do. Funding for this grant is provided out of existing HIV moneys at CDC, prevention funds that are already there, which they know will have tremendous positive effects.

Now, think about it: 500 infants at $10,000 a year, every year. Multiply it, multiply it, multiply it, and it only takes 4½ years to spend $30 million if we do not do this. These funds are targeted for those most at risk of infection, as well as those most likely to benefit from treatment.

President Bush, in his budget, asked for this money to be directed as well. So this is not something that does not have broad support, both in the health community, with the President, and many of those most active in the HIV community.

The point we should not forget is baby AIDS can be virtually eliminated if expectant mothers with HIV are identified and treated for HIV during their pregnancy. When treatment is provided during pregnancy, labor, and delivery, and to infants after birth, the risk of transmission goes down to less than 1 percent. Without treatment, 25 percent of the infants will become HIV infected.

But how do we treat? We cannot treat unless we know they have it. We cannot know they have it unless they are tested. We cannot test unless we have the incentives to test. So this creates the incentive programs for States to copy what both New York and Connecticut did. Connecticut has not had an HIV-infected baby since 2001.

They have eliminated it in Connecticut. Why should we not do the same thing? Why should we disallow an amendment to restore this funding that goes to the heart of those most vulnerable in our country? It also goes to help those who are most disaffected, those who are on the poorer spectrum, those who have less opportunity because that is where we see more infection.

For the 1 percent who would not be cured, what we know is, we are treating early. We are not waiting until they get the disease in a full-blown state. What we know is, your likelihood of dying, if you are diagnosed when your CD 4 count is below 50, exponentially goes up. So early diagnosis with HIV is of paramount importance.

It also needs to be said that one out of every four people in this country who have HIV don't know it. They have no knowledge that they have it. That one out of four accounts for 70 percent of the new infections in this country. So the CDC policy of frequent testing, opt-out testing, more testing is a policy that makes absolute sense from a public health perspective.

Because only a few States have similar laws to Connecticut and New York, hundreds of babies will still become infected this year. To take this money out, to say none of the money can be spent for this program, condemns hundreds of newborn babies to a life of HIV infection and AIDS. That is what this bill does. It condemns hundreds of babies in this country to a life with HIV. It is a preventable disease. Why would we do that? Why would we come anywhere close to that?

I mentioned Marsha Martin. Since last year, they started a policy of routine frequent testing, and 16,000 individuals in Washington, DC, have been tested. Five hundred eighty people who would not have otherwise been tested have been diagnosed with HIV at a stage at which we can save their life. Some of those were pregnant women. People say: You don't need to do this. Why is it important for every woman to know whether she is HIV positive or negative if she gives birth to a baby? Because only 25 percent of the time does this virus get transmitted to the baby at birth. But what they don't think about is, if they breast-feed the baby, they will transmit the virus as well. So your baby may not be infected at birth, but if you breast-feed your baby and you are carrying HIV, it is a death sentence for the baby. So to not know your status puts your baby at risk, even though it was not infected at birth.

Here is what happened in Connecticut. They went from 28 percent of the women who knew their HIV status before they passed the law to 90 percent of the women. What does that translate into? That translates into saving lives, not just the women who were HIV positive who found out and had early treatment but their children as well. Why would we not want to incentivize the rest of the States to do what has been successful in New York and Connecticut and several other States?

The health commissioner of New York is pushing to change State law to make testing more convenient for patients and health care providers:

> We are aggressively offering testing to patients who come to us for routine physicals, heart disease, a sprained ankle. We are lessening the stigma sometimes associated with HIV and helping connect many more HIV-positive individuals with early treatment.

Here is the other difference I would hope the esteemed Members of the Senate would recognize. By doing early testing, the cost to treat is $10,000 a year. By doing late testing, the cost to treat is $40,000 a year, with much more in terms of complications. Again, to test costs $10, to treat a newborn is $75, versus $10,000 a year at a minimum.

Women, children, and African Americans will be most affected by the termination of this program. Since the beginning of the HIV epidemic, African Americans have accounted for almost 400,000 of the estimated 1 million AIDS diagnoses in our country. According to the 2000 census, African Americans made up 13 percent of our population. However, in 2005, 49 percent of the estimated 40,000 new cases were African American. It is 24 times the rate in African-American women than it is in white women. Why would we not want to intercede with testing to save their lives?

Between 120 and 160,000 women in the United States are infected with HIV. In 2001, the National Congress of Black Women issued a report entitled "African American Women and the HIV/AIDS Initiative," that outlined that group's strategy to combat HIV/AIDS among black women. Among their recommendations: Every State should be required to screen all pregnant women for HIV and test all newborns for the virus and Congress should appropriate funds for such initiatives. Every year that passes results in hundreds of more cases of baby AIDS that could have been prevented.

Who supports doing this perinatal testing and treatment? The American Medical Association, the U.S. Preventative Services Task Force, the AIDS Health Care Foundation, the Children's AIDS Fund, multiple medical groups, and, yes, the Centers for Disease Control and Prevention, the one agency we fund to tell us what we should do. It is their policy. We are denying their policy. We are denying infants the right to live without HIV.

Here is what they said:

> Based on information presented in the MMWR, the available data indicate that both "opt-out" prenatal maternal screening and mandatory newborn screening achieve higher maternal screening rates than "opt-in" prenatal screening.

The status quo.

> Accordingly, CDC recommends that clinicians routinely screen all women for HIV infection, using an "opt-out" approach and that jurisdictions with statutory barriers to such prenatal screening consider revising them. In addition, CDC encourages clinicians to test for HIV any newborn whose mother's HIV status is unknown . . . CDC recommends rapid testing of the infant immediately postpartum so that antiretroviral prophylactics can be offered to HIV-exposed infants.

Ninety-nine percent, we can prevent. We have taken out the capability for other States what New York and Connecticut have done, and we are refusing to allow the replacement of that to save the weakest and most vulnerable in our country.

What are the claims we have heard? Here is the first claim: Even without funding for this particular HIV testing grant program, Federal funds will still be available for HIV testing. What is true is that other Federal funds can provide HIV testing. As written, section 20613(b)(1) of this bill specifies that none of the funds appropriated for 2007 can be used for any early diagnosis grants. This would specifically forbid Federal funding for HIV testing of pregnant women in any area—newborns, patients receiving treatment for substance abuse, and those accessing services at STD clinics. These populations include those most at risk for HIV, as well as those who can most benefit from early treatment and intervention. It is counterintuitive that this would be a part of this bill.

What are the activities that are supported by this $30 million that are going to be prohibited, including HIV AIDS testing, including rapid testing? It only costs $10. It precludes prevention counseling. It excludes treatment of newborns exposed to HIV. It excludes treatment of mothers infected with HIV or AIDS and the costs associated with linking the diagnosis of AIDS to care and treatment for that disease. The $30 million instead will revert to other CDC HIV/AIDS program activities which in recent years have included the following: Beachside conferences, flirting classes, erotic writing seminars, zoo trips, and other dubious initiatives that do not have any lifesaving impact or near lifesaving impact as early diagnosis and treatment.

This $30 million is either going to be spent effectively or it is going to be wasted. President Reagan's AIDS Commission was right. They said it in 1986. The CDC caught up last year in 2005 to the policies that were recommended to this Congress in 1985–1986.

Few, if any, States would benefit from the funding provided by this program. The point of this program is to encourage States to update their policies to reflect CDC's recommendations for HIV testing and baby AIDS treatment. That is the whole purpose. That is part of the whole Ryan White grant. It is to improve our approach to HIV, to eliminate newborn infections, and to eliminate transmission from those who don't know. While few States would immediately qualify for early diagnosis grants, the availability of the funds was intended to get them to move to the point where they would take advantage of that, which means they would be saving hundreds of babies' lives every year and protecting the lives of the mothers who were there to nurture them. It makes no sense that we would prohibit money for this process.

Many States, including Illinois, are already moving in this direction. States such as New York and Connecticut have had the policies in place for over a decade. And the proof is there.

What is the other claim? This bill defunds all earmarks. The Early Diagnosis Grant Program is an earmark and, therefore, has not been singled out but has been removed, along with other special funding projects.

Fact: The Early Diagnosis Grant Program is not an earmark. All States with routine testing policies are eligible for the funding provided by this grant. Those which are not currently eligible can become eligible by passing the law or implementing State regulations to meet funding eligibility.

Mr. BYRD. Mr. President, will the distinguished Senator yield for a question?

Mr. COBURN. I am happy to yield to the senior Senator from West Virginia.

Mr. BYRD. May I inquire as to how much longer the distinguished Senator will be speaking?

Mr. COBURN. About 10 minutes.

Mr. BYRD. I thank the Senator. If the Senator will yield further momentarily, I ask the Chair, what is the parliamentary situation?

The ACTING PRESIDENT pro tempore. We are in morning business. The minority has 41 minutes; the majority has 66 minutes.

Mr. BYRD. I thank the Chair and the distinguished Senator for yielding.

Mr. COBURN. This program doesn't match the definition or criteria of an earmark approved by the Senate in January or used by the Congressional Research Service. On January 16, 2007, the Senate approved an amendment by a vote of 98 to zero, defining the term "earmark" as a provision or report language included primarily at the request of a Member, delegate, resident commissioner, or Senator, providing, authorizing or recommending a specific amount of discretionary budget authority, credit authority or spending authority for a contract loan, loan guarantee, loan authority or other expenditure with or to an entity or targeted to a specific State, a specific locality or a specific congressional district, other than through a statutory or administrative formally driven competitive war process.

This doesn't come anywhere close to that definition. It doesn't meet any of criteria that the Senate has defined as earmark. It is not directed to any specific State, any entity, any location, and does not bypass the statutory award process.

CRS defines an earmark as funds set aside with an account for specific organization or location, either in the appropriations act or the joint explanatory statement of the conference committee. CRS notes that such designations generally bypass the usual competitive distribution of awards by a Federal agency. This doesn't meet any of that. It is hogwash to call this an earmark, and everybody knows it. Everybody knows it.

Claim: This program would violate the privacy rights of women by requiring mandatory HIV testing.

This doesn't require mandatory HIV testing. It offers women to have testing and they can say, "I don't want to be tested," rather than for them to have to ask to be tested.

Current laws mandating extensive pre- and post-test counseling make HIV testing the most overregulated diagnostic and thereby discourage health providers from offering patients screening for HIV.

Testing newborns for HIV is too little too late. That is the other point I have heard. The science doesn't support that at all. If the baby has HIV antibiotics, 99 percent of the time we can prevent them from becoming infected. Of those who do, the 1 percent who do become infected, we can treat so much better by knowing it at an early stage. We can extend their life for years at less than $40,000 a year, at $10,000 a year. By not knowing and waiting until their CD 4 counts come down precipitously low, we go from $10,000 a year in treatment to $40,000 a year in treatment.

I will finish with a couple of comments.

In the early eighties, I delivered a little girl. Her name was Megan. Two years later, her mother re-presented to me with full-blown AIDS. The mother died 3 weeks later. Megan lived an additional 8 years.

Had we done this and had we known to have done this, Megan would be alive and flourishing. Her mother would be alive with HIV. Megan would have never gotten HIV.

I will never have that little girl's face removed from my memory. We, by this bill and not allowing the reestablishment, are creating thousands of Megans in this country—thousands, thousands. If this body wants that on their shoulders, continue what we are doing today. But if we claim to be here to help the helpless, to put in place policies that, No. 1, the best of the science tells us are the right policies, and No. 2, makes a massive difference in individual lives, then make in order this amendment to restore this money. By not doing so, you walk out of here condemning hundreds of infants, thousands of infants to death, at worst, and a life on medicines for the rest of their life.

You also condemn a large group of African-American women to the lack of knowledge and the lack of effective drugs that can give them a normal life. You can decide. The power is on the majority side. They get to decide this issue. But you dare not come back into this Chamber saying that you care for children, that you care for minorities, and at the same time have gutted one of the programs that will give hope to those same groups of people. You can't have it both ways. You can't single out good medicine, good public health care, and true compassion for those most at risk, and then come back and claim you care.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from West Virginia.

Mr. BYRD. Mr. President, for how long am I recognized?

The ACTING PRESIDENT pro tempore. The Senator has under morning business up to 65 minutes.

Mr. BYRD. I thank the Chair.

Mr. President, today marks the 136th day of the fiscal year. The fiscal year is over one-third complete. We will be debating House Joint Resolution 20, a joint funding resolution for the nine remaining appropriations bills that were not completed during the 109th Congress. The Republican leadership during the 109th Congress left us with a great deal of unfinished appropriations business. Only 2 of the 11 appropriations bills were enacted into law; 13 of the 15 Federal Departments are struggling to cope with a very restrictive continuing resolution which expires at midnight this coming Thursday.

As I noted last week, this was not the fault of the Appropriations Committee. Under the able leadership of Chairman THAD COCHRAN, all of the fiscal year 2007 appropriations bills were reported from the committee by July 20. All—a-l-l—all of the bills were bipartisan bills approved by unanimous votes. Unfortunately, the Republican leadership of the 109th Congress chose not to bring domestic appropriations bills to the floor before the election and then chose not to finish those bills after the election. Instead, Congress passed a series of restrictive continuing resolutions.

If Congress were to simply extend the existing continuing resolutions, we would leave huge problems for veterans and military medical care, for education programs, law enforcement programs, funding for global AIDS, funding for energy independence, and funding for agencies that provide key services to the elderly, such as the Social Security Administration and the 1-800-Medicare call center.

In December, the new House of Representatives appropriations chairman, DAVID OBEY, and I plotted a bipartisan and bicameral course for dealing with this problem. Based on that plan, there were intense negotiations—intense negotiations—in January which included the majority and the minority in the House and the Senate.

I, as chairman of the Senate Appropriations Committee, consulted with several Senators, and especially with Senator THAD COCHRAN, several times during that process, and his ranking members and their staffs were included throughout the process.

The resolution that is now before the Senate is the product of these efforts. The resolution, which totals $463.5 billion, meets several goals. Let me repeat the figure: $463.5 billion. That would be $463.50 for every minute that has passed since our Lord, Jesus Christ, was born.

Get this. These are the goals: First, funding stays within the $873.8 billion statutory cap on spending, the cap which was set during the 109th Congress and which equals the President's request.

Second, the legislation does not—does not—include earmarks. We eliminated over 9,300 earmarks. Hopefully, the ethics reform bill will establish greater transparency and accountability in the earmarking process. Once the ethics reform bill is in place, we will establish a more open, disciplined, and accountable process for congressional directives in the fiscal year 2008 bill.

Third, there is no—there is no—emergency spending in this resolution.

Finally—finally—essential national priorities receive a boost in the legislation. To help pay for these priorities, we cut over $11 billion from 125 different accounts and we froze spending at the 2006 level for 450 accounts. These national priorities have broad bipartisan support, as noted in the White House Statement of Administration Policy. Many of these increases reflect administration priorities.

For veterans care, we include $32.3 billion, an increase of $3.6 billion over the fiscal year 2006 level. For defense health initiatives, we include $21.2 billion, an increase of $1.4 billion over fiscal year 2006. To provide care for military members and their families, including treating servicemembers wounded in action in Iraq and Afghanistan, for the Labor, HHS, and Education bill, funding is increased by $2.3 billion.

Title I grants for our schools are funded at $12.8 billion, an increase of $125 million over fiscal year 2006, which will provide approximately 38,000 additional low-income children with intensive reading and math instruction. The legislation also funds the title I school improvement fund at $125 million to target assistance to the 6,700 schools that failed to meet No Child Left Behind requirements in the 2005-2006 school year. For the first time in 4 years, we will have an increase in the maximum Pell higher education grant from $260 to $431.

The National Institutes of Health are funded at $28.9 billion, an increase of $620 million over fiscal year 2006.

Three hundred million dollars is included for the Federal Mine Safety and Health Administration. Let me say that again. Three hundred million dollars is included for the Federal Mine Safety and Health Administration, an increase of $23 million over fiscal year 2006, to allow the agency to continue its national efforts to hire and train new mine safety inspectors for safety in the Nation's 2,000 coal mines.

The legislation increases funding for Federal, State, and local law enforcement by $1.6 billion. According to the FBI, last year violent crime rose—went up—in America for the first time in 15 years.

Under the continuing resolution now in law, highway funding is frozen—frozen—at the 2006 level. Under this joint funding resolution, the Federal-Aid Highway Program is fully funded at the level guaranteed in the highway law.

The joint resolution includes $4.8 billion for global AIDS and malaria programs, an increase of $1.4 billion over fiscal year 2006.

Last week there was debate concerning the level of funding for the 2005 base closure and realignment program. The resolution that is before the Senate provides $2.5 billion for the base closure and realignment 2005 program. This level is $1 billion—I say again—this level is $1 billion higher than the level available in the current continuing resolution the President signed on December 9. However, this level is $3.1 billion below the level requested by the President. I assure all Senators that the Appropriations Committee, of which I have the honor of being chairman, intends to address the $3.1 billion increase when the Senate takes up the $100 billion supplemental the President sent to the Congress last week. Last week. I have every expectation that the supplemental will be before the Senate next month. This being February, I have every expectation that the supplemental will be before the Senate next month.

Now, let me take a moment to review how we came to be where we are on funding the base closure account. Last year, under the very able and competent leadership of Chairman THAD COCHRAN, Senator HUTCHISON, and Senator FEINSTEIN, the Senate Appropriations Committee reported out the Military Construction bill on July 20, which was over 6 months ago, and the bill included $5.2 billion for the base closure account. Unfortunately—I say unfortunately—that bill was never sent to the President. The President triggered the problem when he vowed to veto the fiscal year 2007 Defense bill unless the Senate added $5 billion—$5 billion; that is $5 for every minute since Jesus Christ was born—$5 billion to the Senate version of the Defense bill. This is the same $5 billion the Senate Appropriations Committee had put toward addressing needs, such as funding the base closure account and funding veterans medical care.

The Republican leadership of the 109th Congress followed the President's lead, appropriated the $5 billion to the Defense bill, and did not send to the President the Military Construction-Veterans bill or eight of the other appropriations bills. Funding for BRAC was among the many victims of that decision. Thus, and therefore, it was left to the 110th Congress to solve the budgetary mess left by that decision.

While the extra $1 billion added to BRAC in this resolution does not bring the program up to the level of the President's budget request, it is sufficient—it is sufficient—to address one of the Defense Department's most urgent BRAC priorities; namely, the construction of facilities needed to bring U.S. troops back from Europe. The remaining $3.1 billion for the base closure effort can and will be addressed through the supplemental next month.

This is not a perfect resolution, but it is a thoughtful resolution. By complying with the statutory cap on spending, it is a fiscally disciplined resolution. By eliminating earmarks, it provides Congress with time to pass ethics reform legislation to increase transparency and accountability. By targeting resources toward national priorities, such as veterans and military medical care, we—the pronoun "we"—solve the most distressing of the problems created by the existing continuing resolution.

Now, looking ahead to the fiscal year 2008 bill, I am committed to working with my friend and colleague, Senator THAD COCHRAN, the ranking member from Mississippi, to bring—hear me—to bring 12 individual bipartisan and fiscally responsible fiscal year 2008 appropriation bills to the floor. When? When? This year.

However, on this, the 136th day of fiscal year 2007, adoption of House Joint Resolution 20 will ensure that we answer some of our Nation's most pressing needs and avoid an unnecessary Government shutdown. It is time to act. I urge swift—not Tom Swift, but swift adoption of the resolution.

I yield the floor. I suggest the absence of a quorum and I ask unanimous consent that the time be charged equally against both sides.

The PRESIDING OFFICER (Mr. TESTER). Without objection, it is so ordered.

The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SMITH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CASEY). Without objection, it is so ordered.

Mr. SMITH. Mr. President, I ask unanimous consent that morning business be dispensed with, that the Senate resume consideration of H.J. Res. 20, the continuing resolution.

The PRESIDING OFFICER. In my capacity as a Senator from the State of Pennsylvania, I object.

Mr. SMITH. Mr. President, I came to the Senate yesterday to spend several hours speaking to the Senate to describe the loss of a program critical to rural counties in my State. The Secure Rural School and Community Self-Determination Act of 2000 benefits more than Oregon. In fact, there are 38 other States and 700 counties nationwide that are affected. The safety net program it embodies protected 8.5 million schoolchildren, 557,000 teachers, and 18,000 schools from Washington State to California to Mississippi and West Virginia. That safety net was removed through expiration last September.

Last week, I filed an amendment to the continuing resolution that would have extended the Secure Rural School and Community Self-Determination Act by 1 year. This time is needed to keep these 700 counties whole while Congress writes and enacts a longer term program.

Yesterday, I was allowed to speak but not as long as I had hoped to speak. In fairness to other colleagues and at the request of the majority leader, I ended up only taking up a couple of hours. I thought it was necessary yesterday and, still, to describe fairly the severe impacts the expiration of the Secure Rural School Fund will have upon my State and upon many others. Likewise, the amendment tree has been filled to prevent the Senate from considering amendments such as mine.

The CR is critical to my State and others to have this amendment on it simply because of the operation of time. There is one other vehicle coming up—the emergency supplemental—that could also serve to mitigate the damage which is being done. But that bill is not expected to pass until sometime in April. Between now and then, thousands of public employees will be laid off. Public libraries will be closed, public services curtailed, public safety put in jeopardy.

While this bill will keep the Federal Government afloat, the most basic elements of our extended democracy in places such as Oregon will be in peril. That is not fair. It is not something I will condone or bless with my vote on this bill.

I will continue to come to the Senate and speak to this, even after cloture is invoked, to try to appeal to my colleagues that this continuing resolution, which is the continued work product of the 109th Congress, should include this indispensable provision, this funding, that is so vital to the most basic services which Government is called upon to provide.

Some may wonder why we are at this juncture, why it has taken so long, where there has been no action. As a former Member of the majority, I cannot begin to count the numbers of meetings I attended, pleading the case of my State, asking for consideration and being met with warm words but no commitments. My colleague now, Senator WYDEN, is undertaking nobly to do the same thing as a Member of the current majority. Together, we are both committed to doing everything that is possible, that this business not be left undone because it is so critical to the State of Oregon and others.

It affects Oregon disproportionately because the formula for the Secure Rural School and Community Self-Determination Act was based on historic timber levels. Many Americans do not realize that Oregon is over half owned by the Federal Government. The Federal Government created the western expansion in large measure because of the Railroad Act, incentivizing people to go and settle. California had the gold, but Oregon had the green gold in the form of timber, logs, raw material for building homes and structures throughout America and, frankly, throughout the world.

The relationship that was developed between Oregon and the Federal Government was based upon timber. Because local and State governments are constitutionally prohibited from taxing the Federal Government, the Federal Government realized, as the greatest landowner, it had to provide some opportunity for local communities to have things such as schools, paved roads, police officers, and the like, the things which are normally in the general funds of counties. What it did, when the Federal Government would put up timber for sale, it would do it on a bid basis; 75 percent of the money received from bidding Federal timber would come to Washington, DC; 25 percent would go to the local communities. This was in lieu of property taxes because they had no other recourse to tax the Federal Government. This went on for well over 100 years and it worked wonderfully.

But the ethic in the United States has changed as it relates to the harvesting of trees and the extraction of natural resources. The spotted owl was held up as an emblem that its survival was imperiled by the harvesting of trees. After 15 years of the Endangered Species Act listing of the spotted owl, it has now become clear the threat to the spotted owl was not logging; it was, in fact, the barred owl, which is not native to Oregon but which eats the spotted owl. In addition to that because timber harvest was ended on public lands, we now suffer extraordinary nonhistoriclike wildfires that consume millions of acres, destroying spotted owl habitat.

But in all of this, through the decade of the 1990s, President Clinton generously recognized the forest policies he had implemented were doing great harm to rural communities, to timber-dependent towns, so we established the Secure Rural School and Community Self-Determination Act. In establishing that, it made up the difference, a bandaid, if you will, until we could write Federal timber policy in a way that would allow for these communities to survive in the interim.

President Bush was elected to office. He has tried mightily, through the Healthy Forest Initiative, through supporting and, for the first time, funding the Northwest Forest Act, to try to free up timber so the funds are not necessary. But despite his best efforts, the courts and the laws of Congress have prevented that from occurring.

So with the expiration of this act, we desperately need its continuance, its reenactment, as we continue to work to rebalance the environmental and economic equation.

The irony is we are losing spotted owls through natural predation and through catastrophic wildfire. And all of the 30,000 jobs lost in my State—family wage jobs—those have not been replaced and Americans still need timber.

So where do we get our timber? We get it from Canada. Canada has spotted owls as well. But what Canada does to fill the void America created for American consumers is to overcut its lands without near the environmental protections we have on our own forest lands. As a result of that, the question ought to be asked: Does the spotted owl know the difference between the border of the United States and the Canadian border? I believe the answer is no.

As science and evidence is proving more all the time, the peril to the spotted owl is not humankind, it is its own kind, the barred owl, and then, of course, catastrophic wildfire.

Congress needs to live up to this. This is an obligation that comes when the Federal Government, as the biggest land owner, has said you can't cut trees. But when it says you can't cut trees, that comes with a cost. It is a cost with a price, and it is a price which the Federal Treasury owes as a matter of a moral obligation.

The time to act is now. Yes, we can wait for the emergency supplemental, but if we do, much of the damage will already have begun to take place. It is not necessary that we wait. It is necessary that we act now. That is my appeal. That is my message. That will continue to be the reason why I come to the Senate to inform my colleagues of this problem and of this moral obligation. If we can't have the resources in terms of dollars, then allow Oregonians to restore its timber industry so it can produce jobs, produce timber, produce the tax base so these communities can live. It is basic fairness.

The time to show it is now on the continuing resolution, at this time and today.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SMITH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SMITH. Mr. President, I suggest the absence of a quorum and ask unanimous consent that the quorum call be equally divided.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Mr. President, I am out here again today to urge the Senate to pass the bipartisan joint funding resolution that is before us. It is H.J. Res. 20. As I mentioned yesterday evening when I was out here on the Senate floor, President Bush's Transportation Secretary, Mary Peters, testified before us last week that we will see "drastic consequences" if we fail to pass this funding resolution that is now in front of us. We are going to see painful cuts to aviation safety, highway safety, and highway construction. I also can tell my colleagues we will see painful and unnecessary cuts in housing, law enforcement, and veterans health care.

I want to make sure every Senator understands the importance of the vote we are going to have and understands the difference between the continuing resolution that our Government is currently running on and the joint funding resolution, H.J. Res. 20, that we are currently debating.

If we fail to pass H.J. Res. 20, the bill before us, and, instead, extend the current continuing resolution for the rest of this year, we are going to see families across this country lose their housing. We are going to see airline safety inspectors who are furloughed. We are going to see air traffic controllers who will be furloughed, highway construction will be cut, and, as a result, some States are going to have to wait until the next construction season to deal with very critical safety and congestion problems.

In short, failing to pass H.J. Res. 20, the issue before us, we are going to hurt our communities severely. That is why it is so important we pass this resolution, which is a bipartisan bill, that has been very carefully crafted to address the most critical funding shortfalls across our entire Government. We have to pass H.J. Res. 20, and we need to do it this week, by this Thursday.

Communities across our country need more help in fighting crime, and that is one reason we have to pass this joint funding resolution. Without this resolution, without this bill, our State and local law enforcement will be cut by $1.2 billion. The joint funding resolution we have before us will prevent that drastic cut, and our resolution adds money for Byrne grants and COPS grants, providing a $176 million increase over last year for those two programs. That money will go straight to our local communities to help them fight crime.

When I go home and sit down with our law enforcement officials in my home State of Washington, they tell me they need more help from all of us in the Federal Government.

A few months ago, I was out in Yakima, WA, listening to our local law enforcement officials talk about their tremendous efforts to fight meth and gangs. They told me that Byrne grants are absolutely critical to their efforts.

There is a huge difference for Byrne grant funding under a continuing resolution—that we would be under if we do not pass this joint funding resolution—and the joint funding resolution. Under the joint funding resolution, the Byrne Grant Assistance Program is funded at $519 million. That is an increase of $108.7 million over fiscal year 2006. Under our bill, the COPS Program is funded at $541.7 million. That is an increase of $67.9 million over fiscal year 2006.

Those programs are exactly the type of support that our local law enforcement officials need. But they will only get that—they will only get that—if we pass the joint funding resolution that is now before the Senate.

Our resolution also supports national efforts to fight crime. Under a continuing resolution, the FBI would have to lay off 4,000 special agents. Let me repeat that for my colleagues. If we go under a continuing resolution and fail to pass the funding resolution that is before us, the FBI will have to lay off 4,000 special agents.

Now, at a time when violent crime is rising, when robberies are up nearly 10 percent nationwide, when the FBI is working very hard to fight crime, do we really want to lay off 4,000 FBI agents? Of course not. That is why the resolution provides the FBI with an additional $216 million over fiscal year 2006. That means the FBI will not have to lay off those special agents if we pass this funding resolution. If we do not pass H.J. Res. 20, those FBI agents will be furloughed, sitting at home, unpaid, rather than out working to fight crime.

Also the Justice Department's Violence Against Women office is funded at $382.5 million in our resolution. That is nearly $1 million over their funding of fiscal year 2006, critical dollars for a very important initiative to fight violence against women.

The joint funding resolution will also help us to cut off funding to terrorists. The Treasury Department today is working very hard to block the flow of money to terrorists. Last year, Treasury hired new intelligence analysts in that effort. Under a CR, those new analysts would be furloughed. Talk about a step backwards in the fight against terror. Our joint funding resolution, however, ensures that those analysts will stay on the job and keep disrupting terror financing.

In short, we have to pass H. J. Res. 20 so we prevent cuts in local law enforcement, so we prevent the layoffs of thousands of FBI agents, and we keep our Federal law enforcement efforts on track. This vote coming up is very critical. Either you vote to support funding law enforcement at an appropriate level or you are voting to cut funding to your local law enforcement community. That is the choice every Senator will have to make.

America's veterans also have a great deal at stake when the Senate votes on this joint funding resolution. I just came from a hearing with VA Secretary Nicholson this morning. It is absolutely clear to me that we are not doing enough yet to meet the needs of those who have served our country so honorably. Veterans today are facing long lines for health care. Veterans who need mental health care are being told they have to wait to see a doctor. The VA is not prepared for the many veterans who are coming home with serious physical challenges. We need a VA budget for the current year that meets their needs. If we pass a continuing resolution, veterans are going to get less funding and, with it, fewer medical services, less funding for medical facilities, and more delays in getting the benefits they have earned. We owe our veterans more than cuts and delays. Under the joint funding resolution, total funding for VA medical care is $32 billion. That is an increase of about $3.5 billion over the fiscal year 2006 appropriated level.

Let me talk about one other VA account in particular. Under the joint funding resolution we have before us, VA medical services are funded at about $25 billion. That is an increase of $2.965 billion over the fiscal year 2006 appropriated level. That money is going to help our veterans with medical care, including inpatient and outpatient care, mental health care, and long-term care. Under our bill, there is an extra $70 million for the VA's general operating expenses, and some of that money is going to help our Veterans Benefits Administration deal with the massive backlog of benefit claims. The VA has told us they wanted to hire a net of 300 more employees so we can cut down this waiting time all of us are hearing about from our veterans when we go home who can't get the benefits they need. Without the joint funding resolution, the VA will not be able to hire those new employees, and veterans are going to continue to tell us they face long delays for the benefits they have earned and deserve.

I also want to talk about the effect that not passing the joint funding resolution would have on critical programs under my own jurisdiction in the Transportation, Housing, and Urban Development Subcommittee. If we do not pass the joint funding bill, our air traffic controllers are going to be furloughed. Our air safety inspectors will be furloughed. If we fail to pass this bipartisan bill, we are going to see a decline in our ability to provide railroad inspections, pipeline safety inspections, and to make sure we get truck safety inspections across the country. Simply put, if we don't pass this bipartisan bill, the safety of the people we represent is going to be put in danger.

We are also going to feel the consequences in the critical area of housing. If we don't pass this funding resolution, hundreds of thousands of Americans are going to face a housing crisis. In fact, 157,000 low-income people could lose their housing; 70,000 people could lose their housing vouchers; and 11,500 housing units that are housing the homeless could be lost.

Those are only some of the consequences Americans will face if this Congress fails to act in the next 2 days to pass this joint funding resolution. Don't take my word for it. Last Thursday I held a hearing with President Bush's very able Secretary of Transportation Mary Peters. At that hearing, she talked in very clear terms about the consequences of not passing this joint funding resolution. I asked Secretary Peters what it would mean for safety and hiring if we did not pass this joint funding resolution. She said to me:

> [W]e will see a serious decline in the number of safety inspectors: truck safety inspectors, rail safety inspectors, aviation inspectors across the broad range in our program.

That is directly from the Transportation Secretary.

Does any Senator want to be responsible for voting for a serious decline in the number of truck safety inspectors, rail safety inspectors, aviation safety inspectors? How would you ever explain that to your constituents, that you voted to undermine their safety as they travel by car or train or plane?

We also need to pass this joint funding resolution because without it, our States will not be able to address their most pressing highway, bridge, and road problems. In fact, Secretary Peters, President Bush's Transportation Secretary, warned us last week that some States could miss an entire construction season if we do not pass this bill this week. She said:

> It is especially important to those States who have a construction season that will be upon us very, very shortly, and if they are not able to know that this funding is coming and be able to let contracts accordingly we could easily miss an entire construction season.

All of us better recognize that our constituents are going to feel the impact of this vote on their roads and bridges and highways if we do not pass the joint funding resolution. The bill before the Senate provides an additional $3.75 billion in formula funding for our Nation's highway and transit systems. That funding will serve to create almost 160,000 new jobs; and it will help us alleviate congestion, an issue many of us face in our States. It is going to be an important infusion of cash for the States to address their needs.

I ask unanimous consent that a table that has been provided to me by the Federal Highway Administration which displays the highway funding increases that will be seen by each of our States be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF TRANSPORTATION, FEDERAL HIGHWAY ADMINISTRATION—COMPARISON OF ACTUAL FY 2006 OBLIGATION LIMITATION AND ESTIMATED FY 2007 OBLIGATION LIMITATION INCLUDING REVENUE ALIGNED BUDGET AUTHORITY

[Including takedowns for NHTSA Operations and Research]

State	Actual FY 2006 obligation limitation	Estimated FY 2007	Delta
Alabama	$535,056,170	$600,869,788	$65,813,618
Alaska	228,288,252	270,731,918	42,443,666
Arizona	499,506,758	593,277,405	93,770,647
Arkansas	330,837,555	381,949,909	51,112,354
California	2,381,267,388	2,680,526,468	299,259,080
Colorado	338,198,419	400,663,892	62,465,473
Connecticut	376,937,736	402,325,874	25,388,138
Delaware	104,178,113	121,131,724	16,953,611
District of Columbia	112,407,878	123,804,359	11,396,481
Florida	1,289,559,918	1,544,927,499	255,367,581
Georgia	940,654,903	1,067,010,791	126,355,888
Hawaii	120,644,520	127,596,268	6,951,748
Idaho	197,536,278	222,829,360	25,293,082
Illinois	898,006,320	1,010,811,302	112,804,982
Indiana	661,150,145	775,353,318	114,203,173
Iowa	288,499,793	330,589,700	42,089,907
Kansas	292,376,091	309,772,956	17,396,865
Kentucky	460,544,276	520,949,132	60,404,856
Louisiana	404,683,450	474,862,364	70,178,914
Maine	128,192,073	136,355,671	8,163,598
Maryland	418,246,584	490,032,577	71,785,993
Massachusetts	466,003,994	501,926,732	35,922,738
Michigan	828,533,266	909,761,902	81,228,636
Minnesota	425,664,013	485,442,279	59,778,266
Mississippi	310,973,491	367,059,847	56,086,356
Missouri	618,465,606	711,268,494	92,802,888
Montana	255,215,718	287,386,573	32,170,855
Nebraska	197,252,237	223,867,736	26,615,499
Nevada	172,076,917	210,350,302	38,273,385
New Hampshire	130,407,725	137,769,576	7,361,851
New Jersey	695,744,922	822,265,394	126,520,472
New Mexico	250,952,902	290,194,749	39,241,847
New York	1,292,715,319	1,366,155,757	73,440,438
North Carolina	755,312,308	872,183,722	116,871,414
North Dakota	166,994,190	189,098,718	22,104,528
Ohio	951,965,833	1,109,710,100	157,744,267
Oklahoma	413,931,430	459,904,524	45,973,094
Oregon	299,292,210	347,410,836	48,118,626
Pennsylvania	1,287,067,418	1,357,719,130	70,651,712
Rhode Island	134,484,666	154,154,462	19,669,796
South Carolina	424,589,865	511,384,433	86,794,568
South Dakota	174,696,675	202,845,805	28,149,130
Tennessee	572,103,666	672,761,834	100,658,168
Texas	2,183,334,526	2,574,558,747	391,224,221
Utah	190,146,092	220,645,255	30,499,163
Vermont	115,678,528	129,379,891	13,701,363
Virginia	697,407,933	830,852,486	133,444,553
Washington	448,545,807	519,595,013	71,049,206
West Virginia	285,867,458	325,592,845	39,725,387
Wisconsin	520,781,728	586,036,437	65,254,709
Wyoming	174,357,693	207,256,184	32,898,491
Subtotal	26,447,336,756	30,170,912,038	3,723,575,282
Allocated programs	9,103,451,278	8,794,320,215	−309,131,063
Total	35,550,788,034	38,965,232,253	3,414,444,219

Amounts include formula limitation, special limitation for equity bonus and Appalachia Development Highway System. Amounts exclude exempt equity bonus and emergency relief.

Allocated programs amount reflect NHTSA transfer of $121M.

Mrs. MURRAY. It is very important that we each understand the impact of not passing this joint funding resolution with the additional $3.75 billion in funding formula to each and every one of our States.

The failure to pass this resolution is also going to have a painful impact on hundreds of thousands of Americans when it comes to housing. In this bipartisan bill, we worked to make sure our vulnerable families would not be thrown out in the streets or face out-of-reach rent increases. We provided critical support for section 8 homeless assistance grants, housing equity conversion loans, HOPE VI, and public housing operating funds. If we do not pass this joint funding resolution and continue on a CR, that would mean housing vouchers are going to be lost, many of our low-income residents will become homeless, renters will be displaced or face unaffordable rent increases, and many of our seniors are going to lose a valuable source of equity. And importantly, efforts to replace deteriorating public housing units will be eliminated.

Clearly, for all I have walked through, the consequences of not passing the joint funding resolution are going to be severe for some of our country's most vulnerable families. It is clear that our communities across the board are going to pay a very high price unless we pass H.J. Res. 20 before us. I urge my colleagues to vote to allow our low-income families to keep a roof over their heads. I urge my colleagues to vote to keep our safety inspectors on the job, to keep highway construction projects moving forward, to help our local law enforcement fight crime, and I urge Senate colleagues to vote to give our veterans the care and benefits they have earned.

I urge my colleagues to support H.J. Res. 20; otherwise, you will have to tell your veterans and your police officers, your commuters, your air traffic controllers, your public housing tenants, your housing advocates, and your airline passengers, pilots, and flight attendants why you voted against them.

I urge my colleagues this afternoon to vote for cloture and then allow us to finish H.J. Res. 20 so we can put the funding in place that is sorely needed in every area in our local communities and for the people we represent.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. KOHL. Mr. President, I ask unanimous consent that I be recognized for up to 5 minutes, and that following my remarks, the remaining time until 12:30 p.m. be provided to the Republican side.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KOHL. Mr. President, today I have the unenviable task of encouraging my colleagues to support the continuing resolution that lies before the Senate. Loading all of the unfinished bills from last year into a continuing resolution that barely funds programs at adequate levels is not my idea of a job well done by the Senate. The Senate should have worked its will last year and passed these bills separately before the end of the fiscal year. But that is now water under the bridge. Our task today is to finish off this process so that we can move forward with a fresh start in a new year.

The continuing resolution before us is a stripped down, bare bones version of a funding bill. It contains no earmarks—not a one. It provides the minimum funding needed to protect our rural communities, and keep our farming economy going. It provides support for critical research that helps keep our agriculture sector productive and put food on our tables—but we have left it up to the USDA to apportion these funds. Critical efforts to protect rural drinking water and grow rural housing were also maintained. In short, we did the best we could to protect rural America, save small farms, and maintain a safe and reliable food supply.

I understand that some Members may not be happy with some of the difficult choices that we had to make. But the alternative is much worse. Continuing to live under the current funding agreement would have been devastating to rural America, agribusiness, and would have shaken consumers' faith in the food they buy at the local grocery store.

Without this continuing resolution, the Food Safety and Inspection Service would not have enough funds to get through the rest of the year. Without it, FSIS would have to lay off employees beginning in September. Without inspectors, 6,000 meat and poultry facilities would be shut down across the country. Do any of my colleagues want to explain to their constituents why they can't buy meat during the month of September? Without this CR, 700,000 people connected to the food industry will be laid off once the USDA can no longer inspect the meat produced in this country.

The proposal before us may not be perfect, but I believe it is a better alternative than endangering our food supply.

The cuts threatened by the current funding agreement will hurt more than just our grocery shopping habits. They will also be felt in doctor's offices and hospitals around the country. Continuation of the current CR will force the Food and Drug Administration to lay off 652 personnel. Some of these employees have the job of approving new medical devices. Does the Senate really want to force patients to wait up to 20 percent longer for the medical care that will help them recover? Does the Senate really want to stand in the way of these kinds of life and death decisions?

Sometimes in this body we can get caught up in the dollars and cents of the decisions we make, and lose track of the impact our votes have on real peoples lives. I understand that there are many of my colleagues that are concerned about the budget deficit. I am as well. I came to the Senate when there were record deficits, and we took difficult votes to get this country back into financial shape and create budget surpluses. I know what it takes to balance a budget. But not funding food inspections and delaying life saving medical care is not the way we should balance the budget. We have a responsibility to protect the health and welfare of the people back home. The current CR fails to fulfill that mission, but the bill we are going to pass succeeds.

Mr. President I yield the remainder of the time to my colleague from Texas.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, inquiry: Can you advise me how much time remains in morning business on both sides?

The PRESIDING OFFICER. The Republicans now control 16 minutes.

Mr. CORNYN. I thank the Chair. I thank the Senator from Wisconsin for his courtesy.

Mr. President, I would like to speak for no more than the next 10 minutes. If the Chair will advise me after the expiration of that time, then I will yield to the senior Senator from Texas.

The House passed a continuing resolution that is before the Senate. In fact, it is a $464 billion omnibus spending bill that makes major policy changes and shifts billions of dollars away from important national priorities.

The omnibus, I believe, is a flawed proposal and should be fixed before it becomes law, which means that amendments should be offered and voted on by the Senate.

Unfortunately, the majority leader has decided not to allow the usual process for amendments to be offered and voted on to occur and, in fact, has blocked those amendments, and it is unlikely we will have an opportunity to improve this Omnibus appropriations bill before it is voted on.

We have several amendments we are prepared to offer on this omnibus bill, if allowed to do so, which I do believe would measurably improve it. While our colleagues on the other side of the aisle have pledged, as we have, to support our troops, this bill will delay the return of many U.S. troops from overseas. We are prepared to offer a budget-neutral amendment to restore more than $3 billion in funding for the U.S. military. More than 12,000 American troops serving overseas will be unable to come home if the plan on the floor now becomes law without any amendments. The barracks necessary to house these returning troops will not be funded in this spending plan.

To have the majority not allow the Senate to vote on the proposed amendment which would restore this funding and support our troops and to prevent our troops from coming home to the facilities they need in order to accommodate them, to me, is simply a bad way to do business and is difficult for me to explain to my colleagues and my constituents back home.

The majority promised not to change policy through a spending bill but now have eliminated a bipartisan baby AIDS prevention program. We have an amendment by Senator COBURN that will ensure that more than $30 million dedicated to this lifesaving baby AIDS program is not blocked by this omnibus.

We were also told by the majority they believe in earmark reform, special projects that are funded through an earmark in the budget process, but they are in this Omnibus appropriations bill allowing what I would call back-door earmarking.

We have an amendment we are prepared to offer that would protect taxpayers' funds by guaranteeing that the omnibus is truly earmark free and by preventing back-room deals to fund wasteful programs after this bill is passed.

Finally, in a general sense, talking about the kinds of amendments that need to be offered and voted on on this bill, the majority promised to be sensitive to those who are in the most need of assistance, but this Omnibus appropriations bill takes money from crime victims, $1.2 billion, and spends it on other Government programs. This is simply, I believe, a bad way to do business and I think is inconsistent with the spirit of bipartisanship with which this Congress started with the work we have been able to do on lobby and ethics reform, on minimum wage, and small business tax and regulatory relief.

I also have two other amendments I would like to call up to this bill that I wish to mention briefly, but unfortunately, as I already mentioned, the majority leader has seen fit to deny any Senator the opportunity, in this the world's greatest deliberative body, to even offer any additional amendments. Nevertheless, I wish to take a moment to highlight them.

The first amendment would restore funding to the Department of Energy's FutureGen Program and do so without busting the budget. FutureGen, as my colleagues know, is a demonstration project launched by President Bush in 2003 to test new technology in refining coal in generating electricity. If successful, FutureGen technologies could help lower energy costs, increase domestic energy resources, and eliminate harmful air pollutants.

On the Senate floor, we talk a lot about ending our reliance on foreign sources of energy, as well as our need to produce energy in the cheapest way possible.

The Omnibus appropriations bill that is on the floor, to which we are being denied an opportunity to offer amendments, pulls the carpet from under the FutureGen Program which seeks to address both of those needs.

Solutions to our energy future must be made by utilizing a variety of technologies, both traditional and new, innovative technology. We cannot turn our back on our most abundant domestic resource, coal, but we can make sure that the kind of innovation and research that this FutureGen project is designed to do can make sure we can use that domestic energy resource in a way that is entirely consistent with our universal desire to have a clean environment.

One other amendment I would offer would restore the cuts that the omnibus bill makes from the U.S. Marshals Service. This amendment also does not bust the budget. The Omnibus appropriations bill shortchanges the men and women in the U.S. Marshals Service who are on the frontlines protecting the safety of our Federal judges and our court personnel.

Every day the Marshals Service protects more than 2,000 sitting Federal judges, as well as other court officials, at more than 400 courthouses and facilities across the Nation. The protection of our Federal judges by the U.S. Marshals Service is one of the most important and perhaps least-recognized assignments in law enforcement. But a disturbing trend is afoot. Increasingly, judges, witnesses, courthouse personnel, and law enforcement personnel who support them are the subject of violence simply for carrying out their duties.

We can all agree that the safety of our men and women who serve in these important law enforcement capacities deserve the proper funding necessary for them to do their job.

Mr. President, I regret, more with a sense of disappointment than anger, the fact that the majority leader has denied us an opportunity to offer amendments on any of these priorities, matters which I think we can all agree deserve our consideration and close scrutiny. But given the fact that, rather than the bipartisan cooperation we were promised at the outset of this Congress, we are seeing basically a my-way-or-the-highway approach to this Omnibus appropriations bill, not only are our troops not going to get the $3.1 billion that is necessary to provide housing and assets for them to return home, but we know clean coal-burning technology and research is going to be denied and put off, pushed down the road with harm to our Nation and, finally, we know the U.S. Marshals Service, responsible for protecting our Federal judiciary, is going to be denied the resources they need to do their job.

This is simply not the right way to do business, certainly not in the bipartisan spirit which we were promised at the outset of this Congress. I hope that the majority leader will reconsider and allow us to offer amendments and have an up-or-down vote on each of these amendments.

I yield the floor.

Mrs. HUTCHISON. Mr. President, how much time remains in morning business?

The PRESIDING OFFICER. A little less than 7½ minutes. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that I be notified at 3½ minutes, and I will then leave the rest of our time for the distinguished Senator from South Carolina.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. HUTCHISON. Mr. President, I am very troubled by this process. We are taking up a $463 billion appropriations bill. There is no amendment on the House side and no amendment on the Senate side being allowed. We are going to cloture with no capability of amendments. Yet the deadline for this bill is February 15. We have several days in which we could offer amendments, debate amendments, and go back to the House, if we set our minds to doing it. And if there was a true bipartisan spirit, we would be able to do that.

It has been said we didn't pass these appropriations bills last year, and that is correct. We didn't for a variety of reasons, some of which was obstruction from the other side and some of which was obstruction on this side. I understand that. But now we are where we are. We have been here before.

When the Republicans took control in 2003, after the Democrats had the majority, we didn't put a continuing resolution forward for the 11 appropriations bills that had not been passed. We put forward an Omnibus appropriations bill, a bill that was amendable. There were, in fact, 100 amendments offered. There were 6 days of debate, and the bill was passed with mostly Democratic amendments.

I do think, in a sense of fairness, that is what was expected when the majority switched, that we would have an Omnibus appropriations bill with some reasonable number of amendments. Our leadership certainly offered a limited number with a limited time for debate. We wouldn't have had to have a cloture vote if we had been able to have that open dialog, but we didn't. Now we have a $463 billion bill, in which $3 billion has been taken out of what this Congress passed last year for military construction to prepare for the base closing law we passed and to implement that on the deadline we made, which was 6 years. There was a request for $5.6 billion that was necessary for us to bring 12,000 troops home this year and to go forward with the rest of the appropriations for the troops coming home from overseas, and $3 billion was taken out of the bill that has passed and put into other priorities with no hearings and no amendments allowed on the floor.

I don't see that is in any way able to be described as fair, bipartisan. It is not the way we ought to do business in the Senate.

So here we are taking $3 billion from our military accounts and putting them into accounts throughout the Federal Government. I cannot think of anything more important than making sure our troops, when they come home from overseas, have living conditions and training facilities that we are trying to provide for them. The reason we are moving them home from overseas is to give them better training facilities. That is what the bulk of the $3 billion is going to do, and that is why we need to stop cloture on this bill, offer one or two amendments and send the bill to the House. We have plenty of time to work out something so simple.

The PRESIDING OFFICER. The Senator is at the 3½-minute mark.

Mrs. HUTCHISON. Mr. President, I urge my colleagues: Do not vote for cloture on this bill yet. We will have plenty of time to fund the other priorities in the bill, but we can also add amendments. This is the Senate. There are 100 Members, and we should have a say in a $463 billion omnibus appropriation.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. DEMINT. Mr. President, I rise today to speak about my amendment No. 253 that I would like to offer to the fiscal year 2007 omnibus spending bill.

My amendment seeks to strengthen the provisions in section 112 dealing with earmarks. According to the sponsors, the goal of this section is to turn off the hidden earmarks for this year's spending, but, unfortunately, it does not achieve that goal.

First, the language in H.J. Res. 20 say—on page 9—that hidden earmarks shall have no "legal effect," but it does not clearly state that hidden earmarks shall have no guiding effect. These earmarks already have no legal effect. The point of this section was not to restate current law, but rather to make it clear that hidden earmarks have no effect, legal or otherwise.

As my colleagues know, over 95 percent of all earmarks are not even written into our appropriations bills. If we don't fix the language in this resolution we are debating today, all of these earmarks could continue. It is not certain that they will but they could and that is something we should fix to protect American taxpayers.

Our Federal agencies need to understand that hidden earmarks mean nothing and should be completely ignored in their decisionmaking. Our Federal agencies need to spend American tax dollars in ways that meet their core missions and serve true national priorities. Federal agencies should not feel pressure to fund special interest earmarks written by the powerful lawmakers who may cut their funding in retaliation.

Second, the language in H.J. Res. 20 applies to hidden earmarks in the fiscal year 2006 committee reports, but it does not turn off the hidden earmarks buried in committee reports prior to 2006 or those after it. In addition, the language does not turn off earmarks that may be requested through direct communications between lawmakers and our Federal agencies, either by phone or in private emails.

I understand that the Democratic leader is not going to allow any amendments. The Democratic leader scheduled this debate right before the Government's current funding expires so we will all be forced to accept it. This practice has been going on for years, and I am afraid it has become very destructive.

We are going to vote on whether to cut off debate on this measure today at 2:30 p.m. and I will be forced to oppose that motion. Since the Democratic leader has blocked me and other Senators from getting votes on our amendments, I cannot in good conscience vote to cut off debate. My amendment makes small changes to this resolution that would greatly improve its integrity, and there is still time to send this measure back to the House for its approval.

I also want to make it clear that while we have a responsibility in this body to address hidden earmarks in this resolution, the President also has a responsibility to do his part. In a letter that I sent last week, I called on him to instruct his agencies to ignore all earmark requests that do not have the force of law, and I believe he will. He said in the State of the Union Address this year that:

> Over 90 percent of earmarks never make it to the floor of the House and Senate—they are dropped into committee reports that are not even part of the bill that arrives on my desk. You didn't vote them into law. I didn't sign them into law. Yet, they're treated as if they have the force of law. The time has come to end this practice.

It appears as though our Federal agencies are beginning to follow through on the President's directive. Last week, a memo was circulated at the Department of Energy that said:

> Because the funding provided by H.J. Res. 20 will not be subject to non-statutory earmarks and the President's policy on earmarks is clear, we must ensure that the Department only funds programs or activities that are meritorious; the Department itself is responsible for making those determinations.

This is a great sign of progress and I hope other agencies will circulate their own memos to this effect. Our agencies have been under the thumb of powerful appropriators for so long, it may be difficult for them to transition to a world without earmarks. But that is what they must do because that is what the American people expect. Americans want their Federal tax dollars to be spent in competitive ways that meet the highest standards. If a project is going to get Federal funding, they expect—just like with a Federal contract—that the money go to the project with the most merit regardless of whose State or district it is in.

We are making great progress on reforming our budget process and reducing earmarks, and I urge my colleagues to help us continue this progress and win back the trust of the American people.

Mr. President, I wish to make a few additional comments about my amendment No. 253 to the fiscal year 2007 omnibus spending bill. This is an amendment that would strengthen a provision in the bill that is under section 112. This gets back to the earmark discussion. The Senate can be proud of the debate and the votes we have taken to disclose earmarks and to eliminate the hidden earmarks that have been added in conference for years. Unfortunately, the language in this omnibus bill continues the status quo. It says that earmarks have no legal effect. It does not take the debate we have all agreed on and make it a prohibition that earmarks cannot be added in conference.

We know that 95 percent of earmarks are in report language. They do not have the force of law. Yet, through intimidation and other ways, Congress has been able to get the executive branch to follow through on these earmarks for years. My amendment would simply go back to what we have already agreed on as a Senate and prohibit these wasteful, hidden earmarks that waste billions of taxpayer dollars every year from being included in report language.

I am encouraged that the White House is responding. We have a memo that the Energy Department sent out last year to its managers telling them not to give preferential treatment to nonbinding, nonlegal congressional earmarks; that earmarks should be meritorious, as they said in their memo, before they are considered. This would free up all the Federal agencies to focus their spending and their time on Federal priorities, not just specific special interest earmarks that a Member of Congress happens to attach to a bill.

I understand the majority leader is not going to allow any amendments. That is very regrettable, particularly since it leaves out something on which I think we all agree.

The cloture motion we have been asked to vote on at 2:30 is a motion to cut off debate. That means we can no longer talk about the provisions in ways that could improve this bill. For that reason, I am going to have to vote against cloture and hope the majority leader will reconsider, particularly amendments like this which are easy and which this Chamber has already voted unanimously to support.

Mr. President, with that, I yield back.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate will stand in recess until the hour of 2:15 p.m.

There being no objection, the Senate, at 12:30 p.m., recessed until 2:14 p.m. and reassembled when called to order by the Presiding Officer (Mr. CARPER).

MAKING FURTHER CONTINUING APPROPRIATIONS FOR THE FISCAL YEAR 2007

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.J. Res. 20, which the clerk will report by title.

The assistant legislative clerk read as follows:

A joint resolution (H.J. Res. 20) making further continuing appropriations for the fiscal year 2007, and for other purposes.

Pending:

Reid Amendment No. 237, to change an effective date.

Reid Amendment No. 238 (to Amendment No. 237), of a technical nature.

Motion to recommit the bill to the Committee on Appropriations, with instructions to report back forthwith, with Reid Amendment No. 239, to change an effective date.

Reid Amendment No. 240 (to the instructions of the motion to recommit), of a technical nature.

Reid Amendment No. 241 (to Amendment No. 240), of a technical nature.

The PRESIDING OFFICER. Under the previous order, the time until 2:30 will be equally divided between the two leaders or their designees.

Who yields time? The Senator from West Virginia.

Mr. BYRD. Mr. President, I can do this, I think in 5 or 6 minutes. I yield myself such time as I may consume. Am I recognized?

The PRESIDING OFFICER. The Senator is recognized.

Mr. BYRD. Mr. President, today is the 136th day of fiscal year 2007. It is past time to complete the remaining nine fiscal year 2007 appropriations bills. Agencies have limped along through October, November, December, January, and half of February based on a very restrictive continuing resolution. Thirteen of the fifteen departments do not know how much money they will have for a fiscal year that is now one-third gone, one-third over.

This is a deplorable way to run a government, any government, specifically the Federal Government—this Government.

Under the existing continuing resolution, our veterans hospitals are confronting the need to deny health care to 500,000 veterans and to force 850,000 veterans to wait longer for their care. H.J. Res. 20 includes an increase of $3.6 billion to solve the problem. On this, the 136th day of fiscal year 2007, it is time to act.

Under the existing continuing resolution, the Social Security Administration is facing longer lines for approving benefits, and furloughs of employees. The 1-800 Medicare call centers, which have received over 35 million calls from the elderly with questions about their coverage, will have to shut down for the final months of the fiscal year. H.J. Res. 20 solves those problems. It is time to act.

Under the existing continuing resolution, the Department of Defense will have to delay elective surgeries, nonemergency care, and increase the cost of some pharmaceuticals for Active-Duty members, their families, and retirees. H.J. Res. 20 includes an increase of $1.4 billion to solve the problem. It is time to act.

Under the existing continuing resolution, funding for highways and transit is frozen at fiscal year 2006 levels, putting 160,000 jobs at risk. H.J. Res. 20 fully funds the highway and transit guarantees. It is time to act.

Under the existing continuing resolution, no funds are provided to the Department of Defense to build the facilities needed to bring our troops back home from Europe. H.J. Res. 20 includes $1 billion to solve that problem. It is time, again I say, to act.

According to the White House Office of the Global AIDS Coordinator, under the existing continuing resolution 110,000 to 175,000 people will likely die of HIV-related causes. H.J. Res. 20 includes a $1.4 billion increase to help HIV victims. It is time to act.

H.J. Res. 20 complies with the $872.8 billion statutory cap on spending. It contains no earmarks and, I should say, eliminates 9,300 prior earmarks.

Hallelujah. It eliminates 9,300 prior earmarks.

H.J. Res. 20 cuts 125 accounts below fiscal year 2006 levels and freezes 450 accounts at the 2006 level. H.J. Res. 20 is tough, it is disciplined, and it addresses critical needs. It is time to act.

I urge Members to vote aye on the cloture motion and on the resolution.

Mr. President, how much time do we have remaining?

The PRESIDING OFFICER. The Senator has about 4 minutes remaining.

Mr. BYRD. I thank the Chair. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLOTURE MOTION

Under the previous order, the clerk will report the motion to invoke cloture.

The assistant legislative clerk read as follows:

Cloture Motion

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close the debate on Calendar No. 18, H.J. Res. 20, Continuing Funding resolution.

Robert C. Byrd, Sherrod Brown, Joe Lieberman, Pat Leahy, Patty Murray, John Kerry, Barbara A. Mikulski, Dick Durbin, Ken Salazar, Jack Reed, Tom Harkin, Dianne Feinstein, H.R. Clinton, Mary Landrieu, Herb Kohl, Carl Levin, Byron L. Dorgan, Ben Nelson.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on H.J. Res. 20, making further continuing appropriations for fiscal year 2007, and for other purposes, shall be brought to a close? The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN) and the Senator from South Dakota (Mr. JOHNSON) are necessarily absent.

Mr. LOTT. The following Senator was necessarily absent. The Senator from Kansas, Mr. BROWNBACK.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 71, nays 26, as follows:

[Rollcall Vote No. 46 Leg.]

YEAS—71

Akaka
Baucus
Bayh
Bennett
Bingaman
Bond
Boxer
Brown
Bunning
Burr
Byrd
Cantwell
Cardin
Carper
Casey
Chambliss
Clinton
Cochran
Coleman
Conrad
Corker
Craig
Crapo
Dodd
Domenici
Dorgan
Durbin
Enzi
Feingold
Feinstein
Grassley
Harkin
Inouye
Isakson
Kennedy
Kerry
Klobuchar
Kohl
Landrieu
Lautenberg
Leahy
Levin
Lieberman
Lincoln
Lott
Lugar
McCaskill
McConnell
Menendez
Mikulski
Murkowski
Murray
Nelson (FL)
Nelson (NE)
Obama
Pryor
Reed
Reid
Rockefeller
Salazar
Sanders
Schumer
Shelby
Specter
Stabenow
Sununu
Tester
Thune
Vitter
Webb
Whitehouse

NAYS—26

Alexander
Allard
Coburn
Collins
Cornyn
DeMint
Dole
Ensign
Graham
Gregg
Hagel
Hatch
Hutchison
Inhofe
Kyl
Martinez
McCain
Roberts
Sessions
Smith
Snowe
Stevens
Thomas
Voinovich
Warner
Wyden

NOT VOTING—3

Biden
Brownback
Johnson

The PRESIDING OFFICER. On this vote, the yeas are 71, the nays are 26. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Mrs. MURRAY. I move to reconsider the vote.

Mr. DURBIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Georgia.

RELATIVE TO THE DEATH OF REPRESENTATIVE CHARLES W. NORWOOD, JR., OF GEORGIA

Mr. ISAKSON. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 79, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution.

The assistant legislative clerk read as follows:

A resolution (S. Res. 79) relative to the death of Representative Charles W. Norwood, Jr., of Georgia.

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable Charles W. Norwood, Jr., late a Representative from the State of Georgia.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof tot he family of the deceased.

Resolved, That when the Senate adjourns or recesses today, it stand adjourned or recessed as a further mark of respect to the memory of the deceased Representative.

There being no objection, the Senate proceeded to consider the resolution.

Mr. ISAKSON. Mr. President, I ask unanimous consent that the resolution be agreed to and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The resolution (S. Res. 79) was agreed to.

Mr. ISAKSON. Mr. President, I ask unanimous consent that Senator CHAMBLISS and I, from Georgia, be recognized for a few minutes to pay tribute to Representative NORWOOD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Georgia.

Mr. ISAKSON. Mr. President, first of all, I thank Leader REID and Leader MCCONNELL for bringing this resolution forward in a very timely fashion. We learned during the lunch hour today that Representative CHARLIE NORWOOD of Georgia passed away, a victim of cancer.

CHARLIE had been fighting valiantly that disease for over 3 years, having a lung transplant, and, unfortunately—after the transplant's success for a year and CHARLIE doing well—cancer occurred in one lung and then transferred to his liver.

His wife Gloria has been an absolutely wonderful human being, seeing to it that CHARLIE continued to do his work in the House of Representatives, even though suffering greatly from the effects of the cancer that reoccurred.

CHARLIE NORWOOD was elected in 1994 and was a classmate and fellow representative with many of us here—Senator COBURN, Senator GRAHAM, Senator LINCOLN, Senator CHAMBLISS, and myself.

On behalf of all of us who have had the chance to serve with CHARLIE NORWOOD, we today pay tribute to his life, the great accomplishments he made on behalf of his district, and his untiring effort to bring about quality, affordable health care within the reach of every single American.

He will be remembered for many things: his tenacity, his great sense of humor, his commitment to his district, and to his people. But from a political standpoint and a service standpoint, he will be remembered for Norwood-Dingell, the legislation that laid the groundwork for reforms in health care that even go on at this day.

So as a Member of the Senate from Georgia, as a personal friend of CHARLIE NORWOOD and his beautiful wife Gloria, and as one who is so thankful for the contributions he made to my State, to me as an individual, and to this body, I pay tribute to CHARLIE NORWOOD, pass on the sympathy and the condolences of my family to his wife Gloria and his many friends.

And again, I repeat my thanks to Senator MCCONNELL and Senator REID for their timely recognition of the passing of CHARLIE NORWOOD.

It is my pleasure now to, with unanimous consent, recognize Senator CHAMBLISS from Georgia.

The PRESIDING OFFICER (Mrs. MCCASKILL). The Senator from Georgia is recognized.

Mr. CHAMBLISS. Madam President, I thank my friend and colleague from Georgia for those very generous and kind words about our mutual friend.

I rise today to pay tribute to a guy who has been a great inspiration not just for the last 3 years when he has so bravely fought the deadly disease that ultimately got him—cancer—but CHARLIE NORWOOD and I were elected to Congress together in 1994.

CHARLIE was one of those individuals who came to Congress for the right reason; that is, to make this country a better place for our generation as well as for future generations to live.

CHARLIE worked every single day to make sure he could personally do everything he could as a Member of the House of Representatives to make this country better.

CHARLIE grew up a Valdosta Wildcat. Now, to people in this body that may not mean a whole lot, but to anybody who lives in our great State, growing up a Valdosta Wildcat and playing for the Wildcat football team is a very special asset.

Valdosta is a very unique town down in my part of the State, down in the very southern part of our State. The football lore of Valdosta is second to no other community in the country.

CHARLIE loved his Valdosta Wildcats. He and I used to sit on the floor of the House every now and then, particularly during football season, and talk about his days of growing up. My hometown of Moultrie is the biggest football rival of Valdosta.

CHARLIE loved life. He loved things like football. He also loved his family. He was the proud husband of Gloria Norwood, who is one more great lady, and he had two sons and several grandchildren.

CHARLIE used to take his grandchildren to Atlanta every year at Thanksgiving, used to take the girls. He would let those girls have the run of a very nice hotel in Atlanta to do whatever they wanted, including CHARLIE NORWOOD, a mean, gruff, old dentist from Augusta, GA, sitting down in the afternoon and having tea with his granddaughters. He was, indeed, a very special person, a guy who loved his country, loved his State, loved his family, and really cared about what is best for America.

One anecdote about CHARLIE I will never forget. He and I became good friends during the 1994 campaign. We both signed the Contract with America. We ran on the Contract with America. One provision in there was requiring an amendment to the Constitution calling for the Federal budget to be balanced. CHARLIE and I both felt very strongly about that. We were sitting on the floor of the House of Representatives one night together, as we were debating and voting on the amendment to the Constitution calling for a balanced budget, and as the numbers in favor of the bill grew and grew, the roar within the Chamber itself got louder and louder. It took 397 votes to reach the point where the balanced budget amendment would pass, and when it hit 350, the roar got louder. It hit 360. Finally, it hit 397. CHARLIE looked over at me and said: SAX, that is why we came here. He was that kind of person who truly cared about his country and the principles for which he stood.

He was a man who will truly be missed, as my colleague, Senator ISAKSON, said, for his ideas on health care. He truly believed that every person who received health care treatment in this country ought to have the ability to look their physician in the eye and make sure they had the right to choose the physician from whom they were receiving medical services. It is only fitting that CHARLIE's Patient's Bill of Rights was reintroduced in the House in the last several days. I look forward, hopefully, to Congressman DINGELL taking up that bill and debating that bill. It was a controversial bill then. It will be controversial again. But just because CHARLIE NORWOOD felt so strongly about it, I am hopeful we will see some movement on that bill.

As I wind down, I have such fond memories about CHARLIE from a personal standpoint. But most significantly, the great memories I will always have about CHARLIE NORWOOD are about his commitment to America, his commitment to freedom, his commitment to the men and women who wear the uniform of the United States, of which he was one—he was a veteran of Vietnam—and about the great spirit CHARLIE NORWOOD always brought to every issue on the floor of the House of Representatives. He was a great American. He was a great Member of the House of Representatives. He was a great colleague. He was a great friend who will be missed.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

MAKING FURTHER CONTINUING APPROPRIATIONS FOR THE FISCAL YEAR 2007—Continued

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that I be allowed to speak for up to 20 minutes on the continuing resolution.

The PRESIDING OFFICER. The Senator has that right.

Mr. ALEXANDER. Thank you, Mr. President.

A few days ago, I came to the floor deeply concerned because someone, someone over in the House of Representatives—first, let me ask the Chair, will you please give me a minute's notice when my 20 minutes is up?

The PRESIDING OFFICER. At the conclusion of 19 minutes, the Senator will be given notice.

Mr. ALEXANDER. Thank you very much.

Someone over in the House of Representatives, before they sent that continuing resolution or joint funding resolution over here, had taken the Teacher Incentive Fund, which was to be funded at $100 million a year, and reduced it to $200,000. In other words, they killed the funding. I couldn't imagine someone would do that on purpose, and so I came here to say so. I know it was a confusing time and there were lots of different priorities to be met. Perhaps, in the difficulty of putting together the joint funding resolution, it was just a slip-up. I said I hoped it wasn't the signal of what the new Democratic majority's education policy would be because I couldn't imagine the new Democratic majority—or the old Democratic minority, for that matter—or any of us on either side being against the Teacher Incentive Fund.

What the Teacher Incentive Fund does is almost the most crucial thing we need to do in helping our schools succeed. It makes grants to States and cities that are doing the best work in trying to find fair ways to reward outstanding teaching and to reward good principals. Every education meeting I go to, and I have been going to them for years, that ends up being the No. 1 thing we need to do. First are parents, second are teachers and principals, and everything else is about 5 percent. In other words, a child who has a head start at home is a child who is going to get an education almost no matter what else happens. But if you add an outstanding teacher and an outstanding principal to whatever happens at home, the school is better and the classroom is better and the child succeeds. This is especially true for low-income children in America, which is exactly what the Teacher Incentive Fund is designed to meet.

Well, I wasn't disappointed because within 5 minutes after I began, the distinguished Senator from Illinois, Mr. DURBIN, the assistant Democratic leader, came on the floor, and I think I am being fair in characterizing his remarks when he said: Whoa, wait a minute. This is a good program. In fact, I just received a call this afternoon, said Senator DURBIN, from the superintendent of the Chicago schools, and he said we need this program. He said we have a lot of low-income, poor kids who aren't making it, whom we are leaving behind, we want to help them, and this helps us do that. He said we have a grant under the Teacher Incentive Fund to do it.

We heard further testimony at a roundtable in our Health, Education, Labor, and Pensions Committee that in the Chicago schools they closed some schools where children were not learning year after year after year. What did they do? They put in a new team—a new principal, a new set of teachers. And what did they do with the teachers? They paid them $10,000 a year more than they were otherwise making to make sure they would go there because they were the teachers known in Chicago to be able to help low-achieving students achieve.

We all know from our experience and research that virtually every child can learn. Some children just need a little extra help getting to the starting line. If you don't get it at home, you especially need it at school. And where you get it at school is from outstanding teachers and principals.

So it wasn't Senator DURBIN, who is the assistant Democratic leader in the Senate, who was trying to kill the Teacher Incentive Fund. So I have been wondering for the last few days, well, then, who was it? Who was it? Well, now I know, Mr. President, because they have announced it.

Today comes a letter to me—"Dear Senator ALEXANDER"—on behalf of the National Education Association, the NEA, with 3.2 million members, saying:

> We urge your opposition to several ill-conceived amendments to the continuing resolution. Specifically, we urge you to vote "no" on an amendment to be offered by Senator Alexander, Republican of Tennessee, that would provide $99 million for the teacher incentive fund.

So the NEA, in its brilliance, has written me a letter to ask me to vote against my own amendment.

I am astonished. That doesn't surprise me so much. Any of our offices can make a mistake. But what I want the President to know, and I want our colleagues to know—I want them to know who is against this, and I want the world to know what they are against. What they are against is helping find a fair way to pay good teachers more for teaching well and to train and help good principals lead schools, especially in big cities where we have a lot of low-income children who are falling behind.

This is not some abstract notion. The President had recommended $100 million for the Teacher Incentive Fund as part of the No Child Left Behind legislation. In a bipartisan way it passed several years ago, and we are in the midst of a remarkably bipartisan approach to see what we need to do about NCLB as we reauthorize it for 5 years, and part of it is the Teacher Incentive Fund.

In a very tight budget, President Bush has recommended not just $100 million for the next year, he has recommended $200 million.

I placed into the RECORD a few days ago Secretary of Education Spellings' letter saying this is very important. We have just started this program. We made a number of grants to cities all across America, 16 grants across the country, at least one State—in South Carolina. You have cut us off. You stopped us from making an evaluation and reporting back to the Senate, to the Congress, how this is working. You are disappointing these school districts who have stepped up to do this.

That is what has happened. Just to be very specific, here is the kind of thing that the Teacher Incentive Fund grant does. Memphis, our biggest city, has an unusually large number of our lowest performing schools. It is our poorest big city, one of the poorest big cities in America. It has a real solid school superintendent, she's excellent, and they are working hard to improve.

A lot of the Memphis citizens are putting together a special effort to say: One of the single best things we can do in Memphis is to take every single one of our school principals, put them through a training program for a year, hook up with New Leaders for New Schools to do that, continuing after the year, and then we will put them back in charge of their school. We will give them autonomy to make the changes they need to make, and we will see if these children can succeed because we know if they can succeed, if we help them the correct way—we give them extra hours, as we have in our charter schools, give them extra training, we know they will succeed.

Memphis City Schools and New Leaders for New Schools were awarded a grant for $3.1 million in the year 2006, the first year after the 5-year grant totaling $18 million. Over the 5-year grant, Memphis plans to provide training and incentive grants to 83 principals serving almost one-third of the schools in the Memphis school system. Principals will receive incentive grants of at least $15,000 a year.

What is wrong with that? Why would the largest educational association in America oppose taking a city with low-performing students and saying we are going to kill the program that trains your principals and pay them $15,000 more a year to do a better job? Why would they do that?

The assistant Democratic leader doesn't agree with that. At least he said so on the floor of the Senate. I don't agree with it. I don't think the parents of the children agree with it. The school superintendent doesn't agree with it, nor does the mayor. Who is against this? We are trying to pay more money to the members of the association that is trying to kill the program. That is what we are trying to do.

It is not just Memphis. I think it is important that my colleagues in the Senate—if the snow and the ice has not caused them to flee to the suburbs. I think most of them are in their offices, maybe a few are even listening. I want them to know that the National Education Association wants to kill the program for the Northern New Mexico Network, the Northern New Mexico Network for Rural Education, a nonprofit organization, one of the 19 grantees of the Teacher Incentive Fund. It is partnering with four school districts. They serve a region with high levels of poverty, high concentrations of Native Americans and Hispanic students, extreme rural conditions, small schools. So the NEA wants to kill the program to help make those teachers and those principals better.

Here's another project, New Leaders for New Schools in the DC public schools. This is a coalition with DC public schools and several others, to provide direct compensation to teachers and principals who have demonstrated their ability to move student achievement.

What a terrible thing to reward—teachers who have demonstrated an ability to move student achievement. Let's kill that program right away. We don't want that happening in the District of Columbia, do we?

Let's go to the Chicago public schools. Chicago has taken a lot of steps in their public schools. The mayor deserves a lot of credit for that. The school system deserves a lot of credit. They know these children can't wait 5 or 10 years to have a good education experience, so, as I mentioned earlier, in some cases they are not moving the school, they are just transforming it. How do you transform a school? There is only one way. You move in a new principal and you move in some really good teachers. There is only one way to transform a school, and that is it.

So the Chicago public schools in collaboration with the National Institute for Excellence in Teaching proposes the Recognizing Excellence in Academic Leadership. At the heart of that is multiple evaluations, opportunities for new roles and responsibilities, recruitment, development, retention of quality staff in 40 Chicago high schools that serve 24,000 students. The NEA wants to kill that program. That is the third grantee.

Let's go to Denver. The Denver public schools proposed a twofold districtwide expansion of its professional compensation system for teachers—that means we pay them more—to develop and implement and evaluate a performance-based compensation system for principals.

My goodness, Denver wants to pay its best principals more money so they might stay in the school? And how are they going to do that? They are going to think about it. They are going to work within the system. They are going to ask for outside help. They are not just imposing a one-time bonus, merit pay system. They are trying to lead the country in doing this. The National Education Association says: No, let's kill it.

The National Education Association not only said, no, let's kill it, they issued a threat to Members of the Senate. "Votes associated with these issues may be included in the NEA legislative report card for the 110th Congress." That means if you vote against the Alexander amendment or anybody else's amendment supporting the Teacher Incentive Fund, what we, the National Education Association, will do is write all the teachers in Tennessee or Rhode Island or wherever we may be and say: Your Senator is anti-education.

Why is the Senator anti-education? Because he wants to support a program to find a fair way to reward outstanding principals and teachers who are teaching low-income children and helping them succeed.

California—my goodness. The Mare Island Technology Academy—here is another thing that NEA would like to stomp out. It proposes to extend a current project to award incentives to teachers and principals instrumental in increasing student achievement. We can't have that in California, at least under the NEA.

The Houston independent school district—maybe Senators CORNYN and HUTCHISON would like to know about this. It is the largest public school district in Texas, the seventh largest in the United States. It proposes an incentive plan for teachers that focuses on teacher effectiveness and growth in learning. We don't want that in any school, do we?

Guilford County, NC—maybe Senator BURR and Senator DOLE would like to be aware of this because their schools proposed a financial recruitment project called Mission Possible and plans to extend the program to an additional seven schools, charter schools in various States.

Another project. Alaska—one school district there serves as the fiscal agent. They are working on the same sort of progress and expanding on a current program with the Re-Inventing Schools Coalition.

South Carolina Department of Education. A modified version of the existing teacher advancement program to implement a performance-based compensation system to address problems with recruitment and retention in 23 high-need schools in six districts. We wouldn't want 23 high-need schools in six South Carolina districts to have a program to pay good teachers more for teaching well, would we? We would like to kill that in the Congress because the National Education Association might put us on their list of not voting for the NEA legislative report card.

Dallas independent school district—they have a similar program. They want to identify and reward principals and teachers based on a combination of direct and value-added measures of student achievement. Can't have that.

The school district of Philadelphia, PA. Let's pay particular attention to this one. The overall purpose of Philadelphia's initiative is to pilot a performance-based staff development and compensation system that is teacher pay and principals, that provides teachers and principals with clear incentives that are directly tied to student achievement, growth and classroom observations conducted according to an objective standards-based rubric at multiple points during the school year. Twenty high-need urban elementary schools that have demonstrated high degrees of faculty buy-in—that means the teachers want it—will participate in the pilot.

Nobody is making them do it. They are volunteering to do it. The teachers want it. Leaders from the school district of Philadelphia's administration and from two unions, representing all Philadelphia teachers and principals, have designed the pilot and will oversee its implementation. So the National Education Association says kill the program in Philadelphia for a lot of high-need kids, even though the program involves the unions who work in those schools. That is a very arrogant attitude, it seems to me.

Ohio, State Department of Education, Eagle County, CO, and Weld County, CO—those are just the schools and school districts and the States where the Department has made 16 grants in the first year of its operation.

As you can see, the common thread running through here is, can we find a fair way to reward outstanding teachers and help in training and reward outstanding principals so they will stay in the classroom, so they will have an even better idea of what they are doing, so we can honor them, treat them in a more professional way? If we were to do that, wouldn't that be better?

Why wouldn't the largest educational association in America welcome this? I know in Chattanooga, TN, when the new Senator from Tennessee, BOB CORKER, was mayor, he was more effective than I was in working with the local teachers association or union, and he did just this—generally with their participation and agreement. And he helped, in a model school system in Chattanooga, TN, find a way to attract teachers to the schools where children were having trouble learning and needed extra help. These were teachers who had shown an ability to help these students achieve more. So they were paid more for that. They were paid more for that.

Let me conclude my remarks. I ask unanimous consent for another 5 minutes, if I may?

The PRESIDING OFFICER. The Senator has that right.

Mr. ALEXANDER. I will conclude my remarks with a little bit of history. If you sense, in my voice, a heavy amount of disappointment, it is because this goes back a long ways. In 1983, when I was Governor of Tennessee, I proposed what then was the first statewide program to pay teachers more for teaching well. We called it the Master Teacher Program.

I was astonished, after a term as Governor, to discover that not one State was paying one teacher one penny more for teaching well. I could not understand how we were going to keep outstanding men and women in the classrooms, particularly—this was 25 years ago, almost—now that women had many more employment opportunities. The math teacher was headed for IBM, the science teacher was going over here. One reason was because of the teacher pay scale. You could make more for staying around a long time, you could make more for getting another degree, but you couldn't make a penny more for being good.

I went around to try to find out how do we reward outstanding teaching, and everybody said you can't do that. Not quite everybody. One person who did not say that was Albert Shanker, who was the head of the American Federation of Teachers, which is the second largest teachers union. Mr. Shanker said if we have master plumbers we can have master teachers, and maybe we need to get busy trying to think of a fair way to do that. He invited me to go to Los Angeles and speak to the convention of the American Federation of Teachers. They were very skeptical—which I understand, because professionals who are already working in their profession have a right to be skeptical of outsiders who would come in and say we are going to grade you. Even though these teachers are in the business of grading themselves.

I spoke to the American Federation of Teachers. I worked with Mr. Shanker. I even raised taxes in Tennessee. Guess who was against doing what we eventually did? The National Education Association. Their President said we are going to send whatever we need into Tennessee to defeat Alexander's silly ideas, and we fought for a year and a half and finally I won, temporarily, and Tennessee established a career ladder program which eventually attracted 10,000 teachers with 10- or 11-month contracts who volunteered to go up the career ladder to a second or third level. They were called master teachers.

We raised the pay for every teacher by $1,000, just if they took the basic teacher competency test. That was voluntary, too, but more than 90 percent did it. And 10,000 teachers did. That was quite a number. This was sort of the model T of the teacher compensation plans.

Since then, a lot has happened across the country. Governor Jim Hunt and others, with the support of the teachers unions, have developed the National Board of Professional Teaching Standards Certified Teacher Program, which is one way of certifying a biology teacher in the same way you would certify an orthopedic doctor. This is helpful if you are on the school board in Providence, you can say: I don't have the means to evaluate if this teacher is better than that teacher, but if you are a board certified teacher we will pay you $10,000 more a year. That has worked pretty well. Some places around the country have found ways to do that, but it is not possible for a school board in the town to take on the whole mixture of difficulties that go with a fair way to reward teachers.

We did it in 1983 and 1984, and we had to create a panel of teachers who were outside the district of the teacher who wanted to be a master teacher to avoid politics. We made sure one of those teachers was of that same subject. If it was an eighth grade U.S. history teacher, then somebody on the panel was an eighth grade U.S. history teacher. Principal evaluations were part of it and a teacher portfolio was part of it.

One thing we did not know how to do then and we are just beginning to understand in our country is how to measure student achievement. Our common sense says a teacher makes a big difference, but how do we measure it? The challenge, as we work on schools that need help, is how do we make sure they have the best teachers and the best school leaders? It is a big challenge, but it is not impossible.

We are learning, after 4 years of No Child Left Behind, that 80 percent of our schools I would call high-achieving schools are meeting all the adequate yearly progress requirements for No Child Left Behind. That means we have about 20 percent of our schools that aren't. In 5 percent of the schools, they are only behind in one category. So it is only 15 percent of the schools where children are chronically not learning and being left behind. The ugly fact was, before No Child Left Behind, we let that happen.

Now we put the spotlight on it, and we have to do something about it. The best way to do something about it is what? Get a terrific school leader and help him or her be a good principal, move in some tremendous teachers or reward those who are there and keep them teaching. And the National Education Association says kill the program that is the most important Federal program to do that? I don't understand that; I don't understand.

I say to my colleagues in the Senate of both parties, I hope this approach will have unanimous opposition in the Senate. I hope we say we want to reward efforts in Memphis, in New Mexico, DC, Chicago, Denver, Dallas, Houston, Philadelphia, Chattanooga, where they tackle the problem. No, we are not talking about a one-time bonus pay for people, or teacher of the year, who the principal might like. We are talking about a more professional system where we can say talented men and women who are teachers, we like to honor you. We want to work with you in your district to form a way to honor you and raise your pay.

There is one reason I regret having to make this speech, I had a wonderful visit the other day. It came from six or seven members of the Tennessee Education Association. Earl Wiman, Guy Stanley, Paula Brown, Nita Jones, and Kristen Allen came to my office. We visited for a while. I am about to write a handwritten note to Earl Wiman to say how much I appreciated the visit. He was a career ladder teacher, making $75,000 extra dollars over his tenure. He said "I want to thank you for that." We acknowledged there were problems with the master teacher program we had in Tennessee as there always are when you start up something new. It was a terrific visit from people I greatly respect.

It reminded me, wherever I go in Tennessee, retired teachers or current teachers come up to me and say, thank you for the master teacher program. It paid for my child's education. It honored my work. It raised my retirement pay. It kept me teaching. You would be surprised how many times this happened, so I know this can be done.

But it cannot be done if the largest educational association in America sends out letters such as this threatening Senators with, in effect, writing every teacher in their district, and saying you are a bad Senator because you voted against the NEA legislative report card.

I would give them an F on a letter for another reason. They said that the Teacher Incentive Fund restricts the use of funds to only two possible uses: merit pay and tenure reform. That is not true, at least not according to the Department of Education. We called over there today. This is what they told me: The Department of Education says the words "tenure" or "merit pay" do not even appear in the application forms. The specific goals of the teacher incentive fund include: one, improving student achievement by increasing teacher and principal effectiveness; two, reforming teacher and principal compensation systems so that teachers and principals are rewarded for increases in student achievement; three, increasing the number of effective teachers teaching minority, poor, and disadvantaged students in hard-to-staff subjects; and finally, creating sustainable, performance-based compensation systems.

Applicants must outline how they will utilize classroom evaluations that are conducted multiple times throughout the school year and provide incentives for educators to take on additional responsibilities and easy leadership roles.

The Department also gives extra points to applications that demonstrate they have support from a significant proportion of teachers, the principal, and community. As I mentioned, in Philadelphia or Denver, that means the teachers' union.

I know in this joint funding resolution it looks as though we are not going to have a chance to amend that. That is why I voted against cloture. I understand that. Both sides of our aisle did not get our work done so we have had to clean it up too quickly this year. The Teacher Incentive Fund took a big hit.

I say earnestly to my colleagues in the Senate, I hope Senators will look at the Teacher Incentive Fund carefully. I hope you will think about what your ideas are for improving schools with low-performing students. I hope you will ask yourself whether what they are doing in Chicago, for example, to move in a new principal and to move in a team of teachers and to train them more and to pay them more might not be one way to do it. If Denver wants to do it this way, and Dallas wants to do it that way, and Philadelphia wants to do it that way, and Mayor Corker helped Chattanooga do it, why shouldn't we help them?

We don't want the Federal Government to take over the local schools, but clearly one of the appropriate things for the Federal Government to do in support of elementary and secondary education and high school education is to help solve this tough problem of how do we fairly and effectively reward outstanding teaching and outstanding school leadership.

If we don't do this in our current system, we are not going to be able to keep the best men and women in our classrooms, especially in the most difficult classrooms, which is where our spotlight is going. We know that 80 percent of our schools in America are high-achieving schools, they are making the advanced yearly progress under No Child Left Behind. Five percent more are just missing it, and in the 15 percent, don't we want to ignore this letter from the National Education Association?

I will answer their letter from here. I am not going to vote against the Alexander amendment.

I hope they will write me often. I hope it is not this kind of letter again. I say to my friends from Tennessee who were good enough to travel all the way up here and visit with me, I am going to work a little harder in communicating with them. I know there will be issues upon which we disagree—the Tennessee Education Association and I have proved in the past we can disagree.

What I want to prove to them in the future is there are lots of ways we can agree. I know they are dedicated professionals, they are working hard every day under difficult circumstances—many with children whose parents don't feed them well, don't teach them before they come to school, and don't take care of them in the afternoon. I want to be sensitive to that.

In my remarks today I want to send a clear message to the National Education Association: I am disappointed in their letter, I am disappointed in their attitude. I hope the Senate rejects their attitude. But I want to be as clear to my friends in the Tennessee Education Association that I greatly appreciate their visit.

I look forward to redoubling my efforts to work with them. I look forward to talking with them over time about support. I encourage their ways to honor their professionals, including development of a compensation program that rewards outstanding teaching and schools.

I ask unanimous consent the letter from the National Education Association be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FEBRUARY 13, 2007.

Hon. LAMAR ALEXANDER,
U.S. Senate,
Washington, DC.

DEAR SENATOR ALEXANDER: On behalf of the National Education Association's (NEA) 3.2 million members, we urge your opposition to several ill-conceived amendments to the FY07 Continuing Resolution. Specifically, we urge you to vote NO on:

An amendment to be offered by Senator Alexander (R–TN) that would provide $99 million for the Teacher Incentive Fund (TIF); and

Any amendment that would call for across-the-board cuts to already depleted domestic programs.

Votes associated with these issues may be included in the NEA Legislative Report Card for the 110th Congress.

NEA strongly opposes the Teacher Incentive Fund, which diverts scarce resources from existing underfunded professional development programs. For example, Title II of the Elementary and Secondary Education Act allows use of funds for the stated purposes of the Teacher Incentive Fund and also gives states and school districts significant flexibility to utilize funds for activities that best meet their needs. In contrast, the Teacher Incentive Fund restricts use of funds to only two possible uses—merit pay and tenure reform.

The proposed CR would reduce TIF funding, while increasing funding for programs proven effective in maximizing student achievement. We support the CR as proposed and oppose any effort to increase TIF funding.

NEA also opposes any proposal to reduce funding across-the-board, further stretching limited resources among already struggling domestic programs. Although such amendments may be addressing very worthy goals, we believe they are more appropriately considered as part of bills to be debated later, such as Emergency Supplemental legislation. Therefore, we urge your vote against any such amendment.

We thank you for your consideration of our views on these important issues.

Sincerely,

DIANE SHUST,
Director of Government Relations.
RANDALL MOODY,
Manager of Federal Policy and Politics.

Mr. ALEXANDER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CARDIN). Without objection, it is so ordered.

Mr. NELSON of Florida. Mr. President, we are in the posture of having to pass an appropriations bill that is to none of our liking because the Congress is not fulfilling its responsibility in the budgeting and the appropriations process. It goes back to the fact that albeit the Senate and the Senate Appropriations Committee were responsible in producing all 13 appropriations bills, the leadership in the last Congress decided they did not want to pass 11 of those 13. To the best of my recollection, it was the Departments of Defense and Homeland Security appropriations bills that were passed, leaving all the others without funding. Each time we have continued emergency stopgap funding. The particular law that is in effect now goes until midnight this Thursday. That is no way to run a railroad. It puts us in the posture of having to take something instead of nothing which would shut down the Government. That is not a logical way to do it.

The entire Federal budgetary process ought to be revamped. In the old days, back in the 1970s, the Budget Act was enacted because it was giving the new tools available for the Congress to discipline itself on spending, to hold down spending. Over 22 years, we have seen the Budget Act become not an economic process but a political process in which budget documents are submitted—for example, the one submitted by the President, completely unrealistic—so that political goals can say they are going to be achieved; in other words, moving the budget toward balance. The President has pointed that out over a 5-year period. When, in fact, the reality is that a lot of the President's assumptions in his budget he has sent to the Congress are not realistic. In fact, they are fiction.

For example, there is a tax that is called the alternative minimum tax. It was designed years ago so that people with higher incomes that had huge deductions couldn't offset all of their income. They would have to pay some tax. It was designed to go to that higher income group so that they would still pay their fair share. If that alternative minimum tax is not allowed to be applied in the future—and I can't tell you the technicalities—it comes down and it swoops in a great deal of the middle class, which it was never intended to do, middle-income people, with the result that much higher taxes would be paid in the very income levels that the alternative minimum tax was never designed to hit.

Naturally, a Congress in the future is not going to let that happen, for that additional tax to go on the middle class. Yet the President's assumptions in the budget he has sent are that that alternative minimum tax is going to go away and, therefore, the increased revenue is going to be coming into the Federal Government from the middle-income taxpayers. Therefore, it makes it look like his budget deficit is getting smaller and smaller and moving toward balance.

The same thing is true with the tax cuts that were enacted back in 2001. Over the next several years, a number of those tax cuts expire. Those tax cuts that affect the middle class are not going to expire because the Congress is not going to let that happen. If it did, as the President has proposed in his budget, the revenues to the Government are going to be greater and, therefore, the annual deficit is going to be less. But that is not realistic. So what we have is a document of political fiction.

This isn't the first time. This has been going on over the last couple of decades. But when it leads us down the path of fiction, sleight of hand, a head fake on what the budgetary condition of the country is, as the country, indeed, ought to make its staggering steps toward balancing the budget, at least down the line in the next 5 to 7 years, when that is all a political fiction, it undermines confidence. It undermines the entire system. In large part, it leads to where we are today.

We are going to pass what is known as a continuing resolution, which is an end-of-the-day budget that is pared down, that doesn't address priorities as it should. And are the American people served best by this kind of process? No.

This Senator thinks it is time for us to have some major overhaul of the Budget Act. There are a lot of other things in the Budget Act that could be reformed, many of which are technical in nature and very extensive. I will not take the time to go into them today. But when are we going to learn? When are we going to stop using the budget of the United States as a political tool instead of moving us in an economic way toward a sound economic plan to bring our fiscal house in order?

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KOHL. Mr. President, I rise today to speak in more detail about the "earmarks" that some members of this body claim remain in H.J. Res. 20. On February 7, 2007, one of our colleagues issued a press release on his Web site which was critical of H.J. Res. 20, the continuing appropriations resolution. Of note was his claim that the resolution continues a number of earmarks. That claim, both generally and specifically, is not true.

The list of "earmarks," stated as fact in this press release, are all supposedly found in the Ag Chapter of the resolution. I would like to take a minute to address those specific items and explain why this information is wrong.

Our colleague claims that H.J. Res. 20 provides $350,000 for the World Food Prize. Although this item was funded in the fiscal year 06 bill as part of General Provision 790, H.J. Res. 20, in section 21004, provides that the amount available for Section 790 is zero. So, obviously, that earmark has been removed.

Our colleague claims that $1.5 million for construction of the entrance to the U.S. National Arboretum is funded in H.J. Res. 20. First of all, this item was never included in the 2006 bill, which is what H.J. Res. 20 is based on. It was, however, included in the 2007 bill under the agricultural research service buildings and facilities account. H.J. Res. 20, in section 20101, provides that the amount available for that account is zero. The entire account, not just the earmark, is removed.

Our colleague claims that H.J. Res. 20 contains more than $1 million for alternative salmon products, including baby food products. This item was funded under the special research grants program of the Cooperative State Research, Education, and Extension Service. H.J. Res. 20, in section 20102, provides that the amount available for that program is zero so the earmark is removed.

Our colleague claims that H.J. Res. 20 contains $591,000 for the Montana Sheep Institute. This item was also funded under the special research grants account of the Cooperative Research, Education, and Extension Service, which, as I stated earlier, was eliminated in section 20102 of H.J. Res. 20. Thus the earmark was removed.

Here is a third "earmark" claim under this same account, which was eliminated. The Senator claims that H.J. Res. 20 contains $295,000 for wool research, again, under the special research grants account of the Cooperative Research, Education, and Extension Service. I repeat again that H.J. Res. 20, in section 20102, provides that the amount available for that program is zero. Again, and I know I am beginning to sound like a broken record, but the earmarks are removed.

In another account, the Senator claims that $232,000 remains for the National Wild Turkey Federation. This item was funded under the Federal Administration program of the Extension Service. H.J. Res. 20 provides that all funds for the Federal Administration program are reduced to a level that only protects Federal FTE positions definitely not the National Wild Turkey Federation. H.J. Res. 20, in section 20103, provides that all other funding in that program, which would include funds for the National Wild Turkey Federation, is zero. There are no earmarks.

The Senator claims that $100,000 is contained in the Agricultural Marketing Service account to establish a farm-raised catfish grading system. However, this item was never included in the 2006 bill, which, again, is what H.J. Res. 20 is based on. It was included in the 2007 bill, which never even passed the Senate floor. There is not, and never was, any funding for this activity in a bill that passed the House or Senate. There are no earmarks in this account.

Finally, the Senator's press release states that $2,970,000 is continued to maintain a partnership between USDA and the National Fish and Wildlife Foundation. This was funding provided by the natural resources conservation service conservation operations account to a non-Federal entity. H.J. Res. 20, in section 20104, provides that all funds for the conservation operations account were reduced to a level that only protects federal FTE positions. H.J. Res. 20 provides that all other funding in that program, which would include funds for the National Fish and Wildlife Foundation, is zero. Once again, there are no earmarks.

As our colleagues should now realize, not only does H.J. Res. 20 not continue these items, H.J. Res. 20 actually removes the money which would make their funding possible, even if the administration wished to do so. For even those who wish to claim that money is still provided in the resolution which would enable the items to end up getting funded, it is obvious that in these claims, specifically listed in a press release, that is simply not possible. While I do appreciate zeal for finding and making public all earmarks, perhaps a closer reading of H.J. Res. 20 would have prevented these misstatements from occurring.

Mr. CRAPO. Mr. President, I rise today to speak to a global competitiveness amendment to H.J. Res. 20 and to call attention to the challenges facing U.S. financial markets. The first half of the amendment highlights findings from two recent reports that the U.S. is already losing ground in the key areas of global initial public offerings, IPOs, and over-the-counter, OTC, derivatives. The second half of the amendment expresses the sense of the Senate about what steps should be taken to bolster the competitiveness of this essential sector of the U.S. economy.

IPOs are critical to our economy because when a company goes public, it creates capital—and that means jobs and investment opportunities with great potential payoffs. The risk-taking exemplified by IPOs is in the most important sense the critical fuel of a market economy. OTC derivatives play a critical role in our economy, assisting investors to more precisely match their investments to their risk preferences, and helping companies to manage or hedge their risks. Additionally, these instruments provide liquidity to financial markets and reduce volatility by helping to diversify and distribute risk. At the same time the OTC derivatives industry attracts highly skilled professionals who, by virtue of the demand created by their talents, have the potential to contribute significantly to an area's tax base.

Together, IPOs and OTC derivatives contribute to a robust and dynamic capital market which is a tremendously beneficial force for our economy and an empowerment to our citizens. It is critical to ensuring economic growth, job creation, low costs of capital, innovation, entrepreneurship, and a strong tax base in key areas of the country. The U.S. financial sector acts as a catalyst for all other sectors in the U.S. economy. That is why the decline in global initial public offerings in the United States, and the fact that London already enjoys clear leadership in the fast growing OTC derivatives market, are such worrying trends.

Fortunately, academics, business leaders, and politicians are working together to study this issue. They have identified several specific problems that hinder the competitiveness of the U.S. capital markets and have issued reports outlining possible solutions. Chaired by former White House economic adviser Glenn Hubbard and former Goldman Sachs president John Thornton, the Committee on Capital Markets Regulation was formed in September 2006 and issued its preliminary report in November 2006. Mr. SCHUMER of New York along with New York Mayor Bloomberg released the McKinsey Report on New York Competitiveness in January 2007 outlining regulatory, legal, and accounting changes they say are necessary to maintain the city's status as a leading global financial center.

Both reports add considerably to the understanding of the challenges that American capital markets face and offer solutions that could help American markets, companies, and workers to better compete.

According to the Committee on Capital Markets Regulation:

> A key measure of competitiveness, one particularly relevant to the growth of new jobs, is where new equity is being raised—that is, in which market initial public offerings (IPOs) are being done. The trend in so-called "global" IPOs i.e., IPOs done outside a company's home country, provides evidence of a decline in the U.S. competitive position. As measured by value of IPOs, the U.S. share declined from 50 percent in 2000 to 5 percent in 2005. Measured by number of IPOs, the decline is from 37 percent in 2000 to 10 percent in 2005.

According to the McKinsey Report on New York Competitiveness:

> London already enjoys clear leadership in the fast-growing and innovative over-the-counter (OTC) derivatives market. This is significant because of the trading flow that surrounds derivatives markets and because of the innovation these markets drive, both of which are key competitive factors for financial centers. Dealers and investors increasingly see derivatives and cash markets as interchangeable and are therefore combining trading operations for both products. Indeed, the derivatives markets can be more liquid than the underlying cash markets. Therefore, as London takes the global lead in derivatives, America's competitiveness in both cash and derivatives flow trading is at risk, as is its position as a center for financial innovation.

The challenge we are facing is that the U.S. capital markets are losing their competitive edge in intensifying global competition. A shrinking proportion of international companies are listing shares on U.S. stock exchanges and the fast-growing OTC derivatives market are growing more rapidly elsewhere.

This amendment welcomes these reports and encourages Congress and the administration to begin to vet and consider their recommendations.

(1) Congress, the President, regulators, industry leaders, and other stakeholders should carefully review the Interim Report of the Committee on Capital Markets Regulation, published in November 2006, and the McKinsey Report on New York Competitiveness, published in January 2007, and take the necessary steps to reclaim the preeminent position of the United States in the financial services industry.

(2) The Federal and State financial regulatory agencies should, to the maximum extent possible, coordinate activities on significant policy matters, so as not to impose regulations that may have adverse unintended consequences on innovativeness with respect to financial products, instruments, and services, or that impose regulatory costs that are disproportionate to their benefits, and, at the same time, ensure that the regulatory framework overseeing the U.S. capital markets continues to promote and protect the interests of investors in those markets.

(3) Given the complexity of the financial services marketplace today, Congress should exercise vigorous oversight over Federal regulatory and statutory requirements affecting the financial services industry and consumers, with the goal of eliminating excessive regulation and problematic implementation of existing laws and regulations.

I urge my colleagues to join me in supporting this amendment.

Mr. CARDIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. CARDIN. Mr. President, I ask unanimous consent that there now be a period for the transaction of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONFIRMATION OF JOHN NEGROPONTE

Mr. BYRD. Mr. President, few would argue that these are challenging times for U.S. foreign policy. Faced with threats from a growing radical Islamic ideology, tense situations in North Korea and Iran, an escalating civil war in Iraq, humanitarian crises of biblical proportions in Africa and elsewhere, and countless other challenges, it is clear that we need as perhaps never before the hand of experience guiding our foreign policy.

It is no secret that I have disagreed—deeply disagreed—with many of the foreign policy decisions made by this administration. I said in 2002 that it was a mistake to invade Iraq, and my judgement has never wavered: the President was wrong to start this war, he was wrong to continue this war, and he is wrong to escalate this war.

However, we are in Iraq now. American men and women are caught in the cross-fire of sectarian warfare that has been brewing for centuries. And I believe that the way out is primarily political and diplomatic, not solely through the use of military force. The recommendations of the Iraq Study Group are just the latest reminder that we must engage diplomatically with other nations—not only with our friends and allies, but also with our competitors and even our enemies—to seek new solutions.

That is why the leadership at the State Department is so important, and why I am pleased that last night the Senate voted to confirm the nomination of Ambassador John Negroponte to become Deputy Secretary of State. I had an opportunity to meet with Ambassador Negroponte recently, and I am encouraged by his long track record of service to his country, as a foreign service officer and ambassador in many different regions of the world. In his most recent assignments, he has proven himself capable of performing in the most challenging of roles, as U.S. Ambassador to Iraq and as the Director of National Intelligence. Prior to that, he served as U.S. Ambassador to the United Nations, where he earned this high praise from another diplomat, former Secretary General Kofi Annan:

> He's an outstanding professional, a great diplomat and a wonderful ambassador.

When I met with Ambassador Negroponte, I conveyed to him my strong belief that we must rely on diplomacy and peaceful negotiation to reach lasting stability in the Middle East. I also emphasized that pursuing some sort of Sunni vs. Shi'a alignment in the Middle East as the balance of power in the region shifts is not in the best interests of the United States or the world. I am encouraged that Ambassador Negroponte seems to agree with me, and I look forward to working with him and other administration officials as we seek a path toward peace.

Ambassador Negroponte has demonstrated the savvy and expertise of a world-class diplomat. Our Nation needs experienced professionals who can rise above the fray of partisan politics guiding our foreign policy, particularly in such turbulent times as these. I look forward to working with Ambassador Negroponte in his new role as Deputy Secretary of State.

CONGRATULATING LAKE FOREST ACADEMY

Mr. DURBIN. Mr. President, I come to the floor today to congratulate an outstanding school on 150 years of educational excellence.

Lake Forest Academy is an independent high school and boarding school in Lake Forest, IL, 30 miles north of Chicago. It was founded by elders of the Presbyterian Church in Chicago and 150 years ago today—on February 13, 1857—it was chartered by the State of Illinois as a college preparatory school for boys.

Classes began at Lake Forest Academy in 1858 with a total of five students. While its enrollment today is considerably larger, Lake Forest Academy remains committed to its founding principle: to educate the whole child.

Dr. Martin Luther King said, "Intelligence plus character that is the goal of true education." And for 150 years, that has been the goal of Lake Forest Academy. Its educational mission is based on "four pillars:" character, scholarship, citizenship and responsibility.

Some things have changed at Lake Forest Academy, however. Among the most notable changes: in 1974, Lake Forest formally merged with The Young Ladies Seminary at Ferry Hall, becoming a college prep school for young men and young women.

Lake Forest takes pride in the diversity of its students and faculty, and the global perspective of its programs.

As the oldest institution in the city of Lake Forest four years older than the city itself Lake Forest Academy is an integral part of the fabric of its community and the State of Illinois. I ask my colleagues in the Senate to please join me in congratulating this fine school on a century and a half of educational progress and excellence.

TRIBUTE TO DANNY ORAZINE

Mr. McCONNELL. Mr. President, I rise today to honor a great Kentuckian, Mr. Danny Orazine, for his 13-year service as county judge-executive to the people of McCracken County.

Mr. Orazine is the epitome of a man dedicated to serving his county residents, all the while ensuring a strong relationship with the city government as well. He is a modest, ethical, and fairminded man who has given much to McCracken County, and I am proud of the work he has done.

On Monday, December 25, 2006, The Paducah Sun newspaper published an article highlighting Mr. Orazine's many years of service. I ask unanimous consent that the full article be printed in the RECORD and that the entire Senate join me in thanking this beloved Kentuckian.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Paducah Sun, Dec. 25, 2006]

REFLECTIONS: ORAZINE RETURNS TO SIMPLE LIFE

(By Brian Peach)

Danny Orazine isn't a politician. At least he doesn't think of himself as one. This coming from the man who has spent the past 21 years in McCracken County public office—time that was every bit as challenging as he would have liked.

"Honestly, I don't really like politics," the outgoing judge-executive said in a recent interview. "I'm a simple person."

He's not flashy. Not begging for the spotlight. He'll wear a suit when he needs to, but he'd rather lose the tie whenever possible.

Look no further than his truck for proof of his modesty.

He still drives a 1983 Ford pickup that he bought new. It has about 250,000 miles on it.

"I've got the same house, same wife, same truck," he said with a laugh, adding that a new paint job on the truck has kept it looking good. He'll have to give back his county-issued car, but that's OK. He'll just turn to his trusty pickup a little more often.

He considers himself a strong Democrat, but he's not crazy about partisan politics.

"I normally worked closely with Democratic governors," he said, adding that he still considers his relationship strong with Gov. Ernie Fletcher and his Republican cabinet. The two joked recently at ground-breaking and ribbon-cutting ceremonies, and he said it's because partisan politics don't come into play.

"I'm a simple person," he said.

At one point, he thought of walking away.

"In the middle of my first tenure, I was about ready to resign," he said.

But he stayed on, and was re-elected twice, serving 13 years as judge-executive after eight as a county commissioner.

It was sewers that got him into office. They were the big issue back then. After that, he just hung around.

"We just didn't get sewers in the smaller districts," Orazine said, referring in part to the Hendron area 18 years ago.

The sewer agency was finally formed in July 1999 with the merger of separate city and county sewer agencies. He said the goal was to merge the water districts into one as well, but today, "I would never ask the water districts in the county to give up theirs for the Paducah Water Works board."

Paducah Mayor Bill Paxton recently asked Orazine to serve on the city water board, and he accepted.

He'll leave behind a big corner office and lots of responsibilities, but take his love for the community with him. He's been offered a couple of full-time jobs since his defeat, but he said he wants to get away from "the politics stage."

RUNNING CLEAN

On his window sill are pictures—family and friends—as well as a $20 bill, laminated and labeled: First Campaign Contribution to Danny Orazine from Don Utley, Aug. 21, 1991.

He was elected judge-executive two years later. On his wall are many pictures, including a large one of Paducah native and former U.S. Vice President Alben Barkley, and one of his campaign posters that Orazine said was from 1948.

He has never been offered a bribe, he said. "I used to kid about never being offered a bribe. Guess they didn't think that I had enough clout to get it down. . . . Hopefully they just thought I wouldn't have accepted it."

He said advice from Julian Carroll stuck with him over the years: If you'll only take your paycheck, you'll never have any problems.

"I have adhered to that," Orazine said, pointing out that among his first responsibilities at the end of this year will be turning in his eight-year-old county-issued Ford Taurus.

TIME OF CHANGE

He's leaving office, and it's in large part due to county residents feeling it was time for a change. They picked Van Newberry to replace Orazine in the May primary. He said his was a good, tough run.

Zoning issues and building code enforcement were just a couple of the "monumental ordinances" that he said the fiscal court passed, and that weren't entirely popular with the voters. About six years ago, the fiscal court required that all new homes undergo a five-point inspection. The problem was that some people decided to build homes on their own, and may not have realized that the inspection also checks for earthquake protection, given the proximity to the New Madrid Fault.

"People might cut a plan out of a magazine and come in with it," he said. But most of those plans account for possible seismic activity. "We were stuck with not having a building code or having seismic in it."

The county opted to keep the more stringent codes, and the five-point inspections—which Orazine said have led to a few building delays during the busy construction season. "It took a while to catch up," he said. "Now (in the winter), the building has slowed and they're caught up."

As for the city and county working together on such projects as a comprehensive plan, Orazine never viewed that as a step toward a metro government. Even so, he admitted that at times, "It's hard to tell where the city ends and the county begins."

Many city residents have moved into the county over the past several years, and the city is occasionally annexing county land into the city, often at a developer's request.

"Anything, good or bad, affects both the city and county now," he said. "We have to prioritize what we're going to prioritize, and talk over those things we place as priorities."

The downtown riverfront, though located in the city, will benefit the entire area, and it's something the judge says must naturally include the county, and that includes financial support.

County government, he notes, "is very lean by nature." That's mainly in regard to the budget. Comparatively speaking, Paducah's is about $28 million, while the county's is about $20 million.

"If we didn't have the grants and money that the state gives us, it'd be about half the city's," Orazine said of the budget. "That's why we're hesitant about hiring people over here. . . . That's just the nature of the county."

He looked to the city's fire department in saying that the county couldn't afford to pay its firefighters. Grants help keep the five volunteer fire districts operational.

"There's a lot of pride that goes into them," he said. "Probably the biggest factor in the metro-government discussion, moneywise, is I think you're going to have to keep your volunteer firefighters.

"If anybody ever proposed (a paid county fire department), oh my, property taxes would go so high. I wouldn't want to be anywhere near public office when that happens."

That all comes back to the idea of a metro government. He said county residents' pride in fire departments and parks being operated by volunteers adds to the pride when they do look nice, albeit, he said, not as nice as Noble Park.

"The county was just not ready for it," he said of metro government suggestions. But because he worked so closely with the city during his tenure, particularly with Paxton, "I got associated with that, but I never went there and had no plans to. That sure didn't keep me from working with the mayor."

Paxton said Orazine "is one of the most ethical, fair-minded people I have ever known," and it made him easy to work with. "I enjoyed every minute of it," Paxton said. "I think the city and county benefited from not only the closeness of my relationship with Danny, but also (his relationship) with former Mayor Albert Jones, who was extremely close with the judge."

HELPING YOUTH

Another area Orazine looks back on with a smile is everything he has done to help youths.

"I got a special place for juveniles," he said of his desire to help them. "I didn't get into trouble (as a teenager), but it was a wonder I graduated—It took me five years to get through high school."

Now, thanks to his push, the county puts about $1 million each year toward helping children and teens, in large part through the McCracken Regional Juvenile Detention Center.

Orazine is also a member of the state Office of Juvenile Justice Advisory Board, which he has served on since it was founded in 1998. He also serves on the Juvenile Detention Council Board locally. As his tenure as judge-executive ends, he plans to resign from those boards. That means fewer trips to Frankfort for the state board meetings.

He lasted a term and a half before hiring a county administrator—a position incoming Judge-Executive Van Newberry wants to abolish. Orazine said he was becoming overwhelmed with the large and small projects.

"In the midst of all that, an employee of the courthouse came in" complaining about the texture of the toilet paper—"that it was too rough," he said, still sounding exasperated at having to handle minor tasks when he had more important things to deal with.

NOMINATION OF GEN GEORGE W. CASEY, JR.

Mrs. FEINSTEIN. Mr. President, I voted last Thursday in opposition to the nomination of GEN George W. Casey, Jr., to be the 36th Chief of Staff of the U.S. Army.

This decision did not come easily, but after watching the slow failure of our Iraq strategy since the invasion in March 2003, it was time for some accountability.

This is not to say General Casey, alone, should take the blame for the multitude of mistakes in Iraq. In fact, there is no doubt that the buck stops at the President's desk and this is his war.

It is President Bush more than any other individual who is responsible for the dire situation we face in Iraq today.

It was he who ordered the invasion and he who has stubbornly stuck to a strategy that has put success in Iraq increasingly out of reach.

In addition to President Bush, Vice President CHENEY and former Secretary of Defense Donald Rumsfeld were some of the strongest public backers of the campaign to invade Iraq that failed to plan for the chaotic aftermath that we are now mired in today. And it should not be forgotten that it was George Tenet, then the Director of the CIA, who presided over the flawed intelligence analysis that suggested that Iraq had weapons of mass destruction and was in the process of developing a nuclear capability. It was Tenet who told us that this intelligence was a "slam dunk."

Yet, that said, our military strategy over the past several years should not be free from criticism.

General Casey has served as the commander of Multi-national Force—Iraq since July 2004. Over these past 2½ years, I can see little to applaud regarding our military strategy on the ground.

Too many times, in my view, General Casey, and those around him, failed to provide the Congress with accurate assessments of what has been happening in Iraq. For example, it was General Casey who suggested that the situation in Iraq would improve enough following the December 2005 elections that troop reductions could take place in early 2006. He even went so far as to provide specific projections of troop withdrawals, saying in August 2005 that the level of U.S. troops in Iraq could be drawn down to about 100,000 by the spring of 2006.

Earlier, in June 2005, he said, and I quote:

> I'm confident that we'll be able to continue to take reductions over the course of this year based on the security situation and the progress of the Iraqi security forces.

Time and time again General Casey came before us in Congress and painted an overly optimistic view of the situation on the ground in Iraq. Just last week, at his confirmation hearing in front of the Senate Armed Services Committee, General Casey suggested that, rather than a "slow failure," he sees "slow progress" in Iraq.

Since General Casey took over as commander of all coalition forces in Iraq, we have seen the following:

Car bombings have grown from 30 a month when General Casey took command to about 80 today.

Daily insurgent attacks have skyrocketed from 50 to some 200 today.

The training of Iraqi forces, which General Casey touted as the means for an exit of U.S. troops from Iraq, has been slow and inconsistent.

In fact, though General Casey called 2006 the "Year of the Police" in Iraq, we have seen increased infiltration of Iraqi police forces by Shiite militias and growing Iranian influence.

While 320,000 Iraqi troops have been "trained and equipped" according to the Pentagon, our troop level today, 140,000, is just a few thousand less than when General Casey took command in July 2004.

Iraqi security forces have 91 brigades that are taking the "lead" in counterinsurgency operations throughout the country, yet these forces are now responsible for the security of only 2 of Iraq's 18 provinces.

I have no doubt that General Casey is a good man with an impeccable character. Many of the mistakes regarding our Iraq strategy are not the result of his leadership.

But it is time that the Senate insists upon accountability.

It is past time for the Senate to provide oversight by showing that we will not accept anything but unvarnished, forthright candor from our military leaders.

We expect independent views from our military leaders,

and this has simply been too often lacking over these past few years.

General Casey deserves credit for his long, dedicated service to this country. But I did not believe he should to be promoted to Chief of Staff of the Army. Therefore, I regretfully cast my vote against his nomination.

CELEBRATING OREGON'S BLACK HISTORY

Mr. SMITH. Mr. President, each Congress I rise to honor February as Black History Month. Each February since 1926, our Nation has recognized the contributions of Black Americans to the history of our Nation.

This is no accident; February is a significant month in Black American history. Abolitionist Frederick Douglass, President Abraham Lincoln, and scholar and civil rights leader W.E.B. DuBois were born in the month of February. The 15th amendment to the Constitution was ratified 136 years ago this month, preventing race discrimination in the right to vote. The National Association for the Advancement of Colored People was founded in February in New York City. And on February 25, 1870, this body welcomed its first Black Senator, Hiram R. Revels of Mississippi.

In this important month I want to celebrate some of the contributions made by Black Americans in my home State of Oregon. Since Marcus Lopez, who sailed with Captain Robert Gray in 1788, became the first person of African descent known to set foot in Oregon, a great many Black Americans have helped shape the history of my State. Throughout this month, I will come to the floor to highlight some of their stories.

Reverend Jesse James "J.J." Clow was a beloved minister and a prominent figure in the struggle for civil rights in Portland, OR. In 1936, Reverend Clow began a service of ministry at Portland's Mount Olivet Baptist Church. Mount Olivet was the first African-American baptist church in the State of Oregon and during the 1940s and 1950s was also the largest Black church in the State. It was from this vantage point that Clow lived and preached a social gospel that contributed to the civil rights battles of Portland's WWII challenges and continued through the turbulent 60s.

Clow was born in Hufsmith, TX, 1 of 15 children. Clow finished high school at Tuskegee Institute and received his B.A. from Virginia Union University. His first pulpit was in Virginia, a second in Georgia, before arriving in Portland. His experiences growing up in the South helped prepare him for a lifetime of activism for justice and civil rights.

During the World War II years, Clow served as president of the local chapter of the NAACP. He was also deeply involved in the establishment of a Portland office of the Urban League. Along with these national organizations, Clow and other Portland area Black leaders worked tirelessly to improve housing and employment opportunities for African Americans. These efforts were largely responsible for ridding the city of many traditional economic and social segregation policies, including Oregon's first civil rights ordinance in 1953.

Upon his retirement from Mount Olivet in 1963, Reverend Clow spoke warmly of the progress he had witnessed during his lifetime. He continued to believe that Christianity must be interpreted in terms of how men behave towards one another and not just to comfort them. Until his death, Clow encouraged the community of Portland to more fully embrace democratic ideals in its social, political, and economic sectors.

Reverend Clow is only one example of the Black men and women who changed the course of history in Oregon and in the United States. During the remainder of Black History Month, I will return to the floor to celebrate more Oregonians like Rev. J.J. Clow, whose contributions, while great, have not yet received the attention they deserve.

S. 331 COSPONSORSHIP

Mr. THUNE. Mr. President, Senator KENT CONRAD is an original cosponsor to S. 331, a bill to provide grants from moneys collected from violations of the corporate average fuel economy program to be used to expand infrastructure necessary to increase the availability of alternative fuels.

In my floor statement on January 18, 2007, I referenced Senator CONRAD as a cosponsor but he was omitted from the list of cosponsors of this legislation. I ask that the RECORD be updated to reflect Senator CONRAD's original cosponsorship.

WILLIAM ODOM'S "VICTORY IS NOT AN OPTION"

Mr. LEAHY. Mr. President, William Odom is one of the finest intelligence officers who have served in our military. Retiring at the rank of lieutenant general, his distinguished Army career culminated in his heading up the U.S. Army's intelligence division and the National Security Agency. He has worked tirelessly to help the country understand and deal with the challenges to its security and defense. I have known the general for decades, and, like many of my colleagues, I deeply value his judgment and insight.

That is why I read his opinion piece from last Sunday's Washington Post, "Victory is Not an Option," with great interest.

General Odom lays out the truths and myths of the Nation's involvement in Iraq. Among the clear truths is that the dream of a real democracy gaining roots in that war-torn country is simply that, a dream. He rightly points out, too, that any Iraqi government is likely to be more anti than pro-American at the end of the day.

As for the myths, he sensibly lays out that it is pure fantasy for anyone to think that our presence is actually preventing the horrible carnage from unfolding or holding Iran back from gaining influence with its neighbor. It is similarly a flight of the imagination to think that our military presence is actually stanching—as opposed to encouraging—al-Qaida's involvement in the country. Finally, it is a myth to think that we must stay in Iraq "to support the troops." In fact, he notes, many of our brave men and women in the country understand the cold realities that unfold there every day, and many of them believe that we should get out of Iraq.

General Odom makes some sensible suggestions for a new policy direction, something beyond the absurd "surge" that is only the same old repast of stay-the-course with a different seasoning. We should get out of Iraq and recognize that our presence there has become a source of instability for the whole Middle East. He smartly suggests that we should work with our international partners to seek order and stability, which will fundamentally alter the balance against the radicals who want to stir up even more strife.

I ask unanimous consent that General Odom's article, "Victory Is Not an Option," now be printed in the RECORD. I urge my colleagues to read this article closely and truly think about what General Odom is saying. The logic is clear and sensible. I think it is incontrovertible.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Feb. 11, 2007]

VICTORY IS NOT AN OPTION

(By William E. Odom)

The new National Intelligence Estimate on Iraq starkly delineates the gulf that separates President Bush's illusions from the realities of the war. Victory, as the president sees it, requires a stable liberal democracy in Iraq that is pro-American. The NIE describes a war that has no chance of producing that result. In this critical respect, the NIE, the consensus judgment of all the U.S. intelligence agencies, is a declaration of defeat.

Its gloomy implications—hedged, as intelligence agencies prefer, in rubbery language that cannot soften its impact—put the intelligence community and the American public on the same page. The public awakened to the reality of failure in Iraq last year and turned the Republicans out of control of Congress to wake it up. But a majority of its members are still asleep, or only half-awake to their new writ to end the war soon.

Perhaps this is not surprising. Americans do not warm to defeat or failure, and our politicians are famously reluctant to admit their own responsibility for anything resembling those un-American outcomes. So they beat around the bush, wringing hands and debating "nonbinding resolutions" that oppose the president's plan to increase the number of U.S. troops in Iraq.

For the moment, the collision of the public's clarity of mind, the president's relentless pursuit of defeat and Congress's anxiety has paralyzed us. We may be doomed to two more years of chasing the mirage of democracy in Iraq and possibly widening the war to Iran. But this is not inevitable. A Congress, or a president, prepared to quit the game of "who gets the blame" could begin to alter American strategy in ways that will vastly improve the prospects of a more stable Middle East.

No task is more important to the well-being of the United States. We face great peril in that troubled region, and improving our prospects will be difficult. First of all, it will require, from Congress at least, public acknowledgment that the president's policy is based on illusions, not realities. There never has been any right way to invade and transform Iraq. Most Americans need no further convincing, but two truths ought to put the matter beyond question:

First, the assumption that the United States could create a liberal, constitutional democracy in Iraq defies just about everything known by professional students of the topic. Of the more than 40 democracies created since World War II, fewer than 10 can be considered truly "constitutional"—meaning that their domestic order is protected by a broadly accepted rule of law, and has survived for at least a generation. None is a country with Arabic and Muslim political cultures. None has deep sectarian and ethnic fissures like those in Iraq.

Strangely, American political scientists whose business it is to know these things have been irresponsibly quiet. In the lead-up to the March 2003 invasion, neoconservative agitators shouted insults at anyone who dared to mention the many findings of academic research on how democracies evolve. They also ignored our own struggles over two centuries to create the democracy Americans enjoy today. Somehow Iraqis are now expected to create a constitutional order in a country with no conditions favoring it.

This is not to say that Arabs cannot become liberal democrats. When they immigrate to the United States, many do so quickly. But it is to say that Arab countries, as well as a large majority of all countries, find creating a stable constitutional democracy beyond their capacities.

Second, to expect any Iraqi leader who can hold his country together to be pro-American, or to share American goals, is to abandon common sense. It took the United States more than a century to get over its hostility toward British occupation. (In 1914, a majority of the public favored supporting Germany against Britain.) Every month of the U.S. occupation, polls have recorded Iraqis' rising animosity toward the United States. Even supporters of an American military presence say that it is acceptable temporarily and only to prevent either of the warring sides in Iraq from winning. Today the Iraqi government survives only because its senior members and their families live within the heavily guarded Green Zone, which houses the U.S. Embassy and military command.

As Congress awakens to these realities—and a few members have bravely pointed them out—will it act on them? Not necessarily. Too many lawmakers have fallen for the myths that are invoked to try to sell the president's new war aims. Let us consider the most pernicious of them.

(1) We must continue the war to prevent the terrible aftermath that will occur if our forces are withdrawn soon. Reflect on the double-think of this formulation. We are now fighting to prevent what our invasion made inevitable! Undoubtedly we will leave a mess—the mess we created, which has become worse each year we have remained. Lawmakers gravely proclaim their opposition to the war, but in the next breath express fear that quitting it will leave a blood bath, a civil war, a terrorist haven, a "failed state," or some other horror. But this "aftermath" is already upon us; a prolonged U.S. occupation cannot prevent what already exists.

(2) We must continue the war to prevent Iran's influence from growing in Iraq. This is another absurd notion. One of the president's initial war aims, the creation of a democracy in Iraq, ensured increased Iranian influence, both in Iraq and the region. Electoral democracy, predictably, would put Shiite groups in power—groups supported by Iran since Saddam Hussein repressed them in 1991. Why are so many members of Congress swallowing the claim that prolonging the war is now supposed to prevent precisely what starting the war inexorably and predictably caused? Fear that Congress will confront this contradiction helps explain the administration and neocon drumbeat we now hear for expanding the war to Iran.

Here we see shades of the Nixon-Kissinger strategy in Vietnam: widen the war into Cambodia and Laos. Only this time, the adverse consequences would be far greater. Iran's ability to hurt U.S. forces in Iraq are not trivial. And the anti-American backlash in the region would be larger, and have more lasting consequences.

(3) We must prevent the emergence of a new haven for al-Qaeda in Iraq. But it was the U.S. invasion that opened Iraq's doors to al-Qaeda. The longer U.S. forces have remained there, the stronger al-Qaeda has become. Yet its strength within the Kurdish and Shiite areas is trivial. After a U.S. withdrawal, it will probably play a continuing role in helping the Sunni groups against the Shiites and the Kurds. Whether such foreign elements could remain or thrive in Iraq after the resolution of civil war is open to question. Meanwhile, continuing the war will not push al-Qaeda outside Iraq. On the contrary, the American presence is the glue that holds al-Qaeda there now.

(4) We must continue to fight in order to "support the troops." This argument effectively paralyzes almost all members of Congress. Lawmakers proclaim in grave tones a litany of problems in Iraq sufficient to justify a rapid pullout. Then they reject that logical conclusion, insisting we cannot do so because we must support the troops. Has anybody asked the troops?

During their first tours, most may well have favored "staying the course"—whatever that meant to them—but now in their second, third and fourth tours, many are changing their minds. We see evidence of that in the many news stories about unhappy troops being sent back to Iraq. Veterans groups are beginning to make public the case for bringing them home. Soldiers and officers in Iraq are speaking out critically to reporters on the ground.

But the strangest aspect of this rationale for continuing the war is the implication that the troops are somehow responsible for deciding to continue the president's course. That political and moral responsibility belongs to the president, not the troops. Did not President Harry S. Truman make it clear that "the buck stops" in the Oval Office? If the president keeps dodging it, where does it stop? With Congress?

Embracing the four myths gives Congress excuses not to exercise its power of the purse to end the war and open the way for a strategy that might actually bear fruit.

The first and most critical step is to recognize that fighting on now simply prolongs our losses and blocks the way to a new strategy. Getting out of Iraq is the pre-condition for creating new strategic options. Withdrawal will take away the conditions that allow our enemies in the region to enjoy our pain. It will awaken those European states reluctant to collaborate with us in Iraq and the region.

Second, we must recognize that the United States alone cannot stabilize the Middle East.

Third, we must acknowledge that most of our policies are actually destabilizing the region. Spreading democracy, using sticks to try to prevent nuclear proliferation, threatening "regime change," using the hysterical rhetoric of the "global war on terrorism"—all undermine the stability we so desperately need in the Middle East.

Fourth, we must redefine our purpose. It must be a stable region, not primarily a democratic Iraq. We must redirect our military operations so they enhance rather than undermine stability. We can write off the war as a "tactical draw" and make "regional stability" our measure of "victory." That single step would dramatically realign the opposing forces in the region, where most states want stability. Even many in the angry mobs of young Arabs shouting profanities against the United States want predictable order, albeit on better social and economic terms than they now have.

Realigning our diplomacy and military capabilities to achieve order will hugely reduce the numbers of our enemies and gain us new and important allies. This cannot happen, however, until our forces are moving out of Iraq. Why should Iran negotiate to relieve our pain as long as we are increasing its influence in Iraq and beyond? Withdrawal will awaken most leaders in the region to their own need for U.S.-led diplomacy to stabilize their neighborhood.

If Bush truly wanted to rescue something of his historical legacy, he would seize the initiative to implement this kind of strategy. He would eventually be held up as a leader capable of reversing direction by turning an imminent, tragic defeat into strategic recovery.

If he stays on his present course, he will leave Congress the opportunity to earn the credit for such a turnaround. It is already too late to wait for some presidential candidate for 2008 to retrieve the situation. If Congress cannot act, it, too, will live in infamy.

ADDITIONAL STATEMENTS

IN RECOGNITION OF SEHNERT'S BAKERY

• Mr. NELSON of Nebraska. Mr. President, I rise today to congratulate a very special place in my hometown of McCook, NE. It is a place which exemplifies the thousands of family-owned small businesses lining the main streets of every small town in America, businesses which are the driving force in keeping those towns economically viable.

This year marks the 50th anniversary of Sehnert's Bakery in McCook, NE. It was in 1957 when Walt and Jean Sehnert, the grandchildren of immigrants who came to America 110 years ago, bought the bakery as a place to work hard, earn a decent living, and raise a family.

Today, their son Matt Sehnert and his wife Shelly carry on the tradition by providing the people of McCook with some of the most delicious pastries on the planet. Matt and Shelly credit a dedicated and hard-working crew, who also take pride in Sehnert's longstanding tradition.

As many small businesses do in order to survive in a competitive environment, Matt and Shelly have modernized Sehnert's Bakery and expanded it to include a catering service and cafe, where I often meet with constituents during visits home.

My memories of Sehnert's go back to when I was a teenager in McCook and was able to get a job there, working early Saturday mornings. I learned a lot about how to make piecrusts and decorate cakes. I also learned that it is easy to overdose on glazed donuts when you work in a bakery Walt Sehnert can still recall my first day on the job.

My fellow colleagues, if you ever have the pleasure of visiting my hometown of McCook, NE, I urge you to drop by Sehnert's Bakery and enjoy some of their mouth-watering donuts, or maybe some pies or perhaps one of their famous "Jiffy Burgers," whose recipe remains a closely guarded secret in McCook.

Sehnert's Bakery and Bieroc Café Catering Service is located at 312 Norris Avenue. That is Norris, as in George Norris, who very capably served Nebraska in the U.S. Senate from 1913 to 1943. Yes, McCook has produced two U.S. Senators, as well as three of Nebraska's Governors. Not bad for a town with a population of just 8,000 people; but of course, that is why the Sehnerts and I are proud to call it home.•

MESSAGE FROM THE HOUSE

At 11:57 a.m., a message from the House of Representatives, delivered by Mr. Hays, one of it reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 34. An act to establish a pilot program in certain United States district courts to encourage enhancement or expertise in patent cases among district judges.

H.R. 342. An act to designate the United States courthouse located at 555 Independence Street in Cape Girardeau, Missouri, as the "Rush Hudson Limbaugh, Sr. United States Courthouse".

H.R. 414. An act to designate the facility of the United States Postal Service located at 60 Calle McKinley, West in Mayaguez, Puerto Rico, as the "Miguel Angel Garcia Mendez Post Office Building".

H.R. 798. An act to direct the Administrator of General Services to install a photovoltaic system for the headquarters building of the Department of Energy.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 44. Concurrent resolution honoring and praising the National Association for the Advancement of Colored People on the occasion of its 98th anniversary.

MEASURES REFERRED

The following bills were read the first and the second time by unanimous consent, and referred as indicated:

H.R. 34. An act to establish a pilot program in certain United States district courts to encourage enhancement of expertise in patent cases among district judges; to the Committee on the Judiciary.

H.R. 414. An act to designate the facility of the United States Postal Service located at 60 Calle McKinley, West in Mayaguez, Puerto Rico, as the "Miguel Angel Garcia Mendez Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 798. An act to direct the Administrator of General Services to install a photovoltaic system for the headquarters building of the Department of Energy; to the Committee on Environment and Public Works.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 44. Concurrent resolution honoring and praising the National Association for the Advancement of Colored People on the occasion of its 98th anniversary; to the Committee on the Judiciary.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 574. A bill to express the sense of Congress on Iraq.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–744. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report entitled "2006 Status of the Nation's Highways, Bridges and Transit: Conditions and Performance"; to the Committee on Commerce, Science, and Transportation.

EC–745. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2007–12–2007–25); to the Committee on Foreign Relations.

EC–746. A communication from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting, pursuant to law, a report relative to services performed by certain full-time government employees during fiscal year 2006; to the Committee on Foreign Relations.

EC–747. A communication from the Acting Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Statutory Exemption for Cross-Trading of Securities" (RIN1210–AB17) received on February 12, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–748. A communication from the Federal Register Liaison Officer, Regulations and Rulings Division, Alcohol and Tobacco Tax and Trade Bureau, transmitting, pursuant to law, the report of a rule entitled "Establishment of the Outer Coastal Plain Viticultural Area" (RIN1513–AB13) received on February 8, 2007; to the Committee on the Judiciary.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

Mr. INOUYE. Mr. President, for the Committee on Commerce, Science, and Transportation, I report favorably the following nomination lists which were printed in the RECORD on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

*Coast Guard nomination of Thomas W. Denucci, 3271, to be Lieutenant.

*Coast Guard nomination of Edward J. Mosely, 9449, to be Lieutenant.

*Coast Guard nomination of Teresa K. Peace, 1300, to be Lieutenant.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. NELSON of Florida:

S. 559. A bill to amend the Help America Vote Act of 2002 to require a voter-verified permanent paper ballot under title III of such Act, and for other purposes; to the Committee on Rules and Administration.

By Mr. SALAZAR (for himself, Mr. CHAMBLISS, Mr. ISAKSON, and Mr. PRYOR):

S. 560. A bill to create a Rural Policing Institute as part of the Federal Law Enforcement Training Center; to the Committee on the Judiciary.

By Mr. BUNNING (for himself, Mr. NELSON of Nebraska, Mr. BROWNBACK, Mr. BURR, Mr. CRAIG, Mr. DEMINT, Mr. DOMENICI, Mr. HATCH, Mrs. HUTCHISON, Mr. INHOFE, Mr. ROBERTS, Mr. SMITH, Mr. VITTER, and Mr. WARNER):

S. 561. A bill to repeal the sunset of the Economic Growth and Tax Relief Reconciliation Act of 2001 with respect to the expansion of the adoption credit and adoption assistance programs; to the Committee on Finance.

By Ms. COLLINS:

S. 562. A bill to provide for flexibility and improvements in elementary and secondary education, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. COLLINS:

S. 563. A bill to extend the deadline by which State identification documents shall comply with certain minimum standards and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. FEINGOLD (for himself and Mr. MCCAIN):

S. 564. A bill to modernize water resources planning, and for other purposes; to the Committee on Environment and Public Works.

By Mr. BINGAMAN (for himself, Mrs. HUTCHISON, Mr. NELSON of Florida, Mr. MARTINEZ, Mrs. CLINTON, Mr. CORNYN, Mr. SALAZAR, and Mrs. BOXER):

S. 565. A bill to expand and enhance postbaccalaureate opportunities at Hispanic-serving institutions, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. NELSON of Nebraska (for himself and Mr. SALAZAR):

S. 566. A bill to amend the Consolidated Farm and Rural Development Act to establish a rural entrepreneur and microenterprise assistance program; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. LEVIN (for himself and Mr. MCCAIN) (by request):

S. 567. A bill to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2008, and for other purposes; to the Committee on Armed Services.

By Mr. BROWNBACK:

S. 568. A bill to prohibit deceptive conduct in the rating of video and computer games, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. LUGAR:

S. 569. A bill to accelerate efforts to develop vaccines for diseases primarily affecting developing countries and for other purposes; to the Committee on Foreign Relations.

By Mr. WARNER (for himself and Mr. WEBB):

S. 570. A bill to designate additional National Forest System lands in the State of Virginia as wilderness or a wilderness study area, to designate the Kimberling Creek Potential Wilderness Area for eventual incorporation in the Kimberling Creek Wilderness, to establish the Seng Mountain and Bear Creek Scenic Areas, to provide for the development of trail plans for the wilderness areas and scenic areas, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. DORGAN (for himself, Mr. GRAHAM, and Mr. BROWN):

S. 571. A bill to withdraw normal trade relations treatment from, and apply certain provisions of title IV of the Trade Act of 1974 to, the products of the People's Republic of China; to the Committee on Finance.

By Mr. KENNEDY (for himself, Mr. SMITH, and Mr. DURBIN):

S. 572. A bill to ensure that Federal student loans are delivered as efficiently as possible in order to provide more grant aid to students; to the Committee on Health, Education, Labor, and Pensions.

By Ms. STABENOW (for herself, Ms. MURKOWSKI, Ms. COLLINS, Ms. SNOWE, Mr. AKAKA, Mr. COCHRAN, and Mr. MENENDEZ):

S. 573. A bill to amend the Federal Food, Drug, and Cosmetic Act and the Public Health Service Act to improve the prevention, diagnosis, and treatment of heart disease, stroke, and other cardiovascular diseases in women; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REID:

S. 574. A bill to express the sense of Congress on Iraq; read the first time.

By Mr. DOMENICI (for himself, Mr. DORGAN, Mrs. HUTCHISON, Mr. KYL, and Mrs. MURRAY):

S. 575. A bill to authorize appropriations for border and transportation security personnel and technology, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. DODD (for himself, Mr. LEAHY, Mr. FEINGOLD, and Mr. MENENDEZ):

S. 576. A bill to provide for the effective prosecution of terrorists and guarantee due process rights; to the Committee on Armed Services.

By Mrs. FEINSTEIN (for herself, Ms. SNOWE, Mr. LEVIN, Ms. CANTWELL, Mrs. BOXER, Mr. FEINGOLD, Mr. BINGAMAN, Mr. LIEBERMAN, Mr. LAUTENBERG, and Ms. MIKULSKI):

S. 577. A bill to amend the Commodity Exchange Act to add a provision relating to reporting and recordkeeping for positions involving energy commodities; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. KENNEDY (for himself, Mr. SMITH, Mr. REED, Ms. SNOWE, Mr. HARKIN, Mr. BINGAMAN, Mrs. CLINTON, Ms. MIKULSKI, Mr. DODD, Mr. DURBIN, Mrs. BOXER, Mr. KERRY, Mrs. FEINSTEIN, Mr. SCHUMER, Mr. LEVIN, Mr. AKAKA, Ms. CANTWELL, and Mr. MENENDEZ):

S. 578. A bill to amend title XIX of the Social Security Act to improve requirements under the Medicaid program for items and services furnished in or through an educational program or setting to children, including children with developmental, physical, or mental health needs, and for other purposes; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. HAGEL (for himself, Mr. FEINGOLD, and Ms. STABENOW):

S. Res. 78. A resolution designating April 2007 as "National Autism Awareness Month" and supporting efforts to increase funding for research into the causes and treatment of autism and to improve training and support for individuals with autism and those who care for individuals with autism; to the Committee on the Judiciary.

By Mr. REID (for himself, Mr. MCCONNELL, Mr. CHAMBLISS, and Mr. ISAKSON):

S. Res. 79. A resolution relative to the death of Representative Charles W. Norwood, Jr., of Georgia; considered and agreed to.

By Mr. REID (for himself and Mr. MCCONNELL):

S. Res. 80. A resolution to authorize testimony, document production, and legal representation in State of Oregon v. Rebecca Michelson, Michele Darr, and Vernon Huffman; considered and agreed to.

By Mr. FEINGOLD:

S. Con. Res. 11. A concurrent resolution providing that any agreement relating to trade and investment that is negotiated by the executive branch with another country comply with certain minimum standards; to the Committee on Finance.

ADDITIONAL COSPONSORS

S. 65

At the request of Mr. INHOFE, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 65, a bill to modify the age-60 standard for certain pilots and for other purposes.

S. 206

At the request of Mrs. FEINSTEIN, the name of the Senator from Illinois (Mr. OBAMA) was added as a cosponsor of S. 206, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 381

At the request of Mr. INOUYE, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. 381, a bill to establish a fact-finding Commission to extend the study of a prior Commission to investigate and determine facts and circumstances surrounding the relocation, internment, and deportation to Axis countries of Latin Americans of Japanese descent from December 1941 through February 1948, and the impact of those actions by the United States, and to recommend appropriate remedies, and for other purposes.

S. 430

At the request of Mr. BOND, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 430, a bill to amend title 10, United States Code, to enhance the national defense through empowerment of the Chief of the National Guard Bureau and the enhancement of the functions of the National Guard Bureau, and for other purposes.

S. 431

At the request of Mr. SCHUMER, the name of the Senator from Illinois (Mr.

OBAMA) was added as a cosponsor of S. 431, a bill to require convicted sex offenders to register online identifiers, and for other purposes.

S. 464

At the request of Mr. ROCKEFELLER, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 464, a bill to amend title XVIII and XIX of the Social Security Act to improve the requirements regarding advance directives in order to ensure that an individual's health care decisions are complied with, and for other purposes.

S. 466

At the request of Mr. ROCKEFELLER, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 466, a bill to amend title XVIII of the Social Security Act to provide for coverage of an end-of-life planning consultation as part of an initial preventive physical examination under the Medicare program.

S. 487

At the request of Mr. LEVIN, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of S. 487, a bill to amend the National Organ Transplant Act to clarify that kidney paired donations shall not be considered to involve the transfer of a human organ for valuable consideration.

S. 494

At the request of Mr. LUGAR, the name of the Senator from New Hampshire (Mr. SUNUNU) was added as a cosponsor of S. 494, a bill to endorse further enlargement of the North Atlantic Treaty Organization (NATO) and to facilitate the timely admission of new members to NATO, and for other purposes.

S. 497

At the request of Mrs. BOXER, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 497, a bill to repeal a prohibition on the use of certain funds for tunneling in certain areas with respect to the Los Angeles to San Fernando Valley Metro Rail project, California.

S. 535

At the request of Mr. DODD, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 535, a bill to establish an Unsolved Crimes Section in the Civil Rights Division of the Department of Justice, and an Unsolved Civil Rights Crime Investigative Office in the Civil Rights Unit of the Federal Bureau of Investigation, and for other purposes.

S. 558

At the request of Mr. SALAZAR, his name was added as a cosponsor of S. 558, a bill to provide parity between health insurance coverage of mental health benefits and benefits for medical and surgical services.

S. CON. RES. 10

At the request of Mrs. CLINTON, the names of the Senator from Connecticut (Mr. DODD), the Senator from Ohio (Mr. VOINOVICH) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. Con. Res. 10, a concurrent resolution honoring and praising the National Association for the Advancement of Colored People on the occasion of its 98th anniversary.

S. RES. 30

At the request of Mr. BIDEN, the names of the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Maine (Ms. SNOWE), the Senator from Wisconsin (Mr. FEINGOLD), the Senator from New Mexico (Mr. BINGAMAN) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. Res. 30, a resolution expressing the sense of the Senate regarding the need for the United States to address global climate change through the negotiation of fair and effective international commitments.

S. RES. 65

At the request of Mr. BIDEN, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. Res. 65, a resolution condemning the murder of Turkish-Armenian journalist and human rights advocate Hrant Dink and urging the people of Turkey to honor his legacy of tolerance.

AMENDMENT NO. 243

At the request of Mr. CORKER, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of amendment No. 243 intended to be proposed to H.J. Res. 20, a joint resolution making further continuing appropriations for the fiscal year 2007, and for other purposes.

AMENDMENT NO. 246

At the request of Mr. MARTINEZ, the name of the Senator from Florida (Mr. NELSON) was withdrawn as a cosponsor of amendment No. 246 intended to be proposed to H.J. Res. 20, a joint resolution making further continuing appropriations for the fiscal year 2007, and for other purposes.

AMENDMENT NO. 247

At the request of Mr. MARTINEZ, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of amendment No. 247 intended to be proposed to H.J. Res. 20, a joint resolution making further continuing appropriations for the fiscal year 2007, and for other purposes.

AMENDMENT NO. 259

At the request of Mr. NELSON of Florida, his name was added as a cosponsor of amendment No. 259 intended to be proposed to H.J. Res. 20, a joint resolution making further continuing appropriations for the fiscal year 2007, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. NELSON of Florida:

S. 559. A bill to amend the Help America Vote Act of 2002 to require a voter-verified permanent paper ballot under title III of such Act, and for other purposes; to the Committee on Rules and Administration.

Mr. NELSON of Florida. Mr. President, I rise today to introduce the Voting Integrity and Verification Act, VIVA, of 2007. The time has come to ensure that the vote of each American is counted and counted as they intended. VIVA will get us closer to that goal by mandating the use of voter-verified paper ballots in any election with Federal candidates.

It was President Johnson who helped Black Americans win the right to vote, who said, "The vote is the most powerful instrument ever devised by man . . ." Indeed, it is the ability of a nation, like ours, to hold free and fair elections, which guarantees our government is based on consent of the governed; and, majority rule with minority rights.

It is the guarantee of a ballot that cools the impassioned hearts of many in the electorate, even when a majority of citizens disagree with their government over a war, court decision, or action by lawmakers or the executive branch.

For any democracy to long withstand these external and internal conflicts, it is vital that the governed have unwavering faith that their votes will be counted. Ever since the 2000 Presidential recount in Florida and, more recently, the disputed congressional election in Sarasota, an increasingly high number of Americans have come to lack confidence in the way our States record, tally, and verify votes.

If this Congress doesn't act to restore voter confidence, I fear our democracy—in the words of philosopher and educator Robert Maynard Hutchins—could suffer "a slow extinction from apathy, indifference and undernourishment."

VIVA authorizes $300 million in Federal funding to assist in the implementation of the requirements in this bill. This bill establishes mandatory security requirements for voting systems used in Federal elections. It also will provide for routine, random audits of paper ballots and make it illegal for a chief State election administration official to take an active part in a political campaign.

With another Presidential election on the horizon, we need to fix this—and fix it now. Let us never have another election after which citizens are left to doubt its legitimacy.

By Mr. SALAZAR (for himself, Mr. CHAMBLISS, Mr. ISAKSON, and Mr. PRYOR):

S. 560. A bill to create a Rural Policing Institute as part of the Federal

Law Enforcement Training Center; to the Committee on the Judiciary.

Mr. SALAZAR. Mr. President, I have often referred to our rural communities as "the forgotten America." Indeed, rural America is the backbone of our country—but is too often neglected by policymakers and politicians who have lost touch with people in the heartland. Nowhere is this neglect felt more acutely than in small-town law enforcement agencies—which have been confronted with decreased funding, increased homeland security responsibilities, and the great toll of a meth epidemic that is devastating rural America.

Many people do not realize that most American law enforcement agencies serve rural communities or small towns. Indeed, of the nearly 17,000 police agencies in the United States, 90 percent serve a population of under 25,000 and operate with fewer than 50 sworn officers.

I am well aware of the difficulties small town law enforcement agencies face day-in, day-out. When I was the attorney general of Colorado, I had the honor to work with some of America's finest law enforcement officials—many of them from rural Colorado. Men like Jerry Martin, the Dolores County Sherriff, who have consistently been able to do more with less. But the pressure they face is great.

The growing demands on rural law enforcement, and shrinking budgets, have hit training programs particularly hard. Many rural law enforcement agencies simply do not have the budget to provide officers with adequate training. Furthermore, even those agencies that can come up with the money simply can't afford to take their police officers off the beat long enough to get additional training.

That is where the Rural Policing Institute comes in. FLETC does a fantastic job training Federal, State, and local law enforcement officials. But FLETC does not have enough resources dedicated specifically toward training rural law enforcement officials. So the Rural Policing Institute would: evaluate the needs of rural and tribal law enforcement agencies; develop training programs designed to address the needs of rural law enforcement agencies, with a focus on combating meth, domestic violence, and school violence; export those training programs to rural and tribal law enforcement agencies; and conduct outreach to ensure that the training programs reach rural law enforcement agencies.

As Colorado's attorney general, I learned that a small investment in law enforcement training can pay great dividends. This legislation would do just that—by ensuring that our rural and small town law enforcement officers have the training they need to protect their communities.

I am proud of my roots in rural southern Colorado. Communities like mine are the heart of our Nation—and the men and women who protect them deserve the best possible training.

I thank Senators CHAMBLISS, ISAKSON, and PRYOR for cosponsoring this legislation.

By Mr. BUNNING (for himself, Mr. NELSON of Nebraska, Mr. BROWNBACK, Mr. BURR, Mr. CRAIG, Mr. DEMINT, Mr. DOMENICI, Mr. HATCH, Mrs. HUTCHISON, MR. INHOFE, Mr. ROBERTS, Mr. SMITH, Mr. VITTER, and Mr. WARNER):

S. 561. A bill to repeal the sunset of the Economic Growth and Tax Relief Reconciliation Act of 2001 with respect to the expansion of the adoption credit and adoption assistance programs; to the Committee on Finance.

Mr. BUNNING. Mr. President, I rise today in support of the American family and the need to extend important tax relief provisions to help make adoption more affordable. The high cost of adoptions causes many couples to dismiss adoption as too expensive. By helping to ease this financial burden, we can encourage the development of more stable families and provide a brighter future for thousands of children.

These important goals prompted us to act in 2001, when we passed important adoption incentives in the form of tax credits. However, these provisions are set to expire or "sunset" after December 31, 2010.

Our entire society benefits when children are placed with loving, permanent families. That is why today I am introducing the Adoption Tax Relief Guarantee Act with Senator BEN NELSON.

The Adoption Tax Relief Guarantee Act will permanently extend the 2001 adoption incentives allowing those Americans who adopt a child to continue to receive a credit in the amount of their qualified expenses and guarantees the maximum $10,000 credit for those who adopt children with special needs. This legislation will help middle class families break the financial barriers and successfully adopt a child, especially those children with special needs who are in particular need of a loving home.

I am pleased that Senators from both sides of the aisle have cosponsored this legislation, and that it has received endorsement from the National Council for Adoption and RESOLVE: the National Infertility Association. The adoption tax credit and assistance programs have already helped countless children and families by making adoption more affordable. We owe it to future generations of children in need to make these provisions permanent.

I ask unanimous consent that the text of the Adoption Tax Relief Guarantee Act, be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 561

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as "The Adoption Tax Relief Guarantee Act".

SEC. 2. REPEAL OF APPLICABILITY OF SUNSET OF THE ECONOMIC GROWTH AND TAX RELIEF RECONCILIATION ACT OF 2001 WITH RESPECT TO ADOPTION CREDIT AND ADOPTION ASSISTANCE PROGRAMS.

Section 901 of the Economic Growth and Tax Relief Reconciliation Act of 2001 is amended by adding at the end the following new subsection:

"(c) EXCEPTION.—Subsection (a) shall not apply to the amendments made by section 202 (relating to expansion of adoption credit and adoption assistance programs).".

By Ms. COLLINS:

S. 562. A bill to provide for flexibility and improvements in elementary and secondary education, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Ms. COLLINS. Mr. President, I rise today to introduce the No Child Left Behind Flexibility and Improvements Act. I am pleased to be joined in this effort by my colleague from Maine, Senator SNOWE. Our legislation would give greater local control and flexibility to Maine and other States in their efforts to implement the No Child Left Behind Act, NCLB, and provides common sense reforms in keeping with the worthy goals of NCLB.

Since NCLB was enacted in 2002, I have had the opportunity to meet with numerous Maine educators to discuss their concerns with the law. In response to their concerns, in March 2004, Senator SNOWE and I commissioned the Maine NCLB Task Force to examine the implementation issues facing Maine under both NCLB and the Maine Learning Results. Our task force included members from every county in the State and had superintendents, teachers, principals, school board members, parents, business leaders, former State legislators, special education experts, assessment specialists, officials from the Maine Department of Education, a former Maine Commissioner of Education, and the Dean from the University of Maine's College of Education and Human Development.

After a year of study, the Task Force presented us with its final report outlining recommendations for possible statutory and regulatory changes to the Act. These recommendations form the basis of the legislation that we are introducing today.

First, our legislation would provide new flexibility for teachers of multiple subjects at the secondary school level to help them meet the "highly qualified teacher" requirements. Unfortunately, the current regulations place undue burdens on teachers at small and rural schools who often teach multiple subjects due to staffing needs, and on special education teachers who work with students on a variety of subjects throughout the day. Under the bill, provided these teachers are highly qualified for one subject they teach, they will be provided additional time and less burdensome avenues to satisfy the remaining requirements.

Second, our legislation would provide greater flexibility to States in the ways that they demonstrate student progress in meeting State education standards. Specifically, it would permit States to use a cohort growth model, which tracks the progress of the same group of students over time. It would also permit the use of an "indexing" model, where progress is measured based on the number of students whose scores improve from, for example, a "below-basic" to a "basic" level, and not simply on the number of students who cross the "proficient" line.

Third, our legislation would provide schools with better notice regarding possible performance issues, allowing schools a chance to identify and work with a particular group of students before being identified. It would expand the existing "safe-harbor" provisions to allow more schools to qualify for this important protection. The changes made in our bill are in keeping with what assessment experts and teachers know—that significant gains in academic achievement tend to occur gradually and over time.

Fourth, our legislation would allow the members of a special education student's IEP team to determine the best assessment for that individual student, and would permit the student's performance on that assessment to count for all NCLB purposes.

One reason this change is so important for Maine is that we have small student populations and Maine has chosen a very small subgroup size—only 20 students. I was very concerned to hear reports that in some schools, special education students fear that they are being blamed for their school not making adequate yearly progress. While the statute explicitly prohibits the disaggregation of student data if it would jeopardize student privacy, I am concerned to hear that this is not working out in practice.

This legislative change is also based on principles of fairness and common sense. Many times, it simply does not make sense to require a special needs student to take a grade-level assessment that everyone knows he or she is not ready to take. Many special education students are referred for special education services precisely because they cannot meet grade-level expectations. Allowing the IEP team to determine the best test for each special student will bring an important improvement to the Act.

Fifth, the legislation addresses my concern about the statute's current requirement that all schools reach 100 percent proficiency by 2013–2014. Our bill would require the Secretary of Education to review progress by the States toward meeting this goal every 3 years, and would allow her to modify the timeline as necessary.

Our legislation is a comprehensive effort to provide greater flexibility and commonsense modifications to address the key NCLB challenges facing Maine, and other States. I look forward to working with my colleagues on these issues during the upcoming NCLB reauthorization process.

By Ms. COLLINS:

S. 563. A bill to extend the deadline by which State identification documents shall comply with certain minimum security standards and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Ms. COLLINS. Mr. President, I rise today to introduce legislation to address the growing concern among States regarding the Real ID Act of 2005, which requires States to meet minimum security standards before citizens can use drivers' licenses for Federal purposes. As the deadline for compliance with Real ID rapidly approaches, States are beginning to send a very clear message that they are deeply concerned that they will not be able to meet these standards. The bill I introduce today recognizes those concerns by giving everyone more time to devise a way to make drivers' licenses more secure without unduly burdening State governments and without threatening privacy and civil liberties.

To begin, some background may be useful. The 9/11 Commission, finding that all but one of the 9/11 hijackers had acquired some form of U.S. identification, recommended that the Federal Government should set standards for the issuance of drivers' licenses. Taking up that recommendation I worked with a bipartisan group of Senators, especially Senator LIEBERMAN, to craft a provision in the 2004 Intelligence Reform and Terrorism Prevention Act that would accomplish this goal. This provision called for the creation of a committee composed of experts from the Federal Government, from State governments, and from other interested parties such as privacy and civil liberties advocates and information technology groups. This committee was charged with developing a means of providing secure identification that protected privacy and civil liberties and respected the role of States in issuing these documents.

The committee diligently began meeting, but before it could complete its work, the House of Representatives attached the Real ID Act of 2005 to an emergency war supplemental bill, thus halting this productive effort. Unlike our intelligence reform bill, the Real ID Act of 2005 did not include States and other interested parties in the rulemaking process and instead instructed the Department of Homeland Security to simply write its own regulations. Nearly 2 years later, we still have not seen these regulations in spite of a looming May 2008 deadline for States to be in compliance with the Real ID Act.

As States begin work this year on their 2008 budgets, they still have no idea what the regulations will require of them. They do know, from a study released in 2006 by the National Governors Association, that the cost to States to implement Real ID could total more than $11 billion over the first 5 years. As a result, many States—my home State of Maine included—have passed resolutions that have sent the message to Washington that they cannot and will not implement Real ID by the May 2008 deadline.

My bill has two primary objectives: 1. It gives us the time and flexibility we need to come up with an effective system to provide secure drivers' licenses; and 2. it gets the experts from the States and from the technology industry and from the privacy and civil liberties advocates back at the table and gives them a chance to make these regulations work.

There are three main provisions in this bill: First, the bill provides that States will not have to be Real ID compliant until 2 years after the final regulations are promulgated. This means that no matter how long it takes the Department of Homeland Security to finish these regulations, States will have a full 2 years to implement them. Most likely that will mean an extension from 2008 to 2010.

Second, the bill gives the Secretary of Homeland Security more flexibility to waive certain requirements of Real ID if an aspect of the program proves technically difficult to implement. Under the current law, the Secretary of Homeland Security has the discretion to waive the requirements for Real ID on a State-by-State basis if the State cannot comply for justifiable reasons. Because it is possible that some of the technological advances necessary for Real ID may not be in place when compliance is required, the bill will provide the Secretary specific authority to waive compliance with specific requirements if these technological systems are not up and running—relieving the States from the burden of seeking exemptions from Real ID for technological reasons not within their control.

Third, it reconstitutes the committee that we created in 2004 and that was making good progress in its discussions. The committee would be required to look at the regulations published by the Department of Homeland Security and to make suggestions for modifications to meet the concerns of States, privacy advocates, and the other interested parties. The committee would report these suggestions to the Department of Homeland Security and to Congress. The Department of Homeland Security would either have to make these modifications or explain why it chose not to do so. In addition, the committee could recommend to Congress statutory changes that would mitigate concerns that could not be addressed by modifications to the regulations.

This bill gives us the time and the information that Congress and the Department of Homeland Security need to better implement the recommendations of the 9/11 Commission in order to make our drivers' licenses secure so that they cannot be used again as a part of a plot to attack our country. This bill does this in a way that does not rewind the clock three years but instead keeps us moving forward to a more secure America.

I look forward to working with my colleagues on both sides of the aisle to address Real ID and to put us back on track in protecting our privacy, protecting our liberty, and protecting our country.

By Mr. FEINGOLD (for himself and Mr. McCain):

S. 564. A bill to modernize water resources planning, and for other purposes; to the Committee on Environment and Public Works.

Mr. FEINGOLD. Mr. President, today I introduce the Water Resources Planning and Modernization Act of 2007. I am pleased to be joined in introducing this legislation by the senior Senator from Arizona, Mr. McCain. We have worked together for some time to modernize the U.S. Army Corps of Engineers and I thank Senator McCain for his continued commitment to this issue.

I was pleased that the Senate made significant progress last Congress and included many key reforms in the Senate-passed Water Resources Development Act. I again thank my colleagues who cosponsored a successful independent peer review amendment: the Senator from Delaware, Mr. Carper; the Senator from Connecticut, Mr. Lieberman; the former Senator from Vermont, Mr. Jeffords; and the Senators from Maine, Ms. Collins and Ms. Snowe. I also want to acknowledge the Senator from California, Mrs. Boxer, for her support for this amendment. In addition, I appreciate the efforts to include reform provisions in the underlying bill by the then-Environment and Public Works Committee Chairs and Ranking Members: the former Senator from Vermont, Mr. Jeffords; the Senator from Montana, Mr. Baucus; the Senator from Oklahoma, Mr. Inhofe; and the Senator from Missouri, Mr. Bond. After 6 years of efforts on this issue, we made significant progress. However, negotiations between the House and Senate stalled and no conference report was agreed to.

By introducing this bill today, I am renewing my efforts to ensure that the Corps of Engineers' water resources planning is brought into the 21st century. As we all know, Hurricane Katrina produced one of the most tragic and costly natural disasters in our Nation's history. Water resources projects authorized by Congress and planned by the Corps of Engineers contributed to the loss of vital coastal wetlands (which can provide natural buffers from storm surge), intensified the storm surge into New Orleans, and encouraged development in flood-prone areas.

The flawed project planning, however, did not end there. Floodwalls and levees that the Corps built to protect New Orleans failed catastrophically during Hurricane Katrina. It is now well recognized and indeed, the Corps has acknowledged—that flawed engineering and construction led to those failures and the flooding of much of New Orleans.

Over the past decade, dozens of governmental and scientific studies have documented other flaws in Corps of Engineers' project planning. Most recently, the Government Accountability Office (GAO) testified that recent Corps studies "did not provide a reasonable basis for decision-making" because they were "were fraught with errors, mistakes, and miscalculations, and used invalid assumptions and outdated data." The GAO found that the recurring problems at the agency were "systemic in nature and therefore prevalent throughout the Corps' Civil Works portfolio."

We can, and must, do better.

Congress should not authorize additional Army Corps projects until it has considered and passed the reforms included in the Water Resources Planning and Modernization Act. From ensuring large projects are sound to using natural resources to protect our communities, modernizing water resources policy is a national priority.

The Water Resources Planning and Modernization Act of 2007 represents a sensible effort to increase our environmental stewardship and significantly reduce the government waste inherent in poorly designed or low priority U.S. Army Corps of Engineers projects. It represents a way to both protect the environment and save taxpayer dollars. With support from Taxpayers for Common Sense Action, National Taxpayers Union, Council for Citizens Against Government Waste, American Rivers, Association of State Wetland Managers, Defenders of Wildlife, Earthjustice, Environmental Defense, Friends of the Earth, National Wildlife Federation, Republicans for Environmental Protection, Sierra Club, Surfrider Foundation, and the World Wildlife Fund, the bill has the backing of a committed and diverse coalition.

The Water Resources Planning and Modernization Act of 2007 can be broadly divided into five parts: ensuring sound projects and responsible spending, valuing our natural resources, focusing our resources, identifying vulnerabilities, and updating the Army Corps of Engineer's planning guidelines.

To ensure that Corps water resources projects are sound, the bill requires independent review of those projects estimated to cost over $40 million, those requested by a Governor of an affected state, those which the head of a federal agency has determined may lead to a significant adverse impact, or those that the Secretary of the Army has found to be controversial. As crafted in the bill, independent review should not increase the length of time required for project planning but would protect the public—both those in the vicinity of massive projects and those whose tax dollars are funding projects. The Director of Independent Review can also require independent review of the technical designs and construction of flood damage reduction projects to ensure public safety and welfare. The independent review provision is identical to that supported by a majority of my colleagues last Congress and included in the Senate-passed WRDA.

We must do a better job of valuing our natural resources, such as wetlands, that provide important services. These resources can help buffer communities from storms, filter contaminants out of our water, support vibrant economies, and provide vital fish and wildlife habitat. Recognizing the role of these natural systems, the Water Resources Planning and Modernization Act of 2007 brings the Corps' 1986 mitigation standards into line with their regulatory program by requiring Corps water resources projects to meet the same mitigation standard that is required of all private citizens and other entities under the Clean Water Act. Where States have adopted stronger mitigation standards, the Corps must meet those standards. I feel very strongly that the Federal government should be able to live up to this requirement. Unfortunately, all too often, the Corps has not completed required mitigation. This legislation will make sure that mitigation is completed, that the true costs of mitigation are accounted for in Corps projects, and that the public is able to track the progress of mitigation projects.

Our current prioritization process is not serving the public good. To address this problem, the bill reinvigorates the Water Resources Council, originally established in 1965, and charges it with providing Congress a prioritized list of authorized water resource projects within one year of enactment and then every two years following. The prioritized list would also be printed in the Federal Register for the public to see. The Water Resources Council described in the bill, comprised of cabinet-level officials, would bring together varied perspectives to shape a list of national needs. In short, the prioritization process would be improved to make sure Congress has the tools to more wisely invest limited resources while also increasing public transparency in decision making—both needed and reasonable improvements to the status quo.

Taking stock of our vulnerabilities to natural disasters must also be a priority. For this reason, the bill also directs the Water Resources Council to identify and report to Congress on the nation's vulnerability to flood and related storm damage, including the risk to human life and property, and relative risks to different regions of the country. The Water Resources Council would also recommend improvements to the nation's various flood damage reduction programs to better address those risks. Many of these improvements were discussed in a government report following the 1993 floods so the building blocks are available; we just need to update the assessment. Then, of course, we must actually take action based on the assessment. To help speed such action, the legislation specifies that the Administration will submit a response to Congress, including legislative proposals to implement the recommendations, on the Water Resources Council report no later than 90 days after the report has been made public. We cannot afford to have this report, which will outline improvements to our flood damage reduction programs, languish like others before it.

The process by which the Army Corps of Engineers analyzes water projects should undergo periodic revision. Unfortunately, the Corps' principles and guidelines, which bind the planning process, have not been updated since 1983. This is why the bill requires that the Water Resources Council work in coordination with the National Academy of Sciences to propose periodic revisions to the Corps' planning principles and guidelines, regulations, and circulars. Updating the project planning process should involve consideration of a variety of issues, including the use of modern economic analysis and the same discount rates as used by all other Federal agencies. Simple steps such as these will lead to more precise estimates of project costs and benefits, a first step to considering whether a project should move forward.

Modernizing all aspects of our water resources policy will help restore credibility to a Federal agency historically rocked by scandal and currently plagued by public skepticism. Congress has long used the Army Corps of Engineers to facilitate favored pork-barrel projects, while periodically expressing a desire to change its ways. Back in 1836, a House Ways and Means Committee report referred to Congress ensuring that the Corps sought "actual reform, in the further prosecution of public works." Over 150 years later, the need for actual reform is stronger than ever.

My office has strong working relationships with the Detroit, Rock Island, and St. Paul District Offices that service Wisconsin, and I do not want this bill to be misconstrued as reflecting on the work of those district offices. What I do want is the fiscal and management cloud over the entire Army Corps to dissipate so that the Corps can better contribute to our environment and our economy—without wasting taxpayer dollars or endangering public safety.

I wish the changes we are proposing today were not needed, but unfortunately that is not the case. In fact, if there were ever a need for the bill, it is now. We must make sure that future Corps projects produce predicted benefits, are in furtherance of national priorities, and do not have negative environmental impacts. This bill gives the Corps the tools it needs to do a better job and focuses the attention of Congress on national needs, which is what the American taxpayers and the environment deserve.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 564

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Water Resources Planning and Modernization Act of 2007".

SEC. 2. DEFINITIONS.

In this Act:

(1) COUNCIL.—The term "Council" means the Water Resources Council established under section 101 of the Water Resources Planning Act (42 U.S.C. 1962a).

(2) SECRETARY.—The term "Secretary" means the Secretary of the Army.

SEC. 3. NATIONAL WATER RESOURCES PLANNING AND MODERNIZATION POLICY.

It is the policy of the United States that all water resources projects carried out by the Corps of Engineers shall—

(1) reflect national priorities for flood damage reduction, navigation, and ecosystem restoration; and

(2) seek to avoid the unwise use of floodplains, minimize vulnerabilities in any case in which a floodplain must be used, protect and restore the extent and functions of natural systems, and mitigate any unavoidable damage to natural systems.

SEC. 4. MEETING THE NATION'S WATER RESOURCE PRIORITIES.

(a) REPORT ON THE NATION'S FLOOD RISKS.—Not later than 18 months after the date of enactment of this Act, the Council shall submit to the President and Congress a report describing the vulnerability of the United States to damage from flooding and related storm damage, including the risk to human life, the risk to property, and the comparative risks faced by different regions of the country. The report shall assess the extent to which the Nation's programs relating to flooding are addressing flood risk reduction priorities and the extent to which those programs may unintentionally be encouraging development and economic activity in floodprone areas, and shall provide recommendations for improving those programs in reducing and responding to flood risks. Not later than 90 days after the report required by this subsection is published in the Federal Register, the Administration shall submit to Congress a report that responds to the recommendations of the Council and includes proposals to implement recommendations of the Council.

(b) PRIORITIZATION OF WATER RESOURCES PROJECTS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Council shall submit to Congress an initial report containing a prioritized list of each water resources project of the Corps of Engineers that is not being carried out under a continuing authorities program, categorized by project type and recommendations with respect to a process to compare all water resources projects across project type. The Council shall submit to Congress a prioritized list of water resources projects of the Corps of Engineers every 2 years following submission of the initial report. In preparing the prioritization of projects, the Council shall endeavor to balance stability in the rankings from year to year with recognizing newly authorized projects. Each report prepared under this paragraph shall provide documentation and description of any criteria used in addition to those set forth in paragraph (2) for comparing water resources projects and the assumptions upon which those criteria are based.

(2) PROJECT PRIORITIZATION CRITERIA.—In preparing a report under paragraph (1), the Council shall prioritize each water resource project of the Corps of Engineers based on the extent to which the project meets at least the following criteria:

(A) For flood damage reduction projects, the extent to which such a project—

(i) addresses the most critical flood damage reduction needs of the United States as identified by the Council;

(ii) does not encourage new development or intensified economic activity in flood prone areas and avoids adverse environmental impacts; and

(iii) provides significantly increased benefits to the United States through the protection of human life, property, economic activity, or ecosystem services.

(B) For navigation projects, the extent to which such a project—

(i) produces a net economic benefit to the United States based on a high level of certainty that any projected trends upon which the project is based will be realized;

(ii) addresses priority navigation needs of the United States identified through comprehensive, regional port planning; and

(iii) minimizes adverse environmental impacts.

(C) For environmental restoration projects, the extent to which such a project—

(i) restores the natural hydrologic processes and spatial extent of an aquatic habitat;

(ii) is self-sustaining; and

(iii) is cost-effective or produces economic benefits.

(3) SENSE OF CONGRESS.—It is the sense of Congress that to promote effective

prioritization of water resources projects, no project should be authorized for construction unless a final Chief's report recommending construction has been submitted to Congress, and annual appropriations for the Corps of Engineers' Continuing Authorities Programs should be distributed by the Corps of Engineers to those projects with the highest degree of design merit and the greatest degree of need, consistent with the applicable criteria established under paragraph (2).

(c) Modernizing Water Resources Planning Guidelines.—

(1) In general.—Not later than 2 years after the date of enactment of this Act, and every 5 years thereafter, the Council, in coordination with the National Academy of Sciences, shall propose revisions to the planning principles and guidelines, regulations, and circulars of the Corps of Engineers to improve the process by which the Corps of Engineers analyzes and evaluates water projects.

(2) Public participation.—The Council shall solicit public and expert comment and testimony regarding proposed revisions and shall subject proposed revisions to public notice and comment.

(3) Revisions.—Revisions proposed by the Council shall improve water resources project planning through, among other things—

(A) focusing Federal dollars on the highest water resources priorities of the United States;

(B) requiring the use of modern economic principles and analytical techniques, credible schedules for project construction, and current discount rates as used by all other Federal agencies;

(C) discouraging any project that induces new development or intensified economic activity in flood prone areas, and eliminating biases and disincentives to providing projects to low-income communities, including fully accounting for the prevention of loss of life as required by section 904 of the Water Resources Development Act of 1986 (33 U.S.C. 2281);

(D) eliminating biases and disincentives that discourage the use of nonstructural approaches to water resources development and management, and fully accounting for the flood protection and other values of healthy natural systems;

(E) utilizing a comprehensive, regional approach to port planning;

(F) promoting environmental restoration projects that reestablish natural processes;

(G) analyzing and incorporating lessons learned from recent studies of Corps of Engineers programs and recent disasters such as Hurricane Katrina and the Great Midwest Flood of 1993; and

(H) ensuring the effective implementation of the National Water Resources Planning and Modernization Policy established by this Act.

(d) Revision of Planning Guidelines.—Not later than 180 days after submission of the proposed revisions required by subsection (b), the Secretary shall implement the recommendations of the Council by incorporating the proposed revisions into the planning principles and guidelines, regulations, and circulars of the Corps of Engineers. These revisions shall be subject to public notice and comment pursuant to subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the "Administrative Procedure Act"). Effective beginning on the date on which the Secretary carries out the first revision under this paragraph, the Corps of Engineers shall not be subject to—

(1) subsections (a) and (b) of section 80 of the Water Resources Development Act of 1974 (42 U.S.C. 1962d–17); and

(2) any provision of the guidelines entitled "Economic and Environmental Principles and Guidelines for Water and Related Land Resources Implementation Studies" and dated 1983, to the extent that such a provision conflicts with a guideline revised by the Secretary.

(e) Availability.—Each report prepared under this section shall be published in the Federal Register and submitted to the Committees on Environment and Public Works and Appropriations of the Senate and the Committees on Transportation and Infrastructure and Appropriations of the House of Representatives.

(f) Water Resources Council.—Section 101 of the Water Resources Planning Act (42 U.S.C. 1962a) is amended in the first sentence by inserting "the Secretary of Homeland Security, the Chairperson of the Council on Environmental Quality," after "Secretary of Transportation,".

(g) Funding.—In carrying out this section, the Council shall use funds made available for the general operating expenses of the Corps of Engineers.

SEC. 5. INDEPENDENT PEER REVIEW.

(a) Definitions.—In this section:

(1) Construction activities.—The term "construction activities" means development of detailed engineering and design specifications during the preconstruction engineering and design phase and the engineering and design phase of a water resources project carried out by the Corps of Engineers, and other activities carried out on a water resources project prior to completion of the construction and to turning the project over to the local cost-share partner.

(2) Project study.—The term "project study" means a feasibility report, reevaluation report, or environmental impact statement prepared by the Corps of Engineers.

(b) Director of Independent Peer Review.—The Secretary shall appoint in the Office of the Secretary a Director of Independent Review. The Director shall be selected from among individuals who are distinguished experts in engineering, hydrology, biology, economics, or another discipline related to water resources management. The Secretary shall ensure, to the maximum extent practicable, that the Director does not have a financial, professional, or other conflict of interest with projects subject to review. The Director of Independent Review shall carry out the duties set forth in this section and such other duties as the Secretary deems appropriate.

(c) Sound Project Planning.—

(1) Projects subject to planning review.—The Secretary shall ensure that each project study for a water resources project shall be reviewed by an independent panel of experts established under this subsection if—

(A) the project has an estimated total cost of more than $40,000,000, including mitigation costs;

(B) the Governor of a State in which the water resources project is located in whole or in part, or the Governor of a State within the drainage basin in which a water resources project is located and that would be directly affected economically or environmentally as a result of the project, requests in writing to the Secretary the establishment of an independent panel of experts for the project;

(C) the head of a Federal agency with authority to review the project determines that the project is likely to have a significant adverse impact on public safety, or on environmental, fish and wildlife, historical, cultural, or other resources under the jurisdiction of the agency, and requests in writing to the Secretary the establishment of an independent panel of experts for the project; or

(D) the Secretary determines on his or her own initiative, or shall determine within 30 days of receipt of a written request for a controversy determination by any party, that the project is controversial because—

(i) there is a significant dispute regarding the size, nature, potential safety risks, or effects of the project; or

(ii) there is a significant dispute regarding the economic, or environmental costs or benefits of the project.

(2) Project planning review panels.—

(A) Project planning review panel membership.—For each water resources project subject to review under this subsection, the Director of Independent Review shall establish a panel of independent experts that shall be composed of not less than 5 nor more than 9 independent experts (including at least 1 engineer, 1 hydrologist, 1 biologist, and 1 economist) who represent a range of areas of expertise. The Director of Independent Review shall apply the National Academy of Science's policy for selecting committee members to ensure that members have no conflict with the project being reviewed, and shall consult with the National Academy of Sciences in developing lists of individuals to serve on panels of experts under this subsection. An individual serving on a panel under this subsection shall be compensated at a rate of pay to be determined by the Secretary, and shall be allowed travel expenses.

(B) Duties of project planning review panels.—An independent panel of experts established under this subsection shall review the project study, receive from the public written and oral comments concerning the project study, and submit a written report to the Secretary that shall contain the panel's conclusions and recommendations regarding project study issues identified as significant by the panel, including issues such as—

(i) economic and environmental assumptions and projections;

(ii) project evaluation data;

(iii) economic or environmental analyses;

(iv) engineering analyses;

(v) formulation of alternative plans;

(vi) methods for integrating risk and uncertainty;

(vii) models used in evaluation of economic or environmental impacts of proposed projects; and

(viii) any related biological opinions.

(C) Project planning review record.—

(i) In general.—After receiving a report from an independent panel of experts established under this subsection, the Secretary shall take into consideration any recommendations contained in the report and shall immediately make the report available to the public on the Internet.

(ii) Recommendations.—The Secretary shall prepare a written explanation of any recommendations of the independent panel of experts established under this subsection not adopted by the Secretary. Recommendations and findings of the independent panel of experts rejected without good cause shown, as determined by judicial review, shall be given equal deference as the recommendations and findings of the Secretary during a judicial proceeding relating to the water resources project.

(iii) Submission to congress and public availability.—The report of the independent panel of experts established under this subsection and the written explanation of the Secretary required by clause (ii) shall be included with the report of the Chief of Engineers to Congress, shall be published in the Federal Register, and shall be made available to the public on the Internet.

(D) DEADLINES FOR PROJECT PLANNING REVIEWS.—

(i) IN GENERAL.—Independent review of a project study shall be completed prior to the completion of any Chief of Engineers report for a specific water resources project.

(ii) DEADLINE FOR PROJECT PLANNING REVIEW PANEL STUDIES.—An independent panel of experts established under this subsection shall complete its review of the project study and submit to the Secretary a report not later than 180 days after the date of establishment of the panel, or not later than 90 days after the close of the public comment period on a draft project study that includes a preferred alternative, whichever is later. The Secretary may extend these deadlines for good cause.

(iii) FAILURE TO COMPLETE REVIEW AND REPORT.—If an independent panel of experts established under this subsection does not submit to the Secretary a report by the deadline established by clause (ii), the Chief of Engineers may continue project planning without delay.

(iv) DURATION OF PANELS.—An independent panel of experts established under this subsection shall terminate on the date of submission of the report by the panel. Panels may be established as early in the planning process as deemed appropriate by the Director of Independent Review, but shall be appointed no later than 90 days before the release for public comment of a draft study subject to review under subsection (c)(1)(A), and not later than 30 days after a determination that review is necessary under subsection (c)(1)(B), (c)(1)(C), or (c)(1)(D).

(E) EFFECT ON EXISTING GUIDANCE.—The project planning review required by this subsection shall be deemed to satisfy any external review required by Engineering Circular 1105-2-408 (31 May 2005) on Peer Review of Decision Documents.

(d) SAFETY ASSURANCE.—

(1) PROJECTS SUBJECT TO SAFETY ASSURANCE REVIEW.—The Secretary shall ensure that the construction activities for any flood damage reduction project shall be reviewed by an independent panel of experts established under this subsection if the Director of Independent Review makes a determination that an independent review is necessary to ensure public health, safety, and welfare on any project—

(A) for which the reliability of performance under emergency conditions is critical;

(B) that uses innovative materials or techniques;

(C) for which the project design is lacking in redundancy, or that has a unique construction sequencing or a short or overlapping design construction schedule; or

(D) other than a project described in subparagraphs (A) through (C), as the Director of Independent Review determines to be appropriate.

(2) SAFETY ASSURANCE REVIEW PANELS.—At the appropriate point in the development of detailed engineering and design specifications for each water resources project subject to review under this subsection, the Director of Independent Review shall establish an independent panel of experts to review and report to the Secretary on the adequacy of construction activities for the project. An independent panel of experts under this subsection shall be composed of not less than 5 nor more than 9 independent experts selected from among individuals who are distinguished experts in engineering, hydrology, or other pertinent disciplines. The Director of Independent Review shall apply the National Academy of Science's policy for selecting committee members to ensure that panel members have no conflict with the project being reviewed. An individual serving on a panel of experts under this subsection shall be compensated at a rate of pay to be determined by the Secretary, and shall be allowed travel expenses.

(3) DEADLINES FOR SAFETY ASSURANCE REVIEWS.—An independent panel of experts established under this subsection shall submit a written report to the Secretary on the adequacy of the construction activities prior to the initiation of physical construction and periodically thereafter until construction activities are completed on a publicly available schedule determined by the Director of Independent Review for the purposes of assuring the public safety. The Director of Independent Review shall ensure that these reviews be carried out in a way to protect the public health, safety, and welfare, while not causing unnecessary delays in construction activities.

(4) SAFETY ASSURANCE REVIEW RECORD.—After receiving a written report from an independent panel of experts established under this subsection, the Secretary shall—

(A) take into consideration recommendations contained in the report, provide a written explanation of recommendations not adopted, and immediately make the report and explanation available to the public on the Internet; and

(B) submit the report to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

(e) EXPENSES.—

(1) IN GENERAL.—The costs of an independent panel of experts established under subsection (c) or (d) shall be a Federal expense and shall not exceed—

(A) $250,000, if the total cost of the project in current year dollars is less than $50,000,000; and

(B) 0.5 percent of the total cost of the project in current year dollars, if the total cost is $50,000,000 or more.

(2) WAIVER.—The Secretary, at the written request of the Director of Independent Review, may waive the cost limitations under paragraph (1) if the Secretary determines appropriate.

(f) REPORT.—Not later than 5 years after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the implementation of this section.

(g) SAVINGS CLAUSE.—Nothing in this section shall be construed to affect any authority of the Secretary to cause or conduct a peer review of the engineering, scientific, or technical basis of any water resources project in existence on the date of enactment of this Act.

SEC. 6. MITIGATION.

(a) MITIGATION.—Section 906(d) of the Water Resources Development Act of 1986 (33 U.S.C. 2283(d)) is amended—

(1) in paragraph (1), by striking "to the Congress" and inserting "to Congress, and shall not choose a project alternative in any final record of decision, environmental impact statement, or environmental assessment,", and by inserting in the second sentence "and other habitat types" after "bottomland hardwood forests"; and

(2) by adding at the end the following:

"(3) MITIGATION REQUIREMENTS.—

"(A) MITIGATION.—To mitigate losses to flood damage reduction capabilities and fish and wildlife resulting from a water resources project, the Secretary shall ensure that mitigation for each water resources project complies fully with the mitigation standards and policies established by each State in which the project is located. Under no circumstances shall the mitigation required for a water resources project be less than would be required of a private party or other entity under section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344).

"(B) MITIGATION PLAN.—The specific mitigation plan for a water resources project required under paragraph (1) shall include, at a minimum—

"(i) a detailed plan to monitor mitigation implementation and ecological success, including the designation of the entities that will be responsible for monitoring;

"(ii) specific ecological success criteria by which the mitigation will be evaluated and determined to be successful, prepared in consultation with the Director of the United States Fish and Wildlife Service or the Director of the National Marine Fisheries Service, as appropriate, and each State in which the project is located;

"(iii) a detailed description of the land and interests in land to be acquired for mitigation, and the basis for a determination that land and interests are available for acquisition;

"(iv) sufficient detail regarding the chosen mitigation sites, and types and amount of restoration activities to be conducted, to permit a thorough evaluation of the likelihood of the ecological success and aquatic and terrestrial resource functions and habitat values that will result from the plan; and

"(v) a contingency plan for taking corrective actions if monitoring demonstrates that mitigation efforts are not achieving ecological success as described in the ecological success criteria.

"(4) DETERMINATION OF MITIGATION SUCCESS.—

"(A) IN GENERAL.—Mitigation under this subsection shall be considered to be successful at the time at which monitoring demonstrates that the mitigation has met the ecological success criteria established in the mitigation plan.

"(B) EVALUATION AND REPORTING.—The Secretary shall consult annually with the Director of the United States Fish and Wildlife Service and the Director of the National Marine Fisheries Service, as appropriate, and each State in which the project is located, on each water resources project requiring mitigation to determine whether mitigation monitoring for that project demonstrates that the project is achieving, or has achieved, ecological success. Not later than 60 days after the date of completion of the annual consultation, the Director of the United States Fish and Wildlife Service or the Director of the National Marine Fisheries Service, as appropriate, shall, and each State in which the project is located may, submit to the Secretary a report that describes—

"(i) the ecological success of the mitigation as of the date of the report;

"(ii) the likelihood that the mitigation will achieve ecological success, as defined in the mitigation plan;

"(iii) the projected timeline for achieving that success; and

"(iv) any recommendations for improving the likelihood of success.

The Secretary shall respond in writing to the substance and recommendations contained in such reports not later than 30 days after the date of receipt. Mitigation monitoring shall continue until it has been demonstrated that the mitigation has met the ecological success criteria.".

(b) MITIGATION TRACKING SYSTEM.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish a recordkeeping system to track, for each water resources project constructed, operated, or maintained by the Secretary and for each permit issued under section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344)—

(A) the quantity and type of wetland and other habitat types affected by the project, project operation, or permitted activity;

(B) the quantity and type of mitigation required for the project, project operation, or permitted activity;

(C) the quantity and type of mitigation that has been completed for the project, project operation, or permitted activity; and

(D) the status of monitoring for the mitigation carried out for the project, project operation, or permitted activity.

(2) REQUIRED INFORMATION AND ORGANIZATION.—The recordkeeping system shall—

(A) include information on impacts and mitigation described in paragraph (1) that occur after December 31, 1969; and

(B) be organized by watershed, project, permit application, and zip code.

(3) AVAILABILITY OF INFORMATION.—The Secretary shall make information contained in the recordkeeping system available to the public on the Internet.

SEC. 7. PROJECT ADMINISTRATION.

(a) CHIEF'S REPORTS.—The Chief of Engineers shall not submit a Chief's report to Congress recommending construction of a water resources project until that Chief's report has been reviewed and approved by the Secretary of the Army.

(b) PROJECT TRACKING.—The Secretary shall assign a unique tracking number to each water resources project, to be used by each Federal agency throughout the life of the project.

(c) REPORT REPOSITORY.—The Secretary shall maintain at the Library of Congress a copy of each final feasibility study, final environmental impact statement, final reevaluation report, record of decision, and report to Congress prepared by the Corps of Engineers. These documents shall be made available to the public for review, and electronic copies of those documents shall be permanently available, through the Internet website of the Corps of Engineers.

By Mr. BINGAMAN (for himself, Mrs. HUTCHISON, Mr. NELSON of Florida, Mr. MARTINEZ, Mrs. CLINTON, Mr. CORNYN, Mr. SALAZAR, and Mrs. BOXER):

S. 565. A bill to expand and enhance postbaccalaureate opportunities at Hispanic-serving institutions, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. BINGAMAN. Mr. President, I rise today to introduce the next generation of Hispanic Serving Institutions legislation. This legislation is critical if we, as a nation, are going to continue to compete in a global economy. Education is the key to building a strong and dynamic economy, and therefore, it is our obligation to ensure quality educational opportunities for all Americans. That is why I am introducing, along with my colleague, Senator HUTCHISON, the Next Generation Hispanic Serving Institutions Act of 2007. This legislation is supported by the Hispanic Associations of Colleges and Universities, and the Hispanic Education Coalition, a coalition of 25 organizations dedicated to improving educational opportunities for more than 40 million Hispanics living in the United States. I ask unanimous consent that their letters of support appear in the text following this statement. Senators BILL NELSON, MARTINEZ, CLINTON, CORNYN, SALAZAR, BOXER, and FEINSTEIN have joined in this effort as cosponsors.

According to Census Bureau data, the Hispanic population in the United States grew by 25.7 million between 1970 and 2000, and continues to grow at a very brisk pace. The most recent Census data puts the Hispanic population at over 40 million, representing approximately 14 percent of the U.S. population and making it the Nation's largest minority group. Estimates project that the Hispanic population will grow by 25 million between 2000 and 2020. By the year 2050, 1 in 4 Americans will be of Hispanic origin.

Currently, Hispanics make up about 13 percent of the U.S. labor force. While the overall labor force is projected to slow down over the next decades as an increasing number of workers reach retirement age, the Hispanic labor force is expected to continue growing at a fast pace. It will expand by nearly 10 million workers between now and 2020, through a combination of immigration and native-born youth reaching working age.

Our Nation's economic and social success rests, in large part, on the level of skills and knowledge attained by our Hispanic population.

I was one of the authors and lead supporters of the original Hispanic-Serving Institutions proposal when it was enacted as part of the Higher Education Act in 1992 in order to increase educational opportunities for Hispanic students. Since then, Hispanic-Serving Institutions (HSIs) have made significant strides in increasing the number of Hispanic students enrolling in and graduating from college. Although Hispanic-serving institutions account for only 5 percent of all institutions of higher education in the United States, HSIs enroll over half (51 percent) of all Hispanics pursuing higher education degrees in the 50 States, the District of Columbia, and Puerto Rico.

While Hispanic high school graduates go on to college at higher rates than they did even 10 years ago, Hispanics still lag behind their non-Hispanic peers in postsecondary school enrollment. In 2000, only 21.7 percent of all Hispanics ages 18 through 24 were enrolled in postsecondary degree-granting institutions in the United States.

We must take HSIs to the next level. While the percentage of Hispanics attending college has increased significantly over the past few years, Hispanics only earned 6 percent of all bachelor's degrees awarded, 4 percent of all master's degrees, and only 3 percent of all doctorates. But the pace of bachelor's degrees or higher earned by Hispanics is accelerating rapidly, according to the Department of Education. Therefore, we must keep pace. We must increase the capacity of our institutions of higher education to serve the increasing number of Hispanic students.

The Next Generation HSI bill does just that. Simply, this legislation will improve educational opportunities for Hispanic students by establishing a competitive grant program to expand post-baccalaureate degree opportunities at HSIs.

Current law only provides support for 2-year and 4-year Hispanic Serving Institutions. This legislation will support graduate fellowships and support services for graduate students, facilities improvement, faculty development, technology and distance education, and collaborative arrangements with other institutions. This legislation will build capacity and establish a long overdue graduate program for HSIs.

Hispanic students now account for nearly 17 percent of the total kindergarten through grade 12 student population. Estimates project that this student population will grow from 11 million in 2005 to 16 million in 2020. We must provide our institutions of higher education with the resources and supports to build capacity and serve the increasing Hispanic student population. We must be ready for the next generation of students to meet the demands of a competitive workforce and to fully participate in the global economy. I ask unanimous consent that the text of this bill be printed in the RECORD.

There being no objection, the materials were ordered to be printed in the RECORD, as follows:

HACU,
San Antonio, TX, February 8, 2007.

Hon. JEFF BINGAMAN,
U.S. Senate,
Washington, DC.

DEAR SENATOR BINGAMAN: On behalf of the Hispanic Association of Colleges and Universities (HACU) and its 450 member institutions, I want to express my sincerest appreciation for your efforts in re-introducing the "Next Generation Hispanic-Serving Institutions Act." You have long been a champion of Hispanic higher education issues and we appreciate all that you do.

This landmark piece of legislation, first introduced in the 108th Congress with bipartisan support, will help to eradicate the chronic shortage of Hispanic professionals lacking advanced degrees. As we both know, the number of Hispanics earning post-baccalaureate degrees at HSIs between the years of 1991 and 2000 increased by 136 percent, thus showing the demand and need to increase graduate program capacity at these institutions. Of the more than 270 HSIs serving half of the 1.8 million Hispanics enrolled in higher education programs, only 44 have graduate programs in place. This failure to provide adequate graduate opportunity is a travesty to the Hispanic community and should be addressed.

The eagerly anticipated re-introduction of The Next Generation Hispanic-Serving Institutions Act in the 110th Congress will be a central focus of HACU's 2007 Legislative Agenda. As the only nationally recognized voice for our country's fast-growing community of HSIs, HACU fully recognizes the critical importance of this proposal to dramatically expand post-baccalaureate degree opportunities for the country's youngest and largest ethnic population.

Your past success at winning support for HSIs in Title V of the Higher Education Act and your new efforts to build upon that success with the inclusion of a new graduate education component are extraordinary testimony to your leadership in opening the doors to college and career success for this and future generations of our youth.

Please call upon our offices for any assistance in support of your important work, which is so critical to building a better future for our Hispanic communities and for our country.

Respectfully,

ANTONIO R. FLORES,
President and CEO.

HISPANIC EDUCATION COALITION,
February 8, 2007.

Hon. JEFF BINGAMAN,
U.S. Senate,
Washington, DC.

DEAR SENATOR BINGAMAN: On behalf of the Hispanic Education Coalition and its twenty-five member organizations, we express our strong support for your re-introduction of the "Next Generation Hispanic-Serving Institutions Act." You have long been a champion of Hispanic higher education, and we appreciate all that you do to secure equal educational opportunities for Latinos.

The Next Generation Hispanic-Serving Institutions Act will help to eradicate the chronic shortage of Hispanic professionals with advanced degrees. The number of Hispanics earning post-baccalaureate degrees at HSIs between the years of 1991 and 2000 increased by 136 percent, demonstrating a high demand and need to increase graduate program capacity at these institutions. Out of 262 HACU member HSIs that serve over 50% of the 1.6 million Hispanics enrolled in higher education programs, only 44 currently have graduate programs in place. The Next Generation Hispanic-Serving Institutions Act will help to remedy this deficit.

The Hispanic Education Coalition and its member organizations commend your leadership and will work with you to secure final passage of this important legislation.

Sincerely,

PETER ZAMORA,
Acting Regional Counsel, MALDEF.
ROGER ROSENTHAL,
Executive Director, Migrant Legal Action Program.

S. 565

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Next Generation Hispanic-Serving Institutions Act".

SEC. 2. POSTBACCALAUREATE OPPORTUNITIES FOR HISPANIC AMERICANS.

(a) ESTABLISHMENT OF PROGRAM.—Title V of the Higher Education Act of 1965 (20 U.S.C. 1101 et seq.) is amended—

(1) by redesignating part B as part C;

(2) by redesignating sections 511 through 518 as sections 521 through 528, respectively; and

(3) by inserting after section 505 (20 U.S.C. 1101d) the following new part:

"PART B—PROMOTING POSTBACCALAUREATE OPPORTUNITIES FOR HISPANIC AMERICANS

"SEC. 511. FINDINGS AND PURPOSES.

"(a) FINDINGS.—Congress finds the following:

"(1) According to the United States Census, by the year 2050 one in four Americans will be of Hispanic origin.

"(2) Despite the dramatic increase in the Hispanic population in the United States, the National Center for Education Statistics reported that in 1999, Hispanics accounted for only 4 percent of the master's degrees, 3 percent of the doctor's degrees, and 5 percent of first-professional degrees awarded in the United States.

"(3) Although Hispanics constitute 10 percent of the college enrollment in the United States, they comprise only 3 percent of instructional faculty in colleges and universities.

"(4) The future capacity for research and advanced study in the United States will require increasing the number of Hispanics pursuing postbaccalaureate studies.

"(5) Hispanic-serving institutions are leading the Nation in increasing the number of Hispanics attaining graduate and professional degrees.

"(6) Among Hispanics who received master's degrees in 1999–2000, 25 percent earned them at Hispanic-serving institutions.

"(7) Between 1991 and 2000, the number of Hispanic students earning master's degrees at Hispanic-serving institutions grew 136 percent, the number receiving doctor's degrees grew by 85 percent, and the number earning first-professional degrees grew by 47 percent.

"(8) It is in the national interest to expand the capacity of Hispanic-serving institutions to offer graduate and professional degree programs.

"(b) PURPOSES.—The purposes of this part are—

"(1) to expand postbaccalaureate educational opportunities for, and improve the academic attainment of, Hispanic students; and

"(2) to expand and enhance the postbaccalaureate academic offerings, and program quality, that are educating the majority of Hispanic college students and helping large numbers of Hispanic students and other low-income individuals complete postsecondary degrees.

"SEC. 512. PROGRAM AUTHORITY AND ELIGIBILITY.

"(a) PROGRAM AUTHORIZED.—Subject to the availability of funds appropriated to carry out this part, the Secretary shall award competitive grants to Hispanic-serving institutions that offer postbaccalaureate certifications or degrees.

"(b) ELIGIBILITY.—In this part, an 'eligible institution' means an institution of higher education that—

"(1) is an eligible institution under section 502; and

"(2) offers a postbaccalaureate certificate or degree granting program.

"SEC. 513. AUTHORIZED ACTIVITIES.

"Grants awarded under this part shall be used for 1 or more of the following activities:

"(1) Purchase, rental, or lease of scientific or laboratory equipment for educational purposes, including instructional and research purposes.

"(2) Construction, maintenance, renovation, and improvement in classroom, library, laboratory, and other instructional facilities, including purchase or rental of telecommunications technology equipment or services.

"(3) Purchase of library books, periodicals, technical and other scientific journals, microfilm, microfiche, and other educational materials, including telecommunications program materials.

"(4) Support for needy postbaccalaureate students including outreach, academic support services, mentoring, scholarships, fellowships, and other financial assistance to permit the enrollment of such students in postbaccalaureate certificate and degree granting programs.

"(5) Support of faculty exchanges, faculty development, faculty research, curriculum development, and academic instruction.

"(6) Creating or improving facilities for Internet or other distance learning academic instruction capabilities, including purchase or rental of telecommunications technology equipment or services.

"(7) Collaboration with other institutions of higher education to expand postbaccalaureate certificate and degree offerings.

"(8) Other activities proposed in the application submitted pursuant to section 514 that—

"(A) contribute to carrying out the purposes of this part; and

"(B) are approved by the Secretary as part of the review and acceptance of such application.

"SEC. 514. APPLICATION AND DURATION.

"(a) APPLICATION.—Any eligible institution may apply for a grant under this part by submitting an application to the Secretary at such time and in such manner as determined by the Secretary. Such application shall demonstrate how the grant funds will be used to improve postbaccalaureate education opportunities for Hispanic and low-income students and will lead to greater financial independence.

"(b) DURATION.—Grants under this part shall be awarded for a period not to exceed 5 years.

"(c) LIMITATION.—The Secretary shall not award more than 1 grant under this part in any fiscal year to any Hispanic-serving institution.".

(b) COOPERATIVE ARRANGEMENTS.—Section 524(a) of the Higher Education Act of 1965 (as redesignated by subsection (a)(2)) is amended by inserting "and section 513" after "section 503".

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 528(a) of the Higher Education Act of 1965 (as redesignated by subsection (a)(2)) is amended to read as follows:

"(a) AUTHORIZATIONS.—

"(1) PART A.—There are authorized to be appropriated to carry out part A of this title $175,000,000 for fiscal year 2008 and such sums as may be necessary for each of the 4 succeeding fiscal years.

"(2) PART B.—There are authorized to be appropriated to carry out part B of this title $125,000,000 for fiscal year 2008 and such sums as may be necessary for each of the 4 succeeding fiscal years.".

By Mr. LEVIN (for himself and Mr. MCCAIN) (by request):

S. 567. A bill to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2008, and for other purposes; to the Committee on Armed Services.

Mr. LEVIN. Mr. President, Senator MCCAIN and I are today introducing, by request, the administration's proposed National Defense Authorization Act for Fiscal Year 2008. As is the case with any bill that is introduced by request, we introduce this bill for the purpose of placing the administration's proposals before Congress and the public without expressing our own views on the substance of these proposals. As chairman and ranking member of the Armed Services Committee, we look forward to giving the administration's requested legislation our most careful review and thoughtful consideration.

By Mr. LUGAR:

S. 569. A bill to accelerate efforts to develop vaccines for diseases primarily affecting developing countries and for other purposes; to the Committee on Foreign Relations.

Mr. LUGAR. Mr. President, I rise to introduce the Vaccines for the Future Act of 2007.

This legislation seeks to accelerate the development of vaccines for HIV/AIDS, malaria, tuberculosis and other diseases that are major killers of people living in developing countries. HIV/AIDS, malaria, and tuberculosis are devastating sub-Saharan Africa where, combined, they claim as many as 5 million lives a year. Yet there are no vaccines for these diseases.

Vaccines are one of the most effective public health measures of the 20th century. With U.S. leadership, the global community has eradicated smallpox, and we are close to eradicating polio. Vaccines for diseases such as measles and tetanus have dramatically reduced childhood mortality worldwide. These public health victories benefit every country.

Vaccines for diseases such as AIDS, tuberculosis, malaria, and for other, less well-known diseases would save millions of lives. Partnerships between governments, private foundations, and businesses have made significant strides toward the development of vaccines, but much more needs to be done.

One of the biggest challenges is that drug companies do not have a strong financial incentive to invest in the development of vaccines for these diseases because there is no reliable market for them. In other words, vaccine manufacturers are reluctant to commit the hundreds of millions of dollars necessary to create a new vaccine with no obvious way to recoup their investment. What is needed is the promise of market demand to encourage industry to develop the vaccines for these diseases.

Five countries—Britain, Italy, Norway, Russia, and Canada—along with the Bill and Melinda Gates Foundation, have developed such a market solution. On February 9, 2007, in Rome, they pledged $1.5 billion for an initiative called an Advance Market Commitment, AMC, aimed at encouraging pharmaceutical companies to develop vaccines for diseases caused by the pneumococcus bacterium, such as pneumonia and meningitis. These diseases claim the lives of an estimated 1 million children per year, most of whom live in the developing world. Through this AMC, these countries and the Gates Foundation have pledged to purchase pneumococcal vaccines that will work in poor countries.

Although a vaccine for pneumococcal disease exists in the United States and other developed countries, this version is not effective against the strains prevalent in developing countries. By committing to purchase large quantities of a successful vaccine beforehand, the Advance Market Commitment aims to bridge the gap between the vaccine makers' research costs and the future sales needed to cover the costs of their investment. Experts are hopeful that this initiative could accelerate by a decade the widespread use of a pneumococcal vaccine specific to the developing world and could prevent the deaths of an estimated 5.4 million children by 2030.

In 2005, the United States, at the G8 Summit in Gleneagles, Scotland, agreed to encourage the development of vaccines for diseases affecting the developing world and endorsed the Advance Market Commitment concept. I believe that, with continued strong U.S. leadership, we can save many more lives in this new century. Because of the promise that vaccines hold, I am introducing the "Vaccines for the Future Act of 2007." My bill would authorize the United States to contribute to the Advance Market Commitment for pneumococcal vaccines. Equally important, it would require the administration to develop a comprehensive strategy and make a commitment to speed development, testing, and distribution of life-saving vaccines for other diseases, including AIDS, malaria, and tuberculosis, through innovative financial incentives like the AMC.

I am hopeful that my fellow Senators will join me in supporting this legislation.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 569

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Vaccines for the Future Act of 2007".

SEC. 2. DEFINITIONS.

In this Act:

(1) AIDS.—The term "AIDS" has the meaning given the term in section 104A(g) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b–2).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means the Committee on Appropriations and the Committee on Foreign Relations of the Senate and the Committee on Appropriations and the Committee on Foreign Affairs of the House of Representatives.

(3) DEVELOPING COUNTRY.—The term "developing country" means a country that the World Bank determines to be a country with a lower middle income or less.

(4) HIV/AIDS.—The term "HIV/AIDS" has the meaning given the term in section 104A(g) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b–2).

(5) GAVI ALLIANCE.—The term "GAVI Alliance" means the public-private partnership launched in 2000 for the purpose of saving the lives of children and protecting the health of all people through the widespread use of vaccines.

(6) NEGLECTED DISEASE.—The term "neglected disease" means—

(A) HIV/AIDS;

(B) malaria;

(C) tuberculosis; or

(D) any infectious disease that, according to the World Health Organization, afflicts over 1,000,000 people and causes more than 250,000 deaths each year in developing countries.

(7) WORLD BANK.—The term "World Bank" means the International Bank for Reconstruction and Development.

SEC. 3. FINDINGS.

Congress makes the following findings:

(1) Immunization is an inexpensive and effective public health intervention that has had a profound life-saving impact around the world.

(2) During the 20th century, global immunization efforts have successfully led to the eradication of smallpox and the elimination of polio from the Western Hemisphere, Europe, and most of Asia. Vaccines for diseases such as measles and tetanus have dramatically reduced childhood mortality worldwide, and vaccines for diseases such as influenza, pneumonia, and hepatitis help prevent sickness and death of adults as well as children.

(3) According to the World Health Organization, combined, AIDS, tuberculosis, and malaria kill more than 5,000,000 people a year, most of whom are in the developing world, yet there are no vaccines for these diseases.

(4) Other, less well-known neglected diseases, such as pneumococcal disease, lymphatic filariasis, leptospirosis, leprosy, and onchocerciasis, result in severe health consequences for individuals afflicted with them, such as anemia, blindness, malnutrition and impaired childhood growth and development. In addition, these diseases result in lost productivity in developing countries costing in the billions of dollars.

(5) Infants, children, and adolescents are among the populations hardest hit by AIDS, malaria, and many other neglected diseases. Nearly 11,000,000 children under age 5 die each year due to these diseases, primarily in developing countries. Existing and future vaccines that target children could prevent more than 2,500,000 of these illnesses and deaths.

(6) The devastating impact of neglected diseases in developing countries threatens

the political and economic stability of these countries and constitutes a threat to United States economic and security interests.

(7) Of more than $100,000,000,000 spent on health research and development across the world, only $6,000,000,000 is spent each year on diseases that are specific to developing countries, most of which is from public and philanthropic sources.

(8) Despite the devastating impact these and other diseases have on developing countries, it is estimated that only 10 percent of the world's research and development on health is targeted on diseases affecting 90 percent of the world's population.

(9) Because the developing country market is small and unpredictable, there is an insufficient private sector investment in research for vaccines for neglected diseases that disproportionately affect populations in developing countries.

(10) Creating a broad range of economic incentives to increase private sector research on neglected diseases is critical to the development of vaccines for neglected diseases.

(11) In recognition of the need for more economic incentives to encourage private sector investment in vaccines for neglected diseases, an international group of health, technical, and economic experts has developed a framework for an advance market commitment pilot program for pneumococcal vaccines. Pneumococcal disease, a cause of pneumonia and meningitis, kills 1,600,000 people every year, an estimated 1,000,000 of whom are children under age 5. This pilot program will seek to stimulate investments to develop and produce pneumococcal vaccines that could prevent between 500,000 and 700,000 deaths by the year 2020.

(12) On February 9, 2007, 5 countries, Britain, Canada, Italy, Norway, and Russia, together with the Bill and Melinda Gates Foundation, pledged, under a plan called an Advance Market Commitment, to purchase pneumococcal vaccines now under development. Together, these countries and the Bill and Melinda Gates Foundation have committed $1,500,000,000 for this program. Experts believe that this initiative could accelerate by a decade the widespread use of such a vaccine in the developing world and could prevent the deaths of an estimated 5,400,000 children by 2030.

SEC. 4. SENSE OF CONGRESS ON SUPPORT FOR NEGLECTED DISEASES.

It is the sense of Congress that—

(1) the President should continue to encourage efforts to support the Global HIV Vaccine Enterprise, a virtual consortium of scientists and organizations committed to accelerating the development of an effective HIV vaccine;

(2) the United States should work with the Global Fund to Fight AIDS, Tuberculosis and Malaria, the Joint United Nations Programme on HIV/AIDS ("UNAIDS"), the World Health Organization, the International AIDS Vaccine Initiative, the GAVI Alliance, and the World Bank to ensure that all countries heavily affected by the HIV/AIDS pandemic have national AIDS vaccine plans;

(3) the United States should support and encourage the carrying out of the agreements of the Group of 8 made at the 2005 Summit at Gleneagles, Scotland, to increase direct investment and create market incentives, including through public-private partnerships and advance market commitments, to complement public research in the development of vaccines, microbicides, and drugs for HIV/AIDS, malaria, tuberculosis, and other neglected diseases;

(4) the United States should support the development of effective vaccines for infants, children, and adolescents as early as is medically and ethically appropriate, in order to avoid significant delays in the availability of pediatric vaccines at the cost of thousands of lives;

(5) the United States should continue supporting the work of the GAVI Alliance and the Global Fund for Children's Vaccines as appropriate and effective vehicles to purchase and distribute vaccines for neglected diseases at an affordable price once such vaccines are discovered in order to distribute them to the developing world;

(6) the United States should work with others in the international community to address the multiple obstacles to the development of vaccines for neglected diseases including scientific barriers, insufficient economic incentives, protracted regulatory procedures, lack of delivery systems for products once developed, liability risks, and intellectual property rights; and

(7) the United States should contribute to the pilot Advance Market Commitment for pneumococcal vaccines launched in Rome on February 9, 2007, which could prevent some 500,000 to 700,000 child deaths by the year 2020 and an estimated 5,400,000 child deaths by 2030.

SEC. 5. PUBLIC-PRIVATE PARTNERSHIPS.

(a) FINDINGS.—Congress makes the following findings:

(1) Partnerships between governments and the private sector (including foundations, universities, corporations, community-based organizations, and other nongovernmental organizations) are playing a critical role in the area of global health, particularly in the fight against neglected diseases, including HIV/AIDS, tuberculosis, and malaria.

(2) These public-private partnerships improve the delivery of health services in developing countries and accelerate research and development of vaccines and other preventive medical technologies essential to combating infectious diseases that disproportionately kill people in developing countries.

(3) These public-private partnerships maximize the unique capabilities of each sector while combining financial and other resources, scientific knowledge, and expertise toward common goals which cannot be achieved by either sector alone.

(4) Public-private partnerships such as the International AIDS Vaccine Initiative, PATH's Malaria Vaccine Initiative, and the Global TB Drug Facility are playing cutting edge roles in the efforts to develop vaccines for these diseases.

(5) Public-private partnerships serve as incentives to the research and development of vaccines for neglected diseases by providing biotechnology companies, which often have no experience in developing countries, with technical assistance and on the ground support for clinical trials of the vaccine through the various stages of development.

(6) Sustaining existing public-private partnerships and building new ones where needed are essential to the success of the efforts by the United States and others in the international community to find a cure for these and other neglected diseases.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the sustainment and promotion of public-private partnerships must be a central element of the strategy pursued by the United States to create effective incentives for the development of vaccines and other preventive medical technologies for neglected diseases debilitating the developing world; and

(2) the United States Government should take steps to address the obstacles to the development of these technologies by increasing investment in research and development and establishing market and other incentives.

SEC. 6. COMPREHENSIVE STRATEGY FOR ACCELERATING THE DEVELOPMENT OF VACCINES FOR NEGLECTED DISEASES.

(a) REQUIREMENT FOR STRATEGY.—The President shall establish a comprehensive strategy to accelerate efforts to develop vaccines and microbicides for neglected diseases such as HIV/AIDS, malaria, and tuberculosis. Such strategy shall—

(1) expand public-private partnerships and seek to leverage resources from other countries and the private sector;

(2) include the negotiation of advance market commitments and other initiatives to create economic incentives for the research, development, and manufacturing of vaccines and microbicides for HIV/AIDS, tuberculosis, malaria, and other neglected diseases;

(3) address intellectual property issues surrounding the development of vaccines and microbicides for neglected diseases;

(4) maximize United States capabilities to support clinical trials of vaccines and microbicides in developing countries;

(5) address the issue of regulatory approval of such vaccines and microbicides, whether through the Commissioner of the Food and Drug Administration, or the World Health Organization, or another entity; and

(6) expand the purchase and delivery of existing vaccines.

(b) REPORT.—Not later than 180 days after the date of enactment of this Act, the President shall submit to the appropriate congressional committees a report setting forth the strategy described in subsection (a) and the steps to implement such strategy.

SEC. 7. ADVANCE MARKET COMMITMENTS.

(a) PURPOSE.—The purpose of this section is to improve global health by creating a competitive market for future vaccines through advance market commitments.

(b) AUTHORITY TO NEGOTIATE.—

(1) IN GENERAL.—The Secretary of the Treasury shall enter into negotiations with the appropriate officials of the World Bank, the International Development Association, and the GAVI Alliance, the member nations of such entities, and other interested parties for the purpose of establishing advance market commitments to purchase vaccines and microbicides to combat neglected diseases.

(2) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report on the status of the negotiations to create advance market commitments under this section. This report may be submitted as part of the report submitted under section 6(b).

(c) REQUIREMENTS.—The Secretary of the Treasury shall work with the entities referred to in subsection (b) to ensure that there is an international framework for the establishment and implementation of advance market commitments and that such commitments include—

(1) legally binding contracts for product purchase that include a fair market price for a guaranteed number of treatments to ensure that the market incentive is sufficient;

(2) clearly defined and transparent rules of competition for qualified developers and suppliers of the product;

(3) clearly defined requirements for eligible vaccines to ensure that they are safe and effective;

(4) dispute settlement mechanisms; and

(5) sufficient flexibility to enable the contracts to be adjusted in accord with new information related to projected market size and other factors while still maintaining the purchase commitment at a fair price.

(d) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated such sums as may be necessary for each of fiscal years 2009 through 2014 to fund an advance market commitment pilot program for pneumococcal vaccines.

(2) AVAILABILITY.—Amounts appropriated pursuant to this subsection shall remain available until expended without fiscal year limitation.

By Mr. WARNER (for himself and Mr. WEBB):

S. 570. A bill to designate additional National Forest System lands in the State of Virginia as wilderness or a wilderness study area, to designate the Kimberling Creek Potential Wilderness Area for eventual incorporation in the Kimberling Creek Wilderness, to establish the Seng Mountain and Bear Creek Scenic Areas, to provide for the development of trail plans for the wilderness areas and scenic areas, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. WARNER. Mr. President, I rise today to introduce the Virginia Ridge and Valley Act of 2007. This bill seeks to add six new wilderness areas, expand six existing wilderness areas, and create two new national scenic areas in the Jefferson National Forest. Today, Congressman RICK BOUCHER will join me by introducing companion legislation in the United States House of Representatives.

Throughout my nearly three decades in the United States Senate, I have strived to preserve Virginia's natural resources through the designation of wilderness areas and, today, I am proud to say that Virginia boasts just over 100,000 acres of designated wilderness lands. However, there is still much work to be done. If enacted, the Virginia Ridge and Valley Act of 2007 will substantially increase this figure by expanding our opportunities for uninterrupted enjoyment in the forest with the addition of nearly 43,000 acres of new wilderness and wilderness study lands and almost 12,000 acres of national scenic areas.

Virginia is blessed with great natural beauty and diversity. From the coves and inlets of the Chesapeake Bay, to the exquisite peaks of the Shenandoah Mountains, residents and visitors alike can enjoy a bountiful array of natural treasures. As demand for development in Virginia continues to increase, it is imperative that Congress act expeditiously to protect these wild lands. Through wilderness and national scenic area designations, we can ensure that these areas retain their natural character and influences.

As an avid outdoorsman, I enjoy opportunities for recreation like most Americans. Therefore, I want to stress the many joyful outdoor activities that will be enhanced by the wilderness designation in these areas, including: hunting, fishing, hiking, camping, canoeing, and horseback riding, to name a few. By designating these lands as wilderness and scenic areas, we ensure that Virginians will be able to enjoy these activities in an unspoiled playground for generations to come.

I am pleased that my colleague from Virginia, Senator JIM WEBB, has agreed to co-sponsor this important legislation, and I urge the rest of my colleagues to join me in support of this bill. I thank you for this opportunity to speak on behalf of the Virginia Ridge and Valley Act of 2007

By Mr. KENNEDY (for himself, Mr. SMITH, and Mr. DURBIN):

S. 572. A bill to ensure that Federal student loans are delivered as efficiently as possible in order to provide more grant aid to students; to the Committee on Health, Education, Labor, and Pensions.

Mr. KENNEDY. Mr. President, more than 40 years ago, Congress recognized the importance of a college education in opening the door to the American dream. We agreed then that no qualified student should be denied the opportunity to go to college because of the cost. Guided by that principle, we enacted the Higher Education Act of 1965.

Times have changed since then. College education has become even more critical to success in the global economy. Yet, Congress has shamefully lost sight of this fundamental principle, especially in recent years.

Today, 400,000 qualified students a year don't attend a four-year college because they can't afford it. The cost of college has more than tripled over the last twenty years, and vast numbers of families can't keep up. Twenty years ago, the maximum Pell Grant—the lifeline to college for low-income and first-generation students—covered more than half the cost of attendance at a typical 4-year public college. Today, it only covers 32 percent.

Yet each year, the federal government wastes billions of taxpayer dollars on subsidies to private lenders to do a job that could be done much more efficiently without these middlemen.

At a time when students and families are pinching pennies more than ever to pay for college, we can't let this situation continue. We should use scarce tax dollars to help students, not banks.

The system we created 40 years ago involved federally-guaranteed student loans made by private lenders, and it's now known as the Federal Family Education Loan Program, or FFEL. At that time, Congress wasn't sure lenders would be willing to loan money to students with no credit history, so we created a system with guarantees against default. Four decades later, student default rates are near an all-time low and private lenders hold over $100 billion in federal student loan volume. Federal guarantees and subsidies have made student loans the second most profitable business for banks, after credit cards. The stock price of the biggest lender, Sallie Mae, has skyrocketed from $3 to more than $40 in the last decade.

In 1994, Congress finally recognized that we could give students a better deal and save billions of dollars by cutting out the middleman. We created the Direct Loan program, in which loans are issued directly to students, from the United States Treasury. The loans are serviced and collected under contracts with private companies, but there is no middleman making the loans.

The Direct Loan program is much less expensive for taxpayers, because it provides loan capital at a lower rate than banks, and avoids billions of dollars in unnecessary subsidies to lenders.

If we had gone to a system of 100 percent Direct Loans in 1994, the government would have saved over $30 billion since the program was created. Unfortunately, because of the lobbying of the private lenders, the FFEL program continues, and the Direct Loan program has never been allowed to compete on a level playing field.

As a result, we continue to waste taxpayer money by paying an unnecessary middleman, we shield lenders from risk, and we continue to guarantee them a very profitable return.

It's time to encourage serious competition in the college loan marketplace, and let students reap the benefits.

Today, Senator GORDON SMITH (R-OR), Congressmen GEORGE MILLER (D-CA) and TOM PETRI (R-WI) and I are proposing a bipartisan plan to do that. Our bill will increase student financial aid by squeezing billions of dollars in corporate welfare out of the student loan program.

Our bill, The Student Aid Reward Act, will provide colleges and universities with grant aid to increase scholarships for their students. It is completely paid for by increased efficiency in delivering student loans. The bill encourages colleges to use the direct loans, which are cheaper for both the government and taxpayers, and allows them to keep half the savings to increase need-based aid. The Congressional Budget Office estimates that our plan will generate $13 billion in savings over the next 10 years from schools switching to the more efficient program. The bill would provide at least $10 billion for additional college scholarship aid at no additional cost to taxpayers.

According to President Bush's 2008 education budget, student loans made through the more expensive FFEL program in 2007 cost $3 more for every $100 in loans than the same loans made directly from the Treasury. Yet, colleges and students have no incentive under current law to use the more efficient program.

Our Student Aid Reward Act encourages colleges to choose the less expensive of the government's student loan programs.

It requires the Secretary of Education to determine every year which loan program is more efficient. Schools are rewarded with additional scholarship funds for using the more efficient of the two programs. Competition will encourage both programs to improve the efficiency of their operations. Schools, students, and taxpayers will all benefit.

Estimates based on the most recent Bush Administration budget indicate that under our plan, each college will receive an incentive payment equal to one and a half percent of the total amount borrowed by students at the college.

In Massachusetts: students at Boston College will receive almost $1.4 million in additional financial aid. Students at UMASS Amherst will receive $1.3 million more. Students at Springfield College will receive over $700,000 more. Students at Emerson College would receive nearly half a million dollars more.

For students nationwide, college will be more affordable for millions of young men and women at no additional taxpayer cost.

Title IV of the Higher Education Act today is called "Student Assistance"—not "Lender Assistance." The federal student aid system was created to help students and families afford college. But in recent years, it has been corrupted into a system that lines the pockets of the banks. It's time to throw the private money lenders out of the temple of higher education. Scarce Federal education dollars should go to deserving students, not greedy private lenders.

Mr. President, I ask unanimous consent that the text of the Student Aid Reward Act of 2007 be printed in the Record.

There being no objection, the text of the bill was ordered to be printed in the Record, as follows:

S. 572

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Student Aid Reward Act of 2007".

SEC. 2. STUDENT AID REWARD PROGRAM.

Part G of title IV of the Higher Education Act of 1965 (20 U.S.C. 1088 et seq.) is amended by inserting after section 489 the following:

"SEC. 489A. STUDENT AID REWARD PROGRAM.

"(a) Program Authorized.—The Secretary shall carry out a Student Aid Reward Program to encourage institutions of higher education to participate in the student loan program under this title that is most cost-effective for taxpayers.

"(b) Program Requirements.—In carrying out the Student Aid Reward Program, the Secretary shall—

"(1) provide to each institution of higher education participating in the student loan program under this title that is most cost-effective for taxpayers, a Student Aid Reward Payment, in an amount determined in accordance with subsection (c), to encourage the institution to participate in that student loan program;

"(2) require each institution of higher education receiving a payment under this section to provide student loans under such student loan program for a period of 5 years after the date the first payment is made under this section;

"(3) where appropriate, require that funds paid to institutions of higher education under this section be used to award students a supplement to such students' Federal Pell Grants under subpart 1 of part A;

"(4) permit such funds to also be used to award need-based grants to lower- and middle-income graduate students; and

"(5) encourage all institutions of higher education to participate in the Student Aid Reward Program under this section.

"(c) Amount.—The amount of a Student Aid Reward Payment under this section shall be not less than 50 percent of the savings to the Federal Government generated by the institution of higher education's participation in the student loan program under this title that is most cost-effective for taxpayers instead of the institution's participation in the student loan program that is not most cost-effective for taxpayers.

"(d) Trigger To Ensure Cost Neutrality.—

"(1) Limit to ensure cost neutrality.—Notwithstanding subsection (c), the Secretary shall not distribute Student Aid Reward Payments under the Student Aid Reward Program that, in the aggregate, exceed the Federal savings resulting from the implementation of the Student Aid Reward Program.

"(2) Federal savings.—In calculating Federal savings, as used in paragraph (1), the Secretary shall determine Federal savings on loans made to students at institutions of higher education that participate in the student loan program under this title that is most cost-effective for taxpayers and that, on the date of enactment of this section, participated in the student loan program that is not most cost-effective for taxpayers, resulting from the difference of—

"(A) the Federal cost of loan volume made under the student loan program under this title that is most cost-effective for taxpayers; and

"(B) the Federal cost of an equivalent type and amount of loan volume made, insured, or guaranteed under the student loan program under this title that is not most cost-effective for taxpayers.

"(3) Distribution rules.—If the Federal savings determined under paragraph (2) is not sufficient to distribute full Student Aid Reward Payments under the Student Aid Reward Program, the Secretary shall—

"(A) first make Student Aid Reward Payments to those institutions of higher education that participated in the student loan program under this title that is not most cost-effective for taxpayers on the date of enactment of this section; and

"(B) with any remaining Federal savings after making Student Aid Reward Payments under subparagraph (A), make Student Aid Reward Payments to the institutions of higher education eligible for a Student Aid Reward Payment and not described in subparagraph (A) on a pro-rata basis.

"(4) Distribution to students.—Any institution of higher education that receives a Student Aid Reward Payment under this section—

"(A) shall distribute, where appropriate, part or all of such payment among the students of such institution who are Federal Pell Grant recipients by awarding such students a supplemental grant; and

"(B) may distribute part of such payment as a supplemental grant to graduate students in financial need.

"(5) Estimates, adjustments, and carry over.—

"(A) Estimates and adjustments.—The Secretary shall make Student Aid Reward Payments to institutions of higher education on the basis of estimates, using the best data available at the beginning of an academic or fiscal year. If the Secretary determines thereafter that loan program costs for that academic or fiscal year were different than such estimate, the Secretary shall adjust by reducing or increasing subsequent Student Aid Reward Payments paid to such institutions of higher education to reflect such difference.

"(B) Carry over.—Any institution of higher education that receives a reduced Student Aid Reward Payment under paragraph (3)(B), shall remain eligible for the unpaid portion of such institution's financial reward payment, as well as any additional financial reward payments for which the institution is otherwise eligible, in subsequent academic or fiscal years.

"(e) Definitions.—In this section:

"(1) The term 'student loan program under this title that is most cost-effective for taxpayers' means the loan program under part B or D of this title that has the lowest overall cost to the Federal Government (including administrative costs) for the loans authorized by such parts.

"(2) The term 'student loan program under this title that is not most cost-effective for taxpayers' means the loan program under part B or D of this title that does not have the lowest overall cost to the Federal Government (including administrative costs) for the loans authorized by such parts.".

By Ms. STABENOW (for herself, Ms. Murkowski, Ms. Collins, Ms. Snowe, Mr. Akaka, Mr. Cochran, and Mr. Menendez):

S. 573. A bill to amend the Federal Food, Drug, and Cosmetic Act and the Public health Service Act to improve the prevention, diagnosis, and treatment of heart disease, stroke, and other cardiovascular diseases in women; to the Committee on Health, Education, Labor, and Pensions.

Ms. MURKOWSKI. Mr. President, February is American Heart Month, and heart disease remains the Nation's leading cause of death.

Many women believe that heart disease is a man's disease and, unfortunately, do not review it as a serious health threat. However, every year, since 1984, cardiovascular disease claims the lives of more women than men. In fact, cardiovascular disease death rates have declined significantly in men since 1979, while the death rate for women hasn't experienced the same rate of decline. The numbers are disturbing: cardiovascular diseases claim the lives of more than 460,000 women per year; that's nearly a death a minute among females and nearly 12 times as many lives as claimed by breast cancer. One in three females has some form of cardiovascular disease. And one in four females dies from heart disease.

That is why I am pleased to join my colleague from Michigan, Senator STABENOW, to introduce important legislation, the HEART for Women Act, or Heart disease Education, Analysis and Research, and Treatment for Women Act. This important bill improves the prevention, diagnosis and treatment of heart disease and stroke in women.

In my State of Alaska—taken together—heart disease, stroke and other cardiovascular diseases are also the leading cause of death, totaling nearly 800 deaths each year. Women in Alaska have higher death rates from stroke than do women nationally. Mortality among Native Alaskan women is dramatically on the rise, whereas, it is actually declining among Caucasian women in the Lower 48.

Despite being the number one killer, many women and their health care providers do not know that the biggest health care threat to women is heart disease. In fact, a recent survey found that 43 percent of women still don't know that heart disease is the number one killer of women.

Perhaps even more troubling, is the lack of awareness among health care providers. According to American Heart Association figures, less than one in five physicians recognize that more women suffer from heart disease than men. Among primary care physicians, only 8 percent of primary care physicians—and even more astounding—only 17 percent of cardiologists recognize that more women die of heart disease than men. Additionally, studies show that women are less likely to receive aggressive treatment because heart disease often manifests itself differently in women than men.

This is why the HEART Act is so important. Our bill takes a three-pronged approach to reducing the heart disease death rate for women, through; 1. education; 2. research; and, 3. screening.

First, the bill would authorize the Department of Health and Human Services to educate healthcare professionals and older women about unique aspects of care in the prevention, diagnosis and treatment of women with heart disease and stroke.

Second, the bill would require disclosure of gender-specific health information that is already being reported to the Federal Government. Many agencies already collect information based on gender, but do not disseminate or analyze the gender differences. This bill would release that information so that it could be studied, and important health trends in women could be detected.

Lastly, the bill would authorize the expansion of the Centers for Disease Control and Prevention's WISEWOMAN program (the Well-Integrated Screening and Evaluation for Women Across the Nation program). The WISEWOMAN program provides free heart disease and stroke screening to low-income uninsured women, but the program is currently limited to just 14 States.

My State of Alaska is fortunate to have two WISEWOMAN program sites. These programs screen for high blood pressure, cholesterol and glucose in Native Alaskan women and provide invaluable counseling on diet and exercise. One program in Alaska alone has successfully screened 1,437 Alaskan Native women and has provided them with a culturally appropriate intervention program that has produced lifesaving results.

Mr. President, heart disease, stroke and other cardiovascular diseases cost Americans more than any other disease—an estimated $430 billion in 2007, including more than $280 billion in direct medical costs. To put that number in perspective, that's about the same as the projected Federal deficit for 2007. We, as a nation, can control those costs—prevention through early detection is the most cost-effective way to combat this disease.

Tomorrow, as we celebrate Valentine's Day and see images of hearts just about everywhere, let us not forget that the heart is much more than a symbol—it is a vital organ that can't be taken for granted. Coronary disease can be effectively treated and sometimes even prevented—it does not have to be the number one cause of death in women. And, that is why I encourage my colleagues to support the HEART for Women Act.

By Mr. REID:

S. 574. A bill to express the sense of Congress on Iraq; read the first time.

Mr. REID. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 574

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SENSE OF CONGRESS ON IRAQ.

It is the sense of Congress that—

(1) Congress and the American people will continue to support and protect the members of the United States Armed Forces who are serving or who have served bravely and honorably in Iraq; and

(2) Congress disapproves of the decision of President George W. Bush announced on January 10, 2007, to deploy more than 20,000 additional United States combat troops to Iraq.

SEC. 2. FREQUENCY OF REPORTS ON CERTAIN ASPECTS OF POLICY AND OPERATIONS.

The United States Policy in Iraq Act (section 1227 of Public Law 109–163; 119 Stat. 3465; 50 U.S.C. 1541 note) is amended by adding at the end the following new subsection:

"(d) FREQUENCY OF REPORTS ON CERTAIN ASPECTS OF UNITED STATES POLICY AND MILITARY OPERATIONS IN IRAQ.—Not later than 30 days after the date of the enactment of this subsection, and every 30 days thereafter until all United States combat brigades have redeployed from Iraq, the President shall submit to Congress a report on the matters set forth in paragraphs (1)(A), (1)(B), and (2) of subsection (c). To the maximum extent practicable each report shall be unclassified, with a classified annex if necessary.".

By Mr. DOMENICI (for himself, Mr. DORGAN, Mrs. HUTCHISON, Mr. KYL, and Mrs. MURRAY)

S. 575. A bill to authorize appropriations for border and transportation security personnel and technology, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. DOMENICI. Mr. President, I rise today with Senator DORGAN to introduce a bill of critical importance to the security of our borders: the Border Infrastructure and Technology Modernization Act.

It was two decades ago when an American border last underwent a comprehensive infrastructure overhaul. That was when Senator Dennis DeConcini of Arizona and I put forth a $357 million effort to modernize the southwest border. A great deal has changed since 1986, and more importantly, since September 11, 2001. Congress has acted to improve security at airports and seaports, but we have not yet addressed our busiest ports, located on our land borders. This is where our infrastructure is its weakest, and we must act to prevent terrorists from exploiting this weakness. It is critical that we give our northern and southern borders the resources they need to address their vulnerabilities.

In 2001, the General Services Administration completed a comprehensive assessment of infrastructure needs on the southwestern and northern borders of the United States. This assessment found that overhauling both borders would cost $784 million.

Since the publication of that assessment, many of the needs identified remain outstanding, and new needs have arisen as facilitating commerce has become more complicated in the face of new security concerns.

Congress must address these needs. We must give the Department of Homeland Security the tools it needs to secure our borders. The Border Infrastructure and Technology Modernization Act creates a number of those tools.

The bill requires the General Service Administration (GSA) to identify port of entry infrastructure and technology improvement projects that would enhance homeland security. The GSA would work with the Department of Homeland Security to prioritize and implement these projects based on need.

The Secretary of Homeland Security would have to prepare a Land Border Security Plan to assess the vulnerabilities at each port of entry on the northern border and the southern border. This plan will require the cooperation of Federal, State and local entities involved at our borders to ensure that the individuals with first hand knowledge of our border needs are consulted about the plan.

My bill would also modernize homeland security along the United States' borders by implementing a program to test and evaluate new technologies.

Because equipment and technology alone will not solve the security problems on our border, these test sites will also house facilities so personnel who must use these technologies can train under realistic conditions.

I believe that these measures are an important part of addressing this nation's homeland security needs, and I am pleased to introduce the bill with Senator DORGAN.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 575

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Border Infrastructure and Technology Modernization Act of 2007".

SEC. 2. DEFINITIONS.

In this Act:

(1) COMMISSIONER.—The term "Commissioner" means the Commissioner responsible for United States Customs and Border Protection of the Department of Homeland Security.

(2) MAQUILADORA.—The term "maquiladora" means an entity located in Mexico that assembles and produces goods from imported parts for export to the United States.

(3) NORTHERN BORDER.—The term "northern border" means the international border between the United States and Canada.

(4) SOUTHERN BORDER.—The term "southern border" means the international border between the United States and Mexico.

(5) UNDER SECRETARY.—The term "Under Secretary" means the Under Secretary for Border and Transportation Security of the Department of Homeland Security.

SEC. 3. HIRING AND TRAINING OF BORDER AND TRANSPORTATION SECURITY PERSONNEL.

(a) INSPECTORS AND AGENTS.—

(1) INCREASE IN INSPECTORS AND AGENTS.—During each of fiscal years 2008 through 2012, the Under Secretary shall—

(A) increase the number of full-time agents and associated support staff in the Bureau of Immigration and Customs Enforcement of the Department of Homeland Security by the equivalent of at least 100 more than the number of such employees in the Bureau as of the end of the preceding fiscal year; and

(B) increase the number of full-time inspectors and associated support staff in the Bureau of Customs and Border Protection by the equivalent of at least 200 more than the number of such employees in the Bureau as of the end of the preceding fiscal year.

(2) WAIVER OF FTE LIMITATION.—The Under Secretary is authorized to waive any limitation on the number of full-time equivalent personnel assigned to the Department of Homeland Security to fulfill the requirements of paragraph (1).

(b) TRAINING.—The Under Secretary shall provide appropriate training for agents, inspectors, and associated support staff of the Department of Homeland Security on an ongoing basis to utilize new technologies and to ensure that the proficiency levels of such personnel are acceptable to protect the borders of the United States.

SEC. 4. PORT OF ENTRY INFRASTRUCTURE ASSESSMENT STUDY.

(a) REQUIREMENT TO UPDATE.—Not later than January 31 of each year, the Administrator of General Services shall update the Port of Entry Infrastructure Assessment Study prepared by the United States Customs Service, the Immigration and Naturalization Service, and the General Services Administration in accordance with the matter relating to the ports of entry infrastructure assessment that is set out in the joint explanatory statement in the conference report accompanying H.R. 2490 of the 106th Congress, 1st session (House of Representatives Rep. No. 106–319, on page 67) and submit such updated study to Congress.

(b) CONSULTATION.—In preparing the updated studies required in subsection (a), the Administrator of General Services shall consult with the Director of the Office of Management and Budget, the Under Secretary, and the Commissioner.

(c) CONTENT.—Each updated study required in subsection (a) shall—

(1) identify port of entry infrastructure and technology improvement projects that would enhance border security and facilitate the flow of legitimate commerce if implemented;

(2) include the projects identified in the National Land Border Security Plan required by section 5; and

(3) prioritize the projects described in paragraphs (1) and (2) based on the ability of a project to—

(A) fulfill immediate security requirements; and

(B) facilitate trade across the borders of the United States.

(d) PROJECT IMPLEMENTATION.—The Commissioner shall implement the infrastructure and technology improvement projects described in subsection (c) in the order of priority assigned to each project under paragraph (3) of such subsection.

(e) DIVERGENCE FROM PRIORITIES.—The Commissioner may diverge from the priority order if the Commissioner determines that significantly changed circumstances, such as immediate security needs or changes in infrastructure in Mexico or Canada, compellingly alter the need for a project in the United States.

SEC. 5. NATIONAL LAND BORDER SECURITY PLAN.

(a) REQUIREMENT FOR PLAN.—Not later than January 31 of each year, the Under Secretary shall prepare a National Land Border Security Plan and submit such plan to Congress.

(b) CONSULTATION.—In preparing the plan required in subsection (a), the Under Secretary shall consult with the Under Secretary for Information Analysis and Infrastructure Protection and the Federal, State, and local law enforcement agencies and private entities that are involved in international trade across the northern border or the southern border.

(c) VULNERABILITY ASSESSMENT.—

(1) IN GENERAL.—The plan required in subsection (a) shall include a vulnerability assessment of each port of entry located on the northern border or the southern border.

(2) PORT SECURITY COORDINATORS.—The Under Secretary may establish 1 or more port security coordinators at each port of entry located on the northern border or the southern border—

(A) to assist in conducting a vulnerability assessment at such port; and

(B) to provide other assistance with the preparation of the plan required in subsection (a).

SEC. 6. EXPANSION OF COMMERCE SECURITY PROGRAMS.

(a) CUSTOMS-TRADE PARTNERSHIP AGAINST TERRORISM.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Commissioner, in consultation with the Under Secretary, shall develop a plan to expand the size and scope (including personnel needs) of the Customs-Trade Partnership Against Terrorism programs along the northern border and southern border, including—

(A) the Business Anti-Smuggling Coalition;

(B) the Carrier Initiative Program;

(C) the Americas Counter Smuggling Initiative;

(D) the Container Security Initiative;

(E) the Free and Secure Trade Initiative; and

(F) other Industry Partnership Programs administered by the Commissioner.

(2) SOUTHERN BORDER DEMONSTRATION PROGRAM.—Not later than 180 days after the date of the enactment of this Act, the Commissioner shall establish a demonstration program along the southern border for the purpose of implementing at least one Customs-Trade Partnership Against Terrorism program along that border. The Customs-Trade Partnership Against Terrorism program selected for the demonstration program shall have been successfully implemented along the northern border as of the date of the enactment of this Act.

(b) MAQUILADORA DEMONSTRATION PROGRAM.—Not later than 180 days after the date of the enactment of this Act, the Commissioner shall establish a demonstration program to develop a cooperative trade security system to improve supply chain security.

SEC. 7. PORT OF ENTRY TECHNOLOGY DEMONSTRATION PROGRAM.

(a) ESTABLISHMENT.—The Under Secretary shall carry out a technology demonstration program to test and evaluate new port of entry technologies, refine port of entry technologies and operational concepts, and train personnel under realistic conditions.

(b) TECHNOLOGY AND FACILITIES.—

(1) TECHNOLOGY TESTED.—Under the demonstration program, the Under Secretary shall test technologies that enhance port of entry operations, including those related to inspections, communications, port tracking, identification of persons and cargo, sensory devices, personal detection, decision support, and the detection and identification of weapons of mass destruction.

(2) FACILITIES DEVELOPED.—At a demonstration site selected pursuant to subsection (c)(2), the Under Secretary shall develop facilities to provide appropriate training to law enforcement personnel who have

responsibility for border security, including cross-training among agencies, advanced law enforcement training, and equipment orientation.

(c) DEMONSTRATION SITES.—

(1) NUMBER.—The Under Secretary shall carry out the demonstration program at not less than 3 sites and not more than 5 sites.

(2) SELECTION CRITERIA.—To ensure that at least 1 of the facilities selected as a port of entry demonstration site for the demonstration program has the most up-to-date design, contains sufficient space to conduct the demonstration program, has a traffic volume low enough to easily incorporate new technologies without interrupting normal processing activity, and can efficiently carry out demonstration and port of entry operations, at least 1 port of entry selected as a demonstration site shall—

(A) have been established not more than 15 years before the date of the enactment of this Act;

(B) consist of not less than 65 acres, with the possibility of expansion onto not less than 25 adjacent acres; and

(C) have serviced an average of not more than 50,000 vehicles per month in the 12 full months preceding the date of the enactment of this Act.

(d) RELATIONSHIP WITH OTHER AGENCIES.—The Under Secretary shall permit personnel from an appropriate Federal or State agency to utilize a demonstration site described in subsection (c) to test technologies that enhance port of entry operations, including those related to inspections, communications, port tracking, identification of persons and cargo, sensory devices, personal detection, decision support, and the detection and identification of weapons of mass destruction.

(e) REPORT.—

(1) REQUIREMENT.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Under Secretary shall submit to Congress a report on the activities carried out at each demonstration site under the technology demonstration program established under this section.

(2) CONTENT.—The report shall include an assessment by the Under Secretary of the feasibility of incorporating any demonstrated technology for use throughout the Bureau of Customs and Border Protection.

SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—In addition to any funds otherwise available, there are authorized to be appropriated—

(1) to carry out the provisions of section 3, such sums as may be necessary for the fiscal years 2008 through 2012;

(2) to carry out the provisions of section 4—

(A) to carry out subsection (a) of such section, such sums as may be necessary for the fiscal years 2008 through 2012; and

(B) to carry out subsection (d) of such section—

(i) $100,000,000 for each of the fiscal years 2008 through 2012; and

(ii) such sums as may be necessary in any succeeding fiscal year;

(3) to carry out the provisions of section 6—

(A) to carry out subsection (a) of such section—

(i) $30,000,000 for fiscal year 2008, of which $5,000,000 shall be made available to fund the demonstration project established in paragraph (2) of such subsection; and

(ii) such sums as may be necessary for the fiscal years 2009 through 2012; and

(B) to carry out subsection (b) of such section—

(i) $5,000,000 for fiscal year 2008; and

(ii) such sums as may be necessary for the fiscal years 2009 through 2012; and

(4) to carry out the provisions of section 7, provided that not more than $10,000,000 may be expended for technology demonstration program activities at any 1 port of entry demonstration site in any fiscal year—

(A) $50,000,000 for fiscal year 2008; and

(B) such sums as may be necessary for each of the fiscal years 2009 through 2012.

(b) INTERNATIONAL AGREEMENTS.—Funds authorized in this Act may be used for the implementation of projects described in the Declaration on Embracing Technology and Cooperation to Promote the Secure and Efficient Flow of People and Commerce across our Shared Border between the United States and Mexico, agreed to March 22, 2002, Monterrey, Mexico (commonly known as the Border Partnership Action Plan) or the Smart Border Declaration between the United States and Canada, agreed to December 12, 2001, Ottawa, Canada that are consistent with the provisions of this Act.

By Mr. DODD (for himself, Mr. LEAHY, Mr. FEINGOLD, and Mr. MENENDEZ):

S. 576. A bill to provide for the effective prosecution of terrorists and guarantee due process rights; to the Committee on Armed Services.

Mr. DODD. Mr. President, I rise today to introduce the Restoring the Constitution Act of 2007—a bill to provide for the effective prosecution of terrorists and guarantee due process rights. I am pleased to be joined by Senators LEAHY, FEINGOLD, and MENENDEZ as original cosponsors. This bill would make significant important changes to the Military Commissions Act of 2006 which became law last October.

I have served in this body for more than a quarter-century, but I remember few days darker than September 28, 2006, the day the Senate passed President Bush's Military Commissions Act. Let me be honest with you, I believe this body gave in to fear that day. I believe we looked for refuge in the rule of men, when we should have trusted in the rule of law.

Restoring the Constitution Act of 2007 is more than mere tinkering with provisions of the Military Commissions Act. This legislation, which is similar to the bill that I introduced in the last Congress, makes major and important changes to that law in order to ensure we have the essential legal tools to achieve a lasting American victory without violating American values.

What does this proposed legislation do?

It restores the writ of habeas corpus for individuals held in U.S. custody.

It narrows the definition of unlawful enemy combatant to individuals who directly participate in hostilities against the United States in a zone of active combat, who are not lawful combatants.

It requires that the United States live up to its Geneva Convention obligations by deleting a prohibition in the law that bars detainees from invoking Geneva Conventions as a source of rights at trial.

It permits the accused to retain qualified civilian attorneys to represent them at trial.

It prevents the use of evidence in court gained through the unreliable and immoral practices of torture and coercion.

It charges the military judge with the responsibility for ensuring that the jury is appropriately informed as to the sources, methods and activities associated with developing out of court statements proposed to be introduced at trial, or alternatively that the statement is not introduced.

It empowers military judges to exclude hearsay evidence they deem to be unreliable.

It authorizes the U.S. Court of Appeals for the Armed Forces to review decisions by the military commissions.

It limits the authority of the President to interpret the meaning and application of the Geneva Conventions and makes that authority subject to congressional and judicial oversight.

It clarifies the definition of war crimes in statute to include certain violations of the Geneva Conventions.

Finally, it provides for expedited judicial review of the Military Commissions Act of 2006 to determine the constitutionally of its provisions.

To be clear—I absolutely believe that under very clearly proscribed circumstances military commissions can be a useful instrument for bringing our enemies to justice. But those who ask us to choose between national security and moral authority are offering us a false choice, and a dangerous one. Our Nation has been defeating tyrants and would-be tyrants for more than two centuries. And in all that struggle, we've never sold our principles—because if We did, we would be walking in the footsteps of those we most despise.

In times of peril, throwing away due process has been a constant temptation—but that is why we honor so highly those who resisted it. At Nuremberg, America rejected the certainty of execution for the uncertainty of a trial, and gave birth to a half-century of moral authority. Today I am asking my colleagues to reclaim that tradition, to put the principles of the Constitution above the passion of the moment. That reclamation can begin today—if we remedy President Bush's repugnant law. We can do it—and keep America Secure at the same time.

Freedom from torture. The right to counsel. Habeas corpus. To be honest, it still amazes me that we have to come to the floor of the Senate to debate these protections at all. What would James Madison have said if you told him that someday in the future, a Senator from Connecticut would be forced to publicly defend habeas corpus, the defendant's right to a day in court, the foundation of Our legal system dating back to the 13 century? What have we come to that such long-settled, long-honored rights have been called into question?

But here we are. And now it is upon us to renew them. I'd like to talk in detail about several key components of my legislation. The Military Commissions Act eliminated habeas corpus. Habeas corpus allows a person held by the government to question the legality of his detention. In my view, to deny this right not only undermines the rule of law, but damages the very fabric of America. It is not who we are, and it is not who we aspire to be. My bill reopens the doors to the Court house by restoring the writ of habeas corpus for individuals held in U.S. custody.

By approving the Military Commissions Act, Congress abdicated its constitutionally-mandated authority and responsibility to safeguard this principle and serve as a co-equal check on the executive branch. This law confers an unprecedented level of power on the president, allowing him the sole right to designate any individual as an "unlawful enemy combatant" if he or she engaged in hostilities or supported hostilities against the United States. In my view and in the view of many legal experts, this definition of "unlawful enemy combatant" is unmanageably vague. As we have all seen, "unlawful enemy combatants" are subject to arrest and indefinite detention, in many cases without ever being changed with a crime, let alone being found guilty. My bill would curtail potential abuse of the unlawful enemy combatant designation by narrowing the definition of unlawful enemy combatant to individuals who directly participate in hostilities against the United States in "a zone of active combat", and who are not lawful combatants. This correction is desperately needed to restore America's standing in the world and to right injustices that have recently been documented by international human rights organizations.

According to the Pentagon, last October, only 70 out of the 435 detainees housed at U.S. prison camps were expected to face a military trial, leaving hundreds of others to be held indefinitely. And while the Pentagon acknowledges that at least 110 of these detainees were labeled "ready to release," for some reason they have been kept under lock and key. Then there are stories such as the one about Asif Iqbal, a British humanitarian aid volunteer who, according to a January 10, 2007 Associated Press story, was mistakenly captured in Afghanistan and subjected to isolation, painful positioning, screeching music, strobe lights, sleep deprivation, and extreme temperatures. After three months, of enduring such treatment, Iqbal was released in 2004 without any charges brought against him.

Such sordid episodes have gravely undermined our apparent commitment to the Geneva Conventions and damaged our status both at home and in the global community. By failing to reaffirm our obligations under these vital treaties, the Military Commissions Act has only further eroded America's moral authority and perhaps ceded our nation's status as the leading proponent of international law and human rights. For this reason, the legislation I am offering today will reaffirm our obligations under the Geneva Conventions in several key ways. First, it would allow detainees to invoke the Geneva Conventions as a source of rights in their trials, overturning a ban put in place by the Military Commissions Act. Second, this legislation will limit the authority of the President to interpret and redefine the meaning and application of the Geneva Conventions by subjecting this authority to Congressional and judicial oversight. Lastly, my bill would statutorily define certain violations of the Geneva Conventions as war crimes. These provisions are all vitally important in allowing the United States to effectively wage the war on terror. The war that we are currently waging requires increasing international cooperation, but the President's plan puts us on a path of increasing isolation from even our staunchest allies.

Furthermore, this path is undermining our government's commitments to fundamental tenets of the American legal system. One of these tenets entails the right of the accused not only to confront his/her accuser but also to retain an attorney to represent him/her at trial. This is a basic right afforded to even the most egregious criminals under domestic law. And yet, under the administration's plan, this measure is being abandoned. In response, my bill sets standards for legal representation and allows for civilian legal counsel in military commission proceedings.

Even more importantly, my bill improves on these proceedings by prohibiting the use in court of any evidence that was gained through the unreliable and immoral practices of coercion. Incredibly, the Military Commissions Act lacks this blanket ban on evidence gained through torture. This is critically important for two very different reasons. Torture has been proven to be ineffective in interrogations, yielding highly unreliable information because a detainee, hoping to end the pain, will simply say whatever he believes an interrogator wants to hear. Second, torture allows foreign militaries to mistreat future American prisoners of war and use U.S. actions as an excuse. No one has said it with more authority than our colleague, Senator JOHN MCCAIN.

As he stated last year, "the intelligence we collect must be reliable and acquired humanely, under clear standards understood by all our fighting men and women . . . the cruel actions of a few to darken the reputation of our country in the eyes of millions,"

To address these concerns, my bill restores to military judges the responsibility of ensuring that information introduced at trial has not been obtained through methods defined as cruel, inhuman, or degrading treatment by the Detainee Treatment Act of 2005. Sadly, the Military Commissions Act shows disrespect for and mistrust of the highly trained professionals on our military's bench by stripping them of autonomy and authority. The legislation I am proposing today empowers military judges to exclude hearsay evidence they deem to be unreliable. In addition, this bill will grant military judges discretion in the event that classified evidence has a bearing on the innocence of an individual but is excluded due to national security concerns and declassified alternatives are insufficient. America's military judges have been fully trained and prepared to handle classified information. The Bush administration's failure to recognize this fact is an insult to the men and women of our military's bench and an affront to our military's justice system.

Unlike the current administration, I trust our courts to be able to handle the delicate legal and national security issues inherent in the cases involving so-called unlawful enemy combatants. This legislation therefore provides for appeals of the military commissions' decisions to be heard by the U.S. Court of Appeals for the Armed Forces. In my view, the right to an appeal is one of the most fundamental rights granted to anyone in our justice system. We 3 grant appeals to people accused of some of the most heinous crimes imaginable. We do this because we know that courts are not infallible. They can err in their decisions, and in order for these mistakes to be rectified and to avoid punishing innocent men and women, appeals must be allowed.

All of these provisions are important. But perhaps none is more urgent than the final measure in my bill, which requires expedited judicial review of the Military Commissions Act of 2006 to determine the constitutionally of its provisions. I believe that the United States Congress made a crucial mistake—that is why we must ensure that each provision of the Administration's Military Commissions Act is quickly reviewed by our Nation's courts. I believe that upon such review, those best qualified to make these judgments—members of our esteemed judiciary—will see to it that the most egregious provisions of this act will be overturned.

All 100 members of this body have been given the gravest of responsibilities. The people of this country have entrusted us with this Nation's security; and they have entrusted us with this Nation's principles. But those who argue that our principles stand in the way of our security are sadly, sorely mistaken: They are the source of our strength.

Five months ago, we departed from that source. But it is not too late to turn back. It is not too late to redeem our error. I implore my colleagues to join me.

Mr. FEINGOLD. Mr. President, I am pleased to cosponsor the Restoring the Constitution Act of 2007, which was introduced today by Senator DODD. It amends the deeply flawed Military Commissions Act of 2006 to restore basic due process rights and to ensure that no person is subject to indefinite detention without charge based on the sole discretion of the President.

Let me be clear: I welcome efforts to bring terrorists to justice. This administration has for too long been distracted by the war in Iraq from the fight against al Qaeda. We need a renewed focus on the terrorist networks that present the greatest threat to this country.

Last year, the President agreed to consult with Congress on the makeup of military commissions only because he was essentially ordered to do so by the Supreme Court in the Hamdan decision. Congress should have taken that opportunity to pass legislation that would allow these trials to proceed in accordance with our laws and our values. That is what separates America from our enemies. These trials, conducted appropriately, would have had the potential to demonstrate to the world that our democratic, constitutional system of government is not a hindrance but a source of strength in fighting those who attacked us.

Instead, we passed the Military Commissions Act, legislation that violates the basic principles and values of our constitutional system of government. It allows the government to seize individuals on American soil and detain them indefinitely with no opportunity for them to challenge their detention in court. And the new law would permit an individual to be convicted on the basis of coerced testimony and even allow someone convicted under these rules to be put to death.

The checks and balances of our system of government and the fundamental fairness of the American people and legal system are among our greatest strengths in the fight against terrorism. I was deeply disappointed that Congress enacted the Military Commissions Act. The day that bill became law was a stain on our Nation's history.

It is time to undo the harm caused by that legislation.

The Restoring the Constitution Act amends the Military Commissions Act to remedy its most serious flaws, and I am pleased to support it.

First of all, this legislation would restore the great writ of habeas corpus, to ensure that detainees at Guantanamo Bay and elsewhere—people who have been held for years but have not been tried or even charged with any crime—have the ability to challenge their detention in court. Senator DODD's bill would repeal the habeas stripping provisions of both the Military Commissions Act and the Detainee Treatment Act.

Habeas corpus is a fundamental recognition that in America, the government does not have the power to detain people indefinitely and arbitrarily. And that in America, the courts must have the power to review the legality of executive detention decisions.

Habeas corpus is a longstanding vital part of our American tradition, and is enshrined in the U.S. Constitution.

As a group of retired judges wrote to Congress last year, habeas corpus "safeguards the most hallowed judicial role in our constitutional democracy—ensuring that no man is imprisoned unlawfully."

The Military Commissions Act fundamentally altered that historical equation. Faced with an executive branch that has detained hundreds of people without trial for years now, it eliminated the right of habeas corpus.

Under the Military Commissions Act, some individuals, at the designation of the executive branch alone, could be picked up, even in the United States, and held indefinitely without trial, without due process, without any access whatsoever to the courts. They would not be able to call upon the laws of our great nation to challenge their detention because they would have been put outside the reach of the law.

That is unacceptable, and it almost surely violates our Constitution. But that determination will take years of protracted litigation. Under the Dodd bill, we would not have to wait. We would restore the right to habeas corpus now. We can provide a lawful system of military commissions so that those who have committed war crimes can be brought to justice, without denying one of the most basic rights guaranteed by the Constitution to those held in custody by our government.

Some have suggested that terrorists who take up arms against this country should not be allowed to challenge their detention in court. But that argument is circular—the writ of habeas allows those who might be mistakenly detained to challenge their detention in court, before a neutral decisionmaker. The alternative is to allow people to be detained indefinitely with no ability to argue that they are not, in fact, enemy combatants. Unless it can be said with absolute certainty that every person detained as an enemy combatant was correctly detained—and there is ample evidence to suggest that is not the case—then we should make sure that people can't simply be locked up forever, without court review, based on someone slapping a "terrorist" label on them.

We must return to the great writ. We must be true to our Nation's proud traditions and principles by restoring the writ of habeas corpus, by making clear that we do not permit our government to pick people up off the street, even in U.S. cities, and detain them indefinitely without court review. That is not what America is about.

But the Restoring the Constitution Act does far more than restore habeas corpus. It also addresses who can be subject to trial by military commission.

The Military Commissions Act was justified as necessary to allow our government to prosecute Khalid Sheikh Mohammed and other dangerous men transferred to Guantanamo Bay in 2006. Yet if you look at the fine print of that legislation, it becomes clear that it is much, much broader than that. It would permit trial by military commission not just for those accused of planning the September 11 attacks, but also individuals, including legal permanent residents of this country, who are alleged to have "purposefully and materially supported hostilities" against the United States or its allies.

This is extremely broad. And by including hostilities not only against the United States but also against its allies, the Military Commissions Act allows the U.S. to hold and try by military commission individuals who have never engaged, directly or indirectly, in any action against the United States.

Not only that, but the Military Commissions Act would also define as an unlawful enemy combatant subject to trial by military commission, anyone who "has been determined to be an unlawful enemy combatant by a Combatant Status Review Tribunal or another competent tribunal established under the authority of the President or the Secretary of Defense." This essentially grants a blank check to the executive branch to decide entirely on its own who can be tried by military commission.

Senator DODD's bill makes clear that the President cannot unilaterally decide who is eligible for trial by military commission. Under the Dodd bill, in order to be tried by military commission, an individual must have directly participated in hostilities against the United States in a zone of active combat, or have been involved in the September 11 attacks, and cannot be a lawful enemy combatant.

Senator DODD's bill also addresses the structure and process of the military commissions themselves. It ensures that these military commission procedures hew closely to the long-established military system of justice, as recommended by countless witnesses at congressional hearings last summer.

Some examples of the ways in which the Dodd bill improves the military commission procedures include: It prevents the use of evidence in court gained through torture or coercion. It ensures that any evidence seized within the United States without a search warrant cannot be introduced as evidence. It empowers military judges to exclude hearsay evidence they deem to be unreliable. It authorizes the existing U.S. Court of Appeals for the Armed Forces to review decisions by military commissions, rather than the newly created "Court of Military Commission Review," whose members would be appointed by the Secretary of Defense. And it provides for expedited judicial review of the Military Commissions Act to determine the constitutionally of its provisions before anyone is tried by military commission, so that we will not face even more delays in the future.

Many of these provisions were included in the bill passed by the Senate Armed Services Committee in September 2006, but then stripped out or altered in backroom negotiations with the Administration. The bill also improves changes to the War Crimes Act and emphasizes the importance of compliance with the Geneva Conventions.

In sum, Senator DODD's legislation addresses many of the most troubling and legally suspect provisions of the Military Commissions Act. Congress would be wise to make these changes now, rather than wait around while the Military Commissions Act is subject to further legal challenge, and another 4 or 5 years are squandered while cases work their way through the courts again.

In closing let me quote John Ashcroft. According to the New York Times, at a private meeting of high-level officials in 2003 about the military commission structure, then-Attorney General Ashcroft said: "Timothy McVeigh was one of the worst killers in U.S. history. But at least we had fair procedures for him." How sad that Congress passed legislation about which the same cannot be said. We can and must undo this mistake.

By Mrs. FEINSTEIN (for herself, Ms. SNOWE, Mr. LEVIN, Ms. CANTWELL, Mrs. BOXER, Mr. FEINGOLD, Mr. BINGAMAN, Mr. LIEBERMAN, Mr. LAUTENBERG, and Ms. MIKULSKI):

S. 577. A bill to amend the Commodity Exchange Act to add a provision relating to reporting and recordkeeping for positions involving energy commodities; to the Committee on Agriculture, Nutrition, and Forestry.

Mrs. FEINSTEIN. Mr. President, I rise today with Senators SNOWE, LEVIN, CANTWELL, BOXER, FEINGOLD, BINGAMAN, LIEBERMAN, LAUTENBERG, and MIKULSKI to introduce a bill to provide necessary Federal oversight of our energy markets.

Just as is currently required for trades performed on the New York Mercantile Exchange (NYMEX), this bill would require record keeping and create an audit trail for all electronic over-the-counter energy trades.

Generally, in energy markets, the term "over-the-counter trading" refers to the trading of an energy commodity directly between two parties that does not take place on a regulated exchange.

Six years after the California energy crisis, this bill is long overdue. As global oil and gas prices increase and as we work to reduce global greenhouse gas emissions, the American public needs reliable, transparent energy markets that are not subject to manipulation by traders.

Specifically, the bill would: require traders who perform trades on electronic trading facilities such as the Intercontinental Exchange (ICE) to keep records and report large positions carried by their market participants in energy commodities for five years or longer. These are the same requirements that apply to traders that do business on NYMEX; require traders to provide such records to the Commodity Futures Trading Commission (CFTC) or the Justice Department upon request. Again, these are the same requirements for NYMEX traders; and require persons in the United States who trade U.S. energy commodities delivered in the U.S. on foreign futures exchanges to keep similar records and report large trades.

The Western Energy Crisis in 2000–2001 provided a wake-up call about the extent to which energy traders can impact demand and drive up prices.

California and the entire West Coast faced rolling blackouts and sky-rocketing electricity costs, while companies like Enron, Duke, Williams, AES and Reliant enjoyed record revenues and profits.

In California, the cost of electricity was $8 billion in 1999, $27 billion in 2000, $27.5 billion in 2001, and $12 billion in 2002 after the crisis abated. Demand did not increase by more than 150 percent between 1999 and 2000. But prices did.

Why? Because companies like Enron manipulated the market in order to drive the price of electricity up.

As a result, Californians have been left with a $40 billion bill. This is an unacceptable burden.

One of the main causes of the crisis is a loophole in current law that allows for energy commodities—such as natural gas, electricity, oil, and gasoline—to be traded on over-the-counter markets with no Federal oversight.

While over-the-counter trades of all other commodities—pork bellies, soybeans, wheat and rice, for example—are regulated by the Federal Government, energy trades are not.

Our country currently faces natural gas prices that have been extremely volatile, and oil prices that have gone through the roof.

With gas prices reaching well above $2 per gallon across the country, and over $2.50 in my State of California, our constituents deserve to know why those prices are so high.

The New York Times has reported that manipulation of electronic energy trades has pushed these prices higher and higher.

Testifying at the Enron trial, the former Chief Executive Officer of Enron North America and Enron Energy Services, David Delainey was asked: "Is volatility a good thing for a speculative trader?"

His response: "Yes."

When asked to explain his answer, he said: The higher the volatility that you have, the better—the higher the potential profit you can make from an open position you might have in the marketplace . . . if the price change is only a couple cents either way, you can't make a whole lot of money in trading.

And if you have, you know, 50, 60 cents, dollar moves in price you're going to make a lot more money for—for every position you might have . . .

Unfortunately, Enron's demise did not sound the death knell for unregulated over-the-counter energy trades. Instead, these trades now take place on the Intercontinental Exchange (ICE).

Over-the-counter trades performed on ICE are exempt from Federal oversight. In other words, the CFTC cannot require traders on ICE to keep records or report trades in energy commodities. As a result, the CFTC does not have a complete picture of what occurs in the energy markets.

The CFTC has recently asked ICE to provide information for certain electronically traded energy contracts. ICE has agreed to comply. I welcome these positive developments, but nonetheless believe that this legislation is necessary to remove any doubt as to the CFTC's authority to mandate these reports and to ensure these requirements are not administratively removed at some later date.

In this request, the CFTC has only asked ICE to report those trades that are performed using NYMEX-established prices. NYMEX does not establish prices for electricity, so none of the electricity trades will be reported. This means that under current circumstances, the CFTC still will not be getting a full picture of the energy market from ICE's reports.

Our bill will require reporting of all electronic over-the-counter energy trades and will provide legislative certainty that these trades will be reported.

We learned the hard way that if there is no oversight of these markets, they are subject to manipulation.

It is high time to fix this problem. Our bill will do just this.

That is why I urge my colleagues to support this bill. The legislation will simply provide the CFTC with the data it needs to ensure that manipulation and fraud are not taking place on our energy markets.

So who would be against this proposal?

The traders who are making millions of dollars off of volatility in these markets. And some of these traders are people who learned their skills at Enron—like star-Enron trader John Arnold who made $75 to $100 million in 2005 at Centaurus Energy, a hedge fund investing in energy commodities.

The other beneficiaries of high oil and natural gas prices are the energy companies themselves. Oil major Chevron made almost $13.4 billion in the first 9 months of 2006—a 34 percent rise in profits over the same 9 months in 2005.

The number 3 U.S. oil company, ConocoPhillips, reported a 25 percent surge in profits in the first 9 months of 2006, boosted by sharply higher crude oil prices. Net income in the first 9 months of 2006 rose to $12.35 billion from $9.85 billion in the same time period of 2005.

And ExxonMobil made more money in 2006 than any company in history. All of these record profits are due to the fact that oil prices are so high.

So while consumers are paying more than $2 a gallon at the pump, traders and oil companies are making out like bandits.

I hope that we have enough consensus this year to pass this legislation in order to shine some light on our energy markets and determine if speculation, manipulation, or hoarding is occurring in the oil, gas, and electricity markets.

I would like to thank the following organizations for their support of this bill: Agricultural Retailers Association, Air Transport Association of America, American Public Gas Association, American Public Power Association, Consumer Federation of America, Consumers Union, Industrial Energy Consumers of America, National Association of Wheat Growers, National Barley Growers Association, New England Fuel Initiative, Pacific Northwest Oil Heat Council, Petroleum Transportation and Storage Association, Petroleum Marketers Association of America, PG&E Corporation, Sempra, and Southern California Edison.

I urge my colleagues to join me in supporting this legislation and I ask unanimous consent that the text of the legislation be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 577

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Oil and Gas Traders Oversight Act of 2007".

SEC. 2. REPORTING AND RECORDKEEPING FOR POSITIONS INVOLVING ENERGY COMMODITIES.

(a) IN GENERAL.—Section 2(h) of the Commodity Exchange Act (7 U.S.C. 2(h)) is amended by adding at the end the following:

"(7) REPORTING AND RECORDKEEPING FOR POSITIONS INVOLVING ENERGY COMMODITIES.—

"(A) DEFINITIONS.—In this paragraph:

"(i) DOMESTIC TERMINAL.—The term 'domestic terminal' means a technology, software, or other means of providing electronic access within the United States to a contract, agreement, or transaction traded on a foreign board of trade.

"(ii) ENERGY COMMODITY.—The term 'energy commodity' means a commodity or the derivatives of a commodity that is used primarily as a source of energy, including—

"(I) coal;

"(II) crude oil;

"(III) gasoline;

"(IV) heating oil;

"(V) diesel fuel;

"(VI) electricity;

"(VII) propane; and

"(VIII) natural gas.

"(iii) REPORTABLE CONTRACT.—The term 'reportable contract' means—

"(I) a contract, agreement, or transaction involving an energy commodity, executed on an electronic trading facility, or

"(II) a contract, agreement, or transaction for future delivery involving an energy commodity for which the underlying energy commodity has a physical delivery point within the United States and that is executed through a domestic terminal.

"(B) RECORD KEEPING.—The Commission, by rule, shall require any person holding, maintaining, or controlling any position in any reportable contract under this section—

"(i) to maintain such records as directed by the Commission for a period of 5 years, or longer, if directed by the Commission; and

"(ii) to provide such records upon request to the Commission or the Department of Justice.

"(C) REPORTING OF POSITIONS INVOLVING ENERGY COMMODITIES.—The Commission shall prescribe rules requiring such regular or continuous reporting of positions in a reportable contract in accordance with such requirements regarding size limits for reportable positions and the form, timing, and manner of filing such reports under this paragraph, as the Commission shall determine.

"(D) OTHER RULES NOT AFFECTED.—

"(i) IN GENERAL.—Except as provided in clause (ii), this paragraph does not prohibit or impair the adoption by any board of trade licensed, designated, or registered by the Commission of any bylaw, rule, regulation, or resolution requiring reports of positions in any agreement, contract, or transaction made in connection with a contract of sale for future delivery of an energy commodity (including such a contract of sale), including any bylaw, rule, regulation, or resolution pertaining to filing or recordkeeping, which may be held by any person subject to the rules of the board of trade.

"(ii) EXCEPTION.—Any bylaw, rule, regulation, or resolution established by a board of trade described in clause (i) shall not be inconsistent with any requirement prescribed by the Commission under this paragraph.

"(E) CONTRACT, AGREEMENT, OR TRANSACTION FOR FUTURE DELIVERY.—Notwithstanding sections 4(b) and 4a, the Commission shall subject a contract, agreement, or transaction for future delivery in an energy commodity to the requirements established by this paragraph.".

(b) CONFORMING AMENDMENTS.—Section 4a(e) of the Commodity Exchange Act (7 U.S.C. 6a(e)) is amended—

(1) in the first sentence—

(A) by inserting "or by an electronic trading facility operating in reliance on section 2(h)(3)" after "registered by the Commission"; and

(B) by inserting "electronic trading facility," before "or such board of trade"; and

(2) in the second sentence, by inserting "or by an electronic trading facility operating in reliance on section 2(h)(3)" after "registered by the Commission".

By Mr. KENNEDY (for himself, Mr. SMITH, Mr. REED, Ms. SNOWE, Mr. HARKIN, Mr. BINGAMAN, Mrs. CLINTON, Ms. MIKULSKI, Mr. DODD, Mr. DURBIN, Mrs. BOXER, Mr. KERRY, Mrs. FEINSTEIN, Mr. SCHUMER, Mr. LEVIN, Mr. AKAKA, Ms. CANTWELL, and Mr. MENENDEZ):

S. 578. A bill to amend title XIX of the Social Security Act to improve requirements under the Medicaid program for items and services furnished in or through an educational program or setting to children, including children with developmental, physical, or mental health needs, and for other purposes; to the Committee on Finance.

Mr. KENNEDY. Mr. President, it's a privilege to join my Senate and House colleagues in introducing the "Protecting Children's Health in Schools Act of 2006." This bill will ensure that the Nation's 7 million school children with disabilities will have continued access to health care in school.

In 1975, the Nation made a commitment to guarantee children with disabilities equal access to education. For these children to learn and thrive in schools, the integration of education with health care is of paramount importance. Coordination with Medicaid makes an immense difference to schools in meeting the needs of these children.

This year, however, the Bush Administration has declared its intent to end Medicaid reimbursements to schools for the support services they need in order to provide medical and health-related services to disabled children. The Administration is saying "NO" to any further financial help to Medicaid-covered disabled children who need specialized transportation to obtain their health services at school. It is saying "NO" to any legitimate reimbursement to the school for costs incurred for administrative duties related to Medicaid services.

It's bad enough that Congress and the Administration have not kept the commitment to "glide-path" funding of IDEA needs in 2004. Now the Administration proposes to deny funding to schools under the Federal program that supports the health needs of disabled children. It makes no sense to make it so difficult for disabled children to achieve in school—both under IDEA and the No Child Left Behind.

At stake is an estimated $3.6 billion in Medicaid funds over the next five years. Such funding is essential to help identify disabled children and connect them to services that can meet their special health and learning needs during the school day.

This decision by the Administration follows years of resisting Medicaid reimbursements to schools that provide these services, without clear guidance on how schools should appropriately seek reimbursement.

The "Protecting Children's Health in Schools Act" recognizes the importance of schools as a site of delivery of health care. It ensures that children with disabilities can continue to obtain health services during the school day. The bill also provides for clear and consistent guidelines to be established, so that schools can be held accountable and seek appropriate reimbursement.

The legislation has the support of over 60 groups, including parents, teachers, principals, school boards, and health care providers—people who work with children with disabilities every day and know what is needed to facilitate their growth, development, and long-term success.

I urge all of our colleagues to join us in supporting these children across the Nation, by providing the realistic support their schools need in order to meet these basic health care requirements of their students.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 78—DESIGNATING APRIL 2007 AS "NATIONAL AUTISM AWARENESS MONTH" AND SUPPORTING EFFORTS TO INCREASE FUNDING FOR RESEARCH INTO THE CAUSES AND TREATMENT OF AUTISM AND TO IMPROVE TRAINING AND SUPPORT FOR INDIVIDUALS WITH AUTISM AND THOSE WHO CARE FOR INDIVIDUALS WITH AUTISM

Mr. HAGEL (for himself, Mr. FEINGOLD, and Ms. STABENOW) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 78

Whereas autism is a developmental disorder that is typically diagnosed during the first 3 years of life, robbing individuals of their ability to communicate and interact with others;

Whereas autism affects an estimated 1 in every 150 children in the United States;

Whereas autism is 4 times more likely to occur in boys than in girls;

Whereas autism can affect anyone, regardless of race, ethnicity, or other factors;

Whereas it costs approximately $80,000 per year to treat an individual with autism in a medical center specializing in developmental disabilities;

Whereas the cost of special education programs for school-aged children with autism is often more than $30,000 per individual per year;

Whereas the cost nationally of caring for persons affected by autism is estimated at upwards of $90,000,000,000 per year;

Whereas despite the fact that autism is one of the most common developmental disorders, many professionals in the medical and educational fields are still unaware of the best methods to diagnose and treat the disorder; and

Whereas designating April 2007 as "National Autism Awareness Month" will increase public awareness of the need to support individuals with autism and the family members and medical professionals who care for individuals with autism: Now, therefore, be it

Resolved, That the Senate—

(1) designates April 2007 as "National Autism Awareness Month";

(2) recognizes and commends the parents and relatives of children with autism for their sacrifice and dedication in providing for the special needs of children with autism and for absorbing significant financial costs for specialized education and support services;

(3) supports the goal of increasing Federal funding for aggressive research to learn the root causes of autism, identify the best methods of early intervention and treatment, expand programs for individuals with autism across their lifespans, and promote understanding of the special needs of people with autism;

(4) stresses the need to begin early intervention services soon after a child has been diagnosed with autism, noting that early intervention strategies are the primary therapeutic options for young people with autism, and that early intervention significantly improves the outcome for people with autism and can reduce the level of funding and services needed to treat people with autism later in life;

(5) supports the Federal Government's more than 30-year-old commitment to provide States with 40 percent of the costs needed to educate children with disabilities under part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.);

(6) recognizes the shortage of appropriately trained teachers who have the skills and support necessary to teach, assist, and respond to special needs students, including those with autism, in our school systems; and

(7) recognizes the importance of worker training programs that are tailored to the needs of developmentally disabled persons, including those with autism, and notes that people with autism can be, and are, productive members of the workforce if they are given appropriate support, training, and early intervention services.

SENATE RESOLUTION 79—RELATIVE TO THE DEATH OF REPRESENTATIVE CHARLES W. NORWOOD, JR., OF GEORGIA

Mr. REID (for himself, Mr. MCCONNELL, Mr. CHAMBLISS, and Mr. ISAKSON) submitted the following resolution; which was considered and agreed to:

S. RES. 79

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable Charles W. Norwood, Jr., late a Representative from the State of Georgia.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Resolved, That when the Senate adjourns or recesses today, it stand adjourned or recessed as a further mark of respect to the memory of the deceased Representative.

SENATE RESOLUTION 80—TO AUTHORIZE TESTIMONY, DOCUMENT PRODUCTION, AND LEGAL REPRESENTATION IN STATE OF OREGON V. REBECCA MICHELSON, MICHELE DARR, AND VERNON HUFFMAN

Mr. REID (for himself and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 80

Whereas, in the cases of *State of Oregon* v. *Rebecca Michelson (2101093–1), Michele Darr (2101093–2), and Vernon Huffman (2101093–3)*, pending in Multnomah County Circuit Court in Portland, Oregon, testimony and documents have been requested from Kellie Lute, an employee in the office of Senator Gordon Smith;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(2), the Senate may direct its counsel to represent employees of the Senate with respect to any subpoena, order, or request for testimony relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That Kellie Lute and any other employees or Senator Smith's office from whom testimony or the production of documents may be required are authorized to testify and produce documents in the cases of *State of Oregon* v. *Rebecca Michelson, Michele Darr, and Vernon Huffman*, except concerning matters for which a privilege should be asserted.

SEC. 2. The Senate Legal Counsel is authorized to represent Kellie Lute and other employees of Senator Smith's staff in the actions referenced in section one of this resolution.

SENATE CONCURRENT RESOLUTION 11—PROVIDING THAT ANY AGREEMENT RELATING TO TRADE AND INVESTMENT THAT IS NEGOTIATED BY THE EXECUTIVE BRANCH WITH ANOTHER COUNTRY COMPLY WITH CERTAIN MINIMUM STANDARDS

Mr. FEINGOLD submitted the following concurrent resolution; which was referred to the Committee on Finance:

S. CON. RES. 11

Whereas there is general consensus among the people of the United States and the global community that, with respect to international trade and investment rules—

(1) global environmental, labor, health, food security, and other public interest standards must be strengthened to prevent a global "race to the bottom";

(2) domestic environmental, labor, health, food security, and other public interest standards and policies must not be undermined, including those based on the use of the precautionary principle (the internationally recognized legal principle that holds that, when there is scientific uncertainty regarding the potential adverse effects of an action, a product, or a technology, a government should act in a way that minimizes the risk of harm to human health and the environment);

(3) provision and regulation of public services such as education, health care, transportation, energy, water, and other utilities are basic functions of democratic government and must not be undermined;

(4) raising standards in developing countries requires additional assistance and respect for diversity of policies and priorities;

(5) countries must be allowed to design and implement policies to sustain family farms and achieve food security;

(6) healthy national economies are essential to a healthy global economy, and the right of governments to pursue policies to maintain and create jobs must be upheld;

(7) the right of State and local and comparable regional governments of all countries to create and enforce diverse policies must be safeguarded from imposed downward harmonization; and

(8) rules for the global economy must be developed and implemented democratically and with transparency and accountability;

Whereas many international trade and investment agreements in existence and currently being negotiated do not serve these interests; and

Whereas many international trade and investment agreements in existence have caused substantial harm to the health and well-being of communities in the United States and within countries that are trading partners of the United States: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That any agreement relating to trade and investment that is negotiated by the executive branch with another country should comply with the following:

(1) REQUIREMENTS APPLYING TO ALL COUNTRIES.—

(A) INVESTOR AND INVESTMENT POLICY.—If the agreement includes any provision relating to foreign investment, the agreement may not permit a foreign investor to challenge or seek compensation because of a measure of a government at the national, State, or local level that protects the public interest, including a measure that protects public health, safety, and welfare, the environment, and worker protections, unless a foreign investor demonstrates that the measure was enacted or applied primarily for the purpose of discriminating against a foreign investor or foreign investment.

(B) SERVICES.—The agreement, to the extent applicable, shall comply with the following:

(i) IN GENERAL.—The agreement may not provide for disciplinary action against a government measure relating to—

(I) a public service, including public services for which the government is not the sole provider;

(II) a service that requires extensive regulation;

(III) an essential human service; and

(IV) a service that has an essentially social component.

(ii) SERVICES DESCRIBED.—A service described in clause (i) includes a public benefit program, health care, health insurance, public health, child care, education and training, the distribution of a controlled substance or product (including alcohol, tobacco, and firearms), research and development on a natural or social science, a utility (including an energy utility, water, waste disposal, and sanitation), national security, maritime; air, surface, and other transportation services, a postal service, energy extraction and any related service, and a correctional service.

(iii) REVISION OF COMMITMENTS.—The agreement shall permit a country that has made a commitment in an area described in clause (i) to revise that commitment for the purposes of public interest regulation without any financial or other trade-related penalty.

(iv) SUBSIDIES AND GOVERNMENT PROCUREMENT.—The agreement shall ensure that any rule governing a subsidy or government procurement fully protects the ability of a government to support and purchase a service in a way that promotes economic development, social justice and equity, public health, environmental quality, human rights, and the rights of workers.

(v) REGULATION OF FOREIGN INVESTORS.—The agreement shall guarantee that all governments that are parties to the agreement may regulate foreign investors in services and other service providers in order to protect public health and safety, consumers, the environment, and workers' rights, without requiring the governments to establish their regulations to be the least burdensome option for foreign service providers.

(C) ENVIRONMENTAL, LABOR, AND OTHER PUBLIC INTEREST STANDARDS.—The agreement—

(i) may not supersede the rights and obligations of parties under multilateral environmental, labor, and human rights agreements;

(ii) shall, to the extent applicable, include commitments—

(I) to adhere to specified workers' rights and environmental standards;

(II) to enforce existing domestic labor and environmental provisions; and

(III) to abide by the core labor standards of the International Labor Organization; and

(iii) shall subject the commitments described in clause (ii) to binding enforcement on the same terms as commercial provisions.

(D) FOOD SAFETY.—The agreement may not—

(i) require international harmonization of food safety standards in a manner that undermines the level of human health protection provided under the laws of a country; or

(ii) restrict the ability of governments to enact policies to guarantee the right of consumers to know where and how food is produced.

(E) AGRICULTURE AND FOOD SECURITY.—The agreement may not, with respect to food and other agricultural commodities—

(i) contain provisions that prevent countries from—

(I) establishing domestic and global reserves;

(II) managing supply;

(III) enforcing antidumping provisions;

(IV) ensuring fair market prices; or

(V) vigorously enforcing antitrust laws, in order to guarantee competitive markets for family farmers; or

(ii) prevent countries from developing the necessary sanitary and phytosanitary standards to prevent the introduction of pathogens or other potentially invasive species that may adversely affect agriculture, human health, or the environment.

(F) GOVERNMENTAL AUTHORITY.—The agreement may not contain provisions that bind national, State, local, or comparable regional governments to limiting regulatory, taxation, spending, or procurement authority—

(i) without sufficient transparency as described in paragraph (4), including an opportunity for public review and comment; and

(ii) without the explicit, informed consent of the national, State, local, or comparable regional legislative body concerned.

(G) ACCESS TO MEDICINES AND SEEDS.—

(i) MEDICINES.—The agreement may not contain provisions that prevent countries from taking measures to protect public health by ensuring access to medicines.

(ii) SEEDS.—The agreement may not constrain the rights of farmers to save, use, exchange, or sell farm-saved seeds and other publicly available seed varieties.

(2) REQUIREMENTS APPLYING TO ONLY THE UNITED STATES.—

(A) TEMPORARY ENTRY OF WORKERS.—The agreement may not—

(i) make a new commitment on the temporary entry of workers, because such policies should be determined by the Congress, after consideration by the congressional committees with jurisdiction over immigration, to avoid an array of inconsistent policies; or

(ii) include any policy that fails to—

(I) include labor market tests that ensure that the employment of temporary workers will not adversely affect other similarly employed workers;

(II) involve labor unions in the labor certification process implemented under the immigration program for temporary workers granted nonimmigrant status under section 101(a)(15)(H)(i)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(H)(i)(b)), including the filing by an employer of an application under section 212(n)(1) of that Act (8 U.S.C. 1182(n)(1)); or

(III) guarantee the same workplace protections for temporary workers that are available to all workers.

(B) POLICIES TO SUPPORT UNITED STATES WORKERS AND SMALL, MINORITY, AND WOMEN-OWNED BUSINESSES.—The agreement shall preserve the right of Federal, State, and local governments to maintain or establish policies to support United States workers and small, minority, or women-owned businesses, including policies with respect to government procurement, loans, and subsidies.

(C) UNITED STATES TRADE LAWS.—The agreement may not—

(i) contain a provision that modifies or amends, or requires a modification of or an amendment to, any law of the United States regarding safeguards from unfair foreign trade practices, including any law providing for—

(I) the imposition of countervailing or antidumping duties;

(II) protection from unfair methods of competition or unfair acts in the importation of articles;

(III) relief from injury caused by import competition;

(IV) relief from unfair trade practices; or

(V) the imposition of import restrictions to protect national security; or

(ii) weaken the existing terms of the Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994, or the Agreement on Subsidies and Countervailing Measures, of the World Trade Organization, including through the domestic implementation of rulings of dispute settlement bodies.

(D) FOOD SAFETY.—The agreement may not—

(i) restrict the ability of the United States to ensure that food products entering the United States are rigorously inspected to establish that they meet all food safety standards in the United States, including inspection standards; or

(ii) force the United States to accept different food safety standards as "equivalent", in a manner that undermines the level of human health protection provided under domestic law.

(3) TREATMENT OF DEVELOPING COUNTRIES.—The agreement shall grant special and differential treatment for developing countries with regard to the timeframe for implementation of the agreement as well as other concerns.

(4) TRANSPARENCY.—

(A) IN GENERAL.—The process of negotiating the agreement shall be open and transparent, including through—

(i) prompt and regular disclosure of full negotiating texts; and

(ii) prompt and regular disclosure of negotiating positions of the United States.

(B) PUBLIC AVAILABILITY OF OFFERS AND REQUESTS.—In negotiating the agreement, any request or offer relating to investment, procurement, or trade in services must be made public within 10 days after its submission if such request or offer—

(i) proposes that specific Federal, State, or local laws or regulations in the United States, including subsidies, tax rules, procurement rules, professional standards, and rules on temporary entry of persons, be changed, eliminated, or scheduled under the agreement;

(ii) proposes to cover under the agreement—

(I) specific essential public services, including public benefits programs, health care, education, national security, sanitation, water, energy, and other utilities; or

(II) private service sectors that require extensive regulation or have an inherently social component, including maritime, air transport, trucking, and other transportation services, postal services, utilities such as water, energy, and sanitation, corrections, education and childcare, and health care; or

(iii) proposes an action or process of general application that may interfere with the ability of the United States or State, local, or tribal governments to adopt, implement, or enforce laws and regulations identified in clause (ii)(I) or to provide or regulate services identified in clause (ii)(II).

(C) REPRESENTATION OF INTERESTS.—The broad array of constituencies representing the majority of the people of the United States, including labor unions, environmental organizations, consumer groups, family farm groups, public health advocates, faith-based organizations, and civil rights groups, must have at least the same representation on trade advisory committees and the same access to trade negotiators and negotiating fora as those constituencies representing commercial interests.

(D) DISPUTE RESOLUTION MECHANISMS.—Any dispute resolution mechanism established in the agreement shall be open and transparent, including through disclosure to the public of documents and access to hearings, and must permit participation by nonparties through the filing of amicus briefs, as well as provide for standing for State and local governments as intervenors.

Mr. FEINGOLD. Mr. President, I am pleased to again submit a measure to begin to address one of the central problems our Nation faces, namely the loss of family-supporting jobs because of our flawed trade policies.

Today's announcement that the U.S. trade deficit for 2006 rose to $764 billion, setting a record for the fifth consecutive year, is a stark reminder of just how seriously flawed our trade policies are. Those policies have far reaching consequences, and they require a multifaceted response.

One response must be to take on the trade deficit directly, and I have been pleased to join the Senator from North Dakota, Mr. DORGAN, to do just that.

But we also must change the agreements into which we enter with our trading partners.

The record of the major trade agreements into which our Nation has entered over the past few years has been dismal. Thanks in great part to the flawed fast track rules that govern consideration of legislation implementing trade agreements, the United States has entered into a number of trade agreements that have contributed to the significant job loss we have seen in recent years, and have laid open to assault various laws and regulations established to protect workers, the environment, and our health and safety. Indeed, those agreements undermine the very democratic institutions through which we govern ourselves.

The loss of jobs, especially manufacturing jobs, to other countries has been devastating to Wisconsin, and to the entire country. When I opposed the North American Free Trade Agreement, the Uruguay round of the General Agreement on Tariffs and Trade, Permanent Normal Trade Relations for China, and other flawed trade measures, I did so in great part because I believed they would lead to a significant loss of jobs. But even as an opponent of those agreements, I don't think I could have imagined just how bad things would get in so short a time.

The trade policy of this country over the past several years has been appalling. The trade agreements into which we have entered have contributed to the loss of key employers, ravaging entire communities. But despite that clear evidence, we continue to see trade agreements being reached that will only aggravate this problem.

This has to stop. We cannot afford to pursue trade policies that gut our manufacturing sector and send good jobs overseas. We cannot afford to undermine the safeguards we have established for workers, the environment, and our public health and safety. And we cannot afford to chip way at our democratic heritage by entering into trade agreements that supercede our right to govern ourselves through open, democratic institutions.

The legislation I am introducing today addresses this problem, at least in part. It establishes some minimum standards for the trade agreements into which our Nation enters. It sets forth principles for future trade agreements. It is a break with the so-called NAFTA model, and instead advocates the kinds of sound trade policies that will spur economic growth and sustainable development.

The principles set forth in this resolution are not complex. They are straightforward and achievable. The resolution calls for enforceable worker protections, including the core International Labor Organization standards.

It preserves the ability of the United States to enact and enforce its own trade laws.

It protects foreign investors, but states that foreign investors should not be provided with greater rights than those provided under U.S. law, and it protects public interest laws from challenge by foreign investors in secret tribunals.

It ensures that food entering into our country meets domestic food safety standards.

It preserves the ability of Federal, State, and local governments to maintain essential public services and to regulate private sector services in the public interest.

It requires that trade agreements contain environmental provisions subject to the same enforcement as commercial provisions.

It preserves the right of Federal, State, and local governments to use procurement as a policy tool, including through Buy American laws, environmental laws such as recycled content, and purchasing preferences for small, minority, or women-owned businesses.

It requires that trade negotiations and the implementation of trade agreements be conducted openly.

These are sensible policies, and will advance the goal of increased international commerce.

The outgrowth of the major trade agreements into which we have entered has been a race to the bottom in labor standards, environmental standards, health and safety standards, in nearly every aspect of our economy. A race to the bottom is a race in which even the winners lose.

For any who doubt this, I invite you to ask the families in Wisconsin who have watched their jobs move to China.

We can't let this continue to happen. We need to turn our trade policies around. We need to pursue trade agreements that will promote sustainable economic growth for our Nation and for our trading partners. This resolution will begin to put us on that path, and I urge my colleagues to support it.

AMENDMENTS SUBMITTED AND PROPOSED

SA 264. Mr. CHAMBLISS (for himself and Mr. ISAKSON) submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, making further continuing appropriations for the fiscal year 2007, and for other purposes; which was ordered to lie on the table.

SA 265. Ms. COLLINS submitted an amendment intended to be proposed to amendment SA 259 submitted by Mr. WARNER (for himself, Mr. LEVIN, Ms. COLLINS, Mr. NELSON of Nebraska, Mr. HAGEL, Ms. SNOWE, Mr. SMITH, Mr. BIDEN, and Mr. SALAZAR) and intended to be proposed to the joint resolution H.J. Res. 20, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 264. Mr. CHAMBLISS (for himself and Mr. ISAKSON) submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, making further continuing appropriations for the fiscal year 2007, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after "**SEC.**" and insert the following:

. ADDITIONAL AMOUNTS TO ADDRESS SCHIP FUNDING SHORTFALLS FOR FISCAL YEAR 2007.

(a) IN GENERAL.—Section 2104 of the Social Security Act (42 U.S.C. 1397dd) is amended by adding at the end the following:

"(i) ADDITIONAL REDISTRIBUTION OF AMOUNTS NECESSARY TO ADDRESS FISCAL YEAR 2007 FUNDING SHORTFALLS.—

"(1) REDISTRIBUTION OF CERTAIN UNUSED FISCAL YEAR 2005 ALLOTMENTS.—

"(A) IN GENERAL.—Subject to subparagraphs (C) and (D), with respect to months beginning during fiscal year 2007 after April 30, 2007, the Secretary shall provide for a redistribution under subsection (f) from amounts made available for redistribution under paragraphs (2) and (3) to each shortfall State described in subparagraph (B), such amount as the Secretary determines will eliminate the estimated shortfall described in such subparagraph for such State for the month.

"(B) SHORTFALL STATE DESCRIBED.—For purposes of this paragraph, a shortfall State described in this subparagraph is a State with a State child health plan approved under this title for which the Secretary estimates, subject to subsection (h)(4)(B) and on a monthly basis using the most recent data available to the Secretary as of April 30, 2007, that the projected expenditures under such plan for such State for fiscal year 2007 will exceed the sum of—

"(i) the amount of the State's allotments for each of fiscal years 2005 and 2006 that was not expended by the end of fiscal year 2006;

"(ii) the amount, if any, that is to be redistributed to the State in accordance with subsection (h); and

"(iii) the amount of the State's allotment for fiscal year 2007.

"(C) FUNDS REDISTRIBUTED IN THE ORDER IN WHICH STATES REALIZE FUNDING SHORTFALLS.—The Secretary shall redistribute the amounts available for redistribution under subparagraph (A) to shortfall States described in subparagraph (B) in the order in which such States realize monthly funding shortfalls under this title for fiscal year 2007. The Secretary shall only make redistributions under this paragraph to the extent that such amounts are available for such redistributions.

"(D) PRORATION RULE.—If the amounts available for redistribution under paragraph (3) for a month are less than the total amounts of the estimated shortfalls determined for the month under subparagraph (A), the amount computed under such subparagraph for each shortfall State shall be reduced proportionally.

"(2) TREATMENT OF CERTAIN STATES WITH FISCAL YEAR 2005 ALLOTMENTS UNEXPENDED AT THE END OF THE FIRST 7 MONTHS OF FISCAL YEAR 2007.—

"(A) IDENTIFICATION OF STATES.—The Secretary, on the basis of the most recent data available to the Secretary as of April 30, 2007—

"(i) shall identify those States that received an allotment for fiscal year 2006 under subsection (b) which have not expended all of such allotment by April 30, 2007; and

"(ii) for each such State shall estimate—

"(I) the portion of such allotment that was not so expended by such date; and

"(II) whether the State is described in subparagraph (B).

"(B) STATES WITH FUNDS IN EXCESS OF 200 PERCENT OF NEED.—A State described in this subparagraph is a State for which the Secretary determines, on the basis of the most recent data available to the Secretary as of April 30, 2007, that the total of all available allotments under this title to the State as of such date, is at least equal to 200 percent of the total projected expenditures under this title for the State for fiscal year 2007.

"(C) REDISTRIBUTION AND LIMITATION ON AVAILABILITY OF PORTION OF UNUSED ALLOTMENTS FOR CERTAIN STATES.—In the case of a State identified under subparagraph (A)(i) that is also described in subparagraph (B), notwithstanding subsection (e), the amount described in subparagraph (A)(ii)(I) shall not be available for expenditure by the State on or after May 1, 2007, and shall be redistributed in accordance with paragraph (1).

"(3) TREATMENT OF CERTAIN STATES WITH FISCAL YEAR 2006 ALLOTMENTS UNEXPENDED AT THE END OF THE FIRST 7 MONTHS OF FISCAL YEAR 2007.—

"(A) IDENTIFICATION OF STATES.—The Secretary, on the basis of the most recent data available to the Secretary as of April 30, 2007—

"(i) shall identify those States that received an allotment for fiscal year 2006 under subsection (b) which have not expended all of such allotment by April 30, 2007; and

"(ii) for each such State shall estimate—

"(I) the portion of such allotment that was not so expended by such date; and

"(II) whether the State is described in subparagraph (B).

"(B) STATES WITH FUNDS IN EXCESS OF 200 PERCENT OF NEED.—A State described in this subparagraph is a State for which the Secretary determines, on the basis of the most recent data available to the Secretary as of April 30, 2007, that the total of all available allotments under this title to the State as of such date, is at least equal to 200 percent of the total projected expenditures under this title for the State for fiscal year 2008.

"(C) REDISTRIBUTION AND LIMITATION ON AVAILABILITY OF PORTION OF UNUSED ALLOTMENTS FOR CERTAIN STATES.—

"(i) IN GENERAL.—In the case of a State identified under subparagraph (A)(i) that is also described in subparagraph (B), notwithstanding subsection (e), the applicable amount described in clause (ii) shall not be available for expenditure by the State on or after May 1, 2007, and shall be redistributed in accordance with paragraph (1).

"(ii) APPLICABLE AMOUNT.—For purposes of clause (i), the applicable amount described in this clause is—

"(I) the amount by which the amount described in subparagraph (A)(ii)(I), exceeds the total of the amounts the Secretary determines will eliminate the estimated shortfalls for all States described in paragraph (1)(B) (after the application of paragraph (2)) for the fiscal year; multiplied by

"(II) the ratio of the amount described in subparagraph (A)(ii)(I) with respect to the State to the total the amounts described in subparagraph (A)(ii)(I) for all such States.".

(b) CONFORMING AMENDMENTS.—Section 2104(h) of such Act (42 U.S.C. 1397dd(h)) is amended—

(1) in paragraph (4), by inserting "or subsection (i)" after "this subsection" each place it appears;

(2) in paragraph (5)(A), by inserting "and subsection (i)" after "and (3)";

(3) in paragraph (6), by inserting "or subsection (i)" after "this subsection"; and

(4) in paragraph (7), by inserting "and subsection (i)" after "this subsection".

(c) EFFECTIVE DATE; APPLICABILITY.—The amendments made by this section take effect on the day after the date of enactment of this Act and apply without fiscal year limitation.

SA 265. Ms. COLLINS submitted an amendment intended to be proposed to amendment SA 259 submitted by Mr. WARNER (for himself, Mr. LEVIN. Ms. COLLINS, Mr. NELSON of Nebraska, Mr. HAGEL, Ms. SNOWE, Mr. SMITH, Mr. BIDEN, and Mr. SALAZAR) and intended to be proposed to the joint resolution H.J. Res. 20, making further continuing appropriations for the fiscal year 2007. and for other purposes; which was ordered to line on the table; as follows:

On page 7, between lines 11 and 12, insert the following:

(23) Congress and the American people will continue to support and protect the members of the United States Armed Forces who are serving or who have served bravely and honorably in Iraq.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition and Forestry be authorized to conduct a hearing during the session of the Senate on Tuesday, February 13, 2007, at 9:45 a.m. in 328A, Russell Senate Office Building. The purpose of this committee hearing will be to consider "Rural Development—Challenges and Opportunities."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to hold a business meeting during the session of the Senate on Tuesday, February 13, 2007. at 10 a.m., in room 253 of the Russell Senate Office Building.

The purpose of this meeting will be to consider and approve the following legislation following bills: S. 184, S. 509, S. 385, S. 93, S. 84, S. 39, and to make nominations for promotion in the United States Coast Guard.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to hold a hearing during the session of the Senate on Tuesday, February 13, 2007, at 10 a.m. in room SD–106 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the Stern Review of the Economics of Climate Change, examining the economic impacts of climate change and stabilizing greenhouse gases in the atmosphere.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet for a hearing on Tuesday, February 12, 2007, at 10 a.m. in SD–106. The purpose of the hearing is to review the report and recommendations of the U.S. Climate Action Partnership.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to hold a hearing during the session of the Senate on Tuesday, February 13, 2007, at 10 a.m. in SD–430.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet on Tuesday, February 13, 2007, at 10 a.m. for a hearing titled "The Homeland Security Department's Budget Submission for Fiscal Year 2008."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate for a hearing entitled "Alternatives for Easing the Small Business Health Care Burden," on Tuesday, February 13, 2007, beginning at 10 a.m. in room 428A of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on Tuesday, February 13, 2007, to hold a hearing on Veterans Programs for Fiscal Year 2008.

The hearing will take place in room 418 of the Russell Senate Office Building beginning at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Intelligence be authorized to meet during the session of the Senate on February 13, 2007, at 2:30 p.m. to hold a closed hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the President of the Senate, and after consultation with the majority leader, pursuant to Public Law 106–286, appoints the following Members to serve on the Congressional-Executive Commission on the People's Republic of China. The Senator from Montana (Mr. BAUCUS), the Senator from Michigan (Mr. LEVIN), the Senator from California (Mrs. FEINSTEIN), the Senator from North Dakota (Mr. DORGAN), Co-Chairman; and the Senator from Ohio (Mr. BROWN).

AUTHORIZING LEGAL REPRESENTATION

Mr. CARDIN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 80, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 80) to authorize testimony, document production, and legal representation in State of Oregon v. Rebecca Michelson, Michele Darr, and Vernon Huffman.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, this resolution concerns a request for testimony, documents, and representation in criminal trespass actions in Multnomah County Circuit Court in Portland, OR. In this action, anti-war protestors have been charged with criminally trespassing in the building housing Senator GORDON SMITH's Portland, OR office on December 12, 2006, for refusing repeated requests by the police to leave the premises. Trials on charges of trespass are scheduled to commence on February 26, 2007. The prosecution has subpoenaed a member of the Senator's staff who had conversations with the defendant protestors during the charged events. Senator SMITH would like to cooperate by providing testimony and any relevant documents from his staff. This resolution would authorize that staff member, and any other employee of Senator SMITH's office from whom evidence may be required, to testify and produce documents in connection with this action, with representation by the Senate Legal Counsel.

Mr. CARDIN. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to the resolution be printed in the RECORD, without intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 80) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 80

Whereas, in the cases of State of Oregon v. Rebecca Michelson (2101093–1), Michele Darr (2101093–2), and Vernon Huffman (2101093–3), pending in Multnomah County Circuit Court in Portland, Oregon, testimony and documents have been requested from Kellie Lute, an employee in the office of Senator Gordon Smith;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(2), the Senate may direct its counsel to represent employees of the Senate with respect to any subpoena, order, or request for testimony relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved that Kellie Lute and any other employees of Senator Smith's office from whom testimony or the production of documents may be required are authorized to testify and produce documents in the cases of State of Oregon v. Rebecca Michele Darr, and Vernon Huffman, except concerning matters for which a privilege should be asserted.

Sec. 2. The Senate Legal Counsel is authorized to represent Kellie Lute and other employees of Senator Smith's staff in the actions referenced in section one of this resolution.

MEASURE READ THE FIRST TIME—S. 574

Mr. CARDIN. Mr. President, I understand that S. 574, introduced earlier today by Senator REID, is at the desk. I ask for its first reading.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 574) to express the sense of Congress on Iraq.

Mr. CARDIN. I now ask for its second reading and I object to my own request.

The PRESIDING OFFICER. The objection is heard. The bill will receive its second reading on the next legislative day.

ORDERS FOR WEDNESDAY, FEBRUARY 14, 2007

Mr. CARDIN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 12 noon Wednesday, February 14; that on Wednesday, following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day; that there then be a period of morning business for 60 minutes, with Senators permitted to speak therein for up to 10 minutes each, with each side controlling 30 minutes; that at the close of morning business, the Senate resume consideration of H.J. Res. 20, the continuing funding resolution; that all time during the adjournment and morning business count postcloture.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL TOMORROW

Mr. CARDIN. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent the Senate stand adjourned in accordance with the provisions of S. Res. 79, as a further mark of respect to the memory of the late Honorable CHARLES W. NORWOOD, JR., a Representative from the State of Georgia.

There being no objection, the Senate, at 5:09 p.m., adjourned until Wednesday, February 14, 2007, at 12 noon.

HOUSE OF REPRESENTATIVES—*Tuesday, February 13, 2007*

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. KAGEN).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
February 13, 2007.

I hereby appoint the Honorable STEVE KAGEN to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2007, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 25 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes, but in no event shall debate extend beyond 9:50 a.m.

The Chair recognizes the gentleman from New Jersey (Mr. PALLONE) for 5 minutes.

TURKISH THREATS TO U.S.—GENOCIDE RESOLUTION

Mr. PALLONE. Thank you, Mr. Speaker.

I rise this morning to share my concerns regarding the Turkish government's threats to retaliate against our country if the U.S. Congress adopts a resolution affirming the Armenian genocide. These shocking threats have been issued in response to the recent introduction of the Armenian genocide resolution, H. Res. 106. This measure seeks to affirm the U.S. record on the Armenian genocide by recognizing it as a historical fact. It also praises the American record of opposition to this tragedy which is marked by courageous diplomatic protests and unprecedented American relief efforts for the survivors of this crime.

Senior Turkish government officials have warned that if Congress ever considers this resolution, they will cut off supply access for our forces serving in Iraq. In fact, Turkish Foreign Minister Abdullah Gul told Vice President DICK CHENEY that the U.S. must, and I quote, calculate the costs of losing Turkey.

Such a brazen threat to interfere in U.S. military operations is absolutely unacceptable. I am outraged that the Turkish government would put the lives of soldiers at risk in the pursuit of its desperate campaign to deny the systematic slaughter of 1.5 million Armenians. This extremist behavior is known as blackmail in my book and it should be publicly and forcefully rejected as such. Clearly, Turkey is no friend of the United States.

As an American, I am deeply offended that another country is seeking to dictate where our Nation stands on core moral issues. Especially a country that claims to embrace democracy, yet has a longstanding history of abusing minorities, intellectuals and the principle of freedom of expression. As a Member of Congress, it is extremely troubling that a foreign government is meddling in our Nation's legislative process through threats and intimidation. This is the most dramatic intervention of a foreign government in U.S. congressional affairs and it has been going on for much too long.

Mr. Speaker, senior Bush administration officials, rather than outright rejecting these outrageous intimations by the Turkish government, are passing them on to Members of Congress as justification for not supporting the Armenian genocide resolution. The Bush administration is showing no courage on this issue, instead giving Turkey a free pass on their efforts to deliberately reject the truth. They seem to go to any lengths, including having soldiers call into their Representatives in fear of their lives, to deny the Armenian genocide simply because Turkey demands that they do so.

Mr. Speaker, the Armenian genocide resolution already has 175 cosponsors. I am certain that if Members of this House were given the opportunity to vote on this resolution, we would pass it overwhelmingly. Congress should be allowed to reaffirm what we all believe and know to be fact, and that is that genocide was orchestrated by the Ottoman Empire in 1915 to exterminate its Armenian citizens.

Reaffirming the Armenian genocide is a matter of conscience. It is my hope that this Congress will rebuke any warnings against the United States by Turkey and consider legislation on the Armenian genocide.

IRAQ WAR RESOLUTION

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2007, the gentleman from Texas (Mr. GOHMERT) is recognized during morning hour debates for 5 minutes.

Mr. GOHMERT. Thank you, Mr. Speaker.

Mr. Speaker, apparently we are going to start today on debate of a resolution, the meat of which simply indicates, Resolved by the House of Representatives that Congress and the American people will continue to support and protect the members of the United States Armed Forces who are serving or who have served bravely and honorably in Iraq; and Congress disapproves of the decision of President George W. Bush announced on January 10, 2007 to deploy more than 20,000 additional United States combat troops to Iraq.

Now, Mr. Speaker, the record has been clear. The new commander for Iraq, General Petraeus, has had hearings and has now been confirmed unanimously by the Senate. The outgoing commander of Iraq, General Casey, has had hearings and has now been confirmed as the new chief of the United States Army unanimously. Both commanders and their subordinate commanders have indicated that these additional troops are needed.

We hear talk that we are supporting our troops, but basically the message to the troops is, Yes, with our lips we say we support you but with all of our actions we say, We don't believe a word you say. We don't think you know what you're talking about. We don't want to give you what you say is necessary to protect yourselves and to win the day in Iraq.

There are no proposed solutions in the resolution that we will debate this week, no proposed fixes, nothing proposed to help anybody. It just says, We disapprove, we don't agree with the generals, the commanders, those who are in the theater, those that have come from the theater who are on active duty.

Now, you will always have some retired generals and commanders who are not happy that they are retired and who will take their pot shots, but here again there are no new solutions, no new efforts in Iraq. The Democratic Party does not propose to change anything. So this resolution, I guess, could be more properly categorized as stay the course, stiffen the enemy, start our collapse, because when you say to the world and to all of our enemies, We

☐This symbol represents the time of day during the House proceedings, e.g., ☐1407 is 2:07 p.m.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

don't believe our commanders, we don't believe they know what they're talking about, we don't believe they know what they need, we're not going to have any new solutions, what you are doing to the enemy, you are stiffening their resolve. Materials that have been found in Iraq have indicated just that, that the Americans don't have the stomach, they ran from Vietnam, they didn't keep their commitments to the people of South Vietnam. Even after the Paris Accord, they did not keep their commitment. The new larger Democratic Congress in 1975 even cut off all the funds and millions of people in Southeast Asia lost their lives. In 1979 while I was stationed at Fort Benning, we were attacked. It was an act of war. And we did nothing. We begged to have our hostages returned. We did nothing. And those are the kind of things that the enemy goes back to in saying, we don't have the stomach to do this. In 1983 when our barracks was bombed in Beirut, we withdrew. In 1993 when the World Trade Center was attacked, we did virtually nothing on the international front. Then throughout the nineties, the attack of the USS Cole, Mozambique, Somalia, Africa, time and again, time and again we showed we didn't have the resolve. This must be the time we stand firm, tell our enemy, We will defeat you, we have nothing but solutions. This resolution, the stay the course, stiffen the enemy, start our collapse resolution, is not the way to go. I hope our fellow Members of this House will do the right thing. We will try something new. We will try to help the troops. We will give them what they ask. The Democratic stay the course, stiffen the enemy and start our collapse resolution is not a solution.

IRAQ WAR RESOLUTION

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2007, the gentleman from New York (Mr. HALL) is recognized during morning hour debates for 5 minutes.

Mr. HALL of New York. Thank you, Mr. Speaker.

Indeed, as my colleague from across the aisle says, there are many of us, citizens and Members of this House, who do not believe our Commander in Chief, and we have good reason not to believe him. I wish it were not so.

After President Bush announced his escalation of the war, I said that he owed the American people an honest explanation as to why he thinks this surge will succeed when previous efforts have failed. Unfortunately, the President decided to stay the course and to begin the escalation before either House of Congress had a chance to consider it. Instead of providing a new comprehensive strategy to turn the tide in Iraq, President Bush offered the same tired rhetoric. Rather than engage in an important discussion with the American people, his loyalists prevented the Senate from debating this crucial matter.

Fortunately for us, such obstruction will not occur in this Chamber and the House will begin to take up this important debate this week. As a new Member of the House, I feel it is my responsibility to ask serious questions of our President who refuses to take this institution seriously. I ask my colleagues to join with me, to not try to score cheap political points but to push this administration and its supporters in Congress for real change in the direction of our Iraq policy. Our men and women in uniform, who have done everything that has been asked of them, deserve no less.

So I ask the President why this Congress should support his proposal to send 20,000 more troops into harm's way when his own former Iraq commander, General Abizaid, said it is not needed? Why should we support it when the Prime Minister of Iraq has himself expressed no support? And why should we support it when the American people have shown that they actively oppose the President's policy towards Iraq?

From the very outset, this administration has been wrong at every step of this war.

The administration led us into an unnecessary war with flawed or manipulated intelligence. Wrong.

This administration went to war without enough troops to win the peace. Wrong.

This administration gave no-bid contracts to its friends and political allies, locking out other countries who might have helped us and indeed locking out the Iraqis. Wrong.

President Bush stood on the deck of the USS Abraham Lincoln on May 1, 2003 and said, "Major combat operations in Iraq have ended. In the battle of Iraq, the United States and our allies have prevailed." Wrong.

This administration literally took piles of cash, flying pallets of millions of dollars from the U.S. mint to Baghdad, into a war zone, and lost billions of dollars of taxpayer money. Wrong.

Now this administration wants us to blindly place our faith and the lives of 20,000 more of our troops in an Iraqi government that has failed to meet every security obligation it has pledged. Sadly, once again, this President is wrong. And no amount of presidential wrongs is going to make the situation in Iraq right.

Last fall's National Intelligence Estimate concluded that the President's policy in Iraq is creating more terrorists than it is eliminating. Nothing in this policy will change that. Three thousand one hundred twenty-four American service men's and women's lives have been lost in Iraq as of yesterday. Three thousand one hundred twenty-five will not make it right.

It is time for a new strategy in Iraq. It is time to start to bring our brave men and women who have fought so courageously back home. By turning Iraq over to the Iraqis, we will force their government to fight for their own security. Al Qaeda in Iraq will lose their mission and be less likely to inflame the Sunni-Shiite conflict. And Iran and Syria will have to work for calm rather than sit in the shadows and stir the insurgency.

Mr. President, it is time for a new path for the United States and Iraq. This nonbinding resolution reflects the will of the American people. It is an important first step but only a first step. I look forward to working with my colleagues as we seek to untangle this disaster the administration has brought upon us all. Together, we can begin to repeal this tragic blunder and undo the damage done to our military, to our country, and to our standing in the world.

IRAQ WAR RESOLUTION

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2007, the gentleman from Georgia (Mr. WESTMORELAND) is recognized during morning hour debates for 5 minutes.

Mr. WESTMORELAND. Thank you, Mr. Speaker.

You know, I think we must be debating two different resolutions here today. I just heard my colleague from across the aisle talk about a new plan. Of course, I guess that fits in with the smoke-and-mirror 110th Congress about a new plan. Well, if you don't want to increase the troop size, which the undemocratic majority evidently does not want to do with this resolution, and you don't want to stop the funding, then what do you want to do? You want to stay the course. I think the American people said in the election, we don't want to stay the course.

I think that our military leaders, we hear this resolution when the other side talks about it, they talk about supporting our troops. And I am sure General Petraeus is confused to get approved unanimously in the Senate and hear this resolution about supporting our troops and yet we don't want to follow what he has said we need to do. General Casey agrees with this and he has been confirmed to a new position. And so how can we tell our men and women in the field that, Hey, look, we support you, but don't listen to what your commanders have to say. We've got something different. We're going to micromanage the war from Washington.

A lot of the people that are going to be voting on this resolution have never been to Iraq. They have never been to Afghanistan. They have never seen some of the situations that our young men and women are put in for freedom-loving people all over this world. I don't know how they could actually vote on it if they have never been, but I guess they will. Because they are trying to paint a picture of having your cake and eating it, too. We support our troops but, look, we don't want to change our way of what we're doing. We don't want to try to help you with more troops, to try to help you save your life over there and securing these areas that you risked your life in going in to take, knock the enemy out, and then have to leave and let the enemy come back in and be even stronger. What kind of message does that send?

This is not about President Bush, because I think President Bush has tried every way, Mr. Speaker, he knows how to make this a successful campaign in Iraq and Afghanistan, and he continues to come up with new ideas through the help and the advice of his military commanders to win this war on terror. This is a global war on terror. Some people from the other side seem to believe that if we pull out of Iraq that the Iraqi people are going to go back to tending sheep and herding goats. That is not what is going to happen. If we pull out of Iraq, what is going to happen is you are going to see more bloodshed than we have seen in a long time in this world, and it is going to be the innocent Iraqi people who stuck their finger in that purple ink and went and voted for the first time in their life that are going to be the ones to suffer, the ones that said, we believe in freedom, we believe in governing ourselves, we support the coalition forces here because we believe that they're coming to free us from this tyrant that we have been under. Those are the ones that are going to die. Those are the ones that are going to suffer the most. Those are the Iraqis that are losing their lives today because they want freedom.

Our men and women in uniform, those blessed souls that are in Iraq and Afghanistan and are losing their lives, they volunteered to put their lives in harm's way not only to protect our freedom in this country, not only to protect this Republic that we have but to spread freedom and democracy all across the world to every human being that loves freedom and liberty. These brave men and women need our support. They need our encouragement. But what they don't need is a smoke-and-mirror resolution that is done for political reasons and because of political promises made on a campaign trail. They don't need that. They need real encouragement and support from this Congress. Let's do something to give them that and not do things that strengthens the enemy, discourages our troops and really and truly, I believe, goes against the Constitution. When we all took the oath of office, we made an oath to the Constitution, not to anybody else. Let's uphold that. Let's respect our Commander in Chief and the generals in the field.

IRAQ WAR RESOLUTION

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2007, the gentleman from Oregon (Mr. BLUMENAUER) is recognized during morning hour debates for 5 minutes.

Mr. BLUMENAUER. Thank you, Mr. Speaker.

It is interesting listening to the Republican fog machine starting to churn out its smoke surrounding the resolution that we are going to be discussing this week. I listened to my friends from Texas and from Georgia talking about the innocent people that are going to suffer under the approaches that we are talking about. Well, it is interesting that polls show that the people in Iraq, the majority of them, think it's all right for the insurgents to shoot and kill our soldiers. They are not just fighting us. They are also fighting each other. The discussion this week is going to be the first honest and direct opportunity to start redirecting the course here.

Stay the course? My Lord, that is not remotely what we are talking about here. Anybody who has watched what the Democrats have done for the first month that they have been in power realize that we are setting in motion a foundation to do what should have been done from the outset: to regain the power of the purse, to be able to deal with oversight which has been completely abandoned by my Republican friends over the last 5 years, and start developing the policy framework that is going to be necessary to deal with the disaster that has been created in Iraq. The increase in troops, the over 20,000 that we will be talking about this week, was not the first choice of the military and indeed the masterminds that President Bush turned to for this surge theory did not talk about 20,000 or 25,000. They wanted far more troops. They have stripped this down.

I heard my friend from Texas disparage the retired generals and admirals who have come forward to deal with their deep concern about the flawed strategy and implementation of the Iraq campaign. These are men and women who have proven their dedication to this country, who in many cases have been in far more battles than all the people in Congress combined, who don't have anything to win or lose by not speaking their mind. If you go back and check the record with what they have said, with what has happened in Iraq, I'll take those retired commanders every time. The fact is they've been right, and if the President and Congress had listened to them, we wouldn't be in the middle of the mess that we're in now.

I served in this body when President Clinton took steps to stop the genocide in the Balkans, and I watched the Republicans on the other side of the aisle be unable to figure out whether they supported the President, they were opposed to the President, or they wanted to change the policy. Go back and look at the former majority leader, Tom DeLay, who just couldn't figure out what to do in the Balkans but he sure knew that he wasn't going to support the Commander in Chief.

What the Democrats are doing now is laying a foundation that should have been done from the outset. We have had over 50 oversight hearings now, in the first month, more meaningful oversight than in the last 5 years of the Republicans who just couldn't bring people in to find out what happened to the billions of dollars in cash that is now unaccounted for. In committee after committee, the American people are finally getting to what should have happened years ago in terms of meaningful oversight. This is what the Truman Commission did during World War II. The Republicans would have no part of it, and now the American people are seeing for themselves. We will soon see in the appropriations process that Congress is regaining the power of the purse to make sure that the money will be spent properly.

There is no reason to not have troops that are deployed with a guarantee that they will have the equipment that they need. It was a travesty what men and women from my State were subjected to, being sent over to Iraq in a war of choice without being properly equipped. Under the Democratic watch, we are going to make sure that that is not going to happen.

Last but not least, by having a simple debate on whether or not this Congress approves of this escalation, we are going to establish a baseline. I suggest that this baseline is not only going to have overwhelming Democratic support, but we are going to find dozens of Republicans on the other side of the aisle who, when finally given a choice, are going to make a clear stand with us. It's just the beginning, it's long overdue, and it's exactly what the American people, what our troops and the Iraqi people deserve.

ON THE PRESIDENT'S BUDGET AND DEBT

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2007, the gentleman from North Carolina (Mr. BUTTERFIELD) is recognized during morning hour debates for 5 minutes.

Mr. BUTTERFIELD. Thank you very much, Mr. Speaker.

Mr. Speaker, in just a few minutes, we will begin to debate House Concurrent Resolution 63. The American people are ready for this debate, and finally the time has now come, and we will decide and recommend whether or not the President should escalate our troop strength in Iraq. I look forward to this debate.

But this morning, Mr. Speaker, I want to use my time to talk about the fiscal crisis that we have in America. You know, Mr. Speaker, in my speeches to constituents throughout the First District of North Carolina, I always make a point to talk about the fiscal crisis that we are facing in this country, the fiscal crisis that the Republicans have created over the last 5 years. You know, Mr. Speaker, when I tell them that we have unprecedented deficits that have resulted in $8.6 trillion in debt, and when I tell them that we spend $2 billion a week in Iraq, $8 billion per month, and yes, $100 billion per year, but only spend $90 billion in funding education in this country, they are absolutely shocked.

And now, Mr. Speaker, the President's 2008 budget will raise our debt by more than $1 trillion over the next 5 years. This proposed budget that we received last week from President Bush would make tax cuts for the wealthy permanent while cutting vital programs that are important to middle-class families.

To help pay for the nearly $2 trillion in tax cuts over the next 10 years, the budget substantially cuts Medicare and Medicaid, creating uncertainty for millions of seniors and low-income families who get their health insurance through these programs. The President's budget also shortchanges veterans' programs, cutting veterans' health care by $3.5 billion over 5 years and providing less than veterans service organizations say is needed to meet the growing needs of our veterans, including those returning from Iraq and Afghanistan.

Mr. Speaker, congressional Democrats have repeatedly, repeatedly expressed the desire to work constructively with the administration to restore fiscal responsibility to the Federal budget consistent with our Nation's priorities. However, this budget that we received last week is marked by a disappointing dedication to the failed policies of the past rather than a commitment to a new course. Fortunately for the American people, Democrats will now produce an alternative that will be fiscally responsible and meet the demands of our great Nation.

IRAQ WAR RESOLUTION

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2007, the gentleman from Tennessee (Mr. COHEN) for 5 minutes is recognized during morning hour debates for 5 minutes.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, you like I am a freshman in this body and today we will begin the debate on one of the most important topics that this Congress has debated and that is America's involvement in the Middle East and Iraq and eventually in Afghanistan in dealing with the whole terrorist situation.

I have been in this House, Mr. Speaker, and listened to the Republicans and listened to the Democrats and the Democrats, of which I am a member, have talked about protecting the troops and opposing the President's surge, which is really an escalation, and the Republicans have come in here today and said that we need to in essence stay the course, we need to put in more troops and we're doing wrong by opposing the President's escalation or surge.

Mr. Speaker, from what I have heard from the American people, the American people realize this war has been a failure, that American men and women are dying, and dying for what purpose? For the purpose theoretically of trying to bring democracy to Iraq where the people in Iraq don't even want us to be there, where the Iraqi government is almost nonexistent, where calling what is going on in Iraq a civil war is almost a misnomer, for a civil war connotes a nation and there really is not a nation in Iraq. The ministries are not working. The government is not working. Many of the people in Iraq of the highest caliber have left Iraq and gotten out of what is a zone where there have been tens of thousands of Iraqis die. What the people across the aisle talk about in bringing democracy to these people, in bringing democracy to these people we have killed tens of thousands of Iraqis, we have destroyed their nation, and we have put casualties among tens of thousands of Iraqis. What a price to pay to bring democracy to a country, to destroy the country.

Mr. SKELTON, who will bring forth the Democratic response, has said that this, quote-unquote, surge is 100,000 troops too few and 3 years too late. I don't have anybody in this House I respect more on this position than the head of the Armed Forces Committee, Mr. SKELTON from Missouri.

The fact is this war was started under false pretenses and much of that information has come out lately. Many of the people who voted to give the President the power to go into Iraq did so under facts, or appearance of facts that were given the American people and this Congress that were false. I remember being at home and watching on television when the President addressed this Congress and talked about Osama bin Laden and talked about what he said were connections between Iraq and 9/11 and it made everybody feel like if you were a red-blooded American, you wanted to do something about Iraq because they had destroyed the Twin Towers, they had killed 2,000 people, Americans and others, and put a devastation in this world that we hadn't seen except in movies.

Well, that information given us was false. There wasn't a connection between Iraq and 9/11. We went to war for reasons that are still not quite clear and known, and this United States of America went to war against a country that was not at war with us and we were an aggressor nation. This is something we shouldn't have done. It is not about cut and run, as the people on the Republican side say, but it is, as President Clinton says often, it is about stop and think. And when you stop and think, do you support the troops by continuing to send them in harm's way?

Mr. Speaker, I am a prizefight fan and one of my favorite fighters was Floyd Patterson. At one time Floyd Patterson fought Muhammad Ali and Muhammad Ali was just whooping him and whooping him and whooping him. And his trainers kept putting him back in the ring and Floyd kept going in there and trying to fight. But Floyd Patterson didn't belong in the ring with Muhammad Ali. He could beat a lot of fighters, but he couldn't beat Muhammad Ali. He was in the wrong fight at the wrong time and he just got beat and beat and beat. And what a good trainer would do is throw in the towel, and say, We quit. It's a technical knockout. We'll fight another day. We'll figure out a new way to fight Muhammad Ali maybe or maybe that's just somebody we can't fight. It just wasn't our fight.

To support our troops isn't to continue to send more troops into Iraq and have more American men and women die and more American men and women come back as casualties and be in veterans hospitals but is to get them out of a war they can't win and out of a situation where all they are is fodder for a civil war, where Iraqis are killing Iraqis and Iraqis are killing Americans and whether the Americans are there or not, the Iraqis are going to have their civil war and there is going to be bloodshed. The only issue left, Mr. Speaker, is how much American blood will be spilled on this foreign soil on a foreign policy folly that is somewhat akin to Napoleon's entries into Russia, to Hitler's entries into Russia and in the Danish countries' efforts to go into Russia. There are certain places you can't go and you can't win, and after 4½ years this country should know it. To put more troops there, to waste more blood, and to give up more lives is simply wrong. To support our troops is to bring them home.

Mr. Speaker, I thank you for this time. I hope that not more American men and women will lose their blood or lose their limbs in what is an impossible war. We need to bring America home, bring our resources home, and bring our troops home.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 10 a.m. today.

Accordingly (at 9 o'clock and 35 minutes a.m.), the House stood in recess until 10 a.m.

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AFTER RECESS

The recess having expired, the House was called to order at 10 a.m.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Lord God, giver of all good gifts, endow this Nation with moral integrity. Help us to grow in virtue and in vision, that America may truly be a leader in the community of nations. Use us to create Your kingdom here on earth, a kingdom of goodness and truth, a kingdom of peace and justice, a sign of Your presence dwelling here on earth, active in Your people, and a great blessing for the rest of the world.

We ask this, trusting in Your Holy Name, both now and forever. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Minnesota (Mr. WALZ) come forward and lead the House in the Pledge of Allegiance.

Mr. WALZ of Minnesota led the Pledge of Allegiance as follows:

> I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

IRAQ RESOLUTION SUPPORTS OUR TROOPS BY OPPOSING THE PRESIDENT'S TROOP ESCALATION

(Mr. WALZ of Minnesota asked and was given permission to address the House for 1 minute.)

Mr. WALZ of Minnesota. Madam Speaker, this week the House will have an opportunity to truly support our troops by having a substantial debate here on the House floor about the President's latest proposal for a troop escalation in Iraq. Some of my Republican colleagues will say that such a debate undermines our troops' efforts in Iraq. Nothing could be further from the truth.

How can this Congress stand on the sidelines when the President has been told by his generals, by an independent commission created by the old Republican Congress, by the American people, and by both Democrats and Republicans in the new Congress that this plan will not work? How can this Congress stand on the sidelines while our troops continue to serve as referees in a situation that even our own intelligence agencies say is worse than a civil war?

Madam Speaker, the resolution we will begin to debate today has the well-being of our troops first. First and foremost, we support them. We support them by saying enough is enough with the bad planning. The President should not send more troops to Iraq for the simple reason that it will not make any difference on a deteriorating situation on the ground.

THE UNGRATEFUL NATION?

(Mr. POE asked and was given permission to address the House for 1 minute.)

Mr. POE. Mr. Speaker, as we begin the debate on Iraq today, I have received input from Brian in Humble, Texas. He says, "I am a veteran of Vietnam. My father is a veteran of World War II, Korea and Vietnam. I have four brothers that are veterans, and my oldest son is serving his fourth tour of duty in Iraq. If winning in Iraq takes more resources, it is far better than the alternatives. You owe the young men and women, and yes, my son in harm's way, your total support."

The cost of our security does not come without a price. The alternatives, the loss of American freedoms and security and leaving Iraq before our duty is done, is not the option. If more troops are needed, then it is our duty to supply them.

What message does this Nation send its heroes deep within the belly of combat to tell them no troops are coming to their aid? This leaves those left behind stranded without the resources in face of a deadly enemy.

Mr. Speaker, the words of this veteran, whose family holds a proud history of service to America, are wise words. This Nation owes its gratitude and support to its U.S. soldiers fighting to protect our interests. Otherwise, we will be judged to be the ungrateful Nation.

And that's just the way it is.

PRESIDENT DOES NOT PRIORITIZE ISSUES IMPORTANT TO MIDDLE CLASS AMERICANS

(Ms. SOLIS asked and was given permission to address the House for 1 minute.)

Ms. SOLIS. Mr. Speaker, for 6 years, Americans have felt left behind by this administration and a Republican Congress that did not prioritize issues important to many Americans. With the November elections, we had hoped that President Bush would get the message that Americans wanted change. Unfortunately, the President's budget, in my opinion, is no different than many of the budgets of his last 6 years; it leaves too many people behind.

Six years ago, the President vowed to leave no child left behind, but his budget underfunds our schools by $15 billion. How can the President hold schools accountable when he refuses to give them the funding necessary to make those improvements?

The President's budget will also force States to eliminate health care coverage for children because he refuses to provide enough money to the SCHIP program to cover more than 9 million kids now enrolled in the program. At a time when 1 million more Americans are joining the ranks of the uninsured every year, do we really want to take health care coverage away from the most vulnerable populations, the children and low-income parents?

Mr. Speaker, the President's priorities are different than ours, and our budget will look significantly different.

O'HARE AIRPORT

(Mr. KIRK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KIRK. Mr. Speaker, the security at O'Hare Airport is not what it should be. Reports over the weekend showed 3,700 security badges have not been returned from former employees no longer allowed to work at the airfield. Many of the badges had not been canceled and would permit anyone access to an aircraft.

According to CBS TV, several of the employees involved had previous arrest records and convictions for nonmajor crimes. Reports also indicated that several doors at O'Hare did not even have ID scanners, allowing anyone who appeared to be official to enter the airfield.

The Department of Homeland Security, the Transportation Security Agency and Federal law enforcement officers that I have met with have all promised action. While they can levy fines on the contractors involved, the penalties should be increased.

Later this month, I will introduce legislation levying a fine of $10,000 per day for an airport security badge that is not canceled for an employee that was fired. That should get their attention and help make the world's busiest airport more secure.

PRESIDENT'S PROPOSED BUDGET AND DEBT

(Mr. WILSON of Ohio asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of Ohio. Mr. Speaker, the President's proposed budget is another step down the long road of fiscal irresponsibility.

While this administration's budget claims to reach balance in 2012, in reality, it actually will remain in the red all along those years. After all, over the last 6 years, the Bush administration's fiscal policies have posted the highest deficits in our Nation's history.

The administration has squandered the budget surplus it inherited, transforming $5.6 trillion projected surplus into a $2.8 trillion deficit over the same period, completely losing focus of what we need to do in America.

Even with this continued deficit, the budget still hurts American families. It proposes substantial cuts to Medicare and Medicaid both. What does this out-of-whack budget really fund? The President's tax cuts for the wealthy, of course.

Mr. Speaker, the President has put forth another budget that raises our national debt while cutting vital programs to Americans. His priorities haven't changed. Fortunately, the leadership in this Congress has changed.

CONGRESSIONAL INACTION JEOPARDIZES UNION COUNTY ROADS

(Mr. WALDEN of Oregon asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WALDEN of Oregon. The failure of Congress to reauthorize the Secure Rural Schools and Community Self-Determination Act amounts to a breach of faith to more than 600 forested counties and 4,400 school districts across our country.

For Union County, Oregon, this means a third of the road department employees no longer will have a job, other county services will be cut, and another rural school district is left behind.

Last night, County Commissioner Colleen MacLeod was making the 8-hour, 616-mile round trip from her home in Union County to the State capital in Salem, where she and other commissioners around Oregon were meeting to discuss how a county declares bankruptcy. Commissioner MacLeod says, "County governments, all they want is to be able to work for themselves, and the Federal Government needs to let us. We just want to be able to work in the woods."

Traveling with the commissioner was the Union County Chamber of Commerce Executive Director, Judy Loudermilk, who says, "What affects one area in a rural community affects us all. Loss of these funds is devastating."

My colleagues, Congress must keep the Federal Government's promise to timbered communities. Pass H.R. 17 and do it now.

NEED FOR DEBATE ABOUT PRESIDENT'S TROOP ESCALATION PLAN

(Ms. SHEA-PORTER asked and was given permission to address the House for 1 minute.)

Ms. SHEA-PORTER. Mr. Speaker, President Bush's plan to escalate the war in Iraq will not bring success in Iraq or make America more secure. It faces significant bipartisan opposition in both Chambers of Congress, and the plan is opposed by a majority of people in our country.

The American people rightfully want to know where their leaders stand on this critical issue, and the House is prepared to act. Unfortunately, on the other side of the Capitol, Senate Republicans blocked debate on this critical issue, and the House is prepared to do it now.

While Senate Republicans cut and ran from this most important issue, over the next 4 days this House will debate, and then on Friday vote on a resolution on the President's plan to escalate the war.

Mr. Speaker, House Democrats will ask the tough questions about the President's new strategy and continue to insist on a new direction, while always putting our troops first.

The days of rubber-stamping the President's war plans are over. And starting today, this House is going to have an important debate on the President's troop escalation plan.

DEMOCRATS' NEW DIRECTION IS NOT NEW

(Mr. McHENRY asked and was given permission to address the House for 1 minute.)

Mr. McHENRY. After months of campaigning against "Stay the Course," the Democrats are proposing just that, a stay-the-course resolution here on the House floor. Their Iraq resolution does not have the force of law, and in fact, this nonbinding resolution is simply a mealy-mouth attempt to appease their Democrat leftist base.

Democrats have held 52 hearings on Iraq since taking control of Congress. So let me get this right. The Democrats have held 52 hearings so they can show one resolution on the House floor that has no bearing on the President's policy, does not have the force of law, does not advocate the withdrawal of troops, and does nothing except have a tantrum here on the House floor. So please explain this new direction, Madam Speaker. This is not a new direction, it is political posturing of the worst kind.

Madam Speaker, where is your plan? Where is your plan for victory in Iraq? Where is your plan for success and national security?

WE MUST UNDERSTAND IRANIAN CULTURE

(Mr. PASCRELL asked and was given permission to address the House for 1 minute.)

Mr. PASCRELL. Mr. Speaker, I am very, very concerned. President Bush initially wanted the authority in the October 16, 2002 Act of War to use force to restore peace and security in the region, not just Iraq.

We rejected that. The Congress of the United States, Mr. Speaker, rejected that and said no. The exercise of the authority granted in the resolution, read the resolution, is conditioned on the President certifying that war in Iraq would not harm the war on terrorism. We will make a point of that over the next 3 days.

Iran has an oppressive economy. We must understand Iranian culture in order not to make the same mistakes we made in Iraq. Ethnically, Iranians are of Indo-European descent and have no kinship to their neighbors in the Middle East. Their language is Indo-European, with grammar and structure similar to classical Latin. They do not identify with Arabs.

We do not understand the Middle East. We made that mistake once, we should not make that mistake again.

SILLY POLITICS AND SILLY RESOLUTIONS

(Mr. KINGSTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KINGSTON. Mr. Speaker, if the troops in Baghdad were watching what we were doing today, they would be outraged; but when you are in harm's way, you don't exactly sit around and watch C–SPAN and silly politicians with silly resolutions.

Here is what the Democrats are up to. Dearest troops, we support you, but your mission is in the tank. We don't support your mission. Americans are dying, the situation is dire, but we are not going to send more reinforcements. You are on your own.

But wait. The majority party still wants to play backseat driver. This is nothing but a nonbinding resolution, fit for the Democrat club back home, but when you are the U.S. Congress in the majority party, you have the right to pass laws, real laws affecting real people.

If you have an alternative plan, introduce it. Get out of the back seat. November 7th put your hands on the steering wheel with the President. You can now help drive the direction of policy, national policy in Iraq. This is a silly resolution. I recommend a "no" vote.

IRAQ WAR RESOLUTION

(Mr. ARCURI asked and was given permission to address the House for 1 minute.)

Mr. ARCURI. Mr. Speaker, the American people and both Democrat and Republican Members of Congress are demanding a new direction in Iraq.

It is long past time for Congress to debate whether or not the President's latest troop escalation will actually change the situation on the ground in Iraq. This is a debate that Congress must have. We will all have 5 minutes to explain to our constituents and to the American people and to our troops why we either support the President's strategy or why we think it is time for a new direction.

This is the first time since the war began that every Member of the House will have 5 minutes to speak about the situation in Iraq. The last time Congress was allowed so much time for a debate on the war was during the lead-up to the first gulf war back in the 1990s.

Mr. Speaker, every single one of us in this House supports the efforts our troops are making in Iraq. Some believe the best way to support them is to allow the President to conduct the war in any way he sees fit, without question. I believe it is our job in Congress to ask the tough questions, and that is what we are doing this week.

☐ 1015

AMERICA NEEDS A BALANCED BUDGET

(Mr. BUCHANAN asked and was given permission to address the House for 1 minute.)

Mr. BUCHANAN. Mr. Speaker, I rise today to ask my colleagues to join me in cosponsoring legislation, H.J. Res. 21, which would add a balanced budget amendment to the United States Constitution. The amendment sets the financially responsible goal of balancing the budget by the year 2012.

Currently, the national debt is $8.6 trillion. Each taxpayer's share of that debt is almost $29,000. In fiscal year 2006, over $400 billion of taxpayers' money was spent on interest payments to the holders of the national debt.

Last year the interest paid on the national debt was the third largest expense of the Federal budget. The debt is increasing by over $1 billion every day. Our economy is ready for us to set this important priority.

Last year alone Federal revenues increased 11.8 percent. Receipts this year have grown by 8 percent so far in the first quarter compared to last year in that first quarter. Forty-nine out of 50 States, including my home State of Florida, currently have a balanced budget. It is time that we follow the lead there and balance the budget for the country.

AMERICA'S GROWING TRADE DEFICIT

(Ms. KAPTUR asked and was given permission to address the House for 1 minute.)

Ms. KAPTUR. Mr. Speaker, our Nation needs a course correction in our foreign policy, and we are being given the chance by the Democratic leadership this week to debate it fully, as we should have when that resolution was first debated in this House.

Our country needs many course corrections, including on the economy. President Bush's trade policy has clearly failed, as his foreign policy has, as American workers and American businesses find we are losing more jobs to imports again. The confirmed numbers for 2006 released today show that the annual trade deficit in 2006 doubled since this President took office.

In fact, for 2006 the trade deficit equaled $763.6 billion and broke the prior year's trade deficit by adding another 6 percent more deficit from 2005's level of $716 billion.

Five straight years of record deficits have left millions more Americans with displaced jobs, outsourced jobs, unemployment across regions of this country, and putting our financial future in the hands of foreign creditors such as China and Saudi Arabia.

Mr. Speaker, to grant renewed fast track authority to this President would be a serious mistake and irresponsible. This administration needs a course correction by this Congress, both in foreign policy and in domestic economic policy.

AMERICA NEEDS A COURSE CORRECTION IN INTERNATIONAL AND ECONOMIC POLICY

(Mr. KUCINICH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KUCINICH. Mr. Speaker, I want to agree with my colleague from Ohio that we need a course correction in international and domestic policy.

As Congress prepares to debate a nonbinding resolution on Iraq, this administration is already on its way to the next war against Iran. We are losing our democracy to war and to debt. We are borrowing money from China, from Korea and Japan to fight a war in Baghdad and to prepare for war against Iran.

Meanwhile here at home, there are so many people that lack access to adequate health care, who do not have money for housing or education. We do not have money for job creation, but we have money for war. It is time to stand up for the American people. It is time for Congress to assume its full power under the Constitution. It is time to impose some discipline on this administration. It is time for Congress to truly be a coequal branch of government and to do the work for the American people.

BOTH PARTIES SUPPORT TROOPS EVEN THOUGH WE VOICE OPPOSITION TO BUSH PLAN

(Mr. PALLONE asked and was given permission to address the House for 1 minute.)

Mr. PALLONE. Mr. Speaker, Congress has a responsibility to the American people and to our troops bravely serving our Nation in Iraq to debate the President's plan to send 21,500 more troops to Iraq.

Today this House will begin debate on a bipartisan resolution supporting our troops and voicing disapproval with the President's plan. I want to say, Mr. Speaker, it really concerns me that some of the Republicans on the other side this morning talked about this debate as silly and tried to trivialize a debate that involves our troops who are fighting, some of whom are dying in Iraq.

Our own intelligence agencies released a report earlier this month saying that the war in Iraq is not a civil war, it is worse, with numerous groups killing each other to gain the upper hand. Four times before, the President has sent thousands of additional troops to Iraq, and each time the situation on the ground either remained the same or grew even more dangerous. Could that be why our generals concluded, before being let go by this President, that sending more troops to Iraq simply will not help the situation?

Mr. Speaker, Congress needs to ask the tough questions this week so we can begin taking our Iraq strategy in a new direction.

PROVIDING FOR CONSIDERATION OF H. CON. RES. 63, IRAQ WAR RESOLUTION

Ms. SLAUGHTER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 157 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 157

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the concurrent resolution (H. Con. Res. 63) disapproving of the decision of the President announced on January 10, 2007, to deploy more than 20,000 additional United States combat troops to Iraq. The concurrent resolution shall be considered as read. The previous question shall be considered as ordered on the concurrent resolution to final adoption without intervening motion or demand for division of the question except: (1) debate not beyond midnight on Tuesday, February 13, 2007, equally divided and controlled by the Majority Leader and the Minority Leader or their designees; (2) debate not beyond midnight on Wednesday, February 14, 2007, equally divided and controlled by the Majority Leader and the Minority Leader or their designees; (3) 12 hours of debate commencing on Thursday, February 15, 2007, equally divided and controlled by the Majority Leader and the Minority Leader or their designees; and (4) one motion to recommit which may not contain instructions.

SEC. 2. During consideration of House Concurrent Resolution 63 pursuant to this resolution, notwithstanding any other provision of this resolution, on each demand of the Majority Leader or his designee after consultation with the Minority Leader, it shall be in order at any time to debate the concurrent resolution for an additional hour equally divided and controlled by the Majority Leader and Minority Leader or their designees.

SEC. 3. During consideration of House Concurrent Resolution 63 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the concurrent resolution to a time designated by the Speaker.

The SPEAKER pro tempore (Mr. WEINER). The gentlewoman from New York (Ms. SLAUGHTER) is recognized for 1 hour.

Ms. SLAUGHTER. Thank you, Mr. Speaker.

For the purpose of debate only, I am pleased to yield the customary 30 minutes to my colleague from California (Mr. DREIER). All time yielded during consideration of the rule is for debate only.

Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H. Res. 157 provides for comprehensive consideration of H. Con. Res. 63. It provides all of the Members of this House with 3 full days of debate on this important matter. It is a momentous day for us, Mr. Speaker.

This is the debate that many of us have yearned for for at least 4 years, and our constituents have long suffered the lack of this debate. Every Member who wishes to speak on the resolution will have the opportunity to do so.

The rule also, in addition to the time in the rule, allows the majority leader at any time, after consultation with the minority leader, to extend the debate when necessary.

On January 10, President Bush announced an escalation of the Iraq war that will put as many as 50,000 more of our men and women in harm's way. Why 50,000 and not 20,000? Because the number of support groups who have to be there to support the troops adds up to nearly 50,000.

This body owes them an explanation for why at this moment in history the sacrifice is justified. Democrats and Republicans alike are determined to defend our Nation from harm and are wholly committed to supporting and protecting the members of our Armed Forces. But numerous military officials of the highest ranks, like General Colin Powell, General John Abizaid, and many, many others, have expressed a strong belief that increasing the number of combat troops in Iraq will not improve the situation in the country.

Two-thirds of the American people believe that further escalating the war is the wrong path to follow. This morning, 67 percent of them polled said we should get out at once. Even respected Members in the House and the Senate have been quick to state publicly that they oppose any troop escalation.

Republican Representative STEVE LATOURETTE best explained this broad bipartisan opposition to the President's plan. Like many Americans, he recently said, I desperately want America to succeed in Iraq and I would welcome a fresh approach, but this is not a fresh approach. This is more of the same.

For 4 years, through the deaths of 3,126 American service people and nearly 60,000 Iraqi civilians and 25 to 30,000 grievously wounded, through the forced dislocation of millions of Iraqi families, through numerous troop escalations, and $379 billion appropriated by this Congress, through unbearable strain stretching our National Guard and Army Reserve, their members, and their families to the breaking point, more of the same has never worked.

As of last June, only 25 percent of the Iraqis had clean water to drink. The oil production has fallen by nearly half since the war began. The unemployment rate in Iraq as of December ranged between 25 and 40 percent.

Sixty-seven more innocent civilians were killed just yesterday in yet another bombing. Eighty-four of our troops were killed last month. Forty-one have been killed in the last 2 weeks alone. My district has suffered six casualties since 2005, and 140 men and women from my State of New York have been killed so far in Iraq.

Every piece of evidence suggests that the strategy currently employed by this administration is failing in Iraq. The only argument being used to support an escalation of the war would be one of trust. If we just give the President one more chance, we are told, things will be different.

Mr. Speaker, I believe that the American people and the military leaders who know what war really is and a broad majority of this Congress are tired of giving this administration one more chance and have no reason to give it our trust.

The Pentagon Inspector General recently reported that statements made by Under Secretary of Defense Douglas Feith, during the runup to war, were "inconsistent with the consensus in the intelligence community and drew conclusions that were not fully supported by available intelligence."

Mr. Feith joins the President of the United States, the Vice President of the United States, Secretary Rumsfeld, Secretary Rice, and many others who made statements which simply misled us into war. So why should we trust the administration's assessments of Iraq?

Why should we trust the President to give the new troops that he wants to send the protection that they need to come back home unharmed? Despite all the President's rhetoric in support of our Armed Forces, a second Pentagon report released at the end of January bluntly states that for years in Iraq and Afghanistan "servicemembers experienced a shortage of force protection equipment and were not always equipped to effectively complete their mission."

In fact, the report speaks of soldiers having to trade off Kevlar vests because there were not enough for each of them. This is what is happening today, Mr. Speaker. We were aware when we first went into the war that we were ill prepared, but 4 years later it is no better.

The Washington Post noted just yesterday that many Humvees still do not have the armor needed to protect them from the bombs that are killing and injuring 70 percent of our troops abroad.

☐ 1030

While our troops have gone unprotected, corruption exploitation and incompetence has squandered billions of dollars and allowed vital reconstruction projects to be handed to well-connected companies that failed to fulfill their duties. Unbid contracts proliferate. Despite it all, for years the administration treated accountability as if it were a dirty word.

And why should we expect that without a radical change, of course, that things will suddenly improve?

Mr. Speaker, changing a broken course in Iraq is not going to demoralize our troops or abandon them. Frankly, they must wonder what it is we have been doing here all along. To the contrary, it is the only way to support the troops.

Changing a broken course will not provide our enemies with encouragement either. If our strategy is not working, then why would we help our enemies by resolutely adhering to the failing plan?

Now, that is a question that needs to be asked again. If our strategy is not working, why would we help our enemy by resolutely adhering to the failing plan?

Democrats are insisting on a new level of accountability in Congress, calling 52 hearings since January 4. But we also need a new course in Iraq. We need to oppose this escalation and stubborn adherence to a failing strategy.

We need to shift our focus and footprint in the region and to accept what so many observers have known for years: The conflict in Iraq will only be solved politically, not militarily.

As strongly as I feel on this matter, Mr. Speaker, I recognize that many of my colleagues in the House have a different perspective.

What is needed is a serious discussion conducted by serious people. The first step of such a discussion is a focused, clear and full debate on the question of the escalation itself. We need an unambiguous up-or-down vote on the escalation. We are keeping this rule and this bill so straightforward in order to best achieve that result.

I want to emphasize that this is the first step, and Congress will have many opportunities during discussions of the supplemental funding request, for example, to debate the numerous dimensions of this war and to present new ways forward.

But we must first know where we stand. Our goal this week is to establish whether Congress disagrees or agrees with the President's current approach to Iraq. If the answer is no, then we will have the basis for forcing the President to work in a bipartisan way with us to change that approach.

The obvious truth is that a failure to achieve such a change will seal the fate of this war as one of the greatest blunders in America's history.

I urge a "yes" vote on the previous question and on the rule.

Mr. Speaker, I reserve the balance of my time.

Mr. DREIER. Mr. Speaker, I rise to express my appreciation to my distinguished colleague, the gentlewoman from Rochester, New York, the distinguished Chair of the Committee on Rules. And I appreciate having the customary 30 minutes, and I yield myself such time as I might consume.

Mr. Speaker, I rise today in opposition to this rule and the underlying resolution. This rule lays out a bad process, and the underlying legislation lays out bad policy.

This rule silences any meaningful debate on the floor by denying both Republicans and Democrats the right to offer any amendments or any substitute whatsoever.

Mr. Speaker, the Democratic leadership has attempted to mask this denial of real debate by providing us with 36 hours of floor time. But this nearly unprecedented amount of time is really little more than a joke; 36 hours of debate, without any opportunity whatsoever to voice dissent with a substitute, amounts to nothing more than 36 hours of talk. The American people want and deserve a real and meaningful debate, not empty gestures that show utter disregard for an honest and open discussion on this issue.

Why can't we have a discussion that explores real options and real solutions?

The reason is very clear, Mr. Speaker. Our Democratic colleagues have none.

It was bad enough when we addressed issues like stem cell research and minimum wage without any transparency or openness whatsoever. We have dealt with several important issues in a complete vacuum. But now, our Democratic colleagues are running roughshod over our national security, what is clearly the number one priority that we as a Federal Government, as federally elected officials, address.

We know, Mr. Speaker, that the war on terror and policy in Iraq is very clearly the single most important issue that will be addressed by the 110th Congress. It clearly ranked very high on the list of issues voters cared about most in last November's election. The American people are concerned about this war, and they want to know that their elected officials are developing a sound and effective policy.

So what have the Democrats offered us? What is the substance of their proposal in a nonbinding resolution that denies the troops the numbers that they need to succeed? In other words, their proposal is, in fact, meaningless as legislation, and it is disastrous as a policy.

Mr. Speaker, it is an admission of defeat. And it is a vote of no confidence in our troops. Like it or not, it is a vote of no confidence in our troops. Why? Because it does not provide our troops what they need to succeed.

Mr. Speaker, we are all opposed to the status quo in Iraq. And the President stood right here when he delivered his State of the Union message and made it very clear. He wants this war to be over, and he wants it to be won.

We all know about the tremendous challenges that our men and women are facing over in Iraq. We all know that. We hear it regularly from our constituents, the families, and we hear it directly from the men and women who are serving. We all feel very deeply about the enormity of the sacrifice that so many have made in service to their country. And we know that they look to their Commander in Chief for a strategy for victory.

The President has put forth his strategy, Mr. Speaker. With the advice and close consultation of our generals in the field, he has called for a surge in troop levels in order to give our Armed Forces the support that they need.

Why, again is he doing this? So that he can give our men and women in uniform, our troops, the support that they need so that they can succeed.

Now, Mr. Speaker, it is our role as a Congress to thoroughly vet the President's proposal to ensure that we develop an effective policy for moving forward. With this resolution, the Democrats have ignored our constitutional role. They have not held a single hearing on this resolution. They have called not one expert witness to testify for the record on the merits of this resolution. All that they offer is a knee-jerk reaction against anything that the President says. Again, anything that the President says is wrong in the eyes of so many of our colleagues.

Obviously, we, Mr. Speaker, cannot be a rubber stamp for the executive branch, the second branch of government. But neither can we afford, neither can we forfeit our duty as a deliberative body to fully explore the plan that has been put forward and to craft sound public policy as it relates to this.

Mr. Speaker, in the absence of any deliberation, the Democrats have concocted a resolution that simply does, as I say, concede defeat. To the American people, it admits the Democratic leadership is devoid of ideas. And to the troops, it admits that they have no faith in their mission, no faith in the troops' mission whatsoever, because they need this sound strategy that has been put into effect so that we can, in fact, attain victory and they can be successful.

What is worse, it tries to shroud their lack of faith in our military with platitudes about supporting our troops. You can't claim support for our troops without supporting their mission, Mr. Speaker. Again, you cannot claim to support our troops without supporting their mission. It is an outrage that they would deny our men and women in harm's way the traditional and additional support that they need to succeed.

Now, Mr. Speaker, yesterday afternoon I had an opportunity to talk with one of my constituents, a former marine called Ed Blecksmith. Very tragically, 2 years ago this past November, his son, J.P. was killed in one of the most famous battles in the war in Iraq, the battle of Fallujah. Mr. Blecksmith implored me to support a policy of victory. He said that his son's death will have been in vain if we do not complete our mission. He made that very clear to me. Again, we got into this battle to win, and victory is, in fact, the only option. That is from the father of a man who was tragically killed in Iraq.

And I know that we are going to hear a wide range of views over the next 36 hours that have come forward from different families. And, of course, our hearts go out to them. But I will say that this proud former marine does not want his son to have died in vain, and he is insistent that we do all that we can to ensure that we complete this mission.

Mr. Speaker, the war in Iraq, like all wars, has been very long, very difficult and very painful. It has come at a very high price, and we all know that it has taken its toll on the American people.

But, Mr. Speaker, we go to war to win. We go to war with a mission, and we dishonor the lives of those who have made the ultimate sacrifice, if we, in fact, abandon that mission.

Mr. Speaker, this resolution offers no hope to the troops, and it offers no hope to the people of this country who want to see the conflict in Iraq resolved so that our troops can come home to their families.

Mr. Speaker, they deserve better. We have a duty to offer them something better. We have a duty to pursue nothing less than victory.

I urge my colleagues to reject this rule, reject this resolution, and, instead, work together to fulfill our constitutional responsibility as effective legislators.

Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Mr. Speaker, let me begin by first thanking my colleagues, TOM LANTOS, IKE SKELTON and WALTER JONES for working together in a bipartisan way to create this very simple, straightforward and clear resolution. Their work will allow this House to have a full and fair debate and, at the end of this week, have a clear up-or-down vote on whether or not we support or oppose the President's plan to escalate this war in Iraq.

I also want to thank all my colleagues on the Rules Committee for a very thoughtful and productive debate last night.

Mr. Speaker, the American people are way ahead of the politicians in Washington on this issue. They want this war ended, and they want our troops to come home. Any Member of this House who has been home recently knows that the questions are increasing, the concern is growing, and the patience is running out.

The American people are tired of the bickering and partisan posturing. They are also tired of people trying to muddy the waters and confuse the issue. They want their leaders to be less concerned with saving political face and more concerned with saving lives.

It is my hope that at the end of this debate, the House will send a strong bipartisan message to the President of the United States that it is time to change course in Iraq.

I hope that the President will listen and will take the opportunity to sit down with us, roll up his sleeves and do the hard but necessary work of bringing this tragic war to an end.

If he does not, if he continues to ignore the will of the Congress and of the American people, then we will have no choice but to go beyond nonbinding resolutions.

Mr. Speaker, Members like me, who believe it is time to exercise the power of the purse, will get that opportunity when we take up the President's supplemental appropriations request and the fiscal year 2008 defense bills.

The best way to support our troops is to bring them home safely to their families. The best way to protect them is to begin their immediate, safe and orderly withdrawal from Iraq.

But this week we are focused, rightly in my opinion, on the narrow and important question of whether we support the President's desire to escalate the war.

The irony is that Members of this House will be given more time to debate this nonbinding resolution than they were given by the previous majority on the question of authorizing the war itself.

Mr. Speaker, this is not a meaningless exercise, which is what some of my colleagues on the other side of the aisle have said. For the first time in 4 years, the people's House will be on record opposing the President's policy in Iraq.

Mr. Speaker, the American people are watching. They want to know where each Member stands on the issue of escalating the war in Iraq. That is the issue before us today. That is the only issue we shall be debating. It is what the American people want to know, and it is what the President of the United States needs to hear.

Mr. DREIER. Mr. Speaker, I have the distinct honor of yielding 5 minutes to my very distinguished colleague from Miami, Mr. DIAZ-BALART.

□ 1045

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I thank the gentleman, my dear friend from California, for the time.

Mr. Speaker, after the debate in the Rules Committee last night where I hoped, and I made clear that it was my hope, that there would be an opportunity for the minority to present an alternative to this debate in the form of an alternative motion, an amendment, it was disappointing that that was not made possible. So now we are faced with a resolution before us that we cannot seek to amend with regard to that extraordinarily serious problem facing the United States of America: the crisis in Iraq.

Iraq presents the United States, Mr. Speaker, as the leader of the free world, with very difficult options, tough options. None of the options before us are simple nor easy. Clearly, as in every war in history, mistakes have been made. I believe, for example, that we should have learned the lessons from a neighbor of Iraq, from the creation in the 20th century of the Turkish state, modern Turkish state, by Ataturk, the father of that state, where the ability of religious parties, for example, to insert themselves into the political process was significantly limited. I think we could have done things such as that.

I admit, we all must admit, that mistakes have been made. But, Mr. Speaker, as the Spanish philosopher Ortega y Gasset said: "Man is man plus his circumstances," and our circumstances in Iraq today constitute our options.

What are our options? One option is partition. I do not believe that it is reasonable nor appropriate nor acceptable to very important realities in the region and factors in the region, I don't think that is a reasonable alternative. Another alternative is to withdraw before the situation is stabilized, before the democratically elected government in Iraq is stable. That is an option.

I happen to believe that the resolution before us, in effect, says this is the beginning of withdrawal. That is what the resolution says in effect. Melt it down. The resolution states this is the beginning of withdrawal, despite the fact that the situation in Iraq by the democratically elected government has not been stabilized.

So what will occur if we withdraw prematurely? Ethnic cleansing on a massive scale; obviously, the collapse of the current government; the creation of an ideal vacuum in power, a power vacuum for international terrorism. We would see the creation of terrorist camps that would dwarf what we saw in Afghanistan before 9/11. Inevitably a surge in influence and the projection of power by the Iranian dictatorship. That uncontrolled projection of power in its quest to acquire, by the way, a nuclear weapon, that uncontrolled projection of power by Iran may very possibly lead to a regional war, Mr. Speaker, because the reality of the matter is that that region of the world cannot permit the uncontrolled projection of power by the Iranian dictatorship.

Now, the withdrawal could be, as I have stated, either announced and immediate or announced and phased. The reality of the matter is what the new congressional majority is bringing to the floor today is an announcement of withdrawal irrespective of what the situation may be on the ground in Iraq.

Another alternative, Mr. Speaker, is the President of the United States' attempt to stabilize the situation, to provide sufficient order, sufficient absence of chaos, for the government of Iraq to survive, for the sake not only of Iraq but of our national security. That is an option the President of the United States is trying to convert into a reality for the sake of our national security.

Now, Mr. Speaker, the options before us are not difficult. The resolution before us constitutes the wrong message at the wrong time in the wrong manner.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. MATSUI).

Ms. MATSUI. Mr. Speaker, I thank the gentlewoman from New York for yielding me the time and for her outstanding leadership on our committee.

Mr. Speaker, this debate is long overdue. There is no issue more serious or more urgent. The American people said loud and clear in the last election that they consider bringing this war to a close to be the singular imperative of their leaders. Yet rather than beginning to bring the troops home, the President has proposed escalating this conflict.

The American people deserve to know where their elected representatives stand on this, the most critical issue at this moment in history. This week the people will get their answer.

Mr. Speaker, here is where I stand: I opposed this war from the beginning, and I support several responsible proposals to bring this war to a close. I believe the President's proposed escalation would be a tragic mistake. It will most likely result in an increase in violence while only postponing the hard political choices the Iraqi people must make. It will also increase the strain on a military that is already stretched to the breaking point.

Mr. Speaker, it is critically important to make clear that Iraq has spiraled into civil war because of the failure of this country's political leadership, not our troops. Our brave men and women in uniform have done everything that has been asked of them. The real tragedy is how ill served they have been by their political leadership.

I have heard firsthand from many families in Sacramento the impact this has had on their lives. Linda, a concerned mother, told me about her son, Nicholas, who serves as an Army sergeant in the 82nd Airborne in Germany. Shortly, he will be returning to Iraq for his third tour. And there are some 30 soldiers in the Sacramento area who have died in this war. I have met several times with members of the National Guard and Reserve and their families. Every Member knows what I am talking about. We have all done it. We all know the pain.

In conclusion, Mr. Speaker, this administration has failed to meet the most basic requirements of responsible leadership. As a result, it has abdicated any claim to deference from this Chamber on this war and has certainly relinquished the moral authority to send men and women into this catastrophe.

Undoubtedly, this Chamber will need to take more forceful action if we are to bring this war to a conclusion. But today is an important first step.

I urge my colleagues to support this resolution and to oppose this gravely mistaken proposal to escalate the war.

Mr. Speaker, this debate is long overdue. There is no issue more serious . . . or more urgent. The American People sent a message in the last election. That message was that they consider bringing this war to a close to be the singular imperative of their leaders.

Yet rather than beginning to bring troops home, the President has proposed escalating this conflict . . . sending tens of thousands of additional troops to Iraq.

Rather than change direction . . . they would instead continue down our current, disastrous path . . . only at a faster pace and with more human life placed in harm's way.

This week, every Member of the House of Representatives will have an opportunity to let their constituents know where they stand on the President's proposed escalation. That is only right.

The American people deserve to know where their elective representatives stand on this, the most critical issue at this moment of our history.

Mr. Speaker, here's where I stand. I opposed this war from the beginning, and I support several responsible proposals to bring this war to a close.

I believe the President's proposed escalation would be a tragic mistake. His stubborn insistence on pursuing the present course has been rejected by our military leaders . . . the independent Iraq study group . . . and a strong majority of the public. And with good reason.

This escalation will most likely result in an increase in violence while only postponing the hard political choices the Iraqi people must make.

Escalation of this conflict will also increase the strain on a military that is already stretched to the breaking point.

Mr. Speaker, it is critically important to make clear that Iraq has spiraled into civil war because of the failure of this country's political leadership . . . not our troops.

Our brave men and women in uniform have done everything that has been asked of them. They courageously put their lives on the line every day for us.

The real tragedy is how ill-served our men and women in uniform have been by their political leadership.

I have heard firsthand from many families in Sacramento about the impact this has had on their lives.

In 2005, I spoke with a group of women whose husbands were serving in the National Guard in Iraq.

One woman told me she bought her husband a Kevlar vest before he deployed . . . something all too many families were doing for their loved ones because the military wasn't providing it. Imagine the stress . . . sending a loved one into danger without the confidence that he would be given the needed equipment for protection.

And I have heard countless stories about the hardships being created by the multiple tours this conflict has demanded.

Linda, a concerned mother from Sacramento, told me about her son, Nicholas, who serves as an Army sergeant in the 82nd Airborne in Germany. He lives on-base with his wife and two children, ages four and five. Another child is on the way.

Nicholas recently learned that he was going to have to return to Iraq for his third tour.

Linda wrote me and said that his family . . . and I'm quoting . . . ". . . will be all alone in Germany when he leaves and each time he has gone, the children have terrible nightmares and anger issues because they do not understand the long separations."

Another Sacramento couple that wrote me are the proud parents of three Army soldiers . . . one is currently serving his second tour in Iraq . . . the other two have already completed two tours in Iraq. They ask . . . will their sons be asked to go back a third time?

My friend Richard Beach served as a chaplain in the U.S. Army Reserves in Iraq. Richard served in Iraq early in the conflict, and realized that 4 years since he went there, many of his fellow reservists are still serving there.

Richard shared with me a note he sent to some of his fellow members of the 114th. He wrote . . . and I quote . . . "I remember four years ago we were getting ready for our trip to Fort Lewis and then on to Iraq. I hope as the fourth anniversary of the war comes up you are all in good health and living life to the fullest. I too pray that soon this war will end, and we will stop sending our soldiers off to war."

Four years later . . . and still many of the same soldiers and their families are making the same sacrifice. But that is the heartbreaking reality here.

There are some 30 soldiers in the Sacramento area who have died in this war. I've met several times with members of the National Guard and Reserve and their families. Every member knows what I am talking about. We've all done it. We all know the pain.

The notion of "shared sacrifice" is something that helped make this country great.

But with this administration . . . only our soldiers and their families share in the sacrifice.

In conclusion, Mr. Speaker, it is important to note that this country has tried troop increases before . . . to no avail. Sadly, this administration simply lacks credibility when arguing that this proposal will work.

As a result of this administration's failure to meet the most basic requirements of responsible leadership, it has abdicated any claim to deference from this chamber on this war . . . and it has certainly relinquished the moral authority to send additional men and women into this catastrophe.

Today's step is only a first step. Undoubtedly, this chamber will need to take more forceful action if we are to bring this war to a conclusion. But it is an important first step.

I urge my colleagues to support this resolution . . . and to oppose this gravely mistaken proposal to escalate the war.

Mr. DREIER. Mr. Speaker, at this time I am happy to yield 5 minutes to a hardworking member of the Rules Committee, the gentleman from Pasco, Washington (Mr. HASTINGS).

Mr. HASTINGS of Washington. Mr. Speaker, I thank the ranking member for the time.

Mr. Speaker, I rise in opposition to House Resolution 157 and the underlying resolution.

Mr. Speaker, our Nation is engaged in a Global War on Terror, a war that we did not seek, but a war that was brought to our shores on September 11, 2001. Today, we fight an enemy without borders that is determined to destroy our Nation by any means necessary. An al Qaeda leader said that they have the right to "kill 4 million Americans, 2 million of them children, and to exile twice as many and wound and cripple thousands."

The President of Iran has called a world without America and Israel "possible and feasible."

It is also undeniable that Iraq is the central front on the war on terror. But you don't have to take my word for it, Mr. Speaker. The terrorists themselves have told us it is so. Al Qaeda's deputy leader has repeatedly said that Afghanistan and Iraq are the "two most crucial fields" in the Islamists' war. In a letter he said that expelling Americans from Iraq is the first step in expanding the jihad wave.

If this, Mr. Speaker, is what the terrorists are telling us, why should we not believe them?

As much as I wish that our troops were home, I recognize that arbitrary pulling out of Iraq would provide a sanctuary for terrorists and have serious consequences for our U.S. security. A self-sustaining government there is critical to our security here.

I share the frustration of all Americans who had hoped that the Iraqis would be protecting and governing themselves by now, but that simply is not the reality. Previous strategies to stabilize Iraq have not succeeded and things cannot continue as they have been. In order to succeed, Iraqis must step up and take responsibility for their own security. And under the new strategy, Mr. Speaker, announced last month, they will be held more accountable in the future.

Some say this new strategy is wrong; yet they fail to say what is right. They call for an arbitrary pullout yet have not answered the question "what then?" They seek to cut off funding for our troops yet offer no plan for fighting terrorists.

Mr. Speaker, there is no easy answer. But simply declaring that we don't wish to be at war anymore does not make our enemies surrender. Withholding military personnel, failing to provide funds for our troops, or pulling out of Iraq with no plan to win the war on terror are simply not options. The consequence of failure is simply too dire. If we are defeated, Iraq will become a haven that our enemies will use to launch attacks against us. The Middle East will remain destabilized. Terrorists will fight us on our soil. And it will send a dangerous signal to countries like Iran, North Korea, and Syria, and embolden terrorists around the world.

The Baker-Hamilton Commission warned specifically against a precipitous withdrawal. They said: "The near-term results would be a significant power vacuum, greater human suffering, regional destabilization, and a threat to the global economy. Al Qaeda would depict our withdrawal as a historic victory."

So our challenge, Mr. Speaker, is to insist on victory and not accept defeat. So, accordingly, I will not vote to deny our troops the support they need to protect themselves and America.

The nonbinding resolution before us today is contradictory on supporting the troops. On the first page it says we will continue to support the troops in Iraq, but on the next page it expresses opposition to sending reinforcements that our military says are needed to support our troops currently on the ground.

Mr. Speaker, how can you support the troops but not the mission?

Let me say again that I will not vote to deny our troops the support they need to protect themselves and America. What I would vote for, if given the opportunity, is a plan that would have the force of law, that would set benchmarks to measure progress, that would ensure that funding for our troops is not cut off, and that would keep Congress fully apprised so that they can make informed decisions.

In closing, I would just say that we must not forget the sacrifice that our troops are making. They are fighting the enemy abroad so that we will not have to fight them here. The bottom line is that this is about America and our security and a set of enemies who have said again and again that their goal is to destroy us.

Mr. Speaker, I encourage my colleagues to oppose this closed rule and the underlying resolution.

Ms. SLAUGHTER. Mr. Speaker, I yield 2½ minutes to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH of Vermont. Mr. Speaker, today we begin debate on the question of whether to escalate the war in Iraq.

The administration's policy on Iraq has failed. It failed yesterday, it is failing today, and it will fail tomorrow. These failures have left America weakened, not strengthened.

Today, we must chart a new course. We must end the war in Iraq.

Each one of us is immeasurably proud of the service of our troops. They answered the call to duty, and they have done their job.

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I am particularly proud of our Vermont troops and our families. No State has sacrificed more per capita in the wars in Iraq and Afghanistan than our State of Vermont. But while our men and women in uniform have done their jobs, the President's policies have failed this country and failed our troops, demonstrably and repeatedly.

Mr. Speaker, it is now our responsibility to chart a new direction; one that brings our troops home, restores diplomacy to foreign policy and improves the readiness of our military. And we start today. No more troops, no more phony intelligence, no more blank checks. We must end this war.

Top military commanders have made it clear that no amount of American military force can take the place of the political consensus required to end Iraq's civil war. We now face two questions: What is best for America and what is best for Iraq? And the answer to both questions is to end this war.

This resolution, Mr. Speaker, is just a beginning. The President has left us no choice. America must change the direction of the war. If the President won't, we will.

Today, we choose the path which offers us the best hope for success: escalating the military conflict, as the President proposes, or taking the first step in a new direction. To strengthen America, we must choose a new path. Top generals have said it, the bipartisan Iraq Study Group confirmed it, and the American people demand it.

Mr. Speaker, the troops have done their job. Now we must do our ours.

Mr. DREIER. Mr. Speaker, at this time I am very happy to yield 4 minutes to our colleague the gentleman from Dallas, Texas (Mr. SESSIONS).

Mr. SESSIONS. Mr. Speaker, I thank the gentleman from Los Angeles.

Mr. Speaker, we are here today as a result of the meeting in the Rules Committee last night where members of the Republican minority tried to speak about our desire to have more added to this "simple resolution," as it is being called by the minority. And that it is, a simple resolution.

Mr. Speaker, we implored upon the committee to make in order more amendments which would specifically speak directly to the needs of trying to provide direction and to work with the President of the United States on where we are in Iraq. In fact, on March 15, 2006, Members of both parties from this body supported the creation of a bipartisan Iraq Study Group to review the situation on the ground and to propose strategies on a way to move forward.

For more than 8 months, the study group met with military officials, regional experts, academics, journalists and other high-level officials. This study group included James Baker and Lee Hamilton as cochairmen. It included Lawrence Eagleburger, Vernon Jordan, Ed Meese, Sandra Day O'Connor, Leon Panetta, William J. Perry, Charles S. Robb and Alan Simpson.

Mr. Speaker, we believe that the things which were embodied within this Iraq Study Group report, which came out this last December, embody the kinds of things that the President of the United States is attempting to do now in Iraq. The President stood before each and every one of us as we sat in this Chamber just a few weeks ago and he outlined very clearly the changes that are taking place and his willingness not only to work with this body, but willingness to be more specific.

I would like to read some of the things from the Iraq Study Group report that we will not be hearing as the voice of the United States Congress. That is, that the United States should work to "provide political reassurance to the Iraqi Government in order to avoid its collapse and the disintegration of the country."

America should "fight al-Qaeda and other terrorist organizations in Iraq using more special operations teams."

We should "train, equip and support the Iraqi security forces."

And we should "deter even more destructive interference in Iraq by Syria and Iran."

But there is more. The "more" is "We could, however, support a short-term redeployment or surge of American combat forces to stabilize Baghdad, or to speed up training to equip the mission."

Mr. Speaker, the bottom line is what this resolution, that is nonbinding, is all about is to politically neuter the President of the United States, and, I believe, our forces and our mission in Iraq. It is about trying to do something that is politics, rather than policy.

The Rules Committee last night heard from several of our colleagues, one of them SAM JOHNSON, who brought forth an amendment that would clarify that Congress and the American people support our troops and the funding for our Armed Forces that are serving in harm's way to make sure that we do not put that element at risk.

Our colleague from Virginia, FRANK WOLF, brought forth the things that I just spoke about. He brought to the Rules Committee the recommendations from the Iraq Study Group, with this emphasis on providing American commanders in Iraq with the strategic and tactical means to support this war. However, my colleagues on the Democratic side have decided that what they want to do is they want to have this be all about politics and not about policy. They are after a simple answer.

Last night, the Rules Committee met—and after hours of testimony from members from both parties, the Democrat members of the Committee voted along party lines to shut out every opportunity for amendment to the Resolution that the House will be considering over the next 3 days.

Our colleague from Texas, SAM JOHNSON, brought an amendment that would have clarified that Congress and the American people support our troops and that funding for our armed forces serving bravely in harm's way will not be cut off or restricted in any way.

Our colleague from Virginia, FRANK WOLF, also brought to the Rules Committee a very comprehensive amendment that would have made clear that Congress supports the recommendations of the Iraq Study Group—with its emphasis on providing American commanders serving in Iraq with the strategic and tactical means that they need for success and accelerated cooperation with Iraqi leaders to meet specific goals—as the strategy for moving forward to success in Iraq.

A number of other members also spent a large part of their evening sitting in the Rules Committee, waiting to share their ideas about how to improve this resolution—however, unfortunately the 13 members of the Rules Committee are the only ones who will have the benefit of hearing and debating these good ideas, because none of them were given the opportunity to be considered and voted on by the House.

Instead, today we are on the floor with a completely closed process to debate a nonbinding resolution with no teeth and a serious logical flaw.

In 2 short paragraphs, without explicitly stating that funds will not be cut off from our troops serving in harm's way, the resolution asserts that Congress and the American people will continue to support and protect the members of Armed Forces who are serving in Iraq. This non-specific language is something that every member of this House clearly supports.

It also states that Congress disapproves of the President's plan to deploy 20,000 reinforcements to Iraq to bolster the mission and provide additional support to troops already serving on the ground.

This resolution gives no direction about how we should proceed in Iraq—instead, it settles for some generic language about supporting the troops without guaranteeing that Congress will continue to fund their efforts as they remain in harm's way—and it simply amounts to a vote for the status quo.

Mr. Speaker, this is a serious debate for serious people. We all understand that the cost of failure in Iraq is too great to bear—it would embolden radical Islamic terrorists and give them a base from which to train and attack America for generations.

But with this resolution my colleagues on the other side of the aisle provide the troops with nothing: no guarantees that we will continue to fund their heroic efforts; no guarantees that Congress will heed the advice of the Iraq Study group—which notes on page 73 of their report that it would "support a short-term redeployment or surge of American combat forces to stabilize Baghdad, or to speed up the training and equipping mission."

Nor does it provide the American people with a clear picture of our direction in Iraq—it merely says "no" to the only strategy for success which has been put forward.

Mr. Speaker, I think that Congress can do better than this nonbinding vote for the status quo in Iraq. I know that a number of my Republican colleagues tried to improve this legislation, but were denied the opportunity by the Democrat majority.

But I know that our troops serving in harm's way, and the American people deserve better than this simplistic resolution that provides no new ideas, outlines no strategy for victory, and makes no guarantee that we will continue to fund the efforts of our troops.

I am greatly disappointed in this resolution and the Democrat majority's efforts to prevent this body from considering amendments from thoughtful members to improve it.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. CASTOR).

Ms. CASTOR. Mr. Speaker, I thank the distinguished Rules Chair.

Mr. Speaker, it is time to bring this debate to the floor of the Congress. I oppose escalation of the war in Iraq that is being pushed by President Bush and Vice President CHENEY. Their intention to send more young American men and women into what is largely a sectarian civil war is more of the same "stay the course" mentality.

Mr. Speaker, as a member of the Armed Services Committee, I am particularly concerned that the reckless Bush escalation will undermine our country's readiness and ability to address other global threats to our national security. Indeed, in recent testimony, the Marine Commandant and the Army Chief of Staff testified that America will run a strategic risk by implementing the escalation and staying on the same course in Iraq. The generals confirmed that if our personnel and equipment are tied up in Iraq, then our ability to handle future threats and contingencies is reduced.

For example, in my State of Florida, the National Guard does not have all of the equipment it needs to train and deploy soldiers. They are only 28 percent equipped.

President Bush in essence confirmed that the escalation will harm our Nation's readiness when he sent over his proposed 2008 budget last week. He requested an additional $235 billion for this war. That is on top of already $350 billion of taxpayer money. In effect, Bush's war in Iraq is swallowing the defense budget and our country's ability to prepare for any other threat to our national security.

The Bush plan also sacrifices health care for children and our seniors and investments in our own towns and neighborhoods, while continuing this war without end.

We will debate budgets and appropriations in the coming months, but after 4 years of war, over 3,100 deaths of Americans, $350 billion, and the Bush-Cheney failure to aggressively pursue a political solution, it is important that we have this debate in the House of Representatives this week. It is important for Members to go on record, and it is important to demand a new direction on behalf of the American people.

Mr. DREIER. Mr. Speaker, at this time I am happy to yield 3 minutes to a very hardworking former member of the Rules Committee, our good friend from Marietta, Georgia (Mr. GINGREY).

Mr. GINGREY. Mr. Speaker, I rise today in opposition to this rule and the underlying legislation.

We are about to begin 3 days of debate over the Democrats' nonbinding resolution, 3 days of debate over a resolution that is nothing more than a political statement against our President.

Considering that last month Democrats rammed six bills through this House in a mere 100 hours, I would say we have ample time this week to also debate a Republican alternative to this resolution.

Mr. Speaker, as you well know, last week one of the Democratic Members in this body repeatedly referred to us as the "Republic Party." I don't think, Mr. Speaker, that that Member was necessarily trying to pay us a compliment. But indeed he did, because this is a Republic, and we speak on behalf of 650,000 constituents.

But the Democrats have taken that away from us, Mr. Speaker. The Democratic leadership has shown us time and time again their pledge of an open and inclusive Congress amounts to nothing more than tired campaign rhetoric. So over and over the next 3 days, you will hear many Republican opinions and ideas, but you will see no Republican legislation.

Perhaps the Democratic leadership is afraid that a Republican alternative, like the bill introduced by a true American war hero, Sam Johnson of Texas, would force the Members to finally put their money where their mouths are and vote "yes" or "no" to cut funding for the troops. But instead, Mr. Speaker, the Democrats prefer to debate nonbinding resolutions that criticize the President's plan without offering any alternative or strategy for victory.

Mr. Speaker, we should be using the next 3 days to debate substantive legislation, not political attacks. This nonbinding resolution may have been crafted with the 2008 election in mind, but I implore my colleagues to look far beyond 2008 to the future of our Nation and this global war on terror. Don't play politics with the security of the United States of America. Don't play politics with possibly our last best chance to secure freedom for the Iraqi people on the greater stability in the Middle East.

Mr. Speaker, the Democrats have sometimes accused Republicans in this Congress of being "yes men" for the President. Well, I believe the Democrats are being "no men" for the President, blindly saying no to any plan he proposes, without considering the merits or what is best for the security of this Nation.

Mr. Speaker, it is absolutely unbelievable that the Democrats are proposing 3 days of debate on an issue as critically important as Iraq without any Republican input or alternative. The manner in which this debate will be carried out is an affront to the American people and to our troops. I ask my colleagues to join me in opposition to this shameful rule.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Ohio (Ms. SUTTON).

Ms. SUTTON. I thank the gentlewoman for yielding time.

Mr. Speaker, I support this rule on a clear and concise resolution that expresses the will of the American people. Our troops are brave and capable. They have fought overwhelming odds and in the face of incomprehensible difficulty. They have engaged in many acts of heroism. And this resolution makes it unequivocally clear that those of us who feel it incumbent to speak out in opposition to the President's escalation nonetheless continue to support our troops.

All of us and all Americans support our troops. They must have and we must provide that which they need for any mission which they are sent. But Congress also has a responsibility to provide oversight, to ensure that our brave and honorable troops are provided a mission based on realistic assessments and an achievable goal before we ask them to risk life and limb to implement it.

The President has asked Congress and the American people to support his plan to escalate our involvement in the war in Iraq by sending an additional 20,000 troops, and that doesn't count the additional 20,000 support personnel that will be part of the escalation.

This war is almost 4 years long now. Congress has not spoken as loudly and as clearly as its responsibility requires. As the Representative of the 13th District of Ohio, I cannot sit silent. I am opposed to the President's plan for escalation, and, as such, I fully support this rule and resolution.

The President's own military commanders and experts have advised against this course of action. My constituents and the American people have made their position known. People across this Nation voted for a change in direction in Iraq. The plan to escalate is directly contradictory to that call for change. It takes us further down the wrong path, getting us deeper and deeper with a policy that asks our military to accomplish the nonmilitary mission of creating a viable, unified government in Iraq.

Mr. Speaker, I support the rule and resolution.

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Mr. DREIER. Mr. Speaker, I understand that there is much more time on the other side, so I would like to reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I am very pleased to yield 3 minutes to the gentleman from Pennsylvania (Mr. PATRICK J. MURPHY).

Mr. PATRICK J. MURPHY of Pennsylvania. Mr. Speaker, I take the floor today not as a Democrat or a Republican, but as an Iraq war veteran who was a captain with the 82nd Airborne Division in Baghdad. Three years ago I came home, but 19 of my fellow paratroopers did not.

I rise to give a voice to the hundreds of thousands of Pennsylvanians and veterans across the globe who are deeply troubled by the President's plan to escalate the number of American troops in Iraq.

I served in Baghdad from June 2003 to January 2004. I saw firsthand this administration's failed policies in Iraq.

In this new Congress, there are 49 new faces. I am proud that five of those 49 new faces are veterans. All five of those veterans are Democrats.

Today, I stand with my other military veterans, Sergeant Major TIM WALZ and Admiral JOE SESTAK. We stand together to tell this administration that we are against the escalation and to say with one voice that Congress will no longer be a blank check to the President's failed policies.

Mr. Speaker, the time for more troops was 4 years ago, but this President ignored the military experts like General Shinseki and General Zinni, who in 2003 called for more troops, several hundred thousand more troops, to secure Iraq.

Now, Mr. Speaker, our President is ignoring military leaders again, patriots like General Colin Powell, General Abizaid and the bipartisan Iraq Study Group who were clear: the President's plan to send more of our best and bravest to die refereeing a civil war in Iraq is wrong.

Mr. Speaker, it is a time for a new direction in Iraq. From my time serving with the 82nd Airborne Division in Iraq, it became clear that in order to succeed we must make it clear to the Iraqis that we are not going to be there forever. Yet 3 years after I left Iraq, Americans are still running convoys up and down Ambush Alley and securing Iraqi street corners.

Today I am proud to stand with my fellow veterans and support this resolution.

Mr. Speaker, we often hear from our colleagues on the other side that the only way to support the troops is to blindly support the President.

Mr. Speaker, I ask anyone to look at Admiral JOE SESTAK, a man who was responsible for the safety and security of 15,000 sailors and marines, and tell him that he does not support the troops. I ask them to look at Sergeant TIM WALZ, a man who served his country for 24 years in the Minnesota National Guard as a noncommissioned officer, the backbone of our Army, and tell him he does not support our troops.

Mr. Speaker, we are the troops, and we oppose the President's escalation of troops.

Mr. DREIER. Mr. Speaker, I am happy to yield 2 minutes to my very good friend, who is the progenitor of the Iraq Study Group, the gentleman from Virginia (Mr. WOLF).

Mr. WOLF. Mr. Speaker, last night I testified before the Rules Committee asking that the Iraq Study Group report be made in order for debate today. The Iraq Study Group offers the way forward, a new approach, and is authored by former Secretary of State Baker and former chairman of the House Foreign Affairs Committee, Lee Hamilton. Yet there has been no vote allowed. The American people have been shut out with regard to having a vote on the Iraq Study Group report. You cannot pick and choose with regard to the Iraq Study Group.

Let me read you some of the comments that have been made by the members who served on the Iraq Study Group. Lee Hamilton, Jim Baker:

"There is no magic formula to solve the problems of Iraq. However, there are actions that can be taken to improve the situation."

"Our political leaders must build a bipartisan approach to bring a responsible conclusion to what is now a lengthy and costly war. Our country deserves a debate that prizes substance over rhetoric, and a policy that is adequately funded and sustainable."

That is the Iraq Study Group. Members on both sides have said they support the Iraq Study Group, and yet there is no vote allowed on the Iraq Study Group.

"In this consensus report," Hamilton and Baker go on to say, "the 10 members of the Iraq Study Group," bipartisan, five and five, "present a new approach because we believe there is a better way forward."

The better way forward, and the gentleman who just spoke mentioned the Iraq Study Group, is the Iraq Study Group, and yet the Rules Committee last night foreclosed a vote on the Iraq Study Group which is bipartisan.

Lee Hamilton, Jim Baker, Leon Panetta, Bill Perry, Ed Meese. Ed Meese's son is one of the colonels with General Petraeus. Leon Panetta, who served here in the Congress, but yet for some reason the American people are not to be given an opportunity whereby their Congress can vote on the Iraq Study Group.

There are good people on both sides. Every resolution should be in order. God bless you, what you are offering is fine, but give the country, give the American people, give us an opportunity to vote on the Iraq Study Group. You cannot pick and choose.

I urge a defeat of the resolution and urge that we allow this to be voted on whereby we can have a successful policy to bring this country together.

Mr. Speaker, I rise against this rule and against the underlying resolution.

I've been to Iraq three times since the United States sent Armed Forces there. I continue to be deeply concerned about the violence that continues to take the lives of U.S. personnel as well as innocent Iraqi citizens.

That's why, upon my return from my third trip in 2005, I worked to promote an independent, bipartisan review of ongoing operations in Iraq—what I called "fresh eyes on the target."

I initiated the legislation authorizing and funding the Iraq Study Group, which was set up through the U.S. Institute of Peace. The 10-member group—5 Republicans and 5 Democrats—was led by cochairs James A. Baker III, the Nation's 61st Secretary of State and honorary chairman of the James A. Baker III Institute for Public Policy at Rice University, and Lee H. Hamilton, our former colleague in this House and director of the Woodrow Wilson International Center for Scholars, who also cochaired the 9/11 Commission.

The other members of the study group included: Lawrence S. Eagleburger, former Secretary of State; Vernon E. Jordan, Jr., former advisor to President Clinton; Edwin Meese III, former Attorney General; Sandra Day O'Connor, retired Associate Justice of the U.S. Supreme Court; Leon E. Panetta, former White House chief of staff for President Clinton; William J. Perry, former secretary of Defense; Charles S. Robb, former Governor and Senator of Virginia, and Alan K. Simpson, former Senator from Wyoming.

After more than 8 months of work, the panel presented its report last December 6. The Iraq Study Group was a truly bipartisan group who came together—like this body should be coming together—and offered the way forward in Iraq.

I believe the group's work provides an important framework to move forward in Iraq and on January 24 I introduced H. Con. Res. 45, expressing the sense of Congress that all the recommendations of the Iraq Study Group become the new baseline strategy for dealing with Iraq. That's the resolution we should be advancing today.

In my car coming to the Capitol this morning I heard a member of this body on a radio interview say he's voting for H. Con. Res. 63 because what we're looking for is a new solution for Iraq. We have that. It's the Iraq Study Group report. Look at the cover of the report—"The way forward—A new approach."

The Iraq situation has created a bitter divide in our country. We all want to see an end to the fighting in Iraq and stability there, as well as an end to violence perpetrated by terrorists around the world. I continue to pray for the protection of the American service men and women and civilians who are putting their lives on the line every day and also for their families here at home who continue to make tremendous sacrifices.

The Iraq Study Group met the test of developing a bipartisan consensus on how to succeed in Iraq. When our country is divided we are weak. When we are together we are strong.

I want to read from the letter penned by Secretary Baker and Congressman Hamilton as the prelude to the Iraq Study Group's recommendations:

> There is no magic formula to solve the problems of Iraq. However, there are actions that can be taken to improve the situation and protect American interests.
>
> Many Americans are dissatisfied, not just with the situation in Iraq but with the state of our political debate regarding Iraq. Our political leaders must build a bipartisan approach to bring a responsible conclusion to what is now a lengthy and costly war. Our country deserves a debate that prizes substance over rhetoric, and a policy that is adequately funded and sustainable. The President and Congress must work together. Our leaders must be candid and forthright with the American people in order to win their support.
>
> No one can guarantee that any course of action in Iraq at this point will stop sectarian warfare, growing violence, or a slide toward chaos. If current trends continue, the potential consequences are severe. Because of the role and responsibility of the United States in Iraq, and the commitments our government has made, the United States has special obligations. Our country must address as best it can Iraq's many problems. The United States has long-term relationships and interests at stake in the Middle East, and needs to stay engaged.
>
> In this consensus report, the ten members of the Iraq Study Group present a new approach because we believe there is a better way forward. All options have not been exhausted. We believe it is still possible to pursue different policies that can give Iraq an opportunity for a better future, combat terrorism, stabilize a critical region of the world, and protect America's credibility, interests, and values. Our report makes it clear that the Iraqi government and the Iraqi people also must act to achieve a stable and hopeful future.
>
> What we recommend in this report demands a tremendous amount of political will and cooperation by the executive and legislative branches of the U.S. government. It demands skillful implementation. It demands unity of effort by government agencies. And its success depends on the unity of the American people in a time of political polarization. Americans can and must enjoy the right of robust debate within a democracy. Yet U.S. foreign policy is doomed to failure—as is any course of action in Iraq—if it is not supported by a broad, sustained consensus. The aim of our report is to move our country toward such a consensus.

This last sentence is the essence of what we should be addressing this week. The recommendations of the Iraq Study Group provide the blueprint for a consensus. The work has been done. The recommendations have been made. Now is the time for implementation.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Minnesota (Mr. WALZ).

Mr. WALZ of Minnesota. Mr. Speaker, today we will begin a long overdue debate about the President's troop escalation plan, and the Iraq war in general. I spoke earlier this morning, and I had the opportunity to address some of the conflict between the testimony of experts and this administration's wishful thinking in regard to this escalation.

What is said here on the floor of Congress, what is said by our experts and what is said by the administration matters. It matters because our troops will be asked to fulfill the mission that comes out of these discussions. Our debate on this resolution is about far more than expressing our disapproval for the President. We offer this debate in the hopes that it will shape the mission that our soldiers are asked to carry out, one that is based on facts and reality, not blind ideology.

I retired from the Army National Guard in the spring of 2005, and the unit I served with is now in Iraq. Many of these soldiers were kids that I taught in my high school classroom, that I coached on our football team. They joined my Guard unit, and I trained them. We deployed together in support of Operation Enduring Freedom, and now they are deployed again to Iraq.

As a 24-year veteran of the Army National Guard, I know that our soldiers are trained to fulfill the mission they are given, but having a mission that is achievable is the key to any military success.

The previous Republican Congress failed to hold the administration accountable for providing a mission that could succeed; and in so doing, they failed to support our troops.

Last week, I had the opportunity to speak with a field commander from the Minnesota National Guard serving in Iraq. He told me that our soldiers are performing magnificently, every minute of every hour of every day. That is not the issue at hand here. The issue at hand is providing a mission that can succeed.

Mr. Speaker, when we recess for our district work period next week, I will go home and look into the eyes of the families of these soldiers. These are the same families and the men and women who learned on cable television that they would be extended in their tour of duty. These are the same men and women who will face financial loss because many of them had the plan to return to their jobs after an 18-month deployment to work in agriculture and construction businesses, and now they will be delayed in their return. They will miss the critical season. They have been deployed for 2½ of the last 4 years.

Mr. Speaker, we can and must do better by our soldiers. The resolution we will debate today and that I am in support of is meant as a first step to giving them an achievable mission and a chance to return. Our soldiers are trained to fulfill their mission without question. We as civilian leaders have a duty to question it on their behalf.

For the past 4 years, this Republican-led Congress has failed in their duty. This resolution is about this Congress standing up and saying we will achieve our duty to the same level of excellence that our soldiers have.

Mr. DREIER. Mr. Speaker, may I inquire of my distinguished Chair of the Rules Committee how many speakers are remaining on the other side.

Ms. SLAUGHTER. Mr. Speaker, I have one remaining speaker. Is my colleague ready to close?

Mr. DREIER. One remaining speaker, then your close?

Ms. SLAUGHTER. That is right.

Mr. DREIER. Or you are prepared to close now?

Ms. SLAUGHTER. No, I have one remaining speaker.

Mr. DREIER. Then I will reserve the balance of my time.

Ms. SLAUGHTER. Do you have any further speakers?

Mr. DREIER. Here I am.

Ms. SLAUGHTER. All right. Why don't you go ahead then and we will have our speaker after you.

Mr. DREIER. I would like to close the debate on our side just before you close the debate on your side.

Ms. SLAUGHTER. I have only got the one speaker. My understanding is if you want to close, you need to do it now.

The SPEAKER pro tempore. Does the gentlewoman seek to close for her side?

Ms. SLAUGHTER. Yes. Mr. SESTAK will be my final speaker.

The SPEAKER pro tempore. To the gentleman from California, Mr. SESTAK represents the close for the majority side.

The gentleman from California is recognized.

Mr. DREIER. I would encourage the gentleman to sit down so he can listen to my eloquence, and then I will look forward to hearing his.

Mr. Speaker, I yield myself the balance of the time.

The SPEAKER pro tempore. The gentleman from California is recognized for 3 minutes.

Mr. DREIER. Mr. Speaker, on the eve of the Civil War, that great philosopher John Stuart Mill wrote: "War is an ugly thing but it is not the ugliest of things. The decayed and degraded state of moral and patriotic feeling which think nothing worth a war is worse."

No one likes this war that we are in. As I said earlier, the President stood here just weeks ago, and in his State of the Union message he said, I wish very much that this war were over and that we had won. That is the goal. The goal is victory.

We need to make sure that our men and women in uniform, many of whom are paying the ultimate price every single day, as we look at the tragic loss of life, we need to make sure that they have everything necessary so that we can, as my constituent Ed Blecksmith, a father of a man who was killed 2 years ago last November in the battle of Fallujah, said, so that we can complete our mission.

Mr. Speaker, I believe very fervently that you cannot support our troops without supporting their mission. This resolution that is before us unfortunately undermines the ability of our troops to complete their mission.

We have had some very thoughtful proposals that have come forward. We just had Mr. WOLF stand here and talk about the opportunity that was denied him to have a vote on the very important bipartisan work of that Iraq Study Group. Much of what the Iraq Study Group has done has been already implemented by this administration, but there is more that needs to be done. Mr. WOLF was tragically denied an opportunity to even have a vote on whether or not we should support that bipartisan effort of the Iraq Study Group.

We also had testimony last night, Mr. Speaker, from a man who just yesterday marked the 34th anniversary from being freed after 7 years as a prisoner of war in Vietnam, our colleague from Dallas, Texas, Mr. JOHNSON. He was denied a chance to have a substitute that would simply say that we are not going to cut off funding for our troops.

Now, there are many who have argued, Mr. Speaker, that this resolution that we are going to consider in the next few days is simply a first step. It is a first step towards ultimately cutting off funding, and, Mr. Speaker, I think that would be wrong, and that is why I am urging defeat of the previous question. When we do that, we will be making in order, when we defeat the previous question, an opportunity for us to say that we will not cut off funding for our men and women in uniform.

So, Mr. Speaker, I urge a vote against the previous question; and if by chance we fail on that, I urge a "no" vote on this rule, and I urge a "no" vote on the underlying resolution which does, in fact, undermine the goal of completing our mission and bringing our men and women home.

Mr. Speaker, I yield back the balance of my time.

□ 1130

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield the remainder of our time to the gentleman from Pennsylvania (Mr. SESTAK).

Mr. SESTAK. Mr. Speaker, as this essential debate begins today, I am quite honored to be asked to make opening remarks at its beginning.

I served in our military for over three decades, entering during the Vietnam War and serving under Presidents Nixon, Ford, Carter, Reagan, Bush, Clinton, and our Commander in Chief today, President Bush. I had the honor of leading men and women in harm's way, the highest honor that our Nation can give to anyone; most recently in combat, over at Afghanistan and Iraq, where I commanded an aircraft carrier battle group of 30 ships and 15,000 sailors and marines.

Having worn the cloth of this Nation so long, I know that duty of choice, that the citizens of this great country have about the future course of this war in Iraq is not an unpatriotic one, nor is what anyone will say in the next few days unpatriotic.

If my 31 years in the military taught me anything, it was that we serve in this all-volunteer military to defend Americans' freedom to think as they please and to say what they think, even if they disagree with their leaders. A democracy is based on freedom of expression, and those who join the military do so to fight, if necessary, the wars which defend that freedom, hoping that our use will be to a wise end. And that is what concerns me about Iraq.

The continuing use of our national treasure in what is an inconclusive, open-ended involvement within a country with long-term benefits does not match what we need to reap. It is why I am opposed to a troop surge that doubles down on a bad military debt that has been tried already.

We need to apply our resources elsewhere in the world, where terrorists come from, including Osama bin Laden who is still on the loose, or emerging nations such as in the Western Pacific have growing political and economic interests and, therefore, influence that may challenge ours.

I do not think that my extensive military experience alone gives me license to disagree with our strategy in Iraq, but just being an American who has closely watched and thought about the trade-off and benefits for our future prosperity, interest, and values does.

Our military is a national treasure that should not be used recklessly, nor should it be hoarded like miser's gold. It is a vital resource if we are to continue to be a force for peace and prosperity, but throughout the world. And that is why I firmly believe in a planned end to our military engagement in Iraq within the next year as the primary catalyst for change in Iraq so their leaders are forced to accept the political and military responsibility for their country, with our diplomatic and economic help, and limited military support from outside Iraq, but within the region is best. It is for our Nation's greater security that I believe this, and why I cannot support a troop surge that strains our military readiness further and, more, our overall strategic security in a war that does not serve our Nation's greater interest in this world and our future.

The material previously referred to by Mr. DREIER is as follows:

AMENDMENT TO H. RES. 157 OFFERED BY REP. DREIER OF CALIFORNIA

(1) In section 1, insert "and any amendment thereto" after "previous question shall be considered as ordered on the concurrent resolution".

(2) At the end of the resolution, add the following:

Sec. 4. Notwithstanding section 1, it shall be in order at any time to consider the amendment printed in section 5, if offered by Representative Sam Johnson of Texas or his designee, which shall be in order without intervention of any point of order, shall be considered as read, and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent.

Sec. 5. The amendment referred to in section 4 is as follows:

Strike all after the resolved clause and insert the following: "That Congress and the American people will continue to support and protect and Congress will not cut off or restrict funding for members of the Armed Forces who are serving or who have served bravely and honorably in Iraq."

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308–311) describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Democratic majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the definition of the previous question used in the Floor Procedures Manual published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information form Congressional Quarterly's "American Congressional Dictionary": "If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business."

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

The SPEAKER pro tempore. All time has expired.

The question is on ordering the previous question on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. DREIER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 and 9 of rule XX, the Chair will now put each question on which further proceedings were postponed, in the following order:

Suspending the rules and adopting H. Res. 122, by the yeas and nays;

Ordering the previous question on H. Res. 157, de novo vote;

Adoption of H. Res. 157, if ordered;

Suspending the rules and passing H.R. 437, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

RECOGNIZING THE SIGNIFICANCE OF THE 65TH ANNIVERSARY OF EXECUTIVE ORDER 9066 AND SUPPORTING AND RECOGNIZING A NATIONAL DAY OF REMEMBRANCE

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and agreeing to the resolution, H. Res. 122.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. BERMAN) that the House suspend the rules and agree to the resolution, H. Res. 122, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 426, nays 0, not voting 8, as follows:

[Roll No. 95]

YEAS—426

Abercrombie
Ackerman
Aderholt
Akin
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio

DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jindal
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—8

Alexander
Cramer
Davis, Jo Ann
Hastert
Jefferson
Johnson (IL)
Norwood
Rush

□ 1202

Mrs. BONO and Mr. MOORE of Kansas changed their vote from "nay" to "yea."

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

RECOGNIZING KAREN HAAS FOR HER SERVICE AS CLERK OF THE HOUSE

(Mr. LAHOOD asked and was given permission to address the House for 1 minute.)

Mr. LAHOOD. Mr. Speaker, I rise today to congratulate Speaker PELOSI for naming the first African American woman to be Clerk of the House of Representatives. And in doing so, I want to recognize the outstanding service of one Karen Haas.

Mr. Speaker, the reason I want to do this is because earlier on in her career, Karen and I both worked for then-Republican leader Bob Michel, and she was one of three or four people that ran the leader's office and did an extraordinary job. She then came to work for Speaker HASTERT and had the assignment of trying to find people who could keep this House under control. And because of her extraordinary skill and abilities, Speaker HASTERT appointed her Clerk of the House, which is an impossible job because she has to put up with all of us, and she also has to keep the House running.

She is an enormously talented woman and has done a great, great job for those of us who serve in the House. Tomorrow is her last day as Clerk of the House, and I thank all of you for giving her a standing ovation for a job well done.

Mr. HOYER. Will the gentleman yield?

Mr. LAHOOD. Of course I will yield.

Mr. HOYER. I thank the gentleman for rising, and I thank the gentleman for his remarks.

I said similar remarks, as the gentleman may know, last week. But I certainly want Karen to know, I want everybody in this House to know, that the opinions just expressed by Mr. LAHOOD reflect, I think, Karen, the opinions of everybody on this floor. You have done a wonderful job for the House of Representatives as an institution, a great job for your country, and we know you will be a great success in the future. And all of us stand ready to tell anybody who wants to know what an asset you have been to the House of Representatives.

I thank the gentleman for yielding.

Mr. LAHOOD. I thank the majority leader.

Good luck, Karen. Thank you for doing a great job.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

PROVIDING FOR CONSIDERATION OF H. CON. RES. 63, IRAQ WAR RESOLUTION

The SPEAKER pro tempore. The pending business is the de novo vote on ordering the previous question on House Resolution 157.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. DREIER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 227, noes 197, not voting 10, as follows:

[Roll No. 96]

AYES—227

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene

Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Johnson (GA)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NOES—197

Aderholt
Akin
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Jindal
Johnson, Sam
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Taylor
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—10

Alexander
Cramer
Davis, Jo Ann
Hastert
Jackson-Lee (TX)
Jefferson
Johnson (IL)
Murphy, Patrick
Norwood
Rush

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are reminded there are 2 minutes remaining on this vote.

□ 1214

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. PATRICK J. MURPHY of Pennsylvania. Mr. Speaker, during rollcall vote No. 96 on the previous question I was unavoidably detained at a closed Intelligence briefing. Mr. Speaker, if I had been present, I would have voted "yes."

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. DREIER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 232, noes 192, not voting 10, as follows:

[Roll No. 97]

AYES—232

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gilchrest
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NOES—192

Aderholt
Akin
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Jindal
Johnson, Sam
Jordan
Keller
King (IA)
King (NY)
Kingston
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder

LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Peterson (PA)
Petri

Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus

Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Taylor
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—10

Alexander
Cramer
Davis, Jo Ann
English (PA)

Hastert
Jefferson
Johnson (IL)
Kirk

Norwood
Rush

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are reminded that they have 2 minutes remaining on this vote.

☐ 1223

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

LINO PEREZ, JR. POST OFFICE

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the bill, H.R. 437.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and pass the bill, H.R. 437, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 421, nays 0, not voting 13, as follows:

[Roll No. 98]

YEAS—421

Abercrombie
Ackerman
Aderholt
Akin
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)

Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono

Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield

Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Gonzalez

Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey

Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)

Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)

Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky

Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—13

Alexander
Bilbray
Braley (IA)
Cramer
Davis, Jo Ann

Grijalva
Hastert
Johnson (IL)
Norwood
Pryce (OH)

Rush
Sensenbrenner
Tancredo

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that there are 2 minutes remaining.

☐ 1231

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. JOHNSON of Illinois. Mr. Speaker, unfortunately I was unable to cast my votes on the following rollcall votes on February 13, 2007. Had I been present to vote, I would have voted as follows:

On rollcall No. 95—On the Motion to Suspend the Rules and pass H. Res. 122, Recognizing the significance of the 65th anniversary of the signing of Executive Order 9066 by President Franklin D. Roosevelt and supporting the goals of the Japanese American, German American, and Italian American communities in a National Day of Remembrance, I would have voted "aye."

On rollcall No. 96—On Ordering the Previous Question on H. Res. 157, the Rule providing for consideration of H. Con. Res. 63, disapproving of the decision of the President announced on January 10, 2007, to deploy more than 20,000 additional United States combat troops to Iraq, I would have voted "nay."

On rollcall No. 97—On Agreeing to H. Res. 157, the Rule providing for consideration of H. Con. Res. 63, disapproving of the decision of the President announced on January 10, 2007, to deploy more than 20,000 additional United States combat troops to Iraq, I would have voted "nay."

On rollcall No. 98—On the Motion to Suspend the Rules and pass H.R. 437, naming a post office after Lino Perez, Jr., I would have voted "aye."

IRAQ WAR RESOLUTION

Mr. HOYER. Mr. Speaker, pursuant to the rule just recently adopted, I call up the concurrent resolution (H. Con. Res. 63) disapproving of the decision of the President announced on January 10, 2007, to deploy more than 20,000 additional United States combat troops to Iraq, and ask for its immediate consideration.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 63

Resolved by the House of Representatives (the Senate concurring), That—

(1) Congress and the American people will continue to support and protect the members of the United States Armed Forces who are serving or who have served bravely and honorably in Iraq; and

(2) Congress disapproves of the decision of President George W. Bush announced on January 10, 2007, to deploy more than 20,000 additional United States combat troops to Iraq.

The SPEAKER pro tempore. Pursuant to House Resolution 157, debate shall extend not beyond midnight on Tuesday, February 13, 2007, or Wednesday, February 14, 2007, with 12 hours of debate commencing on Thursday, February 15, 2007, in each instance equally divided and controlled by the majority leader and minority leader or their designees.

Pursuant to section 2 of the resolution, on each demand of the majority leader or his designee after consultation with the minority leader, it shall be in order to debate the concurrent resolution for an additional hour, equally divided and controlled by the majority leader and minority leader or their designees.

The gentleman from Maryland (Mr. HOYER) and the gentleman from Ohio (Mr. BOEHNER) each will control 5 hours.

The Chair recognizes the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, I yield myself such time as I may consume.

Ladies and gentlemen of the House, we entered today and we will be, for the next 4 days, involved in the most serious of discussions.

It is a heavy responsibility for any Member of Congress to determine whether or not to send our people in harm's way for the purposes of defending freedom. We should consider that with great solemnity and with great care. The reason for the extensive period of debate is because we believe that all Members of Congress ought to have the opportunity to express their view.

Mr. Speaker, at this time I am pleased to yield 1 minute to the distinguished Speaker of this House, NANCY PELOSI of California.

Ms. PELOSI. Mr. Speaker, I thank the distinguished gentleman for yielding and the solemnity with which he introduced this debate.

My colleagues, in a few weeks the war in Iraq will enter its fifth year, causing thousands of deaths, tens of thousands of casualties, costing hundreds of billions of dollars, and damaging the standing of the United States in the international community. And there is no end in sight.

The American people have lost faith in President Bush's course of action in Iraq, and they are demanding a new direction.

On January 10, President Bush proposed deploying more than 20,000 additional combat troops to Iraq. This week we will debate his escalation.

In doing so, we must be mindful of the sacrifices our military personnel are being asked to make in this war and the toll it is taking on them, on their families, and on our veterans. Each one of us must determine, in a manner worthy of their sacrifice, whether the President's proposal will make America safer, make our military stronger, and make the region more stable.

As this debate begins, let us be clear on one fundamental principle: we all support the troops.

In this bipartisan resolution that is before us today, it clearly states: "Congress and the American people will continue to support and protect the members of the United States Armed Forces who are serving or who have served bravely and honorably in Iraq." We honor the service of our troops by asking the difficult questions about this war. As Republican Senator Robert Taft of Ohio said 2 weeks after Pearl Harbor: "Criticism in a time of war is essential to the maintenance of any democratic government."

And just 10 days ago, President Bush told House Democrats: "I welcome debate in a time of war . . . I do not believe that if you don't happen to agree with me, you don't share the same sense of patriotism I do," the President said.

In the spirit of responsibility to our troops and the patriotism we all share, let us consider whether the President's escalation proposal will lessen the violence in Iraq and bring our troops home safely and soon.

From the standpoint of the military, the President's plan must be evaluated for its prospects for success. It is based on a judgment that the way out of Iraq lies in sending more troops in. Our experience in Iraq has proven just the opposite. Four previous troop escalations have resulted in escalating levels of violence.

And as with any military action, the President's plan must also be evaluated on the additional burdens it will place on our troops and military families who have already sacrificed so much, the impact it will have on the already dangerous state of our military readiness.

Our military has done everything they have been asked to do, and they have performed excellently. But in order to succeed in Iraq, there must be diplomatic and political initiatives.

There has been no sustained and effective effort to engage Iraq's neighbors diplomatically, and there has been no sustained and effective effort to engage Iraqi factions politically. The Iraqi Government has failed to honor promises made last year when the constitution was adopted by failing to propose amendments to include all sectors of Iraq in the civic life of the country. As a result, today we are confronted by little political accommodation, hardening sectarian divisions, ethnic cleansing by neighborhoods, and waves of refugees burdening neighboring countries.

After the Members of this body, this House of Representatives, have fully debated the President's escalation proposal, we will have a straight up-or-down vote. In a few days, and in fewer than 100 words, we will take our country in a new direction on Iraq. A vote of disapproval will set the stage for additional Iraq legislation which will be coming to the House floor.

Friday's vote will signal whether the House has heard the American people: no more blank checks for President Bush on Iraq. Our taxpayer dollars must go to protect our troops, to keep our promises to our veterans, and to provide for the safety of the American people.

In light of the facts, President Bush's escalation proposal will not make America safer, will not make our military stronger, and will not make the region more stable; and it will not have my support.

I urge my colleagues to support our troops and vote "aye" on the bipartisan Skelton-Lantos-Jones resolution before us today

Ms. ROS-LEHTINEN. Mr. Speaker, I yield 1 minute to our Republican leader, Mr. BOEHNER of Ohio.

Mr. BOEHNER. Mr. Speaker, let me thank my colleague from Florida for yielding.

Mr. Speaker, today we begin an extended debate on a resolution criticizing the latest effort by American forces to win in Iraq.

There is no question that the war in Iraq has been difficult. All Americans are frustrated that we haven't seen more success and that we haven't seen it more quickly.

But war is never easy and almost never goes according to plan. Al Qaeda and their supporters in the region have been steadfast in their efforts to slow us down and frustrate our efforts to succeed. But because they cannot defeat Americans on the battlefield, al Qaeda and terrorist sympathizers around the world are trying to divide us here at home.

Over the next few days, we have an opportunity to show our enemies that we will not take the bait.

It is fitting that yesterday was President Abraham Lincoln's birthday. And not since the dark days of the Civil War has our homeland been a battlefield. Lincoln's leadership preserved the Union through a turbulent age that threatened to undo the American experiment. His belief in the promise of the United States, a promise enshrined in the Declaration of Independence that stated for the first time in history that all men are created equal, this is what drove him to pursue victory.

Surrounded by personal and political rivals, Lincoln could have given up. He could have recalled the Union forces and sent them home. But he didn't.

I think we need a similar commitment to victory today.

The battle in Iraq is about more than what happens there. This is one part of a much larger fight, a global fight against Islamic terrorists who have waged war on the United States and our allies. This is not a question of fighting for land or for treasure or for glory. We are fighting to rid the world of a radical and dangerous ideology. We are fighting to preserve and defend our sacred way of life. We are fighting to build a safer and more secure America, one where families can rear their children without the fear of terrorist attacks.

Lincoln famously said in 1858 that "a house divided against itself cannot stand." I believe, as Lincoln did then, that we must choose sides on a very critical issue. Then it was whether we should abolish the evil institution of slavery. Today it is whether we will defeat the ideology that drives radical Islamic terrorism. Will we do what it takes to stand and fight for the future of our kids and theirs? Will we commit to defending the freedoms and liberties that we all cherish? Or will we retreat and leave the fight for another generation? These are the questions with historic implications that will be answered this week.

Many of my friends across the aisle think this is exactly what we should do, give up and leave. This nonbinding resolution is their first step towards abandoning Iraq by cutting off funding for our troops that are in harm's way.

And we know what al Qaeda thinks when America retreats from the battlefield. They think that we can't stomach a fight. This is why they haven't been afraid to strike us whenever and wherever they have had the opportunity to do so.

This war didn't start in Iraq. This war didn't start on 9/11. The war began with the Iran hostage taking in 1979, went on for well over a year. Then on October 23, 1983, the suicide attack on our Marine barracks in Beirut occurred, killing 241 American servicemen and injuring 60 others. On February 26, 1993, was the first World Trade Center bombing that killed six people and injured more than 1,000 others. On June 25, 1996, the Khobar Towers in Saudi Arabia were bombed, killing 20 and injuring some 372 others. On June 7, 1998, the Kenya embassy bombing killed 213 people and injured 5,000 more. And on June 7, 1998, the Tanzania embassy bombing killed 11 people and 68 others were injured. On October 12, 2000, the USS *Cole* was attacked; 17 American sailors killed, 39 other sailors injured.

We all know what happened on September 11, 2001, when 3,000 Americans died for no other reason than they were Americans.

Do we really believe that if we pack up now, if we abandon Iraq and leave the country in chaos, that our enemies are just going to lay down their arms and leave us alone?

□ 1245

For too long, world leaders responded to terrorism by retreating and just hoping for the best. In a post-9/11 world, this is no longer an option.

God forgive us that it took such a loss of life to open our eyes, but our eyes are open. We are engaged in a global war now for our very way of life. Every drop of blood that has been spilt in defense of liberty and freedom, from the American Revolution to this very moment, is for nothing if we are unwilling to stand up and fight this threat.

We didn't start this war. They did. Now we have got a duty to finish it, and, for the sake of our kids and theirs, to win it.

The nonbinding resolution before us today criticizes the new strategy for succeeding in Iraq implemented by General Petraeus. It "disapproves" of the strategy before it even has a chance to begin. The general's goal is to stabilize the Iraqi democracy, deny the terrorists a safe haven and ensure stability in the region. It is a prudent strategy that puts the performance of the Iraqi Government front and center.

I can't guarantee that this plan is going to work. I hope it does. Republicans have put forward a complementary bill aimed at helping it succeed. But I again can guarantee you this: If we cut off our funding for the troops that are in the field and we abandon Iraq, as many supporters of this nonbinding resolution want to, the consequences of our failure will be catastrophic.

Last year, Osama bin Laden issued this warning to the United States regarding the war in Iraq. He said, "I would like to tell you that the war is for you or for us to win. If we win, it means your defeat and disgrace forever."

Now, think about this for a moment. Al Qaeda knows what the stakes are and it issued all of us a challenge. Now, tell me, what message does it send if we are afraid to meet that challenge? What message are we sending to North Korea, Iran, Venezuela and other enemies of freedom around the world? If we abandon Iraq, regional stability is going to be jeopardized. Iraq will become a fertile breeding ground for radical Islamic terrorists. Without a central government or other stabilizing force, Iraq's neighbors will be compelled to enter Iraq to protect their own interests. The consequences will be devastating and could easily lead to regional war.

If we abandon Iraq, the instability, coupled with the damning image of another American retreat, will embolden Iran and Islamic militants and endanger Israel. Iran's leaders and terrorist groups have made it clear of their intentions to wipe Israel off the map. We would be leaving a staunch ally in the Middle East with nothing but chaos and instability separating them from their greatest enemy.

If we abandon Iraq, those who seek weapons of mass destruction will know they have nothing to fear from a fearful America. Neither al Qaeda, North Korea or Iran are going to give up their quest for weapons of mass destruction if they know they are free to pursue these weapons, secure in the knowledge that America doesn't have the stomach to stop them. We will be leaving for our children, and theirs, a vastly more dangerous world.

During the Cold War, we took some small comfort in the idea of mutually assured destruction, that the Soviet Union wouldn't attack us because we could retaliate with equal devastation. There is no such comfort in a world where terrorist gangs roam free. It is the nature of our enemy to fight us wherever and whenever they can. Whether it is in Asia, in Africa or elsewhere, al Qaeda has supporters and sympathizers throughout the world. They have the ability to strike us at any time with their lethal force across the globe.

Right now, we are fighting them in Iraq. The battlefield is the most visible part in the global war against these terrorists, but it is but one part. If we leave, they will just follow us home. It is as simple as that. We cannot negotiate with them. We can't reason with them. Our one and only option is to defeat them. And this nonbinding measure before us today will only embolden them.

Now, it is important for this body to debate the important issues of our day. Last summer, the House held an extended debate on the war in Iraq and the global war on terror which gave all Members an opportunity to go on record. We worked closely with our colleagues on the other side of the aisle to draft the language of that resolution, and I believe that we had a productive debate.

What we are dealing with here today isn't even a resolution to debate the war itself. It is a nonbinding resolution attacking a single strategy in the prosecution of a much larger war. "Nonbinding" means nonleadership. It is not accountable, and I don't think it is the right message for our troops.

This is a political charade, lacking both the seriousness and the gravity of the issue that it is meant to represent. And, as I said before, the question before us today isn't actually in this resolution. I think it is much more fundamental. The question is, do we have the resolve necessary to defeat our terrorist enemies? Will we stand and fight for the future of our kids and theirs?

As President Eisenhower once said, "History does not long entrust the care of freedom to the weak or the timid." Does Congress have the fortitude to do what needs to be done? Our soldiers do. The men and women of our military are the greatest force for freedom that the world has ever known. They are brave, they are committed and they can win this fight if we ask them to. I think the big question is, will we support them?

My colleagues, the world is watching. The question is, how will we respond

Mr. HOYER. Mr. Speaker, I ask unanimous consent that the balance of the time available to this side be jointly managed by the gentleman from Missouri (Mr. SKELTON), the chairman of the Armed Services Committee, and the gentleman from California (Mr. LANTOS), the chairman of the International Relations Committee.

The SPEAKER pro tempore (Mr. WEINER). Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. SKELTON. Mr. Speaker, I yield myself 5½ minutes.

Mr. Speaker, I speak today with a heavy heart. I am deeply saddened as I take the floor this afternoon; saddened because we find ourselves embroiled in a conflict in Iraq, a conflict that is involved with insurgents that we failed to acknowledge or recognize, a conflict that is overlaid by sectarian violence between the Shiite Muslims on the one hand and Sunni Muslims on the other.

Mr. Speaker, this is a great American tragedy. The mission of this Congress is to urge the change of course.

We are here today because of a series of irretrievable strategic mistakes. Let's understand the goal of this resolution: number one, to fully extend our support to those in the uniform of the United States. I have been on the Armed Services Committee now throughout the years, and more recently as its chairman, and I cannot tell you how proud I am of those who are in uniform, whether they be deployed in the Middle East or somewhere else in the globe or here in our country. We must let them know, and this resolution does let them know, that we fully support them, as well as their wonderful families.

The second part of this resolution deals with the Presidential decision to increase our troops by 21,500. However, it is not clear what support troops are needed. The Pentagon says 2,500 support troops. The Congressional Budget Office says 13,000 minimum. But whatever it is, we find ourselves not seeing a change in strategy, as was promised by the administration and the White House, but just another tactic that had been used before, an increase in troops. No more, no less. We are here to say that is not a good idea.

The series of irretrievable mistakes is a serious list: the skewed intelligence we received from the Defense Department Office of Special Plans; the postwar phase of conflict that did not have sufficient planning; not enough troops, as pointed out by General Eric Shinseki, the former Army Chief of Staff; allowing the uncontrolled looting and the breakdown of law early on after the occupation began; the dismissal of the Iraqi Army, rather than giving them a paycheck and a shovel or having them do security work that is important to the stability of that country; the deBathification, that put so many thousands of Iraqis out of business, out of work, including thousands of school teachers. The administration has consistently refused to adjust its overall strategy.

I take no pleasure in this, but it is a moment of "I told you so." On September 4, 2002, and again on March 18, 2003, I sent letters to the White House predicting some of the deadly outcomes we are experiencing today, and I warned against a jagged ending to the conflict. While there is a peacefully elected Iraqi Government, it is a government so divided along sectarian lines it has not been able to accomplish even the most basic steps needed for national reconciliation. And now we have the President's plan for a troop increase, which is a tactic that we do not approve.

The President's plan will embroil our troops even more deeply into the sectarian conflict. Put together hastily, it is insufficient as a requirement for success. Forty percent of all of the Army equipment of our country is either in Afghanistan or Iraq. The readiness of our troops is in peril. We are stretching the Army and the Marine Corps to the breaking point. That is where we are, and basically it is because of the conflict in Iraq.

Today is an opportunity for us to express our support for the troops and to say it is not a good idea to increase the troop level in Iraq because it has been tried unsuccessfully before.

Ms. ROS-LEHTINEN. Mr. Speaker, I am proud to yield such time as he may consume to the gentleman from Missouri (Mr. BLUNT), our Republican whip.

□ 1300

Mr. BLUNT. Mr. Speaker, I rise today in opposition to this resolution. General Petraeus said a resolution like this would discourage the troops. The Secretary of Defense said a resolution like this would embolden the enemy. This Congress should be doing neither of those things.

What this resolution will not do is take a position on what we should do as we face the challenge of our generation.

President Johnson was criticized a generation ago and still today for choosing bombing sites in Vietnam. He was the Commander in Chief; yet he should have left those tactical choices to the military.

But his actions made imminently more sense than this. It is hard to imagine a group less capable of making tactical decisions about specific troop deployments than 535 Members of Congress.

The resolution today is about the exact number of troops. Will the one tomorrow or next week be a vote on which block in Baghdad to target or which car to stop?

And, of course, today what we debate is a tactic in the greater fight we are in. The new commanding general determined this surge is the right course of action. The Iraq Study Group was supportive of "a short-term redeployment or surge of American combat forces to stabilize Baghdad or to speed up the training and equipping mission, if the U.S. commander in Iraq determines that such a step would be effective."

Mr. Speaker, we can all agree that the current situation in Iraq cannot continue. That is why the President has advanced a new way forward.

Actions do have consequences, and this resolution the Democrats advance today is a vote for the status quo. It is a vote for the current strategy because it is a vote not to change that strategy. The current strategy is not working, and as a southwest Missourian told me yesterday, We are there. He went on to say, It really doesn't matter how we got there or what we thought. We are in a fight that won't stop if we leave.

The fact of the matter is that Congress does have the power to end the war if it has the political will to do so.

Almost 24 years ago, in November of 1983, the Congress voted to withdraw from Lebanon by March of 1984. Many of the proponents of this resolution voted then, who were Members of Congress then, voted to leave. They lost 153–274, but the message was sent, and we left anyway, and when we left, the myth of American weakness began to take hold in al Qaeda.

The language of this nonbinding resolution does not tackle the tough issues of war. It tries to have it both ways: disapproving the tactics but supporting the troops. It does not say we will fund the troops in the future or not fund the troops. It does not say we will supply the troops in the future or not supply the troops. This resolution just says enough not to say anything at all.

America should see this move for what it really is, a political first step to cutting off funding to the dangerous mission our troops face.

The truth is, we are in a war against a hostile and ferocious enemy that will stop at nothing. Imagine how this debate this week bolsters those radical terrorists whose sole goal is to destroy America because we disprove, as no society ever has, the dogma of religious totalitarianism that they use every day to recruit followers and funders and suicide bombers.

Our diversity, our ability to live together, and the prosperity and vitality that are the result have produced the enemies we face today. As long as we live as we do, they must be wrong.

This week, the Congress will send the signal to those enemies and to those who fight to protect us from them that America has the will and indeed the courage to continue fighting these Islamic totalitarians or that we do not take the consequences of failure seriously

Mr. SKELTON. Mr. Speaker, I yield such time as he may consume to the chairman of the Foreign Affairs Committee (Mr. LANTOS).

Mr. LANTOS. Mr. Speaker, I want to thank my friend for yielding.

I must begin by reacting to the two distinguished Republican speakers who preceded me. The distinguished Republican leader recited movingly and accurately terrorist outrages across the globe. Those terrorist outrages make the passage of our resolution all the more urgent and all the more imperative. We are not fighting terrorism in Iraq. We are attempting to referee a religiously based civil war which saps our strength and destroys our fabric as a society.

As to the distinguished Republican whip, may I say this resolution does not make tactical decisions. It reverses a mistaken course. The administration is recommending an acceleration of the wrong course. Our resolution reverses that course.

Mr. Speaker, it is too late to go back and make right all that has gone wrong in Iraq, and clearly carrying on with more of the same will do no good. But the administration has yet to learn that you cannot unscramble an omelet. Instead, it is trying to add to the mix another 21,500 men and women who deserve better than that.

In pursuing its policies in Iraq, the administration cannot unscramble and undo its many mistakes: buying into rogue and flawed intelligence; disbanding the Iraqi Army; conducting mindless and extreme de-Baathification; permitting the early looting and destruction and violence; allowing the growth of a government based on hate-filled sectarianism; allowing waste, fraud and abuse in the use of U.S. taxpayer funds; and on and on ad nauseam and ad infinitum.

While we all hope that the goal of a quiet and stable Iraq will be achieved under General Petraeus, I am deeply skeptical. It will be incredibly difficult, if not impossible. The place is just too much of a mess.

Our continued heavy presence in Iraq has not forced Iraqi leaders to take the requisite actions on power-sharing, resource-sharing, and national reconciliation. In fact, it has done the exact opposite. They have made minimal and cosmetic efforts in the knowledge that we will fill the gaps.

In the meantime, there are so many other fronts, globally and here at home, on which we might have made much more progress if we had not been fixated these last 4 years on Iraq. Domestic and foreign problems have festered while we invested blood and treasure in Iraq. As our Iraq problems have mounted, our commitment and ability to resolve other pressing issues have vanished.

Last November, the American people sent a loud and unmistakable message. With the announcement of an escalation of the war in Iraq, it is obvious that the administration did not get it. So we are trying one more time.

The resolution before the House is the second chance for this administration to hear a strong and clear message on Iraq, one it ignores at its peril and at ours as a country.

The majority of Congress wants de-escalation. The majority of the American people want de-escalation. Many Republicans throughout the Nation, and even our Republican colleagues in this Congress, want de-escalation. Poll numbers show that the Iraqi people want the United States to gradually withdraw, and Prime Minister al-Maliki has indicated in virtually every way that he can that he, too, opposes the surge.

But the administration wants escalation. So it is going its own way, nearly alone.

There is a clear-cut policy difference here, Mr. Speaker. It is reflected simply and unambiguously in our resolution. Those of our colleagues who oppose escalation should vote for the resolution. Those of our colleagues who stand with the administration in supporting escalation should oppose it.

Along with 52 hearings on Iraq in the House and the Senate over the past 5 weeks, this resolution represents the first phase in a long overdue process of congressional oversight of the war in Iraq. It is not the last phase. Congress will be dealing with the Iraq issue for months to come, in fact, for as long as it takes to end this nightmare. But this simple resolution will establish the first marker. Those who want to draw down the U.S. presence will be on one side of that marker. Those who want to take further steps into the quagmire will be on the other.

Mr. Speaker, we are throwing our soldiers into the midst of a civil war, particularly those whom we are sending to Baghdad. It is utterly unrealistic and grossly unfair to expect soldiers straight out of Iowa, Alabama, or California to be able to differentiate between Iraqi Sunnis and Iraqi Shias, much less to be able to tell at a glance which of these groups are with us and which are against us. But that is exactly what we are asking them to do, and we are asking them to do it in an urban terrorist setting and to do it without any linguistic or cultural background.

The first sentence of the recent National Intelligence Estimate tells us everything we need to know on this issue: "Iraqi society's growing polarization, the persistent weakness of the Iraqi security forces and the Iraqi state in general, and all sides' ready recourse to violence are collectively driving an increase in communal and insurgent violence and political extremism."

Every day we read another article illustrating the impossibility of the situation into which we have inserted our brave men and women. One day, we read how the Iraqi Army is infested with militia members. Another day, we read that countless members of al-Sadr's violently anti-American Mahdi Army have actually been trained by U.S. soldiers unaware of the trainees' true affiliation. On yet another day, we read that U.S. soldiers cannot even tell their Iraqi counterparts the object of their joint military missions for fear that the mission will be compromised.

This weekend, we read an interview with a U.S. soldier who acknowledged that he had no idea whatsoever whether an arrest he witnessed by Iraqi security forces was justified or merely another instance of sectarian revenge.

Mr. Speaker, Iraq is a hall of mirrors, and the administration has utterly lost its way. More troops will not help. The United States wants Iraq to be a state based on the rule of law, but too many Iraqis prefer score-settling, chaos, and civil war. We cannot create a stable Iraq when the Iraqis themselves do not seem to want it.

Let us not leave our finest young men and women literally stranded in an Iraqi maze. Let us make this resolution the first step on their journey home. We must begin a reduction in force at the fastest responsible rate possible, consistent with the safety of our troops.

And then it will be time to rebuild our battered military and, just as importantly, rebuild the battered reputation of the United States.

For the sake of our troops and our national interests, I strongly support this resolution and urge all of my colleagues to do likewise.

□ 1315

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to yield to Mr. PUTNAM of Florida, the Republican Conference chairman, such time as he may consume.

Mr. PUTNAM. I thank my friend from Florida for the time.

Mr. Speaker, I rise today to oppose this resolution because, unfortunately, it is anything but resolute. In one legislative breath it offers support for our troops, but then expresses disdain for the mission they have been asked to carry out. And then, I must admit I am surprised, after all the tough talk we heard from the other side, this is a rather toothless 97 words. The resolution does nothing to help win the war, but it doesn't do anything to help stop it either, which allows the majority to offer its support and withdraw it too.

Now, the majority has surely studied its constitutional law, and knows that the most direct way that it can affect current strategy is to cut off the funds necessary for winning this war. So why are we not having this week a real vote, a real up-or-down vote on funding our men and women in harm's way? Actually, the Congress has had one up-or-down vote, it was up only, when the Senate unanimously confirmed General David Petraeus as our commanding officer in Iraq. General Petraeus, who took over just last Saturday, literally wrote the book for the Army on counterinsurgency strategies. And now, after unanimous Senate approval and just days into his command, the House is prepared to pull the rug out from under him. If that is not a mixed message, then what is it, Mr. Speaker?

Indeed, it is a shame that the majority has brought to the floor such a narrow, nonbinding resolution that misses the bigger picture, because this is so much larger than what is going on in any given neighborhood in Baghdad.

It is easy enough to go back and list all the disappointments we have had in Iraq; it is easy enough to wring our hands about any one particular tactic. But it is like focusing on one jungle, on one atoll on the march to Tokyo over 60 years ago. The very nature of our enemy requires us to look at the bigger picture. The harsh reality we have encountered in 5½ years since militants attacked us on American soil is that its intricate web of terror is utterly global.

Today, al Qaeda operates in over 60 countries, with members in the hundreds and supporters in the hundreds of thousands and perhaps even millions. This is the case even after the tangible successes that we have had.

More than three-quarters of al Qaeda's known pre-9/11 leaders have been captured or killed, more than 4,000 suspected al Qaeda members arrested, and more than $140 million of its assets seized from over 1,400 different bank accounts worldwide. And after having accomplished all that, the majority would have us consider a resolution that puts us one day closer to handing militant Islamists a safe haven the size of California. And when ideological militants achieve their objectives, history tells us that they don't settle, that they only attempt to expand their reach even further. And that means following us home.

The consequences of failure in Iraq read like a far-fetched war game, but I assure you they are quite real: the inevitable incursion of Iranian and Syrian combatants into the country, the threat to peaceful Arab states, and the further emboldening of Hamas and Hezbollah.

So we have arrived at one of those muddy historical crossroads. Will we continue to take the fight to the enemy, or will we fall back and hope that the enemy does not follow us home? That question is one that we must continue to ask ourselves, even if it is much larger than the narrow scope of this resolution, this resolution that was born of what has become an overly politicized debate.

Time was, politics stopped at the water's edge; but no longer, it seems. A discussion of this nature should be about more than political labels and single tactical issues. It should be about the consequences for future generations.

The history of free peoples divides itself as neatly as it can into generations for a reason: because it aspires to celebrate the contributions made by that group of people who consciously join together to vanquish a common enemy. If we do not join together now to defeat this insidious foe, then it will almost certainly fall to our posterity do so. And they will have a much larger concern than any one troop deployment in any one city. They will be tasked with rebuilding the lasting damage that was done to America's resolve this week. They will look back upon this discussion and seek to understand what we were thinking when, with just 97 words, we considered shrinking from this critical moment.

The poet Robert Frost once wrote that, "The best way out is always through." We doggedly seek the way through. Success in Iraq, security for our allies, and everlasting victory for freedom. This week's discussion should be about the way through, not the way back

Mr. SKELTON. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan, a veteran of the Second World War, Mr. DINGELL.

Mr. DINGELL. Mr. Speaker, I wish I could rise in support for the administration's policy. I wish it made sense. I wish it was in the best interests of this country to support that policy.

It has been now 4 years since the first American soldier entered the deserts of Iraq, and about 4 years since the President has declared victory. Since then, more than 3,100 Americans have been killed, 24,000 and more have been wounded, and anywhere between 40,000 and 100,000 Iraqis have died.

You know, I am proud and grateful that I could have the privilege of serving my country and making some small offering to its success in time of war. I understand how important it is we support our troops there. They have done a magnificent job, and everyone in this Chamber, including this speaker, support them fully. It is regrettable, however, the leadership in Washington that has been less than stellar.

Unfortunately, the veracity of this administration and the respect in which it is held on these matters ranks somewhere around that great fantasist Baron Munchausen, the teller of fantastic tales.

I am against this plan, if it can be called such, because it is just more of the same policies and programs that have consistently failed for 4 years. I am against this surge because it will not make Americans safer, because it will put more American lives at risk, because it continues to neglect the battle in Afghanistan, and because it completely disregards the necessary diplomatic and political recommendations of the Iraqi Study Group.

Twenty-one thousand is too many to kill and too few to succeed. And, more importantly, that number is going to be sent over there away from the adventures that we are confronting in Afghanistan and the troubles that we are seeing in that place, and we are going to send people over there without adequate preparation, proper equipment, and training.

Vice President CHENEY has told us that insurgency is in the last throes. Mr. Speaker, the national Intelligence estimates said that fanatical terrorism has now, and I quote, "metastasized and spread across the globe."

At each possible turning point, the toppling of Saddam Hussein's statue, the dissolving of the Army, the creation of the Iraqi Constitution, the vote for the constitution, the Parliamentary elections, the capture of Saddam, the death of Zarqawi, the Bush administration has told us that victory is at hand. And yet the killing goes on and seems to have risen to new levels and new evidence of risk.

I don't believe that we can any more condone this long train of failure which has brought us so little success and such tremendous sacrifice in blooded treasure. It is time that we recognize that our troops are in the middle of a civil insurrection or a civil war. It is time that we recognize that we must turn this situation now over to the Iraqis. The matter will be decided by the Iraqis, not by us. It will not be decided militarily, but rather politically, by the people in the area, and not by

Americans who are coming increasingly to be viewed as intruders and to be less liked and less supported.

I know that commentators and defenders of the administration will assert that Iraq is too important, too vital to our national interests to be debated or criticized. I happen to think the debate in this body on matters of great importance is the reason that we exist, and it is time that we speak on behalf of the American people to tell this administration: "Find a new mechanism to prevail in this matter. Find a new way to spend our lives and treasure. Find a new way to see to it that we prevail and that we make this country safe," because it is clear that this is not going to happen with the current policy as exemplified by this administration.

I urge my colleagues to support this resolution. I hope that the country will see to it that the President finally hears the message that his policies are failed, it is time to make changes, and that we have to do so in the interest of the United States and world peace

Ms. ROS-LEHTINEN. Mr. Speaker, at this time I would like to yield as much time as he may consume to Mr. HUNTER, the ranking member of the Armed Services Committee.

Mr. HUNTER. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, this resolution by the Democrat leadership sends a message to three parties: America's enemies, America's friends, and America's troops. And I think it is going to be received by friend and foe alike as the first sound of retreat in the world battle against extremists and terrorists.

Mr. Speaker, we are not stopping anything with this resolution. In fact, the Big Red One is already moving its first brigade toward Iraq; the 82nd Airborne, America's all-American division, is already in Iraq. In fact, the Second Brigade is already in their sector in Baghdad. As a matter of fact, in the Baghdad plan, which reinforcements are serving, all nine sectors now have American and Iraqi forces in place and operating. So you are not stopping anything; you are simply sending a message, and it is the wrong message. Because this Nation has been for the last 60 years involved in spreading freedom, and it is in America's interest to spread freedom. Nobody would say that it is in our interest or it is not in our interest, for example, to have a free Japan on that side of the Pacific, or to have a free El Salvador in our own hemisphere, or to have those nations which were behind the Iron Curtain, nations like Poland, now standing side by side with us in Iraq. It is in our interest to spread freedom.

Mr. Speaker, I have been here before. A lot of us have. I remember in the 1980s, when Ronald Reagan was standing up to the Russians in Europe and the USSR was ringing our allies in France and Germany with SS–20 missiles, and the President of the United States moved to offset those missiles with Pershing IIs and ground-launched cruise missiles, and you had from the left a call that this was going to start World War III. And you had pundits throughout this country, as a matter of fact somebody showed me an old headline the other day, "Better Red Than Dead," which emanated from that debate and that action.

But we stood tough, we offset the Russians, we showed strength, and at some point the Russians picked up the phone and said, "Can we talk?" And when we talked, we talked about the disassembly of the Soviet Empire.

In our own hemisphere, when we went in and helped that fragile government in El Salvador and stood up a little shield around that government, we had people saying that is going to be the next Vietnam for the United States. Well, it wasn't a Vietnam for the United States, and Salvadorans are standing with Americans now in Iraq. In fact, I think we have got people who died of old age waiting anxiously for the next Vietnam.

Now we are in a different part of the world, and it is a tough mission, and moving freedom and spreading freedom in that part of the world is very, very difficult. And I would just say to my colleagues, my friends who have talked about the smooth road not taken, how we have made mistakes; if we just kept that Iraqi in place of Saddam Hussein's, somehow things would be better now. Saddam Hussein's army had 11,000 Sunni generals. Now, what are you going to do with an army with 11,000 Sunni generals whose mission is to stabilize a population which is in the majority Shiite?

□ 1330

A lot of people have said we should have had 200,000 to 300,000 troops in country. Now at the same time they would say we have got to put an Iraqi face on this occupation. How do you put an Iraqi face on the occupation with 200,000 or 300,000 Americans in country?

The facts are, there is no smooth road. This is a tough and difficult road. Our military planners have come up with a strategy. It involves nine sectors in Baghdad with Iraqi troops to the front and with backup American battalions behind them, mentoring them, giving them advice, and in many cases stiffening their spine.

Now, there is no guarantee of success. But this is a first time. I think we should check our history, and my friend, Mr. SKELTON, I think you should check our history and see if this Congress has ever, after a military operation is already in place, is already moving forward, the Big Red One is already moving out. The all-American division, the 82nd Airborne, already has troops in place in combat, in the city, that we retroactively say, you know, we don't support this. The only message that can possibly send to the rest of the world is a fractured message.

Mr. Speaker, I just want to end with a comment, with a quotation from Douglas MacArthur in his farewell speech at West Point. I thought it was appropriate for these times. He talks about the American soldier, and he says this, "Their story is known to all of you. It is the story of the American man at arms. My estimate of him was formed on the battlefields many, many years ago, and has never changed. I regarded him then, as I regard him now, as one of the world's noblest figures; not only as one of the finest military characters, but also as one of the most stainless.

"His name and fame are the birthright of every American citizen. In his youth and strength, his love and loyalty, he gave all that mortality can give. He needs no eulogy from me, or from any other man. He has written his own history and written it in red on his enemy's breast."

Mr. Speaker, our soldiers are engaged in combat right now. The worst disservice that we can give to them is to retroactively blast and degrade the mission that they are currently undertaking. There is no good role, there is no good purpose that is served by this.

So I would ask all my colleagues, let us get behind not only our troops, let us get behind their mission. Let us vote "no" on this resolution.

Mr. SKELTON. I yield 6 minutes to the gentleman from New York, a Korean War veteran, recipient of the Purple Heart, recipient of the Bronze Star, Mr. RANGEL.

Mr. RANGEL. Mr. Speaker, I didn't come down here, my colleagues, to talk about General MacArthur, but I guess I knew of him better than anyone in this room.

General MacArthur was called out of Korea. He was the commander of the entire Armed Forces there, and left us in the Second Infantry Division completely surrounded by the Chinese in November of 1950. The last I remember, he was called back by the Commander in Chief, Harry Truman, for defying his direction. So with all due respect to the great late general, this is hardly a time to talk about what soldiers have to do when they defy authority.

I want to thank those who have given us an opportunity today to express ourselves under question of life and death. Very few people have this responsibility, yet those here in this House, you didn't get elected to do this, but today you have to decide whether or not you want this war to continue and how many people have to die before it is stopped.

You here talk about me supporting a draft, but I challenge anyone to tell me that their feelings about this war in

Iraq would not be different if they thought that their loved ones, their family, their community, would be placed in harm's way.

Whether you are for or against the war, or no matter how you voted, when you see the casualties mounting up, when you visit the hospitals and see young dedicated people without their skulls, their faces, their legs, their arms, you don't have to know any of these kids to start crying. But if you have children and grandchildren, and your imagination allows you to believe that they would be included in the 21,000, and no matter how many times they go, there has to be a feeling that maybe this is the last chance I have, you have to have a different feeling if you are not dealing with someone else's children.

Now, people would say these kids want to fight. I mean, they are different from most kids. They volunteered. They want to do it.

It is strange how most of them sought the $40,000, $30,000, $20,000 bonus or sought educational benefits, or don't come from families that are affluent in this country. It is strange that you never heard the President of the United States or the Secretary of Defense ever make a plea to the patriotism of America to say, Give me your young, your able body, give me your patriots, we have a war to fight. You have never heard that.

Oh, no, we applaud those who enlisted, but there has never been a plea out there for America to make sacrifices. A country at war, and the President doesn't ask people to sacrifice anything.

Well, my son in the Marines got out of the Persian Gulf. He is out, and he too enjoyed the GI Bill. But recently I attended a funeral in my district of a young man who died in Iraq, and I have gone to others, and the family was outside, and they pled with me, please, Congressman, tell them our son was a hero. Please, Congressman Rangel, we thank you that you are here, salute my son, please.

I have gone to these funerals before. Most of these young men and women were marines. So I was so used to seeing this blue uniform with the red stripe. The family actually walked me to the coffin, and my knees buckled. Why? Because as sensitive and as passionate I am about the loss of life, instead of seeing a brown-skinned Dominican in a marine outfit, I saw a soldier about 20 years old. I saw a soldier of about 20 years old in an Army uniform, not a Marine uniform. Guess what, he looked just like me.

I ask my colleagues to try to figure, if you were involved as an individual, as a kid, or your family was involved, that this great country and this great Constitution has given you the right, right in your hand, to determine who lives and who dies. You cannot make a mistake in supporting this resolution, it is not going to hurt our beloved warriors, it is going to help our country, it is going to help them, and it is going to make us proud one day to be able to say, when asked, What did you do when this was going on in the world, and your Congress was asked?

You would be able to say, There was a resolution. It may not have been a profile in courage, but I supported it, and I am proud that I did

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to yield such time as he may consume to Mr. King of New York, the ranking member of the Homeland Security Committee.

Mr. KING of New York. I thank the gentlewoman for yielding.

Mr. Speaker, I also appreciate the opportunity to take part in this debate, which as my friend from New York (Mr. Rangel) said, isn't this a historic debate? It is part of our job. It is our obligation. It is a legal obligation; it is a moral obligation to be heard on this most pressing issue of our time.

I would also add at the outset, when we have talked about those who died in Iraq, and all of us go to the wakes of those who were killed in our district. Just the other day, if we are talking about the quality of the type of person, where they come from and who was killed in Iraq, there was a young man who was actually in what used to be the heart of my district, very affluent area, Manhasset. He was a graduate of Duke University, all-American Lacrosse player, was offered a scholarship to law school, but he turned it down to go in as an enlisted man, as an Army Ranger.

He served two tours in Iraq and Afghanistan, and he was killed on his third tour of Iraq. His family was proud of what he did, what he accomplished, what he stood for. I think it doesn't really add to the level of debate to somehow be suggesting that those who go to Iraq because they cannot be anywhere else or somehow it is all driven by economic need, he was a young man with everything in front of him.

He had all the opportunity in the world, and he went, and he joined the Army, went in as an enlisted man, died as a sergeant, and he was on his third tour in Iraq. So I think it is important to put that in the Record. Also, I know there are any number of Members in this body who have had members of their families serving in Iraq.

I think if we are going to talk about the gentleman from New York who wants to bring back the draft, we can have that in a separate debate. But I don't think it should be part of this debate.

Now, when this debate was actually scheduled, I actually thought it would serve a constructive purpose. But as I look at the resolutions being offered, if I could really, I guess, quote from Senator Lieberman of Connecticut, rather than a resolution, it is really a resolution of irresolution.

It is inherently contradictory, because it pledges support to the troops but also at the same time washes its hands of what the troops are attempting to do. I have heard speaker after speaker get up here today and say the new policy cannot work. The new policy is more of the same. This is the President's policy. He hasn't gotten the message from the American people.

Well the fact is, this policy is strongly supported by the new commander in Iraq, General Petraeus. As was pointed out, the Senate unanimously approved the appointment of General Petraeus by a vote of 81–0. Now, for people to come here today and say this is an inherently flawed policy, this is a policy that cannot work, this is a policy that is doomed to failure, to me, after General Petraeus has said that he believes the policy can work, that he supports the policy, is to attack directly either the credibility or the competency of General Petraeus, and that is a terrible message to be sending to our troops.

Actions do have consequences. I don't doubt the good faith of anyone on either side of the aisle when it comes to supporting the troops. The fact is, often you have to think beyond what the actual words are saying and realize the consequences those words have. For instance, my good friend, the chairman of the Foreign Affairs Committee, who I have actually traveled to Iraq with in 2003, where we met with General Petraeus and others in Mosul and with others and troops in Baghdad, he said that Iraq is a mess, and we have to end the nightmare.

Does anyone really think by Americans pulling out the nightmare is going to end, that the Middle East will become stable if we leave? Certainly al Qaeda doesn't believe that. Certainly the mullahs in Iran don't believe that. And also our allies don't believe that.

Again, what are the consequences of our actions? Are we saying just draw down for the sake of drawing down? I heard the distinguished Speaker of the House of Representatives say our goal is to get our troops home.

Well, I would say our goal should be to have our troops come home after we have achieved a goal, a goal of at least a stable Iraq, an Iraq which is able to protect its borders against Iran, and an Iraq which is able to prevent al Qaeda from setting up a privileged sanctuary in Iraq, and an Iraq which is able to create a situation in the north where the Kurds and the Turks are not fighting with one another.

So these are all serious issues that have to be addressed. I regret to say this resolution does not address it in any way. If anything, it is a serious step backward.

Now, also we have heard that we have to listen to the polls. We have to listen to what public opinion has to be at any particular time. Well, if anyone wants to go back and look at the polls, in 1952, President Truman's popularity rating was 22 percent. War in Korea was amazingly unpopular, and yet today he is acknowledged as one of our greatest Presidents, and the war in Korea is looked upon as an absolutely indispensable step in the defeat of communism, because they drew the line in Asia at the 38th parallel.

I know my good friend Mr. RANGEL served in Korea, he was wounded in Korea, and he performed valiantly in Korea. That war now is looked upon as one of the linchpins of the Cold War strategy, which, again, brought down the Communist menace.

□ 1345

Also I tried to research this. I am not aware of any time in the entire history of our country where the United States Congress has adopted a resolution questioning a particular battlefield strategy.

Like him or not, and I certainly support him, but the President is our Commander in Chief. I said the same thing when President Clinton was our Commander in Chief, and I was serving in this body at that time when there was tremendous criticism directed at him.

But the fact is, the President, no matter where he or she happens to be from, is the Commander in Chief. And we are at war. It was a war that was authorized by this Congress. And we should not be, I do not believe, setting the precedent of adopting resolutions questioning specific strategies.

Should we have adopted a resolution in the winter of 1944, 1945, questioning President Roosevelt's strategy in allowing the intelligence failures that brought about the Battle of the Bulge? We can go step by step. Certainly President Lincoln, during the Civil War when strategies were changed throughout the war and finally resulted in a victory.

Also we have to realize that the war in Iraq is part of an overall war against Islamic terrorism. As the former chairman of the Homeland Security Committee, as ranking member of the Homeland Security Committee, certainly we see that this is an enemy which is overseas and it is here. It is an enemy which is plotting every day to find ways to attack us.

I know later the distinguished ranking member of the Intelligence Committee will also speak to this part of the issue. But the fact is, we do not live in vacuums. We cannot isolate battlefields and silos and say this is Iraq, this is Afghanistan, and this is the Twin Towers.

The fact is, we are talking about actions having consequences. And I have been very critical of the Republican Party for 1983 when I believe we precipitously withdrew from Beirut. That had consequences. I was in this body when we precipitously withdrew from Somalia. I was also in this body when the Twin Towers were attacked the first time in 1993 and we took no action, or Khobar Towers when a constituent of mine was killed in 1996. We took no action.

The USS *Cole* in 2000 when we took no action. In 1998 the attacks on the African embassies, where we took very limited action. All of those had consequences. In fact, now we see after September 11, 2001, we find the historical record where Osama bin Laden said that when we saw that the United States was willing to withdraw from Somalia, how that emboldened Islamic terrorists throughout the world, how that showed them that we did not have the staying power, we did not have the guts to stick it out.

Listen, those who are really putting it on the line, those who have the guts are the men and women of the battlefield in Iraq and Afghanistan. But also we as elected officials have to show some courage and not just give in to the zeitgeists, not just give in to the latest public opinion poll or to the latest election, because quite frankly we were not elected to win elections; we were elected to show leadership and to do what has to be done.

When future generations look back at this, will they really say that we helped the struggle against Islamic terrorism by pulling out of Iraq, by not continuing that fight? Does anyone really think that that will not embolden al Qaeda, that that will not embolden Iran? Can anyone honestly say that?

And so I believe that what disappoints me about this debate and this resolution is we are treating Iraq almost like it is a pinpoint. It is one issue standing by itself, and it is not. It is part of a mosaic; it is part of a worldwide struggle. As someone who lost more than 100 friends, neighbors, constituents on September 11, I have seen firsthand the evils of Islamic terrorism.

As ranking member on the Homeland Security Committee, I know how there are forces in this country who would take action against us. I know the connections between forces in this country and forces overseas. It is no secret. It should not cause us any confusion as to why al Qaeda wants us to lose in Iraq.

It should not cause us any confusion as to why al Qaeda encourages the enemy against us in Iraq, and in fact has al Qaeda in Iraq itself fighting against us.

So now we come to the question of, with our troops committed there, with this being an absolutely essential part of the war against terrorism, what do we do? I agree that there is a consensus that the current policy has not been successful. There have been successes, but the policy itself has not been fully successful.

That is true in almost every war in which America has been engaged. It was certainly true during World War II, it was certainly true during Korea, and even take a war like Kosovo, which is probably almost as antiseptic as a war could be, even though every war when anyone's life is on the line is brutal and deadly.

But from a strategic point of view, we are talking about it should have been a simple war. We ended up bombing a Chinese embassy in Belgrade. So, I mean, mistakes are made. And for us to say because mistakes are made we should redeploy our troops, which really is a euphemism for withdrawal.

We are sending signals to the world. We are sending signals to our troops, we are sending signals to our allies, we are sending signals to our enemies. On the one hand if we are unanimously confirming General Petraeus who supports this policy, and on the other hand we are saying we know the policy cannot work and we are actually going for the first time in American history going on record opposing a particular strategic policy, then I would say, where are we getting this from?

People say that this is just the same policy as we have had all along. General Petraeus says it is not. And I do not believe it is. Can I guarantee the new policy will work? No, I cannot. But I have met with generals, I have met with military experts, and they give good reasons why it can work. And there are people of very good faith on the other side who say it will not work.

But as I look at this, our commander, who is looked upon as the expert in counterinsurgency, who is the general who has certainly achieved the most in Iraq, and anyone who has been to Mosul knows the job that he achieved there, if he says this policy should work, and can work, then I believe we have the moral obligation, we have the legal obligation, and we have the obligation to history and for our children and grandchildren that we not undercut General Petraeus, that we not tell our troops we do not have faith in their ability to carry out the mission which General Petraeus says can be carried out, and we do not embolden our enemies by saying just wait this out a few months, wait it out a few months and you will get it, wait us out a few months and we will pull out like we did in Beirut or Somalia.

We cannot allow that message to be sent. The burden is on us. And if we fail in this mission, and the mission I believe of standing with our troops, standing with our commander in the field, and standing with the policy that the overwhelming majority of Congress voted for in 2003, and also the pledge that all of us made on September 11, 2001, then we will have failed in our obligations as Members of the United States Congress and failed in our obligation to our oath of office to do what has to be done, which should be done, which is essential if we are going to win the war against Islamic terrorism.

Mr. SKELTON. I yield myself such time as I may consume.

I find it rather interesting, Mr. Speaker, that those who oppose this simple, straightforward resolution tend to confuse a permissive war with a necessary war. The goals of the insurgents in Iraq are far different from the terrorists that had their genesis in Afghanistan. Let us not be confused between the two conflicts or their origins or those against whom we fight.

Mr. Speaker, I yield 5 minutes to a veteran of the Korean War, the gentleman from Michigan (Mr. CONYERS).

Mr. CONYERS. Mr. Speaker, I thank our chairman, Mr. SKELTON, and I stand proud today with my fellow veterans in the House of Representatives to register our opposition to the President's plan to escalate the war in Iraq and to show our support for our men and women in uniform.

Now, last November 7 the American people sent a clear message to Congress and the President: we must end the war in Iraq. Now after nearly 4 years of bloodshed, death and destruction, Congress is likely to go on record as opposing the plan for escalation of this war.

No longer will Congress stand by while the President wages a war that defies logic, common sense and human decency. This week we shall take a stand. This week, we tell this administration enough is enough, stop ignoring the American people, stop ignoring your generals. And by the way, I include to the gentleman from New York two speakers ago, General Colin Powell, no less agrees with us.

Stop ignoring the foreign policy experts. Stop wasting American lives and resources on this disastrous and unnecessary conflict. This week's debate on this resolution represents an important turning point in public dialogue about Iraq. And so I welcome it, but it is not enough. The escalation must be stopped, and we cannot let the momentum against the war subside after we deal with the escalation.

Our priority must remain ending the fighting and dying in Iraq. We must end the senseless deaths of servicemembers like marine Tarryl Hill of Southfield, Michigan, who only last Wednesday died when his vehicle drove over a bomb in Fallujah.

Tarryl Hill was 19 years old. He had joined the military to help finance his education to become a chemical engineer. I do not want to see one more promising life like his extinguished on the altar of this administration's arrogance. The loss of Tarryl's life brings to mind the bereavement of another patriot from Flint, Michigan, Lila Lipscomb, whose 26-year-old son, Michael, died in Iraq in April 2003, when his helicopter was shot down.

A member of a military family, Ms. Lipscomb initially believed President Bush when he told the Nation that war was necessary for our national security. But her son's letters from the front lines and his tragic death showed her that he should have never gone to Iraq.

I need to spend a little time explaining my opposition to the troop surge, which is simply even more of the same. This policy is going in precisely the opposite direction recommended by the generals who get transferred if they do not agree.

It would simply expose GIs to more intense door-to-door fighting, in the vain hope that in the meanwhile the Iraqis will miraculously reconcile with us still being in their country.

The real and underlying question is how we remove ourselves from this quagmire. As I have emphasized many times, our Constitution gives Congress the central role in decisions of war and peace. Last fall the American people spoke loudly with their votes. We should be here showing the voters that we heard them and that their trust was well placed.

The ultimate, unequivocal authority of the Congress is the power of the purse. And so we must use it. Supporters of the President's failed Iraq policy have argued that using Congress's spending power to end the war means that we do not support the troops. It is beyond absurd to suggest that those of us who favor ending funding for the war would simply abandon the troops in the field without equipment and the supplies they need.

Cliches about supporting the troops are not really about our service members' best interests. The true purpose of these accusations is to distract us from the fact that we are bogged down in an unwinnable war that threatens to drag on for years, if not decades. Keeping our troops out of harm's way, especially when war is unnecessary, is the best possible way to support them. The American people understand that marching ahead blindly into oblivion is no way to support our troops. That is why they have asked us to end this war.

Mr. Speaker, the administration continues to live under the illusion that it can salvage its reputation by achieving a military victory in Iraq, when it is clear that diplomacy is the most effective means at our disposal. The recent National Intelligence Estimate reflecting the collective judgment of U.S. intelligence agencies only confirms what we have seen in the daily headlines for almost a year. It concludes that the civil war has reached an intensity that is "self-sustaining" and that there are no Iraqi national leaders with the ability to stop it. No wonder the administration stalled completion of the NIE until after the election and the President's presentation of his latest proposal.

Most of the American people know that there is only one way to proceed in Iraq. We must begin the phased withdrawal of American troops in the next 4 to 6 months and conclude it within the year. Redeploying our Armed Forces does not mean "cutting and running." On the contrary, we suggest continued and extensive involvement in the region through renewed diplomacy, a regional conference and reconstruction that is free from fraud and abuse. This sensible path is the only one that can lead us to victory.

ANNOUNCING THE PASSING OF THE HONORABLE CHARLIE NORWOOD

Ms. ROS-LEHTINEN. Mr. Speaker, I have been informed by House leaders that our colleague, Congressman CHARLIE NORWOOD, has passed away. I would ask our colleagues to join me as we rise in a moment of silent prayer for CHARLIE.

Thank you, Mr. Speaker. Thank you, colleagues and visitors.

Congressman NORWOOD was a proud Vietnam veteran, and his service to our Nation will be sorely missed. Mr. DEAL will soon come to the floor to make a statement on behalf of his State's delegation.

With that, I would like to yield such time as he may consume to Mr. HOEKSTRA, the ranking member of the Intelligence Committee.

□ 1400

Mr. HOEKSTRA. I thank the gentlelady for yielding.

Mr. Speaker, let's be clear of the purpose of today. We face a real test of what this House of Representatives stands for and who we, as Representatives, really are.

Do any of us really believe that the resolution in front of us today is a serious piece of legislation? Does it properly recognize all of America's military and other national security professionals who defend us day and night? What of the hundreds of folks in the Intelligence Community that are ignored in this resolution, who each and every day are working hand in hand with our Armed Forces trying to achieve success in Iraq?

Does this resolution discuss or force a debate on the really tough issues of who it is that hates America and others so much that they are willing to kill innocent men, women and children? Again, this resolution comes up short.

What is the threat, and how should America respond? That is the debate that we should be having on this floor. This resolution is all about staying the course. It says, Support our troops and don't engage in new tactics; just keep going down the same path. That is not good enough.

There are people who hate us enough to want to kill. I speak of militant Islam's hate for America, a hate that extends to others, including Muslims. And these militant Islamists kill, they kill violently and indiscriminately, but this resolution is silent on the threat that we face as a Nation, and it is silent on how we should respond.

Who are these radical Islamists, and what should America's response to this threat be? We face this on a global basis. What is America's response to jihadism? How will America win this war against this calculating enemy? And how will America lead the world once again in the face of such a ruthless threat?

The resolution that we are debating today simply asks, Do you support America's fighting men and women, and do you support or oppose a tactic in a battle that is only one front in the war with these military jihadists who are bent on the destruction of the infidel America and others around the world.

Let me say to my colleagues that I don't believe I am wrong in saying that this debate is really about whether or not America is a great Nation that leads in the face of difficulty. Nor do I believe that I am wrong to question what actually happens when this debate and vote are over. Have we really helped the American people understand the threat? What message do we send to our troops in harm's way? And what is it that the American public needs to understand so that it can better understand the challenges that we face? My own answer, Mr. Speaker, was that we need to understand the consequences of failure. We need to fully understand the nature of the threat that is posed now, and moreover in the future, if we fail in the larger war against militant Islam.

Mr. Speaker, let me outline some things about this very real threat to our very existence that needs to be known by the American public and, indeed, this body. This is not a global war on terror. I have never liked that term, I don't know why we keep using it. This is a global war with jihadists. We are not at war with a tactic, we are at war with a group of militant Islamists who hate us and who hate much of the rest of the world. What is a jihadist, other than someone or some group so full of hate that they are willing to kill?

I have a passion for understanding this threat. And thanks to a great deal of superb research done by many experts on the subject, in particular the author Mary Habeck, we have been enlightened as to who these individuals are, and perhaps also get an insight into the question of why do they hate, and why do they hate so much that they are willing to kill.

I can tell you that these militant Islamist jihadists are a fringe element of Islam who have very specific ideas about how to revive Islam, return Muslims to world power, and how to deal with their enemies. They are committed to a violent overthrow of the existing international system, and to its replacement by an all-encompassing Islamist state, the Caliphate.

Mr. Speaker, in studying this threat, this militant Islamic jihadist threat, we must also understand why Iraq is such an important element of their war against the West. This is where the letter from al Qaeda's number two leader, Zawahari, to the late al Zarqawi outlining the Islamic Caliphate that would stretch from Indonesia across the Middle East and Africa is instructive. In that letter, Zawahari outlines a four-stage plan to create this religious empire.

Stage one. "Expel the Americans from Iraq." Expel them in defeat. I fear that this debate may be the first step in that process.

Stage two is to create an Islamic religious government in the old Mesopotamia, that is, Iraq, developing it and supporting it "until it achieves the level of a Caliphate," until it fills the void stemming from the departure of the Americans.

Step three is to extend the jihad way to secular countries neighboring Iraq. The jihadists will attack heretic Muslims, as they define them.

And stage four is the clash with Israel, because Israel was established only to challenge any new Islamic entity.

Let's be clear about this. This jihad is about them. It is about their god, their religion, before it becomes anything about anyone or anything else. That's right, it is about them before it is about us.

The militant jihadists believe that Islam worked well for over a thousand years, spreading a true gospel, a unified society that followed the Shari'a, a law handed down by God. They believe that the modern world has forsaken that pure religious life, and they believe that only in a Caliphate governed by the Shari'a is the way to return to that pure life.

This is the world that they now want to recreate and force on the rest of the world. That is why they are fighting and that is why they are killing. They see today's world as one where unbelievers, the United States, Japan and others, dominate politically, culturally, militarily and economically. This directly assaults their religious beliefs, as in effect, much if not all of the world is controlled by unbelievers, unbelievers who must be destroyed, including secular Muslim states in the region.

To illustrate, let me quote from Osama bin Laden's Fatwa. Listen to what these people tell themselves and each other: "There is no more important duty than pushing the American enemy out of the Holy Land, no other priority, except Belief, could be considered before it. There is no precondition for this duty, and the enemy should be fought with one's best abilities. If it is not possible to push back the enemy except by the collective movement of the Muslim people, then there is a duty on the Muslims to ignore the minor differences among themselves. Even the military personnel who are not practicing Islam are not exempted from the duty of jihad against the enemy."

It should be clearly understood that a central tenet of jihadists' beliefs is the belief that God is one; he has no equals, he has no partners. This is important. If one believes that God is one and all that matters of rule giving or law making belongs to him, no human being, no government could make laws or alter the Shari'a laws of God. This would be, for all intents, setting oneself up to be the equal of God. Herein lies the problem that these militant Islamists have with the West and secular Muslim countries. This belief is applied equally to infidels and Muslim heretics.

The bottom line is that any government or order of law other than Shari'a is illegitimate. This belief, in their minds, justifies the killing of heretical Muslims and non-Muslims alike. This is not recent thinking. A prominent early 20th century Egyptian Muslim ideologue named Hasan al Banna professed this point about Muslims and nonMuslim heretics. He stated, quote, we will not stop at this point, but we will pursue this evil force to its own land, invade its western heartland, and struggle to overcome it until all the world shouts the name of the Prophet and the teachings of Islam are spread throughout the world. All religion will be exclusively for Allah.

He went on to say that this violence would not be to avenge wrong suffered, nor to kill the unbelievers, but to save mankind from its many problems. Are we starting to get a picture of who the enemy may be? It is also important that jihadists' interpretation of Islam is they will reject any system of laws not based on Shari'a.

Democracy. Why do they hate us? Democracy, he claimed, is the ultimate expression of idolatry, giving reason for the hatred of Western values. This is about them, it is not about us.

Al Banna is not the only studied ideologue. Another name, Sayyid Qutb, wrote, "Islam has a mandate to order the whole of human life, and that the Western idea of separation between religion and the rest of life is, quote, a hideous schizophrenia that would lead to the downfall of white civilization and therefore its replacement by Islam."

Qutb maintained that political and religious ideology of the jihadist is derived directly from the Koranic argument that God, unique and without partner, is the only being of sovereignty. Therefore, the only role for national leaders is to implement God's laws. This gives the jihadists their belief that attacking secular or Muslim heretic societies is justified. Qutb basically justified all-out warfare on all of these societies.

Where does that leave us today? It leaves us with a discussion that should be much deeper than the resolution that is in front of us. The resolution in front of us is a shallow political document.

Let me return to Osama bin Laden's Fatwa against the West. Let me use his own words. In calling on all Muslims, he says, "The explosions at Riyadh and Al-Khobar is a warning of this volcanic eruption emerging."

To further his murderous goals, bin Laden then went on to outline the terrorist approach to his holy war to by saying, "It must be obvious to you that due to the imbalance of power between our Armed Forces and the enemy forces, a suitable means of fighting must be adopted, i.e., using fast-moving light forces that work under complete secrecy; in other words, to initiate a guerrilla warfare where the sons of the nation, and not the military forces, take part in it. And as you know, it is wise, in the present circumstances, for the armed military forces not to be engaged in conventional fighting with the forces of the crusader enemy, unless a big advantage is likely to be achieved and great losses induced on the enemy side. That will help to expel the defeated enemy from the country."

He goes on, "Therefore, efforts should be concentrated on destroying, fighting and killing the enemy until, by the grace of Allah, it is completely defeated. The time will come, by the permission of Allah, when you will perform your decisive role so that the word of Allah will be supreme and the word of the infidels will be the inferior. You will hit with iron fists against the aggressors."

The modern words of bin Laden alone do not adequately explain the current militant Islamic threat to the United States and its friends around the world. Again in their own words, this quote from a senior al Qaeda leader, quote, Islam became to be the only hope in jihad under the banner of Islam to become a solution for all of the enemies of America and of those weakened nations, even to the leftist and peace groups in the Christian world. Whoever follows the writings of some of the Western authors will find that some of them started to declare, through their writings, about the American tyranny, that there is no hope to face America other than through the armed Muslims. To the extent that in one of the demonstrations that included hundreds of thousands against globalization and war in Italy, the demonstrations carried a picture of bin Laden placing Che Guevara's hat on it, drawing him to be a Che Guevara look-alike. They wrote under his picture, "anti-American." Through this action they expressed that the symbol of today's Islamic jihad is the only solution to face America.

☐ 1415

Mr. Speaker, here is the true threat to America and the West: this militant Islamic jihad, a jihad that spans the globe, including attacks in Bali; in Spain; the United Kingdom; in the Philippines; in Kashmir; in Kenya; in Jordan; Israel; Nigeria; and, yes, in the United States and Iraq. What is not being discussed is this global problem, this threat to peace and stability everywhere in the world. Why, I ask, is the focus so keenly on Iraq as the problem, the only problem for us to debate? Iraq is not the problem. It is but one front in this larger war. The American people are not being well served by our leaders and the media that are solely focused on the conflict in Iraq. This is but a single front in a much larger war.

Mr. Speaker, let me close with these final thoughts about the militant Islamic threat we face not only in the front in Iraq but, indeed, around the world, including here in America.

There is a fundamental clash of civilizations at work here. There is a fundamental belief by the jihadis that Islam must expand to fill the entire world or else falsehood in its many guises will do so. This belief includes their facts that democracy, liberalism, human rights, personal freedoms, international law, international institutions are illegal, illegitimate, and sinful. Democracy, and in particular the United States democracy, is the focus of their wrath because it is considered the center of liberalism. This is not an enemy with whom we can negotiate. We must contain them and defeat them.

Mr. Speaker, the resolution before us does not address this threat, a real threat to our very existence. We are at war, and I fear we don't even know that we are under attack. This myopic resolution does not recognize or address that threat.

I urge my colleagues and the House to vote "no" on this resolution.

MOMENT OF SILENCE OBSERVED IN MEMORY OF THE HONORABLE CHARLIE NORWOOD

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that we recognize the Members of the Georgia delegation to make the sad commentary on Congressman NORWOOD's passing.

The SPEAKER pro tempore (Mr. MORAN of Virginia). Is there objection to the request of the gentlewoman from Florida?

There was no objection.

Mr. DEAL of Georgia. Mr. Speaker, I thank the gentlewoman.

On behalf of my colleagues from the State of Georgia, it is with great sadness that I announce that our colleague CHARLIE NORWOOD passed away at approximately 12:45 today.

CHARLIE was a great Member of this body and a friend to all.

Mr. Speaker, I would ask that this body observe a moment of silence in his memory.

Amen.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Missouri.

Mr. SKELTON. Mr. Speaker, once again my friends on the other side of the aisle are attempting to confuse the conflict in Iraq with the war against terrorists and has their genesis in Afghanistan, trying to put it all in one basket. That is not the case. Anybody can have their own opinion, but, Mr. Speaker, they may not have their own facts.

Mr. Speaker, I now yield 5 minutes to my colleague from California (Mr. THOMPSON), a gentleman who is a Vietnam combat veteran of the 173rd Airborne Brigade.

Mr. THOMPSON of California. Mr. Speaker, I thank the chairman for recognizing me for time.

Mr. Speaker and Members, as a combat veteran, from the bottom of my heart, I say thank you to the brave men and women who have served in Iraq, each with great distinction.

Our troops have done an outstanding job. They have done all that has been asked of them and more. They have performed with the utmost professionalism, making all of us very proud.

Now, I believe it is past time that we start bringing these brave men and women home. They should be home with their families, not in the middle of Iraq's civil war. Moreover, we shouldn't be sending more troops into Iraq's civil war. Some of our servicemembers have been on two, three, and even four tours of duty in Iraq already.

This escalation would put too much strain on our military and not just our troops. Much of our military's equipment is damaged. It will take years and billions of dollars to repair it and replace it. Nearly every Reserve and National Guard member has been mobilized. The escalation is in no one's best interest.

Two weeks ago I joined with my colleague PATRICK MURPHY from Pennsylvania, a decorated Army captain who served in Iraq, to introduce binding legislation to begin a phased redeployment of our troops out of Iraq. Our bill, which has already attracted 20 co-authors from both sides of the aisle and has a companion bill in the Senate, provides a practical and comprehensive strategy for ending our military involvement in Iraq. It sets a firm deadline for phased redeployment of our troops beginning May 1 with all combat brigades out by March 31 of 2008. It provides a concrete plan for shifting security responsibilities to where they belong: with the Iraqis.

I have visited with our troops in Iraq, and I have talked to those who have been training the Iraqi security forces. They have told me that the U.S. troops have finished their job and that Iraq needs to step up and start securing their country. Americans cannot continue to do it for them.

Our bill recognizes that the President's escalation plan is a continuation of his failed "stay the course" slogan and it would not allow the increase of troop levels without congressional approval.

Mr. Speaker, the United States cannot win the peace in Iraq. The Iraqis must be the ones to do that. Our bill recognizes this reality and creates a surge in diplomacy, not troops, by creating a special U.S. envoy that will help build relationships between Iraq and their neighbors. Our bill is a strategy for success in Iraq and is the best way to bring our brave men and women home as quickly and safely as possible.

While I strongly believe that today we should be debating and passing our binding solution, H.R. 787, I know that this week's debate is the first real debate we have had on Iraq in more than 4 years. In this week alone, we will more than quadruple the amount of time given to debate this war since it began.

Thank you, Speaker PELOSI, for bringing this important matter to the floor. This resolution is a critical step in getting our men and women out of this ugly mess, a full blown civil war in Iraq. I support today's resolution, which joins with the American people in sending the President a loud and clear message that escalation is not the answer. We need to focus on getting our troops out of Iraq as safely and quickly as possible and making sure that the Iraqis step up and assume the security responsibilities for their country.

I also rise to tell those who have served, those who are serving in Iraq today, and their proud families thank you. Your Nation thanks you for your great service to our country.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

In this debate on Iraq, we must always be aware that the remarks are not to be confined only to the American people. Our words will be heard not just by our friends but by our enemies also. They are watching to see what America will do. No weakness of ours, no internal political struggle will go unnoticed.

The suicide bombers, the leaders of al Qaeda, the rulers of Iran, many others are listening, seeking encouragement for their fellow extremists, listening for signs of our defeat.

We know from many sources that al Qaeda, the terrorists in Iraq, and our enemies planning further attacks on us closely follow what is said and what is done in the United States and use that knowledge to help them calculate their next steps against us. They routinely cite statements by U.S. sources as validation of their strategy to defeat America.

Let me quote Muhammad Saadi, a senior leader of the Islamic jihad, who said that talk of withdrawal from Iraq makes him feel "proud." He said: "As Arabs and Muslims we feel proud, very proud from the great successes of the Iraqi resistance, this success that brought the big superpower of the world to discuss a possible withdrawal."

They are looking for concessions of defeat, signs of weakness, and it is within this context that we embark on this debate today.

The question before us concerns not the past but the future. Where should our country go from here? We are not merely debating a resolution, but we are deliberating on our Nation's future.

The war in Iraq is but a part of a far larger struggle, a global struggle, the struggle against Islamic extremist militants. As in the Cold War, our current struggle is one of survival. The enemy does not mean merely to chase us away. The goal of the Islamic extremist radicals is to destroy us. If we run, they will pursue. If we cower, they will strike.

The choice before us is this: Do we fight and defeat the enemy, or do we retreat and surrender? We must not fool ourselves into believing that we can accommodate our enemies and thereby secure their cooperation. We should not believe that the enemies' demands are limited and reasonable and thus easily satisfied or that we can find safety by withdrawing from the world. This strategy has been tried in the past with catastrophic consequences.

Neville Chamberlain genuinely believed that he had brought "peace in our time" by washing his hands of what he believed to be an isolated dispute in what he termed "a far-away country between people of whom we know nothing." That country was Czechoslovakia, and Chamberlain's well-intentioned efforts to withdraw Britain from the problems in that faraway region only ensured that an immensely larger threat was thereby unleashed.

The threat of Hitler did not appear suddenly out of a vacuum. The challenges that we face today thus have been building for many years.

We experienced the first attack on the World Trade Center in 1993. The destruction of our embassies in Kenya and Tanzania, the bombing of the Khobar Towers in Saudi Arabia in 1998, the attack on the USS *Cole* in 2000, and then most dramatically the attack on our Nation on 9/11.

As these attacks built over the years, we did little in response. Our enemies came to believe that they could strike us with impunity and that we would shrink from our responsibilities, from defending our interests, that we would not stand up for our very own survival. They felt safe in planning for larger attacks.

Now our fight is truly one of global proportions. Some may not want to believe it. The terrorists, however, are certain to believe it. As stated by senior al Qaeda leader al Zawahiri, " . . . Jihad in Iraq requires several incremental goals. The first stage: expel the Americans from Iraq. The second stage: establish an Islamic authority or emirate, then develop it and support it until it achieves the level of a caliphate, over as much territory as you can, to spread its power in Iraq."

He continues: "The third stage: extend the jihad wave to the secular countries neighboring Iraq. The fourth stage: It may coincide with what came before, the clash with Israel, because Israel was established only to challenge any new Islamic entity."

These are the words of al Zawahiri, not my words. And this al Qaeda leader went on to say: "The whole world is an open field for us."

What then are the consequences of a U.S. withdrawal and surrender? The terrorists, our mortal enemies, will have demonstrated that they have defeated us, the strongest power on Earth. They will have proven that our enemies only have to make the cost too high for us and that we will give up. The result would be an extraordinary boost to their morale and standing in the world, resulting from such a historic and momentous accomplishment on their part. They will become heroes in the minds of millions. They will be inundated with recruits, with financing, with support of all types.

□ 1430

And they will be eager to go after us.

A leader of the terrorist organization Islamic Jihad recently said of an American withdrawal from Iraq, "There is no chance that the resistance will stop." He said an American withdrawal from Iraq would "prove that resistance is the most important tool and that this tool works. The victory of the Iraqi revolution will mark an important step in the history of the region and in the attitude regarding the United States."

These are his words, not mine.

We know that the terrorists would draw these conclusions because they have done so before when we recoiled in the face of terrorist attacks. In bin Laden's 1996 Declaration of Jihad and other statements, bin Laden repeatedly pointed to America's weakness being its low threshold for pain. As evidence, he pointed to the U.S. withdrawal from Somalia in 1993 because of casualties from attacks by al Qaeda and its allies.

Bin Laden said, "When tens of your soldiers were killed in minor battles and one American pilot was dragged in the streets of Mogadishu, you left the area carrying disappointment, humiliation, defeat and your dead with you. The extent of your impotence and your weakness became very clear."

These are bin Laden's words, not mine.

We witnessed the consequences of Somalia and the ensuing inaction. However, the implications for withdrawal and surrender in Iraq could be even greater. There would be an intensification of the violence.

As the National Intelligence Estimate on Iraq recently affirmed, "If Coalition forces were withdrawn rapidly during the term of this estimate, we judge that this almost certainly would lead to a significant increase in the scale and scope of sectarian conflict in Iraq, intensify Sunni resistance to the Iraqi Government, and have adverse consequences for national reconciliation."

Iraq would become, as one of my Democratic colleagues said in December of 2005, a "snakepit for terrorists."

Sunni Arabs throughout the Middle East would certainly view the resulting situation as a Shiite victory in Iraq and, in turn, as a win for the regime in Iran. Neighboring countries would likely seek to prevent Iranian domination of Iraq and the region by providing financial and other support, including potentially troops, to anti-Iranian factions.

It would be interpreted as a defeat of the U.S. and would thus strengthen rogue regimes in Syria and Iran. Iran would be free to expand its influence throughout the Middle East, including its long-term effort to dominate the Persian Gulf and the world's oil supply.

Iran's sponsorship of terrorist organizations such as Hamas and Hezbollah would likely increase, thereby ensuring the murder of countless civilians and a further destabilization of countries in the region and indeed beyond.

Let us not forget that Iran's proxy, Hezbollah, twice attacked in our own hemisphere, in Argentina, in the mid-1990s. Let us not forget that in 2002 a court case in the United States found that one of two men were convicted of financing Hezbollah of $2 million in illegal activity here in the United States and that last year an individual from Detroit was charged with supporting Hezbollah financially and was described by the United States Attorney in the case as a "fighter, recruiter and a fundraiser."

Let us not forget that Iran is a nation believed to be pursuing nuclear weapons, and thus leaving the region vulnerable to Iranian domination, and that would have grave consequences for the U.S. security priorities.

Surrendering Iraq over to the terrorists would erode the trust of the U.S. in that region and affect our critical regional interests in the entire neighborhood. Our allies, such as Kuwait, Jordan, Bahrain and Egypt may become reluctant to continue their cooperation with us, which currently includes providing access to their facilities, logistical support that we need to protect our interests in the region.

The damage would not be confined, however, to the Middle East. Our enemies would be encouraged to join forces in a coalition to directly challenge the United States and expand their efforts to undermine us and our allies.

It is already happening. Venezuela's strongman Hugo Chavez is openly forming an alliance with Iran, and recently called on Iran and Venezuela to join forces to "finish off the U.S. empire," quoting him.

Let us consider the consequences of withdrawing and surrendering Iraq to Islamic militant extremists. As James Woolsey, the former Director of the Central Intelligence Agency, has emphasized, "We have to do our damndest to win this thing, in spite of the history of mistakes in tactics and strategy. The stakes are too high to do otherwise. The whirlwind we will reap if we lose means that we owe it to the world and to future generations to do everything humanly possible to avoid giving the Islamists the encouragement they will certainly obtain if they win."

Mr. Speaker, this is not just an abstract policy discussion for me. This is a subject close to my heart. My stepson Doug and his wife Lindsay are both marine pilots who served in Iraq alongside many other brave Americans. They understand the consequences of defeat. They recognize the deadly enemy that we are facing.

Lindsay will soon be deployed to Afghanistan, in just a few weeks, where, depending on our actions in this Chamber this week, she could face a more deadly enemy. All of us, all of us long for a world in which the mortal challenge of Islamic militant extremism does not exist. But that world is a fantasy, and that is the world that this resolution seems to address.

Many times in our history we have met with great challenges, and many of them seemed insurmountable. And yet every time we rose to face them, and we prevailed. We are faced once again with an overwhelming challenge, that of Islamic militant extremists focused on our destruction and on world domination. There is no path backward, there is no retreat, because that will only bring disaster.

I am saddened that some in this Chamber have felt the need on this floor to characterize the decision of our young men and women to join the military as being motivated by money, by bonuses and by other financial benefits, rather than their patriotism.

My stepson Doug and my daughter-in-law Lindsay are both college graduates. Doug is a graduate of the University of Miami. Lindsay is a graduate of the U.S. Naval Academy and has a master's in English. They have many, many opportunities they could have pursued. They chose to serve their country, because they and many others are patriots. They did not do it for bonuses. They did not do it for money.

Let us not just support our troops. Let us support their mission. And their mission is to defeat the Islamic extremists.

Mr. Speaker, I reserve the balance of my time.

Mr. SKELTON. Mr. Speaker, during his 20 years of service to this country, the gentleman to whom I am about to yield earned two Distinguished Flying Crosses, two Bronze Stars, the Soldiers Medal and other awards. A Vietnam combat veteran serving two tours as an assault helicopter pilot, I yield 5 minutes to the gentleman from Iowa (Mr. BOSWELL).

Mr. BOSWELL. Mr. Speaker, I thank the gentleman very much for the time. I appreciate being part of this discussion today.

Mr. Speaker, I couldn't help but be somewhat taken by Mr. RANGEL's comments about the lack of urgency and the lack of sacrifice in our country because of what is going on with our troops in Iraq and Afghanistan, and I can say to you, whoever is listening or watching, wherever you are, when I go through my communities, my towns, I sense the same thing. Where is the sense of urgency and where is the sense of sacrifice?

I will tell you where it is. When you go to see the troops off, to see their families, to see them, then you know where the sacrifice is. Then you know where the urgency is, to be there when they go back the second or third time, and, as some have said, the fourth.

Mr. Speaker, I rise in strong support of this resolution, a resolution in support of our troops who are serving with distinction in Iraq, and opposing the President's call for escalating the troop levels in Iraq.

As a two-tour combat veteran of the Vietnam conflict, as Ike said, as an assault helicopter pilot, I, like many others in this body, know firsthand of the everyday sacrifices made by our men and women in uniform serving in Iraq. And, I might add, if I could, I know the sacrifices of their spouses and children. Branded on me always will be the reminder of my children when I had to leave, and they wondered if their dad would come back. You can't forget that. And it is happening to our troops repeatedly. More than 3,100 have given the supreme sacrifice. Over 20,000 have been injured, many of them very severely.

This resolution recognizes our brave men and women for performing their mission to the best of their ability. All Members of this body, all Members of this body stand foursquare behind their efforts.

As one Member of Congress who voted in support of the Iraq war resolution in 2002, I recognize the pretext for going to war was based on faulty, misleading, misinformation. I cannot reverse that vote, but I can no longer acquiesce to a failed and tragic military exercise in Iraq.

Two months ago, Generals Casey and Abizaid stated they did not support the increase in U.S. troop levels in Iraq, and recently President Bush maintained that that military policy with regard to Iraq would be determined by our military leaders. However, last month, President Bush ignored his top military advisers and called for a 20,000-plus increase in U.S. troops in Iraq.

I and others have been pressing the administration to level with the American people on the status of the Iraqi Security Forces being trained and ready to defend their Nation. If the Iraqis are trained and ready, reportedly over 300,000, as we have been told, it is time to begin now a planned phased withdrawal of U.S. troops. Sending more U.S. troops to Iraq does nothing to enhance the Iraqis' training. It only places more U.S. forces into harm's way to become additional targets of the Iraqi civil war. This failed policy must stop. We can support our troops in the field and oppose this escalation of U.S. forces.

The sectarian civil war violence in Iraq is increasing, and U.S. troops are becoming an increasing target of the various tribes and factions. We cannot continue to place ourselves in the middle of this civil war. It is time to insist that the Iraqis resolve their own civil war. We must insist and allow the Iraqis to defend their own Nation. The Bush administration stated that Iraq Security Forces are trained and ready in sufficient numbers to do the job. Again, they stated over 300,000 trained and equipped.

Therefore, I believe now is the time to oppose any further escalation of U.S. troop levels and now begin the planned, phased withdrawal of U.S. forces. I regret today's resolution is nonbinding. We need to begin addressing this matter in real substantive legislation. I urge all of my colleagues to support this resolution and to work in unison to bring our troops home.

Mr. Speaker, you know what we do best? You know what we do best? I will bet everybody who is paying attention intends to file their income tax April 15. We do best when we are under pressure to get it done.

I think it is time to say to Mr. Maliki, you know what? You have got your government in place. You have got your chance for democracy. It has been given to you. We went in there and Saddam is gone. He is history. You have got your chance. It is up to you. Now, you have got your problems, but you have got your government and it is in place. You have your problems, but you have to work them out. We cannot come in there and settle a civil war. And that is exactly what is going on.

□ 1445

We were, like you were there and I was with you in the White House, 14 months ago when they said to the President, the Vice President, Secretary Rumsfeld, Secretary Rice and General Pace, if you have got at that time, 14 months ago, if you have got over 200,000 troops trained, equipped and in field, then what is your plan to bring our troops home? And just like now, silence fell in the room.

Now, the claim is over 300,000 trained and equipped in the field and we are not bringing ours home. So we should say to Mr. Maliki, you have got to do it, pick something, whether it is oil fields or pick something and say starting next week or the week after you are responsible for their security because we are going to bring our troops out and bring them home and we are going to take them to Baghdad, put them on airplanes and fly them home. You have got to do it. It is yours to do and we hold you responsible to do it.

Mr. SKELTON. Mr. Speaker, may I inquire about the time that has been consumed and the time remaining on each side, please.

The SPEAKER pro tempore. The gentlewoman from Florida (Ms. ROS-LEHTINEN) has used 1 hour, 3 minutes, having 3 hours and 57 minutes remaining. The gentleman from Missouri (Mr. SKELTON) has used 45 minutes, leaving 4 hours and 15 minutes remaining.

Mr. SKELTON. Then subject to the Chair, I wish to recognize more than one speaker in a row on our side.

I yield, Mr. Speaker, 5 minutes to the gentleman from Florida (Mr. BOYD), a gentleman who is a Vietnam combat veteran, rifle platoon leader of the 101st Airborne Division.

Mr. KINGSTON. Mr. Speaker, may I ask the gentleman from Missouri, is it your intent to keep going or will you come back to the Republican side? Mr. BOYD and I are lucky enough to be in the same committee, and I think we are probably working under the same time constraint, if we could go back to the Republican side. That is what I wanted to ask you, after he speaks.

Mr. SKELTON. That would be fine.

Mr. KINGSTON. Thank you.

Mr. BOYD of Florida. Mr. Speaker, I thank my friend, chairman of the House Armed Services Committee, Mr. SKELTON, for giving me this time.

Mr. Speaker, I rise today with my fellow veterans to express strong opposition to sending more than 20,000 additional United States troops to Iraq, and I rise in strong support of the underlying resolution that we are debating today.

Mr. Speaker, when thinking about our political and military situation in Iraq, I often reflect on my own service in Vietnam and my thoughts there as a person, when I served there as a young man in uniform proudly defending the ideals on which America was built.

I often think, how is it different today? How is today's soldier in Iraq different than soldiers 40 years ago in Vietnam? I think there are some differences, but there are obviously many striking similarities.

Obviously, our soldiers today have communications technologies and other war-fighting technologies that are far superior to what we had 40 years ago in Vietnam. Soldiers now have access to a 24-hour news cycle that we did not have in the 1960s.

But, Mr. Speaker, what is the same, what is exactly the same, is the fact that our soldiers are trained and equipped to accomplish the mission given to them by their political leaders in Washington. They are trained to execute this mission and to the best of their ability, without any thought to whether that mission is right or wrong, or even whether that mission is well thought out. Clearly, this is very similar to what we experienced during Vietnam.

When I served in Vietnam, we were trying to execute a mission that was impossible to do because our political leaders had given us a poorly defined mission that we could not win militarily.

Our brave men and women serving in Iraq rely on us, their political leaders, to develop a winning strategy, and it is very clear that we are not winning in Iraq by any standard of measurement that you might want to use.

I returned from my service in Vietnam at the height of the anti-war sentiment; and let me tell you, there was no worse feeling than coming home after a tour of duty to find that you had come home to an American society that was not grateful and was not behind you.

I want to make sure that our sons and daughters serving in Iraq today do not experience what we experienced 35, 40 years ago. The American people and their leaders in Congress all support the men and women executing the outlined mission. These men and women who have fought and defended our country should be proud of the job they have done, and we all are proud of them.

However, we should have learned from the mistakes our political leaders made in Vietnam and not make those mistakes again.

The problems we are having in Iraq have nothing to do with our troops and their ability and their training and their equipment. Our problem is with our policy.

The men and women serving in Iraq are counting on their political leaders to develop a successful strategy in Iraq, and interjecting more young American men and women in uniform into the crossfire of an Iraqi civil war is simply not the right approach.

The warring factions in Iraq have been at odds since the death of Muhammad in 632 A.D., and the United States military is not going to solve an Iraqi political problem, a problem that has existed between the Sunnis and the Shias for more than 1,400 years.

Past troop surges aimed at stemming the violence in Iraq have failed, and continuing to deploy more American troops will not bring us any closer to a self-governed Iraq.

We have been training and equipping Iraqi security forces for almost 3 years. We have 325,000 trained, conducting security operations there. The continuing presence of large numbers of American troops in Iraq only postpones the day when Iraqis will have to assume responsibility for their own government. Ultimately, it is incumbent upon the Iraqis to make peace and promote democracy in their own country.

With 140,000 of our troops in Iraq, the war in Iraq is exhausting our resources, resources that we, our people, are demanding that we have at home to solve some of our domestic priorities such as health care and education. And those resources are not only dollars; they are human blood.

Again, I stand here today to oppose the Iraqi troop surge because all evidence suggests that it is not a path to victory in Iraq and will only put more Americans in harm's way.

Ultimately, the debate today is about one thing, the men and women that proudly wear the uniform and the best way to take them out of the center of an increasing sectarian conflict and civil war in Iraq.

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to yield to Mr. KINGSTON such time as he may consume, a member of the Defense appropriations subcommittee.

Mr. KINGSTON. Mr. Speaker, I thank the gentlewoman from Florida for yielding, and Mr. Speaker, I thank you.

I want to say this, that if the troops in Baghdad watched what Congress was doing today, they would be outraged. Fortunately for us in the Free World, they do not sit around and watch C-SPAN and what silly politicians do. They live in a real world where there are real bullets.

This resolution, on the other hand, is not real. It is a political whip check designed for press releases. It is nonbinding.

The Democrat National Chairman, Howard Dean, famously said: "The idea that we are going to win the war in Iraq is an idea which is just plain wrong."

Speaker PELOSI called the war "a grotesque mistake."

So if the situation in Iraq is so hopeless, and unwinnable, why are we messing around with nonbinding resolutions? If the war is a lost cause and there is no longer an American interest, why do we not just go ahead and get out of there now? It is not worth another life or another dime.

Conversely, if the cause is worthwhile, should we not fight to win? Nonbinding resolutions, Mr. Speaker, are great for the Democrat club back home, but for those of us who serve in Congress, we are the law of the land. We are elected to pass laws, fund wars and influence policies. Our opinions, as expressed in nonbinding resolutions about what should happen in Sudan or Israel or Cuba, they are appropriate, but when it comes to American soil, our job is to pass real legislation and make real laws. We do not have to vent our frustration. We can change policy.

This week's resolution is just a cover-your-rear-end political design to give the legislative branch a chance to say I told you so. But, Mr. Speaker, as you know, like it or not, a real vote is coming.

It is coming in the form of the fiscal year 2008 supplemental bill. In that supplemental resolution, $5.6 billion is designed to pay for 21,500 new troops in Iraq. All Members will have a chance to vote on that supplemental bill; and as you know, an amendment can be offered to delete the $5.6 billion. A "no" vote would be against it, and a "yes" vote would be to say we are against having the troops there and we are not going to pay for it. That is what is real.

I think in November the electorate made an adjustment. They did not like what the Republican House was doing, and I certainly understand that. I think we did fail on many levels to deliver the products which we promised we would deliver to the people. But the Democrats are in the same situation. It was an anti-war fever that swept so many of them into office, but here we are with a nonbinding resolution.

Now, I understand that it is frustrating. I serve, as you do, on the Defense Committee; and as you know, many times we do not get all the information that we want. We have heard, as Mr. BOYD said, general after general after admirals after captains telling us we do not need more troops in Iraq, and now they are saying that they do. We have also heard the President say the decisions for military changes in Iraq will be made in Baghdad, not in Washington, DC, and I hope that is the case with this situation.

I am very frustrated about it, but one thing we have been told unequivocally by those same generals and admirals and Secretaries of the Navy and Army and Secretary of Defense and today from the ambassadors from Jordan and Egypt is that if America withdraws from Iraq at this time, it is sure to bring chaos and destruction. That will lead to a full-scale sectarian war which could lead to a division. It could be so chaotic that the United States of America would have to return to Iraq in larger force numbers than we have now. It could lead to Iraq becoming a nation state controlled by terrorists or terrorist sympathizers and that would be in control of the third largest oil reserve in the world.

Now, we have seen what Mr. Putin and Hugo Chavez down in Venezuela are doing with their petro-dollars and all the anti-American ill will they are spreading around the globe. Would you really want to empower a bunch of terrorists with those kinds of oil revenues?

Then the other thing we are told is if you pull out immediately or quickly what happens to U.S. credibility abroad? As we are dealing with China, who very recently shot down a satellite, we are very concerned about that. North Korea, we are at the negotiating table with them right now. And Russia seems to be slipping away from democracy and going back to some of its older ways that we are worried about. As I have just said, Hugo Chavez is spreading bad street money all over South America, which is not a good sign.

And then finally, Mr. Speaker, if we pull out, what does it say to the American servicemen who have already lost their lives? Hey, sorry, we did not mean it; your sacrifice was not worth us gutting it out, if you will.

You know, it is interesting, the President has been criticized for "staying the course," and he is no longer staying the course. Who is supporting staying the course by a "yes" vote to this nonbinding resolution, but the Democrat leadership and the Democrat Party.

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If you are saying it is a lost cause but we support you, how are you saying, no, we are not going to send recruits? It doesn't make sense. You just can't have it both ways. This is staying the course. The President no longer wants to stay the course. He is saying let's plus-up the numbers, let's divide Baghdad nine different ways. And that is something the RAND Corporation has called for as it has studied the history of nations that have insurgencies. Subdividing the areas is an effective way to fight insurgencies. The President has said let's go into al Anbar province; let's go into Sadr city. Those are changing of the course.

Mr. Speaker, a "yes" vote is a vote to stay the course; a nonbinding resolution is an insult to those who are in harm's way. If you truly believe that the war is a lost cause, why mess around with a nonbinding resolution? A "no" vote to this is a vote for change, and I believe it sends a stronger signal to the troops that we support you and we are sending new recruits to help you finish and complete this job.

Mr. PATRICK J. MURPHY of Pennsylvania. Mr. Speaker, I now yield 6 minutes to the gentleman from Tennessee, my fellow Blue Dog, Colonel TANNER, a Vietnam Navy veteran, retired colonel of the Tennessee Army National Guard.

Mr. TANNER. Mr. Speaker, I am delighted to be here with the other Democratic Members who are veterans to talk about this resolution.

I want to start off by saying what ALLEN BOYD said. I was on active duty during the Vietnam years. The problem here is not the troops; the problem is the competency of the civilian leadership that has gotten us into this mess.

This resolution supports our troops and calls for a different strategy by our civilian leadership with respect to Iraq.

When I was on active duty when I was in the military, I followed orders. That was my job. My role here in Congress as I see it is to try to help formulate some sort of competent civilian leadership and strategy so the troops can be successful. We have not seen that in 4 years. The war began in Iraq in March of 2003. Since then, we have lost 3,124 people dead and over 23,000 wounded, and it is not a bit better today than it was the day we started.

The war has cost Americans almost $400 billion, with another request for $285 billion more, with no end in sight. Competent civilian leadership for our men and women in uniform on the diplomatic and political fronts must be demanded by Congress and the American people if we are to properly honor the sacrifice of the dead and the wounded and their families.

Instead, what do we have? We have unbelievable reports that the Pentagon can't identify 170,000 guns issued to the Iraqi forces in October of 2005; some of our soldiers buying their own body armor; up-armored Humvees sitting in Bosnia or Herzegovina while we needed them in Iraq. And David Walker, the Comptroller General, says he believes that almost 30 percent of the money spent over there has been wasted, stolen, or otherwise unaccounted for.

I think any patriotic American ought to come to this floor if he or she has the opportunity and ask questions about the incompetency of the Pentagon and civilian leadership thus far.

I believe any viable Iraqi strategy to be successful must contain clearly defined goals to hold the Iraqi leaders accountable for their own security. Mr. BOSWELL, a helicopter pilot in Vietnam, said as much earlier.

Our men and women in uniform have performed magnificently. They have completed every task assigned to them. But impressive military might alone is not enough if the Iraqi people cannot or will not make progress in securing their own country and establishing a civil democracy.

Western-style democracy works because we have a theory called separation of church and state. When people don't go to the same church, they nonetheless can get together Monday through Friday and build a civil society and get along with each other. If these folks are unwilling or unable to do that for philosophical or psychological reasons, then we can only try to force a square peg into a round hole for so long. It has been going on for 4 years, and they are seemingly incapable. And I say that what we need to do is rethink our strategy and that a pullback to the perimeter is preferable to prolonging a costly and deadly military strategy toward a political goal that is out of reach.

Whether or not this new strategy works, I am glad to see that General David Petraeus will be commanding our men and women on the ground. He has proved himself a strong military commander, and I wish him well. It is not his strategy that I question.

Here is why this resolution is important to me: not only do the majority of the Iraqis in every poll that has been taken over there say they will be better off if we leave or get out or pull back, or however one wants to talk about it, but what it is doing in Iraq to our effort in Afghanistan. I am going to be leading a delegation to Brussels next Saturday to talk about Afghanistan. We are losing our momentum in Afghanistan because of the Iraqi whirlwind that is sucking everything into it in terms of our military supplies, our military approach, and so forth. Almost everyone who has looked at this situation agrees, from the Baker-Hamilton Report to everybody else, that we need to radically change our strategy.

Listen to these words from the Council of Foreign Relations. They say: "The United States' interests in the Middle East and Persian Gulf region can be more effectively advanced if the United States disengages from Iraq. Indeed, the sooner Washington grasps this, the sooner it can begin to repair the damage that has been done to America's international position."

Speaking of Afghanistan, they also say: "Iraq is siphoning off so many resources that we could end up failing in Afghanistan as well." The report warns that Iraq is all consuming and makes it difficult for the United States to address other priorities.

That is exactly what we are talking about here, a different strategy for Iran, for our troops to be successful; an accountability from them as to their own security, so that we can concentrate with 26 other nations in NATO who are helping us fight the war in Afghanistan, a war that we can win, a war that we must win, and a war that is every bit as important if not more so in the war on terror than Iraq ever was.

Mr. PATRICK J. MURPHY of Pennsylvania. Mr. Speaker, I now yield 5 minutes to the gentleman from Washington (Mr. McDERMOTT), a veteran of the U.S. Navy.

Mr. McDERMOTT. Mr. Speaker, I proudly stand today with fellow veterans as the House debates the most damaging, costly, and divisive course of U.S. military involvement since Vietnam.

At a naval station in California, I treated combat veterans returning home from Vietnam, many with severe physical and psychological wounds like PTSD and the effects of agent orange. After Vietnam, America swore there would never be another tragic military misadventure, but that is exactly what is happening in Iraq.

The American people want this Congress to end the war and to bring our soldiers home now, not 2 years from now at the end of this President's term. That is what the American people elected Democrats to do in November.

What we do this week is a miniscule little step. Step two will come when we get to appropriations next month.

We have to get out of Iraq. We have to get out now, not 2 years from now. We are killing them, they are killing us, and nothing is getting better. And the reasons we started this whole war have turned out to be false. The American people know this, and today they are watching our debate. They will judge our actions.

Getting U.S. soldiers out of Iraq has been my top priority since they were sent there 4 years ago under false pretenses. And the new claim by the President that escalating the war will reduce the violence is just another attempt to mislead the American people. It is a lot like Lyndon Johnson sending the bombers into Cambodia and Laos. They don't accept it. The American people don't accept it and they won't.

Those who claim we cannot leave Iraq without causing chaos ignore reality.

I ask to insert in the RECORD a piece by Retired Lieutenant General and Reagan administration NSA Director William Odom that decisively debunks this argument.

[From the Washington Post, Feb. 11, 2007]

VICTORY IS NOT AN OPTION

(By William E. Odom)

The new National Intelligence Estimate on Iraq starkly delineates the gulf that separates President Bush's illusions from the realities of the war. Victory, as the president sees it, requires a stable liberal democracy in Iraq that is pro-American. The NIE describes a war that has no chance of producing that result. In this critical respect, the NIE, the consensus judgment of all the U.S. intelligence agencies, is a declaration of defeat.

Its gloomy implications—hedged, as intelligence agencies prefer, in rubbery language that cannot soften its impact—put the intelligence community and the American public on the same page. The public awakened to the reality of failure in Iraq last year and turned the Republicans out of control of Congress to wake it up. But a majority of its members are still asleep, or only half-awake to their new writ to end the war soon.

Perhaps this is not surprising. Americans do not warm to defeat or failure, and our politicians are famously reluctant to admit their own responsibility for anything resembling those un-American outcomes. So they beat around the bush, wringing hands and debating "nonbinding resolutions" that oppose the president's plan to increase the number of U.S. troops in Iraq.

For the moment, the collision of the public's clarity of mind, the president's relentless pursuit of defeat and Congress's anxiety has paralyzed us. We may be doomed to two more years of chasing the mirage of democracy in Iraq and possibly widening the war to Iran. But this is not inevitable. A Congress, or a president, prepared to quit the game of "who gets the blame" could begin to alter American strategy in ways that will vastly improve the prospects of a more stable Middle East.

No task is more important to the well-being of the United States. We face great peril in that troubled region, and improving our prospects will be difficult. First of all, it will require, from Congress at least, public acknowledgment that the president's policy is based on illusions, not realities. There never has been any right way to invade and transform Iraq. Most Americans need no further convincing, but two truths ought to put the matter beyond question:

First, the assumption that the United States could create a liberal, constitutional democracy in Iraq defies just about everything known by professional students of the topic. Of the more than 40 democracies created since World War II, fewer than 10 can be considered truly "constitutional"—meaning that their domestic order is protected by a broadly accepted rule of law, and has survived for at least a generation. None is a country with Arabic and Muslim political cultures. None has deep sectarian and ethnic fissures like those in Iraq.

Strangely, American political scientists whose business it is to know these things have been irresponsibly quiet. In the lead-up to the March 2003 invasion, neoconservative agitators shouted insults at anyone who dared to mention the many findings of academic research on how democracies evolve. They also ignored our own struggles over two centuries to create the democracy Americans enjoy today. Somehow Iraqis are now expected to create a constitutional order in a country with no conditions favoring it.

This is not to say that Arabs cannot become liberal democrats. When they immigrate to the United States, many do so quickly. But it is to say that Arab countries, as well as a large majority of all countries, find creating a stable constitutional democracy beyond their capacities.

Second, to expect any Iraqi leader who can hold his country together to be pro-American, or to share American goals, is to abandon common sense. It took the United States more than a century to get over its hostility toward British occupation. (In 1914, a majority of the public favored supporting Germany against Britain.) Every month of the U.S. occupation, polls have recorded Iraqis' rising animosity toward the United States. Even supporters of an American military presence say that it is acceptable temporarily and only to prevent either of the warring sides in Iraq from winning. Today the Iraqi government survives only because its senior members and their families live within the heavily guarded Green Zone, which houses the U.S. Embassy and military command.

As Congress awakens to these realities—and a few members have bravely pointed them out—will it act on them? Not necessarily. Too many lawmakers have fallen for the myths that are invoked to try to sell the president's new war aims. Let us consider the most pernicious of them.

(1) We must continue the war to prevent the terrible aftermath that will occur if our forces are withdrawn soon. Reflect on the double-think of this formulation. We are now fighting to prevent what our invasion made inevitable! Undoubtedly we will leave a mess—the mess we created, which has become worse each year we have remained. Lawmakers gravely proclaim their opposition to the war, but in the next breath express fear that quitting it will leave a blood bath, a civil war, a terrorist haven, a "failed state," or some other horror. But this "aftermath" is already upon us; a prolonged U.S. occupation cannot prevent what already exists.

(2) We must continue the war to prevent Iran's influence from growing in Iraq. This is another absurd notion. One of the president's initial war aims, the creation of a democracy in Iraq, ensured increased Iranian influence, both in Iraq and the region. Electoral democracy, predictably, would put Shiite groups in power—groups supported by Iran since Saddam Hussein repressed them in 1991. Why are so many members of Congress swallowing the claim that prolonging the war is now supposed to prevent precisely what starting the war inexorably and predictably caused? Fear that Congress will confront this contradiction helps explain the administration and neocon drumbeat we now hear for expanding the war to Iran.

Here we see shades of the Nixon-Kissinger strategy in Vietnam: widen the war into Cambodia and Laos. Only this time, the adverse consequences would be far greater. Iran's ability to hurt U.S. forces in Iraq are not trivial. And the anti-American backlash in the region would be larger, and have more lasting consequences.

(3) We must prevent the emergence of a new haven for al-Qaeda in Iraq. But it was the U.S. invasion that opened Iraq's doors to al-Qaeda. The longer U.S. forces have remained there, the stronger al-Qaeda has become. Yet its strength within the Kurdish and Shiite areas is trivial. After a U.S. withdrawal, it will probably play a continuing role in helping the Sunni groups against the Shiites and the Kurds. Whether such foreign elements could remain or thrive in Iraq after the resolution of civil war is open to question. Meanwhile, continuing the war will not push al-Qaeda outside Iraq. On the contrary, the American presence is the glue that holds al-Qaeda there now.

(4) We must continue to fight in order to "support the troops." This argument effectively paralyzes almost all members of Congress. Lawmakers proclaim in grave tones a litany of problems in Iraq sufficient to justify a rapid pullout. Then they reject that logical conclusion, insisting we cannot do so because we must support the troops. Has anybody asked the troops?

During their first tours, most may well have favored "staying the course"—whatever that meant to them—but now in their second, third and fourth tours, many are changing their minds. We see evidence of that in the many news stories about unhappy troops being sent back to Iraq. Veterans groups are beginning to make public the case for bringing them home. Soldiers and officers in Iraq are speaking out critically to reporters on the ground.

But the strangest aspect of this rationale for continuing the war is the implication that the troops are somehow responsible for deciding to continue the president's course. That political and moral responsibility belongs to the president, not the troops. Did not President Harry S Truman make it clear that "the buck stops" in the Oval Office? If the president keeps dodging it, where does it stop? With Congress?

Embracing the four myths gives Congress excuses not to exercise its power of the purse to end the war and open the way for a strategy that might actually bear fruit.

The first and most critical step is to recognize that fighting on now simply prolongs our losses and blocks the way to a new strategy. Getting out of Iraq is the pre-condition for creating new strategic options. Withdrawal will take away the conditions that allow our enemies in the region to enjoy our pain. It will awaken those European states reluctant to collaborate with us in Iraq and the region.

Second, we must recognize that the United States alone cannot stabilize the Middle East.

Third, we must acknowledge that most of our policies are actually destabilizing the region. Spreading democracy, using sticks to try to prevent nuclear proliferation, threatening "regime change," using the hysterical rhetoric of the "global war on terrorism"—all undermine the stability we so desperately need in the Middle East.

Fourth, we must redefine our purpose. It must be a stable region, not primarily a democratic Iraq. We must redirect our military operations so they enhance rather than undermine stability. We can write off the war as a "tactical draw" and make "regional stability" our measure of "victory." That single step would dramatically realign the opposing forces in the region, where most states want stability. Even many in the angry mobs of young Arabs shouting profanities against the United States want predictable order, albeit on better social and economic terms than they now have.

Realigning our diplomacy and military capabilities to achieve order will hugely reduce the numbers of our enemies and gain us new and important allies. This cannot happen, however, until our forces are moving out of Iraq. Why should Iran negotiate to relieve our pain as long as we are increasing its influence in Iraq and beyond? Withdrawal will awaken most leaders in the region to their own need for U.S.-led diplomacy to stabilize their neighborhood.

If Bush truly wanted to rescue something of his historical legacy, he would seize the initiative to implement this kind of strategy. He would eventually be held up as a leader capable of reversing direction by turning an imminent, tragic defeat into strategic recovery.

If he stays on his present course, he will leave Congress the opportunity to earn the credit for such a turnaround. It is already too late to wait for some presidential candidate for 2008 to retrieve the situation. If Congress cannot act, it, too, will live in infamy.

Chaos, not democracy, has taken root in Iraq, and chaos will continue to take U.S. lives until we act in our best interest and order our people out of harm's way.

News accounts continue to remind us that our soldiers don't even have the proper body and vehicle armor. We cannot adequately protect the soldiers already serving, but more were ordered in anyway. If you want the most basic reason to vote to oppose escalation, it is that we haven't properly equipped the troops already in Iraq, and we are not doing any better by the troops we are sending in now.

Just being on the record against the President's escalation of this war is not enough. The only way to diffuse the violence in Iraq is to defund the war in Iraq. Congress has the power to control the funding, and we have the responsibility to exercise the power vested in us by the Constitution. That is what the American people elected us to do. We must exercise our constitutional power as a co-equal branch of government and do what the President is unwilling to do: bring our soldiers home.

When appropriations for Iraq come to the floor, I intend to offer an amendment based on the 1970 Hatfield-McGovern appropriations amendment to end the war in Vietnam. It will be an amendment to provide funding to protect our soldiers as we bring them home in a planned, safe, and orderly way, and to prohibit taxpayers' monies from being used to continue or expand the war in Iraq. This will provide a transition for the Iraqi security forces using a benchmark that matters: the date when U.S. troops will be out of there.

The Iraqis can't help themselves until we get out. Right now, almost anything constructive that Iraqis do is seen as collaborating with the United States occupiers. We have to get out of the way so the Iraqis can solve their own problems. We can't help; we just make good targets.

So I want to encourage everyone in the House to vote for this resolution. I want to make it the biggest, strongest, clearest vote that we can get to let the President know for the second time, he ignored the election, that the Congress says "no."

I know that many Members of the Republican Party are as distressed as I am about Iraq, and I admire their courage in standing up to their President. Every veteran, including myself, in this House and in this Nation is very proud of our soldiers. They have done what we have asked them to do. It is time for new orders to be issued. It is time to end the U.S. role in the Iraq civil war. It is not a war on terrorism; it is a civil war. And bring our soldiers home. We can begin to do it immediately. That is what I advocate and that is what the American people expect from us.

Ms. ROS-LEHTINEN. Mr. Speaker, I am so pleased to yield such time as he may consume to Mr. BURTON of Indiana, the ranking member of the Subcommittee on Western Hemisphere, and a long-time veteran on leading the fight against Islamic jihadists.

Mr. BURTON of Indiana. Mr. Speaker, those who don't profit from history are destined to make the same mistakes over and over again.

When I knew this debate was going to take place, I went back and started having my staff go through all the newspapers they could find prior to World War II criticizing Winston Churchill for his stand against Hitler and the build-up in violation of the Treaty of Versailles of Nazi Germany, and nobody listened. And as a result of nobody listening, 62 million people died. Not 1,000, not 10,000; 62 million people died. You ought to read these articles. They are very interesting. He was maligned; he was criticized. They said he should be run out of Parliament. And, of course, once the war started, he became Prime Minister and one of the greatest men of the 20th century.

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We are in a world war now against terrorism. I know my colleagues on the other side of the aisle said this isn't a world war, this is a civil war. But if you look at the record, since 1983, there have been numerous attacks, numerous attacks, on the West. There have been attacks at the World Trade Center in 1993. There was attacks in 1994; the Khobar Towers in 1996; the U.S. embassies in Kenya and Tanzania in 1998; USS *Cole* in 2000; the September 11, 2001 attacks which brought this country into the war; the London bombings in 2005 and countless other attacks. This is not confined just to the Middle East. These people want to spread their venom throughout the world.

Now, if we pull out of Iraq, what does that do? Everybody knows right now that the President of Iran wants to expand his sphere of influence. He is sending terrorists across the border from Iran into Iraq. He is helping Hezbollah in Lebanon.

Let me read to you a quote from him. He said, "Israel should be wiped off the map" and that "anybody who recognizes Israel," anybody who recognizes Israel, "will burn in the fire of the Islamic nations' fury." And they have been involved in terrorist attacks. They are trying to build a nuclear bomb right now, and they are watching us on television as we speak, make no mistake.

Iran and the terrorists are watching, and they are thinking, my gosh, the will of the American people is waning, and we are going to turn tail and run. We are going to pull out.

This isn't Vietnam. Vietnam was a country, Cambodia and Laos are countries in southeast Asia. This is a world war. They have attacked the United States of America. It was a worse tragedy than that which took place in Hawaii in 1941 when they attacked Pearl Harbor, and now they are trying to develop a nuclear bomb.

If we pull out of Iraq, you may rest assured that Iran's sphere of influence will grow, and the fear of Iran throughout the Middle East and the world will grow. They will not back down from their development of a nuclear weapon and a delivery system that can reach not only the Middle East and Europe, but the entire world.

What I am trying to say now is if we start pulling out and looking like we are turning tail and running, we are likely to be in another huge war in the years to come. I don't know whether it will be 2 years, 5 years or 10 years, or quicker than that. But if they develop a nuclear weapon, and they see that we are weak, and we are pulling out, they are going to push like they have been pushing, and they will push, and they will push, and they will push until we have to go into a war that is much greater than what we face today.

There is a lot at stake right here, right now. My colleagues, I think, are being very myopic. They are not looking at the big picture. This is something that I think all of us ought to think about.

You know, we all have kids, and we all have grandkids, and we all have friends who are fighting in Iraq right now. We know young men who have gone over there and sacrificed, lost their arms and legs and have died, and it is tragic, it is a horrible thing. World War II was horrible.

Every war was horrible. When you see people dying, in combat, you can hardly stand it, because you know how their families and they feel, those who survive.

War is hell. But sometimes it is necessary. If you don't stand up to a bully or a tyrant, then they will push, and they will push, and they will push until you have to fight. If you wait too long, the fight is so severe that you really get hurt. It is better to whip them at the beginning than to wait until later on when the cost is much, much higher.

Lord Chamberlain went to Munich in 1938. He signed a peace agreement on Herr Hitler's terms, gave the Sudetenland to him and said, Hey, if you don't go into Poland or Czechoslovakia, we'll let you have it. All we want is peace, peace in our time.

He came back, and he had given the green light to Adolf Hitler because he appeared weak, and the allied forces appeared weak, they were dismantling their weapons and their military, and he said, They're weak. We can do whatever we want. So he started World War II, and 62 million people died.

We are in the same situation today, in my opinion, with the radical terrorists and Iran. We need to let them know that we are going to be firm, and we are going to stand up to whatever they throw at us right now so that we don't face a major Holocaust down the road. I really believe this. I am not just saying this as a political speech. I am not saying any of my colleagues are just making political speeches now. today. I really believe what they are saying.

But I am convinced after studying history and watching what happened in the past, that if we don't deal with this problem now, we will deal with it later, and the costs will be a heck of a lot more than it is today, and it may involve millions and millions of lives. Can you imagine what would happen if a nuclear weapon was launched in New York, California or someplace else in this country? Can you imagine?

Can you imagine a Holocaust if a nuclear war broke out involving Iran throughout the world, not only in the Middle East? This is what I think we face right now. Deal with them now, let them know we are going to stand firm, Iraq is going to be a democracy. We are not going to let Iran or any of the terrorists prevail, and we are going to stop a Holocaust in the future.

Mr. SKELTON. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania (Mr. PATRICK J. MURPHY) first and only Iraq war veteran to serve in this body, a Member of the 82nd Airborne Division, who received the Bronze Star and his unit received the Presidential Unit Citation.

Mr. PATRICK J. MURPHY of Pennsylvania. Thank you, Mr. Chairman, I appreciate it.

Mr. Speaker, I take to the floor today, not as a Democrat or a Republican, but as an Iraq war veteran who was a captain of the 82nd Airborne Division in Baghdad.

I speak with a heavy heart for my fellow paratrooper Specialist Chad Keith, Specialist James Lambert and the 17 other brave men I served with who never made it home.

I rise to give voice to hundreds of thousands of patriotic Pennsylvanians and veterans across the globe who are deeply troubled by the President's call to escalate the number of American troops in Iraq.

I served in Baghdad from June of 2003 to January of 2004. Walking in my own combat boots, I saw firsthand this administration's failed policy in Iraq. I led convoys up and down Ambush Alley in a Humvee without doors, convoys that Americans still run today because too many Iraqis are still sitting on the sidelines.

I served in al-Rashid, Baghdad, which, like Philadelphia, is home to 1.5 million people. While there are 7,000 Philadelphia police officers serving, like my father in Philadelphia, protecting its citizens, there were only 3,500 of us in al-Rashid, Baghdad.

Mr. Speaker, the time for more troops was 4 years ago, but this President ignored military experts like General Shinseki and General Zinni, who, in 2003, called for several hundred thousand troops to secure Iraq.

Mr. Speaker, our President, again, is ignoring military leaders, patriots like General Colin Powell, like General Abizaid and members of the bipartisan Iraq Study Group who oppose this escalation.

But most importantly, Congresses in the past did not stand up to the President and his policies. But today I stand with my other military veterans, some who were just elected, like Sergeant Major TIM WALZ, Admiral JOE SESTAK and Commander CHRIS CARNEY. We stand together to tell this administration that we are against this escalation, and that Congress will no longer give the President a blank check.

Mr. Speaker, close to my heart is a small park on the corner of 24th and Aspen Streets in Philadelphia. This is the Patrick Ward Memorial Park. Patrick Ward was a door gunner in the U.S. Army during Vietnam. He was killed serving the country that he loved. He was the type of guy that neighborhoods devote street corners to and parents name their children after him, including my parents, Marge and Jack Murphy.

Mr. Speaker, I ask you, how many more street corner memorials are we going to have for this war? This is what the President's proposal does. It sends more of our best and bravest to die refereeing a civil war. Just a month ago, Sergeant Jae Moon from my district in Levittown, Bucks County, was killed in Iraq.

You know, a few blocks away from this great Chamber, when you walk in the snow, is the Vietnam Memorial, where half the soldiers listed on that wall died after America's leaders knew our strategy would not work. It was immoral then, and it would be immoral now to engage in the same delusion. That is why sending more troops in the civil war is the wrong strategy.

We need to win the war on terror, and reasonable people may disagree on what to do, but most will agree that it is immoral to send young Americans to fight and die in a conflict without a real strategy for success. The President's current course is not resolute, it is reckless. That is why I will vote to send a message to our President that staying the course is no longer an option.

Mr. Speaker, it is time for a new direction in Iraq. From my time serving with the 82nd Airborne Division in Iraq, it became clear that in order to succeed there, you must tell the Iraqis that we will not be there forever. Yet, 3 years now since I have been home, it is still Americans leading convoys up and down Ambush Alley and securing Iraqi street corners. We must make the Iraqis stand up for Iraq and set a timeline to start bringing our heroes home.

That is why I am proud to be an original cosponsor, with Senator BARACK OBAMA and fellow paratrooper, Congressman MIKE THOMPSON, of the Iraq De-escalation Act, a moderate and responsible plan to start bringing our troops home, mandating a surge in diplomacy and refocusing our efforts on the war on terror and Afghanistan.

Mr. Speaker, our country needs a real plan to get our troops out of Iraq, to protect our homeland and to secure and refocus our efforts on capturing and killing Osama bin Laden and al Qaeda. There are over 130,000 American servicemen and women serving bravely in Iraq. Unfortunately, thousands more are on the way. An open-ended strategy that ends in more faceless roadside bombs in Baghdad and more street-corner memorials in America is not one that I will support.

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to yield such time as he may consume to Mr. PENCE, the ranking member of the Subcommittee on the Middle East and South Asia, whose minority staff director, Greg McCarthy, setting up the posters, is an Iraq war veteran and a marine as well.

Mr. PENCE. I thank the ranking member for yielding time.

Mr. Speaker, I rise today in opposition to the concurrent resolution for the House, and I do so from a position of a humble public servant, one who has not served in Iraq in uniform, as our previous speaker did, and others have who are in this Chamber at my side, but as one who has been there. I rise as one who is charged with public responsibility as the ranking member of the Middle East Subcommittee.

While this resolution before the Congress today and this week, while this resolution expresses support for our troops in Iraq, the heart of the resolution is a statement of disapproval of the President's so-called surge of troops in Iraq, and I cannot support it.

I see Iraq, as others have eloquently stated, as the central front in the war on terror. I rise today in opposition to this resolution out of a fundamental sense that we have a moral obligation to finish what we started, to confront the enemies of our way of life, and to support our duly elected Commander in Chief as he makes those decisions that he deems necessary and appropriate to achieve those ends.

Let me say from the heart, for a moment, my reasons for supporting this troop surge. A few days before President Bush addressed the Nation, he invited a handful of Members of Congress down to the West Wing of the White House. I must tell you that I had my doubts about this troop surge. In all four of my trips to Iraq, I had heard consistently from our military commanders over the past several years that a large American footprint in Iraq was actually counterproductive to our goals.

□ 1530

But August and the aftermath of 2006 changed all of that. All of that advice predated an extraordinary increase in violence that commenced in the late summer of last year, when it became clear to all of us in this body, and to freedom-loving people around the world, that our strategy and tactics on the ground in Iraq were not working.

Now, I took that skepticism and that counsel into the Cabinet room of the West Wing, and there I heard the President describe a new strategy and new tactics. For all of the world to have read the newspaper accounts, Mr. Speaker, I would have assumed the

President was simply sending more troops for more troops' sake. But that was not the case.

Despite what the previous speaker on this floor suggested, this is a new strategy. It is a new way forward. It is an effort on the part of the President to embrace an increase in troop strengths in Baghdad that was initially recommended by the Iraq Study Group, and more on that in a moment.

But let me say that I believe this new way forward, this new approach ought to be given a chance to work. I believe to oppose the President's new strategy in Iraq is to accept the status quo. And the headlines of the last 24 hours should tell every man and woman of good will in this Congress that the status quo in Iraq is not acceptable.

Now, earlier I mentioned that the approach of a troop surge in Baghdad was first recommended by the Iraq Study Group. I am quite struck, Mr. Speaker, that the previous speaker who is a freshman Member of Congress from Pennsylvania spoke, as many have in the Democrat majority, quite glowingly of the report of the Iraq Study Group. And I admire this work product greatly.

A bipartisan work authorized during the last Congress, James A. Baker, III, former Secretary of State, Lee Hamilton of Indiana, a former chairman of the House International Relations Committee bringing together a bipartisan group of wise counselors developed the Iraq Study Group report.

While I do not agree with every aspect of it, particularly those that talk about having a dialogue with terrorist states in the region, there is much that recommends the American people to the Iraq Study Group. And again I site in evidence the gentleman from Pennsylvania's glowing reference to that report just moments ago.

Now, let's look, if we can, at what the Iraq Study Group has to say about the idea of a troop surge in Iraq. I would offer very humbly, and maybe startling to some who are looking in, Mr. Speaker, that the very words "troop surge" comes from the Iraq Study Group's recommendations.

Allow me to quote from page 73 of the book that is available in book stores all over America. The Iraq Study Group said: "We could, however, support a short-term redeployment or surge of American combat forces to stabilize Baghdad or to speed up the training and equipping mission if the U.S. Commander in Iraq determines that such steps would be effective."

Let me emphasize that again. The Iraq Study Group that the gentleman from Pennsylvania and many in the majority have heralded as an important work that provides us with a vision for going forward says: "We could, however, support a short-term redeployment of surge of American combat forces to stabilize Baghdad."

Mr. Speaker, that is precisely what President Bush called for in January. And it is precisely that which Congress this week is poised to reject in a nonbinding resolution. I submit to you today that if the Iraq Study Group is to be cited again and again by the majority as source authority, and a fount of wisdom, and I believe it is, then let's be clear about the recommendations of the Iraq Study Group.

It is not to say, Mr. Speaker, that a short-term redeployment or surge of combat forces in Baghdad will solve the present crisis and impasse that we face. It simply is a strategy to quell violence with Iraqis in the lead, to create the conditions of stability whereby a long-term political solution can be achieved.

Now let me say, Mr. Speaker, it was my great hope that the resolution before us today would have come to the floor under procedural rules that allowed for amendments. For my part I spent much of last evening offering an amendment, along with others, that would state that it is the sense of Congress that we should not take any action that would result in the elimination or reduction of funds for our troops.

I rise today not to complain about procedure, but to say, Mr. Speaker, I regret that this newly minted majority could not do as the Democrat chairman of the Senate Armed Services Committee appears prepared to act.

My amendment that was offered, similar to others, has nearly identical language to a resolution being offered by the distinguished Senator LEVIN, the chairman of the Armed Services Committee. And both of us agree that Congress should affirmatively state that it will not cut funding to the troops.

I deeply regret that we were not able to make that declarative statement today. And let me say with great respect to the chairman of this Armed Services Committee, who needs not to hear from me about the deep respect I have for him, that I have to believe that somewhere in his heart of hearts, knowing his extraordinary record of service to this country, that he may well have hoped for a stronger statement as well.

While the Democrat resolution before us expresses the hope that Congress and all Americans will continue to support and protect our brave men and women serving in Iraq, it does not take the next step to show tangible support for our troops in the nature of funding. And let me say this with great sincerity: there is a fundamental difference between pledging to support and protect our troops and pledging not to cut off the funding for our war in Iraq.

It is a specious distinction, and one that is not lost on our colleagues in the Senate. I would submit to you that words have consequences, and "support" and "protect" do not assure the American people that we will continue to fund our troops in the field.

I believe the American people understand this point, Mr. Speaker. A poll cited this morning in USA Today shows that even though a majority of Americans are opposed to the surge of troops in Baghdad, a majority also oppose cutting off funding for the troops.

The American people do not want Congress to defund this war in the majority, even if they are concerned about the course and direction the war is taking. And Congress should tell the troops and the American people that it will never use the power of the purse to accomplish policy ends in the field of battle.

With this I close. Listening to this debate today and to the opposition to the surge being espoused by the Democrat majority, I have begun to wonder a very simple question: What if it works? I have made it clear that I support the surge and the President's new strategy.

My good friends on the Democrat side of the aisle and, as has been said, some Republicans have made it clear that they oppose the surge of forces in Iraq. And that is their right, and if it is in their heart, it is their duty. And at this moment, it appears that a majority of Americans are with the majority in this Congress.

But what if? What if they are wrong? What if you are wrong? What if the surge and the new leadership of General Petraeus and the courage and bravery of American men and women in uniform and the sacrifices of Iraqis in uniform succeed in the coming months?

You know, it is a snow day back in Indiana today, Mr. Speaker. And my kids are even home watching this on TV. I give my kids some pretty basic advice sometimes. One of the pieces of advice I give my kids when they are facing challenges, I say to them, you know, people don't like losers, but they like quitters even less.

And I think we ought to reflect on that old maxim as we come upon this decision today. If this new strategy in Iraq succeeds in the coming months, what will those who vote for this resolution say? The truth is, we must fight and win a victory for freedom in Iraq. The truth is we have no option but victory.

In their hearts the American people know this, and the American people are willing to make the hard choices to choose victory. Courage. Courage is the key in this moment.

C.S. Lewis wrote that courage is not simply one of the virtues, but the form of every virtue at the testing point. Courage then is the answer, not recrimination and retreat. We are at a moment when the American people and the Members of this body will take a stand. This is a moment for courage. Our brave men and women in Iraq exhibit courage and uncommon valor every day.

It is my hope and prayer that we in this House might follow their lead and show them that such courage resides here as well. Let's vote down this resolution and find it within ourselves to lead the American people by bringing forward the resources and the support necessary to see freedom within Iraq.

Mr. SKELTON. Mr. Speaker, I yield 5 minutes to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Speaker, I rise to support this resolution and to call upon my colleagues to make a commitment to protect our troops and to bring them home as quickly and safely as possible.

Mr. Speaker, the American people and Members of Congress were deceived. Every reason we were given for invading Iraq was false. Weapons of mass destruction, not there. Saddam Hussein working hand in glove with al Qaeda, not true.

I ask you, if the President had gone to the American people and said, we must invade a country that poses no imminent threat to us and sacrifice thousands of lives in order to create a democratic government in Iraq, would we have assented? I think not.

As the President now says to us that we should continue indefinitely to expend American blood and treasure to support one side in a sectarian civil war, should Congress continue to consent? I think not. We need to say enough already. Enough with the lies and the deceit and the evasions, enough with the useless bloodshed.

We must protect our troops and ensure their safety while they are in Iraq. But we must not send more troops there to intervene in a civil war whose outcome they cannot determine.

And we should set a swift timetable to withdraw our troops from Iraq and let the contending Iraqi factions know that we will not continue to expend American blood and treasure to referee their civil war.

Only if faced with the reality of imminent withdrawal of American troops might the Iraqis strike a deal with each other and end the civil war. We know, Mr. Speaker, that the administration has botched the handling of this war. They stood by as Baghdad was looted, they failed to guard ammunition depots, they disbanded the Iraqi Army, they crippled the government by firing all of the competent civil servants in the name of debaathification, and they wasted countless billions of dollars on private contractors and on God only knows what with no accounting.

And all this while they continued to deny resources to the real war on the real terrorists. They let Osama bin Laden escape.

□ 1545

They allowed the Taliban to recover and to reconquer. They allow our ports to remain unprotected from uninspected shipping containers, and they let loose nuclear materials remain unaccounted for, waiting to be smuggled to al Qaeda to be made into nuclear weapons.

And why does the President want more troops in Iraq? To expand our role from fighting Sunni insurgents to fighting the Shiite militias also. Of course, when we attack the Shiite militias, they will respond by shifting their targets from Sunnis to American troops. American casualties will skyrocket, and we will be fighting two insurgencies instead of one.

I believe the President has no real plan other than not to "lose Iraq" on his watch, and to hand over the whole mess to a successor in 2 years. He will ignore anything we do that doesn't have the force of law. That is why this resolution must be only the first step.

In the supplemental budget we will consider next month, we should exercise the only real power we have, the Congressional power of the purse. We will not cut off the funds and leave our troops defenseless before the enemy, as the demagogues would imply. But we should limit the use of the funds we provide to protecting the troops while they are in Iraq and to withdrawing them on a timetable mandated in the law. We should provide funds to rebuild the Army and to raise our readiness levels. We should provide funds for diplomatic conferences in case there is any possibility of negotiating an end to the Iraqi civil war. And we should provide funds for economic reconstruction assistance. But above all, we must use the power of the purse to mandate a timetable to withdraw the troops from Iraq.

We must use the power the people have entrusted to us. The best way to protect our troops is to withdraw them from the middle of a civil war they cannot win and that is not our fight.

I know that if we withdraw the troops, the civil war may continue and could get worse. But this is probably inevitable no matter how long our troops remain. And if the Iraqis must fight a civil war, I would rather they fight it without 20,000 more Americans dying.

Yes, the blindness of the administration is largely to blame for starting a civil war in Iraq, but we cannot end it. Only the Iraqis can settle their civil war. We can only make it worse and waste our blood and treasure pointlessly.

So let us pass this resolution, and then let us lead this country out of the morass in Iraq so that we can devote our resources to protecting ourselves from the terrorists and to improving the lives of our people.

Mr. SKELTON. Mr. Speaker, I yield 5 minutes to the gentleman from North Carolina, United States Army veteran, Mr. ETHERIDGE.

Mr. ETHERIDGE. Mr. Speaker, as a veteran, as you have heard, of the United States Army, myself, I strongly support our troops, our veterans and their families. Let me state at the outset that our troops have done everything that has been asked of them to do. They have done it well. Exceptionally well, I might say.

More than 34,000 from North Carolina have been deployed on Operation Enduring Freedom and Operation Iraqi Freedom. And more than 5,000 are currently over there now. More are preparing to go back to the desert once again.

I am tremendously proud of all the troops from North Carolina and across America who have laced up their boots, followed their orders, and done their duty. They are our heroes, and we salute them.

Regardless if one terms the President's announced change in policy a surge or an escalation or an augmentation, the so-called new plan can be summed up in four words: more of the same.

I myself have traveled to Iraq twice. And after I returned last year I said the administration must change from this failed policy. Specifically, I said that we need more burden-sharing support from other countries, more communities and countries in the region, because the whole world has a tremendous stake in a stable Iraq and a peaceful Middle East.

This administration's arrogant disregard for our international partners has destroyed U.S. alliances that were decades in the making. Those alliances saw us through the darkest days of the cold war when the very existence of our country hung in the balance. Yet, this administration tossed them aside like yesterday's news.

It is a sad tragedy to witness the forfeiture of America's moral standing in the world and the abandonment of diplomacy as an effective asset for America's interests.

We need to bring all the parties to the table and discuss cooperative action to secure Iraq's long-term stability and a peaceful Middle East.

Mr. Speaker, I voted to give the President the authority to topple Saddam Hussein's regime in Iraq because he said it presented a "grave and gathering threat to America."

The President said Saddam Hussein possessed weapons of mass destruction and intended to use them against America.

The President said Saddam was in cahoots with Osama bin Laden's al Qaeda terrorists. I took the President of the United States of America at his word. We have learned, to our great regret, what that was worth.

Now the President wants to send 21,000 more troops to Baghdad. Republican Senator ARLEN SPECTER called the new deployment "a snowball in July." An outgoing commander of the Central Command, with responsibility for Iraq, told the Senate last November, and I quote, "I do not believe that more American troops right now is the solution to the problem. I believe the troop levels need to stay about where they are."

And the former Republican chairman of the Senate Armed Services Committee, John Warner, a decorated marine and former Secretary of the Navy, said last month, "I feel very strongly that the American GI was not trained, not sent over there, certainly not by resolution of this institution, to be placed in the middle of a fight between Sunni and Shiia and the wanton and just incomprehensible killing that is going on at this time."

Mr. Speaker, I have voted for every defense bill and war funding legislation that Congress has passed for Iraq. I am very concerned about the state of readiness of our American Armed Forces.

As the Representative for Fort Bragg and Pope Air Force Base, I know that America's military and our military communities have many unmet needs, while the war in Iraq continues to consume more and more public dollars, with no end in sight.

In conclusion, I rise in support of this resolution with no joy in my heart, but with solid conviction in my soul. The failure of this administration has gone unchecked and unchallenged by the Congress of the United States for far too long. We need a new direction in Iraq.

The question before Congress is this: Is more of the same in Iraq an acceptable policy? The answer is no.

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to yield such time as he may consume to Mr. ROYCE, the ranking member of the International Terrorism, Nonproliferation and Trade Subcommittee, obviously an expert in this field.

The SPEAKER pro tempore (Mr. LYNCH). The chair is trying to address an imbalance in the time for debate.

Ms. ROS-LEHTINEN. Mr. Speaker, I very much agree, and we have been doing that approach. There are some time restraints from some of our Members, and so it necessitated this change, but we have been making sure that the Democrats could get their members in.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. ROYCE. I will begin my remarks by saying that I hope that these 3 days of debate, Mr. Speaker, are characterized by civility and respect. Without doubt, this is the most difficult issue that we will confront in this Congress.

Iraq is terribly complex. The stakes for our national security are great, and the sacrifice in American lives and the loss of Iraqi lives have been very painful.

This is a war unlike any other we have fought, and it has been vexing. All of us, supporters and opponents of this resolution alike, Republicans and Democrats, all Americans, have a vital interest in our Nation succeeding in helping to build a stable Iraq and defeating Islamist terrorism. That is the challenge of our time.

As we have heard, mistakes have been made. There is no doubt about that. I have been dismayed by some of them: the lethargy in training Iraqi troops, the inability to meter oil and protect civilian infrastructure. But we can't allow this to cloud our strategic judgments.

To my mind, this resolution, indeed our struggle in Iraq, can be boiled down to two questions: Are Iraq and the global struggle against Islamist terrorism separable? And is Iraq hopeless? The answer to both questions is no, which leads me to a "no" on this resolution.

The rationale for this war has changed, whether we like it or not. We are now fighting for stability and moderation against the Islamist terrorism that is now host in Iraq.

Our Civil War didn't start out as a battle against slavery. It was a fight to save the Union.

We started out fighting Saddam and to stop what the majority of this House believed was his weapons of mass destruction program. We are now fighting Islamist terrorism. It is a different and more daunting fight, but the consequences of our success or failure are no less critical because the stakes of this battle have changed.

Let there be no doubt about this: Defeat in Iraq will be a terrible blow to our national security. It will psychologically boost the Islamist terrorists who we are fighting there and elsewhere.

The bipartisan Iraq Study Group reported Ayman al-Zawahiri, deputy to Osama bin Laden, has declared Iraq a focus for al Qaeda. That declaration is more than words.

While not all fighters in Iraq are jihadists, many are. Some have wrongly denied that here on the House floor today. Jihadists are coming from all over the world. The report reads, "They will seek to expel the Americans and then spread the jihad wave to the secular countries neighboring Iraq." Chaos in Iraq will allow for more terrorist safe havens there.

The 9/11 Commission stated that every policy decision we make needs to be seen through the lens of terrorist sanctuaries. My colleagues, I would ask if we are doing that.

And that report stated that if Iraq becomes a failed state, it will go to the top of the list of places that are breeding grounds for attacks against Americans abroad.

We saw what happened when Afghanistan descended into chaos. Al Qaeda emerged out of the ruin to strike America on 9/11. That is the type of threat we are facing today, which will be supercharged if Iraq fails.

We have to confront the potential disaster scenario in the region that U.S. failure in Iraq could bring, which would be worsening strife which could engulf the entire region, sparking a wider war in this resource-rich area.

Saudis have warned that they are prepared to aid Sunni militias. Jordan could move troops into Iraq's western desert to serve as a buffer. The Turks are increasingly worried about the independent Kurdish movement. Iran could move to secure the oil fields to the south.

In describing the consequences of continued decline in Iraq, the Iraq Study Group wrote, "Such a broader sectarian conflict could open a Pandora's box of problems, including the radicalization of populations, mass movement of populations, and regime changes that might take decades to play out."

This is the powder keg that is Iraq today. The status quo is nasty. But the consequences of failure, while unpredictable, is far worse.

So to the second question: Is Iraq hopeless? I can understand why many Americans may feel that way. Every day there are horrific car bombings, the sectarian violence has intensified. We will hear many assessments that Iraq is hopeless in this debate.

No one is going to argue that success is guaranteed. But arguments that we have no chance of bringing stability on the ground in Iraq are also extreme arguments.

Are the forces of chaos so strong, and are the forces of stability and moderation so weak as to doom with certainty our efforts?

But I have spoken with too many people in the field, people with some optimism, that I am not ready to conclude that with certainty. And I don't think this House should reach that conclusion.

☐ 1600

And that is my read of the bipartisan Iraq Study Group which, while recognizing the grave challenges, spoke of improving the process for success. The fact that the consequences of our defeat would be so great also leads me to persist.

Let's consider more about the implications of defeat. Look at neighboring Iran. Most Americans remember the 1979 Iranian takeover of our embassy in Tehran. That led to 444 days of captivity for our men and women. Unfortunately, relations with Iran have only worsened since. Iran today is a state sponsor of terrorism. It aids Hezbollah, and it backed this terrorist group's war on Israel this summer. With Iranian backing, Hezbollah is the A Team of terrorism, running highly sophisticated operatives worldwide, including here.

Some terrorism experts consider Hezbollah to be a more challenging foe than al Qaeda. Iran is backing the insurgents fighting our men and women in Iraq. Iran is also storming ahead with a nuclear weapons program.

The embassy takeover was a big morale boost for Islamist terrorists; some trace the beginning of Islamist terrorism to that embassy takeover. The shattering of the Iraqi state in our hands would be that 1979 morale boost magnified. It would also prove the way for tremendous Iranian influence in the region.

We must face our responsibility to the Iraqi people. Yes, we have given them 4 years to come together; it has been beyond frustration that they haven't. Tens of thousands of Iraqis have died during this time. What happens if we leave or operate without the manpower our military leadership says it needs? I don't think anyone believes that the carnage won't be several times what we have seen.

We often hear calls to intervene in countries for humanitarian reasons. Some would like our military to go to Darfur in Sudan. Maybe we should take decisive military actions to stop that genocide, but what about trying to finish a job where we have already made a huge military commitment, knowing full well that Iraq's withdrawal would lead to a brutal humanitarian crisis?

We also often hear from some about how unpopular our country is worldwide. This is said to greatly harm our influence and interest. And there is truth to that. Just wait if our withdrawal precipitates a horrific scale of ethnic cleansing. Is that the Iraqi legacy we want? I am not ready to concede the inevitability of this.

It is very important that our Nation be united. Our success depends upon it. We need to be sowing discord among the enemy, not ourselves. We have had successes against Islamist terrorism worldwide.

This resolution states that Congress disapproves of the January decision of the President to deploy more troops to Iraq. The bipartisan Iraq Study Group panel, but one month earlier, said it could support a short-term redeployment of American combat forces to stabilize Baghdad. This resolution goes in the opposite direction.

I have heard the argument about why this resolution isn't a retreat, but it is a nonbinding rebuke of the President's tactics, that it doesn't cut off funding. That may be the case on paper, but the symbolism is far greater. I don't see how opposing our professional military's call for more troops at this pivotal time is anything but a signal of permanent retreat. It is also congressional micromanagement.

The war is horrible. The easy thing would be to just say out. But we can't wish away the Islamist terrorists will take great strength from our defeat. That is what they are saying. These individuals in groups are as persistent as they are brutal. They must be fought and defeated. So let's not give these forces a win on the floor of the U.S. House.

I ask my colleagues to think through these implications and vote down this resolution

Mr. SKELTON. Mr. Speaker, I now yield 6 minutes to the gentleman from California (Mr. BACA), former paratrooper with both the 101st and 82nd Airborne Divisions.

Mr. BACA. Mr. Speaker, I rise in support of House Concurrent Resolution 63.

I thank the Armed Services Committee chairman, Mr. SKELTON, for carrying this legislation in support of our military troops and opposing the President's plan to send at least 21,500 more troops to Iraq.

I speak today as a proud veteran who served in the United States armed service as a paratrooper in the 101st and 82nd Airborne Division.

As a veteran and as a Congressman, I voted against this war in year 2002 because no one could convince me why we had to be there in the first place. I was tormented with this decision. I talked to many of my constituents. I called the bishop in my area. I couldn't see what invading Iraq had to do with securing the homeland. No one in the administration could convince me that there were weapons of mass destruction in Iraq. But we sent our troops there anyway, without proper training or proper equipment.

This administration was in such a hurry to invade Iraq that we sent our military in there with defective body armor and Hummers that couldn't withstand the roadside bombs. In fact, before Congress made any appropriations for an Iraq invasion, the President took $600 million from our troops in Afghanistan and sent it to Iraq.

The administration has refused to listen to its own generals, to Congress or to the American people. They just do what they want.

After September 11, I was willing to do anything to make our country safe, like all of us. We came together in a bipartisan way. I believed in fighting terrorists in Afghanistan was the right thing to do, but the current situation in Iraq proves what we have been saying all along, that the Iraq war has not and will not make America safer. Instead, it is costing the American taxpayers $200 million every day. The money that we spent in Iraq could have sent 17 million high school students to college. Can you imagine, 17 million students going on to college right now that we could have provided assistance to, or paid for 6 million new school teachers, reduced the student ratio, funded the No Child Left Behind Act, or help with Katrina. But more money has been spent on this war, and yet it is costing us money for those that are losing their lives right now.

Over 3,000 men and women have given their lives for this war, and over 23,000 are coming home wounded or disabled. Mr. Speaker, over 10,000 of these troops are so severely wounded that they will never be able to serve again. Let me tell you, and you have to look at them, never able to serve again.

Now the President wants to send 21,500 more troops to the most dangerous part of Iraq. Why? Why are we sending our troops to fight in another country's civil war? Mr. Speaker, this isn't a strategy for success. This is a desperation attempt by the administration who can't admit that they made a mistake. They made a mistake, and they need to admit it. And the sooner we come to this realization, the better off this country will be. As a veteran, I understand that sometimes war is necessary, but as a veteran, I also know that war should always be the last resort because war means someone's sons and daughters won't come home. That means separating parents from their children, leaving their homes, someone making a sacrifice.

In my home State of California alone, we have lost 325 men and women in Iraq. Back in my home district, we have lost 10 outstanding young men. It just breaks my heart. Mr. Speaker, you don't put the American families through this kind of pain unless you are sure, beyond any shadow of doubt, that there are no other options. The President had failed to convince me in 2002, and I am still not convinced to this day.

I say let's support this resolution. Let's bring back our men.

GENERAL LEAVE

Mr. SKELTON. Mr. Speaker, at this time I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Con. Res. 63.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection

Mr. SKELTON. I yield the balance of my time, Mr. Speaker, to my friend, my colleague, the gentleman from California, the chairman on the Committee on Foreign Affairs (Mr. LANTOS). I ask unanimous consent that he be allowed to control the time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. LANTOS. Mr. Speaker, I want to thank my friend from Missouri for yielding.

I am very pleased to yield 5 minutes to a distinguished member of the Foreign Affairs Committee, chairman of our Europe Subcommittee, my friend and colleague from Florida (Mr. WEXLER).

Mr. WEXLER. Thank you, Mr. LANTOS.

Mr. Speaker, today I stand with the American people in support of this resolution and in opposition to the President's escalation of the Iraq war. I stand in opposition to a President that failed the American people by initiating an ill-conceived war; an administration that misled the Nation, vulnerable after 9/11, into believing that Saddam Hussein had weapons of mass destruction; an administration that invented links between Baghdad and al Qaeda; that ignored the views of the intelligence community, while convincing Americans that our brave soldiers would be greeted in Iraq as liberators; an administration that assured us that Iraqi oil money would pay for the reconstruction; and that through military force, rather than diplomacy, we would cultivate American values of freedom and democracy in Iraq.

The American people know that they have been taken down a false path by this administration, down a spiraling path of war under false pretenses into a quagmire with a President who will not change course, even in the face of a growing civil war. This resolution sends the President an unequivocal message that he must change direction of this war.

How did we arrive in this desperate situation? From the top down, the President, the Vice-President and the Secretary of State have manipulated evidence, broadcast half truths, and doctored intelligence through an orchestrated effort to smear and destroy those who have opposed their policies. Just last week, in a scathing report, the Defense Department's Inspector General concluded that the Pentagon took inappropriate action by advancing conclusions that were not backed up by the intelligence community.

The American people have judged the actions of this President, they see this war for what it is, and they spoke clearly in November, stating loudly that we must end our disastrous Iraq policy. Yet this administration continues its defiant disregard of the views of the American people. Not the voice of the American people nor the conclusions of the Iraq Study Group have budged this administration from its stubborn and misguided path. And now, the President is doubling down on a bad bet that risks the lives of thousands more American soldiers on a misguided plan that ignores the recommendations of our military commanders on the ground.

□ 1615

Unbelievably, President Bush has already tried twice the strategy of escalation. It failed both times. To try again is to act in blind faith, ignoring the facts, ignoring the experts, ignoring the will of the American people, and, worst of all, ignoring the terrible sacrifices that will undoubtedly be endured by our soldiers and their families.

Mr. Speaker, our troops must be redeployed from Iraq. Instead of a surge of American troops entering Baghdad, there should be a surge of American soldiers back into every town and every city across our Nation. For our troops who have given so much in Iraq, for our military families whose lives have been shattered by this war, it is time to bring them home.

How do we honor our brave men and women? How do we honor over the 3,000 who died, and thousands more who have been maimed? Instead of an escalation, we should honor these soldiers by bringing them home and giving them the best health care, the best mental health support that they have justly earned.

I applaud Congress for taking a stand on this war. I only wish we were voting on a binding resolution that mandates a redeployment of troops and cuts off funding for this tragic escalation. Each month we remain in Iraq, 100 more American soldiers die, hundreds more are maimed, and $5.5 billion is spent.

Mr. Speaker, we have endured 4 years of a failed Iraq policy, longer than we were in World War II, longer than we were in the Korean War, and we can afford no more blank checks for this President.

Today I stand with the American people, our soldiers in Iraq, with my fellow Members of Congress on both sides of the aisle in strong opposition to the President's escalation in Iraq and in support of our redeploying our troops and reversing, most importantly, our Nation's failed strategy in Iraq.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield 5 minutes to the gentleman from Louisiana (Mr. BOUSTANY).

Mr. BOUSTANY. Mr. Speaker, I rise in vigorous opposition to this resolution. With all due respect to my colleagues across the aisle, this resolution does not outline a new strategy for how we move forward in Iraq and it will have absolutely no impact on the current strategy. Furthermore, it is the wrong signal to send to our allies in the region and the wrong signal to send to our troops, those brave, courageous men and women in uniform who have performed magnificently and done everything that we have asked them to do.

This nonbinding resolution addresses a tactic, not an overall strategy; a tactic that the President of the United States as Commander in Chief has full constitutional authority to move with.

Now, I respect my colleagues across the aisle, and I know we all want to see a disengagement of our troops from harm's way in Iraq. But I would submit that disengagement must be done under favorable circumstances in the interests of our national security. There is no other alternative.

Let's look at what would happen with a failed policy in Iraq. Iraq is on the verge of anarchic fragmentation. There are 27 ethnic groups in Iraq. It is not as simple as a Sunni versus Shiia conflict. There are other splinter groups using violence for their own designs.

Precipitous withdrawal from Iraq will lead to unprecedented violence, spilling over into neighboring countries such as Jordan, Kuwait and Saudi Arabia, and we will see Shiia uprisings in Lebanon and Bahrain, which have significant Shiia populations. Jordan is already facing massive numbers of refugees coming across the border, putting strain. And Iranian influence is growing. The regime is intent on gaining hegemony in the region, exerting its influence widely throughout the Middle East and controlling oil and gas reserves to use the money to further fuel terrorism. Al Qaeda will consolidate a base to work from in western Iraq to perpetrate further transnational terrorism, and Turkey will be compelled to cross borders to deal with separatist groups.

America, dear America, will lose support of its vital allies in the region and our reputation will suffer immensely for a very long period of time, much longer than what we saw after the Vietnam conflict.

It is clear to me that security and political reconciliation in Iraq run parallel, and without halting the spiral of violence, reconciliation within Iraq will not occur. Without halting the spiral of violence, our allies in the Persian Gulf and the broader Middle East will be forced to deal with their own political disruption, rather than starting multilateral dialogue that is so essential for a longer standing peace throughout this entire region, whether we are talking about the Palestinian issues, Lebanon, Iraq or Iran. Our allies in the region, particularly, need political cover. I have heard this from numerous Arab Ambassadors whom I have had many conversations with.

The ground must be laid for multilateral diplomacy. It will not occur during a spiral of violence. Our allies in the region have given commitment that they will help with Iraqi military training, police training, as well as rebuilding of Iraq and further resources, once the stage is set with security and a move toward reconciliation.

So, if we are going to be responsible in this body, there are questions we really need to ask if we are going to formulate a strategy and work with this administration for a winning strategy in Iraq. The questions that need to be asked are these: What are the benchmarks for its Iraqi military? What are the benchmarks for the Iraqi Government, for reconciliation and for internal reform in Iraq? What are the rules of engagement for our troops who will be going over there to assist in this Baghdad security operation? What resources are available? What manpower and personnel are available to our State Department and USAID to help and assist in the reform and reconciliation process so that we can create the groundwork for diplomatic resolution? And as we look at a clear holding bill, who is going to do the holding? Who is going to do the building? These are questions that a responsible Congress should be asking, not whether or not to support this surge.

The American people voted for change. This resolution offers nothing to shape a new strategy on how to move forward successfully in Iraq. The American people deserve more from Congress, and, by God, our troops deserve more from this Congress.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield 5 minutes to the gentleman from South Carolina (Mr. BARRETT), a member of the Foreign Affairs Committee.

Mr. BARRETT of South Carolina. Mr. Speaker, I thank the gentlelady for yielding.

Mr. Speaker, over the next 2 to 3 days, Members of Congress will come to the well and they will talk about the Iraq resolution. They will talk about troop levels and spending and funding and security, training, strategy, a lot of different things in a lot of different ways, with valid arguments on both sides. But I want to boil it down to something simple, something that I understand, something that means more to me than some of the things I mentioned.

There is a gentleman from my district, a Major Rick Simmons, a native of Pickens, South Carolina, an Eagle Scout, a Citadel grad. From time to time he has written me letters concerning different issues in Iraq. He is in Fallujah right now.

He wrote me a letter dated 5 February, 2007. It is a rather lengthy letter, but I want to read you one sentence from this letter:

"This is not Bush's war, it is my war, and it is the war of every volunteer here because we know how high the stakes are for this country." "My war." That is what he says. "This is my war."

Rick, first to you and all your comrades over there, I say thank you and God bless you. I pray for you every day. But I want to tell you something, son; it is my war too. It is my war and my children's war and my children's children's war.

This is our war, ladies and gentlemen. This is the greatest enemy that we have ever faced in my lifetime, Mr. Speaker. And when I raised my right hand and put my left hand on the Bible, it was to support and defend the Constitution of the United States against all enemies. And it was to protect the protectors, the protectors of liberty, the protectors of democracy, the protectors of freedom. And if it takes a troop surge and a funding stream that is guaranteed, I will do everything I can to ensure the protectors have everything they need.

There is only one way out of Iraq, Mr. Speaker. There is only one way out of this war. Victory. Victory. I urge my colleagues to do the right thing and I urge them to vote against this resolution.

Mr. LANTOS. Mr. Speaker, I am pleased to yield 5½ minutes to a new member of the Foreign Affairs Committee, my neighbor from Northern California, Ms. LYNN WOOLSEY.

Ms. WOOLSEY. Mr. Speaker, I am a proud member of the Foreign Affairs Committee, I am a member of the Progressive Caucus and the Out of Iraq Caucus, and I have been working to bring our troops home since before we sent them there.

Mr. Speaker, the decision to send more brave Americans into the Iraq grinder is an act of staggering arrogance for the President. Nearly two-thirds of our people think this is a deeply flawed, tragically misguided policy. They get it, Mr. Speaker. They can see that more troops won't stop the sectarian violence, because it is our very military presence that ignited this sectarian violence in the first place.

The human cost in Iraq has been devastating. By some estimates, several hundred thousand Iraq citizens have died, died for the cause of their own so-called liberation. No wonder a majority of Iraqis want the occupation to end.

As the late columnist Molly Ivins put it, "Iraq is clearly hubris carried to the point of insanity. It is damn hard to convince people you're killing them for their own good."

I hope that an overwhelming vote in favor of this resolution will compel the President to rethink his Iraq policy. But, if not, this body will have no choice but to take further steps. Ultimately we must do more than send a message. We must send a convoy of military planes to bring our troops home.

Together with my colleagues, Congresswomen LEE and WATERS, I have offered a plan to end the war once and for all. Our bill is H.R. 508, the Bring Our Troops Home and Iraq Sovereignty Restoration Act. H.R. 508 would complete a fully funded military withdrawal from Iraq within 6 months of enactment, because our military and their families have given enough for this policy that is only increasing the terrorist threat and doing damage to our national security. The bill would accelerate the training of Iraqi Security Forces during that 6-month period. And because Iraq is not yet ready to defend its people against thugs, insurgents and militias, our bill calls for an international stabilization force to help keep the peace in Iraq. But it would stay only for 2 more years and would deploy only at the request of the Iraqi Government.

Because we have already poured enough of the people's money down this sinkhole, H.R. 508 would prohibit any further funding to deploy U.S. troops, but would provide the resources for a safe withdrawal of all of our U.S. military personnel and contractors.

The proposal would also provide for humanitarian aid and major investments to rebuild Iraq's physical and economic infrastructure, because taking our troops out of Iraq doesn't mean abandoning Iraq.

□ 1630

We can and we must go from military occupier to reconstruction partner.

Our proposal expressly prohibits the construction of U.S. military bases in Iraq because it is that kind of permanent occupation that fuels the rage and anti-American jihadists in the Middle East.

Iraq should belong to the Iraqis, and that includes Iraq's resources. So under the terms of our bill, the United States would forfeit any proprietary claim to Iraqi oil.

Finally, H.R. 508 guarantees full health care funding, including mental health benefits, for U.S. veterans in military operations in Iraq and other conflicts. It is the least, the very least, we can do to express our gratitude and repay their sacrifices.

Mr. Speaker, we must never, ever forget what war does to bodies, to minds, to families, to communities and to the human soul. The victims of war are not pieces to be moved around on a chess board. They are our fellow citizens in a global village that gets smaller every day. They are our brothers. They are our sisters. They are God's children and have as much right to human dignity as you or I.

The one thing I desperately hope we have learned from the Iraq nightmare is that we must find more sensible, humane ways to keep America safe and resolve global conflict because, if we do not, given the kinds of weapons that are available today, I fear that we are putting the entire planet on a path toward destruction.

I fear most of all for our children. "War," said Martin Luther King, Jr., "is a poor chisel to carve out tomorrow." Mr. Speaker, tomorrow belongs to our children. So, for their sake, we must find alternatives to war. We must protect America by relying not on our basest impulses, but on the most honorable and humane of American values, our love of freedom, our desire for peace, our capacity for global leadership, and our compassion for the people of the world.

Mr. LANTOS. Mr. Speaker, I am pleased to yield 5½ minutes to my friend from Georgia, a new member of the Foreign Affairs Committee (Mr. SCOTT).

Mr. SCOTT of Georgia. Mr. Speaker, thank you very much. It is indeed an honor to stand before this House as a very proud member of our Foreign Affairs Committee under our distinguished Chairman LANTOS and also to stand as our co-chair of our Democratic Group on National Security, as well as a voting member of the NATO parliament.

I have been to Iraq. I have been to Afghanistan, been to Pakistan, been to Kuwait. I have been there with our soldiers and our generals, and what I am about to say is based upon my experience in this whole arena.

Now, a lot has been said and I think it has been misguided, very unfortunate. So allow me, if I may, to state for the record exactly what this resolution does.

There has been talk up here about this resolution is here to cut funds. Nothing could be further from the truth. There is no Democrat in this Congress who would dare cut the funds from our soldiers who are in harm's way, and any Member that continues to say that is doing a disservice to this Congress and to the people of the United States.

This resolution does not say we are pulling out troops. We know the situation in the Middle East. We know this region is vital to our interests. The issue here is not pulling out troops. The issue here is a vote, up or down, on a policy that says two things, 57 words. Allow me to read them to you.

It says that the "Congress and the American people will continue to support and protect the members of the United States Armed Forces who are serving or who have served bravely and honorably in Iraq."

Then it says: "Congress disapproves of the decision of President George W. Bush announced on January 10, 2007, to deploy more than 20,000 additional United States combat troops to Iraq."

That is what it says. Those two things. Let us not mislead the American public anymore, certainly not on what we are going to vote on here today. I stand as a proud member who has cosponsored, who supports this resolution 100 percent because of four important reasons.

The first reason is that this 21,500-man escalation, number one, is deceiving in and of itself, when we know from the CBO account that it is not 21,500. It is more like 48,000 when you put the support troops involved. I am here to tell you, this is a dangerous strain on an already overstrained military.

Let me share with you what the National Security Advisory Group is saying. It says this: nearly all of the available combat units in the U.S. Army, Army National Guard, Marine Corps, have been used in the current operations. Every available combat brigade from the active duty Army has already been to Afghanistan or Iraq at least for a 12-month tour, and most are now in their second or third tours of duty. There is a strain here, and some are on their fourth tours of duty.

Approximately 95 percent of the Army National Guard's combat battalions and special operations units have been mobilized since 9/11, and there is very little available combat capacity remaining in the Army National Guard.

All active duty Marine units are being used on a dangerously tight rotation schedule, but here is another.

We often forget that these are soldiers with families, with mothers, with fathers who are out there, separated from their children. Listen to this. This is why we are against this 21,500, or 48,000, surge. Between 2001 and 2004, divorce rates among active duty Army officers have tripled, and rates among Army enlisted soldiers have gone up.

Let me conclude by saying this: on the bleached bones of many great past nations and civilizations are written those pathetic words, "too late." They moved too late. The American people are watching us and they are hoping and they are praying that we not move too late, and let us get our young men and women out of this crossfire of a civil war

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to yield 5 minutes to the gentlewoman from North Carolina (Mrs. MYRICK), the Chair of the Congressional Anti-Terrorism Caucus.

Mrs. MYRICK. Mr. Speaker, Iraq is just one battlefield in this multigenerational struggle against radical Islamist jihadists, but it is a very important battlefield.

This is the beginning stage of a multigenerational worldwide struggle that will last throughout our lives and likely our children's lives.

It is hard to accept that the safety and security that most Americans felt in the 1980s and the 1990s was just a smokescreen while the Islamist extremists planned and carried out a one-sided war in other parts of the world.

On September 11, we saw the unthinkable: airplanes flown into buildings, thousands of innocent people killed, and the killers claiming that this was done because God desired it. Some people still do not understand how anyone could rationalize such disgusting acts.

For the past few years, and specifically in the past month, I have joined with some of my colleagues to learn about the true nature of the threat that we face from this jihadist ideology. This ideology is preached by the likes of Osama bin Laden, Moqtada al-Sadr, Hassan Nasrallah, and the ayatollahs in Iran.

Our presence in Iraq did not make us vulnerable to these killers. There were many previous worldwide attacks before America was attacked on September 11 and before we entered Iraq.

We face this threat because we refuse to succumb to live in a world where women cannot speak, as I speak now, without risk of death. We face this threat because we seek a world where people of all religions and races and sexes are entitled to the same rights. We cannot retreat.

If we pull out, there is no doubt that Iraq will become a safe haven for al Qaeda, Hezbollah and other terrorist groups to plan and carry out attacks on unbelievers or infidels. How do I know this? Because they tell us. They told us before 9/11, but we did not pay attention. They tell us all the time that they will not stop until all lands from India to Morocco and Spain to Russia are governed by radical Islamic law.

In 1938, Adolf Hitler told us what he was going to do, and we refused to pay attention. We cannot afford to repeat that historical mistake.

This is not a Democrat and Republican issue. Our security is an American issue, and I hope we are going to start to act as Americans, like the American people expect us and want us to do.

We must understand that we are fighting the first battles of a war against radical Islamist ideology that will be waged for the next 50, maybe 100 years.

Mistakes have been made and more mistakes will be made in the future. War is never easy; nor is it predictable. But if the people of the United States understand the true nature of the threat that we all face and Congress realizes that this war against jihadism will be fought in various forms around the world for at least the next 50 years, then we can make informed policy decisions that will help us in the future.

We must plan now for the future. We need to unite as a country behind this struggle against radical Islamic jihadists.

It is downright irresponsible to tell our troops that we support you but do not support the mission that you are fighting. What message does that send to our troops? It may score political points, but it hurts our troops who are over there fighting to defend us and our right to be here and speak freely.

This resolution does not deal with the larger problem of radical Islamic jihadists. So I strongly urge a "no" vote. We must support our troops in the field by supporting their mission. I support our troops wholeheartedly and believe their mission is just and necessary for the security interests of our country.

The world our children and grandchildren will inherit will be a better place because we had the courage to stand up today to fight these battles.

Mr. CARNAHAN. Mr. Speaker, I yield 5 minutes to the gentleman from Maryland (Mr. CUMMINGS), a senior member of the Armed Services Committee.

Mr. CUMMINGS. Mr. Speaker, as a member of the Armed Services Committee and a member of the Board of Visitors of the United States Naval Academy, I rise today to express my unwavering support for the men and women who wear the uniform of our proud Nation and to make clear my staunch opposition to putting more of these men and women in harm's way in Iraq.

In the absence of a clear and meaningful strategy for success, it is time to extricate our troops out of this civil war and redeploy them out of the occupation of Iraq.

Back in 2002, I joined my colleagues in the Congressional Black Caucus in formulating a brief and succinct statement of principles regarding the Iraq war. Within these principles we expressed our clear opposition to a unilateral first strike action in the absence of clear evidence of an imminent threat to the United States. We further stated that any post-strike plan for maintaining stability in the region would be costly and would likely require a long-term commitment of our troops and treasure.

Today, it is very clear that the overthrow of Saddam Hussein has provoked sectarian divisions in the Iraqi society that are now expressed daily through violence on a staggering scale. It is also clear that our efforts to stabilize Iraq has, indeed, required the massive commitment of both lives and taxpayer dollars that we predicted.

What was not clear then but is clear now is that this administration had no definite plan for achieving our stated objectives in Iraq.

☐ 1645

The administration had lofty rhetoric, but no strategy for creating a stable democracy that could be our partner in the war on terror.

Mr. Speaker, I raise these points to remind our Congress that from the beginning of this war there have been voices raised not in opposition to our President but in demand of a strategic approach to the growing threats we face, opposition and demand of an honest assessment of what could be accomplished with military force, and in demand of a clear purpose for why we send our troops into harm's way, our young men and women, the future of our Nation into situations where they may seriously be injured or killed. These are the very points that the resolution before us today demands.

I have no illusions about the danger inherent in the growing number of nations that may soon have the capability to construct weapons of mass destruction. To the contrary, I am convinced that maintaining the peace in this increasingly dangerous world has become a precondition to our continued survival.

The question is, given the situation in which we find ourselves in Iraq and given that our primary consideration must always be the security of our Nation, is sending additional troops into action most likely to stabilize that nation and the region? Is it the action most likely to cause Iraqis themselves to take the essentially political actions that only they can take to create a government capable of governing? Is it the action likely to initiate the reconciliation between Sunni and Shiite, and the most recent National Intelligence Estimate says is critical to reducing the violence in Iraq?

I have seen no compelling evidence that the answer to any of these questions is "yes," and many of our top military commanders have testified that sending 21,500 more United States forces to Iraq will not create a path to success.

Our forces have done all and more than we have asked them to do, and their families have been patiently sacrificing for 4 long years. The voters spoke in November, and we as Members of Congress of the United States do not have the right to remain silent. We cannot allow more to be asked of our soldiers now if their mission is not clear. The President has no plan likely to produce victory. And if, as the National Intelligence estimates suggest, the Iraqi forces and the government are not capable of being partners in their own reconstruction, I urge my colleagues to support our troops by supporting this resolution.

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to yield 5 minutes to Dr. WELDON of Florida, a member of the Appropriations Committee.

Mr. WELDON of Florida. I thank the gentlewoman for yielding.

Mr. Speaker, I rise to address H. Con. Res. 63, disapproving of the decision of the President announced on January 10, 2007 to deploy 20,000 additional United States combat troops to Iraq.

This resolution essentially has, by my interpretation, three sections. It has the first section, which speaks in support of our troops; and then it has the second section, disapproving of the mission of 20,000 of the troops, which is a little bit of an inconsistency. We are saying we support the troops, but we don't support what you are trying to do.

But the most important part of this resolution is the third section shown here in white. There is nothing there. No plan.

So the authors of this resolution are essentially saying, we don't approve of the President's plan but we have no plan to deal with this challenge.

Ladies and gentlemen, we won the war in Iraq. What we are struggling to win now is the peace, establishing a peaceful government that can run this country. And we have very determined opponents seeking to make sure that chaos reigns in that country and we do what this resolution is leading us to do, which is essentially to leave.

Indeed, a senior member on that side of the aisle recently said in the press that, "This is the bark, and the bite is coming." We supposedly support the troops, but what is next is no funding for the troops; that this Congress under this new leadership is going to exercise the power of the purse and cut off the flow of money.

But, ladies and gentlemen, my colleagues, this is not Vietnam. The war in Iraq in not going to go away. It is going to continue to be a problem. If we do withdraw our troops, as many in this room want us to do, the war on terror will continue.

We had a meeting today with the Ambassador from Jordan and the Ambassador from Egypt asking us not to withdraw; that we have to stay and persist and to try to establish a peaceful regime there. And they have their reasons, because they know this is a component of the war on terror. And the war on terror is a bad term; it is a war on radical fundamentalist jihadist Islam. And these jihadists are not going to stop coming at us. Indeed, since over the last 4 years, there have been attack after attack after attack in Bali, in Spain, in London, and they are going to keep coming after Western interests, because their goal and their agenda is to defeat the West, to defeat everything we stand for, and to ultimately establish a global fundamentalist Islamic regime.

I oppose this resolution. I am going to vote against it, and I encourage all of my colleagues on both sides of the aisle to do the same. The President's plan was recommended to us in the Iraq Study Group. It is amazing, many of the people who are saying they are going to vote for this supported the Iraq Study Group, and the Iraq Study Group recommended many of the components that are in the President's plan. We need to give this time to work. I know the American people are losing patience in this conflict, but I also know the stakes in this conflict are huge. And if we fail, the consequences could be huge to the region, they will be huge to the world, they will be huge to the American people and our children and our grandchildren.

So I strongly encourage a "no" vote on this resolution

Mr. CARNAHAN. Mr. Speaker, I yield 5½ minutes to the gentleman from New York (Mr. MEEKS), a senior member of the House Foreign Affairs Committee.

Mr. MEEKS of New York. Mr. Speaker, there is a concept from the people of West Africa called Sankofa. Literally translated, it means, "It is not taboo to go back and fetch what you have forgot."

Today, I want to use the premise of Sankofa and go back to some of the things that have occurred in the recent past with regard to Iraq so that we can learn from those lessons. In order to know where we need to go in Iraq, we have to evaluate what missteps have been made. That is our responsibility.

As we look at the last 5 years, the President has shown no accuracy on the challenges we face in Iraq. While our soldiers are courageously carrying out their orders, it has become apparent that military action to bring security to Iraq has reached its limitation, but our President insists on escalating military force.

I recall over 4 years ago hearing the President and the administration push for war with talk about a smoking gun that would come in the form of a mushroom cloud. The administration pulled on the emotions of the public while our Nation was still in shock from 9/11. Our President pushed for war with arrogance. "Bring it on," he said. Coalition of the willing. Deck of cards. Freedom on the march. Mission accomplished. A plan for victory. Those are just some of the promises that have been made, but the administration has not been able to make good on those promises. It is fair to say that the President has defaulted on a promissory note.

Today, the question before us is can the President make good on the promise of security in Iraq with an escalation of the combat operation. All of the facts point to a strong "no" on that question.

After reviewing all of the facts, I saw that increased troops did not work in the spring of 2004, when troop levels were raised by thousands, but this did nothing to prevent the continued uprising, and April of 2004 was the second deadliest month for American forces. I have heard from generals, former Secretaries of State, and a bipartisan commission, all saying that escalation will not work. I am vehemently opposed to the escalation of the Iraq war and its open-ended commitment to a failing effort.

The President only accepts the advice of those who agree with him. After months of threats and a long military build-up, the United States attacked Iraq on March 19, 2003. The administration cut short U.N. arms inspections after a war-sanctioned resolution failed by a wide margin to gain support in the U.N. Security Council. Because the President could not get the U.N. or the world public in support of an invasion, he developed his unilateral preemptive doctrine.

The President has had generals tell him that this war should end and an escalation is not the answer; but when he gets advice he doesn't like, he simply fires the generals.

He has had a commission of experts advise him that a diplomatic political effort with all of Iraq's neighbors would be the most effective way to enable the U.S. to move its combat forces out of Iraq responsibly. However, the President did not like that advice, so he has chosen to simply ignore it.

When the President needed Congress to approve military action against Iraq, he cared about the perspective of the Congress then. As Congress begins to conduct oversight of the combat operation, the President wants to ignore the voices of dissent that come from this very body.

The cameras of history are rolling, and I hope and pray that at the end of this debate history can record that this body, starting with this resolution as a first step, has taken the appropriate action to end a morally wrong war that threatens to irreversibly stain the fabric of Congress if we do not exercise our constitutional authority and our patriotic responsibility to balance the President's power.

To move forward and bring security to Iraq will require a bipartisan effort; it will require dialogue with Congress, dialogue between Congress and the administration, and dialogue and diplomacy between Iraq and all of its neighbors, as the Iraq Study Group wisely recommended. I am reaching across the aisle to my colleagues who also believe that military action has its limitations and a diplomatic offensive will bring a new and critical approach to secure Iraq.

This war has created deep humanitarian crisis in Iraq and a deep political crisis in the international system. Based on all that has happened leading up to this war and since its commencement, I cannot in good conscience support any escalation of military force in Iraq. But I plan to move forward with a strong push for a diplomatic effort to a problem that military action simply has not been able to solve.

Some ask what will happen in Iraq if we leave, but the more fundamental question is, what will happen to Iraq and the United States if we stay.

Dr. King, when speaking on Vietnam once said, "A time comes when silence is betrayal. That time has come for us in relation to Vietnam." I echo those sentiments today. If Congress is silent while the President escalates the war in Iraq, we betray the American people, we betray the American soldiers, and we betray our constitutional responsibility.

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to yield 5½ minutes to Mr. WOLF of Virginia, the ranking member of the State and Foreign Operations appropriations subcommittee.

Mr. WOLF. Mr. Speaker, we are a coequal branch of government. We do not work for the President or the administration; our job is to thoughtfully consider the issues before us, and to work with the President and with the administration. When we agree, it is our responsibility to work together for the best interests of our country; and where we cannot agree, however, we have an equal responsibility to make the case of why we disagree, and offer responsible and thoughtful alternatives. This resolution does not meet that test.

Some may say that is what we are doing in the House this week, disagreeing with the President and offering alternatives to the plan. This resolution fails. There is no plan offered.

Certainly the resolution before us includes a statement on which we all unequivocally agree: support for our brave men and women in the Armed Forces who are serving or who have served in Iraq.

□ 1700

Yet it also includes a statement of disapproval on the plan for Iraq offered by the President, a statement of disagreement to which, again, no alternative is offered. If we disagree with the President's plan, we should be offered reasoned, responsible alternatives. Instead of speaking today as Democrats or Republicans, we should come together, speaking as Americans who are seeking to answer the questions of how to move forward with success in Iraq.

Under the process today, we have only one option from the other side of the aisle. Is that what the American people expect from this House? No. The American people expect more. What is so amazing to me and in this Congress, you voted, this Congress voted and passed legislation last year that set our country on a course to find our way forward in Iraq. We have to look no farther than the report of the bipartisan Iraq Study Group to find a way forward, a new approach for Iraq, an approach that can bring us victory.

That is what we should be considering today. The recommendations of this distinguished group can bring us to a consensus and unite the Congress and the Nation on Iraq. I have been to Iraq three times, and since there, I continue to be deeply concerned.

So when I came back from my third trip, I offered this idea of an independent bipartisan commission we called fresh eyes on the target, and many Members on your side have been hailing it, yet you would not permit this to come up for a vote. Why would the Rules Committee shut down something that many of you ask for over and over? And there are Members on my side who don't like it, but it is the only balanced plan.

This legislation was set up, the 10 Members, bipartisan, five Republicans, five Democrats, Jim Baker, former Secretary of State; Lee Hamilton, who served here and has probably, quite frankly, forgotten more about this issue than any Members on your side or any Members on my side. A 10–0 decision, Leon Panetta, Ed Meese, whose son will serve with General Petraeus, they came up with this idea.

Yet the Rules Committee has shut this down not to permit a vote. They worked for more than 8 months supported by expert working groups, and senior military advisors in the areas of the economy, reconstruction, military, security and political development. The study's report was issued on December 6 and was hailed, but yet it is not permitted to come up for a vote.

Because of the importance of this group, I introduced a sense of Congress resolution in support of the recommendations. I asked the Rules Committee late last night to make my resolution in order to be considered during the debate. By doing so, I believe the House will be working to meet our responsibility as political leaders to seek a bipartisan consensus on the issue of war and peace.

But the request, not on my behalf, but on behalf of the American people, was turned down by the Rules Committee. Believe me, just for a second, maybe our side at times treated you wrong; but, believe me, you are getting to be a fast learner, because every time you seem to speak over here, the Republican side of the aisle is shut down from offering anything. This is the major issue of war and peace. Can you imagine if this were 1937 or 1938 or 1939 in the House of Parliament, and it was a resolution like this with Nazi Germany pouring over Europe, there would be some resolution, and everyone else, Churchill would have been shut out because he wanted to offer something constructive to make a difference.

Let me read from a letter penned by Jim Baker and Congressman Hamilton. There is no magic formula, they said, to solve the problem of Iraq. They basically say there are actions to take. The political leaders need to establish a bipartisan approach. They go on to make the report, the consensus report as to work that they have done. We recommend their report, and then they end by saying, "Yet, U.S. foreign policy is doomed to failure—as is any course of action in Iraq—if not supported by a broad, sustained consensus." Then they go on to say how dangerous this is.

I ask you, why? Why couldn't we get a vote? Why couldn't the American people get a vote on something that many on your side may not like, but most do, and some on my side may not like, but most do, and I ask, this body ought to be voting on the Iraq Study Group to show the American people that we can be successful

Mr. CARNAHAN. Mr. Speaker, I yield 5 minutes to the gentleman from New York (Mr. ACKERMAN), a member of the Foreign Affairs Committee and chairman of the Middle East Subcommittee.

Mr. ACKERMAN. Mr. Speaker, the coalition of the willing no longer is. If those who are no longer with us are against us, then we have lost the support and the admiration of the entire world. Those of us who came of age in the sixties believing that war is the ultimate breakdown of civilized process have done the unthinkable. We trusted our leadership when we should have questioned more.

We gave war a chance. We called upon our sons and daughters entering the prime of their young lives to step up, as had generations before them, to defend our freedom and our liberty against an Iraqi nuclear threat that did not exist. Our young people did not disappoint. They answered the call, have been fighting bravely and ferociously, putting their lives on the line every day for going on 4½ years.

They followed the orders of their officers right up to the Commander in Chief, and a grateful Nation, indeed, can ask no more. They did not disappoint. But it is we who let them down, tragically. We are reminded that the President is the Commander in Chief, and, indeed, he is. He sent them to fight and die in a war based on a faulty and tortuously shifting premise. That we, in our positions of great trust, were misled and then misplaced our trust, does not excuse us.

He sent them to fight in a war without equipping them properly, and, as many generals believe initially, in insufficient numbers. With an abundance of prayers but inadequate plans, he sent them to fight international terrorists; but, instead, they are mired down, enmeshed, and are being slaughtered in someone else's sectarian and deadly civil war while the real terrorists prepare to retake Afghanistan.

Six years ago I voted with the President. He is our President. I did not want him to fail. His failure is our country's failure, and that is not acceptable. But here is where we are. We have lost the support of even those in the region who wanted Saddam's demise. We have not found the real terrorist, Osama bin Laden.

We have lost the support of the coalition of the willing. We have lost the support of our major allies. We have lost the prestige and admiration of the world. We have lost our credibility. We have lost the confidence of the American people. And we have lost over 3,000 precious lives of our bravest patriotic and promising young citizens. I voted with the President, and I was wrong, but I know I was wrong.

Grown-ups know that not every story has a happy ending regardless of good intentions. I am afraid this is one such story. I am afraid we have been led into a dead-end chasm from which there is no easy escape. Under the administration's leadership, everything has gone wrong. So what do we do now? Do we compound the disaster?

Perhaps we can learn from the great Iraqi poet, Omar Kyayyam, who in the Runaiyat wrote:

"The Moving Finger writes; and having writ,
Moves on; nor all your Piety nor Wit
Shall lure it back to cancel half a Line,
Nor all your Tears wash out a Word of it."

Mr. Speaker, sending 20,000 additional troops is not a change of plans, it is merely an escalation. About one out of every 40 people we send to Iraq comes home in a casket. As an old math teacher, I can tell you by extrapolation that sending 20,000 more brings home 500 more dead. Little else changes.

This vote is, indeed, nonbinding. It is but the little boy in the crowd yelling, "The emperor has no plan." Mr. Speaker, managing failure is unpleasant, but reinforcing it is criminal. Vote for the resolution so that we might help the President to avoid compounding this disaster.

Ms. ROS-LEHTINEN. Mr. Speaker, before I yield the 5 minutes to Mr. KING of Iowa, I would like to yield 15 seconds to Dr. GINGREY of Georgia to make some remarks.

Mr. GINGREY. I appreciate the gentlelady yielding.

Mr. Speaker, in response to our articulate friend from the State of New York, in regard to his comment, we have given war a chance. I would just say to him, you have. We have given war a chance, and we have not given victory a chance. This is not the time to pull the rug out from under those who have given their lives for their country.

Ms. ROS-LEHTINEN. With that, Mr. Speaker, I would like to yield to Mr. KING of Iowa for 5 minutes.

Mr. KING of Iowa. I thank the gentlelady for yielding this time, and I appreciate very much the privilege to address you, Mr. Speaker, and the message that is coming, at least from our side of the aisle.

Mr. Speaker, I take us back to how do we identify this enemy that we are fighting? So I looked back through some of the history. In 1783, we made peace with Great Britain. The Revolutionary War, for combat purposes, was over. 1784, American merchant marines were being attacked in the Mediterranean by Barbary pirates.

In 1786, two diplomats, Thomas Jefferson and John Adams, went over there to meet with them, and their idea was, we will be able to talk them into peace. Well, they talked to them all right, and the representative of the Barbary pirates, Mr. Sidi Haji Abdul Rahman Adja, responded to them, and this is in the CONGRESSIONAL RECORD from Thomas Jefferson's report.

He asked him, why do you fight us, why do you attack us, why do you kill us? We have done nothing hostile towards you. His answer was, It is founded on the laws of our Prophet. It was written in the Koran. All nations who should not have acknowledged their authority were sinners, that it was their right and duty to make war upon them wherever they could be found and to make slaves of all they could not take as prisoners, and that every Muslim who should be slain in battle was sure to go to Paradise.

I take you back to today. We call our marines leathernecks. The reason for that is they wore a heavy leather collar to diminish the odds that they would be beheaded by this enemy who has, to this day, at least fairly recently, is still beheading marines. That is how this started.

Now, we are in a war. Von Clauswitz wrote that the object of war is to destroy the enemy's will and ability to conduct war. That means take away their munitions, take care of their armies, destroy them if you can. But in the end, whatever you might do doesn't break their will. You have to destroy their will. There is nothing going on on this side of the aisle that is diminishing the will of our enemy.

I will tell you, they will interpret it as encouraging the will of the enemy. I would point out this quote from Moqtada al Sadr. I heard this over al Jazeera TV when I was in the Middle East, actually in Kuwait City, waiting to go into Iraq the following morning, June 11, 2004. He said, "If we keep attacking Americans, they will leave Iraq the same way they left Vietnam, the same way they left Lebanon, the same way they left Mogadishu."

June 11. Where does he get this from? Well, he gets part of it from General Jeaps' book in Vietnam, the successful general there. They understand, as I heard to my own shock and sorrow, a World War II veteran said to me on one of the days we were honoring him, We haven't really won a war since World War II.

Think about what that means. Think about what that means to our enemies who are encouraged by this kind of debate and this kind of behavior. We must have the resolve. I point out also our casualties. We have lost 2,534 brave, patriotic Americans in hostile action. We have lost 591 to accidents within that theater.

The loss in American lives as a price to be ready between Desert Storm 1 and the beginnings of Operation Iraqi Freedom, that 10 years, was a little over 5,000, averaging 505 a year. There is a price to be ready, and they pay that price. Those lost lives are every bit as precious to us.

I listened to the debate over on this side of the aisle. A brave American, former admiral from Pennsylvania, stated that he believes his job now is to come in and help manage a successful conclusion to the war.

Well, I want to compliment Judge Louie Gohmert, who had the urge from the bench, to legislate from the bench, and realized that his constitutional responsibility, if he wants to legislate, is to run for Congress. So now we have Representative GOHMERT in Congress actually legislating instead of legislating from the bench.

I would submit my question to the gentleman from Pennsylvania: Do you really think your job is to come here and micromanage the war? Do you really think that is constitutional? Regardless of that question, do you think it is wise?

How would you like it if Congress made a decision that you really only needed one destroyer in your task force, or you get along without the submarine or maybe you only needed half the supplies on your supply ship?

□ 1715

That would be micromanagement that I think he would raise a powerful objection to. And so I would point out that here on the floor of this Congress when we had Nouri al-Maliki, the Prime Minister of Iraq, speaking from that very podium behind me, July 26, 2006, a short half a year ago, he said, "The fate of our country and yours is tied. Should democracy be allowed to fail in Iraq and terror permitted to triumph, then the war on terror will never be won elsewhere."

Mr. CARNAHAN. Mr. Speaker I yield myself such time as I may consume.

Mr. Speaker, it is an honor to be here and to be part of this debate. I wanted to congratulate the bipartisan way in which this resolution was brought before this House with two Members of the Armed Services Committee, the chairman, IKE SKELTON from Missouri, and Republican Member JONES from North Carolina, and also Chairman LANTOS of the Foreign Affairs Committee. I congratulate them in their leadership.

At a recent send-off of troops being redeployed from my home district in Missouri, I told the families that I would work in Congress to bring their loved ones home safe, sound and soon. However, this proposed military escalation flies in the face of that intention.

As we enter the fifth year of this mismanaged war in Iraq, with an ill-defined plan, it is irresponsible to think that an escalation is in the best interests of our troops. The Bush escalation plan is yet another indication that the President has failed to listen to the American public, military experts, the bipartisan Iraq Study Group, and Democrat and Republican Members in this Congress.

Even General Colin Powell, the former Secretary of State, said, I am not persuaded that any surge of troops in Baghdad for the purposes of suppressing this communitarian violence, this civil war will work.

It is my solemn responsibility to act on behalf of Missouri constituents and their overwhelming desire for change. I am proud to see the new Congress has begun to systematically analyze the President's proposal regarding the war in Iraq.

Since the beginning of the year, we have already held 52 hearings in this Congress about the war in Iraq. Evidence this new Democratic-led Congress is exercising real oversight and demanding accountability on the Iraq war. We will continue to ask the tough questions about the President's plan, continue to insist on a new direction while always putting our troops first.

We have the best military in the world, and we owe our troops a clear mission. Our men and women in uniform have done their job two and three times over, and our civilian leadership must provide a clear, achievable objective so they can come home soon.

This Congress has a grave duty to listen and take action. Recently, the mother of a young soldier being deployed back to Iraq told me, Congressman CARNAHAN, I am one of those mothers who is against the war in Iraq, but my son volunteered to serve his country. Please be sure they get the support and equipment they need to come home quickly and safely.

That mother's heartfelt request is a powerful example of our national unity and resolve to support our troops and oppose this escalation policy that is not making the Iraq Government more self-reliant. In fact, it is using us further as a crutch.

It is not making the Middle East region more stable. In fact, many of our military leaders say our very presence there is fueling the insurgency, and it is not making our country safer. Today, the House begins a detailed deliberation on House Concurrent Resolution 63, which is only the beginning of this Congress's oversight of the President's strategy in Iraq.

This straight-forward resolution plainly expresses our support for the brave men and women who are currently serving or who have served in the Armed Forces. In my home State of Missouri, over 27,000 men and women have been deployed to serve in Operation Enduring Freedom and Operation Iraq Freedom since September 2001.

It is our duty as Members of Congress to ensure they have the necessary training, equipment, resources and support while in harm's way and when they return home.

When debate concludes this week, it is my firm hope that the result will be a bipartisan vote reflecting both our unwavering support of our troops and the reality that a fourth U.S. escalation is the wrong direction for our country.

As the new majority, we have the opportunity to develop a comprehensive and commonsense solution to enable us to protect our troops, maintain our obligation, and end this conflict as quickly as possible. We stand ready to provide real peace of mind for the American people by securing our homeland and changing course in Iraq.

Great change is possible when this Congress acts in unison with the American public. In the weeks and months ahead, this Congress will act in a bipartisan way to carefully and thoroughly examine the President's proposals and pass decisions through hearings, debate and oversight using all tools available to change the direction of this war.

Most importantly, we will continue to support our troops in hopes of de-escalation of the war and escalation of the political solution for Iraq. Working together, Mr. Speaker, great change is possible.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield 5½ minutes to the gentleman from Arizona (Mr. SHADEGG), a member of the Anti-Terrorism Caucus.

Mr. SHADEGG. Mr. Speaker, I thank the gentlewoman for yielding. I rise in opposition to House Concurrent Resolution 63, the resolution that calls on us to disapprove of the increase in troops in Iraq. I rise to oppose it, and I urge my colleagues on both sides of the aisle to carefully reflect on what we are doing.

This debate may benefit the American people. This resolution will undoubtedly harm America and harm our troops. Every American wants our troops home. Every American wants this war over. But it is not that easy. You cannot just wish this war would end and believe it will go away as a problem for America. Life is never that easy.

Let us begin with the text of the resolution. Make no mistake about it, it is very brief, and all of us should have read it. It is two sentences long. It essentially says: stay the course. A resolution which says, we oppose increasing troops, but we support our current troops is a resolution that says, stay the course.

It is not a resolution that says withdraw. That might be a morally defensible position, because perhaps we should withdraw, at least some believe. It is not a resolution that says, put in more troops. It is a resolution that says, adding more troops is wrong, but we support those that are there.

That is a resolution to stay the course. I would suggest no American believes we should stay the course. I would suggest that the RAND study and the Army's manual on counterinsurgency both suggest that staying the course is wrong. Indeed, it is a recipe for failure. Both RAND and our own counterinsurgency manual say, if anything, we should have between 400,000 and 450,000 troops there.

So why would we support staying the course? Now, we all know that many of us, and I included, wanted a change in strategy in Iraq. My colleagues on the other side called for a change in strategy. This surge is the change in strategy.

Indeed, and I am mystified, and I am glad some of my colleagues today have made the point, this is the change in strategy, at least one of them, recommended by the Iraq Study Group. I thought my colleagues on the other side supported that. It seems to me that there is also an important flaw in this debate.

My colleagues say that this is a nonbinding resolution. I would suggest to you that when you are at war, and when the United States Congress acts with regard to that war, it is not nonbinding. The world is watching. The world is watching every word that is said on this floor.

I believe we have a moral duty to finish what we began. Earlier on the floor, my colleagues have mentioned that many leaders in the region, in the Middle East, have begged us not to leave. They have begged us to stay at least long enough to stand up the Iraqi Government so that it can defend itself. They have implored us not to leave.

Let me give you their words. They have said, because they opposed our originally going in, the coalition came uninvited, it should not leave uninvited. They are making the point that we have a duty to finish this effort. They have talked about analogies. They pointed out that a heart surgeon who begins a heart surgery is not entitled, halfway through the surgery, to say, you know what, I am tired, I want to leave.

On the other side of the aisle many of my colleagues have said this is hard. Indeed, it is hard. But that is not a justification for leaving. The best analogy I heard was one that said, this is like stepping on a land mine, where you put your foot on it, but you know that if you lift your foot off it will blow up. We have put our foot on a land mine in Iraq. But if we lift our foot off before the Iraqi Government can defend itself, it will blow us up, and it will blow them up.

You cannot wish this war away. And so I would suggest this resolution is binding. The world is watching. Our allies, if we abandon Iraq, will never trust us again. But why do they want a nonbinding resolution? Because they do not want to accept responsibility.

The President does not have that choice. He has responsibility. Those who oppose this war have a duty to take a stand, one side or the other. If you oppose the war, then seek withdrawal. If you do not, then do not undermine our troops. Because make no mistake, this nonbinding resolution hurts our troops.

Let me just conclude with this point. In the midst of an ongoing war, it is impossible to support the troops and oppose the mission. Let me make that clear. The world is watching. Our enemies, al Qaeda, and the radical jihadists who hate us and want to kill us are watching. If we tell them we oppose the mission, we are encouraging them. They have guns, rockets, and missiles pointed at our troops. This resolution is a grave error. I urge my colleagues to oppose it.

Mr. CARNAHAN. Mr. Speaker, I yield 5½ minutes to the gentleman from Texas (Mr. HINOJOSA), who is a member of the Foreign Affairs Committee and chairman of the Higher Education Committee.

Mr. HINOJOSA. Mr. Speaker, I rise in strong support of H. Con. Res. 63. The State of Texas has a proud history of military service. Thousands of Texans have fought with distinction in every conflict this country has entered.

Hundreds of my constituents are currently serving in Iraq and Afghanistan. They are willing to leave behind their families and friends to risk their lives in service to their country. Many will never return home. Many will come home maimed and injured.

I want to read the names of the young people from the 15th District of Texas who have given their lives in Iraq and Afghanistan: Darrell Shipp, Benito Ramirez, Javier Marin, Julio Alvarez, Gary Moore, Tomas Garces, Mark Anthony Zapata, Juan Calderon, Christopher Ramirez, Dustin Sekula, Juan Garza, James Kesinger, Mitchell Mutz, John Russell, Quinton Gertson, Christopher Kilpatrick, Tina Priest, and Daniel Galvan.

I know how much their families and friends have grieved at their loss. I have spoken to their parents and spouses and have attended many of their funerals. We are all so very proud of their military service and know they did their very best.

However, as an elected Representative of the United States Government, I have a responsibility to make sure that the sacrifices of these brave men and women were not in vain.

□ 1730

I have a responsibility to see that more Americans will not be sacrificed unnecessarily. I have supported the funding to give our military the body armor, the equipment and training they need, and I will continue to see that they have whatever they need. But I will not support an administration policy that puts more troops in harm's way, with no apparent end in sight and with no clear goals on how to win the fight.

In 2002, I stood in this well and I spoke on that resolution giving the President permission to go to war, and I voted against going to war with Iraq because I didn't believe we had all the information we needed on Iraq's nuclear capabilities and weapons of mass destruction and its support for terrorism. I was concerned that the President had not convinced the 39 countries who had supported us in the previous war with Iraq. I was disappointed that the President did not have an exit plan after we defeated Iraq. And I was disappointed that the President would not put in the budget what we were going to spend on that war.

No one denies that Saddam Hussein was a cruel dictator who brutally oppressed his people, and I am glad that the Iraqis are free of this tyranny. But the Bush administration did not have accurate information then, and I don't believe they have an accurate picture of the situation today.

Our troops are now caught in the middle of a civil war between religious groups that have hated each other for centuries. There is no defined enemy and no clear battle lines.

The task of imposing and growing democracy in a place where it has never been is not the job of our military. It must come from the political will of the Iraqi people. Only the Iraqis can decide whether they want to put aside centuries of discord and come together to create a stable, democratic country where the rights of every group is recognized. The Iraqi Government must take responsibility for its own future.

After more than 4 years, the U.S. is not safer because of our efforts in Iraq. By dividing our resources, we have allowed the Taliban to reemerge in Afghanistan and have given al Qaeda a strong foothold that it never had before in Iraq. Syria and Iran have gained influence throughout the entire region.

We have spent hundreds of billions of dollars at the expense of critical programs at home like education, health care and homeland security. Our military is severely strained with troops on their third and fourth tours of Iraq. Units are being deployed, either understaffed or with new personnel, that has decreased unit cohesiveness, proficiency and morale. Equipment is worn out and our readiness to deal with an additional crisis is in jeopardy.

Unfortunately, most of his generals disagree. The distinguished members of the bipartisan Iraq Study Group disagree, and more importantly, the American people disagree.

I hope my colleagues will join me in supporting H. Con. Res. 63 and opposing the President's decision to send more troops to Iraq.

We have spent hundreds of billions of dollars at the expense of critical programs at home like education, health care and Homeland Security. Our military is severely strained with troops on their third and fourth tours of Iraq. Units are being deployed either understaffed or with new personnel that has decreased unit cohesiveness, proficiency, and morale. Equipment is worn out and our readiness to deal with an additional crisis is in jeopardy.

Ms. ROS-LEHTINEN. Mr. Speaker, before I turn over our segment of the debate to Mr. HOEKSTRA of the Intelligence Committee, I would like to recognize our last speaker for our segment, Mr. SHUSTER of Pennsylvania, a member of the Anti-Terrorism Caucus, for 5 minutes.

Mr. SHUSTER. Mr. Speaker, "So they go on in strange paradox, decided only to be undecided, resolved to be irresolute, adamant for drift, solid for fluidity, all-powerful to be impotent." The words of Winston Churchill on the eve of World War II ring true today as clearly as they did decades ago describing our state of affairs.

I am disappointed with my colleagues in the majority. They spent the time and effort solidifying their caucus against the war in Iraq. They devised a number of plans to withdraw our troops. They made Iraq the focus of their agenda in November and not staying the course their slogan. However, they stand today, as Churchill said, resolved to be irresolute in their position on Iraq.

The resolution we debate in the House today is based on flawed logic. The resolution states that Congress supports the efforts of our troops in mind but not in body. The fact is, this resolution is framed upon the idea that the current state of affairs in Iraq is beyond recovery and should be abandoned.

Instead of offering any real alternatives, the Democrats have drafted a nonbinding resolution that rejects the President's plan to reinforce our troops and give the Iraqi Security Forces the assistance they need. This resolution does not bring us one step closer to victory. This resolution does nothing more than reinforce the status quo.

This resolution does show the American people that yet again, the Democrats, for all of their rhetoric, have no plan, no alternative to fight the threat of Islamic jihad. They instead have chosen, amazingly, to simply stay the course.

I will be the first to admit that, despite the outstanding jobs that our troops on the ground have done, progress in the war is slow and frustrating. We overthrew a violent despot, only to see a new and dangerous threat emerge. But we can not be fooled into thinking that by leaving Iraq this threat will melt away.

By the very admission of the Islamic fundamentalists we fight, this war is only part of a larger power play to consolidate power and form a jihadist Islamic state in the center of the Middle East.

In a speech released this month, Ahman Zawahiri praised al Qaeda's master plan for Iraq. He asked Allah to consolidate Iraq so that it unites all our Muslim brothers in Iraq and sets up an Islamic state which will proceed to liberate Jerusalem and take steps towards reestablishment of the Caliphate.

Mr. Speaker, I think it is a grave mistake for us to not take our enemy at their word. The jihadists do not want peace. They want capitulation. We ignored their threats in the 1980s and they bombed our Marine barracks in Beirut. We ignored their rhetoric in the nineties and they bombed the World Trade Center and our embassies in Africa. We ignored their threats in the days leading up to September 11, and our world was changed forever.

Democratic Presidential Candidate John Edwards described this resolution best when he compared it to a child standing in a corner, stomping his feet. This resolution may draw headlines, but it will not change a thing.

We have one Commander in Chief, not 435 separate executives. What the Congress does have is the power of the purse and the ability to cut off the funding for the war. Let's be honest. This resolution is the first step in that direction.

If cutting off funding is the Democrats' plan, and I believe it is, then let them state it openly. They are no longer the voice of the opposition in Congress. They are the majority, and they have an obligation to govern. It is time for them to create a plan, a real course of success. The American people are waiting.

Mr. CARNAHAN. Mr. Speaker, I yield 5½ minutes to the Representative from California, DIANE WATSON, senior member of the Foreign Affairs Committee.

Ms. WATSON. Mr. Speaker, the escalation of the conflict in Iraq is an exercise in futility. It has been 3 years now since the President declared that our original mission was accomplished in Iraq.

And then the President let victory escape from our grasp. He confused the toppling of Saddam Hussein with accomplishing the mission.

But there is a more important question being raised here on the House floor. It is an issue which has confused our mission in Iraq from the beginning. And it is the preposterous argument that Iraq is part of the war against al Qaeda.

The al Qaeda attack on America killed almost 3,000 innocent Americans in New York, at the Pentagon, and in a field outside of Shanksville, Pennsylvania. We pursued al Qaeda into Afghanistan, dislodged the Taliban and cornered Osama bin Laden at Tora Bora. We had al Qaeda on the run. We had the world united against terror and in favor of freedom and democracy.

But then the President switched his focus at a critical time. He dismissed the factors which had brought success in Afghanistan, a just cause, clear evidence, and a community of nations, and instead pursued his Iraqi adventure based on faulty intelligence and employing a strategy rejected by his own Army Chief of Staff and numerous other generals.

Thus, the President gave al Qaeda breathing room; he let them regroup, because he lost focus on the war on al Qaeda, to wage war on Iraq. Meanwhile, in Afghanistan, al Qaeda and the Taliban regrouped.

Iraq is not the central front in the war on al Qaeda. Iraq is a distraction from the war on al Qaeda. Each day we spend in Iraq is a day we are not working to bring the perpetrators of 9/11 to justice.

Whatever happened to Osama bin Laden? Why aren't we looking for him?

We have a direct connection to 9/11. The families of those who perished on 9/11 are still waiting for an answer.

This escalation is an appalling display of our weakness. We are sending only 21,000 combat troops to Iraq because, after stretching our military thin for 4 years, that is all the troops we have available at the moment.

The President cannot tell us what victory is or when he hopes to achieve it. What is really our goal in Iraq? What are we trying to achieve? And are we going to leave this mess for the next President?

Today, Iraq is consumed by civil war. Her neighbors, including our allies, Jordan, Kuwait and Turkey, are overwhelmed with refugees, and Iran is strengthened and emboldened. If that is not already destabilized, then the word truly has no meaning.

The occupation itself is what is destabilizing Iraq. The occupation is placing Americans on the killing fields. The occupation undermines American prestige and authority, and the occupation in Iraq makes it harder to defeat al Qaeda.

The military battle is over. Our only hope is to change course, to acknowledge the reality that we have lost the military struggle in Iraq. Only then can we reengage with a strategy to give us a political victory.

We must remove our forces and move forward with a political and diplomatic strategy to engage both our allies and our adversaries in the region. This will mean talking to Iran, not capitulating to Iran. Even at the height of the Cold War, Reagan was willing to talk to Moscow. Until we are willing to engage with Iran, our friends in the Middle East, who fear Iranian dominance as much as we do, will not believe we are serious about confronting the Iranian threats.

Last, and most appalling, is the desperation accusation that we are going to cut off funds for our troops. Simply not true.

This attack is especially galling when it has been a Republican Congress and a Republican President who, for 4 years, left our troops vulnerable, without proper equipment, without proper armor, and in an effort to fight this war on the cheap.

I will never vote to leave our troops without the support they need. But neither will I vote to continue down a path that is putting them at needless risk.

Vote for this bill.

Mr. HOEKSTRA. Mr. Speaker, I would like to yield 6 minutes to my colleague from Alabama, who recognizes the danger of believing that we can negotiate with al Qaeda and bin Laden, Mr. EVERETT.

Mr. EVERETT. Mr. Speaker, I thank the ranking member of the Intelligence Committee, my friend from Michigan.

Mr. Speaker, I rise today in strong opposition to H. Con. Res. 63, the Democrats' nonbinding resolution that does nothing to improve the outcome of the war, but does much to hurt the war against terrorism.

The resolution claims they support the troops. However, regardless of what the previous speaker said, they refuse to protect the money our troops must have while they are in harm's way.

□ 1745

If we wanted to have a meaningful debate on the real issues facing this country, we would take up Congressman SAM JOHNSON's bill that opposes any effort to cut off or restrict funding for our military.

But that is not the debate we are having today. Instead, we are debating a nonbinding resolution that, in my mind, can only hurt our troops who are on the battlefield as we speak, and this resolution can only give comfort to those who wish to kill Americans.

Making Iraq a secure place is difficult because of deep-seated religious and ethnic divisions. This is highlighted by the murderous acts of Saddam's dictatorship that killed so many thousands. In addition, al Qaeda and local terrorists along with hostile foreign governments, including Iran, have both encouraged and funded the current violence in the hopes that Iraq will not follow the path to democracy. They must not be allowed to succeed.

Any American lives lost in the defense of our Nation is one too many. Yet we must not turn from our task of defeating terrorism before the job is done. President Bush is the Commander in Chief and intends to reinforce American troop strength by 21,000 soldiers to help Iraq's new government finally control violence and restore order. While I believe the decision to increase troop strength in Iraq could have been made much sooner and in greater numbers, it today presents the only viable option to bringing order to the country and laying the foundation for Iraqi Government control of that nation's security.

Iraq's government is taking new steps to control the violence from all ethnic groups and made it clear that our abandoning them at this stage would guarantee failure for democracy in Iraq. And it would ensure a tremendous setback in America's battle to deny terrorism a foothold and give them more chances to continue to kill Americans. Pulling back now with no viable plan to stabilize Iraq would be a disastrous action. This sentiment was expressed in the most recent National Intelligence Estimate on Iraq.

Mr. Speaker, as you know, the NIE is the intelligence community's most authoritative written judgments on national security issues and is designed to help us develop policies to protect U.S. national security interests. Specifically, this report states: "Coalition capabilities, including force levels, resources, and operations, remain an essential stabilizing element in Iraq." In addition, it goes on to say: "If coalition forces were withdrawn rapidly during the term of this estimate, we judge that this almost certainly would lead to a significant increase in the scale and scope of sectarian conflict in Iraq, intensify Sunni resistance to the Iraqi Government, and have adverse consequences for national reconciliation."

While America must not be in Iraq indefinitely, we should not leave without ensuring that the terrorists that are there are put down. To do otherwise would be terribly shortsighted and would ultimately embolden our terrorist enemies who have made no secret of their desire to continue to kill Americans.

As a member of the House Armed Services Committee and Intelligence Committee, I have monitored the developments in the war on terrorism, including those in Iraq. I met with President Bush in the White House to discuss the military mission in Iraq shortly after he outlined his strategy for Iraq in early January. We explored what would happen in Iraq, the Middle East, and America if we withdrew from the fight before Iraq's democratic government is strong enough to maintain the peace. Our conclusion was that Iraq would become a sanctuary for terrorists and a base from which they could launch future attacks against Americans.

Some Members have tried to claim that the war in Iraq has nothing to do with the war on terrorism. That is the only way they can justify this nonbinding resolution, and that is pure nonsense.

We have the greatest military on the face of the Earth, one that no other military dare stand before lest they be destroyed. The only thing that can defeat us is the lack of will. And may God help us if we lose the will to defend this great Nation against terrorism.

Mr. CARNAHAN. Mr. Speaker, I yield 5 minutes to the gentlewoman from California, HILDA SOLIS, member of the Energy and Commerce Committee and Vice Chair of the Environment and Hazardous Materials Subcommittee.

Ms. SOLIS. Mr. Speaker, I thank the gentleman for yielding time.

I rise today in support of H. Con. Res. 63.

I am a strong supporter of our service men and women and strongly committed to finding a reasonable and responsible resolution which includes a redeployment of our troops. However, a responsible resolution does not include the deployment of more of our brave service men and women to Iraq. Sixty-six percent of Americans oppose the President's escalation plan to send additional troops to Iraq. They believe, as I do, without a new policy to secure the peace and stabilize Iraq, further escalation will do nothing but unnecessarily risk the lives of more U.S. service men and women.

There are currently 135,000 U.S. troops courageously serving in Iraq. At the direction of our government, they left their fathers, mothers, brothers, children, and wives. This war is having, as you know, a significant impact on their families and our communities.

In the district that I represent, the 32nd Congressional District of California, we have lost 13 sons to combat. Note the photograph that I have here on display. This includes Lance Corporal Francisco Martinez from the city of Duarte in the San Gabriel Valley, who bravely served our country despite not even being a U.S. citizen. I was able to meet his parents. They were very humble individuals who spoke only Spanish and proudly stated that their son served their country with honor. It breaks my heart to think that this was only one servicemember, only one of the more than 3,000 families that have been through this since the war started almost 4 years ago.

The past 3 months, as you know, have been the deadliest months in the war in over 2 years. While Latinos make up 12 percent of the U.S. population, they make up 17 percent of the service men and women in combat in Iraq, and 11 percent of those have already been killed. U.S. casualties are now more than 3,100 and more than 23,400 service men and women have been wounded in action, and nearly half of those wounded will not be able to lead a normal life because of severe injuries, permanent disabilities, and post-traumatic stress syndrome. Yet many of these service men and women will return to Iraq for a second, third, and maybe even a fourth tour.

The President's proposal to escalate ignores the real needs of our troops and the grave reality of this situation. Three times in the past 2 years the number of U.S. troop levels have increased in Iraq. Three times this approach has failed. And during Operation Together Forward, additional troops were sent into Baghdad because of an increase in sectarian violence. U.S. military spokesman General William Caldwell stated that the increase was a failure and had "not met our overall expectations of sustaining a reduction in the levels of violence." Even the commander of the U.S. Central Command in Iraq has testified that top military commanders in Iraq do not believe that increasing the number of troops is the right approach. He stated, "I do not believe that more American troops right now is the solution to this problem. I believe that the troop levels need to stay where they are."

Increasing the number of U.S. troops is not a solution. The increase does nothing to improve long-term security and end sectarian violence. Our country needs a policy to secure and stabilize Iraq and one that constructively engages in diplomacy and partners with our neighboring countries and the region to create a stable and peaceful nation, not a blank check to send more men and women into harm's way. We need a policy and a plan to put the welfare of our service men and women first so they can come home, rejoin their families, and receive the care they deserve. They should include adequate services for returning service men and women, including culturally competent care, mental health care for veterans, housing and education.

We need a plan to ensure that U.S. tax dollars are not going to war profiteering and fraud, such as the $1.4 billion that has been somehow charged by Halliburton. I strongly believe that this is possible, but it will require courage, cooperation, and leadership on the part of all my colleagues. Let me say to my colleagues that I support our troops and the war on terror. Unfortunately, the war in Iraq is not the war on terror.

Mr. Speaker, I will continue to support and protect our sons and daughters who are serving, as these young people have served us so well. I will do so by voting for this resolution and by supporting their redeployment.

Mr. HOEKSTRA. Mr. Speaker, I yield at this time 5 minutes to my colleague from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Speaker, I thank my good friend for yielding.

Mr. Speaker, the co-Chairs of the Iraq Study Group, former Secretary of State James Baker and former House Foreign Affairs Chairman Lee Hamilton, wrote late last year: "There is no magic formula to solve the problems of Iraq. However, there are actions that can be taken to improve the situation and protect American interests.

"Many Americans are dissatisfied," they go on to say, "not just with the situation in Iraq but with the state of our political debate regarding Iraq. Our political leaders must build a bipartisan approach to bring a responsible conclusion to what is now a lengthy and costly war. Our country deserves a debate that prizes substance over rhetoric and a policy that is adequately funded and sustainable. The President and Congress," Baker and Hamilton go on to say, "must work together."

"The President and Congress must work together." "Our country deserves a debate that prizes substance over rhetoric." Good advice, especially when we are in the middle of a war to help a suffering people living in a tortured land striving to matriculate from dictatorship to democracy.

Like many Americans, Mr. Speaker, I too have serious questions about this war, especially its cost in human life. I too am impatient and want our men and women brought safely home as quickly as possible.

But with so many Americans and Iraqis and coalition forces at risk, it is important to ask what message a nonbinding surge disapproval resolution with no force of law might have on a troop surge already under way and what message do we send to our troops, our allies, and our enemies. Will it demoralize even a little, maybe a lot, those brave Americans who have put their lives on the line so that others may be free? Will it undermine the resolve, commitment, and solidarity of those nations that have stood with us against the hate and murder of the extremists? And how will our enemies regard passage of this resolution? With celebration? Will they step up their already far too robust campaign of terrorism, murder, and suicide bombing?

If the Democratic leadership wants to stop the surge or the war itself, bring a measure to the floor to defund it. The debate on defunding the war and, most certainly, the vote would have predictable clear-cut consequences. The President can't spend money on a war he doesn't first get from Congress. But by offering what is essentially a sense of the House resolution, the weakest, least effective way of driving home a point because it compels nothing, I am concerned that the House this week may, unwittingly, significantly hurt the morale of our warfighters while empowering the hate mongers. Surely no one in this Chamber wants that.

Mr. CARNAHAN. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. GENE GREEN), member of the House Energy and Commerce Committee and Vice Chair of the Subcommittee on Health.

Mr. GENE GREEN of Texas. Mr. Speaker, I thank my colleague for allowing me to speak.

I rise today in support of this resolution. The President's escalation, or surge, as he calls it, is not a strategy that will quell the violence in Iraq.

We have heard for too long that change in Iraq is just around the corner, and we continue to spend billions of dollars and have taken thousands of U.S. casualties.

I supported our goals to bring democracy to Iraq, voted for the Iraq resolution, and voted for the billions of dollars to support that effort. And I will not vote to cut funding for our troops while they are in the field in Iraq and Afghanistan.

□ 1800

They are doing their best with a very flawed plan, and that doesn't come from just GENE GREEN saying it. I heard it less than a year after we went there, from e-mails that parents forwarded me.

Our goals were great in Iraq. The plan was not. The administration's plan has not worked since the first year. It is time we send a strong message to the President that we no longer support the administration's strategy.

President Bush addressed the Nation on January 10 of this year to announce his plans to send an additional 21,500 soldiers and marines to Iraq. This move ignores advice from the military and has been tried before without success.

General John Abizaid, former commander of the Central Command, testified before the Senate Armed Services Committee on November 15, 2006, that he and General George Casey, the Corps Commander, and Lieutenant General Martin Dempsey all agreed that more troops were not needed. The White House is continuing with the same flawed strategy to pacify the country that has not worked, and adding another 20,000 troops will not make it work.

March 19 of this year will mark 4 years since we went into Iraq. May 1 will mark 4 years since the President declared "mission accomplished." But we turn on the news today and still see headlines, "Car Bombers Kill 60 in Baghdad," "Four More American Soldiers Killed in Gunfight With Militia."

We have made great strides in Iraq, but we are now trying to police a war between sectarian armies. Our troops have performed all that has been asked of them, and according to the National Security Council's analysis, we have achieved many of our initial objectives: removing Saddam Hussein from power, assisting Iraq with a constitution and free elections, and helping establish democratic institutions.

It is time for the Iraqis to take control of their own country and that we begin bringing our troops home. This is in the best interests of our military, the Iraqis and our national security.

Our forces cannot indefinitely sustain the demands we currently are placing on them. Joint Chiefs Chairman Peter Pace acknowledged last week when testifying before the House Armed Services Committee that non-deployed U.S. forces are not sufficiently equipped, echoing similar concerns expressed recently by Army Chief of Staff Peter Schoomaker and Lieutenant General Steven Blum, chief of the Pentagon's National Guard Bureau.

The Guard, nationwide, is only equipped to about 30 percent of their needs. Units are taking equipment with them into theatre and being forced to leave much of it for other units to use when they come home. It will cost about $25 billion to reequip the National Guard and Reserves to pre-Iraqi war levels.

We cannot continue to send troops to Iraq for 12-month deployments every other year and expect to maintain a well-equipped and experienced fighting force with high morale.

This resolution expresses the beliefs of many Members of this House that sending an additional 21,500 troops to Iraq is not in our Nation's interests and not a solution for the violence in Iraq. The solution is for the Iraqi Government, the elected government, to do what they need to do. I urge my colleagues to join me in supporting this resolution.

Mr. HOEKSTRA. Madam Speaker, I yield 6 minutes to my colleague from California (Mr. ISSA), a member of the Intelligence Committee

Mr. ISSA. Madam Speaker, I ask unanimous consent that the resolution be modified at page 1, line 6, after the word "Iraq" to include "personnel from the United States Intelligence Community who are serving or who have served bravely and honorably worldwide to counter radical jihadists."

The SPEAKER pro tempore (Ms. KAPTUR). The previous question has been ordered without amendment.

PARLIAMENTARY INQUIRY

Mr. ISSA. Madam Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. ISSA. Madam Speaker, does that mean that unanimous consent cannot be offered?

The SPEAKER pro tempore. The previous question has been ordered, to adoption of the concurrent resolution without intervening motion.

Mr. ISSA. Madam Speaker, further point of inquiry. My understanding is that a unanimous consent request is always in order separate from the rule. Is that not correct?

The SPEAKER pro tempore. That is not correct. Under the present circumstances the Chair is constrained not to entertain an amendment to the resolution.

Mr. ISSA. Thank you, Madam Speaker.

Madam Speaker, that makes it very clear that in fact even if there is no objection to including the brave men and women who operate, often without weapons, who operate behind enemy lines, who in fact are part of our Intelligence Community, they cannot be included in this resolution. It is a sad day when democracy does not even include that which there is no objection to from being considered.

Notwithstanding that, Madam Speaker, I think it is extremely important that we deal with the limited strict language we have been offered, and, in the spirit of that strict language, I must oppose it. I must oppose it because in fact on a strict basis this resolution, if heeded by the administration, says stay a failed course of action.

Madam Speaker, it is amazing that the election very clearly told us in November that the American people were not comfortable with the conduct of this war; that in fact on both sides of the aisle, people were calling for a bolder vision, a vision that was more aggressive diplomatically and militarily. In fact, two Presidential candidates, Senator HILLARY CLINTON and, in fact, Senator MCCAIN, are and have been saying we should have had more troops early, we should have more troops now. It is amazing that in fact the one thing this resolution is saying is stay the course, make no changes.

Further, regardless of what my Democrat colleagues would say today, the next step after "Mr. President, we will not send more troops," is, "Mr. President, we will not send more tanks; Mr. President, we will not send further personnel and intellectual gatherers to understand our enemy; Mr. President, we won't send more translators; Mr. President, we cannot and will not support more body armor; Mr. President, we will not support this war on terror throughout the region."

Those are the next steps, because you can't simply say, as this resolution tries to, stay the course. Do nothing. No increases, no decreases. Support the troops, but send them no more.

That makes as much sense as telling the people at the Alamo, stay the course. That wasn't the right solution at the Alamo. At the Alamo they should have either increased their forces so that they could have sustained the bombardment, or withdrawn.

We, in fact, are in a position where the President has made a multitude of new initiatives, one of which includes additional troops to help relieve those tired troops, to help bring the force level up to a level similar to exactly what Presidential candidates on both sides of the aisle were clamoring for just a few weeks ago and throughout the election.

Madam Speaker, one of the other things that just amazes me, today I took a little time and I checked out how many Members of Congress served in the military. It turns out it is less than one-third. I checked out how many Members went to Iraq in the previous Congress. It turns out less than one-third.

The fact is that we are considering a resolution as though we were General Petraeus, a man who was unanimously confirmed in the Senate just a few days ago, and deployed to support and defend our troops and this effort, who is solidly convinced that we have to do more and do it better and who is there to do it and was unanimously confirmed.

In closing, Madam Speaker, only here, with less than one-third of the Members having gone and seen what is going on in Iraq, less than one-third having served in the military, even at a minor level of lieutenant or captain or private, have the hubris to say that we have to not add, not subtract, just keep the exact same number that we and the American people believe is not getting the job done. That is exactly what this resolution is claiming to do. We are not given an alternative in any way, shape or form.

So, Madam Speaker, there is no choice on either side of the aisle. Whether you believe we should have more or we should have less, nobody believes that we should stay the exact course with no change, and that is what this is asking for.

So I call on my colleagues on both sides of the aisle to realize that in fact this resolution calls for the one thing that the American people most object to, and that is unchanged staying the course at this level. The American people called on us in November to do something bolder, to bring peace in the region, and I call on you to vote down this resolution just exactly to do that

Mr. CARNAHAN. Madam Speaker, I yield 5 minutes to the gentleman from Massachusetts (Mr. MARKEY), a member of the Energy and Commerce Committee and chairman of the Subcommittee on Telecommunications.

Mr. MARKEY. Madam Speaker, I thank the gentleman.

Madam Speaker, this debate marks the beginning of the end of the ill-conceived, mismanaged and ultimately failed war in Iraq. The war in Iraq was launched on the basis of false and misleading intelligence about a nonexistent nuclear weapons program. When the inspectors looked for nuclear weapons in all the most likely places, there was nothing there. When they looked in all the unlikely places, there was nothing there. When this was reported to the world, the world said "don't invade." But when this was reported to the President of the United States, he chose to invade Iraq. In other words, the President did the opposite of what the evidence would dictate.

Here we are, 4 years after the invasion. The American people looked at the facts on the ground in Iraq and voted in November to de-escalate. The generals looked at the situation and said de-escalate. The Iraq Study Group analyzed our options and said we should de-escalate.

So what has the President of the United States decided? After all the evidence, he has chosen to escalate the war. Once again, our President is doing the opposite of what the evidence and common sense dictates.

Our troops continue to fight heroically to prevent Iraq from sliding into anarchy, but they are losing ground to a deep emotional cycle of religious strife and revenge that goes back 14 centuries. Our soldiers cannot be beaten on the military battlefield, but neither should they be faulted for failing to drain a political swamp.

The American people are now speaking out with one clear voice, in frustration and in anger, demanding change, demanding a new direction in Iraq. But the President isn't giving us a new direction. All he has to offer is more of the same, an escalation of our troop presence in Iraq. And this escalation ignores the recommendation of the bipartisan Iraq Study Group, which said that all combat brigades not necessary for force protection could be out of Iraq by the beginning of 2008.

This week, we have a choice: We can say no to the President's failed war in Iraq, we can say no to the President's escalation, and we can say no to the unnecessary loss of another American soldier, marine or airman; or we can once again vote to stay the course and to continue on with this failed policy.

Many Americans have expressed frustration that the resolution we vote on this week is a nonbinding resolution, and I understand that frustration. On January 9, Senator KENNEDY and I introduced companion bills in the Senate and House to block President Bush's new plan to escalate troop levels in Iraq. Our legislation would prevent the obligation or expenditure of a single dollar to increase the number of troops in Iraq unless Congress affirmatively voted to do so.

But I would not dismiss this resolution's importance simply because it is nonbinding. Twenty-four years ago, this House took up another nonbinding resolution when it first debated my nuclear freeze resolution. We passed the nuclear freeze on the floor of the House. It was nonbinding and it never passed the Senate. But it nevertheless changed the course of this Nation's nuclear weapons policy. It did so because of the pressure it put on the White House to change, and it was followed by binding legislation that halted tests of anti-satellite weapons, cut funding for Star Wars and cut in half the plan size of the MX missile force.

That is why I fully understand why some Republican Members have simultaneously denounced this resolution as silly and unserious, and, at the same time, have tried to prevent its passage. Why are they afraid of a nonbinding resolution? Because this resolution exposes the lack of support in the Congress for the President's escalation scheme.

The administration's failed strategy has already ended any chance of a successful short-term outcome. The just-released, deeply pessimistic National Intelligence Estimate on Iraq simply confirms this situation.

We are in the middle of a sectarian religious civil war in Iraq, and the presence of our troops is preventing the Iraqi people from taking responsibility for their own security and for their own political solution that must follow.

This war should never have been fought, period. It was a mistake, the American people know it was a mistake, our military leaders know it was a mistake and a bipartisan majority in the United States Congress know it was a mistake.

□ 1815

Let's pass this resolution and send a strong signal to the Bush administration that it is time to stop the escalation, bring this war to an end, and bring our troops home. I urge adoption of this resolution.

PARLIAMENTARY INQUIRY

Mr. HOEKSTRA. Madam Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore (Ms. KAPTUR). Please state your parliamentary inquiry.

Mr. HOEKSTRA. Does this resolution include any provisions expressing support for the members of the United States intelligence community serving inside of Iraq?

The SPEAKER pro tempore. The Chair will not interpret the pending measure.

Mr. HOEKSTRA. Further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman may state his inquiry.

Mr. HOEKSTRA. When would it be appropriate to ask for unanimous consent to correct this oversight in this resolution that only addresses support for our armed services, but as the ranking member of the Intelligence Committee, I feel that it does a great injustice to the hundreds of people in the intelligence community who are not recognized for their service in Iraq?

The SPEAKER pro tempore. The Chair would look to the majority manager of the concurrent resolution for any proposal to alter it.

Mr. HOEKSTRA. Further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman may state his inquiry.

Mr. HOEKSTRA. Would it be appropriate at any time during the debate on this resolution to ask for unanimous consent to modify this resolution to address the significant oversight in the underlying resolution?

The SPEAKER pro tempore. The Chair would only entertain such a request at the instance of the majority manager of the concurrent resolution.

Mr. HOEKSTRA. I thank the Chair

With that, I would like to yield 5 minutes to my colleague from the State of Illinois (Mr. MANZULLO).

Mr. MANZULLO. Madam Speaker, I am privileged to be a member of the House Committee on Foreign Affairs. Our chairman, Mr. LANTOS, has scheduled for March a hearing to discuss the different proposals relating to the handling of the war in Iraq. He has promised a lot of time for debate on all the different bills introduced in the House of Representatives, ranging from those that call for us to pull out of Iraq immediately, to those that demonstrate our presence there as part of a larger war, not against a nation, but against a movement, Islamic jihadis. They are everywhere and are responsible for attacks in India, Jordan, Israel, England, Egypt, Philippines, Saudi Arabia, Russia, Spain, Turkey, the Gaza, Morocco, Pakistan and in the United States and Iraq.

Chairman LANTOS wants to make sure that all sides are heard, that all possible alternatives are given an airing. But that is what is missing in the bill that the Democratic majority has given us this evening: it can't be amended. Can you imagine three days of debate without the opportunity to amend a bill? That implies the Democratic leadership believes they have a monopoly on truth and fear input from other Members of Congress.

The bill we are debating today condemns the infusion of up to 21,000 more troops in Iraq. However, at a time when we should be excited about a new proposal calling for a major shift in our policy on Iraq, the bill we are debating condemns it. This proposal taps as its new leader Lieutenant General David Patraeus, who should be given an opportunity to succeed. Confirmed unanimously by the Senate, he has extensive knowledge of other wars and military conflicts and has resolved that America can achieve a favorable result in Iraq.

The new policy is a shift in the rules of engagement and calls upon the Iraqis themselves to step up in responsibility and achievement. A Washington Post story dated January 12 of this year with the byline, "Withdrawals could start if Iraq plan works: Gates," repeats the words of Secretary of Defense Robert Gates testifying before the Senate Armed Services Committee on January 11, Gates said: "If these operations actually work, you can begin to see a lessening of the U.S. footprint both in Baghdad and Iraq itself. Then you could have a situation later this year where you could actually begin withdrawing."

Isn't that what Americans want, a plan of action with a new focus, stabilizing Iraq and bringing our troops home? But that plan is not being debated today, and that is why I am going to vote against this resolution.

We live in extremely dangerous times. We know Iran is developing atomic weaponry. We also know that six other Arab nations are actively seeking atomic technology, according to the International Atomic Energy Agency. The stakes are onerous. That is why America's men and women in uniform not only deserve our support in the field, but also here in the House of Representatives, by allowing their opinions to be voiced through their Members of Congress. It is the least we can do for them.

Mr. CARNAHAN. Madam Speaker, I yield 5 minutes to the gentlewoman from California, MAXINE WATERS, Chair of the Out of Iraq Caucus.

Ms. WATERS. Madam Speaker, I rise as Chair of the 76-member Out of Iraq Caucus, and I will be followed by many other members during this hour. I rise in support of our troops and in support of this resolution opposing the President's escalation of this war.

Madam Speaker, I support this resolution, hoping this will be a first step in ending this war and reuniting our troops with their families and loved ones. This is an unbinding resolution. The real test for this Congress is going to be whether or not we will continue to fund this war.

For nearly 4 years, our troops have served bravely and admirably in Iraq. Unfortunately, the President and his administration have decided to pursue a political agenda when it decided to push for an invasion of Iraq. The President ignored the advice of dozens of experts inside and outside the government about invading Iraq. For example, the administration ignored the intelligence community's opinions about the status of Iraq's weapons of mass destruction programs. The administration also ignored recommendations about the number of troops needed to secure Iraq following the fall of Saddam Hussein. In addition, the President and the administration ignored warnings about the difficulty and danger of occupying Iraq and that Iraq would likely break down into sectarian violence.

In short, the administration ignored everything that conflicted with its plan to invade Iraq. Unfortunately, no one has borne the burdens of the administration's Iraq narrow agenda more than our troops and their families. The decision to escalate the war, to send more than 21,000 additional troops to Iraq, will only increase the burden on our troops. Many of the troops serving in Iraq have served two, three, even four tours of duty. And of course the failed Iraq policy has resulted in the death of 3,109 U.S. troops, including 325 from my own State of California, and injury of more than 23,000 others.

Madam Speaker, many experts believe that the President's latest plan will not work, and early indications support that conclusion. About 5,000 troops have arrived in Baghdad since the President announced the plan in January, yet the violence and devastation in Iraq is increasing. It is estimated that more than 2,276 Iraqi civilians have died so far this year and that more than 1,000 Iraqi security forces and 33 U.S. servicemen have died in just the past week. We are sending thousands more troops to Iraq in what is now known to be a civil war. Sending more troops to Iraq is not the answer. The key to stabilization is bringing our troops home and renewing our commitment to diplomacy.

This resolution is the first step in reining in this President and his misguided policies. However, as many have noted, this is, again, an unbinding resolution. I look forward to working with my colleagues on the war, spending bills that will be considered in the coming months to enact meaningful changes to this failed policy and to finally bring our troops home. The future of the entire Middle East is at stake.

The President does not appear to understand or appreciate the situation in Iraq is deteriorating each day. We are losing; however, we can win. And we will win by using leadership to engage and unite rather than attempting to overpower and conquer. Who are we fighting? The Sunnis, the Kurds, the Shias? Who are the insurgents? Some Sunnis, some Shias, some Kurds? Who are the terrorists? Shias, Sunnis, Kurds, Syrians, Iranians? Who are we fighting? I don't think our soldiers know, and I am not so sure this administration has really given the kind of deep thought and consideration as to who we are really fighting.

Diplomacy is the only answer. Today, we must oppose this escalation. However, I have no choice but in the final analysis to oppose continued funding of the American taxpayers' dollars to the war giant whose appetite cannot be satisfied, but in the interest of peace, must be denied.

I urge my colleagues to support this bill.

Mr. HOEKSTRA. At this time I would like to yield 3 minutes to the gentleman from Nebraska (Mr. SMITH).

Mr. SMITH of Nebraska. Madam Speaker, I think we need to ask ourselves several questions: Does this resolution make America safer? Does this resolution send a message to our allies that draws them closer to us? Does this resolution encourage our troops, or does it discourage our troops?

We heard about de-escalation and when that might be appropriate, when it may not be. But I can tell you that this resolution does not accomplish de-escalation. In fact, it does not even support the troops on their way as we speak. It only supports the troops who have served or are currently serving.

Madam Speaker, in my conversations with constituents, with soldiers, with those closest to the situation, they see hope, they see hope in a change of strategy. We know that the status quo is not what we need to do, and that is why a change in strategy is certainly in order.

I don't pretend to be General Patraeus, and I hope that none of us pretend to know more about the situation than General Patraeus.

I am concerned when we hear that this resolution is the first step for cutting funding. Why don't we just put that resolution up right now? We can save a lot of time; we can send a more direct message. Is that the appropriate thing to do? I hope that you will join me in voting "no" on this resolution because I support our troops and their mission.

Mr. CARNAHAN. I yield 5 minutes to the gentleman from New York, JOSÉ SERRANO, member of the House Appropriations Committee.

Mr. SERRANO. This is, indeed, a very solemn occasion; and anyone watching this debate, either on television or in the gallery, should understand that we take very seriously what we say here today. We may disagree on what the final outcome should be, but we do take it very seriously.

And I take it seriously as I recall a funeral I attended, it seems a long time ago, for a member of the Armed Forces, Luis Moreno, who was killed in Iraq. I remember that rainy morning, leaving the church on the way to the cemetery, the pain and the sadness that took place in the whole community, the pain and the sadness that engulfed a family and everyone who was there.

We took seriously the loss of that life, and we honor every day the fact that he was sent to that battlefield and he gave his life for that particular cause, which we discuss today.

We are here in his honor to say that we have to make sure that we no longer continue to escalate this war which was presented to us, it seems again, a long time ago based on, at the minimum, false information, and at most, sadly, lies presented to this Congress.

□ 1830

We have to make sure that no further loss of life takes place. So much has been said today about supporting our troops. Well, I know of no greater support than to bring them home tomorrow morning.

I know a lot of people will say, if you bring them home, Iraq will become a mess. Well, has anyone noticed that Iraq is a mess?

Well, if you bring them home now, Iraq will become a country in a civil war. Has anyone noticed that Iraq is involved in a civil war?

The question is, will we wait for more Americans to lose their lives and more to be wounded?

When I say that we were given bad information or possibly lied to, we were told at that time, I remember, how the weapons of mass destruction were stored in Iraq and that we had to get them before they got us, and how there was a link between al Qaeda and September 11 and Saddam Hussein. And now, even the administration and its ardent supporters agree that there was no link between Saddam Hussein and September 11, there was no link between al Qaeda, there was no link between any of that that we were told; and we still haven't found the weapons of mass destruction. It was simply a desire to take us to where we shouldn't be. And in the process, we really blew it.

I was in New York City on September 11; I was not with my colleagues here. It was election day in New York, primary day, and I was there in New York on that day for some local elections. I lived through that moment, and I know how painful that was. But beginning with September 12, the world was with us. Every country was supportive of what we were going through. It always amazed me that countries that live with terrorism on a daily basis thought that, for some reason, the attack on us was in many ways even bigger than the attacks on their own country, and they supported us. We could have taken that goodwill and used it for positive things throughout the world. What did we do? We totally lost the goodwill by going and invading a country that had nothing to do with September 11. And so now, the same people who supported us no longer support us.

What we are doing here today is exerting a constitutional right. This is not a political exercise, this is not a legislative exercise, this is Members of Congress saying that it is our right to oversee the President and to stop him whenever we can when we know that any President, any administration is making a mistake.

Now, how has this administration been able to keep us supportive in some ways up to now? By doing something which is really sad, by questioning our patriotism. And so tonight and tomorrow and for the next couple of days more will question our patriotism. But I ask you, isn't a true patriot he or she who is not holding back to question the actions of his country even during wartime? Isn't that the true patriot who is willing to say, even during wartime, stop it now, stop the madness before it goes any further and before we lose more of our young people?

And so we gather here after 3,109 losses, after 23,000 wounded soldiers saying we have to stop it now, and we have to vote for this resolution.

Mr. HOEKSTRA. At this point in time, I would like to yield 5½ minutes to a member of the Foreign Affairs Committee and also a member of the Subcommittee on the Middle East, Mr. FORTENBERRY from Nebraska.

Mr. FORTENBERRY. Madam Speaker, when I left home this week for Washington, my 6-year-old Kathryn became very sad. See, she has big, beautiful brown eyes and they welled up with tears at the prospect of my leaving again for Washington. And she said to me, Daddy, why do you have to be a Congressman? And I thought of the words of the Revolutionary War author Thomas Paine when he said, "I prefer peace; but if trouble must come, let it come in my time so that my children can have peace."

Madam Speaker, this is a pivotal moment for our Nation and a very grave, solemn policy debate. We cannot afford to allow the ups and downs of the daily news cycle set the course for our deliberations. The stakes in Iraq are simply too high.

During last year's debate on Iraq, I emphasized that this war is different from wars of the past. There is no front, no lines of demarcation, no clear enemy in distinct uniforms. This is a war that invades tranquil time and space without warning, carried out by those who hide among populations seeking to exploit the vulnerable for ruthless, ideological purposes.

We have never before waged a war in an era of globalization, in an age when technology eviscerates the concept of distance, magnifies our losses, trivializes our accomplishments, and places our adversaries in a far better position to leverage our freedoms, particularly the freedom of speech, against us. These are the complexities we face now.

Madam Speaker, I submit that our choices now stand to determine not only the future of the Middle East but the very future of civilization. We can point fingers and blame each other, or we can think constructively together.

So what are our choices? The National Intelligence Estimate categorically rejects an arbitrary or precipitous U.S. troop withdrawal. The result would be horrific chaos, a humanitarian disaster, destabilizing the entire Middle East, emboldening the geopolitical aims of Iran, and leading to a much less peaceful world in very short order.

The conflict in Iraq is dangerous, risky, and complex. And we can all agree that our troops are doing an outstanding job, and so are their families who bear the biggest burden in their absence.

I submit that our time and energy as leaders of this Nation should be focused on new, clear military and geopolitical strategies.

First, Iraqis must fight for their own country now. They must lead in the battle for Baghdad now.

Over the past several months I joined colleagues in urging the President to deploy trained Iraqi troops into the heart of the battle for Baghdad, and I am pleased to see that this recommendation is now under way. However, I remain concerned about exposing our forces to unnecessary danger in the sectarian violence of Baghdad. As best we can, our troops should remain in support and training roles. I also believe that it is prudent to send reinforcements to our marines in Anbar province who are achieving good success against al Qaeda elements in collaboration with Sunni tribal leadership.

Second, we must engage responsible members of the international community, particularly the pan-Arab world, to assume a unified and decisive role in neutralizing the forces of chaos and helping secure stability and peace throughout the Middle East.

Third, we must provide meaningful congressional oversight. And I commend Chairman LANTOS for taking this lead in the House Foreign Affairs Committee and for his commitment to a substantive and reasoned debate in this regard.

I would have liked to have had the opportunity to support a constructive bipartisan initiative drawing upon the substantive resources like the Iraqi Study Group to enhance congressional oversight and set out meaningful benchmarks to measure progress toward the stabilization of Iraq and the drawdown of our troops.

While it would be politically easier for me to vote for this resolution, I cannot. I see no useful purpose in supporting a nonbinding resolution that may have the unintentional consequence of undermining our efforts while our troops remain in harm's way.

Madam Speaker, this resolution, while wrapped in the mantle of supporting our troops, does not point to a credible way forward in Iraq. I believe I would make the same decision if a Democratic administration were struggling with similarly arduous challenges. If we flinch now, regardless of the goodwill behind our motivations, if we are perceived as weak and divided and eager to throw up our hands in frustration, we will pay a heavy price. And every nation that counts upon us as a friend and ally will also pay a very heavy price. None of us wants to see the repeat of the last helicopter out of Saigon.

I urge my colleagues, let's find constructive ways to get the job done

Mr. SKELTON. May I make an inquiry, Madam Speaker, of how much time has been consumed and how much time remains on each side, please.

The SPEAKER pro tempore. The gentleman from Missouri has 2 hours, 28 minutes. The gentleman from Michigan has 2 hours, 15½ minutes.

Mr. SKELTON. Madam Speaker, I yield myself such time as I may consume.

The great Chinese strategist and thinker once wrote that war should not be begun unless the end is in sight. Sadly, that admonition of Sun Tzu was not adhered to in this war in Iraq.

Let me bring us back to what we are all about today. We have been hearing discussions ranging from both ends of the football field. This is a very simple, straightforward resolution.

The first part of it is: We fully support the American troops. And I am going to say, Madam Speaker, we are so proud of them. They are volunteers, they are professionals, they understand the word duty.

And, secondly: We do not agree with the troop increase of 21,500, for the simple reason it has not worked in the past, for the simple reason it is going to cause somewhere between 2,500 and 13,000 support troops to support that effort. And, consequently, it is not a well-thought-out tactic. And despite the fact that some wish to call it a strategy, it is a tactic, and there is a large difference between the two.

Madam Speaker, at this time I yield 5 minutes to a member of the Energy and Commerce Committee as well as the Budget Committee, the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. I thank my colleague for yielding.

Madam Speaker, I rise in strong support of this resolution supporting our troops and disapproving the President's plan to escalate the war in Iraq.

More than 4 years ago, the resolution to support a war in Iraq came before this House. After careful consideration of the evidence and arguments put forth for a unilateral preemptive attack on Iraq, I decided I could not in good conscience vote for that resolution.

My "no" vote against the President's plan for war in Iraq is one of my proudest moments in Congress. I didn't believe the case where war had been made. There was no real evidence of weapons of mass destruction in Iraq. The administration's arguments about al Qaeda connections with Iraq were specious, and its attempt to link Iraq with the tragedy of 9/11 was shameful.

I was deeply concerned about the effects of preemptive war on America's standing in the world, and equally worried about the ramifications for the greater Middle East, a region of great importance and even greater fragility. And I had strong concerns about the administration's preparation for the aftermath of a war in Iraq. The administration was completely focused on waging war and not on winning the peace.

Unfortunately, Madam Speaker, all of those concerns have been borne out. There were no WMDs, no al Qaeda connections, no 9/11 link. It was all trumped up evidence by an administration consumed with toppling the dictator in Iraq. Today, Iraq is in civil war, the Middle East is even more unsettled, and our standing in the world is at a low point. The international support given to America after 9/11 was squandered and will take years to repair the damage. And, as a Nation, we are even less secure today than we were the day we invaded Iraq. I point this out only because it is critically important to know where we have been if we want to know where we should be going.

This resolution gives voice to the deep, deep opposition here in the Congress and throughout the country to the President's plan for escalating the war in Iraq.

□ 1845

I speak for the vast majority of my constituents on the central coast of California when I state my unequivocal opposition to this escalation. The administration's plan looks like more of the same failed policies that got us here in the first place. It is a plan based more on hope than on fact, buttressed by hysterical rhetoric. It is a plan opposed by numerous military leaders and experts. It is, quite frankly, simply not believable.

The recent National Intelligence Estimate makes it perfectly clear that the President's grand plan is just never going to work. The resolution here before us puts Congress on record against the proposition that success will come only after more troops are thrown into battle.

The other objective of this resolution is to remind everyone that opposing the war in Iraq, and especially opposing the President's escalation, is consistent with supporting our troops. Our men and women in uniform have done everything we have asked them to do and so much more. Over 3,000 have made the ultimate sacrifice. More than 20,000 others have been injured, so very many of them seriously.

Let no one doubt the bravery of our troops and the support that I and my colleagues who are opposed to this war have for them. I am eternally grateful for the sacrifices our men and women in uniform and their families are willing to make every single day. They continue the long distinguished line of soldiers, sailors and airmen that have kept our country and so many others free from tyranny and oppression, but their service is due more than heartfelt appreciation and flowery words from politicians.

Their sacrifice, their service, is owed responsible leadership from those civilian leaders with whom power ultimately rests, and that is where our soldiers have been let down. This administration has taken arrogance, stubbornness and incompetence to new heights. It ignored the advice of military experts leading up to and throughout this war.

It stocked reconstruction teams with political hacks, and it brushed off the indisputable reality of Iraq in a meltdown. It dismissed the considered opinion of the Iraq Study Group, the Congress, most importantly, the American people.

Make no mistake, the failure of the war in Iraq lies at the highest levels of the White House and at the desks of the Pentagon's civilian leadership, and the cost of that failure is borne by our troops, their families and the Iraqi people. It is time for the administration to stop obfuscating the conditions on the ground in Iraq, stop the charade about so-called new plans that will finally bring success in Iraq.

Madam Speaker, it is time to stop the war in Iraq. Support the troops. Indeed, bring them home.

Mr. HOEKSTRA. Madam Speaker, at this time I would like to recognize my colleague from New Jersey (Mr. FRELINGHUYSEN) for 5 minutes.

Mr. FRELINGHUYSEN. I thank the gentleman for yielding.

Madam Speaker, today tens of thousands of our young men and women are serving in uniform heading for Iraq. More are headed there as we speak. They will do what American soldiers do. They will serve our Nation with courage and pride, and for that they deserve our deep gratitude.

Today in the House we are engaging in a debate on a resolution that declares their military and humanitarian missions failed. I have seen this resolution described in the press as symbolic, toothless and meaningless. I couldn't disagree more. Our consideration of this resolution, the words spoken on this floor, carry great meaning and weight.

The actions of this body have consequences. When Members speak, the world listens: our friends, our allies, our rivals, our enemies and future enemies alike. What are they hearing?

I remember just 2 weeks ago, during the Super Bowl, seeing the video of our troops in Baghdad watching the game. Our soldiers watched that game. Every Member on this floor should know with certainty that our soldiers surely are watching this debate, and so are their families, and so are our enemies and so are the loved ones of those who made the ultimate sacrifice in their service to our Nation.

Instead of showcasing the best partisan rhetoric and working for political advantage, we should be working together with our Commander in Chief to honor their service and commitment, to find a way forward in Iraq that protects our Nation and results in a stable Iraq that can govern and protect itself.

I know that none of us are happy with the progress of the war. I know that the American people are struggling with this war. I struggle too. I am reminded that we have been sent here by our constituents to exercise our best judgment and to bring our experience to bear on the most pressing issue facing our Nation, the global threat of a radical Islamic fundamentalism.

Last week in the House Appropriations Committee on Defense, on which I serve, I asked the chiefs of staff of the Army about the consequences of failure in Iraq. I was reprimanded for getting off topic. But that is the topic. That is the point. Withdrawal from Iraq will have consequences, both immediate and in the seeds of future conflicts.

What will Congress do if we leave Iraq to flounder and descend into chaos, and how will we handle the next challenge laid before us, for there will be others. Do any of us doubt the determination of forces who are counting on our failure, on our resolve? This is the most fundamental question that confronts us, not solely the question of troop reinforcement that is already under way. Our answer to this question will be the legacy, not just of this President, but of all of us in this Chamber.

Over 35 years ago I served with the Army in Vietnam. While I never much advertised this fact, I was proud to serve, even as my father, then a Member of Congress himself, was subject to many personal attacks on the home front from those who opposed the Vietnam War.

Like many soldiers then, I wanted to do my time and come back safely. I promised myself one day that if I had the chance, I would be a better person, a better elected official, for that military experience. I promised myself that I would never let our soldiers down wherever they might be.

Madam Speaker, we are Americans first, and as Republicans and Democrats, we need to come together to work on solutions in Iraq and the Middle East. We are a Nation at war, lives are on the line, and we could do much better than this resolution.

Mr. SKELTON. Madam Speaker, I yield 5 minutes to the gentleman from Northern Virginia, a member of the Appropriations Committee, Congressman JIM MORAN

Mr. MORAN of Virginia. Madam Speaker, I would like to paraphrase a poem that Rudyard Kipling wrote upon the death of his son in World War I that seems particularly apt to the war in Iraq:

When they ask why the young men died

Tell them it's because the old men lied.

Madam Speaker, when the White House announced 4 years ago the U.S. military would attack Iraq under the guise of the global war on terrorism, there wasn't one single uniformed military officer who believed that Iraq was part of a global war on terrorism. Saddam had had nothing to do with the 9/11 attack.

Saddam wasn't harboring any al Qaeda cells that did attack us. In fact, they understood that starting a new war would distract us and limit us from accomplishing our immediate need to eliminate Osama bin Laden. Saddam was a vicious, secular, despotic dictator, but he saw al Qaeda as a threat to his control, and al Qaeda viewed Saddam as an enemy of their religious extremist world vision.

The U.S. Intelligence Community knew that there was no clear evidence that Saddam was a threat to the United States. There was no failure of our professional Intelligence Community, but there was an abysmal failure of our political leadership.

So how did we get to this point? First we were scared with the threat of Saddam's arsenals or weapons of mass destruction, al Qaeda training camps, an Iraqi meeting with the 9/11 hijacker, mobile labs, aluminum tubing, yellow cake uranium. But there were no weapons of mass destruction, Madam Speaker.

The training camps didn't exist. Mohamed Atta never met an Iraqi agent in Prague. The White House knew, before they informed us about the mobile labs, that our experts had determined that they were not in any way related to chemical or biological weapons. Likewise, the aluminum tubing was bogus information. Well before the so-called yellow cake uranium from Niger was cited as evidence at an attempt at nuclear armament, our Intelligence Community had informed the White House that it was a hoax.

Yet we were told repeatedly by the President and the Vice President that Saddam was a threat to global stability, that there was a direct connection between Iraq and al Qaeda and September 11. We were told in the buildup to the war that our troops would be greeted by the Iraqis as liberators, being offered flowers in the streets. This was propaganda that the State Department warned the White House not to believe, but they nonetheless peddled it to the Congress and to the American people.

We were told that to liberate Iraq was to spread freedom and democracy, to keep oil out of the hands of potential terrorist-controlled states. We were told that the war would pay for itself with Iraqi oil revenues. Yet all we have done is to finance our enemies, the insurgents and Iranian Shiia interests.

After Baghdad fell, we were told that America had prevailed, that the mission was accomplished, that the resistance was in its last throes, that more troops were not needed. As things went from bad to worse, we were told of turning point after turning point, the fall of Baghdad, the death of Saddam's sons Uday and Qusay, the capture of Saddam, a provisional government, the trial of Saddam, a charter, a constitution, an Iraqi Government, elections, purple fingers, a new government, the death of Saddam, all excuses for triumphant rhetoric while the reality on the ground continued to worsen.

We were told, as they stand up, we would stand down. We would stay the course. Now we are told that there is a new course, but it is in the same misguided direction. Falsehood after falsehood unravels each day, with the morning paper reporting even more deaths.

Now the American people are being asked to put 20,000 more sons and daughters, brothers and sisters, husbands and wives into the line of fire, and into the dead zone between the sectarian sides of a civil war. A message was sent to President Bush on November 7, 2006. This surge of more troops into Iraq defies the will of the American people.

But this is a new Congress. We will no longer be cowed by leaders using 9/11 as a political ploy against sensible people who oppose the administration's failed Iraq policy. Today for the first time since the war began, Congress will go on record opposing the President's failed Iraq policy. Some will argue that it is a nonbinding resolution, that it will not have the impact of a law, that it will not stop a roadside bomb or bring a single soldier home to their family. But the President understands what this resolution means. It is the beginning of the end of this wrong war of choice

Mr. HOEKSTRA. Madam Speaker, I yield 10 minutes to my colleague from New York, a member of the Intelligence Committee, roughly 1 minute for every foot of snow that his community has recently received.

Mr. McHUGH. Thank you, Mr. Chairman. Very roughly, you owe me a few.

Madam Speaker, listening to this debate tonight, it becomes obvious that kind of like life itself, those of us in Congress have moments of high drama and great importance, and by any measure, the date this evening and tomorrow and the days that follow and, most importantly, the vote that will attend it, is just such a moment.

I would observe, Madam Speaker, in the now nearly 231 years that this great Union has endured, this House has encountered few sessions demanding greater honesty, greater selflessness, and greater wisdom than that of occasions of war. And as I said, this is such a time.

But this debate really does stand alone. It is unique over the more than two centuries and three decades of our history, because from my study at no time in this Nation's history has the Congress considered the matter before us this week. The question of shall we resolve, in a nonbinding resolution, that this House disagree with a mission, duly designated by the constitutional authority vested in the President, as Commander in Chief, in the conduct of the war, that this same Congress, in an earlier session has, in fact, expressly endorsed.

I have listened today with great interest. I have enormous respect for all Members on both sides of the aisle. But I have heard about how wherever they are, many Members tonight will go to the well when they ultimately vote and try to send the President a message, try to signify to the administration that this war has not been conducted in the appropriate way. It has not achieved the objectives that we all felt were possible, in fact, absolutely necessary at its outset.

□ 1900

I would say, Madam Speaker, I understand that perspective; not only understand it, in many ways I strongly share that perspective. But I have to argue the fact of the matter is, for all of the good intentions we have here tonight, the negative aspect of such an action is going to far outweigh, far outweigh whatever good it might attempt to achieve.

The reality is, if this message is heard at all at the other end of Pennsylvania Avenue, it is going to speak in whispers. Whispers. But in other lands, in other continents, in other cities, far, far away, when this resolution comes before us, and if it is passed, it is going to crash like thunder. In places like Ramadi and Basra, from Baghdad and beyond, friend and foe alike are going to hear something far different than what we intend.

They are going to hear that through this vote we have abandoned the Iraqi people. They are going to hear that America has forsaken this struggle. They will hear that we disavow our military objective in Baghdad really before it has meaningfully begun, and most importantly in the shadows where our enemies lurk, in places like Tehran and Damascus, the message will fail where its authors intend, but it will succeed very, very mightily where they wish it would not.

Madam Speaker, for all of the good intent embodied in this proposal, it will not bring a single soldier home sooner. This vote, no matter what the tally, no matter what this board shows as to green and red at the end of the day, will not shorten this conflict by a single month, not by a week, not by a day. It will not change the course of a single battle. It will not even alter a pebble that lies on the battlefields in which those struggles will be fought.

It will, however, say to the insurgents, the Saddamists, the radical Islamic militants and their patrons that time is on their side. It will say that America has no stomach for this fight. And somewhere in a cave in Afghanistan, or in a hut on the Afghan-Pakistan border, Osama bin Laden is going to smile.

His words of a failure of America will be that much closer to reality. As he has said: "The epicenter of these wars is Baghdad, the seat of the caliphate rule." They keep reiterating that "success in Baghdad will be success for the United States, failure in Iraq the failure of the U.S. Their defeat in Iraq will mean defeat in all their wars and a beginning to the receding of their Zionist crusader tide against us."

Those are bad messages, Madam Speaker. But I would suggest respectfully to all of my colleagues for all the wrong messages this resolution will send to our enemies, nothing it contains will be more devastating than what it says to our troops, to our military, those brave men and women in uniform who answered the call to arms, issued not by some ephemeral entity, but by us, by this Congress.

And how do we say through the resolution we are considering here today, we support your needs, but we reject your mission? We allow for your deployment but we shun the premise of your departure? And what do we say to the wife or husband? How do we respond to the father or the mother or the loved one of the next warrior lost in battle who asks, why did you oppose through that resolution the job they were sent to pursue but did absolutely nothing from preventing them from going from the outset?

That is the tyranny, and I have to say it, Madam Speaker, that is the folly of the resolution before us for all its lack of practical result, for the fact that this resolution will do absolutely nothing. Never has this Congress in its history of war considered an action of such dramatic consequence.

Now, it is said during the Civil War that the great Southern general, Robert E. Lee, was really tired, and I think we can all relate to this, of the criticism, the second-guessing that was directed at his leadership through the major newspapers of his time.

And he observed, Apparently all my best generals had become journalists. Today, tonight, I think it can be fairly said of some, apparently all of our best generals have become Congressmen. My colleagues, we are not generals. The Constitution of this great Nation does not provide for 535 Commanders in Chief, yet that is the reality lost in the proposal that we are considering this night in this week.

But I would suggest, instead of being diminished by that fact, instead of being lessened by what we are not, we need to be empowered by what we are. And I say to my colleagues tonight on both sides of the aisle, we indeed have a grave responsibility in this matter. But it does not lie in nonbinding resolutions that send wrong messages to our troops and absolutely wrong messages to our enemies. It rests in the authorities vested in us by the Constitution of this great land, the power to fund or not all matters of government, especially war.

Like all of us here tonight, I want this war to conclude. I represent the 10th Mountain Division, the most deployed division in the United States Army. I was there 3 weeks ago. I know the pain. I know the suffering. And like all of you, I am frustrated by the path we have traveled to this point, and I am troubled by the course that apparently lies ahead.

And we can, we must have, a different approach, one that especially places responsibility for success where it rightfully lies, and I have heard my colleagues tonight speak about that, with the Iraqi people. I propose an amendment to the supplemental appropriations bill that will just do that, require the Iraqis to step forward, to stand up, to stop the talking, and to begin to act.

It will fully fund the needs of our troops and provide for us, the Congress, the rightful role and expedite an opportunity to review the Iraqis effort and to judge the progress of this new mission in Baghdad. These things have to be done. But this resolution, in my judgment, in my judgment, is what must decidedly not.

This weekend I took the time to reread John F. Kennedy's Pulitzer Prize-winning work "Profiles in Courage." And in those pages our martyred President spoke: "In no other occupation but politics is it expected that a man will sacrifice honor, prestige, and his chosen career on a single issue."

My friends, this is such a moment. I accuse nobody in this Chamber, Madam Speaker, of any kind of transgression, honorable people, good people. We will disagree, as I expect they will on this and other days, but I do plead that every Member in this House vote on this resolution, not for themselves, not for gain or posture through politics, not because of their alleged attention to public opinion, because it is right.

We can do better. We must. But this resolution is not the path to that objective.

Mr. SKELTON. Madam Speaker, I yield myself such time as I may consume.

My friend from New York, a fellow member of the Armed Services Committee, Mr. McHUGH, a good friend, I must agree with him on one comment that he made when he said, I am troubled by the course that lies ahead.

Madam Speaker, I am very troubled about the course that lies ahead. That is what we are about this evening. We have seen an irretrievable strategic mistake made in Iraq that put us where we are. And consequently it brings us to this point where we express our concern and disagreement with the increase in troops in this crucial time in Iraq and allows us the opportunity to say thank you. We are proud of you, each of you who wears the American uniform.

Madam Speaker, I yield 5 minutes to the gentleman from Illinois (Mr. RUSH), a member of the Energy and Commerce Committee.

Mr. RUSH. Madam Speaker, I raise today to voice my support for this resolution. For too long now, under a Republican-controlled Congress and a Republican-controlled Senate, the President has been given a free hand and a blank check to conduct this war in Iraq, for far too long without any oversight, for far too long without any accountability from this the equal branch of government, this U.S. Congress. Madam Speaker, and because of the Republicans' unwillingness and the Democrats' inability to question the President or his administration about the conduct of this war, we now find ourselves embroiled in a civil war on a foreign soil.

We are not seen as liberators. We are seen as an occupying force on a foreign land. We are seen as an occupying army by the Iraqi people. Madam Speaker, we are trapped in a deadly situation where American soldiers and Iraqi citizens are targeted for murder, mayhem and maiming.

Many of our top generals and experts in this field have testified that the American troop presence is the biggest, largest, most provocative catalyst to the violence in Iraq. The Iraqi people are very suspicious of this administration and the motives of this President. And they do not view foreign soldiers in their cities, in their towns, in their homes as something that they desire.

So if the Iraqi people no longer want us in their country, and if the military objective, which was supposed to be the toppling of Saddam Hussein has been achieved, then why do we still have hundreds of thousands of our troops there?

Why on Earth are we sending more troops to this unstable and volatile area when it is obvious that the solution to this problem is not a military one, but a political one?

Madam Speaker, if we want to get out of this hole, then we must first stop digging. It is well past time for this President to finally understand that he cannot solve the world's problems with brute force, the American military, and our boys' and girls' lives. We must begin a serious and political and diplomatic effort in this region to hold the Iraq Government responsible for protecting its own people and to solicit comments from Iraq's neighbors as well as our friends and allies around the world to help stabilize Iraq and to rebuild that devastated country.

The Iraqi people do not want to see more American troops coming into their homes and into their cities. They want their chosen, duly elected leaders to step up to the plate and to protect them as they were elected to do. And they want their foreign occupiers to leave their homeland.

Madam Speaker, this is not hard to comprehend. Would we not want the same thing if a foreign military came and occupied our cities, our States, our Nation, our homes?

This war is draining American resources and stretching our military to the point where we will be unable to protect ourselves against any real threat to our national security. We know that to date over 3,000 American soldiers have lost their lives in Iraq, and more than $500 billion has been appropriated for this unjust and this misguided war.

Yet dispute these costs, neither the American people nor this Congress has been given a reasonable explanation or reasonable grounds for keeping American troops in Iraq to do the job that Iraqi soldiers should be doing for themselves.

□ 1915

Madam Speaker, because of our grave missteps, our enormous miscalculation, the situation in Iraq has steadily declined. And there is no evidence that increasing the number of American soldiers at this point will do anything other than provide more targets to the Iraqi insurgents and make the situation in Iraq even more volatile.

Madam Speaker, after being wrong on so many counts time and time again, I believe the stakes in this war are too high for us to continue to put blind trust in this administration. The world in which we live deserves more

Madam Speaker, I am against this troop surge because the American people and the Iraqi people want truth surge. They want strategy, not more of the same.

It is the job and the responsibility of this Congress to reflect the will of the people who have put us here, and demand that the Administration bring an end to this ill-fated war, not escalate it.

Believe me, Madam Speaker, it brings me no pleasure to have this debate and publicly disagree with the President, but my solemn oath to my constituents, as well as my conscience and integrity prevent me from doing anything less.

It is time for us to end our occupation in Iraq. I urge all of my colleagues to join me in supporting H. Con. Res. 63.

Mr. SKELTON. Madam Speaker, I yield 5 minutes to the gentleman from the Appropriations Committee, Mr. HINCHEY, the gentleman from New York.

Mr. HINCHEY. Madam Speaker, as a veteran of the United States Navy, I am very, very honored to be a Member of this House of Representatives. And today I am very proud and pleased to stand here in support of this very important resolution, which needs to be adopted as the final first step of this Congress in dealing with this unjust, illegal, unnecessary invasion of Iraq and the subsequent disastrous occupation.

In October of 2002, when the resolution authorizing this invasion came to the floor, 133 Members voted against it. 127 Democrats and six Republicans voted against it. Most of us voted against it because we knew that the so-called logic or rationale that had been presented by the administration was untrue, that there was no connection between Iraq and the attack of September 11, that there was no evidence that there were chemical or biological weapons left in Iraq, even though we know that previous administrations of this country had supplied those weapons.

We knew that the rationale presented for the development of a nuclear weapon in Iraq was completely falsified. The documents were forged.

On the 19th of March, this administration carried out an illegal, unnecessary, unjustified invasion of Iraq. We will soon mark the fourth year of that action. In all of that time, this Congress has done nothing significant or substantial to stand in the way of the illegal, unjustified actions of this administration, in spite of the fact that they have caused the death of now more than 3,000 American servicemen and women, more than 23,000 physically injured, unknown numbers psychologically injured, hundreds of thousands of Iraqi civilians killed.

In spite of all of that, and in spite of the fact that, increasingly, every Member of this Congress has begun to understand with greater and greater clarity, how the information was falsified.

how what the Intelligence Committees told the White House, the Department, the State Department, and others in this administration, had been twisted and distorted and turned around purposely and specifically to carry out this disastrous invasion and subsequent occupation, nothing has been done.

The previous leadership of this Congress failed to step forward and take any kind of action against this administration. And we hear people on this side of the aisle, tonight, speaking against this resolution saying it doesn't do anything significant. It doesn't do enough.

Well, let me tell you something. This is the first step of a new majority in this Congress taking the right kind of action on the basis of our obligations and responsibilities under the Constitution to stand up to the actions of this administration and to put this country back on the right track. Not just in the case of what is going on in Iraq, even though that is so terribly disastrous, but the consequences here in our own country, the intimidation of people, the internal spying, the elimination of habeas corpus, all of the impingements on the American Constitution, based upon the culture of fear cultivated purposely by this administration for their own personal and political objectives. No one in the previous leadership, no one in the previous majority, stood up to this administration in any kind of a constructive way.

So, if you want to correct the failures that have existed in this Congress since that resolution came to the floor and since the 19th of March in 2003, when this administration carried out that illegal, unnecessary and unjustified invasion, then you will support this resolution, recognizing that it is the first important step taken by a new majority here in this Congress to deal with the consequences of all of that falsehood.

If you fail to do so, you will continue to leave the door open for further violations of law and constitutional principles by this administration, perhaps next in Iran, because that may be the next illegal step of this administration.

If you want to make up for what you failed to do, if you want to do the right thing for this country, for our people, and for our military personnel, please, support this resolution.

The SPEAKER pro tempore (Ms. KAPTUR). The Chair would like to announce that the gentleman from Missouri (Mr. SKELTON) has 2 hours, 5½ minutes remaining, and the gentleman from Michigan (Mr. HOEKSTRA) has 2 hours, 30 seconds remaining.

Mr. SKELTON. Madam Speaker, at this time I yield the balance of my time to the gentlelady from California, who is a member of the Armed Services Committee and chairman of the Strategic Forces Subcommittee, Mrs. TAUSCHER. I ask unanimous consent that she be allowed to control the time from this moment.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection

Mrs. TAUSCHER. Madam Speaker, I thank the gentleman and the chairman of the House Armed Services Committee for yielding time.

At this time I am happy to yield 5 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Madam Speaker, as we debate this nonbinding resolution on Iraq, the administration is preparing for the next war in Iran. We are losing our democracy to war, massive debt, fear and fraud. The American people need Congress to surge towards the Constitution, surge towards the truth.

Now, some call this resolution a first step. I would like to believe that Congress will respond to the will of the American people expressed in the November election. They expect us to take real action to assert our constitutional power, to take America out of Iraq by refusing to provide any more funding for the war. That is our right. That is our duty. We have a duty to restrain an administration which is conducting an illegal war. We have a duty to hold to a constitutional accounting a President and a Vice President who led us into a war based on lies.

I led the effort against the Iraq war resolution.

Madam Speaker, I ask to include into the RECORD an analysis of the President's war resolution which was given to Members of Congress back in October of 2002. It pointed out that there is no proof that Iraq had weapons of mass destruction, anything to do with 9/11, anything to do with al Qaeda's role in 9/11. It is not as if Congress had no idea the war was based on untruths.

Now we must tell the truth, not just about the escalation, but about the occupation. We are illegally occupying Iraq. We attacked a nation which did not attack us. We must recognize the wrong that has been done and move to right it.

Instead of debating the end of the war, Congress is ironically preparing to give the war a new beginning. Some have made it clear long before this particular resolution that they will continue to fund the war by approving the upcoming supplemental appropriation, even though money exists to bring the troops home now.

When we equate funding the war with supporting the troops, we are dooming thousands of young Americans who are valiantly following the orders of their Commander in Chief. If we truly cared about the troops, we would not leave them in the middle of a civil war. If we truly cared about the troops, we would not leave them in a conflict for which there is no military solution.

The war is binding. The resolution is not. This resolution will not end the war. It will not bring our beloved troops home. It will not even stop the administration from sending more troops. That is because this resolution is nonbinding.

The war is binding. The resolution is not; 3,100 U.S. troops are bound in death; 650,000 innocent Iraqi civilians are bound in death.

The war is binding. The resolution is not. American taxpayers are bound in debt. The war could cost $2 trillion. We are borrowing money from Beijing to fight a war in Baghdad. Worse, each and every time Congress votes to fund the war, it votes to reauthorize the war. There were no weapons of mass destruction in Iraq, but there are weapons of mass destruction at home. Poverty is a weapon of mass disruption. Lack of education is a weapon of mass destruction. Poor health care is a weapon of mass destruction. We must find and disarm those weapons of mass destruction which threaten the security of our own Nation. But Congress must first take responsibility.

The Federal Court has made it abundantly clear that once a war is well underway, Congress' real power is to cut off funds. Funding the war is approval of the war.

The American people are waiting for us to provide real leadership to show the way out of Iraq. My 12-point plan responds to that demand. This plan, drafted with the help of experts in international peacekeeping, specialists with U.N. experience and veteran military advisors, creates a peace process which will enable our troops to come home and stabilize Iraq.

Here are the elements of the Kucinich plan.

First, Congress must deny any more funds for the war.

Second, the President will have to call the troops home, close the bases and end the occupation.

Third, a parallel peace process which brings in international peacekeepers must begin. That is third.

Fourth, move in the international peacekeeping and security force and move out U.S. troops. Peacekeepers will stay until the Iraqis are able to handle their own security.

Fifth, order U.S. contractors out of Iraq.

Sixth, fund an honest process of reconstruction.

Seventh, protect the economic position of the Iraqi people by stabilizing prices in Iraq, including those for food and energy.

Eighth, create a process which gives the Iraqi people control over their economic destiny without the structural adjustment policies of the World Bank and the International Monetary Fund.

Ninth, give the Iraqi people full control over their oil assets, with no mandatory privatization.

Tenth, fund a process of reconciliation between the Sunnis, Shiites and Kurds.

Eleventh, the U.S. must refrain from any more covert operations in Iraq.

And twelfth, the U.S. must begin a process of truth and reconciliation between our Nation and the people of Iraq.

There is a way out. Congress should stand for that. And we will have an opportunity to do it once again in about 6 weeks.

ANALYSIS OF JOINT RESOLUTION ON IRAQ

(By Dennis J. Kucinich)

Whereas in 1990 in response to Iraq's war of aggression against and illegal occupation of Kuwait, the United States forged a coalition of nations to liberate Kuwait and its people in order to defend the national security of the United States and enforce United Nations Security Council resolutions relating to Iraq;

Key Issue: In the Persian Gulf war there was an international coalition. World support was for protecting Kuwait. There is no world support for invading Iraq.

Whereas after the liberation of Kuwait in 1991, Iraq entered into a United Nations sponsored cease-fire agreement pursuant to which Iraq unequivocally agreed, among other things, to eliminate its nuclear, biological, and chemical weapons programs and the means to deliver and develop them, and to end its support for international terrorism;

Whereas the efforts of international weapons inspectors, United States intelligence agencies, and Iraqi defectors led to the discovery that Iraq had large stockpiles of chemical weapons and a large scale biological weapons program, and that Iraq had an advanced nuclear weapons development program that was much closer to producing a nuclear weapon than intelligence reporting had previously indicated;

Key Issue: UN inspection teams identified and destroyed nearly all such weapons. A lead inspector, Scott Ritter, said that he believes that nearly all other weapons not found were destroyed in the Gulf War. Furthermore, according to a published report in the Washington Post, the Central Intelligence Agency has no up to date accurate report on Iraq's WMD capabilities.

Whereas Iraq, in direct and flagrant violation of the cease-fire, attempted to thwart the efforts of weapons inspectors to identify and destroy Iraq's weapons of mass destruction stockpiles and development capabilities, which finally resulted in the withdrawal of inspectors from Iraq on October 31, 1998;

Key Issues: Iraqi deceptions always failed. The inspectors always figured out what Iraq was doing. It was the United States that withdrew from the inspections in 1998. And the United States then launched a cruise missile attack against Iraq 48 hours after the inspectors left. In advance of a military strike, the U.S. continues to thwart (the Administration's word) weapons inspections.

Whereas in 1998 Congress concluded that Iraq's continuing weapons of mass destruction programs threatened vital United States interests and international peace and security, declared Iraq to be in "material and unacceptable breach of its international obligations" and urged the President "to take appropriate action, in accordance with the Constitution and relevant laws of the United States, to bring Iraq into compliance with its international obligations" (Public Law 105–235);

Whereas Iraq both poses a continuing threat to the national security of the United States and international peace and security in the Persian Gulf region and remains in material and unacceptable breach of its international obligations by, among other things, continuing to possess and develop a significant chemical and biological weapons capability, actively seeking a nuclear weapons capability, and supporting and harboring terrorist organizations;

Key Issues: There is no proof that Iraq represents an imminent or immediate threat to the United States. A "continuing" threat does not constitute a sufficient cause for war. The Administration has refused to provide the Congress with credible intelligence that proves that Iraq is a serious threat to the United States and is continuing to possess and develop chemical and biological and nuclear weapons. Furthermore there is no credible intelligence connecting Iraq to Al Qaida and 9/11.

Whereas Iraq persists in violating resolutions of the United Nations Security Council by continuing to engage in brutal repression of its civilian population thereby threatening international peace and security in the region, by refusing to release, repatriate, or account for non-Iraqi citizens wrongfully detained by Iraq, including an American serviceman, and by failing to return property wrongfully seized by Iraq from Kuwait;

Key Issue: This language is so broad that it would allow the President to order an attack against Iraq even when there is no material threat to the United States. Since this resolution authorizes the use of force for all Iraq related violations of the UN Security Council directives, and since the resolution cites Iraq's imprisonment of non-Iraqi prisoners, this resolution would authorize the President to attack Iraq in order to liberate Kuwaiti citizens who may or may not be in Iraqi prisons, even if Iraq met compliance with all requests to destroy any weapons of mass destruction. Though in 2002 at the Arab Summit, Iraq and Kuwait agreed to bilateral negotiations to work out all claims relating to stolen property and prisoners of war. This use-of-force resolution enables the President to commit U.S. troops to recover Kuwaiti property.

Whereas the current Iraqi regime has demonstrated its capability and willingness to use weapons of mass destruction against other nations and its own people;

Whereas the current Iraqi regime has demonstrated its continuing hostility toward, and willingness to attack, the United States, including by attempting in 1993 to assassinate former President Bush and by firing on many thousands of occasions on United States and Coalition Armed Forces engaged in enforcing the resolutions of the United Nations Security Council;

Key Issue: The Iraqi regime has never attacked nor does it have the capability to attack the United States. The "no fly" zone was not the result of a UN Security Council directive. It was illegally imposed by the United States, Great Britain and France and is not specifically sanctioned by any Security Council resolution.

Whereas members of al Qaida, an organization bearing responsibility for attacks on the United States, its citizens, and interests, including the attacks that occurred on September 11, 2001, are known to be in Iraq;

Key Issue: There is no credible intelligence that connects Iraq to the events of 9/11 or to participation in those events by assisting Al Qaida.

Whereas Iraq continues to aid and harbor other international terrorist organizations, including organizations that threaten the lives and safety of American citizens;

Key Issue: Any connection between Iraq support of terrorist groups in Middle East, is an argument for focusing great resources on resolving the conflict between Israel and the Palestinians. It is not sufficient reason for the U.S. to launch a unilateral preemptive strike against Iraq.

Whereas the attacks on the United States of September 11, 2001 underscored the gravity of the threat posed by the acquisition of weapons of mass destruction by international terrorist organizations;

Key Issue: There is no connection between Iraq and the events of 9/11.

Whereas Iraq's demonstrated capability and willingness to use weapons of mass destruction, the risk that the current Iraqi regime will either employ those weapons to launch a surprise attack against the United States or its Armed Forces or provide them to international terrorists who would do so, and the extreme magnitude of harm that would result to the United States and its citizens from such an attack, combine to justify action by the United States to defend itself;

Key Issue: There is no credible evidence that Iraq possesses weapons of mass destruction. If Iraq has successfully concealed the production of such weapons since 1998, there is no credible evidence that Iraq has the capability to reach the United States with such weapons. In the 1991 Gulf War, Iraq had a demonstrated capability of biological and chemical weapons, but did not have the willingness to use them against the United States Armed Forces. Congress has not been provided with any credible information which proves that Iraq has provided international terrorists with weapons of mass destruction.

Whereas United Nations Security Council Resolution 678 authorizes the use of all necessary means to enforce United Nations Security Council Resolution 660 and subsequent relevant resolutions and to compel Iraq to cease certain activities that threaten international peace and security, including the development of weapons of mass destruction and refusal or obstruction of United Nations weapons inspections in violation of United Nations Security Council Resolution 687, repression of its civilian population in violation of United Nations Security Council Resolution 688, and threatening its neighbors or United Nations operations in Iraq in violation of United Nations Security Council Resolution 949;

Key Issue: The UN Charter forbids all member nations, including the United States, from unilaterally enforcing UN resolutions.

Whereas Congress in the Authorization for Use of Military Force Against Iraq Resolution (Public Law 102–1) has authorized the President "to use United States Armed Forces pursuant to United Nations Security Council Resolution 678 (1990) in order to achieve implementation of Security Council Resolutions 660, 661, 662, 664, 665, 666, 667, 669, 670, 674, and 677";

Key Issue: The UN Charter forbids all member nations, including the United States, from unilaterally enforcing UN resolutions with military force.

Whereas in December 1991, Congress expressed its sense that it "supports the use of all necessary means to achieve the goals of United Nations Security Council Resolution 687 as being consistent with the Authorization of Use of Military Force Against Iraq Resolution (Public Law 102–1)," that Iraq's repression of its civilian population violates United Nations Security Council Resolution 688 and "constitutes a continuing threat to the peace, security, and stability of the Persian Gulf region," and that Congress, "supports the use of all necessary means to achieve the goals of United Nations Security Council Resolution 688";

Key Issue: This clause demonstrates the proper chronology of the international process, and contrasts the current march to war. In 1991, the UN Security Council passed a resolution asking for enforcement of its resolution. Member countries authorized their troops to participate in a UN-led coalition to enforce the UN resolutions. Now the President is asking Congress to authorize a unilateral first strike before the UN Security Council has asked its member states to enforce UN resolutions.

Whereas the Iraq Liberation Act (Public Law 105–338) expressed the sense of Congress that it should be the policy of the United States to support efforts to remove from power the current Iraqi regime and promote the emergence of a democratic government to replace that regime;

Key Issue: This "Sense of Congress" resolution was not binding. Furthermore, while Congress supported democratic means of removing Saddam Hussein it clearly did not endorse the use of force contemplated in this resolution, nor did it endorse assassination as a policy.

Whereas on September 12, 2002, President Bush committed the United States to "work with the United Nations Security Council to meet our common challenge" posed by Iraq and to "work for the necessary resolutions," while also making clear that "the Security Council resolutions will be enforced, and the just demands of peace and security will be met, or action will be unavoidable";

Whereas the United States is determined to prosecute the war on terrorism and Iraq's ongoing support for international terrorist groups combined with its development of weapons of mass destruction in direct violation of its obligations under the 1991 ceasefire and other United Nations Security Council resolutions make clear that it is in the national security interests of the United States and in furtherance of the war on terrorism that all relevant United Nations Security Council resolutions be enforced, including through the use of force if necessary;

Key Issue: Unilateral action against Iraq will cost the United States the support of the world community, adversely affecting the war on terrorism. No credible intelligence exists which connects Iraq to the events of 9/11 or to those terrorists who perpetrated 9/11. Under international law, the United States does not have the authority to unilaterally order military action to enforce U.N. Security Council resolutions.

Whereas Congress has taken steps to pursue vigorously the war on terrorism through the provision of authorities and funding requested by the President to take the necessary actions against international terrorists and terrorist organizations, including those nations, organizations or persons who planned, authorized, committed or aided the terrorist attacks that occurred on September 11, 2001 or harbored such persons or organizations;

Key Issue: The Administration has not provided Congress with any proof that Iraq is in any way connected to the events of 9/11.

Whereas the President and Congress are determined to continue to take all appropriate actions against international terrorists and terrorist organizations, including those nations, organizations or persons who planned, authorized, committed or aided the terrorist attacks that occurred on September 11, 2001, or harbored such persons or organizations;

Key Issue: The Administration has not provided Congress with any proof that Iraq is in any way connected to the events of 9/11. Furthermore, there is no credible evidence that Iraq has harbored those who were responsible for planning, authorizing or committing the attacks of 9/11.

Whereas the President has authority under the Constitution to take action in order to deter and prevent acts of international terrorism against the United States, as Congress recognized in the joint resolution on Authorization for Use of Military Force (Public Law 107–40); and

Key Issue: This resolution was specific to 9/11. It was limited to a response to 9/11.

Whereas it is in the national security of the United States to restore international peace and security to the Persian Gulf region;

Key Issue: If by the "national security interests" of the United States, the Administration means oil, it ought to communicate such to the Congress. A unilateral attack on Iraq by the United States will cause instability and chaos in the region and sow the seeds of future conflicts all other the world.

Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SEC. 1. SHORT TITLE.

This joint resolution may be cited as the "Authorization for the Use of Military Force Against Iraq".

SEC. 2. SUPPORT FOR UNITED STATES DIPLOMATIC EFFORTS.

The Congress of the United States supports the efforts by the President to—

(a) Strictly enforce through the United Nations Security Council all relevant Security Council resolutions applicable to Iraq and encourages him in those efforts; and

(b) Obtain prompt and decisive action by the Security Council to ensure that Iraq abandons its strategy of delay, evasion and noncompliance and promptly and strictly complies with all relevant Security Council resolutions.

Key Issue: Congress can and should support this clause. However Section 3 (which follows) undermines the effectiveness of this section. Any peaceful settlement requires Iraq compliance. The totality of this resolution indicates the Administration will wage war against Iraq no matter what. This undermines negotiations.

SEC. 3. AUTHORIZATION FOR USE OF UNITED STATES ARMED FORCES.

AUTHORIZATION.—The President is authorized to use the Armed Forces of the United States as he determines to be necessary and appropriate in order to—

(1) Defend the national security of the United States against the continuing threat posed by Iraq; and

(2) Enforce all relevant United Nations Security Council Resolutions regarding Iraq.

Key Issue: This clause is substantially similar to the authorization that the President originally sought.

It gives authority to the President to act prior to and even without a U.N. resolution, and it authorizes the President to use U.S. troops to enforce U.N. resolutions even without U.N. request for it. This is a violation of Chapter VII of the U.N. Charter, which reserves the ability to authorize force for that purpose to the Security Council, alone.

Under Chapter VII of the Charter of the United Nations, "The Security Council shall determine the existence of any threat to the peace . . . and shall make recommendations to maintain or restore international peace and security." (Article 39). Only the Security Council can decide that military force would be necessary, "The Security Council may decide what measures . . . are to be employed to give effect to its decisions (Article 41) . . . [and] it may take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security." (Article 43). Furthermore, the resolution authorizes use of force illegally, since the U.N. Security Council has not requested it. According to the U.N. Charter, members of the U.N., such as the U.S., are required to "make available to the Security Council, on its call and in accordance with a special agreement or agreements, armed forces . . ." (Article 43, emphasis added). The U.N. Security Council has not called upon its members to use military force against Iraq at the current time.

Furthermore, changes to the language of the previous use-of-force resolution, drafted by the White House and objected to by many members of Congress, are cosmetic:

In section (1), the word "continuing" was added to "the threat posed by Iraq".

In section (2), the word "relevant" is added to "United Nations Security Council Resolutions" and the words "regarding Iraq" were added to the end.

While these changes are represented as a compromise or a new material development, the effects of this resolution are largely the same as the previous White House proposal.

The U.N. resolutions, which could be cited by the President to justify sending U.S. troops to Iraq, go far beyond addressing weapons of mass destruction. These could include, at the President's discretion, such "relevant" resolutions "regarding Iraq" including resolutions to enforce human rights and the recovery of Kuwaiti property.

PRESIDENTIAL DETERMINATION.—

In connection with the exercise of the authority granted in subsection (a) to use force the President shall, prior to such exercise or as soon thereafter as may be feasible, but no later than 48 hours after exercising such authority, make available to the Speaker of the House of Representatives and the President pro tempore of the Senate his determination that—

(1) Reliance by the United States on further diplomatic or other peaceful means alone either (A) will not adequately protect the national security of the United States against the continuing threat posed by Iraq or (B) is not likely to lead to enforcement of all relevant United Nations Security Council resolutions regarding Iraq, and

(2) Acting pursuant to this resolution is consistent with the United States and other countries continuing to take the necessary actions against international terrorists and terrorist organizations, including those nations, organizations or persons who planned, authorized, committed or aided the terrorists attacks that occurred on September 11, 2001.

(c) WAR POWERS RESOLUTION REQUIREMENTS.—

(1) SPECIFIC STATUTORY AUTHORIZATION.—Consistent with section 8(a)(1) of the War Powers Resolution, the Congress declares that this section is intended to constitute specific statutory authorization within the meaning of section 5(b) of the War Powers Resolution.

(2) APPLICABILITY OF OTHER REQUIREMENTS.—Nothing in this resolution supersedes any requirement of the War Powers Resolution.

SEC. 4. REPORTS TO CONGRESS.

(a) The President shall, at least once every 60 days, submit to the Congress a report on matters relevant to this joint resolution, including actions taken pursuant to the exercise of authority granted in section 2 and the status of planning for efforts that are expected to be required after such actions are completed, including those actions described in section 7 of Public Law 105–338 (the Iraq Liberation Act of 1998).

(b) To the extent that the submission of any report described in subsection (a) coincides with the submission of any other report on matters relevant to this joint resolution otherwise required to be submitted to Congress pursuant to the reporting requirements of Public Law 93–148 (the War Powers Resolution), all such reports may be submitted as a single consolidated report to the Congress.

(c) To the extent that the information required by section 3 of Public Law 102–1 is included in the report required by this section, such report shall be considered as meeting the requirements of section 3 of Public Law 102–1.

Mr. HOEKSTRA. Madam Speaker, I yield myself as much time as I may consume.

Do any of us really believe that the resolution in front of us today is a serious piece of legislation?

Does it discuss or force a debate on the really tough issue of how big this conflict is?

Who is it that hates America and others so much that they are willing to kill innocent men, women and children?

Again, it does not do that. There are people who hate us enough to want to kill. I speak of militant Islam's hate for America, a hate that extends to others as well, including Muslims. And these militant Islamists kill. They kill violently and indiscriminately.

Who are they?

What should America's response to this threat that we and others face on a global basis be?

What is America's response to jihadism?

How will America win this war against this calculating enemy?

How will America lead the world, once again, in the face of such a ruthless threat?

What is a jihadist, other than someone or some group so full of hate that they are willing to kill?

☐ 1930

I have a passion for understanding this threat. These Islamic jihadists are a fringe element of Islam who have very specific ideas about how to revive Islam, return Muslims to world power, and how to deal with their enemies. They are committed to a violent overthrow of the existing international system and to its replacement by an all-encompassing Islamic state, the caliphate, as it is called.

This is more than just about Iraq. It is a much bigger problem. It is also clear that this jihad is about them, their god, their religion before it becomes anything about anyone or anything else. That is right, it is about them before it is about us. And that is why this resolution comes up so short because it does not address all of these issues.

Madam Speaker, I would like to yield to my colleague from California (Mr. CAMPBELL).

Mr. CAMPBELL of California. Madam Speaker, I thank the gentleman for yielding.

You are right. A big problem, big issues, and this resolution doesn't address them.

What does it do? It basically says that the military leaders have a suggestion that we have reinforcements that they believe may improve the situation, help us get a victory in Iraq. Now, they can't guarantee that. The President can't guarantee it. Nobody can guarantee it. But what does this say? It says we are not going to do that. Okay, fine. But what are you going to do instead?

This resolution, by rejecting the only plan on the table, basically is saying stay the course, keep the status quo.

I don't think the status quo has been working. I think we know we have to make some changes in strategy and whatever. We have to make something work. But this basically says we will take the only plan that is out there and reject it. We won't do it.

So my question would be what do you do instead? What do you do to ensure that we don't have a genocide in Iraq on the scale of what is going on in Darfur? If you don't want to do this plan, what do you do to ensure that terrorism does not grow and flourish in Iraq and that then they come to attack us on our soil again, which they haven't done for 5 years? What do you do to protect our troops?

I think these are a lot of questions that we have, Mr. HOEKSTRA, which is why just saying no to the only plan that is on the table won't do it. It is kind of like a football game: the coach and quarterback call a play, and they are in there, and then someone runs into huddle and says, No, we are not going to run this play.

What play are we going to call?

We don't have a play.

So the quarterback gets under the center. The center snaps the ball, and nobody goes anywhere. Nobody knows what to do because there is no play, there is no plan. That will fail.

This simple status quo resolution is not the solution.

Mr. HOEKSTRA. Madam Speaker, reclaiming my time, I thank the gentleman. I think he has made some very good points about what we don't see in this resolution. We don't see a discussion of what the global threat is from these jihadists who hate democracy, who hate other heretic Muslim states, who want to establish this caliphate that spreads throughout the Middle East, spreads into Europe, across Africa, into Asia. It lacks the concept of putting it into a bigger picture.

There is no alternative plan. Really, if you vote for this resolution, what you are voting for is you are voting for stay the course. Support the troops; don't try a new strategy or tactic. Just stay the course. And it also does not deal with what the potential consequences may be of that failed strategy.

Madam Speaker, I would like to yield to my colleague from Arizona

Mr. SHADEGG. Madam Speaker, I thank the gentleman for yielding.

And I have listened to his eloquent words today about the radical threat we face.

I have a fundamental question for the other side. I thought our colleague from New York did a superb job of acknowledging the good intentions of every Member of Congress involved in this debate and the good intentions of the majority. I share his frustration with the progress of the war to date. I share the comments made by my colleagues on the other side who are unhappy at how we got here. But I think that misses what I believe is the essential question we confront now, and that is, where do we go from here? What will this resolution do? And I would suggest that that is a question that has not been examined in this debate. I would suggest that many would like to wish this war would go away, that many would like to believe that if the United States withdrew its troops from Baghdad and withdrew its troops from Iraq that somehow Iraq as a problem would go away.

But, Mr. Chairman, you have made the point over and over and over again today: this isn't about Iraq.

I would ask my colleagues on the other side can they name a single jihadi leader, a single radical Islamist, who has said if they prevail in Iraq, if we will just leave Iraq, that this will end, that they will no longer desire to conquer the world, that they will back away from all of their rhetoric about attacking all Westerners everywhere? And I suggest you can't name anyone like that.

Let me read you just a few quotes to make this point. Ayman al Zawahiri, we all know who he is, a well-known jihadi leader: "It is a jihad for the sake of God and will last until our religion prevails." Not until we abandon Iraq, but until their religion prevails.

"The entire world is an open battlefield for us," he goes on to say. "We will attack everywhere until Islam reigns." Ayman al Zawahiri does not say we will attack until the war in Iraq ends, we will attack until Americans pull out of Baghdad, we will attack until they are no longer in the nation of Iraq. He says, "We will attack everywhere until Islam reigns."

Again al Zawahiri: "The jihad in Iraq requires several incremental goals. The first stage: expel the Americans from Iraq." Note that that is only the first stage. "The second stage: establish an Islamic authority or emirate. The third stage: extend the jihad wave to the secular countries neighboring Iraq." It will not end.

If your resolution, if a resolution tonight, could end this war and bring our boys home and our girls home and make the world safe, I would be the first to vote for it. But it won't.

Osama bin Laden says it clearly: "Hostility toward America is a religious duty, and we hope to be rewarded for it by God . . . I am confident that Muslims will be able to end the legend of the so-called superpower that is America."

We are on notice. I think we have to take them at their word. It isn't about Iraq. It is about our confrontation, a historic confrontation, with radical jihadists who seek to kill us

Mr. HOEKSTRA. Madam Speaker, reclaiming my time, I think the gentleman from Arizona stated it very well. When we talk about the jihadists, they believe that the modern world has forsaken that pure religious life. They believe only in a caliphate governed by shiria law and that is the way to return to that pure life. That is the world they now want to recreate. And as they recreate it, they want to force it on the rest of us.

Madam Speaker, I would like to now yield to my colleague, Mr. SAXTON.

Mr. SAXTON. Madam Speaker, I thank Mr. HOEKSTRA for yielding.

I would just like to build on something that Mr. SHADEGG said. He said, in essence, that this subject is so important because it goes so much further than Iraq. And as a member of the Armed Services Committee, I try to keep close tabs on where our soldiers and sailors and marines and airmen are deployed. And it may surprise some on the other side of the aisle, but perhaps not, to know that we have troops deployed in Southwest Asia in five countries; we have troops deployed in Europe in quite a few countries, several countries; in Central Asia we have troops in Turkmenistan, Uzbekistan, and Kyrgyzstan; in Southeast Asia we have troops deployed in the Philippines, Thailand, and Indonesia; in South America in Colombia, Brazil, Argentina, Paraguay, and Guantanamo Bay; and in 19 countries in Africa, all in support of the war on terror.

And as Mr. SHADEGG mentioned a few minutes ago, it has been clearly stated that Iraq is the first battleground chosen to make their stand and clearly stated that all of these other places where we have sent troops, not because we have extra troops to send somewhere, not because we have extra taxpayer dollars that we are trying to get rid of or spend, but because every one of those countries exhibits a piece of geography where there is a threat related to the global war on terror.

So a vote for this resolution is a vote, perhaps, of goodwill on the part of those who will eventually in a few days vote for it, but it won't end this war. It won't end the desire of the Islamists to take advantage of various situations and, as Mr. HOEKSTRA mentioned, achieve their goals.

And so this is a broad war. This is a war where it will be years and perhaps decades to bring to a conclusion. And the worst thing we can do is to send messages that we are not serious about carrying out our duties in defense of this generation and, as I will point out later, future generations of Americans.

Mr. HOEKSTRA. Madam Speaker, reclaiming my time, with that I reserve the balance of my time.

Mrs. TAUSCHER. Madam Speaker, I would like to yield myself 20 minutes. And at this time I would like to yield 5 minutes to my good friend and neighbor in California, the gentlewoman from Oakland, Representative BARBARA LEE of the Appropriations Committee.

Ms. LEE. Madam Speaker, I want to thank the gentlewoman for her leadership, for yielding, for her deep commitment to our troops and to our country.

As a daughter of a proud veteran of two wars, I know personally that we have a moral obligation to support and protect our brave men and women on the ground in Iraq. However, there is no reason for us to stand behind the President's plan to escalate his failed policy in Iraq. In fact, Madam Speaker, the American people are way ahead of us.

A USA Today/Gallup poll released just today shows that 60 percent oppose this escalation, 63 percent favor bringing our troops home by the end of 2008, and last November the American people soundly rejected the President's failed policy in Iraq at the voting booth. You would think that the President understood what all this meant. After the election he continued his listening tour on options for Iraq, but it seems that he wasn't hearing what the American people were saying.

The Iraq Study Group actually indicated and said very clearly that there was no military solution to this mess. And rather than heed the call of military experts, advisers, and the American people, the President offered an even worse plan: put more troops in harm's way in Iraq. This just doesn't make any sense.

That is why this no-confidence resolution puts the administration on notice: end the occupation and bring our troops home. However, if the President doesn't change course, we must go further. This war has undermined our credibility and standing in the world. It has cost too many lives and injured too many of our troops. This war has cost too many Iraqi lives. This war has cost us nearly half a trillion dollars, and the costs keep mounting. The chaos in Iraq that the President set in motion has further destabilized an already precarious balance in the Middle East.

We must take steps to use the upcoming supplemental appropriations bill to set in motion an end to this terrible and misguided war and bring our troops home from Iraq.

To that end I support fully funding the safe withdrawal of our troops from Iraq over a 6-month period, and I will work with my colleagues to do this. Additionally, along with Congresswomen WOOLSEY and WATERS, we have introduced H.R. 508, the Bring our Troops Home and Sovereignty of Iraq Restoration Act.

□ 1945

This bill would completely fully fund military withdrawal from Iraq within 6 months, while ensuring that our troops and contractors leave safely, and accelerate the training of Iraqi Security Forces. And we would make certain that our veterans, who have given us so much, receive the health and mental health benefits that they deserve.

Our bill would remove the specter of an endless, and that is what this is right now, it is an endless occupation, by preventing the establishment of permanent military bases. Our very presence in Iraq is fueling the insurgency, and our troops have been the targets of this civil war.

Madam Speaker, these are the best and the safest ways to end this occupation. But it really didn't have to be this way. Imagine for a moment what would have happened had Congress adopted my substitute amendment to the authorization to use force against Iraq in October 2002. We would have allowed the United Nations inspectors to finish their job. We would have discovered what we all know now as fact, that Saddam Hussein had no weapons of mass destruction, and, as then, there was no connection between the horrific events of 9/11 and Iraq. Iraq did not attack us, as many are trying to continue to convince the American public that it did. Iraq did not attack us 5 years ago.

The bottom line is that Iraq also would not be a war-torn country as it is today, and, again, the world is less safe. And if this wasn't enough, over the last several months the President has been saber-rattling on the issue of Iran. We must not go down the same path and end up in another unnecessary, dangerous, costly and disastrous preemptive war with Iran. This notion of the "axis of evil" and preemptive war is very, very dangerous.

Madam Speaker, the stakes are too high. We need to stop digging ourselves deeper into this hole. Escalating this war and expanding this war does nothing in terms of our national security. It puts us more at risk. Iraq was not a haven for terrorists as it is now. Again, Iraq, Saddam Hussein and al Qaeda, there was no connection, and we have to dispel that notion so the American people know the truth.

So, rather than end this war today, we are saying let's just for today at least take one step and stop the escalation and expansion, and we will be back to talk about how we are going to begin to bring our troops home, and bring them home within 6 months

Mrs. TAUSCHER. Madam Speaker, I am happy to yield 5 minutes to the gentleman from Illinois (Mr. HARE), a member of the Veterans' Affairs Committee.

Mr. HARE. Madam Speaker, I thank the gentlewoman from California. I rise today in strong support of this resolution.

Recently at a town hall meeting that I had, a man approached me, pulled out a picture of his son, said that he had just died in Iraq 6 months ago. His wife won't come out of the home. He said, "I want you to promise me that when you go to Washington, you will do everything you can to make sure that this never happens to another family."

Three days later, I called the family of Senior Airman Daniel Miller of Galesburg, Illinois, who lost their son to a roadside bomb explosion outside of Baghdad 2 weeks prior to when he was supposed to be coming home. I hope and pray I don't ever have to make another phone call to another grieving family. That is why I come to the floor this evening in strong opposition to the President's decision to deploy 21,500 additional troops in Iraq, and I strongly support this resolution.

The current situation in Iraq is grave, and it is rapidly deteriorating. The sectarian conflict is the principal challenge to stability in Iraq, and caught in the middle of this civil war are approximately 140,000 of our bravest troops. Over 3,000 troops have already lost their lives, while over 22,000 have been wounded.

Our current strategy has not made significant impact on reducing the violence. In fact, December 2006 was the third deadliest month since the war began. The cost of this war, both in the number of lives lost and the amount of dollars spent, has had a profound effect on Illinois and my congressional district. Out of the 3,128 deaths, 95 have been from Illinois, and eight soldiers from the 17th District.

But not only will an increase in troop levels not solve the fundamental cause of violence, it places us at a great disadvantage here at home. According to the Congressional Budget Office, the troop surge could require as many as 48,000 troops and as much as $27 billion, which is five times the amount of the President's request of $5.6 billion. Also the U.S. military will be forced to deploy many combat units for their second, third, and even fourth deployments in Iraq, and extend the redeployment of others.

Currently as we sit in debate on this resolution, 16,000 single mothers are serving in Iraq. This troop surge would only extend the time their children are left at home alone, with their mother or their father.

Since the military is already short thousands of vehicles, armor kits and other protective equipment, a troop surge threatens the readiness of our forces. In fact, if you saw the paper recently, a soldier was quoted saying he had to go to the junkyards to dig up pieces of rusted scrap missile and ballistic glass so they could armor the vehicles and make them combat ready.

While only a first step, this resolution is a good start. It does not give up on our troops or declare defeat in Iraq, but offers a new forward direction towards a nonpartisan goal of bringing our troops home safely, quickly, and securing stability in the region.

Already, this Democratic-led Congress has had 52 oversight hearings on various issues related to this war, and many of my colleagues have introduced several bipartisan measures that promote political and diplomatic engagements.

A person this evening said, Where do we go from here? I would strongly suggest that this administration try something it hasn't tried yet: diplomacy. It can work. You just have to have the courage to try.

In the coming weeks, I am hopeful that Congress will consider a comprehensive measure such as H.R. 787, the Iraq War De-escalation Act, of which I am a cosponsor. In addition to requiring the responsible redeployment of U.S. forces from Iraq and allowing basic force protection, it launches a comprehensive regional and international diplomatic initiative. I am thoroughly convinced that the only way we will attain peace in this region, in Iraq, is through diplomatic initiatives.

This legislation also makes the Iraqi Government responsible for their own destiny by establishing benchmarks concerning Iraqi military readiness to police their own country without United States assistance.

Finally, as a veteran myself, I also hope as we move forward we will adequately prepare for the return of thousands of new veterans. Our number one priority should be to fully fund the cost of veterans health care and PTSD benefits.

This administration's budget calls for cutting prosthetics by $2 million and severely cuts funds to the VA at a time when it is proposing an increase in troop levels. Without full funding for the Department of Veterans Affairs, our veterans are left without the services they were promised when they pledged to defend this Nation.

Madam Speaker, I strongly urge my colleagues on both sides of the aisle to support this resolution as the first of many steps towards bringing our troops home and securing our success in Iraq. As I told the gentleman at my town meeting, I promised him I would do everything I could so this would never happen again. That journey begins this evening

Mrs. TAUSCHER. Madam Speaker, I am happy to yield 5 minutes to the gentleman from Illinois (Mr. DAVIS), a member of the Oversight and Government Reform Committee.

Mr. DAVIS of Illinois. Madam Speaker, first of all, I want to thank Speaker PELOSI for providing what we never had in the last session, and that is ample opportunity to fully discuss Iraq, where we are and what we ought to be doing about it.

I have always been told that when you start with a faulty premise, you will inevitably reach a faulty conclusion. And the rationale given for entering the war was faulty. There were no weapons of mass destruction, no connection to 9/11. Therefore, we never should have invaded Iraq in the first place.

But then after the invasion, the occupation of Iraq has been tragically mismanaged. Civilian military leadership ignored the advice of senior commanders on requirements for preventing chaos in the aftermath of the invasion. As a result, our extended presence in Iraq continues to worsen the situation, not only in Iraq, but in the entire region.

Terrorist incidents continue to flare up around the world, from England to Spain, from Indonesia to Jordan. Chaos and intolerance in the form of civil war now has secured a deadly grip on Iraq. The policy of escalation has failed, and failed again, to loosen that horrendous grip. The Iraqi people want us to leave, and so do the American people, especially those in my congressional district, and especially those that I encounter at churches, schools, synagogues, town hall meetings and on the street.

Madam Speaker, democracy and self-government cannot be imposed on Iraq by any foreign power, including us, the United States of America. Our troops have done everything we have asked of them, even when we have failed to equip and protect them. The problem does not lie with our troops, but with the distorted world view of this administration and the military and diplomatic doctrine of preemptive war as a solution to global political problems.

We must do everything possible to protect our troops and we must do everything in our power to take care of them when they return home.

It is impossible, Madam Speaker, to build a coalition against terrorism by attempting to unilaterally impose these doctrines on the international community. We cannot undo the many mistakes which have been made in Iraq. And when our national interests have been so distorted, when we have so lost our direction, it is the historical, moral, and constitutional responsibility of this Congress to set us back on course and on the right track.

It is time to recognize that we are enmeshed in an unending, vicious circle of escalating violence, rather than a force for peace, and that is why I am a cosponsor of H.R. 508, which would bring the force of law to end this war.

Today we have before us a nonbinding resolution, most likely insufficient to end the occupation. But it can help to move us in the right direction and set us on the right path. Therefore, I support this resolution, because it reflects the will and interests of the American people, and I trust that this administration will abandon demagogic calls for constantly changing notions of success and victory and awaken to the world of reality.

Madam Speaker, it is time, it is past time, to bring our troops home. I am told that insanity is doing the same thing over and over and over again and expecting different results. This resolution sets us on the right course, gives us the right direction. I urge its passage.

Mrs. TAUSCHER. Madam Speaker, I am happy to yield 5 minutes to my neighbor and colleague from California (Mr. HONDA).

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Mr. HONDA. Madam Speaker, I thank my colleague, the gentlewoman from Northern California (Mrs. TAUSCHER).

Like so many of my colleagues, I stand here today in opposition to President Bush's surge in Iraq.

We should not have attacked Iraq in the first place, and we definitely should not escalate things further. The initial evidence for the war was flimsy at best, and realizing that, I voted against the authorization for war.

The most recent evidence that the President has presented in support of this surge is even less credible, and I urge my colleagues to prevent the President from throwing more gasoline onto a fire that is already burning out of control.

When I speak to veterans of the Iraq war, I become infuriated by their tales of the destruction that this President's policies have wrought in that country. Nor can they fathom why their Commander in Chief insists on squandering the strength of the greatest fighting force in the history of the world.

While Iraq under Saddam Hussein's rule was a rogue state and an affront to American values, today Iraqi citizens are forced to endure even more severe and deadlier situations.

There is no indication that Iraq was a center for international terrorism prior to President Bush's adventure there. Now, as a result of his irresponsible actions, it undeniably is.

Over 3,000 brave American service men and women have lost their lives in Iraq in addition to the 100,000 or more Iraqis who have been killed; 25,000 American soldiers have been injured.

For what, Mr. President? For what? You have yet to answer this simple question, and I suspect this is because you do not have an answer. There is not, nor can there be, a credible answer to this utter folly.

Each Member of this House has tales of constituents whose lives will never be the same because of the Iraq war.

In the aftermath of 9/11, one of my constituents joined the Army out of a deep sense of patriotism. One day while on patrol in Iraq, his tank drove over an explosive device, sending the vehicle 10 feet in the air. He survived but suffered severe brain and spinal injuries. For his bravery, he was awarded the Purple Heart, multiple commendations and other medals.

After completing a service to his country, he returned home to resume his life with his wife and newly born triplets.

Upon returning to work, however, he found that he had difficulty concentrating as a result of his head injury. He was diagnosed with traumatic brain injury and post-traumatic stress disorder.

As a result of the strain that the President's policies are placing on the Veterans Administration, he, like so many of my constituents, was unable to receive a change in his benefit allowance in a timely manner. So that he could continue to live in dignity, local officials and media had to put out a call for donations to pick up where his government failed him.

This brave man expected that his sacrifices would be repaid with the generosity that America promises to our veterans. Instead, he encountered a system that is overextended and ill equipped to help him when he needed it. Other constituents have told me that when they try to call the Veterans Administration they have to wait on hold for over 2 hours before they can talk to a human being.

Is this how we should treat those who put their lives on the line for our country? The Veterans Administration recently testified that it needs a 13 percent increase in funding to address rising costs and increased demand, but the President's budget proposes less than half of that.

And now the President wants to further escalate the strain on our already over-extended system by sending more soldiers off to Iraq? I am outraged and I cannot mince my words. This is a national shame. This is not how America repays its valiant heroes.

Madam Speaker, we must stop this madness. This surge, this escalation will fail just as past surges have.

This conflict requires the diplomatic and political solution, not just simply sending more troops into the fight. We cannot allow this President to shatter the lives of more of our best and brightest. It is time to bring our troops home.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. AL GREEN of Texas). Members are reminded to direct their remarks to the Chair

Mr. HUNTER. Mr. Speaker, I understand we have until 12 o'clock to complete this part of the debate?

The SPEAKER pro tempore. The gentleman is correct.

Mr. HUNTER. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, in my office I keep a photo of about a dozen Kurdish mothers whose bodies are strewn across the hillside in northern Iraq, holding their babies, killed in mid-stride where they were gassed to death by Saddam Hussein. As I listened to some folks in this debate talk about what they consider to be an immoral war, an illegal war, an occupation that is not consistent with morality, I harken back to that picture and the thousands of people that it represents, and I harken back also to the exhuming of mass graves with, again, mothers shot in the back of the head with a .45-caliber pistol by Saddam Hussein's executioners and with their little babies similarly with holes in the back of their skulls.

Mr. Speaker, this operation in Iraq is indeed a moral operation. It represents the goodness of the American people.

I am also reminded of something that lots of folks and the Vice President talked about, and that is the goodness that we have brought with the 3 million-plus babies who have been vaccinated, with the hundreds of schools and hospitals that have been built, and with all those expectant mothers that were given prenatal care by the Americans so that their children would be born in a healthy fashion.

But, Mr. Speaker, I recall that in 1984 Ronald Reagan very eloquently asked the American people to support him in bringing freedom to the people of El Salvador. I remember his speech; and in his speech, he harkened back to another American who had appealed to us in bringing freedom to another part of the world, which was at that time endangered, and that was Greece in 1947.

The communists were very close to victory in Greece, and Harry Truman appealed to the American people in a joint session of Congress. He said the free peoples of the world look to us for support in maintaining their freedoms. If we falter, we may endanger the peace of the world, and we shall surely endanger the welfare of this Nation.

Now, we have no guarantee of victory in Iraq. There is no battle plan that comes with a guarantee of victory, but I will tell one thing that is very clear: what is happening in Iraq and our efforts in Iraq are connected and are watched by every terrorist in the world, and that connection is established and travels as fast as the speed of electrons in this age of television and technology and high-paced, fast media and the Internet. They see what we are doing.

And that connection, Mr. Speaker, was made when the Beirut bombings occurred against the Marines in the Marine barracks in Beirut. In fact, I think Mr. SKELTON was with me. We were over there very shortly before those bombings occurred.

They are connected and the terrorist world watched very closely when there was no response to that. They watched very closely when there was no response in the Khobar Towers, with respect to the Cole and extremely anemic response with respect to the bombings in the embassies in Africa.

Now we are undertaking an important and difficult mission; and, Mr. Speaker, I pointed out before that at least one brigade of the 82nd Airborne is already in place in Baghdad, now engaged in the operation, and we have a brigade of the Big Red One moving now toward the theater. I believe we have right at 4,000 members of the 82nd Airborne now in country in Iraq, and we have Iraqi soldiers and Americans engaged in the nine sectors of the city already undertaking this operation and this plan that has been developed by our warfighting commanders.

The idea that we are here, poised to retroactively condemn an operation that our soldiers are already carrying out, is, to my mind, remarkable. There is not going to be any force in effect with respect to this vote that will take place shortly that will do anything but send the wrong message to America's allies, and I think you have seen comments by some of our allies over the last several weeks with respect to the message that we send out. We are interesting people are we not, Mr. Speaker. We send out messages with all the electronic gadgets in the world to convey the messages to the entire world, and then we say, you know, we really did not mean what you take our statements to mean and we really did not intend to give anybody the wrong message that we still support the troops.

Well, Mr. Speaker, we have got a number of great members of the Armed Services Committee that I want to yield to, and I want to come back later and talk a little bit later about this war against terror and the centerpiece that is Iraq and the centerpiece of that which is as planned.

You know, I was thinking there was a statement once that in a little hut in Central America when we were standing up to the Communists and we were providing a shield for El Salvador, while that fragile democracy stood up, there was a hut in El Salvador which reportedly had the writing on it, Thank God for Ronald Reagan. I am wondering if some trooper in the 82nd Airborne, in the 2nd brigade of the 82nd Airborne may write on a wall in Baghdad, maybe on Friday when we take this vote, This is the day in which the American Congress condemned the mission that we are carrying out today.

Mr. Speaker, I reserve the balance of my time.

Mrs. TAUSCHER. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I am pleased to lend my strong support to this bipartisan resolution supporting our men and women in uniform and opposing the President's decision to send more troops into Iraq.

Last year, Congress united across party lines to say loudly and clearly, the year of 2006 must be a year of significant transition in Iraq. Rather than chart a new course, the President is proposing more of the same. His actions will only deepen America's involvement in Iraq's civil war.

Instead of acknowledging the facts on the ground, instead of listening to the combatant commanders and the Iraq Study Group and instead of hearing the American people's call for change, the President has once again chosen to stick to his failed policies, and now he has raised the risk by insisting more U.S. troops head to Iraq.

It has been 4 years, Mr. President. The American people have every right to expect a change of course in Iraq, and it is your responsibility to them and our men and women in uniform to stop fighting Iraq's civil war.

As General Odom, the former head of the National Security Agency under President Reagan, wrote this weekend, unless Congress speaks up, and I quote, we may be doomed to 2 more years of chasing a mirage in Iraq and possibly widening the war to Iran. We cannot let that happen. Sending more U.S. troops to Iraq will not stabilize it or the region as a whole. As the latest National Intelligence Estimate makes clear, Iraq is becoming more polarized and violent, not less. Sending more American troops to Iraq without stronger Iraqi leadership will only lead to further chaos.

My consistent opposition to this troop surge is built upon years of hearings in the House Armed Services Committee, congressional briefings and five trips to the region, including three to Iraq, witnessing the war firsthand and speaking with our troops and commanders on the ground.

I have watched the President plead his case to the American people, trying to justify why more troops will save his failed policy; but I am consistently disappointed by the stubbornness exhibited by an administration that has failed every step of the way.

I have stated from the beginning of the war that the Commander in Chief has the responsibility to define a well-articulated mission that has the support of the American people and an exit strategy to bring our troops home sooner and safer. He has neither.

Top military commanders in Iraq, the bipartisan Iraq Study Group and the American people all agree that sending more troops to Iraq will not end the civil war. They understand the Iraqi Government needs to take responsibility for securing their own country, and we should immediately begin a strategic redeployment of U.S. troops in conjunction with diplomacy that forces Iraq's neighbors to step up as regional, responsible partners.

If the President sidesteps the Congress, he does so at his own peril; and, sadly, it is the men and women of our Armed Forces and their families who will pay the highest price.

□ 2015

I believe it is grossly irresponsible to send more troops to Iraq when only two thirds of our Army's up-armored Humvees in Iraq and Afghanistan have been fitted with the latest anti-IED protective kits. That is over 4,000 Humvees without the right equipment.

General Pace has indicated that all armored vehicles will not be up-armored until July, well after the President's surge has occurred.

This is why I am an original cosponsor of the Meehan legislation that requires the President to ask Congress for an up-or-down vote if he plans to raise troop levels in Iraq and why I am proud to support this legislation today.

I will continue to challenge the President to abandon his flawed troop surge policy, and I urge my colleagues to support this important resolution. We owe it to our troops and to our conscience.

Mr. HUNTER. Mr. Speaker, I yield myself just 30 seconds, and I would like to just make one note. That is, if we add the 21,500 troops that are already partly in Iraq, these reinforcements to the 138 who existed before the movement started, and we allow for the troops who are rotating home, we will have fewer; we will have 157,000 troops in Iraq, according to DOD. That is fewer than the number of troops that we had a year ago in December. That is the state of this so-called surge; fewer troops than we had last year.

Mr. Speaker, at this point I would yield such time as he may consume to the distinguished gentleman from New Jersey (Mr. SAXTON) who, for a number of years, chaired the Terrorism Subcommittee and is now the ranking member.

Mr. SAXTON. Mr. Speaker, I want to thank the ranking member for yielding me this time.

I rise in opposition to the resolution that will be voted on Friday. And my statement, as clearly as I can, says why.

Mr. Speaker, I recently attended the funeral of an old friend who passed away after a wonderful, productive 90 years of life. His family and friends gathered at the church to celebrate his life and to remember his accomplishments. During World War II, he served as a member of the Army Air Corps.

Near the end of the service, two Air Force sergeants unfolded and refolded an American flag, and then caringly presented it to my friend's widow saying, "On behalf of the President of the United States, the United States Air Force, and a grateful American people, I present this flag in honor of your husband's service to his country."

Mr. Speaker, we survive as a Nation today in large part because of the selfless service to our country by a great many Americans just like my friend. Soldiers, sailors, airmen, marines, members of the Coast Guard, and members of the foreign service organizations have been supported by the American people and by American resources and funding.

Because we are once again involved in a war which threatens our country, we find American military personnel are again deployed to many parts of the world. Last week, Chairman of the Joint Chiefs of Staff Peter Pace listed the long list of countries where our forces are deployed and are present to help protect us as part of the global war on terror. Earlier tonight, I read from that list. There are 70 countries where Americans serve abroad in support of the global war on terror. We don't send them there because we want to send them off to some far off part of the world for no good reason. There are threats there, threats like al Qaeda, threats like Hezbollah, threats like the Quad groups that are funded by Iran.

This is a unique and historic struggle for a number of reasons. Chief among them is that our enemies are both state and nonstate actors. They are lethal and deadly. Fortunately, the great citizens of this country have responded. Americans have volunteered in large numbers to work, defend, and fight to protect our way of life. Yet, today some among us would question whether we are on the right track. And I think they are on the wrong track.

As many of my colleagues on both sides of the aisle know, I have devoted much of my career in Congress to studying and understanding this enemy. I must say that I believe I have developed some understanding of them, and so I would like to take a few minutes here tonight to share some thoughts and some facts about them. You simply cannot discuss or understand our situation in Iraq without first addressing some of the fundamental and important questions about the enemy.

Who is he, or who are they? How do they work to achieve their goals on the battlefield? How do they work to achieve their international objectives? What is our record against them? And what is at stake?

First of all, who are they? Members of al Qaeda and Hezbollah, the Quads forces, and other similar terrorist groups' view of the world is based on an extreme ideology, an ideology that is far more extreme than most Middle Eastern people want or support. I certainly can't speak for the citizens of the Middle East, but it seems clear to me that in the opinion of the great majority of citizens and residents of the Middle East, both Muslim and non-Muslim, that this is an extreme ideology which they feel they should reject. And they do.

The extremists are groups of individuals who do not believe in any form of secular government, and will go to seemingly any lengths to sabotage others who try to establish secular or representative free types of governments. Their tactics run the gamut from sermonizing to mistreatment to capture, torture, and death, often by beheading. Their leaders are male and assign subservient roles to females. Their ideology holds that members of society, both Middle Eastern society and otherwise, who do not share their same radical beliefs are assigned to a subservient role or simply eliminated. They are members of organizations who state openly and repeatedly, "Death to the non-believers, death to America." They say it every day. This, in short, is what they are about.

Perhaps there are some of us here in Congress who don't take these people seriously. I do. And I am glad Franklin Roosevelt took Hitler and his people seriously as well. It is much the same.

Twenty years ago, while on my second trip to Israel, it was 1987 to be exact, I came across an article about Hamas. In 1987, I had never heard of them before; they were a brand-new group. So while I was there, I asked about them. And I learned much about Hamas, but also about other groups that we hear about today, groups like Hezbollah and the Islamic Jihad, other groups that existed at the time. And I will always remember getting back on that airplane to come home. I thought, "Today these people are a huge problem in the Middle East, and I bet it won't be long until they are a huge problem in the U.S." They are today.

The second thing I would like to talk a little bit about is how they work to achieve their goals on the battlefield. It is kind of unique, certainly unique in history. Their radical ideology breeds an unconventional strategy of violence, and they are not to be underestimated. This is the method to their violence:

They have recognized that it is difficult or impossible for them to achieve their goals through conventional warfare strategies and techniques. They have instituted as a substitute a four-stage process that replaces traditional warfare, at least traditional warfare as we know it in the West. Their strategy is well laid out and planned; it is called insurgency. Four steps.

First, they work quietly to gain the support of the population through social, charitable, and ideological groups and organizations, schools, hospitals, charities. They gain the support of the people.

Second, now that they have developed some strength in organization, they begin to develop strength in unconventional warfare capabilities. Unconventional warfare capabilities, terrorism, if you will, until their ability exists to severely harass their enemy, usually the superior legitimate force, the government of whatever country they happen to be operating in. This is often the traditional or newly created government, just like the one that we are dealing with in Iraq. And in this way, they build popular support through unconventional warfare successes as well as through charities.

Step three. They develop the ability to reconsider the danger of counterattack posed by the stronger legitimate force or government, and the ability to fade away temporarily into the population until the pressure is off so they can come back and fight again, all the time getting stronger, all the time carrying out their work through the charities and the schools and the hospitals, and the terrorist acts against their enemy.

Finally, the fourth step, they develop it over time, the conventional capabilities that are necessary to be used against the stronger traditional force with the objective of defeating the legitimate government.

If that sounds familiar, it should, because it is exactly what is happening in Iraq. This is the traditional four-step insurgency process first used in China by Mao in the 1920s, and in Vietnam during the 1960s and 1970s.

Studying this concept, one can apply it to various theaters around the world in the global war on terror and identify various stages in various theaters in many places in the world. I believe, for example, Hezbollah in Lebanon has worked its way nearly to the fourth stage of the insurgency process. Other groups like al Qaeda in Iraq are following the same course elsewhere.

The third thing I would like to talk about a little bit is how they work to achieve superiority strategically internationally. Let's look at the process, the process that fosters the doubt that some citizens in the U.S. have today. That is why we are here tonight. Some people doubt our capabilities. And this is the type of thinking that brings us here tonight. This is the doubt that fuels the desire to disengage, to pretend that the danger doesn't exist, to discuss, as we are here today or tonight, solutions to limit our success and move toward disengagement.

The enemy has demonstrated a strong understanding and some success internationally in developing this unconventional strategy of warfare. It has evolved something like this:

In the early 19th century, armies met each other on the battlefield, frontline to frontline. We all remember looking at those old movies of wars in the 19th century. Warriors were trained in techniques aimed at defeating their foe's frontlines so as to prevail on the battlefield. There was little thought, planning, or training given to reaching beyond the frontlines in battle, much less to strike directly at central governments. Today, this strategy of warfare is called first-generation warfare.

Then, during the 20th century, specifically during World War I and World War II, two new generations of warfare evolved. During World War I, armies were trained to carry out tactics not only against frontlines but also against logistical supply lines. The intent was to damage the enemy's ability by reaching back beyond the battlefield frontline. This is called second-generation warfare.

World War II brought about third-generation warfare by using tactics to reach even further behind the lines to attack the industrial production facilities of the enemy's central governments.

Finally, the most recent evolution, strategic and tactical execution of warfare, designed as fourth-generation warfare. The goal, to destroy the determination of the enemy's decisionmakers to continue the fight.

☐ 2030

Today's decisionmakers are the citizens of Europe and the rest of the West, including, of course, the United States and the decisionmakers of the United States Congress. Unconventional tools have been used by al Qaeda through fourth-generation warfare and other groups to convince the decisionmakers to discontinue the effort. Unconventional tools such as the Western media, terrorist acts such as those on 9/11, and unconventional warfare such as killing Shiia citizens, Sunni citizens and coalition military participants with IEDs and car and truck bombs.

Through the media, every one of these acts which is reported has an effect and carries a message intentionally to discourage decisionmakers, and that is precisely the plan. That is precisely why we are having this debate tonight.

That brings us to the debate today. Often American decisionmakers have been convinced through fourth-generation warfare used by al Qaeda and used by other groups, Shiia militias, Sunni insurgents, to convince some here to vote to discontinue necessary efforts in one of the central theaters of the global war on terror, Iraq, and hence convince us not to provide the level of national security so important to the citizens and children and future generations of the United States of America.

Fourth, let me talk about understanding the consequences of withdrawal and our record. Withdrawal under fire is unacceptable and history is replete with examples of harmful consequences in doing so. Lebanon and Somalia are two examples where we presently face increased threats to our national security as a result of previously ill-timed withdrawals.

As a result of the U.S. withdrawal in Lebanon, for example, after the Marine barracks bombing in 1983, the country, Lebanon, even today remains a terrorist hotbed. The withdrawal strengthened Hezbollah. It contributed to years of civil war in Lebanon. It diminished U.S. prestige in the region and influence throughout much of the world.

The lingering question: Could the U.S. have prevented the rise of Hezbollah and the influence of Tehran with sustained engagement in Lebanon? We will never know.

In 1993, we withdrew our forces from Somalia after a failed military operation in Mogadishu. A decade later an Islamic militia with ties to al Qaeda has controlled that country and is responsible for destabilizing the entire Horn of Africa. We didn't know it at the time. We decided to withdraw. It was a mistake. This radical movement briefly shows signs of regaining lost ground in Somalia, even today.

At the very least, Somalia remains a dangerous, ungoverned place, and the lingering question, could the United States have prevented the spread of radicalism in the Horn of Africa with a sustained engagement in Somalia, but we withdrew.

Further evidence of failure to respond to terrorism emboldened al Qaeda. In 1993, the World Trade Center was bombed. No response. In 1996, Khobar Towers were bombed. No response. In 1998, the U.S. Embassy bombings in Kenya and Tanzania took place. No response. In 2000, the attack on the USS Cole took place. No response.

Result? September 11. We are not alone. The Soviet Union and Israel both paid heavy prices for implementing a precipitous withdrawal on two separate occasions. The Soviet Union withdrew from Afghanistan in 1989 and left behind the conditions of anarchy and warlordism, which ultimately led to the rise of the Taliban and provided safe haven for al Qaeda.

Israel's withdrawal from Lebanon in 2000 resulted in an empowered Hezbollah, weakened Lebanese moderates failed to keep peace. The best example was Hezbollah's naked aggression this past summer in delivering unbelievable attacks against Israel's civilian population. As one commentator has put it, this is from Victor Hanson in the National Review Online, December 1, 2006, "By not responding to a decade of prior attacks in East Africa, New York, Saudi Arabia and Yemen and withdrawing precipitously from Lebanon and Mogadishu, we gave the fatal impression that terrorists could strike the U.S. with near impunity." That is what we are talking about doing now in Iraq.

The lesson here is obvious. We must remain engaged until we complete our mission. Finally, what is at stake? It is clear that al Qaeda and other groups constitute a serious threat to the citizens of the U.S. for this generation and, even more importantly, for the future generations. Our enemies have demonstrated significant success in carrying out activities to the detriment of the citizens of the U.S.

They have successfully attacked numerous targets overseas, mostly with explosives, and have used missiles known as jumbo jets to attack New York City and Pennsylvania and at the Pentagon, and they have used explosives in terror operations in Afghanistan, and even more successfully in Iraq to pit the minority Sunni population against the Shiia. They fueled the insurgency and have cost Sunni, Shiia, as well as the lives of U.S. soldiers.

Our choices may be difficult. It is not easy to be at war. It is even harder to stay at war, but it is clearly proven by history that we must not abandon the missions in the war on terror nor in the Iraqi theater. We have seen the results of the precipitous withdrawals. It would be unconscionable to vote and to do other than to support the administration's plan.

Mr. HUNTER. Would the gentleman yield briefly?

Mr. SAXTON. I yield to the gentleman

Mr. HUNTER. I want to thank the gentleman for yielding briefly. I want to thank him for his statement and just clarify the record, while he has got some time, if I could.

Mr. Speaker, my good friend from California, the gentlelady, made the remark, as I understand it, that the Iraq Study Group did not agree with the President's so-called surge. I just would point to the statement that the Iraq Study Group published in their report. They said we could, however, support a short-term redeployment or surge of American combat forces to stabilize Baghdad or to speed up the training and equipping mission if the U.S. commander in Iraq determines that such steps would be effective.

We also rejected the immediate withdrawal of our troops because we believe that so much is at stake. So the Iraq Study Group did state that they would support a surge to effect the stabilization of Baghdad, and it is in the nine sectors of Baghdad with Iraqi battalions to the front, American battalions backing them up, that this operation is taking right now. So it appears to me that the President is, in fact, following and is on common ground with this recommendation by the Iraq Study

Group. I thank the gentleman for yielding.

Mrs. TAUSCHER. If the gentleman will yield, I just wanted to respond, since you were so nice to quote me.

Mr. Speaker, the truth is, as we all know, the Iraq Study Group had a very comprehensive strategy, but it was a radical departure from what the President is proposing today in this surge. I think there was some, you know, 70-plus recommendations in the Iraq Study Group, including shifting the mission to training of the Iraqi Security Forces and a big emphasis on diplomacy. So I don't think it is fair for the gentleman to cherry-pick a paragraph out of what the Iraq Study Group says.

But with all due respect, I will tell you what the Iraq Study Group recommended is not what the President is doing now. Frankly, the President has rejected the Iraq Study Group recommendations, and I think that to suggest that he is going along with the Iraq Study Group recommendations is really not correct.

Mr. HUNTER. I would just say to my friend from California, he is consistent with the Iraq Study Group to the extent of 21,500 troops, which has been described by your side of the debate as very substantial and such an important thing and such a major thing that it should be stopped. So that, obviously, is not an inconsequential aspect of the Iraq Study Group's statement.

Mrs. TAUSCHER. Well, yielding myself some time, I don't disagree with you, but one recommendation out of some 70-odd does not make the Iraq Study Group what the President is doing.

Mr. Speaker, at this time I am going to yield myself 25 minutes, and at this time I yield 5 minutes to the gentleman from Illinois, the chairman of the Aviation Subcommittee, Mr. COSTELLO.

Mr. COSTELLO. I want to thank my friend from California for yielding time to me.

Mr. Speaker, I rise today in support of the Skelton bipartisan resolution opposing President Bush's policy to send 21,500 additional troops to Iraq. I do so because I am strongly against escalating the war in Iraq.

This is not so much a policy as it is a hope that additional troops will somehow make right the long list of poor decisions by this administration regarding our involvement in Iraq. Putting 21,500 more soldiers on the ground only gives President Bush little more time to resist the conclusion that the vast majority of Americans have already reached, and that is that the events in Iraq have moved beyond our ability to impact them in a meaningful way militarily.

It is important to note that we have reached this point not because of some failing of our men and women in uniform who continue to make sacrifices. Indeed, our respect and admiration for our troops is matched only by their bravery. Regrettably, but not unpredictably, the plan for postwar Iraq woefully was inadequate, and the Bush administration, instead of taking responsibility for its failings, continues to insist that victory is just around the corner. It is not. A civil war is raging in Iraq, and our troops are caught in the crossfire.

The grand designs of the Bush administration are not attainable now, if they ever were. It is time to admit it and move forward. This is not to say that we should abandon the region. Far from it. The United States must continue to work with countries of the Middle East and of the world to stabilize Iraq and its neighbors.

I have said for months that I believe the best way to get the rest of the world to take responsibility for what is happening on the ground in Iraq may be to remove our troops, and I am convinced that this is the necessary course of action now. We can maintain a strong presence in the region, but we cannot make the hard political decisions that the Sunnis, Shiites and others must make to save Iraq, and then they will not make them as long as our military is there.

Let me just reemphasize that. We cannot make the hard political decisions that the Sunnis and Shiites and others must make to save Iraq, and they will not make them as long as our military is there.

Mr. Speaker, the American people do not support sending more troops to Iraq. In fact, the American people want us out of Iraq, and the people of Iraq want us out as well

Mr. Speaker, I commend the sacrifices and service of our men and women in uniform, and I commend Chairman SKELTON for bringing this bipartisan resolution to the floor of the House. I urge my colleagues to support the bipartisan resolution.

Mrs. TAUSCHER. Mr. Speaker, at this time I yield 6 minutes to my friend and colleague from California (Mrs. DAVIS).

Mrs. DAVIS of California. Mr. Speaker, I rise today in support of our extraordinary troops and oppose sending over 20,000 additional U.S. forces into the middle of Iraq's violent sectarian conflict. I oppose the President's plan because it will not end the insurgency, halt military activity, or accelerate our departure from Iraq. The plan is not a strategic change.

Rather, it is the continuation of a failed policy. When Congress voted to authorize the use of military force, I voted "no." I felt at that time that we had not exhausted all diplomatic avenues and that unilateral action would have a grave effect on our strategic position in the world. More significantly, it could undercut the broader long-term war against Islamic extremism. Sadly, Mr. Speaker, many of these predictions have come through. We now find ourselves in a position where only grim choices remain.

□ 2045

The war in Iraq has indeed strained our military, drained taxpayer dollars and damaged our credibility in the international community. As a member of the House Armed Services Committee, I have heard from a number of administration officials and academic experts on the way forward in Iraq. And many of these experts have warned against increasing the number of troops.

Last November, General Abizaid told Congress that an increase in U.S. troop levels would only delay the ability of Iraqis to take the lead. Mr. Speaker, what changed between November and today? Even the most ardent proponents of the troop increase acknowledge that to work all pieces must come together.

First, the military must be able to quell sectarian and insurgent violence. And then if the violence subsides long enough for a window of opportunity to open, the economic and political components must be executed flawlessly.

Even if our forces are successful in reducing violence in the short term, assurances cannot be given that other parts of the government will be able to address the economic and political components of the President's plan.

Well, the track record of the administration and the Maliki government make it hard to believe that such a plan will bring real results. One of the most egregious errors of our entire experience in Iraq has been the failure to put trained experts in critical civilian positions.

To accomplish this new mission, civilian agencies have been asked to send several hundred experts to Iraq to carry out the plan. However, the military has reported that because of hiring delays, DOD will have to assign their own personnel because U.S. civilian agencies are unable to fill the much needed positions.

Mr. Speaker, it should not be the role of the military to rebuild nations on their own. We should have been leveraging our talented and experienced Federal workforce all along. Many of my colleagues have already discussed key issues such as readiness and equipment levels, but two of the greatest concerns I have with the President's plan are the effect on our volunteer force and the strategic risk that is created by putting more military assets into Iraq.

By adding more troops, the administration leaves our Nation with fewer resources to deal with Afghanistan and future contingencies. Will we be able to respond if our military is needed elsewhere? With more of our troops bogged down, will our allies around the world continue to have faith in our ability to respond to extremist and military threats around the globe?

We must answer these questions. But I have not heard satisfactory responses from the President or military officials. Mr. Speaker, I also oppose the surge because the present administration has not sufficiently answered questions about the impact on military personnel. For those in the military, this war hits close to home every day.

While we have asked few Americans to sacrifice during this conflict, servicemembers and their families continue to face the uncertainty of repeated deployments, injury and in some cases the death of a loved one. They deserve better.

Mr. Speaker, I told President Bush that veterans in my district have said, "We are a military at war, not a Nation at war." And military leaders agree. Mr. Speaker, if we truly want to create a situation where we can withdraw our troops, we need to escalate our diplomatic efforts and call on Iraq's neighbors to help the Iraqi Government make the tough political decisions needed to reduce the violence.

We must not give in to the President's diversion, but develop a multipronged strategic plan the American and the Iraqi people deserve

Mrs. TAUSCHER. Mr. Speaker, I yield 6 minutes to the gentlewoman from California (Ms. ZOE LOFGREN).

Ms. ZOE LOFGREN of California. Mr. Speaker, I rise in strong support of this resolution that supports our troops, but oppose the President's escalation plan. My opposition to this war has been clear and consistent. The night before I voted against the Iraq war resolution in October 2002, I stated on this floor that Congress should not grant the President power to pursue a war in Iraq for three reasons.

First, Iraq was not an imminent threat to the safety and security of America, something we now know to be true. There are no weapons of mass destruction in Iraq.

Secondly, we were acting without real international support. And we now know that our unilateral action proved to be disastrous to our standing in the world community.

Finally, I questioned whether the President had an exit strategy. Now, 4½ years later, it is clear that President Bush did not have and still does not have an exit strategy for our troops.

Even though I voted against the invasion, I never dreamt that the President's policies and course of action would be as disastrous as they have been for Iraq, for the gulf region and for America.

Americans went to the polls in November to send a clear message to Congress and to the administration. They are against this war and they want a successful exit plan. Americans see that we are spending 8 to $10 billion a month to fight this war, while in our own country we have 47 million Americans without health care insurance and our national debt is almost $9 trillion.

Mr. Speaker, my Democratic colleagues and I hear the American people loud and clear. They want oversight of this war. They want to know the hard facts of the situation on the ground in Iraq, instead of the rosy picture the Bush administration tries to paint. They want investigations of and an end to the shady contracting in Iraq that has given away billions of American dollars without so much as a receipt. They want assurances that our troops will be protected.

Mr. Speaker, even though it was a mistake of titanic proportions to initiate this war, now that Iraq has been destabilized, what are we to do? The answer cannot be more of the same, because what we are doing is failing to have a positive impact. Our troops have performed the difficult missions given to them in Iraq with courage.

Congress and the American people will continue to support them and provide them with every resource they need. 320 soldiers from my home State of California have died in this war. We can never repay our debt to their faithful service and the sacrifices made by their families.

The failure in Iraq is not a failure of our fighting men and women. It is a failure of command, a failure of political leadership. We must provide our troops and their families with a new exit strategy instead of a new deployment.

The civil war in Iraq is not the product of ad hoc, spur-of-the-moment individual violence. No. It is organized and it is a strategy of various political and sectarian factions in Iraq. Putting our troops in the middle of these warring factions will not end the violence. It will only put our troops in the middle of it. That notion is borne out by the fact that more than 60 percent of the Iraqi public believes that it is a good thing to attack and kill Americans stationed in Iraq.

Proponents of the President's escalation plan act as if the United States has but two options: one, increase the American troops at great cost, both in human lives and financial; or, two, do nothing. But those are not the only choices. We must step up our diplomatic efforts in the region as recommended by the bipartisan Iraq Study Group.

Americans should call upon neighboring states in the Middle East to take strong measures to avoid a spread of the conflict beyond Iraq. As Iraq disintegrates into sectarian violence, her neighbors must insist that the factions within Iraq halt their civil war.

We need to remind the countries in the region that stability in Iraq is vital to their interests. If they want to avoid having this war spill out across the Middle East, they must step up their diplomatic efforts. With the help of the entire region, we can push the Iraqis to help themselves.

Iraqi security forces must be trained in a faster pace so they can be responsible for their own country. There is no guarantee of success in Iraq, nor is there a clear definition of what success might look like; but we do have a moral obligation to make our best efforts to diffuse the chaos the war has created. The solution must be a political and a diplomatic one.

Unfortunately, the President refuses to pursue the diplomatic options endorsed by the bipartisan Iraq Study Group and his own military advisors. As we saw today with the welcome news that diplomatic efforts have led to the de-escalation of tensions in North Korea and an agreement to abandon their nuclear weapons ambition, a conflict is not always the right answer to world challenges.

Even General Abizaid, the outgoing top commander of the U.S. forces in Iraq, does not believe an escalation will increase our chances of American success. The American public has long been ahead of Congress in their opposition to this war.

I am here today to tell the American people that they are being heard. I stand with the majority of Americans who say they have had enough. In the coming weeks and days, Congress will give the President's plan the scrutiny the American people expect and our troops deserve. It is time to bring this war to an end and time to support this resolution

Mrs. TAUSCHER. Mr. Speaker, I yield 5 minutes to the gentleman from New Jersey (Mr. HOLT), my friend and colleague.

Mr. HOLT. Mr. Speaker, America begins the fifth year of war in Iraq. I am pleased that Speaker PELOSI has scheduled such a thorough debate of the most important moral and political issue of the day. The war in Iraq was misguided from the outset, even illegal, and has been mismanaged consistently ever since.

The resolution we have before us today puts Congress on record opposing the escalation of troops in Iraq proposed by President Bush and expressing our steadfast support for our troops.

Let me say at the outset that I intend to vote for this resolution. It is an important first step. The President's escalation of forces in Iraq is worse than the stay-the-course strategy so clearly rejected by Americans. If we pass this resolution, we will be doing more than repudiating the President's disastrous policy. We will for the first time be putting Congress on record in a way that will allow us to bring this war to an end for Americans.

Mr. Speaker, U.S. Armed Forces who are serving in Iraq are heroes. They are the most finely trained and dedicated group of patriots any leader could want. But they now find themselves mired in the middle of intense violence, based on sectarian, political, social and cultural factors dating back 1,000 years.

The situation in Iraq cannot be solved militarily. Pretending otherwise only puts our soldiers, marines and others in greater danger. I have visited them in theater, in Iraq and other countries in the region and, yes, at Walter Reed Hospital here in Washington.

I have met with their families in New Jersey. The quality of these men and women, their earnest wish to serve their country makes this situation all the more tragic.

Mr. Speaker, they were sent to Iraq irresponsibly and in ignorance by leaders, sometimes improperly equipped, and are now asked to achieve an impossible mission. There is no way for us to resolve militarily the emerging multifaceted civil war that is engulfing Iraq.

When he ordered the invasion of Iraq, President Bush unleashed forces he did not understand and could not control. As the most recent National Intelligence Estimate attests: "The term civil war does not adequately capture the complexity of the conflict in Iraq, which includes extensive Shia-on-Shia violence and al Qaeda and Sunni insurgent attacks on coalition forces and widespread criminally motivated violence."

Whenever American forces leave Iraq, there will not be a stable American-style liberal democracy. Prolonging the occupation of Iraq whose stability has only declined by any measure as our presence goes on increases the costs we incur in lives, dollars, and international prestige.

No one will look back and say, if only the American military stayed a little longer. No, historians will look back and ask what took Congress so long to recognize a disaster and do something about it. Extracting American troops from this quagmire will dry up support for the various insurgencies operating in Iraq, and encourage other nations to take part in the process of stabilizing the country and promote the domestic processes necessary for long-term stability.

Given all of those factors, the burden should not be on those who believe that American forces should be withdrawn. The burden should be on those who want to continue this endeavor to show any compelling evidence that is worth sending more Americans to kill and to be killed.

Sending more troops should require the same high standard of evidence that should have been met to go to war in the first place.

□ 2100

But the President and, I am sorry to say, the previous Congresses did not apply that high standard. Some of us said 4 years ago that there was not evidence sufficiently compelling to send Americans to kill and to die. After the President went to war anyway, I called for withdrawal early.

Now, Congress must establish standards that we failed to set, standards of intelligence and evidence, standards of diplomacy, standards of legislative oversight, so that we do not go to war or escalate wars based on ideology rather than evidence, bravado rather than humility, patriotic fervor rather than patient diplomacy.

Congress failed in its constitutional role to exert a check and balance on the Executive. With this resolution we begin on a new course, under new legislative leadership. We will audit the books. We will review the procedures for detaining prisoners, for engaging civilians, for conducting intelligence.

Mr. Speaker, it is time for President Bush to catch up with the American people. The American people understand that American forces should not remain in Iraq to try to quell a civil war they cannot control. The American people understand that we must refocus our attention on our real interests. If the President did not, let us show at least that we do and pass this resolution.

Mrs. TAUSCHER. Mr. Speaker, I yield 5 minutes to my friend and colleague from New Jersey (Mr. PALLONE).

The SPEAKER pro tempore (Mr. AL GREEN of Texas). Before recognition, the Chair announces that the gentlelady from California (Mrs. TAUSCHER) has 1 hour and 17 minutes, and the gentleman from California (Mr. HUNTER) has 1 hour and 18 minutes.

Mr. PALLONE. Mr. Speaker, the debate taking place here in the House this week is long overdue. We are approaching our fifth year of this war, and this is the first time Congress is debating the strategy President Bush wants to implement in Iraq.

Congress can no longer stand on the sidelines, and the President has to know that to escalate the war in Iraq is simply not acceptable. We have lost too many American lives, seen too many soldiers seriously injured and spent too much of our hard-earned taxpayer money for no good reason. I am proud of my vote against the initial Iraq war resolution, and see this resolution before us tonight as the beginning of the end to U.S. military involvement in Iraq.

Mr. Speaker, I come to the floor this evening to commend our troops for the valiant work they have done over the last 5 years. I am thinking of them when I voice my strong opposition to the President's plan to send 21,500 additional troops to Iraq.

The President hopes this troop escalation plan will secure Baghdad and reduce the sectarian violence that is ripping the country apart. But there is no evidence to support those hopes.

In fact, on four different occasions the President increased troop levels in Iraq, and every time these plans failed to calm the violence in Iraq. Last summer the President moved more troops into Baghdad and said that he hoped to see some results in a matter of months. By October, General William Caldwell had publicly stated that the surge was a failure and the operations had "not met our overall expectations of sustaining a reduction in the levels of violence."

Additional troops are not going to make a difference because there simply is not a military solution to the war in Iraq. The devastating sectarian violence is going to continue, but our troops should no longer be asked to serve as referees in a battle between religious sects that have been fighting for centuries.

Mr. Speaker, many of my colleagues on the other side of the aisle claim that if you speak out against the President's proposal, you are not supporting our troops, and this is nonsense. And if they listened to the troops, they would know that not even a majority of our troops support the President's plan. According to a poll conducted by Army Times, a weekly newspaper popular with Active Duty and retired Army personnel, only 41 percent of our troops support the President's plan. But they will do whatever is asked of them, regardless of whether or not they agree with the command.

Mr. Speaker, at the beginning of the war, our troops fought without the body armor they needed to protect themselves against improvised electronic devices. It now appears that the military doesn't have the protective equipment needed to properly outfit the troops the President plans to send to Iraq. According to the Army, it lacks not only armor kits for soldiers, but also trucks and vehicles needed to accommodate any escalation in troop levels. Lieutenant General Steven Speaks, the Army's deputy chief of staff for force development, said any additional units of troops sent to Iraq would have to share the trucks assigned to the units now there.

Do supporters of this plan really believe this Congress should allow the President to move ahead without properly investigating whether or not our troops will have all the necessary protective equipment they need?

Mr. Speaker, we also need to realistically look at the distraction that the Iraq war is causing in the overall war against terror. While the administration and the Pentagon focus their attention on Iraq, the war in Afghanistan has been forgotten. The Taliban has significantly grown in strength in Afghanistan, and America needs to focus its attention there, the source of the attacks on 9/11.

Mr. Speaker, I opposed this war from the very beginning, and want to see our troops home. The President should be putting forth a plan for withdrawal from Iraq, not escalation. I am willing to vote to cut off funding for the escalation. I have voted against the Iraq supplemental appropriation bills to send a message that we need to end U.S. military involvement in Iraq. With this resolution, we begin the process of getting out of a place where we should never have been from the beginning.

Mr. HUNTER. Mr. Speaker, I yield myself 3 minutes to just make a brief response to a couple of statements that have been made.

Mr. Speaker, Mr. HOLT referred to our wounded folks in Walter Reed as tragic. They are not tragic. They are American heroes, and they are the people who have bought the freedom that allows us to have this debate today.

Mr. Speaker, I would like to yield some time to three unusual Americans on the Armed Services Committee who all have had sons serving in the Iraq theater. The first gentleman is the gentleman from Minnesota (Mr. KLINE), whose son has been a helicopter pilot in Iraq, as much time as the gentleman wishes to consume.

Mr. KLINE of Minnesota. Mr. Speaker, of course I rise today in strong opposition to this resolution.

It occurs to me, Mr. HUNTER, that I need to thank you not only for your service, but for your son's service in the Marine Corps. It is one of those little twists of those things that I served my whole life in the Marine Corps, and my son is serving in the Army. You served in the Army, and your son is serving in the Marine Corps. And I don't know if we will ever untwist this. But I thank you and him for his service.

Mr. Speaker, the proponents of this resolution will have us believe that this resolution supports and protects our military personnel while criticizing the President for changing course.

We have listened to several speakers today who, like me, served in Vietnam and witnessed firsthand the micromanagement of the war from Washington. Ironically, they stand here today endorsing the same incompetent policy of interference. Instead of President Johnson choosing bombing targets, however, we have 535 legislators dictating General Petraeus's reinforcement levels; yes, dictating his tactics. It was wrong in 1967, Mr. Speaker, and it is wrong in 2007.

I notice that the distinguished chairman of the Armed Services Committee has risen several times today to point out his belief that what the President is doing is not a change of strategy, it is a change of tactics. And I would say to my good friend, that great gentleman from Missouri, that if that is right, if this is tactics, then in fact this resolution is trying to do just that, micromanage the tactics of this war.

If congressional micromanagement were the only problem with this resolution, I would still argue vigorously for its defeat. But it is not the only problem. Understanding the purpose and intent of this resolution, its proponents have revealed their true intentions in the course of this debate. They intend for this resolution to be the first step on the path to defunding our troops, withdrawing them, and allowing Iraq to become a chaotic, ungoverned space that will act as a training ground for al Qaeda and the radical jihadists that we are at war with.

Though few in the West knew it, a new war had already begun during my days as commander of Marine aviation forces in Somalia. In the intense battle in the back alleys of Mogadishu that inspired the movie "Blackhawk Down" and the bombing of vulnerable U.S. embassies in Tanzania and Kenya captured America's attention briefly, but it took an unprecedented attack on our homeland for the country to realize what Islamic extremists had long known: The United States was at war. And I think Mr. SAXTON did a very thorough and eloquent job of explaining the length and nature of this war. Every country was now a potential front and every city a battlefield in the enemy's war against Zionist crusaders and nonbelievers. Whether by design or not, Iraq has become the front in not only a physical war of attrition, but in the war of wills between free societies and Islamic jihadists who seek to destroy them.

The proponents of this flawed resolution prefer to ignore reality. They believe that repeating the mistaken belief that Iraq is not a central front in the war against Islamic jihadists will make that perception real. Unfortunately for those who hold this belief, the enemy, our enemy has a say in the matter. Al Qaeda's second in command, al-Zawahiri, in December 2006, made it quite clear where al Qaeda stands. In a video posted on jihadist Web sites, al-Zawahiri sent a clear message: "The backing of Jihad in Afghanistan and Iraq today is to back the most important battlefields in which the crusade against Islam and Muslims is in progress. And the defeat of the Crusaders there, soon, Allah permitting, will have a far-reaching effect on the future of the Muslim Ummah, Allah willing."

We have heard repeatedly that al Qaeda and the jihadist terrorists understand that Iraq is the central front in this war against radical Islam. Thankfully, the U.S. military leadership has also recognized this fact.

In his recent testimony before the Senate, General David Petraeus was asked if he believes that Iraq affects the overall war on terror. His response was clear and unequivocal: "I do, sir."

Clearly, there are elements of the greater al Qaeda network of international extremists that want something very different than most Iraqis want, and want something very different in that region and in the world.

Many mistakes have been made as our military, unparalleled in conventional strength and maneuver, has changed strategy and tactics to fight the counterinsurgency battle. In response to the frustration at the lack of progress felt by those in Iraq and at home, the American military demonstrated its greatest strength: the ability to adapt to new conditions on the ground and develop new strategy.

To those who have lived and studied the art of military strategy and tactics, the plan we debate this week, developed by American commanders in Iraq and here at home, represents a fundamental shift. In a study updated last week, Anthony Cordesman from the nonpartisan Center for Strategic and International Studies, declared that, "Much of the criticism of the new Bush approach has been unfair. The new strategy is considerably more sophisticated and comprehensive than the details the President could fit into his 20-minute address," or, I might add, Mr. Speaker, than I can include in this 10-minute address, "presuming it combines political, military and economic action in ways that do offer a significant hope of success."

But rather than acknowledge the comprehensive nature of the new Baghdad and al-Anbar security plan, opponents prefer to ignore the pleas of General Petraeus to provide him with the troops necessary to turn the security situation in Iraq's capital city around. Instead, they pat him on the back, wish him "Godspeed" in his endeavor, and then promptly move to deny him that which he has requested and needs to succeed. As a Vietnam veteran, I cannot in good conscience watch as Congress once again undercuts the morale of those in uniform.

I will not stand idly by and watch others resurrect the ghost of that painful conflict, and we have heard it resurrected many times this day, Mr. Speaker, without acknowledging the slaughter and humanitarian disaster that resulted from the fall of Saigon. And it was a humanitarian disaster. Millions died. Just as in 1974, decisions we make today in this body will have consequences for entire nations and generations to come. History stands ready to judge the wisdom of this body, its ability to learn from past mistakes and its ability to comprehend the ramifications of its actions. In spite of countless warnings, I fear we will come up short in the eyes of posterity.

Opponents call for the administration to heed the advice of its generals, only to reject the commanders' pronouncement when such states are at odds with their own misguided perceptions. They criticize the "cherry-picking" of prewar intelligence, and then proceed to do just that, while reading the most recent National Intelligence Estimate, choosing to ignore the dire warnings of the Intelligence Community's most authoritative written judgments on national security issues.

But to those who criticize this new security plan and offer no solutions for success, only demands for capitulation, we must demand that they answer a vital question they choose to ignore: What will happen if the Iraqi Government does not succeed and we withdraw prematurely?

One critic of the administration's handling of Iraq, a very vocal critic, and a man who I knew and admired throughout my Marine Corps career, retired General Anthony Zinni, the former commander of Central Command, spelled it out bluntly when he noted that, "We cannot simply pull out, as much as we may want to. The consequences of a destabilized and chaotic Iraq sitting in the center of a critical region in the world could have catastrophic implications."

☐ 2115

The recent National Intelligence Estimate was even more specific in its analysis. If the United States were to withdraw rapidly, the Iraqi security forces would likely collapse, neighboring countries might intervene openly in the conflict; massive civilian casualties and forced population displacement would be probable; and al Qaeda in Iraq would attempt to use parts of the country to plan increased attacks in and outside of Iraq.

It seems pretty clear to me, Mr. Speaker, what we are debating here is success or failure.

Let us not support that catastrophe. Let us not promote a humanitarian disaster which is almost unimaginable. Let us support success in Iraq. Let us support the new commander in Iraq and give him what he needs to succeed in this mission.

Mrs. TAUSCHER. Mr. Speaker, I am happy to yield 5 minutes to my friend and colleague, the gentlewoman from Wisconsin (Ms. BALDWIN).

Ms. BALDWIN. Mr. Speaker, I rise in support of this resolution expressing disapproval of the President's decision to escalate the war in Iraq.

During the past 4 years, I have embraced, stood by, and prayed with Wisconsin families as they said their last goodbyes to their brave sons and daughters and husbands and wives. Those fallen soldiers have served with the utmost loyalty and courage, trusting decision-makers in Washington, the President, his administration, and this Congress to do the right thing. Like almost all of my colleagues, I have visited with wounded troops at Walter Reed and at home and joined with families and communities to send troops off to war and to welcome them back home. All of them, all of them, the dead, the wounded, the deployed, the returned, and their families, deserve political leaders who will make decisions worthy of their enormous sacrifice. Mr. Speaker, we have fallen well short of that goal, and we will only honor their sacrifices when we acknowledge this and end the war.

I want to review just some of the things that we now know. We all know that this is a war of choice, not a war of necessity. We all know that Iraq posed no imminent danger to America that would justify what this administration called a "preemptive" war. We all know that Iraq had nothing to do with the tragic September 11 attacks that our Nation suffered. We know that few in the world stood with America as we undertook this nearly unilateral war. And we now know that our war in Iraq has diverted our attention and our resources from efforts to combat terrorist threats to our Nation.

And beyond that, we know now that worldwide resentment of our military presence in Iraq has become a central recruiting tool for terrorist organizations worldwide. Therefore, we know that this war continues to make America less safe and more vulnerable.

What else do we now know? We now know that the planning and execution of this war was wrought with enormous miscalculations. We know that more than 3,000 American servicemembers have lost their lives in Iraq, and we know that between 56,000 and 61,000 Iraqi civilians have been killed since the war began. And based on polls released Monday, we know that 68 percent of Americans disapprove of the President's handling of this war.

Mr. Speaker, I was among the first group of House Members to speak out against the prospect of going to war in Iraq, and I voted against authorizing the use of force in Iraq; and as an early and consistent critic of the war, I understand the importance of offering a new course in Iraq. We must bring an end to our military occupation and replace it with a program of humanitarian relief, rebuilding political stabilization, and diplomatic engagement. We must participate in a robust regional diplomatic effort, including direct discussions with Syria and Iran, to promote stability in Iraq. And I think that this effort will be well received by Iraq's neighbors because regardless of whether these countries are close allies of the United States or not, Iraq's neighbors have more to gain if Iraq is stabilized and more to lose if it is not.

We must also heed the advice of many, including the Iraq Study Group, and acknowledge that other conflicts in the Middle East require our attention and leadership if the region is to achieve lasting stability. Therefore, we must also initiate a new push for Arab-Israeli peace. I believe that Congress has not only the right but the responsibility to assert its constitutional role as a co-equal branch of government in overseeing the conduct of this war and bringing it to an end. In doing so, I believe all options, including using the power of the purse, should be on the table.

The United States is the lone superpower in the world today. And along with that awesome power comes responsibility to humankind. America's reason for maintaining its superpower status must be to export the best of our democratic system of governance and the hope of the American Dream to the rest of the world. But these cherished ideals cannot be exported through force. We must teach and lead by example

Mr. Speaker, I rise in support of this resolution expressing disapproval of the President's decision to escalate the war in Iraq.

During the past 4 years I have embraced, stood by, and prayed with Wisconsin families as they said their last goodbyes to their brave sons and daughters, husbands and wives. Those fallen soldiers have served with the utmost loyalty and courage, trusting decision-makers in Washington—the President; his administration and this Congress—to do the right thing. Like almost all of my colleagues, I have visited with wounded troops at Walter Reed and at home, and joined with families and communities to send troops off to war and to welcome them back home. All of them, all of them—the dead, the wounded, the deployed, the returned, their families—deserve political leaders who make decisions worthy of their enormous sacrifices. Mr. Speaker, we have fallen well short of that goal, and we will only honor their sacrifices when we acknowledge this and end the war.

I want to review just some of the things that we know. We all know that this is a war of choice, not a war of necessity. We all know that Iraq posed no imminent danger to America that would justify what this Administration called a "pre-emptive" war. We all know that Iraq had nothing to do with the tragic September 11 attacks that our Nation suffered. We know that few in the world stood with America as we undertook this nearly unilateral war. We now know that our war in and occupation of Iraq has diverted our attention and our resources from our multi-faceted efforts to combat terrorist threats to our Nation and its allies. And beyond that, we now know (based upon last year's declassified intelligence estimates) that worldwide resentment of our military presence in Iraq has become a central recruiting tool for terrorist organizations worldwide to increase their ranks. Therefore, we know that this war continues to make America less safe and more vulnerable as long as it persists.

What else do we now know? We now know that the planning and the execution of the war following our invasion were wrought with enormous miscalculations. We now know that billions of U.S. taxpayer dollars have been lost or squandered through no-bid contracts, lack of accountability measures and lack of Congressional oversight under the previous Republican majority. We know that more than 3,000 American servicemembers have lost their lives in Iraq. We know that between

56,000 and 61,000 Iraqi civilians have been killed since the war began. And, based on polls released Monday, we know that 68 percent of Americans disapprove of the President's handling of the war in Iraq and 72 percent of Americans believe that things are going badly in Iraq.

The situation in Iraq today has variously been called an all-out civil war or more simply a state of chaos.

For years many Americans, including many members of this Congress from both parties, gave this war a chance. It is time for this administration to give peace a chance. It is time for the President to pay attention to the vast yet still growing majority of Americans that want us to get out of Iraq.

Mr. Speaker, I was among the first group of House Members to speak out against the prospect of going to war in Iraq. I voted against authorizing the use of force in Iraq, and as an early and consistent critic of the war, I understand the importance of offering a new course in Iraq. Many of my colleagues have introduced bills that would redeploy our troops in a responsible manner within a reasonable time frame, while focusing on aggressive diplomatic efforts to stabilize the Middle East. A number of these bills and resolutions establish concrete benchmarks for the Iraqi government. It is long overdue for this Administration to start paying attention to these alternative proposals, that chart a new course in Iraq. I believe that we must redefine our mission in Iraq. We must bring an end to our military occupation and replace it with a program of humanitarian relief, political stabilization,and diplomatic engagement. We must participate in a robust regional diplomatic effort, including direct discussions with Syria and Iran, to promote stability in Iraq. And I think that effort would be well received by all Iraq's neighbors, because regardless of whether these countries are close allies of the United States, or not, Iraq's neighbors have more to gain if Iraq is stabilized and more to lose if it is not.

We must also heed the advice of many, including the Iraq Study Group, and acknowledge that other conflicts in the Middle East require our attention and leadership, if the region is to achieve lasting stability. Therefore, we must also initiate a new push for Arab-Israeli peace.

I believe Congress not only has the right, but the responsibility, to assert its constitutional role as a co-equal branch of government in overseeing the conduct of this war and bringing it to an end. Our Constitution explicitly authorizes Congress the power to declare war and to raise and support armies. If Congress is given the power to make wars, we must also exercise our power to end wars. In doing so, I believe all options, including using "the power of the purse," should be on the table.

The United States is the lone superpower in the world today. Along with that awesome and unprecedented power comes responsibilities to humankind. America's reason for maintaining her superpower status must be to export the best of our democratic system of governance and the hope of the American Dream to the rest of the world. But these cherished ideals can't be exported through force. We must teach and lead by example.

Mr. Speaker, while I support the resolution, I strongly believe Congress needs to do more to represent the will of the people and pursue all options that would lead to an end to this occupation and this war.

Mr. HUNTER. Mr. Speaker, I would like to yield 10 minutes to the gentleman from Missouri (Mr. AKIN) and note that he has a son who has served as a U.S. Marine in Iraq.

Mr. AKIN. Mr. Speaker, we come here today, we have spent most of the day on this, to discuss a resolution. It has two parts. The first says that we support our troops, and the second says that we are opposed to the mission that the troops are sent on.

Now, the problem with the resolution is that it is self-contradictory right up front. If we were going to say we are supporting our troops, we would give them body armor. We would give them up-armored Humvees. We would give them tanks. But would we withhold the most important in our arsenal and that is other American fighting men and women? So to say that we are going to support our troops, but we are not going to send them any reinforcements is on the face of it contradictory. Could you picture Davy Crockett at the Alamo looking at his BlackBerry, getting a message from Congress: Davy Crockett, we support you. The only thing is we are not going to send any troops. I am sure that would really be impressive to Davy Crockett.

The second problem with this resolution is that it really misses the job of what Congressmen should be doing. Look, I am an engineer by training. If we are about to make a mistake or we are doing something wrong, I am open minded to my Democrat colleagues saying to me, TODD, we are going down the wrong path. That is a bad idea. You should do it this way instead. I was always trained that if you are ready to criticize somebody, you at least offer an alternative. But the problem with this nifty little resolution is that it says we support the troops, but we are not going to give them any reinforcements, and then it is blank. There is no recommendation. There is no leadership. They are just saying we are going to stand on the sidelines and say, It won't work. But don't we owe our soldiers something positive, something specific, a positive recommendation?

The Democrats have been elected to majority. That means leadership. That means if you have got a better idea, put it on the table; but if you don't, shut up and don't undermine the morale of our troops and encourage our enemies. That isn't very helpful.

Now, I have heard people talking about the fact that this is a civil war. This isn't a civil war. If we leave, it will be what is a real civil war. Right now there is a lot of ethnic clashing and violence, and what is that caused by? Guess what, terrorists. They said they are doing it intentionally. They blow up a holy place of the Shias, and the Shias react and they go shoot up a bunch of Sunnis, and so, yes. But who started all of this? Well, of course, it is the terrorists. It is their intention. And do we think if they can destabilize Iraq by fomenting strife between racial groups that they won't take the same strategy to the other barely stable nations in the Middle East, nations where you have a Sunni leadership and a Shia majority? Are they not going to do the same? Or are you going to say, oh, but it is a civil war, so we can wash our hands of it, it is nothing to worry about?

Now, we had the ambassadors to Egypt and to Jordan, and they pleaded with us today, do not rapidly withdraw your troops. So we started to ask, well, what would happen if we were to do this? Well, nobody knows. But there is one thing we can kind of assume. All the way through history, the history of mankind, whenever there is anarchy, it lasts but a short time; and it is immediately filled with some kind of very strong dictator. Now, do we think that the dictator is going to be a moderate, reasonable sort of guy, or if we pull out of Iraq immediately, is it not likely that we are going to get an Islamoterrorist dictator? I think that that makes at least some sense. So then now what do we have? Now we have Iraq with the oil money supporting it, with this crazy dictator spreading this same kind of radical Islam all over the Middle East. That is a minimum for the scenario of what we are potentially looking at if we rapidly withdraw.

Now, it seems to me that all of us, as Americans, need a little bit of a direction check. And I think sometimes when we need direction, it is helpful to look at the people who came and founded this great Nation before us. And so I go back to a question that I ask audiences, not only school kids but adults. I ask them, What is it that makes America so unique and so precious? If you take America like an onion and take all the outer layers off, when you get down to the heart, what makes us who we are as a people? And invariably I hear the word "freedom." But that is not quite sufficient because it isn't quite complete. You see, the people at Tiananmen Square, those little kids in college, wanted freedom, but they greased the treads of Chinese tanks. Just because you want freedom doesn't mean you can have it.

There was more to what our Founders understood, and they set it forth before we embarked on our first war as a Nation eloquently in our Declaration of Independence. It says: "We hold these truths to be self-evident." Rather flowery language. Any idiot should know this: "That all men are endowed by their Creator with certain unalienable Rights, that among these is Life, Liberty, and the pursuit of Happiness." And our job in government is to protect those God-given rights. It is not just an idea; it was a conviction. People say ideas have consequences. Many idiots have ideas, but an idea that you die for has consequences. And this idea was powerful. It is the engine that has driven America. It has guided us in times of war because we will say, yes, we believe there are certain fundamental God-given rights that all people are given.

And that is what I taught my son when he was a little kid. Here he is with the Marine Club, just a little guy, saluting Old Glory with a whole bunch of little kids in some motley uniforms they bought from the used equipment store for military services. Here he is posing just as proud as can be. Founder of the Marine Club, taught, taught that there are some things in this world that are worth dying for, and those convictions are the fact that God gives us life and liberty and the pursuit of happiness. And I believe America still believes that.

There is the little marine. He has grown up now. That is the cache of terrorist arms that was found in Fallujah. That is the gang that he had the proud opportunity to lead as a second lieutenant in Fallujah because he believes that there is nothing particularly strange for us to be fighting terrorists.

Why would it be so odd for us to fight terrorists? What do terrorists believe? They believe that you blow up innocent people. What do we believe? That life is a gift from God.

□ 2130

What do terrorists do terrorism for? To take your liberty away, to compel you to do something you don't want to do, to make women into slaves, to take away people's freedom, to take away your liberty. That is what terrorism is for, and that is fundamentally against the idea that God made people to be free. That is why he fights.

That is why America has always fought. There is nothing weird or unusual about this. Is it worth fighting terrorists? Is it worth risking your life for freedom? I taught my son yes. When I went over to visit him, together we reaffirmed what we were doing in Iraq.

What? Is it so unusual that we have a debate about whether we should be going to war or not? That very first war was over the Declaration of Independence. There was a gentleman from Virginia who said, What has there been in the conduct? But perhaps maybe we could adjust his words.

What has there been in the conduct of the terrorists that gives us any room for hope? The terrorists say the only good Jew is a dead Jew, the only good Christian is a dead Christian. That doesn't leave you a lot of room for negotiation.

If we want to stay free, we must fight. Millions of Americans that are armed in the holy cause of liberty are invincible by any force which the terrorists may send against us. A just God presides over the destinies of nations. Is life so dear or peace so sweet as to be purchased at the price of the terrorists running the world? Forbid it, Almighty God.

I know not what course others may take, but as for me, and as for my son, we will choose liberty.

Mrs. TAUSCHER. Mr. Speaker, I yield 5 minutes to my friend, colleague, and neighbor from California (Mr. McNERNEY).

Mr. McNERNEY. Mr. Speaker, the young men and women who joined the Armed Forces after 9/11 out of a sense of duty and love for our country are just like my son Michael, who joined the military because of those terrible attacks. I am proud and heartened by their commitment to service and patriotism, just as I am proud of my own son's commitment, and I am concerned about their safety and well-being, just as I was about Michael's when he was in the service.

When I talk about supporting our troops, it is not rhetorical, it is personal. And it is with great sadness and steely resolve that I stand up here tonight on the issue of Iraq and the President's plan to escalate that conflict. I am saddened because the misguided and mismanaged conflict has become a tragic disaster and a genuine threat to Mideast stability and global security. The escalation will cause more violence in the Middle East and will weaken our Nation.

I am resolved, because it is our duty as the Congress of this great Nation to check and balance the power of the President on any issue we believe harmful to this country. This administration insists on finding a military answer rather than changing this failed approach and pursuing the diplomatic and political solutions necessary to bring an end to the violence.

Unfortunately, the President's plan to escalate the war in Iraq will not bring success there, nor make the United States more secure. In fact, the proposal means a further distraction from the mission in Afghanistan and the need for a tougher, smarter approach to the global war on terrorism. The President's proposal puts more U.S. lives at risk, further stretching the readiness of our ground forces and increasing the drain on our Treasury.

President Bush's plan is opposed by military experts, by Republicans and Democrats in both Chambers of Congress, and by the vast majority of our country. That is why I rise in strong support of the resolution under consideration in this body.

The resolution has two straightforward provisions: continuing support for those American soldiers who have served or are currently serving in Iraq; and disagreeing with the President's plan to escalate the conflict.

Supporting our troops is my top priority, not just because it is our duty and responsibility, but because it is personal to me and my family.

Recently the Washington Post reported that the Marine Corps and Army brigades that would be sent to Iraq under the President's plan are short of body armor, vehicles, and other important equipment. That shows just how desperate the President's misguided plan is. Military action should never be executed in desperation.

We must transfer the responsibility for establishing and maintaining law and order on the streets of Iraq to the Iraqis. Training those Iraqi units must be done outside of Iraq. This will mean more troops trained more quickly and will lessen the likelihood that Iraqi army and police turn to dangerous militias and death squads.

The members of our Armed Forces who have served in Iraq have done so, bravely and honorably. Unfortunately, the President's strategy in Iraq has not matched the commitment with which our troops have served in that country.

We must begin a responsible redeployment of our troops out of Iraq on a public timeline that makes sense, while pursuing political and diplomatic solutions. Yet the President has steadfastly refused to engage in the political and diplomatic efforts necessary to bring a resolution to the violence in Iraq.

Both Republicans and Democrats agree that we need a new direction in Iraq. I will continue to push for that new direction while always putting our troops first.

This resolution is an important first step. I stand with resolve in opposing President Bush's plan for an escalation in Iraq

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. AL GREEN of Texas). The Chair will remind all persons in the gallery that they are here as guests of the House and that any manifestation of approval or disapproval of proceedings or other audible conversation is in violation of the rules of the House.

Mrs. TAUSCHER. Mr. Speaker, I am happy to yield 5 minutes to the gentlewoman from Oregon (Ms. HOOLEY).

Ms. HOOLEY. Mr. Speaker, I thank my colleague.

Mr. Speaker, I rise today to join the discussion on Iraq that is taking place in this Chamber, across this country, in classrooms, coffee shops, living rooms and across back fences. This resolution asks whether the House of Representatives believes with regard to the war in Iraq that doing more of the same is a correct strategy to adopt.

Since this war began, 3,125 American soldiers have died and 23,417 have been wounded. There have been over 100,000 Iraqi casualties and nearly $500 billion has been spent. We have tried troop surges before in this war and we have seen the results. In November of 2004, the United States increased the troop levels by approximately 18,000. And guess what happened? Insurgent attacks went up by 17 percent. Did that surge work? No.

In June of 2005, we increased troop levels again, this time by 21,500 troops. Guess what happened? Insurgent attacks went up 29 percent. Did that surge work? No.

If we allow to surge troop levels again, by how much can we expect insurgent attacks to rise this time? Einstein once suggested that insanity is doing something over and over and over again and expecting different results.

Mr. Speaker, I voted against going to war in Iraq, but ever since the President committed our first soldier, I have done everything in my power to support our troops and give them equipment to keep them safe. Our warrior soldiers have done everything we have asked of them and more, and I remain committed to our troops until the very last soldier leaves Iraq, and I will do whatever it takes to protect our soldiers. But putting an additional 37,000 American troops in harm's way when there hasn't been a change in strategy is not how we as a country support our troops.

Last November, the American people spoke loud and clear. They said that the current tactics in Iraq weren't working and they don't support more of the same. An escalation of troops will not quell the violence, but will lead to increased violence, more American casualties and a further destabilized Iraq.

There is a moment when wisdom requires change, and I believe that the time has come to say enough is enough. America's military involvement in Iraq needs to draw to a close and it is time for the Iraqi people to assume control over their own country.

I strongly urge my colleagues to join me in voting "yes" on this resolution.

Mr. HUNTER. Mr. Speaker, to complete this triad of veterans' fathers, fathers of sons who have served in Iraq, is JOE WILSON, whose son Alan has received the Combat Action Badge for service in Iraq and the Palmetto Cross, which is a high award for the National Guard in South Carolina, and who has a son in the Signal Corps, Julian, a doctor in the Navy, and a son Hunter, a well-named son, Hunter, in the ROTC.

The reason I am going through these members of the Wilson clan, Mr. Speaker, is because inspired by his wife Roxanne, all these young men are serving in the military, and if the Wilson family does not re-up, we are in trouble.

I yield such time as he may consume to the great gentleman from South Carolina, JOE WILSON, to follow that wonderful presentation by Mr. AKIN.

Mr. WILSON of South Carolina. Thank you, Congressman HUNTER, for your leadership for our troops and for your son's service in Iraq.

Mr. Speaker, I rise today in support of our men and women serving in the United States Armed Forces and in opposition to House Concurrent Resolution 63, a resolution that claims to support the troops but opposes reinforcements. To truly support our troops, we must provide the equipment and sufficient personnel requested by their commander, General David Petraeus.

I believe that we must triumph in the global war on terrorism, that victory in Iraq is the only option, and that America's survival is at stake. My convictions are deeply derived from personal experience and from historical perspective.

My concerns have been developed as a member of the Armed Services Committee, through which I have visited Iraq six times, as a 31-year veteran of the Army Reserves and Army National Guard, and as the proud parent of an Iraq veteran.

Less than a year after the war in Iraq began, my eldest son, Captain Alan Wilson, was deployed across Iraq, where he served honorably for 1 year. Alan worked for young girls to be able to attend schools. He has been a trusted military advisor to me regarding life on the front lines in Iraq. Alan today continues to serve in the South Carolina Army National Guard.

In addition to Alan, my younger three sons are also in the military. My wife Roxanne and I appreciate their dedication to protecting American families.

The decision to support continued efforts in Iraq is not one I made lightly. In the end, however, it is the only viable solution. Retreat is not an option. Defeat is not an option. There is no end but victory.

I was truly transformed by September 11th, and I live with its ramifications every day. I sincerely believe we are faced with fighting the terrorists overseas today, or we will face them in the streets of America tomorrow.

The attacks of September 11th were not isolated, random events. Our enemy is highly intelligent, well financed, and committed to the destruction of our freedoms.

Terrorists have declared war on the American people. We have a choice of opposing them overseas or fighting them again here in America. The concept that America's retreat in Iraq will bring an end to sectarian violence and terrorist activity in the region ignores history. Premature retreat will embolden the enemy and make us more vulnerable to attacks.

□ 2145

We have seen it happen before. Withdrawals from Beirut and Mogadishu led to the 1993 World Trade Center attack, the 1998 embassy bombings across Africa, the 2000 bombings of the USS *Cole* and ultimately September 11, 2001.

Al Qaeda has openly stated Iraq is the central front in the war on terrorism. Osama bin Laden himself has said, "The issue is big and the misfortune is momentous. The most important and serious issue today for the whole world is this third world war. I say to you that the war will be won either by us or by you. If it's the former, loss and disgrace will be your lot for all eternity, and, Allah be praised, this is the way the wind is blowing. If it is the latter, you should read the history books. We are a Nation that does not remain silent over injustice, and we will seek blood vengeance all lifelong. Not many days and nights will pass before we take blood vengeance, like we did on 9/11," end of quote of Osama bin Laden.

We ignore bin Laden's words to the peril of American families.

All of this is not to say that Members of Congress do not have an obligation to question foreign policy. As elected public officials, it is our duty to do so. If by conscience one disagrees with our direction, he or she has a responsibility to put forth an alternative plan.

An alternative plan, however, is not what we are debating today. Instead, the Democrat leadership has put aside 36 hours of debate for a resolution that provides no substantive solutions.

Our men and women in uniform deserve better. Their families deserve better. These men and women deserve to know that America supports them, that Congress will provide requested equipment and personnel, and that we are all committed to their victory.

There is no magic bullet, no cure-all pill, but the fact remains that we must endure. The stakes are too high, the consequences of defeat too catastrophic. As men and women elected to represent our constituencies and provide for their well-being, it is our responsibility to look out for the safety of American families.

In conclusion, God bless our troops. We will never forget September 11. Our thoughts and prayers are with the late Congressman CHARLIE NORWOOD, his wife, Gloria, his family, his staff and his constituents.

Mrs. TAUSCHER. Mr. Speaker, I am happy to yield 6 minutes to my friend and colleague from Tennessee, the gentleman from Tennessee (Mr. COOPER).

Mr. COOPER. Mr. Speaker, I disapprove of the President's January 10 decision to surge 20,000 new troops into Iraq. I urge my colleagues to support the resolution.

Mr. Speaker, although the President says that the 20,000 new troops constitute a change in his strategy, all I am seeing are a repeat of the same failed policies of the past. America has sent additional troops to Iraq before, several times, without result. America has tried to work with the Maliki government, and it has not been very successful.

Mr. Speaker, we have to admit that this approach is not working. The President himself has admitted that his patience is running out with the Maliki government. It is really just a question of whether Congress should try to force President Bush and Vice President CHENEY to change course now or whether they will do it several months from now. I say that the time for change is now.

It is true that Congress has no business micromanaging a war. No one here in Congress is Commander in Chief. It is also true that we must not shirk from our responsibilities to support our brave men and women in uniform, and we need to support the brave Iraqis who have stood with us and the good people of the region, but we do deserve a better strategy. More of the same is just not good enough, either for our soldiers or for the good people of the region.

President Bush, we have to admit, has shown a distressing stubbornness regarding Iraq. Although former Secretary of Defense Donald Rumsfeld offered to resign twice due to his own embarrassment with his failures, President Bush refused to accept his resignation for years, and finally only accepted it the day after the last election. Colleagues on both sides of the aisle know that if the President had accepted that resignation earlier, not only would Pentagon policy have been different; the core of the war might well have been different.

I think that the President needs a nudge now, and this resolution will offer it. True, it is nonbinding, but that is a good thing. Congress is not cutting off money for the troops, nor should we. We are sending a message to the President.

Now, I will admit that it is a shame that we do have to do it this way; but on this issue, the President has refused to heed the advice of so many of his own top generals, of his own father, of the Iraq Study Group, of our few remaining allies, or of the leadership of this equal branch of government. It is also a shame that today in America there is a widespread fear that the President could even be establishing the preconditions for war with Iran. Regardless of that situation, I hope that this resolution will curb any reckless behavior.

Finally, why is a change in strategy necessary now? Iraq appears to be descending into a civil war that neither Congress nor the Pentagon predicted. Defense Secretary Gates has described no less than four separate conflicts going on in Iraq today. That has led stalwart Republicans like Senator John Warner, the former chairman of the Senate Armed Services Committee, to question whether the 2002 authorization to use force in Iraq is even still valid today. American influence in the region has substantially diminished, while the influence of Iran has increased. It is time for a change.

Mr. Speaker, I agree with the original judgment of CENTCOM commander General Abizaid who testified before Congress not long ago, and he said, "I do not believe that more American troops right now is the solution to the problem. I believe that the troop levels need to stay where they are."

General Abizaid went on to say, "I met with every divisional commander, General Casey, the corps commander, General Dempsey, we all talked together. And I said, 'In your professional opinion, if we were to bring in more American troops now, does it add considerably to our ability to achieve success in Iraq?' And they all said no." That is quoting General Abizaid.

Mr. Speaker, I would have been more inclined to support the President if he had asked for a much larger number of troops or for a sacrifice on the part of all Americans who do not have a loved one in our military. Such proposals would have led me to believe that the President was considering a serious change in strategy, but the President has not recommended either.

Instead, he has consistently violated the so-called Powell doctrine by not waging war with an overwhelming military force, a clear objective, or a defined exit strategy. From the beginning of this conflict, we have skimped on the number of troops, the equipment for our soldiers, the commitment of our allies. It is simply too late to add on a few thousand more troops now.

Our brave troops and their families in the all-volunteer military have carried the entire burden of this war. Wall Street and Main Street have not been asked to help. Where are the war bonds to pay for this war? We have not even tried to pay for it. We have borrowed most of the money from nations like China. Policies like that do not make the Nation more secure.

Mr. Speaker, in conclusion, Congress has already given the President more time to fight this war than it took to win World War II, more money than was spent in Korea and Vietnam, and the unfettered use of the finest military in history. We are spending more on our military than every other nation in the world combined, and yet we are bogged down in a Third World country embroiled in its own civil war. At this point in time, it is not unreasonable for Congress to say enough is enough. Voters certainly said so clearly in the last election.

Mr. HUNTER. Mr. Speaker, I yield myself 1 minute just to respond to my friend from Tennessee.

Let me just point out that we are spending roughly 4 percent of GDP on defense at this point. President Ronald Reagan spent 6 percent. President John Kennedy, 9 percent. Operations in the war against terror are not bankrupting this country.

With respect to the group of allies that the gentleman called our few remaining friends, I am reminded that there is a number of them like Poland and Moldavia and Herzegovina and Georgia and Bosnia and Azerbaijan and Armenia and Albania, lots of little countries that used to be behind the Iron Curtain or in the case of El Salvador, in what was called by the Democrat Party the unwinnable war in Central America in Salvador, those countries, which themselves were the beneficiaries of an American policy of expanding freedom are standing with our country in this operation in Iraq.

Mr. Speaker, I yield as much time as he may consume to the gentleman from California (Mr. CALVERT), who is a member of the Armed Services Committee.

Mr. CALVERT. Mr. Speaker, I rise today in opposition to the resolution offered by the majority expressing the disapproval of President Bush's decision to deploy more than 20,000 additional troops to Iraq.

This resolution, in my opinion, is nothing but politics. Opposition to a plan is not a plan. This resolution is using our service men and women in a debate that does not address policy. If this was an earnest debate about the administration's proposal, then the majority would have offered a bill that answers two pertinent questions: What is success, and how do we achieve it?

Instead, we stand here debating a bill that opposes sending reinforcements to Iraq. There are no amendments allowed, and there is certainly no plan offered in this bill.

In fact, this debate is incredibly ironic since many of those on the other side of the aisle were calling for more troops not too long ago. Once again, the debate was not about success, but about opposition to the administration's vision.

Let us talk about policy. First, nostalgic thoughts and longing for the times before the U.S. entered Iraq are not useful nor can they be used as a vision for the future. We are in this war. We must win. Anything less than an honest discussion on how to proceed forward is a disservice to this Nation and to our military.

Second, if our policy is to support a stable Iraq, then we must employ a strategy to achieve that goal. The President and our military commanders have stated that in order to fulfill that policy objective, Baghdad must be secured. In order to secure Baghdad, the Iraqi security forces need more American troops to reinforce their operations. President Bush agreed to this on the condition that the Iraqis lead the fight and that the

Iraq Government take more responsibility for securing their country.

If the majority party disagrees with this policy objective and the strategy to achieve it, then I ask them, what is their policy objective, and how do they plan to achieve it? I have yet to hear a consensus from my friends on the other side of the aisle on what they believe our policy should be. They certainly cannot suggest that this resolution even faintly resembles a plan or vision for a successful resolution to the current conflict.

I will tell you what the debate is. It is a sound bite. It is a quick and easy way to feed the defeatists in this country. More than anything it is a disappointment. The majority would rather score political points than have a real discussion on the most important question of this generation, how to win the war against our enemies and keep our country safe.

We should be asking ourselves, what would failure in the Middle East mean?

Our enemies have stated that they believe that Western Civilization is rotten to the core. Unless we get out of the Middle East entirely and convert to Islam, we will always be their enemy. In chapter 2 of the 9/11 report, the authors answer what the terrorists want from America:

"To the second question, what America could do, al Qaeda's answer was that America should abandon the Middle East, convert to Islam, and end the immorality and godlessness of its society and culture."

Al Qaeda is closely watching Iraq, sending fighters and weapons and doing most everything in its power to bring about an American retreat. If we leave Iraq before it is secure, what will that do to our enemy, an enemy who has already stated that they seek to destroy us not for being in Iraq but for being in the Middle East and for being non-Muslim?

An American failure would bolster al Qaeda and every other terrorist organization in the world. It would give them a reason to believe that they can win and that it could give them confidence so they could surely breach our shores one day. It would let them believe that their plan, a plan to destroy Western culture for its godlessness, is correct.

As 9/11 taught us, warfare is no longer limited to the enemies within our region. Geographic boundaries and long distances do not keep us safe.

□ 2200

An enemy encouraged by a retreat in Iraq will be close to our heels. That is exactly why we must stay and confront our enemies.

So how is this enemy, who is at a military and financial disadvantage, seeking to win? They simply studied a little American history. Both Osama bin Laden and al-Zarqawi have referenced the Vietnam conflict in forming their strategy to defeat us.

Many in this body often rush to compare this conflict with Vietnam, and in one respect it is very similar: both enemies understood the way to victory was through American politicians. If they can weaken the American political will, they knew they could achieve victory. The majority often invokes the number of our war dead as the reason to leave or the fact that this conflict has gone longer than our involvement in World War II. These arguments play right into the hands of the enemy and their propaganda machine.

What people don't seem to understand is that we cannot fall into the trap of comparisons, or we risk losing sight of what our men and women in the Armed Forces need from us: they need our support. They need a coherent policy and strategy that does not make politics the long pole in the tent.

Courage to do the right thing is not always easy. I will not abandon those who have fought and given their lives in this conflict. I will not abandon the Iraqis who long for peace. Instead, I support the President's call for more troops. I believe it is the right thing to do. It is illogical to say you support the troops that are there, but not the reinforcements that they need.

In closing, I would like to remember those who have lost their lives to the acts of terrorism:

The Beirut embassy and Marine barracks bombing in 1983; the bombing of Pan Am 103, 1988; the first bombing of the World Trade Center in 1993; the bombing of the AMIA Jewish Community Center in Buenos Aires in Argentina in 1994; the bombing of the Khobar Towers in Saudi Arabia 1996; the bombings of the U.S. embassies in Kenya and Tanzania in 1998; the bombings of the USS Cole in Yemen in the year 2000; the attacks on New York City and the Pentagon, September 11, 2001; the Madrid train bombings, March 11, 2004; the London bombings, July 7, 2005.

Do not doubt that if they were given the chance, our enemies would come in this Chamber tonight and kill us all.

This resolution is not a solution. It is nothing but doubt, fear, and weakness. I urge my colleagues to vote against this resolution and stand up for victory.

Mrs. TAUSCHER. Mr. Speaker, I yield 7 minutes to my friend and colleague, the gentleman from New York (Mr. ISRAEL).

Mr. ISRAEL. I thank the gentlewoman.

Mr. Speaker, I want to begin by setting the record straight. I have heard my friends on the other side talk about this resolution as calling for withdrawal, as calling for retreat. There is nothing in this resolution that says withdraw; there is nothing in this resolution that says retreat; there is nothing in this resolution that says exit.

What this resolution says is that we support our troops, and we do not believe that it is a good idea to add 20,000 more troops to a policy that has not worked.

In October of 2002, I voted to authorize the use of force in Iraq. I believed then, as I believe now, that the Middle East is a dangerous place and that you have to use a combination of hard power and soft power to help change the trajectory of the Middle East from a place that teaches kids how to blow things up to a place that teaches kids how to put things together.

In January of 2005, I visited our troops in Iraq, and I remember sitting with General Casey and asking him, How many foreign fighters are here and how many insurgents? And at that point, January 2005, the General said, Congressman, there are about 500 foreign fighters and there are about 5,000 insurgents. And so what to do? We committed more force to try and solve that problem.

And then I went back to Iraq in April of 2006, 15 months later, and I asked General Casey, How many foreign fighters are there and how many insurgents? And General Casey said, Congressman, there are 5,000 foreign fighters, there used to be 500, now 5,000; there used to be 5,000 insurgents, now there are 20,000 insurgents. And so what did we do? We threw in more force.

And now a year after that we stand here debating a resolution on whether we should commit another 20,000 troops to a mission that is poorly planned, from a military that has been strained by that poor planning and that is ill conceived.

Now, I want to be very clear, Mr. Speaker. If the President of the United States asked me to support additional troops into Afghanistan tonight to find Osama bin Laden, who by the way was the one who killed over 100 of my constituents, or to stop the resurgence of the Taliban, which by the way was the group of people who really gave aid and comfort to the enemy, I would vote for that tonight. I absolutely would vote for that tonight. But this decision by the President to put 20,000 more people into Iraq is the wrong number at the wrong place at the wrong time.

Mr. Speaker, during this debate I have heard my colleagues talk about the messages that we are sending our troops and how it will affect their morale, and I have an obligation as somebody who supports our military to suggest that if we had given our troops uparmor for their Humvees, Kevlar for their vests, night-vision goggles that work, and consistent rotations, their morale would be much better.

Our troops are not afraid of democracy being waged on the floor of the House of Representatives. And, in fact, on the chance that our enemies are listening to this debate, let me suggest that this debate doesn't give aid and comfort to our enemies. It tells our enemies what democracy is about. So for our enemies who may be listening: welcome to democracy. This is what it sounds like, this is what it looks like, and this is what we are willing to fight for.

What our servicemembers deserve to hear is the truth. What they deserve is a government that confronts reality rather than simply hoping for the best. So here is the truth, Mr. Speaker: somewhere between those who believe that we can stay the course in Iraq indefinitely and those who believe that we should leave Iraq tomorrow is the painful truth. The truth is that neither of those options will work.

Now, if you agree with me that that is the painful reality, then you are left with a hard choice: add 20,000 troops to continue the administration's ineffective plan, or try something different. 20,000 additional troops to Iraq, or rebuild our readiness here at home to deal with the growing challenges of Iran or naval expansion in China or genocide in Darfur or the other dangers in the world. Hold the Iraqi Government accountable for accelerating the training of their troops, or continue hoping for the best while putting the burden on the backs of 20,000 more U.S. troops.

Let me make two other points. The gentleman who preceded me, my friend from California, said, what do you have to offer? We have offered ideas; we have offered ideas from day one. The problem has been the stubborn resistance by the administration to listen to our ideas.

I have been advocating with my friend from California (Mrs. TAUSCHER) a status of forces agreement in Iraq, so that we would send the message that we are not occupiers, that we don't want to be there for one day longer than we need to be. The administration has rejected that.

I have been advocating with my friend from Pennsylvania (Mr. CARNEY) a one-for-one resolution. I and others have been advocating a formula, a one-for-one formula that says that for every Iraqi security force that stands up an American will be redeployed.

So we have provided ideas. And I want to once again offer a bipartisan invitation to my colleagues to work with us, because whether this resolution passes or not, the war is not going to end the next day. We still have many challenges ahead, and we are going to have to work together.

And, finally, Mr. Speaker, let me make a point about some of the characterizations that we have been listening to. As a Democrat, I know that there is not a single Republican who wakes up in the morning wanting this war to last for one day longer than it has to last. And in the same spirit, I am offended by anyone who would suggest that there is a Democrat who gives aid and comfort to the enemy, who wants us to be defeated, who wants us to lose. That is not what we are about.

We need to end the sound bites and the partisanship and the war rooms off the floor of the House that tell people what to say, and begin formulating effective policy for the troops that are listening to us tonight.

I visited my VA hospital yesterday, and I saw men and women in wheelchairs and gurneys. It didn't say Republican or Democrat on those wheelchairs and gurneys. When the time came, they went to fight for us. Our obligation is to stand by them, not with sound bites, not with policies that haven't worked before, but with new ideas for a stronger country.

Mr. HUNTER. Madam Speaker, I yield myself 2 minutes to respond to my colleague, my good friend who just spoke, Mr. ISRAEL.

Let me just make a couple of points. With respect to up-armored Humvees, when we entered this administration, the Humvee is a successor to the Jeep, it is a tactical vehicle, we had 1,200 up-armored Humvees. That was in the year 2000. Today, we have got 15,000 up-armored 114s, plus thousands of Humvees that have the so-called MAC kits which are also protective armor kits.

We had virtually no body armor in the year 2000. I don't believe we had a single set that was available for any line units in any American division in the world. Today, we have over 400,000 of those.

I just want to make a point, if there are American moms and dads, and we have had a few who have thought that their sons and daughters were going to Iraq without body armor, I have said, Call me personally at the office, and I have not had a single phone call in 2 years. So they have plenty of body armor.

And, lastly, I just want to make one other point with respect to what America has, because there has been an implication I think throughout the debate that we are stretched too thin, that others may attack us, may take advantage of the fact that we have deployments in Iraq and Afghanistan. Since the year 2000, we have more than doubled the precision firepower of this country. That means the ability of this country, and Republicans and Democrats have supported the funding that has done this; but if any country in the world should think they are going to take advantage of an America that is, in their estimation, stretched too thin, the precision firepower, that means the ability to send a smart weapon on target to thread a goal post at many, many miles, has more than doubled since the year 2000. And so no country that feels that there is that implication in our situation in Iraq and Afghanistan should bet their life on it, because they will lose.

Madam Speaker, I yield 10 minutes to Mr. COLE, the outstanding gentleman from Fort Sill.

Mr. COLE of Oklahoma. Madam Speaker, I rise today to speak about the challenges we face as a Nation, and to urge the Members of this House to confront those challenges honestly and forthrightly.

As I do, I remind my colleagues that this House is not a debating society. It is not a place to merely score political points or rhetorical points. It is a place where we should confront the issues that face our country and then act accordingly. This responsibility rests not just with the Members individually, but with the majority especially. We come to this floor not just to speak, opine, and orate. We come here to set policy, to legislate and, most importantly, to act.

This resolution the majority, the Democrats, put before us today presents us with a choice; but after we make that choice, nothing will happen, nothing will change. We will have chosen to state our opinion, but we will refuse to act on that opinion. Some will see this as a tragedy; some, Madam Speaker, will see it as a farce.

This resolution is not serious. It is a political ploy rather than a principled position. It is sound and fury that signifies nothing. It is a cruel joke on those who sincerely want to leave Iraq before our mission is finished, and it is an affront to those of us who wish to succeed in Iraq. But while this politically motivated resolution achieves nothing, it does have real and lasting consequences. Passing this resolution will embolden our enemies, it will discourage our friends, and it will disappoint our troops. It will raise questions about our seriousness as a legislative body to anyone who actually pays attention to our proceedings, and it will lead our enemies to question our resolve and it will leave our men and women in uniform wondering why we are sending them on a mission in which we do not believe, but lack the political courage to cancel.

Mr. Speaker, I am surprised and disappointed that the majority party would bring a resolution to the floor which condemns an action directed by our Commander in Chief and his military advisers yet which neither forbids that action nor offers an alternative course.

□ 2215

If the majority party, the Democratic Party, was being honest with their supporters and with the American people, they would have a straight up-or-down vote on whether or not to fund the initiative ordered by the President. This is the way in which we should approach our constitutionally defined responsibility in regard to war and peace.

Madam Speaker, I have often voiced my respect for my Democratic colleagues on the floor, and as individuals I do respect and admire them. However, I neither respect nor admire the manner in which their leadership has chosen to frame the issue which they now place before the House. My friends on the other side of the aisle have abdicated the responsibilities of being in the majority.

They do not want to legislate. They do not want to act, they just want to state an opinion. But they are stating it in a fashion that will lead many to question our sincerity as Members of this House and to doubt the effectiveness of the institution which we all love, and they are now privileged to lead.

Madam Speaker, the majority in this body has the responsibility to do more than just criticize. So, I ask, what is their plan? We don't know. How will they achieve a stable Iraq? They won't say.

It is time for Democrats to step up and answer these questions. It is easy to second-guess the decisions of former Congresses and the President. It is easy to reconsider one's support and the support many in this Congress and in their majority have voiced in the past of placing additional troops in Iraq. But, what is easy isn't always right and certainly not in this case.

Let there be no mistake. Our soldiers are engaged in combat this very minute. Our military commanders have voiced support for the mission that they have been asked to complete. General Petraeus, our commander in Iraq, supports the surge of forces. Indeed he says he needs these additional troops to succeed. Moreover, the declassified National Intelligence Estimate makes clear the disaster that would result from failure in Iraq.

Madam Speaker, let us consider what will happen if the Democrats are successful in undermining the mission and the objectives of the surge. What would it mean? What effect would this have on our forces? What would be the implications for our Nation and the region?

Well, Madam Speaker, at a practical level, it would certainly mean that our enemies would know they have weakened the will and resolve of the American people. They would take this as a lesson and a guide for the future. At a tactical level, it would likely increase the level of insurgent activity aimed at destroying our forces. Additionally, it would also mean that, lacking reinforcement, our current forces would be stretched even further.

Strategically adopting this resolution would undermine the credibility of the United States. It will make the region more chaotic and dangerous than it is today. I remember many Members of the majority party calling for an increase in the size of our force in Iraq not so long ago. I remember numerous statements by Members from the other side of the aisle that said the alternatives to success were too horrible to contemplate. They were right, but now those concerns seem to be no longer operative.

I am under no illusions that we face an easy road ahead in Iraq. Quite frankly, it is the greatest challenge our Nation has faced in a generation. However, the alternative to showing resolve in Iraq is defeat in the central front in the war on terror. That will be disastrous for the Iraqis, threatening for our friends in the region, and dangerous for the security of our own country.

That is why this resolution is so disturbing. Democrats want to have it three ways. They want to criticize the President's plan, offer none of their own, and then refuse to let our side of the aisle offer a proposal for consideration by this body. A nonbinding resolution is no plan for the future. It is a plan for the next election.

In the next few days, I will continue to engage in this debate and outline what I believe to be the real challenges and choices that we face, and why we must support the surge in forces. I hope that in this debate my side persuades my colleagues to reject this resolution.

But if they are not persuaded, then I hope they will have the political courage to act, as opposed to just talk; that they will legislate as opposed to just debate. I hope they will discharge their duties as a majority by laying out and enacting their strategy, as opposed to merely criticizing the President and complicating a dangerous situation faced by our forces in the field

Mrs. TAUSCHER. Madam Speaker, may I inquire about the time remaining on both sides?

The SPEAKER pro tempore. The gentlelady from California has 47½ minutes remaining, and the gentleman from California has 33 minutes remaining.

Mrs. TAUSCHER. Madam Speaker, at this time I yield myself as much time as I may consume.

I was interested in my colleague, the last speaker's questions, the question about why do we have a nonbinding resolution and does it have any significance. I should say, no one should minimize the significance of this resolution. Passage by a bipartisan majority of the House of Representatives of this resolution opposing the President's plan to escalate the war in Iraq would be a major turning point in the war debate.

Despite the fact that it is nonbinding, passage would have enormous significance. This bipartisan resolution is serving as the basis for the first real debate on the President's flawed Iraq war policy since the war began nearly 4 years ago. Last November, the voters sent President Bush a loud and unmistakable message about Iraq, but the President didn't listen.

As his announcement of an escalation of the war showed, passage of this bipartisan resolution is a second chance for the President to hear a strong, clear message that cannot be ignored. Passage of this bipartisan resolution will send another clear message: No more blank checks for the President on Iraq.

In addition, passage of a nonbinding resolution opposing the President's escalation plan is only the first step in the Congress, demanding a changing of course in Iraq. When this resolution containing fewer than 100 words passes, we will take the country in a new direction in Iraq. A vote of disapproval will set the stage for additional legislation, which will be coming to the House floor.

Furthermore, what is surprising, as I see my colleagues from the other side trot forward one after another, I have to remind them that in their 12 years in the majority, House Republicans passed hundreds, hundreds of nonbinding resolutions, including in very similar situations.

For example, on October 30, 1995, the House Republican leadership brought to the floor and passed H. Res. 247, a nonbinding resolution repudiating President Clinton's pledge to deploy up to 20,000 troops to Bosnia as part of a peacekeeping force. I will remind my colleagues, Kosovo is about to be declared independent because the United States and NATO countries interceded and stopped the genocide there. That is a perfect example of wrongheaded policy that Democrats were able to put forward.

Madam Speaker, at this time, I am happy to yield 5 minutes to my friend and colleague, the gentleman from Rhode Island (Mr. LANGEVIN).

Mr. LANGEVIN. Madam Speaker, I am proud to join my colleagues in appreciation of our troops' exceptional service and sacrifice, and to voice my opposition to President Bush's plan to send more forces into what amounts to a civil war.

As a former member of the House Armed Services Committee and a new member of the Intelligence Committee, I recognize that our next steps in Iraq present one of the greatest security decisions our Nation has faced in decades.

The Iraq Study Group called the situation grave and deteriorating and said it requires a new approach. I agree. We can all conclude that an unstable Iraq, torn by sectarian conflict, would lead to continued violence and civilian casualties, provide combat training opportunities to those who would do us harm, and pose increased challenges to the region.

Yet I disagree with President Bush's misguided belief that sending more Americans into combat will solve the problem.

Our military has served valiantly for nearly 4 years, particularly in some very challenging and nontraditional missions, in some cases for which they were never trained. However, we have done all that we could do militarily to help the Iraqi people, and their problems no longer require a U.S. military solution. The underlying causes of violence are primarily political and must be addressed in that framework. Sending more troops would simply be a continuation of the same failed strategy.

In October of 2002, I expressed my concerns that President Bush's approach to Iraq could have dangerous ramifications in the region and America's own efforts in the war on terrorism. For those reasons and many others, I voted against authorizing use of force against Iraq, a war that was mismanaged by civilian leadership from the start.

Now, to address our troops' lack of protective gear and up-armored Humvees, I supported legislation to provide additional funding for proper equipment, as well as other efforts to assure our forces would be safe and effective. Now, however, we can best support our troops by changing our mission in Iraq and adopting a new strategy that reflects the realities on the ground. The Iraqis must now take the lead in providing for their own security, and we must reduce our presence to let them do so.

The President's claim that by adding 21,500 additional combat troops we can force a greater stability in Iraq is an argument that ignores some basic truths. Not only have past surges of U.S. forces proved unnecessary in reducing sectarian violence among Iraqis, but the addition of more troops would further inflame anti-American sentiment and turn popular opinion even more against us in our efforts. We have no proof that another surge would lead to a different outcome than in the past, but we do know that it would have negative consequences.

Now, perhaps of greatest concern is the impact of the surge on our military readiness. The President's estimate of 21,500 more combat troops does not count the additional 15,000 to 28,000 support troops that would be needed, spreading our military even more dangerously thin.

Madam Speaker, we have asked much of our forces, included repeated deployments, and a surge will only exacerbate that problem. Operations in Iraq have also taken their toll on our equipment.

According to the Government Accountability Office, 40 percent of the Army's and Marine Corps' equipment is now located in the Central Command theater of operations. Our National Guard/Reserve units are underequipped to deal with emergencies, and we have depleted our preposition stocks, which we need to respond quickly to other contingencies.

Now, in testimony before the Armed Services Committee in January, General Conway, Commandant of the Marine Corps, noted that an increase in forces in Iraq would increase our strategic risk and possibly lead to slower and less effective response to another potential threat.

Madam Speaker, sending more troops to Iraq is a dangerous gamble with our national security, and we need a new approach. A number of experts, including the Iraq Study Group, had made important recommendations, and they must not be ignored.

It is clear that the President's plan for escalation would harm our national security and ignores the will of the American people. I urge my colleagues to support this resolution so that we can promote a new strategy for Iraq and bring our troops home.

Mr. HUNTER. Madam Speaker, let me just respond to my good friend from Rhode Island, he is a great friend of mine and a former colleague on the Armed Services Committee, the estimate that has been given, that has been bandied around, that we would need some 20,000 support troops to support the 21,500 troops that are involved in the President's plan, some of whom are already in theater, has been rebutted by DOD, which said it is not 1 for 1 support to line troops, it is about 1 in 10, which in the estimate that they gave us was about 2,000 to 2,300, not 20,000 support troops.

Using that number, even with the 21,500 troops that are involved in the Baghdad plan, adding them to the 138 that we have right now, still brings us to a number that is lower than the 160,000 that we had December a year ago. I know that number has not been absolutely resolved, but I would just tell my friend that I believe it is going to be much lower than the number that has been put out there.

To my good friend from California, who talked about the Kosovo vote and the resolution to disapprove it, my recollection is that vote was undertaken before troops were moved. In this case, the 82nd Airborne is not already over the line in Iraq, but they actually have a brigade deployed in this operation, and the Baghdad operation that is being undertaken right now has a combination of Iraqi troops and American troops in each of nine sectors.

Madam Speaker, I yield as much time as he would like to take to Mr. CONAWAY from Texas, who is a gentleman that represents a great base at Fort Hood.

☐ 2230

Mr. CONAWAY. Mr. Chairman, thank you for yielding me this time. Let me correct that record just a bit. I have got the area just west of Fort Hood. So I have got a lot of civilian contractors and retirees and active duty personnel who live in my district, but serve in Fort Hood.

Mr. HUNTER. I will stipulate that the gentleman would like to represent Fort Hood.

Mr. CONAWAY. Absolutely., I certainly would. Thank you, Mr. Chairman, for this time tonight.

I am opposed to this nonbinding resolution. This is a vehicle that the majority is using to bring us to this debate tonight. The resolution is pretty simple in its language. It simply says that Congress disapproves of the decision President George W. Bush announced on January 10, 2007, to deploy more than 20,000 additional troops, U.S. combat troops to Iraq. It says this twice, in the preamble and then once again in the resolved.

It also says once that Congress and the American people will continue to support and protect the members of the United States Armed Forces who are serving or who have bravely and honorably served in Iraq. We must assume, of course, that, because it is not stated, that Congress and the American people will also support and protect those additional troops that are headed into harm's way who will serve in Iraq, even though the resolution disapproves of the decision that sends those young men and women into harm's way.

The majority knows that this resolution will pass. They would not have brought it to the floor if their leadership had not be assured that they had the minimum 218 votes needed to pass this resolution. Since passage is assured, we have to ask, why this language? Why something so like this, that simply says what they are against, as opposed to something that is perhaps more meaningful, like what you are for.

It allows those who would vote in favor of this, and like I said I am quite confident it will pass, to set themselves up in that very enviable position to say I told you so if things do not go exactly as planned. And no plan in war has ever done that. So our colleagues who vote in favor of this resolution will be in that position to be able to say I told you so across a variety of circumstances.

I do not believe that either side of the aisle believes that it is the role of this or any other Congress to tell the President how not to deploy 20,000 troops. I believe there is another reason for this language. One explanation may be that it sets the stage for something that will really have an impact on the War in Iraq, the way that war is being fought, and I think that has to do with the power of the purse.

In spite of the language that says we will continue to support and protect our troops, I believe we will see in the not too distant future attempts by the majority to cut off funding for this war. I think we got a preview of this tactic last week when we passed the continuing resolution which cut $3.1 billion in spending for military quality of life projects and infrastructure that is needed to support the various BRAC decisions.

A lot has been made as to whether or not this debate will have an impact on the morale of our troops. Last week in a hearing with the Armed Services Committee, General Pace, Chairman of the Joint Chiefs of Staff told us, as well as Bob Gates, that this debate in and of itself will not directly hurt or harm the morale of the young men and women who are fighting this fight.

I think that is generous. But what Pace did tell us was that if this Congress begins to cut funding, cut financial support, begin to go back on the promises made to those young men and woman, that that will in fact have a deleterious impact on the troops' morale and their families who serve here. I think that the debate tonight and the next 4 days will have a direct impact on the families who support these young men and women, who allow them to do what they do on behalf of this country.

And that is certainly is regrettable, if that support is hurt and harmed, and that hurt and harm is then transmitted to our young men and women who are fighting this fight every single day.

I also do not believe it is the role of 535 independent contractors that make up the House and Senate to become five-star generals and make decisions on how to fight this fight or any other war. I do believe it is our job to look as far into the future as we can, and make decisions and then pass laws that lead this Nation.

I do not know of anyone who believes that a failure in Iraq is in our national interest. Both sides have been saying this. There are no good results for such a failure. General Petraeus has listed out a couple of the possibilities that he talks about. One is that sectarian groups would begin to stake out turf. This would generally involve ethnic cleansing. The humanitarian suffering that would go on while that was happening is totally unacceptable

He also mentions that international terrorist organizations might gain control of Iraq, and therefore use their bases in Iraq to further their interests.

The disruption to the oil markets and the impact that that will have not only on our economy but economies around the world would certainly occur if we have a failure in Iraq.

None of these guesses as to what would happen for failure in Iraq, that failure would almost automatically happen with an untimely withdrawal of our troops, none of them are positive, none of these scenarios make Iraq a safer place, none of them make the Middle East a safer place, and they certainly do not make America and the United States safer.

There are no guarantees, of course, that any plan will work. But telling the President what not to do is clearly not in the interest interests of moving this debate forward. My personal view of that future that I spoke about is that the effort in Iraq is a major part of the overall global war against Islamic Jihadists. Other Members have eloquently stated tonight that this war will last for decades.

I take very seriously the threats that the Islamic Jihadists have made and are making to kill Americans and to hurt American interests. I do not understand why they take these positions, but I certainly believe them when they tell us they are coming to hurt us.

This fight, this global war against Islamic Jihadists is really a fight for the heart of Islam. We must begin imploring moderate Muslims to stand against those few who seek to hijack the religion, and who are prosecuting this fight.

Let me preface my next remarks by saying that I am a Christian, and I believe that God is always in the business of changing men's hearts, and that the hearts of these Islamist Jihadists can be changed by the God I serve. But short of that, I believe we have only two choices, either we lock these people up forever or we kill them.

That is pretty harsh for a Christian to say, but those are our only options. I don't believe we can compromise with them and I don't believe they will compromise with us. I don't believe that they will alter their beliefs to peacefully coexist with us.

So we are in a fight that will last for years and for decades. There is no guarantee as to how this fight is being prosecuted and how we win this fight, I just know that we cannot lose it. And this resolution tonight does not move that process forward in a positive way.

We are in a long and hard struggle to protect freedom and liberty here and around the world. We are blessed by men and women who are willing to risk everything to defend you and me every minute of every day.

This resolution does not help in that struggle. And I urge my colleagues to vote against it.

Mrs. TAUSCHER. Madam Speaker, I yield 5 minutes to my friend and colleague, the gentlewoman from New Hampshire (Ms. SHEA-PORTER).

Ms. SHEA-PORTER. Madam Speaker, this is a very important debate. Four long years and we are searching our souls. We have sent our finest and our bravest soldiers on a mission that made no sense from the beginning. Our Nation was attacked by evil people who trained in Afghanistan.

We have a right to go into Afghanistan to remove the terrorist training camps. As a matter of fact, we should be working even harder there to make sure our Afghanistan mission does not fail. We must not allow the Taliban and other terrorist groups to control Afghanistan again.

However, we are unable to give Afghanistan our full attention because our President has led us into a war with Iraq. Why? There are no Iraqis on the plane that day. The Iraqis had no weapons of mass destruction. And they never asked us to come to their country. They do ask us to leave, though. And yet we will not leave.

The President will not listen to the Iraqis. The President will not listen to the American people. The President will not listen to the world. But Congress will. We are ready to go in a new direction and say no to the President, and no to his plan to escalate this war.

I was a military spouse. I am very, very proud of my husband's service. I am also on the Armed Services Committee. I know our troops need our support and they have it. But troops also need to know that their leaders will make sure that their mission is in the best interests of the United States before they are asked to go fight and die for their country.

I watched a young soldier walk down a ramp on the way to Iraq. He was looking at all of us, and we were looking hard back at him. And I think most of us had the same thoughts in our hearts, that we could not look him in the eye and tell him that his mission was so essential to the security of the United States and the freedom of the world that he had to go and he had to die if necessary.

Why could we not tell him that? Because the mission had changed. Several times the President told us why we were there, and it was always a different reason. The mission had changed. And therefore the soldier looked confused and we certainly felt confused also, because we could not tell him why we were there.

I wanted to run up to him and tell him I support you, I support you by making sure that you never get sent to a war against unless we know why you are there.

What is this talk I have heard tonight about freedom and liberty? This talk of glory that I heard on the floor. This romanticized language, this talk about Davy Crockett. There is no Davy Crockett in Iraq. Our troops need cleareyed leaders, not this romantic rabble that we have been hearing. This war has cost us. We have paid a terrible price.

Our military troops are strained. Yes, they are strained. Their families are strained. Our brave soldiers have died or they have been injured. The Iraqis have lost their lives. They have lost their society. They have lost their infrastructure. They are losing their middle class who are moving to other countries to keep their children safe.

Their people are fleeing from their own country. We are wary, they are wary, the world is now more dangerous. Iraqis were polled and the majority of them said they wanted the Americans to go home and let them work out their problems. For 4 years the administration and its supporters here have made no plan for them to do that.

Now they ask us on this side of the aisle what our plan is. This is a strange question. But it shows how confused this administration's supporters are, if they are looking to us and ask us what our plan is. They have been offered plans. They even commissioned a plan, and they do not follow any plans. The President follows his own way.

We have offered plans. They will not listen. I for one want the United States to succeed in this world. Therefore, I am going to listen to all of the generals who have pled with the President and pled with the President's supporters in this administration to do the right thing here.

But the President does not listen. Now, I am going to vote to tell the President that I am against his escalation.

Mr. HUNTER. Madam Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. BURGESS).

Mr. BURGESS. Madam Speaker, I thank the gentleman for yielding me time. I appreciate him letting me go out of order. I am not a member of his committee. But when my committee has time on Thursday night, I am hoping to be able to attend the memorial service for our comrade, CHARLES NORWOOD, whom we lost today.

Madam Speaker, I rise to speak against H. Con. Res. 63. I think it is a mistake. It is the first step of this new Congress, the first step this new Congress is going to make towards cutting off the funding for our troops.

You do not have to take my word for it. Yesterday's CQ Today, a magazine widely read up here in Washington, and I am quoting, "It is a foot in the door toward limiting military involvement in Iraq. The Democrats want to do this by the Congressional power of the checkbook."

Further in the article it says, "Democrats are well on their way toward planning more aggressive measures in an attempt to force redeployment beginning by blocking funding, and ending in the supplemental spending request.

And then finally, Democrats said, "The resolution would just be a first step in the process that could result in a reduction or reconditioning of funds slated for our troops in Iraq."

Well, we do not have to go too very far back in our past to see the consequences of that type of action. When I was in Iraq in August of 2005 General Casey told myself and a group of us who were there that there is no group in the world that can stand up to the American military. In fact, the only organized body in the world capable of defeating the American military was the American Congress.

I believe he was right. The CRS has done a report for this Congress, a report for Congress about restrictions of military operations in Vietnam, Cambodia, Laos, Somalia and Kosovo, funding and non funding approaches. I reference particularly, I urge my colleagues, this is easy to download from the Internet on the CRS, simply type in Cooper-Church amendment, and you will get this well-researched product.

□ 2245

It details the Mansfield amendment, the Cooper/Church amendment of 1970 and 1973, the Cranston amendment, the McGovern/Hatfield amendment. It also talks about the funding for Somalia. In fact, in this House, in 1999, when President Clinton was President, a bipartisan group in this House came together to defeat a motion to block funding for the troops in Kosovo. So congressional actions regarding funding do have a real world impact.

And I would submit that much of the chaos that ensued after we left Vietnam, and I would include the Soviet invasion of Afghanistan in that chaos, I would include the militant jihadist takeover of our Embassy in Iran in that chaos, much of that ensued because of congressional action that was taken on the floor of this House in cutting off funding for our troops.

And I am not a big one on process. I haven't been here that long. I don't know that I understand process all that well. But why in the world would we not allow a vote or even a motion to recommit on, say, SAM JOHNSON's bill, H.R. 511. SAM JOHNSON's bill, a simple two-page bill that details all of the fine things done by our troops in Iraq and Afghanistan, and ends with this simple paragraph: Faithful support of Congress. Congress will not cut off or restrict funding for units and members in the Armed Forces that the Commander in Chief has deployed in harm's way.

Wow, that is pretty simple. I don't understand. I frankly, do not understand why this House could not vote on this simple measure submitted by my fellow Texan, SAM JOHNSON, a legitimate war hero in his own right. I simply do not understand why we wouldn't have an opportunity to vote on that bill or offer it as a motion to recommit before we vote on the resolution.

And the resolution itself, it is a shame that we weren't offered a chance to amend the bill, to amend the resolution, to perhaps make it better. I urge people to go on line and read it for themselves. It is only two lines. It is not a very heavy lift to read this particular piece of legislation.

Line 1, Congress and the American people will continue to support and protect Members of the United States Armed Forces who are serving or who have served bravely and honorably in Iraq. That is sentence one. Remarkable for what it leaves out. What about a comma, and who will serve? Would it be so wrong to include those individuals who will serve in whatever time is left in the country of Iraq, to include them in as being worthy of our support in Congress?

Line 2 is so vague as to almost defy description. Line 2 reads: Congress disapproves of the decision of President George W. Bush, announced on January 10, 2007, to deploy more than 20,000 additional troops.

Well, would 19,995 troops be okay? Would Congress then not cock an eyebrow to say we don't like that either? Well, what does that second statement actually, what point are we trying to make by that second statement, other than we don't support the Commander in Chief, we don't support the mission, and as a consequence, you do have to ask if we support the troops.

Now, we are all sent here in Congress, we are all elected by 600- to 700,000 people, back in our districts, back in our States, to make hard decisions. We are not sent here to read the polls, stick our fingers in the wind and then decide which direction to go. We are not sent here to shift tactics because we think we may become more popular back home if we do that. I fully recognize that by voting against this resolution, I put myself in jeopardy of reelection, and I am willing to do that because I believe a vote for this resolution puts my country's fate in significant jeopardy for decades to come.

Now, I was not here when this House voted in October of 2002 to give the President the power he needed to deploy the troops. But I have always voted for funding for the troops. And I appreciate so much the chairman standing up here and offering his telephone number to any family who is concerned whether or not their loved one will have access to body armor in Iraq.

I remember those first hearings when I came here in March of 2003, we were instructed on how quickly our men and women in the field could get into their chemical suits. This was an object of great concern to everyone in this body. In fact, most of us sit on top of a chair which has a gas mask underneath it, just in case we need to leave this body in a hurry because of the deployment of chemical weapons. We were all concerned about chemical weapons back in 2003.

Now, I have made five trips to Iraq, and I know that what is reported on our television news services here in the States is not always accurately reflective of what is happening on the ground back in Iraq. I referenced Dr. NORWOOD a moment ago. My last trip to Iraq was in July of 2006. Dr. NORWOOD, Chairman Deal and I, and GENE GREEN from our Health Subcommittee went over to see the status of health care for our troops. I was very impressed with what I saw that day.

But, Madam Speaker, I think everyone in this body has to answer two fundamental questions on this resolution before us: Is it in our broad national interest to win this fight? The second question: Can we prevail? Can we provide a modicum of security in the country of Iraq? Can we provide a modicum of sovereignty in the country of Iraq? For me, the answer to those two questions is yes. Yes and yes. And I recognize that people of goodwill can disagree about these issues. But if your answer is no, and no, then please stand up, show some courage.

This is a nonbinding resolution, for crying out loud. Even a Democratic Presidential candidate said it is equivalent to standing in the corner and stomping your feet.

We have heard a lot about moral obligations tonight. Well, I would submit that we have a moral obligation that if we can't answer both of those questions in the affirmative, bring the troops home now. Don't wait till April. Don't wait till September. If we haven't the resolve to see this thing through, or if we no longer feel that it is in our broad national interest to continue this fight, why in the world would you ask any man or woman to continue to serve in that country under those conditions?

It is our moral obligation to ensure that our troops know our intentions and they know that we are going to provide continued support for them, and that continued support, whether it is bullets for their gun, whether it is the M-16, whether it is the Humvee, or whether it is reinforcements, we are going to continue to provide the things that the generals on the ground say they need for their men and women to get the job done.

When the President invited me down to the White House right before his Oval Office speech, he asked me what the constituents in my district would say. And I said, Mr. President, it is pretty clear. My constituents would say to you, if they were standing here today, fight the war or bring the boys home.

The rules of engagement sometimes, frankly, I don't understand. If we capture someone in Sadr City and we get a call from the Prime Minister's Office and we have got to take him back and let him go, that doesn't make sense, good sense, if you are fighting a war.

Well, it looks as if a lot of those restrictions have been removed. In fact, on the Drudge Report on Fox News earlier this evening they broke the story that Moqtada al-Sadr is now living is Iran. That is a good thing. That reflects the change in tactics on the ground brought to you by our men and women who are fighting for our freedom abroad.

Madam Speaker, I suggest that we commit together to support the future, the future support of our troops in the country of Iraq, or simply get them out of harm's way now. Again, Moqtada al-Sadr has fled to Iran.

I think we can prevail. I think it is in our broad national interest. I think the price of defeat is simply too steep, not just for us today, but for generations in the future.

PARLIAMENTARY INQUIRY

Mr. BURGESS. Madam Speaker, I would like to pose a parliamentary inquiry.

The SPEAKER pro tempore (Ms. HERSETH). The gentleman will state his parliamentary inquiry.

Mr. BURGESS. Madam Speaker, would it be wrong to propose an amendment that would ask that we add support for troops that will be in harm's way in the future in line 1 of this bill?

The SPEAKER pro tempore. The Chair would entertain such requests only from the majority manager of the concurrent resolution.

Mr. BURGESS. Well, then I would call on the majority manager of the concurrent resolution to consider adding future support for our troops, or those troops who will be in harm's way in the months to come.

Mrs. TAUSCHER. Madam Speaker, I am happy today, right now, to yield 5 minutes to my friend and colleague, the gentleman from Utah (Mr. MATHESON).

Mr. MATHESON. Madam Speaker, I rise in support of this resolution. This afternoon I went to Walter Reed and I visited some injured soldiers. One of them was from my congressional district in the State of Utah; had a number of serious injuries. He has been in intensive care at Walter Reed for about 3 weeks now. His wife was there with him. There were pictures of his 2-year-old daughter plastered up all over the wall. His daughter is back in Utah with a set of grandparents.

I wish everyone could have the experience of going and meeting the soldiers and the families. They inspire me, and they also tell me how serious this issue is about putting people in harm's way, because the lives of that family are changed forever based on these severe injuries that this soldier undertook.

With regard to the situation in Iraq, our military personnel have done everything we have asked. We can never thank our troops enough, and we owe them. We have an obligation to them to give them the best opportunity for success.

The problem is that we have never really stood here and talked about a strategy for success. A successful strategy has to be comprehensive. That is what has been needed from the outset of the conflict in Iraq, and it is still needed today as Iraq descends into civil war.

A strategy for success in Iraq requires more than a military strategy. We have the most powerful military in the world, without a doubt. If military might alone could succeed, we would be done by now.

The situation in Iraq has always required a more comprehensive effort. We need a plan for political and diplomatic and economic success.

Now, just a couple of months ago, Congress was actually handed just such a strategy in the report from the bipartisan Iraq Study Group. The report was put together by some of the greatest statesmen, diplomats and military minds of our generation. This was a bipartisan group led by former Secretary of State James Baker and former 9/11 Commission Chairman Lee Hamilton. These venerable men and women painstakingly considered all the available options. They talked to military strategists, generals, Iraqis and each and every type of individual who might hold the key to a way forward. They acknowledge that each recommendation of the Iraq Study Group carries its own risk factors. But in the end, this bipartisan group unanimously endorsed a plan to move forward. And in doing so, they rejected the overly simplistic discussion that seemed to dominate the 2006 election season when the primary options that were discussed were either stay the course or cut and run. In fact, the Iraq Study Group report provides reasoned arguments against both of these options.

As for staying the course, the Iraq Study Group states that, and I quote, "The longer the United States remains in Iraq without progress, the more resentment will grow among Iraqis who believe they are the subjects of a repressive American occupation. As one U.S. official said to us, 'Our leaving would make it worse. The current approach without modification will not make it better.' "

As for an immediate withdrawal, the Iraq Study Group states that if we left tomorrow we would simply leave an immense power vacuum in Iraq. The results would have devastating effects on the global economy, the region and the Iraqi people themselves. And specifically, the report says that "a premature American departure from Iraq would almost certainly produce greater sectarian violence and further deterioration of conditions."

Now, the resolution we are debating right now addresses the proposal to increase the number of U.S. troops in Iraq by just over 20,000. Let's remember that the Iraq Study Group specifically took a hard look at the surge option. In discussing the merits of a surge the Iraq Study Group report said that a surge "might temporarily help limit violence in a highly localized area. However, past experience indicates that the violence would simply rekindle as soon as U.S. forces are moved to another area."

Furthermore, many generals and other military strategists have roundly criticized the surge strategy.

Now, I have long believed that the lack of independent, accurate assessments of our progress has hampered our efforts to secure Iraq and assist in its reconstruction. I strongly believe that the U.S. cannot linger in making the important policy and strategic decisions recommended in the report.

That is why we need to follow the recommendations of the Iraq Study Group report. U.S. forces should be redeployed from combat missions to support functions. Our troops should be supplementing the Iraqi Army. And at the same time, we have to move forward on the economic development front and the political front and the regional diplomacy front.

The resolution we are debating today is very simple. We support our troops and we oppose the surge strategy. I will vote for this resolution.

As I said before, our troops have done everything we have asked of them. Their performance is a source of great admiration and pride for everyone in America. At a minimum, we owe them a new approach and a thoughtful approach to the situation in Iraq and the pursuit of a comprehensive strategy for success.

□ 2300

Mrs. TAUSCHER. Madam Speaker, I am happy to yield such time as he may consume to my friend and colleague, the gentleman from New York (Mr. WEINER).

Mr. WEINER. Madam Speaker, first of all, I think that I speak for all of our colleagues and all of us here in paying tribute to the 137,000-some-odd American men and women who are fighting in Iraq, the 25,000 or so that are fighting in Afghanistan. We are here to do what we can to honor them. We are trying to express our patriotism. We are trying to do what we are obligated to do by standing up here.

The notion that it is our patriotic duty, our obligation to sit silent and to do whatever the President thinks is best and blindly walk in that direction, that is not the way to honor the troops that are there. I can imagine the challenges that they face every single day, and would the message going back to them be most appropriate that just as often as they wake up in the deserts of Iraq trying to figure out why people are shooting at them and what they can do to stop it, they should know that every single day we here in Congress are trying to think about ways to make their mission safer and make it more possible for them to accomplish their mission and to extract them as soon as possible. We pray that they are successful. Although I strongly oppose the President's initiative, that I am going to vote "yes" on this resolution, I pray that they are successful. I pray we don't lose another life. We want them to be successful. But it is not enough just to be silent and to be prayerful. We also have to act.

Some in this Chamber have objected to this resolution because what it seeks to do is to do two things: one is the thing that I have done already, which is to pay tribute to the troops, something we all share in doing; and two is begin on a path of oversight. It is not surprising at all to hear my friends on the other side of the aisle have such a difficult concept with this idea of doing oversight over something the President proposes. They have done no oversight over how the money has been spent over there, and so as a result, we found out in the first month of the Democratic Congress that a $12 billion pallet of currency was delivered to Iraq and promptly disappeared. We had hearings last week that showed that even Mr. Bremer and officials on the ground from the administration have no idea where $12 billion disappeared to. So it is not surprising that my Republic friends have a difficult time figuring out what it is we are doing here. We are doing oversight, and we are going to do more of it.

We are doing oversight over the equipment that the troops had. This weekend there were stories coming outside of Iraq that Iranian-built armor-piercing projectiles were being used in roadside bombs. It reminded us again that the troops had been sent there without sufficient hardware, without sufficient protective gear, without sufficient armor-plated vehicles to be able to do their job. We are going to do oversight on that as well.

And I have to say that as part of the oversight that we are doing today, we are doing oversight on how the troops are being used. And let us not kid ourselves. The troops have done a remarkable job. They have done just about every single thing we have asked. They brought down a dictator. They set up a trial. They allowed a government to be stood up. They built roads and bridges. They have done an extraordinary job, and we in this House support them in that work.

But now what is their mission? Their mission is essentially to stand in the middle of a shooting match of the worst order. It is not over a patch of land. It is not a shooting match over what a border is going to be. It is not a shooting match even over oil. It is a shooting match of the most ingrained type between Shia and Sunni that goes back hundreds of years. Are our troops going to solve that conflict with 20,000 troops or 40,000 troops? I don't believe so. And even worse, I believe it is an untenable mission to be giving them. They are essentially in a schoolyard where everyone wants to fight.

And I have to say to my friends on the other side of the aisle, over and over and over again today I have heard this dynamic being described that if we were to leave or to support this resolution, we would let down our allies, we would embolden our enemies, and we would betray the Iraqi people. In fact, this policy does all of those things. Let us look at it.

What does this policy say to our allies? Well, it says to our allies in Afghanistan we are not going to devote the resources there necessary for you to do the job. This isn't an abstract notion. You can watch it happen every single day. So long as we have 140,000 troops or 130,000 troops in this shooting match largely in Baghdad, we are watching as Afghanistan slips further and further back into the hands of the Taliban.

We have heard, for example, from our so-called ally the Saudis, and what have they said? They have been most telling. They said recently, well, to you, the citizens of the United States, if you pull your troops out, we are going to be forced to put resources in to support our Sunni brethren. So the Saudis have said if the American troops leave, we are going to have to jump in on the side of our Sunni brethren in Baghdad. What does that say? What does that say? That says they will jump into a blood-letting, but they won't come in now to help us stabilize Baghdad. They have argued, essentially, that the only reason they are not involved is our troops are. Some ally. Some message we are sending to our ally Saudi Arabia. What they are saying is, You had better keep your boys dying because otherwise we are going to have to send ours in.

That is exactly what we want. We want them to send they resources in. We want them to take ownership of this.

And the same is true with Egypt and other allies in the region. They have said to us, You had better keep doing what you are doing, Mr. President. We are getting exactly the wrong message.

And I have also heard my colleagues speak frequently today about emboldening our enemies. Well, it seems like just about anything Democrats propose is emboldening our enemies.

Let us take a closer look at this. Is Iran truly upset about what is going on in Iraq? Are the Iranians truly wringing their hands every day saying, Boy oh boy, I hope the United States does not pull out of there? No. They have never been happier with this existing policy. Their worst elements, their worst Shia elements, are crossing over the border practically at will, joining the fight. The President of the United States himself has said it. I have heard people here on the floor say it. They like this confrontation that is going on. They want it to be like this.

But they are happy for another reason, and I say this particularly to my friends on the other side of the aisle.

They are happy because I am truly concerned about the threat that Iran poses not only to the United States but to the world. Do you think we are in a position right now with our military stretched so thin that if we needed to act against Iran, we could? No. Our engagement in Baghdad, adding more and more and more troops, has stretched us thinner and thinner and thinner. And the most happy people in the world are the tyrants in Iran because they know they can get away with just about anything. And if you think I am wrong about that, take a look at the war back last year on the northern border of Israel. Hezbollah felt completely unencumbered, which is essentially, as we all know, an agent of Iran. They felt completely unencumbered again just to attack a democracy in the region because they knew that all of us were stretched entirely too thin to be able to respond. So this notion that we are going to send the wrong message to our enemies is completely wrong.

Do you know what would send the right message to our enemies, I say to my colleagues? You take some of those troops out of Baghdad, you put them on the Iranian border. That is how you send them a message. You get them out of the shooting match, but you keep them in the neighborhood. You keep them right on the border of Iran and you say, We don't need 140,000, but we are going to make sure you don't export any more problems. We are going to seal off the schoolyard.

And, finally, I have heard it said that this will be an abandonment of the Iraqi people. Well, ladies and gentlemen, there is no element here that I am more disappointed with, and I think I speak virtually for all of us. Our troops are in there trying to create stability in Iraq, and for some reason, overwhelming numbers of Iraqis say that they think it is okay to shoot at our troops. It is outrageous. It is outrageous. Our troops are in there trying as best they can to build this country, put it back together, and the Iraqi people over and over again are saying, You know what, it is kind of okay when I read stories about snipers shooting at our troops.

The Iraqi people have to have a moment where they confront the reality of the situation. Everyone agrees, I think, and whenever I say that, I hear someone come to the floor and think that everything is going just fine in Iraq, but just about everyone agrees that the Iraqi people themselves ultimately have to take responsibility for their own country.

Are we creating an environment that is more likely to happen or less likely to happen? Well, there is no sign that it is happening; so the de facto response to my own question is that it is not happening. But I would argue that every time we stand up and put additional troops in, we push the Iraqi people further from the point where they have to confront that they have to take control. Might it be messy? Yes. Might it even be bloody? Yes. But one thing is for sure: up to now the Iraqi people have simply said, We are not going to. We don't have to. We have got our boys from the United States of America, and now we have another 20, 30, 40,000 that are going to be rolling into town.

My colleagues, I have heard my friends on the other side of the aisle complain, and I have to say, present company excluded, it sounded a little like whining most of the day. I have heard, well, we need more choices. I have heard we need more bills. I have heard we need more language. There are going to be plenty of opportunities to confront these issues, but today my colleagues have to confront the choice in front of them. Sometimes in this job you have to say "yea" or "nay." And this week what you have to say "yea" or "nay" on is a resolution that is exquisite in its simplicity. It says two things and two things only. It says we support the troops. We are going to keep them safe. We are going to keep them secure. We are going to do anything that they need to show our support. And, two, we disapprove of the way the President wants to increase the number of troops going there. That is it. You are going to get to vote on other things later on because we are not done. Many of us believe very strongly that we need major tactical changes, and I know Mr. MURTHA has a plan. The Blue Dog Caucus has a plan for more transparency. There are going to be plenty of choices. You are going to get oversight.

I know it has been years, I say to my colleagues, since you have seen any around here, but you are going to get it. But today what we have is a simple proposition. It is the same proposition that is being discussed in coffee shops, in church socials, in corner stores all around this country, and that is: Do we support what the President is doing by increasing our engagement rather than reducing it? That is what this is about. And all of the foot stamping and all of the complaining and all of the whining, I want another bill, I want different language, I want to deal with something different, I want a hug, well, for the time being this is the choice that you are confronted with.

If you believe that this surge is the right policy, you have a simple vote. You can vote "no." If you believe that you don't want to support the troops, and there is no one like that, you can vote "no." But this resolution is the beginning of finally starting to do what the American people are thirsting for, and that is this Chamber is a place where we stand up and say whether we support these things or not.

I urge a "yes" vote.

Mr. HUNTER. Madam Speaker, I yield myself such time as I may consume.

I want to take a couple of minutes to answer a couple of things that my friend said.

First Mr. WEINER said, "We aren't done." Madam Speaker, that is one thing that I am worried about. He said that we want more choices, more bills, more language. Not this Member. I will settle for a "no" on this resolution. I haven't asked for more bills, more choices, or different language.

And the problem with this resolution, the gentleman said this is a very good resolution because it is very clear, very concise, and gives us clear choices. This resolution retroactively condemns an action that has already been taken. That is the movement of reinforcements into the theater. You already have the 82nd Airborne in the theater. That is part of the reinforcing force. They are already in there. You already have a brigade from the 82nd Airborne in one of the nine sectors right now, operating, boots on the ground as we talk. So you aren't prohibiting the President from sending reinforcements.

He said that American forces are being stretched thinner and thinner and thinner.

We have 2½ million Americans in uniform. We have roughly 138,000 before the surge. Now a little more than 140,000 counting the ones that are already in country. When they are in country and the support troops are there and less the troops who will be rotating home at that point, you will have at the high point, we are told by DOD, about 157,000 troops. That is less than we had a year ago in country, I would say to the gentleman. So that is not a huge surge.

☐ 2315

He stated that we are going to be drawn thinner, and I quote, "thinner and thinner and thinner."

So you have about 160,000 troops, a little less than that, max. That is not 10 percent of the 2.5 million persons who are presently wearing the uniform of the United States.

Secondly I will say to my friend, I want to say to folks who listen to this debate, because this statement about us being drawn thin and therefore being susceptible to problems and being vulnerable is a message that has come up several times in this debate.

We have more than doubled the precision firepower of this country since the last administration, that is the Clinton administration. You have more than doubled the precision firepower. That means the ability, if people should give the United States a need to respond militarily, the ability to send precision systems that can explode right straight through goalposts at long distances and handle lots of stuff.

Now, the gentleman is very concerned about Iran. I share that concern. And I share the concern the gentleman has about the centrifuge activity and the proposed centrifuge activity that Iran has discussed and may at some point develop with the aid of the Russians and the Chinese.

I would just remind the gentleman that those precision systems, that doubling of the precision firepower that we now have, is probably the right medicine if we should have to keep the military option open and on the table with respect to Iran. So we will watch them as they try to walk down this road to developing a nuclear weapon.

Mr. WEINER. Madam Speaker, will the gentleman yield?

Mr. HUNTER. I yield to the gentleman from New York.

Mr. WEINER. Madam Speaker, I honor the gentleman for his mastery of the numbers. Perhaps you can enlighten me, what is the number of Reserves that are in country now?

Mr. HUNTER. We have been up as high as 40 percent National Guard and Reserve, and that is a deliberate policy of the United States. When we went to war in Vietnam, the Guard and Reserve for practical purposes stayed home. And we said from here on out, when we go to war, we go to war with what is known as a total force.

So you have a Reserve element that goes to war. If you were over in Iraq, as the gentlelady has been there a number of times, you will see Reservists flying C–130s, doing a lot of support missions, and you have National Guard units on the ground.

Mr. WEINER. If the gentleman will yield for a further question, are there any there doing second or third tours of duty?

Mr. HUNTER. Certainly. I can tell the gentleman, my son has done two tours of duty. There are a number of people that have done that.

Mr. WEINER. If the gentleman will further yield, is it not your view that that has a dramatic toll only those families and communities who are not regular army who are there as Reservists and are being called back tour after tour? You don't think that is stretching those communities thin?

Mr. HUNTER. I will just tell the gentleman, in the MOSs that our folks sign up for, especially the aerial supportive MOSs, that is always out there, that they are going to have to go, because where the armed services go, where the active folks go, let me just finish my answer to the gentleman. He asked me a question. I am going to ask answer it.

If you are in a supportive service that involves things likes aerial refueling, C–130 work, which is the workhorse of the U.S. military, you understand when you go in, you are going to be making probably multiple tours. If you join the U.S. Marines right now, the recruiter tells you as you sign up, you can be guaranteed that you will go to Iraq.

I would say to the gentleman another thing: Knowing those things, we are meeting all of our enlistment goals in the Guard and Reserve. So the active duty people who are undertaking multiple tours are coming back and reenlisting. And knowing that, knowing that you are exposed to multiple tours, we have more people signing up for the Guard, for the Reserve.

And interestingly, I will tell the gentleman, the place where we have had problems with recruiting in the last year from the information I have seen is the Naval Reserve, which doesn't do tours in Iraq. But the combat arms have multiple tours.

Mr. WEINER. If the gentleman will yield further, I thank the gentleman very much. I think what you have just described is a military stretched thin, my friend. I think when you have people in the Reserves doing three tours, that are being taken away from their communities, I think that is a military stretched thin.

Mr. HUNTER. Reclaiming my time, I will just tell the gentleman this: There is a difference between people in specialties spending more time doing multiple tours, and I will say to him again, almost all Marines know that they are going to do multiple tours, either in country or on the so-called float, which is the deployment around the world, because they are the 9/11 force for this country. So that is something that people do.

That is a far cry from not having enough firepower to respond to an Iranian crisis. We still have tons of firepower to respond to an Iranian breakout or surprise, a technological surprise, with respect to development of nuclear systems.

Madam Speaker, if the gentlewoman from California has more speakers, I will enjoy listening to them, and I will reserve the balance of my time.

Mrs. TAUSCHER. Madam Speaker, I am happy to yield 5 minutes to my friend and colleague from North Carolina (Mr. McINTYRE).

Mr. McINTYRE. Madam Speaker, I rise tonight in support of the resolution before us that disapproves of the President's recent announcement to deploy more than 20,000 additional U.S. combat troops to Iraq.

As a member of the Armed Services Committee, I am committed to supporting our troops and making sure that they have the resources they need. I always have and I always will. There is no debate about supporting our troops. This resolution clearly and unequivocally states that both the Congress and the American people support our valiant men and women in uniform. Our troops have been and are continuing to do an excellent job, and they deserve our support.

Yet, overall, our military is being stretched thin, and now we face the prospect of not only sending over 20,000 more combat troops into Iraq, but also another 15,000 troops on top of that, at minimum, to support those troops, with additional military police, intelligence units and supply function personnel. In fact, the Congressional Budget Office estimates that it might take even more troops than that. So reality is that we are now looking at a total of 35,000 or more troops actually involved in this potential surge.

We need to be moving toward a successful conclusion in Iraq; not with a timetable, but with definite benchmarks of accountability that are meant to ensure that the Iraqis are taking control of their own security and future. The Iraqi army, the national police and the local police in Iraq must take responsibility for their own country and communities, and only by lessening the American footprint in Iraq will we empower the Iraqi people to take responsibility for their own self-governance and ultimately their own destiny.

Is not just my opinion or the opinion of some here, it is exactly what General John Abizaid, our U.S. Commander said, when I visited Iraq and when he testified before Congress.

We cannot continue to increase troop levels in Iraq at the expense of allowing the Taliban to come back into power in Afghanistan. The Global War on Terrorism is exactly what the name says. It is a global war, not just an Iraqi war, and we cannot let our troop strength be so focused on what is becoming a civil war in Iraq that we lose focus on threats that face us elsewhere in the world.

Previous surges have not solved the problems in Iraq. Let us not be fooled into thinking that this one will.

Mr. HUNTER. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I have got one speaker left here, Mr. FRANKS of Arizona, but let me just say one thing before he speaks. I appreciate the debate. I think we have had a good discussion this evening.

I wanted to say one thing about CHARLIE NORWOOD. He passed away. He was a Member of the 173rd Airborne Brigade. I was a member of that brigade. I had a very average tour, a very easy tour in Vietnam. I did nothing special. But CHARLIE NORWOOD was a real hero who won the Combat Medical Badge and two Bronze Stars in Vietnam.

I thought to commemorate CHARLIE, I have got my copy of General Douglas MacArthur's farewell speech that I quoted earlier, and let me just quote a paragraph about duty, honor and country that Douglas MacArthur thought so represented the fighting man in this country.

He said these of words, duty, honor and country, "They teach to be proud and unbending in honest failure, but humble and gentle in success; not to substitute words for action; not to seek the path of comfort, but to face the stress and spur of difficulty and challenge; to learn to stand up in the storm, but to have compassion on those who fall; to master yourself before you seek to master others; to have a heart that is clean, a goal that is high; to learn to laugh, yet never forget how to weep; to reach into the future, yet never neglect the past; to be serious, yet never take yourself too seriously; to be modest so that you will remember the simplicity of true greatness; the open mind of true wisdom, the meekness of true strength."

I think that largely represented our great friend CHARLIE NORWOOD.

Madam Speaker, I yield the balance of my time to the gentleman from Arizona (Mr. FRANKS).

Mr. FRANKS of Arizona. Thank you, Mr. HUNTER. I certainly add my own feelings toward the words that you just spoke on behalf of CHARLIE NORWOOD. None of us know when we have to step from this floor for the last time. This man, while he was here, maintained a sense of honor. He was always committed to doing those things that would bring better hope to future generations. He was honorable among us, and we can certainly salute that kind of brotherhood that he represented to all of us.

I certainly pass along my own condolences and also congratulations to his family, because in a sense CHARLIE NORWOOD's dreams were fulfilled in that he dreamed to be a statesman, and he certainly rose to that occasion in every way.

I suppose it is in a sense a little bit of a statement to all of us that the brief moments that we have here should be spent debating those things that would truly make a difference, not only for this generation, but for whatever generations remain to America.

Madam Speaker, tonight I think that is what I would like to talk about. There is an old Indian Iroquois quote that says that the secret to the universe is in the true naming of things, and as we debate tonight, it is easy for us to see each other as the opposition or as the enemy.

I think tonight, if all else should fail us, we must consider who the real enemy here is. This one is a little different than those that we faced in the past, because even though there are parallels, this is an ideology. This is not just a group of people that we face in Islamic jihadism. It is an ideology that I believe has the seeds of danger in it for the entire human family.

I think it becomes very, very important for us all to understand that one thing, because in a sense right now the battle that goes on across the world related to terrorism is a battle between those who are deeply committed with their lives to the destruction of the Western World on one side of the equation, and on the other side of the equation the opposition is largely asleep, and I think that nothing represents a greater danger to us than not only knowing what we face, but being completely oblivious to its potential.

I believe that the ideology of jihad has the ability and even the propensity to germinate and one day threaten the entire human family. And even though America is engaged in some type of fight against terrorism and jihadism in nearly 70 countries across the world, whether we realize it or not, in the eyes of the leaders of jihad, Iraq is the frontline of that conflict, and it becomes profoundly important that we recognize it from their perspective, because in any ideology, one must understand that to grow, it must somehow take root and resonate in the hearts of the potential recruits.

One of the things that causes this ideology to grow is a sense of victory on the battlefield, and leader after leader in the jihadist movement have said that Iraq is critical to the survival of their ultimate goal.

□ 2330

I know that we have faced dangerous ideologies before. There are a lot of people who have parents and family members that faced the Nazis down in World War II, and yet just a cursory glance at history helps us understand that the parallel here is real.

There was a time when the Nazis were just a bunch of lunatics riding bicycles across France, and nobody paid much attention to them. They spewed a hate and a sense of superiority over their fellow human beings and even a sense of being willing to subordinate the innocent life of others for their own ideology. We did not pay much attention to them until it began to grow and the fires of this ideology began to spread across Europe.

In the final analysis, the Western world and people of freedom did not wake up until this thing had become a monster, and when we finally did engage it, the ensuing war was so difficult and so horrible that at the end of the day, 50 million people had died.

I will just say this, Madam Speaker, Winston Churchill warned us in a way that I think is pretty profound. He said, If you will not fight, then you can easily win without bloodshed. If you will not fight, then your victory will be sure and not too costly. You may come to the moment when you will have to fight and all the odds against you with only a precarious chance of survival. There may even be a worse moment. You may have to fight when there is no hope for victory because it is still better to perish than to live as slaves.

I submit in the ideology that we face tonight that is the equation that is before us.

Mrs. TAUSCHER. Madam Speaker, I yield myself such time as I may consume.

I just want to rise to close this debate from our side and say how impressed I have been by the debate that I have heard today. It has been about 11 hours. We are going to have tomorrow and debate on Friday and Thursday, and this is the first real serious debate we have had about the President's policies in Iraq since the vote in October of 2002.

This week the House is considering a bipartisan resolution introduced by Representative IKE SKELTON of Missouri, TOM LANTOS of California, and WALTER JONES of North Carolina, which supports our troops and opposes the President's plan to add 21,500 more combat troops in Iraq.

People have talked quite a lot tonight about the size and the scope of the resolution, but it is elegant and it is certainly spare in the fact that it is about 100 words, but it is significant because of what it says.

The resolution is very straightforward. It says:

"Resolved by the House of Representatives that:

"(1) Congress and the American people will continue to support and protect the members of the United States Armed Forces who are serving or who have served bravely and honorably in Iraq; and

"(2) Congress disapproves of the decision by President George W. Bush announced on January 10, 2007, to deploy more than 20,000 additional United States combat troops to Iraq."

Those supporting this bipartisan resolution strongly support our troops and our veterans. Let us be clear on this one fundamental principle. We are honoring the service of our troops by asking the difficult questions about this war. In conducting this debate, we must be ever mindful of the sacrifices our military personnel and their families are making during this war and the toll it is taking on them and their families and our veterans. Each Member must determine for themselves, in a manner worthy of our troop's sacrifice, whether the President's plan will succeed in making Iraq more stable.

I, for one, do not believe it will, and I strongly believe and hope that my colleagues will support this resolution and the debate that is coming forth in the next 2 days

Mr. RAHALL. Madam Speaker, scripture tells us, "David consulted with the captains of thousands and hundreds and with every leader." Throughout the war in Iraq, the President has failed to adequately consult with the American people and their Congress or other countries in the region whose best interests are also served by a stable Iraq. He has long recognized that staying the course in Iraq is not working, yet he stubbornly stays the course.

The Congress has a duty to make sure once sent into harm's way for good cause, our troops are equipped and supplied with everything necessary to accomplish a given mission. The Congress has an equal duty to change or end a given mission, when circumstances, realities and rationales demand it.

We in Congress want to work with him to bring our troops home from a more stable Iraq. We should not only ensure that the people are given a full accounting of what the President is expecting of our troops in the coming months, and how much it will cost our Treasury, but we must also demand accounting of what the war in Iraq has cost the U.S., and our men and women in uniform, over the last four years.

Mr. CONYERS. Madam Speaker, I am proud to stand today with my fellow veterans in the House of Representatives to register our opposition to the President's plan to escalate the war in Iraq and to show our support for our men and women in uniform.

Last November 7th, the American people sent a clear message to Congress and the President: we must end the war in Iraq.

Now, after nearly four years of bloodshed, death and destruction, Congress is likely to go on the record as opposing the plan for escalating the war. No longer will Congress stand by while the President wages a war that defies logic, common sense and human decency. This week, we shall take a stand. This week, we tell the administration: "Enough is enough. Stop ignoring the American people. Stop ignoring your generals and retired generals, including Colin Powell. Stop ignoring the foreign policy experts. Stop wasting American lives and resources on this disastrous, unnecessary conflict."

This debate represents an important turning point in the public dialogue about Iraq, and so I welcome it. But it is not enough. The escalation must be stopped, but we cannot let the momentum against the war subside after we deal with the escalation. Our priority must remain ending the fighting and dying in Iraq.

We must end the senseless deaths of service members like Marine Tarryl Hill of Southfield, Michigan, who died only last Wednesday when his vehicle drove over a bomb in Fallujah. Tarryl Hill was just 19 years old. He had joined the military to help finance his education to become a chemical engineer, but instead he became the 120th serviceman from Michigan to die in Iraq. I don't want to see one more promising life like Tarryl's extinguished on the altar of this administration's arrogance.

The loss of Tarryl's life brings to mind the bereavement of another patriot from Michigan, Lila Lipscomb of Flint, whose 26 year old son Michael died in Iraq in April 2003 when his helicopter was shot down. A member of a military family, Ms. Lipscomb initially believed President Bush when he told the nation that the war was necessary for our national security. But her son's letters from the front lines and his tragic death showed her that he never should have gone to Iraq.

I need not spend much time explaining my opposition to the troop surge, which is simply even more "more of the same." This policy takes us in precisely the opposite direction recommended by the generals and the experts. It would simply expose GI's to more intense door-to-door fighting, in the vain hope that, in the meanwhile, the Iraqis will miraculously reconcile.

The real and underlying question is how we remove ourselves from this quagmire. As I have emphasized many times, our Constitution gives Congress the central role in decisions of war and peace. Last fall the American people spoke loudly with their votes. We should be here showing the voters that we heard them and that their trust in us was well placed.

The ultimate, unequivocal authority of the Congress is the power of the purse. We must use it. Supporters of the president's failed Iraq policy have argued that using Congress' spending power to end the war means that we don't "support the troops." It is beyond absurd to suggest that those of us who favor ending funding for the war would simply abandon the troops in the field without the equipment and supplies they need. Every piece of legislation proposing cutting funds for combat operations would require the spending necessary to bring the troops home safely.

Clichés about supporting the troops are not really about our service members' best interests. The true purpose of these accusations is to distract us from the fact that we are bogged down in an unwinnable war with no end in sight. Keeping our troops out of harm's way, especially when war is unnecessary, is the best possible way to support them. The American people understand that marching ahead blindly into oblivion is no way to support our troops. That is why they have asked us to end this war.

Madam Speaker, the administration continues to live under the illusion that it can salvage its reputation by achieving a military victory in Iraq, when it is clear that diplomacy is the only effective means at our disposal. The recent National Intelligence Estimate reflecting the collective judgment of U.S. intelligence agencies only confirms what we have seen in the daily headlines for almost a year. It concludes that the civil war has reached an intensity that is "self-sustaining" and that there are no Iraqi national leaders with the ability to stop it. No wonder the Administration stalled completion of the NIE until after the election and the President's presentation of his latest proposal.

Most of the American people know that there is only one way to proceed in Iraq. We must begin the phased withdrawal of American troops in the next four to six months and conclude it within the year. Redeploying our armed forces does not mean "cutting and running." On the contrary, we suggest continued and extensive involvement in the region through renewed diplomacy, a regional conference and reconstruction that is free from fraud and abuse. This sensible path is the only one that can lead us to victory.

Mrs. TAUSCHER. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to section 3 of House Resolution 157, further proceedings on the concurrent resolution will be postponed

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has agreed to the following resolution.

S. RES. 79

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of the honorable Charles W. Norwood, Jr., late a Representative from the State of Georgia.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Resolved, That when the Senate adjourns or recesses today, it stand adjourned or recessed as a further mark of respect to the memory of the deceased Representative.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HASTERT (at the request of Mr. BOEHNER) for the week of February 12.

ENROLLED BILL SIGNED

Mrs. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 742. An act to amend the Antitrust Modernization Commission Act of 2002, to extend the term of the Antitrust Modernization Commission and to make a technical correction.

BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House reports that on February 9, 2007 she presented to the President of the United States, for his approval, the following bill.

H.R. 434. An act to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958 through July 31, 2007, and for other purposes.

ADJOURNMENT

Mrs. TAUSCHER. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 35 minutes p.m.), the House adjourned until tomorrow, Wednesday, February 14, 2007, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

598. A letter from the Interim Director, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Allocation of Assets in Single Employer Plans; Valuation of Benefits and Assets; Expected Retirement Age — received January 2, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

599. A letter from the Interim Director, Pension Benefit Guaranty Corporation,

transmitting the Corporation's final rule — Benefits Payable in Terminated Single-Employer Plans — received January 2, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

600. A letter from the Interim Director, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits — received January 2, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

601. A communication from the President of the United States, transmitting certification that the export to the People's Republic of China of the specified items is not detrimental to the United States space launch industry, and that the material and equipment, including any indirect technical benefit that could be derived from such exports, will not measurably improve the missile or space launch capabilities of the People's Republic of China, pursuant to Public Law 105-261, section 1512; (H. Doc. No. 110–14); to the Committee on Foreign Affairs and ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. YOUNG of Alaska (for himself and Mr. Brown of South Carolina):

H.R. 1006. A bill to amend the provisions of law relating to the John H. Prescott Marine Mammal Rescue Assistance Grant Program, and for other purposes; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska:

H.R. 1007. A bill to amend the Marine Mammal Protection Act of 1972 to repeal the long-term goal for reducing to zero the incidental mortality and serious injury of marine mammals in commercial fishing operations, and to modify the goal of take reduction plans for reducing such takings; to the Committee on Natural Resources.

By Ms. BEAN (for herself, Mr. Hill, Mr. Arcuri, Mr. Barrow, Mr. Berry, Ms. Berkley, Ms. Bordallo, Mr. Boswell, Mr. Boyd of Florida, Mr. Butterfield, Mr. Cardoza, Mr. Chandler, Mr. Cooper, Mr. Costa, Mr. Cramer, Mr. Davis of Illinois, Mr. Donnelly, Mr. Doyle, Mr. Ellsworth, Mr. Emanuel, Mr. Grijalva, Mr. Hall of New York, Mr. Hinchey, Ms. Hooley, Mr. Inslee, Mr. Kind, Mr. Lipinski, Mrs. Lowey, Mrs. Maloney of New York, Mr. Marshall, Ms. Matsui, Mrs. McCarthy of New York, Mr. McGovern, Mr. McIntyre, Mr. Meek of Florida, Mr. Melancon, Mr. George Miller of California, Ms. Moore of Wisconsin, Mr. Patrick Murphy of Pennsylvania, Mr. Ross, Mr. Schiff, Mr. Shuler, Ms. Slaughter, Ms. Solis, Mr. Spratt, Mr. Tanner, Mr. Wilson of Ohio, Mr. Yarmuth, Ms. Wasserman Schultz, and Ms. Schakowsky):

H.R. 1008. A bill to improve public awareness in the United States regarding safe use of the Internet through the establishment of an Office of Internet Safety and Public Awareness within the Federal Trade Commission; to the Committee on Energy and Commerce.

By Mr. PAUL (for himself, Ms. Baldwin, Mr. Frank of Massachusetts, Mr. Grijalva, Mr. Hinchey, Mr. Kucinich, Mr. McDermott, Mr. George Miller of California, Mr. Stark, and Ms. Woolsey):

H.R. 1009. A bill to amend the Controlled Substances Act to exclude industrial hemp from the definition of marihuana, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GEORGE MILLER of California (for himself and Mr. Petri):

H.R. 1010. A bill to ensure that Federal student loans are delivered as efficiently as possible in order to provide additional grant aid to students; to the Committee on Education and Labor.

By Mr. BOUCHER (for himself, Mr. Wolf, Mr. Moran of Virginia, Mr. Scott of Virginia, Mrs. Jo Ann Davis of Virginia, and Mr. Tom Davis of Virginia):

H.R. 1011. A bill to designate additional National Forest System lands in the State of Virginia as wilderness or a wilderness study area, to designate the Kimberling Creek Potential Wilderness Area for eventual incorporation in the Kimberling Creek Wilderness, to establish the Seng Mountain and Bear Creek Scenic Areas, to provide for the development of trail plans for the wilderness areas and scenic areas, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BUCHANAN (for himself, Ms. Fallin, Mr. Gilchrest, Mr. Davis of Illinois, and Ms. Ginny Brown-Waite of Florida):

H.R. 1012. A bill to reform laws and procedures affecting small business; to the Committee on Education and Labor, and in addition to the Committees on Small Business, the Judiciary, Oversight and Government Reform, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BURGESS:

H.R. 1013. A bill to amend title XXI of the Social Security Act to prohibit the approval or continuation of section 1115 waivers insofar as they provide coverage of nonpregnant adults under the State Children's Health Insurance Program (SCHIP); to the Committee on Energy and Commerce.

By Mrs. CAPPS (for herself and Mrs. Cubin):

H.R. 1014. A bill to amend the Federal Food, Drug, and Cosmetic Act and the Public Health Service Act to improve the prevention, diagnosis, and treatment of heart disease, stroke, and other cardiovascular diseases in women; to the Committee on Energy and Commerce.

By Mr. CAPUANO:

H.R. 1015. A bill to require automobile dealers to disclose to consumers the presence of event data recorders, or "black boxes", on new automobiles, and to require manufacturers to provide the consumer with the option to enable and disable such devices on future automobiles; to the Committee on Energy and Commerce.

By Mr. DELAHUNT:

H.R. 1016. A bill to amend the Omnibus Parks and Public Lands Management Act of 1996 to authorize the Secretary of the Interior to enter into cooperative agreements with any of the management partners of the Boston Harbor Islands National Recreation Area, and for other purposes; to the Committee on Natural Resources.

By Mr. DINGELL (for himself, Mr. Whitfield, Mr. George Miller of California, Mr. Pallone, Mr. Waxman, Mr. Grijalva, Mr. McDermott, and Mr. Farr):

H.R. 1017. A bill to amend title XIX of the Social Security Act to improve requirements under the Medicaid Program for items and services furnished in or through an educational program or setting to children, including children with developmental, physical, or mental health needs, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. EMERSON (for herself, Mr. Boozman, Mr. Paul, and Mr. Duncan):

H.R. 1018. A bill to amend the Animal Health Protection Act to prohibit the Secretary of Agriculture from implementing or carrying out a National Animal Identification System or similar requirement and to require the Secretary to protect information obtained as part of any voluntary animal identification system; to the Committee on Agriculture.

By Mr. FORTUÑO:

H.R. 1019. A bill to designate the United States customhouse building located at 31 Gonzalez Clemente Avenue in Mayaguez, Puerto Rico, as the "Rafael Martinez Nadal United States Customhouse Building"; to the Committee on Transportation and Infrastructure.

By Mr. FOSSELLA (for himself, Mr. Reynolds, and Mr. Crowley):

H.R. 1020. A bill to authorize the Urban Areas Security Initiative Grants Program of the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security.

By Mr. FRANK of Massachusetts:

H.R. 1021. A bill to direct the Secretary of the Interior to conduct a special resources study regarding the suitability and feasibility of designating certain historic buildings and areas in Taunton, Massachusetts, as a unit of the National Park System, and for other purposes; to the Committee on Natural Resources.

By Mrs. McCARTHY of New York:

H.R. 1022. A bill to reauthorize the assault weapons ban, and for other purposes; to the Committee on the Judiciary.

By Mr. MEEK of Florida (for himself and Mr. Herger):

H.R. 1023. A bill to repeal the imposition of withholding on certain payments made to vendors by government entities; to the Committee on Ways and Means.

By Mr. MILLER of Florida:

H.R. 1024. A bill to provide for the issuance of a postage stamp commemorating the 450th anniversary of the founding of the first European settlement in the continental United States, at Pensacola, Florida, by Tristan de Luna in 1559; to the Committee on Oversight and Government Reform.

By Mr. MORAN of Kansas (for himself and Mr. Smith of Nebraska):

H.R. 1025. A bill to authorize the Secretary of the Interior to conduct a study to determine the feasibility of implementing a water supply and conservation project to improve water supply reliability, increase the capacity of water storage, and improve water management efficiency in the Republican River Basin between Harlan County Lake in

Nebraska and Milford Lake in Kansas; to the Committee on Natural Resources.

By Mr. MORAN of Kansas (for himself, Mrs. EMERSON, Ms. HERSETH, and Mr. ROSS):

H.R. 1026. A bill to facilitate the sale of United States agricultural products to Cuba, as authorized by the Trade Sanctions Reform and Export Enhancement Act of 2000; to the Committee on Foreign Affairs, and in addition to the Committees on the Judiciary, Financial Services, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MURTHA:

H.R. 1027. A bill to amend title 36, United States Code, to authorize the spouse and siblings of a recipient of the Purple Heart medal to become associate members in the Military Order of the Purple Heart of the United States of America, Incorporated; to the Committee on the Judiciary.

By Mr. SALAZAR (for himself and Mr. UDALL of Colorado):

H.R. 1028. A bill to create a Rural Policing Institute as part of the Federal Law Enforcement Training Center; to the Committee on the Judiciary.

By Mr. STEARNS (for himself, Mr. JONES of North Carolina, Ms. MOORE of Wisconsin, Mr. CAMPBELL of California, Mr. SENSENBRENNER, and Mrs. BLACKBURN):

H.R. 1029. A bill to amend title 49, United States Code, to direct the National Highway Traffic Safety Administration to require the disclosure of information relating to the fair market value and safety of damaged motor vehicles; to the Committee on Energy and Commerce.

By Ms. WATERS (for herself, Mrs. CHRISTENSEN, Mr. HONDA, Mr. KILDEE, Mr. MCDERMOTT, Mr. WAXMAN, Ms. SCHAKOWSKY, Mr. STARK, and Ms. CARSON):

H.R. 1030. A bill to amend the Public Health Service Act to establish a program to provide screenings and treatment for cancer to minority or underserved populations, and for other purposes; to the Committee on Energy and Commerce.

By Ms. WATERS (for herself, Ms. DEGETTE, Ms. ROS-LEHTINEN, Mr. BECERRA, Mr. FORTUÑO, Mr. WAXMAN, Ms. SCHAKOWSKY, Ms. SOLIS, Mrs. CHRISTENSEN, Mr. KILDEE, and Ms. BORDALLO):

H.R. 1031. A bill to amend the Public Health Service Act to authorize grants to provide treatment for diabetes in minority communities; to the Committee on Energy and Commerce.

By Ms. WATERS (for herself, Mr. MARKEY, Ms. ROS-LEHTINEN, Mr. WAXMAN, Mr. RAMSTAD, Mr. SCHIFF, Mr. BOOZMAN, Ms. SCHAKOWSKY, Mr. WOLF, and Mr. BECERRA):

H.R. 1032. A bill to amend the Public Health Service Act to authorize grants for treatment and support services for Alzheimer's patients and their families; to the Committee on Energy and Commerce.

By Mr. WEINER:

H.R. 1033. A bill to direct the Secretary of Transportation to establish a grant program to improve railroad safety by providing funds for the construction and maintenance of fencing and other protective structures along railroad tracks, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. WILSON of South Carolina (for himself, Mr. ALEXANDER, Mr. ETHERIDGE, Mr. SMITH of New Jersey, Mr. HOLT, Mr. SAXTON, Mr. PASTOR, Mr. MELANCON, Mr. LAHOOD, and Mr. SPRATT):

H.R. 1034. A bill to amend the National Guard Youth Challenge Program under title 32, United States Code, to exclude non-defense funds made available by other Federal agencies for the Program from the matching requirements of the Program; to the Committee on Armed Services.

By Mr. WILSON of South Carolina:

H.R. 1035. A bill to amend the Internal Revenue Code of 1986 to provide a nonrefundable personal credit to individuals who donate certain life-saving organs; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Alaska:

H.R. 1036. A bill to authorize the Administrator of General Services to convey a parcel of real property to the Alaska Railroad Corporation; to the Committee on Transportation and Infrastructure.

By Mr. BECERRA (for himself, Ms. MATSUI, and Mr. SAM JOHNSON of Texas):

H.J. Res. 25. A joint resolution providing for the reappointment of Patricia Q. Stonesifer as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on House Administration.

By Mr. BECERRA (for himself, Ms. MATSUI, and Mr. SAM JOHNSON of Texas):

H.J. Res. 26. A joint resolution providing for the reappointment of Walter E. Massey as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on House Administration.

By Mr. BECERRA (for himself, Ms. MATSUI, and Mr. SAM JOHNSON of Texas):

H.J. Res. 27. A joint resolution providing for the reappointment of Roger W. Sant as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on House Administration.

By Mr. JACKSON of Illinois (for himself, Mr. BISHOP of Georgia, Ms. CORRINE BROWN of Florida, Mrs. CHRISTENSEN, Mr. CLEAVER, Mr. CUMMINGS, Mr. FATTAH, Mr. GRIJALVA, Ms. KILPATRICK, Mr. JOHNSON of Georgia, Mr. MEEK of Florida, Ms. NORTON, Mr. RUSH, Mr. STARK, Ms. WOOLSEY, and Mr. WYNN):

H.J. Res. 28. A joint resolution proposing an amendment to the Constitution of the United States regarding the right to vote; to the Committee on the Judiciary.

By Mr. JACKSON of Illinois:

H.J. Res. 29. A joint resolution proposing an amendment to the Constitution of the United States regarding the right of all citizens of the United States to a public education of equal high quality; to the Committee on the Judiciary.

By Mr. JACKSON of Illinois:

H.J. Res. 30. A joint resolution proposing an amendment to the Constitution of the United States regarding the right of citizens of the United States to health care of equal high quality; to the Committee on the Judiciary.

By Mr. JACKSON of Illinois:

H.J. Res. 31. A joint resolution proposing an amendment to the Constitution of the United States relating to equality of rights and reproductive rights; to the Committee on the Judiciary.

By Mr. JACKSON of Illinois:

H.J. Res. 32. A joint resolution proposing an amendment to the Constitution of the United States respecting the right to decent, safe, sanitary, and affordable housing; to the Committee on the Judiciary.

By Mr. JACKSON of Illinois:

H.J. Res. 33. A joint resolution proposing an amendment the Constitution of the United States respecting the right to a clean, safe, and sustainable environment; to the Committee on the Judiciary.

By Mr. JACKSON of Illinois:

H.J. Res. 34. A joint resolution proposing an amendment to the Constitution of the United States relative to taxing the people of the United States progressively; to the Committee on the Judiciary.

By Mr. JACKSON of Illinois:

H.J. Res. 35. A joint resolution proposing an amendment to the Constitution of the United States respecting the right to full employment and balanced growth; to the Committee on the Judiciary.

By Mr. JACKSON of Illinois:

H.J. Res. 36. A joint resolution proposing an amendment to the Constitution of the United States to abolish the Electoral College and provide for the direct election of the President and Vice President by the popular vote of all citizens of the United States regardless of place of residence; to the Committee on the Judiciary.

By Mr. PITTS (for himself, Mr. PAYNE, Mr. MCINTYRE, Mr. SMITH of New Jersey, Mr. WOLF, Mr. BURTON of Indiana, Mr. FORTENBERRY, Mr. CLYBURN, Mr. FLAKE, Mr. POE, Mr. HASTINGS of Florida, Mr. GARY G. MILLER of California, Mr. BOOZMAN, Mrs. MUSGRAVE, Mr. LAMBORN, Mr. WILSON of South Carolina, Mr. PENCE, Mr. MANZULLO, Mr. FORBES, Mr. BARRETT of South Carolina, Mr. FRANKS of Arizona, Mr. WELDON of Florida, Mr. CANTOR, Mr. ROGERS of Michigan, and Mr. SESSIONS):

H. Res. 158. A resolution observing the 200th anniversary of the abolition of the British slave trade and encouraging the people of the United States, particularly the youth of the United States, to remember the life and legacy of William Wilberforce, a member of the British House of Commons who devoted his life to the suppression and abolition of the institution of slavery, and to work for the protection of human rights throughout the world; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Ms. DEGETTE introduced a bill (H.R. 1037) for the relief of Rosa Isela Figueroa Rincon, Miguel Angel Figueroa Rincon, Blanca Azucena Figueroa Rincon, and Nancy Araceli Figueroa Rincon; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 24: Mr. BACA.

H.R. 39: Mr. ACKERMAN, Mr. ANDREWS, Mr. ALLEN, Ms. BALDWIN, Mr. BERMAN, Ms. BERKLEY, Mr. BISHOP of New York, Mr. BLUMENAUER, Mr. BOUCHER, Mrs. CAPPS, Mr. CARNAHAN, Mrs. CHRISTENSEN, Mr. CLAY, Mr.

Cohen, Mr. Conyers, Mr. Courtney, Mr. Cummings, Mr. Crowley, Mr. Davis of Illinois, Mrs. Davis of California, Mr. DeFazio, Ms. DeLauro, Mr. Doggett, Mr. Emanuel, Mr. Engel, Mr. Ellison, Ms. Eshoo, Mr. Farr, Mr. Filner, Mr. Frank of Massachusetts, Mr. Grijalva, Mr. Gutierrez, Mr. Hall of New York, Mr. Hare, Ms. Harman, Mr. Hinchey, Ms. Hirono, Mr. Holt, Ms. Hooley, Mr. Honda, Mr. Inslee, Mr. Israel, Ms. Jackson-Lee of Texas, Ms. Eddie Bernice Johnson of Texas, Mr. Johnson of Georgia, Ms. Kaptur, Mr. Kennedy, Mr. Kildee, Ms. Kilpatrick, Mr. Kucinich, Mr. Langevin, Mr. Lantos, Ms. Lee, Mr. Lewis of Georgia, Mr. Levin, Mr. Lipinski, Ms. Zoe Lofgren of California, Mr. Lynch, Mrs. McCarthy of New York, Ms. McCollum of Minnesota, Mr. McDermott, Mr. McGovern, Mr. McNulty, Mrs. Maloney of New York, Mr. Meehan, Mr. Michaud, Ms. Millender-McDonald, Mr. George Miller of California, Mr. Moran of Virginia, Mr. Moore of Kansas, Ms. Moore of Wisconsin, Mr. Patrick J. Murphy of Pennsylvania, Mr. Nadler, Mr. Neal of Massachusetts, Ms. Norton, Mr. Olver, Mr. Pallone, Mr. Pastor, Mr. Payne, Mr. Perlmutter, Mr. Price of North Carolina, Mr. Rothman, Ms. Linda T. Sánchez of California, Ms. Loretta Sanchez of California, Mr. Sarbanes, Ms. Schakowsky, Mr. Schiff, Ms. Schwartz, Mr. Scott of Virginia, Mr. Serrano, Mr. Shays, Mr. Sestak, Mr. Sires, Ms. Solis, Mr. Spratt, Mr. Stark, Mrs. Tauscher, Mr. Tierney, Mr. Udall of Colorado, Mr. Van Hollen, Mr. Waxman, Mr. Weiner, Mr. Welch of Vermont, Mr. Wexler, Ms. Woolsey, Mr. Wu, Mr. Wynn, Mr. Murphy of Connecticut, and Mr. Udall of New Mexico.

H.R. 73: Ms. Foxx, Mrs. Capito, and Mr. Conaway.

H.R. 89: Ms. Giffords.

H.R. 100: Mr. Filner.

H.R. 192: Mr. Pickering.

H.R. 217: Mr. Grijalva, Mr. Waxman, Mr. Davis of Illinois, Ms. DeLauro, and Ms. Lee.

H.R. 232: Mr. Johnson of Georgia.

H.R. 241: Mr. Tiberi.

H.R. 249: Mr. Tierney, Mr. Delahunt, Ms. Kaptur, Ms. Berkley, Mr. Frank of Massachusetts, and Mr. LoBiondo.

H.R. 293: Mr. Kuhl of New York.

H.R. 303: Ms. Giffords and Mr. Shuler.

H.R. 343: Mr. Gene Green of Texas.

H.R. 358: Mr. Gonzalez and Mr. Hare.

H.R. 359: Mr. Payne, Ms. Roybal-Allard, Mrs. Christensen, Mr. Blumenauer, Mr. Davis of Illinois, Ms. Kilpatrick, and Ms. Jackson-Lee of Texas.

H.R. 395: Mr. Lewis of Kentucky.

H.R. 409: Mrs. Tauscher, Mr. Serrano, Mr. Carnahan, Mr. Gonzalez, and Ms. Norton.

H.R. 410: Mr. Al Green of Texas and Mr. Jefferson.

H.R. 458: Mr. Frank of Massachusetts, Mr. Bishop of New York, Ms. Carson, and Ms. Jackson-Lee of Texas.

H.R. 460: Ms. Moore of Wisconsin and Mr. Brady of Pennsylvania.

H.R. 471: Mr. Frank of Massachusetts, Mr. Campbell of California, Mr. Wexler, Mr. Pence, Mr. Brown of South Carolina, Mr. Garrett of New Jersey, and Mr. Sam Johnson of Texas.

H.R. 473: Mr. Johnson of Georgia.

H.R. 488: Mr. Moran of Virginia.

H.R. 491: Mr. Wexler and Mrs. Boyda of Kansas.

H.R. 493: Mr. Loebsack, Mrs. Musgrave, and Ms. Berkley.

H.R. 503: Mr. Cohen, Mr. Lewis of Georgia, Mr. Lantos, Mr. Frelinghuysen, Mr. Meehan, Mr. Schiff, Mr. McGovern, Ms. DeGette, Mr. Inglis of South Carolina, Mr. Sestak, Mr. Arcuri, Ms. Zoe Lofgren of California, and Ms. Corrine Brown of Florida.

H.R. 511: Mrs. Jo Ann Davis of Virginia.

H.R. 526: Mr. Payne.

H.R. 549: Mr. Pickering, Mr. Kind, and Mr. Marshall.

H.R. 556: Mr. Courtney.

H.R. 563: Mr. Feeney and Mr. Gordon.

H.R. 588: Mr. Baird, Mr. Boswell, Mrs. Capps, Ms. DeGette, Mr. Doggett, Mr. Filner, Ms. Matsui, Mr. Miller of North Carolina, Mr. Chandler, Mr. Ross, Mr. Tanner, Mr. Courtney, Mr. Salazar, Mr. Cramer, Mr. Michaud, Mr. Kind, Mr. Payne, Mr. McGovern, Ms. Bean, Mr. Wynn, and Mr. Berry.

H.R. 592: Ms. Corrine Brown of Florida.

H.R. 600: Mr. Clyburn, Mr. Butterfield, and Mr. Gonzalez.

H.R. 623: Ms. Lee, Ms. Moore of Wisconsin, Mr. Cohen, and Mr. Gonzalez.

H.R. 624: Mr. Jefferson, Mr. Pastor, Mr. Berry, Ms. Watson, Mr. Moran of Virginia, Mr. Towns, Mr. Waxman, Ms. Eddie Bernice Johnson of Texas, Mrs. Capps, and Mr. Doyle.

H.R. 629: Mr. Al Green of Texas.

H.R. 634: Mr. Higgins, Mr. Walz of Minnesota, and Mr. Buyer.

H.R. 636: Mrs. McMorris Rodgers and Mr. Lewis of Kentucky.

H.R. 654: Mr. Clay, Mr. Rush, Mr. Waxman, Mr. Capuano, Mr. Gordon, Mr. Pastor, Mr. Cummings, Mr. Frank of Massachusetts, Mr. Lincoln Davis of Tennessee, Mr. George Miller of California, Mr. Ryan of Wisconsin, Mrs. Capps, Ms. Woolsey, and Mr. Doyle.

H.R. 676: Mr. Johnson of Georgia.

H.R. 678: Mr. McCaul of Texas and Mr. Costa.

H.R. 682: Mr. Cleaver.

H.R. 684: Mr. Johnson of Georgia.

H.R. 687: Mrs. Myrick, Mr. Moore of Kansas, Mr. Gordon, Ms. Woolsey, Mr. Kind, and Mr. Young of Alaska.

H.R. 688: Mr. Pallone, Mr. Murtha, Mr. Saxton, Mr. LaTourette, and Mr. Whitfield.

H.R. 690: Mr. Platts.

H.R. 691: Ms. Woolsey and Ms. Castor.

H.R. 694: Mr. Johnson of Georgia and Mr. Baker.

H.R. 697: Mr. Kline of Minnesota.

H.R. 701: Mr. Scott of Virginia and Mr. Miller of Florida.

H.R. 710: Ms. Ginny Brown-Waite of Florida, Mr. Boozman, Ms. Kilpatrick, Mr. Walden of Oregon, Mr. Price of Georgia, and Mr. Markey.

H.R. 711: Mr. Etheridge.

H.R. 718: Mr. Burton of Indiana, Ms. Herseth, Mr. Larson of Connecticut, Mr. Holt, Mr. Shays, Mr. Rehberg, Mr. Ross, Ms. Schwartz, and Mr. Latham.

H.R. 720: Mr. Abercrombie, Mr. Weller, and Ms. Woolsey.

H.R. 724: Mr. Lewis of California.

H.R. 725: Mr. Jindal.

H.R. 731: Mr. Johnson of Georgia and Mr. Fossella.

H.R. 759: Mr. Miller of Florida.

H.R. 775: Mr. Brady of Pennsylvania.

H.R. 776: Mr. Doggett.

H.R. 782: Mr. Bachus, Mr. Goode, Mr. Jones of North Carolina, Mr. Holden, and Mr. Gillmor.

H.R. 784: Ms. Ginny Brown-Waite of Florida and Mrs. Wilson of New Mexico.

H.R. 787: Mr. Braley of Iowa.

H.R. 797: Mr. Gonzalez, Mr. Peterson of Minnesota, and Mr. Reyes.

H.R. 808: Mr. Hastings of Florida, Mr. Cleaver, Mr. Gutierrez, Mr. Olver, and Ms. McCollum of Minnesota.

H.R. 811: Mr. Gerlach.

H.R. 821: Ms. Herseth, Mr. Holt, and Ms. Hirono.

H.R. 826: Mrs. Myrick.

H.R. 840: Ms. Corrine Brown of Florida, Mr. Fattah, Mrs. Christensen, Mr. McGovern, Ms. Kilpatrick, Mr. Moran of Virginia, Ms. Castor, Mr. Carnahan, Mr. Sires, Ms. Jackson-Lee of Texas, Mr. Payne, Mr. Grijalva, Mr. Johnson of Georgia, Mr. Cummings, Ms. Schwartz, and Mr. Davis of Illinois.

H.R. 854: Ms. Linda T. Sánchez of California, Ms. Corrine Brown of Florida, and Mr. Bishop of Georgia.

H.R. 861: Mr. Bilbray, Mr. Rogers of Alabama, Mr. Lincoln Diaz-Balart of Florida, Mr. Garrett of New Jersey, Mr. Carter, Mr. Brown of South Carolina, Mr. Renzi, Mr. Matheson, Mrs. Myrick, Mrs. Cubin, Mr. Hall of Texas, Mr. McCotter, Mr. Wicker, Mr. Lewis of Kentucky, Mr. Miller of Florida, Mr. English of Pennsylvania, Mr. Alexander, Mr. Hensarling, Mr. Cantor, Mr. David Davis of Tennessee, Mr. Cannon, Mr. Boozman, Mr. Issa, Mr. Sali, Mr. Sessions, Mr. Chabot, Mr. Young of Alaska, Mr. Walberg, Mr. Gordon, Mrs. Capito, Mr. Bishop of Utah, Mr. Murtha, Mr. Peterson of Minnesota, Mr. Wamp, and Mr. Platts.

H.R. 866: Mr. Buyer.

H.R. 876: Mr. Gerlach.

H.R. 891: Mr. Conaway.

H.R. 897: Ms. Zoe Lofgren of California.

H.R. 901: Mr. Neal of Massachusetts, Mr. Wexler, Mr. Payne, Ms. Corrine Brown of Florida, and Mr. McGovern.

H.R. 923: Mr. Olver and Mr. Capuano.

H.R. 943: Mr. Hodes, Mr. Donnelly, and Mr. Gilchrest.

H.R. 972: Mr. Hare.

H.R. 976: Mr. English of Pennsylvania, Mr. Hulshof, Mr. Sam Johnson of Texas, Mr. Lewis of Kentucky, Mr. Ramstad, Mr. Tiberi, Mr. Weller, Mr. Brady of Texas, Mr. Porter, Mr. Linder, Mr. Reynolds, Mr. Schiff, and Mr. Welch of Vermont.

H.R. 980: Mr. Holt and Mr. Saxton.

H.R. 984: Mr. Cummings, Mrs. Maloney of New York, Ms. Norton, Mr. Kucinich, Ms. McCollum of Minnesota, Mr. Van Hollen, Mr. Cooper, Mr. Braley of Iowa, Mr. Yarmuth, Mr. Clay, Mr. Kanjorski, Mr. Davis of Illinois, and Mr. Shays.

H.R. 985: Mr. Cummings, Mrs. Maloney of New York, Ms. Norton, Mr. Kucinich, Ms. McCollum of Minnesota, Ms. Watson, Mr. Cooper, Mr. Braley of Iowa, Mr. Yarmuth, Mr. Clay, Mr. Kanjorski, Mr. Davis of Illinois, and Mr. Shays.

H.R. 997: Mr. Buyer, Mr. Barton of Texas, and Mr. Tiahrt.

H.R. 999: Ms. Ginny Brown-Waite of Florida.

H.R. 1003: Mr. Wilson of South Carolina, Mr. Wexler, Mr. Burton of Indiana, and Mr. Smith of Washington.

H.J. Res. 1: Mr. Boren, Mr. Brown of South Carolina, Mr. Buyer, Mr. Doolittle, Mr. English of Pennsylvania, Mr. Gallegly, Mr. Sam Johnson of Texas, Mr. Kline of Minnesota, Mr. Linder, Mr. Manzullo, Mr. McCaul of Texas, Mrs. Myrick, Mr. Peterson of Pennsylvania, Mr. Platts, Mr. Renzi, and Mr. Tiberi.

H.J. Res. 14: Mr. McDermott, Mr. Meeks of New York, Mr. Johnson of Georgia, Mrs. Maloney of New York, Ms. Jackson-Lee of Texas, and Mrs. Napolitano.

H. Con. Res. 9: Mr. Pascrell, and Mr. Clyburn.

H. Con. Res. 23: Mr. Price of North Carolina and Mr. Ellison.

H. Con. Res. 24: Ms. Moore of Wisconsin, Mr. Nadler, and Mr. Gonzalez.

H. Con. Res. 26: Mr. GONZALEZ, Mr. BLUMENAUER, and Mrs. LOWEY.

H. Con. Res. 48: Ms. JACKSON-LEE of Texas and Mr. KUHL of New York.

H. Con. Res. 49: Mr. SHIMKUS, Mr. WEXLER, Mr. SHULER, Ms. MCCOLLUM of Minnesota, Mr. SIRES, Mr. GONZALEZ, and Ms. ZOE LOFGREN of California.

H. Res. 37: Mr. SHERMAN, Mrs. MALONEY of New York, Mr. GONZALEZ, and Mr. SCHIFF.

H. Res. 41: Mr. TIERNEY.

H. Res. 64: Mr. BERMAN, Mr. MANZULLO, Mr. SCHIFF, and Mr. CHABOT.

H. Res. 67: Mr. JEFFERSON.

H. Res. 89: Mr. EHLERS, Mr. MCCOTTER, Mr. SHUSTER, Mr. MCNULTY, Mr. UPTON, Mr. MCDERMOTT, Mr. LIPINSKI, Mr. BROWN of South Carolina, and Mr. ROGERS of Michigan.

H. Res. 98: Ms. MCCOLLUM of Minnesota, Mr. ACKERMAN, Mr. SIRES, and Mr. BERMAN.

H. Res. 100: Mr. ROTHMAN, Mr. CUMMINGS, Ms. SLAUGHTER, Mr. GEORGE MILLER of California, Mr. CLAY, Ms. MOORE of Wisconsin, Mr. SERRANO, Mr. PAYNE, Mr. OLVER, Mr. PLATTS, Mr. GUTIERREZ, Mr. DAVIS of Illinois, and Mr. DOGGETT.

H. Res. 107: Ms. SCHWARTZ.

H. Res. 113: Mr. STARK.

H. Res. 119: Mr. EMANUEL and Mr. GONZALEZ.

EXTENSIONS OF REMARKS

RECOGNIZING DREW WILLIAMS FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 13, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Drew Williams, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 60, and in earning the most prestigious award of Eagle Scout.

Drew has been very active with his troop, participating in many scout activities. Over the years Drew has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Among his accomplishments, Drew has earned 42 merit badges and attended Camp Gieger twice. He has also earned the God and Me, God and Family and God and Church awards, and further has served Troop 60 of Savannah as librarian and historian.

Madam Speaker, I proudly ask you to join me in commending Drew Williams for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

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IN RECOGNITION OF CAPTAIN CHUCK HOWELL

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 13, 2007

Mr. BURGESS. Madam Speaker, I rise today to honor Captain Chuck Howell for his dedicated and outstanding service to the Denton Fire Department and the City of Denton, Texas.

Captain Chuck Howell has recently been named Fire Officer of the Year for his leadership and devotion to the Denton Fire Department. As a confident and intelligent captain and fireman, Mr. Howell is not afraid to take command or defend a fire himself. He has gained much respect from his fellow firemen and maintains a level of competency that stands unparalleled.

It is with great honor that I recognize Captain Chuck Howell for his hard work and selfless dedication to the Denton Fire Department and the citizens of Denton, Texas. I am proud to represent him in Washington, and his service will be set as a standard of devotion and true leadership, one that will never be forgotten.

IN HONOR OF SGT. FIRST CLASS FLOYD LAKE

HON. DONNA M. CHRISTENSEN

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 13, 2007

Mrs. CHRISTENSEN. Madam Speaker, Sgt. First Class Floyd Everett Lake was a courageous, dedicated and committed soldier who died on January 20, 2007 when the Blackhawk helicopter in which he was riding with fellow Virgin Islands soldier, Lt. Col. David C. Canegata III and ten other brave Americans was shot down over Baghdad, Iraq. Soldiers Canegata and Lake served together in the Virgin Islands National Guard, and at the Pentagon at the National Guard Bureau.

He was an exemplary soldier who cared for his family and his community and he served his country with distinction. He was said to be quiet and plainspoken, honest and forthright, caring, gentle and generous. In a single moment he was taken from his family, from his wife, Linda, mother, Mrs. Buchanan, children Andre, Keeshawn, Floyd, Jr., J'Nell, Tamila, his mother-in-law Junie and sisters and brothers Patricia, Bernadette, Cheryl, Odette, Zelda, Earl, and Asbert, many friends and his National Guard family.

The Gospel of John, Chapter 15, Verse 13 states that "Greater love than this has no man, but that he lay down his life for his friends." SFC Lake and his comrades have done just that.

God lent us a wonderful gift in the life of SFC Lake. He now returns to his loving embrace.

We honor him and thank him for his sacrifice. May he rest in God's eternal peace.

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CONGRATULATING LIBERTY HILL HIGH SCHOOL FOOTBALL TEAM

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 13, 2007

Mr. CARTER. Madam Speaker, I would like to take this opportunity to recognize the success and achievements of Liberty Hill High School in Liberty Hill, Texas. In particular, I would like to extend my sincere congratulations to the Liberty Hill High School Panthers football team, who were the Division II, Class AAA champions this year. Winning the championship was an appropriate end to a great year for the Panthers and was very much deserved. Liberty Hill has long been recognized as a school dedicated to academic success, and with this feat they have shown that their prowess extends to the athletic fields as well.

Liberty Hill High School is an example of what a school can achieve with hard work and dedication. I admire what they do to positively mold their student-athletes into model citizens. I am very proud and honored to represent the Panther football team and all of Liberty Hill High School. I wish them congratulations and continued success in their future endeavors.

* * *

TRIBUTE TO CARMEN SALINAS

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 13, 2007

Mr. CUELLAR. Madam Speaker, I rise today to honor Carmen Salinas on her work representing Mexico as Señora Internacional during the Washington Birthday Celebration, which is the largest celebration of its kind in the United States.

Mrs. Carmen Salinas was born on September 4, 1933, in the City of Torreon, Coahuila, Mexico. Her early steps in the arts were marked by her strong desire to give the public a great performance. In 1964, Mrs. Salinas worked in television under the direction of Mr. Ernesto Alonzo in the productions of " La Vecindad," "La Frontera," "Sublime Redencion," and "El Chofer." Her theatrical work includes productions of "Cada Quien Su Vida," "Vine, Vi y Mejor Me Fui," but according to critics, her best performance was in "Aprendiendo a Ser Señora."

Mrs. Carmen Salinas' work on the big screen is to be admired. She has starred in big-screen productions including "Distrito Federal," "Paso de Cojo," "Que Viva Tepito," "Danzon," "Albures Mexicanos," and "Nos Reimos de la Migra," among many others. Her performances in the small screen include super hits such as "Abrazame Muy Fuerte," "Preciosa," "Mi Pequeña Traviesa," and "Maria Mercedes." She is also recognized as a successful entrepreneur, particularly for her theatrical presentation "Aventurera," one of Mexico's most popular theatrical productions in recent history, which also has been featured in many cities in the United States with great crossover appeal.

She was recently honored in New York by the A.C.E. Awards, and also received the "Palmas de Oro" award. The Hispanic community is proud to consider Mrs. Carmen Salinas as one of its most influential role models.

Madam Speaker, I am honored to recognize the dedication of Carmen Salinas to the Hispanic-American community in the United States.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

INTRODUCTION OF A BILL TO AMEND THE MARINE MAMMAL PROTECTION ACT: FEBRUARY 1, 2007

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 13, 2007

Mr. YOUNG of Alaska. Madam Speaker, I am introducing legislation to amend the Marine Mammal Protection Act, MMPA, to remove the requirement in the act for commercial fisheries "to further reduce the incidental mortality and serious injury of marine mammals to an insignificant level approaching a zero mortality and serious injury rate," which is commonly referred to as the "Zero Mortality Rate Goal."

Congress enacted the MMPA in 1972, in part, to address the high mortality rate of marine mammals occurring in the yellowfin tuna purse seine fishery in the eastern tropical Pacific Ocean. In response to these high mortality levels, Congress created a zero mortality rate goal for this fishery. At the time, Congress was very specific in how this goal should be applied to the fishery. The goal was not to shut down fisheries, but reduce the incidental mortality and serious injury rate of marine mammals. In this case, once the Secretary of Commerce was satisfied that the tuna fishermen were using the best available technology to assure minimal hazards to marine mammal populations, the goal of a reduced mortality rate was met. This standard also allowed the Secretary to take into account the economic and technological practicability of the best available technology.

In the 1980s, Congress reaffirmed the intent of zero mortality rate goal. Congress recognized the progress made by the purse seine fishery to reduce its mortality rates and maintained the technology standard for this fishery. The 1981 House Report stated zero mortality rate goal "is satisfied . . . by a continuation of the application of the best marine mammal safety techniques and equipment that are economically and technologically practicable."

It wasn't until the 1990s that Congress applied dolphin mortality limits to the yellowfin tuna purse seine fishery. These limits were based on the International Dolphin Conservation Act of 1992 and the International Dolphin Conservation Program Act of 1997. It is important to note that the mortality limits established in the 1992 act were based on reductions that could be achieved by the gear currently being used in the fishery.

For other fisheries, Congress maintained the zero mortality rate goal as a means to promote new technology to reduce the incidental taking of marine mammals. In the 1994 Marine Mammal Protection Act amendments, Congress created a new fishery regime which authorized limited incidental takes of marine mammals in commercial fisheries and retained the economic and technological practicability finding. In section 118, which guides the take reduction plan process, it specifically states "The long-term goal of the plan shall be to reduce, within 5 years of its implementation, the incidental mortality or serious injury of marine mammals incidentally taken in the course of commercial fishing operations to insignificant levels approaching a zero mortality and serious injury rate, taking into account the economics of the fishery, the availability of existing technology and existing state or regional fishery management plans."

In 2002, the National Marine Fisheries Service, NMFS, was sued by a number of environmental groups for not complying with the requirements of section 118, and as part of the settlement NMFS was required to define the zero mortality rate goal. NMFS established a threshold level for mortality and serious injury that would meet this requirement. NMFS defined an Insignificance Threshold in regulations and estimated this threshold level as 10 percent of the "Potential Biological Removal (PBR) level."

The MMPA has a number of guiding principles to assist in the protection of marine mammals. The overall goal of the Act is to maintain or restore marine mammal populations to their Optimum Sustainable Population. Another is the potential biological removal level, PBR, for a marine mammal stock which is defined as the "maximum number of animals, not including natural mortalities, that may be removed from a marine mammal stock while allowing that stock to reach or maintain its optimum sustainable population." When calculating PBR the agency takes into account all activities with incidental mortality and serious injury of marine mammals. However, the fishing industry is the only industry required to take on the burden of reducing the incidental mortality and serious injury of marine mammals through a take reduction team process.

Commercial fisherman do not want to kill marine mammals. They want to harvest fish. Fisherman have been willing participants and in some cases leaders in the research and development of gear to reduce interactions with marine mammals. In addition, the take reduction team process, with the help of commercial fishermen, has been successful in reducing interactions between fisheries and marine mammals. However, I believe the requirement for commercial fisheries to reduce their level of interactions with marine mammals to a level of 10 percent of PBR is overly burdensome.

For that reason, I am proposing this legislation which will remove the zero mortality rate goal from the act. It will retain the requirement for commercial vessel owners or operators to report all incidental mortality and injury of marine mammals during the course of a commercial fishery. Fisheries will continue to be listed as category I, II, or III based on the level of marine mammal mortality and injury occurring in the fishery. The Secretary will still be required to establish take reduction teams and develop take reduction plans to reduce the level of marine mammal mortality and serious injury to levels below PBR in commercial fisheries around the Nation.

This is common sense conservation legislation that should be enacted by this Congress.

RECOGNIZING JEREMY CHRISTIAN TYLER CRUZ FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 13, 2007

Mr. GRAVES. Madam, Speaker, I proudly pause to recognize Jeremy Christian Tyler Cruz, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 376 and in earning the most prestigious award of Eagle Scout.

Jeremy has been very active with his troop, participating in many Scout activities. Over the years Jeremy has been involved with Scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Jeremy's dedication to his community is outstanding. He has received the World Conservation Award, the 12 Month Camper Award (four times), the 100 Nights Camper Award, and also planned and supervised the expansion of the main picnic shelter at Martha Lafite Thompson Nature Sanctuary in Liberty, Missouri.

Madam Speaker, I proudly ask you to join me in commending Jeremy Christian Tyler Cruz for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

IN RECOGNITION OF FIREMAN AND DRIVER BRIAN COX

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 13, 2007

Mr. BURGESS. Madam Speaker, I rise today to honor Mr. Brian Cox for his dedicated and outstanding service to the Denton Fire Department and the city of Denton, TX.

Mr. Brian Cox has recently been honored Firefighter of the Year for his leadership in the Denton Fire Department and the Denton Firefighter's Association. As a driver, his top priority is getting the fire team safely to the scene unharmed. Among his many duties, Mr. Cox also stays with the engine to ensure that water is pumped from the fire hydrant to the fire, while the remaining firefighters take charge of the fire inside the burning buildings. For the past 4 months he has willingly stepped in for a fellow injured officer and took upon himself the role of captain at station 3 on the C shift. A natural leader, Mr. Cox has aspirations of becoming a captain in the future and looks forward to taking charge of his own fire station.

A native of Denton, TX, Mr. Brian Cox graduated from Denton High School, after which he served in the Navy as a firefighter for 6 years. He is active in the Denton Firefighters Association, which works with city officials on the contract that allows negotiation with the city on fire-related issues. Mr. Cox is not only a loyal and modest fireman, but also a devoted husband to his wife, Triniki Cox, and loving father to their three children.

It is with great honor that I recognize Mr. Brian Cox for his hard work and selfless dedication to the Denton Fire Department and the citizens of Denton, TX. I am proud to represent him in Washington, and his service will be set as a standard of devotion and true leadership, one that will never be forgotten.

TRIBUTE TO MR. PERCY SUTTON—DESIGNATING THE FACILITY OF THE UNITED STATES POSTAL SERVICE LOCATED AT 365 WEST 125TH STREET IN NEW YORK, NEW YORK, AS THE "PERCY SUTTON POST OFFICE BUILDING"

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 13, 2007

Mr. RANGEL. Madam Speaker, I rise today to pay tribute to the life and legacy of Percy Sutton, a true leader in the Harlem community. He has worked as a stunt pilot, train conductor, military intelligence officer, civil rights attorney, broadcast company owner, TV producer, and borough president. But Sutton is most notably known as a mentor for young leaders in my congressional district.

Percy Sutton was born in San Antonio, TX on November 24, 1920, the youngest child of Samuel and Lillian Sutton's 15 children. Sutton attended and graduated from Prairie View A&M University, Tuskegee Institute, and Hampton Institute. A skilled pilot, Sutton served our country during World War II with the Tuskegee Airmen and won combat stars as an intelligence officer.

After receiving an honorable discharge with the rank of captain, Sutton enrolled in the Brooklyn College Law School and received his law degree in 1950. During the 1950s and 1960s, Sutton became one of American's best known lawyers, fighting for civil rights and representing many prominent African American figures, including Malcolm X.

Sutton served as borough president of the borough of Manhattan from 1966 until 1977. During his tenure he supported initiatives to forge economic revitalization in Harlem. It was Sutton, while borough president, who first presented the idea of tourism in upper Manhattan. He continues to encourage the revitalization of the Harlem community by supporting organizations which promote local empowerment and economic development.

Sutton is also a leader in the business world. In 1971, he created the Inner City Broadcasting Company. The company housed the first African American owned radio stations in New York City: WBLS and WLIB. Sutton initiated the revitalization of the legendary Apollo Theater in Harlem and successfully produced the nationally acclaimed television show, It's Showtime at the Apollo. In 1987, he went on to receive the Spingarn Medal from the National Association for the Advancement of Colored People, NAACP, for his many achievements as a public servant, businessman, and community leader.

Percy Sutton is a great American and a good friend. He continues to be an inspiration for young African Americans. I urge you to support H.R. 954 to designate the facility of the United States Postal Service located at 365 West 125th Street in New York, NY, as the "Percy Sutton Post Office Building."

IN HONOR OF LT. COL. DAVID C. CANEGATA III

HON. DONNA M. CHRISTENSEN

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 13, 2007

Mrs. CHRISTENSEN. Madam Speaker, I rise today to speak on behalf of a family man, a soldier, and a friend, LTC David C. Canegata III who was killed in Iraq on January 20 when the Black Hawk helicopter in which he and 11 of his colleagues were flying went down over Baghdad.

My district, the U.S. Virgin Islands mourned the loss of Lietenant Colonel Canegata and his fellow Virgin Islander SFC Floyd Lake for they were among the best and brightest of our National Guardsmen who have served their country faithfully in Afghanistan, Iraq, and Guantanamo Bay, Cuba since the onset of hostilities on September 11.

The gospel of John, Chapter 15, Verse 13 states that "Greater love than this has no man, but that he lay down his life for his friends." Lietutenant Colonel Canegata, who was a man of faith, has given us the greatest gift of all, the gift of love, through his service and sacrifice.

I knew David, or "Tershie" as he was affectionately called, since his early childhood as our families were close and his cousins were my best friends and so his passing is a very painful, personal loss.

David left a wonderful legacy of devotion to family, community, the National Guard, and his church. In his short life, he touched the lives of many in different parts of the world, but more than anything else, he was a father, who while giving his all to his own, extended his nurturing and love to the young people of his church and community. His brothers and sisters in arms, his National Guard family, remember him as a source of strength and inspiration and leadership.

On behalf of my family, staff, and the Congress of the United States, I extend our heartfelt sympathy and eternal gratitude to his wife, Shenneth, his parents David and Carmen, his children Nicole, David-Mychal, Andre, and Jessica, his siblings Diane, Terry, Yvette, and John, the entire Canegata clan, Speak the Word Ministries and his National Guard family. His life, and the loving, caring man of God that he became is a beautiful and enduring tribute to you, the family that nurtured him.

We all loved him, but now he is with the One who can love him more perfectly than we ever could.

David fought, defended, and protected us in war, but he was a man of peace. We honor him, we thank him, and we will never forget him, his ultimate sacrifice and the love he gave in the most profound way to all of us.

May he rest in Eternal Peace.

RECOGNIZING GREGORY DANIEL BEDSAUL FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 13, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Gregory Daniel Bedsaul, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 145, and in earning the most prestigious award of Eagle Scout.

Gregory has been very active with his troop, participating in many Scout activities. Over the many years Gregory has been involved with Scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Gregory Daniel Bedsaul for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

CONGRATULATING COPPERAS COVE HIGH SCHOOL FOOTBALL TEAM

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 13, 2007

Mr. CARTER. Madam Speaker, I would like to take this opportunity to recognize the outstanding achievements of Copperas Cove High School in Copperas Cove, Texas. Copperas Cove High School has long been recognized as an institution that places a premium on academic success. Recently, Copperas Cove added to their successes with a commendable performance by the Bulldawg football team, who advanced to the state championship game in 4A Division I. This marks the first time Copperas Cove has played for a state championship in any division and is the fruit of a season marked by hard work and dedication.

Copperas Cove High School has shown what a school can achieve with no small amount of persistence. I am sure that in addition to the achievements of this season they will have an even brighter future. I admire what they do both athletically and academically; I am proud to represent such a fine institution and wish them the best in their future endeavors. I would like to congratulate them on their efforts this season, and their well-deserved success.

TRIBUTE TO PAUL RODRIGUEZ

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 13, 2007

Mr. CUELLAR. Madam Speaker, I rise today to honor Paul Rodriguez on representing the

United States as Señor Internacional during the Washington Birthday Celebration, the largest celebration of its kind in the United States.

Mr. Rodriguez's career has spanned more than two decades and includes starring roles in over 30 films and countless television series and specials. Some of Mr. Paul Rodriguez's series include "Trial and Error," "Grand Slam," and for over four years he hosted "El Show de Paul Rodriguez," an entertainment talk show for the Spanish-language Univision network. This particular show reached an international audience throughout the United States and 17 other countries in Central and South America.

His directorial debut came in 1994 with the film "A Million to Juan," a family comedy in which he also wrote and starred. Mr. Rodriguez moved nicely from television to motion pictures, making his feature film debut in the picture comedy "D.C. Cab," followed by many films such as "Miracles," "Born in East L.A.," and "Made in America." Mr. Rodriguez recently had the opportunity to work with the legendary Clint Eastwood in the film "Bloodwork." It is estimated that Mr. Paul Rodriguez has performed live to well to over one million concert goers from coast to coast. Within Hispanic communities, Mr. Rodriguez is considered the "Original Latin King of Comedy."

Mr. Paul Rodriguez remains strongly rooted in the Latino Community, working with civic and educational groups, and his main contributions go to The National Hispanic Scholarship Fund (NHSF), but he also contributes to such charitable efforts such as Comic Relief, and hosts the annual Elizabeth Glazer Pediatrics AIDS Foundation Celebrity Golf Tournament. Mr. Rodriguez is the one of the few stand-up comedians who performs in two languages (Spanish/English) and was voted as one of the most influential Hispanics in America. He has also been the recipient of the Ruben Salazar Award by the National Council of La Raza.

Madam Speaker, I am honored to have had this time to recognize the dedication of Paul Rodriguez to the Hispanic-American community in the United States.

THE INTRODUCTION OF THE MARINE MAMMAL RESCUE ASSISTANCE ACT AMENDMENTS: FEBRUARY, 2007

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 13, 2007

Mr. YOUNG of Alaska. Madam Speaker, Congressman HENRY BROWN (R–SC) and I are introducing legislation today that will extend the John H. Prescott Marine Mammal Rescue Assistance Grant Program. The program was first authorized in 2000 to address the funding needs of facilities assisting the National Marine Fisheries Service with the recovery and rehabilitation of stranded marine mammals. The Prescott Grant Program has been very successful in supporting facilities around the nation volunteering facility space and staff time to rehabilitate marine mammals and return many of them to the wild. For those animals that cannot be returned to the wild, due to illness or other factors, the facilities have taken on the responsibility of caring for those marine mammals.

This legislation will increase the funding for the Department of Commerce from $4.0 million up to $6.0 million a year. The bill will cap administrative costs and roll over any unused funds into the grant program to be issued as grants in the following fiscal year. The Administration is authorized to enter into cooperative agreements to respond at-sea to marine mammals entangled in floating debris. It will create an emergency assistance process through which the agency will be able to enter into cooperative agreements with stranding facilities to facilitate the movement of funds to facilities responding to stranding events. In addition, the legislation will reauthorize funding for the Marine Mammal Unusual Mortality Event Fund, which allows the agency to respond to mass stranding events and reimburse facilities that have assisted in the response activity.

I applaud the public display facilities and marine mammal research institutions that have dedicated resources and time toward recovering and rehabilitating marine mammals. This legislation will allow the National Marine Fisheries Service and the stranding facilities to continue their important efforts in the future. I urge support for this important conservation measure.

RECOGNIZING BLAKE ALEXANDER McCARTER FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 13, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Blake Alexander McCarter, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 145, and in earning the most prestigious award of Eagle Scout.

Blake has been very active with his troop, participating in many scout activities. Over the many years Blake has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Blake Alexander McCarter for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

IN RECOGNITION OF FIREMAN CLINT STEPHENSON

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 13, 2007

Mr. BURGESS. Madam Speaker, I rise today to honor Fireman Clint Stephenson for his dedicated and outstanding service to the Denton Fire Department and the city of Denton, Texas.

Mr. Clint Stephenson has recently been named Rookie of the Year for his leadership and devotion to the Denton Fire Department. Mr. Stephenson never fails to put forth a positive attitude and he is continually respectful to his fellow firemen in the department. He pays close attention to detail during both station duties and on-scene care, leaving no room for error and helping others in need. Not only is he a dedicated and compassionate firefighter, but he is also a loyal coworker and friend.

It is with great honor that I recognize Mr. Clint Stephenson for his hard work and selfless dedication to the Denton Fire Department and the citizens of Denton, Texas. I am proud to represent him in Washington, and his service will be set as a standard of devotion and true leadership, one that will never be forgotten.

CONGRATULATIONS TO THE DOMINICAN REPUBLIC FOR WINNING THE 2007 CARIBBEAN SERIES CHAMPIONSHIP

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 13, 2007

Mr. RANGEL. Madam Speaker, I rise today to congratulate, Las Aguilas Cibaeñas, the team representing the Dominican Republic at the 2007 Caribbean Series, for winning the championship on February 7. Wearing jerseys emblazoned with the words "Dominicano Soy" (I am Dominican), their pride in their country and in the game of baseball was evident as the team dominated this year's Caribbean Series, where they won a record five of their six games during the Series. Dominicans have once more demonstrated that they are the forerunners in the all-American sport of baseball. The Dominican Republic has now won 16 Caribbean Series titles, the most by anyone country in the history of these championship games. The Dominican Republic has won seven out of the last 11 Caribbean Series, demonstrating their passion and commitment to the sport.

Baseball is the national sport of the Dominican Republic and many of the best Dominican born baseball athletes play for U.S. Major League Baseball teams. Even in the poorest rural villages throughout the Dominican Republic, boys are swinging bats in well-tended baseball fields. They move with an athletic grace and throw without fear. They play barefoot sometimes, and swing with the entire body in one fluid poetic arc. They practice day in and day out with hopes of one day being the baseball player. They play for the love of the game, which is why professional baseball scouts from the United States go to the Dominican Republic in droves.

About 500,000 Dominicans live in New York, the city's second-largest Latino group after Puerto Ricans, according to census officials. The majority of New York's Dominicans live in and around Washington Heights in Upper Manhattan, part of my Congressional district. Baseball is a year-round sport for them. In the winter, after the baseball season finishes in the United States, they enjoy the Dominican baseball season, which includes the Caribbean Series games. This year the Series was watched by over 700,000 fans all over the world, the highest viewing ever.

Please join me in congratulating the team from the Dominican Republic for an outstanding demonstration of commitment, dominance and pride at the 2007 Caribbean Series.

RECOGNIZING JAMES JOSEPH ARCANO FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 13, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize James Joseph Arcano, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 145, and in earning the most prestigious award of Eagle Scout.

James has been very active with his troop, participating in many Scout activities. Over the many years James has been involved with Scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending James Joseph Arcano for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

IN RECOGNITION OF TRAINING CAPTAIN BRAD LAHART

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 13, 2007

Mr. BURGESS. Madam Speaker, I rise today to recognize Training Captain Brad Lahart for his dedicated and outstanding service to the Denton Fire Department and the City of Denton, Texas.

Captain Lahart has recently been named Employee of the Year for his leadership and devotion to the Denton Fire Department. As Training Captain, he ensures that all firefighters have proper training and certification, and works with the victim's assistance program to help victims of fires and other disasters. Mr. Lahart was project manager for Station 7, and is currently managing the construction of a new fire and police training center to be built at the Station 7 site. He has greatly contributed to the tripling of the department's documented training hours, which the firefighters need to retain their certification.

It is with great honor that I recognize Mr. Brad Lahart for his hard work and selfless dedication to the Denton Fire Department and the citizens of Denton, Texas. I am proud to represent him in Washington, and his service will be set as a standard of devotion and true leadership, one that will never be forgotten.

RECOGNIZING LEO T. McCARTHY

HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 13, 2007

Ms. SOLIS. Madam Speaker, I rise today to honor my good friend and fellow Californian, Leo T. McCarthy, who passed away February 5, 2007. A devoted public servant, Mr. McCarthy dedicated his life to serving his country and the people of the State of California.

During his long career of service to our Nation, Mr. McCarthy distinguished himself as a fierce advocate for economic justice, social equality, and freedom for all. Joining the United States Air Force in 1951, he served with distinction and honor during the Korean War. From there, Mr. McCarthy entered into public life and was elected as the youngest member of the San Francisco Board of Supervisors in city history. Soon after, he was elected to the California State Assembly, and quickly rose to become Speaker of the Assembly. As Speaker, he championed the causes of human rights, education, and environmentalism, securing major legislative victories while bringing more openness and transparency to the process.

Mr. McCarthy's tremendous record in the Assembly catapulted him to prominence and he was elected Lieutenant Governor of California in 1982. A brilliant executive, he expertly coordinated the relief effort for the devastating Loma Prieta earthquake in 1989. Recognizing his service, the people of California returned him to office for a record breaking three terms until he retired from politics in 1994. Even in retirement, he remained engaged in the lives of Californians, raising over one million dollars to endow the Leo T. McCarthy Center for Public Service and the Common Good at the University of California of San Francisco.

In addition to his dedicated public service, he was devoted to his family. Even while serving in Sacramento at the very top of California politics, he drove home almost every night to be with his wife, Jacqueline, and his children, Sharon, Conna, Adam, and Niall.

Madam Speaker, I rise today to recognize and honor the very best that the State of California has to offer in Leo T. McCarthy. He was a leader, a statesman, and he will be sorely missed.

PERSONAL EXPLANATION

HON. TIMOTHY V. JOHNSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 13, 2007

Mr. JOHNSON of Illinois. Madam Speaker, unfortunately I was unable to cast my votes on the following rollcall votes on February 12, 2007. I request that the RECORD state my intentions on these votes had I been present to vote.

On rollcall No. 93—on the motion to Suspend the Rules and pass H. Res. 134, recognizing and honoring the employees of the Department of Homeland Security for their efforts and contributions to protect and secure the Nation, I would have voted "yea."

On rollcall No. 94—on the motion to Suspend the Rules and pass H. Con. Res. 44, honoring and praising the National Association for the Advancement of Colored People on the occasion of its 98th anniversary, I would have voted "yea."

WELCOME TO SPEAKER OF THE KYRGYZ PARLIAMENT, MR. MARAT SULTANOV

HON. CHRIS CANNON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 13, 2007

Mr. CANNON. Madam Speaker, I rise to welcome to the United States and to my State of Utah the Speaker of the Kyrgyz Parliament, Mr. Marat Sultanov. Mr. Sultanov was hosted by leaders in Utah on February 3–5.

Kyrgyzstan is a small nation in the heart of Central Asia, landlocked and inhabited primarily by a Muslim population with a predominantly nomadic culture and heritage. Kyrgyzstan has demonstrated itself a friend and ally of the United States, especially in the fight against terrorism. The air base at the Manas International Airport in Bishkek is still the only military base in Central Asia supporting coalition forces operations against the Taliban and Al-Qaeda forces in Afghanistan.

For some time the Kyrgyz Republic has been considered an advanced nation in terms of political and economic transformation. After the change of regime in 2005 and the election of a new president, Kyrgyzstan still faces many challenges. One great challenge for this nation stems from its proximity to Afghanistan, and the threat of increasing drug trafficking, weapons smuggling and radical militancy. Kyrgyzstan needs our support to progress with reforms for a better future for its citizens.

During his visit to the United States, and Utah in particular, Speaker Sultanov talked about those matters. His background and political career show his own contributions to the promotion of market-based economic reforms. Before his election to the Parliament of Kyrgyzstan, he was head of the National Bank and the Minister of Finances.

Speaker Sultanov's visit to Utah came at the invitation of Utah Senate President John Valentine, as a result of the Speaker's special interest in building strong, direct ties between the legislators of Kyrgyzstan and the legislature of Utah, as well as with the U.S. Congress.

While in Utah, Speaker Sultanov lectured at Utah Valley State College on the subject of "The Kyrgyz Republic-Utah-Rocky Mountain States: A new level of cooperation through a sustainable Mountain Partnership." The Speaker will emphasize for the first time a new tack in the bilateral agenda, related to cooperation in the sphere of sustainable mountain development, which will be very important for both Kyrgyzstan and Utah.

The idea of sustainable development is directed toward fighting poverty, unemployment and inequality by looking for the exchange and implementation of best practices among the people who live in similar environments with similar challenges. Many of these challenges in mountain nations come because of remoteness, lack of resources and infrastructure.

The Rocky Mountain States and Utah are actively involved in this cooperative process. In November of last year several institutions from this region, including Vista 360 (Jackson, Wyoming), Utah Valley State College and the Utah-Russia Institute became members of the UN-related Mountain Partnership, which coordinates efforts on sustainable mountain development on a global level.

Another major project which Utah Valley State College is pursuing, together with its partners from the National Center of Development of Mountain Regions of Kyrgyzstan, is the international conference "Women of the Mountains." A number of prominent women from around the world and from the Rocky Mountain region will take part in the Conference. The goal of the Conference is to unite leading scholars and institutions from the Rocky Mountain States in a regional approach toward sustainable mountain development. This conference will be free and open to the public on the UVSC Orem campus from March 8th–March 10th.

The conference will give scholars from the region an opportunity to talk to each other and identify positive examples of sustainable development in the Rocky Mountains and then to further these experiences both in this region and with interested partners around the world. UVSC intends that the Conference be held on an annual basis.

Representatives of Kyrgyzstan and other developing mountain nations have emphasized how important it is for them to have specific support from the mountain communities of the United States. The historical development of the mountainous states in North America, and Utah in particular, are of particular interest to them. The new involvement and interest of the Rocky Mountain States and Utah in sustainable mountain development could help many of the transitioning economies to develop and implement more successful, promarket policies.

This is a rewarding and noble goal, especially now, when we are witnessing growing challenges to stability and development around the world from the growth of poverty and unemployment, two primary sources feeding terrorism and militancy.

INTRODUCTION OF THE INDUSTRIAL HEMP FARMING ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 13, 2007

Mr. PAUL. Madam Speaker, I rise to introduce the Industrial Hemp Farming Act. The Industrial Hemp Farming Act requires the Federal Government to respect State laws allowing the growing of industrial hemp.

Seven States—Hawaii, Kentucky, Maine, Maryland, Montana, North Dakota, and West Virginia—allow industrial hemp production or research in accord with State laws. However, Federal law is standing in the way of farmers in these States growing what may be a very profitable crop. Because of current federal law, all hemp included in products sold in the United States must be imported instead of being grown by American farmers.

Since 1970, the Federal Controlled Substances Act's inclusion of industrial hemp in the schedule one definition of marijuana has prohibited American farmers from growing industrial hemp despite the fact that industrial hemp has such a low content of THC (the psychoactive chemical in the related marijuana plant) that nobody can be psychologically affected by consuming hemp. Federal law concedes the safety of industrial hemp by allowing it to be legally imported for use as food.

The United States is the only industrialized nation that prohibits industrial hemp cultivation. The Congressional Research Service has noted that hemp is grown as an established agricultural commodity in over 30 nations in Europe, Asia, and North America. My Industrial Hemp Farming Act will relieve this unique restriction on American farmers and allow them to grow industrial hemp in accord with State law.

Industrial hemp is a crop that was grown legally throughout the United States for most of our Nation's history. In fact, during World War II, the Federal Government actively encouraged American farmers to grow industrial hemp to help the war effort. The Department of Agriculture even produced a film "Hemp for Victory" encouraging the plant's cultivation.

In recent years, the hemp plant has been put to many popular uses in foods and in industry. Grocery stores sell hemp seeds and oil as well as food products containing oil and seeds from the hemp plant. Industrial hemp is also included in consumer products such as paper, cloths, cosmetics, and carpet. One of the more innovative recent uses of industrial hemp is in the door frames of about 1.5 million cars. Hemp has even been used in alternative automobile fuel.

It is unfortunate that the Federal Government has stood in the way of American farmers, including many who are struggling to make ends meet, competing in the global industrial hemp market. Indeed, the founders of our Nation, some of whom grew hemp, would surely find that Federal restrictions on farmers growing a safe and profitable crop on their own land are inconsistent with the constitutional guarantee of a limited, restrained Federal Government. Therefore, I urge my colleagues to stand up for American farmers and cosponsor the Industrial Hemp Farming Act.

CONGRATULATIONS TO MOUNT VERNON RECREATION CENTER

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 13, 2007

Mr. MORAN of Virginia. Mr. Speaker, I rise today to congratulate the staff of the Mount Vernon Recreation Center in Alexandria, Virginia on receiving the Heart of Potomac West Award.

The Mount Vernon Recreation Center has been a key partner in the Del Ray Potomac West community of Alexandria for decades. The Center's staff has built long-lasting relationships with the community, including neighbors, businesses, and visitors, by ensuring that the Center's doors are open and that every community member is welcome.

Each year, the Center staff helps to organize and assist with numerous events for the residents and businesses of Del Ray. These include the Annual Holiday Tree Lighting, the Annual Halloween Parade, Art on the Avenue, Cinema Del Ray, First Night on New Year's Eve, and countless programs for seniors and youth.

Without the support of these dedicated, hardworking, and caring staff members, such events could never take place.

The staff of the Mount Vernon Recreation Center has stood side by side with the community during times of crisis. When Del Ray lost two of its citizens, Kevin Shifflet and Nancy Dunning, the Center staff acted as a support beacon for a community in mourning, providing a home where citizens turned for comfort and support. These devoted and committed staffers have always gone far above and beyond the call of duty.

The Mount Vernon Recreation Center is a marvelous asset of the City of Alexandria, and this has occurred through the hard work and dedication of the Center staff. I ask my colleagues to join me in congratulating the Center staff on being awarded this great honor.

TRIBUTE TO CLERK OF THE HOUSE KAREN HAAS

HON. MICHAEL K. SIMPSON

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 13, 2007

Mr. SIMPSON. Madam Speaker, it is an honor to rise and show my appreciation for Karen Haas, the outgoing Clerk of the House. Karen is truly deserving of recognition for a job very well done.

It is a pleasure to know Karen, as she is one of the most thoughtful and considerate people on Capitol Hill. She has done an exceptional job running the Clerk's office, and knowing that Karen was in charge meant other members and I knew that things were getting done right.

I can even say that I have had the privilege to "work" for Karen. When Karen ran the House floor operations, I would get calls at all times of the day asking if I could preside. I never hesitated to preside when Karen asked, nor did my colleagues.

Some people might have been surprised when Speaker HASTERT tapped Karen to fill the Clerk's position. I wasn't surprised; I knew he made a very good choice.

Karen has done a magnificent job as Clerk and we will truly miss having her in the Capitol. Karen, thank you for a job well done.

INTRODUCTION OF THE STUDENT AID REWARD ACT OF 2007

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 13, 2007

Mr. GEORGE MILLER of California. Madam Speaker, I rise today along with Representative THOMAS PETRI to introduce the Student Aid Reward Act of 2007, the STAR Act, a bill that is a vital part of strengthening America's middle class.

Since 2001, tuition and fees at public colleges and universities have exploded, increasing by 41 percent—after inflation. Students are graduating with greater amounts of debt than ever before, and unfortunately as many as 200,000 prospective students each year decide not to go to college because they can't afford it.

Already in this Congress we have taken great strides toward making a college education affordable for all qualified students through increased grant aid and more affordable student loans.

The Student Aid Reward Act continues the mission of putting students and families first by providing additional need-based grant aid to students without any cost to the taxpayer.

This legislation is simple: It encourages colleges to use the less expensive of the federal government's two student loan programs, and puts the savings back into the hands of students through need-based grant aid.

In order to do this, the Student Aid Reward Act calls on the Secretary of Education to determine which of the two Federally backed student loan programs is more efficient. Schools that elect to use the more efficient program would then be rewarded with additional scholarship funds for and graduate fellowship money for low- and middle-income students—all paid for by the savings generated by the bill.

According to the President's recently released 2008 education budget, student loans made through the more expensive program in 2007 cost $3 more for every $100 lent than the same loans made with U.S. Treasury funds.

At a time when our Federal Government is facing an extreme deficit, this is a win-win bill for students, families, and taxpayers. This bill will not only increase efficiency in the loan programs, but will also generate increased competition, resulting in increased benefits for students and families.

The Student Aid Reward Act has also been introduced in the Senate by Senators EDWARD KENNEDY and GORDON SMITH.

No qualified person should ever be prevented from going to college because of the cost. We must ensure that every student in this country has the opportunity to pursue their dreams.

VIETNAMESE GOVERNMENT SALUTES FATHER ROBERT DRINAN

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 13, 2007

Mr. FRANK of Massachusetts. Madam Speaker, last week, several of my colleagues and I memorialized the life and record of the late Father Robert Drinan, one of the most distinguished people to have served in this body. Father Drinan's political career began in 1970 when he ran for Congress as an opponent of American participation in the Vietnam War. He was a consistent fighter for peace throughout his life. When I returned to my district last weekend, I received from Father Drinan's sister-in-law, Helen Drinan, a woman who played a very important role in nurturing his political career, a copy of a letter she had received that meant a great deal to her and the Drinan family.

The letter is from the Vietnamese Ambassador to the United States, hailing Father Drinan "as a tenacious advocate for social justice and a resilient fighter for peace." Madam Speaker, I ask that this letter from the Government of Vietnam to the Drinan family be printed here.

EMBASSY OF VIETNAM,
Washington, DC, January 31, 2007.

MRS. HELEN DRINAN,
Newton, MA.

DEAR MRS. DRINAN: On behalf of the people and Government of Vietnam, I would like to extend the most profound condolences to you and to your family on the passing of your brother-in-law, Father and Congressman Robert F. Drinan.

Father Robert F. Drinan will be always remembered by many as a tenacious advocate for social justice and a resilient fighter for peace. For the Vietnamese people, he will remain a staunch fighter who made significant contribution to ending to the Vietnam War in the 1970s, thus bringing peace to the country after so many decades of wars.

May your family overcome this most difficult time.

Respectfully,

NGUYEN TAM CHIEN,
Ambassador.

INTRODUCTION OF THE STUDENT AID REWARD (STAR) ACT OF 2007

HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 13, 2007

Mr. PETRI. Madam Speaker, today I am again joining with my colleague, Chairman GEORGE MILLER, to reintroduce our Student Aid Reward (STAR) Act, which would provide billions of dollars in additional aid to students at no additional cost to taxpayers. Now, more than ever, millions of low and middle-income families are struggling to help their children attend college in the face of rising tuition costs and limited financial assistance. The STAR Act is a fiscally-responsible plan that could help make college more affordable and accessible for these students.

The STAR Act is rooted in my longstanding belief that we have a fundamental obligation to our constituents to eliminate waste, fraud, and abuse in government spending wherever it exists. Our legislation would encourage colleges and universities to utilize the less expensive of the federal government's two main student loan programs. In doing so, the Congressional Budget Office (CBO) estimates that the STAR Act would save taxpayers $13.4 billion in wasteful subsidies—which would instead be devoted to increase student aid to low and middle-income students who need it most.

The real opportunity in this legislation is that it would allow for an increased investment in education while not costing taxpayers a single penny more. In fact, under the STAR program, there would be enough savings not only to return half to schools that switch to the more cost-effective program, but also to provide an additional 25 percent of those savings to schools that were previously enrolled in the cost-effective program and thus already saving taxpayers money. The final 25 percent would be devoted towards deficit reduction.

All these savings are to be made possible due to the startling difference in the cost between the two federal student loan programs. For the current fiscal year, the Federal Family Education Loan (FFEL) program costs more than the exact same loan administered under the Direct Loan (DL) program. According to President Bush's 2008 education budget, student loans made through the more expensive program in 2007 cost $3 more for every $100 lent than the same loans made with U.S. Treasury funds.

Beyond the Office of Management and Budget, other budget experts continue to confirm this cost difference. Earlier this week, the Congressional Budget Office released a score that projected savings from this amendment in the amount of $13.4 billion over the next 10 years—and that's if only 15 percent of colleges choose to participate in the Student Aid Reward program by switching from the FFEL to the DL program. Those savings would be even more substantial with increased participation.

It is important to note that the STAR Act would not mandate that schools select the most cost-effective program, although we hope that they would. Under this bill, each college retains their ability to choose their student loan program. Those who choose to be more responsible with taxpayers money would be rewarded with a portion of the savings. Those that decide to continue with the more expensive program face no penalties, other than a missed opportunity to use taxpayer savings to boost their students' Pell Grants. Furthermore, each school would have the choice to leave the STAR program at the end of their 5-year contract if they are not satisfied with the results for their students.

A critical component of this program is that it is budget neutral. Any reward payments to schools are contingent upon actual taxpayer savings that year. We are confident that these savings not only exist, but amount to several billion dollars annually. Both the CBO and OMB continue to confirm this year after year.

The overarching reason that the FFEL program is so much more expensive than the DL program is the excessive subsidies paid to lenders each year to issue loans. As all lenders are guaranteed the exact same subsidies, regardless of their costs and efficiency, lenders do not compete for the benefit of taxpayers, only among themselves for market share. This practice is not only unnecessary but it is irresponsible—especially when the DL program has no similar costs.

The taxpayers not only pay interest subsidies to private lenders, they also subsidize the 13 guaranty agencies that purchase loans from the lenders after a certain period of time has passed. This is also a wasteful practice—especially when the DL program has no similar cost.

I would like to reiterate that this legislation would in no way mandate that schools choose the DL program over the FFEL program, or even that the DL program will always necessarily be the most cost-effective program. Instead, the legislation stipulates that the Secretary of Education shall determine each year which program is most cost-effective to taxpayers and that schools who participate in that program receive some of the savings. The Secretary would do this by making use of the best data available each year.

Madam Speaker, I believe that as stewards of taxpayers' money, Congress should always seek to make government more efficient and more accountable. Our legislation is smart policy: voluntary for schools, fiscally-responsible, and would provide over $10 billion in additional aid over the next 10 years. I encourage my colleagues to join Representative MILLER and me in cosponsoring this legislation.

RECOGNIZING NICOLE MAYHEW AS SANTA ROSA COUNTY, FLORIDA'S TEACHER OF THE YEAR

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 13, 2007

Mr. MILLER of Florida. Madam Speaker, on behalf of the U.S. Congress, it is an honor for me to rise today to recognize Nicole Mayhew as Santa Rosa County's Teacher of the Year.

As a native of Northwest Florida, Nicole Mayhew joined the Santa Rosa County School District administration in 1996, after graduating from the University of West Florida with a degree in Primary/Elementary Education. Mrs. Mayhew has proudly served the School District for over 10 years, where she currently teaches first grade at West Navarre Primary School in Navarre, Florida. On January 26, 2007, with her husband Steven and her daughter Erin by her side, Nicole Mayhew was announced Teacher of the Year.

Mrs. Mayhew serves as a mentor to beginning teachers and supervises teachers from the University of West Florida. She is a member of the Santa Rosa County, Florida Reading Council and West Navarre Primary School's Parent-Teacher Organization, PTO, an organization of Parents and Teachers that seeks to increase parent involvement in their child's education.

Out of her passion for teaching and her love for children, Nicole Mayhew sets high standards for all of her students and works with them to achieve their individual goals and the desired results of the overall academic performance of the class. She is the positive force behind each student's growth of mind, by giving them the confidence, knowledge, and inspiration needed to succeed.

The Teacher of the Year recognition highlights one year of teaching, but the proof of greatness lies well beyond the title—it lies in the hearts and minds of the students who have been deeply affected. Through her hard work and dedication, the impact she has had on her students and the community has proven her to be among the great teachers in Northwest Florida, and Santa Rosa County is honored to have her as one of their own.

Madam Speaker, on behalf of the U.S. Congress, I am proud to recognize Nicole Mayhew on this outstanding achievement and her exemplary service in the Santa Rosa County School District.

CONGRATULATIONS TO SOUTH FLORIDA'S HOLOCAUST DOCUMENTATION AND EDUCATION CENTER

HON. KENDRICK B. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 13, 2007

Mr. MEEK of Florida. Madam Speaker, I rise to honor and pay tribute to all victims of the Holocaust and to congratulate South Florida's Holocaust Documentation and Education Center, its founders and museum curators for their fine work in educating and reminding the public about the Holocaust and remembering and honoring its victims.

An important part of the Center's permanent exhibits is one of only eight authentic World War II railcars that transported Jews from the Warsaw Ghetto to the Nazi death camps.

An estimated 3 million Jews were packed into the cars like the one on display in Hollywood, FL, which has a faded swastika still painted on the side. The persecuted Jews were often kept inside for days without food or water before being murdered. This railcar was used during the world's darkest time when over 6 million Jews were murdered along with approximately 3 million more victims of Nazi aggression, including; Christian Poles, Gypsies, Jehovah's Witnesses, homosexual men, and people with disabilities.

This railcar will be placed on an unused track near the Holocaust Museum, which is located in my district at 2031 Harrison Street in Hollywood, FL, the center of the second-largest population of Holocaust survivors in the Nation.

To the residents of South Florida, the students enrolled in area schools, and to the millions of visitors to the region, I encourage you to visit the Holocaust Documentation and Education Center to study, understand and contemplate the consequences of man's inhumanity to man which occurred in Europe prior to and during World War II.

That the Holocaust Documentation and Education Center is one of four Holocaust museums in the country where these railcars are on display demonstrates that the Jewish community in South Florida is among the strongest in the Nation, forever committed to preserving the memory of the 6 million Jews who tragically were killed during the Shoah.

This railcar will undoubtedly serve as a reminder for eternity that the poignant expression "Never Again" will never ring hollow again.

I congratulate the Holocaust Documentation and Education Center for attaining and displaying this railcar, and for helping to teach the entire South Florida community lessons of tolerance and understanding.

STATEMENT RECOGNIZING FEBRUARY AS NATIONAL MARFAN AWARENESS MONTH

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 13, 2007

Mr. ACKERMAN. Madam Speaker, I rise today in observance of February as National Marfan Awareness Month and to recognize the hundreds of thousands of Americans who are living with Marfan syndrome and related connective tissue disorders.

I am proud that the Nation's premier organization supporting the Marfan syndrome community, the National Marfan Foundation, is headquartered in my congressional district in Port Washington, NY. The NMF was founded 25 years ago by Priscilla Ciccariello, a woman of enormous compassion and vision. For the past quarter-century, the NMF has been dedicated to saving lives and improving the quality-of-life for Marfan patients through research, support services, education, and advocacy.

This year marks the 16th observance of National Marfan Awareness Month which is designed to educate the general public and healthcare providers about this challenging condition. Marfan syndrome is a genetic disorder of the connective tissue that can affect many body systems, including; the skeleton, eyes, heart, nervous system, lungs and blood vessels. Of primary concern to patients is the impact the syndrome can have on the aorta. In Marfan patients, the aorta (the large artery that carries blood away from the heart) is weakened and prone to enlargement and rupture, which is often fatal. Currently, there is no cure for Marfan syndrome but with early diagnosis, proper treatment and careful management, patients can live a normal lifespan.

Madam Speaker, I am pleased to inform the House that we are at an unprecedented time of hope in the field of Marfan syndrome research. Just last month, the National, Heart, Lung and Blood Institute at the National Institute of Health, working closely with NMF, initiated a groundbreaking clinical trial on Marfan syndrome. This trial seeks to determine the efficacy of a medication currently used to control high-blood pressure for treating aortic growth in children with Marfan syndrome. The blood-pressure medication has shown a remarkable ability to halt and even reverse aortic growth in pioneering basic research conducted by Dr. Hal Dietz of the Johns Hopkins University School of Medicine. I applaud NHLBI Director Dr. Elizabeth Nabel, and Dr. Gail Pearson, Chief of the NHLBI's Heart Development and Structural Diseases Branch, for their leadership in supporting this promising trial.

Madam Speaker, February was chosen as National Marfan Awareness Month in part to coincide with Abraham Lincoln's birthday. President Lincoln is believed to have been affected by Marfan syndrome based on the many outward signs of the disorder he portrayed. Marfan syndrome patients are frequently taller than non-affected members of their family and have disproportionately long limbs, fingers and toes. In addition, they often have an indented or protruding chest-bone, curved spine, high-arched palate, and loose joints. Other well known individuals who were afflicted with the Marfan syndrome include Jonathan Larson, the Tony Award winning playwright of the Broadway musical Rent, Flo Hyman, captain of the U.S. Olympic volleyball team that won a gold medal in 1984, Charles de Gaulle, the composer Sergei Vasilievich Rachmaninoff, and Mary, Queen of Scots.

According to the Centers for Disease Control and Prevention, approximately 14,000 people die each year of aortic aneurysms and dissections, 20 percent of which can be contributed to genetic disorders such as Marfan syndrome. Unfortunately, a lack of awareness about Marfan syndrome continues to result in patients dying before being properly diagnosed and treated. Madam Speaker, I encourage my colleagues to join me and the National Marfan Foundation in raising awareness of this life-threatening disorder so we can prevent future unnecessary tragedies.

HONORING ST. JOSEPH'S OF STRATFORD NATIONAL CATHOLIC CHURCH AS THEY CELEBRATE THEIR 100TH ANNIVERSARY

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 13, 2007

Ms. DELAURO. Madam Speaker, it is with great pleasure that I rise today to join the Reverend Anthony Kopka, members of the congregation, and the Stratford community in extending my sincere congratulations to St. Joseph's of Stratford National Catholic Church as they celebrate its 100th Anniversary. This is a remarkable milestone for this community treasure and I am proud to help them celebrate this momentous occasion.

St. Joseph's was first organized in Bridgeport, Connecticut by a group of Polish Catholic immigrants in 1907 and later moved to Stratford, Connecticut after building a new church complex. St. Joseph's was born out of the congregation's desire to exercise more control over their parish. It was important to the Polish congregants that their church be led by a Polish priest, services held in Polish—in all, it was of the utmost importance to the congregants that their ethnic traditions and customs be preserved. In an effort to meet these needs, the Church became a part of the Polish National Catholic Church (PNCC)—a denomination which began in Scranton, Pennsylvania.

The PNCC blends traditional Apostolic and Catholic teaching with American democracy which is governed by a constitution patterned after that of the United States. The Church established executive, legislative, and judicial branches of government at national, diocesan, and parish levels. The result is a democratic Catholicism that among other things provides for ownership of parish property by the congregation, a voice and a vote for every member in most matters of the parish, and the election of parish delegates to meet with clergy at synods to elect bishops and determine church policy.

Since its inception in 1907, St. Joseph's has been an integral part of our community and has now grown to its current 300 parish members from 20 different Connecticut communities. Our churches play a vital role in our communities—providing people with a place to turn to for comfort when they are most in need. By strengthening our bonds of faith, St. Joseph's gives its members a place to find their spiritual center and to solidify and support their values. The members of the St. Joseph's have also given much to the City of Bridgeport and the Town of Stratford. Throughout the years, as their membership grew so did their commitment to the enrichment of our community.

For 100 years, the St. Joseph's of Stratford National Catholic Church has been a fixture in communities of Bridgeport and Stratford. Through their ministry and outreach efforts, they have left an indelible mark on our community and continue to enrich the lives of others. I am proud to stand today and extend my very best wishes to them as they mark this milestone in their history. Happy 100th Anniversary!

CONGRATULATIONS HELEN GALE FERGUSON ON HER 75TH BIRTHDAY

HON. JOHN P. SARBANES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 13, 2007

Mr. SARBANES. Madam Speaker, I rise today to celebrate the life of Helen Gale Ferguson and wish her well on the occasion of her 75th birthday. Helen was born in Newfoundland, Canada in February 1932, where she grew up with her siblings as the daughter of a fisherman and boat builder who sailed the waters of the northern Atlantic.

Upon completion of high school, Helen began working for the U.S. Air Force at Ernest Harmon Air Force Base in Stephenville, Newfoundland. It was there that she met and married Mark E. Ferguson, Jr., during his active duty assignment at the base. Following his honorable discharge from the Air Force, they settled with their children in 1960 in Glen Burnie, Maryland. In 1966, Helen proudly became a U.S. citizen during a ceremony in Annapolis, Maryland. Helen and Mark were married for 41 wonderful years until his passing in 1997.

Helen is the proud mother of four children. Her personal life is one of grace, quiet strength, and love of family. Her values have been passed down to her children, as each of them have chosen a life of service to our Nation. Her daughters Pamela and Patricia both work for the Department of Defense. Her son, David, works for the Department of the Treasury, and her son Mark serves as a Rear Admiral in the United States Navy. Helen is adored by her seven grandchildren Alex, Hannah, Andrew, Eric, Ellie, Ian, and Seth.

Madam Speaker, I know my colleagues will join me in sending our very best to Helen Ferguson on the occasion of her 75th birthday and recognizing her as a role model for her strength, dignity, and support for her family. Coming from a family of immigrants myself, I am particularly proud of her as a role model to all who come to this country from humble beginnings, and contribute to the rich fabric of America.

HONORING MISS GREATER SPRINGFIELD, CARESSA CAMERON

HON. TOM DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 13, 2007

Mr. TOM DAVIS of Virginia. Madam Speaker, I rise today to honor Caressa Cameron for her year of service to the Miss America Organization and Greater Springfield area.

Ms. Cameron won the title of Miss Greater Springfield 2006 on February 12, 2006. She has worked tirelessly with the Boys and Girls Club to promote her platform of AIDS awareness through behavior modification in the Northern Virginia area.

During her reign, Ms. Cameron made numerous appearances around Springfield, including a gala fundraiser at Greenspring Retirement Community. She also spoke to students at Erving Middle School about "Right Decisions, Right Now," a Miss Virginia program.

Last June, Ms. Cameron competed in the Miss Virginia pageant in Roanoke, VA and placed 2nd runner-up. She was then asked to represent Virginia at the National Miss Sweetheart Pageant in Illinois and placed 4th runner-up to Miss National Sweetheart 2006.

Madam Speaker, in closing, I would like to thank Ms. Cameron for representing the Greater Springfield area with great pride and respect. I ask my colleagues to join me in congratulating her on this distinguished title and in wishing her the best of luck in all future endeavors.

TRIBUTE TO DR. MILTON GORDON

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 13, 2007

Ms. LORETTA SANCHEZ of California. Madam Speaker, I rise today to honor a man who has been dedicated to higher education and who is a model community servant to my district, Dr. Milton Gordon.

As Chancellor of California State University, Fullerton, Dr. Milton Gordon has been a visionary for the students and faculty as he works to promote higher education for women and minorities.

On February 27th, 2007, Dr. Gordon will be honored by KinderCaminata, a non-profit community organization in Orange County, California that sponsors educational outreach to kindergarten-age children and their families, focusing on promoting literacy, celebrating cultural heritage, and career education. Dr. Gordon will be receiving the "Corazón" Award from KinderCaminata. The tribute is a much deserved honor and should be celebrated by everyone in Orange County, California.

Below are remarks that illustrate Dr. Gordon's outstanding commitment to all the students that Cal State Fullerton seeks to serve. These remarks are taken from Dr. Gordon's report to the University's Latino Faculty and Staff in October 2006:

> We are here to strengthen our ties as a community that is working to make learning truly accessible and preeminent to all students and especially to Latino Students.
>
> Cal State Fullerton feels that a large measure of our success is due to our campus outreach efforts and service to the community. While demographic growth has also contributed to the Latino increase, without college readiness programs offered by CSUF, such as Gear Up and ENLACE, the educational obstacles faced by large numbers of Latino students would not have been overcome.
>
> But there is much more we need to do. We need to expand our efforts to work with parents and students in the middle and high schools of the county to increase the number of college ready Latino graduates. We continue to work with colleagues from Fullerton and Santa Ana Colleges to develop a work plan to improve county-wide Latino college readiness programs modeled after the Santa Ana Partnership and its ENLACE Program. We are in the process of creating additional programs in the sciences in collaboration with Fullerton College to increase the transfer of well prepared Latino Students into our Math-based programs in the sciences and engineering. We hope to expand such collaboration with transfer programs to Cal State Fullerton from all Orange County community college campuses with high Latino enrollment.
>
> We believe that our adhesion to the Cal State Fullerton mission to make this campus a place where "learning is preeminent" and our enforcement of rigorous academic standards have been keys to our success. By serving the learning needs of all students, we serve Latino students; by maintaining high learning expectations, we serve Latino students; by caring for the well-being of our students, we serve Latino students.
>
> An activist community orientation defines the role the university will take in town grown partnerships. Such involvement better informs university personnel of the community's needs. These partnerships must engage students, faculty, staff, and campus administration in university-wide service commitments. The university must be a good neighbor and a good partner.
>
> In working in the Latino community, campus personnel must be culturally aware and mindful of the central role family plays within the culture. We must have a clear and simple outreach message. In providing information on what students need to know to be college ready, make sure you know your audience. Our information must be available in straight-forward language that does not speak down to our audience and written in language understood by parents. We will be developing a Spanish-language campus website and improved, accessible messages in Spanish to reach out to our Latino parents and potential students.
>
> All of the programs and services enumerated above define what it means to be a student-focused institution and are integral to making us a Hispanic Serving Institution in word and deed.
>
> I personally look forward to our continued collaboration to make this a place where all students can be successful and achieve their dreams regardless of race, gender or ethnicity.

I look forward to Dr. Gordon's continued work for Cal State Fullerton and KinderCaminata and it is my pleasure to honor him today.

COMMENDING THE UNIVERSITY OF NEBRASKA-LINCOLN VOLLEYBALL TEAM FOR WINNING NCAA DIVISION I WOMEN'S VOLLEYBALL CHAMPIONSHIP

HON. ADRIAN SMITH

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 13, 2007

Mr. SMITH of Nebraska. Mr. Speaker, I rise today in favor of House Resolution 99, congratulating the University of Nebraska-Lincoln Women's Volleyball team on winning the 2006 NCAA Division I Women's Volleyball Championship. December 16, 2006 marked the completion of a phenomenal year that resulted in a 33–1 record and the program's third national title, not to mention the largest audience ever for a woman's college volleyball game.

The hard work and determination of this team exudes the spirit of achievement that is reflected within the people of the great State of Nebraska. Junior Sarah Pavan has continued a Husker tradition of achievement in athletics and academics by being named the ESPN the Magazine Academic All-American of the Year. This honor brings the university's all-time total of Academic All-Americans to 234 and 29 for the program. These totals lead the nation in both categories.

Head coach John Cook, along with the entire coaching staff, should be commended for their training and dedication to a team that became only the third team in NCAA history to be ranked number one in the American Volleyball Coaches Association poll for an entire season. Also to the credit of Coach Cook, this is the second title that the team has earned under his direction.

Therefore, I ask my colleagues to consider the great honor that the University of Nebraska Volleyball team has brought to themselves, their families, their university, and the State of Nebraska and vote for House Resolution 99.

INTRODUCTORY REMARKS FOR SECTION 511 REPEAL

HON. KENDRICK B. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 13, 2007

Mr. MEEK of Florida. Madam Speaker, I rise today, pleased to introduce a piece of legislation along with my co-sponsor and esteemed Ways and Means colleague, Congressman WALLY HERGER, that will repeal a law that unfairly burdens local governments with annual procurement spending over $100 million, which includes Miami-Dade County.

The legislation would repeal Section 511 of the Tax Increase Prevention and Reconciliation Act of 2005 which was slipped into the legislation without an up-or-down vote on the amendment.

Section 511 requires local governments that spend over $100 million in procurements, primarily located in large urban centers, to deduct a 3 percent withholding tax from payments made to their vendors for federal income tax purposes. This legislation will become effective in 2011.

We have the opportunity with this legislation to help repeal Section 511 which unfairly burdens our cities and urban centers where many people living below the poverty line reside. If Section 511 is not repealed, the poor will be further squeezed as the cost of future increased procurement contracts will be passed on to the neediest people, while services and day-to-day operations may be jeopardized too.

According to Miami-Dade County officials, the withholding tax will raise the cost of purchases by 3 percent or more and Miami-Dade County would have to absorb an annual increase in the cost of goods and services in excess of $57 million, given the annual value of contracts for goods and services awarded by Miami-Dade County will exceed $1.9 billion.

Small businesses and companies pursuing government contracts, many of whom operate on tight margins or irregular cash flows, would also be adversely affected in this bid process, while large companies with established reserves could better absorb this withholding tax.

Devolution of taxation down from the federal government to state and local governments is a problem that we must fix. This is but one small, but very important step toward doing just that.

INTRODUCTION OF THE WITHHOLDING TAX RELIEF ACT OF 2007

HON. WALLY HERGER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 13, 2007

Mr. HERGER. Madam Speaker, I have long championed tax relief for small businesses because I believe such firms are the life-blood of our economy. As a small businessman myself, I know how small business owners struggle to remain profitable in a highly competitive and extremely challenging environment. Yet they continue to be the drivers of much of our nation's economic and new job growth. It is for this reason that I have strongly supported increases to the current section 179 small business expensing limits, an end to the onerous death tax, and the reduced double taxation of capital gains and dividends. I am concerned, however, that a little known revenue raising provision, passed as part of the tax reconciliation bill last May, will hamper small business creative spirit by significantly and adversely changing the way governments pay for the goods they use and services they require.

Effective in 2011, section 511 of the Tax Increase Prevention and Reconciliation Act of 2005 will require federal, state, and local governments to withhold 3 percent from payments for goods and services, excluding payments to non-profits and those made by governments with less than $100 million in annual expenditures. This onerous provision will not take effect for just under four years. But I believe we have to begin addressing the impacts it will have on honest taxpaying businesses now, and actively seek alternatives to withholding.

Thousands of businesses and individuals across the country are reimbursed by governments for various reasons every day. In my Northern California congressional district, governments rely on local and regional businesses all the time to maintain public services—from the electrician who re-wires a city council chamber in Redding to the construction company that builds an interchange at a dangerous stretch of highway in Butte County. When the Feather River needs a new setback levee, or an existing levee in the network requires urgent repairs to protect the community, the Army Corps of Engineers employs local businesses for construction and materials. Similarly, when an escape route from a fire-prone community requires widening, the government turns to local sources to get the job done.

In 2011, however, firms providing these necessary goods and services to governments will see 3 percent of their payments withheld.

I am troubled that the withholding provision will effectively force firms to float a new interest-free loan to the federal Treasury if they do business with a local, state or federal government. In addition, unlike other income-based withholding, which is actually based on tax liability, the new government withholding provision is based on government payments with no relationship to a company's taxable income. This means that, while businesses will be deprived of much needed cash flows for day-to-day operations, the 3 percent provision could end up significantly over withholding for tax purposes. The Joint Committee on Taxation confirmed this in its description of the provision, stating "sellers of goods and materials are more likely to have overwithholding and, thus, bear more of the burden of a flat rate because of the lower profit margin on such sales relative to sales of services."

The provision would also disproportionately harm small- and medium-sized businesses that operate on low margins, and contractors that frequently employ subcontractors. It is conceivable that, faced with 3 percent withholding on a revenue source, companies that do business with governments may inflate contract costs to compensate, shift costs to subcontractors, or simply hire fewer employees over the course of the year. Others may resort to increased debt financing to make up for reduced cash flows. In addition, governments at all levels have expressed concerns over the new administrative burdens that such withholding will require.

Among the reasons for inclusion of this provision was a desire to reduce America's tax gap, or the difference between the taxes we believe should be collected in a given year, and those that actually are. The Internal Revenue Service currently estimates the net tax gap to be in the area of $290 billion. Whether due to taxpayer error or willful tax avoidance, the tax gap is a very real problem that can undermine taxpayer confidence in the voluntary nature of our tax system, and encourage continued non-compliance. According to the National Taxpayer Advocate, the "cost" of the tax gap could be equated to a $2,000 annual "surtax" on each taxpayer to subsidize non-compliance. The result is that the tax gap ends up "harming compliant taxpayers because they pay their correct tax liability while others do not."

Like many, I believe that bridging the tax gap and encouraging tax compliance should remain a top priority of both Congress and the Administration. Where identification of specific non-compliant sectors of the economy has been difficult, the Administration should continue to investigate ways it can use its existing authority to improve the collection and utilization of nonwage taxpayer information for enforcement purposes. In addition, as better information on noncompliance is generated, Congress should actively consider whether additional legislation is needed to crack down on tax cheats.

Prior to implementing a new tax collection regime, such as the 3 percent withholding provision, we should investigate what other methods are at our disposal to deal with the outstanding problems of non-compliance. To this end, I believe that any solution that aims to reduce the tax gap should consider the impacts of new burdens on taxpayers.

For this reason, I am pleased to join my fellow Ways and Means Committee member, Representative KENDRICK MEEK of Florida, in introducing the "Withholding Tax Relief Act of 2007." This bill mirrors legislation I introduced toward the end of the 109th Congress along with Senator LARRY CRAIG of Idaho.

While I recognize the underlying problem of tax compliance must be addressed, I believe this problem—as it pertains to businesses and individuals that provide goods and services to governments—can be tackled in a less intrusive manner than withholding, and with positive results. As reported by the Joint Committee, the withholding provision is estimated to increase revenues coming into the Treasury by $6.079 billion in its first year of implementation, and between $215 million and $235 million per year over the next 4 years. Further, the Joint Committee recognizes that the "significant revenue effect" in the year of implementation "is largely attributable to accelerating tax receipts," indicating that the additional compliance sought by this provision is really in the ballpark of $235 million. Still, in order to recapture this amount of unpaid taxes, the withholding provision will affect over $6 billion of government payments to honest businesses and individual taxpayers.

It is unrealistic to think that we could ever reduce non-compliance to zero, especially given the enormous complexity of our current tax code. But apart from fundamental tax reform and simplification, increased compliance should remain an objective. Congress and the Administration should continue to pursue increased compliance alternatives, including the use of the Federal Government's already broad authority to levy Federal payments, improving coordination and use of taxpayer information, requiring new information reporting, or increasing enforcement. Ultimately, though, any alternatives that focus on compliance should be balanced against the new burdens such compliance mechanisms would cause. We should avoid placing unnecessary burdens on all honest taxpayers in a particular sector of the economy to force the compliance of the few.

Although I recognize that repeal of the 3 percent withholding provision will leave the actual problem of non-compliance unanswered, I believe withholding is the wrong policy approach to this issue. Repeal, as proposed in the "Withholding Tax Relief Act of 2007," serves as a reminder of the importance of this issue, and the need to seriously address the impacts this policy will have on businesses in the congressional district I represent and elsewhere in the country. In addition, we must also begin discussion of alternatives to withholding. I intend to continue working with others in the 110th Congress on ways to reduce any eventual burdens this provision will cause, as well as alternatives to withholding that will reduce taxpayer non-compliance.

TRIBUTE TO THE 150TH ANNIVERSARY OF THE ESTABLISHMENT OF IRON COUNTY, MISSOURI

HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 13, 2007

Mrs. EMERSON. Madam Speaker, I rise today to recognize the 150th anniversary of the establishment of Iron County, MO. I congratulate Iron County and all of its residents as they celebrate this milestone.

On this occasion, I am reminded of Iron County's rich Civil War history and its economic and recreational contributions to our State and Nation. Iron County is the home of Fort Davidson State Historic Site, which commemorates the Civil War battle at Fort Davidson where an outmanned Union army delayed a Confederate invasion of nearby St. Louis. The delay allowed the Union to successfully defend St. Louis and ultimately achieve victory in the war.

Additionally, Iron County is well known for its natural beauty and abundance of resources. Settled beautifully along the oldest mountain range on our continent, the Ozark Highland, Iron County has helped supply our Nation with lead and electricity for decades.

Iron County is the home of strong family values that form the foundation of our communities. I thank those whose daily works of neighborliness and good citizenship make Iron County a wonderful place in which to live and work. My thoughts and prayers will continue to be with the residents of Iron County whom I have come to know well and deeply respect. Again, congratulations to Iron County, MO, on 150 years of wonderful history.

COMMEMORATING THE NATIONAL PSORIASIS FOUNDATION'S FOURTH ANNUAL CAPITOL HILL DAY FEBRUARY 2007

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 13, 2007

Mr. GERLACH. Madam Speaker, I rise today in recognition of the National Psoriasis Foundation and its fourth annual Capitol Hill Day, to be held February 26, through which the Foundation and nearly 100 advocates from across the country will seek to bring much-needed attention to an often overlooked and serious disease that affects constituents in each of our districts. According to the National Institutes of Health (NIH) as many as 7.5 million Americans are affected by psoriasis—a chronic, inflammatory, painful, disfiguring and disabling disease for which there are limited treatments and no cure. Ten to 30 percent of people with psoriasis also develop psoriatic arthritis, which causes pain, stiffness and swelling in and around the joints. There are an average of 17,000 people living with psoriasis and psoriatic arthritis in every congressional district. (Estimate based on 2000 Census Data/Census apportionment population with the average size of a congressional district of 646,952 and prevalence rate of 2.6 percent.) In my district, there are nearly 20,000 constituents and 320,000 Pennsylvanians state-wide affected by psoriasis.

Psoriasis is widely misunderstood, minimized and under-treated. In addition to the pain, itching and bleeding caused by psoriasis, many affected individuals also experience social discrimination and stigma. Many people also mistakenly believe psoriasis to be contagious. Psoriasis typically first strikes between the ages of 15 and 25 and lasts a lifetime. As such, psoriasis and psoriatic arthritis impose significant burden on individuals and society; together they cost the Nation 56 million hours of lost work and between $2 billion and $3 billion in treatments each year.

Despite the serious adverse effects that psoriasis and psoriatic arthritis have on individuals, families and society, psoriasis and psoriatic arthritis are under-recognized and under-funded by our Nation's research institutions. The NIH has spent less than one dollar per person with psoriasis on average each of the last 10 years. At the historical and current rate of psoriasis funding, NIH funding is not keeping pace with research needs. I urge my colleagues to take action this year to boost funding for psoriasis and psoriatic arthritis, support efforts to improve and expand psoriasis and psoriatic arthritis data collection, study and improve access to care and treatment for these diseases, and help debunk the myths associated with psoriasis.

I thank the National Psoriasis Foundation for all of its efforts and leadership over the last four decades and am grateful to the Foundation and its members for their ongoing commitment to improving quality of life for people with psoriasis and psoriatic arthritis. In particular, I would like to acknowledge the outstanding advocacy and leadership of my constituent, Lara Wine Lee, who has psoriasis and psoriatic arthritis and who has helped to educate me and my staff about the challenges for people living with these terrible conditions. Again, I urge my colleagues to join me in supporting our tens of thousands of constituents with psoriasis and the National Psoriasis Foundation. I call upon this Congress to take action to expand psoriasis and psoriatic arthritis research and ensure access to care and treatment for this disease and stand ready to lead this important effort.

A TRIBUTE TO VIOLETTA KOVÁCS

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 13, 2007

Mr. LANTOS. Madam Speaker, I invite my colleagues to join me in paying tribute to a wonderful Hungarian author, Violetta Kovács. Ms. Kovács devotion to man's best friend is dutifully communicated in her eloquent prose and knowledge of dogs.

As the President of the Hungarian Journalist Association's Animal Welfare Division for the last 10 years, she has played an integral role in the introduction and enactment of the Hungarian Animal Welfare Act. This important piece of legislation finally criminalized acts that, until then were merely moral transgressions, the torture of animals in Hungary.

Madam Speaker, her passion for animals can be seen in her legislation and also her superbly written and popular books, like: From Guide Dogs to Dog Stars, Sounds of a Dog's Heart and Dog Commando. In these books she calls attention to the loyalty, bravery and sacrifice inherent in the character of dogs. Dogs are always on man's side helping to prevent crimes, capturing criminals, collecting evidence and rescuing those lost or stranded in the wilderness. They were at the side of firemen and other search and rescue teams that worked so valiantly during those dark days after September 11th, searching relentlessly for survivors.

Madam Speaker, in Dog Commando, Violetta paid tribute to the K9 teams and rescue dogs she witnessed combing the ruins of the horrible terrorist attacks on the World Trade Center and the Pentagon. Those powerful moments made her realize what we really owe our best friends and this cannot be forgotten, even in our most tragic hours. Reading her book we witness the true stories of Officer Frank McDermott and Mark Day with their beloved four-legged partners and their colleagues from all over the world. These fine people talk about their dogs with deep emotions, sometimes with tears, each and every one indicating an invisible, unique and everlasting bond between man and animal.

Madam Speaker, as the co-chair of the Congressional Friends of Animals Caucus, I invite my colleagues to join me in paying tribute to Violetta Kovács for her endless efforts in animal protection, and to the K9 and rescue dogs of the world for their service to the mankind.

PERSONAL EXPLANATION

HON. PHIL ENGLISH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 13, 2007

Mr. ENGLISH of Pennsylvania. Madam Speaker, on Tuesday, February 13th, I was unavoidably delayed and was unable to cast a vote on H. Res. 157, providing for consideration of the concurrent resolution (H. Con. Res. 63) disapproving of the decision of the President announced on January 10, 2007, to deploy more than 20,000 additional United States combat troops to Iraq.

I would like the RECORD to reflect that if I had not been delayed, I would have voted "no" on H. Res. 157.

SENATE—*Wednesday, February 14, 2007*

The Senate met at 12 noon and was called to order by the Honorable AMY KLOBUCHAR, a Senator from the State of Minnesota.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Lord God, creator of summer and winter, teach us to appreciate life's seasons. May the snow and ice that surround us today remind us of our dependence on You in life's sunshine and shadows.

Sustain our Senators during this national season of challenge and uncertainty. Teach them that the One who designed the seasons can order their steps and direct their destinies. Meet their deepest needs with Your great power and love. Strengthen their resolve to press on in their efforts to do Your will.

As they grapple with complex issues, give them the peace of knowing that You are already working on solutions. Help them never to forget that You alone are the source of security, peace, and hope throughout the seasons of our years. We pray in Your holy Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable AMY KLOBUCHAR led the Pledge of Allegiance as follows:

> I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD.)

The assistant legislative clerk read the following letter:

> U.S. SENATE,
> PRESIDENT PRO TEMPORE,
> *Washington, DC, February 14, 2007.*
>
> *To the Senate:*
>
> Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable AMY KLOBUCHAR, a Senator from the State of Minnesota, to perform the duties of the Chair.
>
> ROBERT C. BYRD,
> *President pro tempore.*

Ms. KLOBUCHAR thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Madam President, today following whatever time the leaders might utilize, the Senate will be in morning business for 1 hour, with the time equally divided and Senators permitted to speak for up to 10 minutes each.

Yesterday, cloture was invoked on the continuing funding resolution by a vote of 71 to 26. We need to run the 30 hours postcloture. Then all time will expire at 8:52 this evening.

Following morning business, we will resume consideration of the funding resolution.

I have had discussions with the Republican leader about other matters which we might consider prior to adjourning for the February recess. Among those would be several judicial nominations on which I have acknowledged on previous occasions we would be able to secure a time agreement. Members will be apprised of the likelihood or the possibility of votes today.

CONTINUING APPROPRIATIONS

Mr. REID. Madam President, I would like to say that this 110th Congress, when we came here, Democrats and Republicans alike had a real problem because the last Congress only funded the Government until February 15. With cooperation between Democrats and Republicans, difficult negotiations took place, but it was a situation where Senators COCHRAN and BYRD, who lead us in the Appropriations Committee, working with Chairman OBEY on the other side of the Capitol, together with all ranking members and all chairs of the subcommittees on both sides, worked through these difficult issues. And they were difficult. We had not enough money to do all that is necessary to be done, but we got it done without a single earmark. I know this was difficult.

There are issues that are so troubling. There is a Senator on the other side of the aisle, JOHNNY ISAKSON from Georgia. I don't know how you could find a nicer person in the world than JOHNNY ISAKSON. He is pleasant. He always has a smile on his face. He has an issue that is really important to him concerning children and health—something that should be in this bill. It is not.

KAY BAILEY HUTCHISON, the senior Senator from Texas, has an issue dealing with BRAC that has bipartisan support. There are bases that we legislated closure for, and communities are having difficult times as a result of these base closures doing all that needs to be done, and we promised them money to allow these closures to go forward without as much concern and real hardship. But there wasn't anything we could do. If we had a single amendment on this bill, it had to go back for conference.

As a result of that, it would mean that very likely we couldn't complete this by tomorrow night at midnight. I have made commitments to a number of people that we are going to take care of these things in the supplemental which should be here the last week in March, and I am going to do everything I can to make sure the process on the supplemental is as open and free as people think it should be. We will be as patient as we can be to work our way through this. I have told the distinguished Republican leader that vehicle will be open to amendments.

So I think we have done very good work. Legislation is the art of compromise and consensus building, and I appreciate very much the Republicans supporting this. There were some who didn't and I understand that and I understand why. What we did yesterday in invoking cloture on this bill is a step forward to allowing us to get the country's financial affairs in order. I have talked to Senator BYRD. I have spoken to Senator COCHRAN. I have spoken to the distinguished Republican leader. We are all going to do our very utmost this year to get appropriations bills done. We are going to be able to do that now that this CR is going to be out of the way either today early on or, if we can't work anything out, when the time expires tonight.

So, again, I want to express my appreciation publicly to everyone who worked on this matter. There were people who voted against the bill who were a part of the process of working things out. I have spent time on this issue with the senior Senator from New Mexico. I have spent a lot of time with him. He and I did that Energy and Water Subcommittee for many years as chairman and ranking member. We went back and forth. He didn't get everything he wanted, but he got quite a bit. I am not going to go through the whole rollcall of others with whom we worked on this to try to make it as easy a slide as possible. But anyway I am glad it is done. It is good for the country.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

MEASURE PLACED ON THE CALENDAR—S. 574

Mr. REID. Madam President, I know there are Senators wishing to speak, but I just want to say a few more words on a different subject. First of all, S. 574 is at the desk and due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title for a second time.

The assistant legislative clerk read as follows:

> A bill (S. 574) to express the sense of Congress on Iraq.

Mr. REID. Madam President, I object to any further proceedings with respect to this bill.

The ACTING PRESIDENT pro tempore. Objection is heard. The bill will be placed on the calendar.

(The remarks of Mr. REID pertaining to the introduction of S. 579 and S. 588 are located in today's RECORD under "Statements on Introduced bills and Joint Resolutions.")

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will be a period for the transaction of morning business for up to 60 minutes, with Senators permitted to speak for up to 10 minutes each, and the time equally divided between the two sides.

ORDER OF PROCEDURE

Mr. REID. Madam President, I ask unanimous consent that Senator COBURN be recognized for up to 1 hour at 3:15 p.m. today, not to exceed the 1-hour time.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Texas is recognized.

Mr. CORNYN. Madam President, I ask unanimous consent that the Senator from Colorado, Mr. SALAZAR, be recognized following my remarks.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

STATE OF THE ECONOMY

Mr. CORNYN. Madam President, on Monday the distinguished majority leader took to the floor and bemoaned the state of our economy, calling our economic future bleak. As surprised as I was by those comments, I thought it was even more important to come down to the floor and to respond and to provide, I think, a much different picture than that depicted by the distinguished majority leader.

It is ironic the same date those comments were made, the Associated Press reported a story that leads with this paragraph:

> The deficit for the first four months of the current budget year is down sharply from the same period a year ago as the government continues to benefit from record levels of tax collections.
>
> The Treasury Department reported Monday that the deficit for the budget year that began October 1 was down 57.2 percent from the same period a year ago.

That same article goes on to say:

> The continued strong growth in revenues reflects the record profits corporations have been recording in recent years and the low levels of unemployment, which means more Americans are working and paying taxes.

If this is "bleak" economic news, I would love to see what good economic news might look like.

I have a few charts that provide a more accurate picture of exactly where we stand in terms of the American economy today. This first chart demonstrates for 21 consecutive quarters we have seen the U.S. economy grow, including the latest quarter where the economy grew by 3.5 percent.

We have seen since August 2003, employment has expanded over 41 consecutive months—creating 7.4 million new jobs in America. This timeframe is not accidental. In 2003, we passed some of the tax relief which is largely responsible for giving the American worker greater incentive to work hard and to save their money and invest it in their small business, thus creating jobs and opportunity for all Americans. This has created the sort of freedom that is always demonstrated in the strength of our burgeoning economy. It is as a result of not Government action per se but, rather, the freedom we have given the economy and the hard-working American taxpayer to keep more of what they earn and creating an incentive for them to work hard and be able to earn more to support their family and their way of life.

The third chart demonstrates the economic picture is not as the distinguished majority leader said, "bleak" but demonstrates that revenue to the Federal Treasury has exceeded all historical precedent. Indeed, this last projection is that in 2007 we will see it increase by 18.5 percent, and you can see above the line on this chart that represents historical averages. Each of the following years leading up to 2012 will exceed that historical average. Again, the economy is stronger than ever and continues to grow because of our current low tax and progrowth policies.

Unfortunately, this is a lesson that Washington sometimes forgets because when given the opportunity, the instinct of Washington is to increase Federal revenue by increasing taxes. I don't think you need to know much about human nature to know that high taxes decrease the incentive we all have to work hard. What that does is actually have a wet-blanket effect on the economy and on the ability of small businesses and employers to create jobs which create the kind of economic growth and the kind of revenue our tax system generates as a result of strong economic activity.

I am worried that even with the current continuing resolution that is in the Senate now that cuts $3.1 billion from defense spending at a time when we are trying to bring our troops home from Europe and Asia and to provide them a place to come home to, that the solution offered by the distinguished chairman of the Committee on Appropriations is "Don't worry, we will add that money back in when we get to the supplemental appropriations bill."

The problem with that is the $3.1 billion that has been spent out of the current continuing resolution or Omnibus appropriations bill on things other than our military, that money has now been spent on other programs that are favored by the new majority. What they are saying is, instead of spending $3.1 billion, we will spend $6.2 billion—the $3.1 on things other than defense, but we will come back later and make the defense budget whole but in a way that aggravates the budget deficit.

Of course, the consequence of that kind of spending policy which has a tendency to aggravate the deficit lays the groundwork for our colleagues on the other side to say, the American people are not taxed enough. We need to actually raise taxes in order to generate more revenue to pay for this additional spending.

This is exactly the kind of response we do not need. As demonstrated by the charts, as demonstrated by the booming economy, we have, as a result of the low tax policy and the progrowth policies of the last 6 years, the American economy could not be stronger or better.

I hope we will all be edified by this factual data demonstrated on the charts and that the misimpression that the distinguished majority leader was under when he called the economy bleak will be now disabused. I hope he will see from the charts and from my comments—not because I said it but because this is what the facts demonstrate—the low tax and progrowth policies we have had over the last 6 years have served the American people very well and that 7.4 million new jobs have been created in America since August 2003. That, indeed, should be what we are all about.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Idaho is recognized.

Mr. CRAIG. The Senator from Colorado is going to speak a little longer, but he has agreed I can interject myself but for a moment.

The ACTING PRESIDENT pro tempore. The Senator is recognized.

A VALENTINE TO MY FAMILY

Mr. CRAIG. Madam President, today is an essential day in my life. It is not just Valentines Day. It happens to be the anniversary of the first date I had with my wife Suzanne. Am I a romantic? Well, maybe just a little bit.

Little did I know then that one day we would be celebrating the first date as a married couple with three children and nine grandchildren.

Over the years, I have taken to the Senate to announce the news of our growing family and I ask my colleagues' indulgence again today to send a special valentine to the two most recent additions to our family.

Born November 20 of 2004, a beautiful granddaughter named Lily Terese Craig. On April 18 of 2006, another beautiful grandchild, Damon Oliver Craig, was born into our family. It is a thrill to be a granddad to these wonderful children. It has been a great joy to hold them, to love them, to see them around, and to watch them grow.

My wife Suzanne and I look forward to many happy experiences with Lily and Damon and the rest of our crew. Often we come to the Senate to talk about momentous and meaningful events, but there is no more important event than when grandchildren enter our lives.

Let me thank my colleagues. Let me thank my colleague from Colorado for letting me share with all how much we enjoy these new lives in our family on this Valentines Day.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Colorado is recognized.

Mr. SALAZAR. Madam President, let me congratulate my good friend from Idaho, Senator CRAIG and Suzanne and their grandchildren, Lily and Damon. I wish your family the very best. The family in Idaho, obviously, is where the roots are. Our families are so important to all of us, and we appreciate the Senator coming to the floor and sharing that special valentine message not only with the family but with the Nation and our colleagues in the Senate.

FORGOTTEN AMERICA

Mr. SALAZAR. Mr. President, I come to the Senate to speak about the forgotten America. That is the rural America which is a wide expanse of the geographic area of these United States. When I came to the Senate 2 years ago, I gave my maiden speech about forgotten America, the rural parts of our country which have been in decline decade after decade after decade.

I did so because if you look at my own history, I come from a place that is 300 miles to the south of Denver, a place that has the name of Conejos, in English meaning rabbit county. It is one of the four poorest counties in the United States of America. In that county, as in so many counties across America, you see the kinds of problems that describe the two Americas we have. We have the America of prosperity, much of that part of America lying within the metropolitan areas of our great Nation, and we have the other America, the forgotten America, the America that struggles on the vine every day to stay alive, the part of America that has great disparity in terms of the kind of health care and the kind of education and the kind of economic opportunity that exists for them.

In my own State of Colorado, there were 64 counties, and out of the 64 counties, even in the great boom of the 1990s when unemployment was nonexistent and our economy was growing at a very rapid pace, most of those counties were withering on the vine. They were declining in population. Their population was aging. They were struggling with health care. They were struggling with a whole host of issues that affect those communities.

Out of the 64 counties in Colorado during the period of 2000 to 2005, 21 of them actually declined in population. That is a third of my State that was actually declining in population. The fact is that same statistic can apply for many other States, including Nebraska, the Dakotas, Idaho, and most of our States around the country.

I am very hopeful, as we move forward in the 110th Congress, that under the great leadership of Senator TOM HARKIN from Iowa, we will be able to put together a farm bill that will help revitalize rural America and will help us put the spotlight on what has been the forgotten America.

Even as we start the process of moving forward and addressing the issues set forth in the 10 titles of the farm bill, we already see some statistics that to all of us should be alarming. At a hearing we had earlier this week, there was testimony provided to us that the per capita investment in rural America is about $550 less than it is in urban communities. That is because the formulas we have for community development block grants and other investments the Federal Government makes to help communities ends up, in a very disappointing way, affecting rural communities in these negative ways. I am hopeful, as we move forward with the farm bill, we will be able to correct some of these disparities and create new opportunities for rural America.

We will see one of those opportunities created with our efforts to grow our way to energy independence. The fact of the matter is, both Democrats and Republicans, progressives and conservatives, are coming together to recognize the fact that growing our way to energy independence is a matter of national security, a matter of economic security, and a matter of environmental security. I am tremendously optimistic about what we can do with the new farm bill.

Mr. President, today I speak briefly about two pieces of legislation I have introduced or will soon be introducing that are part of that agenda to try to help rural America. The first, a bipartisan legislation that creates a rural leasing institute. It is legislation which I am proudly sponsoring with Senator PRYOR, my good friend and former attorney general from Arkansas and Senator CHAMBLISS and Senator ISAKSON.

This legislation creates a rural policing institute to make sure our law enforcement in rural communities has a similar kind of opportunity that law enforcement has in the major metropolitan areas. In my State of Colorado, we have about 14,000 peace officers. I had the great honor as the attorney general of that State to serve as the chairman of the board that certified all the law enforcement officers in my State for a period of 6 years. There is a big difference between the kind of training rural law enforcement officers get and the kind of training provided to law enforcement areas in the metropolitan communities. Of the 14,000 peace officers in Colorado, 7,000 of the people work in departments that have fewer than 15 officers. They cannot afford the kind of training to protect themselves and to protect the public safety that other larger metropolitan police organizations can afford.

Therefore, our effort to move forward with this rural policing institute is to allow our national Government to provide training opportunities to the thousands upon thousands of police officers who live in rural communities and who work every day to protect the public safety of their communities.

I hope our colleagues will join in the passage of this legislation. Last year, this legislation enjoyed the unanimous support of the Senate. I am hopeful we will again have that same kind of support.

In conclusion, let me say that the forgotten America is, indeed, much of rural America. It is that part of rural America which we know is so important to us because of the values we find there, the bedrock values of what America is all about. It is a pioneering spirit of the West. It is the place where the food security of our Nation so depends.

If you walk into my office, for many years I have had on my desk a sigh that says: No farms, no food. No farms, no food. I would hope, as we make that statement—as I make that statement—we recognize we should never compromise the food security of the United States of America. We, obviously, have done that in a very negative and disastrous way with respect to our energy dependence on foreign countries today. We ought not to do the same thing with food security.

Our ability to revitalize rural America and to enact a farm bill that will help us revitalize rural America is very much at the heart of how we take care of this forgotten America.

(The remarks of Mr. SALAZAR pertaining to the introduction of S. 583 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. SALAZAR. Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time be equally divided.

The PRESIDING OFFICER (Mr. MENENDEZ). Is there objection?

Without objection, it is so ordered.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. HUTCHISON. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONTINUING APPROPRIATIONS

Mrs. HUTCHISON. Mr. President, I rise to speak on the continuing resolution before the Senate, H. J. Res. 20, to point out some of the flaws in the bill. Because we have the potential for a Government shutdown, I believe it is my responsibility to vote for the legislation.

I am reluctant to be in the position of voting for a $463 billion spending bill with no capability for amendment. We passed appropriations bills out of the Senate last year. They reflected the Senate's priorities. Yet this measure changes many of the priorities that were set in last year's bills, and we haven't had the opportunity for hearings, committee markups, or to offer any amendments from the floor. That is not the way the Senate has done business, certainly not the Appropriations Committee. The Appropriations Committee has been quite bipartisan throughout the time I have been a member.

I don't like to see this type of precedent being set. The last time Republicans took over from Democrats, there were 11 appropriations bills not yet finished. We didn't do a continuing resolution and fill up the tree so there couldn't be amendments. We did an Omnibus appropriations bill. We debated it for 6 days. We timed it so that people had full access to amendments and the process. We had 100 amendments. That was 2003. I am very concerned about this type of process. But we are now 1 day before the end of the previous continuing resolution, which means we could see a Government shutdown if we can't come to agreement.

I said last week that we had time for amendments and to confer with the House. The amendment I put forward with 27 cosponsors, the Hutchison-Inhofe amendment, would have fully restored the $3.1 billion that was taken out of military construction that was preparation for the movement of troops home from overseas, as well as many other base changes that were going to be made. I asked for the restoration of that with 27 cosponsors, and my amendment was ruled out of order.

I know there was bipartisan support for those many military construction projects. And since I am the ranking member and previously the chairman of that subcommittee, I know how important they are. I know they were so important that the chairman of all the services, plus the Chairman of the Joint Chiefs, wrote a letter saying: Please do not fund with a continuing resolution the military construction projects because there will not be enough to fully cover our needs. The Secretary of Defense said the same thing.

We are not going to be able to do what is right for our military because $3 billion was taken out of the Senate-passed appropriations bill and converted to other projects. It was spread around throughout the other agencies, and the military construction was the pay-for. I tried to correct that, and I have to say that the distinguished majority leader did make an effort to work with the House to make my amendment in order. He was not able to do that. I accept that, and I accept that he tried. I do believe he tried. I think Senator REID did make an effort. But we have a process here which is not one anyone can be proud of; that is, a $463 billion spending bill, taking $3 billion away from military construction, putting it into other priorities, and not allowing amendments. It is not right, and I protested.

I am going to vote for the bill. I think we have to do it.

I am very concerned about the NASA funding. There is money taken out of the ongoing, very important priority of getting the crew return vehicle that is the successor to the shuttle online on time. I cannot imagine we would take money out of that program, which was done in this bill, which would potentially delay us years down the road from having the crew return vehicle that is set to replace the shuttle. The shuttle is set to go out of existence in 2010, possibly 2011. We need the shuttle to finish the space station. But the Administrator, Michael Griffin, has said we need to retire the shuttle as soon as possible. We have to finish the space station. The new crew return vehicle will not be able to carry big parts up to the space station. It will not be heavy enough. But we need to close the gap so we don't have a time when the United States is not able to send people into space, and that is what is going to happen if the crew return vehicle is not able to be produced when the shuttle goes out of existence.

I think we are putting NASA in jeopardy. I met with Senator BILL NELSON, the chairman of the NASA Subcommittee, of which I am ranking member. We met with Michael Griffin and members of the staff of the Appropriations Committee who assured Michael Griffin he would have the ability to transfer money out of other accounts to go there. But I am concerned about it. Why was the money moved out of that account in the first place? That doesn't seem like the proper way to do business. But we are going to watch that very carefully.

Senator NELSON and I are very bipartisan in our approach to NASA. We both believe it is most important for us to have human spaceflight capabilities for the United States of America. It is a national security issue as well as a scientific issue that we stay in the forefront of science, and the lead we have had by going into space early is unmatched by any other country. Our lead is so important for our national security and the dominance we have had in space. The ability we have had to guide missiles from space is a phenomenal advantage America has been able to achieve by conquering space. If we don't have the ability to put humans in space for some period of time—3 to 5 years—what are we going to do? Are we going to go and beg the Russians? Who knows, by 2010 or 2011, whether the Russians would even give us space on their shuttles, much less give us the accommodations we would need and perhaps the secrecy we would need.

I am concerned about this bill. If we were not facing a potential shutoff of the Government and many important programs, including benefits to veterans and military pay, I would vote no, just as I did vote against cloture because I thought we still had time to do this right. We should have had time to do it right, but we didn't, so we are faced with the Hobson's choice of shutting down the Government or trying to do this bill in the right way with no amendments. I don't consider it a good choice.

Mr. President, I will vote for the bill. I do not think this is the Senate's finest hour. I do believe the Senate majority leader made an effort. I think he heard the merits of our bipartisan amendment with 27 sponsors. I hope he will, as he has promised, work with us to get the full funding of these military construction projects in the supplemental appropriations bill. However, we have the chance right now. I hate to give up the bird in the hand for one that might see some delays, that might see many changes. I will be right on top of it. As the ranking member of this subcommittee, I will certainly expect that we have the ability to amend the appropriations bill that comes forward as a supplemental, just as we have always had in this body. I hope we will not have to worry that we are going to have a filled up amendment tree and cloture filed on the supplemental appropriations bill.

We can do business the right way in the Senate. We have for most of the years of this great institution. I will be disappointed if we start seeing us bring bills to the floor and not allow amendments—there is no reason to have 100 Members if that is the way we are going to do business. We could just have 51 or we could just have 1 if all the decisions are going to be made in that fashion.

That is not what the Constitution intended, and I hope it is certainly not what the new majority intends as a way to do business.

I am going to hold out hope that the word is kept, that we can have the amendment process, that we can fund the military construction projects that are so important for quality of life and training capabilities for the great men and women who are serving our country and putting themselves forward to give up their lives, if necessary, for freedom for future generations of Americans.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

MAKING FURTHER CONTINUING APPROPRIATIONS FOR THE FISCAL YEAR 2007

The PRESIDING OFFICER. Under the previous order, the Senate resumes consideration of H.J. Res. 20, which the clerk will report.

The legislative clerk read as follows:

A joint resolution (H.J. Res 20) making further continuing appropriations for the fiscal year 2007, and for other purposes.

Pending:

Reid amendment No. 237, to change an effective date.

Reid amendment No. 238 (to amendment No. 237), of a technical nature.

Motion to recommit the bill to the Committee on Appropriations, with instructions to report back forthwith, with Reid amendment No. 239, to change an effective date.

Reid amendment No. 240 (to the instructions of the motion to recommit), of a technical nature.

Reid amendment No. 241 (to amendment No. 240), of a technical nature.

The PRESIDING OFFICER. The Senator from Iowa.

ALTERNATIVE MINIMUM TAX

Mr. GRASSLEY. Mr. President, I think it was 48 hours ago I opened a discussion with my fellow Senators on the alternative minimum tax. As I pointed out at that time, it is generally recognized that the alternative minimum tax is a policy failure.

Created in 1969, in response to the discovery that 155 wealthy taxpayers—and let me emphasize that I am talking about 155 wealthy taxpayers—were able to eliminate their entire tax liabilities through legal means, the AMT has now evolved into a place where, because it wasn't indexed, it has captured more than 3 million middle-class Americans as of 2004. The AMT was never supposed to affect anyone except the very wealthy people.

I am using 2004 numbers because 2004 is the most recent year we have completed data. Three million people in that year were hit by AMT, even though since 2001 we have had in place a tax policy that no additional people should be hit by the alternative minimum tax.

At the time I was visiting with my colleagues 2 days ago, I cited the widespread observation that the most significant structural flaw afflicting the AMT is the failure to index its rates and exemptions for inflation. This failure, then—and I alluded to this a minute ago—has resulted in the gradual encroachment of the alternative minimum tax to hit middle-class taxpayers who were never intended to pay this tax.

Despite the widespread agreement that something needs to be done with the alternative minimum tax, agreement on what exactly to do is not so widespread. A major factor in the disagreement relates to the massive amount of money the alternative minimum tax brings to the Federal Government. In 2004, from these 3 million taxpayers hit by this tax, more than $12.8 billion was paid into the Federal Treasury. If we don't extend the most recent alternative minimum tax hold-harmless that actually expired at the end of 2006, the amount paid by those 3 million taxpayers is expected to balloon to a much greater amount. And, of course, when you go beyond that, into the long-term budget forecast, it is going to continue to grow and grow, with middle-class taxpayers paying a tax that was meant to be for 155 wealthy people.

When forecasters put their projections together, they are working under the assumption that the hold-harmless that was extended in last year's tax bill will not be extended because they base their assumptions on current law. This means the hold-harmless provisions ended December 31, 2006, and money being earned right now is going to hit millions more people.

People who guesstimate how much money comes into the Federal Treasury—and we have people both in the executive branch and the legislative branch who have that as their responsibility, so we can make good tax policy—take into consideration what is current law, and they are planning on these millions of middle-class taxpayers paying this alternative minimum tax, even though they were never intended to pay it. Because of this, budget planners make the assumption that revenues will be much higher than everyone who is frustrated with the AMT thinks that amount of money ought to be, as well as the number of people who are going to be paying it.

The reason for that is the alternative minimum tax tremendously balloons the revenue base, as it is projected to increase revenues as a percentage of gross domestic product. There is a great deal of evidence to support this.

On a side note, a senior, well-respected tax lawyer on the other side of the aisle in the other body took exception to my use of the term "ballooning." The staffer wrote an article and criticized me for that term. Well, I am not used to staff writing articles criticizing Members of Congress, so I happened to respond to that staffer's criticism through my own staff. The essence of the senior staffer's criticism was that the term "ballooning" ignored the accounting for the interaction of bipartisan tax relief with AMT costs. As we pointed out, ballooning revenue from the AMT occurs in the outyears, whether the bipartisan tax relief is extended or made permanent. I will talk more about that in a few minutes.

The nonpartisan Congressional Budget Office has consistently forecast this ballooning year after year. This chart which I have before me now for you to look at, reproduced from the Congressional Budget Office's long-term budget outlook, was published in December 2005 and shows how Federal revenues are expected to push through the 30-year historical average and then keep going up.

You can take that historical average back 30 or 40 years for sure, and maybe longer than that, but the historical average is here and current law is actually going to bring in this much revenue, and that includes the ballooning of the alternative minimum tax.

I want to note that although the Tax Increase Prevention and Reconciliation Act of 2005 was signed into law after this analysis was published, the 2006 tax bill extended the AMT hold-harmless through December 31 last year, and this chart shows Federal revenues all the way through to the year 2050. It is important to note the long-term effects then of the alternative minimum tax on the revenue base.

There may be some doubters who hesitate to attribute this ballooning of revenues to the alternative minimum tax, but this chart illustrates the drastic expansion of the AMT under current law over the next 43 years. Over the next 43 years. This is also from the nonpartisan Congressional Budget Office. You can clearly see that the share of households subjected to the alternative minimum tax is alarmingly around 65 percent.

Let's go through that again. You can see from the new chart which I have put up here that the share of households subjected to the alternative minimum tax increases by the year 2050 to about 65 percent of taxpayers. The reason why this 65 percent—or even going back to here, or even back to here—is significant is because, as I told you 48 hours ago, and as I tell my colleagues now, this alternative minimum tax was put in the tax law to hit wealthy taxpayers, 155 at that year, who didn't pay any tax whatsoever.

It was felt that everybody, particularly wealthy people living in this country and who benefit from this country, ought to pay some sort of a tax. It was never intended to hit this percentage of taxpayers, or this percentage of taxpayers, and surely not this percentage of taxpayers. And if we do nothing, it is going to be 65 percent. I don't know what the population of this country is going to be in 43 years, but I know that 65 percent of the population in 2050 will be more, quite obviously more than the 155 taxpayers the AMT was intended to target.

This chart also shows how the AMT will consume a greater and greater share of the total individual income tax liability. The Congressional Budget Office report states:

> By 2050, roughly 15 percent of the individual income tax liability would be generated by the alternative minimum tax compared with about 2 percent today.

This is what will happen if we don't do anything. This is going to happen. The analysis done by the Congressional Budget Office clearly shows an upcoming ballooning of Federal revenues, accompanied by a corresponding bloating of the share of households and the share of total liability attributed to a tax that was only intended to hit 155 people 39 years ago.

A particularly wrongheaded argument that has been advocated is that the Bush tax cuts are responsible for increases in the number of people hit by the alternative minimum tax. Some think the Bush tax cuts are increasing some people's income so much that they are subject to the alternative minimum tax and that making the tax cuts permanent will only make those problems worse. This sort of reasoning is deceptive and could not be more wrong. First, the analysis that I presented—done by the Congressional Budget Office—looks forward all the way to 2050, and the Bush tax cuts under current law sunset in 2010. As I previously said, the AMT's greatest flaw is that it is not indexed for inflation, and inflation is going to continue whether the Bush tax cuts are extended or not. Inflation is going to be there.

This next chart from the Congressional Budget Office illustrates how the alternative minimum tax will continue to be a money machine, regardless of any other factors. The bottom line illustrates individual income tax liabilities if the Bush tax cuts are made permanent and the AMT is modified, the middle line illustrates current law with the permanence of the Bush tax cuts, and the very top line—current law. If the Bush tax cuts are allowed to sunset and the AMT is allowed to grow and consume our middle class, the AMT will still balloon revenues anyway. Any argument that making the Bush tax cuts permanent will worsen our AMT problem is completely false, and this chart proves that. The AMT is a problem all by itself.

As I said earlier, the problem with all of the projections showing the AMT ballooning revenues is that these projections are used to put together budgets. This means the central problem in dealing with the AMT is money. There are some people who say we can only solve the AMT problem if offsetting revenue can be found to replace the money that the AMT is currently forecast to collect. Anyone who says this sees the forecasts showing revenue being pushed up as a percentage of GDP—and they are high-tax people and yet higher tax people to satisfy them—and they want to keep it there. These arguments are especially ridiculous when one considers that the alternative minimum tax was never meant to collect so much revenue and collect it from the people who are going to end up paying it, the middle class people, if we don't do something about it.

As a policy instrument, the alternative minimum tax has been and continues to be a complete failure, as I discussed 48 hours ago. The alternative minimum tax was originally conceived as a means to ensure that extremely wealthy taxpayers were not able to game the system and to avoid their entire tax liability. In 1969, the alternative minimum tax was calculated to hit only one out of a half a million people. There is absolutely no way anyone can call the AMT anything close to a success. The alternative minimum tax has even failed in its objective: to ensure that no citizen, regardless of how wealthy, was able to completely avoid paying at least a little bit of Federal income tax because we have this anomaly.

In 2004, the Commissioner of the Internal Revenue Service, Mark Everson, informed the Finance Committee that the same number of taxpayers, as a percentage of the tax-filing population at large, continues to pay no Federal income tax.

So even to hit the people who were supposed to be hit, there are people in a tax situation, legally, able to avoid not only the regular income tax but to avoid the alternative minimum tax. So it is a failure by its own reason for existence.

According to an IRS analysis of the tax year 2003 data, we had 2,366 taxpayers with incomes above $200,000 or more who did not use the medical or dental expense deduction and had no income tax.

The AMT has failed in every way except for the ability to raise very large sums of money, and it was never intended to be a tax-producing machine. It was only intended to hit people who were not going to pay any income tax and ought to pay a little bit for the privilege of living in America. While it may be hard for some to turn down taxpayers' money, whether we are supposed to collect it or not, no one seems to have trouble spending it. This means that some want the taxpayer to pay the price for a tax that was designed poorly and through the comedy of errors was allowed to flourish.

It is simply unfair to expect taxpayers to pay a tax they were never intended to pay—and that means middle class America. And it is even more unfair to expect them to continue paying for that tax once we get rid of it. The reform or repeal of the AMT should not be offset because it is money we were never supposed to collect in the first place.

The way to solve this problem is to look on the other side of the ledger, the spending side. Budget planners need to take off their rose-colored glasses when looking at long-term revenue projections that include a tax by middle class people who were never intended to pay that tax, the alternative minimum tax, and to read the fine print. In general, it is a good idea to spend money within your means. That is true in this case as well. If we start trying to spend revenues we expect to collect in the future because of the AMT, from people who were never expected to pay it, it was never supposed to come in the first place, we will be living beyond our means. We need to stop assuming that record levels of revenue are available to be spent and to recognize that the AMT is a phony revenue source.

As we consider how to deal with the AMT, we must first remember that we do not have the option of not dealing with it unless we want to kill the middle class. The problems will only get worse every year and make any solutions more difficult. We must also be clear that the revenue the AMT would not collect as a result of repeal or reform should not be offset as a condition for repeal or reform. We should not call it lost revenue because it is revenue that the middle class was never expected to pay. Making the offsetting of the AMT's ill-gotten gains a condition of the AMT fix is to punish the American taxpayers for an ill-conceived and poorly executed policy that has been a total failure.

Aside from not increasing the proportion of wealthy taxpayers who pay income taxes, the AMT is projected to balloon Federal revenues over historical averages and to become a greater source of revenue than even the regular income tax. Budget forecasters need to recognize that the AMT is not a legitimate source of revenue, and Congress needs to be disciplined enough to show restraint on spending so that an AMT solution doesn't boil down to the replacement of one misguided policy by another misguided policy.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mrs. CLINTON. Mr. President, I ask unanimous consent that following my remarks, Senator BROWN of Ohio and Senator CHAMBLISS of Georgia be recognized.

The PRESIDING OFFICER. Without objection, it is so ordered.

IRANIAN THREAT

Mrs. CLINTON. Mr. President, at this moment of challenge for our Nation, the vantage point of this august Chamber, we look onto a world filled with danger, deeply complex threats against our troops and our national interests abroad, and genuine risks to our security at home. Keeping our Nation strong and our people safe requires that we employ the best and smartest strategies available.

In confronting enemies and threats we are fortunate to possess a great many assets, all of which we must wisely deploy, including our military, diplomatic, economic, and cultural assets. Our strongest asset remains the democracy that we are privileged to take part in as Members of the Senate and as representatives of our constituents. Our democratic institutions, under our Constitution, balance one another and check against excesses and concentrations of power that help us wrestle with difficult challenges in an open and forthright way. This constitutional framework is not an obstacle to pursuing our national security but the example that we should project to the world. Our democracy, with its tradition of accountable power and open debate, is America at its best. That is what we need, America at our best, as we deliberately and resolutely confront the threat posed by the Iranian regime.

Make no mistake, Iran poses a threat to our allies and our interests in the region and beyond, including the United States. The Iranian President has held a conference denying the Holocaust and has issued bellicose statement after bellicose statement calling for Israel and the United States to be wiped off the map. His statements are even more disturbing and urgent when viewed in the context of the regime's quest to acquire nuclear weapons. The regime also uses its influence and resources in the region to support terrorist elements that attack Israel. Hezbollah's attack on Israel this summer, using Iranian weapons, clearly demonstrates Iran's malevolent influence, even beyond its borders.

We also have evidence, although it is by no means conclusive, of attacks using Iranian-supplied or manufactured weaponry against our own American soldiers. As I have long said, and will continue to say, U.S. policy must be clear and unequivocal. We cannot, we should not, we must not permit Iran to build or acquire nuclear weapons. In dealing with this threat, as I have also said for a long time, no option can be taken off the table. But America must proceed deliberately and wisely, and we must proceed as a unified nation. The smartest and strongest policy will be one forged through the institutions of our democracy. That is the genius of our American system and our constitutional duty.

We have witnessed these past 6 years, until the most recent election of a new Congress by the American people, the cost of congressional dereliction of its oversight duty—a vital role entrusted to Congress by our constituents and enshrined in and even required by our Constitution. So we are here today because the price that has been paid in blood and treasure through the rush to war in Iraq and the incompetence of its execution and managing the aftermath, in the excesses of military contracting abuses and the inadequate supply of body armor and armored vehicles on the ground, have led to a loss of confidence in this administration among our allies and the American people.

Therefore, we cannot and we must not allow recent history to repeat itself. We continue to experience the consequences of unchecked Presidential action. Sunlight is the best disinfectant but this President was allowed, for too long, to commit blunder after blunder under cover of darkness provided by an allied Republican Congress.

In dealing with the threats posed by the Iranian regime, which has gained its expanding influence in Iraq and the region as a result of the administration's policies, President Bush must not be allowed to act without the authority and oversight of Congress. It would be a mistake of historical proportion if the administration thought that the 2002 resolution authorizing force against Iraq was a blank check for the use of force against Iran without further congressional authorization. Nor should the President think that the 2001 resolution authorizing force after the terrorist attacks of 9/11 in any way authorizes force against Iran.

If the administration believes that any—any—use of force against Iran is necessary, the President must come to Congress to seek that authority.

I am deeply concerned by the recent statements coming out of the Bush administration. The administration has asserted evidence of the Iranian regime's complicity at the highest levels for attacks within Iraq. Yet, at the same time, GEN Peter Pace, Chairman of the Joint Chiefs of Staff, questions these assertions—in particular, the culpability and intentions of the Irani Government. In this delicate situation, while making disturbing comments, the administration has also announced it is sending a third aircraft carrier to the gulf. The President owes an ongoing consultation to this Congress and owes straight talk to the country. We have to get this right. The Congress should debate our current course, including the current silent-treatment policy toward our adversaries.

I believe we can better understand how to deal with an adversary such as Iran if we have some direct contact with them. I think that can give us valuable information and better leverage to hold over the Iranian regime. And if we ever must, with congressional agreement, take drastic action, we should make clear to the world that we have exhausted every other possibility.

I welcome the agreement announced yesterday between the United States and North Korea. It demonstrates the central value of using every tool in our arsenal to achieve our objectives. I only wish the administration had pursued this course 6 years ago when an agreement with North Korea was within reach. The wasted time has allowed North Korea to develop nuclear weapons in the interim.

Failure to use diplomacy has damaged our national security interests. The important step forward our country has made with North Korea raises the obvious question: Why will the President refuse to have any kind of process involving Iran, as I and others have urged? The United States engaged in talks with North Korea within a multilateral process but also had ongoing bilateral discussions. We should have such a process of direct engagement with Iran as recommended by many, including the Iraq Study Group. We need friends and allies to stand with us in this long war against terrorism and extremism and to contain and alter the regimes that harbor and support those who would harm us. During the Cold War, we spoke to the Soviet Union while thousands of missiles were pointed at our cities, while its leaders threatened to bury us, while the regime sowed discord and military uprisings and actions against us and our allies. That was a smart strategy used by Republican and Democratic Presidents alike, even though it was often a difficult one.

As we discuss potential evidence of Iranian complicity in supplying arms to insurgents along with the refusal to suspend their nuclear ambitions, we need to deliver a strong message to Iran that we will not stand by and tolerate this behavior. However, we need to deliver that message forcefully through direct talks. The lives of American soldiers are at risk, and we should not outsource our discussions with the Iranians on this and other issues. When I say no option should be taken off the table, I include diplomacy.

Currently, our intelligence on Iran is of uncertain quality. We need to examine the facts closely and carefully. No action can or should be taken without explicit congressional authorization. And knowing what we know now, this body needs a steady stream of real, verifiable intelligence. We in the Congress cannot do our part in deciding what needs to be done if we do not know what is happening, and it does not appear that the administration has any real grasp on the facts on the ground, even after all these years. The public unclassified sections of the NIE recently issued made it very clear in their conclusions that sectarian violence would still exist in Iraq absent Iran.

So we have a lot to sort out. We have all learned lessons from the conflict in Iraq, and we have to apply those lessons to any allegations that are being raised about Iran because what we are hearing has too familiar a ring, and we must be on guard that we never again make decisions on the basis of intelligence that turns out to be faulty. If we find evidence of potential Iranian complicity, we will take appropriate action, but that requires a partnership to defend and protect America's national security interests between the Congress and the President.

Oversight will also lead to a consensus approach that brings together the best judgment and strategies of our Nation and will examine the consequences of action, the reality of any perceived or alleged threat, and the consequences of taking action. I sometimes fear that the word "consequence" has been taken out of the vocabulary of this administration. We have to look over the horizon. We have to make hard choices among difficult options.

So there are no easy answers to the complex situations we confront in the world today. But if we do face threats, the congressional consultation and authorization will bring the American people into the debate. Whatever steps, if any, may be required should be taken by our Nation, not just by our President. We must act as Americans, not as members of one party or another. Our Nation has been divided by a failed policy and the relentless pursuit of it. We are facing that again with the escalation policy the President is pursuing today.

Mr. President, if we face up to our constitutional responsibilities as the Congress, if we conduct the oversight that is required, if we exercise our checks and balances, then we are likely to reach a better conclusion than we have thus far. We must be tough and smart, deliberative and wise, and we must look at all of our assets, not just the brave men and women who wear the uniform of our country. To implement the best policy, we should start by employing our best values: the democratic values that give strength to our Nation and our cause and that serve as an example and beacon to people who wish to live in peace and freedom and prosperity around the world.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio is recognized.

BUILDING ECONOMIC SECURITY

Mr. BROWN. Mr. President, today before the Senate Banking Committee, the Federal Reserve Chairman testified that the economy is doing well. I was joined by my friend, the Senator from New Jersey, Mr. MENENDEZ, who is in the chair. He told us that consumer spending is up, productivity is up, and that the labor market will stay healthy. At the very moment that the Chairman delivered a rosy prediction for our Nation's economy, an AP story broke that Chrysler is cutting 13,000 jobs. One hundred of those jobs are in Cleveland. Those aren't just numbers; those are 100 families.

Two weeks ago, before the same Senate Banking Committee, the Treasury Secretary testified that the economy was doing well. He repeated many times that the GDP had grown in excess of 3 percent. Earlier that same morning, at the Senate Agriculture Committee, Rhonda Stewart, a single mother from Hamilton, OH, testified that despite working full time, caring for her 9-year-old son Wyatt, and even serving as president of the PTA and a leader in the Boy Scouts, she and her son must rely on food stamps to survive. At the end of each month, she told us, she must forgo dinner so her son can eat because the food stamps just don't go far enough.

Worker productivity is up, profits are up, the stock market is doing well, and millionaires are enjoying exorbitant tax breaks. Thirteen thousand more workers are about to lose their jobs, and a single mother working full time, involved in her community, doing her best, can't afford to eat dinner. There is a clear disconnect between the corporate-driven myopia of this administration on our Nation's economy and the real-world economic conditions working families in Ohio struggle through every day.

Our middle class is shrinking in large part because our policies in Washington have betrayed the values of working families across our country, which is why we must revamp our economic and trade policies so that we invest in our middle class. We must shrink income inequality, grow our business community, and create good-paying jobs. We must establish trade policy that builds our economic security. That is not what we have now.

Job loss does not just affect the worker or even just the worker's family; job loss, especially job loss in the thousands, devastates communities. It hurts the local business owners—the drugstore, the grocery store, the neighborhood restaurant. When people are out of work, they can't support their local economy, which forces owners to close, in too many cases, their small businesses. That means lost revenues to the community, which hurts schools, which hurts fire departments, which hurts police departments. The trade policies we set in Washington and negotiated across the globe have a direct impact on places such as Toledo and Steubenville, Cleveland and Lima, Zanesville and Portsmouth.

We hear the word "protectionist" thrown around by those who insist on more of the same failed trade policies. It is considered "protectionist" by some of them to fight for labor and environmental standards, but they call it free trade when we pass trade agreements to protect drug company patents and Hollywood DVDs. If we can protect intellectual property, as we should, if we can protect intellectual property rights with enforceable provisions in trade agreements, we can certainly do the same for labor and environmental and food safety standards. It is not a question of if we trade, it is how we trade and who benefits from that trade.

While it is unclear whether the administration will ever acknowledge that our trade policy has failed, it is very clear that this Congress is already at work. Republicans and Democrats are working cooperatively to revamp our trade policy. We are working cooperatively to raise the minimum wage. We will work cooperatively to make education more affordable for middle-class families and to lower the cost of prescription drugs for our Nation's seniors, and we will work cooperatively to invest in new technology and new industry.

In my State of Ohio, we have a talented and hard-working labor force and an entrepreneurial spirit second to none that needs only the investment dollars, predictable tax policy, and commitment from our Government to realize our economic potential.

Oberlin College, in the county in which I live, Lorain County, has the largest building on any university campus in the country fully powered by solar energy. However, the builder had to buy the solar panels from Germany and Japan because we do not make enough of them in our country.

Through investment and alternative energy, we can not only create jobs, we can grow industry, and we can grow industry through biomedical research and development. Now is the time for Government to do its part and direct our priorities from favoring the wealthiest 1 percent to growing our Nation's middle class.

Mr. President, on a personal note, I would like to take this opportunity to wish my wife Connie, who is home in Ohio under several feet of snow, a happy Valentines Day.

Connie, I am blessed to have you as my wife.

The PRESIDING OFFICER (Mr. CARDIN). The Senator from Georgia is recognized.

SCHIP FUNDING

Mr. CHAMBLISS. Mr. President, I would like to wish my colleague a happy Valentines Day, also. I am sorry his wife is under all that snow. It is 70 degrees in south Georgia, so you should come south this year.

I rise today to bring to the attention of this body once again an amendment Senator ISAKSON and I filed to the continuing resolution. The amendment is very simple. It is very straightforward. We have a program called SCHIP that everybody in this body is familiar with, and it has been a very valuable program to every State in the country because what it does is provide children all across America who are above the Medicaid limit but not able to afford health insurance the opportunity to be covered by medical insurance. It is called the SCHIP program, and it is exactly what it says it is: health insurance assistance for children.

Unfortunately, the money that is block-granted under this program has created some shortfalls in several States. The shortfalls vary with the timing of the shortfalls, and the reasoning for the shortfalls differs in each of the States where we are about to run out of money for these children and then these children will no longer have health insurance coverage.

The amendment that Senator ISAKSON and I have proposed will come up with an alternative that allows those States which have an excess amount of money to put that money into a pool of money from which the 13 States that have a shortfall in the SCHIP program.

Mr. President, in this amendment, for the 13 States that will have a shortfall, we take money from States that have an excess amount of money, money they cannot possibly use in their SCHIP program because this program expired at the end of this fiscal year. We allow them plenty of room for any emergency-type situation that might arise between now and the end of the fiscal year, and we give them the funding they need to cover the children in their States. We utilize that money to fund the shortfalls in States such as Georgia, where 273,000 children participate in SCHIP.

Frankly, the main reason we have a shortfall in Georgia is because following Hurricane Katrina last year we had an influx of some 40,000 children who came from the hurricane-devastated areas of Louisiana and Mississippi into Georgia. They are now participating in the SCHIP program, and they should be allowed to have that coverage.

We now have the opportunity, in this Senate—whether it is today when we vote on the continuing resolution, whether it is tomorrow or whether it is Friday—to look after these children who are very soon going to have this insurance safety net jerked out from under them. I implore my colleagues on both sides of the aisle to encourage the Democratic leadership to allow the amendment to come forward, let us have a vote on this amendment to make sure all of these children who participate in the SCHIP program in Georgia as well as the other 13 States that are going to experience a shortfall between now and the time we reauthorize this program before the end of the year, can continue to have that health care coverage they deserve and that they so badly need. It is a very simple request we are making of the Democratic leadership that we allow this amendment to come forward.

Mr. BROWN. Mr. President, I ask unanimous consent Senator CARDIN be recognized at 3 p.m., and when Senator SANDERS is recognized today, he be permitted to speak up to 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN. I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont is recognized for 20 minutes.

THE BUDGET

Mr. SANDERS. Mr. President, the Federal budget is more than a long list of numbers which, in this case, adds up to about $2.9 trillion. The Federal budget, similar to any family budget or any company budget, is a statement of values and priorities. In fact, the Federal budget, in many ways, is a statement of what our country is all about.

We would all find it irresponsible and strange if a family we knew spent all of its money on an expensive vacation but forgot to put aside money for the mortgage or the rent and suddenly the family and their kids found themselves out on the street. We would say: My goodness, that is irresponsible. The family was spending money where they shouldn't have been and not spending it where they should.

Preparing the Federal budget and analyzing the Federal budget is exactly the same process. It is about spending the money of the people of the United States of America. It is about deciding where we should spend it and where we should not spend it. It is looking at the American people as a family. It is about taking a hard look at the needs of our people and prioritizing the budget in an intelligent and a rational way.

Let me take a quick glance at the economic reality facing the middle class, the working families of our country, tens and tens of millions of Americans and their kids.

Since President Bush has been in office, more than 5 million Americans have slipped into poverty, including over 1 million children. Not only does the United States of America have the highest rate of poverty of any major country on Earth, we also shamefully have the highest rate of childhood poverty in the industrialized world, with almost 18 percent of our children living in poverty. Today, 37 million Americans live in poverty and 13 million are children.

Last year, in the richest Nation in the history of the world, 35 million of our fellow Americans struggled to put food on the table. The Agriculture Department recently reported that the number of the poorest, hungriest Americans keep rising. In America today, hunger is a growing problem.

We have a crisis in our Nation in terms of affordable housing. Millions of working families in my State of Vermont and all over this country are paying 50 to 60 percent of their limited incomes for housing. And there are, as we well know, other families who are either living in their cars or living out on the streets—in some cases, with their children—in America.

Last year, there were 1.2 million home foreclosures in this country, an increase of 42 percent since 2005.

The cost of energy has rapidly risen since President Bush has been in office. Oil prices have more than doubled and gasoline prices have gone up by 70 percent since January of 2001. This increase in energy prices, in gas prices, is putting a huge strain on people from all over this country, including workers from rural States such as Vermont, who have to travel long distances to get to their jobs.

As is well known, many middle-class families in our country today are finding it increasingly difficult to afford the escalating costs of a college education with average tuition and other costs increasing rapidly with the result that many families are now saying: We can't send our kids to college, while other young people are graduating college deeply in debt.

In America today, millions of our workers are working longer hours for lower wages, and median income for working-age families has declined for 5 years in a row. Today, incredible as it may sound, the personal savings rate is below zero, which has not happened since the Great Depression. In other words, all over this country working people and people in the middle class are purchasing groceries, they are purchasing gas at the pump, they are purchasing other basic necessities through their credit cards and, in the process, are going deeper and deeper into debt.

Over the last 6 years, we have lost in this country 3 million manufacturing jobs, often good-paying manufacturing jobs, including 10,000 in my small State of Vermont. Many of the new jobs that are available to those displaced workers, if they are lucky enough to find new jobs, will pay wages and benefits substantially lower than the jobs they have lost.

It is no secret that in America today our health care system is disintegrating. There is little dispute about that. Health care costs are soaring. Today, we have 46.6 million Americans with zero health insurance, an increase of 6.8 million since President Bush has been in office.

Today, 3 million fewer American workers have pension coverage than when President Bush took office and half of private-sector American workers have no pension coverage whatsoever.

Throughout our country, American workers who now work the longest hours of any people in the industrialized world—husbands working long hours, wives working long hours, people being stressed out by having to work so hard to earn the living they need to pay for their basic needs—are finding it harder and harder to côme up with jobs, to get jobs which provide them a decent amount of vacation time. The 2-week vacation is something many workers no longer can have in this country.

While the middle class is shrinking and while poverty is increasing in our country, there is another reality taking place. That is that the wealthiest 1 percent, the people at the very top of the economic ladder, have not had it so good since the 1920s. The middle class is shrinking, poverty is increasing, and the people on the top are doing phenomenally well.

According to Forbes magazine, the selective net worth of the wealthiest 400 Americans increased by $120 billion last year to $1.25 trillion; 400 families, $1.25 trillion in worth. The 400 wealthiest Americans are worth an unbelievable amount of money and their wealth is soaring.

Sadly, however, the United States today has the most unfair distribution of wealth and income of any major country and the gap between the very wealthy and everyone else is growing wider. This was a country formed around egalitarian principles—we are all in it together. When one goes up, others go up. Yet what we are seeing today in an almost unprecedented way is the people on the top making out like bandits, earning huge increases in their incomes, in their wealth, while the middle class shrinks and poverty is increasing.

Today the wealthiest 13,000 families in our country own nearly as much income as do the bottom 20 million families. That is 13,000 compared to 20 million. And the wealthiest 1 percent own more wealth than the bottom 90 percent.

I have given a brief sketch of the economy in terms of how it impacts the middle class and working families of our country. Let me, within that context of what is happening to tens of millions of Americans, take a look at the President's budget.

At a time of a major health care crisis, with more and more Americans uninsured or underinsured, the President's budget would cut Medicare and Medicaid by $280 billion over the next decade, lowering the quality of health care for approximately 43 million senior citizens and people with disabilities who depend on Medicare and more than 50 million Americans who rely on Medicaid.

At a time when our childcare and early childhood education system are totally inadequate to meet the needs of working parents, the Bush budget reduces the number of children receiving childcare assistance by 300,000. Childcare in crisis. The President's response: Deny childcare to 300,000 children.

In addition, the President's budget provides a $100 million cut for the Head Start program at a time when only about one-half of the children eligible for this important and excellent program actually participate in it due to a lack of funding. Huge numbers of kids cannot get into Head Start. The President's response: Cut Head Start funding.

While hunger in this country, as I mentioned earlier, is shamefully increasing, the President's budget denies food stamps to 280,000 families and eliminates nutrition assistance to over 400,000 senior citizens, mothers, and newborn children.

We are in a war in Iraq. We are in a war in Afghanistan. The number of our veterans is increasing. Twenty-two thousand have been wounded, many seriously. Many will come back to this country with post-traumatic stress disorder. Yet the President has significantly cut funding for the VA over a period of years, and some years ago made hundreds of thousands of veterans ineligible to get VA health care.

In this great country, with so many people struggling desperately to keep their heads above water, we should not be cutting back on health care. We should not be cutting back on nutritional benefits. We should not be cutting back on Head Start, affordable housing, the needs of our veterans, and educational opportunities for middle-class families. That is what we should not be doing.

This is especially true when the President's budget provides $739 billion in tax breaks over the next decade to households with incomes exceeding $1 million per year. The average tax break for this group of millionaires will total $162,000 by the year 2012.

Let me be very blunt. In my view it is wrong, in my view it is immoral to give huge tax breaks to millionaires and billionaires—the people who need them the least—while cutting back on the needs of the middle-class and working families of our country. That is wrong.

Is this budget, the President's budget, a reflection of the values of the people of our country? I do not believe that. I do not believe ordinary Americans think it is right and appropriate to give tax breaks to billionaires and then provide inadequately for our veterans, for our children, and for our seniors. That is not, in my view, what America is about.

We are told over and over again we do not have the money to reduce childhood poverty in this country. We are told we do not have the funds to wipe out the disgrace of hunger in America. We are told we do not have enough money to make sure the young people who graduate from high school in this country, who are excited about going to college, will be able to do so without coming out deeply in debt.

We do not have the money to help those families. Yet—yet—while we turn our backs on the middle-class and working families of our country, it appears we have plenty of money for the millionaires and billionaires of this country. We have tens of billions, in fact, to shower on those who need it the least, yet we have nothing, and we are cutting back on the programs, for those who need it most.

Included in the President's budget, amazingly, is the complete repeal of the estate tax which would take effect at the end of 2010. As you know, the complete repeal of this tax would benefit only the top two-tenths of 1 percent of the American people. Let me repeat that. The complete repeal of the estate tax would benefit solely the upper two-tenths of 1 percent of the American population.

These are families, of course, who already are millionaires and billionaires, and these are families who in the current economy have been doing exceedingly well. In other words, 99.8 percent of Americans would not benefit by one nickel from the complete repeal of the estate tax, as proposed by the President.

According to the President's budget, this repeal of the estate tax would reduce receipts for the Treasury by more than $91 billion over the next 5 years and more than $442 billion over the next decade. But the long-term damage to our fiscal solvency is even worse.

According to the Center on Budget and Policy Priorities, repealing the estate tax would cost over $1 trillion from 2012 to 2021—over $1 trillion. In other words, if the President's plan to permanently repeal the estate tax succeeds, the children and family members of the very few most privileged families in America will reap a massive tax break. Instead of closing the gap between the rich and the poor, instead of addressing the huge national debt and deficit problems we have, we make both situations worse by fully repealing the estate tax.

I have brought with me a few charts to demonstrate who are the winners and losers in the President's budget. Obviously, fortunes go up and down, and we do not know what anyone is going to be worth tomorrow, let alone in the coming years. And the estimates I am giving to you and the charts I am using are based on two reports.

The first is an April 2006 report by United for a Fair Economy and Public Citizen, entitled "Spending Millions to Save Billions," reflecting the financial position of the wealthiest 400 Americans in this country as compiled by Forbes magazine from the year 2005.

The second is a May 30, 2006 report from the House Government Reform Committee, entitled "Estimated Tax Savings of Oil Company CEOs."

Of course, no one can predict what the numbers will be in the years to come. But these are the best figures available to us at this time.

Let me go to the first chart. The granddaddy of all of the winners under the Bush budget is none other than the heirs to the Wal-Mart fortune. If the estate tax was completely repealed, the entire Walton family would receive an estimated tax break of $32.7 billion—that is with a "B"—$32.7 billion in tax relief for one family which today happens to be one of the wealthiest families in this country already.

Meanwhile, in contrast, the President's budget proposes to cut Medicaid by $28 billion over the next decade, driving up the cost of health care for tens of millions of Americans. In other words, while one of the wealthiest families in this country gets a tax break of over $30 billion, tens of millions of Americans—children, seniors—will suffer. Now, that may make sense to someone, that may appear to be fair to someone, but it sure does not make sense to me. In other words, if the President's proposed budget passes, millions of Americans will lose, including some of the most vulnerable people in our country, while one very wealthy family wins.

A second major beneficiary of the President's tax cuts is the heirs of the Mars candy bar fortune. Now, I like Snickers as much as anybody. And I do not want to be seen here as attacking Snickers, one of the basic food groups of American society. But the family that owns Mars is slated to receive an estimated $11.7 billion tax break if the estate tax is fully repealed.

Mr. President, $11.7 billion for the Mars family. They are winners. Yet, who are the losers? As I mentioned earlier, all over this country there are waiting lines for veterans to get into VA hospitals. We are not keeping our promises to the veterans. Veterans lose while one family wins big time. I think that is wrong.

Another major winner in the President's budget is the Cox family. They are the heirs to the Cox cable fortune. They will gain $9.7 billion if the estate tax is repealed. Meanwhile, while the Cox family would receive almost $10 billion in tax breaks, the President wants to cut funding for education by $1.5 billion.

The President keeps talking about No Child Left Behind while his budget continues to leave, in fact, millions of children behind. In Vermont and all over this country, school districts are struggling with grossly inadequate funding for special education, which the President also wants to cut. We do not have the money to fund special education to improve public education in America. We do not have that money. But we do have $9.7 billion for one family, the Mars family.

Another major beneficiary of the President's budget is the Nordstrom family, owners of the upscale department store chain. By repealing the estate tax, the Nordstrom family stands to receive an estimated $826 million tax break, according to the April 2006 report from United for a Fair Economy. Tax breaks of over $800 million for an enormously wealthy family, and yet we see a $630 million cut in the President's budget for the Community Services Block Grant Program.

As you know, the Community Services Block Grant Program provides the infrastructure necessary to deliver services to 15 million of the lowest income people in our country. These are people who are hungry. When they are hungry, they go to the community action program. When they are homeless, they go to the community action program. When they do not have any money to buy food, they go to the community action program. We are going to cut back on that program, but we do have $826 million in tax breaks for the Nordstrom family.

Another major beneficiary of the Bush budget is the family of Ernest Gallo, who would receive a $468 million tax break—$468 million. Meanwhile, the President proposes to cut $420 million from the Low-Income Home Energy Assistance Program, the LIHEAP program.

According to the latest available data, 5.4 million senior citizens on fixed incomes and low-income families with kids receive help paying their heating bills through this program each and every year. In the State of Vermont, trust me, it gets very cold, and we have a lot of people in Vermont and throughout this country who are dependent upon the LIHEAP program. But, as a nation, the President suggests: No, no, we have to cut $420 million from LIHEAP, which impacts the lives of low-income senior citizens. But—guess what—we do have $468 million available as a tax break for the Gallo family.

The former CEO of ExxonMobil does very well from the President's tax breaks. As some will remember, while the cost of gas at the pumps was soaring, while the profits of ExxonMobil were soaring, the company decided, in its wisdom and generosity, to provide a $400 million retirement package for their departing CEO, Mr. Lee Raymond. Now the President wants to reward Mr. Raymond by providing his estate with an estimated $164 million tax break. On the other hand, there is a program called the Commodities Supplemental Food Program which provides a package of high-quality, nutritious food to some 480,000 seniors, mothers, and children. The President wants to eliminate this program. He is saying to the 4,000 seniors in Vermont who benefit from this program, the almost half a million seniors, mothers, and kids who benefit from this package of food once a month: We in America don't have enough money to provide for you who are hungry, for you who are old. We can't do it. But if you are the former CEO of ExxonMobil, if you have a $400 million bonus at the end of your career, guess what. Your family will get a $164 million tax break.

As a member of the Senate Budget Committee, it appears to me that the choice we as a Congress are facing and that the American people are facing is pretty clear. Do we continue to shower huge tax breaks on millionaires and billionaires, people who are already doing phenomenally well, while we cut back on the needs of the middle-class working families and the most vulnerable people in this country? It all comes down to the phrase "which side are we on." Are we on the side of those people who make huge campaign contributions to Congress and the White House, or are we on the side of tens of millions of working families, struggling hard to keep their heads above water?

That is the choice we face. As a member of the Budget Committee, I think the answer is pretty obvious. I will not be voting to provide a tax break to the heirs of the Wal-Mart fortune. Rather, I will be fighting to substantially increase financial aid for low- and middle-class families so that every American, regardless of income, can receive a college education. I will not support another tax cut for the former CEO of ExxonMobil and his family. Instead, I will be voting to give support to working families all over this country who are desperately seeking quality and affordable childcare.

If, as a nation, we are serious about addressing the long neglected needs of the middle-class and working people and creating a fairer and more egalitarian society, we have to invest in education, health care, housing, and our infrastructure. We have to deal with the crisis of global warming and sustainable energy, as well as many other areas. We also have to reduce our national debt. Given that reality, Congress must develop the courage to stand up to the big money interests, to the wealthiest families. We must roll back the tax breaks given to the wealthiest 1 percent, and we must demand that fortunate people rejoin American society and understand that like everybody else in this country, they are part of America and not a special breed. If we are to keep faith with our children, our seniors, our veterans, and with those people who have no health insurance, we can do no less. I look forward to working with my colleagues to make sure we do just that.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ACCESS TO HEALTH CARE

Ms. MURKOWSKI. Mr. President, I rise this afternoon to speak of an issue of great concern in my State of Alaska but also a concern we are seeing across the Nation, and this is access to health care and, more specifically, access to the professionals who provide for our very important health care needs.

In just 20 years, 20 percent of the U.S. population will be 65 years or older, a percentage larger than any other time in our Nation's history. And just as this aging population places the highest demand on our health care system, the Council on Graduate Medical Education states that there will be a national shortage of over 100,000 physicians in this country. Other experts look at it from a bit more dire perspective and predict a shortage closer to 200,000 physicians. If that becomes a reality, 84 million patients will be left without a doctor's care.

A dozen States already report physician shortages. Across the country, patients are experiencing, or soon will face, shortages in many physician specialties, including cardiology, radiology, and several pediatric and surgical subspecialties. Demand for doctors is accelerating more rapidly than the supply, and yet the number of our medical school graduates has remained virtually flat for over a quarter of a century.

During that same time period, the median tuition and fees at medical schools have increased by 750 percent in private schools and by nearly 900 percent in public schools.

To add to that, much of the Nation's physician workforce also is graying. They are simply getting older. They are heading for retirement. A third of the Nation's 750,000 active post residency physicians are older than 55 and likely to retire just as this boomer population generation moves into its time of greatest medical need. By the year 2020, physicians are expected to hang up their stethoscopes at a rate nearly 2½ times the retirement rate of today.

A looming doctor shortage threatens to create a national health care crisis by further limiting access to physicians, jeopardizing quality and accelerating cost increases. People are waiting for weeks to get appointments, and emergency departments have lines that fall out the door, literally. Many will go without care entirely, and we know the consequence then in terms of the pressures on the health care system when they go without care. In rural America, patients have long gone without care. In fact, the shortage of physicians, especially primary care physicians, in rural areas of the United States represents one of the most intractable health policy problems of the past century. As a result, rural patients are often denied both access to care and quality of care. One-fifth of the U.S. population lives in rural America.

Yet only 9 percent of the Nation's physicians are practicing in these areas. Over 50 million of these rural Americans live in areas that have a shortage of physicians to meet their basic needs.

Additionally, physician recruitment to rural America has also been a problem. The high cost of medical school is in large part to blame. Most students, very severely in debt after medical school, are forced away from primary care and forced into more lucrative speciality medicine. Rural areas and their community health centers across the Nation report a declining ability to recruit primary care physicians.

Alaska, as my colleagues have heard me say on the floor of the Senate many times, geographically is huge. It is a State larger than Texas, California, and Montana combined. In Alaska, "rural" really takes on a new meaning. The physician shortage crisis in Alaska has long been magnified. Health care delivery in the State is extremely difficult because, in part, there are fewer roads than in any other State. Even Rhode Island has more roads than Alaska. This means that for the vast majority of communities in Alaska, our medical supplies, our patients, and our providers all must travel by air, which adds to the cost.

Alaska's population is growing, especially its elderly population, which is the second fastest growing in the Nation.

People don't typically think of Alaska as having a fair number of seniors, but our senior population is growing at a very rapid rate. However, Alaska's physician workforce, as others across the Nation, is aging. The number of new residents is not keeping up with attrition. Mr. President, 118 physicians in Anchorage alone are expected to retire in the next 10 years.

Currently, Alaska has the sixth lowest ratio of physicians to population in the United States. Outside of Anchorage, the ratio is the worst in the Nation. To put it into perspective, if Alaska were to reach its national average of physicians to population, if we were to reach it by the year 2025, we would need a net increase of 980 physicians statewide or 49 more physicians per year.

For some in States where their population base is significant, they might say 980 physicians between now and 2025 isn't that bad. We only have about 650,000 people in the State of Alaska. For us to find 980 physicians, or 49 more physicians per year, is a tall order.

In Anchorage, many specialties are in serious or in critical shortage, including general internal medicine, neurology, neurosurgery, rheumatology, and infectious diseases. Patients wait for months to be accepted as new patients for general internal medicine. Others have to be flown to Seattle for some critical specialties.

I need to repeat this because we are not just talking about "I don't like this particular doctor, and I want to find somebody else." We don't have the physicians to see the patients, so a patient will wait for months for an appointment or the other alternative is to fly outside to Seattle.

There is a bright spot, though, on the horizon. Even though Alaska has only one residency training program—and I should also mention we don't have any medical schools in the State of Alaska—our one residency training program trains 12 family medicine residents each year—clearly a number that is far fewer than our population needs. Seventy-seven percent of the residents choose to stay in Alaska—the highest rate of return in the Nation. We know why it is. We figure we have an awful lot to offer those who come to the State, but the problem is drawing them to the State in the first place.

In the last Congress, with great fanfare, we provided a Medicare prescription drug benefit. But the question I was asking at that time is, What good is a prescription drug benefit if there is no physician to write prescriptions? In the 21st century, we cannot, as a Government, permit such dire access to care to continue. I do believe the situation is intolerable. We cannot sit by while potentially millions of patients go without care. That is why I am proposing a three-pronged plan to alleviate the Nation's rural health care access crisis.

Earlier in the year, I introduced the Rural Physician Relief Act. This is legislation which would provide tax incentives for physicians to practice in our most rural and frontier locations in the country. Today, I am announcing a second step on improving access to health care. Soon, I will introduce the Physician Shortage Elimination Act. This is a strong step in improving access to our health system. Later, as the third prong of my plan, I will introduce comprehensive legislation for improving the plight of the uninsured.

To get to the Physician Shortage Elimination Act, it essentially does four things:

First and foremost, it doubles the funding for the National Health Service Corps. This program has operated with 37 years of excellence, providing primary care services to our most vulnerable populations. It is a solution to the many students who find the exorbitant cost of medical school prohibitively expensive. However, the program is just too small to meet the great need in underserved America. Right now, over 4,000 National Health Service Corps clinicians provide primary care to nearly 6 million people nationwide who otherwise would likely have gone without care. Tragically, this still leaves some 50 million people with extremely diminished access to health care. In fact, the American Association of Medical Colleges said the current program only meets 12 percent of the needs of the underserved. Yet this program is so popular with medical students that 80 percent of its applicants in a typical year must be turned away.

This National Health Service Corps has a proven track record. Let us build on its success. Doubling our investment in the National Health Service Corps is the most prudent, most cost-effective and expeditious way to meet the current needs and future needs of America's underserved. In fact, the former president of the AAMC stated that the National Health Service Corps:

> . . . is ideally positioned to alleviate the shortage of physicians in many medically underserved areas but has only had sufficient funding to accommodate only a fraction of those young physicians who are prepared to practice in those areas.

The second part of the bill will improve and expand current medical residency programs. Half of all physicians practice medicine within 100 miles of their residency. This means the residents who train in rural or underserved areas are likely to remain in those areas. The small Alaska Family Residency Program, which is a program designed to help meet the needs in rural Alaska, is a great example of this. Of the 55 graduates, 75 percent have stayed in Alaska upon completing their residency—the highest return rate of any graduate medical program in the country. Unfortunately, it is too small to meet the large needs of rural Alaska.

Rural and underserved residency programs must be allowed to flourish. We have arcane barriers, and we have artificial caps on residency programs that need to be removed. Students must be allowed to learn their craft in the most rural and underserved areas of the Nation. My legislation will prevent residency programs from being penalized for training in locations where the need is greatest, such as the Indian Health Service locations. Additionally, it will remove barriers that prevent programs from developing rural training rotations and rural experiences in their curriculum. All the experts agree that this is likely one of the most effective ways to prepare students for a rural practice.

Further, the legislation will reauthorize the Centers of Excellence Program and the Health Careers Opportunity Program. This did not receive funding for 2006, but these are important programs, and they target disadvantaged and minority students from as young as kindergarten on through high school. They target these young people to develop an interest in the health professions. The programs nurture the youth in rural and underserved areas, and they create a pipeline to careers in the health professions. This concept of "growing your own," if you will, is the most effective way of achieving long-term retention in most rural locations.

Finally, my legislation will bolster the cornerstone of health care in rural America, which is the community health center. Community health centers provide quality community-based health care for millions of America's medically underserved and uninsured. This bill will help them do their job. It will expand residency programs and primary care services offered by community health service centers and offer grants to health centers to assist them in recruitment, technical assistance, and physician mentoring programs.

Mr. President, as a person coming from a rural area, you know a strong commitment to our community health centers is a smart, cost-effective way of maximizing our health care dollars for our neediest populations.

The prognosis for quality of health care in America right now does not look good. The prognosis is poor. Fifty million Americans in underserved areas across the Nation today already must do without care. Soon, we will have greater problems. We will have even greater physician shortages, which will mean another 84 million patients will be left without a physician's care.

We must act here in Congress. I ask my colleagues to take a look at the legislation we are introducing, the Physician Shortage Elimination Act, and see if this isn't something we can join together to work on so we can continue to provide the level of care Americans across the country, in both rural and urban areas, deserve and expect.

With that, Mr. President, I yield the floor.

ORDER OF PROCEDURE

The PRESIDING OFFICER (Mr. SANDERS). The majority leader.

Mr. REID. Mr. President, I ask unanimous consent that at 4:30 p.m., the Senate go into executive session to consider Executive Calendar No. 25, the nomination of Nora Barry Fischer to be a U.S. district judge; that there be 10 minutes for debate on that nomination equally divided between the chairman and ranking member of the Judiciary Committee and 5 minutes under the control of Senator CASEY; that at 4:45 p.m., the Senate vote on the nomination; that the motion to reconsider be laid on the table, the President be immediately notified of the Senate's action, and the Senate then return to legislative session and resume consideration of H. J. Res. 20; that all amendments and motions be withdrawn, the joint resolution be read a third time, and the Senate vote on final passage, with the preceding all occurring without any intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Maryland is recognized.

Mr. CARDIN. Mr. President, I ask unanimous consent that I be allowed to speak for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

DARFUR

Mr. CARDIN. Mr. President, the people of the Darfur region of Sudan are crying out for help during their time of despair. It is time for the U.S. Government to exercise greater international leadership and take greater strides to stave off a humanitarian disaster.

Darfur has been identified as genocide and the international community is permitting it to continue. This is not acceptable.

It is not enough to posture and threaten the government in Khartoum. It is time to exercise moral leadership and exercise more muscular diplomacy in an area where so little has been accomplished for so many.

The conflict in Darfur has been raging for 4 years. Since 2003, the Sudanese Government and its allied Janjaweed militia have been fighting the rebel Sudanese Liberation Army—SLA, and the Justice and Equality Movement—JEM. The SLA and the JEM claimed their aim was to force the Sudanese Government to address the underdevelopment and political marginalization in the region.

In response, the government and the Janjaweed targeted the region's civilian population and the ethnic groups from which the rebels draw their support.

Since the fighting began, over 200,000 people have been killed. Approximately 3 million people have fled to internal displacement camps within Darfur, or to neighboring Chad and the Central African Republic—C.A.R. None of these options have shielded them from violence as the Janjaweed has patrolled outside the camps and Sudanese warplanes have attacked inside Chad and C.A.R.

In the face of these horrendous conditions, an estimated 14,000 aid workers risk their lives to provide basic human services and comfort to one-third of the population in Darfur. The majority of these aid workers are Sudanese nationals who have banded together to create an unprecedented relief operation.

For its part, the United States provides approximately $1 billion in food aid to the Darfur region. This contribution is one of the few positive developments for the people in Darfur as we have been able to increase the daily nutritional intake. Nonetheless, the violence rages and many aid agencies working in Darfur are unable to gain access to vast areas because of the fighting.

Thus far only the African Union—AU—has responded to the call to protect civilians. Unfortunately, the AU troops have been deployed in a slow and limited manner.

The Darfur region is roughly 160,000 square miles, and the AU force is far too small to cover this vast territory. The AU should be commended for shouldering the burden this long.

In August 2006, the United Nations Security Council adopted Resolution 1706, to expand the mandate of the U.N. mission in Sudan—UNIMIS—to include Darfur. The resolution "invites the consent of the Sudanese Government" to allow U.N. forces into Darfur and "authorizes use of 'all necessary means' to protect U.N. personnel and civilians under threat of physical violence."

Resolution 1706 calls for a total of 27,000 armed personnel for Sudan. The breakdown includes the 7,000 AU soldiers, 17,000 U.N. blue helmets and 3,000 police officers. This is a significant mission by the United Nations and one that underscores significant international concern about Darfur.

Without question, U.N. Resolution 1706 caused concern and then foot dragging by the Khartoum Government. Khartoum is wary of a robust U.N. troop presence on its soil for two reasons. First, it fears the investigators from the International Criminal Court—ICC—who will have greater latitude under a U.N. presence. Second, it fears the presence of the U.N. will force them to follow through on the oil revenue sharing agreement with the southern Sudanese.

Khartoum views a U.N. presence as a surrender of sovereignty. However, what it really fears is the ICC investigators being able to gather evidence within its borders. Since the ICC accepted the responsibility of looking into genocide in Sudan, Khartoum has maneuvered mightily to keep its investigators away, out of the country.

Sudan's President Omar al-Bashir has resisted the U.N. force since its inception. As he has done repeatedly throughout the Darfur crisis, he commits and later reneges on commitments and pledges of cooperation in Darfur. For this reason, former U.N. General Secretary, Kofi Annan, gave us a viable Plan A to implement the U.N. force in Sudan.

Plan A implements a hybrid U.N.–AU force which the government of Sudan initially agreed to.

Plan A is a workable option and a win-win for everybody. Unfortunately, President al-Bashir has back pedaled from his initial embrace of Mr. Annan's plan. On November 18, 2006, it was reported Sudan's U.N. ambassador declared "there will be no U.N. peacekeepers in Darfur."

The ambassador's comments came as Sudanese war planes and Sudanese-backed militias staged fresh attacks in neighboring Chad and the Central African Republic.

It is imperative the United States and the international community reinvigorate diplomacy with Sudan in order to move Khartoum to reason. This is what I would describe as the administration's potential Plan B.

The immediate next steps for Darfur are complex, yet achievable. These include securing a cease fire and protecting humanitarian relief corridors, establishing the hybrid U.N.–AU peacekeeping operation and advancing the political dialogue in Darfur.

Additionally, President Bush and Secretary of State Condoleezza Rice must place Sudan higher on the U.S.-Chinese agenda. Sudan produces some 500,000 and 600,000 barrels of oil per day. China purchases 80 percent of this oil and invests heavily into Sudan's oil producing infrastructure.

As China continues its diplomatic and economic courtship of African nations, she should be clear about how she intends to deal with despotic and authoritarian governments. The international community has worked hard over the past 20 years for greater progress on democracy and human issues in Africa. Having China thumb its nose at these accomplishments would set a bad precedent for Africa and should have consequences in the West.

China should be afforded an opportunity to become part of the solution in addressing Sudan's humanitarian concerns.

Diplomacy and economic leverage should be applied to Sudan with the cooperation of China.

The United States has clearly shown what can be accomplished through sustained and concerted diplomatic efforts. After 21 years of fighting we were able to persuade Khartoum to negotiate with the Sudanese People's Liberation Front—SPLF.

This administration was able to marshal international humanitarian support and the attention of the world to what is happening in Darfur. The United States must provide the vision and the leadership to protect innocent civilians in Darfur.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, I believe under the unanimous consent agreement I am recognized until 4:15; is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. COBURN. I will try not to take that much time.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

(A portion of the remarks of Mr. COBURN are printed in today's RECORD under "Morning Business.")

Mr. COBURN. Mr. President, I want to turn to the bill in front of us and make a few remarks about how things change, but they never change. We had an election this last fall. The election was based on changing the control so we can control the spending, so we can secure the future, so we can eliminate wasteful Washington spending. I would put forth that the bill in front of us is more of the same—actually I want to guard the words I use—more of the same lack of clarity, lack of transparency and game playing that Congress has been known for the last 25 to 30 years.

The bill before us manipulates the numbers. The bill before us is untruthful about the costs. The bill before us is put on the floor of the Senate without any debate to bring forth transparency. No amendments are going to be offered to bring forth transparency. No amendments are going to be offered to offset the cost. This $3.1 billion expense is going to go directly to our grandchildren because what is not spent for military construction and BRAC costs will be added to the supplemental which we are going to be taking up in March. We are going to be taking up more of the same games, so what you got for what you thought was change is not a change at all. It is just a change in name only. It is important for the American people to understand it is not Republican or Democrat, it is short-term vision versus long-term vision for our country.

We have a bill before us on the floor of the Senate that does a lot of things—a lot we should have gotten done. There is no question. The majority is within its rights to do what it has done. The predicate that Senator REID used, that it was used on the Democrats before—there was no complaint with that. It has been done. It is not a good process. But what we are seeing is not what was promised. We thought we bought a new car, and what we bought, what the American people bought, was a car that had been wrecked and repainted and sold as new.

I want to talk about several of the problems, things that are wrong with this bill. I want to raise the question why should we not fix it now. I will start first with the BRAC money—$3.1 billion to move tens of thousands of troops out of Germany, back here. It is not going to happen. The money may come with the omnibus but not in time to achieve the savings that we were hoping to achieve through the BRAC process. So there is a double cost. One is, if we took that money and we spent it to grow the Government—debatable. It is not debatable that some of the things that are funded with that are not good—but are they the priority? We are going to grow the Government, No. 1, and then we are going to take that money and put it on the supplemental bill.

A supplemental bill is a bill that comes forward outside the budget parameters, so therefore any of the money spent doesn't have to be within the budget limits. That money goes directly to the credit card of your grandkids. There is $3.1 billion. Then we are going to lose the benefits through delay of the BRAC closure process which is going to be another $3 to $5 billion. So by playing the same games Washington has been known for for years, we are going to add $7 or $8 billion more to the debt of our grandchildren.

If you thought things changed, they didn't. They changed in name only. This game with this maneuver in it is a sham for our grandkids and anybody else who thinks we are going to be fiscally responsible with your money.

The second thing it does is it destroys some of the help that was out there to help the most vulnerable. There was a provision in the new Ryan White AIDS bill that saves the life of newborn babies. We know it works. The two States that have done it have reduced HIV infection in newborn children by about 98 percent—for $85: $10 to test and $75 to treat newborn children.

In New York they used to have 500 babies a year born who were infected with HIV. Last year they had seven. Why? Because women who did not know their status were given an opportunity to opt out of being tested. If they didn't want to be tested, they didn't have to be. But if they did, they were given an opportunity to get tested. And if they didn't want to be tested, their baby was tested, so if, in fact, they were carrying HIV, we could prevent, 99 percent of the time, those children from becoming infected with HIV.

The money was taken out in this bill. This is a chart for the infections, perinatal infections. Just in these States alone, for which we have a record, these are going to be the preventable cases of newborn baby AIDS that are going to not happen because of what this bill does. Thousands of babies are going to get infected with HIV because we are taking away the incentives. In terms of this bill, it is small numbers, $30 million—incentives to get States doing what New York and Connecticut have done.

Shame on us, shame on us, to claim we care and then to take this and eliminate it. They went so far as to talk to the administration about this, hoping that they would have a letter coming that would say we don't want the money. In fact, they want the money. It is in the President's budget. He wants the money. Why? Because it actually does something. Your dollars actually go to make a difference. How do they make a difference? Not only do they save the life, the cost to treat a baby over their life—their life expectancy is only 25 years if they get HIV. But that is a quarter of a million dollars versus $85, and the vast majority of that money is going to be paid by the American taxpayers. So shame on us. Shame on us for doing that. These are, just in these States alone, the number of children who are going to get infected with HIV without this program going forward.

Another amendment I wanted to offer so we could offer ways to try to change these things is to delay the CR for 2 weeks and let's have the debate about these issues, but we are not going to be allowed to even offer an amendment to continue it for 2 more weeks so we can actually debate it. That is the majority's right. I respect their right. It was probably done to them before I got here. It doesn't mean it is the correct process for our country to solve the big fiscal problems that are in front of us.

One of the items which BARACK OBAMA and I got through the last Congress in coordination with several key Members in the House was the Accountability and Transparency Act of 2006. What that act says is by January 1 of next year, you as the American taxpayer are going to start finding out how we are spending the money. The whole idea behind it is if you know, we are going to be held to a higher standard. We are going to be held more accountable. Also the idea behind it is if you know the American people are going to know, maybe you won't do some of the things for your buddies you are up here doing.

But in this bill there are 40 reports that are demanded of the administration that aren't available to you, that have nothing to do with national security. I can't even get them. The President pro tempore of the Senate right now can't get them unless he sits on the appropriations subcommittees of those reports coming back. That is not transparency. What that is is working in the dark so the American people don't know what is going on. I have an amendment that says those reports ought to be made public to the American people. It is their money. It is our money. But we have—here we go—an appropriations bill that has 40 reports from the Federal Government agencies to report back to Congress. Yet the Senator from Vermont and the Senator from Oklahoma cannot see those reports, and neither can you. What is that all about? Why shouldn't you be able to see those reports? You should be able to. But that amendment is denied under this process. More of the same. More work done in darkness without the light of day for the American people to see what is going on in their Government with their money. They should reject that. We all should reject that. But change comes slowly.

The reason I am out here talking about it is I think the American people ought to know what is going on in this bill. Yes, the threat is if we don't pass this, the Government will shut down. The Government doesn't have to shut down. We could continue this for 2 weeks, but we are playing the game. Who will look worse if you vote against it. What the American people care about is whether we have an open and transparent government. That is what I am about: making sure we know the cost of what we are doing, making sure we know who is responsible, and holding those accountable when they are not doing what is in the best long-term interest of our country rather than what is in the best short-term political interest of either political party or any individual Member of Congress.

Another amendment I was going to offer but have been precluded from doing so is we have thousands of people waiting for assistance with their drugs for HIV. As a matter of fact, there are several hundred, 350-some in South Carolina alone who don't have any money, are not getting treated, their HIV is progressing, they are going to AIDS, and they are going to die. That number is in the thousands across the country right now, and although we have increased the AIDS drug assistance program, we haven't increased it enough to where we are taking care of those who do not have any other resource with which to get the medicines to save their lives. That amendment is foregone. We can't do that, not available.

Another amendment I had, which is certainly necessary—and we have had the Senators from North Dakota and South Dakota talking about it—is the fact that we have had a disaster in the Central Plains of this country, in western Oklahoma and many other agricultural areas, where we have a tremendous need—an agricultural disaster by any means that we have addressed before. We tried to address it before we went home, but we didn't want to pay for it. So that didn't go anywhere. That is going to go somewhere when the supplemental comes. It will be a part of the supplemental package that comes out of the Appropriations Committee and we will pay $4 billion or $5 billion or $6 billion. It won't be paid for, we will charge it to our kids, and we will help these farmers. There is $1 billion in my amendment that is paid for—paid for; we don't have to charge it to our grandchildren—that will help immediately those farmers who have suffered through this tremendous drought in the Central Plains. We can not offer that amendment. We can not help the people who need us to help right now because we are playing games. We are playing the same old political games that were played when the Republicans were in charge. This isn't a new day; this is just a new manager under the same scams. It is a scam, and the American people need to know it is a scam in terms of their money.

Finally, the money we are stealing from the BRAC, a portion of that we are giving to the Global AIDS Fund. We are the largest contributor to the Global AIDS Fund—$300 million. We are going to bump that to $750 million, except there is no accountability in the Global AIDS Fund. The Boston Globe recently released a report on some inside auditor work inside the Global AIDS Fund showing the slush funds, showing the money that has been wasted. Yet we can't have access to those reports. We are the largest contributor, but we are denied access. I have an amendment that says if they want the money, then they have to show us the internal transparent workings of that organization, since we are the largest contributor. That is denied. That is common sense. If you were giving money to a charity and they were wasting it, you would want to know how they were spending your money.

As a matter of fact, we make charities in this country show how they are spending their money. We actually audit them. We are precluded from knowing how $750 million of your money is going to be spent. And the waste we have found out about in that program is denying the very people we are hoping to help, those innocent young African children who are infected with HIV, with their medicines every day.

So the way to have great government is to have transparency. The way to get rid of wasteful Washington spending is to have transparency. The way to lower the taxes on everybody in this country is to get rid of the waste, fraud, abuse, and duplication that is present within our Government. This bill does none of that. What this bill does is spend more of your money and with sleight of hand and under the cover of darkness transfer billions to our grandkids that they have shut out now but will ask for again when we have a supplemental and, consequently, our children will be directly impacted.

If you are born in this country today—if you go talk to David Walker, the Comptroller General, who is a nonpolitical person; he is a straight shooter; he knows what we are facing is an impending crisis in this country and that we are on a crash course toward fiscal bankruptcy. But here is what we know. If you are born today in this country, you have a birth tax of $453,000. That is what your share is of the unfunded liabilities we refuse to fix that we are adding to with this bill—we are going to add $10 billion to $12 billion actually with this bill when the new supplemental comes out—that is my prediction—at a minimum, $3 billion, probably $10 billion to $12 billion. What we are doing is going to add to that birth tax.

What is the great thing about our country? The great thing about our country is it was built on the sacrifice of one generation creating opportunity for the next. This bill does the opposite of that. This bill steals from the next generation to take care of us now. There is no long-term thinking in this bill; there is only short-term thinking. Is it partially my fault we are here? Sure. I will take that. But the process and the false claims that we are under a new day, that we are under a new fiscal paradigm, is hogwash. There is no fiscal responsibility in this bill. This bill actually claims that it eliminates all the earmarks. Nothing could be further from the truth. As a matter of fact, hopefully today, I understand, the President is going to say they are not going to honor the unwritten earmarks. There is $17 billion worth of unwritten earmarks that will continue in this bill the way this bill is written.

Now, they get to claim in the press that they have a little section in the bill that says none of the earmarks in this bill carry the force of law. Well, that doesn't do anything. None of those earmarks carried the force of law last year. None of those earmarks next year will carry the force of law. It does nothing to eliminate those earmarks from continuing to be spent. We know what earmarks are. We know how they create conflicts of interest within this body and within the lobbying community and individuals throughout this country. They ought to be gone. None of them should be honored, unless they are in the bill and people are willing to stand up and defend those and they have been vetted by the committees of this Congress.

So bear in mind as I vote against this bill, it is not because I want to shut the Government down; it is because it is a vote saying it is more of the same, American people. You didn't get what you bargained for, again. Hold us accountable, come ask the questions, and don't take the spin. The fact is there is a $453,000 birth tax for every child who is born this year in this country, and it is going to grow by over $1,000 with this bill. So it is going to go to $454,000. Now, imagine what you have to earn a year to pay the interest on that.

The fastest growing portion of our Government budget—what is it? It is not health care. It is interest. It is interest on the debt, and we have perpetuated that with this bill.

I know none of my amendments will be made in order, but I am inclined to show the ridiculousness of this process. So with notice to the Presiding Officer, who I expect to object, as is his right as a Senator from Vermont, I ask unanimous consent that the pending amendments be set aside and my amendment No. 234 be called up.

The PRESIDING OFFICER. Is there objection?

In my capacity as a Senator from Vermont, I do object.

Mr. COBURN. Mr. President, I have another unanimous consent request, which is that the pending amendments be set aside and that amendment No. 235, the AIDS Drug Assistance Program, be called up.

The PRESIDING OFFICER. In my capacity as a Senator from Vermont, I object.

Mr. COBURN. Mr. President, I ask unanimous consent that my amendment No. 236 be called up and the pending amendments be set aside. This is an amendment that will allow us to continue to discuss this for 2 weeks.

The PRESIDING OFFICER. In my capacity as a Senator from Vermont, I object.

Mr. COBURN. Mr. President, I ask unanimous consent that my amendment No. 250, which allows all report requests by the Appropriations Committee—40 of them—be made public, that the pending amendments be set aside and that it be called up.

The PRESIDING OFFICER. In my capacity as a Senator from Vermont, I object.

Mr. COBURN. Mr. President, I ask unanimous consent that the pending amendments be set aside and my amendment No. 251 that will apply $1 billion for the farmers who are in dire need in this country today be called up.

The PRESIDING OFFICER. In my capacity as a Senator from Vermont, I object.

Mr. COBURN. Mr. President, I ask unanimous consent that the pending amendments be set aside and my amendment No. 252, which asks for the transparency of our contributions into the Global AIDS Fund be called up.

The PRESIDING OFFICER. In my capacity as a Senator from Vermont, I object.

Mr. COBURN. Mr. President, I went through that exercise, and I know the Senator from Vermont does not disagree with all those amendments, but he is doing what he has been instructed by the majority to do. The fact is we could have a debate, we could delay this for 2 weeks, and we could make this bill far better. We could decide not to spend an additional $3.1 billion of our grandkids' money if we allowed a true debate.

In the last Congress I took a lot of criticism for going after my party on fiscal issues. I am not going to quit going after my party on fiscal issues, but I will tell my colleagues, I am certainly not going to quit when the majority party claims—falsely claims—to be doing something in the best interests of this country in terms of fiscal responsibility when, in fact, they are not.

There is no question what I have laid out here today is factual. There is no question that what we are seeing is more of the same in Washington. It is time for it to stop. It is time for the American public to hold everybody accountable, and we ought to be about America, not the Democratic Party or the Republican Party. We ought to be nonpartisan for the long-term future of this country. We ought to be nonpartisan in order to restore the idea of sacrifice and service for the next generation, rather than taking it for us today.

Mr. President, I yield the floor, and I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WARNER. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. McCASKILL). Without objection, it is so ordered.

Mr. WARNER. Madam President, parliamentary inquiry: My understanding is that the matter before the Senate at this time is the continuing resolution and that Senators may address aspects of that resolution at this point in time; is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. WARNER. Madam President, the Senate has before it the continuing resolution which is an absolutely essential piece of legislation to permit our Government to go forward. We are about to have a vote, I understand, at 4:45 in relation to that resolution. The resolution has been consistent with the rules and precedent of the Senate, put before the Senate in such a way as to make extremely restrictive the ability to amend that resolution.

Nevertheless, a group of Senators have felt ever so strongly about our initiative, which is contained in S. Con. Res. 7, a document that was filed at the desk in connection with the debate on Iraq. We feel very strongly that the program announced by the President on January 20 of this year contained therein aspects to which we could not give our full concurrence. There is a range of differences of opinion between our group, and when I say "our group," they have identified themselves from time to time as being cosponsors and other Members of the Senate.

Speaking for myself, I felt the plan, as announced on January 20, did not speak to the clarity I thought necessary, to say this operation should be highly dependent on the Iraqi-trained military and other security forces.

Our Nation, together with coalition partners over the period of this long conflict—in the not-too-distant future months or so it will begin a fifth year—have invested heavily in dollars and sacrifice and otherwise to train the Iraqi forces to take on their own security obligations. The figure "over 300,000" has been frequently referred to in briefings and otherwise, that we have thus far, in one way or another, trained and equipped.

As a member of the Committee on Armed Services in the course of briefings and, indeed, in the Intelligence Committee, both of which I serve on, it has been represented through the years, most particularly the last 2 to 2½ years, there has been a steady improvement in the quality and the professionalism of these Iraqi forces.

Now, 2½ years is a long time to train a military person. In the United States, we have prided ourselves since the days of World War II in taking a 17- or 18-year-old individual and training that individual to be a fighting person in 6, 8, 9 months and then some training with a unit and therein to a combat situation. Throughout our history, they have discharged themselves with the highest degree of professionalism. Many of the forces we currently have in Iraq have followed that pattern of less than a year's training. How well we know the courage with which the men and women of the Armed Forces of the United States, with the strong support of their families, have fought, suffered severe wounds, and died to enable the Iraqi people to have their freedom, to have a nation which is regarded as a sovereign nation today, to have a government elected by themselves.

I find it highly perplexing that in that cadre of some 300,000, there are not those elements that could have been utilized to a far greater degree in this campaign.

We have heard reports—within the last 2 days I received confirmation—that those Iraqi contingents, those troop commitments to this surge plan which is now in operation still fall short of the level of numbers in the commitment to have them in place.

Nevertheless, given the magnitude of that force, in our resolution, we specifically say the President should charge—we use the word "charge"—hold them accountable for taking the lead, for taking the point, for bearing the principal burden of this operation called "surge" in Iraq as enunciated by the President on January 20. Therein, rests this Senator's grave concern about the utilization of 21,500—and even a somewhat larger force than originally announced—in this operation.

We gathered together individuals of honest thinking, clear thinking—not by political motivation—and have tried to continuously push our resolution before this Senate such that each and every Senator could express his or her agreement, concurrence, or disagreement. We have not yet succeeded, but we are going to continue to press on. There is some representation—I don't know whether it is final—that the Senate may see after we come back from this recess the measure that will be presumably passed by the House this week and presented in what I'm told could well be an identical form. We feel very strongly our resolution, S. Con. Res. 7, without any changes in it, should be brought up as a substitute amendment, but at the present time, given the few minutes remaining, I see my distinguished colleague who has joined me in this effort, the distinguished Senator from Nebraska, Mr. BEN NELSON. We have put forward this S. Con. Res. 7, which requires the funding for the Government.

At this time, I ask the pending amendment be set aside so I may offer amendment numbered 259 which is our S. Con. Res. 7, in identical form, which is pending at the desk.

The PRESIDING OFFICER. In my capacity as a Senator from Missouri, I object on behalf of the request of the leadership.

Mr. WARNER. Madam President, I receive that with a great deal of disappointment because I felt, in this critical period of time as this operation in Baghdad is getting underway, the constructive recommendations to the President, as embraced in our resolution, should be brought before this Senate for full discussion. I see my colleague.

I yield the floor.

Mr. McCAIN. Madam President, what is the pending business?

The PRESIDING OFFICER. House Joint Resolution 20.

Mr. McCAIN. I ask for the regular order and I ask to be recognized.

The PRESIDING OFFICER. The Senator is recognized.

Mr. McCAIN. Madam President, I come to the Senate to comment on H.J. Res. 20, making continuing appropriations for fiscal year 2007 which, as I understand, is the pending business before the Senate.

I think most of us agree that funding the Federal Government should be done through the regular order, not through a patchwork of continuing resolutions. The reality is that all but two

Federal agencies are being funded through a measure to which no Member is being permitted to offer, debate or vote on a single amendment. That is wrong. We are not the House of Representatives. We are not the other body, I say to my colleagues. We are the Senate, a deliberative body. I hope the Senate leadership on both sides will work to ensure we do not repeat this fate.

I have been in this body for a little over 20 years. I have watched, over those 20 years, an increasing use of parliamentary procedures—the so-called filling up the tree and motions for cloture filed at the same time the legislation is before the Senate increase to an ever-accelerating process.

I was very disturbed about that process being exercised when my side of the aisle was in the leadership, and I am even more concerned as I watch the new majority conduct business in the Senate. I could submit for the record the fact of literally every measure before the Senate that at the same time a cloture motion is proposed, the tree is filled.

The Senate is here to debate and amend. The other body, understandably, has different rules. Given the mechanisms that are being put in place by the majority side, what is the difference? It seems to me that 20 years ago—and I would ask my friend from Virginia, who has been here considerably longer than I have—the routine was a piece of legislation would be before the Senate, there would be amendments proposed, debated, with second-degree amendments, if necessary. And the process was something where literally every Member of the Senate, if a Member so chose, could come to the floor and debate and amend and improve the legislation, if that was a Member's desire.

Where are we now? We file cloture. We vote on cloture. We stand around for 30 hours or so. And then we vote up or down. This is a very dangerous process we are going through. So now we are examining a bill which funds all but two Federal agencies in a measure which no Member is permitted to offer, debate or vote on a single amendment. That is not why I came here. That is not why. We are sent here—we are sent here—to express the views and ambitions and hopes and dreams of our constituents.

I have been in discussion with several other Members about how this trend continues to accelerate and literally deprive this institution from being described as not the greatest deliberative body in the world but a deliberative body.

And I say to the leadership, please sit down and work these things out. Have a reasonable number of amendments. Have debate. Agree to time agreements. Agree to time agreements. I had several amendments to this bill for which I would have agreed to an hour time agreement, which would have been plenty of time to debate the amendments and render the Senate's judgment, which I would have respected whether it succeeded or failed.

Now, there are many of us who are very unhappy because we think we could have improved this legislation, which covers all but two—two—Federal agencies of the entire Federal Government. And we are going to consider an up-or-down vote on it. That is not right. It is not fair to the American people. And it is not fair to the hallowed traditions of this institution.

I do not know exactly what to do about it. But there are some of us who are looking for ways, perhaps, to express our dissatisfaction on this issue. In all deference to my dear friend from Virginia, all I asked for on this issue of the "surge" or "change in strategy" in Iraq was 2 hours of debate on our amendment, with a time agreement and a vote. I do not think that is a lot to ask. I do not think that is a great deal. I do not think that is a huge request. The two leaders sitting down together could have—and, by the way, I know my friend from Virginia supported that. I am not in any way denigrating——

Mr. WARNER. If the Senator will yield?

Mr. McCAIN. Yes.

Mr. WARNER. I would have it reflected in our colloquy that I did support that because it has always been my understanding, this being the greatest deliberative body in the world's organization, legislatures should have that as a fundamental precedent.

I supported the Senator, much to the risk—and I was defamed from coast to coast—but I stood by the Senator's right to have his amendment, along with mine, considered by this body.

Mr. McCAIN. I thank my friend from Virginia. And let the record be clear, the Senator from Virginia supported the proposition that we would consider more than one amendment.

Now, I am absolutely convinced—I hate to keep going on this aspect of it because I wish to discuss the continuing appropriations bill before us—but we could have sat down and said: OK, we will have four amendments, a certain amount of time on each amendment for debate. Time agreements would have been entered into, and then everybody could have had their say or certainly the majority of the Senate would have agreed to that.

Instead, unfortunately, we ended up without addressing the issue in a comprehensive fashion, in fact at all, because of the process that went through. But equally as important—equally as important—I say to my friend from Virginia—and I would ask him, when he first came here, would he have ever seen a situation where the entire funding of the Federal Government was in a measure before this body without a single amendment being allowed to it?

Madam President, I ask unanimous consent to engage in a brief colloquy with the Senator from Virginia.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. Madam President, I——

Mr. McCAIN. For the record, you might want to say how many years you have been here.

Mr. WARNER. I certainly recall, over a period of 29 years, the importance of the continuing resolution and the greater utilization, regrettably, of the necessity for leaders on both sides to resort to that. But I would have to say to my good friend, the imperative of the ability for our Government to function requires the flow of money. And unless this particular continuing resolution is acted upon by this body within the next few days, it will, indeed, impair the ability of our Government to function. So we have to take into consideration those things.

Madam President, might I ask my friend, our good friend from Nebraska was to have had 2 minutes to rejoin in my effort to get the amendment up. At some point, might he be recognized and——

Mr. McCAIN. Madam President, I ask unanimous consent that without losing the floor, my friend from Nebraska be recognized for 3 minutes to make a statement on the issue which has been raised by the Senator from Virginia, which I heartily disagree with.

Mr. WARNER. Madam President, I thank my friend from Arizona for his usual good humor and courtesy.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Nebraska.

Mr. NELSON of Nebraska. Madam President, I thank my friends from Virginia and Arizona for the courtesy being extended to me and I appreciate their forbearance.

Madam President, the Senate is about to embark on a weeklong recess in the next couple days, and I would be remiss to allow this week to end without at least trying with my colleague from Virginia one more time to get the Senate to consider our resolution on the Iraq troop surge.

For days we have seen Senators deliver speeches on this floor, some for a vote, others against allowing a vote. We have heard great calls to action, and we have heard that doing nothing would be better than doing something. We even had Senators participate in an exercise to block an up-or-down vote on a resolution, some for reasons they think were certainly important.

But I am not a believer in doing nothing, and I believe the Senate has an obligation to lead. I have said that before, and I will say it again. The Senate is not only a deliberative body, but it is a governing body and has oversight interests. Each Senator, as a Member of the body, has an obligation to lead.

I would like to commend my colleagues, the Senator from Virginia and the Senator from Maine, for exhibiting great leadership and courage in forging this resolution that includes many important issues that need to be covered in a vote of this magnitude. Both of my colleagues and others have overcome fierce political pressures, including the Presiding Officer. But we have come together to do the right thing.

I would like to thank my colleagues, the chairman of the Senate Armed Services Committee, from Michigan, my colleague from Nebraska, and the other Senators who have signed on in support of our resolution. Together, we are able to begin the process of oversight, the process of leadership, the process of living up to our obligations.

And we are here today to try to continue to do the right thing. The House of Representatives is engaged in a historic debate today over a resolution that does, in part, what our resolution does. It expresses opposition to the President's planned surge of troops in Iraq.

Although their resolution and our resolution come at it from different directions and points of view, in essence, they have some similarity. But I would prefer the Senate to take up the Warner-Nelson-Collins resolution because we have spent considerable time and energy drafting a complete and comprehensive resolution that includes many of the priorities Senators have expressed over the duration of that war.

Our resolution includes the need to establish benchmarks for the Iraqi Government to meet in order to continue involvement of the United States in Iraq. It includes the desire to continue fighting the terrorists in Anbar Province. It expresses clear opposition to the President's proposal to deposit 21,000 troops at the crossroads of civil war in Baghdad.

The House resolution does express opposition to the President's plan, but it does not include these other important measures which we think are very important.

So I hope we can resolve our differences and vote on this resolution in a timely fashion. The American public deserves an up-or-down down vote on this most important issue of today. The time is now to express our opposition to the troop surge and the use of American soldiers to stop civil war in Iraq.

Thank you, Madam President. And I thank my colleague and friend from Arizona and my colleague and friend from Virginia.

Mr. WARNER. Madam President, if I might be recognized to thank my colleague from Nebraska and then thank our colleague for his courtesy.

Mr. McCAIN. Madam President, I have to insist on the regular order.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. WARNER. I thank my colleague from Arizona.

Mr. McCAIN. I thank my colleagues.

Madam President, I understand at 4:15 we are turning to a judge. I ask unanimous consent for an additional 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALLARD. Madam President, before we do that, I was under the impression I might be able to speak for about 5 minutes or so at around 4:15. If I could add another 5 minutes at the end of that so we each have 5 minutes.

The PRESIDING OFFICER. The time for executive session is not until 4:30.

Mr. ALLARD. Meaning we have time? OK.

Mr. McCAIN. We have time.

Mr. ALLARD. Thank you, Madam President.

Mr. McCAIN. I thank the Chair. I was misinformed.

Madam President, I will not go on, on this issue, but I believe we need to, as a body, sit down and try to fix this unfortunate situation where we are not allowing amendments nor sufficient examination of legislation before the body.

Madam President, there is one silver lining to the measure pending before us. It is largely free of wasteful earmarking and porkbarrel spending. This is the first time during my years in Congress I have witnessed such an occurrence. Compare this to the last fiscal year, 2006. According to data compiled by the Congressional Research Service, the appropriations bills and accompanying reports for the last fiscal year included $64 billion in earmarks—the largest earmarked funding in history.

So again, this CR, which does not have an accompanying report where historically 95 percent of earmarks are included, is a welcomed change. I can only urge the Appropriations Committee to let this be a guide for future appropriations measures when it comes to earmarks: Do not include them and do not waste the taxpayers' dollars.

I was pleased to join with several of my colleagues in writing the President last week to urge his leadership on this issue and ensure his administration understands clearly and fully that it is under absolutely no obligation to continue to fund earmarks that were included in past committee reports or urged by Members of Congress or their staff. As stated by the President in his State of the Union Address last month, when it comes to earmarking, "The time has come to end this practice." Now it is up to the administration to abide by the President's directive, and I assure you, we will be watching.

Also, last week, Senator COBURN and I received a response from the Department of Energy Secretary Samuel Bodman in response to our letter of the previous week stating our serious concerns about reports that the Department may be planning "business as usual" and would fund conference report earmarks.

Fortunately, the Secretary has clarified his Department's position and will only fund programs or activities that, in his words, are "meritorious and effective" and "support and advance the Department's missions and objectives . . ."

I ask unanimous consent that copies of our correspondence with the Secretary be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibits 1 and 2.)

Despite what I have described as a positive consequence of this CR, the measure is imperfect and, like many of my colleagues, I believe we should have had an opportunity to improve it. I am particularly concerned about underfunding the Base Realignment Closure, BRAC, account, and was pleased to join in cosponsoring the amendment filed by Senators HUTCHISON and INHOFE to fund the account at the amount requested by the President and the amount we authorized for 2007.

The 55 percent cut to the BRAC account, submitted without any type of justification or explanation, seriously jeopardizes the Department of Defense's ability to meet a statutory deadline to complete all BRAC actions by 2011. Congress imposed this 6-year deadline specifically to limit the negative impact on the military units and local communities around the country affected by BRAC. Congress intended that a concentrated period of investment would accelerate the economic development and recovery of communities affected by BRAC. This callous decision to deny funds to the Department at this critical juncture directly harms these communities as much as it does the military units placed in limbo by the sudden denial of funds.

The administration noted in its recent response to the CR that the BRAC cut will "reduce BRAC savings, delay or postpone scheduled redeployments of military personnel and their families from overseas locations to the United States, and negatively impact many communities throughout the country that have begun making specific plans in response to BRAC."

Surely our colleagues who developed this CR proposal did not intend to cause additional harm to the local communities that are already trying to cope and recover from the BRAC decisions. Quoting Congressman DAVID OBEY, chairman of the House Appropriations Committee, about the CR, "I don't expect people to love this proposal, I don't love this proposal, and we probably have made some wrong choices."

So, why are we in the Senate not allowed an opportunity to correct an obvious mistake?

I've heard from the other side of the aisle during debate of H.J. Res. 20 that they understand this problem and that they plan to correct this $3.1 billion BRAC underfunding in the fiscal year 2007 emergency supplemental request of $93.4 billion. What kind of solution is that? Supplemental funds have been requested by the President for military operations in Iraq and Afghanistan. These funds are critically needed to purchase equipment for force protection and IED defeat initiatives. These funds will be used to train and equip Iraqi security forces. Since when is BRAC an emergency related to the global war on terror?

Furthermore, we are having this discussion because my colleagues who developed the resolution share with us the common goal to reduce overall Government expenditures. In that spirit, what critical warfighting requirement will we cut in the supplemental to pay for the BRAC increase they propose? What do we deny to our frontline fighting troops? While I have heard the idea of funding BRAC in the supplemental, I have not heard one idea on how to pay for it. Do they instead advocate for an increase to the supplemental? Why not just provide the funds to BRAC by offsets in the pending measure before us, as proposed by the Hutchison amendment? We should be addressing full fiscal year 2007 funding for BRAC in this CR. Using budget gimmicks and shell games in a supplemental, which could have devastating results for the military and local communities, is not the way to provide appropriations for critical military requirements.

Finally, I want to associate myself with the remarks of my colleague, Dr. COBURN. He has been on the floor several times to discuss the very serious ramifications of the provision in this bill that will prohibit funding for what is known as the "baby AIDS" program. I've often commented that we need to start making tough fiscal decisions around here among competing priorities. But I have yet to hear anyone defend or even attempt to explain the decision that was made to prohibit funding for this critical program.

I completely agree with Dr. COBURN. This funding prohibition is regrettable, and may have far reaching and devastating consequences for those helpless babies who could otherwise be given a better chance at having and keeping healthy lives.

I yield the floor.

EXHIBIT 1

DEPARTMENT OF ENERGY,
Washington, DC, February 2, 2007.

MEMORANDUM FOR ALL PROGRAM SECRETARIAL OFFICERS

From: Jeffrey Kupfer, Chief of Staff, Office of the Secretary.
Re: FY 2007 Funding.

As you know, the House of Representatives recently passed H.J. Res. 20, which would provide funding for the Department of Energy's programs through the remainder of FY 2007. Even though the Senate has not yet acted on that legislation, we must begin to evaluate how we would operate if it is enacted into law.

One important matter that must be addressed in implementing H.J. Res. 20 is how we will handle the matter of earmarks. As President Bush noted in his recent State of the Union address, special interest funding earmarks often are included in committee reports that are never voted on by Congress or presented to the President for approval, and these earmarks cost the taxpayers billions of dollars each year across the Federal Government.

There is no House or Senate committee report accompanying H.J. Res. 20, and therefore there are no committee earmarks for the funding it would provide. Furthermore, section 112 of this proposed legislation states that "[a]ny language specifying an earmark in a committee report or statement of managers accompanying an appropriations Act for fiscal year 2006 shall have no legal effect with respect to funds appropriated by this division." Nonetheless, I understand some of your offices have begun to receive requests from some Congressional offices, asking that the Department continue to fund programs or activities that received earmarked funds in prior years.

Because the funding provided by H.J. Res. 20 will not be subject to nonstatutory earmarks and the President's policy on earmarks is clear, we must ensure that the Department only funds programs or activities that are meritorious; the Department itself is responsible for making those determinations. As a result, and at the Secretary's direction, any proposal by a recipient of an earmark in prior years who seeks continued funding in FY 2007 needs to be carefully reviewed and evaluated. Only those with meritorious proposals or programs that effectively support and advance the Department's missions and objectives, and who have submitted appropriate advance documentation justifying their request, should receive FY 2007 funding. Of course, all funding-related decisions and actions must be made in accordance with applicable laws and regulations.

If H.J. Res. 20 is enacted into law, I will ask each of you to submit a report containing your recommendations about which, if any, earmarks from prior Congressional committee reports you believe should continue to receive funding in FY 2007. No final decisions are to be made concerning those potential recipients until after you have submitted your report and received further guidance from the Secretary's Office. The Office of the Chief Financial Officer will provide instructions on the timing and the content of your report.

EXHIBIT 2

THE SECRETARY OF ENERGY,
Washington, DC, February 7, 2007.

Hon. JOHN S. MCCAIN,
U.S. Senate,
Washington, DC.

DEAR SENATOR MCCAIN: Thank you for your February 2, 2007 letter concerning H.J. Res. 20. In your letter, you inquire whether the Department of Energy (DOE) intends to continue funding earmarks that have appeared in committee reports accompanying prior year appropriations bills. You note that a recent press report, citing unnamed sources, states that DOE has told Congressional appropriators it will continue to fund earmarks despite H.J. Res. 20 language that says agencies are not bound to continue funding prior year earmarks.

The press story cited in your letter does not accurately reflect DOE policy or the direction that has been given to DOE program offices. Late last week, the Department's Chief of Staff issued a memorandum to all Program Secretarial Officers concerning how they should evaluate earmarks that appeared in Congressional committee reports accompanying prior year appropriations bills. A copy of that memorandum is enclosed.

Among other things, the memorandum states that DOE officials must carefully review any requests for continued funding of prior year earmarks. Only those project sponsors "with meritorious proposals or programs that effectively support and advance the Department's missions and objectives, and who have submitted appropriate advance documentation justifying their request, should receive FY 2007 funding." This means that DOE may continue funding some programs or activities that have received earmarked funds in prior years, but only if the programs or activities are meritorious and effective. DOE is prepared to be fully accountable for making those decisions.

As you know, H.J. Res. 20 has not yet been enacted into law. We hope that Congress will act quickly on that legislation so that necessary funds will be provided for the remainder of Fiscal Year 2007, not only for DOE but for many other federal agencies as well. If you have any further questions, please call me or Jill L. Sigal, Assistant. Secretary for Congressional and Intergovernmental Affairs, at 202-586-5450.

Sincerely,

SAMUEL W. BODMAN.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. ALLARD. Madam President, I ask unanimous consent that I may make some introductory remarks on S. 589, which is at the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. ALLARD pertaining to the introduction of S. 589 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. ALLARD. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. INHOFE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. Madam President, what is the regular order?

The PRESIDING OFFICER. We are to proceed to executive session at this time.

Mr. INHOFE. I ask unanimous consent that I be recognized for 5 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. Madam President, there is a vote coming up on the resolution. We already had one vote on a cloture motion. I have to say publicly one more time the reason I have so vigorously opposed this whole concept, and it is because in a very partisan way, in a very partisan manner, the Democrats were successful in taking out the money that would have implemented the fifth and last BRAC round.

BRAC is the Base Closure and Realignment Commission. In this BRAC round, we would have saved $20 billion by 2012, but by delaying it a year, the costs are going to be far greater. There is $5.7 billion to implement BRAC, and the Democrats took out effectively $4.1 billion and then put $1 billion back—$3.1 billion out. That means we cannot implement these BRAC policies and actually effect the savings.

The problem I have with this is they say this is going to come out of the emergency supplemental, we will get it all taken out of that. That means it comes out of money that otherwise would have gone to our fighting troops in Iraq. This is not what I want to happen. Right now, we are underfunded over there. We have great needs in armored vehicles, operating costs, and training costs for Iraqi security forces, and this translates into American lives.

To have $3.1 billion come out of this BRAC process to me is unconscionable when we are at war. This means the units that were planning to return stateside will have to remain abroad. It means the temporary and old housing will continue to be used, further increasing the upkeep in costs. And it means it is going to cost a lot more to implement it. Each week that goes by, each time it is delayed, it is going to cost additional money.

Here is the other problem we have, if we stop and think. All the communities that are surrounding our various military establishments have participated in the BRAC process and have said: If you will do this and expand this base, we will put in free housing, we will do health care for the children of our military people. All these very generous contributions which are made by the private sector very likely will not even be made.

It is not too late to change our mind. I just wish I could reach a number of people here to convince the leadership, such as my good friend from North Dakota. I know he is interested in accommodating the BRAC needs. If we could just get this one amendment in to allow us to do the military construction and to pull that out of the continuing resolution, it would be appreciated very much by our troops who are fighting a very difficult battle.

I will make my one last appeal. We cannot take the $3.1 billion out and adequately support the military operation.

I yield the floor.

FUNDING FOR IRAQ: REFUGEES

Mr. KENNEDY. Madam President, I commend Senator LEAHY, chairman of the Foreign Operations Subcommittee of the Appropriations Committee, for including an additional $20 million for Iraqi refugees in the continuing resolution.

More than 3 million Iraqis have been displaced from their homes, and many of them have fled the country. America has a special obligation to help them and the neighboring countries in meeting their needs.

The UNHCR has made an international appeal for $60 million to deal with this emerging crisis, and the United States plans to provide $20 million to that appeal.

Our invasion of Iraq led to this crisis, and we have a clear responsibility to do more to ease it. We should provide at least half the funding for this $60 million appeal to help this growing refugee population.

I believe $10 million of the funds in this bill should be for the UNHCR appeal, in an effort to raise the total U.S. contribution to $30 million. Is that the chairman's intent?

Mr. LEAHY. Yes, it is. Senator KENNEDY, who is the chairman of the Judiciary Committee's Subcommittee on Refugees, makes an important point. I believe that the United States should contribute half of the funds, and I will work with Senator KENNEDY and with the State Department to ensure that those funds are provided. I agree that America should show greater leadership by providing at least half the funds for this appeal.

NDIIPP

Mr. STEVENS. Madam President, I have come to the floor to engage in a colloquy with the ranking member of the Committee on Rules and Administration, Senator BENNETT of Utah.

In 2000, Dr. James Billington, the Librarian of Congress, came to many Members of this Chamber with an urgent request. He wanted to begin preserving important cultural works which existed only in digital format.

Soon after, Congress approved the creation of the National Digital Information Infrastructure and Preservation Program, which is also referred to as "NDIIPP."

Those of us in Congress secured $100 million over 10 years to start this program. With the Library's guidance, NDIIPP quickly became a broad-based coalition of Federal agencies, universities, non-profit organizations, and companies in the science and technology industries.

Today, the NDIIPP partnership includes 67 public and private organizations nationwide. But the future of this effort is in serious jeopardy.

The House-passed fiscal year 2007 continuing resolution rescinds $47 million in NDIIPP funds—effectively destroying a program essential to our increasingly digital world.

If funding for NDIIPP is not restored, the Library of Congress risks losing the resources which have already been invested—and the important work already completed—with regard to digital preservation.

The Library's partners in the private sector have committed $37 million in matching funds to this effort. If NDIIPP is eliminated, these funds will also be lost.

NDIIPP is essential to our ability to identify, preserve, and provide access to digital content. This program is helping to ensure future generations will be able to access information needed for research and policymaking.

Madam President, our choice is clear. A number of digital works have already disappeared. Many Web sites launched before 2000, for instance, were never preserved and will never be recovered. If funding for NDIIPP is eliminated, many future works will likewise be lost forever. If funding for NDIIPP is restored, we can help ensure these works do not suffer a similar fate.

This project holds great possibilities, and I will work with my colleagues to assure it receives the funding it deserves.

Mr. BENNETT. I agree with the Senator from Alaska. Funding intended for NDIIPP serves a vital purpose for our Nation. I will work with the Senator and our colleagues to restore these funds.

There is a wide assumption that digital materials will be available tomorrow and that we can put off taking measures to preserve them until sometime in the future. That is not the case. The average life of a Web site is 44 days and material not saved today will be gone tomorrow. Geospatial information, including records of land elevation, weather patterns, water levels, LANDSAT imagery, State and local maps and other statistical information about an area exist almost exclusively in digital format today. If these materials are not actively preserved, the vital information they contain will be lost. Outside of efforts being undertaken by government agencies such as the Library of Congress and its public and private sector partners, little is being done to preserve digitally created materials for the future use of the Congress. The expense is great, the technologies necessary for long term preservation of digital information are in their infancy and the risks of loss are not widely known or understood. The legislators of the future will have access to only what we actively preserve today.

Mr. STEVENS. I thank the Senator from Utah for his commitment to this important program.

REVISED CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2007

Mr. CONRAD. Madam President, I rise to offer for the RECORD the Budget Committee's official scoring of H.J. Res. 20, making revised continuing appropriations for fiscal year 2007.

The pending long-term continuing resolution appropriations bill for fiscal year 2007, as passed by the House, provides discretionary budget authority for fiscal year 2007 of $463.5 billion.

When combined with discretionary budget authority levels included in the 2007 Defense and Department of Homeland Security conference reports, total 2007 nonemergency budget authority is $872.7 billion. This level is $60 million below both the Appropriations Committee's 302(a) allocation pursuant to the deeming resolution (Sec. 7035 of P.L 109–234) and the President's requested level.

When funding levels contained in the bill are combined with nonemergency budget authority levels included in previously enacted bills, all subcommittees are at their 302(b) allocation with the exception of the Homeland Security Subcommittee, which is $60 million below its allocation. No points of order lie against the bill as passed by the House.

I commend the distinguished chairman of the Appropriations Committee for bringing this legislation before the Senate. I ask unanimous consent that the table displaying the Budget Committee scoring of the bill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

H.J. RES. 20, REVISED CONTINUING RESOLUTION FOR 2007

[Fiscal Year 2007; $ millions]

	General Purpose
House-passed bill:	
Budget Authority	$463,456
Outlays	532,456
Previously-enacted bills:	
Defense:	
Budget Authority	377,357
Outlays	394,446
Department of Homeland Security:	
Budget Authority	31,905
Outlays	38,714
Total:	
Budget Authority	872,718
Outlays	965,616

Mrs. FEINSTEIN. Madam President, I rise today to speak on two matters concerning the 2007 continuing resolution.

First, as the chairman of the Interior Subcommittee, I want to let my colleagues know exactly what this continuing resolution means for the agencies within my subcommittee's jurisdiction.

Second, I want to touch briefly on the appropriations process and why it is so important that Congress pass individual appropriations bills.

Let me go through some funding highlights for the agencies and programs under my subcommittee's purview:

The President recently announced his new, National Parks Centennial Initiative. This will provide up to $3 billion over the next 10 years to improve our national parks in preparation for their centennial in 2016. This continuing resolution contains the first $40 million of the $100 million installment the President requested in his 2008 budget.

The amount provided in the continuing resolution for basic operations at our national parks is $1.758 billion, a $40 million increase over last year's level.

The continuing resolution also contains an increase of $70 million in the Forest Service firefighting account. Of that amount, $51 million is provided for basic fire suppression activities.

We have added $19 million to the hazardous fuels reduction account so that important preventive work can continue as well.

The continuing resolution provides an additional $125 million for the Indian Health Service so that the critical medical care so desperately needed in Indian country can be made available.

There is also $60 million for basic operational needs for the Fish and Wildlife Service, the Forest Service, and the Bureau of Land Management. Together, these agencies manage a conservation and recreation network that spans more than 550 million acres.

Finally, I would like to point out that under this continuing resolution, EPA's Clean Water State Revolving Fund will receive nearly $1.1 billion. That is $200 million more than the 2006 level, which will be used to help local communities meet their wastewater infrastructure needs.

But while there are some funding increases in this continuing resolution, the fact that we are now considering this on the floor today—over 4 months into fiscal year 2007—underscores the problem with not going through the regular appropriations process.

This resolution essentially provides the same level of funding as fiscal year 2006, with a few exceptions. But this means that dozens of programs and projects did not receive an increase over 2006 levels or did not receive funding at all.

There are, however, a few bright spots in what has otherwise been tough times.

For instance, there is an increase of $3.6 billion in veterans health care and $1.2 billion to help care for our brave military personnel and their families; over a billion dollars for State and local law enforcement assistance grants; $399 million for the State Criminal Alien Assistance Program, SCAAP, the same as fiscal year 2006; $1.2 billion for Ryan White CARE grants, an increase of $75.8 million to fund at the newly authorized level; $4.5 billion for Global HIV/AIDS, an increase of $1.3 billion; a $502 million increase for section 8 tenant-based housing vouchers and the first increase in the maximum Pell grant in 4 years, from the current $4,050 to $4,310; and full funding of the Transportation Reauthorization bill for fiscal year 2007.

Yet many programs will not receive increases. For example, in California there is no increase for CalFed. This program plays an important role in increasing California's water supply, restoring fisheries and delta levees, and improving the water quality of the San Francisco Bay/Sacramento-San Joaquin River Delta.

Additionally, programs of a critical nature in my State that I fought hard to secure funding for will not receive the resources they deserve. These include State agricultural pest detection, Perchlorate cleanup efforts, and important flood control projects.

That is why it is so significant that Congress does its job to fully consider and approve each individual appropriations bill. This is the best way to ensure that needed projects and programs are funded adequately.

For this reason, I am glad to serve on the Appropriations Committee under the leadership of the Senator from West Virginia. Under his direction, I believe we will pass all 12 bills for fiscal year 2008. First, however, we must dispose of the leftover business from last Congress.

The Chairman is proceeding the best he can, and I believe we need to support this effort and get this done. I urge my colleagues to vote for the passage of this continuing resolution.

Ms. MIKULSKI. Madam President, this joint funding resolution is not what anyone wanted. We are in this position because the last Congress failed to do its job. We had no choice. We were determined to stay within strict spending limits while trying to address compelling needs. I believe we have done the best we can do. We were able to take care of the most important priorities facing the nation without going over our spending limits.

In the Commerce, Justice, Science chapter of this resolution, we were able to increase funding for the Department of Justice by $1.4 billion over last year to ensure there were no cuts to the FBI and the war against terror. We provided the FBI with a $333 million increase over the old CR which fully funds the FBI, U.S. attorneys and the Bureau of Prisons. More importantly, the additional $1.4 billion eliminates the cuts to State and local law enforcement proposed in the President's budget. At a time when crime rates are going back up according to the most recent FBI crime statistics, we fully fund the COPS program, as well as programs to fight gangs and sexual predators. Protecting our neighborhoods and communities remains our No. 1 priority and this extra funding is proof of our commitment to make America safer.

We were also able to make a down payment on our innovation and competitiveness agenda. We added $335 million to the National Science Foundation's research account to increase our commitment to basic research that will lead to new breakthroughs in science, technology and future innovation to keep America competitive in the global economy. In addition, we added $38 million to the National Institute of Standards and Technology to increase research grants and an additional $12 million to modernize their laboratory facilities. Finally, we gave the Patent and Trademark Office the full $1.7 billion called for in the President's fiscal year 2007 budget request and ensured that all patent fees stay with the Patent Office.

While I would have liked to have increased funding for NASA, there was simply not enough extra funding available for us to do so. Within the limits of NASA's fiscal year 2006 operating plan, we added an extra $460 million to exploration while protecting other critical NASA programs in science and aeronautics. With only 7 months left in this fiscal year, I believe NASA will be able to manage their programs in exploration with minimal impact to the overall schedule.

This bill cuts $3.3 billion in Military Constructions funds required to implement the 2005 Base Realignment and Closure round. By putting the entire year's BRAC Military Construction program on hold, the current situation has caused adverse disruptions to important military planning. In Maryland alone, the Defense Department is unable to execute over $300 million worth of projects, preventing the construction of badly needed facilities that directly support our warfighters. This delay also has a huge impact on the economy of the State of Maryland, in the construction industry and other key support industries. Finally, the continuing resolution blocks critical projects required to implement the 2005 Base Realignment and Closure, BRAC, recommendations, jeopardizing the ability of our military installations to complete required BRAC actions on time.

I, along with the other members of the Maryland congressional delegation, have sent a letter to the Chairmen and ranking members of the House and Senate Appropriations Committee, urging them to fully fund BRAC Military Construction in the fiscal year 2007 emergency supplemental spending bill. Both the House and Senate majority leaders have pledged their support for our effort. I will fight to add this vital funding to the emergency supplemental when it comes before the Senate in March.

So while this bill is not what anyone wanted, it is the best we could do considering what we were left with. I will support this continuing resolution and I will fight to do better next year.

Mr. NELSON of Florida. Madam President, I rise today to clarify an issue of concern to communities in my home state of Florida, particularly to those who have been affected by natural disasters in recent years.

The continuing resolution, H.J. Res. 20, contains a revision to the formula for funding the critical section 8 tenant-based rental assistance voucher program. Inefficiencies in the voucher funding formula in place since 2004 have resulted in the loss of vouchers for an estimated 150,000 families nationwide. My understanding is that the revised formula will provide sufficient funding for the number of families assisted last year, and provides a $100 million pool to assist agencies who experience unusual circumstances during the transition.

However, due to the devastating hurricanes in 2004 and 2005, several of our Florida communities helped unusually low numbers of families last year. This is because the hurricanes devastated their housing stock they simply did not have the apartments and houses to rent. In some areas, the amount of need did not decline; there was simply a shortage of affordable housing options.

I rise to confirm my understanding that the section 8 funds for housing assistance payments already allocated by the Department of Housing and Urban Development, HUD, to a local housing authority will remain accessible.

If my understanding is correct, housing authorities may continue to use the funds in their possession, along with their fiscal year 2007 funds, to lease up to the authorized level of units under contract. This will ensure that our hurricane damaged communities and others who have seen losses in recent years due to unforeseen circumstances or the dislocations that have occurred since 2004 will be able to recover. As our communities rebuild, I want to make sure that our housing agencies will continue to have access to the available resources needed to serve low-income families.

Mr. CARDIN. Madam President, today I will vote in favor of the continuing resolution not because it is perfect but because it is the responsible course of action for Congress to bring some fiscal sanity back to our Federal budget. The alternative, letting Government come to a screeching halt and blocking services to millions of Americans, is unacceptable.

The resolution we vote on today was drafted under the guidance of a Republican Congress and Republican President. Yet that same Congress, the 109th, refused to make difficult fiscal decisions and instead simply passed the buck to the current 110th Congress. So today we meet our constitutional responsibility to determine the Nation's budget and provide funding for programs that millions of hard-working Americans rely on to make ends meet.

Perhaps most unfortunate, today we are voting for appropriating funds for fiscal year 2007 that for most agencies are the same as fiscal year 2006 levels. In addition, it concerns me that this resolution gives too much power to Federal agencies. Under the formula prescribed in this resolution, each agency seemingly has wide discretion to determine which specific programs get slashed and which receive additional funds. I fear this widespread Federal discretion could have a negative impact on programs critical to Maryland, like the Chesapeake Bay Gateways and Small Watersheds Programs, the consolidation of the FDA Headquarters at White Oak, and the Ocean City hurricane protection project, to name only a few. I encourage the agencies to do the right thing and allocate appropriate funds for programs with track records of success because Congress will be watching.

Despite the shortcomings in this resolution, it does include some modest increases for important programs. In Maryland, scientists at the National Institutes of Health are on the cutting edge of unlocking some of our most complicated and devastating diseases. The additional $620 million that this resolution allocates to NIH may lead to a groundbreaking cure or vaccine.

We must continue to do more to make a college education a reality for all families, and I am pleased to see that Pell grants will be expanded to help students afford college. In Maryland, the cost of receiving a public education has increased by nearly 40 percent at some State universities. A college education is key to achieving the American dream, and we must continue to make sure all children regardless of what zip code they live in or how much money their parents make have that opportunity.

Although some of Maryland's environmental programs might be affected, the increased funding in the Clean Water State Revolving Fund will enable Maryland communities to continue upgrading sewage treatment plants to help cleanup the Chesapeake Bay. This is a step in the right direction.

Maryland's transportation systems will also receive a much-needed boost, with an additional $86 million in highway funds and $14 million more for transit funds. Amtrak will also receive much-needed funding so it can continue to help thousands of Marylanders get to work each day.

Again, this continuing resolution is far from perfect, and the circumstances under which we are passing it are far from ideal. It is unfortunate that this Congress was forced to finish the work of the prior Congress, but it is our responsibility to do so. Therefore, I support the continuing resolution and encourage my colleagues to do the same.

EXECUTIVE SESSION

NOMINATION OF NORA BARRY FISCHER TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF PENNSYLVANIA

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The assistant legislative clerk read the nomination of Nora Barry Fischer, of Pennsylvania, to be United States District Judge for the Western District of Pennsylvania.

Mr. LEAHY. Madam President, Nora Barry Fischer is an accomplished and well-respected attorney with over 30 years of legal experience. She is nominated to a seat on the United States District Court for the Western District of Pennsylvania. She received her law degree from Notre Dame University Law School, and graduated magna cum laude from St. Mary's College, Notre Dame, with a B.A. in history and humanistic studies. She has been an attorney with the law firm of Meyer, Darragh, Buckler, Bebenek & Eck, where she quickly rose through the ranks. She is currently a partner with the Pittsburgh law firm of Pietragallo, Bosick & Gordon, cochairing the firm's Defense Litigation Group. Ms. Fischer brings courtroom experience to the bench, having tried over 55 cases in State and Federal courts across the country. She has also served as a special master in state court and an arbitrator in Federal court on pro bono cases. She has been president of the Academy of Trial Lawyers of Allegheny County, served on the Executive Women's Council of Pittsburgh, and worked with the Alleghany County Bar Association to provide legal services to the underserved.

I thank Senator CASEY for expediting his consideration of this nomination. As a courtesy to Senator SPECTER, I asked the former majority leader to proceed to this nomination in December last year. Regrettably, Senator FRIST chose not to do so and Senator SPECTER's chairmanship of the Judiciary Committee ended without this nomination having been confirmed. I am glad that, at long last, the Senate has turned its attention to this nomination and is granting its consent. I thank Majority Leader REID for acting promptly.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Madam President, I have sought recognition to speak in favor of the pending nomination of a distinguished Pennsylvania lawyer, Mrs. Nora Barry Fischer, who is to be considered for the position of a U.S. district judge for the Western District of Pennsylvania.

Senator CASEY and I strongly endorse her confirmation. She is a Pennsylvania native with a distinguished academic record. She graduated magna cum laude from St. Mary's College with a B.A. degree in 1973 and received a law degree from Notre Dame Law School in 1976. She has had a distinguished law practice with the Pittsburgh firm of Meyer, Darragh, Buckler, Bebenek & Eck and later at Pietragallo, Bosick & Gordon. She served as an administrative partner in charge of recruitment and training and served as co-chair of the Defense Litigation Practice, which is Pietragallo Bosick's largest practice group. As Special Master for the Court of Common Pleas of Allegheny County, she handled conciliations, nonjury and jury trials by consent of the parties, which gives her a leg up on analogous judicial duties.

Mrs. Fischer is the recipient of a number of awards. The Pennsylvania Bar Association's Commission on Women in the Profession awarded her the Anne X. Alpern Award for her efforts to promote women in the law. The Pennsylvania Bar Association also recognized Mrs. Fischer for her work as co-chair of the Task Force on Health Care Delivery in Pennsylvania. She was named the recipient of the 2006 Professionalism Award by the Civil Litigation Section of the Allegheny County Bar Association for her faithful adherence to the highest standards of legal professionalism. She has been recognized as a Pennsylvania Super Lawyer and as one of the Top 50 Women Super Lawyers in Pennsylvania.

The American Bar Association has unanimously rated Mrs. Fischer "well qualified" to serve as a federal district court judge.

She is precisely the type of nominee we are looking for, and I believe she will do very well in this very important position.

Madam President, in the absence of any other Senator seeking recognition, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DORGAN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. Madam President, am I correct that there is a vote ordered at 4:45 p.m.?

The PRESIDING OFFICER. That is correct.

Mr. DORGAN. And is the time between now and 4:45 p.m. allocated?

The PRESIDING OFFICER. It is divided between the chairman and ranking member of the Judiciary Committee.

Mr. DORGAN. Madam President, if the chairman of the Judiciary Committee is not here to take the time, let me take a moment. If he shows up, I certainly will yield to him.

Mr. SPECTER. Madam President, I will be glad to yield to the Senator from North Dakota, especially since he called me the chairman.

Mr. DORGAN. I was talking about the chairman who was about to show up, Senator LEAHY.

Mr. SPECTER. I withdraw my consent.

BRAC

Mr. DORGAN. Madam President, I wish to make a point. My colleague from Oklahoma was talking about the BRAC funding. I think everybody here supports the BRAC funding. I certainly do. It is not a part of this agreement, but it is not, as the Senator from Oklahoma suggested, the Democrats' fault.

Just so people understand, we inherited a heck of a mess. We inherited a huge mess. What was the mess? The fact is, last year, 10 of the appropriations bills never got to the floor of the Senate. We never got here. They never had any discussion on them. Had that happened, we would have had those appropriations bills passed and signed into law, and we wouldn't be discussing these issues.

As a result of inheriting an unbelievable mess, we had to put together something between the House and the Senate. Let me make this point: That which was done between the House and the Senate included discussions with Republicans and Democrats on every single subcommittee. We engaged the staff of the Republicans and the Democrats as this was put together.

I wanted to make that point. We inherited a mess. We have tried to make the most of it.

This BRAC issue is going to get resolved. I support resolving it. The President is going to ask us for, apparently, $100 billion in the coming couple of weeks.

Mr. INHOFE. Will the Senator yield?

Mr. DORGAN. Let me finish my thought.

He is going to ask for $150 billion above that next year with respect to Iraq and Afghanistan.

The point I am making is this: I understand that not just the Senator from Oklahoma but any number of Senators might come and say: I wish this had been in it, I wish that had been in it. I personally wish a number of items had happened that didn't happen in this continuing resolution. But I was involved in working on it as chairman of the Appropriations Energy and Water Subcommittee. Last year, I was ranking member of the Appropriations Interior Subcommittee. That bill didn't get to the floor of the Senate. The Energy and water bill didn't get to the floor of the Senate. The bill that would have carried the BRAC funding didn't get to the floor of the Senate. Why not? Don't blame that on Democrats. We didn't control this Chamber last year.

But I don't come to blame one side or the other. I only come to say we have tried to make the best of a bad situation. We were left with quite a mess. How did we make the best of this? We worked with the House and the Senate—bicameral; we worked with the staff of the Republicans and the staff of the Democrats, bipartisan—to try to see if we could put together something that would allow us to put the fiscal year 2007 appropriations bills behind us and move ahead, because we need to move immediately now to begin to put together the fiscal year 2008 appropriations bills. We need to do that now.

So I only make the point that that is why we are here. No one likes it. We have done the best we could to make the best out of a bad situation.

Mr. INHOFE. Madam President, will the Senator yield for a very friendly question?

Mr. DORGAN. I will be happy to yield.

Mr. INHOFE. We had authorized $5.7 billion to be spent this year on the BRAC process and $4.1 billion was taken out, with $1 billion put back. My question to you is: Can we have that made up without taking it out of a supplemental that would be pulling it out of other wartime activities? I would say that probably would work. That is my concern.

Mr. DORGAN. Madam President, reclaiming my time, it is not going to be taken out of other funding in a supplemental. It will be added to a supplemental, I presume. The President has proposed sending us $250 billion in emergency funding in two tranches, the first for this fiscal year and the second for the next fiscal year. My assumption is that everyone here believes those BRAC funds need to be dealt with and will be dealt with in a supplemental, not by taking it away from other military expenditures.

Madam President, I yield the floor.

The PRESIDING OFFICER. All time has expired.

The question is, Will the Senate advise and consent to the nomination of Nora Barry Fischer, of Pennsylvania, to be United States District Judge for the Western District of Pennsylvania.

Mr. DORGAN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from Hawaii (Mr. INOUYE), and the Senator from South Dakota (Mr. JOHNSON) are necessarily absent.

Mr. LOTT. The following Senator was necessarily absent: the Senator from Wyoming (Mr. THOMAS).

The PRESIDING OFFICER (Mr. OBAMA). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 96, nays 0, as follows:

[Rollcall Vote No. 47 Ex.]

YEAS—96

Akaka
Alexander
Allard
Baucus
Bayh
Bennett
Bingaman
Bond
Boxer
Brown
Brownback
Bunning
Burr
Byrd
Cantwell
Cardin
Carper
Casey
Chambliss
Clinton
Coburn
Cochran
Coleman
Collins
Conrad
Corker
Cornyn
Craig
Crapo
DeMint
Dodd
Dole
Domenici
Dorgan
Durbin
Ensign
Enzi
Feingold
Feinstein
Graham
Grassley
Gregg
Hagel
Harkin
Hatch
Hutchison
Inhofe
Isakson
Kennedy
Kerry
Klobuchar
Kohl
Kyl
Landrieu
Lautenberg
Leahy
Levin
Lieberman
Lincoln
Lott
Lugar
Martinez
McCain
McCaskill
McConnell
Menendez
Mikulski
Murkowski
Murray
Nelson (FL)
Nelson (NE)
Obama
Pryor
Reed
Reid
Roberts
Rockefeller
Salazar
Sanders
Schumer
Sessions
Shelby
Smith
Snowe
Specter
Stabenow
Stevens
Sununu
Tester
Thune
Vitter
Voinovich
Warner
Webb
Whitehouse
Wyden

NOT VOTING—4

Biden
Inouye
Johnson
Thomas

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid on the table.

The President will be immediately notified of the Senate's action.

Mr. CASEY. Mr. President, I was pleased that today a fellow Pennsylvanian, Nora Barry Fischer, was confirmed by the U.S. Senate to serve on the U.S. District Court for the Western District of Pennsylvania. I was also happy to help expedite her nomination before the Judiciary Committee to help ensure a speedy consideration by the full Senate.

Ms. Fischer is a native of Homestead, PA, and a graduate of Notre Dame Law School. In private practice, she has gained extensive experience in litigation and mediation. Ms. Fischer will bring a wealth of knowledge to the bench, and I am confident that she will serve western Pennsylvania and the Nation well.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will return to legislative session.

MAKING FURTHER CONTINUING APPROPRIATIONS FOR THE FISCAL YEAR 2007—CONTINUED

The PRESIDING OFFICER. Under the previous order, all pending amendments on H.J. Res. 20 are withdrawn.

The clerk will read the resolution for a third time.

The joint resolution (H.J. Res. 20) was read the third time.

The PRESIDING OFFICER. The question is, Shall the joint resolution pass?

Mr. NELSON of Florida. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from Hawaii (Mr. INOUYE), and the Senator from South Dakota (Mr. JOHNSON) are necessarily absent.

Mr. LOTT. The following Senator was necessarily absent: the Senator from Wyoming (Mr. THOMAS).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 81, nays 15, as follows:

[Rollcall Vote No. 48 Leg.]

YEAS—81

Akaka
Alexander
Allard
Baucus
Bayh
Bennett
Bingaman
Bond
Boxer
Brown
Bunning
Burr
Byrd
Cantwell
Cardin
Carper
Casey
Chambliss
Clinton
Cochran
Coleman
Collins
Conrad
Corker
Cornyn
Craig
Crapo
Dodd
Domenici
Dorgan
Durbin
Feingold
Feinstein
Grassley
Gregg
Harkin
Hatch
Hutchison
Isakson
Kennedy
Kerry
Klobuchar
Kohl
Kyl
Landrieu
Lautenberg
Leahy
Levin
Lieberman
Lincoln
Lott
Lugar
Martinez
McCain
McCaskill
McConnell
Menendez
Mikulski
Murkowski
Murray
Nelson (FL)
Nelson (NE)
Obama
Pryor
Reed
Reid
Rockefeller
Salazar
Sanders
Schumer
Shelby
Specter
Stabenow
Stevens
Sununu
Tester
Thune
Vitter
Webb
Whitehouse
Wyden

NAYS—15

Brownback
Coburn
DeMint
Dole
Ensign
Enzi
Graham
Hagel
Inhofe
Roberts
Sessions
Smith
Snowe
Voinovich
Warner

NOT VOTING—4

Biden
Inouye
Johnson
Thomas

The joint resolution (H.J. Res. 20) was passed.

Mr. KERRY. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. CHAMBLISS. Mr. President, may I inquire as to the pending business?

The PRESIDING OFFICER. There is currently no pending business.

Mr. CHAMBLISS. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

SCHIP FUNDING

Mr. CHAMBLISS. Mr. President, I rise to thank the majority leader for his cooperation on an issue regarding an amendment that I had on the continuing resolution relative to the SCHIP problem that exists not just in my State of Georgia, but in 13 States where we have a shortfall in Federal funding that is going to require, if we don't take action, a number of children all across America to be removed from the SCHIP rolls, and their health insurance will be terminated. The majority leader has agreed that during the break we are going to work among our staffs—Senator ISAKSON and I have been in conversation with his staff already—and we are going to continue to work with him, as well as with others.

This is not a problem unique to Georgia. We are going to seek to come to a compromise on this issue. In about 10 days to 2 weeks or so, we will have a cure or a fix for this problem that exists out there regarding the shortfall on SCHIP.

To Senator REID, I say thank you for his cooperation on this and his commitment to working together with us to find a solution for the children all across America to make sure these children do remain insured. I say to my colleague from Georgia, Senator ISAKSON, thanks for his hard work and commitment on this issue as we have worked very closely together.

I yield back the remainder of my time, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ENSIGN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ENSIGN. Mr. President, I ask to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

CELEBRATING THE LEGACY OF ABRAHAM LINCOLN

Mr. ENSIGN. Mr. President, since 1915, an oil portrait of Abraham Lincoln has hung in the chambers of the Nevada Assembly. The painting of our 16th President serves as a reminder of Nevada's entrance to the Union during his remarkable administration and of the special place his leadership will always hold in our State's history.

I want to pay tribute today to that man who rose to the highest office in our country at one of the most turbulent times in our history. He is an example to all of a good, decent, honorable man, who contributed more to the freedom we cherish today than we may ever fully understand.

February 12 was the 198th anniversary of Abraham Lincoln's birth in a log cabin in Kentucky. We all learned about "Honest Abe" in grade school and his role in guiding this Nation through the Civil War.

But at the very essence of Abraham Lincoln was a man of great conviction who showed incomparable humility, a tested sense of morality, and an ability to rise above personal pettiness. Learning about Abraham Lincoln's life is a humbling lesson in leadership.

He was self-educated and had none of the advantages of a formal education. He taught himself the law and never stopped learning along the way. Whether it was studying history, philosophy, or military strategy, what Lincoln lacked in classroom time, he made up for in focus and determination.

And while moral fiber can be taught, that doesn't mean it will have its desired effect. It is said that trials don't build character, they reveal it. Abraham Lincoln had so many trials. His tremendous character was revealed time and again. The stories are endless, but I want to share a few examples of what a giant of a man President Lincoln really was.

During his days practicing law, Lincoln would often ride the legal circuit, which meant that he traveled with a band of lawyers and judges across Illinois to try cases in every corner of the State. Lincoln was admired and loved by his colleagues for his skill as a lawyer, and his gift for telling stories was legendary. It was during this time that fellow lawyers noted Lincoln's heartfelt conviction that no man was better than he. One lawyer pointed out:

> He arrogated to himself no superiority over anyone. . . .

This sense of equality would remain consistent throughout Lincoln's life—as a man and a public servant—and would extend to other character strengths he exhibited. Lincoln was humble—to an astonishing degree. In 1855, Lincoln withdrew his name for a seat in the U.S. Senate. Although he had the greater number of votes, it became apparent that, if either he or the other anti-slavery candidate did not succumb, the cause of slavery would be the true victor. Much to the dismay of his loyal supporters, Lincoln advised the floor manager to drop his name, handing Lyman Trumball the win. Lincoln showed no hard feelings and shook Trumball's hand at his victory party.

Six months later, Lincoln suffered another blow to his morale when he believed that he was part of an important patent test case. Unbeknownst to him, he was not part of the case, but he continued to prepare as if he were. When he approached the lawyers involved with the case, one of them, Edwin Stanton, drew the other aside and asked why he had brought the ". . . long armed Ape here . . . he does not know any thing and can do you no good." Stanton treated Lincoln poorly in the days that followed, but six years later, Lincoln asked Stanton to be his Secretary of War.

Lincoln's ability to put aside such losses—which for most people would be terrible ego blows—was inspiring. Not only did he move forward, but he wasn't blinded by hate or rage and he didn't seek revenge. Instead, he recognized the need to surround himself with the best people who would make the greatest contributions to the mission at hand.

Lincoln's decision on who would join his cabinet was the perfect example of what his assistant, John Nicolay, described as "one of great courage and self-reliance." Lincoln did not fill these positions with friends and loyal supporters who would agree with him and thought as he did. According to Lincoln:

> We needed the strongest men of the party in the Cabinet. We needed to hold our own people together. I had looked the party over and concluded that these were the very strongest men. Then I had no right to deprive the country of their services.

It took great strength of character to understand that—especially when three of those men were his rivals for the Republican nomination for the presidency. These men: William Seward, Salmon Chase, and Edward Bates, were stunned by their losses to Lincoln in the primary and each maintained that he was the best man for the post well after their losses. When Lincoln embraced them for the cabinet positions, they still looked down on him as the lesser choice for president. However, Lincoln was wonderfully gifted at transforming rivals to admirers.

Seward, who Lincoln named his Secretary of State, slowly came to recognize the President's strong leadership abilities. He called the President's nobility "almost superhuman." Seward was not alone.

But not everyone grew gradually fond of the President, as many saw his promise and brilliance immediately. Nevada's first senator William Stewart, whose seat I occupy today, described Lincoln's greatness.

> President Lincoln was the greatest man this hemisphere has produced. Without schooling he wrote the best English; without education in rhetoric or logic he was the most conclusive reasoner; without the slightest pretension to oratory he was the most persuasive speaker of his time. He was the kindest, most benevolent and humane man of his generation. Whoever may be second as a scholar, as a statesman and as a friend of humanity, Lincoln must be first.

Lincoln also touched the hearts of the soldiers who served under him. After one of his many visits to the troops on the battlefield, one soldier wrote home that as the President passed them, his smile "was a real reflection of his honest, kindly, heart; but deeper, under the surface of that marked and not all uncomely face, were the unmistakable signs of care and anxiety . . . In fact, his popularity in the army is and has been universal."

Lincoln's honest, kindly heart—that the soldier referenced—was also apparent in his loyalty and willingness to take responsibility for his actions. Lincoln would not let a subordinate take the fall for a decision he had made. In 1862, Secretary of War Edwin Stanton was the victim of an especially aggressive, brutal personal attack. He was accused of not providing all the backup troops to counter what turned out to be a battle of great loss to the Union. Lincoln took the unprecedented step of convening a Union meeting with all the government departments. The audience, gathered in front of the Capitol, was comparable in size to that of a crowd at an inauguration. He explained that, "The Secretary of War is not to blame for not giving when he had none to give. I believe he is a brave and able man, and I stand here, as justice requires me to do, to take upon myself what has been charged on the Secretary of War." What a humbling story. This is what Harry Truman meant when he said, "The buck stops here."

Equal to his loyalty was Abraham Lincoln's courage. The Emancipation Proclamation was described by one supporter as ". . . the greatest act of justice, statesmanship, and civilization, of the last four hundred years." The Executive Order, signed by President Lincoln, declared the freedom of all slaves in those areas of the rebellious Confederacy that had not already returned to Union control. By the summer of 1865, an estimated four million slaves had been freed. Hannah Johnson, the mother of a Northern Black soldier, wrote to President Lincoln about the Emancipation Proclamation, stating:

> When you are dead and in Heaven, in a thousand years that action of yours will make the Angels sing your praises.

No doubt there are angels still singing, just 144 years later.

Lincoln never considered himself a champion for the slave. His priority was upholding and defending the Union and the Constitution upon which it stood. However, it was his vision and steady leadership that ultimately brought down slavery in the United States. With this transformation also came the respect and admiration of black abolitionist Frederick Douglass. Douglass has been a frequent critic of the President's, trashing him publicly many times. However, the two agreed on the need to recruit and build black regiments to fight in the war. It was a controversial move, but Lincoln understood the impact that the soldiers would have on the rebellion. Douglass went to the White House to meet with Lincoln about some of the inequalities among black and white soldiers. Just as he had won over countless rivals in the past, Lincoln's "humane spirit," as Douglass called it, won him over as well. The two formed a relationship, and Douglass came to greatly admire Abraham Lincoln.

I wanted to talk about Abraham Lincoln because there is a timeless lesson in his style of leadership and his moral fiber. Today, we face a politically divided government and country. However, the issues are not as dire as the Civil War that took the lives of what today would be five million people. The United States is not on the brink of extinction. But we have an opportunity to rise above the political games and the pettiness to make progress on some of the major issues facing our Nation. We should all strive to show some of the humility, moral conviction, courage, and honesty by which Abraham Lincoln lived his life. This Nation paid a grave price in the name of freedom under his watch. Not only did freedom survive but it flourished, and he led us to new and greater heights.

Abraham Lincoln lost his life in the name of that freedom. After being shot in the back of the head, Lincoln struggled for 9 hours between life and death. The Nation—north and south—mourned for this beloved man, but those most inconsolable were the men who had first been Lincoln's rivals and who had later become his closest friends and advisors. There is no greater praise than that of Secretary of War Edwin Stanton whose tribute from Lincoln's deathbed has proven true, "Now he belongs to the ages."

President Lincoln told an Ohio regiment in 1864:

> It is not merely for to-day, but for all time to come that we should perpetuate for our children's children this great and free government, which we have enjoyed all our lives.

I invite my colleagues to join me in honoring the legacy of one of our greatest Presidents by working together and challenging each other to lead as he did.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. OBAMA. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. CANTWELL). Without objection, it is so ordered.

MORNING BUSINESS

Mr. OBAMA. Madam President, I ask unanimous consent that there now be a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO THE LATE CONGRESSMAN CHARLIE NORWOOD

Mr. COBURN. Madam President, I want to take a few minutes first to talk about someone who was a very dear friend whom I think was emblematic of what our forefathers thought about when they thought about a U.S. Congressman. His name was CHARLIE NORWOOD. He died yesterday. CHARLIE was a "tell it like it is" guy. His motivations were always altruistic. They were never self-centered.

He had never been in politics. He was a dentist, and he got fed up. He came here and had a tremendous impact in terms of his voice of common sense, reason, and compassion. The House of Representatives is going to miss that voice, but more important, the American people are going to miss one of the few voices of common sense that we have in Congress today. He leaves a wife, Gloria, and two sons, all supportive of his sacrifice to serve here.

There are a lot of stories told about CHARLIE. I won't go into that. He was always fun to be around. He was always invigorating. And he never quit believing in this wonderful thing we call the American dream.

He fought hard for what he thought was right on immigration. He recognized that if we build a wall, it is not to keep people in; that the opportunities here are so great, what has been created by our Founders and grew through the years is so tremendous, that we ought to continue to take advantage of it.

What I really liked about him was that he was a true citizen legislator. He abandoned his practice and his easy life and came to do the hard work of representing the people of Georgia with common sense and down-home, plain family values. He will be sorely missed. But he leaves a legacy, a legacy to everybody who is out there today who thinks we need to change the Congress of the United States. The legacy he leaves is this: If you are willing to sacrifice and get into the fray, you can come here and make a difference. That is what he proved. His life was not that of a career politician—although that is a wonderful service, and we have dedicated people throughout both Houses of Congress who have dedicated their lives to public service. But he brought a freshness and he brought ideas because his experience was what everybody else in the country was experiencing, not what is experienced among the political elite in this country.

The challenge that CHARLIE leaves for all of us who are not in Congress, who do not like things the way they are, is to actually get involved. That legacy will live on for a long time—I know in his district in Georgia, and also through the State of Georgia—but also for those of us who will continue to remember him and the sacrifices he made.

HARD WORK YIELDS WISE INVESTMENTS FOR AMERICA

Mr. BYRD. Madam President, the Senate today gave final Congressional approval to a comprehensive $463.5 billion funding resolution. The vote today was the culmination of many weeks of determined effort by Senators and Members of the House from both parties, and from their talented staffs.

I take a moment to thank Senators for their support for this legislation, and to the members of the Appropriations Committee, Democratic Senators and Republican Senators, for their determination and effort to reach this milestone.

This was not easy legislation to craft. Members and staff took on the difficult task of wrapping the funding of every domestic department and agency into a single bill, without Congressional earmarks and within very austere budget limitations. It was one of the most complex processes that the Appropriations Committee has undertaken in recent memory. But it was a challenge that we met in a smart, innovative way.

I thank the Appropriations Committee staff: Staff Director Terry Sauvain; Deputy Staff Director Charles Kieffer; Agriculture, Rural Development, FDA clerk Galen Fountain; Commerce, Justice, Science clerk Paul Carliner; Defense clerk Charlie Houy; Energy and Water clerk Doug Clapp; Financial Services clerk Marianne Upton; Interior clerk Peter Kiefhaber; Labor, Health and Human Services, and Education clerk Ellen Murray; Legislative Branch clerk Nancy Olkewicz; Military Construction and Veterans Affairs clerk Christina Evans; State and Foreign Operations clerk Tim Rieser; and Transportation and Housing and Urban Development clerk Peter Rogoff; their associate staffs; Communications Director Tom Gavin and Communications Coordinator Cindy Huber; Deputy Chief Clerk Elnora Harvey; and professional staff members Jack Conway and Bob Knisely. Senators know the value of a strong staff, and this staff is, in my opinion, the best on Capitol Hill. Each of these men and women devoted long hours to this legislation. But it was not just a commitment of time; it also was the application of their years of experience and their dedication to this country that helped to craft this funding resolution and help see it through the Senate.

This was a bipartisan effort, and I want to pay tribute to Senator THAD COCHRAN, the ranking member of the Senate Appropriations Committee, his staff director Bruce Evans, and the Republican subcommittee staffs. They were partners in producing this balanced funding legislation, and their ideas and input were invaluable.

Not only was the writing of this legislation a bipartisan process, but it also was a bicameral one. House Appropriations Chairman DAVE OBEY and his staff, and Ranking Member JERRY LEWIS and his staff, were integral to the success of this legislation.

This final funding package is an example of how the Congress can work together, without regard to party lines or partisan positions. this legislation focuses not on Democratic priorities or Republican priorities, but rather on national priorities of health care; law enforcement and counterterrorism efforts; education, medical care for our troops and our veterans; and energy independence. We invest resources wisely in an effort to meet the country's needs today while building the foundation for a stronger America tomorrow.

I thank Senators for their support of this legislation, and I look forward to continuing this bipartisan effort on the Fiscal 2008 appropriations legislation.

CENTRALIA HIGH SCHOOL BASKETBALL TEAM

Mr. DURBIN. Madam President, I rise today to congratulate the Centralia High School boy's basketball team for 100 years of remarkable success.

The Centralia High Orphans have earned the distinction of being one of the "winningest" high school basketball teams in America. The Centralia basketball program began its winning career with a 2-and-2 record in its inaugural 1906-1907 season, less than a decade after the sport had been invented. In this their 100th season, the Orphans have amassed more than 1,975 career wins.

During the past 100 years, Centralia High has witnessed many legendary coaches and players. Coach Arthur Trout led the team to three State championships as well as an impressive 1941 season of 44 wins and only 2 losses. Coach Trout has an honored place in Centralia High's history where the new school gym bears his name today. Even now, many fans fondly recall the Orphans' all-time leading scorer, Dwight "Dike" Eddleman, who played for the team in the 1940s. Eddleman went on to letter in three sports at the University of Illinois, won the silver medal in the high jump at the 1948 Paris Olympics, and played in the NBA. Other Orphans that represented Centralia in the NBA include Bobby Joe Mason, Ken McBride, and Dick Garrett.

I am proud to be able to offer my congratulations to the Centralia High basketball team, Coach Randy Lincoln, and the town of Centralia, IL on reaching their 100th season, and I look forward to cherring on many more successful seasons of Orphans basketball in the future.

TRIBUTE TO CAMPBELLSVILLE UNIVERSITY

Mr. McCONNELL. Madam President, I rise today to honor a great Kentucky institution, Campbellsville University, as it celebrates 100 years of academic excellence.

Campbellsville University was originally founded in 1906 as the Russell Creek Academy and has proven itself to be an outstanding institution of higher education over the last 100 years. It has had an immeasurable impact on thousands of young men and women and has helped add to the academic excellence of our fine Commonwealth.

In the beginning, the Russell Creek Academy began with training departments for teacher and pastor training. In 1907 the Russell Creek Academy provided classes in music, art, and a diploma program for an enrollment of 200 students. Campbellsville University has now grown to 2,300 students as of last fall, with 38 undergraduate programs and 9 graduate programs, all while encompassing 75 acres of beautiful land near Campbellsville, KY.

To make sure that the university will continue to grow and progress for the next 100 years as it has this past century, many improvements are being made across the campus to add to its beauty and improve life for students. For instance, great progress is being made on the 800-seat Ransdell Chapel and the new Heilman Student Center. With the new School of Nursing, new tennis courts and the 48-bed addition to the Resident Village, Campbellsville University is looking forward to many new projects to keep up the demand and growth of this institution.

Academically, the School of Nursing program began this year and is off to a great start. Campbellsville University has also expanded its master of business administration program, moving along with the technological revolution by offering the program online in addition to the traditional MBA classes that the University has offered and been so well-known for over the years.

The students enrolled at Campbellsville University are proudly preparing a time capsule to commemorate this centennial celebration that will be opened in another 100 years, in 2107. The capsule will enable students 100 years from now to look at a time before they became students at Campbellsville University and compare its first 100 years to the next.

According to Dr. Michael V. Carter, the school's president, "at Campbellsville University, faculty encourage students to grow stronger spiritually and find their true purpose in life, which is the greatest discovery of all." I hope that the history and tradition of this great school, encapsulated in the time capsule that they are preparing, will aid in that discovery for the students of today and a century to come.

Madam President, I ask that the entire Senate join me in congratulating Campbellsville University on this auspicious occasion; with 100 years of excellence in education behind us, we look forward to the next 100 with high hopes and anticipation.

HONORING OUR ARMED FORCES

SPECIALIST RAYMOND "NEAL" MITCHELL III

Mrs. LINCOLN. Madam President, I wish to pay tribute to the life of Army SPC Raymond "Neal" Mitchell III. Specialist Mitchell gave his life serving our Nation in Operation Iraqi Freedom. Although he may no longer be with us, his legacy and spirit will live on through the lives he touched and the example he set for others.

Originally from Tennessee, Specialist Mitchell moved to West Memphis, AR, in 2002 to live with his grandparents and attend West Memphis Christian School. While going to school, Mitchell helped his grandparents with the business they had operated for more than 18 years. Teachers at West Memphis Christian School remember Specialist Mitchell for the tremendous strides they witnessed him make as a student and as a person. The quiet young man they knew came out of his shell and became involved in the school and the community. Specialist Mitchell clearly valued the company of friends and family and considered returning one day to coach baseball. Upon graduating in 2004, he enrolled at Arkansas State University in Jonesboro before enlisting in the U.S. Army in 2005.

While serving in the Army, Specialist Mitchell became an infantry man. Despite the ever-present danger, he courageously devoted his skills where he felt they were needed most—becoming the point man, or lookout, for his patrol. When asked why he became a point man he said, "I'm not the best shot . . . but I'm the fastest." It was a testament to his bravery, desire to serve his country and devotion to his fellow soldiers. In August 2006, his unit deployed to Baghdad where he served as a driver and gunner for humvees while on patrol. Over Thanksgiving he had the opportunity to return home on a 2-week leave from Iraq. During his leave, he spent time with his family in Tennessee and had a chance to visit his old school in West Memphis. He told his grandmother that after completing his service in the Army, he planned to go back to Arkansas State University and try out for the baseball team.

Tragically, Specialist Mitchell died on January 6, 2007, from wounds sustained during routine security operations in Baghdad. On January 15, he was laid to rest in Smyrna, TN, with full military honors. He was posthumously awarded the Bronze Star and the Purple Heart.

The loss of someone so young and full of life, and loved by so many is a tragic reminder of the terrible consequences of war. While I could never find the words to adequately express the sorrow felt by friends and family of Neal Mitchell, I hope they can find some solace knowing that he lived his life with passion and with love. My thoughts and prayers are with his family members, friends, and all those who knew and loved him.

HONORING THE LIFE OF CONGRESSMAN CHARLIE NORWOOD

Mr. GRAHAM. Madam President, I wanted to take this opportunity to say a few words about my close friend and colleague who passed away yesterday, Congressman CHARLIE NORWOOD.

There is no doubt that with the death of CHARLIE NORWOOD the State of Georgia has lost one of her favorite sons. We were elected to serve in the House of Representatives the same year and represented adjoining districts in Georgia and South Carolina.

CHARLIE was a dear friend of mine.

I have never met anyone in politics with more passion about what they believe than CHARLIE NORWOOD. He was a great representative for the people for the people of the 10th district of Georgia, and in his years of service he made a real difference in the Congress.

There is no doubt CHARLIE's leadership, his wisdom, and his wit will be sorely missed.

Now is the time to keep CHARLIE's family in our prayers. But we should also celebrate a life well-lived. Knowing CHARLIE NORWOOD like I do, I am confident he would not have wanted it any other way.

VOTE EXPLANATION

Mr. BROWNBACK. Madam President, due to inclement weather resulting in flight delays around the country on February 13, I was regrettably unable to arrive in Washington before the Senate voted on the motion to invoke closure on H.J. Res. 20. Regarding vote No. 46, I would not have voted in favor of the motion to invoke cloture on H.J. Res. 20. My vote would not have altered the result of this motion.

BLACK HISTORY MONTH

REGINALD JONES

Mr. MENENDEZ Madam President, I rise today to join with my colleague, Senator FRANK R. LAUTENBERG, and our House colleague Congressman DONALD PAYNE in honoring Reginald Jones, a distinguished and inspiring figure in African-American history. In recognition of Black History Month, we gathered with residents of New Jersey to pay tribute to Mr. Jones on Saturday, February 10, 2007, at the Newark Museum in Newark, NJ, during "A Salute to Heroes."

Raised in Newark, NJ, Reginald Jones has dedicated his life to serving our great Nation. First, as a proud marine, he defended the freedoms and liberties we all hold dear as Americans.

It was while stationed in Guantanamo Bay that Reginald discovered boxing, a sport which led him to win the bronze medal at the 1971 Pan-Am Games in Cali, Colombia. In 1972, Reggie was selected as a member of the U.S. Olympic Team in Munich, Germany. In a boxing match that led to many changes in the sport, Reginald, a light middleweight, found himself in the ring with Valerie Tebugov of the Soviet Union. Judging discrepancies did not allow Reginald to advance to medal rounds, but Reginald received a good sportsmanship award for the dignity he displayed throughout the games, which he fondly recalled in a Star Ledger article as an "opportunity to make many friends."

Now, as a caseworker with the New Jersey Division of Children and Families Services for more than 20 years, Reginald continues to serve our Nation, caring for and watching over the neediest children, ensuring that future generations have access to the same opportunities that helped Reggie reach his goals.

There is no doubt Reginald Jones is an exemplary leader and a profoundly committed individual who is a true role model for the Nation. Therefore, I am pleased to pay tribute to Reginald Jones, and know my colleagues will join in wishing him continued success.

TOMMIE SMITH

Madam President, I also rise today to join with my colleague, Senator FRANK R. LAUTENBERG, and our House colleague Congressman DONALD PAYNE to honor Tommie Smith, a distinguished and inspiring figure in African-American history. In recognition of Black History Month we gathered with residents of New Jersey to pay tribute to Dr. Smith on Saturday, February 10, 2007, at the Newark Museum in Newark, NJ, during "A Salute to Heroes."

Tommie Smith was born to Richard and Dora Smith on June 6, 1944, in

Clarksville, TX. The 7th of his family's 12 children, he moved to California at a young age. His father was a sharecropper, and Tommie used to pick cotton at neighboring farms to help with the family finances.

During high school he excelled at football, basketball, and track. He received his bachelor of arts degree from San Jose State University in social science, with double minors in military science and physical education, and his masters degree in sociology from Goddard Cambridge in Boston, MA. As a sophomore college student, Tommie began breaking world records in track and went on to tie or break a total of 13 world records. He is the only man in the history of track and field to hold 11 world records simultaneously.

In 1968, Tommie was selected for the U.S. Olympic team for track and field. The 19th Olympiad, held in Mexico City, witnessed Tommie Smith breaking the world and Olympic records for the 200-meter race with a time of 19.83 seconds. On October 16, 1968, as the "Star Spangled Banner" played, Tommie stood on the victory podium, draped with his Olympic gold medal, shoeless, and together with his teammate, John Carlos, raised a clenched fist, covered in a black leather glove, in what has come to be recognized as a historic stand for "power, liberation and solidarity." Both Tommie and John were members of the Olympic Project for Human Rights. This silent act received both cheers and jeers, and Tommie was suspended by the U.S. Olympic Committee and ordered to leave Mexico. But Tommie Smith was not dissuaded from his commitment to championing the cause of oppressed people.

After the Olympics, Tommie returned to San Jose State University. Upon graduation, Tommie played professional football with the Cincinnati Bengals for 3 years. But teaching and coaching were his true calling, and he later became a track coach at Oberlin College, in Ohio, where he also taught sociology, and at Santa Monica College, in California. Now a resident of Georgia, Tommie has dedicated his time to speaking to students across the country, urging them to stand up for what they believe in and to have "faith and hope."

Since 1968, Tommie Smith has been recognized for his actions in defense of civil rights and for his athletic prowess by various organizations including the National Track & Field Hall of Fame, the California Black Sports Hall of Fame, the County of Los Angeles and the State of Texas. He was honored with the 2004 dedication of the Tommie Smith gymnasium in Saint-Ouen, France, and a 2005 honorary doctorate degree of humane letters from San Jose State University.

There is no doubt Tommie Smith is an exemplary leader and a profoundly committed individual who is a true role model for the Nation. Therefore, I am pleased to pay tribute to Tommie Smith, and I know my colleagues will join in wishing him continued success.

COMMEMORATING ARIZONA'S STATEHOOD

Mr. KYL. Madam President, 95 years ago today Arizona became the 48th State in the Union when, on February 14, 1912, President William Taft signed the Arizona Statehood Act.

Today, just as almost a century ago, Americans are drawn to Arizona's economic opportunity, culture, and natural beauty. At the time of statehood, Arizona's population numbered in the hundreds of thousands, but it was growing quickly, from around 200,000 in 1910 to over 330,000 in 1920. Today, it is the Nation's fastest growing State, with a population of more than 6 million.

Tourists flock to the State for its cultural heritage and scenic beauty. Arizona is home to four national parks and many other national monuments and historic sites. Many who visit these sites are heeding the advice of Theodore Roosevelt, who said of the Grand Canyon, "You cannot improve on it. But what you can do is to keep it for your children, your children's children, and all who come after you, as the one great sight which every American should see."

From its days as a rough Wild West territory to the dynamic State it is today, Arizona's beauty and culture has captivated those who have experienced it. I wish the State a happy birthday.

ADDITIONAL STATEMENTS

KANSAS AIR NATIONAL GUARD

• Mr. BROWNBACK. Madam President, I wish to acknowledge the accomplishments of the Kansas Air National Guard, specifically the 190th Air Refueling Wing which celebrates its 50th anniversary on February 23, 2007. The enormous sacrifice and dedication of these heroic men and women reflects well on themselves, the 190th Air Refueling Wing, and the Kansas Air National Guard. They truly make all Kansans proud.

This outstanding military organization began as the 117th Fighter-Interceptor Squadron located at the Hutchinson Naval Air Station in Hutchinson, KS. The unit was federally recognized on February 23, 1957. Over the course of its 50-year history, the 190th has flown the F–80, B–57A, B–57G, RB–57, EB–57, KC–135A, KC–135D, KC–135E and currently the KC–135R. The unit was stationed at Hutchinson Naval Air Station—later the Hutchinson Air National Guard Base—until 1967 when the unit was transferred to Forbes Air Force Base in Topeka, KS.

The 190th Air Refueling Wing at Forbes Field continues to be a leader in the Air National Guard. The unit recently received two prestigious awards—the Spaatz trophy—awarded to the overall outstanding Air National Guard Flying Wing—and the Air Force Outstanding Unit Award. We owe these brave servicemen, servicewomen, and their families a debt of gratitude. I thank them for their 50 years of service and extend my best wishes to them for the next 50 years and beyond.•

MESSAGE FROM THE HOUSE

ENROLLED BILL SIGNED

At 12:03 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 742. An act to amend the Antitrust Modernization Commission Act of 2002, to extend the term of the Antitrust Modernization Commission and to make a technical correction.

The enrolled bill was subsequently signed by the President pro tempore (Mr. BYRD).

At 4:00 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 437. An act to designate the facility of the United States Postal Service located at 500 West Eisenhower Street in Rio Grande City, Texas, as the "Lino Perez, Jr. Post Office".

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 437. An act to designate the facility of the United States Postal Service located at 500 West Eisenhower Street in Rio Grande City, Texas, as the "Lino Perez, Jr. Post Office"; to the Committee on Homeland Security and Governmental Affairs.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 574. A bill to express the sense of Congress on Iraq.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. KENNEDY for the Committee on Health, Education, Labor, and Pensions.

*Leon R. Sequeira, of Virginia, to be an Assistant Secretary of Labor.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. REID (for himself, Mr. HATCH, Mrs. CLINTON, Ms. MURKOWSKI, Mr. SANDERS, Ms. SNOWE, Mr. WARNER, Mr. FEINGOLD, Mr. BIDEN, Mr. MENENDEZ, Mr. REED, Mr. LEAHY, and Mr. LAUTENBERG):

S. 579. A bill to amend the Public Health Service Act to authorize the Director of the National Institute of Environmental Health Sciences to make grants for the development and operation of research centers regarding environmental factors that may be related to the etiology of breast cancer; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HATCH:

S. 580. A bill to amend the National Trails System Act to require the Secretary of the Interior to update the feasibility and suitability studies of four national historic trails, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. FEINGOLD:

S. 581. A bill to amend the Buy American Act to increase the requirement for American-made content, to tighten the waiver provisions, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. SMITH (for himself, Mr. ROCKEFELLER, Mr. REED, and Mr. ALEXANDER):

S. 582. A bill to amend the Internal Revenue Code of 1986 to classify automatic fire sprinkler systems as 5-year property for purposes of depreciation; to the Committee on Finance.

By Mr. SALAZAR:

S. 583. A bill to create a competitive grant program for States to enable the States to award salary bonuses to highly qualified elementary school or secondary school teachers who teach, or commit to teach, for at least 3 academic years in a school served by a rural local educational agency; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. LINCOLN (for herself, Mr. SMITH, and Ms. LANDRIEU):

S. 584. A bill to amend the Internal Revenue Code of 1986 to modify the rehabilitation credit and the low-income housing credit; to the Committee on Finance.

By Mr. DORGAN (for himself, Mr. INHOFE, and Mr. HARKIN):

S. 585. A bill to require the Secretary of the Treasury to mint and issue coins in commemoration of Native Americans and the important contributions made by Indian tribes and individual Native Americans to the development of the United States and the history of the United States, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BINGAMAN:

S. 586. A bill to amend the Public Health Service Act to provide grants to promote positive health behaviors in women and children; to the Committee on Health, Education, Labor, and Pensions.

By Ms. STABENOW (for herself and Mr. LEVIN):

S. 587. A bill to require the Secretary of the Treasury to mint coins in commemoration of the Model T Ford Automobile and the 100th anniversary of the Highland Park Plant, Michigan, the birthplace of the assembly line, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. NELSON of Florida (for himself, Mr. REID, and Mr. BIDEN):

S. 588. A bill to amend title XVIII of the Social Security Act to increase the Medicare caps on graduate medical education positions for States with a shortage of residents; to the Committee on Finance.

By Mr. ALLARD:

S. 589. A bill to provide for the transfer of certain Federal property to the United States Paralympics, Incorporated, a subsidiary of the United States Olympic Committee; to the Committee on Environment and Public Works.

By Mr. SMITH (for himself, Mr. SALAZAR, Ms. SNOWE, Mr. MENENDEZ, Mr. LUGAR, Mr. KERRY, Mr. KENNEDY, Mr. ALLARD, Mr. WYDEN, Mr. LIEBERMAN, Mr. LAUTENBERG, Ms. CANTWELL, and Ms. LANDRIEU):

S. 590. A bill to amend the Internal Revenue Code of 1986 to extend the investment tax credit with respect to solar energy property and qualified fuel cell property, and for other purposes; to the Committee on Finance.

By Mr. CHAMBLISS (for himself, Mr. HARKIN, Mr. ROBERTS, Mrs. LINCOLN, Mr. COCHRAN, and Mr. LEAHY):

S. 591. A bill to amend the Food Stamp Act of 1977 to adjust for inflation the allowable amounts of financial resources of eligible households and to exclude from countable financial resources certain retirement and education accounts; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. COLLINS:

S. 592. A bill to amend the Internal Revenue Code of 1986 to provide for a manufacturer's jobs credit, and for other purposes; to the Committee on Finance.

By Mr. BURR (for himself, Mr. REED, Mr. NELSON of Florida, Mr. MARTINEZ, Mr. DURBIN, Mrs. DOLE, and Ms. COLLINS):

S. 593. A bill to amend the Public Health Service Act to establish a grant program to provide supportive services in permanent supportive housing for chronically homeless individuals, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. FEINSTEIN (for herself, Mr. LEAHY, Mr. SANDERS, and Ms. MIKULSKI):

S. 594. A bill to limit the use, sale, and transfer of cluster munitions; to the Committee on Foreign Relations.

By Mr. LAUTENBERG (for himself, Mrs. BOXER, and Mr. MENENDEZ):

S. 595. A bill to amend the Emergency Planning and Community Right-to-Know Act of 1986 to strike a provision relating to modifications in reporting frequency; to the Committee on Environment and Public Works.

By Mr. GREGG (for himself and Mr. SMITH):

S. 596. A bill to amend the Federal Food, Drug, and Cosmetic Act to provide for the regulation of Internet pharmacies; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. FEINSTEIN (for herself, Mrs. HUTCHISON, Ms. MURKOWSKI, Mrs. BOXER, Ms. SNOWE, Ms. CANTWELL, Mrs. CLINTON, Mr. SCHUMER, Mr. KYL, Mr. VOINOVICH, Mr. DURBIN, Mr. DODD, Mr. DOMENICI, Mr. STEVENS, Mr. WARNER, Mr. SALAZAR, Mr. BIDEN, Mr. FEINGOLD, Mr. GRAHAM, Mr. BAUCUS, Mr. THOMAS, Ms. MIKULSKI, Mr. LEAHY, Mr. BURR, Mr. BROWNBACK, and Mr. SUNUNU):

S. 597. A bill to extend the special postage stamp for breast cancer research for 2 years; to the Committee on Homeland Security and Governmental Affairs.

By Mr. KERRY (for himself, Ms. SNOWE, Ms. LANDRIEU, Mr. VITTER, and Mr. LIEBERMAN):

S. 598. A bill to require reporting regarding the disaster loan program of the Small Business Administration, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Ms. SNOWE (for herself, Ms. LANDRIEU, and Mr. VITTER):

S. 599. A bill to improve the disaster loan program of the Small Business Administration, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. SMITH (for himself, Mr. DODD, Ms. COLLINS, Ms. SNOWE, Mr. KENNEDY, Mr. VITTER, and Mr. BINGAMAN):

S. 600. A bill to amend the Public Health Service Act to establish the School-Based Health Clinic program, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BAYH (for himself, Mr. COBURN, Mr. OBAMA, Mr. LEVIN, Mr. KERRY, Mr. CARPER, Mr. DURBIN, Mrs. FEINSTEIN, Mr. SCHUMER, Ms. KLOBUCHAR, Mr. LIEBERMAN, Mr. BIDEN, Mr. BROWN, Ms. STABENOW, Mrs. CLINTON, Mr. LEAHY, and Mr. KENNEDY):

S. 601. A bill to amend the Internal Revenue Code of 1986 to require broker reporting of customer's basis in securities transactions, and for other purposes; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BROWN (for himself and Mr. VOINOVICH):

S. Res. 81. A resolution recognizing the 45th anniversary of John Hershel Glenn, Jr.'s historic achievement in becoming the first United States astronaut to orbit the Earth; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 21

At the request of Mr. REID, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 21, a bill to expand access to preventive health care services that help reduce unintended pregnancy, reduce abortions, and improve access to women's health care.

S. 57

At the request of Mr. INOUYE, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 57, a bill to amend title 38, United States Code, to deem certain service in the organized military forces of the Government of the Commonwealth of the Philippines and the Philippine Scouts to have been active service for purposes of benefits under programs administered by the Secretary of Veterans Affairs.

S. 80

At the request of Mr. STEVENS, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 80, a bill to amend title 5, United States Code, to provide for 8 weeks of paid leave for Federal employees giving birth and for other purposes.

S. 206

At the request of Mrs. FEINSTEIN, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 206, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 223

At the request of Mr. FEINGOLD, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 223, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

S. 236

At the request of Mr. FEINGOLD, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 236, a bill to require reports to Congress on Federal agency use of data mining.

S. 254

At the request of Mr. ENZI, the names of the Senator from Utah (Mr. BENNETT) and the Senator from Colorado (Mr. ALLARD) were added as cosponsors of S. 254, a bill to award posthumously a Congressional gold medal to Constantino Brumidi.

S. 316

At the request of Mr. KOHL, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 316, a bill to prohibit brand name drug companies from compensating generic drug companies to delay the entry of a generic drug into the market.

S. 329

At the request of Mr. CRAPO, the names of the Senator from Kentucky (Mr. BUNNING) and the Senator from North Dakota (Mr. CONRAD) were added as cosponsors of S. 329, a bill to amend title XVIII of the Social Security Act to provide coverage for cardiac rehabilitation and pulmonary rehabilitation services.

S. 388

At the request of Mr. THUNE, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S. 388, a bill to amend title 18, United States Code, to provide a national standard in accordance with which nonresidents of a State may carry concealed firearms in the State.

S. 423

At the request of Mr. AKAKA, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 423, a bill to increase, effective as of December 1, 2007, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans.

S. 436

At the request of Mr. FEINGOLD, the name of the Senator from Illinois (Mr. OBAMA) was added as a cosponsor of S. 436, a bill to amend the Internal Revenue Code of 1986 to reform the system of public financing for Presidential elections, and for other purposes.

S. 479

At the request of Mr. HARKIN, the names of the Senator from Nevada (Mr. REID), the Senator from Ohio (Mr. BROWN) and the Senator from New York (Mrs. CLINTON) were added as cosponsors of S. 479, a bill to reduce the incidence of suicide among veterans.

S. 505

At the request of Ms. COLLINS, the name of the Senator from Virginia (Mr. WEBB) was added as a cosponsor of S. 505, a bill to amend the Internal Revenue Code of 1986 to increase the above-the-line deduction for teacher classroom supplies and to expand such deduction to include qualified professional development expenses.

S. 518

At the request of Mrs. MURRAY, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 518, a bill to amend the Education Sciences Reform Act of 2002 to require the Statistics Commissioner to collect information from coeducational secondary schools on such schools' athletic programs.

S. 543

At the request of Mr. NELSON of Nebraska, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 543, a bill to improve Medicare beneficiary access by extending the 60 percent compliance threshold used to determine whether a hospital or unit of a hospital is an inpatient rehabilitation facility under the Medicare program.

S. 556

At the request of Mr. KENNEDY, the names of the Senator from Iowa (Mr. HARKIN), the Senator from Utah (Mr. HATCH) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. 556, a bill to reauthorize the Head Start Act, and for other purposes.

S. 558

At the request of Mr. DOMENICI, the names of the Senator from Tennessee (Mr. ALEXANDER), the Senator from New Mexico (Mr. BINGAMAN) and the Senator from Missouri (Mrs. MCCASKILL) were added as cosponsors of S. 558, a bill to provide parity between health insurance coverage of mental health benefits and benefits for medical and surgical services.

S. 565

At the request of Mr. BINGAMAN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 565, a bill to expand and enhance postbaccalaureate opportunities at Hispanic-serving institutions, and for other purposes.

S. 572

At the request of Mr. KENNEDY, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 572, a bill to ensure that Federal student loans are delivered as efficiently as possible in order to provide more grant aid to students.

S. 573

At the request of Ms. STABENOW, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 573, a bill to amend the Federal Food, Drug, and Cosmetic Act and the Public Health Service Act to improve the prevention, diagnosis, and treatment of heart disease, stroke, and other cardiovascular diseases in women.

S. CON. RES. 10

At the request of Mrs. CLINTON, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. Con. Res. 10, a concurrent resolution honoring and praising the National Association for the Advancement of Colored People on the occasion of its 98th anniversary.

AMENDMENT NO. 234

At the request of Mr. COBURN, the names of the Senator from Arizona (Mr. MCCAIN), the Senator from Kansas (Mr. BROWNBACK) and the Senator from Alabama (Mr. SESSIONS) were added as cosponsors of amendment No. 234 intended to be proposed to H.J. Res. 20, a joint resolution making further continuing appropriations for the fiscal year 2007, and for other purposes.

AMENDMENT NO. 235

At the request of Mr. COBURN, the names of the Senator from North Carolina (Mr. BURR) and the Senator from Alabama (Mr. SESSIONS) were added as cosponsors of amendment No. 235 intended to be proposed to H.J. Res. 20, a joint resolution making further continuing appropriations for the fiscal year 2007, and for other purposes.

AMENDMENT NO. 259

At the request of Mr. WARNER, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of amendment No. 259 intended to be proposed to H.J. Res. 20, a joint resolution making further continuing appropriations for the fiscal year 2007, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REID (for himself, Mr. HATCH, Mrs. CLINTON, Ms. MURKOWSKI, Mr. SANDERS, Ms. SNOWE, Mr. WARNER, Mr. FEINGOLD, Mr. BIDEN, Mr. MENENDEZ, Mr. REED, Mr. LEAHY, and Mr. LAUTENBERG):

S. 579. A bill to amend the Public Health Service Act to authorize the Director of the National Institute of Environmental Health Sciences to make grants for the development and operation of research centers regarding environmental factors that may be related to the etiology of breast cancer; to the Committee on Health, Education, Labor, and Pensions.

Mr. REID. Mr. President, I am pleased to be joined by Senators HATCH, CLINTON, MURKOWSKI, SANDERS, and SNOWE in introducing the Breast Cancer and Environmental Research Act of 2007. On behalf of the millions of Americans who are affected by breast cancer, I urge all my Senate colleagues to support this important bill.

Many of us are familiar with breast cancer's serious toll on the Nation. Approximately 3 million women are living with the disease today, including an estimated 1 million who have not yet been diagnosed. Moreover, anyone's mother, daughter, wife, sister, or friend is at risk. It is thought that breast cancer will strike one in eight American women in her lifetime, with a new case diagnosed every 2 minutes. That means almost 275,000 new cases are expected to be diagnosed annually, including over 1,600 in Nevada. More than 40,000 lives are lost to the disease every year.

Deanna Jensen, a lifelong Nevadan and tireless activist for breast cancer research, was one of those lives. Sadly, Deanna passed away this year after her own heroic battle against breast cancer. Although the loss is most painfully felt by her loved ones, her legacy can be a reminder to us all that there are real people and real stories behind the impersonal statistics.

There are many more women across the country whose stories go unrecognized. But they deserve more than recognition and appreciation. They deserve answers to the same questions that many patients must surely ask themselves: Why me? Why do I have breast cancer?

The search for those answers is the driving force behind the Breast Cancer and Environmental Research Act. Unfortunately, we still do not know what causes breast cancer, despite the remarkable progress achieved so far. Scientists have identified some risk factors, but those factors can explain fewer than 30 percent of cases. Because many women, and men, have no family history or known genetic links to breast cancer, it is generally believed that the environment plays a role in the development of breast cancer. However, we still do not understand the extent of that role.

We do know that environmental toxins could be partly responsible for America's high breast cancer rate. Studies have explored the effect of isolated environmental factors, such as diet, pesticides, and even electromagnetic fields. In most cases, the results have been inconclusive. Furthermore, there are many other factors that are suspected to play a role that have yet to be studied.

What is needed is not just a boost in the research investment on the role of the environment in the development of breast cancer, which has been very limited so far. We also need a comprehensive, national strategy to fully and effectively explore these issues. The Breast Cancer and Environmental Research Act would address both needs, thereby spurring on promising research. The resulting discoveries could be crucial to improving our knowledge of this complex illness, which could lead to new treatments and perhaps a cure one day.

Specifically, the Breast Cancer and Environmental Research Act will authorize $40 million each year for five years to establish multi-institutional, multi-disciplinary Breast Cancer and Environmental Research Centers of Excellence. Each Center would include institutions with different areas of expertise working together to tackle the same problems from different angles, as well as collaborating with community organizations in the area. Modeled after the tremendously successful Breast Cancer Research Program at the Department of Defense, grants would be awarded under a competitive, peer-reviewed process that involves patient advocates.

Small studies sponsored by the National Institute of Environmental Health Sciences are already underway to study the prenatal-to-adult environmental exposures that may predispose a woman to breast cancer. This is a promising step in the right direction, but it is only a down payment on the task at hand. Moreover, the research strategy for these grants does not follow the nationally-focused, collaborative, and comprehensive model as outlined by the Breast Cancer and Environmental Research Act. Now, more than ever, we need to see the Breast Cancer and Environmental Research Act signed into law.

If we miss promising research opportunities because Congress has failed to act, millions more and their families will face difficult questions about breast cancer. Every day, many of these Americans, like Deanna Jensen, rise to the challenge of fighting back against breast cancer. I encourage Congress to heed the national call to action as well.

In the 109th Congress, 66 of my Senate colleagues and 262 members of the House of Representatives joined me in doing so. I hope that my colleagues in the 110th Congress will support the Breast Cancer and Environmental Research Act.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 579

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Breast Cancer and Environmental Research Act of 2007".

SEC. 2. NATIONAL INSTITUTES OF HEALTH; AWARDS FOR DEVELOPMENT AND OPERATION OF RESEARCH CENTERS REGARDING ENVIRONMENTAL FACTORS RELATED TO BREAST CANCER.

Part A of title IV of the Public Health Service Act (42 U.S.C. 281 et seq.) is amended by adding at the end the following:

"SEC. 404H. RESEARCH CENTERS REGARDING ENVIRONMENTAL FACTORS RELATED TO BREAST CANCER.

"(a) IN GENERAL.—The Secretary, acting through the Director of NIH, based on recommendations from the Breast Cancer and Environmental Research Panel established under subsection (b) (referred to in this section as the 'Panel'), shall make grants to public or nonprofit private entities for the development and operation of collaborative, multi-institutional centers for the purpose of conducting multidisciplinary and multi-institutional research on environmental factors that may be related to the etiology of breast cancer. Each such center shall be known as a Breast Cancer and Environmental Research Center of Excellence.

"(b) BREAST CANCER AND ENVIRONMENTAL RESEARCH PANEL.—

"(1) ESTABLISHMENT.—The Secretary shall establish within the National Institutes of Health a Breast Cancer and Environmental Research Panel.

"(2) COMPOSITION.—The Panel shall be composed of—

"(A) 9 members to be appointed by the Secretary, of which—

"(i) six members shall be appointed from among physicians and other health professionals, who—

"(I) are not officers or employees of the United States;

"(II) represent multiple disciplines, including clinical, basic, and public health sciences;

"(III) represent different geographical regions of the United States;

"(IV) are from practice settings, academia, or other research settings; and

"(V) are experienced in peer review; and

"(ii) three members shall be appointed from the general public who are representatives of individuals who have had breast cancer and who represent a constituency; and

"(B) such nonvoting, ex officio members as the Secretary determines to be appropriate.

"(3) CHAIRPERSON.—The members of the Panel appointed under paragraph (2)(A) shall select a chairperson from among such members.

"(4) MEETINGS.—The Panel shall meet at the call of the chairperson or upon the request of the Director of NIH, but in no case less often than once each year.

"(5) DUTIES.—The Panel shall—

"(A) develop a comprehensive strategy concerning collaborative centers that would—

"(i) result in innovative approaches to study unexplored or underexplored areas of the environment and breast cancer;

"(ii) outline key research questions, methodologies, and knowledge gaps concerning environmental factors that may be related to the etiology of breast cancer;

"(iii) outline key issues concerning environmental factors that may be related to the etiology of breast cancer; and

"(iv) result in an overall strategy to address environmental factors related to breast cancer;

"(B) make recommendations to the Secretary with respect to the mechanisms, peer review criteria, and allocations under this section;

"(C) assist in the overall program evaluation; and

"(D) make recommendations for the dissemination of information on program process.

"(c) Collaboration With Community.—Each center under subsection (a) shall include community organizations in the geographic area served by the center, including those that represent women with breast cancer, as integral collaborators involved at all levels of the decision-making and research in such center.

"(d) Coordination of Centers; Reports.—The Director of NIH shall, as appropriate, provide for the coordination of information among centers under subsection (a) and ensure regular communication between such centers, and may require the periodic preparation of reports on the activities of the centers and the submission of the reports to the Director.

"(e) Required Consortium.—Each center under subsection (a) shall be formed from a consortium of cooperating institutions and community groups, meeting such requirements as may be prescribed by the Director of NIH. Each center shall require collaboration among highly accomplished scientists, other health professionals and advocates of diverse backgrounds from various areas of expertise.

"(f) Duration of Support.—Support of a center under subsection (a) may be for a period not exceeding 5 years. Such period may be extended for one or more additional periods not exceeding 5 years if the operations of such center have been reviewed by an appropriate technical and scientific peer review group established by the Director of NIH and if such group has recommended to the Director that such period be extended.

"(g) Geographic Distribution of Centers.—The Director of NIH shall, to the extent practicable, provide for an equitable geographical distribution of centers under this section.

"(h) Authorization of Appropriations.—For the purpose of carrying out this section, there is authorized to be appropriated $40,000,000 for each of the fiscal years 2008 through 2012. Such authorization is in addition to any other authorization of appropriations that is available for such purpose.".

Mr. HATCH. Mr. President, I am pleased to introduce today along with my colleagues, Senators Harry Reid, John Warner, Hillary Clinton, Olympia Snowe, Lisa Murkowski, and Bernie Sanders, the Breast Cancer and Environmental Research Act of 2007.

The American Cancer Society estimates that a woman in the United States has a one in eight chance of developing invasive breast cancer during her lifetime. This risk was about 1 in 11 in 1975. All women are at risk for breast cancer. About 90 percent of women who develop breast cancer do not have a family history of the disease. The most recent available statistics show that 40 percent of all women diagnosed with invasive breast cancer died from the disease within 20 years. These are frightening statistics.

Furthermore, the disease is not limited by gender—in 2007, approximately 1,750 new cases of invasive breast cancer will be diagnosed among men in the United States. In my home State of Utah, as indicated by the Utah Cancer Registry, breast cancer has the highest incidence rate of the ten leading cancer types. This disease has an impact on nearly every American's life.

Breast cancer death rates have been dropping steadily since 1991; however, challenges still remain. The bottom line is that we still do not know what causes this disease, or how to prevent it. Although scientists have discovered some risk factors for breast cancer, the known risk factors account for only a small percentage about 30 percent—of breast cancer cases. There are no proven interventions to prevent breast cancer and there is no cure.

There is general belief within the scientific community that the environment plays a role in the development of breast cancer, but the extent of that role has been less-examined. Research has investigated the effect of isolated environmental factors such as diet, pesticides, and electromagnetic fields; but, in most cases, there has been no conclusive evidence. Some scientists hypothesize that certain subgroups of women have genetic variants that may make them more susceptible to adverse environmental exposures.

In addition, a large study of twins demonstrated that the majority of breast cancers cannot be explained by inherited factors. The incidence of breast cancer in Western industrialized countries, such as the United States, is much higher than the incidence in Africa and Asia. When women migrate from a country with low incidence to a country with high incidence, their daughters experience the breast cancer risk of the new country's population. The discrepancy in incidence among various countries suggests that some of the differences in incidence may be explained by environmental exposures.

In-depth study of these potential risks could provide invaluable information in understanding the causes of breast cancer, and could lead to new prevention strategies. Clearly, more research needs to be done to determine the impact of environmental factors on breast cancer.

My colleagues and I are introducing the Breast Cancer and Environmental Research Act of 2007 to address this palpable need for research. It creates a national strategy to conduct research into the possible links between breast cancer and the environment. The time to address these frightening statistics is now.

Specifically, the bill authorizes the National Institute of Environmental Health Sciences (NIEHS) at the National Institutes of Health (NIH) to award grants for the development and operation of up to eight centers for the purpose of conducting research on environmental factors that may be related to breast cancer. These centers will work across institutions, across disciplines, and with community organizations to study environmental factors that may cause breast cancer.

This legislation is modeled after the highly successful and promising Department of Defense Breast Cancer Research Program (DOD BCRP), which operates under a competitive, peer-reviewed grant-making process that involves consumers.

Isolated studies have been conducted to look at suspected environmental links to breast cancer; but these studies are only a small step toward the broad strategic research that is required. What is needed is a collaborative, comprehensive, nationally-focused strategy to address this oversight a strategy like the one outlined in this bill.

It is important to note that while we have made progress in the fight against breast cancer, we are still a long way from prevention or a cure—breast cancer remains the leading cause of cancer death among women worldwide. Studies have shown that environmental factors that cause breast cancer may exist, but conclusive evidence is scarce. This bill will go a long way in helping the scientific community explore environmental triggers of breast cancer.

The Breast Cancer and Environmental Research Act had strong bipartisan support in the 109th Congress, with 66 Senate cosponsors. In the House of Representatives, 262 Members supported the legislation.

I urge my colleagues to think of breast cancer patients and their loved ones, and support this important bill. This Federal commitment is critical for the overall, national strategy and the long-term investments required to discover the environmental causes of breast cancer so that we can better prevent it, treat it more effectively, and, ultimately, cure it.

Mrs. CLINTON. Mr. President, today I am proud to introduce the Breast Cancer and Environmental Research Act with Senator Reid and colleagues from both sides of the aisle.

This legislation would allow us to investigate the links between environmental exposures and breast cancer. Improving our ability to investigate the connection between pollutants and cancer incidence is the first step in improving our overall response to environmental health concerns. Environmental hazards manifest themselves in unexpected cancers, tumors, and other diseases in ways that we are only now beginning to understand.

Breast cancer is the second leading cause of cancer death for women in the United States, and 3 million women in the United States are currently living with the disease 1 million of whom have not yet been diagnosed. Each year, over 13,000 women in New York State are diagnosed with this disease. Every one of us has been affected by breast cancer, whether it is through our own personal battle or our experiences offering love and support to our friends, our mothers, and our sisters.

Since 2001, I have sought to raise awareness of the need for increased research into the connections between environmental factors and the incidence of chronic diseases like breast cancer. I have worked closely with advocates from New York on this issue, and hosted a field hearing of the Senate Environment and Public Works Committee in Long Island to discuss breast cancer and other environmental health concerns.

The bill that we are introducing today will expand the available resources for our scientists and expedite research in this area. The Breast Cancer and Environmental Research Act will create Centers of Excellence to engage in multidisciplinary research, carried out in collaboration with the community, and learn more about how environmental factors may be linked to the more than 200,000 breast cancer cases diagnosed each year.

I am hopeful that in the not-too-distant future, the incidence of breast cancer will be dramatically reduced, and in the handful of new cases that appear, we will be able to provide high-quality, highly effective treatment and save women's lives. But in order to achieve those goals, we need to learn more about all the causes of breast cancer, including the environmental factors that contribute to this disease.

Last year, the Breast Cancer and Environmental Research Act was reported unanimously out of the Health, Education, Labor and Pensions Committee. I will work with my colleagues there to once again move it through the committee process quickly, so that we can pass this essential legislation in this session of Congress.

By Mr. HATCH:

S. 580. A bill to amend the National Trails System Act to require the Secretary of the Interior to update the feasibility and suitability studies of four national historic trails, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. HATCH. Mr. President, I rise today to introduce the Pioneer National Historic Trails Studies Act which would update the feasibility and suitability studies of four national historic trails and allow possible additions to them. The trails in question are the Oregon, the Mormon, the Pony Express, and the California National Historic Trails.

In 1978, the Oregon and Mormon trails were established by the National Trails System Act which defined these trails as "point A to point B," limiting them to one beginning point and one final destination. At that time, The Mormon Pioneer National Historic trail was defined as the route Brigham Young took in 1846 through Iowa and then to the Salt Lake Valley in 1847. The Oregon Trail was defined narrowly as the route taken by settlers from Independence, MO, to Oregon City from 1841 to 1848. It was limited to a single trail with only three variants as well. Unfortunately, we have come to realize that this rigid definition precludes designation of some very important historical sites.

Congress passed an amendment for the establishment of the California and Pony Express National Historic Trails in 1992. This amendment broadened the statute to include the possibility of trail variants for the California Trail and provided a more accurate depiction of the original trail. The legislation I am introducing today will provide additional authority for variation to these four trails to provide a more accurate depiction of history.

To those of us in the West, these trails are the highways of our history. With this legislation, I hope to capture the important stories made along the variations of these main trails. Since the enactment of the National Trails System Act in 1978, there has been a great deal of support to broaden the Act to include these side roads of the trails.

Not every pioneer embarked on their journey from Omaha, NE, or Independence, MO and not every great or tragic event took place along the main routes. Tens of thousands of settlers began from other starting points. These trail variations and alternate routes show the ingenuity and adaptability of the pioneers as they were forced to contend with inclement weather, lack of water, difficult terrain, and hostile Native American tribes.

The Act requires comprehensive management for the historic trails. In 1981, such plans were completed for the Mormon and Oregon trails. Since that time, however, endless hours of research by the Park Service and trails organizations have produced a more complete picture of the westward expansion. The National Park Service has determined, however, that legislation is required to update the trails with this newfound history.

That is why I am introducing this legislation today. This bill would authorize the study of further important additions to the California, Mormon Pioneer, Oregon, and Pony Express National Historic Trails and allow for a more complete story to be told of our history of the West.

I urge my colleagues to support this legislation.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 580

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REVISION OF FEASIBILITY AND SUITABILITY STUDIES OF EXISTING NATIONAL HISTORIC TRAILS.

Section 5 of the National Trails System Act (16 U.S.C. 1244) is amended by adding at the end the following:

"(g) REVISION OF FEASIBILITY AND SUITABILITY STUDIES OF EXISTING NATIONAL HISTORIC TRAILS.—

"(1) DEFINITIONS.—In this subsection:

"(A) ROUTE.—The term 'route' includes a trail segment commonly known as a cutoff.

"(B) SHARED ROUTE.—The term 'shared route' means a route that was a segment of more than one historic trail, including a route shared with an existing national historic trail.

"(2) REQUIREMENTS FOR REVISION.—

"(A) IN GENERAL.—The Secretary of the Interior shall revise the feasibility and suitability studies for certain national trails for consideration of possible additions to the trails.

"(B) STUDY REQUIREMENTS AND OBJECTIVES.—The study requirements and objectives specified in subsection (b) shall apply to a study required by this subsection.

"(C) COMPLETION AND SUBMISSION OF STUDY.—A study listed in this subsection shall be completed and submitted to Congress not later than 3 complete fiscal years from the date funds are made available for the study.

"(3) OREGON NATIONAL HISTORIC TRAIL.—

"(A) STUDY REQUIRED.—The Secretary of the Interior shall undertake a study of the routes of the Oregon Trail listed in subparagraph (B) and generally depicted on the map entitled 'Western Emigrant Trails 1830/1870' and dated 1991/1993, and of such other routes of the Oregon Trail that the Secretary considers appropriate, to determine the feasibility and suitability of designation of one or more of the routes as components of the Oregon National Historic Trail.

"(B) COVERED ROUTES.—The routes to be studied under subparagraph (A) shall include the following:

"(i) Whitman Mission route.

"(ii) Upper Columbia River.

"(iii) Cowlitz River route.

"(iv) Meek cutoff.

"(v) Free Emigrant Road.

"(vi) North Alternate Oregon Trail.

"(vii) Goodale's cutoff.

"(viii) North Side alternate route.

"(ix) Cutoff to Barlow road.

"(x) Naches Pass Trail.

"(4) PONY EXPRESS NATIONAL HISTORIC TRAIL.—The Secretary of the Interior shall undertake a study of the approximately 20-mile southern alternative route of the Pony Express Trail from Wathena, Kansas, to Troy, Kansas, and such other routes of the

Pony Express Trail that the Secretary considers appropriate, to determine the feasibility and suitability of designation of one or more of the routes as components of the Pony Express National Historic Trail.

"(5) CALIFORNIA NATIONAL HISTORIC TRAIL.—

"(A) STUDY REQUIRED.—The Secretary of the Interior shall undertake a study of the Missouri Valley, central, and western routes of the California Trail listed in subparagraph (B) and generally depicted on the map entitled 'Western Emigrant Trails 1830/1870' and dated 1991/1993, and of such other and shared Missouri Valley, central, and western routes that the Secretary considers appropriate, to determine the feasibility and suitability of designation of one or more of the routes as components of the California National Historic Trail.

"(B) COVERED ROUTES.—The routes to be studied under subparagraph (A) shall include the following:

"(i) MISSOURI VALLEY ROUTES.—

"(I) Blue Mills-Independence Road.

"(II) Westport Landing Road.

"(III) Westport-Lawrence Road.

"(IV) Fort Leavenworth-Blue River route.

"(V) Road to Amazonia.

"(VI) Union Ferry Route.

"(VII) Old Wyoming-Nebraska City cutoff.

"(VIII) Lower Plattsmouth Route.

"(IX) Lower Bellevue Route.

"(X) Woodbury cutoff.

"(XI) Blue Ridge cutoff.

"(XII) Westport Road.

"(XIII) Gum Springs-Fort Leavenworth route.

"(XIV) Atchison/Independence Creek routes.

"(XV) Fort Leavenworth-Kansas River route.

"(XVI) Nebraska City cutoff routes.

"(XVII) Minersville-Nebraska City Road.

"(XVIII) Upper Plattsmouth route.

"(XIX) Upper Bellevue route.

"(ii) CENTRAL ROUTES.—

"(I) Cherokee Trail, including splits.

"(II) Weber Canyon route of Hastings cutoff.

"(III) Bishop Creek cutoff.

"(IV) McAuley cutoff.

"(V) Diamond Springs cutoff.

"(VI) Secret Pass.

"(VII) Greenhorn cutoff.

"(VIII) Central Overland Trail.

"(iii) WESTERN ROUTES.—

"(I) Bidwell-Bartleson route.

"(II) Georgetown/Dagget Pass Trail.

"(III) Big Trees Road.

"(IV) Grizzly Flat cutoff.

"(V) Nevada City Road.

"(VI) Yreka Trail.

"(VII) Henness Pass route.

"(VIII) Johnson cutoff.

"(IX) Luther Pass Trail.

"(X) Volcano Road.

"(XI) Sacramento-Coloma Wagon Road.

"(XII) Burnett cutoff.

"(XIII) Placer County Road to Auburn.

"(6) MORMON PIONEER NATIONAL HISTORIC TRAIL.—

"(A) STUDY REQUIRED.—The Secretary of the Interior shall undertake a study of the routes of the Mormon Pioneer Trail listed in subparagraph (B) and generally depicted in the map entitled 'Western Emigrant Trails 1830/1870' and dated 1991/1993, and of such other routes of the Mormon Pioneer Trail that the Secretary considers appropriate, to determine the feasibility and suitability of designation of one or more of the routes as components of the Mormon Pioneer National Historic Trail.

"(B) COVERED ROUTES.—The routes to be studied under subparagraph (A) shall include the following:

"(i) 1846 Subsequent routes A and B (Lucas and Clarke Counties, Iowa).

"(ii) 1856–57 Handcart route (Iowa City to Council Bluffs).

"(iii) Keokuk route (Iowa).

"(iv) 1847 Alternative Elkhorn and Loup River Crossings in Nebraska.

"(v) Fort Leavenworth Road; Ox Bow route and alternates in Kansas and Missouri (Oregon and California Trail routes used by Mormon emigrants).

"(vi) 1850 Golden Pass Road in Utah.

"(7) SHARED CALIFORNIA AND OREGON TRAIL ROUTES.—

"(A) STUDY REQUIRED.—The Secretary of the Interior shall undertake a study of the shared routes of the California Trail and Oregon Trail listed in subparagraph (B) and generally depicted on the map entitled 'Western Emigrant Trails 1830/1870' and dated 1991/1993, and of such other shared routes that the Secretary considers appropriate, to determine the feasibility and suitability of designation of one or more of the routes as shared components of the California National Historic Trail and the Oregon National Historic Trail.

"(B) COVERED ROUTES.—The routes to be studied under subparagraph (A) shall include the following:

"(i) St. Joe Road.

"(ii) Council Bluffs Road.

"(iii) Sublette cutoff.

"(iv) Applegate route.

"(v) Old Fort Kearny Road (Oxbow Trail).

"(vi) Childs cutoff.

"(vii) Raft River to Applegate.".

By Mr. FEINGOLD:

S. 581. A bill to amend the Buy American Act to increase the requirement for American-made content, to tighten the waiver provisions, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. FEINGOLD. Mr. President, today I am introducing legislation to help American workers and companies.

The bill that I am introducing, the Buy American Improvement Act, focuses on the Federal Government's responsibility to support domestic manufacturers and workers and on the role of Federal procurement policy in achieving this goal. The reintroduction of this bill, which I first introduced in 2003, is part of my ongoing efforts to stem the flow of manufacturing jobs abroad.

The Buy American Act of 1933 is the primary statute that governs Federal procurement. The name of this law accurately describes its purpose: to ensure that the Federal Government supports domestic companies and domestic workers by buying American-made goods. Regrettably, this law contains a number of loopholes that make it too easy for government agencies to buy foreign-made goods.

My bill, the Buy American Improvement Act, would strengthen the existing law by tightening its waiver provisions. Currently, the heads of Federal departments and agencies are given broad discretion to waive the Act and buy foreign goods with little or no accountability. We should ensure that the Federal Government makes every effort to give Federal contracts to companies that will perform the work domestically. We should also ensure that certain types of industries do not leave the United States completely, thus making the Federal Government dependent on foreign sources for goods, such as plane or ship parts, that our military may need to acquire on short notice.

I have often heard my colleagues say on this floor that American-made goods are the best in the world. I could not agree more. Regrettably, nearly 90,000 good-paying manufacturing jobs have left my State since 2000. And the country has lost around 3 million manufacturing jobs since January 2001. This hemorrhaging of jobs shows that Congress needs to do more to support domestic manufacturers and their employees. One way to do this is to ensure that the Federal Government makes every effort to buy American-made goods.

There are five primary waivers to the Buy American Act, and my bill addresses four of them. The first of these waivers allows an agency head to buy foreign goods if complying with the Act would be "inconsistent with the public interest." I am concerned that this waiver, which includes no definition for what is "inconsistent with the public interest," is actually a gaping loophole that gives too much discretion to department secretaries and agency heads. My bill would modify this waiver provision to prohibit it from being invoked by an agency or department head after a request for proposals, or RFP, has been published in the Federal Register. Once the bidding process has begun, the Federal Government should not be able to pull an RFP by saying that it is in the "public interest" to do so. This determination, sometimes referred to as the Buy American Act's national security waiver, should be made well in advance of placing a contract up for bid. To do otherwise pulls the rug out from under companies that are spending valuable time and resources to prepare a bid for a Federal contract.

The Buy American Act may also be waived if the head of the agency determines that the cost of the lowestpriced domestic product is "unreasonable," and a system of price differentials is used to assist in making this determination. My bill would modify this waiver to require that preference be given to the American company if that company's bid is substantially similar to the lowest foreign bid or if the American company is the only domestic source for the item to be procured.

I have a long record of supporting efforts to help taxpayers get the most bang for their buck and opposing wasteful Federal spending. I don't think anyone can argue that supporting American jobs is "wasteful." We owe it to American manufacturers and their employees to make sure they get a fair shake. I would not support awarding a contract to an American company that is price gouging, but we should make every effort to ensure that domestic sources for goods needed by the Federal Government do not dry up because American companies have been slightly underbid by foreign competitors.

The Buy American Act also includes a waiver for goods bought by the Federal Government that will be used outside of the United States. There is no question that there are occasions when the Federal Government needs to procure items quickly for use outside the United States. However, there may be items that are bought on a regular basis and used at foreign military bases or United States embassies, for example, that could reasonably be procured from domestic sources and shipped to the location where they will be used. My bill would require Federal agencies to compare the difference in cost for obtaining articles that are used on a regular basis outside the U.S., or that are not needed immediately, between an overseas versus a domestic source—including the cost of shipping—before awarding the contract to the company that will do the work overseas.

The Buy American Act's domestic source requirements may also be waived if the articles to be procured are not available from domestic sources "in sufficient and reasonably available commercial quantities and of a satisfactory quality." My bill would require that an agency or department head, prior to issuing such as waiver, determine whether domestic production can be initiated to meet the procurement needs and whether a comparable article, material, or supply is available domestically.

My bill would also strengthen the Buy American Act in four other ways. It would, for the first time, make the Buy American requirement applicable to the United States Congress. The current definition of a Federal agency in the Act specifically exempts the Senate, the House, and the Architect of the Capitol, and activities under the direction of the Architect. I believe that Congress should lead by example and comply with the Buy American Act, a requirement that we have imposed on executive agencies.

Secondly, my bill would increase the minimum American content standard for qualification under the Act from the current 50 percent to 75 percent. The definition of what qualifies as an American-made product has been a source of much debate. To me, it seems clear that "American-made" means manufactured in this country. This classification is a source of pride for manufacturing workers around our country. The current 50 percent standard should be raised to a minimum of 75 percent.

In addition, my bill would put in place for the next five years the expanded reporting requirement that I authored which was first enacted as part of the fiscal year 2004 omnibus spending bill and was included again by this body as an amendment to the recent minimum wage bill. Prior to the enactment of these provisions, only the Department of Defense was required to report to Congress on its use of Buy American waivers and purchases of foreign goods. It is virtually impossible to get hard numbers on the Federal Government's purchases of foreign—and domestic—made goods and to ensure that there is disclosure and accountability in the waiver process. This reporting requirement seeks to hold agencies accountable by requiring agencies to report on their foreign-made purchases and make that information available to Congress and the American public.

The annual report to be submitted by agency heads will be required to include the following information: the dollar value of any items purchased that were manufactured outside of the United States; an itemized list of all applicable waivers granted with respect to such items under the Buy American Act, including the type of waiver used; and a summary of the total procurement funds spent by the Federal agency on goods manufactured in the United States versus on goods manufactured overseas. In addition, my bill also requires that the heads of all Federal agencies make these annual reports publicly available on the Internet.

Finally, my bill would require the Government Accountability Office to report to Congress with recommendations for defining the terms "inconsistent with the public interest" and "unreasonable cost" for purposes of invoking the corresponding waivers in the Act. I am concerned that both of these terms lack definitions, and that they can be very broadly interpreted by agency or department heads. GAO would be required to make recommendations for statutory definitions of both of these terms, as well as for establishing a consistent waiver process that can be used by all Federal agencies.

The gaping loopholes in the Buy American Act and the trade agreements and defense procurement agreements that contain additional waivers of domestic source restrictions have combined to weaken our domestic manufacturing base by allowing—and sometimes actually encouraging—the Federal Government to buy foreign-made goods. Congress can and should do more to support American companies and American workers. We must strengthen the Buy American Act and we must stop entering into bad trade agreements that send our jobs overseas and undermine our own domestic preference laws.

By strengthening Federal procurement policy, we can help to bolster our domestic manufacturers during these difficult times. As I have repeatedly noted, Congress cannot simply stand on the sidelines while tens of thousands of American manufacturing jobs have been and continue to be shipped overseas. While there may be no single solution to this problem one way in which Congress should act is by strengthening the Buy American Act.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 581

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Buy American Improvement Act of 2007".

SEC. 2. REQUIREMENTS FOR WAIVERS.

(a) IN GENERAL.—Section 2 of the Buy American Act (41 U.S.C. 10a) is amended—

(1) by striking "Notwithstanding" and inserting the following:

"(a) IN GENERAL.—Notwithstanding"; and

(2) by adding at the end the following:

"(b) SPECIAL RULES.—The following rules shall apply in carrying out the provisions of subsection (a):

"(1) PUBLIC INTEREST WAIVER.—A determination that it is not in the public interest to enter into a contract in accordance with this Act may not be made after a notice of solicitation of offers for the contract is published in accordance with section 18 of the Office of Federal Procurement Policy Act (41 U.S.C. 416) and section 8(e) of the Small Business Act (15 U.S.C. 637(e)).

"(2) DOMESTIC BIDDER.—A Federal agency entering into a contract shall give preference to a company submitting an offer on the contract that manufactures in the United States the article, material, or supply for which the offer is solicited, if—

"(A) that company's offer is substantially the same as an offer made by a company that does not manufacture the article, material, or supply in the United States; or

"(B) that company is the only company that manufactures in the United States the article, material, or supply for which the offer is solicited.

"(3) USE OUTSIDE THE UNITED STATES.—

"(A) IN GENERAL.—Subsection (a) shall apply without regard to whether the articles, materials, or supplies to be acquired are for use outside the United States if the articles, materials, or supplies are not needed on an urgent basis or if they are acquired on a regular basis.

"(B) COST ANALYSIS.—In any case in which the articles, materials, or supplies are to be acquired for use outside the United States and are not needed on an urgent basis, before entering into a contract an analysis shall be made of the difference in the cost of acquiring the articles, materials, or supplies from a company manufacturing the articles, materials, or supplies in the United States (including the cost of shipping) and the cost of acquiring the articles, materials, or supplies from a company manufacturing the articles, materials, or supplies outside the United States (including the cost of shipping).

"(4) DOMESTIC AVAILABILITY.—The head of a Federal agency may not make a determination under subsection (a) that an article, material, or supply is not mined, produced, or manufactured, as the case may be, in the United States in sufficient and reasonably available commercial quantities and of satisfactory quality, unless the head of the agency has conducted a study and, on the basis of such study, determined that—

"(A) domestic production cannot be initiated to meet the procurement needs; and

"(B) a comparable article, material, or supply is not available from a company in the United States.

"(c) REPORTS.—

"(1) IN GENERAL.—Not later than 180 days after the end of each of fiscal years 2007 through 2011, the head of each Federal agency shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives a report on the amount of the acquisitions made by the agency in that fiscal year of articles, materials, or supplies purchased from entities that manufacture the articles, materials, or supplies outside of the United States.

"(2) CONTENTS OF REPORT.—The report required by paragraph (1) shall separately include, for the fiscal year covered by such report—

"(A) the dollar value of any articles, materials, or supplies that were manufactured outside the United States;

"(B) an itemized list of all waivers granted with respect to such articles, materials, or supplies under this Act, and a citation to the treaty, international agreement, or other law under which each waiver was granted;

"(C) if any articles, materials, or supplies were acquired from entities that manufacture articles, materials, or supplies outside the United States, the specific exception under this section that was used to purchase such articles, materials, or supplies; and

"(D) a summary of—

"(i) the total procurement funds expended on articles, materials, and supplies manufactured inside the United States; and

"(ii) the total procurement funds expended on articles, materials, and supplies manufactured outside the United States.

"(3) PUBLIC AVAILABILITY.—The head of each Federal agency submitting a report under paragraph (1) shall make the report publicly available to the maximum extent practicable.

"(4) EXCEPTION FOR INTELLIGENCE COMMUNITY.—This subsection shall not apply to acquisitions made by an agency, or component thereof, that is an element of the intelligence community as specified in, or designated under, section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).".

(b) DEFINITIONS.—Section 1 of the Buy American Act (41 U.S.C. 10c) is amended by adding at the end the following:

"(c) FEDERAL AGENCY.—The term 'Federal agency' means any executive agency (as defined in section 4(1) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(1))) or any establishment in the legislative or judicial branch of the Federal Government.

"(d) SUBSTANTIALLY ALL.—Articles, materials, or supplies shall be treated as made substantially all from articles, materials, or supplies mined, produced, or manufactured in the United States, if the cost of the domestic components of such articles, materials, or supplies exceeds 75 percent of the total cost of all components of such articles, materials, or supplies.".

(c) CONFORMING AMENDMENTS.—

(1) Section 2 of the Buy American Act (41 U.S.C. 10a) is amended by striking "department or independent establishment" and inserting "Federal agency".

(2) Section 3 of such Act (41 U.S.C. 10b) is amended—

(A) in subsection (a), by striking "department or independent establishment" and inserting "Federal agency"; and

(B) in subsection (b), by striking "department, bureau, agency, or independent establishment" and inserting "Federal agency".

(3) Section 633 of the National Military Establishment Appropriation Act, 1950 (41 U.S.C. 10d) is amended by striking "department or independent establishment" and inserting "Federal agency".

SEC. 3. GAO REPORT AND RECOMMENDATIONS.

(a) REPORT ON SCOPE OF WAIVERS.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall report to Congress recommendations to be used in determining, for purposes of applying the waiver provision of section 2(a) of the Buy American Act, as redesignated by section 2(a) of this Act, whether acquiring articles, materials, and supplies mined, produced, or manufactured in the United States would—

(1) involve unreasonable cost; or

(2) be inconsistent with the public interest.

(b) RECOMMENDATIONS.—The report described in subsection (a) shall include recommendations—

(1) for a statutory definition of unreasonable cost and for standards for determining inconsistency with the public interest; and

(2) for establishing procedures for applying the waiver provisions of the Buy American Act that can be consistently applied.

By Mr. SMITH (for himself, Mr. ROCKEFELLER, Mr. REED, and Mr. ALEXANDER):

S. 582. A bill to amend the Internal Revenue Code of 1986 to classify automatic fire sprinkler systems as 5-year property for purposes of depreciation; to the Committee on Finance.

Mr. SMITH. Mr. President, today Senator ROCKEFELLER and I are introducing the Fire Sprinkler Incentive Act of 2007. This legislation would reduce the tremendous economic and human losses that fire inflicts on the National economy and the quality of life.

In 2005, fire departments responded to about 1.6 million fires. These fires resulted in about 3,500 deaths and almost 18,000 civilian injuries. Fire also caused over $10 billion in direct property damages in 2005.

Fire sprinklers can dramatically decrease loss of life and injury as a result of fires. The National Fire Protection Association has no record of a fire killing more than two people in a completely sprinklered public assembly, educational, institutional, or residential building where the system was properly installed and fully operational. Fire sprinklers also mitigate economic losses resulting from fires. Fire sprinklers are responsible for a 70-percent reduction in property damage from fires in public assembly, educational, residential, commercial, industrial, and manufacturing buildings.

The Fire Sprinkler Incentive Act will provide an incentive for businesses to protect their buildings with fire sprinklers. Under current law, the cost of retrofitting an existing building with automatic fire sprinklers generally would be depreciated over a 39-year period. Our legislation would reduce the depreciation period to 5 years, greatly reducing the economic burden of retrofitting a building.

I ask unanimous consent that the text of this legislation be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 582

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Fire Sprinkler Incentive Act of 2007".

SEC. 2. FINDINGS.

The Congress finds that—

(1) the publication of the original study and comprehensive list of recommendations in America Burning, written in 1974, requesting advances in fire prevention through the installation of automatic sprinkler systems in existing buildings have yet to be fully implemented;

(2) fire departments responded to approximately 1,600,000 fires in 2005;

(3) there were 3,675 non-terrorist related deaths in the United States and almost 17,925 civilian injuries resulting from fire in 2005;

(4) 87 firefighters were killed in 2005;

(5) fire caused $10,672,000,000 in direct property damage in 2005, and sprinklers are responsible for a 70 percent reduction in property damage from fires in public assembly, educational, residential, commercial, industrial and manufacturing buildings;

(6) fire departments respond to a fire every 20 seconds, a fire breaks out in a structure every 61 seconds and in a residential structure every 79 seconds in the United States;

(7) the Station Nightclub in West Warwick, Rhode Island, did not contain an automated sprinkler system and burned down, killing 99 people on February 20, 2003;

(8) due to an automated sprinkler system, not a single person was injured from a fire beginning in the Fine Line Music Café in Minneapolis after the use of pyrotechnics on February 17, 2003;

(9) the National Fire Protection Association has no record of a fire killing more than 2 people in a completely sprinklered public assembly, educational, institutional or residential building where the system was properly installed and fully operational;

(10) sprinkler systems dramatically improve the chances of survival of those who cannot save themselves, specifically older adults, young children and people with disabilities;

(11) the financial cost of upgrading fire counter measures in buildings built prior to fire safety codes is prohibitive for most property owners;

(12) many State and local governments lack any requirements for older structures to contain automatic sprinkler systems;

(13) under the present straight-line method of depreciation, there is a disincentive for

building safety improvements due to an extremely low rate of return on investment; and

(14) the Nation is in need of incentives for the voluntary installation and retrofitting of buildings with automated sprinkler systems to save the lives of countless individuals and responding firefighters as well as drastically reduce the costs from property damage.

SEC. 3. CLASSIFICATION OF AUTOMATIC FIRE SPRINKLER SYSTEMS.

(a) In General.—Subparagraph (B) of section 168(e)(3) of the Internal Revenue Code of 1986 (relating to 5-year property) is amended by striking "and" at the end of clause (v), by striking the period at the end of clause (vi) and inserting ", and", and by inserting after clause (vi) the following:

"(vii) any automatic fire sprinkler system placed in service after the date of the enactment of this clause in a building structure which was placed in service before such date of enactment.".

(b) Alternative System.—The table contained in section 168(g)(3)(B) of the Internal Revenue Code of 1986 (relating to special rule for certain property assigned to classes) is amended by inserting after the item relating to subparagraph (B)(iii) the following:

"(B)(vii) .... 7".

(c) Definition of Automatic Fire Sprinkler System.—Subsection (i) of section 168 of the Internal Revenue Code of 1986 is amended by adding at the end the following:

"(18) Automated fire sprinkler system.—The term 'automated fire sprinkler system' means those sprinkler systems classified under one or more of the following publications of the National Fire Protection Association—

"(A) NFPA 13, Installation of Sprinkler Systems,

"(B) NFPA 13 D, Installation of Sprinkler Systems in One and Two Family Dwellings and Manufactured Homes, and

"(C) NFPA 13 R, Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height.".

(d) Effective Date.—The amendments made by this section shall apply to property placed in service after the date of the enactment of this Act.

Mr. ROCKEFELLER. Mr. President, today I rise to join my colleague Mr. Smith in the introduction of the Fire Sprinkler Incentive Act. Two years ago, we first introduced this legislation to help provide businesses with an important tax incentive to install lifesaving sprinkler systems, believing that the legislation would be one way to keep our Nation's citizens, and the firefighters who dedicate their lives to fire safety, free from unnecessary fire-related injury. At that time, I could not imagine that in 2007 West Virginia would suffer one of the worst fire-related tragedies in many years. In January of this year, a fire at the Emmons Junior Apartment Building in Huntington, WV, took the lives of nine individuals, including three teenagers who were all siblings and another unrelated child who was only seven years old. My heart goes out to those families and to a devastated community. We later learned that the complex was built in 1924 and was not equipped with a sprinkler system. I cannot help thinking that if the tax incentives provided by this legislation were already in effect, many businesses including those operating apartment complexes might have had enough financial incentive to allow them to make the decision to install life-saving sprinkler systems.

Fire safety is a national problem. The National Fire Protection Association (NFPA) indicates that in 2005 there were over 1.6 million fires reported in the United States, which caused 3,675 civilian deaths, 17,925 civilian injuries, and $10.7 billion in property damage. As a result, 80,100 firefighters were injured and another 87 died responding to these fires in an effort to protect the lives of their fellow citizens. High-rise buildings and other living facilities that were built under older codes often lack adequate fire safety protection and leave vulnerable those citizens who cannot as easily save themselves from a fire, such as older adults, young children, and people with disabilities. There were 511,000 structure fires in 2005, and 381,000 of those occurred in family home structures including dwellings, duplexes, manufactured homes, apartments, townhouses, rowhouses, and condominiums. These home structure fires accounted for 82 percent of civilian fire-related fatalities and $6.7 billion in direct property damage.

Protecting our citizens and first-responders from these fire-related injuries and fatalities is of the utmost importance, and a real way to improve fire safety exists in the use of automatic sprinkler systems. These devices react quickly and save lives by dramatically reducing the heat, flames and smoke produced in a fire. The NFPA reports that when sprinklers are present, the chances of dying in a fire are reduced by between 50 and 75 percent and average property loss is cut by one-half to two-thirds. The NFPA also has no record of a fire killing more than two people in a building where a sprinkler system was properly installed and fully operational.

The benefits of fire sprinkler systems are overwhelming, even for business owners, but one thing that inhibits their implementation is cost. Under current law, installations in residential rental property and non-residential real property must be deducted over a 27.5- or 39-year period, respectively. The financial cost of upgrading existing structures with fire safety measures is prohibitive for most property owners, and under our present straight-line method of depreciation, there is disincentive for building safety improvements due to an extremely low rate of return on investment. This legislation, by amending the internal revenue code to classify automatic fire sprinkler systems as depreciable over a 5-year period, would mitigate the expense of retrofitting older buildings with costly automated sprinkler systems. It helps businesses make the choice to take advantage of fire safety systems that have been proven to have life-saving results.

I again express my support for the Fire Sprinkler Incentive Act as a way to promote the use of fire sprinkler systems that are now an invaluable asset in our efforts to protect citizens and firefighters from fire-related death and injury. This proposal has been endorsed by firefighters, the insurance industry, and general contractors, and I urge my colleagues to do the same.

By Mr. SALAZAR:

S. 583. A bill to create a competitive grant program for States to enable the States to award salary bonuses to highly qualified elementary school or secondary school teachers who teach, or commit to teach, for at least 3 academic years in a school served by a rural local educational agency; to the Committee on Health, Education, Labor, and Pensions.

Mr. SALAZAR. Mr. President, the second piece of legislation I am introducing has to do with education. We know rural school districts have a very hard time in terms of retaining teachers. The national teacher turnover rate across the country is about 15 percent, but in rural districts it is as high as 30 to 40 percent. Thirty to forty percent of teachers in rural school districts are turning over.

So what I hope to do with the Colorado Teacher Retention Act is to help with a competitive State program that would allow rural school districts to provide bonuses for highly qualified teachers who commit to teaching in rural schools for at least 3 years. It would simply provide an opportunity for rural schools to have the kind of excellence in teaching they so deserve.

By Mr. BINGAMAN:

S. 586. A bill to amend the Public Health Service Act to provide grants to promote positive health behaviors in women and children; to the Committee on Health, Education, Labor, and Pensions.

Mr. BINGAMAN. Mr. President, the legislation I am introducing today, entitled the "Community Health Workers Act of 2007," would improve access to health education and outreach services to women and children in medically underserved areas, including the U.S. border region along New Mexico.

Lack of access to adequate health care and health education is a significant problem on the southern New Mexico border. While the access problem is in part due to a lack of insurance, it is also attributable to non-financial barriers to access. These barriers include a shortage of physicians and other health professionals, and hospitals; inadequate transportation; a shortage of bilingual health information and health providers; and culturally insensitive systems of care.

This legislation would help to address the issue of access by providing $15 million per year for a three year period in grants to State, local, and tribal organizations, including community health centers and public health departments, for the purpose of hiring community health workers to provide health education, outreach, and referrals to women and families who otherwise would have little or no contact with health care services.

Recognizing factors such as poverty and language and cultural differences that often serve as barriers to health care access in medically underserved populations, community health workers are in a unique position to improve health outcomes and quality of care for groups that have traditionally lacked access to adequate services. They often serve as "community specialists" and are members of the communities in which they work. As such they can effectively serve hard-to-reach populations.

A shining example of how community health workers serve their communities, a group of so-called "Promotoras" in Dona Ana County were quickly mobilized during a recent flood emergency in rural New Mexico. These community health workers assisted in the disaster recovery efforts by partnering with FEMA to find, inform and register flood victims for Federal disaster assistance. Their personal networks and knowledge of the local culture, language, needs, assets, and barriers greatly enhanced FEMA's community outreach efforts. The Promotoras of Dona Ana County demonstrate the important role community health workers could play in communities across the nation, including increasing the effectiveness of new initiatives in homeland security and emergency preparedness, and in implementing risk communication strategies.

The positive benefits of the community health worker model also have been documented in research studies. Research has shown that community health workers have been effective in increasing the utilization of health preventive services such as cancer screenings and medical follow up for elevated blood pressure and improving enrollment in publicly funded health insurance programs. In the case of uninsured children, a study by Dr. Glenn Flores, "Community-Based Case Management in Insuring Uninsured Latino Children," published in the December 2005 issue of Pediatrics found that uninsured children who received community-based case management were eight times more likely to obtain health insurance coverage than other children involved in the study because case workers were employed to address typical barriers to access, including insufficient knowledge about application processes and eligibility criteria, language barriers and family mobility issues, among others. This study confirms that community health workers could be highly effective in reducing the numbers of uninsured children, especially those who are at greatest risk for being uninsured. Preliminary investigation of a community health workers project in New Mexico similarly suggests that community health workers could be useful in improving enrollment in Medicaid and the State Children's Health Insurance Program, or "SCHIP."

According to a 2003 Institute of Medicine, IOM, report entitled, "Unequal Treatment: Confronting Racial and Ethnic Disparities in Healthcare," community health workers offer promise as a community-based resource to increase racial and ethnic minorities' access to health care and to serve as a liaison between healthcare providers and the communities they serve.

Although the community health worker model is valued in the New Mexico border region as well as other parts of the country that encounter challenges of meeting the health care needs of medically underserved populations, these programs often have difficulty securing adequate financial resources to maintain and expand upon their services. As a result, many of these programs are significantly limited in their ability to meet the ongoing and emerging health demands of their communities.

The 10M report also noted that "programs to support the use of community health workers . . . especially among medically underserved and racial and ethnic minority populations, should be expanded, evaluated, and replicated."

I am introducing this legislation to increase resources for a model that has shown significant promise for increasing access to quality health care and health education for families in medically underserved communities.

I ask unanimous consent that the text of the bill be printed in the Record.

There being no objection, the text of the bill was ordered to be printed in the Record, as follows:

S. 586

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Community Health Workers Act of 2007".

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Chronic diseases, defined as any condition that requires regular medical attention or medication, are the leading cause of death and disability for women in the United States across racial and ethnic groups.

(2) According to the National Vital Statistics Report of 2001, the 5 leading causes of death among Hispanic, American Indian, and African-American women are heart disease, cancer, diabetes, cerebrovascular disease, and unintentional injuries.

(3) Unhealthy behaviors alone lead to more than 50 percent of premature deaths in the United States.

(4) Poor diet, physical inactivity, tobacco use, and alcohol and drug abuse are the health risk behaviors that most often lead to disease, premature death, and disability, and are particularly prevalent among many groups of minority women.

(5) Over 60 percent of Hispanic and African-American women are classified as overweight and over 30 percent are classified as obese. Over 60 percent of American Indian women are classified as obese.

(6) American Indian women have the highest mortality rates related to alcohol and drug use of all women in the United States.

(7) High poverty rates coupled with barriers to health preventive services and medical care contribute to racial and ethnic disparities in health factors, including premature death, life expectancy, risk factors associated with major diseases, and the extent and severity of illnesses.

(8) There is increasing evidence that early life experiences are associated with adult chronic disease and that prevention and intervention services provided within the community and the home may lessen the impact of chronic outcomes, while strengthening families and communities.

(9) Community health workers, who are primarily women, can be a critical component in conducting health promotion and disease prevention efforts in medically underserved populations.

(10) Recognizing the difficult barriers confronting medically underserved communities (poverty, geographic isolation, language and cultural differences, lack of transportation, low literacy, and lack of access to services), community health workers are in a unique position to reduce preventable morbidity and mortality, improve the quality of life, and increase the utilization of available preventive health services for community members.

(11) Research has shown that community health workers have been effective in significantly increasing health insurance coverage, screening and medical follow-up visits among residents with limited access or underutilization of health care services.

(12) States on the United States-Mexico border have high percentages of impoverished and ethnic minority populations: border States accommodate 60 percent of the total Hispanic population and 23 percent of the total population below 200 percent poverty in the United States.

SEC. 3. GRANTS TO PROMOTE POSITIVE HEALTH BEHAVIORS IN WOMEN.

Part P of title III of the Public Health Service Act (42 U.S.C. 280g et seq.) is amended by adding at the end the following:

"SEC. 399S. GRANTS TO PROMOTE POSITIVE HEALTH BEHAVIORS IN WOMEN.

"(a) Grants Authorized.—The Secretary, in collaboration with the Director of the Centers for Disease Control and Prevention and other Federal officials determined appropriate by the Secretary, is authorized to award grants to States or local or tribal units, to promote positive health behaviors for women and children in target populations, especially racial and ethnic minority women and children in medically underserved communities.

"(b) Use of Funds.—Grants awarded pursuant to subsection (a) may be used to support community health workers—

"(1) to educate, guide, and provide outreach in a community setting regarding health problems prevalent among women and children and especially among racial and ethnic minority women and children;

"(2) to educate, guide, and provide experiential learning opportunities that target behavioral risk factors including—

"(A) poor nutrition;

"(B) physical inactivity;

"(C) being overweight or obese;

"(D) tobacco use;

"(E) alcohol and substance use;

"(F) injury and violence;

"(G) risky sexual behavior; and

"(H) mental health problems;

"(3) to educate and guide regarding effective strategies to promote positive health behaviors within the family;

"(4) to educate and provide outreach regarding enrollment in health insurance including the State Children's Health Insurance Program under title XXI of the Social Security Act, Medicare under title XVIII of such Act and Medicaid under title XIX of such Act;

"(5) to promote community wellness and awareness; and

"(6) to educate and refer target populations to appropriate health care agencies and community-based programs and organizations in order to increase access to quality health care services, including preventive health services.

"(c) APPLICATION.—

"(1) IN GENERAL.—Each State or local or tribal unit (including federally recognized tribes and Alaska native villages) that desires to receive a grant under subsection (a) shall submit an application to the Secretary, at such time, in such manner, and accompanied by such additional information as the Secretary may require.

"(2) CONTENTS.—Each application submitted pursuant to paragraph (1) shall—

"(A) describe the activities for which assistance under this section is sought;

"(B) contain an assurance that with respect to each community health worker program receiving funds under the grant awarded, such program provides training and supervision to community health workers to enable such workers to provide authorized program services;

"(C) contain an assurance that the applicant will evaluate the effectiveness of community health worker programs receiving funds under the grant;

"(D) contain an assurance that each community health worker program receiving funds under the grant will provide services in the cultural context most appropriate for the individuals served by the program;

"(E) contain a plan to document and disseminate project description and results to other States and organizations as identified by the Secretary; and

"(F) describe plans to enhance the capacity of individuals to utilize health services and health-related social services under Federal, State, and local programs by—

"(i) assisting individuals in establishing eligibility under the programs and in receiving the services or other benefits of the programs; and

"(ii) providing other services as the Secretary determines to be appropriate, that may include transportation and translation services.

"(d) PRIORITY.—In awarding grants under subsection (a), the Secretary shall give priority to those applicants—

"(1) who propose to target geographic areas—

"(A) with a high percentage of residents who are eligible for health insurance but are uninsured or underinsured;

"(B) with a high percentage of families for whom English is not their primary language; and

"(C) that encompass the United States-Mexico border region;

"(2) with experience in providing health or health-related social services to individuals who are underserved with respect to such services; and

"(3) with documented community activity and experience with community health workers.

"(e) COLLABORATION WITH ACADEMIC INSTITUTIONS.—The Secretary shall encourage community health worker programs receiving funds under this section to collaborate with academic institutions. Nothing in this section shall be construed to require such collaboration.

"(f) QUALITY ASSURANCE AND COST-EFFECTIVENESS.—The Secretary shall establish guidelines for assuring the quality of the training and supervision of community health workers under the programs funded under this section and for assuring the cost-effectiveness of such programs.

"(g) MONITORING.—The Secretary shall monitor community health worker programs identified in approved applications and shall determine whether such programs are in compliance with the guidelines established under subsection (f).

"(h) TECHNICAL ASSISTANCE.—The Secretary may provide technical assistance to community health worker programs identified in approved applications with respect to planning, developing, and operating programs under the grant.

"(i) REPORT TO CONGRESS.—

"(1) IN GENERAL.—Not later than 4 years after the date on which the Secretary first awards grants under subsection (a), the Secretary shall submit to Congress a report regarding the grant project.

"(2) CONTENTS.—The report required under paragraph (1) shall include the following:

"(A) A description of the programs for which grant funds were used.

"(B) The number of individuals served.

"(C) An evaluation of—

"(i) the effectiveness of these programs;

"(ii) the cost of these programs; and

"(iii) the impact of the project on the health outcomes of the community residents.

"(D) Recommendations for sustaining the community health worker programs developed or assisted under this section.

"(E) Recommendations regarding training to enhance career opportunities for community health workers.

"(j) DEFINITIONS.—In this section:

"(1) COMMUNITY HEALTH WORKER.—The term 'community health worker' means an individual who promotes health or nutrition within the community in which the individual resides—

"(A) by serving as a liaison between communities and health care agencies;

"(B) by providing guidance and social assistance to community residents;

"(C) by enhancing community residents' ability to effectively communicate with health care providers;

"(D) by providing culturally and linguistically appropriate health or nutrition education;

"(E) by advocating for individual and community health or nutrition needs; and

"(F) by providing referral and followup services.

"(2) COMMUNITY SETTING.—The term 'community setting' means a home or a community organization located in the neighborhood in which a participant resides.

"(3) MEDICALLY UNDERSERVED COMMUNITY.—The term 'medically underserved community' means a community identified by a State—

"(A) that has a substantial number of individuals who are members of a medically underserved population, as defined by section 330(b)(3); and

"(B) a significant portion of which is a health professional shortage area as designated under section 332.

"(4) SUPPORT.—The term 'support' means the provision of training, supervision, and materials needed to effectively deliver the services described in subsection (b), reimbursement for services, and other benefits.

"(5) TARGET POPULATION.—The term 'target population' means women of reproductive age, regardless of their current childbearing status and children under 21 years of age.

"(k) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $15,000,000 for each of fiscal years 2008, 2009, and 2010.".

By Mr. NELSON of Florida (for himself, Mr. REID, and Mr. BIDEN):

S. 588. A bill to amend title XVIII of the Social Security Act to increase the Medicare caps on graduate medical education positions for States with a shortage of residents; to the Committee on Finance.

Mr. NELSON of Florida. Mr. President, I am pleased to be joined by my colleague Senate Majority Leader HARRY REID as we introduce the Resident Physician Shortage Reduction Act of 2007. The bill would enhance America's health care infrastructure by expanding the number of Medicare-supported physician residency training positions in States with a shortage of residents.

Over the past several years, a number of studies have concluded that this country is facing, or soon will face, physician shortages. The Council on Graduate Medical Education (COGME) and the Association of American Medical Colleges (AAMC) recently issued reports, which concluded that our Nation will likely lack an adequate number of physicians to meet patient demand by the year 2020.

By expanding the number of Medicare-supported physician residency training positions in our Nation's teaching hospitals, we can help stabilize America's health care infrastructure and alleviate physician shortages. Unfortunately, in 1997, the Balanced Budget Act (BBA) "capped" the number of residents that each teaching hospital could claim for Medicare payment purposes. In general, Medicare does not reimburse hospitals for residents they train that are above the capped number of residency slots.

There are no exceptions that allow hospitals to permanently adjust their caps. For example, the cap on physician training positions does not adjust for population growth. In many States, including Florida, populations continue to grow both in size and age and physician shortages are occurring or soon will occur. Ten years ago, Florida's ratio of physicians to population was above the national average. Today, Florida is among the States seeing the slowest growth in physician supply. A major reason for the slow growth in Florida is the lack of physician residents.

A recent study by the AAMC ranks Florida 44th among States with federally funded medical residency positions, with 16 residents per 100,000 people. This problem will worsen over time because Florida's population continues to grow and Federal funding for graduate medical education slots has been capped and cannot grow to reflect the need.

Because physicians tend to remain in the region where they complete their medical training, increasing the number of residency cap positions in States with a shortage will help to ensure an adequate physician workforce. According to a study by the AAMC, 47 percent of physicians are practicing in the State in which they did their training. Florida's record of retention is even better than the national average. The same study shows that approximately 60 percent of physicians who trained in Florida stay in Florida to practice medicine after their residency.

Today we are introducing the Resident Physician Shortage Reduction Act of 2007 to enhance America's health care infrastructure by expanding the number of resident physician training positions in States with a shortage of resident physicians. Specifically, the bill authorizes the Secretary of Health and Human Services (HHS) to increase the cap on the number of Medicare-supported residency training positions at teaching hospitals in States where there are shortages of resident physicians. A State is considered to have a shortage of resident physicians if its ratio of resident physicians per 100,000 population is below the national median level. Under our bill, teaching hospitals in approximately 24 States would be eligible for increases in their resident caps.

We believe this legislation is a critical first step towards ensuring an adequate supply of physicians in our health care system. We urge all of our colleagues, from both sides of the aisle, to join us in this effort.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 588

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Resident Physician Shortage Reduction Act of 2007".

SEC. 2. INCREASING THE MEDICARE CAPS ON GRADUATE MEDICAL EDUCATION POSITIONS FOR STATES WITH A SHORTAGE OF RESIDENTS.

(a) DIRECT GRADUATE MEDICAL EDUCATION.—Section 1886(h)(4)(F) of the Social Security Act (42 U.S.C. 1395ww(h)(4)(F)) is amended—

(1) in clause (i), by inserting "clause (iii) and" after "subject to"; and

(2) by adding at the end the following new clause:

"(iii) INCREASE IN CAPS ON GRADUATE MEDICAL EDUCATION POSITIONS FOR STATES WITH A SHORTAGE OF RESIDENTS.—

"(I) IN GENERAL.—For cost reporting periods beginning on or after the date that is 16 months after the date of enactment of the Resident Physician Shortage Reduction Act of 2007, the Secretary shall increase the otherwise applicable limit on the total number of full-time equivalent residents in the field of allopathic or osteopathic medicine determined under clause (i) with respect to a qualifying hospital in an eligible State by an amount determined appropriate by the Secretary. Such increase shall be phased-in over a period of 5 cost reporting periods beginning with the first cost reporting period in which the increase is applied under the previous sentence to the hospital. For each eligible State the aggregate number of such increases shall be—

"(aa) not less than 15; and

"(bb) not greater than the State resident cap increase.

"(II) QUALIFYING HOSPITAL.—In this clause, the term 'qualifying hospital' means a hospital located in an eligible State that the Secretary determines should receive an increase under this clause in the otherwise applicable limit on the total number of full-time equivalent residents in the field of allopathic or osteopathic medicine.

"(III) ELIGIBLE STATE.—In this clause, the term 'eligible State' means a State for which the National median medical resident ratio exceeds the State medical resident ratio.

"(IV) STATE RESIDENT CAP INCREASE.—In this clause, the term 'State resident cap increase' means, with respect to a State, ¼ of the product of—

"(aa) the difference between the National median medical resident ratio and the State medical resident ratio; and

"(bb) the State population (as determined for purposes of subclause (VI)).

"(V) NATIONAL MEDIAN MEDICAL RESIDENT RATIO.—In this clause, the term 'National median medical resident ratio' means the median of all State medical resident ratios.

"(VI) STATE MEDICAL RESIDENT RATIO.—In this clause, the term 'State medical resident ratio' means, with respect to any State, the ratio of full-time equivalent residents in the State in approved medical residency training programs as of the date of enactment of the Resident Physician Shortage Reduction Act of 2007 to the population of the State as of such date, as determined by the Secretary.

"(VII) STATE.—In this clause, the term 'State' means a State and the District of Columbia.

"(VIII) CONSIDERATIONS IN DETERMINING RESIDENT CAP INCREASES.—In determining whether a hospital is a qualifying hospital, and how much of an increase in the resident cap a qualifying hospital shall receive under subclause (I), the Secretary shall take into consideration the demonstrated likelihood of the hospital filling resident positions that would be made available as a result of such increase within the first 3 cost reporting periods beginning on or after the date that is 16 months after the date of enactment of the Resident Physician Shortage Reduction Act of 2007. The Secretary shall also take into consideration whether the new resident positions will be in primary care, preventive medicine, or geriatrics programs.".

(b) INDIRECT MEDICAL EDUCATION.—Section 1886(d)(5)(B) of the Social Security Act (42 U.S.C. 1395ww(d)(5)(B)) is amended by adding at the end the following new clause:

"(x) Clause (iii) of subsection (h)(4)(F) shall apply to clause (v) in the same manner and for the same period as such clause (iii) applies to clause (i) of such subsection.".

Mr. REID. Mr. President, I am introducing a bill today dealing with resident physician shortages. This bill will expand the number of Medicare-supported physician residency training positions in States all over the country which face a shortage of doctors.

This legislation is important because we know that the cities where doctors are trained are often the cities where they stay. For example, Nevada currently has 199 physicians in training and will be eligible for an additional 93 positions under this bill.

As Nevada continues to grow, so do our health needs. The two bills I am introducing today will help ensure communities across Nevada that they have the doctors they need and the quality of care they deserve.

By Mr. ALLARD:

S. 589. A bill to provide for the transfer of certain Federal property to the United States Paralympics, Incorporated, a subsidiary of the United States Olympic Committee; to the Committee on Environment and Public Works.

Mr. ALLARD. Mr. President, I rise today to introduce important legislation in support of America's Paralympic programs.

The Paralympics are an important facet of our modern Olympic tradition and serve as an integral part of the rehabilitation of the mind, body, and soul. Training programs provided by Paralympic organizations enable disabled athletes to overcome obstacles on and off the field. Through training, performance, and competition, these athletes regain independence and renew their spirit.

The roots of the Paralympic movement originally stem from disabled veteran's returning from war. After World War II, British soldiers began participating in Paralympic games. These games provided a way for disabled soldiers to compete competitively in athletics. This practice quickly spread to the United States, and this country is now leading the way in advancing the movement. Today thousands of athletes with physical disabilities compete internationally, proudly representing their countries.

Tremendous advancements in modern medicine and the adaptation of athletic equipment have allowed Paralympic athletes to physically compete in a variety of sports and live the Olympic dream. By continuing to support the development of the Paralympic movement at all levels, as this bill does, we are able to take advantage of these numerous scientific and medical advancements to truly improve quality of life for our wounded veterans.

Today I am introducing legislation to facilitate the transfer of unused Federal property in Colorado Springs, CO, to the United States Olympic Committee and specifically Paralympics Incorporated. The transfer of this property allows the current United States Olympic Committee complex in Colorado Springs to expand and provides the U.S. Paralympic Team with further room to grow their programs.

To a large degree, this expansion will afford greater opportunities to Paralympics athletes, especially our Nation's military veterans.

Colorado Springs and the Pikes Peak region are unique. Home to a robust veteran's population, this region also serves as the national headquarters of the Unites States Olympic Committee. This makes the area a natural fit for championing and advancing the Paralympic movement.

Proponents for the disabled estimate that approximately 10 percent of the more than 500-person U.S. team to the Paralympics in 2012 will be comprised of veteran's of the global war on terrorism. This is a tremendous increase considering there were no war veterans participating in either the 2004 or 2006 games.

Providing for the transfer of this property will give the United States Olympic Commitee the necessary facilities to work with local and national veteran's service organizations, the Department of Defense, as well as the Department of Veterans Affairs in order to allow for greater opportunities for disabled veterans to participate in the Paralympics, particularly those returning home from war in Iraq and Afghanistan.

I am not alone. National and local organizations recognize the importance of these programs and vocally support my efforts, including: the Colorado American Legion, the Colorado Springs Chamber of Commerce, the National Sports Center for the Disabled, and the Pikes Peak Chapter of Military Officers Association of America.

I ask my colleagues to join me in cheering on the Olympic spirit that lives in all of us by supporting our Nation's disabled veterans and Paralympic athletes.

I ask unanimous consent to print the following letters in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE CHAMBER,
Colorado Springs, CO, February 14, 2007.
Hon. WAYNE ALLARD,
U.S. Senator, Dirksen Senate Office Building, Washington, DC.

DEAR SENATOR ALLARD: We are writing to express our strong support of your efforts to transfer the Federal Building at 1520 East Willamette in Colorado Springs to the United State Paralympic Committee.

As you know, The Greater Colorado Springs Chamber of Commerce has an active and steadfast relationship with the United States Olympic Committee. In addition, our membership provides a strong support system to our military in the region. We are most impressed with the USOC's Paralympics Organization that provides such a valuable initiative to our injured soldiers coming back from serving and protecting our country.

The stature and pride associated with The United States Olympic Committee's presence in the Colorado Springs area has always been an important part of our cultural and economic significance. Combining that with the mission of helping our soldiers recover and succeed in the Paralympics venue would be another critical investment in our people and our region.

We wholly and enthusiastically support your efforts to add to our nation's viability in the Paralympics movement and to increase our region's prominence in that movement. Thank you for your vigorous dedication in moving this effort forward.

Sincerely,

WILL TEMBY,
Chief Executive Officer.

NATIONAL SPORTS CENTER
FOR THE DISABLED,
January 24, 2007.
Hon. WAYNE ALLARD,
U.S. Senate,
Washington, DC.

DEAR SENATOR ALLARD: On behalf of the National Sports Center for the Disabled of Winter Park, Colorado, I would like to thank you for introducing legislation to transfer Federal property to the United States Paralympics, Inc. and the United States Olympic Committee. This property will significantly add to the U.S. Paralympics' ongoing efforts to provide sport programs for individuals with disabilities.

In recent years, the number of young men and women with newly acquired disabilities from military service has increased considerably. Learning to live with a disability is an experience that many find difficult. Recognizing that physical activity can play a tremendous role in encouraging healthy and independent lives, the U.S. Paralympics has made remarkable efforts to provide sport programs for such individuals. As chief executive officer for the National Sport Center for the Disabled, I have witnessed firsthand the benefits of physical activity on the lives of the disabled. It is clear that sport programs have tremendous therapeutic value and encourage healthy, independent lives.

As military operations in Iraq and Afghanistan continue, the need for such programs is greater than ever. This property in Colorado Springs, Colorado will greatly enhance the U.S. Paralympics' ability to continue sport training programs for our soldiers with newly acquired disabilities as they return home and begin the rehabilitation process.

I ardently support your legislation to transfer Federal property to the U.S. Olympic Committee and U.S. Paralympics for sport programs for the disabled, and I thank you for recognizing this need as so many active duty and retired military personnel begin to adjust to life with a disability.

Sincerely,

CRAIG POLLITT, PRESIDENT/CHIEF
EXECUTIVE OFFICER.

PIKES PEAK CHAPTER,
MILITARY OFFICERS ASSOC. OF AMERICA,
Colorado Springs, CO, January 24, 2007.
U.S. OLYMPIC COMMITTEE,
Olympic Plaza,
Colorado Springs, CO.

DEAR U.S. OLYMPIC COMMITTEE: The members of the Pikes Peak Chapter of the Military Officers Association of America would like to express our strongest support for your efforts to transfer the Federal Property near the U.S. Olympic Training Center to your Olympic Committee. Understanding that U.S. Olympic Committee will use this property in the training of United States Paralympics, we see this as a wonderful opportunity to help athletes with physical disabilities. As many veterans take part in this training and competition and it adds so much to their lives, we strongly urge the Olympic Committee to pursue the acquisition of this property for the Paralympics.

Feel free to contact me at 719-590-9522 for further details.

Sincerely,

THOMAS M. DASCHBACH,
Colonel USAF (Ret),
President, Pikes Peak Chapter.

By Mr. SMITH (for himself, Mr. SALAZAR, Ms. SNOWE, Mr. MENENDEZ, Mr. LUGAR, Mr. KERRY, Mr. KENNEDY, Mr. ALLARD, Mr. WYDEN, Mr. LIEBERMAN, Mr. LAUTENBERG, Ms. CANTWELL, and Ms. LANDRIEU):

S. 590. A bill to amend the Internal Revenue Code of 1986 to extend the investment tax credit with respect to solar energy property and qualified fuel cell property, and for other purposes; to the Committee on Finance.

Mr. SMITH. Mr. President, I rise today to introduce legislation to spur investment in and deployment of fuel cells and solar energy systems. I am joined today by my colleague, Senator SALAZAR, and eleven other Senators in introducing this important bill to encourage the development if these clean energy facilities.

The Energy Policy Act of 2005 created new commercial and residential investment tax credits that have helped stimulate market growth for these innovative technologies. Those tax credits, which were extended in 2006, are set to expire at the end of 2008. However, in order to drive down future production costs and encourage the development of these facilities, this bill provides for an eight-year extension of the investment tax credits for solar and fuel cell facilities. It also provides for the accelerated depreciation of commercial solar and fuel cell projects.

The long-term extension is needed within these industries because these emerging energy technologies have longer planning horizons than traditional power plants. A long-term extension will also help developers secure the financing for these facilities.

There are numerous benefits of extending these investment tax credits. It is estimated that an eight-year extension of the tax credits will displace over 4 trillion cubic feet of natural gas and save consumers over $32 billion. An estimated 70,000 new jobs will be created in the solar and fuel cell industries and over $50 billion in economic investment will be made in these industries. In addition, distributed generation facilities can serve remote sites and help address transmission congestion issues.

Home-grown energy technologies and sources help reduce our dependence on foreign sources of energy. Moreover, both solar equipment and fuel cells provide zero emissions energy. I would urge my colleagues to join us in providing America's entrepreneurs and households with these important tax incentives. Together, we can reduce our dependence on fossil fuels and restore our nation's leading role in these important industries.

By Mr. CHAMBLISS (for himself, Mr. HARKIN, Mr. ROBERTS, Mrs. LINCOLN, Mr. COCHRAN, and Mr. LEAHY):

S. 591. A bill to amend the Food Stamp Act of 1977 to adjust for inflation the allowable amounts of financial resources of eligible households and to exclude from countable financial resources certain retirement and education accounts; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. CHAMBLISS. Mr. President, I rise today to introduce the Food Stamp Savings and Investment Act of 2007, a bill that would improve the food stamp program which is administered by the U.S. Department of Agriculture. For fiscal year 2005, the food stamp program touched an average of over 25 million people in this country every month.

Our nutrition assistance programs, anchored by the food stamp program, play a key role in ensuring that needy Americans have access to the food they need to lead healthy, productive lives. I know from the school teachers in my family the importance of good nutrition, especially for our children's development. Moreover, the food for nutrition programs comes from U.S. farmers which helps agriculture. Finally, food assistance programs are an important part of this country's safety net. Not long ago, the Nation witnessed the food stamp program's effective emergency response to evacuees from hurricanes Katrina and Rita. The U.S. food assistance programs are good for families, good for farmers and good for America.

The food stamp program not only helps by providing food and emergency aid, it helps America's needy families on their path to independence and self-sufficiency. The goals of the 1996 welfare reform were spelled out in the title, to increase "personal responsibility and work opportunity." In essence, Congress asked our nation's families on welfare to take personal responsibility for themselves and join the workforce, and many of those families did. In the ten years since welfare reform was passed by Congress and signed by President Clinton, fewer families receive cash welfare, and more welfare families are working. According to the Congressional Research Service, from 1996 to 2005, the number of food stamp households with children who received cash welfare payments decreased by 57 percent, and the number who reported earned income increased 41 percent. Many families have transitioned from welfare to work, and the Food Stamp program should do more to encourage this continuing transition.

States have done a great job addressing food stamp error rates. From fiscal year 2000 to fiscal year 2005, while average monthly participation increased to a near historical high of almost 26 million people, the combined error rates of over payments and under payments fell 34 percent to a historical low of 5.84 percent.

In the 2002 farm bill, Congress gave States many options to administer the food stamp program easier. Most States have taken advantage of these options and the program serves both taxpayers and recipients better today than in the past. However, there is room to improve. For many working families with low income, there are some aspects of the food stamp program that may reduce their ability to escape the cycle of poverty. For example, food stamp asset rules conflict with families' ability to save for their future. The asset limit of $2,000 for liquid assets for most food stamp recipients has not changed for more than 20 years. When indexed for inflation, the asset limit would be almost $4,000 today. This bill would index the asset limit to inflation. A higher asset limit should help families build up savings in order to achieve financial independence and prepare for a rainy day or get an education and eventually end their need to receive food stamps.

In addition, food stamp rules discourage working families from utilizing all the financial investment tools encouraged by the tax code for working Americans. This bill would exempt savings plans for retirement and education from being counted toward the asset when determining eligibility, provisions included in the Bush Administration's farm bill proposal.

The core ideas underlying this bill enjoy broad support across the political spectrum. Examples of organizations that have voiced support for reforming asset limits in order to encourage savings include: The Heritage Foundation; the Center on Budget and Policy Priorities; the New America Foundation; the Corporation for Enterprise Development; and, the Center for Law and Social Policy.

Reforming food stamp asset limits has the potential to help needy families break the cycle of poverty and achieve long-term financial independence. I urge my colleagues to support this bill.

Mr. HARKIN. Mr. President, I am pleased today to join my friend and colleague, the senior Senator from Georgia, as a cosponsor of legislation to provide some needed improvements to the Food Stamp Program's eligibility rules.

Senator CHAMBLISS' legislation, the Food Stamp Personal Savings and Investment Act of 2007, would exempt retirement accounts and educational savings accounts from the current asset limits test in the Food Stamp Program. Additionally, this bill would index the current asset limit to inflation.

For most households, the current asset limit in the Food Stamp Program is $2000; $3000 for households with an elderly individual or an individual with a disability. This limit has not been raised in over 20 years, making it inconsistent with the economic challenges faced by today's low-income working families in America.

In addition, current Food Stamp Program resources rules are inconsistent. Many types of retirement accounts and all educational savings accounts are counted against the asset limit, meaning that a working mother who has recently become unemployed but managed to save $2500 for her daughter's college education is actually ineligible for food stamps. This forces otherwise eligible households to have to choose between liquidating such savings, which in many cases are also subject to a financial penalty, or going without needed food assistance.

It is clear that current Food Stamp Program rules actually discourage people from planning responsibly for their futures and deny them a helping hand at a time when they need it most. It makes no sense for the government to force families that are suffering through periods of unemployment to spend down the savings which represent their only source of security in times of hardship. In essence we require people to trade-off their minimal savings for meager food stamp benefits that equal an average of one dollar per meal per person.

If our true goal is to provide low-income families with a hand up—to help make a better life for themselves and their children—then we must enact policies that actually encourage them to build the resources that are necessary to get out of poverty and remove the barriers to saving that exist in current law. Exempting retirement and educational savings accounts from the Food Stamp Program's asset limits test will help do that.

Similarly, adjusting the current asset limit so that it rises with inflation will provide a more reasonable, less-restrictive threshold that, though modest, will at least prevent further erosion in the current asset limits. I'm hopeful that we can do more than just indexing the current limit, which is too restrictive. I hope that we can first increase the asset limits and then index them annually to inflation. But Senator CHAMBLISS' bill is a good start, and I commend him for seeking to address this problem.

Taken together, these are common sense changes that are needed throughout our federal anti-poverty programs to allow low-income Americans who are currently discouraged from saving to invest in their futures. The Committee on Agriculture, Nutrition and Forestry obviously has no jurisdiction over other anti-poverty programs, but we can start by removing the unrealistic and damaging limits that currently exist within the Food Stamp Program.

I should also make clear that this is not the only change needed to improve upon the Food Stamp Program. We clearly must do more to help those who suffer from food insecurity in this country, and there are a number of other improvements that we should make to our federal food assistance programs to help low-income families put food on their tables.

This legislation is a good start to the larger objective of simplifying and strengthening our food assistance programs to make them more responsive and relevant to helping meet the needs of today's low-income American families. I commend Senator CHAMBLISS for introducing this bill, am happy to cosponsor it and look forward to continuing to work with him to promote economic and food security and stability for low-income Americans and families.

By Ms. COLLINS:

S. 592. A bill to amend the Internal Revenue Code of 1986 to provide for a manufacturer's jobs credit, and for other purposes; to the Committee on Finance.

Ms. COLLINS. Mr. President, I rise today to introduce legislation, the "Growing Our Manufacturing Employment Act, or "GoME," which is aimed at reinvigorating the manufacturing sector, boosting the level of domestic manufacturing, and preventing the further loss of manufacturing jobs.

Few issues are as important to the American people than the availability of good jobs in their communities. Manufacturing jobs have long provided quality employment for generations of Americans. But in recent years, employment in the manufacturing sector has dropped, and over 3 million manufacturing jobs have been lost since the year 2000.

Few States have been hit harder by the loss of manufacturing jobs than my home State of Maine. According to the National Association of Manufacturers, Maine has lost 22,000 manufacturing jobs—nearly 28 percent of our total—since the beginning of this decade. These jobs once provided lifelong employment to Mainers in towns like Millinocket, Wilton, Waterville, Fort Kent, Dexter, Westbrook, and Sanford. Here is but one example of the tragic results of this ongoing trend, from my home State of Maine: For 60 years, Moosehead Manufacturing produced furniture of the highest quality—beautiful designs and quality materials combined with expert craftsmanship. Last week, Moosehead closed its doors. More than 120 skilled workers have lost their jobs. A traditional Maine business, built from the ground up by a Maine family, is gone.

Why are American manufacturing jobs disappearing? Three years ago, the National Association of Manufacturers released a study showing that American manufacturers face "structural costs" that makes it 22 percent more expensive to manufacture goods here than overseas. Last fall, NAM updated this study, and found that these costs are escalating, with American manufacturers now facing a cost differential 31 percent higher than our nine leading trading partners.

While it would surprise no one that U.S. manufacturers face a higher cost-of-doing business than manufacturers in countries like China and Mexico, it would be a mistake to assume that wage rates alone explain this difference. They do not. In fact, the productivity of American workers is unrivaled, allowing American workers to receive more value, in wages, for the goods they produce. As the original NAM study states, if wages were the only factor, then "U.S. manufacturers would be much more dominant . . . in the global markets than the current trade situation suggests."

It is other "structural costs" that make it more expensive to manufacture goods in the U.S. relative to the cost elsewhere. Indeed, the NAM study shows that most of the "structural costs" facing American manufacturers are higher than those facing manufacturers in industrialized nations like Japan, Germany, and France. This fact illustrates the critical impact these high "structural costs" have on our ability to compete.

In essence, these costs have the same effect as imposing a 31 percent additional tax on making goods here rather than overseas. To stay in business, American manufacturers must somehow do more with less, move operations overseas, or get out of manufacturing altogether. The end result is fewer jobs, a weaker economy, and a manufacturing sector in crisis.

I believe a healthy manufacturing base is essential to our Nation's future. Not only is manufacturing a key source of skilled, high-paying jobs, but also it is crucial to our economic and national security that we have the ability to manufacture the goods we need right here in this country. For all these reasons, I am proposing the "Growing Our Manufacturing Employment Act."

This bill would help to lessen the 31 percent cost differential that American manufacturers face by providing a variety of tax incentives. For example, a jobs tax credit would be provided to manufacturers that employ displaced workers who are receiving benefits under the Trade Adjustment Act, as well as those who are receiving benefits under the Alternative TAA program. That would help get those workers back to work. In Maine alone over 4,700 workers have been deemed eligible for benefits under TAA since November of 2002, and nationally, the number is nearly 600,000.

The jobs credit I am proposing in this bill would only be available to manufacturers that increase their employment level. The availability of this credit would provide a powerful incentive to hire workers who are receiving benefits because they are displaced.

This bill is designed to ensure that only companies that are helping to build America's manufacturing base obtain its benefits. It has both a carrot and a stick approach. Companies that move jobs offshore will see their benefits under this proposal reduced, and companies that chose to "invert" their corporate structure to avoid U.S. taxes will not be eligible for this credit at all.

As important as it is to assist workers who are eligible for benefits under TAA and ATAA, however, this alone is not enough to address the crisis facing American manufacturers. That is why my bill also includes a 5-year extension of the research and development tax credit we passed last year. R&D is critical to our manufacturers, because it is the basis of the breakthroughs we need to keep our economy on the cutting edge. The credit also creates jobs—it can only be claimed on R&D performed in the United States, and 75 percent of each dollar claimed goes to cover salaries of employees engaged in R&D. But despite its importance, the R&D tax credit is scheduled to sunset at the end of this year. Extending this credit would be a powerful tool that will help manufacturers keep their operations in America, and help offset the cost disparity American manufacturers face.

I am hopeful that, working together on this and other proposals, we can take the important steps needed to strengthen American manufacturers, preserve our manufacturing capacity, and most of all, help ensure that hardworking Americans have the jobs they need and deserve.

By Mr. BURR (for himself, Mr. REED, Mr. NELSON of Florida, Mr. MARTINEZ, Mr. DURBIN, Mrs. DOLE, and Ms. COLLINS):

S. 593. A bill to amend the Public Health Service Act to establish a grant program to provide supportive services in permanent supportive housing for chronically homeless individuals, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, I am pleased to join my colleague, Senator BURR, to introduce the Services for Ending Long-Term Homelessness Act (SELHA).

It is estimated that two to three million Americans experience a period of homelessness in a given year. While the majority of these individuals find themselves homeless for a brief period of time, a growing segment are experiencing prolonged periods of homelessness. Roughly 200,000 to 250,000 Americans fall under the category of chronically homeless.

In March 2003, former Department of Health and Human Services Secretary Tommy Thompson issued a report that defined the issues and challenges facing the chronically homeless and developed a comprehensive approach to bringing the appropriate services and treatments to this population of individuals who typically fall outside of mainstream support programs.

Similarly, the President's New Freedom Commission on Mental Health recommended the development of a comprehensive plan to facilitate access to permanent supportive housing for individuals and families who are chronically homeless. However, affordable housing, alone, is not enough for many chronically homeless to achieve stability. This population also needs flexible, mobile, and individualized support services to sustain them in housing.

The legislation we are introducing today is critical to the development and implementation of more effective strategies to combat chronic homelessness through improved service delivery and coordination across Federal agencies serving this population. It directs the Substance Abuse and Mental Health Services Administration to coordinate their efforts not only with the Department of Housing and Urban Development, but with other Federal departments as well as with various agencies within the Department of Health and Human Services that provide supportive services.

Mr. President, SELHA is an important bipartisan measure designed to help improve coordination and ensure access to the range of supportive services that the growing number of chronically homeless Americans need to get back on their feet. Our bill brings together permanent supportive housing and services, the essential tools to enable these individuals to begin to take the steps necessary to become productive and active members of our communities again.

I look forward to working with my colleagues toward expeditious passage of this legislation.

By Mrs. FEINSTEIN (for herself, Mr. LEAHY, Mr. SANDERS, and Ms. MIKULSKI):

S. 594. A bill to limit the use, sale, and transfer of cluster munitions; to the Committee on Foreign Relations.

Mrs. FEINSTEIN. Mr. President, I rise with Senator LEAHY, Senator SANDERS, and Senator MIKULSKI to introduce legislation to address the continuing threat posed by cluster bombs to innocent civilians around the world.

Our legislation places common sense restrictions on the use of cluster bombs. It prevents any funds from being spent to use, sell or transfer cluster munitions: that have a failure rate of more than one percent; unless the rules of engagement or the agreement applicable to the sale or transfer of such cluster munitions specify that: the cluster munitions will only be used against clearly defined military targets and; will not be used where civilians are known to be present or in areas normally inhabited by civilians.

The bill also requires the President to submit a report to the appropriate Congressional committees on the plan, including estimated costs, by either the United States Government or the government to which U.S. cluster bombs are sold or transferred to clean up unexploded cluster bombs.

Finally, the bill includes a national security waiver that allows the President to waive the prohibition on the use, sale, or transfer of cluster bombs with a failure rate of more than one percent, if he determines it is vital to protect the security of the United States.

The human death toll and injury from these weapons are felt everyday. Innocent children think they are picking up a play toy in the field and suddenly their arm is blown off.

Last November, the International Committee for the Red Cross called for a ban on the use of cluster bombs in highly populated areas. They joined other leading organizations who have also decried the indiscriminate use of these weapons: Amnesty International, Human Rights Watch, the Friends Committee on National Legislation, Handicap International, and Landmine Action.

Several countries, including Belgium, Germany, and Norway have either instituted a ban or a moratorium on the use and procurement of cluster bombs. More than 30 countries are actively calling for increased international controls on the weapon.

And next week, Norway will host an international conference to explore the possibility of a international treaty to ban certain types of cluster munitions and provide support for the victims of the weapons.

We need to adjust our policies for their use and can do so easily.

Every year, hundreds of civilians are killed and many more are injured due to unexploded cluster bombs.

From the fields of Vietnam, Laos, and Cambodia, through the streets of Kosovo and Iraq, to the arid hills of Afghanistan and the playgrounds of Lebanon, these lethal relics of war continue to cripple life, hope, and peace.

Cluster munitions are large bombs, rockets, or artillery shells that contain up to hundreds of small submunitions, or individual "bomblets."

They are intended for attacking enemy troop formations and armor covering over a half mile radius.

Yet, in practice, they pose a real threat to the safety of civilians when used in populated areas because they leave hundreds of unexploded bombs over a very large area and they are often inaccurate.

The non-profit group Handicap International studied the effects of cluster bombs in 24 countries and regions, including Afghanistan, Chechnya, Laos, and Lebanon.

Its report found that civilians make up 98 percent of those killed or injured by cluster bombs. 27 percent of the casualties are children.

As the report shows, cluster bombs end up in streets and cities where men and women go to work and do their shopping.

They end up in groves of trees and fields where children play.

They end up in homes where families live.

In some cases, up to 40 percent of cluster bombs fail to explode, posing a particular danger to civilians long after the conflict has ended.

This is particularly and sadly true of children because bomblets are no bigger than a D battery and in some cases resemble a tennis ball.

Children, outside with their friends and relatives, come across these cluster bombs, pick them up because they look a ball, and start playing with them.

A terrible result often follows as these stories demonstrate.

On March 25, 2003 Abdallah Yaqoob was sleeping in his bed in his family's home in Basra, Iraq when he was hit by shrapnel from a cluster munition strike that hit his neighborhood.

He lost his arm, and his abdomen was severely injured. Abdallah was hit by British L20A1/M85 munition.

Falah Hassan, 13, was injured by an unexploded ground-launched submunition in Iraq on March 26, 2003.

The explosion severed his right hand and spread shrapnel through his body. He lost his left index finger and soft tissue in his lower limbs. Source: Bonnie Docherty/Human Rights Watch.

Hassan Hammade, a 13 year old Lebanese boy, lost four fingers and sustained injuries to his stomach and shoulder after he picked up an unexploded cluster bomb in front of an orange tree.

He said, "I started playing with it and it blew up. I didn't know it was a cluster bomb—it just looked like a burned out piece of metal." Source: Christian Science Monitor.

All the children are too scared to go out now, we just play on the main roads or in our homes.

These unexploded cluster bombs become, in essence, de facto landmines.

Instead of targeting troop formations and enemy armor, unexploded bomblets target innocent civilians, seriously maiming or killing their victims.

This runs counter to our values and counter to the laws of war.

Make no mistake, the impact of unexploded cluster bombs on civilian populations has been devastating.

In Laos alone there are between 9 and 27 million unexploded cluster bombs, leftovers from U.S. bombing campaigns in the 1960s and 1970s. Approximately 11,000 people, 30 percent of them children, have been killed or injured since the war ended. Source: International Committee for the Red Cross.

In the first Gulf War, 61,000 cluster bombs were used containing 20 million bomblets. Since 1991, unexploded bomblets have killed 1,600 innocent men, women, and children and injured more than 2,500.

In Afghanistan in 2001, 1,228 cluster bombs with 248,056 bomblets were used. Between October 2001 and November 2002, 127 civilians were killed by them, 70 percent of them under the age of 18.

In Iraq in 2003, 13,000 cluster bombs with nearly 2 million bomblets were used. Combining the first and second Gulf Wars, the total number of unexploded bomblets in the region is approximately 1.2 million.

An estimated 1,220 Kuwaitis and 400 Iraqi civilians have been killed since 1991. Source: Human Rights Watch.

What gives rise, in part, to my bill are recent developments in Lebanon over alleged use of cluster bombs by Israel.

It is estimated that Israel dropped 4 million bomblets in southern Lebanon and 1 million of these bomblets failed to explode.

As Lebanese children and families have returned to their homes and begin to rebuild, they have been exposed to the danger of these unexploded bomblets lying in the rubble.

22 people, including six children have been killed and 133, including 47 children, injured.

One United Nations official estimates that 40 percent of the cluster bombs launched by Israel in Southern Lebanon failed to explode.

So far, more than 58,000 unexploded bomblets in Lebanon have been destroyed but it will take 12 to 15 months to complete the effort. Source: United Nations humanitarian coordinator for Lebanon.

Looking at these figures it is clear that several countries are awash with unexploded bomblets.

The number is indeed staggering and the consequences are real.

Each death that results from an unexploded American bomblet weakens American diplomacy and American values.

How are we supposed to win the hearts and minds of civilians in these countries when we leave behind such deadly weapons that indiscriminately kill boys and girls?

How are we supposed to speed up reconstruction efforts—building homes, schools, hospitals, clinics, and ensuring electricity and water supplies—when populated areas are littered with these bombs?

Simply put, unexploded cluster bombs fuel anger and resentment and make security, stabilization, and reconstruction efforts that much harder.

And it is not just a humanitarian problem, it is a military problem.

By showering targets with cluster bombs, we ensure that our troops will face thousands of unexploded bomblets as they move forward.

This will force them to change course and slow the mission.

During the Iraq war, U.S. troops would fire six rockets containing 4,000 bomblets to eliminate one artillery piece in a civilian neighborhood. With a 16 percent dud rate, approximately 640 duds were left behind. Source: Human Rights Watch.

As an August 2003 Wall Street Journal article noted: "Unexploded bomblets render significant swaths of battlefield off-limits to advancing U.S. troops."

In fact, during the first Gulf War, unexploded cluster munitions killed 22 U.S. troops—6 percent of total U.S. fatalities—and injured 58.

Former Secretary of Defense William Cohen recognized the threat cluster bombs posed to civilians and U.S. troops alike and issued a memorandum which became known as the Cohen Policy.

It stated that beginning in fiscal year 2005, all new cluster bomb would have a failure rate of less than one percent.

This was an important step forward but we must remember that we still have 5.5 million cluster bombs in our arsenals containing 728.5 million bomblets. That is, we are still prepared to use an enormous amount of cluster bombs that have significant failure rates. That is unacceptable.

Let me be clear. While this legislation prohibits the sale, use, or transfer of cluster bombs with a failure rate of more than one percent, it does include a national security waiver to allow the President to waive the restriction.

Instead of exercising the waiver, I would hope that administration would work with Congress to extend the Cohen Policy to the entire U.S. cluster bomb arsenal.

During the 1990s, a comprehensive pact was forged to protect civilians from land mines worldwide. The United States and the international community have since spent millions to remove mines in post-conflict regions.

There is no question there should be a similar program for cluster bombs.

Simply put, this legislation will save lives—civilians and soldiers alike—and will help save the reputation of the United States.

I urge my colleagues to support this bill.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 594

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Cluster Munitions Civilian Protection Act of 2007".

SEC. 2. LIMITATION ON THE USE, SALE, OR TRANSFER OF CLUSTER MUNITIONS.

No funds appropriated or otherwise available to any Federal department or agency may be obligated or expended to use, sell, or transfer any cluster munitions unless—

(1) the submunitions of the cluster munitions have a 99 percent or higher functioning rate;

(2) the policy applicable to the use, or the agreement applicable to the sale or transfer, of such cluster munitions specifies that the cluster munitions will only be used against clearly defined military targets and will not be used where civilians are known to be present or in areas normally inhabited by civilians; and

(3) not later than 30 days after such cluster munitions are used, the President submits to the appropriate congressional committees a plan, including estimated costs, for cleaning up any such cluster munitions and submunitions which fail to explode and continue to pose a hazard to civilians that is prepared, as applicable—

(A) by the head of such Federal department or agency in the event such cluster munitions are to be used by the United States Government; or

(B) by the government of the country to which the United States Government sold or transferred such cluster munitions.

SEC. 3. PRESIDENTIAL WAIVER.

The President may waive the requirement under section 2(1) if, prior to the use, sale, or transfer of cluster munitions, the President—

(1) certifies that it is vital to protect the security of the United States; and

(2) not later than 30 days after making such certification, submits to the appropriate congressional committees a report, in classified form if necessary, describing in detail—

(A) the steps that will be taken to protect civilians; and

(B) the failure rate of the cluster munitions that will be used, sold, or transferred and whether such munitions are fitted with self-destruct or self-neutralization devices.

SEC. 4. APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.

In this Act, the term "appropriate congressional committees" means the Committee on

Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

Mr. LEAHY. Mr. President, I am very pleased to cosponsor this legislation on cluster munitions with my friend from California, Senator FEINSTEIN. I commend her for the determination she has shown to prevent future harm to innocent people from these weapons.

The problem of cluster munitions, which overwhelmingly maim and kill civilians, has been known for many years. Perhaps the most egregious example is Laos, where millions of these tiny explosives were dropped by United States military aircraft during the Vietnam war. Over three decades later they continue to cause horrific casualties among local villagers and unsuspecting children.

I have urged the Pentagon to address this problem for nearly a decade.

While they have acknowledged the problem, they have not yet taken sufficient steps to solve it. We used large numbers of cluster munitions in the invasion of Iraq, including in densely inhabited, urban areas, and many civilians paid and continue to pay a terrible price.

Israel used these weapons extensively in Lebanon, including cluster munitions supplied by the United States, and again it has been civilians who have suffered disproportionately.

Cluster munitions, like any weapon, have military utility. They can be effective against armor or other military infrastructure. But they are, in effect, indiscriminate, because they are scattered by the thousands over wide areas.

Many of them—between 1 and 40 percent depending on the type and the condition of the terrain—fail to explode on contact and remain on the surface of the ground as hazardous duds indefinitely, no different from landmines.

The duds are exploded by whoever comes into contact with them. Often it is a child who thinks it is a toy. The consequences are disastrous—lifelong disfigurement and disability, or death.

No one suggests that it is possible to completely avoid civilian casualties in war. Innocent casualties are an inevitable, tragic consequence of all wars. But this legislation should not be necessary. Weapons that are so disproportionately hazardous to civilians should of course be subject to strict controls on their use.

The Feinstein-Leahy bill does not prohibit the use or export of cluster munitions. Rather, it would set a standard for reliability that is the same as what the Pentagon now requires for new procurements of these weapons.

The President may waive this requirement if he certifies that doing so is vital to protect the security of the United States, and he submits a report describing the steps that will be taken to protect civilians and the failure rate of the cluster munitions to be used or sold.

Our bill, which is not aimed at any particular country because this is a global problem, would also require that cluster munitions be used only against military targets and not where civilians are known to be present or in areas normally inhabited by civilians.

This is a moral issue and it is an issue of our own self-interest. Using or selling weapons that are so indiscriminate in their effect without strict controls on their use is immoral. It is immoral.

Anyone who has seen the horrific consequences of children with an arm or a leg blown off, or a part of their face, or their lifeless body cut to pieces by shrapnel, knows that.

It is also contrary to our own interest to be using or selling weapons which cause such appalling casualties of people who are not the enemy. It fuels anger and resentment we can ill afford among the very people whose support we need.

Again, I am pleased to join with the Senator from California. This is a thoughtful, much needed response to a serious humanitarian problem.

It is also timely because other governments, following the leadership of Norway, Austria and others, are meeting in Oslo later this month to begin discussions on an international treaty to curtail the use and export of cluster munitions that pose unacceptable risks to civilians.

The United States should play a visible, constructive role in those negotiations and it is our hope that this legislation will contribute to that process.

By Mr. LAUTENBERG (for himself, Mrs. BOXER, and Mr. MENENDEZ):

S. 595. A bill to amend the Emergency Planning and Community Right-to-Know Act of 1986 to strike a provision relating to modifications in reporting frequency; to the Committee on Environment and Public Works.

Mr. LAUTENBERG. Mr. President, I rise today to introduce legislation that would preserve the public's right to know about toxic chemical releases and waste management where they live.

The legislation would overturn the Environmental Protection Agency's recent action to undermine the Toxics Release Inventory (TRI) program—which I helped create in 1986—by allowing facilities that release up to 2,000 pounds of a toxic chemical to simply provide notice of a chemical's presence at the facility, rather than disclose the actual amounts released to the land, air, and water. The 2,000 pounds standard represents a four-fold increase of the current reporting threshold. EPA finalized another change to the TRI program that will reduce the information available to the public regarding the waste management of some of the most toxic chemicals that accumulate in the environment, including lead and mercury.

These changes would eliminate detailed reporting for one or more chemicals at thousands of facilities in communities around the country, including hundreds of facilities in New Jersey, and could eliminate entirely the disclosure of the releases of more than a dozen potentially dangerous chemicals. According to the Government Accountability Office (GAO), citizens living in 75 U.S. counties could have no numerical TRI information about local toxic pollution under the changes made by EPA. Furthermore, GAO estimates that 3,565 facilities—including 101 in New Jersey—would no longer have to report any quantitative information about their chemical releases and waste management practices to the TRI.

The EPA had also proposed to require reports on chemical emissions only every other year, instead of the current annual requirement. Under that plan, communities would have no knowledge of what chemicals have been released into their neighborhoods, or how those wastes were otherwise managed every other year. Additionally, companies would have an incentive to concentrate their most egregious releases of toxic chemicals into the environment in years which are not reported. EPA withdrew this particular part of their proposal, but there is no guarantee that they will not pursue this avenue in the future.

I strongly oppose all of these rule changes; and the legislation I am introducing will overturn the changes EPA has made, and prevent them from making the third change that they considered.

I firmly believe that it is unacceptable for the EPA to reduce the amount of information available to the public about chemicals—including mercury, lead benzene, chromium, and other carcinogens—stored nearby or released into their community. When Congress passed the original Emergency Planning and Community Right-to-Know Act in 1986, as a response to the 1984 Union Carbide chemical disaster in Bhopal, India, some accountability was finally established in the chemical industry. And now, the EPA has weakened the rules and reduced the amount of information available to the public on these critical issues. For instance, in my home State of New Jersey, a chemical facility that released 2,000 pounds of arsenic via air emissions in 2003 would no longer be required to disclose this pollution to the general public. Fourteen facilities that released a combined 8,600 pounds of carcinogenic styrene would no longer have to report these emissions in detail.

While the EPA touts the benefits of its proposal as "burden reduction" for industry. I strongly believe that the benefit of annual, detailed reporting vastly outweighs any reduction in burden that will be provided to industry. In fact, according to GAO's estimates, the average cost savings for facilities no longer required to report their release of toxic chemicals or waste management practices would be approximately $2.46 per day.

There are constructive ways to improve the TRI program, and lessen the burdens on industry, without reducing the amount of information available to the public. These include improving the system for electronic reporting, and offering technical assistance to help businesses comply with the requirements.

The bill I introduce today, with Senator BOXER and Senator MENENDEZ as original co-sponsors, would codify the previous requirement that facilities with chemical releases of more than 500 pounds of any standard TRI chemical must disclose the details of their releases. Releases in amounts less than 500 pounds could continue to use the less detailed reporting form. Second, it would codify the current prohibition on using the less detailed form for the most persistent chemicals, including lead and mercury—those the EPA has classified as "chemicals of special concern." Finally, it would prevent EPA from making the frequency of reporting less than every year.

I would also like to thank my Congressional colleagues in the House of Representatives, FRANK PALLONE of New Jersey, and HILDA SOLIS of California, with whom I have been pleased to work on this issue. Representatives PALLONE and SOLIS are introducing the companion of this bill in the House; I now look forward to continuing to work with them and my colleagues in the Senate to ensure its passage.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 595

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Toxic Right-to-Know Protection Act".

SEC. 2. MODIFICATIONS IN REPORTING FREQUENCY.

(a) IN GENERAL.—Section 313 of the Emergency Planning and Community Right-to-Know Act of 1986 (42 U.S.C. 11023) is amended—

(1) by striking subsection (i); and

(2) by redesignating subsections (j) through (l) as subsections (i) through (k), respectively.

(b) CONFORMING AMENDMENTS.—Sections 322(h)(2) and 326(a)(1)(B)(iv) of the Emergency Planning and Community Right-to-Know Act of 1986 (42 U.S.C. 11042(h)(2), 11046(a)(1)(B)(iv)) are amended by striking "313(j)" each place it appears and inserting "313(i)".

SEC. 3. REQUIREMENTS RELATING TO TOXICS RELEASE INVENTORY.

Notwithstanding any other provision of law—

(1) the Administrator of the Environmental Protection Agency (referred to in this section as the "Administrator") shall establish the eligibility threshold regarding the use of a form A certification statement under the Toxics Release Inventory Program established under the Emergency Planning and Community Right-to-Know Act of 1986 (42 U.S.C. 11001 et seq.) at not greater than 500 pounds for nonpersistent bioaccumulative and toxic chemicals; and

(2) the use of a form A certification statement described in paragraph (1), or any equivalent successor to the statement, shall be prohibited with respect to any chemical identified by the Administrator as a chemical of special concern under section 372.28 of title 40, Code of Federal Regulations (or a successor regulation).

By Mrs. FEINSTEIN (for herself, Mrs. HUTCHISON, Ms. MURKOWSKI, Mrs. BOXER, Ms. SNOWE, Ms. CANTWELL, Mrs. CLINTON, Mr. SCHUMER, Mr. KYL, Mr. VOINOVICH, Mr. DURBIN, Mr. DODD, Mr. DOMENICI, Mr. STEVENS, Mr. WARNER, Mr. SALAZAR, Mr. BIDEN, Mr. FEINGOLD, Mr. GRAHAM, Mr. BAUCUS, Mr. THOMAS, Ms. MIKULSKI, Mr. LEAHY, Mr. BURR, Mr. BROWNBACK, and Mr. SUNUNU):

S. 597. A bill to extend the special postage stamp for breast cancer research for 2 years; to the Committee on Homeland Security and Governmental Affairs.

Mrs. FEINSTEIN. Mr. President. I rise today with Senator HUTCHISON to introduce legislation to reauthorize the extraordinarily successful Breast Cancer Research Stamp for two additional years.

Without Congressional action, this important stamp will expire on December 31 of this year.

This stamp deserves to be extended as it has proven to be highly effective.

Since 1998, over 747 million breast cancer research stamps have been sold—raising $53.76 million for breast cancer research.

California continues to be one of the leading contributors, purchasing over 47 million stamps with $3.6 million going to research—almost 15 percent of the nationwide contribution.

Furthermore, in September 2005, the General Accounting Office (GAO) released a report showing that the Breast Cancer Research Stamp has been a success and an effective fund-raiser in the effort to increase funds to fight the disease.

The report also indicated that "grants funded by NIH and DOD using Breast Cancer Research Stamp proceeds have produced significant findings in breast cancer research."

The National Institutes for Health and the Department of Defense have received approximately $36.7 million and $15.7 million, respectively, putting these research dollars to good use by funding innovative advances in breast cancer research.

For example, a 2002 Department of Defense Concept Award enabled researchers to develop Medical Hyperspectral Imaging (MHSI) technology. This method of imaging helps surgeons determine if they have removed all cancerous tissue during breast cancer surgery.

Thanks to breakthroughs in cancer research, more and more people are becoming cancer survivors rather than cancer victims. Every dollar we continue to raise will help save lives.

One cannot calculate in dollars and cents how the stamp has focused public awareness on this terrible disease and the need for additional research funding.

There is still so much more to do because this disease has far reaching effects on our nation: breast cancer is the second most commonly diagnosed cancer among women after skin cancer. More than three million women are living with breast cancer in the U.S. today, one million of who have yet to be diagnosed. Though much less common, over 1,700 men were diagnosed with breast cancer last year.

This legislations would: extend the authorization of the Breast Cancer Research stamp for two additional years—until December 31, 2009; allow the stamp to continue to have a surcharge of up to 25 percent above the value of a first-class stamp with the surplus revenues going to breast cancer research; not affect any other semipostal proposals under consideration by the U.S. Postal Service.

I urge my colleagues to join me and Senator HUTCHISON in passing this important legislation to extend the Breast Cancer Research Stamp for another two years.

Until a cure is found, the money from the sale of this unique postal stamp will continue to focus public awareness on this devastating disease and provide hope to breast cancer survivors.

We ask for unanimous consent that the text of the legislation directly follow this statement in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 597

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. 2-YEAR EXTENSION OF POSTAGE STAMP FOR BREAST CANCER RESEARCH.

Section 414(h) of title 39, United States Code, is amended by striking "2007" and inserting "2009".

By Mr. KERRY (for himself, Ms. SNOWE, Ms. LANDRIEU, Mr. VITTER, and Mr. LIEBERMAN):

S. 598. A bill to require reporting regarding the disaster loan program of the Small Business Administration.

and for other purposes; to the Committee on Small Business and Entrepreneurship.

Mr. KERRY. Mr. President, I rise today to introduce the "Small Business Disaster Loan Reporting Act of 2007," which will require the Small Business Administration to update its disaster response plan and to submit detailed disaster loan reports to the Small Business and Entrepreneurship Committee. This bill is a bipartisan effort, and I thank Ranking Member SNOWE as well as Senators LANDRIEU, VITTER, and LIEBERMAN for their efforts in bringing this bill together.

In the months since Hurricane Katrina, Rita and Wilma, I have worked with other members of the Committee on Small Business and Entrepreneurship to improve the SBA's disaster loan program. We have introduced numerous drafts of this legislation, and each time our reform proposals have been blocked by the administration. While we continue to work toward passing this comprehensive reforms bill, we need to address some of the provisions that will assist Congress in assessing how the SBA's disaster loan program is operating in the present.

SBA Administrator Steve Preston appeared before the House Committee on Small Business this morning and admitted that although the SBA has implemented widespread reforms in its operational approach to processing and disbursing disaster loans, there is no plan on paper to speak of that can be provided to Congress. To provide disaster victims with a quick and effective response in the aftermath of future disasters, we must continue to evaluate the SBA's programs, building upon successes and making improvements when we identify agency flaws. It is imperative that the SBA review its disaster response plan in preparation for the 2007 hurricane season, and this bill requires the SBA to do so and to submit its changes to our Committee and the House Small Business Committee for review.

Last February, while thousands of Gulf Coast hurricane victims sat waiting for promised disaster relief to arrive, the SBA nearly ran out of money twice for its Disaster Assistance program. It required two emergency acts of Congress to keep the program running. Despite knowing about these funding issues well in advance, the SBA chose not to disclose the problem to its authorizing Committee until just before the issue came to a head. With greater coordination and transparency, Congress can work with the SBA to ensure that this essential disaster response program does not run the risk of shutting down. This bill requires the SBA to provide the Committee with detailed monthly and daily reports to update us on the program's lending volumes as well as funding levels. It also requires the SBA to notify its oversight committees when it will be seeking supplemental funding. Making the disaster loan program transparent for our review is crucial in creating a system that provides timely and valuable assistance to victims of disasters, and this legislation will help to do that.

The SBA's failure to act quickly and effectively in response to the devastation of the 2005 hurricanes was unacceptable, but as we have learned from the continuing devastation in those areas, long-term disaster assistance for our small businesses also requires attention to federal procurement requirements. Small businesses need to play a leading role in rebuilding these areas. This legislation requires the SBA to report to Congress the number of contracts awarded to small businesses following disaster declarations, because continued assistance and government contracts for small businesses in these areas help to empower entrepreneurs to make their homes and cities vibrant once again.

This bill will improve the SBA disaster loan program in allowing better congressional oversight to ensure the agency is giving entrepreneurs the tools they need to make a difference in their communities after a disaster.

By Ms. SNOWE (for herself, Ms. LANDRIEU, and Mr. VITTER):

S. 599. A bill to improve the disaster loan program of the Small Business Administration, and for other purposes; to the Committee on Small Business and Entrepreneurship.

Ms. SNOWE. Mr. President, I rise today to introduce with Senator LANDRIEU and Senator VITTER the "Private Disaster Loans Act of 2007." This legislation streamlines the current disaster loan program and allows private banks to make loans to disaster victims.

As ranking member of the Committee on Small Business and Entrepreneurship, I am committed to providing the Small Business Administration, SBA, with the tools necessary to help small businesses and homeowners recover in the wake of a disaster. With the SBA at the forefront of disaster relief efforts, Congress must support the agency to ensure that this country's 25 million small businesses have a resource they can depend on when disaster strikes. It is essential that we create a program to utilize existing infrastructure and provide immediate, much-needed aid to disaster victims.

I have made reforming and improving the disaster loan program a top priority. The legislation I am introducing today, the Private Disaster Loans Act of 2007, is designed to remedy some of the problems that prevented or delayed disaster victims from receiving immediate and necessary funding following the 2005 gulf coast hurricanes. Homeowners and businesses are the bedrock of communities across this Nation, and keeping them healthy, happy, and economically viable will enhance and improve the disaster recovery process. My bill is an important step in the right direction.

The creation of private disaster loan program will give the SBA the opportunity to work with private banks to improve the lending process in the wake of another devastating disaster, as in the case of September 11 or the 2005 gulf coast hurricanes. Because these private disaster loans will be made by qualified private lenders, borrowers will have an efficient alternative for accessing disaster assistance instead of depending solely on the SBA.

Under my proposal, the maximum PDL loan size will be $2 million, with a maximum SBA guaranty of 85 percent, no matter the size of the loan. The maximum term will be 25 years if collateral is involved; otherwise, the maximum term for uncollateralized loans will be 15 years. These loans can be used for any purposes that are authorized under the standard SBA disaster loan program.

There will be no SBA guaranty fee for PDLs. In addition, there will be a loan origination fee paid to lenders by the SBA using authorized funds appropriated for the standard disaster loan program.

The size standard used to determine a borrower's eligibility for the PDL program will be the standard currently used in the 7(a) or 504 loan program. This will provide greater flexibility to the lenders and foster more incentive for use of the program.

For documenting each loan, lenders would be allowed to use their own documents, subject to SBA approval, and would also be permitted to create an internet, or electronic, application process.

As we learned all too well after the 2005 gulf coast hurricanes, it is critical for our Government agencies to be as prepared as possible when disaster strikes. As we move forward during the 110th Congress, I look forward to working with my colleagues in Congress to get this vital legislation passed, and to support the SBA in its continuing mission to assist the country's small business community.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 599

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Private Disaster Loans Act of 2007".

SEC. 2. PRIVATE DISASTER LOANS.

(a) IN GENERAL.—Section 7 of the Small Business Act (15 U.S.C. 636) is amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(2) by inserting after subsection (b) the following:

"(c) Private Disaster Loans.—

"(1) Definitions.—In this subsection—

"(A) the term 'disaster area' means a county, parish, or similar unit of general local government in which a disaster was declared under subsection (b);

"(B) the term 'eligible small business concern' means a business concern that is—

"(i) a small business concern, as defined in this Act; or

"(ii) a small business concern, as defined in section 103 of the Small Business Investment Act of 1958; and

"(C) the term 'qualified private lender' means any privately-owned bank or other lending institution that the Administrator determines meets the criteria established under paragraph (9).

"(2) Authorization.—The Administrator may guarantee timely payment of principal and interest, as scheduled on any loan issued by a qualified private lender to an eligible small business concern located in a disaster area.

"(3) Use of loans.—A loan guaranteed by the Administrator under this subsection may be used for any purpose authorized under subsection (b).

"(4) Online applications.—

"(A) Establishment.—The Administrator may establish, directly or through an agreement with another entity, an online application process for loans guaranteed under this subsection.

"(B) Other federal assistance.—The Administrator may coordinate with the head of any other appropriate Federal agency so that any application submitted through an online application process established under this paragraph may be considered for any other Federal assistance program for disaster relief.

"(C) Consultation.—In establishing an online application process under this paragraph, the Administrator shall consult with appropriate persons from the public and private sectors, including private lenders.

"(5) Maximum amounts.—

"(A) Guarantee percentage.—The Administrator may guarantee not more than 85 percent of a loan under this subsection.

"(B) Loan amounts.—The maximum amount of a loan guaranteed under this subsection shall be $2,000,000.

"(6) Loan term.—The longest term of a loan for a loan guaranteed under this subsection shall be—

"(A) 15 years for any loan that is issued without collateral; and

"(B) 25 years for any loan that is issued with collateral.

"(7) Fees.—

"(A) In general.—The Administrator may not collect a guarantee fee under this subsection.

"(B) Origination fee.—The Administrator may pay a qualified private lender an origination fee for a loan guaranteed under this subsection in an amount agreed upon in advance between the qualified private lender and the Administrator.

"(8) Documentation.—A qualified private lender may use its own loan documentation for a loan guaranteed by the Administrator, to the extent authorized by the Administrator. The ability of a lender to use its own loan documentation for a loan offered under this subsection shall not be considered part of the criteria for becoming a qualified private lender under the regulations promulgated under paragraph (9).

"(9) Implementation regulations.—

"(A) In general.—Not later than 1 year after the date of enactment of the Private Disaster Loans Act of 2007, the Administrator shall issue final regulations establishing permanent criteria for qualified private lenders.

"(B) Report to congress.—Not later than 6 months after the date of enactment of the Private Disaster Loans Act of 2007, the Administrator shall submit a report on the progress of the regulations required by subparagraph (A) to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives.

"(10) Authorization of appropriations.—

"(A) In general.—Amounts necessary to carry out this subsection shall be made available from amounts appropriated to the Administration under subsection (b).

"(B) Authority to reduce interest rates.—Funds appropriated to the Administration to carry out this subsection, may be used by the Administrator, to the extent available, to reduce the applicable rate of interest for a loan guaranteed under this subsection by not more than 3 percentage points.".

(b) Effective Date.—The amendments made by this section shall apply to disasters declared under section 7(b)(2) of the Small Business Act (631 U.S.C. 636(b)(2)) before, on, or after the date of enactment of this Act.

SEC. 3. TECHNICAL AND CONFORMING AMENDMENTS.

The Small Business Act (15 U.S.C. 631 et seq.) is amended—

(1) in section 4(c)—

(A) in paragraph (1), by striking "7(c)(2)" and inserting "7(d)(2)"; and

(B) in paragraph (2)—

(i) by striking "7(c)(2)" and inserting "7(d)(2)"; and

(ii) by striking "7(e),"; and

(2) in section 7(b), in the undesignated matter following paragraph (3)—

(A) by striking "That the provisions of paragraph (1) of subsection (c)" and inserting "That the provisions of paragraph (1) of subsection (d)"; and

(B) by striking "Notwithstanding the provisions of any other law the interest rate on the Administration's share of any loan made under subsection (b) except as provided in subsection (c)," and inserting "Notwithstanding any other provision of law, and except as provided in subsection (d), the interest rate on the Administration's share of any loan made under subsection (b)".

By Mr. SMITH (for himself, Mr. Dodd, Ms. Collins, Ms. Snowe, Mr. Kennedy, Mr. Vitter, and Mr. Bingaman):

S. 600. A bill to amend the Public Health Service Act to establish the School-Based Health Clinic program, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. SMITH. Mr. President, today, I am honored to introduce the School Based Health Clinic Act of 2007. I developed this legislation in partnership with parents and healthcare advocates, all of whom are affiliated with Oregon's vibrant school based health center network. This important legislation will create a federal authorization to support the work of school based health centers (SBHCs) across the Nation. I am pleased to be joined by my colleagues, Senators Dodd, Snowe, Collins, Kennedy, Vitter and Bingaman.

Currently, there are approximately 1700 SBHCs operating across the country, and Oregon is home to 44 of them. These special health clinics—with the input of parents, school personnel, healthcare providers and other youth advocate—provide vital primary and mental healthcare services to all children, regardless of their income or insurance status. Communities around the country are beginning to realize the enormous benefits of SBHCs, not only to the health of children, but to the broader healthcare system. Study after study show that SBHCs can help curtail inappropriate emergency room use, reduce Medicaid expenditures and prevent costly hospitalizations. Findings such as these have convinced me that Congress should be supporting programs like SBHCs that provide convenient points of access to basic healthcare services.

Along with Community Health Centers, SBHCs serve as an invaluable component of the Nation's healthcare safety net. Sadly, more than nine million children in the U.S. still lack any form of health insurance coverage. As a consequence, they face enormous challenges in accessing primary, preventive and mental health services. Even those children who are fortunate to have consistent health coverage face access barriers, which may result in increased absences or undiagnosed health conditions. SBHCs help tear down those barriers so that all children—regardless of insurance or socioeconomic status—have access to a comprehensive range of health services.

What truly sets SBHCs apart is their unique model of delivering care. Working with parents, school personnel and other community based programs, they provide direct care in a manner that helps foster the development of positive behaviors and long-term healthy lifestyles. They also play an important role in helping students achieve their full academic potential. An Oregon survey found that 75 percent of SBHC users would have missed one or more classes if they had to seek treatment in a traditional care setting. Clearly, SBHCs play a vital role not only in keeping children healthy, but in supporting their long-term educational success. We cannot expect children to excel in the classroom if they are forced to miss school to seek treatment from a traditional healthcare provider.

Despite the enormous value they add to our nation's educational and healthcare systems, SBHCs receive little to no federal support. Most of their funding comes from state and local resources, patient revenue and private contributions. However, as budgets tighten and deficits grow larger, SBHCs find themselves competing alongside other programs for limited public health dollars. Many have been forced to scale back services or close altogether.

Some SBHCs have been fortunate to receive limited support through the Federal Community Health Center (CHC) program, if they are affiliated with or operated by a center. While this relationship has proven beneficial, over time it has placed an increasing demand on CHC's source of revenue and has limited the ability of SBHCs to cultivate the resources needed to expand into other vulnerable and underserved areas.

To realize their full potential, the Federal Government needs to establish a separate authorization for SBHCs. Even a small amount of Federal support can serve as much needed seed money to attract funding from other sources. In Oregon, centers have been able to generate as much as $3 to $4 dollars in funding from other public and private sources with every $1 of State general revenue. This clearly underscores the value of the SBHC-model of service delivery to the government. My legislation is asking for only a $50 million annual appropriation to support the work of SBHCs—an investment that could lead to a return many times over.

As Congress prepares to consider the reauthorization of the State Children's Health Insurance Program this year, my colleagues and I have turned our attention to finding innovative and effective ways we can support the health and well-being of our Nation's children. I am hopeful that along with that important piece of legislation, we also can generate the support to pass the School Based Health Clinics Establishment Act. I believe we must support a variety of means of healthcare access so that all children are able to receive the care they need to stay healthy and well-prepared to excel in their educational pursuits.

Mr. DODD. Mr. President, today, Senator SMITH and I are introducing the School-Based Health Clinic Establishment Act of 2007. This legislation will assist in the operation of school-based health clinics (SBHCs) which provide comprehensive and accessible primary health care services to medically underserved youth.

Why is this legislation needed? Let's look at the facts. We have more than eight million children in this country who have no health insurance. According to recent data released by the Department of Health and Human Services, between 2003–2005, the percentage of high school students who reported smoking cigarettes was around 23 percent. In 2005, 30 percent of students in grades 11–12 reported binge drinking, which is five or more alcoholic drinks in a row. Twenty-two percent of students in grades 11 and 12 reported using marijuana in the past month.

In addition, the same Department of Health and Human Services report found that the United States spends more on health per capita than any other country. The report, "Health, United States 2006," specifically stated that "much of this spending is for care that controls or reduces the impact of chronic diseases and conditions affecting an aging population." Fewer dollars are spent on preventative care for our children.

Another fact I would like to bring to your attention is one found in a document released today by the United Nations Children's Fund. The U.N. Children's Fund report found that the United States ranks last in child health and safety, with the highest rates of relative child poverty and teenage obesity."

The points I have just made should not only shock us, but should be a wake-up call to each member of this body and to the American people that we need to take action and we need to take it now.

With the introduction of the School-Based Health Clinic Establishment Act of 2007, Senator SMITH and I are seeking to change the data I have outlined. School-based health clinics, where available, have a demonstrated record of improving the health care of our nation's youth. A study by Johns Hopkins University found that SBHCs reduced inappropriate emergency room use and increased primary care utilization, which resulted in fewer hospitalizations for those who used SBHCs. SBHCs also save money. For example, the Emory University School of Public Health attributed a reduction in Medicaid expenditures related to inpatient care and emergency department registration to the use of SBHCs.

In Connecticut, we have 73 school-based health clinics. The SBHCs have provided health care to many elementary, middle, and high school students who would not have access to care if SBHCs did not exist. The Connecticut clinics provide an array of services such as comprehensive physical and mental health assessments, dental care, asthma treatment, and conflict resolution.

The bill we are introducing today will help enable school-based health clinics to continue providing these much needed services. Although these clinics function totally in accordance with state laws and regulations, the federal government needs to provide funding so these clinics can continue to be a key component of our health care delivery system.

This year, we will be working on the reauthorization of the State Children's Health Insurance Program (SCHIP). The program was created to provide health care to millions of children who were previously uninsured. SCHIP is an outstanding program. I believe the "School-Based Health Clinic Establishment Act of 2007" would be a good complement to SCHIP.

The School-Based Health Clinic Establishment Act of 2007 is an important step in making sure that the next time the United Nations Children's Fund issues their rankings on children's quality of life, that the United States is no longer listed in last place. I look forward to working with Sen. Smith and my colleagues to see that this legislation is not only passed by this body soon, but that it is signed into law.

By Mr. BAYH (for himself, Mr. COBURN, Mr. OBAMA, Mr. LEVIN, Mr. KERRY, Mr. CARPER, Mr. DURBIN, Mrs. FEINSTEIN, Mr. SCHUMER, Ms. KLOBUCHAR, Mr. LIEBERMAN, Mr. BIDEN, Mr. BROWN, Ms. STABENOW, Mrs. CLINTON, Mr. LEAHY, and Mr. KENNEDY):

S. 601. A bill to amend the Internal Revenue Code of 1986 to require broker reporting of customer's basis in securities transactions, and for other purposes; to the Committee on Finance.

Mr. BAYH. Mr. President, today Senator TOM COBURN, Representatives RAHM EMANUEL and WALTER JONES and I, in the House of Representatives, are re-introducing bipartisan legislation to close the capital gains tax gap. The legislation, entitled the Simplification Through Additional Reporting Tax (START) Act of 2007, will require brokerage houses and mutual fund companies to track and report cost basis information to their customers and the IRS. In the Senate, the legislation has 15 original co-sponsors: Senators COBURN, BIDEN, BROWN, CARPER, CLINTON, DURBIN, FEINSTEIN, KENNEDY, KERRY, LEAHY, LEVIN, LIEBERMAN, OBAMA, KLOBUCHAR, SCHUMER, and STABENOW. The House version has seven co-sponsors. The legislation is based upon a recommendation made by the National Taxpayer Advocate, the organization created as part of the 1998 IRS Restructuring and Reform Act whose explicit purpose is to make recommendations to Congress to simplify the tax code.

As you can see from the members that are supporting this proposal, addressing the issue of the tax gap is not a partisan issue. Taxpayers who pay the right amount each year should not be subsidizing those who don't. According to the National Taxpayer Advocate, Nina Olson, honest taxpayers are paying an additional $2700 in taxes to subsidize dishonest taxpayers.

It is also an issue of fairness. Middle-class Americans cannot underpay their taxes because their employers submit wage information reports, called W-2s, to the IRS. If a factory worker in Kokomo, Indiana underreports his income, the IRS is going to know about it because his employer sent his wage report to the IRS. By contrast, taxpayers who rely on stocks and bonds for their income are on the honor system to report their income accurately because the IRS receives virtually no information on what taxpayers paid for their investment. A $17 billion capital gains tax gap is ample proof that there are some taxpayers that are doing some Enron accounting when it comes to paying their capital gains taxes.

This is also an economic issue—we are failing to collect, at a minimum, $345 billion in taxes that are legally owed each year. In light of our economic challenges—a national debt approaching $9 trillion, the eve of the Baby Boomer retirement only a year away—Democrats and Republicans need to come together and address this issue as a first step toward solving our longer-term fiscal challenges. This bill is only a small part of the solution but hopefully this will pave the way for other practical solutions that not only close the tax gap but also simplify the tax code.

The START Act of 2007 requires brokerage houses and mutual fund companies to track and report the purchase price of a security, plus any adjustments, to their customers and the IRS. This simple change will allow taxpayers to have accurate information regarding their investments, saving them considerable time and effort when they file their taxes and have to figure out how much they owe each year in capital gains taxes. For the average taxpayer with capital gains, simply filling out the capital gains tax form adds 12 hours to the tax return filing process—more than a full work day. According to a recent GAO report, over one-third of taxpayers with capital gains or losses are not paying the right amount in taxes.

The problem involves people who are cheating the system and underpaying the amount of capital gains taxes that they owe, but also involves honest taxpayers who are simply overwhelmed by the complexity of the tax code and make mistakes. A principal reason for the complexity involved in paying capital gains taxes is the need to obtain what is called "adjusted cost basis" information, a technical term for the purchase price of an investment, plus any necessary changes. This bill closes the loophole that dishonest taxpayers are using, but also offers a hand to taxpayers who spend hours simply trying to fill out the capital gains portion of their tax return.

The bill will also help the IRS enforce the law and close the capital gains loophole. For the first time, the IRS will have the ability to see both sides of the picture, the purchase price and the sell price of a security. For decades, the IRS has only had half the picture. The IRS receives information about the price of a security when it is sold, but doesn't receive any information about the purchase price of the security.

This loophole has resulted in the Federal Government being short-changed by $17 billion per year in capital gains taxes owed but not paid. With the passage of this bill, the capital gains reporting loophole will be eliminated.

I first introduced this proposal in the 109th Congress and, unfortunately, no action was taken on the bill. However, over the course of the past year, this proposal gained significant momentum, in part due to work done by the non-partisan General Accountability Office (GAO) and the Joint Committee on Taxation. Both of these organizations evaluated this proposal and made a recommendation to Congress that it be adopted.

There has also been significant activity in the Congress. Last year alone, Congress held 7 hearings on the tax gap and Sen. COBURN's Homeland Security subcommittee held one of those hearings that specifically focused on this proposal. During that hearing, IRS Commissioner Mark Everson recommended this approach. The proposal also has support from non-profit taxpayer groups, such as the Citizens for Tax Justice.

In addition to the bipartisan support our bill enjoys in the House and Senate, last week President Bush included this proposal in his budget submission. With the introduction of the President's proposal, the Securities Industry and Financial Markets Association, the preeminent association representing the securities and bond industry, publicly stated that the proposal was "very constructive."

In conclusion, this should be an issue that honorable members from both sides of the aisle can agree needs to be addressed. Democrats and Republicans will fight endlessly about what tax rates should be, but I believe all members should agree on the principle that all taxpayers should pay what you owe. We should also all agree that we need to reduce our deficit, simplify the tax-filing process, and promote a fair and equitable tax system. The START Act of 2007 is intended to make progress on all of these goals. I hope it can start a civil conversation about ways to improve our tax system. I look forward to working with all interested parties to craft a workable proposal that provides some needed relief to our overburdened taxpayers.

Mr. OBAMA. Mr. President, I rise to speak in favor of a bill I am proud to introduce today with Senators BAYH and COBURN to help close the tax gap by improving the reporting of capital gains income. This bill requires brokerage firms and mutual fund companies to track and report the adjusted cost basis of their clients' stock, bond, and mutual fund investments.

This bill is a simple, commonsense solution to a serious problem. Many taxpayers have a hard enough time filing their taxes. One of the most complex parts of an individual's tax return is the schedule for capital gains income. And what makes capital gains particularly difficult is the challenge of figuring out the adjusted basis of a security that has been sold.

Many taxpayers lack the proper records or knowledge to calculate adjusted basis for a stock that has split or been exchanged as part of a company's merger or acquisition. And right now, the IRS does not have the ability to monitor the accuracy of taxpayer calculations. As a result, there is a clear risk of error or fraud. In some cases, taxpayers may end up paying too much in taxes. More often, they report too little income and thus pay too little in taxes.

In 2001, the IRS estimated that underreporting cost the Treasury $11 billion annually. Today the loss is even greater.

Because the IRS fails to collect these funds, the rest of us have to pay higher taxes than we should. Most people pay their taxes honestly and follow the law to the best of their ability. But a small number of tax frauds—who often owe great amounts of taxes—cheat the system. And it's hard now for the IRS to stop them.

This bill makes it easier to stop these cases of fraud and it helps reduce the amount of Federal tax dollars owed that the IRS fails to collect each year. Brokerage firms and mutual fund companies will be required to keep track of a taxpayer's cost basis and to report that information to the IRS. This will make it easier for honest taxpayers to calculate their taxable capital gain, and harder for dishonest taxpayers to lie about it. Based on information from the Taxpayer Advocate, reporting to the IRS can improve compliance of capital gains reporting from an estimated 50 percent today to 90 percent.

Fortunately, this new reporting requirement will not pose an undue burden to the financial firms affected. First, the firms will have plenty of time to put the necessary systems in place since the reporting requirement will not take effect until 2009, and then will only apply to securities acquired starting in 2009. Second, technology has made tracking by financial firms simple and efficient. More than 80 percent of all retail accounts already subscribe to a national reporting service for transferring basis information at a nominal cost per account. Finally, in cases where it is impossible to track basis, the Treasury Secretary and the IRS may develop regulations to require alternative information.

It is estimated that $345 billion of Federal taxes goes uncollected each year. This bill doesn't solve that full problem, but it is a step in the right direction. It reduces the Federal deficit without raising taxes or cutting spending. It simplifies the tax filing process and reduces the chance of error or fraud. It applies what we know about the clear benefits of automatic reporting to the IRS—which is required now for wage income—to capital gains income as well.

This bill makes sense. It's good policy. And I urge my colleagues to join me in supporting it and in helping to improve our tax code.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 81—RECOGNIZING THE 45TH ANNIVERSARY OF JOHN HERSHEL GLENN, JR.'S HISTORIC ACHIEVEMENT IN BECOMING THE FIRST UNITED STATES ASTRONAUT TO ORBIT THE EARTH

Mr. BROWN (for himself and Mr. VOINOVICH) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 81

Whereas John Herschel Glenn, Jr. was born on July 18, 1921, in Cambridge, Ohio, and grew up in New Concord, a small college town a few miles from the larger city of Zanesville, Ohio;

Whereas John Glenn attended New Concord High School and earned a Bachelor of Science degree in engineering from Muskingum College, which also awarded him an honorary Doctor of Science degree in engineering;

Whereas John Glenn enlisted in the Naval Aviation Cadet Program shortly after the attack on Pearl Harbor and was commissioned in the United States Marine Corps in 1943;

Whereas John Glenn served in combat in the South Pacific and also requested combat duty during the Korean conflict;

Whereas John Glenn was a dedicated military officer, flying 149 missions during 2 wars;

Whereas John Glenn received many honors for his military service, among them the Distinguished Flying Cross on 6 occasions, the Air Medal with 18 Clusters, the Asiatic-Pacific Campaign Medal, the American Campaign Medal, the World War II Victory Medal, the China Service Medal, the National Defense Service Medal, and the Korean Service Medal;

Whereas John Glenn served several years as a test pilot on Navy and Marine Corps jet fighters and attack aircraft;

Whereas, as a test pilot, John Glenn set a transcontinental speed record in 1957 by completing the first flight to average supersonic speeds from Los Angeles to New York;

Whereas John Glenn was a pioneer in the realm of space exploration and was selected in 1959 as one of the original 7 astronauts in the United States space program, entering the National Aeronautics and Space Administration's (NASA) Project Mercury;

Whereas John Glenn was assigned to the NASA Space Task Group at Langley Research Center in Hampton, Virginia;

Whereas, in 1962, the Space Task Group was moved to Houston, Texas, and became part of the NASA Manned Spacecraft Center;

Whereas, on February 20, 1962, John Glenn piloted the Mercury-Atlas 6 "Friendship 7" spacecraft on the first manned orbital mission of the United States;

Whereas, after launching from the Kennedy Space Center in Florida, John Glenn completed a 3-orbit mission around the planet, reaching an approximate maximum altitude of 162 statute miles and an approximate orbital velocity of 17,500 miles per hour;

Whereas John Glenn landed Friendship 7 approximately 5 hours later, 800 miles southeast of the Kennedy Space Center near Grand Turk Island;

Whereas, with that pioneering flight, John Glenn joined his colleagues Alan Shepard and Virgil Grissom in realizing the dream of space exploration and engaging the minds and imaginations of his and future generations in the vast potential of space exploration;

Whereas, after retiring from the space program, John Glenn continued his public service as a distinguished member of the Senate, in which he served for 24 years;

Whereas John Glenn has continued his public service through his work at the John Glenn Institute at Ohio State University, which was established to foster public involvement in the policy-making process, raise public awareness about key policy issues, and encourage continuous improvement in the management of public enterprise;

Whereas, in March 1999, Secretary of Education Richard W. Riley appointed John Glenn as Chair of the newly formed National Commission on Mathematics and Science Teaching for the 21st Century;

Whereas the Commission played a pivotal role in improving the quality of teaching in mathematics and science in the United States;

Whereas, in 1998, John Glenn returned to space after 36 years as a member of the crew of the space shuttle Discovery, serving as a payload specialist and as a subject for basic research on how weightlessness affects the body of an older person; and

Whereas, combined with his previous missions, John Glenn logged over 218 hours in space: Now, therefore, be it

Resolved, That the Senate—

(1) honors the 45th anniversary of John Hershel Glenn, Jr.'s landmark mission piloting the first manned orbital mission of the United States; and

(2) recognizes the profound importance of John Glenn's achievement as a catalyst to space exploration and scientific advancement in the United States.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. SANDERS. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, February 14, 2007, at 3 p.m., in closed session to receive a briefing on Iranian activities in Iraq.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. SANDERS. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Wednesday, February 14, 2007, at 10 a.m. to conduct a hearing on "The Semiannual Monetary Policy Report to the Congress."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. SANDERS. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to hold a hearing during the session of the Senate on Wednesday, February 14, 2007, at 10 a.m., in room 253 of the Russell Senate Office Building. The purpose of the hearing is to evaluate overseas sweatshop abuses, their impact on U.S. workers, and the need for anti-sweatshop legislation.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. SANDERS. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to hold a hearing during the session of the Senate on Wednesday, February 14, 2007, at 2:30 p.m., in room 253 of the Russell Senate Office Building, for an oversight hearing on the coast guard deepwater acquisition program.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. SANDERS. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet in executive session during the session of the Senate on Wednesday, February, 14, 2007 at 9:30 a.m. in SD–430.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. SANDERS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on "Judicial Security and Independence" for Wednesday, February 14, 2007 at 10 a.m. in Hart Senate Office Building Room 216.

Witness List

The Honorable Anthony M. Kennedy, Associate Justice, United States Supreme Court, Washington, DC.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON RULES AND ADMINISTRATION

Mr. SANDERS. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on Wednesday, February 14, 2007, at 11:30 a.m., to conduct a hearing on Senate Committee Budget requests.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. SANDERS. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the

Senate on February 14, 2007 at 2:30 p.m. to hold a closed hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONGRATULATING ILLINOIS STATE UNIVERSITY'S SESQUICENTENNIAL

Mr. OBAMA. Madam President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 53, and that the Senate then proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 53) congratulating Illinois State University as it marks its sesquicentennial.

There being no objection, the Senate proceeded to consider the resolution.

Mr. OBAMA. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table; that any statements relating thereto be printed in the RECORD, without further intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 53) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 53

Whereas Illinois State University marks its sesquicentennial with a year-long celebration, beginning with Founders Day on February 15, 2007;

Whereas Illinois State University is the oldest public university in the State of Illinois;

Whereas Illinois State University has 34 academic departments and offers more than 160 programs of study in the College of Applied Science and Technology, the College of Arts and Sciences, the College of Business, the College of Education, the College of Fine Arts, and the Mennonite College of Nursing;

Whereas Illinois State University is 1 of the 10 largest producers of teachers in the Nation, and nearly 1 in 7 Illinois teachers holds a degree from Illinois State University;

Whereas Milner Library at Illinois State University contains more than 3 million holdings and special collections;

Whereas Illinois State University is ranked nationally as one of the 100 "best values" in public higher education; and

Whereas Illinois State University participates in the American Democracy Project, an initiative that prepares students to engage in a competitive global society: Now, therefore, be it

Resolved, That the Senate congratulates Illinois State University as it marks its sesquicentennial.

AMENDING SENATE RESOLUTION 400 OF THE 94TH CONGRESS

Mr. OBAMA. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 16, S. Res. 50.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 50) amending Senate Resolution 400 (94th Congress) to make amendments arising from the enactment of the Intelligence Reform and Terrorism Prevention Act of 2004 and to make other amendments.

There being no objection, the Senate proceeded to consider the resolution.

Mr. OBAMA. Madam President, I ask unanimous consent that the resolution be agreed to, the motion to reconsider be laid upon the table, and that any statements relating thereto be printed in the RECORD, without intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 50) was agreed to, as follows:

S. RES. 50

Resolved,

SECTION 1. AMENDMENTS TO SENATE RESOLUTION 400 (94TH CONGRESS) ARISING FROM ENACTMENT OF INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004.

Senate Resolution 400, agreed to May 19, 1976 (94th Congress), is amended—

(1) in section 3—

(A) in subsection (a)—

(i) by redesignating paragraphs (2), (3), and (4), as paragraphs (3), (4), and (5), respectively;

(ii) by striking paragraph (1) and inserting the following new paragraphs:

"(1) The Office of the Director of National Intelligence and the Director of National Intelligence.

"(2) The Central Intelligence Agency and the Director of the Central Intelligence Agency."; and

(iii) in paragraph (5), as so redesignated—

(I) by redesignating subparagraphs (B) through (G) as subparagraphs (C) through (H), respectively;

(II) by striking subparagraph (A) and inserting the following new subparagraphs:

"(A) The Office of the Director of National Intelligence and the Director of National Intelligence.

"(B) The Central Intelligence Agency and the Director of the Central Intelligence Agency."; and

(III) in subparagraph (H), as so redesignated—

(aa) by striking "clause (A), (B), or (C)" and inserting "clause (A), (B), (C), or (D)"; and

(bb) by striking "clause (D), (E), or (F)" both places it appears and inserting "clause (E), (F), or (G)"; and

(B) in subsection (b)(1), by striking "clause (1) or (4)(A)" and inserting "clause (1), (2), (5)(A), or (5)(B)";

(2) in section 4(b), by inserting "the Director of National Intelligence," before "the Director of the Central Intelligence Agency";

(3) in section 6, by striking "the Director of Central Intelligence" both places it appears and inserting "the Director of National Intelligence"; and

(4) in section 12—

(A) by redesignating paragraphs (2) through (6) as paragraphs (3) through (7), respectively; and

(B) by striking paragraph (1) and inserting the following new paragraphs:

"(1) The activities of the Office of the Director of National Intelligence and the Director of National Intelligence.

"(2) The activities of the Central Intelligence Agency and the Director of the Central Intelligence Agency.".

SEC. 2. TECHNICAL AMENDMENTS TO SENATE RESOLUTION 400 (94TH CONGRESS) RELATING TO REDESIGNATION OF SELECT COMMITTEE ON STANDARDS AND CONDUCT AS SELECT COMMITTEE ON ETHICS.

Senate Resolution 400, agreed to May 19, 1976 (94th Congress), is amended—

(1) in section 6, by striking "the Select Committee on Standards and Conduct" and inserting "the Select Committee on Ethics"; and

(2) in section 8—

(A) in subsection (d), by striking "the Select Committee on Standards and Conduct" and inserting "the Select Committee on Ethics"; and

(B) in subsection (e), by striking "the Select Committee on Standards and Conduct" both places it appears and inserting "the Select Committee on Ethics".

SEC. 3. TECHNICAL AMENDMENTS TO SENATE RESOLUTION 400 (94TH CONGRESS) RELATING TO REMOVING REFERENCE TO THE INTELLIGENCE DIVISION OF THE FEDERAL BUREAU OF INVESTIGATION.

Senate Resolution 400, agreed to May 19, 1976 (94th Congress), is amended by striking ", including all activities of the Intelligence Division" in—

(1) paragraph (5)(F) of section 3(a), as redesignated by section 1(1)(A)(i); and

(2) paragraph (7) of section 12, as redesignated by section 1(4)(A).

SEC. 4. TECHNICAL AMENDMENTS TO SENATE RESOLUTION 400 (94TH CONGRESS) RELATING TO REFERENCES TO SENATE RULES.

Senate Resolution 400, agreed to May 19, 1976 (94th Congress), is amended—

(1) in section 2(b), by striking "paragraph 6(f)" and inserting "paragraph 4(e)(1)"; and

(2) in section 8(b)(5)—

(A) in the matter preceding subparagraph (A), by striking "section 133(f) of the Legislative Reorganization Act of 1946" and inserting "paragraph 5 of rule XVII of the Standing Rules of the Senate"; and

(B) in the flush text after subparagraph (C), by striking "section 133(f) of the Legislative Reorganization Act of 1946" and inserting "paragraph 5 of rule XVII of the Standing Rules of the Senate".

SEC. 5. OTHER TECHNICAL AMENDMENTS TO SENATE RESOLUTION 400 (94TH CONGRESS).

Section 3(b)(3) of Senate Resolution 400, agreed to May 19, 1976 (94th Congress), is amended by striking "the session" and inserting "in session".

ORDERS FOR THURSDAY, FEBRUARY 15, 2007

Mr. OBAMA. Madam President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m., Thursday, February 15; that on Thursday, following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders reserved for their use later in the day;

that there then be a period of morning business until 10:20 a.m., with Senators permitted to speak therein and with the time equally divided and controlled between the two leaders or their designees; that at 10:20 a.m., the Senate proceed to executive session to consider Executive Calendar Nos. 24 and 26, that debate run concurrently until 10:30 a.m., with the time equally divided and controlled between the chairman and ranking member of the Judiciary Committee or their designees; that at 10:30 a.m., the Senate proceed to vote on Executive Calendar No. 24, to be followed immediately by a vote on Executive Calendar No. 26; that upon conclusion of the votes, the motion to reconsider be laid upon the table and the President immediately notified of the Senate's action; that the Senate then resume legislative session and proceed to a period of morning business, Senator LEAHY to be recognized for up to 1 hour, to be followed by an hour under the control of the Republican leader or his designee, with Senators permitted to speak therein for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10:00 A.M. TOMORROW

Mr. OBAMA. If there is no further business to come before the Senate today, I ask unanimous consent the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 6:05 p.m., adjourned until Thursday, February 15, 2007, at 10 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate Wednesday, February 14, 2007:

THE JUDICIARY

NORA BARRY FISCHER, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF PENNSYLVANIA.

HOUSE OF REPRESENTATIVES—*Wednesday, February 14, 2007*

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. CAPUANO).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
February 14, 2007.

I hereby appoint the Honorable MICHAEL E. CAPUANO to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

The Reverend Carl Toti, Senior Pastor, Trinity Church, Lubbock, Texas, offered the following prayer:

Let's welcome God's presence into our hearts and into this place.

"I lift my eyes up to the hills, where does my help come from? My help comes from the Lord, who made heaven and Earth."

Father, hear our prayers. "If My people, called by My name, will humble themselves, pray, and seek My face and turn from their wicked ways, then I will hear from heaven, forgive their sin, and heal their land."

We pray this Nation will return to the faith exhibited by men and women who trusted God, forged a Nation out of wilderness, raised families guided by standards from Your Word, and established a Nation that presently is the rival of the entire world. May the same standards be raised high by these leaders You have placed over us. May integrity and wisdom guide them to make decisions that please You.

Father, shield our military troops protecting our freedoms around the world. May godly decisions be made concerning them.

Lord, we ask that You would guide and bless our Representatives as they advance our Nation.

I pray in the name of my Lord and Savior, Jesus Christ.

Amen.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Pennsylvania (Mr. TIM MURPHY) come forward and lead the House in the Pledge of Allegiance.

Mr. TIM MURPHY of Pennsylvania led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING PASTOR CARL TOTI

(Mr. NEUGEBAUER asked and was given permission to address the House for 1 minute.)

Mr. NEUGEBAUER. Mr. Speaker, I am pleased to have Pastor Carl Toti with us today delivering the opening invocation for the United States House of Representatives.

Pastor Toti currently serves as the senior pastor of Trinity Church in my hometown of Lubbock, Texas. He is a graduate of Rhema Bible Training Center. He has also earned a master's degree in theological studies from Vision University in Ramona, California.

Just as Pastor Toti speaks to diverse audiences through his ministry, so does he today speak to a diverse audience here in our Congress. Although Members of this body come from different parts of the country and varying beliefs, I hope his words will unite and guide us all today as we conduct the business of the people of the United States of America.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain 15 one-minutes per side.

VOTE AGAINST THE ESCALATION OF TROOPS

(Mr. DEFAZIO asked and was given permission to address the House for 1 minute.)

Mr. DEFAZIO. Even as the House debates the continuation of the failing Bush policies in Iraq, Vice President DICK CHENEY, the chief architect of the Iraq strategy, is beating the drums for a new war, a war with Iran.

On Sunday, we had unidentified sources saying that the highest levels of the Iranian Government have directed use of weapons that are killing U.S. troops. No information was provided to substantiate the charge; administration officials yesterday deflected requests for more details, even as they repeatedly implied Tehran's involvement. It may or may not be true, but they have got a pretty bad record on intelligence. And now MG Peter Pace, Chairman of the Joint Chiefs of Staff, said yesterday that he has no information indicating Iran's government is directing the supply of lethal weapons to Shiite insurgent groups in Iraq. It sounds like the Iraq war intelligence all over again, phony intelligence leading us down the path to disastrous involvement.

This has to stop. We start by voting against the escalation of the Bush policies in Iraq and begin to chart a new course.

STAFF SERGEANT RICHARD ROSE, USAF

(Mr. HAYES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HAYES. Mr. Speaker, there are many heroes fighting the global war against terrorists, and many from the Eighth District of North Carolina. But today I rise to pay tribute to one hero in particular. Today I am proud to recognize Air Force Staff Sergeant Richard Rose, son of Robyn Rose of Laurinburg, North Carolina.

Staff Sergeant Rose, a member of the 1st Combat Camera Squadron at Charleston Air Force Base, served as a Joint Combat Camera photographer with the Multinational Division in Baghdad from May 18 to September 18 of 2006.

During this time, Sergeant Rose was attached to several Army units, documenting their daily missions and contributing over 1,000 images of Operation Iraqi Freedom.

Sergeant Rose primarily shoots with his camera lens, but that changed last summer. During a mission with the 101st Airborne Division Air Assault Unit, insurgents began firing at an Explosive Ordnance Disposal Team which was clearing roadside bombs nearby.

Richard quickly responded by returning fire with his M4 rifle, which allowed the Explosive Ordnance Team to move to safety. His efforts are credited with helping to save the lives of 56 servicemembers during the attack, and his bravery in this firefight earned him the Bronze Star.

I ask that you join me in congratulating Sergeant Richard Rose on being awarded the Bronze Star in defending our Nation in the war against terrorists. Pray for their safety, and pray for victory against these terrorists.

MEMBERS WHO SUPPORT TROOP ESCALATION NEED TO EXPLAIN HOW WE PROTECT THE TROOPS

(Mr. STUPAK asked and was given permission to address the House for 1

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

minute and to revise and extend his remarks.)

Mr. STUPAK. Mr. Speaker, this week the House is conducting the most important debate of this Congress, whether Members will support the President's plan to send 21,500 more troops to Iraq. I oppose the President's plan, and during this debate I am hoping that those who support the escalation of the war can answer a couple of questions.

First, if the President is allowed to move forward, how do we guarantee these troops have the protective armor they need? Earlier this month we learned that troop escalation would create logistical hurdles for both the Army and Marines, which are already short thousands of vehicles and armor kits. Members who support the President's plan need to explain how do we provide the troops the equipment they need.

Members who support the plan also need to explain where do we come up with the additional troops that will be needed to support 21,500 combat troops. The nonpartisan Congressional Budget Office estimates as many as 48,000 troops may be required to implement the plan.

Mr. Speaker, these are questions that supporters of escalating the war in Iraq should ask before they vote to escalate the war in Iraq.

NONBINDING RESOLUTION IS NOT THE WAY TO GO

(Mrs. BLACKBURN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BLACKBURN. Mr. Speaker, the war in Iraq is the front line in the war on terror. We know this because the terrorists tell us it is so. In poll after poll, the American people tell us they fully believe that what happens on the front line in Iraq affects their security every single day.

You know, the Democrats have every right to disagree with the President's plan, but a nonbinding resolution is not the way to go. It sends a message of no confidence and no support to our troops in the field, weakening their morale while encouraging and emboldening the enemy.

Our men and women in harm's way are fighting the insurgents and they are fighting the battle of ideas every day, not only in Iraq but in 30 different countries around this globe. They know that what we have to do is continue to win in that battle, and they don't have time to fight the war of public opinion in this country, which is what some of my colleagues in this House would seek to have them do.

The Democrats have no alternative plan; they have no way forward. I welcome a responsible debate on this war, but let's make sure that we keep the focus on encouraging our troops, freedom, prosperity and ideas, and that we not encourage those who seek to do us harm.

ALBERT BRYAN, SR.

(Mrs. CHRISTENSEN asked and was given permission to address the House for 1 minute.)

Mrs. CHRISTENSEN. Mr. Speaker, yesterday, while we were here at work, his family, my prior coworkers at the Department of Health, my friends and community said farewell to a beloved son, Albert Bryan, Sr.

His sudden passing caught us all off guard, but that was often his way. Never one to call attention to himself, despite his good looks, tall stature and significant presence, he was unassuming and gentle, with a generous spirit.

Whether it was as a senior officer at one of our banks or as PTA president at the Pearl B. Larsen Elementary School our children attended, or whether it was as an administrator of the Charles Howard Health Facility or co-owner of a favorite watering hole, or whether it was as the devoted son, husband, father, grandfather who was always about family, he was the best there was.

Born and raised in St. Thomas, but living much of his adult life on St. Croix, he accomplished the impossible in bringing the two islands together, especially through the camaraderie of the Cruzan Gentlemen of his current home and the Gentlemen of Savaan, where he spent his early life.

Bert was my coworker, supporter, confidant and friend. I will miss him, as all who knew him and loved him will. He gave a lot to everyone that he touched as he passed this way. We are grateful for his life, a life he lived fully and well.

My family, staff and the Congress of the United States extend our heartfelt sympathy to his wife, children, grandchildren and his entire family. May he rest in peace.

TRUST THE TROOPS

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, this nonbinding resolution is really a nonsensical political statement. It would deprive the generals and the troops of the reinforcements they desperately need.

How would you feel if you were an American soldier in Iraq and Congress passed this resolution? It is like telling you to fight with one arm tied behind your back, and that is no way to defeat a terrorist. Let's trust the men and women in uniform who are sacrificing their lives to protect ours.

There is a reason there has been no terrorist attack on America since 2001. It is not because some want to second-guess our military, it is because our troops want to win.

FAST TRACK

(Mr. MEEHAN asked and was given permission to address the House for 1 minute.)

Mr. MEEHAN. Mr. Speaker, it is time to get off the fast track of lost jobs and on the right track for our American workforce.

In these very Chambers I hear that we just need to fix labor provisions and trade agreements and do a side deal on fast track and then the problem is solved. This is simply not good enough.

I ask my fellow Democrats that this is a time to sound the alarm on fast track. Fast track hamstrings Congress' ability to fix our broken trade policies.

The midterm elections show that most Americans understand that our current trade policies have failed.

Over 3 million American manufacturing jobs, one out of every six manufacturing jobs, have been lost during the fast track era. The U.S. trade deficit has exploded as imports have surged. U.S. wages stagnate as trade deficits soar, displacing good U.S. jobs.

Fast track trashes the checks and balances that are essential for our democracy. It is time to get Congress on the right track in the new majority. It is time for a new direction as we deal with trade agreements.

VICTORY IS THE ONLY WAY OUT OF IRAQ

(Mr. BARRETT of South Carolina asked and was given permission to address the House for 1 minute.)

Mr. BARRETT of South Carolina. Mr. Speaker, in a time of war Americans and those risking their lives to protect freedom deserve leadership, not politics. As we continue to debate this nonbinding resolution today, we undermine the overall war on terror and the successes we have had since the attack.

In the battle for Iraq mistakes have been made, but the President put forth a plan for victory that understands those mistakes and sets benchmarks to ensure Iraqi involvement and success.

On the other side, they want to have it both ways. They say we support our troops, but at the same time they say we don't support the war you are fighting. Our troops deserve better. Either commit to their mission and bring them home victorious or stop their funding and bring them home in defeat. The choices are there in front of us.

Congress should allow time for the plan to take hold, not put forth a resolution that clearly is a step in the wrong direction, a policy of retreat and defeat.

Mr. Speaker, there is only one way out of Iraq, only one way out of this war, victory.

AMERICANS WANT CONGRESS TO DEBATE THE PRESIDENT'S TROOP ESCALATION PLAN

(Mr. HARE asked and was given permission to address the House for 1 minute.)

Mr. HARE. Mr. Speaker, the American people deserve to know where we stand on the President's troop escalation plan, and this week every Member of this House will have an opportunity to explain why he or she supports or opposes President Bush's plan to send 21,500 more troops to Iraq.

The resolution that we are debating this week is a straightforward two-page bill. First, it highlights our continued support for our troops in Iraq. And second, it voices opposition to the President's troop increase plan.

The American people don't want Congress to continue to shirk from its responsibility to oversee the Bush administration's implementation of this war. Unfortunately, that is exactly what happened in the Senate, where a bipartisan resolution opposing the President's troop escalation plan is being kept hostage from the Senate floor by Republicans who seem content to allow the President to conduct this war any way he sees fit.

Mr. Speaker, the American people have unequivocally called on Congress to discuss this situation in Iraq and to take action to change our course there. Here in this House, we have begun the process this week.

□ 1015

DO NOT ENCOURAGE TERRORISTS

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, I rise today to strongly condemn H.Con.Res 63, and the destructive message it sends our troops. Additionally, it sends a message that emboldens the very terrorists we are fighting to prevent another 9/11.

The debate over this resolution makes America appear weak in her resolve to win the war on terror. We have seen terrorism all across the globe, from bombings in Spain, to London and Bali.

America is fighting radical Islamic jihadists, an enemy that poses a threat of colossal proportions. They will stop at nothing to follow their twisted version of Islam and to pursue the destruction of Israel and Western civilization.

That is why I stand here with the firm resolve and pledge to protect my country and future generations from terrorism. I took an oath and have a constitutional obligation as a Member of Congress to protect and defend America from all enemies, foreign or domestic. This is an obligation all Members of Congress share, and it simply escapes me how some of my colleagues fail to understand the dire consequences of leaving Iraq.

LIES GOT US INTO IRAQ

(Mr. KUCINICH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KUCINICH. Mr. Speaker, the United States illegally attacked and invaded Iraq in a war based on lies. Now those same lies are being used to tell the American people we must escalate and continue to fund the war in the name of the troops. Now, where does this logic end?

The war could go on endlessly as we profess our support for the troops. It is time to stop using the troops as pawns. It is time to stop using the presence of the troops in Iraq as a reason to keep funding the war. It is time to use the money we have now to bring the troops home. And when they come home, it is time to take care of our veterans.

I have presented this Congress with a 12-point plan to bring our troops home, end the occupation, and stabilize Iraq. Yes, we should stop the escalation, but we should also end the occupation by ending funding for the war.

IRAQ IS A SMOLDERING FIRE

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, as we continue the debate of opposing reinforcements for American forces in the global war on terrorism, I am reminded of how crucial it is that we achieve victory to protect American families.

The current situation in Iraq reminds me of a smoldering fire in an urban area. Proper equipment and a sufficient number of professional firefighters are brought in to put out the fire. To sit back, overlook the seriousness or leave the scene of the fire only enables the fire to grow, become more intense and spread throughout the neighborhood.

This analogy is applicable to Iraq. As Secretary of Defense Robert Gates said recently, the violence in Iraq, if unchecked, could spread outside its borders and draw other states into a regional conflagration. Just as we know our fire chiefs would call up additional firefighters to contain a spreading fire, we must give our troops in Baghdad the chance to suppress violence and stabilize the region, which protects American families.

In conclusion, God bless our troops and we will never forget September 11.

CONGRESS IS PROVIDING REAL OVERSIGHT OF THE ADMINISTRATION AND THE WAR IN IRAQ

(Mr. SIRES asked and was given permission to address the House for 1 minute.)

Mr. SIRES. Mr. Speaker, since the beginning of the war in Iraq, congressional Republicans have stood on the sidelines as the Bush administration proved time and time again that it could not manage the war.

When Democrats took control of Congress we vowed things will be different. Mr. Speaker, we are living up to that promise. In the last month, House and Senate committees have held 52 hearings on the war in Iraq. Congress is finally asking the tough questions of this administration.

This week each of us has an opportunity to speak on the President's troop surge. Every single Member of this House will have 5 minutes to speak on the resolution. The House has not debated the issue of war like this since the first gulf war in 1991.

Mr. Speaker, the American people want Congress to take its oversight responsibility seriously. And this new Democratic Congress is doing just that.

ENSURE SENIORS GET FAIR ACCESS TO MENTAL HEALTH CARE

(Mr. TIM MURPHY of Pennsylvania asked and was given permission to address the House for 1 minute.)

Mr. TIM MURPHY of Pennsylvania. Mr. Speaker, an estimated 2 million seniors suffer from a depressive illness, and another 5 million may have depressive symptoms. The risk for depression doubles when a person has a chronic illness such as heart disease, stroke, diabetes, cancer or Parkinson's disease. People with mental illness can get better with the right treatment, but Medicare's current policy discriminates against mental health by charging 2½ times more in copayments than for any other outpatient health care treatment.

Seniors who receive necessary mental health services reduce their hospital costs. One hospital offered mental health services for elderly patients with fractures, and reduced the length of stay by 2 days and hospital costs by over $160,000.

I will be reintroducing legislation to end Medicare discrimination for mental health services by adjusting copayments, and I ask my colleagues to cosponsor it. Learn more about how we can make health care affordable and accessible by visiting my Web site, Murphy.house.gov. We need patient-centered health care for patient quality, patient safety and patient choice.

GENERALS AGREE THAT PRESIDENT'S TROOP ESCALATION PLAN IS NOT THE BEST WAY AHEAD

(Mr. PERLMUTTER asked and was given permission to address the House for 1 minute.)

Mr. PERLMUTTER. Mr. Speaker, today we will continue debating a bipartisan resolution that voices this

Congress' opposition to the President's troop escalation plan. We are not alone in our opposition to the President's plan.

Military leaders have raised concerns since the framework of this plan was announced at the end of last year. Here are a few examples. In testimony before the Senate in November, General John Abizaid, the commander of Central Command said, "I do not believe that more American troops right now is a solution to the problem."

Retired General Joseph Hoar stated last month, "The new strategy reflects the inability of the administration to get it right. The proposed solution to send in more troops will not work. It is far too little and too late."

Former Chairman of the Joint Chiefs and Secretary of State, Colin Powell, said in December, "I am not persuaded that another surge of troops into Baghdad for the purposes of suppressing this communitarian violence, this civil war, will work."

Mr. Speaker, those are all men who have been on the frontlines. They join us in opposing the President's escalation plan.

UMATILLA COUNTY FARMERS

(Mr. WALDEN of Oregon asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WALDEN of Oregon. Mr. Speaker, the failure of Congress to reauthorize the Secure Rural Schools and Community Self-Determination Act is a breach of promise to the more than 600 forested counties across America and 4,400 school districts.

In Umatilla County, Oregon, it is the number one food producing county in the State. For them, a well-maintained road system is critical to ensuring family farmers can compete in this global market. With more than 340 bridges and, a State high, 1,650 miles of road, Umatilla County faces a significant infrastructure maintenance backlog and challenge.

County Commissioner Dennis Doherty says, "American farms are dependent on a farm-to-market road system and loss of those funds will cripple our local road system."

Tammy Dennee, executive director of the Oregon Wheat Growers League said, "Global competition starts locally. Being the number one wheat producing county in the State, it is vital to farmers here that the road system is dependable."

My colleagues, Congress must keep faith with these timbered counties and pass H.R. 17. Our future depends on it, our credibility depends on it, and time is running out.

HOUSE BEGINS HOLDING THE BUSH ADMINISTRATION ACCOUNTABLE FOR THE WAR IN IRAQ

(Mr. ELLISON asked and was given permission to address the House for 1 minute.)

Mr. ELLISON. Mr. Speaker, the days of this House rubber-stamping President Bush's failed war policies have ended. So far this year, House and Senate committees have held over 52 hearings on Iraq. And now this week, over a 4-day period here on the House floor, we will be debating the President's plan to send 21,500 more troops to Iraq.

The bipartisan bill is simple. It states that the House will continue to support our troops, but that we oppose the President's troop increase plan. Some of my Republican colleagues say that if you really support the troops, you must support the President's plan. But this makes no sense.

Do my colleagues not realize that our troops in Iraq were polled on the President's plan? Only 41 percent of them supported it. Not even a majority of our troops say that this plan of the President's is a good plan. What about our generals? Both retired and active duty military leaders have said that the President's plan will not reverse the devastating civil war that is now taking place in Iraq.

Mr. Speaker, it is time that we listen to those military leaders and our troops and voice our opposition to the President's plan.

JOURNALISTIC ABUSE ON WOMEN

(Mr. POE asked and was given permission to address the House for 1 minute.)

Mr. POE. Mr. Speaker, journalism has taken a plunge into the depth of disturbing depravity at Central Connecticut University. A writer for the college newspaper wrote a slam piece against sexual assault victims. His article was entitled, "Rape Only Hurts if You Fight It." He claims rape is a magical experience and a blessing for unattractive women. He and his Third-World college newspaper now say the piece was satire and humor.

This mean-spirited article shows no humor, but vile and vicious and abusive words about women. Journalistic attacks on rape victims dehumanize them and show a total lack of understanding of this crime. Rape is a physical and emotional crime that tries to destroy the inner soul of the victim.

Almost one-fourth of the women raped are on college campuses. Journalists who are out of touch with the real world do a disservice to their field. And tragically, like physical abusers, heap journalistic abuse on rape victims.

And that's just the way it is.

NORTH KOREAN NUCLEAR DEAL

(Mr. SCHIFF asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHIFF. Mr. Speaker, the announcement in Beijing yesterday that the Government of North Korea has agreed to abandon its nuclear weapons program is a positive step, and I applaud the efforts of Assistant Secretary of State Christopher Hill, as well as the efforts of our negotiating partners, Japan, South Korea, Russia and China.

Obviously much work remains to be done to ensure that North Korea follows through on its pledge to halt plutonium production at Yongbyon and to allow the return of international inspectors, as well as to resolve other outstanding issues; most noticeably, the need for complete declaration from Pyongyang of all of its nuclear activities and final disposition of North Korea's existing nuclear program.

As with past agreements with the reclusive regime of Kim Jong-Il, this agreement could collapse at any time.

There is now, however, rare optimism that a significant ratcheting down of tensions with the North is possible. The agreement should serve to remind those in the administration who see confrontation as the only way to convince Iran to abandon its nuclear program, that diplomacy can be effective, even if it is often immensely frustrating.

I hope that the President and Secretary of State will use this breakthrough with North Korea to reinvigorate diplomatic efforts to prevent Iran from developing nuclear weapons.

IRAQ WAR RESOLUTION IS BAD FOR AMERICA

(Mr. HOEKSTRA asked and was given permission to address the House for 1 minute.)

Mr. HOEKSTRA. Mr. Speaker, let me give you four reasons why I think the resolution we will debate today is a bad resolution. Number one, it is nonbinding. It is a paper tiger. It does nothing to influence our strategy or our direction in the global war with radical jihadists.

Secondly, it ill defines the enemy. It does not recognize that we are in a global war with radical jihadists who have attacked us around the world. Third, it omits recognizing key U.S. personnel that are serving, and serving ably, in this global war with radical jihadists. Why does it not recognize our intelligence professionals? Why does it not recognize our Armed Forces and intelligence professionals serving in Afghanistan, throughout the Middle East, Africa and parts of Asia?

Finally, most ironic, the bottom line of this resolution tells the President to stay the course. That is not good enough. This is a tough enemy. We need to develop and evolve our strategy to be successful.

TIME TO SEND THE BUSH ADMINISTRATION A MESSAGE THAT A CHANGE IN DIRECTION IS NEEDED IN IRAQ

(Mr. JOHNSON of Georgia asked and was given permission to address the House for 1 minute.)

Mr. JOHNSON of Georgia. Mr. Speaker, it is time to send a message to the Bush administration that change is needed in Iraq. Mr. Speaker, the resolution we are debating this week here on the House floor is the first step in this new Congress' efforts to take Iraq in a new direction.

Last November the American people were clear that they wanted a dramatic change in Iraq. The President's troop escalation plan is not what they were asking for. This week this House will emphatically voice its opposition to the President's plan. We hope that this serves as a wake-up call and sends the “Decider” a message that he can no longer walk over Congress. We are not going to rubber-stamp his plans any more.

This week's debate is only the beginning, Mr. Speaker. House and Senate committees have already conducted 52 hearings on Iraq. That is what the Congress is supposed to do, provide real oversight on the administration. Unfortunately for the first 3 years of this war, congressional Republicans rubber-stamped the Decider's Iraq plan.

Those days are over. Mr. Speaker, we have an obligation to find a new course in Iraq, and a military solution is now out of the question. And that is why this troop escalation plan should be defeated.

□ 1030

WHAT IS YOUR PLAN?

(Mr. SALI asked and was given permission to address the House for 1 minute.)

Mr. SALI. Mr. Speaker, for those who would support House Concurrent Resolution 63, I ask, what is your plan? “No” is not a plan.

We have three options to follow. The first is to stay the course. I don't know of anyone, including the President, who is suggesting we take that route. The second is to increase the troops level, which the supporters of House Concurrent Resolution 63 are saying no to. The only other option is to reduce troops.

I would ask you who will support House Concurrent Resolution 63, read the Baker-Hamilton report, a bipartisan report, that talks about the effects that will occur if we do withdraw from Iraq. There will be widespread violence there, more than we are seeing today. And they warn us that a withdrawal may require the U.S. to engage, once again, in Iraq to stabilize that area.

So for those of you who would support House Concurrent Resolution 63, I again ask, what is your plan? “No” is not a plan.

IRAQ WAR RESOLUTION

The SPEAKER pro tempore. Pursuant to section 3 of House Resolution 157, proceedings will now resume on the concurrent resolution (H. Con. Res. 63) disapproving of the decision of the President announced on January 10, 2007, to deploy more than 20,000 additional United States combat troops to Iraq.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. When proceedings were postponed on Tuesday, February 13, 2007, time for debate on the concurrent resolution on that day had expired.

Pursuant to the resolution, it is now in order for a further period of debate on the concurrent resolution to extend not beyond midnight.

The gentleman from Maryland (Mr. HOYER) and the gentleman from Michigan (Mr. HOEKSTRA) each will control 5 hours.

The Chair recognizes the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, I ask unanimous consent to yield my time for controlling the time to Mr. ANDREWS or his designee.

The SPEAKER pro tempore. The gentleman from New Jersey is recognized as the designee of the gentleman from Maryland.

Mr. ANDREWS. Mr. Speaker, I yield 1 minute to the distinguished majority leader, Mr. HOYER of Maryland.

Mr. HOYER. Mr. Speaker, 3 months ago, the American people sent a resounding message, a message for change. They voted for a new direction in our Nation, including a new direction for the war in Iraq, which will enter its fifth year next month.

This week on this House floor the Members of this great body can demonstrate that we not only have heard the voters' message, but also that we have the collective will to send one of our own.

The bipartisan resolution before us asks the Members one straightforward question to be answered. Do you approve of the President's proposal to deploy more than 20,000 additional troops in Iraq, or do you not? Thus, this resolution is a clarifying moment for the Members to say precisely where they stand on the President's plan.

There is little doubt that our Iraq policy is not succeeding. Our Commander in Chief, President Bush, acknowledged on this floor last month during his State of the Union address that, and I quote, “Whatever you voted for, you did not vote for failure.”

I voted for the authorization, and I did not vote for failure. But the policies being pursued by this administration have not led to success.

After nearly 4 years at war, after more than 3,100 of our finest sons and daughters have given the ultimate measure of sacrifice in Iraq, after more than 25,000 have been wounded, after the expenditure of more than $400 billion on this war effort by the American taxpayer, our success seems as remote as ever.

Not surprisingly, two-thirds of the American people oppose the President's escalation plan. So do many current and former senior military officials, and Prime Minister Maliki has expressed his disapproval as well.

I oppose the President's plan for several reasons. First, we simply cannot ignore the many miscalculations made by the administration about this war, from sending too few troops, to grossly underestimating the cost, to failing to properly plan for the postwar period.

The President repeatedly said that his policies were working. He was tragically wrong, just as he is wrong today, in my view, about this escalation.

Secondly, this troop escalation does not represent a new strategy. In fact, we have tried at least four escalations in the past, none of which has succeeded in quelling violence.

The time for more troops was 4 years ago, 3 years ago, perhaps even 2 years ago, but not today.

The fact is our commitment of forces has never, has never been commensurate with the risk the President says exists. Never has the President, the Commander in Chief, suggested the resources necessary to succeed. This is too little, tragically, too late.

Third, we cannot disregard the deep skepticism and warnings of our military leaders. General Abizaid, not just another soldier, but the former chief of the Central Command in charge of our effort in Iraq, has stated that, and I quote, “More American forces prevent the Iraqis from doing more, from taking more responsibility for their own future.” That is the consequence General Abizaid believes of the President's policy.

Former Secretary of State Powell, one of the military leaders so successful in Iraq I, stated, and I quote again, “I am not persuaded that another surge of troops into Baghdad for the purposes of suppressing the communitarian violence, this civil war, will work.” That is General Powell.

And even Senator MCCAIN, who supports the President's escalation nonetheless, said just last week, “I don't think it enhances our chances for succeeding in Iraq.”

It is obvious that there is not a military solution to the violence in Iraq. We need a diplomatic surge, a surge of Iraqi responsibility.

We must implement an aggressive diplomatic strategy, as suggested by our friend, FRANK WOLF, both within the region and beyond. The Iraqis must take the lead on security, and the mission of American forces must shift from combat to counterterrorism, training and logistics. And we must begin the responsible redeployment of our forces.

Now, let me close by urging Members to disregard the arguments of those who seek to mischaracterize this resolution. Some say that the resolution will demoralize our troops. In a democracy it is proper and essential that we debate the tactics and strategy we are employing when we are asking young Americans, and some not so young Americans, to be at the point of the spear. It is easy for us to talk about tactics and strategy, not so easy for those who are in harm's way.

The Chairman of the Joint Chiefs of Staff, General Pace, says this debate will not adversely affect morale if we make it clear, as we have made it clear over and over and over again, that we will not abandon, we will not underman, we will not undersupply, we will not undertrain, and we will not defund those who we have put in harm's way. We will support our troops today, tomorrow and every day thereafter.

Some say that this resolution will demoralize our troops. Yet General Pace, as I said, says otherwise.

Others say that this resolution has not received adequate consideration. Yet, I tell my friends, in the first 6 weeks of this new Congress, we have held 52 House and Senate hearings. For the last 4 years this Congress has been absent without leave, and the American people know it. We did not demand accountability. We did not look at strategy. We did not question the President's policies. Fifty-two hearings have been held to date, and Chairman LANTOS has announced that he will hold a full committee hearing on all pending resolutions related to Iraq when we come back from the President's Day break.

Some say that this resolution is merely symbolic. To them I simply state that the bipartisan expression of the will of this House, when it mirrors the views of the vast majority of the American public, cannot, must not, should not be casually ignored.

Some say that this resolution signals retreat in the war on terror. As one who is absolutely committed to prevailing in the war on terror, to protect our people, to protect our country and, yes, to protect my three daughters, my three grandchildren, and my great grandchild, I am absolutely committed to policies that will protect us from terror and defeat those terrorists who threaten us. Continuing to support failed strategy, however, weakens our efforts in the war on terror. It does not strengthen them.

Furthermore, our failure to implement an effective strategy in Iraq has clearly, indisputably, resulted in encouraging and enhancing the ability of terrorists to recruit and to spread their twisted, hateful, violent ideology.

Finally, my colleagues, some assert that this resolution is a first step to defunding our troops in the field. This is categorically false.

While the new majority will explore other opportunities to affect Iraq policy, our commitment to our men and women in harm's way is unwavering.

Mr. Speaker, there is not a Member of this body, not one, on either side of the aisle, who does not pray for our Nation's success in Iraq.

Our brave service men and women have performed there with valor and with great honor. They have done everything that a grateful Nation has asked of them since the beginning of this war. We will not abandon them. I say to them directly, we will not abandon you. We will support you and we will assure that you are trained and equipped for the mission that we give you.

This is a critical moment, I tell you, my colleagues, in our Nation's war effort in Iraq. The President's policy is failing and his most recent proposal promises more of the same. This resolution is a first step in our attempt to forge a new direction in Iraq, and I urge every Member to support it.

Mr. HOEKSTRA. Mr. Speaker, at this time I would like to yield 10 minutes to the gentlelady from Texas (Ms. GRANGER).

Ms. GRANGER. Mr. Speaker, on Sunday afternoon, I drove about 20 miles to the home of Mr. and Mrs. Paul Balint in Willow Park, Texas. I had the solemn honor of presenting them with congressional remarks commemorating the noble and distinguished service of their son, Paulie.

The parents of Captain Balint did not complain to me or ask me to vote to end the war. They talked about the pride of their son and his lifetime desire to serve in the military.

The Balints have never waffled in their belief that the war in Iraq is one that demands our Nation's full commitment. They experienced a loss no one ever wants to share. Paulie was fighting to preserve our freedom and our way of life.

As I wished them well and turned to leave, the Balints asked me to bring a message back to Washington. They said to tell you to stay firm because we need to finish the job in Iraq.

So I am speaking today in memory of Paulie and his mother and his father and his brother and those who are still fighting there for us and listening to what we have to say.

I will not speak by calling into question anyone's patriotism or motives. All of us, Republicans and Democrats alike, recognize that much is at stake in Iraq and, undoubtedly, we all feel passionately about doing our duty to move forward and address what I consider to be the issue of our lives, the worldwide war against terrorists and a battleground of that war, which is Iraq.

The issue of responsibility in this war has been discussed during this debate, and I believe it is an important issue when addressing Iraq and in addressing this resolution.

□ 1045

Certainly in the change of direction the President has presented, the Iraqis have a clear responsibility to meet the goals of securing their own future. Likewise, Congress has a clear responsibility to produce meaningful legislation and provide effective oversight of our government's actions, especially during time of war.

Put another way, our citizens hold their elected Representatives accountable to craft legislation that results in meaningful and positive change. That is precisely what is so disappointingly unacceptable about this nonbinding bill, which fails to do anything, which holds no one accountable, and does not move our country forward on this critical issue.

Frankly, those many who have criticized the administration for staying the course too long are now presenting us with a bill that is the "stay the course" piece of legislation that both advocates failure and a position of status quo. More specifically, the bill ignores two of the most important parts of our Nation's role in Iraq: the consequences of failure and the principal support that we should provide our troops during times of war.

Let us say we do redeploy, which means quit. Or let us say the Congress takes the next step that is being talked about, and that is stopping the funding in Iraq. Let us look clearly at the consequences of a failed state in Iraq, not only for America but for the world.

Let there be no mistake, Iraq is but one front in a long war against a fanatical enemy who does not value human life and who seeks to destroy those who do. Failing to secure Iraq will result in massive instability in the Middle East, which will undoubtedly spill over to the rest of the world.

Consider the fractured nature of the Middle East and the nature of the dangerous threat we face. Iranian television stations routinely broadcast commercials that are designed to recruit would-be terrorists. In one ad specifically for children, cartoon characters entice them to be suicide bombers. Imagine a society that views indoctrinating 10-year-olds in the joys of martyrdom as a positive action. And yet that is precisely the kind of hate-filled enemy we face in this war, where again Iraq is just one battle.

A failed Iraq would provide international terrorists fertile ground to sow the seeds of just that type of hatred and extremist thought. These terror groups are cold and brutal and fully dedicated to our destruction.

In a failed Iraq, terror organizations would exploit a populace who is distrustful of Western democracies, who have turned their backs on them. These people would be ripe for terrorist recruitment

Just yesterday, many of us met with the ambassadors of Jordan and Egypt who warned us of the consequences should we take the next steps that have been hinted at during this debate and meetings held in congressional offices. America cannot afford to repeat the mistakes of the past by withdrawal from a direct confrontation with radical terrorists. Should we retreat from the current fight, the enemy will continue to intensify their attacks against America, just as they did following the 1983 bombings of the Marine barracks in Beirut, the first World Trade Center bombing in 1993, the 1996 attack on the Khobar Towers in Saudi Arabia, the U.S. Embassy bombings in Africa in 1997, and the brazen attack against USS *Cole* in 2000.

Many of the speakers on this resolution have cited the widely accepted Iraq Study Group report, which pointed to the dire consequences that America, indeed the world, would face should we fail in Iraq. What they choose to ignore is that the bipartisan authors of this report stipulated that they would agree with a short-term surge of American forces to bolster security and train Iraqi forces, which is precisely what our new strategy does.

Two weeks ago, the National Intelligence Estimate on Iraq was published, and it largely concurred with the findings of the study group of the results that failure in Iraq would bring.

Retreat from Iraq would result in pervasive instability in the Middle East, encourage rogue regimes, and give terrorists a secure base from which to launch attacks against free nations everywhere.

No one disagrees that the situation in Iraq has become more dangerous, but let me be perfectly clear. The consequences of failure in this fight would be catastrophic not only for America, but for the entire world.

While this war is certainly a test of our resolve, America has faced tough decisions during critical war years in the past. In 1862 debate over the Civil War threatened the success of the campaigns that our troops were engaged in. During the opening days of World War II, while the troops were engaged in a fight for their lives in the Pacific, Congress bickered over strategies of isolationism based in fear. And now in 2007, we find ourselves in the fight of our generation.

With all my heart I believe we stand at a crucial crossroad where the decision we make will affect not just us, but our children and their children and generations to come. Our enemies have demonstrated that they are willing to kill us even if they have to die themselves. Thankfully, our servicemen and women are willing to bravely defend our freedom as we in Congress go through the semantics of debating a nonbinding resolution.

For this reason and all the other reasons I have outlined today, I will not support a resolution that sends anything less than a clear message of support for our troops who are deployed in harm's way. Senator JOE LIEBERMAN stated last week in the Senate, "This bill is a resolution of irresolution."

If you believe the President's new strategy is unsound, then offer a better solution to win. If that is where your convictions lie, then have the courage to act decisively and be ready to accept the consequences of your convictions. Now, that would be a resolution.

The nonbinding resolution before us is at best confusing, at worst immoral. It pledges to support the troops in the field but washes its hands of what they are doing. We can't have it both ways. We can't say that our military men and women have our full support while disapproving of their mission on the eve of their battle. The bill does not resolve to do anything. It doesn't offer a solution. It only offers political expedient top-cover. It would be nice to play the game of nonbinding actions, but our soldiers and marines in Iraq don't have that option, and neither should we. In fact, if the troops in Iraq cared to watch what we were doing in Congress this week, they would be outraged. Fortunately for us, they have more important things to do and they live in a world where bullets are real and words alone carry little meaning.

I will close by asking all of you to picture yourselves as an 18- or 19-year-old marine or soldier who is preparing for imminent battle in Baghdad. At this very moment, you would be fueling your Humvee; loading your ammunition, checking your gear and equipment; taking time out to pray a private, quiet prayer. And if you are lucky, you might be able to call family and friends to tell them how much you love them. And all the while, the back of your hair is standing up and the back of your neck is itching because the support that you feel that is necessary from your government is lacking. As you prepare for battle, the best that your elected Representatives back home in your Nation's Capital can do is to debate a nonbinding resolution that has no real significance, except to call into question the mission you are about to embark on.

Quit? Unthinkable. Stop the funding while they are fighting? Immoral. Stay the course and do nothing? Outrageous.

What the Nation and our troops deserve is our best thinking and our best support.

Mr. ANDREWS. Mr. Speaker, I yield myself 11½ minutes.

Mr. Speaker, I support this resolution because it provides the affirmation and the change that I believe we need in Iraq. The affirmation is essentially universal in this House. It is an affirmation that we are irrevocably committed to arm, support, equip, and protect the troops that we have sent to Iraq. We are committed to stand by the young men and women who have made the choice to make a sacrifice for this country. That issue is not an issue.

What is an issue is whether American policy is working in Iraq or failing in Iraq. I believe it is failing, and I believe that a vote for this resolution is a vote for change.

We have frequently heard, Mr. Speaker, from the minority side that they would like to hear a plan. With all due respect, Mr. Speaker, I suggest they start listening to this debate and to the American people.

Here is how you build a plan: First, you acknowledge reality by properly defining the problem. The administration persists in rhetoric that defines the conflict in Iraq as a struggle between forces of civilization on one hand and the forces which wrought September 11 on the other. To some extent this characterization is accurate, but to a great extent this characterization is inaccurate.

A significant portion of the violence in Iraq is not the result of Islamic violence against American troops, although it exists. A significant portion of the violence in Iraq is the result of sectarian violence, Shiia against Sunni, Sunni against Shiia, and occasionally others against the Kurds. This is not the position of the Democratic Party. This is the observation of the military and intelligence leadership in public documents of this country. Sectarian violence is the principal problem in Iraq.

If the problem in Iraq were that a fragile but legitimate young government was struggling to hang on but could not overcome the resistance, then this idea of a troop surge would make sense. The idea of sending more fighters to defeat the resistance would make sense. This is not the proper definition of the problem. The troop surge does not send more fighters to defeat the resistance. It sends more referees to inject themselves into the violence between Shiia and Sunni militia and warfighters. The problem in Iraq is largely, not exclusively but largely, how to stop the sectarian violence.

The second change that we must have is a change that vests the Iraqis themselves with the primary responsibility and eventually the exclusive responsibility to defeat that sectarian violence. Sending more American troops to do the job of the Iraqis is not the answer. Insisting that the Iraqis do their own job, defend their own country, fight their own fight is the answer.

Now, the United States should not divorce itself from that effort. The United States, in my view, should not immediately vest the Iraqis with all that authority. But sending more young Americans to fight the fight for legitimacy of the Iraqi Government will not further the legitimacy of the Iraqi Government. It will defer it. It will weaken it. It will undermine it. There is one way, and one way only, to determine whether Iraqis themselves are willing to fight for this government, whether Shiia are willing to fight Shiia militia, whether Sunni are willing to fight Sunni militia. And that is to let them do it, not to give the job to more and more Americans. This is the change that we need.

And, finally, we need a change which recognizes that the principal problem in reaching a unity government in Iraq is political negotiation. Now, this is not to say that diplomats alone can solve this problem, but it is most certainly to say that if those who are vested in the outcome of this civil war are not brought to a conference table, brought to a negotiation, and compelled or encouraged to reach a solution, I doubt very much that it will come.

The United States has become the guarantor of the status quo in Iraq, and the status quo is failing. The best way to serve the interests of the American troops is to engage in the democratic debate for which they are fighting. Young Americans are fighting and dying so that Iraqis will have the right to debate their country's future. It would be sadly and bitterly ironic if we abrogated our responsibility to debate our country's future over what they should be doing in that country and how long they should be there.

☐ 1100

If you want to serve the troops, have the debate. And if you want to promote the idea of avoiding failure in Iraq, then change the policy in Iraq. Do not sustain the status quo. I believe that if you want to change the policy in Iraq, voting "yes" on resolution 63 is the right first step.

Mr. Speaker, I yield the balance of my time to my friend from California (Mr. SCHIFF).

Mr. SCHIFF. Mr. Speaker, it has been nearly 4 years since President Bush ordered American military forces into Iraq with the intention of toppling the government of Saddam Hussein. Now, after more than 3,100 American troops have been lost and this Nation has spent in excess of $365 billion, we find ourselves at a crossroads. Do we endorse the President's decision to escalate the conflict, or do we, as a coequal branch of government, exercise our prerogative to force a change in course?

In October of 2002 I voted for the resolution authorizing the use of military force in Iraq based on three assumptions: First, that the intelligence community correctly assessed that Iraq had active stockpiles of chemical and biological weapons and was pursuing a nuclear bomb; second, that President Bush would exhaust all diplomatic efforts to resolve the international community's standoff with Iraq over its weapons programs; and, third, that if the President determined that a resort to force was necessary the prosecution of the war and its aftermath would be competently managed by the President and his administration.

Each of these assumptions proved to be wrong. Iraq had no weapons of mass destruction and no nuclear program; President Bush did not exhaust all diplomatic efforts; and perhaps most tragically, his administration made terrible, costly and repeated blunders in its conduct of the war.

I have been to Iraq three times to visit our troops and to thank them for their service and their sacrifice. I have met the families of five soldiers and marines from my district who have been lost in Iraq. I have visited with our wounded here and overseas.

Words cannot convey the admiration that I have for the magnificent job that these men and women, many of them still in their late teens and early twenties, are doing on our behalf in Iraq. Whatever failings there have been in the prosecution of this war by the administration, our troops have performed magnificently in wretched conditions and against an often unseen enemy that has targeted U.S. military and Iraqi citizens without discrimination.

We must and we will continue to ensure that they have the resources they need to do their jobs and to come home safely, and once they are home, we will provide them with the care and benefits that they have paid for in blood.

Unlike some of my friends in the minority, I have never construed support for the troops to require a blind, unquestioning and slavish devotion to the Executive, even when the Executive is wrong, even when its policies will not achieve the desired result, and even when those very policies place our troops unnecessarily and unproductively at greater risk. On the contrary, on the contrary, an engaged Congress is essential to meaningful support for the troops.

On many occasions here on the House floor, in committee and in meetings with senior officials, I have pressed for accountability, oversight and a more vigorous commitment to force protection. In October 2003, I voted against the $87 billion Iraq supplemental because I believed that it shortchanged security for our troops and allocated too much for no-bid contracts.

Now, more than 3 years later, our reconstruction efforts in Iraq are a disaster and a national disgrace. Too many of our troops still ride into battle in vehicles that are not properly protected against IEDs and other weapons.

Last June I voted against the administration's "stay the course" resolution that sought to conflate the war in Iraq with the entire struggle against al Qaeda, even as it failed to acknowledge that our strategy to stabilize the country was not working and that its country was slipping into civil war.

Now, against the advice of Congress, the bipartisan Iraq Study Group, most military experts and the American people, President Bush has determined that victory in Iraq can be achieved by deploying 21,000 additional combat troops to Baghdad and its environs.

Regrettably, I cannot see how this escalation can be successful. Instead, I believe it will further the cycle of dependency that has allowed Iraq's Shiite dominated government to avoid making compromises with Sunnis and to avoid building capable security forces. It will increase the strain on our military at a time when the Army and Marines are already stretched to the breaking point. And, most of all, it will deepen our military commitment to Iraq at a time when there is a national consensus that we should be taking steps to reduce our combat role and reinvigorate the diplomatic process.

The administration and the minority charge that those who do not support the escalation have no plan and that this is the only possible path to success. I disagree. The Iraq Study Group laid out a strategy that centered around a reduced American combat presence in Iraq, increased efforts to train Iraqi forces, increased pressures on the Iraqis to make compromises and a regional conference to hammer out a common approach to Iraq.

This resolution is a clear message to the President that his approach has lost the confidence of this House and we need a change of direction. I hope he chooses to take our counsel. But he should be aware that the days of a rubber-stamp Congress are over, and we are willing to take other steps to insist on charting a new course in Iraq.

Mr. HOEKSTRA. Mr. Speaker, I yield 6 minutes to my colleague from Texas (Mr. CARTER).

Mr. CARTER. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I spent many years of my life being a trial judge in the beloved State of Texas, and as we are trying to make these decisions here today, I think there is a good parallel to be struck between the decisions that this House is going to make and the decisions that a jury gets asked to be made in the courtroom.

The process always begins with pleadings, and I have here in my hand the pleadings of the majority party of the House of Representatives, pleading for relief from this body.

They begin by section 1, the Congress and the American people will continue to support and protect the members of the United States Armed Forces who are serving and have bravely served honorably in Iraq.

Well, they are not really pleading for any relief there. They are not actually asking us for anything, other than stating this is what they stand for. So we have to kind of fall back on our experience and what we have experienced recently.

We have just experienced a continuing resolution, as they called it, which cut the military over $4 billion. But that is okay, it is going to be put back in the supplemental, we are told. Yet in the argument in this case, I have heard many folks that step up there and start talking about they are part of the Out of Iraq Caucus and they wish to defund to get the troops back home. So if they are going to defund, when are they going to put that money back?

They say they support our troops. They, this Congress, has elected by its vote, General Petraeus, an expert in counterinsurgency, to give us a plan. And he has. He has told us, I need more boots on the ground to back up the Iraqi troops as they go in and clean out these militias and give some stability to Baghdad. That is what he has asked us for. And he has also told us that this type of action by Congress will discourage his troops.

Secretary Gates has told us in his opinion this will encourage our enemies, just this statement, this kind of thing that we are doing here today. And yet we hear arguments that is just not true.

Yet I don't know, I have got a little note here that ABC News, certainly nobody's conservative press, reports that they talked to some Army sergeants in Ramadi. First Sergeant Louis Barnum says, "It makes me sick. I was born and raised a Democrat. When I see that, it makes me sad."

Sergeant Brian Orzechowski says, "I don't want to bad mouth the President at all. To me, it is treason."

Then in this morning's paper, in the Washington Times, Cal Thomas' column, Army Sergeant Daniel Dobson, 22, of Grand Rapids, Michigan, in his second tour in Iraq, says, "The American military has shown a stone-cold professional veneer throughout the seething debate over Iraq. Beneath that veneer, however, is a fuming visceral hatred. We feel as though we have been betrayed by Congress."

So the evidence seems to be that this does seem to discourage our troops.

And how will it encourage our enemies? Let's think about that. If the majority gets its way and we pull out of Iraq, the enemy will be able to say, the jihadists of whatever faction they may be, will be able to say, "We defeated the Russians in Afghanistan; we defeated the Shah and the United States of America in Iran; we have now defeated the United States of America and its coalition partners in Iraq."

Won't this make a great recruiting poster and slogan for those who seek further jihadists who wish to do us harm?

So although their pleadings don't call for anything other than a statement of what they stand for, the consequences may be dire.

Then we go on to see what also they are telling us that they want to do. They are just telling us that Congress disapproves of the decision of President George Bush, that President George Bush announced on January 10, 2007, to deploy more than 22,000 additional United States troops in Iraq.

Okay. What does that tell us? That tells us they don't like what the President's decision was. That is what it tells us. Does it tell us why? Well, we have heard a lot of people tell us why. So I guess that is what we have to rely upon. Has it told us what alternative they feel like we are going to have? Does what they are asking us to do today give us an alternative? I find nothing else in this piece of paper that says that. I don't find any solution proposed.

So what should Americans expect from what is being asked for here today? I think they should expect discouraged troops. I think they should expect an encouraged enemy. But, more importantly, I think we as we make this decision should realize that what we may be doing is bringing this fight to the very people we are here to represent, so that when we stand in those metal detector lines at our malls we will know it all started with H. Con. Res. 63. Now we live in the unsafe world that the Israelis deal in every day.

Mr. Speaker, the relief sought here today is minimal, this action does nothing to help our troops or help our effort, and the only solution, if it goes bad, is prayer. We have a chance to have a solution here today, and I would submit that that solution is vote against House Concurrent Resolution 63.

Mr. ANDREWS. Mr. Speaker, I am pleased to yield 5 minutes to my friend and colleague from Michigan (Mr. KILDEE).

Mr. KILDEE. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise in support of House Concurrent Resolution 63, to stop the President's escalation of our involvement in what has now become the Iraqi civil war.

I voted no in 2002 when the Congress passed the resolution authorizing the President to invade Iraq. It was wrong to start this war then, and it is wrong to escalate it now.

In 2002, I had several basic questions addressed to the President, questions that are still valid today. I asked then, what is the nature and urgency of the Iraqi threat to the United States? What is the mission of our troops? How much international support will we have? Will this military operation in Iraq decrease terrorism or increase terrorism? And what is the exit strategy to withdraw our troops from Iraq?

□ 1115

Mr. Speaker, we now know that Saddam Hussein did not have weapons of mass destruction. President Bush has since publicly acknowledged that there was no link or connection between Saddam Hussein and the terrorist attacks on 9/11.

The mission of our troops seems to change and expand daily, but their current mission appears to be to act as threatened referees in an increasingly bloody civil war between the Sunni and Shiite Iraqis.

As for international support, the American taxpayer has borne the vast majority of the costs to the tune of hundreds of billions of dollars. American fighting men and women and their families have borne the vast majority of the deaths and injuries to Coalition troops, over 3,100 Americans killed, 18 from my district, and over 23,000 wounded.

Even our staunchest ally, Great Britain, plans to reduce the number of its troops in Iraq to 4,500 by this June.

Are we safer today than we were before the invasion of Iraq? Declassified CIA National Intelligence Estimates indicate that the war in Iraq has become a primary recruitment vehicle for Islamic terrorists. Far from being the central front in the war on terror, as the President and his people say, Iraq is the incubator and training ground for new terrorists from around the world.

Finally, the President has never clearly stated what is our strategy to win in Iraq nor what is our exit strategy. "Mission accomplished," "Bring it on," "Stay the course," or "We will stand down as the Iraqis stand up" are slogans, not strategies.

Our generals, our diplomats, the Iraq Study Group even the White House, all agree there is not a military solution to the war in Iraq. Only a political resolution between the warring Iraqi factions could end the current violence.

I do not believe that adding more American troops will do anything to help foster that crucial political solution. In fact, it may hinder it.

Telling the Iraqi leadership and the Iraqi people that they must solve their own internal problems without limitless American assistance has a far better chance of success than continuing our current blank-check policy.

Mr. Speaker, President Bush either did not get or did not understand the message the American people sent last November. Before the end of this year, U.S. troops should be redeployed and their efforts focused on support and training the Iraqi Security Forces. It is their country, it is their fight, and it is their future.

Mr. HOEKSTRA. Mr. Speaker, I yield 6 minutes to my colleague from Virginia (Mr. TOM DAVIS).

Mr. TOM DAVIS of Virginia. Mr. Speaker, in this debate, our first care should be for the safety and morale of the men and women serving in the American Armed Forces. Whatever the way forward, nothing said here should be heard by friend or foe as disrespect for the work and sacrifice of those who willingly fight our battles in a very dangerous world.

It took the United States and coalition forces less than 3 weeks to topple a brutal Iraqi regime that had held an iron grip on power for almost 30 years. Since then, they have battled a growing insurgency and rampant sectarian violence with professionalism and bravery. Of all the instruments of national power we could and should be discussing today, diplomacy, economic policy, intelligence and warfare, our military is the only one that has performed predictably, consistently, and well.

Still, knowing what we know today, after almost four years of attempted nation-building on the shifting sands of Iraq, the plan to put 21,000 more Americans in harm's way there has to be viewed with a cold-eyed skepticism born of that hard experience. Putting American troops between feuding Sunni and Shia in the middle of Baghdad, in my judgment, is a mistake. This is the appropriate place for Iraqis, not Americans.

The Iraq Study Group concluded that, "Sustained increases in U.S. troop levels would not solve the fundamental cause of violence in Iraq, which is the absence of national reconciliation." They quoted a U.S. general who said that if the Iraqi Government does not make political progress, "all the troops in the world will not provide security." I agree.

Like many Members, Republicans and Democrats, I voted for the resolution authorizing President Bush to use force in Iraq, just as I supported President Clinton's decision to take military action against the former Yugoslavia. Four years ago, we were trying to persuade Saddam Hussein to comply with the United Nations resolutions on disarmament and weapons inspections. Only a credible threat of force could possibly convince him that it was finally in his interest to respect the lawful demands of the international community.

Voting to support the President strengthened his hand in the diplomatic effort to get the Iraqi regime to comply peacefully. Saddam Hussein chose not to comply, and when diplomacy fails, and military action becomes necessary, politics should stop at the water's edge and every American should stand behind the Commander in Chief.

But no grant of authority is a blank check. Today, naive notions about a quick or tidy victory in Iraq have given way to far grittier options on how best to achieve our strategic goals in that nation, in the region, and in the global struggle against Islamic extremism.

We want the President to succeed, but we are disappointed our hopes and good intentions for Iraq remain unrealized. Many are frustrated by the mistakes and missed opportunities that plagued this noble but star-crossed effort. Poor planning for occupation and reconstruction of a devastated nation, and missteps by the Coalition Provisional Authority, allowed the insurgency and long-simmering factional hatreds to erupt and to take root.

At this point, it seems clear to many that only Iraqi interests, not ours, can be advanced on the streets of Baghdad. U.S. and coalition forces were tasked as protectors of Iraq's hard-won sovereignty, not referees in unchecked sectarian vendettas. From here, the surge looks much more like the status quo on steroids than a serious alternative policy to reach a realistic goal. Some way must be found to cut the Gordian knot that ties us to an Iraq strategy that says we can neither win nor leave.

Moreover, so long as American troops are the ones on the ground, taking the fire and being objects for sectarian terrorist hatred, other stakeholders who have more at stake in the region than we will refuse to step forward.

But whatever else it might accomplish, this resolution still does not do enough to illuminate a new, sustainable strategy in Iraq. It offers us few alternatives, and I am disappointed in that. The profound and complex issues central to our international position today cannot be reduced to simplistic political statements. We took an oath to uphold and defend the Constitution, not just strike poses on how that duty applies to the key questions before us as a Nation. In the end, these are purely political statements, when the debate we really need to have is about the most apolitical subject of all: national security in a time of global peril.

Today, the House sends a purely symbolic message to the President. It is a message that will also be heard by our troops, by the Iraqi Government, by the Iraqi people who have relied on us, and by our enemies who are hoping we will quit the fight soon. It does not say enough. We should be debating the elements of an effective policy to stem the tide of jihadism infecting growing swaths of the globe. This resolution says only what some Members are against, nothing about what we are for.

The Iraq Study Group report put forth 79 specific recommendations, many focused on the need for far greater engagement of regional powers, friends and foes in taking realistic steps to stabilize Iraq. I joined my colleague, FRANK WOLF, in supporting creation of the Iraq Study Group, and I wish he and others were allowed to offer those recommendations for discussion by the House. Those are the debates and the votes I had hoped to participate in today.

The lack of substantive alternatives before us, particularly on the question of adequate funding for deployed troops, betrays the majority's empty, conflicted positions on Iraq: against the President, but for nothing. The Senate majority attempted to straddle the same contradictions recently, confirming without dissent the new commanding general for Iraq, while at the same time claiming to be against the very same mission they know he has been ordered to undertake.

On the genuine questions of security and strategy in Iraq, we cannot remain, as Winston Churchill admonished, "decided only to be undecided, resolved to be irresolute, adamant for drift, solid for fluidity, all-powerful to be impotent."

Mr. Speaker, we must decide, and I have decided, to support this resolution because it is the only option that has been made in order by the majority today to engage the House in formulation of Iraq policy, but once troops are committed by the Commander in Chief and we are engaging the enemy, symbolic gestures like this must confront the more complex realities of how to support those forces in the safe and speedy completion of their mission.

Mr. ANDREWS. Mr. Speaker, I am pleased to yield 5 minutes to my friend, the gentlewoman from New York (Mrs. MCCARTHY).

Mrs. MCCARTHY of New York. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise in support of House Concurrent Resolution 63. Despite the brave efforts of our troops, the situation in Iraq continues to deteriorate. Our troops have gone above and beyond the call of duty. Unfortunately, they are caught in the middle of sectarian violence.

From the onset of the conflict, there has been mismanagement and mishandling from this administration. The administration was not prepared for the violence following the removal of Saddam Hussein.

In addition, the previous Congress did not do its job. The 110th Congress held the first oversight hearing since the invasion in 2003. That is 4 years without any congressional oversight.

I have heard so many speeches here saying that we support the troops. I think everyone, every single Member, supports the troops. Yet all those years that we were hearing from the families and from our soldiers themselves, saying they did not have the equipment, they did not have certainly the equipment to keep them safe, where were we? Where were we as Members in making sure that our military had the best equipment?

Since January, we have had 52 oversight hearings on Iraq. It turns out that nearly $12 billion from the American taxpayers have not been accounted for. That is $12 billion that could have been spent on our equipment to protect our troops. Our troops deserve better.

The President explained his new plan for Iraq last month. Again, I hear that we must stand by the President. Well, I was one that stood by the President. I voted with the President. I voted for every appropriation for the President, and now he is doing the same thing. It is not working. It has not worked. It is time for a new plan.

He called for an increase of 20,000 more troops in Iraq and, unfortunately, I am afraid that this is a little bit too late. We needed hundreds of thousands of troops in the beginning. That is when the generals asked for those troops and they were denied.

The truth of the matter is we did this war on the cheap. We did not do it right in the beginning, and now we are all paying the consequences.

Throughout the conflict our troop levels have changed. We have sent more troops in when our generals called for them. Then they were made smaller. To no fault of our troops, the extra numbers did not calm the situation. I do not believe that putting more of our brave men and women in harm's way is the solution to this conflict.

President Bush emphasized his intentions of placing more authority and responsibility on the Iraqi Government. Well, it is about time. We have spent a lot of money to train the police officers, to train their military, and yet they are not standing up for their own country.

Prime Minister Maliki has not proven that he can stop the violence that is going on in his country. That should not mean that our troops should be there. Our troops are trained for a war, not to settle political differences in that country. He has failed to bring equal representations of the Sunnis and the Shiites into the Iraqi Government. This shortfall has fueled sectarian violence, putting our troops in greater harm.

Poor planning by civilian leaders within the administration has placed our brave men and women in harm's way. Our troops have gone above and beyond the call of duty. They have served our country bravely and honorably, and we all know that. Many of these troops have served their full tours of duty in Iraq, and they have left behind family and friends to defend this great Nation.

More than 3,000 of our men and women have made the ultimate sacrifice, and not one of them, in my opinion, has died in vain because they were doing their duty. We sent them there, and they have lived up to that, and thousands more have suffered debilitating injuries.

It is time to shift the burden of this conflict to the Iraqis themselves. We have a responsibility in Congress to make sure that our troops are not put unnecessarily in harm's way.

President Bush has made his decisions without consulting enough experts and retired generals. Where was all the information that we needed years ago as far as bringing the experts, knowing what the culture was in the Middle East? That is something that we still are not addressing here.

Decisions have not been clearly thought out and our troops have paid the price. And after much thought, I have come to the conclusion that a phased redeployment of our troops is the best option.

No one is really talking about Afghanistan either. When we started, we were winning in Afghanistan. When we took those troops out of Afghanistan, we started seeing the insurgents coming in. We can put our troops along the borders. We can stop the insurgents coming into Iraq while the Iraqi Government tries to solve their own problems.

□ 1130

We can go back into Afghanistan and make sure that we shore up that country so more insurgents and military equipment are not coming from that country.

We must show the American people and our allies, by the way, who are leaving, they are not supporting us, it is not just Democrats and a lot of our Republican colleagues that feel that we should get out. Our strategy has been wrong, it is time to work together, and I am hoping after all these debates, when we come back from our break, we can actually go to our committees and come up with a way to solve these problems, not only for America, but before the world.

Mr. HOEKSTRA. Mr. Speaker, I yield 5 minutes to my colleague from Texas, a member of the Intelligence Committee (Mr. THORNBERRY).

Mr. THORNBERRY. Mr. Speaker, I have listened to much of the debate yesterday and today, and I appreciate the efforts of my colleague from Michigan to remind and educate us all about what is at stake for our security and how Iraq fits into the larger war against radical Islamic terrorists. That is serious work.

Unfortunately, this resolution is not serious work. I believe we have to start by asking a basic essential question: Why are we doing this? What is the purpose of this resolution? What good will come from passing it? I cannot find an acceptable answer.

The struggle in Iraq and the larger war against radical Islamic terrorists is, in my view, the preeminent national security issue facing our country. It is important for Congress to devote serious, meaningful attention to it. But whatever we do should have a purpose, a purpose that makes the United States stronger, a purpose that will help us be successful, a purpose we can explain and be proud of in years to come.

Here we have a nonbinding resolution, which means it does not have the force of law. It conveys an opinion. Now, we do that from time to time. We congratulate a sports team, we express concern about curing a disease, we pat somebody on the back. We do express opinions.

What is the opinion in this resolution? It is that we support the troops, but we do not support their mission. We support the troops, but we do not support their new commander, who is this Nation's preeminent strategist and expert on counterinsurgency, who just wrote the manual for counterinsurgency, who was just approved by the Senate unanimously. We support the troops, but we don't support him or her or what he is trying to do. Now, what is the purpose of expressing that kind of self-contradictory opinion?

And I continue to be troubled when I think, when in the history of the United States has Congress passed a resolution expressing an opinion on a battlefield strategy for an ongoing operation that Congress has approved? It is like June 13, 1944, D-Day plus seven: Congress passes a resolution that says, "We support the troops, but Eisenhower should never have landed in Normandy. And, besides, he doesn't have the right number of people to hit those beaches anyway."

Mr. Speaker, I can only conclude that this resolution is more about political posturing than it is about anything else, and I think every American ought to be saddened and disappointed by it. We have a spectacle going on in this country where a group of people running for President try to outdo one another to see who can be the most against our involvement in Iraq. Now we come to add to that spectacle with a nonbinding contrary resolution.

Just put yourself in the shoes of those men and women going into battle in Baghdad. Does this resolution encourage you or discourage you? Put yourself in the shoes of those people who do not want stability in Iraq, our adversaries. Does this resolution encourage you or discourage you? Put yourself in the shoes of those families like Ms. GRANGER, just visited, or the Britt family in Wheeler, Texas, or the Das family in Amarillo, Texas who have lost their sons in this effort. Does this resolution encourage you, or does it discourage you? Who is helped by this resolution?

Mr. Speaker, I do not want to be misunderstood; mistakes have clearly been made with regard to our involvement in Iraq, and Members should be part of a serious study to learn from them. There are a good many questions that need to be asked, and there is very good reason for skepticism that this new strategy is really going to work. We should ask those questions. We should hold Iraqis accountable for doing what they say they are going to do. I know there are some people who say we don't need to ask any more questions, they have already made up their mind; they are ready to vote to leave today. Fine, let's vote on that. It is a serious vote, with consequences, and people that vote that way ought to be ready to shoulder the responsibility for the consequences that come from that sort of vote.

But this resolution is not serious, it is just political posturing, pure and simple.

Mr. Speaker, this struggle is going to require the best of us for years and possibly decades to come. It will require that we put aside the political temptations to get a momentary partisan advantage. It requires that we do our constitutional duty not to be a rubber stamp to any administration, but to be an independent branch of government committed to serious, thoughtful work.

To prevail over these radical Islamic terrorists and protect our people, we are going to have to bring the full array of national assets. Yes, our military, but also our diplomats and our foreign assistants and our ideas and our ideals. All of that is going to have to be at our best. But it is going to require the best of us, too, and we are not giving our best with this resolution. Hopefully, we can do better.

Mr. ANDREWS. Mr. Speaker, in the spirit of bipartisanship, I yield 1 hour of our time to my friend and colleague, the gentleman from North Carolina (Mr. JONES), and I ask unanimous consent that he be allowed to control this hour of time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. JONES of North Carolina. Mr. Speaker, I thank the gentleman from New Jersey. And I apologize for my voice.

Before I yield time, I want to take just a couple minutes and remind the House that, yes, we are here today to talk about resolution 63, but to remind the House that why we are in Iraq is the question.

I want to start my comments by sharing with the House that I met with a real marine general hero that very few people on the floor know his name; his name is General Gregory Newbold. And I want to quote him from Time magazine, April 9, 2006, "Why Iraq Was a Mistake." I will be brief.

Two senior military officers are known to have challenged Defense Secretary Donald Rumsfeld on the planning of the Iraq war. Army General Eric Shinseki publicly dissented and found himself marginalized. Marine Lieutenant General Greg Newbold, the Pentagon's top operations officer, voiced his objections internally and then retired, in part out of opposition to the war. Here, for the first time, General Newbold goes public with a full-throated critique. I want to quote this to the House from General Newbold.

"I was a witness and therefore a party to the action that led us to the invasion of Iraq, an unnecessary war. Inside the military family, I made no secret of my view that these zealots' rationale for war made no sense, and I think I was outspoken enough to make those senior to me uncomfortable. But I now regret that I did not more openly challenge those who were determined to invade a country whose actions were peripheral to the real threat, al Qaeda."

I mention that, Mr. Speaker, because today this is an important debate. And, yes, my friends on the other side I respect and have great love and affection. But I remember in 1999, when we were on the floor as the majority party criticizing President Clinton for going into Bosnia, that was a nonbinding resolution.

That is what the Congress is about: debate, disagreements, agreement, debate. That is our constitutional responsibility.

Let me tell you what Karen Hughes, who was speaking for then-Governor Bush, who is now President Bush, said about the nonbinding resolution. This was in The Washington Post, March 27, 1999. I quote Mrs. Hughes speaking for Governor Bush at the time, criticizing President Clinton, and this is a quote. "If we are going to commit American troops, we must be certain that they have a clear mission, an achievable goal, and an exit strategy."

With that, Mr. Speaker, I yield 5 minutes to the gentleman from North Carolina, my colleague and friend (Mr. COBLE).

Mr. COBLE. I thank the distinguished gentleman from North Carolina.

Mr. Speaker, I oppose deploying 20,000 additional troops to Iraq. Oh, if you oppose the surge, the troops will be demoralized, we are told. The five "d" words will be prominently exposed this week as my friend just mentioned: debate, dialogue, discipline, deliberation, and democracy.

The troop morale will be adversely affected because we are involved with these disciplines? I think not. I believe they would more readily be demoralized if we were willy-nilly rubber-stamping every issue confronting us.

I approved of removing Saddam Hussein because it is my belief, and I continue to believe it is the general consensus of this Congress, that Saddam was indeed an international terrorist. I regret that we were inept in formulating a post-entry strategy. I am not convinced that any particular strategy was ever in place.

It is unfortunate and, yes, unfair, that many people, strike that, some people, perhaps many people, are blaming President Bush, the United States, Great Britain, Australia, and our other allies for the civil unrest in Iraq. Saddam was removed and a free election was conducted, so the Iraqi people were given a choice between freedom and civil war. Unfortunately, they chose the latter. They rejected freedom and chose civil war. And the longer we maintain a presence there, the more they will rely upon us. The time has come, in my opinion, for the baton to be handed to the Iraqis.

Finally, permit me to discuss cutting and running. Oh, you cannot leave; you will be accused of cutting and running, we are told. If we had removed Saddam, which most Iraqis wanted, and then withdrew 4 or 5 weeks later, or even 4 or 5 months later, that would have constituted cutting and running. But we have been there for years, Mr. Speaker. Over 3,100 of our troops have given the ultimate sacrifice, in excess of 25,000 have suffered injuries, many permanent disabling injuries. This is sacrifice, not cutting and running. And I insist that we do not maintain an eternal presence in Iraq if for no other reason than the cost to the taxpayers, which has been astronomically unbelievable.

In excess of 2 years, Mr. Speaker, I have stressed the importance of retaining troop withdrawal as a viable option. Early on, virtually no one was even remotely considering withdrawal. I believe withdrawal is not unsound for the reasons I have previously cited.

Some Americans and perhaps some in this body oppose the Iraqi operation because they dislike President Bush. I, however, do not march to that drum. I am personally very high on President Bush. But on the matter of troop escalation, I am not in agreement.

The noted British statesman Edmund Burke, while addressing Solicitors at Bristol many years ago said, "As your representative, I owe you my industry, but I also owe you my judgment. And if I sacrifice my judgment for your opinion," he said, "I have not served you well."

Some of my constituents will embrace my vote as demonstrating sound judgment. Others will likely reject my vote as a result of flawed judgment.

Not only do I owe my best judgment to my constituents, but to our troops as well, who we continue to remember in our thoughts and prayers.

I thank the Speaker and I thank the distinguished gentleman from North Carolina.

Mr. HOEKSTRA. At this time, I yield 6 minutes to our colleague from Tennessee (Mr. WAMP).

□ 1145

Mr. WAMP. Mr. Speaker, I want to first say, since I am coming at this point in this time, that I am a Republican who opposes this resolution. Most importantly, because this resolution is nonbinding, I am one of the ranking members on the Appropriations Committee who will fight to make sure that, no matter what, funds are not restricted or reduced or cut from the men and women in harm's way on behalf of this country in the future days, regardless of what is said on this floor.

I want to make some general observations. First, the war on terror is the worst-named war in the history of our country. We are at war with Islamic jihadists, fundamentalists, radicals. We need to be more clear as to who we are fighting. Frankly, my view is that this is a religious conflict. People may ask in Tennessee or Texas, why are we involved?

Well, for the first 1,350 years of this religious conflict we were not involved. But history shows that a man named Qutb, the Wahhabi leader, a radical, over 40 years ago, came to this country, was educated, went back and indoctrinated a man named Azzam and taught a man named bin Laden that Western liberalism, freedom, self-government would actually bring about apostasy or ungodliness.

That is the truth. He indoctrinated the Sunni radicals that your way of life, self-determination, would create ungodliness, and that it must be stopped, and at that point we were brought into this religious conflict, the split there in the Arab and Persian world created by the 1970s, organizations in Iran that overthrew the Shah, and it gave them the first Islamic state when Ayatollah Khomeini was brought back in 1978, and, unfortunately, our leaders in the country helped bring that about in the late 1970s.

Khomeini took over, and within a few months they took our hostages in Tehran. That was a low point in this country's history and my life, and from 1978 forward 30 times our interests have been attacked around the world, and twice they have been attacked domestically in the United States.

It is important to remember this. We are at war with Islamic jihadists. Al-Zarqawi and Zawahiri were talking while al-Zarqawi was still alive, and he said we need to expand the caliphate from Indonesia to Morocco. They believe they can go north to Europe and all the way to the former Soviet Union. This is where the Arabs have had influence, this is their agenda.

It is interesting to me that this only became very difficult in the last 12 months in Iraq. This week was the 1-year anniversary of the Samara mosque bombing. That is when the sectarian violence broke out. They are attacking each other. Moqtada al-Sadr's uncle is buried at that mosque. He was killed by Saddam Hussein.

One year ago, they blew up that mosque in sectarian violence. What is Moqtada al-Sadr doing today? He is fleeing. Why? Because he hears that we are going to increase security, put more boots on the ground in Baghdad. He is fleeing to Iran.

What does that say about all of this? Well, it says to me that we are beginning to do the right thing. The region's leaders told us this week partition of Iraq is not acceptable in the Arab world or the Persian world or the region. A partition will not work. It will make things worse. They also said "a precipitous withdrawal will be catastrophic."

I remind my colleagues and the American people, we were not in Iraq before September 11. We were not in Afghanistan before September 11. This problem is not going to go away if we leave Iraq. This is a generational challenge.

As a matter of fact, I will say this, and this may be the most dramatic thing said on this floor, and I am briefed at a pretty high level. I believe we haven't been attacked domestically since September 11 for two reasons. One, we are better than we have ever been at intelligence again, and I am glad.

Two, they don't want to see us united like they saw us after September 11. Our enemies love the dissent and the division. They do not want to see us come together again, because when we do we are the best in the world.

Five points, Iraqi troops are showing up, progress is being made. This morning, a story out, several Iraqi battalions now exceed the 75 percent measurement on participation. For them that is very good.

Two, reinforcement is what this is. It is not a surge. The spread on how many troops we have had over the last several years is from 136,000 to 160,000. We are down to the lower level. This is going to bring us back to the upper level, about what we had when the elections were held. It is not a surge, it is reinforcement.

Three, the commanders tell us that reinforcement will, quote, will save lives and reduce violence. Reinforcements militarily, always there is a grid that shows that reinforcements save lives and reduce violence.

Four, there are two tracks here. One is troop strength and security. The other is diplomacy. You will see in the coming days diplomacy break out in the region. I say to all my colleagues who have great concern, that are afraid we are not talking to Iran and Syria, just stay with us. I believe you will see dialogues at every level take place in the region in the coming weeks, and I have been meeting with some of the administration officials.

Then let me say this, and I know what the distinguished majority leader said, and I respect him, and I believe many, many people, if not everyone in this House, have good intentions. If this resolution is followed by a funding cut, more Americans will die, and the sacrifices to date will be lost. We must do better, but we better not retreat in Iraq.

Too much is at stake. Our problems are not going away. Let's not be foolish. Let's not retreat from this challenge. Let's stand together and unite for the fight of our lives. It is a generational struggle, and we must pull together and meet in defense of liberty and our way of life.

Mr. JONES of North Carolina. Before I introduce my friend from Maryland, I want to read a statement from Marine General Joseph Hoar, former Commandant of U.S. Central, when he appeared before the Senate Foreign Relations on January 18 of 2007. This Marine general said, and I quote, the proposed solution is to send more troops, and it will not work. The addition of 21,000 troops is too little and too late.

Mr. Speaker, I yield 7 minutes to the gentleman from Maryland (Mr. GILCHREST), himself a former Marine, always a Marine, who served during Vietnam and was wounded for this country.

Mr. GILCHREST. I thank the gentleman from North Carolina for being generous with his time. I also want to sincerely thank the gentleman from North Carolina for his effort to resolve the issue successfully and for bringing those of us who are speaking here this morning together and for organizing this time.

Mr. Speaker, I am going to vote for this resolution for many reasons that I will explain, but this resolution is not a retreat from Iraq. This resolution is understanding the new phase that we find ourselves in with the war in Iraq and the war on terrorism. So it is a step forward in the right direction.

I want to begin by commending our American troops and the intelligence community for their bravery, their professionalism and their stunning competence in Iraq and Afghanistan under very difficult circumstances. Those young men and women have eliminated terrorist training camps and gotten rid of Saddam Hussein and his band of terrorists, who for years have brutalized the Iraqi people and many people, many thousands of people in the region.

They have eliminated the potential for weapons of mass destruction, these young men and women, and we are proud of that. The Taliban is disbanded and al Qaeda is on the run. These are our troops and the intelligence community.

Where are we now? We find ourselves now, the war on Iraq, and the global war on terrorism, in a new phase, the President understands that phase. The Congress is grasping with that phase. We now know the war in Iraq is in a new phase, and a global war on terror continues, so how do we respond?

How do we approach this new phase? Let's look at the recent past. Let's go back to the 1950s. President Eisenhower said, for the United States to be safe and secure we need a strong military, the best intelligence, and consensus and dialogue.

President Eisenhower implemented all of those practices, especially after Nikita Khrushchev pounded his shoe at the podium of the United Nations and pointed to the Western diplomats and said, "we will bury you."

Eisenhower's response? He invited Khrushchev to the United States for a dialogue.

President Kennedy was told there were armed nuclear warheads in Cuba. What did President Kennedy do? Proceed with dialogue and talking with the Soviets. We did not go to war. Nixon went to China.

Who during that period of time did we not have a dialogue with? It was Ho Chi Minh; 53,000 Americans died in the Ten Thousand Day War. Hundreds of thousands were wounded, and millions of Vietnamese were killed. What if we had a dialogue with Ho Chi Minh about ending the French colonial period and encouraging Vietnam to have self-determination, that which we fought for in World War II? What would have happened?

Fifty-three years of dialogue with North Korea just now may be yielding results, 53 years of dialogue. Ask yourself this question. Is a century of dialogue without resolution better than one day on the battlefield? Don't be quick to answer that, but ask that question to yourself.

The world, rich and poor, the people of the world, are intimately familiar with American history, especially with the following man. They know the words of Thomas Jefferson. "We hold these truths to be self-evident: that all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, the pursuit of happiness."

They know Lincoln's words, "with malice toward none and charity for all." They know Martin Luther King, Jr.'s, words, "You should be judged by the content of your character."

America is the race of races. The melting pot has become a common heritage with the world's people. Our enemies are ignorance, arrogance and dogma. Monstrous certainty has been and is the tragedy of mankind. The new phase of the war in Iraq and the global war on terror not only includes the military, it not only includes the intelligence community, but in this instance it must include a surge of diplomacy, to integrate the Middle Eastern countries in a diplomatic dialogue about the stability of the region, including reconciliation, economics, trade issues, medical and educational exchanges, et cetera, et cetera. This must be and is a necessary part of that complete strategy to make America safe and secure. The blueprint, the starting point, is to vote "yes" today on today's resolution.

The second phase of that is to understand the words which is the blueprint for this new phase, the Iraq Study Group. What do we do with U.S. troops in the Middle East? There are strong recommendations for that. What do we do about training and equipping the Iraqi Army and making them prepared? That is in the Iraq Study Group.

What is the framework for cooperation with the Iraq people, the Iraq Government, and the problems with sectarian violence? That is in the Iraq Study Group.

What about a new diplomatic initiative with all of Iraq's neighbors, including Iran and Syria? How about consultation with Congress? Vote for this resolution, and we can move on to end the violence, the sectarian chaos, the foolish, bitter electronic exchanges between countries, electronic exchanges, instead of face-to-face conversations.

That effort, fully implemented, will bring our troops home sooner. They will have a brighter future, and the generations to come for the people in Iraq and Afghanistan.

We as Members of Congress are at the controls. We are able to control the policy. How? With our vote. Do we know how to use the military? Do we know how to use the intelligence community? Do we know the possibilities of consensus and dialogue with all the countries of the region? If our young men and women are brave enough to go into Iraq and Afghanistan, then we as Members of Congress must be brave enough and informed to start a dialogue in Damascus, in Tehran, in the entire region, to hasten peace.

The first step is an "aye" vote on this resolution.

Mr. HOEKSTRA. Mr. Speaker, I yield 5 minutes to a Member from California, a member of the Intelligence Committee (Mr. ISSA).

Mr. ISSA. Mr. Speaker, I was here on the floor yesterday and thought I would only speak once. As I heard the debate of thoughtful Members on both sides of this issue, I was reminded of something I said yesterday that needed to be said again. Although the people you are hearing from mean well on both sides, less than a third of the Members speaking on this House floor served in the U.S. military, although everyone was eligible, and less than a third have traveled to Iraq, although everyone was eligible. Perhaps we will give the freshmen a pass.

This is, in fact, a debate by people who are not military experts. I count myself among those, who although I served in the military and have been to Iraq, I am not a military expert. I don't pretend to play one on television and before the American people, and yet that is what we are doing here for four solid days.

□ 1200

We are in fact, pretending to be military experts. Well, Mr. Speaker, this morning I had a military expert in my office, Staff Sergeant Bain. He is only a staff sergeant. How is he an expert? He is just finishing 3 years in Walter Reed, 3 years of recovery from terrible wounds. He came in doing a very good job with his artificial leg. He came in and shook my hand, even though he cannot feel with that hand.

All I could do was thank him for his service and hand him a coin and wish him well in his civilian life. But he took the time to tell me that he disagreed with the President sending 20,000 troops to Iraq.

He said, I am sorry I can't be there for that. He said, they ought to send 100,000. What we did there we need to finish. Staff Sergeant Bain got it right. The United States military and its experts believe we need to get this finished and get it right.

Now, the staff sergeant is 3 years out of Iraq, so I will forgive him for not being sure about whether it should be 20,000, as our military leaders, including General Petraeus, have asked for, or whether it should be 20,000 more if necessary, or 100,000. But it is important that Staff Sergeant Bain be heard.

Because in fact what you have here are a bunch of people, most of whom did not serve in the military, most of whom have not bothered to go to the combat zone, and those of us who did for the most part had a relatively quick tour in and out. We have not experienced what our troops have experienced.

And I know there is some disagreement among those who have been there. But, Mr. Speaker, I ask the American people to ask a vet of this war, their own vet, their own neighborhood, and they are going to find out they want to win this peace just as they won the war.

They toppled Saddam, and now they are being told to cut and run. That is what this is leading to. Mr. Speaker, we cannot do that and we know it. And yet for political expedience this body is pretending to be military experts.

Mr. Speaker, I will close simply by reminding this body of something we do know about. This is a body filled with people who understand history. Under fascism; we took on Japan, Germany, Italy and their allies. And it took 4 years before we did it, while they grew, and 4 years to defeat them. And it took a decade or more to turn those countries into functional democracies.

Yet America stayed the course. And we had troops deployed there and we have troops deployed there today, even though they are functional democracies.

Mr. Speaker, for more than 50 years we fought the other "ism," communism. China, the Soviet Union, and the rest of the Soviet Bloc stood there threatening annihilation, but the American people put up with unspeakable amounts of money and significant loss of military lives, over 100,000 in two side battles of the Cold War.

We spent countless billions. Sometimes as much as 50 percent of our government's budget went to the military. And we did it. Now we are being asked to deal with radicalism. And I cannot name a country of radicalism. And I cannot say radical Islam or radical Islamic fascism, I simply say radicalism, because these radicals come from different sects of Islam, but they have one thing in common: They seek to conquer countries to put an "ism" onto them that is not of their choosing, and without freedom.

Won't the American people stand here today with the Congress representing them and stand against this "ism" for at least as long as we stood against fascism and at least as long as we stood against communism?

Mr. JONES of North Carolina. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to quote a military expert, General John Abizaid, former commander of the U.S. Central Command, who said during a Senate Armed Services hearing on November 15, 2006, "I believe that more American forces will prevent the Iraqis from doing more, from taking more responsibility for their own future."

General Abizaid is not in favor of this surge. He is a military expert.

Mr. Speaker, I yield 6 minutes to the gentleman from Delaware (Mr. CASTLE).

Mr. CASTLE. Mr. Speaker, I thank the distinguished gentleman from North Carolina for yielding to me.

Mr. Speaker, since the beginning of the Iraq war, one of my foremost concerns has been the long-term stability of the Middle East, and the potential impact that chaos in this region could have on our security.

Our men and women in the United States military, among the hundreds of Delawarians, are doing extraordinary work under very complex and difficult circumstances. We owe them an enormous debt of gratitude.

Notwithstanding the heroic efforts of our military personnel, the Iraqi Government has been unable to overcome the constant instability and sectarian violence that has marked much of the last 4 years. We have increased top levels in the past, including Fallujah in 2004, and Baghdad this past July, with mixed results.

Despite the incredible efforts of our brave solders, it is clear to me that an increase in American forces alone cannot resolve this conflict. Therefore, I will support this resolution, because I believe that the surge will be unsuccessful without a comprehensive diplomatic strategy to engage the international community and turn the responsibility over to the Iraqi Government.

That being said, I am disappointed that today's discussion has been structured in such a way that Members are limited solely to an up-or-down vote on the troop increases. On Friday, after Congress passes this resolution, we will still lack the strategy necessary to stabilize the Middle East and bring our soldiers home.

This Congress owes the American people a truly complete and comprehensive discourse regarding our future in Iraq. The situation facing our soldiers is extremely complex, and it is unfortunate that the Democratic resolution fails to accurately reflect that reality.

In December, the bipartisan Iraq Study Group presented a comprehensive blueprint to achieve stability in the region and transfer responsibility over to the Iraqi Government, which I have in my hand and I went back and reread this week. I would encourage everyone to reread it.

In my opinion, one of the important recommendations made by the group was to call for a robust diplomatic effort to stabilize Iraq and ease tensions in the region. In fact, some of our Nation's greatest military minds, including former Secretary of State Colin Powell, have joined the group in recommending that every country with an interest in averting a chaotic Iraq, including all of Iraq's neighbors, Turkey, Jordan, Saudi Arabia, Kuwait, Iran and Syria among them, participate in this important dialogue.

The group also recommended that we engage the United Nations Security Council, the European Union and other international institutions in launching this new diplomatic offensive. The intensive diplomacy recommended by the Iraq Study Group should be familiar to all of us who remember the Cold War.

One of the best examples of this approach to diplomacy was evident when a week after President Reagan asked General Secretary Gorbachev to "tear down this Wall," he sent his administration to Moscow for diplomatic talks.

The Iraq Study Group's recommendations are by no means a panacea. But their report does represent a new path forward, based on the pragmatic style of diplomacy that helped us win the Cold War.

For this reason, I have joined Congressman FRANK WOLF and some of my colleagues in introducing legislation that endorses the Iraq Study Group's call for an integrated diplomatic initiative. In focusing on a true strategy for achieving stability in Iraq, this resolution seeks to improve our global standing and concentrate our efforts on funding an end game based on a genuine commitment to diplomacy.

To obtain these goals, the Wolf resolution seeks to lift our debate above the existing political rhetoric and pursue a comprehensive strategy to build regional and international support for stability in Iraq.

It is equally crucial that we do everything within our ability to accelerate the training of Iraqi troops and provide them with the resources necessary to assume control of their own destiny.

Mr. Speaker, as we speak, thousands of our Nation's bravest and brightest are risking their lives to serve our country in Iraq. Protecting American soldiers must continue to be our greatest priority. I will oppose any attempt to cut off funds for our troops who are serving in harm's way.

Therefore, it is crucial that we advance constructive strategies, such as those identified by the Iraq Study Group, to end the violence and bring our troops home to their families.

□ 1210

Mr. HOEKSTRA. Mr. Speaker, before I yield to my colleague from Michigan, let me make just a couple of comments.

I think, as we all know, the Iraq Study Group did allow for a surge in troops on a temporary basis to allow us to achieve our objectives.

Also, as a previous speaker, I was negligent in not acknowledging the comments of my colleague from Maryland when he recognized the contributions that were being made by our intelligence folks in Iraq and around the world.

There are some who believe and are confused by what they may believe or perceive to be the callous omission of any reference to the contributions being made by our intelligence folks in Iraq today. It is a significant shortcoming of this resolution, and I am thoroughly confused as to why they would be omitted in this resolution, and their contributions. They are working side by side each and every day with our Armed Forces, and this resolution forgets to even recognize that contribution.

With that, Mr. Speaker, I would now like to recognize my colleague from Michigan, a member of the Intelligence Committee, who thoroughly recognizes and has met with these people in Iraq and Afghanistan and understands their contributions. He is as confused as I am as to why they do not want to recognize their contributions. I yield 7 minutes to my colleague from Michigan (Mr. ROGERS).

Mr. ROGERS of Michigan. Mr. Speaker, this is a pretty important debate, and I have to tell you I am a little confused by my friends' resolution. It is a very complex problem.

When you look at the problem in Iraq today, you have really two distinct problems. One is the ethnosectarian violence that is self-sustaining now in

Baghdad. It was a precursor to al Qaeda activity to actually create conflict between the Sunnis and the Shias, and unfortunately, it has raised to a level that it is self-sustaining.

And you have an al Qaeda-Sunni insurgency happening west of Baghdad that certainly warrants our attention, and the troops there have called for reinforcements. They said, give us reinforcements, we need them badly. Al Qaeda is settling in to make safe haven here.

And part of the plan or the surge in fact says that we are going to reinforce those soldiers who are fighting al Qaeda, and they have asked to be reinforced.

The simplicity of the resolution concerns me greatly. I am not in favor of sending American troops, the other 16,000, into the streets of Baghdad to intervene in the sectarian violence. I am not.

I am in favor of supporting the soldiers who have asked and should receive reinforcements fighting al Qaeda in the west.

This resolution really makes no difference in that fight. It makes no difference in the complexities and how we win and get our soldiers home. This resolution does not bring one soldier home. This resolution does not make one soldier safer. This resolution does not bring to justice one terrorist. This resolution offers not one alternative.

I think we made some devastating mistakes in Iraq: The extent of our de-Baathification, and what that has meant for us winning the peace, the dismissal wholesale of military units and what that has meant to our ability to sustain peace, the shuttering of nearly 300 state-owned enterprises and what that has done for unemployment and not allowing us to sustain the peace, our failure to focus our national power on solving some of these basic problems.

We, in fact, and this is up to us, have allowed politics to creep onto the field of battle, and that has created some very real problems for us and our soldiers. We have seen, because of that politics that has crept into the battlefield in Iraq and what that has meant, it has created some inefficiencies. I, the other day, have counted up 12 different groups or agencies or Departments that have some ability to provide reconstruction money in Iraq. Twelve. That is a problem.

Some conflicting policies. Our soldiers will tell you that they feel that they are handcuffed. They at least have one hand cuffed behind their back because of the politics that have crept in that changed the way they are allowed to engage the enemy as they see him and protect themselves. Politics crept onto the battlefield.

The turf battles between the State Department and DOD, I wish they didn't exist. We all know they do. We took a very large, bureaucratic, civilian organization and set it down in the middle of Baghdad and wondered why it has some inefficiencies. But these are things that we can change. We can do that.

And my mother told me that if you are going to tell me what I am doing wrong, you better be prepared to tell me how to do it right.

The resolution before us today says nothing of an alternative. We have soldiers who are getting up every day engaging themselves in the fight for liberty and defense and going after al Qaeda targets in the west and trying to find al Qaeda elements locating and spurring on to self-sustaining ethno sectarian violence. It does nothing to tell them that we, A, support them and, B, will give them all the tools and make the changes that we know we can to make it possible for them to come home to their families soon.

This afternoon I am going to do that. I am introducing a resolution. It is fairly comprehensive, that will allow us to focus our national power without sending 20,000 troops to Iraq. It will help target the unemployment that we know is fueling terrorism in Iraq today. Clear rules of engagement for our troops, calling for the repatriation of the one to two million Iraqis who are middle class Iraqis, their doctors and lawyers and engineers and their teachers who fled Iraq in this turmoil to engage our allies to get them back and invest them in the future of Iraq.

What disturbs me most, Mr. Speaker, about this resolution, is its clear purpose is to divide those of us in this Chamber.

As I said earlier, I don't support the surge in Iraq that targets sectarian violence in Baghdad. I think that must have an Iraqi face for that to be successful, and I think we can provide logistics and command and control and we can provide combat air support and special operation support to make them successful as they move through Iraq. I think we can do that.

But this resolution does nothing to bring Members together to solve this problem. If you win this vote today, and this passes, we will have solved not one problem for one soldier who gets up this morning hoping and praying that he can accomplish his mission and come home to his family, not one. It truly seeks to find the differences of those of us in this Chamber on how we move forward in Iraq. There is nothing constructive in that, nothing constructive in that.

There is a young soldier that I met, I visited him down in Brooks Army Medical Center. He asked that his leg be amputated so that he could have full range of motion so he could pass the physical training test for the United States Army and go back to Iraq. And he was going through all that very painful process of getting it fitted and going through the physical training and trying to rehabilitate himself.

And as I got ready to leave, I said, is there anything that I can do for you as a Member of Congress? And he turned and said yes, sir, there is. Just don't give up on us.

Now, if this soldier can believe in this mission, and he can get up every day and fight through the sweat and the pain and the anguish of a lost limb so that he can get back in the business, if he can roll up his pant leg every day and fit that prosthesis, isn't there a way, and shouldn't we do better and roll up our sleeves to work together to find a solution? We got in this together, we must get out of it together.

We need to stop the division that this resolution brings to this House and start working together. Our soldiers deserve better. America deserves better. The future of this country and safety and security deserve better.

Mr. JONES of North Carolina. Mr. Speaker, would you please tell us how much time is left?

The SPEAKER pro tempore (Mr. THOMPSON of California). The gentleman from North Carolina (Mr. JONES) has 41 minutes remaining. The gentleman from Michigan (Mr. HOEKSTRA) has 4 hours, 13½ minutes.

Mr. JONES of North Carolina. Mr. Speaker, I would like to yield 5 minutes to the gentleman from Minnesota (Mr. RAMSTAD).

Mr. RAMSTAD. Mr. Speaker, the President has said for more than 4 years that he would follow the advice of his commanders on the ground with respect to troop levels in Iraq. That is why I am both surprised and disappointed the President did not follow the advice given as recently as 2 months ago by the Army and Marine Corps Chiefs of Staff, as well as General John Abizaid, General George Casey, and General Colin Powell. All of these highly respected commanders expressed their opposition to increasing the number of U.S. troops in Iraq.

As General Abizaid, the top commander in the Middle East said, an increase in U.S. troops would be counterproductive because it will perpetuate the dependency of Iraqi forces, create more targets and stretch our military too thin.

□ 1220

Until recently the top ground commander in Iraq, General George Casey, has said that sending more American troops into Baghdad and Anbar province would increase the Iraqi dependency on Washington. As General Colin Powell, one of the most respected military leaders of our generation put it, a surge was already tried in Baghdad last fall and it failed. Now it will only further delay Iraqis taking control of their own security.

"It will only further delay Iraqis taking control of their own security."

That is from General Colin Powell, who also noted that he had not heard any generals on the ground in Iraq ask for more troops.

Mr. Speaker, the original mission of U.S. troops in Iraq was to liberate the country and turn it over to the Iraqi people. We need to get back to that original mission. Our brave troops have done an absolutely heroic job of liberating the people of Iraq. Now our troops should get back to the original mission of training Iraqi security forces so they can secure their own country and turn it over to the Iraqi people. General Casey has long argued that the principal emphasis of American policy should be training Iraqi security forces and handing over responsibility to the Iraqis.

Mr. Speaker, the resolution authorizing the use of force in Iraq that we passed in the fall of 2002 was never intended to authorize the use of American troops to police a civil war. It was never intended to provide justification for sending 21,500 more American troops into the middle of a civil war. As former Navy Secretary in Virginia, Senator JOHN WARNER, put it: "Whom do they shoot at, the Sunni or the Shia?" With 325,000 Iraqi security forces already trained, Mr. Speaker, that is according to our Defense Department, it is time for Iraqi troops to step up to the frontlines in Baghdad, Anbar province, and Fallujah. It is time to accelerate the training of Iraqi security forces and the turnover of security to the Iraqis so our troops can come home with their mission completed. It is time for enforceable benchmarks to measure the progress of Iraqi security forces. Mr. Speaker, it is time for a surge in diplomacy, not a surge in troops to mend a broken country. It is time for a stepped-up regional peace effort in the Middle East to settle this conflict.

Mr. Speaker, Congress should listen to our commanders on the ground. We should follow the advice of the Army and Marine Corps Chiefs of Staff. We should follow the advice of General Abizaid, General Casey, and General Powell when they spoke up in December. It is time for Congress to step up and express our strong support of our brave troops, our continued support of the original mission, and our opposition to the increase of U.S. troops to police a civil war in Iraq.

I urge a "yes" vote on the resolution.

Mr. HOEKSTRA. Mr. Speaker, at this time I would like to yield 6 minutes to Mr. HENSARLING from Texas.

Mr. HENSARLING. Mr. Speaker, I believe that this is a sad day for our institution, the House of Representatives, and I think it is a sad day because I sense this debate has very little to do with coming together as a Nation to face the greatest threat that we have faced since the Cold War. But instead I sense and I fear it has much to do with politics as usual.

I have heard speaker after speaker come to the floor to decry faulty intelligence, to decry how our Nation became involved in Iraq in the first place. I have heard speakers decry how the war had been conducted. But, Mr. Speaker, regardless of how we got into Iraq, regardless of whose war it might have been once, today it is an American war, and we must accept that fact.

As the people's elected Representatives, certainly we should look at this new strategy. We need to take an open and honest look at it. And certainly we are all disappointed that the previous strategy has not yielded the desired result. But, Mr. Speaker, very, very much hangs in the balance.

I myself do not know if the new strategy will work. I think it can work. I hope it will work. And I know it is at least a strategy that has been recommended by the Iraqi Study Group and our new battlefield commander, General Petraeus. So until such a time as somebody brings to me a more compelling strategy or until such a time that somebody convinces me that somehow the security of my country and the security of my family is somehow made better off by our immediate withdrawal and the subsequent implosion of Iraq, I feel we must support the new strategy. Defeat is not an option.

So what are the options, Mr. Speaker? Clearly many, if not most, of the Democrats call for withdrawal from Iraq, as do several of my very respected Republican colleagues. And I respect their views when they are heartfelt. But, Mr. Speaker, since Democrats now control both Houses of Congress, why are we not voting on a withdrawal resolution? And that is one of the reasons this is such a sad day.

I mean, think about it, Mr. Speaker. How do you look a soldier in the eye and say, You know, I don't believe you can succeed in Iraq. I don't believe in your mission. I don't believe you can win this war. And I have the power to bring you home, but I refuse to do it. I refuse to do it. Where is the courage in that resolution? Where is the conviction in that resolution? If you truly believe in your heart of hearts that our soldiers are needlessly risking their lives, don't you have a moral obligation to bring them home? So with lives hanging in the balance, with our national security hanging in the balance, we have a nonbinding politics-as-usual resolution.

Mr. Speaker, it is not really all that easy to figure out exactly what it is that the Democrats support. But if they don't put forth their own strategy and yet they want to vote against the new strategy, that says one and only one thing. It says stay the course. It says status quo. If you don't have an alternative and you want to vote against this new strategy, then you are voting to stay the course. The stakes are too high to stay the course.

Now, we all know that fighting this war is very costly. And like many Members of this institution, I have met with the mothers of fallen soldiers. Their burden and sacrifice is solemn and profound. But I never, never, never want to meet with the mothers whose children may perish in the next 9/11 if we accept defeat in Iraq. Iraq must be seen in the larger context of this war with jihadism, with radical Islam. Whether we like it or not, the battle lines are drawn in Iraq. And don't take my word for it. Take the jihadists' word for it. Osama bin Laden has said, "The epicenter of these wars is Baghdad. Success in Baghdad will be success for the United States. Failure in Iraq is the failure of the United States. Their defeat in Iraq will mean defeat in all their wars."

Mr. Speaker, we must soberly reflect on the challenge that we face. Listen to al Zawahiri, Osama bin Laden's number two in command: "Al Qaeda has the right to kill 4 million Americans, 2 million of them children." Listen to Hassan Abbassi, Revolutionary Guard's intelligence adviser to the Iranian President: "We have a strategy drawn up for the destruction of Anglo-Saxon civilization." Listen to Iraqi Ayatollah Ahmad Husseini: "Even if this means using biological, chemical, and bacterial weapons, we will conquer the world."

□ 1230

This is the enemy we face, Mr. Speaker, and we face him foremost in Iraq.

The consequences of failure in Iraq are immense, the beginning of a Sunni-Shiite genocidal clash as American troop convoys flee the country. The battle for Baghdad will undoubtedly spill over to the entire country. Shiites will most likely win. They will draw in Jordan and Saudi Arabia to the defense of Sunni Iraqis. Iran will rise to the defense of Shia Iraqis. An entire regional war could easily ensue, and what is left of Iraq would become a safe haven for the recruitment, training and financing of radical Islam.

Mr. JONES of North Carolina. Mr. Speaker, the Members of this House take great pride in saying that this is the people's House. An AP poll on January 11, 2007, says 70 percent of the American people are opposed to the surge.

With that, I yield 6 minutes to the gentleman from Florida (Mr. KELLER).

Mr. KELLER of Florida. Mr. Speaker, the Iraq war is the central issue of our time. We are spending $2 billion a week and we are losing 100 American lives a month. Under these conditions, I feel I owe my constituents my best judgment.

Interjecting more young American troops into the cross-hairs of an Iraqi civil war is simply not the right approach. If the President sends these troops anyway, I will support their funding 100 percent so they have the bullets and equipment they need to defend themselves.

I approach this decision with a great deal of angst and humility. I am not trying to micromanage this war. I am just a Member of Congress, not a four-star general. But I have listened to what our country's most well-respected four-star generals have to say about this matter, and Generals Abizaid, McCaffrey and Colin Powell have all said that sending more troops into Baghdad now is not the answer.

Some people will say, if you are not for surging more American troops into Baghdad now, what are you for? What is your plan?

I am for a different kind of surge. I am for a surge of Iraqi troops to take out al-Sadr and his militia, especially since the Iraqi security forces outnumber the Sadr militia by a ratio of 5 to 1. That is 325,000 versus 60,000. I am for a surge of political process by the Iraqi Government to finally reach a deal on sharing oil revenue. I am for a surge of action in implementing the Iraq Study Group recommendations, which were adopted in a bipartisan, unanimous fashion. I am for a surge of gratitude by the Iraqi people, 61 percent of whom think it is okay to kill American troops and 79 percent have a mostly negative view of the United States.

Some people argue that we should support President Bush's decision. I like and respect President Bush. I want him to be successful. Three years ago I could have voted for this surge. But the situation on the ground in Iraq today is very different than it was 3 years ago.

Three years ago, Iraq was not in a civil war. Now it is. Three years ago, Iraq did not have 325,000 of its own security forces to defend itself. Now it does. Three years ago, we didn't know whether surging more American troops into Baghdad would give us a long-lasting impact. Now we know the answer, because we tried the same thing last summer. The benefits were temporary. The body bags were permanent.

We are now told we should trust the Maliki government. I have been down that road before. I personally went to Baghdad and met with the Maliki government officials last summer. I was told by December of 2006 they would have enough security forces that they would need to defend themselves and we would then be in a position to start bringing our troops home. Now they say, give us another year.

We were told when America sent 15,000 of its own troops to surge in Baghdad last summer that the Iraqi troops would be right there beside them. Well, Iraqi troops didn't show up. The benefits of the surge were only temporary.

Mr. Speaker, I voted to authorize the use of force in 2002 because I did not want Saddam Hussein to give weapons of mass destruction to al Qaeda. Now Saddam is dead and there are no weapons of mass destruction in Iraq.

We have remained in Iraq for 4 years because we want a unified and secure Iraq, so it doesn't become a haven for terrorists. Unfortunately, it seems the Americans want a unified and secure Iraq more than the Iraqis do.

Let me give you an analogy. Imagine your next-door neighbor refuses to mow his lawn and the weeds are all the way up to his waist. You decide you are going to mow his lawn for him every single week. The neighbor never says thank you, he hates you, and sometimes he takes out a gun and shoots at you. Under these circumstances, do you keep mowing his lawn forever? Do you send even more of your family members over to mow his lawn? Or do you say to that neighbor, you better step it up and mow your own lawn, or there are going to be serious consequences for you.

Mr. Speaker, sending more young American troops now into the middle of Iraqi civil war violence is not the answer. I will support the troops 100 percent. But we are not going to solve an Iraqi political problem with an American military solution. And that is my best judgment.

May God bless our troops, our President and our country.

Mr. HOEKSTRA. Mr. Speaker, I yield 6½ minutes to my colleague, Mr. SAXTON.

Mr. SAXTON. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, it has been said here on the floor by more than one speaker, or suggested at least, that the war in Iraq is not part of the war on terror. I disagree. I could not disagree more with that statement. But if you agree with that statement, and if you are casting your vote because you think that is a rationale upon which you can justify your vote, I hope you are sure.

I would say I would hope you are sure because I am in my 23rd year, and I know how this place works. It is a wonderful system, because we almost always have a chance to come back and correct our mistakes. A vote on tax policy? I happen to favor lower taxes. But if we make a tax vote that is a bad vote, we can come back next year and fix it. Or if we spend too much money on transportation this year, we can come back next year and reduce it.

This resolution takes us down a different road. This starts us down a road where, at some point, we won't be able to come back next year and just fix it.

You don't have to believe me. But listen to what our enemies say. I have here the text of a letter that was written on July 9, 2005, from Ayman al-Zawahiri, the author, the second in command in al Qaeda, to al-Zarqawi, the person who at that time was the leader of al Qaeda in Iraq. "Our intended goal in this age is to establish a caliphate in the manner of the prophet."

Now, I don't claim to be an expert in Islam, but I am told that at one time under this establishment of a caliphate, the caliphate stretched from Spain through the Middle East and Northern Africa to Central Asia and to India. That is a vast stretch. If that is the goal, then we ought to be aware of it, because it becomes a very serious matter.

The first stage of this process is to expel the Americans from Iraq, according to al-Zawahiri.

The second stage, establish an Islamic authority or an emirate, to develop it and support it until it achieves a level of a caliphate over as much territory as you can spread power in Iraq.

The third stage, he says, is to extend the jihad wave to the secular countries neighboring Iraq.

The fourth stage, it may coincide with what came before, he says, the clash with Israel, because Israel was established only to challenge any new Islamic entity.

□ 1240

So clearly, the al Qaeda leadership believes that Iraq is part of the global situation that we refer to as the global war on terror, and if that is right, and I think at least for me I have to assume that that is their intention, Iraq is certainly part of the global war on terror from a Western perspective. And so what the President has suggested is to take advantage of the assets that we have developed, while training Iraqi soldiers to provide for their own security, and send three brigades into the Sunni Triangle, mostly in Baghdad, to be supported by the 21,500 Americans who he has proposed to send. I heard yesterday that the Iraqi brigades are, in fact, showing up in Baghdad at a 75 percent level, which is better than anyone expected, at least better than I expected. Maybe others expected better.

So I think if we are going to take on this effort to develop a caliphate, as one of the previous speakers said before it gets here, then maybe we ought to do what the commander of the national VFW suggests.

The commander of the national VFW put out a press release, and I have the text of it here. "The national commander of the Nation's largest organization of combat veterans is very concerned that the ongoing debate in Congress about the planned troop buildup will be perceived by those in uniform as a sign that America's lawmakers have given up on them and their mission in Iraq.

"My generation," he said, "learned the hard way that when military decisions are second-guessed by opinion polls or overruled by politicians, it's the common soldier and their families who pay the price.

"There is no question," he said, "that mistakes have been made in the prosecution of the war in Iraq," but "there is no playbook to fight an unconventional war against an unconventional enemy that wears no uniform and acts without conscience, yet our forces have adapted and are performing brilliantly," and I agree with him.

"We fully respect congressional oversight and the first amendment rights of all Americans to debate issues of national importance, but the VFW is very concerned with the tone and timing of it," he said. "We need to send the message to our troops that America wants them to succeed in Iraq by giving the buildup a chance to succeed."

Mr. Speaker, I think the commander of the national VFW is absolutely right, and I thank the gentleman for yielding time.

Mr. JONES of North Carolina. Mr. Speaker, I yield 5¼ minutes to the gentleman from Pennsylvania (Mr. ENGLISH).

Mr. ENGLISH of Pennsylvania. Mr. Speaker, with regard to the current debate on the floor on Iraq policy, I would like to offer the following observations.

First, I respect the President's constitutional role as Commander in Chief of the Armed Forces, and I appreciate President Bush's offer to entertain suggestions from Congress regarding Iraq policy.

I understand that success in Iraq depends on bipartisan support at home.

I applaud U.S. troops who are serving in Iraq with professionalism and bravery. They deserve the support of all Americans.

It is becoming self-evident that multiple, extended deployments to Iraq and Afghanistan have strained the military. Current deployments and those to come will have lasting impacts on recruiting, retention and readiness of the all-volunteer military.

Unfortunately, sectarian violence in Iraq between Sunni and Shia Muslims is increasing, and the failure of Iraqis to reach political settlements and support a unified government greatly contributes to the increased violence.

I believe it is time for Iraq's government and security forces to step forward and bear primary responsibility for internal security.

As the gentleman from North Carolina noted, the former head of the U.S. Central Command, General John Abizaid, told Congress last November that sending in more U.S. troops would not contribute to success in Iraq because it would prevent the Iraqis from taking more responsibility.

It is clear that Iraqi public sentiment opposes the continued U.S. troop presence.

In November, the Iraq Study Group called for new diplomatic and political efforts in Iraq and the region and a change in the primary mission of U.S. forces that will allow the United States to "begin to move its combat forces out of Iraq responsibly."

Unfortunately, the Iraqi Government has made little progress toward assuming more responsibility for security, disbanding militias, reconciling sectarian differences and improving essential services.

Therefore, I have reluctantly concluded that I have to disagree with the President's plan to send in an additional 21,000-plus combat troops. While I applaud the President's reassessment of U.S.-Iraq policy, I joined with several of my colleagues in January in informing the White House that I did not support an expansion of American troop strength on the ground, and nothing that I have learned since has caused me to reconsider my position.

Nevertheless, Congress should not take any action that would endanger U.S. military forces in the field, including the elimination or reduction of funding for troops in the field.

Most Americans fundamentally understand the long-term security interests of the United States would be best served by an Iraq that can sustain, govern and defend itself and serve as an ally in the war against extremists.

Overall U.S. military, diplomatic, and economic strategy should not be regarded as an open-ended commitment but should be conditioned upon the Iraqi Government's meeting benchmarks, including the deployment of additional Iraqi troops in Baghdad, equitable distribution of resources without regard to sect or ethnicity, the use of oil revenues to benefit all Iraqi citizens equitably, and granting military commanders authority to make decisions without political interference.

Mr. Speaker, with very minor edits, the remarks you have just heard from me summarize the resolution on Iraq offered by Senator WARNER in the other body. It is one of the alternative resolutions we should be debating here today. Unfortunately, the majority leadership does not want to allow a full and fair debate on Iraq.

When the Democrat leadership in the other body tried to force a vote on the resolution without an opportunity to offer meaningful amendments, the minority was able to insist on their right to a real debate rather than this phony pretense. Unfortunately, we do not have that ability in this Chamber.

So I will vote in favor of the resolution before us as offered, as narrow and as inadequate as it is, but I cannot help but express my frustration that the leadership of the House has squandered an opportunity to allow a full and fair debate with real amendments, not just to Republicans, but to all Members of the House, including their own Members whose voices are stifled by this decision to put political calculations ahead of the national interests and a robust debate.

I am not sure what the leadership of the majority party is afraid of. If they have the votes to reject alternatives, then they lose nothing by allowing them to be offered. If they do not, they will quickly learn, as we did, that if you need to use procedural games to avoid a tough vote, you have already lost on the underlying issue.

I thank the gentleman from North Carolina for allowing me to be a part of this debate.

Mr. HOEKSTRA. Mr. Speaker, I yield 6 minutes to the the gentlewoman from Tennessee (Mrs. BLACKBURN).

Mrs. BLACKBURN. Mr. Speaker, I thank the gentleman from Michigan for yielding the time, as we come to the floor to debate this nonbinding, no confidence resolution that is going to serve to discourage our troops and embolden our enemies.

I have noted that this obviously is the best that the Democrats have to offer when it comes to national security and to their thoughts on how we deal with the situation in Iraq, and that is a disappointment to me.

□ 1250

I think that the question that we have to ask is, whose side are you on? Whose side are you on? Are you on the side of winning? Are you on the side of freedom? Or are you on the side of allowing the terrorists to get an upper hand?

And as I begin my remarks, I do want to thank the troops that live in my district, those of the 101st Airborne at Fort Campbell, members of the National Guard who have served with distinction, Reservists who have been deployed more than once. I want to thank their families, and I want to thank the veterans that served in an advisory capacity to me as we look at these issues and as we make decisions about how best to approach preserving freedom, preserving liberty, and preserving the sovereignty of this great Nation as we know it. I thank them. I am grateful for their sacrifice. I am grateful for their service to this Nation, and I want it to be noted on this day. They have a commitment and a perspective and a love of freedom that few Americans will ever know. I wish that we all did.

I am grateful also that they can articulate so fluently their mission and what they are called on to do every day in Iraq, in Afghanistan, and in the 30 countries around the globe where Americans fight to preserve freedom. They articulate this in e-mails and blogs, and even in notes and letters to their Member of Congress.

I also, Mr. Speaker, want to recognize the Kurdish community that calls Nashville, Tennessee home, and recognize their commitment and their appreciation to our U.S. troops. One of the points that many of them make to me regularly and also one of the points that our men and women in uniform make regularly is to remind us of why we are in this fight, why we are in this fight and providing the historical perspective that is so important. This didn't begin on September 11. It did indeed begin long, long, long ago.

Indeed, the radical Islamists have fought Judaism and Christianity not for decades but for centuries. This is something that we all know. The Islamic radicals did get a toe-hold in Iran in the late 1970s with the approach at that point by President Carter, then President Carter, and those around him. And now those radicals tell us, they tell us that Iraq is indeed the central front in the global war on terror. We know that they want to change the Middle East and then they want to change the world. And, Mr. Speaker, that is not the type change that we want. I want my children and grandchildren to live in freedom. I want them to know an America that is free and strong and independent.

Our soldiers are fighting. They are fighting every day. They are fighting the insurgents in the field, they are fighting the battle of ideas; and the battle of ideas is a very, very powerful fight in Iraq at this point in time.

Now, too many in this Chamber want to add another fight to our military men and women, to their agenda every day. They want them to have to fight the battle of public opinion here in the United States. I see that as a disservice to the men and women in uniform. This legislative body does have a role in oversight of the war, but I do believe, I personally believe it is inappropriate, Mr. Speaker, that we try to micromanage from the comforts of Washington. I do believe that we should be listening to our troops and our commanders in the field.

General David Petraeus, who has taken the command, accepted the coalition flag this Saturday, said it very well and I will enter his comments for the RECORD. He reminds us that progress is being made and lays that out, and I will enter that for the RECORD and have the opportunity to talk about it again later. I think that what we have to do is realize the resolution before us, Mr. Speaker, will not build morale with the troops on the ground, and it does give the terrorists just what they want. We have to fight back. We have to realize sacrifices do have to be made in order for us to further the cause of freedom and liberty in this great land.

The situation in Iraq is exceedingly challenging. The stakes are very high. The way ahead will be hard and there undoubtedly will be many tough days . . . however, "hard" is not "hopeless"; indeed, together with our Iraqi partners, we can and we must prevail. (General David Petraeus, Commander MNF–I, 2/10/07.)

WHAT THEY'RE SAYING: GENERAL PETRAEUS TAKES COMMAND

This Mission Is Doable: "Our job in the months ahead, supporting and working with Iraqi forces will improve our security so tht the Iraqi government can resolve the tough issues it faces and so that the economy and basic services can be improved. These tasks are achievable, this mission is doable." (General David Petraeus, Commander, MNF–I, 2/10/07)

Enemies Who Brag of Inhuman Acts Against Fellow Human Beings: "Tragically, barbaric enemies have prevented Iraq from making the most of the abundant blessings bestowed by the Almighty on Mesopotamia. These are enemies who brag of inhuman acts against fellow human beings, who invoke religious justifications for actions that no God could countenance, who try to drive wedges between religious and ethnic groups that have lived together in harmony in the past, and who in recent weeks have even targeted a girls' school, innocent laborers, marketplaces and pet shops in their efforts to spark sectarian violence." (General David Petraeus, Commander, MNF–I, 2/10/07)

Together We Can Defeat The Enemies of Iraq: "Surely the Iraqi people realize that these enemies do not want the best for Iraqi's citizens, and surely now is the time for all Iraqis to reject violence, crime and corruption and to rise up against those who employ such methods to further their agendas. It is against these enemies that all Iraqis must now fight. And I pledge the full support of the Multinational Forces Iraq in this endeavor. Together we can defeat the enemies of Iraq." (General David Petraeus, Commander, MNF–I, 2/10/07)

Mr. JONES of North Carolina. Mr. Speaker, may I ask how much time we have?

The SPEAKER pro tempore. The gentleman from North Carolina has 25¾ minutes.

Mr. JONES of North Carolina. Mr. Speaker, this resolution 63 is first to thank the troops for their service, and we all support them. The second part of the resolution is to oppose the surge.

I quote a great military general, Colin Powell: "I am not persuaded that another surge of troops into Baghdad for the purposes of suppressing the communitarian violence, this civil war, would work." He supports our position. He opposes the surge. That is Colin Powell.

Mr. Speaker, I yield 7 minutes to the gentleman from Texas (Mr. PAUL).

Mr. PAUL. Mr. Speaker, I thank the gentleman for yielding, and I rise in support of the resolution and in opposition to the escalation in Iraq. I want to thank the gentleman from North Carolina for his very determined and principled effort to end this ill-advised and dangerous war, and I am very pleased that he brought together a group of Members today who are representing the traditional conservative position on war and peace and I deeply appreciate that.

Mr. Speaker, this grand debate is welcomed, but it could be that this is nothing more than a distraction from the dangerous military confrontation approaching with Iran, which is supported by many in leadership on both sides of the aisle. This resolution, unfortunately, does not address the disaster in Iraq. Instead, it appears to oppose the war while at the same time offering no change of the status quo in Iraq.

As such, it is not actually a vote against a troop surge. A real vote against a troop surge is a vote against the coming supplemental appropriation which finances it. I hope all my colleagues who vote against this surge today will vote against the budgetary surge when it really counts, when we vote on the supplemental.

The biggest red herring in this debate is the constant innuendo that those who don't support expanding the war are somehow opposing the troops. It is nothing more than a canard to claim that those of us who struggled to prevent the bloodshed and now want it stopped are somehow less patriotic and less concerned about the welfare of our military personnel.

Osama bin Laden has expressed sadistic pleasure with the invasion in Iraq and was surprised that we served his interests above and beyond his dreams on how we responded after the 9/11 attacks. His pleasure comes from our policy of folly, getting ourselves bogged down in the middle of a religious civil war 7,000 miles from home that is financially bleeding us to death. Total costs now are recently estimated to exceed $2 trillion. His recruitment of Islamic extremists has been greatly enhanced by our occupation of Iraq.

Unfortunately, we continue to concentrate on the obvious mismanagement of a war promoted by false information and ignore debating the real issue which is this: Why are we determined to follow a foreign policy of empire building and preemption which is unbecoming of a constitutional republic?

Those on the right should recall that the traditional conservative position of nonintervention was their position for most of the 20th century, and they benefited politically from the wars carelessly entered into by the left. Seven years ago, the right benefited politically by condemning the illegal intervention in Kosovo and Somalia. At the time, the right was outraged over the failed policy of nation building.

It is important to recall that the left in 2003 offered little opposition to the preemptive war in Iraq, and many are now not willing to stop it by defunding it, or work to prevent an attack on Iran.

☐ 1300

The catch-all phrase the "war on terrorism" in all honesty has no more meaning than if one wants to wage a war against criminal gangsterism. Terrorism is a tactic. You can't have a war against a tactic. It is deliberately vague and nondefinable in order to justify and permit perpetual war anywhere and under any circumstances. Don't forget, the Iraqis and Saddam Hussein had nothing to do with any terrorist attack against us, including that on 9/11.

Special interests and the demented philosophy of conquests have driven most wars throughout all of history. Rarely has the cause of liberty, as it was in our own Revolution, been the driving force. In recent decades, our policies have been driven by neoconservative empire radicalism, profiteering in the military-industrial complex, misplaced do-good internationalism, mercantilistic notions regarding the need to control natural resources, and blind loyalty to various governments in the Middle East.

For all the misinformation given the American people to justify our invasion, such as our need for national security, enforcing U.N. resolutions, removing a dictator, establishing a democracy, protecting our oil, the argument has been reduced to this: If we leave now, Iraq will be left in a mess; implying the implausible, that if we stay, it won't be a mess.

Since it could go badly when we leave, that blame must be placed on those who took us there, not on those of us who now insist that Americans no longer need be killed or maimed, and that Americans no longer need to kill any more Iraqis. We have had enough of both.

Resorting to a medical analogy: A wrong diagnosis was made at the beginning of the war and the wrong treatment was prescribed. Refusing to reassess our mistakes and insisting on just more and more of a failed remedy is destined to kill the patient. In this case, the casualties will be our liberties and prosperity, here at home, and peace abroad.

There is no logical reason to reject the restraints placed in the Constitution regarding our engaging in foreign conflicts unrelated to our national security. The advice of the founders and our early Presidents was sound then, and it is sound today.

We shouldn't wait until our financial system is completely ruined and we are forced to change our ways. We should do it as quickly as possible and stop the carnage and the financial bleeding that will bring us to our knees and eventually force us to stop that which we should have never started.

We all know in time the war will be defunded one way or another and the troops will come home. So why not now?

Mr. HOEKSTRA. At this time I would like to yield 5 minutes to my colleague from Ohio (Ms. PRYCE).

Ms. PRYCE of Ohio. I thank the gentleman for yielding. And I especially thank you for your leadership on the floor through this very important debate, a hard debate for us here in the House of Representatives and a hard debate for this country.

But, Mr. Speaker, a new plan is being implemented, a new plan with political, economic and military components. Reinforcements are on their way even as we speak. The Iraqis do need to do their part, we know that. President Maliki tells us that they will. And if we reinforce now, they will take it over. They will stand up because they must, and then we will come home.

Mr. Speaker, not everyone believes that this is a good plan. It is sophisticated, it is comprehensive, but not everyone agrees that it is the right plan, and I understand that.

This war certainly hasn't achieved its intended results. The President said "stay the course," and some said no. The President now says, "change the course," and the same folks say no. That's fair; we have room in this great Nation to disagree. But if that is the case, that you don't want to stay the course or change the course, then use the tools and the powers available to you to stop the course.

The tools are at your disposal, the power of the purse to defund the effort. You could repeal the authorization that most of us voted for this in 2002. You could require troop withdrawal. You have that power and you have that right. But, Mr. Speaker, with the world watching, with Islamic fundamentalists, jihadists, just waiting, and with our troops working tirelessly to protect and defend us, don't pass this pointless resolution.

If it meant anything, it would be a different argument, but it won't bring one soldier home sooner and it won't change the course of this war. It has no teeth, no muscle; but most of all, it has no positive value whatsoever for us as a Nation at war. Some people say it sends a message to our Commander in Chief, and I believe that that is true. But that message pales compared to the message it sends to our enemies; our enemies, who pledge that their jihad will last until their religion prevails in the world; not until we are out of Iraq, until their religion prevails in the world; our enemies, who believe it is their religious duty to bring hostility to the West and to America. They are tuned in today, Mr. Speaker, you better believe it, and no doubt they are cheering.

But what this message says to our enemies and to the President and to everybody else in the world is nothing compared to what it says to our troops. This resolution says, Your cause is lost. This impatient Congress says, Thanks, but we have had our fill. This resolution says to our troops that your cause is no longer worthy and your friends have died in vain. And today we learn that this is only the first step in the slow-bleed strategy.

We can't say in the first paragraph that we support them and in the next paragraph that we can't reinforce them. We can't say that first we honor our troops and their service, and in the next breath say that their cause really isn't worth it after all.

Mr. Speaker, our military leaders have a plan. They don't have guarantees, there are no guarantees in war. General David Petraeus asked for these troops. I met him when I was in Iraq. He is one of the country's most qualified, brilliant military leaders. He says this is what is needed.

This plan gives our troops the help they need and gives the Iraqi Government a last chance to stand up and take over. This resolution rejects the only plan on the table. If we reject this plan, then what should we do? We will be at the status quo. What should we do to keep this country free from terror for another 5 years? What should we do to show solidarity? Nothing? What we should do, Mr. Speaker, is defeat this resolution. Don't demoralize our troops.

Mr. JONES of North Carolina. Mr. Speaker, I yield 5½ minutes to the gentleman from Tennessee (Mr. DUNCAN).

Mr. DUNCAN. Mr. Speaker, Dick Armey, our former majority leader, said in an interview with a major newspaper chain last week that he deeply regretted voting for the war in Iraq. Mr. Army said, "Had I been more true to myself and the principles I believed in at the time, I would have openly opposed the adventure vocally and aggressively." Chris Matthews, on MSNBC on election night, said, "The decision to go to war in Iraq was not a conservative decision historically." And he added that it "asked Republicans to behave like a different people than they intrinsically are."

William F. Buckley, Jr. wrote in 2004 that if he had known in 2002 what he knew then, he would have opposed the war. And in 2005 he wrote that to continue there beyond another year would indicate "not steadfastness of purpose but, rather, misapplication of pride."

What about this surge? The conservative columnist George Will wrote in opposition to it and said it would take a miracle for it to succeed.

Very few people, Mr. Speaker, pushed harder for us to go to Iraq than the columnist, Charles Krauthammer. A few weeks ago he wrote that the Maliki government we have installed there cares only about making sure the Shiites dominate the Sunnis.

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"We should not be surging troops in defense of such a government," Krauthammer wrote. "Maliki should be made to know that if he insists on having this sectarian war, he can well have it without us."

But listen to what the enlisted men say: Specialist Don Roberts, 22, of Paonia, Colorado, now in his second tour in Iraq, told the Associated Press: "What could more guys do? We cannot pick sides. It is like we have to watch them kill each other, then ask questions."

Sergeant Josh Keim of Canton, Ohio, also on his second tour said, "Nothing is going to help. It is a religious war and we are caught in the middle of it.''

PFC Zack Clauser, 19, of York, Pennsylvania, told the McClatchy News Service: ''This isn't our war. We're just in the middle.''

Sergeant Clarence Dawalt, 22, of Tulsa, Oklahoma said, ''They can keep sending more and more troops over here, but until the people here start working with us, it's not going to change.''

And Sergeant First Class Herbert Gill, 29, of Pulaski, Tennessee, said: ''Sunnis and Shiites have been fighting for thousands of years'' and he said that after our raids melt insurgents away, ''2 or 3 months later when we leave and say it was a success, they'll come back.''

Saddam Hussein was an evil man, Mr. Speaker, but he had a total military budget only a little over two-tenths of 1 percent of ours, most of which he spent protecting himself and his family and building castles. He was no threat to us at all. As the conservative columnist Charley Reese has written several times, Iraq did not threaten us with war. They did not attack us and were not even capable of attacking us. But even before the war started, Fortune Magazine had an article saying that an American occupation of Iraq would be ''prolonged and expensive'' and would make U.S. soldiers ''sitting ducks for Islamic terrorists.''

Now we have had more than 3,000 Americans killed, many thousands more wounded horribly and have spent $400 billion and the Pentagon wants $170 billion more. And as one previous speaker said with all the added medical and veterans' costs, the ultimate cost of this war could reach $2 trillion. There is nothing fiscally conservative about this war. Most of what we have spent has been purely foreign aid in nature, rebuilding Iraq's infrastructure, giving free medical care, training police, giving jobs to several hundred thousand Iraqis and on and on and on. Our Constitution does not give us the authority to run another country as we have in reality been doing in Iraq. With a national debt of almost $9 trillion, we can't afford it. To me, our misadventure in Iraq is both unconstitutional and unaffordable. Some have said it was a mistake to start this war but that now that we are there we have to, quote, finish the job and we cannot cut and run. Well, if you find out you're going the wrong way down the interstate, you do not keep going, you get off at the next exit.

There is no way, Mr. Speaker, we can keep all of our promises to our own people on Social Security, veterans' benefits, and many other things in the years ahead if we keep trying to run the whole world. As another columnist, Georgie Anne Geyer, wrote more than 3 years ago, Americans, quote, will inevitably come to a point where they will see they have to have a government that provides services at home or one that seeks empire across the globe.

We should help other countries during humanitarian crises and have trade and tourism and cultural and educational exchanges. But conservatives have traditionally been the strongest opponents to interventionist foreign policies that create so much resentment for us around the world. We need to return to the more humble foreign policy President Bush advocated when he campaigned in 2000.

Finally, Mr. Speaker, we need to tell all these defense contractors that the time for this Iraqi gravy train with their obscene profits is over. It is certainly no criticism of our troops to say that this was a very unnecessary war. It has always been more about money and power and prestige than any real threat to us or to our people. And this war went against every traditional conservative position I have ever known.

It is time, Mr. Speaker, to bring our troops home.

Mr. THORNBERRY. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Texas (Mr. SESSIONS).

Mr. SESSIONS. I appreciate the gentleman from Texas (Mr. THORNBERRY) for yielding me the time.

Mr. Speaker, on Monday night the Rules Committee met and after hours of testimony from members of both parties, the Democrat members of the committee voted along party lines to shut out every opportunity for amendments to be a part of this debate of this resolution today that we will be debating for the next 2 days.

Our colleague from Texas, Congressman SAM JOHNSON, brought an amendment that would have clarified that Congress and the American people support our troops and that funding for our Armed Forces serving bravely in harm's way should not be cut off or restricted in any way.

Our colleague from Virginia, Frank Wolf, also brought to the Rules Committee a very comprehensive amendment that would have made clear that Congress supports the recommendations of the Iraq Study Group, with its emphasis on providing American commanders serving in Iraq with the strategy and tactical means that they need for success and accelerating cooperation with Iraqi leaders to meet specific goals, as the strategy for moving forward to success in Iraq.

A number of other Members also spent a lot of their evening sitting in the Rules Committee waiting to share their ideas about how to improve this resolution which thus would help America in our message to not only the President but also the world. However, the 13 members of the Rules Committee are the only ones who had the benefit of hearing and debating these good ideas because none of them were given the opportunity to be considered and voted on by the House. Instead, rather than allowing this body to consider good ideas, today we are continuing debate on the floor with a completely closed process to debate a nonbinding resolution with no teeth and serious logistical flaws.

In two short paragraphs, without explicitly stating that funds will not be cut off for our troops that serve in harm's way, the resolution asserts that Congress and the American people will continue to support the members of the Armed Forces who are serving in Iraq. This nonspecific language is something that every single Member of this House already supports. It also states that Congress disapproves of the President's plan to deploy 20,000 reinforcements to Iraq to bolster the mission and provide additional support to the troops already there serving on the ground. This resolution gives no direction on how we should proceed in Iraq. Instead, it settles for some generic language about supporting the troops without guaranteeing that Congress will continue to fund their efforts and stand behind them as they remain in harm's way. And it simply amounts to a vote for the status quo.

Mr. Speaker, this is a serious debate about the serious challenges that America faces in not only this fight in Iraq but also against Islamic terrorism. We all understand the cost of failure in Iraq is too great to bear. It would embolden radical Islamic terrorists and give them a base from which to train from and to attack America for generations. But with this resolution, my colleagues on the other side of the aisle provide the troops with nothing: no guarantees that we will continue to fund their heroic efforts; no guarantees that Congress will heed the advice of the Iraq Study Group, which notes on page 73 of their report that it would ''support a short-term redeployment or surge of American combat forces to stabilize Baghdad, or to speed up the training and equipping mission.'' Nor does this resolution provide the American people with a clear picture of our direction in Iraq. It simply says ''no.'' It says ''no'' to the only strategy for success that has been placed forward. President Bush said, ''If you disagree with me, then come outthink me.'' This resolution in its simple form does not do that.

Mr. Speaker, I think Congress can do better than this nonbinding resolution for the status quo of Iraq. I know that a number of my Republican colleagues tried to improve this legislation but were denied that opportunity. But I know that our troops serving in harm's way and the American people deserve better than this simplistic resolution that provides no new ideas, outlines no strategy for victory, and makes no guarantees that we will continue to stand behind our troops with funding. I am greatly disappointed in this resolution and the Democrat majority's efforts to prevent this body from considering meaningful amendments.

Mr. JONES of North Carolina. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio (Mr. LATOURETTE).

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Mr. LATOURETTE. Mr. Speaker, first of all, I want to thank my friend and classmate, Mr. JONES of North Carolina, for yielding me the time, and also for his leadership on this issue, and had the President followed his very respectful letter of January 10, we would not be having this debate on this resolution drafted by the Democratic leadership.

Mr. Speaker, like most Americans, I desperately want us to succeed in Iraq, and I was heartened by the Iraq Study Group report, and I was heartened when the President of the United States said we were going to take a fresh approach in Iraq. I fear, however, that this is not a fresh approach, that this is more of the same. I also fear that our course of "more of the same" could lead to the deaths of more Americans.

I know that the President believes in his heart that the surge will succeed. I like and respect the President of the United States, but we tried last year a surge of about 12,000 troops in Operation Together Forward. The result has been an escalation of sectarian violence and attacks on our troops that has been unprecedented and unrelenting.

If I thought that the presence of 21,500 additional American troops in Iraq would quell sectarian violence and stop the killing and aggression towards Americans in Iraq, I would support it. If I thought that the presence of 21,500 new American troops would cause the Maliki government to get their house in order and their country in order and make the Iraqis step up and do their duty to protect their country, I would support it.

Instead, we find ourselves with an Iraqi security force that has more time in training than the young people that we are sending from our country to defend theirs, yet they cannot get the job done. It is time to ratchet up diplomacy, make the Iraqis accountable for their own security, and kick off the training wheels that we have tethered them to.

Even the Pentagon has warned that an escalation of troops in Baghdad could fuel the jihadists, cause an uptick in attacks and embolden al Qaeda even more. What shakes me to the core, however, is that we plan to send these additional troops into harm's way without adequate equipment and vehicles. General Speakes, the Army's Deputy Chief of Staff for Force Development, recently laid out a bleak scenario, a surge without enough armor kits and without enough up-armored trucks.

Others within the military add there won't be enough up-armored Humvees, which even as fortified as they are offer no match for the destruction and the power of the IEDs that are used against our troops. One senior Army official speculated that the only way, the only way, there will be enough Humvees for this surge is if five brigades of up-armored Humvees fall out of the sky.

This prognostication takes me back to what I thought was one of the most insensitive remarks uttered by a public official during the course of this war, the former Secretary of Defense in 2004, who indicated you go to war with the Army you have, not the Army you want.

Mr. Speaker, I can't believe that 26 months later we are going into a surge with what we have got instead of what we need. It is not fair to the men and women already in Iraq, nor those on the way, and the costs are too high, both in American lives and also the toll on the American spirit. Make no mistake, like all Americans I support our troops and am eternally grateful for their courage and their sacrifice, and I hope and I pray that we succeed in Iraq.

Some of the troops that will be part of the surge are already in Iraq. I wish our President had chosen a different path, but he did not. I wish my Democratic colleagues had chosen a different approach and allowed my party to offer alternative language, but they did not. It is what it is, but that does not change my resolve that this surge is not in the best interests of this Nation.

May God bless our country, our troops in the field, and the President of the United States.

Mr. THORNBERRY. Mr. Speaker, I yield 5¼ minutes to the distinguished gentleman from Arizona (Mr. SHADEGG).

Mr. SHADEGG. I thank the gentleman for yielding, and I rise to discuss a part of this debate that relates to the Intelligence Committee, and I think it is important that I thank them for yielding me time.

Mr. Speaker, I have argued on this floor that this discussion and debate ought to be about more than just Iraq, indeed, that it is about the worldwide jihadist movement to attack us. I have argued and quoted many jihadist leaders who have said their goal isn't just to win in Iraq, but to take that fight to Westerners and, in turn, "unbelievers" throughout the world.

But I am not alone in that view. This is the language of the National Intelligence Estimate written last April, and it warns America in very simple terms. It sets the case forward in two clear sentences, which I hope all of my colleagues have read and thought through.

The first sentence is, "We assess that . . . perceived jihadist success [in Iraq] there would inspire more fighters to continue the struggle elsewhere." What does that tell you? If they are successful, if the jihadists who hate us in Iraq are successful there, they will carry that struggle on elsewhere. Ask yourself, where is elsewhere? I would suggest to you elsewhere is Great Britain. I would suggest to you elsewhere is Japan. I would suggest to you elsewhere is the United States of America and the streets of your hometown.

I have challenged my colleagues on the other side of this debate to name for me a single jihadi or Islamist leader, name one, name me just one who has said if we withdraw from Iraq, if we pull our troops back, they will stop. Name me one who has said that if we leave Iraq they will walk away and not carry their fight to the rest of the world.

But I am not alone in saying this issue is bigger. Let me tell you what the National Intelligence Estimate, written by our Nation's best and brightest intelligence experts in every intelligence agency we have, said next. They said, "Should jihadists leaving Iraq perceive themselves, and be perceived, to have failed, we judge fewer fighters will be inspired to carry on the fight." That is the national intelligence community giving us a simple message. If we prevail in Iraq, the world will be safer. If we are defeated in Iraq, the world will be more dangerous.

Now, I would argue that there ought to be some attention given to the words of the troops in the field, and I want to devote the rest of my remarks to a column written by First Lieutenant Pete Hegseth last October.

Mr. Speaker, I would ask to insert this column by First Lieutenant Hegseth in the RECORD.

MORE TROOPS, PLEASE—"NOT LOSING" ISN'T THE SAME AS WINNING

(By First Lieutenant Pete Hegseth)

I've heard President Bush repeatedly state he will send more troops to Iraq if the commanders on the ground ask for them. I think, having returned home from Iraq two months ago, that there must be a breakdown in communication somewhere along the line. Maybe units on the ground are painting too rosy a picture for the generals. Perhaps the generals aren't asking because it goes against the "can do" ethos of the Army. Possibly the military is being squeezed by the Pentagon to do more with less. Or maybe the White House doesn't want to admit more troops are needed. In any case, while I do not have the answers nor do I seek to place blame, it is painfully obvious there's a disconnect.

I volunteered to serve in Iraq because I believe in our mission there. I share the president's conviction about the Iraq war—we can and must win, for the Iraqi people, for the future of our country and for peace-loving people everywhere. But I'm frustrated. America is fighting with a hand tied behind its back. Soldiers have all the equipment we need—armored humvees, body armor for every body part, superior technology, etc.—but we simply do not have enough troops in Iraq, and we need them now.

After witnessing two national elections during three months in Baghdad, my Army unit moved north to Samarra, where we spent eight months sowing the seeds of progress. While we had success in uprooting the insurgency and building the local government, it wasn't enough. We had just enough troops to control Samarra and secure ourselves, but not enough to bring lasting stability or security. "Not enough" became the story of my year in Iraq.

The future of Samarra, and Iraq as a whole, ultimately lies in the hands of her people—their sympathies are the ultimate prize in this war. No matter how many insurgents we kill, city leaders we meet or policemen we enlist, it is all for naught if we cannot provide security and stability. Tribal sheikhs told us that even within Samarra—deep in the Sunni triangle—a vast majority of people just want peace and order and will side with whoever can provide it. Right now Samarrans rightfully question who that will be.

The end goal is for Iraqis to do everything for themselves. But their government and security forces are not ready. Insurgents use death threats and murder to assert power over anyone working with the City Council or joining the police force. This atmosphere forces moderate Samarrans to keep their mouths shut, and their silence abets the insurgents who live and fight in Samarra. Despite killing scores of insurgents, we are unable to provide lasting security, and so the Samarran street slips away.

Two things are to blame for our predicament, one a corollary of the other. The first reason is that we did not have enough troops in Samarra. The skill and courage of 150 American soldiers prevented chaos, but was never enough to fully secure a city of 120,000 people or maintain the rule of law. The soldiers in the city were preoccupied with defending themselves and conducting night raids, and were therefore largely unable to regularly patrol during the day—thus giving insurgents reign to move freely and intimidate the local population. A visitor in Samarra on an average day would be hard-pressed to point out a single American humvee traversing local neighborhoods. The same is true for Baghdad.

Our four-vehicle civil-affairs patrol was often the only American presence deep inside the city and we were frequently greeted by locals with the question, "Where have you been?" Americans can't of course be omnipresent; but we should at least be there when it matters. When Americans are there, either the insurgents are not or they are on the losing side of a firefight.

Second, because of a lack of troops, American military leaders are forced to make a choice between mission objectives and self-preservation. Many of our leaders are opting to guard supply routes and coagulate on sprawling military bases, rather than consistently moving into dangerous areas and fighting the insurgency. In our case, we had 500 soldiers stationed outside Samarra who made infrequent trips into the city center. There is little reason why most of these troops were not stationed inside Samarra, canvassing every neighborhood with platoon-sized patrol bases and suffocating insurgent operations. Rather than take the risks necessary—like small patrol bases and frequent foot patrols—our unit opted to secure itself and its supply routes rather than commit resources inside the city. And while this approach is safer in the short run, it only prolongs mission accomplishment, ultimately endangering more troops. We often speculated our unit would be back next year, driving the same streets with even fewer guys.

I believe that "the safety of America depends on the outcome of the battle in the streets of Baghdad." Why then do we have just enough troops in Iraq not to lose? Americans understand a defeat in Iraq would have horrible consequences for America and its allies for decades to come. America has the capacity to win.

Why then are we pursuing a bare minimum approach?

Mr. SHADEGG. Pete Hegseth served in both Baghdad and Samarra for a year. He was an infantry platoon leader in Iraq. He fought both on the streets of Baghdad and Samarra, and here is what First Lieutenant Pete Hegseth said about the surge. He never heard the term "surge," but he described the struggle he faced. He said, and I quote, "America is fighting with a hand tied behind its back." "We simply do not have enough troops in Iraq, and we need them now." That was last October.

Discussing his situation in Samarra, Lieutenant Hegseth went on. There in Samarra, he goes on to say, and I quote, "We had just enough troops to control Samarra and secure ourselves, but not enough to bring lasting stability or security."

He goes on and says, "Two things are to blame for our predicament. The first reason is that we did not have enough troops in Samarra," and I quote "the second, because of a lack of troops, American military leaders," those on the ground, those engaged in this fight, "are forced to make a choice between mission objectives and self-preservation." He goes on to complain that all too often that choice that they are forced into is protection of our troops, not mission objectives.

Let me tell you how he concluded, because I think it is pertinent to this debate, where what we seek to do is to disapprove the surge of 20,000 troops.

I believe that the safety of America depends on the outcome of the battle in the streets of Baghdad. Pete Hegseth asks, and I quote, "Why then do we have just enough troops in Iraq not to lose?"

To conclude, he says "Americans understand a defeat in Iraq would have horrible consequences for America and its allies for decades to come. America has the capacity to win." He wrote, "Why then are we pursuing a bare minimum approach?"

I urge my colleagues to vote against this dangerous and ill-advised resolution.

Mr. JONES of North Carolina. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this resolution is, first of all, to thank our men and women in uniform. They are absolutely magnificent. They are the real heroes of America, not the football players, not the basketball players, and not the baseball players. It is our men and women in uniform, and that is what H. Con. Res. 63 says. We appreciate you. We will be with you today, tomorrow, and in the future.

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The second part is that we are opposed to the surge. Let me read very quickly, before I introduce the next speaker, General Barry McCaffrey before the Senate Foreign Relations Committee on January 18, 2007, and I quote General Barry McCaffrey, former commander of the Southern Command. He said, "There the current administration is going to try to muscle this thing out in the next 24 months with an urban counterinsurgency plan that I personally believe, with all due respect, is a fool's errand."

That is a military professional. A military professional.

Mr. Speaker, I yield 5 minutes to the gentleman from Michigan (Mr. UPTON).

Mr. UPTON. Mr. Speaker, I know that Iraq has been on all of our minds for a long, long time. Many of us here have visited Iraq on multiple occasions. Many of us have also visited Bethesda Naval Hospital as well as Walter Reed and tried to comfort our brave and caring servicemen and women.

Yes, many of us have grieved with the families that have lost a loved one at a gravesite back in our districts. Mr. Speaker, we had a breakthrough this week in North Korea. It was a diplomatic success. And our country led the effort to engage other countries in the region: Russia, South Korea, Japan and China. The Six Party Talks helped see a negotiated settlement that made sense and the world today is a better and safer place. Diplomacy won again.

Now, one of our big problems in Iraq is that we have not pursued the diplomatic angle like we should have. We have not seen a diplomatic surge like we ought to. Let's talk about this resolution. The first finding, of course, is that the Congress and the public will continue to support and protect those serving in Iraq. That tells me that we are not going to cut off the aid for the brave folks that are there.

It is almost a daily routine for me when I see a man or woman in uniform at the airport, the cafeteria, at home, anywhere, Bethesda, Walter Reed Hospital, I take a moment and thank them for their sacrifice and their service.

Our troops need all of the equipment to make sure that their safety can be as secure as it can be. This week I e-mailed a number of our troops that I have met that are overseas. I talked about this resolution, including the policy of the surge. And many of them responded at length. I want to share part of their stories and responses without using their names.

One of my Army captains said this. "Bringing in more Americans will force us into more confrontational roles. This is not the way to win. More

American soldiers on the ground will not win the war, it will only delay the enemy's reaction. If the people do not believe that their government can protect them, they will look for one that they believe will."

Mr. Speaker, these folks are on the ground. They know what is going on. The generals on the ground, too, said that more U.S. troops would be counterproductive and in fact only increase or deepen the threats on our U.S. troops.

Let's face it, this is a civil war. It is real anarchy. And in fact the Iraqis do not want us there. Nearly 80 percent of them in Baghdad say that the American troops provoke more violence than they prevent. And these same polls show that Iraqis overwhelmingly want U.S. troops gone within a year.

In fact, we know that a majority on both sides, Shia and Sunni, believe that it is okay to kill our troops. So much for being a liberator. In other words, we are viewed as part of the problem, not the solution.

Mr. Speaker, all of us, all of us support our troops. But there are many of us that believe that this surge strategy will fail and will only prolong the day that the Iraqis will finally pick up the baton and lead their own government.

The Baker-Hamilton unanimous bipartisan report labeled the situation as grave and deteriorating. It called for regional cooperation and a new direction. Mr. Speaker, I am one that believes that the vote authorizing the war was based on evidence that was flat-out wrong.

Let's not continue to ignore the real situation and the mistakes of the past. It is time, it is time for the Iraqis, not the United States, to lead after 4 years. We need to send a message to our troops that, yes, we support them, and, for this administration, a signal for them to pursue a diplomatic surge involving the region.

For these reasons, I too support the resolution.

Mr. JONES of North Carolina. Mr. Speaker, first I would like to thank Chairman SKELTON and Chairman LANTOS for allowing me to be part of this resolution, H. Con. Res. 63.

Also I want to thank the 10 Republicans who came to the floor to join me today to support this resolution. In closing, I want to again say this resolution is simple and to the point. The most important point is to say, Thank you, men and women in uniform; you are great, you are magnificent, we are behind you 100 percent.

The second part deals with the surge. Two very quick stories. Six months ago GENE TAYLOR and I went to Walter Reed. We went into a room that we were carried into and saw a mother with tears in her eyes, a father, and we shook their hands.

Then the Army colonel took us to the bed to speak to the Army sergeant who had been wounded in Iraq. We thanked him. We told him he was a hero. And he was just great. His fiancee was sitting at the end, at the foot of the bed. We met her. Then he said, I don't know if my opinion matters to you gentlemen. And we assured him it did matter. It mattered greatly.

He said, well, let me share this with you. I have been to Iraq three times. He said, I don't care if you are there 5 years or 10 years, you cannot change the people. If you look at the history, he is probably right. But then after he said that you cannot change the people, Mr. Speaker, he pulled the sheets down from his waist and we saw that above his knees his two legs were gone. In his third tour in Iraq he lost his legs.

I close by sharing this in this debate. I quoted five generals that have said in the last 6 months this surge will not work, it is not the right policy answer. I don't think anyone can say it any better than retired Army General Jay Garner, the first U.S. official in charge of postwar Baghdad. January 7, 2007. This is his quote. "I don't know that the Iraqi Government has ever demonstrated an ability to lead the country, and we should not be surprised. You will never find in my lifetime one man that all of the Iraqis would coalesce around. Iraqis are too divided among sectarian, ethnic and tribal loyalties" he said, "and their loyalties are regional, not national."

Mr. Speaker, as I close, and this is my close, let's pass this resolution. Let's work with the President to find an end point to the strategy, and let's not put our men and women in the middle of a civil war to make them referees.

God bless America, and God bless our men and women in uniform. Please, God, continue to bless this country.

Mr. THORNBERRY. Mr. Speaker, I yield 5½ minutes to the gentleman from New Mexico (Mr. PEARCE).

Mr. PEARCE. Mr. Speaker, it is a very dark time for the Nation. The President is at an unpopularly low rating, unprecedented in our history. We are involved in an unpopular war. Elected officials on both sides are calling for us to get out of the war. I am not talking about this war. I am talking about the civil war, when President Lincoln had the courage and the vision to hold onto that concept that we must let liberty triumph. And because of his courage, we have a Nation that has set the course for liberty for the entire world.

Exactly what are we involved in here? This is far broader than a war in Iraq. This is a war with radical Islam. It is not the first time we have engaged with radical Islam. The first time that comes to my attention was 1786.

□ 1340

Thomas Jefferson goes to find out about the Barbary Coast. He comes back and he reads the letter about why the Barbary pirates were fighting everyone in that region. He buys his own book of the Koran to understand, but that letter that he had and brought back says that it was founded, he is talking about Islam, it was founded on the laws of their prophet, that it was written in their Koran that all nations who should not have acknowledged their authority were sinners: that it was their right and duty to make war upon them wherever they could be found. That same principle is holding today. We read it on all the Web pages of the radical Islamists.

Now, we can wish that it weren't true. We can wish that the attacks on the *Cole* did not happen. We can wish that 9/11 did not happen. But they did. And now we are involved in a very difficult, unpopular war with the President, again, at historic low ratings.

I rise today, Mr. Speaker, in opposition to this dangerously misguided resolution which will only embolden our enemies and demoralize our troops.

Our friends on the other side of the aisle claim to support our troops, and I do not discount that. I do not question their sincerity. I question their judgment.

I will tell you that the political gymnastics that are required to come this soon after they campaigned against stay the course, to present a resolution that supports our troops who are in Iraq, and yet says that we will not change the tactic, we will not increase, if we are not going to get out, if they have turned down those resolutions which would bring us home, and if they do not want to declare to defund the war, if they do not want the surge, then we are involved in a resolution today that is nonbinding, but says stay the course.

Do tell. Stay the course is what they had to campaign so hard against in the last elections.

I served in Vietnam when elected officials were on the floor of this House having these same conversations, and I will tell you it is extraordinarily distressing from the point of someone serving in harm's way to have the elected officials playing games.

My friends, if you don't want to support the effort in Iraq, you have the majority, call the troops home. It is within your capability. Have the courage of your convictions. Stand for what you believe. Do not put this resolution in front of us that simply encourages our enemies and distresses our troops.

There are those who claim that General Abizaid has said we can't win the war. President Lincoln was faced with the same thing, generals who listened too much to the public. He had to fire General McClellan and replace him with General Grant.

Many recall those words of President Lincoln saying, if you will not use the troops, sir, can I borrow them?

We have replaced the general who was in charge of Iraq with a new general. I am sorry, but he is a troop. He is a commander. He is the commander, he is the supreme troop in Iraq, and he says, I could use more troops. Please, don't leave me dangling.

And yet, this Congress, with this leadership, is going to say, we support the troops but we are not going to support the troops. The mental gymnastics, the political gymnastics are to appease the very shrillest of their proponents, the very shrillest of their supporters. But everyone knows they will not be content with this nonbinding resolution. Those supporters will be like the tiger at the door, eating their own if it does not escalate from here.

Have the courage to bring the troops home, my friends, if you are not going to let the generals run the war. Let the military run the war.

The greatest mistake we made in this House in Vietnam was trying to manage it with people who are elected rather than military leaders, and it was an abysmal failure.

Mr. SKELTON. Mr. Speaker, I yield 5 minutes to my friend, my colleague and chairman of the Appropriations Committee, the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, 4 years ago this Congress voted to authorize the President to engage in a preemptive attack to Iraq, a country that had not attacked the United States. I supported the military action against Afghanistan because they gave sanctuary to Osama bin Laden and those who attacked us on 9/11. But I opposed the President's unilateral and preemptive attack on Iraq, because I believed that this action would destabilize the Middle East, isolate us in world opinion, and weaken our influence in the world. Our opposition was vilified. Our patriotism was questioned, and that continues today.

We are told that if we oppose the President's intensification of the war, we are giving aid and comfort to the enemy. Well, I, for one, am tired of those who have been consistently wrong about this war lecturing those of us who have been right from the start. I am tired of the manipulation of intelligence by this administration. I am tired of the stubbornness of an administration that didn't have a clue about the Middle East realities when they got us into this mess, and don't have a clue now about how to get us out.

Sadly, there will be no happy endings to this war. The President's policy has done so much damage that there is no good way for us to get out, whether it happens in 6 months or a year or 5 years.

Our troops won the war, God bless them. But the problem with the President's plan is that it calls upon our troops to do something they do not have the power to do, and that is to convince the Iraqi factions to stop killing each other and work together on a political compromise.

Instead of the President's surge, in my view, we should set a rough target for repositioning our troops out of the area. We should recognize that Sunnis, Shiites and Kurds, will never join together in a strong central government. We should tell the Iraqis that if they do not amend their Constitution to allow for a loose confederation with an oil sharing agreement between the Sunnis and the Shiites, that we will leave them to each others' tender mercies. We should participate in regional discussions with all parties, including Syria and Iran. We should resume aggressive leadership to resurrect a meaningful Middle East process, peace process, and Congress should pass legislation prohibiting an attack on Iran without authorization by this Congress.

Given the chaos that the administration's policy has produced, none of these suggestions may work. But all of them would be better than continuing to be stuck in another 5-year period in an endless war with endless promises to the American people and with endless failures on the ground.

Mr. SKELTON. Mr. Speaker, I yield 5 minutes to my friend and colleague, the chairman of the Readiness Subcommittee of the Armed Services Committee, the gentleman from Texas (Mr. ORTIZ).

Mr. ORTIZ. Mr. Speaker, I rise in support of this bipartisan resolution.

I could ask a question, were we ready to go to war? I don't think so.

I just want to put a little of the history of Iraq in context. And we probably remember these names, Specialist Edgar Hernandez, Specialist Joseph Hudson, Specialist Shoshana Johnson, PFC Jessica Lynch, PFC Patrick Miller and Sergeant James Riley. They were all members of the 507th Maintenance Company that went missing after an Iraqi ambush in Nasiriya on March 23, 2003.

They were a maintenance company. They weren't supposed to be in front of the infantry. And, of course, we understand this is war and there is a confusion.

□ 1350

They were taken prisoners. But this illustrates for us again that we were not ready for this war from the beginning. We went in with too few soldiers, who, by the way, were not greeted with flowers or parades. This administration went against the recommendations of the Chief of Staff of the Army, General Shinseki, who said, you know what, we need no less than 250,000 troops to overwhelm the enemy. So what happened? We went in with less than that. What was the goal? To go straight to Baghdad. And we left the left flank, the right flank completely open. Not only that. With thousands of ammunition dumps all over the place in Iraq, you know what? They were ready for war. They were ready for us. But we were not ready for them. Because a lot of things went wrong in this war. The intelligence was flawed. It was wrong. And, my friends, I am saying this because we cannot afford to make another mistake such as this.

I was just at a hearing about an hour ago, 2 hours ago, and let me read to you what the Chief of Staff of the Army, Schoomaker, said just a few moments ago. He said, "After years of insufficient investment in the Army, many of our units were underequipped and not ready for deployment, especially in our Reserve units. To meet combatant commanders' immediate wartime needs, we pulled equipment from across the force to equip those soldiers deploying into harm's way, a practice that we are continuing today to meet current operational needs."

My friends, we are at war. We support our soldiers. The men and women in uniform are in dangerous places around the world to do their duty on behalf of all of us, military, civilian, Republicans, Democrats, and independents.

This resolution is very simple: Congress and the American people will continue to support and protect the members of the United States Armed Forces who are serving or who have served bravely and honorably in Iraq; and Congress disapproves of the decision of the President of the United States, George W. Bush, who announced on January 10, 2007, to deploy more than 20,000 additional United States combat troops to Iraq.

Now, it is going to take more than 21,000 soldiers. You have got to send support troops. So I think sometimes I wonder whether if we could just pause or take time off so that we could regroup or correct the mistakes. But you can't do that when you are in the middle of two wars.

This is a different mission, and we ask our soldiers to do the best that they can, and then we say that we need for the Iraqis to stand up so we can stand down. My friends, if we cannot even equip our military, how can we expect to equip the Iraqis so that they can stand up?

Mr. THORNBERRY. Mr. Speaker, I am pleased to yield 10 minutes to the distinguished gentlewoman from New Mexico (Mrs. WILSON), a member of the Intelligence Committee and a veteran and retired officer herself.

Mrs. WILSON of New Mexico. Mr. Speaker, I come to the floor here today, disappointed. Over the next few months, the United States will make some very important decisions, probably the most important national security decisions that we will make in this decade. These decisions are going to affect the size and the composition and the equipment of our military. It will impact our relationships with our allies, the perception of our enemies, and the stability of the Persian Gulf region. These are serious and difficult issues that demand thoughtful leadership and the careful exercise of our considerable responsibilities under the Constitution.

The resolution that we have before us today is not binding in a legal sense. We are not exercising any real power here. But I think it is worse than that. The words in these two brief sentences are vague enough to allow people with very different views on what we should do to feel satisfied whichever way they vote. The language in this resolution is clever, but this isn't a time for clever. Whether I support this resolution or oppose it, this body should say something, say something that matters about what our vital national interests are, about how we should pursue those interests, about what the risks are, what the trade-offs are and the potential consequences. We should say whether we intend to buy the bullets and the body armor for those who are about to deploy and take on the challenges that we face as a Nation.

With power comes responsibility. And rather than do the hard work of building a consensus here in the House and leading the way, it is easier to punt, to be vague and clever, to frame political issues rather than confront forthrightly the difficult problems that we face as a Nation. For that reason I believe this resolution represents a lost opportunity that we cannot afford to lose.

I believe that too often in the last 3½ years our goals in Iraq have been described in the lofty and idealistic terms that go far beyond America's vital national interests. There has been a tendency to move beyond the hard-nosed and clear-eyed view of what America's national interests are in Iraq and we have come to emphasize the loftier dreams for the American people.

To be sure, I am glad that Saddam Hussein is dead and gone. And I hope that the Iraqi people seize this opportunity to create a unified state that respects minorities and has robust democratic institutions. But there is a difference between what we would wish for the Iraqi people and what is vital for America's national security.

In thinking about America's vital interests in Iraq, I think it really boils down to two things: First, Iraq must not become a safe haven for al Qaeda; and, second, Iraq must not be a source of instability in the region. These vital interests are actually quite narrow. Some might argue that they are too narrow. But they are most notable for what they do not include. Perhaps most significantly, I don't believe it is vital to America's national interests to stop all sectarian violence in Iraq.

We admire our military because they are forward leading and "can do" people. But in this instance we cannot do for the Iraqis what they will not do for themselves.

The President is sending an additional 20,000 troops to Iraq. The problem isn't the numbers. The problem is the mission and setting the conditions to be able to accomplish that mission. Some of these troops are going to Anbar, and I think that we do need to enforce our troops in the Sunni heartland to fight al Qaeda and to make it less likely that they will be welcomed there for the long term. But I am skeptical about the Baghdad mission. Operation Together Forward, the effort to secure Baghdad last year, failed. The idea was to clear, hold, and build; but the Iraqi units did not show up in enough numbers to be able to hold what America had cleared. In the early days of this surge in Baghdad, there are too many indications that this will be happening again.

The resolution we are considering this week contains only two thoughts. It is only two sentences long. First, that we oppose increasing troop levels in Iraq by 20,000. As I have said, I support increasing troops in Anbar, even though I am skeptical about the likelihood of success in Baghdad.

□ 1400

But the second thought is notable for what it omits. The resolution says that this House will fund our soldiers and our veterans if they are there now or if they have been there before.

This begs the most important question about our real power here in the Congress. What about the five brigades of young Americans who are now preparing their families and packing their gear to deploy? What about them? What are you saying to them? Will we buy body armor for them? Will we have armored Humvees for them? Will they have trucks to take them to their assigned place of action? Will they get the bullets and the night scopes and the sleeping bags and the chow? What about them? Will they get their combat pay? Will they get their family separation allowance?

I believe that the majority in this House and the sponsors of this resolution would support a clear statement that we will fund the troops and the mission they are being ordered to undertake. But, of course, perhaps half of the Democrats in the Congress, from the far left of America's political spectrum, want to stop the funding.

In this war on terrorism, the greatest burdens have fallen on the shoulders of the relatively small number of Americans who have volunteered to take great risks on our behalf. As leaders of this Nation, this House abdicates its responsibility if we fail to make clear to them that they will have the equipment they need to do the job and come home again. The short two sentence resolution we will vote on here this week doesn't address any of these important issues.

If you are asking the wrong question, perhaps any answer will do. But we will vote anyway, and it will make headlines, and it will accomplish nothing of the hard work we have in front of us. What are our vital national interests in Iraq, and what is not vital? What strategies can we use to protect and promote those vital interests? What are the resources that are required to pursue those strategies? What are the risks and the costs and the choices we must make? Are there ways to mitigate those risks?

These are the important questions, and in the short two-sentence resolution, they remain unresolved, leaving the House with nothing very important to say about what matters to America and what we should do.

I have made my position clear in ways that this resolution fails to do. I will seek to provide leadership in this House to address these important questions, to influence this administration and to focus on what is vital to America. It is for these reasons that I must oppose the resolution in front of us today.

THE RESOLUTION AND THE CONGRESS

I come to the House floor today disappointed.

Over the next few months, the United States will make some of the most important national security decisions of this decade. Those decisions will play out principally in Iraq, but will affect our broader national security and foreign policy.

The decisions we make will affect the size, composition, and equipment of the American military for many years.

These decisions will impact our relationships with our allies, the perceptions of our enemies, and the stability of the Persian Gulf region.

These are serious and difficult issues that demand thoughtful leadership and the careful exercise of our considerable powers under the Constitution.

We have to do more than debate. We have to take a stand; we have to make tough decisions; we have to clearly articulate what America's vital interests are. We have to do things that matter and build a broad consensus moving forward.

The resolution we have before us today is not binding in a legal sense—we are not exercising any real power here. But it is worse than that. The words in these two brief sentences are vague enough to allow people with quite different views on what we should do to feel satisfied with whatever way they vote.

The language in this resolution is clever. But this isn't a time for clever. We are better than this. Whether I support a resolution or oppose it, this body should say something about what our vital interests are, about why this matters, about what we do recommend and what we do not recommend, about whether or not we will buy the bullets and the body armor for the troops for the next rotation of troops, about the risks and the challenges we face to best protect our Nation.

With power comes responsibility. And perhaps the real truth is that the Congress is as uncertain and divided as the country is on what is best to do in the Middle East. Rather than do the hard work of building consensus and leading the way, it is easier to punt, to be vague and clever, to frame political issues rather than confront forthrightly difficult problems important to the security and future of this country.

For that reason, this resolution represents a lost opportunity that we can ill afford to lose.

REVIEWING IRAQ POLICY

Over the last 3 months, I've spent a lot of time thinking about Iraq, reading widely from both classified and unclassified sources, meeting with experts inside and outside of government, spending time with our intelligence agencies and our men and women in the military listening to what they think and drawing on their experience.

At the New Year, I returned to Iraq. I went to Falluja, al Kut, Baghdad and Balad.

At each stop along the way, I was reminded of how fortunate we are to have such dedicated, capable and decent men and women serving us in uniform. They are all committed to their missions and they are performing admirably.

Our forces have the "can do" attitude that we have come to take for granted but never should. They are doing difficult work a long way from home and have been at it for a long time.

There are good reasons to be restrained in public comments about military strategy and operations when we have young Americans in combat. Honest debate about policy can be confused with lack of support for the troops.

There have been times that I have questioned the administration's conduct of the war over the last 3½ years—the inadequacy of force levels immediately after the fall of Saddam, the decision to disband the Iraqi army and the slow reconstitution of the Iraqi Army, the need to expand the size of the active duty Army and Marine Corps, and the failure to understand the strategic significance of treatment of prisoners at Abu Ghraib. All of these decisions were made at senior policy levels, not by people in the military doing the job.

I'm from the old school that believes partisan politics should stop at the water's edge. The security of this country is too important to make it subservient to domestic political maneuvering.

It was clear to me in late October that it was time for a complete review of American strategy in Iraq. That means we must: Fully understand the situation we face in Iraq and be honest with ourselves and the American people about the challenges we face; clearly define and build a broad consensus on exactly what the vital national interests of the United States in Iraq are and, conversely, what is not vital; and develop strategies, plans, and resources to pursue those vital national interests fully vetting the alternatives and the risks of those alternatives.

THE SITUATION IN IRAQ

Iraq is a country of 26 million people in a land area about twice the size of the state of Idaho. About 6.5 million people live in the capitol, Baghdad.

Ethnically, Iraq is 75–80 percent Arab and 15–20 percent Kurdish with the remainder Turkoman, Assyrians and others.

Iraq is 97 percent Muslim by religious faith. It is one of four countries in the world where there are more Shi'a (60–65 [percent) than Sunni (32–37 percent) Muslims. Shiite populations constitute a majority in Iran, Iraq, Bahrain and Azerbaijan. Worldwide, about 10–15% of all Muslims follow the Shiite branch of Islam. Sunnis and Shiites share most basic religious tenets. Their differences have sometimes been the basis for sectarian violence and political infighting.

GOVERNANCE

The Iraqi people have made substantial progress in governing themselves over the past two years. They have written a Constitution, conducted elections under that new Constitution and formed a government. The Iraqi people as a whole voted in the face of death threats and Iraqi elected officials serve in spite of risks to themselves and their families. If you are wondering whether there are Iraqi's who are willing to take great risks to build their future, you should visit the military hospital at Balad. Two thirds of the casualties brought to our great surgeons and trauma teams are Iraqi, not American.

Our admiration for their progress and their courage cannot blind us to some other realities.

The central government in Iraq is weak. In part, that weakness is inherent in the Constitution under which the Prime Minister does not form his own government. Ministers of Health, Interior and Defense for example are chosen separately and do not serve at the pleasure of the Prime Minister.

Ministers are loyal to different parties and factions. Corruption, a long established practice in that region of the world, is endemic. Both the Ministry of the Interior and the Ministry of Defense are heavily penetrated by militias loyal to factions rather than loyal to the national government. As one officer involved in training local Iraqi police told me, "The head of training for the police in this province has no experience and is not qualified for the job. He has the job because he is a member of the Badr Organization."

Another officer involved with training the Iraqi border patrol said, "The commander in my sector was given a list by the Ministry of the Interior of 42 people he was supposed to hire. They were all militia."

The Iraqi central government and its ministries do not have the capacity and, in some cases, perhaps the will to support operations in the 18 provinces. Even though the central government has money, it can't seem to spend it. There is no national banking system so soldiers and police are paid sporadically and in cash. They must travel home to give their pay to their families.

The combination of factionalism within the ministries and weak logistics systems are used to undermine units in the field. As another officer told me, "If I train a really good Iraqi police SWAT team that's going after the 'wrong' people, they can be strangled by logistics. No bullets. No gasoline. No SWAT team."

The national police are heavily infiltrated by the militias, particularly Jaish al-Mahdi or JAM, which is loyal to Shia firebrand Muqtada al-Sadr.

A principal characteristic of a sovereign government is that it has a monopoly of the use of force within its borders. The central government of Iraq has not yet consolidated this monopoly for itself.

The Iraqi Army is more reliable and has made significant progress over the last 18 months. But the quality and capability of its units varies. Even units that are fully manned usually have half of their soldiers on leave at any time. During Operation Together Forward, the joint Iraqi-American operation to secure Baghdad this summer, some Iraqi Army units refused to be deployed to Baghdad, a clear indication of the weakness of the central government and the questionable effectiveness of these units.

LEVELS OF VIOLENCE

There is not a single insurgency or source of violence in Iraq. There are a number of interrelated and overlapping conflicts.

In the south, while there has been less violence, different Shi' a factions, principally those associated with Muqtada al-Sadr (JAM) and the Supreme Council for Islamic Resistance in Iraq (SCIRI) (the Badr organization) periodically fight each other for local advantage and attack coalition forces as well.

In the northern Kurdish region the Kurdish Peshmerga has made the area mostly secure and stable. We can expect violence to increase in Kirkuk in the run-up to the referendum on whether this oil rich city will be associated with the Kurdish region.

Anbar province, the large province in western Iraq that borders Syria, Jordan, and Saudi Arabia, is predominantly Sunni. While there is a Sunni insurgency and rejectionists in this region, it has also been fertile territory for al Qaeda in Iraq and foreign fighters. In recent months, some key Sunni tribal leaders have started working together to resist al Qaeda in this region, opening opportunities for United States forces to work more cooperatively with local leaders to fight al Qaeda.

Overlaying these regional fights is a rise in sectarian violence that has increased substantially since the bombing of the Golden Mosque in Samarra in February 2006. Anger and distrust between Sunni and Shiite is very high and plays out in death squad killings, torture, intimidation and what amounts to ethnic cleansing of neighborhoods in Baghdad.

This summer, the Iraqi government with the multinational force in Iraq launched Operation Together Forward to reduce widespread sectarian violence in Baghdad. U.S. Forces, including the American striker Brigade, were sent to Baghdad as part of an effort to "clear and hold" those neighborhoods. The operation failed, as did Operation Together Forward II this fall. Levels of sectarian violence are high and are not improving.

The concept was for U.S. forces to "clear" violent neighborhoods and the Iraqi Army would "hold" the neighborhoods providing security after they had been cleared out. The Iraqi Army forces didn't show up in the size required and were not able to provide security. As one Army officer told me, "It wasn't clear and hold. It was clear and fold."

Confidence in the ability of the central government, the Army and the national police force to provide security has declined causing people to rely on local militias and neighborhood security to protect their families. In some cases, JAM, Muktada al-Sadr's militia, has built confidence and support by blocking emergency response by the central authorities while JAM members help victims, thereby increasing local trust of the militias and further undermining the credibility of the government.

Finally, while the Sunni insurgency may have been spurred by al Qaeda in Iraq and various Shi'a groups get support from Iran, at this point, the violence in Iraq is largely internal and self-sustaining.

In summary: The overall security situation in Iraq is grave and is not improving. Strategies to quell violence have not been effective; while some violence is anti-coalition, the most dangerous trend has been the rise of sectarian violence between Sunni and Shiite militias and death squads in a cycle of violence and retaliation; while the unity government of Nouri al-Maliki says all the right things, there are strong doubts about the ability of the unity government to reduce widespread sectarian violence; further political evolution in Iraq is likely as factions maneuver for power relative to one another and decisions are made on critical issues including federalism, distribution of oil revenues, and the militias. Iraq will make more and more of its own political choices, less and less influenced by America.

AMERICA'S VITAL INTERESTS

Too often in the last three and a half years, our goals in Iraq have been described in lofty and idealistic terms that go far beyond America's vital national interests.

Most of us in the Congress voted to authorize the use of force against Saddam Hussein because the intelligence said he had or was seeking to acquire chemical, biological and nuclear weapons and that he intended to use them against the United States.

In my case, it was the intelligence on biological weapons that was the deciding factor, reaching the high threshold required for preemptive military action.

As we all now know, the intelligence was wrong in several important respects. Perhaps in part because it was wrong, there has been a tendency to move beyond a hard-nosed, clear-eyed view of our national interests in Iraq to emphasize loftier dreams for the Iraqi people.

To be sure, I'm glad that Saddam is dead and gone, and I hope the Iraqi people build a unified state with a society that respects minorities with robust democratic institutions. But there is a difference between what we would wish for the Iraqi people and what we need for American security.

The American military should only be used to protect America's vital national interests, under American command, with the resources necessary to win and come home again.

When it comes to clearly defining our vital national interests in Iraq, we have lost our way in mushy rhetoric. These words matter because they set the goals we ask our military to achieve and drive the strategies and resources to achieve them. There has been far too little debate and discussion on what our vital interests are and what they are not in Iraq.

Every discussion of what path forward we should choose in Iraq should start with clearly defining our vital national interests. As the saying on the classroom wall goes, "If you don't know where you are going, you're likely to end up somewhere else."

In thinking about America's vital interests in Iraq, it seems to me there are only two: Iraq must not become a safe haven for al Qaeda or its affiliates; Iraq must not be a source of instability in the region.

These vital interests are really quite narrow—some might argue too narrow—and probably most notable for what they do not include.

It's not vital to America that Iraq be able to defend itself from outside powers. Iraq is unlikely to have an Army that can defend against external threats for a long time and we should not define success this broadly or even raise the possibility of arming them with indirect fire weapons, tactical air forces and so forth.

It is not vital to American interests that Iraq remain unified except to the extent dissolution of Iraq as a strong nation contributes to regional instability or creates ungoverned areas where al Qaeda could thrive. Iraq was created after World War I from three Ottoman provinces of Baghdad, Basra, and Mosul. The country has a history of instability as a result of ethnic, religious and regional rivalries. It is not vital to American national interests that we resolve these tensions and probably not reasonable to expect to do so.

There are a variety of governing models from a loose confederation to de facto local arrangements that are consistent with the vital national interests of the United States.

The Iraqi constitution allows for regional arrangements and we need not spend too much capital resisting new arrangements that might emerge.

Perhaps most significantly, it is not vital to American interests to stop all sectarian violence in Iraq. Certainly if sectarian violence escalates to a conflagration that affects stability in the region, it could affect our vital interest in regional stability. But the Iraqi's must decide to quell sectarian violence. While we might assist and support Iraqi efforts, we cannot and should not do this for them. They must take the lead.

We admire our military because they are forward leaning and "can do". But in this instance, we cannot do for the Iraqi's what they will not do for themselves.

There are other things that do not appear in a clear statement of America's vital interests like making Iraqi into a model of democracy in the region and ensuring its economic prosperity. Both of these things are desirable. Iraq certainly has the oil, natural gas, and two fertile river valleys to sustain itself and prosper economically. But these desirable things are not vital to America's national interests and what is vital should drive American strategy.

If everything is a priority, nothing is a priority. What is vital, it seems to me, boils down to two things: No al Qaeda safe haven and an Iraq that is not a source of instability in the region.

AMERICAN STRATEGY

The shear breadth of the policy options for Iraq put forward in recent months by thoughtful people is striking.

Quit and withdraw. Reposition in neighboring countries. Increase U.S. forces temporarily. Increase forces substantially and with no deadline.

Side with the Shia because they are likely to win. Befriend the Sunnis. Destroy the Sunnis.

Withdraw U.S. forces from the cities. Start with Baghdad and the cities first.

Divide the country into three pieces. Insist on unity.

These debates are healthy when they get beyond the brainstorming stage—which they rarely do—but the breadth of the options out there is partially due to a lack of clarity and consensus about America's vital interests.

We should also be clear that no strategy is without risk. There are no easy or obvious paths here.

DENYING AL QAEDA SAFE HAVEN

Al Qaeda in Iraq principally thrives in the Sunni regions of the country. Defeating al Qaeda and denying them sanctuary must be a central objective for U.S. Forces in Iraq. This must be an area of focus and, to some extent, we have lost that focus over the last six months as we have emphasized the fight for Baghdad.

Using U.S. special forces, conventional U.S. military forces and American intelligence capabilities, the United States should target, kill or capture and detain al Qaeda leadership in Iraq.

U.S. forces have had some significant success in recent months capturing middle and high ranking al Qaeda operatives in Iraq in spite of the reduction of emphasis and fewer troops in the Sunni dominated areas of the country.

But there is an infuriating fact seldom discussed: fully half of the high value al Qaeda targets in Iraq have been captured and released before. As one senior officer put it, "I have great photographs of half the people we are hunting. They are wearing orange jumpsuits in the mug shots we took of them when we captured them the first time."

Weare operating a catch and release program for al Qaeda in Iraq. This is inexcusable and frustrating as all get out for our men and women in the fight.

American soldiers are capturing terrorists trying to kill Americans and Iraqis and they are turned over to an Iraqi run detention system that is likely to release them.

Indeed, some officers whose opinions I trust describe detention as training camp for al Qaeda where they share information and contacts improving their skills and enhancing their position within al Qaeda when they are released.

We cannot afford to spend half our resources hunting al Qaeda members we have already caught before. We need to change our detention policy so that there are no high value targets with orange jumps suit mug shots in "wanted" posters hanging on the walls in the operation centers of our special forces units in Iraq.

Using classic counter-insurgency strategies and tactics, the United States military and intelligence services should build relationships with tribal and local leaders in the Sunni-dominated regions who will deny al Qaeda safe haven for the long term.

We are having some recent and fragile success with this approach to security in al Anbar. Sunni tribal leaders, with the support and encouragement of U.S. forces, are recruiting men from their tribe into security units.

These counter-insurgency efforts building on established local tribal relationships and indigenous leadership must be supported financially directly by the U.S. military. Large U.S. aid programs run at the national level have been slow and ineffective at engaging the Iraqi people and getting things done.

The American military has the capability to use funds to support counter-insurgency operations at the community level rapidly and where needed without a lot of hassle. This mechanism has been used successfully in Iraq before, although it is not universally supported. It's a turf and power thing. To a certain degree, we have a choice. We can micro-manage contracts from Washington and Baghdad or we can get things done rapidly and effectively giving authority within broad guidelines for Lieutenant Colonels to use their judgment.

While al Anbar is a very large area, it is sparsely populated with about 1.2 million people, the vast majority of whom live in the Euphrates river valley. An intense counterinsurgency strategy in the Sunni areas can help to root out al Qaeda today and make their brand of extremism unwelcome for the long term.

Strengthen both technical intelligence collection and human intelligence collection in the Sunni regions of Iraq.

Intelligence is the first line of defense in the war on terror and we are doing a lot of things right. But there continues to be a need to strengthen technical intelligence, surveillance and reconnaissance collection so that more requirements can be met.

More importantly, we continue to lag behind in human intelligence collection capability.

We are five years after 9/11 and we still are desperately short of linguists in strategic languages. We need more soldiers trained in basic 30 and 60-day language programs in order to effectively conduct a counter-insurgency effort.

At a higher level, we need more military members and intelligence specialists who are fluent in languages like Arabic, Farsi, Pashtun and Dari. Heretofore, this has just not been a national priority and it must change.

TRAIN AND EXPAND THE IRAQI ARMY

The training of the Iraqi Army has gone slower than any of us want. They are still heavily dependent on the U.S. for logistics and their capability and effectiveness is limited by the practice of allowing military members to go home for about two weeks of each month.

Still, the Iraqi Army offers the best possibility for the Iraqi government to consolidate its authority and quell violence.

The United States should continue to accelerate training and equipping the Iraqi Army so that they can take responsibility for internal security.

I am not convinced that embedding large numbers of U.S. soldiers in Iraqi units is the most effective way to train Iraqis. I'm not convinced that it is not effective either. There are differing views by thoughtful people and I don't have the experience to know. But it is an important question for the military and its training elements to assess. We should pursue training strategies that are most likely to make Iraqi units effective and independent in the shortest time.

There are two disadvantages of embedding Americans in Iraqi units. First, it is harder to protect and support the Americans to the standards we expect for our soldiers when they are detached. Second, some American trainers who have been embedded express concern that it is difficult to get the Iraqis to stand on their own and take responsibility because they think the Americans will do things for them. An embedded American trainer told me, “I have to decide that I'm not going to do the maintenance for them even though I can. That's hard to do.”

Assist the Iraqi Army and Ministry of Defense in establishing logistics and service support for the Army.

While we have focused on training military units—and Iraq may need more of them than they initially planned—the systems for payroll and logistics support just do not exist. We need to put effort into helping them develop those systems so that the Iraqi army is fed, paid, has gasoline and trucks and uniforms.

The Iraqi police and border patrol are infiltrated by militia and ineffective. We should not expect that the police will be effective as other than a mechanism to employ and occupy young men anytime soon.

SUPPORT THE IRAQI GOVERNMENT AS THEY ADDRESS SECTARIAN VIOLENCE

I do not believe that the United States should take the lead in resolving sectarian violence between Shi'a and Sunni or between different militias vying for power in Shi'a areas. The Iraqi government and Iraqi leaders must take the lead. We cannot and should not do this for them.

I told the President this before he announced his new plan for Iraq and I have been clear about this publicly both in New Mexico and here, in Washington.

American soldiers should not be in a situation as reportedly happened on October 24th when they raided an area looking for a leader of a Shi'a militia group and were told by the Iraqi government to stand down.

We cannot do for the Iraqis what they will not do for themselves. If they do not choose to disarm the militias and stop the death squads, Baghdad will continue to be a violent place.

I believe it is unlikely that this violence will rise to a level where Iraq becomes a source of regional instability even if it does threaten the internal stability and political direction of the country. As cold as it sounds, the sectarian violence is not something we can stop by getting in the middle of it and it is not vital to American national interests that we do so.

This is where we are at most risk, again, of losing our way by reaching beyond our grasp.

THE SURGE

The President is sending an additional 20,000 troops to Iraq. The problem isn't the numbers. The problem is the mission and setting the conditions to be able to accomplish that mission.

Some of those troops are going to Anbar, and I think we do need to reinforce our troops in the Sunni heartland to fight al Qaeda in Iraq and strengthen relationships that will make it less likely that they will be welcome there over the long term.

But I am skeptical about the Baghdad mission.

Operation Together Forward, the effort to secure Baghdad, failed because there was no “holding” after a neighborhood was “cleared”. The Iraqis did not show up. And the “building” never really happened at all. It was a failed approach without adequate resources from the Iraqis to follow through. We probably made plenty of enemies without making people feel safer or more confident in the ability of their government to protect them.

Rather than “clearing” neighborhoods where there is sectarian violence, we should focus on strengthening indigenous security in cooperation with the Iraqi government and the Iraqi Army in neighborhoods and villages where there is stability or leadership to work with. This is an inside-out approach that builds indigenous capacity rather than an outside-in approach.

In the Kurdish region, the Peshmerga protect the Americans, not the other way around. That is a relationship we built over a decade. Al Qaim on the Syrian border used to be a hotbed of foreign fighter activity. Now it is largely peaceful and led by strong local tribal leaders who cooperate with the Americans and own their community.

In 2003 and 2004, immediately after the fall of Saddam when there was no Iraqi government, I believe a large U.S. presence that took charge and visibly controlled the streets killing or disarming any Iraqi with a weapon would have made a difference. When it comes to occupation, quantity has a quality all of its own.

But we are beyond that now. Iraq has its own government with an Army that is getting better. They must own their own neighborhoods. We can help them, but we cannot do it for them.

In the early days of this “surge” there are too many indications that we will be doing this for them. Two units of Iraqis have showed up to help secure Baghdad, and they are at about half strength.

Like Operation Together Forward, the units committed by the Iraqi government have shown up far below strength, which means the effort is unlikely to have enough reliable soldiers and police to conduct an effective counter-insurgency in a city of 6 million people.

Perhaps more importantly, as projected by the intelligence community in Congressional testimony, the Jaish al-Mahdi militia loyal to Muqtada al Sadr seems to have decided to lay low, put away their arms and wait out the surge calculating that they can afford to bide their time.

In contrast, the Sunni insurgents have escalated their attacks in recent weeks. As a result, it is possible that U.S. forces will concentrate on putting down Sunni insurgents and possibly rogue elements of Sadr's Shiite militia who don't keep their heads down. The irony here is that we risk strengthening radical anti-American cleric Muqtada al Sadr in the medium and long term by taking out his enemies now while his militia lays low waiting for America to leave.

While this scenario is not inevitable, we need to understand that US forces in the midst of sectarian violence may be helping consolidate the power of a radical anti-American Shiite.

FUNDING THE TROOPS

The resolution we are considering this week contains only two thoughts. First, that we oppose increasing troop levels in Iraq by 20,000.

The second thought is notable for what it omits. The resolution says that this House will fund our soldiers and veterans if they are there now or if they have been in Iraq before. This begs the most important question about our real power as the Congress.

What about the five brigades of young Americans who are now preparing their families and packing their gear to deploy? Will we buy body armor for them? Will they have armored Humvees and trucks and bullets and night scopes and sleeping bags and chow? Will they get their combat pay and their family separation allowances?

Most of you know that I served in the United States military. I'm the only woman in the House or Senate who has. Some of you know that I am married to a man who continues to serve as a drilling reservist in the Air Force Reserve. A lot of our closest friends in the world still wear the uniform. These are not idle questions if you are the parent or the spouse or the child of a soldier who is being called up to do their duty.

I believe the majority of this House would support a clear statement that we will fund the troops and the mission they are being ordered to carry out. But, of course, perhaps close to half of the Democrats, from the far left of the American political spectrum, want to stop funding.

In this war on terrorism, the greatest burdens have fallen on the shoulders of a relatively small number of Americans who have volunteered to take great risks on our behalf. As leaders of this nation, this House abdicates its responsibility if we fail to make clear to them that they will have the equipment they need to do the job we are asking them to do.

IN CLOSING

The short two sentence resolution we will vote on this week does not address any of these important issues. If you are asking the wrong question, perhaps any answer will do.

But we will vote on it anyway, and it will make headlines and accomplish nothing of the hard work we have in front of us. It is a disappointing abdication of our responsibility to grapple seriously with defining and protecting vital US national interests in the Persian Gulf.

What are our vital national interests and what is not vital? What strategies can we use to protect and promote those interests? What resources are required to pursue these strategies? What are the risks and the costs of the choices we might make? Are there ways to mitigate those risks? These are the important questions and, in this short two sentence resolution, they remain unresolved leaving this House with nothing very important to say about what matters to America and what we should do.

I support increased troops in al Anbar—the Sunni region where al Qaeda thrives. These forces are part of the 20,000 referred to in the resolution. It is vital to U.S. interests that we destroy al Qaeda in Iraq and deny them a safe haven from which to operate. The resolution makes no distinction or even reference to these forces.

I am skeptical that increasing U.S. forces in Baghdad in the quantity and with the mission and tactics described by the President and his military commanders will quell the sectarian violence between Shia and Sunni, nor do I think it is vital to America's national interests to do so. The Iraqis must resolve these sectarian rivalries. The President believes the Baghdad security plan is the most realistic path forward. I disagree with the President on this point and I have told him so directly. It's not about the troop numbers, it's about their mission.

The resolution intentionally leaves unanswered the question of whether we will fund the bullets and body armor for troops who are not there yet but are going. I believe a majority of this House would vote to equip and support the men and women being sent there, even if they question the President's strategy. The resolution's silence on this important reassurance to our troops and their families brings discredit on this House.

I have made my position clear in ways that this resolution fails to do. I will seek to provide leadership in this House to address these important issues and to influence the administration to focus on what is vital to America. We must adopt strategies, tactics and apply resources to secure those vital interests and garner the support of the American people for doing so. It is for these reasons that I will oppose the resolution before us.

Mr. SKELTON. Mr. Speaker, I yield 5 minutes to my friend the gentleman from Massachusetts (Mr. MEEHAN), who is also the chairman of the Subcommittee on Oversight and Investigations of the Armed Services Committee.

Mr. MEEHAN. Mr. Speaker, I thank the chairman for yielding.

With all due respect to my friend from New Mexico, I want to make the point that this resolution does not do anything to stop funding for the troops. As a matter of fact, it was this administration that sent 140,000 troops into harm's way without up-armoring Humvees. There is nothing in this to cut funding for the troops. But this administration sent 140,000 troops into harm's way without up-armored Humvees, without Kevlar vests. And what did Secretary Rumsfeld say? He said you go to war with the Army you have, not the Army you wish you had.

We are the United States of America. We should never go into harm's way, never go into harm's way, without up-armored Humvees and Kevlar vests.

The Washington Post did a front page piece just the other day. It says that we still don't have the most effective up-armored Humvees that are available in the United States. It is not acceptable. It is inexcusable and indefensible.

I will be going to Iraq in a few days. I expect to see a country, unfortunately, that has gotten worse and worse in terms of the level of violence than the one I visited in 2003 and in January of 2005.

When I came back in January of 2005 I presented a strategy, a white paper, entitled "Iraq: The Light at the End of the Tunnel." Many of those recommendations were included in a bipartisan Iraq Study Group with distinguished experts on foreign policy and military affairs. They didn't call for more troops in Iraq. What they called for was for America to go into the background.

The simple facts bear out a true grim reality. We are told that we are going to rebuild the country's infrastructure. But here are the facts. Iraq has less electricity than it did before the war. Residents of Baghdad get 4½ hours of electricity now, one-quarter of what they expected before the war.

We were told that oil revenues would pay the entire cost of the way. But here are the facts. Iraq produces less oil today than it did before the war. Instead of funding the war, oil is turned out at about half the rate it was when Saddam was in power.

The bad news continues. Skyrocketing unemployment, decreasing levels of drinkable water and a security situation that has deteriorated into a full-blown civil war.

Now the President wants, in face of the recommendations of experts, to send 21,500 more troops into this situation. Does the President really think that the surge will stabilize the security system long enough to undo all the failures of the last 4 years? I cannot honestly believe that this is the best strategy and the collective wisdom of the Department of Defense, of the State Department and of the intelligence community.

You know what I see? I see a President who seems to be desperate to divert attention away from the missteps, away from holding people accountable, and to just hold on to Iraq as long as he can and let the next administration deal with it. When I watched his speech, when I listened to Secretary Gates describe it, I saw nothing that gave me the impression that the escalation would do any good in the long term.

When we need to encourage them, Shias, Sunnis and Kurds, instead we are alienating. When we need to be standing up Iraqi security forces so our men and women can stand down, instead we are undercutting. When we need to be engaging Iraq's neighbors, instead we are on a war path with Iran. We need to fundamentally change our approach in Iraq, and this plan is more of the same.

I admit that the escalation we are debating will accomplish a number of things. It will endanger more American lives. It will continue to erode our national security. It will continue around the world to keep America up front in the war in Iraq, creating more terrorists and more insurgents, not less. It will deplete our military's resources, which are already stretched to the limit. And this plan will again ask our soldiers and marines to leave their families and return to the war zone that they have just left.

I stand here today with a simple message: Mr. President, the American people want a policy that changes direction. We urge you to rethink this policy of escalating the war in Iraq.

Mr. RENZI. Mr. Speaker, I yield such time as she may consume to the gentlewoman from New Mexico (Mrs. WILSON) to respond.

Mrs. WILSON of New Mexico. Mr. Speaker, I wonder if my colleague from Massachusetts, given his comments about the resolution and the support for the troops we are deploying, would join me in a unanimous concept request to amend the resolution to express our intent and the intent of this House to support those in the U.S. Armed Forces who are serving and who will serve in Iraq.

Mr. MEEHAN. Mr. Speaker, if the gentlewoman will yield, if I may, we have supported the troops. In fact, if it were not for this Congress working in a bipartisan way with Republicans and Democrats, we never would have gotten up-armored Humvees into the field. We never would have gotten Kevlar vests.

□ 1410

Mrs. WILSON of New Mexico. Reclaiming my time, this is exactly my point, is the gentleman will not support those who are deploying, and the resolution does not do so. I thank my colleague from Arizona for the time.

Mr. RENZI. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. HUNTER).

Mr. HUNTER. Mr. Speaker, I thank my colleague for yielding, and I just wanted to address a point that my friend from Massachusetts just made.

He said that we always need to have up-armored Humvees in any war that we enter into. We had at the end of the Clinton administration about 112, as I recall, up-armored Humvees, only for VIPs and for diplomats. We have today 15,000 up-armored 114s. This is the first war in our history since the beginning of this country in which we have had up-armored tactical vehicles.

With respect to the SAPI vests, that is, the bulletproof vests and body armor that our troops wear, we had at the end of the Clinton administration this many, zero pieces of body armor for our troops. We have today over 400,000 sets. That is enough sets for two sets for everybody who is in theater, and everybody has them.

I have said for the last several years if there is anybody who has a son or daughter who does not have body armor who is in theater, call me personally at my office. In the last 2 years, I have received zero calls.

So we have, we feel, the new equipment, not just up-armored Humvees but body armor, which incidentally is very heavy and, to some degree, does result in some degradation of mobility, but we have put in hundreds of new systems, weapons and equipment systems, since the year 2000 which have accrued to the benefit of our troops.

I just wanted to set the record straight. I appreciate the gentleman for yielding.

Mr. SKELTON. Mr. Speaker, I yield 5 minutes to my colleague, the gentleman from Washington (Mr. LARSEN) who is also a member of the Armed Services Committee.

Mr. LARSEN of Washington. Mr. Speaker, I want to thank Chairman SKELTON for yielding time, and I rise today certainly in support of this resolution.

I rise also today in support of a strong U.S. military, a military that is ready to combat terrorists and a military that is ready for the challenges of this century. And for these reasons, I have to oppose the President's plan to escalate the war in Iraq and support the resolution before us.

The President's announcement to add 21,500 U.S. troops to Iraq is a step in the wrong direction. The American public does not want an escalation of the Iraq war, especially without an explanation of what we are trying to achieve. The President promised a new approach, but more troops does not equal a new way forward.

The United States has a choice. We can stay in Iraq to keep a lid on Iraq's civil war or we can devote enough time and attention to fighting terrorists wherever they are and securing a military that is prepared to protect our national security.

I choose the latter. At a time when we need to manage our strategic risk in the face of terrorists and nuclear uncertainty, at a time when our enemies are numerous, unpredictable and dangerous, this administration has made the wrong choice.

I believe this approach damages our military readiness today and damages our ability to prepare for threats in the future.

This war has strained our ability to train here at home with functional equipment. It has strained the ability of our services to recruit for the future. It has strained our ability to prepare a defense budget that can prepare us for 21st century threats.

Every State in this Union, including Washington State, has National Guard units that are depleted. They do not have the equipment that they need to train and are forced to leave equipment in theater, making it harder to do their job at home.

In Washington State, 90 percent of the Army National Guard and 65 percent of the Air National Guard have deployed to Iraq and Afghanistan and performed admirably and honorably; but at home, they only have 55 percent of their required equipment on hand, equipment that is integral to the training of these Guardsmen.

The President's escalation plan will not solve these problems. It will make them worse. The President's plan will not decrease our strategic risk. It will exacerbate it.

Units at home are struggling just to meet the training requirements necessary to deploy to Iraq. With this escalation plan, units at home will suffer as the Army and Marine Corps are forced to take more of their equipment to supply the additional brigades going into Iraq, depleting their training opportunities.

Equipment shortages at home are what we hear about most, but the war's effect on our prepositioned equipment abroad may be as serious a threat.

The Army relies on prepositioned sets of equipment in strategic locations around the world. This equipment ensures that our troops are able to deploy at a moment's notice. A large portion of this equipment has been taken to support the troop increase, increasing the chance that equipment will not be available in the case of an emerging crisis.

I personally have lost confidence in the Iraqi Government to fulfill its commitments to the United States. I want our women and men in the military to know that we have a strategy that is worthy of their individual actions and sacrifice and that they will have the resources necessary to do their job. But most of all, I am concerned that the President's decisions have led us away from our greatest national security threat; that is, fighting terrorists who will do us harm.

Make no mistake, while some of us support this escalation and some of us oppose it, all of us can agree on the need to support our women and men in the military, honor their commitment, and make sure they get the resources they need to do their jobs.

I recently heard from a friend of mine who, I will conclude with this, who served in the Army Reserve in Iraq and likely will return. This is what he said.

"Here I am, socially and culturally aware of the greater world. I am educated and a father of two beautiful children, children who have not been touched by war or tragedy. People tell me I should get out of the military because I have done my part, I don't need to serve again; but I do because if not me, then whom? I serve as an instrument of the State because I believe in the institution which is the Army and in turn with what that institution supports. As an officer, I have a duty to provide leadership to those under my command, and if it means I give my life at the expense of my children and all the things I love and hold so dear in life, then that is what I will have to do. I do not seek this action blindly. I am cognizant of the dangers inherent in soldiering and understand the risks and rewards involved. As a soldier, I will always pray for peace, but in a time of war, I am willing to move towards the sounds of the guns. I will fight for the Army and I will fight for my country, but most importantly, I will fight so others will not have to experience the mental anguish and soul-crushing reality which is war. For in the end, I know that I can love the Army all I want, but the Army and this country will never love me back, no matter what the sacrifice. I am at peace with this dichotomy."

We owe my friend and his brothers-in-arms the training and equipment he deserves, and we owe him a national strategy that honors our military and our safety. That is why I ask everyone to vote for H. Con. Res. 63 to show that this escalation is a step in the wrong direction.

Mr. SKELTON. Mr. Speaker, I yield 2 minutes to the majority leader.

Mr. HOYER. Mr. Speaker, I thank the chairman for yielding. I was watching this debate from my office, and I was constrained to come to the floor.

There are legitimate issues raised by this resolution as to whether or not you support or do not support the escalation that has been proposed by the President. But no one ought to hide behind the troops. No one ought to come to this floor and say that this Congress, 435 of us, will not support whatever soldier or sailor or marine is deployed to Iraq. Whether it is today or tomorrow, they will have our support.

And when we say in this resolution they are serving, it means if they are serving, if the Commander in Chief has sent them there, we will support them.

And very frankly, for my friend from New Mexico to come to this floor and make the representation that somehow we have limited that support to those who currently are on the ground is not an honest representation, in my opinion.

There are those of us who disagree as to what supporting the troops means. My friend, the former chairman of the committee, just got up and said he has not gotten any calls lately, but we got a lot of calls in in 2003 and 2004 and 2005. And today, Chairman MURTHA of the Appropriations Committee is saying we do not have the armored Humvees for these new troops that are going to be deployed or in the process of being deployed.

□ 1420

So when you come to the floor, my friends, debate the substance of this policy, but do not hide behind the troops, do not assert that anybody on this floor does not have every intention and commitment to supporting to whatever degree necessary our young men and women and, as I have said, some not so young, who are deployed in harm's way at the point of the spear. Because no one in this Congress, and our troops ought to know, that no one in this Congress will not support them when they are deployed at the point of the spear.

Mr. HUNTER. Will the gentleman yield?

Mr. HOYER. I will be glad to yield to my friend.

Mr. HUNTER. I thank the gentleman for yielding. The point that I made——

Mr. HOYER. I was not referring to you, my friend. I want to make that clear.

Mr. HUNTER. I am talking about the armor issue. The point that I made is the idea of coming to the floor and implying that somehow there was bad faith in this government for not having the new body armor that our troops presently have to the tune of 400,000 sets, that somehow that was a dereliction of duty is also a disservice, not only to the former Congresses, but also to the former administrations. Because the last administration in the year 2000 had zero sets of body armor.

Body armor is a new advent, it is a new system. We now have hundreds of new systems that we have injected into the warfighting theater. So the idea that we had a ragtag military moving across the berm into Iraq is also not accurate.

And I would hope that the gentleman would admonish his colleagues who come to the floor who imply that our people went across that berm unequipped is also not accurate. I thank the gentleman for yielding.

Mr. HOYER. I thank the gentleman for his observation. I am not sure the gentleman and I agree. I am not an expert in this area; I do not serve on the subcommittee or the committee. But the information that I have is that the troops that we sent in 2003 and 2004 on the ground did not have sufficient quantities of body armor for each one of them. Now, that may be inaccurate, and if the gentleman thinks that assertion is inaccurate I would be glad to yield.

Mr. HUNTER. My point is to the gentleman.

Mr. HOYER. Is that inaccurate?

Mr. HUNTER. That is inaccurate if you refer to the historic amount of body armor that our troops have had.

Mr. HOYER. Reclaiming my time.

Mr. HUNTER. Then I would say, yes, that is inaccurate. The way the gentleman stated and if he is not going to qualify it, then that is inaccurate, because we have never had body armor until this war.

Mr. HOYER. Reclaiming my time, is the gentleman asserting that all of the troops who were in Humvees in 2003 and 2004 had armored Humvees or that they had all of the troops deployed in harm's way, and, by the way, being in Iraq is in harm's way wherever they may be, had sufficient body armor? Is that what the gentleman is asserting?

Mr. HUNTER. The gentleman and I are good enough friends, if the gentleman will allow me to make a one-sentence answer.

The answer is, not since 1776 until just a few years ago have American troops in Vietnam and Korea and World War II, in any war, had what is known as ballistic body armor. It is a brand-new thing. And we have got yet new systems that we are going to be putting into the field shortly. So they don't have the newest and they didn't have the newest. They now have 400,000 sets. But to imply that that lack of having them from 1776 to 2000 made them into some type of an unequipped force is also not fully true.

Mr. HOYER. I thank the gentleman for his observation. But, of course, my assertion was not 1776 to 2000; it was 2003 and 2004.

But the point that I will make, and if I can conclude, Mr. Chairman, I appreciate the time. The point that I wanted to make, though, is irrespective of that assertion one way or the other, I believe every one of our colleagues, whatever their view on this resolution might be, all 435 have every intention and will in fact do whatever they need to protect and promote the safety of our men and women in harm's way. And the assertion, I tell my friend, that was made by the gentlewoman from New Mexico that the verbiage of this resolution says, because serving, it does not mean those who will serve, obviously, as soon as they are sent into theater, they are serving in Iraq and they are covered by this resolution. There ought to be no confusion on that issue by anybody on the floor or anybody who might be listening to this debate.

Mr. HUNTER. Will the gentleman yield one last time?

Mr. HOYER. I will be glad to yield to my friend.

Mr. HUNTER. I thank the gentleman for yielding. And let me say to my friend, and I listened to the gentlewoman's discussion. The gentlewoman is a very careful Member of Congress, and she looked at the words and she asked the question: Does this include, because it appeared that it refers, the equipage language refers to people who are presently there but does exclude, and she is a very careful person and I have been in markups with her and committee meetings before. She is very careful about wording; words mean things. That it doesn't refer to people who are going to be deployed by the President in the future. And her worry, and I think it was a sincere concern, is that people who may be sent by the President in the future may end up seeing a cutoff of funds, of supplies. O&M dollars, as a result of this Congress.

So if the gentleman is assuring us that that is not going to happen, I think that is good news to the gentlewoman from New Mexico.

Mr. HOYER. Reclaiming my time, I am glad that it is good news. I will repeat: No one in this Congress, not Chairman SKELTON or Chairman MURTHA or any Member on this side, will take any action that will put at risk the men and women whom we have placed at the point of the spear in harm's way. I make that representation to you, that assertion, and I make it as strongly as I can possibly make it.

This is about a policy, a policy as to whether or not we ought to send 21,000 additional people. And as the gentlewoman from New Mexico said she herself has great reservations about that policy, but rationalizes voting against the resolution which opposes that policy on an assertion that I think was not correct. And if she wanted that clarification, I am glad that I could give it to her. I thank the gentleman. I thank the gentleman for yielding.

Mr. RENZI. Mr. Speaker, I appreciate the dialogue, and I thank the gentleman from California. I yield myself such time as I may consume.

I also could benefit from the wisdom of the gentleman from Maryland. In defense of my neighbor from New Mexico, she articulately pointed out that the resolution also talks about the fact that the flawed language in this resolution, and I quote, says that Congress disapproves of deploying more than 20,000 additional United States combat troops to Iraq.

Certainly you do not disapprove of the several thousand troops that will be sent to al-Anbar province. I mean, after all, that is where we are engaging al Qaeda, the folks who attacked us. I mean, after all, that is where the generals are asking for those several thousand troops.

So you throw out a number of 20,000 troops. Not all of them are going to downtown Baghdad. Many of them are going to al-Anbar. A funny thing about al-Anbar province and Fallujah. The tribal authorities in that area who were with al Qaeda have now turned against al Qaeda. They are looking to join the American forces. They are looking to take advantage of this new enthusiasm, this new troop deployment.

Certainly when you put down 20,000 troops, you don't mean the 4,000 or 5,000 going to fight al Qaeda that attacked us. Do you? Because that portion of the resolution is flawed.

I was recently in Iraq and had the honor of meeting Major General Moore. Major General Moore reminded me, "Al Qaeda is a hyena waiting in the dark, ready to rip apart innocent Americans. And they are coming. We need to be lions, fiercely defending our people, ferocious in the face of enemy."

You know, unfortunately, this nonbinding resolution is a political whimper rather than a roar of support for our troops. The language undermines our battlefield plans, it fails to offer any alternatives, it offers no hope, encourages no victory, and contains no solutions.

Mr. Speaker, this resolution is a cruel message to our brave soldiers on the front lines and it undermines their fighting spirit and their morale. It pushes for an abrupt exit to Iraq, sidesteps the dire consequences of leaving Iraq, not just of the country but of the people.

On a recent trip to Baghdad I was stunned by the honorable Iraqi families who live in the Sunni-Shia fault line neighborhoods, families who have lived together despite ethnic differences and religious differences. These are neighborhoods that are a model for religious tolerance. Can you imagine enduring religious bigotry and living peacefully alongside a different Muslim sect, and yet in exchange for your moderation and understanding your family is hunted, you are forced to move by armed militia at gunpoint, and these are the same radicals that pursue and round up your husbands and your sons and torture them and kill them?

□ 1430

And then you are left as a single mother in downtown Baghdad with children, and all you have to hold on to is a fledgling government and American soldiers, these same American soldiers that are already deployed and being sent and are already on their way to Baghdad to protect your home and your children's future. And yet this morning you awake in Baghdad, you await the news of politicians in Washington arguing about taking away this little bit of security that you have.

And if you can't imagine that, and a lot us have traveled together who have been to the Iran-Iraq border, go with me to al-Kut, where we are developing evidence of Iran's active engagement in exporting weapons and money and support for radical Islamists. Could the news be true that the Americans are talking about leaving the border, about leaving the several hundred El Salvadoran and multinational forces that are serving there with us? Those are the El Salvadorans from our own hemisphere. These are the El Salvadorans that survived death squads in their own country. These are the El Salvadorans who will return home. And what will they say about America? Did we leave too soon? Did we leave that border unguarded? Did we turn it over to the Iranians? Did we allow that little city called al-Kut to revert back to the city named "Little Teheran"?

The State Department has warned us that a retreat of American military forces at this time could trigger ethnic cleansing. The resulting humanitarian crisis could be one of the worst in the region, and genocide could trigger a refugee exodus into Jordan and Syria and the surrounding regions.

My friends, should we lose our resolve, it is likely death squads will roam and will become immediately more emboldened and more murderous, and what is now referred to as violence in Baghdad will quickly regress into mass killings.

Mr. Speaker, genocide is what caused our involvement in the Clinton administration to put us into Bosnia. Eventually the cry from mass slaughter of innocent civilians in Baghdad could cause us to reenter Iraq. We need to take responsibility, all of us, for our words and our actions. We need to understand the effect this flawed resolution has on the morale of our soldiers overseas, and the effect it will have on the desires of our allies to team with us in the future.

Finally, we need to take responsibility, all of us, for the encouragement this resolution gives to our enemies.

I was up in Bilad recently with General McCrystal. After a long briefing and discussion, we were ready to depart the region and General McCrystal said to me, You know, tell the folks back home that I am going to stay and fight until somebody makes me leave.

General McCrystal, today we are trying to stop that from happening until your work is done.

Mr. Speaker, the American people must demand that the authors of this resolution tell us what their better plan is for al Anbar province. Tell us what your better plan is for the tribal authorities who have just joined us in the fight against al Qaeda in our national interests. Tell us, my colleagues, explain to me the consequences of withdrawing from downtown Baghdad and the slaughter that that could have on the tens of thousands of innocent families.

Tell me what we say to the Salvadorans serving with us on the Iraq-Iranian border if we are about to leave that border unguarded. Please explain to me how this measure of discouragement, this flawed resolution, doesn't affect the performance and the morale of our troops. Please tell me how this political debate doesn't weaken the resolve of our country to win, to endure, and to prevail.

Mr. SKELTON. Mr. Speaker, I yield 5 minutes to my colleague, a fellow member of the Armed Services Committee, the gentlelady from California (Ms. LORETTA SANCHEZ).

Ms. LORETTA SANCHEZ of California.

Mr. Speaker, I rise today in support of this resolution and in opposition to the President's decision to send more of our troops to Iraq.

I was against this war from the onset. On October 10, 2002, I was one of the few who voted against the resolution authorizing the President to use military force in Iraq. But the authorization passed, and we went to war. At that point we supported our troops and we wanted to win, and we want win. And I have voted for every appropriation bill to give our troops what they need to achieve their mission.

So here we are, more than 4 years later, and what do we have to show for this war? Violence in Iraq continues to skyrocket. This past December was the deadliest month for Iraqi civilians since the war began.

Over the course of this war, 45,000 to 65,000 Iraqi civilians have lost their lives, maybe more; we really don't know, because nobody is counting here in America. And over 3,000 brave American troops, men and women in our Armed Forces, have lost their lives. My home State of California sends the most to the services. We alone have lost 325 men and women in Iraq, and we have sustained about 2,500 injuries to our military personnel, more than any other State in the United States.

And Iraqis have paid the price. Our military, their families; the families of our military are the ones sacrificing in this war. They have paid the price, and our country has paid the price for this President's war.

Yet Iraq is less secure than ever, even before the President's "mission accomplished" declaration. There is no functioning infrastructure, no banking system, zero economic stability. Iraq is not secure, Baghdad is not secure. The Iraq Study Group reported that the President's strategy in Iraq is failing. It is failing.

And how does our President respond? With more of the same. He wants to send 21,500 more of our men and women into Iraq to carry out the same failure.

The President has failed to articulate what these new troops will do that is different from what has been done over the past few years. What is his plan? Four surges? Four surges that didn't work. He wants to do it again?

And believe me, sitting on the Armed Services Committee, I have been here to see it. I was the one in the first few months who told General Franks, this is an insurgency, it is guerrilla warfare. He refused to call it that. I was the one that went to Iraq when General Odierno told me there were only 359 insurgents left, that we were almost there, while the day before, his boss, Abizaid, had said he thought there were about 5,000. That was 2 years ago.

I was there when Secretary Rumsfeld was saying we have trained 89,000; 2 days later, 95,000; a week later, 160,000 Iraqi Army. This was 2 years ago. Just pulling numbers out of the air, that is what they were doing to America.

And I was there in Iraq the day that General Petraeus, who was successful in Mosul, and then Mosul fell because he pulled his troops from there to Fallujah, and to try to take Fallujah. And he said to me with tears in his eyes, We couldn't hold Mosul because we had to take the troops to go to Fallujah.

☐ 1440

At that point he said, We didn't have enough troops. But the President didn't listen. The President fails to grasp that military action alone is not sufficient to stabilize Iraq. And without a legitimate diplomatic component, there will be no end to the civil war in Iraq. But the President has refused to engage the powers in the region. He has outright rejected the notion of dialogue with Iran and Syria, a key suggestion from the Iraq Study Group. It is not the role of Congress to command our forces. That is the constitutional responsibility given to the Commander in Chief. But he has to do it right. And we have to hold him accountable for our failures in Iraq.

As Commander-in-Chief, that responsibility is up to President Bush.

The President must be frank with Congress and with the American people, and admit that the strategy in Iraq to date has been a complete failure.

The President must come up with a new strategy to stabilize the situation in Iraq, one that ends with the redeployment of our troops home. What is his plan?

My message for the President is this:

The voters have told you, Mr. President, that they have had enough of your failed strategy in Iraq.

And today, Mr. President, this Congress is telling you that we too have had enough of your failed strategy in Iraq.

Our troops deserve more from you. You have ignored the American people's wishes. You have ignored the Iraq Study Group's recommendations.

Today, I hope you will not ignore this Congress. I hope you will not send any more of our Armed Forces into harm's way, until you have a plan to win.

Our military is the strongest and most capable in the world, but they cannot continue to be overextended and asked to participate in your failing strategy.

Mr. President, I ask you to listen to the American people, the Iraq Study Group, and this Congress.

We are telling you clearly that we do not want you to send any more troops to participate in a failing strategy. It is your responsibility as the Commander-in-Chief, to come up with an actual plan to stabilize Iraq and begin bringing our troops home to their families.

Mr. HUNTER. Mr. Speaker, I yield myself such time as I may consume.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. CROWLEY). Will the gentleman suspend momentarily.

The Chair will remind all persons in the gallery that they are here as guests of the House and that any manifestation of approval or disapproval of proceedings or other audible conversation is in violation of the rules of the House.

The gentleman from California may proceed.

Mr. HUNTER. Mr. Speaker, thank you, and I wanted to take this couple of minutes to expand on my conversation with the majority leader.

Mr. Speaker, it has been said a number of times that we went over the berm and went into Iraq without body armor. In fact, no American troops until just a couple of years ago, from the time that we were first a Nation and deployed military forces on our homeland or around the world. In all those years, in that entire history of the United States, we never had body armor. I never had body armor in Vietnam. Nobody ever saw it. We had no body armor in Korea. We had no body armor in World War II, except perhaps in very, very specialized operations where perhaps specialized custom-made body armor, that is, bulletproof armor would be manufactured for some special forces teams or special operations.

Now, I have in front of me a comparison. This comparison is between a soldier in 1999, at the end of the last administration and the equipment that he has, and a soldier today. Now, as you can see, this is a soldier in 1999. He has a number of accessories. In fact, he has an M–16; he has a flak jacket; he has gloves; he has load-carrying equipment; he has protective goggles. He does have a night vision device. He has also got a helmet and accessories that can be utilized when he is in combat.

Now, the soldier today has a lot more. That soldier has, for example, instead of an M–16, he has an M–4 carbine. He has now body armor, including an outer tactical vest body armor. He has enhanced small arms protective inserts, called SAPI plates. He has deltoid auxillary protection and side plates. He has knee pads. He has more sophisticated aiming equipment and night vision equipment than his counterpart of just a couple of years ago.

My point is that whenever new systems are introduced into the force, and the first thousand or so systems or several thousand systems go into the force and a battalion or even a brigade has those pieces of equipment, you can by definition say that everybody else that doesn't have them is now deficient in equipment. But, in fact, they are not deficient in equipment. This point was made by a leader in the 101st Airborne who pointed out that one of his battalions that they looked at, which was rated the top level of readiness, that is C–1 readiness, ready to go, ready to fight, in 1999. If you took all of the new equipment that troops have today and put that new equipment on as a requirement for that same battle-ready battalion in 1999, they would be rendered C–4, or unready for battle by definition because they don't have the new equipment.

So I think one thing we need to do, as we lean on the Army, the Marine Corps, and the other services to move equipment into the field quickly, let's not penalize them, and when they move the first several thousand sets into the field, let's not say, Congratulations, you've just rendered on paper the rest of your units unready because they don't have the new stuff you're moving in. That will have a chilling effect on what is already a very cumbersome process and a very steep bureaucracy to get through in terms of moving equipment to the field.

I wanted to just make that point.

What I would like to do at this point is yield as much time as he may consume to the gentleman from Virginia (Mr. FORBES).

Mr. FORBES. Mr. Speaker, I rise this afternoon among a sea of voices that I quickly confess I do not understand. Now, some of them are my friends and some of them are very good people and I don't want to make any mistake about it. I understand the pressures they are under. I understand what it is like when you have major news media outlets who will not even take individuals who attack innocent civilians in the United States and destroy our property and they won't even call them terrorists. I understand the pressure when they control much of the media that we get across the country.

I also understand what it is like, Mr. Speaker, when we have Web sites that are filled with hate, that spew poison out throughout all of our congressional districts, and I understand the pressure that we get when we have people who don't want to listen but simply want to scream, who stand outside and protest at our offices. I understand those pressures. What I don't understand is the response that I am seeing here today on this floor.

Just a few years ago, I had the privilege of traveling with then Speaker DENNY HASTERT to the 60th anniversary of one of the greatest military achievements the United States has ever seen, and that was the invasion of Normandy. Almost every historian agrees it was the battle that literally saved the world. It was of particular importance to me because my dad had died just a few months before and he was there during World War II. Mr. Speaker, I sat that day in the sun among a sea of heroes who didn't come up to the microphone and pound the desk and they didn't speak in shrill voices. They sat with quiet silence because they had done the hard work and they had literally saved the world. And after that ceremony, I had the honor of just walking with them, in the same presence with them, as we walked down on the beach at Omaha Beach and stood there literally speechless as the military historians first told us that that was a victory that didn't necessarily have to be a victory, that we could have easily lost that battle. And if we had lost Omaha Beach, we would have lost that invasion. If we had lost that invasion, Germany would have signed a treaty and Europe would have looked much different than it looks today.

And they told us about the guns that were pointed up and down Omaha Beach, huge cannons and the machine guns locked on the front that created virtually killing fields for our young men that would have to come on that beachhead.

And then, Mr. Speaker, they told us about the very first Chief of Staff, Lieutenant General Frederick Morgan, who had warned against doing exactly what we are doing today when he said this: "Do not have efforts that end in the production of nothing but paper, but we must contrive to produce action, not paper, if our goal is victory, not defeat."

□ 1450

Mr. Speaker, they described how when General Eisenhower, one of the most beloved generals of our time, when he was strategizing that great vision, his own generals disagreed with him on many issues. In fact, some of them threatened to quit because there were different strategies. Some said don't go today, some said go today, some said do it a different way.

But then as they watched that invasion, greatest victory of all times, let me tell you what happened early that morning. Our airborne men, some of them were dropped into the flooded lowlands, and they drowned without a bullet ever being fired on them because we dropped them in the wrong places. Some of them were dropped in the midst of German positions, and they were captured or they were killed.

Less than a half of the 82nd Airborne's gliders ever reached their assigned landing fields. By early morning, 4,000 men of the 82nd and 60 percent of their equipment was unaccounted for.

The high seas that day swamped many of our boats, and we lost our radios in the bottom of the sea, and only three out of 16 of our bulldozers survived. But what was worse, in the first 4 minutes we had 97 percent casualties on that beach. The Germans were elated.

Mr. Speaker, as I have listened to this debate, I could only think what would happen if the leadership controlling this floor had been on the command ships sitting off of Omaha Beach, because you and I know what would have happened. One by one, they would could came up to the podium, they would have grabbed a microphone, they would have pounded, and they would have looked at all the things that happened. At the end of all that, do you know what it would have resulted in?

It would have had a note that they would have passed to the 29th Division, and those young boys on that beach, some of them 17, 18, 19 years old, who were hunkered down on that beach in the sand, some of them paralyzed with fear not knowing what to do. That note would have said, we love you, we support you, we just want to let you know we disagree with the action that you are taking. We don't know what to tell you, we just disagree with the action that got you here.

But fortunately, that was not the leadership that governed that day. The leadership that governed that day was people like Brigadier General Cota who went up and down that beach and he looked at those young boys and he said, essentially, don't look at the beach. Don't look at the bullets that are flying here at you, because if you do you are going to die on this beach and you are going to lose everything you believed in.

What he told them to do, he said, Look at that hill. We have got to take that hill. He said, Rangers, lead the way. Americans, lead the way. You know what? They took that hill, and they won the greatest military victory in the history of this country. As a result, they saved the world.

Mr. Speaker, I hope and I pray that we will continue to birth voices that say don't look down, don't look at the mistakes, look at that hill. We have got to take this hill, and we have got to save the world from this threat of terrorism that so threatens us.

Mr. SKELTON. Mr. Speaker, may I inquire about the time that has been consumed and the time remaining, please?

The SPEAKER pro tempore. The gentleman from Missouri has 3 hours, 3 minutes remaining. The gentleman from California has 3 hours and 4 minutes remaining.

Mr. SKELTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it is interesting to note that this debate is about so many things other than the resolution that is before us. Simple, straightforward, in plain English language, two points. The first is, we in this Congress fully support those wonderful young men and women in uniform.

Secondly, we do not agree with the addition of 21,500 troops into Iraq. That is what we ought to be debating.

I listened to my good friend from Virginia speak of Normandy, I was there with him. I saw my friend, Dr. Tommy MacDonnell, with a worn Purple Heart and a Cluster and his Silver Star in his uniform that day. Great memories, great American victory. But what in the world is the debate involving other battles, other days, other conditions, when we ought to be talking about this? This is a simple, straightforward debate.

Mr. Speaker, I yield 5 minutes to my friend and colleague, the gentleman from Georgia, a member of the Armed Services Committee (Mr. MARSHALL).

Mr. MARSHALL. I thank the gentleman.

Mr. Speaker, we are debating today a nonbinding resolution to disapprove the Iraqi-American military surge in Baghdad. We do so knowing Congress cannot manage a war, let alone micromanage one. We do so knowing the surge has begun, and we will continue despite our debate and vote. We do so hoping our debate will not discourage those called upon to execute the surge, but we also do so knowing that it might.

Mr. Speaker, that is enough for me to oppose the resolution. I will vote "no" on the anti-surge resolution, despite the fact that for 3 years now I have consistently contended that we should have fewer troops in Iraq, not more. Clearly, the surge is inconsistent with my general view with how to make our effort in Iraq sustainable and winnable.

But the anti-surge resolution is akin to sitting on the sidelines booing in the middle of our own team's play because we don't like the coach's call. I cannot join mid-play naysaying that might discourage even one of those engaged in this current military effort in Baghdad.

To those soldiers and marines who are engaged, I would say the following. Don't be discouraged by this debate and vote. It is birthed by the very democracy that you are defending. If you are successful, Iraqis may one day enjoy the same right to debate and vote like we are debating and voting. If they do, they may well look back at you as having birthed that right for them.

Nearly 40 years ago, I was a grunt platoon sergeant in Vietnam, a kid who dropped out of college and enlisted specifically to go to Vietnam. And at the very time that I was fighting insurgents in Vietnam, our country was torn by antiwar protests and debate. I didn't worry about that. You should not either. I didn't let it discourage me. You should not let it discourage you. You should simply do your duty and be proud of the fact that you have done it. Do it to the best of your ability.

I made tons of mistakes, failed many, many times to do what I should have done. But do what you can to discharge your duty on behalf of the country and let others, the President and the Congress, debate what that duty actually is. There are legitimate differences of opinion in the United States among the leadership concerning the best way forward in Iraq, how to get to the best possible result. Don't worry about that.

No doubt you have your own ideas. I certainly did when I was in Vietnam. While in combat in Vietnam, I was convinced that the tactics that we were using needed to be dramatically changed. But, nevertheless, I continued to do the best I could as I was instructed to do.

I gave a eulogy for Sergeant Victor Anderson of the Georgia National Guard about 2 years ago, 39 years old, disqualified because of diabetes when the National Guard was called up. He fought his disqualification, he went to Iraq.

The week before he died, hit by an IED, he saw some of his men killed. He sent an e-mail back to his family. In that e-mail, he explained this, people ask me why I fight. I do not fight for some ideology. I fight for that man to my left and the one to my right. They are men of their honor. When called, they responded and did their duty. They did not run away. If you believe in nothing else, believe in them.

It is that kind of spirit that I hope you have. I hope, in fact, that I can look at you when you come back from Iraq and be as proud of you as I am of so many others who have fought for us in Iraq and elsewhere. I am a good bit older. It has been 40 years since I was in combat. When I look back at combat, I remember the things that I failed. I forget the things that went particularly well.

Don't fail, do as well as you can. Don't be discouraged by this debate, and we will continue to have additional debates. There will be laws, et cetera, passed. Just do your duty as best you can.

□ 1500

Mr. UDALL of Colorado. Mr. Speaker, I yield myself 6 minutes.

Mr. Speaker, I want to also acknowledge Mr. MARSHALL and the powerful sentiments he just shared with all of us. Mr. Speaker, this debate is long overdue. It is our first extended and substantive debate on the war in Iraq since Congress gave the President the authority to invade more than 4 years ago.

But if we do nothing more than debate the President's escalation plan, we will not keep faith with the American people who rightly expect this new Congress to bring our costly involvement in Iraq to a close. And while the resolution before us is largely symbolic and nonbinding, it can be, I think it should be, the opening part of a longer, thoughtful debate about our long-term national interests not only Iraq but the entire Middle East.

So this resolution is a start. And I will vote for it because I agree with the message it sends. The resolution expresses disapproval of the President's sending more troops to Iraq, an action that is contrary to the wise advice of the Iraq Study Group, critical members of the Joint Chiefs of Staff, and experienced military commanders like former Secretary of State Colin Powell.

The President's escalation is most likely too small to be effective, and adopting new counterinsurgency tactics comes 2 years too late. The resolution, in my opinion, represents the correct response to these facts. It expresses support for our brave men and women in uniform, but disagreement with the policy of military escalation.

Mr. Speaker, as we speak here today, the death toll in Iraq rises, and the war continues to drain our national Treasury, stretch our Armed Forces, and weaken our capacity to effectively counter Islamic terrorism. Congress needs to send the message that things must change.

I opposed the Bush administration's decision to go to war in Iraq, and I have never once regretted that vote. But today we must focus on the future. We cannot move the clock back, but we need to avoid making a bad situation worse. We should not be scaling up our military mission in Iraq, we should be scaling back. We need to make the U.S. military footprint lighter, not in order to hasten defeat or failure in Iraq, but to salvage a critical measure of security and stability in a region of the world that we can ill afford to abandon.

As a member of the Armed Services Committee, I know about the pressure on our active duty and National Guard and Reserve soldiers. They lack enough equipment and training. They are experiencing multiple or extended deployments and limited time at home between deployments. But to be successful our men and women must be properly trained, equipped, and ready to deploy worldwide quickly.

Shortfalls in personnel, equipment, or training increases the risk to our troops and to their mission. In short, this administration's policies have brought us to the point where we not only cannot sustain an escalation in Iraq, but also we are not fully prepared for other contingencies.

But that is not the only reason I oppose the escalation. I do not think the President's rationale for it makes sense, no matter our readiness levels. The just-released National Intelligence Estimate on Iraq agrees that the term "civil war" accurately describes what is happening in Iraq, and suggests that the conflict may in fact be worse than a civil war.

Putting more Americans at risk is not a recipe for victory. And as a new Foreign Relations Council report notes, we bear responsibility for developments within Iraq, but are increasingly without the ability to shape those developments in a positive direction.

So what should be the way forward? For one, I believe a reduction of military forces in Iraq and a phased redeployment of our Armed Forces to border regions like Anbar and the Kurdish areas of Iraq would be effective. That can give us flexibility to act militarily in Iraq if necessary, but will also increase the pressure on the Iraqi Government to move toward political reconciliation.

I do not think an immediate withdrawal of American forces or setting a date certain for withdrawal makes sense, but neither does an open-ended commitment for American blood and treasure. And as bad as the situation is in Iraq, we must work to avoid a collapse in the region. Not only because we have a moral obligation to the people of Iraq, but also because our national security has been badly compromised by the Bush administration's failures.

We should adopt the main policy recommendations of the Iraq Study Group, including stronger efforts of diplomacy in the region. It is not in the interests of any nation to have Iraq descend into further civil war and chaos. As challenging as diplomacy is in the Middle East, I believe the sacrifice of our soldiers demand that we engage in serious regional talks, including those with our adversaries Syria and Iran.

Finally, Mr. Speaker, I am convinced we must reach for bipartisanship in crafting our policy in Iraq. Mr. Speaker, the stakes in Iraq are very high. The outcome in this region will have consequences for future generations that will long outlive those of us who are in Congress today.

Great leaders acknowledge mistakes, learn and chart a new course. For the sake of future generations and to keep faith with the generations that built America, let us be a Nation of great leaders.

Mr. Speaker, this is the first significant debate we have had on the war in Iraq since Congress passed the President's request for an authorization to invade Iraq more than four years ago. And even though our debate today is on a largely symbolic question—a non-binding resolution disapproving the President's announced plan for moving additional troops to Iraq—I believe it ought to serve as the beginning of a deeper and more thoughtful debate about our long-term national interests in the Middle East, and Iraq.

If all we do is debate the wisdom of a surge, we will not keep faith with the American people, who rightly expect this new Congress to bring our costly involvement in the Iraq war to a close.

Nevertheless, I will support this resolution disapproving the president's call for additional troops in Iraq because it runs contrary to the wise advice of the Iraq Study Group (the Baker-Hamilton Commission), critical members of the Joint Chiefs of Staff, and experienced military commanders like former Secretary of State, Colin Powell, on the best strategic approach in Iraq. The President's plan calls for an infusion of additional soldiers—probably too few to have the desired outcome—and utilizing counterinsurgency tactics that are two years too late and that I believe will be ineffective in the context of the civil war that has emerged in Iraq.

We are also expecting General David Petraeus and our troops to operate under a complicated joint command structure with Iraqi forces and political leaders that is unprecedented in our military history and undermines the "unity of command" rule in warfare. And all this comes at a time when the death toll in Iraq is rising and the war continues to drain our national treasury, stretches our armed forces, and decreases—rather than enhances—our ability to wage an effective war against Islamic terrorism. Even as we debate a "surge" in Iraq, we should not forget Afghanistan. We will win there if we redouble our efforts now.

I opposed the Bush Administration's decision to go to war in Iraq and I have never once regretted that vote. Today, we cannot move the clock back, but we can surely avoid making a bad situation worse. We should not be scaling up our military mission in Iraq—we should be scaling back. We need to make the U.S. military footprint lighter—not in order to hasten defeat or failure in Iraq, but to salvage a critical measure of security and stability in a region of the world that we can ill afford to abandon.

I say this as a Member of the Armed Services Committee who understands the pressures on our active duty and National Guard and reserve soldiers, including a lack of equipment and training, multiple or extended deployments, and limited time at home between deployments. To be successful, U.S. forces must be trained, equipped, and ready to quickly deploy worldwide. Shortfalls in personnel, equipment, or training increase the risk to our troops and to their mission. By all measurements, we are not in a position to sustain an escalation of troops.

But I don't believe the President's rationale for the "surge" makes sense, no matter our readiness levels. The just-released National Intelligence Estimate on Iraq agrees that the term "civil war" accurately describes aspects of the Iraq conflict and goes further in suggesting that the conflict may in fact, be more complicated and worse than a civil war. Putting more American troops at risk in this kind of setting is not a recipe for victory; it is only a prescription for quagmire. As a new Foreign Relations Council report notes, we bear responsibility for developments within Iraq, but are increasingly without the ability to shape those developments in a positive direction.

So what should be the way forward? How should Congress respond?

I believe a policy aimed at escalating diplomatic and political efforts is preferable to one that continues to rely on our soldiers to carry the heavy burden of nation-building—a mission that soldiers are ill-equipped for without strong international support, particularly in the midst of civil war and sectarian violence. That is why I favor a reduction of military forces in Iraq, and a phased redeployment of our armed forces to border regions in places like Anbar province and the Kurdish areas of Iraq, which should give us some flexibility to respond militarily should circumstances require it, but will also increase the pressure on the Iraqi government to move toward political reconciliation and stability.

I do not believe an immediate withdrawal of American forces or setting a date certain for withdrawal makes sense, but neither does an open-ended commitment of American blood and treasure.

As bad as the situation is in Iraq, however, we must work to avoid a collapse in the region—not only because we have a moral obligation to the people of Iraq, but also because our national security has been so badly compromised by the Bush Administration's failures there. The President's decision to take the Nation to war has made our country less safe. We need to change course and chart a path that enhances our national security and sets the right priorities for the war on terrorism and struggle against extremists.

To do this, I believe Congress should pass a resolution that embodies the main policy elements of the Baker-Hamilton Commission, including a call for stronger efforts at diplomacy in the region and internationally. It is not in the interests of any nation to have Iraq descend into further civil war and chaos. As challenging as diplomacy is in the Middle East, I believe the sacrifice of our soldiers demands that we engage in serious regional talks, including talks with our adversaries, Syria and Iran.

Finally, I believe we must reach for bipartisanship in crafting our policy in Iraq. The President misguidedly took us into war on the eve of a bitter national election. We must try hard not to compound this error by turning a debate on Iraq into a partisan game of one-upmanship where legitimate disagreement with the Administration's plan for escalation is called a betrayal of our troops or where resistance to immediate withdrawal is called war-mongering.

For my part, I intend to speak out loudly and often for a responsible withdrawal strategy in Iraq, but I will also offer proposals that are aimed at finding common ground. I will be introducing legislation that looks beyond the "surge" and toward the necessary and inevitable contingency planning that will be needed if we are to avoid deeper and more catastrophic scenarios in Iraq and the region.

Mr. Speaker, the stakes in Iraq are very high. The outcome in this region will have consequences for future generations that will long outlive those of us who are in Congress today. Great leaders acknowledge mistakes, learn, and chart a new course. For the sake of future generations and to keep faith with the generations that built America, let us be a Nation of great leaders.

Mr. HUNTER. Mr. Speaker, I yield such time as he may consume to the gentleman from New Jersey (Mr. SAXTON).

Mr. SAXTON. Mr. Speaker, I thank the gentleman for yielding me time.

First, let me begin by saying that I have observed several speakers here during this debate who I am sure in good faith made the representations that they did, that the short-term redeployment or surge was not a recommendation of the Iraq Study Group.

This is a copy of the report of the Iraq Study Group. On page 73 there is a discussion of increasing troop levels in Iraq. And the Iraq Study Group did in fact suggest that a substantial increase of 100,000 or 200,000 troops would likely be not a good idea.

However, they say this, and I quote. "We could, however, support a short-term redeployment or surge of American combat forces to stabilize Baghdad, or to speed up the training and equipping mission if the U.S. commander in Iraq determines that such steps would be effective."

And so I would say to my friends that is in fact the case. And so I hope that that puts that matter to rest. Mr. Speaker, this resolution, I suspect, has been drawn up as a well-meaning resolution. There have been some suggestions here today that it is political in nature. I do not know if that is true. But I would hope that it is a good, well-meaning resolution.

I have been here now for well over 20 years, I am in my 23rd year. I have learned a lot about the House. This is a great system. We do great work here. And we usually do it right. Sometimes we make mistakes.

On many issues we make corrections to those mistakes. When we pass tax bills, months later or a year later we will make some technical corrections to the tax bill, because we did not do it quite right. In many other cases, if we spend too much money in an appropriations bill this year, we can come back and reduce it in a future year.

But I would suggest to my friends who support this resolution that it is a start down a road; it is a start down a road that at some point could have disastrous effects. So we want to make sure, I am sure you want to make sure, that you get this right. I would like to walk you through some reasons why I think that this takes us in the wrong direction.

In fact, there is a bunch of evidence to point to the fact that the enemy is watching what we are doing, that they have learned from our past mistakes, and that they are in fact hoping that this resolution passes, for some fairly obvious reasons. Let me go through four case studies that we have made about similar situations.

First, a situation in Lebanon. Lebanon was a wonderful country. It was a democracy. It had a Parliament. Had Christians and Muslims living together sharing power. In the middle 1970s, things began to change. The big change was that fundamentalist Islam came to town and Hezbollah came to town.

□ 1510

And in 1975, a war erupted, which has been called a civil war. There was the emergence of multi-sided militia groups, sectarian violence and civilian massacres. Sounds familiar.

In 1982, the U.N. sent in a multi-national force to try to quell the violence. And on October 23, 1983 the Marine barracks was bombed by Hezbollah with the support of Iran. The best description of it I have heard or read comes from a description by some Navy SEALs who were sleeping in their bunker on the beach, not in the barracks. And the magnitude of the explosion, to hear them describe it, was something to behold. And it shocked America. And in 1984 we withdrew our Marines. The remainder of the peacekeeping force was gone by April of 1984. There was no serious U.S. retaliation for the Beirut bombing. The civil war continued until 1990. Hezbollah emerged from a loose coalition of Shia groups and, with Iranian assistance, quickly grew into a strong fighting force in Lebanon. That is case number one.

Case Number two. We have got troops today in Afghanistan. If things had happened somewhat differently a couple of decades earlier, they might not be there at all. But in the mid-1980s the Afghan resistance builds momentum with Muslim fighters to recruit a jihad against the Soviets. And we all have read about that resistance movement. It was fierce, and we actually helped them. And in 1989 the Soviets had had enough, just like we had had enough in Lebanon, and the Soviets withdrew.

From 1989 to 1992, the Afghan civil war continued until the government of Afghanistan fell. In 1993 and 1994, the Taliban came along, and they gained power. In 1996, Osama bin Laden moves back to Afghanistan and forges an alliance between al Qaeda and the Taliban. Since then, we know the history very well of Afghanistan. A void was there to be filled, and the fundamentalist Islamists filled it.

Now, I would like to turn to the third case study, the case study involving Somalia. In 1980, the Somalia Government becomes increasingly totalitarian and resistance movements emerge across the country, which leads to a civil war in 1991. Being great big-hearted Americans, in 1992 and 1993, we decided to save the starving Somalis, and we initiated Operation Restore Hope. In May 1993, the U.N. assumed the mission from the U.S. as an international mission. In October of 1993 the battle for Mogadishu took place. Eighteen Americans were killed. The U.S. stops operations against Aidid, and in March, 1995, both U.S. and U.N. forces withdraw. It was later confirmed that al Qaeda supported Aidid's militia. There is evidence that the U.S. withdrawal inspired bin Laden's first bombing of the World Trade Center. The Islamist fundamentalists filled the void once again.

Let me move to my fourth case study, the Israeli withdrawal, again, from Lebanon. Preceding the Israeli invasion in 1982 the PLO was conducting attacks on Israel from south Lebanon. In 1982, Israeli forces invaded southern Lebanon in response to an assassination attempt by Abu Nidal against Israel's ambassador to the U.K. After attacking PLO, Syrian and Muslim Lebanese forces, Israel occupied southern Lebanon.

If you want to read a great account of this, read the book entitled "Because They Hate." It is a book written by a Christian woman by the name of Brigitte Gabriel, who is now living in the U.S., and she tells the story of living in a bunker, living in a bunker until the war was over, not a nice thing to do.

In 1982 to 1984, the multi-national peacekeeping force came to Lebanon. The PLO withdrawal in 1982 is replaced by a strengthening of Hezbollah. In 1985, Israel moves to the security zone in southern Lebanon. And in 2000, Israel withdraws.

I only need to point to the events of last summer in Lebanon to say, once again, the fundamentalist Islamists, Hezbollah, filled the void.

We are embarked today on a discussion of another potential road to withdrawal. And I don't represent that this resolution does that, but it puts us in that direction. Evidence of our failure to respond to terrorism has emboldened al Qaeda for years. This withdrawal would be another one, if it goes that far.

In 1993, the World Trade Center bombing took place. We didn't respond. In 1996, the Khobar Tower bombings took place and we didn't respond. In 1998, the U.S. embassy bombings in Kenya and Tanzania occurred and we didn't respond. In 2000, the attack on the USS Cole occurred and we didn't respond. The result, New York City, 9/11.

People ask me why I am so concerned about this. People ask me why, Saxton, you have been on the floor too much.

Let me show you the next chart. This is why I am concerned. This is my family.

When I first ran for Congress in 1984 the steering committee asked me why I wanted to be a Member of Congress. I said, because I have had a good life. I said, because this is a great country, and because I want my family to have the same opportunities I have had.

This is my son Marty and his wife and their little gal, my granddaughter Allie. This is my daughter, Jen, this is Kate, and this is Jacqueline.

I will admit the artist got a little carried away because they made a montage out of this picture and they put my grandchildren on here two or three times each. But I will tell you what, if we go down this road to the point where we can't correct a mistake, I wonder what the future is going to be for my family and for your family.

And so this resolution today is an important one. It may be only 97 words or whatever it is, and it may have only two statements in it, but we are headed down a road, and it is a dangerous one, in my opinion.

Mr. UDALL of Colorado. Mr. Speaker, at this time I yield 5 minutes to my friend and colleague, the gentleman from the great State of Oklahoma (Mr. BOREN), a member of the Armed Services Committee.

Mr. BOREN. Mr. Speaker, I rise today in support of our men and women in uniform, and in support of this resolution.

Nearly 230,000 Americans are currently deployed to the Middle East fighting the war on terrorism. Three thousand of those are from my home State of Oklahoma. These men and women are fighting for their country, not as Democrats or as Republicans, but as Americans.

I was not in Congress nearly 4 years ago when the war in Iraq began, but in the 2 years since I have served here I have not once encountered a colleague who does not support our troops. We have our disagreements over strategy, spending and even the war itself, but when it comes to support for the selfless Americans serving in uniform, we are unanimous.

For anyone, and I repeat, anyone to suggest anything to the contrary just distracts from this serious, serious debate.

□ 1520

As many of my colleagues have already noted, our troops are not the problem. They have done an outstanding job executing the mission that they have been given. The problem is with the administration's strategy. We owe it to the men and women of our Armed Forces to pursue a policy that offers them the best possible chance at success, not a plan that repeats past mistakes.

The President's decision to deploy an additional 21,500 American combat troops to Iraq is not the first time that we have had a surge of troops in this conflict. In April of 2004, January and October of 2005, and again in October of last year, we saw temporary escalations that provided no long-term reductions in violence. I am concerned that this latest plan is a renewed effort for more of the same that does little to encourage the Iraqis to take responsibility for their own future. As one general told the Iraq Study Group, "All the troops in the world will not provide security if the Iraqi Government does not make political progress." Rather than laying out a plan that establishes solid benchmarks for Iraqi security and the corresponding redeployment of U.S. troops, the President is pursuing a strategy that history shows does not work.

Former Secretary of State and Chairman of the Joint Chiefs Colin Powell, Commander of the U.S. Central Command General John Abizaid, Marine Corps Commandant General James Conway, and many other current and former military leaders have said more troops is not the answer. Our Nation's military is already stretched thin. This open-ended plan to increase American troop levels in Iraq would exacerbate the overextension of our Armed Forces and cripple our ability to respond to other crises around the world. Because we don't know what the future holds, we have to be ready for anything.

U.S. and coalition forces successfully removed Saddam Hussein from power, and the world is a better place for it. But we now find ourselves locked in the middle of an Iraqi civil war. The Iraq of today is vastly different from the Iraq we entered nearly 4 years ago, yet our strategy remains the same. We need to succeed in Iraq, but we need to redefine what success really is.

For over a year now I have joined our great chairman, Chairman SKELTON, in his call for solid benchmarks in Iraq. We need a mechanism to measure our progress toward an Iraq that is responsible for its own security. It is in our interest, it is in Iraq's interest, and it is in the interest of the region to ensure that Iraqi personnel are trained and ready to take control sooner rather than later. Realistically, some of the more than 140,000 troops we already have in Iraq to secure the Iranian border would do more to further our goals in Iraq than sending more Americans into Baghdad. And that is a plan, my friends.

At the end of the day, military command decisions rest with the Commander in Chief. This resolution and this debate are not about micromanaging the war or forcing a withdrawal of troops. Public opinion polls should not dictate war strategies. The facts should. And the facts are that surges haven't worked in the past and experts agree it won't work this time.

The President knows we are all in this together. That is why I was very disappointed to see the administration move forward with such a dramatic escalation despite strong bipartisan opposition in Congress. Without a clear mission or effective benchmarks, it is too big of a gamble to take with so many American lives.

Mr. SKELTON. Mr. Speaker, I yield 5 minutes to my colleague, the gentlewoman from New York (Mrs. GILLIBRAND), a member of the Armed Services Committee.

Mrs. GILLIBRAND. Mr. Speaker, I thank Chairman SKELTON for yielding. It has been an honor to serve on his committee.

Mr. Speaker, I rise today to voice my strong support for this resolution. Last November the voters in upstate New York spoke loudly and clearly in demanding a change in direction in Iraq, and I will cast my vote in favor of this resolution to fulfill my duty to represent their will.

As a freshman Member of this new Congress, I can think of no higher responsibility than to debate the merits of the President's plan to escalate American involvement in this war in Iraq. And I am pleased to see that every Member of Congress has been given 5 minutes to voice their view and to speak on this measure.

Today's debate is not about what is best for Democrats or best for Republicans. It is about what is best for our troops, for our national security, and for all Americans, as it should be. I believe the sentiments will be reflected in the bipartisan support this resolution will ultimately receive.

As I have traveled throughout my district doing town hall meetings and "Congress on Your Corner" to invite comments from my constituents and listen to their issues, I hear a consistent message. People say to me, we need a new direction in Iraq. We need a plan for success. We need to make sure we bring stability to the region; and when will our troops come home? All of these issues I couldn't agree with more strongly. Unfortunately, the President's plan is not a change in direction. It is, rather, more of the same.

As a member of the House Armed Services Committee, I have had the unique opportunity to question both Secretary Gates and General Pace and to listen to their testimony on this proposed escalation. At no point has anyone from the administration been able to articulate to me clearly that this is a strategy that will effectively undermine terrorism, promote lasting stability, and be successful in redeploying our troops. What is so clear to so many of our military advisers, former and current military generals, and a majority of this body and the American public at large does not seem to be shared by this administration, that the answers in sustaining peace in Iraq lie in the political, diplomatic, and economic solutions, not in the military ones.

In our hearings I have worked hard to bring to light whether the President has a plan for Iraqi oil revenues and reconstruction contracts to create progress in the economic and political arenas. Both Secretary Gates and General Pace testified that the President's current plan has no chance of success unless there is significant progress in both of these arenas. I call upon the administration to produce a real plan to ensure each of the sectarian groups receives a stake in the oil revenues and a plan for oversight and accountability to reduce fraud and corruption and to disrupt the black market for oil.

Right now only a small portion of the Iraqi oil revenues has been used for reconstruction; yet billions of American dollars have been spent. We need accountability and real answers to ensure the Iraqis leverage the oil revenue effectively to bring all of the parties to the table.

And where is the accountability with the war spending? We need a Truman-style committee to investigate these billions of dollars of no-bid contracts being awarded in Iraq, and we should bring the war funding process completely under the regular appropriation structures.

We have also not seen a plan to transfer the reconstruction contracts to the Iraqis. The Iraqi 20-year-olds should be the ones that are rebuilding the bridges and the roads and the schools and the hospitals, not fighting each other and not attacking our troops.

And where has the progress been made on the political stability? Where is the plan to develop a special envoy and to engage others in the region to bring forth peace and stability?

In my view, the testimony provided in the several hearings that the Armed

Services Committee has had have revealed an insufficient commitment to these very targets that both General Pace and Secretary Gates have testified are required for success. Yet the President continues to push forward and send in more troops.

Our men and our women in the military have served admirably and have done everything we have asked them to do. They have fought bravely under daunting circumstances, often at times without the proper equipment that they need. They have made sacrifice after sacrifice in leaving their families and loved ones behind to do the job that we have asked them to do. And how do we repay this sacrifice and patriotism? By continuing to extend their tours indefinitely, cutting their veterans benefits when they return home. The dedication and sacrifice of the men and the women in the Armed Forces deserves responsible leadership. They have given us everything they have, and in turn we must give them a new direction for success.

There are those out there that will use this debate as a partisan wedge. That type of rhetoric undermines the core values of our democracy. In fact, it was Thomas Jefferson who declared that dissent is the highest form of patriotism.

□ 1530

Mr. HUNTER. Mr. Speaker, I yield such time as he may consume to the gentleman from Alabama (Mr. EVERETT).

Mr. EVERETT. Mr. Speaker, I thank my ranking member, a combat veteran from Vietnam and a great American.

Mr. Speaker, I come to the floor today to pay tribute to my ranking member and chairman, and to the service of all men and women who are serving in the Armed Forces and those who have prior service, many who serve in this distinguished body. And thank goodness. I say thank goodness, because I find that in this body we have too few people who have ever worn a uniform, but we have an awful lot of opinions about how to wear a uniform.

We have heard from many of these Members on both sides of the aisle. Some served in Vietnam, some in the first gulf war, and some in the war that we are currently fighting in Iraq and Afghanistan. They cite their firsthand experience in serving our country as justification for why they believe we cannot afford to lose the war or why we should not support the Commander in Chief's reinforcement proposal or, in some cases, why we should bring the troops home immediately and cut off funding.

Mr. Speaker, I respect every Member in this Chamber who has served our country with honor and distinction. Each of them brings a different perspective to the debate. However, today I would like to bring another perspective to the debate, and it is that of Army pilot Keith Yoakum from Coffee Springs, Alabama, in my district. Chief Warrant Officer Yoakum was killed February 2 in Iraq when the Apache helicopter he was flying was forced to land during combat operations in support of Operation Iraqi Freedom.

While his death is a tragedy, his family is taking comfort in the fact that Chief Warrant Officer Yoakum was doing what he loved, defending the country that he loved. This Army aviator was proud of what he was doing in Iraq, and told his father that there was no other place he would rather be until the war was over.

Much of his pride came from his ability to protect our guys on the ground using his Apache helicopter who were executing the dangerous missions of ridding the neighborhoods of those who wanted to kill his fellow troops as well as innocent Iraqis. However, equally as important was Keith Yoakum's belief that he was making a difference in this fight to make this world a better place for his daughters to live.

Chief Warrant Officer Yoakum is not alone in his belief. The hundreds of soldiers that I have visited with share his view of this war. Whether it was during a solemn sendoff of our brave men and women or an emotional welcome home ceremony, the soldiers I talk to believe in this mission and that we must prevail in this war.

They recognize the dire consequences if we don't succeed in Iraq. If we withdraw prematurely, the terrorists will have an unchecked sanctuary from which they can launch attacks to kill more innocent Americans, similar to what existed in Afghanistan prior to our toppling the Taliban regime in Operation Enduring Freedom. To abandon our fight against the terrorists is to have failed to learn the lessons of 9/11 and to revert to a policy that allowed two decades of escalating violence. That policy resulted in the death of thousands of Americans, as was so well documented by the gentleman from New Jersey (Mr. SAXTON).

Mr. Speaker, it is imperative that we defeat this enemy, whose sole desire is to kill Americans anywhere, in any way they can. Today the theater is Iraq. But if we retreat from this war, as those on the other side of the aisle have advocated, then we will fight them in the cities and in the towns. Either way, this war will be fought.

Mr. Speaker, I have a guest essay from my hometown newspaper, the Dothan Eagle, from a war veteran by the name of Wayne Wood, and I would like this complete essay entered into the RECORD after I speak. But first I want to quote a couple of things from it. This is, as I said, from a former combat veteran, Wayne Wood.

"As I watch the current debate over the war in Iraq, I remember sitting in the day room at Fort Sill, Oklahoma, with my buddies and watching the collapse of South Vietnam and Saigon in 1975. I was thinking of, and I know my buddies were thinking of, all the guys we knew who'd gone over to fight for the Vietnamese who didn't come back. We cursed the ARVN soldiers as cowards because they would not stand and fight for their country. We were angry that the sacrifice of these good—no, great—Americans was in vain.

"It was only years later that I learned, to my dismay, that it wasn't the ARVN who betrayed my fellow soldiers' blood, it was their very own elected representatives in Congress who voted to cut funding for the defense of the Republic of South Vietnam.

"We are being told the Iraqi situation is unwinnable. We were told that we had lost the war in Vietnam.

"After Tet in 1968, Walter Cronkite, 'the most trusted man in America,' went on the air and said so. Americans said, 'If Walter says we've lost, it must be so.'

"Now, our media, and others, some in this body, "tell us the same thing. We are being told of how hopeless the situation is in Iraq. What about the American people? What are the American people supposed to think?

"But the picture I got from former students who have served in Iraq tells another story. They are frustrated that the good things that are happening in Iraq aren't being shown, that the people only see the bad. There's a genuine fear that they won't be allowed to finish the job. Their sacrifice would be in vain.

"From a distance, the situation as shown looks grim. But as a soldier who has seen war up close, I know war is a grim business. I remember the words of Marine General Julian Smith, speaking of the Battle of Tarawa in World War II: 'We were losing, until we won.' "

Mr. Speaker, Mr. Wood has a number of other examples here, and that is the reason I will include the letter for the RECORD.

NO COMPARISON BETWEEN VIETNAM AND IRAQ WARS

(By Wayne Wood)

As I watch the current debate over the war in Iraq, I remember sitting in the day room at Fort Sill, Okla., with my buddies and watching the collapse of South Vietnam and Saigon in 1975. I was thinking of, and I know my buddies were thinking of, all the guys we knew who'd gone over to fight for the Vietnamese who didn't come back. We cursed the ARVN soldiers as cowards because they would not stand and fight for their country. We were angry that the sacrifice of all those good—no, great—Americans was in vain.

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But the picture I get from former students who have served Iraq tells another story. They are frustrated that the good things they see happening in Iraq aren't being shown, that the people only see the bad. There's a genuine fear they won't be allowed to finish the job. Their sacrifice would be in vain.

From a distance, the situation as shown looks grim. But, as a soldier who has seen war up close, I know war is a grim business. I remember the words of Marine Gen. Julian Smith, speaking of the Battle of Tarawa in World War II: "We were losing until we won!"

Yes, I get saddened when I read the casualty reports and see the pictures of the dead in the Army Times. No one knows better than a soldier that if a nation goes to war, it owes it to the soldiers, sailors, airmen and marines to fight to win so their sacrifice isn't wasted. I think of my own son in uniform. I can only pray for him and be proud that he has "stepped up to the plate" to serve his country, particularly in time of war.

Today, politicians and pundits just know we are losing in Iraq. Walter Cronkite and others just knew we'd lost the war in Vietnam after TET. If only we had known that Ho Chi Minh and General Giap didn't know they'd won.

They were about ready to throw in the towel after TET until the anti-war people in America told them otherwise. Well, we left Vietnam and millions of people died in Southeast Asia in the turmoil caused by the power vacuum. Who can tell what might happen if we withdraw from Southwest Asia.

In 1975 it didn't matter to most of America. The deaths were far away and the Viet Cong couldn't cross the ocean to attack us. Nor did they care to.

Unfortunately, we don't have that luxury today. We fight an enemy who will stop at nothing to destroy us and our way of life. If we leave Iraq, they will follow us home and it won't be millions of Cambodians or Vietnamese dying in the killing fields of Southeast Asia, it will be Americans in the streets of our cities. Can we afford to be so smug in our knowledge?

We may not like the president. We may not like war. We may not like this war or the way it has been conducted. But now that we're in it, this is one war we cannot afford to lose.

In one thing I heartily agree with U.S. Sens. Edward Kennedy and John Kerry: America can certainly not afford another Vietnam in Iraq.

Mr. Speaker, I urge my colleagues, and I urge my colleagues on the other side, if we are not going to cut funding from this war, then bring up Congressman SAM JOHNSON's amendment that says we will neither cut nor restrict funding for this war. I ask my colleagues to stand with Chief Warrant Officer Yoakum and the thousands of other soldiers who believe in their mission and want to see it through to completion, and vote against this resolution. It can only do harm to our troops and bring aid and comfort to the terrorists.

Mr. SKELTON. Mr. Speaker, I yield 5 minutes to the gentleman from Georgia (Mr. JOHNSON), a member of the Armed Services Committee.

Mr. JOHNSON of Georgia. Mr. Speaker, I thank the chairman.

Mr. Speaker, before I begin my comments, I must admit that it seems that our friends from across the aisle have forgotten what the subject of this debate remains. I was under the impression that we were here to debate a resolution opposing the President's so-called surge plan. Yet I keep hearing commentary that appears to be designed to distract the American public from the real reason that we are gathered for a conversation on our future involvement in Iraq.

Let it be known, Mr. Speaker, that when it comes time to vote, HANK JOHNSON will be voting in favor of House Concurrent Resolution 63.

Now, "help is on the way." Those were the watchwords of a former Presidential campaign 7 years ago. Yet here we are, neck deep into the second term of the Bush-Cheney administration. And when one considers the current state of our military's readiness, our proud military's readiness, one has to wonder, where has the help gone? Where is the help?

☐ 1540

If this was the help that was promised us 7 years ago, at the current state of our readiness, I would be reluctant to see what not helping our fine military men and women would mean.

I must point out that I, along with each of my colleagues in this distinguished body, do support our troops. But the issue at hand is whether, unlike campaign promises of the past, we intend to back our rhetoric with action.

We are now engaged in a debate about committing more troops to what can only be described as an ill-conceived, poorly planned, and misguided attempt to bring some sort of stability to a region that has suffered terribly since the President first decided to go it alone and make his stamp upon history, for better or worse.

Although I must admit, it has even become difficult to remember the exact reason the President used to justify his decision to take us to war in Iraq; but allow me to briefly summarize for you the reasons that the President has given the American public in his attempt to justify his decision to go to war.

Number 1, weapons of mass destruction. There were none. Number 2, the nuclear threat. There was none. Number 3, links to al Qaeda. There were none. And yet now, when we debate the wisdom of sending more than 20,000 young men and women into battle in this so-called surge, we are expected to trust an administration which has been so consistently wrong. It is difficult to remember that we are in Iraq fighting for a war whose justification has not yet been justified at all.

So at this point, when we look at the state of the readiness of our military, it has been called into question. Recruiting, the Army has failed to achieve its recruitment goals by 17.8 percent in 2006, and moreover, recruitment quality has suffered. The percentage of Army recruits with high school diplomas has declined. The above-average middle category test scores of our recruits have declined, and the number of recruits scoring in the lowest acceptable middle category has increased. Our retention rates are soft.

We have got over 3,000 killed in Iraq, 20,000-plus wounded; meanwhile we are having problems with our equipment shortfalls, which are glaring in the combat theater, and also for our non-deployed personnel who are in the process of training to be deployed to Iraq and who cannot be properly trained without adequate equipment.

Then we have got the issue of multiple deployments, people having been deployed three and even four times to the theater, but yet this President proposes to send an additional 22,000 troops, plus support personnel, into this civil war in Iraq, where we are simply sitting ducks and falling victim to ever more sophisticated improvised explosive devices, i.e., roadside bombs.

This killing is continuing at exorbitant rates, and so this is what we are here to talk about with this resolution. It is important for the American public to know that we support our military. We definitely want to see them do the job that they must do. However, this troop surge is wrong. Two wrongs do not make a right.

Mr. SKELTON. Mr. Speaker, I thank the gentleman from Georgia. I yield 5 minutes to my colleague on the Armed Services Committee, the gentleman from Connecticut (Mr. COURTNEY).

Mr. COURTNEY. Mr. Speaker, today we are here, exactly 100 days after a historic watershed election in this country, in which the American people spoke loudly and clearly that they wanted a new Congress to rise to its constitutional duty and hold this administration accountable for its war policy in Iraq. The day I was sworn in as a new Member of Congress, I accepted this responsibility, and I rise today in opposition to the President's escalation of the war and in support of H. Con. Res. 63.

Make no mistake about the significance of what is happening this week. America's new Congress will go on record for the first time in opposition to the Bush administration's 4-year legacy of mistakes and misjudgments in Iraq. This will be in sharp contrast to 8 months ago when the prior Congress did exactly the opposite. That Congress lined up in lockstep with a war resolution written by and for the White House.

That resolution completely brushed over the misleading and manipulated intelligence that got us into this conflict, the strain of this war on our brave men and women in uniform, and the drain on our Nation's military readiness that is undercutting critical efforts in Afghanistan and our overall defense infrastructure. Instead of doing their constitutional duty, the 109th Congress instead just rubber-stamped the administration's rhetoric and failing policy.

Opponents of today's resolution are claiming that it will damage our troop's morale. As a member of the Armed Services Committee, I believe the opposite is true.

Let us be very clear about where the 20,000 new troops will come from. President Bush cannot simply dial 911 and 20,000 fresh new troops appear. This escalation can only happen by extending the deployments of soldiers already in Iraq, beyond their promised commitments, or accelerating the arrival of preexisting rotations. Upon close examination, it is clear that the impact of this surge lands squarely on the backs of our men and women in uniform who have already borne an unfair burden.

As we debate this resolution, there are nearly 1,900 men and women from my State of Connecticut, including 962 from Connecticut's National Guard, serving in Iraq and Afghanistan. They have all honored our Nation with their service and sacrifice, and they have done all that has been asked of them and more, and their families have shown awe-inspiring strength in their absence.

Earlier this month, I was forwarded an e-mail from a constituent serving in Iraq which demonstrates the consequences of these unsustainable policies. In it he described how the morale in his unit fell when they found out that their tour was being unexpectedly extended another 4 months. He wrote:

"These guys have seen so much of the fighting here. To see the looks on these soldiers' faces was heartbreaking. A lot of these guys had plans made already with their loved ones, like weddings, trips, or family that traveled from far away to see them get off that plane. There are children that were all excited, holding signs they made, waiting to see their fathers again only to have that shattered. How much more can soldiers like this take? These guys deserve the right to go home. They earned it."

Letters like these demonstrate the real impact on our troops from the President's policy. And they are reinforced by the testimony I have heard at Armed Services. Over and over again, we have heard about the deterioration of our military readiness caused by overdeployment of our troops. Consider that today, as a result of the strain of the war, we currently have no active duty or Reserve brigades considered combat-ready in the Continental U.S., leaving our Nation dangerously unprepared and vulnerable if needed to respond to other global threats or domestic emergencies.

Despite the huge costs to our troops and our national defense, the President has opted to aggravate the holes in our defense with a plan to escalate the number of troops in Iraq. And for what?

Yesterday, I read the new classified National Intelligence Estimate on Iraq. What I found in this report was the same as the unclassified version that has been reported in the press; that we have a deteriorating security situation in Iraq whose fundamental causes were identified as political, not military. This finding completely dovetails with the findings of the Iraq Study Group who came to the exact same conclusion.

Instead of absorbing the recommendations of the Iraq Study Group report and the National Intelligence Estimate and surging diplomacy and political solutions, the President instead has opted to escalate the war by sending 21,500 more troops into the middle of a violent sectarian conflict.

Where are the plans to equitably divide oil revenue or revisit the Iraqi Constitution which was left incomplete 2 years ago, or the push to create a real power-sharing arrangement between the Shia and the Sunni? Nowhere do we see any effort to get to the root causes of the violence. Instead, the Bush plan is more of the same, asking our brave troops to do the impossible, settling a sectarian conflict that goes back centuries in time.

President Bush has made his choice. Now it is Congress' turn as a coequal branch of government to make ours.

□ 1550

I firmly believe that the passage of this resolution will go down in history as the first stirrings of life from a Congress that has been in an Iraq stranglehold for 4 long years. It is an honor to be part of this history on behalf of one of the districts that had the courage to vote for change last November 100 days ago, and I will support resolution 63.

Mr. SKELTON. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania, a member of the Armed Services Committee (Mr. SESTAK).

Mr. SESTAK. Mr. Speaker, 1 year ago, I retired from the U.S. Navy after 31 years in our military, serving our Nation during the challenges of peace and in the fury of war, including commanding an aircraft carrier battle group of 30 ships and 15,000 sailors in combat operations in Afghanistan and Iraq. Having worn the cloth of this Nation for so long, I know that our military is a national treasure that cannot be hoarded like miser's gold if it is to be a force for peace and progress, but nor can it be used recklessly. And now, as a Member of the House of Representatives, I am conscious that war is a shared responsibility in our Constitution between the President and Congress, as are the respective responsibilities of the executive and legislative branches to ensure U.S. security, and to provide for our common defense.

My experience leads me to be concerned for U.S. security because of Iraq, a tragic misadventure that does not permit us to best address more important security challenges throughout the world. My experience also says don't double down on a bad military bet by using more troops as the President has proposed, when an increase has not worked before; have confidence in our diplomatic ability to lead regional negotiations for stability, even with Syria and Iran; and, set a date certain for redeploying out of Iraq, this year, to serve as the necessary leverage to have the Iraqis accept the reality of the personal consequence of not assuming responsibility for their nation.

What concerns me about Iraq is the continuing use of our national treasure in what is an inconclusive, open-ended involvement within a country where the long-term benefits do not match what we need to reap, and where the tradeoffs in benefits of not focusing elsewhere is harming our future prosperity, interests, and values.

We need to apply our resources elsewhere in the world, where terrorists come from, including Osama bin Laden, who is still on the loose, or where emerging nations such as in the Western Pacific have growing political and economic interests, and therefore influence, that may challenge ours.

An alternative strategy is just what is needed, because remaining in Iraq means less security and a greater strategic security risk for America. It negatively impacts the readiness of our Armed Forces and hinders our ability to adequately focus on other security priorities here at home and throughout the world, including the global war on terror and regional challenges from Afghanistan, North Korea, and Iran to the Western Pacific and Middle East regions.

The fact is we have fostered a culture of dependence in Iraq, and it is time for Iraqi leaders to be responsible for their own country. They must make the difficult political compromises that will stop the civil war we are refereeing and bring about stability. We cannot do this work for them. Nor is that wonderful phrase I heard often when deployed to that region throughout the years, Anshala, Bugra: God willing, tomorrow, good enough any longer.

So, yes, I will vote for this resolution, because sending more troops to Iraq and remaining there indefinitely will only increase the dependence of the Iraqis on America, both politically and militarily, at a time when they should be shouldering increased responsibility for their country, while impacting our degraded military and strategic security readiness further.

But I also believe we need to go a step further and pursue an alternative strategy, which is why last week I introduced binding legislation setting the end of 2007 for our redeployment from Iraq. The rationale for doing so is clear: Redeployment from Iraq will enhance our security by allowing us to properly address other potential challenges around the world, and by allowing us to resolve the concerns about the readiness of our Armed Forces here at home.

Rather than leading to a spiral of violence, redeploying from Iraq will serve as the necessary catalyst for the Iraqis to assume responsibility for their country, with regional nations then interested in ensuring stability when the United States is outside that country, but remaining with strength in the region. The needed reconciliation will only come about when the Iraqi political leaders are forced to take the difficult political steps needed to cease the violence in their country, such as building coalitions among competing sects, ensuring minority rights, balancing power between provincial and central governments, and sharing oil revenues among all regions in Iraq. And regional nations', particularly Syria's and Iran's, incentives change toward stability when the United States is no longer in the midst of the civil war, and these nations will have to bear the consequences of further strife, with refugee flows to their countries, and the possibility that these relatively allied nations could then be joined into a proxy battle to their detriment, as one is primarily Sunni and the other Shia.

Only by a strategy of setting a date certain, a deliberate timetable for redeployment, are we able to create a catalyst for the political leaders in Iraq to acknowledge and accept that they must undertake the difficult political steps necessary to cease the sectarian violence, as they understand that they otherwise would bear the consequences of not assuming the responsibility for their country.

Iraq is not the central front in terrorism. Rather, it is a result of our leadership forgetting the age-old axiom that "successful generals win, then they go to war." In short, we did not accurately plan before we went into Iraq, and we should redeploy.

The only way is to use our redeployment as the catalyst for Iraqis and other regional nations to accept their responsibilities for a relative peace. U.S. interests in the world do not include pouring endless amounts of our national treasure of lives and money into elusive, endless goals when there is an alternative strategy, and when we have so much else to achieve in this world.

Mr. HUNTER. Mr. Speaker, I would like to yield to the gentleman from Utah (Mr. BISHOP) 5 minutes.

Mr. BISHOP of Utah. Mr. Speaker, I appreciate the gentleman from California yielding me this time.

I suppose I speak to you here and declare it first a nonconflict of interest. I was not here on this floor when the original resolution to approve the use of force was made; therefore, I took as my role and responsibility when I came in here to make sure that we did everything in our power to make sure that our policy objectives were indeed followed through and successful.

You know, in the other Chamber, in the original House floor there is a beautiful sculpture sitting up there which is a clock made out of a chariot. The clock is actually the wheel, then there is a chariot. And in that chariot is the muse of history with this tablet in hand writing down what we do on the people's floor, the subject and our actions in history.

Perhaps it is good that that still stays out those doors and down the hallways and is not here today, because when the muse of history records what we are doing today and yesterday and tomorrow, and maybe Friday, that history is going to be written with an element of contempt.

There are some people who have opposed this war from the very beginning; they still oppose it now; and I give them credit to their commitment to consistency, although I don't necessarily agree with their decision. Some of those have also criticized this resolution as also being too weak of a resolution, for indeed the resolution today is a nonbinding resolution. By definition, it means it does nothing. It changes nothing, but allows us all to make statements for media consumption and allows some of those who made the original vote to use force the ability to shirk the responsibility of that particular action.

Yesterday, I had the opportunity of going back to Baltimore and watching a play, "Wicked." And in the play, the main character, the male lead, Fiero, is in love with Elphaba. And she tries to distance herself from him by saying, "Yeah, but you're thoughtless and shallow." And Fiero says, "I know, but I am a deep shallow."

This resolution is a deep shallow. It may have words aimed at the White House and the White House action, but regardless of those words, when history is written the finger of accusation will not point to the executive branch, who has been consistent, it is going to point back here to Congress, to our actions.

Our Constitution gives Congress the responsibility of the declaration of war. Instead, we passed a resolution approving force. With a war declaration, there is a commitment to action and to ultimate goals. A resolution of force implies something less, and it allows Members of Congress who did that to say, yes, I agreed with force but I didn't expect it to be used this way. Or, I wasn't really that serious. Or I didn't expect it to be anything more than a little war taking place. It is a process that allows you to be deeply shallow.

This resolution may clear the conscience of some people, it may put political distance between others, but it does noting for soldiers, it does nothing towards a U.S. victory, to benefit this country, or to improve the body politic. Our words, our actions, our votes will be looked on in history with contempt, for they are indeed in this issue deeply shallow.

In conclusion, I would like to describe the good that will come from this resolution for our Armed Forces.

Yes, that about sums it up.

Mr. Speaker, with disdain of the process of this flawed message that is so limited in its scope it does nothing to help those Members on either side of the aisle explain their nuances of their belief or this situation.

Mr. HUNTER. Mr. Speaker, I would like to yield 5 minutes to the gentleman from North Carolina (Mr. HAYES).

☐ 1600

Mr. HAYES. I thank the gentleman from California, my friend, Ranking Member DUNCAN HUNTER.

Mr. Speaker, today I rise to vigorously oppose and to speak against the resolution at hand; a resolution that is being watched by friend and foe alike; a resolution that I feel will serve to embolden those who promote and use violence in Iraq, and across the world for that matter; a resolution that sends a message to our troops at home and deployed that we are not supporting the mission that we are conducting.

Mr. Speaker, I don't know of a single Member in this Chamber who is satisfied with the existing situation in Iraq. In fact, with the escalating violence and an increase in terrorist activity, we shouldn't be satisfied with the situation in Afghanistan either. But Iraq has become intensely political, and that is unfortunate. Make no mistake about it, this is the beginning of defunding our military and our national security.

Mr. Speaker, in this age when the Internet and global newscast are an integral part of warfare and propaganda, it is naive to think that the resolution is not being watched and its outcome won't be used to further embolden the resolve of those who use indiscriminate violence to advance their radical agenda.

When you recruit homicide bombers, they need to feel that their ultimate sacrifice is meaningful, and I fear this resolution will be used as an additional recruiting tool to show that our resolve is wavering in the face of their acts.

In some instances, Members have made no secret of their desire to defund the military. Mr. Speaker, it wasn't that long ago that our Nation faced another global war for freedom, it was a different type of war, but a war that was won because we held firm. There were a lot of people who said we couldn't win; they said that pragmatism dictated we would compromise our values and our beliefs. President Ronald Reagan told our Nation that we needed to hold firm because ultimately our values and beliefs would prevail in cold war then, and "hot war" now.

President Reagan said, "The ultimate determinant in the struggle now going on for the world will not be bombs and rockets but a test of wills and ideas, a trial of spiritual resolve, the values we hold, the beliefs we cherish and the ideals to which we are dedicated." This quote was in context of the cold war, but it is applicable today in our present hot war against terrorists. This resolution shows a lack of will to win. This resolution hurts our troops and it helps our enemies.

Mr. Speaker, similar to debates from years ago during the cold war, I have heard speakers on the other side say, all we need is a strategy based on diplomacy. Mr. Speaker, I am all for peace and for diplomacy and for cooperation and for working things out, but al Qaeda is not, suicide bombers are not, terrorist executioners are not. That is reality, and our foreign policy has to be based on reality.

Terrorists thrive on poverty, despair, violence and fear. And the bottom line is they cannot afford for freedom and justice to succeed. Conversely, we cannot afford to allow freedom and justice to fail. That is reality, and one-sided diplomacy is not a strategy. Where is the other side's strategy for victory? There is none in this resolution.

Mr. Speaker, I have concerns with the situation in Iraq. No one wants to see the Iraqis stabilize the security of their nation more than I do. The reality is we have troops over there in harm's way. Troops from the 82nd Airborne, stationed at Fort Bragg in my district, are part of this surge deployment.

Mr. Speaker, they are watching. I have received their e-mails letting me know in no uncertain terms that they are paying attention to what we are doing today. One soldier wrote to me using this quote from the ancient Athenians, which he thought was appropriate to this debate. This soldier said, "I will not disgrace the soldier's arms nor abandon the comrade who stands at my side, but whether alone or with many, I will fight to defend things sacred and profane. I will hand down my country not lessened, but larger and better than I have received it."

As my colleague from South Carolina quoted a soldier in his district yesterday, he said, "This is my war." That is a soldier's attitude and should be our attitude. It is our war against brutal, ruthless terrorists.

I will not support a resolution that tells our soldiers that the United States Congress is not supporting what they are doing.

Mr. Speaker, I ask that everyone pray for our troops, for their safety and for their victory. May God continue to bless America and the magnificent men and women in uniform who protect her.

Mr. SKELTON. Mr. Speaker, I yield 5 minutes to my friend for years and my colleague, the gentleman from Washington (Mr. DICKS), who is the vice chairman of the Defense Subcommittee on Appropriations.

Mr. DICKS. Thank you, Mr. Chairman, for your kindness.

The resolution that is being considered in the House of Representatives today expresses a very clear message to the American people that it is time to change the direction of our policy in Iraq.

The meetings and communications that I have had with people from the Sixth Congressional District from the State of Washington have made it clear that the people I represent want to hear from Congress. My resolve in this is strengthened by the loss and grief I have heard from families in my district whose loved ones have been lost or injured in this conflict.

I also deplore the mistakes by this administration: failing to deploy enough troops to stabilize Iraq, disbanding the Iraqi Army, failing to provide jobs and economic restoration. Those are but a few.

It has been 4 years since U.S. and Coalition Forces invaded Iraq based on what was faulty intelligence. The premise for our military action against the Saddam Hussein government in Iraq was that he had weapons of mass destruction, and even the President has now acknowledged that this determination resulted from an incorrect interpretation of intelligence information.

With more than 3,000 U.S. military personnel killed and thousands more wounded, people across the Nation, including many Members of Congress, are questioning our continued involvement very seriously and very legitimately, especially since the President has now ignored the advice we know he received from many senior military advisors and has decided to increase the number of military troops deployed to Iraq. It is time for this Congress to speak clearly and forcefully in opposition to this escalation and in support of changing course in Iraq.

In this resolution we are clear that our determination that American forces have accomplished everything they have been asked to do in Iraq courageously and with the professionalism the Nation expects of the best-trained and best-equipped military in the world. These troops have not let us down, to be sure; but in many ways they have been let down by a policy that ignores the reality of their situation, and by a Commander in Chief whose only response to what is unmistakably a civil war in Iraq is to place more American troops in harm's way while sectarian violence plays out in the streets of Baghdad and other Iraqi cities.

Day after day, U.S. service people are being killed and injured by bullets and bombs traded by Shiite and Sunni zealots for reasons that predated our involvement and which will likely endure long beyond the time we finally leave Iraq.

For the past 4 years, I regret that the Republican leadership of Congress has abdicated much of its oversight responsibility for the Iraq war and its funding. To date, the Bush administration has not adequately explained to Congress or the American people the reasons for our continued military involvement in Iraq. In announcing his intention to send more than 21,000 additional troops to Iraq, last month the President said it is time for the Iraqi Government to act, to take charge of their security and to begin to govern themselves.

What we in Congress are saying now is that we believe the Maliki government in Iraq will be more apt to accomplish that goal if we do not send more American troops into Baghdad and if we signal to Iraqis that we are planning for a phased withdrawal from their country. That is what we must do to change the policy that keeps our forces acting as the local police officers on the streets of Baghdad, and to give the Iraqi people greater incentive for taking charge so that our troops can begin to come home. This was a view of the bipartisan Iraqi Study Group, which pointed to a compromise recommendation calling for gradual drawdown of U.S. troops from Iraq.

It is instructive to recall the views expressed by many of the generals on the ground, including General Abizaid, General Casey, General Petraeus, that this conflict cannot be won militarily; it will require a political solution. That political solution requires the involvement of other regional governments, including Syria and Iran.

All Americans, certainly every Member here in the House of Representatives, wants the Iraqi Government to succeed and to become the stable democracy we had hoped to achieve at the outset of our involvement. None of us want Iraq to fall into chaos and to become a haven for terrorists, including al Qaeda. But the current U.S. policy and the proposed escalation of a number of American troops offers little promise, I am convinced, of accomplishing those goals.

Even the recently completed National Intelligence Estimate on Iraq, which the President presumably relies upon, concludes that the war, as it is currently being prosecuted, will not or cannot bring about these results. My colleague, Mr. MURTHA, has also suggested that it will be up to the Iraqi people themselves who will expel what remains of al Qaeda in the country, and I believe there is merit in his argument.

□ 1610

This is an important debate, Mr. Speaker, and one that is perhaps long overdue. We as a new Congress, led by a new Democratic leadership team, must communicate that we are placing a firmer hand on the tiller of this ship of state and that we are demanding greater accountability for both the policy and funding of the Iraq war. This new direction starts with a brief and declarative statement, that "Congress disapproves of the decision of President George W. Bush announced on January 10, 2007, to deploy more than 20,000 additional United States combat troops to Iraq," but it must be followed by that harder task of guiding our military policy through aggressive oversight and more careful direction of our political and military leadership by all of the relevant committees here in Congress.

That is our task ahead, Mr. Speaker, and as a member of the Defense appropriations subcommittee, I am prepared to do my part.

Mr. SKELTON. Mr. Speaker, I would like to yield to the gentleman from North Carolina, but first I would like to recognize the gentleman from New York (Mr. MCNULTY) for purposes of a unanimous-consent request.

Mr. MCNULTY. Mr. Speaker, I rise in strong support of House Concurrent Resolution 63.

I strongly support H. Con. Res. 63, opposing the President's proposal to send 21,500 additional American troops into the middle of a civil war in Iraq.

More than 5 years after the worst terrorist attack in the history of our country, the mastermind behind it—Osama bin Laden—is still alive, free, and planning another attack on our country. And the President rarely even mentions his name.

Instead, he pursues a failed policy in Iraq. The number of American soldiers killed in Iraq now exceeds the number of lives taken on September 11, 2001, and this war has now lasted longer than our involvement in World War II.

The President's response is to send more troops. This surge is nothing more than an escalation of the failed policy that has been tried several times already. I couldn't disagree more with the President.

The Bush policy in Iraq will, in my opinion, go down in history as one of the biggest blunders in the history of warfare. Why? Because the terrorist who attacked us is still at large and the situation in Iraq gets worse by the day. Simply put, we went after the wrong guy!

So what should we do now in Iraq? A target date for redeployment of our troops should be set, and their withdrawal from Iraq should begin now. Then the Iraqis who say they support their new government will have the incentive to step forward and volunteer for military service—something they will not do as long as we offer to take all the enemy fire.

As others have said, "The Iraqis need to demonstrate that they want this new government more than we do."

It's decision time for the Iraqi people.

The President has submitted a supplemental budget request for almost $100 billion to further fund the war in Iraq. If Congress does not amend this proposal to include an exit strategy, I will—as I did on the last Iraq war supplemental on March 16th, 2006—vote "no."

PARLIAMENTARY INQUIRY

Mr. HUNTER. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore (Mr. RANGEL). The gentleman may inquire.

Mr. HUNTER. Mr. Speaker, I understand at 4:30 we are going to break for some time for the Norwood resolution, which is absolutely appropriate. I just wanted to see if you could give us a split on the time, how much time we have left, we both have Members who are squeezed to get their remarks in, make sure we get an even split on time to half past the hour.

I would like to work with my friend from Missouri to make sure we do that.

Mr. SKELTON. Yes.

I have one remaining speaker, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from California has 2 hours and 35 minutes. The gentleman from Missouri has 2 hours and 31 minutes.

Mr. HUNTER. We needed to know how much time we had before the 4:30 break, Mr. Speaker, because we have folks, but if we just have one speaker there, that is fine.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Missouri.

Mr. SKELTON. Mr. Speaker, I yield 5 minutes to my friend and colleague, the gentleman from North Carolina (Mr. PRICE), who is the Chair of the Subcommittee on Homeland Security on the Appropriations Committee.

Mr. PRICE of North Carolina. Mr. Speaker, I rise today to oppose the escalation of troop levels, to call for an end to the American occupation of Iraq, and to support the resolution before the House.

The two clauses of this resolution go hand in hand. There should be no doubt about the support from this Congress and indeed from the American people for those who risk their lives to defend this Nation. As a Nation, we have learned to sincerely honor the warrior, even when we disagree with the war.

I have personally been moved by my own interactions with our troops. I have been honored to meet with them here at home, in Iraq, in Afghanistan, in Kosovo, and in numerous other places where they are serving honorably. And I have mourned with their families when their service has led to the ultimate sacrifice. No one who spends time with the members of our Armed Forces can fail to be impressed by the dedication and valor with which they carry out their duty.

In addition to guaranteeing that they have the resources, equipment and compensation they need, supporting our troops also means ensuring that the missions we ask them to perform are viable and well-designed in terms of our national objectives. The President's surge plan does not meet these criteria, and Congress should oppose it.

The question before us today is whether an escalation of as many as 48,000 American troops is the best way to turn things around in Iraq. However, this question is part of a much larger debate that this country and this Chamber must conduct, a debate about the future of the U.S. military mission.

There cannot be a simply military solution to the challenges that we, and the Iraqi people, face in Iraq. The size of our military presence will not make the difference, because any solution to Iraq's problems will still be political, not military.

The recent National Intelligence Estimate (NIE) on Iraq confirms this conclusion. The unclassified report noted that even the term "civil war" is not grave enough to convey the complexity of the security challenges in Iraq. More to the point, the NIE noted that there were three "identifiable elements that could help to reverse negative trends": broader Sunni acceptance of the federalist political structure, Shia and Kurdish concessions to Sunnis, and "a bottom-up approach to help mend frayed relationships between tribal and religious groups." Note that none of these elements can be achieved by military force.

The outgoing commander of Multi-National Forces Iraq, Lieutenant General Peter Chiarelli, recently stated, "We need to get out of thinking that this is solely a military conflict. All of our Nation's strengths—diplomatic, economic, political—must be leveraged to help the Iraqis find their way through this process." Other military leaders have echoed this sentiment.

My colleague from North Carolina, BRAD MILLER, and I have proposed such an approach in our bill, H.R. 645.

Our bill would dramatically strengthen U.S. political and diplomatic efforts. It would send special envoys to the region to encourage Iraq's neighbors to play a more productive role in resolving the conflict and to facilitate a national reconciliation process in Iraq. It would also authorize a program to get would-be insurgents off the streets and into the workforce. And it would provide ongoing support for the development of democratic institutions, particularly at the local level.

While enhancing our political and diplomatic efforts, our bill would de-escalate our military commitment. It would terminate the authorization for the war at the end of this year, and require President Bush to develop an exit strategy for bringing our troops home by that date.

We can no longer ask our troops in Iraq to do the impossible. In fact, their presence is fueling the insurgency and is a magnet for international terrorism. It is time for the American occupation of Iraq to end, and for Iraqi leaders to assume responsibility for their country's future, for better or for worse.

Some have argued that our troops must remain in Iraq to prevent intolerable outcomes. But the outcomes that we have most feared—a civil war, a training ground for terrorists, an ascendant Iran—have already become reality, despite the continuing presence of our troops. While a military presence may delay even worse outcomes, it cannot prevent them. If we are to avoid a regional war or an exponential increase in Iraq's carnage, our best hope is the increased political and diplomatic effort that I have proposed.

Mr. Speaker, how we leave Iraq does matter. A well-planned withdrawal can enhance our ability to protect our troops and prepare Iraqis to assume control. We must not make the same mistake ending the war that we did in beginning it, pursuing a strategy without adequate planning. But we should not hide behind this imperative. We can't allow an exit strategy to prevent or postpone an exit.

I urge my colleagues to consider H.R. 645, which I believe offers the best way to pursue American national security interests in Iraq.

Let me close on a note of caution. The resolution we are debating here today is necessary, but it is not sufficient. The President should hear our message, which expresses the conviction of the majority of the American people that the time to end our occupation of Iraq has come. However, if he doesn't take steps to bring our troops home, the President should be under no illusion that this nonbinding resolution exhausts Congress's role. Rather, it is a first step in holding him accountable and reversing a failed policy that has made our Nation less safe, and has cost us so dearly in blood and treasure.

Mr. HUNTER. Mr. Speaker, I would like to recognize the gentleman from Florida (Mr. MILLER) for 5 minutes.

Mr. MILLER of Florida. I thank the chairman for yielding.

Mr. Speaker, I, too, rise in support of victory in Iraq and in support of our troops. But I also rise to oppose this Democratic defeatist resolution and I hope to provide some historical perspective to help the American people understand what the Democrats plan to do this year.

Make no mistake about it, this resolution is about polls. National polling before November's elections showed a majority of Americans were opposed to cutting off funds for the war but were generally unhappy with events on the ground. Now, this polling data led the Democratic message machine to create a "we support the troops, don't support the war but won't cut off funding" position. Much like Majority Leader HOYER's empty promises to allow a Republican alternative to this defeatist resolution, the Democrats are now following polls and slowly, piece by piece, bit by bit, revising their stance on defunding the war.

Due to their majority status, this resolution will pass, and soon after the passage, I suspect that Congressman MURTHA and others will move to defund the war the same way the Democratic-controlled Congress defunded the Vietnam War over a several-year period. They will do so in a piecemeal fashion with various amendments to appropriation bills, always avoiding the term "defunding" at all costs.

□ 1620

Before we have even concluded this debate, our Speaker has already said a vote of disapproval will set the stage for additional Iraq legislation, which will be coming to the House floor. I ask our Speaker, what is your additional Iraq legislation?

The only difference between what the Democrats will soon attempt to do and what they did in the late 1960s and early 1970s is that they will continue to say publicly that they support the troops, instead of speaking, as Senator KERRY did, in front of a congressional committee of the atrocities of the so-called baby killers. The poisonous atmosphere of those times resulted in the military prohibiting all military personnel in the metropolitan Washington area from wearing their uniforms in public out of safety concerns.

Now, two of the most crippling amendments of the Vietnam War were passed in 1969 and 1973. In 1969, Senator John Sherman Cooper of Kentucky cosponsored an amendment prohibiting the use of ground troops in Laos and Thailand. In August of 1973, the Congress passed the Fulbright-Aiken amendment, which cut off all funding for U.S. military forces in or over or from the shore of North Vietnam, South Vietnam, Laos or Cambodia.

President Nixon's approval ratings in 1973 were dismally low, and he was close to resigning as a result of the Watergate scandal, and his weakened position emboldened the Democrats to take extreme actions. I would say that some of their actions may have bordered on treasonous, but they have never been judicially challenged.

Our current President has an approval rating nearly as low now as they did then. Democrats are feeling emboldened to challenge our Commander in Chief during a time of war specifically for political gain.

It has also been said that this nonbinding resolution will not affect troop morale. If so, why not amend this nonbinding resolution to send a copy to every man and woman fighting in Iraq, along with a record of each vote. That is right, we don't get a chance to have any amendments.

What is important here are the President's words and his actions. He has ordered more combat forces to Iraq. He has extended the tours of some forces already in country. Let us be perfectly clear, 14 of the 18 provinces in Iraq are secure. These additional forces will help restore overall order and provide a stable environment for the political process from within which to work. Now, I cannot assure all of my constituents that the recent developments in Iraq will result in a quick or certain victory in Iraq. But I can assure my constituents and my colleagues that Democrats cannot say with absolute certainty that there is no military solution to the war in Iraq.

I must also point out several other recent Democratic statements that I take issue with, like the one from over this weekend, where a Senator with Presidential ambitions said that more than 3,000 lives were wasted. Of course, he clarified his remarks, because he forgot about the secret Democratic memo that this isn't the 1970s any more, and trashing the military is no longer acceptable.

It reminds me of a former Presidential candidate who said that those who joined our Army were only stupid people. Of course, after the polls came in, he clarified his remarks because he saw they were not being taken very well.

Back to the polls, only 15 percent of the public expressed initial support for the first President Bush to invade Iraq in 1991. Many in my own Republican Party vehemently opposed FDR in World War II. During the Civil War, there was a congressional committee that met officially and unofficially on a regular basis to critique President Lincoln's performance in nearly every battle the Union waged. Does history now reflect these?

Mr. Speaker, I ask that the rest of my comments be inserted in the RECORD.

Mr. Speaker, I rise in support of victory in Iraq and in support of our troops.

I rise to oppose this Democratic defeatist resolution and I hope to provide some historical perspective to help the American people understand what the Democrats plan to do this year.

Make no mistake about it—this resolution is about polls. National polling before November's elections showed a majority of Americans were opposed to cutting off funds for the war, but were generally unhappy with events on the ground.

This polling data led the Democratic message machine to create a "we support the troops, don't support the war, but won't cut off funding" position. Much like Majority Leader HOYER's empty promises to allow a Republican alternative to this defeatist resolution, the Democrats are now following polls and slowly, piece by piece, bit by bit, revising their stance on defunding the war.

Due to their majority status, this resolution will pass and soon after the passage, I suspect Congressman MURTHA and others will move to defund the war in the same way the Democratic controlled congress defunded the Vietnam war over a several year period. They will do so in a piecemeal fashion with various amendments to appropriations bills and avoid the term "defunding" at all costs. Before we have even concluded this debate, our Speaker has already said, "A vote of disapproval will set the stage for additional Iraq legislation, which will be coming to the House floor." I say to Speaker PELOSI what is your additional Iraq legislation?

This immoral approach will slowly squeeze off funding and support and become a self fulfilling prophecy for the Democratic party—a party fixated on the 2008 election and "intoxicated" by their new majority status.

The only difference between what the Democrats will soon attempt to do and what they did in the late 60's and early 70's is they will continue to say publicly they support the troops, as Senator KERRY did in front of a congressional committee, of the atrocities of the so-called "baby-killers." The poisonous atmosphere of those times resulted in the military prohibiting all military personnel in the Metropolitan Washington area from wearing their uniforms in public, out of safety concerns.

Two of the most crippling amendments of the Vietnam war were passed in 1969 and 1973. In 1969, Senator John Sherman Cooper (R–KY) cosponsored an amendment prohibiting the use of ground troops in Laos and Thailand. In August 1973 the Congress passed the Fulbright-Aiken amendment which cut off all funding for U.S. military forces in, or over, or from the shore of North Vietnam, South Vietnam, Laos or Cambodia.

President Nixon's approval ratings in 1973 were dismally low and he was close to resigning as a result of the Watergate scandal. His weakened position emboldened Democrats to take extreme actions. Some of their actions may have bordered on treasonous, but have never been judicially challenged. Our current President has an approval rating nearly as low; and now, as they did then, Democrats are feeling emboldened to challenge our Commander-in-Chief during a time of war, for political gain.

Last week the Democratic-controlled United States Senate attempted to debate various non-binding resolutions about the Iraq war. I must admit I found it interesting to hear Majority Leader REID say that voting on a non-binding resolution would show the American people where they stood on the war. Senator REID and the Democratic leadership of both the House and Senate have made it very clear where they stand on the war—they are opposed to winning the war, claim they were tricked into supporting it and will do anything in their power to cut off all funding to the war.

I encourage Democrats to put forth a bill that eliminates all funding for the Iraq war along with an accompanying statement of nonsupport for the deployed troops. This would show their true colors and allow the Democrats to be intellectually honest.

It has been said this non-binding resolution will not affect troop morale. If so, why not amend this nonbinding resolution to send every man and woman fighting in Iraq a copy of it, along with the recorded vote.

Oh—that's right, no amendments.

This would also stand in stark contrast to their most recent act of hypocrisy—voting to confirm General David Patraeus, wishing him luck and then moving to undercut his efforts soon after he left the Capitol to begin his journey to Iraq.

More importantly, we need to achieve real progress in Iraq. We have come to a critical juncture and must make sure the price that has been paid—the blood of our young men and women—results in victory. To ensure a real and enduring victory, our Commander-in-Chief is moving forward with a new plan. Some in Congress and the media are debating whether it is a new strategy, a new set of tactics or no change at all. This political posturing is unimportant to the Specialist or Corporal walking point in Baghdad or Al-Anbar province.

What is important are the President's words and his actions. He has ordered more combat forces to Iraq and has extended the tours of some forces already in the country. Their mission is to restore order to the 4 provinces in Iraq that remain volatile. Let us be perfectly clear, 14 of the 18 provinces are secure. These additional forces will help restore overall order and provide a stable environment for the political process within to work.

Today we have received reports from various sources that the radical cleric Al-Sadr may have fled to Iran as a result of the American and Iraqi forces cracking down on his militias and top aides. Iraqi forces are showing up to their appointed duty locations in excess of 70 percent of the time. The Iraqi government is taking the politically difficult step of forcing some Baghdad residents to vacate homes they unlawfully moved into during the war. There is also talk of stricter curfews and closing the borders with Syria and Iran for 30 days—all of this talk coming from the Iraqis.

I cannot assure my constituents these recent developments will result in a quick or certain victory in Iraq. I can assure my constituents and my colleagues that Democrats cannot say with absolute certainty that there is no military solution to Iraq. I also must point out several other recent Democratic statements that I take issue with.

One Senator with Presidential ambitions claimed that the more than 3,000 lives lost in the war had been wasted—he then immediately clarified his remarks because he had forgotten the secret Democrat memo stating that this isn't the 70's and trashing the military is no longer acceptable. This reminds me of a former presidential candidate's comments alleging that only stupid people end up in the Army and in Iraq. Of course, another "clarification" was issued soon after these comments since 2–3 days of polling indicated that the remarks were not well received.

Back to polls—only 15 percent of the public expressed initial support for the first President Bush to invade Iraq in 1991. Many in my own Republican party vehemently opposed FDR in World War II and during the Civil War there was a congressional committee that met officially, and unofficially, on a regular basis to critique President Lincoln's performance in nearly every battle the Union waged.

Does history now reflect that these three conflicts were wrong for America to engage in? I think not. Resolute leaders bucked short term public opinion for the good of the country in the long term. That is why we elect Presidents and that is what we should demand of them.

To date, mistakes have been made and the President has acknowledged them. We must, however, win this war. I believe immediate withdrawal will destabilize the region and cause us to return there in the future, as we have had to do in many regions throughout our history. We cannot fight a war based on polls and emotions. We must take actions that will preserve and enhance our national security now and beyond the next election, the next news cycle or the next opinion poll.

Mr. SHERMAN. Mr. Speaker, I rise to assume the Democratic time.

I would just comment to the gentleman from Florida that if he would join with us in voting for this resolution, then we will avoid the crises of the Constitution that he talks about and, instead, we will shock this President into giving us a new direction in Iraq.

POINT OF INQUIRY

Mr. HUNTER. Mr. Speaker, a point of inquiry.

The SPEAKER pro tempore. The gentleman from California is recognized.

Mr. HUNTER. This is not an unfriendly request. I just want to note one of our Members has a relative's funeral he wants to go to. He has just a few minutes. I know my friend Mr. OBERSTAR is waiting to speak. Is there any chance you could yield to Mr. LOBIONDO so he could get his 4 minutes in before the deadline?

The SPEAKER pro tempore. The gentleman will inquire.

Mr. SHERMAN. Mr. OBERSTAR.

Mr. OBERSTAR. I am happy to yield to the gentleman from California.

The SPEAKER pro tempore. The gentleman from California is recognized.

Mr. HUNTER. I want to thank my friend, Mr. OBERSTAR, very much for that.

Mr. Speaker, I yield 5 minutes to the gentleman from New Jersey (Mr. LOBIONDO).

Mr. LOBIONDO. Mr. OBERSTAR, thank you very much. The circumstances are difficult.

Mr. Speaker, it is more than 5 years that we are into the global war on terror. Since the horrific attacks to our country on September 11, we are fighting a faceless enemy, an unbelievably ruthless enemy, an enemy who is undeterred in their hatreds for our freedoms and our way of life.

We must remain strong in our resolve to defeat the enemy, and it is no accident that our Nation has not been attacked since September 11. It is not because the enemy and its supporters have not wanted to bring destruction to America, it is because we as Americans have remained committed to the defense of our homeland.

It is because we have remained vigilant in working with our international partners to prevent terrorists from being successful, and it is mostly because of our brave men and women in uniform, who have taken the fight to the enemy. Likewise, our commitment to the troops on the battlefield, whether in Iraq or Afghanistan, or wherever the global war on terror may take our brave young men and women, must run deep. Our commitment must include that our soldiers have all the necessary equipment and armor that they need.

Mr. Speaker, I come to the well, to the podium today very troubled. For 3 days, the majority will have us debating the very critical issue of the war in Iraq, but this debate is really without real substance.

This debate is without an alternative strategy that many of us acknowledge we desperately need to be discussing. This debate will not bring about one positive change for our men and women in harm's way, and will rather likely result in the wrong message to many of our soldiers, our partners and, avoidably, the enemy.

I believe this debate is dividing the Congress. I believe this debate is dividing the American people and sending the wrong message to our soldiers in the field, who may question our unwavering support on their behalf. I continue to be awe struck and proud of the valor of our servicemen and -women of Iraq. However, this debate sends a mixed message to them, their families, and the families of those who were lost in the global war on terror. We could have, and we should have had a debate that sends a strong message to support our troops in their commitment, but the majority has chosen against us.

While I do not support the President's latest strategy, I believe the American military should not serve as a referee in the sectarian conflict that has lasted for centuries. It is the responsibility of the Iraqi Government to take a stronger role to set benchmarks and not let the American military and our forces be caught in the middle. This resolution is silent in its requirements to the elected Iraqi Government and to the Iraqi people, and holding their own destiny in their hands.

As a member of the Armed Services Committee, I have listened to the generals and military experts, administration officials, tell us that Iraqi forces are ready for greater responsibilities in securing Iraq. However, after being to Iraq five times myself, and talking with a number of soldiers in the field, the reality on the ground is that Iraqi forces are not being used to the extent that they should at this point. I think that needs to change.

I would like to also say that it is with great regret that I will not be here at the conclusion of the debate this week. Unfortunately, my father-in-law passed away after a battle with cancer, and I will be heading out to the funeral with my wife and the family.

I wanted to be on record before leaving as to what this critical motion means. This debate cannot and should not be the end of what we are talking about, and for the reasons stated before all future debates must be substantive on policies. It is clear to me the majority has a strategy that many have talked about that reflects far beyond just the surge in Iraq and what it may mean, but has implications for funding.

Mr. Speaker, let me make it perfectly clear. I support the troops, but on the basis of the message that this is sending to our partners, to the troops, to their families on this nonsubstantive resolution, I cannot support it.

I will close by saying that I received a call from a father, who has two children that are in Iraq. One felt so strongly that he sent a letter to our local newspaper, Specialist Matthew J. Smith of Hopewell Township, and I have just a few excerpts from his letter. "I personally feel as if I am here for a great purpose and goal that our Commander in Chief has ordered us to achieve. I have never felt it would be an easy task, nor should those at home living their comfortable lives. Have we forgotten that this great country of ours was not handed to us on a silver platter? I am asking everyone, please don't allow those of us who have died to die in vain. When we have completed the mission and have been successful in defending freedom, we will come home."

□ 1630

Mr. HUNTER. Mr. Speaker, I just want to thank the gentleman. I want to thank the gentleman for yielding this time to Mr. LoBIONDO. As this Member gets time in the coming debate, we owe you one.

The SPEAKER pro tempore. The House of Representatives extends its deepest sympathy to the gentleman from New Jersey.

Mr. SHERMAN. Mr. Speaker, I yield 5 minutes to the very patient and the very distinguished gentleman from Minnesota, the chairman of the Transportation and Infrastructure Committee (Mr. OBERSTAR).

Mr. OBERSTAR. Mr. Speaker, this is the moment that a majority of Americans who voted last November have been waiting for, a time when Congress does something about Iraq. And that something that the people asked of us is to get us out of Iraq.

The resolution before us will not of itself get U.S. forces out of Iraq, but to paraphrase Winston Churchill, if it is not the end, it is at least the beginning of the end.

Our President is having trouble understanding the message from the American people. It is a simple message that I hear every time I go back home to Minnesota. Time to bring our troops home with honor. The people are telling me our mission in Iraq is accomplished. The President already declared victory. The goals of the U.S. invasion have been met.

Iraq's army was defeated, Saddam Hussein removed from power and brought to judgment. The Iraqi people held elections to establish a new government. Mission accomplished. Time to bring the troops home with honor.

No weapons of mass destruction were found, despite extensive searches. The Iraqis have a government, they have an army, a police force. There is no further purpose of American policy to be served by a continued military presence in Iraq.

What remains in Iraq is religious warfare between Sunni and Shia, with our troops caught in the crossfire. This is not the job our troops signed up for. This is not the war President Bush sold to Congress. People are telling the President, it is time to bring the troops home and to do it with honor.

President Bush has said he is concerned this resolution is prejudging the outcome of our involvement in Iraq. I would say the outcome is not in doubt. We have spent and are continuing to spend $9 billion a month in Iraq; 3,122 of our servicemen and -women have been killed; 23,550-plus have been wounded; tens of thousands more Iraqis killed and wounded. The violence is escalating, our troops are the targets.

I do not think this resolution prejudges anything. The facts speak for themselves. And the people are saying bring the troops home with honor. I did not support this war at its outset. We had Saddam Hussein contained. Al Qaeda was not in Iraq. We had a job to do in Afghanistan. I supported going into Afghanistan to capture Osama bin Laden. But I saw no clear rationale for sending troops into combat in Iraq.

The resolution does offer a statement of support for the troops. Their service is an extraordinary gift. They volunteer to leave their homes and families and risk their lives every day, at the order of the President. All they ask is that we never ask them to go to conflict unless that conflict is absolutely necessary and in the national interest.

Lieutenant General William Odom, in a recent article in The Washington Post said, about the question that we have to continue to fight in order to support the troops, has anyone asked the troops? During their first tours, many may have favored staying the course. But now in their second, third, fourth tours, he writes, many are changing their minds.

We see no evidence of that in the news stories about unhappy troops being sent back to Iraq. The strangest aspect of the rationale, General Odom writes, for continuing the war is the implication that our troops are somehow responsible for deciding to continue the President's course.

That political and moral responsibility belongs to the President, not to the troops. Didn't Harry Truman make it clear that the buck stops in the Oval Office? The President keeps dodging it. Where does it stop, General Odom asks, with Congress? And that is why we are here today to say it is up to us to make a definitive statement with this resolution, a statement that it is time to end the U.S. involvement in Iraq, to bring the troops home with honor. And then if the President does not heed, then we must take more vigorous steps, steps that I voted for in coming to end the U.S. involvement in Vietnam over 32 years ago.

If that is what it takes, then we have to say that the buck stops with us in the Congress to stop the U.S. engagement in Iraq.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to section 3 of House Resolution 157, further proceedings on the concurrent resolution will be postponed.

EXPRESSING SORROW OF THE HOUSE AT THE DEATH OF THE HONORABLE CHARLIE NORWOOD, MEMBER OF CONGRESS FROM THE STATE OF GEORGIA

Mr. DEAL of Georgia. Mr. Speaker, I offer a privileged resolution (H. Res. 159) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 159

Resolved, That the House has heard with profound sorrow of the death of the Honorable Charlie Norwood, a Representative from the State of Georgia.

Resolved, That a committee of such Members of the House as the Speaker may designate, together with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant-at-Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of applicable accounts of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That when the House adjourns today, it adjourn as a further mark of respect to the memory of the deceased.

The SPEAKER pro tempore. The gentleman from Georgia (Mr. DEAL) is recognized for 1 hour.

Mr. DEAL of Georgia. Mr. Speaker, I yield 30 minutes of time to the gentleman from Georgia (Mr. LEWIS) and thank him for arranging for this resolution to be heard at this time today.

Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, as we all know, we lost a true champion in the House of Representatives on yesterday: CHARLES NORWOOD from Georgia. CHARLIE, as he was known by most of us here, was truly a friend across party lines and across State lines. He was a true patriot. He served in the dental services in the U.S. Army in the combat zone of Vietnam.

He returned to a private dental practice in Georgia, and then in the election cycle of 1994 was elected to this House of Representatives. He came with a passion for many things. Health care was at the very top of his list. Education was very shortly thereafter. And he worked on both of those issues with all of his heart.

He inspired many people in this House because he was indeed passionate about everything that he did. If he was your friend, you knew he was your friend. If you were on the opposite side of an issue from him, he let you know that as well, but he was still your friend.

All of us watched as we observed what had been diagnosed in 1998 as an incurable disease. And following that diagnosis, he underwent lung transplant surgery. That was a process that most of us probably would have had great difficulty undergoing. But CHARLIE did it with courage. He rebounded with the same kind of determination and willingness to go forward in spite of the inconveniences that that brought to him.

We saw him with his oxygen tank, and we saw him on his little scooter as he rode around the Capitol on his way over here and back and forth to votes. Throughout it all, he maintained his good humor, he maintained his zest for life. CHARLIE NORWOOD is someone who will truly be missed.

□ 1640

Mr. LEWIS of Georgia. Mr. Speaker, I want to thank Mr. DEAL and members of the delegation for bringing this resolution before us as a tribute to our fallen colleague, Mr. NORWOOD.

More than anything else, Congressman NORWOOD was a warrior. He fought for his beliefs with passion and conviction, and he fought for the people of his district and for the people of Georgia who loved him.

He was awarded two Bronze Stars for his bravery on behalf of our Nation during the Vietnam war, and he fought courageously for patient rights right here on the floor of the House of Representatives.

In fact, his last official act was to reintroduce the Patients' Bill of Rights on Monday, a bill he coauthored with JOHN DINGELL. CHARLIE NORWOOD, this good man, this son of Georgia, fought a good fight. He was a warrior to the end.

The thoughts and prayers of all of the Members of Congress, and especially the members of the Georgia delegation, are with his wife Gloria and his two sons, Charles and Carlton, their family and his many grandchildren. I hope they will find comfort in knowing that Congressman CHARLIE NORWOOD made a lasting contribution not just to the State of Georgia, but to the Nation and to all of us as Members of this body. We are more than lucky, we are very blessed to have known him as a friend and as a colleague. He will be deeply missed.

Mr. Speaker, I reserve the balance of my time.

Mr. DEAL of Georgia. Mr. Speaker, I would yield 3 minutes to our Georgia colleague (Mr. GINGREY).

Mr. GINGREY. Mr. Speaker, CHARLIE NORWOOD was a very successful dentist in my hometown of Augusta, Georgia. I didn't know CHARLIE at that time because I had long since moved away.

But as a practicing physician in Marietta, Georgia, as an OB/GYN, several years ago I went to the annual meeting of the Georgia OB/GYN Society to hear Dr. CHARLIE NORWOOD talk about the Patients' Bill of Rights. Physicians across Georgia and across this country were concerned with managed care and HMOs and liability and that sort of thing.

And, Mr. Speaker, when I heard Dr. NORWOOD speak to my colleagues, physicians about this issue, and them, in turn, including myself, give him a standing ovation, I want to tell you, Mr. Speaker, and I never did tell CHARLIE this, but that was an inspiration to me to want to some day have the opportunity, and thank God that I did, to follow in that walk that he walked.

What a great Member of this body and what a fierce competitor and a fair competitor, Mr. Speaker. As my colleague on the other side of the aisle, the distinguished JOHN LEWIS, knows well, CHARLIE would fight for something he believed in but in a very respectful way. And he thought about others before himself.

An example, Mr. Speaker, is that just in this last election cycle, when CHARLIE was suffering so much, as Representative DEAL has just mentioned, he didn't think about himself. He won his reelection with 67 percent of the vote. And it wasn't that he couldn't campaign because of his illness. He was working all that time for another colleague in a very competitive district. He was essentially running that other campaign. That is the kind of guy CHARLIE NORWOOD was, and the kind of fellow that we will all remember here on both sides of the aisle in this great House of Representatives.

He was a friend, he was a colleague. He was a fighter. He was a fighter for patients' rights. He was a fighter for students, as his work on the Education and Workforce Committee, the Energy and Commerce Committee, he is somebody that we can all emulate.

And I just want to say to his wife Gloria, to his two sons, Carlton and Charles, Jr., and to the four grandchildren and to the Norwood family, we are praying for you. We want to uplift you. We will be with you tomorrow, but we know, as you do, that CHARLIE is in heaven right now, and God has accepted him in open arms and saying, well done, my good and faithful servant.

Mr. LEWIS of Georgia. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. SCOTT).

Mr. SCOTT of Georgia. Mr. Speaker, to my distinguished colleagues from Georgia and other Members of Congress who are here, this is indeed a sad occasion.

CHARLIE NORWOOD led an extraordinary life. He was a combat veteran. He was a dentist. He pulled himself up by his own bootstraps, truly a son of the South, a son of Georgia.

He is a person that cared about all of the people of Georgia. Let me give you an example, if I may. I remember when I was serving in the Georgia legislature as a State senator, and we needed some help for the Morehouse School of Medicine's National Primary Care Center. The person that led the fight up here to secure the Federal dollars for the Morehouse School of Medicine's Primary National Care Center was CHARLIE NORWOOD. And we thank him for that.

Mr. Speaker, as I think of CHARLIE NORWOOD, and I think of so many of the great debates and the battles that we have had up here that we have shared, I am reminded of a great conversation that took place between two great men, Abraham Lincoln and Robert E. Lee. It was at a time when this Nation was going through its great Civil War and how to fix that. That conversation went like this. Robert E. Lee said, it is not incumbent upon us to complete the task. And Abraham Lincoln said, nor are we free to desist from doing all we possibly can.

That was the essence of CHARLIE NORWOOD. We might not have to complete this task, to make America a better place, but neither are we free to desist from doing all we possibly can.

CHARLIE, we appreciate you. You fought the good fight. You stayed the course. And for you, God has put up an extraordinary crown of righteousness. We thank you, and we thank God for passing our way.

Mr. DEAL of Georgia. Mr. Speaker, I am pleased to yield 3 minutes to my colleague from Georgia (Mr. PRICE).

Mr. PRICE of Georgia. Mr. Speaker, America, the State of Georgia and this House of Representatives have lost a great public servant, an uncommon leader, and a proud patriot.

I am profoundly saddened by the passing of Congressman CHARLIE NORWOOD, a gentleman who selflessly served the people of Georgia and this House for more than 12 years.

CHARLIE spent his entire life helping others as a soldier, as a dentist, as a legislator. He served valiantly in the defense of our Nation in the Medical Battalion of the 173rd Airborne Brigade in Vietnam. He returned home to serve his community in Augusta as a dentist. And for 12 years, he was a faithful servant to the people of Georgia in his district as a Member of Congress.

In Congress he was a passionate supporter of our military and of our veterans. He was a tireless advocate for patients and patient centered health reform. And he never forgot for whom he was to work in Washington, his constituents.

Congressman NORWOOD was a dear friend to me. His friendship and his perspective and his guidance in this House are things that I will always cherish. Anyone who knew CHARLIE knew that he was as tough as they come and he always stood up for what he believed in. Rarely, rarely in any walk of life are we privileged to come to know someone who stood for his principles as strongly as CHARLIE NORWOOD. His legacy in the House of Representatives will be one of integrity, one of vigor, and one of loyalty.

Congressman NORWOOD's devotion to this body and to our country will be sorely missed, but his legacy will never be forgotten. And I shall never forget that wry smile and that twinkle in his eye. What a hero.

Mr. Speaker, I join my colleagues in expressing our deepest sympathies to CHARLIE's wife Gloria, his family and his friends.

☐ 1650

And while we mourn the loss of this great patriot, we celebrate his lifetime of noble and heroic service and we thank God for giving us the gift of the life of CHARLIE NORWOOD.

Mr. LEWIS of Georgia. Mr. Speaker, I am pleased to yield 2½ minutes to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Mr. Speaker, I want to thank all of the fine colleagues that we have who are from Georgia for giving each and every one of us a chance to speak. I am not from Georgia, and I know he was your favorite son, but I do want to give this as my chance to honor this very distinguished Member of Congress, CHARLIE NORWOOD.

I rise, Mr. Speaker, today with a heavy heart but also real admiration for the life of this dear colleague of ours, CHARLIE NORWOOD. And my heart as well as all of our hearts go out to his family members, to his community, and to all of the people whose life he has touched.

I had the privilege of serving on the Energy and Commerce Committee with CHARLIE for several years and had the opportunity to work with him on initiatives in the Health Subcommittee. And though he and I come from vastly different places on the ideological spectrum, we were often able to see eye to eye on health policy as two health professionals serving in Congress.

I was proud to work with him in cochairing the School Health and Safety Caucus, where we used the opportunity to spotlight ways in which we could improve the health of children through school-based initiatives. I was also honored to work with him on legislation to promote children's dental health.

I think we can all agree that CHARLIE will be remembered as reliably conservative, but also as an independent thinker. His leadership on establishing a Patients' Bill of Rights was exemplary of his willingness to go out on a limb for something in which he truly believed. He introduced that bill shortly before I came to Congress, and the momentum for passage of the Patients' Bill of Rights was one of the main reasons that I was eager to serve on this Health Subcommittee, which he belonged to.

I admired his characteristic patient-centered approach to health care policy. It wasn't popular with some of our colleagues, and the President flat-out warned that his bill would be vetoed. But CHARLIE continued forward and was looking forward to an opportunity to finally pass the Patients' Bill of Rights in its original form in this, the 110th Congress.

So I want to take this opportunity to express again my condolences to the Norwood family and to thank them all for the tremendous years, 12 years, of service that they allowed their CHARLIE to serve with us all in Congress. And I thank my colleagues again.

Mr. DEAL of Georgia. Mr. Speaker, I am pleased to yield 3 minutes to another Georgia colleague (Mr. LINDER).

Mr. LINDER. Mr. Speaker, I thank my friend for yielding his time.

I met CHARLIE NORWOOD over 30 years ago. We were both young dentists in Georgia. He was the president of the Georgia Dental Association, and I was a young, newly elected dentist in the Georgia legislature. And his enthusiasm blew me away. Irrespective of what he was talking about, he only had two gears: neutral and full speed ahead. And his enthusiasm would capture you. And the bulldoggedness, the way he would put his teeth on an issue and fight for it without ever backing up was astonishing to me. CHARLIE did not have a coy bone in his body. From the day you met CHARLIE, you knew what he stood for on whatever the issue was.

Respectfully, he and I differed on the Patients' Bill of Rights. We spent many hours talking about it. He was adamant that I was wrong and he was right. But at no point did he ever raise his voice or show any disrespect for a position that I had taken that was different from his.

CHARLIE loved this institution. He loved the give-and-take of it. He loved the formality of it. We talked one day if he ever had any notion of running for the Senate, and he said he would never survive there. He would never survive not getting something done every day.

He treated this institution that he loved with great dignity. When he fought his fights, you knew he was going to fight fair. And for 30-plus years when I have been able to visit with him or know him on this issue or that, I always walked away from each encounter saying what a nice man, what a nice man.

For Gloria and the family, you are in our prayers. A psalmist has written that the Lord is close to the brokenhearted, and those who are crushed in spirit He saves.

May God give you peace.

Mr. LEWIS of Georgia. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Georgia (Mr. BARROW).

Mr. BARROW. Mr. Speaker, I thank the gentleman for yielding.

I rise this afternoon to remember one of our fellow delegation members, the Honorable CHARLIE NORWOOD. I know that many Members of this body served with CHARLIE much longer than I did, but unlike them, I think I may be the only Member here with the distinction of once actually having been represented by CHARLIE as one of his constituents.

CHARLIE NORWOOD was an accomplished and a tireless legislator who had stands on issues that ran the political spectrum. And while I may not have agreed with him on every issue, I always admired his spirit, and I say that as a former constituent and as a colleague.

As anyone who knew him will tell you, CHARLIE cared deeply for the State of Georgia and for the people he represented in Congress for over 12 years.

In this Chamber and among this delegation, there is no question that CHARLIE NORWOOD will be missed and his absence will be long felt here in Washington and back home in Georgia.

My prayers remain with Congressman NORWOOD's wife, Gloria, and with their entire family.

Mr. DEAL of Georgia. Mr. Speaker I am pleased to yield 1 minute to the minority leader (Mr. BOEHNER).

Mr. BOEHNER. Mr. Speaker, I thank my colleague from Georgia for yielding.

And I come to remember my good friend and our good friend, CHARLIE NORWOOD.

I met CHARLIE in October of 1994 when he was a candidate for Congress for the first time and had dinner with him one night before we went off on a 16-city tour. I didn't think it would ever end. But at dinner that night, I looked at CHARLIE and I asked, Why are you running for Congress?

And he said, That OSHA, that OSHA, they did this to me and did this to me.

And for every day that CHARLIE NORWOOD served in this Congress, he was all over OSHA, to have rules and regulations that met the straight-face test.

I was the chairman of the Education and the Workforce Committee, and CHARLIE was one of my subcommittee Chairs for the 5 years that I was the chairman. Clearly the most difficult member I have ever had to try to manage. And whether it was the Patients' Bill of Rights, whether it was OSHA, or a host of other issues, when CHARLIE got that bone in his mouth, you could not get it out of his mouth. He was the most dogged, persistent Member I have ever worked with. As a matter of fact, I might even say he might be the most dogged persistent person that I have ever met with because when CHARLIE picked up a cause, he was never going to leave it alone until he accomplished his goal.

And I am sure that CHARLIE is watching over us today, wondering why the Patients' Bill of Rights isn't law. Mr. LINDER just talked about it. CHARLIE fought about this on more occasions than you can ever imagine, as did JOHN and a lot of other Members. But CHARLIE truly believed in that piece of legislation. He put his heart and soul into it.

We are going to miss CHARLIE around here. We are going to miss that dogged persistence that he brought to this floor every day and in the committee rooms every day.

But to Gloria and his family, our prayers are with you.

And, CHARLIE, may your soul rest in peace.

Mr. LEWIS of Georgia. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Mr. Speaker, today I rise to honor CHARLIE NORWOOD, a great servant of the people of Georgia.

By now you have all heard about his life, so I won't spend much time on his extensive biography. But I do want to bring attention to what he would have wanted us to focus on above and beyond his legislative accomplishments, and that is his family.

□ 1700

I did not get an opportunity to get to know CHARLIE, but I do know enough about him to understand what was most important to him. He was a man of high character and values, and so his family was very important. So I would like to mention and send my deepest condolences to CHARLIE's beautiful wife, Gloria, and his two sons, Charles and Carlton, who enabled him and made it possible for him to serve so honorably, particularly at times when clearly he must have not been feeling well. But he still persisted with his duties and responsibilities as a Congressman.

It takes a lot to just walk these Halls from the office to the Capitol and back again, and he walked as long as he could, and then he started taking his wheelchair. So the man had a spirit to prevail over whatever obstacles might have befallen him. That is a spirit that each one of us can learn from and live by and do the best that we can, like he did.

So in addition to just being a great human being, there were a number of legislative accomplishments. I will not go over those either, but I will say as a member of the Armed Services Committee, that I want to bring attention to his military service. He was awarded the Combat Military Badge and two Bronze Stars for his service in Vietnam. While I did not always or often agree with him on the issues, by all accounts he served his State and his district well.

Georgia and this Nation have lost a great man, and I am honored to have this opportunity to recognize his contributions today.

Mr. DEAL of Georgia. Mr. Speaker, I am privileged to yield 3 minutes to our colleague, the gentleman from Georgia (Mr. WESTMORELAND).

Mr. WESTMORELAND. Mr. Speaker, I thank my colleague from Georgia for yielding me time.

Mr. Speaker, CHARLIE NORWOOD was a friend of mine, he was a friend of all Georgians, and he was a friend of every freedom loving person in this world, because he fought hard for you.

He was one of the original Republican revolutionaries that was elected in 1994, and he never really lost that spirit, that conservative fever. He agreed with Jefferson that the government that governs least, governs best, and he fought for 12 years in this House to make sure that regulations on business and individuals' lives were at a minimum. In fact, sometimes he called the government's reach into our lives oppressive.

Once CHARLIE was quoted in the Atlanta Journal and Constitution, as saying, "If I want to put bad wiring in my house and burn my family down, that is my problem, not the government's."

That was typical of CHARLIE. He was a witty warrior. When he joined me in the Voting Rights Act, trying to modernize section 5, the renewal of the Voting Rights Act, I had come up with two amendments. One of them had to do with putting the whole country under it, going through the same scrutiny.

I met with CHARLIE and CHARLIE said, "Lynn, I want the modernization amendment to be the Norwood amendment." I said, "That's fine, Charlie, but why?" He said, "Because I can do a better job than you can." That is the way he felt, and that is exactly the way he was.

That is just one example of why I called CHARLIE my "foxhole buddy." When CHARLIE NORWOOD said he was with you, he was with you until the bitter end. You had his word that he would have your back, and his word was his bond.

His loyalty and love of country defined him throughout his life. The Valdosta High School football star went on to become a dentist who took his skills to the front lines of Vietnam, where he served his fellow soldiers and his Nation with valor. He served in Vietnam for a year and obtained the rank of captain and won two Bronze Stars.

For the next four decades, CHARLIE and his loving wife Gloria made their home Augusta, where they raised two children, Carlton and Charles, and he served his community with a smile on his face when he talked about his grandchildren.

So the thoughts and prayers of all Georgians go out to the Norwood family tonight, to let that family know that we are appreciative of the time that they allowed CHARLIE to come up here and to serve with us, to bring joy to our hearts and thoughts to our minds of what we could do to make this country a better place to live in.

The one thing that I want to close with is this, Mr. Speaker: In all of the discussions that I got into with CHARLIE NORWOOD about legislation he constantly said, "Lynn, we have got to do what's right." That was his motto, to do what was right, and he did. It was an honor to call him friend.

Mr. LEWIS of Georgia. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Georgia (Mr. BISHOP).

Mr. BISHOP of Georgia. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, it is my honor to stand this afternoon to give some remarks about our colleague and dear friend, CHARLIE NORWOOD.

Shakespeare wrote that all the world is a stage and all the men and women merely players. Each has his entrance and his exit. One man in his time may play many parts.

So it was with CHARLIE. CHARLIE was a son, a son to Charlie Norwood, Sr., and Lola. He was a husband to Gloria. He was a father to Charlie and Carlton and a grandfather. And he was a cousin to two very, very wonderful ladies down in Valdosta who said that they often prayed for Cousin CHARLIE, because they just couldn't understand how he became a Republican.

CHARLIE was a student. CHARLIE got his bachelor's. He studied dentistry. He was a soldier. He served his country. He was in Vietnam. But CHARLIE was a public servant. CHARLIE believed in serving leadership, and he lived it.

CHARLIE really was great, because measured by the standards of Jesus, that he who is great among you shall be your servant, and he who is greatest shall be servant unto all, CHARLIE measured up.

CHARLIE was a fighter. CHARLIE fought hard for any principle in which he believed. He didn't give up, as you heard, on the Patients' Bill of Rights. He was a fierce competitor. I often didn't agree with him, but I had to admire his tenacity, because he was a fighter. And all the way to the end, CHARLIE fought. He fought for life.

We are all blessed, really blessed, to have known CHARLIE. And Gloria was devoted to CHARLIE. She took leave from her duties as a member of the Congressional Club to attend to CHARLIE, to give CHARLIE her best efforts in his last days.

But CHARLIE served well. He really embodied God's minute. I have only just a minute, only 60 seconds in it; forced upon me, can't refuse it; didn't seek it, didn't choose, did it; I must suffer if I lose it, give account if I abuse it; just a tiny little minute, but eternity is in it.

Thank you, CHARLIE. You used your minute well.

Mr. DEAL of Georgia. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from South Carolina (Mr. WILSON).

Mr. WILSON of South Carolina. Thank you, Congressman DEAL, for coordinating this tribute to a patriot.

Mr. Speaker, I rise today in tribute and remembrance of my dear friend and our colleague CHARLIE NORWOOD. Upon my election 5 years ago, two of the first people to offer guidance to me were CHARLIE and Gloria Norwood. As a Member of Congress from an adjoining district, I learned firsthand of CHARLIE's dedication to the public and his love of America. Gloria has been a model First Lady for the district, enthusiastically assisting CHARLIE in his life of public service.

CHARLIE was a committed health care practitioner, a loving family man and a passionate public servant. He spent his entire life fighting for the people of his beloved Georgia.

True to his character, CHARLIE fought to the end, despite debilitating health conditions. He was always in good spirits, even though we knew he was exerting extraordinary efforts to fully represent his constituents. He reminded me so much of my predecessor, the late Congressman Floyd Spence, a fellow courageous lung transplant recipient.

I had the pleasure of serving with CHARLIE on the Education and Workforce Committee. I am honored to, this year, be the Republican ranking member on the Workforce Protection Subcommittee, which CHARLIE ably chaired for three terms.

In Congress, CHARLIE was an ardent advocate for health care reform and patients' rights. He was a good friend and strong supporter of the employees of the Savannah River Nuclear Laboratory. I was proud to work closely with him in our efforts to create a MOX facility for the transformation of plutonium waste at the Savannah River site.

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CHARLIE is survived by his wife Gloria; his two sons, Charles and Carlton; and four grandchildren. Roxanne and I join with his colleagues in mourning his passing and send our prayers to his family, staff and constituents. May God bless the Norwood family at this time, and may they know that he made a significant and positive difference for America.

Mr. LEWIS of Georgia. Mr. Speaker, it is my pleasure to yield 1 minute to the Speaker of the House of Representatives, the young lady from California, Speaker NANCY PELOSI.

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding and having this Special Order to honor the life and service of our colleague Congressman NORWOOD.

It is with great sadness that we received the news first of his illness and then of his passing. We had hoped to have an occasion such as this before he died so he could hear the praise of his colleagues on the floor. I know that many conveyed their good wishes to him personally.

He left us in a very dignified way. He decided that he would be, as he lived, surrounded by his family at home so that he could die in peace.

Congressman NORWOOD, as we all know, as our minority leader mentioned, he had his own particular style, plain spoken, very eloquent, and he was a passionate public servant. He served our country and his own community in Vietnam in service to our country and in the Congress of the United States.

Again, in this Congress he did his best to serve his constituents, his conscience, and his country.

Again, he faced the end of his life and his sickness with great bravery and dignity.

Our thoughts and prayers, I have conveyed to his wife Gloria, but I say again on this floor that our thoughts and prayers are with Gloria and his two sons, Charles and Carlton, and his four grandchildren. I know that I can speak for all Members of Congress when we convey our sympathy to them. I hope that it is a comfort to them that so many people mourn their loss and are praying for them at this sad time.

Mr. DEAL of Georgia. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Texas (Mr. BARTON).

Mr. BARTON of Texas. Mr. Speaker, I want to read a part of a letter. It is dated February 8, 2007. It is to myself. It is from Congressman NORWOOD. It is the last official correspondence that I received from him. It says:

"Dear Joe.

"When you receive this letter, you will know of my return to Georgia after my decision to forego further medical treatment in the Washington, D.C., area for my ongoing battle with non-small-cell cancer. Needless to say, I hope things turn out for the best.

"I expect to be unavailable for my duties for the foreseeable future. I do, however, expect my staff to continue working on several issues, even if I can't be there in person.

"I will have my staff working on the Living Organ Kidney Donation Clarification Act (H.R. 710). This bipartisan, bicameral bill addresses the issue of paired transplantation, which is a way to solve the dilemma faced by people who want to become living organ donors for a family member or friend, but are unable to do so because they are biologically incompatible. In the process of kidney-paired donor transplants, a pair consisting of a kidney transplant candidate and an incompatible living donor is matched with another such incompatible pair to enable two transplants that otherwise would not occur. This bill is widely supported, has no known opposition, doesn't cost a dime, will save Medicare money, and will save thousands of lives. I urge you to work with Mr. INSLEE, Chairman DINGELL, and my staff to move this important bill forward."

I have checked with Chairman DINGELL. He has assured me that he is prepared to move the bill if it is as he says it is. Knowing CHARLIE, always telling the truth, it is. So hopefully, very soon on the floor of this body, we will have the CHARLIE NORWOOD Living Organ Kidney Donation Clarification Act.

There are so many stories, but I want to tell one Norwood story. CHARLIE asked me and now my wife, then my girlfriend, Terri, to go down to the Masters Golf Tournament. I am not golfer and so I discouraged him from asking me. He said you may not like it but Terri will.

So we got to go down to the tournament, and on the first day we went to the tournament, CHARLIE was telling me how plugged in he was with all the folks at the Masters and how many people he knew and really he was really a major figure out there.

So we pulled up to the driveway to go up to the main clubhouse that you have seen on TV, and the guard at the gate said, May I help you? He said, I am Congressman NORWOOD, and I have got Congressman BARTON of Texas, and we want to go up to the clubhouse. The guard said, Well, Congressman, you are not on the list. He said, I am not on the list? And the guard said, No, Congressman, you are not. So I started giving CHARLIE a hard time from the backseat.

I said, CHARLIE, I thought you were a big player around here; you cannot even get up to the clubhouse. So Norwood started giving me a hard time, and I started hoorahing the guard, and he said, Wait a minute; he said you are a Congressman from Texas? And I said, Yes, sir. He said, Congressman NORWOOD, you park right up there by the clubhouse.

So, for that one day, CHARLIE NORWOOD had a better parking spot than Tiger Woods or Arnold Palmer or any of the members of the Masters golf course.

He is in heaven now and my guess is he has got the best parking spot in heaven, too. God bless you, CHARLIE NORWOOD, and God bless you, Gloria, and God bless all your family members. You will dearly, dearly be missed.

Mr. LEWIS of Georgia. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Texas (Mr. GENE GREEN).

Mr. GENE GREEN of Texas. Mr. Speaker, I thank my colleague from Georgia.

I rise in support of the resolution and to pay tribute to my friend and fellow member of the Energy and Commerce Committee, Dr. CHARLIE NORWOOD.

CHARLIE came to Congress after my first term as part of the class of 1994, and it seems a year did not go by that we did not serve on a committee together.

I honorably served with him at first on the Education and Workforce Committee and then later on the Energy and Commerce Committee.

CHARLIE and I shared a passion for health care issues, and I particularly enjoyed our work together on the Health Subcommittee.

A dentist by training, CHARLIE was devoted to improving the health care system, not only for providers like himself but also for the patients that rely on our health care system to keep them well.

The phrase Patients' Bill of Rights would not have been coined if CHARLIE and our chairman, JOHN DINGELL, had not teamed up to give patients an ability to fight back against the HMOs that too often make health care decisions based on the bottom line, rather than a physician's recommendation.

I note CHARLIE's last legislative act before leaving Washington and returning to Georgia was to reintroduce the Patients' Bill of Rights in this Congress as H.R. 979.

There is no doubt in my mind that this legislation will be CHARLIE's legacy and will honor him and his work in this esteemed Chamber by finally making his vision of patients' rights a reality.

Last July 4 recess, CHARLIE and I joined two other members of the Health Subcommittee as we visited the impressive trauma facilities utilized by our brave military doctors to treat our wounded service personnel in Balad and Baghdad, Iraq and Kabul, Afghanistan.

I knew there was a good reason CHARLIE and I got along, despite being different parties, but I also realized that trip that CHARLIE and I shared a lot of interests, and one of them in firearms. I met few people with more enthusiasm for firearms than CHARLIE NORWOOD.

In fact, I will mention that how he cared about people, and Chairman DEAL understands that, he presented a book to those of us who went. It has a picture of CHARLIE NORWOOD with a .50-caliber machine gun in a helicopter we were flying in, but CHARLIE was not really happy because he was not sitting behind that .50-caliber machine gun.

CHARLIE was a good doctor and honorable Member of Congress and a great friend. He always thought of others, and I will always remember him for his friendship for these years. Our thoughts are with his family, and his wife Gloria has become a good friend of my wife Helen through the Congressional Spouses, and I will miss CHARLIE, and we all will. We honor his memory and his contributions to our country.

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Mr. DEAL of Georgia. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from South Carolina (Mr. BARRETT).

Mr. BARRETT of South Carolina. Mr. Speaker, I too stand in favor of the resolution for my friend CHARLIE NORWOOD.

When I first started running in 2002, CHARLIE was one of the first guys to grab me by the hand, introduce me to people, and be my friend. I remember my first day in Congress CHARLIE coming up to me and said, "Boy, you just hang with me, I will take good care of you." And he did.

He always told me that the Augusta side of Georgia was mine and the North Augusta side of South Carolina was his; that no river or border could keep us apart. And it was true. And the things he did for me, the things he did for South Carolina, for Georgia, for this Nation will always be remembered.

CHARLIE NORWOOD was a good friend of mine, and we will be sad and we will cry, but in heaven they are screaming, "We love you, Charlie." God bless you.

Mr. LEWIS of Georgia. Mr. Speaker, I am pleased to yield 2½ minutes to the gentleman from Georgia (Mr. MARSHALL).

Mr. MARSHALL. Mr. Speaker, I didn't know CHARLIE well; I only met CHARLIE once before I came to Congress and then had a few occasions to work with him in Congress. I certainly knew his reputation. He was a great advocate for veterans and a great advocate for patients' rights and, on some subjects, willing to buck his leadership in order to advance the cause of patients' rights, and it was something I appreciated a great deal.

As CHARLIE grew sicker, from time to time I would seek him out on the floor and ask him how he was doing. He was always upbeat about it, he was always positive about it. He was never down and sad. He would be very frank about what he was able to do and where he was and what his challenges were, but he was always positive about his circumstances. His circumstance was awful, as everybody knows. He fought this disease for years and gradually grew worse, and we were all worried about him.

So one of the things I did just trying to get to know CHARLIE a little better is I went to his Web site and looked up a little bit about him, and was struck by the description that I found of his military service in Vietnam. And I thought I would like to just read that; and many people who are watching this won't have an opportunity to hear this about CHARLIE, though everybody knows, I think, that he served in the military.

But specifically during his tour in Vietnam, CHARLIE NORWOOD participated in experimental military dental practices that became standard procedure for the Armed Forces after the war. He was one of the first participants in the Army outreach program to deliver dentists to forward fire bases in lieu of transferring patients to rear treatment areas. I am not sure if the rest of the dentists and the doctors appreciated that very much; it meant that you were going into harm's way a little bit more than they otherwise would.

NORWOOD also provided some of the first field-based dental treatment of military guard dogs, and assisted in nondental trauma care in Mobile Army Surgical Hospitals, MASH, units. In recognition of his service under combat conditions, he was awarded the Combat Medical Badge and two Bronze Stars. After Vietnam, he was assigned to the Dental Corps at Fort Gordon, Georgia, where he served until his discharge in 1969. NORWOOD was awarded the Association of the Army's Cocklin Award in 1998, and was inducted into the Association's Audie Murphy Society in 1999. He remained a lifelong member of the American Legion, the Veterans of Foreign Wars, and Military Order of the World Wars.

CHARLIE's family should be very proud of CHARLIE NORWOOD. As CHARLIE NORWOOD was slowly struggling with the disease that took his life, he had to look back on his life and realize that he helped an awful lot of people in a very positive way. We will miss him.

Mr. DEAL of Georgia. I am pleased to yield 2 minutes to the gentleman from Washington (Mr. HASTINGS).

Mr. HASTINGS of Washington. I thank the gentleman for yielding.

Mr. Speaker, today I mourningly lost not only a colleague but a very close friend. We all know that CHARLIE's unwavering dedication to his constituents and to our Nation inspired us who had the privilege of serving with him. He was known and was well-documented as a principled lawmaker who was absolutely committed to his values and to his work in this people's House. He was never afraid to stand up for his convictions.

But, Mr. Speaker, I would like to speak on a personal note, because CHARLIE and I were elected in 1994, and I see several of my colleagues here that are going to speak after me. My wife Claire and his wife Gloria became friends during the orientation. And while my wife doesn't come back here as often as Gloria was here with CHARLIE, whenever she came back we always made it a point as often as we could to get together with the Norwoods and have dinner. CHARLIE loved to try a lot of different venues: He was a steak man, and we ate steak. He liked Italian food, and we found several Italian places that we ate. He took me to a Korean restaurant. He liked Korean food after being in Asia. And we had great conversations. We talked about the patients' bill of rights; we disagreed. We talked about OSHA; we agreed. And so he and Gloria became good friends of Claire and me, and he even hosted my brother and I down at the Master's one year. My older brother and CHARLIE shared the same birth date, so they had a bond right off the bat.

If there is one legacy I think that CHARLIE will leave with all of us, it is the bulldoggedness and the determination with which he pursued legislation. But if there is one other legacy that will be left, it is the way he displayed the courage to fight this disease that he had. And I truly think, Mr. Speaker, that any lesser man would not have lasted as long as he did with the disease that he had.

CHARLIE will be very, very much missed, and our prayers go out to Gloria and the family.

Mr. LEWIS of Georgia. Mr. Speaker, may I inquire how much time do we have left.

The SPEAKER pro tempore (Mr. FRANK of Massachusetts). The gentleman from Georgia has 12½ minutes, and the other gentleman from Georgia has 8 minutes.

Mr. LEWIS of Georgia. Mr. Speaker, I reserve the balance of my time.

Mr. DEAL of Georgia. I thank the Speaker. And I would ask the gentleman, we have numerous speakers, if there is a possibility of yielding time at some point, we would request it.

Mr. LEWIS of Georgia. I would be pleased to do so.

Mr. DEAL of Georgia. I thank the gentleman.

At this point I would yield 1 minute to the gentleman from Missouri (Mr. BLUNT).

Mr. BLUNT. I thank all of my colleagues for the comments they have made today. The job of the whip in the House is supposed to be the job of organizing the Members, and many people think it is the job of convincing Members they should do something they don't really want to do. I will tell you that the Member that it would have been the most impossible to convince to do anything he didn't want to do was CHARLIE NORWOOD. He was here to do what he thought was the right thing to do. It wasn't always what I thought was the right thing, but it was what he thought was the right thing and he was going to do it. The toughness, the courage, the determination of CHARLIE NORWOOD was extraordinary among an extraordinary group of people. Just this struggle that we have witnessed with CHARLIE's health, a struggle that he faced uncomplainingly as he sat day after day over in that corner recovering from massive surgery, but, as Chairman BARTON showed in the letter he got in recent days, never giving up on the job he was doing for the people he served.

The people that sent him here should be proud, the people who worked with him should be proud. The people of the United States would be proud if they knew the great and tireless job that CHARLIE NORWOOD did for them every day. And I am honored to have had a chance to serve with him and call him my friend.

Mr. DEAL of Georgia. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from North Carolina (Mr. COBLE).

Mr. COBLE. Mr. Speaker, thank you, sir.

I represent Pinehurst, North Carolina, the golf capital of America. And when I would say that, CHARLIE took great umbrage, he being from Augusta.

On one occasion, CHARLIE overheard someone ask me to describe my district. I replied, "I represent High Point, the furniture capital of the world; I represent one of the finest zoos in the country near Asheboro." And knowing that CHARLIE was listening, I said very condescendingly, "And, of course, the golf capital of America in Pinehurst."

CHARLIE jumped up from his chair, this is the sanitized version. He said, "Now, you son of a gun," he said, "I will let you have the furniture and zoo, but you ain't taking golf."

I told that story, Mr. Speaker, to the Southern Pines North Carolina Rotary Club, and within one week that story was personally delivered to Doc NORWOOD. And CHARLIE said to me, "Howard, don't ever talk about anybody. It will come back to bite you."

CHARLIE NORWOOD, as has been said many times on this floor today, one great guy, one great Congressman who will be sorely missed.

CHARLIE, I won't even say Pinehurst is the greatest golf capital of the world at least for a day or two in remembrance of you.

And condolences to Gloria and the entire Norwood family.

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Mr. DEAL of Georgia. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Mr. Speaker, it was truly an honor to know CHARLIE NORWOOD; I admired and respected him. And shortly after I got here to this body I was told by another Member from Georgia, he was sitting by CHARLIE when I was up speaking and he said, Who is that guy? I like him. Well, the feeling was more than mutual.

CHARLIE NORWOOD, what was not to like? His dogged determination, some would say he was stubborn as a mule. But I think CHARLIE might more elegantly say he was persistent until it almost ceased to be a virtue. But with CHARLIE, it was a virtue.

Now, some gave him bad press, along with some others of us that worked together on the Voting Rights Act. Some falsely claimed that CHARLIE and others of us were trying to restrict the usage of the Voting Rights Act when a clear indication, everything CHARLIE did, everything we worked on, everything we talked about behind the scenes was, by golly, the Voting Rights Act has done good for the places it has been applied. It needs to be applied in every district in America until racial disparity has disappeared.

And although we lost on the floor temporarily, I do believe there is Scripture to support people in heaven to know what is going on here on Earth. They rejoice over one soul's salvation, they know that it isn't over yet. As a matter of equal protection, I think we eventually will get it extended to every district where there is racial disparity.

To Gloria, to the Norwood family, all we can say through the Speaker is, thank you for sharing this wonderful gift with us. And to God on high, thank you for sharing this gift with this House of Representatives.

Mr. DEAL of Georgia. Mr. Speaker, I am pleased to yield 1 minute to the gentlelady from North Carolina (Mrs. MYRICK).

Mrs. MYRICK. I thank the gentleman for yielding.

Mr. Speaker, as you have heard some of my other colleagues say, there were a group of us who came in in 1995 together with CHARLIE and got to know him very well and consider him a dear friend.

You have heard all the words, "perseverance" and "doggedness" and "determination" and "stubborn" and all those other things that describe CHARLIE, but there are also some other words that describe CHARLIE, and that was "loyal" and "friend," because he was a friend to all.

Gloria and CHARLIE and I became very good friends early on. You could always count on him. There was never any question, if you needed CHARLIE, he was there if he believed in what you were doing; if he didn't, he would always forthrightly tell you.

He also displayed that big word "courage," because we saw what he went through as he spent his last 3 years here, and he was always doing his job for his people. The other thing about CHARLIE was integrity. I think you have to look long and far to find someone who had more integrity than CHARLIE NORWOOD; if he gave you his word, he gave you his word.

All of our blessings go to Gloria and his family.

Mr. DEAL of Georgia. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from Arizona (Mr. SHADEGG).

Mr. SHADEGG. I thank the gentleman for yielding.

Mr. Speaker, I rise to mourn the loss of my friend, CHARLIE NORWOOD, and to pay tribute to him and his record, and to extend my sympathies to his wife and his family.

CHARLIE NORWOOD was an extraordinary human, an extraordinary soldier and an extraordinary United States Congressman, and the Nation is better for his service.

You have heard it said here, over and over and over again, that he was passionate, that he was a fighter for the cause, whether that was in Vietnam, whether that was in his chosen field, dentistry, or whether that was here in the United States Congress.

I worked closely with CHARLIE on the Patients' Bill of Rights. I believed deeply, as CHARLIE did, that individual human beings, patients, were being injured by the practices of managed care companies around the country, and that we needed to do something about that. CHARLIE injected himself in that fight with the kind of passion that CHARLIE brought to every fight. And I worked shoulder to shoulder with CHARLIE in that fight, and Dr. TOM COBURN, and learned what a great individual and what an inspiring principled human being he was.

But the best thing about CHARLIE was the twinkle in his eye. When CHARLIE got into a fight, he would literally light up, and light the room with a twinkle of being able to press forward with his fight and his belief and his passion.

We will all miss him. I consider it a privilege to have known him.

Mr. DEAL of Georgia. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from Mississippi (Mr. WICKER).

Mr. WICKER. I thank the gentleman for yielding.

Mr. Speaker, CHARLIE NORWOOD and I were elected together in 1994, as were the two previous speakers. And we were part of that history-making, majority-making 73-Member class who came to office in 1995.

It didn't take us long to realize that CHARLIE NORWOOD was one of the wisest and steadiest and most dependable Members of that class. He was a conservative, and never wavered from that philosophy. He was trustworthy, as Mrs. MYRICK said.

He was a competitor. When CHARLIE NORWOOD waged battle on this floor on your side, you knew you had a capable comrade at arms. And if he was on the other side, when it was over, you knew you had been in a fight. I remember at the end of the debate on the Patients' Bill of Rights, right along the rail back here, CHARLIE NORWOOD and TOM COBURN embracing after the debate like athletes after a great contest.

Whatever he did, CHARLIE NORWOOD did it cheerfully, and that is one of the main things I will remember about CHARLIE. He was a patriot in every sense of the word. He was a credit to this House of Representatives. I am proud to have called him my colleague and my friend.

Mr. LEWIS of Georgia. Mr. Speaker, how much time does the gentleman from Georgia (Mr. DEAL) have?

The SPEAKER pro tempore. The gentleman has 30 seconds remaining.

Mr. LEWIS of Georgia. Mr. Speaker, I am pleased to yield 6 minutes to my colleague from Georgia, and I ask unanimous consent to let the gentleman from Georgia in turn control that 6 minutes and yield to other Members.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The SPEAKER pro tempore. The gentleman from Georgia (Mr. DEAL) now has 6½ minutes.

Mr. DEAL of Georgia. I thank the gentleman for his courtesy.

I am pleased to yield 1 minute to the gentleman from Kentucky (Mr. WHITFIELD).

Mr. WHITFIELD. Mr. Speaker, all of us join in wishing our condolences to CHARLIE's wife Gloria and his entire family.

Those of us who were elected in 1994 and had the opportunity to know CHARLIE, to work with CHARLIE, and for me personally I had the opportunity to sit next to him on the Energy and Commerce Committee for about 8 years, CHARLIE was many things. He was a soldier in Vietnam, he was a businessman, he was a dentist, he was a great United States Congressman. He also was a Sunday school teacher at Trinity on the Hill Methodist Church in Augusta, Georgia. And I know that that church meant a lot to him because he is asking for donations to that church as a memorial.

Recently I attended a church service in a Methodist church in Kentucky, and the title of the sermon was "You Can't Make a Success of Life Without Making a Gift of It." And when I think of CHARLIE NORWOOD, that is really what I think about: He made a gift of his life. We will miss him. He has made a tremendous impact on all of us. We wish his family the very best.

Mr. DEAL of Georgia. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from Texas (Mr. CARTER).

Mr. CARTER. I thank you for yielding.

Mr. Speaker, I rise to speak about my friend, CHARLIE NORWOOD. I have prepared remarks, but I would really like to just relate like others have.

The first time I ran into CHARLIE I was a new freshman in this body. He sat behind me. And when you are brand new here, you are listening and you are trying to figure out what is going on. And when CHARLIE NORWOOD opened his mouth, he was saying things sometimes that others were not, and stood his ground to those things, even though they might be in conflict with both the other side and his party, both. CHARLIE had a way of standing up for his principles.

I also want to talk about Gloria, because Gloria took my wife under her wing and was kind to her. And I can tell you for this last year and a half, literally every week that I have served in this Congress, my wife has asked about CHARLIE's health because she fell in love with Gloria Norwood.

Everyone in this House sends out their hearts to Gloria at the loss of her beloved husband. We were proud to serve with him. He was a great American.

Today I rise to honor my friend and colleague Mr. CHARLIE NORWOOD from Northeastern Georgia who passed away yesterday morning. As a man of strong character and unwavering convictions, his passing is surely a saddening loss to the American people.

CHARLIE NORWOOD served as a brave soldier during Vietnam as part of the Army Dental Corps in the 173rd Airborne Brigade. He was honored for his courageous service with the Combat Medical Badge and two Bronze Stars.

Elected to Congress in 1994, CHARLIE was the first Republican to represent his Northeastern Georgia district since Reconstruction. During his time in Congress he was known for his endless fight for the patients' bill of rights and his fight for stricter immigration policies.

CHARLIE bravely battled cancer and lung disease, and in his final days he returned to Augusta to be with his family. The Norwood family will be in my thoughts and prayers. Please join me, Mr. Speaker, in expressing our deep appreciation for the lifetime of service by CHARLIE NORWOOD and extending our sympathies to his wife, Gloria Wilkinson Norwood, and their family.

Mr. DEAL of Georgia. Mr. Speaker, I am pleased to yield 1 minute to one of our colleagues from Iowa (Mr. KING).

□ 1740

Mr. KING of Iowa. I thank the gentleman for yielding.

Mr. Speaker, I rise to speak in profound sorrow and gratitude for the life of CHARLIE NORWOOD. I believe I had known CHARLIE long before I came here to meet him in person. I got to know him through C–SPAN and through the media. When I met him personally, he had matched up identically with the person that I saw through the television screen. CHARLIE had that light within him, as JOHN SHADEGG said.

I look back at a time when CHARLIE was not feeling well. He came here whenever it was physically possible for him to do that, and I remember a day when he looked poor, but when he spoke in that microphone right there, that light came back on again and the real CHARLIE NORWOOD again blessed this Chamber with his presence.

America will always be grateful. Gloria, Marilyn and I want you to know that you and your family are in our prayers. We will always look over to this place on this floor where CHARLIE always sat and recognize that as CHARLIE's seat in the people's Chamber.

Mr. DEAL of Georgia. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from Indiana (Mr. BUYER).

Mr. BUYER. Mr. Speaker, I rise to express deep sorrow at the passing of our friend and colleague, CHARLIE NORWOOD. While most of us hope to make a difference in this world, CHARLIE NORWOOD certainly did that. He also made a difference in the lives of those who were fortunate enough to have known him.

CHARLIE was steadfast and did what he thought was right. He was an immovable object in the defense of principle, and when met with irresistible force, it wasn't likely that CHARLIE was the one who was moved.

During the development of the Medicare prescription drug benefit, I worked closely with CHARLIE and several of my colleagues to see if there was an alternative plan and how we were going to work this out. CHARLIE's contributions were insightful, they were valuable, and added considerably to the worth of our final product. During that process, he was constantly mindful of two things, and that was the need to help seniors who had no drug coverage and the need to be wise stewards for taxpayers.

Coming to Congress with a medical background, CHARLIE provided a point of view that enhanced any debate he entered. While witnesses before him, at the Health Subcommittee may have cringed at times under his questioning, the responses that were drawn out always added an important dimension to our debates.

CHARLIE will be sorely missed: in Congress, in the Health Subcommittee, but more importantly in all our lives. I give my deepest sympathies to his wife, Gloria, his sons Charles and Carlton, and his constituents.

Mr. DEAL of Georgia. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from Iowa (Mr. LATHAM).

Mr. LATHAM. I thank the gentleman for yielding, and I thank the Speaker for this chance to say just a few words about my dear friend and classmate, CHARLIE NORWOOD.

To Gloria, to the family, we extend our most sincere, deepest condolences. Kathy and I will keep you in our prayers.

I just want to tell one short story about CHARLIE. When we came into Congress together back in 1994 and we had the Contract With America, the first 100 days, one of the very first votes that we had was H.R. 1. That was an amendment to the Constitution to balance the budget. I was standing right back here at the voting machine beside CHARLIE NORWOOD. I voted "yes." CHARLIE put his card in, he voted "yes," and he turned to me and says, You know what. That's what I ran on. I can go home now. I've done my job. I've kept my promise.

That's what CHARLIE NORWOOD was all about. I just want to say, CHARLIE, you're home now, the Augusta, the Georgia that you love, and our thoughts and prayers will always be with you and the great honor that you have given all of us here to serve with you in this great body.

Mr. DEAL of Georgia. I would say to my colleague, Mr. LEWIS, I am prepared to close if you would like to.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. LEWIS).

Mr. LEWIS of Georgia. Mr. Speaker, CHARLIE NORWOOD, the man from Georgia, not just a citizen of Georgia, not just a citizen of the American South, but a citizen of the world, a man who fought the good fight, who kept the faith. He was a good and decent man, and we will never ever forget his lasting contribution.

We pray for his family, for the people of his congressional district, and we pray for his soul.

Mr. Speaker, I yield back the balance of my time.

Mr. DEAL of Georgia. Mr. Speaker, in closing, I want to thank my colleague, Mr. LEWIS, for his graciousness, for his assistance in bringing this resolution to the floor, and to express my appreciation to all of our colleagues who have spoken here today. Their eloquence, I hope, conveys to Gloria and to the family the esteem with which we held CHARLIE NORWOOD. Truly the gentleman from Georgia and the blue searsucker suit is going to really be missed here, but his legacy will live on.

It is the responsibility of each of us to make sure that we have the same degree of commitment and passion as CHARLIE NORWOOD did. He set a great example we will all endeavor to follow.

Mr. JONES of North Carolina. Mr. Speaker, I rise today in sadness to note the recent passing of a dear friend and colleague, CHARLIE NORWOOD. I want to extend to his wife Gloria and her sons, and their family, my deepest sympathy for their loss.

I know how much CHARLIE loved his wife Gloria and his family.?

I join my colleagues today on the floor of the House to honor his service in the House of Representatives, and to honor his memory.

CHARLIE and I came to Washington with the class of 1994. We were elected to Congress in the same year and we came with the class that was going to change the way Washington operates.

In the seven terms that I have served with CHARLIE, I gained a lasting friendship and respect for CHARLIE.

CHARLIE certainly made an impact on the House of Representatives. He always fought for the causes for which he believed, and many times we were on the same side.

In the last year of his service, as he was battling illness, he always had a smile for me when I would speak to him. And I know that he had a smile for anyone that came to say hello.

As a man of faith, I know that CHARLIE is in heaven. But for those of us who had the privilege to know him, we will miss him until we meet again.

He was an outstanding Congressman, and he will be missed.

Mr. STEARNS. Mr. Speaker, it is with sorrow, yet fondness, that I speak on the passing of our colleague and friend, CHARLIE NORWOOD. While in Congress, his dedication to Georgians, to patient advocacy, to business ownership and property rights, and to veterans are legendary.

Prior to his service in the House of Representatives, CHARLIE served his country as a Captain in the U.S. Army Dental Corps in Vietnam, and he contributed to his community as a dentist, business owner, and active worshipper in his Methodist Church.

I first learned about CHARLIE in 1994 when he was running for his Georgia district. Struck by his pluckiness and quiet steadfast determination even then, I decided to campaign for him in his district-to-be, and met his wife Gloria. And when he was elected, he immediately became a player in health care legislation, not waiting for reaching the echelons of seniority to make real contributions.

Through all his trials, CHARLIE NORWOOD had a sparkle, an ingenuity how to get things accomplished. His passion would at times translate into defiance at another Member. In particular, I recall such a moment at the Energy & Commerce markup on July 27, 2006 of H.R. 4157, the Better Health Information System Act of 2006, or "Health IT" bill. Another Member, Representative MARKEY, was offering some language that would have the effect of governing relations between health care providers and their patients. Well, CHARLIE took great exception to this, and rather angrily erupted to Representative MARKEY that his profession has engaged in the highest ethical standards of patient privacy since the inception of dentistry, and therefore "I don't need you to legislate my professional ethics."

In the past couple of years, CHARLIE would ride in his scooter to the Energy & Commerce Committee on which we served together, and to the Floor, for debate and hearings and votes. And notwithstanding his ailing health, I was always touched by his continued friendly, high spirits. CHARLIE, I am honored to have known you. Rest in peace.

Mr. COSTELLO. Mr. Speaker, I rise in support of this resolution honoring the life of our friend and a great member of this body, CHARLIE NORWOOD, who passed away after an 8-year battle with a chronic lung disease, and then lung cancer.

Elected in 1994, CHARLIE was a passionate public servant who will be remembered for his dedication to health care issues and his commitment to patients' rights. A dentist by training, he had the unique perspective of understanding how health policy impacted him as a practitioner as well as his patients. His experiences were a driving force in his passionate advocacy for a patients' bill of rights, and he helped lead the effort to pass that legislation.

CHARLIE also served his country in the Army for 3 years, and was a veteran of the Vietnam war. I had the privilege of getting to know CHARLIE when our offices were next door to each other in the Rayburn building and enjoyed our friendly visits and candid conversations. He instantly gained my respect as a hard-working and eager gentleman willing to work across party lines in search of compromise.

Mr. Speaker, while CHARLIE'S presence will be missed, his valiant spirit will live on and I am grateful for the opportunity to have served with him in this Chamber. I send my condolences and best wishes to his family, and join my colleagues in supporting this resolution.

Mr. CANTOR. Mr. Speaker, I am deeply saddened at the loss of a great American. CHARLIE NORWOOD was an honored member of this House of Representatives and will be deeply missed. His work for patient and individual rights showed his intense compassion for the American people.

Congressman NORWOOD was someone who lived the American dream. He went to college, became a dentist, fought for his country in Vietnam, and was a loving husband, father and grandfather. He served his district, state and country with distinction in the United States Congress.

CHARLIE worked to leave the world a better place than it was given to him, and I can say that, because of his service to our country and work for health care issues, he did just that.

Congressman CHARLIE NORWOOD was taken from this earth too soon. My wife Diana and I extend our deepest sympathy to Gloria and the entire Norwood family in this difficult time.

Mr. RADANOVICH. Mr. Speaker, I rise with a heavy heart today to remember a friend, and colleague—Representative CHARLIE NORWOOD of Georgia, who passed away yesterday, at his home in Augusta, Georgia.

CHARLIE and I came into Congress as part of the "Republican Revolution" in 1994. We shared a common vision with the rest of our classmates of what the Federal Government should be and how it should act. CHARLIE worked diligently to attain this vision while serving his constituents.

During this sorrowful time my thoughts and prayers go out to his family, friends, staff and loved ones. It was an honor serving with CHARLIE, and he will be sorely missed.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise to pay tribute to a great American and a member of this House. CHARLES NORWOOD was a veteran, dentist, small business owner, and Member of Congress from Georgia.

Congressman NORWOOD, who died on Wednesday, February 14, 2007, was a respected member of this body and respected by all who knew him. His presence will be greatly missed and we all mourn his loss and extend our sincerest condolences to his family and friends.

CHARLES NORWOOD was born July 27, 1941 in Valdosta, Georgia. "CHARLIE" as he was known, attended school in Valdosta throughout his first year of high school when his family moved to Tennessee, where he graduated in 1959 from Baylor Military High School in Chattanooga. He received his B.A. from Georgia Southern University in 1964 and a Doctorate in Dental Surgery from Georgetown University Dental School in 1967 where he was elected President of the Dental School Student Body during his senior year.

After completing dental school, CHARLIE NORWOOD enlisted in the United States Army, and was commissioned a Captain in the U.S. Army Dental Corps from 1967 to 1969. He was first assigned to the Army Dental Corps at Sandia Army Base in Albuquerque, New Mexico. In 1968, he was transferred to the Medical Battalion of the 173rd Airborne Brigade in Vietnam.

While in the Dental Corps, CHARLIE pioneered dental practices that became standard procedure after the Vietnam War. In addition to assisting the soldiers, he also provided some of the first field-based dental treatment of military guard dogs. For his distinguished service to our Nation, CHARLIE received the Combat Medical Badge and two Bronze Stars. He was discharged in 1969 after which, he entered the private practice of dentistry in Augusta, Georgia. For many years, "DOC NORWOOD" provided great service to all his patients.

In 1994, CHARLIE NORWOOD was elected to represent the Tenth Congressional District of Georgia in the historic 104th Congress. We were classmates because that same year I was elected to represent the citizens of the Eighteenth Congressional District of Texas. CHARLIE represented his district so well that he was reelected by his constituents six times and always by substantial margins.

In Congress, CHARLIE NORWOOD was a strong proponent for health care reform. He introduced legislation calling for a Patient's Bill of Rights. He also championed more and better health care for veterans. In addition to his work in health care reform, NORWOOD introduced legislation and worked on various other public-policy issues.

Throughout his congressional career, CHARLIE NORWOOD served on the Energy and Commerce Committee and the Education and Workforce Committee. He was Vice Chairman of the Subcommittee on Health from 2001 to 2004 and a member of the Energy and Power Subcommittee from 1997 to 2000.

Mr. Speaker, a dear colleague has fallen but he will not be forgotten. We are all saddened by our loss but we are happy to have served with him. Our prayers and condolences are with his family and loved ones. CHARLIE NORWOOD—Vietnam Veteran, dentist, small business owner, and Member of Congress—was a good representative, a good legislator, and a good man. He will be missed.

Mr. MILLER of Florida. Mr. Speaker, on behalf of the United States Congress, it is with great sadness that I rise today to recognize the passing of my esteemed colleague and friend, the Honorable CHARLES WHITLOW NORWOOD, Jr. of Georgia's Tenth Congressional District.

Yesterday, we lost an inspiring public servant to complications from his eight year battle with idiopathic pulmonary fibrosis. All who knew him and worked with him recognized and appreciated his hard work. Throughout his seven terms in Congress, CHARLIE served on the Education and the Workforce Committee as Chairman of the Subcommittee on Workforce Protections. He also served on the Committee on Energy and Commerce, which included two terms as Vice-Chairman of the Subcommittee on Health. Fueled by a sincere interest in helping others, his colleagues knew he was not working for himself but for the people.

CHARLIE is well-known for introducing the first comprehensive managed health care reform legislation to Congress in 1995. He truly left his mark in legislation with reforms on patient's rights, education, private property rights, telecommunications, and environmental regulations.

CHARLIE was dedicated to public service throughout his entire life, not only as a Member of Congress, but also as a dentist, a Vietnam Veteran, a small businessman, and a man of great faith. He and wife were active in their local United Methodist Church, as well as, members of the Augusta Opera Society and Augusta Symphony Guild. In every aspect of his life, he was recognized with countless awards and honors which illustrate how his contributions to his community were limitless.

We have not lost a colleague—we have lost a good friend.

The Honorable CHARLIE NORWOOD is survived by his wife Gloria, sons Charles and Carlton Norwood, and four grandchildren, all of Augusta. We will continue to hear of his service well into the future as CHARLIE'S legacy will, without a doubt, live on.

Mr. Speaker, on behalf of the United States Congress, I am proud to honor the life of the Honorable CHARLES WHITLOW NORWOOD, Jr. and his living legacy.

Mr. SENSENBRENNER. Mr. Speaker, it is with deep sadness that I mourn the loss of my friend and colleague, Congressman CHARLIE NORWOOD. CHARLIE was a tenacious fighter in Congress who would not back down from his beliefs. More important than his work in the House of Representatives, he was a dedicated husband, loving father of two sons and a grandfather of four.

CHARLIE served his country proudly in Vietnam and was a decorated veteran. Upon his return to the states, he practiced dentistry and helped countless Georgians. In 1994, he brought his compassion and conservative values to Washington. I soon learned that CHARLIE NORWOOD was a man of impressive character and conviction, with a Southern charm and heart of gold.

CHARLIE NORWOOD was a fervent believer in tackling the problem of illegal immigration, and I enjoyed working with him to pass immigration reform. CHARLIE made a valuable contribution to the House's immigration bill in the 109th Congress by including parts of his CLEAR Act in the legislation. I shared his belief that we should direct local law enforcement to help us apprehend the illegal immigrants in this country who are criminals.

CHARLIE courageously battled cancer for a number of years, and he was an inspiration to many, including his colleagues on both sides of the aisle. I am pleased that I had the opportunity to work with CHARLIE, and my wife Cheryl and I extend our deepest sympathies to Gloria Norwood and their entire family.

Mr. SESSIONS. Mr. Speaker, I rise today to join my fellow colleagues in mourning the passing of Congressman CHARLIE NORWOOD. My friend and the honorable representative for the people of the Ninth District of Georgia passed away on Tuesday after his long battle with lung disease and cancer. This Chamber, and the State of Georgia has lost a friend and one of our most capable and dedicated Members. Even before CHARLIE came to Congress in the election of 1994, he was a courageous individual and public servant. The former Army dentist was a decorated officer serving in Vietnam, having been awarded the Combat Medical Badge and two Bronze Stars for his service.

Words cannot fully express the sorrow that is felt by those who have known and loved CHARLIE. My heart goes out to CHARLIE's wife, Gloria, their two sons, Charles and Carlton, and their four grandchildren. I also will be keeping CHARLIE's staff in my thoughts and prayers, as I had the pleasure of working with Dr. NORWOOD on a variety of issues, and his staff was always a delight to work with. I can only imagine how tough it is for them, and all of CHARLIE's family and friends right now during this difficult time. I will be keeping CHARLIE's memory in my thoughts and prayers. He was always a dear friend of mine, someone who I looked to for his opinion and judgment.

CHARLIE is now leaving us for a better place, but he leaves behind a lasting legacy, and shoes that can never be filled. We have lost a hero and a champion, God bless.

Mr. BROWN of South Carolina. Mr. Speaker, I join my colleagues in mourning the passing of CHARLIE NORWOOD. As a Member of Congress from the neighboring state of South Carolina, I was fortunate enough to serve with CHARLIE and see firsthand his dedication to public service. Coming to Congress with a medical background, CHARLIE championed issues regarding a patients' bill of rights which was designed to give people better access to healthcare. As a decorated Vietnam Veteran, CHARLIE was a fighter. He fought for 12 years as a member of Congress on behalf of his constituents. I worked with CHARLIE on a number of issues including education, military, and veterans' issues. As Subcommittee Chairman of Health on the Veterans' Affairs Committee, I had the pleasure of participating in a Town Hall meeting with the veterans from his district.

Diagnosed with cancer in 2006, CHARLIE continued to serve the people of Georgia bravely and honorably in the HOUSE OF REPRESENTATIVES despite his ill health. He fought to the end, and in his final days, he returned home to be with his family.

CHARLIE will be sorely missed, but his legacy will never be forgotten. My thoughts and prayers are with his wife Gloria and his two children during this sad time.

Mr. BONNER. Mr. Speaker, it is with great sadness that I rise today to honor the memory of former Georgia Congressman CHARLIE NORWOOD and his lifetime of dedication to the people of Georgia and the United States. I was deeply saddened to learn our colleague passed away earlier this week. We have not only lost a wonderful friend, but an individual who during his lifetime made countless contributions toward the betterment of our Nation.

CHARLIE, a native of Valdosta, Georgia, began his career of service by volunteering for the U.S. Army, serving as captain in the Dental Corps. He served in Vietnam, where he distinguished himself under combat conditions, and he was awarded the Combat Medical Badge and two Bronze Stars. Immediately after his discharge, CHARLIE opened his dental practice in Augusta. He was highly involved in many professional organizations, serving as president of both the Eastern District Dental Society and the Georgia Dental Association.

In 1994, CHARLIE was elected to represent the 10th District of Georgia in the United States House of Representatives. Throughout his six terms, CHARLIE was a champion of patients' rights, introducing his Patient's Bill of Rights. He also fought for health care reform for military retirees and veterans. CHARLIE also served with distinction as a member of the Energy and Commerce Committee and the Education and the Workforce Committee.

We are privileged to have known and worked with such a passionate and loyal individual. CHARLIE will be greatly missed and always remembered. Madam Speaker, I ask my colleagues to join me in remembering a dedicated statesman. Dr. NORWOOD will be deeply missed by his family—his wife, Gloria Wilkinson Norwood, and his sons, Charles Norwood and Carlton Norwood—as well as the countless friends he leaves behind. Our thoughts and prayers are with them all at this difficult time.

Mr. BURGESS. Mr. Speaker, this week our country lost a fine American with the death of Congressman CHARLIE NORWOOD. Congressmen NORWOOD was a tireless advocate for his district and the State of Georgia and an icon in the field of health care. His dogged determination to improve life for the average family and improving health care in this country for the patient that confronted overwhelming bureaucracy, increasing costs, and diminishing access was a hallmark of this great man's career of public service.

Before I was elected to Congress and during one trip to Washington I met with my Chamber of Commerce as a private physician, I was asked which Member of Congress I would most like to meet. I responded that I would most like to meet with CHARLIE NORWOOD. To my surprise, they were able to set up a meeting for me with Congressman Norwood. Now at the time, I was a constituent of Majority Leader Dick Armey who represented the 26th District before he retired and I succeeded him here in the House of Representatives. At that time, the Majority Leader was basically playing traffic cop to one of CHARLIE's many bold health care initiatives. Unfortunately, when Congressman NORWOOD figured out I wasn't visiting him as an emissary of Congressman Armey he listened to my gushing praise and then quickly exited the meeting graciously. It was 6 years later that I would have the chance to meet again with Congressman NORWOOD, this time as a freshman member of the U.S. House of Representatives. The first question he asked me then was, "are you with me or against me," then referring to his long battle for the Patient's Bill of Rights.

Well, I've been with CHARLIE ever since. During my early tenure in office, he was a gracious mentor and even more so when I joined him as member of the Energy and Commerce Committee during the 109th Congress. CHARLIE's strong defense of medical providers and patients, his tough stances on border security and national security, defined a man dedicated to his country. Even during his failing health, Congressman NORWOOD was as persistent as he ever was.

My thoughts and prayers are with Gloria and his family. America lost a great man. I lost a friend and a mentor. CHARLIE, we won't forget you.

Mrs. BLACKBURN. Mr. Speaker, it is with deep sorrow that I rise to remember the life of CHARLIE NORWOOD. I know CHARLIE had an impact on everyone that he came into contact with and we are all grieving the loss.

I had the privilege of serving with CHARLIE on the Energy and Commerce Committee. CHARLIE loved a robust discussion of the issues. He loved the ability to debate an idea and he loved espousing his conservative beliefs. When his microphone went on in committee, you could see the gleam in his eye as he readied for a hearty exchange. His love of engaging the issues was appreciated by all his colleagues on the Energy and Commerce Committee.

CHARLIE was a man of deep conviction and integrity. He will be deeply missed, not only by this body but also by his constituents and his family.

Mr. Speaker, I ask my colleagues to join me in celebrating the life and accomplishments of Congressman CHARLIE NORWOOD.

Mr. DEAL of Georgia. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. All time has expired.

Without objection, the previous question is ordered on the resolution.

There was no objection.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Under clause 5(d) of rule XX, it is the Chair's duty to announce to the House that, in light of the death of the gentleman from Georgia (Mr. NORWOOD), the whole number of the House is 434.

GENERAL LEAVE

Mr. DEAL of Georgia. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on the resolution just adopted.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a joint resolution of the House of the following title:

H.J. Res. 20. Joint resolution making further continuing appropriations for the fiscal year 2007, and for other purposes.

The message also announced that pursuant to Public Law 106-286, the Chair, on behalf of the President of the Senate, and after consultation with the Majority Leader, appoints the following Members to serve on the Congressional-Executive Commission on the People's Republic of China:

The Senator from Montana (Mr. BAUCUS).

The Senator from Michigan (Mr. LEVIN).

The Senator from California (Mrs. FEINSTEIN).

The Senator from North Dakota (Mr. DORGAN), Co-Chairman.

The Senator from Ohio (Mr. BROWN).

IRAQ WAR RESOLUTION

The SPEAKER pro tempore. Pursuant to section 3 of House Resolution 157, proceedings will now resume on the concurrent resolution (H. Con. Res. 63) disapproving of the decision of the President announced on January 10, 2007, to deploy more than 20,000 additional United States combat troops to Iraq.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. When proceedings were postponed earlier today, 4 hours and 46 minutes of debate remained on the concurrent resolution.

The gentleman from California (Mr. SHERMAN) has 2 hours and 21 minutes remaining and the gentleman from New York (Mr. KING) has 2 hours and 25 minutes remaining.

The Chair recognizes the gentleman from California.

Mr. SHERMAN. Mr. Speaker, I yield myself so much time as I may consume.

Mr. Speaker, we are engaged in a long war on radical Islam, a war the President has analogized to the Cold War. Two roads in that war lead to disaster. The first disastrous road would be to abandon the battle, appease, disarm, blame America, and speak to Syria and Iran about what concessions we are going to give them.

The second disastrous course is to stay the course in our utter fixation on Iraq as the only battlefield in the global war on radical Islam. Those who propose that we stay the course, an erroneous course, I might add, give four different reasons:

First, they say that if we do not stay in Iraq and prevail, then terrorists will have a place to gather and plot against us. Mr. Speaker, terrorists can plot against us in the deserts of Somalia. Terrorists are plotting against us in the mountains of North Waziristan, in the mountains of Pakistan. Mr. Speaker, terrorists can plot against us in an apartment building in Hamburg. Even if we prevail in Iraq, terrorists will always be able to find a conference room.

The second reason we are given is that if we do not prevail in Iraq, the terrorists there will follow us home. Well, keep in mind on 9/11, the vast majority of the hijackers came from Saudi Arabia, a country with an apparently stable and obstensibly friendly government. So even if Iraq were stable and friendly, individual Iraqi terrorists might well come to the United States and carry out actions against us. Third, we are told that we have an obligation to the Iraqi people to stay there, to stay the course. We have liberated the Iraqis from Saddam Hussein, a man who killed millions in his war against Iran and against the Kurds. Now we have given the Iraqi people an opportunity to come together. We have bled sufficiently for Iraq.

Finally, we are told that we owe it to those Americans who died in battle to stay in Iraq until Iraq is a model democracy.

□ 1750

I would argue that instead we owe it to those who died to have an intelligent foreign policy that safeguards America. That starts with learning the lessons of the Cold War. Remember the 1960s and the 1970s, when we were told that if we didn't support every escalation in Vietnam, then the Communists would follow us home or, in the parlance of that day, there would be Communists on the beaches of southern California.

Well, we won the Cold War because we pulled out of Vietnam. The short-term outcome in Vietnam was not what we would have liked, but even if we had stayed in Vietnam another decade, it would have been no different. We won the global war on communism because we waged it globally, and we did not become fixated forever on Vietnam.

The time has arrived to pull back from daily battles on the streets of Baghdad. It is time for Iraq to no longer be viewed as the sole or exclusive battlefield in the war on terrorism. It is time instead for us to focus on the one part of the global war on terrorism that could lead to hundreds of thousands of American deaths, and that is Iran's nuclear program. We need to mobilize all of our diplomatic leverage to reshape our policies towards Russia, Europe and China, toward the single goal of putting together a coalition that will put the pressure on Iran necessary to force that country to abandon its nuclear program. We owe this to those who have died in Iraq, and we owe it to the American people.

Finally, we are told that this resolution is nonbinding, meaningless, that the President will ignore it, that the only way we have of affecting policy is to cut off funds, which is constitutionally problematic, since it involves tying in the hands of the Commander in Chief while we have troops in the field. But the very people who say this resolution is meaningless have it in their power to make it meaningful, have it in their power to avoid such constitutionally problematic approaches.

Because if the Republicans will vote for this resolution, they will make it meaningful, they will make it decisive, the President will not ignore it, we will jolt the President into abandoning his stay the course, escalate the course approach.

Those who vote against this resolution may keep it from being meaningful. But if even a third of the Republican caucus votes for this resolution, then the President will no longer stay the course, he will be jolted, he will work with Congress cooperatively towards a foreign policy that makes sense for our country.

I look forward to having enough votes for this resolution so that it is, indeed, meaningful.

Mr. Speaker, I reserve the balance of my time.

The SPEAKER pro tempore. The gentleman from New York is recognized as the designee of the minority leader under the rule for the purpose of yielding time.

The gentleman is recognized.

Mr. KING of New York. I thank the Speaker for his recognition and for his usual courtesy.

Mr. Speaker, I yield myself such time as I may consume.

I rise today in opposition to the resolution. I have listened as carefully as I can for the past day and a half of debate, and it becomes clearer and clearer to me that those who were supporting this resolution, for whatever reason, are unwilling to accept the consequences of the words of this resolution, unwilling to accept the consequences of what could happen by the adoption of this resolution.

Yes, the resolution is meaningless. Yes, the resolution has no legal impact, but it does send a terrible message. It sends a terrible message to the world that the United States is losing a sense of resolution, if you will. It also sends a very cruel message, I believe, to the troops in the field, because while the resolution goes out of the way to say it supports the troops, at the very same time it is necessarily undermining the newly appointed commander of those troops. We hear from speaker after speaker who was speaking in support of the resolution that this is more of the same staying the course, this is a policy that cannot work.

But yet the newly designated commander, General Petraeus, who was unanimously confirmed by the United States Senate, is one of the architects of this policy. General Petraeus has stated that this policy can work, that he believes it will work.

Those of us who have been to Iraq and seen the outstanding work that General Petraeus has done, the 101st Airborne, we realize how committed he is. To me it sends such a mixed message to, on the one hand, have him unanimously confirmed as the new commander in the field, and yet at the same time to be attacking his credibility or his competency.

You can't have it both ways. You can't say he is the best man for the job, we have faith in him, and yet say the policy is wrong and it cannot work, and he says it will work and he is the architect of that policy. Think of the message we are sending to the troops. Think of the message we are sending to our allies in our region. Probably most importantly, think of the message we are sending to the enemy of the region.

I just heard the previous gentleman say that those of us who oppose the resolution want to stay the course. I would say that those who are supporting the resolution are the ones who want to stay the course. This is a significant new policy. General Petraeus has said it is a new policy, and it is a new policy.

The gentleman also said that we don't really have to worry about Iraq becoming a haven for terrorists because terrorists can attack us anywhere. He basically said you can do it from an apartment in Hamburg.

I would suggest that if the proponents of the resolution cannot appreciate the distinction between a hotel room in Hamburg and a sovereign state such as Iraq being occupied by terrorists, then they don't realize the impact that Afghanistan had, the fact that the Taliban allowed al Qaeda to have a sanctuary in Afghanistan, how it gave them a strong base of operations to carry out and plot the attacks of September 11.

Now, truly there are terrorists everywhere, Islamist terrorists throughout the world. They are certainly throughout the Middle East, the Philippines, Indonesia, Singapore, they are here in the United States, we know that, in Canada. But the fact is you try to take as many sanctuaries away from them if possible.

Iraq, if we did leave Iraq, and that, I believe, has to be the necessary outcome, the only logical conclusion of where this resolution will ultimately lead us, then we have a situation where we are talking about confronting Iran. Well, the Shiites in Iran will certainly have enormous influence in Iraq. Al Qaeda will have a sanctuary among the Sunnis in Iraq, and then we will have the situation in the north between the Kurds and the Turks. So the fact is no one more than those of us who oppose the resolution realize this is not the only battlefield, but it is a main battlefield.

Certainly al Qaeda believes it is important. That is why we have al Qaeda in Iraq. That is why al Qaeda has been carrying out attacks, that is why al Qaeda was there. That is why we are engaging in Anbar province. By the way, of the 21,000 additional troops, at least 4,000 will be directly confronting al Qaeda in Anbar province.

These are all the issues I feel have not been in any way adequately or sufficiently addressed by the supporters of the resolution. Again, at a time when we have General Petraeus embarking on what I believe is a key turning point in the war, it is really irresponsible to even be considering voting for this resolution.

Now, another point, I know many speakers on my side want to be heard during the time that I will be controlling, but we, I think, have to address the issue of should Congress be getting involved in making strategic battlefield decisions.

I have researched this. I have not found one instance during the history of our country where the United States Congress has injected itself into battlefield decisions.

I was just thinking suppose we did this during World War II, and we had this situation with a small island in the Pacific, Iwo Jima, where almost 7,000 people were killed in less than 6 weeks, almost 26,000 casualties. If we had 24-hour cable news, if we had a sense of disunity in the country, we would be bringing a resolution in the second or third week of the battle saying we already lost 2, 3, 4,000 troops. this one island, how can we have 10 to 15,000 casualties just in the first 2, 3 weeks.

But the fact is we have allowed the President, as Commander in Chief, and that is his constitutional responsibility. We voted for the war in the House. We voted for the war in the Senate. Once we do that, the Commander in Chief, I believe, strongly believe, has the constitutional authority and the right to be deciding exactly the tactical and strategic decisions.

If the Members of Congress want to cut off funding for the war, the fact is some of them may, then the fact is they should say that, not be coming in through the backdoor.

So I would urge my colleagues to realize the consequences of their action. You know, I spoke on the House floor yesterday, and after I was finished the speaker who followed me said I wish that the opponents of the resolution would just stick to the resolution itself.

I am more than willing to debate the resolution. I believe I have. The fact is I can see why they don't want to look at the consequences beyond the narrow language of that resolution, because it will have horrific consequences for the United States. Actions have consequences, words have consequences, and the words of this resolution will have terrible consequences for the United States, terrible consequences for all of us who oppose Islamic terrorism, and terrible consequences for our allies in the region and with whom we need support in the future.

Mr. Speaker, I reserve the balance of my time.

☐ 1800

Mr. SHERMAN. Madam Speaker, I am proud to be part of a process that shows our troops that America is a functioning democracy, and that we are engaged in discussing a resolution that reflects the views of the vast majority of the American people.

Madam Speaker, I yield 5 minutes to the chairman of the Congressional Black Caucus, a distinguished Member of the Congress and of the Appropriations Committee, the gentlewoman from Michigan (Ms. KILPATRICK).

Ms. KILPATRICK. Madam Speaker, I thank the gentleman for yielding me time.

I stand here today in support of House Resolution 63, a long time coming, but as it is always said, it is right on time. I stand here to speak for the millions of Americans today who have had enough, who have had enough of this war, its unjust nature, its over $500 billion that has been spent there in Iraq and Afghanistan and not spent in our own country.

I stand here today in support of H. Con. Res. 63 because this war has lasted longer than World War II. My 87-year-old father fought in the Navy at Pearl Harbor during World War II. One of my political mentors, a great man, Mayor Coleman Alexander Young, a former Tuskeegee Airman, fought during World War II. It is time to bring our troops home. It is time for us to change the course.

As we celebrate this Black History Month, the theme of the Congressional Black Caucus during these times are change course, do something different, act, speak, donate, join, confront the crisis, the crisis of the war which is why we are here today, and then continue the legacy that has brought this country to greatness.

Many of my Congressional Black Caucus members have served in the military. JOHN CONYERS, CHARLIE RANGEL, ED TOWNS, BOBBY SCOTT, WILLIAM JEFFERSON, SANFORD BISHOP, all able men who have fought and served in our military over the years.

We come to you, tonight, this evening, as members of the Congressional Black Caucus, proud Americans. We love our country. We serve our people. And we want to remain the strongest Nation in the world.

Who speaks for the American people in this time of crisis? They spoke to us last November when they said enough is enough. The first military man who died in wars for our country's independence was Crispus Attucks, who fought in the Revolutionary War, an African American man who gave his life because he loved this country, could not vote at the time, could not own property, but again he fought in a war because, again, this was the greatest country in the world.

So what do we do today as we discuss H. Con. Res. 63? It is time to engage in a diplomatic solution. We cannot win this war militarily. The generals, the Joint Chiefs of Staff, have spoken out against the escalation. What is the plan, Mr. President? How do we bring our soldiers home, redeploy them on the periphery, and make our country safe, and, at the same time, invest those dollars in Americans' lives, in their children's lives?

Dr. King wrote a book, "I Have the Strength." I have the strength to stand before you today for the American people. I have the strength to let you know that we as a Nation can be all that God wants us to be. That in fighting wars, and wars will come from time to time, this is the time to bring this one to the end.

I will protect and speak out for the over 3,100 families who have lost young men and women, over the tens of thousands who are blinded and amputees, and over the many hundred thousands we do not yet know who will be in need of mental health services as our mental health capacity in this country has been shredded.

Those dollars have to be invested so that we take care of our veterans. I have the strength to stand here before you this evening because it is time, as we debate H. Con. Res. 63, that we rise up as a Nation and speak out and continue our legislative responsibilities, as I stood before you, took my oath of office that I would protect this country, our Constitution, against both domestic and foreign intimidation.

I stand before you tonight as one of 43 members of the Congressional Black Caucus during this African American History Month, who love our country, who want us to invest in America's families. H. Con. Res. 63 will begin that discussion. It will make it available that we might change course, do something different, listen to the American people.

We love our troops. We served in those troops. Our families served. We want the strongest military that we have available. We are now having in Iraq equipment shortages. If we spent over $503 billion, why is it that equipment is not adequate for our soldiers to engage in battle?

Accountability. The Inspector General recently reported $9 billion is unaccounted for. That is $9 billion as part of the $500 billion that could be invested in American families. So I say as I stand here, H. Con. Res. 63, vote "yes." Let's change course.

I am honored and blessed with the understanding of a power greater than that of any singular or even collective Membership of this Congress. That power has allowed Congress to finally debate the most pressing question of our time—the War in Iraq. As I prepared myself to speak in support of H. Con. Res. 63, a very simple and very clear declaration that Congress supports our troops, but we oppose the escalation of this war, I reflected upon the words of one of the greatest warriors for peace this world has ever known, Dr. Martin Luther King, Jr. A prolific author, Dr. King wrote a book entitled, "Where Do We Go From Here: Chaos or Community?" In it, Dr. King writes that "we are faced with the fact that tomorrow is today. We are confronted with the fierce urgency of now. Life often leaves us standing bare, naked and dejected with a lost opportunity." Congress lost our opportunity for real debate on this war a little more than four years ago. Congress has that opportunity now.

As this is the height of Black History Month, I also speak to America today because of the investment that my ancestor put through 4 centuries of slave labor, 4 centuries of lynchings, 4 centuries of Jim Crow laws, 4 centuries of sitting on the back of the bus, 4 centuries of combined discrimination. And despite 4 centuries of second class citizenship, African Americans have always heeded the call to arms in defense of a country that did not always defend them.

Indeed, when it comes to war, the very first person, black, white, Asian, Pacific Islander, or Native American to die for this country was an African American, Crispus Attucks, who did not even have the right to vote, the right to buy property, the right to be recognized as a human being. He wanted the right to love our country. Like the hundreds of thousands of African Americans who have followed his footsteps in the military, I honor and I appreciate the service of all our women and men in the military of all ethnicities. I support all of the women and men who serve, without glory but with honor, efficiently and effectively protecting all of us, never hesitating to pay the highest price any human being could pay for our freedom.

I speak to America today because Americans have had enough, as best selling author Frank Rich illustrates, of the "decline and fall of the truth." Of what decline and fall do I speak? Of "Mission accomplished." Of "bring 'em on." Of "shock and awe." Of "dead or alive." Of "uranium coming from Africa." Of "smoking guns becoming mushroom clouds." Those Americans who have had enough are not just the Democratic majority. They are not just the senior citizens, the working class women and men who punch a time clock every day, or the liberals of America. They conservatives, my Republican colleagues in Congress and elsewhere, people in the red States and blue States, business owners, military women and men and their families.

My father served this country honorably as a member of our military, as have many of my relatives. Many members of the Congressional

Black Caucus have also served this country in our military. Just off of the top of my head, my colleagues Chairman JOHN CONYERS, Chairman CHARLES RANGEL, Congressman ED TOWNS, and Congressman BOBBY SCOTT, among others, have worn the uniform. My political mentor and hero, the late, great mayor of Detroit, Michigan, Coleman Young, was one of General Benjamin O. Davis, Jr.'s understudies as a Tuskeegee Airman as a bombardier and navigator. During the Vietnam war, African Americans served despite the opposition of Dr. King and other groups opposed to the Vietnam war. They did it for the same reason why I serve this country as a Member of Congress—because I love our country.

The investment that began when African Americans set foot in Jamestown, Virginia in 1619 and continues to this very day is the reason why I stand in support of this resolution that is but the first step, to resolve the challenge that is Iraq. I am not a military expert, and I don't pretend to be a military expert. But, as noted genius Albert Einstein once said, "insanity is doing the same over and over again and expecting different results." Over and over, Congress has spent over $503 billion in Iraq. Over and over, America's finest have died, with more than 3,000 women and men, in Iraq. Over and over, women and men are wounded or maimed, some for life, with more than 25,000 today. Today, we still cannot safely fly planes on a reliable basis in and out of Baghdad. This is progress?

Progress is what Americans want. I know that war can be messy, amorphous at times, and brutal. After a war that has lasted more than the United States involvement in World War II, our military women and men deserve progress. Our taxpayers deserve progress. Our current course, and this surge, is not what Americans want, this is not what Congress wants, this is not what I want.

Historians have generally acknowledged that the debate on the war in 1991 was one of the high marks of this institution. Congress did not cede its role then to a popular President. Instead, Congress and the White House worked together to achieve a worthwhile goal. It was difficult. Both sides had to compromise. But guess what? That is how a democracy works.

Unfortunately, Congress did not have this debate over 4 years ago in a war that has now lasted longer than the United States was involved in World War II. Thank God, we have that debate now. Thank God, we have heard the voice of the American people. Thank God and the American people, it is time for a change.

After this debate, after this resolution, I hope that this is the beginning of our country, and our world, to begin to choose between chaos and community. As Dr. King once wrote, "we have a choice today—nonviolent coexistence or violent co annihilation."

Dr. King wrote another book entitled "Strength to Love." It is because I have the strength to love my country, the strength to love our troops, the strength to love the oath I took for this office—that I will protect and defend the Constitution of the United States, against all enemies, foreign and domestic—that I have the strength to support this resolution. We need to be smarter about our policy in Iraq to include diplomatic and political solutions rather than repeating the same military policies that have not worked, but continue to put the finest of our women and men in harm's way. Republicans and Democrats, conservatives and liberals, working together, can arrive at a solution that establishes a stable democracy in Iraq, protects American interests, and increases the role and responsibility of the Iraqi people to fend for themselves.

Instead of "bring them on," I hope that my colleagues agree that Congress can start to "bring them home." I will vote in strong support of H. Con. Res. 63, and hope that Congress can quickly work to bring stronger, binding legislation to the floor soon.

Mr. KING of New York. Madam Speaker, I yield 5 minutes to the gentleman from Nebraska (Mr. TERRY).

Mr. TERRY. Madam Speaker, I rise in opposition to H. Con. Res 63. Our troops have made tremendous sacrifices in waging war against Islamic extremists who not only want to deny freedom to their fellow countrymen but remain committed to attacking America and our way of life.

We have lost some of the bravest, most dedicated and committed Americans we have been honored to know, love, and mourn. They deserve the highest honor and respect from this Congress and the American people for their service. Those brave men and women still in harm's way have earned the right to come home as quickly as possible.

This does not mean, however, that we should abandon this mission and leave Iraq to certain failure by prematurely pulling out our troops, nor should we cut military funding or adopt nonbinding resolutions that embolden our enemies and undermine our troop morale.

Now, that last statement has been accused by many speakers on the Democrat side as being a red herring to chase the American public away from the attention of this addition of 20,000 troops. But I read their authored resolution. And the words are that you support and protect members of the Armed Services who are serving, are serving or have served, which means that they will not support our troops, any uniformed member that is newly sent to Iraq, whether it is for training the Iraqi troops, whether to be embedded and help them, or any capacity. So the next logical step from their own wording of this resolution is to cut funding. That is the only way to stop supporting any new military member that goes to Iraq.

So we have to ask, how will they do that? Now, I believe the Iraqi Government needs our assistance to restore security and prevent a descent into anarchy and civil war, or, worse yet, a heightened foreign insurgency that results in terrorist control of that nation.

The situation in the Middle East is a powder keg that will explode if the United States abandons it. The resolution under debate today offers no military or diplomatic solutions apart from expressing disapproval over the plan to increase troops that will help train the Iraqis to go to the front and take more responsibilities to securing Iraq.

The U.S. military personnel will be working closely with and training Iraqi soldiers. Pentagon leaders tell us that embedding these highly trained U.S. troops have been highly effective in making the Iraqi military better.

In anticipation of the American withdrawal, 23 Sunni clerics in Saudi Arabia have already expressed support for sending their Sunni fighters to Iraq as have Shiite clerics from other areas of the Middle East in anticipation of the U.S. leaving Iraq.

□ 1810

The Jordanian ambassador has described it well, saying that it is like the U.S. has stepped on a land mine, only that this is the other type of a land mine that will explode when you take your foot off of it. We will see an explosion if we do as this Democrat resolution sets up and stop supporting our troops and begin withdrawing them.

This Congress must not repeat the mistakes of Vietnam. War should not be conducted by 535 self-proclaimed generals. Politicians should not be dictating troop levels or planning missions. Our duty is to conduct effective and responsible oversight while giving our soldiers and military commanders the resources that they need to get the job done. This resolution specifically says you will not do that.

Premature withdrawal or a forced gradual withdrawal, which this resolution seems to endorse, from Iraq, through cutting funds, may appease those who oppose the war, the base of the authors who wrote this resolution, but it surely will produce more bloodshed and sectarian violence far exceeding the level currently reported by newspapers today.

I am not willing to gamble with those lives of future Americans of our generations to come. This resolution runs away from the best option we have been presented to provide security in Iraq. I am open to alternatives, better plans, including those from our colleagues on the other side. It is just that we are not able to engage in that discussion today.

I will vote "no" on this resolution, and hope that the majority of my colleagues will join me.

Mr. FALEOMAVAEGA. Madam Speaker, I gladly yield 5 minutes to my distinguished colleague from Louisiana (Mr. JEFFERSON).

Mr. JEFFERSON. Madam Speaker, I thank you for this opportunity to address an issue of grave importance to our country. I rise in support of the resolution that is before us. The resolution continues to support our troops who are presently fighting in Iraq. But it calls into severe question the wisdom of escalating our military involvement there.

I personally believe that escalating our efforts in Iraq is a tremendous mistake. It is time for us to recognize that there is no military solution to what is happening there. The only solution that will work in Iraq is a political solution. Even those who believe this surge to be an excellent strategy do so because they hope that it will lead to more favorable conditions for a political settlement.

The political solution depends on the Iraqi people themselves deciding to work together to knit their country together and to fight in behalf of their own nascent democracy. The rampant violence in Iraq is the result of a civil conflict in that country, and the Iraqi people must decide whether they will truly have a real representative democracy that includes the Sunnis, the Shiites, and other significant segments of their society.

If the Iraqi Government is to stand up for its own future, we must begin now to make it clear that we will not stay there forever and continue to add our troops. I personally believe that the best way to signal that our commitment is not open ended in this civil war is to start now the withdrawal of some of our troops. However, short of that, this resolution is an important first step toward ensuring that the people of our Nation know that we are changing direction in Iraq, and so that the people of Iraq will know that they must plan a future with the United States as an important ally, but not as an enforcer of the status quo in their nation.

Madam Speaker, the justifications for the invasion of Iraq have long ago been discredited. There were no weapons of mass destruction. There was no nuclear threat. Every credible source and study has established that there was no connection between Saddam Hussein and al Qaeda and the tragic events of 9/11. These were the reasons that were given as justification for our entry into the Iraqi war and that supported the statement that our national interest was at stake. Unfortunately, since the reasons were erroneous, no national interest exists.

Winning a military conflict, even if it were possible, does not create a national interest. Adding more troops to fight under the present conditions on the ground in Iraq cannot create a national interest where none truly exists. Such a strategy will simply add more human targets in a civil war that does not threaten America.

We are straining our troops and our military and financial resources beyond all reasonable limits. We are decimating our National Guard strength at a time when we have more than enough disasters here at home to which we must attend.

At a time when Louisiana needs the support of our National Guard, members of our National Guard are being called to serve in Iraq. At a time when the New Orleans area residents struggle to rebuild following the worst natural disaster in our Nation's history, and following deadly tornadoes just 2 days ago, we need National Guard troops here at home to fight crime in our streets and to keep our people safe. We need the billions of dollars that we are spending on war and the rebuilding of Iraq to wage a war on poverty and ignorance here at home. We need a greater commitment to rebuilding the Gulf Coast communities, including my beloved City of New Orleans.

Madam Speaker, let's not continue to make matters worse at home and abroad by pursuing a policy in Iraq that cannot work, that has not worked and that simply can no longer be justified.

I urge my colleagues to support this important resolution which supports our troops in the field and supports, at the same time, the commonsense objections to escalating our troop presence in Iraq. The people of this great country eloquently expressed their disapproval of the course of this war in the November elections, and on their behalf we should do no less.

Mr. KING of New York. Madam Speaker, I am pleased to yield 5 minutes to the gentleman from Alabama (Mr. ROGERS), who is a member of the Armed Services Committee and the Homeland Security Committee.

Mr. ROGERS of Alabama. Madam Speaker, I rise today to oppose this resolution. In doing so, I want to say I understand and share in some of the frustrations of those who are disappointed in the course of this conflict.

Over the past few days we have heard passionate debate on both sides of the issue from Democrats and Republicans alike. But I would say to my colleagues, passing this resolution is not the answer to their frustration. Not only is it purely symbolic and offers no productive solution for helping our military succeed, it sends the wrong message to our troops.

Instead of debating a resolution that says what we should not do in Iraq, it seems to me a more reasonable question should be, how should we go forward from here?

In January, the President put forth a plan to send reinforcements to help secure key areas in and around Baghdad and Anbar province in order to achieve a level of security to allow the Iraqi Government and security forces to assume control. As we all know, it may work and it may not.

But if the President, as Commander in Chief, and General Pace truly believe this plan will succeed, then I believe it should be given a chance to work.

Having listened to proponents and critics of the plan, it seems to me its success or failure is dependent on some key factors, including, first, whether our soldiers will be given the latitude to fully perform their duties without political interference; secondly, whether the Iraqi Government will be held accountable to live up to its commitments; and, third, whether the Iraqis will finally take responsibility for their own affairs.

Madam Speaker, the stakes in this debate are high. Iraq, indeed, is now the primary battlefront in the global war on terror, and there are no easy answers.

The House may pass this resolution this week, but in doing so, we will have missed an opportunity for a better and more balanced debate, including the chance to vote on a substitute bill.

Given the sacrifices our Nation has made, I agree the time to see real progress in Iraq is now. We all want our troops to come home safely and as soon as possible. But we also need for them to be successful in order for our Nation to remain secure.

Though our patience is being tested, our men and women in uniform deserve better from us than this purely symbolic resolution. They need our complete and unqualified support.

Mr. FALEOMAVAEGA. Madam Speaker, it is my pleasure to yield 5 minutes to the distinguished gentlelady from the U.S. Virgin Islands (Mrs. CHRISTENSEN), who currently is the chairlady of our Subcommittee on Insular Affairs of the House Resources Committee. She also serves as a member of the Homeland Security Committee.

Mrs. CHRISTENSEN. Madam Speaker, I come to the floor of this House today wearing my American Legion auxiliary pin, as I do every day, to honor the men and women of our Armed Forces who have served and continue to give the highest service to this country even today in Afghanistan, Iraq and around the world.

And I rise as a proud American and the representative of the more than 120,000 people of the United States Virgin Islands who love this country and desire nothing more than it be the strongest and best it can be in support of House Concurrent Resolution 63, which expresses our strong support for the members of the U.S. Armed Forces for their honorable and brave service in Iraq, but just as forcefully and clearly states our disapproval of the decision of the President to deploy the over 20,000 additional troops.

□ 1820

I don't take this position lightly, as we currently have over 100 members of the Virgin Islands National Guard serving in that theater today, and having recently lost two members of the Guard as well as four other soldiers who preceded them.

However, Madam Speaker, as the sole Representative of the people of the

U.S. Virgin Islands in the Congress. Americans who have fought and died in every war and conflict from the Revolutionary War to this and yet cannot vote for the Commander in Chief, I consider it my solemn duty to express their views on this, the most pressing and important issue facing our country.

Madam Speaker, our fellow Americans spoke loud and clear last November, expressing a desire for a change of direction in Iraq, and by a more than 2-to-1 margin, they presently oppose the President's plan.

It is important, Madam Speaker, that we engage in this important debate today. The American people are demanding that we do so. Far from second-guessing the President's strategy and undermining our troops, as the White House charges, we are fulfilling our constitutional role and doing the responsible thing. The last 4 years have demonstrated that the present course in Iraq is not the correct one, and it is time that we demand that the President listen to other experienced experts and responsible voices that are calling for another approach.

This modest resolution is but the first step in that effort, an effort to support our troops and support our Nation by holding the President and the Department of Defense accountable, by insisting on an exit strategy that extricates our men and women from what is now a civil war, and allows the Iraqi people and their government to take responsibility for their country's welfare.

We are also told by Members on the other side of the aisle, Madam Speaker, that if we change course in Iraq, it will be disastrous for the Iraqi people. But the Iraqis themselves don't think so. Not only do polls show that 78 percent of Iraqis believe that American troops provoked more violence than they prevented and that nearly three-quarters of Baghdad residents would feel safer if American forces left Iraq, but previous surges have indeed resulted in an escalation of violence, killing greater numbers of Americans as well as Iraqis.

Instead of beating the drums of war, the President should be engaging in diplomacy, as the Iraqi Study Group called for, to pursue our common interest in a stable Iraq, even if it means sitting down with Syria and Iran, as we have done in the past. Peace and the lives of our men and women deserve this effort.

With all of the thousands of Iraqis killed and over 3,100 of our troops having made the ultimate sacrifice, we have paid a far greater price for the decision to invade Iraq without the proper justification or an exit strategy and without adequate preparation, training, and protection for our troops. We have further paid the price of the loss of respect and esteem by the international community and the loss by the people of this country of any confidence that what we are told by the White House is the truth.

While we, sadly, cannot bring back those who have died, we can honor their memory by restoring truth and restoring this country to the high respect, regard, and leadership that the brave men and women of our Armed Forces dedicate and sacrifice their lives to preserve.

House Concurrent Resolution 63 begins that restoration and repair. I urge my colleagues to adopt this resolution.

Mr. KING of New York. Madam Speaker, I would remind the supporters of the resolution that more than 70 percent of the American people, in opinion polls, opposed President Truman's policy in Korea, and that was one of the turning points in the Cold War.

Madam Speaker, I yield 6⅙ minutes to the gentleman from Mississippi (Mr. WICKER), who is a retired Air Force lieutenant colonel and a member of the Defense Appropriations Subcommittee.

Mr. WICKER. Madam Speaker, I thank my friend for yielding.

Madam Speaker, on December 31, 1776, with the fate of the Revolution in doubt, General George Washington faced a challenge of convincing his soldiers to stay in the fight. With their enlistments over, they wanted to go home. Washington made an impassioned plea and even offered volunteers a bonus. But no one responded. He spoke again, saying that all they held dear was at stake. And finally one man stepped forward. Then others followed.

Public opinion at that time was not on Washington's side. Only a third of the population supported the war for independence. One-third were openly hostile, and another one-third simply did not want to be involved.

We should be grateful that George Washington was not obsessed with public opinion polls.

Only days earlier Thomas Paine had written: "These are the times that try men's souls. The summer soldier and the sunshine patriot will, in this crisis, shrink from the service of their country; but he that stands it now deserves the love and thanks of man and woman. Tyranny, like hell, is not easily conquered."

In the summer of 1863, Colonel Joshua Chamberlain of Maine faced a similar crisis. He had to convince a group of mutineers to stand and fight in a key battle. He promised to plead their case later if they rejoined the ranks. They did, and helped him win the Battle of Gettysburg.

Public opinion at that time was running against President Lincoln and the war. It was lasting longer and costing more than anticipated. In Congress, Democrats demanded the troops be brought home immediately, but Lincoln stood by his convictions and won the war.

It is easy for us to look back on these pivotal moments in our Nation's history without remembering how tough the going was, how reluctant many of our own people were, and how it took strong leadership to bring about victory.

Let's contrast those times with the situation today in Iraq. Clearly the American people are tired and impatient with this war, and many believe we cannot win. Yet troop morale is high. In testimony before Congress last week, the senior enlisted personnel from each service, the National Guard, and the Reserves, said our forces in Iraq believe in what they are doing and that positive things are being accomplished.

But you don't have to take their word for it. The enlistment and reenlistment figures themselves are a testimony to the commitment of our troops. All service branches met and exceeded their goals in both categories in 2006. The command sergeant major of the Marine Corps told our committee that young people join the Marines today to get to the fight. Knowing full well they will go to Iraq, they are signing up with enthusiasm and purpose. It almost takes your breath away to hear the troops who have been there say they continue to believe in our mission and want to see it through to completion.

I hear the same thing from my constituents who have returned from Iraq. They express frustration about the news media's focus on the bad news. Returning troops tell of their successes in helping steer Iraq toward a path of democracy and freedom.

I received an e-mail this week from a Mississippi soldier in Iraq. He said, "No one wants everybody home more than I do, but we must finish the job. We are doing good things here and taking bad guys out of the game."

The most important question in today's debate is what message does this resolution send to our military, to the volunteers who have been serving so proudly in harm's way? And make no mistake, they are listening to what we say here and watching what we do here. Will the passage of this resolution give our troops encouragement? I don't think so.

The Americans are conflicted about this war. A CBS poll this week showed that only 44 percent of Americans support this resolution; 45 percent are opposed. That is all the more reason for leaders to lead. Washington and Lincoln were not concerned about public opinion polls. They did what was necessary to succeed, and that is what is called for in the halls of Congress today.

I am convinced that deep in their hearts, most Americans realize we are in a serious global war for survival against an enemy that wants to wipe us off the face of the Earth. When all is said and done, the American people want us to win this war. Success in

Iraq is a key element in winning against the terrorists.

Osama bin Laden's chief deputy has urged al Qaeda operatives in Iraq to expel the Americans, extend the "jihad wave" to neighboring countries, and 2 weeks ago he spoke of Afghanistan and Iraq as two "most crucial fields." I regret to say that enemies like these will be pleased when this resolution passes.

Madam Speaker, let's send the terrorists a message of strength and resolve. Let's send a message of support and unity and confidence and appreciation to our troops. This resolution sends the wrong message, and I will vote against it.

□ 1830

Mr. FALEOMAVAEGA. Madam Speaker, I am pleased to yield 5 minutes to my distinguished friend and colleague, the gentleman from Maryland (Mr. WYNN), currently serving as chairman of the Subcommittee on Environmental and Hazardous Materials of the Energy and Commerce Committee.

Mr. WYNN. Madam Speaker, I would like to thank the gentleman for yielding.

Madam Speaker, I rise in support of House Concurrent Resolution 63, a bipartisan resolution supporting our troops in Iraq, while opposing the President's troop escalation strategy.

This marks the fourth year of this war. It is time to bring our troops home now. We have not quelled the violence. We have not thwarted al Qaeda. We have not stabilized the region. We have not deterred terrorist radicals. In fact, because of our presence, there are more jihadists in Iraq than there were before.

Thus, I find it inconceivable that the President's response to this situation, 3 years of military failure in Iraq, is to suggest that we add more troops, 20,000 additional troops.

Since the start of the war in 2003, over 3,000 U.S. troops have died, more than 50 from my State of Maryland alone. In addition, 23,000 American soldiers have suffered serious injury and will have post-traumatic consequences. The President's approach will only result in the loss of more U.S. lives.

Iraq is in the midst of what has become a civil war between Shia and Sunni. There also is internal tribal and gang violence. Our troops can play no constructive role in this environment, except as targets for all sides.

This is not a partisan Democratic issue. Let me be clear. The President's proposed troop escalation runs contrary to the recommendations of the bipartisan Iraq Study Group and military experts such as the Joint Chiefs of Staff. According to a December Washington Post article, the Joint Chiefs have long opposed the increase in troops.

Generals Colin Powell, George Casey, John Abizaid and Barry McCaffrey have all expressed skepticism about the President's surge strategy. Even some of my Republican colleagues will oppose this surge strategy, and for good reason.

Troop buildups in Iraq haven't worked. U.S. troop levels increased by 18,000 from November 2004 to January 2005 in advance of the Iraqi elections, yet insurgent attacks increased. In 2005, the administration increased troop levels by over 20,000 to secure Iraq ahead of its constitutional referendum. The strategy not only failed to quell the violence, but insurgent attacks increased by 29 percent.

Some of my Republican colleagues make an argument that if you support the troops, you must support the mission. They say if we don't defeat radical Islam in Iraq, then where will we do it? Unfortunately, both of these theories are flawed.

Our troops have performed admirably, sacrificing life and limb, often without sound strategy or adequate equipment. And, yes, the goal of peace and stability in the Middle East is admirable, but this mission is misguided. The fact is that despite previous congressional support, this mission was inadequately planned and our troops inadequate equipped. In addition, the administration has cast a blind eye at massive fraud, waste and abuse that has undermined the reconstruction efforts and cheated the American taxpayer.

We are now in the midst of a civil war that we neither understand nor can we resolve. I support the troops, but I cannot support this ill-conceived mission.

As hard as it is for some, we must understand that this is not a World War II type conflict. This is not our great army defeating their great army.

We cannot defeat a radical Islamic insurgency militarily. This does not mean we cannot defeat a radical Islamic insurgency. It does not mean that if we oppose a troop escalation or begin withdrawing our troops that we have failed. Rather, it is a recognition of what the American people already know: We need a new strategy.

This administration operates under the arrogant assumption that only America wants peace in Iraq. In fact, other Arab nations in the region have an even greater desire for peace and stability. They don't want to see their brethren killed. They don't want to see waves of refugees flood their region. Our new strategy should be a diplomatic initiative to bring countries such as Egypt, Saudi Arabia, Jordan, Iran and Syria to the table to engage in finding solutions.

Now, I know the war hawks will say diplomatic approaches cannot work. But think about it. It wasn't too long ago that this administration and these war hawks were saying that North Korea was an intractable enemy. Yet today, through diplomatic efforts, we are making appreciable progress. I believe this diplomatic approach can work in Iraq.

We need a dramatic change in strategy. We should begin with the withdrawal of U.S. troops and place more responsibility on the Iraqis to foster their own democracy. Most people, including General John Abizaid, understand that we cannot impose democracy on the Iraqis if they don't want it for themselves. That is why I support the End the War in Iraq Act, which would use the congressional power of the purse to bring this war to an end if the administration cannot or will not do so.

But in addition to beginning a phased withdrawal of U.S. troops, we must pursue an aggressive diplomatic initiative to involve willing Muslim countries in creating a ceasefire first, a peace process second, and the rebuilding of Iraq in the third instance. These countries have a vested interest in promoting peace and stability in the region.

It was said many years ago war is not the answer, and today more war in the form of troop escalation is the absolutely wrong answer. I urge adoption of the resolution.

Mr. KING of New York. Madam Speaker, I remind supporters of the resolution that the newly confirmed commander in Iraq says this is new strategy and it will work, and he is the expert on counterinsurgency.

Madam Speaker, I yield 5 minutes to the gentleman from Wisconsin (Mr. RYAN), the ranking member of the Budget Committee.

Mr. RYAN of Wisconsin. Madam Speaker, I thank the gentleman for yielding.

Friends and colleagues, I am glad we are having this debate. It is good to debate the most important issue facing our country, the most important issue facing the world. I am glad we are talking about Iraq. We need to have a debate about Iraq.

I have grave concerns about the conduct of this war. I look back at the last 3 or 4 years and I think to myself, boy, I would have done that differently, I would have done this differently; they should have done that, they should have done this. I think we all can look at hindsight and see how things should have been done differently.

Well, here is where we are. The question is, is this the right resolution to pass? I for one don't know if this strategy is going to work or not. I believe our troops are going to do exactly what we ask them to do. I have perfect confidence that the U.S. soldiers, airmen, Army and Marines are going to do exactly what we ask them to do and they will do their jobs.

Where my doubts lie are with the Iraqi Government. Will the Iraqi Government do what we are asking them to do? Will the Iraqi Government do what is needed to do to hold up their end of the bargain? I don't know.

But what I do know is this: If we pass this resolution, this resolution, while our troops are in the middle of implementing this mission, while our troops are over there right now implementing this strategy, and we pass this resolution which says, you know what, we don't think you can succeed; we don't think you can do the job; we don't think you can do what you are being asked to do right now, that is a slap in the face. It is a killer of morale. This is the wrong message to send our troops.

We have to think about the alternatives. We have to think about the consequences of failure. We have to think about the message this sends our troops. We have to think about the message this sends our enemies.

Madam Speaker, by telling the world, by telling Americans and by telling our enemies and our troops we don't think this is going to work, we don't think this can succeed, what message does that send?

And for those who say this won't work and I am voting for this resolution, it is your obligation to tell us how better you can do this, what is your plan, what is your strategy. Because we have to think about the consequences of failure. We have to accept and know that if we just pull out we will have sectarian genocide. We will have a safe haven for terrorists with oil money. We will have a Middle East power struggle that will be very, very ugly, where countries that are very hostile to us, like Iran and Syria, will have the run of the region. We have to look at those consequences.

But more important than anything else, Madam Speaker, is the fact that I just cannot look our soldiers in the eyes, and I am traveling to this region in a few days, I cannot look them in the eyes and tell them that when I was in the comforts of Congress, I sat there high open my pedestal and I told the American people and you that the mission you are about to engage in, the job you are trying hard to do for us, you can't complete it. You are incapable. It won't work. Why bother trying? I can't send that message to our troops.

With that, Madam Speaker, I urge a "no" vote. This is the right debate to have, the wrong resolution to pass.

Mr. FALEOMAVAEGA. Madam Speaker, I am pleased to yield 5 minutes to the distinguished gentlewoman from the great State of Ohio (Mrs. JONES), currently serving as the chairwoman of the Committee on Ethics and a distinguished member of the Committee on Ways and Means.

☐ 1840

Mrs. JONES of Ohio. Madam Speaker, I rise today in strong support of H. Con. Res. 63. Today through this resolution, we reiterate our support for our troops, these brave men and women, who even when they did not have proper equipment and resources, continued to serve and protect this country. Today we pledge to offer them the same support they have so willingly given us throughout the conflict.

To date, 3,100 soldiers have given their lives in this war and over 20,000 have been injured. I often feel that we gloss over the numbers and forget that each one was an actual person. They were somebody's son, daughter, somebody's mother or father, somebody's brother or sister. They were real people, as real as 19-year-old PVT. Brandon Sloan and 1SG Robert Dowdy, who were the first soldiers from my congressional district to become casualties of this war.

There have been many others, including SGT Michael Wiggins, a graduate of Shaw High School in East Cleveland, killed on January 23; or Charles King, a man described by family and friends as a highly decorated, hardworking soldier, died October 14 of injuries sustained when an improvised device detonated near his vehicle; and Samuel Bowen, who was affectionately called "Smokey" and always had a great smile on his face. He was killed when a rocket-propelled grenade exploded near his vehicle.

At his funeral, Specialist Ronald Eaton, a soldier rescued by Bowen, said, Without regard to himself, without regard to the injuries he had sustained, Sam grabbed me and pulled me to safety.

All of these are special stories, but I will share a few more with you about Brandon Sloan and Robert Dowdy.

Brandon Sloan was a special young man who exhibited a unique blend of personality and strength, a loving child who played and enjoyed spending time with other children. Later he became a big brother to his sister Brittany, with whom he shared a close relationship.

He began his education in East Cleveland and remained in the district until his family moved to Euclid. While in East Cleveland, he developed a love for basketball and continued in various athletic pursuits.

In 1996, the family moved to Oakwood in the Bedford School District, and there Brandon became a Bearcat. He confessed his hope in Christ during his high school years and was baptized. Later, he pursued a career in the military where he subsequently gave his life.

MSG Robert Dowdy was a native of Cleveland, a member of the 507th Maintenance Company. He was a loving son and devoted husband, a distance runner, placed second in a 10-kilometer run in El Paso.

Why am I talking about all of these personal things? Because somehow in the course of this discussion, we have taken it away from being personal, about people. We stand here on the floor talking about a surge, or giving life and saying we are not supporting these troops. These families want their babies to come home and so do I.

This past weekend I spoke to the 112th Battalion of the Ohio National Guard. The battalion is the oldest and most decorated military organization in the State of Ohio, with lineage and honors dating back to and including World War I and World War II. These men and women have sacrificed greatly for this country, and now they are being asked to support the President's plan to send 20,000 more troops.

I simply cannot support it. You have heard all the things I said previously. This is not the way. We do not need to send any more Brandons or Robert Dowdys or Michael Kings or Sam Bowens over there to die.

We pledged to take this country in a new direction without regard to the war in Iraq, through greater accountability, oversight, and through stronger diplomatic and political initiatives.

At the services for the 25th Marine Regiment, a Band of Brothers, we lost some 12 young men from Brook Park, and I said to them in my closing words, because these are the words I think these young men are saying to us:

"Please celebrate my life, please have no regrets; we did not spend all the time we wanted, yet the time we had was well spent. We did not reach every rung of that ladder, yet we wrung all that we could from each height.

"We did not sing every song, yet we sang every note of the song we sang, we did not laugh all the time, but when we did we often laughed until we cried or until our stomachs hurt; and when we cried, we cried until our tears ran dry.

"But most of all we loved, and our love is everlasting, if you look for us listen for us, but most of all live for us.

"We have fallen but you can lift us up. Your love, your faith, your support, and your pride was what we needed then; God's love, grace and mercy is what we need now."

Lift these young men and women who have been killed in Iraq, lift them up and say to the world, no surge, no more young people will be lost in Iraq. Bring our troops home.

Mr. KING of New York. Madam Speaker, I certainly acknowledge the passion of the former speaker on the floor.

I would just say, though, that all of us have suffered casualties and deaths in our districts. Certainly a gentleman from my former district was killed last week. He was a graduate of Duke University. He was offered scholarships to law school. He was an All American lacrosse player, volunteered to serve in the Army, was in his third tour. His family more than ever supports the effort in Iraq, and you can find families on all sides.

I think it is wrong to somehow suggest that those who died, somehow the families want us to vote for this resolution or against it. We can find sufficient numbers on both sides. Certainly in my experience, most of those would oppose the resolution. I certainly would not impose that on anyone else.

Madam Speaker, I yield 5 minutes to the gentleman from Ohio (Mr. TURNER), a distinguished member from the Armed Services Committee.

Mr. TURNER. Madam Speaker, I thank the gentleman for accommodating me so I might have some time to speak on this issue this evening.

Today, Speaker PELOSI has continued with what is called a debate on the Iraq war, but this is not a debate. The floor here is empty, except for the Members scheduled to come to the floor for the record and comment on the failures or success of the war on terror, the conflict in Iraq, prewar intelligence, the search for weapons of mass destruction, reconstruction efforts, al Qaeda, Saddam Hussein and, yes, George Bush. No real debate.

School children across America who are schooled in debate would not recognize what has happened here today, which should be the intellectual process of argument, because to call these series of speeches a debate is fiction, just as to call the nonbinding resolution proposed by the Speaker as congressional action is fiction.

This resolution has no binding effect on the administration, and it does not even have any binding effect on this body of Congress. This resolution is not a document from which decisions will be made or any action taken. This is not policy. This is not governance. It is, at best, a press conference. It is just talk.

The travesty of this fiction of a debate on the House floor is that there is no plan debated or alternatives for us to consider, only opposition. We do not have on the table a plan, an answer, or an action for us to take.

Now, I was not a Member of Congress when this House was asked in October of 2002 to grant the President authority to go into Iraq, and neither were 66 of my Republican Members of Congress. If they were with me they would fill this well, 66 of us that were not here on the Republican side when the President asked for authority to go into Iraq. However, I believe there are 55 Democratic colleagues who voted to send troops to Iraq who are still here today, and yet even those 55 Members who voted to send troops to Iraq offer no alternative plan. At a minimum you would think if you voted "yes" to send troops you would feel responsible and have a plan before publicly disapproving of the President's plan.

Now, there is certainly enough about the administration's handling of the Iraq conflict to disapprove of if we were to have a real debate. There is no question that serious mistakes have been made in the execution of the Iraqi conflict. But today we will not debate solutions because, unfortunately, this resolution does not provide any.

In the war on terror, we have real enemies who want to kill Americans and our allies. No nonbinding resolution passed on this House floor will change that reality.

This is not a debate but it should be. The risks to our country are great. Our enemies and our men and women in uniform are listening. The only proposal brought forth by the Speaker is a statement of opposition and disapproval.

The House and the administration should work together on a bipartisan plan for winning the war on terror, a plan with a commitment that is not undermined by political expediency or partisan division.

□ 1850

Mr. FALEOMAVAEGA. Madam Speaker, at this time I would like to yield 5½ minutes to my distinguished colleague and friend from North Carolina, who currently is chairman of the Oversight Investigation Subcommittee of the House Financial Services Committee, Mr. WATT.

Mr. WATT. Madam Speaker, in October of 2002 I worked meticulously with Members of the Congressional Black Caucus to craft a statement of principles that has proven to be so absolutely prophetic. Listen to what our 2002 principle said, and it will put in context why I feel so strongly that this war has taken us in the wrong direction and why this resolution is so necessary and worthy of our support.

First principle: "We oppose a unilateral first strike action by the United States without a clearly demonstrated and imminent threat of attack on the United States."

My colleagues, history will record that the President took first strike action, and that there was neither a clearly demonstrated nor an imminent threat of attack on the United States.

Second principle: "Only Congress has the authority to declare war."

History will record that Congress delegated that authority to the President, but I say unapologetically that history will also record that I voted against that delegation of authority. I never believed that Iraq had weapons of mass destruction; and, even if it did, I never believed that they posed any imminent threat to the United States.

Third principle: "Every conceivable diplomatic option must be exhausted."

History will record that our President instead thumbed his nose at the United Nations and at almost all diplomatic options in his rush to lead us into this foolhardy war.

Fourth principle: "A unilateral first strike would undermine the moral authority of the United States, destabilize the Middle East region, and undermine the ability of our Nation to address unmet domestic priorities."

The passage of time has demonstrated and history will record that every single one of these concerns was legitimate and warranted.

Fifth principle: "Any post-strike plan for maintaining stability in the region would be costly and require a long-term commitment."

We haven't yet gotten to a level of stability that we are trying to maintain, but the cost of this war today exceeds $500 billion. That is costly and with no end in sight. If we continue to follow the President, the duration of our commitment has no end in sight and no plan to bring home or redeploy our troops.

Increasing the number of troops in Iraq does not make ending the war more foreseeable. Past troop increases in Iraq have paraded under different names than surge, but make no mistake about it, this is not the first time the United States will have increased troop levels, and each time they have been met with greater levels of violence.

From December of 2003 to April 2004, the troop increase paraded under the name "troop rotation" and resulted in an increase from 122,000 to 137,000 troops; yet April of 2004 was the second deadliest month for U.S. forces.

From November 2004 to March 2005, the increase paraded under the name "improving counterinsurgency operations after the Fallujah offensive," or "increasing security after January 2005." We increased our troop level to 150,000 troops; the result, no impact on violence increase. And again, September to December of 2005, we went to 160,000 troops, still no decrease in violence.

In most respects, what the President has proposed is business as usual, simply under a different name. It did not work before, and there is no prospect that it will work this time. Madam Speaker, this resolution is one that we should support and bring our troops home.

Madam Speaker, I rise in strong support of the Resolution. Simply stated, as the Resolution says, I support the troops and I oppose the increase in the number of troops. Simply stated, I support a redeployment of the rest of our troops from Iraq as soon as possible.

But I can't go forward before I review how we got here in the first place. Looking back helps me to put a time perspective on this because this War is now approaching 5 years in duration, a period longer than the Second World War. And looking back also helps me to put a substantive perspective on this that I think is absolutely critical to an understanding of my vote.

It's gut wrenching for me to recall that as early as October 2002—several months before the President proceeded to war in Iraq and long before I was later elected to serve the 2-year term that I have now completed as Chairman of the Congressional Black Caucus—I worked meticulously with every single member of the Congressional Black Caucus to craft a

Statement of Principles that have proven to be so absolutely prophetic. Listen to what our 2002 Principles said and it will put in context why I feel so strongly that this War has taken us in the wrong direction and why this Resolution is so necessary and worthy of support:

First 2002 Congressional Black Caucus Principle: "We oppose a unilateral, first-strike action by the United States without a clearly demonstrated and imminent threat of attack on the United States." My colleagues, history will record that the President took first strike action and that there was neither a clearly demonstrated nor an imminent threat of attack on the United States.

Second Principle: "Only Congress has the authority to declare war." History will record that Congress delegated that authority to the President, but I say unapologetically that history will also record that I voted against that delegation of authority. I never believed that Iraq had weapons of mass destruction and—perhaps more importantly—even if they did, I never believed that they posed any imminent threat to the United States. Saddam Hussein was a dastardly tyrant and bully toward his own people, but was a coward and no threat to the United States.

Third Principle: "Every conceivable diplomatic option must be exhausted." History will record that our President, instead, thumbed his nose at the United Nations and at almost all diplomatic options in his rush to lead us into this foolhardy war.

Fourth Principle: "A unilateral first strike would undermine the moral authority of the United States, destabilize the Middle East region and undermine the ability of our Nation to address unmet domestic priorities." The passage of time has demonstrated and history will record that every single one of those concerns was legitimate and warranted.

Fifth Principle: "Any post-strike plan for maintaining stability in the region would be costly and require a long-term commitment." We haven't yet gotten to a level of stability that we're trying to maintain, but the cost of this War to date exceeds $500 billion. That's "costly" and with no end in sight. If we continue to follow the President, the duration of our commitment has no end in sight and no plan to bring home or redeploy our troops.

Increasing the number of troops in Iraq does not make ending the War more foreseeable. It will only escalate the number of troops and the prospects of casualties and will likely only increase the resolve of the enemy, the same thing that increases in troop levels have done in the past. Past troop increases in Iraq have paraded under different names than "surge". But, make no mistake about it, this is not the first time the United States will have increased troop levels. And each time they have been met with greater violence.

From December of 2003 to April of 2004, the troop increase paraded under the name "troop rotation" and resulted in an increase from 122,000 to 137,000 troops. Yet April of 2004 was the second deadliest month for U.S. forces.

From November 2004 to March 2005, the increase paraded under the name "improving counterinsurgency operations after the Fallujah offensive" or "increasing security before the January 2005 constitutional elections" and increased troops to 150,000. Result: short term positive impact, but longer term increase in violence and resistance.

Between September and December 2005, troop levels were increased again, taking the number up to 160,000, around the constitutional referendum and parliamentary elections. The referendum and elections proceeded without major violence, but the increase had little long term impact on sectarian violence.

In most respects, what the President has proposed is business as usual, simply under a different name. It did not work before and there is little prospect that it will work this time.

Madam Speaker, this Resolution is our attempt to make it clear that we do not support a troop increase or an escalation of this War. I intend to vote for the Resolution. I just hope the President is listening.

Mr. KING of New York. Madam Speaker, I would suggest to the gentleman, while he believes this plan has no chance of working and it is the same as previous plans, the fact is the newly confirmed general in Iraq, General Petraeus, who is by all accounts the most significant general we have had in Iraq, who is the author of the counterinsurgency policy, said it is a significant change and it will work. That is why I would say that while the resolution says it supports the troops, you are in effect undermining the new commander by challenging either his credibility or his competency. And that is a terrible message to the troops.

Mr. WATT. Madam Speaker, will the gentleman yield?

Mr. KING of New York. I yield to the gentleman from North Carolina.

Mr. WATT. I am just sick and tired of people telling us that we are unpatriotic and not supporting of the troops.

Mr. KING of New York. Reclaiming my time, I never suggested unpatriotic. I said you are questioning the competency or credibility of the commander in Iraq, who was just confirmed unanimously by the United States Senate.

Madam Speaker, I yield 10 minutes to the gentleman from California (Mr. DANIEL E. LUNGREN).

Mr. DANIEL E. LUNGREN of California. I would just like to say, it was interesting to hear the previous speaker talk about the principles articulated some years ago. They are reminiscent of the arguments I heard on this floor some 20 years ago when Ronald Reagan made the courageous decision to put medium range nuclear weapons into Europe, despite the protest of Europe, despite the protest of many on the other side, despite the fact we were told we were taking a unilateral step.

Sometimes it is difficult to make these decisions, and you can't always guarantee success. And if we always went by that argument, frankly, America would not be where it is today.

Let me begin with a note of bipartisanship, however. It goes without saying that we can all agree that things have not progressed as we wished they would in Iraq. Perhaps we could all agree with the characterization of the Iraq Study Group that the situation in Iraq is grave and deteriorating. I think we can all agree that there was therefore a need for a change in the direction of U.S. policy in Iraq.

Not only has this happened, but we have a new Secretary of Defense and, as was stated on the floor just a moment ago, we have a new commander on the ground in Iraq.

It is at this point, however, that I am somewhat mystified by my friends on the other side of the aisle. Since the resolution of disapproval concerning this change in the direction of U.S. policy contains absolutely no alternative, it follows that its adoption represents a tacit endorsement for the policies which we all agree are not working. It is a simple, logical entailment that criticism of a change in policy without any concrete alternative is tantamount to the endorsement of the status quo. Thus, we find ourselves in the ironic situation that to support this resolution is to condone a policy that virtually everyone agrees has not been working.

We are telling our troops that we are sending a new commander. We are telling them by this resolution that we don't support what the new commander is doing. We are saying by this resolution we don't believe that the new plan will work. We are saying, Godspeed, we support you. But we are sending you on a fool's errand.

If you truly believe that, stand up here and have the guts to stop the program by cutting off the money. Take responsibility for your actions, which the Constitution allows you to do.

Let me suggest to my colleagues on the other side of the aisle that the absence of any comprehensible policy objective leaves only one element of the resolution intact: Disapproval of the President. And this, in my estimation, is most unfortunate, for there was one thing on which I wish we could all agree. This should not be about George Bush. It is far more important than that.

Our response to the current state of affairs in Iraq will have dramatic consequences not only for the people in Iraq but for the security of the American people as well.

□ 1900

I believe we must resist the temptation to fight over matters which have long ceased to be of any relevance.

The question of whether we should have initially gone into Iraq is simply not the issue. The fact is that we are there, and that is the unpleasant but essential reality to which we must respond. It is not possible to pretend otherwise or to keep looking backward or to keep quoting things that were said in the past or to suggest that we shouldn't be where we are. We are there. It is of little solace to our troops to say, gee, we made a mistake in putting you there, and therefore we are going to pass a resolution of disapproval of what we are asking you to do now. What sense does that make? What sense at all does that make?

It should be acknowledged that findings concerning the absence of a collaborative relationship between Saddam Hussein and al Qaeda are not dispositive of the role of al Qaeda in Iraq. As Peter Berger, the only Westerner to conduct an interview on television with Osama bin Laden puts it, there is one thing that bin Laden and Bush agree on, says Peter Berger: that Iraq has become a central front in the war on terror. Berger, who did not support the decision to invade Iraq, warns of a potential repercussion at war's end that could make the blowback from the Afghan war against the Soviets look like high tea at the Four Seasons. This, in my estimation, is why it is so important that the impression not be given that our hand has been forced by Iraqi insurgents, notably al Qaeda of Mesopotamia.

If we have learned anything from the tragic events of the Khobar Towers, the Embassy bombings in East Africa, and the attack on the USS *Cole*, it is that the fanatics' perception of success only serves to embolden those who seek to kill us.

The extreme nature of this murderous mens rea is illustrated in an article in the London Telegraph which reports, "A husband and wife arrested in the British terror raids allegedly planned to take their 6-month-old baby on a mid-air suicide mission, using the baby's milk bottle to hide a liquid bomb." The story is shocking on many levels, but perhaps so disturbing is that it shatters the belief that mothers and fathers share a common commitment to the future of their children.

We face an enemy which subscribes to an ideology rooted in a nihilistic culture of death. This contemporary version of the "will to power" seeks justification for a totalist world view through the abuse of a religion to camouflage its deeper roots.

As Paul Berman has chronicled in "Terrorism and Liberalism," this fascist-like ideology arising out of the revisionism of Sayyid al Qutb taught that there was no middle ground and no possibility of compromise. Bin Laden became interested in a radical distortion of Islam from the fiery taped sermons of Abdullah Azzam, a disciple of al Qutb, and came to share Qutb's grim view of the world and used it to justify mass murder.

By the late 1980s, following the crackdown by the Egyptian Government on the extreme Islamist groups in response to the assassination of Sadat in 1981, many of the Islamic militants went into exile. It was through the presence of Egyptian Islamist teachers in Saudi Arabia that bin Laden and other al Qaeda members were influenced; most notably, Ayman al-Zawahiri, a leader in the Egypt Islamic jihad.

Another avenue by which this totalist ideology was introduced to the Middle East via the Vichy Government of France during World War II, which despite its short shelf-life, infected the French mandated territory of Syria-Lebanon. It was during this time that the ideological foundations of the Baathist Party were laid and a Nazi regime headed by Rahid Ali was set up in Iraq. During this same period, the mufti of Jerusalem was wined and dined by none other than Hitler himself.

The point is that there were some very dark influences on this region of the world which are still playing themselves out today. We cannot believe that our absence from this area will solve problems and allow us to retreat.

We must make no mistake about their intentions: They seek to kill us. Ayman al-Zawahiri, al Qaeda's second in command, has left us with no ambiguity on the matter when he states that they have the right to kill 4 million Americans, 2 million of them children, and to exile twice as many and wound and cripple hundreds of thousands. No, we must not give such people a misapprehension about any misguided notions they may have about their providential place in history.

Although our ultimate objective in Iraq is to hand over power in an orderly fashion to a duly constituted government, the manner in which we do so is of the highest order of importance. That is what I don't hear from the other side. It is not just the question of peace being the absence of war, it is what we will have in the aftermath. What kind of a world will we have in the Middle East? Will it be safer for our children and our grandchildren? Will the implications of our decisions be heard in history as something of which we will be proud, or will it be just that we got tired of the effort?

And if we believe that by absenting ourselves from the area, that solves problems, it has never been the case. It wasn't the case when we got out of Lebanon following the attack on our marines; it was not the case when we basically got out of the area after the USS *Cole*.

Again, independent of the origins of al Qaeda's presence in Iraq, the relevant point is how al Qaeda itself perceives the war there. It is their potential reaction to our Iraqi policy which has most relevance. In this regard, the intercepted letter sent by al-Zawahiri to al-Zarqawi is most important and has been mentioned on this floor many times. He said, We must think for a long time about our next steps and how we want to attain it, and it is my humble opinion that the jihad in Iraq requires several incremental goals.

The first stage: Expel Americans from Iraq.

The second stage: Establish an Islamic authority or emirate, and then develop it and support it until it achieves the level of caliphate over as much territory as you can spread its power in Iraq and Sunni areas in order to fill the void stemming from the departure of the Americans.

The third stage: Extend the jihad wave to the secular countries of neighboring Iraq.

The fourth stage: Go after Israel.

It is, therefore, clear that regardless of how we might wish the situation to be, wishful thinking, as described in this resolution, is not a basis for policy.

Al Qaeda is present in Iraq, and they perceive it to be a central front in the war. It is simply not possible for us to pretend otherwise, as much as we would like it. This resolution does nothing to help us in this war against Islamic fascism. In fact, it goes in the opposite direction.

Mr. FALEOMAVAEGA. Madam Speaker, I believe that the statements made earlier by our good friend from North Carolina was right to the point. Unilateralism was our policy. We told the world, We don't need you. And what are we doing now? We are practically begging the world to come and help us with this mess that we created.

Diplomacy? Look at the success of the multilateralism that we have now advocated in our dealings with North Korea. But that was not the case with Iraq, and this is why we are having this problem.

Madam Speaker, I gladly yield 5 minutes to my good friend, the gentleman from Missouri, who currently chairs the Subcommittee on Information and Policy, and I am very, very happy to introduce the gentleman for 5 minutes (Mr. CLAY).

Mr. CLAY. I thank the gentleman from American Samoa for yielding.

Madam Speaker, I rise to declare my absolute and unwavering opposition to the President's plan to escalate this tragic and unnecessary war.

Four years ago, I stood on the floor of this House to oppose the original force authorization resolution. At the time, some of my colleagues cautioned me that I was taking a risk by opposing the President and failing to support the war against terrorism. But I took that position because I believed then and still believe today that great nations do not start wars as a matter of policy, they exercise diplomacy and negotiation to avert threats and achieve security.

□ 1910

The evidence that the administration presented did not clearly establish any imminent threat to our national security. I was convinced that invading

Iraq, without international support and without unequivocal evidence that Iraq was involved in 9/11, would dangerously drain our military strength, distract us from fighting the very real terrorist threat, and ultimately weaken our credibility around the world. Now we can see that the world in Iraq has emboldened our enemies and provoked the scorn of our allies.

Madam Speaker, standing here 4 years later, I can only wish that my assumptions were wrong, that invading Iraq was somehow vital to our national security. We were told that there were weapons of mass destruction, and now we know there were no WMDs. We were told that Iraqi oil revenue would pay for this war, and now we know that that was only a pipe dream that has cost American taxpayers over $400 billion. We were told that our troops would be greeted as liberators, and now we know that was only wishful thinking based on neocon fantasies and not the facts.

Today, American troops are embroiled in a bloody quagmire that has already resulted in over 26,000 American casualties. And now, just this past week, the Defense Department Inspector General reported that senior administration officials engaged in a deliberate misinformation campaign about al Qaeda and Saddam Hussein. Now we have learned that officials in our government deliberately distributed altered intelligence assessments. Such a misinformation campaign is unconscionable and a greater threat to our national security than any act of terrorism.

We are all familiar with the historian's observation that great nations are not conquered by outside forces until the nation has destroyed itself from within. I implore my colleagues to heed the lessons of history. Do not allow the politics of deception to distort reality.

This administration is denying the facts. It has repeatedly misled the Congress and the American people and undermined our Nation's integrity throughout the world. Now the President is asking Congress to register more support for a policy failure. Escalating the military violence in Iraq by injecting 21,000 more U.S. troops into a civil war reflects nothing more than this administration's obstinate refusal to face present realities.

A vast majority of Americans want a responsible end to this war as soon as possible. They want our troops redeployed, they want us to alleviate the suffering of innocent Iraqis, and they want us to finally tell the Iraqi people that they must be engaged in their country's destiny. The future of Iraq must ultimately be determined by them, not by us.

I want to conclude by quoting a good friend of mine and a fellow colleague, the distinguished chairman of the Armed Forces Committee, IKE SKELTON. In a recent statement he said, "Only the Iraqis can change the situation there and bring lasting security to their nation. I remain convinced that a gradual and responsible redeployment of U.S. forces is the best way to help the Iraqis take responsibility for their security and to restore the full strength of our military."

Mr. KING of New York. Madam Speaker, I would just advise the supporters of the resolution that while Mr. CLAY and others did oppose the war, and I certainly commend them for their consistency, the fact is the Democratic leader at the time and many of the Democratic leaders in the House and the Senate strongly supported the war resolution in October of 2002, both in the House and the Senate.

Mr. CLAY. Mr. Speaker, will the gentleman yield?

Mr. KING of New York. I yield to the gentleman from Missouri.

Mr. CLAY. Sure, we had Democrats on this side supporting it. It didn't make it right. It certainly didn't make it right. We were given false information. This Congress and the country was given false information.

Mr. KING of New York. Reclaiming my time, both former President Clinton and others have said that he saw the same intelligence as President Bush did.

With that, I yield 5 minutes to the gentleman from Tennessee (Mr. DAVID DAVIS), a newly elected Member.

Mr. DAVID DAVIS of Tennessee. Madam Speaker, I rise in opposition to the resolution but in support of our troops.

According to former Congressman, Senator, and Secretary of State Daniel Webster, "God grants liberty only to those who love it and are always ready to guard and defend it." That was true in the mid 1800s and it is still true today.

I represent the First District of Tennessee. Tennessee is known as the Volunteer State because of our heavy involvement in the Mexican War and the willingness of our men and women down through history to volunteer for service to our country.

Right now, there are brave men and women in our armed services who are sacrificing for our freedom. The people of the First District of Tennessee and I are indeed indebted for their service and we thank these brave soldiers and we pray for them and their families.

There are some who would want to limit their discussion to Iraq, while in fact we are involved in a global war on terror. We must be committed to win this war on terror that was started by radical Islamic extremists. This war did not start on September 11. We have been in a war for many years.

Many of you will recall the Iranian hostage crisis, 1979, 52 Americans held hostage, 444 days.

As we move forward in history, the Beirut bombings, 1983. Two hundred forty-one of our brave marine soldiers were killed.

Then we had the first bombing of the World Trade Center in 1993.

Then we had the USS *Cole* in 2000. Seventeen Americans killed.

Then finally, September 11, 2001, 3,000 Americans killed.

This war didn't start on September 11 and this war is not with Iraq. This is a war with radical Islam. We are involved to win a battle with terrorists who hate us, who hate our freedoms and who quite frankly hate our religion. The extremists have engaged us in battle. We owe it to our fellow citizens to see that we have nothing less than total victory.

Congress should not micromanage this war. We have one Commander in Chief. It is fine to disagree and to point out mistakes, but this resolution is a step to weaken the morale of our troops and it will embolden our enemies. We cannot allow this to become another Vietnam situation, a situation where politicians tried to manage the war.

My emotions run high as I remember that era. My first cousin, Fred Gouge, was laid to rest just 1 week ago. Fred was wounded in that war in Vietnam, a war that was micromanaged by politicians. Because of that conflict, he spent the better part of the last 40 years in a wheelchair. He received a Purple Heart for his service. He was a war hero, just like the men and women of our military are right now.

We cannot afford to ignore the advice of General Petraeus, who was recently unanimously approved by the Senate, and the advice of his commanders. I would ask, Madam Speaker, what message does a nonbinding resolution really send? This resolution says that this Congress will support our troops who have defended our freedoms, or who are currently serving in harm's way, but that is little comfort for those brave men and women who would be called upon to protect us and our families in the future. This nonbinding resolution is only playing politics with our brave soldiers, their lives and our future as a nation. To suggest that we can support the troops but not be in the battle to win is ridiculous and shortsighted.

I can remember as a child watching many different western television shows. Growing up, I don't know of many my age that didn't want to be the cowboy in the Wild West. After seeing many of these stories, you realize that when the hero is in trouble, they sound the alarm, or blow the trumpet, and in races the cavalry to join their brothers in arms to win the fight.

Madam Speaker, the trumpet has been sounded. It is time for the cavalry to join our brothers and sisters in arms to gain victory in this global war on terror. As the trumpet has been sounded, we have politicians in Washington who want to sit on their hands and not send in the troops.

Looking at the latest news, as additional forces are moving in, radical Islamic leaders like al-Sadr are fleeing for their strongholds. It has been reported that he has left Iraq for his own protection. The additional troops are already having a positive impact on the region. We have the ability to win this war on terrorism, and we must win this war to protect America today and for our future generations.

Madam Speaker, that is why I will join many of my colleagues in voting "no" on this resolution.

Mr. FALEOMAVAEGA. Madam Speaker, I could not agree more with my good friend in just quoting Daniel Webster. "God grants liberty to those who love it." The problem that I have right now is that I don't know if the people among the Shiites and the Sunnis love liberty that much to want to make sacrifices. The point of the matter is Saddam Hussein tortured and murdered over 300,000 Shiites. One mass grave contained 30,000 dead bodies. So we have got a real serious problem here.

I gladly yield 5 minutes to the distinguished lady from the State of Texas, the chairlady of the Transportation and Infrastructure subcommittee on environment.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, the American people want a new direction in Iraq and I expect Congress to act accordingly. They really do think that this is a democracy and that this is representative government.

□ 1920

It has been almost 4 years since this administration declared the end of major combat in Iraq. He declared mission accomplished. Since this declaration, we have seen more than 3,000 of our military killed in combat, and more than 22,000 injured.

We cannot forget that these are not just numbers. These are our sons and daughters and grandsons and granddaughters. They are now more than 3,000 men and women who will never return home to be with their families. Many are so young, at 18, 19 and 20 years old, their lives have ended before they ever really began.

I started my professional career as a psychiatric nurse at the Dallas Veterans Administration Hospital, and I observed firsthand the physical and psychological trauma that the returning young people faced from the Vietnam war.

It is a long-term battle for them and their families as they learn to live with these disabilities. We are in a war with no end in sight, and now we are talking about troop escalation. How many more young lives are we going to lose? How many more soldiers will face long-term disabilities, life-long disabilities? The experts have weighed in on this issue, and they have said we are making a mistake to escalate.

The President sent a group of experts to design a new course for Iraq. The President's experts did not recommend additional troops. In fact, they recommended the very opposite.

Madam Speaker, it is time to listen to the experts and the commanders on the ground. Our troops are faced with an impossible task of policing a civil war. Each day we hear of sectarian attacks and bombings. Our troops are caught in the middle with no real strategy to end this violence. A great American military cannot be a substitute for a weak Iraqi government.

We need to focus on diplomatic solutions and training Iraq's security forces so they can take care of themselves and patrol their own country. With this escalation, we are just compounding the problem. We should concentrate on training the Iraqi security forces. They must know that this is not going to be an open-ended situation.

Madam Speaker, my constituents in north Texas continue to grieve the loss of their sons and daughters. They are concerned for our troop safety and they are demanding answers. The war is costing us too many lives and too much money, $1 billion a week. At an overall cost of $500 billion, we will be paying the cost of this war for decades to come.

In my congressional district in Dallas, Texas, our share of the cost will be $1 billion. In Dallas this would have provided 400,000 children with health care or paid for 23,000 additional police officers. For our Nation's 300 million Americans, their share will be $1,300 a piece.

Accountability of Iraq war spending has been appalling. Does there exist any accountability? Last week we began the congressional hearings regarding contracting fraud. Apparently there is $12 billion unaccounted for. Contractors were being paid with large bags of cash.

This is truly an embarrassment and the height of irresponsibility as thousands of American children go to bed hungry tonight. Many are children of our troops, and now we are talking about spending more money and adding more troops. We need to end this, redeployment needs to start now.

Madam Speaker, we have before us a bipartisan resolution opposing the escalation of troops in Iraq. However, this debate is only the first step. The ultimate goal is to bring our troops home safely and swiftly. It is time for the President to listen to the American people and his advisers and refrain from changing the leadership when they disagree with him.

The best way to support our troops serving in Iraq is to say "no" to the President's escalation of this war. An outstanding general said recently that stubbornness cannot be mistaken as leadership and cliches cannot be called policy.

I strongly urge my colleagues to support this resolution.

Mr. KING of New York. Madam Speaker, various supporters of the resolution can point to this general or that general. I would point to the general who was most recently confirmed and unanimously confirmed by the United States Senate, who is the author of this plan. I will stand by him.

Madam Speaker, I yield 5 minutes to the gentleman from Iowa (Mr. LATHAM).

Mr. LATHAM. I thank the gentleman from New York for allowing me this time.

Madam Speaker, I rise today to share everyone's frustration with the mistakes that have been made in Iraq, and the fact that progress has not been made as fast as we would all have liked. I would say, though, before you cast your vote on this resolution, I think it is only fair to remind Members of this Chamber that the main thrust of this resolution focuses only on one of at least 10 of the recommendations the administration is carrying out based upon the work of the Iraq Study Group. Others include shifting our primary mission to training and equipping Iraqi security units and embedding more U.S. soldiers in the Iraqi military.

The administration has also pledged to hold the Iraqi Government accountable to its commitments to take primary responsibility for security in all of Iraq's provinces by November, establishing a fair constitutional amendment process, reforming de-Baathification laws, creating a fair oil revenue sharing arrangement and holding local elections.

Let me also remind the Democratic majority that when the Iraq Study Group announced its recommendations, the Democratic leaders publicly stated they hoped the President would embrace the report. But when the administration proposed carrying out policy recommendations by the study group, which included a surge in troops, the Democrats backed away and took the cynical approach, oppose and criticize, rather than to offer to work for real solutions.

Some Members of this body will use this week's nonbinding resolution to run away from the vote that they cast in 2003. I will suggest to you that history will judge this Congress in a manner many of you have not considered. In my judgment, every Member who votes in favor of this resolution is endorsing the Democratic Party's decision to manage the war from Capitol Hill.

After all, as the debate on this resolution got under way this week, the Democrat leadership in this House made it perfectly clear that the resolution is just the first effort by the majority to begin a Democratic-led legislative micromanagement of this war.

It is said that Colin Powell advised the President on Iraq, if you break it, you own it. So I want to tell the Democratic majority that with this resolution, your plan to micromanage this war through your legislative initiatives, you are taking possession of this war.

With this resolution, you are taking over the day-to-day management of this conflict, and at the same time taking the onus off of the President. Let me say that again. You are now responsible for the outcome of this war.

The Democratic majority has determined that solutions to our most complicated conflicts can be solved through nonbinding resolutions, and I predict forcing the President's hand by cutting off the funding for our men and women in uniform, just like they did in Vietnam. Our soldiers fought gallantly in Vietnam as they do today in Iraq, but the legislative micromanagement by the U.S. Congress during the Vietnam era, and in decisions to cut funding for our military mission in Southeast Asia, only tied the hands of our warriors, but it not only tied the hands of our warriors, it demoralized our men and women in uniform for decades.

Ladies and gentlemen, the new majority has not learned from the mistakes of the past, but has arrogantly concluded that House Democrats can take command and control of our strategy and our troops in Iraq from the floor of this Chamber. Keep in mind, now that the Democratic leadership has assumed the role of Commanders in Chief, the consequences of failures are now also theirs. Just as the North Vietnamese changed their strategy and were emboldened by the misguided actions of the Congress, so too will the enemies of freedom in Iraq be emboldened by this and subsequent resolutions by this Congress.

Furthermore, if the majority party's political rhetoric corresponds with their legislative agenda on Iraq, you can rest assured that the humanitarian disaster will be yours. The jihadist victory will be yours. The rogue state coalition of Iran and Syria will be yours.

☐ 1930

A genocidal Sunni-Shiite-Arab civil war will be yours. You will have handed al Qaeda victory and empowered its homicidal leaders. Again with this resolution, the Democratic majority has seized control of this conflict. And again, remember what Colin Powell said: If you break it you own it.

History will not focus on your voting for the resolution authorizing the force, but they will long remember you unleashing the hell that is going to come in Iraq by voting for this resolution.

Mr. FALEOMAVAEGA. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I would say in response to the gentleman's comments, we gladly accept the responsibility. That responsibility was truly exhibited in the election in November. This is the reason why we are taking action. I think this resolution, every bit, is part of that accepting the responsibility and the will of the American people who have spoken in the November election. I just want to note that.

Madam Speaker, I yield 5 minutes to the gentlewoman from the District of Columbia (Ms. NORTON), who is currently chairwoman of the Subcommittee on Economic Development in the Transportation Committee.

Ms. NORTON. Madam Speaker, I thank the gentleman for yielding me time. I thank him for the disproportionate service of his own constituents in this war.

As the House prepares to consider a bill for the first full House vote in two centuries for the taxpaying American citizens who live in the Nation's Capital, that have fought in all our wars, I dedicate these words to the first D.C. resident to die in the Iraq war, 21-year-old National Guard Specialist Darryl Dent of the 54th Transportation Company, and to the other residents of the District of Columbia who have died in this war without a vote in this House.

Like the soldiers from every State and territory, Specialist Dent did not have the luxury of equivocation. He acted, so must we. With uncommon bravery, loss of life, and unique injuries, our troops have acted. So must we.

The resolution before us asks quite simply: Whose side are we on? Do we support our troops best by committing another 20,000 to a war where only they must act and only they are accountable? Do we support our troops by sending more of them to another battle of Baghdad while the insurgents scatter to return as before, unless, of course, our troops are to be permanently deployed in the cross-hairs of a civil war?

Do we support our troops by sending 20,000 more whose lives will be in the hands of Prime Minister Nouri al-Maliki, the man we are asked to believe will help put down the militias responsible for civil war conditions, although their leaders are part of his government?

Madam Speaker, the vote this resolution seeks is about our troops more than about the war. Four years of worsening insurgency have rendered a verdict of its own on the war, that even great powers cannot alone win another country's civil war without its leadership and without diplomacy.

Yet another verdict on this war has been rendered by the migration of 2 million Iraqis; among them, the physicians and other professionals who will be desperately needed in postwar Iraq. The 50,000 monthly who flee for safety have created the largest refugee crisis in the Mideast since 1948.

No, Madam Speaker, dispatching 20,000 more American troops to Iraq is not about the war, it is about those troops and the troops that are already there. Most tragically, this war will be remembered for citizen soldiers like Specialist Darryl Dent, the largest number to be uprooted from family and job since World War II.

Recently more than 60 percent of the fatalities were National Guard soldiers who typify average Americans, computer operators, teachers, police officers, who joined to serve at home but were always ready and willing to serve anywhere.

By what right do we call on them again, some for the second or the third time? Devoted though they remain, declining enrollment has had to be bolstered by increasing incentives to preserve the volunteer, all-volunteer military. Here in the capital, the Guard's unique mission to protect the Federal presence is at risk, just as those called away from every State have weakened homeland protection and security.

As Mississippi and Louisiana Guards were serving in Iraq, Guard units from every State except Hawaii plus 7,500 active duty soldiers were necessary during Hurricanes Katrina and Rita. By what right do we surge troops into Iraq? Are we about to throw more citizen soldiers and weekend warriors with truncated training into a war with results like those of 2005?

Reserve and Guard were 10 percent of the fatalities during major combat in March and April of 2003. By August of 2005, 57 percent of U.S. fatalities were reservists that year. How can we ask our troops to give yet again? They have given to the preemptive war against weapons of mass destruction that did not exist. They have given as the war morphed into a war for democracy that is not yet in sight.

The question before us, my friend, is not what will the President do or even what will we do. The question before us is what more can we ask our troops to do after 4 years of repetitive brave combat duties?

The question answers itself. Let the troops pass the baton to the Iraqis. Bring our troops home to their children, their families, their mortgages, and, yes, to all of us.

Mr. KING of New York. Madam Speaker, I would suggest that the lives of our troops are in the hands of General Petraeus, and his credibility is undermined by this resolution.

Madam Speaker, I yield 5 minutes to the distinguished gentleman from Illinois (Mr. LAHOOD).

Mr. LAHOOD. Madam Speaker, I rise in opposition to this resolution. More importantly, I rise today to express my support for our Commander in Chief and the men and women serving in the Armed Forces. It is simply not possible to claim that you support the troops while completely disavowing their mission.

Our troops in Iraq put their mission first, above all else, even their own safety. How can we even consider passing a resolution stating that we do not support providing them the manpower that they need to accomplish their mission? How does this support the morale? How does this show them that we have confidence in their abilities?

As we all know, this resolution has no real legal authority, it is preemptive, purely political, without taking the difficult step of offering an alternative proposal. At first I thought this debate was simply political theater, 3 days of speeches and sound bites.

But now we are learning this resolution is simply the first step. The gentleman from Virginia quoted in The Washington Post yesterday, saying: This is just the bark, this resolution is the bark, the real bite will be in 2 weeks when they trot out a continuing resolution or appropriation bill that will cut off the funds to the troops.

I hope you are all relishing the opportunity to support that appropriation to cut off the troops. This is the bark. The next the step is to cut off the funds.

I supported the original resolution authorizing force. I have served on the Intelligence Committee for 8 years, and I believe we have done the right thing. I believe our troops have done the right thing.

Saddam is gone. He has been tried and executed; 12 million Iraqis, over 70 percent of the people, have voted for their own leadership. The army and the police are being trained. Schools and hospitals are being built and opened. Coalition forces have done the best they can under extraordinary circumstances.

Iraqis need to continue to take control of the security. And in every discussion we have had with the Commander in Chief, he has been on the phone talking to the Prime Minister, persuading him that the American people are becoming impatient, that he has to take control of his government, he has to stand up an army, he has to stand up a police force.

I believe the Commander in Chief, the President, will hold the Prime Minister's feet to the fire and hold the Iraqi Government accountable so that they can begin to take full control of the responsibilities.

I think when that happens we will have achieved a great deal. I will not vote for this resolution that does nothing but show our enemies that the House of Representatives does not support our military. This ignores the more than 3,100 men and women who made the ultimate sacrifice. We turn our backs on the 3,100 when we pass a resolution like this.

□ 1940

And we also turn our backs on those that are doing the hard work in Iraq today. When I have had opportunities to visit those who have served from my district, who have come back, I have not heard one word of complaining, not one word of whining, no wringing of hands, only an opportunity to serve.

And so I urge my colleagues to stand up for the troops, stand up for the military, stand up for those who have done the hard work. Stand up for those who have made the ultimate sacrifice. Vote down this resolution and send the message that we stand with those who stand for freedom and hope and opportunity.

Mr. FALEOMAVAEGA. Madam Speaker, I submit it is not General Petraeus that we are questioning here. It is the decision of our Commander in Chief, our President, his decision to deploy some 20,000 troops, additional troops to this mess that we created in Iraq. We planned and carried out this war on the cheap, saying we only needed 140,000 when in fact the experts said we needed at least 250,000 or 300,000 to complete and do the job. That didn't happen. So why do you think that adding another 20,000 troops is going to make that much difference? That is what is at issue and I think this is what we need to debate on.

Madam Speaker, I gladly yield 5 minutes to my good friend from North Carolina, Mr. BUTTERFIELD, a member of the Armed Services Committee.

Mr. BUTTERFIELD. Madam Speaker, I want to thank the gentleman from American Samoa (Mr. FALEOMAVAEGA) for yielding this time to me, and thank the Speaker for convening this very important debate this evening.

Madam Speaker, I come to the floor this evening to express my unconditional support for H. Con. Res. 63. I also come to the floor this evening to thank the leadership, to thank Speaker NANCY PELOSI and the majority leader, and Chairman IKE SKELTON for their leadership on this issue, and thank them very much for scheduling this debate. I am confident that the American people are also appreciative of this debate.

Madam Speaker, 4 years ago, shortly before I was elected to this body, the President of the United States convinced this Congress that dictator Saddam Hussein had in his possession weapons of mass destruction, and that he was prepared to use those weapons against our country. The world now knows that he was wrong, and history will decide whether that intelligence was manipulated or whether it was an honest mistake.

But this evening, Madam Speaker, the invasion we all know, happened. We captured Baghdad, and we arrested Saddam Hussein, and he has now been convicted and executed. But the search for weapons of mass destruction revealed that there were no weapons whatsoever.

Our aim then turned to helping the Iraqi people create a democratic government with free and fair elections, a constitution was ratified, and elected representatives are now making decisions on what is best for their country. The Iraqi Government has a security force in place, and we are assisting in training them to defend their country.

In 4 years of fighting the brave men and women of our Armed Forces have accomplished every mission put before them. They have performed admirably and completed all that is possible militarily possible in Iraq. There is an intractable problem on the ground in Iraq. The tensions between the sectarian groups are centuries old. We all know that, and our continued presence is exacerbating those tensions. It is no longer a military problem, but a political problem best resolved through diplomacy.

It is clear, Madam Speaker, that a continued open-ended military action is not in the best interest of our country. It is not in the best interest of the Iraqi people or the citizens of the Persian Gulf region. We have reached the point where we need to turn Iraq over to the Iraqis. Iraqis know that, so that the Iraqis will know that the U.S. is not an occupying force.

Since the invasion we have lost 3,000 lives. We have heard that for the last 2 days. And so many of those injuries are permanent. The financial cost of this war exceeds $400 billion. The President is now seeking another $245 billion to finance the war over the next 18 months.

Madam Speaker, if those funds were invested in rural America, there is no question that we would improve thousands of lives in our own country.

Our military and their families are tremendously strained. Some troops are on their fourth and fifth deployments. Military personnel costs are skyrocketing. Further strains on our Armed Forces will leave this country unprepared for a wide range of threats that now exist. At a cost to the American taxpayer of nearly $2 billion a week, we simply will not have the resources needed to prepare for the wide variety of future threats that our country may have to face and for our domestic needs at home.

America has a problem and we must fix it. This debate this evening is the first step in a new direction. Our goals in Iraq have been accomplished, and it is now time to begin bringing our troops home. Now is not the time for escalation. Surges have not helped before, and they will not help now.

The time has come to redeploy and reset our force to begin addressing our other challenges around the world and give us an opportunity to repair our relationships with our allies and refocus on the war on terror.

Mr. KING of New York. Madam Speaker, I would say to my good friend from American Samoa that one of the reasons why I do refer to General Petraeus is he is one of those who put this plan together and he says it will work, and for people to belittle his plan or to ridicule it or to adopt for the first time in history a resolution attacking his strategic plan is an attack on either his credibility or his competency. You can't have it both ways.

Madam Speaker, I yield 7 minutes to the gentleman from Connecticut (Mr. SHAYS), who has been to Iraq 15 times.

Mr. SHAYS. Madam Speaker, it is good we are having this debate. As a 20-year veteran of this place, I am, frankly, impressed with the heartfelt and articulate statements from both sides of the aisle. On matters of war and peace, it is imperative we do what is right for our country, as we see it, and then live personally with the consequences.

Critics of the war in Iraq wanted new leadership at the Department of Defense, new military leadership on the ground, and a new plan to stabilize Iraq and bring our troops home.

We have a new Defense Secretary, Robert Gates, new Commanding General of Multinational Forces, David Petraeus, who everyone acknowledged is as perfect a person for this job as we could find, and a new strategy to clean up, hold and rebuild the neighborhoods with a short-term buildup of our forces.

The Democratic majority in the House has introduced a resolution condemning this strategy, expressing disapproval, without offering any alternatives. Ironically, they offer a stay the course resolution.

The majority is clear on what it is against, but does not say what it is for, leaving us with what exists right now, the status quo.

The resolution sends the wrong message to the President, to our troops, and to our enemies. It will not get my vote.

We need a resolution to help resolve this conflict, not a symbolic resolution that gives no guidance on how we can help stabilize Iraq and bring our troops home.

Working with Congressman FRANK WOLF and others, we helped create the Iraq Study Group, bipartisan experts led by Jim Baker and Lee Hamilton who offered fresh eyes on Iraq and offered specific recommendations.

The Iraq Study Group made three recommendations, transfer responsibility for police patrolling the streets from American troops to Iraqi security forces; two, encourage Sunnis and Shias to resolve their differences or face the consequences, American troops leaving; and, three, conduct a robust diplomatic effort with all of Iraq's neighbors to engage them in the country's future.

The White House has implemented the first and second of those recommendations but, regretfully, not the third.

The Study Group provided a road map resoundingly endorsed by members from both political parties. It is a missed opportunity that the resolution we are debating this week does not incorporate these three recommendations.

I know there are many Americans who are concerned about a short-term increase in troops to secure and regain control of Baghdad. I understand their concern. Two years ago I believed this strategy had a better than even chance to work. Today it is less likely to succeed, but it is still the best opportunity we have.

□ 1950

But this strategy will only work if Iraqi troops do their part; Sunni and Shia politicians resolve their differences, meeting benchmarks against firm timelines like they did in 2005; and the U.S. and Iraq engage in a diplomatic surge with all of Iraq's neighbors, including Syria and Iran.

We also need to be prepared with plan B if this plan fails. It seems to me plan B involves taking our troops out of harm's way, removing them from the urban areas, and placing them along the borders so Iraq's neighbors, Syria, Iran, Saudi Arabia, Kuwait, Jordan, and Turkey, are not tempted to enter Iraq.

And if plan B fails, we will have no choice but to leave, having been defeated, having lost to the Islamist terrorists who have made it very clear this is just the beginning.

In essence, our troops deserve to know we have a plan to win. If we do not have a plan to win, we need a plan to leave. The resolution before the House neither helps us succeed nor gives us guidance on when and how to leave. It is counterproductive.

It is so counterproductive, for 535 Members of the House of Representatives and Senate to micromanage the war. It is the responsibility of the administration to conduct the war effort. It is Congress's responsibility to conduct tough oversight, hold the administration accountable for the implementation of the war.

Having chaired 14 hearings on the operations in Iraq and been to Iraq 15 times to conduct on-the-ground oversight, I will continue to ask the administration the tough questions and to provide, to the best of my ability, my observations and recommendations.

Regretfully, too few Members of Congress have fully considered the consequence of leaving Iraq prematurely. The Iraq Study Group warned, "If the situation in Iraq continues to deteriorate, the consequence could be severe for Iraq, the United States, the region, and the world." This is what members of the Iraq Study Group said on a bipartisan basis, Republicans and Democrats united.

The ultimate goal for me is to bring our troops home without leaving Iraq in chaos. This is still achievable if Republicans and Democrats, the White House and Congress, agree on a bipartisan solution and then carry it out with steely resolve. Officially endorsing the recommendations of that Iraq Study Group and acting on them is the best way to make this happen.

The only way we should leave Iraq is the same way we went in: together.

Mr. FALEOMAVAEGA. Madam Speaker, I yield myself such time as I may consume.

I just want to note with interest also in my good friend from New York's observations, on this side of the aisle we are in no way trying to criticize or humiliate the integrity of the great general that is now leading our forces in Iraq. In fact, I have the utmost respect for General Petraeus. He received his doctoral dissertation from Princeton University on counterinsurgency; and that is why, as the former commander of the 101st Airborne Division, he was so successful as a general up in Mosul. So I think we need to have that framework understood with my good friend from New York. We are not questioning the integrity of the good general, General Petraeus. It is the decision made by our President, who is the Commander in Chief, that we are debating about in this great debate that we are having this evening.

Madam Speaker, I want to yield 5½ minutes to my good friend, the gentlewoman from Wisconsin (Ms. MOORE), a distinguished member of the Financial Services Committee.

Ms. MOORE of Wisconsin. Madam Speaker, I thank the gentleman so much for yielding.

First of all, I must humbly acknowledge what a difficult situation we face in Iraq, and I respect the passionate debate on both sides. And I must concede that I don't really have a cohesive, comprehensive plan for fixing Iraq. And, indeed, the Iraq Study Group has indicated that really no one can guarantee that any course of action in Iraq at this point will stop sectarian warfare, growing violence, or the slide toward chaos.

Our intelligence community recently found that the violence in Iraq is now a self-sustaining sectarian struggle. Our military leaders have indicated that a prolonged occupation cannot prevent what already exists: little political accommodation, hardening sectarian divisions, and a growing civil war.

It has been asked what the majority is for. Well, I can tell you that I am for standing down from these policies in Iraq that have been based primarily on fear and pride. Fear can be false evidence appearing real, and fear is one of the most destructive afflictions that can affect the human mind, and often, as we have seen, feeds aggression.

Pride, of course, is one of the seven deadly sins, and it is an excessive belief in one's own abilities and is often called the sin from which all others arise. Oh, we are going to be great liberators.

Fear can appear and make you see a false reality. As the ancient author Lactantius said, "Where fear is present, wisdom cannot be."

In 2003 America's fear of weapons of mass destruction, Saddam Hussein, and al Qaeda bolstered arguments for going to war. Fear outraced the facts, and 4 years later our troops find themselves in a civil war.

Today this debate, this call for an escalation, is led by fear. We hear the dire predictions about withdrawing from Iraq: Oh, if we leave, civil war and bloodshed will continue. Sadly, the reality is if we stay, civil war and bloodshed will continue. Pride blinds our actions just as much as fear, and some have said that ego is the defender of fear. A requirement of pride, indeed a symptom, is that each challenge to our pride drives us harder to improve our illusions and keep up appearances. Oh, we are going to achieve victory. Oh, we have got to maintain the morale and pride of the forces. Oh, if we don't succeed, we don't support our troops. And if we send more troops, we are sending the wrong message. A very precarious warning about pride that I think we are all familiar with is that "pride cometh before a fall." In order for us to consider what our real interests in Iraq and the Middle East are, we have to get past stoking fear and pride.

Fact: The U.S. is not going to impose democracy on Iraq by military force. And no matter how proud we are, no matter how much we may wish, no matter when we leave, the U.S. will leave an Iraq that is in pieces, not at peace. The U.S. alone cannot stabilize the Middle East. Will our pride prevent us from reaching out and being honest brokers and invite others in the region, such as Saudi Arabia and Iran, to help stabilize Iraq? It is said that the punishment for pride is being broken on the wheel, and our budget and military readiness is being broken on the wheel.

There are a lot of things I would like to see in Iraq, Madam Speaker: more political and economic opportunities for women, respect for law, the emerging of democratic institutions. But as the Iraq Study Group noted, achieving the goal of having an Iraq that can govern itself, sustain itself, and defend itself will require much time and depend primarily on the actions of the Iraqi people, not American troops.

Mr. KING of New York. Madam Speaker, again I would suggest to these supporters of the resolution that the President's key advisers, including the chairman of the Joint Chiefs of Staff, General Pace, and the new commander in Iraq, General Petraeus, strongly support this increase in troops.

Madam Speaker, I yield such time as he may consume to the gentleman from Washington State (Mr. REICHERT).

Mr. REICHERT. Mr. Speaker, I thank the gentleman from New York for yielding.

Mr. Speaker, I support our troops wholeheartedly and without reservation, but I cannot support a resolution that simply opposes a new strategy without offering any alternative plan to win. There is too much at stake.

□ 2000

Let us just think about where we are today as a country, about the global war we are in with people with intent to kill Americans and how that affects our strategy in Iraq. When considering this, we must consider our Nation's history and other difficult times of war.

There have been many bleak moments in America's history, battles we have been engaged in where American victory was far from certain.

In 1942, hell bent on dominating the world with his ideology, Adolph Hitler and the Third Reich systematically marched through Europe, taking the most basic freedoms from the Jewish people and killing millions. The United States entered World War II reluctantly and we were not ready for the hurdles we faced.

Don't forget, there were times when victory was far from certain. The outlook was grim. Many Americans and Europeans alive today can remember how bleak those times were as the war drug on and on and on. But we didn't give up. We persevered, because we knew there was too much at stake.

Eighty years before World War II, in 1862, President Lincoln faced a war that most believed could not be won. He faced vocal and unrelenting criticism for his resolve to win the Civil War. When the war began, Lincoln called for 74,000 troops for 90 days; 74,000 troops for 90 days. And history has showed us that Lincoln greatly underestimated the resources needed, because, as we know, over 620,000 soldiers were killed during that war.

At a time in our history when it might have been politically expedient to win the Civil War without first achieving victory, President Lincoln pressed on, constantly seeking a new strategy, until he found one that worked because so much was at stake.

Perhaps some of the resolve Lincoln displayed came from lessons he learned 15 years earlier when he entered a smaller battle. In 1848, Abraham Lincoln was an often criticized young freshman Member of this body, the House of Representatives, and was facing a difficult point in his career. Lincoln criticized the reasons President Polk gave for getting us into the Mexican-American War, a war that began before Lincoln came to office, a position that I can identify with today as I stand here.

Then-Congressman Lincoln voted for a resolution that stated the Mexican-American War was "unnecessarily and unconstitutionally" initiated by President Polk. Lincoln thought the war was nothing more than a political move to grab land from the Mexican people.

My friends, it is legitimate and in fact our duty to question the reasons why our country goes to war, and Abraham Lincoln showed us that. However, he also showed us something else. Abraham Lincoln made an incredibly important distinction that we can learn from today.

A Lincoln biographer, Doris Kearns Goodwin, writes that after being criticized for that vote "Lincoln sought to clarify his position, arguing that although he had challenged the instigation of the war he had never voted against supplies for the soldiers."

This is an important point to make again. Lincoln sought to clarify his position, arguing that although he had challenged the instigation of the war he had never voted against supplies for the soldiers. Lincoln knew the damage of condemning a war while claiming to support the troops. Yet that is what this resolution before us does today.

During the American Revolution, the men and women who had become this country's first citizens were declared by the King of England to be in rebellion. The King sent soldiers across the Atlantic to quell the uprising.

In every war, it is the average citizen who stands up and fights for his neighbor's freedom. It is the same today. In response to the King of England's attack, again it was the average citizen who raised his hand, volunteered, stood up and fought for our freedom. A bookstore owner, the manager of an iron foundry and a land surveyor all stood and fought for our freedom. Those men were Henry Knox, Nathaniel Green and George Washington.

During America's War for Independence, it was not clear if we would prevail then. We lost battle after battle. Troops deserted the battlefields. General Washington and his deputies persevered, continuing to engage the enemy until the tide turned, because so much was at stake.

We are the United States of America today and we are free because General Washington refused to quit. We are the United States of America today and we are free because Abraham Lincoln refused to quit. And we are the United States of America today and we are free because Roosevelt and Truman refused to quit. And we are the United States of America today and we are free because of the sacrifice of the men and women in uniform who put their lives on the line in Iraq, Afghanistan and all around the world, preserving our freedom.

Today, the United States is engaged in another war, and just as before we face an enemy that wants to destroy our way of life. Just as before we face an enemy that thinks it is winning. Just as before our country is divided. Just as before we are making mistakes. Just as before we face a moment of truth about what to do next. And just as before the consequences of losing are devastating.

The enemy is clear about what their intentions are by what they say and what they do. Al Qaeda and the global movement that it has spawned have made it clear they want nuclear and biological weapons. It is clear they want to kill us, Americans. Osama bin Laden has called acquiring nuclear weapons a "religious duty." The fact is we are engaged in a global war with people intent on killing Americans, and regardless of how we got into Iraq, Iraq is now the central front of that war.

And yet while we debate this nonbinding resolution, what is really at stake is winning or losing. Like Lincoln, I was not in this office as the war began. I understand the arguments. I understand the questions. I have been asking questions, too, as an elected official in this body for the past 2 years, as a concerned citizen, and before that, as a veteran. I understand that there are many who think we should never have entered Iraq. We now know there was faulty intelligence that led to that decision.

But the war is upon us nonetheless. I am elected to deal with what is happening now. Will we succeed? Will we win? Just as at other moments in our history, those questions stand unanswered. The consequences of declaring an end to the war in Iraq without victory would be felt for decades. Our enemies around the world would be emboldened. Iran and al Qaeda would declare victory. Our allies in Iraq would certainly face bloodshed, and our allies around the world would question our resolve to help protect them.

Sergeant Eddie Jeffers is a U.S. Army infantryman serving in Ramadi, Iraq. Sergeant Jeffers has a firsthand appreciation for what is at stake in Iraq and our presence there and what it means to the Iraqi people.

He writes, "We are the hope of the Iraqi people. They want what everyone else wants in life: Safety, security, somewhere to call home. They want a country that is safe to raise their children in. They want to live on, rebuild and prosper. And America has given them that opportunity, but only if we stay true to the cause and see it to its end. But the country must unite in this endeavor. We cannot place the burden on our military alone. We must all stand and fight, whether in uniform or not. Right now the burden is all on the American soldier. Right now hope rides alone. But it can change. It must change, because there is only failure and darkness ahead for us as a country, as a people, if it doesn't."

Sergeant Jeffers' words hit at the heart of our present challenge in Iraq. Our current strategy in Iraq is failing, and yet failure is not an option. In November, the American people told us they wanted a new strategy, not because they wanted to lose, but because they wanted to win. Now we have a new strategy before us.

Is this new plan going to work? I don't know. No one in this body who is voting on this resolution knows.

□ 2010

What I do know is that we must find a way to achieve victory, and simply saying "no" to a new plan without offering up an alternative will not work and sends a terrible message to our enemies and our soldiers.

This is an historic war. America is engaged in a war for our freedoms on a scale that we have never experienced before. I understand the dissension, the questions and the uncertainty.

I understand the cost is high and the way is often unclear. I have served in law enforcement for 33 years. I understand the loss. I have lost partners and friends in the line of duty. I understand the cost of freedom and the sacrifices that must be made. The sacrifices are hard, they are tragic and they are never forgotten, but we must remain focused and not let those sacrifices be in vain.

Mr. Speaker, I urge my colleagues to vote "no" on this resolution. Lincoln warned us against tying a criticism of the war to support for our troops. Let us send a message to our enemies and our troops alike that we will always support our young men and women who put their lives on the line for our freedom.

Mr. FALEOMAVAEGA. Mr. Speaker, I yield such time as I may consume at this time.

Mr. Speaker, I support House Concurrent Resolution 63, and I want to thank our chairman of the House Armed Services Committee, the gentleman from Missouri (Mr. SKELTON); also, our chairman of the House Foreign Affairs Committee, the gentleman from California (Mr. LANTOS); and especially the gentleman from North Carolina (Mr. JONES), my good friend and colleague, as original cosponsors of this legislation.

Mr. Speaker, I also want to thank the gentleman from Virginia (Mr. WOLF) and Mr. Richard Solomon of the United States Institute of Peace for their initiative and leadership to establish what is commonly known today as the Iraq Study Group, composed of nationally recognized leaders from both political parties, and co-chaired by former Secretary of State James Baker and former Congressman and director of the Woodrow Wilson International Center for Scholars Mr. Lee Hamilton.

The Iraq Study Group conducted for well over eight months a most comprehensive review, in my humble opinion, of the crisis that we are now faced with in Iraq, and I sincerely hope that in the weeks and months to come that we here in this body will review seriously its recommendations for a resolution to the conflict in Iraq.

Mr. Speaker, almost 5 years ago, as a member of the House International Relations Committee, I voted in support of the resolution which authorized our President to use military force against Saddam Hussein and his military regime, for the most critical reason presented by our President, our Vice President, our Secretary of Defense, and our National Security Adviser, that Saddam Hussein had in his possession supposedly nuclear weapons. Our Nation's own national security was severely at risk, imminent danger. These were the phrases that were used. And besides for other reasons, the nuclear issue was the linchpin, in my humble opinion, that convinced many of us on both sides of the aisle to approve the resolution to allow our President to wage war against Iraq.

Mr. Speaker, our Nation, and especially the American people, have now come to realize that Saddam Hussein never had in his possession nuclear weapons, due to faulty intelligence and misleading statements made by top officials of this administration in order to totally change the atmosphere to have the public believe that our number one public enemy was Saddam Hussein and not Osama bin Laden.

Mr. Speaker, I ask my colleagues, how in the world did we end up in Iraq and we have now caused more tension in the Middle East than ever before?

As I recalled, Mr. Speaker, our Nation was attacked by some 18 terrorists, 14 Saudi Arabians, one Egyptian, two from the United Arab Emirates, and one Lebanese, on September 11, 2001. None of these terrorists came from Iran or Iraq. Most of them were from Saudi Arabia, and they were members of a terrorist organization that we now know as al Qaeda, and the leader of this terrorist group is Osama bin Laden.

Our Nation was attacked on September 11, 2001. Most of the nations around the world not only sympathized with us but supported us, but the Congress gave authority to our President to go after Osama bin Laden and his al Qaeda organization that was under the protective custody of the Taliban, which at the time controlled Afghanistan and certain parts of Pakistan.

It is critically important, I submit, Mr. Speaker, that our colleagues and the American people need to be reminded on what prompted our President, as Commander in Chief, and this Congress, what actions our Nation took after our country was attacked on September 11, 2001.

Our government leaders properly identified al Qaeda and Osama bin

Laden as the perpetrators of the attacks on September 11, 2001, and our President and the Congress acted accordingly to summon our military forces to wage war against Osama bin Laden and his al Qaeda organization that was under the protection of the Taliban in Afghanistan.

Well, we got rid of the Taliban, and we were successful in establishing a democratic government for the people and the leaders of Afghanistan, but we did not, and I repeat we did not, complete our mission of either killing or capturing the leader who was responsible for the attack against our country on September 11, 2001.

The terrorist leader's name is Osama bin Laden, and after almost 6 years now, the most powerful country in the world militarily, Osama bin Laden still has not been killed or captured, let alone the fact that we did not complete our commitment in resources and force structure to sustain Afghanistan's newly established democratic government.

Now, there is a new escalation of Taliban presence in Afghanistan and its ability to wage military operations against us and our NATO allies, and the situation in Afghanistan is now becoming more like Iraq, needing more troops and resources to fight the Taliban again.

The critical question of why our country decided to wage war against Saddam Hussein is one that will be a matter of public debate for years to come, but suffice it to say, one, Saddam Hussein did not attack us on September 11, 2001. It was Osama bin Laden and his al Qaeda organization that was based in Afghanistan and parts of Pakistan.

Two, our President and his top officials had misled the American people and the Congress to state that Saddam Hussein possessed weapons of mass destruction, especially nuclear weapons. I honestly believe that this issue alone was the catalyst and what prompted Congress to give the President military authority to force Saddam Hussein to comply with U.N. resolutions and to also locate and destroy his alleged supply of nuclear weapons.

Three, we may have won the war in Iraq by eventually capturing Saddam Hussein, but we have caused more tension and conflict among the rival factions between the Shiites, comprised of 60 percent of this country's population of 26 million, and the Sunnis, which make up some 20 percent of the population, and the remainder the Kurds which, for the most part, is not involved in this conflict at this point in time.

I must include, Mr. Speaker, the name of former Army Chief of Staff General Eric Shinseki as part of the debate and discussion, if you will. General Shinseki, in my mind, was among the first of our military leaders who, for making an honest statement as a professional soldier concerning the situation in Iraq, was publicly criticized and humiliated by civilian superiors within the Department of Defense.

In response to questions by members of the Senate Armed Services Committee, General Shinseki was asked how many troops it would require to take control of Iraq, and his response was something in the order of several hundred thousand soldiers. Here was a soldier who fought and was wounded while engaged in combat in Vietnam, a most respected officer who served with honor and distinction for some 35 years in defense of our Nation. Needless to say, Mr. Speaker, I must say, General Shinseki's professional assessment of the mismanagement and ill-planning of this war in Iraq could not have been more accurate, given the sad state of affairs we find our country is in now when dealing with Iraq.

Mr. Speaker, the resolution before us is plain and simple. It is a clear statement to the American people and to the world that Congress absolutely supports the efforts of all the men and women who proudly serve in the Armed Forces of the United States. It also sends a very simple message to President Bush that his recent decision to send an additional number of some 20,000 troops to the war effort in Iraq is not going to change the serious security problems and the civil war that is now in place between the Sunni and the Shiite factions.

Mr. Speaker, we have fulfilled our mission, our military mission, by capturing Saddam Hussein who, of course, now recently was hung by the authorities with the new Iraq Government. It is up to the Iraq people and their leaders now to determine for themselves a political solution to the rights and privileges of the three major factions: the Sunnis, the Shiites and the Kurds.

It is a fact that 60 percent of the population in Iraq is Shiite. Prime Minister Maliki is a Shiite, and interestingly enough, the President is a Kurd.

□ 2020

Now the question is how and in what way the Sunnis are going to be part of this newly established government. And there is no denial, Mr. Speaker, that for the future the new government will be dominated by Shiites, an unintended consequence of our decision to wage war against Saddam Hussein, who was a member of the Sunni faction, which made up only 20 percent of the population of Iraq. But Saudi Arabia, Jordan, Syria, Egypt and the rest of the Muslim world is Sunni. Eighty-five percent of the Muslim world is Sunni, we have to understand that, and Iran and the Shiite factions in Iraq make up only 15 percent.

I said earlier, Mr. Speaker, and I want to quote again my good friend's quotation from Daniel Webster: God grants liberty to those who love it, but I say they must also be willing to die for it.

The civil war now taking place between the Sunnis and the Shiites is a war not for seeking liberty and freedom, but it is a religious war that has been going on for the past 1,400 years. There are never winners in religious wars, Mr. Speaker. And no force, not even the most powerful nation of this world is going to change the hearts and minds of the Sunnis and the Shiites unless they themselves do so willingly and do it in a political way.

Mr. Speaker, I honestly believe that our troops now there and an additional number of 20,000 more soldiers that President Bush has ordered for deployment in Iraq are going to get caught in the crossfire of the civil war that is now going on between the Sunnis and the Shiites, a war that can only be resolved only among the Iraqi factions themselves and not with our military presence there.

I urge my colleagues to support this resolution.

Mr. FALEOMAVAEGA. Mr. Speaker, I ask unanimous consent to yield the balance of my time to the gentleman from New Jersey, my good friend chairman of our Subcommittee in Africa and Global Health, Mr. PAYNE, so that he may be able to control the time on this side of the aisle.

The SPEAKER pro tempore (Mr. BECERRA). Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. KING of New York. Mr. Speaker, I yield myself 10 seconds to note that the Iraq Study Group specifically said the United States should significantly increase the number of U.S. military personnel, including combat troops embedded in and supporting Iraqi units.

Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania (Mr. PITTS).

Mr. PITTS. Mr. Speaker, as a Vietnam veteran who served three tours during Vietnam and flew 116 combat missions over there in B-52s, I rise to oppose this resolution.

I am sure I don't speak for every Vietnam veteran, but I am sure I speak for a lot of them when I say that when we served in combat we detested the politicians in Washington who undermined our efforts to win, politicians who criticized the war effort, politicians who sought to micro-manage the war, politicians who set the rules of engagement from thousands of miles away.

These politicians were anything but helpful. They undermined our efforts and our morale. They made us fight with one hand tied behind our backs. They demoralized our forces and our allies and our families. And, their words and political efforts grated on our families back home.

Mr. Speaker, it was wrong then and it is wrong now. Our troops need and deserve our full support.

I don't question the proponents of this resolution's patriotism. I question their judgment. What we are debating this week is called a nonbinding resolution. What that really means is that this is nothing more than a political statement. It is designed to send a message to the voters and to the media to score political points, I guess. But this resolution is not about President Bush or failures of his administration, this is about America, it is about our future, it is about our kids and our grandkids. And, unfortunately for them, this resolution offers no plan to win the war, no plan for the future.

For months we have heard the other side criticize the President for offering a stay-the-course strategy in Iraq. Now that the President has offered a new strategy, the other side wants the status quo, to stay the course. The American people want a new direction in Iraq, but not a retreat or a defeat.

This is a stay-the-course resolution. It opposes sending in reinforcements to help achieve victory, as the Iraq Study Group suggested that we do on page 73 of their report.

Now, I am not suggesting that the military is the only solution to winning the Iraq war. It is only one leg in a three-legged stool, which also should include diplomatic, political, economic efforts as well. But it is absolutely an indispensable part of the solution. To undermine the military effort is wrong and will guarantee defeat.

The left wants us to fight a politically correct war. They believe that if we stop fighting the war will end. They are wrong.

Some of us met with ambassadors from the Middle East yesterday. The ambassadors voiced strong opposition to withdrawing troops from Iraq. They said to do so before the Iraqi Government is able to sustain itself would lead to catastrophe, catastrophe in Iraq and catastrophe in the region. They are right. If we stop fighting, the consequence will be disastrous. Our terrorist enemies will be greatly emboldened and empowered. Countless Iraqis will be slaughtered. Genocide will occur. The terrorists will become even a bigger threat to the region, destabilizing and possibly igniting a regional war, and they will surely follow us home to fight here. And our allies will never trust our resolve again.

If we don't defeat the Islamic terrorists in Iraq, then let me ask you, where will we do so?

Mr. Speaker, the world is watching the Pelosi Congress. Will we show them that our determination to succeed is stronger than the terrorists? If this war is lost, it won't be lost by our magnificent troops in the field, it will be lost in the Halls of this Congress by politicians who want to micromanage our military. And that is why I ask my colleagues to consider the consequences of this vote and this war.

The long-term consequences are momentous. What will it mean for your kids and grandkids? What kind of world will they inherit? What will it mean for the Middle East? What will it mean for our allies in the Middle East? What will it mean for the future of our great country?

Make no mistake about this. This resolution will harm our troops who are sacrificing for the cause of freedom. It opposes sending in reinforcements to troops in battle. Our troops deserve and need our support. The arm chair generals in Congress who have never served in combat say, We will not abandon you, while they undermine our troops and their mission, while they deny them reinforcements.

This vote is a vote for failure in Iraq and chaos. We should insist on victory in Iraq. This resolution does not support victory, it supports failure. We must defeat the terrorists, we must protect America from Islamic terrorists. Defeat this resolution.

Mr. PAYNE. Mr. Speaker, I yield 5½ minutes to the gentleman from New York, Representative ED TOWNS.

Mr. TOWNS. I thank the gentleman from New Jersey for yielding time to me, and to say that I thank the leadership of this House. I thank Speaker NANCY PELOSI and I thank IKE SKELTON for bringing this resolution forward.

You know, I served in the military, and I have great admiration and respect for the military, and I also cannot understand why people are saying that if you support this resolution you are not supporting the troops. I can't make that connection because I support the troops, but I must admit I also support this resolution.

Mr. Speaker, 4 years have passed since this administration began its ill-fated war in Iraq. No weapons of mass destruction have been found, no coalition of nations has fought in the war, and the American people are still waiting for a plan for a real war against terrorism.

Though Saddam Hussein is now dead, this fact alone has not been worth nearly $400 billion in taxpayer funds, the loss of 3,000 lives, and 26,000 casualties. What message does this send to the American people? I have been hearing this all day long coming from the minority side.

Let me tell you what the message is that we are sending to the American people: That our priorities are upside down, and we need to fix them.

□ 2030

I have opposed this war from the very beginning, because I was concerned that we would come to this point where we would spend all the money on the war and not have the resources to do the things to keep our Nation and to make our Nation strong.

Almost all the speakers on the other side expressed their support for the troops. I want you to know that on this side we also express our support for the troops. This administration has asked us to cut funding for children, for children's health insurance. We were asked to cut critical funds for Medicaid and Medicare, a loss of dollars that may cripple our public health system. Many of our hospitals are actually closing, and we are asked to provide token funding so No Child Left Behind becomes "most children now are left behind."

This war and its budgetary requirements are squeezing the American people, and I say that enough is enough. But, no, the administration is asking for 20,000 more combat troops and approximately 15,000 support troops. The Congressional Budget Office estimates that it will cost approximately $13 billion.

This administration has had troop surges in the past; this is not new. What is different about this troop surge? It is more of the same, just more targets we are sending.

In October, the administration sent more combat troops into Baghdad to attempt to end the growing violence; however, the violence in Baghdad has only grown worse. Now the United States military is caught up in a very violent civil war, something they are neither trained nor equipped to deal with. Sending additional troops to Iraq actually makes things worse for Iraqi civilians and for our troops.

Our military is already stretched too thin. Many soldiers are doing two and three and four tours of duty. The administration now plans to send additional troops into a city almost the size of New York City, and they may have to go house to house in order to keep warring sides from killing each other.

What message does this send to the American people when we tell them we have no more money for children's health insurance, no more money for Medicaid, no more money for Medicare, no more money for senior programs and no more money for children's education? And how do you think the American people will react to more fatalities and more wounded? How long will Congress keep supporting a war that has nothing to do with ending terrorism?

I ask the question tonight, how long will this administration keep ignoring the real needs of the American people? It is time for America to withdraw from Iraq and focus on the real business of the American people: better health care, more jobs, education for all of our children. We should not send an additional 21,500 troops. That only means we are sending additional targets into the area.

Mr. KING of New York. Mr. Speaker, I would say to my good friend from

New York, the message this resolution sends to the troops in the field is that the resolution challenges and opposes the mission that their group commander is asking them to carry out, and to me that has to undermine their morale.

Mr. TOWNS. Will the gentleman yield?

Mr. KING of New York. I will yield to the gentleman.

Mr. TOWNS. Let me say to you that I read the resolution, and I don't know how you can arrive at that conclusion.

Mr. KING of New York. Reclaiming my time, the reason I am saying that is, you are opposing the 21,000 troop increase, and that is the policy of General Petraeus, who is the new commander in the field. That is the policy he is asking his troops to carry out, and you are opposing the very policy the new commander says can work and will work.

With that, I yield 5 minutes to the gentleman from South Carolina (Mr. BROWN).

Mr. BROWN of South Carolina. I thank the gentleman from New York for yielding.

Mr. Speaker, as President Bush and his top military advisers implement the new plan for victory in Iraq, we must be united in a common goal for victory, and we should never forget that our enemy is listening to this debate, just as our troops are listening to every word of every Member of this Congress.

As many of my colleagues have done, I have personally visited Iraq. I have seen the progress and I have seen the good job that our brave men and women are doing for us and for the people of Iraq.

We have achieved some major accomplishments in Iraq. Women are now able to vote in real elections for the first time in their lives. Iraqi citizens are now able to protest and let their opinions be heard in public, and Iraq is a self-governing nation, free of tyranny.

I was proud to sit down and share a meal with many soldiers from South Carolina's First District. And the question many of our soldiers kept asking me was, why are none of the good stories making it back to the folks at home?

Mr. Speaker, I think that many of us today are trying to share some of the good stories and recognize some of the positive things that our brave men and women in Iraq are doing for us.

South Carolina's First District has a high proportion of active and retired military personnel and are directly impacted by the war in the Middle East. At the Charleston Air Force Base, the C-17 aircraft that come and go are a direct link in the supply chain that assist our brave soldiers fighting for us in Iraq.

At Force Protection in Ladson, South Carolina, they continue to build the Buffalo and the Cougar vehicles that save the lives of our soldiers against the mines and IED attacks every day.

Last year on Memorial Day, in my capacity as chairman of the Veterans Affairs Subcommittee on Health, I was fortunate enough to be the guest speaker at an American cemetery in Normandy, France, which overlooks Omaha Beach.

Our brave soldiers during World War II were in France not to fight the French, but to fight the occupying Nazis. Today our soldiers are not in Iraq and Afghanistan to fight the citizens of those countries, but are there to fight the insurgents in Iraq and the Taliban in Afghanistan.

In listening to the debate over the past few days, it reminded me of my visit and reading some of the names of the brave soldiers that fought our Nation's war during World War II.

Mr. Speaker, there are over 9,300 buried in Normandy. Those brave souls fought in a war against the forces of evil then, just as our soldiers in Iraq are fighting against the forces of evil today.

What would have happened if Franklin Delano Roosevelt pulled our troops out of France after the casualties we took storming the beaches of Normandy? If Franklin Delano Roosevelt was alive today, what would he think of this debate which empowers and energizes our enemies and demoralizes our brave fighting men and women? What would America have done if the Congress enacted a nonbinding resolution to pull our troops out of France after D-Day? What kind of world would we be living in today?

Iraq is directly tied to the future security of our Nation, and consequently, failure in Iraq is not an option.

I do not believe we have already lost in Iraq, but we will lose if we don't give the troops what they need to win. I remain hopeful that the Democrats and Republicans can unite around a new policy, clearly defining our troops' mission for the sake of our national security.

Mr. Speaker, I support President Bush and his vision for the new strategy for victory in Iraq. I cannot in good faith support this resolution because it sends our soldiers the message that the United States Congress believes that they cannot succeed in their mission. It is much easier to complain, while offering no real ideas or alternatives. This resolution is all bark and no bite.

I will conclude with a quote from a good friend and someone I am proud to have as my constituent, Medal of Honor recipient and retired Major General James Livingston. "Today we have a choice of fighting the enemy in Iraq. If we do not take them on in Iraq, then we will be forced to fight the enemy here on our homeland."

Mr. Speaker, I strongly oppose this resolution.

☐ 2040

Mr. PAYNE. Mr. Speaker, I yield 5 minutes to the gentlewoman from Florida, Representative CORRINE BROWN.

Ms. CORRINE BROWN of Florida. Mr. Speaker, I rise today in support of the resolution which requires our support for our brave troops and the American military, yet also expresses disapproval of President Bush's decision to deploy additional troops to the area.

My colleagues, the most serious vote any Member of Congress will ever take will be to send men and women to war. I support the troops 100 percent. Yet when you have your head in the lion's mouth, how do you get it out?

I did not vote for the war when it came before the House of Representatives back in 2002. I never supported this war. Yet, I do not blame my colleagues who did because their vote was based on false, twisted information provided by President Bush. From the very beginning of this conflict, President Bush has intentionally misled the American public by supplying them with false grounds for going to war, and now he is inventing reasons for us to stay there.

As President Bush begins to lay out his case for expanding this terrible war into Iran, we see the false rhetoric, the same war drumbeats in the background, drumming up support for the attack on Iran. Since we have never found a link between al Qaeda and Iraq, we are trying to hide our failure to control the civil war in Iraq by blaming Iran for supplying weapons to Iraqi insurgents. There is no proof and no one is certain this is under the direction of the Iranian leadership. Again, the President is telling the American people this is true, but why should we believe him? I know what the Bush administration is capable of doing. They will use any means necessary to achieve their ends, even if it means doctoring up the information supplied to Congress and to the international community to wage a war over oil.

They have provided all the justifications, all the sanctimony, frightening the American people into supporting a $600 billion war in Iraq, supposedly to deter terror, but in reality it is having the opposite effect. My colleagues, this war needs to come to an end. The American people want the troops home. This was the message sent loud and clear to the Bush administration during the November elections. Yet they for some reason just didn't get the message. Nearly 70 percent of the American people want us out of Iraq. Yet, President Bush continues to ignore that. We have already spent over half a trillion dollars over there. Let me repeat. $600 billion. There was even a period between 2003 and 2004 when our military was carrying huge wraps of $100 bills over to Iraq.

Look at this cruise ship. I want you to imagine a cruise ship full of $100 bills. We sent it over to Iraq. Now, let me tell you something, folks. A billion dollars is even a lot of money here in Washington. $100 bills, a billion dollars. Let me tell you what that would pay for our veterans. $1.7 billion would fund over 1.5 million veterans in category 8 that we are not funding today. Let me repeat. Over 1.5 million veterans we could serve if we could recoup just $1 billion, and we have sent over about $9 billion that we cannot account for.

Folks, I am going to give the Bush administration an F, and I am going to give the past Congress an F for giving him a blank check.

We all have the opportunity to have a serious vote for our troops and a vote for the American people. I say vote "yes" on the resolution.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. BECERRA). Members are reminded to refrain from engaging in personalities toward the President.

Mr. SHAYS. Mr. Speaker, I would like to emphasize the fact that, until now, this debate has been, I think, very up-front and I hope we can keep it at that level. I would also say, I wonder if it is the position of the Democratic Party that Iran is not funding and supplying the insurgents in Iraq, because I think that was determined far before President Bush's administration made any comments about it.

With that, I would yield 7 minutes to my distinguished colleague and friend on the Homeland Security Committee, the gentleman from Pennsylvania (Mr. DENT).

Mr. DENT. Mr. Speaker, this has been a long debate. But two points must be absolutely clear at the outset. First, it is imperative that we continue to support our troops on the ground. Our servicemembers deployed to Iraq have done a magnificent job. They have performed their missions admirably, effectively, and with valor. They have done everything we have asked them to do. They have made sacrifices as have their families. They deserve our unqualified support. And as a Member of Congress, I strongly disagree with some of my colleagues who have suggested cutting off funds for our troops serving in Iraq.

A second point to be made here is that immediate withdrawal from Iraq, which has likewise been advocated by some members on the other side of the aisle, is also a bad idea. The Iraq Study Group has said that "it would be wrong for the United States to abandon the country through a precipitate withdrawal of troops and support." The National Intelligence Estimate of January 2007 says that "if Coalition forces were withdrawn rapidly during the term of this estimate, we judge that this almost certainly would lead to a significant increase in the scale and scope of sectarian conflict in Iraq."

Religious conflict aside, there is another reason for avoiding immediate withdrawal, and that is simply that al Qaeda and its affiliated groups still operate in Iraq. Ayman al-Zawahiri, Osama bin Laden's chief deputy, considers their efforts in Iraq to be "crucial" towards furthering al Qaeda objectives in the region. Thus, these groups are aggressively pursuing terrorism within the borders of that country, commiting acts of violence against Shias, Kurds and anyone else who dares to disagree with them.

By instigating this mayhem and bloodshed in Iraq, al Qaeda hopes to realize its supreme goal, to destabilize the government, assume control over the country and its oil wealth and eventually install a Taliban-style government in Baghdad. This is not good for the United States. It is not good for Iraq. And it is not good for the region. That is why I oppose immediate withdrawal.

That being said, and understanding the need for Congress to debate the issue of the war, I am disappointed in the way this debate has taken shape. The majority has given much time for us to express our views, but it has limited the options that might be employed to make this legislation more effective. They allowed no amendments either from Republicans or from their own Democratic colleagues. They refused to permit any substitutes. They even denied us a motion to recommit.

By putting before us this highly restrictive rule, the other side has effectively foreclosed dialogue on other measures that might have added substance to the debate. While both Democrats and Republicans utilize the Iraq Study Group findings to justify their positions, the majority leadership has refused to consider my colleague from Virginia's legislation, Mr. FRANK WOLF, his legislation, H. Con. Res. 45, which would implement some of the most significant recommendations of the Iraq Study Group's report. This legislation would emphasize the need for U.S. forces to accelerate the training of their Iraqi counterparts, would establish milestones for success in Iraq, and would promote diplomatic initiatives in order to advance stability in the country and in the region.

□ 2050

Yet no debate on such a bill and no opportunity to offer an amendment consistent with those objectives was tolerated by the majority. What does this say about their commitment to fulfilling the objectives recommended by the Iraq Study Group's report? You know, we are all speaking about this report, but we are simply not voting on it. That is wrong.

I stand before you today in my second term in Congress as someone who has tried to understand the Iraq war from many different viewpoints. I have talked with my constituents both pro and con about the war. I have listened to military and intelligence briefings. I have visited Iraq. I have studied the Iraq Study Group report. I have read journal articles, academic studies and news clips on the subject, all to increase my professional awareness of what is going on over there.

But I do not just see this from a professional perspective. The Iraq war has had personal consequences for me as well. One of my staffers, Jason Lane, is a Reservist who has been called to active duty and is deployed there right now.

I have talked with the troops who have served there. I have visited the wounded in hospitals and most painfully attended the funerals of those who gave to this country what Abraham Lincoln called the last full measure of devotion. I attended one of those funerals just last Friday.

From all of this, I must admit, I have my concerns about the efficacy of the President's troop surge. I believe that it is far more important that the Iraqis show the political will to achieve reconciliation and end the sectarian violence that is slowly but surely strangling their capital and their country.

As their Prime Minister, Maliki said on November 27, 2006, "The crisis is political, and ones who can stop the cycle of aggravation and the bloodletting of innocents are the politicians."

Success in Iraq is essential to achieving America's foreign policy objectives, and it is in America's best interest to ensure that Iraq can sustain, govern and defend itself. But I believe in holding Prime Minister Maliki to his word. We cannot and will not abandon our troops who are currently on the ground in Iraq.

We must make sure that our forces effectively engage al Qaeda, as opposed to mediating a Sunni-Shia conflict that is the responsibility of the Iraqi government to resolve. We all know these are the challenges facing this Congress, and these are challenges that must be met in a bipartisan manner.

Mr. PAYNE. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin (Mr. KIND).

Mr. KIND. I thank my friend for yielding me this time.

Mr. Speaker, I do rise in support of the resolution before us. It is a very simple and straightforward resolution. It expresses our support and gratitude to our troops and our disapproval with the President's escalation plan in Iraq. I have believed for some time now that we are in desperate need of a new direction and not an escalation in Iraq.

It is not like we are confronted with a new plan by the President here today. We have tried three troop surges in the last 2 years alone, without the desired result. I don't know what the President sees or hears today that leads him to believe that the fourth time is a charm.

No, from the beginning, this has been the wrong war at the wrong time for the wrong reasons. We now know that Saddam Hussein did not, in fact, possess weapons of mass destruction. He had no involvement in the attacks on September 11. He had no links with al Qaeda. I believe then, as I do today, that while he may have been potentially dangerous, he was eminently containable.

But I too must share some responsibility for having supported the Iraq resolution in the fall of 2002. I did so while believing the President when he stated that the goal was disarmament and not regime change, that war would be a last resort and not a convenient option, that he would work through the U.N. Security Council and with the international community rather than taking unilateral action.

But I also believed that it was important at that time to get weapons inspection teams back in Iraq to search for weapons and to keep an eye on Saddam so he didn't develop capability to do harm. I also believe that we could not accomplish that goal without a threat of credible force hanging over Saddam's head.

When, in fact, we did accomplish it and got inspection teams back in with unfettered access, I was sitting through administration briefings asking them if we were cooperating with them and directing them to suspected sites. Of course we were, they said, but they are not finding anything.

That is when that pit in my stomach first formed, that perhaps Saddam did what he said he did all along, and that is disarm. That is when I, along with my friend and colleague, SHERROD BROWN, drafted a letter signed by 150 of our colleagues in January of 2003 asking the President to give the inspection teams time to do their job and not rush in because they were not finding anything.

But instead of heeding our advice, he ordered the inspection teams out, sent our troops in with insufficient forces to secure the peace, with no plan for the day after, with no clear objectives and with no exit strategy, all contrary to the Powell Doctrine. Now we are where we are today with over $500 billion already spent, over 3,000 lives lost, over 23,000 injured who have returned home. And we are faced with no good options.

Yes, we do need a new direction and not an escalation. It is time for us to turn over responsibility for security to the Iraqi people so we can begin a redeployment of our forces, first within the country, let us get them off the front lines and off the main streets of Baghdad, where they can still play a support role, but which could also lead to a redeployment eventually out of country. We can then refocus our energies on the real national security threat, and that is dismantling the al Qaeda global network that we face, making sure we don't lose Afghanistan, making sure the Taliban doesn't reconstitute themselves and making sure that we bring those who are directly responsible for September 11 to justice, like Osama bin Laden, who is still at large and roaming free today. Ultimately, this conflict cannot be solved militarily, but only by tough political compromises between the Sunnis, Shia and Kurds. We cannot do this for them.

We also need to get the Arab League involved, because they can help with reconstruction, they can help with security, and they can help add legitimacy to the Iraqi government. It is not in their interest to see the Sunni-Shia conflict spread outside of the Iraq borders and sweep the region, which is a very real threat today. Nor is it in Iran and Syria's interests to be on the opposite sides of a civil war that may break out in Iraq. That is what a plan, a new direction should look like, one that we should be pursuing, rather than just more of the same, stay the course.

Mr. Speaker, I have had the opportunity on three occasions to visit our military command and our troops in the field in Iraq. I also visited our troops during the height of our military engagement in the Balkans. Nothing has made me prouder to be an American than seeing our troops in action, because they are so very good. They are well motivated, they are well trained. They are the best our Nation has to offer.

I have had 18 military funerals in my Congressional district alone, most of which I personally attended. If I don't have to attend another military funeral, if I don't have to pick up the phone to call another grieving family, I will be one of the happiest people in the world. They are a constant reminder of the human toll this is having, not only with our troops but with their families and our communities. There is not a day that goes by when I am not concerned about the safety and welfare of our troops.

That is exactly why we should be debating this resolution, because it is imperative that war is a last resort, that we as policymakers do everything we can to get the policy right because of the impact it has on our troops, their family, and our communities. It is important that we give them a mission with which they can succeed.

It is time to stop asking our troops to babysit a civil war. It is time to ask the Iraqis to stand up. It is time to support this resolution and give the President a clear indication of where this Congress stands.

Mr. SHAYS. Mr. Speaker, I yield myself such time as I may consume.

Before yielding to the gentleman from Georgia, Mr. DEAL, I would just like to comment on my colleague from Wisconsin and say to have lost 18 of his constituents is heart wrenching, and I know that his statement is heartfelt.

But, in fact, we are involved in the Arab League. We have involved five of the states surrounding, and every one of the ambassadors from this Arab League said, we didn't want you to go in, but you cannot leave.

I would just say to the gentleman as well that we asked, critics asked you and others for a new team and a new plan. You have a new team, and you do have a new plan. The new plan is not the surge in troops. The new plan is coming into the neighborhoods in Baghdad with Iraqis, embedded American troops, cleaning them up, and holding them.

Mr. KIND. Will the gentleman yield for a brief comment?

Mr. SHAYS. A brief comment.

Mr. KIND. I was at the same meeting and I heard the same message from the ambassadors in the region. No one here is advocating an immediate withdrawal, just a different direction and a different strategy rather than what has failed in the past.

Mr. SHAYS. Reclaiming my time, what we do have is a new plan, and it is not the surge, it is cleaning up the neighborhoods and holding them with Iraqi troops embedded with American troops.

Mr. Speaker, I yield 5 minutes to the gentleman from Georgia (Mr. DEAL).

Mr. DEAL of Georgia. Mr. Speaker, I rise to oppose this resolution, and I readily admit that I don't know for sure what the best policy is in this fight against radical Islamic groups. With all due respect, I don't think any other Member of this body does either. Much of what we have heard this week are words based on emotions, and not facts.

In the midst of such uncertainty, I do believe there are certain opinions that are factually sound. Number one, the greatest weapon our enemy has is the loss of resolve on the part of the American people. Two, what this Congress does significantly affects that resolve of the American people. Three, this resolution is a major signal that America has lost its resolve.

If we succumb to an attitude of defeat, then defeat is what will occur. I will simply ask, if we don't want to engage radical Islam in Iraq, then where? If we don't want to engage radical Islam now, then when?

☐ 2100

If we cannot answer these questions, be assured that our enemy will provide us with the answers. I am not willing to vote for a resolution that I believe does just that. It is true that the Iraqis must truly step forward and want to govern themselves. President Bush has set out markers by which they will be measured. We should hold them to these reasonable standards.

Tonight I stand with our troops, and I thank them and their families for their service.

Mr. PAYNE. Mr. Speaker, I yield 5 minutes to the gentleman from Kentucky, a member of the Appropriations Committee (Mr. CHANDLER).

Mr. CHANDLER. Mr. Speaker, I thank my friend from New Jersey for yielding me time.

Mr. Speaker, as we debate this resolution on Iraq, we are reminded of the uncertain world in which we live. While the 5-year anniversary of 9/11 has passed, the memories of that day are still with us, as are the actions of this administration that led us into this war.

Following 9/11, our country missed an important opportunity that will forever change our history. Instead of building coalitions and using that support to maximize our strength, we alienated much of the world. We lost sight of the simple truth: A respected America is a more secure America.

But this administration insisted on going it alone in Iraq. They refused to let U.N. inspectors complete their work, and they launched an invasion without the support of the international community. We are now faced with lasting repercussions of that decision. And it appears the President still has not learned from that mistake.

Once again, the President is going it alone with his call for more than 20,000 additional troops in Iraq. He does not have the support of the international community, and he has lost the support of many in the military, the Congress, and, most importantly, the American people.

I fear, Mr. Speaker, the President is once again missing an important opportunity. He is missing his chance to send a strong message to the Iraqi people that we will no longer police their civil war, and that it is time for them to assume responsibility for their own country so that our troops can be removed from harm's way.

In my judgment, this war is beyond the scope of our men and women in uniform. The situation in Iraq is in dire need of a diplomatic solution. Sure, we need to be ready to take down al Qaeda training camps in the region, but we do not need to be refereeing age-old religious disputes.

This is an untenable situation and unfair to our brave troops who have become targets of insurgents. If we are going to support our troops in every way possible, it is vital that we not only support them with the supplies and armor that they need, we must also ensure that they are being deployed in such a way that they have a realistic chance of success. We must make certain that the funds we are sending to Iraq are going to our troops and not into the pockets of no-bid contractors and war profiteers.

Mr. Speaker, I support this resolution, because I support our men and women in uniform. I have heard speakers on the other side say that this debate will demoralize our troops. Well, I submit that nothing can demoralize our troops more than having them police a civil war. And that is what this administration is asking them to do.

All of us in this body believe in the spread of democracy and freedom. But that grand responsibility cannot solely rest on the shoulders of our troops. It must rest on the shoulders of free nations across this world. And it must rest on the shared sacrifice of all citizens of this country.

No doubt we have real enemies. They are the Islamist jihadists, and they must be opposed. These same enemies are shared by all free nations. But escalating the war in Iraq is not the right approach to defeat the jihadists. It is an approach that will cost more American lives and mire us even further in the Iraqi civil war.

We can win the long-term struggle if we are smart, if we focus on the real enemy, if we build our alliances properly, and if we do not let our own pride get in the way.

Mr. KING of New York. Mr. Speaker, I would say to supporters of the resolution that General Petraeus himself, in answer to a question from Senator LIEBERMAN, he said that resolutions such as this will affect the morale of the troops that he has been asked to lead in battle.

Mr. Speaker, I yield 7 minutes to the gentleman from Florida (Mr. STEARNS).

Mr. STEARNS. Mr. Speaker, I rise in opposition to this resolution. What this debate is really all about is whether you wish to make a statement in support of our new strategy in Iraq or whether you oppose this new plan.

By simply supporting this resolution, you are saying you want to leave Iraq as soon as possible. I am not willing to do this. I am willing to support the administration and to give our military and our troops the benefit of the doubt, and I will vote against this resolution because I want to give this new strategy a chance, a simple chance to succeed.

My colleagues, let me repeat. If you vote for this resolution, then you are saying you do not wish to give the military and General Petraeus a chance to succeed. In fact, this resolution declares the new strategy in Iraq is a failure before it has even had a chance to be implemented.

This is inconsistent with the unanimous vote the Senate gave to the man selected to carry out this strategy, General Petraeus. Everyone agrees he is the best man. This resolution is undercutting the general and our troops at the very time they need our support.

Now, many will argue that there has been ample opportunity to succeed and that we have failed at this point. Certainly mistakes have been made and a change of strategy is long overdue. However, what should this strategy be? Should the U.S. immediately pull out of Iraq, leaving the terrorists emboldened and potentially put more Americans at risk?

The advocates for this resolution have no answer. In fact, they beg the very question. What happens when we leave? What happens in Iraq if we leave precipitously? And what do we do if it turns into a Middle East conflagration?

If Shiite Iran succeeds in exerting its influence through Shiite Iraq, it will threaten to spill over the sectarian violence across the Middle East and elsewhere. Now here is how the head of the Arab League views this potential conflict. This is what he said. "If this happens we will enter hell itself."

The supporters of the resolution keep talking about the past, but they do not talk about the future and how we are going to solve this problem without creating a more serious problem.

Edmund Burke, the great conservative leader from Britain, this is how he put it: It is not a question of how we got into this situation, but how do we get out. They have no answers, and by not answering this latter question they are begging the question.

Now, this is circular reasoning. It is one in which a premise presupposes the conclusion in some way. In a course of logic, this is called the core relative. So this resolution is faulty reasoning.

□ 2110

Any professor of logic would simply recognize the false choice. We need this new strategy that General Petraeus is implementing so that we can hand over this country to the constitutionally elected government. My colleagues, this can be done and will be done soon one way or the other.

Any new strategy must be accompanied by a set of strategic benchmarks designed to measure progress in Iraq and to hold the administration and the Iraqi Government accountable for their role in achieving this success.

Mr. Speaker, I ask to include in the RECORD a list of these benchmarks that I recommend be part of this new strategy to allow our troops to come home.

Why not consider a resolution that incorporates these benchmarks?

But I do offer a warning to the administration. We must have benchmarks that demonstrate our progress in Iraq. I, for one, and many others, cannot support continued funding without measurable benchmarks. And we need to know if we are making progress; and if we are not, then we can employ other tactics and different measures, all of which will lead to the Iraqi Government taking on the responsibility for their own country.

My colleagues, the political easy thing to do is to vote for this faulty resolution because you are not willing to give a final chance for success and you have no ideas on achieving success. The harder, political vote is "no," and that is what I intend to do.

If I have a few more moments, I just want to bring to my colleagues' attention a quote that has been declassified from bin Laden's deputy. And if you will bear with me and follow this quote. "It is my humble opinion that the jihad in Iraq requires several incremental goals: The first stage, expel the Americans from Iraq; the second stage, establish Islamic authority, and then develop it and support it until it achieves the level of a caliphate; the third stage, extend the jihad wave to the secular countries neighboring Iraq, Syria, Jordan, Iran; the fourth stage, it may coincide with what came before, the clash with Israel because Israel was established only to challenge a new Islamic entity."

My colleagues, that is what is at stake. The war in Iraq is a central front in the global war on terrorism and a central battleground for Islamic militant extremists in this worldwide mission to simply destroy all Western democracy. And you don't have to take my word for it. You can see this declassified deputy to bin Laden, his opinion.

Mr. Speaker, I will vote against this resolution. While no proposal guarantees success, a precipitous withdrawal of U.S. support would guarantee failure. The stakes are too high to fail in Iraq. It remains in America's strategic interests to ensure regional stability in the Middle East and to deny terrorists a safe haven in Iraq.

Certainly mistakes have been made and a change of strategy is long overdue. However, what should this change of strategy be? Should the U.S. immediately pull out of Iraq, leave the terrorists emboldened and potentially put more Americans at risk? Or do we need a new strategy to win the war and finish the job? I think the latter.

Instead of a politically motivated resolution, my colleagues and I have developed a strategy for victory in Iraq. We need to establish measurable benchmarks for success in Iraq while expressing unwavering support for our troops.

Any new strategy must be accompanied by a set of strategic benchmarks designed to measure progress in Iraq and to hold the Bush administration and the Iraqi Government accountable for their role in achieving success. Threatening to reduce the future commitment of American troops and economic aid if they are not implemented, we must enforce these benchmarks. It is important to stress that an open-ended American military commitment is both unwise and dangerous. In the business world, no successful enterprise gives enormous sums of money without accountability, and nor should we.

The military benchmarks I would like to see utilized include:

Measuring the level of Iraqi government cooperation with the U.S. Military;

Iraqi progress in removing terrorists and others from its own security forces;

Identifying the level of combat experience for all Iraqi Army battalions; and

Tracking the expenditure of funds supporting Iraqi defense forces.

The political benchmarks include:

Advancing a strategy to promote tolerance and co-existence among Iraqis;

Providing fair access to all Iraqi resources;

Promoting the rule of law;

Reforming the judicial system to ensure equal application of the law; and

Measuring cooperation and coordination of neighboring countries in stabilizing Iraq.

Why not consider a resolution that incorporates these benchmarks?

This resolution sends an inappropriate message to our troops. This resolution declares the new strategy in Iraq a failure before it even has the chance to be implemented. This is inconsistent with the unanimous vote the other body gave to the man designated to carry the strategy out, General Petraeus. Congress is undercutting General Petraeus and our troops at the very time they need our support.

As cochair of the Congressional Air Force Caucus, I joined in leading a delegation of members to Iraq. This trip provided valuable insight into our operations and conditions on the ground. The situation in Iraq poses multiple problems—Sunni al Qaeda terrorists, committed Baathists who are largely Sunni, Shiite militias, and Shiite interference from Iran. This is truly an unholy brew.

The war in Iraq is a central front in the global war on terrorism and a central battleground for Islamist militant extremists in their worldwide mission to destroy democracy. But don't take my word for it. Take the words from a declassified letter from bin Laden's deputy Ayman al-Zawahiri.

> It is my humble opinion that the Jihad in Iraq requires several incremental goals: The first stage: Expel the Americans from Iraq. The second stage: Establish an Islamic authority . . . then develop it and support it until it achieves the level of a caliphate . . . The third stage: Extend the jihad wave to the secular countries neighboring Iraq. The fourth stage: It may coincide with what came before: the clash with Israel, because Israel was established only to challenge any new Islamic entity.

These Islamic extremists view victory in Iraq as paramount to their establishment of a worldwide Islamic kingdom. Here is what Osama bin Laden has to say about Iraq from a 2006 audiotape—"The epicenter of these wars is Baghdad, the seat of the caliphate rule. Their defeat in Iraq will mean defeat in all their wars and a beginning to the receding of their Zionist-Crusader tide against us."

Sectarian violence rages in Iraq, fanned by Iran and Syria, and this could well spill over throughout the region. Look at these charts. They show the sectarian divide in Iraq among Shiites, Sunnis, and Kurds; and the other shows the regional divide between Sunnis and Shiites.

If Shiite Iran succeeds in exerting its influence through Shiite Iraq, it will threaten the spillover of sectarian violence throughout the Middle East and elsewhere. Here is how Amr Mousa, head of the Arab League, views this potential Iranian-backed Shiite conflict with the Sunni nations—"We will enter hell itself."

The Islamist terrorist threat is real and directly connected to defeating the insurgents in Iraq. Democrat plans to abandon Iraq will not make this threat disappear.

America cannot afford to repeat the mistakes of the past by withdrawing from a direct confrontation with radical Islamist terrorists. They will continue to intensify their attacks against America, just as they did following other attacks such as in:

1979: 66 American diplomats taken hostage and held in Iran for 444 days.

1983: A truck bomb kills 241 marines at their barracks in Beirut.

1988: Pan Am 103 bombing kills 270, including 189 Americans, over Lockerbie, Scotland.

1993: Six killed in first World Trade Center bombing by militant Islamic terrorists.

1996: 19 U.S. service members are killed in Khobar Towers bombing.

1998: 225 people killed in bombings at the U.S. embassies in Tanzania and Kenya.

2000: Al Qaeda's attack on the destroyer USS. *Cole* kills 17 American sailors.

2001: Al Qaeda hijackers fly planes into the World Trade Center and the Pentagon, while passengers force a fourth to crash in Pennsylvania. Total number killed: 2,973.

It is vital that we succeed in Iraq for these reasons: A stable Iraq dedicated to the rule of law will weaken extremism in the Middle East; we cannot allow terrorists to gain a safe haven in that nation; and curbing Iran's regional ambitions.

But I do offer a warning. We must have benchmarks that demonstrate our progress in Iraq. I for one cannot support continued funding without measurable benchmarks and we need to know if we are making progress. If we are not, then we can take other tactics and different measures. All of which will lead to the Iraqi Government taking on the responsibility for their own country.

In conclusion Mr. Speaker, one thing is for certain: The men and women fighting in Iraq must never be used as a political tool. They deserve our unmitigated support. They do not deserve political posturing. We must continue to provide the troops with the support they need to be safe and successful. I urge all my colleagues to oppose this resolution and seek a real resolution that includes military, political, and social benchmarks for success.

Mr. PAYNE. Mr. Speaker, I would just like to mention, logic was mentioned, and I recall in studying logic, with the square of opposition, that you do not do something over and over again and come out with a different conclusion.

Mr. Speaker, at this time I would like to yield 5 minutes to the gentleman from Kansas (Mr. MOORE), a member of the Budget and Financial Services Committee.

Mr. MOORE of Kansas. Mr. Speaker, I rise tonight in support of the resolution.

I wrote to the President on May 24 of last year and told the President in this letter: Mr. President, I voted for the use of force resolution based upon what later proved to be flawed intelligence about the weapons of mass destruction in Iraq.

I am glad Saddam Hussein is gone. He was a vicious dictator who killed thousands and thousands of innocent people. At that time, in May of last year, there were 2,400 dead Americans as a result of our intervention in Iraq. Now there are more than 3,100 dead Americans, 700 more than just 9 months ago.

We have done militarily all we can do in Iraq. We need to ask and tell the Iraqi Government, this new Iraqi Government, to step up to the plate and assume responsibility for the protection of their people and their country, Iraq. We need to give them incentive, powerful incentive to step up to the plate and assume responsibility.

Sometimes new governments are like some people. If you tell them you will do something for them, they stand back and let you do it and do it and do it and never, never assume responsibility.

We saved the Iraqi people from Saddam Hussein, but we can't save the Iraqi people from the Iraqi people if they won't put aside centuries of religious differences and support their new government. I am talking about the Shia and the Sunnis for more than 1,000 years have been fighting.

Mr. Speaker, I want to read an e-mail I received from a constituent last week. This is from a young lady who is serving presently in Iraq.

"I am a soldier currently deployed to Iraq. Our company is on the verge of an extension. Although we all are proud to serve our country, we also want to go home. Most of us have been gone from home for over a year. If or when we get extended, we wouldn't have seen our families for almost 2 years.

"With the news of the possible extension, the soldiers' morale went down. The families at home are stressed and that can and will stress a soldier out. Some soldiers had to go home on emergency leave because their families are falling apart.

"We watch the news here all the time and most of the time we can't believe what we hear and see. We see soldiers dying left and right, but what are they dying for? Most of us don't even know what we are over here fighting for anymore.

"I guess I just wanted to tell the side of a soldier because no one else will do it."

And I say to Mr. President, please listen to Congress. Please listen to the American people, and please listen to these soldiers.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. BECERRA). The Chair would once again remind Members to direct their remarks to the Chair.

Mr. KING of New York. Mr. Speaker, I would just comment on the remarks of my good friend, the gentleman from Kansas, as to troops that he has heard from. I know I have visited Iraq a number of times. I visit Reserves, National Guard, regular troops, active duty, and I have never seen morale higher in any Armed Forces.

I speak with troops when they come home to my district. I go to the wakes and funerals of those who die from my district. And I think we can pick and choose as to what we say. I would say the overwhelming majority I have spoken to do support and know exactly why they are there.

But again, I just lost a constituent the other day. His family certainly is honored by his service. It was his third tour. He went back for a third tour. So he certainly understood what was going on.

Mr. Speaker, I yield 5 minutes to the gentlelady from Tennessee, a member of the Homeland Security Committee (Mrs. BLACKBURN).

Mrs. BLACKBURN. Mr. Speaker, as I rise I do want to say a special thank you to our troops who are deployed tonight, to those that are from Tennessee's Seventh Congressional District, many of those from Fort Campbell, and our National Guardsmen, our Reservists, certainly to our veterans.

I can think of no more wonderful gift to give those and to leave for those you love than the gift of freedom. And certainly, on Valentine's Day, on Valentine's evening that is an important, important thought for us to have. And I appreciate all of our men and women and the efforts that they make to keep this Nation free, and to be certain that our children and our grandchildren have the opportunity to grow up in freedom and to enjoy the America that we have enjoyed.

As we have talked about this resolution, the 97 words that exist in this very short resolution, we have talked about it from different angles, how a nonbinding resolution and a no confidence resolution affects our troops, the thoughts that went into creating this resolution. And one of the questions that I continually come back to that actually was posed to me by some of the veterans in my district, is whose side are you on? When you offer a resolution like this, whose side are you on?

And the other question that keeps coming back is who are you listening to?

Certainly, I would hope that we would all be standing on the side of freedom. I would hope that we would all be standing on the side of our troops. And I do hope that we would all be listening to our commanders in the field.

There has been some mention this evening of General David Petraeus, who this weekend took control of command in Iraq. And I will give you some of his quotes, some of the things that he has had to say in the last few days as he is over there and working those. And I quote from him. "Our job in the months ahead, supporting and working with Iraqi forces, will improve our security so that the Iraqi Government can resolve the tough issues it faces, and so that the economy and basic services can be improved. These tasks are achievable. This mission is doable."

□ 2120

Indeed, those on the ground believe this is doable. We know that it is doable, and we know in the global war on terror we have to win. We cannot lose. We have to win. The civilized world depends on defeating terrorists and winning.

We also know that Iraqis are making progress. There has been some debate and some mention tonight about progress not being made in Iraq. And, Mr. Speaker, I will offer to you that indeed you are not going to hear this on the 6 o'clock news, the 10 o'clock, 11 o'clock news around the country because the major media outlets just don't want to report it. But we are finding out that while this body sets aside a political debate that some think will benefit them, what we see is our troops in the field in Iraq are making progress. They understand their mission. They know what they are about every day. We see that even just in the last few days, when you are talking about Baghdad, three Iraqi Army brigades are now deploying to Baghdad to reinforce the six Iraqi Army brigades and nine National Police brigades that are already there. These are steps that are taking place. This is progress that the Iraqi people are making on behalf of their quest for freedom. These are their steps, these are their steps toward freedom and toward leadership.

How dare we discount that? How dare we not recognize that? How dare we not encourage that? And how dare we take steps to embolden and encourage the enemy who would seek to strike them down?

Mr. Speaker, we should be very, very careful whom we listen to, and we should be very thoughtful as we answer the question, Whose side are you on?

I am so grateful, Mr. Speaker, that those that have gone before us chose to be on the side of freedom.

Mr. PAYNE. Mr. Speaker, I am very pleased that the Iraqis are deciding now to start to defend themselves. I think it is wonderful. I wish it had happened a number of years ago.

Mr. Speaker, I yield 5¼ minutes to the gentlewoman from South Dakota, a member of the Veterans Affairs Committee, Representative STEPHANIE HERSETH.

Ms. HERSETH. Mr. Speaker, I rise today to join so many other proud and patriotic Members of this body, including a number of our military veterans, in support of this bipartisan resolution.

Just over a year ago when I was in Iraq on my second trip to the region, I shared the optimism and the assessment of many that, following three consecutive elections in 2005 with increasing turnout among Iraqi voters in each, 2006 would be a key transitional year militarily, politically, and economically.

However, a year ago this month, the sectarian strife in Iraq began to worsen, and our inadequate planning for possible and likely scenarios that could unfold in this war continued to catch up with us and continued to narrow our strategic options. As initial and important political developments did eventually unfold throughout last summer, sectarian violence did not abate but intensified, particularly in Baghdad. In response, U.S. forces were part of as many as four different efforts to enhance security in the capital in order to ease the path toward further essential political compromise. None of these efforts proved successful because of the limitations of the Iraqi security forces and police and the restrictions imposed by Iraqi Government leaders.

I had serious concerns when the President proposed last month to increase the number of troops in Iraq, and I hold them still today. I have serious concerns regarding the ability of Iraqi security forces not only to act as a reliable partner in the efforts to secure Baghdad, but to take on and maintain the lead in such efforts, concerns echoed in the most recent National Intelligence Estimate on Iraq.

I have serious concerns regarding whether this plan is sufficiently different from previous efforts to secure the Iraqi capital, particularly when Prime Minister al-Maliki's initial proposal presented to the President in December did not envision additional U.S. troops as part of the effort. I have serious concerns about the further erosion of the commitment of our coalition partners and other allies, if indeed Iraq is the central front of our battle against terrorism.

Now, there is no doubt that al Qaeda in Iraq and elsewhere poses a real and serious threat to our security in the Middle East and to our national security here at home. But the security situation in Iraq has evolved to include a complex civil war, described as "a self-sustaining intersectarian struggle" by the NIE, for which additional U.S. troops should not be on the front line to resolve.

The Iraqi Government needs to understand they are on borrowed time and they must take greater control of the future of their own country through political reconciliation to quell the sectarian violence. Iraq's neighbors and the international community must be more engaged diplomatically to end the sectarian strife so as to prevent the spread of it and the instability in the region that would result.

Moreover, as recent oversight hearings have revealed, such a large escalation of both combat and support troops undoubtedly will have an impact on our overall military readiness. And despite their unwavering commitment to serve when called, there may be serious consequences for National Guard and Reservists, as redeployments of full units will be required to implement the troop surge, according to Secretary of Defense Robert Gates.

So after carefully reviewing the President's proposal to increase the number of U.S. troops in Iraq, hearing testimony from senior members of the military, and analyzing the public statements of combatant commanders, and speaking with many of those from my home State of South Dakota who have served or who have loved ones who are serving in the war on terror, I conclude we should not stay this course. I remain unconvinced that sending additional troops to Iraq is the best way forward. Some who support the escalation have described it as "our last best chance to win." To me, that is a clear acknowledgment that the President's plan further narrows rather than expands our strategic options.

And let me add this: This is an issue that demands a bipartisan approach, and it is most unfortunate that the administration has made a decision that dismisses the recommendations of the bipartisan Iraq Study Group. I believe this bipartisan, narrowly crafted resolution reflects the public's and Congress' assessment that increasing our military's combat role, especially in the midst of an intensifying sectarian struggle, is not the answer.

For those who would attack this limited resolution and the debate surrounding it or to suggest and ask, Whose side are you on, I would refer them to the comments of Secretary Gates from his testimony in the House Armed Services Committee last week in which he said that the troops are "sophisticated enough to understand that . . . the debate's really about . . . the path forward in Iraq. They understand that the debate is being carried on by patriotic people who care about them and who care about their mission."

Lastly, I want to reemphasize the first part of today's important resolution. Congress and the American people will continue to support and protect members of the U.S. Armed Forces who are serving or who have served bravely and honorably in Iraq. We have a new generation of veterans returning from Iraq. As a subcommittee Chair on the House Veterans' Affairs Committee, I will work with all of my colleagues to ensure that the tens of thousands of young people coming home, some after their second, third, and fourth tours, many with severe and debilitating physical and mental wounds, return to the democracy which they fought to protect, with a government that recognizes their service and sacrifice with more than just words of gratitude, but with action that fulfills our Nation's collective duty and obligation to them as veterans who take their place alongside the other fighting men and women who have kept America free and safe.

Mr. KING of New York. Mr. Speaker, I was remiss before in not commending the gentleman from New Jersey on his knowledge of logic and philosophy. I should have known he would get us on that one.

With that, I also note that the Iraq Study Group said that the United States should significantly increase the number of U.S. military personnel, including combat troops.

Mr. Speaker, I yield such time as he may consume to the gentleman from Indiana, a member of the Homeland Security Committee (Mr. SOUDER).

Mr. SOUDER. Mr. Speaker, I thank our leader from the Homeland Security Committee for yielding.

No congressional decision is more difficult than a vote related to war, and this vote is no different. It is especially difficult when you disagree with the President of your own political party.

I voted to support this war because I believe Iraq presented a direct threat to the United States. Iraq had, was developing, and was attempting to develop weapons of mass destruction.

□ 2130

Iraq was, at a minimum, cooperating with the funding and harboring of terrorists committed to our destruction. Saddam Hussein was repeatedly defying U.N. resolutions, contesting no-fly zones and blocking WMD inspectors. Our intelligence estimates, never 100 percent accurate, in any case, apparently overstated the immediate risk.

But the basic facts remain the same. Knowing what we know now, perhaps we could have waited another 6 to 12 months, which would have given us valuable time to solidify position in Afghanistan. But the decision to go to war was still the right decision, just possibly premature.

I would not have supported this war had the initial selling point been a goal of establishing democracy in Iraq. Advancing freedom has always been an ideological goal of our Nation ever since our founding. We have long supported, from the days of Jefferson and Monroe, the causes of dissident freedom fighters. We did this in occupied Eastern Europe, in Saddam's Iraq and Soviet-occupied Afghanistan.

But there is a difference between aiding people fighting for freedom and doing most of the fighting for them. I stated from the beginning that after removing the direct threat of the Saddam government, it would be in our national security interests if a republican form of government, a unity government respecting the rights of others, could be established in Iraq. If this government of diverse Iraqis could prevail, it would be a model for the entire region. We needed to give them a chance for self-governance. But, and this is a big qualifier, it would ultimately be their decision, not ours.

On the news we often see Iraqis saying that Americans need to do this or that to provide security. Men and women from Fort Wayne and the rest of Indiana and America can do most of the fighting for the freedom of Iraq only for so long. It is the Iraqis' country.

We should have known this would not be easy. It is self-evident that democracy in the Muslim world is not common now nor in the past. A little bit hubris and more humility when we sent our soldiers into this conflict would have been helpful. This is not just hindsight. For example, the distinguished senior Senator from Indiana, Senator RICHARD LUGAR, raised concerns over and over again that preplanning was insufficient.

Certain basic arguments being made by the administration are simply not accurate. To insist that the war in Iraq is not a civil war when the entire world and the Americans all understand that it is, continues to undermine the credibility of those who make it.

From the beginning, it had elements of a civil war. The Sunnis had persecuted the majority Shia as well as the Kurds. Vengeance was inevitable. The United States correctly demanded that the sectarian militias be eliminated from the Iraqi national police and the military. I, like many other Members, was asked by the administration to deliver such messages to Iraqi government officials during my visits to Iraq.

Our government knew full well that a civil war was going on, even among people we selected to run the government. We had hoped that the early smaller scale civil war could be countered by a strong central government. It is now a large scale civil war, eroding the already limited power of the Iraqi Government. It is now absurd to deny it is a civil war.

Making exaggerated statements of progress in Iraq also does not pass the basic credibility test. While we have made sporadic progress, a school or a project here and there, it is apparent to any Member of Congress who visited Iraq a number of years ago and again recently visited that security has deteriorated.

Baby boomer Americans especially tend to see everything as Vietnam. A government that denies basic realities has little hope of persuading even its friends. We want our government to tell the truth, pleasant or not. These facts are foundational to the fundamental question currently before us.

It is not whether a surge can root out terrorists. Our brave men and women can do this in door-to-door bloody combat, if necessary, and we may be able with extra troops to stabilize some areas temporarily. But then what? The President has also said that unlike past efforts, this time we will hold our gains. With whom? With what?

This is the basic underlying issue. Assuming some militias are defeated and others just melt away, how do we plan to keep them from coming back? Is the surge permanent? Even if it were so, far fewer troops are required to root out terrorists than to hold gains. Will we need tens of thousands of additional soldiers to hold any gains?

The obvious premise offered by the President is that the Iraqis themselves can hold the gains. Based upon everything we have seen to date, other than in isolated cases, there is no evidence that the Iraqis will fight and die to defend their central government. I have repeatedly heard from returning soldiers that when the gunfire starts the Iraqis by and large disappear. They only seem dedicated when Shia get to kill Sunnis and vice versa.

By being bogged down as the main security force in Iraq and increasingly hostile cities, we are undermining our long-term potential to fight the war on terror.

For years, we have now been utilizing our National Guard and our Reserves as if they were regular military. Many are about to enter their second 12-month-plus tour of duty in combat, something historically many regular military veterans did not do. Because of the heavy usage, we are starting to short training funds and repair funds for those units. We are finding that employers are getting increasingly nervous about disruptions to their firms. Family objections are becoming more intense. Recruiters are running into increasing resistance.

As for our overused regular military, they are facing near exhaustion. What will be the long-term impact on these forces? What impact will this continued burning up of huge sums of military dollars do to our long-term ability to fight?

It has been said many times by defenders of this surge that Iraq is the place the enemy has chosen to fight, and this is the place that we must fight. That is partly true. Hezbollah has chosen to fight us on many fronts. Iran is a threat itself, not just in funding Iraq. Terrorists attacked in Madrid, London, Afghanistan, Pakistan and many other places throughout the world, and they continue to try to attack us in the United States. Iraq is not the only place terrorists have chosen to fight.

Furthermore, we face threats from North Korea, as the new Castro, Hugo Chavez, presents other challenges. We are sobered by the recent destruction of a satellite by China, potentially the most significant threat we face.

If we burn up the support of the American people, our military's ability to recruit, the usage of our Guard and Reserves in Iraq, how do we defend ourselves elsewhere?

It is not that this effort in Iraq is a failure, as some liberals claim. We have seen the governments in Libya and Pakistan significantly alter their ways when it comes to supporting terrorists. Hostile governments that harbor terrorists have to ask themselves whether it is worth the risk of military action by the United States, something Iran appears to be debating. And, most importantly, this fact is indisputable: Since 9/11, terrorists have not succeeded in any attacks on American soil.

Because of the bravery and valor of our soldiers in Afghanistan and Iraq, we have disrupted the terrorists' ability to gather and plan new methods of attacking us. If they surface, we get them.

During this period, we have had time to make significant progress in homeland security. While you may have heard that our Southwest border is not exactly airtight, progress certainly has been made. Every month we make additional progress. Our airports are more secure. Our ports are more secure. The PATRIOT Act has given us the ability to track and hunt down terrorists. We have improved both inside the U.S. and around the world our ability to track finances, communications and movement of terrorists.

The sacrifice of our brave men and women in the military and their families bought the United States Government valuable time to further prepare our domestic and worldwide ability to cope with terrorism. We will never achieve 100 percent success. But the wars in Afghanistan and Iraq took the battle to them, rather than requiring us to fight at home.

But we cannot sustain this intense effort indefinitely. Complete victory over terrorism is unlikely ever to occur. Sometimes you have to reposition and prepare for the broader battle, not exhaust yourself on just one front and then risk defeat in the overall conflict.

I beseech our President, Secretary Gates, Secretary Rice and others, never to give up the war on terrorism, but to understand that without significant tactical drawdowns in Iraq our entire counterterrorism and military efforts are threatened. Our Nation can ill afford another decade of defeatism and retreat that seized the United States after Vietnam.

All this said, I am going to vote "no" on the resolution. The resolution is no surge protection. The battle has already begun. Most of us have individually clearly stated our views and continue to do so.

For the United States Congress as a corporate body to deliver a public rebuke to the Commander in Chief during a battle that is already commenced would potentially put our soldiers at additional risk and confuse the world.

It is one thing for us to argue about strategy and tactics. It is another to have Congress openly defy the President. The world already knows we have deep divisions in America. The terrorists already know we disagree. But they also need to know that when the fight starts, as Americans we stand united.

The fact is while I do not believe that the surge will succeed, none of us actually knows that it will not work. At this point it seems to me that our position as a Congress should be to encourage success in this mission. We need to support the Iraqis as they take increasing responsibility. What the world should see from us at least is shared hope for victory, not defeatism.

But the President does need to understand that opposition to the surge is not just among Democrats. It is even among his strongest supporters. Some of us who deeply share his passion to fight terrorism fear that he is potentially endangering his past successes, as well as our Nation's ability to continue the war on terror beyond this administration.

I hope and pray that the surge succeeds. But if it does not, we need to try a dramatically different approach that does not totally abandon Iraq, the region or the war on terror.

Mr. PAYNE. Mr. Speaker, it gives me pleasure to yield 5½ minutes to the gentleman from Arkansas (Mr. ROSS), a member of the Energy and Commerce Committee.

Mr. ROSS. Mr. Speaker, September 11, 2001, was a day I will never forget. From my office window I saw the smoke rise from the Pentagon shortly before my staff, several constituents and I were evacuated. A few hours later, I would learn that a young naval petty officer from my district named Nahamon Lyons was among the casualties in that attack on the Pentagon. Picking up the phone and calling his mom, Mrs. Jewel Lyons, back in Pine Bluff, Arkansas, was one of the most difficult calls I have ever had to make.

☐ 2140

There was no one who wants to put an end to terrorism more than I do. That is why I supported our President when he chose to send U.S. military forces to Afghanistan to go after those who attacked our Nation on 9/11.

I met with the President at his invitation in the White House on September 26, 2002, to hear his case for a preemptive strike in Iraq. I kept my notes from that important meeting, and this is what the President told us. He said that Saddam Hussein had weapons of mass destruction; he said that Saddam Hussein trains terrorists on weapons of mass destruction; and he said that if military force is used it will be fierce, swift and tough. We now know that none of that information was accurate.

I do not know whether the President intentionally misled our Nation or received bad intelligence. Perhaps we will never know, but regardless, both possibilities trouble me.

Had I known that the information the President shared with me on September 26, 2002, was not accurate, I would have never given him the authority to use force in Iraq. At worst, the President misled us, and at best, our intelligence failed us.

There is not a more difficult decision Members of Congress must make than whether to send our brave men and women in uniform into harm's way. And when we are asked to make those decisions, we must know that our intelligence is correct.

We have all been personally touched by this war. I have a brother-in-law in the United States Air Force who is currently serving in the Middle East. My first cousin was in Iraq when his wife gave birth to their first child.

I have also traveled to Walter Reed Medical Center and met with countless soldiers who have suffered life-altering injuries in combat, many from my home State of Arkansas. The most recent was a U.S. Marine, Staff Sergeant Marcus Wilson of Dermott, Arkansas, who recently lost his leg in Iraq.

And I have visited with too many families of soldiers who are not coming home.

On August 11, 2004, I visited Iraq when the 39th Infantry Brigade of Arkansas had over 3,000 soldiers stationed there, and if the President gets his way with this escalation of the war, they will be back in Iraq by early next year.

Let me be clear on one very important point. I strongly believe that as long as we have troops in harm's way we must support them. I also want to see to it that our government keeps its promises to our military veterans.

When we invaded Iraq, the President said we were doing so with the intent of removing the evil regime of Saddam Hussein from power and to find and eliminate his weapons of mass destruction. We have since learned that there were no weapons of mass destruction, and not only has Saddam's evil regime come to an end, but he has now been put to death.

So I ask, why are we still there? We now find ourselves spending nearly $9 billion a month to try and force our way of life on a people who live a long way from Arkansas.

Had I known then what I know now, I would never have voted to give the President authority to use force in Iraq and, instead, would have directed the full strength of our military to Afghanistan to go after Osama bin Laden and al Qaeda, those who actually attacked our Nation on 9/11.

It is my duty as a U.S. Congressman to demand accountability from this administration, accountability for the decisions that are being made in Iraq, accountability for how these decisions are carried out, and accountability for how our hardworking taxpayers money is being spent.

Sending 21,000 new troops into Iraq is not a new direction. It is simply an escalation of the war.

I am not advocating that we leave Iraq tonight, but we must begin to accelerate the training of the Iraqi Army and police force and replace American soldiers on the front lines of this war with Iraqis.

I rise this evening in support of this resolution to stop the escalation of this war. We can no longer tolerate more of the same, and we must demand from this President, our Commander in Chief, a new strategy and a new direction in Iraq.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair must again remind all Members that it is not in order to engage in personalities towards the President.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, during the debate on Iraq yesterday, we heard many times from some of our Democratic colleagues that they had no intention of defunding our troops in Iraq. Some even expressed outrage and indignation when some of our Republican Members made mention of their plans for defunding the troops. However, defunding plans clearly demonstrate their policy is to withdraw from the global war against Islamic militant extremists by surrendering to the enemy in Iraq.

We are faced with two options in Iraq, Mr. Speaker, to move forward or to retreat. Some of my Democrat colleagues appear to be united in opposing any effort to adopt a more vigorous strategy in Iraq and, instead, are ready to retreat. This resolution is but the first step in that direction.

Despite denials, the evidence is that the effort to cut the funding of our troops in Iraq and, in turn, for all of our efforts there are well underway.

Several bills have already been introduced by Democrat Members to compel a withdrawal. Let me read the titles and the provisions.

H.R. 508, to require the United States military disengagement from Iraq, which mandates a withdrawal of U.S. forces within 6 months of the enactment of this act and which cuts off funding for any deployment or continued deployment of forces in Iraq. Let me emphasize that again. It cuts off funding for any deployment, not just an increase, not just sending reinforcements, but for any deployment of U.S. forces in Iraq, including those already there, and it even limits the number of embassy personnel.

Also, H.R. 438, to prohibit an escalation in the number of members of the

United States Armed Forces in Iraq, which states that funds appropriated or otherwise made available to the Department of Defense under any provision of law may not be obligated or expended to increase the number of members of the United States Armed Forces serving in Iraq.

H.R. 746, to provide for the safe and orderly withdrawal of United States military forces and Department of Defense contractors from Iraq, which mandates the beginning of the withdrawal of U.S. forces from Iraq within 30 days of the enactment of this act and complete the withdrawal no later than 180 days later. It also prohibits funds to increase the number of Armed Forces serving in Iraq or to extend the deployment of those already there.

Or H.J. Res. 18, to redeploy U.S. forces from Iraq, which states that the deployment of United States forces in Iraq by the direction of Congress is hereby terminated, and the forces involved are to be redeployed at the earliest practical date.

When we offered a proposal to prohibit the cutting off of funds for our troops, that is what we wanted to do on our side of the aisle, a proposal to prohibit cutting off of funding of our troops in harm's way, the Democratic leadership blocked it from coming to the floor. Why? Well, based on the bills that I just mentioned, the only explanation I would think is that they fear that their caucus would indeed vote to cut off funding for our troops and leave them to face the enemy without the necessary resources.

So, within this context, they offer this nonbinding resolution which the Democrat leadership claims to support the troops. But how can such a claim be credible? Because in the second paragraph of the resolution, it opposes sending the reinforcements that our troops in Iraq need to confront the enemy.

□ 2150

Our commanders in the field say they need the reinforcements in order to address the security situation in Iraq. My stepson Douglas Lehtinen and my daughter-in-law, Lindsay, served in Iraq as Marine officers. Lindsay will soon serve in just a few weeks in Afghanistan. They understand the difference between saying we support our troops but we don't support your mission. It is the mission that matters.

Some of our colleagues seek to deny our troops that level of support, that level of backup which could be the difference for Dougie, for Lindsay, for so many others between death and survival.

This resolution seeks to substitute the assessment of the military commanders with the views of lawmakers. We claim to know more than the commanders.

Rather than focusing on the strategic policy issue, the Democratic leadership has drafted a resolution that undermines tactical military matters and seeks to override the decisions of our military commanders and the position articulated by General Petraeus. They do not want to discuss the grave consequences of withdrawal and surrender. They do not want to discuss the nature of the enemy, the Islamist militant extremists who seek to destroy us, who like vultures descend on us to prey on our weakness.

Some of our colleagues on the other side of the aisle seek to focus on the abstract rather than on the reality. They believe that security will come from withdrawal and surrender. On the contrary, retreat guarantees that the Islamic militants will intensify their efforts against us. All we need to do is focus on bin Laden's own words.

In his 1996 Declaration of Jihad and other statements that he made, he repeatedly pointed to America's weakness being its low threshold for pain. As evidence, bin Laden pointed to the U.S. withdrawal from Somalia in 1993 because of casualties from the attacks of al Qaeda and its allies. Bin Laden said of our retreat from Mogadishu, "The extent of your impotence and weakness became very clear."

Bin Laden and the global Islamic militant network continued to test our resolve throughout the 1990s and today. They launched multiple attacks against U.S. targets with little response on our part. Then came the deplorable attacks on 9/11.

But they won't stop there, Mr. Speaker. They won't stop in Iraq, they won't stop in Afghanistan. They have made it abundantly clear that they will not stop until they dominate the world. Just listen to the words of bin Laden.

He said, "The jihad in Palestine," referring to the attacks against Israel, "and in Iraq is a personal duty incumbent upon the residents of the two countries alone. But if they are unable to carry it out, this duty is incumbent upon the residents of the adjacent countries, and so on and so forth, until the circle includes all the Muslim countries."

And to focus on what al Qaeda leader al-Zawahiri said in December of last year just a few months ago, "Iraq, Allah permitting, is the gateway to the liberation of Palestine and the restoration of the Islamic caliphate."

Or those of Iran's Ahmadinejad when he said in January of this year, "We must prepare ourselves to rule the world."

This follows statements made in October of 2005 when Ahmadinejad said, "Undoubtedly, I say that we will soon experience a world without the United States and will breathe in the brilliant time of Islamic sovereignty over today's world."

It is echoed by other Iranian leaders who have threatened the U.S. and moderate Arab governments who say that, "Anyone who recognizes Israel will burn in the fire of the Islamic nations. They will burn in their fury," and who have expressed their commitment to bringing America to its knees.

The Islamist militant extremist network have proven time and time again that this is not mere rhetoric. U.S. allies in the Middle East understand this reality. They understand the critical role that Iraq plays in the global war against Islamic militant extremists.

For example, Jordan's King Abdullah, a courageous leader who continues to demonstrate his country's and his people's commitment to peace, to security, and to democratic reform, summarized the situation we are facing in the following way. He said, "My concern is political, revolving around Iran, around Iran's political involvement inside Iraq, its relation with Syria and Hezbollah, and the strengthening of this political strategic alliance. This would create a scenario where you have these four: Iran, Iraq, influenced by Iraq, Syria, and Hezbollah, who have a strategic objective that would create a major conflict. Our argument to the United States," he continues, "is that a capable, independent, secure Iraq is the best way of containing Iran. The Iranians realize that the way to have success against the West is by them succeeding in Iraq. So Iraq is the battleground of the West against Iran."

These are the words of our ally King Abdullah of Jordan. Yet some of our colleagues choose to believe that one can reason with our enemies.

Since this resolution provides no concrete alternative, some have expressed support for new diplomatic initiatives. However, I must ask my colleagues: With whom? Do they propose engaging with rogue regimes such as Iran and Syria? These rogue regimes are part of the problem, not part of the solution.

Some of our colleagues may say that diplomatic engagement is the key to our success. But I ask them, how are we to engage our allies in the region to help foster security and reconciliation in Iraq if by our withdrawal and surrender we leave them to fend for themselves against enemies in the region who have been strengthened by our retreat? How is diplomacy to be effective in such an abstract context?

We cannot expect to achieve success if we are operating from a position of weakness.

The so-called diplomatic alternative offered by some is no alternative at all. The resolution before us and the bills that have been introduced is a compelling argument, they believe, for a withdrawal from Iraq, but it adds to a policy of surrender.

Some may try to hide that fact by constantly repeating the empty words that they support the troops. But supporting our troops cannot be reconciled by refusing them the reinforcements that they need or with the retreat in the face of the enemy.

The hopelessness with which these measures spring is alien to our American spirit. That spirit has sustained us through many dark times, Mr. Speaker, throughout our history. This hopeful spirit springs directly from the hearts of the American people who have never given up faith in their belief, in their country, in their sons and daughters in uniform facing our enemies overseas.

Mr. Speaker, at the beginning of our revolution over two centuries ago when our country faced almost impossible odds and many counseled for retreat, Thomas Payne summoned forth the words that apply directly to the debate in this Chamber when he said, "These are the times that try men's souls. The summer soldier and the sunshine patriot will in this crisis shrink from the service of their country, but he that stands by it now deserves the love and the thanks of every man and woman. Tyranny, like hell, is not easily conquered, yet we have this consolation with us: That the harder the conflict, the more glorious the triumph."

Mr. Speaker, I urge my colleagues therefore to reject this resolution.

Mr. PAYNE. Mr. Speaker, I recognize the gentleman, a member of the Rules and Agriculture Committees, from California, Representative DENNIS CARDOZA, for 5 minutes.

Mr. CARDOZA. Mr. Speaker, I thank the gentleman.

Mr. Speaker, I believe in a robust military and a strong national defense; however, I oppose this escalation, because I do not believe that it will make America safer or improve security in Iraq.

At this hour, sending more American forces cannot reasonably be expected to resolve a civil war rooted in over 14 centuries of deep-seated historical division. I oppose the escalation because I believe that we must recognize Iraq for what it is, not what we want it to be.

Our best hope lies not with increasing Iraqi dependence on us, but rather in handing over responsibility to them. This ultimate success or failure is the endeavor that now lies in the hands of them, not us.

□ 2200

Our goal in Iraq must reflect reality. Our objective should be to protect the ethnic minorities and religious minorities from further oppression and genocide, and to maintain a strong deterrent against the spread of a broader war in the Middle East. None of these ends is served, however, by simply escalating the failed strategy that has gotten us to this point today.

Like most Americans, I am deeply dismayed by this administration's inept prosecution of this war. At almost every turn, the President and his team have been intolerant and dismissive to outside advice, the consequences of which have been dire. The President sent our men and women into battle absent a real plan and lacking the tools they need to protect themselves. By pushing our allies aside, the President has isolated America from the world. We are now bearing the burden of this war virtually alone. It did not have to come to this.

From the beginning, responsible critics who genuinely desire success in Iraq have offered the President and his team sensible strategies for changing course. Almost 3 years ago, I proposed a plan to the President that offered a responsible path forward. I am still waiting to this day for a response.

President Roosevelt during World War II, President Truman during Korea and the dawn of the Cold War, President Kennedy during the Cuban missile crisis, and President Reagan at the twilight of the Cold War all successfully guided the ship of state through the roughest of seas. That caliber of leadership has been sorely lacking during this challenging time for our Nation. This President's inability to admit and correct mistakes has not served our Nation or our troops well. Now Iraq has descended into a bloody civil war that cannot be resolved by the American military. The Sunni-Shia divide goes back 1,400 years. Twenty thousand more American troops cannot reverse 14 centuries of division and hate in that country.

According to a recent poll, 71 percent of Iraqis want us to leave. Sixty-one percent of Iraqis support attacking U.S. troops. To argue that increasing our presence in Iraq will lessen the violence defies common sense. The American people and our military did not sign up for refereeing a civil war halfway across our planet. History has taught us that outside powers are ill-equipped to influence or resolve civil wars in foreign lands.

I am also deeply troubled that the war in Iraq has undermined our efforts to address urgent threats in the war on terrorism, note notably in Afghanistan. After failing to kill Osama bin Laden at Tora Bora, the administration turned its attention to Iraq, allowing the Taliban to regain lost ground.

I believe we must refocus our efforts on the following objectives:

Stopping the spread of a wider war in the Middle East.

Preventing a humanitarian crisis in Iraq.

Protecting the ethnic and religious groups, such as Assyrian Christians, who are vulnerable to persecution.

And we must redouble our efforts to snuff out the Taliban in Afghanistan.

Let me close, Mr. Speaker, by paying homage to our men and women in uniform. Some have alleged that this debate is inconsistent with support for our troops. Those who insist that Congress should remain silent on this issue are very familiar with that word "silence." Many have remained silent when it comes time to supporting care for our veterans and their families as well. Many have stood idly by for years as our troops went into battle lacking the equipment and body armor they needed. Most of all, far too many have been invisible when it comes to genuinely supporting our servicemen and women by insisting on an effective plan to conclude and win this conflict. Simply repeating the word "victory" does not equal a plan, or support for our men and women in uniform.

I want to conclude by thanking those serving in harm's way. These brave men and women are America's finest. They have done everything that has been asked of them and more. Let us honor them by thanking them for a job well done and pursuing a policy that is worthy of their sacrifice.

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to yield to the gentleman from Texas (Mr. POE), a member of our Foreign Affairs Committee, for 10 minutes.

Mr. POE. Thank you, Ms. ROS-LEHTINEN. I appreciate your leadership and the time you have given me to talk about this really important resolution, the resolution of retreat from combat.

You know, we in this House, in this warm House tonight at 5 minutes after the hour of 10 o'clock, we view this resolution from our own personal opinions. But maybe we should view something, and this resolution in particular, from a historical standpoint, for history has no opinion but is a teacher of hard facts of retrospect.

You know, this debate is not new to Congress. Years ago, after 5 long years of war, this Nation found itself at war with the greatest empire on Earth, Great Britain. The war of independence was not going well in 1781 and 1782. It looked bleak. The Commander in Chief, George Washington, had lost most of the battles he was engaged in. Public opinion was at an all-time low during the war. There were even mutinies in the Army from the Pennsylvania volunteers and the New Jersey volunteers. There was talk in the press of even reuniting with Great Britain—of all things, forming a truce and going back to be with the British. There were preachers of gloom, doom, despair and defeatism. There were generals on the battlefield that didn't like the way George Washington was handling himself as Commander in Chief and they were preaching to the public and their troops, "We can't beat the British."

The debate was not new to this House, Mr. Speaker. Congress wanted to cut funding. The Continental Congress wanted to cut funding for the American Army and they not only wanted to do so, they did slash funds. Congress even in this time of bleak war reduced the size of the Continental Army. For the first and only time during the long war, George Washington left the field of battle and came to Congress and made the case for winning the war and not giving up, not surrendering, not reuniting with Great Britain.

And he made the comments. He said, "We should never despair. Our situation before has been very unpromising. But it has changed for the better. So it will be again."

It's a good thing the Commander in Chief did not listen to the gloom, doom and despair of the Continental Congress in 1781. Then, as now, victory was the only option. Victory is simple. You defeat the enemy wherever they are.

So George Washington and a handful of barefoot soldiers at Yorktown defeated who the skeptics and cynics said could never be defeated—the British. The consequences of loss in 1782 would have been somewhat staggering.

Mr. Speaker, the flag that flies behind you now would have been the Union Jack instead of the Stars and Stripes, and this country, this people, this free people, would have been much different had we not won the war and stayed the course.

The consequences of abandoning our troops in the field by not giving them more troops would be joy to the terrorists that hate us and want to kill us. I am sure the terrorists throughout the world would vote "yes" for this resolution of retreat and surrender, and those of us who want to defeat the terrorists should vote "no." Our troops on the battlefield need to know help is coming. Like most Members of Congress in this House, they know people and they know people in their congressional districts that have died for this country in Iraq and Afghanistan.

Mr. Speaker, I carry with me the names of the fallen in my congressional district. The first one that fell was Sergeant Russell Slay, 1 day after I was elected in 2004. There are 17 names on these sheets of paper, all of them volunteers from southeast Texas, who went to Iraq and Afghanistan to fight terrorists, as they say in southeast Texas. Their names, Mr. Speaker, are more than names. They are real people.

Sergeant Slay died November 9, 2004, from Humble, Texas.

Lance Corporal Wesley Canning, November 10, 2004. He was from Friendswood, Texas.

Lance Corporal Fred Maciel, January 26, 2005, from Spring, Texas.

Private First Class Wesley Riggs, May of 2005 from Beach City, Texas.

Lance Corporal Robert Martinez, Splendora, Texas. He died December 1, 2005, at the age of 21.

Staff Sergeant Michael Durbin, January 25, 2006, from Spring, Texas.

Walter Moss, Jr. He was a tech sergeant from Houston, Texas. March 30, 2006.

Private First Class Kristian Menchaca, June 16, 2006, at the age of 23, from Houston, Texas.

Staff Sergeant Benjamin Williams, June 20, 2006, from Orange, Texas. He was 30.

Staff Sergeant Alberto Sanchez, Jr., at the age of 33, he was killed in Iraq on June 24, 2006, and from Houston.

Lance Corporal Ryan Miller, September 14, 2006, from Pearland, Texas. He was 20.

Staff Sergeant Edward Reynolds at the age of 28 was killed September 26, 2006, from Houston, Texas.

Captain David Fraser, killed in Iraq on November 26, 2006, at the age of 25, and he was from Houston.

Lance Corporal Luke Yepsen, December 14, 2006, at the age of 20, from Kingwood, Texas.

Specialist Dustin Donica, December 28, 2006, from Spring, Texas, at the age of 22.

Specialist Ryan Berg, January 9, 2007, at the age of 18 from Sabine Pass, Texas. Ryan Berg enlisted on his 18th birthday to join the United States Army.

And Staff Sergeant Terrence Dunn just a few days ago, February 7, 2007, from Houston, Texas.

Seventeen names from one congressional district, Mr. Speaker. There are names of over 3,000. And it seems to me that we owe it to these individuals, these American patriots, to send them the help that they need so that their lives meant more than just dying while the rest of the country decided to run away. We should finish what we have started. We should win this battle. We should fight the terrorists. We should look them in the eye and tell them, We're not going away until our job is done.

This resolution does not promote American unity to finish the job. This resolution does not hold in honor the names on this list, these real people, killed for this country and all volunteers. And they, like the ones that died in the Continental Army 200 years ago, died for a reason. The families that I have talked to believe in what their sons and daughters died for, and that was for fighting these evil people. We call them terrorists, these extremists, that hate us and will kill us if they have the chance.

So, I think history has taught us a lesson, that this Congress 200 years ago was faced with a choice and decided to take the funds away from George Washington. Fortunately, he was able to reunite the country and win that independence. And I hope that we reunite this country and finish the job and win this battle that we are fighting in a land far, far away for the same reason, and that we are fighting people that are terrorists and hate us and people that are extreme in their beliefs in their hatred for America.

Because like I mentioned, Mr. Speaker, the flag that flies behind you is important. It is important that it is not the Union Jack or some other flag, and we owe it all to the military, the volunteers, the young men and women that have served recently and have served in our past for this country.

☐ 2215

Mr. DELAHUNT. Mr. Speaker, I yield 7 minutes to the distinguished chairman of the Subcommittee on Africa and Global Health, the gentleman from New Jersey (Mr. PAYNE).

Mr. PAYNE. I appreciated having the opportunity to control the time in the past several hours, and perhaps might request from the chairman perhaps an additional 2 minutes as I respond and wrap up.

Mr. Speaker, let me say that I listened with great interest to the George Washington story, and there is no question that there were tough times. But George Washington had some pretty intelligent advisers. You know, the people who signed the Declaration of Independence, he had people like Adams and Washington. You had people like Crispus Attucks, the first person to die in the Revolutionary War and in the Boston Massacre on May 4, 1770.

You had people who participated in the Boston Tea Party because they said taxation without representation is tyranny. It was Christmas Eve in Pennsylvania when George Washington came across the Delaware and attacked the Hessian soldiers on Christmas Eve because they were unaware that this attack was coming. George Washington came from New Jersey, Morristown, Newark, and went on through and did have a victory.

But let me say the difference, when George Washington was fighting, there was a clear and present issue. We were fighting for independence. We knew exactly what it was. We were being held bondage by the British, that Union Jack.

But what do we have here? We have, following 9/11, support from practically every country in the world. But then we went on and Osama bin Laden said he did the bombing, he took credit for it, the World Trade Center, the Pentagon and the final plane that was brought down on the way to the Capitol and the White House.

Then we said that we were going into Iraq. First of all, it was because there were weapons of mass destruction. Then it was the fact that we had to have a regime change. At one point we talked about we had to remove Saddam Hussein.

We kept looking for reasons, and that is a big difference. We had the preemptive strike, and then we tried to come up with the reason that we were doing it, and it continued to change, one reason after another.

There is a great sense of sadness among those of us who foresaw over 4 years ago the tragedy that is now unfolding in Iraq. On October 8 and 9, 2002, I stood right here in this very well at the House of Representatives, and I managed the time those 2 days in opposition to the preemptive first strike for Iraq. It was in the 107th Congress, and now we are in the 110th Congress, and the war that we assumed would be swift and certain now continues to rage.

I am looking over the remarks I made at that time. It saddens me that the argument of those of us who oppose the war fell on deaf ears. At that time, I stated that a unilateral first strike would undermine the moral authority of the United States of America. I stated that results of substantial losses of life will occur, that there will be a destabilization of the Middle East region and undermine the ability of our Nation to address unmet domestic priorities.

It saddens me beyond words that 3,122 Americans had to sacrifice their lives and over 23,000 have been wounded for a war that did not have to be fought. Included in this number are 50 fatalities from my home State of New Jersey and 366 wounded. Estimates are up towards 100,000 Iraqi men, women and children have been killed.

After the administration has been proven wrong on every prediction from the length of the war to weapons of mass destruction to the strength of the insurgency, we are now being asked to trust their judgment on a new strategy, which would put 20,000 more American lives on the line. This plan will not provide lasting security for Iraqis. It is not what the American people have asked for in November. Haven't we learned anything from our mistakes yet?

Recent so-called short-term troop surges in Iraq have not stopped the violence from getting worse. There is nothing to suggest that this time will be any different.

For example, we had Operation Together Forward from June to October 2006. In June, the Bush administration announced a new plan for securing Baghdad by increasing the presence of Iraqi security forces. That plan failed, so in July, the White House announced that additional American troops would be sent into Baghdad.

By October, a U.S. military spokesman, General William Caldwell, acknowledged that the operation and troop Increases was a failure and had not met our overall expectations of sustaining a reduction in the level of violence. Regardless of how the administration intends to increase the troops in Iraq, the result will be the same.

There is additional strain on our military personnel and their families, and personal lives will be upset by unexpectedly early deployments of family members or unexpected delays in their homecoming. This is an additional burden to our military families that they should not have to bear.

By extending operations, we undertake a strategic risk. Our ability to meet potential future challenges is strained under the current operational demands. Increasing these demands only increase the risk to our future capacity.

I had the privilege of serving in the past as a congressional delegate to the United Nations. I strongly believe in the power of democracy. If we had allowed the United Nations inspectors to complete their work before the war instead of suddenly ordering them out of Iraq, I believe things would have turned out much differently. Instead, the administration proceeded full speed ahead towards war, as they disseminated faulty intelligence and relied on scare tactics to garner support.

I believe the time has come to begin an orderly withdrawal of American forces from Iraq. This approach would send a message to the Iraqis that they must take more responsibility for their own security and would reduce the strain on the American military.

The administration should listen to the Baker-Hamilton commission, which has offered a stinging assessment of virtually every aspect of the U.S. venture in Iraq and called for a reshaping of the American presence and a new Middle East diplomacy initiative to prevent the country from sliding into anarchy.

I conclude by saying I have heard my colleagues on the other side warn about Iraq falling into chaos and dangers of the United States losing our standing in the world. Sadly, Iraq already is in total chaos, and, unfortunately, the United States, a country we all love, has suffered much loss and prestige around the world.

In the debate before the war those of us who predicted the outcome did not prevail. I pledge with my colleagues to listen this time to vote against escalation of the war and support this resolution.

Ms. ROS-LEHTINEN. Mr. Speaker, at this time, I am pleased to yield 4 minutes to the gentleman from Illinois (Mr. SHIMKUS), a graduate of West Point.

Mr. SHIMKUS. Mr. Speaker, leaving the Capitol last night, I came across a sign on the Seventh Street Bridge overpass that said, "Democrats, get a peace plan."

Clearly, someone felt that this nonbinding resolution does not get us any closer to peace, and some, myself included, would argue that this resolution takes us further away from our goal of securing the peace. Retreat, surrender, leaving, disengagement, that is the view of some politicians in Washington, DC, making decisions on combat operations overseas. If there is any clear comparison to Vietnam, this legislation is it.

Here is the Republican plan for peace, victory. In the 1980s, it was a peace through strength that was a military I was proud to serve in. Our last best chance for victory is by supporting the decisions of the commanders in the field. Their current request is to reinforce the Iraqi military and police who will take the lead in military action against all insurgents and al Qaeda in Iraq.

We are to ensure reconstruction continues to empower Iraq's security forces and newly elected leadership to be prepared to fully assume their destiny, and to leave, when asked, by a sovereign country of Iraq.

It is our national security interest to support moderate Arab states. Moderate Arab states that are democratic observe the rule of law, support women's rights, and are allies with us in the war on international jihadist terrorists. We have an opportunity for Iraq to be a moderate Arab state and an ally.

However, we can be assured if we leave early that the radicals will take over after an ensuing and huge bloodbath and will forever be an enemy to the United States. During the buildup to the Iraqi constitutional elections, I wore a flag pin representing both Iraq and the United States of America.

As I have traveled about my district in the past weeks, I have put the pin back as a sign of solidarity with a sovereign and free Iraq. What this resolution does is sever this alliance. This commitment emboldens our adversaries. It tells the world we are unable to go the distance and keep our commitment to do the right thing.

Well, I will not accept defeat, and especially from political armchair quarterbacks. The military commanders in the field have asked for reenforcements. This appeal may be our last best hope for a free democratic Iraq willing to be able to protect their citizens and support us in the war on terrorism.

Are we politicians sitting safe and secure in Washington, DC, going to say no to this request? Surely not.

Throughout our history, a debate such as this has occurred on the floor of the House and across the Nation. Monday was the 198th anniversary of the birth of our 16th President, Abraham Lincoln. At his tomb I read this quote from the Gettysburg Address, which I believe is applicable today. "It is for the living, rather, to be dedicated here to the unfinished work which they who have fought here have thus far so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us—that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion—that we here highly resolve that these dead shall not have died in vain . . . "

Instead of fighting, we are arguing amongst ourselves. We ought to commit our country to finish the task at hand. We should be united in the cause and to pray to God, the Creator of all, to bless our efforts here, the efforts of our military, the government of Iraq, her people, and, yes, even our enemies.

I want to end with another quote from Abraham Lincoln. in his farewell address to Springfield as President-Elect, he said: "Today I leave you; I go to assume a task more difficult than that which devolved upon General Washington. Unless the great God who assisted him shall be with me and aid me, I must fail. But if the same omniscient mind, and Almighty arm that directed and protected him, shall guide and support me, I shall not fail, I shall succeed. Let us all pray that the God of our Father may not forsake us now. To him I commend you all. Permit me to ask that with equal security and faith, you all will invoke His wisdom and guidance for me."

May God bless our President and military leaders. May God bless our men and women in uniform who volunteered to protect our Nation from harm, and may God bless the United States of America.

Mr. DELAHUNT. Mr. Speaker, I yield 5 minutes to the gentleman from Georgia, a member of the House Committee on Energy and Commerce, Mr. BARROW.

Mr. BARROW. I thank the gentleman for yielding.

Mr. Speaker, since taking a seat in this body over 2 years ago, I have supported our President's efforts in the war on terror at every turn. I have been to Iraq. I have visited those wounded there, and I have spoken with family members who have sacrificed more for their country than most people could stand.

I have carefully considered the President's plan. I have listened to his reasons, and I have tried to understand them. But the inescapable conclusion is this. While there are differences between the President's new strategy and his prior conduct of the war, the similarities still outweigh the differences. The President's new plan is not a new strategy. Instead, it represents more of the same strategy that has gotten us to where we are today. If we are going to defeat terrorism in Iraq, we simply cannot afford to keep doing more of the same.

Congress cannot manage a war, and it should not try. Instead, Congress' job is to demand accountability from those charged with the conduct of the war effort, and so far Congress has failed to do that job.

This resolution, however imperfect, is intended to bring about some accountability on the part of those charged with the conduct of the war effort, and it says of the President's plan, thou art weighed in the balance and found wanting.

The President's plan is found wanting because he doesn't explain how this escalation in the number of American troops can make any difference in a war plan that depends on redeploying so many more Iraqi troops. We have been given no credible explanation as to why 21,000 more American troops can accomplish what the 130,000 already on the ground cannot accomplish.

The President's plan is found wanting because it calls for completely new rules of engagement.

☐ 2230

The President's plan is found wanting because it calls for new rules of engagement, with no explanation as to why such rules of engagement were not allowed in the past when they would have done the most good.

The question before us is not whether the President's new plan represents a better chance of success in Iraq. The real question is whether the chances for success it represents is a good enough chance to be worth the sacrifices that our soldiers will have to make to implement it.

A 1 percent increase in the chances of success may be better than no increase, but our troops deserve a better plan that that. Mr. Speaker, I do not believe that this plan represents the change in strategy that we need in Iraq, nor does it offer a good enough chance for success to be worth the sacrifices that it will cost. And that is why I will support the resolution.

Mr. DELAHUNT. Mr. Speaker, I yield 5½ minutes to the gentleman from Tennessee (Mr. LINCOLN DAVIS).

Mr. LINCOLN DAVIS of Tennessee. Mr. Speaker, I rise today in strong support of our military men and women. I will strongly support our soldiers serving in harm's way in Iraq and Afghanistan. I support all off our veterans, men and women who have served our country with great honor and distinction, and because of my support for our military men and women, I also rise in support of this resolution.

I support this resolution because I see no evidence that an increase in troops will lead to anything other than more lost American lives. I do not think a troop surge will bring stability to Baghdad. I do not think the surge will enable the Iraqis to stand up and defend themselves, and I do not think the surge will end the religious and ethnic strife that has existed in the Middle East for centuries.

So here we are this week debating the President's proposal to send more troops into Baghdad. And as expected, the rhetoric from our friends on the right has at times been shameful. To suggest that Democrats and Republicans who support this embolden the enemy, that they are defeatist, and that we do not support the troops, and that we want to micromanage the war, and that we do not want to preserve freedom and liberty in our great country puzzles me.

It seems to me our friends on the right do not like discourse, they don't like questions, and they do not like meaningful discussions. They do not want us to question the President's strategy, instead they want us to follow him like sheep down a tragic street that dead-ends in failure.

Attempts to use fear and insults to quiet the administration's critics are distasteful and quite frankly hurt America. Why do those who oppose this resolution want to discourage the type of action that led to the founding of our Nation? The very actions that allowed the United States to continue evolving towards that never ending goal of a more perfect union.

Our country derives its strengths from the diversity of views and ideas that comes from its people. If we disagree with the President's proposal, it is our duty, particularly as Members of Congress, to say so. I maintain that is the highest of patriotism, and I am not the only one who thinks so.

The President Theodore Roosevelt said, referring to the Presidency, and I quote him, "That there should be full liberty to tell the truth about his acts, and that this means that it is exactly necessary to blame him when he does wrong as to praise him when he does right. Any other attitude in any American citizen is both base and servile. To announce that there must be no criticism of the President or that to stand with the President right or wrong is not only unpatriotic and servile, but it is morally treasonable to the American public."

I do not know about the majority of Republicans in Congress, but I agree with Teddy. Our actions this week do not dishearten the troops, nor reflect a lack of support for our troops. Defense Secretary Gates and General Pace both testified before the Senate Armed Services Committee that a resolution disagreeing with the President's proposal would not dishearten the troops.

In my opinion, the Chairman of the Joint Chiefs of Staff may have a little better idea of troop morale than Members of Congress. I strongly disagree with the notion that our actions this week embolden the enemy. If our lack of support for the President's plan emboldens the enemy, then public opinion polls also embolden the enemy, since polls show the majority of Americans disagree with the administration's policy in Iraq. And if this is the case, why do not we see condemnation of the American people for their views? It is because politically those who oppose this resolution know they cannot criticize the American public, but can criticize those of us who serve here in Congress.

If the actions of the House and American people embolden the enemy, then we need to consider everyone's comments. Iraq's prime minister al-Maliki recently said that the Bush administration's description of the Iraqi government's being on borrowed time, listen, gives a morale boost to the terrorists. The prime minister of Iraq is accusing the administration of doing the same thing that many of us are being accused of doing in this House chamber. How shameful. Let's get real.

I contend that the American people, the Democrats, the Republicans, and that President Bush loves America. The discussion we are having in Congress this week is an extension of the cure for America, because we all want what we think is best for our country. And what do we want? Success. We want security.

In order for us to have success and security we must force the Iraqi people to fight for their own country. In my opinion, the way we do this is not by adding more troops to the kill zone in Baghdad, but rather take our troops out of the kill zone and force the Iraqis to step up their efforts.

We should put our troops in a position to support the Iraqis when they need us. This way the pressure is on the Iraqis, not on our fighting men and women. The idea that we are going to cut and run from the Middle East and allow terrorists to control Iraq is false and has no basis in reality or in history.

We did not leave Germany after World War II, we did not leave Korea after that war, and we will not leave the Middle East after our soldiers' responsibilities in Iraq have ended. We did not leave the Middle East after the Persian Gulf War and we will not leave the Middle East now.

Mr. Speaker, the French did not win the Revolutionary War for us and we cannot win this peace for the Iraqis; they have to win it for themselves.

Ms. ROS-LEHTINEN. Mr. Speaker, if I could ask how the allocation of time is being handled, because our next speaker I would like to recognize for 11 minutes. But we have been told that we need to wait to even out the distribution of time.

The SPEAKER pro tempore (Mr. ELLISON). The gentlewoman from Florida has 5¼ minutes remaining. The gentleman from Massachusetts has 13¾ minutes remaining.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield 4 minutes to the gentleman from Colorado (Mr. TANCREDO).

Mr. TANCREDO. Mr. Speaker, the approaching vote on this resolution has caused me and I am sure many of my colleagues to give serious and considerable thought to the most difficult issue that faces America today.

Like many of my friends on both sides of the aisle, and like many Americans I am opposed to increasing our troop presence in Iraq. I am sure we have all asked ourselves individually what we would do if we were in the oval office at this time.

If I were in the oval office, if I were Commander in Chief, I would tell the Iraqis something similar to what Benjamin Franklin told a woman who asked him as he came out of the negotiations on the Continental Congress, Dr. Franklin, what have you given us? He answered, a Republic if you can keep it.

Mr. Speaker, I believe we have with our blood and treasure already won a great victory when we deposed a dictator and helped the Iraqis set up a fledgling democracy. Frankly, I believe it is up to them to keep it.

Mr. Speaker, the fall of Saddam has helped create a situation in the Middle East that we did not anticipate but one that can be exploited. I believe that the ethnic and sectarian earthquake inside and across the broader Middle East is underway. I believe the fault lines in this conflict can be seen moving today, not just in Iraq, but in Lebanon, Iran and elsewhere.

If I were Commander in Chief, I would do what I could to exploit the situation. I believe it can be exploited, but not if we are acting as a referee in what has become a civil war. I believe that prolonging or increasing the U.S. presence in Iraq will virtually guarantee this fault line will move in a way not advantageous to us.

Sure, if I was President, Mr. Speaker, I can tell you unequivocally I would not be sending an extra 20,000 soldiers. But I am not President of the United States, I am not Commander in Chief, I am a Member of Congress. And while I have every right as a Member of Congress to voice my concerns and objections to what I see as flaws in the strategies this President may choose to employ, neither I nor this Congress has the right to micromanage a war.

Mr. Speaker, our Constitution vests sole authority of the U.S. military in the President of the United States, not in 435 Congressmen or 100 Senators. Our Founding Fathers empowered the President, not the Congress, with the authority precisely to avoid the kind of group micromanagement of our military strategy that we are seeing on this floor today.

I differ with the President on many things, Mr. Speaker. Indeed one of them is the recently announced surge strategy. But while I am concerned about the wisdom of the strategic military decision, Congress does not have the authority nor the ability to manage this war or any other by committee.

I fear that this resolution is just the beginning of a long-term attempt by Congress to become the micromanager of the conflict in Iraq. As many Members have correctly noted, this resolution is nonbinding, but it has been described by its authors as just the bark from the Congressional dog. The bite will come as they say during the appropriations process.

As I said at the beginning, Mr. Speaker, for a time this resolution posed a dilemma for me. But after hours of listening to the debate, reading the Constitution, it helped me to decide how to vote, there is no longer a doubt in my mind. I accept the wisdom of the Founding Fathers and bend to the constraints of the document that we swear to uphold and defend.

I hope that Members of both sides will think carefully about the precedent that this debate will set for the future, for future Presidents, future wars, future soldiers. I would ask them to join me in opposing this ill-conceived resolution.

Mr. DELAHUNT. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. COSTA).

Mr. COSTA. Mr. Speaker, I rise this evening to welcome this much needed debate, on perhaps one of the greatest challenges facing our generation, our country, this war in Iraq. I intend to support this nonbinding resolution not because I believe it is perfect, rather in fact I feel it is probably imperfect.

But I am supporting it because I hope this will be the beginning of a rational, bipartisan dialogue for a new direction to be employed together with the House of Representatives, with the Congress working together with the President.

For after all, Mr. Speaker, we are the people's House. The choices that we have before us today are more than simply cut and run or stay the course. For after all, we know a long time ago that was nothing more than a sound bite, and the American public understood that it was nothing more than a political sound bite. We are a wonderful country. We have tremendous resources, ingenuity, and we have credibility notwithstanding our difficulties today throughout the world.

And therefore, as the world's greatest super power, we have resources and means in which we can offer alternative choices to bring together people, not only in the Middle East, but allies throughout the world that supported us in the past.

Everyone who has talked about this nonbinding resolution talks about the cost. We all talk about their support for our men and women in uniform, our support to continue to ensure that they are properly funded and to ensure that we always, always remember the current costs that have been expended, over 3,000 lives, over 23,000 that have been injured, and a fiscal accountability that has gotten lost in the checks and balances of the Congress, a war that initially was advertised to cost us $60 billion is now in excess of $379 billion, $8 billion a month, with a supplemental request for another $235 billion.

Mr. Speaker, we do not need nor should we micromanage the war. But we should, as an equal branch of Government, require and demand accountability. That is why I stood up on this floor 2 weeks ago supporting the Blue Dog Accountability Act to ensure that we have an opportunity to review on a regular basis the conduct of the war, the no-bid contracts, the single sourcing, putting our troops in harm's way without adequate armament.

Let us not forget, for almost 4 years our President and the course that he conducted and the case he has made has had a blank check, literally a blank check to conduct this effort as he saw fit.

□ 2245

And it has only been in the last 6 months when it became abundantly clear in the last year that it was determined that a new course or a new direction would be needed. But, unfortunately, so much of this new course that the President offered last month is more of the same and, unfortunately, too little too late.

I told the President that I was doubtful on this surge. Why? Because we have had previous surges, back in August of last year a surge in Baghdad with six brigades that was promised by the Iraqi Army. They delivered two. They weren't very good. We neutralized Sadr City. Maliki got political pressure placed on him. We were asked to leave.

Unless we have a robust political effort that accompanies this surge, I fear, unfortunately, more of the same will occur, which is why I asked the Secretary of State last week what is plan B?

We are, whether we like it or not, in the middle of a sectarian civil war. And unfortunately, the folks that we are trying to referee are more concerned about how power is distributed and how oil revenues are distributed as opposed to instituting a democracy in the Middle East. And therefore, we need a new direction.

Have we not learned the lessons that many of us remember from the Vietnam War? Secretary Powell knew those lessons well. Remember what Secretary Powell advised our President? He says, Iraq, Mr. President, is like a Pottery Barn. We break it, we own it. Unfortunately, how true those words have come.

But Secretary Powell knew from his experience as a general that the Powell doctrine invoked four principles, one, to have overwhelming support of the Nation; two, in fact, to ensure that we had a broad international coalition; three, that we went in with overwhelming force; and, four, that we had an exit strategy. None of those are in evidence.

So let me close. I believe that a new direction is evident. I believe America is less safe today than it was before the 9/11 attacks. And as violence in Iraq climbs and the costs continue to soar, we need a new direction in Iraq in a bipartisan fashion.

I ask my colleagues to work on this bipartisan manner, evaluating the facts, not on rhetoric, to create a real plan for security in Iraq, stability in the Middle East, and let's not forget Afghanistan, the problems that exist in Lebanon today, and let's come together as a nation. Our troops deserve better.

Mr. DELAHUNT. Mr. Speaker, I applaud the gentleman from California for his insightful and thoughtful remarks and particularly his observation that this is not about micromanaging the war. This is about accountability.

And I daresay that if over the course of the past two previous Congresses that there was oversight and that there was more monitoring, we would not find ourselves in this unhappy moment.

Mr. Speaker, I yield 5 minutes to the gentleman from Indiana, a new Member of the House, a valued member of the Committee on Veterans Affairs and Financial Services, Mr. DONNELLY.

Mr. DONNELLY. Mr. Speaker, we all want success in Iraq. We want a stable region. We want safety and security for our troops and peace in the Middle East.

Our service men and women are the finest in the world, the best trained, the most dedicated. They are incredibly fine soldiers and people. They deserve a clear mission in Iraq. They deserve to have all the protective equipment and armor needed to keep them safe. They deserve to have all the funding required, and they deserve to have the best leadership in the field and the finest military planning from Washington.

What our brave troops do not deserve is Washington's bungling. We had bad intelligence at the start, a flawed occupation plan that failed to send enough troops, despite the best advice of the Army's Chief of Staff at that time, and Washington failed to properly plan for critical logistics such as electricity and infrastructure. These mistakes have put our troops in much greater danger.

With these issues in mind, I sent a letter to the Administration over 1 month ago asking for specific answers as to how this surge would increase our chances for success in Iraq. I was very hopeful for positive solutions. I also asked at that time what specific benchmarks we could look at to indicate whether or not we were making progress. As of this date, I have yet to receive any answer from the Administration.

I have spoken to veterans in Winamac and in Osceola, Indiana, to constituents in restaurants and churches and to concerned Hoosiers throughout my district. I have also met with Iraq Study Group cochairman, Lee Hamilton, with military representatives, and with my valued colleagues. What I have heard consistently is that our brave troops should not be placed in the middle of what is increasingly becoming a very dangerous civil war.

Our fighting troops have been placed in an almost impossible situation. They are trying to bring stability to Iraqi cities and provinces where a fierce and bloody religious war rages between the Sunnis and the Shiites. Our service men and women from Michigan City and South Bend and Logansport cannot end this vicious cycle of death. Only the Iraqis can do that. The Iraqi Government and people have to want peace and stability for their country as much as we want it for them.

If the proposed surge increased our chances of succeeding in Iraq, I would support it wholeheartedly. However, I fear this surge will not lead to an Iraq that will be stable over the long term, but instead will simply put over 21,500 more American troops into harm's way. There will not be stability until the Shiites and Sunnis decide that the price of the death and destruction they inflict upon each other is no longer worth the cost. The Iraqis have to make this decision, and sending 21,500 more of our finest citizens will not cause the Iraqis to make that decision any quicker. In fact, it might only delay that day of decision for them.

Two recent surges by American troops did not bring additional security to Iraq, and I do not see how placing more troops in the most dangerous areas of the country at this point will calm things down. Our troops deserve America's full support, full funding, and all the equipment and materials they need to remain safe and battle ready. The time has come for the Iraq Government and its troops to step up and to seek peace with each other. Our obligation in Congress is to provide common-sense judgment that guarantees complete support for our troops and a plan that provides a path toward peace and stability.

I do not see, and I have not been shown, how this surge will further our chances for success. For the above stated reasons, I will be voting for House Concurrent Resolution 63. May God bless America and our troops serving in Iraq, Afghanistan and everywhere else throughout the world.

Mr. DELAHUNT. Mr. Speaker, I would ask where we stand in terms of the time allocation.

The SPEAKER pro tempore (Mr. ELLISON). The gentleman from Massachusetts (Mr. DELAHUNT) has 3¼ minutes. The gentlelady from Florida (Ms. ROS-LEHTINEN) has 2 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, I am going to reserve the balance of our time to have it for the further allocation of the remainder of the evening.

The SPEAKER pro tempore. At the beginning of the debate, the Chair provisionally allocated 5 hours to the leaders or their designees in approximation of the amount of the controlled debate that might be conducted before midnight.

It appears at this point that all of that 10-hour allotment will be consumed before midnight. The Chair will try to achieve parity between the two sides by allocating 20 minutes for each side at this time, but wants each side to know that all pending balances of time will lapse at midnight.

PARLIAMENTARY INQUIRY

Mr. GOHMERT. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. GOHMERT. The Speaker has indicated that he will allocate the remaining time 20 minutes a side, but the time will expire at midnight. I would ask if it would make sense, since 20 minutes gets us to 11:35, why not just take 65 minutes, or actually you have got 3¼ and you have got 2, so it would be an hour, and give each side 30 minutes a side, and then we don't have to keep playing this game and redo this and waste 10 minutes trying to reallocate the time. That is my inquiry.

The SPEAKER pro tempore. The Chair would advise Members that the distribution of debate time takes into account the difference between the time remaining until midnight and the time consumed in debate.

Ms. ROS-LEHTINEN. Mr. Speaker, my next speaker will be allocated 11 minutes of time, so if this is the proper time to have him be recognized for 11 minutes without interruption, I would like to recognize Mr. FRANKS, a member of the Armed Services Committee for 11 minutes.

Mr. DELAHUNT. Mr. Speaker, if I can inquire of my friend and colleague on the other side, I have a speaker that has been waiting here. Understanding that I have 3½ minutes left before the reallocation, I would like to give her an opportunity to address the House.

The SPEAKER pro tempore. The gentleman has 23½ minutes remaining.

Ms. ROS-LEHTINEN. If the gentleman would yield. We have been waiting on our side as well for such a long time, and if my good friend from Massachusetts would allow Mr. FRANKS to give his statement, and then we can continue.

I would like to recognize Mr. FRANKS, a member of the Armed Services Committee for 11 minutes, and I thank the gentleman from Massachusetts.

Mr. FRANKS of Arizona. Mr. Speaker, today, as we embrace the grave responsibility of debating an issue that will have profound impact on future American generations, it seems very appropriate to remind ourselves of the ideal that gave birth to this Nation in the first place. We hold these truths to be self-evident that all men are created equal and endowed by their Creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness.

Whether we realize it or not, most of the important discussions in this Chamber, including the one in this moment, center around whether we still believe those words.

In these hours, America finds herself at war with an expressively dangerous ideology that is the antithesis of those words and everything that is the American ideal. What concerns me most is that this war between an ideology committed to the absolute death to destroy freedom and subjugate the entire world, and the world's free people who still remain primarily asleep.

Mr. Speaker, this ideological war did not begin on 9/11. It began many years ago when certain Muslim extremists embraced a divergent Islamist dogma that dictates that all infidels must die. It was called then as it should be called now, jihad.

Thomas Jefferson was the first American President to send U.S. military force to war against Islamist jihad. The Marine hymn begins, "From the halls of Montezuma to the shores of Tripoli," the latter being a reference to Jefferson's war against the Islamist Barbary pirates based in Tripoli, in present day Libya.

This is the same jihadist ideology that murdered Israeli athletes in 1972, that took American hostages in Iran, that murdered Marines in their barracks in 1983, that bombed the World Trade Center in 1993, Riyadh in 1995, the Khobar Towers in 1996, the embassy in 1998, the USS *Cole* in 2000, and that brutally murdered scores of little schoolchildren on opening day in Beslan, Russia.

And then, Mr. Speaker, this same dark ideology massacred nearly 3,000 Americans on September 11.

The ideology and practice of Islamist jihad is decapitating humanitarians with hacksaws on television while the victims scream for mercy, cowardly hiding behind women and children while launching rockets deliberately targeting innocent civilians, continually breaking treaties of peace, and forcing children to blow themselves to pieces to affect the murder of other innocents, and this, as their own mothers leap for joy as they do.

□ 2300

As we anticipate future actions of jihadists, we should all consider very carefully. Al Qaeda's al-Zawahiri said: "The jihad movement is growing and rising. It reached its peak with the two blessed raids on New York and Washington. And now it is waging a great heroic battle in Iraq, Afghanistan, Palestine, and even the crusaders' own homes."

Al-Manar said on BBC: "Let the entire world hear me. Our hostility to the Great Satan, America, is absolute. Regardless of how the world has changed after September 11, death to America will remain our reverberating and powerful slogan: Death to America."

Al-Zarqawi said of America's leaders: "They are aware that if the Islamic giant wakes up, it will not be satisfied with less than the gates of Rome, Washington, Paris, and London."

Al-Muhajir, Osama bin Laden's latest lieutenant in Iraq, said: "The fire has not and will not be put out and our swords, which have been colored with your blood, are thirsty for more of your rotting heads."

Sheik Hassan Nasrallah, the leader of Hezbollah, said, "We have discovered how to hit the Jews where they are most vulnerable. The Jews love life; so that is what we shall take away from them. We are going to win because they love life and we love death."

And then, Mr. Speaker, we hear a Democrat Member of this body say, "The savagery of terrorists is not relevant." Even the most senior Democrat in this House is quoted as saying "I don't take sides for or against Hezbollah or for or against Israel."

Mr. Speaker, a blind relativism that deliberately ignores all truth and equates merciless terrorism with free nations defending themselves and their innocent citizens is more dangerous to humanity than terrorism itself, and it is proof that liberals completely misunderstand the enemy that we face.

Osama bin Laden's deputy, al-Zawahiri, made clear shortly after 9/11 in his book "Knights Under the Prophet's Banner," al Qaeda's most important short-term strategic goal is to seize control of a state, or part of a state, somewhere in the Muslim world. He wrote, quote, "Confronting the enemies of Islam and launching jihad against them require a Muslim authority established on Muslim land. Without achieving this, our actions will mean nothing."

Mr. Speaker, such a jihadist state would be the ideal launching pad for future attacks on the West.

Bin Laden himself once again has stated: "The whole world is watching this war and the two adversaries. It is either victory and glory or misery and humiliation."

Mr. Speaker, the terrorists regard Iraq as the central front in their war against humanity. And if we are to understand our enemy and this war, we must understand that Iraq is the central front in our war against jihad. Our courageous and noble soldiers understand that very well and our enemy definitely understands that.

Osama bin Laden himself has said, "The most important and serious issue today for the world is this Third World War . . . It is raging in the land of the two rivers, Iraq. The world's millstone and pillar is in Baghdad, the capital of the caliphate."

Mr. Speaker, if Democrats are correct that the struggle in Iraq is not crucial to the winning of the war against Islamist jihad, then for God's sake I wish they would explain that to the terrorists.

Brink Lindsey has put it all so succinctly. He said, "Here is the grim truth: We are only one act of madness away from a social cataclysm unlike anything our country has ever known. After a handful of such acts, who knows what kind of civilization breakdown might be in store?"

Mr. Speaker, we simply can no longer deny that we are fighting a war against an insidiously dangerous and evil ideology that is bent on the destruction of the Western world, and they would like nothing better than to decapitate this country by detonating a nuclear blast 100 yards from here. And to allow jihadists to declare victory in Iraq will only serve to hasten such a day.

Mr. Speaker, the free nations of the world once had opportunity to address the insidious rise of the Nazi ideology in its formative years when it could have been dispatched without great cost. But they delayed, and the result was atomic bombs falling on cities, 50 million people dead worldwide, and the swastika's shadow nearly plunging this planet into Cimmerian night.

Winston Churchill's words of warning far preceded such tragic events. He said, "If you will not fight when you can easily win without bloodshed, if you will not fight when your victory will be sure and not too costly, you may come to the moment when you will have to fight with all the odds against you and only a precarious chance of survival. There may be a worse moment. You may have to fight when there is no hope of victory because it is still better to perish than to live as slaves."

If so-called enlightened Germans fell prey to the Nazi ideology, why do we not believe Third World Muslims can also fall prey in large numbers to this jihadist ideology? History does indeed repeat itself, Mr. Speaker, and each time the price goes up.

Jihadists believe they have a critical advantage over free people in the world. They believe their will is far stronger than ours and that they need only to persevere to break our resolve. Mr. Speaker, the message of this resolution has only encouraged them in that belief.

So today in this Chamber, we each have some grave questions to ask ourselves, and the answers will profoundly affect future American generations. We need to ask ourselves first, not whether the Nation should have gone to war but whether the Nation should lose this war.

Will jihadists break the will of the world's free people or not? Will they be able to hide long enough to gain access to nuclear or other weapons of mass destruction? If we do allow nations like Iran to gain nuclear weapons, what will we tell our children when they face nuclear jihad, perhaps even in this generation? If liberals in this body are willing to see freedom defeated in Iraq, are they willing to take responsibility for what will almost certainly follow? If this entire Nation was riveted and heartbroken when two airplanes hit two buildings in New York, how will we feel when an entire American city is in nuclear flames?

If Speaker PELOSI and other Democrats are willing to vote against monitoring terrorist conversations on the telephone, or tracking their financial transactions, or protecting our border from terrorist insurgency, or effectively interrogating terrorists in custody, or sending reinforcements to our troops on the battlefield, then the question that cries for an answer is what are they willing to do to defeat Islamic terrorism? What is their plan?

Mr. Speaker, there is no substitute for victory. If we surrender Iraq to Islamist jihadists, we will supercharge their recruitment efforts in the Middle East and all over the planet, and our children will pay an unspeakable price, and history will condemn this generation for unspeakable irresponsibility in the face of such an obvious threat to human peace.

So, Mr. Speaker, before we vote on this resolution, may we consider carefully the words of Abraham Lincoln as he sought to steel the resolve of Americans in another great and historic struggle. He said, "Fellow citizens, we cannot escape history. We of this Congress and this administration will be remembered in spite of ourselves. No personal significance or insignificance can spare one or another of us. The fiery trial through which we pass will light us down, in honor or dishonor, to the last generation.

Mr. DELAHUNT. Mr. Speaker, I would now yield 5 minutes to the gentlewoman from Illinois (Ms. BEAN), a member of the Financial Services Committee.

Ms. BEAN. Mr. Speaker, I thank my colleague, the gentleman from Massachusetts, for yielding.

I rise today in support of H. Con. Res. 63 and in opposition to the proposed troop surge in Iraq.

When I visited Iraq in 2005, like the soldiers I met there, I was hopeful that democratic elections would allow Iraq to move forward as a unified sovereign nation. While the elections demonstrated a commitment from the Iraqi people to do that, the situation on the ground has instead worsened, sectarian violence has increased, and the escalating death toll for American and Allied troops and the Iraqi people demand serious scrutiny of our strategy in Iraq.

When I met with the President's military and national security advisers last month to learn about their new plan, I anticipated that a new course would be proposed. Regrettably, this surge does not constitute a new course.

We have tried multiple troop surges. After the most recent surge last summer, conducted in Baghdad, the U.S. military declared that it had "not met our overall expectations of sustaining a reduction in levels of violence." In fact, attacks increased by 22 percent, and already after 20 percent of the current surge has been deployed, violence has not decreased.

Instead of sending more troops, our military mission in Iraq must shift from attempting to secure Iraq to better equipping and training the Iraqi Security Forces so they can secure their own country. Like most Americans, I have supported the President's objective that we will stand down as the Iraqis stand up. We have already trained nearly 325,000 Iraqi Security Forces toward that end.

For 4 years Americans have seen the brave men and women of our Armed Forces perform their duty courageously. We have seen over 3,100 American husbands, wives, mothers, fathers, sons, and daughters make the ultimate sacrifice, including 116 servicemen and women from my State of Illinois. We have seen $400 billion in hard-earned tax dollars invested in this effort to support those fighting. What we haven't seen is real accountability for results.

That is why I have joined my colleagues in the Blue Dog Coalition to introduce the Iraq War Cost Accountability Resolution. This resolution requires accountability in four ways: spending accountability; contractual accountability; budget accountability; and, importantly, Iraqi accountability.

To ensure spending accountability, this resolution requires the Department of Defense Inspector General to provide an accounting of all military and reconstruction spending and to report to Congress every 90 days, including how and where our tax dollars are being spent, transparency in contracting and procurement methods, and levels of participation from other countries, additional funding required, and, importantly, sanctions applied for fraud, abuse, and war profiteering.

To enforce contractual accountability, a select committee akin to the Truman Committee would be created to investigate the awarding of contracts and their execution to protect our tax dollars. To provide budget accountability, this resolution requires funding requests for the war in Iraq in fiscal 2008 and beyond must come through the regular appropriations process, not continued emergency supplementals. And to demand Iraqi accountability, the administration should firmly condition further American financial and military support upon steady and measurable improvement in Iraqi progress towards principal responsibility for internal security in Iraq.

Mr. Speaker, increasing the number of troops without increasing the level of accountability perpetuates the same policy that has led to this crisis in Iraq.

I urge my colleagues on both sides of the aisle to support both of these resolutions. Instead of sending more troops, let us provide the high degree of accountability that the American people demand and that our valiant men and women serving in Iraq deserve.

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to yield 7 minutes to Dr. GINGREY of Georgia.

Mr. GINGREY. Mr. Speaker, I rise today in strong support of our troops who are faithfully serving our Nation in harm's way. Therefore, I must oppose this resolution brought to the floor by the Democrats because it offers no plan, no strategy, and no hope for victory. In fact, it does nothing but risk demoralizing our troops.

Mr. Speaker, let me start by saying that Republicans and Democrats alike recognize mistakes have been made in Iraq and neither side of the aisle is happy with where we are today. But rather than offering solutions to move us forward or engage in a productive debate on alternative strategies, the Democrats have decided to propose what certainly seems to be a politically motivated resolution.

I ask, Mr. Speaker, what are we really accomplishing with this resolution? The answer is nothing. With this shameless stunt, the Democrats are locking down this body for 36 hours maybe in hopes of scoring political points by criticizing the President. But by using our troops as pawns in an attempt to gain political leverage, this resolution serves only to weaken troop morale while giving hope and comfort to the enemy.

□ 2315

In doing so, Mr. Speaker, the Democrats have done nothing to end the war or help our troops achieve victory.

Mr. Speaker, seeing as the Democrats have hijacked the Floor all week to debate this resolution, surely they must have an alternative to the President's plan. I will bet the American people are as eager as I am to hear about this new plan for success, their plan. Certainly my constituents in the Eleventh District of Georgia are waiting.

So what is their magic alternative? Mr. Speaker, here it is. It is the same on both sides. They don't have one. We have heard from members of the Democratic team threaten to cut funding, to cap troop levels or to compel a forced withdrawal. But where are those ideas in this resolution? I have read through its two brief paragraphs and I can assure you they aren't to be found.

Sadly, the Democrats lack the political will to fully engage in a meaningful debate on Iraq policy. They have refused to allow a vote on funding for the war which would give Members an opportunity to show support for our troops with actions and not empty words.

Simply put, Mr. Speaker, the Democratic leadership is afraid to ask their Members to put their money where their mouths are and either vote yes or no to fund our troops and the mission. Isn't this why they have denied Republicans an opportunity to offer an alternative bill, or even a motion to recommit? They were for that last Thursday, before being against it tonight. Sound familiar?

Apparently, Mr. Speaker, calls for funding cuts and troop withdrawals are good enough for newspaper headlines, but they are not good enough for votes on this House floor. Let me remind my colleagues that sound bites for the nightly news will do nothing to win this war against terror.

Mr. Speaker, America has a long tradition of standing on the right side of this fight for freedom, even when it is a difficult stand to make, and the right course of action today is to stand by the Iraqi people until their government, their police and military can ensure the security of their own nation.

As in any war, there have been setbacks in Iraq. But as in past wars, we will move forward with victory as our goal. This Democratic resolution is a thinly veiled attempt to sound the retreat. That amounts to an unacceptable act of playing politics with our national security.

Mr. Speaker, as you have heard over the past 2 days, this is a serious debate, with very serious ramifications. It is not simply a simple resolution as the Democrats would like to characterize it. But on one hand, we have a shot at victory. We have an opportunity to push back the cause of radical terrorism. On the other hand, we have a two paragraph, nonbinding resolution that is essentially a vote of no confidence in the commander in chief.

This is not the time for our majority party to cave in to their anti-war supporters of the liberal left and play politics with the security of the United States. This is a time for bold leadership and bold plans. Sadly, Mr. Speaker, neither is on display here today.

I hope for the sake of the American people, our troops and freedom-loving nations around this world, that this resolution's flimsy words are not taken as a substitute for America's long tradition and commitment to achieving victory.

Mr. Speaker, in closing, I want to point out to my colleagues this poster on my left. These brave soldiers, Paul Saylor from Breman, Georgia; Justin Johnson from Rome, Georgia; Lieutenant Tyler Brown, a Georgia Tech graduate, the president of the student body; and Hayes Clayton, III, from Marietta, Georgia, all died for their country.

Mr. Speaker, we cannot turn our backs on them. We cannot say to their moms and dads, their brothers and sisters, their wives and their children, that we supported sending them into harm's way and they gave their lives for their country, and now we are saying it was for naught, it was for nothing, it was not worth it. We can't let that happen.

Mr. Speaker, I want my colleagues on both sides of the aisle to join with me in voting down this meaningless resolution.

Mr. Speaker, I rise today in strong support of our troops, who are faithfully serving our Nation in harm's way. Therefore, I must oppose this resolution brought to the floor by the Democrats because it offers no plan, no strategy, and no hope for victory. In fact, it does nothing but risk demoralizing our troops.

Mr. Speaker, let me start by saying that Republicans and Democrats alike recognize mistakes have been made in Iraq, and neither side of the aisle is happy with where we are today. But rather than offering solutions to move us forward, or engaging in a productive debate on alternative strategies, the Democrats have decided to propose what certainly seems to be a politically motivated non-binding resolution.

I ask, Mr. Speaker, what are we really accomplishing with this resolution? The answer is nothing. The Democrats are locking down this body for 36 hours—maybe in hopes of scoring political points by criticizing the President. But by using, our troops as pawns in an attempt to gain political leverage, this resolution serves only to weaken troop morale, while giving hope and comfort to the enemy.

And in doing so, Mr. Speaker, the Democrats have done nothing to end the war or to help our troops achieve victory.

Mr. Speaker, since the Democrats have hijacked the floor all week to debate this resolution, surely they must have an alternative to the President's plan. I'll bet the American people are as eager as I am to hear about this new plan for success. Certainly my constituents in the 11th District of Georgia are.

So what is their magic alternative? As far as I can tell, Mr. Speaker, they don't have one.

We've heard members of the Democrat team threaten to cut funding, cap troop levels, or compel a forced withdrawal. But where are those ideas in this resolution? I've read through its two brief paragraphs, and I can assure you—they aren't to be found.

Sadly, the Democrats lack the political will to fully engage in a meaningful debate on Iraq policy. They've refused to allow a vote on funding for the war, which would give Members an opportunity to show support for our troops with actions, not empty words.

Simply put, Mr. Speaker, the Democrat leadership is afraid to ask their members to put their money where their mouths are and vote "yes" or "no" to fund our troops and their mission.

Isn't this why they've denied Republicans an opportunity to offer an alternate bill, or even a motion to recommit with instructions?

They were for that last Thursday before now being against it. Sound familiar?

Apparently, Mr. Speaker, calls for funding cuts and troop withdrawal are good enough for newspaper headlines, but not for votes on the House floor. Let me remind my colleagues that sound bytes for the nightly news will do nothing to win this war on terror.

VICTORY

I can tell you one thing the Democrats aren't discussing here today, and that's victory. Victory in Iraq will result in a nation that can defend itself, govern itself, sustain itself, and be an ally against terrorism rather than a safe haven for terrorists. Victory should be the focus of our debate today, because victory is the goal of our military's efforts. One of my Democrat colleagues said yesterday that "we have given war a chance." Well, Mr. Speaker, I retort that we must now, at this darkest hour, give victory a chance, rather than appeasement!

So I implore someone to please tell me how this resolution achieves any advancement toward victory.

Mr. Speaker, the President has offered a new idea that can help us achieve our goals in Iraq, so we can foster a more stable Middle East and yes, then bring our troops home to a grateful nation and the comfort of their families. This "new way forward" isn't perfect, nor will it make every Member of this body happy, but it is a reasonable plan which offers perhaps our last best chance to silence the insurgency, allow the Iraqi political apparatus to thrive, and help the region realize greater security and stability.

WHAT WOULD VICTORY ACCOMPLISH?

Mr. Speaker, when I look at this resolution, I feel as though I need to remind my colleagues on both sides of the aisle just what is at stake in this debate—and what is at stake with our victory or defeat in Iraq.

Victory in Iraq will deliver a blow to the cause of terrorism in the Middle East and across the world. Al Qaeda and other terrorist groups are hoping the U.S. will give up in Iraq, because that would make it easier for them to recruit, plan, and execute deadly acts of terrorism across the Middle East and even here in America. Victory, on the other hand, will deliver a tremendous blow to their unconscionable plans.

While all of us may worry about the next election, today's debate should focus on the next generation, and how the Congress will achieve security for the American people.

How soon we forget what it takes to keep our Nation safe, Mr. Speaker. Is it an accident that we have not had a terrorist attack on U.S. soil since 9/11? No! It is because our leaders have consistently stood up to the terrorists in word and action to show that the U.S. will not tolerate their ideology.

The war on terror rages today, and America can't give up our fight in Iraq, because it is crucial to our triumph over global terrorism.

CONSEQUENCES OF FAILURE

Mr. Speaker, let me discuss in very clear terms the consequences of failure in Iraq.

Failure in Iraq—which is what this non-binding resolution will lead to—would mean: the collapse of a democratic Iraqi government, likely leading to mass killings and genocide in the nation. Al Qaeda and other terrorists groups would use this defeat to boost recruitment, and would use Iraq as a staging ground for deadly attacks—paid for with Iraqi oil revenue. Iran and Syria would exert tremendous influence over the region, an extremely dangerous proposition when you consider Iran's nuclear ambitions and Syria's continued disruption of the democratic process in Lebanon. Israel would be pushed into the sea, and the opportunity for democracy and freedom across the Middle East would be dealt a crippling, indeed deadly, blow.

These are the consequences of defeat. And these are the reasons we can't abandon our Iraqi friends just because we face difficult times. Instead, we must find bold solutions and have the will to carry them out.

Who said "when the going gets tough, the tough get going?" Maybe the Marines; certainly not the "Out of Iraq" House caucus.

MORE THAN A TROOP SURGE

Mr. Speaker, the Democrats' would have you believe the President's plan amounts to nothing more than a thoughtless troop surge. While a temporary troop increase is critical to the plan's success, the "new way forward" is a comprehensive plan that offers an array of solutions vetted by our nation's top military minds and the Iraqi government.

GO IRAQI

For example, the plan includes elements of the "Go Iraqi" strategy advocated by Armed Services Ranking Member DUNCAN HUNTER and supported by many in this body—including myself—who serve on the Armed Services Committee.

We know we need more troops in Baghdad. The "Go Iraqi" strategy will make many of those troops Iraqi, including the redeployment of three Iraqi brigades to Baghdad. This achieves several important goals: it allows Iraqi units to become battle-hardened, which in turn allows U.S. troops to redeploy as Iraqi troops take their place; it shows the Iraqi people that their military is capable of protecting and defending the nation; and it builds rapport between the military and the people it is charged with protecting.

IRAQI PROMISES: MADE AND KEPT

The President's new plan was contingent on several promises from Prime Minister Maliki, and it is critically important that these promises are kept. So far, the Iraqi government has been true to its word, and we are making progress.

Prime Minister Maliki has pledged that he will institute new rules of engagement to give Iraqi commanders greater control of their forces and the ability to crack down on all militias, regardless of their religious sect. This may be the single most important aspect of the new strategy, as militias loyal to Muqtada al-Sadr will no longer operate unfettered and can be increasingly neutralized.

This new plan also recognizes that unemployment rates in Iraq are between 14 and 18 percent, which fuels participation in militias and death squads.

An essential part of the "new way forward," therefore, requires economic development assistance, including a $10 billion commitment made by the Iraqi government.

New oil legislation will decrease fuel shortages, and there will be a more equitable distribution of oil revenues. The "new way forward" also calls for passing de-Ba'athification legislation, and holding provincial elections in the near future.

It is a shame that we are not debating any of these new ideas here today.

THE PLAN IS WORKING

Mr. Speaker, while the Democrats would have you believe the President's plan is doomed to failure, a January 19th Associated Press article indicates that the plan is already working.

The article notes, "The arrest of a high-level aide to radical Shiite cleric Muqtada al-Sadr in Baghdad came a day after Sadr's Mahdi Army fighters said they were under siege in their Sadr City stronghold as U.S. and Iraqi troops killed or seized key commanders. Further, two commanders of the Shiite militia said Prime Minister Maliki has stopped protecting the group."

There are also reports that al-Sadr himself, accompanied by his military commanders, has fled the country for neighboring Iran.

And to address concerns voiced last evening by my friend from New York, Mr. WEINER, about how the new plan did nothing to address incursions by extremists along the Iranian border, Prime Minister Maliki has announced plans to seal the border with both Iran and Syria, ostensibly to keep al-Sadr out of the country.

SUPPORT FROM GENERALS

So Mr. Speaker, we are seeing results. And our Generals in charge say they need this new plan in order to achieve victory.

General Casey has consistently stated he will ask for the troops needed to accomplish our mission, something he says this new plan can achieve. In fact, General Petraeus stated in a recent Senate Armed Services Committee Hearing that he could not take over his new job and succeed without additional troops.

Mr. Speaker, I for one am more inclined to listen to our military commanders focused on winning this war than to the Democrat leadership focused, it seems, on winning something else.

SUPPORT FROM TROOPS

I am also inclined to listen to our troops. Mr. Speaker, as I have visited our men and women in uniform serving in Iraq, they have impressed upon me their dedication to achieving victory. And they know that cutting and running won't get the job done.

Captain Jim Modlin of Oceanport, New Jersey recently told the Washington Post that "Pulling out now would be . . . worse than going forward with no changes. Sectarian violence would be rampant, democracy would cease to exist, and the rule of law would be decimated. It's not "stay the course" or "cut and run" or other political catchphrases. There are people's lives there . . . a simple solution just isn't possible.

Another soldier posted on a military blog that "If the Democrats block these troops, we're screwed. We need them. We are as effective as we can be right now, but with more personnel we could be doing a lot more."

SUPPORT FROM VETERANS

Mr. Speaker, our veterans have also voiced strong support for a meaningful discussion on Iraq.

Gary Kurpius, a Vietnam veteran and leader of the VFW recently stated, "We have to let our generals be generals and wage this war as only they are trained to do . . . My generation learned the hard way that when military decisions are second-guessed by opinion polls or overruled by politicians, it is the common soldiers and families who pay the price."

Yet against this tide of support, the Democrats it seems have decided to put politics front-and-center. So we debate not a solution for victory, but two paragraphs aimed at criticizing the President.

STAND BY OUR TROOPS

Mr. Speaker, America has a long tradition of standing on the right side of the fight for freedom, even when it is a difficult stand to make. And the right course of action today is to stand by the Iraqis until their government, police, and military can ensure the security of their own nation.

As in any war, there have been setbacks; but as in past wars, we will move forward with victory as our goal. This Democrat resolution is a thinly-veiled attempt to sound the retreat, and that amounts to the unacceptable act of playing politics with our national security.

Mr. Speaker, as you can tell, this is a serious debate with very serious ramifications.

On one hand, we have a shot at victory, an opportunity to push back the cause of radical terrorism. On the other hand, we have a two-paragraph non-binding resolution that is a vote of no confidence in our Commander in Chief. The potential impact this will have on troop morale and the overall success of the mission could truly be devastating.

This is not the time for our majority party to kowtow to their anti-war supporters of the liberal left and play politics with the security of the United States of America.

This is the time for bold leadership, and bold plans. Sadly, Mr. Speaker, neither is on display here today.

I hope—for the sake of the American people, our troops, and freedom-loving nations around the world—that this resolution's flimsy words are not taken as a substitute for America's long tradition of—and commitment to—achieving victory.

We owe it to them, their moms and dads, wives and children, brother and sisters.

I ask all of my colleagues to join me in voting "no" on this resolution.

Mr. DELAHUNT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would commend to my friends and colleagues who spoke previously that they take the time and review the National Intelligence Estimate that was released by the Bush administration in September of 2006, because the American intelligence agencies found that the American invasion and occupation of Iraq has helped spawn a new generation of Islamic radicalism and that the overall terrorist threat has grown. What we want to accomplish is to defeat terrorism, but we are not doing it with this strategy.

Mr. Speaker, I yield 5 minutes to the gentleman from Indiana (Mr. ELLSWORTH), a new Member of the House and a member of the Committee on Armed Services.

Mr. ELLSWORTH. Mr. Speaker, I would like to thank the gentleman for yielding.

Mr. Speaker, every day I am inspired by the unwavering will and determination of our fighting men and women who continue to serve with valor in Iraq and Afghanistan. Their commitment to serving our country represents the very best America has to offer and we owe them our debt of gratitude.

Mr. Speaker, I, too, wondered how this resolution would affect our troops. In recent hearings of the House Armed Services Committee, of which I am a member, when asked about the impact of this debate on our troops, General Peter Pace, the Chairman of the Joint Chiefs of Staff, a man I hold in very high regard, said, "From the standpoint of our troops, I believe that they understand how our legislature works and that they understand there's going to be this kind of debate." But most importantly he told us, "There is no doubt in my mind that the dialogue here in Washington strengthens our democracy. Period."

Mr. Speaker, I had two Iraqi war veterans in my office this afternoon and I asked them about this resolution. They said, "Congressman, let me tell you what the guys over there think about. They think about doing their job, they think about staying alive, and they think about getting home to their families."

General Pace and these soldiers are right. Our democracy is strengthened when we engage in vigorous debate about solutions to the challenges that we face, and there is not a more pressing, more important challenge before us than this war right now.

But let me be perfectly clear: I strongly and I unequivocally support our troops, and I challenge anybody that questions my patriotism. As a result, we must provide the equipment and the resources that our troops on the ground need to meet their mission safely. Their safety should never be compromised by our disagreements here in Washington, D.C.

Despite our differences, I believe the President is sincere in his desire to bring a successful end to the war in Iraq, but he has failed to convince me that sending these 21,000 additional troops represents a new or successful strategy. We went to Iraq under a failed plan in 2003, and we can't afford to take the same failed path.

More importantly, we owe our fighting men and women better than what we are giving them. We need to know the goals for success are well-defined; that benchmarks are in place for both the Iraqis and for America; and that the Iraqi government will live up to their end of the bargain. So far they have not, and there is no indication that says they will now.

For too long, Mr. Speaker, our country has gone without questioning whether there is a better way forward in Iraq, and before we send these 21,000 men and women into harm's way, we must ask ourselves these questions. And I remind you, I asked General Pace these questions myself and asked him to look me in the eye and answer these. Does this plan produce less violence and fewer roadside bombs? Does it ensure our military can meet the other threats to our security and homeland across the country? Does it move us closer to the day when our fighting men and women can come home and America is at peace? I don't believe this plan answers any of those in the affirmative or with a yes.

Over the last few weeks, I have listened to generals, I have heard from constituents and talked to military families, and after countless hours of consideration, my gut tells me that I can't believe that this plan is the answer.

Unfortunately, this plan still gives no clear indication of the consequence if the Iraqis fail to meet their commitment that they made to us over the last few years. To date, our military has done everything we have called on them to do. Yet the Iraqi leaders have not lived up to their commitments.

I believe the time has come for the Iraqi government to step up and halt the sectarian violence, find the political will to solve their own problems and take charge of their own destiny. That is ultimately the key to finding a successful conclusion to this war and bringing our brave men and women home.

Mr. DELAHUNT. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio (Mr. WILSON), another new Member and a valued member of the House Committee on Financial Services.

Mr. WILSON of Ohio. Thank you, Mr. DELAHUNT.

Mr. Speaker, the costs keep climbing. Thousands of our young brave men and women have been killed. Next month we enter the fifth year of this war, a war that has lasted longer than World War I or World War II. Hundreds of billions of dollars of taxpayer money has been spent, and some of that money seems to have just disappeared into the desert air. The costs keep climbing, and nobody, not a single Republican or Democrat, can deny that.

The question before us now is clear: Should we escalate this war and send 21,500 more of our sons and daughters to referee a civil war in Iraq? The American people have spoken out for change, and many of us here have listened carefully. But escalating this war does not reflect the hard reality at home or on the ground in Iraq.

Saying "support our troops" is easy, but actually standing up for our troops overseas and their families here at home demands so much more from us. We must ask the tough questions and provide real support, instead of empty rhetoric.

Supporting our troops requires that we protect their bodies and lives with the best armor available. Supporting our troops means equipping them with the most reliable weapons and effective training. Supporting our troops does not stop when they come home from the war. It is the Nation's solemn obligation to care for those who have given so much. Supporting our troops means we must ask ourselves the hard question, should we send more of our sons and daughters into the constant crossfire of Iraq's civil war? The answer is no.

Mr. Speaker, it comes down to supporting our troops. In addition to the best armor, the proper respect and the right benefits, our troops deserve the right plan. In fact, nothing matters more than the right plan. Our heroic soldiers have done everything that we have asked them to do. Without a realistic plan to guide them, we cannot say that we are supporting our troops.

While sacrificing health care for children and pharmaceutical needs for our seniors, this administration has shipped 363 tons of cash on pallets to Iraq. When it got there, the American officials turned it over to Iraqis, without any idea of where they were spending it or what they were doing with it. That defies common sense. It should not be a surprise that nearly $9 billion are missing.

Again, Mr. Speaker, the costs keep climbing. As high as the cost is in dollars, it pales compared to the high price many of our military families have had to pay. Our troops are overstretched, their families are overstressed, and there is no relief in sight. Every one of our active duty military brigades have served at least a year long in Iraq or Afghanistan. When a mother or father or husband or wife is abroad for a year, it places tremendous strain on the family. Too many families have been torn apart by this war. The cost of broken families will never be entered into an accountant's ledger, but the cost is too high, and it just keeps climbing.

This month, one young man from my district was killed in Iraq. I know that this country will feel his loss. He left behind his parents, his wife and an infant son, Mr. Speaker, that he never had a chance to meet. I feel their loss deeply, and I ask all of my colleagues to remember that every man and woman that has been killed in Iraq cannot be replaced and leaves behind many people who depended on them.

The resolution before us today could not be any more clear. It states that the Congress will continue to support and protect our troops. I will never vote for any legislation that will endanger our troops in the field, and we will never vote to cut off funding that will help to compromise the safety of our men and women in uniform. But escalating this war and sending 21,500 more troops to referee a civil war is not the answer.

□ 2330

The American people have spoken and they demand that we support our troops with a real change in direction. As the voice of the people, Congress will make sure that this administration finally takes notice.

Mr. DELAHUNT. Mr. Speaker, I thank the gentleman for his concern and respect for the families and the soldiers that serve. He should know that there are many that are serving today in Iraq that agree with you.

Let me quote from a private in Baghdad who was shot at and who is enduring the vagaries and the vicissitudes of living every day in hell. This is what he had to say in a paper just recently.

"We can go get into a firefight and empty our ammo, but it doesn't accomplish much. This isn't our war. We're just in the middle." And that is Private First Class Zach Clausen.

Mr. Speaker, I yield 5 minutes to the gentleman from North Carolina (Mr. SHULER).

Mr. SHULER. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise tonight in support of this resolution because for 4 years this administration has driven us down the wrong road in Iraq. The administration's newest proposal does nothing more than accelerate our pace further and further away from our obligation of stabilizing Iraq and getting our troops home.

Our men and women in uniform have performed bravely and done everything asked of them. Yet, 4 years into this conflict, we have our troops driving unarmored humvees in enemy territory.

Meanwhile, our government cannot account for roughly $12 billion allocated for the war in Iraq. With that $12 billion, we could have made the following purchases for our men and women in harm's way: 80,000 armor kits for humvees; 16,000 armored security vehicles; 20 million bulletproof vests; 40 million helmets. That money is gone. It disappeared in a cloud of waste, fraud and incompetence that has engulfed this war from the beginning.

In the words of Three Star General Greg Newbold, "Members of Congress, from both parties, defaulted in fulfilling their constitutional responsibility for oversight."

Now, this administration wants Congress to rubber stamp an escalation and continuation of those same failed policies. Well, that time is over.

My fellow Blue Dogs and I have made a public commitment to root out war profiteering. We demand oversight. We demand accountability. We demand transparency. The Blue Dogs and I will do everything in our power to make sure when we say we are funding our troops, the money actually gets to our troops.

Mr. Speaker, our military defeated a terrible dictator. This is what they were asked to do, but for 4 years now, we have asked those same troops to rebuild a Nation, and we have asked them to do this without a plan.

Now, this administration has asked us to send over 20,000 more military troops to continue trying to rebuild Iraq, still with no plan. Mr. Speaker, that is wrong.

I believe it is the patriotic responsibility of every Member of Congress to ask those tough questions. I promised the people of Western North Carolina that I would ask those questions. I have been to the White House, I have been to the Pentagon, and I have been to the hearings, and I am not satisfied with the answers I am getting.

Mr. Speaker, this resolution we are debating is not a binding resolution, but the grief felt by families who have lost loved ones is binding. The physical and mental struggles of our returning troops are binding. The devastation caused to innocent people by the violence in Iraq is binding.

It is a moral outrage to continue sending troops into harm's way without a plan for success.

This administration must realize that military might alone is not enough to secure Iraq and end the civil war.

Victory in Iraq requires more than bullets and bombs. It requires the cooperation of the Iraqi government, increased regional diplomacy, and competent leadership at home.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (MR. ELLISON). The Chair allocates an additional 5 minutes per side at this time.

The gentlewoman from Florida is recognized.

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to yield 10 minutes to the gentleman from Georgia (Mr. PRICE).

Mr. PRICE of Georgia. Mr. Speaker, I thank the gentlewoman very much for the time and for her charity and her leadership on this issue.

Mr. Speaker, I come to the floor this evening with a whirlwind of senses and emotions. I am disappointed. I am disappointed by the emptiness and the hypocrisy of this resolution.

Our men and women in the field, valiantly serving to protect our freedom, they deserve more than this. They deserve a real debate that honors the job that they are doing.

Instead, what we have this week is a resolution that is eight short lines, eight lines, that in their entirety stab at the motives and undermine the difficult work that our patriot military is doing. I am so disappointed in a majority party that has no more respect for our military than that.

This debate has been called historic, and historic it is. It is historic in its hypocrisy. If you truly believe that this is not winnable with what has been proposed, then it is incumbent upon you to do everything that you can do to stop it and stop it now. Doing anything less belies your duty and your responsibility.

This resolution says we support you but we are going to hang you out to dry, and this from the folks who say they want a new direction. What a disgrace to the integrity of this body. How disappointing.

I am saddened. I am saddened by the apparent fact that everything done by the majority is absolutely political, all form, no substance. Is there nothing above politics? Surely the defense of our Nation and the preservation of freedom should be above politics.

How did a once proud party, the party of FDR, who said, "We have nothing to fear but fear itself," and the party of JFK, who said, "Let every Nation know, whether it wishes us well or ill, that we shall pay any price, bear any burden, meet any hardship, support any friend, oppose any foe, to assure the survival and the success of liberty," how did a once proud party drop to such a depth? How very sad.

I am astounded by the seeming lack of desire to study and to call upon historical events for a basis upon which to develop policy. America is a great and a good Nation, and we are great and good because we have been blessed to have been led by men and women who until now did their level best to utilize all the information available.

I urge my colleagues to be true to the oath that we took just a few weeks ago. Don't you remember, we stood right here and said, "I do solemnly swear that I will support and defend the Constitution of the United States against all enemies, foreign and domestic?" All enemies, foreign and domestic.

What is a glimpse of the recent history of our current enemy? 1983, a truck bomb kills 241 Marines in their barracks in Beirut; 1993, six killed in the first World Trade Center bombing; 2000, al Qaeda's attack on the destroyer USS *Cole*, killing 17 American sailors; and then September 11, 2001, al Qaeda's hijackers fly planes into the World Trade Center and the Pentagon, while passengers on a fourth plane bring it to a crash landing in Pennsylvania, total number killed, 2,973.

Since then, there have been attacks in England and Spain and elsewhere, and just last summer, Scotland Yard in Britain arrested a couple who planned to destroy 10 civilian planes over the Atlantic. They were going to use their 8-month-old baby to disguise the bomb material as baby food. We as a Nation are ill-prepared for the ferocity and the hatred of people who will kill their own baby in order to get a chance to kill us.

American public policy failed to grasp the scope of the threat posed by radical Islam until September 11, 2001. On September 11, we reaped the consequences of decades of inaction against the very real threat posed by militant Islam.

These are extremely challenging times. Some would credibly suggest that these are more difficult times than we have faced since World War II, with the demographics of our society, the changing nature of the world and globalization and the nature of our competitors, all overshadowed by the nature of our avowed enemy, those who have publicly stated their goal to see the end of the Western world and America and who are working to secure the means to accomplish that goal.

I am perplexed. I am perplexed by the apparent inability of many in Congress to grasp this fundamental fact. We are currently facing an enemy who is calculating, patient, indiscriminate and murderous, an enemy actively waging war against us.

That is not just an opinion. That is not just my opinion. That is their stated purpose and fact.

In their own words, Osama bin Laden said, "Hostility toward America is a religious duty, and we hope to be rewarded for it by God . . . I am confident that Muslims will be able to end the legend of the so-called superpower that is America."

Sheikh Omar Abdel-Rahman said, "Oh, you Muslims everywhere, sever the ties of their Nation, tear them apart, ruin their economy, instigate against their corporations, destroy their embassies, attack their interests, sink their ships, and shoot down their airplanes. Kill them in land, at sea, and in the air, kill them wherever you find them."

So the impact of this resolution, Mr. Speaker, is to give aid and comfort to the enemy and to dishearten our own military.

In a Senate Armed Services Committee hearing on January 23, General David Petraeus, now commanding officer in Iraq, agreed that a resolution of disapproval for this new strategy would "give the enemy encouragement."

What are the consequences of failure? The consequences of failure would be catastrophic to the region, to the United States, and yes, to the world. The consequence of the next step of this majority party plan is defeat. They may say it is inevitable or unavoidable, but it is, nonetheless, a strategy for defeat.

What message does that send to our allies around the world? What will the Chinese think of our commitment to Taiwan? Will the North Korean, the Iranians, the Syrians, the Venezuelans, will they be more cautious or will they be bolder after an American defeat?

It is inconceivable to me how a remarkably weakened United States in the eyes of the world is a good thing for us or will result in a less emboldened Iran or North Korea or al Qaeda. The consequences of failure are clearly unacceptable.

So I am disappointed, I am saddened, I am astounded and I am perplexed, but I am also enthusiastic and I am optimistic, Mr. Speaker. I am enthusiastic in my support of our valiant men and women who defend our freedom day in and day out, and I am optimistic because I believe so strongly in the United States and in her people, and I am optimistic because I am certain that they will appreciate and recognize the consequences of this debate and the remarkable differences in our approach and our desire to defend America.

Thomas Paine said, "He that would make his own liberty secure, must guard even his enemy from oppression; for if he violates this duty, he establishes a precedent that will reach to himself."

So, Mr. Speaker, let us honor our troops. Let us honor all who work for freedom on our behalf. Let us work together for liberty. Let us recall and recommit ourselves to our oath and our duty to defend our blessed Nation. It is that action, and that action alone, with the grace of God, that will ensure the wonder and the survival of our great Nation.

□ 2345

Mr. DELAHUNT. Mr. Speaker, I yield 5 minutes to the gentleman from Georgia, a member of the House Appropriations Committee, Mr. BISHOP.

Mr. BISHOP of Georgia. Mr. Speaker, I support the troops, their families, and those who have sacrificed so much in this war. But like others who supported the Iraq efforts in the past, I have serious reservations about the President's new way forward.

On Friday, this House will vote on a resolution asking Members to support our troops but oppose the President's plan to send 21,500 more troops to Iraq. For me, this will be a sobering moment. I have spent many days agonizing over the issue, and I do not take lightly the judgment to rebuke the decision of the President, our Commander in Chief. But I have sent off and welcomed home thousands of soldiers at Fort Benning. I have seen the anguish on the faces of families as they watch their loved ones march off towards the uncertainty and peril that awaited them in Iraq and Afghanistan. I have seen the troops return home to those same families, their faces reflecting the elation, relief, and joy of seeing their loved ones safe at home. I have seen the veterans return with Purple Hearts, having lost arms, legs, and suffering from the mental trauma that results from war and the adverse impacts on their families. I have also stood and listened to Taps played over the bodies of too many who have returned in flag-draped coffins. Mr. Speaker, it is time for a change.

The situation in Iraq has become very grave. Like General Schoomaker and countless others, I believe we should not surge without a purpose, and that purpose should be measurable in its outcome. Thus far, the President has not set forth a clear marker against which the purpose and the outcome can be measured. Previous increases in troop strength have not brought a reduction in violence or quelling of sectarian strife. Rather, the problems have intensified, casualties have increased, and political situations show more cracks, corruption, and signs of instability every day.

There are those who say we should not oppose the President's plan without presenting an alternative. I think that may be a fair challenge, but there is another way. We need a new strategy that is based on redeployment rather than further military engagement, one that is centered on handing Iraq back to the Iraqis. As Congressman MURTHA has stated: Iraq cannot make the political progress necessary for its stability and security until U.S. forces redeploy. To achieve stability in Iraq and the region, we must redeploy from Iraq.

Why, you might ask? 91 percent of the Sunnis, 74 percent of the Shia want us out. 70 percent of Americans want us out. 72 percent of Americans who served in Iraq last year believe that we should be out by now. 61 percent of Iraqis approve of attacks on U.S. led forces. They see us as occupiers and want us out. The longer we stay, the more troops we send, the more violence we see, and the more we help recruiting of radical extremists. So we must redeploy first from Saddam's palaces in Baghdad, then from the cities, the factories, and universities. We must give the country back to the Iraqis and let them govern themselves and rebuild.

Next, we must execute a robust and diplomatic effort, and we must regain our credibility by denouncing aspirations for permanent bases. We must shut down Guantanamo and bulldoze Abu Ghraib prison. These are black eyes on the face of our international credibility. We must articulate clearly a policy of no torture, no exceptions. Then, we must engage dialogue with Iraq and all of its neighbors to promote investment of resources and cooperation for security by the other Arab countries in the region.

Most importantly, we need to repair and restore our strategic military reserves that have already been stressed to the breaking point. Because of the large force already in Iraq, Army ground forces here at home are not mission ready. This is because of both equipment and personnel shortages. The National Guard that remains at home is woefully unready to meet their statutory obligations based on natural disasters, wildfires, terrorism, and other threats to the homeland. The large presence in Iraq has drained readiness and equipment and personnel from the rest of our military. The surge will cost us dearly in billions of dollars and time, and we desperately need to repair, to reconstitute, and to reset our forces to face other significant threats at home and around the world.

We cannot stay the course we are on. We must change. Support our troops and our long-term national security by voting for this resolution.

Mr. DELAHUNT. Mr. Speaker, I yield the balance of the time to the gentleman from Rhode Island, a member of the House Appropriations Committee and a valued member of the caucus, Mr. PATRICK KENNEDY.

Mr. KENNEDY. Mr. Speaker, my uncle said a generation ago: If we examine the history of the conflict, we find the dismal story repeated time after time. Every time, at every crisis, we have denied that anything was wrong; sent more troops; and issued more confident communiques. Every time, we have been assured that this one last step would bring victory. And every time, the predictions and promises have failed and been forgotten, and the demand has been made once again for just one more step up the ladder. And once again the President tells us that we are going to win; victory is coming."

My Uncle Robert Kennedy made this statement in March of 1968. It took another 5 years and 37,455 American lives before a United States President was withdrawing Americans out of Vietnam and stopping that war.

I am here tonight to say that the American people and this Congress are going to say "no" to this President when it comes to repeating that mistake.

There are those who will disparage this amendment and who say that this is a nonbinding resolution. But this resolution says that we are going to reject this President's doubling down on the gambling of American lives, and this foolish policy which has sent over 3,125 soldiers to their deaths, over 23,417 wounded soldiers back home, and hundreds of thousands of innocent Iraqis to their graves and countless more also injured.

We are saying in this resolution that we either have to start digging ourselves out of this hole, or we are going to start rueing the day when we have failed to act tonight to start changing course.

This administration's bullheaded insistence, bullheaded insistence on ideology over strategy is what has gotten us into this mess, and now that same stubbornness is counseling us to send still more soldiers and more Marines into an Iraqi civil war.

Our service men and women have been heroic. They have been confronted with repeated civilian failures of leadership, ill equipped and under equipped, and yet in increasingly untenable positions they have been unflinching and have been uncomplaining in their shouldering of every burden we have asked of them, and they have done it with dignity and professionalism. But it is not right. It is not right to ask them, to ask the military to bear the burden of the responsibility of solving someone else's civil war. It is not right, and it won't work.

Instead of closing our eyes and crossing our fingers and giving this President a rubber stamp for an endless civil war in Iraq, we should be beginning to move our country back to a commonsense policy of strength through leadership.

Our choice tonight is clear: Keep digging, or climb our way out of this hole. I think this Congress will decide to start climbing our way out.

And there will be many who will say, what will we do then? I will say, well, maybe we will propose to fence off the funds as many have suggested. That will be a debate for another day. That will be a debate for another day whether we will fence off the funds. But tonight will be the debate, and tomorrow will be the decision as to whether we will vote to go in that direction.

So you can say it is a meaningless, nonbinding resolution all you want, but it is the first conversation as to which direction we are going to go, and that is the direction we have to decide, and I vote that we go in the direction of starting to move our way and our troops out of Iraq.

Mr. Speaker, "if we examine the history of the conflict, we find the dismal story repeated time after time. Every time—at every crisis—we have denied that anything was wrong; sent more troops; and issued more confident communiques. Every time, we have been assured that this one last step would bring victory. And every time, the predictions and promises have failed and been forgotten, and the demand has been made again for just one more step up the ladder. . . . And once again the President tells us that 'we are going to win'; 'victory' is coming."

My uncle, Robert Kennedy, spoke these words in March 1968, It took another 5 years and another 37,455 American lives before a U.S. President finally withdrew American troops from Vietnam.

I will not stand by, the American people will not stand by, and allow the President to repeat that mistake.

Some disparage this resolution because it's nonbinding. But with due respect, I couldn't disagree more. This resolution represents a fundamental policy choice by this Congress.

It's about whether you agree with doubling down the President's high stakes gamble with American lives.

This resolution poses a simple choice. After 4 years, after 3,125 deaths, after more than 23,417 wounded, are we digging our hole in Iraq even deeper, or are we strong enough to start climbing out?

We need a stronger America, a more secure America and that begins with a rejection of the failed strategy in Iraq.

It has now been nearly 4 years since the President declared that in Iraq, our mission was accomplished.

Four years of disintegration. Four years of unfounded insistence that the turning point is right around the corner.

Are we digging deeper, or climbing out?

We have watched a child hug their parents tight on the tarmac—only to have to let go as Mom or Dad is deployed for the second, third, or even fourth time.

We have stood at the graveside with a grieving family as a Gold Star mother accepts a folded American flag.

We have visited our Nation's newest veterans in the hospital, their bodies and minds scarred by the horrors of war.

Are we digging deeper, or climbing out?

Each day we all see, with our own eyes, the carnage and the chaos that has become the norm in Iraq.

The administration's bull-headed insistence on ideology over strategy has led us to where we are today. And now, that same stubbornness is counseling some to send still more of our soldiers and marines into an Iraqi civil war.

Our current course is failing in Iraq. It's failing the bigger struggle against our terrorist enemies. It's failing our troops and their families. And it's failing our core values as Americans.

I won't settle for that failure. We must change course. We must begin to climb out of the hole in Iraq.

Democrats, Republicans, generals, and most importantly, the American people now see that it is time for a new plan; it is time to embrace a new approach.

Our service men and women have been heroic. Confronted with repeated civilian failures of leadership, underequipped, and in an increasingly untenable position, our troops have not flinched, they have not complained, they have shouldered every burden we ask of them with dignity and professionalism.

But it is not right to place upon our military the responsibility of solving someone else's civil war. It's not right, and it won't work.

Instead of closing our eyes, crossing our fingers, and giving the President a rubber stamp for endless war in Iraq, we should begin moving our country back to a commonsense policy of strength through leadership.

Our strong leaders of the last century, like Presidents Roosevelt, Truman, Kennedy, and Reagan, recognized that while American military might was important, American values were our greatest strength.

We rallied the world in the Second World War and defeated the Soviets in the cold war on the strength of our Nation's democratic ideals. For the entire 20th century, we led by our example, and by the force of our principles.

While military action will continue to be a necessary component of our current struggle, ultimate victory against this generation of enemies will similarly be won not on the battlefield, but in the minds of millions around the world. That victory is impossible while we are in the middle of Iraq's civil war.

Our choice today is clear. Keep digging or climb out? If we decide to begin climbing out, as I think we will, there are debates yet to come about the best way to do that—whether we should fence off funds to prevent an escalation, for example. I look forward to those conversations. But today is a more fundamental question about the direction of our country.

We can withdraw from Iraq without withdrawing from the fight. We can be strong enough to climb out of that hole. For our troops, for their families, and for our Nation's strength and security, I urge a "yes" vote.

The SPEAKER pro tempore (Mr. ELLISON). The Chair will recognize both sides for 2 additional minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to consume the remaining 2 minutes. And I would like to say to all Members that although the debate tonight may have seemed uncivil at times, this is the wonderful process that we have here in democracy in this wonderful country, my adopted homeland. And my colleague from Massachusetts (Mr. DELAHUNT) and I disagree on so many issues, and yet we understand that this is indeed the greatest country in the world. We want peace and stability to all oppressed people throughout the world.

I happen to believe that the mission of the United States of America and the mission of the men and women who wear our Nation's uniform is a noble one. It is noble to stand up for freedom and for democracy; it is noble to fight against the radical Islamic Jihadists, who I believe do want to destroy our country, who want to destroy our allies like Israel, and want to destroy our way of life. I believe that the mission is just and I think that those who say we cannot stay the course, then how could they be against the decision of the President to send reinforcements? Because the decision of the President says that staying the course is not the right motion for the United States to make. We want to change the course. We want a new way forward. And the way forward is to send reinforcements to those brave men and women who are wearing proudly our Nation's uniform, who are standing in harm's way, and we want to give them everything that they need to succeed in their mission.

I have been to Iraq as have many Members and I have come to understand what their mission has been and they say, "Don't just say we support our troops. Say you support our mission. Don't leave us out there in the field."

And as I said in my previous remarks, Mr. Speaker, this is going to be an escalation and we will soon be cutting off funding for our troops and leave them in harm's way. That is a dangerous path.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts.

Mr. DELAHUNT. Thank you, Mr. Speaker.

I agree with my friend and colleague from Florida. This is a special country and a special Nation and our men and women who are serving us in Iraq are special to us, to all of us.

The article that I alluded to earlier and mentioned the name of Private Clausen, I would like to quote from other soldiers who are in Baghdad currently who are fighting, are in the combat, and their observations, and I would encourage my colleagues on both sides to listen to their words. They get it. They understand. They know what is happening on the ground. They know the reality of Iraq.

Lieutenant Antonio Hardy. These are his words:

"To be honest, it's going to be like this for a long time to come, no matter what we do. I think some people in America don't want to know about all this violence, about all the killings. The people back home are shielded from it. They get it sugar-coated."

Sergeant Herbert Gill:

"What is victory supposed to look like? Every time we turn around and go into a new area, there's somebody waiting to kill us. Once more raids start happening, they'll melt away. And then 2 or 3 months later, when we leave and we say it's a success, they'll come back."

Our troops get it.

I referred earlier to Private Zack Clausen. Let me repeat his words: "We can get into a firefight and empty our ammo, but it doesn't accomplish much. This is not our war—we're in the middle."

Listen to these voices. These are not the voices that come and appear before us in congressional hearings. These are our brothers, our children, our sons, our daughters that are serving every day in Baghdad. Let's listen to the troops.

Mr. SALAZAR. Mr. Speaker, I rise today with a profound debt of gratitude for our men and women serving in Iraq and Afghanistan.

Our brave soldiers are remarkable. They find themselves in a foreign land with regional conflicts that date back over a thousand years. However, they don't run and hide. They fight. They risk their lives helping to encourage and teach the Iraqis to take over their own destiny.

Our Nation's sons and daughters deserve nothing short of unconditional gratitude and support from their government and the American people. As long as I am in Congress, our soldiers will have an ally.

As a veteran, and a father, I will always fight to protect those who defend their country. I will fight for equipment and supplies. I will fight for their safety and protection. I will make sure they return home to their loved ones as quickly as possible. And I pledge they will NOT be forgotten once they return home.

But I will not support sending over 20,000 more young men and women into a fight without a plan to win and get them home. We cannot send more Americans into harm's way to instill a peace that the Iraqis are not willing to seek for themselves.

The solutions now are political not military. The Iraq Study Group urged the president to pursue a diplomatic solution alongside our military efforts.

But this president has decided to ignore the diplomatic side of the equation. This administration has squandered their credibility by losing billions in reconstruction funds, failing to adequately equip our troops, and failing to develop a clear plan for reconstruction in Iraq.

It is time for the Iraqi people to stand up and for the United States to begin a phased redeployment to protect American interests and take our troops out of the direct line of fire.

In closing, this war has created a new generation of veterans with new disabilities not seen in past wars. Adding insult to injury, the president's recent budget proposal lacks adequate funding for our veterans returning home. Researching post-traumatic stress disorder, improving suicide prevention, and providing adequate funding for prosthetics are crucial budget needs to serve our new veterans.

On a recent trip to the Walter Reed Army Medical Center, I met with several of our wounded soldiers. I pledge to them—and to all our men and women in uniform—that your country will take care of you. And I urge my colleagues to support this resolution.

Mr. SENSENBRENNER. Mr. Speaker, I rise today in fervent support of the brave men and women of our Armed Forces currently serving in Iraq. While American soldiers and Marines courageously risk their lives to confront a determined enemy in Iraq, the Democrat leadership in Congress offers this resolution. The spineless resolution under consideration would undermine our military commanders' plan for victory in this ongoing struggle.

This act of political posturing strikes me as inconsistent with pledges of support for our troops. We cannot simultaneously claim to support the troops while calling into question the validity of their mission. The question, Madam Speaker, quite simply, is this: to fund or not to fund. If this Congress intends to provide our service men and women with the funds they need to achieve their mission, and we must, it follows that funding ought to go hand-in-hand with resolute commitment in support of their current mission.

If not this plan, what plan? Before you answer that, recognize that Congress is not, and has never been, tasked with administering a war. No successful war in the history of mankind has ever been managed by the legislative branch of any government. And no credible alternative for victory in Iraq has emerged from any member of this institution.

I find it curious that not a single Senator opposed the confirmation of General Petraeus as Commanding General of our troops in Iraq. General Petraeus is the coauthor of the Army's new official counterinsurgency doctrine that this resolution seeks to undermine. Yet, only weeks later, this body seeks to pull the rug out from under General Petraeus through this resolution. Such political posturing is shameful, but unfortunately it is anything but petty, as the consequences could be deadly.

Members of Congress may be able to convince themselves of all sorts of contradictory positions and logical inconsistencies through double-speak, but our service members know weakness when they see it. Thank God our troops are men and women of resolve and integrity. If you want to endanger even more Americans in the field and usher in an American defeat in Iraq, the surest way to do so is to demonstrate a lack of commitment from this House, and therein embolden the enemies our troops are battling right now.

I don't believe that's what anybody in this body wants, so I urge my colleagues to consider the consequences of support for this ill-conceived resolution. This is a time of war, one that is not of our choosing. Militant Islamists have been at war with America for decades, and they have grown more dangerous each year, as we tragically learned a little more than five years ago.

With overwhelming bipartisan determination, we voted to authorize military action in Iraq in 2002. Retreat from our current mission would communicate to Al Qaeda and jihadists around the world that the United States is fainthearted, and we could expect more horrific attacks on American soil than we saw on 9/11.

Let me be clear—I am troubled by the last year's increased level of violence in Iraq; we all are. But this resolution can only exacerbate the problem. Our service men and women deserve better from us. And we, Madam Speaker, regardless of party, are better than this.

May God bless our troops.

The SPEAKER pro tempore. Pursuant to section 3 of House Resolution 157, further proceedings on the concurrent resolution will be postponed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. WELCH of Vermont (during consideration of H. Con. Res. 63) from the Committee on Rules, submitted a privileged report (Rept. No. 110–13) on the resolution (H. Res. 161) providing for consideration of motions to suspend the rules, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CRAMER (at the request of Mr. HOYER) for February 13, on account of a death in the family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Member (at the request of Ms. ROS-LEHTINEN) to revise and extend his remarks and include extraneous material:)

Mr. GINGREY, for 5 minutes, February 16.

ENROLLED BILL SIGNED

Mrs. Haas, Clerk of the House, reported and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H.J. Res. 20. Joint resolution making further continuing appropriations for the fiscal year 2007, and for other purposes.

ADJOURNMENT

Mr. DELAHUNT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

The SPEAKER pro tempore. Pursuant to House Resolution 159, the House stands adjourned until 10 a.m. today, as a further mark of respect to the memory of the late Honorable CHARLIE NORWOOD.

Thereupon (at 12 o'clock and 1 minute a.m.), pursuant to House Resolution 159, the House adjourned as a further mark of respect to the memory of the late Honorable CHARLIE NORWOOD until today, Thursday, February 15, 2007, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

602. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Deposit Insurance Assessments—Designated Reserve Ratio (RIN: 3064-AD02) — received December 29, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

603. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Assessments (RIN: 3064-AD03) — received December 29, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

604. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — General rule for taxable year of deduction (Rev. Rul. 2007-3) received January 3, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

605. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Classification of Certain Foreign Entities [Notice 2007-10] received January 7, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

606. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Closing agreements (Rev. Proc. 2007-17) received January 3, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ARCURI: Committee on Rules. House Resolution 161. Resolution providing for considertion of motions to suspend the rules (Rept. 110–13). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. WAXMAN (for himself, Mrs. EMERSON, Mr. PALLONE, Mr. EMANUEL, and Ms. HIRONO):

H.R. 1038. A bill to amend the Public Health Service Act to provide for the licensing of comparable and interchangeable biological products, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SULLIVAN (for himself, Mr. LUCAS, Ms. FALLIN, and Mr. BOREN):

H.R. 1039. A bill to direct the Secretary of the Interior to conduct a special resources study regarding the suitability and feasibility of designating the John Hope Franklin Greenwood Memorial/Museum of Reconciliation and other sites in Tulsa, Oklahoma, relating to the 1921 Tulsa race riot as a unit of the National Park System, and for other purposes; to the Committee on Natural Resources.

By Mr. BURGESS (for himself, Mrs. DRAKE, and Mrs. MYRICK):

H.R. 1040. A bill to amend the Internal Revenue Code of 1986 to provide taxpayers a flat tax alternative to the current income tax system; to the Committee on Ways and Means, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of New Jersey (for himself, Mr. SAXTON, Mr. LOBIONDO, Mr. MCCAUL of Texas, and Mr. DELAHUNT):

H.R. 1041. A bill to amend title 38, United States Code, to provide an enhanced funding process to ensure an adequate level of funding for veterans health care programs of the Department of Veterans Affairs, to establish standards of access to care for veterans seeking health care from the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HENSARLING:

H.R. 1042. A bill to extend trade promotion authority; to the Committee on Ways and Means, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. JONES of Ohio (for herself, Mr. ENGLISH of Pennsylvania, Mr. NEAL of Massachusetts, Mr. EMANUEL, Mr. BLUMENAUER, Mr. PASCRELL, Ms. BERKLEY, Mr. DAVIS of Alabama, Mr. TURNER, Mr. HOLT, Mr. MILLER of Florida, Mr. MARSHALL, Mr. PAUL, Mr. EHLERS, Mr. LANGEVIN, Mr. SCHIFF, Mr. MILLER of North Carolina, Ms. MCCOLLUM of Minnesota, Ms. SCHAKOWSKY, Mr. KENNEDY, Mr. ROSS, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. HERSETH, Ms. CARSON, and Mr. FILNER):

H.R. 1043. A bill to amend the Internal Revenue Code of 1986 to modify the rehabilitation credit and the low-income housing credit; to the Committee on Ways and Means.

By Mr. BAKER (for himself, Mr. MELANCON, Mr. BOUSTANY, Mr. ALEXANDER, Mr. JEFFERSON, Mr. MCCRERY, and Mr. JINDAL):

H.R. 1044. A bill to improve the disaster loan program of the Small Business Administration, and for other purposes; to the Committee on Small Business.

By Mr. BOSWELL (for himself and Mr. REGULA):

H.R. 1045. A bill to designate the Federal building located at 210 Walnut Street in Des Moines, Iowa, as the "Neal Smith Federal Building"; to the Committee on Transportation and Infrastructure.

By Mr. BURGESS:

H.R. 1046. A bill to amend titles XI and XVIII of the Social Security Act to modernize the quality improvement organization (QIO) program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CLAY:

H.R. 1047. A bill to authorize the Secretary of the Interior to conduct a study to determine the suitability and feasibility of designating the Soldiers' Memorial Military Museum located in St. Louis, Missouri, as a unit of the National Park System; to the Committee on Natural Resources.

By Mr. FERGUSON:

H.R. 1048. A bill to establish a program to transfer surplus computers of Federal agencies to schools, nonprofit community-based educational organizations, and families of members of the Armed Forces who are deployed, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. GARRETT of New Jersey (for himself, Mr. HENSARLING, Mr. FEENEY, Mr. PRICE of Georgia, Mr. PAUL, Mr. GINGREY, Mr. WESTMORELAND, Mr. CARTER, Mr. GOODE, Mrs. MYRICK, Mr. GOHMERT, Mr. LAMBORN, Mr. FLAKE, Mr. AKIN, Mr. ROYCE, and Mr. NEUGEBAUER):

H.R. 1049. A bill to reduce the unintended costs and burdens that the Sarbanes-Oxley Act of 2002 imposes on United States businesses, while maintaining that Act's goals of bolstering confidence in the integrity of publicly held companies; to the Committee on Financial Services.

By Ms. LEE:

H.R. 1050. A bill to establish a living wage, jobs for all policy for all peoples in the United States and its territories, and for other purposes; to the Committee on Education and Labor, and in addition to the Committees on the Budget, Armed Services, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOLT (for himself, Mr. REGULA, Mr. HINOJOSA, Mrs. BIGGERT, Ms. WOOLSEY, Mr. WOLF, Mr. GRIJALVA, Mrs. MCMORRIS RODGERS, Mr. EMANUEL, Mr. MANZULLO, Mr. VAN HOLLEN, Mr. PUTNAM, Mr. ALLEN, Mr. BERMAN, Ms. BORDALLO, Mr. CAPUANO, Mr. CUMMINGS, Mr. GENE GREEN of Texas, Ms. JACKSON-LEE of Texas, Mr. JOHNSON of Georgia, Ms. LEE, Mr. LIPINSKI, Ms. ZOE LOFGREN of California, Mr. MCNERNEY, Mr. PRICE of North Carolina, Mr. SMITH of Washington, Mr. STARK, and Ms. SUTTON):

H.R. 1051. A bill to direct the Secretary of Education to establish and maintain a public website through which individuals may find a complete database of available scholarships, fellowships, and other programs of financial assistance in the study of science, technology, engineering, and mathematics; to the Committee on Education and Labor.

By Mr. JEFFERSON (for himself, Mr. MELANCON, Ms. KILPATRICK, Mr. HASTINGS of Florida, Ms. JACKSON-LEE of Texas, Mr. BISHOP of Georgia, Ms. LEE, Mr. CLAY, Ms. MILLENDER-MCDONALD, Mr. WATT, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. WYNN, Ms. NORTON, Mr. BUTTERFIELD, and Mrs. CHRISTENSEN):

H.R. 1052. A bill to provide an option to proceed with an action in any Federal court to recover actual damages for physical or property damage in a major disaster that proximately results from the failure or negligence of the Army Corps of Engineers in the design, construction, or maintenance of a project for which the Corps is legally responsible; to the Committee on the Judiciary, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GARY G. MILLER of California (for himself, Mr. CAMPBELL of California, and Mr. CALVERT):

H.R. 1053. A bill to authorize the Secretary of Transportation to carry out certain transportation projects in the State of California to relieve congestion on State Route 91; to the Committee on Transportation and Infrastructure.

By Ms. NORTON:

H.R. 1054. A bill to amend the District of Columbia Home Rule Act to eliminate Congressional review of newly-passed District laws; to the Committee on Oversight and Government Reform, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PALLONE (for himself, Ms. SOLIS, Mr. DEFAZIO, Mr. BRADY of Pennsylvania, Mr. KUCINICH, Mr. LANTOS, Mr. MORAN of Virginia, Mr. FRANK of Massachusetts, Ms. SCHWARTZ, Mr. ROTHMAN, Mr. INSLEE, Ms. MATSUI, Mr. MCGOVERN, Ms. WOOLSEY, Ms. BERKLEY, Mr. GEORGE MILLER of California, Mr. WEXLER, Mr. MARKEY, Mr. ALLEN, Mr. WEINER, Mr. CONYERS, Mr. WAXMAN, Ms. LINDA T. SÁNCHEZ of California, Mr. GRIJALVA, Ms. SCHAKOWSKY, Mrs. CAPPS, Mr. PAYNE, Mr. BLUMENAUER, Mr. SERRANO, Mr. GUTIERREZ, Ms. CASTOR, Mr. ACKERMAN, Mr. HOLT, Ms. HIRONO, Mr. SIRES, Mr. PASCRELL, Mrs. TAUSCHER, Mr. HONDA, Ms. BORDALLO, Mr. CLAY, Mr. ELLISON, Ms. MCCOLLUM of Minnesota, Mr. OLVER, Ms. KILPATRICK, Mr. NADLER, Mr. WYNN, Mr. LEVIN, Mr. DOYLE, Ms. BALDWIN, and Mr. FARR):

H.R. 1055. A bill to amend the Emergency Planning and Community Right-to-Know Act of 1986 to strike a provision relating to modifications in reporting frequency; to the Committee on Energy and Commerce.

By Mr. PAUL (for himself, Mr. FEENEY, Mr. RUSH, and Mr. SENSENBRENNER):

H.R. 1056. A bill to amend the Internal Revenue Code of 1986 to allow individuals a credit against income tax for tuition and related expenses for public and nonpublic elementary and secondary education; to the Committee on Ways and Means.

By Mr. PAUL (for himself, Mr. BARTLETT of Maryland, Mr. GARRETT of New Jersey, and Mr. SENSENBRENNER):

H.R. 1057. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for amounts contributed to charitable organizations which provide elementary or secondary school scholarships and for contributions of, and for, instructional materials and materials for extracurricular activities; to the Committee on Ways and Means.

By Mr. PAUL (for himself and Mr. McCOTTER):

H.R. 1058. A bill to amend the Internal Revenue Code of 1986 to allow the Hope Scholarship Credit to be used for elementary and secondary expenses; to the Committee on Ways and Means.

By Mr. PAUL:

H.R. 1059. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit for elementary and secondary school teachers; to the Committee on Ways and Means.

By Mr. PAUL:

H.R. 1060. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit for professional school personnel in pre-kindergarten, kindergarten, and grades 1 through 12; to the Committee on Ways and Means.

By Ms. SLAUGHTER (for herself, Mr. McHUGH, Mr. PETERSON of Minnesota, and Mr. MANZULLO):

H.R. 1061. A bill to implement the Western Hemisphere Travel Initiative and other registered traveler programs of the Department of Homeland Security; to the Committee on Homeland Security, and in addition to the Committees on Foreign Affairs, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROGERS of Michigan:

H. Con. Res. 65. Concurrent resolution disagreeing with the plan announced by the President on January 10, 2007, to increase by more than 20,000 the number of United States combat troops in Iraq, and urging the President instead to consider options and alternatives for achieving success in Iraq; to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DEAL of Georgia:

H. Res. 159. A resolution expressing the condolences of the House of Representatives on the death of the Honorable Charlie Norwood, a Representative of the State of Georgia; considered and agreed to.

By Mr. GORDON (for himself and Mr. HALL of Texas):

H. Res. 160. A resolution providing amounts for the expenses of the Committee on Science and Technology in the One Hundred Tenth Congress; to the Committee on House Administration.

By Mr. COHEN (for himself, Mr. RANGEL, Mr. WAXMAN, Mr. MOORE of Kansas, Ms. LEE, Mrs. JONES of Ohio, Mr. PAYNE, Mr. TOWNS, Mrs. CHRISTENSEN, Mr. JEFFERSON, Mr. HASTINGS of Florida, Ms. JACKSON-LEE of Texas, Ms. CORRINE BROWN of Florida, Mr. GRIJALVA, Mr. DAVIS of Illinois, Mr. LEVIN, Ms. NORTON, Mrs. SCHMIDT, Mr. McDERMOTT, Mr. FATTAH, Mr. SERRANO, Mrs. MALONEY of New York, Ms. KILPATRICK, Mr. MEEK of Florida, Mr. SMITH of Washington, Mr. JOHNSON of Georgia, Mr. CUMMINGS, Mr. EMANUEL, Mr. BUTTERFIELD, Ms. MILLENDER-McDONALD, Ms. CARSON, Ms. SCHAKOWSKY, Mr. THOMPSON of Mississippi, Mr. BRADY of Pennsylvania, Mr. DOYLE, Mr. AL GREEN of Texas, Mr. KUCINICH, Mr. RYAN of Ohio, Mr. ROHRABACHER, Mr. SCOTT of Virginia, Mr. HARE, and Mr. HOLDEN):

H. Res. 162. A resolution recognizing the contributions of the Negro Baseball Leagues and their players; to the Committee on Oversight and Government Reform.

By Ms. DELAURO (for herself, Mr. OLVER, Mr. LARSON of Connecticut, Mrs. MALONEY of New York, and Mr. FATTAH):

H. Res. 163. A resolution urging the collective judgment of both Congress and the President regarding the use of military force by the United States; to the Committee on Foreign Affairs.

By Mr. TANCREDO:

H. Res. 164. A resolution encouraging the Federal Government and State and municipal governments, universities, companies, and other institutions in the United States, and all Americans to divest from companies that do business with Sudan; to the Committee on Financial Services.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 37: Mr. MILLER of Florida.

H.R. 91: Mr. MILLER of Florida.

H.R. 156: Mr. EMANUEL, Ms. NORTON, and Ms. BORDALLO.

H.R. 180: Mr. BERMAN, Mrs. CAPPS, Mr. WEXLER, Mr. RUSH, Mr. DOYLE, Mr. FRANK of Massachusetts, and Mrs. CHRISTENSEN.

H.R. 201: Mr. STARK.

H.R. 207: Mr. HARE.

H.R. 251: Ms. MATSUI.

H.R. 279: Mrs. BLACKBURN.

H.R. 297: Mr. SHAYS.

H.R. 325: Mr. RANGEL.

H.R. 327: Mr. RAMSTAD, Mr. COHEN, Mr. ELLISON, Mr. ACKERMAN, and Mr. VISCLOSKY.

H.R. 333: Mrs. JO ANN DAVIS of Virginia and Mr. ALLEN.

H.R. 358: Mr. CRAMER, Mr. GOHMERT, and Mr. PEARCE.

H.R. 400: Ms. HARMAN and Mr. KILDEE.

H.R. 403: Ms. McCOLLUM of Minnesota.

H.R. 462: Mr. PAUL and Mr. ISRAEL.

H.R. 488: Mr. ACKERMAN.

H.R. 489: Mrs. MUSGRAVE.

H.R. 493: Ms. SUTTON and Mr. STUPAK.

H.R. 503: Mrs. NAPOLITANO and Mrs. DAVIS of California.

H.R. 539: Mr. KING of New York, Mr. PALLONE, Mr. PAYNE, Mr. GONZALEZ, Mr. ALLEN, and Mr. CALVERT.

H.R. 545: Ms. BORDALLO.

H.R. 566: Mr. ELLISON.

H.R. 570: Mr. SOUDER and Mr. HOEKSTRA.

H.R. 581: Mr. NEUGEBAUER and Mr. SHADEGG.

H.R. 584: Mr. LANTOS, Ms. CARSON, and Mr. BOSWELL.

H.R. 588: Ms. BERKLEY, Mr. DEFAZIO, Mr. HOLT, Mr. INSLEE, Mrs. MALONEY of New York, Mr. MOORE of Kansas, Ms. ROYBAL-ALLARD, Ms. SCHAKOWSKY, Mr. THOMPSON of California, Ms. McCOLLUM of Minnesota, and Mr. BOREN.

H.R. 592: Mr. TOWNS, Ms. NORTON, and Mr. ORTIZ.

H.R. 594: Ms. BALDWIN and Ms. SUTTON.

H.R. 620: Mr. CHANDLER, Mr. VAN HOLLEN, Ms. SCHAKOWSKY, and Mr. ROTHMAN.

H.R. 628: Mr. SAXTON, Mr. WEXLER, Mr. GARRETT of New Jersey, Mrs. DRAKE, Mr. CALVERT, and Mr. DAVID DAVIS of Tennessee.

H.R. 656: Mr. CARNEY.

H.R. 677: Mr. BRADY of Pennsylvania.

H.R. 678: Ms. HIRONO.

H.R. 693: Mr. WYNN, Mr. RUSH, Mr. CLAY, Ms. MOORE of Wisconsin, Mr. PAYNE, Mr. ELLISON, Mr. MEEKS of New York, Mr. CLEAVER, Mr. MEEK of Florida, Mr. SCOTT of Georgia, Ms. LEE, Ms. JACKSON-LEE of Texas, Ms. KILPATRICK, Mr. JEFFERSON, and Mrs. JONES of Ohio.

H.R. 695: Mr. DAVIS of Illinois and Mr. COURTNEY.

H.R. 698: Mr. WHITFIELD, Mr. RYAN of Ohio, Mr. COBLE, Ms. BALDWIN, and Ms. FOXX.

H.R. 699: Mr. BUYER, Mr. PLATTS, Mr. MARSHALL, Mr. YOUNG of Florida, and Mr. WICKER.

H.R. 787: Ms. NORTON.

H.R. 801: Ms. HIRONO, Ms. BALDWIN, and Mr. PETRI.

H.R. 808: Mr. BOSWELL and Mr. OBERSTAR.

H.R. 811: Mr. LAHOOD.

H.R. 813: Mr. DREIER, Mr. ROYCE, Mr. ROHRABACHER, Mr. CALVERT, and Ms. LORETTA SANCHEZ of California.

H.R. 840: Mr. HINOJOSA and Mr. McHUGH.

H.R. 852: Ms. MATSUI.

H.R. 870: Mr. UPTON.

H.R. 878: Mr. McDERMOTT and Ms. SHEA-PORTER.

H.R. 884: Mr. SOUDER.

H.R. 886: Mr. McDERMOTT, Mr. REICHERT, and Mr. SMITH of Washington.

H.R. 890: Ms. HIRONO, Ms. LINDA T. SÁNCHEZ of California, Mr. HARE, Mr. CAPUANO, Ms. WOOLSEY, Ms. CASTOR, and Ms. WATSON.

H.R. 942: Ms. MATSUI.

H.R. 957: Mr. BLUNT, Mr. WEXLER, Mr. KIRK, Mr. CANTOR, Mr. BERMAN, and Mr. FORTUÑO.

H.R. 971: Mr. ROGERS of Alabama, Mr. COBLE, Mr. ADERHOLT, Mr. ROSS, and Mrs. BOYDA of Kansas.

H.R. 976: Mr. McKEON, Mr. PATRICK MURPHY of Pennsylvania, Mr. ISRAEL, Mr. SKELTON, Mrs. BOYDA of Kansas, and Mr. HERGER.

H.R. 984: Mr. MURPHY of Connecticut.

H.R. 985: Mr. MURPHY of Connecticut.

H.R. 997: Mr. PUTNAM, Mr. BILBRAY, and Mr. TANCREDO.

H.R. 1010: Mrs. NAPOLITANO, Mr. DAVIS of Illinois, Mr. KILDEE, Mr. GRIJALVA, Mr. PORTER, Mr. BARTLETT of Maryland, and Mr. TIERNEY.

H.R. 1012: Mr. DAVID DAVIS of Tennessee.

H.R. 1026: Mr. POMEROY.

H. Con. Res. 45: Mr. INGLIS of South Carolina and Mr. SHAYS.

H. Con. Res. 48: Mr. McCOTTER, and Mr. KIRK.

H. Res. 42: Mr. CUMMINGS, Mr. SKELTON, and Mr. MARCHANT.

H. Res. 53: Mrs. JONES of Ohio.

H. Res. 55: Mr. ALLEN, Mr. KUCINICH, and Mr. SCHIFF.

H. Res. 64: Mr. KLEIN of Florida and Mr. McNULTY.

H. Res. 79: Mr. KLINE of Minnesota and Mr. WAMP.

H. Res. 87: Mr. PUTNAM.

H. Res. 98: Mr. WEXLER, Mr. MILLER of North Carolina, Mr. McCAUL of Texas, and Mr. SMITH of New Jersey.

H. Res. 118: Mr. SKELTON, Mr. ELLISON, Mr. GARY G. MILLER of California, and Mr. BISHOP of Georgia.

H. Res. 121: Mr. ACKERMAN, Mr. BURTON of Indiana, Mrs. MALONEY of New York, Mr. GEORGE MILLER of California, Mr. MORAN of Virginia, Mr. ROTHMAN, Mr. SCHIFF, Mr. TOWNS, Mr. FOSSELLA, and Mr. CROWLEY.

H. Res. 135: Ms. JACKSON-LEE of Texas and Mr. CLYBURN.

H. Res. 136: Mrs. MALONEY of New York, Ms. McCOLLUM of Minnesota, Mr. REYES, Mrs. CAPPS, Ms. CORRINE BROWN of Florida, Mr. DOYLE, Ms. BORDALLO, Ms. WASSERMAN SCHULTZ, Mr. SKELTON, Mr. SHULER, Mr. SERRANO, Mr. JOHNSON of Georgia, Mr. PAYNE, Mr. CUMMINGS, Mr. MORAN of Virginia, Mr. HINOJOSA, Ms. ESHOO, Mrs. NAPOLITANO, and Ms. KILPATRICK.

H. Res. 149: Mr. HARE, Mr. ROTHMAN, Mr. KUCINICH, Mr. DELAHUNT, Mr. JOHNSON of Georgia, Ms. ESHOO, Mr. SESTAK, and Ms. ZOE LOFGREN of California.

EXTENSIONS OF REMARKS

PAYING TRIBUTE TO CHESTER RICHARDSON

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 14, 2007

Mr. PORTER. Madam Speaker, I rise today to honor the life of Chester Richardson who passed away on January 2, 2007.

Chester made a profound impact on the Las Vegas community during his lifetime. Chester possessed a vast knowledge of the gaming industry, expertise obtained while working as the surveillance manager of the Luxor Hotel and Casino as well as his experiences as vice-chairman of the Southern Nevada workforce Investment Board, chairman of the SNWIB Programs/Performances committee, and chairman of the SNWIB Youth Council.

Chester also dedicated his life to his community. He was instrumental in the development of the first drug abuse prevention community based organization in northern Nevada, was a field investigator for the Reno/Sparks NAACP Branch investigating labor complaints and served four terms as the local NACCP election chairman. Chester was very much involved in designing a successful affirmative action plan and began the elimination of the Rule of Three in the State legislature. Chester also assisted local businesses in obtaining over $300,000 in micro business loans. His other accomplishments include serving as the Nevada General Secretary and as the first Grand Worthy Patron of the Nevada International Free and Accepted Modern Masons. Chester was also an associate minister for the Second Baptist Church in Las Vegas.

Madam Speaker, I am proud to honor the life and the legacy of Chester Richardson. His dedication to service and community was truly exemplary and should serve as an example to us all. Chester will be profoundly missed.

INTRODUCING THE TEACHER TAX CUT ACT AND THE PROFESSIONAL EDUCATORS TAX RELIEF ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 14, 2007

Mr. PAUL. Madam Speaker, I am pleased to introduce two pieces of legislation that raise the pay of teachers and other educators by cutting their taxes. I am sure that all my colleagues agree that it is long past time to begin treating those who have dedicated their lives to educating America's children with the respect they deserve. Compared to other professionals, educators are under-appreciated and under-paid. This must change if America is to have the finest education system in the world.

Quality education is impossible without quality teaching. If we continue to undervalue educators, it will become harder to attract, and keep, good people in the education profession. While educators' pay is primarily a local issue, Congress can, and should, help raise educators' take home pay by reducing educators' taxes.

This is why I am introducing the Teachers Tax Cut Act. This legislation provides every teacher in America with a $3,000 tax credit. I am also introducing the Professional Educators Tax Relief Act, which extends the $3,000 tax credit to counselors, librarians, and all school personnel involved in any aspect of the K–12 academic program.

The Teacher Tax Cut Act and the Professional Educators Tax Relief Act increase the salaries of teachers and other education professionals without raising federal expenditures. By raising the take-home pay of professional educators, these bills encourage highly qualified people to enter, and remain in, education. These bills also let America's professional educators know that the American people and the Congress respect their work.

I hope all my colleagues join me in supporting our nation's teachers and other professional educators by cosponsoring the Teacher Tax Cut Act and the Professional Educators Tax Relief Act.

SACRED HEART MEDICAL CENTER DELIVERS HIGH QUALITY HEALTH CARE

HON. CATHY McMORRIS RODGERS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 14, 2007

Mrs. McMORRIS RODGERS. Madam Speaker, I rise today to congratulate Sacred Heart Medical Center for being rated as a top performer in the Centers for Medicare and Medicaid Services Premier Hospital Quality Incentive project.

Sacred Heart Medical Center has been providing quality health care to the people of Eastern Washington for more than 120 years. Their mission to provide a community of healing, collaborate with caregivers, and uphold a commitment to excellence guides the kind of care they provide every day.

As a top performer, Sacred Heart Medical Center was evaluated on their performance and outcome measures in five clinical areas—acute myocardial infarction (heart attack), heart failure, coronary artery bypass graft (CABO), pneumonia, and hip and knee replacement.

Madam Speaker, I rise today to commend Sacred Heart Medical Center for setting the standard for clinical excellence, and for providing excellent health care to the Eastern Washington community. I invite my colleagues to join me in congratulating the doctors and employees of Sacred Heart Medical Center on this great achievement.

HONORING THE LIFE OF MAXWELL BRUNER, JR.

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 14, 2007

Mr. MILLER of Florida. Madam Speaker, on behalf of the United States Congress, it is an honor for me to rise today to recognize the life of Northwest Florida's beloved Maxwell Bruner, Jr.

Mr. Bruner is survived by his wife, Linda, eight children, ten grandchildren, and sister and brother-in-law, Burt and Barbara Bruner Godwin. To his family and friends, I would like to offer my sincere condolences. Northwest Florida has suffered a great loss.

Born on July 12, 1931, in Ashford, Alabama, Max Bruner, Jr., grew up during the Great Depression on the farms in southeast Alabama. He was the son of a farmer and local businessman. It was not until after his graduation from Auburn University, where his interest in politics and government grew, that he made his way to Fort Walton Beach, Florida, in 1957—a place where his footsteps would be planted and never washed away.

Mr. Bruner was an active member in the business, civic, and church communities, and entered into the Okaloosa County School District as an assistant principal, quickly rising to principal at Fort Walton Elementary School. In 1963, Max Bruner became principal of the newly integrated Eglin School. Okaloosa County School District became one of the first districts in the South that integrated schools. After two years, Mr. Bruner was elected Superintendent of Schools. Voted in for five consecutive terms, he made a significant impact on the Okaloosa County School District and molded it into the success it is today.

His passion for change and commitment to excellence came at a time when it was needed the most. Facilities were overcrowded, which forced schools to hold double sessions and hold classes in churches. In a time when schools were segregated and students not given the opportunity they deserved, Max Bruner ensured that they received the proper materials. He established a $40 million construction plan and developed educational programs to accommodate every learning level, including the gifted and disabled. He knew the importance of education and believed that all students must be given the opportunity to learn. Maxwell Bruner worked tirelessly for the advancement of the local public school system and transformed the Okaloosa School District into one of the best in the state of Florida.

To some Max Bruner will be remembered as an educator, and to others, a warrior. To

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

some he will be remembered as a loyal Auburn fan, and to others, a comrade in the United States Air Force. He will long be remembered by his family and friends as a loving and compassionate father, grandfather, husband, and companion; and we will all remember his energy, motivation, and generosity. From his humble beginnings as a child to a man who had such a profound impact on society, Mr. Bruner touched a number of lives; all who knew Max Bruner are forever grateful for his presence in their lives, and will forever be inspired by his life.

Madam Speaker, on behalf of the United States Congress, I am proud to honor the life of Maxwell Bruner, Jr., and his living legacy.

PAYING TRIBUTE TO HARRY NOONAN

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 14, 2007

Mr. PORTER. Madam Speaker, I rise today to honor the life of Harry Noonan and recognize him for his exemplary service in defense of freedom and posthumously award him with the Jubilee of Liberty Medal.

On June 6, 1944, the United States and its allies embarked on the largest air, land, and sea invasion ever undertaken. This massive effort included 5,000 ships, 10,000 airplanes, and over 150,000 American, British, Canadian, Free French, and Polish Troops. During the 50th anniversary of this historic event, the French Government awarded the Jubilee of Liberty Medal to American servicemen for their participation in the Battle of Normandy.

Harry served in the United States Army, 194th Glider Infantry Regiment in Normandy, Northern France, and the Rhineland. For his heroism and valor, Harry was awarded the Purple Heart, the Bronze Service Arrowhead, and the European African Middle Eastern Campaign Service Medal.

Madam Speaker, I am proud to honor the life of Harry Noonan who passed away on February 13, 2007. His service and dedication to this country exemplified the sacrifices of the "Greatest Generation." He was truly a great American patriot.

INTRODUCTION OF THE HOPE PLUS SCHOLARSHIP ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 14, 2007

Mr. PAUL. Madam Speaker, I rise to introduce the Hope Plus Scholarship Act, which expands the Hope Education Scholarship credit to cover K–12 education expenses. Under this bill, parents could use the Hope Scholarship to pay for private or religious school tuition or to offset the cost of home schooling. In addition, under the bill, all Americans could use the Hope Scholarship to make cash or in-kind donations to public schools. Thus, the Hope Scholarship could help working parents send their child to a private school, while other patents could take advantage of the Hope credit to help purchase new computers for their children's local public school.

Reducing taxes so that Americans can devote more of their own resources to education is the best way to improve America's schools, since individuals are more likely than federal bureaucrats to insist that schools be accountable for student performance. When the federal government controls the education dollar, schools will be held accountable for their compliance with bureaucratic paperwork requirements and mandates that have little to do with actual education. Federal rules and regulations also divert valuable resources away from classroom instruction.

The only way to reform America's education system is through restoring control of the education dollar to the American people so they can ensure schools provide their children a quality education. I therefore ask all of my colleagues to help improve education by returning education resources to the American people by cosponsoring the Hope Plus Scholarship Act.

ARCHBISHOP GEORGE NIEDERAUER'S EDITORIAL ON GLOBAL POVERTY

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 14, 2007

Mr. LANTOS. Madam Speaker, I would like to use this opportunity to direct the attention of my colleagues to a very important opinion piece written by the Archbishop George H. Niederauer, Archbishop of the Roman Catholic Archdiocese of San Francisco and chair of the Communications Committee of the U.S. Conference of Catholic Bishops, which last October sponsored a national conference on global poverty. As a champion of the poor and a well-respected constituent, I value his commitment to eliminating global poverty and his mission to translate faith into action.

I emphatically agree with the Archbishop's position outlined in this article, that ending global poverty is one of the great challenges of our time and we have a moral obligation, as a civilized nation, to help eliminate the scourge of extreme poverty. As the Archbishop points out, foreign policy is indeed a moral endeavor. The United States, in keeping with its core humanitarian values, must be a model for other countries by promoting sustainable development. While we know that poverty does not cause extremism, the United must use all of the tools at its disposal to limit the breeding grounds for terrorists seeking to take advantage of the millions of economically deprived human beings in the world today. We must work with our partners in the faith-based community, non-governmental organizations, and development activists to end suffering, hunger, and death.

THE MORAL SCANDAL OF GLOBAL POVERTY

(By George H. Niederauer)

It's easy to forget that more than a billion people survive on a $1 a day when we live in the world's richest country. Whether in the fields of Africa, the factories of Asia or the streets of our own cities, we often pay scant attention to the abject poverty that degrades our fellow human beings. Ending global poverty is one of the great challenges of our time that requires urgent political will and solidarity with our brothers and sisters around the world.

Catholic leaders, economists, international-development experts and activists from several countries will meet in San Francisco tomorrow and Saturday to explore strategies for addressing the Moral Scandal that is global poverty. We come together to raise awareness, mobilize resources and reflect on how putting faith into action can build a more just world. As Catholics, we pray that we can embrace the hungry, the sick and the suffering as Jesus called us to do with compassion and love. As engaged citizens who understand that foreign policy and budgets are moral endeavors that reflect our values, we call on our leaders to do more to help the world's poor.

Our gathering will help build national momentum for the Catholic Campaign Against Global Poverty, an effort led by the U.S. Conference of Catholic Bishops and Catholic Relief Services, which engages citizens to advocate for policies that increase development aid, offer debt relief to poor countries and ensure that trade agreements benefit more than the wealthy. Guided by Catholic social tradition that teaches us to have a "preferential option for the poor," we know that upholding the dignity of all human life does not end at our borders. When our neighbors in other countries suffer, we too are diminished. What we do to the least among us, we do to Christ himself.

In the San Francisco Bay area, the Catholic community strives through its social service agencies to relieve the suffering of local poverty, and funds international anti-poverty and development programs through Catholic Relief Services. Local Catholic priests, nuns and lay people are working in some of the poorest countries to ease the burden of extreme poverty. We also work with people of other faiths in efforts to increase awareness and understanding about global poverty and to encourage our legislators to make greater efforts to address this crucial problem. In 2000, the United States and other nations signed the U.N. "Millennium Development Goals" to halve extreme poverty, increase development aid to 0.7 percent of gross national income, stop the spread of HIV/AIDS and provide universal primary education by 2015. The United States still falls near the bottom of the list when aid by developed countries is measured as a percent of gross national product.

Some ask why we should care about starvation or disease in remote corners of the globe. Along with being the right thing to do, retreating from this cause is also not practical. The forces of globalization have made nations, and their destinies, more interconnected than ever before. As the world's largest economy, the United States has considerable influence to galvanize resources for the poor, push to end curable diseases in Africa and be a model for other countries when it comes to development.

Each year, governments spend billions of dollars on sophisticated weapons. The technological creativity and energy it takes to build these systems should be matched by the best of our minds and hearts in fighting the enemy of poverty that kills 50,000 people every day, far more than even the ravages of war. A robust development agenda that helps uplift and support the poorest countries can also limit the appeal of terrorists who exploit political instability, desperation and poverty to recruit converts to extremist ideologies. Nothing can justify terrorism, but we can also build a world in which terrorism finds fewer places to breed.

As daunting as the challenge of ending global poverty may seem, this is not an unreachable goal. Renowned poverty expert, Jeffrey Sachs of Columbia University, who will deliver the keynote address at our gathering, has identified practical steps such as increasing crop productivity and soil efficiency, providing nutritious school meals and helping poor countries reform internal agencies. We know that governments alone can't solve this problem. Faith-based groups, nonprofit agencies, academics and activists must work together with a renewed sense of urgency. Anything less will lead to more suffering, hunger and death. That's not an option the poor of the world should be expected to endure any longer.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, February 15, 2007 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

FEBRUARY 16

10 a.m.
Health, Education, Labor, and Pensions
To hold hearings to examine paying for college in the future relating to higher education, higher cost and higher student debt.
SD–430

FEBRUARY 27

9:30 a.m.
Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to examine the legislative presentation of the Disabled American Veterans.
345 CHOB

10 a.m.
Health, Education, Labor, and Pensions
To hold hearings to examine the need for Food and Drug Administration (FDA) regulation of tobacco products.
SD–430

Commerce, Science, and Transportation
Surface Transportation and Merchant Marine Infrastructure, Safety and Security Subcommittee
To hold hearings to examine S. 294, to reauthorize Amtrak.
SR–253

2 p.m.
Judiciary
To hold hearings to examine the John R. Justice Prosecutors and Defenders Incentive Act of 2007 relating to strengthening the criminal justice system.
SD–226

2:30 p.m.
Appropriations
To hold hearings to examine the Supplemental Request for fiscal year 2007.
SD–106

FEBRUARY 28

10 a.m.
Small Business and Entrepreneurship
To hold hearings to examine the President's Budget Request for Fiscal Year 2008 for the Small Business Administration.
SR–428A

2:30 p.m.
Commerce, Science, and Transportation
Science and Space Subcommittee
To hold hearings to examine the President's budget request for the National Aeronautics and Space Administration (NASA).
SR–253

MARCH 1

9:30 a.m.
Veterans' Affairs
Administration adjudication process.
To hold an oversight hearing to examine the Veterans
SR–418

10 a.m.
Commerce, Science, and Transportation
To hold hearings to examine universal service.
SR–253

MARCH 6

9:30 a.m.
Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to examine the legislative presentation of the Veterans of Foreign Wars.
345 CHOB

MARCH 8

9:30 a.m.
Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to examine the legislative presentation of the Paralyzed Veterans of America, Jewish War Veterans, and Blinded Veterans Association.
SD–106

MARCH 29

9:30 a.m.
Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to examine the legislative presentation of AMVETS, Ex-POWs, Military Order of the Purple Heart, and Fleet Reserve Association.
SD–106

SENATE—*Thursday, February 15, 2007*

The Senate met at 10 a.m. and was called to order by the Honorable BARACK OBAMA, a Senator from the State of Illinois.

PRAYER

The PRESIDING OFFICER. Today's prayer will be offered by the Reverend Dr. J. Layton Mauze, III, of Gastonia, NC.

The guest Chaplain offered the following prayer:

Let us pray.

Gracious God, Creator of life and the sustainer of all things, including political things, we bow before You this day in humility and with thankful hearts to acknowledge that our lives are a gift of Your grace, renewed every morning and nurtured every day in Your tender care.

We begin this time together by acknowledging our faith in You and our dependence upon You. We begin by saying that our religious faith and commitment do influence our opinions and convictions, our daily and political life.

So help us never to let our politics or our religion become dirty by default, but help us to keep the moral integrally related to the political, and give us the wisdom and courage to stand for the hard right against the easy wrong.

Strengthen and encourage each of these Senators today, we pray, and guide and protect our beloved Nation, particularly in these ethically difficult times. May justice prevail and leadership based on integrity be the dominant note.

Keep us all faithful to the opportunities and challenges this day will bring, and make us a blessing to all those our lives will touch.

To that end, grant us that illumination without which we walk in darkness, that inspiration without which we spend our days in mediocrity, and that intelligence without which we stumble in folly.

This, our prayer, we offer to You in faith, and with thanksgiving in the strong Name of our God. Amen.

PLEDGE OF ALLEGIANCE

The Honorable BARACK OBAMA led the Pledge of Allegiance, as follows:

> I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The assistant legislative clerk read the following letter:

> U.S. SENATE,
> PRESIDENT PRO TEMPORE,
> *Washington, DC, February 15, 2007.*
>
> *To the Senate:*
>
> Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BARACK OBAMA, a Senator from the State of Illinois, to perform the duties of the Chair.
>
> ROBERT C. BYRD,
> *President pro tempore.*

Mr. OBAMA thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, this morning there will be a brief period of morning business until 10:20, and then we will proceed to executive session to consider the nomination of Randy Smith, to be a U.S. Circuit Court Judge, and Marcia Morales Howard, to be a U.S. District Judge. Debate on these nominations is limited to a total of 10 minutes equally divided and controlled between the chairman and ranking member of the Judiciary Committee. At 10:30, the Senate will proceed to vote on confirmation of these two nominations.

I would like to indicate to Members that a third rollcall vote is likely shortly after these votes on the adjournment of the Senate, so Members should plan on three votes instead of two.

Following these votes there will be morning business, with the first hour controlled by Senator LEAHY and then the Republican leader or his designee will control an hour.

Mr. President, in a short time, we will approve the first circuit court judge of this Congress. The distinguished Republican leader and I have had conversations about having as little acrimony—in fact, hopefully none—on circuit court judges. The last Congress will be noted for a number of things and one will be the contentiousness of the circuit court judges that came before the Senate. I have made a commitment to my friend from Kentucky that we will move forward on these. We have had conversations with the President, and he is going to do his best to send us circuit court judges that are not people who cause a lot of heartburn on this side, and we think that is totally possible and in keeping with the standards President Bush wants for these circuit court judges. So this is a time when we are going to try to work together to move forward.

Randy Smith is the first, and I say to everyone, it wasn't easy to get him here. He has been nominated for one position and then another position. There was a little holdup to begin with, but we are beginning to work through this, as we wish to do. We have members of the Judiciary Committee who understand this and the two managers of this committee, the chairman, Senator LEAHY, and the ranking member, Senator SPECTER, know of our concern, and that is the concern of Senator MCCONNELL and myself, and we are going to do our very best to make sure this is not our last circuit court judge but the first of a significant number who can at least meet the standards of Congresses similarly situated as ours.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The minority leader is recognized.

NOMINATIONS

Mr. MCCONNELL. Mr. President, let me echo the remarks of my good friend, the majority leader, about the circuit court judge situation. We are off to a good start. I wish to thank him, and I wish to thank Chairman LEAHY for moving the Randy Smith nomination to the Ninth Circuit. As the majority leader has indicated, that vote will be at 10:30. We have had very good conversations, the majority leader and myself, about restoring comity to the Senate on the business of dealing fairly with the President's nominations for circuit court judgeships.

The President has met the Senate halfway—some would say more than halfway—demonstrated by his actions at the beginning of the Congress and by the people he has chosen to resubmit for our consideration. The President's efforts have been recognized and lauded by the Washington Post, the Los Angeles Times, and several other publications. These papers have noted the burden is now on the Senate to reciprocate and treat the President's nominees fairly, and we are off to a good start in doing that.

Moving the Smith nomination today is an act of good faith on the part of the majority leader and Senator

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

LEAHY, which I and others on this side of the aisle appreciate. It is a good beginning. Of course, it is only a beginning, but it is a good beginning. As I have said, the President should be treated as fairly as his three immediate predecessors, each of whom finished their terms with the Senate in control of the opposition party. Yet those Presidents received an average of 17 circuit court nominations confirmed. If this President is not treated as fairly as his predecessors, then, of course, the comity and cooperation in the Senate might be harder to come by. But there is no indication that will be the case, and I am not predicting it. In fact, I am optimistic we are going to be able to move through these nominations with a high level of fairness and comity. Again, I wish to thank both Senator REID and Chairman LEAHY for their fair treatment of this first judge as we begin to move down the path toward getting a reasonable number of circuit court nominees confirmed during this 2-year period.

I yield the floor.

ORDER OF PROCEDURE

Mr. REID. Mr. President, I ask unanimous consent that there be 2 minutes equally divided between the votes on the judicial nominations with the time equally divided and controlled between the chairman and ranking member of the Judiciary Committee.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business until 10:20 a.m., with Senators permitted to speak for up to 10 minutes and the time equally divided between the two leaders or their designees.

The Senator from Maine is recognized.

IRAQ

Ms. SNOWE. Mr. President, I rise this morning to speak to the Senate regarding the fact that we are contemplating adjournment for a recess of approximately 12 days without having taken any votes on the question of Iraq. The Senator from Nebraska and I sent a letter to both leaders yesterday, expressing our deepest disappointment and disapproval about the failure of this institution to address the most consequential issue of our time. We are at a critical crossroads with this preeminent issue. Yet the Senate, in keeping with its historical traditions and practices, has failed to grapple with this monumental question.

Therefore, the Senator from Nebraska and I have said we should have a vote on the motion to adjourn for this particular recess because we object to recessing without the Senate having any agreement, any understanding, any debate, any votes on this most profound question. It does no honor to the Senate or to this country. As I said earlier in the week when I expressed my disappointment that we have yet to construct an agreement on how to even move forward procedurally to debate a nonbinding resolution, irrespective of where my colleagues may stand on this question, whether you are in the majority or in the minority, various viewpoints ought to be able to be expressed, and we ought to be able to have votes in the Senate. Unfortunately and regrettably, that has not occurred, at a time in which the President has already indicated his plan for the troop surge and which is already underway. There is a majority in the Senate who are in opposition to the troop surge and to that specific mission. Others have different viewpoints on the question. But irrespective, we know there are a majority in the United States who are in opposition to the troop surge.

The Senator from Nebraska and I, in fact, moved across the political aisle and joined the Senator from Delaware and the Senator from Michigan on the Biden-Levin-Hagel-Snowe resolution on January 17, when it was introduced in the Senate. Here we are today, a month later, and there has been no consequential action on the question of Iraq.

The House of Representatives is debating and will be voting. As I said on Monday, when our troops are on the frontlines, the Senate is on the sidelines. While the House of Representatives is debating and voting, the Senate is dithering. That is regrettable because we have some serious questions about the President's troop surge. We ought to be able to express our views on the floor of the Senate and to have those votes. This is a critical moment in our Nation. The Senate has lost its sense of the place it now occupies—or should occupy—in history.

If we look back at major moments of the Senate historically, the Senate has risen to the occasion, but we haven't on this question. So we are going to adjourn for the recess without having a plan on how we are going to proceed on this question, without any votes, on the major issue of our time.

So what has changed in the last 3 days? There have been no negotiations. There has been no consensus. There has been no agreement. There has been no understanding of how we are going to proceed and how we are going to debate this question. And we are going to recess. Well, the troop surge isn't taking a recess. The men and women in uniform on the frontlines in Iraq are not taking a recess, the Iraq war is not taking a recess, but the U.S. Senate is taking a recess.

My primary objection to the troop surge has been rooted in the fact that I examined the track record and concluded we should not commit any more troops to instilling a peace that the Iraqis are not willing to instill for themselves and to seek for their own nation. They are fighting amongst themselves rather than for themselves.

Yesterday, I spoke with the father of a soldier who died last Friday while supporting our Operation Iraqi Freedom.

SSG Eric Ross of Maine, stationed in Texas, and two of his brothers in arms were killed as they entered a booby-trapped building in Baquba. What was even more tragic is the Iraqi squad that was accompanying them, who were supposed to go in with them, refused to go in. What did they know? Why did they refuse to go in? Where were their allegiances? Who were they fighting for? Those are the kinds of circumstances and situations to which our troops have been subjected. There will be infinitely more of those examples, given the mission the President has proposed in Baghdad.

The father of the soldier told me: My son's first interpreter was a spy. Those are the kinds of precarious and dangerous circumstances under which our soldiers are facing extraordinary challenges. Now they are being requested to go door-to-door in Baghdad, as this soldier was doing in Baquba. His father said they were going door to door, clearing them out, only to find they were coming back in. That is the circumstance our troops will face in this very dangerous mission in Baghdad.

While we are on recess, all of this will be underway. Yet we have no plan to debate and to vote on our respective views and positions on this question.

This is not in keeping and consistent with the traditions and practices of the Senate. I have served in both the House of Representatives and the Senate for 29 years. I have witnessed and been part of debates that range from Lebanon to the Persian Gulf to Somalia to Bosnia to Panama. We were able to exercise our views, whether we were in the House of Representatives or in the Senate. I am deeply disappointed that we are at this juncture, that we are planning to adjourn for a previously scheduled recess without having established a record on behalf of the Senate for the people of this country. We are their voice. We reflect their will. We should have the opportunity to debate and to vote on the various questions.

The fact is, we have allowed the gears of this deliberative process to become jammed with the monkey wrenches of timidity and partisanship. I reject that because at a time in which the American people are deeply concerned about the direction of our mission in Iraq, the Senate is deadlocked and stalemated.

That is why I object to the motion to adjourn. I hope my colleagues will express their objections, likewise, irrespective of where Members stand on the question. I hope Members express disappointment and disapproval that we will recess without having taken a stand on this monumental issue.

I yield the floor.

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

IRAQ DEBATE

Mr. REID. Mr. President, I will use leader time.

Mr. President, I have the deepest respect for the Senator from Maine. I care about her a lot. She is a good legislator and a very strong woman, strong person, someone who stands up for what she thinks is right. I admire her for that.

However, those are interesting comments that I have just heard from my friend regarding an Iraq debate. While I respect the Senator from Maine and, as I have said I appreciate her sense of urgency, I say with all due respect, she is coming late to the party.

Last week, when Senators had the opportunity to hold an important debate about Iraq, she and others chose to prevent that debate. Some of them, including my friend from Maine, voted against their own resolution by not invoking cloture. While it is heartening to know that they would like to have an Iraq debate now, where were they last week? Where were they when the Senate was trying to send a message to President Bush to stop the escalation? Where were they when we were trying to send a message in standing up for our troops in Iraq? The answer: Obstructing. Playing politics.

Don't tell me about politics. They were putting the political needs of the White House ahead of our troops' need for a new direction in Iraq.

If not for the actions that took place last week, we could have been finished with this debate regarding the escalation in Iraq. We could have already sent a strong message to President Bush that he stands alone in supporting escalation. We could have joined the House in expressing our support for the troops and our opposition to the so-called surge. But because there was a political game being played with the war, the American people still do not know where their Senators stand on escalation.

I take it from comments I have heard—not only from the Senator from Maine but from others on the other side of the aisle—that a number of Members had a change of heart; that, in the future, I would hope, many of them will be joining us in an important Iraq debate.

Everyone within the sound of my voice should understand, we are in the Senate. Procedurally it is very difficult, many times, to get from here to there. I started as quickly as I could to process this matter. On Tuesday, I moved to rule XIV so we could have the House resolution before the Senate. I would hope we will have that opportunity soon.

This week, the House of Representatives is debating a bipartisan resolution on escalation. Last night, as I have indicated, I started the process—again, moving one step further to bringing the legislation closer to the floor of the Senate, a resolution saying we support our troops and we oppose the escalation.

When the Senate returns after the break, we will deal with the House resolution in some manner. The American people deserve, as I have said, to know where every Member of the Senate stands on the so-called surge. It is an important issue facing our country.

I repeat what I said about the Senator from Maine. I care about her a lot. But I really am somewhat lost in the logic of her debate.

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

ISSUE OF FAIRNESS

Mr. MCCONNELL. Mr. President, using some of my leader time, let me respond briefly to my good friend, the majority leader.

The Senate Republicans are fully prepared to have a debate on the Iraq war. We were prepared to have a debate on the Iraq war last week. We anticipated it. The issue is whether the Senate will operate like the House. It will not.

In the House, they have one Iraq resolution. The minority gets no voice at all, up or down, on one proposal. As my good friend, the majority leader, and certainly the majority whip said repeatedly over the years, the Senate is not the House. Senate Republicans are anxious to have the Iraq debate. We are not trying to avoid it in any way, whatever. But there will be, at the very least, a proposal that a majority of Senate Republicans support in the queue to be considered so that we will have an alternative.

Now, the majority leader and I have had a number of discussions about this issue over the week. I am still hopeful we can work this out and have a process for going forward that is fair to Senate Republicans. However, I am very confident that Senate Republicans will insist on having at least one alternative favored by a majority of our Members. Again, I am not anticipating that we will end up in the same position we were last week. The majority leader and I are continuing to talk about it.

But fundamental fairness is essential on the most important issue confronting the country.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, we have two votes scheduled at 10:30. We were supposed to have 15 minutes reserved for Senator LEAHY and myself, and I know Senator HAGEL is in the Senate and wants a little time.

With the majority leader in attendance, I wonder if we might adjust the timing so we can talk about these judges at least for a few minutes?

Mr. REID. I say to my friend, the question is an excellent question. We have, as the Senator knows, a funeral taking place today for Dr. Norwood. We changed the vote around from 11 o'clock until 10:30 today so a large contingent of Senators and House Members can attend the funeral. If we do not start the votes at 10:30, they will not be able to attend.

Mr. SPECTER. I accept that. May I use the last 4 minutes to speak?

I will yield to the Senator from Nebraska for a minute.

Mr. HAGEL. I appreciate that.

EXECUTIVE SESSION

NORMAN RANDY SMITH TO BE UNITED STATES CIRCUIT JUDGE FOR THE NINTH CIRCUIT

MARCIA MORALES HOWARD TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF FLORIDA

The ACTING PRESIDENT pro tempore. The Senate will proceed to executive session to consider the following nominations en bloc.

The clerk will report.

The assistant legislative clerk read the nominations of Norman Randy Smith, of Idaho, to be United States Circuit Judge for the Ninth Circuit and Marcia Morales Howard, of Florida, to be United States District Judge for the Middle District of Florida.

Mr. LEAHY. Mr. President, today, we consider nominations for lifetime appointments to the Federal bench, including Judge Norman Randy Smith to the Court of Appeals for the Ninth Circuit. Judge Smith was nominated to a seat on the Ninth Circuit designated a judicial emergency by the Administrative Office of the Courts. Judge Smith's nomination easily could have been confirmed in the last Congress—and the emergency addressed many months ago—had the Bush administration chosen the common-sense approach it has now followed of nominating Judge

Smith—who is from Idaho—to Idaho's seat on the Ninth Circuit.

Instead, the President picked a fight by insisting on nominating Judge Smith to a California seat on the Ninth Circuit. Judge Smith had been nominated to fill the seat last occupied by Judge Stephen Trott, an appointee from California who made a personal decision to move to Idaho. I know of no precedent for shifting a circuit seat based on a judge's personal decision to change his or her personal residence. That generated opposition from the California Senators and created an impasse. I supported the California Senators, as I had Senators Sarbanes and MIKULSKI in a similar circumstance when this President sought to fill a Maryland seat on the Fourth Circuit with someone from Virginia.

I have tried for some time to get the President to redesignate the Smith nomination and nominate him to fill the Idaho vacancy. At long last, the President has done the right thing. The White House finally changed course and the President nominated Judge Smith for the Idaho seat on the Ninth Circuit. I thank the President for finally doing the right thing.

With the cooperation of the Senators from California and the other Members of the Judiciary Committee, we were able to avoid having a hearing on Judge Smith's nomination in this Congress and to expedite his consideration, now that he has been designated for the Idaho vacancy. We were able to report Judge Smith's nomination last Thursday. Today, at long last, Senator CRAIG and Senator CRAPO and the people of Idaho will have a judge on this important court from their home State.

We have worked hard since convening this Congress to make significant progress in our consideration of judicial nominations. At our first executive business meeting, the Judiciary Committee reported out five judicial nominations little more than 2 weeks after they were sent to us. Three of these were for vacancies determined by the Administrative Office of the U.S. Courts to be judicial emergencies. All five were among those returned to the President without Senate action at the end of last year when Republican Senators objected to proceeding with certain of the President's judicial nominees in September and December last year. All five were confirmed only 3 weeks after they were nominated.

Last week, we reported another five nominations, including the nominations we consider today. We reported nominees from the home States of Senator SPECTER and Senator GRASSLEY and I want to thank Senator CASEY and Senator BROWN for expediting their consideration of nominees from their home States and approving them so quickly after taking office. I have worked cooperatively with Members from both sides of the aisle on our Committee, and in the Senate, to consider quickly and report 10 judicial nominations so far this year, allowing us to fill vacancies and improve the administration of justice in our Nation's Federal courts.

With the five confirmations last week we have confirmed more of President Bush's nominations in the 18 months I have served as Judiciary Committee Chairman than in the more than two years when Senator HATCH chaired the Committee with a Republican Senate majority or during the entire last Congress with a Republican Senate majority.

With Judge Smith's confirmation today, we will have confirmed a nomination to one of the Nation's important circuit courts little more than a month after the Republicans agreed to resolution allowing the Senate to organize. That is more than the total of President Clinton's nominations to circuit court vacancies confirmed by the Republican-controlled Senate during the entire 1996 session. Today, with this one confirmation we will surpass the Republican total for an entire session of the Congress.

Last week, we also held the first judicial nominations hearing of the new Congress and considered three more nominees, two of whom are nominated to fill judicial emergency vacancies. We held that hearing on February 6. When a Republican chaired the Committee in 1999 and there was a Democratic President, the first hearing on a judicial nominee was not held until June 16. We could have postponed this hearing because it was at the same time as the Senators briefing on the new National Intelligence Estimate about the deteriorating situation in Iraq. As I did after 9/11, and after the Senate buildings were shut down by the anthrax letters, I chose to go forward with the nominations hearing.

I know some on the other side of the aisle have tried to raise a scare since I, again, became Chairman of the Judiciary Committee. They rant as if the sky is falling and as if we would not proceed on any judicial nominations. On the contrary, we have proceeded promptly and efficiently.

I have long urged the President to fill vacancies with consensus nominees. After this week's confirmations, according to the Administrative Office of the U.S. Courts there will be 51 judicial vacancies, 24 of which have been deemed to be judicial emergencies. Of those 24 judicial emergency vacancies, the President has yet to send us nominees for 17 of them. That means two-thirds of the judicial emergency vacancies are without a nominee from the President.

We will continue moving forward efficiently as long as the President sends us qualified, consensus nominees.

IRAQ

Mr. HAGEL. Mr. President, just a brief response to the distinguished majority leader about motives as to debate on Iraq.

I don't know a Senator who has been clearer or more concise on this administration's positions on Iraq than the senior Senator from Nebraska. To suggest that some on this side are impeding or trying to protect the Bush administration's policy on Iraq, specifically escalating our military involvement in Iraq, is a bit off the mark.

The fact is, the minority leader is very clear in his purpose. I have supported that. Minority rights are the essence, the foundation of this body. The minority should have an opportunity to present their resolution or resolutions. It should not be dictated to by the majority.

Make it very clear, those on this side who have pushed for this debate are very clear in our position. I doubt if there is anyone who has been clearer than this Senator.

I yield the floor.

Mr. SPECTER. Mr. President, there is only a minute left before 10:30, not enough time to discuss. I ask unanimous consent I be recognized at the conclusion of the third vote for 10 minutes.

Mr. LEAHY. I did not hear the request.

Mr. SPECTER. My request—we were supposed to speak, but the time has been consumed otherwise. With only less than a minute left until 10:30, I have asked for consent to speak for 10 minutes at the conclusion of the third vote.

Mr. LEAHY. At the conclusion of the third vote?

Mr. SPECTER. Let me amend that to ask for 10 minutes for the chairman of the Judiciary Committee.

Mr. LEAHY. I have an hour reserved after the third vote anyway. Certainly, if the Senator from Pennsylvania wants to take his 10 minutes ahead of that hour, I have no objection.

Mr. SPECTER. I ask consent to that request.

The ACTING PRESIDENT pro terrpore. Without objection, it is so ordered.

VOTE ON NOMINATION OF NORMAN RANDY SMITH

Mr. LEAHY. Mr. President, I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There is a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Norman Randy Smith, of Idaho, to be United States Circuit Judge for the Ninth Circuit? The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER), the Senator from Connecticut (Mr.

DODD), and the Senator from South Dakota (Mr. JOHNSON) are necessarily absent.

Mr. LOTT. The following Senators were necessarily absent: the Senator from Nevada (Mr. ENSIGN), the Senator from New Hampshire (Mr. GREGG), and the Senator from Texas (Mrs. HUTCHISON).

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 94, nays 0, as follows:

[Rollcall Vote No. 49 Ex.]

YEAS—94

Akaka
Alexander
Allard
Baucus
Bayh
Bennett
Biden
Bingaman
Bond
Brown
Brownback
Bunning
Burr
Byrd
Cantwell
Cardin
Carper
Casey
Chambliss
Clinton
Coburn
Cochran
Coleman
Collins
Conrad
Corker
Cornyn
Craig
Crapo
DeMint
Dole
Domenici
Dorgan
Durbin
Enzi
Feingold
Feinstein
Graham
Grassley
Hagel
Harkin
Hatch
Inhofe
Inouye
Isakson
Kennedy
Kerry
Klobuchar
Kohl
Kyl
Landrieu
Lautenberg
Leahy
Levin
Lieberman
Lincoln
Lott
Lugar
Martinez
McCain
McCaskill
McConnell
Menendez
Mikulski
Murkowski
Murray
Nelson (FL)
Nelson (NE)
Obama
Pryor
Reed
Reid
Roberts
Rockefeller
Salazar
Sanders
Schumer
Sessions
Shelby
Smith
Snowe
Specter
Stabenow
Stevens
Sununu
Tester
Thomas
Thune
Vitter
Voinovich
Warner
Webb
Whitehouse
Wyden

NOT VOTING—6

Boxer
Dodd
Ensign
Gregg
Hutchison
Johnson

The nomination was confirmed.

VOTE ON NOMINATION OF MARCIA MORALES HOWARD

The PRESIDING OFFICER (Mr. BROWN). There are now 2 minutes equally divided before a vote on the Howard nomination.

Who yields time?

The Senator from Florida.

Mr. NELSON of Florida. Mr. President, two Senators from Florida rise to lend our support to Judge Howard, who is currently a magistrate judge and is an excellent choice. It is the privilege of Senator MARTINEZ and myself to support the outstanding choice of Judge Howard to be a Federal district judge.

Judge Howard is a graduate of Vanderbilt University and the University of Florida Law School.

I want to make reference to a note I received from Judge Howard telling a bit about something unusual, because her parents arrived here from Cuba. This is what she writes:

> My parents arrived here with very little other than an education and a willingness to work. Their success and my nomination are truly a testament to the opportunity that exists here simply by virtue of being an American. My parents never let my brother, my sister, or me forget how fortunate we were to be in a country where we could be whatever we wanted to be or that we had a duty to give back to our country.

That is the kind of person who will be a successful Federal district judge.

The PRESIDING OFFICER. The Senator from Florida.

Mr. MARTINEZ. Mr. President, I am delighted to join my colleague Senator NELSON in advancing the nomination of Marcia Morales Howard as a Federal district court judge for the Middle District of Florida. This outstanding woman lawyer from Florida not only has a distinguished academic background, having graduated from the University of Florida College of Law, being an editor of the Law Review there, but she also has been an accomplished litigator for 13 years with two very fine law firms in the State of Florida, Foley & Lardner and McGuireWoods. In 2003, she became a Federal magistrate. As a magistrate, she has distinguished herself in the Middle District of Florida where she would be serving as a Federal district court judge.

I know her and her family. I know what an outstanding American she is. I am very proud that with the magnitude of importance of a Federal appointment for a lifetime, we have someone of this competence, this dedication, and this quality to serve in this important post. I am delighted not only for the opportunity to advance the nomination but also to tell of the judicial nominating commission Senator NELSON and I have formed in the State of Florida, which I frankly believe is a model for bipartisan cooperation and also seeking the best and most qualified on the merits by positioning the nomination before a group of distinguished lawyers who then see the applicants, study their qualifications, and make recommendations.

I am delighted to urge my colleagues to support the nomination of Marcia Morales Howard for Federal district judge for the Middle District of Florida.

Mr. LEAHY. Mr. President, Judge Marcia Morales Howard, nominated to the Middle District of Florida, has the bipartisan support of both Florida Senators. With valuable experience as a Federal magistrate judge and as a former civil litigator, Judge Howard is well versed in litigation matters in Federal court. Judge Howard graduated from Vanderbilt University with a B.S. in 1987, and received her J.D. with honors in 1990, from the University of Florida, College of Law, where she served as Symposium Editor for the Florida Law Review.

As a litigator in private practice, Judge Howard worked mostly on complex civil litigation matters in Federal court as an Associate with the law firm of Foley and Lardner, and later worked on labor and employment law cases as an Associate, and then Partner, at the law firm of McGuireWoods, LLP. Judge Howard has also shown her dedication to serving others by providing pro bono legal services through the Jacksonville Area Legal Aid and pro bono seminars through the Jacksonville Center for Independent Living to disabled individuals informing them of their rights under the Americans with Disabilities Act.

I understand that Judge Howard is a first generation Cuban-American. She is being called upon to fill a position in one of the fastest growing areas in Florida. Senator NELSON has been a strong supporter of this nomination and has pressed for early action. I thank both Senators from Florida for their interest in this nomination. I also understand that Judge Howard's grandfather celebrated his 100th birthday just 2 weeks ago, on February 1. Her confirmation today is testimony to the great promise that America holds for people from all parts of the world, that the granddaughter of someone who came to America can become a Federal judge.

I congratulate the nominee and her family on her confirmation today.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, may I claim 1 minute as ranking member of the Judiciary Committee?

I think Senator NELSON and Senator MARTINEZ had important things to say about the nominee, but I don't think anybody heard them. So if I could have the attention of my colleagues.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. The nominee has an outstanding record, having served as a United States magistrate. She graduated from Vanderbilt in 1987, and from the University of Florida College of Law, with honors, in 1990. She has an outstanding professional record. I urge my colleagues to support her nomination.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Marcia Morales Howard, of Florida, to be a U.S. District Judge for the Middle District of Florida.

Mrs. MURRAY. I ask for the yeas and nays on the nomination.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER), the Senator from Connecticut (Mr. DODD), and the Senator from South Dakota (Mr. JOHNSON) are necessarily absent.

Mr. LOTT. The following Senators were necessarily absent: the Senator from Nevada (Mr. ENSIGN), the Senator from New Hampshire (Mr. GREGG), the Senator from Texas (Mrs. HUTCHISON), and the Senator from Oklahoma (Mr. INHOFE).

Further, if present and voting, the Senator from Oklahoma (Mr. INHOFE) would have voted "yea."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 93, nays 0, as follows:

[Rollcall Vote No. 50 Ex.]

YEAS—93

Akaka
Alexander
Allard
Baucus
Bayh
Bennett
Biden
Bingaman
Bond
Brown
Brownback
Bunning
Burr
Byrd
Cantwell
Cardin
Carper
Casey
Chambliss
Clinton
Coburn
Cochran
Coleman
Collins
Conrad
Corker
Cornyn
Craig
Crapo
DeMint
Dole
Domenici
Dorgan
Durbin
Enzi
Feingold
Feinstein
Graham
Grassley
Hagel
Harkin
Hatch
Inouye
Isakson
Kennedy
Kerry
Klobuchar
Kohl
Kyl
Landrieu
Lautenberg
Leahy
Levin
Lieberman
Lincoln
Lott
Lugar
Martinez
McCain
McCaskill
McConnell
Menendez
Mikulski
Murkowski
Murray
Nelson (FL)
Nelson (NE)
Obama
Pryor
Reed
Reid
Roberts
Rockefeller
Salazar
Sanders
Schumer
Sessions
Shelby
Smith
Snowe
Specter
Stabenow
Stevens
Sununu
Tester
Thomas
Thune
Vitter
Voinovich
Warner
Webb
Whitehouse
Wyden

NOT VOTING—7

Boxer
Dodd
Ensign
Gregg
Hutchison
Inhofe
Johnson

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider and lay on the table is agreed to, and the President will be immediately notified of the Senate's action.

* * *

LEGISLATIVE SESSION

Mr. REID. Mr. President, I announce to all Democratic Senators: We are having a caucus in Room S–219. The subject matter of this caucus is interesting.

I have a unanimous consent request that I am going to propound.

Mr. President, I ask you and the other Members to be patient. I am having a little script prepared for me to read.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT REQUESTS

Mr. REID. Mr. President, I ask unanimous consent that when the Senate convenes on Monday, February 26, the Senate proceed to the consideration of H. Con. Res. 63, the House Iraq resolution; that there be 12 hours of debate; that the debate be divided equally between the two leaders; that no amendments or motions be in order; and that the Senate vote on passage of the concurrent resolution at the conclusion of that time.

The PRESIDING OFFICER. Is there objection?

Mr. MCCONNELL. Reserving the right to object.

The PRESIDING OFFICER. The Republican leader.

Mr. MCCONNELL. Mr. President, of course, I will object. This is right back where we were a week ago. As the distinguished majority leader and the distinguished majority whip have said on numerous occasions in the last couple of years, the Senate is not the House. Senate Republicans are going to insist on fair treatment on the most important issue on the minds of the American people today; that is, the war in Iraq. The Senate simply cannot—and I have heard Senator BYRD make these points on numerous occasions—cannot operate this way. The Senate Republicans insist on one or more amendments on the most important issue confronting our country—the war in Iraq.

What I had hoped was that the distinguished majority leader and myself would be able to work out a consent agreement that would allow us to have—he would pick his amendment, and it is apparent the amendment the majority would like to have is the House-passed concurrent resolution, and then there would be an alternative, at least one alternative. Many of my Members would like to have more than one alternative in this extremely important debate, but at least one alternative on this side of the choosing of the majority of Republicans. So, therefore, I object.

The PRESIDING OFFICER. Objection is heard. The majority leader is recognized.

Mr. REID. Mr. President, I have told the distinguished Republican leader that when we get to the matter dealing with implementing the 9/11 recommendations, that will be a vehicle which will be open to debate and amendment.

The unanimous consent request I propounded would complete work on the Iraq surge issue within a matter of hours, as I indicated, so that we could move within a day, 1 day, to 9/11 and amendments—Warner, Gregg, McCain, whatever amendments the minority wanted to offer; they would certainly be permitted to do that.

We find ourselves in a very unusual position, Mr. President. We tried to proceed to this matter before. Everyone has heard the arguments used to stop us from going forward on this issue. Cloture was not invoked. We need not go over all the reasons, some of which have been outlined by the distinguished Republican leader just a few minutes ago. But there have been those on the other side of the aisle who think we should be in next week. Mr. President, speaking for this Senator, I am happy to be in next week. If you want to be in next week, we can do that. I have things in Nevada I have wanted to do for a while because I have been here for 5 weeks, but that is OK, I can take care of that, as everyone else can, if necessary. But we find ourselves in the same position, that there is a hesitation on behalf of the minority to go forward on now a very simple matter—a very simple matter.

The Warner-Levin amendment was a little more complicated than the simple House measure which says we support the troops and we are against the surge. That is what we think should be disposed of quickly. We can move to 9/11, all the debates on other things people want to do with Iraq and other issues. Certainly, they can do that. We can spend considerable time on that. As long as progress is being made, there is no reason to file cloture. There are other things we need to do the following week during the work period.

We are anxious to go forward on this issue. We have, again, been stopped from doing that. All the plaintive cries about not being able to debate Iraq—there were opportunities to debate Iraq, and they were turned down. I was disappointed, as I said earlier today, that the people crying the loudest are the people against going forward on Iraq.

It is my understanding, Mr. President, that the order is Senator LEAHY has 1 hour right now.

The PRESIDING OFFICER. The Senator from Pennsylvania is to be recognized first for 10 minutes and then Senator LEAHY.

The Republican leader is recognized.

Mr. MCCONNELL. Mr. President, we are not here today, I assume, to debate the substance of the Iraq matter, but it is important to remember that both the majority leader and the majority whip in December were saying a surge might be a good idea, and now they are saying the only resolution we should have before the Senate is one condemning a surge. Let me repeat, that is not the way the Senate works.

So I would like to propose a unanimous consent request, Mr. President.

I ask unanimous consent that on Tuesday, February 27, at a time determined by the majority leader, after consultation with the Republican leader, the Senate proceed en bloc to the following concurrent resolutions under the following agreement: a concurrent resolution, if received from the House, the text of which is at the desk; S. Con. Res. 7, the Warner resolution which is to be discharged from the Foreign Relations Committee; the McCain-Graham-Lieberman amendment regarding benchmarks; the Gregg amendment related to funding.

I further ask unanimous consent that there be a total of 12 hours of debate equally divided between the two leaders or their designees; provided further, that no amendments be in order to any of the measures; further, that at the use or yielding back of time, the Senate proceed to four consecutive votes on the adoption of the concurrent resolutions in the following order, with no further action or intervening debate: first, McCain-Lieberman-Graham, then Gregg, then Warner.

Finally, I ask unanimous consent that any resolution that does not receive 60 votes in the affirmative, the vote on the adoption be vitiated and the concurrent resolution be returned to its previous status.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Reserving the right to object.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, again, this is an attempt to divert attention from the issue before this body; that is, whether there should be a surge in Iraq. That is it—an escalation. And this attempt by my friend, the Republican leader, to divert attention from this very important resolution—we support the troops, we oppose the escalation—is now going to be obfuscated if, in fact, we agree to this request, and therefore we will not.

This body is going to have the opportunity to vote up or down if, in fact, we can proceed to the resolution. This body will have an opportunity to vote up or down: Do you support the troops? Do you support the surge?

I object.

The PRESIDING OFFICER. Objection is heard. The Republican leader is recognized.

Mr. McCONNELL. Mr. President, if this were to be allowed, this would be the second bill in a row where no amendments would have been offered to a 49-member Republican minority. I have been here a couple of decades now, and I am having a hard time recalling a situation such as this. This is the kind of thing Senator BYRD would get on his feet and decry as inappropriate in a body that thrives on debate and resolution. It is astonishing to me that it is being suggested, on the single biggest issue confronting the American people, that we would have 1 choice, dictated by a Democratic majority of 51 in a body of 100. That is simply unacceptable to this side of the aisle.

I think the message here from this discussion this morning is that the majority leader and myself ought to sit down, work out a consent agreement, a reasonable consent agreement to both sides, and structure the debate for our return.

Mr. McCAIN. Mr. President, will the Senator yield for a question?

Mr. McCONNELL. I will yield to the Senator from Arizona.

Mr. McCAIN. Mr. President, is the minority leader aware of the content of the measure that is proposed by myself, Senator LIEBERMAN, Senator GRAHAM, and others? What it is, is a proposal to set up benchmarks but also to support the surge or the change in strategy.

Can the Republican leader explain to me why it is we shouldn't have a proposal that opposes the surge, with a vote on that, and a proposal that supports it and a vote on that?

I have only been around here 20 years, not nearly as long as Senator BYRD has, whom Senator MCCONNELL referred to, but aren't we allowed to have competing resolutions to debate, with time agreements, such as the minority leader proposed? Why in the world would we not agree to a resolution that would be in opposition to the resolution the majority leader insists on voting on by itself? I have never seen the Senate work this way. I have never seen the Senate only allow one proposal to be debated and voted on. We have a proposal that we think deserves debate and votes.

I ask the Senator from Kentucky, who has been here longer than I have been, if he has ever seen anything quite like this on a major, compelling, overwhelming issue before the American people?

Mr. McCONNELL. Mr. President, I would say to my friend from Arizona that I am as astonished as he is.

This side was willing, after considerable discussion back and forth, to go down to one alternative, and the Senator from Arizona graciously agreed that his would not be the one, that we would offer the Gregg amendment. Even that was an astonishing concession on the part of the minority, an astonishing concession on the part of the minority to a rather narrow majority to get the debate going. The vote we had a week or so ago was to continue the debate.

The message is clear: The majority can gridlock the Senate over this issue with its insistence there be no choices or the majority leader and I can sit down and do what we should do, which is to reach a reasonable consent agreement for the consideration of alternatives on the single biggest issue confronting America today.

Mr. ROBERTS. Mr. President, will the minority leader yield for a question?

Mr. McCONNELL. I will yield to the Senator from Kansas for a question.

Mr. ROBERTS. Mr. President, I just wanted to make it clear to myself and others what we are facing here; that is, there would be only one vote we would have on the resolution that was passed in the House, which I feel I could not vote for because it is nonbinding—it is, again, to support the troops but not the mission, which I think is certainly unique in regards to how people feel about this—and that, basically, the McCain resolution, which I support, which sets out the benchmarks to give to General Petraeus and to give to Prime Minister Maliki to gain some kind of catalyst or effort that would say: Look, this is where the Senate stands, and hopefully we can get these things done so that we can see some progress, to see if it is possible to achieve some security in Iraq and give that Government a political settlement. And the second amendment I am talking about is the one of Senator GREGG, as I understand it.

Mr. REID. Mr. President, I ask for regular order.

The PRESIDING OFFICER. Senators are allowed to yield for questions.

Mr. ROBERTS. Mr. President, I would just ask what the play is, if I can do that?

Mr. McCONNELL. Mr. President, I say to my friend from Kansas that the status of the majority here is that we would have no alternatives at all.

Mr. ROBERTS. Mr. President, the one I would ask about, if I can ask a further question, is that of Senator FEINGOLD. It seems to me, if we are going to have a full debate, all choices need to be considered, and the amendment offered by Senator FEINGOLD should be considered and should be made in order. That has taken a lot of courage for him to offer such an amendment in a very forthright manner. I will say that I don't agree with it, but in discussions about the ramifications of all of these resolutions, which are nonbinding and which I call confetti resolutions because they do not do anything except send very difficult messages to everybody, I think that ought to be made in order and that ought to be a choice.

Mr. McCONNELL. Mr. President, I would certainly agree with my friend from Kansas that it might be in order to have multiple amendments on the other side, but certainly that would be up to the other side to decide.

Let me just conclude before yielding the floor that the message here is clear: Senate Republicans are going to insist on being treated fairly. Secondly, I am hoping the majority leader and myself can structure an appropriate consent agreement so that we can consider this matter in the near future.

I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, I wrote down the plaintive cries from my friends on the other side of the aisle: never seen the Senate work this way.

I say to my friend, the distinguished senior Member of this body, Senator BYRD, who has a fine memory, we have memories. Now, there are 10 Senators here who may not, but we remember, on a multitude of issues when we were in the minority, when we had no opportunity to debate anything or to offer amendments on anything.

One of the other words issued was "astonished." Mr. President, we are in the U.S. Senate. Anyone with any memory whatsoever understands how we were treated before, but when I became the majority leader, I said that I believed in the Golden Rule. I said I would treat people the way I want to be treated, that this is not any time to retaliate. In fact, I have followed the Golden Rule. We have had bills, such as the matter dealing with ethics or the matter dealing with minimum wage, and, of course, the CR we just finished had input from both sides or it would not have passed.

So I would say this: We can go with the unanimous consent request I have propounded, and within a few hours, when that day ended, the 12 hours ended, we could be on whatever amendments they wanted to offer to the homeland security measure.

I will go one step further than that. My friend from Arizona has suggested that he be allowed to offer his amendment. I would accept that, that we do the House-passed resolution and we do the McCain amendment and we spend 12 hours on those two matters the minute we get back here after this break, or if they want to do it tomorrow or Monday, I would agree to that.

So my proposal, without a lot of fancy words here, Mr. President, is we would take up the House measure that is now before this body—it is going through the process and is at the desk—and also do the McCain amendment. Those two matters, those two resolutions, one opposing the surge and one in favor of the surge. No other amendments would be in order. We could do that. We can have a debate on that, and then still, just a matter of hours later, we can move to homeland security, and the people who believed they had been left out of the debate could offer whatever amendments they wanted to on homeland security. That is my proposal.

The PRESIDING OFFICER. Is there objection?

Mr. McCONNELL. Reserving the right to object, and I will object momentarily, once again the majority leader seeks to choose the Republican amendment. We were there last week when the majority leader indicated that he would agree to an amendment on each side but that he wanted to pick our amendment. So I am constrained to object on the basis that we on this side would choose, if we were to only have one resolution, what it would be. I, therefore, object.

Mr. President, I ask unanimous consent that on Tuesday, February 27, at a time determined by the majority leader, after consultation with the Republican leader, the Senate proceed en bloc to the following concurrent resolutions under the following agreement: a concurrent resolution, if received from the House, the text of which is at the desk; S. Con. Res. 7, the Warner resolution which is to be discharged from the Foreign Relations Committee; McCain-Lieberman-Graham regarding benchmarks; and Gregg related to funding.

I would further ask consent there be a total of 12 hours of debate equally divided between the two leaders or their designees; provided further that no amendments be in order to any of those measures; further, that at the use or yielding back of time, the Senate proceed to four consecutive votes on the adoption of the concurrent resolutions in the following order, with no further action or intervening debate: the Gregg amendment; S. Con. Res. 7, the Warner resolution; the House resolution; and the McCain-Lieberman-Graham benchmarks.

Finally, I ask consent that any resolution that does not receive 60 votes in the affirmative, the vote on the adoption be vitiated and the concurrent resolution be returned to its previous status.

Mr. REID. Mr. President, I ask that the request be modified to say that the amendments that would be in order would be the House measure to which we referred, where we are in favor of supporting the troops and against the surge, and the McCain amendment.

I would say editorially, Mr. President, that is what the Senator from Arizona asked, and we will give it to him. We will have that debate, one in favor of the surge and one against the surge.

I ask my friend to modify his request.

The PRESIDING OFFICER. Will the Republican leader modify his request?

Mr. McCONNELL. Mr. President, I think the majority has already offered this suggestion just a while back.

Mr. REID. I am asking if the minority leader will modify his request.

Mr. McCONNELL. I, therefore, object.

Mr. REID. I object.

The PRESIDING OFFICER. Objection is heard.

The assistant majority leader is recognized.

Mr. DURBIN. Mr. President, the Senate has heard this song before. We heard it 2 weeks ago, and we have listened as seven or eight Members on the other side have come to the floor repeatedly day after day. They have sent letters and held press conferences saying they earnestly want us to move forward on this issue, though they voted against it. They voted against the motion for cloture that would have brought us to a debate on the issue, and it is on their own legislation.

We offered them two Republican amendments, the Warner amendment and the McCain amendment, one opposing the surge and one supporting the surge. They wouldn't accept it.

Mr. SPECTER. Regular order, Mr. President.

Mr. DURBIN. When they did not accept this, a cloture motion was filed on a motion to proceed, and they voted against it. They have come back since saying they want the opportunity to debate. They can't have it both ways.

The PRESIDING OFFICER. Regular order to proceed is called for. Under the previous order, the Senator from Pennsylvania is to be recognized for 10 minutes.

Mr. SPECTER. Mr. President, I had requested 10 minutes to speak on the judges, but I want to use a few moments here to talk about what is on the table.

We have just seen the Senate, for the better part of an hour, with a majority of the Senators on the floor, demonstrate gridlock and paralysis. I have an observation to make—and perhaps it would be an admonition or a warning—that the Senate is about to become irrelevant. We have, on the other side of the Rotunda, the House of Representatives taking up the issue of Iraq, which all Members here, with the speeches just made, agree is the most pressing issue facing the country, but the Senate can't address it. And the Senate can't address it because the majority leader has exercised his right under rule XV to fill the tree, which precludes any action by the Republicans, unless we Republicans exercise our right to withhold cloture.

Mr. BYRD. Mr. President, will the Senator yield?

Mr. SPECTER. I will be glad to yield but on additional time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SPECTER. I will yield to the Senator from West Virginia for a question.

Mr. BYRD. Mr. President, I just want to interpose a point here.

I think I heard the Senator make reference to the majority leader having the right to fill the tree. No, he doesn't. He does not. He has the right if no other Senator seeks recognition. But once the majority makes a motion or sends an amendment to the desk, at that second he loses the floor until the Chair states its business, and while he has lost the floor, another Senator can seek recognition. I merely make the point the majority leader does not have "the right." No other Senator has "the right" to fill the tree. If other Senators do not intervene, then of course he will fill it.

Mr. SPECTER. Mr. President, if I may regain the floor because I have a very limited time, my observations after being here for 26 years-plus are that when the majority leader then seeks recognition again, he gets it.

Mr. BYRD. Yes.

Mr. SPECTER. And when he makes the amendment in the first-degree and then he seeks recognition again, he gets it, an amendment in the second degree, and he does fill the tree.

Last week I proposed to change the rule. This rule has been exercised by Senator Dole, Senator Mitchell, Senator BYRD, and all the majority leaders in the last two decades. I think it is time we change the rule.

We are not going to change the rule now. But I do believe that the Senate is in real danger of becoming irrelevant. I don't think we ought to be dominant over the House of Representatives, but I think we ought to at least be equal.

Mr. BYRD. Will the Senator yield?

Mr. SPECTER. No; I wish to finish. I think we ought to at least be equal. What we have is that we are close to anarchy. We have been debating the debate all week. The House has rules which we wouldn't want, where the Rules Committee goes off and comes back and limits what the House of Representatives can do. Sometimes that is despotism, and between anarchy and despotism, it is a fairly tough choice. But right now, I am finding it difficult—impossible—to answer my constituents about what the Senate is doing. I tell them the tree is filled. They think I am talking about an orchard. I tell them we are debating whether we are going to have a debate, and they can't understand what we are doing.

I counted the Senators on the floor during the exchange between the majority leader and the Republican leader. We had more than 50 Senators here sitting around on the debate for a debate without reaching a resolution. I think Senator MCCONNELL is correct. I do not say that in the partisan sense, if I can attract the attention of the distinguished Republican leader. I think he is correct. But I repeat I do not say it in a partisan sense. There ought to be an accommodation and there ought to be an agreement reached between the leaders. When you have the proposal to have a variety of resolutions, that is the way of the Senate.

Senator MCCAIN has been here for 20 years. Senator MCCONNELL has been here for 22 years. I have been here for 26 years. Senator BYRD has been here for—I can't count that high—48 years, going onto 49. This is not the way the Senate ought to work. But it is the way the Senate has worked, with all the majority leaders in the last two decades exercising their right of recognition and filling the tree and tying up the Senate.

Now the Senate is finally caught. We are finally caught where America and the world sees what we are doing. It is a little ridiculous to have this kind of gridlock and this kind of paralysis.

How much time do I have left, Mr. President? I have to talk about the judges.

The PRESIDING OFFICER. The Senator has 4 minutes 40 seconds.

Mr. SPECTER. Let me yield to the Senator from West Virginia who wanted recognition—for a question.

Mr. BYRD. Mr. President, I thank the distinguished Senator for yielding. I have this comment. First of all, I wish to congratulate the Senator. He is very observant. He is concerned about the Senate. He understands the rules. But while he understands the rules, we do not need any more rules. We have rules. Senators need to insist on their rights as Senators and they ought to speak up so they can be heard and they ought to pay attention. We don't need new rules. We have rules that have been here for many years, and they have been tried and tried and tried again. We need to read the rules. Senators should read the rules and Senators should understand that they are Senators and they should be proud of that fact. We should demand that the rules be observed. I could do that. Every Senator can. We don't need new rules. We simply need to understand the rules we have. We need to insist on those rules, and the Chair ought as well to insist that the rules be observed.

No Senator needs to seek recognition to have the rules observed.

Mr. SPECTER. Mr. President, regular order. May I reclaim my time?

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. How much time remains, Mr. President?

The PRESIDING OFFICER. Three minutes.

Mr. STEVENS. Will the Senator yield to me for a parliamentary inquiry? What is the time situation? The Senator has 3 more minutes. What follows the Senator?

The PRESIDING OFFICER. The Senator from Vermont has 1 hour in morning business, succeeded by the Republican leader.

Mr. STEVENS. I have been around for a little while. I would like to see if I could have 3 minutes following the Senator from Pennsylvania.

The PRESIDING OFFICER. Is there objection?

Mr. LEAHY. Mr. President, reserving the right to object, I have yielded already to Senator SPECTER on my hour. So far I have been dramatically changing and changing the schedule of my office to accommodate everybody. The Senator from Alaska is one of the oldest and dearest friends I have here. If he wants 3 minutes, I will not object to him following Senator SPECTER for 3 minutes. But then I will insist and will not yield on my hour after that because we created too many problems already in my schedule.

Mr. STEVENS. I thank the Senator.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, on the sequence of speakers, I ask that following Senator LEAHY's 1 hour, there be 5 minutes for Senator CRAPO and 5 minutes for Senator CRAIG to talk about a judicial nomination.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. SPECTER. As a final statement, it is my hope that the majority leader, Senator REID, and Republican leader, Senator MCCONNELL, before the day is up, will come to terms and will announce some accommodation so that there can be a fair resolution of the debate—so this body does not become irrelevant and we do not present a picture to the American people of gridlock and paralysis, but we show we are still the world's greatest deliberative body because we are about to cede that title to the House of Representatives which as we speak is deliberating, which we are not doing—and that we take up the Iraqi issue and we show the American people and the world we can reach an accommodation, we can debate in accordance with the traditions of the Senate.

I ask my colleagues to seriously consider the resolution I introduced to change rule XV.

I agree with Senator BYRD. We do not need more rules, but we need a little modification of rule XV.

I thank my colleague from Vermont and yield the floor.

The PRESIDING OFFICER. The Senator's time has expired. The Senator from Alaska is recognized.

Mr. STEVENS. Mr. President, I have not been here as long as my good friend from West Virginia, but I am the senior Member of this side. I cannot remember a time when we tied together the concept of filing a first-degree amendment, then a second-degree amendment, with cloture so it entirely shut off any participation by the minority. It has been stated here it has happened. I do not recall that. I do recall back in the days of the Clinton administration, Senator BYRD had a proposal, a similar proposal, but we had a big ruckus. I am sure the Senator remembers. Senator Dole was our minority leader then.

This is a defining moment for the Senate. Because as the Senator from Pennsylvania has indicated, if the majority of one can go to the House and negotiate a bill and bring it back and there are not going to be any amendments, we are going to file a first-degree amendment, a second-degree amendment, and have cloture or else—the Senate is totally irrelevant.

Having been in the minority and in the majority, I think the majority ought to think twice. There is only one vote difference here right now, two votes when our good friend from South

Dakota comes back. But as a practical matter, the rights of the minority—really the whole country—depend upon the minority in the Senate having an opportunity to voice some of the concerns about what has happened in the House.

I say, in all sincerity, this is a defining moment. I believe the message we are trying to send on this Iraq resolution is wrong. I think it is harming the people who represent us in Iraq and Afghanistan. Even Afghanistan is coming back. We are going to have to send a new group, the 175th, over there to deal with al-Qaida in Afghanistan, again.

Our people need support, and we need to be able to articulate the reasons why we support them. If we follow the outline of the majority leader, we will not have that chance except by talking and talking. But no amendments.

It is not right. It is not the Senate. I do not intend to stand by and see the Senate lose its role under the Constitution to be the second House of the Congress. This is not a rubberstamp for the House. That is what we will be if we follow the intention of the majority leader now.

Mr. LOTT. What is the order, Mr. President?

LEGISLATIVE SESSION

The PRESIDING OFFICER (Mr. TESTER). Under the previous order, the Senate will resume legislative session.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will conduct a period of morning business.

The Senator from Vermont is recognized for 60 minutes.

Mr. LEAHY. Mr. President, I am going to speak on Iraq, but first—I see the distinguished Senator from Mississippi and the distinguished Senator from Pennsylvania on the floor—I will introduce a bill on behalf of myself, Senator SPECTER, Senator LOTT, and Senator REID, regarding the insurance industry.

(The remarks of Mr. LEAHY, Mr. LOTT and Mr. SPECTER pertaining to the introduction of S. 618 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

IRAQ

Mr. LEAHY. Mr. President, earlier today there was a lot of discussion here about whether and how we should have a debate on the Iraq war. I cannot think of any issue more important to the Senate.

I have said many times that the 100 men and women who serve here are privileged to do so. Someday, someone from our State will replace us. That is the genius of the Founders of this country. However, there are only 100 Members. There are 300 million Americans. The 300 million Americans expect the 100 Senators to speak for them. They do not have that opportunity themselves.

I consider it a great privilege to be here. I used to sit up in the gallery when I was a law student and watch the Senate, and I thought then as I do today that the Senate should be and often is the conscience of the Nation.

I heard the debates during the time of the Vietnam war. I became the only Vermonter to actually vote on whether to continue that war. Today, we have a different war but many people in this country are as concerned. Those for the war in Iraq, those against the war in Iraq.

I go to my State of Vermont and everywhere I go, whether I am in buying groceries and people come talk to me or I am at the gas station or if I am shoveling snow—and yesterday we had 2½ feet of snow at my home in Vermont—people stop and want to talk about the war in Iraq. My guess is it is no different in any other State.

These are very patriotic, very honest, very concerned people, and they have legitimate questions. They always ask: Why isn't the Senate debating the war in Iraq?

A week ago, Senator REID, the distinguished majority leader, tried every which way to provide the Senate with an opportunity to debate a bipartisan resolution on Iraq. That effort failed, and it failed again earlier today. It was blocked by some in the Republican Party who insisted on a separate vote that was nothing more than a political ploy. Instead of a debate on the President's policy, they wanted the debate to be about who supports the troops. We all support the troops, but we have some very different views about the President's policy that put brave American men and women in harm's way.

As so often is the case when anyone asked a question, expressed reservations or outright opposed the President's policy in Iraq, the President's defenders accuse his detractors of not being patriotic or of not supporting the troops. What blatant balderdash that is.

For years I have fought for veterans' benefits, for fair treatment for the National Guard, for armor for our troops who were sent by this administration into battle unprepared—and still, 5 years later don't have the armor their vehicles need to withstand the roadside bomb blasts. I have fought to replace the depleted stocks of equipment that our troops need and depend upon so their families do not have to send to them what the Government should be providing. The absurd accusation that it is unpatriotic to disagree with a policy that has resulted in the deaths of thousands of American soldiers and created a terrorists' haven in a country that, before our invasion, posed no threat to the United States, has worn thin.

It reminds me of my days as a prosecutor, when a defendant was caught red-handed. What would they do? They would usually attack the accuser. They could not say "You caught me breaking and entering." Rather, their defense was "I was set up." Or "He made me do it." That is what has been going on since President Bush, Vice President CHENEY, and former Secretary of Defense Rumsfeld ignored all advice to the contrary and led us into this costly fiasco.

These are the people who, when they had a chance to get Osama bin Laden—and we all want to see Osama bin Laden brought to justice for the attacks on September 11—when they had him cornered in Afghanistan, they decided instead to invade Iraq. Iraq did not pose a threat. Iraq did not have weapons of mass destruction. The intelligence was as equivocal as it was distorted and manipulated. But the President was fixated on Iraq, and he has remained so ever since.

Remember how the Vice President confidently said we would be welcomed as liberators? Some welcome. Remember the President, dressed up in a flight suit on an aircraft carrier so he could make a rousing speech under the sign "Mission Accomplished." Thousands of Americans have been killed or injured in Iraq in the years since that phony photo op.

The flawed policies of this administration have thrust our troops into the maw of a bloody civil war. Our troops are not responsible for the mistaken policies they have been asked to implement. Policymakers in Washington are responsible for that and only we can change those policies.

My youngest son was a member of the Marine Corps. He was called up during the first Gulf War. He saluted and was ready to do his duty, as are all the loyal men and women in our armed services. That was a different war. Thank God it was over so quickly. Neither he nor many others called up were in harm's way.

But the policymakers made this policy and only they can change it, not the troops on the ground. The polls show, unmistakably, that a majority of the American people want the Congress to debate and vote on the Iraq war. They know it is the key issue of the day. They see it is a widening civil war. They want their sons and daughters to come home pursuant to as sensible a plan as we can muster.

It is that simple. We ought to be debating that. If there are Senators who feel the troops should be there longer, that more of them should be sent there, then come to the Senate and say so. But also, there are those who feel we have to do all we can to bring our men and women home. We should have the opportunity to debate and vote on it.

The costs of this misadventure have not just been onerous, they have been catastrophic. More than 3,000 Americans killed, more than 20,000 wounded. My wife and I have visited some of the wounded. These are devastating wounds, crippling wounds, blinding wounds, wounds that disable people for the rest of their lives. And tens of thousands of innocent Iraqis have lost their lives.

In material terms, we are fast approaching the $1 trillion mark. We are throwing money out the door at a rate of more than $2 billion per week to fund this war. We are told about the things we cannot afford in America because we have to fund the war in Iraq. We are cutting funds for law enforcement, for police on our streets so we can pay for police in Iraq. We can't upgrade our hospitals. And on and on.

And the international reputation of America, which has brought us great influence, has now been tarnished, especially among our allies, tarnished and diminished.

Where are we in Iraq? We are in the midst of a civil war among religious and ethnic factions, an insurgency that shows no signs of diminishing and out-of-control organized crime. It is hard to say we have made any real progress toward the larger objective of bringing democracy to Iraq and the Middle East.

It is time we face this grim reality. Our soldiers' lives are in the balance. America's reputation is in the balance. America's ability to set an example for the rest of the world is in the balance.

I made a brief statement on Tuesday about a column in last Sunday's Washington Post by retired LTG William Odom. I know General Odom. I worked with him on some of the most significant intelligence matters in this country. He has one of the most distinguished military intelligence careers. He continues to provide powerful insights on national security. In his piece entitled "Victory Is Not An Option," he outlines how this administration's entire policy in Iraq, including the so-called surge strategy, is based on a self-defeating inability to face reality.

The reality, according to the general, is that we are not going to make Iraq a democracy. The longer we stay, the more likely Iraq will be anti-American at the end of our intervention. Think of that, after $1 trillion.

Our invasion made civil war and increased Iranian influence inevitable. No amount of military force will prevent those outcomes. Meanwhile, our presence is only stoking al-Qaida's involvement in Iraq.

The reality is that supporting our troops does not mean keeping them there to carry out a failed strategy. It means pursuing a course that protects the country's interests and prevents more Americans from dying in pursuit of an ill-defined, open-ended strategy that cannot succeed.

General Odom knows we need to begin an orderly withdrawal from Iraq. He argues we should join with other countries in the region, those whose input this administration has often ignored, and seek to stabilize the region through sustained, high-level diplomacy. These views are in line with those of some of our senior military officers, national security experts and many in Congress, and I might say a majority of the American people. The people we are here to represent.

Look at what the administration and defenders of the Republican Party offer instead: We get filibusters when it is time to debate the President's Iraq policy, we get the same old rhetoric about not supporting the troops, and we get a bill from the President for another $100 billion to send 20,000 more troops and continue the war. If the President cannot face the reality that even some Members of his own party increasingly have come to accept, then it is our responsibility—I would also say our patriotic duty and our moral duty—to act.

A nonbinding resolution that sends a clear message in opposition to an escalation of troops is far better than the years of silence of a rubberstamp Congress. But we know the President will ignore it. He has already said so. We know it is only a first step.

I will support binding legislation by Senators OBAMA and FEINGOLD to begin a phased redeployment of our troops out of Iraq. It is not our role to choose sides in this civil war, and it is a prescription for disaster. It is not our troops' role to die trying to force these warring factions to settle their age-old differences.

We need to continue to fight the Taliban and al-Qaida in Afghanistan. We need to deploy sufficient forces and intelligence assets to track down international terrorists around the world. We need to do a lot better job of policing our borders, without denying entry to innocent people who are fleeing persecution.

General Odom is right, keeping our troops in Iraq is not making us safer. We should be bringing our troops home. We should be bringing them home with the thanks of a nation for doing their duty. Congress has the power to force the President to change course. That is what the American people want. That is what we should be debating.

UNANIMOUS-CONSENT REQUEST—S. 214

Mr. LEAHY. Mr. President, I am about to propound a unanimous consent request. I saw the distinguished Senator from Arizona on the floor a moment ago, and I told him I would notify him because I know he is going to object. I also see the distinguished Senator from Idaho, who will. But, Mr. President, what I am going to do is the following: I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 24, S. 214, a bill to preserve the independence of U.S. attorneys, that the committee-reported amendment be agreed to, the bill, as amended, be read three times, passed, and the motion to reconsider be laid upon the table, without any intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. SCHUMER. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. And I will not object, but I wish to say a word before we proceed further. I just want to urge my colleagues to accept this unanimous consent request by Senator LEAHY to move forward legislation on restoring the longtime procedure for appointing interim U.S. attorneys.

I ask unanimous consent that after objection is heard, if it is heard, Senator LEAHY be permitted to yield 5 minutes to me and then he immediately regain the floor.

The PRESIDING OFFICER. There is one unanimous consent request pending at this time, and that needs to be resolved before we move forward.

Mr. LEAHY. Mr. President, parliamentary inquiry: How much time is remaining of the hour the Senator from Vermont has?

The PRESIDING OFFICER. Twenty-eight minutes.

Mr. LEAHY. Mr. President, I know people are about to object. I can assure the Senator from New York—so he will not have to repeat his request—that he is going to be getting time after the objection is made. I am going to make a statement, a very short statement, but I will yield at the appropriate time.

Mr. SCHUMER. Mr. President, I thank my colleague.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Vermont?

The Senator from Idaho.

Mr. CRAPO. Mr. President, it is my understanding the Senator from Arizona does desire to object to this unanimous consent proposal and could not be here on the floor, so on his behalf, I do object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Vermont.

Mr. LEAHY. Mr. President, last week, the Judiciary Committee reached a bipartisan consensus to reverse recent changes to the law governing appointments of interim U.S. attorneys. These changes were made, with little transparency, during final negotiations of the reauthorization of the USA Patriot Act. Through my staff, I had objected at the time, but to no avail. These changes invited and abetted an apparent abuse of power by this administration that threatens to undermine the effectiveness and professionalism of U.S. attorneys offices around the country.

I continue to support Senator FEINSTEIN's efforts to combat these abuses. I thank Senator SCHUMER for chairing our hearing into this matter last week and Senator SPECTER for his active involvement, which helped lead to a bipartisan solution. I urge the Senate to follow the committee's lead and approve the Specter, Feinstein, Leahy substitute to S. 214, the Preserving United States Attorney Independence Act of 2007.

During the Patriot Act reauthorization last year, checks on the authority of the Attorney General to appoint interim U.S. attorneys to fill a vacancy temporarily were removed. The change to the law removed the 120-day limit for such appointments and removed the district court's role in making any subsequent interim appoints. This change in law, accomplished over my objection, allowed the Attorney General for the first time to make so-called interim appointments that could last indefinitely.

Regrettably, we do not have to imagine the effects of this unfettered authority. We learned recently that the Department of Justice has asked several outstanding U.S. attorneys from around the country to resign their positions. Some are engaged in difficult and complex public corruption cases. Yesterday, one of the U.S. attorneys who has been told to resign, Carol Lam of the Southern District of California, announced two indictments stemming from her office's investigation of now-convicted former Congressman Randall "Duke" Cunningham. A Federal grand jury handed up indictments of San Diego defense contractor Brent R. Wilkes for bribery and of Wilkes and the former No. 3 official at the CIA, Kyle "Dusty" Foggo, for conspiring to defraud the United States. Apparently, Ms. Lam's reward for her efforts at rooting out serious public corruption is a pink slip.

We also understand the Attorney General has or is planning to appoint interim replacements for the U.S. attorneys he is removing, raising a potential of avoiding the Senate confirmation process altogether. This is an end-run around our system of checks and balances.

Many Senators have raised concerns about this practice, and several have asked the Attorney General about the reasons for the interim appointments. The situation in Arkansas highlights the troubling nature of this new authority and its abuse. The Attorney General removed respected U.S. attorney Bud Cummins and replaced him with the interim appointment of Tim Griffin, a former political operative for Karl Rove. This appointment was not made pursuant to an agreement with the two home State Senators.

In our hearing last week, Paul McNulty, the second in command at the Department of Justice, testified that Mr. Cummins' dismissal was not related to how well he did his job. In fact, Mr. MCNULTY said he had no "performance problems," but was removed merely to give an opportunity to Mr. Griffin, a person whom he admitted was not the "best person possible" for the job and who is reported to have been involved in an effort during the 2004 election to challenge voting by primarily African-American voters serving in the Armed Forces overseas. This was not a vacancy created by necessity or emergency. This was a vacancy created by choice to advance a political crony.

Since this administration has been creating these vacancies by removing U.S. attorneys as it chooses for whatever reason—or no good reason—on a timeline it dictates, how can it now claim not to have had time to fill spots with Senate-confirmed nominees? Why were agreed upon replacements not lined up before creating these vacancies? Why were home State Senators not consulted in advance? I would note that every one of the U.S. attorneys who was asked to resign was someone chosen by this administration, while the Attorney General served as White House counsel, nominated by this President, approved by the home State Senators and confirmed by the Senate. This is a problem of the administration's imagination and choosing, like so many others.

With respect to the law that has governed for the last few decades, the authority given to the Attorney General to make a time-limited interim appointment has not proven to be a problem. For example, last Congress, the time from nomination to confirmation of U.S. attorney nominations took an average of 71 days, with only three taking longer than 120 days and two of those only a few days longer.

The Department opposes the district court's role in the law that existed prior to the changes enacted in a Patriot Act reauthorization conference. This was a conference in which Democratic Members were excluded. The Department claims the district court's role in filling vacancies beyond 120 days to be inconsistent with sound separation of powers principles. That is contrary to the Constitution, our history and our practices. In fact, the practice of judicial officers appointing officers of the court is well established in our history and from the earliest days. Morrison v. Olson should have laid to rest the so-called separation of powers concern now being trumpeted to justify these political maneuvers within the Justice Department. It is not just a red hearing but a bright red herring. Certainly no Republicans now defending this administration voiced concern when a panel of judges appointed Ken Starr to spend millions in taxpayer dollars going after President Clinton as a court-appointed prosecutor.

I have heard not a word from the apologists who seek to use the Constitution as a shield for these activities about what the Constitution says. The Constitution provides congressional power to direct the appointment power. In article II, the part of the Constitution that this administration reads as if it says that all power resides with the President, the President's appointment power is limited by the power of Congress. Indeed, between its provisions calling for appointments with the advice and consent of the Senate and for the President's limited power to make recess appointments, the Constitution provides:

> But the Congress may by law vest the appointment of such inferior officers, as they think proper, in the President alone, in the courts of law, or in the Heads of Departments.

Thus, the Constitution contemplates exactly what our statutes and practices have always provided. Congress is well within its authority when it vests in the courts a share of the appointment power for those who appear before them.

Regrettably, this latest abuse of power follows this administration's politicization of U.S. attorneys offices. A recent study of Federal investigations of elected officials and candidates shows that the Bush Justice Department has pursued Democrats far more than Republicans. The study by Dr. Donald C. Shields, professor emeritus from the Department of Communication, University of Missouri-St. Louis, and Dr. John F. Cragan, professor emeritus from the Department of Communication, Illinois State University, found that between 2001 and 2006, 79 percent of the elected officials and candidates who have faced a Federal investigation were Democrats and only 18 percent Republicans. The administration's track record is not good and it again appears caught with its hand in the cookie jar.

Before 1986, 28 U.S.C. 546, the law governing the appointment of U.S. attorneys, authorized the district court where a vacancy exists to appoint a person to serve until the President appointed a person to fill that vacancy with the advice and consent of the Senate. When Congress changed the law in 1986 to allow the Attorney General to appoint an interim U.S. attorney, it carefully circumscribed that authority by limiting it to 120 days, after which the district court would make any further interim appointment needed. I was pleased that Senator FEINSTEIN worked so hard with Senator SPECTER to craft a worthwhile consensus measure to reinstate these vital limits on the Attorney General's authority and bring back incentives for the administration to fill vacancies with Senate-confirmable nominees. This measure has bipartisan support on the committee. We reported it out 13-6 after debating and voting down several amendments.

U.S. attorneys around the country are the chief Federal law enforcement officers in their States, and they have an enormous responsibility for implementing antiterrorism efforts, bringing important and often difficult cases, and taking the lead to fight public corruption. It is vital that those holding these vital positions be free from any inappropriate influence and subject to the check and balance of the confirmation process. The Specter, Feinstein, Leahy substitute to S. 214 is a measure that passed our committee with bipartisan support and I urge the Senate to take it up and pass it today so that we can curb the abuses we have seen.

Mr. President, how much time is remaining?

The PRESIDING OFFICER. Twenty-one minutes.

Mr. LEAHY. Mr. President, I ask unanimous consent that 7 minutes of my time be yielded to the Senator from New York—does the Senator want more than that?

Mr. SCHUMER. I will take 5.

Mr. LEAHY. That 5 minutes of my time be yielded to the Senator from New York and the remainder of my time be yielded to the Senator from California.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from New York.

Mr. SCHUMER. Mr. President, first, I thank our leader on the Judiciary Committee, the Senator from Vermont, for his leadership on this issue, as well as for yielding time. It is unfortunate that the unanimous consent request of the Senator from Vermont was objected to.

Now, I would like to report to my colleagues on both the hearing we had, which is public record, and, more to the point, the private meeting we had yesterday with the Deputy Attorney General, Mr. McNulty, who was gracious and who is a very fine person. But neither the hearing nor the private meeting we had allayed our fears. In fact, they increased them in a variety of ways.

As we know, at least seven U.S. attorneys were summarily fired in recent weeks. The Attorney General has flatly denied that politics has played a part. But the bottom line is, even at the hearing it was admitted that one U.S. attorney was fired without cause and replaced by somebody who had worked for Karl Rove and the Republican National Committee and did not have much of a record being a prosecutor. Even more troubling was the firing of the U.S. attorney from San Diego, of the Southern District of California, who was in the midst of a very high-level investigation that led to the conviction of Congressman Cunningham and, yesterday, the indictment of two more in that. So it is hardly a concluded investigation.

The bottom line at yesterday's briefing by the Deputy Attorney General did little to alleviate our concerns that politics was involved in several of these firings and, in fact, raised those concerns.

It seems, when you have a preliminary look—we did not get a look—but a preliminary description of the EER reports, the evaluations, that most of the U.S. attorneys, not all but most of the U.S. attorneys who were fired had very fine recommendations.

There were a few policy disputes, but particularly in the area of the U.S. attorney from the Southern District of California, in the midst of an ongoing investigation, there was some policy disagreement about how to deal with those crossing the border. She was told to change it. And there is no knowledge or observation whether she changed it or not, and yet she was fired in the midst of a much more serious, much more high-profile political investigation.

So the idea that people were fired for no cause, the idea that some may have been—and this is not proven, but certainly the hearing and the private meeting increased rather than decreased my concerns—fired for political reasons because they may have either, in some cases, not done what the Justice Department wanted them to do—particularly, remember, this was right before election time—or may have been going forward with a very serious investigation into local political officials remains a real possibility.

We asked to see the EER reports at the hearing. At the private meeting yesterday, Paul McNulty, Deputy U.S. Attorney General, said some of the information was taken under confidence. These are evaluations, and they ask lawyers, judges, fellow U.S. attorneys how the office is doing and how the U.S. attorney is doing. And if they were to reveal their names, it might jeopardize the confidentiality of future EER reports. That is a reasonable assertion. So we asked, could we get the reports and redact the names of those who were saying this is a good or bad U.S. attorney? Mr. McNulty said he would get back to us on the issue. We await.

But make no mistake about it: We will get those EER reports. Either they will be given to us with the necessary redaction—and I have spoken to my colleague from California, Senator FEINSTEIN—or we will ask Senator LEAHY, our leader on this issue, through the Judiciary Committee to subpoena them. We will see them. If they show that the U.S. attorneys were doing a good job, if they show that they were people who should be there, there will be real trouble.

It means two things. First, we will get to the bottom of this. There are still too many troubling questions out there. If we have to have another hearing, we will. Second, it means whatever the investigation finds, there is enough troubling evidence out there now that the legislation Senator FEINSTEIN has authored, and Senator LEAHY and myself have cosponsored, should be passed immediately. Therefore, it is regrettable there was objection that we don't move to rectify the situation and do it right now.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, I thank the Senator from New York for holding the hearing in his subcommittee, for his leadership, for understanding what is at stake, and for being willing to be out in front on doing something about it.

What I want to do for the American public is lay out the history of this particular issue and place it in context.

Unbeknownst to any of us, in March 2006, in the PATRIOT Act reauthorization, a provision was included that allows the Attorney General to appoint an interim U.S. attorney for an indefinite period of time. You might ask, what is wrong with that? What is wrong is that it avoids Senate confirmation. Prior to this change, the law stated that the Attorney General could appoint interim U.S. attorneys but only for 120 days. After that time, the authority to appoint an interim U.S. attorney would fall to the district court. Why? Because that provided an incentive to the administration to present a U.S. attorney nominee to the Senate for hearing, for questions, for review, and for a vote on confirmation.

This structure created in 2006 was relatively new. It was enacted during the Reagan administration in a broader bill by Strom Thurmond that was described as a technical corrections bill on criminal procedures. Before that, from 1898 until the Thurmond bill was enacted, district courts held the sole authority to appoint interim U.S. attorneys. That existed for almost 100 years. It was critical then, as it is now, that all U.S. attorneys receive Senate confirmation. By having the district courts make that interim appointment, it assured that the confirmation would take place.

No one expected the rash of firings from the Department of Justice. I first learned about the Department's actions early in January. At that time I learned that main Justice in Washington had placed calls to at least seven, possibly more, U.S. attorneys and asked them to resign by a date specific in January. I was also told that the intention was to bring in outside lawyers from main Justice or from elsewhere to take over these posts and to serve without confirmation for the remainder of the Bush presidency.

The Department of Justice has now acknowledged in public and at a hearing that such calls were made to "less than 10" U.S. attorneys asking them to step aside. We also know that prior to this action, there were already 13 U.S. attorney vacancies pending, with only two nominations presented by the administration to the Judiciary Committee. This means that if you add the 7 to 10 U.S. attorneys who were asked to resign to the current 11 vacancies without nominees, there could be between 18 and 21 U.S. attorney positions throughout the country that the Attorney General could fill without securing Senate confirmation. That is over 20 percent of U.S. attorneys nationally that could be filled for the remaining 2 years of the Bush presidency without going through Senate confirmation.

This new provision slipped into the PATRIOT Act would also allow the next President to put in place all 93 U.S. attorneys and let them serve the entire 4-year term without the benefit of confirmation. This change was a mistake. I suspect the amendment to the PATRIOT Act came from the Justice Department, was quietly put in the bill, and none of us at the time were the wiser. And then suddenly, at a certain point, the Justice Department said: OK, let's begin to remove some of these people and give some of our own bright young people an opportunity to step up and become a U.S. attorney. This is wrong, and the Justice Department has backed away from it.

Let me talk about a few of the U.S. attorneys involved. According to press reports, at least three were given glowing reviews from their performance audits in the recent past. According to the Las Vegas Review-Journal, Daniel Bogden, the U.S. Attorney for Nevada, said Wednesday that he was stunned to hear the Department of Justice requested that he step down from his post because of performance reasons. He went on to say:

> To this date, no one from the department has previously identified any issues with my performance or the performance of my office.

A similar story has surfaced about Washington U.S. Attorney John McKay. The Seattle Times reported last week:

> Seven months before he was forced to resign as U.S. attorney for the western district of Washington, John McKay received a glowing performance review from Justice Department evaluators.

The article went on to quote the report which stated:

> "McKay is an effective, well-regarded and capable leader of the [U.S. attorney's office]" . . . according to the team of 27 Justice Department officials.
>
> Yet on December 7th, Michael Battle, director of the Justice Department's executive office for U.S. attorneys, called McKay and asked him to step down.
>
> "I was told to resign by the end of January," McKay confirmed . . . "I asked what the reason was, and they told me there was none."

Then, of course, there is former-Arkansas U.S. Attorney Bud Cummins. In a story that ran last month, Mr. Cummins stated that the Director of the Executive Office of U.S. Attorneys, Michael Battle, made it clear that although he was being asked to leave, "it was not about me but about their desire to give someone else the opportunity to have the appointment."

Mr. Cummins said he specifically asked if his job performance was a problem when he got the call:

> [Mr. Battle] assured me it was exactly to the contrary.

These are three cases that have been documented where U.S. attorneys did not have any performance-related concerns as alleged by the Department. In addition, I have heard similar reports about other U.S. attorneys. I want to speak in specific about one. That is the U.S. Attorney from San Diego, CA. Today is U.S. Attorney Carol Lam's last day in office. I want to commend her. I thank her for the work she has done in that office. She was sworn in as U.S. attorney in September of 2002 and was appointed by the President in November 2002. Prior to serving as U.S. attorney, she was a judge of the Superior Court of San Diego, and she served as an assistant U.S. attorney in the southern district of California for 11 years. So she was no newcomer. She has been successful in bringing many of the country's most important corruption cases. I want to go through a few of them.

In March of 2004, Steven Mark Lash, the former chief financial officer of FPA Medical Management, was sentenced for his role in defrauding shareholders and lenders of FPA. The collapse of the company left more than 1,600 doctors being owed more than $60 million and patients reported being unable to obtain medical care because FPA had ceased paying providers. Thank you, Carol Lam.

In January 2005, Mark Anthony Kolowich, owner of World Express Rx, pled guilty to conspiracy to selling counterfeit pharmaceuticals, conspiracy to commit mail fraud and smuggle pharmaceuticals, and conspiracy to launder money. Mr. Kolowich had run an Internet pharmacy Web site where customers could order prescription drugs without a valid prescription. The judge called him the kingpin and architect of an elicit pharmaceutical ring that recruited many others to smuggle drugs across the United States-Mexico border at San Ysidro. Ms. Lam also announced that charges had been filed against five other individuals in a related case involving MyRxForLess.com. Thank you, Carol Lam.

In July 2005, Ms. Lam brought a case against San Diego councilman Ralph Inzunza, along with Las Vegas lobbyist Lance Malone, were convicted on multiple counts of extortion, wire fraud conspiracy, and wire fraud. They were accused of trading money for efforts to repeal a law.

In November 2005, Ms. Lam secured a guilty plea from former Representative Randy "Duke" Cunningham for taking more than $2 million in bribes in a criminal conspiracy case involving at least three defense contractors, after he accepted cash and gifts and then tried to influence the Defense Department on behalf of donors. He also pled guilty to a separate tax evasion violation for failing to disclose income in 2004. Thank you, Carol Lam.

In addition, earlier this week, Carol Lam announced two more indictments of Kyl "Dusty" Foggo, former top officer at the CIA, and Brent Wilkes, a defense contractor accused of bribing Duke Cunningham and the prime benefactor of the secret CIA contracts. Thank you, Carol Lam.

This woman was called and told to resign by a date specific, after she has done all of this good work. Ms. Lam and the San Diego U.S. Attorney's office have also pursued and successfully prosecuted other important cases, including:

In September 2005, the president of the San Diego chapter of Hell's Angels pled guilty to conspiracy to commit racketeering. Guy Russell Castiglione admitted that he conspired to kill members of a rival motorcycle gang, the Mongols, and to sell methamphetamine. Thank you, Carol Lam.

Then in December 2005, Daymond Buchanan, member of Hells Angels, was sentenced to 92 months in Federal prison for participating in a pattern of racketeering. He admitted in his guilty plea that he and other Hell's Angels also inflicted serious bodily injury upon one victim and that another Hell's Angel brandished a firearm during the offense.

At that time, Ms. Lam announced:

> With the president, sergeant at arms, secretary, treasurer, and six other members of the Hell's Angels convicted of racketeering charges and facing long prison sentences, the San Diego chapter of the Hell's Angels has been effectively shut down for the foreseeable future.

Thank you, Carol Lam. And what does she get? Fired without cause.

In September, 2006, Jose Ernesto Beltran-Quinonez, a Mexican national, pleaded guilty to making false statements about weapons of mass destruction. Mr. Quinonez was sentenced to 3 years in Federal prison for making up a story about Chinese terrorists sneaking into the United States with a nuclear warhead. That hoax prompted a massive investigation, Federal warnings, discussions at one of President Bush's security briefings, and a nationwide hunt for the group of Chinese supposedly plotting the attack.

Thank you, Carol Lam.

In December 2006, Mel Kay, of Golden State Fence Company, and Michael McLaughlin, pleaded guilty to felony charges of hiring illegal immigrants and agreed to pay fines of $200,000 and $100,000, respectively. The company, which built more than a mile of the 15-foot-high fence near the Otay Mesa border crossing in San Diego, agreed separately to pay $5 million on a misdemeanor count, one of the largest fines ever imposed on a company for an immigration violation.

Thank you, Carol Lam.

These are just some of the important cases Carol Lam has pursued during her tenure. She does not deserve this kind of treatment.

In addition, during her previous time in the office, Ms. Lam prosecuted and convicted several high-ranking members of La Cosa Nostra, a Chicago-based organized crime family. She also secured a guilty plea and settlement of $110 million against National Health Laboratories, Inc., in a Medicare fraud case.

Ms. Lam has had a distinguished career and she served the Southern District of San Diego well, and everyone in that district knows that. I regret that main Justice does not. I am quite disappointed that main Justice chose to remove her, especially given the ongoing work in which the office is involved.

Now, like Senator SCHUMER, I was present yesterday when the Justice Department briefed us and several other Senators as to why they asked these U.S. attorneys to leave. With the record I just pointed out, nothing that was said yesterday justifies asking this U.S. attorney to leave without cause—nothing. That is why this is an issue. I believe their intent was to bring in people from the outside to give some of their bright young people an opportunity. This might not be wrong, if they weren't also attempting to avoid confirmation. Without confirmation, the Department of Justice could bring in political operatives or anybody else. That is wrong.

If I had not been given this information, we never would have known about these events because the likelihood is that these U.S. attorneys would have just quietly resigned and retired to another job or retired into society somewhere else. This is not the way we should function. That is why this is a major issue. That is why the Majority Leader of the Senate wishes to bring this bill to the floor—to put it back to where it was prior to that provision being put into the Patriot Act without our knowledge and without debate.

I hope the U.S. attorney bill will come to the floor of the Senate, and I hope we can change it back. I hope we can go out and say to the American people that this will never happen again and every U.S. attorney will have confirmation before the Senate of the United States.

Mrs. LINCOLN. Mr. President, I rise today to state my support for the legislation put forward by Senator FEINSTEIN on the interim appointment of U.S. attorneys. This legislation represents a compromise between Senator SPECTER and Senator FEINSTEIN and I commend them for the bipartisan example they have set in addressing this issue.

Senator PRYOR and I came to this debate because of the interim appointment of a U.S. attorney in Arkansas, but the importance of this issue goes beyond the qualifications of Tim Griffin for that position. The Founding Fathers created this Government around a system of checks and balances, with three coequal branches. As we all know, one of those branches is filled with officials who are not elected, such as Mr. Griffin. The Founding Fathers knew that if the executive branch was allowed to appoint all of the members of the judiciary without any consultation with the legislative branch, it would make the judiciary branch simply an extension of the executive.

What we are talking about today is another in a long line of attempts by this administration to undermine the system of checks and balances by expanding the authority of the executive branch. These abuses of power have almost always related to provisions that are necessary for the smooth operation of government. Of course we need the ability to appoint a U.S. attorney in a time of crisis when Congress is not in session, but do we need that authority extended to a point where a sitting President can make a judicial appointment with no set termination? Absolutely not. The law the administration changed in the PATRIOT Act was well structured to provide the ability to appoint in times of emergency, while respecting the Senate's role in the process. The compromise put forward by Senators FEINSTEIN and SPECTER seeks to restore that.

The Senate's role in the confirmation process is vital as it provides a second review of the qualifications of a nominee and allows constituents a better opportunity to evaluate a nominee and state their support or opposition. I fear that this effort to diminish the Senate's role in the confirmation process is indicative of this administration's general attitude toward a vital provision of our Constitution and to the system of checks and balances in general. If given the choice, it would appear that this administration clearly favors less transparency in government, not more. If allowed to continue, I feel certain that it would result in the average constituent having much greater difficulty getting their voice heard on the appointment of nonelected officials. The power of our democracy rests with the people, and that is something we must never forget. It is for that reason that I support Senator FEINSTEIN and Senator SPECTER and urge my colleagues to join with them in order to pass this legislation

Mr. REID. Mr. President, I regret that we have not been allowed to move forward at this time on S. 214, a bill to preserve the independence of U.S. attorneys.

This legislation is ready for floor action. It was the subject of a lengthy hearing in the Judiciary Committee and was favorably reported by that committee with bipartisan support.

The bill would protect U.S. attorneys from being used as political pawns. It would limit the power of the Justice Department to appoint long-term replacements for departing U.S. Attorneys and instead authorize the chief Federal judge in a district to appoint a temporary replacement while the permanent nominee undergoes Senate confirmation. This is the process that was followed for decades until it was changed in the Patriot Act reauthorization.

Last month, we learned that at least seven U.S. attorneys had been directed by the Department of Justice to resign. One of these was the U.S. attorney in my State of Nevada, Daniel Bogden.

Let me take just a moment to thank Dan Bogden for his service. He has been the chief Federal prosecutor in Nevada since his appointment in 2001. He is a former Washoe County deputy district attorney and had served as an assistant U.S. attorney for 10 years before being appointed as chief Federal prosecutor. He made it a priority to prosecute violent criminals and drug traffickers and his efforts have made Nevada safer. I appreciate all the remarkable work he has done for our State.

The Deputy Attorney General testified that the U.S. attorneys who were forced out had "performance issues." As far as I am concerned that is nonsense. Dan Bogden's last job evaluation described him as being a "capable" leader who was highly regarded by the Federal judges and investigators in our State.

What is really going on here? According to news reports, the decision to remove U.S. attorneys was part of a plan to "build up the back bench of Republicans by giving them high-profile jobs." In fact, at least one of the fired U.S. attorneys was replaced by a GOP opposition researcher who is known as a protégé of Karl Rove.

So what has happened might well be called "Crony-gate." It may not be as far reaching a scandal as Watergate, but it is a scandal nonetheless. It represents a breach of the long tradition of independence that allowed these powerful Federal prosecutors to do their jobs without fear of political retribution. Now every U.S. attorney will be looking over his or her shoulder to see if Karl Rove or other White House aides approve of their decisions.

The administration is in a position to ignore the Senate and place its own loyalists in these key jobs because of a little known change included in the Patriot Act last year at the insistence of the Justice Department. This provision lets the Attorney General make interim U.S. attorney appointments with no time limits, no residency requirements, and no need for Senate confirmation.

I applaud Senators FEINSTEIN, PRYOR, LEAHY, and others for addressing this problem swiftly. Their bill will help ensure that the people of Nevada have a say in who will be their next U.S. attorney. The Senate confirmation process for U.S. attorneys ensures transparency and accountability. We need to keep politics out of the justice system.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER (Mrs. MCCASKILL). The Senator from Idaho is recognized.

NOMINATION OF NORMAN RANDY SMITH

Mr. CRAIG. Madam President, I am proud to rise in support of the confirmation of Norman Randy Smith to the Court of Appeals for the Ninth Circuit.

There is no question about Randy Smith's credentials or competence for this position. He has been a State district judge in Idaho's Sixth Judicial District for a decade. He has served as a felony drug court judge and a pro tem justice on the Idaho Supreme Court and the Idaho Court of Appeals. He has a wealth of experience in both the practice and teaching of law, and he has been an active member of the bar association and other professional associations.

There is also no question about Judge Smith's character and fitness for this office. Randy Smith is deeply involved in his community and State, and he has held positions of leadership and responsibility in a wide variety of organizations. He is respected and well-liked by Republicans and Democrats alike throughout the State of Idaho.

He is a fine man—the kind of person you would want to have as a scout leader for your kids. He is a principled and knowledgeable community citizen—the kind of person you would want to have on your team or your board. He is a thoughtful, objective judge—the kind of judge you would trust to render an impartial and well-reasoned decision.

Men and women come to the bench by many different roads, including academia or elected public office. Randy Smith's real-world experience gives him a perspective and skill-set that will be extremely valuable on the appellate court. His character and competence fit him to advance to this important position, and Idahoans are confident that he would be a tremendous asset to our region, and the Nation, as a judge on the Ninth Circuit Court of Appeals.

THE CONFIRMATION OF JUDGE RANDY SMITH

Mr. CRAPO. Madam President, I rise today to speak about a tremendous event that happened in the Senate, and that is that the Senate today confirmed my good friend, Randy Smith, to be a judge on the Ninth Circuit.

Madam President, today really is the conclusion of a sometimes unnecessarily long and difficult process for the confirmation of Judge Smith. Judge Smith was originally nominated by the President back on December 16, 2005, for a seat on the Ninth Circuit Court of Appeals that was vacated when Idaho Judge Stephen Trott took senior status.

Earlier this year, through negotiations with the White House, Judge Smith was renominated to a different Idaho seat on the Ninth Circuit that had been vacated when Judge Thomas Nelson took senior status.

Since 1996, Judge Smith has served as district judge for the Sixth Judicial District of Idaho. Judge Smith earned his undergraduate and law degrees from Brigham Young University. Throughout his career, both in private practice and as a judge, Judge Smith has continued to be a student and teacher of the law. He taught courses in business law and tax law at Brigham Young and later at Boise State University. Since 1993 he has served on the faculty at Idaho State University teaching legal environment and business law.

Prior to becoming a judge, Randy Smith spent more than 15 years in private practice, gaining significant experience before both State and Federal courts. He is a member of the bar of the U.S. Supreme Court, the Ninth Circuit Court of Appeals, U.S. District Court for the State of Idaho, U.S. Tax Court, the Idaho Supreme Court, and all of the other courts of the State of Idaho.

In addition to his current position as district judge in Idaho, Judge Smith also serves from time to time as pro tem justice on the Idaho Supreme Court, as a judge on the Idaho Court of Appeals, also, and as a temporary judge in district courts throughout the State of Idaho. He literally handles approximately 100 Federal and State civil cases each year.

In 2004, Judge Smith received the George C. Granata, Jr., Award presented by the Idaho State judiciary in recognition of demonstrated professionalism as an Idaho trial judge, and for motivating and inspiring his colleagues on the bench by his character and actions. In 2002, he received the Outstanding Service Award from the Idaho State Board of Commissioners. Judge Smith is also a member of the board of directors and is a past president of the Idaho State Civic Symphony.

The American Bar Association has given him its unanimous "well qualified" rating for his nomination to the Ninth Circuit.

It is my honor today to personally congratulate Judge Smith. As I said, he is a personal friend. I have known him for years and have watched him give service to the people of the State of Idaho of the highest caliber. He has shown himself to have the principles and values to be the kind of judge that America needs. He understands that we need a conservative understanding and interpretation of the U.S. Constitution, and that the role of a judge is interpretation of the law, not creation of the law. He understands the value that comes from having solid adherence to the principles of our Constitution as issues are adjudicated. He will be a tremendous new asset and addition to the Ninth Circuit Court of Appeals.

As I said at the outset, this has been a long, sometimes very unnecessarily burdensome and difficult process to get his nomination to the floor. I am sure that the strength he will bring to the Ninth Circuit was shown by the vote of confidence given to him today, a unanimous vote by the Senators present, 94 to 0, confirming him to be the next judge on the Ninth Circuit Court of Appeals.

This is a tremendous day for Randy Smith, but it is also a tremendous day for the Ninth Circuit Court of Appeals, the people who live in that circuit, and, frankly, for the people of America.

Madam President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BAUCUS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING THREE MONTANA HEROES

Mr. BAUCUS. Madam President, Saint Luke explains in his Gospel:

> The spirit of the Lord is upon me, because He hath sent me to heal.

Delivering care to the sick and injured is the Lord's work. To heal the sick at great risk to one's own safety reflects the best that we can be as the Lord's servants.

I am here to honor three healers from my home State of Montana—ambulance pilot Vince Kirol, paramedic and firefighter Paul Erikson, and registered nurse Darcy Doyle. These Montana heroes died tragically during an air rescue mission on February 6.

Their deaths are a tremendous loss to their families, to Benefits Healthcare, and to all of Montana. These dedicated individuals were en route to Bozeman from Great Falls in dangerous weather to pick up a patient who had suffered a severe head injury that required immediate surgery.

Every minute counted. The victim's injury had to be treated as quickly as possible. The longer it took to get him to the hospital, the worse his chances were for survival. The only way to get the patient the care he needed was by air transport. So the dependable air ambulance team at Benefits Healthcare was called. Vince, Paul, and Darcy responded to the call without hesitation and without concern for their own safety.

They knew that somebody's life was hanging in the balance. This is the type of pressure-filled situation in which they have always operated.

Montana is a large State, it is a beautiful State, with rural and isolated areas, where people who are injured may need immediate rescue, may need it right away, including air ambulance transportation to a trauma center.

Unfortunately, there are not enough hospitals in Montana that can give the kind of care someone with severe injuries immediately needs.

So-called level 1 hospitals have operating rooms, surgeons, and radiologists available 24 hours a day, 7 days a week, waiting and ready for any patient with severe injuries who is brought in. There are no level 1 hospitals in Montana.

Level 2 hospitals have the right facilities, but the doctors are not in the hospital around the clock to be available immediately when a patient arrives. There are only three level 2 trauma centers in Montana.

It is very expensive to run hospitals and offer this high-level, specialized care. Only three hospitals in Montana—one in Missoula, one in Billings, and one in Great Falls—offer such services, so every patient who needs a trauma center has to go to one of these hospitals. This makes air ambulance transportation even more important, given Montana's 800-mile span and mountainous terrain.

The Benefits medevac program provides 24-hours-a-day, 7-days-a-week air ambulance transportation in Montana and the Northwest. Aircraft respond to isolated areas, accident scenes, and hospitals to bring patients to the regional emergency center as quickly as possible.

These dedicated pilots, nurses, and paramedics who operate the Benefits medevac program provide honorable and essential services to Montana. The three Benefits professionals who lost their lives last week were trying to do just that.

Darcy Dengel was a 27-year-old registered nurse. She joined Benefits in June 2001 and transferred to the emergency room in August 2003, where she also worked as a flight nurse.

Her Benefits colleagues describe her as a bright, talented, and vibrant woman who loved her work because that work gave her a unique opportunity to help people in need.

She was able to make a difficult time for a patient a little easier with her gentle care. She was to be married this spring to Rob Beal and is survived by parents Rich and Donna Dengel of Lewistown, MT.

A long-time friend of Darcy Dengel's family described Darcy this way:

> She was a light . . . She didn't worry about danger in her work as a flight nurse. She wanted to help people.

Paul Erickson was 33 years old and was the medic on the flight. Paul was a firefighter who worked on the Mercy Flight on his days off. He worked side by side with his wife Rachelle, who is the trauma coordinator for Benefits. They had a baby boy last July named Spencer Pilot.

Assistant fire chief Steve Hester said this of his colleague:

> Paul considered it a service to the community. He was all about service to others. He knew that in rural Montana the only way you can get help sometimes is by air.

Vince Kirol was 58 years old and had been flying for 40 years. He was a Mercy Flight fixed-wing pilot for 13 years after working for Metro Aviation in Shreveport, LA. He is survived by his wife Diana and two sons. Vince's pastor noted that he loved the mountains and he loved skiing and hiking with his sons.

Billy Darnell, a friend of Vince's from his church, said this about him:

> He cared about people. That's why he loved his job.

Darcy, Paul, and Vince selflessly put their lives at risk, transporting critically ill patients even in perilous weather conditions. They gave their own lives trying to save others. Their deaths are a tremendous loss to Montana. They were good servants, and they are heroes. Our hearts and our prayers go out to their families and to their friends.

Madam President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SALAZAR). Without objection, it is so ordered.

The senior Senator from New Jersey is recognized.

IRAQ

Mr. LAUTENBERG. Thank you, Mr. President.

I wanted to take just a few minutes to kind of review where we are here in the silence that abounds in this Senate. The question about what is going on is kind of mystifying for much of the public looking in and saying: What are they doing wasting time?

There was some talk about the terrible situation we are in in Iraq, and I spoke as one of those who say we have had enough. We have had enough there. We have lost over 3,000 people, and the Iraqis have lost substantial numbers. One would have to be really hardhearted not to be moved when you look in the paper and you see a child weeping over a dead mother or a brother or a sister or people lying in the street dead from brutal attacks from this internal civil war while we are trying to figure out what we do to protect our people.

What is it that we want to accomplish with the votes that have been taken here? I think it is fair to say that what we would like on this side of the aisle, and I am sure there are many colleagues on the other side who feel as we do but would be out of step politically if they took the vote we want to take, to approve or disapprove of sending more troops into that death trap, to say how long we want to stay there.

What do we have to prove by supporting the President's order, the President's interest in the so-called surge? They try to disguise the word. The word is "escalate." It is not "surge." "Surge" can be interpreted many ways, but "escalate" is very clear: Put more people there. Put more people in harm's way. Put more people in an abyss from which there is no way, that anyone has told us, out of the situation.

We get the argument: Oh, you want to cut and run. No. Do you want to stay and die? Is that what the alternative is? Ask the families who have children, brothers, fathers, and mothers there. They come in to see me, people who have someone who is in Iraq, and they are scared to death about what kind of news they will get some night.

I had a woman in the office one day, with a group of other people, sobbing so hard that she couldn't talk. Why? Because her son had been wounded—a light wound but enough to earn him a Purple Heart—and he was being sent back on hazardous duty. He was willing to do it. His mother didn't want him to do it. But at what point do we say the pain is so excruciating that we can't stand it?

It has nothing to do with cut-and-run. I wore a uniform in World War I. Others here have worn the country's uniform, some in Vietnam, some in Korea. We have had a lot of experience with wars. But in each case, if we didn't have an objective, we fared very badly. That was true, unfortunately, in Vietnam, where we finally had to wrap it up and go home, leaving 58,000 of our brothers and sisters still there, if not physically, in sharp memory. And now we see what is happening here.

I bring to our attention the fact that in Iraq, in the month of January, we lost 83 of our bravest. Thus far in February, we have already lost 48 members of the American military. And the Iraqis have suffered deaths. Look at the number of people who have been murdered there with suicide bombs, roadside bombs, and brutal murders, with hands tied behind their backs and blindfolded. It goes on and on. If we could wish it away, if we could see an end to it, I would be more than willing to leave troops there to kind of monitor the last parts of a war that is one of the worst America has been in, but what we see is not only the numbers that are perishing daily, weekly, but the tactics they are using now with shooting down helicopters. That wasn't something we saw before.

Suddenly now, in the past couple of weeks, three helicopters have been taken down by enemy fire. That changes the complexity of things because helicopters were an integral part of our capacity to fight back. If we can't do that, does that mean we have to put more people on the ground, that we have to lose more people? It ought not to be that way.

Last week, we took a vote here, and it was a vote that would limit debate. We, the Democrats, led the charge there because we wanted to get on with the issue of whether we wanted to send more troops than we have there now. The number, estimated to be at 21,000 in combat, means that 48,000, roughly, would be the total number because you need the support groups as well. That vote was disguised as something else, which is what our friends are doing today—disguising what their intent is. Their intent is to escape the responsibility they took when they voted against closing the debate the other day. That is what happened.

They have a lot of discomfort over there. I see my colleague from the State of Minnesota is here now, and if I am not mistaken, he was one of those who said: Let's cut the debate and get on with the issue. That is what his message was that day. And so there is abject discomfort with the vote that was taken because people at home interpreted that in a different way. They are not interested so much in our tactical maneuvering here or the process; they want to know: Do we want to send more troops into that inferno or do we want to try to figure out a way to get out of there as quickly as practicable? That is the question.

So they voted the wrong way. And now, Heaven forbid, we had something we could vote on, and that was voted on by way of closing the debate, which was developed by Senator CARL LEVIN of Michigan, chairman now of the Armed Services Committee, and supported fully by Senator JOHN WARNER, who himself was a veteran and served at the time of World War II, who agreed with him that we ought to show our displeasure. There wasn't anything radical in it. We weren't calling the other side names. We just said we want to stop this escalation. We don't want to put more troops out there in harm's way. We don't want to see more limbless veterans. We have almost 800 now, veterans who have lost one limb at least, and we have 25,000 who have been injured. And there are a lot of severe injuries that you can't see because they are internal injuries. They are injuries of the mind. They are injuries of the spirit. There are a lot of them; 30,000 with PTS, post-traumatic stress, in addition to those who have the physical, visible wounds we see.

So we want to get on with the vote. Let us have an honest count here about whether you are for escalation or against it. Do you want to throw more into the Iraqi war? Do you want to put more sons and daughters there or do you want them to start coming home and reuniting them with their families? That is the question. Instead, it is dressed up here. If we voted to adjourn, it would be a sign that we are not supporting the troops. Baloney. We support the troops fully. Each and every one of them over there now is a hero to us, each and every one, because many of them disagree with the policy that got them there, the falsification of whether there were weapons of mass destruction.

The PRESIDING OFFICER. The Senator's 10 minutes in morning business has expired.

Mr. LAUTENBERG. I ask unanimous consent for 5 more minutes.

The PRESIDING OFFICER. Is there objection?

Mr. COLEMAN. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. COLEMAN. I ask further unanimous consent that the additional time of the Senator not be charged against the minority. It was our time. I want to be sure his time is not charged against the minority so we can finish morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUTENBERG. I thank our colleague from Minnesota.

What we see is a deliberate attempt to avoid the question: Yes or no, how do you stand on the escalation of this war? How do you stand on sending more sons and daughters into that hell on Earth?

It is time to stand up and be counted and not to permit the public, across this land of ours, to be fooled by debate structures, by delaying tactics. It is time to stand up and be counted, but we cannot do that. The other side will not permit us to do it, and we know how to count votes so we know we do not have enough to do what we would like to.

But the House has taken the bull by the horns. The House is considering it, and it is very favorably being considered there—not yet voted—legislation that says we are against this escalation. Republicans as well as Democrats there are going to join. What we are saying here is let us simply vote on that. That is what has been asked for by our leadership.

I hope we will be able to conclude this debate, find out and let the American people know where we stand, each one of us. When we raise our hand, each one of us will be making a declaration: Do we think it is necessary to put more of our troops out there, to run them through there at the risk of their limbs, or lives, and disrupt family life, leaving children without a guiding parent on one side, to let the bills accumulate, worry about the mortgages? These are people, for the most part, who were reservists. They have served once, served twice—a year each—and now a third callup is being talked about because the President has decided—against the will of many outstanding military experts, those who have served at the highest rank. They say no, it will not help. But the President of the United States is very stubborn on this issue, despite all of the opposition—opposition here, opposition across this country. The numbers are around 70 percent of the people do not want us to continue to do this, or send in any more troops. I hope we can resolve the truth here in short order.

I yield the floor with thanks again to my colleague from Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. COLEMAN. Mr. President, I intend to speak in morning business and to talk about an issue of great importance in Minnesota, access to health care in rural communities, but I have to make one comment in response to my colleague from New Jersey.

Iraq is the most important issue facing America today. There is no question about it. I want to raise some concerns about the surge in Baghdad. I understand we are fighting a war against insurgency and foreign fighters in Anbar Province. If those commanders on the ground need more, I am going to give it to them. I have great concerns about the surge. We need to debate this. It is absolutely mind boggling to watch what is going on with this playing around with rules. The bottom line is Senators should have the right to debate. Senators should have the right to offer amendments and we should be voting on whether you support a surge, we should be voting on whether you support continued funding, we should be voting on whether there should be benchmarks. We should do what the

Senate does, which is debate, have discussion, and then vote. What the majority is attempting to do is to forestall that, offering something that they know is something the Senate does not do, offering something they know the American public—the public wants us to debate this and vote on it. So instead they offer a resolution which, they know, will gather objection, a resolution on which they will allow no amendments, no discussion about other things other than a proposal that comes out from them. That is absurd. That is not the Senate. It is not the greatest deliberative body in the world. We should do better. The American public deserves better, and I hope our leaders can come together and figure out a way to structure a debate so opinions can be laid out and they can be discussed and then we can vote—not on one thing that a 51-person majority says, but the way the Senate does it: We put it on the table and vote.

I may disagree with some of my colleagues on this side of the aisle on some of that, but everyone has a right to lay out their amendments and their proposal, and we should do so on Iraq.

HEALTH CARE

Mr. COLEMAN. Let me focus on an issue of concern to me. I represent the State of Minnesota. They call it the "flyover country." They may say the same thing about Colorado on occasion. I saw a New Yorker's view of the world. No offense to my colleagues from New York. It is New York, Florida, L.A., maybe Chicago was in between. I didn't see Denver or St. Paul. There are smaller towns on there, but they are on the map and they are important.

William Jennings Bryan once said:

> Burn down our cities and leave our farmland and the cities will rise up again like magic, but burn down our farms and grass will grow up in the streets of every city in America.

The Presiding Officer understands that. He comes from a family which has worked the land. He gets that. Like many great orators, there is some hyperbole there, but it still rings true, whether it is food, values, or leadership—all of America depends on what our rural communities produce

So what happens in America's small towns is a big deal. I would like to take this time to speak on behalf of Minnesotans and other folks living in rural communities. These families face some daunting challenges when it comes to accessing health care.

The urgency of this issue is brought home to me by the upcoming closure of a rural hospital in Ivanhoe, MN. The town in southwestern Minnesota, county seat of Lincoln County, got its name from Sir Walter Scott's novel. Ivanhoe is filled with hard-working people who have survived generations of drought, grass hoppers, blizzards, and unreliable farm prices and policies. This is yet another difficult blow. As a result, this community will lose jobs, access to health care and part of their community identity.

There is an array of issues facing hospitals like Ivanhoe. For them, it was the declining number of admissions at the hospital and declining reimbursement payments that put them at a severe competitive disadvantage in the health care market—and ultimately led to the decision. Unfortunately, their story is not unique.

About 21 percent of the population lives in rural areas, but only about 9 percent of doctors work there. Only 2.4 percent of specialists work in rural areas.

Nearly half of all rural residents have at least one major chronic illness. Yet they average fewer physician contacts per year than those in urban communities.

I believe that access to health care should not be dependent on where you live. Every person in America deserves the same quality care.

Unfortunately, as it stands right now, many rural communities in Minnesota and across the country don't have the personnel capabilities, technology or money to provide their residents with the health care they need—they are getting squeezed at every angle. For the stability of rural communities and the health of the Americans that live there, we need to find solutions.

That is why I am taking this opportunity to introduce a package of bills which seek to give rural areas access to some tools they can use to promote the health of their communities.

The burden of chronic illness is heavier in rural areas. Rural areas report higher rates of chronic diseases, including heart disease and cancer.

Mental health issues are also significant. For example, a national study that 41 percent of rural women were depressed or anxious compared to less than 20 percent of urban women and that 40 percent of all visits to rural practitioners are due to stress.

Providing adequate mental health care in rural communities has become a national problem.

In rural areas, where specialized mental health services are scarce, accessing the proper mental health care is difficult. Primary care is often the only system for delivering mental health services and providers are seeing an increase in mental health issues in their clinics. Today I introduced the Working Together for Rural Access to Mental Health and Wellness for Children and Seniors Act.

This legislation would allow Federal grants to be given to States to provide assistance to rural communities to conduct collaborative efforts to improve access to mental health care for youth, seniors, and families. ,Grants could go toward operation of mobile mental health services vans or telemental health.

Rural residents face serious health care issues not only in terms of illness but also in terms of lack of easily accessible services. One in 5 Americans lives in rural areas but only 1 in 10 physicians practice in rural areas. Forty percent of the rural population lives in a medically underserved area.

Critical access hospitals are the foundation on which is built the health of our Nation's rural communities. I don't have the time right now—we are kind of pushing the envelope on morning business—but it is important that my colleagues understand.

The critical access hospital program was enacted as part of the Balanced Budget Act of 1997 in order to preserve access to health care services in rural communities. Critical Access Hospitals represent a separate provider type with its own conditions of participation as well as a separate reimbursement method for Medicare.

With 80 Critical Access Hospitals in Minnesota, the third largest number of Critical Access Hospitals in the Nation, this program is of crucial importance to the health care infrastructure of my State. Minnesota's Critical Access Hospitals provide care to 1.6 million patients a year. They are there to provide health care to their communities 24 hours a day, 7 days a week, 365 days a year.

I have visited these hospitals throughout my State and have been impressed time and time again by their commitment to the health of their communities and their stewardship of the resources that they have been given. I appreciate the work of the Minnesota Hospital Association in representing their Critical Access Hospital members and for being a great resource in protecting this important program.

The Critical Access Hospital program continues to make an important investment in the safety net of our rural communities.

This program has been the single most important factor in helping our Nation's rural hospitals not only survive also provide new quality health care services and resources.

Without the Critical Access Program, rural communities had been having a difficult time supporting a local hospital. People were driving hours just to receive basic health care. Just talk to Al Vogt, CEO of Cook Hospital & C&NC. He will tell you that the Critical Access Hospital program has preserved care in Cook and many other small communities across Minnesota. As his community ages, Al has seen many seniors have to choose between gas or food money. If leaving town to get the very basics of health care was the only option, there are a number of folks who would forego the needed care. Seniors and others living in rural areas deserve better. Critical Access Hospitals provide for them.

Despite the growing disparities in access to health care for Americans in rural areas, support for Critical Access Hospitals has not been what it should be.

Critical Access Hospitals are not being reimbursed in a way that allows them to fully account for their costs of offering services. These health providers, already stretched thin, are being asked to absorb the difference.

With that in mind, today I introduced the Rural Health Services Preservation Act, which ensures that Critical Access Hospitals get reimbursed the same amount under Medicare Advantage Programs as they would under Medicare.

Right now, interim Critical Access Hospital payments reflect the previous year's costs—not the current year's costs. Factoring in inflation and the rapid growth of the medical economy, rural hospitals are being left to pay a bill that is much larger than their share.

Specifically, my Rural Health Services Preservation Act ensures Critical Access Hospitals receive not less than 101 percent of cost for inpatient, swing-bed, and outpatient hospital services provided to Medicare patients covered under a Medicare Advantage plan.

This bill would create certainty in terms of payments, and accurately reflect the true cost of health care in our Critical Access Hospitals.

Critical Access Hospitals are important regional hubs in rural areas. These hospitals serve as medical homes to the folks that live nearby, but also provide patient care to visitors who are in town to do some fishing, camping or hunting. When a critical medical event occurs, it is crucial that the physicians who care for a patient have information about their medical history in order to avoid medical errors.

Let me tell you a story I heard recently from Lori Wightman, president of the New Ulm Medical Center. Recently, a 55-year-old arrived in the New Ulm Medical Center emergency room with chest pain. He was having a heart attack. Within 82 minutes this same patient was assessed, transported, and had his heart vessel opened at a tertiary hospital 100 miles away.

This situation was a success because New Ulm Medical Center had the ability to transmit information about the patient quickly and easily. Not all hospitals are fortunate enough to have this vital service.

That's why I introduced the Critical Access to Health Information Technology Act to help Critical Access Hospitals compete for Federal health technology grants. Essentially, this bill would give smaller rural hospitals a competitive edge for H-I-T grants.

Even when a situation is not immediately life-threatening, technology can play an important role in disease management in rural communities. As I mentioned earlier, rural areas are facing serious personnel shortages. They have around 20 percent of the population, and only 10 percent of the docs and only 2.4 percent of the specialists.

Remote monitoring technologies collect, analyze, and transmit clinical health information. These technologies are emerging to extend the provision of health care services to areas where there is a shortage of physicians or where patients are homebound. Essentially, these technologies allow physicians to monitor and treat patients without a face-to-face office visit, thereby increasing access to physicians for patients living in rural areas. We have the ability today, if you simply lift up the phone the doctor can tell what your blood pressure is and how you are feeling. Minnesota prides itself as being the center of medical technology. We have the Medronics, Boston Scientific, St. Jude's cardiac pacemakers—we can do a lot with remote access technology. We have to make sure it is in our rural communities.

For that reason, I also introduced the Remote Monitoring Access Act, which would allow Medicare to cover physician services involved with the remote management of specific medical conditions, such as congestive heart failure and diabetes.

Specifically, my bill would create a new benefit category for remote patient management services in the Medicare physician fee schedule. Under this category, Medicare would cover physician services involved with the remote management of specific medical conditions.

Not only are physicians in short supply in many of rural communities, but other health professionals are as well. That is why I introduced today a bill that focuses specifically on issues related to increasing nursing faculty. I am told by my friends in nursing that the problem is not that people don't want to go into nursing, but that it is difficult to get nurses to leave the clinic to spend time in the classroom.

Personnel is one piece of the puzzle and building up our health care institutions in rural area is another.

The Critical Access Hospital program has provided financial stability to many struggling rural hospitals that are the cornerstones of their communities. It is essential that Congress protects this program now and into the future. Prior to this program, hospital closures were common and the rural health care system was fragile.

Without the Critical Access Hospital program and support for rural providers, there would be a floodgate of small community care systems closing and potentially converting many small towns into ghost towns.

Debra Boardman, president and CEO of the Riverview Healthcare Association in Crookston has shared her story with me:

> The Critical Access Hospital program has afforded many rural hospitals the opportunity to modernize their facilities and helps assure they will remain viable and accessible to the residents of rural America. Prior to receiving Critical Access Hospital designation in 2001, RiverView Healthcare Association had not done a major building project since 1976. With this designation we were able to afford to physically restructure our building and update our infrastructure to accommodate the way health care is provided in the 21st Century.
>
> Since that time we have also been able to add new physicians, vital new health care services and programs. As the largest employer in the county, a secondary benefit of the program is that it has made RiverView Healthcare Association a more secure economic engine for our local rural community.

Because of the important role that Critical Access Hospitals play in community stability, I have introduced a bill to provide direct and guaranteed loans to complete the reconstruction and rehabilitation of the Nation's Rural Critical Access Hospitals within the 5 years covered by the new farm bill.

In more ways than we can possibly measure, rural communities are the heart of America. They provide us with food, energy and more importantly the values and leadership that keep our Nation on track. Just as we care for our bodily heart, we need to care for our spiritual heart in rural America or the whole Nation will suffer.

That is why my legislation attempts to raise the needs of our small town neighbors to become a national priority. I encourage all of my colleagues to consider joining me in ensuring that every American has access to the care that they need to lead healthy and productive lives. I invite you to cosponsor one of my seven bills aimed at doing just that.

From birth, through chronic disease management, to end-of-life care Critical Access Hospitals meet the health-care needs of our communities. And our communities trust that we will continue to do so far into the future.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

IRAQ

Mr. BROWNBACK. Mr. President, I rise to speak on the issue that is presently before this body—whether it will be here formally or not we will see—the issue of Iraq. I think it is critically important we discuss it. I am glad to see we are having private discussions about it, but I think it is time to engage.

I want to say, as one who does not support the troop surge, I think it is important we have a full process. I think it is important we have a full process where amendments are allowed and where people are allowed to bring forward different ideas and thoughts. It is the key issue of our day. It is an important issue of our day. It is something that shouldn't be drug out, but I don't think asking for three, or four even, amendments to this resolution is something that would drag it out because that is what allows full discussion, and we certainly need a full discussion on the record on the ways forward.

I think it is also appropriate for us to do that in light of the division of powers between the executive and legislative branches. The President is the Commander in Chief, and he or she must move forward in that capacity. We are the funding arm, the legislative body. We are entitled to put forward our ideas, but there is one Commander in Chief. I think it is important we have this discussion to put forward our ideas, but it needs to be a full discussion of the ideas.

I would urge the Democratic leader, the majority leader, to bring this issue forward in a way that we could debate various options. I have been in this body certainly during debate on contentious issues wherein we are given different viewpoints to allow people to vote, and on one that is so important and so critical, I think it is important for us to have multiple viewpoints put forward. So even as one who does not support the troop surge, which I don't believe is the wise route to go, I believe this body should have options.

I would not support a cloture motion that says we will only have one option to vote on. I don't think that is a fair or an appropriate process for this body to follow. I think it is important that we have a full debate on the full range of issues.

My goodness, for us to take a couple of weeks to discuss this would not be inappropriate, given the importance and the magnitude and the seriousness of the moment.

I support the troops. We all support the troops, and we need to support the troops in the field. That doesn't mean we can't have a debate, but it also doesn't mean we should be limited to just one thought that we can have to vote on. We should have a multiple set of ideas, fully vetted and fully discussed.

As I have traveled across this country and in my home State, this is one subject about which people have a lot of different viewpoints and a lot of different ideas. Everybody supports the troops, but they may not agree with how the war is proceeding. They think there ought to be other tactics employed, and they want viewpoints expressed. I think that is fully appropriate. I think the President invites us to, in responsible ways, bring these ideas and viewpoints forward. But you don't do that with having just one viewpoint and that is it; one vote and you can't have an option; one proposal without amendments, when there is a full debate and discussion that is needed on this topic.

So I want to voice my opinion on this issue; that is, I think the way forward is for us to engage in the full process that the Senate is fully capable of doing and desirous of doing. I think it would be important as well to our troops in the field to have a full debate on this topic. I hope that we do that, and we could start engaging in it now rather than putting it off and delaying it further.

TRIBUTE TO CHARLIE NORWOOD

Mr. BROWNBACK. Mr. President, I want to speak briefly on one other issue aside from the war effort, as that is the one that really needs to, and does, occupy our time. But a good friend of mine has just recently passed away, Congressman Charlie Norwood. Charlie and I came in together in the House of Representatives in the 1994 election cycle. He recently passed away due to complications in his liver from a long battle that he had with pulmonary fibrosis and the difficulties that he had.

His legislative accomplishments are significant, and those are in the RECORD and well known. What I want to talk about is the person because he was a beautiful man. He served in Vietnam as a dentist. He had this beautiful, folksy way of presenting a tough topic. He would boil down the essence of a difficult topic in a folksy sentence or two, and you would listen to it and you would say: You know, I think that is about accurate.

He could take difficult things and boil them down. He cared a lot about health care issues, and he worked a lot on health care issues. What I remember is a kindly gentleman who was very active and involved in the issues of the day and who cared about other people. He taught adult Sunday school classes. He worked as a small businessman. He was a dedicated public servant, even as he felt that the Government had grown too big and was taking over too much authority.

It reminds me that, as we leave these places—and we all will—when you look back on it, there is a legislative career, and there are a number of legislative items that each of us are associated with, and the cares and concerns and the passions that we have of the day, but there is also a person who is there, and the soul and the character of that individual. In this case, Dr. Charlie Norwood had a beautiful soul. He was someone who touched people in a positive way. I am not sure you can say a lot more at the end of our days than that.

Congressman Norwood is survived by his wife Gloria, sons Charles and Carlton Norwood, and grandchildren, all of Augusta.

During his life, Norwood has served as a Member of Congress, longtime patients' and individual rights champion, dentist, Vietnam veteran, and small businessman.

Norwood, a seven-term Member of the U.S. House of Representatives from 1995 to 2007, served most of east Georgia at some point during his congressional career due to redistricting in 1996, 2002, and 2006. He won re-election every year since 1998 by landslide margins, and was elected to the 110th Congress in November by a 68 percent margin. His 10th District seat will be filled in a special election to be scheduled by Georgia Governor Sonny Perdue.

Norwood achieved national recognition after introducing the first comprehensive managed health care reform legislation to Congress in 1995, which subsequently passed the House of Representatives in both 1999 and 2001. Norwood's Patient's Bill of Rights legislation became a key issue in the 2000 presidential election, and will likely be revived in the 110th Congress.

Norwood was instrumental in health care reform for military retirees and veterans as well as patients-at-large. The former Army dentist was co-author of the Keep Our Promises to Military Retirees Act in 1999, which provided fully funded health care for life for the Nation's military retirees. The majority of the bill was enacted as part of the Defense Authorization Act of 2000.

In addition to his longtime national advocacy for patients, Norwood succeeded in passing reforms across a broad range of public policy areas, spanning education, private property rights, telecommunications, and environmental regulations.

Norwood is further recognized as the father of the Nation's current Class A broadcast television service, by authoring and passing into law the Community Broadcasting Protection Act in 1998.

In congressional oversight action, Norwood played a key role in the 1996–1998 Teamster's investigation, the 1998–2002 investigations of theft and fraud at the U.S. Department of Education, and the impeachment of former President Bill Clinton in 1998.

Norwood received a bachelor's degree from Georgia Southern University in Statesboro in 1964, and a doctorate in dental surgery from Georgetown University Dental School in Washington, DC, in 1967, where he was elected president of the Dental School Student Body in his senior year. He married the former Gloria Wilkinson of Valdosta in 1962 while attending Georgia Southern.

After dental school, he volunteered for the U. S. Army and served as a captain in the Dental Corps from 1967 to 1969, beginning with an assignment to the U.S. Army Dental Corps at Sandia Army Base in Albuquerque, NM. In 1968 he was transferred to the Medical Battalion of the 173rd Airborne Brigade in Vietnam, and served a combat tour at Quin Yon, An Khe, and LZ English at Bon Son. In recognition of his service under combat conditions, he was awarded the Combat Medical Badge and two Bronze Stars.

After Vietnam, he was assigned to the Dental Corps at Fort Gordon, GA, where he served until his discharge in 1969. Norwood was awarded the Association of the United States Army Cocklin Award in 1998, and was inducted into the Association's Audie Murphy Society in 1999. He remained a lifelong member of the American Legion, the Veterans of Foreign Wars, and the Military Order of the World Wars.

Dr. Norwood began private practice dentistry in Augusta immediately after his discharge. During his dental career, he served as president of the Georgia Dental Association and was a delegate to the American Dental Association.

In addition to his dental practice, Norwood also founded Northwoods Nursery in Evans, providing trees and shrubs to wholesale outlets throughout the Central Savannah River Area, and Augusta Dental Laboratory, which manufactured dental devices for patients.

He became a stalwart supporter of small business and property rights interests in Congress, receiving the 1995 Fighting Frosh award of the United States Business and Industrial Council, the Guardian of Senior's Rights Award of the 60 Plus Association, the Friend of the Family Award of the Christian Coalition, the Friend of the Taxpayer Award of Americans for Tax Reform, the Guardian of Small Business Award of the National Federation of Independent Business, the Spirit of Enterprise Award of the U.S. Chamber of Commerce, the Thomas Jefferson Award of the U.S. Food Service Council, the Champion of Property Rights Award of the League of Private Property Owners, the Taxpayer's Hero Award of the Council for Citizens Against Government Waste, and the Taxpayer's Friend Award of National Taxpayers Union.

Dr. Norwood and his wife Gloria were longtime members of and taught adult Sunday school at Trinity-on-the-Hill United Methodist Church in Augusta. He was also a past board member of the Augusta Opera Society and a member of the Augusta Symphony Guild.

Mr. BROWNBACK. Mr. President, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Tennessee is recognized.

Mr. ALEXANDER. Mr. President, are we now in morning business?

The PRESIDING OFFICER. The Senator is correct.

Mr. ALEXANDER. I ask unanimous consent to speak for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

REAL ID CARD

Mr. ALEXANDER. Mr. President, if the Chair would please let me know when I have a minute left.

Mr. President, when we come back from the recess we are going to turn our attention to the 9/11 Commission recommendations which have been enacted by the House. I want to discuss an issue I hope will come up when we discuss the 9/11 Commission recommendations and that has to do with the so-called REAL ID card, the de facto national ID card.

This is a law that was enacted in early 2005. It was House-passed legislation that would require States to turn more than 190 million driver's licenses into de facto national identification cards, with State taxpayers paying most of the costs. I am not very much of a prognosticator. My predictions have never been all that accurate, but at the time of that passage, I objected to it.

The first thing wrong with the REAL ID law was that the House stuck the law into an appropriations bill that supported our troops in Iraq and sent it over to the Senate. None of us wanted to slow down support for our troops in Iraq while we debated ID cards, so it was stuck in there and we passed it. But the second and larger problem with what the House did 2 years ago, and which we agreed to and it became law, is that States not only have to create the ID cards, but they will likely end up paying the bill. I said to my colleagues, and at that time we had a Republican Congress: This is one more of the unfunded Federal mandates we Republicans promised to end.

Well, now we have moved ahead about 2 years, and I believe I have turned out to be right about that. Just last month, the Maine Legislature became the first State to approve a resolution urging Congress to overturn the Real ID Act before it takes effect on the States in May of 2008. Only 4 of the 186 Maine lawmakers voted no. In the following other States there are bills, according to USA Today, that are considering asking us to overturn the law: Hawaii, Georgia, Massachusetts, New Mexico, Oklahoma, Vermont, and Washington.

One reason they are asking us to overturn it is that according to the National Governors Association, implementing the law will cost more than $11 billion over 5 years. We have provided $40 million of the $11 billion. That is an enormous unfunded Federal mandate.

The Presiding Officer is a former State official. I don't know if he had these same feelings when he was in his State of Colorado, but nothing used to make me madder when I was Governor of Tennessee than for some group of Congressmen to come up with a big idea, turn it into law, hold a big press conference, take credit for it, and send the bill to the States to pay for it. Then that same Congressman would usually be back home making a Lincoln Day speech, bragging about local control.

I am afraid that is what we have with REAL ID. It sounds pretty good maybe to say: Oh, we have a war against terrorism, and we have illegal immigration and other immigration issues. We need some sort of identification card that will make it possible to do a better job of fighting terrorists and impose the rule of law on our border. That sounds good, but there is a right way to do it and a wrong way to do it.

Here is what we should have done and what I hope we will do. I hope the week after next, when Senator COLLINS of Maine comes to the Senate, which I hope she will, and offers an amendment that will, in effect, set up a thoughtful process for, first, delaying the implementation of this bill and, second, give us a chance to consider all of its ramifications, I hope we will adopt that as part of the 9/11 Commission Report. In other words, give the idea of a national identification card the kind of thoughtful attention it deserves in the Senate.

No. 1, we should do it because it is a huge break with our tradition of liberty in this country. We do not have to look very far around the world—South Africa is the first place to look—to see the abuse a national identification card can cause. In South Africa, it was used to classify people according to race. Everybody had to have one. Everybody had to carry it around.

In this age of technology in a country that values liberty above everything else, there are a lot of questions about whether we should have a national ID card. Those ought to be explored in the Senate. We ought not push one through in a bill no one wants to vote against because it is primarily about supporting troops.

When I was Governor of Tennessee, I twice vetoed the photo driver's license which we all now carry around in our pockets. I did that, first, because I thought it was an infringement upon civil liberties; and, second, I did it because I thought what would happen was we would have lines around the block of people waiting to get their photo ID card—and that still happens sometimes—but I was gradually overruled by the State legislature and we got an ID card.

What helped getting overruled was when I showed up at the White House once to see the President at the National Governor's Conference and they asked to see my photo ID. I said: I don't have one. They asked: Why not? I said: Because I vetoed it. And I had to be vouched for by the Governor of Georgia. The push for this was law enforcement saying it would help with check cashing and other identification.

While as a liberty-loving country, we say we do not want a national ID card, at the same time, we have allowed a de facto national ID card. That is a State driver's license. We have over 190 million of these. We all know the de facto driver's license ID cards are very ineffective. They are easily duplicated, they are often stolen, and we go around not just using them to prove we can drive, but we use them to get on airplanes, we use them to cash checks, and we use them to get a passport. They are not an effective ID card.

I have reluctantly come to my conclusion. Despite the fact I vetoed those early ID cards, on September 11, one way our world has changed is we do need a national ID card. Maybe our discussion in committees would show we do not want one but that we want authorized two or three forms of identification cards which meet certain standards which can be used for different ways.

For example, there could be a travel card that one could use to get on an airplane. If you had that travel card that allowed you to get on the airplane, you might use it for other purposes, as we have come to use the driver's licenses in that way or we might use the passport. About a quarter of Americans have passports, 68 million Americans. That is one form of an ID card though not as common as 196 million driver's licenses. There is also the Social Security card. My initial instinct is that a Social Security card that had the proper technology attached to it would be the wisest, the most effective, and most useful ID card because most of the immigration problems we have are related to work, either as a student or as a worker. It would be natural to have an ID card, to have a Social Security card such as the card we carry around in our pockets that also serves as a de facto national ID card.

There was a case of the Swift Company, which was using, under our antiquated immigration laws, the basic pilot program, which is what we say to businesses to use if we want them to do everything they can to make sure they are only hiring people legally in the United States. Swift and other companies do that. Even if they do that, they cannot be assured that the people they are hiring are legally here because many of the Social Security numbers have been stolen, as it turns out, and it is against our laws to inquire too far into someone who applies for a job and presents evidence they are a citizen. Our laws say you cannot ask more questions to second-guess that.

We have some work to do. All of us who think about the immigration issue—which is what brought all this up, along with the September 11 disaster—we think of the immigration issue and we think of the need for employer verification. For employers in this country to verify that people they hire are legally here, we are going to have to supply those employers, in some way, with the ability to ask for a good identification card. Perhaps it is the Social Security card, perhaps it is a travel card, perhaps it is a passport, perhaps it is a bank card, maybe there are two or three of those. That might be a way to avoid having a single card and could diminish the concern about civil liberties. Or maybe the needed ID is the driver's license, but I doubt it is the driver's license.

Certainly, we should not expect the men and women in the Tennessee Department of Public Safety who are in charge of issuing a few million driver's licenses, to be turned into CIA agents whose job it is to catch terrorists. I don't think they are expected to do that. They are not prepared to do that.

What we will be requiring is the citizens of the various States to show up to get their driver's license or a renewal with different forms of identification, some of which they may not have. It will be a very expensive process and a big mess. My first impression is that the State driver's license system is not the best place to look if we want to create an identification card.

Here is my suggestion. My suggestion is we pay close attention to the Senator from Maine, SUSAN COLLINS, when we come back after the recess. She has a thoughtful recommendation to the Senate which suggests, over the next couple of years, we have time to look at this issue of whether we need a national identification card and what kind of identification card we might need. I hope the hearings would be held this year in the Homeland Security and Governmental Affairs Committee and the Judiciary Committee or whatever the appropriate committees might be, and then we might deal with this issue in the immigration bill which I hope we pass this year.

We need a comprehensive immigration bill. That bill needs to have an employer verification system. I don't see how we can have an employer verification system without a good form of identification card. I hope we will deal with this in the way the Senate normally deals with issues; that is, through its committees, considering all of the options. In the meantime, we have the Real ID law in place with the estimate that it may cost up to $11 billion, a huge unfunded mandate. We have States saying we are going to opt out of that program. If they do, that means the citizens of Maine or Montana or some other State will not be allowed to fly on airplanes, for example, because they will not be from a State that has an approved ID card. That will create a lot more confusion and a lot more angry constituents.

I am here today to wave a yellow flag, to remind Members of the Real ID issue. It may not be part of the 9/11 Commission recommendation when they come to the floor, but it is relevant and certainly germane. I hope the Senator from Maine will provoke a discussion of it, and we will move to delay its implementation until we can think this through and do it right.

I ask unanimous consent to have printed in the RECORD an article I wrote for the Washington Post on Wednesday, March 30, 2005, about the Real ID and my views.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Mar. 30, 2005]

MUCH AS I HATE IT, WE NEED A NATIONAL ID

(By Lamar Alexander)

The House recently passed legislation requiring states to turn 190 million driver's licenses into national ID cards, with state taxpayers paying most of the cost.

The first thing wrong here is that the House stuck the ID card proposal on the appropriations bill that supports troops in Iraq and sent it over to the Senate. We should not slow down money for our troops while we debate ID cards.

The second problem is that states not only get to create these ID cards, they'll likely end up paying the bill. This is one more of the unfunded federal mandates that we Republicans promised to stop.

Supporters argue that this is no mandate because states have a choice. True, states may refuse to conform to the proposed federal standards and issue licenses to whomever they choose, including illegal immigrants—but if they do, that state's licenses will not be accepted for "federal purposes," such as boarding an airplane. Some choice. What governor will deny his or her citizens the identification they need to travel by air and cash Social Security checks, or for "other federal purposes?"

Of course, the ID card may still backfire on Congress. Some feisty governor may say, "Who are these people in Washington telling us what to do with our drivers' licenses and making us pay for them, too? California will use its licenses for certifying drivers, and Congress can create its own ID card for people who want to fly and do other federally regulated things—and if they do not, I will put on the Internet the home telephone numbers of all the congressmen."

If just one state refused to do the federal government's ID work, Congress would be forced to create what it claims to oppose—a federal ID card for citizens of that state.

Finally, if we must have a better ID card for some federal purposes, then there are better ideas than turning state driver's license examiners into CIA agents. Congress might create an airline traveler's card. Or there could be an expanded use of U.S. passports. Since a motive here is to discourage illegal immigration, probably the most logical idea is to upgrade the Social Security card, which directly relates to the reason most immigrants come to the United States: to work.

I have fought government ID cards as long and as hard as anyone. In 1983, when I was governor of Tennessee, our legislature voted to put photographs on driver's licenses. Merchants and policemen wanted a state ID card to discourage check fraud and teenage drinking. I vetoed this photo driver's license bill twice because I believed driver's licenses should be about driving and that state ID cards infringed on civil liberties.

That same year, on a visit to the White House, when a guard asked for my photo ID, I said, "We don't have them in Tennessee. I vetoed them." The guard said, "You can't get in without one." The governor of Georgia, who had his photo ID driver's license, vouched for me. I was admitted to the White House, the legislature at home overrode my veto and I gave up my fight against a state ID card.

For years state driver's licenses have served as de facto national ID cards. They have been unreliable. All but one of the Sept. 11 terrorists had a valid driver's license. Even today, when I board an airplane, security officials look at the front of my driver's license, which expired in 2000, and rarely turn it over to verify that it has been extended until 2005.

I still detest the idea of a government ID card. South Africa's experience is a grim reminder of how such documents can be abused. But I'm afraid this is one of the ways Sept. 11 has changed our lives. Instead of pretending we are not creating national ID cards when we obviously are, Congress should carefully create an effective federal document that helps prevent terrorism—with as much respect for privacy as possible.

HAPPY BIRTHDAY, SENATOR KENNEDY

Mr. BYRD. Mr. President, President John F. Kennedy was fond of quoting the Biblical passage of the New Testament:

> For unto whomsoever much is given of him shall be much required.

That was quoted from the 12th chapter of the Gospel of St. Luke, verse 48, the King James version.

When I think of that passage, I think of the life, the career, and the accomplishments thus far of my dear friend, my dear friend and colleague, Senator TED KENNEDY, who will turn 75 years old—Oh, to be 75 again—he will turn 75 years old, on February 22. The Senate will be out of session on February 22.

When TED KENNEDY came to the Senate in 1962, I would already have been here 4 years. So when he, TED KENNEDY, came to the Senate in 1962, much had already been given to Senator TED KENNEDY. He had been born into a wealthy and remarkably, remarkably talented family. His father, a financial genius, had been an Ambassador to England—think of that, Ambassador to England—and the very first Commissioner of the Securities and Exchange Commission.

One of his brothers, one of TED KENNEDY's brothers, had been a Senator—I can see him now, as it were—and was then President of the United States, but had been a Senator. Another brother was the Attorney General of the United States, and would eventually join TED in the Senate in 1965.

As for Senator EDWARD "TED" KENNEDY, himself, he had attended two of our country's premier educational institutions, Harvard College, and, yes, the University of Virginia. And he, TED KENNEDY, had already accumulated a lifetime of political experience by the tender age of 30 when he came to this Senate. How remarkable—just burst upon the landscape. I remember. Therefore, as the Scripture tells us, we had a right to expect much from TED KENNEDY when he came to the Senate. We had a right to expect much. What about our expectations? He delivered. He delivered.

In the Senate, TED KENNEDY became the heart and the conscience, yes, of American liberalism. And he has been one of the most effective—I know. I have been here. I have watched him. I did not particularly like him at the beginning. He did not like me. Each of us knew that. We did not care who else knew it. It did not matter.

In the Senate, Senator KENNEDY became the heart and the conscience of American liberalism. He has been one of the most effective national legislators—read the RECORD; read the history of the Senate—he has been one of the most effective national legislators of the 20th century. And as one who knows something about American history and the history of the Senate, he has been one of the most effective national legislators of all time in the Senate. I have not lived all time, but I know something about all time. I know something about the Senate and know something about the history of the Senate.

TED KENNEDY has been one of the most effective national legislators of the 20th century or of all time as far as this Republic stands. His imprint is on nearly every piece of progressive legislation crafted during the past 45 years. I will read that again. I want to make sure I believe that myself. His imprint is on nearly every piece of progressive legislation crafted during the past 45 years: the Occupational Safety and Health Act, OSHA; the Voting Rights Act; the Age Discrimination Act; the Freedom of Information Act; the Americans with Disabilities Act; health care reform; increases in the Federal minimum wage. These are but a few of his, TED KENNEDY's, legislative monuments. Additionally, he has been among those few at the very forefront of promoting women's rights and women's equality.

He, EDWARD M. KENNEDY, TED KENNEDY, is the Senate's Mr. Health Care. He is the Senate's Mr. Civil Rights, to a great extent. He is the Senate's Mr. Human Rights. As his Senate record reveals, Senator KENNEDY is a man—a Senator—of remarkable compassion, who has labored mightily on behalf of his fellow citizens.

Although born to a life of privilege, TED KENNEDY has dedicated his life—if I ever saw a dedication to public service—dedicated his life to public service.

Senator EDWARD M. KENNEDY, TED KENNEDY, has spent more than half of his life in the Senate. I have done that, too. I was just contemplating and figuring in my head. Yes, that is a long time. He has spent more than half of his life in the Senate, yes. Yes, I have spent more than half of mine, but I am not the subject of this.

He, TED KENNEDY, is now second in seniority in the Senate. He, TED KENNEDY, is the third longest serving Senator in the history of the United States of America.

As I wish my dear friend TED KENNEDY the happiest of birthdays, perhaps I should point out that our relationship—his and mine—did not begin—I think I have already hinted at that—on the friendliest of terms. I first encountered TED KENNEDY during the bitter and famous 1960 West Virginia Democratic primary. TED KENNEDY was in the State helping his brother John F. Kennedy, who was running for President. I, ROBERT C. BYRD, was supporting the other guy.

In 1971, he, TED KENNEDY, was running for reelection to his position as the Senate Democratic whip. Again, I supported the other guy—me.

In 1976, I was running for the position of Senate majority leader. This time, he, TED KENNEDY, was supporting the other guy.

This hardly seemed the beginning of a beautiful relationship, but it was.

During our service together in the Senate, I came to admire TED KENNEDY—yes, I came to admire him—as a dedicated Senator of incredible tenacity and admirable legislative skills. I found him to be an indefatigable worker who could accomplish, yes, what seemed to be legislative miracles. Sometimes they were.

I, personally, will always be grateful for the support, the unstinting support, that Senator TED KENNEDY gave to me during the years that it was my privilege to serve, yes, serve as the Senate Democratic leader. And I was. I was the leader, the Senate Democratic leader. When times got tough, as they sometimes do for a Senate leader, I knew that I could always count—I could always count; yes, even without asking him, I knew where he stood—I could always count on him. It may have been a needed vote. It may have been his assistance in building support for a legislative proposal. Whatever was needed, he, EDWARD M. KENNEDY, TED, was there. He was there, he was always there for me, and I am grateful. As a result, our friendship has developed and strengthened.

Today I am proud to call TED KENNEDY one of my best and dearest friends. I have to say he is my best and dearest friend. I will always value his friendship. I especially appreciate the way he has extended that friendship not only to me but also to all the people of West Virginia. And he did much of that before he became a friend of mine.

I close this brief statement about admiration for TED KENNEDY with these words:

> "How far away is the temple of fame?"
> Said a youth at the dawn of the day.
> He toiled and strove for a deathless name;
> The hours went by and the evening came,
> Leaving him old and feeble and lame,
> To plod on his cheerless way.
>
> "How far away is the temple of good?"
> Said another youth at the dawn of the day.
> He toiled in the spirit of brotherhood,
> To help and succor as best he could
> The poor and unfortunate multitude,
> In its hard and cheerless way.
>
> He was careless alike of praise or blame,
> But after his work was done,
> An angel of glory from heaven came
> To write on high his immortal name,
> And to proclaim the truth that the temple of fame
> And the temple of good are one.
>
> For this is the lesson that history
> Has taught since the world began;
> That those whose memories never die,
> But shine like stars in the human sky,
> And brighter glow as the years go by,
> Are the men who live for man.

Senator TED KENNEDY is a public servant. He is a dedicated legislator. He is a great Senator of our times who endeavors to live for his fellow man.

Happy birthday, TED KENNEDY. God bless you. Because of you, we are a better country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

HONORING VINCE KIROL, DARCY DENGEL, AND PAUL ERICKSON

Mr. TESTER. Mr. President, I rise today in honor of three Montanans, three true public servants and American heroes who passed away last week in my home State of Montana.

Today, Senator BAUCUS and I grieve with the city of Great Falls and the State of Montana. I ask that we keep the families of the three victims of a Mercy Flight air ambulance crash in our thoughts and prayers. Their colleagues at Benefis Hospital in Great Falls and across my State are mourning, remembering, and honoring the lives of Vince Kirol, Darcy Dengel, and Paul Erickson.

Vince, Darcy, and Paul died when their plane went down on a routine flight from Great Falls to Bozeman Tuesday night to pick up a patient. I ask that we in this body hold these three in highest esteem as public servants who selflessly risked their own lives to help others.

Vince Kirol was a pilot for 40 years. He flew for Mercy Flight the last 12 of those years. Vince has left an everlasting footprint on Montana.

Darcy Dengel, a registered flight nurse, was only 27 years of age. She was engaged to be married to a Great Falls police officer. Darcy will not be forgotten.

Paul Erickson was a Great Falls firefighter and paramedic. We will never forget the service Paul left behind. It has changed lives forever.

In this body, we speak often of the value of public service. These three Montanans lived it every day. Too often, we are reminded of the sacrifices of our first responders, firefighters, police officers, nurses, and doctors. I ask my colleagues and all Americans to take a moment, when we can, to thank those who put their lives on the line serving this country at home. We owe them so much.

With great respect for these fine three Montanans, I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

SENATOR KENNEDY

Mr. KERRY. Mr. President, I thank the Senator from West Virginia for his comments about my colleague, Senator KENNEDY, who I know, if he were here, would be equally grateful. I am not going to be addressing the issue of Senator KENNEDY's birthday today. I will do so tomorrow. But we are all grateful for Senator BYRD and what he represents in the Senate. There is nobody who knows the record of my colleague better, who has served with him longer, or who has been through more battles with him than Senator BYRD. We are grateful for those comments.

IRAQ

Mr. KERRY. Four years ago, as we all know too well, we sent our young men and women to Iraq for a war that many of us now believe was a grave and tragic mistake. Day after day, month after month, the administration has repeatedly exacerbated that mistake by leaving our soldiers in the field without the equipment and without the protection they need and deserve, knowing full well what the lethal consequences would be.

There will be and there is disagreement in this body over the next difficult steps to take in Iraq. We can disagree on troop numbers. We can disagree on a timetable. We can disagree on the shape of a future political settlement in Iraq. Surely, we can all recognize those are honest differences of opinion. But there is no difference of opinion and there is no disagreement here that we ought to be giving our troops absolutely everything they need in order to accomplish this mission. There is no disagreement that those troops deserve everything they need to be as safe as possible, and there should be no disagreement that when we ask young men and women to leave their families to fight deadly foreign enemies halfway across the globe, when we ask them to put their lives on the line, the least we owe them is the equipment they need to protect themselves and get the job done. One soldier dying from a roadside bomb because he or she does not have the body armor is one too many.

The fact is, when it comes to body armor, when it comes to armored vehicles in Iraq, our troops do not have what they need. According to the Washington Post this week, our soldiers are short more than 4,000 of the latest humvee armor kit, the FRAG Kit 5. Fewer than half of the Army's 14,500 up-armored HMMWVs in Iraq and Afghanistan have the latest equipment. As Lieutenant General Stevens, the Army's Deputy Chief of Staff for Force Development, said:

> We don't have the kits and we don't have the trucks.

It is not just armored vehicles that would keep our troops safer. They need better body armor, too. People are actually holding bake sales in our States in order to raise the money to privately purchase and send to their loved ones the armor or the helmets they want.

Over a year ago, the Pentagon issued a report that many of the deaths in Iraq caused by upper-body injuries could be prevented if all the body armor issued to our troops included side armor plates. Some of my colleagues raised this issue with Secretary Rumsfeld, and he assured them that the Pentagon was going to begin the procurement and delivery of an additional 230,000 sets of side armor plates.

Last month, another Pentagon report found continued shortages in force protection equipment for our soldiers, a shortage of body armor, a shortage of up-armored vehicles, a shortage of communications equipment, and a shortage of electronic countermeasure devices.

We have also heard firsthand from troops that many are still being issued body armor without the side armor plates. How can someone be content to send our soldiers on the most dangerous patrols in the roughest neighborhoods of Baghdad without the best possible protection being afforded them?

In the last 4 years, over 1,100 Americans have died from roadside bombs, and thousands of our best troops have suffered debilitating injuries or had their lives permanently altered by these terrible weapons.

Knowing full well you don't have enough armor for the troops already in the field, how do you responsibly turn around and say: That is OK. We will just go ahead and put another 21,500 or more right there alongside them, particularly when it is a job that Iraqis themselves ought to be doing? By themselves, these shortages are trouble. But the President's plan to send over this additional force makes them even more questionable.

Now we hear that the troops pouring into Iraq will not even have enough up-armored HMMWVs or other armored vehicles until July. So what is the rationale for putting in the over 20,000 now, when the armor their lives depend on is not going to arrive until July? How do you turn around and say to a parent or to one of those young people themselves that they are the next people to be over in Bethesda or in Walter Reed minus their limbs? Oh, sorry, we just didn't get them over there in time, even though we had a couple of years to make the plans and respond, the most powerful, richest Nation on the face of the planet, one that prides itself on its technology and on its support for the troops. How do you explain that to one of those soldiers?

Eighteen months into the war, Donald Rumsfeld told troops in Kuwait a now famous line:

> As you know, you go to war with the Army that you have.

Well, in addition to being a pretty smug and even cavalier thing to say at that point in time, you ought to measure it by where we are today. That was about a year and a half ago. You may go into war with the Army you have, but smart people adapt to their enemy's tactics. You exploit their weaknesses, and you certainly work to minimize your own. We ended World War II in less time than it has taken to prosecute the current war in Iraq. We ended it with a weapon that didn't even exist when World War II began, when Pearl Harbor took place.

We have known for years now that the technologies our enemies are using to kill our troops are outpacing the equipment we use to protect them. And the gap between their offensive weapons and our defensive armor is only growing, thanks in part to a major increase in an especially lethal kind of roadside bomb, the so-called EFP or explosively formed penetrator. This is a diabolical contraption which has been described as a "spear that rips right through the vehicle." It can shoot a metal projectile through the side of even an up-armored HMMWV and turn pieces of the vehicle itself into shrapnel that kills or maims the soldiers inside.

Ninety percent of American fatalities from these terrible weapons have come in Baghdad. Against the warnings of former Secretary of State Colin Powell, against the warnings of GEN John Abizaid, against the warnings of the entire Joint Chiefs of Staff last year, who said we don't need more troops and don't want them, the President is now sending five brigades to referee a Sunni/Shia civil war. We are sending them without the protection they need to survive EFP attacks.

Unfortunately, even with the latest armor, soldiers will still die from roadside bombs. But the new armor reinforces the doors, slows down the projectile, will keep soldiers safer, and it will save many lives. When GEN James Conway, Commandant of the Marine Corps, talked about the armor kits, he said the following:

> They are expensive, but they are going to save lives.

The technology exists right now to keep our troops safer. So why, 4 years later, do our troops not have it? Partly, it is due to the gross incompetence at the highest levels of this Administration in their commitment to the procurement process itself. Mostly, it is the fact that we have never been mobilized to actually do what you do in war. We talk about war; the rhetoric is all about war; but there is no request of Americans to behave as if we are at war. Certainly, for the people waiting for that equipment, there is no showing that we are serious about it.

From the time we invaded, the need for a fleet of vehicles that could keep our troops safe has been unmistakable. From the time we first got there, people knew you would drive down the streets and be exposed to these kinds of risks. Yet we kept relying on one single provider of uparmored HMMWVs, and given the chronic shortfalls we have seen, that is a pretty amazing reliance. Still, the Administration doesn't seem to respond.

The President's defense budget for next year does not include enough funds for armored vehicles, so the Marine Corps had to ask Congress for an additional $2.8 billion to buy more mine-resistant, ambush-protected vehicles. Going back to 2002, the Administration terminated funding for one alternative vehicle that was more suited to the battlefield in Iraq—because of what they called "budget priorities." I want to know what the budget priority was that came ahead of providing a vehicle to our troops that would have been more suited to the battlefield. Was it the tax cuts? What was the priority?

While this is an urgent short-term concern, we also need to think about what our soldiers will need in the long term for 21st century warfare. Enemies are taking book on the weaknesses that we are showing them on a daily basis. Unfortunately, this will not be the last war in which our troops are targeted in the vehicles they ride.

Since Somalia, in 1993, we have known that humvees, with their thin skin and square-bottom chassis, are ill-suited for counterinsurgency and the modern battlefield. We need to bridge this short-term gap and we need to invest in the armored vehicles to keep our soldiers safe in the future. This is serious business, and we cannot afford to be vulnerable or reluctant to engage with the urgency it requires.

No Commander in Chief and no Congress should knowingly put the lives of our soldiers at risk unnecessarily. But that is exactly what is happening as we escalate this war. It is long past time that we had an honest conversation about what protecting our troops means. Some of our colleagues have come to the floor, even after blocking a vote on what we might or might not do with respect to Iraq and the President's escalation plan, and they say they want an amendment saying that if Congress were to use the power of the purse to force this Administration to change its failed policy, that that somehow would be putting our troops at risk.

Let me tell you what puts our troops at risk. It is sending them on a mission without the equipment, without the armor, without the vehicles that we know how to produce and are not being produced, and which they don't have. That is what puts our troops at risk. It seems to me it is unfair, if not negligent, to put our troops at risk in the crossfire of a civil war without the equipment they need.

So we ought to make certain we give our soldiers the extra body armor and the latest uparmored HMMWVs in order to do their job. That is why I will again introduce a resolution in the Senate that offers us the best chance to salvage some measure of success in Iraq. I am convinced the real way you protect the troops is to give them a mission that indeed invites success. And absent the kind of summit and diplomacy necessary to resolve the fundamental political differences between Shia and Sunni, between the fundamental stakeholders in Iraq, our soldiers, no matter how brave or courageous—and they are both—cannot do the job. The job has to be done at a table negotiating out those differences.

It is long since time we had a policy that sought to get Iraqis to take responsibility for Iraq. The Iraqis have shown again and again that they only respond to a deadline. About 6 months ago, General Casey and Ambassador Khalilzaid said publicly that the Iraqis had about 5 months to make a series of decisions in order to resolve their differences, or it may become almost impossible to make it happen. Those 5 months came and went. Nothing happened. Nothing was required of the Iraqis that was firm. Nothing happened to change the equation on the ground in Iraq. I believe it is only with a deadline that urges them to take those steps that we will ultimately be successful. That is what I believe we owe our soldiers.

The PRESIDING OFFICER (Ms. KLOBUCHAR). The Senator from Oregon is recognized.

(The remarks of Mr. WYDEN pertaining to the introduction of S. 647 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. WYDEN. I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. GRASSLEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Madam President, I ask unanimous consent to speak in morning business for such time as I might consume and that it be roughly 20 to 30 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ALTERNATIVE MINIMUM TAX

Mr. GRASSLEY. Madam President, you and other Senators have seen me on the floor in the last few days in order to bring some clarity to our discussion we have every year about what to do with the alternative minimum tax. When I say "every year," for at least the last 3 years we have had some discussion about the alternative minimum tax. I would remind people that in 1999 we passed a repeal of the alternative minimum tax, but President Clinton vetoed it and we haven't been able to repeal it since.

Now, this alternative minimum tax was originally created in 1969 targeting wealthy taxpayers who were able to legally eliminate their entire income tax liabilities. The AMT has turned into a monster that has threatened to hurt the middle class and maybe eventually touch lower income taxpayers if we don't do something about it. Obviously, if it is a monster, that ought to indicate to my colleagues that I think it ought to be repealed.

The reason for this, as I have explained, is the failure a long time ago to index the alternative minimum tax for inflation. Thirty-eight years of inflation has allowed the alternative minimum tax to spread to literally millions of taxpayers who were never intended to pay it in the first place. Although more middle and lower income taxpayers will be hit by the alternative minimum tax, it has not decreased the percentage of high-income taxpayers who have no tax liability. So here we have the anomaly of a tax that was supposed to hit just the very wealthy.

In the year 1969, we were talking about a study which showed 155 people. Now it is hitting millions of people. This year, if we don't act, it is going to hit another 9 million or 10 million. And the anomaly is, there are people who have figured a way to even not pay the alternative minimum tax, and those people obviously are the wealthy whom it was supposed to hit in the first place.

The alternative minimum tax also takes more than the taxpayers' money; it takes an awful lot of time to figure through this when you are doing your taxes. I think it was on Tuesday of this week or Monday of this week when I said the IRS estimates that the taxpayers spend an average of 63 hours computing the alternative minimum tax liability. The alternative minimum tax is truly a very cruel way of raising revenue. While there seems to be general agreement that the AMT is a problem, there has been less agreement on the solution for that problem. Perhaps I shouldn't be surprised that there are more problems than there are solutions, but I am surprised by some of the obstacles preventing a solution to the alternative minimum tax.

There are some who make the argument that any revenue not collected in the future as a result of the alternative minimum tax repeal, or reform, ought to be offset. I explained this before, but you can't say it too many times around here: The alternative minimum tax is a phony revenue source and should not be offset. Since the alternative minimum tax collects revenues, it was never intended to collect from people who were never intended to pay it in the first place.

Although the alternative minimum tax is still with us, it is not because solutions have not been considered and proposed. Right now I will walk through some of those solutions that have been suggested. Before I begin, I wish to emphasize a point I made a couple days ago. With surprising regularity over the past 38 years, Congress has been meddling with the AMT, including the year I said we passed legislation to repeal it and President Clinton vetoed it. Since 1969, more than 20 bills have made changes to the alternative minimum tax. Sometimes the rate was adjusted. Sometimes the exemption amounts were modified. More than once, graduated rates were introduced. My point is that for 38 years, Congress has hoped to tinker with the alternative minimum tax in just the right, very right way, very perfect way, to finally get it right but not succeeded. Unless we truly believe we are the smartest Congress in 38 years, anything short of complete repeal of the AMT will probably require yet further action down the road in a few years.

I would also like to draw attention to the revenue estimates done by the Joint Committee on Taxation in 2005 that is reproduced on this chart, and these numbers are so small I am only going to talk around them and not specifically to those numbers. I ask unanimous consent that this estimate be printed in the RECORD.

COMMITTEE ON FINANCE—ESTIMATED REVENUE EFFECTS OF VARIOUS INDIVIDUAL AMT OPTIONS—FISCAL YEARS 2006–2015

[Billions of dollars]

Provision	Effective	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2006–10	2006–15
1. Fully repeal the AMT	tyba 12/31/05.	−23.4	−61.2	−71.1	−83.9	−97.4	−79.3	−38.3	−44.4	−51.9	−60.1	−337.0	−611.0
2. Allow certain preference items in the calculation of AMT:													
a. Personal exemption	tyba 12/31/05.	−11.2	−30.3	−37.0	−44.9	−53.0	−43.8	−23.1	−27.6	−33.2	−39.1	−176.4	−343.2
b. Standard deduction	tyba 12/31/05.	−1.8	−5.1	−6.8	−8.8	−10.8	−8.6	−3.9	−4.8	−5.9	−7.2	−33.3	−63.7
c. State and local taxes	tyba 12/31/05.	−16.1	−42.4	−49.1	−56.5	−63.5	−51.9	−28.6	−32.9	−38.1	−43.7	−227.6	−422.8
3. Permanent extension of present-law exemption amounts	tyba 12/31/05.	−11.8	−31.7	−37.4	−43.7	−50.2	−41.0	−23.1	−27.2	−32.1	−37.2	−174.8	−335.4
4. Permanent extension of the treatment of nonrefundable credits under the AMT.	tyba 12/31/05.	−0.6	−2.9	−3.2	−3.5	−3.9	−4.7	−6.7	−7.4	−8.3	−9.0	−14.1	−50.2
5. Extend and index the present-law exemption amount and lower bracket endpoint.	tyba 12/31/05.	−12.5	−33.9	−41.5	−50.4	−59.9	−49.7	−27.4	−32.9	−39.7	−47.2	−198.2	−395.1
6. Provide an exemption from the AMT system for taxpayers with adjusted gross income less than:													
a. $50,000	tyba 12/31/05.	−0.2	−0.5	−0.6	−0.7	−0.8	−0.8	−0.8	−0.9	−1.0	−1.1	−2.8	−7.4
b. $100,000	tyba 12/31/05.	−3.3	−8.9	−10.6	−12.5	−14.4	−12.6	−9.0	−10.2	−11.5	−13.0	−49.7	−106.0
c. $150,000	tyba 12/31/05.	−7.9	−21.2	−25.1	−29.8	−35.1	−29.1	−16.7	−19.4	−22.8	−28.2	−119.1	−233.3
7. Increase the lower bracket endpoint from $175,000 to:													
a. $200,000	tyba 12/31/05.	−0.4	−1.0	−1.1	−1.3	−1.5	−1.3	−0.9	−1.1	−1.2	−1.4	−5.3	−11.2
b. $250,000	tyba 12/31/05.	−0.9	−2.3	−2.7	−3.2	−3.7	−3.2	−1.9	−2.3	−2.7	−3.2	−12.8	−26.1
8. Reduce the rates from 26% and 28% to 24% and 26%	tyba 12/31/05.	−10.8	−28.9	−34.1	−40.0	−45.7	−37.0	−19.7	−23.1	−27.1	−31.4	−159.5	−297.8

Note.—Details may not add to totals due to rounding. Legend for "Effective" column: tyba = taxable years beginning after.
Source: Joint Committee on Taxation.

Mr. GRASSLEY. This is an estimate of how various proposed fixes to the alternative minimum tax will impact revenues expected to be collected under the current law. What you should note is that full repeal aside—which I suggest is about the only way to do it but not considering that—each of those proposals will still allow the alternative minimum tax to bring hundreds of billions of dollars into the Treasury. If you consider any proposal aside from full repeal, you are saying that hundreds of thousands, if not millions, of people in our country deserve to bear the burden of an alternative minimum tax that is not even, in some instances today, taxing to people who are supposed to pay the tax: the very wealthy.

One possible solution is to continue doing what we have been doing for the past several years. Ever since 2001, the Finance Committee has produced legislation that has kept additional taxpayers from falling prey to the alternative minimum tax because of inflation. In the tax increase prevention and reconciliation bill of 2005, we were able to extend the hold-harmless clause through December 31, just ended. That hold harmless now has expired and action will need to be taken this very year or the AMT will return to its pre-2001 exemption levels, and tens of millions of taxpayers will fall into the AMT and have to pay it this year.

Suppose we are able to continue enacting 1- or 2-year temporary patches, as we did last year. First, this strategy assumes that Congress will have the time and the inclination to spend time dealing with the alternative minimum tax every year or two. This means that whatever the issues of the day may be—Iraq, unemployment, natural disasters such as Katrina—Congress will have to stop dealing with those other problems and periodically return to holding harmless people who would be otherwise hit by the alternative minimum tax.

Is the alternative minimum tax an issue that we, as a legislative body, should revisit every year or wouldn't it be better to do away with a piece of legislation that was never intended to kill the middle class but will? Today I can show you some taxpayers who ought to be paying it who have found ways of getting around a provision that no wealthy taxpayer was supposed to get around. I hope this body would be ashamed to say that to anyone, that we would consider going down that road, but there we are.

The second point I wish to make is Congress attempts to enact or do this every year. Every time a patch is considered, there is another chance for taxpayers to be subject to a stealth tax increase. Finally, we have to remember that more than 3 million taxpayers are currently caught by the AMT, and we are putting a chart up here now that will show more than 3 million families and individuals paid this tax in 2004. This is the way it hits every State. In case the Senator who is presiding can't see this, in the case of Minnesota, there are 69,000 people in that State who paid this for the last year we know about, 2004. In my State of Iowa, if I can find Iowa on here, 17,000, and I will bet most of these people in Minnesota or Iowa who are paying it—you know, in 1969, it was never anticipated that they pay it. But they are paying it because that is the way our tax laws work, until you make some change in them, and because this wasn't indexed.

In dealing with the alternative minimum tax, are we going to tell these people we know that isn't fair and we would like to help you, but in fact you are out there on your own? Well, no taxpayer hearing me say that wants to hear that. I hope this body would be ashamed to say to anyone, much less more than 3 million families and individuals, that any extension of a patch or hold harmless will be fundamentally flawed in that it doesn't take people already hit by the AMT into account. If we are going to decide to protect people from falling into the clutches of the AMT, it would be immoral to forget about those already subject to it.

I wish to add, as someone involved in enacting the recent hold-harmless provisions, so people preparing their income tax right now, there aren't any more of them hit by the alternative minimum tax than were hit the previous year, but that is ended December 31. But as one who was involved in that, they were never intended to be a permanent solution. The patches were always "kicking the can down the road" and letting somebody else worry about them. Well, I am still here, and I have to worry about it, so I am creating problems for myself. But I don't know how you can get people tuned in to doing away with a tax, and you can't do away with it because you have to offset it, but you are offsetting it with a bunch of phantom income that was never supposed to be paid by these people in the first place. The public listening to this are going to say: Well, what planet did these Congressmen come from?

Well, let's go on to another idea, to limit the reach of the alternative minimum tax based on income. We might decide, for instance, that anyone who makes less than $125,000 a year will not be subject to the alternative minimum tax or maybe we could set it at the amount of $200,000 or you could say $400,000. Now, in a nutshell, I have laid out a principal difficulty with setting a minimum threshold based on income. How do we set a number that would be equitable throughout the country? I am not thinking of myself so much as those who come from the so-called blue States, their taxpayers. Any Iowan who has spent any time in Washington, DC, knows right away that it generally costs more to live in those States than in other States, more rural States. It costs more to buy a house, to buy food at the grocery store. What I am trying to get at is that prices and incomes are relative. Taxpayers living in areas such as Manhattan or San Francisco could be especially hard hit by the alternative minimum tax by income. In fixing the AMT, I don't want to move problems around or reassign hardships. That is akin to reassigning the tables and chairs on the deck of the Titanic.

Another proposal which has been suggested is to allow certain preference items in the calculation of the alternative minimum tax. This would allow taxpayers to count items, such as a personal exemption, the standard deduction, the State and local taxes, against their income for the purposes of calculating AMT liability. This approach is also fraught with difficulty and unnecessary decisions. To implement this proposal, we would have to arbitrarily give some taxpayers an escape hatch, while others would not be able to escape the AMT.

If we allow State and local taxes to be a preferenced item, for example, we are giving an advantage to people who choose to live in high-tax jurisdictions over those who choose to live in low-tax jurisdictions. In my way of thinking, it is not fair for the Federal Government to give more favorable tax treatment to some taxpayers because of where they live. Also, it seems likely that taxpayers who pay the most in State and local taxes are going to be wealthy taxpayers whom the AMT was supposed to tax in the very first place.

If we were to give the standard deduction preferential status in calculating AMT liability, then I have concerns about the impact this might have, for instance, on charitable giving. If we only allow the standard deduction to be taken against the AMT, people may decide not to make charitable donations they might otherwise consider. On the other hand, we could allow individuals to count their total charitable contributions when calculating AMT. This approach favors those wealthy enough to make large charitable contributions.

The point I make is allowing taxpayers to consider certain preferenced items when calculating their AMT liabilities will make it necessary to favor some taxpayers and will lead to more bills making more changes in the future to the AMT as various groups or interests fight to allow a given exemption or deductibility they favor to be taken against the AMT liability.

These are all items which have been floating around as suggestions to fix this problem we have. I don't think any of them are very sound tax policy. They might help some people, but they are going to hurt others.

Before I explain how we can deal with the AMT once and for all—and I have already pointed out what I think that is, and that is repeal—I wish to explain how various proposals impact the number of taxpayers already hit by the AMT as calculated by the nonpartisan Joint Committee on Taxation.

This chart shows numbers from last year. As the blue line on this chart shows, under current law, the number of AMT filers will jump by over 20 million this year if Congress does nothing.

The red line shows what would happen if the exception applicable in 2005 was made permanent and indexed for inflation still at a higher level, hitting people who were never intended to be hit, but it would still moderate the impact for tens of millions of people. Clearly, the number of taxpayers affected is less, but still a very large number that, after dropping to a low of 1.7 million people in 2011, begins to increase again, to 2.1 million people by the year 2016.

The orange line represents the establishment of a 24-percent rate along with the 2005 exemptions made permanent and indexed for inflation. This plan just described—the orange line—follows the trend of the red line as it incurs a drop before creeping back up.

Finally, the green line on the chart shows what would happen if we took the 1985 exemption amount, which was $30,000 for individuals and $40,000 for joint returns, and indexed it for inflation. As with the other three lines, the number of taxpayers affected drops more before creeping back up once again.

Although some of these options seem to assist most taxpayers, do not be fooled by the large scale of this chart. Even the option to index by 1985 exemption leaves at least several hundred thousand taxpayers exposed to the AMT. It would be difficult to explain to these people why others deserve fair treatment and they do not.

Clearly, there is only one way, then, to fix the alternative minimum tax so that no taxpayer is subject to what has become a complete policy failure, because even some wealthy people who were supposed to pay a minimum tax for the privilege of living in America are able to get around it as well. We must completely repeal the individual alternative minimum tax. There is a bipartisan consensus that only complete repeal is an adequate solution to this problem. Chairman BAUCUS, with me and with Senator CRAPO, Senator KYL, Senator ROBERTS, Senator SCHUMER, and Senator SMITH, last month introduced the Individual Alternative Minimum Tax Repeal Act of 2007. By the way, that is a bipartisan group of people.

The alternative minimum tax was originally conceived as a means to ensure that the Tax Code was equitable and more progressive. Ironically, the only equitable thing to do is to completely banish the individual AMT from the Tax Code. Any other solution will entail we treat taxpayers in similar situations differently or that we arbitrarily choose winners and losers.

As I have said many times, the alternative minimum tax has been a complete and absolute failure. The alternative minimum tax was only supposed to hit a very small number of wealthy taxpayers who were able to legally eliminate their entire income tax liability. In reality, the AMT is gradually consuming our middle class and is projected to absorb more revenue coming in from the alternative minimum tax than the regular income tax in just a little while. Furthermore, the alternative minimum tax does not even prevent wealthy taxpayers from eliminating their tax liabilities. If Members have heard me say that four times, I say it to impress that the original intent of the alternative minimum tax is not even being met.

For the tax years 2003, the IRS calculated that there are 2,366 taxpayers with incomes of over $200,000 a year or more who did not pay any income tax. These 2,366 taxpayers did not use medical or dental expense deductions to limit their tax liability.

We must repeal the AMT. We must do it without offsetting any revenue the AMT is expected to collect in the next few years because it was never intended in 1969 that these people pay the alternative minimum tax. I have made this point before but cannot make it too many times: The AMT was never intended to be a significant source of revenue. It was supposed to be making a point that when some of the very wealthiest use every legal means they can—and I stress "legal" because these are not criminals—every legal means to avoid paying income tax, they ought to pay a little bit for the privilege of being in America. Not that they don't pay in other ways—it is a matter of progressivity as much as it is the privilege of living in America, to be a matter of principle. It was never meant to be a significant source of income.

Despite this, we will see the alternative minimum tax ballooning Federal revenues to historically high levels if something is not done. This chart which I used a couple of days ago shows how revenues are projected to exceed the 30-year historical average. This historical average is actually about a 50-year historical average, somewhere between 17 percent and 19 percent. We are at the historical average right now. Even though we were a little bit below after the income tax cut of 2001, we are back up to 18.4 or 18.6 of GNP. If we do not do something about this alternative tax and we also continue to collect it from people who were never intended to pay it, this is where we end up—with income coming into the Federal Treasury way above the historical average.

I emphasize historical average, not that it is sacrosanct, but I come to the conclusion that over a period of 50 years, if we have a tax policy falling between 17 percent and 19 percent—and this is whether there were 93 percent marginal tax rates that President Kennedy did away with or as low as 28 percent marginal tax rates that we had in the tax year of 1986 under Reagan—if we overlap all of the marginal tax rates on top of the GNP portion the Federal Government takes, we still average 17 percent to 19 percent, which shows that it does not matter how wealthy you are, some people come to the conclusion that they will only work so hard and pay so much tax regardless of how high the marginal tax rate is, and you get the same amount of money coming in.

So try to tax the wealthy, raise the marginal tax rate, you get less revenue. If you want to soak the rich, lower the marginal tax rate because they are people who will take their money out of leisure, they will take it out of nonproductive investments such as antique and gold and put it into productive investments because probably they are greedy and they want to make more if it is worth working to make more.

Regardless of where we set it, 17 percent to 19 percent seems to work because, at least in my judgment, a very commonsense judgment, it is a level of taxation that there has not been a revolt against. It is a level of taxation that 50 years of our country shows has increased the standard of living for the American people very dramatically.

If we consider the AMT to be fundamentally an unfair tax, any tax that would replace it would be equally unfair. Anyone who wants equity to be a fundamental value represented by our Tax Code or who wants fair treatment for this country's taxpayers must support complete repeal of the alternative minimum tax and should support the Baucus-Grassley bill, which is the Individual Alternative Minimum Tax Repeal Act of 2007, a bipartisan bill.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. STABENOW). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. STABENOW. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. WHITEHOUSE). Without objection, it is so ordered.

IRAQ

Ms. STABENOW. Mr. President, I rise today to speak about the continued obstructionism in the Senate, led by our Republican colleagues, concerning the vote on supporting or opposing the President's escalation of the war in Iraq.

For 2 weeks our distinguished majority leader has been trying to get an agreement to just proceed to a fair debate, to just have the opportunity on the floor of the Senate to have a debate on whether we support the President's escalation of the war in Iraq. He has offered an up-or-down vote on two different proposals—one opposing the escalation, the second supporting it. At every turn he has been stymied.

Our Republican minority claims they want to debate the war in Iraq, but they have done everything they can to obstruct the debate. I would like to go through some of the history of this obstructionism. Since the first of the year, Republicans have rejected at least three different compromises that would have allowed the Senate to move forward with a vote on the escalation of the war in Iraq. In an effort to obtain an up-or-down vote on the bipartisan resolution disapproving the President's plan, Senate Democrats offered to schedule an up-or-down vote on the McCain-Graham resolution supporting the President's plan. Unfortunately, the Republican leadership rejected this offer on what they claimed to support.

Then we, as Senate Democrats, offered the Republican leadership up-or-down votes on two other resolutions—the Gregg resolution and a resolution stating simply that the Senate does not support the surge and demands that the troops deploying to Iraq receive the body armor and other equipment they need. The Republican leadership again rejected the offer.

Finally, Senate Democrats offered to allow votes on the bipartisan resolution and the McCain-Gramm resolution that would each have required a supermajority of 60 votes. The Republican leadership again said no.

The pattern of obstruction has, unfortunately, continued. On February 5, all but two Republican Senators opted to block a debate, including the distinguished author of the resolution—chose to block debate on whether we support the President's escalation plan. The reaction across the country was echoed in numerous newspaper headlines.

The Washington Post:

> GOP Stalls Debate On Troops Increase.

The Washington Times:

> Senate GOP Blocked Iraq Resolution.

The New York Times:

> GOP Senators Block Debate On Iraq Policy.

USA Today:

> Vote On Iraq Is Blocked By The GOP.

Denver Post:

> GOP Blocks Iraq Debate.

A.P.:

> Republicans Block Senate Debate On Iraq.

Reuters:

> Republicans Block Senate Debate On Iraq.

CNN:

> GOP Blocks Senate Debate On Iraq Resolution.

Los Angeles Times:

> GOP Bats Down Resolution Debate.

After almost 2 weeks of more stalling by the Republican leadership, Senate majority leader HARRY REID today, again, offered a compromise that would have allowed all of us the opportunity to stand up and take a position and vote our conscience. Simply put, every Member of the Senate would be given the opportunity to vote on a bill equal to the House resolution opposing the President's escalation of the war in Iraq and also a resolution supporting the President's plan to send even more troops into combat operations in Iraq.

What could be simpler? What could be more fair? The reaction by the Republican leadership, sadly, was not surprising. They again said no. They don't want to vote. I find it interesting that earlier today colleagues on the other side of the aisle who voted to stop us from going ahead to a vote are now saying we should not adjourn until we vote. Well, in fact, our distinguished majority leader and the majority agree. Therefore, we will have that vote after the House votes tomorrow. We will have that vote on Saturday.

Supporters of the war in Iraq have claimed that one of their goals is to spread democracy throughout the Middle East, throughout the region. That is an ironic statement, considering that they are stifling the democratic process on the floor of the Senate. Recent public opinion surveys have shown that a clear majority of Americans—in some cases as many as 70 percent of American citizens—when asked, say they oppose the President's plan to escalate the war in Iraq. From our biggest cities to our smallest towns, the American people are demanding accountability on the war in Iraq. They have questions and they are looking to their leaders for answers. They are looking to their leaders—to us—for focus and debate and a willingness to take a position and speak out and make change happen.

The Traverse City Record Eagle, in Michigan, in their editorial page, summed it up, I believe, on January 25. They said:

> Someone frozen in time for the past 2 years could have listened to President Bush outline his new Iraq policy in his State of the Union Address Tuesday and wondered what the fuss was about. That is because there is no "new" policy.
>
> Today, the road ahead looks just like the road behind—stay the course. Only this time there will be about 20,000 more American troops in harm's way [not counting support troops]. Before we know it, we'll be at 4,000 Americans dead and 30,000 wounded and nothing will have changed.

They went on to say:

> The awful reality, as many who watched Tuesday surely realized, is that the President has no exit strategy. He has no clue how to get Sunnis and Shiites to stop killing each other, let alone form a stable government. He has no evidence they even have any desire to do so. There is only his war, and it goes on and on.

Mr. President, our troops and their families, more than anybody else, deserve better. They deserve better than this strategy, and they deserve better than tactics designed to stop us from a full and open debate about the President's strategy. They deserve better than people avoiding taking a stand, taking a vote on this President's escalation in Iraq.

This debate is already taking place all across America, all across Michigan—in coffee shops, diners, union halls, office parks, at church dinners, and at VFW halls. Americans are speaking out and asking tough questions about this administration's misguided escalation of the war. And in the Senate, in a move that clearly disregards the opinions of the majority of Americans, the Republican leadership has refused to allow a real debate and a vote on the President's escalation.

Four years ago, I stood in this Chamber alongside 22 colleagues and voted no on giving the President the authority to go to war. It was a hard vote. It was a lonely vote. But I was proud to do my duty, along with all of my colleagues, and stand publicly and take a position and have our votes counted. It strikes me as sad that the Senators who support the President's escalation of the war have decided to hide from this opportunity to do the same—to vote their conscience and to tell the American people where they stand, win or lose.

This should not be a discussion of politics. This is a discussion of the most serious policy. Any soldier will tell you that there are no politics in a foxhole. The American people—Republicans, Democrats, and Independents—are asking us to take a look, long and hard, at what we are doing in Iraq. We were not elected to stand silently by while our fellow citizens demand answers. American men and women are in harm's way. Unfortunately, it seems that the Republican leadership doesn't see it that way.

Let me again say, as clearly as possible, that I believe the escalation of this war is not the answer. Putting more Americans in harm's way will not bring our men and women home any sooner. Why would we go further down a path that has led us to this point? Why would we repeat our previous mistakes and call it a "new strategy"?

A free and stable Iraq can only be secured by the Iraqis. They must embrace responsibility for their collective future and decide that living and dying at the hands of sectarian violence is not the future they want for their children and grandchildren.

We must support their efforts, but we cannot substitute American troops for Iraqi resolve. With the freedom of self-determination comes a responsibility of collective security. I believe we must continue to train the Iraqis and equip them and provide sensible military support, based on the advice of our generals and military experts. And we must lead them by example—by embracing, not turning our backs on, our own democratic process.

The Detroit Free Press, in response to the President's announcement of the escalation, echoed the concerns of people all across Michigan and from around the country, I believe, as well, on January 11, when they wrote:

> President George W. Bush at least acknowledged past failings and did not promise roaring success in outlining his new strategy for Iraq in a grim-faced address to the Nation Wednesday night. In fact, he braced the American and Iraqi people for at least another year of bloodshed—maybe the worst yet.
>
> But that does not make this escalation of the war—the President didn't use the word, but that's what he intends to do—the best course of action. It is based on hope without demonstrable evidence that the Iraqi Government and its military are truly ready to take control of their country instead of taking sides in an internal combat. It is based on the belief that an American force of 157,500 can achieve what a force of 135,000 could not, given a little more leeway to act. And it is based on the President's conviction that a decisive military victory in Iraq can somehow break the back of global terrorism.
>
> It won't, any more than the escalation of the war in Vietnam stopped the advance of global communism. Economic and political forces played the larger roles in that. Granted, there are elements of each in the President's new strategy, but where is the functioning government to implement them? Demanding accomplishment does not make it so, and the new leaders of Iraq have accomplished precious little to date.

They continue:

> This is certainly not the strategy the American people had in mind last November when they repudiated the President by stripping his Republican Party of control of Congress. It runs counter to much of what the Iraq Study Group and past military commanders have recommended. It further strains a U.S. military already hard pressed to meet its obligations.

I believe the American people want a new direction in Iraq. What they don't want is more legislative games designed to stop debate or hide from the realities of the situation on the ground which our men and women are facing. Wishful thinking and best-case scenario planning will not make the situation in Iraq any better. Our troops in the field and our fellow citizens here at home demand leadership, critical analysis, a willingness to change course when the evidence shows that we must, and they deserve action.

The Republican leadership can stonewall a vote on this resolution, but they cannot silence the debate. They cannot avoid reality. They cannot avoid the truth.

To every American around the country asking questions, I say thank you—thank you for asking questions, thank you for speaking up, thank you for being a part of the democratic process we hold so dear, and thank you for following your conscience.

There is nothing simple about the situation in Iraq. We all know that. But there is nothing complicated about what America is asking us to do. It is time for all of us—those who oppose the escalation of the war and those who support it—to stand up and have our votes counted.

This is not the time for legislative games. This is too serious a time and too serious a topic. The President has presented a plan. It is time for us to vote.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I take this time, first, to commend the majority leader, Senator REID, for doing everything in his power to bring up the most important issue we face as a nation, and that is the future of Iraq.

I must tell you, as I travel through the State of Maryland, the citizens of my State ask: What are we doing to change the course in Iraq? What are we doing?

Senator REID has proposed a way that we can have an up-or-down vote on the most pressing issue of our time, and that is whether we are going to introduce more American troops, escalate our presence in Iraq—an up-or-down vote. The other body will be holding that vote some time tomorrow. Every Member of that body will go on record either for or against the President's proposal to escalate our presence in Iraq with additional American troops.

We need to have that same vote in this body, and we should not be looking at procedural obstacles that prevent us from going on record whether we favor or oppose the President's proposals.

I look at what the President is suggesting, putting additional troops in Iraq, as more of the same, not a new plan. If we learned anything at all from the elections last November, it was that the people of this Nation want to see a change in direction in Iraq. They understand our plans have not worked, that we need to look for a new direction. And yet the President is giving us more of the same.

What we need to do is start by saying no to the escalation of additional troops, and then we need to look at what are the right policies in Iraq. Quite frankly, to me, we need to have the Iraqis stand up and defend their own country, with Iraqis assuming principal responsibility and American troops starting to come home. We need to engage diplomacy. We are in the middle of a civil war.

We need to engage the international community to look for a political solution so that Iraqis have confidence in their own Government and Sunnis and Shiites can live together in one country. We need to engage the international community to help rebuild Iraq. They need help in the rebuilding of their country, and they certainly need the help of the international community in training Iraqis to take care of their own needs.

Americans have made a significant investment in this country. We have given so much. Four years ago, I opposed the military presence of America in Iraq. I voted against it in the other body. I said at that time:

> I have grave concerns about the consequences of a unilateral preemptive military attack by the United States. Such a course of action could endanger our global coalition against terrorism, particularly from our moderate Arab allies. It also may increase terrorism activities around the world.

Unfortunately, I was right. I remember the predictions that were made 4 years ago that this would be a relatively brief military operation, that we would be welcomed by the Iraqis, that the Iraqis would be able to take care of the security of their own country, that the standard of living for the average Iraqi would increase dramatically.

Unfortunately, that has not come true. The reality of the situation is that over 3,100 American soldiers have lost their lives in Iraq. Over 20,000 American soldiers have had life-changing injuries as a result of their service in Iraq. Hundreds of billions of dollars of U.S. taxpayer money has been spent in Iraq, and terrorism is on the increase in that region, not diminished. And we are in the middle of a civil war, with sectarian violence increasing.

The Iraqis, having passed their constitution, have elected their Government, and it is time for the Iraqis to take responsibility for controlling the sectarian violence in their own country. More troops will not solve the problem. More American troops will not solve the problem in Iraq.

I am a member of the Foreign Relations Committee. We completed over 3 weeks of hearings concerning the current status in Iraq. We heard from military experts and foreign policy experts, generals and policy people. I must tell you, they raise serious questions as to whether we can win the war in Iraq on the battlefield. They are telling us over and over again that what we need is a surge in diplomacy, not additional American troops. We need to signal the Iraqi Government, the international community, and, most importantly, the American people that our presence in Iraq is not indefinite. More American troops will not bring about victory in Iraq. More diplomacy might. More engagement of the international community might. But more American troops will not.

It is time for this body to act. It is time for us to debate the current circumstances in Iraq and the President's policy, and it is time for us to take action on the President's plan to escalate. That should be our first vote, and that is what Majority Leader REID is attempting to do. But my colleagues on the other side of the aisle are trying to use procedural roadblocks so we cannot have an up-or-down vote on the

President's plan. We should never play politics with our American troops who are in harm's way. We shouldn't be doing that. But let us have a vote up or down on the President's policy, and then we need to look at other options.

The majority leader indicates that we will certainly be taking up the recommendations of the 9/11 Commission, to implement their recommendations, and we will have an open debate and the opportunity to offer amendments as to how we can bring our troops home with honor, how we can engage the international community, how we can move forward in the Middle East. That we need to do. But we first must stop the escalation of American troops, and that is the vote the other body will be having as early as tomorrow, and I hope, with the support of my colleagues, we can have that vote by Saturday. That is what we should do.

I urge my colleagues to allow us to have the debate on this floor and an up-or-down vote on the President's plan to add additional American troops. Then I hope we will find some way to listen to what the experts are telling us, to listen to what the American people are telling us, that they want to see from our country a changed policy in Iraq. They want America to exercise its international leadership that only we can do. They want us to find a way to honorably bring our troops home, to energize the international community on diplomacy and on rebuilding Iraq. And they want the Iraqis to stand up and defend their own country in the midst of a civil war, and we will help end that civil war by allowing the Iraqis to take control of their own country and by energizing a diplomatic solution so that all the people in Iraq have confidence that their Government will protect their rights, and then working with the international community, helping build a type of country where the people can live in peace and prosperity. That should be our mission.

But let us start by removing the procedural roadblocks. Let us start by having an up-or-down vote, as the other body will have, on whether we support or oppose the President's plans to escalate American troops.

IRAQ

Mr. SANDERS. Mr. President, the issue of American presence in the Middle East is of great importance. We are currently engaged in a war in Iraq from which, according to poll after poll, a majority of the American people believe we should withdraw.

In the face of the momentous elections of this past November, in which the American electorate indicated their dissatisfaction with the President's policies in Iraq, President Bush has responded with a call for more troops, not less. At this moment, he is escalating the war, not redeploying our brave men and women out of harm's way. He is sending these troops into the middle of a civil war.

Now there are reports that the President may be considering expanding this tragic war into Iran. The President has no constitutional authority to make war on Iran without congressional approval, nor has he historical precedent. I offer today a resolution "expressing the sense of Congress that the President should not initiate military action against Iran without first obtaining authorization from Congress." The resolution sets forth the constitutional grant of authority to Congress for declaring war and funding any war, it cites Federalist Paper No. 69 on the intention of the drafters of the Constitution, and it cites Presidents Washington and Jefferson on the power reserved to Congress to authorize war.

The resolution strongly and unequivocally affirms that the President does not have the power to initiate military action against Iran without first obtaining authorization from Congress, that neither of the existing authorizations to use military force in Iraq gives him such authority, and that the President must seek congressional authority prior to taking any military action against Iran.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, at this moment across the Rotunda, not far from here, in the House of Representatives, there is an ongoing debate about the war in Iraq. It has been 2 or 3 days of debate with Members each allowed 5 minutes to express their feelings about this war. It is historic. It happens rarely that that procedure is used, almost always in cases involving war. I have been through it as a Member of the House of Representatives and can recall the sleepless nights that led to votes on questions of war. You know that at the end of the day, if the decision to go forward on a war is made, people will die.

Many decisions we make on the floor of the House and Senate have little consequence, some are purely ceremonial, and some just deal with money. But when it comes to war, it is a matter of life and death. So I am sure every Member of the House of Representatives, regardless of their feelings about this war, has thought long and hard about what they are saying. They have taken this matter very seriously because they understand that America is taking this very seriously.

We have lost over 3,100 of our best and bravest soldiers, men and women who have gone off to war with parents behind and families crying, wondering if they will return safely. Unfortunately, they did not, some of them. There are some 23,000 or 24,000 who have returned with serious injuries. Some are minor, but some are very serious, such as amputations and blindness, traumatic brain injuries and many other injuries that will haunt these soldiers for a lifetime as they try to return to normal life.

We have spent a lot of money on this war, over $400 billion. As we labor with this new budget, we see the result of the decision to go to war. From the monetary side, it shortchanges America in terms of what we desperately need. Whether we are talking about additional medical research, help for education, money to schools that need a helping hand to make No Child Left Behind work, assistance for families to have health insurance and health protection, this war has been costly to America. For those who believe the money would have been better spent right here at home, that a strong America begins at home, there is a serious concern about when this war will end and what the ultimate cost will be.

We know our military is much different today than when we invaded Iraq. It was an invasion this President decided to make without provocation and, frankly, without evidence that there was any serious threat against our country. Having made that decision, having gone overseas and lost these lives and brought back so many injured soldiers, we understand now we live in a different Nation. We live in a Nation where we watch, sadly every day, evidence of violence in Iraq, evidence of innocent people being killed on their streets, and unfortunately our own soldiers are caught in the crossfire of their civil war.

In the last election, the American people were finally given a chance to speak about this war, and they said: We want a change. We don't want this to continue. We don't want to continue to lose these brave soldiers or continue to spend this money. They elected a Congress which was given the charge of moving us in that new direction. For the first time in a long time, Democrats control both the House and the Senate. In the Senate, it is a very scant margin. On a good day, it is 51 to 49.

Those who know the Senate, know that important measures take 60 votes. In order to achieve passage, we need bipartisan cooperation. We need to reach across the aisle and find common ground. We have tried to do that. In some respects, we have been successful. We have passed bipartisan ethics reform to deal with some of the issues of integrity that have haunted this Chamber and the House of Representatives over the last several years. We have passed a minimum wage increase at the Federal level for the first time in 10 years—something long overdue. We even passed a spending bill to finish this fiscal year, to try to mop up some of the unfinished business from last year's Congress, which left town with many appropriations bills unresolved.

The one issue we have not addressed in the Senate, the issue now being debated in the House of Representatives, is the war in Iraq. We feel—many of us on the Democratic side and some on the Republican side—that we should have this debate. We owe it to the American people. Members should stand up and state where they are, what their position is, and what they think we should do as a Nation. I know if this debate took place, it would be important not just for this institution but for the country to know we came here understanding our responsibility.

Two weeks ago, we offered to the Republican side of the aisle an opportunity to debate the very fundamental question raised by the President's new plan for Iraq. The President has proposed another 21,000 American soldiers in combat mode going into Iraq to join the 130,000 already there. We know that 21,000 combat soldiers would require at least the like number of support troops, so it is a substantial escalation of the war to add 42,000 or 44,000 American soldiers to the 130,000 already there. Many of us think it would be a serious mistake. We question whether escalating this war, sending more troops into harm's way, is any way to bring it to an end.

We have tried it before unsuccessfully. Additional troops, as good as they are, cannot overcome the ravage of a civil war. Unfortunately, we have learned that we suffer more casualties every time we send our brave soldiers and marines and airmen and sailors into this conflict. So we tried 2 weeks ago to start the debate, to let Members stand and say whether they support the President's escalation of the war or whether they oppose it.

Most Americans have an opinion. In fact, overwhelmingly they say it is a bad idea. When asked, they can give a yes or no as to whether they support the President's escalation. We offered to the Republican side of the aisle not just a yes or no but their answer to our criticism of the President's escalation. We said we would stand by two separate Republican resolutions to be offered on the floor. One Republican resolution, sponsored by JOHN WARNER, Republican of Virginia, critical of the escalation of the war, was supported by most Democrats, including myself. The other, offered by Senator JOHN MCCAIN, a Republican of Arizona, supports the President's position on the war.

I think it would have been a spirited debate, an important and historic debate, but the Republicans rejected that. They wanted more. They wanted more resolutions brought to the floor. They didn't want us to focus on the very fundamental issue at hand. They wanted to bring in other issues, such as funding for the war, support for the troops, and so many things that were not at issue, were not what we were discussing. So we tried to keep the focus on the basic issue: Should we escalate the number of troops committed to this war?

We had what we call a cloture motion, which means closing down debate on a certain issue. A cloture motion would say we are going to move to the debate on the war in Iraq. We called that cloture motion, and it failed. As I said, we don't have 60 votes on this side of the aisle. We need help on the other side of the aisle. Only two Republican Senators said we will join you in calling for a debate on the Warner resolution and a debate on the McCain resolution. Two Republicans stepped forward. The rest said: No, we don't want that debate.

Well, an odd thing happened. After that vote, many of the Senators had Senator's remorse, I call it. It is a version of buyer's remorse. They wished they had cast another vote. Within days, they started coming to the floor and saying, that isn't what we meant to say. We didn't want to say stop the debate on Iraq. We believe there should be debate on Iraq. Yes, they said, we voted to stop the debate on Iraq, but we didn't mean to stop the debate on Iraq.

They were so transparent. They were twisted in knots. They came to the floor repeatedly, seven or eight of them. They sent letters to the leadership. They had press conferences, and they talked to anyone in the hallway, saying they had made a mistake and they wanted to return to the issue. So we gave them that chance today. We gave them that chance. We said: Let us return to the issue, let us debate the issue on the floor of the Senate as they have done it in the House, and let us also add to that another Republican opportunity for the McCain amendment, which supports the President's position. We would have, again, a basic vote on a fundamental issue, fair and square. What did the minority leader from Kentucky do? He objected. He didn't want to engage in that debate. That is truly unfortunate. While the House of Representatives is deeply engaged in a debate of historic moment, important to everyone across this country and particularly to our men and women in uniform, unfortunately, the minority objected. They don't want to engage in a straight up-or-down debate on the fundamental issue.

The argument they make is, we have many other things we want to talk about when it concerns Iraq. We may want to talk about funding for Iraq. We may want to talk about the ability of Congress to cut off funding—all of these issues. And we have said to them, that is all well and good, we will give you the chance to do it. As soon as this debate is finished on the escalation of troops, the President's proposal, we will immediately, within hours, move to the next issue, the 9/11 Commission recommendations, open to amendment, and then you can offer whatever amendment you care to on the issue of Iraq.

So it wasn't a matter of foreclosing the debate, it was a matter of saying: Let us focus the first part of this debate on an up-or-down question on the President's escalation of the war. You can vote, as the House is about to, saying this is a bad policy or you can support Senator MCCAIN, who believes that sending more troops is the right policy. They rejected it.

So now we have been forced to a position, which I am not happy with, but which we have to accept, and that is we have to call another cloture vote, another procedural vote, another attempt to move us to a debate stage. That vote is going to occur, as presently scheduled, on Saturday afternoon. It will be a historic vote as well because, once again, the Republican minority will have a chance to join us in starting the national debate on Iraq in the Senate.

The question is: Will they support this effort this time? I hope they will. I hope they will come on Saturday, as inconvenient as it may be in their personal schedules, and join us in voting for cloture. If they will, if we can bring 60 votes forward to close down debate on the procedural aspects and move forward on the real debate about Iraq, it is a good thing for America. If they continue to hold to this position that they are going to protect this White House from any possibility of embarrassment, that they are going to somehow stop the Senate, which has a reputation as the great deliberative body on Capitol Hill, if they are going to stop the Senate from the debate on Iraq, it will be at the expense of this institution and, more importantly, at their own expense.

The American people, whatever their position on this issue, expect us to stand up and debate it and to say where we stand. We will find on Saturday how many of the Republican Senators answer the rollcall; how many come and how they vote.

We know that as inconvenient as it may be for these Senators to return on Saturday, as tough as it may be for many of them to get back, it can't be any tougher than the assignments we give to our soldiers and sailors and marines and airmen to put on the uniform of our United States of America and to defend our country and to risk their lives every day.

So I hope our colleagues will be with us on Saturday. I hope they will join us in moving forward on this debate.

I can recall the vote that led us into the war in Iraq as if it were yesterday. It was a time just weeks before an election. There was almost a feeling of hysteria across this country about the possibility of weapons of mass destruction in Iraq. Condoleezza Rice, who was then Security Adviser to the President, suggested the possibility of mushroom-shaped clouds. All sorts of fears were engendered in a population still very wary after 9/11. It was not an easy vote because there had been a buildup, this drumbeat of support for invasion. And the day came in October when it occurred. There were 23 of us who voted no, one from the State of Rhode Island on the Republican side and 22 Democrats voting no. At the time, it was not an easy vote. I look back on it now as one of the most important votes I ever cast.

There comes a time when Members of the Senate have to face responsibility and face a vote. There will come a time when the Republicans have to face a vote on Iraq. They cannot protect the President and the White House indefinitely and forever.

I had a great friend from the State of Oklahoma, a Congressman by the name of Mike Synar. I have told this story many times, and I mention his name because I don't want him to be forgotten. He passed away in 1996 from a brain tumor. But Mike was one of a kind. He just could not stand Members of the House of Representatives who were unwilling to face tough votes. He used to get up in our caucus over there and get the floor, and we knew what was coming when people were whining and complaining about facing a controversial vote or controversial debate. And he said:

> If you don't want to fight fires don't be a fireman, and if you don't want to cast tough votes don't run for Congress.

He was right. Whether you are on this side of the aisle or that side of the aisle, you better be prepared to face a tough vote and an important vote, and nothing is more important than a war, a war which has so many of our great soldiers with their lives on the line as we stand in the safety of this Capitol Building.

I hope my colleagues on the Republican side will reconsider their position. They cannot stop this debate. It is going to occur. It is occurring across America in family rooms, in offices, in schools, in restaurants. Everywhere you turn, in the streets, in the shopping centers, it is occurring. It is going to occur right here on the Senate floor. They cannot hold back the tide. It is building against them. That tide is going to push them over, and we are going to bring this issue to a debate on the floor. We owe it not only to the men and women in uniform, we owe it to the people who were kind enough to give us a chance to serve in the Senate.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. TESTER). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXPRESSING THE SENSE OF THE CONGRESS ON IRAQ—MOTION TO PROCEED

CLOTURE MOTION

Mr. REID. Mr. President, I move to proceed to calendar No. 25, S. 574, a bill to express the sense of the Congress on Iraq, and I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

> We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on the motion to proceed to S. 574, a bill to express the sense of Congress on Iraq.
>
> Ben Nelson, Russell D. Feingold, Ben Cardin, Robert P. Casey, Jr., Byron L. Dorgan, Amy Klobuchar, Daniel K. Akaka, Maria Cantwell, John Kerry, Ken Salazar, Jack Reed, Chuck Schumer, Jeff Bingaman, Barbara Boxer, Dick Durbin, Tom Harkin, Jay Rockefeller, Harry Reid.

Mr. REID. I ask unanimous consent that the live quorum be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I announce that we will have the cloture vote on Saturday at 1:45 p.m. As I always said, I would keep the vote open if it appeared there were problems that Senators were having in advance of the vote. I have heard from Senators on both sides of the aisle that there is no time that meets everyone's expectations. So what we would do to try to handle as many people as possible, we will start the vote at 1:45, and we will act as if it starts at 2 o'clock and terminate the vote at 2:20. I hope that meets with everyone's problems as far as transportation and getting to and from here.

So on Saturday, because I think these are extraordinary circumstances, we will make sure that as many people are protected as possible.

HONORING PRESIDENT GERALD R. FORD

Mr. DURBIN. Mr. President, like his hero, Abraham Lincoln, Gerald Ford helped heal our Nation. His calm leadership and fundamental decency helped hold our Nation together at a time when the forces of war and scandal threatened to tear it apart.

When he took the oath of office on August 9, 1974, President Ford declared, "This is an hour of history that troubles our minds and hurts our hearts." During his Presidency, he worked to ease our minds, comfort our hearts, and restore our faith in our government.

In his first official remarks as President, Gerald Ford promised America:

> In all my public and private acts as your president, I expect to follow my instincts of openness and candor with full confidence that honesty is always the best policy at hand.

Those were not just words to Gerald Ford, as he proved on October 17, 1974, when he appeared voluntarily before Congress to give sworn testimony—the only time a sitting President has done so about his pardon of Richard Nixon.

Gerald Ford believed that pardoning Richard Nixon was the only way to end the long national nightmare of Watergate. He also believed that it might end his political career. And he did pay a high price at the time in lost public approval and public trust.

Over time, however, many people came to see the Nixon pardon not as an act of collusion, but of courage and conciliation. In 2001, the Kennedy Library Foundation awarded President Ford its John F. Kennedy Profile in Courage Award.

Gerald Ford believed in hard work and duty to one's country. At the University of Michigan, he washed dishes at his fraternity house to earn money for college expenses. After graduating in the top quarter of his class from Yale Law School, he returned home to Grand Rapids, MI, to practice law—but Pearl Harbor was attacked. Like so many young men of his generation, Gerald Ford put his life on hold. He enlisted in the Navy and spent the next 4 years in the service.

After the war, Gerald Ford decided to run for Congress and was supported by Michigan's legendary Senator Arthur Vandenburg, one of the architect's of American internationalism. His experience in World War II and his friendship with Senator Vandenberg helped turn him away from isolationism.

As President, he described himself as "a moderate in domestic affairs, a conservative in fiscal affairs, and a dyed-in-the-wool internationalist in foreign affairs." In the 2½ years of his Presidency, he ended America's involvement in the war in Vietnam. He helped mediate a cease-fire agreement between Israel and Egypt, signed the Helsinki human rights convention with the Soviet Union and traveled to Vladivostok to sign an arms limitation agreement with Leonid Brezhnev, the Soviet President.

But what earned Gerald Ford the respect and gratitude of our Nation was not only what he accomplished but how he accomplished those things. He was a master of consensus-building, cooperation, and honorable compromise.

It is notable that one of the first calls he made after becoming Vice President was to his old golfing buddy, Tip O'Neill. He set a standard for bipartisanship that we would all do well to follow.

He was a good and honorable man who served this Nation well. He will be missed.

HONORING OUR ARMED FORCES

Mr. NELSON of Nebraska. Mr. President, I rise today in honor of SGT Randy J. Matheny, 20, of McCook, NE.

Sergeant Matheny followed in the footsteps of his older siblings when he joined the Nebraska Army National Guard on March 28, 2005, as a heavy vehicle driver in Detachment 1, 1057th Transportation Company in Scottsbluff. His older sister, SSG Karen Matheny, is a full-time member of the Nebraska Army National Guard's HHD, 734th Transportation Battalion in Kearney. PFC Paul Matheny, his older brother, is an active-duty soldier with the U.S. Army. Both of Sergeant Matheny's siblings are serving in Iraq; his sister is currently serving her second tour, and his brother is preparing to deploy for his first.

Sergeant Matheny graduated from my alma mater, McCook Senior High School, in 2004. His teachers and friends knew him as a well-known, soft-spoken student. In his free time, he enjoyed riding his motorcycle and spending time with his friends. After joining the Nebraska Army National Guard in 2005, he attended basic training at Fort Jackson, SC, and then advanced individual training at Fort Leonard Wood, MO, in 2006.

In June 2006, he transferred as a heavy vehicle driver to the Nebraska Army National Guard Detachment 3, 1074th Transportation Company based in Sidney. Sergeant Matheny was mobilized for duty in support of Operation Iraqi Freedom on July 15, 2006. The 1074th Transportation Company is responsible for providing security for transportation missions throughout Iraq. On February 4, 2007, Sergeant Matheny passed away when an improvised explosive device detonated next to the armored security vehicle in which he was serving as a gunner. He was 20 years old. Then-Specialist Matheny was posthumously promoted to sergeant.

The Matheny family from my hometown of McCook, NE, are the paradigm of courage and selflessness. In addition to his brother and sister, Sergeant. Matheny is survived by his father Gary Matheny and mother Jan Collins. I offer my condolences to Sergeant Matheny's family and friends who inspired and supported his career. He made the ultimate and most valorous sacrifice so that future generations around the world will live free, peaceful lives. Sergeant Matheny will be forever remembered as a hero.

COLONEL BRIAN ALLGOOD

Mr. SALAZAR. Mr. President, I rise to praise the memory of Army COL Brian Dwayne Allgood of the 30th Medical Brigade, European Regional Medical Command. Colonel Allgood was taken from his family late last month in Iraq. He was only 46 years old, and the highest ranking medical officer in Iraq.

After graduating high school in Colorado Springs, Brian Allgood attended the U.S. Military Academy in West Point and medical school at the University of Oklahoma. He completed his residency at Brooke Army Medical Center in San Antonio and continued with his military career, rising to become one of the Army's top surgeons. Most recently, before being sent to Iraq, Colonel Allgood spent 2 years as the commanding officer of medical facilities in Korea.

It is no surprise that Brian Allgood rose to such great heights. Brian came from a medical family and a military family—Brian's father Jerry was an Army hospital administrator like his son, and Brian's mother Cleo was a nurse. One might say that service, both to his country and to those in need, was in his blood.

Brian Allgood was a healer, a quiet and humble man who knew the best way to lead was not through anger or boastfulness. Instead, he simply did what needed to be done, helping save and improve lives every day, and in doing so led by example.

Colonel Allgood acted not only with courage but with concern for the troops he led. He was renowned for his willingness to stick his neck out for his troops and for his unique bond with them. To better understand the risks posed to paratroopers, Colonel Allgood completed the grueling Ranger school and parachuted into Panama in 1989. He served as the commanding officer of the hospital at West Point. As a surgeon and later a commanding medical officer, he played a role in the saving of hundreds, if not thousands, of American lives.

And as the top Army surgeon in Iraq, Colonel Allgood also oversaw the system that tended Iraqis in need of urgent care. Every day we hear stories from Iraq of innocent bystanders facing brutality in their own streets. Who knows how many Iraqis are alive today because of the talent and wisdom of Colonel Allgood and those he led?

Colonel Allgood's parents, Jerry and Cleo, have been supportive of not only their son but all Colorado veterans, and I am privileged to have worked with them on veterans concerns in my State. Jerry and Cleo are good people and should take great pride in having raised their son from a young boy into an exemplary man: a fine doctor, a thoughtful son and brother, a loving husband, and a caring father.

To Brian's wife Jane and his son Wyatt, I cannot imagine the sorrow and loss you are feeling, and I hope that in time your grief can be salved by your pride in the way Brian lived his life. Brian served his Nation with honor and distinction and improved the lives of countless soldiers, families and those with whom he interacted every day.

BLACK HISTORY MONTH

DR. WILLIAM NEAL BROWN

Mr. LAUTENBERG. Mr. President, I rise today to join with Senator ROBERT MENENDEZ and our House colleague Congressman DONALD PAYNE in honoring Dr. William Neal Brown, a distinguished and inspiring figure in African-American history. In recognition of Black History Month, we gathered with residents of New Jersey to pay tribute to Dr. Brown on Saturday, February 10, 2007 at the Newark Museum in Newark, NJ, during "A Salute to Heroes."

Dr. Brown was born in Warrenton, GA, on February 24, 1919. His father was an ex-slave and his mother was Native American. He grew up in Aliquippa, PA, where his father labored as a farmer and steel mill worker. His love of learning and inspiration to educate others began at an early age, when he and six of his classmates dreamed of becoming teachers.

After graduating with honors from high school, Dr. Brown went to work in the Civilian Conservation Corps, CCC, President Franklin Delano Roosevelt's public works program that put over 3 million young men and adults to work during the Great Depression. It was here that he was introduced to the Hampton Institute, where he would enroll as a work-study student and proceed to graduate with a bachelor of science in 1941.

Dr. Brown heeded the call to serve his country and enrolled in the Army Air Force, where he served in special services as an information education officer, and trained at various bases including with the Tuskegee Airmen in Tuskegee, AL. After the war, on the GI bill, Dr. Brown began his graduate studies, first at Columbia University and then at City College.

After 3 years of social work at the Veterans' Administration in Newark, NJ, Dr. Brown became the first African-American professor at Rutgers, the State University of New Jersey.

During his 41 years as a professor at Rutgers, Dr. Brown mentored and inspired countless students and future social workers. He has lived his life by a verse he often quotes from Thanatopsis by William Cullen Bryant: "So live, that when thy summons comes to join the innumerable caravan that went to sway to the silent halls of death, thou go not like a quarry-slave at night, scourged to his dungeon, but sustained and soothed by an unfaltering trust. Approach thy grave as one who lies down to pleasant dreams."

Mr. President, there is no doubt that Dr. William Neal Brown is an exemplary and committed leader and a true role model for our State and the entire country. I am pleased to pay tribute to him today, and I know my colleagues will join me in wishing him continued success.

DENORVAL UNTHANK

Mr. SMITH. Mr. President, each Congress I rise to honor February as Black History Month. Each February since 1926, our Nation has recognized the contributions of Black Americans to the history of our Nation.

This is no accident; February is a significant month in Black American history. Abolitionist Frederick Douglass, President Abraham Lincoln, and scholar and civil rights leader W.E.B. DuBois were born in the month of February. The 15th amendment to the Constitution was ratified 136 years ago this month, preventing race discrimination in the right to vote. The National Association for the Advancement of Colored People was founded in February in New York City. And on February 25, 1870, this body welcomed its first Black Senator, Hiram R. Revels of Mississippi.

In this important month I want to celebrate some of the contributions made by Black Americans in my home State of Oregon. Since Marcus Lopez, who sailed with Captain Robert Gray in 1788, became the first person of African descent known to set foot in Oregon, a great many Black Americans have helped shape the history of my State. This is the second time this month I have come to the floor to highlight some of their stories.

Dr. DeNorval Unthank arrived in the Portland, OR, after completing medical school at Howard University in Washington, DC. Dr. Unthank was recruited to Portland in 1929 because the city needed a Black doctor. He was quickly tested as his White neighbors greeted his first attempt to move into a previously all White residential area with broken windows, threatening phone calls, and general harassment. Dr. Unthank had to move his family four times before finding a peaceful place to settle down.

Throughout the 1930s, Dr. Unthank was Portland's only Black medical practitioner. He was a dedicated doctor and a friend to any minority group in the city. Black families could not receive treatment in hospitals at that time and house calls were necessary. Dr. Unthank made himself available day and night and served African Americans, Asians, as well as many Whites.

Dr. Unthank was politically active and was outspoken in his support of civil rights and equal opportunity. In 1940, Dr. Unthank was elected head of the Advisory Council, an organization that hoped to pressure local leaders into providing equal access to economic opportunities related to WWII jobs. The Council documented incidents of discrimination in the workplace around Portland.

During and after World War II, Dr. Unthank worked tirelessly to build his medical practice and promote civil rights. He became the first Black member of Portland's City Club in 1943. He encouraged the club to publish a significant 1945 study called "The Negro in Portland," which opened the eyes of many citizens to ongoing discriminatory practices. Dr. Unthank also served as president of the local chapter of the NAACP and was a cofounder of the Portland Urban League. He played a strong role in the passing of Oregon's 1953 civil rights bill, which among many issues, overturned a law banning interracial marriages in the State.

In 1958, the Oregon Medical Society named him Doctor of the Year. In recognition of his service to civil rights, grateful citizens pressed the city to dedicate DeNorval Unthank Park in North Portland in his honor in 1969. Dr. Unthank once said, "A Negro may have a few more doors closed to him and he may find them a little harder to open, but he can open them. He must keep trying."

Dr. Unthank is only one example of the Black men and women who changed the course of history in Oregon and in the United States. During the remainder of Black History Month, I will return to the floor to celebrate more Oregonians like Dr. DeNorval Unthank, whose contributions, while great, have not yet received the attention they deserve.

Mr. LEVIN. Mr. President, today I rise, as many do this month, to join in the nationwide recognition of African-American history. Every February, the Nation joins in the celebration of the sacrifice, perseverance, and advancement of African Americans. The idea of an African-American history month was proposed by Dr. Carter G. Woodson, a son of former slaves. Dr. Woodson, who became a prominent scholar in African-American studies, worked tirelessly to ensure that the contribution of African Americans would not be forgotten.

In an article written for Johnson's Publications, Lerone Bennett tells us that one of the most inspiring and instructive stories in African-American history is the story of Woodson's struggle and rise from the coal mines of West Virginia to the summit of academic achievement: "At 17, the young man who was called by history to reveal Black history was an untutored coal miner. At 19, after teaching himself the fundamentals of English and arithmetic, he entered high school and mastered the four-year curriculum in less than two years. At 22, after two-thirds of a year at Berea College [in Kentucky], he returned to the coal mines and studied Latin and Greek between trips to the mine shafts. He then went on to the University of Chicago, where he received bachelor's and master's degrees, and Harvard University, where he became the second Black to receive a doctorate in history. The rest is history—Black history."

It is important to honor the legacy of Dr. Woodson and other African-American pioneers who led the advancement of African Americans in a nation once lacking in humanity towards them. In the spirit of honoring those legacies, I pay homage to two women, claimed by my home State of Michigan, who played pivotal roles in the struggle for civil rights and human rights. Sojourner Truth and Rosa Parks were women of different times, yet similar courage, and effectively raised awareness for the inequality and injustice of their eras. Both have been recently honored by Congress. It was my privilege to cosponsor legislation, enacted on December 20, 2006, authorizing a bust of Sojourner Truth to be prominently displayed in the United States Capitol, and it was also my privilege to cosponsor legislation, signed into law on December 1, 2005, which directs the Architect of the Capitol to place a statue of Rosa Parks in National Statuary Hall of the U.S. Capitol. Sojourner Truth and Rosa Parks will become the first African-American women to be represented in this place of honor of notable people of History.

These are truly two phenomenal women, not just in African-American history, but in American History. Sojourner Truth, although unable to read and write, was widely accepted as one of the most effective spokespersons of her time. She spoke eloquently and energetically about the inhumanity and immorality of slavery. Truth also worked toward other social goals, especially women's rights. In 1851, she delivered her famous "Ain't I a Woman?" speech at the historic Women's Convention in Akron, OH. Sojourner Truth attacked both racist and sexist notions during her speech when she said, "Then that little man in back there, he says women can't have as much rights as men, 'cause Christ wasn't a woman? Where did your Christ come from? From God and a woman! Man had nothing to do with Him."

Sojourner Truth settled in Battle Creek, MI, during the mid-1850s. She traveled throughout the State during the Civil War to collect food and clothing for African-American volunteer units. Truth also traveled to Washington, DC, in 1864 to meet with President Abraham Lincoln. Truth became a close advisor to the President on assisting freed slaves. While in Washington, Truth also appeared at women's suffrage gatherings. As a result of illness, Sojourner Truth returned to Battle Creek in 1875.

Born Isabella Baumfree in 1797, she died Sojourner Truth in 1883. Although she was born in chains, her legacy lives in fame. Michigan honored Sojourner Truth and her extraordinary legacy with the dedication of the Sojourner Truth Memorial Monument. Located in Battle Creek, MI, this monument was unveiled on September 25, 1999.

On November 2, 2005, I joined over 4,000 mourners at Greater Grace Temple to celebrate the life of Rosa Parks at her funeral in Detroit, MI. Just a few days earlier, Rosa Parks became the first woman in the history of the United States to lie in honor in the Capitol Rotunda. And, a few years earlier on June 15, 1999, Rosa Parks was presented with the highest honor of Congress, the Congressional Gold Medal. The actions of Rosa Parks merit such honor, as her silent resistance to the humiliation and demoralization of racial segregation sparked the civil rights movement. Over 51 years ago in Montgomery, AL, she refused to give up her seat and move to the back of the bus. The strength and spirit of this courageous woman and her act of peaceful rebellion captured the conscience of the American people and the world. For Rosa Parks, this was but a small part of a lifetime of struggle for equality and justice. In fact, 12 years earlier, Rosa Parks had been arrested for violating another segregation law, which required African Americans to pay their fares at the front of the bus, then exit and reenter at the rear door. The driver of that bus was the same driver that would order Rosa Parks to the back of the bus in December of 1955.

The boycott of the bus system in Montgomery was a direct result of Rosa Parks' actions, which sparked a movement that called attention to the plight of African Americans nationwide and introduced the world to the civil rights movement and its young leader, who would one day have a national holiday declared in his honor, Rev. Martin Luther King Jr.

Mr. President, we have come a long way toward achieving justice and equality for all. But we still have work to do. We must rededicate ourselves to continuing the struggle for civil rights and human rights.

DEALERS MUST BE HELD ACCOUNTABLE

Mr. LEVIN. Mr. President, the demand for firearms by criminals and other prohibited purchasers is high. Unfortunately, there are also some dealers willing to supply those firearms. The simple fact is that criminals would not be able to so readily acquire weapons without gun dealers who are willing to bypass gun sales laws. This willingness by some licensed gun dealers to supply gun traffickers with firearms provides a steady flow of guns into the illegal market.

Multiple sales of the same model of gun to an individual are considered by the Bureau of Alcohol, Tobacco, Firearms and Explosives, ATF, to be among the prime indicators that gun trafficking is occurring from a gun shop. Gun collectors generally do not collect duplicates of the same firearm. The attempt to make multiple purchases of the same weapon should raise a red flag for the dealer to the possibility of trafficking, and reports of multiple sales to the ATF by responsible gun dealers provide a significant percentage of leads for gun trafficking investigations. According to ATF reports, handguns sold as part of multiple sales comprised nearly a quarter of all guns sold in 1999 that were traced to crime that same year. Moreover, guns with obliterated serial numbers, a clear sign of trafficking, are substantially more likely to have been part of a multiple sale. Dealers are responsible for the products they sell, and they must be held accountable to inquire about the purpose the buyer declares for purchasing multiple handguns at one time and report such suspicious behavior to the ATF. One step several States have taken in order to address the issue of multiple purchases is instituting a one-handgun-per-month purchasing restriction.

Another common tool traffickers use to acquire firearms from licensed dealers is to avoid multiple sale reporting requirements by waiting short periods of time between handgun purchases. During a police operation in Chicago, some dealers suggested to undercover officers that they space out their purchases in order to avoid detection by law enforcement. Under Federal law, dealers are required to report only sales of two or more handguns within a 5 day period to the ATF. By encouraging purchasers to stagger their purchases every 6 days, a dealer would be able to circumvent reporting potential trafficking to law enforcement.

Using in-store accomplices to fill out the required Federal paperwork is also a common method gun traffickers employ. The most obvious sign of this occurs when the person who fills out the Federal purchasing forms is not the person looking at, handling, or selecting the gun to be purchased or paying for the weapon. Even if the purchaser is buying only a single handgun, this type of sale should not be permitted by a licensed gun dealer.

These types of illegal transactions likely occur every day in some licensed gun dealerships across the country. We must make it harder for criminals to get guns to decrease the number of gun violence victims. Those gun dealers who willingly aid gun traffickers must be held accountable for their actions.

NATIONAL SALUTE TO HOSPITALIZED VETERANS WEEK

Mr. AKAKA. Mr. President, this week we commemorate National Salute to Hospitalized Veterans Week.

In recent years, more than 10 million letters and cards, and thousands of personal visits have warmed the hearts of hospitalized veterans during National Salute to Hospitalized Veterans Week. This wonderful outpouring of gratitude has reached across the VA health care system's 155 hospitals, their 130-plus nursing homes, and 45 domiciliaries—which comprise the Nation's largest integrated health care system.

I commend each and every person who has or will use this week as an opportunity to show their gratitude and respect to hospitalized veterans. Yet I do not feel that we should stop when this week ends. Hospitalized veterans, and all veterans, should remain in our hearts and minds throughout the year. With them in mind, I want to discuss, at this fitting moment, the President's budget proposal for VA.

I am concerned that President Bush's budget for VA medical care is out of touch with the demands being placed on the VA health care system. After accounting for inflation and increased utilization costs, President Bush's budget for VA health care translates to a mere fourteen-hundredth of a 1-percent increase in VA's health care budget. The President proposes that the VA health system's budget stays virtually the same, while veterans' needs are changing and increasing.

Nearly 3,500 men and women in uniform have lost their lives in Iraq and Afghanistan, and nearly 25,000 have been wounded in action. Veterans of previous wars are increasingly facing age-related health concerns. This is a critical time of critical need. At this time, is a budget increase translating to less than one-seventh of one percent responsible? Is it really enough?

We should salute our hospitalized veterans by providing the funds for the health care they need and have earned. After all, who can accept the alternative? Should we turn away aging veterans? Deny proper medical care to the physically wounded and mentally scarred? Is it any good to have a week honoring hospitalized veterans if we do not tend to their wounds in the coming year?

I believe serving veterans is a priority, especially those with urgent, pressing medical needs. On this week as much as any other, we must make attending to those needs a budget priority as well.

THE TRAGEDY AT TROLLEY SQUARE

Mr. HATCH. Mr. President, I rise today to honor and pay tribute to the many heroes who have emerged out of a horrific tragedy that took place in my home State this week.

On Monday evening, February 12th, a lone gunman entered Trolley Square, a bustling shopping, dining, and entertainment plaza located in Salt Lake City. For the next several minutes he randomly shot and killed five people and wounded four others—leaving a path of destruction and a community in utter shock and grief.

Those who lost their lives that evening included: Teresa Ellis and her friend Brad Frantz; Kirsten Hinckley, a 15-year-old sophomore at Brighton High School; Vanessa Quinn who was meeting her husband at Trolley Square to shop for a long-awaited wedding ring; and Jeffery Walker, a Utah marketing director.

In the ensuing minutes, shoppers scrambled for cover and feared for their lives. Shop owners corralled customers and helped them take refuge in closets, backrooms, and hidden cubby holes. Frantic 9-1-1 calls were placed by many and within minutes courageous police officers had contained the suspect.

As the story unfolded, one hero stood out in the chaotic terror. Off-duty Ogden police officer Kenneth Hammond was at Trolley Square having a pre-Valentines Day dinner with his pregnant wife, Sarita. As they were finishing their meal, the Hammonds heard popping noises and looked over the mall balcony to see bodies laying below.

Officer Hammond sent his wife back to call the police and lockdown the restaurant. Shouting his name to let customers know he was an off-duty police officer, and not a second gunman, he made his way to the bottom level. He engaged the shooter in a gun battle hoping to distract him from killing any other innocent people. Running out of ammunition, he was soon joined by a Salt Lake City officer and members of the SWAT team. Within about 9 minutes, the battle was over—the suspect lay dead along with five beloved members of our community.

We can only imagine the terror that the brave Hammonds felt. Mrs. Hammond, fearing for her husband's safety, bravely went to protect other shoppers and alert authorities. Officer Hammond, fearing he would not be recognized as a law enforcement official since he was off duty and in another jurisdiction, still selflessly reacted to save lives.

Without a moment's hesitation, Officer Hammond put the needs of our community first before any thought for his own safety or well-being.

There is no question his heroic acts saved countless other lives that could have been lost on that tragic evening.

Words cannot express the vital role his selfless service and courageous action played in ending the massacre.

Salt Lake City Police Chief Chris Burbank described Officer Hammond's quick action and courage this way: "Going in and engaging a subject who was well armed and prepared to engage him, without having the benefits of a uniform, extra equipment or magazines for his firearms, is truly heroic."

In addition to Officer Hammond, I would like to take this opportunity to recognize the many, many other police officers from various law enforcement agencies who responded to the calls for help. Precisely and courageously these officers went about their duties evacuating the premises, getting immediate help for hurt victims, comforting the grief-stricken shoppers, and containing the crime scene. I want to commend the rapid response of law enforcement agencies who worked together on a crime scene of this magnitude. I am proud of all of the officers who rendered such important service.

It is hard to understand why something this horrific happens in life. But in this time of our deepest sorrow, it has been comforting to witness so many wonderful Utahns who have stepped up to lighten the burdens of those involved.

Neighbors in the vicinity of Trolley Square opened their homes to shell-shocked shoppers that night as a refuge to wait for further instructions. Total strangers hugged and comforted those leaving the mall who desperately needed a strong shoulder to lean on, and grief counseling services are being made available to those impacted by this tragedy. As neighbors and fellow Utahns, we are united in our grief and desire to comfort those suffering.

My home State has suffered a tragedy of incomprehensible magnitude. The actions of one determined to kill will have an impact on many of our wonderful citizens for years to come. As difficult as this has been and will continue to be, the examples of selfless service and heroic acts will never be forgotten.

I have been deeply touched by so many who truly made a difference in the aftermath of this tragedy. Elaine and I pray that our Heavenly Father's peace will comfort the family members and friends of the victims, as well as all who have been forever touched by this tragedy.

REMEMBERING JUDGE THOMAS E. FAIRCHILD

Mr. FEINGOLD. Mr. President, today I honor the memory of one of the great jurists in the history of my State and someone I was honored to call a friend and mentor: Judge Thomas Fairchild.

Judge Fairchild earned the respect of all who knew him for his keen mind, his kind manner, and his humility. His long and distinguished career in public service included serving as Wisconsin's attorney general, as a State supreme court justice, and as Federal appeals court judge on the Seventh U.S. Circuit Court of Appeals, where he rose to become chief judge. He held that position from 1975 to 1981 when he became a senior judge on the appeals court.

Judge Fairchild stood for justice and equality in his work on the bench, and his work in politics as he made a courageous run for Senate against Joe McCarthy in 1952. Through that and other efforts, he played a critical role in efforts to revitalize the State's Democratic Party.

Judge Fairchild was a brilliant legal mind and a man of exceptional character. He was also an extremely special person in my family and a great friend of my father's. As is the case with anyone who has known me for more than 40 years, he called me Rusty.

Whenever my father, Leon Feingold, or my mother, Sylvia Feingold, referred to Judge Fairchild, it was always with reverence. Some of the biggest decisions of his career were made, at least in part, in our living room. I have always been deeply proud of that fact.

The Thomas E. Fairchild lecture at University of Wisconsin Law School, established in 1988 as a tribute to Judge Fairchild, is just one reflection of his tremendous stature in Wisconsin. When I delivered the Fairchild lecture in 2005, with Judge Fairchild listening in the audience, it was a great honor for me, and a wonderful experience.

I am deeply saddened by the passing of Judge Fairchild, for the loss this means for his family, and for all those who knew him. He was one of our State's great legal minds, and one of our most dedicated public servants. I feel so fortunate to have known him, and so grateful for the many things he taught me and the many kindnesses he showed me over the years. The work he did, and the life he lived, will continue to enrich Wisconsin and the Nation for many years to come.

ADDITIONAL STATEMENTS

SPAY DAY 2007

• Mr. ALLARD. Mr. President, as a veterinarian, I often have animal issues called to my attention by people who—rightly—assume that my background gives me a deeper appreciation of the matter. One such animal issue that goes largely unnoticed is the problem of homeless cats in urban areas. There are an estimated 125,000 such cats in the Denver metro area that never make it to a shelter. These cats, unowned and unsocialized, continue to breed and suffer in feral colonies.

I am pleased to recognize today Spay Day USA, an event designed to manage feral cat colonies through spaying and neutering. On February 26, the Rocky Mountain Alley Cat Alliance is cohosting Spay a Stray Day with the Cat Care Society and the Dumb Friends League. A host of veterinarians and other volunteers hope to spay and neuter 120 cats that day, thus preventing the births of hundreds of unwanted kittens.

The Rocky Mountain Alley Cat Alliance was founded in 1991. They work with volunteers, veterinarians, and citizens to prevent feral and stray kittens from being born on the street and to improve the lives of those already born and abandoned. They are the only local organization that specializes in nonlethal population control and hands on assistance with feral and stray cats. Last year, the alliance spayed or neutered over 2,000 feral and stray cats, preventing an estimated 50,000 homeless kittens from being born. They treat injuries and illnesses wherever possible and find homes for abandoned cats and kittens. Unmanaged feral cat colonies experience the worst forms of suffering, yet they are the most underserved segment of companion animal overpopulation.

I am grateful for the alliance's contribution to our society and the good they will do on the 26th with their partners. I wish them continued success.•

CONGRATULATING KING'S DAUGHTERS HEART AND VASCULAR CENTER

• Mr. BUNNING. Mr. President, today I congratulate King's Daughters Medical Center, KDMC, of Ashland, Ky. KDMC was recently selected as an award winner in the 2006 Solucient 100 Top Hospitals: Cardiovascular Benchmarks for Success Study, 8th Edition.

Solucient developed the 100 Top Cardiovascular Hospitals study to identify hospitals that are the highest performers in the Nation in cardiovascular service, and to set performance targets for improving clinical outcomes and management practices. To qualify, hospitals must achieve high scores across eight equally weighted performance criteria that reflect clinical processes and outcomes, volume, efficiency and cost for four treatment areas: acute myocardial infarction, congestive heart failure, coronary artery bypass graft and percutaneous coronary intervention.

In addition to this prestigious award, KDMC also received a five-star rating for cardiothoracic surgery. This placed KDMC in the top 5 percent in the Nation and No. 1 in Kentucky for cardiac surgery.

I congratulate KDMC on this outstanding achievement. Their service to the citizens of the Commonwealth of Kentucky is an inspiration to all. I look forward to all that KDMC accomplishes in the future.•

RECOGNIZING SAVE THE CHILDREN USA

• Mr. BUNNING. Mr. President, today I recognize Save the Children USA's 75th anniversary. I am proud to say that Save the Children work began in the Commonwealth of Kentucky. Today, Save the Children continues to work in 33 different sites in Kentucky rural communities, serving approximately 3,000 children in need.

This program was founded on January 7, 1932, in response to the needs of children and families struggling to survive the Great Depression in the Appalachian mountain region of Harlan County, KY. In 1938 Save the Children launched a Hot School Lunch program for undernourished children in nine States. Later it became one of the models for the national school lunch program.

Today, the organization's U.S. programs concentrate on literacy and nutrition programs benefiting over 20,000 children in areas of constant rural poverty in 12 States. Internationally, Save the Children works in more than 50 developing countries helping children by providing food, medical services and shelter to those in need.

Once again I congratulate Save the Children USA on their 75th anniversary. I appreciate the dedication of Save the Children to this worthy cause and their hard work is greatly affecting the lives of many people. Everyone involved in this organization is truly an inspiration to all.•

TRIBUTE TO CAPTAIN EDUARDO REYES

• Mrs. DOLE. Mr. President, today I wish to honor CPT Eduardo Reyes, a retired pilot who flew for Philippine Airlines.

On December 11, 1994, Captain Reyes was piloting Philippine Airlines flight 434, from Manila to Tokyo, when a bomb planted by now-convicted terrorist Ramzi Yousef was detonated on board the aircraft. The blast immediately killed 1 Japanese businessman and injured 10 others. It also caused the plane's controls to stop functioning normally, putting the lives of everybody aboard the plane at risk.

In this most trying of situations, Captain Reyes and his crew rose to the challenge. Controlling the altitude of the plane via the throttle—which I understand is an extremely difficult thing to do—Captain Reyes kept the plane in the air for nearly an hour before making an emergency landing in Okinawa. His courageous actions and outstanding skill as a pilot helped avert a great disaster and save the lives of 272 passengers and 20 crew members.

Captain Reyes later had the courage to testify on behalf of the United States against al-Qaida master bomber Ramzi Yousef. In 1994, Yousef was working on a master plan, often called the Bojinka Plot, to bomb 12 U.S. passenger jets over the Pacific Ocean in a 2-day period, killing over 4000 civilians. The bombing of Captain Reyes' plane was a test run for that plan. And, as many here remember, Yousef was also responsible for the bombing of the World Trade Center in 1993. Captain Reyes' testimony at Ramzi Yousef's 1996 trial helped to put one of the world's most dangerous terrorists in prison for life.

For his valor and clear thinking on December 11, 1994, and for his contribution to the fight against terrorism by testifying against Ramzi Yousef, I would like to commend Captain Reyes. The United States and countries throughout the world are indebted to him for these brave actions.•

HONORING ANTONIO PIERRO

• Mr. KERRY. Mr. President, last week our country and the State of Massachusetts lost a favorite son. Antonio Pierro passed away last week at the age of 110. Today would have been his 111th birthday.

The Guinness World Records has said that Pierro was America's oldest war veteran, having served in World War I, and the oldest American man in its records. Only seven veterans of WWI are still known to be alive.

Pierro was born in Italy in 1896 and lived there before he immigrated to the United States in 1914. Only 3 short years later, he was drafted into the Army and sent to France to fight in WWI. Pierro was given the opportunity to fight for the Italians, an ally of the United States, but instead chose to fight for his new homeland.

Once his service was completed he followed his father and brothers back to Swampscott, MA and spent the rest of his life as a resident of the Bay State. His love for America was evident to all of those he met. His nephew, Richard Pierro said, "When he left Italy, he left for good. This was the promised land. He didn't want to go back, even if you offered him free passage."

Pierro worked at a shoe plant, managed a body shop and eventually spent 17 years at General Electric in Lynn until his retirement, 46 years ago, in 1961. His family attributes his longevity to his strict adherence to three square meals a day and lots of sleep. Pierro lived by simple rules of life and remained dedicated to leading a simple, good life until the day he passed. His is remembered as having a "twinkle in his eye" and a gratitude for all that life had offered him. He lived in three different centuries, and he lived well.

I ask that we remember him today as a veteran, a true American, and a testament to life's many gifts and surprises. Our country is honored by his service but also thankful for the lessons his life offers about patriotism, family, and the simple pleasures of life.•

CONGRATULATING THE MISS SELMA'S SHOOTERS

• Mr. PRYOR. Mr. President, it is with the greatest pleasure that today I honor the sixth grade girls' basketball team of Miss Selma's school in Little Rock, AR, for finishing in first place of the regular basketball season.

This is a team that is comprised of eight basketball players who have played together since the third grade. The talented members of the team are: Sam Anderson, Elizabeth Campbell, Cassidy Johnson, Paige Logsdon, Audrey Peters, Laura Russell, Gracie Sloan, and Peyton Watts.

While all the teams in the league are worthy of mention, the regular season came down to one game, a match-up with the Little Rock Christian team. Little Rock Christian has a great team. In fact, the Little Rock Christian team has a dynasty and they had never been beaten in 4 years of play and had won all 70 games they had ever played. The game showcased great athleticism displayed by both teams. The battle was intense for the duration of the contest. The difference in the game was decided by a free throw made in the last few seconds, which gave a 16 to 15 victory to the Miss Selma's Shooters. It was a classic and will be remembered for many years by all that witnessed it and both teams deserve credit for the manner and intensity for which they competed.

I would like my colleagues to join me in congratulating the Miss Selma's Shooters sixth grade girls' basketball team for winning the regular season. But most of all please join me in thanking them for the way in which they show appreciation to the game and to all teams that they play.•

TRIBUTE TO KATHERINE FORT

• Mr. PRYOR. Mr. President, it is with the greatest pleasure that I honor Katherine Fort who recently retired after 52 years of service as treasurer for the City of Warren, AR. She is an amazing woman who is still quite active at the age of 91.

Mrs. Fort took office on January 1, 1955, and officially retired on December 31, 2006, with uninterrupted service to the city of Warren. She served under seven mayors during her tenure and was an incredible asset to the people of Bradley County.

When Mrs. Fort began her service, she operated with an annual budget of $115,000 and had one account. At the time of her retirement, she was responsible for an annual operating budget of $7 million and had 37 accounts under her jurisdiction. And one amazing fact I would like to add, she handled all this without any support staff or assistants in her entire 52 years as city treasurer.

I would like my colleagues to join me in congratulating Mrs. Fort on this well-deserved retirement. But most of all, please join me in thanking Katherine Fort for her dedicated service to the city of Warren and to the State of Arkansas.•

BICENTENNIAL OF ST. MARTIN PARISH

• Mr. VITTER. Mr. President, today I wish to acknowledge the bicentennial of St. Martin Parish. As one of the original 19 parishes created from the Territory of Orleans, St. Martin will celebrate its 200th anniversary in 2007.

St. Martin Parish was initially established in 1756 by the French Government as the "Postes des Attakapas." It was originally the site of an Indian trading post and was later turned into a Spanish military-administrative center. In 1807, when the Territory of Orleans was divided into the original 19 parishes, St. Martin Parish was the last to be created. The parish at that time included the present parishes of St. Martin, St. Mary, Lafayette, Vermillion, and Iberia.

The structure of St. Martin Parish has remained virtually unchanged since 1868. It is divided by an arm of Iberia Parish into the upper and lower portions of the parish. The upper portion consists of the communities of St. Martinville, Breaux Bridge, Parks, Henderson, and a portion of Arnaudville. The lower portion borders the East Atchafalaya Basin Levee and consists of the unincorporated areas of Stephensville and Belle River.

A population rich in diversity and cultural theory calls St. Martin Parish home. In the late 1700s, 3,000 French Canadians fled British persecution, finding refuge in south Louisiana. The birth of Acadiana can be attributed to the settling of 200 of these refugees in present day St. Martinville in 1765. There, the Acadians were introduced to enslaved Africans tending cattle for French landowners.

Refugees fleeing the French Revolution as well as Spanish-speaking Malagans also arrived in the settlement. Creole families from New Orleans and Mobile along with Anglo-Americans soon followed. German wheat farmers trying to find a place in the rice industry, along with Italian merchants and Irish workers building the railroads began to call St. Martin Parish home in the 1880s. These founding cultures, French, Acadian, African, Italian, and Spanish, have maintained their cultural identities while simultaneously blending together to form one culture that is uniquely St. Martin Parish.

St. Martin Parish encompasses the copious and picturesque regions that extend from the Bayou Teche to the Atchafalaya Basin. An agriculturally prosperous area, St. Martin Parish is comprised of sugar cane fields, low-lying swamps, and majestic waterways. Regal oak trees draped with moss frame passageways throughout the parish. With its distinctive cultures and striking scenery, St. Martin Parish has come to embody the definition of the Louisiana way of life.

Today, I would like to applaud the good people of St. Martin Parish on the bicentennial and wish them continued prosperity.•

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

ENROLLED JOINT RESOLUTION SIGNED

At 10:03 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following enrolled joint resolution:

H.J. Res. 20. Joint resolution making further continuing appropriations for fiscal year 2007, and for other purposes.

The enrolled joint resolution was subsequently signed by the President pro tempore (Mr. BYRD).

At 11:56 a.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has agreed to H. Res. 159, resolving that the House has heard with profound sorrow of the death of the Honorable Charlie Norwood, a Representative from the State of Georgia.

At 1:53 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has agreed to H. Res. 165, resolving that the Senate be informed that Lorraine C. Miller, a citizen of the State of Texas, has been elected Clerk of the House of Representatives of the One Hundred Tenth Congress.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 641. A bill to express the sense of Congress that no funds should be cut off or reduced for American troops in the field which would result in undermining their safety or their ability to complete their assigned missions.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–749. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a quarterly report entitled "Acceptance of Contributions for Defense Programs, Projects, and Activities; Defense Cooperation Account"; to the Committee on Armed Services.

EC–750. A communication from the Chairman, Board of Governors, Federal Reserve System, transmitting, pursuant to law, the Board's semiannual Monetary Policy Report; to the Committee on Banking, Housing, and Urban Affairs.

EC–751. A communication from the General Counsel, National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Accuracy of Advertising and Notice of Insured Status" (RIN3133–AD18) received on February 14, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–752. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans and Operating Permits Program; State of Missouri" (FRL No. 8278–8) received on February 15, 2007; to the Committee on Environment and Public Works.

EC–753. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; New York; Motor Vehicle Enhanced Inspection and Maintenance Program" (FRL No. 8275–5) received on February 15, 2007; to the Committee on Environment and Public Works.

EC–754. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Control of Hazardous Air Pollutants from Mobile Sources" ((RIN2060–AK70)(FRL No. 8278–4)) received on February 15, 2007; to the Committee on Environment and Public Works.

EC–755. A communication from the Policy Analyst, Insurance Policy, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "FEHB Coverage and Premiums for Active Duty Members of the Military" (RIN3206–AK98) received on February 13, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–756. A communication from the Secretary of Veterans Affairs, transmitting, pursuant to law, a report relative to the Department's competitive sourcing efforts during fiscal year 2006; to the Committee on Veterans' Affairs.

EC–757. A communication from the Secretary of Transportation, transmitting a bill entitled "Federal Railroad Safety Accountability and Improvement Act"; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, without amendment:

S. 202. A bill to provide for the conveyance of certain Forest Service land to the city of Coffman Cove, Alaska (Rept. No. 110–6).

S. 216. A bill to provide for the exchange of certain Federal land in the Santa Fe National Forest and certain non-Federal land in the Pecos National Historical Park in the State of New Mexico (Rept. No. 110–7).

S. 232. A bill to make permanent the authorization for watershed restoration and enhancement agreements (Rept. No. 110–8).

S. 240. A bill to reauthorize and amend the National Geologic Mapping Act of 1992 (Rept. No. 110–9).

S. 241. A bill to authorize the Secretary of the Interior to enter into cooperative agreements to protect natural resources of units of the National Park System through collaborative efforts on land inside and outside of units of the National Park System (Rept. No. 110–10).

S. 245. A bill to authorize the Secretary of the Interior to designate the President William Jefferson Clinton Birthplace Home in Hope, Arkansas, as a National Historic Site and unit of the National Park System, and for other purposes (Rept. No. 110–11).

S. 255. A bill to provide assistance to the State of New Mexico for the development of comprehensive State water plans, and for other purposes (Rept. No. 110–12).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment:

S. 260. A bill to establish the Fort Stanton-Snowy River Cave National Conservation Area (Rept. No. 110–13).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, without amendment:

S. 262. A bill to rename the Snake River Birds of Prey National Conservation Area in the State of Idaho as the Morley Nelson Snake River Birds of Prey National Conservation Area in honor of the late Morley Nelson, an international authority on birds of prey, who was instrumental in the establishment of this National Conservation Area, and for other purposes (Rept. No. 110–14).

S. 268. A bill to designate the Ice Age Floods National Geologic Trail, and for other purposes (Rept. No. 110–15).

S. 277. A bill to modify the boundaries of Grand Teton National Park to include certain land within the GT Park Subdivision, and for other purposes (Rept. No. 110–16).

S. 283. A bill to amend the Compact of Free Association Amendments Act of 2003, and for other purposes (Rept. No. 110–17).

S. 320. A bill to provide for the protection of paleontological resources on Federal lands, and for other purposes (Rept. No. 110–18).

H.R. 57. A bill to repeal certain sections of the Act of May 26, 1936, pertaining to the Virgin Islands (Rept. No. 110–19).

By Mr. LEAHY, from the Committee on the Judiciary, without amendment and with a preamble:

S. Res. 41. A resolution honoring the life and recognizing the accomplishments of Tom Mooney, president of the Ohio Federation of Teachers.

S. Res. 47. A resolution honoring the life and achievements of George C. Springer, Sr., the Northeast regional director and a former vice president of the American Federation of Teachers.

S. Res. 49. A resolution recognizing and celebrating the 50th anniversary of the entry of Alaska into the Union as the 49th State.

S. Res. 69. A resolution recognizing the African-American spiritual as a national treasure.

By Mr. INOUYE, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 184. A bill to provide improved rail and surface transportation security.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. LEAHY for the Committee on the Judiciary.

Dabney Langhorne Friedrich, of Virginia, to be a Member of the United States Sentencing Commission for the remainder of the term expiring October 31, 2009, to which position she was appointed during the last recess of the Senate.

Beryl A. Howell, of the District of Columbia, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2011, to which position she was appointed during the last recess of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. PRYOR:

S. 602. A bill to develop the next generation of parental control technology; to the Committee on Commerce, Science, and Transportation.

By Mr. THOMAS (for himself and Mr. Enzi):

S. 603. A bill for the relief of Ashley Ross Fuller; to the Committee on the Judiciary.

By Mr. LAUTENBERG (for himself, Mr. Hagel, Mr. Kerry, and Mrs. Lincoln):

S. 604. A bill to amend title 10, United States Code, to limit increases in the certain costs of health care services under the health care programs of the Department of Defense, and for other purposes; to the Committee on Armed Services.

By Ms. CANTWELL (for herself, Mr. Bingaman, Mrs. Boxer, Mr. Kennedy; Ms. Landrieu, Mr. Lieberman, Mrs. Lincoln, Ms. Mikulski, and Mrs. Murray):

S. 605. A bill to amend the Public Health Service Act to promote and improve the allied health professions; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DORGAN (for himself, Mr. Bayh, Mr. Bingaman, Mrs. Boxer, Mr. Brown, Mrs. Clinton, Mr. Conrad, Mr. Durbin, Mr. Feingold, Mrs. Feinstein, Mr. Harkin, Mr. Kennedy, Mr. Kerry, Ms. Landrieu, Mr. Lautenberg, Mr. Leahy, Mr. Menendez, Ms. Mikulski, Mr. Nelson of Florida, Mr. Obama, Mr. Pryor, Mr. Reid, and Mr. Wyden):

S. 606. A bill to improve Federal contracting and procurement by eliminating fraud and abuse and improving competition in contracting and procurement and by enhancing administration of Federal contracting personnel, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. VITTER:

S. 607. A bill to amend title 18, United States Code, to prevent interference with Federal disaster relief efforts, and for other purposes; to the Committee on the Judiciary.

By Mrs. FEINSTEIN (for herself, Mr. CORNYN, Mrs. BOXER, Mrs. HUTCHISON, Mr. LAUTENBERG, Mr. SCHUMER, Mrs. CLINTON, Mr. MENENDEZ, and Mr. OBAMA):

S. 608. A bill to improve the allocation of grants through the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. ROCKEFELLER (for himself and Ms. SNOWE):

S. 609. A bill to amend section 254 of the Communications Act of 1934 to provide that funds received as universal service contributions and the universal service support programs established pursuant to that section are not subject to certain provisions of title 31, United States Code, commonly known as the Antideficiency Act; to the Committee on Commerce, Science, and Transportation.

By Mr. ROCKEFELLER:

S. 610. A bill to clarify the effective date of the modification of treatment for retirement annuity purposes of part-time service before April 7, 1986, of certain Department of Veterans Affairs health-care professionals; to the Committee on Veterans' Affairs.

By Mrs. MURRAY:

S. 611. A bill to provide for secondary school reform, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. SNOWE (for herself, Ms. MIKULSKI, Mrs. BOXER, and Mrs. MURRAY):

S. 612. A bill to improve the health of women through the establishment of Offices of Women's Health within the Department of Health and Human Services; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LUGAR (for himself and Mr. BIDEN):

S. 613. A bill to enhance the overseas stabilization and reconstruction capabilities of the United States Government, and for other purposes; to the Committee on Foreign Relations.

By Mr. SCHUMER (for himself, Mr. BROWN, Mr. CASEY, Ms. KLOBUCHAR, Mrs. MCCASKILL, Mr. TESTER, Mr. WHITEHOUSE, Mrs. BOXER, and Mr. NELSON of Nebraska):

S. 614. A bill to amend the Internal Revenue Code to double the child tax credit for the first year, to expand the credit dependent care services, to provide relief from the alternative minimum tax, and for other purposes; to the Committee on Finance.

By Mr. LAUTENBERG (for himself, Mr. BROWNBACK, Mr. MENENDEZ, Mr. REID, Mrs. CLINTON, Mr. KENNEDY, Mr. DODD, Mr. LIEBERMAN, Mr. FEINGOLD, and Mr. COLEMAN):

S. 615. A bill to provide the nonimmigrant spouses and children of nonimmigrant aliens who perished in the September 11, 2001, terrorist attacks an opportunity to adjust their status to that of an alien lawfully admitted for permanent residence, and for other purposes; to the Committee on the Judiciary.

By Ms. COLLINS (for herself and Mr. FEINGOLD):

S. 616. A bill to promote health care coverage parity for individuals participating in legal recreational activities or legal transportation activities; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SMITH:

S. 617. A bill to make the National Parks and Federal Recreational Lands Pass available at a discount to certain veterans; to the Committee on Energy and Natural Resources.

By Mr. LEAHY (for himself, Mr. SPECTER, ,Mr. LOTT, Mr. REID, and Ms. LANDRIEU):

S. 618. A bill to further competition in the insurance industry; to the Committee on the Judiciary.

By Mr. VITTER:

S. 619. A bill to prevent congressional reapportionment distortions; to the Committee on Homeland Security and Governmental Affairs.

By Mr. FEINGOLD (for himself and Ms. MIKULSKI):

S. 620. A bill to establish a demonstration project to train unemployed workers for employment as health care professionals, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. FEINGOLD (for himself, Mr. GRASSLEY, Mr. KENNEDY, Mr. LIEBERMAN, and Mr. INOUYE):

S. 621. A bill to establish commissions to review the facts and circumstances surrounding injustices suffered by European Americans, European Latin Americans, and Jewish refugees during World War II; to the Committee on the Judiciary.

By Mr. HARKIN (for himself, Mr. ENZI, Mr. FEINGOLD, Mr. THOMAS, Mr. DORGAN, Mr. BAUCUS, and Mrs. MCCASKILL):

S. 622. A bill to enhance fair and open competition in the production and sale of agricultural commodities; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. SCHUMER (for himself, Mrs. CLINTON, Mr. VITTER, Ms. COLLINS, Mr. LEAHY, and Ms. STABENOW):

S. 623. A bill to amend the Public Health Service Act to provide for the licensing of comparable and interchangeable biological products, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. MIKULSKI (for herself and Mrs. HUTCHISON):

S. 624. A bill to amend the Public Health Service Act to provide waivers relating to grants for preventive health measures with respect to breast and cervical cancers; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KENNEDY (for himself, Mr. CORNYN, Mr. HARKIN, Mr. MCCAIN, Mr. DURBIN, Mr. LUGAR, Mr. DODD, Mr. SMITH, Mr. REED, Ms. SNOWE, Mr. LAUTENBERG, Ms. MURKOWSKI, Mr. BINGAMAN, Ms. COLLINS, Ms. MIKULSKI, Mr. STEVENS, Mrs. MURRAY, Mr. DOMENICI, Mrs. CLINTON, Mr. COCHRAN, Mrs. FEINSTEIN, Mr. LEAHY, Mr. OBAMA, Mr. SANDERS, Mr. BROWN, Mr. SCHUMER, Mr. AKAKA, Mr. KOHL, Ms. CANTWELL, Mr. CARPER, and Mr. NELSON of Florida):

S. 625. A bill to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KENNEDY (for himself, Mr. BOND, Mr. AKAKA, Mr. LEAHY, Mr. MENENDEZ, Mr. CRAIG, and Mr. SHELBY):

S. 626. A bill to amend the Public Health Service Act to provide for arthritis research and public health, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HARKIN (for himself, Mr. SMITH, Mr. SPECTER, and Mr. MARTINEZ):

S. 627. A bill to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to improve the health and well-being of maltreated infants and toddlers through the creation of a National Court Teams Resource Center, to assist local Court Teams, and for other purposes; to the Committee on the Judiciary.

By Mr. COLEMAN (for himself and Mr. BAYH):

S. 628. A bill to provide grants for rural health information technology development activities; to the Committee on Health, Education, Labor, and Pensions.

By Mr. COLEMAN:

S. 629. A bill to amend the Consolidated Farm and Rural Development Act to provide direct and guaranteed loans, loan guarantees, and grants to complete the construction and rehabilitation of rural critical access hospitals; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. COLEMAN (for himself, Mr. DURBIN, and Mr. HARKIN):

S. 630. A bill to amend part C of title XVIII of the Social Security Act to provide for a minimum payment rate by Medicare Advantage organizations for services furnished by a critical access hospital and a rural health clinic under the Medicare program; to the Committee on Finance.

By Mr. COLEMAN:

S. 631. A bill to amend title XVIII of the Social Security Act to provide for coverage of remote patient management services for chronic health care conditions under the Medicare Program; to the Committee on Finance.

By Mr. COLEMAN (for himself and Ms. KLOBUCHAR):

S. 632. A bill to provide for a hospital in Cass County, Minnesota; to the Committee on Finance.

By Mr. COLEMAN:

S. 633. A bill to provide assistance to rural schools, hospitals, and communities for the conduct of collaborative efforts to secure a progressive and innovative system to improve access to mental health care for youth, seniors and families; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DODD (for himself and Mr. HATCH):

S. 634. A bill to amend the Public Health Service Act to establish grant programs to provide for education and outreach on newborn screening and coordinated followup care once newborn screening has been conducted, to reauthorize programs under part A of title XI of such Act, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BAUCUS (for himself and Mr. SMITH):

S. 635. A bill to provide for a research program for remediation of closed methamphetamine production laboratories, and for other purposes; to the Committee on Environment and Public Works.

By Mr. SCHUMER:

S. 636. A bill to amend the Internal Revenue Code of 1986 to extend the reporting period for certain statements sent to taxpayers; to the Committee on Finance.

By Mr. SESSIONS:

S. 637. A bill to direct the Secretary of the Interior to study the suitability and feasibility of establishing the Chattahoochee

Trace National Heritage Corridor in Alabama and Georgia, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. ROBERTS (for himself, Mr. CHAMBLISS, Mr. CRAIG, Mr. ENSIGN, Mr. HAGEL, Mr. ISAKSON, Mr. LOTT, Mr. LUGAR, and Mr. THUNE):

S. 638. A bill to amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants; to the Committee on Finance.

By Mr. PRYOR:

S. 639. A bill to establish digital and wireless networks to advance online higher education opportunities for minority students; to the Committee on Commerce, Science, and Transportation.

By Mr. CRAPO:

S. 640. A bill to amend the Public Health Service Act to establish an Office of Men's Health; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MCCONNELL (for Mr. GREGG):

S. 641. A bill to express the sense of Congress that no funds should be cut off or reduced for American troops in the field which would result in undermining their safety or their ability to complete their assigned missions; read the first time.

By Mr. DURBIN (for himself, Mr. KERRY, and Mr. MENENDEZ):

S. 642. A bill to codify Executive Order 12898, relating to environmental justice, to require the Administrator of the Environmental Protection Agency to fully implement the recommendations of the Inspector General of the Agency and the Comptroller General of the United States, and for other purposes; to the Committee on Environment and Public Works.

By Mr. AKAKA:

S. 643. A bill to amend section 1922A of title 38, United States Code, to increase the amount of supplemental insurance available for totally disabled veterans; to the Committee on Veterans' Affairs.

By Mrs. LINCOLN (for herself, Ms. COLLINS, Mr. DORGAN, Ms. SNOWE, Mr. COLEMAN, and Mr. LEAHY):

S. 644. A bill to amend title 38, United States Code, to recodify as part of that title certain educational assistance programs for members of the reserve components of the Armed Forces, to improve such programs, and for other purposes; to the Committee on Armed Services.

By Mr. THOMAS (for himself, Mr. BENNETT, Mr. BINGAMAN, Mr. CONRAD, Mr. CRAIG, Mr. CRAPO, Mr. DOMENICI, Mr. ENZI, Mr. HAGEL, Ms. MURKOWSKI, and Mr. SALAZAR):

S. 645. A bill to amend the Energy Policy Act of 2005 to provide an alternate sulfur dioxide removal measurement for certain coal gasification project goals; to the Committee on Energy and Natural Resources.

By Mr. COLEMAN:

S. 646. A bill to increase the nursing workforce; to the Committee on the Judiciary.

By Mr. WYDEN (for himself and Mr. SMITH):

S. 647. A bill to designate certain land in the State of Oregon as wilderness, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CHAMBLISS:

S. 648. A bill to amend title 10, United States Code, to reduce the eligibility age for receipt of non-regular military service retired pay for members of the Ready Reserve in active federal status or on active duty for significant periods; to the Committee on Armed Services.

By Mrs. CLINTON:

S. 649. A bill to require the Nuclear Regulatory Commission to conduct an independent safety assessment of the Indian Point Nuclear Power Plant; to the Committee on Environment and Public Works.

By Mr. REID:

S. 650. A bill to amend the Energy Employees Occupational Illness Compensation Program Act of 2000 to provide for certain nuclear weapons program workers to be included in the Special Exposure Cohort under the compensation program established by that Act; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HARKIN (for himself and Mrs. CLINTON):

S. 651. A bill to help promote the national recommendation of physical activity to kids, families, and communities across the United States; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SMITH (for himself, Mrs. FEINSTEIN, Mr. CRAIG, and Mr. SUNUNU):

S. 652. A bill to extend certain trade preferences to certain least-developed countries, and for other purposes; to the Committee on Finance.

By Mr. VOINOVICH (for himself, Mr. AKAKA, Mr. LUGAR, Ms. MIKULSKI, and Mr. STEVENS):

S. 653. A bill to expand visa waiver program to countries on a probationary basis and for other purposes; to the Committee on the Judiciary.

By Mr. DURBIN (for himself and Mr. SCHUMER):

S. 654. A bill to establish the Food Safety Administration to protect the public health by preventing food-borne illness, ensuring the safety of food, improving research on contaminants leading to food-borne illness, and improving security of food from intentional contamination, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. HAGEL (for himself, Mr. REED, Mrs. CLINTON, Mr. BURR, Mr. REID, Ms. SNOWE, Mr. KERRY, Mr. GREGG, and Mrs. BOXER):

S. Res. 82. A resolution designating August 16, 2007 as "National Airborne Day"; to the Committee on the Judiciary.

By Mr. SPECTER (for himself and Mr. COBURN):

S. Res. 83. A resolution to amend the Standing Rules of the Senate to prohibit filling the tree; to the Committee on Rules and Administration.

By Mr. BROWNBACK (for himself and Mr. PRYOR):

S. Res. 84. A resolution observing February 23, 2007, as the 200th anniversary of the abolition of the slave trade in the British Empire, honoring the distinguished life and legacy of William Wilberforce, and encouraging the people of the United States to follow the example of William Wilberforce by selflessly pursuing respect for human rights around the world; to the Committee on the Judiciary.

By Mr. AKAKA (for himself, Mr. CRAIG, Mr. LEVIN, Mr. STEVENS, Mr. KERRY, Mr. DORGAN, Mr. WEBB, Mr. BROWN, Mr. BINGAMAN, Mr. CRAPO, Mr. WARNER, Mr. ENSIGN, Mr. MCCAIN, Mr. SALAZAR, and Ms. SNOWE):

S. Con. Res. 12. A concurrent resolution supporting the goals and ideals of a National Medal of Honor and to celebrate and honor the recipients of the Medal of Honor on the anniversary of the first award of that medal in 1863; considered and agreed to.

By Mr. SANDERS:

S. Con. Res. 13. A concurrent resolution expressing the sense of Congress that the President should not initiate military action against Iran without first obtaining authorization from Congress; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 3

At the request of Mr. CASEY, his name was added as a cosponsor of S. 3, a bill to amend part D of title XVIII of the Social Security Act to provide for fair prescription drug prices for Medicare beneficiaries.

S. 4

At the request of Mr. CASEY, his name was added as a cosponsor of S. 4, a bill to make the United States more secure by implementing unfinished recommendations of the 9/11 Commission to fight the war on terror more effectively, to improve homeland security, and for other purposes.

S. 10

At the request of Mr. CASEY, his name was added as a cosponsor of S. 10, a bill to reinstate the pay-as-you-go requirement and reduce budget deficits by strengthening budget enforcement and fiscal responsibility.

S. 122

At the request of Mr. BAUCUS, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 122, a bill to amend the Trade Act of 1974 to extend benefits to service sector workers and firms, enhance certain trade adjustment assistance authorities, and for other purposes.

S. 184

At the request of Mr. INOUYE, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 184, a bill to provide improved rail and surface transportation security.

S. 254

At the request of Mr. ENZI, the names of the Senator from Georgia (Mr. ISAKSON) and the Senator from Massachusetts (Mr. KENNEDY) were added as cosponsors of S. 254, a bill to award posthumously a Congressional gold medal to Constantino Brumidi.

S. 261

At the request of Ms. CANTWELL, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 261, a bill to amend title 18, United States Code, to strengthen prohibitions against animal fighting, and for other purposes.

S. 284

At the request of Mr. CONRAD, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 284, a bill to provide emergency agricultural disaster assistance.

S. 294

At the request of Mr. LAUTENBERG, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 294, a bill to reauthorize Amtrak, and for other purposes.

S. 367

At the request of Mr. DORGAN, the name of the Senator from Virginia (Mr. WEBB) was added as a cosponsor of S. 367, a bill to amend the Tariff Act of 1930 to prohibit the import, export, and sale of goods made with sweatshop labor, and for other purposes.

S. 368

At the request of Mr. BIDEN, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. 368, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to enhance the COPS ON THE BEAT grant program, and for other purposes.

S. 415

At the request of Mr. BROWNBACK, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 415, a bill to amend the Revised Statutes of the United States to prevent the use of the legal system in a manner that extorts money from State and local governments, and the Federal Government, and inhibits such governments' constitutional actions under the first, tenth, and fourteenth amendments.

S. 430

At the request of Mr. LEAHY, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 430, a bill to amend title 10, United States Code, to enhance the national defense through empowerment of the Chief of the National Guard Bureau and the enhancement of the functions of the National Guard Bureau, and for other purposes.

S. 450

At the request of Mrs. LINCOLN, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 450, a bill to amend title XVIII of the Social Security Act to repeal the medicare outpatient rehabilitation therapy caps.

At the request of Mr. ENSIGN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 450, supra.

S. 455

At the request of Mr. KERRY, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 455, a bill to amend the internal Revenue Code of 1986 to provide tax relief to active duty military personnel and employers who assist them, and for other purposes.

S. 494

At the request of Mr. LUGAR, the names of the Senator from Oregon (Mr. SMITH) and the Senator from Arizona (Mr. MCCAIN) were added as cosponsors of S. 494, a bill to endorse further enlargement of the North Atlantic Treaty Organization (NATO) and to facilitate the timely admission of new members to NATO, and for other purposes.

S. 507

At the request of Mr. CONRAD, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 507, a bill to amend title XVIII of the Social Security Act to provide for reimbursement of certified midwife services and to provide for more equitable reimbursement rates for certified nurse-midwife services.

S. 509

At the request of Mr. INOUYE, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 509, a bill to provide improved aviation security, and for other purposes.

S. 536

At the request of Mr. KOHL, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. 536, a bill to amend the Organic Foods Production Act of 1990 to prohibit the labeling of cloned livestock and products derived from cloned livestock as organic.

S. 543

At the request of Mr. NELSON of Nebraska, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 543, a bill to improve Medicare beneficiary access by extending the 60 percent compliance threshold used to determine whether a hospital or unit of a hospital is an inpatient rehabilitation facility under the Medicare program.

S. 558

At the request of Mr. KENNEDY, the names of the Senator from Hawaii (Mr. INOUYE), the Senator from New York (Mrs. CLINTON), the Senator from North Dakota (Mr. CONRAD), the Senator from Illinois (Mr. DURBIN), the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. 558, a bill to provide parity between health insurance coverage of mental health benefits and benefits for medical and surgical services.

S. 561

At the request of Mr. BUNNING, the name of the Senator from Florida (Mr. MARTINEZ) was added as a cosponsor of S. 561, a bill to repeal the sunset of the Economic Growth and Tax Relief Reconciliation Act of 2001 with respect to the expansion of the adoption credit and adoption assistance programs.

S. 574

At the request of Mr. REID, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 574, a bill to express the sense of Congress on Iraq.

S. 578

At the request of Mr. KENNEDY, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 578, a bill to amend title XIX of the Social Security Act to improve requirements under the Medicaid program for items and services furnished in or through an educational program or setting to children, including children with developmental, physical, or mental health needs, and for other purposes.

S. 579

At the request of Mr. REID, the names of the Senator from Florida (Mr. NELSON), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from California (Mrs. FEINSTEIN), the Senator from Indiana (Mr. BAYH), the Senator from Washington (Mrs. MURRAY), the Senator from Wisconsin (Mr. KOHL) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. 579, a bill to amend the Public Health Service Act to authorize the Director of the National Institute of Environmental Health Sciences to make grants for the development and operation of research centers regarding environmental factors that may be related to the etiology of breast cancer.

At the request of Mr. HATCH, the names of the Senator from New Hampshire (Mr. SUNUNU) and the Senator from Ohio (Mr. VOINOVICH) were added as cosponsors of S. 579, supra.

S. 597

At the request of Mrs. FEINSTEIN, the names of the Senator from North Carolina (Mrs. DOLE), the Senator from Missouri (Mr. BOND), the Senator from Utah (Mr. HATCH), the Senator from Arkansas (Mrs. LINCOLN) and the Senator from Kentucky (Mr. BUNNING) were added as cosponsors of S. 597, a bill to extend the special postage stamp for breast cancer research for 2 years.

S. 601

At the request of Mr. BAYH, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 601, a bill to amend the Internal Revenue Code of 1986 to require broker reporting of customer's basis in securities transactions, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. PRYOR:

S. 602. A bill to develop the next generation of parental control technology; to the Committee on Commerce, Science, and Transportation.

By Mr. PRYOR:

S. 639. A bill to establish digital and wireless networks to advance online higher education opportunities for minority students; to the Committee on Commerce, Science, and Transportation.

Mr. PRYOR. Mr. President, I wish to introduce two communications bills.

First, I am introducing the Child Safe Viewing Act, a bill to develop the next generation of parental control technology. Last year, following several hearings and forums on decency, I concluded that the V-Chip is not an adequate solution for parents to prevent their children from viewing adult content, especially in a world of 500 channels and video streaming.

During the 1996 Telecommunications Act debate, President Clinton urged inclusion of a mandatory V-Chip device, and in collaboration with Congress, the FCC, and the entertainment industry, the V-Chip was born. The V-Chip was an important beginning to control child access to adult material. Over a decade has passed since the 1996 act, and the world of communications has changed. However, the issues that inspired the V-Chip continue to exist today for not only television but for the Internet and other video streaming devices.

The Child Safe Viewing Act is a pragmatic approach to addressing the pitfalls of video content not intended for kids, and it acts on current law. It simply directs the Federal Communications Commission to begin a proceeding on the requirements in section 551 of the V-Chip law. Section 551 states that the Commission shall take action on alternative blocking technology as it is developed. This mandate is clear and the time has come. We must engage in this issue now to ensure that families have the tools to keep inappropriate and sometimes dangerous material out of their children's view.

I am also introducing ED 1.0, a bill to advance online higher education opportunities for minorities. Last Congress, Senator Allen and I introduced a bill that would establish a digital and wireless network technology program for minority-serving institutions, and it was reported favorably by the Commerce Committee. Regrettably, I am concerned that the cost of the bill will prohibit it from moving in this Congress. But the needs to this Nation's minorities are not standing still.

ED 1.0 would allow some of our goals to move forward now by creating a pilot online degree program at four minority-serving institutions. African-American, Hispanic, and tribal serving colleges and universities in socially and economically disadvantaged areas would be eligible to participate in this program to help define what works in ensuring that minorities are obtaining higher education degrees.

With the high costs of networks and limited availability of resources, the program would provide a national "lessons learned" about how to develop and implement flexible degree programs in fields such as health or education, which are currently underserved in the disadvantaged community. The goals of ED 1.0 will make education a reality for thousands of Americans, and I hope this bill will have the support of my colleagues.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 602

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Child Safe Viewing Act of 2007".

SEC. 2. FINDINGS.

Congress finds the following:

(1) Video programming has a direct impact on a child's perception of safe and reasonable behavior.

(2) Children imitate actions they witness on video programming, including language, drug use, and sexual conduct.

(3) Studies indicate that the strong appeal of video programming erodes the ability of parents to develop responsible attitudes and behavior in their children.

(4) The average American child watches 4 hours of television each day.

(5) Seventy-five percent of adults surveyed believe that television content marketed toward children should be subject to compulsory principles.

(6) Ninety-nine and nine-tenths percent of all consumer complaints logged by the Federal Communications Commission in the first quarter of 2006 regarding radio and television broadcasting were because of obscenity, indecency, and profanity.

(7) There is a compelling government interest in empowering parents to limit their children's exposure to harmful television content.

(8) Section 1 of the Communications Act of 1934 requires the Federal Communications Commission to promote the safety of life and property through the use of wire and radio communications.

(9) In the Telecommunications Act of 1996, Congress authorized Parental Choice in Television Programming and the V-Chip. Congress further directed action on alternative blocking technology as new video technology advanced.

SEC. 3. EVALUATION OF ALTERNATIVE PARENTAL CONTROL TECHNOLOGIES.

(a) Rulemaking Proceeding Required.—Not later than 120 days after the date of enactment of this Act, the Federal Communications Commission shall initiate a proceeding to consider measures to encourage or require the use of advanced blocking technologies that are compatible with various communications devices or platforms.

(b) Content of Proceeding.—In conducting the proceeding required under subsection (a), the Federal Communications Commission shall consider advanced blocking technologies that—

(1) may be appropriate across a wide variety of distribution platforms, including wired, wireless, and Internet platforms;

(2) may be appropriate across a wide variety of devices capable of transmitting or receiving video or audio programming, including television sets, DVD players, VCRs, cable set top boxes, satellite receivers, and wireless devices;

(3) can filter language based upon information in closed captioning;

(4) operate independently of ratings pre-assigned by the creator of such video or audio programming; and

(5) may be effective in enhancing the ability of a parent to protect his or her child from indecent or objectionable programming, as determined by such parent.

(c) Definition.—In this section, the term "advanced blocking technologies" means technologies that can improve or enhance the ability of a parent to protect his or her child from any indecent or objectionable video or audio programming, as determined by such parent, that is transmitted through the use of wire, wireless, or radio communication.

S. 639

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "ED 1.0 Act".

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Education is a fundamental right for all Americans, regardless of ethnicity, socio-economic background, or other factors.

(2) Minority-serving institutions historically have an important role in reaching underserved populations.

(3) Minority-serving institutions in economically disadvantaged areas face particular hardships in acquiring funds to sustain and expand their resources.

(4) Low-income areas are technologically underserved.

(5) Congress and the technological community should do all that they can to find new and creative ways to bridge the current technology gap.

SEC. 3. DEFINITIONS.

In this Act:

(1) Administrator.—The term "Administrator" means the Administrator of the National Telecommunications and Information Administration.

(2) Eligible educational institution.—The term "eligible educational institution" means an institution that is—

(A) a historically Black college or university;

(B) a Hispanic-serving institution as that term is defined in section 502(a)(5) of the Higher Education Act of 1965 (20 U.S.C. 1101a(a)(5));

(C) a tribally controlled college or university as that term is defined in section 2(a)(4) of the Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1801(a)(4));

(D) an Alaska Native-serving institution as that term is defined in section 317(b)(2) of the Higher Education Act of 1965 (20 U.S.C. 1059d(b)(2)); or

(E) a Native Hawaiian-serving institution as that term is defined in section 317(b)(4) of the Higher Education Act of 1965 (20 U.S.C. 1059d(b)(4)).

(3) Historically black college or university.—The term "historically Black college or university" means a part B institution as that term is defined in section 322(2) of the Higher Education Act of 1965 (20 U.S.C. 1061(2)).

SEC. 4. MINORITY ONLINE DEGREE PILOT PROGRAM.

(a) Pilot Program Established.—

(1) In general.—There is established within the National Telecommunications and Information Administration a pilot program to develop online educational programs of study within eligible educational institutions under which the Administrator shall

award 4 grants to eligible educational institutions to assist the eligible educational institutions in establishing an online curriculum for undergraduate and graduate programs of study.

(2) GRANT NUMBER, DURATION, AND AMOUNT.—

(A) NUMBER.—The Administrator shall award a total of 4 grants under this section.

(B) DURATION.—Each grant under this section shall be awarded for a period of 6 years.

(C) ANNUAL GRANT PAYMENT AMOUNTS.—The Administrator shall make grant payments under this section in the amount of—

(i) $1,000,000 for the first fiscal year of a grant awarded under this section;

(ii) $600,000 for each of the second through fifth such fiscal years; and

(iii) $100,000 for the sixth such fiscal year.

(b) PRIORITY.—

(1) IN GENERAL.—In awarding grants under this section the Administrator shall give priority to an eligible educational institution that, according to the most recent data available (including data available from the Bureau of the Census), serves a county—

(A) in which 50 percent of the residents of the county are members of a racial or ethnic minority;

(B) in which less than 18 percent of the residents of the county have obtained a baccalaureate degree or a higher education;

(C) that has an unemployment rate of 7 percent or greater;

(D) in which 19 percent or more of the residents of the county live in poverty;

(E) that has a negative population growth rate; or

(F) that has a median family income of $32,000.

(2) HIGHEST PRIORITY.—In awarding grants under this section the Administrator shall give the highest priority to an eligible educational institution that meets the greatest number of requirements described in subparagraphs (A) through (F) of paragraph (1).

(c) USE OF FUNDS.—

(1) MANDATORY CURRICULUM REQUIREMENT.—An eligible educational institution receiving a grant under this section shall use the grant funds to develop a curriculum that—

(A) leads to a baccalaureate or graduate degree;

(B) is focused on the needs and interests of working minority students in disadvantaged areas; and

(C) in the case of an online curriculum, strives to include a mix of—

(i) online lectures, including guest speakers;

(ii) reference material;

(iii) quiz and test preparation; and

(iv) class room participation.

(2) PERMISSIVE USES.—An eligible educational institution receiving a grant under this section may use the grant funds—

(A) to assist in establishing the technical capacity of the eligible educational institution to provide online or distance learning; and

(B) to develop curriculum, including pod broadcasts.

(3) LIMITATION ON USE OF FUNDS.—Grant funds made available under this section shall not be used—

(A) for any purpose other than a purpose associated with the direct costs incurred by the eligible educational institution in developing the curriculum or services described in paragraph (1) or (2); or

(B) for building expenses, administrative travel budgets, or other expenses that are not directly related to the costs described in subparagraph (A).

(d) MATCHING NOT REQUIRED.—The Administrator shall not require an eligible educational institution to provide matching funds for a grant awarded under this section.

(e) REPORT.—

(1) IN GENERAL.—Not later than November 1 of each year, the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives, a report evaluating the progress, during the preceding fiscal·year, of the pilot program assisted under this section.

(2) CONTENTS.—Each report under paragraph (1) shall include a description of each of the programs of study developed with the grant funds provided under this section, including—

(A) the date of the grant award;

(B) statistics on the marital status, employment status, and income level of students participating in a program of study assisted under this section; and

(C) the degree objectives of students participating in a program of study assisted under this section.

(f) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated to carry out this section—

(A) $4,500,000 for fiscal year 2008;

(B) $3,000,000 for each of the fiscal years 2009 through 2012; and

(C) $500,000 for fiscal year 2013.

(2) AVAILABILITY.—Funds appropriated under paragraph (1) shall remain available until expended.

(g) LIMITATION ON USE OF OTHER FUNDS.—The Administrator shall carry out this section only with amounts appropriated in advance specifically to carry out this section.

By Mr. LAUTENBERG (for himself, Mr. HAGEL, Mr. KERRY, and Mrs. LINCOLN):

S. 604. A bill to amend title 10, United States Code, to limit increases in the certain costs of health care services under the heaalth care programs of the Department of Defense, and for the purposes; to the Committee on Armed Services.

Mr. LAUTENBERG. Mr. President, I rise to introduce the Military Health Care Protection Act along with my colleagues, Senators HAGEL, KERRY, and LINCOLN.

This important legislation will keep the Pentagon from dramatically raising health care fees on active duty military personnel, National Guard, Reserves, retirees and their families.

Our bill will limit increases to TRICARE military health insurance enrollment fees, deductibles, and pharmacy co-payments for those military retirees who are enrolled in TRICARE. Under this legislation, increases in these health care fees cannot exceed the rate of growth in uniformed services beneficiaries' military compensation, thereby protecting beneficiaries from an undue financial burden.

Our bill will also cap increases to TRICARE military health insurance pharmacy co-payments at current levels for those active duty military personnel, National Guard, Reserves members, and their families. Under this legislation, increases in such fees also cannot exceed the rate of growth in uniformed services beneficiaries' military compensation.

Just last week, the Department of Defense (DOD) submitted its Fiscal Year 2008 budget to Congress. Within that budget, a cut of $1.86 billion was made to TRICARE out of the Defense Health Program budget. Such a cut would require a doubling of fees on senior enlisted retirees and a tripling of such fees for officer retirees. This would mean increases of up to $1,000 annually for some military retirees. While the Department of Defense temporarily halted plans to raise fees last year at the direction of Congress, we are again faced with this challenge. We must pass legislation now that limits the amount of any health care increase and protects beneficiaries from extreme health care fee increases in the future.

With this bill, Senator HAGEL and I reiterate our commitment to our troops and future veterans by assuring them that just as they protected us, we will take care of them when their service ends.

Last year, Congress rejected the same increases that the Pentagon is proposing again for this year. I ask the support of my colleagues to pass this legislation this year to prevent these significant increases permanently.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 604

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Military Health Care Protection Act".

SEC. 2. FINDINGS AND SENSE OF CONGRESS.

(a) FINDINGS.—Congress makes the following findings:

(1) Career members of the uniformed services and their families endure unique and extraordinary demands, and make extraordinary sacrifices, over the course of 20-year to 30-year careers in protecting freedom for all Americans.

(2) The nature and extent of these demands and sacrifices are never so evident as in wartime, not only during the current Global War on Terrorism, but also during the wars of the last 60 years when current retired members of the Armed Forces were on continuous call to go in harm's way when and as needed.

(3) The demands and sacrifices are such that few Americans are willing to bear or accept them for a multi-decade career.

(4) A primary benefit of enduring the extraordinary sacrifices inherent in a military career is a range of extraordinary retirement benefits that a grateful Nation provides for those who choose to subordinate much of their personal life to the national interest for so many years.

(5) Many private sector firms are curtailing health benefits and shifting significantly higher costs to their employees, and one effect of such curtailment is that retired

members of the uniformed services are turning for health care services to the Department of Defense, and its TRICARE program, for the health care benefits in retirement that they earned by their service in uniform.

(6) In some cases, civilian employers establish financial incentives for employees who are also eligible for participation in the TRICARE program to receive health care benefits under that program rather than under the health care benefits programs of such employers.

(7) While the Department of Defense has made some efforts to contain increases in the cost of the TRICARE program, a large part of those efforts has been devoted to shifting a larger share of the costs of benefits under that program to retired members of the uniformed services.

(8) The cumulative increase in enrollment fees, deductibles, and copayments being proposed by the Department of Defense for health care benefits under the TRICARE program far exceeds the 33-percent increase in military retired pay since such fees, deductibles, and copayments were first required on the part of retired members of the uniformed services 11 years ago.

(9) Proposals of the Department of Defense for increases in the enrollment fees, deductibles, and copayments of retired members of the uniformed services who are participants in the TRICARE program fail to recognize adequately that such members paid the equivalent of enormous in-kind premiums for health care in retirement through their extended sacrifices by service in uniform.

(10) Some of the Nation's health care providers refuse to accept participants in the TRICARE program as patients because that program pays them significantly less than commercial insurance programs, and imposes unique administrative requirements, for health care services.

(11) The Department of Defense has chosen to count the accrual deposit to the Department of Defense Military Retiree Health Care Fund against the budget of the Department of Defense, contrary to the requirements of section 1116 of title 10, United States Code.

(12) Senior officials of the Department of Defense leaders have reported to Congress that counting such deposits against the budget of the Department of Defense is impinging on other readiness needs of the Armed Forces, including weapons programs, an inappropriate situation which section 1116 of title 10, United States Code, was intended expressly to prevent.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Department of Defense and the Nation have a committed obligation to provide health care benefits to retired members of the uniformed services that exceeds the obligation of corporate employers to provide health care benefits to their employees;

(2) the Department of Defense has many additional options to constrain the growth of health care spending in ways that do not disadvantage retired members of the uniformed services who participate or seek to participate in the TRICARE program, and should pursue any and all such options rather than seeking large increases for enrollment fees, deductibles, and copayments for such retirees, and their families or survivors, who do participate in that program;

(3) any percentage increase in fees, deductibles, and copayments that may be considered under the TRICARE program for retired members of the uniformed services and their families or survivors should not in any case exceed the percentage increase in military retired pay; and

(4) any percentage increase in fees, deductibles, and copayments under the TRICARE program that may be considered for members of the uniformed services who are currently serving on active duty or in the Selected Reserve, and for the families of such members, should not exceed the percentage increase in basic pay for such members.

SEC. 3. LIMITATIONS ON CERTAIN INCREASES IN HEALTH CARE COSTS FOR MEMBERS OF THE UNIFORMED SERVICES.

(a) PHARMACY BENEFITS PROGRAM.—Section 1074g(a)(6) of title 10, United Stated Code, is amended by adding at the end the following new subparagraph:

"(C) The amount of any cost sharing requirements under this paragraph may not be increased in any year by a percentage that exceeds the percentage increase of the most recent increase in retired pay for members of the armed forces under section 1401a(b)(2) of this title. To the extent that such increase for any year is less than one dollar, the accumulated increase may be carried over from year to year, rounded to the nearest dollar.".

(b) PREMIUMS FOR TRICARE STANDARD FOR RESERVE COMPONENT MEMBERS WHO COMMIT TO SERVICE IN THE SELECTED RESERVE.—Section 1076d(d)(3) of such title is amended—

(1) by striking "The monthly amount" and inserting "(A) Subject to subparagraph (B), the monthly amount"; and

(2) by adding at the end the following new subparagraph:

"(B) Effective as of October 1, 2007, the percentage increase in the amount of the premium in effect for a month for TRICARE Standard coverage under this section may not exceed a percentage equal to the percentage of the most recent increase in the rate of basic pay authorized for members of the uniformed services for a year.".

(c) COPAYMENTS UNDER CHAMPUS.—Paragraph (3) of section 1086(b) of such title is amended in the first sentence by striking "during the period beginning on April 1, 2006, and ending on September 30, 2007." and inserting "after March 31, 2006".

(d) PROHIBITION ON ENROLLMENT FEES FOR CERTAIN PERSONS UNDER CHAMPUS.—Section 1086(b) of such title is further amended by adding at the end the following new paragraph:

"(5) A person covered by subsection (c) may not be charged an enrollment fee for coverage under this section.".

(e) AUTOMATIC ENROLLMENT FOR CERTAIN PERSONS UNDER CHAMPUS.—Section 1086(b) of such title is further amended by adding at the end the following new paragraph:

"(6) A person covered by subsection (c) shall not be subject to denial of claims for coverage under this section for failure to enroll for such coverage. To the extent enrollment may be required, enrollment shall be automatic for any such person filing a claim under this section.".

(f) PREMIUMS AND OTHER CHARGES UNDER TRICARE.—Section 1097(e) of such title is amended—

(1) by inserting "(1)" before "The Secretary of Defense"; and

(2) by adding at the end the following new paragraph:

"(2) Effective as of October 1, 2007, the percentage increase in the amount of any premium, deductible, copayment or other charge prescribed by the Secretary under this subsection may not exceed the percentage increase of the most recent increase in retired pay for members and former members of the armed forces under section 1041a(b)(2) of this title.".

By Ms. CANTWELL (for herself, Mr. BINGAMAN, Mrs. BOXER, Mr. KENNEDY, Ms. LANDRIEU, Mr. LIEBERMAN, Mrs. LINCOLN, Ms. MIKULSKI, and Mrs. MURRAY):

S. 605. A bill to amend the Public Health Service Act to promote and improve the allied health professions; to the Committee on Health, Education, Labor, and Pensions.

Ms. CANTWELL. Mr. President, early in the 109th Congress I introduced a bill to address the troubling shortage of allied health professionals in our country. Sadlv, we were unable to act on this bill despite continuing deficiencies in the health care workforce. That is why, today, I am reintroducing the Allied Health Reinvestment Act, along with my good colleagues, Senators BINGAMAN, BOXER, KENNEDY, LANDRIEU, LIEBERMAN, LINCOLN, MIKULSKI, and MURRAY.

Allied health professionals constitute roughly one third of the American healthcare workforce. These individuals take x-rays, perform lab tests, and provide emergency services. They help rehabilitate the injured, manage health records, and ensure patients are eating right. Allied health professionals are responsible for a critical and diverse array of functions, working with doctors and nurses to keep patients healthy.

The allied health professions recognized in this bill include professionals in the areas of: dental hygiene, dietetics/nutrition, emergency medical services, health information management, clinical laboratory sciences/medical technology, cytotechnology, occupational therapy, physical therapy, radiologic technology, nuclear medical technology, rehabilitation counseling, respiratory therapy, and speech language-pathology/audiology. This is by no means a complete list of allied health professions, which is why the Secretary of Health and Human Services will have the authority to determine additional professions that can benefit.

Today, many allied health professions suffer from existing workforce shortages. The American Hospital Association (AHA) reports vacancy rates of 18 percent for radiology technicians, 15.3 percent for imaging technicians, and 12.7 percent for pharmacy technicians. In my State alone, the Washington State Hospital Association reports vacancy rates of 14.3 percent for ultrasound technologists, 11.3 percent for radiology technicians, and 10.9 percent for nuclear medicine technologists.

These shortages have real consequences for patients, often extending wait times for important test results or routine examinations. Every time I meet with hospital officials in my

State, I always learn how patient care is hurt by the lack of available healthcare workers.

Enrollment figures in allied health education programs suggest we will not have the individuals available to meet the challenges created by existing shortages. The Association of Schools of Allied Health Professionals (ASAHP) reports in a 2006 survey of 87 member institutions that enrollment for a number of allied health programs have not reached capacity for the seventh straight year. The Institutional Profile Survey, which the ASAHP conducts every year, shows under-enrollment by 55 percent in dietetics, 54 percent in health administration, 49 percent in rehabilitation counseling, 43 percent in health information management, 38 percent in speech language pathology/audiology, 33 percent in emergency medical sciences, 26 percent in nuclear medicine technology, 25 percent in clinical laboratory sciences/medical technology, and 20 percent in cytotechnology.

These rates cannot continue. On top of existing workforce shortages, our health system faces a growing senior population, a group that typically requires more care. The U.S. Census Bureau reports that the section of our population age 65 and over will begin to rapidly increase in 2011 when the first of the baby boom generation reaches age 65. This increase will create greater demand on all sectors of the healthcare workforce.

The bill my colleagues and I introduce today, like the Nurse Reinvestment Act in the 107th Congress, intends to provide incentives for individuals to seek and complete high-quality allied health education and training.

The bill offers allied health education, practice, and retention grants. Education grants will be used to expand enrollment in allied health education programs, especially by underrepresented racial and ethnic minority students, and provide educational opportunities through new technologies and methods, including distance-learning. Practice grants will establish or expand allied health practice arrangements in non-institutional settings to demonstrate methods that will improve access to primary health care in rural areas and other medically underserved communities. Retention grants will promote career advancement for allied health personnel.

Grants will also be made available for health care facilities to enable them to carry out demonstrations of models and best practices in allied health for the purpose of developing innovative strategies or approaches for retention of allied health professionals. These grants will be awarded in a variety of geographic regions to a range of different types of facilities, including those in rural, urban, and suburban areas.

Furthermore, this bill will give the Secretary of HHS, acting through the Administrator of HRSA, the authority to enter into an agreement with any institution that offers an eligible allied health education program to establish and operate a faculty loan fund to increase the number of qualified allied health faculty. Loans may be granted to faculty pursuing a full-time course of study or, at the discretion of the Secretary, a part-time course of study in an advanced degree program.

Finally, the Allied Health Reinvestment Act will establish a scholarship program modeled after the National Health Service Corps that provides scholarships to individuals seeking allied health education in exchange for service by those individuals in rural and other medically underserved areas.

The Allied Health Reinvestment Act represents a serious commitment on our part to confront a problem that will only grow more serious in the future. Our system of care cannot operate without the dedicated allied health professionals working today, and we must take the actions necessary to ensure that there is a strong workforce that can serve in the future.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 605

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Allied Health Reinvestment Act".

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress makes the following findings:

(1) The United States Census Bureau and other reports highlight the increased demand for acute and chronic health care services among both the general population and a rapidly growing aging portion of the population.

(2) The calls for reduction in medical errors, increased patient safety, and quality of care have resulted in an amplified call for allied health professionals to provide health care services.

(3) Several allied health professions are characterized by workforce shortages, declining enrollments in allied health education programs, or a combination of both factors, and hospital officials have reported vacancy rates in positions occupied by allied health professionals.

(4) Many allied health education programs are facing significant economic pressure that could force their closure due to an insufficient number of students.

(b) PURPOSE.—It is the purpose of this Act to provide incentives for individuals to seek and complete high quality allied health education and training and provide additional funding to ensure that such education and training can be provided to allied health students so that the United States health care industry with have a supply of allied health professionals needed to support the health care system of the United States in this decade and beyond.

SEC. 3. AMENDMENT TO THE PUBLIC HEALTH SERVICE ACT.

Title VII of the Public Health Service Act (42 U.S.C. 292 et seq.) is amended by adding at the end the following:

"PART G—ALLIED HEALTH PROFESSIONALS

"SEC. 799C. DEFINITIONS.

"In this part:

"(1) ALLIED HEALTH EDUCATION PROGRAM.—The term 'allied health education program' means any postsecondary educational program offered by an institution accredited by an agency or commission recognized by the Department of Education, or leading to a State certificate or license or any other educational program approved by the Secretary. Such term includes colleges, universities, or schools of allied health and equivalent entities that include programs leading to a certificate, associate, baccalaureate, or graduate level degree in an allied health profession.

"(2) ALLIED HEALTH PROFESSIONS.—The term 'allied health professions' includes professions in the following areas at the certificate, associate, baccalaureate, or graduate level:

"(A) Dental hygiene.

"(B) Dietetics or nutrition.

"(C) Emergency medical services.

"(D) Health information management.

"(E) Clinical laboratory sciences and medical technology.

"(F) Cytotechnology.

"(G) Occupational therapy.

"(H) Physical therapy.

"(I) Radiologic technology.

"(J) Nuclear medical technology.

"(K) Rehabilitation counseling.

"(L) Respiratory therapy.

"(M) Speech-language pathology and audiology.

"(N) Any other profession determined appropriate by the Secretary.

"(3) HEALTH CARE FACILITY.—The term 'health care facility' means an outpatient health care facility, hospital, nursing home, home health care agency, hospice, federally qualified health center, nurse managed health center, rural health clinic, public health clinic, or any similar health care facility or practice that employs allied health professionals.

"SEC. 799C–1. PUBLIC SERVICE ANNOUNCEMENTS.

"The Secretary shall develop and issue public service announcements that shall—

"(1) advertise and promote the allied health professions;

"(2) highlight the advantages and rewards of the allied health professions; and

"(3) encourage individuals from diverse communities and backgrounds to enter the allied health professions.

"SEC. 799C–2. STATE AND LOCAL PUBLIC SERVICE ANNOUNCEMENTS.

"(a) IN GENERAL.—The Secretary shall award grants to designated eligible entities to support State and local advertising campaigns that are conducted through appropriate media outlets (as determined by the Secretary) to—

"(1) promote the allied health professions;

"(2) highlight the advantages and rewards of the allied health professions; and

"(3) encourage individuals from disadvantaged communities and backgrounds to enter the allied health professions.

"(b) ELIGIBLE ENTITY.—To be eligible to receive a grant under subsection (a), an entity shall—

"(1) be a professional, national, or State allied health association, State health care provider, or association of one or more health care facilities, allied health education programs, or other entities that provides similar services or serves a like function; and

“(2) prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

“SEC. 799C–3. ALLIED HEALTH RECRUITMENT GRANT PROGRAM.

“(a) PROGRAM AUTHORIZED.—The Secretary shall award grants to eligible entities to increase allied health professions education opportunities.

“(b) ELIGIBLE ENTITY.—To be eligible to receive a grant under subsection (a), an entity shall—

“(1) be a professional, national, or State allied health association, State health care provider, or association of one or more health care facilities, allied health education programs, or other eligible entities that provides similar services or serves a like function; and

“(2) prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

“(c) USE OF FUNDS.—An entity shall use amounts received under a grant under subsection (a) to—

“(1) support outreach programs at elementary and secondary schools that inform guidance counselors and students of education opportunities regarding the allied health professions;

“(2) carry out special projects to increase allied health education opportunities for individuals who are from disadvantaged backgrounds (including racial and ethnic minorities that are underrepresented among the allied health professions) by providing student scholarships or stipends, pre-entry preparation, and retention activities;

“(3) provide assistance to public and nonprofit private educational institutions to support remedial education programs for allied health students who require assistance with math, science, English, and medical terminology;

“(4) meet the costs of child care and transportation for individuals who are taking part in an allied health education program at any level; and

“(5) support community-based partnerships seeking to recruit allied health professionals in rural communities and medically underserved urban communities, and other communities experiencing an allied health professions shortage.

“SEC. 799C–4. GRANTS FOR HEALTH CAREER ACADEMIES.

“(a) IN GENERAL.—The Secretary shall award grants to eligible entities to assist such entities in collaborating to carry out programs that form education pipelines to facilitate the entry of students of secondary educational institutions, especially underrepresented racial and ethnic minorities, into careers in the allied health professions.

“(b) ELIGIBLE ENTITY.—To be eligible to receive a grant under subsection (a), an entity shall—

“(1) be an institution that offers allied health education programs, a health care facility, or a secondary educational institution; and

“(2) prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

“SEC. 799C–5. ALLIED HEALTH EDUCATION, PRACTICE, AND RETENTION GRANTS.

“(a) EDUCATION PRIORITY AREAS.—The Secretary may award grants to or enter into contracts with eligible entities to—

“(1) expand the enrollment of individuals in allied health education programs, especially the enrollment of underrepresented racial and ethnic minority students; and

“(2) provide education through new technologies and methods, including distance-learning methodologies.

“(b) PRACTICE PRIORITY AREAS.—The Secretary may award grants to or enter into contracts with eligible entities to—

“(1) establish or expand allied health practice arrangements in noninstitutional settings to demonstrate methods to improve access to primary health care in rural areas and other medically underserved communities;

“(2) provide care for underserved populations and other high-risk groups such as the elderly, individuals with HIV/AIDS, substance abusers, the homeless, and victims of domestic violence;

“(3) provide managed care, information management, quality improvement, and other skills needed to practice in existing and emerging organized health care systems; or

“(4) develop generational and cultural competencies among allied health professionals.

“(c) RETENTION PRIORITY AREAS.—

“(1) IN GENERAL.—The Secretary may award grants to and enter into contracts with eligible entities to enhance the allied health professions workforce by initiating and maintaining allied health retention programs described in paragraph (2) or (3).

“(2) GRANTS FOR CAREER LADDER PROGRAMS.—The Secretary may award grants to and enter into contracts with eligible entities for programs—

“(A) to promote career advancement for allied health personnel in a variety of training settings, cross training or specialty training among diverse population groups, and the advancement of individuals; and

“(B) to assist individuals in obtaining the education and training required to enter the allied health professions and advance within such professions, such as by providing career counseling and mentoring.

“(3) ENHANCING PATIENT CARE DELIVERY SYSTEMS.—

“(A) GRANTS.—The Secretary may award grants to eligible entities to improve the retention of allied health professionals and to enhance patient care that is directly related to allied health activities by enhancing collaboration and communication among allied health professionals and other health care professionals, and by promoting allied health involvement in the organizational and clinical decision-making processes of a health care facility.

“(B) PREFERENCE.—In making awards of grants under this paragraph, the Secretary shall give preferences to applicants that have not previously received an award under this paragraph and to applicants from rural, underserved areas.

“(C) CONTINUATION OF AN AWARD.—The Secretary shall make continuation of any award under this paragraph beyond the second year of such award contingent on the recipient of such award having demonstrated to the Secretary measurable and substantive improvement in allied health personnel retention or patient care.

“(d) ELIGIBLE ENTITY.—To be eligible to receive a grant under this section, an entity shall—

“(1) be a health care facility, or any partnership or coalition containing a health care facility or allied health education program; and

“(2) prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

“SEC. 799C–6. DEVELOPING MODELS AND BEST PRACTICES PROGRAM.

“(a) AUTHORIZED.—The Secretary shall award grants to eligible entities to enable such entities to carry out demonstration programs using models and best practices in allied health for the purpose of developing innovative strategies or approaches for the retention of allied health professionals.

“(b) ELIGIBLE ENTITY.—To be eligible to receive a grant under this section, an entity shall—

“(1) be a health care facility, or any partnership or coalition containing a health care facility or allied health education program; and

“(2) prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

“(c) DISTRIBUTION OF GRANTS.—In awarding grants under this section, the Secretary shall ensure that grantees represent a variety of geographic regions and a range of different types and sizes of facilities, including facilities located in rural, urban, and suburban areas.

“(d) USE OF FUNDS.—An entity shall use amounts received under a grant under this section to carry out demonstration programs of models and best practices in allied health for the purpose of—

“(1) promoting retention and satisfaction of allied health professionals;

“(2) promoting opportunities for allied health professionals to pursue education, career advancement, and organizational recognition; and

“(3) developing continuing education programs that instruct allied health professionals in how to use emerging medical technologies and how to address current and future health care needs.

“(e) AREA HEALTH EDUCATION CENTERS.—The Secretary shall award grants to area health education centers to enable such centers to enter into contracts with allied health education programs to expand the operation of area health education centers to work in communities to develop models of excellence for allied health professionals or to expand any junior and senior high school mentoring programs to include an allied health professions mentoring program.

“SEC. 799C–7. ALLIED HEALTH FACULTY LOAN PROGRAM.

“(a) ESTABLISHMENT.—The Secretary, acting through the Administrator of the Health Resources and Services Administration, may enter into an agreement with any institution offering an eligible allied health education program for the establishment and operation of a faculty loan fund in accordance with this section (referred to in this section as the ‘loan fund’), to increase the number of qualified allied health faculty.

“(b) AGREEMENTS.—Each agreement entered into under this section shall—

“(1) provide for the establishment of a loan fund by the institution offering the allied health education program involved;

“(2) provide for deposit in the loan fund of—

“(A) the Federal capital contributions to the fund;

“(B) an amount provided by the institution involved which shall be equal to not less than one-ninth of the amount of the Federal capital contribution under subparagraph (A);

“(C) any collections of principal and interest on loans made from the fund; and

“(D) any other earnings of the fund;

“(3) provide that the loan fund will be used only for the provision of loans to faculty of the allied health education program in accordance with subsection (c) and for the costs of the collection of such loans and the interest thereon;

“(4) provide that loans may be made from such fund only to faculty who are pursuing a full-time course of study or, at the discretion of the Secretary, a part-time course of study in an advanced degree program; and

“(5) contain such other provisions determined appropriate by the Secretary to protect the financial interests of the United States.

“(c) Loan Provisions.—Loans from any faculty loan fund established pursuant to an agreement under this section shall be made to an individual on such terms and conditions as the allied health education program may determine, except that—

“(1) such terms and conditions are subject to any conditions, limitations, and requirements prescribed by the Secretary;

“(2) in the case of any individual, the total of the loans for any academic year made by an allied health education program from loan funds established pursuant to agreements under this section may not exceed $30,000, plus any amount determined by the Secretary on an annual basis to reflect inflation;

“(3) upon completion by the individual of each of the first, second, and third year of full-time employment, as required under the loan agreement, as a faculty member in an allied health education program, the program shall cancel 20 percent of the principal and interest due on the amount of the unpaid portion of the loan on the first day of such employment;

“(4) upon completion by the individual of the fourth year of full-time employment, as required under the loan agreement, as a faculty member in an allied health education program, the program shall cancel 25 percent of the principal and interest due on the amount of the unpaid portion of the loan on the first day of such employment;

“(5) the loan may be used to pay the cost of tuition, fees, books, laboratory expenses, and other reasonable education expenses;

“(6) the loan shall be repayable in equal or graduated periodic installments (with the right of the borrower to accelerate repayment) over the 10-year period that begins 9 months after the individual ceases to pursue a course of study in an allied health education program; and

“(7) such loan shall—

“(A) beginning on the date that is 3 months after the individual ceases to pursue a course of study in an allied health education program, bear interest on the unpaid balance of the loan at the rate of 3 percent per year; or

“(B) subject to subsection (e), if the allied health education program determines that the individual will not complete such course of study or serve as a faculty member as required under the loan agreement under this subsection, bear interest on the unpaid balance of the loan at the prevailing market rate.

“(d) Payment of Proportionate Share.—Where all or any part of a loan (including interest thereon) is canceled under this section, the Secretary shall pay to the allied health education program involved an amount equal to the program's proportionate share of the canceled portion, as determined by the Secretary.

“(e) Review by Secretary.—At the request of the individual involved, the Secretary may review any determination by an allied health education program under this section.

“SEC. 799C-8. SCHOLARSHIP PROGRAM FOR SERVICE IN RURAL AND OTHER MEDICALLY UNDERSERVED AREAS.

“(a) Program Authorized.—The Secretary shall establish a scholarship program (referred to in this section as the ‘program’) to provide scholarships to individuals seeking allied health education who agree to provide service in rural and other medically underserved areas with allied health personnel shortages.

“(b) Preference.—In awarding scholarships under this section, the Secretary shall give preference to—

“(1) applicants who demonstrate the greatest financial need;

“(2) applicants who agree to serve in health care facilities experiencing allied health shortages in rural and other medically underserved areas;

“(3) applicants who are currently working in a health care facility who agree to serve the period of obligated service at such facility;

“(4) minority applicants; and

“(5) applicants with an interest in a practice area of allied health that has unmet needs.

“(c) Program Requirements.—

“(1) Contracts.—Under the program, the Secretary shall enter into contracts with eligible individuals under which such individuals agree to serve as allied health professionals for a period of not less than 2 years at a health care facility with a critical shortage of allied health professionals in consideration of the Federal Government agreeing to provide to the individuals scholarships for attendance in an allied health education program.

“(2) Eligible individuals.—In this subsection, the term ‘eligible individual’ means an individual who is enrolled or accepted for enrollment as a full-time or part-time student in an allied health education program.

“(3) Service requirement.—

“(A) In general.—The Secretary may not enter into a contract with an eligible individual under this section unless the individual agrees to serve as an allied health professional at a health care facility with a critical shortage of allied health professionals for a period of full-time service of not less than 2 years, or for a period of part-time service in accordance with subparagraph (B).

“(B) Part-time service.—An individual may complete the period of service described in subparagraph (A) on a part-time basis if the individual has a written agreement that—

“(i) is entered into by the facility and the individual and is approved by the Secretary; and

“(ii) provides that the period of obligated service will be extended so that the aggregate amount of service performed will equal the amount of service that would be performed through a period of full-time service of not less than 2 years.

“(d) Reports.—Not later than 18 months after the date of enactment of this part, and annually thereafter, the Secretary shall prepare and submit to the appropriate committees of Congress a report describing the program carried out under this section, including statements regarding—

“(1) the number of enrollees by specialty or discipline, scholarships, and grant recipients;

“(2) the number of graduates;

“(3) the amount of scholarship payments made;

“(4) which educational institution the recipients attended;

“(5) the number and placement location of the scholarship recipients at health care facilities with a critical shortage of allied health professionals;

“(6) the default rate and actions required;

“(7) the amount of outstanding default funds of the scholarship program;

“(8) to the extent that it can be determined, the reason for the default;

“(9) the demographics of the individuals participating in the scholarship program; and

“(10) an evaluation of the overall costs and benefits of the program.

“SEC. 799C-9. GRANTS FOR CLINICAL EDUCATION, INTERNSHIP, AND RESIDENCY PROGRAMS.

“(a) Program Authorized.—The Secretary shall award grants to eligible entities to develop clinical education, internship, and residency programs that encourage mentoring and the development of specialties.

“(b) Eligible Entities.—To be eligible for a grant under this section an entity shall—

“(1) be a partnership of an allied health education program and a health care facility; and

“(2) prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

“(c) Use of Funds.—An eligible entity shall use amounts received under a grant under this section to—

“(1) develop clinical education, internship, and residency programs and curriculum and training programs for graduates of an allied health education program;

“(2) provide support for faculty and mentors; and

“(3) provide support for allied health professionals participating in clinical education, internship, and residency programs on both a full-time and part-time basis.

“SEC. 799C-10. GRANTS FOR PARTNERSHIPS.

“(a) In General.—The Secretary shall award grants to eligible entities to enable such entities to form partnerships to carry out the activities described in this section.

“(b) Eligible Entity.—To be eligible to receive a grant under this section, and entity shall—

“(1) be a partnership between an allied health education program and a health care facility; and

“(2) prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

“(c) Use of Funds.—An eligible entity shall use amounts received under a grant under this section to—

“(1) provide employees of the health care facility that is a member of the partnership involved advanced training and education in a allied health education program;

“(2) establish or expand allied health practice arrangements in non-institutional settings to demonstrate methods to improve access to health care in rural and other medically underserved communities;

“(3) purchase distance learning technology to extend general education and training programs to rural areas, and to extend specialty education and training programs to all areas; and

"(4) establish or expand mentoring, clinical education, and internship programs for training in specialty care areas.

"SEC. 799C–11. ALLIED HEALTH PROFESSIONS TRAINING FOR DIVERSITY.

"The Secretary, acting in conjunction with allied health professional associations, shall develop a system for collecting and analyzing allied health workforce data gathered by the Bureau of Labor Statistics, the Health Resources and Services Administration, other entities within the Department of Health and Human Services, the Department of Veterans Affairs, the Centers for Medicare & Medicaid Services, the Department of Defense, allied health professional associations, and regional centers for health workforce studies to determine educational pipeline and practitioner shortages, and project future needs for such a workforce.

"SEC. 799C–12. ALLIED HEALTH PROFESSIONS TRAINING FOR DIVERSITY.

"The Secretary shall include schools of allied health among the health professions schools that are eligible to receive grants under this part for the purpose of assisting such schools in supporting Centers of Excellence in health professions education for under-represented minority individuals.

"SEC. 799C–13. REPORTS BY GENERAL ACCOUNTING OFFICE.

"Not later than 4 years after the date of enactment of this part, the Comptroller General of the United States shall conduct an evaluation of whether the programs carried out under this part have demonstrably increased the number of applicants to allied health education programs and prepare and submit to the appropriate committees of Congress a report concerning the results of such evaluation.

"SEC. 799C–14. AUTHORIZATION OF APPROPRIATIONS.

"There is authorized to be appropriated to carry out this part, such sums as may be necessary for each of fiscal years 2008 through 2013.".

By Mr. DORGAN (for himself, Mr. BAYH, Mr. BINGAMAN, Mrs. BOXER, Mr. BROWN, Mrs. CLINTON, Mr. CONRAD, Mr. DURBIN, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. HARKIN, Mr. KENNEDY, Mr. KERRY, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. MENENDEZ, Ms. MIKULSKI, Mr. NELSON of Florida, Mr. OBAMA, Mr. PRYOR, Mr. REID, and Mr. WYDEN):

S. 606. A bill to improve Federal contracting and procurement by eliminating fraud and abuse and improving competition in contracting and procurement and by enhancing administration of Federal contracting personnel, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. LEAHY. I am proud to cosponsor this bill, which will create new and better tools to combat fraud, waste, and abuse in government contracting. I commend our chief sponsor, Senator BYRON DORGAN, for his leadership on this.

Waste, fraud, and abuse in the name of defense is destructive and offensive, and it should never be tolerated. It saps critical resources needed by our troops, and it plays the taxpayers for fools, all the while hiding under the cover of national defense.

Within the last few weeks, the Special Inspector General for Iraq Reconstruction has reported that the problems of waste, fraud, and abuse continue to plague our reconstruction efforts in Iraq, and billions of dollars are unaccounted for, and possibly lost, to fraud and waste. So far, the Inspector General has initiated more than 100 investigations into this fraud and abuse, but to date the Department of Justice has prosecuted just a few individuals for wrongdoing. The Department has yet to prosecute any of the contracting companies or their senior officials for fraud.

This legislative reform package establishes new criminal penalties for war profiteers and cheats who, for ill-gotten gain, would exploit the chaos of war. I recently introduced the War Profiteering Prevention Act of 2007, and I am pleased that Senator DORGAN has included this legislation in the Honest Leadership and Accountability in Contracting Act.

This legislation also promotes openness and fairness in contracting, and it includes safeguards to end cronyism and eliminate conflicts of interest in contracting decisions. It also strengthens the Federal protections afforded to whistleblowers who alert the public to contract fraud and misconduct.

We have introduced antiwar profiteering legislation in the past, but the Republican-led Congress has repeatedly refused to pass it. While Congress has waited to act, we have learned that private contractors have stolen and defrauded, by some estimates, hundreds of millions of dollars from money that should have supported our troops in Iraq and Afghanistan. The time to stop these shameful acts is now, and Congress should act swiftly to enact this vital legislation.

I will continue my efforts on this issue as chairman of the Judiciary Committee. In particular, I plan to hold a hearing next month on the war profiteering bill.

Every penny of our taxpayers' money must be protected from waste, and Federal contracts—which are paid for with taxpayer funds—should be open and transparent. This is an accountability bill, and taxpayers deserve this to be one of our highest priorities.

By Mrs. FEINSTEIN (for herself, Mr. CORNYN, Mrs. BOXER, Mrs. HUTCHISON, Mr. LAUTENBERG, Mr. SCHUMER, Mrs. CLINTON, Mr. MENENDEZ, and Mr. OBAMA):

S. 608. A bill to improve the allocation of grants through the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mrs. FEINSTEIN. Mr. President, I rise today to introduce legislation that ensures our Nation's homeland security grant resources are allocated in the most effective manner possible. I am pleased to be joined by my colleague from Texas, Senator JOHN CORNYN, as well as Senators BOXER, HUTCHISON, LAUTENBERG, SCHUMER, CLINTON, MENENDEZ, and OBAMA.

Simply put, the current system for allocating homeland security grants to States is fundamentally flawed. Proportionate funding is not allotted to regions which face the highest risk of a terrorist attack, and adequate assessment of threats is not calculated.

The "Risk-Based Homeland Security Grants Act of 2007" addresses these concerns with a common-sense approach that responsibly directs taxpayer dollars to protect our Nation's vital interests.

The methodology is straightforward and spelled out in the language at the beginning of the bill:

> The Secretary of Homeland Security shall ensure that homeland security grants are allocated based on an assessment of threat, vulnerability, and consequence to the maximum extent practicable.

This direction would apply to the four major first-responder grant programs administered by the Department of Homeland Security: the State Homeland Security Grant Program; the Urban Area Security Initiative; the Law Enforcement Terrorism Prevention Program; and the Citizens Corps Program.

The primary objective of the legislation is accomplished by reducing the amount of funding that each State is guaranteed. Current practice requires a "small state minimum," giving each State at least 0.75 percent of much of the grant funding.

The result is that roughly 38 percent of the funds are marked for distribution before any substantive risk analysis has been performed. That sends disproportionate money to low-risk, rural areas and territories.

For most, this outcome is not acceptable. Funding to bolster the security of our country should go to where the threat is greatest—such as seaports, airports, and national landmarks.

This bill lowers the "small state minimum" to 0.25 percent per State. A Homeland Security Grants Board, comprised of seven top Department of Homeland Security officials, including the Secretary of Homeland Security and the Undersecretary of Information Analysis and Infrastructure Protection, is established to rank grant applications based upon risk. Three factors guide the evaluation: threat, vulnerability, and consequence.

The current system, by contrast, allocates a significant amount of funding to states based upon their population.

To ensure that grant funds are properly accounted for, and utilized within an integrated framework to enhance domestic security, grants must be designed to meet "essential capabilities.

THE PAPER AND INK USED IN THE ORIGINAL
PUBLICATION MAY AFFECT THE QUALITY OF
THE MICROFORM EDITION.

"Essential capabilities" refers to the ability of regions to address risks by reducing vulnerability to attacks and diminishing the consequences of such attacks by effective response.

This legislation assures that States must demonstrate that they have a detailed, prioritized plan for emergency preparedness and resource allocation, so that Federal funds are assigned to the most effective uses.

States must then quickly distribute the Federal funds to regions and localities.

The notion of risk-based allocation of homeland security grants is not novel. This is a bipartisan approach advocated by both the Bush Administration and the 9/11 Commission.

The 9/11 Commission report said: "Homeland security assistance should be based strictly on an assessment of risks and vulnerabilities."

Four years ago, President Bush signed Homeland Security Presidential Directive 8, which required the Department of Homeland Security to allocate grant funding "based on national priorities."

In April 2005, Representatives Cox and TURNER, the Chair and Ranking Member of the House Homeland Security Committee at the time, offered similar legislation to reform the grant process by reducing State minimums and allocating funds based upon risk assessments.

That effort, the "Faster and Smarter Funding for First Responders Act of 2005," passed the House of Representatives as part of the Intelligence Reform bill, but was dropped in conference. This bill is based on the House efforts, and closely tracks the previous bill.

Again, the House has acted, passing legislation last month, by an overwhelming vote of 299-128, to implement the recommendations of the 9/11 Committee. A key component is the risk-based allocation of homeland security resources.

This bill, though updated to reflect recent changes at the Department of Homeland Security, marks the continuation of a legislation effort we began last session, with the FORWARD Funding Act. That bill was unsuccessful. Hopefully, this time will be different.

In the post-Cold War world, America needs the flexibility to defend against a different type of enemy. The amorphous nature of the threat and likelihood of asymmetric attacks demands a robust approach.

But our resources are limited, and difficult choices must be made.

We will never know exactly how, when or where the next major attack may occur. But we can refine our risk-assessment capabilities, and make objective analyses and predictions. It follows that our resources should be directed based upon our best estimate of where the next strike might take place.

Two guiding principles—the ability to predict future attacks, coupled with the necessity of utilizing finite resources effectively—form the backbone of a comprehensive strategy to make our Nation more secure.

The approach is three-pronged: risks of potential terrorist attacks must be accurately assessed; the vulnerability of critical infrastructure and potential targets must be measured; and, resources should be dispersed based upon these assessments.

The Department of Homeland Security was created to accomplish these goals. Yet we find again and again that scarce resources are allocated based on factors unrelated to real security.

For example, last year California's Urban Area Security Initiative grants totaled only $6.81 per capita. Hawaii received $11.55 per capita, and Wyoming, $18.06 per capita.

I recognize the environment in which we are operating, and understand this bill is not a panacea. This bill is a first step towards reducing the threat of terrorist attacks.

Congress should not act alone. The Department of Homeland Security must embrace the concept of risk-based allocation of resources. And it must act on these principles. Slow progress has been made, but the Department's intelligence analysis and vulnerability assessment capabilities must be improved.

We can do better. We must put aside pork-barrel politics and take action to protect all Americans. The security of our Nation hangs in the balance and we cannot afford to wait until it is too late.

This bill was conceived and put forth in the spirit of bipartisanship. I hope that Senators LIEBERMAN and COLLINS will accept this legislation, which is a reasoned alternative to their approach and a starting point for continued discussion.

I ask my colleagues to join me in supporting this simple, straightforward approach to effectively distribute our Nation's resources and make America secure.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 608

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Risk-Based Homeland Security Grants Act of 2007".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Risk-based funding for homeland security.
Sec. 3. Essential capabilities, task forces, and standards.
Sec. 4. Effective administration of homeland security grants.
Sec. 5. Implementation and definitions.

SEC. 2. RISK-BASED FUNDING FOR HOMELAND SECURITY.

(a) RISK-BASED FUNDING IN GENERAL.—The Homeland Security Act of 2002 (Public Law 107–296; 6 U.S.C. 361 et seq.) is amended by adding at the end the following:

"TITLE XX—RISK-BASED FUNDING FOR HOMELAND SECURITY

"SEC. 2001. RISK-BASED FUNDING FOR HOMELAND SECURITY.

"(a) RISK-BASED FUNDING.—The Secretary shall ensure that homeland security grants are allocated based on an assessment of threat, vulnerability, and consequence to the maximum extent practicable.

"(b) COVERED GRANTS.—This title applies to grants provided by the Department to States, regions, or directly eligible tribes for the primary purpose of improving the ability of first responders to prevent, prepare for, respond to, or mitigate threatened or actual terrorist attacks, especially those involving weapons of mass destruction, and grants provided by the Department for improving homeland security, including the following:

"(1) STATE HOMELAND SECURITY GRANT PROGRAM.—The State Homeland Security Grant Program of the Department, or any successor to such grant program.

"(2) URBAN AREA SECURITY INITIATIVE.—The Urban Area Security Initiative of the Department, or any successor to such grant program.

"(3) LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM.—The Law Enforcement Terrorism Prevention Program of the Department, or any successor to such grant program.

"(4) CITIZEN CORPS PROGRAM.—The Citizen Corps Program of the Department, or any successor to such grant program.

"(c) EXCLUDED PROGRAMS.—This title does not apply to or otherwise affect the following Federal grant programs or any grant under such a program:

"(1) NONDEPARTMENT PROGRAMS.—Any Federal grant program that is not administered by the Department.

"(2) FIRE GRANT PROGRAMS.—The fire grant programs authorized by sections 33 and 34 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229, 2229a).

"(3) EMERGENCY MANAGEMENT PLANNING AND ASSISTANCE ACCOUNT GRANTS.—The Emergency Management Performance Grant program and the Urban Search and Rescue Grants program authorized by title VI of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5195 et seq.), the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2000 (113 Stat. 1047 et seq.), and the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701 et seq.).

"(d) EFFECT ON COVERED GRANTS.—Nothing in this Act shall be construed to require the elimination of a covered grant program.".

(b) COVERED GRANT ELIGIBILITY AND CRITERIA.—The Homeland Security Act of 2002 (Public Law 107–296; 6 U.S.C. 361 et seq.), as amended by subsection (a), is amended by adding at the end the following:

"SEC. 2002. COVERED GRANT ELIGIBILITY AND CRITERIA.

"(a) GRANT ELIGIBILITY.—

"(1) IN GENERAL.—

"(A) GENERAL ELIGIBILITY.—Except as provided in subparagraphs (B) and (C), any State, region, or directly eligible tribe shall be eligible to apply for a covered grant.

"(B) URBAN AREA SECURITY INITIATIVE.—Only a region shall be eligible to apply for a grant under the Urban Area Security Initiative of the Department, or any successor to such grant program.

"(C) STATE HOMELAND SECURITY GRANT PROGRAM.—Only a State shall be eligible to apply for a grant under the State Homeland Security Grant Program of the Department, or any successor to such grant program.

"(2) OTHER GRANT APPLICANTS.—

"(A) IN GENERAL.—Grants provided by the Department for improving homeland security, including to seaports, airports, and other transportation facilities, shall be allocated as described in section 2001(a).

"(B) CONSIDERATION.—Such grants shall be considered, to the extent determined appropriate by the Secretary, pursuant to the procedures and criteria established in this title, except that the eligibility requirements of paragraph (1) shall not apply.

"(3) CERTIFICATION OF REGIONS.—

"(A) IN GENERAL.—The Secretary shall certify a geographic area as a region if—

"(i) the geographic area meets the criteria under section 2007(10)(B) and (C); and

"(ii) the Secretary determines, based on an assessment of threat, vulnerability, and consequence, that certifying the geographic area as a region under this title is in the interest of national homeland security.

"(B) EXISTING URBAN AREA SECURITY INITIATIVE AREAS.—Notwithstanding subparagraphs (B) and (C) of section 2007(10), a geographic area that, on or before the date of enactment of the Risk-Based Homeland Security Grants Act of 2007, was designated as a high-threat urban area for purposes of the Urban Area Security Initiative, shall be certified by the Secretary as a region unless the Secretary determines, based on an assessment of threat, vulnerability, and consequence, that certifying the geographic area as a region is not in the interest of national homeland security.

"(b) GRANT CRITERIA.—In awarding covered grants, the Secretary shall assist States, local governments, and operators of airports, ports, or similar facilities in achieving, maintaining, and enhancing the essential capabilities established by the Secretary under section 2003.

"(c) STATE HOMELAND SECURITY PLANS.—

"(1) SUBMISSION OF PLANS.—The Secretary shall require that any State applying to the Secretary for a covered grant shall submit to the Secretary a 3-year State homeland security plan that—

"(A) demonstrates the extent to which the State has achieved the essential capabilities that apply to the State;

"(B) demonstrates the needs of the State necessary to achieve, maintain, or enhance the essential capabilities that apply to the State;

"(C) includes a prioritization of such needs based on threat, vulnerability, and consequence assessment factors applicable to the State;

"(D) describes how the State intends—

"(i) to address such needs at the city, county, regional, tribal, State, and interstate level, including a precise description of any regional structure the State has established for the purpose of organizing homeland security preparedness activities funded by covered grants;

"(ii) to use all Federal, State, and local resources available for the purpose of addressing such needs; and

"(iii) to give particular emphasis to regional planning and cooperation, including the activities of multijurisdictional planning agencies governed by local officials, both within its jurisdictional borders and with neighboring States;

"(E) is developed in consultation with and subject to appropriate comment by local governments within the State; and

"(F) with respect to the emergency preparedness of first responders, addresses the unique aspects of terrorism as part of a comprehensive State emergency management plan.

"(2) APPROVAL BY SECRETARY.—The Secretary may not award any covered grant to a State unless the Secretary has approved the applicable State homeland security plan.

"(d) CONSISTENCY WITH STATE PLANS.—The Secretary shall ensure that each covered grant is used to supplement and support, in a consistent and coordinated manner, the applicable State homeland security plan or plans.

"(e) APPLICATION FOR GRANT.—

"(1) IN GENERAL.—Except as otherwise provided in this subsection, any State, region, directly eligible tribe, or operator of an airport, port, or similar facility may apply for a covered grant by submitting to the Secretary an application at such time, in such manner, and containing such information as is required under this subsection, or as the Secretary may reasonably require.

"(2) DEADLINES FOR APPLICATIONS AND AWARDS.—All applications for covered grants shall be submitted at such time as the Secretary may reasonably require for the fiscal year for which they are submitted. The Secretary shall award covered grants pursuant to all approved applications for such fiscal year as soon as practicable, but not later than March 1 of such year.

"(3) AVAILABILITY OF FUNDS.—All funds awarded by the Secretary under covered grants in a fiscal year shall be available for obligation through the end of the second subsequent fiscal year.

"(4) MINIMUM CONTENTS OF APPLICATION.—The Secretary shall require that each applicant include in its application, at a minimum—

"(A) the purpose for which the applicant seeks covered grant funds and the reasons why the applicant needs the covered grant to meet the essential capabilities for terrorism preparedness within the State, region, or directly eligible tribe or at the airport, port, or similar facility to which the application pertains;

"(B) a description of how, by reference to the applicable State homeland security plan or plans under subsection (c), the allocation of grant funding proposed in the application, including, where applicable, the amount not passed through under section 2006(g)(1), would assist in fulfilling the essential capabilities specified in such plan or plans;

"(C) a statement of whether a mutual aid agreement applies to the use of all or any portion of the covered grant funds;

"(D) if the applicant is a State, a description of how the State plans to allocate the covered grant funds to regions, local governments, and Indian tribes;

"(E) if the applicant is a region—

"(i) a precise geographical description of the region and a specification of all participating and nonparticipating local governments within the geographical area comprising that region;

"(ii) a specification of what governmental entity within the region will administer the expenditure of funds under the covered grant;

"(iii) a designation of a specific individual to serve as regional liaison; and

"(iv) a description of how the governmental entity administering the expenditure of funds under the covered grant plans to allocate the covered grant funds to States, local governments, and Indian tribes;

"(F) a capital budget showing how the applicant intends to allocate and expend the covered grant funds; and

"(G) if the applicant is a directly eligible tribe, a designation of a specific individual to serve as the tribal liaison.

"(5) REGIONAL APPLICATIONS.—

"(A) RELATIONSHIP TO STATE APPLICATIONS.—A regional application—

"(i) shall be coordinated with an application submitted by the State or States of which such region is a part;

"(ii) shall supplement and avoid duplication with such State application; and

"(iii) shall address the unique regional aspects of such region's terrorism preparedness needs beyond those provided for in the application of such State or States.

"(B) STATE REVIEW AND SUBMISSION.—To ensure the consistency required under subsection (d) and the coordination required under subparagraph (A) of this paragraph, an applicant that is a region shall submit its application to each State of which any part is included in the region for review and concurrence before the submission of such application to the Secretary. The regional application shall be transmitted to the Secretary through each such State within 30 days after receipt of the application by that State, unless the Governor of such a State notifies the Secretary, in writing, that such regional application is inconsistent with the State's homeland security plan and provides an explanation of the reasons therefor.

"(C) DISTRIBUTION OF REGIONAL AWARDS.—If the Secretary approves a regional application, then the Secretary shall distribute a regional award to the State or States submitting the applicable regional application under subparagraph (B), and each such State shall, not later than the end of the 45-day period beginning on the date after receiving a regional award, pass through to the region all covered grant funds or resources purchased with such funds, except those funds necessary for the State to carry out its responsibilities with respect to such regional application; *Provided* That, in no such case shall the State or States pass through to the region less than 80 percent of the regional award.

"(D) CERTIFICATIONS REGARDING DISTRIBUTION OF GRANT FUNDS TO REGIONS.—Any State that receives a regional award under subparagraph (C) shall certify to the Secretary, by not later than 30 days after the expiration of the period described in subparagraph (C) with respect to the grant, that the State has made available to the region the required funds and resources in accordance with subparagraph (C).

"(E) DIRECT PAYMENTS TO REGIONS.—If any State fails to pass through a regional award to a region as required by subparagraph (C) within 45 days after receiving such award and does not request or receive an extension of such period under section 2006(h)(2), the region may petition the Secretary to receive directly the portion of the regional award that is required to be passed through to such region under subparagraph (C).

"(F) REGIONAL LIAISONS.—A regional liaison designated under paragraph (4)(E)(iii) shall—

"(i) coordinate with Federal, State, local, regional, and private officials within the region concerning terrorism preparedness;

"(ii) develop a process for receiving input from Federal, State, local, regional, and private sector officials within the region to assist in the development of the regional application and to improve the region's access to covered grants; and

"(iii) administer, in consultation with State, local, regional, and private officials within the region, covered grants awarded to the region.

"(6) TRIBAL APPLICATIONS.—

"(A) SUBMISSION TO THE STATE OR STATES.—To ensure the consistency required under subsection (d), an applicant that is a directly eligible tribe shall submit its application to each State within the boundaries of which any part of such tribe is located for direct submission to the Department along with the application of such State or States.

"(B) OPPORTUNITY FOR STATE COMMENT.—Before awarding any covered grant to a directly eligible tribe, the Secretary shall provide an opportunity to each State within the boundaries of which any part of such tribe is located to comment to the Secretary on the consistency of the tribe's application with the State's homeland security plan. Any such comments shall be submitted to the Secretary concurrently with the submission of the State and tribal applications.

"(C) FINAL AUTHORITY.—The Secretary shall have final authority to determine the consistency of any application of a directly eligible tribe with the applicable State homeland security plan or plans, and to approve any application of such tribe. The Secretary shall notify each State within the boundaries of which any part of such tribe is located of the approval of an application by such tribe.

"(D) TRIBAL LIAISON.—A tribal liaison designated under paragraph (4)(G) shall—

"(i) coordinate with Federal, State, and private sector officials to assist in the development of the application of such tribe and to improve the tribe's access to covered grants; and

"(ii) administer, in consultation with State, local, regional, and private officials, covered grants awarded to such tribe.

"(E) LIMITATION ON THE NUMBER OF DIRECT GRANTS.—The Secretary may make covered grants directly to not more than 20 directly eligible tribes per fiscal year.

"(F) TRIBES NOT RECEIVING DIRECT GRANTS.—An Indian tribe that does not receive a grant directly under this section is eligible to receive funds under a covered grant from the State or States within the boundaries of which any part of such tribe is located, consistent with the homeland security plan of the State as described in subsection (c). If a State fails to comply with section 2006(g)(1), the tribe may request payment under section 2006(h)(3) in the same manner as a local government.

"(7) EQUIPMENT STANDARDS.—If an applicant for a covered grant proposes to upgrade or purchase, with assistance provided under the grant, new equipment or systems that do not meet or exceed any applicable national voluntary consensus standards established by the Secretary under section 2005(a), the applicant shall include in the application an explanation of why such equipment or systems will serve the needs of the applicant better than equipment or systems that meet or exceed such standards.

"(f) HOMELAND SECURITY GRANTS BOARD.—

"(1) ESTABLISHMENT OF BOARD.—The Secretary shall establish a Homeland Security Grants Board, consisting of—

"(A) the Secretary;

"(B) the Deputy Secretary of Homeland Security;

"(C) the Under Secretary for Emergency Preparedness and Response;

"(D) the Under Secretary for Border and Transportation Security;

"(E) the Under Secretary for Information Analysis and Infrastructure Protection;

"(F) the Under Secretary for Science and Technology; and

"(G) the Director of the Office of State and Local Government Coordination.

"(2) CHAIRMAN.—

"(A) IN GENERAL.—The Secretary shall be the Chairman of the Board.

"(B) EXERCISE OF AUTHORITIES BY DEPUTY SECRETARY.—The Deputy Secretary of Homeland Security may exercise the authorities of the Chairman, if the Secretary so directs.

"(3) RISK-BASED RANKING OF GRANT APPLICATIONS.—

"(A) PRIORITIZATION OF GRANTS.—The Board—

"(i) shall evaluate and annually prioritize all pending applications for covered grants based upon the degree to which they would, by achieving, maintaining, or enhancing the essential capabilities of the applicants on a nationwide basis, lessen the threat to, vulnerability of, and consequences for persons and critical infrastructure; and

"(ii) in evaluating the threat to persons and critical infrastructure for purposes of prioritizing covered grants, shall give greater weight to threats of terrorism based on their specificity and credibility, including any pattern of repetition.

"(B) MINIMUM AMOUNTS.—

"(i) IN GENERAL.—After evaluating and prioritizing grant applications under subparagraph (A), the Board shall ensure that, for each fiscal year, each State that has an approved State homeland security plan receives no less than 0.25 percent of the funds available for the State Homeland Security Grant Program, as described in section 2001(b)(1), for that fiscal year for purposes of implementing its homeland security plan in accordance with the prioritization of additional needs under subsection (c)(1)(C).

"(ii) OTHER ENTITIES.—Notwithstanding clause (i), the Board shall ensure that, for each fiscal year, American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, and the Virgin Islands each receive 0.08 percent of the funds available for the State Homeland Security Grant Program, as described in section 2001(b)(1), for that fiscal year for purposes of implementing its homeland security plan in accordance with the prioritization of additional needs under subsection (c)(1)(C).

"(4) FUNCTIONS OF UNDER SECRETARIES.—The Under Secretaries referred to in paragraph (1) shall seek to ensure that the relevant expertise and input of the staff of their directorates are available to and considered by the Board.".

SEC. 3. ESSENTIAL CAPABILITIES, TASK FORCES, AND STANDARDS.

The Homeland Security Act of 2002 (Public Law 107–296; 6 U.S.C. 361 et seq.), as amended by section 2, is amended by adding at the end the following:

"SEC. 2003. ESSENTIAL CAPABILITIES FOR HOMELAND SECURITY.

"(a) ESTABLISHMENT OF ESSENTIAL CAPABILITIES.—

"(1) IN GENERAL.—For purposes of covered grants, the Secretary shall establish clearly defined essential capabilities for State and local government preparedness for terrorism, in consultation with—

"(A) the Task Force on Essential Capabilities established under section 2004;

"(B) the Under Secretaries for Emergency Preparedness and Response, Border and Transportation Security, Information Analysis and Infrastructure Protection, and Science and Technology, and the Director of the Office of State and Local Government Coordination;

"(C) the Secretary of Health and Human Services;

"(D) other appropriate Federal agencies;

"(E) State and local first responder agencies and officials; and

"(F) consensus-based standard making organizations responsible for setting standards relevant to the first responder community.

"(2) DEADLINES.—The Secretary shall—

"(A) establish essential capabilities under paragraph (1) within 30 days after receipt of the report under section 2004(b); and

"(B) regularly update such essential capabilities as necessary, but not less than every 3 years.

"(3) PROVISION OF ESSENTIAL CAPABILITIES.—The Secretary shall ensure that a detailed description of the essential capabilities established under paragraph (1) is provided promptly to the States and to Congress. The States shall make the essential capabilities available as necessary and appropriate to local governments and operators of airports, ports, and other similar facilities within their jurisdictions.

"(b) OBJECTIVES.—The Secretary shall ensure that essential capabilities established under subsection (a)(1) meet the following objectives:

"(1) SPECIFICITY.—The determination of essential capabilities specifically shall describe the training, planning, personnel, and equipment that different types of communities in the Nation should possess, or to which they should have access, in order to meet the Department's goals for terrorism preparedness based upon—

"(A) the most current risk assessment available by the Directorate for Information Analysis and Infrastructure Protection of the threats of terrorism against the United States;

"(B) the types of threats, vulnerabilities, geography, size, and other factors that the Secretary has determined to be applicable to each different type of community; and

"(C) the principles of regional coordination and mutual aid among State and local governments.

"(2) FLEXIBILITY.—The establishment of essential capabilities shall be sufficiently flexible to allow State and local government officials to set priorities based on particular needs, while reaching nationally determined terrorism preparedness levels within a specified time period.

"(3) MEASURABILITY.—The establishment of essential capabilities shall be designed to enable measurement of progress toward specific terrorism preparedness goals.

"(4) COMPREHENSIVENESS.—The determination of essential capabilities for terrorism preparedness shall be made within the context of a comprehensive State emergency management system.

"(c) FACTORS TO BE CONSIDERED.—

"(1) IN GENERAL.—In establishing essential capabilities under subsection (a)(1), the Secretary specifically shall consider the variables of threat, vulnerability, and consequences with respect to the Nation's population (including transient commuting and tourist populations) and critical infrastructure. Such consideration shall be based upon the most current risk assessment available by the Directorate for Information Analysis and Infrastructure Protection of the threats of terrorism against the United States.

"(2) CRITICAL INFRASTRUCTURE SECTORS.—The Secretary specifically shall consider threats of terrorism against the following critical infrastructure sectors in all areas of the Nation, urban and rural:

"(A) Agriculture.

"(B) Banking and finance.

"(C) Chemical industries.

"(D) The defense industrial base.

"(E) Emergency services.

"(F) Energy.

"(G) Food.

"(H) Government.

"(I) Postal and shipping.

"(J) Public health.

"(K) Information and telecommunications networks.

"(L) Transportation.

"(M) Water.

The order in which the critical infrastructure sectors are listed in this paragraph shall not be construed as an order of priority for consideration of the importance of such sectors.

"(3) TYPES OF THREAT.—The Secretary specifically shall consider the following types of threat to the critical infrastructure sectors described in paragraph (2), and to populations in all areas of the Nation, urban and rural:

"(A) Biological threats.

"(B) Nuclear threats.

"(C) Radiological threats.

"(D) Incendiary threats.

"(E) Chemical threats.

"(F) Explosives.

"(G) Suicide bombers.

"(H) Cyber threats.

"(I) Any other threats based on proximity to specific past acts of terrorism or the known activity of any terrorist group.

The order in which the types of threat are listed in this paragraph shall not be construed as an order of priority for consideration of the importance of such threats.

"(4) CONSIDERATION OF ADDITIONAL FACTORS.—In establishing essential capabilities under subsection (a)(1), the Secretary shall take into account any other specific threat to a population (including a transient commuting or tourist population) or critical infrastructure sector that the Secretary has determined to exist.

"SEC. 2004. TASK FORCE ON ESSENTIAL CAPABILITIES.

"(a) ESTABLISHMENT.—To assist the Secretary in establishing essential capabilities under section 2003(a)(1), the Secretary shall establish an advisory body pursuant to section 871(a) not later than 60 days after the date of the enactment of this section, which shall be known as the Task Force on Essential Capabilities.

"(b) REPORT.—

"(1) IN GENERAL.—The Task Force shall submit to the Secretary, not later than 9 months after its establishment by the Secretary under subsection (a) and every 3 years thereafter, a report on its recommendations for essential capabilities for preparedness for terrorism.

"(2) CONTENTS.—The report shall—

"(A) include a priority ranking of essential capabilities in order to provide guidance to the Secretary and to Congress on determining the appropriate allocation of, and funding levels for, first responder needs;

"(B) set forth a methodology by which any State or local government will be able to determine the extent to which it possesses or has access to the essential capabilities that States and local governments having similar risks should obtain;

"(C) describe the availability of national voluntary consensus standards, and whether there is a need for new national voluntary consensus standards, with respect to first responder training and equipment;

"(D) include such additional matters as the Secretary may specify in order to further the terrorism preparedness capabilities of first responders; and

"(E) include such revisions to the contents of past reports as are necessary to take into account changes in the most current risk assessment available by the Directorate for Information Analysis and Infrastructure Protection or other relevant information as determined by the Secretary.

"(3) CONSISTENCY WITH FEDERAL WORKING GROUP.—The Task Force shall ensure that its recommendations for essential capabilities are, to the extent feasible, consistent with any preparedness goals or recommendations of the Federal working group established under section 319F(a) of the Public Health Service Act (42 U.S.C. 247d–6(a)).

"(4) COMPREHENSIVENESS.—The Task Force shall ensure that its recommendations regarding essential capabilities for terrorism preparedness are made within the context of a comprehensive State emergency management system.

"(5) PRIOR MEASURES.—The Task Force shall ensure that its recommendations regarding essential capabilities for terrorism preparedness take into account any capabilities that State or local officials have determined to be essential and have undertaken since September 11, 2001, to prevent or prepare for terrorist attacks.

"(c) MEMBERSHIP.—

"(1) IN GENERAL.—The Task Force shall consist of 35 members appointed by the Secretary, and shall, to the extent practicable, represent a geographic and substantive cross section of governmental and nongovernmental first responder disciplines from the State and local levels, including as appropriate—

"(A) members selected from the emergency response field, including fire service and law enforcement, hazardous materials response, emergency medical services, and emergency management personnel (including public works personnel routinely engaged in emergency response);

"(B) health scientists, emergency and inpatient medical providers, and public health professionals, including experts in emergency health care response to chemical, biological, radiological, and nuclear terrorism, and experts in providing mental health care during emergency response operations;

"(C) experts from Federal, State, and local governments, and the private sector, representing standards-setting organizations, including representation from the voluntary consensus codes and standards development community, particularly those with expertise in first responder disciplines; and

"(D) State and local officials with expertise in terrorism preparedness, subject to the condition that if any such official is an elected official representing 1 of the 2 major political parties, an equal number of elected officials shall be selected from each such party.

"(2) COORDINATION WITH THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.—In the selection of members of the Task Force who are health professionals, including emergency medical professionals, the Secretary shall coordinate the selection with the Secretary of Health and Human Services.

"(3) EX OFFICIO MEMBERS.—The Secretary and the Secretary of Health and Human Services shall each designate 1 or more officers of their respective Departments to serve as ex officio members of the Task Force. One of the ex officio members from the Department of Homeland Security shall be the designated officer of the Federal Government for purposes of subsection (e) of section 10 of the Federal Advisory Committee Act (5 App. U.S.C.).

"(d) APPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—Notwithstanding section 871(a), the Federal Advisory Committee Act (5 U.S.C. App.), including subsections (a), (b), and (d) of section 10 of such Act, and section 552b(c) of title 5, United States Code, shall apply to the Task Force.

"SEC. 2005. NATIONAL STANDARDS FOR FIRST RESPONDER EQUIPMENT AND TRAINING.

"(a) EQUIPMENT STANDARDS.—

"(1) IN GENERAL.—The Secretary, in consultation with the Under Secretaries for Emergency Preparedness and Response and Science and Technology and the Director of the Office of State and Local Government Coordination, shall, not later than 6 months after the date of enactment of this section, support the development of, promulgate, and update as necessary national voluntary consensus standards for the performance, use, and validation of first responder equipment for purposes of section 2002(e)(7). Such standards—

"(A) shall be, to the maximum extent practicable, consistent with any existing voluntary consensus standards;

"(B) shall take into account, as appropriate, new types of terrorism threats that may not have been contemplated when such existing standards were developed;

"(C) shall be focused on maximizing interoperability, interchangeability, durability, flexibility, efficiency, efficacy, portability, sustainability, and safety; and

"(D) shall cover all appropriate uses of the equipment.

"(2) REQUIRED CATEGORIES.—In carrying out paragraph (1), the Secretary shall specifically consider the following categories of first responder equipment:

"(A) Thermal imaging equipment.

"(B) Radiation detection and analysis equipment.

"(C) Biological detection and analysis equipment.

"(D) Chemical detection and analysis equipment.

"(E) Decontamination and sterilization equipment.

"(F) Personal protective equipment, including garments, boots, gloves, and hoods, and other protective clothing.

"(G) Respiratory protection equipment.

"(H) Interoperable communications, including wireless and wireline voice, video, and data networks.

"(I) Explosive mitigation devices and explosive detection and analysis equipment.

"(J) Containment vessels.

"(K) Contaminant-resistant vehicles.

"(L) Such other equipment for which the Secretary determines that national voluntary consensus standards would be appropriate.

"(b) TRAINING STANDARDS.—

"(1) IN GENERAL.—The Secretary, in consultation with the Under Secretaries for Emergency Preparedness and Response and Science and Technology and the Director of the Office of State and Local Government Coordination, shall support the development of, promulgate, and regularly update as necessary national voluntary consensus standards for first responder training carried out with amounts provided under covered grant programs, that will enable State and local government first responders to achieve optimal levels of terrorism preparedness as quickly as practicable. Such standards shall give priority to providing training to—

"(A) enable first responders to prevent, prepare for, respond to, and mitigate terrorist threats, including threats from chemical, biological, nuclear, and radiological weapons and explosive devices capable of inflicting significant human casualties; and

"(B) familiarize first responders with the proper use of equipment, including software, developed pursuant to the standards established under subsection (a).

"(2) REQUIRED CATEGORIES.—In carrying out paragraph (1), the Secretary specifically shall include the following categories of first responder activities:

"(A) Regional planning.

"(B) Joint exercises.

"(C) Intelligence collection, analysis, and sharing.

"(D) Emergency notification of affected populations.

"(E) Detection of biological, nuclear, radiological, and chemical weapons of mass destruction.

"(F) Such other activities for which the Secretary determines that national voluntary consensus training standards would be appropriate.

"(3) CONSISTENCY.—In carrying out this subsection, the Secretary shall ensure that such training standards are consistent with the principles of emergency preparedness for all hazards.

"(c) CONSULTATION WITH STANDARDS ORGANIZATIONS.—In establishing national voluntary consensus standards for first responder equipment and training under this section, the Secretary shall consult with relevant public and private sector groups, including—

"(1) the National Institute of Standards and Technology;

"(2) the National Fire Protection Association;

"(3) the National Association of County and City Health Officials;

"(4) the Association of State and Territorial Health Officials;

"(5) the American National Standards Institute;

"(6) the National Institute of Justice;

"(7) the Inter-Agency Board for Equipment Standardization and Interoperability;

"(8) the National Public Health Performance Standards Program;

"(9) the National Institute for Occupational Safety and Health;

"(10) ASTM International;

"(11) the International Safety Equipment Association;

"(12) the Emergency Management Accreditation Program;

"(13) the National Domestic Preparedness Consortium; and

"(14) to the extent the Secretary considers appropriate, other national voluntary consensus standards development organizations, other interested Federal, State, and local agencies, and other interested persons.

"(d) COORDINATION WITH SECRETARY OF HHS.—In establishing any national voluntary consensus standards under this section for first responder equipment or training that involve or relate to health professionals, including emergency medical professionals, the Secretary shall coordinate activities under this section with the Secretary of Health and Human Services.".

SEC. 4. EFFECTIVE ADMINISTRATION OF HOMELAND SECURITY GRANTS.

(a) USE OF GRANT FUNDS AND ACCOUNTABILITY.—The Homeland Security Act of 2002 (Public Law 107–296; 6 U.S.C. 361 et seq.), as amended by sections 2 and 3, is amended by adding at the end the following:

"SEC. 2006. USE OF FUNDS AND ACCOUNTABILITY REQUIREMENTS.

"(a) IN GENERAL.—A covered grant may be used for—

"(1) purchasing, upgrading, or maintaining equipment, including computer software, to enhance terrorism preparedness and response;

"(2) exercises to strengthen terrorism preparedness and response;

"(3) training for prevention (including detection) of, preparedness for, or response to attacks involving weapons of mass destruction, including training in the use of equipment and computer software;

"(4) developing or updating response plans;

"(5) establishing or enhancing mechanisms for sharing terrorism threat information;

"(6) systems architecture and engineering, program planning and management, strategy formulation and strategic planning, life-cycle systems design, product and technology evaluation, and prototype development for terrorism preparedness and response purposes;

"(7) additional personnel costs resulting from—

"(A) elevations in the threat alert level of the Homeland Security Advisory System by the Secretary, or a similar elevation in threat alert level issued by a State, region, or local government with the approval of the Secretary;

"(B) travel to and participation in exercises and training in the use of equipment and on prevention activities;

"(C) the temporary replacement of personnel during any period of travel to and participation in exercises and training in the use of equipment and on prevention activities; and

"(D) participation in information, investigative, and intelligence-sharing activities specifically related to terrorism prevention;

"(8) the costs of equipment (including software) required to receive, transmit, handle, and store classified information;

"(9) target hardening to reduce the vulnerability of high-value targets, as determined by the Secretary;

"(10) protecting critical infrastructure against potential attack by the addition of barriers, fences, gates, and other such devices, except that the cost of such measures may not exceed the greater of—

"(A) $1,000,000 per project; or

"(B) such greater amount as may be approved by the Secretary, which may not exceed 10 percent of the total amount of the covered grant;

"(11) the costs of commercially available interoperable communications equipment (which, where applicable, is based on national, voluntary consensus standards) that the Secretary, in consultation with the Chairman of the Federal Communications Commission, deems best suited to facilitate interoperability, coordination, and integration between and among emergency communications systems, and that complies with prevailing grant guidance of the Department for interoperable communications;

"(12) educational curricula development for first responders to ensure that they are prepared for terrorist attacks;

"(13) training and exercises to assist public elementary and secondary schools in developing and implementing programs to instruct students regarding age-appropriate skills to prepare for and respond to an act of terrorism;

"(14) paying of administrative expenses directly related to administration of the grant, except that such expenses may not exceed 3 percent of the amount of the grant; and

"(15) other appropriate activities as determined by the Secretary.

"(b) PROHIBITED USES.—Funds provided as a covered grant may not be used—

"(1) to supplant State or local funds that have been obligated for a homeland security or other first responder-related project;

"(2) to construct buildings or other physical facilities, except for—

"(A) activities under section 611 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5196); and

"(B) upgrading facilities to protect against, test for, and treat the effects of biological agents, which shall be included in the homeland security plan approved by the Secretary under section 2002(c);

"(3) to acquire land; or

"(4) for any State or local government cost-sharing contribution.

"(c) MULTIPLE-PURPOSE FUNDS.—Nothing in this section shall be construed to preclude State and local governments from using covered grant funds in a manner that also enhances first responder preparedness for emergencies and disasters unrelated to acts of terrorism, if such use assists such governments in achieving essential capabilities for terrorism preparedness established by the Secretary under section 2003.

"(d) REIMBURSEMENT OF COSTS.—In addition to the activities described in subsection (a), a covered grant may be used to provide a reasonable stipend to paid-on-call or volunteer first responders who are not otherwise compensated for travel to or participation in training covered by this section. Any such reimbursement shall not be considered compensation for purposes of rendering such a first responder an employee under the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.).

"(e) ASSISTANCE REQUIREMENT.—The Secretary may not request that equipment paid for, wholly or in part, with funds provided as a covered grant be made available for responding to emergencies in surrounding States, regions, and localities, unless the Secretary undertakes to pay the costs directly attributable to transporting and operating such equipment during such response.

"(f) FLEXIBILITY IN UNSPENT HOMELAND SECURITY GRANT FUNDS.—Upon request by the recipient of a covered grant, the Secretary may authorize the grantee to transfer all or part of funds provided as the covered grant from uses specified in the grant agreement to other uses authorized under this section, if the Secretary determines that such transfer is in the interests of homeland security.

"(g) STATE, REGIONAL, AND TRIBAL RESPONSIBILITIES.—

"(1) PASS-THROUGH.—The Secretary shall require a recipient of a covered grant that is a State to obligate or otherwise make available to local governments, first responders, and other local groups, to the extent required under the State homeland security plan or plans specified in the application for the grant, not less than 80 percent of the grant funds, resources purchased with the grant funds having a value equal to at least 80 percent of the amount of the grant, or a combination thereof, by not later than the end of the 45-day period beginning on the date the grant recipient receives the grant funds.

"(2) CERTIFICATIONS REGARDING DISTRIBUTION OF GRANT FUNDS TO LOCAL GOVERNMENTS.—Any State that receives a covered grant shall certify to the Secretary, by not later than 30 days after the expiration of the period described in paragraph (1) with respect to the grant, that the State has made available for expenditure by local governments, first responders, and other local groups the required amount of grant funds pursuant to paragraph (1).

"(3) QUARTERLY REPORT ON HOMELAND SECURITY SPENDING.—Each recipient of a covered grant shall submit a quarterly report to the Secretary not later than 30 days after the end of each fiscal quarter. Each such report shall include, for each recipient of a covered grant or a pass-through under paragraph (1)—

"(A) the amount obligated to that recipient in that quarter;

"(B) the amount expended by that recipient in that quarter; and

"(C) a summary description of the items purchased by such recipient with such amount.

"(4) ANNUAL REPORT ON HOMELAND SECURITY SPENDING.—Each recipient of a covered grant shall submit an annual report to the Secretary not later than 60 days after the end of each fiscal year. Each recipient of a covered grant that is a region shall simultaneously submit its report to each State of which any part is included in the region. Each recipient of a covered grant that is a directly eligible tribe shall simultaneously submit its report to each State within the boundaries of which any part of such tribe is located. Each report shall include the following:

"(A) The amount, ultimate recipients, and dates of receipt of all funds received under the grant during the previous fiscal year.

"(B) The amount and the dates of disbursements of all such funds expended in compliance with paragraph (1) or pursuant to mutual aid agreements or other sharing arrangements that apply within the State, region, or directly eligible tribe, as applicable, during the previous fiscal year.

"(C) How the funds were utilized by each ultimate recipient or beneficiary during the preceding fiscal year.

"(D) The extent to which essential capabilities identified in the applicable State homeland security plan or plans were achieved, maintained, or enhanced as the result of the expenditure of grant funds during the preceding fiscal year.

"(E) The extent to which essential capabilities identified in the applicable State homeland security plan or plans remain unmet.

"(5) INCLUSION OF RESTRICTED ANNEXES.—A recipient of a covered grant may submit to the Secretary an annex to the annual report under paragraph (4) that is subject to appropriate handling restrictions, if the recipient believes that discussion in the report of unmet needs would reveal sensitive but unclassified information.

"(6) PROVISION OF REPORTS.—The Secretary shall ensure that each annual report under paragraph (4) is provided to the Under Secretary for Emergency Preparedness and Response and the Director of the Office of State and Local Government Coordination.

"(h) INCENTIVES TO EFFICIENT ADMINISTRATION OF HOMELAND SECURITY GRANTS.—

"(1) PENALTIES FOR DELAY IN PASSING THROUGH LOCAL SHARE.—If a recipient of a covered grant that is a State fails to pass through to local governments, first responders, and other local groups funds or resources required by subsection (g)(1) within 45 days after receiving funds under the grant, the Secretary may—

"(A) reduce grant payments to the grant recipient from the portion of grant funds that is not required to be passed through under subsection (g)(1);

"(B) terminate payment of funds under the grant to the recipient, and transfer the appropriate portion of those funds directly to local first responders that were intended to receive funding under that grant; or

"(C) impose additional restrictions or burdens on the recipient's use of funds under the grant, which may include—

"(i) prohibiting use of such funds to pay the grant recipient's grant-related overtime or other expenses;

"(ii) requiring the grant recipient to distribute to local government beneficiaries all or a portion of grant funds that are not required to be passed through under subsection (g)(1); or

"(iii) for each day that the grant recipient fails to pass through funds or resources in accordance with subsection (g)(1), reducing grant payments to the grant recipient from the portion of grant funds that is not required to be passed through under subsection (g)(1), except that the total amount of such reduction may not exceed 20 percent of the total amount of the grant.

"(2) EXTENSION OF PERIOD.—The Governor of a State may request in writing that the Secretary extend the 45-day period under section 2002(e)(5)(E) or paragraph (1) for an additional 15-day period. The Secretary may approve such a request, and may extend such period for additional 15-day periods, if the Secretary determines that the resulting delay in providing grant funding to the local government entities that will receive funding under the grant will not have a significant detrimental impact on such entities' terrorism preparedness efforts.

"(3) PROVISION OF NON-LOCAL SHARE TO LOCAL GOVERNMENT.—

"(A) IN GENERAL.—The Secretary may upon request by a local government pay to the local government a portion of the amount of a covered grant awarded to a State in which the local government is located, if—

"(i) the local government will use the amount paid to expedite planned enhancements to its terrorism preparedness as described in any applicable State homeland security plan or plans;

"(ii) the State has failed to pass through funds or resources in accordance with subsection (g)(1); and

"(iii) the local government complies with subparagraph (B).

"(B) SHOWING REQUIRED.—To receive a payment under this paragraph, a local government must demonstrate that—

"(i) it is identified explicitly as an ultimate recipient or intended beneficiary in the approved grant application;

"(ii) it was intended by the grantee to receive a severable portion of the overall grant for a specific purpose that is identified in the grant application;

"(iii) it petitioned the grantee for the funds or resources after expiration of the period within which the funds or resources were required to be passed through under subsection (g)(1); and

"(iv) it did not receive the portion of the overall grant that was earmarked or designated for its use or benefit.

"(C) EFFECT OF PAYMENT.—Payment of grant funds to a local government under this paragraph—

"(i) shall not affect any payment to another local government under this paragraph; and

"(ii) shall not prejudice consideration of a request for payment under this paragraph that is submitted by another local government.

"(D) DEADLINE FOR ACTION BY SECRETARY.—The Secretary shall approve or disapprove each request for payment under this paragraph by not later than 15 days after the date the request is received by the Department.

"(i) REPORTS TO CONGRESS.—The Secretary shall submit an annual report to Congress by December 31 of each year—

"(1) describing in detail the amount of Federal funds provided as covered grants that were directed to each State, region, and directly eligible tribe in the preceding fiscal year;

"(2) containing information on the use of such grant funds by grantees; and

"(3) describing—

"(A) the Nation's progress in achieving, maintaining, and enhancing the essential capabilities established under section 2003(a) as a result of the expenditure of covered grant funds during the preceding fiscal year; and

"(B) an estimate of the amount of expenditures required to attain across the United States the essential capabilities established under section 2003(a).".

(b) SENSE OF CONGRESS REGARDING INTEROPERABLE COMMUNICATIONS.—

(1) FINDING.—Congress finds that—

(A) many emergency response providers (as defined under section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101), as amended by this Act) working in the same jurisdiction or in different jurisdictions cannot effectively and efficiently communicate with one another; and

(B) their inability to do so threatens the public's safety and may result in unnecessary loss of lives and property.

(2) SENSE OF CONGRESS.—It is the sense of Congress that interoperable emergency communications systems and radios should continue to be deployed as soon as practicable for use by the emergency response provider community, and that upgraded and new digital communications systems and new digital radios should meet prevailing national voluntary consensus standards for interoperability.

(c) SENSE OF CONGRESS REGARDING CITIZEN CORPS COUNCILS.—

(1) FINDING.—Congress finds that Citizen Corps councils help to enhance local citizen participation in terrorism preparedness by coordinating multiple Citizen Corps programs, developing community action plans, assessing possible threats, and identifying local resources.

(2) SENSE OF CONGRESS.—It is the sense of Congress that individual Citizen Corps councils should seek to enhance the preparedness and response capabilities of all organizations participating in the councils, including by providing funding to as many of their participating organizations as practicable to promote local terrorism preparedness programs.

(d) REQUIRED COORDINATION.—The Secretary of Homeland Security shall ensure that there is effective and ongoing coordination of Federal efforts to prevent, prepare for, and respond to acts of terrorism and other major disasters and emergencies among the divisions of the Department of Homeland Security, including the Directorate of Emergency Preparedness and Response and the Office for State and Local Government Coordination and Preparedness.

(e) COORDINATION OF INDUSTRY EFFORTS.—Section 102(f) of the Homeland Security Act of 2002 (6 U.S.C. 112(f)) is amended—

(1) in paragraph (9), by striking "and" after the semicolon;

(2) in paragraph (10), by striking the period and inserting "; and"; and

(3) by adding at the end the following:

"(11) coordinating industry efforts, with respect to functions of the Department of Homeland Security, to identify private sector resources and capabilities that could be effective in supplementing Federal, State, and local government agency efforts to prevent or respond to a terrorist attack.".

(f) STUDY REGARDING NATIONWIDE EMERGENCY NOTIFICATION SYSTEM.—

(1) STUDY.—The Secretary of Homeland Security, in consultation with the heads of other appropriate Federal agencies and representatives of providers and participants in the telecommunications industry, shall conduct a study to determine whether it is cost effective, efficient, and feasible to establish and implement an emergency telephonic alert notification system that will—

(A) alert persons in the United States of imminent or current hazardous events caused by acts of terrorism; and

(B) provide information to individuals regarding appropriate measures that may be undertaken to alleviate or minimize threats to their safety and welfare posed by such events.

(2) TECHNOLOGIES TO CONSIDER.—In conducting the study under paragraph (1), the Secretary shall consider the use of the telephone, wireless communications, and other existing communications networks to provide such notification.

(3) REPORT.—Not later than 9 months after the date of enactment of this Act, the Secretary shall submit to Congress a report regarding the conclusions of the study conducted under paragraph (1).

(g) STUDY OF EXPANSION OF AREA OF JURISDICTION OF OFFICE OF NATIONAL CAPITAL REGION COORDINATION.—

(1) STUDY.—The Secretary of Homeland Security, acting through the Director of the Office of National Capital Region Coordination, shall conduct a study of the feasibility and desirability of modifying the definition of "National Capital Region" applicable under section 882 of the Homeland Security Act of 2002 (6 U.S.C. 462) to expand the geographic area under the jurisdiction of the Office of National Capital Region Coordination.

(2) FACTORS.—In conducting the study under paragraph (1), the Secretary shall analyze whether expanding the geographic area under the jurisdiction of the Office of National Region Coordination will—

(A) promote coordination among State and local governments within the Region, including regional governing bodies, and coordination of the efforts of first responders; and

(B) enhance the ability of such State and local governments and the Federal Government to prevent and respond to a terrorist attack within the Region.

(3) REPORT.—Not later than 6 months after the date of the enactment of this Act, the Secretary shall submit a report to Congress on the study conducted under paragraph (1), and shall include in the report such recommendations (including recommendations for legislation to amend section 882 of the Homeland Security Act of 2002 (6 U.S.C. 462)) as the Secretary considers appropriate.

(h) STUDY OF RISK ALLOCATION FOR PORT SECURITY GRANTS.—

(1) STUDY.—The Secretary of Homeland Security shall conduct a study of the factors to be used for the allocation of funds based on risk for port security grants made under section 70107 of title 46, United States Code.

(2) FACTORS.—In conducting the study, the Secretary shall analyze the volume of international trade and economic significance of each port.

(3) REPORT.—Not later than 90 days after the enactment of the Act, the Secretary shall submit a report to Congress on the study and shall include recommendations for using such factors in allocating grant funds to ports.

(i) STUDY OF ALLOCATION OF ASSISTANCE TO FIREFIGHTER GRANTS.—

(1) STUDY.—The Secretary of Homeland Security shall conduct a study of the allocation of grant fund awards made under the Assistance to Firefighter Grants program and shall analyze the distribution of awards by State.

(2) FACTORS.—In conducting the study, the Secretary shall analyze the number of awards and the per capita amount of grant funds awarded to each State and the level of unmet firefighting equipment needs in each State. The study shall also analyze whether allowing local departments to submit more than 1 annual application and expanding the list of eligible applicants for such grants to include States will enhance the ability of State and local governments to respond to fires.

(3) REPORT.—Not later than 90 days after the date of enactment of the Act, the Secretary shall submit a report to Congress on the study and shall include recommendations for legislation amending the factors used in allocating grant funds to insure that critical firefighting needs are addressed by the program in all areas of the Nation.

SEC. 5. IMPLEMENTATION; DEFINITIONS; TABLE OF CONTENTS.

(a) TECHNICAL AND CONFORMING AMENDMENT.—Section 1014 of the USA PATRIOT ACT (42 U.S.C. 3714) is amended—

(1) by striking subsection (c)(3);

(2) by redesignating subsection (c) as subsection (d); and

(3) by inserting after subsection (b) the following:

"(c) ADMINISTRATION.—Grants under this section shall be administered in accordance with title XX of the Homeland Security Act of 2002.".

(b) TEMPORARY LIMITATIONS ON APPLICATION.—

(1) 1-YEAR DELAY IN APPLICATION.—The following provisions of title XX of the Homeland Security Act of 2002, as added by this Act, shall not apply during the 1-year period beginning on the date of enactment of this Act—

(A) Subsections (b), (c), and (e)(4) (A) and (B) of section 2002; and

(B) In section 2002(f)(3)(A)(i), the phrase "by achieving, maintaining, or enhancing the essential capabilities of the applicants on a nationwide basis,".

(2) 2-YEAR DELAY IN APPLICATION.—The following provisions of title XX of the Homeland Security Act of 2002, as added by this Act, shall not apply during the 2-year period beginning on the date of enactment of this Act—

(A) Subparagraphs (D) and (E) of section 2006(g)(4); and

(B) Section 2006(i)(3).

(c) DEFINITIONS.—

(1) TITLE XX.—Title XX of the Homeland Security Act of 2002, as amended by sections 2, 3, and 4, is amended by adding at the end the following:

"SEC. 2007. DEFINITIONS.

"In this title:

"(1) BOARD.—The term 'Board' means the Homeland Security Grants Board established under section 2002(f).

"(2) CONSEQUENCE.—The term 'consequence' means the assessment of the effect of a completed attack.

"(3) COVERED GRANT.—The term 'covered grant' means any grant to which this title applies under section 2001(b).

"(4) DIRECTLY ELIGIBLE TRIBE.—The term 'directly eligible tribe' means any Indian tribe or consortium of Indian tribes that—

"(A) meets the criteria for inclusion in the qualified applicant pool for self-governance that are set forth in section 402(c) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 458bb(c));

"(B) employs at least 10 full-time personnel in a law enforcement or emergency response agency with the capacity to respond to calls for law enforcement or emergency services; and

"(C)(i) is located on, or within 5 miles of, an international border or waterway;

"(ii) is located within 5 miles of a facility designated as high-risk critical infrastructure by the Secretary;

"(iii) is located within or contiguous to 1 of the 50 largest metropolitan statistical areas in the United States; or

"(iv) has more than 1,000 square miles of Indian country, as that term is defined in section 1151 of title 18, United States Code.

"(5) ELEVATIONS IN THE THREAT ALERT LEVEL.—The term 'elevations in the threat alert level' means any designation (including those that are less than national in scope) that raises the homeland security threat level to either the highest or second-highest threat level under the Homeland Security Advisory System referred to in section 201(d)(7).

"(6) EMERGENCY PREPAREDNESS.—The term 'emergency preparedness' shall have the same meaning that term has under section 602 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5195a).

"(7) ESSENTIAL CAPABILITIES.—The term 'essential capabilities' means the levels, availability, and competence of emergency personnel, planning, training, and equipment across a variety of disciplines needed to effectively and efficiently prevent, prepare for, and respond to acts of terrorism consistent with established practices.

"(8) FIRST RESPONDER.—The term 'first responder' shall have the same meaning as the term 'emergency response provider' under section 2.

"(9) INDIAN TRIBE.—The term 'Indian tribe' means any Indian tribe, band, nation, or other organized group or community, including any Alaskan Native village or regional or village corporation as defined in or established pursuant to the Alaskan Native Claims Settlement Act (43 U.S.C. 1601 et seq.), which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

"(10) REGION.—The term 'region' means any geographic area—

"(A) certified by the Secretary under section 2002(a)(3);

"(B) consisting of all or parts of 2 or more counties, municipalities, or other local governments and including a city with a core population exceeding 500,000 according to the most recent estimate available from the United States Census; and

"(C) that, for purposes of an application for a covered grant—

"(i) is represented by 1 or more local governments or governmental agencies within such geographic area; and

"(ii) is established by law or by agreement of 2 or more such local governments or governmental agencies, such as through a mutual aid agreement.

"(11) RISK-BASED FUNDING.—The term 'risk-based funding' means the allocation of funds based on an assessment of threat, vulnerability, and consequence.

"(12) TASK FORCE.—The term 'Task Force' means the Task Force on Essential Capabilities established under section 2004.

"(13) THREAT.—The term 'threat' means the assessment of the plans, intentions, and capability of an adversary to implement an identified attack scenario.

"(14) VULNERABILITY.—The term 'vulnerability' means the degree to which a facility is available or accessible to an attack, including the degree to which the facility is inherently secure or has been hardened against such an attack.".

(2) DEFINITION OF EMERGENCY RESPONSE PROVIDERS.—Paragraph (6) of section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101(6)) is amended by striking "includes" and all that follows and inserting "includes Federal, State, and local governmental and nongovernmental emergency public safety, law enforcement, fire, emergency response, emergency medical (including hospital emergency facilities), and related personnel, organizations, agencies, and authorities.".

(d) TABLE OF CONTENTS.—Section 1(b) of the Homeland Security Act of 2002 (6 U.S.C. 101 note) is amended in the table of contents by adding at the end the following:

"TITLE XX—RISK-BASED FUNDING FOR HOMELAND SECURITY

"Sec. 2001. Risk-based funding for homeland security
"Sec. 2002. Covered grant eligibility and criteria
"Sec. 2003. Essential capabilities for homeland security
"Sec. 2004. Task Force on Essential Capabilities
"Sec. 2005. National standards for first responder equipment and training
"Sec. 2006. Use of funds and accountability requirements
"Sec. 2007. Definitions".

Mr. CORNYN. Mr. President, I rise today to join with my colleague, Sen. DIANNE FEINSTEIN of California, and several of our distinguished colleagues in introducing The Risk-Based Homeland Security Grants Act of 2007.

Senator FEINSTEIN, myself, and other Senators have been working now for several years on changing how our homeland security dollars are distributed throughout the country. Some have been talking about the need for a risk-based allocation of assistance as long as the Department of Homeland Security has been in existence. Throughout these debates, Senator FEINSTEIN has been a tireless advocate in this effort, and I would like to thank her for her fine leadership and collaboration in crafting this legislation.

The attacks on our country on September 11, 2001 were unprecedented in our history, and they brought with them the need for similarly unprecedented security measures. Our Nation needed to respond quickly to the devastation that day delivered to our country, so the Federal Government created a system that worked to raise overall national emergency preparedness to ensure we could better guard against another such terrorist attack.

And so, we embarked on the task of shoring up our airline, transportation, border, and port security. We worked to protect our critical infrastructure, to protect our cyber security, our agriculture and food-supply systems.

But taxpayer dollars are not limitless, and Congress must work to ensure every penny be directed where it will do the most good. It is imperative that we guard the places across our Nation where terrorists are most likely to strike, and where such strikes could do the most damage to our people, our government, and our national economy. We believe this is the most responsible way to prepare for any future attack.

We need to have a system that will protect our most vulnerable assets and populations—one that recognizes the need to protect the critical infrastructure and vital components of our national economy. I am reminded of this often when I travel around my home State of Texas. Recently, I met with officials and business leaders from Houston and Southeast Texas and discussed their homeland security needs. Their needs are enormous considering the vast amount of critical infrastructure and energy facilities in and among large population centers. The potential consequences of a terrorist attack on any of these facilities would be devastating, not only to the local communities, but to the economic engine of the whole country. Unfortunately, we got a small taste of effects of a disaster along America's energy coast during the storms of 2005—hurricanes Katrina and Rita.

The legislation that Senator FEINSTEIN and I are proposing would require that Federal Homeland Security funds be allocated to States according to a risk-based assessment. It is vital that we better allocate our limited resources to the vulnerable places in the country we most need to protect, and that that these funds are distributed in an efficient and timely manner.

Since we began this effort, I am pleased that there has been progress made. The considerations of threat, vulnerability, and consequence have been incorporated into more homeland security programs. But I'm concerned that we haven't done enough. And I'm concerned that our homeland security dollars are being treated as a pie in which all States get to claim a piece, regardless of risk.

This approach is inconsistent if we truly evaluate the 9/11 Commission recommendations. They clearly call for allocation of money based on an assessment of risks.

Our legislation provides for a distribution formula for homeland security grants based on risk, which considers three main criteria: threat, vulnerability, and consequence. It requires States to quickly pass on Federal funds to areas where they are most needed. It provides greater flexibility in using the funds, allowing a State to use them for other hazards consistent with federally established capability standards. And it allows States to retain authority to administer grant programs, but there are penalties for states that do not pass funds to local governments within 45 days, and if a State fails to pass the funds through, local governments may petition the Department of Homeland Security to receive the funds directly.

It is our hope and intent that, by introducing this bill, we can positively contribute and enrich the public discourse on this critical issue, and help move the Nation toward a more rational and effective distribution of our homeland security resources.

Continuing to spread Homeland Security funds throughout the Nation—irrespective of the actual risk to particular states and communities—would be to ignore much of what we have learned as part of our effort to assess our vulnerabilities since the attacks of September 11. So I would urge that we swiftly work to pass this legislation, to better ensure the safety of our citizens.

By Mr. ROCKEFELLER (for himself and Ms. SNOWE):

S. 609. A bill to amend section 254 of the Communications Act of 1934 to provide that funds received as universal service contributions and the universal service support programs established pursuant to that section are not subject to certain provisions of title 31, United States Code, commonly known as the Antideficiency Act; to the Committee on Commerce, Science, and Transportation.

Mr. ROCKEFELLER. Mr. President, today I join with my colleagues, Senator OLYMPIA SNOWE and Vice-Chairman TED STEVENS, to re-introduce the Antideficiency Act to protect the Universal Service Program.

This is a bipartisan effort to ensure that all of the fundamental universal service program can continue to operate smoothly and effectively. Last year, this legislation garnered the support of 55 members, and I hope that it will gain additional support in the 110th Congress. It is also important to note that the House also has a similar bipartisan legislation.

For many years, I have fought hard for universal service, including the E-Rate. It is essential for all of the universal service programs to operate in a timely manner.

The Universal Service Fund is accomplishing its mission. Our country has a strong telecommunications network, and rural customers are getting service at affordable rates. Lifeline and Linkup programs help the poorest of customers keep basic telephone access which is essential in our modern world. Rural health care is helping connect our rural clinics to modern medicine and specialists.

Over the past decade, the E-Rate discounts have helped to connect our classrooms and our libraries to the Internet and modern technology. In 1996, when the Telecommunications Act passed, only 14 percent of classrooms were connected, and just 5 percent of the poorest classrooms were connected. The latest data is encouraging with 93 percent of all classrooms connected and 89 percent of the poorest classrooms connected. Since 1998, West Virginia schools and libraries have received over $70 million in E-Rate discounts. While this is extraordinary success, the need for E-Rate discounts remains because schools and libraries face monthly telecommunication costs and Internet access fees. Every school and library will periodically need to upgrade its internal connections.

This legislation gives the Universal Service Fund a permanent exemption from the Antideficiency Act. Over the last few years, we have done one year exemptions. It makes good sense to enact a long term solution for the Universal Service Fund.

By Mr. ROCKEFELLER:

S. 610. A bill to clarify the effective date of the modification of treatment for retirement annuity purposes of part-time service before April 7, 1986, of certain Department of Veterans Affairs health-care professionals; to the Committee on Veterans' Affairs.

Mr. ROCKEFELLER. Mr. President, today, I am introducing a bill to change an unfair administrative decision that hurts aging, retired VA nurses. This bill is designed to correct a problem from legislation enacted in 2001, to help VA nurses' retirement. That legislation improved nurses' pensions, and Congress intended it to be retroactive. Unfortunately, administrative officials took a very narrow view of that law. Currently VA nurses, who retired between 1986 and 2002, do not get the full pension benefits as current retirees do.

In the 1980s, VA aggressively recruited nurses to fill a huge need at VA medical centers by promising full retirement for part-time work. At the time, nurses joined the VA, and they believed in the promise.

Sadly, the VA and the Office of Personnel Management (OPM) will not fulfill that promise. This legislation would explicitly require the Federal Government to honor its commitment to our retired VA nurses. Pension benefits are a vital promise. It is disturbing when we do not fulfill our obligations, and we simply must correct this error.

Nurses play a critical role in our health care system, including the VA. Recruiting and retaining nurses is important, and this pension shortfall does not help. It is time to deliver full pension benefits to the retired nurses who cared for our veterans, but sadly retired in the wrong years, between 1986 and 2002.

By Mr. LUGAR (for himself and Mr. BIDEN):

S. 613. A bill to enhance the overseas stabilization and reconstruction capabilities of the United States Government, and for other purposes; to the Committee on Foreign Relations.

Mr. LUGAR. Mr. President, this legislation authorizes the creation of a civilian readiness corps to address post-conflict situations and other emergencies overseas. The Senate already embraced the creation of such a corps when it unanimously passed S. 3322 last June. Unfortunately, that bill, introduced by Senator BIDEN and me and cosponsored by Senators HAGEL, ALEXANDER and WARNER languished in the House of Representatives. We have hopes that the 110th Congress will now bring this idea to fruition.

In his State of the Union address last month, the President endorsed the need for such a corps:

"A second task we can take on together is to design and establish a volunteer Civilian Reserve Corps. Such a corps would function much like our military reserve. It would ease the burden on the Armed Forces by allowing us to hire civilians with critical skills to serve on missions abroad when American needs them. It would give people across America who do not wear the uniform a chance to serve in the defining struggle of our time." President Bush, January 23, 2007, State of the Union speech, Washington, DC.

The legislation I am introducing today is an updated version of S. 3322. It is the result of a conversation begun in 2003 between Members of the Senate Foreign Relations Committee and the leadership of the State Department. The concept has gone through a number of evolutions and has passed the Committee unanimously both as a free-standing bill and as part of the State Department authorization bill. I am asking the Senate to pass it now again as a free-standing bill and send it to the House with our unanimous approval.

International crises are inevitable, and in most cases, U.S. national security interests will be threatened by sustained instability. The war on terrorism necessitates that we not leave nations crumbling and ungoverned. We have already seen how terrorists can exploit nations afflicted by lawlessness and desperate circumstances. They seek out such places to establish training camps, recruit new members, and tap into a global black market in weapons.

In this international atmosphere, the United States must have the right structures, personnel, and resources in place when an emergency occurs. A delay in our response of a few weeks, or even days, can mean the difference between success and failure. Clearly we need a full range of tools to prevail. Our Committee's focus has been on boosting the civilian side of our stabilization and reconstruction capabilities, while encouraging improved mechanisms for civilian and military agencies to work together on these missions.

Those who were once unconvinced of the need for such a corps have only to look at our experience in Iraq and Afghanistan to understand its value.

This legislation continues to build on the original legislation, S. 2127, that Senators BIDEN and HAGEL and I introduced in early 2004 to encourage and support a well-organized, sufficiently resourced and strongly led civilian counterpart to the military in post-conflict zones. It is our view that the civilian side needs both operational capability and a significant surge capacity. This legislation gives statutory status to the State Department's Office of the Coordinator of Reconstruction and Stabilization and makes the position of Coordinator subject to the advice and consent of the Senate. The legislation authorizes the establishment of a federal response capability with both active and standby components, as well as a civilian reserve that draws upon the talent and willingness to serve that resides among our people. It provides flexibility in personnel management, pay, and benefits to build the corps and create surge capacity in an emergency. Finally, it authorizes expenditures for a crisis response fund, for the civilian response corps, and for a substantial training, planning and operational capacity for the office.

The State Department has made progress through the Office of the Coordinator of Reconstruction and Stabilization that was established in July of 2004. The Office has already done a great deal of the preliminary work needed to build an effective corps. But now it is time for the Office to recruit, train, and organize the corps so that we have deployable units.

We need to have a 250-person active duty component made up of State Department and USAID employees. We need a 2,000 person standby component drawn from both State and USAID, but also from other Federal agencies that have employees who are willing to volunteer and have the necessary skill sets. And we need to begin building a civilian reserve, recruiting at least 500 highly skilled persons and eventually many more.

The 250-person active duty personnel should include people with skills that are more technical than the broader diplomatic requirements—civil engineering, police expertise, agricultural knowledge, health, education, and political organization. They should have experience in difficult situations overseas and be trained and available for rapid deployment with the military for both initial assessments and programming purposes. They would be the first civilian team on the ground in post-conflict situations, probably well in advance of the establishment of an embassy.

Such a 250-person corps would be no larger than a typical army company. But it would be a force multiplier. It would be equipped with the authority and training to take broad operational responsibility for stabilization missions. Establishment of such a corps is a modest investment when seen as part of the overall national security budget. Even in peace time, we maintain active duty military forces of almost 1.4 million men and women who train and plan for the possibility of war. Given how critical post conflict situations have been to American national security in the last decade, I believe it is reasonable to have a mere 250 civilians who are training for these situations and are capable of being deployed anywhere in the world, at any time they may be needed.

Congress must now be willing to provide the funding to make this corps a reality. This legislation authorizes a $75 million crisis response fund to be made available as a contingency for stabilization and reconstruction crises. Of this amount, the administration is authorized to spend $25 million for the organization, training, and emergency deployment of the response corps. This legislation authorizes the crisis response fund and $80 million for the operations of the new State Department office and the active duty component, including training, equipment, and travel.

We have a long way to go in creating the kind of robust civilian capacity that we need. Both the State Department and the Defense Department are keenly aware of the importance of this legislation. If we cannot plan better as a government, the United States may come to depend even more on our military for tasks and functions far beyond its current role. But I remain optimistic that we can build on the progress already made to create a strong and reliable civilian component that boosts our stabilization and reconstruction capabilities. Passing this legislation once again will demonstrate that there is a keen understanding in the Senate that we need to move forward. It will support executive branch actions already taken and encourage further progress. We hope that our friends in the House of Representatives, several of whom are considering introducing their own legislation, will move forward with the Senate in this endeavor. I urge adoption of this legislation.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 613

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Reconstruction and Stabilization Civilian Management Act of 2007".

SEC. 2. FINDING; PURPOSE.

(a) FINDING.—Congress finds that the resources of the United States Armed Forces have been burdened by having to undertake stabilization and reconstruction tasks in the Balkans, Afghanistan, Iraq, and other countries of the world that could have been performed by civilians, which has resulted in lengthy deployments for Armed Forces personnel.

(b) PURPOSE.—The purpose of this Act is to provide for the continued development, as a core mission of the Department of State and the United States Agency for International Development, of an effective expert civilian response capability to carry out reconstruction and stabilization activities in a country or region that is at risk of, in, or is in transition from, conflict or civil strife.

SEC. 3. DEFINITIONS.

In this Act:

(1) ADMINISTRATOR.—The term "Administrator" means the Administrator of the United States Agency for International Development.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means—

(A) the Committee on Foreign Relations of the Senate; and

(B) the Committee on Foreign Affairs of the House of Representatives.

(3) DEPARTMENT.—Except as otherwise provided in this Act, the term "Department" means the Department of State.

(4) EXECUTIVE AGENCY.—The term "executive agency" has the meaning given that term in section 105 of title 5, United States Code.

(5) SECRETARY.—The term "Secretary" means the Secretary of State.

SEC. 4. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the civilian element of United States joint civilian-military operations should be strengthened in order to enhance the execution of current and future reconstruction and stabilization activities in foreign countries or regions that are at risk of, in, or are in transition from, conflict or civil strife;

(2) the capability of civilian agencies of the United States Government to carry out reconstruction and stabilization activities in such countries or regions should also be enhanced through a new rapid response corps of civilian experts supported by the establishment of a new system of planning, organization, personnel policies, and education and training, and the provision of adequate resources;

(3) the international community, including nongovernmental organizations, and the United Nations and its specialized agencies, should be further encouraged to participate in planning and organizing reconstruction and stabilization activities in such countries or regions;

(4) the executive branch has taken a number of steps to strengthen civilian capability, including the establishment of an office headed by a Coordinator for Reconstruction and Stabilization in the Department, the Presidential designation of the Secretary as the interagency coordinator and leader of reconstruction and stabilization efforts, and Department of Defense directives to the military to support the Office of Reconstruction and Stabilization and to work closely with counterparts in the Department of State and other civilian agencies to develop and enhance personnel, training, planning, and analysis;

(5) the Secretary and the Administrator should work with the Secretary of Defense to augment existing personnel exchange programs among the Department, the United States Agency for International Development, and the Department of Defense, including the regional commands and the Joint Staff, to enhance the stabilization and reconstruction skills of military and civilian personnel and their ability to undertake joint operations; and

(6) the heads of other executive agencies should establish personnel exchange programs that are designed to enhance the stabilization and reconstruction skills of military and civilian personnel.

SEC. 5. AUTHORITY TO PROVIDE ASSISTANCE FOR RECONSTRUCTION AND STABILIZATION CRISES.

Chapter 1 of part III of the Foreign Assistance Act of 1961 (22 U.S.C. 2351 et seq.) is amended by inserting after section 617 the following new section:

"SEC. 618. ASSISTANCE FOR A RECONSTRUCTION AND STABILIZATION CRISIS.

"(a) ASSISTANCE.—

"(1) IN GENERAL.—If the President determines that it is important to the national interests of the United States for United States civilian agencies or non-Federal employees to assist in stabilizing and reconstructing a country or region that is at risk of, in, or is in transition from, conflict or civil strife, the President may, in accordance with the provisions set forth in section 614(a)(3), notwithstanding any other provision of law, and on such terms and conditions as the President may determine, furnish assistance to respond to the crisis using funds referred to in paragraph (2).

"(2) FUNDS.—The funds referred to in this paragraph are funds as follows:

"(A) Funds made available under this section, including funds authorized to be appropriated by subsection (d).

"(B) Funds made available under other provisions of this Act and transferred or reprogrammed for purposes of this section.

"(b) SPECIAL AUTHORITIES.—In furtherance of a determination made under subsection (a), the President may exercise the authorities contained in sections 552(c)(2) and 610 without regard to the percentage and aggregate dollar limitations contained in such sections.

"(c) AVAILABILITY OF FUNDS FOR RESPONSE READINESS CORPS.—Of the funds made available for this section in any fiscal year, including funds authorized to be appropriated by subsection (d) and funds made available under other provisions of this Act and transferred or reprogrammed for purposes of this section, $25,000,000 may be made available for expenses related to the development, training, and operations of the Response Readiness Corps established under section 61(c) of the State Department Basic Authorities Act of 1956.

"(d) AUTHORIZATION OF APPROPRIATIONS.—

"(1) AUTHORIZATION.—There is authorized to be appropriated $75,000,000 to provide assistance authorized in subsection (a) and, to the extent authorized in subsection (c), for the purpose described in subsection (c). Such amount is in addition to amounts otherwise made available for purposes of this section, including funds made available under other provisions of this Act and transferred or reprogrammed for purposes of this section.

"(2) REPLENISHMENT.—There is authorized to be appropriated each fiscal year such sums as may be necessary to replenish funds expended under this section.

"(3) Availability.—Funds authorized to be appropriated under this subsection shall be available without fiscal year limitation.".

SEC. 6. OFFICE OF THE COORDINATOR FOR RECONSTRUCTION AND STABILIZATION.

Title I of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651 et seq.) is amended by adding at the end the following new section:

"SEC. 61. RECONSTRUCTION AND STABILIZATION.

"(a) Office of the Coordinator for Reconstruction and Stabilization.—

"(1) Establishment.—There is established within the Department of State the Office of the Coordinator for Reconstruction and Stabilization.

"(2) Coordinator for reconstruction and stabilization.—The head of the Office shall be the Coordinator for Reconstruction and Stabilization, who shall be appointed by the President, by and with the advice and consent of the Senate. The Coordinator shall report directly to the Secretary and shall have the rank and status of Ambassador at Large.

"(3) Functions.—The functions of the Office of the Coordinator for Reconstruction and Stabilization include the following:

"(A) Monitoring, in coordination with relevant bureaus within the Department of State, political and economic instability worldwide to anticipate the need for mobilizing United States and international assistance for the stabilization and reconstruction of countries or regions that are at risk of, in, or are in transition from, conflict or civil strife.

"(B) Assessing the various types of stabilization and reconstruction crises that could occur and cataloging and monitoring the non-military resources and capabilities of Executive agencies that are available to address such crises.

"(C) Planning to address requirements, such as demobilization, policing, human rights monitoring, and public information, that commonly arise in stabilization and reconstruction crises.

"(D) Coordinating with relevant Executive agencies (as that term is defined in section 105 of title 5, United States Code) to develop interagency contingency plans to mobilize and deploy civilian personnel to address the various types of such crises.

"(E) Entering into appropriate arrangements with other Executive agencies to carry out activities under this section and the Reconstruction and Stabilization Civilian Management Act of 2007.

"(F) Identifying personnel in State and local governments and in the private sector who are available to participate in the Response Readiness Corps established under subsection (c) or to otherwise participate in or contribute to stabilization and reconstruction activities.

"(G) Taking steps to ensure that training of civilian personnel to perform such stabilization and reconstruction activities is adequate and, as appropriate, includes security training that involves exercises and simulations with the Armed Forces, including the regional commands.

"(H) Sharing information and coordinating plans for stabilization and reconstruction activities, as appropriate, with the United Nations and its specialized agencies, the North Atlantic Treaty Organization, nongovernmental organizations, and other foreign national and international organizations.

"(I) Coordinating plans and procedures for joint civilian-military operations with respect to stabilization and reconstruction activities.

"(J) Maintaining the capacity to field on short notice an evaluation team to undertake on-site needs assessment.

"(b) Response to Stabilization and Reconstruction Crisis.—If the President makes a determination regarding a stabilization and reconstruction crisis under section 618 of the Foreign Assistance Act of 1961, the President may designate the Coordinator, or such other individual as the President may determine appropriate, as the Coordinator of the United States response. The individual so designated, or, in the event the President does not make such a designation, the Coordinator for Reconstruction and Stabilization, shall—

"(1) assess the immediate and long-term need for resources and civilian personnel;

"(2) identify and mobilize non-military resources to respond to the crisis; and

"(3) coordinate the activities of the other individuals or management team, if any, designated by the President to manage the United States response.".

SEC. 7. RESPONSE READINESS CORPS.

(a) In General.—Section 61 of the State Department Basic Authorities Act of 1956 (as added by section 6) is amended by adding at the end the following new subsection:

"(c) Response Readiness Corps.—

"(1) In general.—The Secretary, in consultation with the Administrator of the United States Agency for International Development and the heads of other appropriate departments and agencies of the United States Government, is authorized to establish and maintain a Response Readiness Corps (hereafter referred to in this subsection as the 'Corps') to provide assistance in support of stabilization and reconstruction activities in foreign countries or regions that are at risk of, in, or are in transition from, conflict or civil strife.

"(2) Federal components.—

"(A) Active and standby components.—The Corps shall have active and standby components consisting of United States Government personnel as follows:

"(i) An active component, consisting of not more than 250 personnel who are recruited, employed, and trained in accordance with this paragraph.

"(ii) A standby component, consisting of not more than 2000 personnel who are recruited and trained in accordance with this paragraph.

"(B) Authorized members of standby component.—Personnel in the standby component of the Corps may include employees of the Department of State (including Foreign Service Nationals), employees of the United States Agency for International Development, employees of any other executive agency (as that term is defined in section 105 of title 5, United States Code), and employees of the legislative branch and judicial branch of Government—

"(i) who are assigned to the standby component by the Secretary following nomination for such assignment by the head of the department or agency of the United States Government concerned or by an appropriate official of the legislative or judicial branch of Government, as applicable; and

"(ii) who—

"(I) have the training and skills necessary to contribute to stabilization and reconstruction activities; and

"(II) have volunteered for deployment to carry out stabilization and reconstruction activities.

"(C) Recruitment and employment.—The recruitment and employment of personnel to the Corps shall be carried out by the Secretary, the Administrator of the United States Agency for International Development, and the heads of the other departments and agencies of the United States Government participating in the establishment and maintenance of the Corps.

"(D) Training.—The Secretary is authorized to train the members of the Corps under this paragraph to perform services necessary to carry out the purpose of the Corps under paragraph (1).

"(E) Compensation.—Members of the active component of the Corps under subparagraph (A)(i) shall be compensated in accordance with the appropriate salary class for the Foreign Service, as set forth in sections 402 and 403 of the Foreign Service Act of 1980 (22 U.S.C. 3962, 3963), or in accordance with the relevant authority under sections 3101 and 3392 of title 5, United States Code.

"(3) Civilian reserve.—

"(A) Civilian reserve.—The Corps shall have a reserve (hereafter referred to in this subsection as the 'Civilian Reserve') of non-United States Government personnel who are trained and available as needed to perform services necessary to carry out the purpose of the Corps under paragraph (1). The Civilian Reserve shall be established by the Secretary, in consultation with the Administrator of the Unites States Agency for International Development and the heads of other appropriate departments and agencies of the United States Government.

"(B) Composition.—Beginning not later than one year after the date of the enactment of the Reconstruction and Stabilization Civilian Management Act of 2007, the Civilian Reserve shall include at least 500 personnel, who may include retired employees of the United States Government, contractor personnel, nongovernmental organization personnel, State and local government employees, and individuals from the private sector, who—

"(i) have the training and skills necessary to enable them to contribute to stabilization and reconstruction activities;

"(ii) have volunteered to carry out stabilization and reconstruction activities; and

"(iii) are available for training and deployment to carry out the purpose of the Corps under paragraph (1).

"(4) Use of response readiness corps.—

"(A) Federal active component.—Members of the active component of the Corps under paragraph (2)(A)(i) are authorized to be available—

"(i) for activities in direct support of stabilization and reconstruction activities; and

"(ii) if not engaged in activities described in clause (i), for assignment in the United States, United States diplomatic missions, and United States Agency for International Development missions.

"(B) Federal standby component and civilian reserve.—The Secretary may deploy members of the Federal standby component of the Corps under paragraph (2)(A)(ii), and members of the Civilian Reserve under paragraph (3), in support of stabilization and reconstruction activities in a foreign country or region if the President makes a determination regarding a stabilization and reconstruction crisis under section 618 of the Foreign Assistance Act of 1961.".

(b) Employment Authority.—The full-time personnel in the active component of the Response Readiness Corps under section 61(c)(2)(A)(i) of the State Department Basic Authorities Act of 1956 (as added by subsection (a)) are in addition to any other full-time personnel of the Department or the

United States Agency for International Development authorized to be employed under any other provision of law.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report on the status of efforts to establish the Response Readiness Corps under this section. The report should include recommendations for any legislation necessary to implement section 61(c) of the State Department Basic Authorities Act of 1956 (as so added).

SEC. 8. STABILIZATION AND RECONSTRUCTION TRAINING AND EDUCATION.

Section 701 of the Foreign Service Act of 1980 (22 U.S.C. 4021) is amended—

(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following new subsection:

"(g) STABILIZATION AND RECONSTRUCTION CURRICULUM.—

"(1) ESTABLISHMENT AND MISSION.—The Secretary, in cooperation with the Secretary of Defense and the Secretary of the Army, is authorized to establish a stabilization and reconstruction curriculum for use in programs of the Foreign Service Institute, the National Defense University, and the United States Army War College.

"(2) CURRICULUM CONTENT.—The curriculum should include the following:

"(A) An overview of the global security environment, including an assessment of transnational threats and an analysis of United States policy options to address such threats.

"(B) A review of lessons learned from previous United States and international experiences in stabilization and reconstruction activities.

"(C) An overview of the relevant responsibilities, capabilities, and limitations of various Executive agencies (as that term is defined in section 105 of title 5, United States Code) and the interactions among them.

"(D) A discussion of the international resources available to address stabilization and reconstruction requirements, including resources of the United Nations and its specialized agencies, nongovernmental organizations, private and voluntary organizations, and foreign governments, together with an examination of the successes and failures experienced by the United States in working with such entities.

"(E) A study of the United States interagency system.

"(F) Foreign language training.

"(G) Training and simulation exercises for joint civilian-military emergency response operations.".

SEC. 9. SERVICE RELATED TO STABILIZATION AND RECONSTRUCTION.

(a) PROMOTION PURPOSES.—Service in stabilization and reconstruction operations overseas, membership in the Response Readiness Corps under section 61(c) of the State Department Basic Authorities Act of 1956 (as added by section 7), and education and training in the stabilization and reconstruction curriculum established under section 701(g) of the Foreign Service Act of 1980 (as added by section 8) should be considered among the favorable factors for the promotion of employees of Executive agencies.

(b) PERSONNEL TRAINING AND PROMOTION.—The Secretary and the Administrator should take steps to ensure that, not later than 3 years after the date of the enactment of this Act, at least 10 percent of the employees of the Department and the United States Agency for International Development in the United States are members of the Response Readiness Corps or are trained in the activities of, or identified for potential deployment in support of, the Response Readiness Corps. The Secretary should provide such training as needed to Ambassadors and Deputy Chiefs of Mission.

(c) OTHER INCENTIVES AND BENEFITS.—The Secretary and the Administrator may establish and administer a system of awards and other incentives and benefits to confer appropriate recognition on and reward any individual who is assigned, detailed, or deployed to carry out stabilization or reconstruction activities in accordance with this Act.

SEC. 10. AUTHORITIES RELATED TO PERSONNEL.

(a) CONTRACTING AUTHORITY.—

(1) IN GENERAL.—The Secretary, or the Administrator with the concurrence of the Secretary, may enter into contracts to procure the services of nationals of the United States (as defined in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22)) or aliens authorized to be employed in the United States as personal services contractors for the purpose of carrying out this Act, without regard to Civil Service or classification laws, for service in the Office of the Coordinator for Reconstruction and Stabilization or for service in foreign countries to assist in stabilizing and reconstructing a country or region that is at risk of, in, or is in transition from, conflict or civil strife.

(2) NOT EMPLOYEES.—Individuals performing services under contracts described in paragraph (1) shall not by virtue of performing such services be considered to be employees of the United States Government for purposes of any law administered by the Office of Personnel Management (except that the Secretary or Administrator may determine the applicability to such individuals of any law administered by the Secretary or Administrator concerning the performance of such services by such individuals).

(b) EXPERTS AND CONSULTANTS.—The Secretary and the Administrator may, to the extent necessary to obtain services without delay, employ experts and consultants under section 3109 of title 5, United States Code, for the purpose of carrying out this Act, without requiring compliance with any otherwise applicable requirements for that employment as the Secretary or Administrator may determine, except that such employment shall be terminated after 60 days if by that time the applicable requirements are not complied with.

(c) AUTHORITY TO ACCEPT AND ASSIGN DETAILS.—The Secretary is authorized to accept details or assignments of employees of Executive agencies, members of the uniformed services, and employees of State or local governments on a reimbursable or nonreimbursable basis for the purpose of carrying out this Act. The assignment of an employee of a State or local government under this subsection shall be consistent with subchapter VI of chapter 33 of title 5, United States Code.

(d) DUAL COMPENSATION WAIVER.—

(1) ANNUITANTS UNDER CIVIL SERVICE RETIREMENT SYSTEM OR FEDERAL EMPLOYEES RETIREMENT SYSTEM.—Notwithstanding sections 8344(i) and 8468(f) of title 5, United States Code, the Secretary or the head of another executive agency, as authorized by the Secretary, may waive the application of subsections (a) through (h) of such section 8344 and subsections (a) through (e) of such section 8468 with respect to annuitants under the Civil Service Retirement System or the Federal Employees Retirement System who are assigned, detailed, or deployed to assist in stabilizing and reconstructing a country or region that is at risk of, in, or is in transition from, conflict or civil strife during the period of their reemployment.

(2) ANNUITANTS UNDER FOREIGN SERVICE RETIREMENT AND DISABILITY SYSTEM OR FOREIGN SERVICE PENSION SYSTEM.—The Secretary may waive the application of subsections (a) through (d) of section 824 of the Foreign Service Act (22 U.S.C. 4064) for annuitants under the Foreign Service Retirement and Disability System or the Foreign Service Pension System who are reemployed on a temporary basis in order to be assigned, detailed, or deployed to assist in stabilization and reconstruction activities under this Act.

(e) INCREASE IN PREMIUM PAY CAP.—The Secretary, or the head of another executive agency as authorized by the Secretary, may compensate an employee detailed, assigned, or deployed to assist in stabilizing and reconstructing a country or region that is at risk of, in, or is in transition from, conflict or civil strife, without regard to the limitations on premium pay set forth in section 5547 of title 5, United States Code, to the extent that the aggregate of the basic pay and premium pay of such employee for a year does not exceed the annual rate payable for level II of the Executive Schedule.

(f) EXTENSION OF CERTAIN FOREIGN SERVICE BENEFITS.—The Secretary, or the head of another executive agency as authorized by the Secretary, may extend to any individuals assigned, detailed, or deployed to carry out stabilization and reconstruction activities in accordance with this Act, the benefits or privileges set forth in sections 412, 413, 704, and 901 of the Foreign Service Act of 1980 (22 U.S.C. 972, 22 U.S.C. 3973, 22 U.S.C. 4024, and 22 U.S.C. 4081) to the same extent and manner that such benefits and privileges are extended to members of the Foreign Service.

(g) COMPENSATORY TIME.—Notwithstanding any other provision of law, the Secretary may, subject to the consent of an individual who is assigned, detailed, or deployed to carry out stabilization and reconstruction activities in accordance with this Act, grant such individual compensatory time off for an equal amount of time spent in regularly or irregularly scheduled overtime work. Credit for compensatory time off earned shall not form the basis for any additional compensation. Any such compensatory time not used within 26 pay periods shall be forfeited.

(h) ACCEPTANCE OF VOLUNTEER SERVICES.—

(1) IN GENERAL.—The Secretary may accept volunteer services for the purpose of carrying out this Act without regard to section 1342 of title 31, United States Code.

(2) TYPES OF VOLUNTEERS.—Donors of voluntary services accepted for purposes of this section may include—

(A) advisors;

(B) experts;

(C) consultants; and

(D) persons performing services in any other capacity determined appropriate by the Secretary.

(3) SUPERVISION.—The Secretary shall—

(A) ensure that each person performing voluntary services accepted under this section is notified of the scope of the voluntary services accepted;

(B) supervise the volunteer to the same extent as employees receiving compensation for similar services; and

(C) ensure that the volunteer has appropriate credentials or is otherwise qualified to perform in each capacity for which the volunteer's services are accepted.

(4) APPLICABILITY OF LAW RELATING TO FEDERAL GOVERNMENT EMPLOYEES.—A person providing volunteer services accepted under this section shall not be considered an employee of the Federal Government in the performance of those services, except for the purposes of the following provisions of law:

(A) Chapter 81 of title 5, United States Code, relating to compensation for work-related injuries.

(B) Chapter 11 of title 18, United States Code, relating to conflicts of interest.

(5) APPLICABILITY OF LAW RELATING TO VOLUNTEER LIABILITY PROTECTION.—

(A) IN GENERAL.—A person providing volunteer services accepted under this section shall be deemed to be a volunteer of a nonprofit organization or governmental entity, with respect to the accepted services, for purposes of the Volunteer Protection Act of 1997 (42 U.S.C. 14501 et seq.).

(B) INAPPLICABILITY OF EXCEPTIONS TO VOLUNTEER LIABILITY PROTECTION.—Section 4(d) of such Act (42 U.S.C. 14503(d)) does not apply with respect to the liability of a person with respect to services of such person that are accepted under this section.

(i) AUTHORITY FOR OUTSIDE ADVISORS.—

(1) IN GENERAL.—The Secretary may establish temporary advisory commissions composed of individuals with appropriate expertise to facilitate the carrying out of this Act.

(2) INAPPLICABILITY OF FACA.—The requirements of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the activities of a commission established under this subsection.

SEC. 11. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for each fiscal year, $80,000,000 for personnel, education and training, equipment, and travel costs for purposes of carrying out this Act and the amendments made by this Act (other than the amendment made by section 5).

By Mr. LAUTENBERG (for himself, Mr. BROWNBACK, Mr. MENENDEZ, Mr. REID, Mrs. CLINTON, Mr. KENNEDY, Mr. DODD, Mr. LIEBERMAN, Mr. FEINGOLD, and Mr. COLEMAN):

S. 615. A bill to provide the nonimmigrant spouses and children of nonimmigrant aliens who perished in the September 11, 2001, terrorist attacks an opportunity to adjust their status to that of an alien lawfully admitted for permanent residence, and for other purposes; to the Committee on the Judiciary.

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the full text of the bill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 615

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "September 11 Family Humanitarian Relief and Patriotism Act".

SEC. 2. ADJUSTMENT OF STATUS FOR CERTAIN NONIMMIGRANT VICTIMS OF TERRORISM.

(a) ADJUSTMENT OF STATUS.—

(1) IN GENERAL.—The status of any alien described in subsection (b) shall be adjusted by the Secretary of Homeland Security to that of an alien lawfully admitted for permanent residence, if the alien—

(A) applies for such adjustment not later than 2 years after the date on which the Secretary promulgates final regulations to implement this section; and

(B) is otherwise admissible to the United States for permanent residence, except in determining such admissibility the grounds for inadmissibility specified in paragraphs (4), (5), (6)(A), (7)(A), and (9)(B) of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a)) shall not apply.

(2) RULES IN APPLYING CERTAIN PROVISIONS.—

(A) IN GENERAL.—In the case of an alien described in subsection (b) who is applying for adjustment of status under this section—

(i) the provisions of section 241(a)(5) of the Immigration and Nationality Act (8 U.S.C. 1231(a)(5)) shall not apply; and

(ii) the Secretary of Homeland Security may grant the alien a waiver on the grounds of inadmissibility under subparagraphs (A) and (C) of section 212(a)(9) of such Act (8 U.S.C. 1182(a)(9)).

(B) STANDARDS.—In granting waivers under subparagraph (A)(ii), the Secretary shall use standards used in granting consent under subparagraphs (A)(iii) and (C)(ii) of such section 212(a)(9).

(3) RELATIONSHIP OF APPLICATION TO CERTAIN ORDERS.—

(A) APPLICATION PERMITTED.—An alien present in the United States who has been ordered excluded, deported, removed, or ordered to depart voluntarily from the United States under any provision of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) may, notwithstanding such order, apply for adjustment of status under paragraph (1).

(B) MOTION NOT REQUIRED.—An alien described in subparagraph (A) may not be required, as a condition of submitting or granting such application, to file a separate motion to reopen, reconsider, or vacate such order.

(C) EFFECT OF DECISION.—If the Secretary of Homeland Security grants a request under subparagraph (A), the Secretary shall cancel the order. If the Secretary renders a final administrative decision to deny the request, the order shall be effective and enforceable to the same extent as if the application had not been made.

(b) ALIENS ELIGIBLE FOR ADJUSTMENT OF STATUS.—The benefits provided by subsection (a) shall apply to any alien who—

(1) was lawfully present in the United States as a nonimmigrant alien described in section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) on September 10, 2001;

(2) was, on such date, the spouse, child, dependent son, or dependent daughter of an alien who—

(A) was lawfully present in the United States as a nonimmigrant alien described in section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) on such date; and

(B) died as a direct result of a specified terrorist activity; and

(3) was deemed to be a beneficiary of, and by, the September 11th Victim Compensation Fund of 2001 (49 U.S.C. 40101 note).

(c) STAY OF REMOVAL; WORK AUTHORIZATION.—

(1) IN GENERAL.—The Secretary of Homeland Security shall establish, by regulation, a process by which an alien subject to a final order of removal may seek a stay of such order based on the filing of an application under subsection (a).

(2) DURING CERTAIN PROCEEDINGS.—Notwithstanding any provision of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), the Secretary of Homeland Security shall not order any alien to be removed from the United States, if the alien is in removal proceedings under any provision of such Act and has applied for adjustment of status under subsection (a), except where the Secretary has rendered a final administrative determination to deny the application.

(3) WORK AUTHORIZATION.—The Secretary of Homeland Security shall authorize an alien who has applied for adjustment of status under subsection (a) to engage in employment in the United States during the pendency of such application.

(d) AVAILABILITY OF ADMINISTRATIVE REVIEW.—The Secretary of Homeland Security shall provide to applicants for adjustment of status under subsection (a) the same right to, and procedures for, administrative review as are provided to—

(1) applicants for adjustment of status under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255); or

(2) aliens subject to removal proceedings under section 240 of such Act (8 U.S.C. 1229a).

SEC. 3. CANCELLATION OF REMOVAL FOR CERTAIN IMMIGRANT VICTIMS OF TERRORISM.

(a) IN GENERAL.—Subject to the provisions of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), other than subsections (b)(1), (d)(1), and (e) of section 240A of such Act (8 U.S.C. 1229b), the Secretary of Homeland Security shall, under such section 240A, cancel the removal of, and adjust to the status of an alien lawfully admitted for permanent residence, an alien described in subsection (b), if the alien applies for such relief.

(b) ALIENS ELIGIBLE FOR CANCELLATION OF REMOVAL.—The benefits provided by subsection (a) shall apply to any alien who—

(1) was, on September 10, 2001, the spouse, child, dependent son, or dependent daughter of an alien who died as a direct result of a specified terrorist activity; and

(2) was deemed to be a beneficiary of, and by, the September 11th Victim Compensation Fund of 2001 (49 U.S.C. 40101 note).

(c) STAY OF REMOVAL; WORK AUTHORIZATION.—

(1) IN GENERAL.—The Secretary of Homeland Security shall provide by regulation for an alien subject to a final order of removal to seek a stay of such order based on the filing of an application under subsection (a).

(2) WORK AUTHORIZATION.—The Secretary of Homeland Security shall authorize an alien who has applied for cancellation of removal under subsection (a) to engage in employment in the United States during the pendency of such application.

(d) MOTIONS TO REOPEN REMOVAL PROCEEDINGS.—

(1) IN GENERAL.—Notwithstanding any limitation imposed by law on motions to reopen removal proceedings (except limitations premised on an alien's conviction of an aggravated felony (as defined in section 101(a)(43) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(43))), any alien who has become eligible for cancellation of removal as a result of the enactment of this section may file 1 motion to reopen removal proceedings to apply for such relief.

(2) FILING PERIOD.—The Secretary of Homeland Security shall designate a specific time period in which all such motions to reopen are required to be filed. The period shall begin not later than 60 days after the date of enactment of this Act and shall extend for a period not to exceed 240 days.

SEC. 4. EXCEPTIONS.

Notwithstanding any other provision of this Act, an alien may not be provided relief under this Act if the alien is—

(1) inadmissible under paragraph (2) or (3) of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a)), or deportable under paragraph (2) or (4) of section 237(a) of such Act (8 U.S.C. 1227(a)), including any individual culpable for a specified terrorist activity; or

(2) a family member of an alien described in paragraph (1).

SEC. 5. EVIDENCE OF DEATH.

For purposes of this Act, the Secretary of Homeland Security shall use the standards established under section 426 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT ACT) Act of 2001 (115 Stat. 362) in determining whether death occurred as a direct result of a specified terrorist activity.

SEC. 6. DEFINITIONS.

(a) APPLICATION OF IMMIGRATION AND NATIONALITY ACT PROVISIONS.—Except as otherwise specifically provided in this Act, the definitions used in the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), other than the definitions applicable exclusively to title III of such Act, shall apply in the administration of this Act.

(b) SPECIFIED TERRORIST ACTIVITY.—For purposes of this Act, the term "specified terrorist activity" means any terrorist activity conducted against the Government or the people of the United States on September 11, 2001.

By Ms. COLLINS (for herself and Mr. FEINGOLD):

S. 616. A bill to promote health care coverage parity for individuals participating in legal recreational activities or legal transportation activities; to the Committee on Health, Education, Labor, and Pensions.

Ms. COLLINS. Mr. President, I am pleased to join with my colleague from Wisconsin, Senator FEINGOLD, in introducing legislation to prohibit health insurers from denying benefits to plan participants if they are injured while engaging in legal recreational activities like skiing, snowmobiling, or horseback riding.

Among the many rules that were issued at the end of the Clinton administration was one that was intended to ensure non-discrimination in health coverage in the group market. This rule was issued jointly on January 8, 2001, by the Department of Labor, the Internal Revenue Service and the Health Care Financing Administration—now the Centers for Medicare and Medicaid Services—in accordance with the Health Insurance Portability and Accountability Act, HIPAA, of 1996.

While I was pleased that the rule prohibits health plans and issuers from denying coverage to individuals who engage in certain types of recreational activities, such as skiing, horseback riding, snowmobiling or motorcycling, I am concerned that it would allow insurers to deny health benefits for an otherwise covered injury that results from participation in these activities.

The rule states that "While a person cannot be excluded from a plan for engaging in certain recreational activities, benefits for a particular injury can, in some cases, be excluded based on the source of the injury." A plan could, for example, include a general exclusion for injuries sustained while doing a specified list of recreational activities, even though treatment for those injuries—a broken arm, for instance—would have been covered under the plan if the individual had tripped and fallen.

Because of this loophole, an individual who was injured while skiing or running could be denied health care coverage, while someone who is injured while drinking and driving a car would be protected.

This clearly is contrary to Congressional intent. One of the purposes of HIPAA was to prohibit plans and issuers from establishing eligibility rules for health coverage based on certain health-related factors, including evidence of insurability. To underscore that point, the conference report language stated that "the inclusion of evidence of insurability in the definition of health status is intended to ensure, among other things, that individuals are not excluded from health care coverage due to their participation in activities such as motorcycling, snowmobiling, all-terrain vehicle riding, horseback riding, skiing and other similar activities." The conference report also states that "this provision is meant to prohibit insurers or employers from excluding employees in a group from coverage or charging them higher premiums based on their health status and other related factors that could lead to higher health costs."

Mr. PRESIDENT, millions of Americans participate in these legal and common recreational activities which, if practiced with appropriate precautions, do not significantly increase the likelihood of serious injury. Moreover, in enacting HIPAA, Congress simply did not intend that people would be allowed to purchase health insurance only to find out, after the fact, that they have no coverage for an injury resulting from a common recreational activity. If this rule is allowed to stand, millions of Americans will be forced to forgo recreational activities that they currently enjoy lest they have an accident and find out that they are not covered for needed care resulting from that accident.

The legislation that we are introducing today will clarify that individuals participating in activities routinely enjoyed by millions of Americans cannot be denied access to health care coverage or health benefits as a result of their activities. The bill should not be controversial. In fact, it passed the Senate by unanimous consent at the end of the 108th Congress.

I am therefore hopeful that we will be able to move quickly on this legislation this year, and I urge all of my colleagues to join us as cosponsors.'

By Mr. SMITH:

S. 617. A bill to make the National Parks and Federal Recreational Lands Pass available at a discount to certain veterans; to the Committee on Energy and Natural Resources.

Mr. SMITH. Mr. President, I rise today to introduce the Veterans Eagle Parks Pass Act. This legislation would provide admission to any Federal park that charges an admissions fee by creating a "Veterans Eagle Pass" for honorably discharged veterans. I am pleased to continue the efforts of my colleague Congressman THOMAS REYNOLDS, who performed yeoman's work to introduce and push forward this legislation in the House of Representatives.

Currently, an annual America the Beautiful lands pass is available to anyone for eighty dollars. My legislation would allow honorably discharged veterans to buy an annual pass for only ten dollars. I feel very strongly that those who fought so hard to protect our great nation should have better and easier access to its public lands. It is only fitting to offer our veterans improved entrance to America's great public lands like Yosemite National Park in California, Fort Sumter National Monument in South Carolina, Arthur R. Marshall Loxahatchee National Wildlife Refuge in Florida, and Crater Lake National Park in my home State of Oregon.

America's terrain is diverse, from flat plains to high mountains, raging rivers to still lakes. Our country is truly bountiful. Many veterans are avid outdoorsmen and understand the value and quality of our land. In a time of such turmoil abroad, I see no more appropriate opportunity to reward our veterans for their commitment and service to our nation.

I am pleased that this legislation has received the support of the American Legion, AMVETS, and Veterans of Foreign Wars. We owe it to our veterans to provide them with this service.

By Mr. LEAHY (for himself, Mr. SPECTER, Mr. LOTT, Mr. REID, and Ms. LANDRIEU):

S. 618. A bill to further competition in the insurance industry; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, so people understand. I know the Senator from Pennsylvania has spoken briefly about this and had remarks on it printed in the RECORD.

Our Nation's competition laws are powerful tools to ensure that consumer welfare is the benchmark of fair and accountable industry practices. These competition laws are what make businesses work in America. The vast majority of the companies doing business in the United States are subject to our antitrust laws. Consumers benefit from lower prices, more choices, better services.

There are only a few industries that operate outside the Federal antitrust laws. The bipartisan measure I have introduced would end the insurance industry's exemption from the requirement of those laws. I am joined in this effort, as I said before, by the ranking member of the Senate Judiciary Committee. Senator SPECTER has a strong record of supporting effective competition in every industry through our antitrust laws. Of course, as I have also said, I am joined by the majority leader and by Senator LOTT, who is the deputy Republican leader.

Senator LOTT probably wishes he was not in this position, but he represents many of the gulf coast residents who can speak personally and painfully to the abuses that insurers can wreak on their policyholders. The insurance industry's practices affect us all. Perhaps nowhere has the industry and its practices come under as much scrutiny as along the gulf coast in the wake of hurricanes Katrina and Rita. Insurers have been too often denying claims and delaying payments to residents along the gulf coast instead of honoring their contractual commitments. The behavior of insurers in Mississippi has been so outrageous that the State's attorney general recently convened a grand jury to investigate some of the practices.

It seems to me, insurance companies are very eager to collect premiums when times are good but reluctant to compensate policyholders when tragedy strikes. Senator LOTT knows all too well the difficulties his constituents have had with insurers. His State was hit hard by Hurricane Katrina. I commend the Senator from Mississippi for his tireless efforts in trying to ensure resources are in place to rebuild. I know he is joined in that effort by his colleague from Mississippi, Senator COCHRAN.

I have worked with others to support efforts to rebuild the Gulf Coast. Most recently, I was pleased to assist Senator LANDRIEU in her successful efforts to convince the Attorney General to dispatch additional law enforcement to the New Orleans region. People in the gulf coast are Americans. They are our fellow citizens. They have been utterly failed by a woefully unprepared Government, and they should not also be bullied and neglected by insurance companies in their time of need.

The insurance industry has operated largely beyond the reach of Federal antitrust laws for more than six decades. Assuming there ever was a justification to exempt insurers from Federal Government oversight, I find it hard to believe there is still a reason to exempt them—not in the age of instant communication, the age of the Internet, or the ability to compare not only risks but payments. In fact, we need real oversight, which can be brought about by removing them from the antitrust exemption. We deserve confidence that the industry is not engaging in the most egregious forms of anticompetitive conduct, such as price-fixing, agreements not to pay, or market allocation.

Antitrust laws are the beacon of good competition policy. Insurers may object to being subject to the same antitrust laws as everyone else, but why shouldn't they be subject to the same laws as every other company in this country? If they are operating in an honest and appropriate and open way, they have nothing to fear.

Mr. President, to elaborate, our Nation's competition laws are powerful tools to ensure that consumer welfare is the benchmark for fair and accountable industry practices. The vast majority of the companies doing business in the United States are subject to the strictures of the antitrust laws, and consumers benefit through lower prices, more choices, and better services. Only a few industries operate outside the federal antitrust laws, and I am pleased to introduce today a bipartisan measure that will end the insurance industry's exemption from the requirements of those laws.

I am joined in this effort by the ranking member of the Senate Judiciary Committee who has a strong record of supporting effective competition in every industry through our antitrust laws. I am joined as well by Senator REID and Senator LOTT. Senator LOTT represents many of the gulf coast residents who can speak personally, and painfully, to the abuses that insurers can wreak on their policy holders.

Insurance industry practices affect all of us. They affect each of our constituents; they affect every business in every state. But perhaps nowhere has the industry and its practices come under as much scrutiny as along the gulf coast in the wake of Hurricanes Katrina and Rita. Insurers have been too often denying claims and delaying payouts to residents along the gulf coast instead of honoring their contractual commitments to their customers, and thereby contributing to the rebuilding and rejuvenation of the area.

The behavior of insurers in Mississippi has been so outrageous that the state's attorney general recently convened a grand jury to investigate certain practices. Hundreds of policyholders had to go to court to force the insurance companies to fulfill their obligations.

It seems some insurance companies are eager to collect premiums when times are good, but reluctant to aid policyholders when tragedy strikes.

Senator LOTT knows all too well the difficulties his constituents have had with insurers. His state was hit hard by Hurricane Katrina, and I commend him on his tireless efforts to ensure that resources are in place to rebuild. I have worked with them in other contexts to support efforts to rebuild the gulf coast. Most recently, I was honored to have assisted Senator LANDRIEU in her successful efforts to convince the attorney general to dispatch additional law enforcement to the New Orleans region.

Our fellow citizens on the gulf coast who have had to cope with the devastation and destruction of the 2005 hurricanes, and who were utterly failed by their woefully unprepared government, should not also be bullied or neglected by insurance companies in their time of need—insurance companies whose business is based on compensating people after a tragic loss.

Unfortunately, the insurance industry has operated largely beyond the reach of federal antitrust laws for more than six decades. If there ever was, there is no longer any justification to exempt the insurance industry from federal government oversight.

Such oversight could provide confidence that the industry is not engaging in the most egregious forms of anticompetitive conduct—price fixing, agreements not to pay, and market allocations.

The Insurance Industry Competition Act we introduce today will simply give the Department of Justice and the Federal Trade Commission the authority to apply the antitrust laws to anticompetitive behavior by insurance companies. Our antitrust laws are the beacon of good competition policy. Competition is good for consumers and good for our economy.

Insurers may object to being subject to the same antitrust laws as everyone else, but if they are operating in an honest and appropriate way, they should have nothing to fear. American consumers and American businesses rely on insurance—it is a vital part of our economy—and they have the right to be confident that the cost of their insurance, and the decisions by their insurance carriers about which claims will be paid, reflect competitive market conditions, not collusive behavior.

I thank Senator REID and Senator SPECTER for joining me in this important effort. And I thank Senator LOTT for his support, and for using the lessons of his constituents' experiences to shed light on an industry that for too long, in too many ways, has been out of the reach of federal antitrust authorities.

Mr. President, I see the Senator from Mississippi on the floor and the Senator from Pennsylvania. If they are seeking time, I would ask how much time they need.

Mr. LOTT. Mr. President, I wish to withhold until the Senator from Pennsylvania makes his brief remarks.

Mr. LEAHY. How much time does the Senator from Pennsylvania want? Because this is coming out of time I had set aside for something else.

Mr. SPECTER. Less than 5 minutes.

Mr. LEAHY. I yield 5 minutes to the Senator from Pennsylvania.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SPECTER. Mr. President, I thank my distinguished colleague from Vermont.

As noted earlier, legislation was introduced in the last Congress by Senator LEAHY and myself and others to deal with the problem of the McCarran-Ferguson Act. We held hearings on this matter in the Judiciary Committee. On recent matters which have evolved from Hurricane Katrina, which will be amplified by the distinguished Senator from Mississippi, Mr. LOTT, there is a more pressing need to enter into this arena.

There have been various attempts over the years to limit McCarran-Ferguson, and they have not succeeded because, as amplified in a more detailed statement which I will include for the RECORD, there were safe harbors proposed. They became very complicated. We have provided in this legislation that the Commission decide what is to be violative of the antitrust laws, a line which has been successful on the health industry.

The economy of the United States functions much better when the antitrust laws are available and enforceable. We see a great many problems at the present time with what is happening with the sports teams. The National Football League enjoys a limited antitrust exemption, and they are proposing the Sunday ticket to DIRECTV, which has a monopoly. Cable companies can't get the Sunday ticket. They now have the Thursday to Saturday ticket. It is only on the NFL channel. I had a talk with the commissioner of the NFL recently, who was living in New York City, and he couldn't get the Sunday ticket because his highrise wouldn't allow him to put a dish on top of the building.

May I note for the record the distinguished junior Senator from Montana is nodding in the affirmative. He lives in an area—now he is smiling. He lives in an area where you need a satellite, and his constituents do, and some of mine in Pennsylvania do, and in my home State of Kansas. Now baseball is coming along with extra innings and exclusive to DIRECTV.

The impact of the antitrust exemption on the insurance industry has been even more profound. But it is noted when we have the Federal Trade Commission authorized to issue guidelines in identifying joint practices where the antitrust concerns ought to be addressed, that is the way to approach it, as the Federal Trade Commission did in the health care industry.

I think this is a significant step forward, and I am glad to see that the majority leader, Senator REID, is behind this legislation. We can pass it out of committee, we can take it up on the Senate floor, and I think we can provide better protection for the American consumers.

Mr. President, I ask unanimous consent that the full text of my statement be included in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

INSURANCE INDUSTRY ANTITRUST ENFORCEMENT ACT OF 2007

Mr. SPECTER. Mr. President, the Insurance Industry Antitrust Enforcement Act of 2007 would subject the insurance industry to the antitrust laws which apply to almost every other industry in America. Congress enacted the McCarran-Ferguson Act in 1945 in response to a controversial Supreme Court case in which the Court held that the business of insurance constituted interstate commerce. That ruling opened the door to federal regulation of insurance, a business that had historically been regulated and taxed by the states. McCarran-Ferguson reaffirmed the power of the states to regulate and tax insurance.

In doing so, Congress exempted the insurance industry practices from antitrust scrutiny to the extent that such practices are "regulated by state law." Since then, the courts have liberally interpreted the phrase "regulated by state law." They have held that insurance industry practices are exempt from the antitrust laws so long as regulators have been given jurisdiction over the challenged practices—regardless of whether the regulators ever exercise that jurisdiction.

Over the years, state regulators have either chosen not to regulate, or failed to regulate, practices that would have violated the antitrust laws absent McCarran-Ferguson. With McCarran-Ferguson, such practices escape both regulatory and federal antitrust oversight. The most notorious practices to come to light involved bid-rigging and customer allocation by insurance broker Marsh & McClennan and several of the nation's largest insurers. Under the scheme, Marsh steered unsuspecting clients to insurers with which it had lucrative payoff agreements. To make the scheme work, Marsh solicited fictitious bids from other complicit insurers to make the bid submitted by the selected insurer—the one that offered Marsh the highest payoff—seem competitive.

Even though the scheme eliminated competition among the insurance companies that were involved, those companies could not be prosecuted under federal antitrust law. Several states prosecuted the insurance companies under a variety of state laws, including antitrust laws, but federal prosecutors could not bring their significant resources to bear. There simply is no justification for that. Federal law enforcement should have the power to prosecute such blatant violations of the antitrust laws.

This is not the first attempt to subject the insurance industry to federal antitrust law. In the wake of numerous insolvencies, mismanagement and other misconduct by insurers in the late 1980s, legislation was introduced repealing the exemption. That legislation, introduced by Congressman Brooks, faced opposition from insurers who claimed that many industry practices engaged in jointly by insurance companies were procompetitive and necessary for smaller insurers. The legislation provided a safe harbor, specifically listing the practices of insurance companies that would be exempt from the antitrust laws. However, it proved impossible to craft a list of safe harbors for all the information that competing insurers claimed they needed to share with one another. This bill has avoided that problem.

More recently, some have argued that the answer to insurance industry ills is full federal regulation. I do not necessarily believe that stripping the states of their authority to regulate the insurance industry is the answer. This bill does not do that. It allows states to continue to regulate their insurance industries. However, the existence of state regulation is no reason to prevent federal prosecutors from going after antitrust violators. And, there is no reason to prevent federal prosecutors from going after antitrust violators just because those violators happen to work for insurance companies.

As I have said, allowing federal prosecutors to go after those who violate the antitrust laws will not prevent states from regulating the insurance industry. If a state is actively supervising practices by its insurance industry that might otherwise violate the antitrust laws, this legislation would exempt that practice from the antitrust laws. Antitrust law does not generally apply where a state is actively regulating an industry. This is as it should be and the legislation I introduce today, the Insurance Industry Antitrust Act of 2007, incorporates that standard.

The Judiciary Committee held a hearing on this issue in May. During the hearing, Marc Racicot, the President of the American Insurance Association, a trade association composed of the nation's largest insurers, acknowledged that "every state provides some form of antitrust regulation of insurers." In other words, many states already enforce their state antitrust laws with respect to insurers. So, I have to ask, why have we tied the hands of federal antitrust enforcers?

The insurers will argue that repealing the antitrust exemption for insurers will create uncertainty by throwing into question the legality of every joint practice engaged in by insurers. They will argue that the legality of each joint practice will have to be litigated in court. However, this bill has been drafted to avoid such litigation. Rather than incorporating a laundry list of safe harbors, an approach that was taken in the past, the bill would allow the Federal Trade Commission to issue guidelines identifying joint practices that do not raise antitrust concerns and would therefore not face scrutiny from antitrust enforcers.

This is a job for which the Commission is well equipped. In the past, the Commission along with the Justice Department issued "Statements of Antitrust Enforcement Policy in Health Care." The Health Care Statements identified joint conduct by health care providers that did not raise antitrust concerns and therefore would likely escape scrutiny by antitrust enforcers. The Health Care Statements were designed to give health care providers certainty about the legality of their joint conduct under the antitrust laws. Similar guidelines for the insurance industry would provide insurers with certainty, but at the same time, would ensure that joint practices that are anticompetitive receive scrutiny from the antitrust enforcement agencies.

Although many insurers oppose repeal of their antitrust exemption, others support a repeal. In particular, the Antitrust Section of the American Bar Association has long supported repeal. During the Judiciary Committee's hearing, the current head of the Antitrust Section, Donald Klawiter noted the Section's nearly 20-year history of supporting repeal. Klawiter testified that "the benefits of antitrust exemptions almost never outweigh the potential harm imposed on society by the loss of competition." At the same hearing, Robert Hunter, testifying on behalf of the Consumer Federation of America, concluded that "application of the antitrust laws to the insurance industry could result in double-digit savings for America's insurance consumers."

It is my hope that this legislation will bring the benefits of competition to the insurance industry and to consumers. Too many consumers are paying too much for insurance due to the collusive atmosphere that exists in the insurance industry. This has become a particular problem along the Gulf Coast, where insurers have shared hurricane loss projections, which may result in double-digit premium increases for Gulf Coast homeowners.

I strongly urge Members who are concerned about industry exemption from the antitrust laws and collusive insurance industry practices to support this important piece of legislation.

Mr. LOTT. Mr. President, may I get some time under the agreement?

Mr. LEAHY. How much time would the distinguished Senator need?

Mr. LOTT. Probably 5 or 6 minutes. How much would you have left then? I don't want to eat up all your time.

Mr. LEAHY. Again, we are using time that I—Mr. President, I ask unanimous consent that my time be extended by 6 minutes, and that I be allowed to yield that 6 minutes to the Senator from Mississippi.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LOTT. Mr. President, let me say at the beginning, I appreciate the courtesy of the Senator from Vermont and his comments on our effort here; also, my colleague from Pennsylvania, Senator SPECTER, whom I have discussed this issue with several times over the past year.

Let me begin at the beginning of this effort. I thank my colleagues for this bipartisan effort. It shows what we can do when we work together. Now, we have a long road to go, but this is being introduced as a bipartisan measure with leaders from both sides and leaders of the Judiciary Committee joining in cosponsoring this legislation.

How did I get interested in this area? Well, it is like so many things in my life that go back only until August 29, 2005, when Hurricane Katrina devastated my hometown and the area of my State that I love so much, Mississippi and the gulf coast area. I had been active in years gone by actually in the insurance area. I had done some law practice in that area. I had done some defense work. But I never had become steeped in the laws that apply to the industry because most of the time I was dealing with an automobile accident case or something of that nature.

Well, after Hurricane Katrina we learned a lot of lessons, and we found a lot of new concerns in areas where we had to take action. One of the commitments I have made to the people—and to the Senate because the Senate has been so good in helping us in our recovery effort, in changing the laws where applicable, the Stafford Act, in providing funds. But one of the commitments I made as a result of that is to make sure we take a look at what happened to us. What did we learn from Katrina? What can we do to have more laws and the right things in place after the next natural disaster—and there will be one—or any kind of catastrophic disaster? We learned that the laws were not what they should be. They needed to be changed. We have changed them some and we need to change them some more. We learned the Federal agencies weren't necessarily set up properly to do what needed to be done in the aftermath of a disaster. We had questions about homeland security and the Federal Emergency Management Administration and how the military, the Coast Guard, and everybody interplayed together. So we have been trying to make those corrections.

We need to ask ourselves: Do we need to give some additional thought to how we deal on a national level with the coverage of people or how we help them recover? Do we need a national catastrophic insurance program? I don't know that I am satisfied I know the answer yet, but I think we need to ask that question in advance.

I also found, to my absolute horror, something I should have known, which is that the insurance industry is not covered by antitrust laws. They have a waiver. I said: How could that be? I remember hearing discussion over the years about the McCarran-Ferguson Act, but I never focused on it. When I realized that ratesetting and actually policy actions by the industry were not covered by antitrust laws, I was stunned. I understand you need a lot of information to decide on rates, but that information can be used back and forth to in effect set rates as an industry without making sure that it is not done in an anticompetitive way. Do you mean that under this exemption, that companies could collude on what actions they take or, even worse, what actions they don't take, which is what we got into after Hurricane Katrina? We had companies basically saying: Oh, no, no, you are covered by Federal flood insurance. We don't have to pay under the household policies for wind damage.

So as I got into it, I found that this happened back in 1944. At that point, there was regulation of the insurance industry, but there was a case styled the United States v. South Eastern Underwriters Association which caused a change in how insurers were regulated. Then the Congress immediately acted and said: Oh, no, we are going to say that federal antitrust laws do not apply to this industry.

Soon the courts got into this issue and took a look at what happened. They looked at the record. There were no hearings in the Senate. It was passed quickly on a voice vote, and it went quickly through the House. The conference report was debated for 2 days by the Senate, and most of the debate, as I have looked at it, looks as though everybody thought this was going to be a temporary moratorium. However, that is not the way the courts have interpreted the laws.

Under the McCarran-Ferguson Act, insurers are exempt from antitrust scrutiny, so long as they are regulated by State law. Then you get into a patchwork of State laws: Do the States actively regulate them? Is there a process for antitrust activities to be considered?

Over the years, many have advocated the repeal of this antitrust exemption. The Judiciary Committee had hearings on this last summer. The American Bar Association's antitrust section noted that the organization for nearly 20 years has supported repeal of this exemption. Look, there is a unique role for States to deal with insurance questions and needs in those States, but my question beyond that is: Should the Federal Government have the right to make sure there are not anticompetitive activities, to make sure there is no colluding? I think we need to take a serious look at that. This legislation would do that. It would take away that exemption. It would make the insurance industry subject to the same coverage of almost every other corporation in America: antitrust legislation.

I know my time has expired. I thank the Chair for his leniency. I thank Senator LEAHY for doing this. I look forward to having the hearings and testifying. This is wrong, Mr. President, and the Senate in a bipartisan way should, and I believe will, correct it.

I yield the floor.

Mr. LEAHY. Mr. President, I thank my friend from Mississippi, and I am proud to be joining with him on this. He and I have discussed this several times over the past several months. I told him last fall I would join with him on such legislation, and I am proud to do so.

Mr. REID. Mr. President, I want to express my support for the "Insurance Industry Competition Act of 2007," which repeals the well-known McCarran-Ferguson Act. McCarran-Ferguson gave States the authority to regulate the business of insurance and exempted insurance from the Federal antitrust laws. Unfortunately, McCarran-Ferguson came about as a result of a Senator from my State of Nevada, McCarran, and a Senator from Michigan, Ferguson. It was passed to give a few years of relief to the insurance industry. In 1944, the United States Supreme Court ruled against the industry-wide practice of cooperating to set premium prices in United States v. Southeastern Underwriters

Association. Insurers argued that most companies were too small to rely solely on their own experience in setting premiums. As a result of these protests the McCarran-Ferguson Act was passed by Congress in 1945, exempting insurance-rate fixing from the Sherman Antitrust Act, and placing responsibility for industry regulation in the hands of state governments.

Now, some 60 plus years later, insurance companies are the only businesses—other than Major League Baseball—not subject to antitrust laws. Congress began investigating the effectiveness of State insurance regulation in 1958, under the oversight of Senator O'Mahoney, who had been a principal architect of the McCarran-Ferguson Act, and found State regulation lacking, incapable of dealing with interstate and international issues, and unwilling or unable to "bring the blessings of competition" to insurance rate-making. The same thing is true today, and its time we take action to remedy this situation. The rationale for this exemption has long since passed. Insurance should be like any other business—subject to antitrust laws.

Senator LEAHY's bill would accomplish this. "The Insurance Industry Competition Act of 2007" would repeal the exemption and simply give the Department of Justice and the Federal Trade Commission the authority to apply the antitrust laws to anti-competitive behavior by insurance companies. Such oversight could ensure that the industry is not engaging in the most egregious forms of anti-competitive conduct—price fixing, agreements not to pay, and market allocations. This Act would not affect the ability of each State to regulate the business of insurance.

If insurers around the country are operating in an honest and appropriate way, they should not object to being answerable under the same Federal antitrust laws as virtually all other businesses. American consumers should be confident that the cost of their insurance reflects competitive market conditions, not collusive behavior, and they should benefit through lower prices, more choices, and better services.

Perhaps nowhere has the insurance industry and its practices come under as much scrutiny as along the Gulf Coast in the wake of Hurricanes Katrina and Rita. Just yesterday, the AP reported that "State Farm Insurance Cos. is suspending sales of any new commercial or homeowner policies in Mississippi starting Friday." I ask Unanimous Consent that a news article dated February 14, 2007, from the Associated Press be printed in the RECORD. Insurers have been too often denying claims and delaying payouts to residents of New Orleans and all along the Gulf Coast instead of honoring their contractual commitments to their customers, and thereby contributing to the rebuilding and rejuvenation of the area. We need to act now to end this practice. I thank Senators LEAHY, SPECTER, and LOTT for their work on this important legislation.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

STATE FARM: NO NEW POLICIES IN MISS.

(By Michael Kunzelman)

State Farm Insurance Cos. is suspending sales of any new commercial or homeowner policies in Mississippi starting Friday, citing in part a wave of litigation it has faced after Hurricane Katrina, a company official said Wednesday.

Mike Fernandez, vice president of public affairs for State Farm, said Mississippi's "current legal and political environment is simply untenable. We're just not in a position to accept any additional risk in this homeowners' market."

Fernandez said the action was not a direct response to any specific development in the litigation. That litigation has included a recent federal jury's $2.5 million punitive damage award to a policyholder who sued State Farm for refusing to cover the 2005 hurricane's storm surge damage.

State Farm, the largest homeowners insurer in Mississippi with more than 30 percent of the market, agreed to settle hundreds of lawsuits by policyholders and reopen and pay thousands of other disputed claims. The landmark deal is potentially worth hundreds of millions of dollars for Mississippi homeowners devastated by Katrina.

By Mr. FEINGOLD (for himself and Ms. MIKULSKI):

S. 620. A bill to establish a demonstration project to train unemployed workers for employment as health care professionals, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. FEINGOLD. Mr. President, today I am introducing the third in a series of bills intended to support American companies and American workers. Earlier this week, I introduced a resolution which would set some minimum standards for future trade agreements into which our country enters, and legislation which would strengthen the Buy American Act. Today I am introducing legislation that would help workers who have lost their manufacturing or service sector jobs to be retrained for jobs in high-demand health care fields. I am pleased that my colleague, Senator MIKULSKI, is cosponsoring this important legislation and I look forward to working with her to advance it during the 110th Congress.

According to statistics from the Department of Labor, Wisconsin has lost over 90,000 manufacturing jobs between January 2000 and November 2006. Nationally, the country has lost around 3 million manufacturing jobs since January 2001, yet the administration has continued to support policies that lead to the outsourcing of American jobs. I continue to be deeply troubled by the Bush Administration's contention that the outsourcing of American service sector and other jobs is good for the economy. I am concerned about the message that this policy sends to Wisconsinites and all Americans who are currently employed in these sectors.

There is something of a silver lining to the looming cloud of manufacturing and other jobs loss: the country's workforce development system.

In spite of stretched resources and long waiting lists for services, our workforce development boards are making a tremendous effort to retrain laid-off workers and other job seekers for new jobs. And this effort is clearly evident in Wisconsin, where my State's workforce development boards—despite shoestring budgets—are leading the way in finding innovative solutions to retraining workers for new careers.

I strongly support the work of these agencies, and have urged the Administration and Senate appropriators to provide adequate funding for the job training programs authorized by the Workforce Investment Act. I look forward to the reauthorization of the Workforce Investment Act this year and I will continue to work to ensure that the workforce development boards in my state and across our country receive the resources that they need to help job seekers get the training they need to be successful.

I am committed to finding resources to retrain those who have been laid off from the manufacturing and service sectors and who wish to find new jobs in high-demand fields such as health care.

As most of my colleagues know all too well, we are facing a significant shortage of health care workers. Congress has made some progress in addressing the nursing shortage, but we need to expand our efforts. Shortages of health professionals pose a real threat to the health of our communities by impacting access to timely, high-quality health care. Studies have shown that shortages of nurses in our hospitals and health facilities increase medical errors, which directly affects patient health.

As our population ages, and the baby-boomers need more health care, our need for all types of health professionals is only going to increase. This is particularly true for the field of long-term care. According to the Bureau of Labor Statistics, we are going to need an additional 1.4 million nursing aides, home health aides, and other health professionals in long-term care before the year 2014. In total, there will be almost 1.7 million job openings in health care support occupations through 2012.

As our demand for health care workers grows, so does the number of jobs available within this sector. According to the Wisconsin Department of Workforce Development, the surging job growth in health care will translate into a real need for workers, and real opportunity. In Wisconsin alone, there will be an additional 61,910 health care positions by 2014. This represents a 27 percent increase in jobs in health care by 2014.

Workforce development agencies in my home State of Wisconsin are already working to support displaced workers in their communities by training them for health care jobs, since there is a real need for workers in these fields. These agencies are helping communities get and maintain access to high-quality health care by ensuring that there are enough health care workers to care for their communities.

As the executive director of one of the workforce development boards in my State put it, "[t]here are simply not many good quality jobs to replace manufacturing jobs lost to rural communities. The medical professions, by offering a 'living wage' and good benefits, provide an excellent alternative to manufacturing for sustaining a higher, family-oriented standard of living."

I believe we should support our communities in these efforts by providing them with the resources they need to establish, sustain, or expand these important programs. For that reason, today I am introducing the Community-Based Health Care Retraining Act. This bill would amend the Workforce Investment Act to authorize a demonstration project to provide grants to community-based coalitions, led by local workforce development boards, to create programs to retrain unemployed workers who wish to obtain new jobs in the health care professions. My bill would authorize a total of $25 million for grants between $100,000 and $500,000, and, in the interest of fiscal responsibility, my legislation is fully offset.

This bill will help provide communities with the resources they need to run retraining programs for the health professions. The funds could be used for a variety of purposes, from increasing the capacity of our schools and training facilities, to providing financial and social support for workers who are in retraining programs. This bill allows for flexibility in the use of grant funds because I believe that communities know best about the resources they need to run an efficient program.

This bill represents a nexus in my efforts to support workers whose jobs have been shipped overseas and to ensure that all Americans have access to the high-quality health care that they deserve. By providing targeted assistance to train laid-off workers who wish to obtain new jobs in the health care sector, we can both help unemployed Americans and improve the availability and quality of health care that is available in our communities.

I am pleased that this bill is supported by a variety of organizations that are committed to providing high-quality job training and health care services, including: the Wisconsin Association of Job Training Executives, the Wisconsin Hospital Association, Madison Area Technical College, the Northwest Wisconsin Concentrated Employment Program, the Workforce Development Board of South Central Wisconsin, the Bay Area Workforce Development Board, the Healthcare Workforce Network, the Southwest Wisconsin Workforce Development Board, Sauk County Development Corporation, the American Osteopathic Society, Umos, the Fox Valley Workforce Development Board, and the West Central Wisconsin Workforce Development Board.

In order to ensure that our workers are able to compete in the new economy, we must ensure that they have the tools they need to be trained or retrained for high-demand jobs such as those in the health care field. My bill is a small step toward providing the resources necessary to achieve this goal. I will continue to work to strengthen the American manufacturing sector and to support those workers who have been displaced due to bad trade agreements and other policies that have led to the loss of American jobs.

I ask unanimous consent that the text of this bill be printed in the Record.

There being no objection, the text of the bill was ordered to be printed in the Record, as follows:

S. 620

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Community-Based Health Care Retraining Act".

SEC. 2. HEALTH PROFESSIONS TRAINING DEMONSTRATION PROJECT.

Section 171 of the Workforce Investment Act of 1998 (29 U.S.C. 2916) is amended by adding at the end the following:

"(e) Health Professions Training Demonstration Project.—

"(1) Definitions.—In this subsection:

"(A) Covered community.—The term 'covered community' means a community or region that—

"(i) has experienced a significant percentage decline in positions in the manufacturing or service sectors; and

"(ii) is determined by the Secretary of Health and Human Services (in consultation with the medical community) to be an area with a shortage of health care professionals described in clause (i) or (ii) of subparagraph (C).

"(B) Covered worker.—The term 'covered worker' means an individual who—

"(i)(I) has been terminated or laid off, or who has received a notice of termination or layoff, from employment in a manufacturing or service sector;

"(II)(aa) is eligible for or has exhausted entitlement to unemployment compensation; or

"(bb) has been employed for a duration sufficient to demonstrate, to the appropriate entity at a one-stop center referred to in section 134(c), attachment to the workforce, but is not eligible for unemployment compensation due to insufficient earnings or having performed services for an employer that were not covered under a State unemployment compensation law; and

"(III) is unlikely to return to a previous industry or occupation; or

"(ii)(I) has been terminated or laid off, or has received a notice of termination or layoff, from employment in a manufacturing or service sector as a result of any permanent closure of, or any substantial layoff at, a plant, facility, or enterprise; or

"(II) is employed in a manufacturing or service sector at a facility at which the employer has made a general announcement that such facility will close within 180 days.

"(C) Health care professional.—The term 'health care professional'—

"(i) means an individual who is involved with—

"(I) the delivery of health care services, or related services, pertaining to—

"(aa) the identification, evaluation, and prevention of diseases, disorders, or injuries; or

"(bb) home-based or community-based long-term care;

"(II) the delivery of dietary and nutrition services; or

"(III) rehabilitation and health systems management; and

"(ii) with respect to a covered community to be served through a grant made under paragraph (3), includes individuals in health care professions and jobs for which there is a shortage in the community, as determined by the Secretary of Health and Human Services (in consultation with the medical community), giving consideration to the amount of training time required to retrain the covered workers for the health care professions and jobs.

"(D) Tribal college or university.—The term 'tribal college or university' means—

"(i) a tribally controlled college or university, as defined in section 2 of the Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1801);

"(ii) Diné College, authorized in the Navajo Community College Act (25 U.S.C. 640a et seq.); and

"(iii) any of the 1994 Institutions, as defined in section 532 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note).

"(2) Establishment of project.—In accordance with subsection (b), the Secretary shall establish and carry out a health professions training demonstration project.

"(3) Grants.—In carrying out the project, the Secretary, after consultation with the Secretary of Health and Human Services, shall make grants to eligible entities to enable the entities to carry out programs in covered communities to train covered workers for employment as health care professionals. The Secretary shall make each grant in an amount of not less than $100,000 and not more than $500,000.

"(4) Eligible entities.—Notwithstanding subsection (b)(2)(B), to be eligible to receive a grant under this subsection to carry out a program in a covered community, an entity shall be a partnership that is—

"(A) under the direction of a local workforce investment board established under section 117 that is serving the covered community; and

"(B) composed of members serving the covered community, such as—

"(i) an institution of higher education that provides a 4-year program of instruction;

"(ii) an accredited community college;

"(iii) an accredited vocational or technical school;

"(iv) a tribal college or university;

"(v) a health clinic or hospital;

"(vi) a home-based or community-based long-term care facility or program; or

"(vii) a health care facility administered by the Secretary of Veterans Affairs.

"(5) APPLICATIONS.—To be eligible to receive a grant under this subsection, an entity shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require, including, at a minimum—

"(A) a proposal to use the grant funds to establish or expand a training program in order to train covered workers for employment as health care professionals (including paraprofessionals);

"(B) information demonstrating the need for the training and support services to be provided through the program;

"(C) information describing the manner in which the entity will expend the grant funds, and the activities to be carried out with the funds;

"(D) information demonstrating that the entity meets the requirements of paragraph (4); and

"(E) with respect to training programs carried out by the applicant, information—

"(i) on the graduation rates of the programs involved;

"(ii) on the retention measures carried out by the applicant;

"(iii) on the length of time necessary to complete the training programs of the applicant; and

"(iv) on the number of qualified covered workers that are refused admittance into the training programs because of lack of capacity.

"(6) SELECTION.—In making grants under paragraph (3), the Secretary, after consultation with the Secretary of Health and Human Services, shall—

"(A) consider the information submitted by the eligible entities under paragraph (5)(E); and

"(B) select—

"(i) eligible entities submitting applications that meet such criteria as the Secretary of Labor determines to be appropriate; and

"(ii) among such entities, the eligible entities serving the covered communities with the greatest need for the grants and the greatest potential to benefit from the grants.

"(7) USE OF FUNDS.—

"(A) IN GENERAL.—An entity that receives a grant under this subsection shall use the funds made available through the grant for training and support services that meet the needs described in the application submitted under paragraph (5), which may include—

"(i) increasing capacity, subject to subparagraph (B), at an educational institution or training center to train individuals for employment as health professionals, such as by—

"(I) expanding a facility, subject to subparagraph (B);

"(II) expanding course offerings;

"(III) hiring faculty;

"(IV) providing a student loan repayment program for the faculty;

"(V) establishing or expanding clinical education opportunities;

"(VI) purchasing equipment, such as computers, books, clinical supplies, or a patient simulator; or

"(VII) conducting recruitment; or

"(ii) providing support services for covered workers participating in the training, such as—

"(I) providing tuition assistance;

"(II) establishing or expanding distance education programs;

"(III) providing transportation assistance; or

"(IV) providing child care.

"(B) LIMITATION.—To be eligible to use the funds to expand a facility, the eligible entity shall demonstrate to the Secretary in an application submitted under paragraph (5) that the entity can increase the capacity described in subparagraph (A)(i) of such facility only by expanding the facility.

"(8) FUNDING.—Of the amounts appropriated to, and available at the discretion of, the Secretary or the Secretary of Health and Human Services for programmatic and administrative expenditures, a total of $25,000,000 shall be used to establish and carry out the demonstration project described in paragraph (2) in accordance with this subsection.".

By Mr. FEINGOLD (for himself, Mr. GRASSLEY, Mr. KENNEDY, Mr. LIEBERMAN, and Mr. INOUYE):

S. 621. A bill to establish commissions to review the facts and circumstances surrounding injustices suffered by European Americans, European Latin Americans, and Jewish refugees during World War II; to the Committee on the Judiciary.

Mr. FEINGOLD. Mr. President, today I introduce the Wartime Treatment Study Act. This bill would create two fact-finding commissions: one commission to review the U.S. government's treatment of German Americans, Italian Americans, and European Latin Americans during World War II, and another commission to review the U.S. government's treatment of Jewish refugees fleeing Nazi persecution during World War II. This bill is long overdue.

I am very pleased that my colleagues Senators GRASSLEY, KENNEDY, LIEBERMAN and INOUYE have joined me as cosponsors of this important bill. I thank them for their support. And I thank Congressman WEXLER, who has been the unflagging champion of this legislation in the House of Representatives.

The victory of America and its allies in the Second World War was a triumph for freedom, justice, and human rights. The courage displayed by so many Americans, of all ethnic origins, should be a source of great pride for all Americans.

But, at the same time that so many brave Americans fought for freedom in Europe and the Pacific, the U.S. government was curtailing the freedom of people here at home. While, it is, of course, the right of every nation to protect itself during wartime, the U.S. Government must respect the basic freedoms for which so many Americans have given their lives to defend. War tests our principles and our values. And as our Nation's recent experience has shown, it is during times of war and conflict, when our fears are high and our principles are tested most, that we must be even more vigilant to guard against violations of the basic freedoms guaranteed by the Constitution.

Many Americans are aware that during World War II, under the authority of Executive Order 9066, our government forced more than 100,000 ethnic Japanese from their homes and ultimately into internment camps. Japanese Americans were forced to leave their homes, their livelihoods, and their communities and were held behind barbed wire and military guard by their own government. Through the work of the Commission on Wartime Relocation and Internment of Civilians, created by Congress in 1980, this shameful event finally received the official acknowledgement and condemnation it deserved. Under the Civil Liberties Act of 1988, people of Japanese ancestry who were subjected to relocation or internment later received an apology and reparations on behalf of the people of the United States.

February 19, 2007, is the "Day of Remembrance," the 65th anniversary of the signing of Executive Order 9066. On this day, we should remember the freedoms all of these individuals were forced to give up, and resolve never to make these mistakes again.

While I commend our government for finally recognizing and apologizing for the mistreatment of Japanese Americans during World War II, I believe that it is time that the government also acknowledge the mistreatment experienced by many German Americans, Italian Americans, and European Latin Americans, as well as Jewish refugees.

The Wartime Treatment Study Act would create two independent, fact-finding commissions to review this unfortunate history, so that Americans can understand why it happened and work to ensure that it never happens again. One commission will review the treatment by the U.S. government of German Americans, Italian Americans, and other European Americans, as well as European Latin Americans, during World War II.

I believe that most Americans are unaware that, as was the case with Japanese Americans, approximately 11,000 ethnic Germans, 3,200 ethnic Italians, and scores of Bulgarians, Hungarians, Romanians or other European Americans living in America were taken from their homes and placed in internment camps during World War II. We must learn from this history and explore why we turned on our fellow Americans and failed to protect their basic freedoms.

A second commission created by this bill will review the treatment by the U.S. government of Jewish refugees who were fleeing Nazi persecution and genocide. We must review the facts here as well and determine how restrictive immigration policies failed to provide adequate safe harbor to Jewish refugees fleeing the persecution of Nazi Germany. It is a horrible truth that the United States turned away thousands of refugees, delivering many refugees to their deaths at the hands of the Nazi regime.

As I mentioned earlier, there has been a measure of justice for Japanese Americans who were denied their liberty and property. It is now time for the U.S. government to complete the accounting of this period in our nation's history. It is time to create independent, fact-finding commissions to conduct a full and through review of the treatment of all European Americans, European Latin Americans, and Jewish refugees during World War II.

Up to this point, there has been no justice for the thousands of German Americans, Italian Americans, and other European Americans who were branded "enemy aliens" and then taken from their homes, subjected to curfews, limited in their travel, deprived of their personal property, and, in the worst cases, placed in internment camps.

There has been no justice for Latin Americans of European descent who were shipped to the United States and sometimes repatriated or deported to hostile, war-torn European Axis powers, often in exchange for Americans being held in those countries.

Finally, there has been no justice for the thousands of Jews, like those aboard the German vessel the *St. Louis*, who sought refuge from hostile Nazi treatment but were callously turned away at America's shores.

The injustices to European Americans, European Latin Americans, and Jewish refugees occurred more than fifty years ago. Americans can learn from these tragedies now, while the people who survived these injustices are still with us, and are still here to teach us. We cannot put this off any longer. If we wait, the people who were affected will no longer be here to know that Congress has at last recognized their sacrifice and resolved to learn from the mistakes of the past.

We should never allow this part of our Nation's history to repeat itself. And, while we should be proud of our Nation's triumph in World War II, we should not let that justifiable pride blind us to the treatment of some Americans by their own government.

As the Day of Remembrance approaches, I urge my colleagues to join me in supporting the Wartime Treatment Study Act, and to allow this bill to become law as soon as possible. I have been seeking to enact this legislation for six years. It is time for a full accounting of this tragic chapter in our Nation's history.

I ask unanimous consent that the text of the Wartime Treatment Study Act be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 621

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Wartime Treatment Study Act".

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) During World War II, the United States Government deemed as "enemy aliens" more than 600,000 Italian-born and 300,000 German-born United States resident aliens and their families and required them to carry Certificates of Identification and limited their travel and personal property rights. At that time, these groups were the 2 largest foreign-born groups in the United States.

(2) During World War II, the United States Government arrested, interned, or otherwise detained thousands of European Americans, some remaining in custody for years after cessation of World War II hostilities, and repatriated, exchanged, or deported European Americans, including American-born children, to European Axis nations, many to be exchanged for Americans held in those nations.

(3) Pursuant to a policy coordinated by the United States with Latin American nations, many European Latin Americans, including German and Austrian Jews, were arrested, brought to the United States, and interned. Many were later expatriated, repatriated, or deported to European Axis nations during World War II, many to be exchanged for Americans and Latin Americans held in those nations.

(4) Millions of European Americans served in the armed forces and thousands sacrificed their lives in defense of the United States.

(5) The wartime policies of the United States Government were devastating to the Italian American and German American communities, individuals, and their families. The detrimental effects are still being experienced.

(6) Prior to and during World War II, the United States restricted the entry of Jewish refugees who were fleeing persecution or genocide and sought safety in the United States. During the 1930's and 1940's, the quota system, immigration regulations, visa requirements, and the time required to process visa applications affected the number of Jewish refugees, particularly those from Germany and Austria, who could gain admittance to the United States.

(7) The United States Government should conduct an independent review to fully assess and acknowledge these actions. Congress has previously reviewed the United States Government's wartime treatment of Japanese Americans through the Commission on Wartime Relocation and Internment of Civilians. An independent review of the treatment of German Americans and Italian Americans and of Jewish refugees fleeing persecution and genocide has not yet been undertaken.

(8) Time is of the essence for the establishment of commissions, because of the increasing danger of destruction and loss of relevant documents, the advanced age of potential witnesses and, most importantly, the advanced age of those affected by the United States Government's policies. Many who suffered have already passed away and will never know of this effort.

SEC. 3. DEFINITIONS.

In this Act:

(1) DURING WORLD WAR II.—The term "during World War II" refers to the period between September 1, 1939, through December 31, 1948.

(2) EUROPEAN AMERICANS.—

(A) IN GENERAL.—The term "European Americans" refers to United States citizens and resident aliens of European ancestry, including Italian Americans, German Americans, Hungarian Americans, Romanian Americans, and Bulgarian Americans.

(B) ITALIAN AMERICANS.—The term "Italian Americans" refers to United States citizens and resident aliens of Italian ancestry.

(C) GERMAN AMERICANS.—The term "German Americans" refers to United States citizens and resident aliens of German ancestry.

(3) EUROPEAN LATIN AMERICANS.—The term "European Latin Americans" refers to persons of European ancestry, including Italian or German ancestry, residing in a Latin American nation during World War II.

(4) LATIN AMERICAN NATION.—The term "Latin American nation" refers to any nation in Central America, South America, or the Carribean.

TITLE I—COMMISSION ON WARTIME TREATMENT OF EUROPEAN AMERICANS

SEC. 101. ESTABLISHMENT OF COMMISSION ON WARTIME TREATMENT OF EUROPEAN AMERICANS.

(a) IN GENERAL.—There is established the Commission on Wartime Treatment of European Americans (referred to in this title as the "European American Commission").

(b) MEMBERSHIP.—The European American Commission shall be composed of 7 members, who shall be appointed not later than 90 days after the date of enactment of this Act as follows:

(1) Three members shall be appointed by the President.

(2) Two members shall be appointed by the Speaker of the House of Representatives, in consultation with the minority leader.

(3) Two members shall be appointed by the majority leader of the Senate, in consultation with the minority leader.

(c) TERMS.—The term of office for members shall be for the life of the European American Commission. A vacancy in the European American Commission shall not affect its powers, and shall be filled in the same manner in which the original appointment was made.

(d) REPRESENTATION.—The European American Commission shall include 2 members representing the interests of Italian Americans and 2 members representing the interests of German Americans.

(e) MEETINGS.—The President shall call the first meeting of the European American Commission not later than 120 days after the date of enactment of this Act.

(f) QUORUM.—Four members of the European American Commission shall constitute a quorum, but a lesser number may hold hearings.

(g) CHAIRMAN.—The European American Commission shall elect a Chairman and Vice Chairman from among its members. The term of office of each shall be for the life of the European American Commission.

(h) COMPENSATION.—

(1) IN GENERAL.—Members of the European American Commission shall serve without pay.

(2) REIMBURSEMENT OF EXPENSES.—All members of the European American Commission shall be reimbursed for reasonable travel and subsistence, and other reasonable and necessary expenses incurred by them in the performance of their duties.

SEC. 102. DUTIES OF THE EUROPEAN AMERICAN COMMISSION.

(a) IN GENERAL.—It shall be the duty of the European American Commission to review the United States Government's wartime treatment of European Americans and European Latin Americans as provided in subsection (b).

(b) SCOPE OF REVIEW.—The European American Commission's review shall include the following:

(1) A comprehensive review of the facts and circumstances surrounding United States Government actions during World War II with respect to European Americans and European Latin Americans pursuant to the Alien Enemies Acts (50 U.S.C. 21 et seq.), Presidential Proclamations 2526, 2527, 2655, 2662, and 2685, Executive Orders 9066 and 9095, and any directive of the United States Government pursuant to such law, proclamations, or executive orders respecting the registration, arrest, exclusion, internment, exchange, or deportation of European Americans and European Latin Americans. This review shall include an assessment of the underlying rationale of the United States Government's decision to develop related programs and policies, the information the United States Government received or acquired suggesting the related programs and policies were necessary, the perceived benefit of enacting such programs and policies, and the immediate and long-term impact of such programs and policies on European Americans and European Latin Americans and their communities.

(2) A comprehensive review of United States Government action during World War II with respect to European Americans and European Latin Americans pursuant to the Alien Enemies Acts (50 U.S.C. 21 et seq.), Presidential Proclamations 2526, 2527, 2655, 2662, and 2685, Executive Orders 9066 and 9095, and any directive of the United States Government pursuant to such law, proclamations, or executive orders, including registration requirements, travel and property restrictions, establishment of restricted areas, raids, arrests, internment, exclusion, policies relating to the families and property that excludees and internees were forced to abandon, internee employment by American companies (including a list of such companies and the terms and type of employment), exchange, repatriation, and deportation, and the immediate and long-term effect of such actions, particularly internment, on the lives of those affected. This review shall include a list of—

(A) all temporary detention and long-term internment facilities in the United States and Latin American nations that were used to detain or intern European Americans and European Latin Americans during World War II (in this paragraph referred to as "World War II detention facilities");

(B) the names of European Americans and European Latin Americans who died while in World War II detention facilities and where they were buried;

(C) the names of children of European Americans and European Latin Americans who were born in World War II detention facilities and where they were born; and

(D) the nations from which European Latin Americans were brought to the United States, the ships that transported them to the United States and their departure and disembarkation ports, the locations where European Americans and European Latin Americans were exchanged for persons held in European Axis nations, and the ships that transported them to Europe and their departure and disembarkation ports.

(3) A brief review of the participation by European Americans in the United States Armed Forces including the participation of European Americans whose families were excluded, interned, repatriated, or exchanged.

(4) A recommendation of appropriate remedies, including how civil liberties can be protected during war, or an actual, attempted, or threatened invasion or incursion, an assessment of the continued viability of the Alien Enemies Acts (50 U.S.C. 21 et seq.), and public education programs related to the United States Government's wartime treatment of European Americans and European Latin Americans during World War II.

(c) FIELD HEARINGS.—The European American Commission shall hold public hearings in such cities of the United States as it deems appropriate.

(d) REPORT.—The European American Commission shall submit a written report of its findings and recommendations to Congress not later than 18 months after the date of the first meeting called pursuant to section 101(e).

SEC. 103. POWERS OF THE EUROPEAN AMERICAN COMMISSION.

(a) IN GENERAL.—The European American Commission or, on the authorization of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out the provisions of this title, hold such hearings and sit and act at such times and places, and request the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandum, papers, and documents as the Commission or such subcommittee or member may deem advisable. The European American Commission may request the Attorney General to invoke the aid of an appropriate United States district court to require, by subpoena or otherwise, such attendance, testimony, or production.

(b) GOVERNMENT INFORMATION AND COOPERATION.—The European American Commission may acquire directly from the head of any department, agency, independent instrumentality, or other authority of the executive branch of the Government, available information that the European American Commission considers useful in the discharge of its duties. All departments, agencies, and independent instrumentalities, or other authorities of the executive branch of the Government shall cooperate with the European American Commission and furnish all information requested by the European American Commission to the extent permitted by law, including information collected under the Commission on Wartime and Internment of Civilians Act (Public Law 96–317; 50 U.S.C. App. 1981 note) and the Wartime Violation of Italian Americans Civil Liberties Act (Public Law 106–451; 50 U.S.C. App. 1981 note). For purposes of section 552a(b)(9) of title 5, United States Code (commonly known as the "Privacy Act of 1974"), the European American Commission shall be deemed to be a committee of jurisdiction.

SEC. 104. ADMINISTRATIVE PROVISIONS.

The European American Commission is authorized to—

(1) appoint and fix the compensation of such personnel as may be necessary, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that the compensation of any employee of the Commission may not exceed a rate equivalent to the rate payable under GS–15 of the General Schedule under section 5332 of such title;

(2) obtain the services of experts and consultants in accordance with the provisions of section 3109 of such title;

(3) obtain the detail of any Federal Government employee, and such detail shall be without reimbursement or interruption or loss of civil service status or privilege;

(4) enter into agreements with the Administrator of General Services for procurement of necessary financial and administrative services, for which payment shall be made by reimbursement from funds of the Commission in such amounts as may be agreed upon by the Chairman of the Commission and the Administrator;

(5) procure supplies, services, and property by contract in accordance with applicable laws and regulations and to the extent or in such amounts as are provided in appropriation Acts; and

(6) enter into contracts with Federal or State agencies, private firms, institutions, and agencies for the conduct of research or surveys, the preparation of reports, and other activities necessary to the discharge of the duties of the Commission, to the extent or in such amounts as are provided in appropriation Acts.

SEC. 105. FUNDING.

Of the amounts authorized to be appropriated to the Department of Justice, $600,000 shall be available to carry out this title.

SEC. 106. SUNSET.

The European American Commission shall terminate 60 days after it submits its report to Congress.

TITLE II—COMMISSION ON WARTIME TREATMENT OF JEWISH REFUGEES

SEC. 201. ESTABLISHMENT OF COMMISSION ON WARTIME TREATMENT OF JEWISH REFUGEES.

(a) IN GENERAL.—There is established the Commission on Wartime Treatment of Jewish Refugees (referred to in this title as the "Jewish Refugee Commission").

(b) MEMBERSHIP.—The Jewish Refugee Commission shall be composed of 7 members, who shall be appointed not later than 90 days after the date of enactment of this Act as follows:

(1) Three members shall be appointed by the President.

(2) Two members shall be appointed by the Speaker of the House of Representatives, in consultation with the minority leader.

(3) Two members shall be appointed by the majority leader of the Senate, in consultation with the minority leader.

(c) TERMS.—The term of office for members shall be for the life of the Jewish Refugee Commission. A vacancy in the Jewish Refugee Commission shall not affect its powers, and shall be filled in the same manner in which the original appointment was made.

(d) REPRESENTATION.—The Jewish Refugee Commission shall include 2 members representing the interests of Jewish refugees.

(e) MEETINGS.—The President shall call the first meeting of the Jewish Refugee Commission not later than 120 days after the date of enactment of this Act.

(f) QUORUM.—Four members of the Jewish Refugee Commission shall constitute a quorum, but a lesser number may hold hearings.

(g) CHAIRMAN.—The Jewish Refugee Commission shall elect a Chairman and Vice Chairman from among its members. The term of office of each shall be for the life of the Jewish Refugee Commission.

(h) COMPENSATION.—

(1) IN GENERAL.—Members of the Jewish Refugee Commission shall serve without pay.

(2) REIMBURSEMENT OF EXPENSES.—All members of the Jewish Refugee Commission shall be reimbursed for reasonable travel and subsistence, and other reasonable and necessary expenses incurred by them in the performance of their duties.

SEC. 202. DUTIES OF THE JEWISH REFUGEE COMMISSION.

(a) IN GENERAL.—It shall be the duty of the Jewish Refugee Commission to review the United States Government's refusal to allow Jewish and other refugees fleeing persecution or genocide in Europe entry to the United States as provided in subsection (b).

(b) SCOPE OF REVIEW.—The Jewish Refugee Commission's review shall cover the period between January 1, 1933, through December 31, 1945, and shall include, to the greatest extent practicable, the following:

(1) A review of the United States Government's decision to deny Jewish and other refugees fleeing persecution or genocide entry to the United States, including a review of the underlying rationale of the United States Government's decision to refuse the Jewish and other refugees entry, the information the United States Government received or acquired suggesting such refusal was necessary, the perceived benefit of such refusal, and the impact of such refusal on the refugees.

(2) A review of Federal refugee law and policy relating to those fleeing persecution or genocide, including recommendations for making it easier in the future for victims of persecution or genocide to obtain refuge in the United States.

(c) FIELD HEARINGS.—The Jewish Refugee Commission shall hold public hearings in such cities of the United States as it deems appropriate.

(d) REPORT.—The Jewish Refugee Commission shall submit a written report of its findings and recommendations to Congress not later than 18 months after the date of the first meeting called pursuant to section 201(e).

SEC. 203. POWERS OF THE JEWISH REFUGEE COMMISSION.

(a) IN GENERAL.—The Jewish Refugee Commission or, on the authorization of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out the provisions of this title, hold such hearings and sit and act at such times and places, and request the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandum, papers, and documents as the Commission or such subcommittee or member may deem advisable. The Jewish Refugee Commission may request the Attorney General to invoke the aid of an appropriate United States district court to require, by subpoena or otherwise, such attendance, testimony, or production.

(b) GOVERNMENT INFORMATION AND COOPERATION.—The Jewish Refugee Commission may acquire directly from the head of any department, agency, independent instrumentality, or other authority of the executive branch of the Government, available information that the Jewish Refugee Commission considers useful in the discharge of its duties. All departments, agencies, and independent instrumentalities, or other authorities of the executive branch of the Government shall cooperate with the Jewish Refugee Commission and furnish all information requested by the Jewish Refugee Commission to the extent permitted by law, including information collected as a result of the Commission on Wartime and Internment of Civilians Act (Public Law 96-317; 50 U.S.C. App. 1981 note) and the Wartime Violation of Italian Americans Civil Liberties Act (Public Law 106-451; 50 U.S.C. App. 1981 note). For purposes of section 552a(b)(9) of title 5, United States Code (commonly known as the "Privacy Act of 1974"), the Jewish Refugee Commission shall be deemed to be a committee of jurisdiction.

SEC. 204. ADMINISTRATIVE PROVISIONS.

The Jewish Refugee Commission is authorized to—

(1) appoint and fix the compensation of such personnel as may be necessary, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that the compensation of any employee of the Commission may not exceed a rate equivalent to the rate payable under GS-15 of the General Schedule under section 5332 of such title;

(2) obtain the services of experts and consultants in accordance with the provisions of section 3109 of such title;

(3) obtain the detail of any Federal Government employee, and such detail shall be without reimbursement or interruption or loss of civil service status or privilege;

(4) enter into agreements with the Administrator of General Services for procurement of necessary financial and administrative services, for which payment shall be made by reimbursement from funds of the Commission in such amounts as may be agreed upon by the Chairman of the Commission and the Administrator;

(5) procure supplies, services, and property by contract in accordance with applicable laws and regulations and to the extent or in such amounts as are provided in appropriation Acts; and

(6) enter into contracts with Federal or State agencies, private firms, institutions, and agencies for the conduct of research or surveys, the preparation of reports, and other activities necessary to the discharge of the duties of the Commission, to the extent or in such amounts as are provided in appropriation Acts.

SEC. 205. FUNDING.

Of the amounts authorized to be appropriated to the Department of Justice, $600,000 shall be available to carry out this title.

SEC. 206. SUNSET.

The Jewish Refugee Commission shall terminate 60 days after it submits its report to Congress.

By Mr. HARKIN (for himself, Mr. ENZI, Mr. FEINGOLD, Mr. THOMAS, Mr. DORGAN, Mr. BAUCUS, and Mrs. MCCASKILL):

S. 622. A bill to enhance fair and open competition in the production and sale of agricultural commodities; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. HARKIN. Mr. President, today I am introducing the "Competitive and Fair Agricultural Markets Act of 2007." Cosponsors joining me in introducing this legislation are: Senators ENZI, FEINGOLD, THOMAS, DORGAN, BAUCUS and MCCASKILL. This legislation seeks to level the playing field for agricultural producers by strengthening and clarifying the Packers and Stockyards Act of 1921 and the Agricultural Fair Practices Act of 1967 and strengthening enforcement of both laws by USDA. I intend to use this legislation as the basis for developing a proposed competition title in the new farm bill this year.

Consolidation is happening in all sectors of agriculture and having a negative effect on producers and consumers across the Nation. Consolidation in itself is not a violation of the Packers and Stockyards Act, but when some entities become larger and more powerful that makes enforcement of the Packers and Stockyards Act absolutely critical for independent livestock and poultry producers. The statistics speak for themselves. For example, today, only four firms control 84 percent of the procurement of cattle and 64 percent of the procurement of hogs. Economists have stated that when four firms control over 40 percent of the industry, marketplace competitiveness begins to decline. Taken together with fewer buyers of livestock, highly integrated firms can exert tremendous power over the industry.

The Grain Inspection, Packers and Stockyards Administration, GIPSA, at USDA has the responsibility to enforce the Packers and Stockyards Act. This Act is critical, and protects livestock producers from unfair, unjustly discriminatory and anti-competitive practices in the marketplace. For years I have had my doubts about whether USDA was serious about enforcing the Packers and Stockyards Act. In 2005, I requested an audit by USDA's Inspector General to investigate USDA's oversight, and enforcement of the law. Last year, the Inspector General confirmed the concerns I had and uncovered even more systemic problems. The report described widespread inaction, management of the agency actively blocking employees from conducting investigations into anti-competitive behavior and a scheme to cover up the lack of enforcement by inflating the reported number of investigations conducted.

That is why today, the legislation I introduce will reorganize the structure in how USDA enforces the Packers and Stockyards Act and create an office of special counsel on competition matters. The special counsel would be appointed by the President with advice and consent from the U.S. Senate. Some would argue that Senate advice and consent is not needed. However, for over five years, GIPSA failed to move competition investigations forward and no one above the level of deputy administrator at GIPSA seemed to have any idea that any problems were going on, despite the fact I was sending letters to the Secretary of Agriculture pointing out that USDA was failing to enforce the law.

In the past year, GIPSA has worked in good faith to improve its enforcement activities. However, GIPSA only investigates potential violations of the law, they do not litigate and follow-through with the investigation to the end. Litigating cases is reserved only for USDA's Office of General Counsel, OGC, unless they refer it to the Department of Justice.

USDA's Office of General Counsel has not been active on cases involving anti-competitive practices in recent years since GIPSA was not referring cases to them. To be sure, only two cases involving anti-competitive practices were referred to OGC in 5 years. But there are concerns that OGC is not as committed to enforcing competition investigations as they should be. This lack of commitment was clearly evident last year in testimony provided by OGC Assistant General Counsel in the Trade Practices Division at a hearing by the Senate Committee on Agriculture, Nutrition, and Forestry.

Concerns about OGC's attitude toward enforcing the Packers and Stockyards Act are not new. USDA's Inspector General stated in its 1997 audit that Packers and Stockyards program officials were concerned that OGC did not want to litigate competition cases "because they are complicated and time consuming" and OGC had "limited expertise" with them. In 2000, the Government Accountability Office found "disagreements" between OGC and GIPSA regarding the interpretation of the Act's competition provisions. By combining investigation and prosecution activities into the proposed special counsel office, designated to handle competition issues, it reduces the ability for investigations to be batted back and forth within USDA.

This legislation also makes many important clarifications to the Packers and Stockyards Act. The Packers and Stockyards Act prohibits unfair, unjustly discriminatory and anti-competitive practices, but some courts have ruled that producers need to prove an impact on competition in the market in order to prevail in such cases involving unfair or deceptive practices. For example, the United States Eleventh Circuit Court of Appeals ruled that a poultry grower operation failed to prove how its case involving an unfair termination of its contract adversely affected competition. The court indicated that the grower had to prove that their unfair treatment affected competition in the relevant market. That is very difficult to prove and was never the intent of the Packers and Stockyards Act.

This legislation also modifies the Packers and Stockyards Act so that poultry growers have the same enforcement protections by USDA as livestock. Currently, it is unlawful for a livestock packer or live poultry dealer to engage in any unfair, unjustly discriminatory or deceptive practice, but USDA does not have the authority to enforce violations because the enforcement section of the law is absent of any reference to poultry. This important statutory change is long overdue. In addition, to better reflect the integrated nature of the poultry industry, this legislation also ensures that protections under the law extend to all poultry growers, such as breeder hen and pullet operations, not just those who raise broilers.

The Agricultural Fair Practices Act of 1967 was passed by Congress to ensure that producers are allowed to join together as an association to strengthen their position in the marketplace without being discriminated against by handlers. Unfortunately, this act was passed with a clause that essentially abolishes the actual intent of the law. The act states that "nothing in this Act shall prevent handlers and producers from selecting their customers" and it also states that it does not "require a handler to deal with an association of producers." This clause in effect allows handlers to think of any reason possible to not do business with certain producers, as long as the stated reason is not because they belong to an association.

I propose to expand the Agricultural Fair Practices Act to provide new needed protections for agricultural contracts. As I have mentioned earlier, consolidation in all sectors of agriculture is reducing the number of buyers of commodities and for the very few who are left, many require contracts to conduct business. With so few buyers, it increases the chances that some firms will force unfair contracts upon producers. As a result, some producers have little or no choice but to contract with a firm with questionable practices or face leaving the industry they have known for their whole lives.

This amendment to the Agricultural Fair Practices Act requires that the contract spell out in clear language what is required by the producer. This legislation prohibits confidentiality clauses, ensuring producers the ability to share the contract with family members or a lawyer to help them make an informed decision on whether or not to sign it. This legislation also prevents companies from prematurely terminating contracts without notice when producers have made large capital investments as a condition of signing the contract. And it only allows mandatory arbitration after a dispute arises and both parties agree to it in writing. Producers should not be forced to sign contracts with arbitration clauses thereby preventing them from seeking legal remedy in the courts.

Mr. President, producers deserve to have a fair and evenhanded market in which to conduct business. This legislation won't be able to turn back the clock, but it will strengthen laws and enforcement of them so that markets operate more fairly.

By Mr. SCHUMER (for himself, Mrs. CLINTON, Mr. VITTER, Ms. COLLINS, Mr. LEAHY, and Ms. STABENOW):

S. 623. A bill to amend the Public Health Service Act to provide for the licensing of comparable and interchangeable biological products, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. SCHUMER. Mr. President, I rise today to introduce the Access to Life-Saving Medicine Act with my colleague, Senator CLINTON. Recognizing the promise of generic drugs as safe and effective treatments at greatly reduced prices, I have worked for years with my colleagues in the House and the Senate to increase generic drug availability and accessibility, most notably with Senator MCCAIN on a 2003 law. This legislation represents the next step in the availability of generic drugs for American consumers by creating a statutory pathway for generic versions of biotech drugs to enter the market.

While generic drugs save American consumers an estimated eight to ten billion dollars each year, American consumers have not yet reaped the full potential savings from the generic drug market. Under current law, there is no generic approval process at the Food and Drug Administration, FDA, for an entire category of drugs, even once the patents have expired. These biologic drugs, which are an expensive and growing sector of the pharmaceutical market, will obtain monopoly pricing on the market indefinitely without the possibility of generic competitors.

Drug companies that invest in the research and development of life-saving drugs, whether biological or chemical in nature, deserve to be rewarded for their work. At the same time, patients need the ability to access affordable drugs. We have created a statutory framework for chemical drugs that balances incentives for continued innovations with access to affordable drugs for patients. But, this framework has not yet expanded to biotech drugs, which are on the cutting edge of science but for which the laws are hopelessly out of date.

Now is the time to ensure that American consumers have the same access to life-saving biotech drugs that consumers have to well-known, widely used chemical drugs. Patients need to be able to afford and access their medications, and they don't care what kind of drug they have. Patients rely on biotech drugs to treat a wide array of diseases, ranging from diabetes to cancer to AIDS, but with no generic versions of biotech drugs available, these drugs can cost tens of thousands of dollars a year—too expensive for many patients to afford. Introducing fair competition for biotech drugs is essential to make life-saving biotech treatments affordable.

The Access to Life-Saving Medicine Act will allow the FDA to approve generic versions of biologic drugs that have been determined to be both safe and effective. The FDA is not required to approve any generic biologics, but if the data is there, they will now have the ability to do so.

A report released earlier this year by Pharmaceutical Care Management Association estimated that the introduction of generic biotech drugs into the market could save Medicare Part B $14 billion over the next ten years. We need to embrace those potential savings and provide American consumers access to affordable biotech drugs.

Moving this legislation forward and creating a statutory pathway for generic versions of biotech drugs to enter the market is one of my highest priorities in the 110th Congress. I look forward to working with my colleagues, especially Senator CLINTON, to accomplish this goal.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 623

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Access to Life-Saving Medicine Act".

SEC. 2. DEFINITIONS.

(a) AMENDMENTS.—Section 351(i) of the Public Health Service Act (42 U.S.C. 262(i)) is amended—

(1) by striking "In this section, the term 'biological product' means" and inserting the following: "In this section:

"(1) The term 'biological product' means"; and

(2) by adding at the end the following:

"(2) The term 'abbreviated biological product application' means an abbreviated application for a license of a biological product containing the same, or similar, active ingredient as a reference product.

"(3) The term 'reference product' means the single licensed biological product, approved under subsection (a) or subsection (k), against which a biological product is evaluated for demonstration of safety, potency, or purity.

"(4) The term 'comparable' or 'comparability' in reference to a biological product means the absence of clinically meaningful differences between the biological product and the reference product in terms of the safety, purity, and potency of the product based upon—

"(A) data derived from chemical, physical, and biological assays, and other non-clinical laboratory studies; and

"(B) data from any necessary clinical study or studies sufficient to confirm safety, purity, and potency in one or more appropriate conditions of use for which the reference product is licensed and intended to be used.

Any studies under subparagraph (B) shall be designed to avoid duplicative and unethical clinical testing.

"(5) The terms 'interchangeable' and 'interchangeability' mean, with respect to the condition of use involved, that the biological product—

"(A) is comparable to the reference product; and

"(B) can be expected to produce the same clinical result as the reference product in any given patient.

"(6) The term 'thorough characterization' means an analysis of structural features based upon appropriate analytical and functional testing sufficient to identify differences between a biological product and reference product relevant to safety, purity or potency.

"(7) The term 'final action' means, with respect to an abbreviated biological product application, the Secretary's issuance of a final action letter to the sponsor of an abbreviated biological product application which—

"(A) approves the application; or

"(B) disapproves the application and sets forth in detail an enumeration of the specific deficiencies in the particular application and of the specific, enumerated actions the sponsor would be required to take in order for the sponsor to receive a final action letter that approves such application.

"(8) The term 'final action date' means, with respect to an abbreviated biological product application, the date by which the Secretary must take a final action on the application pursuant to subsection (k)(11).

"(9) The term 'reviewing division' means the division responsible for the review of an application for approval of a biological product (including all scientific and medical matters, chemistry, manufacturing, and controls).".

(b) RULE OF CONSTRUCTION.—Nothing in this Act or the amendments made by this Act shall be construed to exclude an application for licensure of a biological product under section 351(k) from the definition of a human drug application in section 735(1)(C) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379g(1)(C)).

SEC. 3. REGULATION OF COMPARABLE AND INTERCHANGEABLE BIOLOGICAL PRODUCTS.

(a) IN GENERAL.—Section 351 of the Public Health Service Act (42 U.S.C. 262) is amended—

(1) in subsection (a)(1)(A), by inserting "under this subsection or subsection (k)" after "biologics license"; and

(2) by adding at the end the following subsection:

"(k) REGULATION OF COMPARABLE AND INTERCHANGEABLE BIOLOGICAL PRODUCTS.—

"(1) SUBMISSION OF AN ABBREVIATED BIOLOGICAL PRODUCT APPLICATION.—Any person may file with the Secretary an abbreviated biological product application. Any such application shall include the following:

"(A) Data demonstrating that the biological product is comparable to or interchangeable with the reference product.

"(B) Data demonstrating that the biological product and reference product contain highly similar principal molecular structural features, notwithstanding minor differences in heterogeneity profile, impurities, or degradation patterns. The Secretary shall find the following types of products to contain highly similar principal molecular structural features:

"(i) Two protein biological products with differences in structure between them solely due to post-translational events, infidelity of translation or transcription, or minor differences in amino acid sequence.

"(ii) Two polysaccharide biological products with similar saccharide repeating units, even if the number of units differ and even if there are differences in post-polymerization modifications.

"(iii) Two glycosylated protein products with differences in structure between them solely due to post-translational events, infidelity of translation or transcription, or minor differences in amino acid sequence, and if they had similar saccharide repeating units, even if the number of units differ and even if there were differences in post-polymerization modifications.

"(iv) Two polynucleotide biological products with identical sequence of purine and pyrimidine bases (or their derivatives) bound to an identical sugar backbone (ribose, deoxyribose, or modifications of these sugars).

"(v) Closely related, complex partly definable biological products with similar therapeutic intent, such as two live viral products for the same indication.

Two biological products not enumerated in the foregoing clauses may be demonstrated to contain highly similar principal molecular structural features based upon such data and other information characterizing the two products as the Secretary determines to be necessary.

"(C) Data demonstrating that the biological product and reference product utilize the same mechanism or mechanisms of action for the condition or conditions of use prescribed, recommended, or suggested in the proposed labeling, but only to the extent the mechanism or mechanisms of action are known for the reference product.

"(D) Information to show that the condition or conditions of use prescribed, recommended, or suggested in the labeling proposed for the biological product have been previously approved for the reference product.

"(E) Information to show that the route of administration, the dosage form, and the strength of the biological product are the same as those of the reference product.

"(F) Data demonstrating that the facility in which the biological product is manufactured, processed, packed, or held meets standards designed to assure that the biological product continues to be safe, pure, and potent.

"(G) At the applicant's option, publicly-available information regarding the Secretary's previous determination that the reference product is safe, pure, and potent.

"(H) Any additional data and information in support of the application, including publicly-available information with respect to the reference product or another biological product.

"(2) OTHER APPLICATIONS.—Any person, including a person who has not conducted and does not have a right of reference to the studies in the application for a reference product, may submit an application under this paragraph for a biological product that differs from, or incorporates a change to, the reference product with respect to one or more characteristics described in subparagraphs (A) through (E) of paragraph (1), including a difference in safety, purity, or potency, so long as the application contains sufficient information to establish the safety, purity, and potency of the biological product relative to the reference product for its proposed condition or conditions of use.

"(3) FDA REVIEW OF ABBREVIATED BIOLOGICAL PRODUCT APPLICATIONS.—

"(A) GUIDANCE REGARDING REVIEW OF APPLICATIONS.—The Secretary shall issue guidance for the individuals who review applications submitted under paragraph (1) or (2), which shall relate to promptness in conducting the review, technical excellence, lack of bias and conflict of interest, and knowledge of regulatory and scientific standards, and which shall apply equally to all individuals who review such applications.

"(B) MEETINGS WITH SPONSORS AND APPLICANTS.—The Secretary shall meet with a sponsor of an investigation or an applicant for approval of a comparable or interchangeable biological product under this subsection if the sponsor or applicant makes a reasonable written request for a meeting for the purpose of reaching agreement on the design and size of studies needed for approval of the application. The sponsor or applicant shall provide information necessary for discussion and agreement on the design and size of such studies. Minutes of any such meeting shall be prepared by the Secretary and made available to the sponsor or applicant.

"(C) AGREEMENTS.—Any agreement regarding the parameters of design and size of the studies of a biological product under this paragraph that is reached between the Secretary and a sponsor or applicant shall be reduced to writing and made part of the administrative record by the Secretary. Such agreement shall not be changed after the testing begins, except—

"(i) with the written agreement of the sponsor or applicant; or

"(ii) pursuant to a decision, made in accordance with subparagraph (D) by the director of the reviewing division, that a substantial scientific issue essential to determining the safety, purity, and potency of the biological product has been identified after the testing has begun.

"(D) PROCEDURE REGARDING CERTAIN DECISIONS.—A decision under subparagraph (C)(ii) by the director shall be in writing and the Secretary shall provide to the sponsor or applicant an opportunity for a meeting at which the director and the sponsor or applicant will be present and at which the director will document the scientific issue involved.

"(E) EFFECT OF DECISIONS.—The written decisions of the reviewing division shall be binding upon, and may not directly or indirectly be changed by, the field or compliance office personnel unless such field or compliance office personnel demonstrate to the reviewing division why such decision should be modified.

"(F) DELAYS BY REVIEWING DIVISIONS.—No action by the reviewing division may be delayed because of the unavailability of information from or action by field personnel unless the reviewing division determines that a delay is necessary to assure the marketing of a safe, pure, and potent biological product.

"(4) APPROVAL OF COMPARABLE OR INTERCHANGEABLE BIOLOGICAL PRODUCTS.—

"(A) DETERMINATION OF COMPARABILITY.—Upon review of an application submitted under paragraph (1) or (2) for a biological product, the Secretary shall issue a comparable biological product license for all conditions of use of the reference product sharing the same mechanism or mechanisms of action for which the applicant has demonstrated comparability for a single condition of use, or, if the mechanism or mechanisms of action are unknown, for the condition or conditions of use for which the data submitted establishes comparability, unless the Secretary finds and informs the applicant that—

"(i) information submitted in the application or any other information available to the Secretary is insufficient to show that the biological product is comparable to the reference product for the condition or conditions of use prescribed, recommended, or suggested in the labeling proposed in the application;

"(ii) information submitted in the application or any other information available to the Secretary is insufficient to show that the biological product and the reference product contain highly similar principal molecular structural features, notwithstanding minor differences in heterogeneity profile, impurities, or degradation patterns;

"(iii) information submitted in the application or any other information available to the Secretary is insufficient to show that the biological product and reference product utilize the same mechanism or mechanisms of action for the conditions of use prescribed, recommended, or suggested in the labeling proposed for the biological product, unless the mechanism or mechanisms of action are not known for the reference product for such condition or conditions;

"(iv) information submitted in the application or any other information available to the Secretary is insufficient to show that the route of administration, the dosage form, and the strength of the biological product are the same as those of the reference product;

"(v) information submitted in the application or any other information available to the Secretary is insufficient to show that the condition or conditions of use prescribed, recommended, or suggested in the labeling proposed for the biological product are limited to one or more of the same use or uses as have been previously approved for the reference product;

"(vi) information submitted in the application or any other information available to the Secretary shows (I) the inactive ingredients of the biological product are unsafe for use under the conditions prescribed, recommended, or suggested in the labeling proposed for the biological product, or (II) the composition of the biological product is unsafe under such conditions because of the type or quantity of inactive ingredients included or the manner in which the inactive ingredients are included;

"(vii) information submitted in the application or any other information available to the Secretary fails to demonstrate that the facility in which the biological product is manufactured, processed, packed, or held meets standards designed to assure that the biological product continues to be safe, pure, and potent;

"(viii) the Secretary has withdrawn or suspended the license of the reference product, for safety or effectiveness reasons, or has published a notice of opportunity for hearing to withdraw such license for safety or effectiveness reasons, or the Secretary has determined that the reference product has been withdrawn from sale for safety or effectiveness reasons; or

"(ix) the application contains an untrue statement of material fact; and

provides the applicant with a detailed explanation for the decision.

"(B) DETERMINATIONS ON INTERCHANGEABILITY.—Subject to subparagraph (C) and paragraph (10), upon issuing a product license for a biological product under subparagraph (A), the Secretary shall make and publish one of the following determinations:

"(i) Such product is interchangeable with the reference product for one or more specified conditions of use prescribed, recommended, or suggested in the labeling of the biological product.

"(ii) Interchangeability has not been established.

"(C) DETERMINATION OF INTERCHANGEABILITY OF SUBSEQUENT BIOLOGICAL PRODUCT.—If the Secretary determines that an application meets the approval requirements of subparagraph (A), and, prior to the issuance of a product license, the Secretary has made a determination of interchangeability of another biological product and the reference product for which the exclusivity period under paragraph (10) has not expired, the Secretary shall—

"(i) issue the product license for the subsequent biological product; and

"(ii) defer issuing any determination of interchangeability as to the subsequent biological product and the reference product until the exclusivity period under paragraph (10) has expired.

"(5) POSTMARKETING STUDIES FOR APPLICATIONS SUBMITTED UNDER PARAGRAPH (1).—If the Secretary has agreed with the sponsor of the reference product, at the time of approval or any time thereafter, that the sponsor shall conduct one or more postmarketing safety studies, a person submitting an application for a biological product under paragraph (1) may agree with the Secretary to conduct a similar postmarketing safety study or studies upon a reasonable showing that such study or studies would provide relevant information not available from the studies on the reference product. The Secretary shall not, as a condition of approval, propose any additional postmarketing studies for such biological product.

"(6) DESIGNATION OF OFFICIAL NAME.—If, pursuant to section 508 of the Federal Food, Drug, and Cosmetic Act, the Secretary determines that designation of an official name for a comparable biological product is necessary or desirable in the interests of usefulness or simplicity, the Secretary shall designate the same official name for the comparable biological product as the Secretary designated for the reference product. This paragraph shall not apply to products approved under paragraph (7).

"(7) OTHER APPROVAL PROVISIONS.—The Secretary shall approve, under the provisions of paragraph (4)(A), an application for a license submitted under paragraph (2), except that the Secretary shall approve such an application that would otherwise be disapproved by reason of one or more of subparagraphs (A) through (E) of paragraph (4)(A), if the application and any other information available to the Secretary are sufficient to establish the safety, purity, and potency of the comparable biological product relative to the reference product for the proposed condition or conditions of use for such product.

"(8) ESTABLISHING INTERCHANGEABILITY FOR COMPARABLE BIOLOGICAL PRODUCTS.—

"(A) IN GENERAL.—In an original application or a supplement to an application under this subsection, an applicant may submit information to the Secretary to demonstrate the interchangeability of a comparable biological product and the reference product. An applicant may withdraw an interchangeability submission at any time. A request for an interchangeability determination submitted after the filing of an application shall be considered a major amendment to the application. Nothing in this subsection shall be construed to prohibit the Secretary from making a determination of interchangeability at any time after approval.

"(B) GUIDANCE.—Within one year after enactment of the Access to Life-Saving Medicine Act, the Secretary shall issue guidance regarding standards and requirements for interchangeability. The Secretary may make determinations of interchangeability under paragraph (4)(B) prior to issuing guidance under this subparagraph.

"(9) INTERCHANGEABILITY LABELING FOR COMPARABLE BIOLOGICAL PRODUCTS.—Upon a determination of interchangeability, the Secretary, if requested by the applicant, shall provide for the label of the comparable biological product to include a statement that the biological product is interchangeable with the reference product for the conditions of use prescribed, recommended, or suggested in the labeling for which interchangeability has been established.

"(10) EXCLUSIVITY.—

"(A) IN GENERAL.—Upon review of an abbreviated biological product application relying on the same reference product for which a prior biological product has received a determination of interchangeability for any condition of use, the Secretary shall not make a determination under paragraph (4)(B) that the second or subsequent biological product is interchangeable for any condition of use, and no holder of a biological product license approved under subsection (a) shall manufacture, market, sell, or distribute a rebranded interchangeable biological product, directly or indirectly, or authorize any other person to manufacture, market, sell, or distribute a rebranded interchangeable biological product, for any condition of use, until the earlier of—

"(i) 180 days after the first commercial marketing of the first interchangeable comparable biological product to be approved as interchangeable for that reference product;

"(ii) one year after—

"(I) a final court decision on all patents in suit in an action instituted under paragraph (17)(C) against the applicant that submitted the application for the first approved interchangeable comparable biological product; or

"(II) the dismissal with or without prejudice of an action instituted under paragraph (17)(C) against the applicant that submitted the application for the first approved interchangeable comparable biological product; or

"(iii)(I) 36 months after approval of the first interchangeable comparable biological product if the applicant has been sued under paragraph (17)(C) and such litigation is still ongoing within such 36-month period; or

"(II) one year after approval in the event that the first approved interchangeable comparable applicant has not been sued under paragraph (17)(C).

For purposes of this subparagraph, the term 'final court decision' means a final decision of a court from which no appeal (other than a petition to the United States Supreme Court for a writ of certiorari) has been or can be taken.

"(B) REBRANDED INTERCHANGEABLE BIOLOGICAL PRODUCT.—For purposes of this subsection, the term 'rebranded interchangeable biological product'—

"(i) means any rebranded interchangeable version of the reference product involved that the holder of the biological product license approved under subsection (a) for that reference product seeks to commence marketing, selling, or distributing, directly or indirectly; and

"(ii) does not include any product to be marketed, sold, or distributed—

"(I) by an entity eligible for exclusivity with respect to such product under this paragraph; or

"(II) after expiration of any exclusivity with respect to such product under this paragraph.

"(11) HEARING.—If the Secretary decides to disapprove an abbreviated biological product application, the Secretary shall give the applicant notice of an opportunity for a hearing before the Secretary on the question of whether such application is approvable. If the applicant elects to accept the opportunity for hearing by written request within thirty days after such notice, such hearing shall commence not more than ninety days after the expiration of such thirty days unless the Secretary and the applicant otherwise agree. Any such hearing shall thereafter be conducted on an expedited basis, and the Secretary's order thereon shall be issued within ninety days after the date fixed by the Secretary for filing final briefs.

"(12) FINAL ACTION DATE.—

"(A) IN GENERAL.—The Secretary shall take a final action on an abbreviated biological product application by the date that is 8 calendar months following the sponsor's submission of such application, or 180 days following the Secretary's notification to the applicant that its application has been accepted for filing, whichever is earlier.

"(B) EXTENSION.—The final action date provided by subparagraph (A) with respect to an application may be extended for such period of time as is agreed to by the Secretary and the applicant in a jointly executed written agreement that is counter-signed by the Secretary and the applicant no later than 30 days prior to such date.

"(13) REQUEST FOR DELAY OF FINAL ACTION.—Notwithstanding paragraph (18) or any other provision of law, the Secretary shall not fail or refuse to take a final action on an abbreviated biological product application by the final action date on the basis that a person, other than the comparable biological product applicant, has requested (in a petition or otherwise) that the Secretary refuse to take or otherwise defer such final action, and no court shall enjoin the Secretary from taking final action or stay the effect of final action previously taken by the Secretary, except by issuance of a permanent injunction based upon an express finding of clear and convincing evidence that the person seeking to have the Secretary refuse to take or otherwise to defer final action by the final action date—

"(A) has prevailed on the merits of the person's complaint against the Secretary;

"(B) will suffer imminent and actual irreparable injury, constituting more than irrecoverable economic loss, and that also will threaten imminent destruction of such person's business; and

"(C) has an interest that outweighs the overwhelming interest that the public has in obtaining prompt access to a comparable biological product.

"(14) REPORT ON EXTENSIONS OF FINAL ACTION DATE.—The Secretary shall prepare and submit to the President, the Committee on Energy and Commerce of the House of Representatives, and the Committee on Health, Education, Labor, and Pensions of the Senate a report regarding any jointly executed written agreement to extend the final action date under this Act within 15 calendar days after the joint execution of any such written agreement.

"(15) REPORT ON FAILURE TO TAKE FINAL ACTION.—The Secretary shall prepare and submit annually to the President, the Committee on Energy and Commerce of the House of Representatives, and the Committee on Health, Education, Labor, and Pensions of the Senate a report detailing the specific and particularized reasons enumerated by the reviewing division for each instance of the Secretary's failure to take final action by the final action date in the previous year.

"(16) REGULATIONS.—The Secretary shall establish, by regulation within 2 years after the date of the enactment of this subsection, requirements for the efficient review, approval, suspension, and revocation of abbreviated biological product applications under this subsection.

"(17) PATENTS.—

"(A) REQUEST FOR PATENT INFORMATION.—

"(i) IN GENERAL.—At any time, including at the initial stages of development, an applicant or a prospective applicant under this subsection may send a written request for patent information to the holder of the approved application for the reference product. The holder of the approved application for the reference product shall, not later than 60 days after the date on which the holder receives the request, provide to the applicant or prospective applicant a list of all those patents owned by, or licensed to, the holder of the approved application that the holder believes in good faith relate to the reference product, including patents that claim the approved biological product, any method of using such product, any component of such product, or any method or process of manufacturing such product or component.

"(ii) COSTS OF COMPLYING WITH REQUEST.—The application holder may demand payment of not more than $1,000 to offset the cost of responding to the request for information.

"(iii) UPDATES.—For a period of two years beginning on the date on which the holder of the approved application for the reference product receives the request for information, the holder shall send to the applicant or prospective applicant updates of its response to the request for information by identifying all relevant patents issued or licensed to the holder after the initial response under clause (i). Any such update must be provided, in the case of a new patent, not later than 30 days after the date on which the patent is issued and, in the case of a license, not later than 30 days after the date on which the holder obtains the license.

"(iv) ADDITIONAL REQUESTS.—The applicant may submit additional requests for patent information, subject to the requirements of this paragraph, at any time.

"(B) PATENT NOTIFICATIONS.—At any time after submitting an application under this subsection, the applicant may provide a notice of the application with respect to any one or more patents identified by the holder of the reference product pursuant to subparagraph (A). An applicant may submit additional notices at any time, and each notice shall be subject to the provisions of this subparagraph. Each notice shall—

"(i) be sent to the holder of the approved application for the reference product and to the owner of any patent identified by the holder pursuant to subparagraph (A);

"(ii) include a detailed statement of the factual and legal bases for the applicant's belief that the patents included in the notice are invalid, are unenforceable, or will not be infringed by the commercial sale of the product for which approval is being sought under this subsection; and

"(iii) identify 1 or more judicial districts in which the applicant consents to such suit being brought.

"(C) ACTION FOR INFRINGEMENT.—Within 45 days after the date on which the holder of the approved application for the reference product, or the owner of a patent, receives a notice under subparagraph (B), the holder or patent owner may bring an action for infringement only with respect to the patent or patents included in the notice, and only in a judicial district identified pursuant to subparagraph (B)(iii).

"(D) LIMITATION ON DECLARATORY JUDGMENT ACTIONS.—With respect to any patent relating to a product that is the subject of an application under this subsection, the recipient of a notice under subparagraph (B) with respect to that application may not, prior to the commercial marketing of the product, bring any action under section 2201 of title 28, United States Code, for a declaration of infringement, validity, or enforceability of any such patent that was not identified in the notice. With respect to any such patent identified in the notice, any such action may, notwithstanding chapter 87 of title 28, United States Code, be brought only in a judicial district identified in the notice.

"(E) DISCRETION OF APPLICANTS.—An applicant or prospective applicant for a comparable biological product under this subsection may not be compelled, by court order or otherwise, to initiate the procedures set forth in this paragraph. Nothing in this paragraph requires an applicant or a prospective applicant to invoke the procedures set forth in this paragraph.

"(18) PETITIONS AND CIVIL ACTIONS REGARDING APPROVAL OF CERTAIN APPLICATIONS.—

"(A) IN GENERAL.—With respect to a pending application submitted under paragraph (1) or (2), if a petition is submitted to the Secretary that seeks to have the Secretary take, or refrain from taking, any form of action relating to the approval of the application, including a delay in the effective date of the application, the following applies, subject to subparagraph (E):

"(i)(I) The Secretary may not, on the basis of the petition, delay approval of the application unless the Secretary determines, within 30 days after receiving the petition, that a delay is necessary to protect the public health. Consideration of a petition shall be separate and apart from the review and approval of the application.

"(II) With respect to a determination by the Secretary under subclause (I) that a delay is necessary to protect the public health:

"(aa) The Secretary shall publish on the Internet site of the Food and Drug Administration a statement providing the reasons underlying the determination.

"(bb) Not later than 10 days after making the determination, the Secretary shall provide notice to the sponsor of the application and an opportunity for a meeting with the Commissioner to discuss the determination.

"(ii) The Secretary shall take final agency action on the petition not later than 180 days after the date on which the petition is submitted. The Secretary shall not extend such period, even with the consent of the petitioner, for any reason, including based upon the submission of comments relating to the petition or supplemental information supplied by the petitioner.

"(iii) The Secretary may not consider the petition for review unless it is signed and contains the following verification: 'I certify that, to my best knowledge and belief: (a) this petition includes all information and views upon which the petition relies; (b) this petition includes representative data and/or information known to the petitioner which are unfavorable to the petition; and (c) I have taken reasonable steps to ensure that any representative data and/or information which are unfavorable to the petition were disclosed to me. I further certify that the information upon which I have based the action requested herein first became known to the party on whose behalf this petition is submitted on or about the following date: . I received or expect to receive payments, including cash and other forms of consideration, from the following persons or organizations to file this petition: ______________. I verify under penalty of perjury that the foregoing is true and correct.'.

"(B) EXHAUSTION OF ADMINISTRATIVE REMEDIES.—

"(i) FINAL AGENCY ACTION WITHIN 180 DAYS.—The Secretary shall be considered to have taken final agency action on a petition referred to in subparagraph (A) if—

"(I) during the 180-day period referred to in clause (ii) of such subparagraph, the Secretary makes a final decision within the meaning of section 10.45(d) of title 21, Code of Federal Regulations (or any successor regulations); or

"(II) such period expires without the Secretary having made such a final decision.

"(ii) DISMISSAL OF CERTAIN CIVIL ACTIONS.—If a civil action is filed with respect to a petition referred to in subparagraph (A) before final agency action within the meaning of clause (i) has occurred, the court shall dismiss the action for failure to exhaust administrative remedies.

"(C) APPLICABILITY OF CERTAIN REGULATIONS.—The provisions of this section are in addition to the requirements for the submission of a petition to the Secretary that apply under section 10.30 or 10.35 of title 21, Code of Federal Regulations (or any successor regulations).

"(D) ANNUAL REPORT ON DELAYS IN APPROVALS PER PETITIONS.—The Secretary shall annually submit to the Congress a report that specifies—

"(i) the number of applications under this subsection that were approved during the preceding 12-month period;

"(ii) the number of such applications whose effective dates were delayed by petitions referred to in subparagraph (A) during such period; and

"(iii) the number of days by which the applications were so delayed.

"(E) EXCEPTION.—This paragraph does not apply to a petition that is made by the sponsor of an application under this subsection and that seeks only to have the Secretary take or refrain from taking any form of action with respect to that application.

"(F) DEFINITION.—For purposes of this paragraph, the term 'petition' includes any request to the Secretary, without regard to whether the request is characterized as a petition.".

(b) ADDITIONAL AMENDMENTS.—

(1) PATENTS.—Section 271(e) of title 35, United States Code, is amended—

(A) in paragraph (2)—

(i) by striking "or" at the end of subparagraph (A);

(ii) by adding "or" at the end of subparagraph (B);

(iii) by inserting after subparagraph (B) the following:

"(C) a notice described in section 351(k)(17)(B) of the Public Health Service Act, but only with respect to a patent identified in such notice,"; and

(iv) in the matter following subparagraph (C) (as inserted by clause (iii) of this subparagraph), by inserting before the period the following: ", or if the notice described in subparagraph (C) is provided in connection with an application to obtain a license to engage in the commercial manufacture, use, or sale of a biological product claimed in a patent or the use of which is claimed in a patent before the expiration of such patent"; and

(B) by adding at the end the following paragraph:

"(6)(A) This paragraph applies, in lieu of paragraph (4), in the case of a patent—

"(i) which is disclosed in a response to a request for patent information pursuant to subparagraph (A) of section 351(k)(17) of the Public Health Service Act;

"(ii) with respect to which a notice was provided pursuant to subparagraph (B) of such section; and

"(iii) for which an action for infringement of the patent—

"(I) was brought after the expiration of the 45-day period described in subparagraph (C) of such section; or

"(II) was brought before the expiration of the 45-day period described in subclause (I), but which was dismissed without prejudice or was not prosecuted to judgment in good faith.

"(B) In an action for infringement of a patent described in subparagraph (A), the sole and exclusive remedy that may be granted by a court, upon a finding that the person who submitted the notice described in subparagraph (A)(ii) infringed the patent, or that any person induced or contributed to infringement of the patent, shall be a reasonable royalty.

"(C) The owner of a patent that should have been disclosed in response to a request for patent information made by an applicant pursuant to subparagraph (A)(i) of section 351(k)(17) of the Public Health Service Act, but that was not timely disclosed under that subparagraph, may not bring an action under this section for infringement of that patent.".

(2) CONFORMING AMENDMENTS.—

(A) TITLE 28.—Section 2201(b) of title 28, United States Code, is amended by inserting before the period the following: ", or section 351 of the Public Health Service Act".

(B) PUBLIC HEALTH SERVICE ACT.—Subjection (j) of section 351 of the Public Health Service Act (42 U.S.C. 262) is amended by inserting "or subsection (k)" after "subsection (a)".

Ms. CLINTON. Mr. President, I am pleased today to join with Senator SCHUMER to introduce the Access of Life-Saving Medicine Act. This legislation will have a dramatic impact on the rising costs of prescription drugs, which puts the squeeze on employers trying to provide health coverage for employees while turning a profit, on families struggling to make ends meet, and on our economy. We spend 16 percent of our national income on health care and prescription drugs and that number is on the climb.

In 2005, the cost of biologics grew 17.5 percent compared to the cost of traditional drugs, which increased 10 percent. According to CMS, the top 2 anemia drugs—both biologics—accounted for 17 percent of all Medicare Part B carrier drug spending, while two other biologics for rheumatoid arthritis and cancer accounted for an additional 13 percent. In 2006, the Medicare Part B program spent more than $5 billion on biologic drugs.

More than $10 billion worth of biopharmaceuticals will come off patent in the next 5 years but will continue to cost on-patent prices unless we act.

Our legislation creates a pipeline for approval of safe, cost effective generic versions of these biologic drugs. Without action, the manufacturers of these biotech drugs can continue to charge monopoly prices indefinitely.

This is a perfect example of skyrocketing costs in health care—and a perfect opportunity to put the brakes on this overspending, which is bad for patients, businesses, and our country.

According to a report released in January by Engel & Novitt to the Pharmaceutical Care Management Association, passage of this bill could save, by conservative estimates, $14 billion over the next 10 years in Medicare Part B alone.

Scientific advances over the past 20 years have made the biotechnology industry an integral part of the pharmaceutical industry, but our health care system has not kept pace. Our laws need to be updated to reflect the critical role biologics now play in treatment.

The Access to Life-Saving Medicine Act amends the Public Health Service Act to authorize the FDA to approve abbreviated applications for biological products that are "comparable" to and "interchangeable" with previously approved biological products. And because biological products are very diverse, the Secretary has discretion on a case-by-case basis to determine what studies are necessary to establish comparability and interchangeability, and may require a clinical study or studies if necessary.

To encourage the development of substitutable products, the legislation gives the first applicant to obtain approval of an interchangeable product a period of exclusive marketing during which no other interchangeable version of the product may be approved. In order to facilitate timely access to these products, an approval may, however, be granted for a comparable version of the brand name product if it is not interchangeable.

Finally, to encourage early resolution of patent disputes which might otherwise delay competition, a patent holder must disclose relevant patents in response to a request and bring a patent infringement suit within 45 days of notice of a challenge or lose the right to certain remedies in court.

Biotech drugs hold great promise, but we break that promise when costs push treatment out of reach for American families and employers. We should bring safe, effective and affordable generic versions of these medicines to patients through passage of the Access to Life-Saving Medicine Act, saving money and lives.

This issue is part of a larger challenge. It is time to develop a health care system that reflects and responds to how people are living today, that addresses the critical problems in cost, quality, and coverage.

We can use what is right in health care—incredible ingenuity, leaders at the forefront of medical research, advances in technology, the best medical professionals in the world—to fix what is wrong.

Smart solutions to the vexing problems plaguing our health care system will require evidence-based—not ideologically-based—decision making.

My wonderful predecessor, Senator Moynihan, memorably said, "Everyone is entitled to his own opinion, but no one is entitled to his own facts." Well, right now, we see a lot of people who have their own facts that are not based on the evidence.

The fact is, building a pipeline for generic biologics is long overdue. Achieving this goal is a top priority for me in the HELP Committee when we consider FDA-related legislation this spring and I look forward to working with Senator SCHUMER and my other colleagues to get it done.

By Mr. KENNEDY (for himself, Mr. CORNYN, Mr. HARKIN, Mr. MCCAIN, Mr. DURBIN, Mr. LUGAR, Mr. DODD, Mr. SMITH, Mr. REED, Ms. SNOWE, Mr. LAUTENBERG, Ms. MURKOWSKI, Mr. BINGAMAN, Ms. COLLINS, Ms. MIKULSKI, Mr. STEVENS, Mrs. MURRAY, Mr. DOMENICI, Mrs. CLINTON, Mr. COCHRAN, Mrs. FEINSTEIN, Mr. LEAHY, Mr. OBAMA, Mr. SANDERS, Mr. BROWN, Mr. SCHUMER, Mr. AKAKA, Mr. KOHL, Ms. CANTWELL, Mr. CARPER, and Mr. NELSON of Florida):

S. 625. A bill to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products; to the Committee on Health, Education, Labor, and Pensions.

Mr. KENNEDY. Mr. President, today, we are introducing legislation to give the Food and Drug Administration broad authority to regulate tobacco products. Congress cannot in good conscience allow the Federal agency most responsible for protecting the public health to remain powerless to deal with the enormous risks of tobacco, the most deadly of all consumer products. Health experts believe this legislation is the most important action Congress could take to protect children from this deadly addiction.

This is a bipartisan, bicameral initiative. The bill that Senator CORNYN and I are introducing already has over 25 cosponsors. Congressman WAXMAN and DAVIS will introduce identical legislation in the House. Our bill has the support of a broad coalition of public health organizations led by the Campaign for Tobacco-Free Kids, the American Cancer Society, the American Heart Association and the American Lung Association. They all recognize the importance of enacting this bill this year.

The legislation we are introducing today is well known. It is the same bill that passed the Senate in 2004, and that we introduced in the last Congress. However, in this new Congress, the likelihood of passage is greatly enhanced. Last November's election swept away many of the barriers to passage from prior years. We believe 2007 is the year that legislation empowering the FDA to regulate tobacco products will finally become law.

We intend to move forward on the legislation quickly. I have already scheduled a hearing in the HELP Committee for February 27, and a markup is planned soon thereafter.

The stakes are vast. Four thousand children have their first cigarette every day, and one thousand become daily smokers. More than one-third of them will die prematurely from tobacco-induced diseases. Cigarettes kill well over 400,000 Americans each year. That is more lives lost than from automobile accidents, alcohol abuse, illegal drugs, AIDS, murder, and suicide combined. Congress's response to a public health problem of this magnitude is long overdue.

Regulating the conduct of tobacco companies is as necessary today as it has been in years past. The facts presented in the Federal Government's landmark lawsuit against the tobacco industry demonstrate that the misconduct is substantial and ongoing. The decision of the court states: "The evidence in this case clearly establishes that Defendants have not ceased engaging in unlawful activity . . . Defendants continue to engage in conduct that is materially indistinguishable from their previous actions, activity that continues to this day."

We must deal firmly with tobacco company marketing practices that target children and mislead the public. The Food and Drug Administration needs broad authority to regulate the sale, distribution, and advertising of cigarettes and smokeless tobacco.

The tobacco industry currently spends over $15 billion a year to promote its products. Much of that money is spent in ways designed to tempt children to start smoking, before they are mature enough to appreciate the enormity of the health risk. The industry knows that nearly 90 percent of smokers begin as children and are addicted by the time they reach adulthood.

Documents obtained from tobacco companies prove, in the companies' own words, the magnitude of the industry's efforts to trap children into dependency on their deadly product. Studies by the Institute of Medicine and the Centers for Disease Control show the substantial role of industry advertising in decisions by young people to use tobacco products.

If we are serious about reducing youth smoking, FDA must have the power to prevent industry advertising designed to appeal to children wherever it will be seen by children. This legislation will give FDA the authority to stop tobacco advertising that glamorizes smoking to kids. It grants FDA full authority to regulate tobacco advertising "consistent with and to the full extent permitted by the First Amendment."

FDA authority must also extend to the sale of tobacco products. Nearly every State makes it illegal to sell cigarettes to children under 18, but surveys show that those laws are rarely enforced and frequently violated. FDA must have the power to limit the sale of cigarettes to face-to-face transactions in which the age of the purchaser can be verified by identification. This means an end to self-service displays and vending machine sales. There must also be serious enforcement efforts with real penalties for those caught selling tobacco products to children. This is the only way to ensure that children under 18 are not able to buy cigarettes.

The FDA conducted the longest rulemaking proceeding in its history, studying which regulations would most effectively reduce the number of children who smoke. Seven hundred thousand public comments were received in the course of that rulemaking. At the conclusion of its proceeding, the agency promulgated rules on the manner in which cigarettes are advertised and sold. Due to litigation, most of those regulations were never implemented. If we are serious about curbing youth smoking as much as possible, as soon as possible; it makes no sense to require FDA to reinvent the wheel by conducting a new multi-year rulemaking process on the same issues. This legislation will give the youth access and advertising restrictions already developed by FDA the immediate force of law, as if they had been issued under the new statute.

The legislation also provides for stronger warnings on all cigarette and smokeless tobacco packages, and in all print advertisements. These warnings will be more explicit in their description of the medical problems which can result from tobacco use. The FDA is given the authority to change the text of these warning labels periodically, to keep their impact strong.

The nicotine in cigarettes is highly addictive. Medical experts say that it is as addictive as heroin or cocaine. Yet for decades, tobacco companies vehemently denied the addictiveness of their products. No one can forget the parade of tobacco executives who testified under oath before Congress that smoking cigarettes is not addictive. Overwhelming evidence in industry documents obtained through the discovery process proves that the companies not only knew of this addictiveness for decades, but actually relied on it as the basis for their marketing strategy. As we now know, cigarette manufacturers chemically manipulated the nicotine in their products to make it even more addictive.

A newly released analysis by the Harvard School of Public Health demonstrates that cigarette manufacturers are still manipulating nicotine levels. Between 1998 and 2005, they significantly increased the nicotine yield from major brand name cigarettes. The average increase in nicotine yield over the period was 11 percent.

The tobacco industry has a long, dishonorable history of providing misleading information about the health consequences of smoking. These companies have repeatedly sought to characterize their products as far less hazardous than they are. They made minor innovations in product design seem far more significant for the health of the user than they actually were. It is essential that FDA have clear and unambiguous authority to prevent such misrepresentations in the future. The largest disinformation campaign in the history of the corporate world must end.

Given the addictiveness of tobacco products, it is essential that the FDA regulate them for the protection of the public. Over 40 million Americans are currently addicted to cigarettes. No responsible public health official believes that cigarettes should be banned. A ban would leave 40 million people without a way to satisfy their drug dependency. FDA should be able to take the necessary steps to help addicted smokers overcome their addiction, and to make the product less toxic for smokers who are unable or unwilling to stop. To do so, FDA must have the authority to reduce or remove hazardous ingredients from cigarettes, to the extent that it becomes scientifically feasible. The inherent risk in smoking should not be unnecessarily compounded.

Recent statements by several tobacco companies make clear that they plan to develop what they characterize as "reduced risk" cigarettes. Some are already on the market making unsubstantiated claims. This legislation will require manufacturers to submit such "reduced risk" products to the FDA for analysis before they can be marketed. No health-related claims will be permitted until they have been verified to the FDA's satisfaction. These safeguards are essential to prevent deceptive industry marketing campaigns, which could lull the public into a false sense of health safety.

Smoking is the number one preventable cause of death in America. Congress must vest FDA not only with the responsibility for regulating tobacco products, but with full authority to do the job effectively.

This legislation will give the FDA the legal authority it needs to reduce youth smoking by preventing tobacco advertising which targets children, to prevent the sale of tobacco products to minors, to help smokers overcome their addiction, to make tobacco products less toxic for those who continue to use them, and to prevent the tobacco industry from misleading the public about the dangers of smoking.

Enacting this bill this year is the right thing to do for America's children. They are depending on us. By passing this legislation, we can help them live longer, healthier lives.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 625

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Family Smoking Prevention and Tobacco Control Act".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings.
Sec. 3. Purpose.
Sec. 4. Scope and effect.
Sec. 5. Severability.

TITLE I—AUTHORITY OF THE FOOD AND DRUG ADMINISTRATION

Sec. 101. Amendment of Federal food, drug, and Cosmetic Act.
Sec. 102. Final rule.
Sec. 103. Conforming and other amendments to general provisions.

TITLE II—TOBACCO PRODUCT WARNINGS; CONSTITUENT AND SMOKE CONSTITUENT DISCLOSURE

Sec. 201. Cigarette label and advertising warnings.
Sec. 202. Authority to revise cigarette warning label statements.
Sec. 203. State regulation of cigarette advertising and promotion.
Sec. 204. Smokeless Tobacco labels and advertising warnings.
Sec. 205. Authority to revise Smokeless Tobacco product warning label statements.
Sec. 206. Tar, Nicotine, and other smoke constituent disclosure to the public.

TITLE III—PREVENTION OF ILLICIT TRADE IN TOBACCO PRODUCTS

Sec. 301. Labeling, recordkeeping, records inspection.
Sec. 302. Study and report.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) The use of tobacco products by the Nation's children is a pediatric disease of considerable proportions that results in new generations of tobacco-dependent children and adults.

(2) A consensus exists within the scientific and medical communities that tobacco products are inherently dangerous and cause cancer, heart disease, and other serious adverse health effects.

(3) Nicotine is an addictive drug.

(4) Virtually all new users of tobacco products are under the minimum legal age to purchase such products.

(5) Tobacco advertising and marketing contribute significantly to the use of nicotine-containing tobacco products by adolescents.

(6) Because past efforts to restrict advertising and marketing of tobacco products have failed adequately to curb tobacco use by adolescents, comprehensive restrictions on the sale, promotion, and distribution of such products are needed.

(7) Federal and State governments have lacked the legal and regulatory authority and resources they need to address comprehensively the public health and societal problems caused by the use of tobacco products.

(8) Federal and State public health officials, the public health community, and the public at large recognize that the tobacco industry should be subject to ongoing oversight.

(9) Under article I, section 8 of the Constitution, the Congress is vested with the responsibility for regulating interstate commerce and commerce with Indian tribes.

(10) The sale, distribution, marketing, advertising, and use of tobacco products are activities in and substantially affecting interstate commerce because they are sold, marketed, advertised, and distributed in interstate commerce on a nationwide basis, and have a substantial effect on the Nation's economy.

(11) The sale, distribution, marketing, advertising, and use of such products substantially affect interstate commerce through the health care and other costs attributable to the use of tobacco products.

(12) It is in the public interest for Congress to enact legislation that provides the Food and Drug Administration with the authority to regulate tobacco products and the advertising and promotion of such products. The benefits to the American people from enacting such legislation would be significant in human and economic terms.

(13) Tobacco use is the foremost preventable cause of premature death in America. It causes over 400,000 deaths in the United States each year and approximately 8,600,000 Americans have chronic illnesses related to smoking.

(14) Reducing the use of tobacco by minors by 50 percent would prevent well over 10,000,000 of today's children from becoming regular, daily smokers, saving over 3,000,000 of them from premature death due to tobacco induced disease. Such a reduction in youth smoking would also result in approximately $75,000,000,000 in savings attributable to reduced health care costs.

(15) Advertising, marketing, and promotion of tobacco products have been especially directed to attract young persons to use tobacco products and these efforts have resulted in increased use of such products by youth. Past efforts to oversee these activities have not been successful in adequately preventing such increased use.

(16) In 2003, the cigarette manufacturers spent more than $15,000,000,000 to attract new users, retain current users, increase current consumption, and generate favorable long-term attitudes toward smoking and tobacco use.

(17) Tobacco product advertising often misleadingly portrays the use of tobacco as socially acceptable and healthful to minors.

(18) Tobacco product advertising is regularly seen by persons under the age of 18, and persons under the age of 18 are regularly exposed to tobacco product promotional efforts.

(19) Through advertisements during and sponsorship of sporting events, tobacco has become strongly associated with sports and has become portrayed as an integral part of sports and the healthy lifestyle associated with rigorous sporting activity.

(20) Children are exposed to substantial and unavoidable tobacco advertising that leads to favorable beliefs about tobacco use, plays a role in leading young people to overestimate the prevalence of tobacco use, and increases the number of young people who begin to use tobacco.

(21) The use of tobacco products in motion pictures and other mass media glamorizes its use for young people and encourages them to use tobacco products.

(22) Tobacco advertising expands the size of the tobacco market by increasing consumption of tobacco products including tobacco use by young people.

(23) Children are more influenced by tobacco marketing than adults: more than 80 percent of youth smoke three heavily marketed brands, while only 54 percent of adults, 26 and older, smoke these same brands.

(24) Tobacco company documents indicate that young people are an important and often crucial segment of the tobacco market. Children, who tend to be more price-sensitive than adults, are influenced by advertising and promotion practices that result in drastically reduced cigarette prices.

(25) Comprehensive advertising restrictions will have a positive effect on the smoking rates of young people.

(26) Restrictions on advertising are necessary to prevent unrestricted tobacco advertising from undermining legislation prohibiting access to young people and providing for education about tobacco use.

(27) International experience shows that advertising regulations that are stringent and comprehensive have a greater impact on overall tobacco use and young people's use than weaker or less comprehensive ones.

(28) Text only requirements, although not as stringent as a ban, will help reduce underage use of tobacco products while preserving the informational function of advertising.

(29) It is in the public interest for Congress to adopt legislation to address the public health crisis created by actions of the tobacco industry.

(30) The final regulations promulgated by the Secretary of Health and Human Services in the August 28, 1996, issue of the Federal Register (61 Fed. Reg. 44615–44618) for inclusion as part 897 of title 21, Code of Federal Regulations, are consistent with the First Amendment to the United States Constitution and with the standards set forth in the amendments made by this subtitle for the regulation of tobacco products by the Food and Drug Administration and the restriction on the sale and distribution, including access to and the advertising and promotion of, tobacco products contained in such regulations are substantially related to accomplishing the public health goals of this Act.

(31) The regulations described in paragraph (30) will directly and materially advance the Federal Government's substantial interest in reducing the number of children and adolescents who use cigarettes and smokeless tobacco and in preventing the life-threatening health consequences associated with tobacco use. An overwhelming majority of Americans who use tobacco products begin using such products while they are minors and become addicted to the nicotine in those products before reaching the age of 18. Tobacco advertising and promotion plays a crucial role in the decision of these minors to begin using tobacco products. Less restrictive and less comprehensive approaches have not and will not be effective in reducing the problems addressed by such regulations. The reasonable restrictions on the advertising and promotion of tobacco products contained in such regulations will lead to a significant decrease in the number of minors using and becoming addicted to those products.

(32) The regulations described in paragraph (30) impose no more extensive restrictions on communication by tobacco manufacturers and sellers than are necessary to reduce the number of children and adolescents who use cigarettes and smokeless tobacco and to prevent the life-threatening health consequences associated with tobacco use. Such regulations are narrowly tailored to restrict those advertising and promotional practices which are most likely to be seen or heard by youth and most likely to entice them into tobacco use, while affording tobacco manufacturers and sellers ample opportunity to convey information about their products to adult consumers.

(33) Tobacco dependence is a chronic disease, one that typically requires repeated interventions to achieve long-term or permanent abstinence.

(34) Because the only known safe alternative to smoking is cessation, interventions should target all smokers to help them quit completely.

(35) Tobacco products have been used to facilitate and finance criminal activities both domestically and internationally. Illicit trade of tobacco products has been linked to organized crime and terrorist groups.

(36) It is essential that the Food and Drug Administration review products sold or distributed for use to reduce risks or exposures associated with tobacco products and that it be empowered to review any advertising and labeling for such products. It is also essential that manufacturers, prior to marketing such products, be required to demonstrate that such products will meet a series of rigorous criteria, and will benefit the health of the population as a whole, taking into account both users of tobacco products and persons who do not currently use tobacco products.

(37) Unless tobacco products that purport to reduce the risks to the public of tobacco use actually reduce such risks, those products can cause substantial harm to the public health to the extent that the individuals, who would otherwise not consume tobacco products or would consume such products less, use tobacco products purporting to reduce risk. Those who use products sold or distributed as modified risk products that do not in fact reduce risk, rather than quitting or reducing their use of tobacco products, have a substantially increased likelihood of suffering disability and premature death. The costs to society of the widespread use of products sold or distributed as modified risk products that do not in fact reduce risk or that increase risk include thousands of unnecessary deaths and injuries and huge costs to our health care system.

(38) As the National Cancer Institute has found, many smokers mistakenly believe that "low tar" and "light" cigarettes cause fewer health problems than other cigarettes. As the National Cancer Institute has also found, mistaken beliefs about the health consequences of smoking "low tar" and "light" cigarettes can reduce the motivation to quit smoking entirely and thereby lead to disease and death.

(39) Recent studies have demonstrated that there has been no reduction in risk on a population-wide basis from "low tar" and "light" cigarettes and such products may actually increase the risk of tobacco use.

(40) The dangers of products sold or distributed as modified risk tobacco products that do not in fact reduce risk are so high that there is a compelling governmental interest in insuring that statements about modified risk tobacco products are complete, accurate, and relate to the overall disease risk of the product.

(41) As the Federal Trade Commission has found, consumers have misinterpreted advertisements in which one product is claimed to be less harmful than a comparable product, even in the presence of disclosures and advisories intended to provide clarification.

(42) Permitting manufacturers to make unsubstantiated statements concerning modified risk tobacco products, whether express or implied, even if accompanied by disclaimers would be detrimental to the public health.

(43) The only way to effectively protect the public health from the dangers of unsubstantiated modified risk tobacco products is to empower the Food and Drug Administration to require that products that tobacco manufacturers sold or distributed for risk reduction be approved in advance of marketing, and to require that the evidence relied on to support approval of these products is rigorous.

SEC. 3. PURPOSE.

The purposes of this Act are—

(1) to provide authority to the Food and Drug Administration to regulate tobacco products under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.), by recognizing it as the primary Federal regulatory authority with respect to the manufacture, marketing, and distribution of tobacco products;

(2) to ensure that the Food and Drug Administration has the authority to address issues of particular concern to public health officials, especially the use of tobacco by young people and dependence on tobacco;

(3) to authorize the Food and Drug Administration to set national standards controlling the manufacture of tobacco products and the identity, public disclosure, and amount of ingredients used in such products;

(4) to provide new and flexible enforcement authority to ensure that there is effective oversight of the tobacco industry's efforts to develop, introduce, and promote less harmful tobacco products;

(5) to vest the Food and Drug Administration with the authority to regulate the levels of tar, nicotine, and other harmful components of tobacco products;

(6) in order to ensure that consumers are better informed, to require tobacco product manufacturers to disclose research which has not previously been made available, as well as research generated in the future, relating to the health and dependency effects or safety of tobacco products;

(7) to continue to permit the sale of tobacco products to adults in conjunction with measures to ensure that they are not sold or accessible to underage purchasers;

(8) to impose appropriate regulatory controls on the tobacco industry;

(9) to promote cessation to reduce disease risk and the social costs associated with tobacco related diseases; and

(10) to strengthen legislation against illicit trade in tobacco products.

SEC. 4. SCOPE AND EFFECT.

(a) INTENDED EFFECT.—Nothing in this Act (or an amendment made by this Act) shall be construed to—

(1) establish a precedent with regard to any other industry, situation, circumstance, or legal action; or

(2) affect any action pending in Federal, State, or Tribal court, or any agreement, consent decree, or contract of any kind.

(b) AGRICULTURAL ACTIVITIES.—The provisions of this Act (or an amendment made by this Act) which authorize the Secretary to take certain actions with regard to tobacco and tobacco products shall not be construed to affect any authority of the Secretary of Agriculture under existing law regarding the growing, cultivation, or curing of raw tobacco.

SEC. 5. SEVERABILITY.

If any provision of this Act, the amendments made by this Act, or the application of any provision of this Act to any person or circumstance is held to be invalid, the remainder of this Act, the amendments made by this Act, and the application of the provisions of this Act to any other person or circumstance shall not be affected and shall continue to be enforced to the fullest extent possible.

TITLE I—AUTHORITY OF THE FOOD AND DRUG ADMINISTRATION

SEC. 101. AMENDMENT OF FEDERAL FOOD, DRUG, AND COSMETIC ACT.

(a) DEFINITION OF TOBACCO PRODUCTS.—Section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321) is amended by adding at the end the following:

"(rr)(1) The term 'tobacco product' means any product made or derived from tobacco that is intended for human consumption, including any component, part, or accessory of a tobacco product (except for raw materials other than tobacco used in manufacturing a component, part, or accessory of a tobacco product).

"(2) The term 'tobacco product' does not mean—

"(A) a product in the form of conventional food (including water and chewing gum), a product represented for use as or for use in a conventional food, or a product that is intended for ingestion in capsule, tablet, softgel, or liquid form; or

"(B) an article that is approved or is regulated as a drug by the Food and Drug Administration.

"(3) The products described in paragraph (2)(A) shall be subject to chapter IV or chapter V of this Act and the articles described in paragraph (2)(B) shall be subject to chapter V of this Act.

"(4) A tobacco product may not be marketed in combination with any other article or product regulated under this Act (including a drug, biologic, food, cosmetics, medical device, or a dietary supplement).".

(b) FDA AUTHORITY OVER TOBACCO PRODUCTS.—The Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) is amended—

(1) by redesignating chapter IX as chapter X;

(2) by redesignating sections 901 through 909 as sections 1001 through 1009;

(3) in section 1009 (as so redesignated), by striking "section 908" and inserting "section 1008"; and

(4) by inserting after chapter VIII the following:

"CHAPTER IX—TOBACCO PRODUCTS

"SEC. 900. DEFINITIONS.

"In this chapter:

"(1) ADDITIVE.—The term 'additive' means any substance the intended use of which results or may reasonably be expected to result, directly or indirectly, in its becoming a component or otherwise affecting the characteristic of any tobacco product (including any substances intended for use as a flavoring, coloring or in producing, manufacturing, packing, processing, preparing, treating, packaging, transporting, or holding), except that such term does not include tobacco or a pesticide chemical residue in or on raw tobacco or a pesticide chemical.

"(2) BRAND.—The term 'brand' means a variety of tobacco product distinguished by the tobacco used, tar content, nicotine content, flavoring used, size, filtration, or packaging, logo, registered trademark or brand name, identifiable pattern of colors, or any combination of such attributes.

"(3) CIGARETTE.—The term 'cigarette' has the meaning given that term by section 3(1) of the Federal Cigarette Labeling and Advertising Act, but also includes tobacco, in any form, that is functional in the product, which, because of its appearance, the type of tobacco used in the filler, or its packaging and labeling, is likely to be offered to, or purchased by, consumers as a cigarette or as roll-your-own tobacco.

"(4) CIGARETTE TOBACCO.—The term 'cigarette tobacco' means any product that consists of loose tobacco that is intended for use by consumers in a cigarette. Unless otherwise stated, the requirements for cigarettes shall also apply to cigarette tobacco.

"(5) COMMERCE.—The term 'commerce' has the meaning given that term by section 3(2) of the Federal Cigarette Labeling and Advertising Act.

"(6) COUNTERFEIT TOBACCO PRODUCT.—The term 'counterfeit tobacco product' means a tobacco product (or the container or labeling of such a product) that, without authorization, bears the trademark, trade name, or other identifying mark, imprint or device, or any likeness thereof, of a tobacco product listed in a registration under section 905(i)(1).

"(7) DISTRIBUTOR.—The term 'distributor' as regards a tobacco product means any person who furthers the distribution of a tobacco product, whether domestic or imported, at any point from the original place of manufacture to the person who sells or distributes the product to individuals for personal consumption. Common carriers are not considered distributors for purposes of this chapter.

"(8) ILLICIT TRADE.—The term 'illicit trade' means any practice or conduct prohibited by law which relates to production, shipment, receipt, possession, distribution, sale, or purchase of tobacco products including any practice or conduct intended to facilitate such activity.

"(9) INDIAN TRIBE.—The term 'Indian tribe' has the meaning given such term in section 4(e) of the Indian Self Determination and Education Assistance Act.

"(10) LITTLE CIGAR.—The term 'little cigar' has the meaning given that term by section 3(7) of the Federal Cigarette Labeling and Advertising Act.

"(11) NICOTINE.—The term 'nicotine' means the chemical substance named 3-(1-Methyl-2-pyrrolidinyl) pyridine or C[10]H[14]N[2], including any salt or complex of nicotine.

"(12) PACKAGE.—The term 'package' means a pack, box, carton, or container of any kind or, if no other container, any wrapping (including cellophane), in which a tobacco product is offered for sale, sold, or otherwise distributed to consumers.

"(13) RETAILER.—The term 'retailer' means any person who sells tobacco products to individuals for personal consumption, or who operates a facility where self-service displays of tobacco products are permitted.

"(14) ROLL-YOUR-OWN TOBACCO.—The term 'roll-your-own tobacco' means any tobacco which, because of its appearance, type, packaging, or labeling, is suitable for use and likely to be offered to, or purchased by, consumers as tobacco for making cigarettes.

“(15) SMOKE CONSTITUENT.—The term ‘smoke constituent’ means any chemical or chemical compound in mainstream or sidestream tobacco smoke that either transfers from any component of the cigarette to the smoke or that is formed by the combustion or heating of tobacco, additives, or other component of the tobacco product.

“(16) SMOKELESS TOBACCO.—The term ‘smokeless tobacco’ means any tobacco product that consists of cut, ground, powdered, or leaf tobacco and that is intended to be placed in the oral or nasal cavity.

“(17) STATE.—The term ‘State’ means any State of the United States and, for purposes of this chapter, includes the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, American Samoa, Wake Island, Midway Islands, Kingman Reef, Johnston Atoll, the Northern Mariana Islands, and any other trust territory or possession of the United States.

“(18) TOBACCO PRODUCT MANUFACTURER.—The term ‘tobacco product manufacturer’ means any person, including any repacker or relabeler, who—

“(A) manufactures, fabricates, assembles, processes, or labels a tobacco product; or

“(B) imports a finished cigarette or smokeless tobacco product for sale or distribution in the United States.

“(19) UNITED STATES.—The term ‘United States’ means the 50 States of the United States of America and the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, American Samoa, Wake Island, Midway Islands, Kingman Reef, Johnston Atoll, the Northern Mariana Islands, and any other trust territory or possession of the United States.

“SEC. 901. FDA AUTHORITY OVER TOBACCO PRODUCTS.

“(a) IN GENERAL.—Tobacco products shall be regulated by the Secretary under this chapter and shall not be subject to the provisions of chapter V, unless—

“(1) such products are intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease (within the meaning of section 201(g)(1)(B) or section 201(h)(2)); or

“(2) a claim is made for such products under section 201(g)(1)(C) or 201(h)(3);

other than modified risk tobacco products approved in accordance with section 911.

“(b) APPLICABILITY.—This chapter shall apply to all tobacco products subject to the regulations referred to in section 102 of the Family Smoking Prevention and Tobacco Control Act, and to any other tobacco products that the Secretary by regulation deems to be subject to this chapter.

“(c) SCOPE.—

“(1) IN GENERAL.—Nothing in this chapter, or any policy issued or regulation promulgated thereunder, or in sections 101(a), 102, or 103 of title I, title II, or title III of the Family Smoking Prevention and Tobacco Control Act, shall be construed to affect, expand, or limit the Secretary's authority over (including the authority to determine whether products may be regulated), or the regulation of, products under this Act that are not tobacco products under chapter V or any other chapter.

“(2) LIMITATION OF AUTHORITY.—

“(A) IN GENERAL.—The provisions of this chapter shall not apply to tobacco leaf that is not in the possession of a manufacturer of tobacco products, or to the producers of tobacco leaf, including tobacco growers, tobacco warehouses, and tobacco grower cooperatives, nor shall any employee of the Food and Drug Administration have any authority to enter onto a farm owned by a producer of tobacco leaf without the written consent of such producer.

“(B) EXCEPTION.—Notwithstanding subparagraph (A), if a producer of tobacco leaf is also a tobacco product manufacturer or controlled by a tobacco product manufacturer, the producer shall be subject to this chapter in the producer's capacity as a manufacturer.

“(C) RULE OF CONSTRUCTION.—Nothing in this chapter shall be construed to grant the Secretary authority to promulgate regulations on any matter that involves the production of tobacco leaf or a producer thereof, other than activities by a manufacturer affecting production.

“SEC. 902. ADULTERATED TOBACCO PRODUCTS.

“A tobacco product shall be deemed to be adulterated if—

“(1) it consists in whole or in part of any filthy, putrid, or decomposed substance, or is otherwise contaminated by any added poisonous or added deleterious substance that may render the product injurious to health;

“(2) it has been prepared, packed, or held under insanitary conditions whereby it may have been contaminated with filth, or whereby it may have been rendered injurious to health;

“(3) its package is composed, in whole or in part, of any poisonous or deleterious substance which may render the contents injurious to health;

“(4) it is, or purports to be or is represented as, a tobacco product which is subject to a tobacco product standard established under section 907 unless such tobacco product is in all respects in conformity with such standard;

“(5)(A) it is required by section 910(a) to have premarket approval and does not have an approved application in effect; or

“(B) it is in violation of the order approving such an application;

“(6) the methods used in, or the facilities or controls used for, its manufacture, packing, or storage are not in conformity with applicable requirements under section 906(e)(1) or an applicable condition prescribed by an order under section 906(e)(2); or

“(7) it is in violation of section 911.

“SEC. 903. MISBRANDED TOBACCO PRODUCTS.

“(a) IN GENERAL.—A tobacco product shall be deemed to be misbranded—

“(1) if its labeling is false or misleading in any particular;

“(2) if in package form unless it bears a label containing—

“(A) the name and place of business of the tobacco product manufacturer, packer, or distributor;

“(B) an accurate statement of the quantity of the contents in terms of weight, measure, or numerical count;

“(C) an accurate statement of the percentage of the tobacco used in the product that is domestically grown tobacco and the percentage that is foreign grown tobacco; and

“(D) the statement required under section 921(a),

except that under subparagraph (B) reasonable variations shall be permitted, and exemptions as to small packages shall be established, by regulations prescribed by the Secretary;

“(3) if any word, statement, or other information required by or under authority of this chapter to appear on the label or labeling is not prominently placed thereon with such conspicuousness (as compared with other words, statements or designs in the labeling) and in such terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use;

“(4) if it has an established name, unless its label bears, to the exclusion of any other nonproprietary name, its established name prominently printed in type as required by the Secretary by regulation;

“(5) if the Secretary has issued regulations requiring that its labeling bear adequate directions for use, or adequate warnings against use by children, that are necessary for the protection of users unless its labeling conforms in all respects to such regulations;

“(6) if it was manufactured, prepared, propagated, compounded, or processed in any State in an establishment not duly registered under section 905(b), 905(c), 905(d), or 905(h), if it was not included in a list required by section 905(i), if a notice or other information respecting it was not provided as required by such section or section 905(j), or if it does not bear such symbols from the uniform system for identification of tobacco products prescribed under section 905(e) as the Secretary by regulation requires;

“(7) if, in the case of any tobacco product distributed or offered for sale in any State—

“(A) its advertising is false or misleading in any particular; or

“(B) it is sold or distributed in violation of regulations prescribed under section 906(d);

“(8) unless, in the case of any tobacco product distributed or offered for sale in any State, the manufacturer, packer, or distributor thereof includes in all advertisements and other descriptive printed matter issued or caused to be issued by the manufacturer, packer, or distributor with respect to that tobacco product—

“(A) a true statement of the tobacco product's established name as described in paragraph (4), printed prominently; and

“(B) a brief statement of—

“(i) the uses of the tobacco product and relevant warnings, precautions, side effects, and contraindications; and

“(ii) in the case of specific tobacco products made subject to a finding by the Secretary after notice and opportunity for comment that such action is appropriate to protect the public health, a full description of the components of such tobacco product or the formula showing quantitatively each ingredient of such tobacco product to the extent required in regulations which shall be issued by the Secretary after an opportunity for a hearing;

“(9) if it is a tobacco product subject to a tobacco product standard established under section 907, unless it bears such labeling as may be prescribed in such tobacco product standard; or

“(10) if there was a failure or refusal—

“(A) to comply with any requirement prescribed under section 904 or 908; or

“(B) to furnish any material or information required under section 909.

“(b) PRIOR APPROVAL OF LABEL STATEMENTS.—The Secretary may, by regulation, require prior approval of statements made on the label of a tobacco product. No regulation issued under this subsection may require prior approval by the Secretary of the content of any advertisement, except for modified risk tobacco products as provided in section 911. No advertisement of a tobacco product published after the date of enactment of the Family Smoking Prevention and Tobacco Control Act shall, with respect to the language of label statements as prescribed under section 4 of the Cigarette Labeling and Advertising Act and section 3 of the Comprehensive Smokeless Tobacco Health Education Act of 1986 or the regulations issued under such sections, be subject to the provisions of sections 12 through 15 of the Federal Trade Commission Act.

“SEC. 904. SUBMISSION OF HEALTH INFORMATION TO THE SECRETARY.

“(a) REQUIREMENT.—Not later than 6 months after the date of enactment of the Family Smoking Prevention and Tobacco Control Act, each tobacco product manufacturer or importer, or agents thereof, shall submit to the Secretary the following information:

“(1) A listing of all ingredients, including tobacco, substances, compounds, and additives that are, as of such date, added by the manufacturer to the tobacco, paper, filter, or other part of each tobacco product by brand and by quantity in each brand and subbrand.

“(2) A description of the content, delivery, and form of nicotine in each tobacco product measured in milligrams of nicotine in accordance with regulations promulgated by the Secretary in accordance with section 4(a)(5) of the Federal Cigarette Labeling and Advertising Act.

“(3) A listing of all constituents, including smoke constituents as applicable, identified by the Secretary as harmful or potentially harmful to health in each tobacco product, and as applicable in the smoke of each tobacco product, by brand and by quantity in each brand and subbrand. Effective beginning 2 years after the date of enactment of this chapter, the manufacturer, importer, or agent shall comply with regulations promulgated under section 916 in reporting information under this paragraph, where applicable.

“(4) All documents developed after the date of enactment of the Family Smoking Prevention and Tobacco Control Act that relate to health, toxicological, behavioral, or physiologic effects of current or future tobacco products, their constituents (including smoke constituents), ingredients, components, and additives.

“(b) DATA SUBMISSION.—At the request of the Secretary, each tobacco product manufacturer or importer of tobacco products, or agents thereof, shall submit the following:

“(1) Any or all documents (including underlying scientific information) relating to research activities, and research findings, conducted, supported, or possessed by the manufacturer (or agents thereof) on the health, toxicological, behavioral, or physiologic effects of tobacco products and their constituents (including smoke constituents), ingredients, components, and additives.

“(2) Any or all documents (including underlying scientific information) relating to research activities, and research findings, conducted, supported, or possessed by the manufacturer (or agents thereof) that relate to the issue of whether a reduction in risk to health from tobacco products can occur upon the employment of technology available or known to the manufacturer.

“(3) Any or all documents (including underlying scientific or financial information) relating to marketing research involving the use of tobacco products or marketing practices and the effectiveness of such practices used by tobacco manufacturers and distributors.

An importer of a tobacco product not manufactured in the United States shall supply the information required of a tobacco product manufacturer under this subsection.

“(c) TIME FOR SUBMISSION.—

“(1) IN GENERAL.—At least 90 days prior to the delivery for introduction into interstate commerce of a tobacco product not on the market on the date of enactment of the Family Smoking Prevention and Tobacco Control Act, the manufacturer of such product shall provide the information required under subsection (a).

“(2) DISCLOSURE OF ADDITIVE.—If at any time a tobacco product manufacturer adds to its tobacco products a new tobacco additive or increases the quantity of an existing tobacco additive, the manufacturer shall, except as provided in paragraph (3), at least 90 days prior to such action so advise the Secretary in writing.

“(3) DISCLOSURE OF OTHER ACTIONS.—If at any time a tobacco product manufacturer eliminates or decreases an existing additive, or adds or increases an additive that has by regulation been designated by the Secretary as an additive that is not a human or animal carcinogen, or otherwise harmful to health under intended conditions of use, the manufacturer shall within 60 days of such action so advise the Secretary in writing.

“(d) DATA LIST.—

“(1) IN GENERAL.—Not later than 3 years after the date of enactment of the Family Smoking Prevention and Tobacco Control Act, and annually thereafter, the Secretary shall publish in a format that is understandable and not misleading to a lay person, and place on public display (in a manner determined by the Secretary) the list established under subsection (e).

“(2) CONSUMER RESEARCH.—The Secretary shall conduct periodic consumer research to ensure that the list published under paragraph (1) is not misleading to lay persons. Not later than 5 years after the date of enactment of the Family Smoking Prevention and Tobacco Control Act, the Secretary shall submit to the appropriate committees of Congress a report on the results of such research, together with recommendations on whether such publication should be continued or modified.

“(e) DATA COLLECTION.—Not later than 12 months after the date of enactment of the Family Smoking Prevention and Tobacco Control Act, the Secretary shall establish a list of harmful and potentially harmful constituents, including smoke constituents, to health in each tobacco product by brand and by quantity in each brand and subbrand. The Secretary shall publish a public notice requesting the submission by interested persons of scientific and other information concerning the harmful and potentially harmful constituents in tobacco products and tobacco smoke.

“SEC. 905. ANNUAL REGISTRATION.

“(a) DEFINITIONS.—In this section:

“(1) MANUFACTURE, PREPARATION, COMPOUNDING, OR PROCESSING.—The term ‘manufacture, preparation, compounding, or processing’ shall include repackaging or otherwise changing the container, wrapper, or labeling of any tobacco product package in furtherance of the distribution of the tobacco product from the original place of manufacture to the person who makes final delivery or sale to the ultimate consumer or user.

“(2) NAME.—The term ‘name’ shall include in the case of a partnership the name of each partner and, in the case of a corporation, the name of each corporate officer and director, and the State of incorporation.

“(b) REGISTRATION BY OWNERS AND OPERATORS.—On or before December 31 of each year every person who owns or operates any establishment in any State engaged in the manufacture, preparation, compounding, or processing of a tobacco product or tobacco products shall register with the Secretary the name, places of business, and all such establishments of that person.

“(c) REGISTRATION OF NEW OWNERS AND OPERATORS.—Every person upon first engaging in the manufacture, preparation, compounding, or processing of a tobacco product or tobacco products in any establishment owned or operated in any State by that person shall immediately register with the Secretary that person’s name, place of business, and such establishment.

“(d) REGISTRATION OF ADDED ESTABLISHMENTS.—Every person required to register under subsection (b) or (c) shall immediately register with the Secretary any additional establishment which that person owns or operates in any State and in which that person begins the manufacture, preparation, compounding, or processing of a tobacco product or tobacco products.

“(e) UNIFORM PRODUCT IDENTIFICATION SYSTEM.—The Secretary may by regulation prescribe a uniform system for the identification of tobacco products and may require that persons who are required to list such tobacco products under subsection (i) shall list such tobacco products in accordance with such system.

“(f) PUBLIC ACCESS TO REGISTRATION INFORMATION.—The Secretary shall make available for inspection, to any person so requesting, any registration filed under this section.

“(g) BIENNIAL INSPECTION OF REGISTERED ESTABLISHMENTS.—Every establishment in any State registered with the Secretary under this section shall be subject to inspection under section 704, and every such establishment engaged in the manufacture, compounding, or processing of a tobacco product or tobacco products shall be so inspected by 1 or more officers or employees duly designated by the Secretary at least once in the 2-year period beginning with the date of registration of such establishment under this section and at least once in every successive 2-year period thereafter.

“(h) FOREIGN ESTABLISHMENTS SHALL REGISTER.—Any establishment within any foreign country engaged in the manufacture, preparation, compounding, or processing of a tobacco product or tobacco products, shall register under this section under regulations promulgated by the Secretary. Such regulations shall require such establishment to provide the information required by subsection (i) of this section and shall include provisions for registration of any such establishment upon condition that adequate and effective means are available, by arrangement with the government of such foreign country or otherwise, to enable the Secretary to determine from time to time whether tobacco products manufactured, prepared, compounded, or processed in such establishment, if imported or offered for import into the United States, shall be refused admission on any of the grounds set forth in section 801(a).

“(i) REGISTRATION INFORMATION.—

“(1) PRODUCT LIST.—Every person who registers with the Secretary under subsection (b), (c), (d), or (h) shall, at the time of registration under any such subsection, file with the Secretary a list of all tobacco products which are being manufactured, prepared, compounded, or processed by that person for commercial distribution and which has not been included in any list of tobacco products filed by that person with the Secretary under this paragraph or paragraph (2) before such time of registration. Such list shall be prepared in such form and manner as the Secretary may prescribe and shall be accompanied by—

“(A) in the case of a tobacco product contained in the applicable list with respect to which a tobacco product standard has been established under section 907 or which is subject to section 910, a reference to the authority for the marketing of such tobacco product and a copy of all labeling for such tobacco product;

“(B) in the case of any other tobacco product contained in an applicable list, a copy of all consumer information and other labeling for such tobacco product, a representative sampling of advertisements for such tobacco product, and, upon request made by the Secretary for good cause, a copy of all advertisements for a particular tobacco product; and

“(C) if the registrant filing a list has determined that a tobacco product contained in such list is not subject to a tobacco product standard established under section 907, a brief statement of the basis upon which the registrant made such determination if the Secretary requests such a statement with respect to that particular tobacco product.

“(2) BIANNUAL REPORT OF ANY CHANGE IN PRODUCT LIST.—Each person who registers with the Secretary under this section shall report to the Secretary once during the month of June of each year and once during the month of December of each year the following:

“(A) A list of each tobacco product introduced by the registrant for commercial distribution which has not been included in any list previously filed by that person with the Secretary under this subparagraph or paragraph (1). A list under this subparagraph shall list a tobacco product by its established name and shall be accompanied by the other information required by paragraph (1).

“(B) If since the date the registrant last made a report under this paragraph that person has discontinued the manufacture, preparation, compounding, or processing for commercial distribution of a tobacco product included in a list filed under subparagraph (A) or paragraph (1), notice of such discontinuance, the date of such discontinuance, and the identity of its established name.

“(C) If since the date the registrant reported under subparagraph (B) a notice of discontinuance that person has resumed the manufacture, preparation, compounding, or processing for commercial distribution of the tobacco product with respect to which such notice of discontinuance was reported, notice of such resumption, the date of such resumption, the identity of such tobacco product by established name, and other information required by paragraph (1), unless the registrant has previously reported such resumption to the Secretary under this subparagraph.

“(D) Any material change in any information previously submitted under this paragraph or paragraph (1).

“(j) REPORT PRECEDING INTRODUCTION OF CERTAIN SUBSTANTIALLY-EQUIVALENT PRODUCTS INTO INTERSTATE COMMERCE.—

“(1) IN GENERAL.—Each person who is required to register under this section and who proposes to begin the introduction or delivery for introduction into interstate commerce for commercial distribution of a tobacco product intended for human use that was not commercially marketed (other than for test marketing) in the United States as of June 1, 2003, shall, at least 90 days prior to making such introduction or delivery, report to the Secretary (in such form and manner as the Secretary shall prescribe)—

“(A) the basis for such person's determination that the tobacco product is substantially equivalent, within the meaning of section 910, to a tobacco product commercially marketed (other than for test marketing) in the United States as of June 1, 2003, that is in compliance with the requirements of this Act; and

“(B) action taken by such person to comply with the requirements under section 907 that are applicable to the tobacco product.

“(2) APPLICATION TO CERTAIN POST JUNE 1, 2003 PRODUCTS.—A report under this subsection for a tobacco product that was first introduced or delivered for introduction into interstate commerce for commercial distribution in the United States after June 1, 2003, and prior to the date that is 15 months after the date of enactment of the Family Smoking Prevention and Tobacco Control Act shall be submitted to the Secretary not later than 15 months after such date of enactment.

“(3) EXEMPTIONS.—

“(A) IN GENERAL.—The Secretary may by regulation, exempt from the requirements of this subsection tobacco products that are modified by adding or deleting a tobacco additive, or increasing or decreasing the quantity of an existing tobacco additive, if the Secretary determines that—

“(i) such modification would be a minor modification of a tobacco product authorized for sale under this Act;

“(ii) a report under this subsection is not necessary to ensure that permitting the tobacco product to be marketed would be appropriate for protection of the public health; and

“(iii) an exemption is otherwise appropriate.

“(B) REGULATIONS.—Not later than 9 months after the date of enactment of the Family Smoking Prevention and Tobacco Control Act, the Secretary shall issue regulations to implement this paragraph.

“SEC. 906. GENERAL PROVISIONS RESPECTING CONTROL OF TOBACCO PRODUCTS.

“(a) IN GENERAL.—Any requirement established by or under section 902, 903, 905, or 909 applicable to a tobacco product shall apply to such tobacco product until the applicability of the requirement to the tobacco product has been changed by action taken under section 907, section 910, section 911, or subsection (d) of this section, and any requirement established by or under section 902, 903, 905, or 909 which is inconsistent with a requirement imposed on such tobacco product under section 907, section 910, section 911, or subsection (d) of this section shall not apply to such tobacco product.

“(b) INFORMATION ON PUBLIC ACCESS AND COMMENT.—Each notice of proposed rulemaking or other notification under section 907, 908, 909, 910, or 911 or under this section, any other notice which is published in the Federal Register with respect to any other action taken under any such section and which states the reasons for such action, and each publication of findings required to be made in connection with rulemaking under any such section shall set forth—

“(1) the manner in which interested persons may examine data and other information on which the notice or findings is based; and

“(2) the period within which interested persons may present their comments on the notice or findings (including the need therefore) orally or in writing, which period shall be at least 60 days but may not exceed 90 days unless the time is extended by the Secretary by a notice published in the Federal Register stating good cause therefore.

“(c) LIMITED CONFIDENTIALITY OF INFORMATION.—Any information reported to or otherwise obtained by the Secretary or the Secretary's representative under section 903, 904, 907, 908, 909, 910, 911, or 704, or under subsection (e) or (f) of this section, which is exempt from disclosure under subsection (a) of section 552 of title 5, United States Code, by reason of subsection (b)(4) of that section shall be considered confidential and shall not be disclosed, except that the information may be disclosed to other officers or employees concerned with carrying out this chapter, or when relevant in any proceeding under this chapter.

“(d) RESTRICTIONS.—

“(1) IN GENERAL.—The Secretary may by regulation require restrictions on the sale and distribution of a tobacco product, including restrictions on the access to, and the advertising and promotion of, the tobacco product, if the Secretary determines that such regulation would be appropriate for the protection of the public health. The Secretary may by regulation impose restrictions on the advertising and promotion of a tobacco product consistent with and to full extent permitted by the first amendment to the Constitution. The finding as to whether such regulation would be appropriate for the protection of the public health shall be determined with respect to the risks and benefits to the population as a whole, including users and non-users of the tobacco product, and taking into account—

“(A) the increased or decreased likelihood that existing users of tobacco products will stop using such products; and

“(B) the increased or decreased likelihood that those who do not use tobacco products will start using such products.

No such regulation may require that the sale or distribution of a tobacco product be limited to the written or oral authorization of a practitioner licensed by law to prescribe medical products.

“(2) LABEL STATEMENTS.—The label of a tobacco product shall bear such appropriate statements of the restrictions required by a regulation under subsection (a) as the Secretary may in such regulation prescribe.

“(3) LIMITATIONS.—

“(A) IN GENERAL.—No restrictions under paragraph (1) may—

“(i) prohibit the sale of any tobacco product in face-to-face transactions by a specific category of retail outlets; or

“(ii) establish a minimum age of sale of tobacco products to any person older than 18 years of age.

“(B) MATCHBOOKS.—For purposes of any regulations issued by the Secretary, matchbooks of conventional size containing not more than 20 paper matches, and which are customarily given away for free with the purchase of tobacco products shall be considered as adult written publications which shall be permitted to contain advertising. Notwithstanding the preceding sentence, if the Secretary finds that such treatment of matchbooks is not appropriate for the protection of the public health, the Secretary may determine by regulation that matchbooks shall not be considered adult written publications.

“(e) GOOD MANUFACTURING PRACTICE REQUIREMENTS.—

“(1) METHODS, FACILITIES, AND CONTROLS TO CONFORM.—

“(A) IN GENERAL.—The Secretary may, in accordance with subparagraph (B), prescribe regulations (which may differ based on the type of tobacco product involved) requiring that the methods used in, and the facilities and controls used for, the manufacture, preproduction design validation (including a process to assess the performance of a tobacco product), packing and storage of a tobacco product, conform to current good manufacturing practice, as prescribed in such regulations, to assure that the public health is protected and that the tobacco product is in compliance with this chapter. Good manufacturing practices may include the testing of raw tobacco for pesticide chemical residues regardless of whether a tolerance for such chemical residues has been established.

"(B) REQUIREMENTS.—The Secretary shall—

"(i) before promulgating any regulation under subparagraph (A), afford the Tobacco Products Scientific Advisory Committee an opportunity to submit recommendations with respect to the regulation proposed to be promulgated;

"(ii) before promulgating any regulation under subparagraph (A), afford opportunity for an oral hearing;

"(iii) provide the Tobacco Products Scientific Advisory Committee a reasonable time to make its recommendation with respect to proposed regulations under subparagraph (A); and

"(iv) in establishing the effective date of a regulation promulgated under this subsection, take into account the differences in the manner in which the different types of tobacco products have historically been produced, the financial resources of the different tobacco product manufacturers, and the state of their existing manufacturing facilities, and shall provide for a reasonable period of time for such manufacturers to conform to good manufacturing practices.

"(2) EXEMPTIONS; VARIANCES.—

"(A) PETITION.—Any person subject to any requirement prescribed under paragraph (1) may petition the Secretary for a permanent or temporary exemption or variance from such requirement. Such a petition shall be submitted to the Secretary in such form and manner as the Secretary shall prescribe and shall—

"(i) in the case of a petition for an exemption from a requirement, set forth the basis for the petitioner's determination that compliance with the requirement is not required to assure that the tobacco product will be in compliance with this chapter;

"(ii) in the case of a petition for a variance from a requirement, set forth the methods proposed to be used in, and the facilities and controls proposed to be used for, the manufacture, packing, and storage of the tobacco product in lieu of the methods, facilities, and controls prescribed by the requirement; and

"(iii) contain such other information as the Secretary shall prescribe.

"(B) REFERRAL TO THE TOBACCO PRODUCTS SCIENTIFIC ADVISORY COMMITTEE.—The Secretary may refer to the Tobacco Products Scientific Advisory Committee any petition submitted under subparagraph (A). The Tobacco Products Scientific Advisory Committee shall report its recommendations to the Secretary with respect to a petition referred to it within 60 days after the date of the petition's referral. Within 60 days after—

"(i) the date the petition was submitted to the Secretary under subparagraph (A); or

"(ii) the day after the petition was referred to the Tobacco Products Scientific Advisory Committee,

whichever occurs later, the Secretary shall by order either deny the petition or approve it.

"(C) APPROVAL.—The Secretary may approve—

"(i) a petition for an exemption for a tobacco product from a requirement if the Secretary determines that compliance with such requirement is not required to assure that the tobacco product will be in compliance with this chapter; and

"(ii) a petition for a variance for a tobacco product from a requirement if the Secretary determines that the methods to be used in, and the facilities and controls to be used for, the manufacture, packing, and storage of the tobacco product in lieu of the methods, controls, and facilities prescribed by the requirement are sufficient to assure that the tobacco product will be in compliance with this chapter.

"(D) CONDITIONS.—An order of the Secretary approving a petition for a variance shall prescribe such conditions respecting the methods used in, and the facilities and controls used for, the manufacture, packing, and storage of the tobacco product to be granted the variance under the petition as may be necessary to assure that the tobacco product will be in compliance with this chapter.

"(E) HEARING.—After the issuance of an order under subparagraph (B) respecting a petition, the petitioner shall have an opportunity for an informal hearing on such order.

"(3) COMPLIANCE.—Compliance with requirements under this subsection shall not be required before the period ending 3 years after the date of enactment of the Family Smoking Prevention and Tobacco Control Act.

"(f) RESEARCH AND DEVELOPMENT.—The Secretary may enter into contracts for research, testing, and demonstrations respecting tobacco products and may obtain tobacco products for research, testing, and demonstration purposes without regard to section 3324(a) and (b) of title 31, United States Code, and section 5 of title 41, United States Code.

"SEC. 907. TOBACCO PRODUCT STANDARDS.

"(a) IN GENERAL.—

"(1) SPECIAL RULE FOR CIGARETTES.—A cigarette or any of its component parts (including the tobacco, filter, or paper) shall not contain, as a constituent (including a smoke constituent) or additive, an artificial or natural flavor (other than tobacco or menthol) or an herb or spice, including strawberry, grape, orange, clove, cinnamon, pineapple, vanilla, coconut, licorice, cocoa, chocolate, cherry, or coffee, that is a characterizing flavor of the tobacco product or tobacco smoke. Nothing in this subparagraph shall be construed to limit the Secretary's authority to take action under this section or other sections of this Act applicable to menthol or any artificial or natural flavor, herb, or spice not specified in this paragraph.

"(2) REVISION OF TOBACCO PRODUCT STANDARDS.—The Secretary may revise the tobacco product standards in paragraph (1) in accordance with subsection (b).

"(3) TOBACCO PRODUCT STANDARDS.—The Secretary may adopt tobacco product standards in addition to those in paragraph (1) if the Secretary finds that a tobacco product standard is appropriate for the protection of the public health. This finding shall be determined with respect to the risks and benefits to the population as a whole, including users and non-users of the tobacco product, and taking into account—

"(A) the increased or decreased likelihood that existing users of tobacco products will stop using such products; and

"(B) the increased or decreased likelihood that those who do not use tobacco products will start using such products.

"(4) CONTENT OF TOBACCO PRODUCT STANDARDS.—A tobacco product standard established under this section for a tobacco product—

"(A) shall include provisions that are appropriate for the protection of the public health, including provisions, where appropriate—

"(i) for the reduction of nicotine yields of the product;

"(ii) for the reduction or elimination of other constituents, including smoke constituents, or harmful components of the product; or

"(iii) relating to any other requirement under subparagraph (B);

"(B) shall, where appropriate for the protection of the public health, include—

"(i) provisions respecting the construction, components, ingredients, additives, constituents, including smoke constituents, and properties of the tobacco product;

"(ii) provisions for the testing (on a sample basis or, if necessary, on an individual basis) of the tobacco product;

"(iii) provisions for the measurement of the tobacco product characteristics of the tobacco product;

"(iv) provisions requiring that the results of each or of certain of the tests of the tobacco product required to be made under clause (ii) show that the tobacco product is in conformity with the portions of the standard for which the test or tests were required; and

"(v) a provision requiring that the sale and distribution of the tobacco product be restricted but only to the extent that the sale and distribution of a tobacco product may be restricted under a regulation under section 906(d); and

"(C) shall, where appropriate, require the use and prescribe the form and content of labeling for the proper use of the tobacco product.

"(5) PERIODIC RE-EVALUATION OF TOBACCO PRODUCT STANDARDS.—The Secretary shall provide for periodic evaluation of tobacco product standards established under this section to determine whether such standards should be changed to reflect new medical, scientific, or other technological data. The Secretary may provide for testing under paragraph (4)(B) by any person.

"(6) INVOLVEMENT OF OTHER AGENCIES; INFORMED PERSONS.—In carrying out duties under this section, the Secretary shall endeavor to—

"(A) use personnel, facilities, and other technical support available in other Federal agencies;

"(B) consult with other Federal agencies concerned with standard-setting and other nationally or internationally recognized standard-setting entities; and

"(C) invite appropriate participation, through joint or other conferences, workshops, or other means, by informed persons representative of scientific, professional, industry, agricultural, or consumer organizations who in the Secretary's judgment can make a significant contribution.

"(b) ESTABLISHMENT OF STANDARDS.—

"(1) NOTICE.—

"(A) IN GENERAL.—The Secretary shall publish in the Federal Register a notice of proposed rulemaking for the establishment, amendment, or revocation of any tobacco product standard.

"(B) REQUIREMENTS OF NOTICE.—A notice of proposed rulemaking for the establishment or amendment of a tobacco product standard for a tobacco product shall—

"(i) set forth a finding with supporting justification that the tobacco product standard is appropriate for the protection of the public health;

“(ii) set forth proposed findings with respect to the risk of illness or injury that the tobacco product standard is intended to reduce or eliminate; and

“(iii) invite interested persons to submit an existing tobacco product standard for the tobacco product, including a draft or proposed tobacco product standard, for consideration by the Secretary.

“(C) STANDARD.—Upon a determination by the Secretary that an additive, constituent (including smoke constituent), or other component of the product that is the subject of the proposed tobacco product standard is harmful, it shall be the burden of any party challenging the proposed standard to prove that the proposed standard will not reduce or eliminate the risk of illness or injury.

“(D) FINDING.—A notice of proposed rulemaking for the revocation of a tobacco product standard shall set forth a finding with supporting justification that the tobacco product standard is no longer appropriate for the protection of the public health.

“(E) CONSIDERATION BY SECRETARY.—The Secretary shall consider all information submitted in connection with a proposed standard, including information concerning the countervailing effects of the tobacco product standard on the health of adolescent tobacco users, adult tobacco users, or non-tobacco users, such as the creation of a significant demand for contraband or other tobacco products that do not meet the requirements of this chapter and the significance of such demand, and shall issue the standard if the Secretary determines that the standard would be appropriate for the protection of the public health.

“(F) COMMENT.—The Secretary shall provide for a comment period of not less than 60 days.

“(2) PROMULGATION.—

“(A) IN GENERAL.—After the expiration of the period for comment on a notice of proposed rulemaking published under paragraph (1) respecting a tobacco product standard and after consideration of such comments and any report from the Tobacco Products Scientific Advisory Committee, the Secretary shall—

“(i) promulgate a regulation establishing a tobacco product standard and publish in the Federal Register findings on the matters referred to in paragraph (1); or

“(ii) publish a notice terminating the proceeding for the development of the standard together with the reasons for such termination.

“(B) EFFECTIVE DATE.—A regulation establishing a tobacco product standard shall set forth the date or dates upon which the standard shall take effect, but no such regulation may take effect before 1 year after the date of its publication unless the Secretary determines that an earlier effective date is necessary for the protection of the public health. Such date or dates shall be established so as to minimize, consistent with the public health, economic loss to, and disruption or dislocation of, domestic and international trade.

“(3) POWER RESERVED TO CONGRESS.—Because of the importance of a decision of the Secretary to issue a regulation establishing a tobacco product standard—

“(A) banning all cigarettes, all smokeless tobacco products, all little cigars, all cigars other than little cigars, all pipe tobacco, or all roll your own tobacco products; or

“(B) requiring the reduction of nicotine yields of a tobacco product to zero,

Congress expressly reserves to itself such power.

“(4) AMENDMENT; REVOCATION.—

“(A) AUTHORITY.—The Secretary, upon the Secretary's own initiative or upon petition of an interested person may by a regulation, promulgated in accordance with the requirements of paragraphs (1) and (2)(B), amend or revoke a tobacco product standard.

“(B) EFFECTIVE DATE.—The Secretary may declare a proposed amendment of a tobacco product standard to be effective on and after its publication in the Federal Register and until the effective date of any final action taken on such amendment if the Secretary determines that making it so effective is in the public interest.

“(5) REFERENCE TO ADVISORY COMMITTEE.—

“(A) IN GENERAL.—The Secretary may refer a proposed regulation for the establishment, amendment, or revocation of a tobacco product standard to the Tobacco Products Scientific Advisory Committee for a report and recommendation with respect to any matter involved in the proposed regulation which requires the exercise of scientific judgment.

“(B) INITIATION OF REFERRAL.—The Secretary may make a referral under this paragraph—

“(i) on the Secretary's own initiative; or

“(ii) upon the request of an interested person that—

“(I) demonstrates good cause for the referral; and

“(II) is made before the expiration of the period for submission of comments on the proposed regulation.

“(C) PROVISION OF DATA.—If a proposed regulation is referred under this paragraph to the Tobacco Products Scientific Advisory Committee, the Secretary shall provide the Advisory Committee with the data and information on which such proposed regulation is based.

“(D) REPORT AND RECOMMENDATION.—The Tobacco Products Scientific Advisory Committee shall, within 60 days after the referral of a proposed regulation under this paragraph and after independent study of the data and information furnished to it by the Secretary and other data and information before it, submit to the Secretary a report and recommendation respecting such regulation, together with all underlying data and information and a statement of the reason or basis for the recommendation.

“(E) PUBLIC AVAILABILITY.—The Secretary shall make a copy of each report and recommendation under subparagraph (D) publicly available.

“SEC. 908. NOTIFICATION AND OTHER REMEDIES.

“(a) NOTIFICATION.—If the Secretary determines that—

“(1) a tobacco product which is introduced or delivered for introduction into interstate commerce for commercial distribution presents an unreasonable risk of substantial harm to the public health; and

“(2) notification under this subsection is necessary to eliminate the unreasonable risk of such harm and no more practicable means is available under the provisions of this chapter (other than this section) to eliminate such risk,

the Secretary may issue such order as may be necessary to assure that adequate notification is provided in an appropriate form, by the persons and means best suited under the circumstances involved, to all persons who should properly receive such notification in order to eliminate such risk. The Secretary may order notification by any appropriate means, including public service announcements. Before issuing an order under this subsection, the Secretary shall consult with the persons who are to give notice under the order.

“(b) NO EXEMPTION FROM OTHER LIABILITY.—Compliance with an order issued under this section shall not relieve any person from liability under Federal or State law. In awarding damages for economic loss in an action brought for the enforcement of any such liability, the value to the plaintiff in such action of any remedy provided under such order shall be taken into account.

“(c) RECALL AUTHORITY.—

“(1) IN GENERAL.—If the Secretary finds that there is a reasonable probability that a tobacco product contains a manufacturing or other defect not ordinarily contained in tobacco products on the market that would cause serious, adverse health consequences or death, the Secretary shall issue an order requiring the appropriate person (including the manufacturers, importers, distributors, or retailers of the tobacco product) to immediately cease distribution of such tobacco product. The order shall provide the person subject to the order with an opportunity for an informal hearing, to be held not later than 10 days after the date of the issuance of the order, on the actions required by the order and on whether the order should be amended to require a recall of such tobacco product. If, after providing an opportunity for such a hearing, the Secretary determines that inadequate grounds exist to support the actions required by the order, the Secretary shall vacate the order.

“(2) AMENDMENT OF ORDER TO REQUIRE RECALL.—

“(A) IN GENERAL.—If, after providing an opportunity for an informal hearing under paragraph (1), the Secretary determines that the order should be amended to include a recall of the tobacco product with respect to which the order was issued, the Secretary shall, except as provided in subparagraph (B), amend the order to require a recall. The Secretary shall specify a timetable in which the tobacco product recall will occur and shall require periodic reports to the Secretary describing the progress of the recall.

“(B) NOTICE.—An amended order under subparagraph (A)—

“(i) shall not include recall of a tobacco product from individuals; and

“(ii) shall provide for notice to persons subject to the risks associated with the use of such tobacco product.

In providing the notice required by clause (ii), the Secretary may use the assistance of retailers and other persons who distributed such tobacco product. If a significant number of such persons cannot be identified, the Secretary shall notify such persons under section 705(b).

“(3) REMEDY NOT EXCLUSIVE.—The remedy provided by this subsection shall be in addition to remedies provided by subsection (a) of this section.

“SEC. 909. RECORDS AND REPORTS ON TOBACCO PRODUCTS.

“(a) IN GENERAL.—Every person who is a tobacco product manufacturer or importer of a tobacco product shall establish and maintain such records, make such reports, and provide such information, as the Secretary may by regulation reasonably require to assure that such tobacco product is not adulterated or misbranded and to otherwise protect public health. Regulations prescribed under the preceding sentence—

“(1) may require a tobacco product manufacturer or importer to report to the Secretary whenever the manufacturer or importer receives or otherwise becomes aware of information that reasonably suggests that one of its marketed tobacco products may have caused or contributed to a serious unexpected adverse experience associated with the use of the product or any significant increase in the frequency of a serious, expected adverse product experience;

"(2) shall require reporting of other significant adverse tobacco product experiences as determined by the Secretary to be necessary to be reported;

"(3) shall not impose requirements unduly burdensome to a tobacco product manufacturer or importer, taking into account the cost of complying with such requirements and the need for the protection of the public health and the implementation of this chapter;

"(4) when prescribing the procedure for making requests for reports or information, shall require that each request made under such regulations for submission of a report or information to the Secretary state the reason or purpose for such request and identify to the fullest extent practicable such report or information;

"(5) when requiring submission of a report or information to the Secretary, shall state the reason or purpose for the submission of such report or information and identify to the fullest extent practicable such report or information; and

"(6) may not require that the identity of any patient or user be disclosed in records, reports, or information required under this subsection unless required for the medical welfare of an individual, to determine risks to public health of a tobacco product, or to verify a record, report, or information submitted under this chapter.

In prescribing regulations under this subsection, the Secretary shall have due regard for the professional ethics of the medical profession and the interests of patients. The prohibitions of paragraph (6) continue to apply to records, reports, and information concerning any individual who has been a patient, irrespective of whether or when he ceases to be a patient.

"(b) REPORTS OF REMOVALS AND CORRECTIONS.—

"(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary shall by regulation require a tobacco product manufacturer or importer of a tobacco product to report promptly to the Secretary any corrective action taken or removal from the market of a tobacco product undertaken by such manufacturer or importer if the removal or correction was undertaken—

"(A) to reduce a risk to health posed by the tobacco product; or

"(B) to remedy a violation of this chapter caused by the tobacco product which may present a risk to health.

A tobacco product manufacturer or importer of a tobacco product who undertakes a corrective action or removal from the market of a tobacco product which is not required to be reported under this subsection shall keep a record of such correction or removal.

"(2) EXCEPTION.—No report of the corrective action or removal of a tobacco product may be required under paragraph (1) if a report of the corrective action or removal is required and has been submitted under subsection (a).

"SEC. 910. APPLICATION FOR REVIEW OF CERTAIN TOBACCO PRODUCTS.

"(a) IN GENERAL.—

"(1) NEW TOBACCO PRODUCT DEFINED.—For purposes of this section the term 'new tobacco product' means—

"(A) any tobacco product (including those products in test markets) that was not commercially marketed in the United States as of June 1, 2003; or

"(B) any modification (including a change in design, any component, any part, or any constituent, including a smoke constituent, or in the content, delivery or form of nicotine, or any other additive or ingredient) of a tobacco product where the modified product was commercially marketed in the United States after June 1, 2003.

"(2) PREMARKET APPROVAL REQUIRED.—

"(A) NEW PRODUCTS.—Approval under this section of an application for premarket approval for any new tobacco product is required unless—

"(i) the manufacturer has submitted a report under section 905(j); and

"(ii) the Secretary has issued an order that the tobacco product—

"(I) is substantially equivalent to a tobacco product commercially marketed (other than for test marketing) in the United States as of June 1, 2003; and

"(II)(aa) is in compliance with the requirements of this Act; or

"(bb) is exempt from the requirements of section 905(j) pursuant to a regulation issued under section 905(j)(3).

"(B) APPLICATION TO CERTAIN POST JUNE 1, 2003 PRODUCTS.—Subparagraph (A) shall not apply to a tobacco product—

"(i) that was first introduced or delivered for introduction into interstate commerce for commercial distribution in the United States after June 1, 2003, and prior to the date that is 15 months after the date of enactment of the Family Smoking Prevention and Tobacco Control Act; and

"(ii) for which a report was submitted under section 905(j) within such 15-month period,

except that subparagraph (A) shall apply to the tobacco product if the Secretary issues an order that the tobacco product is not substantially equivalent.

"(3) SUBSTANTIALLY EQUIVALENT DEFINED.—

"(A) IN GENERAL.—In this section and section 905(j), the terms 'substantially equivalent' or 'substantial equivalence' mean, with respect to the tobacco product being compared to the predicate tobacco product, that the Secretary by order has found that the tobacco product—

"(i) has the same characteristics as the predicate tobacco product; or

"(ii) has different characteristics and the information submitted contains information, including clinical data if deemed necessary by the Secretary, that demonstrates that it is not appropriate to regulate the product under this section because the product does not raise different questions of public health.

"(B) CHARACTERISTICS.—In subparagraph (A), the term 'characteristics' means the materials, ingredients, design, composition, heating source, or other features of a tobacco product.

"(C) LIMITATION.—A tobacco product may not be found to be substantially equivalent to a predicate tobacco product that has been removed from the market at the initiative of the Secretary or that has been determined by a judicial order to be misbranded or adulterated.

"(4) HEALTH INFORMATION.—

"(A) SUMMARY.—As part of a submission under section 905(j) respecting a tobacco product, the person required to file a premarket notification under such section shall provide an adequate summary of any health information related to the tobacco product or state that such information will be made available upon request by any person.

"(B) REQUIRED INFORMATION.—Any summary under subparagraph (A) respecting a tobacco product shall contain detailed information regarding data concerning adverse health effects and shall be made available to the public by the Secretary within 30 days of the issuance of a determination that such tobacco product is substantially equivalent to another tobacco product.

"(b) APPLICATION.—

"(1) CONTENTS.—An application for premarket approval shall contain—

"(A) full reports of all information, published or known to, or which should reasonably be known to, the applicant, concerning investigations which have been made to show the health risks of such tobacco product and whether such tobacco product presents less risk than other tobacco products;

"(B) a full statement of the components, ingredients, additives, and properties, and of the principle or principles of operation, of such tobacco product;

"(C) a full description of the methods used in, and the facilities and controls used for, the manufacture, processing, and, when relevant, packing and installation of, such tobacco product;

"(D) an identifying reference to any tobacco product standard under section 907 which would be applicable to any aspect of such tobacco product, and either adequate information to show that such aspect of such tobacco product fully meets such tobacco product standard or adequate information to justify any deviation from such standard;

"(E) such samples of such tobacco product and of components thereof as the Secretary may reasonably require;

"(F) specimens of the labeling proposed to be used for such tobacco product; and

"(G) such other information relevant to the subject matter of the application as the Secretary may require.

"(2) REFERENCE TO TOBACCO PRODUCTS SCIENTIFIC ADVISORY COMMITTEE.—Upon receipt of an application meeting the requirements set forth in paragraph (1), the Secretary—

"(A) may, on the Secretary's own initiative; or

"(B) may, upon the request of an applicant,

refer such application to the Tobacco Products Scientific Advisory Committee for reference and for submission (within such period as the Secretary may establish) of a report and recommendation respecting approval of the application, together with all underlying data and the reasons or basis for the recommendation.

"(c) ACTION ON APPLICATION.—

"(1) DEADLINE.—

"(A) IN GENERAL.—As promptly as possible, but in no event later than 180 days after the receipt of an application under subsection (b), the Secretary, after considering the report and recommendation submitted under paragraph (2) of such subsection, shall—

"(i) issue an order approving the application if the Secretary finds that none of the grounds for denying approval specified in paragraph (2) of this subsection applies; or

"(ii) deny approval of the application if the Secretary finds (and sets forth the basis for such finding as part of or accompanying such denial) that 1 or more grounds for denial specified in paragraph (2) of this subsection apply.

"(B) RESTRICTIONS ON SALE AND DISTRIBUTION.—An order approving an application for a tobacco product may require as a condition to such approval that the sale and distribution of the tobacco product be restricted but only to the extent that the sale and distribution of a tobacco product may be restricted under a regulation under section 906(d).

"(2) DENIAL OF APPROVAL.—The Secretary shall deny approval of an application for a tobacco product if, upon the basis of the information submitted to the Secretary as part of the application and any other information before the Secretary with respect to such tobacco product, the Secretary finds that—

"(A) there is a lack of a showing that permitting such tobacco product to be marketed would be appropriate for the protection of the public health;

"(B) the methods used in, or the facilities or controls used for, the manufacture, processing, or packing of such tobacco product do not conform to the requirements of section 906(e);

"(C) based on a fair evaluation of all material facts, the proposed labeling is false or misleading in any particular; or

"(D) such tobacco product is not shown to conform in all respects to a tobacco product standard in effect under section 907, compliance with which is a condition to approval of the application, and there is a lack of adequate information to justify the deviation from such standard.

"(3) DENIAL INFORMATION.—Any denial of an application shall, insofar as the Secretary determines to be practicable, be accompanied by a statement informing the applicant of the measures required to place such application in approvable form (which measures may include further research by the applicant in accordance with 1 or more protocols prescribed by the Secretary).

"(4) BASIS FOR FINDING.—For purposes of this section, the finding as to whether approval of a tobacco product is appropriate for the protection of the public health shall be determined with respect to the risks and benefits to the population as a whole, including users and nonusers of the tobacco product, and taking into account—

"(A) the increased or decreased likelihood that existing users of tobacco products will stop using such products; and

"(B) the increased or decreased likelihood that those who do not use tobacco products will start using such products.

"(5) BASIS FOR ACTION.—

"(A) INVESTIGATIONS.—For purposes of paragraph (2)(A), whether permitting a tobacco product to be marketed would be appropriate for the protection of the public health shall, when appropriate, be determined on the basis of well-controlled investigations, which may include 1 or more clinical investigations by experts qualified by training and experience to evaluate the tobacco product.

"(B) OTHER EVIDENCE.—If the Secretary determines that there exists valid scientific evidence (other than evidence derived from investigations described in subparagraph (A)) which is sufficient to evaluate the tobacco product the Secretary may authorize that the determination for purposes of paragraph (2)(A) be made on the basis of such evidence.

"(d) WITHDRAWAL AND TEMPORARY SUSPENSION.—

"(1) IN GENERAL.—The Secretary shall, upon obtaining, where appropriate, advice on scientific matters from the Tobacco Products Scientific Advisory Committee, and after due notice and opportunity for informal hearing to the holder of an approved application for a tobacco product, issue an order withdrawing approval of the application if the Secretary finds—

"(A) that the continued marketing of such tobacco product no longer is appropriate for the protection of the public health;

"(B) that the application contained or was accompanied by an untrue statement of a material fact;

"(C) that the applicant—

"(i) has failed to establish a system for maintaining records, or has repeatedly or deliberately failed to maintain records or to make reports, required by an applicable regulation under section 909;

"(ii) has refused to permit access to, or copying or verification of, such records as required by section 704; or

"(iii) has not complied with the requirements of section 905;

"(D) on the basis of new information before the Secretary with respect to such tobacco product, evaluated together with the evidence before the Secretary when the application was approved, that the methods used in, or the facilities and controls used for, the manufacture, processing, packing, or installation of such tobacco product do not conform with the requirements of section 906(e) and were not brought into conformity with such requirements within a reasonable time after receipt of written notice from the Secretary of nonconformity;

"(E) on the basis of new information before the Secretary, evaluated together with the evidence before the Secretary when the application was approved, that the labeling of such tobacco product, based on a fair evaluation of all material facts, is false or misleading in any particular and was not corrected within a reasonable time after receipt of written notice from the Secretary of such fact; or

"(F) on the basis of new information before the Secretary, evaluated together with the evidence before the Secretary when the application was approved, that such tobacco product is not shown to conform in all respects to a tobacco product standard which is in effect under section 907, compliance with which was a condition to approval of the application, and that there is a lack of adequate information to justify the deviation from such standard.

"(2) APPEAL.—The holder of an application subject to an order issued under paragraph (1) withdrawing approval of the application may, by petition filed on or before the 30th day after the date upon which such holder receives notice of such withdrawal, obtain review thereof in accordance with section 912.

"(3) TEMPORARY SUSPENSION.—If, after providing an opportunity for an informal hearing, the Secretary determines there is reasonable probability that the continuation of distribution of a tobacco product under an approved application would cause serious, adverse health consequences or death, that is greater than ordinarily caused by tobacco products on the market, the Secretary shall by order temporarily suspend the approval of the application approved under this section. If the Secretary issues such an order, the Secretary shall proceed expeditiously under paragraph (1) to withdraw such application.

"(e) SERVICE OF ORDER.—An order issued by the Secretary under this section shall be served—

"(1) in person by any officer or employee of the department designated by the Secretary; or

"(2) by mailing the order by registered mail or certified mail addressed to the applicant at the applicant's last known address in the records of the Secretary.

"(f) RECORDS.—

"(1) ADDITIONAL INFORMATION.—In the case of any tobacco product for which an approval of an application filed under subsection (b) is in effect, the applicant shall establish and maintain such records, and make such reports to the Secretary, as the Secretary may by regulation, or by order with respect to such application, prescribe on the basis of a finding that such records and reports are necessary in order to enable the Secretary to determine, or facilitate a determination of, whether there is or may be grounds for withdrawing or temporarily suspending such approval.

"(2) ACCESS TO RECORDS.—Each person required under this section to maintain records, and each person in charge or custody thereof, shall, upon request of an officer or employee designated by the Secretary, permit such officer or employee at all reasonable times to have access to and copy and verify such records.

"(g) INVESTIGATIONAL TOBACCO PRODUCT EXEMPTION FOR INVESTIGATIONAL USE.—The Secretary may exempt tobacco products intended for investigational use from the provisions of this chapter under such conditions as the Secretary may by regulation prescribe.

"SEC. 911. MODIFIED RISK TOBACCO PRODUCTS.

"(a) IN GENERAL.—No person may introduce or deliver for introduction into interstate commerce any modified risk tobacco product unless approval of an application filed pursuant to subsection (d) is effective with respect to such product.

"(b) DEFINITIONS.—In this section:

"(1) MODIFIED RISK TOBACCO PRODUCT.—The term 'modified risk tobacco product' means any tobacco product that is sold or distributed for use to reduce harm or the risk of tobacco-related disease associated with commercially marketed tobacco products.

"(2) SOLD OR DISTRIBUTED.—

"(A) IN GENERAL.—With respect to a tobacco product, the term 'sold or distributed for use to reduce harm or the risk of tobacco-related disease associated with commercially marketed tobacco products' means a tobacco product—

"(i) the label, labeling, or advertising of which represents explicitly or implicitly that—

"(I) the tobacco product presents a lower risk of tobacco-related disease or is less harmful than one or more other commercially marketed tobacco products;

"(II) the tobacco product or its smoke contains a reduced level of a substance or presents a reduced exposure to a substance; or

"(III) the tobacco product or its smoke does not contain or is free of a substance;

"(ii) the label, labeling, or advertising of which uses the descriptors 'light', 'mild', or 'low' or similar descriptors; or

"(iii) the tobacco product manufacturer of which has taken any action directed to consumers through the media or otherwise, other than by means of the tobacco product's label, labeling, or advertising, after the date of enactment of the Family Smoking Prevention and Tobacco Control Act, respecting the product that would be reasonably expected to result in consumers believing that the tobacco product or its smoke may present a lower risk of disease or is less harmful than one or more commercially marketed tobacco products, or presents a reduced exposure to, or does not contain or is free of, a substance or substances.

"(B) LIMITATION.—No tobacco product shall be considered to be 'sold or distributed for use to reduce harm or the risk of tobacco-related disease associated with commercially marketed tobacco products', except as described in subparagraph (A).

"(c) Tobacco Dependence Products.—A product that is intended to be used for the treatment of tobacco dependence, including smoking cessation, is not a modified risk tobacco product under this section and is subject to the requirements of chapter V.

"(d) Filing.—Any person may file with the Secretary an application for a modified risk tobacco product. Such application shall include—

"(1) a description of the proposed product and any proposed advertising and labeling;

"(2) the conditions for using the product;

"(3) the formulation of the product;

"(4) sample product labels and labeling;

"(5) all documents (including underlying scientific information) relating to research findings conducted, supported, or possessed by the tobacco product manufacturer relating to the effect of the product on tobacco-related diseases and health-related conditions, including information both favorable and unfavorable to the ability of the product to reduce risk or exposure and relating to human health;

"(6) data and information on how consumers actually use the tobacco product; and

"(7) such other information as the Secretary may require.

"(e) Public Availability.—The Secretary shall make the application described in subsection (d) publicly available (except matters in the application which are trade secrets or otherwise confidential, commercial information) and shall request comments by interested persons on the information contained in the application and on the label, labeling, and advertising accompanying such application.

"(f) Advisory Committee.—

"(1) In general.—The Secretary shall refer to the Tobacco Products Scientific Advisory Committee any application submitted under this subsection.

"(2) Recommendations.—Not later than 60 days after the date an application is referred to the Tobacco Products Scientific Advisory Committee under paragraph (1), the Advisory Committee shall report its recommendations on the application to the Secretary.

"(g) Approval.—

"(1) Modified risk products.—Except as provided in paragraph (2), the Secretary shall approve an application for a modified risk tobacco product filed under this section only if the Secretary determines that the applicant has demonstrated that such product, as it is actually used by consumers, will—

"(A) significantly reduce harm and the risk of tobacco-related disease to individual tobacco users; and

"(B) benefit the health of the population as a whole taking into account both users of tobacco products and persons who do not currently use tobacco products.

"(2) Special rule for certain products.—

"(A) In general.—The Secretary may approve an application for a tobacco product that has not been approved as a modified risk tobacco product pursuant to paragraph (1) if the Secretary makes the findings required under this paragraph and determines that the applicant has demonstrated that—

"(i) the approval of the application would be appropriate to promote the public health;

"(ii) any aspect of the label, labeling, and advertising for such product that would cause the tobacco product to be a modified risk tobacco product under subsection (b)(2) is limited to an explicit or implicit representation that such tobacco product or its smoke contains or is free of a substance or contains a reduced level of a substance, or presents a reduced exposure to a substance in tobacco smoke;

"(iii) scientific evidence is not available and, using the best available scientific methods, cannot be made available without conducting long-term epidemiological studies for an application to meet the standards set forth in paragraph (1); and

"(iv) the scientific evidence that is available without conducting long-term epidemiological studies demonstrates that a measurable and substantial reduction in morbidity or mortality among individual tobacco users is anticipated in subsequent studies.

"(B) Additional findings required.—In order to approve an application under subparagraph (A) the Secretary must also find that the applicant has demonstrated that—

"(i) the magnitude of the overall reductions in exposure to the substance or substances which are the subject of the application is substantial, such substance or substances are harmful, and the product as actually used exposes consumers to the specified reduced level of the substance or substances;

"(ii) the product as actually used by consumers will not expose them to higher levels of other harmful substances compared to the similar types of tobacco products then on the market unless such increases are minimal and the anticipated overall impact of use of the product remains a substantial and measurable reduction in overall morbidity and mortality among individual tobacco users;

"(iii) testing of actual consumer perception shows that, as the applicant proposes to label and market the product, consumers will not be misled into believing that the product—

"(I) is or has been demonstrated to be less harmful; or

"(II) presents or has been demonstrated to present less of a risk of disease than 1 or more other commercially marketed tobacco products; and

"(iv) approval of the application is expected to benefit the health of the population as a whole taking into account both users of tobacco products and persons who do not currently use tobacco products.

"(C) Conditions of approval.—

"(i) In general.—Applications approved under this paragraph shall be limited to a term of not more than 5 years, but may be renewed upon a finding by the Secretary that the requirements of this paragraph continue to be satisfied based on the filing of a new application.

"(ii) Agreements by applicant.—Applications approved under this paragraph shall be conditioned on the applicant's agreement to conduct post-market surveillance and studies and to submit to the Secretary the results of such surveillance and studies to determine the impact of the application approval on consumer perception, behavior, and health and to enable the Secretary to review the accuracy of the determinations upon which the approval was based in accordance with a protocol approved by the Secretary.

"(iii) Annual submission.—The results of such post-market surveillance and studies described in clause (ii) shall be submitted annually.

"(3) Basis.—The determinations under paragraphs (1) and (2) shall be based on—

"(A) the scientific evidence submitted by the applicant; and

"(B) scientific evidence and other information that is available to the Secretary.

"(4) Benefit to health of individuals and of population as a whole.—In making the determinations under paragraphs (1) and (2), the Secretary shall take into account—

"(A) the relative health risks to individuals of the tobacco product that is the subject of the application;

"(B) the increased or decreased likelihood that existing users of tobacco products who would otherwise stop using such products will switch to the tobacco product that is the subject of the application;

"(C) the increased or decreased likelihood that persons who do not use tobacco products will start using the tobacco product that is the subject of the application;

"(D) the risks and benefits to persons from the use of the tobacco product that is the subject of the application as compared to the use of products for smoking cessation approved under chapter V to treat nicotine dependence; and

"(E) comments, data, and information submitted by interested persons.

"(h) Additional Conditions for Approval.—

"(1) Modified risk products.—The Secretary shall require for the approval of an application under this section that any advertising or labeling concerning modified risk products enable the public to comprehend the information concerning modified risk and to understand the relative significance of such information in the context of total health and in relation to all of the diseases and health-related conditions associated with the use of tobacco products.

"(2) Comparative claims.—

"(A) In general.—The Secretary may require for the approval of an application under this subsection that a claim comparing a tobacco product to 1 or more other commercially marketed tobacco products shall compare the tobacco product to a commercially marketed tobacco product that is representative of that type of tobacco product on the market (for example the average value of the top 3 brands of an established regular tobacco product).

"(B) Quantitative comparisons.—The Secretary may also require, for purposes of subparagraph (A), that the percent (or fraction) of change and identity of the reference tobacco product and a quantitative comparison of the amount of the substance claimed to be reduced shall be stated in immediate proximity to the most prominent claim.

"(3) Label disclosure.—

"(A) In general.—The Secretary may require the disclosure on the label of other substances in the tobacco product, or substances that may be produced by the consumption of that tobacco product, that may affect a disease or health-related condition or may increase the risk of other diseases or health-related conditions associated with the use of tobacco products.

"(B) Conditions of use.—If the conditions of use of the tobacco product may affect the risk of the product to human health, the Secretary may require the labeling of conditions of use.

"(4) Time.—The Secretary shall limit an approval under subsection (g)(1) for a specified period of time.

"(5) Advertising.—The Secretary may require that an applicant, whose application has been approved under this subsection, comply with requirements relating to advertising and promotion of the tobacco product.

"(i) Postmarket Surveillance and Studies.—

"(1) In general.—The Secretary shall require that an applicant under subsection (g)(1) conduct post market surveillance and studies for a tobacco product for which an application has been approved to determine the impact of the application approval on consumer perception, behavior, and health, to enable the Secretary to review the accuracy of the determinations upon which the approval was based, and to provide information that the Secretary determines is otherwise necessary regarding the use or health risks involving the tobacco product. The results of post-market surveillance and studies shall be submitted to the Secretary on an annual basis.

"(2) SURVEILLANCE PROTOCOL.—Each applicant required to conduct a surveillance of a tobacco product under paragraph (1) shall, within 30 days after receiving notice that the applicant is required to conduct such surveillance, submit, for the approval of the Secretary, a protocol for the required surveillance. The Secretary, within 60 days of the receipt of such protocol, shall determine if the principal investigator proposed to be used in the surveillance has sufficient qualifications and experience to conduct such surveillance and if such protocol will result in collection of the data or other information designated by the Secretary as necessary to protect the public health.

"(j) WITHDRAWAL OF APPROVAL.—The Secretary, after an opportunity for an informal hearing, shall withdraw the approval of an application under this section if the Secretary determines that—

"(1) the applicant, based on new information, can no longer make the demonstrations required under subsection (g), or the Secretary can no longer make the determinations required under subsection (g);

"(2) the application failed to include material information or included any untrue statement of material fact;

"(3) any explicit or implicit representation that the product reduces risk or exposure is no longer valid, including if—

"(A) a tobacco product standard is established pursuant to section 907;

"(B) an action is taken that affects the risks presented by other commercially marketed tobacco products that were compared to the product that is the subject of the application; or

"(C) any postmarket surveillance or studies reveal that the approval of the application is no longer consistent with the protection of the public health;

"(4) the applicant failed to conduct or submit the postmarket surveillance and studies required under subsection (g)(2)(C)(ii) or (i); or

"(5) the applicant failed to meet a condition imposed under subsection (h).

"(k) CHAPTER IV OR V.—A product approved in accordance with this section shall not be subject to chapter IV or V.

"(l) IMPLEMENTING REGULATIONS OR GUIDANCE.—

"(1) SCIENTIFIC EVIDENCE.—Not later than 2 years after the date of enactment of the Family Smoking Prevention and Tobacco Control Act, the Secretary shall issue regulations or guidance (or any combination thereof) on the scientific evidence required for assessment and ongoing review of modified risk tobacco products. Such regulations or guidance shall—

"(A) establish minimum standards for scientific studies needed prior to approval to show that a substantial reduction in morbidity or mortality among individual tobacco users is likely;

"(B) include validated biomarkers, intermediate clinical endpoints, and other feasible outcome measures, as appropriate;

"(C) establish minimum standards for post market studies, that shall include regular and long-term assessments of health outcomes and mortality, intermediate clinical endpoints, consumer perception of harm reduction, and the impact on quitting behavior and new use of tobacco products, as appropriate;

"(D) establish minimum standards for required postmarket surveillance, including ongoing assessments of consumer perception; and

"(E) require that data from the required studies and surveillance be made available to the Secretary prior to the decision on renewal of a modified risk tobacco product.

"(2) CONSULTATION.—The regulations or guidance issued under paragraph (1) shall be developed in consultation with the Institute of Medicine, and with the input of other appropriate scientific and medical experts, on the design and conduct of such studies and surveillance.

"(3) REVISION.—The regulations or guidance under paragraph (1) shall be revised on a regular basis as new scientific information becomes available.

"(4) NEW TOBACCO PRODUCTS.—Not later than 2 years after the date of enactment of the Family Smoking Prevention and Tobacco Control Act, the Secretary shall issue a regulation or guidance that permits the filing of a single application for any tobacco product that is a new tobacco product under section 910 and for which the applicant seeks approval as a modified risk tobacco product under this section.

"(m) DISTRIBUTORS.—No distributor may take any action, after the date of enactment of the Family Smoking Prevention and Tobacco Control Act, with respect to a tobacco product that would reasonably be expected to result in consumers believing that the tobacco product or its smoke may present a lower risk of disease or is less harmful than one or more commercially marketed tobacco products, or presents a reduced exposure to, or does not contain or is free of, a substance or substances.

"SEC. 912. JUDICIAL REVIEW.

"(a) RIGHT TO REVIEW.—

"(1) IN GENERAL.—Not later than 30 days after—

"(A) the promulgation of a regulation under section 907 establishing, amending, or revoking a tobacco product standard; or

"(B) a denial of an application for approval under section 910(c),

any person adversely affected by such regulation or denial may file a petition for judicial review of such regulation or denial with the United States Court of Appeals for the District of Columbia or for the circuit in which such person resides or has their principal place of business.

"(2) REQUIREMENTS.—

"(A) COPY OF PETITION.—A copy of the petition filed under paragraph (1) shall be transmitted by the clerk of the court involved to the Secretary.

"(B) RECORD OF PROCEEDINGS.—On receipt of a petition under subparagraph (A), the Secretary shall file in the court in which such petition was filed—

"(i) the record of the proceedings on which the regulation or order was based; and

"(ii) a statement of the reasons for the issuance of such a regulation or order.

"(C) DEFINITION OF RECORD.—In this section, the term 'record' means—

"(i) all notices and other matter published in the Federal Register with respect to the regulation or order reviewed;

"(ii) all information submitted to the Secretary with respect to such regulation or order;

"(iii) proceedings of any panel or advisory committee with respect to such regulation or order;

"(iv) any hearing held with respect to such regulation or order; and

"(v) any other information identified by the Secretary, in the administrative proceeding held with respect to such regulation or order, as being relevant to such regulation or order.

"(b) STANDARD OF REVIEW.—Upon the filing of the petition under subsection (a) for judicial review of a regulation or order, the court shall have jurisdiction to review the regulation or order in accordance with chapter 7 of title 5, United States Code, and to grant appropriate relief, including interim relief, as provided for in such chapter. A regulation or denial described in subsection (a) shall be reviewed in accordance with section 706(2)(A) of title 5, United States Code.

"(c) FINALITY OF JUDGMENT.—The judgment of the court affirming or setting aside, in whole or in part, any regulation or order shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification, as provided in section 1254 of title 28, United States Code.

"(d) OTHER REMEDIES.—The remedies provided for in this section shall be in addition to, and not in lieu of, any other remedies provided by law.

"(e) REGULATIONS AND ORDERS MUST RECITE BASIS IN RECORD.—To facilitate judicial review, a regulation or order issued under section 906, 907, 908, 909, 910, or 916 shall contain a statement of the reasons for the issuance of such regulation or order in the record of the proceedings held in connection with its issuance.

"SEC. 913. EQUAL TREATMENT OF RETAIL OUTLETS.

"The Secretary shall issue regulations to require that retail establishments for which the predominant business is the sale of tobacco products comply with any advertising restrictions applicable to retail establishments accessible to individuals under the age of 18.

"SEC. 914. JURISDICTION OF AND COORDINATION WITH THE FEDERAL TRADE COMMISSION.

"(a) JURISDICTION.—

"(1) IN GENERAL.—Except where expressly provided in this chapter, nothing in this chapter shall be construed as limiting or diminishing the authority of the Federal Trade Commission to enforce the laws under its jurisdiction with respect to the advertising, sale, or distribution of tobacco products.

"(2) ENFORCEMENT.—Any advertising that violates this chapter or a provision of the regulations referred to in section 102 of the Family Smoking Prevention and Tobacco Control Act, is an unfair or deceptive act or practice under section 5(a) of the Federal Trade Commission Act and shall be considered a violation of a rule promulgated under section 18 of that Act.

"(b) COORDINATION.—With respect to the requirements of section 4 of the Federal Cigarette Labeling and Advertising Act and section 3 of the Comprehensive Smokeless Tobacco Health Education Act of 1986—

"(1) the Chairman of the Federal Trade Commission shall coordinate with the Secretary concerning the enforcement of such Act as such enforcement relates to unfair or deceptive acts or practices in the advertising of cigarettes or smokeless tobacco; and

"(2) the Secretary shall consult with the Chairman of such Commission in revising the label statements and requirements under such sections.

“SEC. 915. CONGRESSIONAL REVIEW PROVISIONS.

“In accordance with section 801 of title 5, United States Code, Congress shall review, and may disapprove, any rule under this chapter that is subject to section 801. This section and section 801 do not apply to the final rule referred to in paragraphs (1) and (2) of section 102(a) of the Family Smoking Prevention and Tobacco Control Act.

“SEC. 916. REGULATION REQUIREMENT.

“(a) Testing, Reporting, and Disclosure.—Not later than 24 months after the date of enactment of the Family Smoking Prevention and Tobacco Control Act, the Secretary, acting through the Commissioner of Food and Drugs, shall promulgate regulations under this Act that meet the requirements of subsection (b).

“(b) Contents of Rules.—The regulations promulgated under subsection (a) shall require testing and reporting of tobacco product constituents, ingredients, and additives, including smoke constituents, by brand and sub-brand that the Secretary determines should be tested to protect the public health. The regulations may require that tobacco product manufacturers, packagers, or importers make disclosures relating to the results of the testing of tar and nicotine through labels or advertising or other appropriate means, and make disclosures regarding the results of the testing of other constituents, including smoke constituents, ingredients, or additives, that the Secretary determines should be disclosed to the public to protect the public health and will not mislead consumers about the risk of tobacco related disease.

“(c) Authority.—The Food and Drug Administration shall have the authority under this chapter to conduct or to require the testing, reporting, or disclosure of tobacco product constituents, including smoke constituents.

“SEC. 917. PRESERVATION OF STATE AND LOCAL AUTHORITY.

“(a) In General.—

“(1) Preservation.—Except as provided in paragraph (2)(A), nothing in this chapter, or rules promulgated under this chapter, shall be construed to limit the authority of a Federal agency (including the Armed Forces), a State or political subdivision of a State, or the government of an Indian tribe to enact, adopt, promulgate, and enforce any law, rule, regulation, or other measure with respect to tobacco products that is in addition to, or more stringent than, requirements established under this chapter, including a law, rule, regulation, or other measure relating to or prohibiting the sale, distribution, possession, exposure to, access to, advertising and promotion of, or use of tobacco products by individuals of any age, information reporting to the State, or measures relating to fire safety standards for tobacco products. No provision of this chapter shall limit or otherwise affect any State, Tribal, or local taxation of tobacco products.

“(2) Preemption of certain State and local requirements.—

“(A) In general.—No State or political subdivision of a State may establish or continue in effect with respect to a tobacco product any requirement which is different from, or in addition to, any requirement under the provisions of this chapter relating to tobacco product standards, premarket approval, adulteration, misbranding, labeling, registration, good manufacturing standards, or modified risk tobacco products.

“(B) Exception.—Subparagraph (A) does not apply to requirements relating to the sale, distribution, possession, information reporting to the State, exposure to, access to, the advertising and promotion of, or use of, tobacco products by individuals of any age, or relating to fire safety standards for tobacco products. Information disclosed to a State under subparagraph (A) that is exempt from disclosure under section 552(b)(4) of title 5, United States Code, shall be treated as a trade secret and confidential information by the State.

“(b) Rule of Construction Regarding Product Liability.—No provision of this chapter relating to a tobacco product shall be construed to modify or otherwise affect any action or the liability of any person under the product liability law of any State.

“SEC. 918. TOBACCO PRODUCTS SCIENTIFIC ADVISORY COMMITTEE.

“(a) Establishment.—Not later than 1 year after the date of enactment of the Family Smoking Prevention and Tobacco Control Act, the Secretary shall establish an 11-member advisory committee, to be known as the ‘Tobacco Products Scientific Advisory Committee’ (in this section referred to as the ‘Advisory Committee’).

“(b) Membership.—

“(1) In general.—

“(A) Members.—The Secretary shall appoint as members of the Tobacco Products Scientific Advisory Committee individuals who are technically qualified by training and experience in the medicine, medical ethics, science, or technology involving the manufacture, evaluation, or use of tobacco products, who are of appropriately diversified professional backgrounds. The committee shall be composed of—

“(i) 7 individuals who are physicians, dentists, scientists, or health care professionals practicing in the area of oncology, pulmonology, cardiology, toxicology, pharmacology, addiction, or any other relevant specialty;

“(ii) 1 individual who is an officer or employee of a State or local government or of the Federal Government;

“(iii) 1 individual as a representative of the general public;

“(iv) 1 individual as a representative of the interests in the tobacco manufacturing industry; and

“(v) 1 individual as a representative of the interests of the tobacco growers.

“(B) Nonvoting members.—The members of the committee appointed under clauses (iv) and (v) of subparagraph (A) shall serve as consultants to those described in clauses (i) through (iii) of subparagraph (A) and shall be nonvoting representatives.

“(2) Limitation.—The Secretary may not appoint to the Advisory Committee any individual who is in the regular full-time employ of the Food and Drug Administration or any agency responsible for the enforcement of this Act. The Secretary may appoint Federal officials as ex officio members.

“(3) Chairperson.—The Secretary shall designate 1 of the members of the Advisory Committee to serve as chairperson.

“(c) Duties.—The Tobacco Products Scientific Advisory Committee shall provide advice, information, and recommendations to the Secretary—

“(1) as provided in this chapter;

“(2) on the effects of the alteration of the nicotine yields from tobacco products;

“(3) on whether there is a threshold level below which nicotine yields do not produce dependence on the tobacco product involved; and

“(4) on its review of other safety, dependence, or health issues relating to tobacco products as requested by the Secretary.

“(d) Compensation; Support; FACA.—

“(1) Compensation and travel.—Members of the Advisory Committee who are not officers or employees of the United States, while attending conferences or meetings of the committee or otherwise engaged in its business, shall be entitled to receive compensation at rates to be fixed by the Secretary, which may not exceed the daily equivalent of the rate in effect under the Senior Executive Schedule under section 5382 of title 5, United States Code, for each day (including travel time) they are so engaged; and while so serving away from their homes or regular places of business each member may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

“(2) Administrative support.—The Secretary shall furnish the Advisory Committee clerical and other assistance.

“(3) Nonapplication of FACA.—Section 14 of the Federal Advisory Committee Act does not apply to the Advisory Committee.

“(e) Proceedings of Advisory Panels and Committees.—The Advisory Committee shall make and maintain a transcript of any proceeding of the panel or committee. Each such panel and committee shall delete from any transcript made under this subsection information which is exempt from disclosure under section 552(b) of title 5, United States Code.

“SEC. 919. DRUG PRODUCTS USED TO TREAT TOBACCO DEPENDENCE.

“The Secretary shall—

“(1) at the request of the applicant, consider designating nicotine replacement products as fast track research and approval products within the meaning of section 506;

“(2) consider approving the extended use of nicotine replacement products (such as nicotine patches, nicotine gum, and nicotine lozenges) for the treatment of tobacco dependence; and

“(3) review and consider the evidence for additional indications for nicotine replacement products, such as for craving relief or relapse prevention.

“SEC. 920. USER FEE.

“(a) Establishment of Quarterly User Fee.—The Secretary shall assess a quarterly user fee with respect to every quarter of each fiscal year commencing fiscal year 2008, calculated in accordance with this section, upon each manufacturer and importer of tobacco products subject to this chapter.

“(b) Funding of FDA Regulation of Tobacco Products.—The Secretary shall make user fees collected pursuant to this section available to pay, in each fiscal year, for the costs of the activities of the Food and Drug Administration related to the regulation of tobacco products under this chapter.

“(c) Assessment of User Fee.—

“(1) Amount of assessment.—Except as provided in paragraph (4), the total user fees assessed each year pursuant to this section shall be sufficient, and shall not exceed what is necessary, to pay for the costs of the activities described in subsection (b) for each fiscal year.

“(2) Allocation of assessment by class of tobacco products.—

“(A) In general.—Subject to paragraph (3), the total user fees assessed each fiscal year with respect to each class of importers and manufacturers shall be equal to an amount that is the applicable percentage of the total costs of activities of the Food and Drug Administration described in subsection (b).

"(B) APPLICABLE PERCENTAGE.—For purposes of subparagraph (A), the applicable percentage for a fiscal year shall be the following:

"(i) 92.07 percent shall be assessed on manufacturers and importers of cigarettes;

"(ii) 0.05 percent shall be assessed on manufacturers and importers of little cigars;

"(iii) 7.15 percent shall be assessed on manufacturers and importers of cigars other than little cigars;

"(iv) 0.43 percent shall be assessed on manufacturers and importers of snuff;

"(v) 0.10 percent shall be assessed on manufacturers and importers of chewing tobacco;

"(vi) 0.06 percent shall be assessed on manufacturers and importers of pipe tobacco; and

"(vii) 0.14 percent shall be assessed on manufacturers and importers of roll-your-own tobacco.

"(3) DISTRIBUTION OF FEE SHARES OF MANUFACTURERS AND IMPORTERS EXEMPT FROM USER FEE.—Where a class of tobacco products is not subject to a user fee under this section, the portion of the user fee assigned to such class under paragraph (2) shall be allocated by the Secretary on a pro rata basis among the classes of tobacco products that are subject to a user fee under this section. Such pro rata allocation for each class of tobacco products that is subject to a user fee under this section shall be the quotient of—

"(A) the percentage assigned to such class under paragraph (2); divided by

"(B) the sum of the percentages assigned to all classes of tobacco products subject to this section.

"(4) ANNUAL LIMIT ON ASSESSMENT.—The total assessment under this section—

"(A) for fiscal year 2008 shall be $85,000,000;

"(B) for fiscal year 2009 shall be $175,000,000;

"(C) for fiscal year 2010 shall be $300,000,000; and

"(D) for each subsequent fiscal year, shall not exceed the limit on the assessment imposed during the previous fiscal year, as adjusted by the Secretary (after notice, published in the Federal Register) to reflect the greater of—

"(i) the total percentage change that occurred in the Consumer Price Index for all urban consumers (all items; United States city average) for the 12-month period ending on June 30 preceding the fiscal year for which fees are being established; or

"(ii) the total percentage change for the previous fiscal year in basic pay under the General Schedule in accordance with section 5332 of title 5, United States Code, as adjusted by any locality-based comparability payment pursuant to section 5304 of such title for Federal employees stationed in the District of Columbia.

"(5) TIMING OF USER FEE ASSESSMENT.—The Secretary shall notify each manufacturer and importer of tobacco products subject to this section of the amount of the quarterly assessment imposed on such manufacturer or importer under subsection (f) during each quarter of each fiscal year. Such notifications shall occur not earlier than 3 months prior to the end of the quarter for which such assessment is made, and payments of all assessments shall be made not later than 60 days after each such notification.

"(d) DETERMINATION OF USER FEE BY COMPANY MARKET SHARE.—

"(1) IN GENERAL.—The user fee to be paid by each manufacturer or importer of a given class of tobacco products shall be determined in each quarter by multiplying—

"(A) such manufacturer's or importer's market share of such class of tobacco products; by

"(B) the portion of the user fee amount for the current quarter to be assessed on manufacturers and importers of such class of tobacco products as determined under subsection (e).

"(2) NO FEE IN EXCESS OF MARKET SHARE.—No manufacturer or importer of tobacco products shall be required to pay a user fee in excess of the market share of such manufacturer or importer.

"(e) DETERMINATION OF VOLUME OF DOMESTIC SALES.—

"(1) IN GENERAL.—The calculation of gross domestic volume of a class of tobacco product by a manufacturer or importer, and by all manufacturers and importers as a group, shall be made by the Secretary using information provided by manufacturers and importers pursuant to subsection (f), as well as any other relevant information provided to or obtained by the Secretary.

"(2) MEASUREMENT.—For purposes of the calculations under this subsection and the information provided under subsection (f) by the Secretary, gross domestic volume shall be measured by—

"(A) in the case of cigarettes, the number of cigarettes sold;

"(B) in the case of little cigars, the number of little cigars sold;

"(C) in the case of large cigars, the number of cigars weighing more than 3 pounds per thousand sold; and

"(D) in the case of other classes of tobacco products, in terms of number of pounds, or fraction thereof, of these products sold.

"(f) MEASUREMENT OF GROSS DOMESTIC VOLUME.—

"(1) IN GENERAL.—Each tobacco product manufacturer and importer shall submit to the Secretary a certified copy of each of the returns or forms described by this paragraph that are required to be filed with a Government agency on the same date that those returns or forms are required to be filed with such agency. The returns and forms described by this paragraph are those returns and forms related to the removal, as defined by section 5702(j) of the Internal Revenue Code of 1986, of tobacco products into domestic commerce or the payment of the taxes imposed under chapter 52 of such Code.

"(2) PENALTIES.—Any person that knowingly fails to provide information required under this subsection or that provides false information under this subsection shall be subject to the penalties described in section 1001 of title 18, United States Code. In addition, such person may be subject to a civil penalty in an amount not to exceed 2 percent of the value of the kind of tobacco products manufactured or imported by such person during the applicable quarter, as determined by the Secretary.

"(h) EFFECTIVE DATE.—The user fees prescribed by this section shall be assessed in fiscal year 2008, based on domestic sales of tobacco products during fiscal year 2007 and shall be assessed in each fiscal year thereafter.".

SEC. 102. FINAL RULE.

(a) CIGARETTES AND SMOKELESS TOBACCO.—

(1) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Secretary of Health and Human Services shall publish in the Federal Register a final rule regarding cigarettes and smokeless tobacco, which is hereby deemed to be in compliance with the Administrative Procedures Act and other applicable law.

(2) CONTENTS OF RULE.—Except as provided in this subsection, the final rule published under paragraph (1), shall be identical in its provisions to part 897 of the regulations promulgated by the Secretary of Health and Human Services in the August 28, 1996, issue of the Federal Register (61 Fed. Reg., 44615-44618). Such rule shall—

(A) provide for the designation of jurisdictional authority that is in accordance with this subsection;

(B) strike Subpart C—Labels and section 897.32(c); and

(C) become effective not later than 1 year after the date of enactment of this Act.

(3) AMENDMENTS TO RULE.—Prior to making amendments to the rule published under paragraph (1), the Secretary shall promulgate a proposed rule in accordance with the Administrative Procedures Act.

(4) RULE OF CONSTRUCTION.—Except as provided in paragraph (3), nothing in this section shall be construed to limit the authority of the Secretary to amend, in accordance with the Administrative Procedures Act, the regulation promulgated pursuant to this section.

(b) LIMITATION ON ADVISORY OPINIONS.—As of the date of enactment of this Act, the following documents issued by the Food and Drug Administration shall not constitute advisory opinions under section 10.85(d)(1) of title 21, Code of Federal Regulations, except as they apply to tobacco products, and shall not be cited by the Secretary of Health and Human Services or the Food and Drug Administration as binding precedent:

(1) The preamble to the proposed rule in the document entitled "Regulations Restricting the Sale and Distribution of Cigarettes and Smokeless Tobacco Products to Protect Children and Adolescents" (60 Fed. Reg. 41314-41372 (August 11, 1995)).

(2) The document entitled "Nicotine in Cigarettes and Smokeless Tobacco Products is a Drug and These Products Are Nicotine Delivery Devices Under the Federal Food, Drug, and Cosmetic Act" (60 Fed. Reg. 41453-41787 (August 11, 1995)).

(3) The preamble to the final rule in the document entitled "Regulations Restricting the Sale and Distribution of Cigarettes and Smokeless Tobacco to Protect Children and Adolescents" (61 Fed. Reg. 44396-44615 (August 28, 1996)).

(4) The document entitled "Nicotine in Cigarettes and Smokeless Tobacco is a Drug and These Products are Nicotine Delivery Devices Under the Federal Food, Drug, and Cosmetic Act; Jurisdictional Determination" (61 Fed. Reg. 44619-45318 (August 28, 1996)).

SEC. 103. CONFORMING AND OTHER AMENDMENTS TO GENERAL PROVISIONS.

(a) AMENDMENT OF FEDERAL FOOD, DRUG, AND COSMETIC ACT.—Except as otherwise expressly provided, whenever in this section an amendment is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference is to a section or other provision of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.).

(b) SECTION 301.—Section 301 (21 U.S.C. 331) is amended—

(1) in subsection (a), by inserting "tobacco product," after "device,";

(2) in subsection (b), by inserting "tobacco product," after "device,";

(3) in subsection (c), by inserting "tobacco product," after "device,";

(4) in subsection (e) (as amended by sections 2(c) and 3(b) of the Dietary Supplement and Nonprescription Drug Consumer Protection Act (Public Law 109-462; 120 Stat. 3472)), by inserting ", or 909" before "or the refusal to permit access to";

(5) in subsection (g), by inserting "tobacco product," after "device,";

(6) in subsection (h), by inserting "tobacco product," after "device,";

(7) in subsection (j), by striking "708, or 721" and inserting "708, 721, 904, 905, 906, 907, 908, 909, or section 921(b)";

(8) in subsection (k), by inserting "tobacco product," after "device,";

(9) by striking subsection (p) and inserting the following:

"(p) The failure to register in accordance with section 510 or 905, the failure to provide any information required by section 510(j), 510(k), 905(i), or 905(j), or the failure to provide a notice required by section 510(j)(2) or 905(i)(2).";

(10) by striking subsection (q)(1) and inserting the following:

"(q)(1) The failure or refusal—

"(A) to comply with any requirement prescribed under section 518, 520(g), 903(b), or 908;

"(B) to furnish any notification or other material or information required by or under section 519, 520(g), 904, 909, or section 921; or

"(C) to comply with a requirement under section 522 or 913.";

(11) in subsection (q)(2), by striking "device," and inserting "device or tobacco product,";

(12) in subsection (r), by inserting "or tobacco product" after the term "device" each time that such term appears; and

(13) by adding at the end (as amended by section 4(a) of the Dietary Supplement and Nonprescription Drug Consumer Protection Act (Public Law 109-462; 120 Stat. 3475)) the following:

"(jj) The sale of tobacco products in violation of a no-tobacco-sale order issued under section 303(f).

"(kk) The introduction or delivery for introduction into interstate commerce of a tobacco product in violation of section 911.

"(ll)(1) Forging, counterfeiting, simulating, or falsely representing, or without proper authority using any mark, stamp (including tax stamp), tag, label, or other identification device upon any tobacco product or container or labeling thereof so as to render such tobacco product a counterfeit tobacco product.

"(2) Making, selling, disposing of, or keeping in possession, control, or custody, or concealing any punch, die, plate, stone, or other item that is designed to print, imprint, or reproduce the trademark, trade name, or other identifying mark, imprint, or device of another or any likeness of any of the foregoing upon any tobacco product or container or labeling thereof so as to render such tobacco product a counterfeit tobacco product.

"(3) The doing of any act that causes a tobacco product to be a counterfeit tobacco product, or the sale or dispensing, or the holding for sale or dispensing, of a counterfeit tobacco product.

"(mm) The charitable distribution of tobacco products.

"(nn) The failure of a manufacturer or distributor to notify the Attorney General of their knowledge of tobacco products used in illicit trade.".

(c) Section 303.—Section 303 (21 U.S.C. 333(f)) is amended by redesignating the subsection that follows subsection (e) as subsection (f) and in subsection (f) (as so redesignated)—

(1) in paragraph (1)(A), by inserting "or tobacco products" after "devices";

(2) in paragraph (2)(C), by striking "paragraph (3)(A)" and inserting "paragraph (4)(A)";

(3) by redesignating paragraphs (3), (4), and (5) as paragraphs (4), (5), and (6), and inserting after paragraph (2) the following:

"(3) If the Secretary finds that a person has committed repeated violations of restrictions promulgated under section 906(d) at a particular retail outlet then the Secretary may impose a no-tobacco-sale order on that person prohibiting the sale of tobacco products in that outlet. A no-tobacco-sale order may be imposed with a civil penalty under paragraph (1).";

(4) in paragraph (4) as so redesignated—

(A) in subparagraph (A)—

(i) by striking "assessed" the first time it appears and inserting "assessed, or a no-tobacco-sale order may be imposed,"; and

(ii) by striking "penalty" and inserting "penalty, or upon whom a no-tobacco-order is to be imposed,";

(B) in subparagraph (B)—

(i) by inserting after "penalty," the following: "or the period to be covered by a no-tobacco-sale order,"; and

(ii) by adding at the end the following: "A no-tobacco-sale order permanently prohibiting an individual retail outlet from selling tobacco products shall include provisions that allow the outlet, after a specified period of time, to request that the Secretary compromise, modify, or terminate the order."; and

(C) by adding at the end the following:

"(D) The Secretary may compromise, modify, or terminate, with or without conditions, any no-tobacco-sale order.";

(5) in paragraph (5) as so redesignated—

(A) by striking "(3)(A)" as redesignated, and inserting "(4)(A)";

(B) by inserting "or the imposition of a no-tobacco-sale order" after the term "penalty" the first 2 places such term appears; and

(C) by striking "issued." and inserting "issued, or on which the no-tobacco-sale order was imposed, as the case may be."; and

(6) in paragraph (6), as so redesignated, by striking the term "paragraph (4)" each place such term appears and inserting "paragraph (5)".

(d) Section 304.—Section 304 (21 U.S.C. 334) is amended—

(1) in subsection (a)(2)—

(A) by striking "and" before "(D)"; and

(B) by striking "device." and inserting the following: "device, and (E) Any adulterated or misbranded tobacco product.";

(2) in subsection (d)(1), by inserting "tobacco product," after "device,";

(3) in subsection (g)(1), by inserting "or tobacco product" after the term "device" each place such term appears; and

(4) in subsection (g)(2)(A), by inserting "or tobacco product" after the term "device" each place such term appears.

(e) Section 702.—Section 702(a) (21 U.S.C. 372(a)) is amended by adding at the end of paragraph (1) the following: "For a tobacco product, to the extent feasible, the Secretary shall contract with the States in accordance with this paragraph to carry out inspections of retailers within that State in connection with the enforcement of this Act.".

(f) Section 703.—Section 703 (21 U.S.C. 373) is amended—

(1) by inserting "tobacco product," after the term "device," each place such term appears; and

(2) by inserting "tobacco products," after the term "devices," each place such term appears.

(g) Section 704.—Section 704 (21 U.S.C. 374) is amended—

(1) in subsection (a)(1)(A), by inserting "tobacco products," after the term "devices," each place such term appears;

(2) in subsection (a)(1)(B), by inserting "or tobacco product" after the term "restricted devices" each place such term appears; and

(3) in subsection (b), by inserting "tobacco product," after "device,".

(h) Section 705.—Section 705(b) (21 U.S.C. 375(b)) is amended by inserting "tobacco products," after "devices,".

(i) Section 709.—Section 709 (21 U.S.C. 379) is amended by inserting "tobacco product," after "device,".

(j) Section 801.—Section 801 (21 U.S.C. 381) is amended—

(1) in subsection (a)—

(A) by inserting "tobacco products," after the term "devices," the first time such term appears;

(B) by inserting "or section 905(j)" after "section 510"; and

(C) by striking the term "drugs or devices" each time such term appears and inserting "drugs, devices, or tobacco products";

(2) in subsection (e)(1), by inserting "tobacco product," after "device,"; and

(3) by adding at the end the following:

"(p)(1) Not later than 2 years after the date of enactment of the Family Smoking Prevention and Tobacco Control Act, and annually thereafter, the Secretary shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives, a report regarding—

"(A) the nature, extent, and destination of United States tobacco product exports that do not conform to tobacco product standards established pursuant to this Act;

"(B) the public health implications of such exports, including any evidence of a negative public health impact; and

"(C) recommendations or assessments of policy alternatives available to Congress and the Executive Branch to reduce any negative public health impact caused by such exports.

"(2) The Secretary is authorized to establish appropriate information disclosure requirements to carry out this subsection.".

(k) Section 1003.—Section 1003(d)(2)(C) (as redesignated by section 101(b)) is amended—

(1) by striking "and" after "cosmetics,"; and

(2) inserting ", and tobacco products" after "devices".

(l) Guidance and Effective Dates.—

(1) In general.—The Secretary of Health and Human Services shall issue guidance—

(A) defining the term "repeated violation", as used in section 303(f) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 333(f)) as amended by subsection (c), by identifying the number of violations of particular requirements over a specified period of time at a particular retail outlet that constitute a repeated violation;

(B) providing for timely and effective notice to the retailer of each alleged violation at a particular retail outlet;

(C) providing for an expedited procedure for the administrative appeal of an alleged violation;

(D) providing that a person may not be charged with a violation at a particular retail outlet unless the Secretary has provided notice to the retailer of all previous violations at that outlet;

(E) establishing a period of time during which, if there are no violations by a particular retail outlet, that outlet will not be considered to have been the site of repeated violations when the next violation occurs; and

(F) providing that good faith reliance on the presentation of a false government issued photographic identification that contains a date of birth does not constitute a violation of any minimum age requirement for the sale of tobacco products if the retailer has taken effective steps to prevent such violations, including—

(i) adopting and enforcing a written policy against sales to minors;

(ii) informing its employees of all applicable laws;

(iii) establishing disciplinary sanctions for employee noncompliance; and

(iv) requiring its employees to verify age by way of photographic identification or electronic scanning device.

(2) GENERAL EFFECTIVE DATE.—The amendments made by subsection (c), other than the amendment made by paragraph (2) of such subsection, shall take effect upon the issuance of guidance described in paragraph (1).

(3) SPECIAL EFFECTIVE DATE.—The amendments made by paragraph (2) of subsection (c) shall take effect on the date of enactment of this Act.

TITLE II—TOBACCO PRODUCT WARNINGS; CONSTITUENT AND SMOKE CONSTITUENT DISCLOSURE

SEC. 201. CIGARETTE LABEL AND ADVERTISING WARNINGS.

Section 4 of the Federal Cigarette Labeling and Advertising Act (15 U.S.C. 1333) is amended to read as follows:

“SEC. 4. LABELING.

“(a) LABEL REQUIREMENTS.—

“(1) IN GENERAL.—It shall be unlawful for any person to manufacture, package, sell, offer to sell, distribute, or import for sale or distribution within the United States any cigarettes the package of which fails to bear, in accordance with the requirements of this section, one of the following labels:

“WARNING: Cigarettes are addictive’.

“WARNING: Tobacco smoke can harm your children’.

“WARNING: Cigarettes cause fatal lung disease’.

“WARNING: Cigarettes cause cancer’.

“WARNING: Cigarettes cause strokes and heart disease’.

“WARNING: Smoking during pregnancy can harm your baby’.

“WARNING: Smoking can kill you’.

“WARNING: Tobacco smoke causes fatal lung disease in non-smokers’.

“WARNING: Quitting smoking now greatly reduces serious risks to your health’.

“(2) PLACEMENT; TYPOGRAPHY; ETC.—

“(A) IN GENERAL.—Each label statement required by paragraph (1) shall be located in the upper portion of the front and rear panels of the package, directly on the package underneath the cellophane or other clear wrapping. Except as provided in subparagraph (B), each label statement shall comprise at least the top 30 percent of the front and rear panels of the package. The word ‘WARNING’ shall appear in capital letters and all text shall be in conspicuous and legible 17-point type, unless the text of the label statement would occupy more than 70 percent of such area, in which case the text may be in a smaller conspicuous and legible type size, provided that at least 60 percent of such area is occupied by required text. The text shall be black on a white background, or white on a black background, in a manner that contrasts, by typography, layout, or color, with all other printed material on the package, in an alternating fashion under the plan submitted under subsection (b)(4).

“(B) HINGED LID BOXES.—For any cigarette brand package manufactured or distributed before January 1, 2000, which employs a hinged lid style (if such packaging was used for that brand in commerce prior to June 21, 1997), the label statement required by paragraph (1) shall be located on the hinged lid area of the package, even if such area is less than 25 percent of the area of the front panel. Except as provided in this paragraph, the provisions of this subsection shall apply to such packages.

“(3) DOES NOT APPLY TO FOREIGN DISTRIBUTION.—The provisions of this subsection do not apply to a tobacco product manufacturer or distributor of cigarettes which does not manufacture, package, or import cigarettes for sale or distribution within the United States.

“(4) APPLICABILITY TO RETAILERS.—A retailer of cigarettes shall not be in violation of this subsection for packaging that is supplied to the retailer by a tobacco product manufacturer, importer, or distributor and is not altered by the retailer in a way that is material to the requirements of this subsection except that this paragraph shall not relieve a retailer of liability if the retailer sells or distributes tobacco products that are not labeled in accordance with this subsection.

“(b) ADVERTISING REQUIREMENTS.—

“(1) IN GENERAL.—It shall be unlawful for any tobacco product manufacturer, importer, distributor, or retailer of cigarettes to advertise or cause to be advertised within the United States any cigarette unless its advertising bears, in accordance with the requirements of this section, one of the labels specified in subsection (a) of this section.

“(2) TYPOGRAPHY, ETC.—Each label statement required by subsection (a) of this section in cigarette advertising shall comply with the standards set forth in this paragraph. For press and poster advertisements, each such statement and (where applicable) any required statement relating to tar, nicotine, or other constituent (including a smoke constituent) yield shall comprise at least 20 percent of the area of the advertisement and shall appear in a conspicuous and prominent format and location at the top of each advertisement within the trim area. The Secretary may revise the required type sizes in such area in such manner as the Secretary determines appropriate. The word ‘WARNING’ shall appear in capital letters, and each label statement shall appear in conspicuous and legible type. The text of the label statement shall be black if the background is white and white if the background is black, under the plan submitted under paragraph (4) of this subsection. The label statements shall be enclosed by a rectangular border that is the same color as the letters of the statements and that is the width of the first downstroke of the capital ‘W’ of the word ‘WARNING’ in the label statements. The text of such label statements shall be in a typeface pro rata to the following requirements: 45-point type for a whole-page broadsheet newspaper advertisement; 39-point type for a half-page broadsheet newspaper advertisement; 39-point type for a whole-page tabloid newspaper advertisement; 27-point type for a half-page tabloid newspaper advertisement; 31.5-point type for a double page spread magazine or whole-page magazine advertisement; 22.5-point type for a 28 centimeter by 3 column advertisement; and 15-point type for a 20 centimeter by 2 column advertisement. The label statements shall be in English, except that in the case of—

“(A) an advertisement that appears in a newspaper, magazine, periodical, or other publication that is not in English, the statements shall appear in the predominant language of the publication; and

“(B) in the case of any other advertisement that is not in English, the statements shall appear in the same language as that principally used in the advertisement.

“(3) MATCHBOOKS.—Notwithstanding paragraph (2), for matchbooks (defined as containing not more than 20 matches) customarily given away with the purchase of tobacco products, each label statement required by subsection (a) may be printed on the inside cover of the matchbook.

“(4) ADJUSTMENT BY SECRETARY.—The Secretary may, through a rulemaking under section 553 of title 5, United States Code, adjust the format and type sizes for the label statements required by this section or the text, format, and type sizes of any required tar, nicotine yield, or other constituent (including smoke constituent) disclosures, or to establish the text, format, and type sizes for any other disclosures required under the Federal Food, Drug, and Cosmetic Act. The text of any such label statements or disclosures shall be required to appear only within the 20 percent area of cigarette advertisements provided by paragraph (2) of this subsection. The Secretary shall promulgate regulations which provide for adjustments in the format and type sizes of any text required to appear in such area to ensure that the total text required to appear by law will fit within such area.

“(c) MARKETING REQUIREMENTS.—

“(1) RANDOM DISPLAY.—The label statements specified in subsection (a)(1) shall be randomly displayed in each 12-month period, in as equal a number of times as is possible on each brand of the product and be randomly distributed in all areas of the United States in which the product is marketed in accordance with a plan submitted by the tobacco product manufacturer, importer, distributor, or retailer and approved by the Secretary.

“(2) ROTATION.—The label statements specified in subsection (a)(1) shall be rotated quarterly in alternating sequence in advertisements for each brand of cigarettes in accordance with a plan submitted by the tobacco product manufacturer, importer, distributor, or retailer to, and approved by, the Secretary.

“(3) REVIEW.—The Secretary shall review each plan submitted under paragraph (2) and approve it if the plan—

“(A) will provide for the equal distribution and display on packaging and the rotation required in advertising under this subsection; and

“(B) assures that all of the labels required under this section will be displayed by the tobacco product manufacturer, importer, distributor, or retailer at the same time.

“(4) APPLICABILITY TO RETAILERS.—This subsection and subsection (b) apply to a retailer only if that retailer is responsible for or directs the label statements required under this section except that this paragraph shall not relieve a retailer of liability if the retailer displays, in a location open to the public, an advertisement that is not labeled in accordance with the requirements of this subsection and subsection (b).”.

SEC. 202. AUTHORITY TO REVISE CIGARETTE WARNING LABEL STATEMENTS.

Section 4 of the Federal Cigarette Labeling and Advertising Act (15 U.S.C. 1333), as amended by section 201, is further amended by adding at the end the following:

“(d) CHANGE IN REQUIRED STATEMENTS.—The Secretary may, by a rulemaking conducted under section 553 of title 5, United States Code, adjust the format, type size, and text of any of the label requirements, require color graphics to accompany the text, increase the required label area from 30 percent up to 50 percent of the front and rear panels of the package, or establish the format, type size, and text of any other disclosures required under the Federal Food, Drug, and Cosmetic Act, if the Secretary finds that such a change would promote greater public understanding of the risks associated with the use of tobacco products.”.

SEC. 203. STATE REGULATION OF CIGARETTE ADVERTISING AND PROMOTION.

Section 5 of the Federal Cigarette Labeling and Advertising Act (15 U.S.C. 1334) is amended by adding at the end the following:

“(c) EXCEPTION.—Notwithstanding subsection (b), a State or locality may enact statutes and promulgate regulations, based on smoking and health, that take effect after the effective date of the Family Smoking Prevention and Tobacco Control Act, imposing specific bans or restrictions on the time, place, and manner, but not content, of the advertising or promotion of any cigarettes.”.

SEC. 204. SMOKELESS TOBACCO LABELS AND ADVERTISING WARNINGS.

Section 3 of the Comprehensive Smokeless Tobacco Health Education Act of 1986 (15 U.S.C. 4402) is amended to read as follows:

“SEC. 3. SMOKELESS TOBACCO WARNING.

“(a) GENERAL RULE.—

“(1) It shall be unlawful for any person to manufacture, package, sell, offer to sell, distribute, or import for sale or distribution within the United States any smokeless tobacco product unless the product package bears, in accordance with the requirements of this Act, one of the following labels:

“WARNING: This product can cause mouth cancer’.

“WARNING: This product can cause gum disease and tooth loss’.

“WARNING: This product is not a safe alternative to cigarettes’.

“WARNING: Smokeless tobacco is addictive’.

“(2) Each label statement required by paragraph (1) shall be—

“(A) located on the 2 principal display panels of the package, and each label statement shall comprise at least 30 percent of each such display panel; and

“(B) in 17-point conspicuous and legible type and in black text on a white background, or white text on a black background, in a manner that contrasts by typography, layout, or color, with all other printed material on the package, in an alternating fashion under the plan submitted under subsection (b)(3), except that if the text of a label statement would occupy more than 70 percent of the area specified by subparagraph (A), such text may appear in a smaller type size, so long as at least 60 percent of such warning area is occupied by the label statement.

“(3) The label statements required by paragraph (1) shall be introduced by each tobacco product manufacturer, packager, importer, distributor, or retailer of smokeless tobacco products concurrently into the distribution chain of such products.

“(4) The provisions of this subsection do not apply to a tobacco product manufacturer or distributor of any smokeless tobacco product that does not manufacture, package, or import smokeless tobacco products for sale or distribution within the United States.

“(5) A retailer of smokeless tobacco products shall not be in violation of this subsection for packaging that is supplied to the retailer by a tobacco products manufacturer, importer, or distributor and that is not altered by the retailer unless the retailer offers for sale, sells, or distributes a smokeless tobacco product that is not labeled in accordance with this subsection.

“(b) REQUIRED LABELS.—

“(1) It shall be unlawful for any tobacco product manufacturer, packager, importer, distributor, or retailer of smokeless tobacco products to advertise or cause to be advertised within the United States any smokeless tobacco product unless its advertising bears, in accordance with the requirements of this section, one of the labels specified in subsection (a).

“(2) Each label statement required by subsection (a) in smokeless tobacco advertising shall comply with the standards set forth in this paragraph. For press and poster advertisements, each such statement and (where applicable) any required statement relating to tar, nicotine, or other constituent yield shall—

“(A) comprise at least 20 percent of the area of the advertisement, and the warning area shall be delineated by a dividing line of contrasting color from the advertisement; and

“(B) the word ‘WARNING’ shall appear in capital letters and each label statement shall appear in conspicuous and legible type. The text of the label statement shall be black on a white background, or white on a black background, in an alternating fashion under the plan submitted under paragraph (3).

“(3)(A) The label statements specified in subsection (a)(1) shall be randomly displayed in each 12-month period, in as equal a number of times as is possible on each brand of the product and be randomly distributed in all areas of the United States in which the product is marketed in accordance with a plan submitted by the tobacco product manufacturer, importer, distributor, or retailer and approved by the Secretary.

“(B) The label statements specified in subsection (a)(1) shall be rotated quarterly in alternating sequence in advertisements for each brand of smokeless tobacco product in accordance with a plan submitted by the tobacco product manufacturer, importer, distributor, or retailer to, and approved by, the Secretary.

“(C) The Secretary shall review each plan submitted under subparagraph (B) and approve it if the plan—

“(i) will provide for the equal distribution and display on packaging and the rotation required in advertising under this subsection; and

“(ii) assures that all of the labels required under this section will be displayed by the tobacco product manufacturer, importer, distributor, or retailer at the same time.

“(D) This paragraph applies to a retailer only if that retailer is responsible for or directs the label statements under this section, unless the retailer displays in a location open to the public, an advertisement that is not labeled in accordance with the requirements of this subsection.

“(c) TELEVISION AND RADIO ADVERTISING.—It is unlawful to advertise smokeless tobacco on any medium of electronic communications subject to the jurisdiction of the Federal Communications Commission.”.

SEC. 205. AUTHORITY TO REVISE SMOKELESS TOBACCO PRODUCT WARNING LABEL STATEMENTS.

Section 3 of the Comprehensive Smokeless Tobacco Health Education Act of 1986 (15 U.S.C. 4402), as amended by section 204, is further amended by adding at the end the following:

“(d) AUTHORITY TO REVISE WARNING LABEL STATEMENTS.—The Secretary may, by a rulemaking conducted under section 553 of title 5, United States Code, adjust the format, type size, and text of any of the label requirements, require color graphics to accompany the text, increase the required label area from 30 percent up to 50 percent of the front and rear panels of the package, or establish the format, type size, and text of any other disclosures required under the Federal Food, Drug, and Cosmetic Act, if the Secretary finds that such a change would promote greater public understanding of the risks associated with the use of smokeless tobacco products.”.

SEC. 206. TAR, NICOTINE, AND OTHER SMOKE CONSTITUENT DISCLOSURE TO THE PUBLIC.

Section 4 of the Federal Cigarette Labeling and Advertising Act (15 U.S.C. 1333), as amended by sections 201 and 202, is further amended by adding at the end the following:

“(e) TAR, NICOTINE, AND OTHER SMOKE CONSTITUENT DISCLOSURE.—

“(1) IN GENERAL.—The Secretary shall, by a rulemaking conducted under section 553 of title 5, United States Code, determine (in the Secretary’s sole discretion) whether cigarette and other tobacco product manufacturers shall be required to include in the area of each cigarette advertisement specified by subsection (b) of this section, or on the package label, or both, the tar and nicotine yields of the advertised or packaged brand. Any such disclosure shall be in accordance with the methodology established under such regulations, shall conform to the type size requirements of subsection (b) of this section, and shall appear within the area specified in subsection (b) of this section.

“(2) RESOLUTION OF DIFFERENCES.—Any differences between the requirements established by the Secretary under paragraph (1) and tar and nicotine yield reporting requirements established by the Federal Trade Commission shall be resolved by a memorandum of understanding between the Secretary and the Federal Trade Commission.

“(3) CIGARETTE AND OTHER TOBACCO PRODUCT CONSTITUENTS.—In addition to the disclosures required by paragraph (1), the Secretary may, under a rulemaking conducted under section 553 of title 5, United States Code, prescribe disclosure requirements regarding the level of any cigarette or other tobacco product constituent including any smoke constituent. Any such disclosure may be required if the Secretary determines that disclosure would be of benefit to the public health, or otherwise would increase consumer awareness of the health consequences of the use of tobacco products, except that no such prescribed disclosure shall be required on the face of any cigarette package or advertisement. Nothing in this section shall prohibit the Secretary from requiring such prescribed disclosure through a cigarette or other tobacco product package or advertisement insert, or by any other means under the Federal Food, Drug, and Cosmetic Act.

“(4) RETAILERS.—This subsection applies to a retailer only if that retailer is responsible for or directs the label statements required under this section, except that this subsection shall not relieve a retailer of liability if the retailer sells or distributes tobacco products that are not labeled in accordance with the requirements of subsection (a).”.

TITLE III—PREVENTION OF ILLICIT TRADE IN TOBACCO PRODUCTS

SEC. 301. LABELING, RECORDKEEPING, RECORDS INSPECTION.

Chapter IX of the Federal Food, Drug, and Cosmetic Act, as added by section 101, is further amended by adding at the end the following:

"SEC. 921. LABELING, RECORDKEEPING, RECORDS INSPECTION.

"(a) ORIGIN LABELING.—The label, packaging, and shipping containers of tobacco products for introduction or delivery for introduction into interstate commerce in the United States shall bear the statement 'sale only allowed in the United States.'

"(b) REGULATIONS CONCERNING RECORDKEEPING FOR TRACKING AND TRACING.—

"(1) IN GENERAL.—Not later than 9 months after the date of enactment of the Family Smoking Prevention and Tobacco Control Act, the Secretary shall promulgate regulations regarding the establishment and maintenance of records by any person who manufactures, processes, transports, distributes, receives, packages, holds, exports, or imports tobacco products.

"(2) INSPECTION.—In promulgating the regulations described in paragraph (1), the Secretary shall consider which records are needed for inspection to monitor the movement of tobacco products from the point of manufacture through distribution to retail outlets to assist in investigating potential illicit trade, smuggling or counterfeiting of tobacco products.

"(3) CODES.—The Secretary may require codes on the labels of tobacco products or other designs or devices for the purpose of tracking or tracing the tobacco product through the distribution system.

"(4) SIZE OF BUSINESS.—The Secretary shall take into account the size of a business in promulgating regulations under this section.

"(5) RECORDKEEPING BY RETAILERS.—The Secretary shall not require any retailer to maintain records relating to individual purchasers of tobacco products for personal consumption.

"(c) RECORDS INSPECTION.—If the Secretary has a reasonable belief that a tobacco product is part of an illicit trade or smuggling or is a counterfeit product, each person who manufactures, processes, transports, distributes, receives, holds, packages, exports, or imports tobacco products shall, at the request of an officer or employee duly designated by the Secretary, permit such officer or employee, at reasonable times and within reasonable limits and in a reasonable manner, upon the presentation of appropriate credentials and a written notice to such person, to have access to and copy all records (including financial records) relating to such article that are needed to assist the Secretary in investigating potential illicit trade, smuggling or counterfeiting of tobacco products.

"(d) KNOWLEDGE OF ILLEGAL TRANSACTION.—

"(1) NOTIFICATION.—If the manufacturer or distributor of a tobacco product has knowledge which reasonably supports the conclusion that a tobacco product manufactured or distributed by such manufacturer or distributor that has left the control of such person may be or has been—

"(A) imported, exported, distributed or offered for sale in interstate commerce by a person without paying duties or taxes required by law; or

"(B) imported, exported, distributed or diverted for possible illicit marketing,

the manufacturer or distributor shall promptly notify the Attorney General of such knowledge.

"(2) KNOWLEDGE DEFINED.—For purposes of this subsection, the term 'knowledge' as applied to a manufacturer or distributor means—

"(A) the actual knowledge that the manufacturer or distributor had; or

"(B) the knowledge which a reasonable person would have had under like circumstances or which would have been obtained upon the exercise of due care.".

SEC. 302. STUDY AND REPORT.

(a) STUDY.—The Comptroller General of the United States shall conduct a study of cross-border trade in tobacco products to—

(1) collect data on cross-border trade in tobacco products, including illicit trade and trade of counterfeit tobacco products and make recommendations on the monitoring of such trade;'

(2) collect data on cross-border advertising (any advertising intended to be broadcast, transmitted, or distributed from the United States to another country) of tobacco products and make recommendations on how to prevent or eliminate, and what technologies could help facilitate the elimination of, cross-border advertising.

(b) REPORT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the study described in subsection (a).

By Mr. KENNEDY (for himself, Mr. BOND, Mr. AKAKA, Mr. LEAHY, Mr. MENENDEZ, Mr. CRAIG, and Mr. SHELBY):

S. 626 A bill to amend the Public Health Service Act to provide for arthritis research and public health, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. KENNEDY. Mr. President, it is a privilege to join Senator BOND in introducing "The Arthritis Prevention, Control and Cure Act."

Our goal in this important initiative is to provide a strong federal response to arthritis. Early diagnosis, treatment, and appropriate management of arthritis can control its symptoms, improve the quality of life of patients, and Federal action will improve the lives of the family members and caregivers of those affected by the disease.

Arthritis exits in more than a hundred different forms. It's one of the most devastating diseases impairing the health of the American people. It's second only to heart disease as a cause of work disability. It undermines everyday activities such as walking, dressing and bathing for more than seven million Americans.

One out of very five adults in the United States suffers from some form of arthritis. The number of patients in the U.S. with arthritis will keep growing as the number of older Americans continues to increase dramatically in the next few decades. Today, 8.7 million adults, ages 18 through 44, have arthritis and millions of others are at risk of developing the disease.

In fact, arthritis is one of the most prevalent chronic illnesses and the leading cause of disability among Americans over age 15. More than 40 percent of adults with arthritis are limited in their activities because of their arthritis. By 2030, nearly 25 percent of the projected United States adult population will have arthritis and these numbers don't account for the current trends in obesity, which may contribute to future cases of the disease.

It is an illness that affects all types of people in the U.S., not just older Americans. Arthritis knows no boundaries. Men, women and children are all afflicted with the disease. According to the Arthritis Foundation, 24 million women and 17 million men have been diagnosed with arthritis by their doctors. Women are still disproportionately affected by the disease.

Nearly 3 out of every 1,000 American children are affected by arthritis. The devastating effects of pediatric arthritis justifies greater investment by the federal government in research and to identify more effective treatments.

Special concerns are raised by juvenile arthritis because of its impact on family relationships, school life, dating, sports and other aspects active, growing youths. Teens and young adults entering the workforce face even greater challenges.

Arthritis an other rheumatic diseases cost our economy $128 billion annually, according to the Centers for Disease Control and Prevention. In 2003, the cost was equivalent to 1.2 percent of the nation's gross domestic product. $80 million of that amount were direct costs for medical care and $47 million were indirect costs for lost earnings. National medical costs attributed to arthritis grew by 24 percent between 1997 and 2003, with an increase attributed to the growing number of people affected with the disease.

In 1975, Congress enacted the National Arthritis Act to encourage basic and clinical research, establish Multipurpose Arthritis Centers and expand clinical knowledge of the illness. The act was successful in implementing and continued funding of research and has led to important advances in the control, treatment and prevention of the illness.

Early diagnosis, treatment and management can control symptoms and improve the quality of life. Weight control and exercise can help lower risks. Patient education, training and self-management also contribute to greater control of these diseases. Innovative and increasingly effective drug therapies, joint replacements, and other therapeutic alternatives are being developed.

Despite much research identifying effective interventions, many of them are not being used well enough and the inevitable result is unnecessary loss of life, poorer health and poorer quality of life.

Our legislation will expand the effort to find new ways to prevent, treat and care for patients with arthritis and related rheumatic diseases.

It will enhance the National Arthritis Action Plan by providing additional support to federal, state and private efforts to prevent and manage arthritis. It will establish a National Arthritis Education and Outreach Campaign to inform the health care profession and the public about the most successful self-management strategies for controlling the illness.

With greater coordination and intensification of federal research, this bill will organize a National Arthritis and Rheumatic Diseases Summit to look at the challenges and opportunities related to these efforts.

In addition, the bill will provide greater attention to juvenile arthritis research by offering planning grants for research specific to juveniles and by prioritizing the activities that create better understanding of the incidence and outcomes associated with juvenile arthritis.

Finally the bill contains incentives to encourage health professionals to enter the field of pediatric rheumatology by education loan repayment and career development awards.

I urge my colleagues to support this public health initiative to reduce the pain and disability of arthritis. Early diagnosis, effective treatment and greater investment in research and prevention can help us wage a stronger battle against one of the most widespread and devastating conditions affecting our Nation.

Mr. BOND. Mr. President, with more than 100 different forms, arthritis is one of the most widespread and devastating health conditions in the United States. Nearly 46 million, or one in every five, American adults suffer from arthritis or chronic joint symptoms, and 300,000 children live with the pain, disability and emotional trauma caused by juvenile arthritis.

As the leading cause of disability in the United States, arthritis is a painful and debilitating chronic disease affecting men, women and children alike. This is why the Federal Government must make a stronger investment in research, treatment and prevention of arthritis.

We know that early diagnosis, treatment, and appropriate management of arthritis can control symptoms and improve quality of life. The Arthritis Prevention, Control and Cure Act will expand the Federal Government's efforts to find new ways to prevent, treat, and care for patients with arthritis and related rheumatic diseases by: (1) improving coordination among Federal agencies and the public with regard to the Federal investment in arthritis research and public health activities through a National Arthritis and Rheumatic Diseases Summit; (2) accelerating research that will lead to improved treatments and a cure for juvenile arthritis; (3) investing in a nationwide public health initiative designed to reduce the pain and disability of arthritis through early diagnosis and effective treatment of the disease; and (4) ensuring kids with arthritis have access to specialty care by addressing the nationwide shortage of pediatric rheumatologists.

We have a responsibility to look for solutions to this issue in a comprehensive manner. I look forward to working with Senator KENNEDY on this important legislation which will make a real difference in the lives of the millions of Americans, both young and old, who suffer from this debilitating disease.

By Mr. HARKIN (for himself, Mr. SMITH, Mr. SPECTER, and Mr. MARTINEZ):

S. 627. A bill to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to improve the health and well-being of maltreated infants and toddlers through the creation of a National Court Teams Resource Center, to assist local Court Teams, and for other purposes; to the Committee on the Judiciary.

Mr. HARKIN. Mr. President, I am honored to join with the distinguished senior Senator from Oregon, Senator SMITH, to introduce the Safe Babies Act of 2007.

It is a tragic fact that America's child welfare system is failing our most vulnerable. From birth to age five, children develop their social, emotional, cognitive and moral capacities more rapidly than at any other time in life. Early experiences and relationships are absolutely critical to future development; they set the stage for how well individuals learn, think, control their emotions, and relate to others.

This critical period is a time of tremendous promise, but also a time of great vulnerability. Unfortunately, infants and toddlers are disproportionately affected by child abuse and neglect. Children between birth and age three are twice as likely as older children to become victims of maltreatment, and are three times more likely to be placed in foster care. Abuse and neglect during this significant period can lead to perilous developmental outcomes, including school failure, delinquency and crime, substance abuse, and mental health problems.

Yet the current child welfare system does a particularly poor job of serving infants and toddlers. Once in foster care, infants and toddlers are more likely to be abused. And they stay in foster care longer than older children. More than 40 percent of infants and toddlers involved in a maltreatment investigation are developmentally delayed, yet only 10 percent of these young people currently receive treatment for developmental problems.

A Federal review of 19 States' performance on child welfare outcomes found that all of the States received failing grades on outcomes related to providing adequate physical and mental health services.

Without intervention, we put our future generation at risk and perpetuate the cycle of maltreatment. But we can alter these developmental outcomes by ensuring that children are in safe, permanent homes and have access to necessary mental and physical health care. The Safe Babies Act authorizes funding for juvenile courts to create Court Teams for the integrated handling of infant and toddler abuse and neglect cases. By bringing together the legal, child welfare, and children's services communities, we can promote the health and well-being of our babies and toddlers.

First, this bill establishes a National Court Teams Resource Center. This Resource Center would provide grants and technical assistance to juvenile courts for the creation of local Court Teams to better handle infant and toddler abuse and neglect cases. Few judges have all the necessary knowledge about early childhood development and they frequently lack resources in the community for services necessary for young children. They are often frustrated by the piecemeal provision of services and the overburdened child welfare system. To adequately serve children, they need the expertise of child welfare workers, Guardians Ad Litem, Court Appointed Special Advocates, substance abuse treatment providers and mental health care providers. Court Teams bring together this expertise. Through monthly case reviews, judges can coordinate efforts by all members of the team to ensure efficient and effective provision of services. The goal of these courts is to prevent multiple placements for infants and toddlers in foster care, secure needed services, and find a permanent home for these children as quickly as possible.

Court Teams work with families in an effort to reunite children with their parents. By bringing together multiple service providers, they can facilitate opportunities for parents to learn to create a safe and nurturing home environment. Court Teams ensure support for future reunification only when the parent is ready and able to step up to provide an appropriate and safe environment. We know from research that each visit between a child and birth parent triples the likelihood of achieving permanence. Through the Court Teams, judges are able to coordinate education and supervision so parents can visit their children and continue to nurture a loving bond.

Although reunification with parents is the ultimate goal, when that is not possible, Court Teams are also focusing on Plan B. By conducting concurrent planning, Court Teams are more likely to find an appropriate placement that will lead to permanency and minimize disruptions. By supporting training for foster parents and newly reunified biological parents, we can prevent children from being bounced around in the foster care system.

Court Teams are also able to coordinate services for children. Judges and child welfare services are able to collaborate to include necessary medical and developmental interventions. By improving access to mental health and substance abuse treatment for parents and children, Court Teams make sure children are able to access needed services and increase the chances of successful, healthy development.

Finally, Court Teams provide services and supports for families to preserve and stabilize homes for children. Judges are able to use court oversight to ensure compliance, facilitate visits with caregivers to promote positive attachments, and make sure that children are in safe environments after placement.

The Safe Babies Act will make an important impact in the way we treat infants and toddlers in the court system. By facilitating involvement from all parties, Court Teams are better equipped to ensure that young children have the community support and services they need. Early evaluation research in the Miami/Dade County court project finds a high rate of permanency for children in the court and increased quality of parent-child interaction. By finding permanent homes, children were able to escape the limbo of the foster care system. More importantly, the court was successful in preventing any future recurrence of abuse or neglect.

Together we can work to protect the safety and well-being of our infants and toddlers. With this legislation, we have the opportunity to ensure that children are placed quickly in safe and loving homes. I look forward to working with my colleagues to ensure that this legislation is passed and signed into law.

Mr. SMITH. Mr. President, I rise today with my colleague from Iowa, Senator HARKIN, to introduce the Safe Babies Act of 2007. The safety and well-being of our nation's children, including its most vulnerable infants and toddlers, is very important and I am confident that this bill will take an important step forward in protecting them.

Mr. President, in our Nation millions of children are reported abused or neglected each year. Of these, more than 900,000 are confirmed maltreated by child protective service organizations and our court systems. Abuse and neglect of children causes about 1,500 deaths each year. Children who are under the age of four are at the greatest risk for injury or death—making up nearly 80 percent of child maltreatment fatalities. We also know that shaken-baby syndrome, SBS, is a form of abuse that affects more than 1,200 babies each year.

Studies also tell us that younger children who are abused or neglected are vulnerable to long-term challenges associated with their maltreatment. Their long-term outcomes show much higher rates for social, emotional and cognitive impairment. They also are more likely to adopt high risk behaviors and develop substance abuse and mental health problems than their peers who have not been abused.

These numbers tell us very loudly that there is a problem in America. Our most vulnerable and innocent are being abused and need our help.

Children who come through our Nation's court systems need more support. While the hardworking judges, attorneys, child welfare workers and volunteers do so much to help stop the child abuse and neglect they see every day, they too often see families returning to the courts generation after generation. They see their workloads expand. They see too many families in strife.

The Safe Babies Act will help these most vulnerable children. This bill puts into motion a proven model for helping infants and toddlers to recover from their abuse, and for families to stop the cycle of abuse and reunite. This model is made up of a judicial and mental health partnership, or "court team," that provides the needed abuse and neglect prevention and early intervention services to children and their families. It is based on a model developed by the Honorable Cindy Lederman of the Miami-Dade Juvenile Court in Miami. Seeing the success she has had with this model. It has been replicated in courts across the nation.

In my home State of Oregon, our Salem courts have developed the "Foster Attachment" program based on Judge Lederman's model. This program brings together the courts, local treatment providers, and child welfare agencies to provide substance abuse treatment and mental health treatment, as well as parenting intervention to help parents who have had their children removed due to methamphetamine use.

I look forward to the passage of this important legislation and to working with my colleague Senator HARKIN to ensure its passage. There is no issue of greater importance than the safety and welfare of our next generation. I urge my colleagues on both sides of the aisle to support this important bill.

By Mr. COLEMAN (for himself and Mr. BAYH):

S. 628: A bill to provide grants for rural health information technology development activities; to the Committee on Health, Education, Labor, and Pensions.

Mr. COLEMAN. Mr. President, I ask unanimous consent that the text of the bill I introduced today, the Critical Access to Health Information Technology Act of 2007, be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 628

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Critical Access to Health Information Technology Act of 2007".

SEC. 2. HEALTH INFORMATION TECHNOLOGY GRANT PROGRAM.

(a) IN GENERAL.—The Secretary of Health and Human Services (referred to in this section as the "Secretary") shall establish and implement a program to award grants to increase access to health care in rural areas by improving health information technology, including the reporting, monitoring, and evaluation required under this section.

(b) STATE GRANTS.—The Secretary shall award grants to States to be used to carry out the State plan under subsection (e) through the awarding of subgrants to local entities within the State. Amounts awarded under such a grant may only be used in the fiscal year in which the grant is awarded or in the immediately subsequent fiscal year.

(c) AMOUNT OF GRANT.—From amounts appropriated under subsection (k) for each fiscal year, the Secretary shall award a grant to each State that complies with subsection (e) in an amount that is based on the total number of critical access hospitals in the State (as certified by the Secretary under section 1817(e) of the Social Security Act) bears to the total number of critical access hospitals in all States that comply with subsection (e).

(d) LEAD AGENCY.—A State that receives a grant under this section shall designate a lead agency to—

(1) administer, directly or through other governmental or nongovernmental agencies, the financial assistance received under the grant;

(2) develop, in consultation with appropriate representatives of units of general purpose local government and the hospital association of the State, the State plan; and

(3) coordinate the expenditure of funds and provision of services under the grant with other Federal and State health care programs.

(e) STATE PLAN.—To be eligible for a grant under this section, a State shall establish a State plan that shall—

(1) identify the State's lead agency;

(2) provide that the State shall use the amounts provided to the State under the grant program to address health information technology improvements and to pay administrative costs incurred in connection with providing the assistance to local grant recipients;

(3) provide that benefits shall be available throughout the entire State; and

(4) require that the lead agency consult with the hospital association of such State and rural hospitals located in such State on the most appropriate ways to use the funds received under the grant.

(f) AWARDING OF LOCAL GRANTS.—

(1) IN GENERAL.—The lead agency of a State shall use amounts received under a grant under subsection (a) to award local grants on a competitive basis. In determining whether a local entity is eligible to receive a grant under this subsection, the lead agency shall utilize the following selection criteria:

(A) The extent to which the entity demonstrates a need to improve its health information reporting and health information technology.

(B) The extent to which the entity will serve a community with a significant low-income or other medically underserved population.

(2) APPLICATION AND APPROVAL.—To be eligible to receive a local grant under this subsection, an entity shall be a government-owned or private nonprofit hospital (including a non-Federal short-term general acute care facility that is a critical access hospital located outside a Metropolitan Statistical Area, in a rural census tract of a Metropolitan Statistical Area as determined under the most recent version of the Goldsmith Modification or the Rural-Urban Commuting Area codes, as determined by the Office of Rural Health Policy of the Health Resources and Services Administration, or is located in an area designated by any law or regulation of the State in which the hospital is located as a rural area (or is designated by such State as a rural hospital or organization)) that submits an application to the lead agency of the State that—

(A) includes a description of how the hospital intends to use the funds provided under the grant;

(B) includes such information as the State lead agency may require to apply the selection criteria described in paragraph (1);

(C) includes measurable objectives for the use of the funds provided under the grant;

(D) includes a description of the manner in which the applicant will evaluate the effectiveness of the activities carried out under the grant;

(E) contains an agreement to maintain such records, make such reports, and cooperate with such reviews or audits as the lead agency and the Secretary may find necessary for purposes of oversight of program activities and expenditures;

(F) contains a plan for sustaining the activities after Federal support for the activities has ended; and

(G) contains such other information and assurances as the Secretary may require.

(3) USE OF AMOUNTS.—

(A) IN GENERAL.—An entity shall use amounts received under a local grant under this section to—

(i) offset the costs incurred by the entity after December 31, 2007, that are related to clinical health care information systems and health information technology designed to improve quality of health care and patient safety; and

(ii) offset costs incurred by the entity after December 31, 2007, that are related to enabling health information technology to be used for the collection and use of clinically specific data, promoting the interoperability of health care information across health care settings, including reporting to Federal and State agencies, and facilitating clinic decision support through the use of health information technology.

(B) ELIGIBLE COSTS.—Costs that are eligible to be offset under subparagraph (A) shall include the cost of—

(i) purchasing, leasing, and installing computer software and hardware, including handheld computer technologies, and related services;

(ii) making improvements to existing computer software and hardware;

(iii) purchasing or leasing communications capabilities necessary for clinical data access, storage, and exchange;

(iv) services associated with acquiring, implementing, operating, or optimizing the use of new or existing computer software and hardware and clinical health care information systems;

(v) providing education and training to staff on information systems and technology designed to improve patient safety and quality of care; and

(vi) purchasing, leasing, subscribing, integrating, or servicing clinical decision support tools that integrate patient-specific clinic data with well-established national treatment guidelines, and provide ongoing continuous quality improvement functions that allow providers to assess improvement rates over time and against averages for similar providers.

(4) GRANT LIMIT.—The amount of a local grant under this subsection shall not exceed $250,000.

(g) REPORTING, MONITORING, AND EVALUATION.—The lead agency of a State that receives a grant under this section shall annually report to the Secretary—

(1) the amounts received under the grant;

(2) the amounts allocated to State grant recipients under the grant;

(3) the breakdown of types of expenditures made by the local grant recipients with such funds; and

(4) such other information required by the Secretary to assist the Secretary in monitoring the effectiveness of activities carried out under this grant.

(h) REVIEW OF COMPLIANCE WITH STATE PLAN.—The Secretary shall review and monitor State compliance with the requirements of this section and the State plan submitted under subsection (e). If the Secretary, after reasonable notice to a State and opportunity for a hearing, finds that there has been a failure by the State to comply substantially with any provision or requirement set forth in the State plan or the requirements of this section, the Secretary shall notify the lead agency involved of such finding and that no further payments to the State will be made with respect to the grant until the Secretary is satisfied that the State is in compliance or that the noncompliance will be promptly corrected.

(i) PREEMPTION OF CERTAIN LAWS.—The provisions of this section shall preempt applicable Federal and State procurement laws with respect to health information technology purchased under this section.

(j) RELATION TO OTHER PROGRAMS.—Amounts appropriated under this section shall be in addition to appropriations for Federal programs for Rural Hospital FLEX grants, Rural Health Outreach grants, and Small Rural Hospital Improvement Program grants.

(k) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $10,000,000 for each of fiscal years 2008 through 2010.

SEC. 3. REPLACEMENT OF THE INTERNATIONAL STATISTICAL CLASSIFICATION OF DISEASES.

(a) IN GENERAL.—Not later than October 1, 2008, the Secretary of Health and Human Services shall promulgate a final rule concerning the replacement of the International Statistical Classification of Diseases, 9th revision, Clinical Modification (referred to in this section as the "ICD–9–CM"), under the regulation promulgated under section 1173(c) of the Social Security Act (42 U.S.C. 1320d–2(c)), including for purposes of part A of title XVIII, or part B where appropriate, of such Act, with the use of each of the following:

(1) The International Statistical Classification of Diseases and Related Health Problems, 10th revision, Clinical Modification (referred to in this section as "ICD–10–CM".

(2) The International Statistical Classification of Diseases and Related Health Problems, 10th revision, Clinical Modification Coding System (referred to in this section as "ICD–10–PCS").

(b) IMPLEMENTATION.—

(1) IN GENERAL.—The Secretary of Health and Human Services shall ensure that the rule promulgated under subsection (a) is implemented by not later than October 1, 2011. In carrying out the preceding sentence, the Secretary shall ensure that such rule ensure that Accredited Standards Committee X12 HIPAA transactions version (v) 4010 is upgraded to a newer version 5010, and that the National Council for Prescription Drug Programs Telecommunications Standards version 5.1 is updated to a newer version (to be released by the named by the National Council for Prescription Drug Programs Telecommunications Standards) that supersedes, in part, existing legislation and regulations under the Health Insurance Portability and Accountability Act of 1996.

(2) AUTHORITY.—The Secretary of Health and Human Services shall have the authority to adopt, without notice and comment rulemaking, standards for electronic health care transactions under section 1173 of the Social Security Act (42 U.S.C. 1320d–2) that are recommended to the Secretary by the Accredited Standards Committee X12 of the American National Standards Institute in relation to the replacement of ICD–9–CM with ICD–10–CM and ICD–10–PCS. Such modifications shall be published in the Federal Register.

(c) NOTICE OF INTENT.—Not later than 30 days after the date of enactment of this Act, the Secretary of Health and Human Services shall issue and publish in the Federal Register a Notice of Intent that—

(1) adoption of Accredited Standards Committee X12 HIPAA transactions version (v) 5010 shall occur not later than April 1, 2009, and compliance with such rule shall apply to transactions occurring on or after April 1, 2011;

(2) adoption of the National Council for Prescription Drug Programs Telecommunications Standards version 5.1 with a new version will occur not later than April 1, 2009, and compliance with such rule shall apply to transactions occurring on or after April 1, 2011;

(3) adoption of ICD–10–CM and ICD–10–PCS will occur not later than October 1, 2008, and compliance with such rules shall apply to transactions occurring on or after October 1, 2011; and

(4) covered entities and health technology vendors under the Health Insurance Potability and Accountability Act of 1996 shall begin the process of planning for and implementing the updating of the new versions and editions referred to in this subsection.

(d) ASSURANCES OF CODE AVAILABILITY.—The Secretary of Health and Human Services shall take such action as may be necessary to ensure that procedure codes are promptly available for assignment and use under ICD–9–CM until such time as ICD–9–CM is replaced as a code set standard under section 1173(c) of the Social Security Act with ICD–10–PCS.

(e) DEADLINE.—Notwithstanding section 1172(f) of the Social Security Act (42 U.S.C. 1320d–1(f)), the Secretary of Health and Human Services shall adopt the modifications provided for in this section without a recommendation of the National Committee on Vital and Health Statistics unless such recommendation is made to the Secretary on or before a date specified by the Secretary as consistent with the implementation of the replacement of ICD–9–CM with ICD–10–CM and ICD–10–PCS for transactions occurring on or after October 1, 2011.

(f) LIMITATION ON JUDICIAL REVIEW.—The rule promulgated under subsection (a) shall not be subject to judicial review.

(g) APPLICATION.—The rule promulgated under subsection (a) shall apply to transactions occurring on or after October 1, 2011.

(h) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as effecting the application of classification methodologies or codes, such as the Current Procedural Terminology (CPT) as maintained and distributed by the American Medical Association and the Healthcare Common Procedure Coding System (HCPCS) as maintained and distributed by the Department of Health and Human Services, other than under the International Statistical Classification of Disease and Related Health Problems.

By Mr. COLEMAN:

S. 629. A bill to amend the Consolidated Farm and Rural Development Act to provide direct and guaranteed loans, loan guarantees, and grants to complete the construction and rehabilitation of rural critical access hospitals; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. COLEMAN. Mr. President, I ask unanimous consent that the text of the bill I introduce today, to amend the Consolidated Farm and Rural Development Act to provide direct and guaranteed loans, loan guarantees, and grants to complete the construction and rehabilitation of critical access hospitals, be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 629

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. LOANS, LOAN GUARANTEES, AND GRANTS FOR RURAL CRITICAL ACCESS HOSPITAL RECONSTRUCTION AND REHABILITATION.

(a) IN GENERAL.—Section 306(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)) is amended—

(1) in paragraph (1)—

(A) by designating the first through fifth sentences as subparagraphs (A) through (E), respectively; and

(B) by adding at the end the following:

"(F) LOANS AND LOAN GUARANTEES FOR RURAL CRITICAL ACCESS HOSPITAL RECONSTRUCTION AND REHABILITATION.—Notwithstanding any other provision of law, the Secretary shall use such sums as are necessary of the funds of the Commodity Credit Corporation for the cost of making community facility direct and guaranteed loans under this paragraph, in a total amount of not to exceed an additional $1,600,000,000 for the period of fiscal years 2008 through 2012, to complete the construction and rehabilitation of critical access hospitals (as defined in section 1861(mm) of the Social Security Act (42 U.S.C. 1395x(mm)))."; and

(2) in paragraph (19), by adding at the end the following:

"(D) GRANTS FOR RURAL CRITICAL ACCESS HOSPITAL RECONSTRUCTION AND REHABILITATION.—Notwithstanding any other provision of law, of the funds of the Commodity Credit Corporation, the Secretary shall make available an additional $5,000,000 for the period of fiscal years 2008 through 2012 to make essential community facility grants under this paragraph to complete the construction and rehabilitation of critical access hospitals (as defined in section 1861(mm) of the Social Security Act (42 U.S.C. 1395x(mm)))."

(b) CONFORMING AMENDMENTS.—Section 306 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926) (as amended by subsection (a)(1)) is amended—

(1) by striking "SEC. 306. (a)(1)(A) The Secretary is also authorized to" and inserting the following:

"SEC. 306. WATER, WASTE DISPOSAL, AND COMMUNITY FACILITY LOANS, LOAN GUARANTEES, AND GRANTS.

"(a) AUTHORITY.—

"(1) WATER, WASTE DISPOSAL, AND COMMUNITY FACILITIES.—

"(A) IN GENERAL.—The Secretary may";

(2) by striking "(B) The Secretary may also" and inserting the following:

"(B) RURAL EMPOWERMENT ZONES AND RURAL ENTERPRISE COMMUNITIES.—The Secretary may";

(3) by striking "(C) The Secretary may also" and inserting the following:

"(C) ELECTRIC BORROWERS.—The Secretary may";

(4) by striking "(D) When any" and inserting the following:

"(D) GROSS INCOME.—If any"; and

(5) by striking "(E) With respect" and inserting the following:

"(E) BOND COUNSEL.—With respect".

By Mr. COLEMAN (for himself, Mr. DURBIN, and Mr. HARKIN):

S. 630. A bill to amend part C of title XVIII of the Social Security Act to provide for a minimum payment rate by Medicare Advantage organizations for services furnished by a critical access hospital and a rural health clinic under the Medicare program; to the Committee on Finance.

Mr. COLEMAN. Mr. President, I ask unanimous consent that the text of the bill I introduce today, the Rural Health Services Preservation Act of 2007, be printed in the RECORD.

There being no objection, the bill the of the was ordered to be printed in the RECORD, as follows:

S. 630

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Rural Health Services Preservation Act of 2007".

SEC. 2. MINIMUM PAYMENT RATE BY MEDICARE ADVANTAGE ORGANIZATIONS FOR SERVICES FURNISHED BY A CRITICAL ACCESS HOSPITAL AND A RURAL HEALTH CLINIC.

(a) IN GENERAL.—Section 1857(e) of the Social Security Act (42 U.S.C. 1395w–27(e)) is amended by adding at the end the following:

"(4) MINIMUM PAYMENT RATE FOR SERVICES FURNISHED BY A CRITICAL ACCESS HOSPITAL AND A RURAL HEALTH CLINIC.—A contract under this section between an MA organization and the Secretary for the offering of an MA plan shall require the organization to provide for a payment rate under the plan for inpatient and outpatient critical access hospital services and rural health clinic services furnished to enrollees of the plan and for extended care services furnished by a critical access hospital under an agreement entered into under section 1883 to such enrollees (whether or not the services are furnished pursuant to an agreement between such organization and a critical access hospital or a rural health clinic) that is not less than—

"(A) the applicable payment rate established under part A or part B (which includes the payment of an interim rate and a subsequent cost reconciliation) with respect to the critical access hospital for such inpatient, outpatient, and extended care services or the rural health clinic for such rural health clinic services; or

"(B) if the critical access hospital or the rural health clinic determines appropriate, 103 percent of the applicable interim payment rate established under part A or part B with respect to the critical access hospital for such inpatient, outpatient, and extended care services or the rural health clinic for such rural health clinic services.".

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to Medicare Advantage contract years beginning on or after January 1, 2008.

By Mr. COLEMAN

S. 631. A bill to amend title XVIII of the Social Security Act to provide for coverage of remote patient management services for chronic health care conditions under the Medicare Program; to the Committee on Finance.

Mr. COLEMAN. Mr. President, I ask unanimous consent that the text of the bill I introduce today, the Remote Monitoring Access Act of 2007, be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 631

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Remote Monitoring Access Act of 2007".

SEC. 2. FINDINGS.

Congress finds the following:

(1) Remote patient monitoring can make chronic disease management more effective and efficient for patients and the health care system.

(2) By collecting, analyzing, and transmitting clinical health information to a health care practitioner, remote monitoring technologies allow patients and physicians to manage the patient's condition in a consistent and real-time fashion.

(3) Utilization of these technologies not only improves the quality of care given to patients, it also reduces the need for frequent physician office appointments, costly emergency room visits, and unnecessary hospitalizations.

(4) Monitoring a patient's disease from the home reduces the need for face-to-face physician interactions, thereby minimizing unnecessary travel and missed work and providing particular value to individuals residing in rural or underserved communities who would otherwise face potentially significant access barriers to receiving needed care.

(5) Four major areas in which remote management technologies are emerging in health care are the treatment of congestive heart failure, diabetes, cardiac arrhythmia, and sleep apnea (sleep disordered breathing). Prompt transmission of clinical data on each of these conditions, to the physician or the patient as appropriate, are essential to providing timely and appropriate therapeutic interventions which can then reduce expensive hospitalizations.

(6) Despite these innovations, remote management technologies have failed to diffuse rapidly. A significant barrier to wider adoption is the relative lack of payment mechanisms in fee-for-service Medicare to reimburse for remote, non-face-to-face management.

(7) This Act will eliminate this barrier to new technologies by requiring Medicare to reimburse doctors for time spent analyzing data transmitted to them by remote patient management technologies.

(8) This Act also promotes high quality care by requiring the Secretary of Health and Human Services to consult with physician groups to create a standard of care and a quality standard for remote patient management services for the covered chronic conditions.

(9) This Act provides physicians with a financial incentive to meet or exceed the standard of care and quality standards.

SEC. 3. COVERAGE OF REMOTE PATIENT MANAGEMENT SERVICES FOR CHRONIC HEALTH CARE CONDITIONS.

(a) In General.—Section 1861(s)(2) of the Social Security Act (42 U.S.C. 1395x(s)(2)) is amended—

(1) in subparagraph (Z), by striking "and" at the end;

(2) in subparagraph (AA), by inserting "and" at the end; and

(3) by inserting after subparagraph (AA) the following new subparagraph:

"(BB) remote patient management services (as defined in subsection (ccc));".

(b) Services Described.—Section 1861 of the Social Security Act (42 U.S.C. 1395x) is amended by adding at the end the following new subsection:

"Remote Patient Management Services

"(ccc)(1) The term 'remote patient management services' means the remote monitoring and management of an individual with a covered chronic health condition (as defined in paragraph (2)) through the utilization of a system of technology that allows a remote interface to collect and transmit clinical data between the individual and the responsible physician or supplier for the purposes of clinical review or response by the physician or supplier.

"(2) For purposes of paragraph (1), the term 'covered chronic health condition' includes—

"(A) heart failure;

"(B) diabetes;

"(C) cardiac arrhythmia;

"(D) sleep apnea; and

"(E) any other chronic condition determined by the Secretary to be appropriate for treatment through remote patient management services.

"(3)(A) The Secretary, in consultation with appropriate physician groups, shall develop guidelines on the frequency of billing for remote patient management services. Such guidelines shall be determined based on medical necessity and shall be sufficient to ensure appropriate and timely monitoring of individuals being furnished such services.

"(B) The Secretary, acting through the Agency for Health Care Research and Quality, shall do the following:

"(i) Not later than 1 year after the date of enactment of the Remote Monitoring Access Act of 2007, develop, in consultation with appropriate physician groups, a standard of care and quality standards for remote patient management services for the covered chronic health conditions specified in subparagraphs (A), (B), (C), and (D) of paragraph (2).

"(ii) If the Secretary makes a determination under paragraph (2)(E) with respect to a chronic condition, develop, in consultation with appropriate physician groups, a standard of care and quality standards for remote patient management services for such condition within 1 year of such determination.

"(iii) Periodically review and update such standards of care and quality standards under this subparagraph as necessary.".

(c) Payment Under the Physician Fee Schedule.—Section 1848 of the Social Security Act (42 U.S.C. 1395w–4) is amended—

(1) in subsection (c)—

(A) in paragraph (2)(B)—

(i) in clause (ii)(II), by striking "and (v)" and inserting ", (v), and (vi)"; and

(ii) by adding at the end the following new clause:

"(vi) Budgetary treatment of certain services.—The additional expenditures attributable to services described in section 1861(s)(2)(BB) shall not be taken into account in applying clause (ii)(II) for 2008."; and

(B) by adding at the end the following new paragraph:

"(7) Treatment of remote patient management services.—In determining relative value units for remote patient management services (as defined in section 1861(ccc)), the Secretary, in consultation with appropriate physician groups, shall take into consideration—

"(A) costs associated with such services, including physician time involved, installation and information transmittal costs, costs of remote patient management technology (including devices and software), and resource costs necessary for patient monitoring and follow-up (but not including costs of any related item or non-physician service otherwise reimbursed under this title); and

"(B) the level of intensity of services provided, based on—

"(i) the frequency of evaluation necessary to manage the individual being furnished the services;

"(ii) the amount of time necessary for, and the complexity of the evaluation, including the information that must be obtained, reviewed, and analyzed; and

"(iii) the number of possible diagnoses and the number of management options that must be considered."; and

(2) in subsection (j)(3), by inserting "(2)(BB)," after "(2)(AA),".

(d) Incentive Payments.—Section 1833 of the Social Security Act (42 U.S.C. 1395l) is amended by adding at the end the following new subsection:

"(v) Incentive for Meeting Certain Standards of Care and Quality Standards in the Furnishing of Remote Patient Management Services.—In the case of remote patient management services (as defined in section 1861(ccc)) that are furnished by a physician who the Secretary determines meets or exceeds the standards of care and quality standards developed by the Secretary under paragraph (3)(B) of such section for such services, in addition to the amount of payment that would otherwise be made for such services under this part, there shall also be paid to the physician (or to an employer or facility in cases described in subclause (A) of section 1842(b)(6)) (on a monthly or quarterly basis) from the Federal Supplementary Medical Insurance Trust Fund an amount equal to 10 percent of the payment amount for the service under this part.".

(e) Effective Date.—The amendments made by this section shall apply to services furnished on or after January 1, 2008.

By Mr. COLEMAN (for himself and Ms. Klobuchar):

S. 632. A bill to provide for a hospital in Cass County, Minnesota; to the Committee on Finance.

Mr. COLEMAN. Mr. President, I ask unanimous consent that the text of the bill I introduce today, to provide for a hospital in Cass County, Minnesota, be printed in the Record.

There being no objection, the text of the bill was ordered to be printed in the Record, as follows:

S. 632

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. MEDICARE CRITICAL ACCESS HOSPITAL DESIGNATION.

Section 405(h) of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Public Law 108-173; 117 Stat. 2269) is amended by adding at the end the following new paragraph:

"(3) Exception.—

"(A) In general.—The amendment made by paragraph (1) shall not apply to the certification by the State of Minnesota on or after January 1, 2006, under section 1820(c)(2)(B)(i)(II) of the Social Security Act (42 U.S.C. 1395i-4(c)(2)(B)(i)(II)) of one hospital that meets the criteria described in subparagraph (B) and is located in Cass County, Minnesota, as a necessary provider of health care services to residents in the area of the hospital.

"(B) Criteria described.—A hospital meets the criteria described in this subparagraph if the hospital—

"(i) has been granted an exception by the State to an otherwise applicable statutory restriction on hospital construction or licensing prior to the date of enactment of this subparagraph; and

"(ii) is located on property which the State has approved for conveyance to a county within the State prior to such date of enactment.".

By Mr. COLEMAN:

S. 633. A bill to provide assistance to rural schools, hospitals, and communities for the conduct of collaborative efforts to secure a progressive and innovative system to improve access to mental health care for youth, seniors and families; to the Committee on Health, Education, Labor, and Pensions.

Mr. COLEMAN. Mr. President, I ask unanimous consent that the text of the bill I introduce today, the Working Together for Rural Access to Mental Health and Wellness for Children and Seniors Act, be printed in the Record.

There being no objection, the text of the bill was ordered to be printed in the Record, as follows:

S. 633

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Working Together for Rural Access to Mental Health and Wellness for Children and Seniors Act".

SEC. 2. FINDINGS AND PURPOSE.

(a) Findings.—Congress makes the following findings:

(1) Providing adequate mental health care in rural communities is a national problem.

Mental health is an integral part of a person's general health and well-being. In rural areas, where specialized mental health services are scarce, accessing mental health professional services is difficult. Primary care is often the only system for delivering mental health services.

(2) Rural primary care providers are seeing an increase in mental health issues in their clinics.

(3) The need is overwhelming with the Surgeon General estimating 21 percent of children experience the signs or symptoms of a mental disorder. Left untreated, these problems lead to rampant school failure, drug abuse, and often incarceration.

(4) The Department of Health and Human Services indicates that 1 in 5 children and adolescents may have a diagnosable disorder, yet 70 percent to 80 percent receive little or no help.

(5) Few schools have the resources to implement a full range of school mental health interventions. Identifying sustainable and flexible funding sources for these programs is extremely important.

(6) Health, and especially mental health, is a fundamental cornerstone for ensuring that all youth have an equal opportunity to succeed at school.

(7) Promoting and expanding telemental health collaborations to strengthen delivery of mental health services in remote and underserved areas is needed.

(8) Telemental health is an effective tool for diagnosing and treating some mental health conditions. For rural and remote areas, telemental health offers patients access and care.

(b) PURPOSE.—It is the purpose of this Act to—

(1) provide assistance to rural schools, hospitals, and communities for the conduct of collaborative efforts to secure a progressive and innovative system to improve access to mental health care for youth, seniors and families;

(2) increase access of elementary and secondary school students to mental health services in rural areas by operating a mobile health services van program in such areas; or

(3) increase access of individuals of all ages to mental health services in rural areas by providing telemental health services in such areas.

SEC. 3. RURAL ACCESS TO MENTAL HEALTH SERVICES GRANT PROGRAM.

(a) STATE GRANTS.—The Secretary of Health and Human Services (referred to in this section as the "Secretary") shall award grants to States to enable such States to award subgrants to carry out the purposes of this Act.

(b) ELIGIBILITY AND AMOUNT.—

(1) ELIGIBILITY.—To be eligible for a grant under subsection (a), a State shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, including an assurance that the State will designate a lead agency in accordance with subsection (c) and submit a State plan in accordance with subsection (d).

(2) AMOUNT.—The Secretary shall award a grant to a State under this section in an amount that is based on the respective number of critical access hospitals (as defined in section 1861 (mm)(1) of the Social Security Act (42 U.S.C. 1395x(mm)(1)) in the State as such compares to the total number of critical access hospitals in all States that are awarded grants under this section.

(c) STATE LEAD AGENCY.—

(1) IN GENERAL.—To be eligible to receive a grant under this section, the governor of a State shall select a lead agency within the State to administer the State programs under the grant. If the governor of the State selects a lead agency other than the State Office of Rural Health, the governor shall ensure the involvement of the State Office of Rural Health in the development and administration of the State program under this section.

(2) DUTIES.—The lead agency of a State shall—

(A) administer, directly or through other governmental or nongovernmental agencies, amounts received under a grant under subsection (a); and

(B) develop the State plan under subsection (d) and coordinate the expenditure of funds in consultation with appropriate representatives of the State and local educational agencies and the rural mental health providers and State hospital associations.

(d) STATE PLAN.—To be eligible to receive a grant under subsection (a), a State shall submit to the Secretary a State plan that shall—

(1) identify the lead agency of the State;

(2) contain assurances that the State shall use the amounts provided to the State under the grant to address—

(A) in the case of mobile van services, the mental health needs of elementary school and secondary school students; or

(B) in the case of telemental health services, the mental health needs of individuals of all ages through telemental health services, and to pay administrative costs incurred in connection with providing the assistance to grant recipients;

(3) contain assurances that benefits and services under the grant shall be available throughout the entire State; and

(4) contain assurances that the lead agency shall consult with rural mental health providers and hospital associations that represent such providers in such State on the most appropriate ways to use the funds received under the grant.

(e) AWARDING OF SUBGRANTS.—

(1) IN GENERAL.—The lead agency of the State shall use amounts received under a grant under subsection (a) to award subgrants to eligible entities on a competitive basis.

(2) ELIGIBILITY.—To be eligible to receive a subgrant under paragraph (1), a grant applicant shall be located in or serving a rural area and be a government-owned or private nonprofit hospital (or, in the case of a mobile van services program, a governmental, tribal, or private nonprofit school district or educational institution which provides elementary education or secondary education (kindergarten through grade 12) and that collaborates with such a hospital), a community mental health center, a primary care clinic, or other nonprofit agency providing mental health services.

(3) SELECTION CRITERIA.—In establishing procedures for the awarding of subgrants under paragraph (1), the lead agency of the State shall provide for the use of the following selection criteria:

(A) The extent to which a grant applicant demonstrates a need to improve the access of mental health services within the community served by such applicant.

(B) The extent to which a grant applicant will serve a rural community with a significant low-income or other population that is underserved with respect to the provision of mental health services.

(4) APPLICATION AND APPROVAL.—To be eligible to receive a subgrant under paragraph (1), an entity shall submit an application to the lead agency of the State that includes—

(A) a description of the manner in which the entity intends to use amounts provided under the subgrant;

(B) such information as the lead agency may require to apply the selection criteria under paragraph (3);

(C) measurable objectives for the use of funds provided under the subgrant;

(D) a description of the manner in which the applicant will evaluate the effectiveness of the program carried out under the subgrant;

(E) an agreement to maintain such records, make such reports, and cooperate with such reviews or audits as the lead agency and the Secretary may find necessary for purposes of oversight of program activities and expenditures;

(F) a plan for sustaining activities and services funded under the subgrant after Federal support for such activities and services has ended; and

(G) such other information and assurances as the Secretary may require.

(5) USE OF FUNDS.—A recipient of a subgrant under paragraph (1) shall use amounts awarded under the grant to—

(A) in the case of mobile van health services, offset costs incurred after December 31, 2007, that are related to operating a mobile van outreach program under which a hospital and one or more elementary or secondary schools provide mental health care services to students of such schools in the rural area, which may include the costs of—

(i) purchasing or leasing a mobile van in which mental health services are provided to elementary school or secondary school students;

(ii) repairs and maintenance for such a mobile van;

(iii) purchasing or leasing communications capabilities reasonable and necessary to operate the mobile van;

(iv) providing education and training to staff on operating the mobile van program; and

(v) providing for additional mental health services professional staff that are employed to provide mental health services as part of the mobile van program; and

(B) in the case of telemental health services, offset costs incurred after December 31, 2007, that are related to providing telemental health services to persons of all ages in the rural area, which may include the cost of—

(i) purchasing, leasing, repairing, maintaining, or upgrading telemental health services equipment;

(ii) operating telemental health services equipment, including telecommunications, utilities, and software costs;

(iii) providing education and training to staff concerning the provision of telemental health services; and

(iv) employing additional mental health services professional staff to provide telemental health services.

(6) LIMITS.—The amount awarded to an entity as a subgrant under paragraph (1) for any fiscal year shall not exceed $300,000.

(f) REPORTING, MONITORING, AND EVALUATION.—The lead agency of each State that receives a grant under subsection (a) shall submit a report to the Secretary that contains—

(1) the amounts received under the grant;

(2) the amounts allocated as subgrants under subsection (e);

(3) the types of expenditures made by subgrant recipients with such funds; and

(4) such other information as may be required by the Secretary to assist the Secretary in monitoring the effectiveness of this section.

(g) REVIEW OF COMPLIANCE WITH STATE PLAN.—

(1) IN GENERAL.—The Secretary shall review and monitor State compliance with the requirements of this section and the State plan submitted under subsection (d).

(2) FAILURE TO COMPLY.—If the Secretary, after reasonable notice to a State and opportunity for a hearing, determines that there has been a failure by the State to comply substantially with any provision or requirement set forth in the State plan or a requirement of this section, the Secretary shall notify the lead agency of the State of such determination and that no further payments to the State will be made with respect to the State grant until the Secretary is satisfied that there is no longer any failure to comply or that the noncompliance will be promptly corrected.

(h) INTERACTION OF FEDERAL AND STATE LAW.—Federal and State procurement laws shall be preempted to the extent necessary to carry out this section.

(i) DEFINITIONS.—In this section:

(1) HOSPITAL.—The term "hospital" means a non-Federal short-term general acute care facility located in or serving a rural area.

(2) MOBILE VAN.—The term "mobile van" means a mobile wellness center the purpose of which is to improve access to, and focuses on, early intervention of mental health, and that provides consultation, education, comprehensive interdisciplinary education, and collaborative treatment planning services.

(3) RURAL AREA.—The term "rural area", with respect to the location of an eligible applicant, or with respect to the location of mental health services, means that the entity or services—

(A) is located in a rural census tract of a metropolitan statistical area, as determined under the most recent version of the Goldsmith Modification, the Rural-Urban Commuting Area codes, as determined by the Office of Rural Health Policy of the Health Resources and Services Administration; or

(B) is located in an area designated by any law or regulation of such State as a rural area (or, in the case of a hospital, is designated by such State as a rural hospital).

(4) TELEMENTAL HEALTH SERVICES.—The term "telemental health services" means mental health services that are provided through the use of videoconferencing or similar means of electronic communications and information technology.

(5) TELEMENTAL HEALTH SERVICES EQUIPMENT.—The term "telemental health services equipment" includes telecommunications and peripheral equipment used to provide patient evaluations, case management, medication management, crisis response, pre-admission and pre-discharge planning, treatment planning, individual and group therapy, family therapy, mental status evaluations, case conferences, family visits, staff training, and administrative activities relating to the mental health services.

(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section, $10,000,000 for each of fiscal years 2008 through 2010.

By Mr. DODD (for himself and Mr. HATCH):

S. 634. A bill to amend the Public Health Service Act to establish grant programs to provide for education and outreach on newborn screening and coordinated followup care once newborn screening has been conducted, to reauthorize programs under part A of title XI of such Act, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. DODD. Mr. President, I am pleased today to join with my colleague Senator HATCH to introduce legislation to protect the most vulnerable members of our society: newborn infants. Many people know the joy of parenthood. These parents know the sense of worry about whether their kids are doing well, are feeling well, and are safe. Nothing is of greater importance than the health and well-being of our children.

Thanks to incredible advances in medical technology, it is now possible to test newborns for more than 50 genetic and metabolic disorders. Many of these disorders, if undetected, would lead to severe disability or death. However, babies that are properly diagnosed and treated can, in many cases, go on to live healthy lives. So newborn screening can literally save lives.

Frighteningly, the disorders that newborn screening tests for can come without warning. For most of these disorders, there is no medical history of the condition in the family and no way to predict the health of a baby based on the health of the parents. Although the disorders that are tested for are quite rare, there is a chance that any one newborn will be affected. In that sense, this is an issue that has a direct impact on the lives of all families.

Fortunately, some screening has become common practice in every state. Each year, over four million infants have blood taken from their heel after birth to detect these disorders that could threaten their life and long-term health. As a result, about one in 4,000 babies is diagnosed with one of these disorders. That means that newborn screening could protect the health or save the life of approximately 1,000 newborns each year. That is 1,000 tragedies that can be averted families that can know the joy of a new infant rather than absolute heartbreak.

In 2004, the American College of Medical Genetics (ACMG) completed a report commissioned by the U.S. Department of Health and Human Services which recommended that every baby born in the U.S. be screened for twenty-nine disorders, including certain metabolic conditions and hearing deficiency. Unfortunately, as of February 2007, only 11 States and the District of Columbia require infants to be screened for all twenty-nine of these recommended disorders. If diagnosed early, all of these conditions can be successfully managed or treated to prevent or mitigate severe and often lifelong health problems.

For every baby saved, another two are estimated to be born with potentially detectable disorders that go undetected because they are not screened. These infants and their families face the prospect of disability or death from a preventable disorder. The survival of a newborn may very well come down to the state in which it is born, because not all states test for every detectable disorder.

The Government Accountability Office, GAO, released a report in 2003 highlighting the need for this legislation. According to the report, most states do not educate parents and health care providers about the availability of tests beyond what is mandated by a State. States also reported that they do not have the resources to purchase the technology and train the staff needed to expand newborn screening programs. Finally, even when States do detect an abnormal screening result, the majority do not inform parents directly.

The legislation that we are introducing today will give states an additional helping hand toward meeting the advisory's committee's recommendation by providing $25 million for states to expand and improve their newborn screening programs. In order to access these resources, states will be required to commit to screening for all 29 disorders.

Our legislation will also authorize $15 million for two types of grants. The first seeks to address the lack of information available to health care professionals and parents about newborn screening. Every parent should have the knowledge necessary to protect their child. The tragedy of a newborn's death is only compounded by the frustration of learning that the death was preventable. This bill authorizes grants to provide education and training to health care professionals, state laboratory personnel, families and consumer advocates.

The second type of grant will support States in providing follow-up care for those children diagnosed by a disorder detected through newborn screening. While these families are the fortunate ones, in many cases they are still faced with the prospect of extended and complex treatment and major lifestyle changes. We need to remember that care does not stop at diagnosis.

To ensure the quality of laboratories involved in newborn screening, so that tests are as accurate as possible and infants receive appropriate care, the legislation authorizes $5 million for the Centers for Disease Control and Prevention, CDC, to carry out a number of functions such as quality assurance for newborn screening tests, performance evaluation services, and technical assistance and technology transfer to newborn screening labs.

In the event of a public health emergency, such as Hurricane Katrina, newborn screening may seem like a low priority. However, if babies aren't tested and, when necessary, treated within the first few days of life, they may suffer irreparable harm or even death. In the wake of a public health crisis, contingency planning for newborn screening is essential. Our legislation requires the CDC, in consultation with the Health Resources and Services Administration, HRSA, to develop a national contingency plan for newborn screening in the event of a public health emergency within 180 days of enactment of the bill.

Finally, the bill directs the CDC, in consultation with HRSA, to establish a national surveillance program for newborn screening, and authorizes $15 million for that purpose. Such a program will help us conduct research to better understand these rare disorders, and will hopefully lead us toward more effective treatments and cures.

I urge my colleagues to support this important legislation so that every newborn child will have the best possible opportunity that America can offer to live a long, healthy and happy life. I look forward to working with the Chairman of the Health, Education, Labor and Pensions (HELP) Committee, Senator KENNEDY, and Ranking Member Enzi to advance this legislation as early as possible.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 634

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Newborn Screening Saves Lives Act of 2007".

SEC. 2. FINDINGS.

Congress finds the following:

(1) Each year more than 4,000,000 babies born in the United States are screened by State and private laboratories to detect some conditions that may threaten their long-term health.

(2) However, there is a lack of uniformity in the number of conditions for which newborns are screened throughout the United States. While a newborn may be screened and treated for a debilitating condition in one State, in another State, the condition may go undetected and result in permanent disability or even death.

(3) Approximately 4,000 infants born each year are diagnosed with these detectable and treatable disorders. If diagnosed early, these conditions can be successfully managed or treated to prevent severe and often lifelong health consequences.

(4) In 2004, the American College of Medical Genetics (ACMG) completed a report commissioned by the Department of Health and Human Services which recommended that every baby born in the United States be screened for 29 specific disorders, including certain metabolic conditions and hearing deficiencies.

(5) Currently only 11 States and the District of Columbia require infants to be screened for all 29 of these recommended disorders.

(6) Continuity, especially during a public health emergency, plays a critical role in the screening, diagnosis, referral, and treatment of these disorders. Currently there is no national contingency plan for maintaining continuity of newborn screening systems following a public health emergency.

SEC. 3. AMENDMENT TO TITLE III OF THE PUBLIC HEALTH SERVICE ACT.

Part Q of title III of the Public Health Service Act (42 U.S.C. 280h et seq.) is amended by adding at the end the following:

"SEC. 399AA. NEWBORN SCREENING.

"(a) AUTHORIZATION OF GRANT PROGRAMS.—

"(1) GRANTS TO ASSIST HEALTH CARE PROFESSIONALS.—From funds appropriated under subsection (h), the Secretary, acting through the Associate Administrator of the Maternal and Child Health Bureau of the Health Resources and Services Administration (referred to in this section as the 'Associate Administrator') and in consultation with the Advisory Committee on Heritable Disorders in Newborns and Children (referred to in this section as the 'Advisory Committee'), shall award grants to eligible entities to enable such entities to assist in providing health care professionals and newborn screening laboratory personnel with—

"(A) education in newborn screening; and

"(B) training in—

"(i) relevant and new technologies in newborn screening; and

"(ii) congenital, genetic, and metabolic disorders.

"(2) GRANTS TO ASSIST FAMILIES.—

"(A) IN GENERAL.—From funds appropriated under subsection (h), the Secretary, acting through the Associate Administrator and in consultation with the Advisory Committee, shall award grants to eligible entities to enable such entities to develop and deliver educational programs about newborn screening to parents, families, and patient advocacy and support groups. The educational materials accompanying such educational programs shall be provided at appropriate literacy levels.

"(B) AWARENESS OF THE AVAILABILITY OF PROGRAMS.—To the extent practicable, the Secretary shall make relevant health care providers aware of the availability of the educational programs supported pursuant to subparagraph (A).

"(3) GRANTS FOR QUALITY NEWBORN SCREENING FOLLOWUP.—From funds appropriated under subsection (h), the Secretary, acting through the Associate Administrator and in consultation with the Advisory Committee, shall award grants to eligible entities to enable such entities to establish, maintain, and operate a system to assess and coordinate treatment relating to congenital, genetic, and metabolic disorders.

"(b) APPLICATION.—An eligible entity that desires to receive a grant under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require.

"(c) SELECTION OF GRANT RECIPIENTS.—

"(1) IN GENERAL.—Not later than 120 days after receiving an application under subsection (b), the Secretary, after considering the approval factors under paragraph (2), shall determine whether to award the eligible entity a grant under this section.

"(2) APPROVAL FACTORS.—

"(A) REQUIREMENTS FOR APPROVAL.—An application submitted under subsection (b) may not be approved by the Secretary unless the application contains assurances that the eligible entity—

"(i) will use grant funds only for the purposes specified in the approved application and in accordance with the requirements of this section; and

"(ii) will establish such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement and accounting of Federal funds paid to the eligible entity under the grant.

"(B) EXISTING PROGRAMS.—Prior to awarding a grant under this section, the Secretary shall—

"(i) conduct an assessment of existing educational resources and training programs and coordinated systems of followup care with respect to newborn screening; and

"(ii) take all necessary steps to minimize the duplication of the resources and programs described in clause (i).

"(d) COORDINATION.—The Secretary shall take all necessary steps to coordinate programs funded with grants received under this section.

"(e) USE OF GRANT FUNDS.—

"(1) GRANTS TO ASSIST HEALTH CARE PROFESSIONALS.—An eligible entity that receives a grant under subsection (a)(1) may use the grant funds to work with appropriate medical schools, nursing schools, schools of public health, schools of genetic counseling, internal education programs in State agencies, nongovernmental organizations, and professional organizations and societies to develop and deliver education and training programs that include—

"(A) continuing medical education programs for health care professionals and newborn screening laboratory personnel in newborn screening;

"(B) education, technical assistance, and training on new discoveries in newborn screening and the use of any related technology;

"(C) models to evaluate the prevalence of, and assess and communicate the risks of, congenital conditions, including the prevalence and risk of some of these conditions based on family history;

"(D) models to communicate effectively with parents and families about—

"(i) the process and benefits of newborn screening;

"(ii) how to use information gathered from newborn screening;

"(iii) the meaning of screening results, including the possibility of false positive findings;

"(iv) the right of refusal of newborn screening, if applicable; and

"(v) the potential need for followup care after newborns are screened;

"(E) information and resources on coordinated systems of followup care after newborns are screened;

"(F) information on the disorders for which States require and offer newborn screening and options for newborn screening relating to conditions in addition to such disorders;

"(G) information on additional newborn screening that may not be required by the State, but that may be available from other sources; and

"(H) other items to carry out the purpose described in subsection (a)(1) as determined appropriate by the Secretary.

"(2) GRANTS TO ASSIST FAMILIES.—An eligible entity that receives a grant under subsection (a)(2) may use the grant funds to develop and deliver to parents, families, and patient advocacy and support groups, educational programs about newborn screening that include information on—

"(A) what newborn screening is;

"(B) how newborn screening is performed;

"(C) who performs newborn screening;

"(D) where newborn screening is performed;

"(E) the disorders for which the State requires newborns to be screened;

"(F) different options for newborn screening for disorders other than those included by the State in the mandated newborn screening program;

"(G) the meaning of various screening results, including the possibility of false positive and false negative findings;

"(H) the prevalence and risk of newborn disorders, including the increased risk of disorders that may stem from family history;

"(I) coordinated systems of followup care after newborns are screened; and

"(J) other items to carry out the purpose described in subsection (a)(2) as determined appropriate by the Secretary.

"(3) GRANTS FOR QUALITY NEWBORN SCREENING FOLLOWUP.—An eligible entity that receives a grant under subsection (a)(3) shall use the grant funds to—

"(A) expand on existing procedures and systems, where appropriate and available, for the timely reporting of newborn screening results to individuals, families, primary care physicians, and subspecialists in congenital, genetic, and metabolic disorders;

"(B) coordinate ongoing followup treatment with individuals, families, primary care physicians, and subspecialists in congenital, genetic, and metabolic disorders after a newborn receives an indication of the presence or increased risk of a disorder on a screening test;

"(C) ensure the seamless integration of confirmatory testing, tertiary care medical services, comprehensive genetic services including genetic counseling, and information about access to developing therapies by participation in approved clinical trials involving the primary health care of the infant;

"(D) analyze data, if appropriate and available, collected from newborn screenings to identify populations at risk for disorders affecting newborns, examine and respond to health concerns, recognize and address relevant environmental, behavioral, socioeconomic, demographic, and other relevant risk factors; and

"(E) carry out such other activities as the Secretary may determine necessary.

"(f) REPORTS TO CONGRESS.—

"(1) IN GENERAL.—Subject to paragraph (2), the Secretary shall submit to the appropriate committees of Congress reports—

"(A) evaluating the effectiveness and the impact of the grants awarded under this section—

"(i) in promoting newborn screening—

"(I) education and resources for families; and

"(II) education, resources, and training for health care professionals;

"(ii) on the successful diagnosis and treatment of congenital, genetic, and metabolic disorders; and

"(iii) on the continued development of coordinated systems of followup care after newborns are screened;

"(B) describing and evaluating the effectiveness of the activities carried out with grant funds received under this section; and

"(C) that include recommendations for Federal actions to support—

"(i) education and training in newborn screening; and

"(ii) followup care after newborns are screened.

"(2) TIMING OF REPORTS.—The Secretary shall submit—

"(A) an interim report that includes the information described in paragraph (1), not later than 30 months after the date on which the first grant funds are awarded under this section; and

"(B) a subsequent report that includes the information described in paragraph (1), not later than 60 months after the date on which the first grant funds are awarded under this section.

"(g) DEFINITION OF ELIGIBLE ENTITY.—In this section, the term 'eligible entity' means—

"(1) a State or a political subdivision of a State;

"(2) a consortium of 2 or more States or political subdivisions of States;

"(3) a territory;

"(4) an Indian tribe or a hospital or outpatient health care facility of the Indian Health Service; or

"(5) a nongovernmental organization with appropriate expertise in newborn screening, as determined by the Secretary.

"(h) NATIONAL CONTINGENCY PLAN FOR NEWBORN SCREENING.—

"(1) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Secretary, acting through the Director of the Centers for Disease Control and Prevention and in consultation with the Associate Administrator, shall develop a national contingency plan for newborn screening for use in the event of a public health emergency.

"(2) REQUIREMENTS.—The contingency plan developed under paragraph (1) shall include a plan for—

"(A) the collection and transport of specimens;

"(B) the shipment of specimens to State newborn screening laboratories;

"(C) the processing of specimens;

"(D) the reporting of screening results to physicians and families;

"(E) the diagnostic confirmation of positive screening results;

"(F) ensuring the availability of treatment and management resources;

"(G) educating families about newborn screening; and

"(H) carrying out other activities determined appropriate by the Secretary.

"(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

"(1) $15,000,000 for fiscal year 2008; and

"(2) such sums as may be necessary for each of fiscal years 2009 through 2012.".

SEC. 4. IMPROVED NEWBORN AND CHILD SCREENING FOR HERITABLE DISORDERS.

Section 1109 of the Public Health Service Act (42 U.S.C. 300b–8) is amended—

(1) in subsection (c)(2)—

(A) in subparagraph (E), by striking "and" after the semicolon;

(B) by redesignating subparagraph (F) as subparagraph (G); and

(C) by inserting after subparagraph (E) the following:

"(F) an assurance that the entity has adopted and implemented, is in the process of adopting and implementing, or will use grant amounts received under this section to adopt and implement the guidelines and recommendations of the Advisory Committee on Heritable Disorders in Newborns and Children established under section 1111 (referred to in this section as the 'Advisory Committee') that are adopted by the Secretary and in effect at the time the grant is awarded or renewed under this section, which shall include the screening of each newborn for the heritable disorders recommended by the Advisory Committee and adopted by the Secretary and the reporting of results; and"; and

(2) in subsection (i), by striking "such sums" and all that follows through the period at the end and inserting "$25,000,000 for fiscal year 2008 and such sums as may be necessary for each of the fiscal years 2009 through 2012.".

SEC. 5. EVALUATING THE EFFECTIVENESS OF NEWBORN- AND CHILD-SCREENING PROGRAMS.

Section 1110 of the Public Health Service Act (42 U.S.C. 300b–9) is amended by adding at the end the following:

"(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $5,000,000 for fiscal year 2008 and such sums as may be necessary for each of the fiscal years 2009 through 2012.".

SEC. 6. ADVISORY COMMITTEE ON HERITABLE DISORDERS IN NEWBORNS AND CHILDREN.

Section 1111 of the Public Health Service Act (42 U.S.C. 300b–10) is amended—

(1) in subsection (b)—

(A) by redesignating paragraph (3) as paragraph (5);

(B) in paragraph (2), by striking "and" after the semicolon;

(C) by inserting after paragraph (2) the following:

"(3) recommend a uniform screening panel for newborn screening programs that includes the heritable disorders for which all newborns should be screened, including secondary conditions that may be identified as a result of the laboratory methods used for screening;

"(4) develop a model decision-matrix for newborn screening program expansion, and periodically update the recommended uniform screening panel described in paragraph (3) based on such decision-matrix; and"; and

(D) in paragraph (5) (as redesignated by subparagraph (A)), by striking the period at the end and inserting ", including recommendations, advice, or information dealing with—

"(A) followup activities, including those necessary to achieve rapid diagnosis in the short term, and those that ascertain long-term case management outcomes and appropriate access to related services;

"(B) diagnostic and other technology used in screening;

"(C) the availability and reporting of testing for conditions for which there is no existing treatment;

"(D) minimum standards and related policies and procedures for State newborn screening programs;

"(E) quality assurance, oversight, and evaluation of State newborn screening programs;

"(F) data collection for assessment of newborn screening programs;

"(G) public and provider awareness and education;

"(H) language and terminology used by State newborn screening programs;

"(I) confirmatory testing and verification of positive results; and

"(J) harmonization of laboratory definitions for results that are within the expected range and results that are outside of the expected range."; and

(2) by adding at the end the following:

"(d) DECISION ON RECOMMENDATIONS.—

"(1) IN GENERAL.—Not later than 180 days after the Advisory Committee issues a recommendation pursuant to this section, the Secretary shall adopt or reject such recommendation.

"(2) PENDING RECOMMENDATIONS.—The Secretary shall adopt or reject any recommendation issued by the Advisory Committee that is pending on the date of enactment of the Newborn Screening Saves Lives

Act of 2007 by not later than 180 days after the date of enactment of such Act.

"(3) DETERMINATIONS TO BE MADE PUBLIC.—The Secretary shall publicize any determination on adopting or rejecting a recommendation of the Advisory Committee pursuant to this subsection, including the justification for the determination.

"(e) CONTINUATION OF OPERATION OF COMMITTEE.—Notwithstanding section 14 of the Federal Advisory Committee Act (5 U.S.C. App.), the Advisory Committee shall continue to operate during the 5-year period beginning on the date of enactment of the Newborn Screening Saves Lives Act of 2007.".

SEC. 7. LABORATORY QUALITY AND SURVEILLANCE.

Part A of title XI of the Public Health Service Act (42 U.S.C. 300b–1 et seq.) is amended by adding at the end the following:

"SEC. 1112. LABORATORY QUALITY.

"(a) IN GENERAL.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention and in consultation with the Advisory Committee on Heritable Disorders in Newborns and Children established under section 1111, shall provide for—

"(1) quality assurance for laboratories involved in screening newborns and children for heritable disorders, including quality assurance for newborn-screening tests, performance evaluation services, and technical assistance and technology transfer to newborn screening laboratories to ensure analytic validity and utility of screening tests; and

"(2) population-based pilot testing for new screening tools for evaluating use on a mass scale.

"(b) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated $5,000,000 for fiscal year 2008 and such sums as may be necessary for each of the fiscal years 2009 through 2012.

"SEC. 1113. SURVEILLANCE PROGRAMS FOR HERITABLE DISORDERS SCREENING.

"(a) IN GENERAL.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, in consultation with the Associate Administrator of the Maternal and Child Health Bureau of the Health Resources and Services Administration, shall carry out programs—

"(1) to collect, analyze, and make available data on the heritable disorders recommended by the Advisory Committee on Heritable Disorders in Newborns and Children established under section 1111, including data on the causes of such disorders and on the incidence and prevalence of such disorders;

"(2) to operate regional centers for the conduct of applied epidemiological research on the prevention of such disorders;

"(3) to provide information and education to the public on the prevention of such disorders; and

"(4) to conduct research on and to promote the prevention of such disorders, and secondary health conditions among individuals with such disorders.

"(b) GRANTS AND CONTRACTS.—

"(1) IN GENERAL.—In carrying out subsection (a), the Secretary may make grants to and enter into contracts with public and nonprofit private entities.

"(2) SUPPLIES AND SERVICES IN LIEU OF AWARD FUNDS.—

"(A) IN GENERAL.—Upon the request of a recipient of an award of a grant or contract under paragraph (1), the Secretary may, subject to subparagraph (B), provide supplies, equipment, and services for the purpose of aiding the recipient in carrying out the purposes for which the award is made and, for such purposes, may detail to the recipient any officer or employee of the Department of Health and Human Services.

"(B) REDUCTION.—With respect to a request described in subparagraph (A), the Secretary shall reduce the amount of payments under the award involved by an amount equal to the costs of detailing personnel and the fair market value of any supplies, equipment, or services provided by the Secretary. The Secretary shall, for the payment of expenses incurred in complying with such request, expend the amounts withheld.

"(3) APPLICATION FOR AWARD.—The Secretary may make an award of a grant or contract under paragraph (1) only if an application for the award is submitted to the Secretary and the application is in such form, is made in such manner, and contains such agreements, assurances, and information as the Secretary determines to be necessary to carry out the purposes for which the award is to be made.

"(c) BIENNIAL REPORT.—Not later than February 1 of fiscal year 2008 and of every second such year thereafter, the Secretary shall submit to the Committee on Energy and Commerce of the House of Representatives, and the Committee on Health, Education, Labor, and Pensions of the Senate, a report that, with respect to the preceding 2 fiscal years—

"(1) contains information regarding the incidence and prevalence of heritable disorders and the health status of individuals with such disorders and the extent to which such disorders have contributed to the incidence and prevalence of infant mortality and affected quality of life;

"(2) contains information under paragraph (1) that is specific to various racial and ethnic groups (including Hispanics, non-Hispanic whites, Blacks, Native Americans, and Asian Americans);

"(3) contains an assessment of the extent to which various approaches of preventing heritable disorders and secondary health conditions among individuals with such disorders have been effective;

"(4) describes the activities carried out under this section;

"(5) contains information on the incidence and prevalence of individuals living with heritable disorders, information on the health status of individuals with such disorders, information on any health disparities experienced by such individuals, and recommendations for improving the health and wellness and quality of life of such individuals;

"(6) contains a summary of recommendations from all heritable disorders research conferences sponsored by the Centers for Disease Control and Prevention; and

"(7) contains any recommendations of the Secretary regarding this section.

"(d) APPLICABILITY OF PRIVACY LAWS.—The provisions of this section shall be subject to the requirements of section 552a of title 5, United States Code. All Federal laws relating to the privacy of information shall apply to the data and information that is collected under this section.

"(e) COORDINATION.—

"(1) IN GENERAL.—In carrying out this section, the Secretary shall coordinate, to the extent practicable, programs under this section with programs on birth defects and developmental disabilities authorized under section 317C.

"(2) PRIORITY IN GRANTS AND CONTRACTS.—In making grants and contracts under this section, the Secretary shall give priority to entities that demonstrate the ability to coordinate activities under a grant or contract made under this section with existing birth defects surveillance activities.

"(f) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated $15,000,000 for fiscal year 2008 and such sums as may be necessary for each of the fiscal years 2009 through 2012.".

Mr. HATCH. I am pleased to introduce today, along with my colleague Senator CHRISTOPHER DODD, the Newborn Screening Saves Lives Act of 2007.

Every State and U.S. territory routinely screens newborns for certain genetic, metabolic, hormonal and functional disorders. Most of these birth defects have no immediate visible effects on a baby but, unless detected and treated early, can cause physical problems, mental retardation and, in some cases, death.

Babies who have these diseases and babies who do not have these diseases look the same at birth. Fortunately, most babies are given a clean bill of health when tested. In cases where babies are found to have metabolic disorders or hearing impairment, early diagnosis and proper treatment can make the difference between healthy development and lifelong impairment.

Except for hearing screening, all newborn screening tests are done using a few drops of blood from the newborn's heel. Newborn screening checks for diseases that can cause problems with the way the body gets energy, how the body makes hormones, or how the body makes blood cells.

Currently each state or region operates by law its own newborn screening program. Individual programs vary widely in the number and types of conditions for which they test. According to the National Newborn Screening and Genetics Resources Center, some States test for as few as four disorders, while others test for 30 or more.

Disparities among States in screening tests given at birth result in too many babies with serious birth defects not being diagnosed and treated in time to avoid death or long term disability. Many States offer only limited educational materials for parents and health care providers about the availability of newborn screening tests; therefore parents are often unaware of the importance of testing and may learn too late that their newborn has an abnormal metabolic condition which could have been treated.

In 2004, the American College of Medical Genetics completed a report commissioned by the Department of Health and Human Services which recommended that every baby born in the United States be screened for 29 disorders, including certain metabolic conditions and hearing deficiency. Currently, only 11 States and the District of Columbia require the recommended screening for all 29 disorders.

Last year there was much success in improving newborn screening in my home State of Utah, which increased testing from 4 to 36 disorders. The expansion of newborn screening is a major advancement for children's healthcare in Utah, as the screening should identify an additional 15 to 20 Utah infants every year in time to help them get the treatment they need to live a fuller and healthier life.

Enactment of the Newborn Screening Saves Lives Act would provide necessary resource materials to educate parents and health providers about newborn screening and help states expand and improve their newborn screening programs. Other important provisions of this legislation help ensure the quality of laboratories involved in newborn screening and call for establishing a system for collecting and analyzing data from newborn screening programs.

The bill will establish grant programs to provide for education and outreach on newborn screening and coordinated follow-up care once newborn screening has been conducted. It will help States expand and improve their newborn screening programs, educate parents and providers and improve follow-up care for infants. The bill also contains provisions for a contingency plan for newborn screening in the case of a national public health emergency, such as that which was witnessed in the wake of Hurricanes Katrina and Rita.

The Newborn Screening Saves Lives Act of 2007 is endorsed by the March of Dimes, the American Academy of Pediatrics, Easter Seals, and the American Public Health Labs. These groups recognize that expanded newborn screening will help pediatricians and other healthcare providers identify rare disorders than can be easily confused with common pediatric problems. Diagnosing and treating these conditions will help prevent irreversible brain damage, permanent disabilities, and possibly death. I urge my colleagues to take a stand for newborn health and support this bill.

By Mr. SCHUMER:

S. 636. A bill to amend the Internal Revenue Code of 1986 to extend the reporting period for certain statements sent to taxpayers; to the Committee on Finance.

Mr. SCHUMER. Mr. President, I rise today to introduce the "Reduce Wasteful Tax Forms Act of 2007." This bill extends the deadline from January 31 to February 15 for certain types of 1099 forms to be sent to taxpayers. 1099 forms are used to report non-wage income, such as income from dividends and capital gains. These forms are distributed by brokerage firms and financial institutions to their investors, who must report the information on their income tax returns.

Due to recent changes in tax laws that govern income from interest and dividends, there has been a significant increase in the number of inaccurate forms sent out by firms in order to meet the January 31 deadline. The problem is that much of the tax data for certain types of investment income cannot be calculated until after the first of the year, resulting in a compressed window for calculating data in compliance with the new laws and mailing the forms. Once accurate data becomes available, financial institutions must send taxpayers an amended form with the correct information.

These amended forms create confusion for taxpayers, and in some cases, those who receive an amended 1099 may have to re-file their taxes. If taxpayers underpaid in their initial return, they could face interest charges and penalties if they do not file again before the April 15 deadline. The January 31 deadline results in tons of wasted paper, confusion for taxpayers, and wasted expenses incurred in sending the amended forms.

This problem affects an increasing number of taxpayers. According to recent press reports in the Wall Street Journal and USA Today, prior to 2003, an average of 5 to 8 percent of 1099 forms required correcting. That number has since jumped to an average of 13 percent, translating into millions of amended 1099s being sent to taxpayers each year.

My legislation would extend the deadline for sending 1099 forms to taxpayers to February 15, by which time the vast majority of required data will be available to ensure the accuracy of the forms. The bill extends the deadline only for certain types of 1099 forms used to report investment income; it would not extend the deadline for 1099 forms sent to independent contractors or for statements that only report interest earned on bank deposits. Accordingly, this extension will not delay filing for the vast majority of taxpayers.

This year, the IRS granted several brokerage firms an extension to the January 31 deadline. However, this bill would provide a permanent extension for all firms and financial institutions to remove the uncertainty for taxpayers that arises due to this unnecessarily early deadline. My bill will help taxpayers by reducing confusion, the financial industry by cutting costs and waste, and the environment by eliminating millions of unnecessary mailings.

I hope that my colleagues will join me in supporting this legislation, and I look forward to working with other Finance Committee members to have it considered during the 110th Congress. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 636

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Reduce Wasteful Tax Forms Act of 2007".

SEC. 2. EXTENSION OF REPORTING PERIOD FOR CERTAIN STATEMENTS SENT TO TAXPAYERS.

(a) IN GENERAL.—The following provisions of the Internal Revenue Code of 1986 are each amended by striking "January 31" and inserting "February 15":

(1) Subsection (c) of section 6042 (returns regarding payments of dividends and corporate earnings and profits).

(2) Subsection (d) of section 6043A (returns relating to taxable mergers and acquisitions).

(3) Subsection (e) of section 6044 (returns regarding payments of patronage dividends).

(4) Subsection (b) of section 6045 (returns of brokers).

(5) Subsection (b) of section 6050N (returns regarding payments of royalties).

(b) STATEMENTS REGARDING CERTAIN RETURNS RELATING TO SECURITIES.—Section 6041(d) of the Internal Revenue Code of 1986 is amended by striking "January 31" and inserting "January 31 (February 15, in the case of statements regarding returns relating to payments made by financial institutions to customers in connection with securities (including securities lending))".

(c) STATEMENTS RELATING TO CERTAIN SUBSTITUTE PAYMENTS.—Section 6045(d) of the Internal Revenue Code of 1986 is amended—

(1) by striking "at such time and", and

(2) by inserting after "other item." the following new sentence: "The written statement required under the preceding sentence shall be furnished on or before February 15 of the year following the calendar year during which such payment was made.".

(d) STATEMENTS REGARDING CERTAIN REPORTS BY EMPLOYERS AND PLAN ADMINISTRATORS.—Section 6047(d)(2) of the Internal Revenue Code of 1986 is amended by inserting ", except that any report to any person other than the Secretary shall be furnished on or before February 15 of the year following the calendar year for which the report under paragraph (1) was required to be made" after "regulations".

(e) CERTAIN STATEMENTS RELATING TO INTEREST PAYMENTS.—Section 6049(c)(2)(A) of the Internal Revenue Code of 1986 is amended by striking "January 31" and inserting "February 15 (January 31, in the case of any statement regarding a return relating to payments of interest made by any obligor described in subparagraph (B) or (C) of subsection (b)(1), unless such statement is combined in a statement the due date for which is February 15)".

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to returns, reports, and other statements the due date for which (determined without regard to extensions) is after December 31, 2007.

By Mr. DURBIN (for himself, Mr. KERRY, and Mr. MENENDEZ):

S. 642. A bill to codify Executive Order 12898, relating to environmental justice, to require the Administrator of the Environmental Protection Agency to fully implement the recommendations of the Inspector General of the Agency and the Comptroller General of the United States, and for other purposes; to the Committee on Environment and Public Works.

Mr. DURBIN. Mr. President, today I introduce, with Senators KERRY and MENENDEZ, an environmental justice bill that will help protect the well-being of minority and low-income communities throughout the United States.

In 1994, President Clinton issued an Executive Order instructing Government agencies to develop strategies to identify and address environmental inequities that might be created through agency programs. The Executive Order recognized that low-income and minority communities often end up with more than their fair share of pollution, associated health risks and environmental degradation.

More advantaged communities—with strong advocates, more resources, and better access to information—are less likely to have landfills, petrochemical plants, or waste incinerators built in their neighborhoods.

Unfortunately, the U.S. Environmental Protection Agency has not honored the 1994 Executive Order and the goal of environmental justice has not been met. In a March 2004 report, the EPA Inspector General concluded that the agency "has not fully implemented Executive Order 12898 nor consistently integrated environmental justice into its day-to-day operations. EPA has not identified minority and low-income [populations] . . . and has neither defined nor developed criteria for determining [who is] disproportionately impacted. Moreover, in 2001, the Agency restated its commitment to environmental justice in a manner that does not emphasize minority and low-income populations, the intent of the Executive Order."

Today, with the introduction of the Environmental Justice Act of 2007, we ask Congress to codify the Executive Order. The legislation also directs the EPA to implement recommendations in this area from both the EPA Inspector General and the Government Accountability Office. The recommendations include creating offices to review programs and policies for environmental justice implications, training staff to address environmental justice concerns in the rule making process and specifically assessing the impacts of future regulation and enforcement on the communities most at risk to human and environmental health problems. Finally, the bill establishes reporting requirements for the implementation of the recommendations.

I am pleased that our legislation currently has the support of 18 organizations, including: Earthjustice; Lawyers' Committee for Civil Rights Under Law; Center for Health, Environment and Justice; Natural Resources Defense Council; Advocates for Environmental Human Rights and Labor Council for Latin American Advancement.

The bill we are introducing today is an important step toward shifting the balance of environmental hazards, so the burden is not shouldered unfairly by low-income and minority communities.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 642

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Environmental Justice Act of 2007".

SEC. 2. CODIFICATION OF EXECUTIVE ORDER 12898.

(a) IN GENERAL.—The President of the United States is authorized and directed to execute, administer and enforce as a matter of Federal law the provisions of Executive Order 12898, dated February 11, 1994, ("Federal Actions To Address Environmental Justice In Minority Populations and Low-Income Populations") with such modifications as are provided in this section.

(b) DEFINITION OF ENVIRONMENTAL JUSTICE.—For purposes of carrying out the provisions of Executive Order 12898, the following definitions shall apply:

(1) The term "environmental justice" means the fair treatment and meaningful involvement of all people regardless of race, color, national origin, educational level, or income with respect to the development, implementation, and enforcement of environmental laws and regulations in order to ensure that—

(A) minority and low-income communities have access to public information relating to human health and environmental planning, regulations and enforcement; and

(B) no minority or low-income population is forced to shoulder a disproportionate burden of the negative human health and environmental impacts of pollution or other environmental hazard.

(2) The term "fair treatment" means policies and practices that ensure that no group of people, including racial, ethnic, or socioeconomic groups bear disproportionately high and adverse human health or environmental effects resulting from Federal agency programs, policies, and activities.

(c) JUDICIAL REVIEW AND RIGHTS OF ACTION.—The provisions of section 6-609 of Executive Order 12898 shall not apply for purposes of this Act.

SEC. 3. IMPLEMENTATION OF RECOMMENDATIONS BY ENVIRONMENTAL PROTECTION AGENCY.

(a) INSPECTOR GENERAL RECOMMENDATIONS.—The Administrator of the Environmental Protection Agency shall, as promptly as practicable, carry out each of the following recommendations of the Inspector General of the agency as set forth in report # 2006-P-00034 entitled "EPA needs to conduct environmental justice reviews of its programs, policies and activities":

(1) The recommendation that the agency's program and regional offices identify which programs, policies, and activities need environmental justice reviews and require these offices to establish a plan to complete the necessary reviews.

(2) The recommendation that the Administrator of the agency ensure that these reviews determine whether the programs, policies, and activities may have a disproportionately high and adverse health or environmental impact on minority and low-income populations.

(3) The recommendation that each program and regional office develop specific environmental justice review guidance for conducting environmental justice reviews.

(4) The recommendation that the Administrator designate a responsible office to compile results of environmental justice reviews and recommend appropriate actions.

(b) GAO RECOMMENDATIONS.—In developing rules under laws administered by the Environmental Protection Agency, the Administrator of the Agency shall, as promptly as practicable, carry out each of the following recommendations of the Comptroller General of the United States as set forth in GAO Report numbered GAO-05-289 entitled "EPA Should Devote More Attention to Environmental Justice when Developing Clean Air Rules":

(1) The recommendation that the Administrator ensure that workgroups involved in developing a rule devote attention to environmental justice while drafting and finalizing the rule.

(2) The recommendation that the Administrator enhance the ability of such workgroups to identify potential environmental justice issues through such steps as providing workgroup members with guidance and training to helping them identify potential environmental justice problems and involving environmental justice coordinators in the workgroups when appropriate.

(3) The recommendation that the Administrator improve assessments of potential environmental justice impacts in economic reviews by identifying the data and developing the modeling techniques needed to assess such impacts.

(4) The recommendation that the Administrator direct appropriate agency officers and employees to respond fully when feasible to public comments on environmental justice, including improving the agency's explanation of the basis for its conclusions, together with supporting data.

(c) 2004 INSPECTOR GENERAL REPORT.—The Administrator of the Environmental Protection Agency shall, as promptly as practicable, carry out each of the following recommendations of the Inspector General of the agency as set forth in the report entitled "EPA Needs to Consistently Implement the Intent of the Executive Order on Environmental Justice" (Report No. 2004-P-00007):

(1) The recommendation that the agency clearly define the mission of the Office of Environmental Justice (OEJ) and provide agency staff with an understanding of the roles and responsibilities of the office.

(2) The recommendation that the agency establish (through issuing guidance or a policy statement from the Administrator) specific time frames for the development of definitions, goals, and measurements regarding environmental justice and provide the regions and program offices a standard and consistent definition for a minority and low-income community, with instructions on how the agency will implement and operationalize environmental justice into the agency's daily activities.

(3) The recommendation that the agency ensure the comprehensive training program currently under development includes standard and consistent definitions of the key environmental justice concepts (such as "low-income", "minority", and "disproportionately impacted") and instructions for implementation of those concepts.

(d) REPORT.—The Administrator shall submit an initial report to Congress within 6 months after the enactment of this Act regarding the Administrator's strategy for implementing the recommendations referred to in subsections (a), (b), and (c). Thereafter, the Administrator shall provide semi-annual reports to Congress regarding his progress in implementing such recommendations as well as his progress on modifying the Administrator's emergency management procedures to incorporate environmental justice in the agency's Incident Command Structure (in accordance with the December 18, 2006, letter from the Deputy Administrator to the Acting Inspector General of the agency).

By Mr. AKAKA:

S. 643. A bill to amend section 1922A of title 38, United States Code, to increase the amount of supplemental insurance available for totally disabled veterans; to the Committee on Veterans' Affairs.

Mr. AKAKA. Mr. President, today I introduce the Disabled Veterans Insurance Improvement Act of 2007. The legislation would increase the amount of supplemental life insurance available to totally disabled veterans from $20,000 to $40,000. Many totally disabled veterans find it difficult to obtain commercial life insurance. These are the veterans we are trying to help with this legislation by providing them with a reasonable amount of life insurance coverage.

VA's Service-Disabled Veterans' Insurance, commonly known as S-DVI, was established during the Korean War to provide life insurance for veterans with service-connected disabilities. This $10,000 benefit has never been increased.

In comparison, the Servicemembers' Group Life Insurance and Veterans' Group Life Insurance benefits, which were $10,000 and $20,000 respectively at their inception, have been increased over time to $400,000. The most recent increases to these programs have been in response to public sentiment and the determination by Congress that the amount provided to the beneficiaries of servicemembers who die while fighting in Operations Enduring Freedom and Iraqi Freedom is insufficient.

In 1992, Congress increased the amount of life insurance available to S-DVI policyholders by offering $20,000 worth of supplemental coverage to those who are considered totally disabled. Forty percent of the veterans enrolled in the S-DVI program are considered totally disabled and are eligible for a premium waiver for their basic coverage. In fiscal year 2006, thirty-two percent of veterans granted new policy waivers also opted to pay for this supplemental coverage. Even with $30,000 in coverage, the amount of life insurance available to disabled veterans falls well short of the death benefits available to servicemembers and veterans enrolled in the Servicemembers' Group Life Insurance and Veterans' Group Life Insurance programs.

The 2001 Congressionally mandated study entitled Program Evaluation of Benefits for Survivors of Veterans with Service-Connected Disabilities found the lowest area of veteran satisfaction to be the maximum amount of coverage that veterans were authorized to purchase. My bill would allow totally disabled veterans to purchase an additional $20,000 in insurance coverage.

I ask my colleagues to support the Disabled Veterans Insurance Improvement Act of 2007. This is a modest and affordable way of increasing the life insurance coverage for those veterans with the greatest need. I realize that there are paygo implications associated with this legislation and I am actively looking for ways to pay for this bill.

I request unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 643

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Disabled Veterans Insurance Act of 2007".

SEC. 2. SUPPLEMENTAL INSURANCE FOR TOTALLY DISABLED VETERANS.

Section 1922A(a) of title 38, United States Code, is amended by striking "$20,000" and inserting "$40,000".

By Mr. COLEMAN:

S. 646: A bill to increase the nursing workforce; to the Committee on the Judiciary.

Mr. COLEMAN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 646

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Rural Nursing Promotion Act".

SEC. 2. ESTABLISHMENT OF A NURSE DISTANCE EDUCATION PILOT PROGRAM.

(a) IN GENERAL.—The Secretary of Health and Human Services, in conjunction with the Secretary of Education, shall establish a Nurse Distance Education Pilot Program through which grants may be awarded for the conduct of activities to increase accessibility to nursing education.

(b) PURPOSE.—The purpose of the Nurse Distance Education Pilot Program established under subsection (a) shall be to increase accessibility to nursing education to—

(1) provide assistance to individuals in rural areas who want to study nursing to enable such individuals to receive appropriate nursing education;

(2) promote the study of nursing at all educational levels;

(3) establish additional slots for nursing students at existing nursing education programs; and

(4) establish new nursing education programs at institutions of higher education.

(c) APPLICATION.—To be eligible to receive a grant under the Pilot Program under subsection (a), an entity shall submit to the Secretary of Health and Human Services an application at such time, in such manner, and containing such information as the Secretary may require.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated, such sums as may be necessary to carry out this section.

SEC. 3. INCREASING THE DOMESTIC SUPPLY OF NURSES AND PHYSICAL THERAPISTS.

(a) Not later than January 1, 2008, the Secretary of Health and Human Services, in conjunction with the Secretary of Education, shall—

(1) submit to Congress a report concerning the source of newly licensed nurses and physical therapists in each State, that shall include—

(A) for the most recent 3-year period for which data is available—

(i) separate data relating to teachers at institutions of higher education for each related occupation who have been teaching for not more than 5 years; and

(ii) separate data relating to all teachers at institutions of higher education for each related occupation regardless of length of service;

(B) for the most recent 3-year period for which data is available, separate data for each related occupation and for each State;

(C) a description of the barriers to increasing the supply of nursing faculty, domestically trained nurses, and domestically trained physical therapists;

(D) separately identify those individuals receiving their initial nursing license and those individuals licensed by endorsement from another State;

(E) with respect to those individuals receiving their initial nursing license in each year, a description of the number of individuals who received their professional education in the United States and the number of individuals who received such education outside the United States;

(F) to the extent practicable, a description, by State of residence and country of education, of the number of nurses and physical therapists who were educated in any of the 5 countries (other than the United States) from which the most nurses and physical therapists arrived;

(G) recommendations of strategies to be utilized by Federal and State governments that would be effective in removing the barriers described in subparagraph (C), including strategies that address barriers to advancement to become registered nurses for other health care workers, such as home health aides and nurses assistants;

(H) recommendations for amendments to Federal laws that would increase the supply of nursing faculty, domestically trained nurses, and domestically trained physical therapists;

(I) recommendations for Federal grants, loans, and other incentives that would provide increases in nurse educators and nurse training facilities, and other measures to increase the domestic education of new nurses and physical therapists;

(J) identify the effects of nurse emigration on the health care systems in their countries of origin; and

(K) recommendation for amendments to Federal law that would minimize the effects of health care shortages in the countries of origin from which immigrant nurses arrived;

(2) enter into a contract with the Institute of Medicine of the National Academy of

Sciences for the conduct of a study, and submission of a report, to determine the level of Federal investment under titles VII and VIII of the Public Health Service Act (42 U.S.C. 292 and 296 et seq.) that is necessary to eliminate the domestic nursing and physical therapist shortage by the date that is not later than 7 years after the date on which the report is submitted; and

(3) collaborate with the heads of other Federal agencies, as appropriate, in working with ministers of health or other appropriate officials of the 5 countries from which the most nurses and physical therapists arrived into the United States, to—

(A) address health worker shortages caused by emigration; and

(B) ensure that there is sufficient human resource planning or other technical assistance needed to reduce further health worker shortages in such countries.

SEC. 4. SHORTAGE OCCUPATIONS.

(a) EXCEPTION TO DIRECT NUMERICAL LIMITATIONS.—Section 201(b)(1) of the Immigration and Nationality Act (8 U.S.C. 1151(b)(1)) is amended by adding at the end the following new subparagraph:

"(F)(i) During the period beginning on the date of the enactment of the Rural Nursing Promotion Act and ending on September 30, 2017, an alien—

"(I) who is described in section 203(b); and

"(II) who is seeking admission to the United States to perform labor in shortage occupations designated by the Secretary of Labor for certification under section 212(a)(5)(A) due to the lack of sufficient United States workers able, willing, qualified, and available for such occupations and for which the employment of aliens will not adversely affect the terms and conditions of similarly employed United States workers.

"(ii) During the period described in clause (i), the spouse or dependent of an alien described in clause (i), if accompanying or following to join such alien.".

(b) EXCEPTION TO NONDISCRIMINATION REQUIREMENTS.—Section 202(a)(1)(A) of the Immigration and Nationality Act (8 U.S.C. 1152(a)(1)(A)) is amended by striking "201(b)(2)(A)(i)" and inserting "201(b)".

(c) EXCEPTION TO PER COUNTRY LEVELS FOR FAMILY-SPONSORED AND EMPLOYMENT-BASED IMMIGRANTS.—Section 202(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1152(a)(2)), is amended by inserting ", except for aliens described in section 201(b)," after "any fiscal year".

(d) PROCEDURE FOR GRANTING IMMIGRANT STATUS.—Section 204 of the Immigration and Nationality Act (8 U.S.C. 1154) is amended by adding at the end the following new subsection:

"(l) The Secretary of Homeland Security shall provide a process for reviewing and making a determination upon a petition filed with respect to an alien described in section 201(b)(1)(F) not later than 30 days after the date a completed petition has been filed for such alien.".

By Mr. WYDEN (for himself and Mr. SMITH):

S. 647. A bill to designate certain land in the State of Oregon as wilderness, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. WYDEN. Mr. President, it has been more than 200 years since Lewis and Clark first laid eyes on Mount Hood. Today, I propose, with Senator SMITH, that the spectacular mountain, seen first by our pioneers, should be preserved for all time.

The Lewis and Clark Mount Hood Wilderness Act of 2007, which we introduce today, is similar to the bill Senator SMITH and I introduced in the last Congress. It does include several improvements that came about from comments and constructive suggestions from a variety of groups at home in Oregon.

The legislation also includes input from the Energy and Natural Resources Committee. We appreciate their input and believe their views can help speed the bill's passage.

In tribute to the great river-dependent journey of Lewis and Clark, our legislation adds nine free-flowing stretches of rivers to the National Wild and Scenic River System. This reflects the views of Oregonians, but, frankly, I hear it from folks in the Midwest, where the Presiding Officer lives, and from people from every nook and cranny in this country who have all come to treasure our spectacular mountain.

This legislation contains a number of provisions of the original Mount Hood legislation I introduced in 2004. The bill protects the lower elevation forests surrounding Mount Hood and the Columbia River Gorge as Lewis and Clark saw them. These forests embody the natural beauty of our home State. They provide the clean water necessary for the survival of threatened steelhead, Coho, and Chinook salmon. They provide critical habitat and diverse ecosystems for elk, deer, lynx, and the majestic bald eagle. These are the forests that provide unparalleled recreational opportunities for Oregonians and the scores and scores of visitors we get from Minnesota and every other part of the country as well.

But the legislation I offer today with Senator SMITH differs from the bill I introduced several years ago because it responds to the many comments we have heard. We have received thousands of comments on our proposed legislation. Some comments came as a result of the general public meetings I held at home in Oregon. Many of the meetings lasted over 3 hours. Everybody who wanted to speak was given the opportunity to do so. Other comments came from the second Mount Hood summit that was held at Timberline Lodge, hosted by Congressmen WALDEN and BLUMENAUER. My staff and I met with over 100 community groups and local governments, the members of the Oregon congressional delegation, the Governor, and the Bush administration. More comments came from calls and letters from Oregonians who are saying that now, now, now is the time to preserve Mount Hood.

Overwhelmingly, these comments have urged that we build on Oregon's wilderness system. This goal is as important today as it was in 1804, when Lewis and Clark first viewed Mount Hood; in 1964, when the Wilderness Act was passed; or in 1984, when wilderness protections were last designated on Mount Hood. It is time to plan now to protect this treasure for future generations.

The Mount Hood National Forest is the seventh most visited national forest in our country. In the 22 years that have elapsed since any new wilderness has been designated on Mount Hood, the population in the local counties has increased significantly—25 percent in Multnomah County, 24 percent in Hood River County, and 28 percent in Clackamas County.

The predominant public use of this urban forest is nonmechanized activities such as hiking, camping, and fishing. With increasing emphasis on wild scenery, unspoiled wildlife habitats, free-flowing rivers, wilderness, and the need for opportunities for diverse outdoor recreation, sometimes it seems we are in jeopardy of loving our wild places to death. We all see Americans coming together to make sure the most special places are protected for future generations.

A few years ago, the Forest Service made a proposal to limit the number of people who could hike on the south side of Mount Hood. Suffice it to say, the public outcry in opposition was enormous. It seems to me, rather than tell people they are going to be restricted from using our public lands, part of the solution for Mount Hood lies in providing more opportunities for them to enjoy the mountain's great places. We ought to ensure that the Mount Hood National Forest can meet the increased demand for outdoor experiences, and the legislation I offer today with Senator SMITH provides these opportunities. Hundreds of people spoke at the public meetings I held throughout the State. I have received 2,500 written comments urging additional wilderness on Mount Hood. There are a few key areas the citizens continually come back and refer to:

First, by astonishing numbers, they want to see additional wilderness on Mount Hood. A large number of Oregonians didn't think enough wilderness had been included, for example, in the legislation that was considered by the other body.

A second area is mountain biking. Some mountain bikers expressed concern that their recreation opportunities not be unfairly curtailed. Senator SMITH and I had many discussions with them to ensure that would not be the case.

Third, fire protection and forest health was something referred to by many Oregonians. Citizens were concerned about the health of the forest. Those living in towns on the mountain and the gorge were concerned about fire protection in their communities, and we sought to address those issues as well.

An additional concern was developed recreation, with some citizens worried about maintaining a role for developed recreation, such as skiing, on Mount Hood.

In each of these areas, Senator SMITH and I tried to follow up and be responsive to what citizens at home were saying.

With respect to additional wilderness, there are currently 189,200 acres of designated wilderness in the Mount Hood National Forest. This bill increases wilderness on Mount Hood by designating approximately 128,000 acres of new wilderness.

The bill adds the areas surrounding the oldest Mount Hood wilderness—the mountain itself—which was designated in the original Wilderness Act of 1964. These additions include cathedral old growth forests, special trails, lava beds that were created during the Mount Hood eruptions, and much of the legendary route that Oregon's pioneers used when they came to our great State.

To the north and west of the mountain, we add the viewshed of the Columbia Gorge to the current Mark O. Hatfield Wilderness. These areas encompass the spectacular ridges that frame the gorge that we marvel at from I–84 and include perhaps the greatest concentration of waterfalls in all of North America.

To the southwest of the mountain, we add lands to the current Salmon Huckleberry Wilderness to conserve their diverse wildlife and protect unique recreational areas such as those around the extremely popular Mirror Lake. These lands include Alder Creek, the source of drinking water for the city of Sandy, and that city unanimously endorsed the draft proposal.

Over to the east are proposed additions to the Badger Creek Wilderness area. These areas provide a critical link between westside forests and eastside ecosystems. This area is known for its spectacular colors in the fall and the best deer and elk hunting in our entire Mount Hood National Forest.

Among the areas we are protecting is the newly designated Richard L. Kohnstamm Memorial area. It is dedicated in honor of Mr. Kohnstamm who restored the historic Timberline Lodge built originally by the Works Progress Administration in 1937. Our new 2007 bill adds 2,730 acres of Marion County lands in the Bull of the Woods Wilderness Additions, while removing lands where users identified potential conflicts.

Second, in the area of wild and scenic rivers, we protect over 79 miles of wild and scenic rivers on nine free-flowing rivers. This protects some of the most pristine rivers in our State. Among those proposed rivers are the picturesque waterfalls and glacial outwash of the East Fork of the Hood River, and the ancestral hunting and fishing grounds of Fish Creek. Over 17 miles of extraordinary salmon and steelhead habitat on the Collowash River have also been added for protection under our legislation.

Mountain biking is an area where there has been a lot of debate. We believed the local riders raised valid concerns, and we took two steps. First, we proposed the Mount Hood National Recreation Area. This area was so popular in our last bill that Senator SMITH and I decided to greatly expand it to include 34,640 acres, an increase of over 16,000 additional acres. It is going to offer permanent environmental protection to those beautiful areas, while providing mountain bikers, recreational users, and others an opportunity to enjoy recreation on the mountain.

Additionally, I made boundary adjustments to ensure that all open mountain biking trails were not included in this proposed legislation.

With respect to fire protection and forest health, we tried to make clear that where there are healthy, older trees, they should not be harvested on Mount Hood or in the gorge. Older healthy stands are most resistant to fire and disease. However, there is an enormous backlog of overcrowded plantation, second growth that really ought to be thinned. The legislation includes provisions that would give the Forest Service a mandate to prepare an assessment for promoting forests resilient to fire, insects, and disease. This also includes provisions to study and encourage the development of biomass in conjunction with forest health work.

We happen to think that biomass is one of the most exciting new fields for Oregonians to get into. The opportunity to generate clean energy, help small rural communities, create family wage jobs, is something that we should not miss out on. This legislation tries to tap the potential for progress in the biomass field as well.

Finally, we add fire-safe community zones so that the Secretary of Agriculture will construct a system of fire-safe buffer zones around the communities of Cascade Locks and Government Camp.

With respect to developed recreation, we wanted to facilitate recreational opportunities in this area and thus adopted a provision that came from the other body known as "fee retention" that would establish a special account for the Mount Hood National Forest.

In addition, in order to help address growth while ensuring access to recreational opportunities, we have adopted provisions originally coming, again, from language from the other body directing the Secretary of Agriculture and the State of Oregon to develop an integrated transportation plan for the Mount Hood region.

I commend particularly my colleague in the other body, Congressman BLUMENAUER, one of the real pioneers in thinking about transportation.

Finally, with respect to key relationships with our tribes and our local governmental bodies, we have incorporated provisions on local and tribal relationships, emphasizing the rich history of the Mount Hood area and affirming the rights of Native peoples to access the mountains as they have for generations.

The protections of these important Oregon places is going to depend on the hard work and dedication of all Oregonians. I am very pleased—I am summing up, and the Senate has been patient in giving me this extra time—to say that this has been a bipartisan effort by the Oregon congressional delegation. Senator SMITH joins me in introducing this legislation. We believe this brings together our county commissioners, entrepreneurs, environmentalists, Chamber of Commerce, State-elected officials, the Governor. All of those who feel so strongly about protecting Mount Hood rolled up their sleeves, went to work, and joined myself and Senator SMITH to try to find common ground to make sure that Mount Hood would be protected for all time.

We are looking forward to perfecting the legislation together in the coming weeks and looking forward to seeing a swift adoption by Congress.

The grandeur of Mount Hood and our special treasures is pretty much in the chromosomes of Oregonians. Protecting our treasures is something about which we feel so strongly. Today is a special day for us because, once again, the citizens of our State have come together and have worked with myself and Senator SMITH to take action to protect our treasures.

Mr. President, Oregon's Mount Hood is a cherished State treasure. This wild place is often photographed, visited and enjoyed by scores of Oregonians and non-Oregonians. Today, I am introducing, along with my colleague Senator SMITH, a bi-partisan Oregon Wilderness bill: the "Lewis and Clark Mount Hood Wilderness Act of 2007." This bill is similar to the one Senator SMITH and I introduced in the last Congress, but it includes several improvements that resulted from comments received from stakeholders. The bill also includes input from the Energy and Natural Resources Committee, which we hope will help speed the bill's passage. In tribute to the great river-dependent journey of Lewis and Clark, our legislation adds nine free-flowing stretches of rivers to the National Wild and Scenic River System. This reflects the Oregonian wish to protect but also actively experience our State's treasures.

This bill contains many elements of the Mount Hood bill I introduced in 2004, while also incorporating many new provisions to protect and improve the Mount Hood region. This bill protects the lower elevation forests surrounding Mount Hood and the Columbia River Gorge as Lewis and Clark saw them. These forests embody the natural beauty of Oregon. They provide the clean water necessary for the survival of threatened steelhead, Coho and Chinook salmon. These forests provide critical habitat and diverse ecosystems for elk, deer, lynx and the majestic bald eagle. And these are the forests that provide unparalleled recreational opportunities for Oregonians and our visitors.

But the bill I introduce today differs from the bill I introduced 2 years ago because it responds to the many comments I heard in the ensuing years. I received thousands of comments on proposed Mount Hood legislation. Some comments came as a result of the general public meetings I held in Oregon. Many of the meetings lasted over 3 hours, and everyone who wanted to speak was given an opportunity to do so. Other comments came from the second Mount Hood Summit held at Timberline Lodge hosted by Representatives WALDEN and BLUMENAUER. I and my staff met with over 100 community groups and local governments, the members of the Oregon congressional delegation, the Governor, and the Bush administration. And still more comments came from letters and phone calls from Oregonians.

Overwhelmingly, these comments urged me to protect and build on Oregon's Wilderness system. This goal is as important today as it was in 1804, when Lewis and Clark first viewed Mount Hood, 1964, when the Wilderness Act was passed, or 1984, when wilderness protections were last designated on Mount Hood—if not more so. To succeed, we must provide the tools that help us create a planned future on Mount Hood. This bill does both.

The Mount Hood National Forest is the seventh most visited National Forest in the United States. In the 22 years that have elapsed since any new wilderness has been designated in the Mount Hood area, the population in local counties has increased significantly—25 percent in Multnomah County, 24 percent in Hood River County, and 28 percent in Clackamas County.

The predominant public use of this urban forest is non-mechanized activity like hiking, camping, and fishing. With increasing emphasis on wild scenery, unspoiled wildlife habitats, free flowing rivers, wilderness and the need for opportunities for diverse outdoor recreation, sometimes it seems we are in jeopardy of "loving our wild places to death."

A few years ago, the Forest Service made a proposal to limit the number of people that could hike the south side of Mount Hood and the public outcry was enormous. Seems to me, rather than tell people that they are going to be restricted from using our public lands, part of the solution for the future of the Mountain lies in providing more opportunities for them to enjoy the Mountain's great places. We should ensure the Mount Hood National Forest can meet the increased use and demand for outdoor experiences—my bill will provide those opportunities.

Of the hundreds of people who attended the meetings I held throughout the State of Oregon, the vast majority spoke in favor of more wilderness. Additionally, I have received more than 2,500 written comments supporting additional wilderness for Mount Hood.

This is what I have heard: First and foremost, I heard that Oregonians in astonishing numbers support protecting Mount Hood and the Columbia River Gorge with additional wilderness. A large number of Oregonians didn't think that enough wilderness areas had been included in the House proposal.

Some mountain bikers expressed concerns that their recreation opportunities not be unfairly curtailed.

Some people were worried about forest health, and those living in towns on the mountain and in the gorge were concerned about fire protection for their communities.

Some people were worried about maintaining a role for developed recreation, like skiing, on Mt. Hood.

This is what my bill does to address those concerns: There are currently 189,200 acres of designated wilderness in the Mount Hood National Forest. This bill increases wilderness on Mount Hood by designating approximately 128,600 new acres of wilderness.

This bill adds the areas surrounding the oldest Mt. Hood Wilderness—the mountain itself—which was designated in the original Wilderness Act of 1964. These additions include cathedral old growth forests, the historic Tilly Jane trail, lava beds that were created during the Mt. Hood eruptions, and much of the legendary route that Oregon's pioneers used when they were settling our great State. To the north and west of the mountain, I would add the viewshed of the Columbia Gorge to the current Mark O. Hatfield wilderness. These areas encompass the spectacular ridges framing the Gorge that we all marvel at from 1–84 and include perhaps the greatest concentration of waterfalls in North America. To the southwest of the mountain I add lands to the current Salmon Huckleberry Wilderness to conserve their diverse wildlife and protect unique recreational areas like those around popular Mirror Lake. These lands include Alder Creek, the source of drinking water for the City of Sandy, which unanimously endorsed the draft proposal. Over to the east are proposed additions to the Badger Creek Wilderness. These areas provide a critical link between Westside forests and Eastside ecosystems. This area is known for beautiful fall color and the best deer and elk hunting in the entire Mount Hood National Forest. Among the areas we are protecting is the newly designated Richard L. Kohnstamm Memorial Area. It is dedicated in honor of Mr. Kohnstamm who restored the historic Timberline Lodge—built originally by the Works Progress Administration in 1937—to its former grandeur. Our new 2007 bill adds 2730 acres of Marion County lands in the Bull of the Woods Wilderness Additions, while removing lands where users identified potential conflicts.

My proposal seeks to protect over 79.6 miles of wild and scenic rivers on nine free flowing rivers. This includes some of the most pristine and beautiful rivers in Oregon. Among those proposed rivers are the picturesque waterfalls and glacial outwash of the East Fork of the Hood River, and the ancestral hunting and fishing grounds of Fish Creek. Over 17 miles of superb salmon and steelhead habitat on the Collowash River have also been proposed for protection.

I believe that local riders raised some valid concerns, so I did two things. I have proposed Mount Hood National Recreation Area. This area was so popular in our last bill that Senator SMITH and I decided to greatly expand it to include 34,640 acres—an increase of over 16,700 acres. It will offer greater, permanent environmental protections to those beautiful areas, while providing mountain bikers and other recreational users an opportunity to continue to recreate in these areas. Additionally, I made boundary adjustments to ensure all open mountain biking trails were not included in my proposed wilderness.

I protect wilderness, where there are healthy, older trees that should never be harvested on Mount Hood or in the Gorge. Older, healthy stands are the most resistant to fire and disease. However, there is an enormous backlog of over-crowded, plantation, second-growth that should be thinned. My bill includes provisions that would give the Forest Service a mandate to prepare an assessment for promoting forests resilient to fire, insects and disease. This also includes provisions to study and encourage the development of biomass in conjunction with forest health work. In addition, I added fire safe community zones so that the Secretary will construct a system of fire safe buffer zones around the communities of Cascade Locks and Government Camp.

In order to facilitate developed recreation opportunities, I have adopted the House provisions establishing a "fee-retention" provision that will establish an account for the Mount Hood National Forest. In addition, in order to help address growth while ensuring access to recreational opportunities, I have adopted provisions, originally coming from the language passed in the House last Congress, directing the Secretary and the State of Oregon to develop an integrated transportation plan for the Mount Hood region.

I have also incorporated provisions on local and tribal relationships emphasizing the rich history of the Mount Hood region and affirming the rights of Native peoples to access the mountain's resources, as they have for generations.

The protection of these important Oregon places will depend on the hard work and dedication of all Oregonians and particularly that of my Oregon colleagues here in the Congress. I am especially pleased that Senator SMITH has joined me in developing this bipartisan legislation and putting forth our proposal for wilderness. I am hopeful everyone will pull together: county Commissioners, environmentalists, entrepreneurs, chambers of commerce, State elected officials, the Governor, and the Oregon delegation here in the Capitol. I look forward to perfecting legislation together in the coming weeks, and seeing its swift adoption by Congress thereafter. Then the grandeur of Mount Hood and other Oregon treasures can be assured for future generations.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the Record, as follows:

S. 647

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Lewis and Clark Mount Hood Wilderness Act of 2007".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.

TITLE I—DESIGNATION OF WILDERNESS AREAS

Sec. 101. Designation of Lewis and Clark Mount Hood wilderness areas.
Sec. 102. Richard L. Kohnstamm Memorial Area.
Sec. 103. Map and legal descriptions.
Sec. 104. Administration.
Sec. 105. Buffer zones.
Sec. 106. Fire safe community zones.
Sec. 107. Fish and wildlife; hunting and fishing.
Sec. 108. Fire, insects, and diseases.
Sec. 109. Land reclassification.
Sec. 110. Valid existing rights and withdrawal.
Sec. 111. Maintenance and replacement of foot bridges in wilderness areas.

TITLE II—DESIGNATION OF STREAMS FOR WILD AND SCENIC RIVER PROTECTION IN THE MOUNT HOOD AREA

Sec. 201. Purpose.
Sec. 202. Wild and Scenic River designations, Mount Hood National Forest.
Sec. 203. Impact on water rights and flow requirements.
Sec. 204. Culvert replacement.
Sec. 205. Protection for Hood River, Oregon.

TITLE III—MOUNT HOOD NATIONAL RECREATION AREA

Sec. 301. Designation.

TITLE IV—TRANSPORTATION AND COMMUNICATION SYSTEMS

Sec. 401. Definition of Mount Hood region.
Sec. 402. Transportation plan.
Sec. 403. Study relating to gondola connection and intermodal transportation center.
Sec. 404. Burial of power lines.
Sec. 405. Clarification of treatment of State highways.

TITLE V—LAND EXCHANGE

Subtitle A—Cooper Spur-Government Camp Land Exchange

Sec. 501. Purposes.
Sec. 502. Definitions.
Sec. 503. Cooper Spur-Government Camp land exchange.
Sec. 504. Concessionaires at the Inn at Cooper Spur and the Cooper Spur Ski Area.

Subtitle B—Port of Cascade Locks Land Exchange

Sec. 511. Definitions.
Sec. 512. Land exchange, Port of Cascade Locks-Pacific Crest National Scenic Trail.

Subtitle C—Hunchback Mountain Land Exchange and Boundary Adjustment

Sec. 521. Definitions.
Sec. 522. Hunchback Mountain land exchange, Clackamas County.
Sec. 523. Boundary adjustment.

TITLE VI—MOUNT HOOD NATIONAL FOREST AND WATERSHED STEWARDSHIP

Sec. 601. Findings and purpose.
Sec. 602. Forest stewardship assessment.
Sec. 603. Sustainable biomass utilization study.
Sec. 604. Watershed management memoranda of understanding.
Sec. 605. Termination of authority.

TITLE VII—CRYSTAL SPRINGS WATERSHED SPECIAL RESOURCES MANAGEMENT UNIT

Sec. 701. Findings and purpose.
Sec. 702. Establishment of Crystal Springs Watershed Special Resources Management Unit.
Sec. 703. Administration of Management Unit.
Sec. 704. Acquisition of lands.
Sec. 705. Effective date.

TITLE VIII—LOCAL AND TRIBAL RELATIONSHIPS

Sec. 801. Findings and purpose.
Sec. 802. First foods gathering areas.
Sec. 803. Forest Service coordination with State and local governments.
Sec. 804. Savings provisions regarding relations with Indian tribes.
Sec. 805. Improved natural disaster preparedness.

TITLE IX—RECREATION

Sec. 901. Findings and purpose.
Sec. 902. Retention of Mount Hood National Forest land use fees from special use authorizations.
Sec. 903. Use of funds in special account to support recreation.
Sec. 904. Annual reporting requirement.
Sec. 905. Mount Hood National Forest Recreational Working Group.
Sec. 906. Consideration of conversion of forest roads to recreational uses.
Sec. 907. Improved trail access for persons with disabilities.

TITLE X—AUTHORIZATION OF APPROPRIATIONS

Sec. 1001. Authorization of appropriations.

SEC. 2. DEFINITIONS.

In this Act:

(1) INDIAN TRIBE.—The term "Indian tribe" has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(2) MOUNTAIN BIKE.—The term "mountain bike" does not include a motorized vehicle..

(3) SECRETARY.—The term "Secretary" means—

(A) when used in reference to Forest Service land, the Secretary of Agriculture; and

(B) when used in reference to Bureau of Land Management land, the Secretary of the Interior.

(4) STATE.—The term "State" means the State of Oregon.

TITLE I—DESIGNATION OF WILDERNESS AREAS

SEC. 101. DESIGNATION OF LEWIS AND CLARK MOUNT HOOD WILDERNESS AREAS.

In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:

(1) BADGER CREEK WILDERNESS ADDITIONS.—Certain Federal land managed by the Forest Service, comprising approximately 4,139 acres, as generally depicted on the maps entitled "Badger Creek" and "Bonney Butte", dated February 2007, which are incorporated in, and considered to be a part of, the Badger Creek Wilderness, as designated by section 3(3) of the Oregon Wilderness Act of 1984 (16 U.S.C. 1132 note; 98 Stat. 273).

(2) BULL OF THE WOODS WILDERNESS ADDITION.—Certain Federal land managed by the Forest Service, comprising approximately 9,814 acres, as generally depicted on the map entitled "Bull of the Woods", dated February 2007, which is incorporated in, and considered to be a part of, the Bull of the Woods Wilderness, as designated by section 3(4) of the Oregon Wilderness Act of 1984 (16 U.S.C. 1132 note; 98 Stat. 273).

(3) CLACKAMAS WILDERNESS.—Certain Federal land managed by the Forest Service and Bureau of Land Management, comprising approximately 11,532 acres, as generally depicted on the maps entitled "Clackamas Canyon", "Big Bottom", "Memaloose Lake", "South Fork Clackamas", "Sisi Butte", and "Upper Big Bottom", dated February 2007, which shall be known as the "Clackamas Wilderness".

(4) MARK O. HATFIELD WILDERNESS ADDITIONS.—Certain Federal land managed by the Forest Service, comprising approximately 25,807 acres, as generally depicted on the maps entitled "Gorge Face" and "Larch Mountain", dated February 2007, which shall be known as the "Mark O. Hatfield Wilderness Additions".

(5) MOUNT HOOD WILDERNESS ADDITIONS.—Certain Federal land managed by the Forest Service, comprising approximately 20,230 acres, as generally depicted on the maps entitled "Elk Cove/Mazama", "Sandy Additions", "Tilly Jane", "Sand Canyon", "Twin Lakes", "Barlow Butte", "White River", and "Richard L. Kohnstamm Memorial Area", dated February 2007, which are incorporated in, and considered to be a part of, the Mount Hood Wilderness as designated under section 3(a) of the Wilderness Act (16 U.S.C. 1132(a)), and enlarged by section 3(d) of the Endangered American Wilderness Act of 1978 (16 U.S.C. 1132 note; 92 Stat. 43).

(6) ROARING RIVER WILDERNESS.—Certain Federal land managed by the Forest Service,

comprising approximately 37,590 acres, as generally depicted on the map entitled "Roaring River Wilderness", dated February 2007, which shall be known as the "Roaring River Wilderness".

(7) Salmon-Huckleberry wilderness additions.—Certain Federal land managed by the Forest Service, comprising approximately 16,704 acres, as generally depicted on the maps entitled "Alder Creek Addition", "Eagle Creek Addition", "Mirror Lake", "Inch Creek", "Salmon River Meadows", and "Hunchback Mountain", dated February 2007, which are incorporated in, and considered to be a part of, the Salmon-Huckleberry Wilderness, as designated by section 3(2) of the Oregon Wilderness Act of 1984 (16 U.S.C. 1132 note; 98 Stat. 273).

(8) Lower white river wilderness.—Certain Federal land managed by the Forest Service and Bureau of Land Management, comprising approximately 2,844 acres, as generally depicted on the map entitled "Lower White River", dated February 2007, which shall be known as the "Lower White River Wilderness".

SEC. 102. RICHARD L. KOHNSTAMM MEMORIAL AREA.

(a) Designation.—Certain Federal land managed by the Forest Service, as generally depicted on the map entitled "Richard L. Kohnstamm Wilderness", dated February 2007, and including approximately 157 acres of designated wilderness, as generally depicted on the map entitled "Richard L. Kohnstamm Wilderness", dated February 2007, shall be known and designated as the "Richard L. Kohnstamm Wilderness".

(b) References.—Any reference in a law, map, regulation, document, paper, or other record of the United States to an area described in subsection (a) shall be deemed to be a reference to the Richard L. Kohnstamm Wilderness.

(c) Boundary.—

(1) In general.—The memorial area shall consist of land located within the boundary depicted on the map entitled "Richard L. Kohnstamm Wilderness", dated February 2007.

(2) Availability of map.—The map shall be on file and available for public inspection in the appropriate offices of the Forest Service.

SEC. 103. MAP AND LEGAL DESCRIPTIONS.

(a) In General.—As soon as practicable after the date of enactment of this Act, the Secretary shall file a map entitled "Lewis and Clark Mount Hood Wilderness Additions of 2007", dated February 2007, and a legal description of each wilderness area designated by this title, with—

(1) the Committee on Energy and Natural Resources of the Senate; and

(2) the Committee on Natural Resources of the House of Representatives.

(b) Force of Law.—The map and legal descriptions filed under subsection (a) shall have the same force and effect as if included in this Act, except that the Secretary may correct typographical errors in the map and each legal description.

(c) Public Availability.—Each map and legal description filed under subsection (a) shall be on file and available for public inspection in the appropriate offices of the Forest Service and Bureau of Land Management.

(d) Description of Lands.—The boundaries of the areas designated as wilderness by section 101 where generally depicted on the map as immediately adjacent to a utility right of way or a Federal Energy Regulatory Commission project boundary shall be 100 feet from the boundary of the right of way.

SEC. 104. ADMINISTRATION.

(a) In General.—Subject to valid existing rights, each area designated as wilderness by this Act shall be administered by the Secretary in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), except that—

(1) any reference in that Act to the effective date shall be considered to be a reference to the date of enactment of this Act; and

(2) any reference in that Act to the Secretary of Agriculture shall be considered to be a reference to the Secretary that has jurisdiction over the wilderness.

(b) Consistent Interpretation to the Public.—Notwithstanding their separate jurisdictions, the Secretary of Agriculture and the Secretary of the Interior shall collaborate to ensure that the wilderness areas designated by this title, if appropriate, are interpreted for the public as an overall complex related by—

(1) common location in the Mount Hood-Columbia River Gorge region;

(2) the abundant history of Native American use;

(3) the epic journey of Lewis and Clark;

(4) the pioneer settlement and growth of the State; and

(5) water sources for more than 40 percent of the residents of the State.

(c) Incorporation of Acquired Land and Interests.—Any land within the boundary of a wilderness area designated by this Act that is acquired by the Federal Government shall—

(1) become part of the wilderness area in which the land is located; and

(2) be managed in accordance with this Act, the Wilderness Act (16 U.S.C. 1131 et seq.), and any other applicable law.

(d) Wilderness Areas Designated in National Recreation Areas.—Any portion of a wilderness area designated by section 101(a) that is located within a national recreation area shall be administrated in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.).

SEC. 105. BUFFER ZONES.

(a) In General.—As provided in the Oregon Wilderness Act of 1984 (16 U.S.C. 1132 note; Public Law 98-328), Congress does not intend for designation of wilderness areas in the State under this title to lead to the creation of protective perimeters or buffer zones around each wilderness area.

(b) Activities or Uses up to Boundaries.—The fact that nonwilderness activities or uses can be seen or heard from within a wilderness area shall not, of itself, preclude the activities or uses up to the boundary of the wilderness area.

SEC. 106. FIRE SAFE COMMUNITY ZONES.

Consistent with the Mount Hood National Forest Management Plan and the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6501 et seq.), the Secretary shall construct a strategic system of defensible fuel profile zones (including shaded fuelbreaks, thinning, individual tree selection, and other methods of vegetation management) between the wilderness boundary and the community boundary around Cascade Locks and Government Camp.

SEC. 107. FISH AND WILDLIFE; HUNTING AND FISHING.

As provided in section 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)), nothing in this section shall be construed as affecting the jurisdiction or responsibilities of the State with respect to fish and wildlife in the State.

SEC. 108. FIRE, INSECTS, AND DISEASES.

As provided in section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)), within the wilderness areas designated by this Act, the Secretary of Agriculture (in collaboration with the Secretary of the Interior, where appropriate) may take such measures as are necessary to control fire, insects, and diseases, subject to such terms and conditions as the Secretary of Agriculture (in collaboration with the Secretary of the Interior where appropriate) determines to be desirable and appropriate.

SEC. 109. LAND RECLASSIFICATION.

(a) Oregon and California Railroad Land.—Not later than 180 days after the date of enactment of this Act, the Secretary of Agriculture and the Secretary of the Interior shall identify any Oregon and California Railroad Land that is subject to section 201 of the Act of August 28, 1937 (43 U.S.C. 1181f), within the boundary of the Clackamas Wilderness, as generally depicted on the map entitled "South Fork Clackamas", dated February 2007.

(b) Public Domain Land.—

(1) Definition of public domain land.—In this section, the term "public domain land"—

(A) has the meaning given the term "public land" in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702); and

(B) does not include any land managed under the Act of August 28, 1937 (43 U.S.C. 1181a et seq.).

(2) Identification.—Not later than 180 days after the date of enactment of this Act, the Secretary of the Interior shall identify public domain land within the State that—

(A) is approximately equal in acreage of land described in subsection (a); and

(B) would be appropriate for administration in accordance with the Act of August 28, 1937 (43 U.S.C. 1181a et seq.).

(3) Maps.—Not later than 180 days after the date of enactment of this Act, the Secretary of the Interior shall submit to Congress and publish in the Federal Register, 1 or more maps depicting the land identified under subsections (a) and this subsection.

(4) Reclassification.—After providing an opportunity for public comment, the Secretary of the Interior shall administratively reclassify—

(A) the land described in subsection (a) as public domain land that is not subject to section 201 of the Act of August 28, 1937 (43 U.S.C. 1181f); and

(B) the land described in this subsection as Oregon and California Railroad Land that is subject to the Act of August 28, 1937 (43 U.S.C. 1181a et seq.).

SEC. 110. VALID EXISTING RIGHTS AND WITHDRAWAL.

Subject to valid rights in existence on the date of enactment of this Act, the Federal land designated as wilderness by this Act is withdrawn from all forms of—

(1) entry, appropriation, or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

SEC. 111. MAINTENANCE AND REPLACEMENT OF FOOT BRIDGES IN WILDERNESS AREAS.

(a) In General.—In the case of each wilderness area designated or expanded by section 102, it is the intent of Congress that the Secretary be able to provide for—

(1) the maintenance of any foot bridge crossing located in a wilderness area: and

(2) when needed, the replacement of the foot bridge crossings to ensure public access and safety.

(b) MINIMUM TOOL POLICIES.—The Secretary shall carry out foot bridge replacement and maintenance work under subsection (a) subject to the minimum requirement for the administration of the area.

TITLE II—DESIGNATION OF STREAMS FOR WILD AND SCENIC RIVER PROTECTION IN THE MOUNT HOOD AREA

SEC. 201. PURPOSE.

The purpose of this title is to designate approximately 81 miles of waterways in the Mount Hood National Forest as additions to the National Wild and Scenic Rivers System.

SEC. 202. WILD AND SCENIC RIVER DESIGNATIONS, MOUNT HOOD NATIONAL FOREST.

Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended—

(1) by redesignating paragraph (167) (relating to the Musconetcong River, New Jersey) as paragraph (169);

(2) by designating the undesignated paragraph relating to the White Salmon River, Washington, as paragraph (167);

(3) by designating the undesignated paragraph relating to the Black Butte River, California, as paragraph (168); and

(4) by adding at the end the following:

"(170) SOUTH FORK CLACKAMAS RIVER.—The 4.2-mile segment of the South Fork Clackamas River from its confluence with the East Fork of the South Fork Clackamas to its confluence with the Clackamas River, to be administered by the Secretary as a wild river.

"(171) EAGLE CREEK.—The 8.3-mile segment of Eagle Creek from its headwaters to the Mount Hood National Forest boundary, to be administered by the Secretary of Agriculture as a wild river.

"(172) MIDDLE FORK HOOD RIVER.—The 3.7-mile segment of the Middle Fork Hood River from the confluence of Clear and Coe Branches to the north section line of section 11, township 1 south, range 9 east, to be administered by the Secretary of Agriculture as a scenic river.

"(173) SOUTH FORK ROARING RIVER.—The 4.6-mile segment of the South Fork Roaring River from its headwaters to its confluence with Roaring River, to be administered by the Secretary of Agriculture as a wild river.

"(174) ZIG ZAG RIVER.—The 2.9-mile segment of the Zig Zag River from its headwaters to the Mount Hood Wilderness boundary, to be administered by the Secretary of Agriculture as a wild river.

"(175) FIFTEENMILE CREEK.—

"(A) IN GENERAL.—The 11.1-mile segment of Fifteenmile Creek from its source at Senecal Spring to the eastern edge of the northwest quarter of section 20, township 2 south, range 12 east, to be administered by the Secretary of Agriculture in the following classes:

"(i) the 2.6-mile segment from its source at Senecal Spring to the Badger Creek Wilderness boundary, as a wild river;

"(ii) the 0.4-mile segment from the Badger Creek Wilderness boundary to the point 0.4 miles downstream, as a scenic river;

"(iii) the 7.9-mile segment from the point 0.4 miles downstream of the Badger Creek Wilderness boundary to the western edge of section 20, township 2 south, range 12 east as a wild river; and

"(iv) the 0.2-mile segment from the western edge of section 20, township 2 south, range 12 east, to the eastern edge of the northwest quarter of the northwest quarter of section 20, township 2 south, range 12 east as a scenic river.

"(B) INCLUSIONS.—Notwithstanding section 3(b) of this Act, the lateral boundaries of both the wild river area and the scenic river area along Fifteenmile Creek shall include an average of not more than 640 acres per mile measured from the ordinary high water mark on both sides of the river.

"(176) EAST FORK HOOD RIVER.—The 13.5-mile segment of the East Fork Hood River from Oregon State Highway 35 to the Mount Hood National Forest boundary, to be administered by the Secretary of Agriculture as a recreational river.

"(177) COLLAWASH RIVER.—The 17.8-mile segment of the Collawash River from the headwaters of the East Fork Collawash to the confluence of the mainstream of the Collawash River with the Clackamas River, to be administered in the following classes:

"(A) the 11.0-mile segment from the headwaters of the East Fork Collawash River to Buckeye Creek, as a scenic river; and

"(B) the 6.8-mile segment from Buckeye Creek to the Clackamas River, as a recreational river.

"(178) FISH CREEK.—The 13.5-mile segment of Fish Creek from its headwaters to the confluence with the Clackamas River, to be administered by the Secretary of Agriculture as a recreational river.".

SEC. 203. IMPACT ON WATER RIGHTS AND FLOW REQUIREMENTS.

(a) RELATION TO EXISTING REQUIREMENTS.—Congress does not intend for the designation of any portion of the Hood River under section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)), as amended by this Act, to have any impact on any water right or flow requirement relating to—

(1) the Middle Fork Irrigation District;

(2) the East Fork Irrigation District; or

(3) the Mt. Hood Meadows Ski Resort.

(b) EXCLUSION OF OPERATIONAL AREAS.—Congress does not intend for the designation of any portion of the Hood River under section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)), as amended by this Act, to include any portion of the operational area of—

(1) the Middle Fork Irrigation District;

(2) the East Fork Irrigation District; or

(3) the Mt. Hood Meadows Ski Resort.

SEC. 204. CULVERT REPLACEMENT.

Culvert replacement carried out by the Forest Service or the Bureau of Land Management to improve fish passage and the ecology of the wilderness designated by this Act shall not be considered water and resource development.

SEC. 205. PROTECTION FOR HOOD RIVER, OREGON.

Section 13(a)(4) of the "Columbia River Gorge National Scenic Area Act" (16 U.S.C. 544k(a)(4)) is amended by striking "for a period not to exceed twenty years from the date of enactment of this Act,".

TITLE III—MOUNT HOOD NATIONAL RECREATION AREA

SEC. 301. DESIGNATION.

(a) DESIGNATION.—In order to best provide for the protection, preservation, and enhancement of its recreational, ecological, scenic, watershed, and fish and wildlife values, there is hereby established the Mount Hood National Recreation Area within the Mount Hood National Forest.

(b) BOUNDARY.—The Mount Hood National Recreation Area shall consist of land located within the boundary depicted on the map entitled "Mount Hood National Recreation Area" and dated February 2007.

(c) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in the appropriate offices of the Forest Service and Bureau of Land Management.

(d) ADMINISTRATION.—The Secretary shall administer the Mount Hood National Recreation Area in accordance with the laws, rules and regulations applicable to the national forests and the purposes and values identified in subsection (a). The Secretary shall only allow such uses as are consistent with the purposes and values identified in subsection (a).

(e) TIMBER.—The cutting, sale, or removal of timber within the Mount Hood National Recreation Area may be permitted—

(1) to the extent necessary to improve the health of the forest in a manner that—

(A) maximizes the retention of large trees as appropriate to the forest type, to the extent that those trees promote stands that are fire-resilient and healthy;

(B) improves the habitats of threatened, endangered, proposed, or sensitive species; or

(C) maintains or restores the composition and structure of the ecosystem by reducing the risk of uncharacteristic wildfire effects;

(2) to accomplish an approved management activity in furtherance of the purposes established by this subsection, if the cutting, sale, or removal of timber is incidental to the management activity; or

(3) for de minimus personal or administrative use within the Mount Hood National Recreation Area, where such use will not impair the purposes established by this subsection.

(f) ROAD CONSTRUCTION.—No new or temporary roads are to be constructed or reconstructed except where it is required—

(1) to protect the health and safety of individuals in cases of an imminent threat of flood, fire, or any other catastrophic event that, without intervention, would cause the loss of life or property;

(2) to conduct environmental cleanup required by the Federal Government;

(3) to allow for reserved or outstanding rights provided for by a statute or treaty;

(4) to prevent irreparable resource damage by an existing road;

(5) to rectify a hazardous road condition; or

(6) in conjunction with—

(A) the continuation, extension, or renewal of a mineral lease on land that is under lease; or

(B) a new mineral lease that is issued immediately after the expiration of an existing mineral lease.

TITLE IV—TRANSPORTATION AND COMMUNICATION SYSTEMS

SEC. 401. DEFINITION OF MOUNT HOOD REGION.

In this title, the term "Mount Hood region" means—

(1) Mount Hood and the other land located adjacent to the mountain;

(2) any segment of the Oregon State Highway 26 corridor that is located in or near Mount Hood National Forest;

(3) any segment of the Oregon State Highway 35 corridor that is located in or near Mount Hood National Forest;

(4) each other road of the Forest Service, State, or county that is located in and near Mount Hood National Forest; and

(5) any gateway community located adjacent to any highway or road described in paragraph (2), (3), or (4).

SEC. 402. TRANSPORTATION PLAN.

(a) IN GENERAL.—The Secretary shall participate with the State, local governments, and other Federal agencies in the development of an integrated, multimodal transportation plan for the Mount Hood region to achieve comprehensive solutions to transportation challenges in the Mount Hood region—

(1) to promote appropriate economic development;

(2) to preserve the landscape of the Mount Hood region; and

(3) to enhance public safety.

(b) PLANNING PROCESS.—The transportation plan under subsection (a) shall—

(1) conform with Federal and Oregon transportation planning requirements; and

(2) be developed through a collaborative process, preferably through the use of a commission composed of interested persons appointed by the State, with representation from the Forest Service and local governments in the Mount Hood region.

(c) SCOPE OF PLAN.—The transportation plan under subsection (a) shall address issues relating to—

(1) the transportation of individuals to and from areas outside the Mount Hood region on major corridors traversing that region; and

(2) the transportation of individuals to and from locations that are located within the Mount Hood region.

(d) CONTENTS OF PLAN.—At a minimum, the transportation plan under subsection (a) shall consider—

(1) transportation alternatives between and among recreation areas and gateway communities that are located within the Mount Hood region;

(2) establishing park-and-ride facilities that shall be located at gateway communities;

(3) establishing intermodal transportation centers to link public transportation, parking, and recreation destinations;

(4) creating a new interchange on Oregon State Highway 26 that shall be located adjacent to or within Government Camp;

(5) designating, maintaining, and improving alternative routes using Forest Service or State roads for—

(A) providing emergency routes; or

(B) improving access to, and travel within, the Mount Hood region;

(6) reconstructing the segment of Oregon State Highway 35 that is located between Mineral Creek and Baseline Road to address ongoing debris flow locations; and

(7) creating mechanisms for funding the implementation of the transportation plan under subsection (a), including—

(A) funds provided by the Federal Government;

(B) public-private partnerships;

(C) incremental tax financing; and

(D) other financing tools that link transportation infrastructure improvements with development.

(e) COMPLETION OF PLAN.—Not later than 2 years after the date on which funds are first made available to carry out this section, the Secretary shall complete the transportation plan under subsection (a).

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $2,000,000.

SEC. 403. STUDY RELATING TO GONDOLA CONNECTION AND INTERMODAL TRANSPORTATION CENTER.

(a) FEASIBILITY STUDY.—The Oregon Department of Transportation, along with the participation of the Secretary, shall carry out a study of the feasibility of establishing—

(1) a gondola connection that—

(A) connects Timberline Lodge to Government Camp; and

(B) is located in close proximity to the site of the historic gondola corridor; and

(2) an intermodal transportation center to be located in close proximity to Government Camp.

(b) CONSIDERATION OF MULTIPLE SITES.—In carrying out the feasibility study under subsection (a), the Secretary may consider 1 or more sites.

(c) RELIANCE ON PAST STUDIES.—To the extent that prior studies have been completed that can assist in the assessment of the Gondola connection, those may be utilized.

SEC. 404. BURIAL OF POWER LINES.

Because of the incongruent presence of power lines adjacent to wilderness areas, the Secretary may provide to Cascade Locks and Hood River County funds through the Forest Service State and Private Forestry program to bury ground power lines adjacent to the Mount Hood wilderness areas, including wilderness areas designated by this Act.

SEC. 405. CLARIFICATION OF TREATMENT OF STATE HIGHWAYS.

(a) EXCLUSION.—Any part of Oregon State Highway 35 or other any other State highway in existence on the date of enactment of this Act (including all existing rights-of-way and 150 feet on each side of the centerline, whichever is greater, that is adjacent to wilderness areas in the Mount Hood National Forest, including wilderness areas designated by this Act) shall be excluded from wilderness under this Act.

(b) NO NET EFFECT.—The designation of wilderness or wild and scenic rivers under this Act or an amendment made by this Act shall not limit or restrict the ability of the State, and in consultation with the Forest Service—

(1) to operate, maintain, repair, reconstruct, protect, realign, expand capacity, or make any other improvement to Oregon State Highway 35 or any other State highway in existence on the date of enactment of this Act;

(2) to use any site that is not within a highway right-of-way to operate, maintain, repair, reconstruct, protect, realign, expand capacity, or make any other improvement to those highways; or

(3) to take any action outside of a highway right-of-way that is necessary to operate, maintain, repair, reconstruct, protect, realign, expand capacity, or make any other improvement to those highways.

(c) FLOOD PLAIN.—Congress encourages the carrying out of projects that will reduce the impact of Oregon State Highway 35 on the flood plain of the East Fork Hood River.

TITLE V—LAND EXCHANGE

Subtitle A—Cooper Spur-Government Camp Land Exchange

SEC. 501. PURPOSES.

The purposes of this subtitle are—

(1) to recognize the years of work by local residents and political and business leaders from throughout the States of Oregon and Washington to protect the north side of Mount Hood; and

(2) to authorize the exchange of the Federal land and non-Federal land.

SEC. 502. DEFINITIONS.

In this subtitle:

(1) COUNTY.—The term "County" means Hood River County, Oregon.

(2) EXCHANGE MAP.—The term "exchange map" means the map entitled "Cooper Spur-Government Camp Land Exchange" and dated September 2006.

(3) FEDERAL LAND.—The term "Federal land" means—

(A) the parcel of approximately 80 acres of National Forest System land in Mount Hood National Forest in Government Camp, Clackamas County, Oregon, as depicted on the exchange map; and

(B) the parcel of approximately 40 acres of National Forest System land in Mount Hood National Forest in Government Camp, Clackamas County, Oregon, as depicted on the exchange map.

(4) MT. HOOD MEADOWS.—The term "Mt. Hood Meadows" means the Mt. Hood Meadows Oreg., Limited Partnership.

(5) NON-FEDERAL LAND.—The term "non-Federal land" means—

(A) the parcel of approximately 770 acres of private land at Cooper Spur, as depicted on the exchange map;

(B) any buildings, furniture, fixtures, and equipment at the Inn at Cooper Spur and the Cooper Spur Ski Area covered by an appraisal described in section 503(d).

(6) SECRETARY.—The term "Secretary" means the Secretary of Agriculture.

(7) TRAIL MAP.—The term "trail map" means the map entitled "Government Camp Trail Map" and dated September 2006.

SEC. 503. COOPER SPUR-GOVERNMENT CAMP LAND EXCHANGE.

(a) CONVEYANCE OF FEDERAL LAND.—Subject to the provisions of this section, if Mt. Hood Meadows offers to convey to the United States all right, title, and interest of Mt. Hood Meadows in and to the non-Federal land, the Secretary shall convey to Mt. Hood Meadows all right, title, and interest of the United States in and to the Federal land (other than any easements reserved under subsection (g)).

(b) CONDITIONS ON ACCEPTANCE.—Title to the non-Federal land to be acquired by the Secretary under this section must be acceptable to the Secretary, and the conveyances shall be subject to valid existing rights of record and such terms and conditions the Secretary may prescribe. The non-Federal land shall conform with the title approval standards applicable to Federal land acquisitions.

(c) APPLICABLE LAW.—Except as otherwise provided in this section, the Secretary shall carry out the land exchange under this section in accordance with section 206 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716).

(d) APPRAISALS.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall select an appraiser to conduct an appraisal of the Federal land and non-Federal land.

(2) REQUIREMENTS.—An appraisal under paragraph (1) shall—

(A) be conducted in accordance with nationally recognized appraisal standards, including—

(i) the Uniform Appraisal Standards for Federal Land Acquisitions developed by the Interagency Land Acquisition Conference; and

(ii) the Uniform Standards of Professional Appraisal Practice;

(B) incorporate the dates of the appraisals of the Federal land and non-Federal land performed in 2005 by Appraiser Steven A. Hall, MAI, CCIM; and

(C) be approved by the Secretary, the County, and Mt. Hood Meadows.

(e) SURVEYS.—

(1) IN GENERAL.—The exact acreage and legal description of the Federal land and non-Federal land shall be determined by surveys approved by the Secretary.

(2) COSTS.—The responsibility for the costs of any surveys conducted under paragraph (1), and any other administrative costs of carrying out the land exchange, shall be determined by the Secretary and the County.

(f) DEADLINE FOR COMPLETION OF LAND EXCHANGE.—It is the intent of Congress that, not later than 16 months after the date of enactment of this Act, the Secretary shall—

(1) complete all legal and regulatory processes required for the exchange of the Federal land and the non-Federal land; and

(2) close on the Federal land and the non-Federal land.

(g) RESERVATION OF EASEMENTS.—As a condition of the conveyance of the Federal land, the Secretary shall reserve—

(1) a conservation easement to the Federal land to protect existing wetland on the conveyed parcels, as identified by the Oregon Department of State Lands, that allows equivalent wetland mitigation measures to compensate for minor wetland encroachments necessary for the orderly development of the Federal land; and

(2) a trail easement to the Federal land that allows—

(A) the nonmotorized functional use by the public of identified existing trails located on the Federal land, as depicted on the trail map;

(B) roads, utilities, and infrastructure facilities to cross the trails; and

(C) improvement or relocation of the trails to accommodate development of the Federal land.

SEC. 504. CONCESSIONAIRES AT THE INN AT COOPER SPUR AND THE COOPER SPUR SKI AREA.

(a) PROSPECTUS.—Not later than 60 days after the date on which the land exchange is completed under section 503, the Secretary shall publish in the Federal Register a proposed prospectus to solicit 1 or more new concessionaires for the Inn at Cooper Spur and the Cooper Spur Ski Area, as reconfigured in accordance with the exchange map.

(b) COMPETITIVE PROCESS.—Prospective concessionaires shall submit bids to compete for the right to operate the Inn at Cooper Spur, the Cooper Spur Ski Area, or both the Inn and the Ski Area.

(c) CONSIDERATIONS.—In selecting a concessionaire, the Secretary shall consider—

(1) which bid is highest in terms of monetary value; and

(2) other attributes of the bids submitted.

(d) CONSULTATION.—The Secretary shall consult with Mt. Hood Meadows, Meadows North, LLC, North Face Inn, LLC, the Hood River Valley Residents Committee, the Cooper Spur Wild and Free Coalition, and the Hood River County Commission—

(1) in selecting a new concessionaire for the Inn at Cooper Spur and the Cooper Spur Ski Area; and

(2) in preparing for the orderly and smooth transition of the operation of the Inn at Cooper Spur and the Cooper Spur Ski Area to the new concessionaire.

(e) TREATMENT OF PROCEEDS.—Any amounts received under a concession contract under this section shall—

(1) be deposited in the fund established under Public Law 90-171 (commonly known as the "Sisk Act") (16 U.S.C. 484a); and

(2) remain available to the Secretary until expended, without further appropriation, for use in the Mount Hood National Forest, with priority given to using amounts in the Hood River Ranger District for restoration projects on the North side of Mount Hood.

(f) ALTERNATIVE CONVEYANCE AND SPECIAL USE PERMIT.—

(1) IN GENERAL.—If the Secretary has not selected a concessionaire for the Inn at Cooper Spur and the Cooper Spur Ski Area by the date that is 1 year after the date on which the prospectus is published under subsection (a), the Secretary may—

(A) convey to the County, without consideration, the improvements described in section 502(5)(B); or

(B) continue to allow Mt. Hood Meadows to operate as the concessionaire while the Secretary continues to seek an alternate concessionaire.

(2) SPECIAL USE PERMIT.—If the Secretary conveys improvements to the County under paragraph (1)(A), the Secretary shall issue to the County a special use permit that would allow reasonable access to, and management of, the improvements under terms similar to the Cooper Spur Ski Area Special Use Permit.

Subtitle B—Port of Cascade Locks Land Exchange

SEC. 511. DEFINITIONS.

In this subtitle:

(1) EXCHANGE MAP.—The term "exchange map" means the map entitled "Port of Cascade Locks-Pacific Crest National Scenic Trail Land Exchange" and dated June 2006.

(2) FEDERAL LAND.—The term "Federal land" means the parcel of land consisting of approximately 10 acres of National Forest System land in the Columbia River Gorge National Scenic Area, as depicted on the exchange map.

(3) NON-FEDERAL LAND.—The term "non-Federal land" means the parcel of land consisting of approximately 40 acres, as depicted on the exchange map.

(4) PORT.—The term "Port" means the Port of Cascade Locks, Cascade Locks, Oregon.

(5) SECRETARY.—The term "Secretary" means the Secretary of Agriculture.

SEC. 512. LAND EXCHANGE, PORT OF CASCADE LOCKS-PACIFIC CREST NATIONAL SCENIC TRAIL.

(a) CONVEYANCE REQUIRED.—Subject to the provisions of this section, if the Port offers to convey to the United States all right, title, and interest of the Port in and to the non-Federal land, the Secretary shall convey to the Port all right, title, and interest of the United States in and to the Federal land.

(b) COMPLIANCE WITH EXISTING LAW.—Except as otherwise provided in this section, the Secretary shall carry out the land exchange under this section in the manner provided in section 206 of the Federal Land Policy Management Act of 1976 (43 U.S.C. 1716).

(c) CONDITIONS ON ACCEPTANCE.—Title to the non-Federal land to be acquired by the Secretary under this section must be acceptable to the Secretary, and the conveyances shall be subject to valid existing rights of record and such terms and conditions the Secretary may prescribe. The non-Federal land shall conform with the title approval standards applicable to Federal land acquisitions.

(d) SURVEYS.—

(1) IN GENERAL.—The exact acreage and legal description of the Federal land and non-Federal land shall be determined by surveys approved by the Secretary.

(2) COSTS.—The responsibility for the costs of any surveys conducted under paragraph (1), and any other administrative costs of carrying out the land exchange, shall be determined by the Secretary and the Port.

(e) DEADLINE FOR COMPLETION OF LAND EXCHANGE.—It is the intent of Congress that, not later than 16 months after the date of enactment of this Act, the Secretary shall—

(1) complete all legal and regulatory processes required for the exchange of the Federal land and the non-Federal land; and

(2) close on the Federal land and the non-Federal land.

Subtitle C—Hunchback Mountain Land Exchange and Boundary Adjustment

SEC. 521. DEFINITIONS.

In this subtitle:

(1) BOUNDARY EXTENSION MAP.—The term "boundary extension map" means the map entitled "Mount Hood National Forest Hunchback Exchange Boundary Adjustment" and dated January 2007.

(2) COUNTY.—The term "County" means Clackamas County, Oregon.

(3) EXCHANGE MAP.—The term "exchange map" means the map entitled "Hunchback Mountain Land Exchange-Clackamas County" and dated June 2006.

(4) FEDERAL LAND.—The term "Federal land" means the parcel of land consisting of approximately 160 acres of National Forest System land in the Mount Hood National Forest, as depicted on the exchange map.

(5) NON-FEDERAL LAND.—The term "non-Federal land" means the parcel of land consisting of approximately 160 acres, as depicted on the exchange map.

(6) SECRETARY.—The term "Secretary" means the Secretary of Agriculture.

SEC. 522. HUNCHBACK MOUNTAIN LAND EXCHANGE, CLACKAMAS COUNTY.

(a) CONVEYANCE REQUIRED.—Subject to the provisions of this section, if the County offers to convey to the United States all right, title, and interest of the County in and to the non-Federal land, the Secretary shall convey to the County all right, title, and interest of the United States in and to the Federal land.

(b) COMPLIANCE WITH EXISTING LAW.—Except as otherwise provided in this section, the Secretary shall carry out the land exchange under this section in the manner provided in section 206 of the Federal Land Policy Management Act of 1976 (43 U.S.C. 1716).

(c) CONDITIONS ON ACCEPTANCE.—Title to the non-Federal land to be acquired by the Secretary under this section must be acceptable to the Secretary, and the conveyances shall be subject to valid existing rights of record and such terms and conditions the Secretary may prescribe. The non-Federal land shall conform with the title approval standards applicable to Federal land acquisitions.

(d) SURVEYS.—

(1) IN GENERAL.—The exact acreage and legal description of the Federal land and non-Federal land shall be determined by surveys approved by the Secretary.

(2) COSTS.—The responsibility for the costs of any surveys conducted under paragraph (1), and any other administrative costs of carrying out the land exchange, shall be determined by the Secretary and the County.

(e) DEADLINE FOR COMPLETION OF LAND EXCHANGE.—It is the intent of Congress that, not later than 16 months after the date of enactment of this Act, the Secretary shall—

(1) complete all legal and regulatory processes required for the exchange of the Federal land and the non-Federal land; and

(2) close on the Federal land and the non-Federal land.

SEC. 523. BOUNDARY ADJUSTMENT.

(a) IN GENERAL.—The boundary of the Mount Hood National Forest is adjusted as depicted on the map entitled "Boundary extension map", dated January 2007.

(b) AVAILABILITY OF BOUNDARY EXTENSION MAP.—The boundary extension map shall be on file and available for public inspection in the office of the Chief of the Forest Service.

(c) CORRECTION AUTHORITY.—The Secretary may make minor corrections to the boundary extension map.

(d) ADDITIONS TO THE NATIONAL FOREST SYSTEM.—The Secretary shall administer any land that is conveyed to the United States and is located in the Mount Hood National Forest in accordance with—

(1) the Act of March 1, 1911 (commonly known as the "Weeks Law") (16 U.S.C. 480 et seq.); and

(2) any laws (including regulations) applicable to the National Forest System.

(e) AUTHORITY OF SECRETARY TO ADJUST BOUNDARIES.—Nothing in this Act shall limit the authority or responsibility of the Secretary to adjust the boundaries of the Mount Hood National Forest under section 11 of the Act of March 1, 1911 (16 U.S.C. 521).

(f) LAND AND WATER CONSERVATION FUND.—For the purposes of section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460*l*–9), the boundaries of the Mount Hood National Forest modified by this Act shall be considered to be the boundaries of the Mount Hood National Forest in existence as of January 1, 1965.

TITLE VI—MOUNT HOOD NATIONAL FOREST AND WATERSHED STEWARDSHIP

SEC. 601. FINDINGS AND PURPOSE.

The purpose of this title is to direct the Forest Service to prepare an assessment to promote forested landscapes resilient to catastrophic fire, insects, and disease, to protect homes and communities from property damage and threats to public safety, and to protect and enhance existing community or municipal watersheds. It is the intent of Congress that site-specific forest health projects undertaken pursuant to this assessment shall be completed in accordance with existing law.

SEC. 602. FOREST STEWARDSHIP ASSESSMENT.

(a) PREPARATION OF ASSESSMENT.—The Secretary of Agriculture shall prepare an assessment to identify the forest health needs in those areas of the Mount Hood National Forest with a high incidence of insect or disease infestation (or both), heavily overstocked tree stands, or moderate-to-high risk of unnatural catastrophic wildfire for the purpose of improving condition class, which significantly improves the forest health and water quality. The Secretary may utilize existing information to complete the assessment. The assessment shall also identify specific projects to address these issues.

(b) IMPROVED MAPPING.—The assessment will include peer reviewed mapping of condition class 2 and condition class 3 areas and other areas identified in subsection (a) in Mount Hood National Forest.

(c) COMPLETION.—The Secretary of Agriculture shall complete the assessment not later than 1 year after the date of enactment of this Act.

(d) DURATION OF STUDY.—The assessment shall cover a 10-year period.

(e) IMPLEMENTATION.—Not later than 1 year after completion of the assessment, the Secretary shall commence implementation of projects to address the needs identified in the assessment. These projects shall be implemented using authorities available to the Secretary to manage the Mount Hood National Forest to achieve the purpose specified in subsection (a).

(f) DELAY.—During development of the assessment under this section, a forest management project that is unaffiliated with the assessment and has completed review as required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) in accordance with existing law, need not be delayed in the event the Secretary fails to meet the deadline specified in subsection (c).

(g) RELATION TO EXISTING LAW AND PLANS.—Nothing in this section grants the Secretary any authority to manage the Mount Hood National Forest contrary to existing law. The assessment conducted by the Secretary under this section shall not supersede, be considered a supplement or amendment to, or in any way affect the legal or regulatory authority of the Mount Hood National Forest Land and Resource Management Plan or the collection of documents entitled "Final Supplemental Environmental Impact Statement and Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl" and "Standards and Guidelines for Management of Habitat for Late-Successional and Old-Growth Forest-Related Species Within the Range of the Northern Spotted Owl".

(h) PUBLIC PARTICIPATION.—The Secretary shall provide an opportunity for interested persons to be involved in development of the assessment conducted by the Secretary under this section.

SEC. 603. SUSTAINABLE BIOMASS UTILIZATION STUDY.

(a) STUDY REQUIRED.—The Secretary of Agriculture shall conduct a study to assess the amount of long-term sustainable biomass available in the Mount Hood National Forest that, consistent with applicable law, could be made available as a raw material for—

(1) the production of electric energy, sensible heat, transportation fuel, or substitutes for petroleum-based products;

(2) dimensional lumber, fencing, framing material, poles, firewood, furniture, chips, or pulp for paper; or

(3) other commercial purposes.

(b) DEFINITION.—In this section, the term "biomass" means small diameter trees and understory vegetation that is removed from forested land as a by-product of forest restoration efforts.

SEC. 604. WATERSHED MANAGEMENT MEMORANDA OF UNDERSTANDING.

(a) COMPLETION OF MEMORANDA OF UNDERSTANDING.—To the extent that memoranda of understanding or other legal agreements involving watersheds of Mount Hood National Forest do not exist between irrigation districts or municipalities and the Forest Service, the Secretary of Agriculture may complete memoranda of understanding that outline stewardship goals to manage the watersheds for water quality and water quantity.

(b) ELEMENTS OF MEMORANDUM.—A memorandum of understanding involving a watershed of Mount Hood National Forest shall encourage adaptability, establish benchmarks regarding water quality and water quantity, and require monitoring to determine progress in meeting such benchmarks. The memorandum of understanding may restrict public access to areas of the watershed where appropriate.

(c) PUBLIC PROCESS REQUIRED.—

(1) COLLABORATION AND CONSULTATION.—The Secretary of Agriculture shall ensure that the process by which the Secretary enters into a memorandum of understanding with an irrigation district, local government, or other entity involving a watershed of Mount Hood National Forest is based on collaboration and cooperation between the Forest Service and local jurisdictions and other interested persons.

(2) PUBLIC MEETING REQUIRED.—The Secretary and the other party or parties to the proposed memorandum of understanding shall hold at least 1 joint public meeting before completing a final draft of the memorandum of understanding.

(3) PUBLIC COMMENT.—A draft memorandum of understanding shall also be open to public comment before being finalized.

SEC. 605. TERMINATION OF AUTHORITY.

The authority provided by this title shall terminate on the date that is 10 years after the date of enactment of this Act.

TITLE VII—CRYSTAL SPRINGS WATERSHED SPECIAL RESOURCES MANAGEMENT UNIT

SEC. 701. FINDINGS AND PURPOSE.

The purpose of this title is to establish a special resources management unit to ensure protection of the quality and quantity of the Crystal Springs watershed as a clean drinking water source for the residents of Hood River County, Oregon, while also allowing visitors to enjoy its special scenic, natural, cultural, and wildlife values.

SEC. 702. ESTABLISHMENT OF CRYSTAL SPRINGS WATERSHED SPECIAL RESOURCES MANAGEMENT UNIT.

(a) ESTABLISHMENT.—Effective as provided by section 705, the Secretary of Agriculture shall establish a special resources management unit in the State consisting of all National Forest System land that is located within 200 yards from any point on the perimeter of the Crystal Springs Zone of Contribution, as determined by the Crystal Springs Water District, and other National Forest System land in and around the Inn at Cooper Spur and the Cooper Spur Ski Area, as depicted on the map entitled "Crystal Springs Watershed Special Resources Management Unit" and dated June 2006 (in this subtitle referred to as the "official map").

(b) DESIGNATION.—The special resources management unit established pursuant to subsection (a) shall be known as the Crystal Springs Watershed Special Resources Management Unit, in this title referred to as the "Management Unit".

(c) EXCLUSION OF CERTAIN LAND.—The Management Unit does not include any National Forest System land otherwise covered by subsection (a) that is designated as wilderness by title I.

(d) WITHDRAWAL.—Subject to valid existing rights, National Forest System land included in the Management Unit are permanently withdrawn from all forms of appropriation under the public land laws, including the mining laws and mineral and geothermal leasing laws.

(e) MAPS AND LEGAL DESCRIPTION.—

(1) SUBMISSION OF LEGAL DESCRIPTIONS.—As soon as practicable after the effective date specified in section 705, the Secretary shall prepare and submit to Congress a legal description of the Management Unit.

(2) FORCE OF LAW.—The map referred to in subsection (a) and the legal descriptions prepared under paragraph (1) shall have the same force and effect as if included in this Act, except that the Secretary may correct technical errors in the map and legal descriptions. The map of the Crystal Springs Zone of Contribution is incorporated in this Act to delineate the boundaries of the Management Unit, and the delineation of these boundaries is not intended to affect the specific uses that may occur on private land within the boundaries of the Management Unit.

(3) PUBLIC AVAILABILITY.—The map referred to in subsection (a) and the legal descriptions prepared under paragraph (1) shall be filed and made available for public inspection in the appropriate offices of the Forest Service.

SEC. 703. ADMINISTRATION OF MANAGEMENT UNIT.

(a) GENERAL APPLICABILITY OF EXISTING LAWS.—Except as provided in this title, all other laws and regulations affecting National Forest System lands shall continue to apply to the National Forest System lands included in the Management Unit.

(b) AUTHORIZED ACTIVITIES.—

(1) PROCESS FOR ALLOWING ACTIVITIES.—Only activities described in this subsection

may occur in the Management Unit, and the Secretary of Agriculture may permit an activity described in this subsection to occur in the Management Unit only after the Secretary—

(A) obtains the review and opinions of the Crystal Springs Water District regarding the effect of the activity on the purposes of the Management Unit;

(B) complies with all applicable Federal law regarding development and implementation of the activity; and

(C) when appropriate, provides to the general public advance notice of the activity, an opportunity to comment on the activity, and appeal rights regarding the activity.

(2) Recreation.—The Secretary may—

(A) continue to maintain recreational opportunities and trails, in existence in the Management Unit as of the effective date specified in section 705, within their existing and historic footprints or at an alternative location; and

(B) develop new footpaths or cross-county skiing trails in the Management Unit.

(3) Lease of certain improvements.—The Secretary may lease improvements and facilities, in existence in the Management Unit as of the effective date specified in section 705, within their existing and designated footprints to 1 or more concessionaires.

(4) Road maintenance.—Subject to subsection (d), the Secretary may maintain National Forest System roads, in existence in the Management Unit as of the effective date specified in section 705 or as directed by the management plan required by subsection (d). Maintenance may include the installation of culverts and drainage improvements and other similar activities.

(5) Fuel reduction in proximity to improvements and primary public roads.—To protect the water quality, water quantity, scenic, cultural, historic, natural, and wildlife values of the Management Unit, the Secretary may permit fuel reduction on National Forest System land in the Management Unit—

(A) extending up to 400 feet from structures on National Forest System land or structures on adjacent private land; and

(B) extending up to 400 feet from the Cooper Spur Road, the Cloud Cap Road, and the Cooper Spur ski area loop road.

(6) Other fuel reduction and forest health activities.—The Secretary may conduct fuel reduction and forest health management activities in the Management Unit, with priority given to activities that restore previously harvested stands, including the removal of logging slash, smaller diameter material, and ladder fuels. The purpose of any fire risk reduction or forest health management activity conducted in the Management Unit shall be the maintenance and restoration of fire-resilient forest structures containing late successional forest structure characterized by large trees and multi-storied canopies (where ecologically appropriate) and the protection of the water quality, water quantity, scenic, cultural, historic, natural, and wildlife values of the Management Unit.

(c) Specifically Prohibited Activities.—The following activities may not occur on National Forest System land in the Management Unit, whether separately or, except as provided in paragraph (2), as part of an activity authorized by subsection (b):

(1) New road construction or renovation of existing non-System roads.

(2) Projects undertaken for the purpose of harvesting commercial timber. The harvest of merchantable products that are by-products of activities conducted pursuant to subsection (b)(6) and carried out pursuant to a stewardship contract are not prohibited by this subsection.

(3) Commercial livestock grazing.

(4) The placement or maintenance of fuel storage tanks.

(5) The application of any toxic chemicals, including pesticides, rodenticides, herbicides, or retardants, for any purpose, except with the consent of the Crystal Springs Water District.

(d) Management Plan.—

(1) Plan required.—Within 9 months after the effective date specified in section 605, the Secretary of Agriculture shall adopt a management plan for the Management Unit that, while providing for the limited activities specifically authorized by subsection (b), protects the watershed from illegal dumping, human waste, fires, vandalism, and other risks to water quality.

(2) Consultation and public participation.—The Secretary shall prepare the management plan in consultation with the Crystal Springs Water District, the Cooper Spur Wild and Free Coalition, and Hood River County and provide for public participation as described in subsection (b)(1)(C).

(e) Forest Road Closures.—As part of the management plan required by subsection (d), the Secretary of Agriculture may provide for the closure or gating to the general public of any Forest Service road within the Management Unit, except for the road commonly known as Cloud Cap Road.

(f) Private Land.—Nothing in this section affects the use of, or access to, any private property within the Crystal Springs Zone of Contribution by the owners of the private property and their guests. The Secretary is encouraged to work with interested private landowners who have voluntarily agreed to cooperate with the Secretary to further the purposes of this title.

(g) Relationship With Water District.—Except as provided in this section, the Crystal Springs Water District has no authorities over management or use of National Forest System land included in the Management Unit.

SEC. 704. ACQUISITION OF LANDS.

(a) Acquisition Authority.—The Secretary of Agriculture may acquire from willing landowners any lands located in the Crystal Springs Zone of Contribution within the boundaries of Mount Hood National Forest. Lands so acquired shall automatically be added to the Management Unit.

(b) Prohibition on Subsequent Conveyance.—The Secretary may not sell, trade, or otherwise transfer ownership of any land within the Management Unit, including any of the land acquired under subsection (a) or received by the Secretary as part of the Cooper Spur-Government Camp land exchange authorized by subtitle A of title V and included within the Management Unit, to any person.

SEC. 705. EFFECTIVE DATE.

The Secretary of Agriculture shall establish the Management Unit as soon as practicable after the final closing of the Cooper Spur-Government Camp land exchange authorized by subtitle A of title V, but in no case later than 30 days after the date of the final closing of such land exchange. The Management Unit may not be established before final closing of the land exchange.

TITLE VIII—LOCAL AND TRIBAL RELATIONSHIPS

SEC. 801. FINDINGS AND PURPOSE.

The purpose of this title is to recognize and support the ability of Native Americans to continue to gather first foods in the Mount Hood National Forest using traditional methods and the central role of the State and local governments in management of issues dealing with natural and developed environments in the vicinity of the national forest.

SEC. 802. FIRST FOODS GATHERING AREAS.

(a) Priority Use Areas.—The Secretary of Agriculture shall identify, establish, develop, and manage priority-use areas in Mount Hood National Forest for the gathering of first foods by members of Indian tribes with treaty-reserved gathering rights on lands encompassed by the national forest. The priority-use areas shall be identified, established, developed, and managed in a manner consistent with the memorandum of understanding entered into between the Department of Agriculture, the Bureau of Land Management, the Bureau of Indian Affairs, and the Confederated Tribes of the Warm Springs Reservation of Oregon (in this section referred to as the "Warm Springs Tribe") and dated April 23, 2003, and such further agreements as are necessary between the Secretary of Agriculture and the Warm Springs Tribe to carry out the purposes of this section.

(b) Priority Use.—Members of Indian tribes with treaty-reserved gathering rights on lands encompassed by Mount Hood National Forest shall, in cooperation with the Mount Hood National Forest, gather first foods in the priority-use areas established pursuant to subsection (a).

(c) Applicable Law.—In considering and selecting National Forest System land for inclusion in a priority-use area under subsection (a), the Secretary of Agriculture shall comply with the land and resource management plan for Mount Hood National Forest and applicable laws.

(d) Definition.—In this section, the term "first foods" means roots, berries, and plants on National Forest System land in Mount Hood National Forest that have been gathered for traditional and cultural purposes by members of Indian tribes with treaty-reserved gathering rights on lands encompassed by Mount Hood National Forest.

SEC. 803. FOREST SERVICE COORDINATION WITH STATE AND LOCAL GOVERNMENTS.

Congress encourages the Secretary of Agriculture to cooperate with the State, local communities, counties, and Indian tribes in the vicinity of Mount Hood National Forest, and the heads of other Federal agencies to identify common ground, coordinate planning efforts around the national forest, and make the Federal Government a better partner in building cooperative and lasting solutions for management of Mount Hood National Forest and non-Federal land in the vicinity of the national forest.

SEC. 804. SAVINGS PROVISIONS REGARDING RELATIONS WITH INDIAN TRIBES.

(a) Treaty Rights.—Nothing in this Act is intended to alter, modify, enlarge, diminish, or extinguish the treaty rights of any Indian tribe, including the off-reservation reserved rights established by the Treaty of June 25, 1855, with the Tribes and Bands of Middle Oregon (12 Stat. 963). Section 702 is consistent with and intended to implement the gathering rights reserved by such treaty.

(b) Tribal Lands.—Nothing in this Act is intended to affect lands held in trust by the Secretary of the Interior for Indian tribes or individual members of Indian tribes or other lands acquired by the Army Corps of Engineers and administered by the Secretary of the Interior for the benefit of Indian tribes and individual members of Indian tribes.

(c) HUNTING AND FISHING.—Nothing in this Act is intended to affect the laws, rules, and regulations pertaining to hunting and fishing under existing State and Federal laws and Indian treaties.

SEC. 805. IMPROVED NATURAL DISASTER PREPAREDNESS.

(a) IMPOSITION OF STANDARDS.—New development occurring on land conveyed by the Secretary of Agriculture under title V or undertaken or otherwise permitted by the Secretary of Agriculture on National Forest System land in Mount Hood National Forest after the date of the enactment of this Act shall be constructed or altered in compliance with—

(1) 1 of—

(A) the nationally recognized model building codes; and

(B) nationally recognized wildland-urban interface codes and standards; or

(2) 1 of the other applicable nationally recognized codes and standards relating to—

(A) fire protection infrastructure in the wildland urban interface;

(B) land development in wildland areas; or

(C) wild fire hazard mitigation.

(b) INCLUSION OF STANDARDS IN LAND CONVEYANCES.—In the case of each of the land conveyances described in title V, the Secretary shall impose the requirements of subsection (a) as a condition on the conveyance of the Federal land under the conveyance.

(c) EFFECT ON STATE AND LOCAL LAW.—To the maximum extent feasible, the codes imposed pursuant to subsection (a) shall be consistent with the nationally recognized codes and development standards adopted or referenced by the State or political subdivisions of the State. This section shall not be construed to limit the power of the State or a political subdivision of the State to implement or enforce any law, rule, regulation, or standard concerning fire prevention and control.

(d) ENFORCEMENT.—The codes imposed pursuant to subsection (a) may be enforced by the same entities otherwise enforcing codes, ordinances, and standards relating to new development occurring on land conveyed by the Secretary of Agriculture under title V.

TITLE IX—RECREATION

SEC. 901. FINDINGS AND PURPOSE.

The purpose of this title is to recognize and support recreation as a dynamic social and economic component of the legacy and future of the Mount Hood National Forest.

SEC. 902. RETENTION OF MOUNT HOOD NATIONAL FOREST LAND USE FEES FROM SPECIAL USE AUTHORIZATIONS.

(a) SPECIAL ACCOUNT.—The Secretary of the Treasury shall establish a special account in the Treasury for Mount Hood National Forest.

(b) DEPOSITS.—Except as provided in section 7 of the Act of April 24, 1950 (commonly known as the Granger-Thye Act; 16 U.S.C. 580d), the National Forest Organizational Camp Fee Improvement Act of 2003 (title V of division F of Public Law 108–107; 16 U.S.C. 6231 et seq.), Public Law 106–206 (commonly known as the Commercial Filming Act; 16 U.S.C. 460l–d), and the Federal Lands Recreation Enhancement Act (title VIII of division J of Public Law 108–477; 16 U.S.C. 6801 et seq.), all land use fees received after the date which is 6 months after the date of enactment of this Act from special use authorizations, such as recreation residences, resorts, winter recreation resorts, communication uses, and linear rights-of-way, and all other special use types issued with regard to Mount Hood National Forest shall be deposited in the special account established under subsection (a).

(c) AVAILABILITY.—Subject to subsection (d), amounts in the special account established under subsection (a) shall remain available, without further appropriation and until expended, for expenditure as provided in section 903. Upon request of the Secretary of Agriculture, the Secretary of the Treasury shall transfer to the Secretary of Agriculture from the special account such funds as the Secretary of Agriculture may request. The Secretary shall accept and use the funds in accordance with section 903.

(d) TERMINATION OF SPECIAL ACCOUNT.—The special account required by subsection (a) shall terminate at the end of the 10-year period beginning on the date of enactment of this Act. Any amounts remaining in the special account at the end of such period shall be transferred to the general fund of the Treasury.

SEC. 903. USE OF FUNDS IN SPECIAL ACCOUNT TO SUPPORT RECREATION.

(a) AUTHORIZED USES.—The Secretary of Agriculture shall use funds received from the special account under section 902(c) for the following purposes related to Mount Hood National Forest:

(1) Installation, repair, maintenance, and facility enhancement related directly to visitor enjoyment, visitor access, and health and safety, such as—

(A) the improvement and maintenance of trails, including trails used for hiking, biking, snowmobiling, horseback riding, cross-country skiing, and off-highway vehicles;

(B) water system improvements; and

(C) personal sanitation facilities improvements.

(2) Interpretive programs, visitor information, visitor services, visitor needs assessments, mapping, signage, Leave-No-Trace materials, and wilderness rangers.

(3) Habitat restoration directly related to recreation.

(4) Cooperative environmental restoration projects with non-Federal partnership groups and associations, including groups and associations that work with youth.

(5) Law enforcement and rescue and recovery efforts related to public use and recreation, such as law enforcement at recreation events, search and rescue operations, illegal recreation activities investigations, and enforcement.

(6) Improving administration of special use authorizations.

(7) Preparation of documents required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) in connection with the improvement or development of recreational opportunities.

(8) Other projects or partnerships recommended by the Mount Hood National Forest Recreation Working Group established by section 905.

(b) ALLOCATION REQUIREMENTS.—Of the total funds received by the Secretary of Agriculture from the special account under section 902(c) for a fiscal year, the Secretary shall allocate the funds as follows:

(1) 95 percent of the funds to Mount Hood National Forest.

(2) 5 percent of the funds to the Regional Office for the Pacific Northwest Region of the Forest Service to develop needed policy and training to support programs in wilderness areas, special uses, trails, developed and dispersed recreation, and interpretation related to Mount Hood National Forest.

SEC. 904. ANNUAL REPORTING REQUIREMENT.

The Secretary of Agriculture shall submit to Congress an annual report specifying—

(1) the total funds received by the Secretary from the special account under section 902(c) for the preceding fiscal year;

(2) how the funds were allocated and expended; and

(3) the results from such expenditures.

SEC. 905. MOUNT HOOD NATIONAL FOREST RECREATIONAL WORKING GROUP.

(a) ESTABLISHMENT AND PURPOSE.—The Secretary of Agriculture shall establish the Mount Hood National Forest Recreational Working Group for the purpose of providing advice and recommendations to the Forest Service on planning and implementing recreation enhancements in Mount Hood National Forest, including advice and recommendations regarding how the funds in the special account established under section 902 should be requested and expended.

(b) DUTIES.—The Working Group shall—

(1) review projects proposed by the Secretary for Mount Hood National Forest under section 903(a);

(2) propose projects under section 903(a) to the Secretary;

(3) recommend the amount of funds from the special account established under section 902 to be used to fund projects under section 903; and

(4) provide opportunities for citizens, organizations, Indian tribes, the Forest Service, and other interested parties to participate openly and meaningfully, beginning at the early stages of the development of projects under section 903(a).

(c) APPOINTMENT.—

(1) APPOINTMENT AND TERM.—The Regional Forester, acting on behalf of the Secretary of Agriculture, shall appoint the members of the Working Group for a term of 3 years beginning on the date of appointment. A member may be reappointed to subsequent 3-year terms.

(2) INITIAL APPOINTMENT.—The Regional Forester shall make initial appointments to the Working Group not later than 180 days after the date of enactment of this Act.

(3) VACANCIES.—The Regional Forester shall make appointments to fill vacancies on the Working Group as soon as practicable after the vacancy has occurred.

(4) COMPENSATION.—Members of the Working Group shall not receive any compensation for their service on the Working Group.

(5) NOMINATIONS.—The State, county, and Tribal governments for each county directly adjacent to or containing any portion of Mount Hood National Forest may submit a nomination to the Regional Forester for each activity or interest group category described in subsection (d).

(6) BROAD AND BALANCED REPRESENTATION.—In appointing the members of the Working Group, the Regional Forester shall provide for a balanced and broad representation from the recreation community.

(d) COMPOSITION OF WORKING GROUP.—The Working Group shall be composed of 15 members, selected so that the following activities and interest groups are represented:

(1) Summer non-mechanized recreation, such as hiking.

(2) Winter non-motorized recreation, such as snowshoeing and backcountry skiing.

(3) Mountain biking.

(4) Hunting and fishing.

(5) Summer motorized recreation, such as off-highway vehicle use.

(6) Local environmental groups.

(7) Winter motorized recreation, such as snowmobiling.

(8) Permitted ski areas.

(9) Forest products industry.

(10) Affected Indian tribes.

(11) Local holder of a recreation residence permit.

(12) Local government interests, such as a county commissioner or city mayor in an elected position representing a county or city directly adjacent or containing any portion of Mount Hood National Forest.

(13) A resident of Government Camp.

(14) The State.

(15) Operators of campground facilities open to the general public.

(e) CHAIRPERSON.—The chairperson of the Working Group shall be selected by a majority of the Working Group.

(f) OTHER WORKING GROUP AUTHORITIES AND REQUIREMENTS.—

(1) STAFF ASSISTANCE.—The Secretary of Agriculture shall provide staff assistance to the Working Group from Federal employees under the jurisdiction of the Secretary.

(2) MEETINGS.—All meetings of the Working Group shall be announced at least 1 week in advance in a local newspaper of record and shall be open to the public.

(3) RECORDS.—The Working Group shall maintain records of the meetings of the Working Group and make the records available for public inspection.

(g) LIMITATION ON ADMINISTRATIVE ASSISTANCE.—Not more than 5 percent of the funds allocated under section 903(b) to Mount Hood National Forest for a fiscal year may be used to provide administrative assistance to the Working Group during that fiscal year.

(h) FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Working Group.

(i) TERMINATION OF WORKING GROUP.—The Working Group shall terminate at the end of the 10-year period beginning on the date of enactment of this Act.

SEC. 906. CONSIDERATION OF CONVERSION OF FOREST ROADS TO RECREATIONAL USES.

(a) EVALUATION OF CURRENTLY CLOSED ROADS.—

(1) CONSIDERATION FOR RECREATIONAL USE.—The Secretary of Agriculture may make a determination regarding whether the Forest Service roads in Mount Hood National Forest that were selected before the date of enactment of this Act for closure and decommissioning, but have not yet been decommissioned, should be converted to recreational uses to enhance recreational opportunities in the national forest, such as conversion to single-track trails for mountain bikes and trails for snowmobiling, off-road vehicle use, horseback riding, hiking, cross-country skiing, and other recreational uses.

(2) CONSIDERATION OF ENVIRONMENTAL AND ECONOMIC IMPACTS.—In evaluating the feasibility and suitability of converting Forest Service roads under this subsection to recreational uses, and the types of recreational uses to be authorized, the Secretary shall take into account the environmental and economic impacts of implementing the conversion and of the resulting recreational uses.

(3) PUBLIC PROCESS.—The consideration and selection of Forest Service roads under this subsection for conversion to recreational uses, and the types of recreational uses to be authorized, shall be a public process, including consultation by the Secretary of Agriculture with the Mount Hood National Forest Recreational Working Group.

(b) FUTURE CLOSURE CONSIDERATIONS.—Whenever the Secretary of Agriculture considers a Forest Service road in Mount Hood National Forest for possible closure and decommissioning after the date of enactment of this Act, the Secretary shall include, as an alternative to decommissioning the road, consideration of converting the road to recreational uses to enhance recreational opportunities in the Mount Hood National Forest.

SEC. 907. IMPROVED TRAIL ACCESS FOR PERSONS WITH DISABILITIES.

(a) CONSTRUCTION OF TRAIL.—The Secretary of Agriculture may enter into a contract with a partner organization or other person to design and construct a trail at a location selected by the Secretary in Mount Hood National Forest suitable for use by persons with disabilities.

(b) PUBLIC PROCESS.—The selection of the trail location under subsection (a) and the preparation of the design of the trail shall be a public process, including consultation by the Secretary of Agriculture with the Mount Hood National Forest Recreational Working Group.

(c) FUNDING.—The Secretary of Agriculture may use funds in the special account established under section 902 to carry out this section.

TITLE X—AUTHORIZATION OF APPROPRIATIONS

SEC. 1001. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

By Mr. REID:

S. 650. A bill to amend the Energy Employees Occupational Illness Compensation Program Act of 2000 to provide for certain nuclear weapons program workers to be included in the Special Exposure Cohort under the compensation program established by that Act; to the Committee on Health, Education, Labor and Pensions.

Mr. REID. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 650

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Nevada Test Site Veterans' Compensation Act of 2007".

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) The contribution of the State of Nevada to the security of the United States throughout the Cold War and since has been unparalleled.

(2) In 1950, President Harry S Truman designated what would later be called the Nevada Test Site as the country's nuclear proving grounds and, a month later, the first atmospheric test at the Nevada Test Site was detonated.

(3) The United States conducted 100 aboveground and 828 underground nuclear tests at the Nevada Test Site from 1951 to 1992.

(4) Out of the 1,054 nuclear tests conducted in the United States, 928, or 88 percent, were conducted at the Nevada Test Site.

(5) The Nevada Test Site has served, and continues to serve, as the premier research, testing, and development site for the nuclear defense capabilities of the United States.

(6) The Nevada Test Site and its workers are an essential and irreplaceable part of the Nation's defense capabilities.

(7) Individuals working on Cold War-era nuclear weapons programs were employed in facilities owned by the Federal Government and the private sector producing and testing nuclear weapons and engaging in related atomic energy defense activities for the national defense beginning in the 1940s.

(8) These Cold War atomic energy veterans helped to build and test the nuclear arsenal that served as a deterrent during the Cold War, sacrificing their personal health and well-being in service to the United States.

(9) During the Cold War, many of these workers were exposed to radiation, beryllium, and silica, and were placed in harm's way by the Department of Energy and contractors, subcontractors, and vendors of the Department without the workers' knowledge or consent, without adequate radiation monitoring, and without necessary protections from internal or external occupational radiation exposure.

(10) The Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384 et seq.) (in this section referred to as "EEOICPA") was enacted to ensure fairness and equity for the men and women who, during the past 60 years, performed duties uniquely related to the nuclear weapons production and testing programs of the Department of Energy, its predecessor agencies, and its contractors by establishing a program that would provide timely, uniform, and adequate compensation for beryllium- and radiation-related health conditions.

(11) Research by the Department of Energy, the National Institute for Occupational Safety and Health (NIOSH), NIOSH contractors, the President's Advisory Board on Radiation and Worker Health, and congressional committees indicates that at certain nuclear weapons facilities—

(A) workers were not adequately monitored for internal or external exposure to ionizing radiation; and

(B) records were not maintained, are not reliable, are incomplete, or fail to indicate the radioactive isotopes to which workers were exposed.

(12) Due to the inequities posed by the factors described above and the resulting harm to the workers, Congress designated classes of atomic weapons employees at the Paducah, Kentucky, Portsmouth, Ohio, Oak Ridge K-25, Tennessee, and the Amchitka Island, Alaska, sites as members of the Special Exposure Cohort under EEOICPA.

(13) It has become evident that it is not feasible to estimate with sufficient accuracy in a timely manner the radiation dose received by employees at the Department of Energy facility at the Nevada Test Site for many reasons, including the following:

(A) The NIOSH Technical Basis Document, the threshold document for radiation dose reconstruction under EEOICPA, has incomplete radionuclide lists.

(B) NIOSH has not demonstrated that it can estimate dose from exposure to large, nonrespirable hot particles.

(C) There are significant gaps in environmental measurement and exposure data.

(D) Resuspension doses have been seriously underestimated.

(E) NIOSH has not been able to estimate accurately exposures to bomb assembly workers and radon levels.

(F) NIOSH has not demonstrated that it can accurately sample tritiated water vapor.

(G) External dose records lack integrity.

(H) There are no beta dose data from before 1966.

(I) There are no neutron dose data from before 1966 and only partial data after such date.

(J) There are no internal dose data from before late 1955 or 1956, and limited data until well into the 1960s.

(K) NIOSH has ignored exposure from more than a dozen underground tests that vented, including Blanca, Des Moines, Baneberry, Camphor, Diagonal Line, Riola, Agrini, Midas Myth, Misty Rain, and Mighty Oak.

(L) Instead of monitoring individuals, groups were monitored, resulting in unreliable personnel monitoring.

(14) Some Nevada Test Site workers, despite having worked with significant amounts of radioactive materials and having known exposures leading to serious health effects, have been denied compensation under EEOICPA as a result of flawed calculations based on records that are incomplete or in error, or based on faulty assumptions and incorrect models.

(15) Although basal cell carcinoma and chronic lymphocytic leukemia are both radiogenic cancers that employees at the Nevada Test Site may have contracted in the scope of their work, EEOICPA currently will not include individuals with basal cell carcinoma as members of the Special Exposure Cohort, nor does it provide for compensation for employees with chronic lymphocytic leukemia.

SEC. 3. INCLUSION OF CERTAIN NUCLEAR WEAPONS PROGRAM WORKERS IN SPECIAL EXPOSURE COHORT UNDER ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM.

(a) IN GENERAL.—Section 3621 of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384l) is amended—

(1) in paragraph (9), by adding at the end the following new subparagraph:

"(C) An individual described in paragraph (14)(D)."; and

(2) in paragraph (14), by adding at the end the following new subparagraph:

"(D) The employee was so employed at the Nevada Test Site or other similar sites located in Nevada during the period beginning on January 1, 1950, and ending on December 31, 1993, and contracted an occupational illness, basal cell carcinoma, or chronic lymphocytic leukemia, and, during such employment—

"(i) was present during an atmospheric or underground nuclear test or performed drillbacks, tunnel re-entry, or clean-up work following such a test (without regard to the duration of employment);

"(ii) was present at an event involving the venting of an underground test or during a planned or unplanned radiation release (without regard to the duration of employment);

"(iii) was present during testing or post-test activities related to nuclear rocket or ramjet engine testing at the Nevada Test Site (without regard to the duration of employment);

"(iv) was assigned to work at Area 51 or other classified program areas of the Nevada Test Site (without regard to the duration of employment); or

"(v) was employed at the Nevada Test Site, and was employed in a job activity that—

"(I) was monitored for exposure to ionizing radiation; or

"(II) was comparable to a job that is, was, or should have been monitored for exposure to ionizing radiation at the Nevada Test Site.".

(b) DEADLINE FOR CLAIMS ADJUDICATION.—Claims for compensation under section 3621(14)(D) of the Energy Employees Occupational Illness Compensation Program Act of 2000, as added by subsection (a), shall be adjudicated and a final decision issued—

(1) in the case of claims pending as of the date of the enactment of this Act, not later than 30 days after such date; and

(2) in the case of claims filed after the date of the enactment of this Act, not later than 30 days after the date of such filing.

By Mr. HARKIN (for himself and Mrs. CLINTON):

S. 651. A bill to help promote the national recommendation of physical activity to kids, families, and communities across the United States; to the Committee on Health, Education, Labor, and Pensions.

Mr. HARKIN. Mr. President, as you may have heard, today we are launching the Partnership for Play Every Day and it has been spearheaded by three terrific organizations: the YMCA, the National Recreation and Park Association, and the National Association for Sport and Physical Education. Together, they have 350 years of experience in helping our kids to be physically active or, to use the old-fashioned word, "to play."

More than a century ago, these groups came together to support the Playground Movement, which took kids out of factories and coal mines, and gave them parks and playgrounds where they could be children again.

Well, today we face a different challenge. As we confront an epidemic of childhood obesity, as many new elementary schools are built without playgrounds, as recess and PE are phased out of so many of our schools, we need a 21st century Playground Movement. And that's what we are launching this morning.

On a personal note, I have been a lifelong admirer of the YMCA. When I was in my early 20s and aspiring to join the Navy as a fighter pilot, they told me: First you've got to learn how to swim. So what did I do? I signed up at the Y in downtown Des Moines for swimming lessons.

Well, the Y was there for me, just as the Y is there for millions of American families, giving them the facilities and tools to stay fit and healthy.

You know, there is something fundamentally wrong when kids spend their free time parked in front of the TV instead of playing in parks.

I mentioned the childhood obesity epidemic. "Epidemic" is not my word. That's what the Centers for Disease Control and Prevention call it. Today, nearly 15 percent of American children and teenagers are obese. A quarter of the children between the ages of 5 and 10 already show the early warning signs of heart disease. Cases of adult-onset diabetes in children—which used to be almost unheard of—have exploded tenfold in the last two decades.

Add it all up, and experts say there is a very real prospect that today's kids could be the first generation in American history to have a shorter lifespan than their parent's generation.

And that is unacceptable. We are not going to let that happen. And that is why we have set the goal of ensuring that every child in America gets 60 minutes of play and physical activity every day.

Hand in hand with this important new initiative, today I am honored to introduce with Senator HILLARY CLINTON a bill called the PLAY Every Day Act. That first word, PLAY, is an acronym for "Promoting Lifelong Active Communities."

The PLAY Every Day Act will help to promote the national physical-activity standards for both children and adults.

To that end, the legislation will do two things:

One, it will mandate the development of a well-validated assessment tool called the "community play index," to identify barriers preventing young people from being physically active in a given community.

And two, it will help local coalitions to use this "community play index" as they craft plans to promote physical activity and wellness in their communities.

My vision is to have every community in America focused on promoting health and preventing disease—instead of just dealing with the bad consequences of obesity, diabetes, and heart disease.

By the way, I am grateful to the good corporate citizens that are joining in the Partnership for Play Every Day, including PepsiCo, Toyota, Kellogg Company, General Mills, PlayCore, and Landscape Structures. Your support of this legislation and new initiative is going to be critical to the Partnership's success.

So, again, I salute all the players in this new Partnership. Together, we can build a better, healthier future for America's children.

By Mr. DURBIN (for himself and Mr. SCHUMER):

S. 654. A bill to establish the Food Safety Administration to protect the public health by preventing food-borne illness, ensuring the safety of food, improving research on contaminants leading to food-borne illness, and improving security of food from intentional contamination, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. DURBIN. Mr. President, years ago, a friend from Chicago went out and bought hamburger meat at a local grocery store. She took it home, cooked it, and gave it to her five-year-old boy. That poor boy was exposed to E. coli and died a few days later, a gruesome, horrible death.

In 1992, four children died and 700 people were sickened by an E. coli outbreak that was traced to hamburgers served at Jack in the Box restaurants. That outbreak proved to be a pivotal moment in the history of the beef industry. The Federal Government revamped the meat inspection program which has led a decline in the number of illnesses from beef since 2000.

The E. coli outbreaks from fresh produce that occurred at the end of 2006 may prove to be the critical events for the produce industry as the Jack in the Box outbreak was for the meat industry. Three people died and nearly 200 were sickened in 26 States due to E. coli that was traced back to packaged spinach.

The breadth of the problem of foodborne illness is stunning. The Centers for Disease Control and Prevention estimate that as many as 76 million people suffer from food poisoning each year. Of those individuals, approximately 325,000 will be hospitalized and more than 5,000 will die. Children and the elderly are especially vulnerable to foodborne pathogens. Despite these statistics, our food supply is still the safest in the world; however, there are widening gaps in our food safety system due to the fact that food safety oversight has evolved over time and is spread across several agencies.

As the number of foods imported from outside the United States continues to increase so do concerns that terrorists could easily attack our food supply and distribute a harmful product widely. It is more important now then ever to reinforce any potential weak spots in our food safety system.

Last month, the Government Accountability Office (GAO) designated the Federal oversight of food safety as a high-risk area. In order to achieve greater effectiveness and accountability, there needs to be a broad-based transformation of our federal food safety oversight. GAO concluded that the fragmented federal system, with 15 agencies collectively administering at least 30 laws, has caused inconsistent oversight and an inefficient use of resources. An accidental or deliberate contamination of the food supply could undermine consumer confidence and cause severe economic consequences. It is not a surprise that GAO placed food safety oversight on its high-risk list this year. GAO has been calling for a single food safety agency for the past 30 years.

Here is one example of where our current food safety system doesn't make sense. Take a pre-packaged ham and cheese sandwich that's available at your local convenience store. The way the sandwich is regulated depends on how it is presented. USDA has jurisdiction if the sandwich is a packaged open-face meat or poultry sandwich that contains one slice of bread. If the sandwich is a closed-face meat or poultry sandwich, meaning it has two slices of bread, FDA inspects it. USDA inspects the open-face sandwiches that are sold in interstate commerce on a daily basis while FDA inspects closed-face sandwiches an average of once every five years.

Here's another example that illustrates the inefficient use of resources. The U.S. Department of Agriculture (USDA) and the Food and Drug Administration (FDA) both inspect shipments of imported food at 18 U.S. ports-of-entry; however the two agencies do not share inspection resources at these ports. USDA import inspectors are assigned to USDA-approved import inspection facilities at these ports and some of the ports also handle FDA-regulated products. USDA does not have jurisdiction over the FDA-regulated products. USDA has inspectors assigned to these facilities every day while the FDA-regulated products may remain at the facilities for some time awaiting FDA inspection. In fiscal year 2003, USDA spent nearly $16 million on imported food inspections and FDA spent over $115 million. This is just one example of where millions of dollars could have been saved if one agency oversaw the inspection process.

Please join me in sponsoring the Safe Food Act of 2007, which addresses our Nation's fractured food safety system. The Safe Food Act of 2007 would create a single, independent Federal food safety agency to administer all aspects of Federal food safety efforts, including inspections, enforcement, standards-setting and research, in order to protect public health. The agencies and sub-agencies now charged with protecting the food supply, primarily housed at the Food and Drug Administration and the Department of Agriculture, would be transferred to this new agency.

A single food safety agency with authority based on sound scientific principles would provide this country with the greatest hope of reducing foodborne illness, and would also prevent or minimize the harm of a bioterrorist attack on our food supply. The Safe Food Act of 2007 would put authority for imported and domestic food in the hands of one Food Safety Administrator. The Administrator would oversee one science-based food safety law that would harmonize the various authorities that currently govern food safety regulation.

Our food distribution system has undergone many changes over the years. For example, in the past, it was likely that produce that ended up in a local grocery store came from a farm not too far from the retailer. Fast forward to today produce grown on a single farm in one state could end up on dinner tables in many states across the country. We cannot continue trying to use a 1950s food safety model to oversee a 21st Century food distribution system. That's like asking a propeller plane to keep up with an F–18. We need to change, to shed the old bureaucratic shackles that have tied us to the overlapping and inefficient ad hoc food safety system of the past and create a system fit for the 21st Century.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the Record, as follows:

S. 654

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Safe Food Act of 2007".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings; purposes.
Sec. 3. Definitions.

TITLE I—ESTABLISHMENT OF FOOD SAFETY ADMINISTRATION

Sec. 101. Establishment of Food Safety Administration.
Sec. 102. Consolidation of separate food safety and inspection services and agencies.
Sec. 103. Additional duties of the Administration.

TITLE II—ADMINISTRATION OF FOOD SAFETY PROGRAM

Sec. 201. Administration of national program.
Sec. 202. Registration of food establishments and foreign food establishments.
Sec. 203. Preventative process controls to reduce adulteration of food.
Sec. 204. Performance standards for contaminants in food.
Sec. 205. Inspections of food establishments.
Sec. 206. Food production facilities.
Sec. 207. Federal and State cooperation.
Sec. 208. Imports.
Sec. 209. Resource plan.
Sec. 210. Traceback.

TITLE III—RESEARCH AND EDUCATION

Sec. 301. Public health assessment system.
Sec. 302. Public education and advisory system.
Sec. 303. Research.

TITLE IV—ENFORCEMENT

Sec. 401. Prohibited Acts.
Sec. 402. Food detention, seizure, and condemnation.
Sec. 403. Notification and recall.
Sec. 404. Injunction proceedings.
Sec. 405. Civil and criminal penalties.
Sec. 406. Presumption.
Sec. 407. Whistleblower protection.
Sec. 408. Administration and enforcement.
Sec. 409. Citizen civil actions.

TITLE V—IMPLEMENTATION

Sec. 501. Definition.
Sec. 502. Reorganization plan.
Sec. 503. Transitional authorities.
Sec. 504. Savings provisions.
Sec. 505. Conforming amendments.
Sec. 506. Additional technical and conforming amendments.
Sec. 507. Regulations.
Sec. 508. Authorization of appropriations.
Sec. 509. Limitation on authorization of appropriations.
Sec. 510. Effective date.

SEC. 2. FINDINGS; PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) the safety of the food supply of the United States is vital to the public health, to public confidence in the food supply, and to

the success of the food sector of the Nation's economy;

(2) lapses in the protection of the food supply and loss of public confidence in food safety are damaging to consumers and the food industry, and place a burden on interstate commerce;

(3) the safety and security of the food supply requires an integrated, system-wide approach to preventing food-borne illness, a thorough and broad-based approach to basic and applied research, and intensive, effective, and efficient management of the Nation's food safety program;

(4) the task of preserving the safety of the food supply of the United States faces tremendous pressures with regard to—

(A) emerging pathogens and other contaminants and the ability to detect all forms of contamination;

(B) an aging and immune compromised population, with a growing number of people at high-risk for food-borne illnesses, including infants and children;

(C) an increasing volume of imported food, without adequate monitoring and inspection; and

(D) maintenance of rigorous inspection of the domestic food processing and food service industries;

(5) Federal food safety standard setting, inspection, enforcement, and research efforts should be based on the best available science and public health considerations and food safety resources should be systematically deployed in ways that most effectively prevent food-borne illness;

(6) the Federal food safety system is fragmented, with at least 12 Federal agencies sharing responsibility for food safety, and operates under laws that do not reflect current conditions in the food system or current scientific knowledge about the cause and prevention of food-borne illness;

(7) the fragmented Federal food safety system and outdated laws preclude an integrated, system-wide approach to preventing food-borne illness, to the effective and efficient operation of the Nation's food safety program, and to the most beneficial deployment of food safety resources;

(8) the National Academy of Sciences recommended in the report "Ensuring Safe Food from Production to Consumption" that Congress establish by statute a unified and central framework for managing Federal food safety programs, and recommended modifying Federal statutes so that inspection, enforcement, and research efforts are based on scientifically supportable assessments of risks to public health; and

(9) the lack of a single focal point for food safety leadership in the United States undercuts the ability of the United States to exert food safety leadership internationally, which is detrimental to the public health and the international trade interests of the United States.

(b) PURPOSES.—The purposes of this Act are—

(1) to establish a single agency to be known as the "Food Safety Administration" to—

(A) regulate food safety and labeling to strengthen the protection of the public health;

(B) ensure that food establishments fulfill their responsibility to produce food in a manner that protects the public health of all people in the United States;

(C) lead an integrated, system-wide approach to food safety and to make more effective and efficient use of resources to prevent food-borne illness;

(D) provide a single focal point for food safety leadership, both nationally and internationally; and

(E) provide an integrated food safety research capability, utilizing internally-generated, scientifically and statistically valid studies, in cooperation with academic institutions and other scientific entities of the Federal and State governments, to achieve the continuous improvement of research on food-borne illness and contaminants;

(2) to transfer to the Food Safety Administration the food safety, labeling, inspection, and enforcement functions that, as of the day before the effective date of this Act, are performed by other Federal agencies; and

(3) to modernize and strengthen the Federal food safety laws to achieve more effective application and efficient management of the laws for the protection and improvement of public health.

SEC. 3. DEFINITIONS.

In this Act:

(1) ADMINISTRATION.—The term "Administration" means the Food Safety Administration established under section 101(a)(1).

(2) ADMINISTRATOR.—The term "Administrator" means the Administrator of Food Safety appointed under section 101(a)(3).

(3) ADULTERATED.—

(A) IN GENERAL.—The term "adulterated" has the meaning described in subsections (a) through (c) of section 402 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 342).

(B) INCLUSION.—The term "adulterated" includes bearing or containing a contaminant that causes illness or death among sensitive populations.

(4) AGENCY.—The term "agency" has the meaning given that term in section 551 of title 5, United States Code.

(5) CATEGORY 1 FOOD ESTABLISHMENT.—The term "category 1 food establishment" means a food establishment that slaughters animals for food.

(6) CATEGORY 2 FOOD ESTABLISHMENT.—The term "category 2 food establishment" means a food establishment that processes raw meat, poultry, seafood products, regardless of whether the establishment also has a kill step, and animal feed and other products that the Administrator determines by regulation to be at high risk of contamination and the processes of which do not include a step validated to destroy contaminants.

(7) CATEGORY 3 FOOD ESTABLISHMENT.—The term "category 3 food establishment" means a food establishment that processes meat, poultry, seafood products, and other products that the Administrator determines by regulation to be at high risk of contamination and whose processes include a step validated to destroy contaminants.

(8) CATEGORY 4 FOOD ESTABLISHMENT.—The term "category 4 food establishment" means a food establishment that processes all other categories of food products not described in paragraphs (5) through (7).

(9) CATEGORY 5 FOOD ESTABLISHMENT.—The term "category 5 food establishment" means a food establishment that stores, holds, or transports food products prior to delivery for retail sale.

(10) CONTAMINANT.—The term "contaminant" includes a bacterium, chemical, natural or manufactured toxin, virus, parasite, prion, physical hazard, or other human pathogen that when found on or in food can cause human illness, injury, or death.

(11) CONTAMINATION.—The term "contamination" refers to a presence of a contaminant in food.

(12) FOOD.—

(A) IN GENERAL.—The term "food" means a product intended to be used for food or drink for a human or an animal.

(B) INCLUSIONS.—The term "food" includes any product (including a meat food product, as defined in section 1(j) of the Federal Meat Inspection Act (21 U.S.C. 601(j))), capable for use as human food that is made in whole or in part from any animal, including cattle, sheep, swine, or goat, or poultry (as defined in section 4 of the Poultry Products Inspection Act (21 U.S.C. 453)), and animal feed.

(C) EXCLUSION.—The term "food" does not include dietary supplements, as defined in section 201(ff) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(ff)).

(13) FOOD ESTABLISHMENT.—

(A) IN GENERAL.—The term "food establishment" means a slaughterhouse, factory, warehouse, or facility owned or operated by a person located in any State that processes food or a facility that holds, stores, or transports food or food ingredients.

(B) EXCLUSIONS.—For the purposes of registration, the term "food establishment" does not include a farm, restaurant, other retail food establishment, nonprofit food establishment in which food is prepared for or served directly to the consumer, or fishing vessel (other than a fishing vessel engaged in processing, as that term is defined in section 123.3 of title 21, Code of Federal Regulations).

(14) FOOD PRODUCTION FACILITY.—The term "food production facility" means any farm, ranch, orchard, vineyard, aquaculture facility, or confined animal-feeding operation.

(15) FOOD SAFETY LAW.—The term "food safety law" means—

(A) the provisions of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) related to and requiring the safety, labeling, and inspection of food, infant formulas, food additives, pesticide residues, and other substances present in food under that Act;

(B) the provisions of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) and of any other Act that are administered by the Center for Veterinary Medicine of the Food and Drug Administration;

(C) the Poultry Products Inspection Act (21 U.S.C. 451 et seq.);

(D) the Federal Meat Inspection Act (21 U.S.C. 601 et seq.);

(E) the Egg Products Inspection Act (21 U.S.C. 1031 et seq.);

(F) the Sanitary Food Transportation Act of 1990 (49 U.S.C. App. 2801 et seq.);

(G) the amendments made by the Sanitary Food Transportation Act of 2005 (subtitle B of title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users) (21 U.S.C. 301 note);

(H) the provisions of the Humane Methods of Slaughter Act of 1978 (21 U.S.C. 601 note) administered by the Food Safety and Inspection Service;

(I) the provisions of this Act; and

(J) such other provisions of law related to and requiring food safety, labeling, inspection, and enforcement as the President designates by Executive order as appropriate to include within the jurisdiction of the Administration.

(16) FOREIGN FOOD ESTABLISHMENT.—The term "foreign food establishment" means a slaughterhouse, factory, warehouse, or facility located outside the United States that processes food for consumption that is imported into the United States or food ingredients.

(17) INTERSTATE COMMERCE.—The term "interstate commerce" has the meaning given that term in section 201(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(b)).

(18) MISBRANDED.—The term "misbranded" has the meaning given that term in section 403 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 343).

(19) PROCESS.—The term "process" or "processing" means the commercial harvesting, slaughter, packing, preparation, or manufacture of food.

(20) SAFE.—The term "safe" refers to human and animal health.

(21) STATE.—The term "State" means—

(A) a State;

(B) the District of Columbia;

(C) the Commonwealth of Puerto Rico; and

(D) any other territory or possession of the United States.

(22) VALIDATION.—The term "validation" means the obtaining of evidence that the food hygiene control measure or measures selected to control a hazard in food is capable of effectively and consistently controlling the hazard.

(23) STATISTICALLY VALID.—With respect to a study, the term "statistically valid" means evaluated and conducted under standards set by the National Institute of Standards and Technology.

TITLE I—ESTABLISHMENT OF FOOD SAFETY ADMINISTRATION

SEC. 101. ESTABLISHMENT OF FOOD SAFETY ADMINISTRATION.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established in the executive branch an agency to be known as the "Food Safety Administration".

(2) STATUS.—The Administration shall be an independent establishment (as defined in section 104 of title 5, United States Code).

(3) HEAD OF ADMINISTRATION.—The Administration shall be headed by the Administrator of Food Safety, who shall be appointed by the President, by and with the advice and consent of the Senate.

(b) DUTIES OF ADMINISTRATOR.—The Administrator shall—

(1) administer and enforce the food safety law;

(2) serve as a representative to international food safety bodies and discussions;

(3) promulgate regulations to ensure the security of the food supply from all forms of contamination, including intentional contamination; and

(4) oversee—

(A) implementation of Federal food safety inspection, enforcement, and research efforts, to protect the public health;

(B) development of consistent and science-based standards for safe food;

(C) coordination and prioritization of food safety research and education programs with other Federal agencies;

(D) prioritization of Federal food safety efforts and deployment of Federal food safety resources to achieve the greatest possible benefit in reducing food-borne illness;

(E) coordination of the Federal response to food-borne illness outbreaks with other Federal and State agencies; and

(F) integration of Federal food safety activities with State and local agencies.

SEC. 102. CONSOLIDATION OF SEPARATE FOOD SAFETY AND INSPECTION SERVICES AND AGENCIES.

(a) TRANSFER OF FUNCTIONS.—For each Federal agency specified in subsection (b), there are transferred to the Administration all functions that the head of the Federal agency exercised on the day before the effective date of this Act (including all related functions of any officer or employee of the Federal agency) that relate to administration or enforcement of the food safety law, as determined by the President.

(b) TRANSFERRED AGENCIES.—The Federal agencies referred to in subsection (a) are—

(1) the Food Safety and Inspection Service of the Department of Agriculture;

(2) the Center for Food Safety and Applied Nutrition of the Food and Drug Administration;

(3) the part of the Agriculture Marketing Service that administers shell egg surveillance services established under the Egg Products Inspection Act (21 U.S.C. 1031 et seq.);

(4) the resources and facilities of the Office of Regulatory Affairs of the Food and Drug Administration that administer and conduct inspections of food establishments and imports;

(5) the resources and facilities of the Office of the Commissioner of the Food and Drug Administration that support—

(A) the Center for Food Safety and Applied Nutrition;

(B) the Center for Veterinary Medicine; and

(C) the Office of Regulatory Affairs facilities and resources described in paragraph (4);

(6) the Center for Veterinary Medicine of the Food and Drug Administration;

(7) the resources and facilities of the Environmental Protection Agency that control and regulate pesticide residues in food;

(8) the part of the Research, Education, and Economics mission area of the Department of Agriculture related to food safety and animal feed research;

(9) the part of the National Marine Fisheries Service of the National Oceanic and Atmospheric Administration of the Department of Commerce that administers the seafood inspection program;

(10) the Animal and Plant Inspection Health Service of the Department of Agriculture; and

(11) such other offices, services, or agencies as the President designates by Executive order to carry out this Act.

SEC. 103. ADDITIONAL DUTIES OF THE ADMINISTRATION.

(a) OFFICERS AND EMPLOYEES.—The Administrator may—

(1) appoint officers and employees for the Administration in accordance with the provisions of title 5, United States Code, relating to appointment in the competitive service; and

(2) fix the compensation of those officers and employees in accordance with chapter 51 and with subchapter III of chapter 53 of that title, relating to classification and General Schedule pay rates.

(b) EXPERTS AND CONSULTANTS.—The Administrator may—

(1) procure the services of temporary or intermittent experts and consultants as authorized by section 3109 of title 5, United States Code; and

(2) pay in connection with those services the travel expenses of the experts and consultants, including transportation and per diem in lieu of subsistence while away from the homes or regular places of business of the individuals, as authorized by section 5703 of that title.

(c) BUREAUS, OFFICES, AND DIVISIONS.—The Administrator may establish within the Administration such bureaus, offices, and divisions as the Administrator determines are necessary to perform the duties of the Administrator.

(d) ADVISORY COMMITTEES.—

(1) IN GENERAL.—The Administrator shall establish advisory committees that consist of representatives of scientific expert bodies, academics, industry specialists, and consumers.

(2) DUTIES.—The duties of an advisory committee established under paragraph (1) may include developing recommendations with respect to the development of new processes, research, communications, performance standards, and inspection.

TITLE II—ADMINISTRATION OF FOOD SAFETY PROGRAM

SEC. 201. ADMINISTRATION OF NATIONAL PROGRAM.

(a) IN GENERAL.—The Administrator shall—

(1) administer a national food safety program (referred to in this section as the "program") to protect public health; and

(2) ensure that persons who produce or process food meet their responsibility to prevent or minimize food safety hazards related to their products.

(b) COMPREHENSIVE ANALYSIS.—The program shall be based on a comprehensive analysis of the hazards associated with different food and with the processing of different food, including the identification and evaluation of—

(1) the severity of the potential health risks;

(2) the sources and specific points of potential contamination extending from the farm or ranch to the consumer that may render food unsafe;

(3) the potential for persistence, multiplication, or concentration of naturally occurring or added contaminants in food;

(4) opportunities across the food production, processing, distribution, and retail system to reduce potential health risks; and

(5) opportunities for intentional contamination.

(c) PROGRAM ELEMENTS.—In carrying out the program, the Administrator shall—

(1) adopt and implement a national system for the registration of food establishments and foreign food establishments and regular unannounced inspection of food establishments;

(2) enforce the adoption of process controls in food establishments, based on best available scientific and public health considerations and best available technologies;

(3) establish and enforce science-based standards for—

(A) substances that may contaminate food; and

(B) safety and sanitation in the processing and handling of food;

(4) implement a statistically valid sampling program to ensure that industry programs and procedures that prevent food contamination are effective on an ongoing basis and that food meets the standards established under this Act;

(5) implement procedures and requirements to ensure the safety and security of imported food;

(6) coordinate with other agencies and State or local governments in carrying out inspection, enforcement, research, and monitoring;

(7) have access to the surveillance data of the Centers for Disease Control and Prevention, and other Federal Government agencies, in order to implement a national surveillance system to assess the health risks associated with the human consumption of food or to create surveillance data and studies;

(8) develop public education risk communication and advisory programs;

(9) implement a basic and applied research program to further the purposes of this Act; and

(10) coordinate and prioritize food safety research and educational programs with

other agencies, including State or local agencies.

SEC. 202. REGISTRATION OF FOOD ESTABLISHMENTS AND FOREIGN FOOD ESTABLISHMENTS.

(a) In General.—The Administrator shall by regulation require that any food establishment or foreign food establishment engaged in processing food in the United States be registered with the Administrator.

(b) Registration Requirements.—

(1) In general.—To be registered under subsection (a)—

(A) in the case of a food establishment, the owner, operator, or agent in charge of the food establishment shall submit a registration to the Administrator; and

(B) in the case of a foreign food establishment, the owner, operator, or agent in charge of the foreign food establishment shall—

(i) submit a registration to the Administrator; and

(ii) provide the name, address, and emergency contact information of the United States agent for the foreign food establishment.

(2) Registration.—A food establishment or foreign food establishment shall submit a registration under paragraph (1) to the Administrator that—

(A) identifies the name, address, and emergency contact information of each food establishment or foreign food establishment that the registrant operates under this Act and all trade names under which the registrant conducts business relating to food;

(B) lists the primary purpose and business activity of each food establishment or foreign food establishment, including the dates of operation if the food establishment or foreign food establishment is seasonal;

(C) lists the types of food processed or sold at each food establishment or, for foreign food establishments selling food for consumption in the United States, identifies the specific food categories of that food as listed under section 170.3 of title 21, Code of Federal Regulations; and

(D) not later than 30 days after a change in the products, function, or legal status of the food establishment or foreign food establishment (including cessation of business activities), notifies the Administrator of the change.

(3) Procedure.—Upon receipt of a completed registration described in paragraph (1), the Administrator shall notify the registrant of the receipt of the registration, designate each establishment as a category 1, 2, 3, 4, or 5 food establishment, and assign a registration number to each food establishment and foreign food establishment.

(4) List.—The Administrator shall compile and maintain an up-to-date list of food establishments and foreign food establishments that are registered under this section. The Administrator may establish regulations by which such list may be shared with other governmental authorities.

(5) Disclosure exemption.—The disclosure requirements under section 552 of title 5, United States Code, shall not apply to—

(A) the list compiled under paragraph (4); and

(B) information derived from the list under paragraph (4), to the extent that it discloses the identity or location of a specific registered person.

(6) Suspension of registration.—

(A) In general.—The Administrator may suspend the registration of a food establishment or foreign food establishment, including the facility of an importer, for violation of a food safety law.

(B) Notice and opportunity for hearing.—The Administrator shall provide notice to a registrant immediately upon the suspension of the registration of the facility and provide registrant with an opportunity for a hearing within 3 days of the suspension.

(7) Reinstatement.—A registration that is suspended under this section may be reinstated pursuant to criteria published in the Federal Register by the Administrator.

SEC. 203. PREVENTATIVE PROCESS CONTROLS TO REDUCE ADULTERATION OF FOOD.

(a) In General.—The Administrator shall, upon the basis of best available public health, scientific, and technological data, promulgate regulations to ensure that food establishments carry out their responsibilities to—

(1) process food in a sanitary manner so that it is free of dirt and filth;

(2) limit the presence of potentially harmful contaminants in food;

(3) implement appropriate measures of preventative process control to minimize and reduce the presence and growth of contaminants in food and meet the performance standards established under section 204;

(4) process all fully processed or ready-to-eat food in a sanitary manner, using reasonably available techniques and technologies to eliminate any potentially harmful contaminants; and

(5) label food intended for final processing outside commercial food establishments with instructions for handling and preparation for consumption that will destroy contaminants.

(b) Regulations.—Not later than 1 year after the effective date of this Act, the Administrator shall promulgate regulations that—

(1) require all food establishments to adopt preventative process controls that are—

(A) adequate to protect the public health;

(B) meet relevant regulatory and food safety standards; and

(C) limit the presence and growth of contaminants in food prepared in a food establishment;

(2) set standards for sanitation;

(3) meet any performance standards for contaminants established under section 204;

(4) require recordkeeping to monitor compliance;

(5) require sampling and testing at a frequency and in a manner sufficient to ensure that process controls are effective on an ongoing basis and that regulatory standards are being met; and

(6) provide for agency access to records kept by food establishments and submission of copies of the records to the Administrator, as the Administrator determines appropriate.

(c) Processing Controls.—The Administrator may require any person with responsibility for or control over food or food ingredients to adopt process controls, if the process controls are needed to ensure the protection of the public health.

SEC. 204. PERFORMANCE STANDARDS FOR CONTAMINANTS IN FOOD.

(a) In General.—To protect the public health, the Administrator shall establish by regulation and enforce performance standards that define, with respect to specific food-borne contaminants and foods, the level of food safety performance that a person responsible for producing, processing, or selling food shall meet.

(b) Identification of Contaminants; Performance Standards.—

(1) In general.—Not later than 6 months after the date of enactment of this Act, the Administrator shall identify the food-borne contaminants and food that contribute significantly to the risk of food-borne illness.

(2) Performance standards.—As soon as practicable after the identification of the contaminants under paragraph (1), the Administrator shall establish appropriate performance standards to protect against all food-borne contaminants.

(3) Significant contaminants.—The Administrator shall establish performance standards for the 5 contaminants that contribute to the greatest number of illnesses or deaths associated with raw meat, poultry, and seafood not later than 3 years after the date of enactment of this Act. The Administrator shall revise such standards not less often than every 3 years.

(c) Performance Standards.—

(1) In general.—The performance standards established under this section shall include—

(A) health-based standards that set the level of a contaminant that can safely and lawfully be present in food;

(B) zero tolerances, including zero tolerances for fecal matter, in addition to any zero-tolerance standards in effect on the day before the date of enactment of this Act, when necessary to protect against significant adverse health outcomes;

(C) process standards, such as log reduction criteria for cooked products, when sufficient to ensure the safety of processed food; and

(D) in the absence of data to support a performance standard described in subparagraph (A), (B), or (C), standards that define required performance in terms of "best reasonably achievable performance", using best available technologies, interventions, and practices.

(2) Best reasonably achievable performance standards.—In developing best reasonably achievable performance standards, the Administrator shall collect, or contract for the collection of, data on current best practices and food safety outcomes related to the contaminants and foods in question, as the Administrator determines necessary.

(3) Revocation by administrator.—All performance standards, tolerances, action levels, or other similar standards in effect on the date of enactment of this Act shall remain in effect until revised or revoked by the Administrator.

(d) Enforcement.—

(1) In general.—Not later than 1 year after the promulgation of a performance standard under this section, the Administrator shall implement a statistically significant sampling program to determine whether food establishments are complying with the performance standards promulgated under this section. The program established under this paragraph shall be at least as stringent as the Hazard Analysis and Critical Control Point System requirements established under part 417 of title 9, Code of Federal Regulations (or successor regulation).

(2) Inspections.—If the Administrator determines that a food establishment fails to meet a standard promulgated under this section, and such establishment fails to take appropriate corrective action as determined by the Administrator, the Administrator shall, as appropriate—

(A) detain, seize, or condemn food from the food establishment under section 402;

(B) order a recall of food from the food establishment under section 403;

(C) increase the inspection frequency for the food establishment;

(D) withdraw the mark of inspection from the food establishment, if in use; or

(E) take other appropriate enforcement action concerning the food establishment, including withdrawal of registration.

(e) NEWLY IDENTIFIED CONTAMINANTS.—Notwithstanding any other provision of this section, the Administrator shall promulgate interim performance standards for newly identified contaminants as necessary to protect the public health.

SEC. 205. INSPECTIONS OF FOOD ESTABLISHMENTS.

(a) IN GENERAL.—The Administrator shall establish an inspection program, which shall include sampling and testing of food and food establishments, to determine if each food establishment—

(1) is operating in a sanitary manner;

(2) has continuous systems, interventions, and processes in place to minimize or eliminate contaminants in food;

(3) is in compliance with applicable performance standards established under section 204, and other regulatory requirements;

(4) is processing food that is safe and not adulterated or misbranded;

(5) maintains records of process control plans under section 203, and other records related to the processing, sampling, and handling of food; and

(6) is in compliance with the requirements of the food safety law.

(b) ESTABLISHMENT CATEGORIES AND INSPECTION FREQUENCIES.—The resource plan required under section 209, including the description of resources required to carry out inspections of food establishments, shall be based on the following categories and inspection frequencies, subject to subsections (c), (d), and (e):

(1) CATEGORY 1 FOOD ESTABLISHMENTS.—A category 1 food establishment shall be subject to antemortem, postmortem, and continuous inspection of each slaughter line during all operating hours, and other inspection on a daily basis, sufficient to verify that—

(A) diseased animals are not offered for slaughter;

(B) the food establishment has successfully identified and removed from the slaughter line visibly defective or contaminated carcasses, has avoided cross-contamination, and destroyed or reprocessed them in a manner acceptable to the Administrator; and

(C) that applicable performance standards and other provisions of the food safety law, including those intended to eliminate or reduce pathogens, have been satisfied.

(2) CATEGORY 2 FOOD ESTABLISHMENTS.—A category 2 food establishment shall be randomly inspected at least daily.

(3) CATEGORY 3 FOOD ESTABLISHMENTS.—A category 3 food establishment shall—

(A) have ongoing verification that its processes are controlled; and

(B) be randomly inspected at least monthly.

(4) CATEGORY 4 FOOD ESTABLISHMENTS.—A category 4 food establishment shall be randomly inspected at least quarterly.

(5) CATEGORY 5 FOOD ESTABLISHMENTS.—A category 5 food establishment shall be randomly inspected at least annually.

(c) ESTABLISHMENT OF INSPECTION PROCEDURES.—The Administrator shall establish procedures under which inspectors or safety officers shall take random samples, photographs, and copies of records in food establishments.

(d) ALTERNATIVE INSPECTION FREQUENCIES.—With respect to a category 2, 3, 4, or 5 food establishment, the Administrator may establish alternative increasing or decreasing inspection frequencies for subcategories of food establishments or individual establishments, to foster risk-based allocation of resources, subject to the following criteria and procedures:

(1) Subcategories of food establishments and their alternative inspection frequencies shall be defined by regulation, subject to paragraphs (2) and (3).

(2) Regulations of alternative inspection frequencies for subcategories of food establishments under paragraph (1) and for a specific food establishment under paragraph (4) shall provide that—

(A) category 2 food establishments shall be inspected at least monthly; and

(B) category 3, 4, and 5 food establishments shall be inspected at least annually.

(3) In defining subcategories of food establishments and their alternative inspection frequencies under paragraphs (1) and (2), the Administrator shall consider—

(A) the nature of the food products being processed, stored, or transported;

(B) the manner in which food products are processed, stored, or transported;

(C) the inherent likelihood that the products will contribute to the risk of food-borne illness;

(D) the best available evidence concerning reported illnesses associated with the foods produced in the proposed subcategory of establishments; and

(E) the overall record of compliance with the food safety law among establishments in the proposed subcategory, including compliance with applicable performance standards and the frequency of recalls.

(4) The Administrator may adopt alternative inspection frequencies for increased or decreased inspection for a specific establishment, subject to paragraphs (2) and (5) and shall periodically publish a list of establishments subject to alternative inspections.

(5) In adopting alternative inspection frequencies for a specific establishment, the Administrator shall consider—

(A) the criteria in paragraph (3);

(B) whether products from the specific establishment have been associated with a case or an outbreak of food-borne illness; and

(C) the record of the establishment of compliance with the food safety law, including compliance with applicable performance standards and the frequency of recalls.

(6) Before establishing decreased alternative inspection frequencies for subcategories of establishments or individual establishments, the Administrator shall—

(A) determine, based on the best available evidence, that the alternative uses of the resources required to carry out the inspection activity would make a greater contribution to protecting the public health and reducing the risk of food-borne illness than the use of resources described in subsection (b);

(B) describe the alternative uses of resources in general terms when issuing the regulation or order that establishes the alternative inspection frequency;

(C) consider the supporting evidence that an individual food establishment shall submit related to whether an alternative inspection frequency should be established for such establishment by the Administrator; and

(D) include a description of the alternative uses in the annual resource plan required in section 209.

(e) INSPECTION TRANSITION.—The Administrator shall manage the transition to the inspection system described in this Act as follows:

(1) In the case of a category 1 or 2 food establishment, the Administrator shall continue to implement the applicable inspection mandates of the Federal Meat Inspection Act (21 U.S.C. 601 et seq.), the Poultry Products Inspection Act (21 U.S.C. 451 et seq.), and the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) until—

(A) regulations required to implement this section have been promulgated;

(B) the performance standards required by section 204(c) have been promulgated and implemented for 1 year; and

(C) the establishment has achieved compliance with the other applicable provisions of the food safety law.

(2) In the case of a category 1 or 2 food establishment that, within 2 years after the promulgation of the performance standards required by section 204(c), has not achieved compliance with the food safety law, the Administrator shall—

(A) issue an order prohibiting the establishment from operating pending a demonstration by the establishment that sufficient changes in facilities, procedures, personnel, or other aspects of the process control system have been made such that the Administrator determines that compliance with the food safety law is achieved; and

(B) following the demonstration required in subparagraph (A), issue an order authorizing the food establishment to operate subject, at a minimum, to—

(i) the inspection requirement applicable to the establishment under subsection (b) (1) or (2); and

(ii) such other inspection or compliance measures determined by the Administrator necessary to assure compliance with the applicable food safety law.

(3) In the case of a category 3 food establishment, the Administrator shall continue to implement the applicable inspection mandates of the Federal Meat Inspection Act (21 U.S.C. 601 et seq.), the Poultry Products Inspection Act (21 U.S.C. 451 et seq.), and the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) until—

(A) the regulations required to implement this section have been promulgated;

(B) the first resource plan under section 209 has been submitted; and

(C) for individual establishments, compliance with the food safety law has been demonstrated.

(4) In the case of a category 3 food establishment that, within 1 year after the promulgation of the regulations required to implement this section, have not demonstrated compliance with the food safety law, the Administrator shall—

(A) issue an order prohibiting the establishment from operating, pending a demonstration by the establishment that sufficient changes in facilities, procedures, personnel, or other aspects of the process control system have been made such that the Administrator determines that compliance with the food safety law is achieved; and

(B) following the demonstration required in subparagraph (A), issue an order authorizing the establishment to operate subject, at a minimum, to—

(i) the inspection requirement applicable to the establishment under subsection (b)(3); and

(ii) such other inspection or compliance measures determined by the Administrator necessary to assure compliance with the food safety law.

(5) In the case of a category 4 or 5 food establishment, the inspection requirements of this Act shall be implemented as soon as possible after—

(A) the promulgation of the regulations required to implement this section;

(B) the publication of the first resource plan under section 209; and

(C) the commencement of the first fiscal year in which the Administration is operating with budgetary resources that Congress has appropriated following consideration of the resource plan under section 209.

(f) OFFICIAL MARK.—

(1) IN GENERAL.—

(A) ESTABLISHMENT.—Before the completion of the transition process under paragraphs (1) through (3) of subsection (e), the Administrator shall by regulation establish an official mark that shall be affixed to a food product produced in a category 1, 2, or 3 establishment, subject to subparagraph (B).

(B) PREREQUISITE.—The official mark required under subparagraph (A) shall be affixed to a food product by the Administrator if the establishment has been inspected by the Administrator in accordance with the inspection frequencies under this section and the establishment is in compliance with the food safety law.

(C) REMOVAL OF OFFICIAL MARK.—The Administrator shall promulgate regulations that provide for the removal of the official mark under this subsection if the Administrator makes a finding that the establishment is not in compliance with the food safety law.

(2) CATEGORY 1, 2, OR 3 FOOD ESTABLISHMENTS.—In the case of products produced in a category 1, 2, or 3 food establishment—

(A) products subject to Federal Meat Inspection Act (21 U.S.C. 601 et seq.), the Poultry Products Inspection Act (21 U.S.C. 451 et seq.), the Egg Products Inspection Act (21 U.S.C. 1031 et seq.), and the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) as of the date of enactment of this Act shall remain subject to the requirement under those Acts that they bear the mark of inspection pending completion of the transition process under paragraphs (1) through (3) of subsection (e);

(B) the Administrator shall publicly certify on a monthly basis that the inspection frequencies required under this Act have been achieved; and

(C) a product from an establishment that has not been inspected in accordance with the required frequencies under this section shall not bear the official mark and shall not be shipped in interstate commerce.

(3) CATEGORY 4 AND 5 FOOD ESTABLISHMENTS.—In the case of a product produced in a category 4 or 5 food establishment the Administrator shall provide by regulation for the voluntary use of the official mark established under paragraph (1), subject to—

(A) such minimum inspection frequencies as determined appropriate by the Administrator;

(B) compliance with applicable performance standards and other provisions of the food safety law; and

(C) such other requirements the Administrator considers appropriate.

(g) IMPLEMENTATION.—Not later than 1 year after the effective date of this Act, the Administrator shall issue regulations to implement subsections (b) through (e).

(h) MAINTENANCE AND INSPECTION OF RECORDS.—

(1) IN GENERAL.—

(A) RECORDS.—A food establishment shall—

(i) maintain such records as the Administrator shall require by regulation, including all records relating to the processing, distributing, receipt, or importation of any food; and

(ii) permit the Administrator, in addition to any authority of the food safety agencies in effect on the day before the date of enactment of this Act, upon presentation of appropriate credentials and at reasonable times and in a reasonable manner, to have access to and copy all records maintained by or on behalf of such food establishment representative in any format (including paper or electronic) and at any location, that are necessary to assist the Administrator—

(I) to determine whether the food is contaminated or not in compliance with the food safety law; or

(II) to track the food in commerce.

(B) REQUIRED DISCLOSURE.—A food establishment shall have an affirmative obligation to disclose to the Administrator the results of testing or sampling of food, equipment, or material in contact with food, that is positive for any contaminant.

(2) MAINTENANCE OF RECORDS.—The records in paragraph (1) shall be maintained for a reasonable period of time, as determined by the Administrator.

(3) REQUIREMENTS.—The records in paragraph (1) shall include records describing—

(A) the origin, receipt, delivery, sale, movement, holding, and disposition of food or ingredients;

(B) the identity and quantity of ingredients used in the food;

(C) the processing of the food;

(D) the results of laboratory, sanitation, or other tests performed on the food or in the food establishment;

(E) consumer complaints concerning the food or packaging of the food;

(F) the production codes, open date codes, and locations of food production; and

(G) other matters reasonably related to whether food is unsafe, is adulterated or misbranded, or otherwise fails to meet the requirements of this Act.

(i) PROTECTION OF SENSITIVE INFORMATION.—

(1) IN GENERAL.—The Administrator shall develop and maintain procedures to prevent the unauthorized disclosure of any trade secret or confidential information obtained by the Administrator.

(2) LIMITATION.—The requirement under this subsection does not—

(A) limit the authority of the Administrator to inspect or copy records or to require the establishment or maintenance of records under this Act;

(B) have any legal effect on section 1905 of title 18, United States Code;

(C) extend to any food recipe, financial data, pricing data, personnel data, or sales data (other than shipment dates relating to sales);

(D) limit the public disclosure of distribution records or other records related to food subject to a voluntary or mandatory recall under section 403; or

(E) limit the authority of the Administrator to promulgate regulations to permit the sharing of data with other governmental authorities.

(j) BRIBERY OF OR GIFTS TO INSPECTOR OR OTHER OFFICERS AND ACCEPTANCE OF GIFTS.—Section 22 of the Federal Meat Inspection Act (21 U.S.C. 622) shall apply under this Act.

SEC. 206. FOOD PRODUCTION FACILITIES.

In carrying out the duties of the Administrator and the purposes of this Act, the Administrator shall have the authority, with respect to food production facilities, to—

(1) visit and inspect food production facilities in the United States and in foreign countries to investigate bioterrorism threats and for other critical food safety purposes;

(2) review food safety records as required to be kept by the Administrator to carry out traceback and for other critical food safety purposes;

(3) set good practice standards to protect the public and animal health and promote food safety;

(4) conduct monitoring and surveillance of animals, plants, products, or the environment, as appropriate; and

(5) collect and maintain information relevant to public health and farm practices.

SEC. 207. FEDERAL AND STATE COOPERATION.

(a) IN GENERAL.—The Administrator shall work with the States to carry out activities and programs that create a national food safety program so that Federal and State programs function in a coordinated and cost-effective manner.

(b) STATE ACTION.—The Administrator shall work with States to—

(1) continue, strengthen, or establish State food safety programs, especially with respect to the regulation of retail commercial food establishments, transportation, harvesting, and fresh markets;

(2) continue, strengthen, or establish inspection programs and requirements to ensure that food under the jurisdiction of the State is safe; and

(3) support recall authorities at the State and local levels.

(c) ASSISTANCE.—To assist in planning, developing, and implementing a food safety program, the Administrator may provide and continue to a State—

(1) advisory assistance;

(2) technical and laboratory assistance and training (including necessary materials and equipment); and

(3) financial, in kind, and other aid.

(d) SERVICE AGREEMENTS.—

(1) IN GENERAL.—The Administrator may, under agreements entered into with Federal, State, or local agencies, use on a reimbursable basis or otherwise, the personnel and services of those agencies in carrying out this Act.

(2) TRAINING.—Agreements with a State under this subsection may provide for training of State employees.

(3) MAINTENANCE OF AGREEMENTS.—The Administrator shall maintain any agreement that is in effect on the day before the date of enactment of this Act until the Administrator evaluates such agreement and determines whether to maintain or substitute such agreement.

(e) AUDITS.—

(1) IN GENERAL.—The Administrator shall annually conduct a comprehensive review of each State program that provides services to the Administrator in carrying out the responsibilities under this Act, including mandated inspections under section 205.

(2) REQUIREMENTS.—The review shall—

(A) include a determination of the effectiveness of the State program; and

(B) identify any changes necessary to ensure enforcement of Federal requirements under this Act.

(f) NO FEDERAL PREEMPTION.—Nothing in this Act shall be construed to preempt the enforcement of State food safety laws and standards that are at least as stringent as those under this Act.

SEC. 208. IMPORTS.

(a) IN GENERAL.—Not later than 2 years after the effective date of this Act, the Administrator shall establish a system under which a foreign government or foreign food establishment seeking to import food to the United States shall submit a request for certification to the Administrator.

(b) CERTIFICATION STANDARD.—A foreign government or foreign food establishment requesting a certification to import food to the United States shall demonstrate, in a manner determined appropriate by the Administrator, that food produced under the supervision of a foreign government or by the foreign food establishment has met standards for food safety, inspection, labeling, and consumer protection that are at least equivalent to standards applicable to food produced in the United States.

(c) CERTIFICATION APPROVAL.—

(1) REQUEST BY FOREIGN GOVERNMENT.—Prior to granting the certification request of a foreign government, the Administrator shall review, audit, and certify the food safety program of a requesting foreign government (including all statutes, regulations, and inspection authority) as at least equivalent to the food safety program in the United States, as demonstrated by the foreign government.

(2) REQUEST BY FOREIGN FOOD ESTABLISHMENT.—Prior to granting the certification request of a foreign food establishment, the Administrator shall certify, based on an onsite inspection, the food safety programs and procedures of a requesting foreign firm as at least equivalent to the food safety programs and procedures of the United States.

(d) LIMITATION.—A foreign government or foreign firm approved by the Administrator to import food to the United States under this section shall be certified to export only the approved food products to the United States for a period not to exceed 5 years.

(e) WITHDRAWAL OF CERTIFICATION.—The Administrator may withdraw certification of any food from a foreign government or foreign firm—

(1) if such food is linked to an outbreak of human illness;

(2) following an investigation by the Administrator that finds that the foreign government programs and procedures or foreign food establishment is no longer equivalent to the food safety programs and procedures in the United States; or

(3) following a refusal to allow United States officials to conduct such audits and investigations as may be necessary to fulfill the requirements under this section.

(f) RENEWAL OF CERTIFICATION.—The Administrator shall audit foreign governments and foreign food establishments at least every 5 years to ensure the continued compliance with the standards set forth in this section.

(g) REQUIRED ROUTINE INSPECTION.—The Administrator shall routinely inspect food and food animals (via a physical examination) before it enters the United States to ensure that it is—

(1) safe;

(2) labeled as required for food produced in the United States; and

(3) otherwise meets requirements under the food safety law.

(h) ENFORCEMENT.—The Administrator is authorized to—

(1) deny importation of food from any foreign government that does not permit United States officials to enter the foreign country to conduct such audits and inspections as may be necessary to fulfill the requirements under this section;

(2) deny importation of food from any foreign government or foreign firm that does not consent to an investigation by the Administration when food from that foreign country or foreign firm is linked to a food-borne illness outbreak or is otherwise found to be adulterated or mislabeled; and

(3) promulgate rules and regulations to carry out the purposes of this section, including setting terms and conditions for the destruction of products that fail to meet the standards of this Act.

(i) DETENTION AND SEIZURE.—Any food imported for consumption in the United States may be detained, seized, or condemned pursuant to section 402.

SEC. 209. RESOURCE PLAN.

(a) IN GENERAL.—The Administrator shall prepare and update annually a resource plan describing the resources required, in the best professional judgment of the Administrator, to develop and fully implement the national food safety program established under this Act.

(b) CONTENTS OF PLAN.—The resource plan shall—

(1) describe quantitatively the personnel, financial, and other resources required to carry out the inspection of food establishments under section 205 and other requirements of the national food safety program;

(2) allocate inspection resources in a manner reflecting the distribution of risk and opportunities to reduce risk across the food supply to the extent feasible based on the best available information, and subject to section 205; and

(3) describe the personnel, facilities, equipment, and other resources needed to carry out inspection and other oversight activities, at a total resource level equal to at least 50 percent of the resources required to carry out inspections in food establishments under section 205—

(A) in foreign establishments;

(B) at the point of importation; and

(C) at the point of production on farms, ranches, and feedlots.

(c) GRANTS.—The resource plan shall include recommendations for funding to provide grants to States and local governments to carry out food safety activities in retail and food service facilities and the required inspections in food establishments.

(d) SUBMISSION OF PLAN.—The Administrator shall submit annually to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and other relevant committees of Congress, the resource plan required under this section.

SEC. 210. TRACEBACK.

(a) IN GENERAL.—The Administrator, in order to protect the public health, shall establish requirements for a national system for tracing food and food producing animals from point of origin to retail sale, subject to subsection (b).

(b) APPLICABILITY.—Traceability requirements shall—

(1) be established in accordance with regulations and guidelines issued by the Administrator; and

(2) apply to food production facilities and food establishments.

(c) RELATIONSHIP TO COUNTRY OF ORIGIN LABELING.—Nothing contained in this section prevents or interferes with implementation of the country of origin labeling requirements of subtitle D of the Agricultural Marketing Act of 1946 (7 U.S.C. 1638 et seq.).

TITLE III—RESEARCH AND EDUCATION

SEC. 301. PUBLIC HEALTH ASSESSMENT SYSTEM.

(a) IN GENERAL.—The Administrator, acting in coordination with the Director of the Centers for Disease Control and Prevention and with the Research Education and Economics mission area of the Department of Agriculture, shall—

(1) have access to the applicable data systems of the Centers for Disease Control and Prevention and to the databases made available by a State;

(2) maintain an active surveillance system of food, food products, and epidemiological evidence submitted by States to the Centers for Disease Control and Prevention based on a representative proportion of the population of the United States;

(3) assess the frequency and sources of human illness in the United States associated with the consumption of food;

(4) maintain a state-of-the-art DNA matching system and epidemiological system dedicated to food-borne illness identification, outbreaks, and containment; and

(5) have access to the surveillance data created via monitoring and statistical studies conducted as part of its own inspection.

(b) PUBLIC HEALTH SAMPLING.—

(1) IN GENERAL.—Not later than 1 year after the effective date of this Act, the Administrator shall establish guidelines for a sampling system under which the Administrator shall take and analyze samples of food—

(A) to assist the Administrator in carrying out this Act; and

(B) to assess the nature, frequency of occurrence, and quantities of contaminants in food.

(2) REQUIREMENTS.—The sampling system described in paragraph (1) shall provide—

(A) statistically valid monitoring, including market-based studies, on the nature, frequency of occurrence, and quantities of contaminants in food available to consumers; and

(B) at the request of the Administrator, such other information, including analysis of monitoring and verification samples, as the Administrator determines may be useful in assessing the occurrence of contaminants in food.

(c) ASSESSMENT OF HEALTH HAZARDS.—

(1) IN GENERAL.—Through the surveillance system referred to in subsection (a) and the sampling system described in subsection (b), the Administrator shall—

(A) rank food categories based on the hazard to human health presented by the food category;

(B) identify appropriate industry and regulatory approaches to minimize hazards in the food supply; and

(C) assess the public health environment for emerging diseases, including zoonosis, for their risk of appearance in the United States food supply.

(2) COMPONENTS OF ANALYSIS.—The analysis under subsection (b)(1) may include—

(A) a comparison of the safety of commercial processing with the health hazards associated with food that is harvested for recreational or subsistence purposes and prepared noncommercially;

(B) a comparison of the safety of food that is domestically processed with the health hazards associated with food that is processed outside the United States;

(C) a description of contamination originating from handling practices that occur prior to or after the sale of food to consumers; and

(D) use of comparative risk assessments.

SEC. 302. PUBLIC EDUCATION AND ADVISORY SYSTEM.

(a) PUBLIC EDUCATION.—

(1) IN GENERAL.—The Administrator, in cooperation with private and public organizations, including the cooperative extension services and building on the efforts of appropriate State and local entities, shall establish a national public education program on food safety.

(2) REQUIREMENTS.—The program shall provide—

(A) information to the public regarding Federal standards and best practices and promotion of public awareness, understanding, and acceptance of those standards and practices;

(B) information for health professionals—

(i) to improve diagnosis and treatment of food-related illness; and

(ii) to advise individuals at special risk for food-related illnesses; and

(C) such other information or advice to consumers and other persons as the Administrator determines will promote the purposes of this Act.

(b) Health Advisories.—The Administrator, in consultation with other Federal departments and agencies as the Administrator determines necessary, shall work with the States and other appropriate entities—

(1) to develop and distribute regional and national advisories concerning food safety;

(2) to develop standardized formats for written and broadcast advisories;

(3) to incorporate State and local advisories into the national public education program established under subsection (a); and

(4) to present prompt, specific information regarding foods found to pose a threat to the public health.

SEC. 303. RESEARCH.

(a) In General.—The Administrator shall conduct research to carry out this Act, including studies to—

(1) improve sanitation and food safety practices in the processing of food;

(2) develop improved techniques to monitor and inspect food;

(3) develop efficient, rapid, and sensitive methods to detect contaminants in food;

(4) determine the sources of contamination of contaminated food;

(5) develop food consumption data;

(6) identify ways that animal production techniques could improve the safety of the food supply;

(7) draw upon research and educational programs that exist at the State and local level;

(8) utilize the DNA matching system and other processes to identify and control pathogens;

(9) address common and emerging zoonotic diseases;

(10) develop methods to reduce or destroy harmful pathogens before, during, and after processing;

(11) analyze the incidence of antibiotic resistence as it pertains to the food supply and develop new methods to reduce the transfer of antibiotic resistance to humans; and

(12) conduct other research that supports the purposes of this Act.

(b) Contract Authority.—The Administrator may enter into contracts and agreements with any State, university, Federal Government agency, or person to carry out this section.

TITLE IV—ENFORCEMENT

SEC. 401. PROHIBITED ACTS.

It is prohibited—

(1) to manufacture, introduce, deliver for introduction, or receive into interstate commerce any food that is adulterated, misbranded, or otherwise unsafe;

(2) to adulterate or misbrand any food in interstate commerce;

(3) for a food establishment or foreign food establishment to fail to register under section 202, or to operate without a valid registration;

(4) to refuse to permit access to a food establishment for the inspection and copying of a record as required under section 205(h);

(5) to fail to establish or maintain any record or to make any report as required under section 205(h);

(6) to refuse to permit entry to or inspection of a food establishment as required under section 205;

(7) to fail to provide to the Administrator the results of a testing or sampling of a food, equipment, or material in contact with contaminated food under section 205(i);

(8) to fail to comply with a provision, regulation, or order of the Administrator under section 202; 203, 204, or 208;

(9) to slaughter an animal that is capable for use in whole or in part as human food at a food establishment processing any such food for commerce, except in compliance with the food safety law;

(10) to transfer food in violation of an administrative detention order under section 402 or to remove or alter a required mark or label identifying the food as detained;

(11) to fail to comply with a recall or other order under section 403; or

(12) to otherwise violate the food safety law.

SEC. 402. FOOD DETENTION, SEIZURE, AND CONDEMNATION.

(a) Administrative Detention of Food.—

(1) Expanded authority.—The Administrator shall have authority under section 304 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 334) to administratively detain and seize any food that the Administrator has reason to believe is unsafe, is adulterated or misbranded, or otherwise fails to meet the requirements of the food safety law.

(2) Detention authority.—If, during an inspection conducted in accordance with section 205 or 208, an officer, employee, or agent of the Administration making the inspection has reason to believe that a domestic food, imported food, or food offered for import is unsafe, is adulterated or misbranded, or otherwise fails to meet the requirements of this Act, the officer or employee may order the food detained.

(3) Period of detention.—

(A) In general.—A food may be detained for a reasonable period, not to exceed 20 days, unless a longer period, not to exceed 30 days, is necessary for the Administrator to institute a seizure action.

(B) Perishable food.—The Administrator shall provide by regulation for procedures to institute a seizure action on an expedited basis with respect to perishable food.

(4) Security of detained food.—

(A) In general.—A detention order—

(i) may require that the food be labeled or marked as detained; and

(ii) shall require that the food be removed to a secure facility, if appropriate.

(B) Food subject to an order.—A food subject to a detention order shall not be transferred by any person from the place at which the food is removed, until released by the Administrator or until the expiration of the detention period applicable under the order, whichever occurs first.

(C) Delivery of food.—This subsection does not authorize the delivery of a food in accordance with execution of a bond while the article is subject to the order.

(b) Appeal of Detention Order.—

(1) In general.—A person who would be entitled to be a claimant for a food subject to a detention order if the food were seized under section 304 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 334), may appeal the order to the Administrator.

(2) Action by the administrator.—Not later than 5 days after an appeal is filed under paragraph (1), the Administrator, after providing an opportunity for an informal hearing, shall confirm, modify, or terminate the order involved.

(3) Final agency action.—Confirmation, modification, or termination by the Administrator under paragraph (2) shall be considered a final agency action for purposes of section 702 of title 5, United States Code.

(4) Termination.—The order shall be considered to be terminated if, after 5 days, the Administrator has failed—

(A) to provide an opportunity for an informal hearing; or

(B) to confirm, modify, or terminate the order.

(5) Effect of instituting court action.—If the Administrator initiates an action under section 302 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 332) or section 304(a) of that Act (21 U.S.C. 334(a)), the process for the appeal of the detention order shall terminate.

(c) Condemnation of Food.—

(1) In general.—After confirming a detention order, the Administrator may order the food condemned.

(2) Destruction of food.—Any food condemned shall be destroyed under the supervision of the Administrator.

(3) Release of food.—If the Administrator determines that, through reprocessing, relabeling, or other action, a detained food can be brought into compliance with this Act, the food may be released following a determination by the Administrator that the relabeling or other action as specified by the Administrator has been performed.

(d) Temporary Holds at Ports of Entry.—

(1) In general.—If an officer or qualified employee of the Administration has reason to believe that a food is unsafe, is adulterated or misbranded, or otherwise fails to meet the requirements of this Act, and the officer or qualified employee is unable to inspect, examine, or investigate the food when the food is offered for import at a port of entry into the United States, the officer or qualified employee shall request the Secretary of Homeland Security to hold the food at the port of entry for a reasonable period of time, not to exceed 24 hours, to enable the Administrator to inspect or investigate the food as appropriate.

(2) Removal to secure facility.—The Administrator shall work in coordination with the Secretary of Homeland Security to remove a food held in accordance with paragraph (1) to a secure facility as appropriate.

(3) Prohibition on transfer.—During the period in which the food is held, the food shall not be transferred by any person from the port of entry into the United States, or from the secure facility to which the food has been removed.

(4) Delivery in accordance with a bond.—The delivery of the food in accordance with the execution of a bond while the food is held is not authorized.

(5) Prohibition on reexport.—A food found unfit for human or animal consumption shall be prohibited from reexport without further processing to remove the contamination and reinspection by the Administration.

SEC. 403. NOTIFICATION AND RECALL.

(a) Notice to Administrator of Violation.—

(1) In general.—A person that has reason to believe that any food introduced into or in interstate commerce, or held for sale (whether or not the first sale) after shipment in interstate commerce, may be in violation of the food safety law shall immediately notify

the Administrator of the identity and location of the food.

(2) MANNER OF NOTIFICATION.—Notification under paragraph (1) shall be made in such manner and by such means as the Administrator may require by regulation.

(b) RECALL AND CONSUMER NOTIFICATION.—

(1) VOLUNTARY ACTIONS.—If the Administrator determines that food is in violation of the food safety law when introduced into or while in interstate commerce or while held for sale (whether or not the first sale) after shipment in interstate commerce and that there is a reasonable probability that the food, if consumed, would present a threat to public health, as determined by the Administrator, the Administrator shall give the appropriate persons (including the manufacturers, importers, distributors, or retailers of the food) an opportunity to—

(A) cease distribution of the food;

(B) notify all persons—

(i) processing, distributing, or otherwise handling the food to immediately cease such activities with respect to the food; or

(ii) to which the food has been distributed, transported, or sold, to immediately cease distribution of the food;

(C) recall the food;

(D) in conjunction with the Administrator, provide notice of the finding of the Administrator—

(i) to consumers to whom the food was, or may have been, distributed; and

(ii) to State and local public health officials; or

(E) take any combination of the measures described in this paragraph, as determined by the Administrator to be appropriate in the circumstances.

(2) MANDATORY ACTIONS.—If a person referred to in paragraph (1) refuses to or does not adequately carry out the actions described in that paragraph within the time period and in the manner prescribed by the Administrator, the Administrator shall—

(A) have authority to control and possess the food, including ordering the shipment of the food from the food establishment to the Administrator—

(i) at the expense of the food establishment; or

(ii) in an emergency (as determined by the Administrator), at the expense of the Administration; and

(B) by order, require, as the Administrator determines to be necessary, the person to immediately—

(i) cease distribution of the food; and

(ii) notify all persons—

(I) processing, distributing, or otherwise handling the food to immediately cease such activities with respect to the food; or

(II) if the food has been distributed, transported, or sold, to immediately cease distribution of the food.

(3) NOTIFICATION TO CONSUMERS BY ADMINISTRATOR.—The Administrator shall, as the Administrator determines to be necessary, provide notice of the finding of the Administrator under paragraph (1)—

(A) to consumers to whom the food was, or may have been, distributed; and

(B) to State and local public health officials.

(4) NONDISTRIBUTION BY NOTIFIED PERSONS.—A person that processes, distributes, or otherwise handles the food, or to which the food has been distributed, transported, or sold, and that is notified under paragraph (1)(B) or (2)(B) shall immediately cease distribution of the food.

(5) AVAILABILITY OF RECORDS TO ADMINISTRATOR.—Each person referred to in paragraph (1) that processed, distributed, or otherwise handled food shall make available to the Administrator information necessary to carry out this subsection, as determined by the Administrator, regarding—

(A) persons that processed, distributed, or otherwise handled the food; and

(B) persons to which the food has been transported, sold, distributed, or otherwise handled.

(c) INFORMAL HEARINGS ON ORDERS.—

(1) IN GENERAL.—The Administrator shall provide any person subject to an order under subsection (b) with an opportunity for an informal hearing, to be held as soon as practicable but not later than 2 business days after the issuance of the order.

(2) SCOPE OF THE HEARING.—In a hearing under paragraph (1), the Administrator shall consider the actions required by the order and any reasons why the food that is the subject of the order should not be recalled.

(d) POST-HEARING RECALL ORDERS.—

(1) AMENDMENT OF ORDER.—If, after providing an opportunity for an informal hearing under subsection (c), the Administrator determines that there is a reasonable probability that the food that is the subject of an order under subsection (b), if consumed, would present a threat to the public health, the Administrator, as the Administrator determines to be necessary, may—

(A) amend the order to require recall of the food or other appropriate action;

(B) specify a timetable in which the recall shall occur;

(C) require periodic reports to the Administrator describing the progress of the recall; and

(D) provide notice of the recall to consumers to whom the food was, or may have been, distributed.

(2) VACATION OF ORDERS.—If, after providing an opportunity for an informal hearing under subsection (c), the Administrator determines that adequate grounds do not exist to continue the actions required by the order, the Administrator shall vacate the order.

(e) REMEDIES NOT EXCLUSIVE.—The remedies provided in this section shall be in addition to, and not exclusive of, other remedies that may be available.

SEC. 404. INJUNCTION PROCEEDINGS.

(a) JURISDICTION.—The district courts of the United States, and the United States courts of the territories and possessions of the United States, shall have jurisdiction, for cause shown, to restrain a violation of section 202, 203, 204, 207, or 401 (or a regulation promulgated under that section).

(b) TRIAL.—In a case in which violation of an injunction or restraining order issued under this section also constitutes a violation of the food safety law, trial shall be by the court or, upon demand of the accused, by a jury.

SEC. 405. CIVIL AND CRIMINAL PENALTIES.

(a) CIVIL SANCTIONS.—

(1) CIVIL PENALTY.—

(A) IN GENERAL.—Any person that commits an act that violates the food safety law (including a regulation promulgated or order issued under a Federal food safety law) may be assessed a civil penalty by the Administrator of not more than $10,000 for each such act.

(B) SEPARATE OFFENSE.—Each act described in subparagraph (A) and each day during which that act continues shall be considered a separate offense.

(2) OTHER REQUIREMENTS.—

(A) WRITTEN ORDER.—The civil penalty described in paragraph (1) shall be assessed by the Administrator by a written order, which shall specify the amount of the penalty and the basis for the penalty under subparagraph (B) considered by the Administrator.

(B) AMOUNT OF PENALTY.—Subject to paragraph (1)(A), the amount of the civil penalty shall be determined by the Administrator, after considering—

(i) the gravity of the violation;

(ii) the degree of culpability of the person;

(iii) the size and type of the business of the person; and

(iv) any history of prior offenses by the person under the food safety law.

(C) REVIEW OF ORDER.—The order may be reviewed only in accordance with subsection (c).

(b) CRIMINAL SANCTIONS.—

(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), a person that knowingly produces or introduces into commerce food that is unsafe or otherwise adulterated or misbranded shall be imprisoned for not more than 1 year or fined not more than $10,000, or both.

(2) SEVERE VIOLATIONS.—A person that commits a violation described in paragraph (1) after a conviction of that person under this section has become final, or commits such a violation with the intent to defraud or mislead, shall be imprisoned for not more than 3 years or fined not more than $100,000, or both.

(3) EXCEPTION.—No person shall be subject to the penalties of this subsection—

(A) for having received, proffered, or delivered in interstate commerce any food, if the receipt, proffer, or delivery was made in good faith, unless that person refuses to furnish (on request of an officer or employee designated by the Administrator)—

(i) the name, address and contact information of the person from whom that person purchased or received the food;

(ii) copies of all documents relating to the person from whom that person purchased or received the food; and

(iii) copies of all documents pertaining to the delivery of the food to that person; or

(B) if that person establishes a guaranty signed by, and containing the name and address of, the person from whom that person received in good faith the food, stating that the food is not adulterated or misbranded within the meaning of this Act.

(c) JUDICIAL REVIEW.—

(1) IN GENERAL.—An order assessing a civil penalty under subsection (a) shall be a final order unless the person—

(A) not later than 30 days after the effective date of the order, files a petition for judicial review of the order in the United States court of appeals for the circuit in which that person resides or has its principal place of business or the United States Court of Appeals for the District of Columbia; and

(B) simultaneously serves a copy of the petition by certified mail to the Administrator.

(2) FILING OF RECORD.—Not later than 45 days after the service of a copy of the petition under paragraph (1)(B), the Administrator shall file in the court a certified copy of the administrative record upon which the order was issued.

(3) STANDARD OF REVIEW.—The findings of the Administrator relating to the order shall be set aside only if found to be unsupported by substantial evidence on the record as a whole.

(d) COLLECTION ACTIONS FOR FAILURE TO PAY.—

(1) IN GENERAL.—If any person fails to pay a civil penalty assessed under subsection (a)

after the order assessing the penalty has become a final order, or after the court of appeals described in subsection (b) has entered final judgment in favor of the Administrator, the Administrator shall refer the matter to the Attorney General, who shall institute in a United States district court of competent jurisdiction a civil action to recover the amount assessed.

(2) LIMITATION ON REVIEW.—In a civil action under paragraph (1), the validity and appropriateness of the order of the Administrator assessing the civil penalty shall not be subject to judicial review.

(e) PENALTIES PAID INTO ACCOUNT.—The Administrator—

(1) shall deposit penalties collected under this section in an account in the Treasury; and

(2) may use the funds in the account, without further appropriation or fiscal year limitation—

(A) to carry out enforcement activities under food safety law; or

(B) to provide assistance to States to inspect retail commercial food establishments or other food or firms under the jurisdiction of State food safety programs.

(f) DISCRETION OF THE ADMINISTRATOR TO PROSECUTE.—Nothing in this Act requires the Administrator to report for prosecution, or for the commencement of an action, the violation of the food safety law in a case in which the Administrator finds that the public interest will be adequately served by the assessment of a civil penalty under this section.

(g) REMEDIES NOT EXCLUSIVE.—The remedies provided in this section may be in addition to, and not exclusive of, other remedies that may be available.

SEC. 406. PRESUMPTION.

In any action to enforce the requirements of the food safety law, the connection with interstate commerce required for jurisdiction shall be presumed to exist.

SEC. 407. WHISTLEBLOWER PROTECTION.

(a) IN GENERAL.—No Federal employee, employee of a Federal contractor or subcontractor, or any individual employed by a company (referred to in this section as a "covered individual"), may be discharged, demoted, suspended, threatened, harassed, or in any other manner discriminated against, because of any lawful act done by the covered individual to—

(1) provide information, cause information to be provided, or otherwise assist in an investigation regarding any conduct that the covered individual reasonably believes constitutes a violation of any law, rule, or regulation, or that the covered individual reasonably believes constitutes a threat to the public health, when the information or assistance is provided to, or the investigation is conducted by—

(A) a Federal regulatory or law enforcement agency;

(B) a Member or committee of Congress; or

(C) a person with supervisory authority over the covered individual (or such other individual who has the authority to investigate, discover, or terminate misconduct);

(2) file, cause to be filed, testify, participate in, or otherwise assist in a proceeding or action filed or about to be filed relating to a violation of any law, rule, or regulation; or

(3) refused to violate or assist in the violation of any law, rule, or regulation.

(b) ENFORCEMENT ACTION.—

(1) IN GENERAL.—A covered individual who alleges discharge or other discrimination by any person in violation of subsection (a) may seek relief under subsection (c) by filing a complaint with the Secretary of Labor. If the Secretary of Labor has not issued a final decision within 180 days after the date on which the complaint is filed and there is no showing that such delay is due to the bad faith of the claimant, the claimant may bring an action at law or equity for de novo review in the appropriate district court of the United States, which shall have jurisdiction over such an action without regard to the amount in controversy.

(2) PROCEDURE.—

(A) IN GENERAL.—An action under paragraph (1) shall be governed under the rules and procedures set forth in section 42121(b) of title 49, United States Code.

(B) EXCEPTION.—Notification under section 42121(b)(1) of title 49, United States Code, shall be made to the person named in the complaint and to the person's employer.

(C) BURDENS OF PROOF.—An action brought under paragraph (1) shall be governed by the legal burdens of proof set for in section 42121(b) of title 49, United States Code.

(D) STATUTE OF LIMITATIONS.—An action under paragraph (1) shall be commenced not later than 90 days after the date on which the violation occurs.

(c) REMEDIES.—

(1) IN GENERAL.—A covered individual prevailing in any action under subsection (b)(1) shall be entitled to all relief necessary to make the covered individual whole.

(2) COMPENSATORY DAMAGES.—Relief for any action described in paragraph (1) shall include—

(A) reinstatement with the same seniority status that the covered individual would have had, but for the discrimination;

(B) the amount of any back pay, with interest; and

(C) compensation for any special damages sustained as a result of the discrimination, including litigation costs, expert witness fees, and reasonable attorney's fees.

(d) RIGHTS RETAINED BY THE COVERED INDIVIDUAL.—Nothing in this section shall be construed to diminish the rights, privileges, or remedies of any covered individual under any Federal or State law, or under any collective bargaining agreement.

SEC. 408. ADMINISTRATION AND ENFORCEMENT.

(a) IN GENERAL.—For the efficient administration and enforcement of the food safety law, the provisions (including provisions relating to penalties) of sections 6, 8, 9, and 10 of the Federal Trade Commission Act (15 U.S.C. 46, 48, 49, and 50) (except subsections (c) through (h) of section 6 of that Act), relating to the jurisdiction, powers, and duties of the Federal Trade Commission and the Attorney General to administer and enforce that Act, and to the rights and duties of persons with respect to whom the powers are exercised, shall apply to the jurisdiction, powers, and duties of the Administrator and the Attorney General in administering and enforcing the provisions of the food safety law and to the rights and duties of persons with respect to whom the powers are exercised, respectively.

(b) INQUIRIES AND ACTIONS.—

(1) IN GENERAL.—The Administrator, in person or by such agents as the Administrator may designate, may prosecute any inquiry necessary to carry out the duties of the Administrator under the food safety law in any part of the United States.

(2) POWERS.—The powers conferred by sections 9 and 10 of the Federal Trade Commission Act (15 U.S.C. 49 and 50) on the United States district courts may be exercised for the purposes of this chapter by any United States district court of competent jurisdiction.

SEC. 409. CITIZEN CIVIL ACTIONS.

(a) CIVIL ACTIONS.—A person may commence a civil action against—

(1) a person that violates a regulation (including a regulation establishing a performance standard), order, or other action of the Administrator to ensure the safety of food; or

(2) the Administrator (in his or her capacity as the Administrator), if the Administrator fails to perform an act or duty to ensure the safety of food that is not discretionary under the food safety law.

(b) COURT.—

(1) IN GENERAL.—The action shall be commenced in the United States district court for the district in which the defendant resides, is found, or has an agent.

(2) JURISDICTION.—The court shall have jurisdiction, without regard to the amount in controversy, or the citizenship of the parties, to enforce a regulation (including a regulation establishing a performance standard), order, or other action of the Administrator, or to order the Administrator to perform the act or duty.

(3) DAMAGES.—The court may—

(A) award damages, in the amount of damages actually sustained; and

(B) if the court determines it to be in the interest of justice, award the plaintiff the costs of suit, including reasonable attorney's fees, reasonable expert witness fees, and penalties.

(c) REMEDIES NOT EXCLUSIVE.—The remedies provided for in this section shall be in addition to, and not exclusive of, other remedies that may be available.

TITLE V—IMPLEMENTATION

SEC. 501. DEFINITION.

For purposes of this title, the term "transition period" means the 12-month period beginning on the effective date of this Act.

SEC. 502. REORGANIZATION PLAN.

(a) SUBMISSION OF PLAN.—Not later than 180 days after the effective date of this Act, the President shall transmit to the appropriate congressional committees a reorganization plan regarding the following:

(1) The transfer of agencies, personnel, assets, and obligations to the Administration pursuant to this Act.

(2) Any consolidation, reorganization, or streamlining of agencies transferred to the Administration pursuant to this Act.

(b) PLAN ELEMENTS.—The plan transmitted under subsection (a) shall contain, consistent with this Act, such elements as the President determines appropriate, including the following:

(1) Identification of any functions of agencies designated to be transferred to the Administration pursuant to this Act that will not be transferred to the Administration under the plan.

(2) Specification of the steps to be taken by the Administrator to organize the Administration, including the delegation or assignment of functions transferred to the Administration among the officers of the Administration in order to permit the Administration to carry out the functions transferred under the plan.

(3) Specification of the funds available to each agency that will be transferred to the Administration as a result of transfers under the plan.

(4) Specification of the proposed allocations within the Administration of unexpended funds transferred in connection with transfers under the plan.

(5) Specification of any proposed disposition of property, facilities, contracts, records, and other assets and obligations of agencies transferred under the plan.

(6) Specification of the proposed allocations within the Administration of the functions of the agencies and subdivisions that are not related directly to ensuring the safety of food.

(c) MODIFICATION OF PLAN.—The President may, on the basis of consultations with the appropriate congressional committees, modify, or revise any part of the plan until that part of the plan becomes effective in accordance with subsection (d).

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—The reorganization plan described in this section, including any modifications or revisions of the plan under subsection (c), shall become effective for an agency on the earlier of—

(A) the date specified in the plan (or the plan as modified pursuant to subsection (c)), except that such date may not be earlier than 90 days after the date the President has transmitted the reorganization plan to the appropriate congressional committees pursuant to subsection (a); or

(B) the end of the transition period.

(2) STATUTORY CONSTRUCTION.—Nothing in this subsection may be construed to require the transfer of functions, personnel, records, balances of appropriations, or other assets of an agency on a single date.

(3) SUPERCEDES EXISTING LAW.—Paragraph (1) shall apply notwithstanding section 905(b) of title 5, United States Code.

SEC. 503. TRANSITIONAL AUTHORITIES.

(a) PROVISION OF ASSISTANCE BY OFFICIALS.—Until the transfer of an agency to the Administration, any official having authority over or function relating to the agency immediately before the effective date of this Act shall provide the Administrator such assistance, including the use of personnel and assets, as the Administrator may request in preparing for the transfer and integration of the agency to the Administration.

(b) SERVICES AND PERSONNEL.—During the transition period, upon the request of the Administrator, the head of any executive agency may, on a reimbursable basis, provide services or detail personnel to assist with the transition.

(c) ACTING OFFICIALS.—

(1) IN GENERAL.—During the transition period, pending the advice and consent of the Senate to the appointment of an officer required by this Act to be appointed by and with such advice and consent, the President may designate any officer whose appointment was required to be made by and with such advice and consent and who was such an officer immediately before the effective date of this Act (and who continues to be in office) or immediately before such designation, to act in such office until the same is filled as provided in this Act.

(2) COMPENSATION.—While acting pursuant to paragraph (1), such officers shall receive compensation at the higher of—

(A) the rates provided by this Act for the respective offices in which they act; or

(B) the rates provided for the offices held at the time of designation.

(3) LIMITATION.—Nothing in this Act shall be construed to require the advice and consent of the Senate to the appointment by the President to a position in the Administration of any officer whose agency is transferred to the Administration pursuant to this Act and whose duties following such transfer are germane to those performed before such transfer.

(d) TRANSFER OF PERSONNEL, ASSETS, OBLIGATIONS, AND FUNCTION.—

(1) IN GENERAL.—Consistent with section 1531 of title 31, United States Code, the personnel, assets, liabilities, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds that relate to the functions transferred under subsection (a) from a Federal agency shall be transferred to the Administration.

(2) UNEXPENDED FUNDS.—Unexpended funds transferred under this subsection shall be used by the Administration only for the purposes for which the funds were originally authorized and appropriated.

SEC. 504. SAVINGS PROVISIONS.

(a) COMPLETED ADMINISTRATIVE ACTIONS.—The enactment of this Act or the transfer of functions under this Act shall not affect any order, determination, rule, regulation, permit, personnel action, agreement, grant, contract, certificate, license, registration, privilege, or other administrative action issued, made, granted, or otherwise in effect or final with respect to that agency on the day before the transfer date with respect to the transferred functions.

(b) PENDING PROCEEDINGS.—Subject to the authority of the Administrator under this Act—

(1) pending proceedings in an agency, including notices of proposed rulemaking, and applications for licenses, permits, certificates, grants, and financial assistance, shall continue notwithstanding the enactment of this Act or the transfer of the agency to the Administration, unless discontinued or modified under the same terms and conditions and to the same extent that such discontinuance could have occurred if such enactment or transfer had not occurred; and

(2) orders issued in such proceedings, and appeals therefrom, and payments made pursuant to such orders, shall issue in the same manner on the same terms as if this Act had not been enacted or the agency had not been transferred, and any such order shall continue in effect until amended, modified, superceded, terminated, set aside, or revoked by an officer of the United States or a court of competent jurisdiction, or by operation of law.

(c) PENDING CIVIL ACTIONS.—Subject to the authority of the Administrator under this Act, any civil action commenced with regard to that agency pending before that agency on the day before the transfer date with respect to the transferred functions shall continue notwithstanding the enactment of this Act or the transfer of an agency to the Administration.

(d) REFERENCES.—

(1) IN GENERAL.—After the transfer of functions from a Federal agency under this Act, any reference in any other Federal law, Executive order, rule, regulation, directive, document, or other material to that Federal agency or the head of that agency in connection with the administration or enforcement of the food safety laws shall be deemed to be a reference to the Administration or the Administrator, respectively.

(2) STATUTORY REPORTING REQUIREMENTS.—Statutory reporting requirements that applied in relation to such an agency immediately before the effective date of this Act shall continue to apply following such transfer if they refer to the agency by name.

SEC. 505. CONFORMING AMENDMENTS.

(a) EXECUTIVE SCHEDULE.—Section 5313 of title 5, United States Code, is amended by inserting at the end the following new item:

"Administrator of Food Safety.".

(b) REPEAL OF CERTAIN PROVISIONS.—Section 18 of the Poultry Products Inspection Act (21 U.S.C. 467), section 401 of the Federal Meat Inspection Act (21 U.S.C. 671), and section 18 of the Egg Products Inspection Act (21 U.S.C. 1047) are repealed.

SEC. 506. ADDITIONAL TECHNICAL AND CONFORMING AMENDMENTS.

Not later than 60 days after the submission of the reorganization plan under section 502, the President shall prepare and submit proposed legislation to Congress containing necessary and appropriate technical and conforming amendments to the Acts listed in section 3(15) of this Act to reflect the changes made by this Act.

SEC. 507. REGULATIONS.

The Administrator may promulgate such regulations as the Administrator determines are necessary or appropriate to perform the duties of the Administrator.

SEC. 508. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

SEC. 509. LIMITATION ON AUTHORIZATION OF APPROPRIATIONS.

For the fiscal year that includes the effective date of this Act, the amount authorized to be appropriated to carry out this Act shall not exceed—

(1) the amount appropriated for that fiscal year for the Federal agencies identified in section 102(b) for the purpose of administering or enforcing the food safety law; or

(2) the amount appropriated for those agencies for that purpose for the preceding fiscal year, if, as of the effective date of this Act, appropriations for those agencies for the fiscal year that includes the effective date have not yet been made.

SEC. 510. EFFECTIVE DATE.

This Act takes effect on the date of enactment of this Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 82—DESIGNATING AUGUST 16, 2007 AS "NATIONAL AIRBORNE DAY"

Mr. HAGEL (for himself, Mr. REED, Mrs. CLINTON, Mr. BURR, Mr. REID, Ms. SNOWE, Mr. KERRY, Mr. GREGG, and Mrs. BOXER) submitted the following resolution; which was referred to the Committee on the Judiciary.

S. RES. 82

Whereas the airborne forces of the Armed Forces have a long and honorable history as units of adventuresome, hardy, and fierce warriors who, for the national security of the United States and the defense of freedom and peace, project the effective ground combat power of the United States by Air Force air transport to the far reaches of the battle area and, indeed, to the far corners of the world;

Whereas August 16, 2007 marks the anniversary of the first official Army parachute jump on August 16, 1940, an event that validated the innovative concept of inserting United States ground combat forces behind the battle line by means of a parachute;

Whereas the United States experiment of airborne infantry attack began on June 25, 1940, when the Army Parachute Test Platoon was first authorized by the Department of War, and was launched when 48 volunteers began training in July 1940;

Whereas the success of the Parachute Test Platoon in the days immediately preceding the entry of the United States into World War II led to the formation of a formidable force of airborne units that have served with distinction and have had repeated success in armed hostilities;

Whereas among those airborne units are the former 11th, 13th, and 17th Airborne Divisions, the venerable 82nd Airborne Division, the versatile 101st Airborne Division (Air Assault), and the airborne regiments and battalions (some as components of those divisions, some as separate units) that achieved distinction as the elite 75th Ranger Regiment, the 173rd Airborne Brigade, the 187th Infantry (Airborne) Regiment, the 503rd, 507th, 508th, 517th, 541st, and 542nd Parachute Infantry Regiments, the 88th Glider Infantry Regiment, the 509th, 551st, and 555th Parachute Infantry Battalions, and the 550th Airborne Infantry Battalion;

Whereas the achievements of the airborne forces during World War II prompted the evolution of those forces into a diversified force of parachute and air assault units that, over the years, have fought in Korea, Vietnam, Grenada, Panama, the Persian Gulf region, and Somalia, and have engaged in peacekeeping operations in Lebanon, the Sinai Peninsula, the Dominican Republic, Haiti, Bosnia, and Kosovo;

Whereas the modern-day airborne force that has evolved from those World War II beginnings is an agile, powerful force that, in large part, is composed of the 82nd Airborne Division, the 101st Airborne Division (Air Assault), and the 75th Ranger Regiment;

Whereas those units, together with additional units, comprise the quick reaction force of the Army's XVIII Airborne Corps when not operating separately under a regional combatant commander;

Whereas that modern-day airborne force also includes other elite forces composed entirely of airborne trained and qualified special operations warriors, including Army Special Forces, Marine Corps Reconnaissance units, Navy SEALs, and Air Force combat control teams, all or most of which comprise the forces of the United States Special Operations Command;

Whereas in the aftermath of the terrorist attacks on the United States on September 11, 2001, the 75th Ranger Regiment, special forces units, and units of the 82nd Airborne Division and the 101st Airborne Division (Air Assault), together with other units of the Armed Forces, have been prosecuting the war against terrorism by carrying out combat operations in Afghanistan, training operations in the Philippines, and other operations elsewhere;

Whereas in the aftermath of the President's announcement of Operation Iraqi Freedom in March 2003, the 75th Ranger Regiment, special forces units, and units of the 82nd Airborne Division, the 101st Airborne Division (Air Assault), and the 173rd Airborne Brigade, together with other units of the Armed Forces, have been prosecuting the war against terrorism, carrying out combat operations, conducting civil affair missions, and assisting in establishing democracy in Iraq;

Whereas the airborne forces are and will continue to be at the ready and the forefront until the Global War on Terrorism is concluded;

Whereas of the members and former members of the United States combat airborne forces, all have achieved distinction by earning the right to wear the airborne's "Silver Wings of Courage", thousands have achieved the distinction of making combat jumps, 69 have earned the Medal of Honor, and hundreds have earned the Distinguished-Service Cross, Silver Star, or other decorations and awards for displays of such traits as heroism, gallantry, intrepidity, and valor;

Whereas the members and former members of the United States combat airborne forces are members of a proud and honorable fraternity of the profession of arms that is made exclusive by those distinctions which, together with their special skills and achievements, distinguish them as intrepid combat parachutists, special operation forces, and (in former days) glider troops; and

Whereas the history and achievements of the members and former members of the airborne forces of the United States Armed Forces warrant special expressions of the gratitude of the American people as the airborne community celebrates August 16, 2007 as the 67th anniversary of the first official jump by the Army Parachute Test Platoon: Now, therefore, be it

Resolved, That the Senate—

(1) designates August 16, 2007 as "National Airborne Day"; and

(2) calls on the people of the United States to observe "National Airborne Day" with appropriate programs, ceremonies, and activities.

SENATE RESOLUTION 83—TO AMEND THE STANDING RULES OF THE SENATE TO PROHIBIT FILLING THE TREE

Mr. SPECTER (for himself and Mr. COBURN) submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 83

Resolved, That (a) rule XV of the Standing Rules of the Senate is amended by adding at the end the following:

"6. Notwithstanding action on a first degree amendment, it shall not be in order for a Senator to offer a second degree amendment to his or her own first degree amendment.".

(b) The amendment made by subsection (a) shall take effect at the beginning of the 111th Congress.

SENATE RESOLUTION 84—OBSERVING FEBRUARY 23, 2007, AS THE 200TH ANNIVERSARY OF THE ABOLITION OF THE SLAVE TRADE IN THE BRITISH EMPIRE, HONORING THE DISTINGUISHED LIFE AND LEGACY OF WILLIAM WILBERFORCE, AND ENCOURAGING THE PEOPLE OF THE UNITED STATES TO FOLLOW THE EXAMPLE OF WILLIAM WILBERFORCE BY SELFLESSLY PURSUING RESPECT FOR HUMAN RIGHTS AROUND THE WORLD

Mr. BROWNBACK (for himself and Mr. PRYOR) submitted the following resolution; which was referred to the Committee on the Judiciary.

S. RES. 84

Whereas, at the age of 21, William Wilberforce was elected to the House of Commons of Great Britain;

Whereas Mr. Wilberforce and his colleagues actively engaged in many initiatives with the sole purpose of renewing British culture at the turn of the 19th century in order to bring about positive social change;

Whereas Mr. Wilberforce advocated prison reform that equally respected justice and human dignity, and encouraged reconciliation;

Whereas Mr. Wilberforce sought to improve the conditions for, and minimize the use of, child laborers;

Whereas Mr. Wilberforce dedicated his life to ending the British slave trade and the abolition of slavery despite forceful opposition;

Whereas Mr. Wilberforce was mentored by former slave trader and author of the hymn "Amazing Grace," John Newton, on the horrors and inhumanity of the slave trade;

Whereas approximately 11,000,000 human beings were captured and taken from Africa to the Western Hemisphere to be sold as commodities and forced into slavery and bondage;

Whereas Mr. Wilberforce fought for 20 years in the House of Commons to pass legislation banning the slave trade;

Whereas, on February 23, 1807, Parliament passed a bill banning the slave trade in the British Empire as a direct result of the efforts of Mr. Wilberforce;

Whereas Mr. Wilberforce inspired and encouraged those who opposed slavery in the United States, including political leaders like John Quincy Adams, and spread a message of hope and freedom throughout the United States;

Whereas Mr. Wilberforce labored for 46 years to abolish the institution of slavery in the British Empire, ceaselessly defending those without a voice in society;

Whereas, in 1833, Mr. Wilberforce was informed on his death bed that the House of Commons had voted to abolish slavery altogether;

Whereas section 102(a) of the Victims of Trafficking and Violence Protection Act of 2000 (22 U.S.C. 7101(a)) states that human trafficking is "a contemporary manifestation of slavery whose victims are predominantly women and children";

Whereas the scourge of human slavery continues to pollute our world and assault human dignity and freedom;

Whereas, in 2006, the United States Department of State estimated that between 600,000 and 800,000 men, women, and children were trafficked across international borders for use as bonded laborers or sex slaves, or for other nefarious purposes;

Whereas the International Labour Organization estimates that there are more than 12,000,000 people in forced labor, bonded labor, forced child labor, and sexual servitude around the world, a number that is greater than the number of slaves that existed at the time of Mr. Wilberforce's death;

Whereas all people must continue to fight, as Mr. Wilberforce fought, for the true abolition of slavery and for respect for human dignity in all aspects of modern culture; and

Whereas the people of the United States should carry on the legacy of William Wilberforce by working to end the modern slave trade, human trafficking, and the degradation of human dignity: Now, therefore, be it

Resolved, That the Senate—

(1) observes February 23, 2007, as the 200th anniversary of the ban of the slave trade in the British Empire;

(2) recognizes the positive impact William Wilberforce had on renewing the culture of his day and ending the inhumane practice of human slavery;

(3) commends to the people of the United States the example of William Wilberforce and his commitment to the values of inherent human dignity and freedom, which reside in each and every human being;

(4) encourages the people of the United States to—

(A) observe the 200th anniversary of the ban of the slave trade in the British Empire;

(B) reflect on William Wilberforce's selfless dedication to the fight against slavery and his commitment to the neediest in society; and

(C) commit themselves to recognize the value of human life and human dignity; and

(5) unequivocally condemns all forms of human trafficking and slavery, which are an assault on human dignity that William Wilberforce would steadfastly resist.

SENATE CONCURRENT RESOLUTION 12—SUPPORTING THE GOALS AND IDEALS OF A NATIONAL MEDAL OF HONOR AND TO CELEBRATE AND HONOR THE RECIPIENTS OF THE MEDAL OF HONOR ON THE ANNIVERSARY OF THE FIRST AWARD OF THAT MEDAL IN 1863

Mr. AKAKA (for himself, Mr. CRAIG, Mr. LEVIN, Mr. STEVENS, Mr. KERRY, Mr. DORGAN, Mr. WEBB, Mr. BROWN, Mr. BINGAMAN, Mr. CRAPO, Mr. WARNER, Mr. ENSIGN, Mr. MCCAIN, Mr. SALAZAR, and Ms. SNOWE) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 12

Whereas the Medal of Honor, the highest award for valor in action against an enemy force that can be bestowed to a member of the Armed Forces, is awarded by the President, in the name of Congress, to individuals who have distinguished themselves conspicuously by gallantry and intrepidity at the risk of their lives above and beyond the call of duty;

Whereas the United States will forever be in debt to the recipients of the Medal of Honor for their bravery and sacrifice in times of war or armed conflict;

Whereas the first Medal of Honor awards were presented to 6 men on March 25, 1863, by the Secretary of War;

Whereas only 3,443 individuals out of the millions of men and women who have served the United States in war, military operations, or other armed conflicts have been awarded the Medal of Honor;

Whereas there are 111 living recipients of the Medal of Honor, as of January 1, 2007;

Whereas it is appropriate to commemorate and honor the recipients of the Medal of Honor and what they represent;

Whereas the people of the United States should always be aware of the significance and meaning of the Medal of Honor;

Whereas the designation of a National Medal of Honor Day would focus the efforts of national, State, and local organizations striving to foster public appreciation and recognition of Medal of Honor recipients; and

Whereas March 25, 2007, would be an appropriate date to observe National Medal of Honor Day: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) recognizes the heroism and sacrifice of Medal of Honor recipients;

(2) recognizes the educational opportunity that a National Medal of Honor Day would present to the people of the United States; and

(3) supports the goals and ideals of a National Medal of Honor Day to celebrate and honor the contributions of Medal of Honor recipients.

SENATE CONCURRENT RESOLUTION 13—EXPRESSING THE SENSE OF CONGRESS THAT THE PRESIDENT SHOULD NOT INITIATE MILITARY ACTION AGAINST IRAN WITHOUT FIRST OBTAINING AUTHORIZATION FROM CONGRESS

Mr. SANDERS submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 13

Whereas article I, section 8 of the United States Constitution grants Congress the power to "declare war", to "lay and collect taxes", to "provide for the common defence and general welfare of the United States", to "raise and support armies", to "provide and maintain a navy", to "make rules for the government and regulation of the land and naval forces", to "provide for calling forth the militia to execute the laws of the Union, suppress insurrections and repel invasions", to "provide for organizing, arming, and disciplining, the militia", and to "make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof";

Whereas the Constitution also grants Congress exclusive power over the purse, stating, "No money shall be drawn from the Treasury, but in consequence of appropriations made by law . . . .";

Whereas the sole war power granted to the executive branch through the President can be found in article II, section 2, which states, "The President shall be the Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States . . . .";

Whereas President George W. Bush and his Administration have argued that this "Commander in Chief" clause grants the President wide latitude to engage United States military forces abroad without prior authorization from Congress;

Whereas the President further argues that previous unilateral actions by Presidents of both political parties add credence to this interpretation of the Constitution;

Whereas, in reality, nothing in the history of the "Commander in Chief" clause suggests that the authors of the provision intended it to grant the executive branch the authority to engage United States forces in military action without any prior authorization from Congress, except to allow the President to repel sudden attacks and immediate threats;

Whereas in the Federalist Paper Number 69, while comparing the lesser war-making power of the President of the United States with the war-making power of the King of Great Britain, Alexander Hamilton wrote, "The President is to be commander in chief of the army and navy of the United States. In this respect his authority would be nominally the same with that of the king of Great Britain, but in substance much inferior to it. It would amount to nothing more than the supreme command and direction of the military and naval forces, as first general and admiral of the confederacy; while that of the British king extends to the *declaring* of war, and to the *raising* and *regulating* of fleets and armies; all which, by the constitution under consideration, would appertain to the legislature.";

Whereas James Madison declared that it is necessary to adhere to the "fundamental doctrine of the Constitution that the power to declare war is fully and exclusively vested in the legislature";

Whereas, in 1793, President George Washington, when considering how to protect inhabitants of the frontier of the United States, instructed his Administration that "no offensive expedition of importance can be undertaken until after [Congress] have deliberated upon the subject, and authorized such a measure";

Whereas, in 1801, when Thomas Jefferson sent a small squadron of frigates to the Mediterranean to protect against possible attacks by the Barbary powers, he told Congress that he was "unauthorized by the Constitution, without the sanction of Congress, to go beyond the line of defense", and further noted that it was up to Congress to authorize "measures of offense also";

Whereas, according to the most definitive United States intelligence report, Iran is several years away from developing a nuclear weapon, and even the most pessimistic analysis by outside experts predicts that Iran is at least 3 years away from developing a nuclear weapon, assuming Iran suffers no setbacks during development, which would be unprecedented;

Whereas diplomatic efforts involving Iran, the United States, the European Union, Russia, the People's Republic of China, the International Atomic Energy Agency, and the United Nations Security Council continue; and

Whereas, despite these diplomatic efforts and statements by President Bush and other members of his Administration that diplomacy is the preferred route, there are an increasing number of reports that preparations for war are underway: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) strongly affirms that initiating military action against Iran without congressional approval does not fall within the President's "Commander in Chief" powers under the Constitution;

(2) rejects any suggestion that the Authorization for Use of Military Force (Public Law 107–40; 50 U.S.C. 1541 note), approved in response to the terrorist attacks of September 11, 2001, explicitly or implicitly extends to authorizing military action against Iran, including over its nuclear program;

(3) rejects any suggestion that the Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public Law 107–243; 50 U.S.C. 1541 note) explicitly or implicitly extends to authorizing military action against Iran, including over its nuclear program; and

(4) strongly and unequivocally affirms that seeking congressional authority prior to taking military action against Iran is not discretionary, but is a legal and constitutional requirement.

Mr. SANDERS. Mr. President, the issue of American presence in the Middle East is of great importance. We are currently engaged in a war in Iraq from which, according to poll after poll, a majority of the American people believe we should withdraw.

In the face of the momentous elections of this past November, in which the American electorate indicated their dissatisfaction with the President's policies in Iraq, President Bush has responded with a call for more troops, not less. At this moment, he is

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escalating the war, not redeploying our brave men and women out of harm's way. He is sending these troops into the middle of a civil war.

Now there are reports that the President may be considering expanding this tragic war into Iran. The President has no constitutional authority to make war on Iran, nor has he historical precedent. I offer today a resolution "expressing the sense of Congress that the President should not initiate military action against Iran without first obtaining authorization from Congress." It sets forth the constitutional grant of authority to Congress for declaring war and funding any war, which cites Federalist paper number 69 on the intention of the drafters of the Constitution, and which cites Presidents Washington and Jefferson on the power reserved to Congress to authorize war.

The resolution strongly and unequivocally affirms that the President does not have the power to initiate military action against Iran without first obtaining authorization from Congress, that neither of the existing authorizations to use military force in Iraq gives him such authority, and that the President must seek congressional authority prior to taking any military action against Iran.

AMENDMENTS SUBMITTED AND PROPOSED

SA 266. Mr. REID (for Mr. LEVIN (for himself, Mr. BOND, Mr. DORGAN, Mr. GRAHAM, Mr. DURBIN, Ms . MIKULSKI, Mr. CARDIN, Mr. BROWN, Mr. PRYOR, Mr. ISAKSON, and Mr. KENNEDY)) proposed an amendment to the bill S. 487, to amend the National Organ Transplant Act to clarify that kidney paired donations shall not be considered to involve the transfer of a human organ for valuable consideration.

SA 267. Mr. REID (for Mr. SALAZAR) proposed an amendment to the bill S. 188, to revise the short title of the Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006.

TEXT OF AMENDMENTS

SA 266. Mr. REID (for Mr. LEVIN (for himself, Mr. BOND, Mr. DORGAN, Mr. GRAHAM, Mr. DURBIN, Ms. MIKULSKI, Mr. CARDIN, Mr. BROWN, Mr. PRYOR, Mr. ISAKSON, and Mr. KENNEDY)) proposed an amendment to the bill S. 487, to amend the National Organ Transplant Act to clarify that kidney paired donation shall not be considered to involve the transfer of a human organ for valuable consideration; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Living Kidney Organ Donation Clarification Act of 2007".

SEC. 2. AMENDMENT TO THE NATIONAL ORGAN TRANSPLANT ACT.

Section 301(a) of the National Organ Transplant Act (42 U.S.C. 274e(a)) is amended by adding at the end the following: "For purposes of this section, kidney paired donation shall not be considered to involve the transfer of a human organ for valuable consideration.".

SEC. 3. REPORT.

Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Secretary of Health and Human Services shall submit to the appropriate committees of Congress a report that details the progress made towards understanding the long-term health effects of living organ donation.

SA 267. Mr. REID (for Mr. SALAZAR) proposed an amendment to the bill S. 188, to revise the short title of the Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006; as follows:

On page 2, line 3, strike "and William C. Velásquez" and insert "William C. Velásquez, and Dr. Hector P. Garcia."

On page 2, line 10, strike "and William C. Velásquez" and insert "William C. Velásquez, and Dr. Hector P. Garcia."

On page 2, line 19, strike "and William C. Velásquez" and insert "William C. Velásquez, and Dr. Hector P. Garcia."

NOTICES OF HEARINGS/MEETINGS

SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a legislative hearing has been scheduled before the Subcommittee on Public Lands and Forests of the Committee on Energy and Natural Resources.

The hearing will be held on Thursday, March 1, 2007, at 2 p.m. in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on S. 380, to reauthorize the Secure Rural Schools and Community Self-Determination Act of 2000, and for other purposes.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150.

For further information, please contact Scott Miller at 202–224–5488 or Rachel Pasternack at 202–224–0883.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Thursday, February 15, 2007, at 9:30 a.m., in open and closed sessions to receive testimony on the current and future readiness of the Army and Marine Corps.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to hold a hearing during the session of the Senate on Thursday, February 15, 2007, at 9:30 a.m., in room 253 of the Russell Senate Office Building. The purpose of the hearing is to evaluate the administration's proposal to reauthorize the Federal Aviation Administration.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to hold a hearing during the session of the Senate on Thursday, February 15, 2007, at 9:30 a.m. in room SD–366 of the Dirksen Senate Office Building. The purpose of the hearing is to consider the President's proposed budget for FY 2008 for the Department of the Interior.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session on Thursday, February 15, 2007, at 10 a.m., in 215 Dirksen Senate Office Building, to hear testimony on "The Administration's 2007 Trade Agenda."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, February 15, 2007, at 9:15 a.m. to hold a nomination hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet on Thursday, February 15, 2007, at 9 a.m. for a business meeting to consider pending committee business.

Agenda

Legislation

1. S. 4, Improving America's Security by Implementing Unfinished Recommendations of the 9/11 Commission Act of 2007;
2. S. 343, a bill to extend the District of Columbia College Access Act of 1999;
3. S. 457, a bill to extend the date on which the National Security Personnel System will first apply to certain defense laboratories;

4. S. 550, a bill to preserve existing judgeships on the Superior Court of the District of Columbia.

Post Office Naming Bills

1. S. 171, to designate the facility of the USPS located at 301 Commerce Street in Commerce, Oklahoma, as the "Mickey Mantle Post Office Building;"

2. S. 194/H.R. 49, to designate the facility of the USPS located at 1300 North Frontage Road West in Vail, Colorado, as the "Gerald R. Ford Jr. Post Office Building;"

3. S. 219/H.R. 335, to designate the facility of the USPS located at 152 North 5th Street in Laramie, Wyoming, as the "Gale W. McGee Post Office;"

4. S. 303, to designate the facility of the USPS located at 324 Main Street in Grambling, Louisiana, as the "Coach Eddie Robinson Post Office Building;"

5. S. 412/H.R. 521, to designate the facility of the USPS located at 2633 11th Street in Rock Island, Illinois, as the "Lane Evans Post Office Building;"

6. H.R. 433, to designate the facility of the USPS located at 1700 Main Street in Little Rock, Arkansas, as the "Scipio A. Jones Post Office Building;"

7. H.R. 514, to designate the facility of the USPS located at 16150 Aviation Loop Drive in Brooksville, Florida, as the "Sergeant Lea Robert Mills Brooksville Aviation Branch Post Office;"

8. H.R. 577, to designate the facility of the USPS located at 3903 South Congress Avenue in Austin, Texas, as the "Sergeant Henry Ybarra III Post Office Building."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on Thursday, February 15, 2007, at 9:30 a.m. in room 485 of the Russell Senate Office Building to conduct a hearing on the President's fiscal year 2008 budget request for tribal programs.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a markup on Thursday, February 15, 2007, at 10 a.m. in room S. 216 of the Capitol Building.

I. Nominations

Beryl Howell, to be a Member of the United States Sentencing Commission.

II. Bills

S. 316, the Preserve Access to Affordable Generics Act, Kohl, Grassley, Leahy, Schumer, Feingold.

S. 236, the Federal Agency Data Mining Reporting Act of 2007, Feingold, Sununu, Leahy, Akaka, Kennedy.

S. 378, the Court Security Improvement Act of 2007, Leahy, Specter, Durbin, Cornyn, Kennedy, Hatch.

S. 442, the John R. Justice Prosecutors and Defenders Incentive Act of 2007, Durbin.

III. Resolutions

S. Res. 41, honoring the life and recognizing the accomplishments of Tom Mooney, president of the Ohio Federation of Teachers, Brown, Voinovich.

S. Res. 47, honoring the life and achievements of George C. Springer, Sr., the Northeast regional director and a former vice president of the American Federation of Teachers, Dodd.

S. Res. 49, recognizing and celebrating the 50th anniversary of the entry of Alaska into the Union as the 49th State, Stevens, Murkowski.

S. Res. 53, congratulating Illinois State University as it marks its sesquicentennial, Durbin, Obama.

S. Res. 69, a resolution recognizing the African-American spiritual as a national treasure, Menendez.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. LEAHY. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on February 15, 2007, at 2:30 p.m. to hold a closed hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

SPECIAL COMMITTEE ON AGING

Mr. LEAHY. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet Thursday, February 15, 2007, from 10 a.m. to noon in Dirksen 562 for the purpose of conducting a hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

NOMINATIONS DISCHARGED—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session; that the Rules Committee be discharged from further consideration of the following nominations: Rosemary Rodriguez and Caroline Hunter to be members of the Election Assistance Commission; that the nominations be confirmed and the motion to reconsider be laid upon the table; further, that the Senate then proceed to Executive Calendar No. 29, the nomination of Leon Sequeira to be an Assistant Secretary of Labor; that the nomination be confirmed and the motion to reconsider be laid on the table; that any statements be printed in the Record; that the President be immediately notified of the Senate's action; and the Senate return to legislative session.

Mr. McCONNELL. Mr. President, reserving the right to object, and I will not object, I want to take a moment to indicate my enthusiasm for the President's nomination of Leon Sequeira, a former member of my staff, to be an Assistant Secretary of Labor, who is an outstanding individual and who I know will serve the administration and the country well in this new capacity.

Mr. REID. Mr. President, this new Assistant Secretary has a lot of good qualifications, but the most important was his employment record with the distinguished Republican leader.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed are as follows:

ELECTION ASSISTANCE COMMISSION

Rosemary Rodriquez and Caroline Hunter.

DEPARTMENT OF LABOR

Leon R. Sequeira, of Virginia, to be an Assistant Secretary or Labor.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now return to legislative session.

LIVING KIDNEY ORGAN DONATION CLARIFICATION ACT OF 2007

Mr. REID. Mr. President, I ask consent that the HELP Committee be discharged from further consideration of S. 487 and the Senate proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 487) to amend the National Organ Transplant Act to clarify that kidney paired donations shall not be considered to involve the transfer of a human organ for valuable consideration.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. I understand there is an amendment at the desk. I ask consent the amendment be considered and agreed to, the bill, as amended, be read three times and passed, the motion to reconsider be laid on the table, and any statements be printed at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 266) was agreed to, as follows:

AMENDMENT NO. 266

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Living Kidney Organ Donation Clarification Act of 2007".

SEC. 2. AMENDMENT TO THE NATIONAL ORGAN TRANSPLANT ACT.

Section 301(a) of the National Organ Transplant Act (42 U.S.C. 274e(a)) is amended by adding at the end the following: "For purposes of this section, kidney paired donation shall not be considered to involve the transfer of a human organ for valuable consideration.".

SEC. 3. REPORT.

Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Secretary of Health and Human Services shall submit to the appropriate committees of Congress a report that details the progress made towards understanding the long-term health effects of living organ donation.

The bill (S. 487) was ordered to be engrossed for a third reading, was read the third time, and passed.

REVISION TO THE SHORT TITLE OF THE FANNIE LOU HAMER, ROSA PARKS, AND CORETTA SCOTT KING VOTING RIGHTS ACT REAUTHORIZATION AND AMENDMENTS ACT OF 2006

Mr. REID. Mr. President, I ask consent that the Senate proceed to Calendar No. 23, S. 188.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 188) to revise the short title of the Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on the Judiciary, with amendments, as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts intended to be inserted are shown in italic.)

S. 188

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

Section 1 of the Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006 (Public Law 109-246) is amended by striking "and Coretta Scott King" and inserting "Coretta Scott King, **[**and César E. Chávez**]** *César E. Chávez, Barbara C. Jordan, and William C. Velásquez*".

SEC. 2. CONFORMING AMENDMENTS.

Paragraphs (7) and (8) of section 4(a), and section 13(a)(1), of the Voting Rights Act of 1965 (42 U.S.C. 1973b(a), 1973k(a)(1)) are each amended by striking "and Coretta Scott King" and inserting "Coretta Scott King, **[**and César E. Chávez**]** *César E. Chávez, Barbara C. Jordan, and William C. Velásquez*".

SEC. 3. CONSTRUCTION.

Title I of the Voting Rights Act of 1965 (42 U.S.C. 1973 et seq.) is amended by adding at the end the following:

"SEC. 20. A reference in this title to the effective date of the amendments made by, or the date of the enactment of, the Fannie Lou Hamer, Rosa Parks, Coretta Scott King, **[**and César E. Chávez**]** *César E. Chávez, Barbara C. Jordan, and William C. Velásquez* Voting Rights Act Reauthorization and Amendments Act of 2006 shall be considered to refer to, respectively, the effective date of the amendments made by, or the date of the enactment of, the Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006.".

Mr. LEAHY. Mr. President, in January, I joined Senator SALAZAR in introducing a bill to include César E. Chávez among the names of the great civil rights leaders we honor in the title of last year's Voting Rights Act Reauthorization and Amendments Act of 2006, VRARA. We reported this bill out of committee last week, and I am pleased the Senate was able to take it up and pass it so quickly.

I supported taking this action last year during the Senate Judiciary Committee's consideration of the VRARA when I offered an amendment on behalf of Senator SALAZAR to add the Hispanic civil rights leader to those for whom the law is named. As Senator SALAZAR reminded us, César Chávez is an American hero who sacrificed his life to empower the most vulnerable in America. Like Fannie Lou Hamer, Rosa Parks, and Coretta Scott King, for whom the VRARA is named, he believed strongly in the right to vote as a cornerstone of American democracy. I offered the amendment in the Judiciary Committee last year and it was adopted without dissent.

In order not to complicate final passage of the Voting Rights Act, the Senate proceeded to adopt the House-passed bill without amendment. This was done so that the bill could be signed into law without having to be reconsidered by the House. At that time, I committed to work with Senator SALAZAR to conform the law to include recognition of the contribution to our civil rights, voting rights and American society by César Chávez.

I have supported adding César Chávez's name to the law as an important recognition of the broad landscape of political inclusion made possible by the Voting Rights Act. This bill would not alter the bill's vital remedies for continuing discrimination in voting but is overdue recognition of the importance of the Voting Rights Act to Hispanic-Americans. Prior to the VRA, Hispanics, like minorities of all races, faced major barriers to participation in the political process, through the use of such devices as poll taxes, exclusionary primaries, intimidation by voting officials, language barriers, and systematic vote dilution.

We amended the bill in committee to add the names of two more great American leaders, Barbara Jordan and William C. Velasquez. Congresswoman Jordan was not only a pioneer as the first African American woman from a southern State to serve in the House of Representatives but also a great leader with an impressive career in public service as a Texas state legislator, a Member of Congress, and a professor at the University of Texas. She received the Presidential Medal of Freedom from President Clinton in 1994. Her work on the House Judiciary Committee in 1975 was instrumental in renewing the Voting Rights Act and adding the vital minority language provisions to the VRA. Barbara Jordan's life and career, not to mention her powerful speeches, have been an inspiration to so many that I am pleased to support adding her name to the bill.

On behalf of Senator SALAZAR, I offered an amendment to add the name of another Presidential Medal of Freedom honoree from Texas, William C. Velasquez. In 1974, Willie Velasquez founded the Southwest Voter Registration and Education Project, the Nation's largest voter registration project aimed at the Hispanic community. Under his leadership, the SVREP launched hundreds of successful get-out-the-vote and voter registration drives throughout the Southwest, greatly expanding the number of registered Latino voters and increasing Hispanic participation in the political process. Mr. Velasquez, who was also a leader with the United Farm Workers and helped found the Mexican American Youth Organization, MAYO, and la Raza Unida, helped others believe as he did that "Su voto es su voz", your vote is your voice. When President Clinton posthumously awarded Mr. Velasquez the Presidential Medal of Freedom in 1995, he was only the second Latino to receive the Nation's highest civilian honor. We should honor him now by adding his name to the title of the VRARA. I offer this additional amendment on behalf of Senator SALAZAR.

Of course, there are many great leaders we could add to honor their great contributions to the expansion of voting rights to all Americans. Without leaders like Congressman JOHN LEWIS and House Judiciary Chairman JOHN CONYERS, we would not have the Voting Rights Act today. We are indebted to them as we are to so many others for the strides that we have made. Taking up and passing this bill today is a sign of our commitment to ensuring that the great promises of the 14th and 15th amendments are kept for all Americans and that the Voting Rights Act Reauthorization and Amendments Act is fully implemented to protect the rights of all Americans.

Mr. REID. I ask consent that the committee-reported amendments be considered and agreed to, the amendment at the desk be considered and agreed to and the bill, as amended, be read three times, passed, the motion to reconsider be laid upon the table and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendments were agreed to.

The amendment (No. 267) was agreed to, as follows:

AMENDMENT NO. 267

(Purpose: To add the name of Dr. Hector P. Garcia to a short title)

On page 2, line 3, strike "and William C. Velásquez" and insert "William C. Velásquez, and Dr. Hector P. Garcia".

On page 2, line 10, strike "and William C. Velásquez" and insert "William C. Velásquez, and Dr. Hector P. Garcia".

On page 2, line 19, strike "and William C. Velásquez" and insert "William C. Velásquez, and Dr. Hector P. Garcia".

The bill (S. 188) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 188

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

Section 1 of the Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006 (Public Law 109–246) is amended by striking "and Coretta Scott King" and inserting "Coretta Scott King, César E. Chávez, Barbara C. Jordan, William C. Velásquez, and Dr. Hector P. Garcia".

SEC. 2. CONFORMING AMENDMENTS.

Paragraphs (7) and (8) of section 4(a), and section 13(a)(1), of the Voting Rights Act of 1965 (42 U.S.C. 1973b(a), 1973k(a)(1)) are each amended by striking "and Coretta Scott King" and inserting "Coretta Scott King, César E. Chávez, Barbara C. Jordan, William C. Velásquez, and Dr. Hector P. Garcia".

SEC. 3. CONSTRUCTION.

Title I of the Voting Rights Act of 1965 (42 U.S.C. 1973 et seq.) is amended by adding at the end the following:

"SEC. 20. A reference in this title to the effective date of the amendments made by, or the date of the enactment of, the Fannie Lou Hamer, Rosa Parks, Coretta Scott King, César E. Chávez, Barbara C. Jordan, William C. Velásquez, and Dr. Hector P. Garcia Voting Rights Act Reauthorization and Amendments Act of 2006 shall be considered to refer to, respectively, the effective date of the amendments made by, or the date of the enactment of, the Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006.".

NATIONAL MEDAL OF HONOR DAY

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to S. Con. Res. 12.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A resolution (S. Con. Res. 12) supporting the goals and ideals of a National Medal of Honor Day to mark the significance and importance of the Medal of Honor and to celebrate and honor the recipients of the Medal of Honor on the anniversary of the first award of that medal in 1863.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I further ask the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table and that any statements relating to this measure be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Con. Res. 12) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. CON. RES. 12

Whereas the Medal of Honor, the highest award for valor in action against an enemy force that can be bestowed to a member of the Armed Forces, is awarded by the President, in the name of Congress, to individuals who have distinguished themselves conspicuously by gallantry and intrepidity at the risk of their lives above and beyond the call of duty;

Whereas the United States will forever be in debt to the recipients of the Medal of Honor for their bravery and sacrifice in times of war or armed conflict;

Whereas the first Medal of Honor awards were presented to 6 men on March 25, 1863, by the Secretary of War;

Whereas only 3,443 individuals out of the millions of men and women who have served the United States in war, military operations, or other armed conflicts have been awarded the Medal of Honor;

Whereas there are 111 living recipients of the Medal of Honor, as of January 1, 2007;

Whereas it is appropriate to commemorate and honor the recipients of the Medal of Honor and what they represent;

Whereas the people of the United States should always be aware of the significance and meaning of the Medal of Honor;

Whereas the designation of a National Medal of Honor Day would focus the efforts of national, State, and local organizations striving to foster public appreciation and recognition of Medal of Honor recipients; and

Whereas March 25, 2007, would be an appropriate date to observe National Medal of Honor Day: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) recognizes the heroism and sacrifice of Medal of Honor recipients;

(2) recognizes the educational opportunity that a National Medal of Honor Day would present to the people of the United States; and

(3) supports the goals and ideals of a National Medal of Honor Day to celebrate and honor the contributions of Medal of Honor recipients.

MEASURE READ THE FIRST TIME—S. 641

Mr. REID. Mr. President, it is my understanding there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the title of the bill for the first time.

The legislative clerk read as follows:

A bill (S. 641) to express the sense of Congress that no funds should be cut off or reduced for American troops in the field which would result in undermining their safety or their ability to complete their assigned missions.

Mr. REID. Mr. President, I now ask for a second reading and, in order to place this bill on the calendar under the provisions of rule XIV, object to my own request.

The PRESIDING OFFICER. Objection is heard. The bill will receive its second reading on the next legislative day.

ORDERS FOR FRIDAY, FEBRUARY 16, 2007

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 12 noon tomorrow, February 16; that on Friday, following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and that the time until 12:30 p.m. be equally divided and controlled by the two leaders; that beginning at 12:30 p.m., there be a period of morning business, with Senators permitted to speak therein, with 30-minute blocks of time in an alternating fashion, with the majority controlling the first 30 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ADJOURNMENT UNTIL TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 6:17 p.m., adjourned until Friday, February 16, 2007, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate February 15, 2007:

THE JUDICIARY

RICHARD SULLIVAN, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK, VICE MICHAEL B. MUKASEY, RETIRED.

TIMOTHY D. DEGIUSTI, OF OKLAHOMA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF OKLAHOMA, VICE TIMOTHY D. LEONARD, RETIRED.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. BENJAMIN C. FREAKLEY, 0002

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. JEFFREY A. SORENSON, 3510

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADES INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant colonel

JEFFREY M. KLOSKY, 9911

To be major

ROBERT W. ROSS III, 6709

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

MIYAKO N. SCHANELY, 5496

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY

JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

ANTHONY C. ADOLPH, 4997
NACY J. ALOUISE, 0144
ROBERT E. BARNSBY, 4493
JOSEPH G. BERGEN, 6688
SCOTT S. BRENNEMAN, 4326
THOMAS E. BRZOZOWSKI, 1085
CLINTON M. CAMPION, 9921
GERALDINE CHANEL, 4749
SEAN M. CONNOLLY, 8879
CHRISTOPHER C. COX, 7311
JENNIFER L. CRAWFORD, 4193
JOEL P. CUMMINGS, 0470
GEOFFREY S. DEWEESE, 0621
KIRSTEN M. DOWDY, 3714
MELINDA S. ECENRODE, 2128
LAWRENCE A. EDELL II, 2194
CHARLOTTE M. EMERY, 1374
JAMES A. EWING, 4236
JENNIFER B. FARMER, 0376
WILLIAM M. FISCHBACH, 0990
JAMES F. FORD, 7990
TIMOTHY A. FURIN, 6950
STEVEN A. GARIEPY, 4805
BRIAN P. GAVULA, 3796
KRISTOF M. GAWIN, 6070
KURT E. GILABERT, 9312
PAUL E. GOLDEN, JR., 6749
DANIEL D. GRIESER, 0848
BENJAMIN K. GRIMES, 2669
VERONICA HANSEN, 3878
MATTHEW R. HOVER, 0681
JOHN L. KIEL, JR., 8432
BENJAMIN J. KINSLEY, 0970
CHRISTOPHER L. KRAFCHEK, 8369
WALTER H. KWON, 0412
JOSEPH B. MACKEY, 8026
SEAN F. MANGAN, 7637
CHRISTOPHER E. MARTIN, 2661
STEPHEN W. MCGAHA, 2736
WILLIAM E. MULLEE, 6222
KRISTIAN W. MURRAY, 1171
GREGORY S. MUSSELMAN, 0965
STEVEN C. NEILL, 8737
AMY J. NELSON, 4593
CASEY P. NIX, 5992
AMANDA M. ONEIL, 0499
SCOTT A. ORAVEC, 8907
SABRA M. OWENS, 9368
PATRICK A. PARSON, 7337
JON D. PAVLOVCAK, 8440
ALEXANDER N. PICKANDS, 1803
TARA E. POLLEYS, 7338
TERESA L. RAYMOND, 4392
SHANE R. REEVES, 0851
KAREN W. RIDDLE, 5235
CYNTHIA RUCKNO, 5492
BRIAN J. RUSH, 2500
CHRISTOPHER C. RYAN, 4855
YVONNE L. SALLIS, 6675
PATRICK R. SHANE, 1567
ROBERT C. STELLE, 0331
JEFFREY S. THURNHER, 2899
SCOTT T. VANSWERINGEN, 9921
MARK A. VETTER, 2387
RUTH M. VETTER, 3774
TROY C. WALLACE, 0389
MARC B. WASHBURN, 2419
GISELA A. WESTWATER, 7485
SEAN M. WILSON, 5054
STEFAN R. WOLFE, 2384
DEBORAH E. WOOLVERTON, 5489
KAIESHA N. WRIGHT, 3974

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

ANDREW W. AQUINO, 0589
STANLEY W. BAMBERG, 7632
WILLIE G. BARNES, 3676
RAYMOND H. BUCON, 3181
DONALD F. DAVIDSON, 3781
JAMES R. DRISCOLL, 6663
DELMAR M. FARNHAM, 5425
JAMES M. FOGLEMILLER, 8215
MALCOLM M. GRIFFITH, 8535
COY J. HALLMARK, 2978
LAWRENCE M. HENDEL, 0268
STEVEN W. HOLLEY, 3847
JOHN J. HOLZHAUSER, 1956
KEVIN J. HOOGLAND, 7329
FRANKLIN D. HUDSON, 0812
DAVID H. JONES, 4094
LARRY E. JONES, 3078
WAYNE D. KIRK, 0285
JONATHAN B. LEACH, 2206
LARRY A. MCCARTY, 9055
RICK E. MORROW, 8022
PATRICK D. NEAL, 0823
WILLIAM J. STANG, 4232
MICHAEL D. TAYLOR, 2541
DAVID A. WHITE, 0250
PAUL J. WILLIS, 2530

IN THE MARINE CORPS

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

CHARLES E. PARHAM, JR., 7703

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

DONALD E. EVANS, JR., 5209
ELLIOTT J. ROWE, 9597

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT, TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JORGE L. MEDINA, 8975

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

DOUGLAS M. FINN, 9614
RONALD P. HEFLIN, 3839

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

CHARLES E. BROWN, 3064
MARC C. HOWELL, 7622
DAVID S. PHILLIPS, 5830

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

STEVEN P. COUTURE, 6040
ROBERT D. ELLIS, 2483
GERALD J. GRIFFIN, 9024
JESSE MCRAE, 8739

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

JONATHAN G. ALLEN, 1771
RODNEY A. ALLEN, 8338
AARON T. AMEY, 7583
JAY T. ARNETT, 1383
KEVIN K. BAGGOTT, 5343
JAMES C. BAILEY, 7891
NORMAN C. BAILEY, 6889
ANDREW K. BAIN, 3747
CYRUS D. BEHSERESHT, 1888
THOMAS R. BELLEVILLE, 3460
JONATHON E. BORK, 8149
ADAM S. CANNIZZARO, 2858
SCOTT T. CARHART, 9963
JOSEPH P. CATAN, 7699
CHARLES R. CHAMPAGNE, 4041
DANIEL W. CHRISTOPHER, 2715
DONALD G. CLARK II, 7825
CLARKE D. CLODFELDER, 4859
EDWARD L. COLEMAN, 2064
PAUL B. DECKERT, 4186
KENNETH J. DESIMONE II, 9552
GEORGE V. DINARDO, 1034
DAVID E. DUCEY, 5930
JAMES C. DUMONT, 8219
JEFFREY L. ENDICOTT, 5815
DEREK J. EVERILL, 2250
MICHAEL C. FORREY, 0043
JOHN A. FRANKLIN, 6429
ROBERT A. GADJO, 3608
JEFFREY M. GALIARDI, 1082
THOMAS C. GIOVANELLI, 2893
JOHN C. GRAHAM, 6315
CHARLES E. HALL, 4920
DONALD K. HANSEN, 8084
SHARON D. JACKO, 7474
MICHAEL S. KAWAGUCHI, 6375
MICHAEL A. KELLY, 9937
GREGORY H. KITCHENS, 0685
DARREL L. KOERBER, 8638
LANCE E. LAMMOTT, 0613
CHRISTOPHER A. LANDRO, 4268
MICHAEL P. LEARY, 2859
PAUL K. LEBIDINE, 6845
ROBERT M. LEWANDOWSKI, 0151
JOE E. LINDAU, 3716
R. B. LINNEKIN, JR., 3158
THEODORE C. LOPEZ, 5834
SCOTT E. LYSTAD, 6434
BRIAN A. MACE, 5009
JAMES G. MACVARISH, 8755
MICHAEL L. MAFFETT, 8420
JOHN R. MAHONEY, 3687
LUKE MARSDEN, 3455
MICHAEL V. MCCARTHY, 9445
JOHN F. MCDONOUGH III, 3239
BRIAN J. MCGUIRE, 6364
GREGORY D. MCMANUS, 4416
COLIN P. MCNEASE, 6900
PAUL R. MENGLE, 6805
GARY W. MONTGOMERY, 9591
ROBERT C. MURPHY, 2113
SUSAN L. MURRAY, 5027
MICHAEL P. MURTHA, 3761
SUSAN NOEL, 8435
BRIAN T. OLIVER, 5519
MICHAEL S. PERKINS, 0258
JEFFREY A. PETTIGREW, 7197
BRIAN C. PHILLIPS, 8665
PETER H. PHILLIPS, 3959
ROBERT F. PRESSLY, 6101
EDWARD J. QUINONEZ, 1285
PHILIP G. RESTIVO, 7822
DONALD L. REVELL, 3606
GARY B. RHINESMITH, JR., 2608
ELIZABETH RICHARDSON, 3546
EARLE J. ROBERTSON, 4968
ROBERT A. SANCHEZ, 7788
SCOTT O. SCHULTZ, 9426
ROBERT J. SENINI, 5176
JAMES M. STACIA, 5838
JOHN C. STEVENS, 5928
SAMUEL J. STROTMAN, 7641
DAVID W. STUEBE, 7170
TODD T. TILLMAN, 1801
ROY J. TRENTALANGE, 4746
JAMES F. TURNER IV, 2429
HECTOR J. VELEZ, 7071
KYLE D. WATROUS, 5844
ROBERT T. WATTS, 9577
STEVEN B. WEINBERG, 2609
THOMAS M. WELDON, 4040
COURTNEY S. WESSINGER, 6453
ANTHONY J. WHITE, 7769
JOHN W. WIGGINS, 2734

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

PETER W. AHERN, 3290
JEFFREY K. ARRUDA, 3852
DONALD P. BALDWIN, 8943
EDWARD D. BANTA, 4165
HAROLD C. BASS, 8314
MICHAEL A. BISZAK, 7238
MATTHEW J. BONNOT, 3353
STEVEN P. BRODFUEHRER, 0457
WILLARD A. BUHL, 4090
ROBERT J. CHARETTE, JR., 6238
ERIC T. CHASE, 1300
NORMAN L. COOLING, 4735
DENNIS M. CUNNIFFE, 1833
WILLIAM R. CUNNINGHAM, 8473
TIMOTHY B. CUTRIGHT, 6615
PATRICK M. DELATTE, 6540
DOUGLAS A. DENN, 0033
JAMES T. DILLON, 8455
STEPHEN R. DINAUER, 0470
DREW T. DOOLIN, 7709
THOMAS B. EIPP, 8417
YORI R. ESCALANTE, 8842
DOUGLAS H. FAIRFIELD, 7369
JOHN J. GAMELIN, 1346
ROGER A. GARAY, 3505
KEIL R. GENTRY, 6658
MATTHEW G. GLAVY, 1146
DAVID G. GOULET, 1234
JOSEPH P. GRANATA, 5720
MICHAEL S. GROEN, 5918
STEVEN M. HANSON, 8776
CLARKE D. HENDERSON, 1705
CHARLES O. HOBAUGH, 8690
THOMAS G. HOLDEN, 5327
KEVIN M. IIAMS, 6736
RICHARD C. JACKSON II, 7344
JOHN M. JANSEN, 1022
JOSEPH M. JEFFREY III, 3442
EDWARD M. JEFFRIES, JR., 9257
ANTHONY J. JOHNSON, 4984
JAY E. JOHNSON, 1251
DEWEY G. JORDAN, 0211
JOHN E. KASPERSKI, 1078
PETER J. KEATING, 2613
MICHAEL P. KILLION, 6708
LAWRENCE E. KILLMEIER, JR., 5962
SAMUEL A. KIRBY, 3736
PHILIP S. LARK, 3074
MARK D. LAVIOLETTE, 6077
RANDY J. LAWSON, 9656
SAMUEL LIMA, 2745
LAURA LITTLE, 7921
ROBERT D. LOYND, 8095
DANIEL R. MASUR, 2684
CHRISTOPHER R. MCCARTHY, 9515
CHARLES W. MCCOBB, 2707
PAUL A. MILLER, 2815
CHRISTOPHER W. MINER, 1572
DANIEL P. MONAHAN, 1636
KEITH M. MOORE, 4580
JEFFREY K. MOSHER, 7818
WILLIAM F. MULLEN III, 6237
ANTON H. NERAD II, 6393
BRUCE W. NEUBERGER, 6971
BARRY C. NEULEN, 4289

BRUCE E. NICKLE, 4650
BRENT A. NORRIS, 8367
JAMES S. OMEARA, 5897
ALAN L. ORR II, 8156
MICHAEL J. OUZTS, 3157
BRIAN S. PAGEL, 0892
CHRISTOPHER J. PAPAJ, 6273
JOHN R. PARKER, 9404
JEFFREY S. RENIER, 1651
LORETTA E. REYNOLDS, 1465
FRANK A. RICHIE, 3430
PHILIPPE D. ROGERS, 6349
THADDEUS A. RUANE, 1017
THOMAS W. RUSSELL, 0027
SHAUN L. SADLER, 8640
RUSSELL A. SANBORN, 7303
CHRISTOPHER J. SCHLAFER, 5029
JOHN M. SCHULTZ, 8135
WILLIAM B. SPAHN, 9668
BLAYNE H. SPRATLIN, 1536
MICHAEL R. STAHLMAN, 4000
WAYNE R. STEELE, 4873
ERIC J. STEIDL, 9623
ROGER L. STONE, 7574
DAVID A. TAGG, 8004
ARTHUR TOMASSETTI, 5482
CHARLES J. TULANEY, 3683
MARK M. TULL, 0678
BRADLEY C. VICKERS, 1159
SCOTT A. WALKER, 0725
WALTER R. WATSON, 3574
MARK A. WERTH, 1807
KEVIN H. WILD, 0748
SCOTT P. WILLIAMS, 4556
TERRY V. WILLIAMS, 8027
MARK R. WISE, 7439
KEVIN T. WOOLEY, 5602

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

MARK A. GLADUE, 5228

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

BRIAN D. PETERSEN, 1675

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

TERRY L. RUCKER, 0803

CONFIRMATIONS

Executive nominations confirmed by the Senate Thursday, February 15, 2007:

DEPARTMENT OF LABOR

LEON R. SEQUEIRA, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF LABOR.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE AN DULY CONSTITUTED COMMITTEE OF THE SENATE.

ELECTION ASSISTANCE COMMISSION

ROSEMARY E. RODRIGUEZ, OF COLORADO, TO BE A MEMBER OF THE ELECTION ASSISTANCE COMMISSION FOR THE REMAINDER OF THE TERM EXPIRING DECEMBER 12, 2007.

CAROLINE C. HUNTER, OF FLORIDA, TO BE A MEMBER OF THE ELECTION ASSISTANCE COMMISSION FOR A TERM EXPIRING DECEMBER 12, 2009.

THE JUDICIARY

NORMAN RANDY SMITH, OF IDAHO, TO BE UNITED STATES CIRCUIT JUDGE FOR THE NINTH CIRCUIT.

MARCIA MORALES HOWARD, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF FLORIDA.

HOUSE OF REPRESENTATIVES—*Thursday, February 15, 2007*

The House met at 10 a.m.

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

God, ever mindful of those who place their trust in You, You bless our comings and our goings, for You are "God with us" and guide every step of the way.

Today we ask Your blessing upon Lorraine Miller and Dan Beard as they enter this Chamber to be sworn in as Officers of the House of Representatives. May they faithfully fulfill the duties that are about to be laid upon them and serve this noble institution and its Members with diligence, prudence and right judgment. May they be welcomed with sincerity and gratitude.

Today, Lord, we also pray for the Honorable Charlie Norwood, who will be carried from Your Church here on Earth and laid to rest. May the modest smile on his face come to full expression as he hears You say, "Well done, my good and faithful servant. Come, enter the joy of your Master."

Grant his family and friends the consolation that comes from faith. May he and all those who serve and love others and work in public service through Your mercy rest in peace.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) come forward and lead the House in the Pledge of Allegiance.

Mrs. CHRISTENSEN led the Pledge of Allegiance as follows:

> I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

SWEARING OF CLERK OF THE HOUSE AND CHIEF ADMINISTRATIVE OFFICER

The SPEAKER. The Chair will now swear in the new officers of the House, Lorraine C. Miller as the Clerk of the House, and Daniel P. Beard as the Chief Administrative Officer.

The officers presented themselves in the well of the House and took the oath of office as follows:

Do you solemnly swear or affirm that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God.

The SPEAKER. Congratulations.

INFORMING THE SENATE OF THE ELECTION OF THE CLERK

Mr. HOYER. Madam Speaker, I offer a privileged resolution (H. Res. 165) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 165

Resolved, That the Senate be informed that Lorraine C. Miller, a citizen of the State of Texas, has been elected Clerk of the House of Representatives of the One Hundred Tenth Congress.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE CLERK TO INFORM THE PRESIDENT OF THE ELECTION OF THE CLERK

Mr. HOYER. Madam Speaker, I offer a privileged resolution (H. Res. 166) and ask for its immediate consideration.

The Clerk read the resolution, as follows

H. RES. 166

Resolved, That the Clerk be instructed to inform the President of the United States that the House of Representatives has elected Lorraine C. Miller, a citizen of the State of Texas, Clerk of the House of Representatives of the One Hundred Tenth Congress.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives.

The Clerk read as follows:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 15, 2007.

Hon. NANCY PELOSI,
The Speaker, House of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: Under Clause 2(g) of Rule II of the Rules of the U.S. House of Representatives, I herewith designate Ms. Marjorie C. Kelaher, Deputy Clerk, and Mr. Jorge E. Sorensen, Deputy Clerk, to sign any and all papers and do all other acts for me under the name of the Clerk of the House which they would be authorized to do by virtue of this designation, except such as are provided by statute, in case of my temporary absence or disability.

This designation shall remain in effect for the 110th Congress or until modified by me.

With best wishes, I am,

Sincerely,

LORRAINE C. MILLER,
Clerk of the House.

CONGRATULATING LORRAINE C. MILLER AND DANIEL P. BEARD ON THEIR ELECTION AS OFFICERS OF THE HOUSE

The SPEAKER. The Chair wishes to congratulate Lorraine C. Miller on this historic occasion as she assumes the duties of Clerk of the House, the first time an African American has held a position of leadership in terms of being an officer of the House.

The resolutions are necessary for the Office of Clerk, and so there is much fanfare associated with that. The House is equally as pleased to have the services of Daniel P. Beard as our Chief Administrative Officer of the House. Congratulations to Dan Beard.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to ten 1-minutes on each side.

AMERICA IS GOING IN THE RIGHT DIRECTION

(Mr. COHEN asked and was given permission to address the House for 1 minute.)

Mr. COHEN. Madam Speaker, I had a 1-minute prepared to talk about the debate on Iraq, but I think what is more appropriate at this time is to talk about what this House of Representatives has experienced since January 4.

The doors of this House of Representatives, indeed this country, have been opened to thought, perspectives and issues that have been stifled for the last 12 years. I want to thank the Speaker for her leadership, for the leadership of the Democratic Party, and the chairman and what they brought forward. The first woman ever elected Speaker in this country's history, the first African American to be elected Clerk. History is being made with the issues coming forth from middle America for people who are in need, for the future of this planet.

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

I want to thank the Speaker. America is going in the right direction.

THE RESOLUTION OF RETREAT

(Mr. POE asked and was given permission to address the House for 1 minute.)

Mr. POE. Mr. Speaker, the band continues to play today while Congress argues the "Resolution of Retreat" from Iraq.

This illness of defeatism is spreading. Self-proclaimed military experts are saying the war cannot be won, even with more troops. Wars have always had homegrown critics and doomsayers, even in the military. Those in and out of the military who say we cannot win should never be placed in a position to allow us to lose. Those critics are thorns in the battlefield of hope.

This resolution, this policy of "No More Troops for the Troops" leaves our volunteers in Iraq in a precarious, vulnerable situation. Since no help is coming to their aid, what shall our troops now in Iraq do with less manpower? Fight a containment war? Fight not to lose? Or win? Not fight? Retreat to the hills?

This resolution is good news to the terrorists, bad news for the troops. We should find the moral will to finish our mission in Iraq and protect American interests with whatever number of troops is necessary. Duty requires such, and safety and honor demand it.

And that's just the way it is.

GENERALS AGREE THAT PRESIDENT'S TROOP ESCALATION PLAN IS NOT BEST WAY AHEAD

(Ms. SHEA-PORTER asked and was given permission to address the House for 1 minute.)

Ms. SHEA-PORTER. Mr. Speaker, as we continue today to debate a resolution on the floor voicing this Congress' opposition to the President's plan to send 21,500 more troops to Iraq, I think it is important that we stress that Congress is not alone in opposing the President's escalation.

First of all, it is critical that we remember that the people of Iraq do not wish us to be in their country. They wish to sort this out themselves, and we need to honor that. But retired and current military leaders in our country have also expressed their opposition to this plan.

Retired General Barry McCaffrey described the President's plan as a "fool's errand." Retired General Wesley Clark said, "Without such fundamental change in Washington's approach, there is little hope that the troop surge, Iraqi promises, and accompanying rhetoric will amount to anything other than stay the course more." And this from Lieutenant General Raymond Odierno, the commander of the Multinational Corps in Iraq: "It's clear that you cannot solve this problem militarily. You have to have the combination of military, economic and diplomatic things that we need to do.'

IRAQ WAR RESOLUTION

(Mr. AKIN asked and was given permission to address the House for 1 minute.)

Mr. AKIN. Mr. Speaker, I rise to discuss the resolution that is before the House. It is a resolution in two parts. The first part says we support the troops. The second part says we are not going to reinforce the troops. That is kind of curious in a way, I suppose, isn't it? That we would support them with up-armored Humvees, with body armor, with tanks, but oh, no, we are not going to allow other troops to help the troops that we have there. It seems like you can't have it both ways. It is self-contradictory.

You picture Davey Crockett at the Alamo, and he is there and Santa Anna's army has got him back to the wall, and he gets his BlackBerry out and he checks with the Congress, and the Congress says, yeah, Davey Crockett, we support you, but we're not going to send anybody to help. I don't think you can have it both ways.

When I was a legislator in the State of Missouri, I kept track of some of what I considered to be the silliest legislation I had seen. One of them was this lady who got so enthused about volunteering, that she created a bill called "Mandatory Volunteerism." That was odd. And here we go, we are saying support, but don't support. This is curious, and it undermines people like my son, who has served in Fallujah.

CONGRESS MUST SEND THE PRESIDENT A MESSAGE THAT THE DAYS OF A RUBBERSTAMP CONGRESS ARE OVER

(Ms. LEE asked and was given permission to address the House for 1 minute.)

Ms. LEE. Mr. Speaker, for 4 years, President Bush has been able to run the war in Iraq any way he wanted to, without any questions or proper oversight from Congress. That changed with the November elections when the American people said they wanted a check on the President's power.

This week, the House is checking that power, debating a simple resolution that sends the President the message that this House does not agree with his plan to send more troops to Iraq.

I hope this debate serves as a wake-up call to the President, and that the status quo in Iraq is not acceptable to this new Congress. And this new plan is not a change in direction, but it is an escalation of his same failed and dangerous policy.

The President has already heard from the bipartisan Iraq Study Group and from his own generals that a military solution is no longer possible, and yet that is exactly what he has proposed.

Mr. Speaker, this week, Democrats and Republicans will send the President a strong message that we must change course in Iraq, and it is really time for the President to listen.

☐ 1015

IRAQ RESOLUTION

(Mr. WALBERG asked and was given permission to address the House for 1 minute.)

Mr. WALBERG. Mr. Speaker, I rise today to honor America's brave men and women currently serving in the name of freedom and to oppose this resolution of retreat.

As Abraham Lincoln said famously in his second inaugural address: "Fervently do we pray that this mighty scourge of war may speedily pass away." As Americans we are reluctant warriors, but throughout our rich history, whenever our troops have been in harm's way America has supported the men and women in uniform and made certain our troops have the necessary resources to accomplish their mission.

Without a doubt, mistakes have been made, and these mistakes are important to acknowledge, but we must go forward with a new strategy in Iraq based on quantifiable goals and measurable results. We must not retreat. At this critical time, the American people long for true leadership and resolve.

I urge my colleagues to put aside political posturing and partisanship and ensure our troops have the resources and support needed to complete this mission. Victory is the only option.

BUSH LAYS GROUNDWORK FOR ATTACK ON IRAN

(Mr. KUCINICH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KUCINICH. Mr. Speaker, rather than announce a diplomatic initiative similar to North Korea to resolve the stalemate over Iran's nuclear ambitions, yesterday the President said that the Iranian Government is supplying deadly weapons to fighters in Iraq, even though he cannot prove the orders came from the highest levels in Tehran.

Why is he maintaining this? I believe he is maintaining it to satisfy section 2C of the 1973 War Powers Resolution which reads in part: "The constitutional powers of the President as Commander in Chief to introduce United States Armed Forces into hostilities is clearly indicated by the circumstances and are exercised pursuant to a national emergency created by an attack upon the United States, its territories or possessions or its Armed Forces."

So what is going on here is that the administration is seeking a justification for a military conflict with Iran. That is why the administration is changing its emphasis. Its justification now is to protect U.S. troops in Iraq. Very significantly this justification could relieve the President of needing congressional authorization

Contrary to his assertion, the President has been provoking Iran. The President has given U.S. military the authority to kill or capture Iranian operatives inside Iraq, but fails to present credible evidence that explosives used in Iraq have come from Iran.

He is laying the groundwork for an attack on Iran and appears to be preparing to bypass congressional authorization for a military strike against Iran.

In light of the House of Representatives' action to disapprove of the President's escalation in Iraq and the mounting opposition to the war in Iraq, the President has advanced a new justification that could be used to bypass congressional approval for a military conflict of war.

President Bush was able to exercise new flexibility to reach an agreement with North Korea to shut down its nuclear facility. This offers proof that he could negotiate with Iran as well regarding their alleged nuclear weapons program.

IRAQ RESOLUTION

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, I am appalled by what is happening in this Chamber this week. We are taking full advantage of the freedoms that we have while good men and women are dying to protect us, and we are undermining their efforts.

The other side has done some very awful things for political gain in this session. But this event is the pit of hypocrisy, not the height of hypocrisy. History has shown that involvement and sending all of the resources necessary was essential to winning World War II. And we did, in fact, preserve freedom and democracy.

Many Americans were against World War II, calling for isolationism and pacifism, hoping that Hitler would stay true to his word regardless of the extensive military buildup. The United States had no choice but to enter the war to save Europe and democracy. That was the definitive conflict of that era; we are now facing the definitive conflict of ours.

Mr. Speaker, this is a tremendous disservice to our troops, their families and the American tradition of being honorable liberators fighting for democracy. This resolution is an insult to our troops and the American people.

We are leaders in our body. It is time that we came together and act as leaders, leave politics aside to fight terrorism and support our troops. We owe to it ourselves, the people we represent and future generations.

IRAQ RESOLUTION

(Mrs. JONES of Ohio asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. JONES of Ohio. Mr. Speaker, I am so proud to be an American. I am so proud that we have first amendment freedoms and this House of Representatives has decided to step up and debate the issue of Iraq. I am not ashamed that I want my troops to come home. I am not ashamed to say that the babies that have died in Iraq that come from Cleveland and Chicago, Illinois need to come home and get out of harm's way. I am not unpatriotic; I am as patriotic as the rest. I stand here to say to America today that the Democrats in this House of Representatives and the Democrats in the Senate want a debate.

Fortunately, we have a strong leader in the House and we are debating. Somehow, the Senate cannot seem to get off the stoop to give us an opportunity to debate the issue of Iraq. I am proud to be an American. I am proud to have troops who have stood up for us, have given their lives. It is time for us to stand up for them.

Let's remember them. Let them not be numbers. Let them and their families know that we care about them.

PROGRESS IN IRAQ

(Mrs. DRAKE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. DRAKE. Mr. Speaker, this is a historic week in Iraq. They have passed a new budget for 2007, an overwhelming majority of the Iraq Council of Representatives voted in favor of the $41.1 billion budget that will aid Iraq with rebuilding, security, and move them forward to be more self-sufficient.

We should celebrate this achievement as evidence that we are making progress in Iraq, and we should allow the new strategy a chance to work. The 2007 Iraq budget represents a 21 percent increase over the 2006 budget. Over $10 billion will be dedicated to reconstruction efforts and capital investment projects this year, and over $7 billion will be used to provide security to protect Iraq from insurgents that continue to work against the cause of freedom.

This is great news from Iraq. We are making progress. I applaud the dedication to fiscal responsibility in Iraq and urge my colleagues to celebrate the success stories like this one in Iraq.

IRAQ RESOLUTION

(Mr. WILSON of Ohio asked and was given permission to address the House for 1 minute.)

Mr. WILSON of Ohio. Mr. Speaker, the Iraq resolution that we are debating here is bipartisan. Over the last 2 days, Democrats and Republicans have come to this floor to voice their opposition about the escalation plan for this war.

There is also strong bipartisan support for a resolution in the Senate that would express the Chamber's opposition to the President's plan there. Unfortunately, Senate Republican leaders are preventing the debate and the resolution, preferring instead to blindly follow the President.

Why have Democrats and Republicans come together to express our opposition to the President's plan? Unlike the President, we have listened to the military experts, his own generals, the American people, the troops fighting in Iraq, and the bipartisan Iraq Study Group that said this war no longer can be won militarily.

Congress must express an opinion to this President's plan. Over the last month, the House and Senate committees have conducted 52 hearings on Iraq, conducting oversight of an administration that is off course internationally. The oversight will continue and we will bring a change of course in Iraq

CAFE STANDARDS AND ENERGY INDEPENDENCE

(Mrs. MILLER of Michigan asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MILLER of Michigan. Mr. Speaker, this afternoon I will have an opportunity to talk about the war resolution, but this morning I would like to just talk for a second about energy independence.

Several weeks ago we heard the President announce part of his agenda for making America more energy independent. But the real question is, how do we get there? The President laid out a plan to place new draconian fuel-efficiency standards on our domestic automakers, which I believe is the wrong approach to energy independence.

It is the wrong approach because it would force our domestic automakers to invest in old technology and to stifle very exciting new technologies. Our domestic auto industry is nearing innovative breakthroughs, such as the usage of alternative fuels, new battery technology, and advanced hybrid vehicles.

I believe it is in our national interest to provide Federal support to advance the auto technologies of the future to help achieve energy savings. Both General Motors and Ford recently unveiled advanced plug-in hybrids that use a lithium ion battery. Helping that technology become commercially viable will advance our efforts to conserve energy by light years and to create great new jobs here in America.

If my colleagues want true energy independence and a thriving domestic auto industry, we must focus on the technology of the future.

IRAQ RESOLUTION

(Ms. CASTOR asked and was given permission to address the House for 1 minute.)

Ms. CASTOR. Mr. Speaker, over the last 2 days Republicans who support the President's troop escalation plan have had two main message points. The first is that the resolution opposing the President's plan is nonbinding and meaningless, and the second is that the resolution will be the "end of civilization," to borrow a term from a columnist. They cannot have it both ways.

What we are doing over these 3 days of debate is having a real discussion about changing the course of the war in Iraq. For those who support the Bush-Cheney escalation, this debate serves as a prime opportunity to explain why they think this escalation will work when four other surges have not worked.

It is a shame that some have ignored the merits of the resolution and focused on political calculation. In fact, several Republicans sent out a letter saying this debate should not even be about the Iraq war today. If we let Democrats force us into a debate on the surge or the current situation in Iraq, we lose.

Far from it, Mr. Speaker. No one will lose by having a debate. In fact, our great democracy benefits and the American people win by knowing that we are charting a new direction.

IRAQ RESOLUTION

(Ms. CLARKE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. CLARKE. Mr. Speaker, I rise today because I am very supportive of our troops around the globe and in particular those who are in harm's way in Iraq. I wholeheartedly support H. Con. Res. 63.

Mr. Speaker, in the President's January 29, 2002, State of the Union address, in regards to protecting America, responding to terrorist threats and capturing Osama bin Laden, he said, this is a regime that agreed to international inspections, then kicked out our inspectors. This is a regime that has something to hide from the civilized world.

States like these and their terrorist allies constitute an axis of evil, arming to threaten the peace of the world. By seeking weapons of mass destruction, these regimes pose a grave and growing danger. They could provide these arms to terrorists, giving them the means to match their hatred.

Secretary Rice, after being named Secretary to succeed Colin Powell, warned 6 months before the invasion in Iraq that Saddam Hussein could deploy a nuclear weapon, saying that the administration did not want a smoking gun. We want to know as New Yorkers, when will we find Osama bin Laden

IRAQ RESOLUTION

(Mr. MEEKS of New York asked and was given permission to address the House for 1 minute.)

Mr. MEEKS of New York. Mr. Speaker, as the November election clearly showed, Iraq is the number one issue weighing on Americans' minds. A vast majority of people across the Nation strongly disagree with the President's plan to send nearly 21,500 additional troops into Iraq, and a bipartisan majority in this Congress has also voiced its opposition to this measure.

This week here in the people's House, we will have an opportunity to express our opinions on the troop escalation, and then we will have to vote whether or not we support the President's plan. The American people want a debate. And while there is one going on in this House, the Senate Republican leadership continues to block debate in the Senate.

One has to wonder what Senate Republican leaders are so worried about. After all, Republican Senators, like JOHN WARNER and CHUCK HAGEL, joined with Democrats to propose their own resolution opposing the troop escalation.

Are Senate Republican leaders really willing to stifle the voices of their own Republican colleagues so that they can continue to protect the Bush administration? It is time for real debate. It is time for a new direction on this war.

IRAQ RESOLUTION

(Mr. PALLONE asked and was given permission to address the House for 1 minute.)

Mr. PALLONE. Mr. Speaker, the debate taking place here in the House this week is long overdue. We are approaching our fifth year of this war. This is the first time Congress is debating the strategy President Bush wants to implement in Iraq. Congress can no longer stand on the sidelines, and the President has to know that to escalate the war in Iraq is not acceptable.

The President hopes this troop escalation plan will help secure Baghdad and reduce the sectarian violence that is ripping the country apart. But there is no evidence to support those hopes. In fact, on four different occasions, the President increased troop levels in Iraq, and every time these plans failed to calm the violence in Iraq.

Additional troops are not going to make a difference because there simply is not a military solution to the war in Iraq. The devastating sectarian violence is going to continue. But our troops should no longer be asked to serve as referees in a battle between religious sects that have been fighting for centuries.

IRAQ WAR RESOLUTION

The SPEAKER pro tempore (Mr. HOLDEN). Pursuant to section 3 of House Resolution 157, proceedings will now resume on the concurrent resolution (H. Con. Res. 63) disapproving of the decision of the President announced on January 10, 2007, to deploy more than 20,000 additional United States combat troops to Iraq.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. When proceedings were postponed on Wednesday, February 14, 2007, time for debate on the concurrent resolution on that day had expired.

Pursuant to the resolution, it is now in order for a further period of debate on the concurrent resolution.

The gentleman from New York (Mr. MEEKS) and the gentleman from Michigan (Mr. MCCOTTER) each will control 6 hours.

The Chair recognizes the gentleman from New York.

Mr. MEEKS of New York. Mr. Speaker, I yield 5 minutes to the distinguished majority whip, the Honorable JAMES CLYBURN of South Carolina.

Mr. CLYBURN. I thank the gentleman for yielding.

Mr. Speaker, the debate we join today is essentially over the matter of sending 20,000 more American troops into Iraq. Over the past 2 days, some deeply felt sentiments have been expressed in this Hall by some patriotic and honorable Americans from all walks of life and on both sides of the aisle.

□ 1030

And I respect and appreciate the intensity of those feelings.

If this were the only issue, if the matter were only a matter of troop strength and numbers, then the issue would lend itself to military and strategic solutions and we would not be having this debate.

That is not the real issue, however. That is not the reason that every Member of this Congress is being granted the opportunity to speak on this issue. No, my fellow Members of Congress, the real issue we are addressing today is not that simple. The real issue goes to the very heart of our American democracy.

Last November the American people voted for a change in leadership. They did so overwhelmingly because they want a new direction in Iraq. The

American people also voted for a new Congress, because they had lost faith in the old one. As a Congress, we had lost our footing, and as a result, our Nation lost its way on the international stage.

I believe that last November's call for a new direction in Iraq is also rooted in our lost faith in those who are leading that nation.

We were stung when Iraqi Prime Minister al-Maliki seemed to offer amnesty to Iraqi insurgents that killed Americans.

We have been robbed by the disappearance of billions of dollars sent to Iraq in good faith to help build the country.

We have been deceived by the promise of trained Iraqi police forces who should be prepared to provide law and order for their country, but instead ally themselves with insurgents.

I traveled with some of you to Iraq last Memorial Day, and enjoyed what I thought was one of the best meetings of the trip with the Iraqi Speaker of the Council of Representatives. The optimism I felt following that meeting was destroyed when, just days after our return home, I heard the Iraqi Speaker denigrating American efforts in his country.

We in the new leadership of Congress do not stand here as defeatists and not as opponents of this Nation's best interest. Only fools could reach that kind of conclusion from this discussion. We stand here today to say there is a victory to be achieved, but it is not a military conquest.

The victory we seek is earned through the restoration of America's role as peacemaker, not warmonger. It begins with the restoration of this Congress, as the deliberative arbiter and representative of the best interest of the American people. It begins with the understanding and acceptance of this Congress as a full partner in the future of this activity.

Many of us have seen firsthand and witnessed firsthand the realities of our presence in Iraq. Many of us have informed ourselves as fully as possible on the complexity of the problems we face. Many of us have agonized over the dangers and hazards which lie ahead, no matter which direction we take. We do not take these steps lightly.

Now we stand ready to create new paths to new victories. We stand ready to initiate the kind of victories, which will restore America's respect around the world and self-confidence here at home.

We cannot achieve this by military might, but by diplomacy. The need for a stable Iraq is not just an American interest, it is a regional and global concern.

Iraq's neighbors must be brought to the table. American troops must disengage from the Red Zone and redeploy to the outskirts of Iraq where they can remain at the ready and not serve as targets for insurgents.

The best way for the Iraqi Government to gain the trust of the American people is for them to step up and take control of their country's security.

We say today that the victories we seek are real victories, permanent victories, victories of a Nation which still believes that the voice of the people is our final and best judgment.

With this debate, we are taking steps to regain our footing as a Congress and chart a new way forward on the international stage.

I am hopeful this debate will not only be heard, but will be accepted as the moment at which America turned its face toward a triumph of enormous proportions, a triumph for peace and a triumph for democracy everywhere

Mr. McCOTTER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, he was conscientious, committed to peace and momentarily praised. His laurels burned in the bombings. His valorous and vain efforts had but hastened upon his people.

Yet, in eulogizing this "English worthy," Sir Winston Churchill, an ardent opponent of the deceased's policy of appeasement, unexpectedly struck a conciliatory chord toward the late Neville Chamberlain:

"It is not given to human beings, happily for them, for otherwise life would be intolerable, to foresee or to predict to any large extent the unfolding course of events. In one phase, men seem to have been right, in another they seem to have been wrong. Then again, a few years later when the perspective of time is lengthened, all stands in a different setting. There is a new proportion. There is another scale of values. History, with its flickering lamp, stumbles along the trail of the past, trying to reconstruct its scenes, to revive its echoes, and kindle with pale gleams the passion of former days. What is the worth of all this? The only guide to a man is his conscience; the only shield to his memory is the rectitude and sincerity of his actions. It is very imprudent to walk through life without this shield, because we are so often mocked by the failure of our hopes and the upsetting our calculations; but with this shield, however the fates may play, we march always in the ranks of honor."

Mr. Speaker, while not serving in this Chamber during the debates on the resolution authorizing the President of the United States to use martial force to remove Iraq's Baathist regime for numerous just causes, including its refusal to honor its Gulf War cease-fire and United Nations' resolutions, during my time as a temporary custodian of my constituents' office, I have striven to ensure our Nation's victory in the battles for Iraq, Afghanistan, and in the overarching war on terror. In doing so for 3 years, I have four times traveled to Iraq and once to Afghanistan to meet with our troops; visited wounded citizen soldiers, eulogized our fallen, and consoled their grieving families. As a witness to their courage, sacrifice and suffering, I have been morally compelled to support every appropriation for our military and civilian personnel in harm's way, oppose every policy injurious to our country's common cause of victory; advance my own ideas on how to secure our victory, including the introduction of bipartisan, though ultimately unaccepted, legislation to establish concerted congressional oversight over the course of this conflict; and refused to condone a resolution by my Republican peers which failed to meet its duty; and, immediately afterwards, introduced a resolution of my own in order to fulfill my duty to our soldiers, my constituents, and our country.

As a staunch supporter of our Nation's mission in Iraq, Afghanistan, and throughout the world, I did so in the belief that it is morally imperative for every sovereign American citizen and their congressional servants to ensure our valiant troops victoriously come home to their loved ones' arms. Were I to do otherwise and lapse in my moral duty, I would not only be violating our troops and my constituents' trust, I would be violating the dictates of my conscience.

It is equally true, of course, how within this House other Members' dictates of conscience have led them to a decidedly different, though equally constant course of action. To these Members and their fellow citizens who have done so to date, I share the sentiments Sir Winston held for Neville Chamberlain: You are "An American Worthy," who "however the fates may play, will "march always in the ranks of honor." Yet, because the resolution thrust before us is a craven exposition of political expediency in a time of national crisis, today many may stray from the ranks of honor.

This resolution is "nonbinding," which means the resolution has no force of law to compel future legislative acts in compliance with its dictates. In sum, then, this resolution legally changes nothing. Americans' money will still unabatedly facilitate our troops' continued deployment into harm's way, despite the United States Congress collectively condemning the President's announced troop reinforcement plan. This impotent resolution is injurious in the eyes of its opponents because it will undermine the morale of our troops, their families, and our fellow citizens even as it heartens and emboldens our enemies; and this impotent resolution is injurious because it will not stop what many of its supporters purport will be a loss of life in a lost cause. By neither stopping the war nor speeding our victory and by calculatedly doing nothing in this time of national crisis, this resolution is immoral.

This immorality is manifest in how the resolution guilefully attempts to insinuate the United States Congress can simultaneously support our troops and oppose their mission. During a time of war, if an act is not i our national interest, such as the President's plan is deemed to be in this resolution, the act is injurious to the national interest. At best, the act will expend resources, most tragically claim lives without furthering the cause of victory. Better than anyone, our troops understand this. Therefore, this Congress does not support our troops when it proclaims they are risking their lives in a doomed mission injurious to America.

Yet, if Congress persists in this insanity, the Members must meet their responsibility to enumerate the reasons they disapprove of the President's plan and, in point of fact, the mission upon which our troops have already embarked. But this resolution does not provide any rationale for its conclusion. Thus, rather than deserving our collective concurrence, this resolution deserves our universal condemnation.

To this, some supporters will object and allege two defenses for this resolution's fatal omission. Do not these supporters' floor remarks provide the rationales sufficient to sustain this resolution? No. If floor remarks alone are sufficient to sustain the resolution's conclusions, then floor remarks alone would be sufficient to derogate the President's plan and, ergo, vitiate any necessity for a written resolution. Conversely, if it is imperative for the plan's detractors to express their opposition in a written resolution, it is also imperative to express their reasons in writing. Alas, such logic pales before some Members' impulsive muse of the moment.

Let us, then, move to some of the resolution's supporters' second, far more distressing defense: "A vote of disapproval on the President's plan will set the stage for additional Iraq legislation which will be coming to the House floor." As no one who participated in the crafting of this covert legislative agenda has deigned to inform the American people as to its aims, one wonders if it will cut off funding for our troops in harm's way or cut off critical reconstruction funding in the supplemental appropriations bill, thus toppling an unheralded but essential pillar of the President's new victory strategy and proving the perspicacity of the present resolution. While we wonder and worry, according to newspaper reports there is a strategy to make this rumored legislative plan palatable to the public. This strategy's tactics, which its instigators are more than happy to relate to the media, are reputed to include a coordinated multimillion-dollar TV campaign by leftist special-interest pressure groups. No doubt somewhere beyond this ephemeral stream of time there lurks a jealous Clement Vallandigham. But, in fairness, let us disdain a priori speculation, and instead examine a previous resolution to glean the potentialities of the present resolution's supporters' secret legislative plan. The following passages are excerpted from a previous resolution which, albeit more forthrightly, also opposes the Commander in Chief's decisions:

"*Resolved*, That this convention does explicitly declare, as the sense of the American people, that after 4 years of failure . . . by the experiment of war, during which, under the pretense of a military necessity of war-power higher than the Constitution, the Constitution itself has been disregarded in every part, and public liberty and private right alike trodden down, and the material prosperity of the country essentially impaired, justice, humanity, liberty, and the public welfare demand that immediate efforts be made for cessation of hostilities . . . to the end that, at the earliest practicable moment, peace be restored."

This previous resolution too expresses its support for our troops in harm's way:

"*Resolved*, That the sympathy of the Democratic Party is heartily and earnestly extended to the soldiery of our Army and sailors of our Navy who are and have been in the field and on the sea under the flag of our country, and in the events of its attaining power, they will receive all the care, protection, and regard that brave soldiers and sailors of the Republic have so nobly earned."

This previous resolution is the Democratic Party platform of 1864.

If the past is prologue, let us be firm in a fair request: If the resolution's supporters possess a victory strategy, or otherwise, for Iraq, these public servants must immediately reveal it to the sovereign citizens of the United States. If these stealth strategists refuse, they will incur the American people's inference this legislative plan assumes and will hasten our Nation's defeat in Iraq. How else could one explain these individuals' already having a legislative plan and an accompanying media plan premised upon our troop reinforcement failure, and doing so regardless of potential American victories on the ground or the advice of our military commanders? Perhaps while they demur from revealing it, these anonymous commander in chiefs will dubiously coin their legislative plan an "exit strategy."

□ 1045

It is an irrelevant distinction. Right now the enemy is actively seeking to murder more American and Iraqi soldiers and civilians. So right now and for the immediate future, an exit from Iraq is a defeat in Iraq. Whatever one pretends to the contrary, one will never convince our enemies otherwise.

Yes, it is all too human to wish the world were different; all too human to rationalize away one's misguided actions. Being composed of frail, fallible human beings, even great assemblies such as this have succumbed to the temptation. We must not.

Writing well before Churchill's magnanimous eulogy of Chamberlain and, to the contrary, warning the British people's representatives how history was pitiless, George Dangerfield coldly assessed his national leaders' mismanagement of state affairs during the pre-Great War years of 1910 to 1914: "Along that row of distinguished and original faces there would pass from time to time, as lightly as a shadow upon the waters, an alarming, an alien spirit, a spirit dangerous and indefinite, the Spirit of Whimsy . . . In the hush of crisis, in the tumult of abuse, or when the stuffy air of the Commons seemed almost to glitter with the shining, salt ripples of sarcasm, there it played, airy, remote, and irresponsible."

Is an inchoate angst over history's final verdict the reason some supporters of this resolution have taken to this floor, though not in this resolution itself, and verbally professed three key defenses of their decision? One defense is they were misled into supporting an Iraqi regime change because of the false claim it did or might possess weapons of mass destruction. Mercifully, let us stipulate these elected officials performed their due diligence on the matter and, especially for our Democratic colleagues so situated, they did not overly trust the some many of them had accused of stealing a Presidential election.

Again, there were numerous justifiable reasons for authorizing the President of the United States to militarily execute a regime change in Iraq. As those reasons are written in that resolution, I will not dwell upon them, for they do not constitute the crux of the matter, which is this: the war aim of regime change was a success. It is the post-war failure of Iraqi reconstruction breeding our present perils.

Thus even if a Member of Congress can be excused for authorizing force on the basis of being "misled," the Member of Congress cannot be excused for failing to demand adequate post-war reconstruction planning, nor for a 3-year failure to demand constructive changes to an inadequate post-war reconstruction plan.

Dovetailing with this defense, some of the resolution's supporters now claim their initial ardor for the regime change was a mistake because this administration has botched Iraqi reconstruction beyond salvaging and the fledgling democracy is now in a state of civil war. This argument has the merit of being partially correct, for despite the hard-learned lessons of our Nation's former successes in doing so, this administration utterly failed to comprehend and implement the fundamental principles of reconstructing a defeated, belligerent nation. Importantly, this does not preclude reconstructing Iraq now.

While rife with sectarian violence, much of it instigated and perpetuated from external elements, Iraq is not in a civil war. Relative calm exists in most of the beleaguered nation's provinces, and if one dares to look, there are the agonizingly slow but significant signs of incremental progress in the establishment of order. This progression will be expedited by the administration's new plan, which finally incorporates the two fundamental principles of Iraqi or any reconstruction plan, one, a liberal democratic society evolves upward from its traditional roots of order, not from a centralized bureaucratic government downward; and, two, a nation's transformational evolution into a liberal democracy must contemporaneously provide transactional benefits to its citizens. These fundamental principles will be implemented through critical initiatives, such as provincial reconstruction teams, an accord on oil revenue allocations, and a national reconciliation process, amongst others.

But to earn the support of terrorized Iraqis, security must first be established so they may commence securing the blessings of liberty. This is why the troop reinforcement is required and why the twin pillars of troop reinforcement and grass-roots reconstruction can achieve a joint American and Iraqi victory over the enemies of liberty.

The ineluctable fact of our victory is it must be won with the help of Iraqis, which is disconcerting to many of this resolution's supporters who believe the Iraqis are unwilling to fight for their freedom and are incapable of perpetuating once it is secured. This argument often intersects with the charge our mission in Iraq has been untenably shifted from effectuating a regime change to erecting a model democracy; and for the above reasons, they think this is impossible. This deplorable argument is antithetical to the self-evident truths written into our own Declaration of Independence, though, sadly, it is not without precedent. Once more, let us reference another resolution, this one opposing a military mission creeping toward a decidedly different goal:

"Resolved: that the emancipation proclamation of the President of the United States is as unwarranted in military as in civil law; a gigantic usurpation, at once converting the war, professedly commenced by the administration for the vindication of the authority of the Constitution, into a crusade for the sudden, unconditional and violent liberation of 3 million Negro slaves; a result which would not only be a total subversion of the Federal Union, but a revolution in the social organization of the Southern States, the immediate and remote, the present and far-reaching consequences of which to both races cannot be contemplated without the most dismal foreboding of horror and dismay. The proclamation invites servile insurrection as an element in this emancipation crusade, a means of warfare, th inhumanity and diabolism of which are without example in civilized warfare, and which we denounce, and which the civilized world will denounce as an uneffaceable disgrace to the American people."

So much for the prognostications of the "Peace Democrat" controlled Illinois legislature's 1863 resolution. Thankfully, by the grace of God and the sanguine sacrifice of the American people, it was this Illinois legislature, not our African American brothers and sisters and our Nation's great emancipator, who are to be denounced by the civilized world for all eternity.

What of our legislative body? Now resurrects the specter of our own judgment, which hovers above and shadows us as we seek to ensure we are not forever weighed in the balance and found wonting. It is as it should be, as it must be, for notwithstanding its nonbinding nature, even after this resolution's disposition, our duty demands we make moral decisions affecting our Nation's victory or defeat, and our fellow citizens' lives or deaths. Is this not why, even while bearing malice towards none of them, in defending his own war plan, our own maligned President warned his opponents history is a harsh mistress:

"Is it doubted, then, that the plan I propose, if adopted, would shorten the war and thus lessen its expenditure of money and of blood? Is it doubted that it would restore the national authority and national prosperity and perpetuate both indefinitely? Is it doubted that we here, Congress and Executive, can secure its adoption? Will not the good people respond to a united and earnest appeal from us? Can we, can they, by any other means, so certainly or so speedily, assure these vital objects? We can succeed only by concert. It is not 'Can any of us imagine better?' but 'Can we all do better?' Objection whatsoever is possible. Still the question recurs 'Can we do better?' The dogmas of the quiet past are inadequate to the stormy present. The occasion is piled high with difficulty and we must rise to the occasion. As our case is new, so we must think anew, act anew. We must disenthrall ourselves and then we shall save our country.

"Fellow citizens, we cannot escape history. We of this Congress and this administration will be remembered in spite of ourselves. No personal significance or insignificance can spare one or another of us. The fiery trial through which we pass will light us down, in honor or dishonor, to the latest generation. We say we are for the Union. The world will not forget that we say this. We know how to save the Union. The world knows we do know how to save it. We, even we here, hold the power and bear the responsibility. In giving freedom to the slave, we assure freedom to the free, honorable alike in what we give and what we preserve. We shall nobly save, or meanly lose, the last best hope of Earth. Other means may succeed; this could not fail. The way is plain, peaceful, generous, just, a way which, if followed, the world will forever applaud, and God must forever bless."

My friends, history harkens your honorable hearts to reconsider supporting this immoral resolution. If one believes all human beings are equally God's children, whether they be free or yearning to breathe free, one cannot, after a cruel sip of hope, condemn 20 million of God's equally beloved children to a saturnalia of slaughter. If one supports our troops, one cannot deride their cause as injurious to our country. If one seeks our victory in the war on terror, one cannot advocate a retreat and defeat in the face of our enemy.

My friends, through the fog of war, our fiery trial illumes and creeps ever nearer along the trail. Rather than curse the darkness and dread the echoes of history's verdict, let us acquit ourselves with lasting honor by leading our searching Nation through these trying, transformational times and into a transcendent, triumphal tomorrow. Let us earn the esteem of the latest and later generations of all free people by reaffirming our revolutionary Republic cherishes the self-evident truth that all human beings yearn to breathe free. Let us, in our Nation's finest traditions and truest character, remove the Iraqi people's bonds of oppression and replace them with bonds of brotherhood amongst our free, sovereign, and secure peoples.

Let us, in the face of terror, march always in the ranks of honor and courageously and selflessly secure the Iraqi people's blessings of liberty and, in so doing, secure our own blessings of liberty for unnamed generations of American children.

Mr. Speaker, fully cognizant of my moral duty to our troops, my constituents, my country, and my Creator, I cannot in good conscience support this resolution, which is injurious to the cause of our Nation's victory and in consequence is patiently immoral. Therefore, I urge this resolution's rejection and pray God graces, guards, and guides the steps of all who bear the burden of our decisions made on behalf of the majestic American people.

Mr. Speaker, I reserve the balance of my time.

Mr. MEEKS of New York. Mr. Speaker, let me just say that from my understanding, we are a separate but equal branch of government. The Executive does its thing; we do ours. And part of our responsibility is to debate, investigate and evaluate what the President says and not simply rubber-stamp what he says. So we are doing our job and what the American people elect us to do

Mr. Speaker, it is my pleasure to now yield 5 minutes to the gentlewoman from Illinois, the chief deputy whip, the Honorable JAN SCHAKOWSKY.

Ms. SCHAKOWSKY. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise on behalf of my constituents in Illinois to say, as strongly as possible for myself and for them, that we reject President Bush's decision to deploy more than 20,000 additional United States combat troops to Iraq.

Tragically, the President and his administration are dealing with an Iraq that exists only in their imagination. Bob Herbert said it well in Monday's New York Times: "We need to stop pretending that there is something sane about continued U.S. involvement in this ruinous war. We keep sending troops into the combat zone, and they keep sinking ever deeper into the ancient Middle East sand. To keep sending young people off to die in a war that everybody knows is pointless is criminal."

Each time that the Bush administration has proclaimed that we must stay the course because the war has just reached a turning point, that turn has led to a dead end.

May 2003, President Bush declared "Mission Accomplished." By the end of 2003, 486 of our troops were dead and 2,408 were wounded. And yet we stayed the course in Iraq.

In June 2004, President Bush said, "We're handing over authority to a sovereign Iraqi Government . . . a turning point will come in less than 2 weeks."

By the end of 2004, 1,334 of our troops were killed and 10,408 were wounded. And yet we stayed the course in Iraq.

In June 2005, Vice President CHENEY said, "I think they are in the last throes, if you will, of the insurgency." And in December 2005, President Bush said " . . . the year 2005 will be recorded as a turning point in the history of Iraq, the history of the Middle East, and the history of freedom."

By the end of 2005, 2,180 of our troops were killed and 16,354 were wounded. And yet we stayed the course in Iraq.

In May 2006, President Bush called the formation of a new Iraqi Government "a turning point." By the end of 2006, 3,001 of our troops were killed and 22,736 were wounded. And yet we stayed the course in Iraq.

And just last month, Vice President CHENEY proclaimed, "Well, I think if you look at what's transpired in Iraq . . . we have, in fact, made enormous progress." And President Bush told us that his new strategy to escalate the war in Iraq "will change America's course in Iraq and help us succeed in the fight against terror."

Since those remarks made just days ago, more than 120 troops are dead, and yet once again we are being asked to stay the course in Iraq.

My colleagues across the aisle want to characterize this troop increase, the fourth escalation, as a new direction. But the American people know better. They recognize "stay the course" when they see it, and they are saying no. And the administration continues the charade that if you don't support this war and this escalation, then you don't support the troops.

Shame on them. It is they who have failed to serve the troops who have served us so well. From day one our troops were sent into the war theater without the proper equipment to maximize their safety. Families have bake sales to buy their loved ones better vests and helmets. Just last month the Pentagon's Inspector General found that the Defense Department hasn't been able to properly equip the troops it already has with enough guns and ammunition to "effectively complete their missions." That is a quote. Soldiers are short body armor, armored vehicles, and communication equipment. Imagine this war is costing $12 million every hour, 24/7 for 4 years, nearly half a trillion dollars, and our soldiers don't have enough body armor, ammunition, communications equipment?

□ 1100

If our troops aren't the priority, who is? Halliburton, Blackwater, other corporate chums of the President? Don't lecture us about caring for the troops.

The Executive Director of Iraq and Afghanistan Veterans of America recently said of our returning soldiers and marines, "And when they come home, there aren't nearly enough transitional care services, job placement, transitional housing. It is just not there." Twelve million dollars an hour to wage this war, and our veterans are returning home without the proper care they need?

Our support for the troops compels us to oppose this war and this escalation. Of the terrible options the President has left us after 4 years, the absolute worst is to continue to send our young men and women in uniform to die in the meat grinder that is Iraq and to put them in the cross-hairs of a civil war.

Speaker PELOSI has said that our goal is to end this war. We can begin right here, right now, by passing this resolution.

Mr. MEEKS of New York. Mr. Speaker, it is my pleasure to yield 5 minutes to the honorable gentleman from Maryland (Mr. VAN HOLLEN), the mover and shaker on the Ways and Means Committee.

Mr. VAN HOLLEN. I thank my colleague from New York.

Mr. Speaker, next month we will mark the fourth anniversary of the President's decision to launch a war of choice against Iraq. Many of us came to the floor of this House in the weeks before the invasion to urge the President to take a different course. The White House ignored those appeals for restraint. The President's mantra was, and these are his words, "Bring it on."

For almost 4 years after the invasion, the President had a rubber-stamp Congress right here that never seriously questioned his misguided policies in Iraq. It was the "see no problems, hear no problems, conduct no oversight" Congress.

When the President stood below the banner "Mission Accomplished" aboard the USS *Abraham Lincoln* in May 2003, the rubber-stamp Congress believed the slogan, rather than the facts on the ground.

When Vice President CHENEY declared that the insurgency was in "its final throes" back in May 2005, the Republican Congress accepted that verdict without question.

When the President unveiled his so-called "Plan For Victory" at the Naval Academy in November 2005, the old Congress dutifully parroted the talking points sent down from the other end of Pennsylvania Avenue.

The days of the rubber-stamp Congress are now over. This Congress will no longer serve as the mouthpiece for the White House. This Congress is finally standing up to do its job as a separate and coequal branch of government.

Mr. Speaker, the message from the last election was clear. The American people have an uncanny ability to cut through the slogans and get to the heart of the matter. They understood clearly that more of the same in Iraq was not working. And the American people understand what both General Casey and General Abizaid have told us: that the escalation of more troops in Iraq is not the answer; that it will make matters worse, not better.

Increasing the number of American troops in Iraq will put off the day when the Iraqis, the Shia, the Sunnis and the Kurds, must make the difficult compromises necessary to achieve political and national reconciliation. Putting more American forces in the middle of a bloody sectarian civil war will only lead to further violence and more American and more Iraqi casualties. It is time for the Iraqis to assume more responsibility, not less.

The Bush administration has been wrong about this war from the beginning and it is wrong with respect to its proposed course of action now. The recommendations of the bipartisan, independent Baker-Hamilton Commission provide for the responsible redeployment of our forces and represents the best way forward in Iraq.

And to those who would suggest that having this debate will undermine our troops, I say shame on you. Chairman of the Joint Chiefs of Staff General Peter Pace put that canard to rest just last week when he said, "There is no doubt in my mind that the dialogue here in Washington strengthens our democracy. Period."

Our men and women fighting in Iraq understand the strength and vibrancy of this democracy, and they understand that it is our duty in this Congress to exercise our best judgment for America's national security. What has harmed our national security is not the debate in Iraq, but the lack of serious oversight over the Bush administration's decisions and conduct.

What emboldens our enemies is not the exercise of our democracy, but misguided policies that have weakened our national security.

Our national security is weakened when our credibility around the world is undermined by false claims regarding weapons of mass destruction. Our national security is weakened when the chaos in Iraq allows Iran to greatly expand its influence in the region. Our national security is weakened when America's diminished standing in the world has eroded our ability to influence the actions of others. Our national security is weakened because we have diverted our attention away from completing the mission against the architects of 9/11, against Osama bin Laden and al Qaeda and the terrorist network that continues to operate along the Afghan-Pakistan border.

We must change course. We must strengthen our national security position, not compound the errors we have already made. That is what this resolution is all about. We hope the President will join us in that effort. Let's chart a new direction now together.

Mr. McCOTTER. Mr. Speaker, I yield such time as he may consume to the gentleman from Oklahoma (Mr. COLE).

Mr. COLE of Oklahoma. I thank the gentleman from Michigan.

Mr. Speaker, I have listened to the debate over the last 2 days, really dozens and dozens of speeches, and, frankly, speeches of exceptionally high quality on both sides of the issue. I have listened particularly to the speakers who were here in 2002 when the momentous decision to go to war was actually made. Those who were opposed, I have admired because in their opposition in October of 2002 they were taking an unpopular position, but clearly one that they believed in, and I think they deserve our respect for that, even if I don't agree with that particular point of view.

Second, I have watched those who voted in favor of that tough decision, and I have watched as they have stuck to that decision because they believe the stakes are so important for the United States. They have done so even when public opinion has turned against their position. And I admire that.

Frankly, I have watched speakers who have changed their position, who were first for the war and now are opposed to it. It is easy to deride people in that position. But, quite frankly, I have watched them, and they are anguished in their opinions and their conclusions; they are sensitive, obviously, to the easy and cheap criticism of opportunism. And I particularly admire those, frankly, in my own party who have broken with their President and their party over a position that they believe in deeply. I don't agree with them, but I admire them.

What I don't admire is the Democratic leadership that has brought us a resolution which is divisive without being decisive. It orders no action. I have spoken on that at length before, and I am not going to go into it now. I want to instead focus on the issues at stake.

Like all of those elected in 2002, 2004, 2006, I was not part of the initial decision to go to war, and, frankly, I often think how fortunate I was to have been spared that responsibility. But, of course, none of us on this floor ever truly escapes responsibility.

My attitude toward this conflict reflects that of my district and, frankly, that of my father, who was a career noncommissioned officer in the United States Army. I recall once when he was talking about war, he summed it up pretty simply: When you are in it, win it.

That is what I have tried to do with my vote, my voice, my energy, since I have been elected to represent my district. I have done so because, frankly, in some areas I have seen progress. Removing Saddam Hussein from power was a good thing and I am proud that that was accomplished, and it would not have been accomplished without the valor and the professionalism of American men and women in arms.

I am pleased to have seen a Constitution formed in Iraq that is the envy of the Arab world.

I am proud to have seen three elections take place, all of which had increasingly high participation and had, frankly, higher percentages than vote in our own elections.

I was hopeful when I saw a coalition government formed that had Kurds, that had Sunnis, that had Shia, that had other elements in the Iraqi population.

I have been impressed with Iraqi forces that do stand and fight. And let's make no mistake about it: Most of the fighting and dying militarily is being done by Iraqis and they deserve our respect for that.

And, frankly, I think like all Americans, I was enormously relieved when I see actors like the late al-Zarqawi, people who would kill Americans anywhere, anytime, who are not from Iraq, being sought out with the help of Iraqis and killed far away from our shores. That is important, and that is something we should acknowledge.

I have also supported the war because I feared the consequences of defeat in Iraq. And, believe me, there are consequences to losing the war. These are real.

If we are not successful in Iraq, we will have an emboldened enemy. Not just the terrorists that we deal with, they are bad enough, but also the states that use terrorism as a tool of diplomacy. States like Iran, states like Syria, will draw comfort.

We will have demoralized friends in the region and around the world that wonder whether or not they can really count on us once we make a commitment.

We will see the death of an infant democracy, never a good thing for the lovers of freedom.

We will see a sectarian bloodbath in Iraq that will result in the death of tens of thousands, if not hundreds of thousands, of Iraqis.

And we will see a destabilized region in which the United States has vital interests and to which our own security is intimately tied.

I acknowledge that things have not gone in Iraq as I, certainly, and I think everybody, regardless of their position on the issue, would have hoped. There is no question that we underestimated what was required, not to defeat Saddam, frankly, that was done brilliantly, but to secure Iraq.

We have underestimated the persistence of and the difficulty the outside players would create for us. We underestimated how anxious people inside Iraq would be to settle old scores instead of to look ahead. And we have underestimated the impact of the divided loyalties of Iraqis themselves, where so often we see sect against sect, ethnicity against ethnicity, tribe against tribe.

But these difficulties and mistakes, regrettable as they are, do not change the consequences of losing in Iraq, for the region, for Iraqis, and, most importantly, for ourselves.

At this critical point, the President has offered a plan to avert defeat, and, if the Iraqis are up to the task, to turn the tide. It has an American military component, and that is what this resolution deals with.

But contrary to what I have heard on the floor, it is not a major escalation in forces. It is not an effort to allow the Iraqis to avoid the fighting. Nor is it an effort to win militarily. It is an effort to buy the time needed to create an environment in Iraq that will allow Iraqis to succeed politically. It will allow them to begin to push toward the reconciliation process and review the de-Baathification program. It will allow them to share power with one another. It will allow provisional elections to take place. It will allow oil revenue to be distributed more equitably. It will allow Iraqi units the time to train, stand up and continue to fight and fight more professionally and proficiently than they have.

The U.S. force is indispensable in achieving these measures, but it will not be and it is not intended to be decisive. What will win or lose in Iraq ultimately are Iraqi politicians: Can they put their differences aside? Iraqi soldiers: Can they fight for their country instead of against one another? And the Iraqi people: Can they put aside the differences and demand better leadership than they have received thus far from their own people.

Some will say this is a hopeless task, but our military leaders and our troops in the field don't tell us that. General Petraeus, a man whom all sides acknowledge is not only professional, capable, but is dedicated and a great patriot, tells us he thinks this is an achievable mission if he has the forces he needs to succeed. The average soldiers that I talked to from my district and other units also tell me they believe this is doable. But they want us in Congress and in this country to have the political resolve to match their personal courage.

History teaches us that freedom is a powerful force. We should trust it. And it also teaches us sometimes it needs outside help. All of us as Americans are justly proud of the American Revolution. We often forget it took a French fleet, French army and Dutch money to finally finish the job.

Mr. Speaker, because I believe the consequences of losing in Iraq are horrible for Iraqis, for Americans, and for the cause of liberty and our friends around the world; because I think that we, the Iraqis and the Americans together, can still win; because I believe that defeat has catastrophic consequences for the United States, I urge the rejection of this resolution and support the cause that our fighting men and women are so nobly advancing in Iraq.

□ 1115

Mr. MEEKS of New York. Mr. Speaker, it is my pleasure to yield 5½ minutes to the Chair of the Steering Committee, the Honorable ROSA DELAURO.

Ms. DELAURO. Mr. Speaker, this week the Congress finally takes up its obligation to change course in Iraq. We have arrived at a new moment. Few responsibilities are more solemn for a Member of this body than one in which he or she is obligated to register a vote of no confidence in their President in a time of war.

Under different circumstances, I think most Americans would want to give their President the benefit of the doubt on matters of war, that they would want to trust the President's judgment to do what is right for our country, for our national security interests, and for our troops and their families who never leave our prayers.

It is a measure of how desperate matters have become in Iraq that the Congress considers this resolution of disapproval. Today, we find ourselves embroiled in a war that is not winnable, a religious war that is inconsistent with our original mission there, a war the American people no longer support.

And with 3,100 American lives lost, sectarian violence threatening to spill over into the entire Middle East, and no prospect for a stable, constitutional democracy in Iraq in sight, today we consider this war for not what we wish it were but for what it has so clearly and tragically become, a mistake of historic proportions.

As such, I will support this resolution opposing the escalation of this conflict. And with this debate, the Congress takes up its constitutional responsibilities with a sense of urgency and accountability that the public so desperately seeks from us. For too long the Congress has asked too few questions and been all too willing to put politics and ideology before our Nation's security.

To be sure, matters of war are the most serious that I will deliberate over in the United States Congress. Indeed, such a vote was my first in the Congress in 1991. But with this moment, Congress now has the opportunity to take the country into a new phase of this war. To me, nothing matters more than getting this right.

Four years ago, I voted against authorizing the President to go to war because, as I said on this House floor, I believed taking unilateral action against Iraq would "weaken our moral authority, our military effectiveness and our ability to keep events under control afterwards."

Today, 1 month into the new Congress, and for the first time since the previous majority rushed to authorize this war in October of 2002, every Member of this institution, Democrat or Republican, will face a different choice. With the situation so clearly out of control, Members can trust President Bush one more time as he escalates the conflict in Iraq, or they can support a change in direction that begins to redeploy our troops out of Iraq, that uses our military in the right way, to make our country safer and raise America's standing so that we have both allies and moral authority to address our threats.

To be sure, of all the concerns we take to the floor with, it is the deteriorating welfare of our troops that is most alarming. Of course, every American takes comfort in the heroism and the determination that our soldiers have shown. They have performed magnificently, but they have been charged with an impossible mission that undermines their incalculable sacrifice and has strained our military in countless ways, from manpower to morale.

As the father of one marine whose son has been deployed for the second time to Iraq wrote to me, "You forget what it is like to actually sleep through the night without waking up to the horrible thought that you might not ever see your son again."

Mr. Speaker, we all know our troops will do anything their country asks of them, but let us not ask them to escalate an unwinnable war.

Today, virtually everyone agrees we need a new strategy, everyone, that is, except for the President who continues to pursue an objective the consensus judgment of our Nation's intelligence agencies says has no chance of success. Indeed, in proposing an escalation of the current strategy, the President rejects conclusions drawn by the National Intelligence Estimate, the bipartisan Iraq Study Group, his own generals and, perhaps most importantly, the American people. In so doing, he sends what could be as many as 170,000 troops into a civil war that is being waged along sectarian fault lines that have existed for more than 1,300 years.

Such a policy will not only make matters worse, in my view and that of the Iraq Study Group. It will also postpone Iraqis taking responsibility and postpone diplomatic efforts that we so urgently need to reach a political settlement in Iraq and avoid an all-out civil war that spills into the entire Middle East.

Mr. Speaker, I am not willing to stand here in the well of the House of Representatives and not move to change our policy in Iraq. There are too many lives at stake, our security at stake. I support the conclusions and recommendations of the bipartisan Iraq Study Group, but I have crossed the Rubicon on this war. I support phased redeployment over the next year and will seek every opportunity to mandate such a change in law. But that begins with stopping this escalation

Mr. Speaker, I harbor no illusions about the President's willingness to hear this message from the Congress. Before long, it may be necessary to mandate reductions in troop levels. But the President must understand that the public and the Congress do not support his policies in Iraq—that if we can even hope to achieve a stable Iraq, a peaceful Middle East and a more secure America, our strategy must change. That is what this vote of no confidence is about. That is our obligation—let us honor it.

Mr. SAM JOHNSON of Texas. Mr. Speaker, I will make a statement later, but right now I would like to introduce Congressman GEOFF DAVIS from the State of Kentucky who was in the U.S. Military Academy at West Point and served this Nation as an assault helicopter flight commander in the 82nd Airborne Division, which is where I went through jump school, too, and I think he is well qualified to discuss this issue.

I would like to recognize the gentleman for 5 minutes.

Mr. DAVIS of Kentucky. Mr. Speaker, I rise today in support of our troops and dedicated civilian professionals, and to my former comrades and friends now serving, and against the Democrat resolution disapproving of reinforcing our troops in combat.

This week, Congress has spent its time debating a futile, nonbinding resolution when, in reality, we should be debating policy initiatives that will help our troops in their mission and lead to stability. I believe that in fighting the war in Iraq that there is room for an open and honest debate about the best way to advance the compelling national security interests of this Nation. Honest debate, respectful disagreement, and constructive dialogue are components of our great Republic; and it is important to honor the process that our institution provides.

Furthermore, this measure seeks to debate whether we support an operational decision that, in reality, should be made by the commanders on the ground, not by politicians in Congress. What are we going to be debating next week, Mr. Speaker? Which block in Baghdad? Which precinct to target? This nonbinding resolution serves no purpose other than pacifying the Democrats' political base and lowering morale in our military. At least one Democrat has likened this type of resolution to a child stomping in the corner.

The troops will be doing their job by completing the mission that they have been given, and we in Congress need to do ours. Our troops who are fighting abroad do not get to debate the validity of their mission. Their enemies are real, and they are fighting day in and day out to protect our country, the Iraqi people and themselves.

This resolution does not help make progress in Iraq. It does not provide a new approach in Iraq and does not make our Nation or our troops more secure. That is what we need to be doing, not wasting our time debating a measure that can dishearten and demoralize our citizens faithfully serving in theater while encouraging and emboldening the adversaries of stability.

We have seen the aggression of this faceless and cowardly enemy in the bombing of Pan Am 103 in 1988, in al Qaeda's attack on the USS *Cole* in 2000, and the tragic events of September 11. This enemy is driven by hate and seeks to do Americans harm.

Over the course of time, it has become evident that we are involved in a long-term struggle with Islamic extremism to preserve our freedom and the freedom of the world. Every day, our men and women in uniform and our civilian professionals risk their lives to protect our freedom. From providing security to building an economy, we are strengthening the security of our country and the international community.

We have not had a terrorist attack on our soil in over 5 years because of our vigilance in pursuing the security of our Nation at home and abroad. Success in Iraq is our only option for continued national security and the preservation of freedom.

I have had the opportunity to speak to hundreds and hundreds of men and women in uniform whose experience spans all ranks, all services, and all units. Consistently, they share an optimistic and sober message about the importance of continuing the struggle to defeat Islamic extremists. A resolution like this blurs the many successes in the war they have had against the extremists.

The messages of our troops do not come without an understanding of the reality and the resources that we must commit to this mission. Fighting the terrorists will require a strong commitment, and the road to victory will be long. Our partners in Iraq have stated their commitment to the mission, and we must stand behind them.

At the same time, the Iraqis must continue to assume responsibility for their success as a nation and that our commitment is not open-ended. Success in countering an insurgency largely happens outside of the realm of combat. Security is only one aspect.

We must work on establishing frameworks within Iraq that can keep the water running and the electricity on, which will in turn allow people to go to work and children to return to school. Returning normal life to Iraqis is important, but it should not be the sole responsibility of our troops who are providing security and stability. We need to strengthen the involvement of the international community in this endeavor as we empower and engage the Iraqis.

I strongly believe that if we are to fully support our troops that we must listen to what they are saying. And when the troops are saying that they are committed to their mission then, I believe, we should listen. I remain a committed supporter of our troops, and I thank them for their service.

Soon, Congress will vote on the Department of Defense's supplemental budget; and in it, the Pentagon is requesting $5.6 billion for troop reinforcement. This will be the real test of commitment, not this meaningless resolution. A "yes" vote on that funding supports the troop reinforcement being debated here today, and a "no" vote will delete funding for this important mission. This will not only show people where Congress stands, but give accountability to our actions here in Congress with the force of law behind it.

I support our troops and our civilian professionals, and I intend to keep my commitment to my many friends on active duty and to vote to provide them the funding for their mission when the time comes.

To my former comrades and friends in the 101st Airborne Division and 82nd Airborne Division, thank you for answering the call again and know that I stand with you.

Mr. MEEKS of New York. Mr. Speaker, I think we all owe a great debt of gratitude to the Speaker of this House and to the Democratic leadership for allowing us the opportunity to have every Member come to the floor of the people's House to talk about Iraq and whether or not they agree with the President's escalation. I think that is what this House is about, and one of the Members of that leadership who we do owe that gratitude to is the Vice Chair of the Democratic Caucus, and I am pleased to yield 5½ minutes to the gentleman from Connecticut, the Honorable JOHN LARSON.

Mr. LARSON of Connecticut. Thank you, Mr. MEEKS, and also let me thank my colleagues across the aisle for the solemnity of the debate that has taken place over these last several days. I think it is so important to the constituents that we are sworn to serve, and they deserve to hear the voices that reside within the people's Chamber.

This debate, in so many ways, is an echo chamber for what Americans already know. They have found their voice and expressed it in several manners and several forms, most notably in last November's election, where they called for a new direction for this country, not the staying of the course that it is currently on.

It is long overdue then that the Congress find its voice as well. Past is prologue, and we must go back to June of 2002 when the President enunciated the Bush doctrine, the doctrine of preemption and unilateralism that has placed us in this situation that we have today in Iraq.

He was warned, most notably by people like Scowcroft, Eagleberger, Baker, and Colin Powell about the folly of this effort. It was not KENNEDY or Berg or even LARSON or other people that spoke out as eloquently as those former members of Bush the Elder's Cabinet.

I traveled with JACK MURTHA in the buildup to the war, and we met with our ambassador in Saudi Arabia, Robert Jordan, who I said to him, Ambassador, you have a gathering storm here in Saudi Arabia, with all the tensions in the Middle East. And he said, Congressman, you are from New England. Gathering storm, he said? What we have here is the making of a perfect storm.

□ 1130

And if we unilaterally invade and attack this toothless tiger, Saddam Hussein, we will unwittingly accomplish what bin Laden failed to do: we will create a united Islamic jihad against the United States.

Professor Gram Ellison wrote that "this occupation has diverted essential resources from the fight against al Qaeda, allowed the Taliban to regroup on Afghanistan, fostered neglect of the Iranian nuclear threat, undermined alliances critical to preventing terrorism, devastated America's standing with every country in Europe and destroyed it in the Muslim world."

Instead of following the wisdom of Scowcroft and Eagleberger and Baker, Powell, this administration embraced Ahmed Chalabi with all the hubris and arrogance of staying the course.

And so we find our troops today in the midst of civil war, in the midst of sectarian, religious, and tribal conflicts that are more about settling old scores that seek revenge over the centuries than about creating a democracy. And it is into that caldron that we wish to send more troops, more troops that 87 percent of the Iraqi public says they want a time line for us to be out of there, and over 50 percent of them think that it is okay to kill Americans.

Our troops need leadership that is worthy of their sacrifice. It is important that this Congress on both sides of the aisle, as it has done, understands the difference between the war and the warriors.

I conduct hearings back in my district; I listen to what my constituents have to say. And, most earnestly, to those parents, those men and women who come to these hearings and talk about their children in harm's way: Carol Tripp of Bristol said it best, a woman with three of her sons and her husband stationed in Iraq, who hasn't shared a holiday dinner with their entire family since 2001.

I define success by being able to look into their eyes and tell them that the best path forward is the safe, secure, and strategic redeployment of our troops so that our Army can regroup and restore itself and proceed after the people who took the towers down in systematic fashion to go after al Qaeda and continue to regroup.

Mr. SAM JOHNSON of Texas. Mr. Speaker, I yield myself such time as I may consume.

You know, it is an honor to be here today joined by Members of Congress who have served this Nation nobly both in the Armed Forces and today as statesmen and -women in the United States House of Representatives.

You know, there are lots of ways people can serve this country. Dedicating time to the Armed Forces, the greatest military in the world, can be some of the most fulfilling time in one's life. I know, because I spent 29 years in the United States Air Force; got called up from my ROTC class at SMU and flew 62 combat missions in Korea in a plane I named after my wife, "Shirley's Texas Tornado."

In 1965, I left for my first tour in Vietnam, working for General Westmoreland in the headquarters. In 1966 I returned again. And while flying my 25th mission, I was shot down, landed in the middle of a division of North Vietnamese soldiers.

What followed for the next 2,494 days can only be described as hell on Earth, or as my friend and fellow POW, Jeremiah Denton did, blinked the letters of one word in Morse Code into a movie camera as a desperate plea for help. The letters made up the word "torture." Of my nearly 7 years in captivity, I spent more than half of that time in solitary confinement.

As you can imagine, the North Vietnamese would say and do anything to break our will. The physical torture is not fit for describing as some of it is too graphic and too gory. There were many times that I would pray to God that I would pass out and slip into unconsciousness just to escape the pain if I couldn't escape the beatings.

Yet, what also scarred me for life was the emotional torture that the North Vietnamese broadcast to taunt us and break our wills. They constantly blared anti-American messages from back home over the loud speakers. The enemy knows that any anti-American murmur can be used as a weapon. And the same holds true today.

The enemy wants our men and women in uniform to think that their Congress doesn't care about them, that they are going to cut the funding and abandon them and their mission. They want Congress to cave to the wishes of those who advocate a cut-and-run attitude. And we should not allow that to happen.

We must learn from our mistakes. We cannot leave a job undone like we left in Korea, like we left in Vietnam, like we left in Somalia.

Osama bin Laden said that "in Somalia, the United States pulled out, trailing disappointment, defeat, and failure behind it."

And we didn't blink an eye when the radicals bombed the Khobar Towers in Saudi Arabia killing 20 and injuring 372; or after the Kenya embassy bombings that killed 213 people and injured 5,000; or that same day at the Tanzania embassy bombing killing 11 people and injuring 68. On October 12, 2000 the USS *Cole* bombing killed 17 and injured 39. And we all know how they tried to bring down the World Trade Towers and didn't stop until they completed the job September 11.

All of these tragedies of terrorism happened without a United States response.

We can't waver in our fight for freedom. We cannot abandon the bedrock of democracy; they are the brave and selfless men and women of our United States Armed Forces. We will stand up with them. We must stand up with them. And I will stand up with them in Congress, because they stand up for our freedom every minute of every day. They are the reason we call America the land of the free and the home of the brave. And I salute them.

Now, today I have the distinct privilege of managing time during this debate. Each person joining me is a shining example of duty, honor, country. And I know folks across America will learn a lot from hearing about their stories and hearing why they know firsthand freedom is not free.

Mr. MEEKS of New York. Mr. Speaker, it is my pleasure to yield 5 minutes to the Chair of the Homeland Security Subcommittee on Intelligence, Information Sharing, and Terrorism, the gentlelady from California, the Honorable JANE HARMAN

Ms. HARMAN. Mr. Speaker, I thank the Speaker and I thank the gentleman for yielding, and commend our leadership for organizing this very thoughtful and sober 3-day debate on a very serious issue.

Mr. Speaker, as Co-chair of the Blue Dog National Security Working Group, I rise to oppose the surge and to support tough and smart security strategies, including those outlined in H. Res. 97, authored by the Blue Dogs, to end war profiteering, put future war costs on budget, and adopt a Truman Committee to make those who have engaged in fraud and abuse in Iraq accountable for their actions.

As we conduct this historic debate, however, I am mindful that, eight time zones away, crouched in a tank somewhere in Baghdad, a 19-year-old private is doing his best to restore order to a city descending into all-out civil war. We owe this soldier, his mates, and their families so much. They volunteered to put their lives on the line to keep this country safe.

We in this Chamber also want to keep this country safe, but we do not share those day-to-day risks. Only a handful here have relatives in Iraq living the life of the soldier I described.

Mr. Speaker, as we have sadly learned, the intelligence that took us to war was wrong. Some of the most inaccurate claims—that an operational relationship existed between al Qaeda and Saddam Hussein, that vast WMD stockpiles existed with their locations pinpointed—were presented by the administration as fact, even though the Intelligence Community had discredited them. That was shameful.

Most intelligence agencies around the world thought, however, that Saddam Hussein had WMD and the intention to use it against his people and U.S. interests. They believed it, and so did I. But they were wrong, and so was I.

The actions taken 4 years ago in Iraq created a failed state. We took out its government and occupied the country, unsuccessfully. About one year later, millions of Iraqis courageously elected a government, but that government barely functions, and we continue to occupy Iraq militarily.

Mr. Speaker, there are no good military options left in Iraq.

To the soldier currently in harm's way, I say, "You are a hero. You are doing your best to follow orders and to serve your country." But I also say, "We have given you a mission impossible, and that mission must change."

We have a moral obligation to leave Iraq in better shape than we found it, and that will not be achieved by surging 21,500 more troops into Baghdad. The surge will not work, and I oppose it.

But abandoning Iraq is not a viable alternative. We must invest in strategies to contain and ultimately reduce violence there in order to create stability in Iraq and in the region. That must now be our focus.

The Iraq Study Group made important recommendations to do this, including changing the military mission in Iraq; tying future U.S. support to measurable progress on national reconciliation; security and governance; and aggressive diplomatic outreach to Iraq's neighbors—including Syria and Iran. But this administration rejected them.

Two weeks ago, a Saban Center report by Daniel Byman and Ken Pollack carefully assessed options to contain the spillover from an Iraqi civil war. They include not trying to pick winners between the Sunnis and Shia; pulling back from population centers; providing support for Iraq's neighbors; and laying down "red lines" to Iran. All of these ideas have merit.

Further good ideas come from David Schaeffer, a former U.S. ambassador-at-large for war crimes issues, to put the Iraqi Government on an "atrocity watch" and warn its leaders that they can be prosecuted for war crimes if ethnic cleansing occurs.

Mr. Speaker, the Bush administration has made calamitous mistakes in prosecuting this war. The surge, I fear, is yet another one. With this resolution, Congress starts action to force a change in strategy and to bring that soldier in downtown Baghdad and his comrades home safely—and soon

Mr. SAM JOHNSON of Texas. Mr. Speaker, I yield 5½ minutes to the Representative from Virginia, THELMA DRAKE, who represents Norfolk and America's Navy.

Mrs. DRAKE. Thank you, Congressman JOHNSON, for your service to our Nation.

Mr. Speaker, the past few years have been increasingly difficult ones for the American people, for our military families, and, most importantly, for our servicemembers in harm's way.

Our troops have done everything that has been asked of them, and more. Their sacrifices are unimaginable to many of us here on this floor. Through it all, the only thing that they have asked is for our support through our words, through our prayers, and, most importantly, through our actions.

During my two visits to Iraq, the question that I encountered from servicemembers was, What are they saying back home? They watch C-SPAN, and I know with certainty that they are watching us right now.

The resolution that we are discussing today is nonbinding and, therefore, merely symbolic within the Beltway. The driving force behind it has more to do with the situation in Washington than it does the situation in Baghdad. Yet, half a world away this resolution will have demoralizing effects for those men and women who we have asked to go into battle.

It is important for the American people watching this debate to know that this plan is currently under way.

The Second Brigade of the 82nd Airborne Division moved into Baghdad nearly a month ago.

□ 1145

The Fourth Brigade of the First Infantry Division is deploying this month, with three more brigades set to arrive soon. That means that we are not here today to discuss whether or not the troops will go, we are discussing what message the troops will hear from us when they get there.

Like many of my colleagues, I am concerned about the current situation in Iraq. Last April, I witnessed the election of the Iraqi Prime Minister. Since that time, the Iraqis have failed to make acceptable progress, stabilizing their nation, and strengthening their democratic institutions.

Many of us have concerns about the plan. Will Prime Minister Maliki live up to the commitments that he made in November? Does this plan get the most out of the 21 trained and equipped Iraqi battalions deployed outside of Baghdad? These are reasonable questions, and ones I believe that are within the scope of Congress to discuss and resolve.

I appreciate debate, and the American people appreciate debate. But it is important to remember that the American people have sent us here to solve problems. Unfortunately, this resolution makes no attempt to solve the problems in Iraq.

If Congress believes that the President's plan can be improved on, then Congress has the responsibility to work with the Commander in Chief to ensure that the Iraqis are meeting stringent benchmarks and are living up to their commitments. This resolution is best defined by what it lacks. This resolution fails to include the proposal for a bipartisan panel tasked with outlining rigorous benchmarks and making sure they are met so that our troops may return home in victory.

This resolution fails to specifically protect the funding that our troops need to execute the mission. This resolution fails to condemn the terrorists and insurgents who target both our troops and Iraqis, and, most importantly, it fails to reiterate that victory should always be the goal.

We were told this week would provide an opportunity for every Member to go on the record, yet the majority has not allowed a Republican alternative that would protect funding for the troops. How do the American people know where their Representatives in Washington stand on funding for our troops when the majority will not allow that to be?

The American people are anxious, but they want progress, not defeat. They want to see their elected officials working together to ensure success on behalf of our troops. Simply inserting a sentence, saying you support the troops, is not enough when your actions say otherwise. The consequences of retreat would be dire. This is understood by our allies as well as our regional partners who have spoken up against withdrawal.

According to the Iraq National Intelligence Estimate, it would result in an immediate increase in sectarian violence and genocide and has the potential to destabilize the entire region. For decades, the instability in the Middle East has repeatedly resulted in the deaths of American citizens and servicemembers, in places as far apart as Beirut and Yemen, New York City, and the Pentagon.

A retreat at this point in time could, down the road, necessitate our troops returning to an Iraq that is much more dangerous than the one they left. I truly believe that the United States has the most formidable military in the world, not solely because of our technological and tactical advantages, but because our men and women in uniform fight in the name of a free and Democratic people. They fight on behalf of freedom for all, knowing they have the full support and confidence of the American people.

When we take that support away, we strip our troops of the greatest weapon in the fight against tyranny. I ask my colleagues not to vote for this resolution, but to once again work together.

Mr. MEEKS of New York. Mr. Speaker, the American people are indeed looking at this debate. They want to know where their Members stand, simply whether they support the troops and their position with the President and his escalation, and we had the opportunity for every Member to speak out on that. That is what this House is all about. We are doing our jobs. It is just the first step in many steps

As a result, the American people also, I am sure, will want to hear the distinguished gentleman from the State of Pennsylvania, the Honorable

MIKE DOYLE, who is the vice chair of the Telecommunications and Internet Subcommittee of the Energy and Commerce Committee.

The SPEAKER pro tempore (Mr. PASTOR). The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. DOYLE. Thank you.

Mr. Speaker, as someone who has opposed this misguided version from the war on terror from the very beginning, I believe it is way past time for our country to take stock of where we have been, where we are, and where we are going in Iraq. I think it is important to remember how we got there.

President Bush told Congress and the American people that Saddam had weapons of mass destruction and was an imminent threat to the United States; that Saddam had ties to al Qaeda and the 9/11 attackers; that the invasion, occupation, and reconstruction would cost us nothing; that Iraqi oil revenues would cover all the costs.

So where are we today? We know that Saddam had no weapons of mass destruction and that he posed no imminent threat to the United States. We know Saddam had no operational relationship with al Qaeda. Eighty percent of the Iraqi people want us to leave their country. The invasion, occupation, and reconstruction of Iraq will cost us at least half a trillion dollars, not to mention the cost in human lives and international goodwill.

More than 3,000 American soldiers are dead, more than 20,000 American soldiers are wounded. The burden of the Iraq war is being borne exclusively by our children and grandchildren who will bear the debt, and the families of our military personnel, who, at best, experience long separations and terrible worry, and, at worst, lose a beloved family member forever.

The invasion and occupation of Iraq has alienated our allies, has called our credibility into question around the world. It has soured Middle Eastern attitudes about the United States and Western democracy. Finally, the invasion of Iraq got us into a long-term bloody occupation of a country with no significant connection to the war on terror and diverted critical military and intelligence resources from the fight against al Qaeda.

The recently released National Intelligence Estimate concluded that there is little prospect for political reconciliation in Iraq at this time. So, what should the United States do? What does victory in Iraq mean at this point? Most of us would see victory as any kind of political settlement that ended the violence, but the American people need to hear the truth, and the truth is, there is no happy ending for Iraq as long as our presence allows the Maliki government to avoid making the political compromises necessary for peace in Iraq.

Now, the President has proposed a significant increase in the numbers of U.S. troops serving in Iraq. I believe that Congress should oppose this escalation. I don't believe it has any real chance of producing a political solution in the war in Iraq or even curbing the violence in Baghdad.

I am not alone in this belief.

General Colin Powell, General George Casey, General John Abizaid, General Joseph Hoar, General Barry McCaffrey, Major General Don Sheppard and General James Conway all question this escalation.

Now, many supporters of the President's Iraq policy ask what those of us who oppose this military escalation would support instead. This Member of Congress believes that the United States should begin an immediate orderly redeployment of our troops out of Iraq with the goal of completing that redeployment by the end of the year.

We should lead and enlist the participation of all neighboring countries in a massive diplomatic surge to help contain the civil war already underway, and that diplomatic surge should include all the countries in the region, including Iran and Syria. The only way to bring stability to that region is through a regional effort.

Our troops have performed with courage, compassion, and professionalism. They did everything that was asked of them. Their work in Iraq is done. We gave the Iraqis their freedom. It is up to them to decide what they will do with it.

It is time for the Iraqis to take responsibility for their own security. It is time for Iraqis to decide if Shiites, Sunnis and Kurds wish to share resources, share power, and coexist peacefully as one country.

America cannot force them to do this, no matter how long we stay there. Only the Iraqi people can decide this.

Mr. Speaker, it is time. The American people have known for quite a while it is time, and I believe this week that finally the United States Congress will take the first step to bringing our troops home by adopting this resolution

Mr. SAM JOHNSON of Texas. Mr. Speaker, at this time I would like to yield 6 minutes to the gentleman from New Mexico, who was a pilot in the United States Air Force, serving in the Philippines, received a Distinguished Flying Cross and an Air Medal before returning to the United States.

Mr. PEARCE. Mr. Speaker, I rise in opposition to this stay-the-course resolution, because it is, indeed, a stay the course. It says, blithely, that we support the troops, the troops are in Iraq, they are fighting. We support the fight.

We do not, on the other hand, support an escalation, which would be another course of action, nor do we present the other alternative that says bring them home. We can bring them home, increase or stay the course, and so this stay-the-course resolution is one that is very curious indeed today.

The last two speakers that I have heard say that there is no good military action left. That is a credible viewpoint. It is one that is expressed, and yet I ask my friends why did you not have the courage to simply say, if there are no goodwill alternatives left for the military, then bring them home. That is fair and adequate.

I have also heard that it is a misguided conflict. I have also heard that our soldiers' work is done. If their work is done, please have the courage to bring them home.

I want to speak today on behalf of our soldiers, the soldiers of today. I will do it while remembering the soldiers of yesterday. Through no fault of my own, I served in the Air Force during the Vietnam conflict. I say through no fault of my own, because I was not a volunteer. I got there because I drew a very low draft number. As time has proved, it was going to be the only lottery that I am going to win, but that lottery gave me a free pilot's certificate and sent me to Vietnam to fly in 1971, 1972 and parts of 1973.

I was in Vietnam during the time that Jane Fonda made her trip to the North, giving aid and comfort to the enemy. I was in Vietnam during the time that there were demonstrations in the streets back home. I was there during the time that our soldiers were cursed at and spit on. Today, as I beat around the back dusty roads of New Mexico, I encounter those same soldiers that I encountered back then. For those soldiers who are my age, who are on walkers, life has been difficult.

There is a common greeting for soldiers of that era. It is welcome home, brother, or welcome home, sister, because they were never thanked for their duty and they were never welcomed home with parades with yellow ribbons. We were snuck back into the country.

I have brought a couple of photos to help us remember, to remember the people who were trying to get out of Saigon, not just Americans, but those people who had sided with us. They are crawling up the ladder trying to get into the helicopter. The helicopters proceeded out to carriers, then the helicopters were pushed off the side of the carriers. This is the way we left Vietnam.

I bring this up because I am beginning to see the same thing today. My colleague yesterday spoke of this resolution and mentioned that the resolution was vague, where people of very different beliefs could believe that it represented them. If you support the war, you believe that it supports your position. If you are opposed, you will somehow believe that this is the one step that is going to stop us.

Yet it really does nothing, the vague language, that clever language points out, this is not a time for cleverness, it is a time for decision, because I will be a constant voice for our soldiers. I read and I hear the comments today.

I read when Chrissie Hynde says, "Let's get rid of all the economic (expletive) this country represents! Bring it on. I hope the Muslims win!"

I hear from the left, William Arkin, "Those soldiers should be grateful that the American public . . . do still offer their support to them, and their respect . . .

"So we pay the soldiers a decent wage, take care of their families, provide them with housing and medical care and vast social support systems and ship obscene amenities into the war zone for them, we support them in every possible way, and their attitude is that we should in addition roll over and play dead."

□ 1200

Our friends on the other side of the aisle, I do not discount their intent, but I know what they are trying to do. They are doing the same thing that was done in Vietnam: they are trying to feed that hungry tiger that lives on the left, that hates the American way of life, that hates the American military, that will do anything to discredit, disrespect, and discount the service of our soldiers.

My friends, you will not be able to appease the left with this toothless resolution that you are presenting. You know that your own Members, some of your Members, have called for defunding; but defunding is going to allow the exit that looks like this, and it is going to allow the mass catastrophe, the mass killings that are going to occur, and that is all part of the problem.

But before you allow your friends, who would never vote for me, who disrespect our soldiers so much, before you empower them and before you encourage them, I would recommend that you think carefully about just cleanly bringing our soldiers home.

If you are going to do nothing in the resolution, you have an obligation to do no harm. This resolution does no harm. This resolution empowers our enemy, encourages our enemy, and encourages people who are going to disrespect our soldiers. I recommend a vote against the resolution.

Mr. MEEKS of New York. Mr. Speaker, I know of no one in this House, whether you be to the left or to the right, who does not believe in our troops and our soldiers, who does not respect them and honor them. In fact, I think that by having every Member have the opportunity to speak on this floor to talk about their patriotism is exactly what is supposed to happen in the people's House.

With that, I am proud to yield 5½ minutes to a man who was one of the leaders in opposition to giving the President the authority to unilaterally go into Iraq, a man who is steady and effective on the Ways and Means Committee, the gentleman from Texas, the Honorable LLOYD DOGGETT

Mr. DOGGETT. I thank the gentleman.

This debate is late, very late, thousands of deaths too late. This escalation scheme is an unmitigated disaster.

President Bush seems determined to continue to make the same old mistakes, just make them a little bit bigger; defying sound military judgement; defying the Iraq Study Group; defying the wishes of our allies and the Iraqis themselves; and, most particularly, defying the will of the American people.

This President continues to pursue a go-it-alone strategy in Iraq. Like most every problem that he has created, and there are many, he seeks only to pass it along to his successor, who we will elect next year—pass along in this case what is no doubt the most colossal foreign policy failure in American history.

The administration's top budget official told me in a hearing just last week that "the best minds in the Pentagon" see no need to fund this escalation, which has not yet really begun, for more than another seven months. In truth, our military has been so overstretched that it cannot sustain a prolonged escalation, even when it unfairly recalls inadequately supplied troops for a second, third, and fourth tour of duty. Little wonder that the Secretary of Defense, Mr. Gates, admitted last week that he is already looking for another plan after this escalation falls short.

This week, this House, we say "stop the increase." And next, we must begin the decrease with a phased withdrawal from Iraq. We should not act precipitously, but we must move very expeditiously to extract our troops from the crossfire of the warring factions in this civil war quagmire.

To our troops, whose courage we honor today in this very resolution, we say to you, those of who you who are out there on the front lines today, we will do everything we can to protect you; but we will also be working as hard as we can to bring you home safely to your families sooner rather than later.

There is a better way to show support for our troops than just sending more of them to be killed. There is a better way than continuing to give this President a blank check for war funding. Unless we move forward to place firm limitations on the appropriations, we will leave this war-making President constrained only by DICK CHENEY's imagination.

The words of our adversaries in this debate have often been very short, but their true conflict is not really with us; it is with reality. They are in a losing war with the truth. Iraq has never been the central front in the war on terrorism. Like the alleged connection between 9/11 and Iraq, like the claim that Saddam's nuclear mushroom cloud was looming just over the horizon, this charge is but another falsehood foisted off on the gullible.

The central front on the war on terrorism was largely abandoned by President Bush in his ideological rush to invade Iraq. Vital resources and expertise that were needed to capture Osama bin Laden and the terrorists who caused 9/11 were cut in Afghanistan when President Bush ran into Iraq. The real war on terrorism suffered a major setback from which today it has still never recovered. That is the only "cut and run" that now endangers our families. Nor does this debate in the people's House embolden the enemies of democracy when we exercise democracy here in America.

To me, the terrorists seem mighty emboldened with their daily death and destruction that they wreaked across the Middle East long before anyone ever conceived this resolution. Frankly, it is the administration that is the terrorists' top recruiter.

As we predicted at the outset, this war is creating new generations of terrorists who view it as a war against all Islam. We cannot kill our enemies fast enough with the current policies creating more of them every day.

And now this President is stoking the flames of war with Iran. Ironically, that is the only country in the world to have directly benefited from his attacking Iraq. Widening the war to Iran with the macho slogan that "boys go to Baghdad, but real men go to Tehran" risks an even wider, even more destabling debacle that can eventually involve our families in a third world war.

Having failed entirely to learn any lessons from Vietnam, this administration seems to already have forgotten our experience in Iraq. Some here who profess to be conservative have been very liberal with billions of misspent taxpayers' dollars and very liberal with the blood of others in the sand of Iraq.

President Bush was absolutely correct when he personally declared his war in Iraq to be a "catastrophic success." He has certainly been successful at creating one catastrophe after another in Iraq.

Our Nation is great enough with sufficient resources and creativity to change course, but each day we delay we sink further into a quagmire from which fewer and fewer choices remain. We must step back from the abyss

Mr. ACKERMAN. Mr. Speaker, I yield now 5 minutes to a longstanding member of the Foreign Affairs Committee and presently a member of the Ways and Means Committee, the gentlewoman from Nevada (Ms. BERKLEY).

Ms. BERKLEY. Mr. Speaker, almost 4 years ago our brave men and women in uniform defeated the armed forces of a brutal tyrant, and he has been brought to justice.

In the years since Saddam's fall, our troops have won thousands of battles, taken numerable objectives, built schools and utility systems, and provided all types of humanitarian relief in countless villages, towns, and cities ravaged by sectarian violence. But now our fighting men and women are thrust into a civil war that pits religious and ethnic factions against each other. Lurking amid Iraq's civilian population, they mercilessly kill their fellow Iraqis.

These fanatical killers plant thousands of explosive devices and crouch in thousands of ambush positions to attack our troops, who seek to replace senseless sectarian violence with a measure of stability so that the dysfunctional and deceitful Maliki government can survive. To fight and die in the middle of an Iraqi civil war fueled by centuries-old religious hatred is not why we sent our troops into harm's way.

Our troops have stepped up for 4 years. They have paid the price in blood. Now is the time for Iraqi authorities to step up. If they are ever to do so, it will be only after they understand that it will be their blood, not the blood of young Americans, that will be shed to stop the horrific sectarian violence that is tearing Iraq apart.

Throwing 20,000 additional Americans into the carnage of a Sunni-Shiite civil war can only allow the Iraqi Government to continue to shirk its responsibility for the security of its own people, as they continue to use our troops to eliminate their adversaries rather than sitting down and negotiating with them to share power and oil revenue.

After the election, the President said he heard the concerns of the American people and he promised a new plan for victory, but what he has proposed is merely a continuation of the same failed policy. Sending 20,000 more American troops to Iraq will do nothing to further the cause of victory. It will only prolong the agony.

Our mission in Iraq remains dependent on a viable Iraqi Government with both the ability and the will to confront the extremists that are tearing that country apart. The Maliki government has demonstrated neither the ability nor the will to take the action necessary to bring an end to this sectarian bloodshed.

The Members of his government at the highest levels and Maliki's strongest supporters are using their office to aid the insurgents and are directly involved in the sectarian violence gripping and destroying Iraq and killing our troops.

At a time when we should be doing everything we can to promote diplomacy in the Middle East, our attention to resources have instead been focused on a civil war in Iraq which threatens to envelop the surrounding nations and further inflame the region.

The effect of this open-ended conflict on our military preparedness cannot be overstated. We have zero active duty or Reserve brigades in the United States that are combat-ready. One quarter of our troops deployed in Iraq are National Guard and Reserves. Our Guard units are stretched so thin, only 30 percent of their essential equipment remains. These units are the ones we depend on in case of domestic emergency. By further extending our commitment in Iraq, we are compromising our safety here at home.

In my home State of Nevada, one-third of our Guardsmen have served in Iraq, and with this surge they will face the possibility of further tours and extended time away from their families.

I commend our troops for their bravery in carrying out their mission. They have not let us down; we have let them down. We cannot ask them to continue their sacrifice while we wait for the Iraqi Government to step up.

I remain opposed to a fixed timetable for the withdrawal of U.S. troops from Iraq, and I realize the grave consequences we face if our mission fails. But that does not mean that I will give a blank check to the President for a surge when he has not given us a clear understanding of why such an increase is needed or how it will help us succeed.

President Bush has yet to put forth a strategy that outlines where we are going, how we are going to get there, how long is it going to take, how much is it going to cost, and at what sacrifice to the American people. He must define the meaning of victory before it is too late. "Mission accomplished." "Bring them on." "Stay the course." And "we will stand down when the Iraqis stand up." Our campaign slogan is not "thoughtful strategies for victory."

The President has failed to make the case for sending 20,000 more U.S. troops into a civil war with an open-ended mission and a bull's-eye on their back. I say yes and thank you to our troops, and I say no to the surge. I ask my colleagues to join me in doing the same for the good of our families, our military and our Nation.

Mr. SAM JOHNSON of Texas. Mr. Speaker, I would like to recognize Mr. PAUL GILLMOR, who is a United States Air Force veteran. And he was a judge advocate, so he knows some of the legal problems involved in this thing. I would like to yield him 5 minutes.

Mr. GILLMOR. I thank the gentleman from Texas, who is a real American hero, for yielding me the time.

□ 1215

Mr. Speaker, the resolution we are considering does not do a single thing to help our troops or to achieve the goals of America, our allies or the Iraqi people.

Congress is spending an entire week on a nonbinding resolution that, even if it passes, will not change the course of action in Iraq. Our time could have been spent much better debating real issues, such as how to most effectively win the war that terrorists are waging on us.

Now, personally, I am skeptical that an increase of 20,000 troops will make the difference and that it will stabilize Baghdad and Iraq. But, for me, the question is, to whom should we listen regarding operational decisions in Iraq? Should we listen to the recommendations of the U.S. military or to the politicians in Washington?

And as an Air Force veteran, I think we should accept the recommendations of our military. And in that respect, 2 weeks ago the General in command of ground forces in Baghdad said, and I quote, "By bringing more troops in, it provides us the opportunity to work with them, to provide more time to defeat this threat, which is both an al Qaeda threat as well as sectarian violence."

I have visited in Germany in the medical facilities with our wounded troops from Iraq. A member of my family served a year in a combat zone in Baghdad, and I am incredibly proud of our men and women in the military. They are talented. They are dedicated. They are professional and they are the best in the world. And we owe them a tremendous debt of gratitude.

Now, even though it is nonbinding, there is, I think, a large omission in this resolution. While it does compliment the actions of our military men and women, nowhere does it commit to continue providing funding for troops in the field. And at a time when some in this town are talking about cutting off funding for our troops, I think we should commit to providing full funding for our Armed Forces as long as they are in the field.

Now, there is no guarantee that this troop buildup will be successful, or that the Iraqis will succeed in finally taking over the security situation in a responsible way. But what we do know is, at this point there is not a better plan proposed which has a chance of victory. And we also know that failure in Iraq threatens the security of the United States, the security of the Middle East, and, in fact, the whole world.

Early last year I had the privilege of leading a delegation to Asia, where we met with the Prime Ministers of India, of Thailand and Singapore. And those are all countries that are now and have been under terrorist attack. All of them agreed with the need to cooperate for security purposes, and with the importance of winning the war against terrorism in Iraq because of the consequences of not winning would have on the rest of the world.

Mr. Speaker, this resolution has two purposes. First, it rejects the only plan which has been suggested by military leaders with a chance of success in Iraq. Second, it begins this Congress down a path which ends with cutting off funding for our troops and abandoning our foreign policy because of failed congressional fortitude. I am opposed to the resolution and opposed to our micromanaging of the war on terror.

Mr. ACKERMAN. Mr. Speaker, I am pleased to yield 5 minutes to a member of the Ways and Means Committee, as well as the Judiciary Committee, the distinguished gentleman from Alabama, ARTUR DAVIS.

Mr. DAVIS of Alabama. Mr. Speaker, approximately 24 hours from now, this House will bring this debate to a conclusion and it will vote. And the vote, based on everything we expect, will be an overwhelming one. It will include people from the left of this House, the right of this House, it will include people from both political parties. It will include people who supported this war and who believed in it 5 years ago, and it will include those who have questioned it from its inception.

And there is a reason for this consensus, Mr. Speaker. There is broad agreement on several things in this House. There is broad agreement that we have been caught in the cross-hairs of a civil war between two sets of radical Islamist fundamentalists, neither of which shares our values.

There is broad agreement in this House that the human and material cost of this effort has gone too high, and there is broad agreement in this House that the moral obligation is not to put 21,000 more soldiers into harm's way; but to do the opposite, to begin the process of pulling our men and women out of this cauldron that is now Iraq.

And there is broad agreement on one other point, Mr. Speaker. It is this: that the President of the United States is wrong to say that it doesn't matter to him what this Congress thinks, or what this country thinks.

I am reminded, Mr. Speaker, I am one of the younger Members of this House, I was in college a little more recently than some of my colleagues.

I had a very esteemed professor back in the 1980s named Richard Newstadt who wrote about the American Presidency for a number of years. And one night he invited all the freshmen in the class to come over and to have a dialogue with him about the future of the Presidency. And a number of us said to him, Mr. Newstadt, what do you fear about the Presidency of the United States? And it is interesting what he said, and it is relevant today. He said, I don't fear that someone corrupt will become President one day. I don't fear that someone incompetent will become President. There are too many guardrails built in the system. The process is too exacting for that to happen. But what I fear, he said, is that one day someone will come in that office who is absolutely convinced he is right about something on which he is absolutely wrong. And he said this: that if the country is frightened enough, if we are in enough danger, that enough people may think that what is rigid is what is strong.

Ladies and gentlemen, Mr. Speaker, several of my colleagues on the other side of the aisle have said that this resolution carries no weight, no legal or moral force. I will tell you the weight that this carries, my friends. Twenty-four hours from now, 65 percent of the Members of this Chamber will send a signal to the American people that we have heard their voices. That is a powerful thing when I think of all the people in this country who sent a clear signal, last November 7, that they were not heard.

And I end with this point. A number of my colleagues in this debate, our adversaries in this debate have said that there is a group in Washington. There is a group of people on the left. Some of you have said there is a group on the other side of the aisle who want to defund, or who don't somehow have the strength, the fiber, to support our troops.

I remind you, my friends, your disagreement is not with the Democratic Caucus. It is not even with the 50 or so in your ranks who will vote for this resolution. It is a disagreement with the 65 percent of this country. It is a disagreement with the people in my very conservative State of Alabama, 60 percent of whom now think this war is wrong and who say to me, Mr. DAVIS, why on Earth have we taken sides in a battle between radical Islamic fundamentalists? Why is a blood feud between Shiia and Sunni worth the spilling of American blood?

They are the ones you are saying are wrong. They are the ones you are saying lack strength.

So, Mr. Speaker, I simply end by thanking my colleagues who had the good judgment to be right about the futility of this war from the outset, by thanking the colleagues who were wrong 5 years ago and are right today, and by asking one last thing.

The President of the United States, who brags that he has watched none of this debate, if he could only hear just one plea from debate, that he listen to some fact, some evidence, because, Mr. Speaker, this is the problem that we face with this President. No set of facts, no set of truths can tell him that he is wrong. Tomorrow this Chamber will tell him so

Mr. SAM JOHNSON of Texas. Mr. Speaker, I would like to yield 5 minutes to DAVE CAMP, a fellow Member of Congress from Michigan, and a fellow member of the Ways and Means Committee, one of the ranking members.

Mr. CAMP of Michigan. Mr. Speaker, I want to thank the distinguished gentleman for yielding, and I want to thank him also for his distinguished service in the United States Congress, the United States Air Force, seven of those as a prisoner of war.

Mr. Speaker, I rise today in opposition to this nonbinding resolution. And I share with my colleagues, our servicemen and women and their families, the wish that this war was over and won. It is not, and the resolution before us today does nothing to resolve this conflict, does nothing to reduce the loss of American life, does nothing to stabilize Iraq and does nothing to advance our security.

I would like to use my time today to relate some of the comments that I have received from my constituents in the Fourth District of Michigan. From Big Rapids: "The Congressmen and women who are opposed to these plans should come up with better solutions! Don't penalize our military men and women by making politics a part of their safety and well-being!"

From my hometown of Midland: "Please stop playing politics with our lives and the lives of young people who are defending our country."

From Alma: "I am sick of the partisan politics. We went into Iraq united, but we have let politics divide us. It is time to realize some things are bigger than the political parties!"

Friends, we may often disagree. But the facts are, regardless of how it began, and irrespective of the benefit of hindsight, we are at war and Iraq is the central battleground.

Islamic extremists are waging a jihad against us, and they are struggling to make Iraq a base camp. Our focus must be on winning; and, disturbingly, I see no mention of winning, succeeding, or victory in this resolution. That in itself is telling of just how the other side perceives this conflict: not in terms of defeating an enemy of America, but in terms of defeating a political foe.

Our troops deserve better. The American people demand more from their leaders.

Again, in the words of one of my constituents from Bannister: "I hope Congress is tough enough to do what works, not just what is politically correct. We need to move carefully and deliberately, showing a united front, or we are again going to be the victims of some outrageous terrorist attack."

Sadly, the new majority does not seem to understand what so many Americans readily grasp. "If you support the troops, you must support the mission or you send the wrong message to the enemy," as it was so aptly put by a constituent from Ashley.

From Farwell: "Congress needs to get behind the President and help, not hurt, the morale of the soldiers that are fighting. They believe in their mission!"

And I believe in them, which is why I cannot and will not support this resolution.

As I conclude my remarks, I want to leave you with two comments. The first is from Traverse City: "We should all pull together and get the job done."

And the second, from an airman from Corunna: "Thank you for the much needed support of me and my fellow airmen."

I hope that once we dispose of this nonbinding resolution, our focus turns to supporting our servicemen and women, making America more secure and achieving the victory our military personnel are putting their lives on the line for.

Mr. ACKERMAN. Mr. Speaker, at this time I yield 5 minutes to the chairman of the Energy and Water Appropriations Subcommittee, the distinguished gentleman from Indiana, Representative PETER VISCLOSKY.

Mr. VISCLOSKY. Mr. Speaker, I rise today in support of this resolution and express my profound disapproval of President Bush's decision to increase our troop levels in Iraq.

Late last year the President had an opportunity to create a new strategy. The voice of the American people was heard at this past election. The voice of the Iraq Study Group gave the President a bipartisan plan to draw down our troops. New leadership at the Pentagon also could have been a voice of change of strategy. But President Bush did not listen to any of these voices. He decided to escalate our troop levels in Iraq. No time frame, no measurable benchmarks, no end.

Mr. Speaker, if President Bush chooses an erroneous path, then it is our constitutional responsibility to show the way.

I have the deepest respect and gratitude for our women and men in uniform. I honor their commitment, their courage and their sacrifice.

□ 1230

Our troops have done everything we have asked them to do. They overwhelmed the old Iraqi Government and captured Saddam Hussein. They provided security while Iraq formed its provisional government, approved a constitution, and elected a permanent government.

Twelve individuals from the First Congressional District of Indiana have already given their lives and made the supreme sacrifice for our Nation. These brave men and women will always be remembered: Sergeant Jeanette Winters; Specialist Gregory Sanders; Sergeant Duane Rios; Specialist Roy Buckley; Private First Class John Amos, II; Private Luis Perez; Private First Class Nathan Stahl; Corporal Bryan Wilson; Private First Class Steven Sirko; Specialist Nicholas Idalski; Specialist Adam Harting; and Staff Sergeant Jonathan Rojas.

I am so proud of the dedication and service of the people of my State in the United States military. We owe them a commitment equal to their courage. We owe them the courage to act on our conviction.

With the passage of 4 years and the loss of over 3,000 brave Americans and countless others who have been permanently injured, I regret to recall that we were told we needed to invade Iraq because Saddam Hussein possessed materials for weapons of mass destruction. None could be found. I regret that the President felt compelled to justify the invasion by claiming a connection between al Qaeda and Saddam Hussein when the 9/11 Commission found this was simply not true.

Our situation in Iraq has redirected our Nation from its true mission. The war in Iraq has diverted our attention from the global war on terror. We need to reconstitute our Armed Forces. We also need a strategic redeployment of our forces that will give us the ability to focus our efforts directly on the global terror networks that target innocent people around the world.

I voted against the authorization of the Iraq invasion in 2003. There was no plan or exit strategy then, and there are clearly no good options now. Yet the Iraq Study Group provided a bipartisan perspective on some changes in strategy. They called for a drawdown of troops and for intensive diplomatic efforts to resolve the sectarian violence there. We need to listen to their recommendations.

Mr. Speaker, it is not too late to change our strategy, and the first step along the new way is to prevent the President's escalation of this war. It is time to obligate the Iraqi Government to assume the full burden and consequences of governing their country. We need to listen to the majority of the American people. We need to listen to reasoned voices such as the Iraq Study Group. The time to pursue a new course is now. I support our troops, and that is why I support this resolution.

Mr. SAM JOHNSON of Texas. Mr. Speaker, I would like to yield 5½ minutes to the great Congressman from the State of Minnesota, an ex-Marine, JOHN KLINE.

Mr. KLINE of Minnesota. Mr. Speaker, I thank the gentleman for yielding. I will overlook the "ex-Marine" slight. Never an ex-Marine; always a Marine.

It is a tremendous honor for me today to even be on the same floor as this great American here. We heard earlier today the hardship of some of our servicemen and -women missing a holiday with their families, and I know in my 25 years in the Marines I missed a number of those. But there is nobody who has missed more holidays with his family than this great American next to me.

We have heard a lot of speeches during this so-called debate. I am not sure how much real debate there is, but certainly a lot of speeches. Some of them have been very eloquent. I think of Mr. MCHUGH the other night giving one of the best speeches I have ever heard on the floor of this House. Some of them have been partisan. Some of them have been shrill. Some persuasive; some not. We have heard a number of opinions expressed, and it reminds me a week or so ago we had a hearing in the Armed Services Committee and we had three experts, Ph.D.s all of them, experts in the field of international relations and military operations.

One of them, the former Secretary of Defense under President Clinton, and it turns out that at the end of the hearing, each of the three of them had a different idea about what we ought to do. None of them supported what the President had been doing. One of them sort of supported what the President was doing. But each of them had different ideas. They had an opinion, arguably an informed opinion, but an opinion nevertheless.

And on this floor we have heard more opinions. We have heard people say, I don't agree with this; I think this is a bad idea; or I think this is a good idea. We have heard some people say I have a better idea; or I am a member of a caucus who has a better idea; or I propose this; or I think that. And it kind of reminds me why it is a very bad idea to conduct a war by committee. But I fully acknowledge that people are allowed to have opinions and certainly every Member of this body can have an opinion.

I remember the principal author of this resolution before us, the distinguished chairman of the Armed Services Committee, stood up on the other side of the aisle here on the first day of this debate and he said, "Everybody is entitled to their own opinions but not to their own facts." So I would just like to take a little bit of my remaining time here to talk about some of the claims and some of the facts that have been brought forward in this debate.

One of the proponents said the new plan "ignores the recommendations of the military commanders on the ground." How many times have we heard that in these two days? Well, what is the truth? General Petraeus, the new commander of the multinational force in Iraq, confirmed by the Senate with no dissenting votes, said: "If we are to carry out the multinational force-Iraq mission in accordance with the new strategy, the additional forces that have been directed to move to Iraq will be essential . . . " He said that last month.

General Odierno, a new U.S. commander, Corps commander, says: "This is about Iraqis taking charge of their own security. In order for them to do that, we have to buy them time to continue to train and for the government to become more legitimate to the eyes of the Iraqi people. They are doing that by moving forward. By bringing more troops in, it provides us the opportunity to work with them, to provide more time, and defeat this threat, which is both al Qaeda threat as well as sectarian violence."

Even General Casey last month said he thought we needed more troops.

Another claim has been by one of our colleagues: "Prime Minister al-Maliki has indicated in virtually every way he can that he too opposes the surge." And yet on January 13, Prime Minister Maliki said: "The strategic plan announced by U.S. President George W. Bush represents the common vision and mutual understanding between the Iraqi Government and the U.S. Administration"?

I have more examples here, but one that we have heard over and over and over again in various forms was stated by one of our colleagues yesterday saying: "Our President, again, is ignoring . . . members of the bipartisan Iraq Study Group who opposed this escalation."

This is the book. I commend it to every American.

I would like to quote now from my dear, long-time friend and hunting partner, the former Secretary of State, James A. Baker III, who said on January 30 of this year: "This is the language and all of the language of the report with respect to a surge: 'We could, however, support a short-term redeployment or surge of American combat forces to stabilize Baghdad or to speed up the training and equipping mission if the U.S. commander in Iraq determines that such steps would be effective.' The only two conditions are 'short term' and 'the commander in Iraq determines it would be effective.'"

Both of these conditions have been met.

There have been many claims of fact which I have some counterarguments with.

I would just say to all of my colleagues that I would concur with Chairman SKELTON that we are entitled to our own opinion. We can certainly express it. But we are not, in fact, entitled to our own facts. So let's stick to the facts.

Mr. ACKERMAN. Mr. Speaker, I yield at this time 5 minutes to the distinguished chairman of the Science Committee, Representative BART GORDON of Tennessee.

Mr. GORDON of Tennessee. I thank my friend for yielding.

Mr. Speaker, as I have watched this healthy debate over the last 2 days, I keep thinking about an e-mail that I received from a lady in Springfield, Tennessee. You would never accuse this woman of not supporting the troops because her husband was a soldier serving in Iraq. He was a month from returning home to his wife and his two daughters, but he was ordered to stay in Iraq for another 6 months because our troops are spread so thin. He hasn't been home since October of 2005. These are the words that she wrote to me: "Mr. Gordon, we need to help other countries, but there are already 3,000 families in America whose lives will never be the same. I want, need, and would love to see my husband again."

Mr. Speaker, this lady supports the troops. I support the troops in Iraq, and I believe everyone in this Chamber supports our troops. They perform their missions with bravery and honor, and I commend them for the job they are doing. But I am unconvinced that deploying more troops and spending more money is the right strategy. And I am not the only one. General Colin Powell said in December: "I am not persuaded that another surge of troops into Baghdad for purposes of suppressing this civil war will work."

General George Casey, the former commander of U.S. forces in Iraq, said last month: "It's always been my view that a heavy and sustained American military presence was not going to solve the problem in Iraq . . . "

In December it was reported that the Joint Chiefs of Staff unanimously disagreed with the concept of troop escalation.

General Colin Powell, General George Casey, and the Joint Chiefs of Staff, these are men who support the troops. Yet these American generals, the Iraqi Study Group, and the Iraqi Prime Minister have all opposed this troop surge.

We have had four other surges since we first went to Iraq. None produced a lasting change on the ground. In October more combat troops were sent into Baghdad to fight the growing violence there. Unfortunately, the sectarian violence has only grown worse. Many have endured great sacrifices in the 4 years this war has been waged. More than 3,000 Americans have lost their lives; 23,000 more have been wounded. We have spent more than $350 billion with many billions more to go. We have been in Iraq longer than we were involved in World War II. And there is no end in sight.

For 1,300 years Sunnis have been fighting Shias. Now is the time for the Iraqis to take more responsibility for securing the peace in their own nation. No one has offered any evidence that 20,000 more American troops would change the direction of a 4-year-old war or 1,300 years of history.

Mr. ACKERMAN. Mr. Speaker, it is now my pleasure to yield for the purpose of making a unanimous-consent request to the distinguished Congresswoman from the U.S. territory of Guam, MADELEINE BORDALLO.

Ms. BORDALLO. Mr. Speaker, I rise in support of H. Con. Res. 63.

I rise today to acknowledge and honor the service and sacrifice made by military and civilian personnel who have served and who are serving today in Iraq, Afghanistan, on the Horn of Africa, and elsewhere around the world in defense of the national security of the United States. These individuals, and their families who support them from home, are to be commended for their dedication to our country.

I represent the island of Guam. Sons and daughters of Guam, and those from our neighboring islands in the Commonwealth of the Northern Mariana Islands, Micronesia, Palau, and the Marshalls, serve proudly in the United States Armed Forces. These individuals serve at a critical point in our country's history and we are grateful for their dedication to their mission and their commitment to ensuring our freedom.

I have been able to visit on eight occasions with our servicemembers deployed in Iraq, Afghanistan, and the Horn of Africa to see first hand their living conditions, learn about their missions, and gain a better understanding of the challenges that confront them. All of us on Guam are immensely proud of our men and women from Guam who serve our Nation. I have heard their stories and have been humbled by their struggles, their heartbreaking loss, and their inspiring instances of achievement. I have come away from each of these visits with profound gratitude for their sacrifices and their professionalism.

Serving in defense of the United States does not come without heartache and sacrifice. Eighteen servicemembers from Guam and our neighboring islands in the Pacific, Saipan, Pohnpei, and Palau, are among the more than 3,000 reported by the Department of Defense to have made the ultimate sacrifice in the Global War on Terror. Our island communities united to mourn the passing of each one of our sons and daughters, as we mourn the loss of all servicemembers. We will continue to provide support to grieving families who suffer the burden of these losses. Every American owes a debt of gratitude—albeit an un-payable one—to our fallen and injured servicemembers and their families.

The year 2007 also will be witness to more tours of duty in Iraq, Afghanistan and the Horn of Africa for our active duty, Guard and Reserve servicemen and women. For some it will be their second, third, and fourth tours of duty in those theaters of operations. This is a lot to ask even of the world's finest fighting men and women. They serve proudly and their morale remains high and their fighting spirits remain strong. God bless their families and friends who remain behind supportive and proud of their loved ones.

We owe our servicemembers and their families our best efforts toward helping our Armed Forces achieve an expeditious and honorable completion to Operation Iraqi Freedom. This should be a primary goal for all of us. But the situation in Iraq will not yield a solution easily. Nevertheless, the President, in consultation with this Congress, must endeavor to find one. And it is for this reason that I introduced H.R. 744, the Iraq Policy Revitalization and Congressional Oversight Enhancement Act. H.R. 744 also would aim to revitalize U.S.-Iraq policy; would require the President to provide to Congress a plan that addresses the whole of the challenge in Iraq; would improve congressional oversight of Operation Iraqi Freedom and events in Iraq; would seek to increase the commitment made by the international community to the stability and security of Iraq; and would ultimately, help bring our troops home in an honorable, expeditious manner without sacrificing their mission.

The Iraq Study Group, co-chaired by former Secretary of State James Baker and former Congressman Lee Hamilton, concluded that many of the challenges in Iraq are of an international nature, and they become more so—not less so—as each day passes. As a result, it is becoming increasingly important to view United States policy toward Iraq as a part of and not isolated from United States policy toward the region as a whole. It also is becoming increasingly important for countries in the region and the international community to become more fully engaged in the effort to stabilize Iraq. The Iraq Study Group recommended that we support efforts to promote a multilateral agreement between the United States, Coalition countries, regional states, and multilateral organizations. A multilateral agreement will help bring renewed focus to and enhanced international cooperation toward resolving Iraq's problems. A multilateral agreement will help reaffirm the existence of a united front against elements that seek to destabilize Iraq, and thus bring added pressure to bear on those actors. Lastly, a multilateral agreement would provide for the formation of a forum in which current and future regional security, political, and economic issues regarding Iraq's continued development can be discussed and addressed. The establishment and maintenance of conciliatory relations between Iraq, its neighbors, regional states and the international community is essential to stabilizing Iraq internally.

As the debate today on H. Con. Res. 63 continues, I take this opportunity to call attention to H.R. 744 and the various other legislative proposals that have been brought forth by members of this body to help us bring Operation Iraqi Freedom to a conclusion. In the weeks ahead I hope that this body will seriously consider these measures. It is very difficult to consider the merits of the President's decision to deploy additional troops to Iraq at this time without having received from the Administration a comprehensive plan that clearly communicates to the Congress and the American people exactly what is necessary to complete the mission of Operation Iraqi Freedom.

Mr. SAM JOHNSON of Texas. Mr. Speaker, at this time I would like to yield 3 minutes to Representative JOHN SHIMKUS from Illinois. He is an ex-Army Academy graduate and served in the United States Army and still is in the Reserves.

Mr. SHIMKUS. Mr. Speaker, these are real e-mails from veterans, active duty members, and National Guard and Reservists:

"John, my son, a Marine gunny sergeant embedded with the Iraqi Army around Rimadi, called a few weeks ago. I asked him if he knew about the President's plan for more troops. He hadn't heard about it, but his only comment to me was 'We can use them.' Please support the President and the troops. It may be our last, best chance to win this thing. Winning is the imperative. Semper Fi."

And another: "We have to let our generals be generals and wage this war as only they are trained to do and have hope that the announced troop buildup will be the final key that is needed by the Iraqis to build a secure, united country."

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We have to hope that it is not too late for the U.S. to make a difference in Iraq."

Another: "We need to send the message to our troops that America wants them to succeed in Iraq by giving the buildup a chance to succeed."

Still another: "My fellow Guardsmen are ready. We will do whatever is asked of us. Please ensure that the resources, funds and equipment continue to flow. Supporting the troops means giving us the means to do our job."

And another: "We also need to stay in Iraq and put forth the necessary will and resources that will allow our strategy to succeed."

And another: "Moreover, our troops need more open rules of engagement to do their job effectively."

Another e-mail: "Elections have consequences, and for our recent election the consequences have been a major setback in the war on terror and a greater threat to terrorist attack at home."

Still another: "Like Vietnam, our enemies view us as not having the stomach to fight a protracted war. If we withdraw, however, the credibility of the U.S., our military, and our assurances would be lost for years, probably decades."

Another: "The overwhelming response among officers is we must stay and finish what we have started. Many of these officers have built strong relationships with local Iraqi and Afghan citizens who want to raise their family in peace."

Another: "We do in fact have many more Iraqi Army and National Police units moving into Baghdad and many are effectively partnering with U.S. units."

Another: "They did pass their budget for 2007 last week," sooner than the U.S. Congress, incidentally, "and have made some progress with other legislation, which indicates they can work some political compromises."

I will end with this: "I would hope that your colleagues would be able to continue to support what we are doing, because it honestly does have a reasonable chance at success."

These are real communications with real soldiers, Active Duty, in Iraq, National Guardsmen, reservists, and veterans throughout our country who say there is no substitute for victory. We have to win this campaign. It is in our national security interest to support moderate Arab states.

John, my son, a Marine Gunny Sgt. imbedded with the Iraqi army around Rimadi, called a few weeks ago. I asked him if he knew about the President's plan for more troops. He hadn't heard about it, but his only comment to me was: "We can use them!" Please support the President and the Troops. Maybe our last, best chance to win this thing. Winning is the imperative. Semper Fi!

We have to let our generals be generals and wage this war as only they are trained to do, and have hope that the announced troop buildup will be the final 3 key that's needed by the Iraqis to build a secure and united country.

We have to have hope that it's not too late for the U.S. to make a difference in Iraq.

We need to send the message to our troops that America wants them to succeed in Iraq by giving the buildup a chance to succeed.

The main effort is really the political reconciliation and the security of the population is the key precondition to that. The language and some action from the Iraqi government and Army leaders have been good in the past several weeks. The next several months will be critical—probably decisive—and I believe there is reason to be realistically hopeful.

I believe that what we are doing in Iraq and Afghanistan supports the NSS. What I have heard in the debate is that we no longer have a security interest in Iraq. What part of out NSS is to support moderate Muslim governments? Another part of the NSS addresses humanitarian rights, to include rights of women.

My fellow Guardsmen are ready. We will do whatever is asked of us. Please, ensure that the resources, funds and equipment, continue to flow. Supporting the troops means giving us the means to do our jobs.

We have not had a failed Iraq policy—we have just had overly optimistic expectations of how fast the Iraqis would be able to establish a stable government and a unified country that functions in a manner to our satisfaction. Ironically, we want the Iraqis to pursue a unity government and national reconciliation, but we don't do that ourselves. The partisanship that we are seeing here in the U.S. is no different that the partisanship that we are seeing in Iraq.

We also need to stay in Iraq and put forth the necessary will and resources that will allow our strategy to succeed. Imagine a Super Bowl football team quitting the game in the third quarter simply because they were behind. The premise is so absurd it is inconceivable so too would be our quitting a war to protect our way of life simply because battlefield conditions are not going perfectly.

Moreover, our troops need more open rules of engagement to do their job effectively. This is war, and they are soldiers, not police officers. The U.S. and Iraqi governments must expect civilian casualties and collateral damage. It's unavoidable. The irony in this matter is that most Iraqi people would welcome the increase security.

Elections have consequences. And for our recent election, the consequences have been a major set back in the war on terror and a greater threat to terrorist attack at home.

Like Vietnam, our enemies view us as not having the stomach to fight a protracted war. If we withdraw, however, the credibility of the U.S., our military, and our assurances would be lost for years, probably decades.

The Iraqis are watching all of this, and they can see which way the wind is blowing. They know if we leave either the Sunni insurgency or the Iranians would likely come in, and their newly gained freedoms would be lost. This reality shapes the thoughts and actions of all Iraqi officials, from Prime Minister al-Maliki, down to the police officers on the street.

Many Americans are in denial about the threat from radical Islam. Unfortunately, it may take another 9/11 before they wake up. God help us if one of our cities gets nuked when that happens.

The overwhelming response among officers is that we must stay and finish what we started. Many of these officers have built strong relationships with local Iraqi and Afghan citizens who want to raise their families in peace. They feel we have given our word as a country that we will stand by them. I agree with this sentiment.

Lincoln/Sherman figured out that to truly defeat the south, he had to march to Savannah to convince the locals that it was not worth continued conflict. WWII had similar actions for resolution like Hiroshima. While these were waged against conventional forces, Congress must understand that the current conflict is more than between insurgents and U.S./Coalition forces.

If we do not have the will to do this hard work, we need to get out now. We cannot continue to try to get the job done with the minimum force. If anything we should send more than we think we need. Our focus on being liberators has caused us to misjudge what is needed. You cannot liberate until you have gained control. We never got there and must do so now.

Speaking of which, my two cents. The most basic job of government is to protect its citizens. If the Surge is properly designed to do that, then it is a good idea. I say give it a chance, even though it should have been that way to begin with. From my experiences in Desert Storm '91, I firmly believe that most people, Middles Easterners included, just want to protect their family, practice their religion, and have an opportunity to prosper.

We have to be able to go after all the killers regardless of who or where they are. The Iraqi follow-on forces then have to maintain the peace, not bring in their individual hatreds to the power vacuum. Helping them secure their borders from fighters through Jordan and Syria and equipment from Iran is also critical (Navy and Air Force tasks with limited ground support?). Getting the "Rule of Law" established will eventually replace the need for "Self Protection" (Militias).

The biggest hurdle is at home. If the media continues its selective reporting (failures only), then even if its an unqualified success on the ground, it will be perceived as a loss at home due to its depiction on TV and Press reports. Tying Iraqis to a yardstick measuring success or failure seems to be a good idea.

Press the Senate not to pass the latest Resolution limiting support—it is just a grand standing event for presidential hopefuls.

We do in fact have many more Iraqi Army and National Police units moving into Baghdad and many are effectively partnering with U.S. units.

They did pass their budget for 2007 last week (sooner than the U.S. Congress, incidentally) and have made some progress with other legislation, which indicates they can work some political compromises.

Everyone is forced to telescope political, economic, and security reforms that would normally take 7–10 years into 7–10 months.

So the question that you are debating is whether or not $100 billions (less than 0.8% GDP) and tragically, probably 700–900 U.S. soldiers' lives is worth a 50% chance of preventing a national security crisis that will set back U.S. policy for decades.

If you are the parent or spouse of one of those soldiers who may die, it is GD probably not worth it. But if you are a national leader, I would hope that your colleagues would be able to continue to support what we are doing because it honestly does have a reasonable chance of success.

Mr. ACKERMAN. Mr. Speaker, I am pleased to yield 5 minutes to the distinguished gentleman from Massachusetts (Mr. McGOVERN), the vice chairman of the Rules Committee.

Mr. McGOVERN. Mr. Speaker, I thank my colleague from New York for yielding.

Mr. Speaker, I oppose the escalation of U.S. forces in Iraq and I strongly oppose this war. We had no basis or justification or right to invade Iraq. It was a mistake. There are no easy answers or solutions before us. No matter what option we pursue, there is no nice, neat, happy ending. Sometimes you can't fix mistakes.

Hopefully we can make this awful situation less awful. This war should never have happened. That is not just my opinion, it is the opinion of many of the top military leaders in our country. The war has diminished our standing in the world. It has been used as a recruiting tool by the very terrorists we say we want to defeat. It has cost us hundreds of billions of dollars. And, most significantly, we have sacrificed the precious lives of so many of our brave servicemen and women, and thousands more have returned home severely wounded.

Now, I have listened as many of my colleagues have come to the floor and said we must follow our leader and be quiet. Some have even suggested that those of us who support this resolution and want this war to end are doing a disservice to our troops.

Mr. Speaker, for 4 long years, Congress has done absolutely nothing in the face of mistake after mistake after mistake in Iraq. None of us in this Chamber have to wake up tomorrow in Baghdad or Fallujah or Tikrit. None of us have to wake up each morning and go on patrol in Anbar Province. None of us in this Chamber are in harm's way. But we are all responsible, all of us, just like the President, for assigning tens of thousands of our bravest young men and women for being referees in a sectarian civil war.

If we truly want to protect our troops, if we truly are concerned with their safety and well-being, then bring them home and reunite them with their families.

Newsweek columnist Anna Quindlen put it this way: "There is no better way to support those fighting in Iraq than to guarantee that no more of them die in the service of political miscalculation."

Mr. Speaker, the American people are way ahead of the politicians in Washington. Citizens of all political persuasions are sick and tired of the political spin and political posturing. Our focus should not be about saving face. Instead, it should be about saving lives.

The people of this country have been misled, they have been deceived, and they have been lied to. Increasingly, people do not trust their government to tell the truth on the war. Mr. Speaker, I don't trust my government to tell me the truth about this war.

There is no military victory to be had. The only hope is a political solution.

The Iraqi Government and the Iraqi people have the power and the ability to move in a different direction, a direction that seeks to calm sectarian violence and heal sectarian divides, respect the rights of all citizens and uphold the rule of law that applies to everyone equally. But they have to choose that path themselves. Regrettably, I have little confidence that the current Iraqi Government will make such a choice. I hope I am wrong.

Mr. Speaker, it is essential to change the dynamic inside Iraq, and to do that it is essential that we dramatically change our policy. That means we must end the U.S. occupation and begin an all-out diplomatic effort to promote reconciliation and an end to the violence. That means we should begin the immediate, safe and orderly withdrawal of our troops from Iraq. That means we should provide protection and political asylum to those in Iraq who have assisted us and who may be in danger because of it. That also means that the United States must demonstrate the maturity and the common sense to talk to political leaders and to countries we don't like, including Syria and Iran.

None of this will be pleasant, none of this will be easy and there are no guarantees that it will work. But I am sure of one thing: What we are doing now is failing. What we are doing now is not healing the divisions in Iraq and is not serving the best national security interests of the United States. Our own intelligence agencies have reported to us that this war is creating more terrorists.

No one in this House enjoys this discussion. Some, I know, wish that somehow this issue would go away. But, Mr. Speaker, it won't. So no matter how uncomfortable this debate is for some of my colleagues, it is long overdue.

The message that Congress will hopefully send tomorrow by passing this resolution is one that the American people want us to send and one that the President needs to hear.

President Lyndon Johnson once remarked, "It is easy to get into a war, but hard as hell to get out of one." The choices before us in the next weeks and months will not be easy. Indeed, it will be difficult, even painful, to extricate ourselves from this war. But it is the right thing to do.

I urge my colleagues to support this resolution which strongly supports our troops and opposes this escalation

Mr. SAM JOHNSON of Texas. Mr. Speaker, I just would like to correct something. We are not occupying Iraq. We are helping the Iraqi government, who has complete control over there trying to win this battle.

Mr. Speaker, I yield 5 minutes to our new representative from Colorado (Mr. LAMBORN).

Mr. LAMBORN. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise in opposition to this resolution. There are many flaws in this resolution. One of the most serious is that while it gives lip-service to a desire to support and protect the troops, it turns around and disapproves of the plan that is best calculated by the commanders on the ground to bring order to Baghdad.

This surge is the best way, in the opinion of the commanders, to clamp down on the insurgency, to protect our troops and ultimately to lead to victory. I don't see how you can claim to protect and support the troops while taking away the best option for victory.

That brings up another serious flaw in this resolution: It has no positive alternative. The resolution seems to say that we should go on as before, which I thought my colleagues across the aisle said was unacceptable.

Yet another serious flaw is that Members of Congress, who are many thousands of miles away from the battlefield, are substituting their judgment for that of the commanders in the field. This is foolish and arrogant. This gives rise to a constitutional conflict as well. The Constitution gives the President the power of Commander in Chief. President Bush, who was reelected by a vote of the entire American people just 2 years ago, has the duty and authority to conduct the war in Iraq.

Congress has the power to declare war and to fund or to not fund war, but does not have the power to conduct a war. This constitutional division of powers is vital, because, among other things, a clear chain of command is better calculated to lead to victory with the least possible loss of life. War by committee, on the other hand, does not best serve the interests of our country or our troops.

Because this resolution is so deeply flawed, it will send bad messages if it is passed. It will send a message to our enemies that we are weak and unable to complete a difficult task. It will send a message to our allies that we are undependable. It will send a message to the families and loved ones of our fallen soldiers and marines, to our brave men and women who have been disabled and to the troops in the field, that their sacrifice is in vain because their mission is not worth our commitment. These messages will be destructive, and I urge my colleagues not to go down this road.

If America does abandon Iraq, which many of my colleagues across the aisle want to be the ultimate outcome, destruction will spread across the entire Middle East and will be more likely to come to our own shores.

I know that the struggle against terrorism is difficult, but we cannot give up. Yes, we must learn as we go, and, yes, we must adapt to changing circumstances. But we must not think that retreat will bring relief. We and the entire world will pay a terrible price if we go down that road. This resolution is the first step down that road. I urge the defeat of this resolution.

Mr. ACKERMAN. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from Pennsylvania (Mr. HOLDEN), the vice chairman of the Agriculture Committee and the chairman of the Subcommittee on Conservation, Credit, Energy and Research.

Mr. HOLDEN. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise today in support of House Concurrent Resolution 63. I also rise in strong support of the brave men and women who have served or are serving in Iraq and around the world.

I represent thousands of men and women on Active Duty and in the National Guard and in the Reserves. I have visited our wounded and injured troops at both Walter Reed and Landstuhl Regional Center in Germany. My commitment to our brave men and women is unwavering. However, I disagree with deploying more than 20,000 more U.S. combat troops to Iraq.

The President has consistently said that the size of the force would be determined by military leaders on the ground. Yet the two previous leading commanders on the ground do not support the addition of more troops. General George Casey, the former commander of the Multinational Force in Iraq and current chief of staff of the Army, advocated transferring security duties to Iraqi soldiers.

General Casey said, "The longer we and the U.S. forces continue to bear the main burden of Iraq's security, it lengthens the time that the Government of Iraq has to make the hard decisions about reconciliation and dealing with the militias." He goes on to say, "And the other thing is that they continue to blame us for all of Iraq's problems, which at face are their problems. It has always been my view that a heavy and sustained American military presence was not going to solve the problems in Iraq in the long run."

Additionally, General John P. Abizaid, the former commander of U.S. Central Command in the Middle East, has said that he did not believe that adding more American troops right now is the solution to the problem, and also advocated transferring responsibility to the Iraqis.

General Abizaid said, "I met with every divisional commander, General Casey, the Corps Commander, General Dempsey. We all talked together. And I said, in your professional opinion, if we were to bring in more American troops now, does it add considerably to our ability to achieve success in Iraq? And they all said no. And the reason is because we want the Iraqis to do more. It is easy for the Iraqis to rely upon us to do this work. I believe that more American forces prevent the Iraqis from doing more, from taking more responsibility for their own future."

During the course of the war, I visited Iraq twice, in 2003 and 2005. While I was there, the main goal, other than achieving victory, was developing Iraq's infrastructure. Yet after 4 years and hundreds of billions of dollars, we have not had much success in improving infrastructure and still face serious problems. Oil production is one-half of the prewar level, while conditions of basic services, such as water, power and sewage, are below that. In Baghdad, electricity levels are at an all-time low. And while we have spent billions of dollars on these problems, $9 billion is lost and unaccounted for.

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That is why I also rise today in support of the Blue Dog resolution which provides cost accountability for Operation Iraqi Freedom. This resolution will directly address the infrastructure and security failures in Iraq. More specifically, the resolution requires the Department of Defense Inspector General and the Special Inspector General for Iraqi Reconstruction to report to Congress every 90 days with:

One, a detailed accounting of how military and reconstruction funds in Iraq have been spent;

Two, a detailed accounting of the types and terms of contracts awarded on behalf of the United States;

Three, a description of efforts to obtain support and assistance from other countries toward the rehabilitation of Iraq; and, finally,

Four, an assessment of what additional funding is needed to complete military operations and reconstruction efforts in Iraq, including a plan for the security of Iraq.

Mr. Speaker, our troops have done their job and performed with great courage and honor. The solution in Iraq can no longer be resolved militarily. We must win both politically and diplomatically. We must ask Iraq's six neighbors to use influence that is consistent with our own objectives, and we must convince them that stability in the region is in their best interests.

In closing, I want to offer my utmost gratitude and appreciation for our troops. Our thoughts are with these brave men and women and also with their families as we pray for them to return safely.

Mr. SAM JOHNSON of Texas. Mr. Speaker, I yield 4 minutes to the gentlewoman from Washington (Mrs. MCMORRIS RODGERS).

Mrs. MCMORRIS RODGERS. Mr. Speaker, this afternoon we continue here on the House floor another chapter in the long and healthy debate on promoting freedom and democracy around the world, while maintaining the security of our country, of our cities, of our homes and our families.

The resolution before us today appropriately begins with the reaffirmation of our vigorous, unwavering commitment to the brave men and women now serving our country in uniform. We pledge to give them every tool they need to fulfill their assigned missions while providing the maximum protection possible. Additionally, we pledge their families every means of support when their loved ones are overseas and when they return home.

My district in eastern Washington is the proud home to Fairchild Air Force Base that houses the 92nd Air Refueling Wing. These men and women have been an important part of fighting the global war on terror. Our community, like every community around the country, supports our men and women in uniform. Together, we have celebrated victory; and, together, we have mourned losses.

We unanimously stand by our troops because, almost 5 years ago, this Congress asked them to step forward to protect our country and win the fight against terrorism.

On October 10, 2002, before many of us were here, including myself, 296 Members of this body, including 81 Democrats, passed a bipartisan bill authorizing the use of military force in Iraq. The next day, 77 Members of the Senate approved a motion authorizing the same use of force.

What Congress realized then was the importance to the security of our own country of a free and stable Iraq and a peaceful and secure Middle East. Five years ago, Congress was at a crossroads and made a very difficult decision. Today, young girls in Iraq can now attend school, democratic elections have been held, a fledgling government is in place, and Saddam Hussein, a murderer of over 300,000 Iraqis, is no longer a threat to his own people or to our national security. In Iraq, we have acknowledged victories and successes.

In the past year, we all recognize the condition in Iraq has grown more grave. I know a lot has changed since I visited nearly a year ago. Al Qaeda operatives, Sunni death squads and Shia militias, propped up by the reckless dictatorship of Iran, have fueled violence and threatened the hopes and dreams of the Iraqi people.

So Congress is once again at a crossroads. The reality of the circumstances in Iraq require a winning strategy. The information provided by our reformed intelligence community sends a clear warning in the National Intelligence Estimate on Iraq: "Unless efforts to reverse these conditions show measurable progress, the situation will continue to deteriorate." The solution cannot be in leaving things as they are. The NIE continues: "Coalition capabilities remain an essential stabilizing element in Iraq."

There are three courses of action: leave things as they are; we know this is not sufficient. Draw down Armed Forces in Iraq; this will only lead to deadly indiscriminate violence, costing the lives of hundreds of thousands of innocent people. Or respond by giving our commanders in Iraq the resources and the mission options needed for success.

All of us here support our men and women in uniform. We must continue to empower them to defeat the enemies of freedom in Iraq.

Congress is now in the midst of making a decision that will contribute to the future security of our great country or begin the process of chipping away at the core of this resolve. Supporting our troops by not supporting the war is not an option. Victory is the only real choice. The consequences of failure are unacceptable.

Abandoning Iraq would embolden the militants. It would create a humanitarian crisis impacting millions. Instability in the Middle East will create more violence and leave the U.S. vulnerable to future attacks.

I urge my colleagues to oppose this resolution.

Mr. ACKERMAN. Mr. Speaker, I yield 5 minutes to the chairman of the Financial Services Subcommittee on Capital Markets, Insurance and Government-Sponsored Enterprises, the distinguished gentleman from Pennsylvania (Mr. KANJORSKI).

Mr. KANJORSKI. Mr. Speaker, I rise today to join the overwhelming majority of American people, the Congress and many top U.S. military commanders to voice my opposition to President Bush's ill-conceived plan to send more American troops into the middle of an ongoing civil war in Iraq. The President's plan, which has been attempted before on four separate occasions and failed, is simultaneously too little and too much. 21,500 troops is too little to make a difference in a city of 6 million who are unwilling to see beyond their sectarian differences, and too much burden to place on an American military already stretched to the breaking point.

Mr. Speaker, in October 2002, I voted in favor of the legislation to allow President Bush to defend the national security of our country against the stated threats posed by Saddam Hussein. In large part, I based my decision on the information I learned in several classified briefings with high-level administration officials about the capabilities of the Iraqis to deliver weapons of mass destruction to the United States.

These officials pointed to an imminent threat posed by Saddam Hussein and his potential use of unmanned aerial vehicles to deliver weapons of mass destruction to our shores. Of course, we now know that these weapons, as well as the Bush administration's claims regarding Saddam's ties to al Qaeda, were fictional. The consequences of our action, however, are quite real.

To date, the Iraq war has come at a terrible cost to the United States. More than 3,100 servicemembers have been killed and greater than 23,400 have been wounded. My home State of Pennsylvania has lost 149 soldiers and over 1,000 have been wounded. Moreover, the United States has spent almost $380 billion to date, with hundreds of billions of dollars more requested by the Bush administration.

The war in Iraq has also diverted much-needed resources away from fighting the war on terrorism and eradicating al Qaeda. The focus on Iraq and away from the real threat of al Qaeda has resulted in an increasing number of deadly attacks launched by Taliban and al Qaeda forces in and around Afghanistan.

On Tuesday, The Washington Post reported that NATO's top commander, General John Craddock, does not have enough forces for the anticipated spring offensive by the Taliban. The general warned that "failure to send reinforcements was weakening the mission and jeopardizing the lives of soldiers fighting" in Afghanistan.

More than 135,000 troops are currently serving in Iraq. Many have completed their second or even their third tour of duty. Multiple tours of duty for the National Guard and Reserve members have created hardships for many families in my district and throughout the United States. Currently, these brave American forces are caught in the middle of a religious dispute that began in the 7th century between rival Muslim factions. These underlying sectarian hostilities have come to the fore in Iraq and have grown into a full-blown civil war.

Bringing stability to Iraq cannot be achieved through an escalation of our military involvement in that country. Rather, Shiites and Sunnis must decide for themselves to forge a political solution to this crisis in which the interests of all Iraqis are represented. Nevertheless, President Bush is ignoring the advice of his top generals, the bipartisan Iraq Study Group, the majority of Congress, and, most of all, the American people by announcing his intention to send an additional 21,500 American troops into harm's way to continue pursuing a flawed policy.

Mr. Speaker, I oppose this escalation of our troop presence in Iraq. The time for more troops was 4 years ago when General Shinseki presciently warned of the need for hundreds of thousands of military personnel to stabilize post-war Iraq. But the President, the Vice President, and the former Secretary of Defense believed they could fight this war on the cheap, with too few troops, too little armor, and too little help. They were wrong, and now it is too late.

Mr. Speaker, from my perspective, the resolution before us today has been long overdue. The American people have called on this Congress to express their disapproval of this war of choice in Iraq and this President's prosecution of it. To that end, I will support this resolution and urge my colleagues to do the same.

Mr. SAM JOHNSON of Texas. Mr. Speaker, I yield 3½ minutes to my friend and colleague, the gentleman from North Carolina (Mr. McHENRY).

Mr. McHENRY. Mr. Speaker, national security should be the highest priority of the U.S. Congress. I talk to my constituents in western North Carolina a lot about the situation in Iraq. We understand the challenges. I think the American people understand the challenges of this war. But we also know the consequences of quitting are too dire and too dangerous.

We know that leaving an unstable Iraq endangers Israel, other Western democracies, as well as our own national interests and our constituents here in the United States.

The President put forward a plan that he and his generals believe will lead to a safe, secure, and stabilized Iraq. Let me repeat that: he put forward a plan, a plan of action and a plan for success.

The Democrats, in response, put forward a nonbinding resolution. Now, this is Washington-speak for legislation that does not have the force of law. Now, the disturbing thing is not that it is a nonbinding resolution; but the message that this legislative tool sends, it sends not only to our American people, not only to the troops in the field, but our allies around the world, and it also emboldens our enemies.

This resolution says that this time the Democrats are not prepared to offer a new direction, a plan or a solution for the challenges we face in Iraq. I offer this bit of wisdom to the Democrats: you must be the change you want to see.

If the Democrats are serious about developing a new plan, then the right thing to do is submit it. That is a true test of leadership, to submit solutions, solutions; and in order to effect change, you have to put forward ideas for that change.

I ask the American people to imagine what it would be like if their Representatives used this time to hammer out ideas and positive solutions. That is the American ingenuity that we should focus on as a Congress. This is the American way.

The Democrats say this debate is to send a message to the President. Well, I will tell you, I think he has heard you loud and clear.

But let me give you a message from the battlefield from a friend of mine in Iraq. He says the argument over what got us to this point is a diversion. The problem set is the present. The terrorists and would-be terrorists that have flowed into Iraq will not stand at the border and wave us good-bye and good luck. They understand our politics, our systems, and our weaknesses.

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They believe that it is a war of endurance, and that we have shown historically and repeatedly that we don't have the national will for prolonged engagement.

Unfortunately the political grandstanding has endorsed their belief and ensures the terrorists' continued bloody engagement until November 2008.

The bottom line, we need reinforcements to set the conditions for success, and we need political support for the endurance to continue this fight. That is from my friend in the battlefield.

And I say to my colleagues, the American people need better than this. We need a plan of action for results and success in Iraq.

And I say, "Madam Speaker, you have made your points. Now where is your plan?"

Mr. ACKERMAN. Mr. Speaker, I yield 5 minutes to the chairman of the Energy and Commerce Subcommittee on Energy and Air Quality, the distinguished gentleman from Virginia, RICK BOUCHER.

Mr. BOUCHER. Mr. Speaker, I rise in support of the resolution, and I hope that its adoption by the House will send yet another powerful message that a change in the direction of our Iraq policy is required.

Sending an additional 21,000 troops into Baghdad only serves to put more American forces in harm's way. The troop increase will not bring long-term stability, it will not halt the sectarian strife which has plunged Iraq into a civil war, it will do nothing to speed the day when U.S. forces can hand over the mission to the Iraqis and come home. But there is a better way.

Our Virginia colleague FRANK WOLF originated the formation of the commission that was chaired by former Secretary of State James Baker and by Lee Hamilton, who for years, with distinction, chaired the Foreign Relations Committee in this House. I commend Congressman WOLF for his foresight and for the public service that he provided to our Nation when he originated the formation of the Baker-Hamilton Commission. That commission was bipartisan. It was composed of our most experienced foreign policy experts, spanning administrations of both Republican and Democratic Presidencies. Its recommendations were unanimously presented by the members of the Commission. They embody the collective wisdom of these highly experienced Americans for the best course that our Nation can take for a new and more promising direction in Iraq.

At the core of their proposals was a bold recommendation: that the United States begin a dialogue with Iraq's neighboring countries about a way to achieve regional stability and, most particularly, stability in Iraq.

Iran, Syria, Jordan, Saudi Arabia all have influence with the various warring factions in Iraq. Iran and Syria in particular have a strong interest in a more normal relationship with the United States. All of these countries have a long-term interest in a stable Iraq. The Baker-Hamilton Commission's direction for a U.S.-led negotiation among these nations is the only real option we have left in order to achieve under United States guidance a peaceful Iraq. President Bush has rejected this recommendation. He has acted, in my view, very unwisely.

More United States troops are not the answer. Blind faith in the Iraqi Prime Minister with his ties to the Shia militia leader, al-Sadr, is not the answer. A military solution standing alone is not the answer. The only path to success lies in diplomacy and accepting the wise counsel of the Baker-Hamilton Commission.

Finally, the administration decided to try real diplomacy in North Korea, and it is working. It is also the only hope we have for stability in Iraq.

Mr. SAM JOHNSON of Texas. Mr. Speaker, at this time we would like to allow 3 minutes to the gentleman from Florida, TOM FEENEY.

Mr. FEENEY. Mr. Speaker, first I want to thank the genuine American hero from Texas, Mr. JOHNSON, for leading us this afternoon.

I supported the use of military force to remove Saddam Hussein's regime because it was in America's interests. Afterwards, it should have been up to the Iraqi people, and not Americans, to determine their fate and how they govern themselves. President Bush has stated: The survival of our liberty depends on its expansion throughout the world and America must actively construct those institutions. Which, to me, seems like a Wilsonian view of America's role in the world.

In 2000, Candidate Bush rejected nation-building. A view held by the Founding Fathers who believed the exceptional calling of the American people was not to shape the world in our image, but to be a light that lightens the world. I prefer Candidate Bush's position.

Having said that, I cannot support Representative SKELTON's resolution. Nothing better illustrates America's democratic institutions than this body having a full and open debate about this topic.

I hope the Commander in Chief will recognize the desires and concerns of the American people as expressed today through their elected Representatives. But America has only one, and not 535 commanders in chief. We cannot micromanage the conduct of a war. Representative SKELTON's resolution sends horribly mixed signals to our troops who must solely focus on carrying out their assigned and dangerous mission.

Once a decision has been made and mission assigned, this body should support the troops and their one and only Commander in Chief, as Representative JOHNSON's resolution, had it been heard, would have been done.

Critics of tactics who resort to a congressional resolution tell our servicemen and women and their families, intentionally or not, that their mission is futile. When we undermine hope, we undermine resolve, and we reduce the likelihood of success.

As Senator LIEBERMAN has stated, a resolution would, in quotes, "give the enemy some encouragement, some clear expression that the American people are divided." Or, as Army Sergeant Daniel Dobson expressed, "There is no honor in retreat, and there is no honor in what the Democrats have proposed."

Instead, the responsible thing for this Democratic-led Congress would have been to propose a new way forward, new tactics, new strategies, not just in Iraq but in the entire war on terror. Speaker Rayburn, a Democratic Speaker, once famously remarked, "Any jackass can kick down a barn, but it takes a carpenter to build one." There are no carpenters at work with this resolution.

God bless our troops. God bless their Commander in Chief. God bless America.

Shortly after I entered Congress in 2003, America used military force to remove the Saddam Hussein regime. I supported that action because it was in America's interest.

The Hussein regime repeatedly defied the terms that ended the 1991 Gulf War—the transparent and verifiable dismantlement of the capability to produce weapons of mass destruction. Previously, that regime had used such weapons and wielded the potential of such weapons against its enemies. Rather than resorting to openness to demonstrate good faith compliance with its promises, the regime relied on Soviet-style deception and defiance.

In the face of such opaqueness, why are we surprised that the intelligence agencies of the United States and its Allies veered to a worst-case scenario? After all, the perceived "missile gap" that fueled the arms race between the United States and the Soviet Union stemmed from Soviet deception about its actual nuclear weapon capabilities. The fault lies with those who deceive and not those searching for the truth.

The perceived threat extended beyond the Middle East and raised the specter of arming terrorists dedicated to harming the United States and the West. To those who scoff at this notion, I remind them about the dangers posed by "loose nukes" and how the West works everyday to counter this threat.

Furthermore, this brutal regime repeatedly attacked its neighbors—threatening the stability of America's allies and interests in this region.

So with some sturdy allies, America took action. The Hussein regime was toppled. Others took notice. Libya surrendered its weapons of mass destruction capabilities to the U.S. including materials related to its nuclear weapons program and ballistic missile capabilities.

Today's U.S. military is the finest in world history.

America can defeat any contemporary enemy by itself. But, we cannot win the peace alone. We need help—not just from loyal friends like the British, Poles, and Australians. To win a peace, we need less reliable allies like France, Germany, and Spain to help. And we need support, or at least not hostile opposition, from former adversaries we are trying to befriend, like Russia and China. In this case, we have had too little help to win the peace.

And instead of focusing on establishing a free and stable Iraq, America strayed from the wisdom of its Founding Fathers who warned us of the hazards of trying to shape the world in our image. As John Quincy Adams noted in his 1821 Fourth of July Speech:

"America does not go abroad in search of monsters to destroy." To do so would involve the United States "beyond the power of extrication, in all wars of interest and intrigue, of individual avarice, envy, and ambition. . . . She might become the dictatress of the world. She would be no longer the ruler of her own spirit."

The Founding Fathers believed that the exceptional calling of the American people was not to shape the world in our image but to be a light to lighten the world. Our exercise and preservation of liberty served as an example to other peoples. In today's world, we can see how our culture and international trade influence other peoples. But a critical difference exists between being an example and trying to impose a set of beliefs.

The historian Walter McDougall describes this original tradition as follows:

> . . . the leaders . . . did not interpret [American] Exceptionalism to mean that U.S. diplomacy ought to be pacifist, rigidly scrupulous, or devoted to the export of domestic ideals. Rather, they saw foreign policy as an instrument for the preservation and expansion of American freedom, and warned that crusades would belie our ideals, violate our true interests, and sully our freedom.

Accordingly, I support using American military might to defend our interests as needed including preemptive strikes to those who would do us harm.

But we strayed from this tradition by undertaking a mission to hold Iraq together, build a nation based on Western liberal democracy, and then spread that way of life throughout the Middle East. This Administration labels this effort "transformational democracy." But it really is what Walter McDougall calls "Global Meliorism," that assumes:

> The American model is universally valid, that morality enjoins the United States to help others emulate it, and that the success of the American experiment itself ultimately depends on other nations escaping from dearth and oppression.

Nothing is further from the conservative tradition. Conservatives understand that free societies and peoples take centuries to evolve. America traces its roots back to the Magna Carta. If you want to illustrate the shortcomings of social engineering and the illusive goal of remaking foreign societies, take these 792 years of hard earned experience and impose it on a nation cobbled together by the British after the collapse of the Ottoman Empire and on a people who identify more with a tribal than a national identity.

Conservatives take a realistic assessment of human nature—including as George Will has noted "the limits of power to subdue an unruly world." This sobriety contrasts with the idealistic dream of engineering the world—a dream with roots in Woodrow Wilson's visions for a post-World War I world. As George Clemenceau remarked after Wilson's 1917 Peace Without Victory speech:

> Never before has any political assembly heard so fine a sermon on what human beings might be capable of accomplishing if only they weren't human.

President Bush has stated that the survival of our liberty depends on its expansion throughout the world and America must actively construct those institutions. In 2000, Candidate Bush rejected nation building. I prefer Candidate Bush.

It is up to the Iraqi people—and not us—to determine their fate and how they govern themselves. That is why in 2003 I proposed that the Administration loan and not grant $20 billion for Iraqi infrastructure. We weren't rebuilding things we destroyed during the war. Rather, we were attempting to build an infrastructure degraded and neglected by the Hussein regime. I wanted the Iraqi people from oil proceeds—and not Americans—to build, fund, and protect their assets. As T.E. Lawrence noted in an earlier era:

> Do not try to do too much with your own hands. Better the Arabs do it tolerably that you do it perfectly: It is their war, and you are to help them, not to win it for them. Actually, also under the very odd conditions of Arabia, your practical work will not be as good, perhaps, as you think it is.

Having said that, I cannot support Representative SKELTON's resolution. Nothing better illustrates America's democratic institutions than for this body to have a full and open debate about this war. We are a strong and outspoken people. This Chamber has witnessed similar debates at crucial times in our past. I hope the Commander in Chief will recognize the desires and concerns of the American people as expressed through their elected representatives.

But America has only one and not 535 Commanders in Chief. We cannot micromanage the conduct of a war. Representative SKELTON's resolution cannot bring good. Rather, it sends horribly mixed signals to our troops who must solely focus on carrying out their assigned and dangerous mission. Once a decision has been made and a mission assigned, this body should support the troops and their one Commander in Chief as Representative SAM JOHNSON's resolution would. We should deny the enemy encouragement and provide resolve to our servicemen and women.

Critics of tactics who resort to a Congressional Resolution tell our servicemen and women and their families—intentionally or not—that their mission is futile. When we undermine hope, we undermine resolve and reduce the likelihood of success. As Senator LIEBERMAN has stated: such a resolution would "give the enemy some encouragement, some clear expression that the American people are divided." Or as Army Sergeant Daniel Dobson expressed:

> Most service members would tell you the same thing: There is no honor in retreat . . . and there is no honor in what the Democrats have proposed. It stings me to the core to think that Americans would rather sell their honor than fight for a cause. Those of us who fight for [peace] know all too well that peace has a very bloody price tag.

Instead, the responsible thing for this Democratic Congress would be to propose a new way forward, new tactics, and new strategies—not just in Iraq but in the war on terror. Speaker Sam Rayburn famously remarked: "Any jackass can kick a barn down, but it takes a carpenter to build one." No carpenters are at work with this resolution.

God bless our troops. God bless their Commander in Chief. And God bless America.

Mr. ACKERMAN. Mr. Speaker, I yield 5½ minutes to the distinguished chairman of the Science and Technology Committee, and Science Education, the gentleman from Washington, Representative BRIAN BAIRD.

Mr. BAIRD. Mr. Speaker, every Member of this Congress, every Member is absolutely committed to the security of our families, our communities, and this Nation. And every Member is absolutely committed to supporting our troops and our veterans.

The real question today is not whether we are committed to security or whether or not we support the troops; the real question is how we believe that security is best achieved. On that, there is legitimate disagreement which is, or should be, what this debate is about. To have this debate is not only a right but a responsibility of the elected Representatives in a Republic such as ours. Indeed, it is to defend that very right that our young men and women are serving not only in Iraq but around the world.

None of us here today need to be reminded about the threat of terrorism from floor speeches or from Presidential homilies. But let us not forget that the terrorists of 9/11 did not originate in Iraq, they came from Afghanistan. And, with only one exception, every Member of this body, Democrat and Republican alike, voted to prosecute the war against the terrorists in Afghanistan, bring al Qaeda to justice, and topple the Taliban.

We were united then, along with virtually the entire world, and the fight was right. Iraq, however, is different. The focus on Iraq has distracted and detracted from the mission in Afghanistan and the real battle against terrorists. The President and the rest of the administration took this Nation into an unnecessary and ill-conceived war based on false threats and with a deeply flawed plan.

Before this war, I and many of our other colleagues asked the administration some fundamental questions: How many troops will this take? How many lives will be sacrificed? How long will we be there? What will it cost financially? How will we pay for it? And how will this impact our security profile elsewhere in the world?

The fact is, this administration has never answered any of those questions fully or honestly. Never. Either they know the answers and refuse to say them, which is duplicitous; or, they do not know the answers, which is incompetent. Sadly, it appears a little of both is operating.

I voted against this war from the outset, and believe to this day it was the right vote. But once we were committed and engaged, I, along with most of my colleagues, voted to continue to support our troops, to try to achieve success in our mission, and do our best to help the Iraqis rebuild their country. We fervently hoped and continue to hope the mission would succeed; but now, several years later, more than 3,000 lives later, U.S. lives alone, and nearly $1 trillion later, as we consider the President's latest proposal, we must ask again, "Mr. President, how many lives? How long will we be there? How much will this cost? And how will you pay for it? And what does it do to the rest of our security position?"

We still have no answers to those questions. And lacking such answers, which are fundamental to the security of this country and the safety of our troops, I must vote "yes" on this resolution and "no" on expansion.

My colleagues, it is irresponsible to allow a Commander in Chief who has not been honest or accurate from the outset to continue sacrificing the lives, the bodies, and the families of our troops in a mission that lacks a clear end point or a successful strategy. It is dangerous to permit a Commander in Chief to jeopardize our Nation's security by letting our military equipment, readiness, and troop morale continue to decline, and it is shortsighted and unwise to leave our National Guard and Reserve unprepared and underequipped to respond to challenges overseas or at home. It is strategically unsound to concentrate so much of our intelligence resources in one nation. It is unsustainable for our economy to keep pouring billions of dollars every week into this ill-conceived plan, and to pile debt upon our children with no strategy for paying it back. It is a breach of trust to not fund the needs of our veterans when they return home. And it is immoral to leave our soldiers dying and bleeding in the midst of a centuries-old religious conflict that is not of our making and is not of our power or responsibility to resolve.

In written comments, I describe what I believe is a better course. Some of our friends have said there are no plans. I have offered a plan, and I urge you to look at it.

But before I conclude, I must also respond to those who suggest that if we don't give unquestioning support to this administration regardless of what they ask for, regardless of history, and regardless of the evidence on the ground, that we are empowering the terrorists or undermining our troops. I believe the evidence suggests, from this war, that while there may be differences of opinion about policy, this Congress and the American people have and will continue to support our troops. It is a sign of strength of our very form of government, which is, after all, what we are hoping to promote in Iraq and elsewhere in the world that we should have this debate.

Our allies and adversaries understand that if we turn the course of a failed policy and the President has not been honest with us, that is not cutting and running; that is wisdom, it is courage, and it is honesty. That is what this resolution is about. That is what we owe the soldiers who have already given their lives, and that is what we owe the families and that is what we owe the future of this Nation.

Mr. SAM JOHNSON of Texas. Mr. Speaker, I would like to yield now to the chairman of our Republican Study Committee, Mr. JEB HENSARLING from Texas, 5½ minutes.

Mr. HENSARLING. First, I want to thank my dear friend, and a genuine American hero, for yielding time to me today.

Mr. Speaker, speaker after speaker on the other side of the aisle have come to the floor to speak against the past decision to go into Iraq. They criticize past lapses of intelligence, they criticize past actions, they criticize past setbacks. They want to live in the past.

Regardless of whose war this was in the past, today it is an American war. And the Democratic majority must decide do they support the mission, or do they not support the mission?

Now, certainly we are all disappointed that we have not achieved the success that we would have desired by now. And I myself do not know if the new strategy will prove successful. I think it can be successful. I hope it will be successful. And I know it is a strategy that has been recommended by the Iraqi Study Group and our new battlefield commander.

So until such a time as somebody comes to me with a more compelling strategy, or until somebody convinces me that somehow my Nation and my family will be more secure by our premature withdrawal from Iraq and subsequent implosion, I feel I must support this new strategy. I will support this new strategy. Defeat is not an option.

What are the options, Mr. Speaker? Clearly, many. Many, if not most, of my Democrat colleagues want to cut off funding for our troops and withdraw from Iraq. This is well known. And I respect their views when they are heartfelt. But since Democrats control a majority in both houses of Congress, why are we voting on a nonbinding withdrawal resolution?

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That is why this is a sad day. Somewhere over in Baghdad right now is a marine sergeant who is tired, he is resolute, he has dirt on his face. But you know what? He volunteered, he loves America, he loves his freedom. He has a picture in his wallet. His parents are praying for him. He is thinking about his wife.

Who, who in this body, what Member can go to that marine and say, you know what? I don't believe in your mission. I don't believe you can succeed. I don't believe you can win, and I am going to oppose reinforcements. Guess what? I have the power to bring you home, but I am just not willing to do it. Because if I do it now everyone will know it, and I have to take responsibility, and I am just not willing to do that.

Mr. Speaker, if you believe in something, stand up for it. Where is the courage? Where is the conviction in a nonbinding resolution?

Mr. Speaker, we all know that fighting this war is costly. Like many Members of this body, I have met with the mothers of the fallen soldiers. Their burden and sacrifice is profound. But I never, never, never want to meet with the mothers whose children may perish in the next 9/11 if we accept defeat in Iraq.

Iraq must be seen in the larger context of the war with radical Islam, and whether we like it or not, the battle lines are drawn in Iraq. Don't take my word for it, listen to what the jihadists have to say. Listen to Osama bin Laden, "The epicenter of these wars is Baghdad. Success in Baghdad will be success for the United States. Failure in Iraq is the failure of the United States. Their defeat in Iraq will mean defeat in all their wars."

We must soberly reflect on the challenge that we face. Listen to al-Zawahiri, who is number two in command. "Al Qaeda has the right to kill 4 million Americans, 2 million of them children."

Listen to Hassan Abbassi, Revolutionary Guard's intelligence adviser to the Iranian President. "We have a strategy drawn up for the destruction of Anglo-Saxon civilization."

Listen to Iraqi Ayatollah Ahmad Husseini. "Even if this means using biological, chemical and bacterial weapons, we will conquer the world."

This is the enemy we face, and we face him foremost in Iraq. If we leave Iraq before subduing him, he will follow us to America. Make no doubt about it, the consequences in Iraq are immense. Don't take my word for it. Read the report of the Iraq Study Group. Read the National Intelligence Estimate. Read the work of the Middle East scholars at the American Enterprise Institute, Heritage Foundation, Brookings Institute.

If we do not pursue success, Iraq will become what Afghanistan once was. It will be a breeding ground, a safe haven for the recruitment, training, financing and sanctuary of radical Islamists bent upon attacking our Nation and our families. We cannot wish it away, we cannot hope it away, we cannot dream it away. There will be no greater event to empower radical Islam than our defeat in Iraq.

Mr. Speaker, it doesn't have to be this way. We are Americans. We can meet this threat. We can work together. Vote against this resolution. Support our troops. Protect our Nation and our children from this threat.

Mr. ACKERMAN. Mr. Speaker, I am glad to see so many people on the other side of the aisle have discovered the report of the Iraq Study Group.

It is now my pleasure to yield 5½ minutes to a senior member of the Ways and Means and Agriculture Committees, the gentleman from North Dakota (Mr. POMEROY).

Mr. POMEROY. Mr. Speaker, yesterday morning I had an experience I will never forget. In the snow, in the slush and the ice, I joined the family of Major Alan Johnson as his body was laid to rest at Arlington Cemetery. He had lost his life in an IED explosion in Iraq just 2 weeks before.

On behalf of the people of North Dakota, I expressed to the extent I could our profound condolences for the family's loss. The major's grieving widow stared into my eyes and said, "Do what you can for our troops over there."

This is not just a plea and a prayer of the families of our soldiers, it is the demand of the American people. I believe each and every one of us here shares an intense commitment to our soldiers that comes right from the bottom of our heart. This debate is revealing a sharp difference between us in how to proceed in Iraq.

But there are no differences when it comes to all we share about the valor our soldiers have displayed in service to our country. I have seen it personally in the four trips I have been to Iraq. I have seen soldiers in full battle gear, in 133 degree heat, doing their absolute best to perform their mission. I have seen North Dakota National Guard soldiers charged with training up Iraqi soldiers through an impossible, absolute, language barrier.

I have seen other soldiers just back from the life-threatening business of finding and detonating these explosive devices, saving American lives while keeping essential roads open. Like most of you, I have mourned and prayed with shattered families whose sons and daughters have lost their lives in selfless service to our country and all we care about.

So I cannot get Tori Johnson's fervent request out of my mind, take care of our soldiers over there. Honestly, there is nothing I care more about as a Member of this House.

So, how do we respond? We take care of our soldiers over there by making certain they have the equipment they need as they undertake this most difficult and dangerous mission. We take care of our soldiers over there by making certain their deployments are only for acceptable periods and at acceptable intervals, with enough time at home in between to heal, to rest and to train. But beyond these things, we take care of our soldiers over there when we as a Congress make certain the mission they have been sent to perform has a reasonable chance of success.

In a war where so many tragic mistakes have been made, this Congress must not sit quietly by while additional plans are cooked up in Washington, whose only certainty is to accelerate the loss of American lives, compound the already severe strain on our military capability and accelerate the burn rack of taxpayer dollars spent in Iraq.

For these reasons, this resolution is a very important opening statement for this Congress to make in Iraq in 97 words. It states our support for our soldiers, while opposing the President's plan to escalate the number of troops we send into the middle of the Shia-Sunni violence taking place in Baghdad.

On one of my trips to Iraq, a soldier said to me, "We can stand up an Iraqi Army, but we cannot create a country for this army to defend." This simple truth goes right to the heart of the issue and exposes the flaw of the President's plan.

Without the commitment between the warring parties in Iraq to stop the killing and create a political agreement upon which a national government can exist, 20,000 more U.S. soldiers are not likely to bring about a lasting peace. Our soldiers are disciplined and determined. They have superbly performed everything that has been asked of them.

However, the United States alone cannot create a democracy in Iraq. Only the Iraqi people can achieve that.

A broad group of experts, including the bipartisan Iraq Study Group, former Secretary of State Colin Powell, the former senior military commander in the region, General John Abizaid, have all rejected the strategy of escalating U.S. troop numbers as a means of bringing the factions of Iraq together.

The bottom line is that this troop escalation will increase the terrible cost of this endeavor, more lives lost, more young men and women maimed forever, more tens of billions spent, all without improving our prospects for an acceptable outcome.

Under these circumstances, I will vote to oppose this escalation of troops. It is part of what I believe we must do. Under these circumstances, I will oppose this escalation of troops. It is part of what I believe we must do to support our soldiers over there and the American interests they have put their lives on the line to defend.

Mr. SAM JOHNSON of Texas. Mr. Speaker, at this time I would like to yield 4½ minutes to Mr. GARRETT from New Jersey.

Mr. GARRETT of New Jersey. Mr. Speaker, the authors of this resolution say that we should provide our troops with all the resources they need, whether it be armor, bullets and Humvees. That is, all the resources they need, except two; and I would argue they are the two most critically important ones: manpower and the support of our national leaders.

This Democratic resolution can be summed up in three simple words, to "stay the course." The irony here is inescapable. Just months ago the very same supporters of this resolution derided the Pentagon and the White House for proposing to stay the course, but today they bring exactly that same strategy to life in their resolution.

This resolution doesn't propose a new course of action. It doesn't have the courage of its author's rhetoric, convictions, to change the course of the war. It simply states that this Congress will not support the new approach proposed by our new commander and the Iraq Study Group.

General Petraeus, the chief architect of this new plan, was confirmed unanimously by the Senate, and yet many in that body and this body are adamantly opposed to this very strategy he now seeks to implement. So it begs the question: If the general is the right man for the job, then why is his plan now not appropriate?

They claim to support the troops but seek to undercut their new leader's strategy. How can we support the troops when we insist that their orders are faulty? We cannot praise the general out of one side of our mouth while mocking him out of the other.

We have heard it said that this resolution calls for a new direction in Iraq. But I defy those who say this, to say what that new direction is. It is certainly not apparent in this resolution. This resolution is only an empty opposition to the Commander in Chief's plan to deploy the Armed Forces as the generals on the field see fit.

This two-sentence resolution, sense of Congress, is not a new plan for victory. In fact, it is not even a new plan for bringing the troops home now, but to leave them in the field with undermanpower. It is little more than a gift to our enemies who have been patiently awaiting the American naysayers to erode the American confidence in our mission.

Our enemies do not lack morale, and we fuel their exuberance with this drive for success every time they hear us speculate on withdrawal. Our enemies are fighting us, against us and our servicemen and our allies, with the belief that each headline brings them closer to victory.

Our brave men and women in uniform are up to the task. But they need our support, not empty proposals that doubt their ability to secure the peace.

Millions of peaceful Iraqis are struggling to rebuild their Nation after the cruel reign of Saddam. They want an opportunity to build a better future for their children, and they ask for our help to secure that peace.

Will we now stand aside while al Qaeda and Iran support factions that would enslave them once again? You know, it was Franklin Delano Roosevelt who knew the repercussions of failing to support those nations that are struggling for liberty, when he said, and I quote: "Enduring peace cannot be bought at the cost of other people's freedom."

FDR also declared that we are committed to full support of all those resolute people everywhere who are resisting aggression and are thereby keeping war away from our hemisphere. We cannot have peace in Iraq by handing over those who have worked to build a Nation based on freedom and justice and peace, turn it over to those violent brethren who seek only destruction of those principles. Make no mistake about it: If we stay the course, as this resolution would have us do, it will not be long before this war returns to our shores

I would like to end with the words of two individuals. The paths they have traveled to now and the paths they desire to take in the future could not be any more different. But, they are equally strong in the passion they bring to their beliefs. And, their words should be instructive to us in this debate.

First are the words of Abu Omar al-Baghdadi, the leader of al-Qaeda in Iraq. He says: "We have drunk blood in the past, and we find no blood sweeter than that of the Christians. Know that offense is the best form of defense, and be careful not to lay down your weapons before the war is over." While we quibble over words here on the floor of the House of Representatives, our enemies speak with frightening clarity of conviction. Can there be any doubt that this resolution solidifies the resolve of the jihadists he leads and inspires?

In stark contrast are the words of one of my constituents, Ron Griffin, who 45 months ago lost his son, Kyle, an Airborne Infantryman serving in Iraq. "We never felt lost or alone for we were literally carried through our sorrow by the resolute, soothing and comforting hands of countless human beings whom I only hope can truly understand how they made life worth living. . . . What I see [now] is a people pummeled into acquiescence. The loss of these wondrous warriors is of itself a weight that is almost unbearable to struggle under, but when accompanied by the din of negativity it becomes to most people a burden."

Can there be any doubt that this resolution does nothing more than add to the din of negativity of which Mr. Griffin speaks?

I have faith that we can stand strong. I oppose this empty resolution to stay the course. I stand up for an America that is just and free and a friend to those who seek liberty and peace.

□ 1345

Mr. ACKERMAN. Mr. Speaker, I now yield 5 minutes to the Chair of the Natural Resources Subcommittee on Water and Power, the distinguished gentlelady from California, Representative GRACE NAPOLITANO.

Mrs. NAPOLITANO. I thank the gentleman for yielding.

Mr. Speaker, I join my colleagues in total opposition to the President's plan, a plan that escalates the number of our young men and women, American troops, being sent to Iraq. But what are we talking about? What are the words in this resolution? It says, Resolved by the House of Representatives that, one, Congress and the American people will continue to support and protect the members of the United States Armed Forces who are serving or who have served bravely and honorably in Iraq; and, secondly, Congress disapproves of the decision of President George W. Bush announced on January 10, 2007, to deploy more than 20,000 additional United States combat troops to Iraq. That is what we speak to.

I did not vote for the war resolution, and I do not believe that sending more young Americans to Iraq and putting their lives at risk will change the situation. Since the beginning of the Iraq conflict, our valiant men and women in uniform have not received the adequate training nor the proper life-protection equipment required to ensure their safety. I visited one of the armories where 2 years after the Iraq war had started. They were still making the doors for the Humvees to protect them from those bombs that were killing and maiming our men and women.

The President's proposal to put more troops in harm's way, into the middle of a civil war, whether you like it or not, it may be local, but it is a civil war, where neither side backs our continued occupation, further endangers our troops.

My constituents are not in favor of the escalation by a margin of 50 to 1. We have had phone calls, e-mails, messages. They want our young men and women back. They do not want to escalate it any more. Families have suffered enough already. There is no justification for causing more pain and adding to the suffering of the mothers and of the fathers and of the husbands and the wives and the sons and the daughters and other loved ones. We speak of the soldiers who have lost their lives in Iraq in this war. We speak not of the thousands of injured and the suffering they and their families are being put through. The consequences of the war in Iraq extend far beyond the awful tally of the 3,100 killed and the 23,000 wounded.

The Nation's economic consequences of the escalation are profound. Point one: every portion of our budget has been cut and continues to be cut except for defense spending. The worst budget cuts are taking funding away from our veterans, the very men and women who put their lives on the line in Iraq and in other wars. We regularly receive letters and phone calls, e-mails, from constituents who ask me to fund vital, successful, necessary programs for their communities; but we cannot support our communities with the funds they truly need as they are instead being diverted to a war we did not seek. Vital social services, critical to the well-being of the people of my district and certainly of all other districts, are again being cut.

Other consequences of the war are the social consequences. These soldiers fortunate enough to return home alive and in good physical health suffer long-term mental health problems, Mr. Speaker, as a direct consequence of their deployment, not one, not two, but possibly three and more deployments in Iraq.

Yet our services to them and their families not only are sadly lacking and underfunded; they are being cut. We have not enough money to be able to deal with the devastation in the minds of not only these men and women but their families to be able to deal with the consequences when they return home and try to regain a normal life.

Families are being torn apart more so by this war than any other war. There are suicides. There is divorce. There is homelessness now. Their children are forced to grow up without their father or their mother. Parents are losing children. No mother should have to bury a son or a daughter.

I urge the President to work with Iraq's neighbors and the international community to ensure other countries' commitments to Iraq's security situation, the training of Iraqi troops and police, and, of course, financial support. Escalation is certainly not the answer and I cannot and will not support such a policy.

I certainly want to say thank you to our brave men and women in uniform for your bravery and your service. Our prayers are with you and your families

Mr. SAM JOHNSON of Texas. Mr. Speaker, at this point I would like to yield 5 minutes to Mr. TODD AKIN from Missouri.

Mr. AKIN. Mr. Speaker, we rise today to discuss this resolution that is in two parts before us. The first part says that we support our troops. The second part says that we are not going to send them reinforcements. This seems to be kind of a curious proposition, almost a nonsensical proposition. How do you say you support and then say, but we don't want to send them any reinforcing troops? Certainly we say that we want to give them body armor, we want to give them up-armored Humvees, we want to send them tanks; but the most important thing that you need sometimes as troops is some other troops to support you. So we are saying, oh, we want support, but we don't want to support you.

Picture Davy Crockett at the Alamo. He has his back to the wall. Santa Ana has got thousands of troops. So he gets his BlackBerry out. He checks with Congress. Congress says, Hey, Davy, we really support you but we're not going to send you any troops. That doesn't make a whole lot of sense to me.

Now, as I said, this resolution has two parts. It says, We support you but we're not really going to send any troops over.

The third part is what concerns me the most. As Congressmen, we have the responsibility to listen, to pay attention. If somebody has a better idea, that is just fine. Send your better idea forward. We are ready to be taught or to learn. If there is a better way to approach Iraq and the situation there, good. But this proposal has no positive suggestion whatsoever. It just says we support and we don't support. All that does is to encourage our enemies. And without any positive recommendation, this can only be viewed as something which strengthens our opponents' hands. They say, Goody, we've got the Americans all confused. They're saying support and don't support at the same time, with no positive recommendations whatsoever.

Now, I have heard people say that this is a civil war. It is not really a civil war yet. If we pull all the troops out immediately, it will turn into a civil war, no doubt about that. But what we do have is, we do know this, that the terrorists have been involved in setting one group of people against another. They blow up a holy place of the Shias and the Shias start fighting the Sunnis. And so, yes, they have sparked a whole lot of unrest, particularly in Baghdad. It is not a civil war yet. But do we think that the terrorists aren't going to do the same thing in other countries where you have the one leadership with a majority of people in the other tribe.

So I don't think it is much of an escape to say, oh, well, this is a civil war. What it is, it is a war against terrorists. Regardless of how you want to speculate what might happen if we leave all of a sudden, at least I would respect the Democrats more if you would just simply say, we need to cut and run, or we need to stay where we are. But don't just leave a blank piece of paper and say we support and don't support. It doesn't make any sense. All it does is help the enemy.

It seems to me that we need to as Americans one more time as we have in the past take a good, serious gut check. I have a chance to speak to American audiences everywhere and lots of little kids and I always ask the same question. I ask the question, If you were to take America that you love and condense it down as to what do you really believe about this country, what is the heart and core of America? The answer that I almost always get is the word "freedom."

But freedom needs a little bit more definition. The Tiananmen Square Chinese students wanted freedom and they greased the tank treads with their bodies. But they didn't get freedom. Just because you want freedom doesn't mean you can have it.

So what is the heart of what we believe as Americans? Well, I will tell you. The first time we went to war we stated that and we had quite an argument and discussion about it. And it was put in the Declaration of Independence: We hold these truths to be self-evident that all men are endowed by their Creator with certain inalienable rights, that among these is life, liberty and the pursuit of happiness. And the job of government is to protect those basic, fundamental, God-given rights. That is what they believed and they had to decide: Are we going to fight the British or not? Those are the things that I taught to my children.

This is a picture of the Marine Club with my 9-year-old son standing here, saluting the flag as it is going up. We taught him that there are some things in this world that are worth dying for and that one of those things is the fact that God gives us basic inalienable rights. That little Marine Club kid has grown up.

There he is in Fallujah in 2005. That is the cache of terrorist weapons that they found in Fallujah. He has grown up. He understands the risk to his life. He almost died in Fallujah. He believes, as I do, that there are some things in this world that are worth defending. This is not a war about a civil war. This is head to head with terrorists.

And is it surprising that we find ourselves fighting terrorists? Terrorists believe, we blow up innocent people to make a political statement. We believe that the right to life comes from God, that it is an inalienable right. The terrorists terrorize people to compel you to take your liberty away and we believe that liberty is a gift that comes from God. We are going head to head with people that have always been the enemies of America, and I am concerned that if we do not stand up and show that we not only think that it is a nice idea in our Declaration but it is a conviction that we will defend with our lives, that we will be fighting the terrorists here.

Mr. ACKERMAN. Mr. Speaker, I yield 5 minutes to the chairman of the Small Business Subcommittee on Regulation, Health Care and Trade, the distinguished gentleman from Texas, CHARLIE GONZALEZ.

Mr. GONZALEZ. Mr. Speaker, I would like to establish a ground rule for all my colleagues, and that is, regardless of how you vote on this resolution, no one will question your patriotism. If we can just start with that benchmark, I think we will have a higher degree of debate and in good faith.

Mr. Speaker, this resolution is about duty and responsibility, the duty and responsibility that Congress owes to our men and women in uniform. Our first duty is to make wise and educated choices in identifying a threat, the necessity of action and the legitimacy of the goal before committing or continuing to commit more of our troops to the war.

When considering this resolution, which reflects that an escalation of the war is unwarranted and is not in the best interests of our Nation and our troops, each of us must ask one fundamental question: Is escalating and continuing the war in Iraq worth fighting and dying for? Because that, in the final analysis, is what we decide. We seek an answer to this question, but we must be ever mindful that the courage and bravery of our troops is never questioned. Our soldiers' valor and commitment are not diminished by the errors in judgment made by their civilian leaders. The question is whether the mission in Iraq is worth their sacrifice. As we move forward with this decision, we must recognize the lessons of history, or we are doomed to repeat its grave mistakes.

☐ 1400

For example, "The public has been led into a trap from which it will be hard to escape with dignity and honor. They have been tricked into it by a steady withholding of information. The Baghdad communiques are belated, insincere, and incomplete. Things have been far worse than we have been told, our administration more bloody and inefficient than any that public knows. We are, today, not far from a disaster."

Now, the parallels are uncanny, and you are wondering who may have said that. The quote was 86 years ago, and it was a communication from T.E. Lawrence, better known as Lawrence of Arabia, in August of 1920, from Baghdad.

Continuing. "The situation in Iraq is grave and deteriorating. In addition, there is significant underreporting of violence in Iraq. The standard for recording attacks acts as a filter to keep events out of reports and databases." More Lawrence of Arabia? More 1920? No. 2006, the Iraq Study Group report.

Let me continue. 1992, General Colin Powell. "The Gulf War was a limited objective war. If it had not been, we would be ruling Baghdad today, at unpardonable expense in terms of money, lives lost, and regional relationships."

Now, a year earlier there was an observation, "Once you got Baghdad, it's not clear what you do with it. It's not clear what kind of government you would put in place of the one that is there now, Saddam Hussein. Is it going to be a Shia regime, a Sunni regime, or a Kurdish regime? Or one that tilts towards the Baathists, or one that tilts towards the Islamic fundamentalists? How much credibility is that government going to have if it is set up by the United States military when it is there? How long does the United States military have to stay to protect the people that sign on for that government? And what happens to it once you leave?" That was 1991, spoken by then-Secretary of Defense and current Vice President of the United States, Dick Cheney.

We remain a good and great Nation, but we have done all the good in Iraq that we are going to do. An escalation only delays the day that the Iraqis assume the responsibility of setting aside their sectarian differences and embrace the promise of democracy that we have delivered to them. We cannot do this for them, whether we send in 20,000 or 200,000 more troops. And we cannot ignore the lessons of history, the views of military experts and the will of the American people.

It is time for our troops to start coming home. And it is time for the Iraqis to start building a home. Vote "yes" on this resolution.

Mr. ENGEL. Madam Speaker, for the purpose of unanimous consent, I recognize the gentleman from Arizona.

Mr. PASTOR. Madam Speaker, I rise in support of the resolution.

Madam Speaker, I am proud that under our Speaker's leadership, Congress today is voicing the will of the American people in opposition to the Administration's deployment of more U.S. military personnel to Iraq. Voters made it clear in November that they do not support the administration's current strategy. It is time that Congress act to bring U.S. policy in line with reality.

I opposed the initial resolution authorizing the President to invade Iraq, because I felt that the administration had failed to exhaust diplomatic remedies and allow the U.N. weapons inspectors to finish their job. Since the invasion, however, I have supported funding the war effort to ensure that our troops on the ground have the equipment and support that they needed. But increasing troop levels and failing to question the President's policy is a disservice to our courageous men and women in uniform. We cannot keep asking them to put their lives on the line every day for objectives that have become increasingly unclear.

The President declared "mission accomplished" in May 2003, and in a sense he was right. Saddam Hussein and Iraqi weapons of mass destruction are no longer a threat to our nation. The Iraqi people have held free elections and drafted a constitution. The violence we see in Iraq today is based in sectarian conflict—it has become a civil war. The outcome depends not on the American will to stay in the fight, but on the will of the Iraqi people to forge their own future. We cannot do it for them.

Troop surges in the past have not worked. No number of American troops in Iraq can fix what is essentially a political problem. The only surge I support is a surge of diplomacy. It is time to bring our brave young men and women home from Iraq. Their job there is done, and their skills and dedication can be better used on the real fronts of the war on terrorism, both domestic and abroad.

Mr. SAM JOHNSON of Texas. Madam Speaker, at this time I would like to yield 3½ minutes to my colleague from Michigan, TIM WALBERG.

Mr. WALBERG. Madam Speaker, throughout our Nation's rich history, we have reached moments where we arrive at what President Ronald Reagan described as a time for choosing. Today is such a day.

This week, the House is asking ourselves a simple question: Will we choose to go forward with the resolve and determination needed to win the war on terror by supporting our brave troops, or will we retreat and wait for the fight to return to American soil?

It was Winston Churchill who once said, "Never believe any war will be smooth or easy or that anyone who embarks on a strange voyage can measure the tides and hurricanes he will encounter."

With this in mind, I acknowledge that the war in Iraq is not going as well as we all had hoped or wanted. Mistakes have been made. Thousands of precious lives have been lost, and there are likely more tough times to come.

My wife and I pray for the men and women in uniform and grieve for every loss of life and injuries inflicted on these heroes who proudly serve our Nation. I, as much as anyone else speaking today, want this war to be over. But this resolution essentially tells these soldiers to give up because the cause they have nobly served is no longer worth the courage and vigor necessary, and protecting the American people and keeping terrorists off American soil are no longer national priorities.

As Americans we are reluctant warriors, but throughout history, when our troops have been in harm's way, America has supported them and made certain our troops have the necessary resources to accomplish their mission.

In a cynical way, this resolution says America has already lost and the leaders of our country no longer believe our troops can achieve victory. It tells other nations that we are unreliable as an ally, and they can no longer count on us in times of distress.

My son proudly served in the Army. And during this time of service, I got to know many of his peers in uniform. I am not prepared to say to these men and women, nor to the young man fallen in battle, that I will go to right after this speech at Walter Reed Hospital, that I support you but I don't support the mission you serve, and the blood you shed on the battlefield was in vain.

I am not prepared to call for a precipitous withdrawal from Iraq that will leave the Nation ripe for terrorism and ultimately bring the war on terror back to American soil.

My neighbors in south central Michigan and across the country deserve to be protected from enemies of freedom. And they ought to have a Congress that doesn't shirk its responsibilities to soldiers and sailors and airmen sent into harm's way to ensure this war is fought off American soil.

So we come to this time of choosing today. Are we willing to abandon our troops as they implement the new strategy based on quantifiable goals and measurable results? I hope not.

I challenge my colleagues to honor America's brave men and women serving in the name of freedom and oppose this resolution of retreat.

Mr. ENGEL. Madam Speaker, I now yield 5 minutes to the gentleman from Massachusetts, a member of the Financial Services, Oversight and Government Reform Committees, and chair of the House Task Force on Anti-Terrorism Funding, Mr. LYNCH.

Mr. LYNCH. I thank the gentleman for yielding.

Madam Speaker, I rise in support of House Concurrent Resolution 63, which opposes the President's plan to escalate the war in Iraq. I do so because I am in total agreement with Generals Casey and Abizaid, who have said that what is needed in Iraq is a political solution and not a military one, and that additional troops are not recommended.

I have had a chance to travel to Iraq five times now, and based on my own observations in places like Fallujah and Tikrit and Al Qaim out on the Syrian border, I firmly believe that it is the Iraqi people who must ultimately decide whether they are committed to building a better life for their children through democracy, or whether they are more committed to an all-or-nothing sectarian conflict between Sunni and Shia.

Madam Speaker, I believe that packing more troops into the narrow streets of Baghdad would be a disaster. As our daily briefings indicate, the dominant conflict now on the ground in Iraq is no longer Coalition forces against al Qaeda and supporters of the Baathist regime. As the daily body counts of tortured and executed Iraqis indicate, the prevailing conflict on the ground in Iraq now is a brutal civil war between the Sunni and Shia militias, with our troops in the middle.

In fact, in a recent hearing here in Washington, it was entitled, "Iraq: What Will it Take to Achieve National Reconciliation?"

Basically, as this hearing pointed out, the key mission that we have given to our troops is to somehow now reconcile the differences between Sunni and Shia in Iraq. Just to be clear on this, Madam Speaker, the Sunni and Shia have been in frequent conflict since the year 632 A.D., following the death of the prophet Mohammed. That is what we have asked our troops to do, in essence, to convince the Iraqis now to stop killing each other and to embrace democracy instead.

The President has now asked our brave sons and daughters to take up a police action or essentially a civil affairs action, going door to door in Baghdad. The mission in Iraq has changed.

I have to wonder, how many votes would the President and Vice President have gotten initially if they had been honest and said, We want to send our sons and/or daughters to Iraq in order to reconcile the differences between the Sunni and the Shia who have been fighting for almost 1,400 years. Not many, I think. But that is where we now find ourselves and our troops. While the mission in Iraq has changed, the President is staying the course. What's more, he has decided to push even harder in the wrong direction.

Now is the time that the American people have fairly asked, What will Congress do? Many of my colleagues believe that this resolution doesn't go far enough; and in honesty, I tend to agree with that assessment. But I do believe that this resolution presents a solid and meaningful step in the right direction.

There will be a further debate in coming weeks on the funding on how to best protect our troops while transitioning to Iraqi control in Iraq, and we will have more opportunity to do that.

Lastly, I would like to address the argument that the continuing war in Iraq is necessary for fighting the global war on terrorism. As I have said before, I have been to Iraq five times now. One of the questions that I have repeatedly asked our people on the ground is, How much of this fight in Iraq is part of the global war on terror? How much of it is involving foreign fighters in al Qaeda? Unanimously, they have recommended that it is about 10 percent of the fight in Iraq.

So 90 percent of our cost, 90 percent of our sacrifice, is in a matter that has nothing to do with the global war on terror. In fact, the Defense Department now says that the Mahdi Army, the main Shia militia, has replaced al Qaeda as the most dangerous force in the increasing violence there.

If we are truly committed to the global war on terror, I might point out we have a situation in southeast Afghanistan and in Waziristan, where the Taliban, who actually did support al Qaeda and who actually did involve themselves in the attacks on September 11, are building support.

While we spend $350 billion in Iraq, Pakistan has meanwhile allowed a safe haven to be established for the Taliban. If we are indeed committed to protecting America and the global war on terror, I would suggest that there are smarter and better ways to do that.

Yes, the American people are waiting for this Congress to take a stand. It is time to step up. I ask my colleagues to support this resolution. It is the first step in eventually bringing the troops home safely

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Ms. BALDWIN). The Chair must remind all Members that it is not in order to engage in personalities toward the President or the Vice President

Mr. SAM JOHNSON of Texas. Madam Speaker, at this time I would like to yield 4 minutes to Mrs. SHELLEY MOORE CAPITO of West Virginia.

Mrs. CAPITO. I would like to thank the gentleman from Texas for yielding me time.

Madam Speaker, I rise today realizing the seriousness of this resolution and the importance of the debate on the war in Iraq.

As we continue this debate, I hope that all of us remember we have serious disagreements about what this resolution says or intends to do, but that we cannot and should not besmirch one another's opinions and the right to that opinion and belief.

I would also like to say how proud I am to be an American, to realize the bounty of our Nation, to appreciate the strength of our forefathers, and to stand in awe of our democracy.

As the daughter of a World War II Purple Heart veteran, I have a great understanding of the sacrifices that have been made in the past to allow us to live freely. I understand and fullly appreciate the men and women who have so bravely put themselves on the frontline to protect our country.

I have thought a great deal about what I want to say today and how I want to say it. When the President announced his plan for a troop surge last month, I expressed my disagreement. And as we debate this resolution today, I still harbor those grave concerns. While I have voiced a disagreement over tactics on how to achieve success in Iraq, the fact remains that I have not backed away from my belief that success in Iraq is vital, and that leaving Iraq prematurely would be disastrous for our Nation's security and the stability of the Middle East.

And let me stress that I will never back away from my commitment to the men and women who serve in our military, and I will not support anything that I believe endangers their safety while they serve in harm's way to protect our country.

So I rise today in opposition to this resolution. My opposition lies not in what this resolution says, but what it intends to do; and that is, to lay the foundation to begin cutting funding for our troops as they fight the radical jihadists who want to destroy our Nation. My fear is not based on wild assumptions or partisan politics, but what leaders are already saying they are planning to do.

The passage of this resolution has been called a baseline. And the Speaker of the House has called it a first step. And then she added that approval of this resolution will set the stage for additional Iraq legislation which is set to come before the House.

□ 1415

Leaders have been tight lipped about the pending legislation. But we have learned that what they want to do is set the stage for legislation that will fence off and limit funding by tying the hands of our commanders on the ground, by presenting benchmarks that will be written so that certainly those funds cannot be spent. To be sure, such actions would restrict funds and tie the hands of our commanders in Iraq. I cannot and will not support any effort to systematically disassemble our greater effort, to defend our liberties and our way of life, and to provide our enemies with a breath of hope that we have lost our will.

Let me be very clear to my constituents and the men and women in uniform. I will never vote to cut funding for our troops, nor will I allow my vote on a symbolic resolution, one that has the force of politics and not the force of law, to be used as a baseline or a first step towards cutting funding for our troops.

I will assertively maintain my support for the troops in my words and my vote, and I will continue to analyze how I can best help achieve success in Iraq so that we may begin to bring our men and women home.

In that spirit I plan to vote against this resolution.

Mr. ENGEL. Madam Speaker, I now yield 5 minutes to the gentleman from Massachusetts (Mr. NEAL), a classmate of mine and distinguished member of the Ways and Means Committee.

Mr. NEAL of Massachusetts. Madam Speaker, I thank Mr. ENGEL for yielding.

Last Saturday in my hometown of Springfield, Massachusetts, I spent the day welcoming back 150 brave American soldiers from the 181st Engineer Battalion of the National Guard who just completed a year-long deployment in Iraq. Their mission was to provide security for their fellow servicemembers and to protect military facilities. This group included members who possessed the Bronze Star, the Combat Action Badge, and the Purple Heart. Every Member of this House and Senate has participated in ceremonies similar to this across the country. We might have our differences about the war, but we find common ground in our steadfast support for these soldiers both in Iraq, on their way to Iraq, and around the world. And that is one of the reasons I intend to vote in favor of this bipartisan resolution today.

There is a reason that the framers of our constitutional system chose in Article I to establish that Congress is the first branch of the government, to oversee the Executive. One of the reasons that we are here today is because the majority at the time never asked a question of the Administration. Everything the Administration said, the Republican majority at that time in Congress went along with.

I am mindful of the thousands of soldiers who have died, more than 3,200. I am mindful of the 21,000 today who have been wounded. I am mindful of those who continue to serve our country bravely and honorably, and that the burden of this war has fallen on these troops and their families. There has been very little sacrifice asked of the American people.

But those who have sacrificed deserve a frank and honest debate about President Bush's policy. This is the debate we should have had 4 years ago.

You cannot edit history. We know today there were no weapons of mass destruction. There was no enriched uranium from Niger. There was no connection to al Qaeda. We were not welcomed as liberators in war. And 3½ years later, the mission has not been accomplished.

Madam Speaker, like the vast majority of the American people, I agree that the war in Iraq is going badly and getting worse. I attach great significance to the National Intelligence Estimate. The overall security situation in Iraq has deteriorated, as they have said, with 2006 being one of the deadliest years to date. The war has increased Islamic radicalism around the world and has helped to destabilize the entire Middle East. By any objective standard, Iraq has descended into something worse than a civil war, as noted by the Iraq Study Group, and our American troops are caught in the middle. And let us call it for what it is: a civil war.

Yet President Bush, nearly 3 years after declaring an end to major combat operations in Iraq, is sending another 20,000 American troops into battle. And Vice President CHENEY, in the face of insurmountable evidence, continues to declare that Iraq is a success.

As we debate this resolution today, it is clear that support for the war is at a tipping point. Our intelligence community, speaking collectively in the recent NIE, they believe that the future of Iraq is grim. And, most significantly, our distinguished military commanders believe it is time for a new direction. General Powell, General Zinni, General Batiste, General Gregory Newbold, and others have all expressed concern about the future of Iraq. These are individuals who were involved in the planning and execution of the war; and, obviously, they do not like what they see.

Even former director of the National Security Agency under President Reagan, retired Lieutenant General William Odom, acknowledged on Sunday that "the President's policy in Iraq is based on illusions, not realities."

I do not believe that public opinion alone should shape public policy, but no one should underestimate the intelligence of the American people. They are convinced that "stay the course," as President Bush has suggested, has not succeeded.

Every Member of Congress wants our soldiers to succeed in Iraq. No elected representative in this institution would ever seek to undermine our servicemen and women. But the facts are clear. The war in Iraq is the most important issue facing America today, and our constituents are entitled to know where their representatives stand on the way forward. That is why this debate, finally, is so important. Just as the debate in 2002 led us into the war with Iraq, perhaps this conversation with the American people that we are having today will begin the process of bringing our troops back home.

More than 4 years ago, I came to the floor of the House with deep reservations about granting President Bush unlimited powers to authorize this invasion of a sovereign country. It is the best vote of opposition that I have offered in my 19 years in this House of Representatives

Mr. SAM JOHNSON of Texas. Madam Speaker, at this time I would like to yield 4½ minutes to the gentleman from Ohio, Mr. JIM JORDAN.

Mr. JORDAN of Ohio. Madam Speaker, I thank the gentleman for yielding, and I thank him for his amazing service to our country.

Madam Speaker, I rise in opposition to this resolution. There have been many good arguments made as to why this resolution is not in the best interest of our military, not in the best interest of our country. But I want to focus on one point, and that is just how real and how serious the threat of terrorism is, because that is what this struggle in Iraq is really about. And I am just going to read the list of terrorist attacks against Americans, and we have heard this list before, but I think it is important to refocus on this:

In 1979, 66 American hostages were taken in Iran. In 1983, 241 Marines were killed in Beirut. In 1988, 189 Americans were killed in the PanAm bombing. In 1993 in the first World Trade Center bombing, we lost six Americans. In 1996, 19 servicemembers were killed in the Khobar Towers bombing. In 2000, 17 American sailors lost their lives in the USS *Cole*. And, of course, in 2001, that date we all remember, 9/11, 2,973 Americans lost their lives in the World Trade Center bombing, in the Pentagon, and in Pennsylvania.

When you think about the actions of these terrorists and how real and dangerous they are, I am reminded of last summer when the Pope made a statement in a speech about the radical element, small but radical element, within the Islamic faith and the violence associated with that element. And the reaction to the Pope's statement about violence among this radical, but small, element, the reaction to his statement about violence was violence. It was the destruction of churches, the destruction of buildings. It was the taking of a life of an innocent nun in Italy. That is what we are up against.

This Democratic resolution puts us on a path towards leaving Iraq before victory is attained. It puts us on a path that will cut funds to our brave men and women already in battle. It puts us on a path that is wrong for America. And, most importantly, I think, it puts us on the wrong path that will most assuredly embolden the very people who are responsible for the terrorist acts I just listed.

If you remember, shortly after 9/11 the President gave a series of speeches where he outlined a policy. He said if you are a country that harbors terrorists, if you are a country that provides financing to terrorists, if you are a country that trains terrorists, if you are a country that is producing weapons that are going to harm vast numbers of people, if you are doing those things, we are going to put you on notice that we are not going to tolerate it.

And if you remember, it was amazing how quickly Moammar Kadafi in Libya found the Lord and saw the light and how quickly he was willing to say, I am going to work now with the United States. He understood that when America says something, we mean it. If we just do what this Democratic resolutions puts us on the path to do, I am afraid of the message it sends to the Kadafis around the world and what that can mean for the future safety of Americans and for our military.

This is a great country. We have been able to overcome whatever challenges have presented themselves to us throughout our history. And it is important that we have the same resolve as we approach this challenge.

I am just a freshman Member of the Congress; and just a few weeks ago it was put on display about what is so great about America, as we said, in this Chamber during the State of the Union address. And during that speech, the President pointed up to the gallery, and he highlighted some great Americans, some American heroes. And the one that stuck out in my mind, and many of you may remember this, was Wesley Autrey, the subway man. And I thought it was so amazing to see what this man had done and how that contrasts with the actions of the terrorists. Wesley Autrey in the subway, willing to jump in front of a train on the track to save a complete stranger simply because he was a fellow human being. Contrast that action with the action of the terrorist who will jump into that same subway, blow himself up to kill as many innocent people as he can.

What is great about this country is the respect we place on human life, the preciousness and sacredness that Americans have for human life. That is the difference between us and the terrorists. That is why it is so important to confront these folks wherever they choose to fight us. Right now that place is Iraq. That is why this resolution is bad.

Ladies and gentlemen, we should not pass a resolution in which politicians second guess our military leaders in the field. We should not pass a resolution that will embolden our enemy. And, most importantly, we should not waver in our commitment to protect human life and to confront the evil that is among us.

I urge a "no" vote on the resolution

Mr. ENGEL. Madam Speaker, I now yield 5 minutes to my sister's Congressman, a gentleman who worked hard to become a member of the Ways and Means Committee, the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Madam Speaker, the Wall Street Journal accused us of trying to micromanage this war. Well, this President has not listened to the generals. He hasn't listened to the American people. And he hasn't listened to the Iraqi people. He has micromanaged this failure.

Four and a half years ago, Madam Speaker, on this floor I stood in this Chamber, along with 295 of my colleagues, to support the resolution authorizing the President to attack Iraq. I regret that vote deeply. And I told my constituents in my district 1½ years ago that I made a mistake. Down the street they make no mistakes. They are infallible.

I did so because the premise on which we authorized this war was false, the military plan for victory has been weak, and more than 5 years later, this war has made our Nation less safe.

We stand ready to vote on a different resolution that could take a significant step towards remedying the historic mistake we made in October of 2002. The troop escalation advocated by President Bush will only widen our involvement in this conflict and put more brave American troops in the middle of a vicious civil war. Voting in favor of the President's escalation plan is an historic error, and I stress the historic nature of this debate because I am a firm believer that history is telling of the future.

The history of this war shows that this President cannot form the right policy for victory. He should have sent additional troops in 2003 when the generals asked him to do that, when it was possible to restore order in Baghdad, instead of now in 2007 when violence reigns supreme.

The history of Iraq shows it has been wracked by sectarian and ethnic division long before it was even a state, a fact conveniently ignored by this President and his supporters on their march to Baghdad.

Remember, Iran and Syria and others are possibly fighting a proxy war by supplying insurgents against an unpopular foreign occupier, the same role that we played in helping the Afghans to fight the Soviets 20 years ago; and we know how that conflict turned out.

In history I see the lessons, Madam Speaker. As I speak today, in 280 B.C. when King Pyrrhus of Greece defeated the Romans during the Pyrrhic War, his army suffered irreplaceable casualties in battle. And when he was congratulated on his victory, he replied: "Another such victory like that over the Romans and we are undone."

We have heard the word "success" and we have heard the word "victory" so many times that they are now as pyrrhic, empty, fleeting, hollow.

□ 1430

The lesson is clear. The President's escalation plan offers an illusion, when only the real hope is that it offers a Pyrrhic victory at best.

Our Armed Forces have been used, abused, refused and accused. They have been overstretched. They were ill-equipped from the very beginning. Don't tell us we don't support the troops, when you did not give what they deserved in the field of battle. Our military readiness to fight the ongoing war on terror is now in serious doubt because of this war. Don't question our patriotism. Don't question our support or the American people's. Listen.

By the way, Madam Speaker, have we asked the Iraqis what they feel? Well, 80 percent of them want us out. Don't they count? Can't we ask and listen to at least the very people whose country we occupy, this sovereign nation? This is unbelievable. It is illusionary at best. And what will we say to these Iraqi people? I want to hear the answer from the other side. What is your answer for them when they say, Don't stay here, and certainly don't escalate. I ask the loyal opposition to our resolution to tell the American people how much do the intentions of the Iraqi people really matter to you?

The epicenter of our fight against terror is on the border of Afghanistan and Pakistan. Many of us have been there. Many of us have gone there. You have forgotten that part of the world, which many did not even know on September 11, 2001, where Afghanistan was in the first place.

The clear message we send to the Iraqi people and the American people is that we will bring freedom to Iraq, even if it takes the blood of every Iraqi and the lives of more American soldiers. That is not good enough. That is not acceptable.

You have heard the statistics from speaker after speaker. Previous escalations in this war have not worked. Why will this one work? Our ill-fated presence in Iraq is being used as a propaganda tool for the enemy, al-Qaeda, and other terrorists worldwide.

In the years since 9/11, more terrorists have been created through this President's policies than were captured or killed. There weren't any terrorists in Iraq in 2003, but there are now.

I urge my colleagues to support this resolution.

Mr. SAM JOHNSON of Texas. Madam Speaker, I yield 4 minutes to Mr. PETER ROSKAM from Illinois.

Mr. ROSKAM. I thank the gentleman for yielding.

Madam Speaker, we are here to debate a House Concurrent Resolution, and the root verb of "resolution" is resolute. I just want to challenge the House today to consider the resolution of our enemies. I would like to read three quotes to you.

Resolved, by Osama bin Laden. The whole world is watching this war, and the two adversaries, the Islamic nation on the one hand and the United States and its allies on the other. It is either victory and glory or misery and humiliation.

Or how about this? Resolved, in the al-Qaeda charter: There will be continuing enmity until everyone believes in Allah. We will not meet the enemy halfway, and there will be no room for dialogue with them.

Or how about this, and I am paraphrasing: Resolved, from Osama bin Ladens deputy, who said that the plan is to extend the jihad wave; to expel the Americans from Iraq and extend the jihad wave to secular countries neighboring Iraq, clash with Israel and establish an Islamic authority.

Is there anyone among us who doubts the resolve and clarity with which our opponents are speaking? I don't.

I think what is lacking today in our conversation is the consequences of failure. The previous speaker used the words "victory" and "success." He had a very low view of them, and I understand his characterization of those words. He said we have heard those words before. That is what the gentleman from New Jersey said.

But, do you know what? We will hear the word "failure" when it is used in the context of this challenge that is before us.

There is no question that there has been great difficulty that has gone before us in this fight. There is no question that there have been great mistakes that have been made, and I am wholeheartedly in favor of us acting as a coequal branch of government and calling for benchmarks and demarcation and holding the administration accountable for its decisions.

But if we fail in this, if we pull out, if we retreat, if we yield, what will happen? Is there anybody really who thinks that Iran, for example, will be less provocative? Is there anybody who thinks that al-Qaeda will be less provocative?

If we fail, extremism in this world, will it be ascendant or will it be descendant?

Madam Speaker, I close with a simple question, and that is, we need to ask, What is it about this resolution that will do one of two things? Does this encourage our troops, or does this discourage our enemies? I would suggest that this resolution, while it is serious, oh, it is very serious, it is not substantive. This is the ultimate expression of legislative passive aggression. It offers no substantive alternative.

Madam Speaker, I rise in opposition, and ask my colleagues to do the same.

Mr. ENGEL. Madam Speaker, I yield 5 minutes to my dear friend in the adjoining district, the gentlewoman from New York (Mrs. LOWEY), the Chair of the Foreign Operations Subcommittee of the House Appropriations Committee.

Mrs. LOWEY. Madam Speaker, a violent civil war is raging in Iraq, with atrocities against innocent civilians mounting every day. Our troops, our brave troops, are caught in the crossfire, dying and being maimed driving on local roads, patrolling neighborhoods and moving about by helicopter. What is their mission today? What is the strategic objective of the escalation proposed by the President?

President Bush's plan to deploy 20,000 additional U.S. combat troops to Iraq is not a new strategy, and nothing I have seen or heard has convinced me that this escalation will make a positive difference in Iraq or hasten the safe return of U.S. troops. In fact, General Abizaid said that "more American forces prevent the Iraqis from taking responsibility for their own future."

Four previous troop surges between December 2003 and October 2006 have not made a dent in the level of violence nor in the number of U.S. casualties. We have spent nearly $500 billion in Iraq and Afghanistan, and yet inexplicably our troops still do not have the protection they need. Throughout this war, many in Congress have addressed the lack of equipment and protection for our troops. Now, military leaders are saying there are not enough armor kits and vehicles to protect these additional five brigades the President plans to send to Iraq. It is unacceptable to send more soldiers to Iraq, but it is unconscionable to send them without proper armaments or an explanation from the administration about how our troops will be protected.

Madam Speaker, 3,132 Americans in uniform have died and 23,417 have been wounded since the start of the war in Iraq. I visited our wounded soldiers at Walter Reed, Bethesda Naval Hospital, and, most recently, at Landstuhl Military Hospital in Germany during my visit to Iraq with the Speaker.

I stood at the bedside of a 23-year old severely wounded soldier, a soldier who was holding the hand of his 21-year old brother, currently serving in Iraq, and the hand of his father, who had also served in the Armed Forces, a soldier who will likely never come home. These families are making the ultimate sacrifice for our family. I am humbled by their commitment, their professionalism and dedication. We have a responsibility to our Armed Forces, our citizens, and the constituents who have elected us to bring them home as quickly and safely as possible.

I am convinced that the thorough analysis and conclusions of the bipartisan Iraq Study Group are correct. Iraqi leaders must take responsibility for the country's security and government and we must engage the international community to work towards stability in the region. There is no military solution to the crisis in Iraq, and we cannot send more brave men and women to police a civil war.

As I have said many times before, there are no good solutions to the quagmire in Iraq. This war was ill-conceived, poorly planned and incompetently executed. The best military minds must now focus their efforts on the safe and responsible redeployment of our troops rather than on this escalation. I cannot support sending more of our brave men and women in uniform on a last-ditch, misguided mission.

We best support our troops, my colleagues, and our national interests, by adopting this resolution, and by expressing clearly on behalf of the American people our firm determination to change course in Iraq.

Mr. SAM JOHNSON of Texas. Madam Speaker, I yield 3 minutes to the gentleman from Idaho, Bill Sali.

Mr. SALI. Madam Speaker, before I begin, I would first like to thank you for reminding the body of the need for decorum in our remarks

Madam Speaker, several points. First is, it is stunning to me that this body will consume over 36 hours of floor debate on a nonbinding resolution. This should be on the consent calendar. Irrespective of one's position on the war in Iraq, all taxpayers are right to be incensed at such waste in this Congress.

This legislation will not have the effect of law, will neither inspire nor impede military action in Iraq or elsewhere, will not encourage our troops on the ground nor foster victory over America's enemies that practice terror. It will have one effect: poking the President of the United States in the eye, diminishing his credibility among the international community and eroding his ability to lead here at home. It will also have the very genuine result of undermining and demoralizing our soldiers that are now in harm's way.

Second, equally stunning is the apparent preoccupation with demeaning President Bush while ignoring those who are our real enemies. Our enemies are not in the White House or the Defense Department. They are not people like David Petraeus or his staff. They are not the vast majority of Muslims throughout the world, who, like us, want simply to live peaceful and secure lives.

America's enemies are radical Islamists, less than 1 percent of all Muslims, whose faith requires that a pure Islamic state be established and that violence is the instrument by which to establish it. Their faith requires terrorist acts against the West and all Muslims who stand in the way of that agenda. That is why Osama bin Laden can say that he and his followers are "in love with death." Indiscriminate slaughter is, for these sick people, merely a tool in their arsenal of moral barbarity.

That is why his second-in-command has declared that Iraq and Afghanistan are "the two most crucial fields" in their war. That is why al Qaeda in Iraq has declared an Islamic state in Iraq's Anbar Province.

Third, how do America's enemies view us? For one thing, they fear George W. Bush and our military. That is why Libya's Mu'ammar Qadhafi 3 years ago surrendered his nuclear materials to the U.S. That is why Moqtada al-Sadr, Iraq's most powerful militia leader, just made a beeline for Iran; not for a sunny vacation from long, tiresome days of planning suicide bombings, but because he feared for his life.

□ 1445

But America's enemies view Congress quite differently. They see us as divided, irresolute, unwilling to face honestly their concerted plan for our destruction. Hence, this nonbinding resolution.

In light of this reality, I would ask my friends across the aisle, what is your binding plan for defeating America's enemies? America, our allies and our enemies are still waiting for your binding plan.

More than 3,000 Americans have died upholding the hope of defeating America's real enemies and bringing freedom to Iraq. We must not allow their deaths to become a pretext for the abandonment of that hope of victory or abandoning the Iraqi people. But rather, they must serve as the inspiration of a renewed commitment to hope of victory and security for Iraq. We owe to their heroism and sacrifice nothing less than one thing, victory over America's enemies in Iraq.

America is the last best hope of man on Earth. A victory in Iraq is our last best hope of defeat of America's most dangerous enemies and also the freedom and security in the Middle East. We must not fail.

Mr. ENGEL. Madam Speaker, I yield myself 5½ minutes.

Madam Speaker, I am going to come here and speak from the heart. I do not want to read a speech because I think it is important to speak from the heart. I am not here to point fingers. I am not here to chastise anyone. I am not here to talk about what might have been.

I support our soldiers. I support the war against terror, but I rise in support of this resolution which is Congress' responsibility. We have to look, Madam Speaker, at the current situation in Iraq as it is, not as we might wish it to be, but as it is.

Several years ago, I voted to give the President the authority to go to war in Iraq based on what we were told then. I must say that I regret that vote.

I regret it not only because no weapons of mass destruction were found or that there was no connection between al Qaeda and Iraq at that time, even though we were told there was. There was obviously faulty intelligence. We will never quite know if we were misled or if our intelligence was bad. But one thing is very, very clear to me, that this war has been mishandled from the beginning.

The President is now talking about a surge of sending 21,500 more troops to Iraq. When we first went into Iraq, I am a big believer if you are going to do something, you do it right or you do not do it at all. We were told by General Shinseki that there were not enough troops in Iraq, not enough troops at that time several years ago to be able to protect the borders, to protect insurgents from coming in, to protect people that would do us ill from coming in.

And his statements were dismissed. Not only were his statements dismissed, but then he was dismissed; and now here it is 3 or 4 years later, we are being told that the solution is to send more troops again. It is obvious to me that this is too little too late.

The war in Iraq has morphed into a civil war. It is obvious to anybody who looks at the situation that the Shia and the Sunni are fighting each other, and our brave men and women are caught right in the middle of it. Eighty percent of the people of Iraq on both sides do not want us there, and more and more our people are becoming sitting ducks.

I grieve for the more than 3,200 brave Americans who have died and the countless thousands more who have been injured; but it is one thing, Madam Speaker, to die in fighting for the freedom of your country, defending your country. It is quite another to die in a senseless civil war that more and more we see we cannot control nor probably should we attempt to anymore.

From the minute we came into Iraq, unfortunately, not only did we have no troops, there was mistake after mistake. We fired the Ba'ath Party people. So we had people who were angry at us to begin with. We have not been able to give the Iraqis what we said we would give them. They find that their way of life is worse now than ever before. We were not greeted as liberators, but we were greeted as occupiers.

And when we look at what we supposedly are there to protect, we look at the leader of Iraq, Mr. Maliki. He is propped up by the al-Sadr brigade, viciously anti-American, viciously killing Iraqis. He cannot go after them. They are the base of his support, and we are to believe that somehow he is a great patriot and is fighting for democracy in Iraq.

We talk about al Qaeda. Al Qaeda is certainly a threat. I am a New Yorker. I will never ever forget September 11, 2001. And we have to go after al Qaeda and we have to fight terrorism, but I believe that the war in Iraq has now become a distraction against the war on terror.

So by staying in Iraq, are we fighting the war on terror, or are we making it more difficult? A troop surge will not work. There are other priorities that we have. Our young people are sitting ducks. This is more and more like Vietnam. You cannot leave and you cannot stay.

We support our troops. This surge will not work. Congress needs to send this message to the President and to Iraq and to the world.

Mr. SAM JOHNSON of Texas. Madam Speaker, I yield 5 minutes to the gentlewoman from Michigan (Mrs. MILLER).

Mrs. MILLER of Michigan. Madam Speaker, I am proud to be yielded time from a true American hero.

If at any time while I am in the Congress and I am asked to vote to authorize war, I will ask myself two fundamental questions, two caveats to such action. Number one, what are the United States' vital interests? How are our vital interests being advanced? Number two, what is the mission and how is the mission being defined?

I was not in the Congress when the vote to give the President the authority to go to war in Iraq was taken, but as I remember the debate during that vote, it was heavily predicated on the fact that we thought that Saddam Hussein had weapons of mass destruction, and the mission seemed to be principally defined as finding WMDs. It is clear that he had them at one time because he used them on his own people. However, since we have gone into Iraq, whether it is because they have transited the country or they were destroyed, or whatever the reason, we have not found them.

Then the mission was defined as toppling the oppressor, the butcher of Baghdad, Saddam Hussein. And we have done so. We let the Iraqi courts exercise their due diligence in a court of law, and he is dead now. Good riddance, and hanging was too good for him.

Then we defined the mission as providing a stable framework that would allow the Iraqis to build a democracy because we can all agree that having a democracy in an Arab country in the Middle East would be optimal for the entire world. They have had their elections. They have adopted a Constitution, and they have elected leadership that is in place.

Again, I ask about the United States' vital interests and how we are defining the mission because, Madam Speaker, the mission needs to be understood. It is important that those of us in Congress can understand it, of course. It is important that the American people can understand it. But most importantly, the brave men and women who wear the uniform and are in theater risking their lives and their limbs need to be able to understand the mission.

President Bush has said that the mission is to achieve stability in Iraq, to train the Iraqi forces so that they will be able to stand up so that we will be able to stand down. He says that the so-called surge is a necessary thing to do.

As a member of the Armed Services Committee, I have listened to the testimony from the Joint Chiefs of Staff, the Secretary of Defense as well, about how this surge will work, and in my mind, a surge is a quick, overwhelming show of force. However, as it has been explained to me, this action will have two of a total of five brigades begin to deploy to Baghdad and the Anbar province and then gradually the other three brigades will be deployed as an assessment can be made on how the first two are doing.

I will note that I have read that General Schoomaker, Army Chief of Staff, has said in a closed door hearing that he thought the surge had a 50–50 chance of success.

Madam Speaker, our troops have done everything that we have asked them to do and more, and you cannot blame America for the Iraqis' failure to stop killing one another in a religious frenzy.

I am a product of the Vietnam era. My husband was an Air Force pilot in Vietnam. My county has the largest chapter of Vietnam veterans in the entire Nation, and although I have resisted making any analogy from Iraq to Vietnam, I will make this one personal observation.

From the very beginning of the Iraq conflict, we should have allowed our troops to go in and use overwhelming force; but we were told, no, that we had enough. Those that suggested otherwise were dismissed, and so they micromanaged from the White House, and now I think they are doing the same with this surge. Our troops can win, but they are being held back. They are being micromanaged by our politicians. We are not letting them win, and this is the lesson that I learned from Vietnam.

In Vietnam, we used a graduated response. We held back our troops. We did not use overwhelming force, and after many died, we left the field and I cannot believe in my lifetime that once again we are repeating this mistake.

I support the troops and I support victory. I recognize how incredibly complex this situation is. I recognize that having our troops leave will probably result in a loss of human life that will be horrifying. I recognize that leaving will probably encourage the neighbors to move in to protect their own interests, and I recognize that the war on terror will follow us if we leave.

Yet, recognizing all of this, since the Iraqis will, for whatever reason, not stand up to ensure their own freedom, how can we ask Americans and for how long to continue to do so for them? Either use overwhelming force to win, or get out and do not continue to ask our troops to fight with one hand behind their backs.

Mistakes have been made, as they always are in war; but another lesson that I learned from Vietnam is that the only thing worse than micromanaging a war from the White House is micromanaging it from here in Congress. And this is a time when every Member in this House needs to dig down deep and vote their conscience, knowing that sending the right message to the administration has the very real consequence of sending the wrong message to the troops who so bravely and professionally fight for freedom and liberty and democracy.

Vote "no" on this resolution.

Mr. ENGEL. Madam Speaker, I yield 5½ minutes to my fellow New Yorker (Mr. BISHOP).

Mr. BISHOP of New York. Madam Speaker, I rise in strong support of this resolution which is a clear and concise response on behalf of the majority of Americans who share our opposition to the President's misguided plan to escalate the presence of U.S. troops in Iraq.

We can all agree upon and indeed must take this opportunity once again to affirm that our support for the brave men and women of the United States Armed Forces is steadfast and unyielding.

As this resolution declares, our first priority must continue to be protecting the brave men and women in uniform who have served this Nation honorably and valiantly. The decision to invade Iraq is the single most devastating and misguided foreign policy decision our Nation has ever made, and the process of protecting our Nation from compounding this tragic error must begin this week under new leadership with a clear vision and a plan that finally acknowledges that we can no longer stay the course in Iraq.

□ 1500

After nearly 4 years of war, the sacrifice of more than 3,100 brave servicemen and -women, tens of thousands more injured, and over $600 billion spent on the war to date, President Bush's "mission accomplished" declaration certainly rings hollow.

We must not forget whose war and misguided strategy failed us, and we must ask who the President is listening to beyond the small circle of advisers who were the architects of this fiasco in the first place.

The only strategy this administration has proposed is to stay the course, augmented by four earlier surges, along with the most recent plan to deploy the additional 21,500 U.S. troops, likely to escalate further to 40,000 to 60,000 more troops before the year's end. This latest policy is stay the course writ large.

The President's plan operates under the assumption that somehow, despite all the evidence to the contrary, there is a military path to success if only more forces are on the ground. Not only is this logic flawed, it flies in the face of the wisdom of his top generals in the field, such as the former commander of the U.S. Central Command, John Abizaid, who told the Senate Armed Services Committee that "more American troops right now is not the solution to the problem."

I agree. We cannot afford to inject more of America's best and bravest into the chaos, particularly without the armor and training to protect them. Shortchanging our heroes in the face of a relentless insurgency is unworthy of this Nation. If we can't supply our troops with what they need, how can we possibly contemplate an escalation?

Without a reduction to the violence against U.S. troops, without stability in the region, and without evidence of a correlation between the raging violence and the number of U.S. troops and the number of trained Iraqi troops, now is the time to reduce the U.S. combat presence in Iraq, not expand it.

The Republican mantra has been that the Democrats don't have a plan for Iraq other than cut and run, an assertion that is simply false. We do have a comprehensive plan for Iraq that includes implementing the recommendations of the Iraq Study Group, a regional conference to engage Iraq's neighbors diplomatically, and seeking political solutions to the escalating turmoil in the region. But again I would ask, what evidence is there to suggest that this President will listen to anyone's plan other than his own?

This is simply not an insurgency that needs to be crushed. Confirmed by the President's most recent National Intelligence Estimate, Iraq is in a state of civil war, and thus political solutions are needed to address the real problem. Although al Qaeda remains active in Iraq, they have been surpassed by ethnic violence, the primary source of conflict and the most immediate threat to stability in Iraq.

Proponents of the war claim that those opposed to the surge aren't supporting the troops. I would ask them how we are supporting our troops while keeping them in a country where 70 percent of Iraqis believe it is acceptable to attack U.S. troops, where 78 percent believe that our troops provoke more violence than they prevent, where three-quarters of them would feel safer if American forces left Iraq.

By staying the course in Iraq, we are putting our troops in a situation that has no positive outcome. Aren't the lives of our troops more valuable than saving political face and trying to prove a point?

And while it is well known that the claims of weapons of mass destruction were based on faulty intelligence and there was no connection between Saddam Hussein and al Qaeda, why are we committing our troops and resources towards refereeing a civil war in Iraq, thereby diverting resources required to win the global war on terror rather than fighting al Qaeda in Afghanistan, tracking down Osama bin Laden, and preventing another terrorist attack against America?

The President's earlier NIE made it very clear last September that the war in Iraq has become a primary recruitment vehicle for violent Islamic extremists, motivating a global jihadist movement and a new generation of potential terrorists around the world whose numbers may be increasing faster than the United States and our allies can reduce the threat.

Opposition to this surge does not mean a lack of support for our troops; rather, it affirms what the American people made clear last November, that our policy in Iraq is not working and that we need a new direction. I will vote for this resolution, and I will continue to join with colleagues on both sides of the aisle to bring our involvement in this misguided tragedy to an end

The NIE also indicates that, rather than contributing to eventual victory in the global counter-terrorism struggle, the situation in Iraq has diminished America's position, What additional evidence does the President need to prove that his policies in Iraq are only making matters worse for Iraqis and making the world decidedly less safe for America?

And to those who would argue that this resolution sends a signal to our enemies that we are weak and divided, you are wrong. This debate proves why democracy works, unites us, makes us stronger, more resolute, and why these strengths—that our enemies envy and seek to overcome—will ensure that we ultimately prevail over them.

Opposition to this surge does not mean a lack of support for our troops. Rather, it affirms what the American people made clear last November—that our policy in Iraq is not working and we need a new direction.

I will vote for this resolution, and I will continue to join with colleagues on both sides of the aisle to bring our involvement in this misguided tragedy to an end. Voicing opposition to this war, to this President's policies, and to more of the same is our solemn responsibility, consistent with the objectives of this resolution, the hopes of the American people, and the mission of the U.S. Armed Forces.

Mr. Speaker, I commend the Majority leadership and the distinguished chairmen of the Armed Services and International Relations Committees for their hard work and making this debate a priority of this Congress.

Mr. SAM JOHNSON of Texas. Madam Speaker, at this time I would like to yield 5 minutes to my friend from Virginia, VIRGIL GOODE.

Mr. GOODE. Madam Speaker, it is an honor to receive time from someone who served our Nation in the finest way and who knows firsthand how hurtful a resolution such as this can be to those in theater.

We are in the middle of a 4-day marathon here. While I cannot say that I agree with all of the actions of the President in dealing with Iraq, I will not be supporting H. Con. Res. 63. The eyes of the world are upon this House, and there will be commentary from the Middle East to the streets of small-town America about what we do here over this 4-day period, even though this resolution does not carry the weight of law.

When the commentary begins in the Middle East, in no way do I want to comfort and encourage the radical Muslims who want to destroy our country and who want to wipe the so-called infidels like myself and many of you from the face of the Earth. In no way do I want to aid and assist the Islamic jihadists who want the green flag of the crescent and star to wave over the Capitol of the United States and over the White House of this country. I fear that radical Muslims who want to control the Middle East and ultimately the world would love to see "In God We Trust" stricken from our money and replaced with "In Mohammed We Trust."

I am not sure that reinforcing the existing troops by 20,000 will save us from the jihadists, and I am not sure it will prevent chaos in Iraq. I do hope that these additional forces will stabilize Baghdad and will lead to democracy and a tolerance of divergent views and religions in Iraq. Unfortunately, the history of that region does not bode well for such conclusions.

In my view, the United States by removing Saddam Hussein has provided a great opportunity for Iraq to be a showcase for tolerance and understanding. Perhaps one day Iraq may want to adopt something like the first amendment of our country. That may only be an optimistic hope.

I hope my fears and the fears of others about chaos and calamity prove false. If the Shiite and Sunni controversy escalates and the situation worsens, we could be faced with a clamor to admit thousands and perhaps millions into this country. I call on the President and our Secretary of State to not allow a mass immigration into this country with the dangers and pitfalls that it could bring to our safety and security. The terrorists would surely enter into this country in such a way as the 9/11 terrorists swam around in a sea of illegal immigration before we were struck on September 11.

Let us vote "no" and let us forestall, if not prevent, calamity.

Mr. ENGEL. Madam Speaker, I now yield 5 minutes to one of our freshmen, Representative JASON ALTMIRE of Pennsylvania, surely a rising star.

Mr. ALTMIRE. Madam Speaker, in the lead-up to the war in Iraq, the President offered the American people many reasons why we should enter into this conflict. We were told unequivocally that Iraq possessed weapons of mass destruction and posed an imminent threat to the United States. We have since learned that pre-war intelligence was completely inaccurate.

We were told that proceeds from Iraq's oil reserves would pay for the cost of the war. Instead, the American people have paid for the cost of the war. So far, $400 billion, with an additional supplemental request of $100 billion pending.

We were told that we would be greeted as liberators. Nothing could be further from the truth. More than 3,000 American troops have been killed, more than 23,000 injured, and violence in Iraq continues to escalate. There are over 900 weekly attacks on U.S. troops.

These predictions were in the past, but they are instructive as we consider the President's current predictions on how to achieve success in Iraq.

The American people have expressed their clear frustration with the conduct of the war. The bipartisan Iraq Study Group offered a comprehensive strategy to successfully move combat forces out of Iraq. High-level military leaders, including General John Abizaid, have expressed opposition to an escalation of troops. But the President continues to ignore public opinion, rejects sound advice, and stubbornly adhere to his failed go-it-alone policies.

He says he wants a bipartisanship study; but when his results are not to his liking, he dismisses it. He says he wants to hear from his advisers; but when they disagree with them, he dismisses them. He says he wants to hear from his generals on the ground; but when they tell him what he doesn't want to hear, they are reassigned.

The fact is, Madam Speaker, the President's plan to escalate the war in Iraq is not a new policy, just more of the same failed policy.

The solution in Iraq requires the Iraqis themselves to reach a political solution and take responsibility for their own government. The continued open-ended commitment of U.S. forces only deters the Iraqis from making the appropriate political decisions, training security forces, and enacting the reforms necessary to achieve stability.

The Iraq war resolution before us today is simple and straight forward. Let me explain what it does and what it doesn't do.

First and foremost, this resolution expresses our continued support for our military men and women who are serving bravely and honorably. It also expresses the sense of Congress that we disapprove of the decision made by the President to send additional troops to Iraq.

So make no mistake, this resolution is in support of our troops. Anyone who says otherwise is simply wrong. No Member of this House, Republican or Democrat, wants anything less than victory in Iraq and to support our troops.

This resolution does not affect the funding levels to carry out the war. And on that point, let me be clear. As long as we have troops in the field of battle and brave Americans in harm's way, I will never vote to withhold their funding.

I support this resolution because we have the duty as representatives of the American people to continue to voice their opinion that, with his policy of escalation, the President is heading down the wrong path.

The best way forward is for the President to work with Congress, to change course, and adopt a responsible strategy that protects American interests in Iraq, around the region, and at home.

I urge every Member of this House on both sides of the aisle to heed the call for change and vote for this resolution.

Mr. SAM JOHNSON of Texas. Madam Speaker, at this time I would like to yield 4 minutes to the gentlewoman from Oklahoma, Mary Fallin.

Ms. FALLIN. Madam Speaker, I would like to begin by reviewing a little history. There have been a number of times in American history when wars didn't go as we had hoped or planned. That winter at Valley Forge was certainly difficult. During the War of 1812, the British occupied this very building, and the Civil War was far more costly and far longer than we hoped it would be.

In World War II, the North African campaign was something of a mess. And the bloody island campaigns of the South Pacific were not something we had foreseen.

In Korea and Vietnam, we brought limited force to bear, and we wound up settling for stalemate and ultimately defeat.

So some of our wars went well, but more often they look a lot simpler and cleaner in the history books than they really were in reality. And if there is one constant warning that runs throughout our history, it is this: Congress has a vital role to play in helping America win its wars. But it can also play a role that is unintended in losing them if it says or if it does the wrong thing at the wrong time. And that is what this resolution says and does, the wrong thing.

This is a nonbinding resolution, which is nothing more than a political game. But the war on terror is not a game. We have to consider what our enemies will read into this resolution. What if Congress during the Valley Forge winter had passed a resolution saying it is time to send our troops home, retire General Washington, and go ahead and pay the tax anyway? What if Congress in the spring of 1863 had looked at the results of Bull Run and said, We can't win this, it's a civil war. Forget the idealism about freeing the slaves.

What if Congress in 1942 or 1943 had told Franklin Roosevelt to pull out of North Africa and Italy and to give up those silly ideas of liberating France? What would our enemies have thought about America's lack of will? They would have assumed that we had lost our will to win, and they would have said America can't cut it.

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Well, make no mistake, Iraq is just one battle in our overall war on terror. If this resolution passes, it is sending a very clear message of our weakness, and our enemies are watching today. Just listen to the words of Osama bin Laden. He said, The whole world is watching this war and the two adversaries, the Islamic Nation on the one hand, and the United States and its allies on the other. It is either victory or glory, or it is either misery or humiliation.

We cannot be the Nation of humiliation. The terrorists know what is at stake, and it is time that we show them that we know as well, and that failure is not an option for our Nation. We have to ask ourselves, what is at risk for the future of our Nation? Will our Nation be safer from radical Islamic terrorists if we pull out before the new Iraqi democracy becomes stable and an ally in the war on terror? Ask yourself, what Islamic terrorist leader has said that if America leaves Iraq that he will be satisfied and the terrorists will end their attack? Has not been said.

We must take extraordinary precautions to protect our Nation from those who would do us harm, and someday our children and our grandchildren will look back on this decision this week, and they will reflect on their lives, and the question we have to ask ourselves today is will our children live in a safer America?

I urge the rejection of this resolution.

Mr. ENGEL. Madam Speaker, before I yield to my next speaker, I am told we are rapidly running out of time, and I will not be able to yield additional time to anyone beyond the 5 minutes.

I now have the pleasure of calling on another new star in this Congress, Representative BRUCE BRALEY of Iowa, for 5 minutes.

Mr. BRALEY of Iowa. Madam Speaker, I grew up surrounded by heroes. My father, Byard Braley, got permission from his mother at the age of 17 to enlist in the Marine Corps, and 1 year later found himself landing on Iwo Jima, the same day the flags were raised on Mount Suribachi. Thirty thousand marines and Japanese soldiers lost their lives in 1 month on an island the same size as my hometown of Brooklyn, Iowa.

My father saw one of his best friends vaporized by a shell burst, and we did not learn that fact until 15 years after he died.

The same night that my father landed on Iwo Jima, another marine from my hometown of Brooklyn slept under those flags as Japanese bombs flew overhead. Harold Keller was the real deal. He was the second marine to reach the summit of Mount Suribachi, and he single-handedly fought off a Japanese counterattack and rescued the people you see depicted in Flags of Our Fathers.

When he came home to my hometown, he repaired milking equipment for area farmers. My uncle Gordon Braley served in the merchant marine, guarding allied shipping lanes in the North Atlantic.

My Uncle Bert Braley served in the Army Air Corps, and my Uncle Lyle Nesselroad served in the Navy. My cousin, Dick Braley, was a Marine Corps artillery officer at a firebase in Vietnam.

These ordinary men taught me that patriotism is not something you claim by putting down others who disagree with your viewpoints. It is something you earn by the way you live your life, the respect you have for the institutions that make the United States a great beacon of liberty, freedom and justice.

When I return to my hometown of Waterloo, Iowa, I am still surrounded by heroes. These heroes belong to the battalion of the Ironman Battalion of the Iowa National Guard. They are approximately 560 fathers, mothers, brothers and sisters from Waterloo, Dubuque, Oelwein and everywhere in between.

One of them, Ray Zirkelbach, is missing his second consecutive year in the Iowa House of Representatives, because their latest tour was recently extended. A flag is draped over his desk in the House chamber.

These heroes are the reason why I stand here today in opposition to the President's plan to escalate the war in Iraq. On November 7, 2006, the voters of this country went to the polls and clearly stated that it is time for a new direction in Iraq.

Soon after, the bipartisan Iraq Study Group presented President Bush with a desperately needed blueprint for change. They recognized that the deteriorating crisis in Iraq couldn't be solved by military action. Instead, it required a political solution between warring factions for a stable democracy to evolve.

The Iraq Study Group recognized that "stay the course" was a failed strategy, and that three prior troop surges had done little to stem the growing violence. They knew that the Iraqis would never get serious about standing up for their own country until they were confronted with a timetable for redeploying our forces.

After I was sworn in as a Member of Congress on January 4, I hoped that President Bush would listen to the advice of this bipartisan group whose recommendations he welcomed.

I hoped that he would move to fulfill the promise of the Defense Authorization Act of 2006, when this Congress stated that 2006 would be a period of significant transition in Iraq, with the Iraqi Security Forces taking the lead for their own security, so we could begin a phased redeployment of U.S. forces from Iraq. Instead, the President ignored the recommendations of the study group and chose to escalate the war in Iraq without charting a new course.

To my friends on the other side of the aisle who disagree with the resolution we are debating today, by all means vote your conscience. I will be voting my conscience and joining well-known Republicans who agree that the escalation is a mistake:

People like Senator CHUCK HAGEL of my neighboring State of Nebraska, who called the President's escalation plan the most dangerous foreign policy blunder in this country since Vietnam, if it is carried out.

People like former Iowa Representative Jim Leach, who said that the President's policy in Iraq may go down as the greatest foreign policy blunder in U.S. history.

Well-respected military experts also oppose this escalation, including General Colin Powell, General George Casey and the Joint Chiefs of Staff.

The President truly stands alone with a strategy that his own generals, key Republicans, and the American people oppose. The time is long overdue for the people's House to reassert its rightful place in our constitutional system of checks and balances.

We have a duty to send a message that it is time for real change in Iraq, change characterized by accountability and redeployment of our troops. There will be no more blank checks. There will be tough questions in oversight, and I will work hard to make sure that this happens. I ask everyone to support the resolution

Mr. SAM JOHNSON of Texas. Madam Speaker, I yield 4 minutes to the gentlelady from North Carolina (Ms. FOXX).

Ms. FOXX. Thank you, a true patriot, Mr. JOHNSON.

Madam Speaker, I rise today not only in support of the brave men and women of the American Armed Forces, but also in support of the cause for which they fight. They heroically give of themselves every day to ensure the safety of our Nation and the freedom that we Americans enjoy.

Like my colleagues on both sides of the aisle, I want America's troops home as soon as possible, but disengaging at this time would invite the terrorists to follow us home. This resolution sends the wrong message and will have grave consequences. It will demoralize our troops and embolden our enemies. We are combating a global adversary who sees an enemy in any Nation that supports the ideals of freedom. In the interest of democracy, global safety and rural peace, victory in Iraq is absolutely crucial.

While some seem happy to complain about the war, they have offered nothing in the way of a solution to defeat the jihadists. It is fine to disagree, but your opinion holds little weight if you fail to offer a constructive alternative. Leadership takes strengths and courage to succeed in the face of adversity, although mistakes may be made along the way.

Many comments have been made by those who support this resolution, but one that deserves a response is the oft-repeated phrase that this is an impossible war to win. What a terrible attitude for Members of the United States Congress to have.

What if George Washington had succumbed to the critics of his day who said those things? What if Abraham Lincoln, FDR and President Truman had taken that attitude? Where would we be now? We are here today because people who came before us refused to listen to the naysayers and the defeatists.

The true leaders of this Nation have always focused on the possible and accomplished it. These people remind me of the attitude of the Carter administration in dealing with Iran.

Let me quote a recent article by Dinesh D'Souza. " . . . they are willing to risk the country falling into the hands of Islamic radicals. Little do the people waging 'the war against the war' know that in exchange for a temporary political advantage, they are gravely endangering America's security and well-being, ultimately even their own."

Let us band together as Americans, put aside political differences to show that we understand the need to defend freedom for the long and short terms. This is the decisive battle of our generation, and this is a defining moment of our time.

We cannot afford to lose and should vote "no" on this resolution.

[From the American Legion Magazine, Feb. 2007]

HOW WE LOST IRAN—AND WHY WE CAN'T AFFORD ANOTHER LOSS IN IRAQ

(By Dinesh D'Souza)

There are four important Muslim countries in the Middle East: Iran, Iraq, Egypt and Saudi Arabia. Islamic radicals control Iran, and have since the Khomeini revolution a quarter century ago. Now they have their sights on Iraq. If they get Iraq, we can be sure they will target Egypt and Saudi Arabia. Let's remember that this is a region upon which the United States will continue to be oil-dependent for the foreseeable future. If the Islamic radicals succeed, the American way of life will be seriously threatened.

To understand the high stakes in Iraq, it's helpful to understand what happened in Iran a generation ago. How did America "lose" Iran, and how can we avoid another debacle in Iraq? Islamic radicals have been around since the 1920s, but for decades they were outsiders even in the Muslim countries. One of their leading theoreticians, Sayyid Qutb, argued that radical Muslims could not just promulgate theories and have meetings; they must seek to realize the Islamic state "in a concrete form." What was needed, he wrote, was "to initiate the movement of Islamic revival in some Muslim country." Once the radicals controlled a major state, he suggested, they could then use it as a beachhead for launching the takeover of other Muslim countries. The ultimate objective was the unification of the Muslim community into a single Islamic nation, governed by Islamic holy law.

In 1979, Qutb's goal was achieved when the Ayatollah Khomeini seized power in Iran. Muslim scholar Hamid Algar terms the Khomeini revolution "the most significant event in contemporary Islamic history." It was an event comparable to the French or the Russian revolutions. Virtually no one predicted it, yet it overturned the entire imperial structure and created a new order, even a new way of life. The mullahs restored the Islamic calendar, abolished Western languages from the schools, instituted an Islamic curriculum, declared a new set of religious holidays, stopped men from wearing ties, required women to cover their heads, changed the banking system to outlaw usury or interest, abolished Western-style criminal and civil laws, and placed the entire society under sharia, or laws based on the Koran.

The importance of the Khomeini revolution is that it demonstrated the viability of the Islamic theocracy in the modern age. Before Khomeini, the prospect of a large Muslim nation being ruled by clergy according to 8th-century precepts would have seemed farfetched, even preposterous. Khomeini showed it could be done, and his successors have shown that it can last. To this day, post-Khomeini Iran provides a viable model of what the Islamic radicals hope to achieve throughout the Muslim world. Khomeini also popularized the idea of the United States as a "great Satan." Before Khomeini, no Muslim head of state had said this about America. Muslim leaders like Nasser might disagree with the United States, but they never identified it as the primary source of evil on the planet. During the Khomeini era, there were large demonstrations by frenzied Muslims who cursed the United States and burned its flag. For the first time, banners and posters began to appear all over Iran: DEATH TO AMERICA! THE GREAT SATAN WILL INCUR GOD'S PUNISHMENT! USA, GO TO HELL! AMERICA IS OUR NO. 1 ENEMY! These slogans have since become the mantra of Islamic radicalism. Khomeini was also the first Muslim leader in the modern era to advocate violence as a religious duty and to give special place to martyrdom. Since Khomeini, Islamic radicalism has continued to attract aspiring martyrs ready to confront the Great Satan. In this sense, the seeds of 9/11 were sown a quarter of a century ago when Khomeini and his followers captured the government in Tehran.

Khomeini's ascent to power was aided by the policies of Jimmy Carter and his allies on the political left. The Carter administration's own expert on Iran, Gary Sick, provides the details in his memoir "All Fall Down," a riveting story that has been largely erased from our national memory. Carter won the presidency in 1976 by stressing his support for human rights. From the time he took office, the left contrasted Carter's rights doctrine with the Shah's practices. The left denounced the Shah as a vicious and corrupt dictator, highlighting and in some cases magnifying his misdeeds. Left-leaning officials such as Secretary of State Cyrus Vance, U.N. envoy Andrew Young and State Department human-rights officer Patricia Derian pressed Carter to sever America's longstanding alliance with the Shah. Eventually Carter came to agree with his advisers that he could not in good conscience support the Shah.

When the Shah moved to arrest mullahs who called for his overthrow, the United States and Europe denounced his actions. Former diplomat George Ball called on the U.S. government to curtail the Shah's exercise of power. Acceding to this pressure, Carter called for the release of political prisoners and warned the Shah not to use force against the demonstrators in the streets. When the Shah petitioned the Carter administration to purchase tear gas and riot-control gear, the human-rights office in the State Department held up the request. Some, like State Department official Henry Precht, urged the United States to prepare the way for the Shah to make a "graceful exit" from power. William Miller, chief of staff on the Senate Intelligence Committee, said the United States had nothing to fear from Khomeini since he would be a progressive force for human rights. U.S. Ambassador William Sullivan even compared Khomeini to Mahatma Gandhi, and Andrew Young termed the ayatollah a "20th-century saint."

As the resistance gained momentum and the Shah's position weakened, he looked to the U.S. government to help him. Sick reports that the Shah discovered he had many enemies, and few friends, in the Carter administration. Increasingly paranoid, he pleaded with the United States to help him stay in power. Carter refused. Deprived of his last hope, with the Persian rug pulled out from under him, the Shah decided to abdicate. The Carter administration encouraged him to do so, and the cultural left celebrated his departure. The result, of course, was Khomeini.

The Carter administration's role in the downfall of the Shah is one of America's great foreign-policy disasters of the 20th century. In trying to get rid of the bad guy, Carter got the worse guy. His failure, as former Democratic senator Daniel Patrick Moynihan once said, was the result of being "unable to distinguish between America's friends and enemies." According to Moynihan, the Carter administration had essentially adopted "the enemy's view of the world." Carter does not deserve sole discredit for these actions. This intellectual framework that shaped Carter's misguided strategy was supplied by the political left.

Of course, the primary force behind the Shah's fall was the fundamentalist movement led by Khomeini. But it is possible that the Shah, with U.S. support, could have defeated this resistance. Another option would have been for the United States to use its influence to press for democratic elections, an option unattractive both to the Shah and to the Islamic militants. Even after the Shah's departure, a U.S. force could have routed the Khomeini regime—an action that would have been fully justified given Iran's seizure of the U.S. embassy and the taking of American hostages. Determined at all costs to prevent these outcomes, the left sought not only to demonize the Shah but also to favorably portray Khomeini and his radical cohorts. In Sick's words, Khomeini became "the instant darling of the Western media." The tone of American press coverage can be gleaned from Time's cover story on Feb. 12, 1979: "Now that the country's cry for the Ayatollah's return has been answered, Iranians will surely insist that the revolution live up to its democratic aims. Khomeini believes that Iran should become a parliamentary democracy. Those who know the ayatollah expect that eventually he will settle in the holy city of Qom and resume a life of teaching and prayer."

Immediately following Khomeini's seizure of power, political scientist Richard Falk wrote in the Feb. 16, 1979, New York Times, "To suppose that Ayatollah Khomeini is dissembling seems almost beyond belief. He has been depicted in a manner calculated to frighten. The depiction of him as fanatical, reactionary and the bearer of crude prejudices seems certainly and happily false. His close advisers are uniformly composed of moderate, progressive individuals . . . who share a notable record of concern with human rights. What is distinctive about his vision is the concern with resisting oppression and promoting social justice. Many nonreligious Iranians talk of this period as Islam's finest hour. Iran may yet provide us with a desperately needed model of humane governance for a Third World country."

The naiveté of Falk's essay is of such magnitude as to be almost unbelievable. Falk should have known better, and I believe he did know better. Sick notes that in terms of the kind of regime he wanted to institute in Iran, "Khomeini was remarkably candid in describing his objectives." As an expert on international relations, Falk was surely familiar with what Khomeini had been consistently saying for three decades. Along with Ramsey Clark, former attorney general in the Johnson administration, Falk met with Khomeini on his last day in Paris, before his triumphal return to Iran. Shortly after that meeting Clark conducted a press conference to champion Khomeini's cause. Falk, too, seems to have acted as a kind of unpaid public-relations agent for the ayatollah's regime.

Upon consolidating his power, Khomeini launched a bloody campaign of wiping out his political opposition and reversing the liberties extended by the Shah to student groups, women's groups and religious minorities. In one year, the Khomeini revolution killed more people than the Shah had executed during his entire quarter-century reign. Despite the fact that many progressive figures were imprisoned, tortured and executed,

Khomeini's actions produced a great yawn of indifference from America's cultural left. The same people who were shocked and outraged by the crimes of the Shah showed no comparable outrage at the greater crimes of Khomeini. They knew, as well as everyone else, that liberty would be largely extinguished in Iran, and they greeted this prospect with equanimity.

Even when radical students overran the U.S. Embassy in Tehran on Nov. 4, 1979, and took more than 60 American hostages, the left's sympathy was with the hostage-takers. During this period, three liberal clergymen—William Sloane Coffin of New York's Riverside Church, National Council of Churches executive director William Howard and Catholic Bishop Thomas Gumbleton—visited the hostages and looked with approval as they recorded anti-U.S. statements for use as Iranian propaganda. The U.S. religious leaders did not seem embarrassed to be used by the Iranian hostage-takers. Many of the allegations against the United States launched by the Iranian radicals corresponded exactly with the views of these liberal clergymen. Going beyond the expectations of the hostage-takers, Coffin even faulted his fellow Americans for "self pity" and urged them to hold hands with their captors and sing. In the hostage crisis, these clergymen quite consciously contributed to America's humiliation.

By aiding the Shah's ouster and with Khomeini's consolidation of power, the left collaborated in giving radical Islam its greatest victory in the modern era. Thanks in part to Jimmy Carter, Muslim radicals got what they had been seeking for a long time: control of a major Islamic state. Now, irony of ironies, Carter and some of the same people who lost Iran are back in the news, criticizing the Bush administration for what it is doing in Iraq. Some of their points may be valid, but once again, they are forgetting that when you try and get rid of something terrible, you should at least make sure that you don't get something even more terrible. Carter never understood that, and he still doesn't. Rather than dispensing advice, the 39th president should be offering the United States an apology.

Yes, what's going on in Iraq today is not pretty, but that could be said of just about any war. In trying to escape from a difficult situation, America should not put itself into an even more perilous situation. We should always keep in mind what's at stake in this conflict. Today in Iraq, the Islamic radicals are after their second big prize. Iraq is, in a sense, even more important to the radicals than Iran. The reason is that the Khomeini Revolution, despite its global aspirations, proved to be very difficult to export. Iranians are Persian, and thus ethnically distinct from the Arabs who dominate the Middle East.

Even within Islam, Iranians belong to the Shia minority, while 80 percent of Muslims worldwide are Sunni. Consequently, Islamic radicals have been attempting for the better part of two decades now to carry the revolution beyond Iran, to bring a second Muslim state under radical control, and to establish a model for theocracy and terrorism that the Sunni majority in the Islamic world can emulate. So unlike in Vietnam, the United States faces an adversary that is not merely ideologically hostile, but one whose success would threaten our vital interests and our security, as well as our economic well-being.

Given this, the insouciance and even anticipation with which some of the Bush administration's critics propose prompt U.S. withdrawal from Iraq is remarkable. In a recent article in Harper's, former presidential candidate George McGovern proposed that the United States get out of Iraq, give up its bases there, apologize for having invaded in the first place, accept responsibility for any bloodbath that ensues, and offer to pay reparations to Iraq for its war crimes. This advice goes beyond recklessness. What do McGovern and his allies think is going to happen when U.S. troops leave? They seem eerily eager for the insurgents to topple the elected government and seize power.

Apparently their dislike for President Bush is great enough that they are willing to risk the country falling into the hands of Islamic radicals. Little do the people waging "the war against the war" know that, in exchange for a temporary political advantage, they are gravely endangering America's security and well-being, ultimately even their own.

Mr. ENGEL. Madam Speaker, it is my pleasure now to call on another one of our great new freshmen I have gotten to know, the gentleman from Iowa (Mr. LOEBSACK) for 5 minutes.

Mr. LOEBSACK. Thank you, Mr. ENGEL, for yielding.

Madam Speaker, today with all my colleagues I stand here in support our brave men and women of the Armed Services, as well as their families. We should honor their great commitment and sacrifices without hesitation. I support this resolution because I believe the President's plan for escalation is the wrong approach to the conflicts in Iraq.

But this must not be the end of our efforts in Congress. For too long, Congress refused to stand up to the administration. Our actions today must mark the beginning of Congress' role, not the end. The time has come to tell President Bush enough is enough.

Last November, the American people spoke. They spoke loudly and clearly on a number of issues, but none more passionately and forcefully than the war in Iraq. The American people, long before this debate this week, decided that the misadventure in Iraq must end.

Our troops have performed valiantly in Iraq. In just a matter of a few weeks they removed from power a brutal dictator and began to provide the Iraqi people the opportunity to construct a new political order. Our troops have also contributed mightily to the reconstruction and development of the Iraqi economy and infrastructure.

But over the course of this conflict, the mission of our troops has been transformed, and now they find themselves in the middle of a civil war that involves not just two sides, but almost innumerable factions in conflict with one another.

What is worse is the continued presence of American troops in Iraq will likely only inflame the ongoing sectarian strife and create more, if not fewer, enemies of America. The bottom line is that a continued presence of American troops will only exacerbate the multiple conflicts in Iraq.

As a member of the Readiness Subcommittee of the House Armed Services Committee, I have additional concerns regarding President Bush's proposed escalation. I believe such an escalation will further strain the limited resources available to our military. Already we know our readiness levels for our troops not yet deployed are inadequate.

A further escalation of troop levels in Iraq will only exacerbate this problem and put more servicemen and women in harm's way without the proper training or equipment. Our troops were not trained to be peacemakers in situations such as today's Iraq. Some have argued that we need to increase the number of troops, so that we can engage in an action similar to what our forces did in Bosnia.

Madam Speaker, this is at best a false analogy. Iraq today is not Bosnia of 1995. Today's Iraq is in the early stages of a series of conflicts that may indeed intensify, but this will occur irrespective of whether we insert another 21,500 troops. We simply cannot solve the sectarian conflicts militarily. While it was the Bush administration who initiated hostile actions in March of 2003, I believe it is now necessary for the Iraqi people to step up and assume responsibility for their future.

What is also needed now more than ever is for this administration to reach out to our traditional allies and those in the region who have a significant stake in the future of Iraq. The Bush administration must do something that it has been woefully reluctant to do. It must admit that it made a major strategic and foreign policy mistake when it invaded Iraq in the first place. And I am willing to wager that such an admission would go a distance towards at least beginning to repair our relations with the rest of the world, and the improvement of our relations with our traditional allies beyond the British is a prerequisite to securing their help on Iraq.

Madam Speaker, I call on my colleagues to support this resolution today, as the beginning of this Chamber's efforts to protect our troops and bring our country's involvement in this war to an end.

Mr. SAM JOHNSON of Texas. Madam Speaker, in closing, we have heard a lot of excellent presentation points today. I might just clarify the fact that the study group did recommend a surge in one part, and the President has eliminated the rules of engagement that we had laid on our troops over there, so we have a way to make this thing really happen.

I really want to know, if the Democrats insist they are supporting our troops, why they would not let me introduce my measure that mandates that Congress would support and fully fund the men and women in uniform.

I am positive that Democrats will attempt to cut funding as soon as the spending bills come up this spring, and maybe earlier, because there was a press conference earlier today that indicated exactly that.

□ 1530

I fear what that means for our troops on the ground, for their morale. The reality is that President Bush realized he needed to change the course in Iraq, and that is why he worked with folks on the ground in Iraq to hear fresh ideas and came up with a new plan.

The President wants change and that is why he changed the rules of engagement, enabling our guys to shoot at any suspected terrorists. The President wants change. That is why he removed political protections of all insurgents, so all of the bad guys could be brought to justice regardless of who they knew or who they worked for.

These ideas are huge breakthroughs and real solutions. These ideas represent fresh starts and new plans. What is the Democratic plan to move forward and win? They do not have one. Thirty-six hours of political grandstanding, nonbinding resolutions and petty posturing, they are not proposing solutions. They are not even encouraging new ideas. In fact, they stop them like when they squashed my amendment.

Many hope that the troop surge is the beginning of the end. We should all want that if it gets the job done. Yet the Democrats just say no. You know, the time will come when you can put the money behind these nonbinding resolutions. You better believe we will be watching and calling for those funding cuts loud and clear. America needs to know, cutting funds for our troops in harm's way is not a remedy. It is a ruse.

Madam Speaker, I yield back the balance of my time, and yield the balance of my time to the next moderator, Mr. SAXTON.

Mr. ENGEL. Madam Speaker, I now yield to another one of our rising freshman stars, the gentleman from Maryland, Representative JOHN SARBANES, 5 minutes.

Mr. SARBANES. Madam Speaker, the resolution we are debating today is simple and direct. It declares strong support for our troops on the ground in Iraq and opposition to the President's decision to send an additional 21,000 men and women into harm's way. I wholeheartedly endorse the resolution and pray that the President will heed its call.

Most agree now that it was a mistake to invade Iraq. Hearings in the Senate and the House are stripping away the last thin veneers of justification for that fateful decision. They are offering compelling evidence that the administration sacrificed wisdom, judgment, and conscience in favor of shock and awe.

Many of us sense a similar impulse at work in this administration's dealings with Iran. Let us serve notice, this Congress will not allow the administration to pursue yet another ill-fated mission. Madam Speaker, bringing our troops home from Iraq is no longer a whispered prayer; it is now the clarion call of the American people.

One year ago those proposing a new direction in Iraq were labeled as unpatriotic and marginalized in the national discourse. But we have come a long way. Elections do matter. On November 7, the people in my district in Maryland and across the Nation sent a strong message.

The next day Secretary Rumsfeld resigned. Shortly thereafter the Iraq Study Group issued its report sharply criticizing the war. And in the next few days the United States House of Representatives will pass this resolution signaling stiff opposition to the administration's proposal for a troop surge in Iraq.

To those patriotic Americans who have been relentless in their call for an end to the war, know this: collective voice has been heard. In my home State of Maryland, nearly 400 men and woman have died or been wounded in Iraq.

Two days ago, one of my constituents reminded me that the war is no longer being measured in time, but in lives. To the families who have sacrificed so much and who have suffered the ultimate loss, do not fear for a moment that a change in our policy in Iraq, that the effort to stop the escalation and begin drawing down our troops in any way dilutes the value this country places on the service of your loved ones.

History will treat harshly those policymakers at the highest levels who let ideology trump sound and informed judgment. It will fairly criticize politicians who have exploited this war for partisan gain. But it will reserve only pride and lasting gratitude for the sacrifice of our men and women in uniform amidst this sad tale of bungled intelligence and ill-advised policy. They alone are untarnished.

Madam Speaker, I have never been to the war. Never kissed my wife and children goodbye, wondering whether I will ever see them again. Far from the harsh reality in Iraq, I am blessed with the sweet ebb and flow of life's daily routines.

But like many Americans who witness our soldiers dutifully pushing forward every day under impossible circumstances, I am ill at ease. I know that the current policy in Iraq will only lead to more pain for many families and for our country.

Madam Speaker, the American people are tired, they are tired of rhetoric, they are tired of promises to put politics and partisanship aside when all they see is bickering and recrimination. Let's give them hope. Let's send a powerful message contained in this resolution, but let's not stop there.

Let all of us, the President, the House, the Senate, have the decency and dignity of purpose to put differences aside and work every day, beginning this day, to bring our troops home to their families, to their communities, and to a Nation that stands humbled by their sacrifice

Mr. SAXTON. Madam Speaker, I yield 3 minutes to the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. I thank the gentleman for yielding.

Madam Speaker, I rise today in opposition to the resolution before us. I wish I could do so with the type of certainty that seems to motivate many of my colleagues on the issue. But such resolute certainty escapes me. I do not have a military background. In fact, few of us debating this resolution do.

But each of us can find generals or former generals who will support virtually every option we wish to put on the table. In the end, as legislators, we are left with our own council. Hopefully, such council is informed by briefings, hearings, meetings, and visits to the region.

But we cannot and should not try to place ourselves in the position of Commander in Chief. Our system of government wisely gives that role to the Chief Executive.

This is not to say, however, that we should not be having this discussion. Some have said that simply debating this resolution emboldens our enemies. Perhaps they are right, but we would not suspend due process in this country because it might embolden criminals. It is a price we are willing to pay.

Likewise, debating the merits of war is what democratic nations do. My own thoughts on the situation in Iraq are as follows: I have little confidence that a surge in troop levels will change the situation in Iraq in any substantive fashion. It seems clear that the violence in Iraq is increasingly sectarian, and inserting more troops in this atmosphere is unlikely to improve matters very much.

Without a more sincere commitment to step up to the plate from the Iraqi Government, we are unlikely to make significant progress. But when all is said and done, we have a Commander in Chief whom we have authorized to go to war.

Inserting ourselves as legislators into the chain of command by passing a resolution, nonbinding though it may be, that questions the President's decision to conduct a mission that is clearly already under way strikes me as folly.

I urge my colleagues to vote "no" on the resolution.

Mr. ENGEL. Madam Speaker, it is my pleasure to again introduce one of our freshman rising stars, STEVE KAGEN of Wisconsin. I yield 5 minutes to him.

Mr. KAGEN. Madam Speaker, my name is Dr. STEVE KAGEN. I am from Appleton, Wisconsin, and during the past 30 years I have cared for thousands of military veterans as their physician.

The resolution under consideration today and voted on tomorrow will answer these questions: What kind of Nation are we? In which direction shall we move? During these past several days we have all benefited from listening to hundreds of points of view from our elected representatives from every region of this great country on our ongoing involvement in Iraq.

During these past several months, I have been listening to the people who sent me here from northeast Wisconsin, people a lot like you, fiscally responsible and socially progressive, the citizens of northeast Wisconsin.

People in Wisconsin, like many elsewhere, voted for a positive change and a new direction. The new congressional class of 2006 has given us hope again. We are indeed not just in name but in spirit America's hope, and I am proud to be associated with these talented individuals.

I rise today in support of our troops and their families and to encourage all of you to support this resolution. For it is the first step in bringing an end to our costly involvement in a senseless civil war between the Sunni and Shiite people.

Like every American, I strongly support our troops, but I cannot support the President's poor judgment in promoting violence instead of diplomacy. The President has been wrong in every decision he has made in Iraq.

Indeed, on four separate occasions, prior escalations have failed. And his current plan makes no sense even to the generals who understand it most.

The reality is this, it was poor judgment that took us to war in the first place. It is time to take a different course. For the path we are on now is morally unacceptable. And here are the facts: more than 650,000 Iraq civilians dead; over 3,000 American heroes gone forever; over 20,000 of our troops maimed for life, many with scars we will never see, at an economic cost that may rise above $2 trillion.

Make no mistake, we must do whatever it takes to defend America and keep hostilities from our shores. But what we need now is a tough and smart national defense policy. It is time now to get the smart part right.

This resolution has been criticized on both sides. Some say it is not enough; some say it is too tough. But I am convinced it offers us the opportunity to ask these questions again: What kind of Nation are we, when a President takes us to war based on lies and deceptions, when our energy policy is decided behind closed doors, and when in our free elections not everyone's vote is counted?

What kind of Nation will we be when all of our manufacturing jobs are taken overseas, when workers lose their rights to effective collective bargaining, and when our government closes its eyes to global warming? What kind of Nation are we and in which direction shall we move? Let's begin now to work together and take a different path, a path where people come first ahead of political parties, ahead of profit and loss statements, ahead of politics of fear. When we put people ahead of political calculations, we will begin to see a different world. We will see that we must begin to solve our differences by means other than going to war. After all, war is our greatest human failure.

This is not an idealistic sentiment, a realistic assessment of the chronicle of horrors witnessed every day in Iraq, and even our own experiences here at home, in New York City, in Virginia, in Pennsylvania, in Oklahoma City.

We must teach our children and our leaders alike that in the end diplomacy defeats violence. We must begin to think differently in America as we establish a new direction for hope in the world and a new beginning for our American era. By working together we will build a better future for all of us, beginning right here and right now.

Like the new congressional class of 2006, America's hope, I strongly support our troops, but not the President's failed policy. I encourage all of my colleagues to join the class of 2006 and vote "yes" on this important resolution. Join us. Be part of America's hope.

Mr. SAXTON. Madam Speaker, I yield 5 minutes to the gentleman from California (Mr. NUNES).

Mr. NUNES. Madam Speaker, I rise today in opposition to this intellectually dishonest resolution. I do so in order to challenge the majority party to put their legislating where their mouths have been. The endless criticism to the war in Iraq is clouded by political opportunism and has done little or nothing to improve our chances of victory.

We need an honest debate. We need answers from those who support this resolution. What is next? What is your plan? It should come as no surprise that the resolution we are debating today says very little. There are less than 100 words. And while the rhetoric has been flying during the debate, it seems to me that the new Democratic majority is hoping to avoid debate in which they might have to defend their plan in Iraq.

What we have here is nothing more than a political exercise, a nonbinding resolution, words with no meaning. Make no mistake, their opposition to the President's plan is political. There is no constructive criticism here. Read their resolution.

Iraq is the battleground, Madam Speaker, a key battleground against extremism, terrorism and the expansionist goals of our enemies.

□ 1545

If we fail, Iraq will be a hotbed of radical Islamic activity, a pivotal safe haven, a base from which to plan and fund attacks against us.

Madam Speaker, how is the danger associated with defeat in Iraq not clear? I ask my colleagues, what evidence do you need? Have you listened to the words of our enemies? Must we have more casualties in American cities before you accept the nature of this global threat? How quickly we forget, Madam Speaker.

I urge my colleagues to listen carefully to the words of Osama bin Laden. Last year, bin Laden said, "Iraq is the focal point of the war on terror. The most important and serious issue today for the whole world is this Third World War. It is raging in Iraq. The world's millstone and pillar is in Baghdad, the capital of the caliphate." Another one, "Jihad against America will continue. Jihad against America will continue economically and militarily. By the grace of Allah, America is in retreat. But more attacks are required."

Madam Speaker, Osama bin Laden, as well as other Islamic extremists around the world, view the conflict in Iraq as the central battleground in their ideological struggle.

Make no mistake, we are at war, and it is about time that some of our members of our government figured it out.

Someday soon, the Representatives who are supporting this resolution will have to explain to the voters what they have done to make us safer at home and abroad. Since this resolution does nothing more than embolden our enemies, demoralize our troops, and send mixed messages to our allies, they will have a difficult task before them.

Today, unfortunately, we won't hear much about the Democrat plan for Iraq. We will, instead, hear a lot about failure and defeat. We might even hear a conspiracy theory or two. And, of course, we will hear a lot of political posturing.

But Madam Speaker, the American people deserve to know the truth. What happens next, Madam Speaker, to those who believe the President is wrong, to those who believe we rushed to war, to those who can't get beyond our national intelligence failures and, instead, persist on conspiracy theories? Tell us, what is next? What is your plan to protect the American people?

Madam Speaker, I demand answers from the authors of this resolution. The American people have a right to know. Is your plan to simply stand aside and allow an ideology of hate to consume the Middle East?

I implore my colleagues, if you won't heed the warnings of our military and intelligence organizations, listen to al Qaeda's own words. They are speaking directly to you.

This is from Deputy leader al-Zawahiri recently. "I wish to talk to the Democrats in America. You aren't the ones who won the midterm elections, nor are the Republicans the ones who lost; rather, the Mujahadin are the ones who won and the American forces and their allies lost."

I ask my colleagues, how can you offer this resolution, knowing the enemy we face? Do you really have nothing to offer the American people but this? Is this resolution the best effort of the new Democrat majority in response to our challenge in Iraq?

Madam Speaker, we should have an honest debate about Iraq. And my friends who are convinced that the war is wrong need to be accountable for failing to say what is right.

In closing, I want to say how proud I am of the men and women who are fighting for our freedom and security all over the world. They don't deserve what we are doing to them today. This resolution is a sham. It is nothing more than political grandstanding, and it is feeding the propaganda machine of our enemy.

I have been to Iraq. I have seen the efforts of our soldiers firsthand. They want to win. They have seen the face of the enemy and I can assure you they are committed to winning. If you are committed to winning, vote "no" on this resolution.

Mr. ENGEL. Madam Speaker, I now yield 5 minutes to Representative MIKE ARCURI of New York, another rising star from my home State.

Mr. ARCURI. Madam Speaker, Americans are outraged with the present course in Iraq. Here we are more than 4 years later with 3,100 of our brave men and women killed, fighting a war that has cost our Nation $370 billion.

It has become overwhelmingly clear that the current strategy to secure the peace of Iraq is failing. And yet the administration contends that sending more combat troops into Iraq is somehow a silver bullet that is going to quell the ongoing violence. I couldn't disagree more.

The resolution before us today establishes two overwhelmingly clear and concise principles that are supported by a large majority of Americans; and I am confident will garner a great deal of support for many of my colleagues on the other side of the aisle.

First and foremost, we support our brave service men and women. They have done everything that has been asked of them, bravely and honorably; and for that, we in Congress and the people all over America will be forever grateful.

Second, and simply, we oppose sending additional troops into Iraq.

Madam Speaker, during this debate some of my colleagues have used the term "victory" in their remarks. Victory. But no one, not one of my colleagues in this Chamber, nor anyone in this administration, has yet to clearly define what victory in Iraq really means.

At one point we were told victory meant getting rid of weapons of mass destruction. Then, of course, we learned there were no weapons of mass destruction. When that didn't work, we were told victory meant toppling a dictator, and that we would be greeted as heroes. We toppled the dictator, but of course we were never greeted as heroes. And yet, still no victory.

The administration then told us establishing elections would constitute victory. There have been several elections in Iraq, yet still no victory. And all the while, the casualties have continued to rise.

Earlier this week, I had an opportunity, for the first time, to visit with wounded soldiers recovering at Walter Reed Army Medical Hospital. Seeing firsthand the devastating injuries that some of our brave soldiers have endured has troubled me in a way that I have not known before. As an American who loves his country very much, and as a father of two teenagers, it became crystal clear to me right then and there what exactly victory in Iraq means. I think victory in Iraq means bringing as many of our troops home alive as possible, the way I would want to see my two children brought home, if they were in Iraq. That is what victory is about, is bringing as many Americans home alive as we possibly can.

Madam Speaker, my colleagues on the other side of the aisle had the better part of 3 years to use their position in the majority to change the course in Iraq. They did nothing. No resolutions; few, if any hearings; and no accountability. How many more American lives are worth risking to continue an ill-conceived and poorly planned strategy that is clearly not working?

The American people answered that question last November. They have had enough, enough political rhetoric, enough stay the course, and most importantly, enough of the loss of life.

Some of my colleagues are trying to mischaracterize this resolution. They say this resolution somehow demonstrates a failure to support our troops. That is ridiculous.

Let me be clear, perfectly clear. Everyone in this Chamber, Republicans and Democrats alike, support our brave men and women serving in the Armed Forces. Simply because we believe the best way to support our troops is to bring them home does not mean that we don't stand behind them. In fact, I think it means a greater commitment of support to them.

Madam Speaker, I was not elected to blindly follow along. I was not elected to accept the status quo, and I was not elected to be a rubber stamp. I was, however, elected to stand up when necessary and say no, I disagree. And that is exactly what we are doing here today, we are standing and saying we disagree.

The American people have run out of hope. They are tired of the failed policies of this administration. It is time for a new approach. It is time for a new strategy, and it is time for a new direction

Mr. SAXTON. Madam Speaker, I yield 5 minutes to the gentleman from Roanoke, VA (Mr. GOODLATTE).

Mr. GOODLATTE. Madam Speaker, I rise in opposition to the nonbinding resolution being offered by the majority which, despite the rhetoric, amounts to nothing more than a vote to maintain the status quo in Iraq.

This resolution offers no change from the recent course of events in Iraq. It does not take into consideration the recommendations of the bipartisan Iraq Study Group. It does not require the Iraqi people and their elected leaders to step up and take responsibility for their own future. It certainly does not set any benchmark that must be met by the Iraqis. Most importantly, passage of this nonbinding resolution does not protect the funding of our troops in Iraq and, according to many Democrats, it is likely the first step in cutting off that funding altogether.

Madam Speaker, we have spent 3 days debating a resolution that does nothing more than serve as a vote of no confidence in the brave men and women who are fighting for freedom and democracy in Iraq. Not only is this resolution discouraging to our commanders and forces, it will fuel the efforts of our enemies who are determined to spread terror and suppress freedom.

Despite numerous attacks by terrorists on U.S. military and diplomatic targets throughout the 1990s, Americans on September 11, 2001 awoke to the painful realization that we are engaged in a long-term global war with terrorists, an international campaign to combat an ideology that spreads hate and destruction.

Iraq is now the central front in this global war. Success in bringing about a stable and democratic Iraq in the heart of the Middle East is a goal that I believe we all share.

While the difficulties cannot be minimized, neither can the consequences of failure and withdrawal. If we fail, the resources now devoted by terrorist organizations and nations sponsoring terrorism in Iraq will be turned to spreading terror around the globe including, again, on American soil. Do not embolden them with this resolution.

The United States and our allies, in fact, all freedom-loving peoples, need to support the popularly elected Iraqi Government in establishing control over their country and providing a stable environment for the Iraqi people and our troops as they assist in this process. Together, we have made significant progress, despite numerous obstacles.

Iraqis made history when they turned out in record numbers, despite increased violence, to vote in the first free elections in over 50 years. Millions of Iraqis waved their purple-tipped fingers with pride as they came out of the voting stations, a message to the world that they chose freedom.

The President is the Commander in Chief and has the authority to make decisions about the best way to accomplish our goals in Iraq. He has initiated changes to our course in Iraq.

However, today we will not be voting for change. We will not be voting for a comprehensive review of our strategy in Iraq. It is too bad that when we all have concerns about how best to achieve success in Iraq, the Democratic leadership has brought this polarizing and political resolution to the floor to divide us, rather than unite us, on the most serious question facing the country today.

For this reason, I urge my colleagues to vote against this nonbinding resolution, which lacks any substance. I remind my colleagues that a "no" vote on this resolution is certainly not a rubber stamp for the President's troop surge.

While I continue to support the mission in Iraq, I think it is clear that the administration's efforts to achieve the mission have not been flawless. But a vote against this resolution is a clear vote to support our commanders and troops and all those who have lost their lives spreading freedom to the people of Iraq.

I believe that more should be done to press the now established Iraqi Government and U.S.-trained Iraqi military to take the lead. I believe more can be done on the diplomatic front to engage the countries of the Middle East to help.

But unfortunately, no such resolution offering concrete evidence has been allowed, and this hollow process has resulted in a hollow resolution.

I urge my colleagues to vote "no."

Mr. ENGEL. Madam Speaker, it is my pleasure to yield 5 minutes to a great new member of our Foreign Affairs Committee, Mr. ALBIO SIRES of New Jersey.

Mr. SIRES. Madam Speaker, I rise today in support of this resolution on behalf of the 32,000 men and women from my State of New Jersey, and all the other servicemen and women that have been deployed since 9/11. I am so proud of their sacrifice and service to our Nation, and I will continue and always support them. After all, I am standing in front of you as a product of the sacrifices our soldiers have made in the name of liberty and freedom throughout the history of this country.

I also rise on behalf of my constituents, the people of New Jersey, and the people of this Nation whose tax dollars are paying for this war in Iraq. Since the beginning of the war, $379 billion has been appropriated. Another $235 billion is slated for the upcoming supplemental appropriations. We are currently spending $8 billion a month in Iraq, and the American people are footing the bill.

All this money could have been used to declare war on some of our domestic problems here at home such as poverty, improving our schools, ensuring access to health care and investing in affordable housing. This money could have been used to invest in our children, our family, our veterans, and especially our elderly. But it wasn't.

Instead, American taxpayers have also committed more than $38 billion to Iraq reconstruction. About 33 percent of this money is targeted for infrastructure projects like roads, sanitation, water, electric power and oil production. However, I am concerned that only 25 percent of the Iraqi population has access to drinkable water.

□ 1600

I am concerned that of the 136 sanitation and water projects, only 49 are said to be completed. I am concerned that the residents of Baghdad only have 4½ hours of electricity per day. And I am concerned that the current oil production in Iraq is half of what it was prior to the war.

Since the reconstruction project started, the Coalition Provisional Authority can't account for almost $9 billion of the taxpayers' money. Every year, $4 billion has been lost because of lack of oversight.

There have also been many problems with poor project and quality management. For example, the Baghdad Police College cost $75 million, and it was built without the proper plumbing for waste water. It has become a health and a structural hazard. The Basrah Children's Hospital is running $48 million over budget and is a year behind schedule. And after spending $186 million, Parsons has only 6 of the 150 planned health care centers completed and only 14 more will be finished. The list goes on and on.

Madam Speaker, the Iraqi Government says $100 billion is needed over the next 4 years to rebuild the country's infrastructure. Madam Speaker, the Iraqi Government seems to think they have open access to U.S. dollars. The Iraqi Government and the Iraqi people must take responsibility and help rebuild their country. Our support is not open-ended, and neither are our tax dollars.

Madam Speaker, I support this resolution and this debate because our troops and our constituents can no longer afford to have this Congress support the administration's failed Iraqi policies. They failed to give us the necessary oversight for Iraq reconstruction efforts, they failed to listen to the advice of the military commanders, they failed to listen to the American people, and, as a result, they failed to provide a plan to success in Iraq.

Mr. SAXTON. Madam Speaker, I would like to yield 4 minutes to the gentleman from York, PA (Mr. PLATTS).

Mr. PLATTS. I thank the gentleman for yielding.

Madam Speaker, I want to first take this opportunity to express my heartfelt gratitude and deep respect for our troops and civilians serving in harm's way. I have had the privilege of visiting our troops in Iraq on four occasions and Afghanistan twice, and they and their families are truly the heroes in America.

I rise today in opposition to this resolution, a resolution that seeks to maintain the status quo, in essence, to stay the course, a scenario that everyone agrees is unacceptable. This resolution offers no alternative strategy.

As we consider the challenges in Iraq, we need to remember and learn from the lessons of Afghanistan. In the 1980s, we supported the people of Afghanistan in defeating the Soviets, helping throw the Soviets out of that country. In 1989, when that happened, what did we do? We walked away. We did not finish the job. We did not help the people of Afghanistan to stand up a secure and stable government. Instead, we walked away. Who filled the vacuum? The Taliban, and ultimately al Qaeda, a safe haven for them to plan attacks against America and its interests.

In 1989, I imagine that few Americans believed that what went on in the mountains of Afghanistan would impact the lives of Americans here at home. On September 11, 2001, in a tragic fashion we learned that that was the case, that what went on in Afghanistan mattered here at home. We cannot afford to make the same mistake now in Iraq, to allow Iraq to become a safe haven for al Qaeda and other enemies of our Nation and our citizens.

The Iraq Study Group offered a comprehensive approach to the challenges of Iraq. It included political, diplomatic, and military options. As part of the military proposal, it dismissed increasing our troop levels by 100,000 to 200,000 troops, saying it was not feasible and would lend to the argument of an occupation.

However, the Iraq Study Group did support more limited troop reinforcements. And I quote from the Iraq Study Group report: "We could, however, support a short-term deployment or a surge of American combat forces to stabilize Baghdad or to speed up the training and equipping mission if the United States commander in Iraq determined that such steps would be effective."

The report goes on to dismiss the idea of an immediate withdrawal. Well, our commander in Iraq today, General Petraeus, an individual confirmed unanimously by the United States Senate, is on record supporting the need for these additional reinforcements.

Ultimately, the key to long-term success in Iraq is the Iraqi people themselves. They need to show the ability and the will to stand up and secure their emerging democracy. Having liberated Iraq from a regime of terror and torture, our role today is to assist the Iraqis in achieving a stable and secure nation. This reinforcement effort is part of that effort, along with regional diplomatic efforts and internal Iraqi political reconciliation efforts. We are now in the role of helping the Iraqis help themselves. We cannot forget the lessons of Afghanistan and walk away.

I urge a "no" vote.

Mr. ENGEL. Mr. Speaker, it is now my pleasure to yield 5 minutes to another great new freshman, Representative ZACK SPACE of Ohio.

Mr. SPACE. Mr. Speaker, I rise today to share with you my belief that we, as a people, are at a crossroads unlike any in our history. We have seen our manufacturing-based economy assaulted by the forces of globalization, the challenges of the ensuing revolution and energy production squarely upon us, and we are at the dawning of a new understanding, the fragileness of our environment. All of these things are, in their own right, seminal concerns of a profound scale, but in spite of the gravity and import of these issues, there is perhaps no more compelling matter before us than that of the war in Iraq.

My colleagues on both sides of the aisle are distressed by the tragic turns that this war has taken. I do not, at this moment, nor do my colleagues, I presume, wish to draw upon the motivations or lack of candor exhibited by our President in letting slip the dogs of war. But I do long for leadership, leadership seasoned and honest enough to admit when a mistake has been made, leadership that has a vision for the future, leadership able to meld the inherent wisdom of man with the realities of the modern world.

Under our form of government, it is the President who is singularly endowed with this leadership; yet at this critical historical moment, our call for leadership and inspiration has been unmet. As a result, Mr. Speaker, I today voice my opposition to the President's plan to deploy additional troops to Iraq.

The crisis that Iraq has become will not be resolved merely with more, more, more, more troops, more tours and deployment extensions, more injuries, more deaths. Simply providing more without a blueprint is not enough. Without a clear plan and a clear objective, a troop increase will not help our Iraq policy. In fact, it will only deepen the disaster that Iraq has become.

I do not utter these thoughts lightly. I share these sentiments, knowing that all of the people that I represent will not necessarily agree with me. I fear that my remarks will be misconstrued as reflecting something less than a full commitment to the brave men and women who have served or are serving their country in uniform, or to those heroes who have given their very lives for this cause.

Let there be no mistake, Mr. Speaker, I have at the very heart of my motivation for these remarks a sincere appreciation for the sacrifice of our brothers and sisters who have been dispatched to fight this war. They, and their families by extension, have been called into action under trying circumstances, and I am profoundly moved by their sense of courage and dedication to country. In fact, it is my admiration and respect for our brave warriors that motivate my decision to express my dissatisfaction with the President's plan to subject more of them to the ravages of war.

To date, over 3,000 Americans have fallen in this war. All of them loved their country enough to place themselves in harm's way in her defense. All of them left behind their families, who will never stop grieving. All of them have been deprived of the pleasures and privileges of a full life, just as we who remain have been deprived of the contributions to our society that each would have given.

Fifteen young men from Ohio's district have died in this war, all of them were loved dearly. They are fathers, sons, brothers, and husbands. Ohio's 18th is exclusively rural in makeup, dotted by one small town and village after another. Our people are decent, hardworking, and imbued with a strong sense of personal responsibility. Our community is close knit and supportive. The death of each one of these brave soldiers was met with a deep sense of communal grief.

This resolution stresses a message that many believed in. We support our troops, we support their commitment to and sacrifice for our Nation, we support their families and those of the fallen in their silent and eternal heartache. We cannot fully understand their pain, but perhaps we can learn from it.

Mr. Speaker, I cannot support a troop surge without real answers as to how it will bring success in Iraq. I cannot support escalation without regard to diplomacy, without regard to the political realities of the region, and without regard to the underlying dynamics of this conflict.

There is an unspoken pledge between a soldier of war and the mechanisms of power. That warrior unquestioningly serves, defends and, if need be, dies. In consideration, he expects his government to only place him in harm's way when need be, and only through a painstakingly thought-out plan for victory.

Our troops have fulfilled their pledge to our country. It is time that our country fulfill its pledge to our troops.

Mr. SAXTON. Mr. Speaker, at this time I would like to yield 3 minutes to the gentleman from Nevada (Mr. HELLER).

Mr. HELLER of Nevada. Thank you for the time.

Mr. Speaker, I rise today to talk about the issue before us, the war in Iraq.

In this past year, the American people clearly demanded change. I am new to this body, but I know Nevadans wanted me to help institute changes in the direction of this country.

As we debate this resolution, I really have to wonder if we have heard the American people. This resolution brought forth by the majority says two conflicting things: we are opposed to the war in Iraq, but we are for staying the course. These two positions are irreconcilable.

As I watch this debate, I have not seen any proposals for change. What we are debating today is the same as what has been debated in the past. We stand here in this body controlled by a new majority who campaigned on instituting change, claimed to be the party of change, and has control of the gavel in both Houses of Congress. Instead of offering a path to victory, they are playing politics.

My question is, what does this vote actually accomplish? Does it implement new ideas to win the war in Iraq? Will our country be safer because of this resolution? Does it enable our troops to fight more effectively by giving them the supplies that they need? The answer to these questions is a simple "no."

As a newly elected Member, I came here to find solutions to our country's problems. To that end, I am supporting legislation to institute benchmarks. I am supporting legislation that will make our troops and their needs fully funded. I support diplomacy and making the Iraqi Government more accountable.

The message that I want to send on our troop is, I am with you, and you can count on me.

☐ 1615

Because, really, we are counting on them.

Mr. Speaker, why can't we be for something today, an actual alternative, instead of debating a nonbinding resolution that tells our soldiers we don't support your mission? Our enemies believe America is weak and their propaganda says the United States is losing the war against terrorism.

Osama bin Laden's deputy and terrorist network have stated that Iraq is the central front in their fight against American and Western ideals. Iraq is the central front to push their radical ideology of hate and intolerance. These are the real bad guys. These are the people we should be focusing our attention on, not tearing down our leaders, commanders and brave soldiers in the field. The reality is the terrorists are determined to kill Americans, wherever we may be. Therefore, we must take the fight to them.

The fact is, this resolution only strengthens our enemies and does nothing to solve or address any of the national security issues facing our country. The stakes are high in Iraq. Nothing less than our very safety and survival is at issue. Nothing less than the lives of the courageous members of our armed services are on the line. It is critical that we have a real debate on the issues and address these points.

Let's, instead, together look for a new way forward, for a path to victory and for the best way to support our brave men and women overseas who are fighting to keep us safe. Let's instead focus on what we need to win this vital conflict, not a meaningless resolution, which is what we are offered here today.

To paraphrase the late Charlie Norwood, a decorated war veteran, "The choice before us today is clear: either America or al Qaeda."

Mr. ENGEL. Mr. Speaker, I yield 5 minutes to a great new Member, the gentleman from New Hampshire (Mr. HODES).

Mr. HODES. Mr. Speaker, I come to the floor today to voice support for our troops, without reservation, and to oppose the administration's proposed escalation in Iraq.

We are at a turning point in American history. This Congress will shortly vote on a bold, clear resolution, repudiating the administration's failed policy in Iraq, a fiasco which has weakened our security, threatened our military readiness, cost thousands of lives and wasted billions of dollars.

I was elected to Congress from the great State of New Hampshire, promising return of congressional accountability and oversight. For the past 6 years, while Congress was under Republican control, only 12 hearings were held on the Iraq war, but in the past 6 weeks this Congress has held 52 hearings.

The evidence is clear that the American people and Congress were misled into the war in Iraq. No weapons of mass destruction, no links between Saddam Hussein and al Qaeda, no imminent threat to our national security. Our resources, effort and attention were recklessly diverted from the war in Afghanistan, which I supported, and which continues to require our vigilance and commitment.

This administration has now lost its credibility with the American people and with the world. To succeed in the Middle East, we must regain our moral compass and embrace a new direction in Iraq. The administration's stubborn arrogance and incompetence has magnified the chaos in Iraq.

Our brave troops have done everything asked of them, but the administration's failures in planning post-conflict reconstruction and its shocking incompetence in management have opened the Pandora's box of sectarian violence and civil war.

Escalation has been tried before and it has failed before. The administration claims this escalation is different. The administration says there are benchmarks for the Iraqis, but what I have concluded from our hearings and briefings is that no firm benchmarks for the Iraqis have been set.

Clearly, the administration intends to escalate, whether or not the Iraqis step up. And today it is reported that they plan to send our troops off to Iraq without up-armored Humvees. This is deja vu all over again, a lack of planning, combined with a lack of candor.

Relying on a military force alone as a strategy continues the administration's one-legged-stool approach to foreign policy. Absent an Iraqi Government committed to forging a political solution to the country's woes and absent the infrastructure for jobs and reconstruction programs, the one-legged stool cannot stand. We have already lost billions in U.S. and Iraqi dollars to fraud, waste and abuse.

Baghdad is a city of some 7 million people. In a city that size, an injection of 20,000 troops is too little too late. The administration talks of victory in Iraq. The word is meant to stir our patriotic fervor. But in this matter, it has, unfortunately, a sad and hollow ring.

As a result of the administration's ineptitude, we are left making the best out of a bad situation. We owe it to our troops, the American people, and the Iraqis to act wisely and strategically. The administration talks tough. We must be tough, smart and fearless. That means a new direction in Iraq.

Our first order should be to address the missing second leg of the stool. Replace the military surge with a diplomatic surge, convene a high-level team of special envoys, send them to the region, and send them there until the job is done.

The third leg of the stool is economic. We need a real economic reconstruction program, but only on strict conditions that the Iraqi Government step up to quell the violence and engage in reconciliation and oil revenue-sharing.

It is past time to remove our troops from the middle of this civil war, redeploy them strategically in the region to give pause to our foes and send the troops we need to Afghanistan where they can support the government and deal with the resurgent Taliban. Dealing with Iran is, of course, challenging; but harsh rhetoric and saber-rattling are counterproductive in the complex, destabilized Middle East.

The true test of leadership is facing reality and having the good judgment and wisdom to adapt to the reality. By passing this resolution, we are sending the administration an unambiguous message: No more blank checks. We have had enough. It is time to face the reality in Iraq and develop a responsible and comprehensive strategy to protect American security in the region.

Much has been asked of this country in the past, and the future will inevitably require sacrifice, but it does not require sending 20,000 more American troops to Iraq. It does not require an escalation of this war. I urge my colleagues to support the resolution, and I oppose the administration's escalation of the war in Iraq.

Mr. SAXTON. Mr. Speaker, I yield 5 minutes to the gentlelady from Cape Girardeau, Missouri (Mrs. EMERSON).

Mrs. EMERSON. Mr. Speaker, it literally breaks my heart to be here today. Young Americans from my district have gone to Iraq and we have lost some of our best, brightest soldiers. One of the finest men I ever met, who I had the privilege of appointing to West Point, lost his life in Iraq just last September. I feel responsible in part. We all are, in part.

Very little has been asked of most Americans in this war, but too much has been asked of a very few.

If anything comes from this debate, Mr. Speaker, I hope it is a consensus for our responsibilities in this conflict. This House is about different points of view, speech and debate, in an institution that belongs to the people.

Our Nation is protected by the bravest of the brave, who leave their homes and families to stand guard on foreign shores. Some of them are the first in their families to wear the uniform of our country. Others have done so for generations.

These young men and women hold dear connections to every town in America. We are wrapping the fallen in our flag. They deserve the best planning, the clearest execution, the utmost care in their deployments, and heroes' welcomes when they return.

But it is not enough to give them parades. It is not enough to give amputees the best VA care. Nor is it enough to bury them well. We cannot allow their service to be undermined.

Congress and the administration have been locked in a struggle to show the proper support very nearly from the beginning of this war. Personnel armor, communications equipment, vehicle kits, the things these Americans need, not for comfort but to preserve their lives amid danger, have in some cases been supplied by soldiers' families and others because the Department of Defense, which received $500 billion last year, has run out. Supply-chain issues abound. Training has been incomplete or insufficient for the new demands on our troops. I still cannot discern a clear articulation of the mission of these men and women in the field. I loathe revisiting these failures, but responsible representation demands we do so.

Every American knows that America cannot do the work of Iraq's natural allies. We cannot supplant Iraq's neighbors who depend on the nation's viability for their own stability. We can be many things in Iraq, but we cannot be all things to Iraq.

We can make good on our commitment to American troops serving in Iraq, and here is how: We can offer them the support of a robust American Diplomatic Corps to do jobs our soldiers should not have to do and to avoid conflicts and enemies they should not have to engage.

We can secure funds for Iraq that guarantee our soldiers have the gear and training they need to stay safe, and that means more than writing the taxpayers' check. That means diligent, scrutinizing oversight of how our money is spent.

We can assure that the deployment of American troops is deliberate in every way.

We can offset the engagement of American troops far from home with the engagement of Iraqi troops in their own cities and towns. We can speed this transition by immediately securing Iraq's borders, by providing aggressive training to Iraqi units and by lending our expertise to building Iraqi institutions in addition to building the Iraqi army. We can do these things, and we must.

We can do much more than debate a nonbinding resolution, one that allows politics to creep into the question of support for our troops at a time when our support must be complete and it must be unquestioned.

The liberation of Iraq means more than words and more than weapons. Liberation needs diplomacy, libraries, schools and economic stability, steady work and clean water, safe streets, as well as safe passage. The measures of this progress must be widely known and the planners of this war must be completely accountable.

Every day we do not define the terms of progress, we lay a grave transgression at the feet of the mothers of the fallen, of the brothers of the killed, of the soldiers who were just far enough away from the IED that, when it exploded, they lost their limbs but not their lives.

Mr. Speaker, I cannot lend my support to this resolution. It sets too poor a precedent in this Congress when our standards for action must be high. Words cannot replace deeds in support of our American troops.

Mr. ENGEL. Mr. Speaker, I can't tell you how much pleasure it gives me to introduce our next speaker, who represents a district adjacent to mine. I am so delighted to have him in Congress, and I know his constituents are as well.

I yield 5 minutes to the gentleman from New York (Mr. HALL).

Mr. HALL of New York. Mr. Speaker, I thank the gentleman.

Mr. Speaker, I stand with the other members of my freshman class to support this important resolution. My election and those of my fellow freshman colleagues were an unmistakable signal from the American people. They believe the President's path in Iraq is wrong and they want new voices to produce change.

Mr. Speaker, I am one of those voices, and today I rise to speak with the American people to oppose the President's escalation.

The United States requires a new path in Iraq, a path that will deploy our troops out of Iraq; a path that will force the Iraqi Government to plan for its own defense; a path that will engage countries throughout the region and around the world to help stabilize and protect Iraq; and a path that will allow the United States military to rebuild and refocus on the important mission of destroying al Qaeda and defending America from the threat of international terrorism.

Sadly, the escalation proposed by the President does none of these things. The President's plan continues down the same path we have traveled for the last 4 years. These years have taught us that U.S. military power alone is not sufficient to stabilize Iraq, yet it is the only tool this President employs.

From the outset, this administration has been wrong. The administration led us into a war with flawed intelligence. That is one wrong. The administration went to war without a plan to win the peace. Two wrongs. This administration chose to protect Iraqi oil fields before securing the ammunition dumps throughout the country. Three wrongs. This administration sent our troops into harm's way without enough body armor or armored vehicles. Four wrongs. This administration gave no-bid contracts to its friends and political allies. That is five wrongs.

□ 1630

Years ago now, President Bush stood on the deck of the USS *Abraham Lincoln* before a banner declaring mission accomplished and said, "Major combat operations in Iraq have ended." That is six wrongs.

Now, this administration wants us to blindly place our faith and the lives of 20,000 more of our troops in an Iraqi Government that has failed to meet every security obligation it has pledged. Sadly, once again, this President is wrong, and no amount of wrongs is going to make the President's policy towards Iraq right.

It is time for a new kind of escalation on the diplomatic front. A stable Iraq is in the United States' interests and in the interests of Iraq's neighbors. However, the President has done next to nothing to gain the assistance of regional partners.

Inside Iraq, the government must meet its promises to reach out beyond its base of support and unite the Iraqi people. Sending more troops into Iraq does nothing to push the Iraqi Government towards greater self-reliance. At a time when it is incumbent upon the Iraqi Government to step up and do more, why should we give them the opportunity to do less?

This resolution is an important first step that voices loud and clear the message America sent last November, and it puts the President on notice that the Congress will no longer stand by and allow him to recklessly endanger American lives and security. If the President refuses to change course, this Congress will be forced to act.

We will no longer allow him to send underequipped and underprepared units into combat. We will demand appropriate accounting standards and no longer allow billions of taxpayer dollars to disappear unaccounted for into the rabbit hole of Iraq. And we must not let our National Guard continue to be decimated by repeated and extended activation.

I recently met a young man from my district who has been accepted at West Point and who will soon serve as a future leader in the United States Army. I want to ensure that when he graduates from West Point and accepts his commission, the Army he joins will not be decimated by the mistakes in Iraq.

I also want to talk about the veterans of this war and the unique challenges they will face. I am proud and honored to be on the Veterans' Affairs Committee. I am proud that one of my first votes in Congress was to provide an increase in VA health care funding.

Currently, there is a backlog of nearly 600,000 pending veterans claims at the VA. We must reduce this number so that all veterans can be better served. We must provide funding to better diagnose and treat post-traumatic stress disorder. I am appalled that during this time of war the administration would cut funding for research on prosthetic technologies that will let our wounded veterans lead more normal lives.

My district is the home of West Point Military Academy and, as such, has a unique perspective on the war. The leaders that emerge from the halls of that institution are an invaluable resource for our Nation. Sadly, we have lost over 50 West Point graduates in Iraq and others in the services and throughout my district.

My brother-in-law is a lieutenant colonel who works at West Point. My nephew is a cadet. The courage, devotion and conscientiousness of the men and women of the United States Military Academy embody the best of America.

In the words of the sheriff of Putnam County, a retired brigadier general, one should never send our Armed Forces to do a job which is not militarily achievable.

I support this resolution

Mr. SAXTON. Mr. Speaker, I yield 4 minutes to the gentleman from Alaska (Mr. YOUNG).

Mr. YOUNG of Alaska. Mr. Speaker, I have listened to this debate on both sides of the aisle for the last 2 days, the third day in fact, and probably will listen to it tomorrow.

I rise in opposition to H. Con. Res. 63, and I would like to make a quote: "Congressmen who willfully take actions during wartime that damage morale and undermine the military are saboteurs and should be arrested, exiled or hanged," Abraham Lincoln, who had the same problem this President had with a very unpopular war. The same problem with people trying to redirect the Commander in Chief; the same problem, if they had been successful, we would not have had the freedom of the people in this country.

What I say today is for my daughters, my Joanie, my Dawn; my grandkids, Wyatt, Guy, James Duffy, Katie, Jessie, Don, Niky, Dougy and Don, Eric and all the rest of them I missed and I apologize, because what we are about to do tomorrow in voting for this resolution is beginning a slippery slope down the slide of not being able to provide the freedom and the position in this world this country has done for the last 90 years, beginning in 1916, 1917, in World War I, which my father fought in; in World War II, where five of my cousins were shot numerous times for freedom of the people and freedom of this country; and, yes, the Korean War, the time in which I was drafted.

Fortunately or unfortunately, I did not serve, but my colleagues did. Each time we went there to make freedom, never once did the Congress in that role undermine the military or the Commander in Chief.

Then we came to Vietnam, and we began to fight a war by the media, a war without allowing the troops to do the job they should have done, and in fact, we lost that war. And immediately after withdrawing, we saw what happened. Khymer Rouge killed 2 million people. People forget that. Two million heads were laying around, lolling around Cambodia. And then we had Grenada, which was very short and very sweet, and of the course, the Gulf War was 110 days. And now we come to the Afghanistan war and the Iraq war.

I suggest to you this resolution will undermine and cause a morale disruption to our troops. Nowhere can you be in the field and understand the Congress of the United States now is not going to support them when they say they do, when they say they are going to cut their funding in the future.

It is a slippery slope down this slide of not being the leaders of this Nation for freedom, and this is what I thought this country is about, freedom for each individual in this world and in our country. And to have this occur tomorrow on the 16th is a disservice to the future generations, the generations of Americans who will not have the opportunity to be in the greatest country in the world because of the action of this Congress.

I urge a very, very strong "no" on H. Con. Res. 63.

Mr. REYES. Mr. Speaker, it is now my privilege to yield 5 minutes to the gentleman from Pennsylvania (Mr. CARNEY).

Mr. CARNEY. Mr. Speaker, I stand today as a proud veteran in support of this bipartisan resolution which states that Congress and the American people support our men and women in uniform, but do not support deploying over 21,000 additional troops to Iraq.

I fear that President Bush's plan to increase troop levels is a mistake. Sending more troops will not reduce the violence. Indeed, in the past 2 years, we have had three surges to Iraq, only to see dramatic increases in violence. Why would we think a fourth surge will be different?

Mr. Speaker, 21,000 troop is far less than a half measure of what is truly needed to secure Iraq, but the unfortunate reality is that we no longer have the troops available to do the job properly. Indeed, the Army's strategic reserve is used up. They told us so. We are now less able to respond in other trouble spots around the globe because of this failed policy.

Why are we not matching our military surge with a diplomatic surge? Why are we not engaging every nation in the region to end this civil war?

A superpower at war uses all means at its disposal to win, including diplomacy. Diplomacy is the only way for us to succeed now, and I urge the administration to launch a diplomatic offensive in the region.

Our enemies are encouraged and emboldened by the successes that they have enjoyed already. We do not need to send 21,000 troops additional to reinforce this. Instead, we should be changing our focus. Rather than sending more American troops into combat, we should be training Iraqis to handle the job for themselves. For every Iraqi battalion we train, we need to bring an American battalion home.

My district in northeastern and central Pennsylvania has many of its bravest men and women in harm's way. I am very proud of them, so are their families and their communities. Our district, sadly, has lost 22 men in this war, brave troops who paid the ultimate sacrifice for their country. I rise today to honor them and also to stand up for the troops currently in combat.

The stories I hear from soldiers who return home leave me concerned that the administration has not done enough to protect them. One of my own former students, a member of a Pennsylvania National Guard unit, told me how his unit had to scrounge through Iraqi junkyards for scrap metal to weld on to their trucks for more protection.

Junkyards? Scrap metal? Where is the outrage that this administration has not given the troops the protection that they need? Where is the outrage that our fine men and women, whose job it is to protect our Nation, are scrounging through foreign junkyards for that protection?

The troops have won the war, but the administration has failed to secure the peace. We must now pursue policies worthy of our troops and their sacrifices.

Mr. Speaker, I came to Congress to serve and protect my country. That is why I rise in support of this resolution.

In the Navy, when we run a ship aground, we change the course. It is now time to change the course in Iraq, not needlessly send more American troops in harm's way.

Mr. SAXTON. Mr. Speaker, I yield 5 minutes to the gentleman from Mobile, Alabama (Mr. BONNER).

Mr. BONNER. Mr. Speaker, as my colleagues and certainly the people from my home in south Alabama know, I do not often come to this floor, either to hear my own voice or to offer some prophetic words of wisdom on whatever the topic of the day happens to be.

My father often taught me that you learn a lot more from listening than you do from talking. So in many ways, that is what I have been doing the past few days, listening to my colleagues and thinking about the consequences of the words that we are debating.

After a lot of listening to a lot of words, however, I find myself compelled to come and say in the most direct way I know that I am opposed to this nonbinding resolution. Let me say that again for that is, after all, what we are talking about. This is a nonbinding resolution. It is nothing more than a few words on a piece of paper, and yet they are powerful words that have the potential of being demoralizing and possibly even destructive.

Make no mistake that the resolution we are debating today does not have the force of law behind it. So for those of you who are watching at home, let us be clear. At a time when the President recognizes that the situation in Iraq is unacceptable and it is clear that we need to change our strategy, this resolution will not stop the deployment of a single soldier or marine to Iraq, nor will it bring a single soldier or marine home to their families or loved ones.

More importantly, this resolution does not offer any alternative strategy. Nothing. Zip. It is silent with regard to our country's ongoing efforts in fighting the global war on terror. Instead, it is simply and unfortunately a method by which the House Democratic majority is seeking to send a message to the President of the United States.

But let us not kid ourselves. The words spoken in this Chamber this week will travel much farther than the distance between this building, the Capitol, and where the President lives, the White House. In reality, these words will travel far beyond our shores, across the globe to the 140,000 men and women who are currently deployed in Iraq and engaged in but one part, admittedly an important part, of the global war on terror and the Islamic militant extremists we are fighting.

I know we have heard Democrat after Democrat and a few Republicans, to be fair, come to this floor and say, we support our troops and we support this resolution; but with all due respect, I find it totally inconsistent to say you support our troops and at the same time you support this resolution.

How can we really expect our soldiers to have the will to succeed when this body as a whole does not have the resolve to stand by them and their mission? Do we think our troops do not listen to what is being said here in Washington and around the country? During my visits to Iraq, I found just the opposite to be the case.

So while the underlying message of this resolution is intended for the President, it is only logical to ask who else might be listening. What about the families of these soldiers who are anxiously awaiting their safe return home. Make no mistake, they will hear this message loud and clear.

And then there is the very real chance that the families of the thousands of Alabama National Guard members who have been deployed to Iraq and Afghanistan, as well as the families of all active and Reserve forces, will read the glaring subtext of this resolution and hear the people's House signaling that we will not be able to prevail in Iraq, the cause is lost, and their loved one's sacrifice is for naught.

□ 1645

Unfortunately, the words of this resolution will also travel to the ears of our enemies. And what could be better news for our enemies than that America is divided, an America that does not have the will to succeed.

On this topic, let's look to the man who knows the enemy in Iraq better than anyone, General David Petraeus. You remember General Petraeus; he just received an overwhelming vote of confidence when he was unanimously confirmed by the United States Senate to command our forces in Iraq. At his confirmation hearing, General Petraeus was asked if a congressional resolution disapproving the deployment of additional troops would encourage the enemy. His response was direct and unequivocal. "That is correct, sir."

Let me say that again. General Petraeus, our commander in the ground on Iraq, believes that a resolution disapproving the deployment of additional troops, which is what we are debating today, will encourage our enemy.

He went on to say that this is a test of wills, and at the end of the day a commander in such an endeavor would obviously like the enemy to feel that there is no hope. But instead of saying there is no hope to the enemy, we are saying there is no hope to the American soldier and the American people.

Let's not forget that our words as well as our actions do have consequences. Vote "no" on this resolution.

Mr. REYES. Mr. Speaker, it is now my privilege to yield 5 minutes to the gentleman from Florida (Mr. KLEIN).

Mr. KLEIN of Florida. Mr. Speaker, I stand here today in support of House Concurrent Resolution 63 which opposes the President's decision to deploy 21,000 additional U.S. combat troops to Iraq.

I am also here to specifically honor the Broward County Veterans Council, who recently adopted a resolution concerning the war in Iraq. The Broward County Veterans Council represents a host of veterans groups throughout Broward County, Florida, including the Broward chapters of the American Legion, AMVETS, Disabled American Veterans, Fleet Reserve, Gold Star Mothers, Italian American Veterans, Jewish War Veterans, Marine Corps League, Navy League Council, The Order of the Purple Heart, The Paralyzed Veterans Association, Reserved Officers Association, Retired Officers Association, Veterans of Foreign Wars, Vietnam Veterans of America, and World War I Barracks.

The Broward County Veterans Council led by its Chairman, Bill Kling, adopted this resolution unanimously on January 16, 2007. And the spirit of this resolution is as follows:

Whereas, the President of the United States has put forth a plan to the American people and to Congress which calls for an escalation of 20,000 or more of our troops going to Iraq to combat the insurrection in Baghdad and the Anbar province; and

Whereas, the majority in Congress has put forth several plans that do not include an escalation of combat troops; and

Whereas, the American people have made it clear they want a new direction in Iraq and Afghanistan; and

Whereas, the administration's attempts to escalate the war previously by sending additional troops to Iraq have unfortunately failed to stop the bloodshed between the Sunnis and the Shia;

Therefore, the Broward County Veterans Council believes that the best plan is to bring troops home in a phased redeployment so that we may get them out of harm's way.

Veterans groups, along with families across my district, are very concerned about the direction this war has taken and are demanding a change in strategy.

To President Bush their message is loud and clear: This war has been mismanaged, the strategies for success have failed; our national and personal security interests, most importantly, are not being enhanced and in fact may be undermined. And, therefore, they overwhelmingly oppose President Bush's plan to send more troops to Iraq.

Traveling through my district, people in South Florida are demanding that Congress ask the tough questions concerning our policy in Iraq. Well, we have asked these tough questions, and I along with many of my fellow Members of this House, both Democrats and Republicans, have come to the same conclusion: The President's plan to increase troops is wrong.

The administration has based this plan in part on the readiness of the Iraqi Security Forces to stand up and take control. I have heard nothing from our military experts that would indicate that the Iraqi troops are anywhere near prepared to bring order to this troubled country.

General Colin Powell recently told the associated press, and I quote, "I am not persuaded that another surge of troops in Baghdad, for the purposes of suppressing this violence, this civil war, will work."

And four-star General Barry McCaffrey called the President's surge plan last month, "a fool's errand."

These are some of the experts we should be listening to.

Mr. Speaker, I ask you, as the civil war in Iraq spirals out of control, as Iraqi Security Forces continue to be ill-prepared, and as we continue to alienate our allies around the world, what warrants this administration to continue on the same path in Iraq and add more troops? So far, nothing.

We have no business sending over 21,000 additional troops in the middle of a growing civil war. We have no business sending over 21,000 additional troops when, as it is, our military is already stretched too thin. And because our military is already dangerously pushed to the limit, we have put ourselves in the precarious position of dealing with real threats like Iran, while at the same time protecting our allies like Israel and some other Middle Eastern friends.

For these reasons, I am advocating for a plan, as others are, devised by our military experts that supports a phased withdrawal of our troops. But while our brave men and women in uniform are serving, it is critical that we provide them nothing less than the best protection and support. We have more than a responsibility to support our troops; we have a solemn obligation, and that obligation extends to asking the tough questions and getting our policy right.

In honor of the Broward County Veterans Council and the veterans living in Palm Beach County, in recognition of their heroism and commitment to our country, I support this resolution.

Mr. Speaker, I stand here today in support of H.R. 63, which opposes the President's decision to deploy 21,000 additional U.S. combat troops to Iraq.

I am also here today to specifically honor the Broward County Veterans Council, who recently adopted a resolution concerning the war in Iraq.

The Broward County Veterans Council represents a host of veteran groups throughout Broward County, FL, including the Broward chapters of the American Legion, Am Vets, the Disabled American Veterans, the Fleet Reserve, the Gold Star Mothers, the Italian American Veterans, the Jewish War Veterans, the Marine Corps League, the Navy League Council, the Order of the Purple Heart, the Paralyzed Veterans Association, the Reserve Officers Association, the Retired Officers Association, the Veterans of Foreign Wars, the Vietnam Veterans of America, and the World War I Barracks.

The Broward County Veterans Council, led by its chairman, Bill Kling, adopted this resolution unanimously on January 16, 2007.

The spirit of their resolution is as follows:

> Whereas the President of the United States has put forth a plan to the American people and to Congress which calls for an escalation of 20,000 or more of our troops going out to Iraq to combat the insurrection in Baghdad and the Anbar province; and
>
> Whereas, the majority in Congress has put forth several plans that do not include escalation of combat troops; and
>
> Whereas, the American people have made it clear they want a new direction in Iraq and Afghanistan; and
>
> Whereas, the administration's multiple attempts to escalate the war by sending additional troops to Iraq have unfortunately, failed to stop the bloodshed between the Sunnis and the Shiites.
>
> Therefore, the Broward County Veterans Council believes that the best plan is to bring our troops home, in a phased redeployment, so that we may get them out of harm's way.

Veterans groups, along with families across my district, are very concerned about the direction this war has taken and are demanding a change in strategy.

To President Bush, their message is loud and clear: This war has been mismanaged, and the strategies for success have failed; our national and personal security interests are not being enhanced and in fact, may be undermined. Therefore, they overwhelmingly oppose President Bush's plan to send more troops to Iraq.

Traveling through my district, people in south Florida are demanding that Congress ask the tough questions concerning our policy in Iraq.

Well, we have asked those tough questions and I, along with many of my fellow Members of Congress, both Democrats and Republicans, have come to the same conclusion: The President's plan to increase troops in Iraq is wrong.

This administration has based this plan in part on the readiness of the Iraq security forces to stand up and take control. I have heard nothing from our military experts that would indicate that the Iraqi troops are anywhere near prepared to bring order to this troubled country.

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These are the experts we should be listening to.

Mr. Speaker, I ask you—as a civil war in Iraq spirals out of control, as Iraqi security forces continue to be ill-prepared and as we continue to alienate our allies across the world—What warrants this administration to continue on the same path in Iraq and add more troops?

So far, nothing

We have no business sending over 21,000 additional troops into the middle of a growing civil war.

We have no business sending over 21,000 additional troops to Iraq when as it is, our military is already stretched too thin.

And because our military is already dangerously pushed to the limit, we have put ourselves in a precarious position dealing with real threats like Iran, while at the same time, protecting our allies like Israel and other Middle East countries.

For these reasons, I am advocating for a plan, devised by our military experts, that supports a phased withdrawl of our troops.

But while our brave men and women in uniform are serving, it is critical that we provide them nothing less than the best protection and support. We have more than a responsibility to support our troops—we have a solemn obligation. And that obligation extends to asking the tough questions and getting our policy right.

In honor of the Broward County Veterans Council and the veterans living in Palm Beach County, in recognition of their heroism and commitment to our country, I support this resolution.

Mr. SAXTON. Mr. Speaker, at this time I yield 5 minutes to the gentleman from Jacksonville, Florida (Mr. CRENSHAW).

Mr. CRENSHAW. I thank the gentleman for the time, and I rise today in strong opposition to this resolution which says Congress disapproves of a war plan.

There are a lot of reasons to disapprove of this resolution, one of which is I believe that war should not be waged from the floor of this House. That is why we have one Commander in Chief, that is why we have military leaders on the ground. They are in charge of conducting the war. And they have said we have made mistakes and we need a new direction, we need a new plan. And they have proposed that plan, and it is broad and it is comprehensive. It involves political considerations, it involves economic considerations, diplomatic considerations, and, yes, it entails additional troops to go to Iraq. Yes, additional troops.

But it is a plan. And you can be skeptical and you can say it may be too little, it may be too late. Maybe it is a good plan but it won't be executed properly. But it is going to give us hope and it is going to give the Iraqi people hope. And, if anything, we ought to be here today trying to make that plan better, not debating a resolution that is nonbinding, that is symbolic, that means nothing, that says nothing, that does nothing. In fact, it has no useful purpose whatsoever, unless maybe it is to undermine the President or perhaps to demoralize our troops by saying to them, "We have a new mission for you to undertake. Go to Iraq and try to execute this mission. But, by the way, the United States Congress doesn't believe in the mission, and we think it is doomed to failure." You tell me that that is not going to have a negative impact on our American soldiers.

Now, I know there are people in this Chamber that think the plan is doomed from the very beginning. You don't think it will work. And if that is your belief, you ought to do more than introduce a symbolic resolution and then stand here and pound the podium and hem and haw and make speeches and leap in front of the television cameras. You ought to do something that really means something. You ought to propose a resolution that says we believe it was doomed from the very beginning and we are going to do everything we possibly can to stop this plan. That is what you should do.

And if you don't think the plan is going to work, if you think it is doomed to failure, and you don't have a viable alternative strategy and you don't want to find a viable alternative strategy for winning, then you ought to go even further and you ought to stand up and say, "We admit defeat. It didn't work. We are not going to fund the war altogether anymore. We are going to withdraw."

I will tell you one thing, the plan is there. It may not be perfect and, quite frankly, it may not work. I have got reservations myself. But it is there, and every American, Democrats and Republicans alike, ought to hope that this plan succeeds because it may very well be our last best chance to prevent a catastrophic failure in Iraq. And if that happens, the disastrous effect won't just be felt in Iraq, won't just be felt by the people of the Middle East, but quite possibly will be felt by all Americans alike.

Mr. REYES. Mr. Speaker, it is now my pleasure to yield 5 minutes to a valued member of the Armed Services Committee, the gentlewoman from Kansas (Mrs. BOYDA).

Mrs. BOYDA of Kansas. Mr. Speaker, I rise today to discuss the most critical issue this Congress, indeed our Nation, is facing. The U.S. military is the best fighting force in the world, and it is vitally important that we keep it that way. I am concerned that the President's planned escalation is too little, too late, and it will further deplete our military's readiness.

My life changed in the late spring of 2002 when my husband Steve casually said he thought we would be at war with Iraq by Christmas. And I said certainly that wouldn't be the case; the terrorists were from Afghanistan and Saudi Arabia. Certainly we will continue to hunt down Osama bin Laden and bring him to justice. We wouldn't take resources away from fighting the terrorists in Afghanistan. But that isn't what happened.

That fall, every time I heard that we were going to be greeted as liberators in Iraq, I cringed. We were going into the most unstable part of the world, a region that has been at war for centuries, and we were going in with dangerously naive plans. We were going after a hornet's nest with a baseball bat.

As the mother of two and stepmother of five, I felt my family's very safety was being threatened by this diversion of resources. Like a mother bear who senses, no, who knows that her cubs are being threatened, I could not remain silent.

Diverting resources from Afghanistan and invading Iraq may be one of the most dangerous decisions this country has ever made. Our Nation's civilian leadership took their eye off the ball. Instead of securing more resources to hunt down Osama bin Laden, instead of engaging in diplomacy, they put resources into what has become a civil war and have depleted our Nation's strategic readiness.

Please, please understand me. Our military has not failed. What has failed is our civilian leadership. Our military and their families have repeatedly stepped up and done what our Nation has asked of them. And now, Mr. Speaker, President Bush proposes to send more than 20,000 more troops to this civil war. He asks us to trust him with our soldiers' lives, even after trust has been broken time and time again.

Not only is the goal of this escalation unclear, but its effect would be to redirect precious military resources instead of preparing for potential future conflicts. In a recent hearing of the House Armed Services Committee, I asked General Peter Pace whether he was satisfied with the readiness levels of our troops. His response? "No, ma'am, I'm not." General Peter Schoomaker and General Steven Blum have echoed his concerns.

America lives in an unstable world; we face threats from a nuclear-armed North Korea, from a belligerent Iran, and from the al Qaeda terrorists who considered September 11 as only the first act in their sinister play. In these dangerous times we are not safer if we devote so many of our resources to a civil war in Iraq. And I as a mother, I cannot support this escalation. It is withdrawing precious resources from a fighting force that is already stretched too thin.

America's strategic readiness is not a political question; it is a question of national security, and it is a critical question about the safety of all our families.

The U.S. military is the best fighting force in the world, and it is vitally important that we keep it that way.

Mr. Speaker, as a mother, stepmother, wife, citizen, and, yes, as a U.S. Congresswoman, I cannot support further escalation of the war in Iraq.

Mr. SAXTON. Mr. Speaker, I just wanted to note that one of the previous speakers talked about veterans who support this resolution. As a matter of fact, yesterday I was able to announce that the national commander of the VFW said that he opposed this resolution or had grave concerns about it, and I have just been notified that the national commander of the American Legion, Paul A. Moran, announced strong support for the President's new initiative, which includes deploying 21,500 troops. And, in so doing, he said these words:

> We will not separate the war from the warrior. Debating the new strategy is an American way, but let this be a warning that precipitous action by the Congress could lower troop morale and hinder the mission.

Mr. Speaker, at this time I yield 5 minutes to the gentleman from Bloomfield Township, Michigan (Mr. KNOLLENBERG).

□ 1700

Mr. KNOLLENBERG. I thank the gentleman for yielding.

Mr. Speaker, I want to make a statement that mistakes have been made in Iraq. The status quo is not acceptable. We need to chart a new course. But we also need to acknowledge that some positive things have happened in Iraq, thanks to the courage and dedication of our troops. These accomplishments often get just lost in all the politics that surround this debate.

Toppling one of the most brutal dictators in history was a good thing. Saddam Hussein's regime was responsible for the senseless murder of thousands of innocent Iraqi citizens. Under his rule, most Iraqis lived in fear of the day Hussein or one of his cronies would come for their mother, their father, their sister or brother.

Hussein was also a direct threat to our friend and ally, Israel. He was a menace, and it is good that he is gone. Furthermore, turning Iraq's sovereignty over to the Iraqis and providing assistance as they forged a democratically elected government is a big deal. Fostering democracy in the heart of the Middle East was important and was also a very historic moment.

As we debate the current strategy in Iraq, let us not forget that our soldiers have provided a tremendous opportunity to the Iraqi people. They have provided an opportunity for them to grab the benefits of freedom. Now it is up to the Iraqis to seize it.

Before us today, we have a nonbinding resolution that doesn't even mention the accomplishments I just spoke of. We can all agree that the war has taken a wrong turn, but instead of debating nonbinding resolutions that have no bearing on whether additional troops go to Iraq, we should work together to find a solution that results in our soldiers coming home in victory, not defeat.

Mr. Speaker, I have offered my conditional support for the President's plan for additional troops in Iraq. My support is conditional, not carte blanche. I want to see the benchmarks met and progress made within the next 90 to 120 days. It is time for the Iraqis to step up to the plate and assume responsibility for the security of their nation.

If the Iraqis do not step up to this challenge in the coming months, then it will be time to reevaluate. The resolution before us doesn't even speak to these issues. It does nothing in the way of bringing out or bringing our troops home quickly and in victory. It is just pure politics.

I encourage my colleagues on both sides of the aisle to work together with the President to ensure a quick return of our troops. We all know that Congress is not going to cut funding for President Bush's new Iraq plan. If we know this to be true, why are we wasting our time on nonbinding resolutions that lead us nowhere?

Let's put our troops first. Let's end the political gamesmanship, and let's work together to find a solution in Iraq. That is what the American people want, and that is what our soldiers and their families deserve.

Mr. REYES. Mr. Speaker, it is my privilege now to yield 5 minutes to the gentlelady from Hawaii (Ms. HIRONO).

Ms. HIRONO. Mr. Speaker, I rise to speak in support of this resolution. The Iraq war has lasted longer than U.S. involvement in World War II and has cost the Nation hundreds of billions of dollars. We have lost over 3,000 of our finest men and women. Thousands more have been maimed and too many lives have been shattered.

As Foreign Affairs Committee Chairman TOM LANTOS said, this "resolution will establish the first marker," the first step toward ending this nightmare.

The war in Iraq is the moral issue of the day, and like all great moral issues, there are heartfelt disagreements on both sides of the aisle. But every second, minute, and hour that passes, lives are being lost in Iraq and devastation continues with no end in sight.

We owe it to all the brave men and women who have already sacrificed so much, over 3,000 of them who have made the ultimate sacrifice, to steer our country on a course that will bring our troops home safely, take care of them and their families when they return and end this war.

Despite 4 years and deadly losses, according to Foreign Policy Magazine's recent survey of over 100 top national security experts, 86 percent say the world is more dangerous for the U.S., and, most troubling, 87 percent believe that the war in Iraq has had a negative impact on the war on terror. Other surveys have reached similar conclusions.

Yet the President now wants another $235 billion for Iraq and Afghanistan to add to the $427 billion for the war already approved. In this debate, we should listen in particular to the words of Americans who actually served in the war. I am honored to serve in this Congress with new Members JOE SESTAK of Pennsylvania, TIM WALZ of Minnesota, and PATRICK MURPHY, also of Pennsylvania, all veterans of the Iraq war. Their eloquent and strong voices of firsthand experience add immeasurably to this debate.

There are also people like Captain Lisa Blackman, a clinical psychologist who cared for soldiers in Qatar. As we become increasingly aware of the thousands of soldiers to emerge from firefights or attacks physically unscathed but with substantial emotional damage, Captain Blackman's experience in regularly tending to these soldiers provides further troubling insights into this devastating war.

In a message chronicled in the book Operation Homecoming, Dr. Blackburn wrote of how her patients responded to questions she asked them about their symptoms. She didn't get the expected reactions. They were unexpressive. But when she asked them, "Have you ever been in combat?" they became unglued and burst into tears.

As she described it, "[W]hen I say burst, I mean splatter, tears running . . . sobbing for minutes on end, unable to speak, flat-out grief. . . " She observed, "No one ever feels like they are doing enough. If you are in a safe location, you feel guilty that your friends are getting shot at and you aren't. If you are getting shot at, you feel guilty if your buddy gets hit and you don't. If you get shot at but don't die, you feel guilty that you lived, and more guilty if you get to go home and your friends have to stay behind. I have not seen one person out here who didn't [check off] 'increased guilt' on our intake form."

Indeed, every soldier who saw combat or the results of combat has likely suffered hidden but disturbing psychological harm to some extent. In spite of this, the Veterans Administration has been deprived of the critical funds necessary for the rehabilitation of these brave troops. The President, who continues to send more and more troops into the war on the one hand, has sought to reduce spending for medical services for these same troops on the other. His budget reduces spending for VA over the next 3 years.

Our troops are not the only ones suffering from the policies of this administration. All Americans who now oppose the war 2-1 are impacted by the massive cuts in or complete elimination of important social, health, education and environmental programs.

The cost of this war keeps going up, adding to our national debt. The interest on our debt alone is more than we devote to the education of our children, care of our veterans, and for the administration of justice combined. This body must go on record in united and solid opposition to the escalation of the war and in complete support of our soldiers and veterans. We must be resolute in our efforts to bring an end to this quagmire.

As Speaker PELOSI said, "Friday's vote will signal whether the House has heard the American people. No more blank checks for President Bush on Iraq.'

Mr. SAXTON. Mr. Speaker, I yield 5 minutes at this time to the gentleman from Ohio (Mr. REGULA).

Mr. REGULA. I thank the gentleman for yielding.

Mr. Speaker, like many Americans I am frustrated and dissatisfied with the situation in Iraq. I did not take my vote lightly when Congress authorized the President to use force. Every day I think about the patriotism and sacrifice of our brave men and women who are serving courageously in harm's way.

Mistakes and the complexity of events along the way have led us to the place we are today. Sectarian violence has increased, and Iraq is mired in a civil war, making it difficult for the new government to take hold.

While our role in this conflict has become a divisive issue, there is no denying the significant consequences Iraq's future will have for national and international security and stability.

So I must ask, how do we move forward in a way that honors the commitment and tremendous sacrifices our Nation and its troops have made? We can do so neither by cutting off funding for the troops nor by providing the President with a blank check.

Instead of political posturing, we must insist on a surge in diplomacy. I believe we need to follow closely the recommendations made by the bipartisan Iraq Study Group to bring about the best possible outcome. The Iraq Study Group report states, and I quote:

The United States should immediately launch a new diplomatic offensive to build an international consensus for stability in Iraq and the region.

This diplomatic effort should include every country that has an interest in avoiding a chaotic Iraq, including all of Iraq's neighbors. Given the ability of Iran and Syria to influence events within Iraq, the United States should try to engage them constructively.

By doing so, it would help marginalize extremists and terrorists, promote U.S. values and interests, and improve America's global image. States included within the diplomatic offensives can play a major role in reinforcing national reconciliation efforts between Iraq, Iraqi Sunnis and Shia. Such reinforcement would contribute substantially to legitimatizing of the political process in Iraq.

Iraq's leaders may not be able to come together unless they receive the necessary signals and support from abroad. This backing will not materialize of its own accord, and it must be encouraged urgently by the United States. We should make it clear to the Iraqi leadership that the additional troops are solely for the purpose of achieving stability, and that this deployment is a precursor to our leading the future of this Nation to the Iraqi people. And I would emphasize this is the important process.

Troop increases alone will not solve the fundamental cause of violence in Iraq if its government is not committed to a national reconciliation process.

However, as we lead a surge in diplomacy, and the Iraqi Government accelerates its efforts at national reconciliation, the Iraq Study Group report makes clear, and I quote, "The United States should significantly increase the number of U.S. military personnel, including combat troops, embedded in and supporting Iraqi Army units. As these actions proceed, we could begin to move combat forces out of Iraq."

Denying additional troops, as requested by our military leadership, could put our troops that are there at greater risk and delay their return to their loved ones. I hear from my constituents who want our troops home immediately and from those who want us to remain there so we don't have to fight the terrorists on our own soil.

What I do know is that the challenges in Iraq are complex, and the consequences of immediate withdrawal would be devastating. The Iraq Study Group report goes on to say "The global standing of the United States could be diminished." Our Nation has sacrificed far too much to allow our credibility and values to be weakened.

I cannot, in good faith, support this nonbinding resolution. We also support the troops, and we all want to bring the troops home as quickly as possible.

Let us instead urge the President to increase diplomatic efforts and to follow the recommendations made by the bipartisan Iraq Study Group to work on many fronts to solve the challenges in Iraq.

Mr. REYES. Mr. Speaker, as an Army veteran myself, I know that the backbone of our Army is its noncommissioned officers. Now it is my privilege to yield 5 minutes to a former noncommissioned officer who retired after over 2 decades of service in the Army, the gentleman from Minnesota (Mr. WALZ).

Mr. WALZ of Minnesota. Thank you to my colleague

Mr. Speaker, no debate in this House is longer overdue. This debate has been going on for nearly 4 years in houses, in grocery stores, in workplaces, in houses of worship all across America. No greater responsibility rests with us, the people's Representatives, than debating the decisions involved in waging a war. The decision to send our brave men and women into combat is not the end of our responsibility, it is the beginning. This body has a sacred duty to protect this Nation, our citizens, and especially those we send into combat in our name.

Constant vigilance, questioning, and adjustments to courses of action are our number one priority, and this newly elected Congress intends to do just that.

□ 1715

Some have said that this debate sends a message to our enemies. I would agree. The message our enemies are hearing this week is that democracy in America is alive and well. The message that our enemy is hearing this week is that this Nation will not live in fear of its own shadow and blindly give away those precious liberties that make this the greatest Nation the world has ever known.

The message our enemy is hearing this week is this Nation is able and willing to adjust our tactics to focus on the true threats to our security, which come from al Qaeda, and the Taliban in Afghanistan, and by securing our ports and borders.

The message they are hearing is that this Nation is no longer willing to wage a war based on political ideology and failed policy. We will wage it on facts and reality. Many of my colleagues have spoken of the need to support our troops. You will get no debate from me nor any other American. By implying that some do not support the troops based on nothing more than political posturing is cynical and divisive.

For more than two decades, I served with soldiers, airmen, marines, and not once did I ever see these brave men and women as anything other than patriots. I never saw them as a Democrat, a Republican, an Independent or a Libertarian; nor did they see me as anything but a fellow soldier.

The issue that we are debating this week is the execution of this war and the failure of this administration to provide a realistic plan for success. From the start of this war up to this recent plan to send more Americans into Baghdad, this administration has miscalculated, poorly planned, shifted blame and failed to couple our military policies with diplomatic, economic and long-range strategic planning that would have given the soldiers a chance to succeed.

Had the previous Congress done its constitutional duty of oversight and accountability, there is a strong likelihood we would be in much better shape today. Even as foreign policy experts, military experts, the Congress and the American public show an overwhelming desire to change course and oppose this escalation, this administration ignores all evidence and stumbles on. This debate marks the new beginning of this Congress's acceptance of our duty to provide the oversight and bring about policy changes based in reality and facts and long-range security needs of this Nation.

I have taken two oaths in my life. The first one was as a young man of 17 when I swore my allegiance to the Armed Forces of this country. The second was a month ago when I became a United States Congressman. In both cases I solemnly swore my allegiance to protect and defend the U.S. Constitution.

I swore alliance to no man. I swore no alliance to a political ideology. I swore only to uphold the laws of this great land and protect with my life, if necessary, the liberties and freedoms we so dearly cherish. This debate today is exactly about that oath.

Previous Congresses gave this President the authority to conduct this war in Iraq, which is right, but not the authority to disregard the expert advice, not the authority to take civil liberties from American citizens, and not the authority to disregard our constitutional right in this body as a coequal branch of government.

I, like all Americans, wish nothing more than this President had made good decisions and that the situation in Iraq were better. Unfortunately, wishful thinking does not make good foreign policy. But, fortunately, the genius of the Founders of this Nation are on display right now. This Congress, by taking this first step of oversight and accountability, and passing this resolution, will begin to right the ship of state and take this country on a path that will lead to greater security and begin to return our brave men and women back to their families.

A few short months ago, I was teaching high school. Call me optimistic and naive, but I do not see where casting a vote in this sacred room is anything but binding. Call me naive again when I hear this is nothing but words on paper. How does that differ from the U.S. Constitution?

Yesterday, I had the opportunity to visit with two soldiers from my old unit, the proud 34th Red Bull Division. Those two young men are out at Walter Reed Army Hospital. Both John and Tony are being fitted with their prosthetic limbs for the other ones they left behind in Iraq.

We spoke of everything from how they were injured, to football, to how to get ready to ski again. I do not know and I do not care about their political ideology. I only care that this Nation honors its commitment by providing everything possible to these brave Americans. Today is the day that I tell Tony and John, we will always support you. We will provide true security to this Nation.

Mr. SAXTON. Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. HUNTER), former chairman of the Armed Services Committee, now the ranking member of the Armed Services Committee.

Mr. HUNTER. I thank the gentleman for yielding.

I just want to say to my colleague who just spoke that I saw also two young men in Walter Reed a couple of days ago, and I would recommend that he talk with them also if he thinks that everybody that is over there supports this resolution.

I would also say to my friend that if you think that the message that is going to go across thousands of Web sites and communications the day after this vote is taken on terrorist Web sites is, our message is that democracy is alive and well in the United States, I am willing to take a bet on that. I do not think you will see that. I think you will see something else.

You will see the message that they think that this resolution, if it is passed, is the first note of retreat in the war against terror by the United States. That is what you will see and I will be happy to take a bet on that one.

Now, Mr. Speaker, I heard just a couple of hours ago, as many of us have, that the Democratic leadership of the House intends to use management policies in the Department of Defense over the next year or so to keep either troops or supplies from moving to the battlefield.

Now, using management policies that will prohibit people from moving in the Marines or the United States Army if they haven't spent enough time back in CONUS before they go, I can say this to you, that is a very, very dangerous policy.

Our ability to project power around the world and to deter people who wish us ill is the ability to move men and equipment very quickly around the world. And any type of an inhibition of that capability is going to be extremely dangerous to the United States. And I will fight with every fiber of my being any attempt by this Congress through management policies by the Democratic leadership, through management policies of DOD to keep either reinforcement or supplies from reaching our troops around the world.

I will simply say once more, I said when we started this debate yesterday, that this resolution will be looked at by America's friends, by America's enemies, and I think also by America's troops; and I think they will interpret it, no matter the good faith of people in this Chamber, they will interpret it as the first notes of retreat in the war against terror, just as they interpreted actions by the Spanish Government after the domestic strike in Spain and the terrorist hit in Spain and in other countries.

They will look at what we have done, and I will be happy to stand with any of my colleagues and analyze those messages as they come off the terrorist boards after this vote is taken. This resolution, if it passes tomorrow, and it probably will, will be taken as the first note of retreat in the war against terror.

Any attempt by the Democrat leadership to cut off supplies or reinforcement by management policies in DOD, personnel policies, will be interpreted as the second note of retreat in the war against terror, and I for one will oppose them very strongly.

Mr. REYES. Mr. Speaker, let me reassure my friend I have heard nothing at all about the statement he just made. Those are the kinds of statements, frankly, that confuse people.

Mr. Speaker, I yield 5 minutes to the gentleman from Kentucky (Mr. YARMUTH).

Mr. YARMUTH. Mr. Speaker, 4 years ago I was just like most other Americans, trying to evaluate the President's plan to invade Iraq. Unlike most Americans, I was writing a newspaper column and was expected to take a public position on such a national policy. But like most Americans, I was unburdened by the classified and faulty intelligence provided to Members of Congress.

I concluded and wrote that the claims made to justify the American invasion of Iraq were baseless, that there were no weapons of mass destruction, that Iraq posed no immediate threat to the United States, that Saddam Hussein was not in any way connected to the 9/11 attacks, and finally that Iraq was not a safe harbor for al Qaeda.

I also concluded and wrote that we were rushing into Iraq with no idea of what we would do after the Iraqi regime fell, and also that we had no plan for getting out. The point of all of this reminiscing is not to show that I was so smart, nor is it to say that I told you so.

Four years later, as our men and women are still dying in Iraq, the American people know everything there is to know about the situation there. We know as much if not more than the President of the United States. And our ideas about the conflict are just as valid.

That is why this resolution is so important and this debate so significant. Tomorrow we will be voting on what may be only a nonbinding resolution, but it is a resounding and unequivocal expression of the National will. This is not simply a group of Congressmen and women explaining their votes. It is the echo of an overwhelming majority of Americans who are demanding a new direction in Iraq.

It is the sound of scores of people like me who were sent here by citizens to turn the ship of state around. During this momentous debate, we have heard from some on the other side of the aisle that this resolution and the discussion we are having somehow undermine our national interest.

I believe they are selling this institution short. We are displaying for the world what a government of the people, by the people and for the people truly looks like. What we are doing here this week speaks far more clearly and loudly than our bullets and our rockets and even our dollars. When the United States Government so clearly and dramatically reflects the will of its citizens, we may not shock the world, but we make it watch in awe.

James Madison wrote that the role of Congress is to expand and refine the public view. He accurately perceived that on most issues Americans assume that their representatives will consider their opinions and work out the details. In the present situation, I believe the American people are shouting at us that it is time to get our men and women out of harm's way in Iraq.

I will cast my vote not simply to oppose the President's escalation, but as a statement that this Congress will no longer abdicate its responsibility to expand and refine the public view.

Mr. Speaker, today I am as confident about my position as I was 4 years ago. I am confident because I have listened to those who oppose this resolution. I hear only disingenuous rhetoric. The other side accuses us of trying to micromanage the Iraqi conflict, then says we should have our own plan.

They say that we are dishonoring our fallen heroes, but then offer no strategy for honoring them other than to simply send more brave soldiers in their place. They continue to talk about victory and defeat, while virtually everyone agrees that we could never identify or define either.

They say this resolution is an empty political gesture, and then say it is tantamount to surrender. What they do not give us, and more importantly what the President of the United States has not given us, are any reasons to believe that we are succeeding in Iraq, that the current plans increase the odds of our success, that we are any closer to eliminating the threat of terrorism, or finally that the United States is enhancing its image around the world as the beacon of freedom.

We who support this resolution honor and respect our troops. We care deeply about the international reputation of our country. We are unequivocally committed to our Nation's security, and we desperately want America to succeed. By supporting this resolution, we undeniably succeed, because we honor our Nation and its citizens who have entrusted us with the simple, but grave, responsibility to listen to them.

Mr. SAXTON. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin (Mr. PETRI).

Mr. PETRI. Mr. Speaker, I plan to vote for this resolution, but to surge or not to surge, that is the wrong question. Just saying "no" is simple obstructionism. What we need is a new way forward to replace the old way that is not getting us anywhere. It has become clear that trying to establish a multiethnic Iraqi democracy, while laudable, simply cannot be accomplished by non-Iraqis.

The fact is, Iraq has never been a unified country with enough common interest to foster the give and take of democracy. During the First World War, Britain seized the Mesopotamian region from the collapsing Ottoman Empire. Iraq was created out of three separate provinces to keep the Turks out while allowing the British access to the local oil.

Captain Arnold Wilson, the British civil commissioner in Baghdad, argued that the creation of the new state was a recipe for disaster. He warned that the deep differences among the three main communities, the Sunni, Shia and Kurds, ensured the new country could only be run by what he called the antithesis of democratic government.

□ 1730

After a rebellion in 1920, which resulted in the deaths of some 2,000 British soldiers and 8,000 Iraqis, the British, through the leadership of Secretary of War Winston Churchill, largely extricated themselves by choosing a Sunni to be king and strongman.

In light of this history, we should seriously consider that we have two basic options:

First, choose a faction to stabilize and rule the country through force, much as all of Iraq's previous regimes did, and that is hardly an attractive option.

Or, second, bring about a partition of the country, to form a loose confederation where the Shias, the Sunnis and the Kurds can each govern themselves while leaving the others alone.

Our enterprise in Iraq has been carried out with the best of intentions, and our men and women in the Armed Forces have performed with great heroism, skill, and honor. But we have to accept reality. We have a responsibility to help stabilize the situation, and doing so is in our national interest.

But I don't think it is fair to ask our sons and daughters to be policemen in a civil war. Sadly, it seems that most Iraqis do not embrace democratic government unless it is dominated exclusively by their own individual groups.

The Sunnis, the Shia and the Kurds are willing and able to establish law and order within their own ethnically homogenous areas. The efforts to push out other areas currently underway in Iraq are deplorable, but it is surely not unexpected given Iraq's history and desperate situation.

The sectarian militias have popular support because they have easily understood plans to establish security within their spheres for their own people. Instead of fighting the militias, we need to co-opt them. We need to help acceptable local tribal leaders, government leaders and religious authorities establish authority over their areas.

We also need to seek the positive involvement of Iraq's neighbors. Some of them may be meddling, or may be tempted to meddle, but at the end of the day, instability in Iraq means instability for everybody in the region.

Let's set about the task of helping Iraq's three main groups to regroup and stabilize their own territories so that we can withdraw to our bases and ultimately get out all together.

Mr. REYES. Mr. Speaker, it is now my privilege to yield 5 minutes to the gentlelady from Ohio, Representative Betty Sutton.

Ms. SUTTON. Mr. Speaker, throughout the course of history, when our Nation has faced its most significant debates over matters of war, there comes a time when voices of pundits and politicians must drop away and allow the voices of the people to be heard.

Our troops are brave and capable. They have fought heroically and this resolution makes it unequivocally clear that those of us who feel it incumbent to oppose the President's escalation nonetheless support our troops. All of us, and all Americans, support our troops.

But Congress also has an oversight responsibility to ensure that they are provided a mission based on a realistic assessment and an achievable goal before we ask them to risk life and limb to implement it.

The President has asked Congress to support his escalation plan to send another 20,000 troops to Iraq.

This war is now almost 4 years long. Congress has not spoken as loudly and as clearly as its responsibility requires. As the Representative of the 13th District of Ohio, I cannot sit silent. I oppose the President's plan for escalation and I fully support this resolution.

The President's own military commanders have advised against this course of action, and in November, my constituents and the American people voted for a change of direction in Iraq. Escalation is directly contradictory to that call for change. It takes us further down the wrong path, deeper and deeper, with a policy that asks our military to perform a nonmilitary mission of creating a unified government in Iraq.

But unity in Iraq has to be determined by the people who live there. It is neither fair nor just to ask our troops to fix a sectarian civil war.

Our Nation has paid a high price: the lives of 3,000 American troops lost; $379 billion spent, with another $8 billion every month of this war.

These lives cannot be retrieved; 139 brave men and women from Ohio have been killed, 14 from my district. I have a responsibility to every one of those casualties and to every one that might lie ahead, to represent their voices, especially those that can no longer be heard.

In early August 2005, Lance Corporal Edward "Augie" Schroeder II was killed in Iraq. Augie and 13 other young lives from Northeast Ohio were lost that day. In January 2006, Augie's father, Paul Schroeder, shared his thoughts and feelings in a letter to the Washington Post entitled, "A Life Wasted." He said, "Since August we have witnessed growing opposition to the Iraq war, but it is often whispered, hands covering mouths as if it is too dangerous to speak too loudly. Others discuss the never-ending cycle of death in places like Haditha in academic and sometimes clinical fashion, as in 'the increasing lethality of improvised explosive devices.'"

Wiping the clinical talk away, Paul Schroeder went on to share the painful reality that he and his family face, a reality that cannot be understood when sanitized by clinical terms. He said, "Listen to the kinds of things that most Americans don't have to experience: The day Augie's unit returned from Iraq to Camp Lejeune we received a book of his notebooks, DVDs and clothes from his locker in Iraq. The day his unit returned home to waiting families, we received the second urn of ashes. This lad of promise, of easy charm and readiness to help, whose highest high was saving someone, using CPR as a First Aid squad volunteer, came home in one coffin and two urns. We buried him in three places that he loved, a fitting irony, I suppose, but just as rough each time."

Mr. Speaker, the growing opposition to the war in Iraq must not be whispered, hands covering mouths as if it is too dangerous to speak too loudly. Accountability and oversight require more. This resolution rings loud and clear. We support our troops and we oppose the President's plan to escalate in Iraq.

Will the President hear our collective voice? If he does not, it will not be because we sat silent.

Mr. SAXTON. Mr. Speaker, I would like to yield at this time 5 minutes to the gentleman from Michigan (Mr. EHLERS).

Mr. EHLERS. Mr. Speaker, I rise, reluctantly, in opposition to this resolution. I say "reluctantly" because I had hoped to be able to vote in favor of something positive, a fresh perspective, a new idea, a new pathway to success, anything to encourage and foster a positive outcome in the Iraq conflict. But this resolution offers none of these things. It is a simple, almost meaningless, nonbinding statement of disapproval that provides no constructive resolve on this daunting, yet critical mission.

My opposition is both procedural and substantive. I am extremely disappointed that we only have this one simplistic, inadequate statement before us for consideration. No alternatives, no other ideas, no solutions. The situation in Iraq is complicated, and the American people deserve far more from Congress than a resolution that essentially calls for the status quo.

The resolution opposes the troop surge called for by the Commander in Chief, but fails to offer or even allow for consideration of any alternatives aimed at achieving success in Iraq, nor does it offer an alternative aimed at a reduction of troops.

There are other ideas out there worthy of consideration and discussion, yet we are not debating those, including those suggested by the bipartisan Iraq Study Group. For example, the study group concluded that there is no single action that the military can take that, by itself, can bring about success in Iraq. I agree with that assessment. Regardless of a troop surge, I believe a positive outcome in Iraq requires regional cooperation and positive engagement with all of Iraq's neighboring states.

A case can be made for a troop surge, but even more, we need a surge in diplomacy to create an environment conducive for a lasting peace throughout the Middle East. The history of the region is too diverse, too complex, and too tumultuous to expect progress without an integrated diplomatic effort and multinational support. Of course, this simple resolution before us offers no perspective on these matters.

In a few weeks, this body will have the opportunity to vote on funding for ongoing operations in Iraq. Forget today's resolution; the vote on the supplemental funding bill is where the real debate will occur, and the policies will be laid forth. Make no mistake, a cutoff of funds and a premature withdrawal of troops from Iraq will produce even greater sectarian violence, further deterioration of security conditions, and would foment a terrorist breeding ground for radical Islamists. We, the Members of Congress, must give our troops the resources they need to carry out their critical mission to a successful conclusion.

In closing, let me say that we all unequivocally support the troops who are serving and who have served in Iraq, and we all deeply appreciate their efforts to carry out their duties. Every day I think about the 3,000-plus American troops who have died in Iraq and Afghanistan, and I pray for their families, as well as for our troops that are there now. I think about the thousands more who have been injured, and the tens of thousands of innocent Iraqi citizens who have been killed or injured as a result of this conflict. We must do all we can to ensure that those casualties were not suffered in vain. Above all, we must seek to end this conflict and stop the casualties.

Simply put, the resolution we are debating offers no path to success, and that is why I oppose it.

Mr. HOYER. Mr. Speaker, pursuant to section 2 of House Resolution 157, I demand an additional hour of debate on the concurrent resolution.

The SPEAKER pro tempore (Mr. BOUCHER). Thirty minutes of debate will be added on the concurrent resolution to each side.

HOUR OF MEETING ON TOMORROW

Mr. HOYER. Mr. Speaker, I ask unanimous consent that when the House adjourns on this legislative day, it adjourn to meet at 8 a.m. tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

LEGISLATIVE PROGRAM

Mr. HOYER. Mr. Speaker, continuing on my unanimous consent, I would tell the Members that we do not intend to have any 1-minutes tomorrow, so that we will begin debate at 8 a.m. on this resolution.

Debate, of course, will conclude tonight at 1 a.m. so that the staff can get at least some sleep; not much, but some. And we will have continuing communications with the minority with reference to the balance of the schedule for Friday.

Mr. REYES. Mr. Speaker, I now yield 5 minutes to the gentleman from Florida (Mr. MAHONEY).

Mr. MAHONEY of Florida. Mr. Speaker, I normally rise to speak on behalf of the people of Florida's 16th Congressional District. Today I rise to begin a conversation not only with my colleagues, but with my constituents.

This week, this legislative body, the people's House, is engaged in a great debate over the President's decision to stay the course in Iraq by escalating the number of troops. I have, over the past few days, heard many arguments as to the wisdom of the President's decision to do so. But the one message that all who have spoken agree with, Democratic or Republican, liberal or conservative, is that our brave men and women in uniform have done a magnificent job fighting in Iraq and around the world to protect our lives, our culture, and our country.

□ 1745

I have heard my colleagues argue that the mere act of debating the President's decision to escalate the war sends the wrong message to our troops and the wrong message to our enemies. To these colleagues I say do not underestimate the power of democracy, the power of freedom of speech, the very powers we are fighting to give the people of Iraq. Debate sends the message of strength, resolve, and commitment. This debate is about finding the best way for America to win the war on terror.

I agree with the President that the world is a dangerous place and we need to take the war to the terrorists and those who support terror. But I disagree with the President that by sending more troops to police a civil war in Iraq, America is any closer to winning the war on terror. I come to this conclusion as a result of consultations with our military leaders, our diplomats, and those in the White House responsible for executing the President's policies. I come to this conclusion from talking to our men and women in uniform who have served with distinction.

Democracy can only happen when a people want it. We have seen time and again that a people who yearn for democracy will break the yoke of tyranny and liberate themselves from their oppressors. America has invested lives of over 3,000 of its best young men and women, sustained over 20,000 casualties, and spent nearly $400 billion on the Iraq war. We have rid the Iraqi people of a cruel tyrant and have given them the opportunity to live in a democracy. American men and women securing a street corner in Sadr City will not change the hearts of the Sunni or Shia. Additional troops will not secure democracy. Only the men and women of Iraq can do that. Now is the time for the Iraqi people to stand and demand democracy.

It is time for America to move forward in our fight against terror. It is time to focus on eliminating terrorists in Iraq, Afghanistan, or wherever they are harbored. It is time to bring Osama bin Laden to justice for the crimes he perpetrated on 9/11.

We need to gather our strength and send a clear message to our enemies that their continued efforts to support terror and engage in activity against America or her allies will result in certain and swift justice.

This President needs to do what his father did in the first gulf war and what President Clinton did in the Balkans, and that is to demonstrate leadership by engaging in diplomacy. This President needs to listen to the sage advice of the Baker-Hamilton Commission and use America's power and prestige to bring the world together in support of the Iraqi people. The world needs to know that America will provide a democratic Iraq, and those who support her, with political, economic, and military support.

I want my friends in Stuart, Okeechobee, Sebring, LaBelle, and Punta Gorda to know that I am here today because democracy requires us to speak up and speak out and you deserve to have a voice in this debate. In speaking out, I am supporting our President by letting him know that we are committed to winning the war on terror, but that we will not support his strategy to increase escalation of the troops in Iraq and that America will not quit until we have vanquished all who use terror to achieve political gain.

We want the Iraqi people to know that this is their moment to grasp democracy; and should they choose to do so, the American people will continue to support them and their efforts to build a better life for their children.

Tomorrow, my colleagues and I will take the important first step in showing the President that we support our troops, but do not support his plan to invest more American lives to mediate a civil war.

Make no mistake, this vote is binding, as it binds me and my colleagues to our constituents by forcing us to take a stand.

Mr. SAXTON. Mr. Speaker, I yield 5 minutes to the gentlewoman from Illinois (Mrs. BIGGERT).

Mrs. BIGGERT. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, I rise today in opposition to this nonbinding resolution. I cannot support it for it neither supports our troops nor offers an alternative plan. It is symbolic, it is partisan, it is cynical, and it is meaningless.

The leadership of this body is taking the easy route: criticize the other guy's plan but don't offer your own. Call up your own nonbinding resolution, but don't allow votes on resolutions that actually have substance. Position yourselves for the next elections but not for the next wave of terrorism attacks. Win the White House, but lose the war on terror.

There is no doubt that the voters spoke in the last election. They are not happy with the war. Few, if any of us, are satisfied with the progress made in Iraq. I know I am not. Neither are my constituents. Their patience and that of all Americans has run thin.

For too long we pursued an open-ended commitment without well-defined goals and clear benchmarks for success. We also pursued a strategy that placed too heavy a burden on our troops and too light an expectation of the Iraqi Government. But I want to remind my colleagues that the voters will speak again if we don't get this right. And I say "we" because it is all of us. If we don't put aside the partisan positioning and work together for the good of this country, we all will lose more than just our seats in this body.

It is not enough to point the finger and say that the President is wrong, and wait for the returns to come in. It is not enough to disapprove and criticize and say It is not my job. He is the Commander in Chief. And it is not enough to turn around and through this resolution say you support troops that have been or are serving in Iraq, but not those who may go in as replacements, rotations, or as part of the new temporary deployment. This is why we should be using this opportunity, not to take a symbolic vote of no confidence in our Commander in

Chief, but to discuss real options for the way forward in Iraq.

Mr. Speaker, I have been there several times. I have been to the red zone, visited the convention center where the Iraqi Parliament meets, and was there as Prime Minister Maliki presented his reconciliation plan. I met with our military commanders. I have listened to our soldiers who patrol the streets in Baghdad, and I have talked with democratically elected Iraqi leaders about their hopes for the future. The one thing that was very clear to me is that only the Iraqi Government can take the tough steps that will achieve reconciliation and an end to sectarian violence.

So now Prime Minister Maliki has stepped forward and asked our President for specific assistance in securing Baghdad. In response, President Bush's commanders have drawn up a plan. The President proposed a new commander on the ground, General Petraeus, who was confirmed by the other body in a bipartisan, unanimous vote of 81–0.

We urged the creation of a bipartisan Iraqi Study Group comprised of our country's most distinguished and seasoned experts and asked their advice. Among the key items they supported was a temporary surge in troop strength if called for by the commanders on the ground. "As Baghdad goes, so goes Iraq," they pointed out.

These are all steps in the right direction. But what would approving this resolution signal to the world? That we tell the Iraqi people to take the tough steps, but then we deny them the support they need to do so? That we urge the creation of a bipartisan commission to give us guidance and then reject its advice? That we unanimously confirm a new general on the ground and then we deny him his plan? That we support our troops, but not their replacements?

These are not the messages that I want to send. We owe it to our troops and to those who have given their lives to give the Iraqis one last chance to show that they are willing to fight for and take responsibility for the future of their own country. But we have to exercise our constitutional powers and hold them to it, and we have to stop signaling that the best Congress can offer is a big, nonbinding "no" to someone else's plan.

So today I am cosponsoring legislation, H.R. 1062, that will do just that: hold the administration, and the Iraqi Government, accountable in achieving clear benchmarks. It requires the President to report to Congress every 30 days on the extent to which the government of Iraq is moving forward on more than a dozen fronts, from troop training and security to rebuilding, reconciliation, international cooperation, and enforcing the rule of law. It also requires progress reports on the implementation of strategies that will prevent Iraqi territory from becoming a safe haven for terrorist activities.

Most significantly, H.R. 1062 exercises the full constitutional powers of this body, not through a symbolic expression of discontent, but through vigorous oversight and true accountability.

I urge my colleagues to support H.R. 1062 and reject the resolution before us.

Mr. REYES. Mr. Speaker, it is my privilege to yield 5 minutes to a breath of fresh air from Arizona, my good friend Mr. HARRY MITCHELL.

Mr. MITCHELL. Mr. Speaker, I think it is safe to say that regardless of any differences of opinion over military strategy in Iraq, we all agree that the outcome in Iraq will affect our national security and the security and stability of the Middle East for generations to come.

I was not a Member of this distinguished body in October of 2002 when many of my colleagues were faced with the decision of whether to authorize the President to go to war in Iraq. But 4 years later, I was elected by the people of my district who asked me and this Congress to set a new course in Iraq because it is clear to them that the administration's course is not working.

That is not to say there has not been some success. Our troops have performed bravely and succeeded in their mission to end Saddam Hussein's brutal regime. The Iraqi people exercised their new-found right to vote, and those who murdered innocent Iraqis have been given fair trials and justice has been served.

But since the initial military victory, political, diplomatic, and economic failure has become widespread. Today, sectarian violence is at an all-time high, and American troops are now caught in the middle of a civil war.

Now the administration is engaging in a military escalation of the war. They tried this strategy before and it didn't work. It didn't work because we need more than a military strategy. We need political and economic solutions too. We need a strategy that employs all of the elements of national power to ultimately put the Iraqis in charge of their own security and stability.

So far a military strategy has not solved the problems we have in Iraq. So far a military strategy has not brought Sunnis and Shiites together to maintain a unified government and a peaceful political environment. We know that a military strategy alone cannot create commerce and jobs for the Iraqi people. A military strategy alone cannot rebuild the basic infrastructure that has been destroyed over the past 4 years. A military strategy must be combined with sufficient political, diplomatic, and economic components. But that is not happening here.

I disagree with many of my colleagues in this Chamber who support the immediate withdrawal of U.S. troops. We have heard from too many generals, including those who have spoken out against this escalation, about the dangers of even more violence and instability in the Middle East if we simply withdraw. I do believe American troops have a role in Iraq, a supporting role. They should continue to train Iraqi soldiers, and their mission must ultimately be to put the Iraqis in charge of their own security and stability. But let me be clear: American troops have no place in the middle of a civil war.

This resolution reaffirms this body's support for the men and women of the United States military. Many of our troops have given their lives or suffered serious injury so that one day the people of Iraq may enjoy the same freedoms we have here in the United States. Their service and their sacrifice make me even more proud to be an American.

I hope and pray that we can have all of our brave men and women in Iraq and Afghanistan return safely to their families. But while they are in harm's way, we must honor their service by ensuring that the burden of success or failure is not left to them alone. We have a responsibility to utilize every political, diplomatic, and economic tool at our disposal to ensure success in Iraq.

Mr. SAXTON. Madam Speaker, I yield 3 minutes to the gentleman from Texas (Mr. SMITH).

Mr. SMITH of Texas. Madam Speaker, first of all, I want to thank my friend and colleague from New Jersey for yielding me time.

Madam Speaker, this nonbinding resolution is really a nonsensical political statement. It would deprive our troops of the reinforcements they desperately need. Let us trust their judgment and give them the reinforcements they want.

How would you feel if you were an American soldier in Iraq and Congress passed this resolution? It is like telling you to fight with one arm behind your back, and that is no way to defeat a terrorist.

It is our responsibility to assist our troops, not discourage them by ignoring their needs. This political resolution shortchanges our generals and their troops. Instead, we should support those who are sacrificing their lives to protect ours.

☐ 1800

Our men and women in uniform desire only to serve their country with honor. Rather than deny them what they want, we should give them the resources they deserve.

Unfortunately, many terrorists hate our country, our citizens, our freedoms and our way of life. The global war on terror is fierce; this is no time to appear weak. London, Moscow, Madrid and six other cities around the world have suffered terrorist attacks since 9/11, but there is a reason no terrorist attack has occurred in America since 2001. It is not because some would second-guess our military; it is because our troops want to win, and we should give them that opportunity.

Madam Speaker, I urge my colleagues to oppose this resolution and send the troops this message: We are here to help you.

Mr. REYES. Madam Speaker, it is now my privilege to yield 5 minutes to the gentleman from Michigan (Mr. LEVIN).

Mr. LEVIN. Madam Speaker, I rise in strong support of this resolution before the House.

We need to send a clear bipartisan message to the White House. There is little support in this Congress for deepening our open-ended military commitment in Iraq by sending an additional 21,000 troops into this conflict.

The debate we are having today is about the future of our Nation's policy in Iraq, so my main focus will not be to catalog the litany of the administration's past grave mistakes and misstatements over the last 4 years. At the same time, as a lesson for the future, it is important to remember that the war in Iraq was the first application of the Bush Doctrine. This policy was unveiled by the President in his commencement speech at West Point in June 2002 and made policy a few months later in the administration's 2002 National Security Strategy.

The administration's doctrine stressed preemptive attack, U.S. military superiority, and U.S. unilateral action. This flawed policy has proven to be disastrous. It has destabilized Iraq, and threatens to undermine the stability of the entire region. It blinded the administration to the Pandora's box it was opening when it invaded Iraq in search of weapons of mass destruction that did not exist and 9/11 terrorists that were not there.

Far from strengthening U.S. security, this misguided doctrine has put our Nation's vital interests at greater risk. The elevation of unilateralism has helped erode our Nation's standing in the world. The released NIE Estimate for Iraq underscores just how flawed the administration's doctrine has been. Among the key judgment, I quote, "Iraqi society's growing polarization, the persistent weakening of the security forces and of the state in general." And again I quote, "Extremists continue to act as a very effective accelerator for what has become a self-sustaining intersectarian struggle between Shia and Sunnis." And now I quote again. "The Intelligence Community judges that the term 'civil war' does not adequately capture the complexity of the conflict in Iraq."

The judgments of the National Intelligence Estimate reinforce the view that a military solution in Iraq is not possible. The administration has attempted troop surges in the past. They haven't worked. Adding another 21,000 American troops will not put an end to violence and instability in Iraq. The only chance to do that is for Iraq's leaders and factions to come together and begin the difficult process of political compromise and reconciliation.

I believe that announcing the orderly redeployment of U.S. forces is the best way to put pressure on the factions in Iraq to come together and make these difficult choices.

This resolution is straightforward. It states clearly and unambiguously that Congress does not support the President's plan. It supports our military personnel but not a further military escalation.

Some have said it is not serious because it is nonbinding. Others have said the resolution emboldens our enemies and hurts the troops. How does it embolden our enemies or hurt the troops for this Congress to disapprove continuing a strategy that is not working?

The resolution we are debating today is nonbinding, but is not nonconsequential. I hope the administration will hear the clear bipartisan message we are sending and change course.

The question today before the House is whether or not we agree with the President's plan to send 21,000 additional troops to Iraq to referee a growing civil war. I do not agree with this escalation. I urge all my colleagues to join in calling on the President to change course in Iraq.

Mr. HUNTER. Madam Speaker, I would yield 3 minutes to the gentlelady from Colorado (Mrs. MUSGRAVE).

Mrs. MUSGRAVE. I thank the gentleman for yielding time.

Madam Speaker, I rise today in strong opposition to this nonbinding resolution. This is not even an honest debate that we are holding here; we didn't have an open rule. This is the wrong resolution; it sends the wrong message to our troops, to our enemies and to our allies.

Today, like many Members of Congress do on a regular basis, I visited Walter Reed. While I was there today, I visited with a young man from my district. He had severe injuries. As I sat and talked to him, his empty eye socket teared. He had damage to his face. He had horrific damage to his arm that he used to protect his face. He was in a Humvee when an IED exploded, and he actually turned the Humvee towards the IED to protect the other men in the Humvee. His sacrifice is incredible.

I talked to another young man from Pennsylvania who had been on three tours in Iraq, and on his third tour, while training, he lost his hand.

I also spoke to a young man from Texas, only 20 years old; and this young man had severe injuries, specifically to his arm.

So we all know that the cost of war is very high. Many of us Members of Congress have also attended funerals and wept with mothers and fathers, families. People in my age group look at these young soldiers and they are the age of our kids. It touches our hearts, and we know the sacrifices that are made are incredible. These people need to feel the gratitude from the entire Nation, gratitude and respect. And I believe that this resolution, again, sends the wrong message.

What is not being considered adequately in this country is the cost of failure in Iraq. When we think about our enemies being emboldened, when we think about the vast resources that our enemies will have access to acquire biological and nuclear weapons, the horrific effects are just almost immeasurable.

As I think about this cost of failure in Iraq, and indeed, on the global war on terror, I think about how we Americans make an assumption. We assume, most of us, when we go to bed at night that when we wake up, tomorrow is going to be like today, that things are going to go on like they have gone on and we will have the liberties and the freedoms that we enjoy. But I would say this wonderful thing that we have in the United States of America, these freedoms and liberties, are very fragile. They are very fragile when we face radical jihadists that would murder us, thinking that it will take them straight to paradise.

We have to fight this war on terror. We have to win in Iraq. I talked to a retired general yesterday, and I believe he said it all. He said, "You're down there debating, aren't you? You're talking about the united-we-quit resolution." I believe that we have a choice: United we stand or united we quit, and our choice will echo down the halls of history.

Mr. REYES. Madam Speaker, now it is my privilege to yield 6 minutes to the gentleman from Minnesota (Mr. ELLISON).

Mr. ELLISON. Madam Speaker, make no mistake about it, the change that took place in this body over the course of November 7 is directly related to this war in Iraq. And the presence of a number of people who are here now is directly related to the will of the American people to end this war, which never should have been started.

The fact is, the strategy to escalate the troops is not new, it has been tried at least four other times. It won't work this time, it didn't work those times. The thing to do now is to engage diplomatically and politically. That is what this situation calls for and that is the only thing that will bring success in this conflict at this time.

Support the troops? Of course. Of course, support the troops. Always we support the troops. But there comes a time when you cannot get the success that you seek at the barrel of a gun, you have to talk it out, you have to engage diplomatically, you have to engage politically. There is no substitute for that.

Support the troops, but bring them home. Support the troops, redeploy them, and allow the Iraqi people to seize and protect their country at this time.

I carry a message here today on behalf of people like Phil Steger and the Friends For a Nonviolent World, on behalf of Chapter 27 of Veterans For Peace, on behalf of every patriot who stands for peace, in the frigid cold, every Wednesday night on Lake Street Bridge in Minneapolis.

On behalf of the 3,100 Americans killed, including Minnesotans, I carry that message. On behalf of 24,000 scarred and wounded young Americans, including 372 Minnesotans, I carry the message. On behalf of the families and the loved ones of the damaged and deceased, I carry the message that the American soldier has done what has been asked, and it is time for politicians to step forward and do their job, which is to seek a political and diplomatic solution to this conflict, something that this latest escalation cannot do.

On behalf of the $8 billion we send to Iraq each month, hard-working American tax dollars that could be used to enrich the lives of the 86,000 uninsured children of Minnesota, or for nearly the 700,000 Minnesota Medicare patients, I carry the message that we need peace. We need to pursue it vigorously, unwaveringly, and urgently.

On behalf of the Americans who purposefully misled repeatedly, including the administration as related to these weapons of mass destruction where none existed, on behalf of the people who claim falsely of the collusion between 9/11 and Saddam Hussein where none existed, on behalf of the people who said that regime change would be welcomed with flowers instead of IEDs, I say stop the deception, start telling the truth.

On behalf of the people who say that the Iraqi oil revenues would pay for this war instead of draining the American Treasury of over $400 billion, I say stop the deception, start telling the truth.

On behalf of those Americans who told us, repeatedly, facts which got us into this war in the first place, and which they are trying to sustain us in this war now, I say stop the deception. Stop the killing. Stop the carnage. Support our troops, do not support this escalation. Send a clear signal to the President that this is the wrong way to go.

For 6 years now, while the deception has deepened, we were told to shut up, bite your tongues, you are not as patriotic as me, you don't love America as much as I do. None of that is true. We have to stop this polarizing language and really focus on the best way out of this.

Even people who support the escalation can't claim that we are going to be in Iraq forever. What is your plan for eventually getting out of this thing? We say let's start the withdrawal now, let's start the diplomatic solution now, let's start the political solution now.

I want to say, on behalf of those who really thirst for peace, who believe that peace really is the answer, that we need to look at the words of Martin Luther King, Jr., when he spoke out against the Vietnam War. He said, "There comes a time when silence is betrayal." And so it is.

And so, in keeping in line with the legacy of Dr. King, I want to talk about peace today. To those people who believe in the principles of peace and that peaceful dissent that guided Dr. King, those people should know that for you to raise your voice on behalf of peace is a patriotic act, it is a good thing.

☐ 1815

To those people who say they believe in peace and believe peace is the right way to go, let me wrap up my remarks by just reminding you that Marine General Peter Pace, somebody who knows a little bit about warfare, Chairman of the Joint Chiefs of Staff, just last week said, There is no doubt in my mind that the dialogue here in Washington strengthens our democracy, period. He added, Potential enemies of the United States, they may take comfort in rancor, but they do not know anything about how democracy works. The fact is that peace is patriotic. Dissenting from an ill-fated policy of the President is the right thing to do. Indeed, it is our obligation.

So please continue to stand up for peace and never forget that peace is the answer, and peace is going to prevail.

Mr. HUNTER. Madam Speaker, I yield myself 2 minutes just to give some information that my great friend, the gentleman from Texas (Mr. REYES), commented on.

I made a comment a few minutes ago that I had understood that the Democrat leadership or a member of that leadership had stated that they would use DOD management policies to cut off the sending of either reinforcements or supplies to the warfighting theater and that I would oppose that very strongly.

My friend Mr. REYES expressed doubt that that had happened. He said he had not heard about it.

I just wanted to inform him I have the Reuters report here, and it quotes our colleague Mr. MURTHA: "A leading congressional opponent of the war in Iraq on Thursday said his plans for placing conditions on how President George W. Bush can spend $93.4 billion in new combat funds would effectively stop an American troop buildup." This is quoting Mr. MURTHA.

Mr. MURTHA says: "They won't be able to continue. They won't be able to do the deployment. They won't have the equipment, they don't have the training, and they won't be able to do the work. There's no question in my mind."

That is the statement upon which I based my remarks a few minutes ago. It appears that statement has been made.

Mr. REYES. Madam Speaker, will the gentleman yield?

Mr. HUNTER. I yield to the gentleman from Texas.

Mr. REYES. Did I hear you say that you spoke with Mr. MURTHA?

Mr. HUNTER. What is my friend's statement?

Mr. REYES. I would just say that many times, my good friend and I have discussed not to quote members of the media because most of the time they get it wrong. So I would wait until we talk to Mr. MURTHA.

Mr. HUNTER. Let me just say to my friend that I hope that this is a misquote; but, certainly, there was a press conference, and these are the quotes that are reported in the transcript by the press. So let us hope that that is not accurate. If it is not accurate, I will be very happy. If it is accurate, that will receive enormous opposition from this Member of Congress.

Madam Speaker, I yield 5 minutes to the gentleman from Kentucky (Mr. WHITFIELD).

Mr. WHITFIELD. Madam Speaker, I believe that the American people welcome this debate on Iraq, certainly one of the most important issues facing the American people, and I believe we will all benefit from open, constructive, and sincere debate.

It goes without saying that no one Member of Congress or political party has a clear-cut solution to the complex problems our Nation faces in Iraq.

I expect that every Member of Congress will share their thoughts on whether we should approve or disapprove this 100-word resolution; and like every other Member of Congress, I offer and convey my respect, gratitude and thanks for the exemplary service and heart-rendering sacrifice made by our young men and women in the military. As so many have said, they have performed in an exemplary way, and they have accomplished every task we have asked them to do.

I have had the great privilege of representing Ft. Campbell, home of the 101st Airborne Division and the 5th Special Forces group who have served many times in Iraq.

Throughout this debate many speakers have quoted generals and other experts who have disagreed emphatically with many aspects of the military decisions and strategic decisions about Iraq. We know there have been and continue to be strong disagreements among those who have been intimately involved in this issue.

We have as a Nation endured so much. As has been said, over 3,000 American soldiers have died, and 23,417 have been wounded during the past 4 years in Iraq.

While I understand the arguments of those who support this resolution, I would like to briefly explain why I believe we should vote against this resolution.

Neither President Bush, Speaker Pelosi or any Member of Congress will have as much opportunity to maximize the possibility of success in Iraq as our new military commander in Iraq, General David Petraeus. He is responsible, with the men and women serving, for implementing the increased security for Baghdad. He was confirmed for this new responsibility by a vote of 81–0 in the U.S. Senate on January 26, 2007, a mere 20 days ago.

At his confirmation hearing, among other statements, General Petraeus said, "Some of the members of this committee have observed that there is no military solution to the problem of Iraq." And he said, "They are correct."

Ultimate success in Iraq will be determined by actions in the Iraqi political and economic arenas on central issues as governance, the amount of power devolved to the provinces, the distribution of oil revenue, national reconciliation, and resolution of sectarian differences.

And then he went on to say, and this is key, It is, however, exceedingly difficult for the Iraqi Government to come to grips with the tough issues it must resolve while mere survival is the primary concern of so many in Iraq's capital.

For this reason, military action to improve security, while not wholly sufficient to solve Iraq's problems, is certainly necessary, and that is why additional U.S. and Iraqi forces are needed in Baghdad. They do have a role.

General Petraeus and our military have been asked to implement this additional security. He was confirmed to do this, as I said, just 20 days ago. Are we going to turn our backs and abandon General Petraeus and his soldiers this early? Are we going to say "no" without an adequate opportunity for the new strategy to work?

In truth, no one can predict the impact of a failed Iraqi state on regional stability, the international economy, the global war on terror, American security, stability in the Middle East and the lives of the Iraqi people. Twenty days is simply not enough time.

I would also like to remind the Members that on page 23 of the Iraq Study Group it says quite clearly, "We could support a short-term redeployment or surge of American combat forces to stabilize Baghdad," and that is what we are trying to do.

In my view, it is premature to vote "yes" on this resolution, only 20 days after confirming a new general to go to Iraq to provide additional security in Baghdad so that the Iraqi Government will have a reasonable opportunity to succeed.

Mr. REYES. Madam Speaker, now it is my privilege to yield 5½ minutes to the gentlewoman from California (Ms. Eshoo), a member of the Intelligence Committee.

Ms. ESHOO. Madam Speaker, I thank my colleague for yielding to me, the distinguished chairman of the House Intelligence Committee.

Madam Speaker, it has been a long and painful 4-year journey for the people of our country since this administration acted preemptively and unilaterally to invade and occupy Iraq, policies which I believe then and I still believe today would not and could not stand because they simply are not in our national character.

We were told Saddam Hussein had weapons of mass destruction. None were found.

We were told there was yellow cake. It was a falsehood.

We were told that there were trailers containing the evidence of deadly chemicals.

We were told the mission was accomplished.

We endured national and international shame when the horrific pictures depicting Abu Ghraib appeared.

We learned that our troops were not sufficiently equipped.

We mourned with our constituents as the death toll of American troops mounted and continued to mount. Just think, 137 casualties in November of 2004, then the deadliest month overall. Today, over 3,000 precious U.S. lives have been lost, with thousands maimed and injured and God knows how many innocent Iraqi lives lost.

We witnessed the world community's total support on 9/11, and we have witnessed the diminishment of America's credibility around the world because of the Iraq war.

We have heard the President and the Vice President talk about victory and insurgency in its last throes.

We have learned of manipulated intelligence and endured a no-oversight Congress.

Preemptive war, unilateralism, invasion, occupation, no post-war plan, an insurgency born of our blunders, and arrogance instead of reality.

Meanwhile, military experts, Generals Abizaid, Odom, Powell, and distinguished civilian leaders have called for change, a new strategy, and the urgency of diplomatic and political engagement, all to no avail.

One of the central findings of the recent NIE, the National Intelligence Estimate, highlighted the lack of effective Iraqi leadership as a main component driving sectarian and communal violence.

The bipartisan Iraq Study Group, appointed by the President, reported the utter urgency of action by the administration.

Retired General William Odom, former director of the National Security Agency under President Reagan and member of the National Security Council under President Carter, wrote an op-ed in the Washington Post on February 11.

I would ask that it be made part of the Record.

[From the Washington Post, Feb. 11, 2007]

Victory Is Not an Option

THE MISSION CAN'T BE ACCOMPLISHED—IT'S TIME FOR A NEW STRATEGY

(By William E. Odom)

The new National Intelligence Estimate on Iraq starkly delineates the gulf that separates President Bush's illusions from the realities of the war. Victory, as the president sees it, requires a stable liberal democracy in Iraq that is pro-American. The NIE describes a war that has no chance of producing that result. In this critical respect, the NIE, the consensus judgment of all the U.S. intelligence agencies, is a declaration of defeat.

Its gloomy implications—hedged, as intelligence agencies prefer, in rubbery language that cannot soften its impact—put the intelligence community and the American public on the same page. The public awakened to the reality of failure in Iraq last year and turned the Republicans out of control of Congress to wake it up. But a majority of its members are still asleep, or only half-awake to their new writ to end the war soon.

Perhaps this is not surprising. Americans do not warm to defeat or failure, and our politicians are famously reluctant to admit their own responsibility for anything resembling those un-American outcomes. So they beat around the bush, wringing hands and debating "nonbinding resolutions" that oppose the president's plan to increase the number of U.S. troops in Iraq.

For the moment, the collision of the public's clarity of mind, the president's relentless pursuit of defeat and Congress's anxiety has paralyzed us. We may be doomed to two more years of chasing the mirage of democracy in Iraq and possibly widening the war to Iran. But this is not inevitable. A Congress, or a president, prepared to quit the game of "who gets the blame" could begin to alter American strategy in ways that will vastly improve the prospects of a more stable Middle East.

No task is more important to the well-being of the United States. We face great peril in that troubled region, and improving our prospects will be difficult. First of all, it will require, from Congress at least, public acknowledgment that the president's policy is based on illusions, not realities. There never has been any right way to invade and transform Iraq. Most Americans need no further convincing, but two truths ought to put the matter beyond question:

First, the assumption that the United States could create a liberal, constitutional democracy in Iraq defies just about everything known by professional students of the topic. Of the more than 40 democracies created since World War II, fewer than 10 can be considered truly “constitutional”—meaning that their domestic order is protected by a broadly accepted rule of law, and has survived for at least a generation. None is a country with Arabic and Muslim political cultures. None has deep sectarian and ethnic fissures like those in Iraq.

Strangely, American political scientists whose business it is to know these things have been irresponsibly quiet. In the lead-up to the March 2003 invasion, neoconservative agitators shouted insults at anyone who dared to mention the many findings of academic research on how democracies evolve. They also ignored our own struggles over two centuries to create the democracy Americans enjoy today. Somehow Iraqis are now expected to create a constitutional order in a country with no conditions favoring it.

This is not to say that Arabs cannot become liberal democrats. When they immigrate to the United States, many do so quickly. But it is to say that Arab countries, as well as a large majority of all countries, find creating a stable constitutional democracy beyond their capacities.

Second, to expect any Iraqi leader who can hold his country together to be pro-American, or to share American goals, is to abandon common sense. It took the United States more than a century to get over its hostility toward British occupation. (In 1914, a majority of the public favored supporting Germany against Britain.) Every month of the U.S. occupation, polls have recorded Iraqis' rising animosity toward the United States. Even supporters of an American military presence say that it is acceptable temporarily and only to prevent either of the warring sides in Iraq from winning. Today the Iraqi government survives only because its senior members and their families live within the heavily guarded Green Zone, which houses the U.S. Embassy and military command.

As Congress awakens to these realities—and a few members have bravely pointed them out—will it act on them? Not necessarily. Too many lawmakers have fallen for the myths that are invoked to try to sell the president's new war aims. Let us consider the most pernicious of them.

(1) We must continue the war to prevent the terrible aftermath that will occur if our forces are withdrawn soon. Reflect on the double-think of this formulation. We are now fighting to prevent what our invasion made inevitable! Undoubtedly we will leave a mess—the mess we created, which has become worse each year we have remained. Lawmakers gravely proclaim their opposition to the war, but in the next breath express fear that quitting it will leave a blood bath, a civil war, a terrorist haven, a “failed state,” or some other horror. But this “aftermath” is already upon us; a prolonged U.S. occupation cannot prevent what already exists.

(2) We must continue the war to prevent Iran's influence from growing in Iraq. This is another absurd notion. One of the president's initial war aims, the creation of a democracy in Iraq, ensured increased Iranian influence, both in Iraq and the region. Electoral democracy, predictably, would put Shiite groups in power—groups supported by Iran since Saddam Hussein repressed them in 1991. Why are so many members of Congress swallowing the claim that prolonging the war is now supposed to prevent precisely what starting the war inexorably and predictably caused? Fear that Congress will confront this contradiction helps explain the administration and neocon drumbeat we now hear for expanding the war to Iran.

Here we see shades of the Nixon-Kissinger strategy in Vietnam: widen the war into Cambodia and Laos. Only this time, the adverse consequences would be far greater. Iran's ability to hurt U.S. forces in Iraq are not trivial. And the anti-American backlash in the region would be larger, and have more lasting consequences.

(3) We must prevent the emergence of a new haven for al-Qaeda in Iraq. But it was the U.S. invasion that opened Iraq's doors to al-Qaeda. The longer U.S. forces have remained there, the stronger al-Qaeda has become. Yet its strength within the Kurdish and Shiite areas is trivial. After a U.S. withdrawal, it will probably play a continuing role in helping the Sunni groups against the Shiites and the Kurds. Whether such foreign elements could remain or thrive in Iraq after the resolution of civil war is open to question. Meanwhile, continuing the war will not push al-Qaeda outside Iraq. On the contrary, the American presence is the glue that holds al-Qaeda there now.

(4) We must continue to fight in order to “support the troops. “This argument effectively paralyzes almost all members of Congress. Lawmakers proclaim in grave tones a litany of problems in Iraq sufficient to justify a rapid pullout. Then they reject that logical conclusion, insisting we cannot do so because we must support the troops. Has anybody asked the troops?

During their first tours, most may well have favored “staying the course”—whatever that meant to them—but now in their second, third and fourth tours, many are changing their minds. We see evidence of that in the many news stories about unhappy troops being sent back to Iraq. Veterans groups are beginning to make public the case for bringing them home. Soldiers and officers in Iraq are speaking out critically to reporters on the ground.

But the strangest aspect of this rationale for continuing the war is the implication that the troops are somehow responsible for deciding to continue the president's course. That political and moral responsibility belongs to the president, not the troops. Did not President Harry S. Truman make it clear that “the buck stops” in the Oval Office? If the president keeps dodging it, where does it stop? With Congress?

Embracing the four myths gives Congress excuses not to exercise its power of the purse to end the war and open the way for a strategy that might actually bear fruit.

The first and most critical step is to recognize that fighting on now simply prolongs our losses and blocks the way to a new strategy. Getting out of Iraq is the pre-condition for creating new strategic options. Withdrawal will take away the conditions that allow our enemies in the region to enjoy our pain. It will awaken those European states reluctant to collaborate with us in Iraq and the region.

Second, we must recognize that the United States alone cannot stabilize the Middle East.

Third, we must acknowledge that most of our policies are actually destabilizing the region. Spreading democracy, using sticks to try to prevent nuclear proliferation, threatening “regime change,” using the hysterical rhetoric of the “global war on terrorism”—all undermine the stability we so desperately need in the Middle East.

Fourth, we must redefine our purpose. It must be a stable region, not primarily a democratic Iraq. We must redirect our military operations so they enhance rather than undermine stability. We can write off the war as a “tactical draw” and make “regional stability” our measure of “victory.” That single step would dramatically realign the opposing forces in the region, where most states want stability. Even many in the angry mobs of young Arabs shouting profanities against the United States want predictable order, albeit on better social and economic terms than they now have.

Realigning our diplomacy and military capabilities to achieve order will hugely reduce the numbers of our enemies and gain us new and important allies. This cannot happen, however, until our forces are moving out of Iraq. Why should Iran negotiate to relieve our pain as long as we are increasing its influence in Iraq and beyond? Withdrawal will awaken most leaders in the region to their own need for U.S.-led diplomacy to stabilize their neighborhood.

If Bush truly wanted to rescue something of his historical legacy, he would seize the initiative to implement this kind of strategy. He would eventually be held up as a leader capable of reversing direction by turning an imminent, tragic defeat into strategic recovery.

If he stays on his present course, he will leave Congress the opportunity to earn the credit for such a turnaround. It is already too late to wait for some presidential candidate for 2008 to retrieve the situation. If Congress cannot act, it, too, will live in infamy.

He identified the shortcomings of the administration's Iraq policy and presented some of the clearest and most prescient thinking on the issue to date.

He places in stark relief what many of our colleagues refuse to accept, that the preemptive, unilateral course set by the President is not a strategy for success in Iraq.

He says: “The first and most critical step is to recognize that fighting on now simply prolongs our losses and blocks the way to a new strategy. Getting out of Iraq is the precondition for creating new strategic options. Withdrawal will take away the conditions that allow our enemies in the region to enjoy our pain.

“Second,” he says, “we must recognize that the United States alone cannot stabilize the Middle East.

“Third, we must acknowledge that most of our policies are actually destabilizing the region. Spreading democracy, using sticks to try to prevent nuclear proliferation, threatening ‘regime change,’ using the hysterical rhetoric of the ‘global war on terrorism’ all undermine the stability we so desperately need in the Middle East.

“Fourth, we must redefine our purpose. It must be a stable region, not primarily a democratic Iraq. We must redirect our military operations so they enhance rather than undermine stability.”

So many experts, so many respected leaders, so many voices of patriots, and their critical analysis ignored.

Madam Speaker, in the preamble to our Constitution, three magnificent words lead the document: “We, the people.” The people of our Nation made the clearest and most important solemn judgment on Iraq in last November's election. They said, in overwhelming numbers, to change the direction of this war, to de-escalate, not escalate.

That is exactly what this debate is about. We pay tribute to and support our troops who honor our country with their service. We say, as the American people have said, enough is enough. I urge my colleagues to vote for this resolution.

☐ 1830

Mrs. WILSON of New Mexico. Madam Speaker, I am pleased to yield 5 minutes to the gentleman from California (Mr. HERGER).

Mr. HERGER. Madam Speaker, I hope we all can recognize the profound importance of our mission in Iraq. History surely will. The mission in Iraq will impact our national security for decades to come.

The United States seeks a region of stability and peace to create a more secure world for our children and grandchildren. Al Qaeda seeks a region of terror and bloodshed.

The President believes victory in Iraq is key to victory on the war on terror. Al Qaeda believes our defeat in Iraq is key to its vision of violent Islamic rule. Our security is clearly at risk.

Americans are frustrated by the current situation in Iraq. We have witnessed the removal of a historic dictator, yet our men and women in uniform remain at risk. We have witnessed historic democratic elections, yet those elected have not yet brought security. We have been told about the progress we have experienced in training Iraqi security forces, yet violence continues to rage.

With growing uneasiness, we have watched a back and forth tug of war between progress and setback, and we mourn the loss of every single brave American who has fallen during this mission.

Madam Speaker, I share this frustration and sorrow. Yet I believe we must not allow our frustrations to blind us to the need for victory over radical jihadists. This House must work together in addressing the challenges in Iraq, because the outcome will be closely linked to our own national security for years to come.

Regrettably, the resolution before us does nothing to enhance this security. It does not offer a solution to the challenges in Iraq. It does not recognize the magnitude of the failure. And it does not recognize the nature of our enemies. For these reasons I strongly oppose it.

Madam Speaker, we know terrorists friendly to bin Laden are among the enemy in Iraq. Even before the fall of Saddam's regime, the terrorist mastermind Zarqawi had sought refuge in Iraq. His network of terror grew rapidly. Bin Laden's top deputy applauded his actions and counseled him on achieving dominance in the region. Although Zarqawi himself can no longer do harm, al Qaeda in Iraq remains a threat to our security.

An American defeat in Iraq would embolden the terrorists like no event before, bolstering bin Laden's view that America is weak. Al Qaeda would enjoy more than just a morale boost; they would have a new operational base to plot attacks against Americans and train new recruits. An American defeat in Iraq would almost certainly bring forth a government that turns a blind eye towards terrorism. This, Madam Speaker, would be catastrophic to our national security.

An American defeat in Iraq would also generate unspeakable chaos in the Middle East. The dangerous regime in Iran is already seeking to capitalize on what it perceives as our weakness. Iran is well on its way to developing nuclear weapons, and its fanatical president has publicly said that he wishes to destroy America and Israel. Syria would also take advantage of a power vacuum in Iraq, further destabilizing the Middle East. What is good for hostile regimes like Iran and Syria can be devastating for America's security.

In closing, Iraq is a central front in the war on terrorism, and its future will greatly influence our future security. An American victory would foster stability in a volatile region and provide a resounding defeat for terror.

For these reasons, we must give the President's new plan in Iraq a chance to succeed. Our resolve must override our frustrations. Our support for the remarkable members of our Armed Forces must be unwavering. And our determination in fighting radical jihadists who want to kill us and our families must never run dry. Madam Speaker, that determination must never run dry

Mr. REYES. Madam Speaker, it is my privilege to yield 6 minutes to the gentleman from Maryland (Mr. RUPPERSBERGER).

Mr. RUPPERSBERGER. I thank you, Chairman REYES, of the Intelligence Committee.

Madam Speaker, this resolution before the House today is very clear: Congress and the American people support our troops who serve bravely in Iraq, and Congress disapproves of President Bush's decision to send an additional 20,000 troops to Iraq.

There is not a Member of this body who does not pray for our Nation's success in Iraq and in the global war on terror. Our brave servicemen and women have performed in Iraq with valor and honor. They have done everything that a grateful Nation has asked of them since the beginning of the war.

Whether you are for or against the war, we must support our troops. This resolution does that.

The only people sacrificing in this war are the troops and their families. Many military personnel have served two and three tours of duty. It has been difficult on their families here at home. More than 3,100 of our finest sons and daughters have given the ultimate sacrifice for their country. More than 25,000 troops have been wounded.

I do not believe we need new troops in Iraq. I believe we need a new strategy in Iraq. The current strategy is clearly not working.

We have increased the number of American troops in the past, and it has not done anything to calm the violence. In fact, in certain circumstances the violence has increased. Even General Abizaid, commander of U.S. forces in the Middle East has stated, "More American forces prevent the Iraqis from doing more, from taking more responsibility for their own future." I completely agree with him.

I serve on the House Permanent Select Committee on Intelligence; I have been to Iraq four times and have met with America's top generals, U.S. and Iraqi troops, and Iraqi elected officials. We must give the Iraqis more responsibility to take control of their own country. We must cut the apron strings and let the Iraqis patrol their own streets. American troops will guard the perimeter areas and back up the Iraqis in an emergency. I call this the Perimeter Plan.

Redeploying troops to perimeter areas, the Green Zone, and lowering the profile of American forces will break the dependency the Iraqi military has on U.S. forces.

The Iraqis will gain more confidence in their own ability to secure their own country, and we will begin bringing our men and women home.

It has been said by my friends on the other side of the aisle that the Democrats don't have a plan. That is not true. Other Members of our party have a plan and I have a plan. In fact, I shared the Perimeter Plan with the President and members of his Cabinet on two occasions at the White House. I also gave a copy of the Perimeter Plan to the Iraqi Study Group that reviewed it before issuing its recommendations that have been largely ignored by the President. This is not cut and run like some on the other side of the aisle would like you to believe. It is a way to force the Iraqis to take more control of their country, while also allowing the U.S. military to do what it does best.

We have some of the best operations forces, Marines and Rangers, and the best technology in the world. These forces can focus on backing up the Iraqi military.

As Thomas Payne insisted during the American Revolution: "We need to let those who want independence test their will and try their soul." More American troops hinder the Iraqi democracy from testing its soul, and hurt the world in the global war on terror. More than $400 billion has been spent on this war by American taxpayers with little or no oversight by Congress. From the invasion of Iraq and the start of the war, a Republican House and Republican Senate have given the President almost whatever he wanted both in money and strategic resources. The days of the blank check are over. The stakes are too high to allow this money and resources to be spent unchecked.

In the first 6 weeks of this new Congress, the Democrats have held 52 House and Senate hearings on Iraq. We are conducting oversight and holding the administration accountable.

Iraq was not a hotbed for terrorists before the war, but it is now. The country has become a magnet for those who want to harm Americans and Iraqis and disrupt a new democracy. Terrorists have used Iraq against us to recruit and spread their twisted ideology worldwide.

But the global war on terror is much more than Iraq. While we are spending much of our precious resources in Iraq, we are not focused on fighting terrorism worldwide. We are taking our eye off the ball. We must refocus our efforts on other parts of the Middle East, Asia, South America, Africa, and other parts of the world. Good intelligence is the best defense against terrorism. This takes resources. We must prioritize where we put our money. It is not about Republicans or Democrats. It is about all Americans and keeping this country safe for our children and our grandchildren.

Madam Speaker, this is a critical moment in the war in Iraq. More troops will not help Iraq. A new strategy will.

Democracy is rooted in independence and self-sustainment. By implementing the Perimeter Plan, we encourage the Iraqis to take control of their own country. This strategy will allow us to be successful in Iraq and win the war on terror. This is why we must vote for this resolution. I urge Members to support it

Mrs. WILSON of New Mexico. I am pleased to yield 5 minutes to the gentleman from Nevada (Mr. PORTER).

Mr. PORTER. Madam Speaker, the Iraq war is the single greatest issue facing the American people today, and we must get the job done. Which is why I rise today in opposition to H. Con. Res. 63.

My prayers go out to Nevada's 26 families who have lost loved ones in this war and the other over-3,000 American citizens that have paid the ultimate sacrifice. I continue to pray for those who are in the war zone today around the world and for the families here at home.

Yes, a lot of mistakes have been made, but it is easy on Monday morning to look back and criticize. This war on terrorism is not in the textbooks. It is a war that must continually be reassessed, realigned, and restructured, because war is not perfect.

I want to bring the troops home just as soon as possible, as soon as the region is secured. There are no guarantees, but I believe the quickest way to bring our sons and daughters home is to send additional troops for a short period of time.

Madam Speaker, I oppose this resolution for three major reasons:

Number one, the impact on troops' morale.

Number two, there are no solutions today. This resolution sticks with staying the course.

And, number three, I believe this resolution puts us in the pathway of cutting off funds desperately needed for our troops.

First, on the morale: I have had the honor to be in the Middle East, in Southeast Asia, in Iraq, Afghanistan, Pakistan on three occasions, I believe more times than anyone in our delegation from Nevada. I have looked in the eyes of these young men and women of all ages in the deserts of Iraq, in Bethesda, and in Walter Reed Army Hospital.

To a person, morale is at an all-time high. But what I do hear consistently from these folks is they are afraid that Washington has looked the other way. They don't want to be the last man killed, and they are afraid the funds are going to be reduced and cut off.

And, you know, I even disagree with Secretary Gates and his perspective, and certainly with the Democrats with their approach that this debate does not send the wrong message. I believe that you are wrong. It does.

I received this e-mail just this week from a soldier I spent Christmas Eve with in Baghdad this past Christmas. And he said, "Congressman, every day we are burdened with stories in the media of the American people wanting to cut and run, with slanted coverage of atrocities and the argument that it is possible to support the troops but not the war. I disagree, Congressman. Someone that supports me by extension supports my efforts to accomplish my mission."

Madam Speaker, I hope this Congress heeds his words.

Another young man from Nevada visited the Capitol last year, wanted a tour of the Capitol, is proud of his uniform, because he was a soldier serving in the Middle East. But he was afraid he would be scorned, not unlike our family and friends that were scorned when they returned from Vietnam.

Through this resolution we are going to continue to send the wrong message to those who humbly protect our Nation.

The second reason, there are no solutions in this resolution. My father taught me a long time ago that before you complain you need to have a solution to the problem.

□ 1845

The Democrats have not presented the American people with a solution, only a resolution that endorses stay the course, which, as we saw in November, is unacceptable to the American people. This is not about leadership. This is unacceptable. I am open for ideas and suggestions as we fight this war on terror, but we must, we must win this war.

The third reason, this resolution opens the door to cutting funds desperately needed by our troops. The Democrats have said it time and time again. They are talking about cutting funds for body armor, for food, for military equipment and supplies.

This resolution, and their assertion this resolution simultaneously offers support for soldiers but not the President's plan, is disingenuous. I am deeply concerned that this resolution merely opens the door for Congress to move forward cutting off funds for our troops. We have heard it this week, and simply had the Democrats allowed the Republicans to add one sentence that we would guarantee we would not reduce the funds, would have changed the whole outcome of this resolution.

Madam Speaker, I appreciate this opportunity, but this resolution is a resolution of hypocrisy. The American people spoke in November and said we must not stay the course. I cannot support this resolution, and I don't believe the American people do.

Mr. REYES. Madam Speaker, it is now my honor to yield 5 minutes to the gentlelady from California (Ms. ROYBAL-ALLARD).

Ms. ROYBAL-ALLARD. Madam Speaker, I rise to support the resolution and to express my opposition to the President's plan to send additional troops to Iraq. While I rise as a Member of this House who opposed authorization of the Iraq war, I also rise as a member of the new Congressional majority, representing millions of Americans who voted for a new direction in Iraq, and I rise representing my own 34th congressional district of California, whose constituents overwhelmingly oppose this escalation.

Perhaps, most importantly, I rise as the proud stepmother of a U.S. Army serviceman who served in Iraq, and a proud wife of a marine who saw two tours of duty in Vietnam. While I will never personally experience war on the ground, I can speak from a wife and mother's perspective about what it means to have a loved one sent into harm's way.

Over 4 years ago, I spoke from that very perspective when I, with many of my colleagues, urged the President to exhaust all diplomatic efforts, give the U.N. weapons inspectors a chance to finish their job and, if necessary, establish a multilateral coalition force to confront Saddam before invading Iraq. These steps would have made it possible to say to my stepson and to all our Nation's sons and daughters, your country did everything in its power to keep you from harm's way.

Regrettably, the President did not do everything in his power to keep them from harm's way. We know now that decisions to invade Iraq were based on, at best, faulty intelligence, and, at worst, intelligence viewed to favor a specific policy outcome. It is breathtaking now to consider how incomplete, simplistic, or just plain wrong our intelligence and projections were about the need to invade Iraq.

It is breathtaking to consider the cost to our Nation of this ill-conceived and mismanaged war in which billions of dollars have been spent without significant and appropriate oversight of the war effort, the occupation, or the plan for reconstruction and withdrawal from Iraq. Even more tragic is the huge price that has been paid in American and Iraqi lives and in our esteem around the world.

I share the commitment of my husband and stepson and that of all Americans to defend this Nation against all enemies. I believe, even as a peaceful Nation, we must be resolute in our determination to defend our country against hostile interests.

But the bar to war must be set high, and information on which we base our entry into war or escalate our involvement must be clear, compelling, and as unfiltered as possible. The President did not, in good faith, make the case to preemptively and unilaterally go to war in Iraq, and he has not made the case for this escalation. He has not explained to the American people why, after four failed escalations, this one will succeed. Even many of his generals and military advisors oppose this plan. To give approval to this administration, to continue its failed strategy, and put into jeopardy the lives of an additional 20,000 troops defies common sense.

Madam Speaker, we will all forever be grateful to the brave men and women in uniform who have done everything they have been asked to do valiantly and courageously.

Therefore, I continue to hope that the debate over this resolution will be absent the charges that we undermine their mission and their morale, for this is nonsense. There is not a Member in this body that does not respect and honor their service or support their efforts. Our message is to the Commander in Chief, not the brave troops who serve our Nation.

Four years ago, I asked myself whether we were doing everything in our power to keep our Nation's sons and daughters out of harm's way. Four years later, I stand here to oppose this escalation and ask that we begin the process of doing everything in our power to take our sons and daughters out of harm's way and bring them safely home

Mrs. WILSON of New Mexico. Madam Speaker, I am pleased to yield 5½ minutes to my colleague from New York (Mr. REYNOLDS).

Mr. REYNOLDS. I thank the gentlewoman from New Mexico.

Madam Speaker, we have heard many speeches this week talking about the honorable men and women of our Armed Forces. We all have constituents who have served bravely in Iraq and some have paid the ultimate price for this service, and we are forever grateful for that. We are grateful because these men and women put our freedoms and our country before themselves. It is this freedom that affords us the ability to undertake the debate on this shallow, shortsighted resolution.

If the purpose of this resolution is scoring political points and playing political games, then bravo to the Democratic majority, they have succeeded. But if the purpose of this resolution is for a new direction in Iraq that will secure victory and secure the second democracy in the Middle East, then this resolution comes up woefully short.

I am not prepared to look our soldiers and their families in their eyes and say I voted for this resolution, because while I support you, I do not support your mission.

We debate a resolution this week that represents a cavalier attitude about the mission our troops are carrying out, day in and day out, without fear, and without knowing whether some in the halls of this Congress still support them in this war on terror.

While we debate this resolution, let me be clear that, like my constituents, my patience is limited in Iraq. We must see more progress sooner rather than later. We must see the Iraqis play a larger role and take control of their country. The Iraqis need to recognize their failure to take control has consequences, the consequences of fulfilling bin Laden's wish to see Iraq become a new central base for terrorists, the consequences of destabilizing the Middle East and endangering Israel, our strongest democratic ally in the Middle East.

The consequence is of involving our enemies like Iran and other rogue states to develop weapons of mass destruction without the fear of repercussions. Ultimately in Iraq, it is Iraqis who will decide if democracy or tyranny rule the day, and whether they avoid the consequences of their failure.

But while my patience is limited, and I want to see progress, I will not play politics with our troops, which is what this resolution does.

Like Majority Leader HOYER said yesterday, no one should hide behind the troops. I agree, but equally important, Members of this body should not be hiding behind this resolution if their true aim is to cut off funding for our troops. Because while this resolution will indeed score a few political points for some debating in this Chamber today, this resolution also sends a message far beyond this Chamber.

Indeed, Madam Speaker, this nonbinding resolution, while lacking any bite in terms of strategy, and not changing anything on the ground in Baghdad, will send a message loud and clear to our troops: We are consigning your mission to failure before you even have a chance to execute it.

As I listened to SAM JOHNSON today, as he recounted the unspeakable damage antiwar efforts back home did to our soldiers in Vietnam, I wondered whether our brave men and women are listening to the taunts of America's enemies at this very moment as we debate not just this resolution but their mission. SAM JOHNSON is not alone in questioning the damage to the morale we may be doing to those fighting forces.

One of my constituents, a highly decorated Iraq war veteran, David Bellavia wrote, "Each day . . . move(s) us closer to losing a winnable war and abandoning a worthy ally."

Madam Speaker, for Congress to support this resolution gives encouragement to the jihadists and cuts the morale of our troops. In our global war on terror, we cannot show a lack of resolve because, as we know, after decades of attacks by these jihadists on our citizens, the World Trade Center in 1993, our embassies and the USS *Cole*, we know what a lack of resolve has meant. That lack of resolve hit us all when the jihadists attacked us again on the morning of September 11, 2001. That fateful Tuesday brought devastation to this country not seen since Pearl Harbor and, God willing, that we will never experience again.

The skies were thick with smoke, debris piled so high it brought to a standstill the city that never sleeps. Just days after the attacks, I stood at Ground Zero amidst the rubble, in anguish. I knew this was bigger than any political party, bigger than any one country. It is a global war on Islamic jihadism, and that war, as the jihadists have said, is now set in Iraq.

The question raised by this resolution is, will we yield? As Winston Churchill said, reflecting on the darkest days of the global war of his time, one that pitted the hopes of freedom against the ideology of hatred, "Never give in—never, never, never, never, in nothing great or small, large or petty;

"Never yield to force; never yield to the apparently overwhelming might of the enemy."

Madam Speaker, in the daunting challenge of our time, we must not waver, and we must not yield.

Mr. REYES. Madam Speaker, I yield myself 6 minutes.

I rise to express my strong support for our Nation's military and for the resolution before the House today. I am a proud veteran. I know what it is like to say good-bye to loved ones and be gone for a year, or 13 months, as in my case when I served in Vietnam.

I voted against authorizing the use of force against Iraq because I did not believe that the evidence provided by the administration, particularly the intelligence data, were sufficient to justify putting our troops in harm's way. Combat should be the last option. I know; I have been there.

Over 3,000 American lives later, and tens of thousands suffering debilitating injuries, yet we are no closer to our goal of a secure and stable Iraq, and the situation there continues to deteriorate.

Our military families are paying a high price. There were a couple of articles in today's paper that talked about our inability to find common ground.

Well, I disagree. I think we find common ground because we care about not just our troops, but their families, our military families.

Madam Speaker, I would like to submit for the RECORD an e-mail from Sergeant Matthew Baeza

Hello Sir, My name is SGT Matthew Baeza, currently I am deployed in Iraq in support of Operation Iraqi Freedom '05–'07 with the C-84th ECB (H), out of Fort Richardson, AK. I am an El Paso native, and have not been too big in politics although I did my fair share of Democratic rallies with my father Luis Baeza when I was in high school. I have met you on several occasions through my father as well as when we met on the steps of the Senate when I was on a High School trip to DC in '99.

My concerns are brought forward wholehearted. They do not concern El Paso, but it does concern El Pasoans all over the country who serve in the military and who are deployed in the threatre of operations.

Many of us in the military believe in what we do and feel our mission here is warranted. The issues are not against our deployments but rather the length of our deployments.

You see, the ARMY is the only branch that will always deploy with a full 12 month rotation in deployments. Other branches have been cut to 6 months or even 3 months. I do realize there are certain elements in the other branches that serve a 12 month rotation like the ARMY.

The issue I have is that 12 months isn't that difficult to pull the first time. But into your second and third deployments (some soldiers serving 4 deployments back to back) it starts to break the backs of even the strongest of families. Children are seeking counseling as young as 3 or 4 years old due to the absence of their parents, and if a marriage survives, most end up seeking help from chaplains or marriage counselors. Is that how we want our Service Members and their families to live?

Out of a 5 year marriage, I will have been absent 3 years, and will only have known my son for 9 months, when I return days from his 3rd birthday. My marriage along with hundreds of other service members are quickly ending due to the amount of time absent from home.

I am not sure if surveys have been performed, but I can almost guarantee you the percentage of divorces have multiplied at an exponential rate. But yet talks of cutting down deployments have been in the works for year but no progress has been made.

The vast majority of Armed Services members are proud every day to put on our uniform and help others who cannot help themselves. But at what cost? At the cost of losing the ones we love. And at the end of it all we cannot place blame on our spouses, for they have been holding on longer than most could ever imagine.

Our spouses run multiple lives as my wife does. As a professional writer and reporter for the Anchorage Daily Newspaper, a mother, FRG (Family Readiness Group) Leader, and as a military spouse, my wife, she has a lot to deal with. Bills, care for our child, her work, and dealing with my calls home whether they be happy or sad. It is simply too much to ask from anyone.

My wife is as strong as they come, but with the last 3 years her patience has worn extremely thin. With us being away from home, many wives end up leaving their husbands searching for a better life, or long needed affection without a phone, or even to become their own person again. My wife told me something the other day that really hit me, "No one knows who you are, they know Megan and Dominic, and the guy that keeps calling on the phone."

That is who we have become to our families, just a voice on the phone. I am not asking to get out of this conflict. We are doing well here, plus if we leave, the friends I have lost here would have died in vain. I cannot have that on my conscience. We all realize the good we are accomplishing here, but we are losing our families over it.

We don't try to save the world, at least I don't, that is too much to ask of one person. But rather try for the ones closest to us. My son and my wife. But when they are gone, who is it for? Every day I am here I tell myself I do this for them, and others feel the same way.

I am not asking you to change the way things are, but rather voice your opinion and raise a flag for those of us that cannot. With your reputation you can influence others in helping us cut our deployments to shorter periods. We are not asking to leave Iraq or Afghanistan, but rather cut the time away from home. When you start stacking deployments on top of each other, families get broken, and when that happens, you get Service Members who cannot perform. Would could when your life is falling apart?

I hope you read this and understand where I am coming from, and realize I speak for a number of Soldiers, Sailors, Marines, Airmen, and Coast Guardsmen who have fallen into this horrible ordeal.

Thank you sir for your time.

MATTHEW BAEZA,
SGT, EN Supply Sergeant.

[From the Fairbanks Daily News-Miner, Dec. 8, 2006]

A HERO, HOME AT LAST

(By Michelle Cuthrell)

After spending 24 hours a day for seven days a week for four weeks a month for 16 months of deployment learning how to wait, you'd think small increments of time like an hour and a half would just fly by.

But standing in that Alert Holding Area on Fort Wainwright Tuesday night, 90 minutes felt like an eternity.

I guess patience isn't exactly in large supply when you are anticipating the imminent return of your husband from Iraq.

Standing amid the other moms and dads and spouses and children who were also impatiently awaiting the arrival of loved ones, I found myself fidgety.

I picked up Connor and then put him back down every five minutes, and I must have readjusted the belt and buttons on my black and red welcome home dress at least 50 times.

Every moment felt like another extension and every minute felt like another deployment. I talked a million miles a minute, and I must have asked my friend at least 20 times if the soldiers had left Eielson Air Force Base yet to head to Fort Wainwright.

I detested the anticipation.

I had so many emotions built up inside from 16 months of missing my husband like crazy and was experiencing this physical longing stronger than anything else I'd ever known to just touch him, hug him and hold him.

Which is maybe why, when the Army band began to play and those three magic garage doors simultaneously began to open, I broke down into tears.

I cried as the nearly 200 soldiers disembarked the buses that transported them from Eielson as the crowd erupted in cheers and the families burst into applause. I wept as the soldiers made their formation on the far side of the room, and I sobbed as they marched across that hangar-like area to their place in front of us.

And when their commander released them to their families, I broke down.

Soldiers sprinted toward us, frantically searching for their families, and in the crowd, I just couldn't see my husband. He wasn't in the very front, he wasn't in the very back, he wasn't near his old commander, he wasn't near anyone else I knew.

I was starting to panic, when all of a sudden, two soldiers cleared my path of vision and for the first time, I spotted him. I literally lost my breath. My heart fluttered the way it did the first time I met my husband, and I felt just like that 18-year-old girl again as we made eye contact for the first time.

My heart dropped, and my husband beamed.

I've never run so fast with a child in my arms in my entire mommy life. I had tunnel vision as I trotted toward the man of my dreams and flung my one arm around his neck as he embraced the two of us with the biggest smile I've ever seen from a man in uniform.

He held us tight, told me through giant smiling teeth that he loved me and missed me, and then pulled away to look down at his son for the first time since he was 11 days old. And in an act that I'm positive must have been from God, Connor looked up at his daddy and smiled as if Matt had been a physical part of his life for all eight months.

I cried. Then I laughed. Then I smiled. Then I shed another tear.

We hugged, we kissed, we stared at the beautiful life we had created together.

And when it was all said and done and our run-leap-hug maneuver was complete, we walked out of that AHA, hand in hand, with our worlds once again connected and our love once again in tangible form.

There's no more counting down the days "until they come home."

My hero is home, and my life is once again complete.

I want to read the e-mail that I got from Sergeant Baeza, a soldier who is from El Paso, not assigned to El Paso, but is from El Paso:

"Hello, sir, my name is Sergeant Matthew Baeza. Currently I am deployed in Iraq in support of Operation

Iraqi Freedom. I am an El Paso native, and I have not been too big on politics, although I did my fair share of Democratic rallies with my father, Luis Baeza, when I was in high school. I have met you on several occasions through my father, as well as when we met on the steps of the Senate when I was on a high school trip to D.C. in 1999.

"My concerns are brought forward wholehearted. They do not concern El Paso, but it does concern El Pasoens all over the country who serve in the military and who are deployed in the theatre of operations.

□ 1900

"Many of us in the military believe in what we do and feel our mission here is warranted. The issues are not against our deployments, but rather the length of our deployments. You see, the Army is the only branch that will always deploy with a full 12-month rotation in its deployments. Other branches have been cut to 6 months or even 3 months. I do realize there are certain elements in other branches that serve a 12-month rotation like the Army. Nonetheless, the Army uses a 12-month rotation.

"The issue I have is that 12 months is not that difficult to pull the first time. But into your second and third deployments, some soldiers serving with me back to back four times, it starts to break the backs of even the strongest of families. Children are seeking counseling as young as 3- or 4-years-old due to the absence of their parents.

"And if a marriage survives, most end up seeking help from chaplains or marriage counselors. Is that how we want our servicemembers and their families to live? Out of a 5-year marriage, I will have been absent 3 years and will only have known my son for 9 months when I return in a few days for his third birthday.

"My marriage, along with hundreds of other servicemembers are quickly ending due to the amount of time absent from home. I am not sure if surveys have been performed, but I can almost guarantee you the percentage of divorces has multiplied at an exponential rate.

"But yet talks of cutting down deployments have been in the works for years, but no progress have we seen. The vast majority of armed services members are proud every day to put on our uniform and help others who cannot help themselves, but at what cost? At the cost of losing the ones we love, and at the end of it all we cannot place blame on our spouses. For they have been holding on longer than most could ever imagine. Our spouses run multiple lives, as my wife does. As a professional reporter for the local newspaper, a mother who is raising a family on her own, as a military spouse, as my wife, she has a lot to deal with. Bills, care for our child, her work, and dealing with my calls from home, whether they be happy or sad. It is simply too much to ask from any one person.

"My wife is as strong as they come, but with the last 3 years, her patience has worn extremely thin. With us being away from home, many wives end up leaving their husbands, searching for a better life, or long-needed affection without a phone, or even to become their own person again.

"My wife told me something the other day that really hit me." And he quotes his wife: "'No one knows who you are. They know Megan and they know Dominic, and the guy that keeps calling on the phone.' That is who we have become to our families, just a voice on the phone.

"I am not asking to get out of this conflict. We are doing well here. Plus the friends I have lost here would have died in vain. I cannot have that on my conscience. We are accomplishing here, but we are losing our families over it. We don't try to save the world, at least I don't. That is too much to ask of one person.

"But rather try for the ones closest to us, my son, and my wife, but when they are gone who is it for? Every day I am here I tell myself I do this for them. And others feel the same way. I am not asking you to change the way things are, but rather voice your opinion and raise the flag for those of us that cannot, with your reputation and your influence, in helping us cut our deployments to shorter periods.

"We are not asking to leave Iraq or Afghanistan, but rather to cut time away from home. When you start stacking deployments on top of each other, families get broken. When that happens you get servicemembers who cannot perform.

"At what cost when your life is falling apart?

"Signed, Sergeant Baeza."

Madam Speaker, that is what we are doing to our military families. That is what this resolution is about. It is about having the Iraqis accept responsibility for their own country and for their own responsibility and taking care of themselves. That is why we are doing this

Mrs. WILSON of New Mexico. Madam Speaker, I yield 5½ minutes to my colleague from Texas (Mr. BRADY).

Mr. BRADY of Texas. Madam Speaker, watching television late last night I was reminded of the vivid contrast between Congress and the war on terror. On the one channel I watched Members of the House theatrically debating this nonbinding, that means pretend, resolution, while the other channel showed an American chopper hit by a rocket-propelled grenade and billowing black smoke, falling in the death spiral to the ground, killing all American soldiers aboard.

Tonight our soldiers face real bullets and real explosive devices; we debate a pretend resolution. I wish I could say this is merely a waste of time, but it is far more damaging than that. As Lincoln warned, a house divided itself cannot stand. Yet today our Congress stands divided for all the world to see. Our enemies are smiling and our soldiers are sick at heart.

Don't take my word for it. Let me read you an e-mail I received this week from a decorated Army soldier who served in the gulf war and again in Iraq on this war on terror.

He writes: "The troops support the mission, support the President, and support the surge. We are moving the brigade out of here soon. I cannot be more adamant about the fact that partisan politics is hurting the mission and the morale. We want to win the war not the White House."

I fear that some see that in the other order. The troops want to complete this mission. Congress wanted a change in the strategy, they got a change, now they don't want to support the change. That is exactly why Vietnam vets complained about politicians not allowing them to win. And this is not Vietnam all over again, but the politicians are making the same mistakes they did back then.

Let the generals run the war; you guys handle immigration. Well, listening to this debate, perhaps we should just turn the running of the war over to Congress. Unbeknownst to America, apparently the most brilliant, articulate military strategists have to be here in Congress. But a word of caution to my fellow MacArthurs and Pattons. It is easy to run a war when you are 6,000 miles from Baghdad and hold a microphone for a gun.

There can be only one Commander in Chief. The moment Congress begins interfering in battlefield decisions is the moment we are assured of losing this war and that moment is dangerously near.

I support this surge. If our military leaders and the Commander in Chief need these extra soldiers, I am behind them 110 percent. Am I certain the surge will work? No. But I am certain the consequences of failing in Iraq will ultimately cost us many more innocent lives and a much darker future, not just for Iraq but for my family and yours.

In Iraq and Afghanistan we are in a battle of wills. Should America retreat, should we withdraw prematurely, we will not only cement our reputation as a Nation that talks big and acts boldly, but at the first sign of difficulty shows no will, no backbone, no strength to keep our word.

The world saw our lack of will in Vietnam, they watched us run from Somalia, and today they see our backbone disintegrate over Iraq. They watched us for a quarter of a century, we wished away the terrorist attacks in Khobar, the USS *Cole*, and the first World Trade Center bombing.

Finally it hit home and already some in Congress are flying the white flag. Think. Nations like Iraq and Afghanistan who oppose terrorism are faced with a choice. They can live with terrorists among them or live in a free society with the protection and the backing of the world's greatest democracy. That is us. With their lives and the future on the line who will they choose? Is it not sad that today the world has just about decided that America will not keep its word, America cannot be counted on?

Terrorists know that while they can never hope to defeat our military on the battleground, they are assured if they just hold out, they can defeat us in Congress one opinion poll at a time. This is a test of wills, and whether we got here for the reason you agree with or not, it is a test. I believe we are here for the right reasons, and it is incredibly naive to believe that all of the terrorist organizations in the world were conveniently gathered in Afghanistan, like a Rotary Club.

We are wrong to pursue terrorist safe havens other than those that harbored al Qaeda on the some wobbly theory we should not pursue drug cartels other than the ones we believe smuggled in the drug that destroyed your child.

Due to technology and financing, terrorists are not limited to states and regions, and we have to pursue them. But whether or not you agree with how we got here, we are there in Iraq. And the nation of Iraq and our Nation have everything riding on the line. Eliminating Iraq as a safe haven for financing, training terrorist groups in the Middle East is a mission we must complete for our sake.

Thomas Edison once observed many of life's failures are people who did not realize how close they were to success when they gave up. If we fail in Iraq, we sentence our children to a lifetime of fear, of fear of going to the mall safely, going to work each morning and returning home safely, the fear of going with friends to a sports stadium without being torn apart in an explosion.

If we believe the price of war is high, wait until we endure the price of terror here in America. Our soldiers are giving their blood, what are we giving them? A resolution.

Mr. SPRATT. Madam Speaker, I yield 5 minutes to the gentleman from Texas (Mr. RODRIGUEZ).

Mr. RODRIGUEZ. Madam Speaker, I rise today in strong support of this bipartisan resolution that expresses disapproval of the President's escalation of troops in Iraq. In October of 2002, I stood on this floor in this House and voted against giving the President authority to wage war in Iraq. And I did so because I strongly believed that Congress should not abdicate its war powers and hand over to the President a blank check on the war.

I also recognized, having served on the Armed Services Committee and on the Terrorist Task Force prior to 9/11, that the evidence was not there. I may not agree with how this war has been handled, but I, along with everyone here and all of my colleagues on both sides, firmly stand by our troops. It is our servicemen and -women who are making a great sacrifice on the battlefield on behalf of all of us here in this Chamber and everyone across the United States.

And they, the troops, all deserve our unequivocal support. This war is creating a new generation of veterans and a new generation of needs for them. Today, over 25,000 both dead and wounded have been reported, while this body continues to appropriate billions of dollars to the administration for this war.

Let us remember our veterans and the cost to fulfill the promise that we have made to them for medical care. Today, the issue is not whether we were right or wrong to grant the President such broad authority in regards to this war in Iraq, but instead how he has exercised that power, what the results have been, and what his plans are for the future.

We have now entered the fifth year of this war. And I ask you, what progress have we made? What is our exit strategy? It is not a new question. It was a question that was raised from the very beginning when we went into this war, and when we raised it in the Armed Services Committee. This war and the reckless strategy behind it have cost us Americans some $532 billion, and over 3,100 American lives, as well as over 3,000 serious injuries.

It has resulted in increased sectarian violence and an uncertain future in Iraq. Madam Speaker, I think most of us here know that we need a new direction, and a new direction is justified. I can assure you that the American people want a new direction.

But what the President has offered to them is more of the same. The President is now asking for a massive escalation of over 20,000 troops. The escalation plan will not work, just like the previous troop surges that we have had have not worked. Madam Speaker, the American people have asked and have had enough. And with an up-and-down vote on this resolution, this Congress will not only send a message to the President regarding his misguided policy, but also send a message to the American people that their Congress is listening, it is here, and it is calling for a new direction.

I oppose this escalation plan because more troops in combat means more casualties and more loss of American lives. I have been to Walter Reed Medical Center, and I have seen our injured young men and women coming back from the battlefield. I have seen the sacrifice of what this war has done to our families and our loved ones.

Earlier this week, my office was visited by Mr. Jim Goodnow. He is a veteran from my district and an active member of the Veterans for Peace. Mr. Goodnow has traveled all over the country from his home base in Terlinqua, Texas, aboard his bus dubbed the Yellow Rose. He has been spreading the message of peace for many years.

Mr. Goodnow is not alone. And with this resolution we want to make it clear that this Congress and America and the American people have had enough. No more blank checks, no more violence, and no more escalation.

□ 1915

Madam Speaker, it is time that we stand by our country and stand up for our troops. I strongly urge my colleagues to support this bipartisan resolution.

Mrs. WILSON of New Mexico. Madam Speaker, I am pleased to yield 5 minutes to my colleague from Texas (Mr. McCAUL).

Mr. McCAUL of Texas. Madam Speaker, I rise today in support of our troops and in support of victory in Iraq.

It is hard to ignore the inconvenient truth that this ill-timed measure will aid the terrorists and depress the morale of our soldiers who are fighting to defeat them. It also sends a wrong message to our troops at exactly the wrong time. They are carrying out their mission, as I speak, while we here in the Congress are condemning them.

It amazes me that at the same time General Petraeus was confirmed by the Senate, this resolution was introduced condemning his counterinsurgency plan for victory.

Never in our history has this country sent a war leader into battle, while condemning the very mission that he and the Armed Forces will be leading.

Make no mistake, this resolution is the first step towards cutting off funding for our troops. As a consultant to the Iraq Study Group, I supported the findings that failure is not an option, and that a troop surge is necessary for security and stability. I also supported the recommendation that a political and diplomatic surge is essential for peace.

The time for evaluating the success or failure of this endeavor will come soon enough, but now is not the time to be sending a message to friend and foe alike that we no longer believe in the mission.

But many in this country and many in this Chamber insist it is in America's interest to surrender and retreat from our obligation to help Iraq build a stable democracy. They say that, knowing full well the consequences of an early American withdrawal.

And what are those consequences? Chaos, instability in the region, and, in al Qaeda's own words, a threat that America has never seen before.

Recently, the ambassadors from Jordan, Egypt and Saudi Arabia told me that "if the U.S. fails here, it will be catastrophic. We are in this together. They will come after us and then they will come after you." And then they will come after you.

Recently, after meeting with them, I had to say to myself, how will history then judge us; that when we stood at the brink, we chose retreat over advancement, surrender over victory, and defeatism for our children and for future generations?

Let us remember the words of President Kennedy, when he said: "Let every nation know, whether it wishes us well or ill, that we shall pay any price, bear any burden, meet any hardship, support any friend, oppose any foe, to assure the survival and success of liberty."

Where is the party of President Kennedy today? This resolution sends a clear message across the Islamic jihad world that we will not bear any burden, that we will not oppose any foe, that we have lost our will, that they have won, and that they can come and they can get us.

I believe Abraham Lincoln summed it up best by saying that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion, that we here highly resolve that these dead shall not have died in vain.

As Members of Congress, the most sobering job that we have is to comfort the families left behind in a time of great loss and a time of war. I have stood by, like many of my colleagues, to honor those who have paid the ultimate sacrifice for freedom. We all stand here today indebted to those brave Americans and their families.

And because those heroes and those families cannot speak on the floor of the House, I would like to share some of their words here with you today. And these are the words of Janet Norwood, a constituent, a Gold Star Mother, whose son, Byron, was killed in Fallujah while serving in Iraq. And she said: In the past I have always had great hope for this country. But, for the first time, during the State of the Union address last month, I had real doubts. I had doubts about our winning this war on terrorism. She said, When President Bush used the word "victory," only half of the room stood to applaud. My heart sank. It was obvious to me at that moment that party affiliation was more important to some than victory over evil and the sacrifice our son and other sons have made.

Well, to Janet and all the other Gold Star Mothers, I say, I couldn't agree more. And as Abraham Lincoln said, a house divided cannot stand.

September 11 changed our lives forever. But the war on terror started long before that. The year 1979 changed the world. When Iran took our embassy hostage, the seeds of Islamic jihad were spread all over the Middle East.

These seeds planted hatred and contempt for freedom in the souls of men like Osama bin Laden. In 1983, they murdered our marines in Beirut. In 1993, Ramzi Yousef and his al Qaeda associates bombed the World Trade Center. They were supposed to fall that day, but that day would come later.

They struck the Khobar Towers in 1996. They bombed our embassies in Africa. They defeated us in Somalia. And they deliberately attacked the USS *Cole*.

Each time we failed to respond. And then came September 11. It was as if the United States was a sleeping giant. And not until the bloodiest alarm of 9/11 did the giant finally awake. And America cannot afford to go back to sleep again.

"It is hard to ignore the inconvenient truth that this ill-timed measure will aid the terrorists and depress the morale of our soldiers who are fighting to defeat them." It also sends the wrong message to our troops at the wrong time. They are carrying out their mission as I speak, while we here in Congress are condemning it.

The time for evaluating the success or failure of this endeavor will come soon enough, but now is not the time to be sending a message to friend and foe alike that we no longer believe in this mission.

It amazes me that just as General Petraeus was confirmed by the Senate, this resolution was introduced condemning his counter-insurgency plan for victory.

"Never in our history has this country sent a war leader into battle while condemning the mission that he and the armed forces he will be leading have been asked to complete."

Make no mistake; this resolution is the first step towards cutting off funding for our troops. As a consultant to the Iraq Study Group, I supported the findings that a troop surge is necessary for security and stability. I also supported the recommendation that a political and diplomatic surge is essential for victory.

But many in this country, and many in this chamber, insist it is in America's interest to surrender and retreat from our obligation to help Iraq build a stable democracy. They say that, knowing full well the consequences of an early American withdrawal.

And what are those consequences—

Chaos. Instability in the region. A threat that America has never seen before. A threat that we will not be able to blindly put our head in the sand and wish it to go away.

Al Qaeda has openly said that they consider Iraq the central front in the "Third World War." Their goal is to create a Caliphate with Baghdad as its capital. Their plan is to then conquer the rest of the world and force all humanity to submit to Radical Islam.

The National Intelligence Estimate released last month stated, "If Coalition forces were withdrawn rapidly . . . this almost certainly would lead to a significant increase in the scale and scope of sectarian conflict in Iraq."

Our allies agree. The Ambassadors from Jordan, Egypt and Saudi Arabia recently told me, "If the U.S. fails it will be catastrophic. We are in this together . . . they will come after us and then they will come after you."

How will history judge us then? That when we stood at the brink we chose retreat over advancement, surrender over victory, and defeatism for our children and for future generations.

Let us remember the words of President Kennedy when he said:

> Let every nation know, whether it wishes us well or ill, that we shall pay any price, bear any burden, meet any hardship, support any friend, oppose any foe to assure the survival and the success of liberty."

Where is the party of President Kennedy today? This resolution sends a clear message across the Islamic Jihad world—that we will not bear any burden—that we will not oppose any foe—that we have lost our will—that they have won—that they can come and get us.

We are better than that.

We are Americans—the same Americans who defeated the most powerful country in the world at the time to win our independence.

We are the same Americans who defeated Fascists in Japan, Germany and Italy.

We are the same Americans who defeated the scourge of the Soviet Union, liberating millions more.

Now we face yet another challenge—defeating the jihadists and an ideology of hate. But our colleagues on the other side of the aisle say "We will support the War on Terror, except where the terrorists have chosen to fight it."

Our previous struggles were not easy, they were hard and required great sacrifice. Yet all of these challenges were met, and victory was won, and the world is a better place because of it. This struggle is the same. If we give up now, we betray not just the Iraqi people, and not just our place in history, but those who have paid the ultimate sacrifice.

I believe Abraham Lincoln summed it up best by saying:

> . . . that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion—that we here highly resolve that these dead shall not have died in vain . . .

As Members of Congress, the most sobering job we have is to comfort the families left behind in a time of great loss, in a time of war. I have stood by, like many of my colleagues, to honor those who have paid the ultimate price for freedom. We all stand here today indebted to those brave Americans and their families. They are true heroes.

Because those heroes and their families cannot speak on the Floor of the House, I would like to share some of their words today. These are the words of Janet Norwood, a constituent and Gold Star Mother, whose son Byron was killed serving in Iraq. She said:

> In the past, I have always had great hope for this country, but for the first time, during the State of the Union Address last month, I had real doubts about our winning this War on Terrorism. When President Bush used the word "victory" and only half of the room stood to applaud, my heart sank. It was obvious to me at that moment that party affiliation was more important to some than victory over evil and the sacrifice our son and others have made.

To Janet and all of the other Gold Star Mothers, I say, "I couldn't agree more." As President Lincoln once said, "A House Divided Cannot Stand."

Mr. SPRATT. Madam Speaker, I yield five minutes to the gentleman from Massachusetts (Mr. TIERNEY).

Mr. TIERNEY. Madam Speaker, in just a few weeks, America will begin its fifth year in the Iraq conflict. In that time, 3,117 members of the United States military have died, and over 23,000 American soldiers have been injured. $532 billion has been appropriated by Congress or requested by the administration.

You only need to talk or read letters from many of the returning military personnel or their families to understand that the mission in Iraq is unclear and the goals remain undefined. Our men and women are not certain if they are fighting Sunnis or Shiites, and often it depends on where they are in order to determine the answer to that dilemma. In essence, our military personnel are in the midst of a civil war, the flames of which were fanned by centuries-old animosities.

This week Congress has been addressing a resolution that reiterates its support for the troops and states clearly its opposition to escalation.

The first point could easily go unspoken. After all, we are exercising the very freedom of speech and debate that our Constitution requires, the public demands, and our men and women in uniform serve to protect.

The second point of the resolution speaks to the clear determination, as evidenced on November 7, 2006; that America does not support the President's planned escalation of this conflict.

Three previous troop buildups have already proven unsuccessful. In the first, from November 2004 to January 2005, troop levels in Iraq increased by about 18,000 troops. They did that in advance of the Iraqi elections held on January of 2005, and the number of daily attacks by insurgents rose to 61 from 52 the previous month, an increase of 17 percent.

On the second troop buildup, from June 2005 to October 2005, troop levels increased by approximately 21,500, and the number of daily attacks by insurgents in October of 2005 rose to 90, from 70 just 2 months earlier, an increase of 29 percent.

And the third troop buildup occurred from May 2006 to November 1 of 2006 when U.S. troop levels in Iraq increased by approximately 17,500 troops, and the number of daily attacks by insurgents in October of 2006 rose to 180, from 100 just 4 months earlier, an increase this time of 80 percent.

Now the President says he wants to change course, but once again he proposes to only stay the course as he seeks to send in more personnel, and we still wait for the Iraqi forces to stand up.

Madam Speaker, 132 of my colleagues and I exercised the correct judgment in October of 2002 when we voted against the war in Iraq. We recognized then that this administration's claims that Saddam Hussein posed an imminent and direct threat to the United States were hyped up and many rightly foresaw that an American occupation of Iraq would, as one colleague recently said, be of undetermined length, of undetermined cost and undetermined consequences.

Tragically, this administration was not deterred. It has been flat wrong on pretty much all of its pre-war and subsequent judgments with respect to Iraq, with its questionable use of intelligence, its failure to plan, and its failure for far too long to protect our troops once they were there.

We knew then what has become painfully obvious since, that rather than open a new front and destabilize a new area in Iraq, we should have secured Afghanistan and addressed terrorism at its source as it was embodied by Osama bin Laden and others. The proposed escalation is not the answer.

Why, after such a debacle and such a dismal record, would this administration even think to follow the advice of the same people that got us into this situation in the first place?

The proposed surge or escalation is as baseless as was going into Iraq in the first place.

The latest National Intelligence Estimate, even that part that is unclassified, which I would imagine or speculate certainly puts the administration's best foot forward, states that even if violence is diminished, Iraq's absence of unifying leaders makes a political reconciliation doubtful.

Not enough capable Iraqi troops are showing up to fight. Not enough armed vehicles are available to protect the new American deployments. The State Department cannot recruit enough civil officials to manage the latest push to turn up the electricity in Iraq or to help with reconstruction.

And so Congress must, and I think they are going to this week, pass a resolution that reiterates our support to our troops and opposes the escalation. That action, I sincerely hope, will be followed by action which will prohibit the use of Federal funds to increase the number of troops above the number existing in Iraq on January 9, 2007.

The large majority of Americans are waiting for action by this Congress to insist that we begin redeploying our troops from Iraq and complete that redeployment as quickly as possible in a measure done in months, not years.

In essence, this week's action should be the beginning of a relatively short process, culminating in the redeployment of American troops from Iraq, and energizing diplomatic efforts and international efforts to stabilize that nation and ensure its security, while it provides for a platform to redirect the necessary attention to the unfinished business of Afghanistan and focus, Madam Speaker, our efforts on terrorism, both short term and long term.

I urge my colleagues, Madam Speaker, to support this resolution and take what I expect will be the first step in charting a new course in Iraq.

Mrs. WILSON of New Mexico. Madam Speaker, I am pleased to yield 5 minutes to my colleague from California (Mr. MCCARTHY).

Mr. MCCARTHY of California. Madam Speaker, I thank the gentlelady for yielding and for her service to the country.

Madam Speaker, I rise today in a different position than the majority of this body. You see, I am one of the 54 newly elected Members of this Congress. We did not have the opportunity to debate and vote on the authority to use military force in Iraq.

Madam Speaker, I want to have an honest debate, not for political gain and not one that questions anyone's patriotism, because I believe everyone in this body wants to move this country in the right direction.

But I believe the right direction means that we move forward, not backwards. On this floor today is a nonbinding resolution that I believe moves us backwards. This resolution offers no hope to the American people. It offers no plan of action, no new strategy with the prospect of achieving success.

A lot has changed since last November's election. We have a new Defense Secretary, recommendation from the bipartisan Iraq Study Group, and a new general, General David Petraeus. He will lead our troops on the ground in Iraq.

We have a new plan, a new way forward that addresses the problem of security in Iraq through a strategy that requires more ground power. This reinforcement of troops is recommended by the study group, and we will also hold the Iraqi Government accountable to establish and preserve the peace.

Our Commander in Chief, the military commanders, and our troops believe we can still achieve stability in Iraq.

But this resolution would be the first step in gutting the very resources necessary to achieve success. This resolution offers nothing.

The Commander in Chief, the bipartisan study group, and General Petraeus offer a new way forward. This resolution offers the status quo. The status quo is a mandate to fail and begins the chain of events that lead to a precipitous withdrawal from Iraq and all the consequences that would inevitably follow.

And what would those consequences be?

Withdrawal makes the young Iraqi democracy vulnerable to takeover by extremist elements that hate America.

What would withdrawal mean for the stability in the Middle East?

What would generations of Iraqis believe, that Americans will quit before the job is done?

Who will fill the void of our strength, al Qaeda, Syria, or a country like Iran that threatens regional stability through an aggressive nuclear program, that supports terrorist groups like Hezbollah, and that possibly supplies weapons to insurgents killing our troops?

Withdrawal only strengthens terrorist groups fighting the United States and demoralizes our American troops.

I may be new to this House, but I recognize when a simple, nonbinding resolution has potential to do great damage to our Nation and to our men and women in the military.

I believe that, by voting for this resolution, the House will send a demoralizing message to our service men and women who are courageously implementing this strategy. By voting for this resolution, the House will strengthen our enemies and tell them that the end is near; that the Congress will continue to undermine our Commander in Chief, our military commanders, like General Petraeus and our troops, by cutting funding or demanding further retreats.

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By voting for this resolution, the House will snuff out the hope of democracy that millions of Iraqi people have. By voting for this resolution, the House will begin a process that leads to the creation of a dangerous power vacuum in Iraq to be potentially filled by those who mean America great harm.

I ask the Members to join with me in voting "no" on this resolution.

Mr. SPRATT. Madam Speaker, I yield 5 minutes to the gentleman from New Mexico (Mr. UDALL).

Mr. UDALL of New Mexico. Madam Speaker, I rise today in support of this important resolution and with great hope that this debate and vote will signal an important step towards the end of the Iraq war, a war so ill-conceived, so ill-planned for, and so ill-executed that it has cost our Nation almost $400 billion, ignited a civil war, and further destabilized an already fragile Mideast region. Most importantly, this war has resulted in the deaths of over 3,000 of our bravest military men and women. These men and women enlist in the Armed Forces trusting that their Commander in Chief will send them into harm's way only as a last resort and only with a clear plan for victory.

Madam Speaker, on both of these counts, the President has failed our soldiers.

It is time for us to redeploy our troops and redeploy them now. We have an opportunity to send a loud and resolute message to the President that his misguided judgment must cease, this war must now be subject to intense scrutiny and accountability by this Congress; and that he must heed the will of the American people, the overwhelming majority of whom now strongly disapprove of his handling of this war. Sadly, however, this President is tone-deaf when it comes to the most pressing issue of the day.

For the past 4 years, the President repeatedly stated that troop strength in Iraq would come from recommendations by generals on the ground. Yet by moving forward with his escalation plan, the President is ignoring solid military advice. General Abizaid, CENTCOM commander, stated: "I do not believe that more American troops right now is the solution to the problem. I believe that the troop levels need to stay where they are." Additionally, according to various reports, General Casey repeated to the NSA Director his warnings that to send more troops to Iraq would be counterproductive. He believed it might make the Iraqi Government less likely to defend itself.

That concern was shared by the Iraq Study Group. In one of their recommendations they stated that the Iraqi Government must make substantial progress on national reconciliation, security, and governance. Without progress, we should reduce our political, military, and economic support for the Iraqi Government.

Tragically, the Iraqi Government has shown no progress on any of these fronts. We must not be a security blanket for an ineffectual government. But the President's escalation plan is exactly that, asking little of Iraq's Government while putting the lives of our soldiers squarely in the crosshairs of Sunni extremists and Shiite militias.

Many in the military leadership have stated that the solution to the Iraqi quagmire at this point must be 80 percent political and 20 percent military. This escalation plan is 100 percent military with no significant political breakthroughs either having been reached or even on the horizon. Rather than implement a rigorous diplomatic strategy, the administration has instead begun escalating the rhetoric with Iran, causing many people throughout the Nation and the world to fear another misguided military action.

Our soldiers have done everything that has been asked of them, and more. They have served bravely and honorably. They have trained Iraqi forces to the best of their abilities. But they cannot be asked to calm the sectarian violence ripping Iraq apart without leadership from Iraqi politicians. Yet the President is asking exactly that.

Last year, after visiting Iraq, I called for a phased redeployment by the end of 2006. That time has come and gone. Today I call on the President to finally listen to the American people. Today I call on the President to finally listen to the Congress. It is time to move our troops out of the middle of this civil war.

I urge my colleagues to support this resolution and send a clear message to the President that the time for this war is over

Mrs. WILSON of New Mexico. Madam Speaker, I am pleased to yield 3 minutes to my colleague from Florida (Mr. MARIO DIAZ-BALART).

Mr. MARIO DIAZ-BALART of Florida. Madam Speaker, whether you are for or against the war in Iraq, whether you think the administration has done a good job or not, none of that, Madam Speaker, is the subject of this resolution. The issue that we are here debating now is whether or not we support the reinforcements that the Commander in Chief has sent to Iraq.

At the request of the commanders on the field, the Commander in Chief made the decision to send the requested reinforcements to Iraq. Many of them are already there, Madam Speaker. Those fine men and women have already been sent to Iraq.

The tragic effect of this resolution is to sabotage the morale of our troops and to broadcast to our enemies that Congress does not support our soldiers' mission.

Our Nation's troops are the bravest and most dedicated men and women on this Earth. They are risking their lives every single day to preserve our freedom and to ensure the safety of all Americans. They are not letting us down. We cannot let them down.

Again, Madam Speaker, the issue here is not whether you support or you oppose the war. It is whether you support our troops.

Every American, Madam Speaker, every American should agree that it is in our Nation's best interest to ensure that Iraq does not fall into the hands of terrorist groups or of a terrorist state like Iran. The consequences of that happening, the consequences of that happening, would be catastrophic for the region, for our allies in the area such as Israel, Afghanistan, Jordan, Egypt, and others, and for the United States of America. We cannot pretend, we cannot pretend, that this ill-timed resolution expresses anything other than a rejection of our troops' mission.

Our troops deserve much better than this. What our troops deserve, Madam Speaker, is our unwavering support. I refuse to let them down, and that is why I will be voting against this resolution.

Mr. SPRATT. Madam Speaker, I yield 5 minutes to the gentleman from California (Mr. FILNER).

Mr. FILNER. Madam Speaker, I thank the gentleman for yielding.

I rise in support of this resolution.

Let me just say, as Chair of the Veterans' Affairs Committee of this House of Representatives, no matter where we stand on this war, no matter where we vote on this resolution, we are going to make sure that the brave young men and women who come home get all the care and all the support they need from a grateful Nation. We will show what support of the troops means when they do come home.

Now, those who voted for the war back in 2002 are sometimes asked, Knowing then what you know now, how would you have voted?

Well, Madam Speaker, we knew then what we know now, and we know now what you are going to know a year or two from now.

Let me read to you what I said 4½ years ago when we had the debate on Iraq: "I rise in opposition to this resolution to grant unilateral authority to the President. I cannot believe that the Members of this body are ceding our constitutional authority to this President. And they can give me all the fancy whereases and phrases and put all the fig leafs and write all the report language they want, but this is a blank check. This is a Gulf of Tonkin resolution. This is a violation not only of our Constitution but will lead to a violation of the U.N. charter.

"Wake up, my colleagues. Why would anyone vote to do that? That is not our constitutional responsibility. And when we vote on this resolution, will America be safer? No, I think America will be less safe. We will dilute the war against terrorism. The destabilization of the area will lead to the increased probability of terrorists getting nuclear weapons. Al Qaeda is probably cheering the passage of this resolution. Now is their chance to get more weapons." I said that then.

Then we talked about the imminent threat. You guys threw the imminent threat at us. What a lie. And what are you saying now? We are emboldening our enemies and demoralizing our troops. I heard the word "sabotage." I heard the word "retreat."

I will tell you what demoralizes our troops, my colleagues. What demoralizes our troops will be the failure to provide adequate health care when they get home. What demoralizes our troops is the story of just a couple weeks ago when a young marine went to a VA hospital in Minnesota suffering from PTSD, and they said, You have got to go on a waiting list. And this young man committed suicide. That is what demoralizes our troops. That is what we have to prevent here, and that is what we are working on to do.

I said back in 2002: "I have heard all my colleagues on the other side calling us appeasers, those who are going to vote against this resolution. We are wishful thinkers. We have our eyes closed. We sit on our hands." And, of course, now we want to cut and run.

Well, I tell you, Madam Speaker, no one on this side is suggesting cutting and running. Making peace is hard work. Just ask Dr. Martin Luther King, Jr. Ask Gandhi. Ask Nelson Mandela. They didn't cut and run. They were peacemakers. And they changed the history of this world.

So let us not hear talk of retreat and sabotage and surrender. We want action for peace. We want it now, and we want the United States to be part of that action.

I said also in 2002, Madam Speaker: "There is a whiff of Vietnam in the air. I had a constituent call me and say, 'You know, if you enjoyed Vietnam, you are really going to love Iraq.' The mail is running 10–1 against this war. Protests have already begun around the Nation and around the world."

I said to the President then that "you came to the office as a uniter, not a divider. Yet we have gone down the road to division in this Nation. You can see it. You can smell it. You can hear it. And we are going to get more.

"So let us not go further down that road, Mr. President. Rethink this policy. A country divided over war is not a country that is going to make any progress. Let us have a rethinking of this war."

That is what I said in 2002. You guys didn't want to listen to us then. The President didn't want to listen to us then. You really should listen to us now and listen to the people of America who voted in 2006 to change this policy.

Let us respond to the American people. Let us vote against escalation. Let us begin to bring the troops home. Vote "yes" on this resolution.

Mrs. WILSON of New Mexico. Madam Speaker, I am pleased to yield 5 minutes to my colleague from Pennsylvania (Mr. TIM MURPHY).

Mr. TIM MURPHY of Pennsylvania. Madam Speaker, I want the American men and women serving in Iraq to come home. I want this war to end. I want the violence to stop, the injuries to stop, the deaths to stop, and I also want terrorism to stop.

Over the last few weeks, many of my constituents told me these same feelings, their strong feelings in support of or against this resolution.

I hear your concerns. No one can doubt your love of your country. Like you, I am deeply concerned about the direction of this war. Like you, armed with the knowledge of the present, the strategies of the past were too often incomplete. The intelligence was misinterpreted or inadequate.

The comments made here today on this resolution will be listened to by Iraqis and al Qaeda and the soldiers in the field right now, the marines on the high seas headed that way, and the thousands who already are on the offensive. Here is my message to them: Arab countries have told us that if we left now the results would be catastrophic. I want those Arab countries to impress upon the Sunnis and the Shias the absolute need to work for peace now. I want the United States to actively engage in diplomatic efforts with all Arab nations. There is no more time for delay. I want the Iraqi military to step up and take over combat operations, to be the tip of the spear, and for our troops to shift our mission to training and support. I want to see the Iraqi Government stand strong where every group feels respected and protected and all feel they have a future of hope.

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There is no time for delay.

I also want Republicans and Democrats to sit down together and discuss how to make these things come to fruition. I want us to review the recommendations of the bipartisan Iraq Study Group, to talk about which recommendations are worthy of implementation. I want us to thoughtfully, carefully and responsibly discuss not only what action we should take in Iraq, but to weigh the full consequences of any action and to offer real ideas, real strategies and real solutions.

I want this Congress to support our soldiers, every one of them; to tell them we value them and pray for them and their families and will give them what they need to do their job. I want all of them to know that we will stand with them until the last one returns home. And I want them to know that policy comes before politics, and that no poll, no political plan, no political threat should ever undermine our allegiance to doing what is right for our soldiers and our Nation. I want them to know that their work, their risks, their fighting, has meaning and purpose, and must be immune to the politics of Washington.

I want the soldiers and airmen from the 171st, the 99th and the 911th in Pittsburgh, and all our National Guard and Reservists and active duty to come home. I want their families to be able to embrace them, their children to be tucked in at night by them and our towns to be able to show the affection of a grateful Nation. But while they are there, while they stand sentry with eyes on the horizon, ride in their convoys or walk on patrol, I want their minds on the critical task of that moment.

I spoke this week to the mother of a soldier who was just killed in Iraq, Russell Kurtz. A finer and a braver man you will not find. I asked her what she thought about this discussion of sending more troops to Iraq, and she said, "I would rather have more troops there helping my son."

Dom DeFranco, the Pennsylvania Commander of the VFW, wrote this letter to the editor of the Almanac Newspaper. I will submit the whole letter, but let me read this. He said, "Even with their pride, honor and dedication motivating them patrol after patrol, bad morale can bring down even the toughest warrior. As a Vietnam veteran, trust me, it cuts deep. Regardless of where you stand on the current war on terror, troops get the message that they are wasting their time when politicians and citizens make headlines criticizing military action."

Madam Speaker, I include the entire letter for the RECORD.

TO THE EDITOR: Men and women are risking their lives in the Middle East trying to restore peace to an oppressed population. Their military gear and encampment offer some protection, but the threat of life-changing physical and mental wounds is constant. So is the challenge to always be mission-ready, prepared to make life and death decisions in a split second. A grueling situation for sure.

However, even with their pride, honor and dedication motivating them patrol after patrol, bad morale—especially when fueled back home by demonstrations and political grandstanding—can bring down even the toughest warrior. As a Vietnam veteran, trust me—it cuts deep.

Regardless of where you stand on the current War on Terror (The Veterans of Foreign Wars does not take sides in debates about military action), troops get the message that they are wasting their time when politicians and citizens make headlines criticizing military action.

As the debate about the War on Terror continues, I urge citizens and politicians to stay focused on providing our troops with all of the combat equipment, supplies, and personnel they need to be the most effective fighting force possible. Democracy affords politicians and citizens effective ways to debate policies without sending morale busting messages from the home front. Life on the front lines is tough enough without taking incoming salvos of negativity from back home. They also need our emotional support.

Like you, I want our troops home as soon as possible. But as long as they are in harm's way, we should back them with the full resources of our nation—in material, personnel and supportive messages. Anything less will have a negative impact on their morale and possible their safety.

Madam Speaker, listen to this comment from the American Legion regarding their unanimous support for the current action in Iraq and the increase in troops and their caution or political rhetoric. They said, "Veterans of the Vietnam were remember what it was like to fight without the support of the people back home. You couldn't separate the war from the warrior then, any more than we can today."

While our soldiers are there, I will support them with everything they need in terms of armor and ammunition, bullets and bread, weapons and words.

I will continue to work for all of these things, but for this point in time, while our soldiers are on the battlefield, I want to be able to look them in the eye and say at your moment of need, I backed you up on the battlefield.

Mr. CLYBURN. Madam Speaker, pursuant to section 2 of House Resolution 157, and as the designee of the majority leader, I demand that the time for debate on the concurrent resolution be enlarged by 1 hour equally divided and controlled by the leaders or their designees.

The SPEAKER pro tempore (Ms. DEGETTE). Under the rule, that will be the order.

Mr. SPRATT. Madam Speaker, I yield 5 minutes to the gentleman from Massachusetts (Mr. OLVER).

Mr. OLVER. Madam Speaker, I support the resolution before us today. In clear and succinct language it says what I believe must be said regarding the war in Iraq that America is engaged in by the choice of President Bush.

I support our men and women on the front line with all the training, the body and vehicle armor and the equipment they need to be successful at the task that they have been given, and I support them as they return, whether safe and sound or scarred by grievous wounds. Almost 24,000 have been wounded, and many returned broken in body or spirit. Many have suffered permanently disabling wounds. Thousands of others, not physically wounded, suffer severe traumatic stress disorders. And all will need and must be given the care and rehabilitation they have been promised.

America mourns the loss of more than 3,000 of our soldiers since that fateful first day of May in 2003 when President George W. Bush triumphantly proclaimed "Mission Accomplished." At no time in the 220 years since the founding of our Nation has America suffered such casualties during an occupation following war. This occupation has been spectacularly mismanaged, yet Americans are asked to suspend doubt and support an already used tactic, placing almost 20,000 additional troops on the ground around the clock, with our young men and women caught between the combatants in the civil war raging in Baghdad's urban streets and neighborhoods.

I oppose this escalation. It is 4 years too late and more than 100,000 troops too few. The tactic itself has been used repeatedly over the last 4 years, with dangerously counterproductive results. Each time this tactic has been used, it has left behind greater hatred for the occupation and the occupiers, as well as thousands of new recruits for the insurgency or al Qaeda. I believe that this escalation will be remembered for the deaths of many more American soldiers and Iraqi civilians.

President George W. Bush has repeatedly cited the 300,000 strong Iraqi army and police force which we have spent billions of dollars to train and equip. They should be pacifying their capital city. As dysfunctional as it is, the Iraqi government which we created must decide whether they want all-out civil war or a stable, unified Iraq, with oil revenues fairly distributed and with changes to their Constitution to assure the rights of 40 percent of the population who are not Shia Muslims. We cannot decide that for them.

The civil war will continue and our casualties will continue to mount until we disengage our forces from a direct military role, except to deny haven to al Qaeda. We must place responsibility directly on the Iraqi government.

At this very late date, virtually everyone agrees that peace and stability for Iraq cannot be secured militarily, but only politically. Our best chance for a positive outcome to this tragic and unnecessary war is outlined and unanimously recommended by the Iraq Study Group, led by former Secretary of State James Baker and former Congressman Lee Hamilton.

We should substitute a robust, multifaceted diplomatic campaign to discourage all of Iraq's neighbors from engagement in the growing civil war and to gain support and assistance for a stable, unified Iraq. That diplomatic campaign must involve major powers and regional groups like the European Union and the Arab league, along with all of Iraq's neighbors, without exception or precondition. The U.S. should always be willing to talk. In every way, talk is far less costly than war.

In a month, the war in Iraq will have gone on 4 years, well beyond our participation in World War II. It is time to begin bringing our troops home.

Mrs. WILSON of New Mexico. Madam Speaker, I am pleased to yield 5 minutes to my colleague from Ohio (Mr. HOBSON).

Mr. HOBSON. Madam Speaker, I want to begin by saying that last night when I was watching the floor debate, my colleague from Connecticut, CHRIS SHAYS, gave one of the best speeches on where we are with regard to the war in Iraq. It was a comprehensive overview of the current situation, and I agree with his views on this debate, and I would like to associate myself with his comments. I hope that my colleagues and those who are following this debate will take a moment to read his remarks.

Like Mr. SHAYS, I rise in opposition to this resolution. This is the wrong resolution to be considering if we in Congress are supposed to be fulfilling our responsibility to provide oversight on how this war is to be conducted. Rather than debating the so-called surge, which is actually taking place, we should be debating how to put policy in place that will bring stability and ensure the security of the American people.

Admittedly, the administration has made mistakes in the execution of this war. Many of us, both Democrats and Republicans, have been telling them that from the beginning. Among a number of things that we have been saying has been that they had enough troops to win the war, but they didn't have enough troops to win the peace. But we can't correct those mistakes. What we can do now is to find a strategy on how best to go forward.

So the question becomes, what can we do now that gives the Iraqis the best chance to take control of their country, while also allowing our troops to return home with honor? We owe it to the parents and the families of the men and women who have fought and died in this war to not let their lives be lost in vain. That is the message that I have heard many times when I have met with those families in my district and one that many of my colleagues have also heard.

Last month, I went on a bipartisan congressional delegation trip to Iraq, Afghanistan and Pakistan. While we met with the U.S. troops and commanders, we also had a chance to meet with the leaders of those countries, including the prime minister, al-Maliki. He told us that if his country had the command and control equipment and our backing, the Iraqis could begin to take over their own security in 3 to 6 months and that we could begin to redeploy up to 50,000 of our troops.

Madam Speaker, we need to make sure that Prime Minister Maliki has the tools and resources to do just that. Frankly, the American people would be better served if that were this debate, instead of this nonbinding resolution.

Our focus should be on fixing what needs to be fixed so that the Iraqi people can take control of their country's fate, like they did 2 years ago when they held their first free elections in 50 years.

This action will require several steps. For example, as several of my colleagues have already mentioned, the bipartisan Iraq Study Group supports a short term surge of American combat forces to stabilize Baghdad. This is being done. The group also recommended that there be more diplomatic outreach in the region to include countries like Egypt, Saudi Arabia, Kuwait, Syria and even Iran, and this needs to be done by the administration.

Further, it is imperative that our U.S. troops begin to transition from a combat role to one focused on training, counterterrorism, force protection and controlling Iraq's borders.

My colleagues, the world is watching. Our friends, our enemies are watching and waiting to see what our next move will be. A retreat from Iraq would lead to even more instability in the region and create a haven for terrorist groups who despise freedom and our way of life.

What kind of message are we sending when we engage in debate that is essentially a political exercise, rather than one that is on substantive strategy on how to bring stability to the region?

Madam Speaker, we cannot accept defeat, but we must insist on making the changes necessary so that the Iraqi people can take the fate of their future in their own hands. There is a phrase that has often been repeated since the war began, and that is as Iraqi forces stand up, U.S. forces can begin to stand down. Defining a workable strategy to achieve that goal should have been the focus of this week's debate, rather than this nonbinding resolution that will not bring us a step closer to stabilizing Iraq and bringing our troops home or achieving stability in this region of the world.

Again, I urge my colleagues to oppose this resolution.

Mr. SPRATT. Mr. Speaker, I yield 5 minutes to the gentleman from Arizona (Mr. GRIJALVA).

Mr. GRIJALVA. Madam Speaker, I am here today to support the resolution.

Madam Speaker, I won't spend a lot of time assessing the blame and the responsibility for the quagmire that our Nation finds itself in in Iraq, but I do find it curious during this debate that the opponents of this resolution want us to believe that the history of the Iraq war begins today, that it has no past, that it has no consequences, just a doubtful future. This head-in-the-sand attitude, while politically expedient, denies reality and truth.

Rest assured that history will not be kind to the decisionmakers and the decider of this war, nor will it be kind to a Congress that looked the other way.

The resolution before us today is a first tentative step toward the removal of our troops from Iraq. The escalation proposed is another desperate act opposed by the American people and former military leaders.

The resolution does not demoralize our troops nor embolden the insurgents. To the contrary, this resolution offers hope to our troops that an end is in sight and that their elected representatives in this House are not passing on their authority regarding the most important issue confronting our Nation today.

I personally know families whose loved ones have been lost, badly injured or profoundly intangibly affected by this war. Our commitment should be to those families and veterans who need our full measure of support. Our gratitude should be measured in real resources for veterans, and not empty platitudes and political rhetoric expounded to justify an irreparable failure in Iraq.

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The focus of this debate is not centered on our soldiers who are nobly doing their duty and following their orders. It is directed at those who set policy and who have produced a war without end, with no plan of success or exit, with no international strategy, who now turn to a desperate and doomed escalation that only reinforces the failure and the desperation of those policymakers.

Rest assured that the civil war in Iraq will not end with the influx of more American troops. I do believe this resolution should have teeth. We must send a message that binds all of us to real action, an unflinching message of opposition to the escalation and a message of support for our troops. Today marks a step in that direction.

And I wonder, how many ways can the American people tell this Congress to act to prevent more loss of our blood and treasure in the war in Iraq? Weren't the elections that just happened a strong message? Isn't the loss of confidence by the public in their elected officials a strong message? Isn't the sacrifice and valor of our men and women fighting this war deserving of the respect of this government? Don't we have a duty to those men and women to protect them, reunite them with their families immediately, and, above all, share the truth with them, that the question is no longer if we get out of Iraq, it's how and when.

The answer to that question for me and many other families is, the sooner the better. I could stand here and read poll after poll that talks about the public's overwhelming opposition to this war and even more overwhelming opposition to this escalation. But as I think about it, the most important poll for those of us who serve in Congress needs to be our conscience. The resolution before us is simple and direct. It speaks in a very clear way to the frustration we all feel about this misadventure in Iraq. And I said I would not belabor the question of who to blame, but it is important to address the obvious.

Remember weapons of mass destruction? None found.

Remember the links between Iraq and the attack on 9/11? It didn't exist.

All the misspent funds in Iraq, misappropriated dollars. That was ignored by the administration.

"Mission Accomplished." What a premature political hype that was.

And a strategy for Iraq. It doesn't exist.

Funds for education, health care, our cities and towns, investments in our people here in this country, that has all been spent in Iraq.

The litany of failures and untruths goes on and on. The lack of leadership by this administration requires, no, I think it demands that this Congress assert its constitutional duty to check and balance this administration by beginning with the important step of passing this resolution.

Mrs. WILSON of New Mexico. Madam Speaker, I am pleased to yield 4 minutes to my colleague from Texas (Mr. HALL).

Mr. HALL of Texas. Madam Speaker, first and foremost, I stand and I hope we all stand in support of our troops. But I also rise today in opposition to H. Con. Res. 63. While I believe that we all share the same goal of winning this war on terror and bringing our brave young men and women home, I regret that this bill before us today absolutely will not lead to that goal. Nobody wants this war to end more than those fighting in it and we need now to do what it takes to bring our brave men and women home, but to bring them home in victory. If we don't achieve victory, the consequences are going to be disastrous for the progression of freedom all over the world, and instead of taking a step forward, we would be taking multiple steps backward.

So what is the point of this resolution? Is it going to block the troop surge? Absolutely not. Will it end the war? Not a chance. Will it help our chances of achieving victory? Absolutely not. This resolution will demoralize our troops who are sacrificing themselves for us today and tonight, and this resolution will give comfort to an enemy. This resolution puts politics before the lives of our brave soldiers and there is no way in the world that I can support it. The only chance we have for victory is to support the President's troop escalation. It's not a sure thing, but it's our best chance for victory. These added troops will help us secure Baghdad, stabilize the area, and accelerate the training necessary for the Iraqis to stand on their own. Only after these things happen can we leave Iraq the way we should and that is victorious.

I fully support our Commander in Chief, and I think he has much more information than I have or any other Member or combination of Members in regard to our war on terrorism, and particularly the war in Iraq. I think President Bush is a godly person, intelligent and educated, and cares for this country and cares for those who defend it. I will continue to support him as long as he holds the title of Commander in Chief of the Armed Forces of the United States of America. I heard the President loud and clear in his State of the Union address on January 23, 2007. What I gleaned from his speech is that he is asking for calendar year 2007 to complete the existing plan being implemented by General Petraeus and those who serve under him. And at such time, he fully expects the Iraqis to be in a position to defend their borders and protect their people, resulting in an executive order hopefully to bring the process of withdrawal of these American forces still defending our Nation, to bring them home.

This resolution will absolutely undermine the efforts of our troops in Iraq. I strongly oppose it.

Mr. SMITH of Washington. Madam Speaker, I am pleased to yield 5 minutes to the gentleman from Massachusetts (Mr. CAPUANO).

Mr. CAPUANO. I thank the gentleman for yielding.

Madam Speaker, I don't have prepared remarks. I have been listening to this debate for the last couple of days, and everything that can be said on both sides has been said repeatedly. And thus far the only thoughtful argument I have heard to not vote for this resolution is that somehow it will demoralize the troops. That pretends that the troops live in a bubble and don't know what is going on and just never think. Everybody who has done any discussions or any polling of the troops know they already know that this war is over. It's not a military defeat. To put it that way is ridiculous. No one can defeat our military. It is absolutely undefeatable. It is a political defeat. We cannot win, which I am not even sure what that means, this war. This escalation will do nothing but delay the inevitable. America knows it.

To listen to the discussion I have heard in the last couple of days, all I can say to myself, if we had this attitude in the seventies, we would still be in Vietnam. For what? For what? We have done what we could do, and we may have to go back someday, and I may vote for it under the right circumstances. To never say never is ridiculous. We don't know where the cards are going to be played. We do know one thing: that today Iraq is engaged in a civil war. One of the leaders of that civil war isn't even in Iraq. He is in Iran. We are only delaying the inevitable at the cost of our young men and women. And I am not talking about money, because if this was the right war, a moral war, money wouldn't be the issue.

This war is over. We need to recognize that. We need to stop trying to play politics with it. Bring our troops home and prepare them for the next battle that we might all join in if it's the right place and the right time.

Mrs. WILSON of New Mexico. Madam Speaker, I am pleased to yield 3 minutes to my colleague from Texas (Mr. BARTON).

Mr. BARTON of Texas. Madam Speaker, I attended the Charlie Norwood funeral today in Augusta, Georgia. He was a veteran of Vietnam. I think it is ironic that because he was a veteran, we saw at the beginning of the funeral the honor guard walk in carrying the flag of the United States Army and the flag of the United States and all the battle ribbons on that flag, that as 70 to 80 of the Members of this body were showing respect to Charlie and his family, we were having this debate on another war.

The resolution before us is a sham resolution. It is nonbinding. I have voted on resolutions of war and peace in my time in this Congress. I voted on the first gulf war resolution back in the early nineties when we thought that there might be tens of thousands of body bags coming back with our troops in them. I voted on the first resolution supporting our President in this war after 9/11. Remember 9/11? We had more American citizens killed in one day in the Twin Towers and in the Pentagon than we have had in all the years that our troops have been in Iraq and Afghanistan. That doesn't demean their sacrifice. I have attended three funerals in my hometown of young men who have been killed in the line of duty in this current war.

This nonbinding resolution tries to have it both ways. It says at the first, in part A, we support the troops and in part B, we don't support our President's decision, the Commander in Chief, to send these reinforcements. Well, if it's nonbinding, why have the debate? I think it's commendable that we are having this debate. I wish it would have had some meat on it. Let's put a real resolution on the floor. But the Republicans weren't offered an alternative, so we have to vote for or against a nonbinding resolution that has it both ways in the resolution. I don't think that is very becoming to this Congress.

But when the time comes, I am going to vote "no" because I believe as Thomas Jefferson believed, and if you go to his monument not too far from here and look up around the ceiling, Thomas Jefferson says, "I have sworn upon the eternal altar of God unending opposition to all forms of tyranny over the mind of man." This Islamic terrorist campaign is a direct attack on our democracy. It is a direct attack on our tolerance. We need to support our President. We need to vote against this nonbinding resolution. And then if we want to have a real resolution, let's bring it to the floor and have that debate.

I rise today in opposition to H. Con. Res. 63. This nonbinding resolution serves only to degrade and demoralize the troops currently engaged in forward operations and those additional troops President Bush has called upon. This is not a call for a new direction in Iraq nor is this a call for a new course of action. This is a political distraction and a call to our enemies around the world by showing a lack of resolve and fostering the idea of uncertainty towards support and funding for the men and women of our Armed Forces.

Speaker PELOSI and her fellow Democrats have charged that the previous policy did not work, the new policy will not work, and yet amongst all this rhetoric my colleagues on the other side of the aisle do not have a constructive alternative to put forth. Instead they offer legislation that if enacted would fuel the call for setting timelines and the withdrawal of our troops. To leave before the job is finished would leave our country in a weaker position globally and leave the Middle East without any hope for democracy to ever take hold. The extremists that oppose us are against freedom and we are right to be engaged in the fight for democracy and tolerance. The stakes are high and our enemies know this. They are not going to quit, but if we pass this resolution it will be the first step in signaling that we will. It is right to support the President as he lays out his plan for securing Iraq and is in our national interest.

The necessary framework for democracy has been established and the labor of our brave troops has produced many measurable results. A constitution was written by the Iraqis resulting in democratic elections where nearly 12.5 million people braved the threat of violence to cast their votes. A fair criminal trial was held for Saddam Hussein, the country's former dictator, who denied that right to his own people. I urge my colleagues to let the

Iraqis lead and give democracy a chance. Establishing a secure Iraq, a thriving democracy and a noticeable reduction in crime will pave the way for numerous infrastructure improvements.

Sustainable achievements in the reconstruction effort include the building of more than 5,000 schools, the training of more then 60,000 teachers, the training and equipping of 323,000 police and military forces, the vaccination of 98 percent of Iraqi children, the ability of more than 7 million people to access phone service, the repair of nearly all of Iraq's railway stations, the restoration of electricity output and oil production to near prewar levels and the increased availability of clean water and sanitation. The milestones that have been reached are a testament to why we should not abandon our presence in Iraq. Progress is being made and we must continue to support our troops and Iraq's democratic government.

The President's call for more troops is a decision not made in haste. It is made with careful consideration and thoughtful advice from his commanders both at home and in the field. The additional troops will work with Iraqis to solve serious challenges and to find ways to curb future outbreaks of violence. To achieve success in combating those serious challenges it is important that America stands with Iraq so they can defend their own soil, create a sound economy and govern themselves effectively. The President understands the consequences of failure in Iraq, something this resolution proves the Democrats do not comprehend.

I have been to the funerals of men and women from my district that lost their lives in this war. I have pinned medals on the chests of the brave men and women from my district who returned home safely. Visiting with families at home and troops in Iraq I have seen first hand the effects this war has on Americans. This resolution serves to discredit the memories of fallen soldiers, the efforts of those still fighting, and to embolden our enemies. If we remember, our enemies attacked us on September 11th and instead of living in fear and leaving ourselves open to more attacks we chose to take the fight to them. In the time since, there has not been another major terrorist attack on U.S. soil. That is a testament to the fight our men and women are waging to protect the freedoms we so richly enjoy. I remain committed to supporting our forces serving abroad and ensuring they have the funding they need to complete their mission.

Some of my colleagues misguidedly stand to dismiss our efforts in Iraq. I stand with the resolve of former President Thomas Jefferson who said, "I have sworn upon the altar of God, eternal hostility against every form of tyranny over the mind of man." We must not stand divided and turn our backs on those fighting for democracy where tyranny threatens to reign. We must be steadfast and support them in every way we can. We can not let the difficulty of the task diminish our support for the troops and the cause for which they are so diligently fighting. We must not let this frivolous resolution pass.

Mr. SMITH of Washington. Madam Speaker, I yield 5 minutes to the gentlelady from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Let me thank the distinguished gentleman for yielding.

Madam Speaker, I believe that each and every Member that has come to the floor tonight and over the last 2 days would never consider any of their remarks frivolous, nor would we characterize this debate as political. Unfortunately, in 2002, many of those same words were used to characterize a very needed debate and one that we had hoped that those who had the powers of decision would have listened to.

I remember standing in this same location and suggesting to my colleagues that I was proud to accept and to make as my choice life over death and peace over war. Through these years, members of the Progressive Caucus thoughtfully have gathered to reinforce the words that we offered during those days when even though the en masse lobbying and representation of mass destruction weapons, we knew that this was a war that would be ill-fated and misdirected. In fact, during that time, we had solutions. We asked for a continued use of political diplomacy and, as well, the continuation of utilizing the U.N. inspectors to determine if there were weapons of mass destruction.

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But now we have come some 5 years and we hear the same refrain. And I know in the hearts of those who have spoken that they are sincere. But if we said nothing else but point to those who have fallen, let their faces represent the sacrifice of America. Those are the faces of those who are always willing to go into battle, and not one of us on the floor today will ever say anything untoward about the United States military through the years and decades and centuries, because they have never faltered in the Commander in Chief's direction to go to war.

But what has really failed in this Congress in its oversight and responsibility and, as well, the choices being made by the leadership that has sent them into war.

And so, as Abraham Lincoln has said, "We wish to honor the soldiers and sailors everywhere who bravely bear this country's cause; honor also to the citizen who cares for his brother. We will never forget."

But we now stand in opposition to the escalation and support of this resolution because we believe that the Nation must hear, but also the leaders who make the decisions must hear this is wrong and misdirected.

The troops have been magnificent. We have had 180,000 of them who have served in Iraq from Texas, we have had 200 or more who have been killed, including the 3,000-plus that have been killed across the Nation. They do have a military success.

But we know that the surges do not work. We know it was ill-fated from the beginning. There was no collaboration, very minimal, and now the collaboration has ended. What is needed now is the declaration of a military success, which is what I have expressed in H.R. 930. And now we must search for diplomatic and political reconciliation, a Special Envoy to Iraq that focuses specifically on bringing together the Sunnis, the Shiites and the Kurds. We know that surges have only generated more insurgents, they have only generated more violence, and it has not brought about the safety that is needed.

Of course, the response is that this escalation will bring some sort of security to Baghdad, and then we can sit down and have reconciliation. One more soldier generates one more violent act. So we know that the troop surges do not work. We also know that it strains the readiness.

We need a diplomatic surge. More importantly, we need not to go over the steps of Secretary McNamara who indicated in his words, as I said in the October 2002, Former Defense Secretary Robert McNamara said in his mea culpa on the Vietnam War: We were wrong, terribly wrong. And he hoped that the suffering, as he quoted one of the philosophers, he hoped that what we had experienced in the suffering of Vietnam would give us experience. Today this ongoing war in Iraq shows we have thrown away that experience.

We also throw away the Constitution, because this is not pursuant to Article I, section 8. This is not a declaration of war that we are in, and we therefore need to terminate the power of the President that had been given in 2002 to attack Iraq. This document has not been followed. And so H.R. 930 will terminate the authorization given in 2002, because for these lives lost already we don't want to participate in the foolishness of monies being spent recklessly, the lack of accountability, and a war that already can be claimed as a military victory by the United States military who can now come home with honor and dignity.

Let us stand again on this floor and claim that we support life over death and we support peace over war and we want our soldiers to return home in celebration and dignity in honor of these who now are fallen on the battlefield.

Madam Speaker, I rise in strong support of H. Con. Res. 63. I stand in strong support of our troops who have performed magnificently in battle and with a grace under pressure that is distinctively American. I stand with the American people, who have placed their trust in the President, the Vice President, and the former Secretary of Defense, each of whom abused the public trust and patience.

I stand with the American taxpayers who have paid nearly $400 billion to finance the misadventure in Iraq. I stand with the 3,019 fallen heroes who stand even taller in death because they gave the last full measure of devotion to their country. For these reasons, Madam Speaker, I stand fully, strongly, and unabashedly in opposition to the President's unilateral decision to escalate the war in Iraq by deploying more than 20,000 additional combat troops to Iraq, and at least that many more to provide logistical support.

I wish to make clear, Madam Speaker, that sending more combat troops into Iraq will not lead to success in Iraq. We cannot achieve success in Iraq unless we change strategy. But the President's proposed troop surge is not a change in strategy and it does not signal a new direction; it is simply more of the same. As our most recent great President, Bill Clinton, once said, "if you always do what you've always done, you'll always get what you've always got."

In proposing this latest troop surge, President Bush seeks to "cry havoc and let slip the dogs of war." But even Henry V did not exhort his troops, his band of brothers, to go "once more, into the breach" for a fifth time. And neither should we.

Madam Speaker, instead of a surge in combat troops, the United States needs to launch a diplomatic surge for political and national reconciliation in Iraq. That is why I have introduced H.R. 930, the "Military Success in Iraq and Diplomatic Surge for Political and National Reconciliation in Iraq Act of 2007." As I will discuss in greater detail later in my remarks, my legislation offers a far better chance of sustainable success in Iraq than does the President's escalation. And equally important, my legislation will go a long way toward ensuring that never again will the American people or the Congress be bamboozled into rubber-stamping an ill-advised, ill-planned, preemptive war.

Madam Speaker, I am privileged to represent the citizens of the 18 Congressional District in the great State of Texas. The sons and daughters of the Lone Star State have always answered the call to service. More than 280 Texans have been made the ultimate sacrifice for their country. More than 2,200 Texans have been wounded. Only California has suffered a greater number of dead and wounded. Today, Madam Speaker, there are more than 31,000 Texans serving in Iraq, which is 12,000 more than the next highest state. Since the war began in March 2003, more than 180,000 Texans have served in Iraq, some deployed two, even three, in some cases four times.

Madam Speaker, it is more than irresponsible not to oppose the President's plan to escalate the war in Iraq. It is unconscionable. In opposing the President's latest folly, we send a message that is both simple and profound: You cannot win the just War on Terror by launching an unjustified War in Iraq. That is one of the hard and bitter lessons we have learned during the 4 years course of the War in Iraq.

The misguided, mismanaged, and costly debacle that is the Iraq War was preemptively launched by President Bush in March 2003 despite the opposition of me and 125 of my colleagues in the House of Representatives. To date, the war in Iraq has lasted longer than America's involvement in World War II, the greatest conflict in all of human history.

But there is a difference. The Second World War ended in complete and total victory for the United States and its allies. But then again, in that conflict America was led by FDR, a great Commander-in-Chief, who had a plan to win the war and secure the peace, listened to his generals, and sent troops in sufficient numbers and sufficiently trained and equipped to do the job.

My friends, I say with sadness that we have not enjoyed that same quality of leadership throughout the conduct of the Iraq War. The results, not surprisingly, have been disastrous. To date, the war in Iraq has claimed the lives of 3,109 brave servicemen and women (115 in December and 39 in the first 13 days of this month). More than 23,400 Americans have been wounded, many suffering the most horrific injuries. American taxpayers have paid nearly $400 billion to sustain this misadventure.

The depth, breadth, and scope of the President's misguided, mismanaged, and misrepresented war in Iraq is utterly without precedent in American history. It is a tragedy in a league all its own. But it was not unforeseeable or unavoidable. As the President's intention to launch a preemptive war against Iraq became known back in the fall of 2002, thoughtful members in the halls of Congress took to the floor, and concerned citizens in the countryside took to the streets to stop it. Patriots all, we registered our dissent. We acted not out of dislike of the President but out of love for our country and what it had represented to the world. As Robert Taft, "Mr. Republican," as he was affectionately known, the late, great Senator from Ohio, stated two weeks after Pearl Harbor, "Criticism in a time of war is essential to the maintenance of a democratic government."

My friends, in light of the enormous losses of precious American blood and treasure, it is very small consolation to know that those of us who acted on the biblical injunction to speak truth to power have been proven right in our warnings about the disaster war in Iraq would produce.

We predicted before the war that "the outcome after the conflict is actually going to be the hardest part, and it is far less certain." We made the point that it was essential for the Administration to develop "a plan for rebuilding of the Iraqi government and society, if the worst comes to pass and armed conflict is necessary." We knew the Armed Forces of the United States is invincible on the battlefield and would decisively defeat Iraq's forces and remove Saddam Hussein. But like the proverbial dog chasing the car down the road, we questioned "whether the President knew what to do after we caught it."

We warned of the "postwar challenges," particularly the fact that there was no history of democratic government in Iraq, and that its economy and infrastructure was in ruins after years of war and sanctions and that rebuilding Iraq would cost hundreds of billions of dollars that could be better at home securing the homeland and waging the real War on Terror. And we warned against sending American soldiers to war in Iraq without adequate protection against biological and unconventional weapons.

I am also reminded how General Eric Shinseki told the Senate Armed Services Committee in February 2003 that the Defense Department's estimate of troops needed for occupying Iraq is too low and that several hundred thousand soldiers would be needed. But instead of heeding the wise counsel of General Shinseki, the Bush administration cashiered him out of the Army.

Indeed, anyone who questioned the Bush Doctrine of preemptive war was ridiculed and marginalized as unpatriotic, weak, sympathetic to terrorists, and un-American: Anti-Terrorism Chief Richard Clarke, Treasury Secretary Paul O'Neill, Council of Economic Advisors Chairman Laurence Lindsay, Joe Wilson, and congressional Democrats.

But four years later, people like us are now the majority. And we are united in raising our voices to proclaim: End the war and redeploy our troops out of Iraq.

Madam Speaker, it is instructive to review why the American people have turned against the war in Iraq.

The American people were told erroneously but repeatedly that the gravest threat facing America was Saddam Hussein and his regime. The Vice-President assured all who listened that he knew that Iraq and Al Qaeda had high-level contacts that went back a decade and that Iraq had trained Al Qaeda members in bomb making and deadly gases. He was wrong. What's more, the American people were led to believe that the regime in Baghdad had long-standing and continuing ties to terrorist organizations. Wrong again. President Bush even went so far as to say that you couldn't distinguish between Al Qaeda and Saddam when you talked about the war on terror. Of course, this claim turned out to be untrue as well.

That is not all, Madam Speaker. The campaign to persuade Americans that Iraq posed a clear, present, and mortal danger to us included the false claims that Iraq possessed ballistic missiles with a likely range of hundreds of miles—far enough to strike Saudi Arabia, Israel, Turkey, and other nations. It was also falsely represented to Americans that Iraq had a growing fleet of manned and unmanned aerial vehicles that could be used to disperse chemical or biological weapons across broad areas and that Iraq was exploring ways of using unmanned aerial vehicles to target the United States.

But the capstone of the administration's disinformation campaign was the claim that Saddam Hussein was actively pursuing nuclear weapons which could be used against America by Iraq, or by the terrorists to whom it was giving safe harbor. President Bush even went so far to announce to a world-wide audience in his 2003 State of the Union address that "the British government has learned that Saddam Hussein had recently sought significant quantities of uranium from Africa." According to the President, facing such clear evidence of peril, we could not wait for "the final proof that could come in the form of a mushroom cloud." We now know for sure that these claims were false. And covering up those false claims is one of the main reasons that Scooter Libby found himself in the predicament that led to his indictment by a grand jury and the on-going trial in the United States District Court for the District of Columbia.

Regarding the actual conduct of the looming hostilities, the Administration and its courtiers assured us that "it would be a cakewalk" and that American troops "would be greeted as liberators." The Secretary of Defense, Donald Rumsfeld, boldly claimed that "the war could last six days, six weeks. I doubt six months." Vice-President CHENEY said, "I think it will go relatively quickly . . . [in] weeks rather than months." There are many things one could say about these rose- colored scenarios peddled by the Administration nearly four long years ago. But there is one thing you cannot say and that is "truer words were never spoken."

Finally, Madam Speaker, let us not forget the wildly extravagant claims of this Administration regarding the cost of this war. The Director of the White House OMB was quoted as saying that "Iraq will be an affordable endeavor that will not require sustained aid and will be in the range of $50 billion to $60 billion." At last count, Madam Speaker, the war has cost the taxpayers $379 billion. That a cost overrun of more than 600 percent.

To put the cost of the war in perspective, consider that we are spending more than $8 billion a month to sustain the war effort in Iraq. Could this money be put to better use? Well, consider the following:

For $33.1 billion, or 4 months in Iraq, we could have fully funded the Department of Homeland Security FY 2007 budget.

For $10 billion, just 5 weeks in Iraq, we could equip every commercial airliner with defenses against shoulder-fired missiles.

For $8.6 billion, just 30 days in Iraq, we could finance the shortage of international aid needed to rebuild Afghanistan.

For $5.2 billion, just three weeks in Iraq, we could finance the capital improvements needed to secure the nation's public transportation system, including trains, subways, and buses.

For the equivalent of 5 days in Iraq, just $1.5 billion, we could provide radiation detectors at every port in the United States.

For only $1.4 billion, the cost of another 5 days in Iraq, we could double the COPS (community police grants) program.

For the cost of a mere two days in Iraq, we could fund the $700 million needed to provide 100% screening of all air cargo.

For $350 million, 26 hours in Iraq, we could instead make emergency radio systems interoperable.

For the cost of 8½ hours in Iraq, $94 million, we could restore the cuts in Homeland Security funding to cities hit on September 11.

Madam Speaker, opponents of the resolution before us contend that it gives comfort to the enemy and undermines the President's strategy for success in Iraq. They claim it is our patriotic duty to avert our eyes to this Administration's nearly unbroken record of spectacular failure and incompetence and rally around the flag. But to paraphrase the old saw: fool me four times, shame on you; fool me a fifth time, shame on me. The truth is, Madam Speaker, this Congress—and the American people—has not been fickle or impatient. Rather, it has been understanding and generous to a fault, overlooking and excusing blunder after blunder committed by the White House and the Office of the Secretary of Defense (OSD). As Kenneth M. Pollack of the Brookings Institution, and a former senior member of the NSC, brilliantly describes in his essay, "The Seven Deadly Sins Of Failure In Iraq: A Retrospective Analysis Of The Reconstruction," in Middle East Review of International Affairs (December 2006), our trust and patience has been repaid by a record of incompetence unmatched in the annals of American foreign policy.

The Bush administration disregarded the advice of experts on Iraq, on nation-building, and on military operations. It staged both the invasion and the reconstruction on the cheap. It did not learn from its mistakes and did not commit the resources necessary to accomplish its original lofty goals or later pedestrian objectives. It ignored intelligence that contradicted its own views.

It is clear now that the administration simply never believed in the necessity of a major reconstruction in Iraq. To exacerbate matters the Office of the Secretary of Defense (OSD) and the White House Office of the Vice President (OVP) worked together to ensure that the State Department was excluded from any meaningful involvement in the reconstruction of Iraq.

The administration's chief Iraq hawks shared a deeply naive view that the fall of Saddam and his top henchmen would have relatively little impact on the overall Iraqi governmental structure. They assumed that Iraq's bureaucracy would remain intact and would therefore be capable of running the country and providing Iraqis with basic services. They likewise assumed that the Iraqi armed forces would largely remain cohesive and would surrender whole to U.S. forces. The result of all this was a fundamental lack of attention to realistic planning for the postwar environment.

As it was assumed that the Iraqis would be delighted to be liberated little thought was given to security requirements after Saddam's fall. The dearth of planning for the provision of security and basic services stemmed from the mistaken belief that Iraqi political institutions would remain largely intact and therefore able to handle those responsibilities.

But there were too few Coalition troops, which meant that long supply lines were vulnerable to attack by Iraqi irregulars, and the need to mask entire cities at times took so much combat power that it brought the entire offensive to a halt.

It was not long before these naive assumptions and inadequate planning conjoined to sow the seeds of the chaos we have witnessed in Iraq.

The lack of sufficient troops to secure the country led to the immediate outbreak of lawlessness resulting in massive looting and destruction dealt a stunning psychological blow to Iraqi confidence in the United States, from which the country has yet to recover. We removed Saddam Hussein's regime but we did not move to fill the military, political, and economic vacuum. The unintended consequence was the birth of a failing state, which provided the opportunity for the insurgency to flourish and prevented the development of governmental institutions capable of providing Iraqis with the most basic services such as clean water, sanitation, electricity, and a minimally functioning economy capable of generating basic employment.

Making matters worse, the administration arrogantly denied the United Nations overall authority for the reconstruction even though the U.N. had far more expertise and experience in nation building.

The looting and anarchy, the persistent insurgent attacks, the lack of real progress in restoring basic services, and the failure to find the promised weapons of mass destruction undercut the administration's claim that things were going well in Iraq and led it to make the next set of serious blunders, which was the disbanding of the Iraqi military and security services.

Madam Speaker, counterinsurgency experts will tell you that to pacify an occupied country it is essential to disarm, demobilize, and retrain (DDR) the local army. The idea behind a DDR program is to entice, cajole, or even coerce soldiers back to their own barracks or to other facilities where they can be fed, clothed, watched, retrained, and prevented from joining an insurgency movement, organized crime, or an outlaw militia.

By disbanding the military and security services without a DDR program, as many as one million Iraqi men were set at large with no money, no means to support their families, and no skills other than how to use a gun. Not surprisingly, many of these humiliated Sunni officers went home and joined the burgeoning Sunni insurgency.

The next major mistake made in the summer of 2003 was the decision to create an Iraqi Governing Council (IGC), which laid the foundation for many of Iraq's current political woes. Many of the IGC leaders were horribly corrupt, and they stole from the public treasury and encouraged their subordinates to do the same. The IGC set the tone for later Iraqi governments, particularly the transitional governments of Ayad Allawi and Ibrahim Jaafari that followed.

Finally, by insisting that all of the problems of the country were caused by the insurgency rather than recognizing the problems of the country were helping to fuel the insurgency, the Bush Administration set about concentrating its efforts in all the wrong places and on the wrong problems.

This explains why for nearly all of 2004 and 2005, our troops were disproportionately deployed in the Sunni triangle trying to catch and kill insurgents. Although our troops caught and killed insurgents by the hundreds and thousands, these missions were not significantly advancing our strategic objectives. Indeed, they had little long-term impact because insurgents are always willing to flee temporarily rather than fight a leviathan. Second, because so many coalition forces were playing "whack-a-mole" with insurgents in the sparsely populated areas of western Iraq, the rest of the country was left vulnerable to take over by militias.

Finally, Madam Speaker, a cruel irony is that because the Iraqi Government brought exiles and militia leaders into the government and gave them positions of power, it is now virtually impossible to get them out, and even more difficult to convince them to make compromises because the militia leaders have learned they can use their government positions to maintain and expand their personal power, at the expense both of their rivals who are not in the government and of the central government itself.

All of this was avoidable and the blame for the lack of foresight falls squarely on the White House and the Office of the Secretary of Defense.

Madam Speaker, the American people spoke loudly and clearly last November when they tossed out the Rubber-Stamp Republican Congress. They voted for a New Direction in Iraq and for change in America. They voted to disentangle American troops from the carnage, chaos, and civil war in Iraq. They voted for accountability and oversight, which we Democrats have begun to deliver on; already the new majority has held 52 congressional hearings related to the Iraq War, investigating everything from the rampant waste, fraud, and abuse of Iraq reconstruction funding to troop readiness to the Iraq Study Group Report.

But President Bush is still not listening to America. He is acting as if nothing has changed. He is not offering a way out of Iraq, only a way forward that will take us deeper into the morass and quagmire.

The troop surge proposed by President Bush is not a new strategy for success in Iraq; it is just the same old repackaged policy of "stay the course." This troop surge—this escalation of the war—will not provide lasting security for Iraqis. It is not what the American people have asked for, nor what the American military needs. It will impose excessive and unwarranted burdens on military personnel and their families. It is opposed by the Joint Chiefs of Staff. It is opposed by an overwhelming majority of the American people. It is opposed by a majority in Congress.

The architects of the fiasco in Iraq would have us believe that "surging" at least 20,000 more soldiers into Baghdad and nearby Anbar province is a change in military strategy that America must embrace or face future terrorist attacks on American soil. Nothing could be further from the truth, as we learned last year when the "surge" idea first surfaced among neoconservatives.

The President's proposed troop surge is not new and, judging from history, we know it will not work. It will only succeed in putting more American troops in harm's way for no good reason and without any strategic advantage. The armed forces of the United States are not to be used to respond to 911 calls from governments like Iraq's that have done all they can to take responsibility for the security of their country and safety of their own people. The United States cannot do for Iraq what Iraqis are not willing to do for themselves.

Troop surges have been tried several times in the past. The success of these surges has, to put it charitably, been underwhelming. Let's briefly review the record:

1. Operation Together Forward, (June–October 2006): In June the Bush administration announced a new plan for securing Baghdad by increasing the presence of Iraqi Security Forces. That plan failed, so in July the White House announced that additional American troops would be sent into Baghdad. By October, a U.S. military spokesman, Gen. William Caldwell, acknowledged that the operation and troop increase was a failure and had "not met our overall expectations of sustaining a reduction in the levels of violence."

2. Elections and Constitutional Referendum (September-December 2005): In the fall of 2005 the Bush administration increased troop levels by 22,000, making a total of 160,000 American troops in Iraq around the constitutional referendum and parliamentary elections. While the elections went off without major violence these escalations had little long-term impact on quelling sectarian violence or attacks on American troops.

3. Constitutional Elections and Fallujah (November 2004–March 2005): As part of an effort to improve counterinsurgency operations after the Fallujah offensive in November 2004 and to increase security before the January 2005 constitutional elections U.S. forces were increased by 12,000 to 150,000. Again there was no long-term security impact.

4. Massive Troop Rotations (December 2003–April 2004): As part of a massive rotation of 250,000 troops in the winter and spring of 2004, troop levels in Iraq were raised from 122,000 to 137,000. Yet, the increase did nothing to prevent Muqtada al-Sadr's Najaf uprising and April of 2004 was the second deadliest month for American forces.

Madam Speaker, by more than 60 percent, Americans oppose increasing American troop levels in Iraq. So do many of the nation's leading and most knowledgeable military officers. In testimony before the Senate, Gen. John P. Abizaid, the former Commander of United States Central Command, stated: "I do not believe that more American troops right now is the solution to the problem. I believe that the troop levels need to stay where they are." General Abizaid's view is shared by Gen. Colin Powell, the former Secretary of State and former Chairman of the Joint Chiefs, who has said "I am not persuaded that another surge of troops into Baghdad for the purposes of suppressing this communitarian violence, this civil war, will work." And Gen. Barry McCaffrey (retired), who commanded the 24th Infantry Division during the first Gulf War, is even more blunt: "It's a fool's errand . . . Our allies are leaving us . . . Make no mistake about that. Most will be gone by this summer."

Even leading members of the Republican Party are skeptical of the President's latest ploy to salvage the mess he has made of Iraq. According to Sen. CHUCK HAGEL of Nebraska, the President's escalation plan "represents the most dangerous foreign policy blunder in this country since Vietnam—if it's carried out. I will resist it." Senator HAGEL is joined in his skepticism by Senators OLYMPIA SNOWE, JOHN WARNER, SUSAN COLLINS, GORDON SMITH, NORM COLEMAN, GEORGE VOINOVICH, SAM BROWNBACK, ARLEN SPECTER, and a growing list of others.

Madam Speaker, although Americans are right to oppose the President's troop surge, stemming the chaos in Iraq will require more than opposition to military escalation. It requires us to make hard choices.

It is past time for a new direction that can lead to success in Iraq. We cannot wait any longer. Too many Americans and Iraqis are dying who could otherwise be saved.

Since the President still has not seen the light, we need to make him feel the heat. I believe the time has come to debate, adopt, and implement a plan for strategic redeployment. I am not talking about "immediate withdrawal," "cutting and running," or surrendering to terrorists. And I certainly am not talking about staying in Iraq forever or the foreseeable future.

I am talking about a paradigm shift. Rather than undertaking a misguided and futile surge in troops, the United States should surge diplomatically. The Armed Forces of the United States have performed magnificently. They won the war they were sent to fight. Their civilian leadership has not succeeded in winning the peace.

That is why I have introduced H.R. 930, which among other things creates a high-level Special Envoy to launch a new offensive on the diplomatic front. My legislation, the "Military Success in Iraq and Diplomatic Surge for Political and National Reconciliation Act of 2007," implements twelve of the most important recommendations of the Iraq Study Group, headed by former Secretary of State James A. Baker and 911 Co-Chairman Lee Hamilton.

Among other things, H.R. 930, would require a diplomatic full-court press designed to engage all six of Iraq's neighbors—Iran, Turkey, Syria, Jordan, Saudi Arabia, and Kuwait—more constructively in stabilizing Iraq. These countries are already involved in a bilateral, self-interested and disorganized way.

While their interests and ours are not identical, none of these countries wants to live with an Iraq that, after our redeployment, becomes a failed state or a humanitarian catastrophe that could become a haven for terrorists or a hemorrhage of millions more refugees streaming into their countries.

Madam Speaker, when Congress authorized the president to use military force in Iraq in 2002, it departed from the wisdom of our forefathers. The Framers understood that while the military does the fighting, a nation goes to war. That is why they lodged the power to declare war in the Congress, the branch of government closest to the people. They knew that the decision to go to war was too important to be left to the whim of a single person, no matter how wise or well-informed he or she might be. But the AUMF passed by Congress was not a declaration of war but rather a blank check for the president to start and wage war in Iraq at a time, place, and manner of his choosing. It is time to rescind that blank check and return to first principles.

That is why H.R. 930 also includes another important legislative initiative, the "Military Success in Iraq Act of 2007 (MSIA)." This provision of my legislation is crafted to end the American military involvement in Iraq and redeploy American troops out of Iraq.

The MSIA declares that the objectives which led Congress to pass the 2002 AUMF have been achieved. It further declares that whenever the objectives set forth in an AUMF have been achieved, the AUMF expires automatically. Then it finds that Congress is the ultimate arbiter as to whether the objectives set forth in its AUMF have been achieved.

Because Congress now finds that the 2002 AUMF objectives have been achieved, my legislation provides that the authorization to use force conferred upon the President by the AUMF has now expired. My bill then makes clear that the President must obtain a new authorization to continue the use force in Iraq. Finally, my bill requires that if the Congress does not vote to reauthorize the use of force in Iraq by March 31, 2007, then all American armed forces in Iraq must be redeployed out of Iraq. Thus, under my legislation, an up-or-down vote must be held by the House and Senate to continue waging war in Iraq.

Madam Speaker, our domestic national security, in fact, rests on redeploying our military forces from Iraq in order to build a more secure Middle East and continue to fight against global terrorist networks elsewhere in the world. Strategic redeployment of our armed forces in order to rebuild our nation's fighting capabilities and renew our critical fight in Afghanistan against the Taliban and al-Qaeda is not just an alternative strategy. It's a strategic imperative.

My legislation requires the Congress to provide leadership on the most important issue of our day. That is what the American people want. That is what they voted for last November. That is what has been required all along.

And providing constructive leadership that will bring peace, enhance security, and save lives is the task to which I am now, and always have been, dedicated. That is why I strongly and proudly support our magnificent, heroic, and selfless service men and women. That is why I strongly support H. Con. Res 63 and squarely oppose the President's decision to escalate the war in Iraq. I urge all members to support the resolution before the House.

Mrs. WILSON of New Mexico. Madam Speaker, I am pleased to yield 5 minutes to my colleague from Pennsylvania (Mr. PETERSON).

Mr. PETERSON of Pennsylvania. Madam Speaker, the situation we are facing in Iraq right now is serious. The resolution we are debating here tonight, unfortunately, is not.

Everyone agrees the situation on the ground is unacceptable. To make it right, we need leadership, resources, and resolve. What we don't need is 36 hours of time trading speeches on a nonbinding measure, a measure that imparts no new policy, offers no new alternatives, and commands no real effect.

Most of the speeches I have heard this week are about the war. On that subject, there is plenty of room for disagreement. But the resolution before us isn't about the war, it is about a specific tactical question: the number of troops we need to deploy to finish the job.

I can't think of a group that is less qualified to make strategic and tactical decisions on the ground than 535 Members of Congress, sitting 6,000 miles away on Capitol Hill. Congress shouldn't be in the business of micromanaging war tactics.

Should we debate the war in Iraq? Certainly. Can we disagree about its goals and purpose? Absolutely. But decisions on the ground need to be determined by our military commanders on the scene, and not public opinion polls.

Of course, the other responsibility of Congress is, when it comes to wars, the power to fund them. As a member of the Appropriations Committee, I take that responsibility seriously. But if my colleagues on the Appropriations Committee and in the full House think the war is a lost cause, if they think that sending more troops to help secure Iraq is the wrong strategy, they shouldn't hesitate to cut off the funding for the operation. I wouldn't support that measure, but at least it would be a measure of genuine intent, not a two-paragraph statement on military tactics we have on the floor this week.

Mistakes have been made. But this is a mission that is consistent with our vital interest and worthy of our support. I don't believe President Bush has prosecuted this war flawlessly, and, frankly, I don't believe he has always particularly been well advised. But this strategy of reinforcement is not always supported by the President, it is supported by the military and the political leadership of Iraq.

People have to understand something. We are facing an enemy like no other we have faced before, an ideological enemy driven by hate, not reason; an enemy for whom there can be no rest until the freedoms and values that define our civilization are destroyed.

Victory is the only outcome that can be accepted. But the resolution we are debating on the floor this week was not written with ultimate victory in mind; it was written in expectation of defeat. And, unlike some of my colleagues, I am not willing to concede to defeat.

So many families have sacrificed so that we can be successful in Iraq, and they are willing to sacrifice even more. To cut support for them now would be unforgiveable.

You know, Mr. Speaker, watching the debate on the floor this week, my thoughts keep going back to the Loudon family who live in my district.

Their son Christopher, a member of his college ROTC program, was deployed to Iraq after graduation and came home this fall in a flag-draped coffin.

Their son Nicholas is a West Point graduate I nominated to the Academy, who served with his brother in Iraq, and he is heading back to Iraq this weekend for another tour of duty.

Their son Jonathan, their youngest, and another one of my Academy nominees, is going to West Point this fall. The Loudon family had great concern over whether to send their third and youngest son to West Point. In the end, they were swayed by their son's commitment to serve his country and their shared belief that his mission is one worth fighting for.

If the Loudons can remain strong and committed in the face of the most difficult circumstances any family can endure, why can't Congress?

I have gotten other calls from families in my district. One mother called this week to tell me that her son, a young man named Nathan Stone whom I nominated to West Point in 2001, is currently serving in south Baghdad, sweeping the city, going door to door, risking his life so the Iraqis can live their lives with a basic security. And do you know what he told his mother to relate to me? He told her that they are making a difference, they are seeing progress. They need help, they need these troops, and they will be excited when they get them.

If First Lieutenant Stone believes that these additional troops are vital to him completing his mission in Baghdad, that tells me a lot. And if the Loudons can send their youngest son to West Point knowing that he may some day be called into service himself, that tells me all I need to know.

Mr. Speaker, no one likes war. No one wants our troops to be in Iraq one minute longer than they have to be to ensure the mission is accomplished. Reasonable people may disagree on strategy, but this resolution is not about alternative viewpoints. There are no different courses offered, no suggestions, and no responsibility taken.

I stand with the Loudon family and Lieutenant Stone, and vote opposed to this resolution.

Mr. SMITH of Washington. Madam Speaker, I yield 5½ minutes to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. I thank the gentleman.

We are debating a simple, straightforward resolution. Clause 1 says, "Congress and the American people will continue to support and protect the members of the United States Armed Forces who are serving or have served bravely and honorably in Iraq."

Every Member of Congress, despite outrageous allegations from the Republican side of the aisle from some, fully supports our troops and wants them to have the best equipment available to accomplish this mission. The disagreement is over the strategy that determines their mission.

The Republicans don't want to have a debate over that strategy. They are trying to conflate support for the troops with support for the President's failed stay-the-course strategy dressed up with a little bit of escalation.

But as President Theodore Roosevelt said during World War I, standing by a President, whether right or wrong, is not only unpatriotic and servile, it is morally treasonable to the American public.

Supporting the troops doesn't require supporting the failed policies of this President and his administration. The Republicans don't want to debate the conduct of the war and the future strategy in Iraq. The former Republican chairman of the House Intelligence Committee, PETER HOEKSTRA, wrote a letter to his colleagues saying, "This debate should not be about the surge or its details. This debate should not even be about the Iraq war to date, mistakes that have been made, or whether we can or cannot win militarily. If we let the Democrats force us into a debate on the surge or the current situation in Iraq, we lose."

So change the subject. Make things up.

There is a massive propaganda effort on the part of many Republicans to distract and dissemble. They have trotted out the tired and thoroughly discredited catch phrase, "If we don't fight them there, we will fight them here," invoking the specter of Osama bin Laden and al Qaeda. However, U.S. intelligence agencies, including military intelligence agencies, have refuted that claim that the conflict in Iraq is driven by al Qaeda. It is not. The violence is driven by a civil war primarily between the Iraqi Sunnis and Shias in a 1,400-year-old conflict, and our troops are caught in the middle of that civil war. The recent National Intelligence Estimate definitively put that issue to rest. The Iraqi Sunnis and Shias have no interest in or capability of attacking the United States.

Osama bin Laden, al Qaeda, and their Taliban allies are still alive and active on the border of Afghanistan and Pakistan, thanks to the Bush administration and the massive diversion of our troops and resources from Afghanistan to an unnecessary war in Iraq. We do need to reinforce our troops in Afghanistan in order to end, once and for all, the threat posed by al Qaeda and the Taliban leadership.

Our Nation and our troops were led into the war in Iraq by the distortion of intelligence, dissembling by the President, and senior members of the administration. It is time for the truth. The Bush administration has saddled our troops with a failed strategy in Iraq. It is that failed strategy that hurts our troops, not the words of those of us who have pointed out the obvious failures by this administration.

I don't believe there is a level of U.S. troops that could stabilize Iraq at this point and resolve these underlying ages-old sectarian conflicts.

The President remains optimistic. However, optimism is not a strategy. Staying the course and repeating the failures of the past is not a new strategy. Vice President DICK CHENEY, despite the grim National Intelligence Estimate acknowledging the civil war in Iraq, dismissed suggestions that Iraq is a disaster, saying, "The reality on the ground is that we have made major progress." Vice President CHENEY.

Optimism, stay the course, and delusion and denial, those do not serve our troops well. We need a real change in strategy.

A better strategy is to announce a time line negotiated with the Iraqi Government to bring our troops home over the next 6 months to a year.

The administration has always set time lines for political developments in Iraq, for the elections, for the drafting of the constitution. The administration argued such time lines were necessary to focus the energy of Iraq's leaders and to force compromises. We need to do the same on the military side. Negotiating a time line for bringing home U.S. troops with responsible parties in the Iraqi Government would boost the Iraqi Government's legitimacy and claim to self-rule, and force the Iraqi Government to take responsibility for itself and its citizens. Negotiating a withdrawal timeline and strategy with the Iraqi Government could more than possibly anything else improve the standing of the Iraqi Government in the eyes of its own people, a significant achievement in a region where the standing of rulers and governments is low, and it could also abate the insurgencies of both Sunnis and Shias. Too many Iraqis view us as an occupying force. Large majorities of both Sunnis and Shia want U.S. troops to withdraw, and approve of attacks on our men and women in uniform.

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The U.S. must engage, despite the reluctance of this administration, in robust diplomacy with all factions in Iraq, except the foreign terrorists and domestic al Qaeda elements and work with Iraq's neighbors in an effort to bring about political reconciliation among Sunnis, Shias and Kurds. Our troops have done all that has been asked of them in Iraq.

Saddam Hussein is dead. His allies are on the run or in prison. The threat from WMDs is nonexistent. The war that has been authorized by Congress is won. The troops should come home. Congress should not authorize U.S. troops to referee a civil war in Iraq.

Mrs. WILSON of New Mexico. Madam Speaker, I am pleased to yield 5 minutes to my colleague from Missouri (Mr. HULSHOF).

Mr. HULSHOF. Madam Speaker, on November 19 of 1863, President Abraham Lincoln rose on the platform at Gettysburg, Pennsylvania, following a 2-hour oration by Edward Everett, and gave a brief but very eloquent discourse that has become a prominent part of our country's heritage. At the dedication of the Gettysburg National Cemetery he acknowledged, "The world will little note nor long remember what we say here, but it can never forget what they did here. It is, for us, the living, rather, to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced."

Can we find some poignancy today in those simple words uttered 7 score and 4 years ago? What is the unfinished work that confronts this body politic, and more to the point, does this resolution promulgated unilaterally by the majority advance the cause for freedom for which 3,000 of our countrymen have given the last full measure of devotion?

For all of these rhetorical meanderings that have occurred lo these many hours, the responsibility for the current state of affairs in Iraq rests squarely with the majority of Members who serve in this Congress of the United States. Back on December 17, 1998, do you recall House Resolution 612 which declared in pertinent part, "Resolved, by the House of Representatives that . . . 'the Congress reaffirms that it should be the policy of the United States to support efforts to remove the regime headed by Saddam Hussein from power' and to promote the emergence of a democratic government to replace that regime.' "

I note that the gentleman who just spoke, along with 400 other Members of the Congress, supported that resolution as the policy of the United States, and thereafter in October of 2002, Congress, both the House and the Senate, approved the resolution approving the use of force and military action necessary to effectuate that policy of regime change.

Now, deposing the former dictator, in relative terms, was the easy part, yanking him from his hiding place, a hole in the ground. He eventually stood trial in the dock as a common accused, was judged by his countrymen according to the rule of law, and held to account for the brutality of his many crimes.

A second policy objective, promoting a democratic government has been the harder path, but though difficult, is it no less important? As my friend and colleague, my classmate from New Mexico (Mrs. WILSON) so passionately and persuasively annunciated yesterday, America has vital national interests in Iraq.

Does anyone argue the contrary? Can we not all agree that we must deny al Qaeda sanctuary in Iraq? Do we not further agree that Iraq must not be the source of instability in the Middle Eastern region?

Well, if we can agree on these points, can the majority make a legitimate case that this resolution accomplishes either of those important interests? President Bush recently nominated General David Petraeus as the new Commander of Multinational Forces in Iraq. Widely known as a brilliant tactician in the area of counterinsurgency, General Petraeus was unanimously confirmed by the other body.

Today, however, the majority desires to deny this extremely capable commander the means to accomplish his objective. Isn't it incumbent upon us, as Lincoln urged, to remain dedicated to the task remaining before us? Haven't many in this body expressed frustration that the Iraqi Government has put limitations on the rules of engagement of our troops in our field, not allowing our military to hunt down the enemy because insurgents had escaped to a safe haven in a region deemed off-limits by the Iraqi Government?

Well, isn't the majority party doing exactly the same thing half a world away with this resolution? Isn't denying military additional reinforcements deemed necessary by our generals in the field hampering our last best chance for success?

Two nights ago I was moved by the quiet eloquence of the distinguished gentleman from New York (Mr. McHUGH) when he made the simple yet ironic observation: At no time in our Nation's history has this House considered a public rebuke of a sitting Commander in Chief for the manner in which a war has been conducted that Congress itself has authorized.

On that score alone, I find this resolution breathtaking in its audacity. If I may be allowed to paraphrase the Great Emancipator, it is true, the world will little note nor long remember what we say here, but the world will never forget what we do here.

I urge rejection of this resolution.

Mr. SMITH of Washington. Madam Speaker, I yield 5 minutes to the gentleman from California (Mr. FARR).

Mr. FARR. Thank you for yielding.

Madam Speaker, it is a pleasure to see you in the Chair tonight.

I would like to thank the new leadership in the House tonight for the opportunity and the time to allow this body and the Members of this body to go on record about the President's war strategy.

Of course I would prefer that we were debating my bill, H.R. 413, which would rescind the authority that we gave the President to invade Iraq back in October of 2002. I voted against this war then, and I will continue to do so now.

We just cannot thank, though, our leadership. We have to thank the American people, the people that went to the polls in November, who voted for a change and a new direction for this country. You, our constituents, voted for this change, and now you are witnessing the historic debate on the President's policy in Iraq.

This resolution that we are voting on is very simple. It has two sections. The first section affirms our support for our troops who are serving and have served in Iraq.

The second section expresses disapproval over the deployment of 21,000 combat troops in Iraq. These two simple statements aren't legally binding. But they are binding promises to the American people who voted for us to change the direction. Promises are important. When soldiers and their families go to war, our government promises to support them, and that we should.

Just think, if we made the same promise to the school children when they go to school, that we would protect them from school violence and fully support their efforts to get an education, and that we should.

Just think, if we made that promise to provide health care for 47 million Americans who are without health insurance today, and that we should. The promise and the list of promises goes on and on, many unmet domestic needs that are not getting attention because of the war in Iraq.

Some say this resolution is meaningless. I disagree. It is a promise, and promises are important.

If we can support our troops and we can support the teachers who are educating their children, we can support the health care providers that are caring for their loved ones.

By voting for this resolution, we are making a promise to the American people to change United States' policy on the war. This resolution doesn't end the war, but it begins a new direction.

This is the first time that we have said "enough is enough" to the President. It is a good start. If we go on record in opposition to troop surge, we can express our disapproval to the country's addiction to oil and to the rich getting richer and the poor getting poorer. We can express our disapproval of the policy that keeps homeless people on the streets, that keeps one in six American children living in poverty, and allows our skies and oceans to continue to be polluted.

So to the American people, I thank you. I thank you for getting involved, because when you do, politicians respond. You have empowered us to chart a new course for the war in Iraq, and I am proud to cast my vote for this resolution.

Today we are keeping our promise to the people, for what we do for our brave troops, we can do for all of God's children. Yes, Mr. President, we can tell you that you are wrong.

In closing, I think what this debate is about is to wake up the world. America is coming back. It is coming back with the most powerful force on Earth, the energized electorate. This resolution is a breath of fresh air in our Nation's Capitol. It is time to get out of Iraq, it is time to lead.

Thank you, Speaker PELOSI, for bringing us this far in just a few short weeks.

Mrs. WILSON of New Mexico. Madam Speaker, I am pleased to yield 5 minutes to my colleague from Mississippi (Mr. PICKERING).

Mr. PICKERING. Madam Speaker, I rise in opposition to this resolution.

As we look back through our Nation's history, and we look back at all the great chapters, there were moments, decisive, critical moments, where our Nation could have given up, or given in, could have withdrawn, could have surrendered, and those moments that make us most proud are those chapters in our history where we did not give up, retreat, surrender.

If we had a mission, we completed it. If we look to Lincoln's message at one of those turning and tipping points in our history at Gettysburg, when this Nation was in the midst of its bloodiest civil war, Lincoln said, We here highly resolve that these dead shall not have died in vain, that this Nation under God shall have a new birth of freedom.

We have a new Nation trying to grasp its first breath of freedom, to form a more perfect union of freedom and equality and democracy.

Lincoln's second inaugural address: With malice toward none, with charity for all, with firmness and the right as God gives us to see the right, let us strive on to finish the work we are in, to bind up the Nation's wounds, to care for him who shall have borne the battle and for his widow and his orphan, to do all which may achieve and cherish a just and lasting peace among ourselves and with all nations.

Today I took a couple on a tour of this great Capitol, and we walked into the Rotunda under the magnificent dome, the place where if you put the Statue of Liberty, it would still have room within that dome.

The dome was finished and constructed during our Civil War. Abraham Lincoln was questioned during that time, Shall we devote our time and our resources and the labor to the completion of the dome, or should that go to the war effort? And Lincoln said, No, that is a symbol of our union, and we will complete the work of the dome.

When Lee met Grant at Appomattox, it is said that Lee's first question to Grant was, Have they finished the dome yet? They had just finished it in the spring of 1865.

Today that dome defines and symbolizes the strength of our Nation and of our democracy. Many in the world probably thought during that time that we would never survive, and the real question for many of us today as a Nation at war that is spiraling in civil war, can that civil war end? Can a nation be unified? Could the hatred and the violence be stopped and then reconciliation bring unity?

There are many on the other side who believe that it is futile, that all civil wars will never end, that these ancient hatreds will not stop. But if we look to our recent history in Bosnia, there was a President of the other party who stood and said, We can intervene. We will give our military and our diplomatic resources to bring about an end to civil war.

He was successful, and history judges him well for that. To be honest, many on this side of the aisle did not stand in support of that President at that time. But our Nation remembers and are glad that we had a leader who intervened and brought stability to a critical region of the world, and new democracies emerged.

We started this effort together after 9/11. We all remember standing on the steps and singing "God bless America." We can remember going to the cathedral, the National Cathedral, and praying for our guidance and for our unity.

We authorized the war together. We adopted a policy of regime change together, overwhelmingly.

And now, 4 years later, when it is difficult and grave doubts rise, will we give up, or will we complete the work and finish the work in which we can be proud?

□ 2045

Lieutenant Joshua Trapp, who flies Apache helicopters in Iraq, deployed this spring after his marriage to Elizabeth of only 3 weeks. He now believes and hopes that he can complete his mission.

I rise today in Joshua Trapp's name, and all of those other Mississippians who have given their lives, that their life may not have been in vain, and that their mission may be supported in this body in this time and this place and that it is a chapter we in this place will remember as we age and grow old that we did not walk away, retreat, surrender, but we finished the mission.

Mr. SMITH of Washington. Madam Speaker, I would just first observe that none of these soldiers who died in Iraq, no matter what happens from this point forward, died in vain. No soldier who dies fighting for his country and his comrades dies in vain, regardless of the politics. I hope we would all understand that.

Madam Speaker, I yield 5 minutes to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY of New York. Madam Speaker, for almost 4 years the administration has been saying, just give us more time, just give us more money, our plan will bring peace. And now they are saying, we need more troops, 48,000 of them. But we have already had four troop increases since we went into Iraq and none of them have brought stability.

Tragically, this war has cost more than 3,100 American lives, 143 from my home State of New York, and thousands of Iraqi lives, as well as more than 20,000 injured American soldiers who will carry their wounds for the rest of their lives.

The bipartisan Hamilton-Baker Commission called for a different approach. They said: "The situation in Iraq is grave and deteriorating." As Mr. Hamilton said: "The current approach is not working. And the ability of the U.S. to influence events is diminishing."

The commission called for greater use of diplomacy. And the commission's report stated clearly that we must not make an open-ended commitment to keep large numbers of American troops in Iraq. They warned that doing so would continue to stretch our troops too thin, hampering our abilities to simultaneously face other threats in the world.

It would severely affect America's army readiness, and it would not give the Iraqi Government the incentive needed to help bring security. If this assessment is so clearly in opposition to a long-term deployment in Iraq, why is the administration doing the exact opposite?

They are calling for a bigger commitment of troops, for more expenditure of lives and treasure with no end in sight. They speak of victory, but what is victory? Was it finding weapons of mass destruction? There were none. Was it a nuclear weapons program? There was not one. Was Iraq an imminent threat to our security? We were told it was, but in fact it was not.

They claimed that they would exhaust all options before taking military action. But they did not even wait for the weapons inspectors' final report. Was our goal to impose democracy on the entire Middle East? The war has inflamed and destabilized the region. Whatever their justification, they have embarked on a policy that is dragging America into the mire of another country's civil war.

In this civil war we don't know who's shooting. We just know that all sides are shooting at us. We also now know that there was no al Qaeda connection in Iraq before we invaded. The Pentagon's Inspector General has reported that Douglas Feith, the Pentagon's Under Secretary, cooked intelligence reports to make a case to go to war based on al Qaeda. It is tragically ironic that now by invading we have actually made Iraq fertile territory for al Qaeda recruitment.

Madam Speaker, on top of their rush to war and their insufficient planning, their mismanagement is legendary. They initially estimated that the war would cost 50 to $60 billion. But by the end of this year, Congress will have spent about half a trillion dollars, ten times the original estimate.

Last week, we had a hearing on $12 billion that was airlifted into the war zone and now $8.8 billion is unaccounted for, completely missing. Madam Speaker, how much mismanagement and misdirection can this country tolerate?

In November, Americans voted for a new direction for the war, a new direction for Congress. I rise in support of this new direction and against this escalation in Iraq.

Mrs. WILSON of New Mexico. Madam Speaker, I yield 4 minutes to my colleague from Ohio (Mr. TIBERI).

Mr. TIBERI. Madam Speaker, I rise in opposition to this resolution this evening.

The resolution we are debating this evening is a nonbinding resolution. It has no effect of law. It does nothing to change our direction in the war on terror. For those who oppose the war, this resolution does nothing to end it. For those of us who would like to debate the recommendations of the Iraq Study Group, this does nothing.

For those of us who would like to continue to show our support for the funding of the troops, it does nothing. For all of the chest pounding from the majority about a new direction or redeployment, this does nothing. This resolution could pass 435–0 and it still would do nothing.

Madam Speaker, there has been no opportunity for a free exchange of proposals this evening that could be useful in moving us forward. In fact, just this morning, one of Ohio's largest newspapers, the Columbus Dispatch, said it best in their lead editorial: "Empty gestures. Democrat's resolution on Bush's Iraq war policy is political posturing."

That says it all. Madam Speaker, your party has the majority in the House and in the Senate. Yet we have tonight before us a resolution that does not do anything. If the majority wants to exercise real leadership, let's have a true debate. Let's make real decisions, tough decisions, that is for sure, but real decisions.

Madam Speaker, let me tell you about a young marine corporal in my district. His name is Matt. Matt represents the best and brightest in America. Matt had a scholarship to go to college. He turned it down. He enlisted in the United States Marine Corps after Iraq was liberated.

Matt was on his second tour of duty just last month when he was shot. He returned home a few weeks ago. Matt will receive a Purple Heart. Weeks before he was shot, Matt sent an e-mail back to his family and friends in Ohio. In it he says: "We have done a lot of good in Iraq, but on the homefront we likely will not see that reported." Matt said he has watched his fellow marines' hearts grow heavy when they talk to their family and friends, and that this is a tough part of war and a tough part of fighting for freedom.

I spoke with Matt a few days ago as we began debate on this resolution. Matt asked me to oppose the resolution and give him and his fellow soldiers the tools and the support that they need to help Iraqis help themselves take control of their own country, and together fight and defeat radical extremists.

Matt supports the mission. Matt does not want to see his children and grandchildren going back to Iraq to handle what can and should be done now. Our constituents elected us to lead, Madam Speaker. Our brave servicemen and -women look to us for leadership. We must not disappoint them.

Matt, God bless you and your fellow troops for your great and wonderful service to our country. I will vote against this resolution, this nonbinding resolution tomorrow, and will do all I can to support you and your fellow soldiers in your mission to fight and defeat radical extremists who seek to destroy our way of life.

Mr. SMITH of Washington. Madam Speaker, I yield 5 minutes to the gentleman from Hawaii (Mr. ABERCROMBIE), a senior member of the House Armed Services Committee.

Mr. ABERCROMBIE. Madam Speaker, as chairman of the Armed Services Committee on Air and Land Forces, my overriding concern on every issue that comes before us is whether and how it supports our men and women in uniform.

Every decision about equipment, procurement, training, end strength or budget authorization must meet this test: Does it support our troops? The question before us today, increasing U.S. forces in Iraq by some 21,000 combat troops and somewhere between 3 and 28,000 support personnel fails this test in every respect.

Both the immediate and long-term effects of the war in Iraq on our Nation's military preparedness are evident and drastic. Extended deployments, premature redeployments, and sustained combat under unbelievably harsh conditions have taken a terrible toll on our forces and their equipment.

The results are an overstretched U.S. Army and Marine Corps with no fully mission-capable Reserve forces, and an urgent need for billions of dollars to repair or replace worn and damaged helicopters, tanks, other armored vehicles, including up-armored Humvees and other equipment.

I recently returned from an inspection of two of the Army's busiest repair depots in Corpus Christi, Texas, and Anniston, Alabama. What we saw there were skilled and dedicated employees working feverishly to make sure that our men and women in uniform, particularly those in Iraq and Afghanistan, have every piece of equipment they need to do their jobs and keep themselves safe from harm.

What we saw were the results of an administration's abject failure to mobilize this country's industrial base for this war of choice. Only now are we ramping up America's manufacturing capacity to fully support our troops at home and overseas.

Smugly self-righteous in its belief that U.S. troops would be targeted with nothing more lethal than rose petals, this administration has been complacent in leaving the burden of the war on the men and women of our Armed Forces, active, Reserve and National Guard. The impact of this attitude hit home for me in Corpus Christi when I read recently about the death in Iraq of a 48-year-old Army sergeant with five children.

Newspaper Columnist Dan Thomasson asked: What in the world was a 48-year-old man with five children doing in the military in Iraq? The answer is obvious, he was a member either of the National Guard or the Reserve. The Guard and Reserve are being used in a way never contemplated. Their repeated and sustained deployments turn lives upside down, sometimes permanently, and have a profound impact on families, businesses and whole communities.

Why have they been so misused? Because there is not anyone else. Because our active duty force is too small to sustain our engagement in Iraq and Afghanistan. To have acted to ensure the burden of this war would be more broadly shared, that the industrial sector would be mobilized, and the military equipment, supply and maintenance and repair systems put on a wartime footing would have been expensive and an admission of a reality the Bush administration did not want to confront.

The real and immediate concern is that forces now being deployed as part of this surge will not have the equipment they need when they get there. They will have to borrow it. We are not fully prepared to respond effectively.

The House then is considering an expression of support or opposition to another failure of leadership. Nearly 23 years ago, President Ronald Reagan's Secretary of Defense, Caspar Weinberger, outlined in a speech entitled "The Uses of Military Power," six tests that need to be applied whenever combat forces are contemplated.

One: never commit forces unless the particular situation is vital to our national interest or that of our allies. Two: if we are willing to commit the force or resources necessary to win, we should commit them all.

Three: we should have clearly defined political and military objectives. Four: the relationship between the objectives and forces, size, composition, disposition, must be continually reassessed and adjusted.

Five: we must have the support of the American people and their elected representatives in Congress. Six: the commitment of U.S. troops to combat should be a last resort. President Bush's policies have failed every one of then-Secretary Weinberger's tests.

What then are the consequences of this failure? Our troops are in peril. Our credibility is shattered and the lessons of the past are submerged in empty rhetoric and political dribble.

□ 2100

Make no mistake, we are engaged in a war of choice, a catastrophe conceived in ideological zeal, cloaked in misinformation and administered with breathtaking incompetence.

It is an outrage that we have not had a single policy in Iraq worthy of our men and women in uniform. This surge is yet another misstep in this tragic journey to disaster. We need to end it and end it now.

Mrs. WILSON of New Mexico. Madam Speaker, I am pleased to yield 4½ minutes to my colleague from Minnesota (Mrs. BACHMANN).

Mrs. BACHMANN. Madam Speaker, the morning of September 11, 2001, I was a Minnesota State senator meeting with a group of local educators at a Perkins Restaurant in Woodbury, Minnesota. Because you can't find a babysitter at 7 o'clock in the morning, I had my three daughters with me at the restaurant when I learned of the attacks. After that meeting, I dropped our girls off at school and then, together with millions of Americans, in horror I watched my television as the terror unfolded. Thousands of innocent Americans were targeted for death that morning by an evil regime of radical jihadists. Then came the challenge of explaining to our children the magnitude of the tragedy that had just befallen our Nation. As a mother, I can tell you it was one the most difficult conversations that I have ever had.

September 11 galvanized Americans. We knew without a doubt that we had an enemy, but America fought back, united. We were attacked on September 11, but the radical Islamic jihadists declared war on innocent Americans long before that morning and, chillingly, that war continues even today. Their brand of evil chooses to kill the greatest number of innocent civilians. They are a cruel enemy. They are unwavering in their resolve to seek the total annihilation of the United States of America and of our freedoms, and of our Western allies especially. They seek to destroy our friend, the State of Israel.

Today, Iraq is the central front in this war, and that is according to the radical Islamists themselves. Some in this Chamber may want to deny that fact. However, it is the jihadists who chose Iraq as the central front in the war on terror. It wasn't the United States. And we fight them on their turf. Al-Zawahiri has said many times that Iraq is one of the crucial fields in the Islamist war. The radical Islamists know that they cannot beat us with guns and with bullets alone. They can only beat us in one way, and that is if they crumple the resolve of America to fight and to win this war.

To American soldiers, I want to say to you specifically tonight, know that many of us here in the United States Congress support you and your mission. We pray for you. We love you. We appreciate you and your sacrifices on behalf of our freedoms. It is because of your bravery that we will defeat the radical jihadists. Surrender is not an option, not if our goal is the maintenance of freedom.

It is very telling, I think, that the resolution that we are debating this evening only states what those on the other side of the aisle oppose. After all these hours of debate, the American people have yet to hear a plan from the Democrats for victory in this war against terror.

I believe, and you, our troops, know that victory against the evil people who want to kill Americans transcends politics. Victory in this war means that no mother will have to explain to their children the death of thousands of innocent Americans.

American soldiers, please know that many of us in this Congress stand strong in our resolve to support you and our fight to preserve America's freedoms. On my watch, I pledge to you during this, my term in Congress, that I will stand for you, and I will vote to preserve America's freedom.

And I want to say to you this evening that it is American soldiers, Minnesotans, who are in the National Guard. It is members of the Minnesota National Guard who make up over 10 percent of this increase in troops. Minnesota is supplying over 10 percent of those troops.

I had the brigadier general of the Minnesota Guard in my office yesterday, and I asked him, What is the morale? What is the message that these troops want me to know? And he said, They want you to know that they stand ready to fight, and their morale is high.

I say thank you to the Minnesota National Guard. Thank you for your sacrifice. Thank you for your bravery. I will stand with you. Just as the Minnesotans who stood first in line in the battle to fight for our Union, it is Minnesota who is standing strong in this battle to fight. It is the battle of our time, the balance of our generation, and I stand with you.

Mr. SMITH of Washington. Madam Speaker, I yield 5 minutes to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. Madam Speaker, the great poet, Maya Angelou said, "When I knew better, I did better."

I am a member of the Progressive Caucus, proudly so, because I believe that we must always strive to do better to truly make progress.

A sign of intelligence and learning is to take the knowledge that we have acquired and adjust our goals accordingly. For some, it seems to be a badge of honor to stay the course, no matter what facts have come to light to contradict that course.

So what did some think they knew then, and what do we actually know now?

Some thought Iraq played a part in the attacks of 9/11. Now we know better.

Some thought that invading Iraq would not diminish our ability to continue our mission in Afghanistan, defeat the Taliban, and find Osama bin Laden, the mastermind of the terrorist attacks in America. Now we know better, but we still don't know where Osama bin Laden is.

Some thought that the intelligence used by the President to lead us to war was accurate. Now we know better.

Some thought that Saddam Hussein had weapons of mass destruction, which could not be discovered by the U.N. peacekeepers. Now we know better.

Some thought that Saddam Hussein tried to purchase yellow cake uranium from Niger. Now we know better.

Some thought that we did not need the support of the free world to enter into war. Now we know better.

Some thought we would never send our troops into harm's way without proper equipment. Now we know better.

Some people thought the people of Iraq would welcome us with open arms, and that the war would be won swiftly. Now we know better.

Some thought on May 1, 2003, some 4 years ago, that the mission was accomplished. Our President told us so on an aircraft carrier in a photo-op. Now we know better.

Most importantly, we know that young Americans have heeded their country's call and have placed themselves in harm's way to serve America. There is nothing nobler than the sacrifice made by our men and women in uniform. But such sacrifice should never be secured through deception. Now we know better, and we must do better.

Early on, many of my colleagues in the Progressive Caucus did not believe all they were being told about the connection between 9/11 and the terrorists and Iraq. We were all very concerned that pursuing an invasion of Iraq would be an act of aggression unheard of in our Nation's history.

What makes America unique is we believe that our Nation is founded on the rule of law, and that is what has made our country great and why we have been respected all over the world.

Millions of Americans put faith in the administration. Many could not have imagined that such a disastrous course would be pursued without truth beyond the assurances that were given. But now we know.

We know we have lost the goodwill of many of our allies. We know we have no exit strategy. We know that more Americans will sacrifice their lives. We know that mothers, fathers, wives, husbands and children will weep. Children will be orphaned, and young people will spend their lives maimed. And for what?

We can choose enlightenment or we can choose blind ignorance. We can choose to wrap ourselves in the American flag and claim that anyone who demands answers about the reasons for sending our troops into harm's way is unpatriotic and does not support our troops.

We can choose to use the knowledge we now have, or we can cling irrationally to the President's failed policies that led us to war.

The Earth is not flat. The sun does not resolve around the Earth, and we did not go to war for the reasons we were told. I don't know what the real reasons were. Maybe we will never know. But we do know better now and, knowing better, we must do better.

That is why I support this resolution, why I support our troops, why I oppose the escalation, and why we must follow the recommendations of the Baker-Hamilton Commission and shift from the war zone to the diplomatic arena. We have gone from shock and awe to aw shucks.

And escalating this war by putting 20,000 Americans into the streets of Baghdad, ala Mogadishu, aka Blackhawk Down, is inviting a 21st century Pickett's Charge or a Charge of the Light Brigade.

May God save us if the President of the United States will not.

Mrs. WILSON of New Mexico. Madam Speaker, I am pleased to yield 5 minutes to my colleague from Texas (Mr. NEUGEBAUER).

Mr. NEUGEBAUER. Madam Speaker, I rise tonight in strong opposition to this resolution and in strong support of our troops in the mission as they fight the global war on terror.

I am really disappointed in the hollow resolution that does not match the seriousness of this issue that we are debating. It appears politics, not the safety of our Nation, is leading the way.

Not long ago, several of my Democratic colleagues were arguing we need additional troops in Iraq. But now the President and the Iraqi Study Group say, send more troops, and now the Democrats are against it.

So when they say, now that they have the ability to and the responsibility to govern, the majority has no plan for success. In fact, the only plan is to cut funding for our troops on the ground in Iraq.

Statement after statement from Members on the other side of the aisle paint a very clear picture. This week's debate is merely paving the way for future cuts in funding for Iraq. The realities of the current global conflict demand a more responsible approach from this body.

We know that terrorist enemies are patient. They are calculating, and they intend on attacking us again. They have stated that Iraq is the central front for the global jihad, yet expelling America from Iraq is merely the first step in their strategy.

We also know that leaders of the terrorist organizations have ordered their followers to extend their jihad throughout the region and the world. So it is clear that the attacks on our country and the citizens will not stop if the troops pack up their bags and return from Iraq. The terrorists will follow us back to our America.

A long list of terror attacks took place long before 9/11 and long before we entered Iraq and overthrew Saddam Hussein.

I, like everyone else, want our troops to come home as soon as possible. However, with shortsighted political calculations made in this body that may cause us to lose that war, terrorist groups will only be encouraged to expand their efforts.

In addition to the terrorist groups who are watching this debate and our actions in Iraq, we also know that Iran will see that America is buckling to our political reactions to this issue. Not only does Iran stand to benefit from increased instability in the region, but seeing America retreat in the face of military obstacles will only embolden that rogue regime to question America's resolve.

While we can disagree on whether to send reinforcements, we must all agree that the consequences of losing the battle on the global war on terrorism is catastrophic and far-reaching.

America must not be a Nation where our school buses, our malls, our neighborhoods, become the battlefields for the war on terrorism. Therefore, we should be saying we will not retreat, we will not back down from this fight. We should stand 100 percent behind our troops and give them the tools and support necessary to get the job done. Our security depends on it.

Unfortunately, this resolution fails on each front. This resolution does not put forth a successful strategy for victory, and the resolution does not show our troops that they have our full support.

In fact, for the last 2 or 3 days, you have not heard one solution offered by the other side. You have not heard one solution offered of what happens if the President is right. This is too important of an issue for us to be backing down from and to be having silly political debates.

To the contrary, this resolution only serves to score political points and embarrass the Commander in Chief during a time of war. It does so while, at the same time, weakening the morale of our troops. Fighting and winning the war is serious business. It requires our President, our military leaders, our elected officials to make important decisions, tough decisions. Yet making tough decisions is what the American people expect their Representatives to do.

Therefore, I call on my colleagues to reject this resolution, end the political stunts, take seriously our responsibility to govern and to ensure the safety and the security of the American people.

This has been a rock fight. This is not a place for a rock fight. This is a place for serious deliberation to make sure that we keep America safe, both today and in the future.

I urge my colleagues to reject this resolution.

□ 2115

Mr. SMITH of Washington. Madam Speaker, I would just argue, first of all, I respect the gentleman from Texas, but I have only been here for an hour and 15 minutes and I have heard countless alternatives from many Democratic speakers. May not like those alternatives, may not think they are the best course, but it is wrong to say that the Democrats have not offered alternative courses of action in Iraq. They have offered a good many.

Madam Speaker, I yield 5½ minutes to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Madam Speaker, I thank the gentleman for yielding.

With this resolution, Congress puts the Bush administration on notice we take the first step toward a course correction in Iraq that the American people voted last November.

We also put the leaders of Iraq on notice that our troop strength there will be redeploying, not escalating.

This House cannot stand by and expect our courageous troops to win the war against terrorism militarily while the Commander in Chief loses it strategically and ideologically.

Some have said passage will make bin Laden smile. They are mistaken. He is already smiling due to the devolving chaos in Iraq. He is achieving exactly what he set out to do: forcing us to destroy a nation to save it, while embroiling our military in an unending Islamic civil war of attrition that produces more terrorism and anger toward America.

Our mission in Iraq is struggling, but it is not due to a shortage of supplies or a lack of will or poorly trained forces. To the contrary, we have the best military in the world, with every dollar appropriated by this very House.

Our mission is faltering because the President misjudged the field of battle. Our troops are poised against a borderless political movement determined to mobilize downtrodden people.

That idea emboldens its adherence to confront the largest military force in the world. That idea enlists the weak to confront the powerful. It pits puritanical religious followers against kingdoms, against the superrich, and against corrupt regimes they deem to be unfaithful. And in Iraq it propels Sunni against Shia.

Despite the heroic efforts of our troops, the paradox is that the war in Iraq cannot be won in Iraq. Indeed, the war in Iraq becomes counterproductive in winning the war of ideas across the region.

We cannot ask our troops to bear the burden of winning a ground war when the President's policies have lost the idea war.

We know the truth. There were no chemical labs, as pictured here, when Secretary Powell laid out the case against Iraq before the U.N. and said there were chemical labs in Iraq. There were no such chemical labs. There was no yellow cake uranium from Niger, and there were no weapons of mass destruction.

We cannot ask our troops to win military victory when the administration's reason for invasion were falsehoods and debased our Nation throughout the world.

The intelligence was not faulty. No one should be allowed to blame this on the Central Intelligence Agency. Our intelligence community, including the CIA, tried to tell President Bush and Vice President CHENEY, but they refused to listen.

Madam Speaker, though I voted for the NATO mission in Afghanistan, I spoke out strongly against the resolution authorizing President Bush to wage preemptive war against Iraq because I feared what would happen: more terrorism, not less; more instability, not less.

Since that vote I have supported our troops at every turn and will continue to support them. And I do not regret my vote against the war in Iraq, and I do not apologize for my support of our troops. But now is the time to take the first step toward course correction to redeploy them more effectively.

The roots of terrorism did not spring from Iraq. Terrorism sprang from diplomatic and political failures in undemocratic states, from an Afghanistan that was let fester after the Soviet defeat. Terrorism springs from an Iran whose Shia majority our Nation has isolated for the last quarter century and tried to throttle for the prior quarter century.

Terrorism springs from Saudi families who pay to promote the most radical form of Islam in other nations to hold onto power in their homeland, one of the most undemocratic places on Earth. Terrorism springs from the unaddressed Israeli-Palestinian standoff. Terrorism springs from a Lebanon where the Shia majority has been underrepresented in the institutions of government.

Terrorism springs from a view, fair or not, that the United States allies with the rich but not the poor across the undemocratic Islamic world. How can America stand for democracy in Iraq but not in all of the oil kingdoms and theocracies to which this Nation has been unfortunately tethered for our entire adult lifetimes?

How can we ask our troops to bear the brunt of war in the most oil rich region of the world when we have refused to become energy independent here at home?

Madam Speaker, we cannot ask our troops to bear the burden of war when real diplomacy has been absent and political coalitions for victory are missing in action. In the end, war is the breakdown of diplomacy.

Now is the time for a course correction: redeloyment of U.S. forces, benchmarks to measure strategic achievements, diplomatic alternatives such as a soft partition of Iraq enforced by the world community to quell the rising Sunni-Shia-Kurd standoff.

Chances are the violence in Iraq could continue for years to come. The danger now is that our actions to date exacerbate it and encourage this violence to spill over into Jordan, Turkey, Bahrain, Kuwait, Lebanon, and even Saudi Arabia.

This resolution begins to resurrect America's reputation among the freedom-loving nations of world. America has always been a nation that believes in containment, not preemption. We have always known defense, not offense, is the best war strategy. We have always been strong enough to ferret out, wait out, outsmart, and counterweight the enemy.

3,117 U.S. dead numbering; 23,000 injured; hundreds of thousands of Iraqis dead; the rejection of the world community. These facts should lead us to face a future of a new possibility.

This resolution opens that door. I urge my colleagues to vote "yes."

Mrs. WILSON of New Mexico. Madam Speaker, I am pleased to yield 5½ minutes to my colleague from Florida (Mr. MICA).

Mr. MICA. Madam Speaker, first let me say to those who question our going into Iraq, I voted to go into Iraq and I would vote the same way again. We have found 300,000 mass graves to date, and standing right at this podium, the Iraqi leader told us that Saddam Hussein slaughtered 1 million of his fellow citizens.

The question before us tonight, and what Congress is now considering, is a nonbinding resolution that makes two points. The first point is it praises our troops. The second point is it speaks against the President's decision to increase or surge our U.S. troop numbers in our current attempt to end the civil and terrorist conflict in Iraq.

Let me say at this point that I do not fault individual Members and their choice made tonight or tomorrow to support or oppose the arbitrary nonbinding resolution that is before us. I do, however, fault the failed Democrat leaders who crafted this resolution behind closed doors, written in the dark of night.

The people should know that this is not a true debate. In fact, this exercise is a 3-day politically hatched farce. In fact, this exercise is absent of any legitimate legislative process. It is also, in fact, vacant of the two options provided Congress under our Constitution: first, to declare war or, second, to appropriate funds for the conduct of war. In fact, this is a stealth resolution brought to the floor absolutely void of the democratic process; that our men and women are fighting, as we are here tonight, to preserve our freedoms at home and the rights at home and extend those rights to oppressed people abroad.

This is not Cuba. This isn't Venezuela. This is not North Korea or some Third World country. This is the Congress of the United States.

But let me congratulate the authors of what history will surely record as a very dark chapter in the conduct of the House leadership and the House of Representatives, leadership, in fact, entrusted to them by the American people.

Let me congratulate the authors on the clever wording of a resolution to praise our Armed Forces and at the same time undermine our Commander in Chief. Very clever.

I also want to congratulate the very clever timing of the floor discussion of this worthless measure that disregards the fact that American troops have already been deployed for this mission.

Congratulations are also in order for duping the public and the media into creating the illusion that Congress is really doing something about the conflict in Iraq.

And again congratulations on making people think that this is bipartisan support, that this is going to be bipartisan support for a resolution that, in fact, achieves nothing but the discrediting of a President of the United States in a time of war. So I also want to extend congratulations to the crafters of this illegitimately drafted nonbinding resolution. Your accomplishments will be lauded by Hamas, al Qaeda, touted by Al Jazeera, and highly praised by America and Bush haters throughout the world.

Ironically, I pulled this up. Google it yourself. This is tomorrow, 8:17 Mecca time, Al Jazeera: "Democrats Attack Bush War Policy," and the lead quote is from Speaker PELOSI.

Again, congratulations on your achievement.

Fortunately, though, folks, throughout history great Presidents have ignored Congress and have not wavered. George Washington was nearly recalled by Congress in the darkest hours of the American Revolution. He fought on for nearly 8 years to gain our independence and freedom. Abraham Lincoln endured untold criticism in Congress in his fight to ensure freedom for those once enslaved. Ronald Reagan never flinched in his quest to bring down the Iron Curtain and free millions. And George Bush will be remembered for freeing Iraq, giving women and the oppressed the right to vote, for conducting free elections, helping Iraq adopt a constitution, and combating terrorism and extremists.

The 110th Congress, however, will go down in history for adopting a nonbinding resolution. Think about it.

Yes, we all want our troops home. We all want our children to live in a world of peace. And this resolution will not help us achieve either of those goals.

Mr. SMITH of Washington. Madam Speaker, I now yield 5 minutes to the gentleman from Illinois (Mr. JACKSON).

Mr. JACKSON of Illinois. Madam Speaker, I rise today in defense of our national security, in support of our troops, and in favor of this resolution.

This measure is a first and important step in preventing the President's ill-conceived escalation plan; reversing our present, perilous course; and ultimately bringing our brave troops home from Iraq.

Mr. President, when in a deep hole, stop digging.

But rather than searching for a way out, the President proposes to dig down deeper, plunging further into a dark abyss. Blinded by ideology and steeped in delusion, the administration's answer to the chaos in Iraq is to send an additional 21,500 troops into the middle of it.

I do not support the President's shortsighted, wrong-headed, reckless approach. And on behalf of the American people, this House must act now to stop the continuation of an ambiguous, constantly changing, open-ended engagement in Iraq.

During the last 4 years, our men and women in uniform have answered the call of duty. They have demonstrated true courage and bravery and honor. They have served our Nation valiantly, even as many civilian leaders have failed them.

I mourn the loss of 3,100 Americans who died, 95 of whom are from my home State of Illinois. I pray for the thousands who have been seriously wounded and permanently disabled. And I have voted again and again to ensure that our troops in Iraq had the body armor and the equipment that they need to protect their lives and discharge their duties.

Tragically, the war in Iraq is a case study in "mission creep." And the fact is no amount of troops can successfully complete a mission that is unclear, that is ill-defined, that is muddled and mutable.

During the run-up to the first gulf war, then-Chairman of the Joint Chiefs of Staff, General Colin Powell, put forth eight criteria to be met for military action. Among the critical questions posed by the Powell doctrine were the following: Do we have a clear attainable objective? Is there a plausible exit strategy to avoid endless entanglement? Have the consequences of our actions been fully considered?

The answer to each question when applied to Iraq today is the same as it has been since the start of this war: no, no, and no.

□ 2130

With the help of its author, the Powell Doctrine was shredded to bits and the mission in Iraq is adrift.

Consider this: On September 12, 2002, President Bush challenged world leaders at the U.N. General Assembly session to confront the grave and gathering danger posed by Iraq's weapons of mass destruction. However, no weapons of mass destruction were found there.

Then President Bush shifted his justification, arguing that the war was about liberating Iraqis from a brutal dictator. But in December 2003, 4 years ago, Saddam Hussein was found and captured. He has since been tried and hanged for crimes against humanity.

After Saddam was taken into custody, President Bush claimed that the mission was to spread democracy throughout the Middle East. Yet Iraq has deteriorated into sectarian violence erupting into a bloody civil war.

Now, with the violence increasing, the President says our mission is to confront the terrorists in Iraq so we don't have to face them here at home. However, according to government intelligence, the war in Iraq has helped recruit more terrorists, not vanquish them.

Madam Speaker, now is not the time to close our eyes, cross our fingers and stay the course. We cannot continue to engage in the same action and expect a different result. We should not send more of our soldiers to the desert on a mission that shifts like the sands beneath their boots.

The President's plan attempts to impose a half-baked, unworkable military solution, when Iraq needs a political one. Rather than a military escalation, this situation in Iraq requires a diplomatic and political intensification. The American military must stand down, so the Iraqi people can stand up and seek a political settlement and assume responsibility for their own future. The Iraqi government must engage in negotiations and compromises that balance the power of provincial and central governments, share oil revenues and protect the rights of every Iraqi citizen.

The Iraq Study Group, co-chaired by James Baker and Lee Hamilton, released a report in December stating the same. They said the security situation cannot improve unless leaders act in support of national reconciliation. There is no action the American military can take by itself that can bring about success in Iraq.

As Democrats, we support our troops, but we don't support the Commander in Chief squandering billions of our tax dollars and recklessly putting our brave soldiers in the cross-hairs of someone else's civil war. I believe our domestic national security rests on redeploying our military forces from Iraq in order to build more consensus in the Middle East.

To conclude, Madam Speaker, I support this resolution opposing President Bush's failed policy of escalation. It is time to bring a responsible end to this war, to bring our troops home, and to bring them home right now.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. CAPPS). The Chair must remind Members that remarks in debate should be addressed to the Chair and not to the President.

Mr. BUYER. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I recall March 6, 2003. I came to this floor and spent an hour and outlined the 17 resolutions before the United Nations in which Saddam Hussein continued his open defiance. That is what was also discussed. So what is lost from this debate is Saddam Hussein's recalcitrance unto the world. As a veteran of the Gulf War, that was ended by a ceasefire, where Saddam Hussein did not uphold his end of that agreement.

To the last speaker, he spoke about the political and economic, but in order for an infancy government to be able to survive, you have to be able to establish its political apparatus, you have to be able to give it its economic goals and a means to achieve them, but you also need to establish security.

Therein lies the President's plan. He met with the leaders of Iraq and he got some concessions from Iraq. "In fact, you will take the lead, you will work with your parliament, you will achieve these political and economic goals as we work together to establish your security." That is the plan.

The Democrats only want to focus on one small portion of the plan, which is called a surge, which is disrespectful to the plan. But it makes good politics, and that is what is disheartening to me.

Madam Speaker, I yield 2 minutes to the gentlewoman from Ohio (Mrs. SCHMIDT).

Mrs. SCHMIDT. Madam Speaker, I rise tonight after another long day out of disappointment—disappointed that we are not having a real debate about how we win in Iraq. We have spent countless hours in what is little more than political theater.

This body is scheduled to meet 145 days this year. Just to open our doors, we spend over $8 million for each legislative day. This debate will cost some $30 million, yet it will yield nothing but a partisan vote on a nonbinding resolution after literally hundreds of speeches designed to do no more than charge up one's own political base.

I am deeply disappointed. The people expect more from us. They expect solutions, not grandstanding. They expect both parties to work together. There will be no victory when our votes are tallied. We will have every problem we began with, but be even further apart politically.

Tonight, I believe we embarrass ourselves before our brave men and women in uniform, before the American people and before our enemies.

Mr. SMITH of Washington. Madam Speaker, I yield 5 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Madam Speaker, after Congress has successfully completed action on the first 100 hours, we now begin a critical 100 days for the future of our engagement in Iraq, United States policy in the Middle East and our struggle against violent fundamentalism. Between now and the Memorial Day recess, 100 days for Congress to reassert itself as a coequal branch of government, as envisioned by the framers of the Constitution, to change the course in Iraq.

This is a decisive moment. It is time for every one of us who would be a leader to lay our cards on the table. Each must be true to our own conscience and to the responsibility of office by letting the American people know honestly and directly what we stand for and what we would do in Iraq.

This resolution gives clear and concise voice to the desires of the American people. It expresses support for our troops and demands that we not place more of them at risk without a reason or a plan. And I strongly support it.

Along with this resolution, the Congress under Speaker PELOSI's Democratic leadership has already done more to provide oversight and accountability than Republicans over the last 5 years. We have held 50 hearings on the conduct of the war, fraud and failure in reconstruction efforts, and the outrage of our troops being sent into harm's way without the equipment they need. I applaud the efforts of our leadership on the Appropriations Committee to end the practice of giving too much to the wrong people to do the wrong thing.

However, these are only the first steps. We should not only oppose escalation of the war, but we should pass legislation to bring the war to an end responsibly. Investigations must be followed by specific and personal accountability for crimes that have been permitted in the conduct of this war.

We should use the power of the purse to ensure that funds go specifically to keep our soldiers safe, rebuild badly damaged military readiness, undertake new diplomatic efforts and support the Iraqi people, not an open-ended occupation.

For the last 2 years, I have been working with concerned citizens in Oregon to develop a responsible plan to end the war and provide the best hope for a better future in Iraq. Last month, I introduced comprehensive legislation, the New Direction For Iraq, H.R. 663, as a model for the kind of legislation that Congress should enact, and I am confident will enact.

This legislation would bring the troops home, require a comprehensive diplomatic effort, redirect reconstruction assistance, promote international efforts to disarm militias, investigate and punish war profiteering and deal with the 2 million Iraqi refugees who have been forced to flee their country, people the administration has only recently been able to recognize.

A word about Iran. It is a complex puzzle, more difficult than any of us imagine and one that poses real challenges. But as the President marches us closer and closer to a major provocation, maybe a new war, whether intentionally or not, Congress should not let itself be steamrolled or lied to, as it was with Iraq; Congress must assert itself with real diplomacy and a real strategy.

It is also time that America lived up to our ideals. No more torture, kidnapping and unauthorized wiretaps; no more lying and unnecessary secrecy; not treating the Constitution as a suggestion or using false claims about national security to score political points against those of us who have been right about this war from the beginning.

We must start treating the public like a partner and recognize that they are far ahead of the President and the Republican leadership. I am just frustrated to hear false analogies to the dark days of World War II or to the Civil War. We are bogged down in somebody else's civil war, and we have been doing it longer than World War II or the Civil War, with no end in sight, until now.

They should join us in taking this conversation to coffee shops, churches, campuses and conference rooms, working with the American people.

Over the next 100 days, I will continue to fight for a comprehensive plan that I am confident will come forward. It is in the honor of Travis Bradach Nall, a constituent of mine who was killed in Iraq the very day the President taunted the insurgents to "bring it on."

For Travis and over 3,000 of his brave comrades who have given their lives, I urge support of this resolution as a critical first step to bringing this tragic war to a close.

Mr. BUYER. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I stand before you in opposition to this resolution. It champions a dismally irresponsible and dangerous course of action. On its face, the resolution merely addresses the troop surge, ignoring the President's plan in its totality, as I said earlier.

I will now address our efforts to move forward on the diplomatic and economic front. With regard to the establishment of government capacities, the establishment of the rule of law is a necessity, for to have Iraq address the national plan of reconciliation, to have them pass enabling legislation for the Constitution and amendment process, and to set provincial elections, is extremely important.

With regard to the economic piece, the concession whereby the Iraqi government will seek to have a quasi-Alaskan model with regard to the revenue sharing of its precious assets is extremely important, because you do not want the distribution of the oil proceeds to go to regional leaders. It will only empower them and then weaken the unity Federal Government.

With regard to the debt relief agreements, much has been negotiated, but the neighboring Gulf States need to step forward, and upcoming meetings are at hand.

The debate seems to be on the security piece. There are those saying well, let's just back out completely. They use words such as "withdraw to the United States" and "redeploy." But is that a plan? I haven't heard any form of military plan. They say what, we will just turn it over to them? Wow.

As we listen to the neighboring leaders, they express caution of cataclysmic consequences. I fear how America will be defined by our friends. Do you reach out to a child as you are teaching it how to walk, let go of the hand and let them fall and say it is up to you, and leave them alone? You are going to have to find your way to the kitchen. Or do you go back and help them walk?

I am concerned about how cold and callous the new majority is to this new infant democratic government. But I guess even more disconcerting to me is the politics behind this resolution. While the majority tells the American public that change must occur, that we are going on the wrong course, this amendment basically opts for the status quo, the same status quo for which they have attacked the administration, which they campaigned against last fall.

They offer no solution, only acting as the critic, and being a critic is the easiest role in the world.

□ 2145

Just sit back and just bark at someone, yet offer no plan of resolution for stability within the region. What is the plan of success for them? Silence.

Let us also address the undemocratic process under which their resolution was brought to the floor here. We stand here and debate how best to bring democratic government to Iraq, yet this majority in Congress shows the leaders in Iraq how to be undemocratic and deny a Republican minority a chance to bring a substitute resolution. I find that quite ironic that this Capitol that is supposed to be the most democratic process in the world is now undemocratic.

I beg of my colleagues not to play politics with the safety and security of this Nation. I must remind this body and the American people the threat we face.

Iraq is a critical front in the larger global war on terror. We are entrenched in a fight against masters of intimidation, bound together by an extreme, perverted ideology which they claim is a legitimate interpretation of Islam.

Our enemies seek to establish regimes that rule according to a violent and intolerant distortion of the Islamic faith, that is, to deny all political and religious freedoms and aim to establish sanctuaries for violence and additional attacks. They have no centralized command structure or place to call home. Instead, they exploit local conflicts to build a culture of victimization. They mobilize resentful, disillusioned, and underemployed young men and women and have mastered technology to aid them in their bidding.

Abu Masab al-Zarqawi, the former leader of al Qaeda in Iraq, explicitly warned that the establishment of a democratic Iraq is the death of al Qaeda there. Think about that. The leader of al Qaeda in Iraq says to establish a democratic Iraq is the death of al Qaeda. Yet, what does the new majority want? Pull-out of our troops, weaken the stability of that country, to be overtaken then by al Qaeda, instead of strengthening the democratic government, ensuring that they have an economy political apparatus and have the security to prevail, which is the death of al Qaeda.

Our resolve should be to succeed in this struggle, and we must be stronger in our resolve than their resolve to inflict terror. At every step they are watching our move, waiting for us to falter, fail, drop our guard, or just walk away.

General John Abizaid, the former commander of U.S. CENTCOM, described well the ramifications of letting Iraq fall to terrorism in his testimony before the United States Senate: "The enemy's vision of the future would create a region-wide zone that would look like Afghanistan under the Taliban. Music would be banned, women ostracized, basic liberties banished, and soccer stadiums used for public executions. The people of the region do not want the future these extremists desire. The more we talk about this enemy, the more its bankrupt ideology will become known."

This enemy uses suicide bombings, beheadings and other atrocities against the innocent citizens of the world to pursue its objectives. They are the enemy of freedom and wanting nothing more than to disrupt peaceful, civilized people everywhere. No one is safe from this hatred, and it is not restricted to the Middle East. Just ask those in London and Italy and other places around the world. This is a global threat. Iraq is not the limit of this beast's haven.

It is the challenge of our generation to destroy this enemy wherever it lurks. We cannot do it without the resolve, cunning, and above all vigilance. The price that we pay for freedom is eternal vigilance from those who seek to steal it away.

While we have not been attacked on our homeland since September 11, 2001, it is not for the lack of the terrorists' efforts. We have been fortunate to have spoiled and foiled several plots here in this country and around the globe. Yet, the fight is far from over. Chances are that today you feel safe in your neighborhood. You can walk to the store. You can play with your children at the local park or in your backyard without having the fear of being blown up by a roadside bomb or being shot by a sniper. You allow your children to go to the malls without fear of a suicide bomber.

It is that peace of mind, this feeling of safety that we are endowed as the elected leaders of this country to preserve at all costs.

I remind you that these extremists want to disrupt and destroy our every way of life. They are not equipped to do battle on a conventional battlefield. Instead, they look to disrupt our most basic freedoms, our securities and our institutions, public and private. The world is their battlefield. Their hope and their goal is to outlast our resolve.

It is our burden to bear, our generation's great challenge to defeat their hopes and objectives. We cannot cower and seek the sanctity of security in this challenge. You are not free when you cower. You have given in to the designs of the terrorists if you do.

This debate began with the Speaker asking whether or not this resolution will make our troops safer. The answer I believe is no. This resolution lacks courage. It lacks leadership and it lacks a forward way of thought. This resolution, to me, is pure political theater. The administration has given us a legitimate plan to work with, and the majority in this House has given us nothing but criticism and a path for an easy way out that virtually holds the door open for terrorists to destroy an infant democratic government and to open a way of access to the U.S. and our allies for terror.

I close with a thought from a past President who faced the trials of war in his lifetime. President Kennedy said, "Let us resolve to be the masters, not the victims, of our history, controlling our own destiny without giving way to blind suspicions and emotions."

Madam Speaker, I reserve the balance of my time.

Mr. SMITH of Washington. Madam Speaker, I yield 5 minutes to the gentlewoman from California (Ms. LINDA T. SÁNCHEZ).

Ms. LINDA T. SÁNCHEZ of California. Madam Speaker, I join my colleagues today to add my support to this resolution.

This resolution is straightforward and simple: we support our troops and oppose President Bush's plan to send more than 20,000 additional combat troops to Iraq.

I support this resolution because we need a new direction in our Iraq policy. This war has been going on for almost my entire service in this House, and during that time, I have heard one misrepresentation after another.

This war began on a flawed premise, that Iraq had weapons of mass destruction and posed an imminent threat to the world. After months of fruitless searches, it became clear that there were no weapons of mass destruction; but 3 years after coming to that conclusion, we are still in Iraq.

Then we captured Saddam Hussein and more than 3 years later we are still in Iraq. We were told we needed to be there to fight the terrorists who attacked us, but we all knew that al Qaeda was based in Afghanistan, not in Iraq.

Vice President CHENEY said the insurgency was in its last throes; and 20 months later, our troops are still in combat in Iraq.

We were told we were in Iraq to establish democracy and freedom. Iraq now has a Constitution and an elected government, but over 1 year later we are still in Iraq.

It was 3 years, 9 months and 2 weeks ago that President Bush declared mission accomplished, but our troops are still in Iraq.

We in this House and the American public have been continuously misled about this war. Enough is enough. If I really believed that sending another 20,000 troops would end the war and bring stability to Iraq, I would support it. It would be worth the sacrifice. But the war in Iraq cannot be solved militarily because it is a political problem.

So when the President wants to send even more troops, we really need to take stock of what that means for our country and the lasting impact that it will have.

We all know the statistics: 3,124 American troops killed; over 20,000 wounded; and over $379 billion spent.

And I have seen the costs beyond the numbers, and I am sure my colleagues have as well.

Each visit that I have made to Walter Reed, every wounded veteran that I have met in my district and each condolence letter I write to the widow or the parent of a fallen soldier painfully reminds me of the great sacrifice we are asking from our men and women in uniform and their families.

There are also costs that we don't have numbers for, but they are worth considering. How many children will grow up without a parent because of this war? How many veterans' lives will be forever altered because of the injuries they have endured? How are we being perceived throughout the world, and has it made us more vulnerable to terrorism?

As we consider the President's decision to send yet more troops and to escalate the costs we are bearing, we need to ask ourselves whether the cost of sending more troops to fulfilled a flawed policy is justified. I don't think it is, and most Americans don't think it is either.

As far as I am concerned, this is a moral issue. We are not doing right by our troops and their families to continue sending them into harm's way without a winning strategy.

And we are not doing right for America. Our continued presence in Iraq is breeding new recruits for terror groups and eroding the readiness of our own Armed Forces.

We are increasingly vulnerable to defending our interests in other parts of the world, such as Afghanistan, where just yesterday The Washington Post reports that NATO lacks enough troops to fight the Taliban and al Qaeda.

It is time to change our tactics and bring an end to our current mission in Iraq. This resolution is not going to do that, but it is a first step in articulating to this President that staying the course is not working and it is not acceptable to the American people.

I urge all my colleagues to join me in voting "yes" on the resolution.

Mr. BUYER. Madam Speaker, I yield myself such time as I may consume.

Thinking about this debate, I reflected back to when this House voted on the resolution to go to war and so thought I would better look up what I said, because I remembered something that was very serious to me and what was very curious was the years before 2001.

I had watched a lot of people vote against the defense bill. Yet coming off of September 11, there was this bravado about going to war, and I felt a sense of unease. So I thought I would go back and see what I said when I came to the floor on that day, and I would like to share it with everyone.

I said: "I have seen great resolve uttered in this Chamber and the swaggering display of courage.

"I can share with my colleagues, as a veteran of the gulf war, that war may be glorious in verse or prose, but in reality it is not. We are about to send America's finest, and that means men and women will die. It will be a noble cause, but we must remember the resolve of this moment, because in war it is chaotic. Not everything is going to go right. We cannot be 400 and 500 generals between the House and the Senate."

Now, I said that back on September 14, 2001, trying to caution all of my colleagues, many of whom had voted against defense bills, now rattling sabers, feeling this bravado of let us go to war.

Now I have to ask, was that a false bravado because now, as war has gotten chaotic and has gotten hard and difficult, now they cower, and I have great concern.

So I ended with: "We cannot have the bravado of today and then run at the first sound of the guns."

Please remember this day when it gets hard.

The gentleman I am about to yield to, the gentleman from California (Mr. LEWIS), was chairman of the Defense

Appropriations Committee, and I remember him well because I had served as the chairman on the House Armed Services Committee at the time and served with Mr. SMITH, and when we came out after Oklahoma City, then-President Clinton, very concerned about terrorism, and we passed our first anti-terrorism bill here in the House and many people were like, wait a minute, that was a domestic act of terror.

No, President Clinton began to focus abroad, not only upon the Russian Mafia, but he was also focusing on Osama bin Laden and other terror. It can be debated whether or not he took great vigilance on that front or not, but let me post a real compliment to Mr. Clinton because he turned to Hugh Shelton.

General Shelton was at the time the commander of Special Operations. I was very upset coming out of the House conference on the anti-terrorism bill because JOE BIDEN and I were trying to bring the country to roving wiretaps, but the country was not ready for it. So then it was defeated.

I then get on the phone and call General Shelton and bring him up to Washington, D.C., and I asked him a simple question: What are the top ten unfunded requirements that you have given Special Operations, the missions that you have to do in the dark world to secure America but you don't have the resources to accomplish them?

□ 2200

He sat down and he detailed them. More importantly, as President Clinton then named him, appropriately and wisely, the Chairman of the Joint Chiefs, he worked then with JERRY LEWIS and prepared the force. So when America was hit on September 11 and we immediately sent those special operators into Afghanistan, they were prepared, they were equipped, they were trained to fight in the dark world and special operations, and JERRY LEWIS, his leadership, was responsible for that.

Mr. Speaker, I yield to the gentleman from California such time as he may consume.

Mr. LEWIS of California. Mr. Speaker, I thank my colleague for those very, very poignant remarks laying the foundation for all of us to understand just how serious this challenge is that we are about.

Mr. Speaker, I rise to oppose the resolution before us and urge those who are voting for it, or considering it, to carefully reconsider their decision.

Section 1 simply expresses all of our support for our troops who are fighting for our freedom and freedom in the world in Iraq.

All of us agree with that piece of the statement, and each of us has expressed our support and encouragement to our troops in our own way and our own time.

The second section challenges the President's, actually the Commander in Chief's, request for a surge in Iraq.

Much has been said about our going to Iraq because of the prospect of weapons of mass destruction in the hands of the madman Saddam Hussein. We presumed their presence, as most of the leaders of the world and most of the intelligence communities of the world so presumed. Not finding weapons of mass destruction does not set aside the importance of eliminating the force of Saddam Hussein from the face of the Earth.

It was my honor to lead one of the early trips to Iraq following the fall of Saddam. We were about to consider an $87 billion supplemental to help finance our presence in Iraq. I wanted to take a team of Members who would reflect much of the Congress, so that trip included conservatives and moderates and liberals. It also included within us Members who had voted to support going to war and those who had voted against it.

We visited most of Iraq, Mosul, Tikrit. We spent time in Baghdad. We visited the killing fields where over 500,000 bodies of Iraqis lie, Iraqis who were murdered by Saddam Hussein. We saw the golden palaces and visited the industrial sites suffering under Saddam Hussein's neglect. We saw the economic conditions, the handbasket conditions left by Saddam Hussein.

We stopped out of country on our way home to consider the fact that there was this supplemental appropriations before us when we returned, some $87 billion, discussing what we had experienced. And the experience had a tremendous effect upon all of our colleagues. It is properly summarized by the statement of one of our Members who said: "You all know where I have been coming from. I voted against the war. But after we have seen what we have seen over this long stay in Iraq, I am afraid what I am about to do is going to be very, very unpopular at home but I don't know how we can do anything else. Sometimes," he said, "you have to be ahead of your people; sometimes we are elected actually to lead."

That was almost 4 years ago. And fast forward to today. Saddam Hussein is gone, he is dead, and he is buried. But the extremists jihadi Islamic terrorists remain and continue to impact the entire Middle East. That is why we must succeed in Iraq. That is why we cannot afford to withdraw troops now.

Watching our floor debate last night, my wife turned to me and said, "They want us to redeploy or withdraw. They want us to retreat." She said, "George Washington did not retreat when our country was in danger." She questioned why we find ourselves in this kind of circumstance today.

I was reminiscent of that early time in our history when our Nation was threatened. The French came to our rescue, our assistance, and indeed played a major role in our future Commander in Chief himself being successful.

Americans should never forget that. The Statue of Liberty stands on Ellis Island as a reminder of the French view of that young America, its potential, a land of hope where freedom could reign and opportunity indeed might abound. For that and many other reasons we love France, and the French people are our friends.

But France is not entirely the same country at this point in its history. She no longer provides such a leading light for the world. No longer is it presumed that the French language should be the language of the international world. Today, about 10 percent of the French population is Muslim. Much of that population is middle class and something less than a middle-class opportunity.

Within that group, there abounds the voice of Islamic extreme. There are those who advocate jihad and who would wipe France as we know it off the face of the Earth.

We should not consider withdrawing now, because a stable Iraq is vital to our national interests and is an important part of our ability to promote peace and economic opportunity in the entire world. It is a critical battleground in our war against terrorism.

If we succeed in Iraq, we will have taken a gigantic step towards stamping out the source of terrorism that exists in that part of the world. If we are not successful in Iraq, we will meet extremist Islamic activism elsewhere. 9/11 was only a part of a beginning. If we do not stop extreme Islamic jihadists in the Middle East, we will see it again, and most likely we will see it again here at home.

Review with me for a moment where we have been in Afghanistan and Iraq and where it may take us. Al Qaeda was nurtured and gained strength in Afghanistan. America had played a key role in forcing the former Soviet Union to cease its incursion in Afghanistan. The Islamic extremists who surround the likes of Osama bin Laden took advantage of the vacuum of Afghanistan, and used it as a training ground that would provide the terrorists an opportunity to spread their jihad around the world and spread terrorism with it.

America cannot allow the likes of Osama bin Laden to have places like Afghanistan to serve as training grounds. It is in our vital interests to see that Iraq, for example, does not serve as a recruitment and training ground for the forces who oppose freedom and oppose our very way of life.

Make no mistake about it, there are forces in the Islamic world who do not believe we should exist. They may be relatively new or small in number, but there are those of Islamic jihadist extreme who are committed to the death of the nonbelievers. There are those on the extreme Imam fringe who teach hatred for the infidels in mosques all around the world.

We do not want to believe in such extremism as a country or a people, but the true believers want all of us to be dead, all Englishmen, all Germans, all French people, all Americans who are not committed to their belief. The heathens should be dead. How else would one be able to convince men, women, and children to strap themselves with bombs and kill the innocents by the thousands? If not death to all infidels, how else would a mother praise Allah as her young child explodes as a bomb in a crowded train station?

The war on terror goes well beyond Iraq. But make no mistake, that war will not be won by walking away from Iraq.

The President has called for a surge of just over 20,000 troops. That request does not flow from a naive presumption that maybe, just maybe the battle for Baghdad can be won by a few brave men.

The call for these troops is a change in strategy, a strategy that suggests that, with the leadership of such brave men committed to taking the Iraqis out front, can lead the way to a successful change in Baghdad, indeed, a change throughout Iraq; a strategy that the President would suggest involves clearing areas of Baghdad, clearing other areas throughout Iraq, stabilizing them, and then providing the real opportunity for democratic growth and change in Iraq.

A successful stabilization of Baghdad indeed is only the beginning point in Iraq. To me, this kind of change is the real hope for the people, not just of Iraq, but of the entire region. To me, that is the definition of success in Iraq.

If we are successful, we will have changed the face of the Middle East. A successful Iraq will send a great message to the likes of Iran, Syria, Yemen, and Indonesia.

The chance for a long-term peace and the chance for stability in the entire Middle East is the great strategic interest of the United States saving tens of thousands of lives are worth a great commitment by the world's only remaining superpower. The economic values that are to be gained from stabilizing the region are impossible to estimate, but they can be measured in multiple trillions of dollars.

But what happens if we walk away now? Also difficult to estimate, but here are but a few of the possibilities. And listen to the possibilities:

First, instability is replaced by a new kind of centralized authoritarian control potentially, perhaps an arbitrary government with Saddam-like controls. Shia would very likely be in charge, and force would be exercised in the name of stability.

Beyond that, Kurdistan in the offing; an insecure Kurdish population to the north would do all it could to provide for its own protection. The prospects of independent Kurdish region or state would create major tension between Turkey and Baghdad and that new region in northern Iraq. Beyond that, Sunni Iran would look upon the new direction of Iraq with great concern because of sectarian differences.

□ 2215

Fourth, the jihadist extremists of Islam would have increased sway in the entire region. The threat of terrorism all over the world would be a reality to those who would but look. Indeed, the prospects, to say the least, should be frightening to anybody who will but look.

Ladies and gentlemen, Mr. Speaker, all of our country, please realize that this is not the time to walk away. This is the time for the only remaining superpower in the world, America, to lead on behalf of freedom, to lead on behalf of people who are looking for opportunity and change for the entire world.

Mr. BUYER, I very much appreciate your extending me this time.

Mr. BUYER. Reclaiming my time, I thank the gentleman for his contribution.

Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Speaker, I yield myself such time as I may consume.

I guess the first thing I want to point out, and there are other arguments I want to make, but during Mr. LEWIS' comments, and I have a great deal of respect for the gentleman from California, he mentioned that, you know, George Washington never retreated. Well, as it happens, I just read a biography of Mr. Washington, and not to go puncturing holes in the midst of our great Nation, he retreated a fair amount, actually.

In fact, I don't know where we got this idea that the great leaders of our time only went forward. We have heard about President Kennedy and President Truman. At one time or another, they retreated from a fair number of battles. Now, sometimes that was a wise and tactical maneuver to win the larger war. Sometimes it was a mistake.

History judges, but I think it does sort of portray the thinking of the President that the only way is forward, regardless of the details. A little more thought, I think, might help us. I will return to that point at the end of my remarks.

But the first thing I want to say, I think this is by and large a very good debate on a very important issue facing our Nation. The only time I become troubled in this debate is when speakers on the other side say that this is just political, and that this resolution is irrelevant. What they are saying is that the opinion of the United States House of Representatives on the most important public policy issue facing our Nation today is irrelevant. The opinion of the people's House doesn't matter.

Now, that explains a lot for the last 4 years while the minority party was in the majority, when they did not question this President, when they did not express their opinion in a way that would move us in a more positive direction.

I feel very strongly that it is absolutely the responsibility of those of us in Congress who represent people, our constituents, to express our opinion. In a way we are expressing their opinion. That is what we are supposed to be here in the House, the most directly reflective voice of the people of this country.

So to say that this is irrelevant is just an absolute attack on the Constitution and the way this country is supposed to be set up. We must express our opinion on the most important issues of the day.

Then we come to the next issue, which is, you cannot question the Commander in Chief. He is the guy in charge, he knows more than the rest of us. You cannot question him. It undermines everything.

Let me say I express a certain amount of sympathy for the view that we should place faith in the Commander in Chief. That is a good part of the reason why I voted for this resolution 4 years ago. A little more than a year after 9/11, our President was saying to us, To prosecute the broader war on terror I need this authority. And I had my doubts, but, by and large, I want to be supportive of the Commander in Chief, recognizing the power he has.

But the question I have for the minority is for how long? How many mistakes does this President have to make before we don't have an obligation, not just a right, but an obligation to express our disapproval and try to get him to move in a different direction? Books have been written, more than I can count, about all of mistakes that this President has made in Iraq; books not written just by opponents of the war, many of them written by proponents, outraged that they took their idea, the President took their idea and made such a hash of it.

We have an obligation at some point to stand up and say, enough. Mr. Commander in Chief, I am sorry, but based on 4 years, we do not trust you enough to give you a blank check anymore. We have to express our opinion, and that is what this resolution does.

Let me also assure you, we want to win. We, on this side of the aisle, recognize everything that has been said on that side about the threat that al Qaeda and their followers present. We will fight them anywhere, anytime, because we recognize that threat.

In fact, I believe that there is al Qaeda in Iraq, and we should fight them.

But what we are talking about specifically today, and Mr. BUYER mentioned the 21,000 troops, that is the aspect of the plan that we focused on, precisely because that is the aspect of the plan that is most wrong, that does the exact wrong thing, sending 21,000 U.S. troops to fight in a civil war that has been better described by some of my colleagues, so I won't go into it any further, that they cannot possibly sort out the bad gays from the good guys is the exact wrong thing to do.

Given that feeling, and I have personally thought about this a great deal, I met with the President on a couple of occasions as he outlined this plan. I talked with many soldiers who served, gotten many opinions on this, and have come to the honest conclusion that it is a mistake, that it undermines our ability to win that larger war against al Qaeda, which is the war we are fighting.

Given the fact that I feel that way, I would be betraying everything that I said I was going to do when I got elected if I didn't on the RECORD express that opinion. That is what this resolution does.

So I know this hope will go unfulfilled, but I would hope at a minimum that the minority can stop saying that the opinion of this House is irrelevant. If they feel that way, they should all just go home. All right, it matters. You may disagree with the opinion we are expressing. I urge you to vote "no" if you feel that way, but I don't feel that way.

I feel we need to tell the Commander in Chief that he has led us down one too many blind alleys. We disagree with him. We want him to change course, and that is the will of the people's House, being expressed by us. That is not just our right. It is our duty as Members of Congress.

Mr. Speaker, it has been nearly four years since the war in Iraq began—four-and-a-half since President Bush and his team in the White House started the effort to launch our nation on the path to this war. We learned a lot during that time frame, but two things stand out. First, the war effort has failed to achieve the outcome the President hoped for, instead creating problems he clearly felt would not come to pass. Even he admitted that he is dissatisfied with the way the war has gone. Second, at every step along the way, beginning with the way the President got us into the war, right up to the President's latest plan to once again increase the number of U.S. troops in Baghdad, President Bush and his administration made mistake after mistake—failing to an almost incomprehensible level to learn from past errors or to demonstrate even a modest level of competence in prosecuting this war. Countless books from all points on the political spectrum lay out in painful detail all the mistakes this administration made in Iraq.

It is way past time for this Congress to stand up and say enough. We disapprove of what President Bush is doing in Iraq.

But our friends on the other side of the aisle claim that such a statement is meaningless. This is an astounding assertion. The United States House of Representatives—the elected voice of the people of our Nation—stating clearly and on the record how they feel about the single most important policy issue of our time is meaningless? This opinion, expressed by the minority party, perhaps explains the utter lack of oversight and accountability that they employed when they were in charge—standing by and acting as mere cheerleaders for the President's actions in Iraq as he made mistake after mistake. The other side of the aisle at least has a consistent record of believing that the opinion of Congress, a body our Constitution set up as a coequal branch of government with the Executive, is meaningless.

As much as I disagree with this conclusion as to the proper role of Congress in expressing its opinion on the Iraq War, I do understand this initial reluctance to pressure President Bush to change course. In a time of war we all want to stand behind our Commander-in-Chief as a first option, and the powers of the presidency make it difficult for Congress to, in a clear-cut straightforward manner, direct the President in the conduct of war. But the President's record of mistakes in Iraq makes it clear we can no longer cling to this first option, and, difficulties notwithstanding, the cost of continuing down the same path the President has been pursuing in Iraq has reached the point where Congress must at least try to force a change in direction.

This effort should logically begin with a clear statement from the House that we disapprove of the way the President is conducting the war in Iraq. That is what this resolution does. With this vote members can no longer hide behind, "on the one hand, but then again on the other" statements. We can all mutter about things we don't like in Iraq, but an official on the record vote is required to make that disapproval clear. Do you support the way President Bush is conducting the war in Iraq? Yes or no.

And make no mistake about it the President's plan to increase the number of U.S troops in Baghdad represents no change in policy. It is stay the course, more of the same. In the last year we made large increases in the number of our troops in Baghdad twice already. Both times violence went up in the city, and as we have begun the current increase in troops that violence has once again increased. The lesson should be clear at this point—United States military might will not stop or even reduce the violence in that city.

Listening to the arguments against this resolution helps to understand why our President insists on making some of the same mistakes over and over again in Iraq. We are told that our fight in Iraq is a clear-cut battle against the same type of al Qaeda-backed extremists who attacked our Nation on 9/11 and that we are defending a worthy Iraqi government against these evil forces. If this were true, I would support whatever increase in troops was necessary to defeat that evil force.

But it is not even close to true—it is instead a dangerous attempt to paint a black and white picture on a situation that is far, far more complex. Baghdad is caught in a sectarian civil war. Both Shia and Sunni militias are battling each other as well as United States forces and the Iraqi government. It is a complex web of frequently changing alliances and interests that makes it impossible for our troops to separate good guys from bad guys. This is why our troops cannot stop or even reduce the violence. And the Maliki government we are being asked to support spends as much time acting like they are supporting the Shia side of the civil war as they do acting like they want to bring Shiites, Sunnis and Kurds together to form a stable Iraq.

Al Qaeda is in Iraq and we should continue to target them, but that effort will require a far, far smaller U.S. military presence than we have there today. Currently we are expending an enormous amount of resources in Iraq, most of which is going towards putting our forces in the middle of a chaotic civil war where our efforts do not advance and may even retard our fight against al Qaeda. That massive military commitment reduces our ability to pursue al Qaeda in the dozens of other nations where they have influence—most glaringly in Afghanistan and Pakistan.

This larger, more important fight is not solely or even primarily military. Diplomacy and other efforts to move disaffected Muslim populations away from joining al Qaeda are a huge part of our battle, and we need to enhance those efforts. But we can't, because we're hamstrung both by a lack of resources—financial and strategic—that are tied down in Iraq, and because our open-ended occupation of Iraq continues to undermine America's standing in the world.

Instead of sending more troops to Baghdad the United States policy in Iraq should be to instruct our military leaders there to put together plans to as quickly and responsibly as possible reduce the number of U.S. troops in Iraq. We need our troops to focus on al Qaeda and its supporters, not to be bogged down in a sectarian civil war that is only tangentially related to the larger fight against al Qaeda.

The first, critical step in this process of changing our policy in Iraq is this resolution. Congress must make its disapproval of the President's policy in Iraq clear and on the record.

Mr. Speaker, I yield 5 minutes to the gentleman from Maine (Mr. ALLEN).

Mr. ALLEN. I thank the gentleman for yielding.

Mr. Speaker, I thank our Speaker and the majority leader for scheduling this long overdue debate on Iraq. For 4 years we have suffered from a Congress that was unwilling to lead, and content simply to follow on Iraq. The previous majority gave the President a blank check for the war and rubber-stamped the funding. They ignored oversight, avoided investigations, and stifled debate.

Today in Iraq, the price of this neglect is the loss of too many American lives caught in the crossfire of a sectarian civil war.

Now our new Democratic leaders and committee chairs are asserting Congress' constitutional responsibilities on war and peace. We are reclaiming a congressional role in foreign policy in order to bring a responsible end to the U.S. military involvement in Iraq. One step is this resolution, which sends a vital signal of disapproval of the President's escalation plan. Another is the ambitious list of long overdue oversight hearings.

In the first 5 weeks of this Congress, we held more hearings on Iraq than the Republicans held in all of 2006. The next step, we should use the appropriations bills to shape policy in Iraq.

I strongly support the Skelton-Lantos resolution, which expresses support for the troops and disapproval of the President's escalation. Only a political solution, not a military one, will address the sectarian conflict in Iraq. Yet President Bush has rejected the wisdom of his military commanders, the Iraq Study Group, and many other experts by choosing to send more troops into a Sunni-Shia conflict that we cannot control.

Escalation, we know, is opposed by the majority of the American people. More telling, it is opposed by a majority of the Iraqi people. When the White House war plans diverge from the wishes of the people and leaders of Iraq, we must question the relevance of the mission. Our statement on the escalation is important, but our constituents also deserve to know our position on an exit strategy.

We cannot make needed investments in our future until we put our involvement in Iraq in the past. This war is straining our military and undermining our ability to deal with domestic challenges. We must force Iraqis to take responsibility for their own security by directing an orderly redeployment of the troops and promoting a political solution in Iraq with a focus on transition to Iraqi control.

Recent experience shows that the U.S. must impose deadlines with consequences so that Iraqi leaders will be compelled to take responsibility. An indefinite U.S. military experience in Iraq creates a climate of dependency that undermines the goal of having the Iraqi Government control internal security. It is not in our national interests to have U.S. troops placed between warring factions in a sectarian war.

To achieve this goal, I support H.R. 645, a bill introduced by Representative DAVID PRICE and Representative BRAD MILLER. The bill terminates, by December 31, 2007, the authorization for military operations in Iraq that passed, over my objection, in 2002. The original mission, eliminating weapons of mass destruction and ousting Saddam Hussein, is no longer operative.

If the President believes troops should remain in Iraq beyond 2007, he must come to Congress and justify a new mission, and Congress would have to vote to approve a new mission. H.R. 645 also requires the President to submit a plan and timetable for phasing out troop deployments by December 31, 2007. It prohibits funding for permanent U.S. bases in Iraq. It authorizes funding for employment, democracy, and governance programs in that country, and it creates a Special Envoy for Iraq regional security.

America's servicemen and women who have been sent to Iraq have served with skill, determination, and courage. We owe them and their families our gratitude and our unwavering support.

Like every Member of Congress, I have been to too many funerals not to understand the sacrifice of those who have served, and their families. Neither H. Con. Res. 63 nor H.R. 645 cuts our funding for armor and protective equipment still needed by troops in the war zone. Congress must take a long overdue leadership role in ending this war. This resolution is an important first step, and I urge all Members to support it.

Mr. SMITH of Washington. Thank you, I just want to add, before reserving the balance of my time, I want to thank Mr. ALLEN for offering a very specific plan and to once again remind all of you who are watching the debate that to charge the Democrats don't have a plan simply isn't true. We have a large number of them. We are just trying to get the Commander in Chief to start paying attention to them.

Mr. Speaker, I reserve the balance of my time.

Mr. BUYER. Mr. Speaker, I yield myself such time as I may consume.

The mission here is to develop a country that can govern, sustain and defend itself, govern, sustain and defend. So under that, under govern, you have political. Under sustain, you have economic. And under defend, you have security.

So as I listened to my colleagues come to the floor and say it only requires a political solution, really? These are not inextricable. I also appeal for consistency. I just heard the last speaker talk about the necessity for national interests, so he said it is not in our national interests to be in Iraq.

Let's stop and think about that for a second. Let's be consistent. In the 1990s, Republicans operated under what was called the Weinberg Doctrine, that only commit U.S. ground troops if there is a national vital security interest. And that is how we kind of were guiding ourselves based off the Weinberg Doctrine. Then what happens? We have got Bosnia. We said oh, that is a European problem. Then the U.N. came in, the U.N. was ineffective.

President Clinton made a judgment, and he upset Republicans. He made a judgment that because of the atrocities in Bosnia, the ethnic cleansing that was occurring, that it took U.S. ground troops, a presence of them. Republicans at the time said there are not vital national interests at stake. Democrats then said, oh, that doesn't matter, this is a humanitarian cause.

Democrats said, it is okay to take U.S. troops, put them on the ground to stop the fighting for a humanitarian purpose. That is what Democrats said in the 1990s. Republicans were curious about all of this because it was against the Weinberg Doctrine. As a matter of fact, there were 315 votes. I brought a resolution to the floor, 315 Republicans; Democrats then said, oh, no, no, no, no. Don't put U.S. ground troops on the floor, and that was in the middle of the Dayton Peace Accords.

Bill Clinton was very upset with me. So the President brings me down to the White House and says, hey, work with me. So I said, I will, and we drafted benchmarks for the success of the civil implementation of the Dayton Accords. I worked with President Clinton.

Where do I hear you working for a solution in Iraq? Don't just be the critic. I ask of my colleagues, where is your consistency and your policies? If you are as consistent as you were for a Democratic President, it was a humanitarian cause in Bosnia, I don't hear you talking at all about the atrocities that occurred under Saddam Hussein.

☐ 2230

The murders, the ethnic cleansing, a humanitarian cause, the effect it has not only upon the neighbors, the stability of the Middle East, but what about Israel? Do you want to turn your back on Israel?

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HODES). The gentleman's remarks should be directed to the Chair, rather than to others in the second person.

Mr. BUYER. Mr. Speaker, do you want to turn your back on Israel? If that is what you are asking me, Mr. Speaker, do you want to turn your back on Israel?

I am stunned. I just ask for people to remain consistent, or if you change your beliefs, say that you change your beliefs, or if you don't want to say that you changed your beliefs, then we must assume that you changed your beliefs.

Mr. Speaker, I yield 5 minutes to the gentleman from Arkansas (Mr. BOOZMAN).

Mr. BOOZMAN. Mr. Speaker, I rise tonight to ask my colleagues to vote against House Concurrent Resolution 63. I ask this despite the fact that I am very much in favor of the first part of the resolution before us. The first part says: Congress will and should continue to support and protect the members of the United States Armed Forces who are serving or who have served bravely and honorably in Iraq. If the resolution stopped there, it would be great.

We would be sending a message that we unequivocally support our troops in Iraq, our troops who are preparing to go there, and General Petraeus is being confirmed to lead those troops.

But the resolution does not stop there. It goes on and by its words takes that support away. How do you support the troops without supporting the plans of those troops? General David Petraeus was confirmed just a scant 20 days ago with much praise and fanfare. He is probably one of the most respected men to ever wear the uniform.

Congress said to him, you are great, go get the job done. Now, less than a week after he took over in Baghdad, we are in the throes of the process which will essentially tell the general, sorry, we don't approve of the plan you created or are currently undertaking.

Most of those criticizing this plan offer no alternative, and I say most. Some have offered an alternative, but most of those criticizing this plan have offered no alternative.

Even the Iraq Study Group, a bipartisan commission of statesmen who have been heralded and quoted by the many who support this resolution, have indeed said that they support the short-term surge. This was later confirmed by Mr. Hamilton, the Democratic co-chair of the group when he appeared in front of the Foreign Affairs Committee of which I am a member.

I visited Iraq five times, the last with my friend from Indiana (Mr. BUYER). I met with the troops from my State and from others across America, thanking them for their service in combating radical Islam and the insurgency and liberating a people from tyranny.

I have sat down with the President and the Prime Minister of Iraq. I have told them that the Americans and the coalition forces would soon be leaving Iraq in the not-too-distant future. Their response has always been, we want you to leave but we need your help now until we can train our forces to provide our own security.

America will one day hand over responsibilities to the Iraqis, but it must be on terms which are beneficial to the interests of America, Iraq and the region, while not sacrificing the progress we have made or the security that we have earned. We must do right by the Iraqi people. We must do right by our troops in Iraq tonight, and we must do right by the men and women in uniform and their families who have served and sacrificed so much.

Our allies, countries in the region, in fact most of the world, agrees that if we pull out before the Iraqis are ready, it will create tremendous instability in the region, leading to the possibility of war and nuclear proliferation in the Arab states.

I had the opportunity to successfully play sports at a fairly high level. Whether it was on a Boys Club team, a high school team or a major college football team, nothing emboldened our team more or made us work harder to defeat the other team than when we saw dissension on the other team. We have an opportunity this week to send a strong message to our allies, the insurgents and most importantly the men and women in uniform who ironically are in combat tonight attempting to execute the plan that is being railed against on the House floor as we speak.

The message that we should send should be our will to not jeopardize the safety of those in Iraq by emboldening our enemies. We can show this by our will tonight of defeating this resolution.

The other thing I would like to say is that reference was made to Washington. And I also am reading a book on John Adams that is related, certainly. And Washington did at times have to pull back. He was facing the greatest army of the time.

But he did pull back. And Washington also was under tremendous pressure from Congress, under tremendous criticism. And I am certainly glad that Washington did not listen to that criticism, that he fought on. If he had not, we would probably be under British rule today.

Mr. BUYER. Reclaiming my time, Mr. Speaker, this past fall I had an opportunity to meet with 18 representatives of the European Union. The European Union is quick to say that we are not necessarily with you on Iraq. But boy, we are with you in Syria and standing tough on Iran.

Do you know what the message is? It is inextricable. You cannot pick and choose. The Middle East is so complex. So, Mr. Speaker, when you begged of me to address you the question, it is this: If we were to follow the Pelosi-Murtha plan, what happens to Israel if we leave a vacuum that is quickly filled by Islamic extremists in Iraq? Therein lies the question.

I believe we jeopardize the safety and security of a lone democracy called Israel, and we leave them to defend against a region filled with vipers who seek their annihilation.

Now, our friends who are also of Arab nations, they are partners in our coalition to help on the political and economic success of Iraq, and they are eager for us to also help Israel and the Palestinians resolve those differences. It is all inextricable.

Mr. Speaker, I reserve the balance of my time.

Mrs. DAVIS of California. Mr. Speaker, may I ask how much time remains on both sides.

The SPEAKER pro tempore. The gentlewoman from California has 1 hour and 10 minutes. The gentleman from Indiana has 1 hour and 19 minutes.

Mrs. DAVIS of California. Mr. Speaker, I yield myself such time as I may consume. I just wanted to mention to my colleagues on the other side of the aisle that it is concern for our allies in the region, it is concern for our friends there that we have chosen and speak to escalating our diplomatic efforts in the area that this resolution comes forward.

Mr. Speaker, I yield 5 minutes to the gentleman from Colorado (Mr. PERLMUTTER).

Mr. PERLMUTTER. Mr. Speaker, it is good to see you in that chair, Mr. Speaker, because you and I, I think, are here because people in this country wanted a new direction. They had had enough. They wanted a change. And they want a new direction in how this country is being run. And if there is a single subject where they want a new direction, it is on Iraq.

Now, we have a resolution before us tonight that is a vote of confidence for our troops and a vote of no confidence for our President's policies in Iraq. First and foremost, I want to say that I support our troops and will fight to make sure they have the equipment they need and deserve. What they require on the battlefield they must have. What they need when they come home we must provide.

However, our troops are entitled to sound public policy with a realistic mission that strengthens America's national security interests. I am opposed to the President's proposed surge of sending 21,000 additional troops to Iraq. I was opposed to the invasion of Iraq, and I believe that we have taken our eyes off the necessary war in Afghanistan and against terrorism by the costly distraction of nation-building in Iraq.

We must be seeking Osama bin Laden. That is where our attention must be focused. But this surge is not a change in direction, but it is more of the same.

The President has not listened to the American people. He has not listened to the bipartisan Iraq Study Group or even to our senior officers such as Generals Powell, Abizaid, and Hoar.

Now, my opponent and I in this last election debated the issue of a surge. How my opponent knew that there would be a surge, that is beyond me. But he supported the escalation and I opposed it. And I still oppose this surge, because in my opinion it is too little too late.

The people of the Seventh Congressional District of Colorado spoke loud and clear. They questioned the President's policies in Iraq. Americans elected a new majority in Congress to act as a check and balance, and not a rubber stamp of the President's policies, especially those in Iraq.

It is time to turn over security to the Iraqi people, press forward with diplomatic efforts, create a multinational reconstruction effort and redeploy our troops from Iraq by the spring of 2008, as recommended by the Iraq Study Group.

It is time for Iraq to take responsibility for its future. Mr. Speaker, I urge the Congress and all of the Members to vote in favor of the resolution that is before us tonight.

Mrs. DAVIS of California. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. CUELLAR).

Mr. CUELLAR. Mr. Speaker, I rise in support of this resolution. While I believe that the President as the Commander in Chief has the inherent authority to manage the conduct of congressionally approved military action, I have serious concerns that a surge in the number of U.S. combat troops in Iraq is not the best course of action at this time.

The deployment of 21,500 additional combat troops to Iraq is not the answer. I agree with former Secretary of State Colin Powell when he stated: "I am not persuaded that another surge of troops into Baghdad for the purposes of suppressing this communitarian violence, this civil war, will work."

Secretary Powell is not alone in his belief. Generals Wesley Clark, Barry McCaffrey, John Abizaid, and James Conway have also made statements to this same effect.

I have traveled to Iraq and I have met with our military forces. And I believe our foremost commitment must be to their safety. I strongly believe that we must concentrate our efforts on preparing the Iraqi Government for the task of providing security to their own citizens. Our forces in Iraq should be primarily focused on training and supporting Iraq's own military and police.

We must continue working to shift the responsibility for security from the U.S. forces to those of the Iraqi Government. It is only through this path that we will ensure the safe and orderly return of our brave men and women.

Empowering the Iraqi people and the Iraqi Government must be our primary goal. I will continue fighting to ensure that our service men and women have every tool and every resource that they need to carry out their duties and return home safely.

We must all dedicate ourselves to ensuring that our brave men and women in uniform have all of the unconditional support and thanks. Their sacrifices and bravery must never be forgotten. We should also be mindful of those who have served and serve in our National Guard and Reserve units, and those that are not yet American citizens but who still serve our country with distinction.

Let us always remember the lives of more than 3,000 dedicated Americans who have lost their lives in this conflict, and the thousands and thousands of American soldiers that have been injured.

It is time to be bipartisan and move forward with a comprehensive plan for handing over responsibility to the Iraqi Government and stabilizing the region. Iraq must become the responsibility of the Iraqis. Let's surge forward only in the commitment to transfer responsibility for Iraq to the Iraqis.

Only together can we ensure the safe return of our brave and dedicated American troops.

Mr. BUYER. Mr. Speaker, I yield 9 minutes to the gentlewoman from Florida (Ms. GINNY BROWN-WAITE).

□ 2245

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I thank the gentleman, who is also the ranking member of the Veterans' Affairs Committee and obviously, very, very passionate and articulate on this issue.

Mr. Speaker, my constituents know that I vote my conscience. I voted against my party and our President when I thought that they were wrong. I have stood up to my leadership when my constituents knew Congress could do better.

But, Mr. Speaker, my vote on the resolution before us isn't about my party or about the President. Unfortunately, this vote and this debate is all about politics and providing some political cover. This vote does nothing to help our soldiers win. What I see here is this liberal leadership pandering to the vitriolic left wing of the Democrat Party.

How do I know this?

At the opening of this debate, Speaker PELOSI asked the only real relevant question: Will this resolution make our troops safer? In her remarks, and I have read and reread them, she didn't say how her resolution did that. I have pored over the remarks and the text of this resolution to find all the instances where the House will be giving greater resources to the troops, and it doesn't.

After I read all 60 words many, many times, I can tell you, not one single word in the resolution offers any more equipment, not any more diplomacy, or any more security for our troops.

And guess what?

It also does not bring one soldier home sooner. It doesn't demand the Iraqis take the lead in the fight. These omissions make it startlingly clear to me that the answer to Speaker PELOSI's questions, will this resolution make our troops safer, is absolutely no, it will not.

The Democrats have this resolution all wrong. To be more specific, there is not a single mention in this resolution of how we will send more body armor for the troops, not a single mention of new tools to detect IED explosives, not one word dedicated to up-armored Humvees, and, Mr. Speaker, not one mention of the method to fund the health care needs of those veterans who will come home. Not one word.

I invite the Speaker to come back into the Chamber and tell this House where is the additional money to make our soldiers safer and our Army stronger, because if she can't show me the substance in these 60 words, then they are nothing but rhetoric, and this resolution cannot and will not help our troops.

This week the House is debating a useless resolution that's only purpose is to weaken and divide. The American people are not stupid. They can see through this charade for exactly what it is. It is a toothless effort to provide political cover for Democrats.

As a matter of fact, the Orlando Sentinel, certainly not a conservative newspaper, has said that this is an empty measure. It says the pointless House Resolution on Iraq fails to set goals. It goes on to say, The U.S. House launched a welcome debate this week on the Iraq war. It is too bad 3 days of points and counterpoints will end in a vote on a pointless resolution. This isn't thoughtless policy, it is political cover.

Believe me, the Orlando Sentinel is, by far, not a very conservative newspaper.

My constituents know that over these 3 days we have debated a resolution with no teeth, no enforcement, and it is delivered in a way that has no guts, no character and provides no leadership.

Mr. Speaker, if this debate were about policy, we would be talking about changing or creating law. If the Democrats believed what they were saying, this House would be debating spending and funding, not wasteful rhetoric. If my colleagues on the other side of the aisle were genuine, we would be talking about benchmarks for Iraq, the Iraqi Government, and strict guidelines for appropriations.

I have heard some on the other side of the aisle say that this debate is about preventing an escalation. Is the Democrat majority so powerless that it cannot stop a deployment?

Before I got elected, Congress authorized this war, and with the force of law, this Congress could stop it. Congress' concern should be for our troops, not the Presidential and political ambitions of the Democrat Party.

It is rare when I stand on the floor and say that the Senate actually got it right, but I must commend them for their more thoughtful and less politically attuned resolution, because their resolution states the long-term security interests of the United States are best served by an Iraq that can sustain, govern and defend itself and serve as an ally in the war against extremists. That statement acknowledges the battle that we are waging and the eventual victory that we must achieve in the Middle East.

The 60-word resolution before this Chamber makes no such statement or recognition and sets absolutely no benchmarks.

My sole concern is for our troops. The litmus test for my vote is whether or not this resolution makes our troops safer.

Mr. Speaker, I believe every Member of this House should ask themselves the following questions:

Will this resolution protect one of our soldiers?

Will this resolution make one piece of armor thicker?

Will these empty words make a single IED less lethal?

Will this resolution stop one sniper or one suicide bomber from attacking our troops in the field?

Sadly, the answer is no. This resolution is not being debated in a vacuum.

We must ask the question, Could this resolution encourage our adversaries?

Could this debate put one of our soldiers in further harm's way?

Might some Islamic terrorist believe that the more of our troops that they kill, the quicker the U.S. will withdraw our forces?

If the answer to these questions is even possibly "maybe," then I cannot vote for this resolution. We should not risk encouraging those who would attack our troops just for the empty gesture of partisanship.

Let's call this for what it is. This resolution puts our troops at risk for the Presidential aspirations of some Members of the opposite party.

Many Members have noticed that on the 11th day of every month I wear this pin. This was given to me by firefighters. It is a depiction of firefighters putting up our flag in New York City after it was attacked. This is why we have very brave young men and women out there fighting today.

I am not a blind supporter of the President's policies. And if we wanted to make this debate about policy, I would be there to work with them.

The President knows all well my strong reservations about some of the policies in Iraq. But, Mr. Speaker, it has not been a perfect war.

I stand here today to let our troops know that I will hold the President's feet to the fire to ensure that our soldiers have the tools for our victory. That is what our soldiers want.

In the South, we have a wonderful saying and it goes like this: "Git 'er done." Our soldiers want to get it done and come home. And our President wants the same thing. And this Congress should also demand the exact same thing. Let's get out there and "Git 'er done."

[From the Orlando Sentinel, Feb. 14, 2007]

Empty Measure—Our Position: The Pointless House Resolution on Iraq Fails To Set Goals

The U.S. House launched a welcome debate this week on the Iraq war. It's too bad three days of points and counterpoints will end in a vote on a pointless resolution.

The non-binding measure simply declares that Congress supports U.S. troops, but disagrees with President George W. Bush's decision to send another 20,000 to Iraq. Members who vote for it can say they made clear their opposition to escalating an unpopular war, but didn't sell out the troops.

This isn't thoughtful policy; it's political cover.

In the Senate, a detailed resolution whose sponsors include Michigan Democrat Carl Levin and Virginia Republican John Warner, the chairman and former chairman, respectively, of the Armed Services Committee, is a more constructive response to the president's troop surge.

While the Senate resolution declares support for U.S. troops and opposition to the surge, it also points out "the long-term security interests of the United States are best served by an Iraq that can sustain, govern, and defend itself, and serve as an ally in the war against extremists." It advocates reaching that goal by encouraging Iraq's leaders to make the political compromises critical to promote reconciliation and security.

The resolution places the responsibility for dealing with Iraq's civil war where it belongs, on Iraq's armed forces. But it acknowledges a role for U.S. forces in battling terrorists, and in training and supporting Iraqi forces.

The resolution echoes an assertion Mr. Bush made in announcing the surge: The U.S. commitment to Iraq is not "open-ended." But the measure goes a step further by declaring U.S. help should depend on getting Iraq's government to agree formally to meet benchmarks. These include sending all the troops it has promised to Baghdad, fairly distributing the country's oil revenues among all its people, and letting the country's military operate without political interference.

Unfortunately, parliamentary maneuvering between Democrats and Republicans over the Levin-Warner measure and two other Iraq resolutions doomed a debate and vote last week in the Senate. The chamber's leaders need to work out a compromise that will allow a full discussion and roll call on all three resolutions.

We share the misgivings of many members of both parties in Congress about the president's latest war strategy. But with the troop surge under way, and Mr. Bush vowing to push ahead, it's better at this point for Congress to raise the pressure on Iraq's leaders to meet their obligations to reconcile and secure their country.

Mr. Bush insisted this week that he would not be closely following the House debate. A vote for the House resolution will be easy for him to dismiss. But a bipartisan endorsement of the Senate's constructive measure is more likely to get the attention of the president, as well as Iraq's leaders.

Mr. BUYER. Mr. Speaker, reclaiming my time, I yield 4 minutes to the gentleman from Kentucky, Ron Lewis.

Mr. LEWIS of Kentucky. Mr. Speaker, this debate is a sad moment in our Nation's history. If there was ever a time when Americans should be standing together, this is the time. This resolution does nothing but divide.

Throughout our country's illustrious history, we have been confronted with many challenges, but challenges met with unity of purpose, unflinching courage and unyielding resolve to be victorious against all odds.

This debate, disguised as a no-confidence vote against the President, is really about defeat, about surrender, about retreating from an enemy determined to destroy our very existence.

Mr. Speaker, the obvious truth of our situation is that we may run, but we can't hide. They know where we live.

Today, Americans all over this great land should stop for a moment and consider this national debate. They should ask themselves what this means to them personally, their families and their neighbors. Is it worth the expense and sacrifice of war now in order to establish a secure and lasting peace? Or should our Nation take momentary relief and retreat as we wait for our newly emboldened enemies to strike our homeland with even more fierce and deadly attacks?

Mr. Speaker, we must all realize that September 11, 2001 was not the end of the radical Islamic jihad against the United States. It was just the beginning. September 11 was a declaration of war. The fact is, we are not at war with Iraq. Iraq is an ally in our war against the radical Islamic jihadists. Iraq is only one among many battlegrounds where we are fighting jihadists who are committed to the destruction of Western civilization and replacing it with theocratic Taliban-style rule.

Mr. Speaker, if we cut and run, if we retreat from Iraq, we will forfeit our ability to lead the world against the enemies of peace. Iraq, in all likelihood, would fall to Iranian dominance and would become a launching pad for terror attacks against the United States and Israel. Islamic jihadists will be emboldened in Afghanistan, Pakistan, and the greater Middle East. The world oil supply could be vulnerable to jihadist control, and nuclear armed missiles in Pakistan could turn into a hellish nightmare.

And Israel, Mr. Speaker, one of our closest and most faithful allies, could see its very existence perilously close to total annihilation. World War III could even be the final consequence of the misguided actions of this Congress if we retreat from Iraq. But sadly, Mr. Speaker, there are some in this Congress who are more concerned about the next election than the next generation.

So where are the FDRs, the Churchills, the Pattons, the MacArthurs, the Trumans, the John F. Kennedys, and the men and women of the Greatest Generation in this hour of our great peril? They are in Iraq and Afghanistan fighting for our safety and our security. But the self-centered generation, the politicians, the media types and the whiners and complainers are sitting in the safety of their homes complaining about the unpleasantries of war. This generation of the self-centered and indulgent, if successful in their defeatism, will condemn untold numbers to horrors never imagined by the most creative writers of horror fiction.

Mr. Speaker, I cannot, will not believe, as a Nation, that we have become so preoccupied with our own personal and political agendas that we have fallen asleep to the dangers before our Nation. The hour of decision is upon us. Will we rally from our slumber and awaken to reality? We are at war. Or will we close our eyes in self-deception and hide ourselves under the blanket of a cowardly resolution? Tomorrow we must choose. Will it be commitment over retreat, freedom over slavery, courage over fear, democracy over theocratic fascism, security over terror, life over death?

Mr. Speaker, our brave men and women serving in our Armed Forces have already chosen. They have willingly volunteered to put their lives on the line and, at this very moment, are fighting for all that we cherish. It is they who represent today's greatest generation.

Tomorrow we can honor these brave souls by choosing their values, by defeating this disgraceful resolution, or we can pass this vile legislation and have it recorded to our eternal shame.

Mr. BUYER. Mr. Speaker, I reserve the balance of my time.

Mrs. DAVIS of California. Mr. Speaker, I am now very happy to yield 5¼ minutes to my colleague from Maine, Mr. MICHAUD.

Mr. MICHAUD. Mr. Speaker, I rise tonight in support of this resolution that expresses our unwavering support of our troops and our opposition to the escalation in Iraq. This is an extremely important debate and it is one that is long overdue.

We have lost over 3,100 brave Americans. Many more will return home with mental health and physical wounds that will stay with them for the rest of their lives.

We have spent hundreds of billions of dollars. Hundreds of thousands of Iraqis have lost their lives or fled their homes as their country has fallen into deeper civil war.

Regardless of one's opinion on how we got into Iraq, we are there, and the situation is deteriorating. So the simple question before us is, What is the best plan for the future?

The President has called for an escalation of troops; in other words, more of the same approach.

I oppose an escalation of U.S. troops in Iraq. I will not support funding for the President's plan or blank checks for an open-ended commitment.

□ 2300

We need a new plan, and escalation is not what the Iraq Study Group called for. It is not what our top generals have advised, and it is not what the American or Iraqi people want. When General John Abizaid, former top commander in Iraq, asked his commanders in the field if more U.S. troops would help, the unanimous answer was no. As he said: "And the reason is because we want the Iraqis to do more. It's easy for the Iraqis to rely upon us to do this work. I believe that more American forces prevent the Iraqis from doing more, from taking more responsibility for their own future."

U.S. forces cannot clear and hold neighborhoods in Baghdad indefinitely. We have tried so-called "surges" before, and they have not stopped the violence. And as with these previous surges, when we leave, the same problems will return, and perhaps even worse.

The reality is that United States military strength cannot solve the problems in Iraq nor should it. The future rests on the capability and the will of the Iraqi people. Our continued dominance only prevents Iraqis from taking control of their country and their destiny. The military mission of toppling Saddam Hussein is over. The political mission, the reconstruction mission, the nation-building that this administration said it would never do has all but failed.

But that is what we must now address, not our strength of arms but our strength of diplomacy and our power to rebuild.

Our new strategy should be to withdraw and redeploy our soldiers quickly while empowering the Iraqi security forces. We can help to rebuild and create economic opportunity, to train Iraqis and perform other assistance as asked, but we cannot remain the dominant force in Iraq.

It is time for Iraqis to take control of their own country. A stabilized, secure and free Iraq can only be achieved when Iraqis take full control. Until that time our forces will be stuck in the middle of an increasingly violent civil war and all the while Afghanistan sliding back into danger and violence and al Qaeda continues to plot while our attention is being diverted.

I have spoken with many people in Maine about this war. I have spoken with current military personnel, many who have served in Iraq, their families, veterans, and concerned citizens of all political stripes. Everyone agrees there is no simple solution to the challenges we face in Iraq and how to solve it.

There is one opinion that is unanimous. We all support our men and women in uniform. They, like the generations before them, are heroes. They heard their country's call and they did not hesitate to answer. I am glad this resolution makes that support clear. We owe it to our military personnel to provide them with the very best when they are in harm's way and when they come home.

I have heard from many Vietnam-era veterans who fear that our new veterans may face many of the hardships that they faced. This cannot happen. As a member of the Veterans Affairs' Committee, I am committed to addressing the mental health and physical needs of our returning heroes, and I know the American people are willing to do that as well. And as we discuss alternative strategies, it must be clear that we must do something that fully supports our military personnel.

This resolution is not about politics. This issue should unite all of us. This is about the future of Iraq, our strategy abroad, and our welfare for our troops.

Mr. BUYER. Mr. Speaker, I yield myself such time as I may consume.

I would ask the last speaker if he could remain for a moment. I have such great respect for my colleague, Mr. MICHAUD of Maine. We have worked together on the Veterans' Affairs Committee. We deal with the consequences of war. And so out of my respect for Mr. MICHAUD, I would like for us to clarify what may be a potential contradiction.

The gentleman said that, and correct me if I am wrong here, unanimously commanders did not ask for an increase in troops. According to General Peter Pace, the Chairman of the Joint Chiefs, and this was in his testimony before the House Armed Services Committee on January 11, 2007: "So, collectively, the military commanders, both U.S. and Iraqi, have asked for this increase. And those of us in advisory positions agree with their request.

"General Casey and his Iraqi counterparts have determined that there are more forces needed . . .

"To do this, we're going to need additional U.S. forces. General Casey and General Abizaid have asked for those additional forces, as have the commanders below them.

"In addition, to reinforce success at Anbar province, the Marine commander out there has asked for, and General Casey and General Abizaid have asked for, an increase of about 4,000 troops out there . . .

"So, collectively, the military commanders, both U.S. and Iraqi, have asked for this increase."

That was our testimony of our Chairman of the Joints Chiefs before the Armed Services Committee. So I will yield to the gentleman and ask if he was aware of General Pace's comments before the Armed Services Committee because it appears contradictory to the gentleman's statement.

Mr. MICHAUD. Mr. Speaker, I thank the gentleman for yielding. Yes, that was a quote in a paper from General Abizaid where he said that they requested no additional troops, and I will try to find that article for the good gentleman to get it hopefully to him tomorrow.

Mr. BUYER. Mr. Speaker, I just want to make sure our record is clear because we have got the Chairman of the Joint Chiefs quoting General Abizaid. So I want to work with the gentleman.

Thank you.

Mr. MICHAUD. Mr. Speaker, I thank the gentleman very much. And I will find that quote, because you know sometimes quotes get misquoted; so I will get that for the gentleman.

Mr. BUYER. Mr. Speaker, I now yield 8 minutes to the gentleman from Florida (Mr. BILIRAKIS).

Mr. BILIRAKIS. Mr. Speaker, failure in Iraq is not an option. We enjoy our freedom today only because we have been willing to fight for it in the past. We must win the war on terror that has been thrust upon us.

Before going any further, let me first clearly state that I do not believe we should have an open-ended commitment in Iraq. I believe a new strategy is needed. America has a proud history of promoting and fighting for democracy around the globe. I don't believe now is the time to abandon that commitment.

While a new strategy is needed, the resolution that we are debating does not present us with any new policy options. Instead, we are voting on a nonbinding status quo resolution which will not do anything to change the situation in Iraq. It smacks of political posturing. Americans expect more of the world's greatest legislative body.

Let us not debase the honor and tradition of the great men and women who have served before us. We are duty bound to serve the public and engage in serious lawmaking, not political pandering. This resolution does nothing. Worse, it endorses the status quo of the violence and bloodshed. Maintaining the status quo is what ultimately resulted in the situation we find ourselves in today.

The debate before is more consequential than the question of should we engage in a troop surge or not. None of us want to see Americans unnecessarily be put in harm's way. The debate before us is about the global threats facing the United States and how we choose to respond to them. Failure to forcibly respond to previous acts of terrorism has undermined America's credibility around the world and projected us as weak to our enemies.

Some examples of these attacks include: the World Trade Center in 1993; U.S. troops in the barracks in Saudi Arabia; sailors on the USS *Cole*; and the bombings of the U.S. embassies in Kenya and Tanzania. Unfortunately, Americans were too quick to forget these terrible acts.

□ 2310

Like many Members of Congress, I believe there should be strategic benchmarks that are designed to hold both the administration and the Iraqi Government accountable for success in Iraq. These benchmarks should measure whether sufficient progress is being made. Unfortunately, under the restrictive rules imposed upon this debate, we will not have an opportunity to vote on other proposals which would institute benchmarks for success.

I am compelled to vote against this status quo resolution. Americans deserve a real debate with multiple options for success in Iraq, not closed proceedings that are intended to be a political ploy.

I would rather America fight the terrorists on the streets of Baghdad, instead of allowing the terrorists to attack our homeland.

I am concerned that the resolution we are debating this week is a precursor to cutting off funds for our troops. The Democrats have even called it a first step. I have heard it several times tonight. Our troops must have all the resources they need to accomplish their mission. I support our troops in the field. Therefore, I will vote "no" on this resolution.

General Petraeus has indicated that reinforcements will hasten the end of the Iraq battle, allowing us to direct our efforts elsewhere in this greater war on radical Islamic terrorists.

The national commander of the VFW, the Nation's largest organizations of combat veterans, issued a statement earlier this week which says, "We need to send a message to our troops that America wants them to succeed in Iraq by giving the buildup a chance to succeed."

As a Member of Congress, I will always do whatever possible to support our brave men and women in uniform. As such, I will actively oppose efforts to cut off funding to our troops.

I cannot support this resolution, but I am committed to working with the President and my colleagues in Congress to ensure that the actions taken in the war accomplish the following: Moves Iraq closer to a peaceful and stable democracy; improves America's security; ensures the utmost safety and best equipment for our soldiers; and provides the shortest feasible time frame for their return to their families.

Failure in Iraq will lead to Iraq becoming a training and staging ground for terrorist groups intent on destabilizing the entire Middle East and destroying the United States and our allies.

In closing, I thank and offer my prayers for all our troops, including those brave men and women in the Ninth Congressional District and throughout the State of Florida who have answered their Nation's call to duty.

God bless our troops, and keep them safe.

Mrs. DAVIS of California. Mr. Speaker, I am now pleased to yield 5 minutes to the gentleman from Illinois (Mr. LIPINSKI).

Mr. LIPINSKI. Mr. Speaker, I thank the gentlelady for yielding.

Mr. Speaker, I rise today in support of this resolution and in support of a new policy in Iraq. Up until this point, the Bush administration's Iraq policy over the last 3½ years appears to be one of America's worst foreign policy blunders. More than 3,100 of our brave men and women in uniform have been killed and more than 24,000 have been wounded, many very seriously, and hundreds of billions of dollars have been spent and in some cases wasted. This has resulted from the tactical mistakes, errors in judgment and other major missteps by the Bush administration.

It is painfully clear that a change in strategy in Iraq is needed now. We need a plan for bringing stability to Iraq and bringing our troops home. Unfortunately, the President's plan to add over 20,000 additional troops does not provide this, and, therefore, I must support this resolution.

I see three main flaws in the President's plan.

First, the administration has not provided convincing evidence that this surge will succeed after many similar plans have failed. After almost 4 years in Iraq, the American people are asking, why should we have faith in this plan and place more troops in harm's way?

Second, by failing to provide clear benchmarks for success or a time frame by which we can expect the surge to yield positive results, the President's plan appears to commit our country to a "stay the course" strategy with no clear end in sight. Aid should be tied to a deadline for progress by the Iraqi Government.

Third, and most importantly, the President continues to place too much emphasis on a military solution, when it is clear that force alone will not solve this crisis. Solutions must support broad international engagement to promote stability and reconstruction in Iraq and must address political, economic and religious issues.

Because of the need for such a plan, earlier this year I laid out a set of recommendations, and this week I introduced H.Res. 152 based on these. My proposal consists of three core recommendations.

First, encourage achievement of important goals and national reconciliation, security and governance by arranging a peace conference for Iraq's ethnic and religious factions, similar to the conference that led to the Dayton Accords. One venue for this would be El Salvador, which has shown a strong commitment to stabilizing and rebuilding Iraq and has gone through its own recent history of a bloody civil war and ensuing reconciliation.

But wherever and however it is done, the political, economic and religious issues must be addressed if peace and security are to be established in Iraq. And it is essential that more pressure be put on the Iraqi Government and all interested parties in Iraq to find and accept real solutions so the American forces can begin withdrawal.

The second recommendation is to seek international cooperation to develop solutions for Iraq. This should include calling an international conference that will work on putting together a peacekeeping force and setting up an international reconstruction program.

Iraq's strategic position in the volatile Middle East, its potential to become a terrorist safe haven, its large supply of oil and the great potential for a humanitarian catastrophe make security in Iraq a critical international issue. It is time for America to engage the nations of the world to encourage them to address this international crisis.

The final recommendation is to require the administration to give Congress detailed reports on the situation in Iraq so that we can make informed decisions regarding funding for reconstruction and deciding when American forces can be redeployed. This new Congress has been vigorously conducting oversight after 3½ years of congressional neglect, but we must have the full cooperation of the administration.

If the recommendations laid out in my resolution are followed, I believe American troops can begin redeployment in 2007, leaving a secure, stable Iraq.

As the U.S. Conference of Catholic Bishops stated, "The search for genuine justice and peace in Iraq requires moral urgency, substantive dialogue and new direction." Unfortunately, the President does not give us this. That is why his plan is discouraging to many Americans who are weary of this war.

But no one is wearier than our troops and their families. This past weekend I spoke to a soldier who spent 13 months in Iraq and will likely be returning. He told me that it is important to make sure that we let our troops know that they have our complete support. We cannot let anything in this debate be construed otherwise. If this surge occurs even after we pass this resolution, we must continue to support our troops and pray for them every day, so that by God's grace they can succeed in their mission.

Mr. BUYER. Mr. Speaker, I yield 8 minutes to the gentleman from Texas (Mr. GOHMERT), a former Army captain.

Mr. GOHMERT. Mr. Speaker, I thank my friend from Indiana. I appreciate the opportunity to engage in this debate.

Mr. Speaker, like many others here, previously I typed up different potential remarks for this debate. But as I have listened to the debate over the last couple of days, I kept hearing some things being said over and over again, and I started making notes of some of the things I just really need to address.

As the old saying goes, we are all entitled to our own opinion, but we are not entitled to our own set of facts. Facts are facts.

□ 2320

One of the things I have heard over and over the last couple of days, well, it goes without saying. Normally in reference to we support our troops, it goes without saying. If there is anything I have noticed since I left the bench and came to Congress is that nothing goes without saying in this House. Everything gets said and seems like gets said over and over again. Nothing goes without being said.

But let us talk about that. It goes without saying we support our troops. That has stirred up a great deal of debate and animosity at one point, and led usually into things about the lies the President told before this war, lies the President told before this war. Well, look, some of us believe in forgiveness.

I think there is still potential disagreement. Obviously we know that Saddam had weapons of mass destruction. He killed thousands of Kurds, gassed thousands of people. Certainly he was killing with mass destruction, but if you happen to believe really, honestly, truthfully that the President lied, then it is time to forgive President Clinton for all those lies. Forgive Madeleine Albright for all those lies. All the time, Madeleine Albright and Bill Clinton told us over and over again that there were weapons of mass destruction, and if President Bush happened to have believed President Clinton and Madeleine Albright and those people that were saying there were weapons of mass destruction in Iraq, well, I guess they just should not have believed the Clinton administration.

But there were things that the Clinton administration could base that on, but we have got to get past that. It just seems to engender so much hatred.

I have heard people say over and over this is a historic debate because the Republicans never allowed this debate when they were in the majority. I remember having discussions like this twice in the last Congress. We voted on a couple of resolutions, and people would say one thing and then end up voting another on the resolution.

Now, I did hear one of my friends across the aisle say something I do agree with. He said he did not believe it was appropriate to tell troops they were coming home on a certain date and then change that. I agree, and a number of us have been pointing that out to those in the military and to the White House. That needs to stop. When you tell somebody who is in harm's way you are coming home on a certain date, they need to come home. We can agree on that.

But then I heard another say, we need to avoid a constitutional crisis by shocking this President into a new course of action. You shocked him into a new course of action. He said we are going to send 21,000 troops over there, 21,500. In fact, people like HARRY REID down in the Senate have been calling for that last fall, maybe even as recently as December, but oh, wait, as soon as the President calls for it, then it is a terrible thing; we cannot believe that he is doing this.

So the President has proposed something new. His commanders in the field have said we need this, and so it is being done. We have got troops already arriving and more arriving all the time.

I heard another one make reference to Vietnam, and one in indignation said, have we not learned anything from Vietnam? I would submit, I believe, Mr. Speaker, apparently not, because some people want to rewrite history; but the fact is, if you go back, the people were saying get out of Vietnam, get out of Vietnam are the same people saying this now in Iraq, and so President Nixon tried to get folks out. For all his faults, and he did have plenty, and you will not hear me say I think he was a great President because he lied, but one of the things he did try to do, he saw the polls and started trying to get people out of Vietnam.

When we started the Paris peace talks, things broke down. It was not going well. He decided to bomb North Vietnam. He went on the attack. He was carpet-bombing Hanoi, and as SAM JOHNSON and those who were in the Hanoi Hilton said, they were worried they might be hit by the bombs, but they were so glad, finally the United States was reacting and responding, and as SAM says, when he left, to get the chronology correct, the bombing went on. They came back to the peace talks, and we reached terms, and the POWs, most of them were coming home. Sam said one of the leaders at the prison said, you know, if you guys had just kept bombing a little longer, we would have had to surrender completely.

That was a winnable war, but people were not doing what it took to win so that we could have a good reputation. If you go look at our enemies and al Qaeda's, the rhetoric now in Iraq, Afghanistan, around the Middle East, they are saying look at what they did in Vietnam. They promised their allies they were going to stick with them.

Gerald Ford has been quoted recently. What a fine man. I hear people on both sides of the aisle at his funeral and after his death. He begged this Congress and this House please do not cut off the funding; we promised them funding even after we pulled our troops out. But this Congress said, no, we are cutting the funding, and we have been harmed ever since.

So in 1979, in Iran, they were bold enough to attack. An act of war, that is what attacking an embassy is, and I was at Fort Benning at that time. Nobody was dying to go to Iran, but everybody I knew was willing to go and die because we had been attacked, and that was the first act of war in this war involving terror, and we did not respond.

We did not respond in 1983 when our barracks were attacked and our marines were killed. We withdrew 1991, on through the 1990s. We have not responded, but I want to touch on one other thing.

I saw the majority leader come down. I saw it replayed in the wee hours this morning. I did not realize it went on, and he came down and challenged what HEATHER WILSON, who had left the floor, said, and ultimately said basically, that anybody that would come and say, as she did, that there might be a problem with Democrats being willing to support and fund the troops as needed, and he said to come and say anything of that nature was just not honest. I think it comes close to violating the rules if it does not, but the fact is HEATHER WILSON had stood right here and she had asked her Democratic friends across the aisle, look, if you are really willing to say that, if you are saying that this resolution means we will always provide everything that is needed to our troops in harm's way, let us put it in the resolution. We will have a unanimous-consent amendment, we will both agree, and it was not agreed. The Democratic majority would not agree. The Rules Committee did not agree. The Democratic leadership did not want that in there.

So, to say it goes without saying ain't the way it should be. It ought to be in print. It ought to be here said in black and white because HEATHER WILSON was right: if you really believe that, put it in black and white where our troops can see, and I would just in conclusion leave you with this: this resolution for what it does and does not do, it is a stay the course, stiffen the enemy, start our collapse, and you look at our friend Mr. MURTHA's comments to say, that is what this starts the process for doing.

Ms. ESHOO. Mr. Speaker, I am very happy to yield 5 minutes to my colleague from Missouri (Mr. CLEAVER).

Mr. CLEAVER. Mr. Speaker, as I began to consider the comments I would make during this debate tonight on the occupation, escalation and gravitation of the U.S. military action in Iraq, I concluded that my visit to this well must somehow echo the threat and frustration of the people who sent me to represent them in the people's House.

Tomorrow, the United States of America should begin a massive and voter-mandated salvaging operation in Iraq. Yes, as bad as conditions have gotten, there are important and valuable things that could be salvaged. A tarnished international image clings to a nation like a shadow to a human being. It follows a nation to the next world crisis. It cannot be blamed for faulty intelligence, and it spoils opportunities to influence a world desperate for direction. Henceforth, we must conduct our foreign policy in a manner which salvages our sunken international image.

Because of the way we launched a long-range military action in Iraq, our prestige among the community of nations has surely suffered. Nothing deflates as a punctured international image. We can salvage our image not only by de-escalating in Iraq but also by reestablishing desperately needed dialogue with all the sovereign nations in the neighborhood with Iraq. It takes many, many people, and not just one to put a policy together.

Now, with regard to peace in the Middle East, it has become crystal clear that the United States cannot whistle a symphony.

□ 2330

It will take an orchestra of many international players willing to make music in the same key. The days of the international soloist or a conductor without an orchestra are past. We must salvage our relationship with the family of nations. We must salvage what is left of our Treasury.

Mr. Speaker, for most Americans war does not pay, but it must be paid for. And, to date, we have spent billions and billions of dollars that could have been spent for valuable programs to set this Nation on the right course. We must salvage soldiers. Yes, thousands of brave young U.S. soldiers have been killed, and Iraqis are dying weekly by the hundreds. If this conflict continues, there will be only two classes of young people, one half in graves, the other half in hospitals.

Some have said this conflict will last for decades. Nevertheless, that kind of policy or lack thereof has caused young Americans to ask: Will we ever see the last of this war, or will it see the last of us?

The Kansas City Chiefs is my team. The general manager, Carl Peterson, would never go to the sports editors of the local media and admonish them not to criticize the game plan of Coach Herman Edwards, because to do so would demoralize the players. Such a warning by the general manager would be ludicrous, if not loony. Why? Because the players of the Kansas City Chiefs are professionals who cannot be so easily defamed. And, friends, neither can the men and women who form the fiercest fighting force in the history of this planet.

After all the ethnic and sectarian human butchering, after all the billions spent, after all the children of God killed, after all the maimed who have been hospitalized, after all the dissenters who have been heard, after all the purple thumbs that have been raised, the war drum still throbs, the sabers still rattle, and the blood still flows. Yet, we can salvage the soul of the Nation, even though at this hour we seem to have lost our way.

Tomorrow, this Congress must adopt House Concurrent Resolution 63 as bold and beckoning to begin salvage operations.

Mr. Speaker, as I began to consider the comments I would make during the debate on the occupation, escalation, and gravitation of the U.S. military action in Iraq, I concluded that my visit to this well must somehow echo the fret and frustration of the people who sent me to represent them in The People's House.

For more than 132 years, the steamboat *Arabia* lay beneath the fathoms of the waters of the mighty Missouri River. Not until Bob and Florence Howley committed their life savings to a massive salvaging operation, did the rusting of this once stately riverboat cease. Today, the salvaged cargo of this retrieved vessel is on display in Kansas City's Historic River Market. Since I first walked into the Arabia Steamboat Museum in 1992, I have become a serious supporter of salvage operations. Anything of great value that is lost or damaged is worth salvaging.

Tomorrow, the United States of America should begin a massive and voter-mandated salvaging operation in Iraq. Yes, as bad as conditions have gotten, there are important and valuable things that can be salvaged.

A tarnished international image clings to a nation like a shadow to a human being. It follows a nation to the next world crisis, it cannot be blamed for faulty intelligence, and it spoils opportunities to influence a world desperate for direction. Henceforth, we must conduct our foreign policy in a manner which salvages our sunken international image. Because of the way we launched a Lone Ranger military action in Iraq, our prestige among the community of nations has surely suffered. Nothing deflates as fast as a punctured international image. We can salvage our image not only by de-escalating in Iraq, but also by re-establishing desperately needed dialogue with all the sovereign nations in the neighborhood of Iraq. With regard to peace in the Middle East, it has become crystal clear that the U.S. cannot whistle a symphony. It will take an orchestra of many international players willing to make music in the same key. The days of the international soloist, or a conductor without an orchestra, are past. We must salvage our relationship with the family of nations.

We must salvage what is left of our treasury. Mr. Speaker, for most Americans, war does not pay, but it must be paid for. To date, we have appropriated $380 billion for the armed conflict in Iraq, and the President has requested an additional $142 billion in the FY08 supplemental. With this amount of money, we could have fully funded No Child Left Behind and the COPS program (which places badly needed police on the streets in high crime neighborhoods). We must salvage respect from our noble veterans who, today, are outraged that they are showered with praise when they are in battle but blasted with neglect when they return home. Soon enough, they will discover that the President's recently submitted budget raises fees on veterans for their health costs by $355 million in FY08, $2.3 billion over 5 years, and $4.9 billion over 10 years. Those who serve—deserve!

We must salvage soldiers. Yes, thousands of brave young U.S. soldiers have been killed, and Iraqis are dying weekly by the hundreds. If this conflict continues, there will be only two classes of young people: one half in graves and the other half in hospitals. Some have said that this conflict will last for decades. Nevertheless, that kind of policy, or lack thereof, has caused young Americans to ask, "Will we ever see the last of this war, or will it see the last of us?"

Let me address a part of this debate which has frustrated me because of its defective logic. Over and over again, many of my honorable colleagues have stood behind this distinguished desk and warned that the debate on House Concurrent Resolution 63 will demoralize our troops in Iraq. Nothing could be further from the truth. I will never accept the premise that U.S. troops are demoralized by the debate in a democracy. The President's stated goal in Iraq is to aid in creating a nation where citizens and public officials can debate in a robust democracy. And then to denounce debate in The People's House as demeaning or damaging? My friends, that denigrates the democracy we so proudly extol and that our troops valiantly fight to defend. We cannot lead others to the light while we stand in the dark.

The Kansas City Chiefs is my team. The General Manager, Carl Peterson, would never go to the sports editors of the local media and admonish them not to criticize the game plan of Coach Herman Edwards because it will demoralize the players. Such a warning by the General Manager would be ludicrous if not loonie. Why? Because the players of the Kansas City Chiefs are professionals who cannot be so easily defanged. And friends, neither can the men and women who form the fiercest fighting force in the history of Planet Earth.

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Mr. BUYER. I would say to the gentleman that just spoke, that in 3 years Iraq has gone from a repressive dictatorship who enslaved his people to an inclusive government chosen by a freely elected Parliament under a popular ratified constitution. That is a fact.

I would like to yield 5 minutes to the gentleman from South Carolina (Mr. INGLIS).

Mr. INGLIS of South Carolina. I thank the gentleman for yielding. Mr. Speaker, we face three questions here tonight: Where are we? Where do we want to be? And how do we get there?

First, where are we? We are in phase three of a conflict in Iraq. In phase one, we overran Iraq in response to an American national security threat. We won.

Then came phase two. We were forwardly deployed; the terrorists brought the fight to us; we busted up terrorist networks. America was protected from further attacks. We won.

Now comes phase three. At best, Iraq is engulfed in a sectarian killing spree. At worst, Iraq has descended into a civil war.

So where are we? We are thankful for the incredible work of our military in winning phase one and two. We are aware, and I think all of us are aware, that only the Iraqi people can win phase three.

It is a neocon mistake to charge our warfighters with building an Iraqi national consensus. Iraqis must decide for themselves if they want to live in a unified, pluralistic, and peaceful Iraq. No amount of American military might can compel that result.

So where are we? Thankful for the successes and the outcomes that we can control; aware of the outcomes that we cannot control.

Where do we want to be? We want the Iraqis to take responsibility for their own country. The President is wisely pressing them to do so. We want the Iraqi leadership to make some key political decisions that can bring reconciliation. We want them to divide up the oil fairly, to allow banned Baathists back into positions of public trust, and to develop a working model of pluralism. We want the Iraqi leadership to know that they don't have forever, and that they should settle these reconciliation questions quickly. And we want to avoid the error of nation building.

The job of the U.S. military is to crush, kill, and destroy the enemies of the United States. They are not nation builders; they are warriors, and they do their jobs very, very well.

As commanded, our military entered Iraq to destroy what we understandably believed were threats to our national security. We were successful in destroying those threats and, thereafter, in interrupting terrorist networks. Those were outcomes that we could control.

Now, we are rightly asked for inputs that we can control, but we are faced with outcomes that only the Iraqi people can control. It is right to evaluate the quality of our force's inputs, but wrong to hold them accountable for outcomes beyond their control.

Diplomats, statesmen, peacemakers, and everyday Iraqis must work to develop a path to progress, a path that has milestones along the way, and which has rewards for meeting those milestones and consequences for failure.

If the Iraqi people follow the path to progress to a peaceful, pluralistic, and unified Iraq, they will have been successful. The path may lead to something less. Any lesser outcome is the responsibility of the Iraqi people. So we want a path to progress, and we hope for the blessings of liberty for Iraq.

Now, how do we get there? The President has ordered an increase in troop strength in Iraq. He thinks a surge in troops will give breathing room for the development of a path to progress. I am concerned that a surge will have the opposite effect: that we will give breathing room to the death squads; that our servicemen and women will be caught in the crossfire; and that the surge will end right where it began. In fact, that is what happened in Baghdad in August and September of 2006.

I am concerned that a surge sends a conflicting message. On the one hand, we are telling the Iraqi leadership, "Hurry up, you don't have forever." On the other hand we are saying, "No, not to worry. We are increasing the size of the American security umbrella."

I want all Iraqi factions and all leaders of Iraqi factions to worry. I want them to see us reaching for the button that would bring down that security umbrella. I want them to imagine the click of the button and the feel of the wind from that descending umbrella.

The resolution before us isn't written the way I would have written it, but it is the resolution before us. Resolutions are the way that Congress discharges its constitutional responsibility to communicate with the President. This resolution says we disapprove of the surge. Parties on both sides have added additional and conflicting meaning to those words. In the end, I just have to vote on the basis of the words. That is why I am going to vote in favor of the resolution and express my concern about the effectiveness of the surge.

Mrs. DAVIS of California. Mr. Speaker, I am very happy to yield 5 minutes to the gentlewoman from Pennsylvania (Ms. SCHWARTZ).

Ms. SCHWARTZ. Mr. Speaker, on Monday morning of this week I had the opportunity to recognize and honor 53 elderly widows of veterans of World War II and the Korean War.

The sacrifices of that Great Generation are legendary, and they are a reminder of the sacrifice of the current generation of our military men and women who have heeded the call to service in defense of our Nation. Their patriotism, their willingness to put themselves in harm's way, possibly to pay the ultimate price for our Nation, should give us all pause.

So, Mr. Speaker, I stand here with deep gratitude and respect for the sacrifices of all of our troops, but especially for the 3,124 Americans killed in Iraq and those tens of thousands injured.

I stand here with great sympathy for the mothers and fathers, sons and daughters, whose loss is irreplaceable. I stand here tonight firmly and strongly in support of this resolution, in support of the troops, and in opposition to the President's escalation of our military involvement in the war in Iraq.

□ 2340

Let there be no misunderstanding. The men and women serving our Nation in our Armed Forces will continue to receive the support they require during their training, while they are in theater and when they return home.

It is in honor of their service and the sacrifices of their family, and the love of our country that we share that I stand to make it clear that the President's plan for Iraq to escalate the number of troops and to continue his failed conduct of this war is wrong.

Escalation of this war will not make our Nation safer. Escalation of this war will not stabilize Iraq. Escalation of this war will not move us closer to bringing our troops home, and escalation of this war will not better protect Americans from those terrorists who would stop at nothing to bring grave danger to our Nation and our allies. It is for these reasons that the President's escalation of the war in Iraq is wrong.

At a time when so many current and former military leaders, as well as the bipartisan Iraq Study Group, recognize the need for political, rather than military solutions to the ever increasing violence, that the President is so gravely misguided in sending more of our men and women into combat in Iraq.

Mr. Speaker, this resolution is the answer to a simple question: Do you believe that an escalation of this war will bring our troops home sooner, and will it help the Iraqis achieve the national reconciliation needed to bring a lasting peace to their nation? I and the majority of Americans do not think so.

We believe the facts are clear. Escalation of this war fails to address the administration's strategic and diplomatic failures. It does not move us closer to success.

What we now need to succeed in Iraq is an overwhelming political and diplomatic force, not more American combat troops. Instead, the President should be working to end U.S. combat involvement in Iraq. To do so, he must demand that the Iraqis take charge of their internal security, should demand that the Iraqi President take the lead in national reconciliation, he should engage all the regional parties to prevent this war from escalating regionally and to explore every diplomatic and political solution to end this war.

Finally, the President must be accountable for his actions to this Congress and to the American people.

Mr. Speaker, over the first 6 weeks of the Democratic control of Congress, we have begun to move our Nation in a new direction, to restore credibility and ethics in this Chamber and to put the interests of everyday Americans in the forefront. There is so much more to do, here at home, and in our relations internationally, to better ensure the security and opportunity for all Americans.

The war in Iraq overshadows all that we do. The war has already cost this Nation so much, young lives lost, greater uncertainty and instability in the Middle East, greater hostility towards our own Nation and financial costs that will take years to repay. So it is timely and right that we take action now to change direction and strategy in Iraq.

I stand with the majority of Congress in support of this resolution, in support of our troops, and in opposition to the escalation of U.S. combat troops in Iraq. This resolution sends the President a very strong message. It is our hope and the hope of the American people that he heeds it.

Mr. BUYER. Mr. Speaker, I yield myself such time as I may consume.

As a good listener of the gentlelady's remarks, I would think she would be in support of the President's plan. I agree with her when she was talking about what is necessary for Iraq to govern itself, but in order for this country to begin to govern itself, it also needs to have security, and the Iraqi people themselves must have a belief in the support of that new unity government.

Now, with regard to the Iraqis themselves, whom we have been training, that is, the Iraqi Army and the Iraqi police force, that is exactly what the plan is. The plan is for the Iraqis to take the lead.

So the gentlelady's remarks confuse me, because as she says, I want the political apparatus to do this, but I define Petraeus' need for additional troops as an escalation. Therefore, she advocates for the status quo, and everybody knows the status quo is for failure. The remarks confuse me.

The commander on the ground of our forces in Baghdad just said on January 26, that this is about Iraqis taking charge of their own security. In order for them to do that, we have to buy them time to continue to train and for the government to become more legitimate in the eyes of the Iraqi people. Earlier what I said, the mission is to govern, sustain and defend. You have the political, economic and security necessities to accomplish that mission. I think everybody in this body is going to agree.

When I met with President Talabani in August, we talked about the establishment of the rule of law, we talked about the implementation of the national plan of reconciliation, the distribution of the oil revenue, the modernization of their electrical grid. Promoting Iraqi unity was really deep on the President's mind.

I wrote a note here after I met with him. The note I wrote was I believe the unity federal government has a real challenge. Their challenge is to convince the Iraqi political, religious and civil society leaders to compromise for a sustainable settlement to support the new federalism. That is the challenge.

So I am challenged when I hear individuals say, well, on the security apparatus, let's just get U.S. forces out of there, we'll let the Iraqis take care of this. The question is, are the Iraqis prepared to do it alone? I haven't heard anybody say they are, that they can do it alone.

The Iraqis in turn said we still need coalition assistance, and so the commanders on the ground say we need these more troops to do this. We are sending General Petraeus, our best commander, to the field.

Mr. Speaker, a father-in-law of a soldier wrote this 10 days ago: "From where I am sitting, it seems that threatening loss of funding for operations in Iraq, tying the hands of senior officers, to say nothing of the Commander in Chief, and proposing to legislate the conduct of this war, looks worse than cut and run. It feels like betrayal of the families who bear the burdens."

I can remember being in the desert in the first gulf war while this body debated a resolution on the utilization of force. I know what it was like to lose a friend in war. I shed the tears of my father when he lost buddies for his Army service in Korea.

Challenged by my own Member of Congress who voted against that resolution, I felt betrayed. While I was in the desert, I felt betrayed, so much so that I vowed while I stood at that cemetery in Lafayette, Indiana, the funeral of my friend, that I felt I still had a mission left, and it was to come help the country again.

So I ran against that incumbent Member of Congress who I felt betrayed me while I was in the desert in the gulf war. I had never run for any political office in my life. I was elected in this body at the age of 32 with so much to learn.

But I have never forgotten about the soldier, the sailor, the airman, the marine and the coast guardsman. I am so proud of them and what they do.

The world of an American soldier is more complex today than ever before, with technology, intricate rules of engagement designed to eliminate the loss of noncombatant life and a tough, innovative and savvy enemy. Our soldiers who are in the fight are watching and listening.

One wrote from Iraq 2 weeks ago: "Until victory or until the perseverance and the spirit of the American will arose, victory in Iraq is achievable by our amazingly capable and determined Armed Forces. Their effort will only be undercut by self-serving politicking and pointless impatience. If we decide we want victory, we will have it. If we quit on our effort, we will have defeat."

Contending with the complexity of today's battlefield and the ripple effects of politics 6,000 miles away, our soldiers live and measure value by simple enduring imperatives. They place a lot of value in loyalty. They count on each other, loyal to each other, to their commanders and to their oath to defend the Constitution, and their love of country helps them do their duty. A warrior bears true faith and allegiance.

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Members of our Armed Forces live and die by the readiness of their buddies to express their loyalty in the conduct of faithful duty. They expect no less of their leaders up the chain, whether they wear the stripes and diamond of a first sergeant, the eagles of a colonel, or the stars of an admiral or general, or their leaders in government, both executive and legislative branches.

Yet, in response, what do we offer? The fortitude of contradiction I say. The Senate unanimously confirms a new multinational force commander, General David Petraeus, whose most compelling value is perhaps his reputation for unrivaled understanding for his clear grasp of counterinsurgencies.

Yet the authors of the resolution before us seek to deny our best commander the manpower assets he has asked for to prevail. What a disturbing contradiction. The Senate unanimously says, this is our best commander. Before they vote and say we are going to send you, he says, I need these five brigades. Then this body drafts a resolution that says, we do not think he should have the five brigades.

I suppose we have the Senate and the House now in complete contradiction. General Petraeus is a decisive man who has a decisive strategy, and he intends to reinforce our troops and root out the enemy. Aside from the gratuitous gloom that is smothering the debate on Iraq, moving in reinforced strength to destroy an enemy is a time-honored and frequently successful course of military action.

It is so especially when conducted by a capable commander. We have already agreed that General Petraeus is such a commander. Many of us know that this is what our troops yearn to do. It is what Americans yearn for us to do, prevail.

Now, lest one of my colleagues is tempted to try some contextual mischief, we all know that military victory with the right strategy is only part of the equation of success in Iraq. Real success is not a quick, easy affair. I might offer success as defined by the establishment of a stable, popularly elected government, the rise of the rule of law, and the stability necessary to foster the growth of a strong middle class.

That will take a combined and continued effort using diplomatic, informational and economic levers. But those levers cannot fully operate without security. And that is the challenge I have in listening to this debate. We in Congress have confirmed General Petraeus and sent him now into battle.

And what now do some want to do with him? They seek to turn the House floor into a cockpit of battlefield wisdom to disavow his strategy. Some may say, go to Iraq, Commander. Disregard the strategy that you talked about in the Senate. Instead use your brilliance to conduct a feckless campaign of status quo.

The resolution before us disavows the human assets our commander needs to accomplish his mission. But then it says, we support the troops. How can you say we support the troops but you don't give the commander that which he says he needs? I do not understand.

I am a colonel in the Army Reserve. I have served for 26 years this Nation. How can you say to me, Steve, I support you. I will give you the beams, the bullets, the ammo, the water. I will give you anything you need, but do not ask me for any troops and good luck on your mission. Because you do not get to ask for reinforcements. You do not even get to ask for anybody else.

As we know the Pelosi-Murtha real strategy is to slowly bleed our battlefield commander dry. They know he cannot prevail waging a campaign of the status quo. So some will slowly reduce funding for his Army in an effort for it to wither on the vine. And it to me is disgraceful.

Ladies and gentlemen, does this fit the definition of loyalty and support of members of the United States Armed Forces serving bravely in Iraq?

Mr. Speaker, I reserve the balance of my time.

Mrs. DAVIS of California. Mr. Speaker, I yield 5 minutes to the gentlewoman from Arizona (Ms. GIFFORDS).

Ms. GIFFORDS. Mr. Speaker, as Members of the 110th Congress we are about to cast one of our most important votes yet. Americans in my district of southern Arizona and across the country want their Representatives to bring closure to the United States' involvement in Iraq. This vote is the first step towards doing precisely that.

A few weeks ago President Bush gave a nationally televised speech to the American people to announce his new way forward for Iraq. But it sounded strangely familiar. The President acknowledged that his policies and plans in Iraq had failed to yield the promised results, and yet his only suggestion was to do more of the same.

During my first few weeks in Congress serving on the House Armed Services Committee, the Foreign Affairs Committee, I have been listening, learning, asking tough questions. I have participated in many hours of hearings and briefings with top administration officials.

Those people include Secretary of Defense Robert Gates, Chairman of the Joint Chiefs of Staff, General Peter Pace, Secretary of the Army Francis Harvey, Secretary of State Condoleezza Rice, former Congressman Lee Hamilton, co-chairman of the bipartisan Iraq Study Group commissioned by the President.

Since being sworn into Congress, I have also been reading dozens of letters sent to me by my constituents, flying home to my district almost every single weekend to meet with concerned citizens.

Recently I attended a returning warrior event in Arizona for Reservists coming back from combat. And last week I visited Walter Reed Hospital here in Washington, D.C. to speak with wounded soldiers and their families.

These collective experiences have made me more confident than ever that the global war on terror and the situation in Iraq are more complicated than President Bush seems to realize. Common sense dictates that in order for any plan to succeed it must require the Iraqi people to calm the sectarian violence and unify behind a workable political structure.

The President's plan fails to acknowledge the lack of willingness and capacity by the Iraqi political and religious leaders to achieve these necessary goals. Sectarian factions are divided more than ever. Without the serious involvement and motivation of the Iraqi people, the President's proposals to send more American troops into harm's way amounts to little more than having 21,000 more soldiers stay the course.

This I cannot support. The President should consider the views of many active and retired military generals who advised him to change his strategy in Iraq. Instead of adding more soldiers, he should instead focus on some of the best recommendations set forward by the bipartisan Iraq Study Group that he commissioned.

These recommendations include keeping Iraq rapid reaction and special operation forces in Iraq to strike al Qaeda militias, setting performance benchmarks for the Iraqi Government, and holding them accountable, providing economic assistance to Iraq that will help create jobs, strengthen infrastructure, and improve the Iraqi capacity to be independent and stable.

Last but not least, beginning a new dialogue with Iraq's neighbors because they need to be part of the solution. The basic message of the Iraq Study Group and other credible experts and strategists is that the situation in Iraq is a political not just a military crisis.

The President's military escalation plan without a political component is bound to fail. Along with all other patriotic Americans, I strongly support our men and women in uniform who are risking their lives to protect and defend our Nation.

Our Armed Forces must have the tools, the training and the support that they need to be successful in any mission. I have serious concerns, Mr. Speaker, that our Army, Marine Corps, along with Guard and Reserve forces are being stretched too thin.

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Instead of sending 21,000 more young American soldiers to Iraq as part of that same failed strategy, the President should focus on the Global War on Terror. Failure is not an option. America must prevail against many serious threats around the world, whether in the Middle East or elsewhere.

Mr. Speaker, I will vote to support the resolution before this body because our brave men and women in uniform deserve a strategy that honors their sacrifices. The President's plan does not do that.

Mrs. DAVIS of California. Mr. Speaker, I am now happy to yield 5 minutes to the gentlelady from Minnesota (Ms. McCOLLUM).

Ms. McCOLLUM of Minnesota. Mr. Speaker, there is no more important issue facing our Nation today than the prolonged, painful, deadly war in Iraq. Next month America's courageous and determined troops start year 5 of combat operations inside Iraq.

As Iraq continues to deteriorate into a failed state of endless killing, President Bush has decided not only to stay the course but to escalate America's combat presence.

The resolution we debate tonight puts Congress in step with the American people in rejecting the President's escalation of the war. This resolution supports our troops and sends a clear message to President Bush that he is increasingly isolated in believing that Iraq's future can only be salvaged by sending more Americans into their civil war.

Let us remember that year 5 in Iraq will start with over 150,000 U.S. troops in the midst of an Iraq civil war. Year 5 in Iraq will start with 2,600 Minnesota National Guardsmen and -women who have already served and sacrificed for a year, being ordered to serve an additional 4 months of duty. Year 5 in Iraq starts with over 3,100 American troops having sacrificed their lives and nearly 24,000 troops having sacrificed their bodies.

To all of our veterans and their families, I offer my prayers, and I pledge my support in the difficult months and years ahead. With a true sense of humility and respect and admiration for their service and sacrifices, I thank you, I thank your families for what you have endured.

Our troops have always done their jobs with skill, with determination and courage. And now it is time for the elected leaders of this Nation to respond with courage and skill and forethought to the challenges presented in Iraq. It is time for the people of Iraq, the diverse ethnic groups, the religious sects, their tribal leaders, to decide for themselves whether their future is to be one of ongoing murder, revenge, civil war, or reconciliation, peaceful cooperation and security. It is time to end Iraq's dependence on U.S. troops and to fully transfer the responsibility for security and governance to the Iraqis. It is time to start the process of bringing American troops home safe, soon. It is time to bring this war in Iraq to an end. Achieving peace in Iraq will require an Iraqi political solution.

Peace requires a robust, active, tireless diplomacy from the United States, in partnership with Iraq's neighbors and the entire world community. This Congress has the opportunity and the obligation to advance a foreign policy vision rooted in the belief that Iraq's future requires shared global commitment.

Tomorrow Congress will pass this bipartisan resolution. This resolution is important because it is the second step in putting the White House on notice. The first notice was delivered to President Bush by the American people last November when they elected a new majority to Congress. The American people elected this majority because they wanted this very debate to take place, because they reject the "stay the course" status quo in Iraq.

Instead of hearing the American people, instead of acting on the recommendations of the Iraq Study Group, instead of learning from his past mistakes in Iraq, President Bush decided to escalate the war.

Rather than take the counsel and the advice of experienced statesmen and trusted military leaders, President Bush acted alone and decided to escalate the war.

Now our President calls himself "The Decider." In America, the people, not the President, are the ultimate deciders in our democracy, and the people and this Congress have decided that the escalation of combat troops into Iraq is misguided. This Congress has the authority and the obligation to hold the President accountable, and this House is ready to exercise its constitutional powers.

The American people are demanding action to end this war in Iraq. Let us listen to the American people. Tomorrow let us pass this important resolution and begin the process of working together as Americans to end the war in Iraq.

Mrs. DAVIS of California. Mr. Speaker, I am now happy to yield 5 minutes to the gentleman from Ohio (Mr. RYAN).

Mr. RYAN of Ohio. Mr. Speaker, as we approach the final day of the debate on this resolution, I have enjoyed the debate thoroughly. I have found it humorous at times. Our friends on the other side have tried every argument they could possibly muster. They have talked about President Clinton, they have talked about Vietnam, they are trying to bring up Israel, and my friend from Indiana also mentioned the issue of consistency. And I find it funny that the pro-life, self-proclaimed pro-life party is the party that wants to keep extending the war. I find it ironic that all of the great budget hawks in the Republican Party want to throw $8 billion a month to keep going and going and going as we borrow the money from China.

But I have also found the debate, at times, disappointing, where Members of the other side have questioned our side and they have said, whose side are we on? And how can we say that we support the troops, and that we are, somehow, unpatriotic.

And I would just like to say that when the Republican Party and this President didn't send enough troops, we didn't call you unpatriotic. And when you sent our young soldiers over there without the body armor, we never called you unpatriotic.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HODES). The Chair must remind the Members to address the Chair when speaking in debate.

Mr. RYAN of Ohio. Mr. Speaker, we never called the other side unpatriotic when they sent our soldiers over without enough body armor. And when they didn't send enough up-armored Humvees, we never called anybody unpatriotic. And now, when the next batch goes over without the proper jammers or up-armored kits, we don't call you unpatriotic.

Now we have called you incompetent. We said you are incapable, and we said you are derelict of your oversight responsibility. But never, Mr. Speaker, have we called anyone in this House unpatriotic.

Now let me speak to the resolution. This is very simple. It says two things: We support our troops and we do not support the escalation. It is very simple and here is why. We have already done this, Mr. Speaker. We have already done this. We have already tried the escalation and it has not worked. From November to January of 2005, we escalated by 18,000 troops, boots on the ground, and the number of daily attacks increased by 17 percent. From June to October of 2005, we increased by 21,000 boots on the ground, and the number of daily attacks increased by 29 percent. And from May to November of 2006, 17,000 more boots on the ground, and the number of daily attacks increased by 80 percent.

This escalation has not worked and it will not work. The number of insurgents have increased from 5,000 in 2003 to between 20,000 and 30,000 to October of 2006. So this is very simple.

And I want to make just a few more points, Mr. Speaker. One is this. With the last vote for the war, regardless of what party you were in or how you voted, we assumed that the President and the Secretary of Defense would send our troops over there with the proper equipment. But with this escalation, Mr. Speaker, we know that the 21,500 troops that are going to go over there will not have the proper Humvee kits, the up-armor for their HUMVEES. They won't have the proper jamming devices or enough of them.

and they won't have the number of trucks that they need.

□ 0010

You now know it. So if you vote against this resolution, you are voting to send our troops over there without the proper equipment before it could be excused because we trusted the President, assumed, but now we know.

And, finally, Mr. Speaker, we have heard a lot over the last couple of days about the American Revolution and the Civil War and World War II. Well, Mr. Speaker, our President today is not Washington, he is not Lincoln, and he is not Roosevelt. So I think our Republican colleagues should take the advice of the Secretary of Defense, and that is you go to war with the President you have. You don't go to war with the President you wish you had.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair must remind the Members to address their remarks in debate to the Chair and not to others in the second person.

Mr. BUYER. Mr. Speaker, I yield myself such time as I may consume.

Sometimes in the middle of debate when one gentleman refuses to yield to another gentleman, it can be for a variety of reasons perhaps, but sometimes it is because the argument is pretty weak.

So I have listened to this debate. I have not heard anybody on this side of the aisle call any of my Democratic colleagues unpatriotic. So the gentleman who just spoke protests too much. Maybe he has some deep feeling inside, has some guilt inside perhaps. I don't know. I can't speak to that. Only he can. I would be more than pleased to yield to him. I would extend the courtesy to him. But I just don't recall that at all.

As a matter of fact, I had to turn here to some staff that is with me because they are just as sensitive about this as I am and the seriousness of this debate.

The gentleman to my left is an Air Force Academy grad and he is the Air Force Reserves, and he flies C-5As right into Baghdad. He knows what that is like.

The two gentlemen right behind me, this gentleman right here, Jeff Phillips, served in the first gulf war, in the second gulf war, and has two Bronze Stars. This other gentleman over here, Jim Lariviere, served in Afghanistan and wears the Bronze Star.

So I turned to all three of these guys and I asked them, Have you heard anybody say or make someone feel as though they were unpatriotic? And the answer was "no" from these three men.

So please don't come and pollute the debate because it only makes you look silly.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair must remind Members to address remarks to the Chair.

Mr. BUYER. Mr. Speaker, it only makes Members look silly if they pollute the debate.

One thing about war is that you have to improvise, adapt, and overcome. Right? You hear that a lot. We do it and our enemies do it, and it is extremely important.

Mr. Speaker, I yield 10½ minutes to the former veteran of the Arizona National Guard, Mr. SHADEGG.

Mr. SHADEGG. Mr. Speaker, I thank the gentleman for yielding.

And just to follow up, I was going to actually begin my remarks tonight by noting the tremendous speech I thought that was given by my colleague Mr. McHUGH, I believe it was the night before last, in the midst of this important debate. And I think this is an extremely important debate. Indeed, I think this is the most important debate in my 12 years in the United States Congress and I would assert the most important debate this Congress may, indeed, ever have.

But with regard to being unpatriotic, I want to make my position clear and I want to reference what Mr. McHUGH said.

First, I respect every Member on the other side of the aisle, and I respect their right to express their views. And, quite frankly, the other evening when I spoke in this debate, I said I respect and share their frustration, both at where we are in this war and how we got there.

But the gentleman pointed out that he hadn't heard anybody labeled unpatriotic. I think Mr. McHUGH's comments were quite in tone with what I have heard in the portion of this debate that I have watched, and I have watched a lot. And he said, "I have listened today with great interest, and I have enormous respect for Members on both sides of the aisle." I have that respect. I have the respect for the sincerity of my colleagues on both sides of this aisle. We have, however, an important disagreement which deserves to be aired.

I think there is an important question that needs to be asked. That question is, if we do not defeat radical jihadists in Iraq, the radical Islamists with whom we are at war there now, if we do not defeat them in Iraq, then where? And if we do not defeat them now, then when?

Let me first start by making a few points about the record and setting the record straight. My colleague from Texas pointed out a few moments ago that we are each entitled to our own opinion, but not to our own facts. I would suggest that there is a fact across this Nation, an accepted fact, which is flat untrue. And it was referred to in the debate here just a few moments ago. And that is the notion that Shia and Sunni have been at war with each other for hundreds of years and killing each other for hundreds of years.

Today, the bipartisan Antiterrorism Caucus met, and we heard from an expert from Brookings, and he said that is simply not true. The notion that we are in the midst of a civil war that has gone on for hundreds of years simply is not true. It is not a fact.

What is a fact is that we face an extraordinary enemy, an enemy that hates us, an enemy that has been taught a set of beliefs that requires them to kill us; that requires them to kill all Americans, all Westerners, all unbelievers; indeed, a radical jihadist sect that calls for them to kill many Muslims and to do so without excuse. To break all law in doing so. To ignore international law in doing so.

I would call my colleagues to read this book, "Knowing the Enemy" by Mary Habeck. I read it after she spoke to the bipartisan Antiterrorism Caucus. I want to read a few paragraphs out of this book because I believe it is important to understand: "Jihadist ideologues use this generally accepted belief to argue that their interpretation of Islam is also intended for the entire world, which must be brought to recognize this fact peacefully if possible and through violence if not."

We have been told over and over and over and over again that these jihadists, the radical jihadists, hate us. In the debate earlier on this floor I asked my colleagues, I asked anyone on either side of the aisle, if you can name for me a single radical jihadi leader who has said that if America leaves Iraq, if America will pull back from Iraq, the war will end? I have asked that question on this floor at least twice, maybe three times, and nobody has taken it up. And the answer is because that is not what they want.

I listened to the debate here tonight and I respect it. As I said, I share the frustration over where we are in this war. But if you listen carefully to this debate, what you hear is: well, if we will stop, the war will end. I am afraid it is not that true. I am afraid it is not that easy. I am afraid it is not that simple. If we were to stop, the war would not end.

Listen to the words of al Qaeda, the words of Osama bin Laden, the words of Ayman al Zawahiri. Over and over and over again, they have told us that that would not be the end of the war. Indeed, it would not end their war against us.

Let me talk first about Ayman al Zawahiri. Here is his quote: "It is jihad for the sake of God and will last until our religion prevails . . . The entire world is an open battlefield for us. We will attack everywhere until Islam reigns."

Osama bin Laden: "The whole world is watching this war and the two adversaries; the Islamic Nation on the one hand and the United States and its allies on the other. It is either victory and glory or misery and humiliation."

□ 0020

Ayman al-Zawahiri again: "The jihad in Iraq requires several incremental goals; expel the Americans from Iraq, establish an Islamic authority or amarat, extend the jihad to secular countries neighboring Iraq, and then the clash with Israel."

And last, Osama bin Laden: "Hostility toward America is a religious duty. We hope to be rewarded by God for it. I am confident that Muslims will be able to end the legend of the so-called superpower that is America."

There is no end to this war simply because we choose to stop fighting. It will not go away.

Let me refer again to Mary Habeck and "Knowing the Enemy," which, Mr. Speaker, I hope you have read and all others who participate in this debate will read.

"The three main jihadist ideologues make clear a central point of the ongoing war with falsehood: That it will continue until Islam has liberated the entire world from darkness, tyranny and servitude. Jihadists thus neither recognize national boundaries within the Islamic lands, nor do they believe that the coming Islamic state when it is created should have permanent borders with unbelievers. The recognition of such boundaries would end the expansion of Islam and stop offensive jihad, both of which are transgressions against the laws of God that command jihad to last until judgment day or until the entire Earth is under the rule of Islamic law."

It would be nice if we could ask this war to go away, but it won't. So I ask again, if you do not want to confront radical jihadists in Iraq, then where? And if not now, then when?

This war did not begin in 2003. It began not in 2001 with the attack on the World Trade Center. No. We have been at war with these radical jihadists for decades. In 1979, radical jihadists seized the American embassy in Tehran and held American hostages for 444 days. In 1983, radical jihadists attacked the Marine barracks in Beirut; 241 were murdered. In 1988, they brought down Pan Am Flight 103, known as the Lockerbie bombing; 270 were murdered. In 1993, Islamic terrorists attacked the World Trade Center for the first time; six were murdered. In 1996, they attacked the Khobar Towers. I have been to Khobar Towers before it was brought down. I saw where they killed 19 U.S. servicemen. 1998, al Qaeda attacked the U.S. embassies in Tanzania and Kenya. They killed 212 in Tanzania and 11 were murdered in Kenya. In 2000, the Islamic terrorists attacked the USS Cole and 17 are murdered there. 2001, they attacked New York, Washington and Pennsylvania and they killed 3,000.

This war is the heart of the war on terror, and if we do not confront them now, then when? If we do not confront them in Iraq, then where?

There have been parallels to prior wars. I would suggest that this debate is similar, very similar, to the debate that led up to our involvement both in the World War I and World War II. Men of goodwill do like not to engage in war. It would be nice to have been able to believe that Hitler would go away, and well-meaning Americans argued that we should stay out of that war. But ultimately we couldn't, because ultimately the Japanese empire attacked us at Pearl Harbor and we recognized that we had to be involved in that war.

I would suggest to you that that is where we are now, and I would suggest to you that there is no such thing when you are at war as a nonbinding resolution, and there is no such thing as a resolution that does not do damage to the morale our troops.

Let me conclude, if I might, just by pointing out that this resolution may send a message to the White House, and I understand and sympathize with the desire to do that. But the more important message it will send is to our allies around the world that America cannot be trusted, that America cannot be relied upon, that America is an ally that will leave.

Osama bin Laden has said it over and over and over again: Attack them, fight them. Ultimately they will grow weak and they will back down.

Mrs. DAVIS of California. Mr. Speaker, I yield 6 minutes to the gentleman from Florida (Mr. MEEK).

Mr. MEEK of Florida. Mr. Speaker, I am excited about being here. I want to thank the gentlelady for yielding. But I am going to put my prepared notes to the side here, because I don't think that is needed at this point, because we are well into debate now, Mr. Speaker, on this very issue of Iraq.

I would like to disclose to the House that I am not a member of the armed services. I have never served in a forward area. I wasn't even a member of the ROTC. But I am a Member of the U.S. Congress, and I have been federalized to come here to represent my constituents and the people of this great country.

I know sometimes we say some things on the floor that we don't really mean, and then there are some things we do really mean.

I had the opportunity to go to the White House today to speak to the President on this very issue, and I shared with him, delivered the message from the majority of the Members of this House of Representatives on a bipartisan basis, Republicans and Democrats that have come to this floor and said they are going to vote in the affirmative on this resolution because they don't believe in the escalation of troops.

A supermajority of the Members of the House have not served in the military. Now, do we respect and honor those that allow us still to salute one flag? You are 110 percent right as it relates to my feelings towards that. And I respect those Members who have been in the ROTC and came up through college and what have you and joined the Reserves and active duty. I trust their judgment. They have the right to say what they want to say when they want to say it.

But I shared with the President that this will pass. And he shook his head and said, "I believe it will pass too, Kendrick."

I said, "Mr. President, here is something else that we have to be together on, and there has to be some level of compromise."

Yes, this is a nonbinding resolution, but this is the first time that the President has ever had any, any, any pressure from the Congress on his original thoughts and what he says military commanders call for.

Now, since folks have been talking about who they are here on this floor and what they have done and chest beating and all, I have been a member of the Armed Services Committee. I am a member of the Ways and Means Committee now and still on Armed Services on a waiver.

I said I wanted to go back to Armed Services because we are at war and we have to make sense here in this House. We just can't say we are there and we got to stay there as long as we got to stay there, until the last insurgent says that they give up. Well, guess what? They are not going to give up. They are not going to give up, and they are not going to say, well, we are leaving. They are not going to say that.

So if our mission is to stay there as long as the last insurgent is there, so someone would not be looking at troops leaving on the plane saying we won, if that is the issue, then we have to readjust our thinking here.

Let me just share something with you. I said to the President, "Yes, this is nonbinding, but it means a lot. It sends a message to the country that we heard them last November."

You know the reason why this House is in the majority for the Democrats this time? You know why? Because the rubber stamp Republican Congress rubber stamped everything that the President sent to this House and to the Senate. And if this was about politics, I would just go home and sit and watch this debate on television and talk to my wife and tell my wife, guess what, sweetheart? The Democrats are about to gain a greater majority, because the American people are going to continue on a bipartisan way, not just Democrats, Republicans, independents, those that never voted before, will start voting because they think that we are not listening.

Now, I am going to share this also with you, what is very, very important. I said, "Mr. President, it is nonbinding, but you are going to have a supplemental that is going to come through, and there has to be language in there that speaks to the point of readiness, speaks to the point of the fact that if you say we are going to send 20,000 combat troops and 3,000 support personnel, that they have what they need to carry out the mission."

The President heard what I had to say and came right back and said, "Kendrick, do you believe for a minute that I would put troops in harm's way if the military commanders did not tell us what we had?"

Respectfully I told the President, "It has happened before." I have sat next to Mr. RYAN in the Armed Services Committee and watched four star generals answer the question, "Do you have what you need?" "Yes, we have it."

Then we went to Iraq twice. Not once. Not when somebody told me that got off the plane that came back from Iraq and said, "Kendrick, guess what." In Mosul, in Baghdad, folks getting ready to go out on patrol did not have up-armored vehicles. And I am a Member of Congress. You would think someone would bring up-armored vehicles out because they have Members of Congress there. And people are there saying, and the troops are there saying, soldiers, in the field, 18 months on the second deployment, saying, "Congressman, I know what you think, but let me tell you something: We don't have what we need."

□ 0030

They still do not have what they need. So I come to this floor, yes, with great passion. I was not a member of the military, but doggone it, I am a Member of Congress. I am not going to let any Member of Congress make me believe or any other Member believe that they are less of a Member because they do not have the credentials that the next person has.

What I do know is that someone woke up early Tuesday morning at 7:00 a.m. to vote for representation in this U.S. House of Representatives, and doggone it, they are going to get, and those troops are going to get it.

So tomorrow it is going to be judgment time. Either you are with going in the old direction or in the new direction.

And the only reason that I have comfort, Mr. Speaker, tonight is the fact that I know that there is going to be a bipartisan vote on that board, just like it was on the minimum wage, just like it was as it relates to prescription drugs, just like it was in cutting back interest rates on student loans. All these bipartisan votes, and this is going to follow the number of those bipartisan votes. I know that we are going to start having the kind of oversight we have to have on this war.

I do not believe that it would be a full pull out of troops, and I am not even looking for that, but I am looking for management of this war in Iraq, and I am glad that we are having this debate.

Mrs. DAVIS of California. Mr. Speaker, I yield 6 minutes to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I am going to bring it back down a notch for a minute.

On Tuesday, I had the privilege to spend time with some of our Nation's finest. I traveled to Walter Reed Army Medical Center and talked with some of our soldiers who dedicated their lives to protect our Nation and gave their hearts, souls and bodies to the cause of freedom.

As I was driving out to the hospital, I reflected upon the changes in Iraq in the year-and-a-half since my first visit to Walter Reed. During that visit, IED was not a regular part of the American vocabulary, Mr. Speaker. Fatalities were shocking. The mounting death toll was disturbing.

Today, there are insurgent attacks almost every day. Iraq has descended into a deadly civil war, and almost every American has become familiar with the term IED and the deadly impact they have on the young men and women that we send to fight for us in this war.

The terms of war that my good friend from Indiana so well knows, the casualties, death, kidnappings, injuries, helicopter crashes, bombs, amputations, good-byes, sorrow and pain have all become commonplace.

We hear that another helicopter was shot down or that three more soldiers died today in Iraq, and soon enough we become numb to the true impact that this war is having on our troops and their families.

These young men and women represent true honor, courage and selflessness. They also represent the incalculable cost of the war, the price tag that is not mentioned, the lives, limbs, hopes and dreams.

They are soldiers like a young man I met Tuesday who was travelling on foot with his convey when an IED exploded, and as he put it, blew him up. He had served in Iraq twice before, and on his third tour of duty, Mr. Speaker, he became a double amputee, lost his arm and leg. Clearly, his total experience will change him completely.

Another young soldier was spending time with his family when I visited. He has a 6-year-old little boy who talked to me excitedly about how his daddy was finally going to come home forever after August. He, too, had two previous tours and fell severely ill this third time. Amazingly, this soldier hopes to go over and finish his tour with his company when he is better.

As a mom of 7-year-old twins, my first thought when meeting this delightful little boy was that his dad had missed half his life so far, half his life. I could not help but worry that if we do not get it right soon in Iraq it will not be long before this little boy and my twins will be part of this conflict.

And finally, there are soldiers like the young man who shared so much with me and who sincerely explained to me that he was actually glad that he was badly injured, as opposed to his gunner, because his gunner had a wife and kids and he did not want his buddy's family to have to look into his eyes like that. He told me he wants to run for office one day, and our Nation will be better for it.

America's future depends upon this generation of Americans, but while they fight to protect our country, they are depending on us to protect them. They are counting on us, the United States Congress and this President, to have a plan, a strategy that gets us somewhere and to help get them home and not endlessly commit their lives and their families' lives to this war.

So, Mr. Speaker, today I join an overwhelming majority of the American people, a bipartisan majority of Congress and some of the President's own military leaders to raise my voice and to be the voice of the constituents, the thousands of people who I represent in the 20th district of Florida, against escalating this war in Iraq.

But more importantly, I raise my voice for my generation and for all the little boys and girls in America whose mommies and daddies are in Iraq and Afghanistan fighting for this country and for freedom.

This President owes the American people, but more importantly, these brave troops, a strategy that makes sense, that will do the job and that will help get them home. The President's policy fails that 6-year-old little boy with a heart of gold and a smile that lights up the room who only wants his daddy to come home forever.

I support this resolution because the explanation the President has given the American people is not good enough. I cannot help but think about the way this war is affecting not only my generation, Mr. Speaker, but the generations following mine. They, too, recognize the sacrifices that our men and women in uniform are facing.

Students from two schools in my district, Nob Hill Elementary and Silver Ridge Elementary, made Valentine's Day cards for the soldiers, and I got a chance to deliver them Tuesday during my visit to Walter Reed. One of these cards reads, the one right here: "Thank you for protecting our country and me. You're the best. I would never have had the guts to fight with guns anyways. You are my hero. Forever and ever. Get well very, very soon."

These young children recognize the service and sacrifice that these warriors are making. As Members of Congress, we owe them no less.

It is our responsibility to provide for the common defense, and that includes vigorous debate, informed discussion and responsible public policy.

I support this resolution because it does just that, and Mr. Speaker, I support this resolution because the gentleman from Indiana knows better.

It does not require words to question patriotism. We have had plenty of implication throughout this debate on this floor on the other side of the aisle, and death by a thousand cuts is the same as direct words. It is irresponsible and unconscionable that the other side of the aisle has questioned the patriotism of the Members who disagree.

It is Congress' job to disagree. It is our role in the system of checks and balances, as our Founding Fathers envisioned them, unfortunately a role that was absent for the last 12 years.

Mr. BUYER. Mr. Speaker, I yield myself such time as I may consume.

I would like to, on my time, yield to the gentlewoman. I would like to yield to the gentlewoman on my time, since she would not yield on her time. Would the gentlewoman please identify by name a Republican who has called a Democrat in this debate unpatriotic?

Ms. WASSERMAN SCHULTZ. Mr. Speaker, will the gentleman yield?

Mr. BUYER. I yield to the gentlewoman from Florida.

Ms. WASSERMAN SCHULTZ. I thank you for yielding.

I was just taking my opportunity. You have had more than 45 minutes to an hour of your own time to discuss your own view, and each us would like that same opportunity. It is 12:40 in the morning. So I appreciate you yielding.

I can tell you, as I just mentioned in my remarks, that it does not require express words. By implication, there are many Members on your side of the aisle who have questioned the patriotism of any of us who disagree with the President's policy. The President's policy is inappropriate, and it is Congress' role to question to engage in vigorous oversight. That is a role that was absent for the last 12 years, and that is why the American people elected Democrats to lead this chamber on November 7 and move this country in a new direction, which unfortunately you have neglected to do.

Mr. BUYER. Mr. Speaker, reclaiming my time, I have neglected to do?

Ms. WASSERMAN SCHULTZ. You collectively.

Mr. BUYER. Mr. Speaker, are you questioning my motives

PARLIAMENTARY INQUIRY

Mr. BUYER. Mr. Speaker, parliamentary inquiry. Is it proper for one Member to try to question the motive of another Member?

□ 0040

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Even in heated debate, the Members should be more orderly in the process of yielding and reclaiming time.

Mr. BUYER. I thank the Speaker. I am thankful that the gentlewoman gave the answer to her question, and the answer was that it was implicit.

It is very easy in debate to come down and to create a straw person and then attack the straw person. If the gentlewoman has felt that way, that is completely unfortunate. But please don't say you have been called unpatriotic. That is the exchange I had with an earlier speaker. Don't accuse Republicans of such things. I am disturbed by that and very bothered.

Ms. WASSERMAN SCHULTZ. Would the gentleman yield?

Mr. BUYER. I am more than pleased to yield to the gentlewoman.

Ms. WASSERMAN SCHULTZ. Does the gentleman not understand that when words are used, that they don't actually have to be exact words to suggest a particular opinion on the part of the Member? And do you really think that it is beyond question that any of the Members on your side of the aisle as they engaged in this discussion and debate did not question the patriotism of our Members? I mean, me thinks thou dost protest too much, as the gentleman stated earlier. I yield to the gentleman.

Mr. BUYER. I thank the gentlewoman for her remarks.

Mr. RYAN of Ohio. Would the gentleman yield?

Mr. BUYER. I am more than pleased to yield to the gentleman from Ohio.

Mr. RYAN of Ohio. As I was watching the debate prior to my speech, I wrote down a quote that was stated by the gentleman from Indiana looking at the Democrats saying, How can we say we support the troops? Question mark.

Now, if that is not questioning the patriotism of our side, I don't know what is.

Mr. BUYER. Now I seek to reclaim my time, because that is a legitimate question.

As the commander in the field, if you say to the commander, "I support you." All right? What is the commander going to say? The commander says, "All right, I have a mission, and you say I support you." That means, I suppose, that I support you by making sure that you have been properly trained, that you have your uniform, that you have your ammunition, you have your helmet, you have your body Kevlar. You have what is necessary to accomplish your mission. But do you? If the commander says, "I need more troops to accomplish that mission," you say, "But you can't have those." Is that then supporting the commander?

That is why I pointed out the contradiction in that the Senate says to General Petraeus, "We agree, you are our best commander to go over there." And before they took that vote, he said, "I need those five brigades." So they passed the vote and they sent General Petraeus over.

Now we are faced with a vote that says I support the troops, I support the members of the Armed Forces.

How can we say, "I support you, but, Mr. Commander, we are not going to give you the troops"? That is the point of the question.

So please don't try to spin it into something that says, oh, you are calling me unpatriotic. That is what I think is rather peculiar.

Mr. Speaker, does the gentlewoman have any other speakers?

Mrs. DAVIS of California. Yes. Mr. Speaker, we have one additional speaker.

Mr. BUYER. Mr. Speaker, I yield 30 seconds to the gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Mr. Speaker, when people on the other side of the aisle wonder how we can ask, Do you really support the troops? How about this quote that was contributed to Mr. MURTHA? "They won't be able to continue. They won't be able to do the deployment. They won't have the equipment. They don't have the training. They won't be able to do the work." There is no question in my mind.

On his Web site that has now been taken down, it says, "Chairman MURTHA will describe his strategy for not only limiting the deployment of troops to Iraq, but undermining other aspects of the President's foreign and national security policy."

He is the Commander in Chief. That is undermining the President.

Mrs. DAVIS of California. Mr. Speaker, I just want to inquire of our remaining time.

The SPEAKER pro tempore. The gentlewoman from California has 18 minutes. The gentleman from Indiana has 16 minutes.

Mrs. DAVIS of California. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. RYAN).

Mr. RYAN of Ohio. Mr. Speaker, it is entirely possible and welcomed under the Constitution of the United States to have disagreements about how we need to handle troops deployments, how we need to handle our situation in different wars. And it is not to be said that because one party or one group of people have a different philosophy and a different strategy, that somehow they are not supporting the troops.

Now, your party and your President, the Republican Party, Mr. Speaker, and the Republican President are the ones who sent our kids to battle without armor, without body armor. And it took JACK MURTHA months to uncover it, and then to finally get it paid for and distributed. It was the Republican Party, Mr. Speaker, who sent kids into battle without up-armored Humvees.

Now, nobody questioned the Republican Party's patriotism, and nobody asked them if they supported the troops. Again, we called you incompetent, we said you were incapable, we said you were derelict in your duty, we said you should have provided oversight and you didn't. But we never called you unpatriotic.

Mrs. DAVIS of California. Mr. Speaker, I now recognize Mr. CHRIS MURPHY of Connecticut for 5 minutes. He will be our last speaker, and, as we all know, he is a veteran of the Iraq war.

Mr. MURPHY of Connecticut. Mr. Speaker, I thank the gentlewoman for yielding. I often get confused with my good friend from Pennsylvania.

Let's just touch for one minute, before I address the resolution on the question that our friends from the other aisle brought to us today and that Mr. RYAN was so good enough to talk about as well, that is this notion that in order to support the troops, you have to support the commander of the troops.

Well, having spent the last 2 years walking around talking to every sector of the constituents of the Fifth District of Connecticut, having a sense of where the American people came down in November on this question, the American people seem to agree with folks on this side of the aisle, which says this: There is a difference between supporting the troops and supporting the commander.

It is not an issue of patriotism necessarily, it is an issue of differentiating between the brave men and women who are over there fighting and dying for this country, and the man who sends them into battle. You can disagree with him and you can support the troops. You can do that out in the public as a matter of your private advocacy, and you can do that here on this floor.

That is where the American public came down on election day. They said loud and clear that day, "We support the troops." They go every day to celebrations of those troops when they leave and when they come home. They go to much more somber ceremonies when they don't return home. And then on election day they come out and they say this: "I support those troops. I don't support the man who put them into harm's way in the manner that he did that."

Mr. Speaker, I would like to thank Speaker PELOSI and Leader HOYER for allowing us to be here this morning. It is late at night, and I will be brief in my remarks on the resolution before us.

Amidst the embarrassing overabundance of thorny foreign policy questions before this House currently, the question before this Chamber tonight is a fairly simple one: Do we agree with the Nation's military establishment, with the country's foreign policy community, with popular opinion, and reject this President's very wrongheaded plan to send 21,000 more troops into Iraq? Or do we remain silent in homage to Congress' past and allow this potentially disastrous escalation to move forward?

I think the question answers itself. And I am proud today to stand here in support of this resolution, and register my strong support of our troops and my strong opposition to escalating this war.

As we finish the debate tonight, I have been joined in these final remarks by some of the younger colleagues in the House of Representatives. And I think our unity is significant. I should remind other Members of this House that we are discussing the fates of many young men and women, my classmates, my friends, that are this hour fighting and dying in a country halfway around the world.

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As younger Members we also serve as reminders that our duty here is not just to set policies to secure the safety of our country in terms of months or years but also in terms of decades.

Mr. Speaker, I have never fought in a war. I haven't shot another man on the battlefield nor have I been wounded myself. But I have been allowed the privilege to represent my constituents in this body because of the selfless bravery of those men and women around this country that made a different choice than I did, those that volunteered to go overseas and fight and defend this country. It is my duty to stand here today and thank them for their service, thank their families for their service, but also to be their advocate here tonight. Because the President is asking a cadre of our bravest young men and women to go house to house in Baghdad to root out an insurgency while he does virtually nothing to address the systematic causes of that insurgency. One hundred thousand troops may not be able to do the job that the President is asking 21,000 to do. Escalating the number of troops in Baghdad hasn't worked in the past and it most likely won't work here. Through his actions, the President is putting our soldiers' lives at unnecessary and unconscionable risk. There is a resolution in Iraq but it's a political solution. It's not a military resolution. And we owe it to our soldiers who have done everything that we have asked them to do to stand up to a President who would ask them to do a job that they cannot and should not do. And beyond our duty to our current generation of troops on the ground, our responsibility, quite frankly, also lies with the generations to come. I decided to seek a seat in this House at a relatively young age because I was fearful that the decisions that were being made here today would have dramatic consequences for the world that my future children and grandchildren will grow up in. And I came here to begin a conversation that acknowledges that what will make this Nation safe for generations is not a Nation built on bullying, not a strategy based on scattershot military intervention but a comprehensive foreign policy that combines American might with American diplomacy. In order to secure this Nation for the next generation, we need to acknowledge that the most important question we must ask is not who do we attack next, but instead how do we reset our place in this world in a way that would prevent the forces who would do America harm from becoming stronger?

Mr. Speaker, we need to come to grips with the fact that we live in a world in which our own supposed allies create societies that foster extremism and violence amongst their most marginalized members. At the same time our Nation often strangely views cultural and political global detachment as a virtue rather than a weakness. This combination causes those that speak different tongues and those that worship different gods to look upon our great Nation with undeserved derision. This must change.

For my mind, we do that in three parts. First, we must pass this resolution in order to pivot to a much broader conversation. And in that conversation in the coming days and months, we must redeploy our troops both to home and to fights that are central to the war on terror, such as in Afghanistan. The gentlemen from the other side of the aisle are right. This battle with terrorists who may do harm to this country does not end no matter what happens on the ground in Iraq. But we must focus on our energies there. Lastly, we need to begin, going forward from today, to renew that multilateral spirit that once made this country great by proving ourselves in the future to be both a strong America and a humble America.

Mr. Speaker, I stand here today in support of this resolution.

Mr. BUYER. Mr. Speaker, I yield myself such time as I may consume.

There was a peculiar comment a bit ago from the gentleman from Ohio when he said, well, I didn't call you unpatriotic when you sent troops into battle and they didn't have their up-armored Humvees. What a weird statement to say.

You see, we prepare our force. So, for example, when myself and Colonel Phillips in the first Gulf War, those Hummers that we took in, they didn't even have doors on them. We didn't have doors on the side of those. We didn't go in with all the side plates and front plates, groin plates, neck plates, shoulder plates. We didn't do all that. Most of that, the body armor, was reserved for special ops. When you move in to counterinsurgency and then the enemy begins to use roadside bombs to attack our Hummers, what do we have to do? We respond. That is why I made the comment of what does our military do? They improvise, they adapt and they overcome, and that is exactly the same thing which our enemies do. So it was a very peculiar comment to say, well, we didn't attack you because. I don't know. It's so peculiar, I don't even want to comment anymore on it.

What I would like to comment on is the nature of the enemy and the significance of Iraq and the global war against militant Islamists.

Mr. Speaker, at this time I would like to turn our attention to the nature of the enemy we face and the significance of Iraq in the global war against militant Islam. We often use the term "global war on terrorism" to describe our efforts since the September 11 attacks. I believe this is a misnomer. In reality, we are engaged in a campaign to counter a global, radical Islamist insurgency, a global jihad. This global insurgency is, in fact, a diverse confederation of Islamic movements that uses terrorism as only one of its many tactics in their war against the West.

On February 23, 1998, Osama bin Laden, leader of al Qaeda, declared war on the United States, Israel and the West in his statement "World Islamic Front Declaration of War against Jews and Crusaders." Subsequently, bin Laden's deputy, Ayman al-Zawahiri, issued a statement after September 11 announcing a two-phase strategy for al Qaeda's war. First, reestablish the Islamic Caliphate, the historical and temporal authority of all Muslims that existed from 632 A.D. until 1924 A.D, and, second, use the Caliphate as a launch pad for a jihad against the West.

No one believes that Osama bin Laden directly controls this worldwide insurgency. Rather than a single monolithic movement, al Qaeda is but one movement that symbolizes a broad and diverse confederation of militant Islamic movements that operate around the world. This insurgency includes such wide-ranging organizations as the Egyptian Islamic Jihad, the Libyan Islamic Fighting Group, the Islamic Army of Aden, al Qaeda in Iraq, the Islamic Movement of Uzbekistan, the Abu Sayyaf Group in Malaysia and the Philippines. In addition, Iran, a majority Shia country, backs numerous radical Islamic groups, including Hezbollah and Palestine rejectionist groups such as Hamas and the Palestinian Islamic Jihad. These wide-ranging and disparate groups are loosely linked ideologically, linguistically and culturally. They use family ties, personal relationships and financial links to coordinate their efforts. Thus, the global jihad plays out in a variety of theaters around the world. These include:

The Americas, where in North America we saw the September 11 attacks and as a House Permanent Select Committee on Intelligence report stated, Federal authorities have shut down at least 25 charities contributing to terrorist activities since September 11. That is here in our own country.

In South America there is a strong al Qaeda presence in the tri-border area of Argentina, Paragiau and Brazil.

In Western Europe, where there have been recently uncovered plans for attacks against Great Britain and the United States and where insurgent financial networks and planning cells flourish throughout Europe supporting insurgent activities.

In the Southern Pacific, where the Bali bombings in October 2002 were attributed to an al Qaeda-linked cell.

In the Ibernian Peninsula and North Africa where North Africans were blamed for the May 2004 Madrid bombings and where there have been bombings in Casablanca, Morocco and Tunisia.

In the greater Middle East, where there are ongoing Islamic insurgencies in Iraq, Jordan, Egypt, Saudi Arabia, Yemen, Turkey, Lebanon and Israel/Palestine.

In East Africa, where simultaneous bombings in October 1998 in Kenya and Tanzania were coordinated from the Sudan.

The Caucuses and European Russia, where nationalist insurgencies in Chechnya, Georgia, and Azerbaijan have been co-opted by Islamic militants.

South and Central Asia, where the Taliban and al Qaeda continue to operate in Afghanistan and in Pakistan's federally administered tribal areas.

And in Southeast Asia, where Islamic insurgencies continue in Indonesa, the Philippines and southern Thailand.

These Islamic insurgencies share a common goal. They are oriented toward the overthrow of the current world order and its replacement with a pan-Islamic Caliphate. They wish to change the status quo using violence and subversion in order to initiate a clash between Islam and the West. They use terrorism, subversion and propaganda to further their goals and initiate open warfare.

It will come as no surprise that most of the active Islamic insurgencies take place either within the historical bounds of the Caliphate, meaning North Africa, Spain, Turkey and the Middle East, or in areas claimed by the new broader pan-Islamic Caliphate, South Asia, Southeast Asia and Indonesia. These insurgencies contribute to what is called an arc of instability that reaches from Indonesia across South Asia and the Middle East to North Africa.

Where does Iraq fit into this global jihad? Iraq has become the front line in the open warfare of the global insurgency. In many ways, Iraq is a microcosm of the complex worldwide Islamic insurgency. The centrality of Iraq to the insurgency became clear in a July 2005 letter to the late Abu Musab al-Zarqawi from al Qaeda's deputy Ayman al-Zawahiri. In discussing Iraq, Zawahiri stated:

"I want to be the first to congratulate you for what God has blessed you with in terms of fighting battle in the heart of the Islamic world, which was formerly the field for major battles in Islam's history, and what is now the place for the greatest battle of Islam in this era."

Zawahiri went on to outline the larger strategy for Iraq. First, expel the Americans from Iraq. Second, establish an Islamic authority and reestablish the Caliphate. Third, extend the jihad neighboring secular Islamic countries. Fourth, eliminate Israel. Thus we see a clear statement from the number two man in al Qaeda that Iraq is centrally important to the global jihad.

Al Qaeda is not alone in operating in Iraq. There have been extensive Iranian involvement that has been alleged recently. On March 14, 2006, General John Abizaid told the Senate Armed Services Committee that "Iran is pursuing a multitrack policy in Iraq, consisting of covertly supporting the formation of a stable, Shia Islamist-led central government while covertly working to diminish popular and military support for U.S. and Coalition operations there."

While the full extent of Iranian support is unknown, it appears that at a minimum Iran is supporting the 20,000-man Badr Brigade as well as the 2,000-man Wolf Brigade which is an offshoot. Just this week, administration officials announced that Iran was the source of deadly explosive form projectiles being used in Iraq.

Iraqis also grasp that Iraq is central in this global struggle. Iraqi Prime Minister Maliki told us here in a joint session of Congress, "I know that some of you here question whether Iraq is part of that war on terror, but let me be very clear. This is a battle between true Islam, for which a person's liberty and rights constitute essential cornerstones, and that of terrorism, which wraps itself in a fake Islamic cloak."

The centrality of Iraq in the larger global Islamic insurgency cannot be disputed. Our enemies and our friends in the region grasp its significance. To fail in Iraq is to fail in the larger struggle. And our enemies are watching. They remember what America did not grasp the scope of the threat posed by radical Islam. Yet the signals were there:

In 1979, 66 American diplomats taken hostage, held in Iran for 444 days.

In 1983, a truck bomb kills 241 Marines at their barracks in Beirut.

In 1988, Pan Am flight 103 bombing kills 270, including 189 Americans, over Lockerbie, Scotland.

In 1993, six killed at the first World Trade Center bombing by militant Islamic terrorists.

In 1996, 19 U.S. servicemembers were killed at Khobar Towers.

In 1998, 225 people killed in bombings at our U.S. embassies in Tanzania and Kenya.

In 2000, al Qaeda's attack on the destroyer USS Cole kills 17 American sailors.

In 2001, September 11, killed 2,973.

Until 2001, we failed to properly react to this threat. The enemy perceived us as weak and believed that we lacked the will to fight.

This resolution before us, if approved, will signal our lack of resolve and I am troubled. It will be interpreted, I believe, by the forces of the global jihad that the United States lacks the will to persevere against the forces of radical Islam. It will give comfort to their thoughts, for they will know that we in Congress are uncertain and irresolute. In a war where information and willpower are more important than firepower, we must continue to send the signal that we cannot and will not cease to fight the enemy's vision of the world. You see, even if you have your way and you say we are going to withdraw the troops, whether they come back to the United States or whether they go to an over-the-horizon position and this new infancy government fails, we cannot cower to the security of America. This front continues.

The Bible states, "If the trumpet gives an uncertain sound, who shall prepare himself to the battle?" If the trumpet is uncertain, who will follow? This resolution, I think, sends the wrong signal to our friends and to our enemies and I urge my colleagues to support those troops, sound the certain trumpet, and defeat the resolution.

Mr. Speaker, I reserve the balance of my time.

Mrs. DAVIS of California. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I want to thank my colleague on the other side of the aisle, because in many ways he has really made the case for us. The argument on his side has been that we can't just use our military, the tools that they bring us, the great treasure that we have in them. We cannot solely look to them. And I think our great consternation over this war has been that we have not used our political, our economic and our diplomatic tools to represent the great Nation that we are.

I have to tell my colleague that I was really saddened when the veterans of my community asked me, and I have asked our generals and I have asked the President, are we in fact a military at war and not a Nation at war? The generals told me that we are a military at war. I think the President disagreed with that. But the reality is that we have not brought our Nation to this effort in the way that I think is appropriate to have done. And so when we talk about the strategic risks that are there, when we talk about the fact that we need to understand those risks, we are doing it in a context that we know that when we went to this war, we didn't properly assess those risks.

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We failed to do that, and we can't fail to do that any longer.

So what we bring to the table and what we bring to this discussion and this debate, and I think it has been a good debate, Mr. Speaker, is I think it is important, as a lot of my colleagues have said on both sides of the aisle, that we represent the people of our community.

I often go into schools and talk to students about what representation means and tell them that it would be really impossible to take their entire class to Washington and have everybody there to speak on the floor of the House. Well, we are honored, and I know that my colleague is too, to be in the House, to be able to make those presentations, and we do it for people who actually sometimes disagree with us as well as agree with us. But it is important that we do that.

I think what we bring to this debate is to try and understand what these strategic risks are today. You made my case, and I appreciate that, because there are many conflicts, and we need to understand them. That is why only focusing on a troop escalation, which isn't 20,000 troops, Mr. Speaker, we know there are probably another 15,000 in support troops, and those 15,000 troops, which are there for support of combat troops, sometimes get in the way. We know that, and we know we have had many deaths from our support troops as well. So we need to think about this as a much larger troop escalation.

But the reality is we need to utilize all of our other tools, and we want to put the pressure on our country, on this administration, on the Iraqi people and its government and all of our friends around the world to help us and step up to the plate; not to just rely on our military, not to just rely on our treasure. We believe that is essential to make the statement.

So I want to close, Mr. Speaker, by saying that this has been a good debate. It will continue. It will continue into tomorrow. Then Members will have an opportunity to vote and to let their constituents know how and why they chose to do that.

Mr. BUYER. Mr. Speaker, if the gentlewoman will yield, I just want to compliment her for her civility and the way she led the debate. It was a good discussion, and it is exactly what the American people are looking for from this body. I congratulate the gentlewoman.

Mr. WALSH of New York. Mr. Speaker, I rise today in support of this resolution formalizing this body's resolve to support and protect the men and women in the United States Armed Forces in Iraq and disapproving of President Bush's decision to deploy 20,000+ additional combat troops to Iraq.

Like the overwhelming majority of my colleagues in the House and Senate, in 2002 I voted to authorize the use of force in Iraq should the President deem such force necessary.

Since then, the men and women of our Armed Services have carried out their mission with great courage and bravery, and they successfully achieved every military objective we set forth.

They removed a tyrannical, oppressive dictator who brutally slaughtered his own people, including innocent women and children.

They rebuilt schools and replaced a crumbling infrastructure.

And they provided security for the Iraqi people to successfully conduct interim elections, to write a new constitution, and to democratically elect and install new national leadership.

The remaining objectives articulated at the outset—conflict resolution between Sunnis and Shiites and national peace and stabilization—can only be achieved for the Iraqis, by the Iraqis. Their success will take personal will and political compromise from all domestic parties involved.

Mr. Speaker, success in Iraq today requires a political solution, not a military one. Twenty thousand more armed American men and women on the ground in Iraq will not change the determination or alter the strategy of the warring factions and militants our troops now face.

The addition of more American forces will certainly not encourage the Iraqi Forces to take responsibility for their nation's security. This premise never became clearer than when GEN. John Abizaid told the Senate Armed Services Committee, "I believe that more American forces prevent the Iraqis from doing more and from taking more responsibility for their own future."

He continued, "I've met with every divisional commander—General Casey, the corps commander, General Dempsey—we all talked together. And I said, 'in your professional opinion, if we were to bring in more American troops now, does it add considerably to our ability to achieve success in Iraq?' And they all said no."

Today's U.S. military role in Iraq should be to assist in support and training initiatives, not to lead the charge. We must remember that this democracy does not belong to us, but to the Iraqi people who are responsible for protecting and enhancing it.

If an increase of troops is needed to stabilize specific regions, those troops ought to be Iraqi troops. At last count there were 325,000 trained, equipped and fielded Iraqi Security Forces. At some point in time, these Iraqi Forces have to lead security efforts.

What better time than now? What better opportunity could there be for the Iraqis to manifest their national pride and commitment to democracy by concrete actions? The Iraqis are ready and the U.S. needs to stop enabling their dependence.

Recently, the 174th Fighter Wing of the New York Air National Guard based in my hometown of Syracuse returned from a support tour in Iraq, and I'm proud that a young member of my staff deployed with them. Dozens of other young men and women from New York's 25th Congressional District have fought in Iraq and Afghanistan. I am deeply proud of them and their remarkable service to our country.

Mr. Speaker, I stand before you as a member of the greatest deliberative body in the greatest representative democracy in the world. We are the people's House. We are all elected—chosen—every two years by citizens across this land to converge here in Washington to represent them, to vote on their behalf, and to ensure that their voices are heard in every national debate. And as Members of Congress we do so with a unique balance of personal belief and public will.

The President is the Commander in Chief. That is a fact. But he is not the sole decider. We—the other elected leaders of our government—have a responsibility to express the will of the American people as we perceive it.

The people of my New York district overwhelmingly supported this mission at its start, as did I. We still support its goals. We will always support our troops. But we do not support the continued build up of U.S. troops in Iraq.

This resolution states the House's disagreement with the President on this strategy, and I support this 97-word resolution before us. But I also say today clearly and without equivocation that I will not support any proposal to cut funding to our troops while they are in harm's way.

America has kept her promises to the people of Iraq. Over 3,000 American soldiers have given their lives to ensure those promises were kept, and their families now go forward with a constant reminder of the price of their sacrifice.

This resolution confronts the reality that there are defined military objectives, defined diplomatic objectives, and defined political objectives that can only be achieved by a sovereign and selfsustaining people.

This resolution, ultimately, is about the role and the responsibility of the Iraqi people. This resolution does not call for us to step out—American troops there need to remain and take on a different role. Rather, this resolution calls for Iraq to step up.

For that reason, it has my support.

Mr. STARK. Mr. Speaker, I voted against the original resolution authorizing President Bush to take military action against Iraq. As a Member of the Out of Iraq and Progressive caucuses, I have and will continue to call for the immediate withdrawal of American troops.

I rise today in strong opposition to the President's proposal to send more than 20,000 additional United States combat troops to Iraq. Today's non-binding resolution is an important first step. After its passage, I will encourage my colleagues in Congress to take further steps to end the War in Iraq.

When a scientist uncovers facts that contradict a theory, he or she throws out that theory. But when President Bush learns of facts that contradict his theories, he throws out the facts. As a member of the reality-based community, I continue to be amazed by this President's disregard for objective truths.

The President, however, isn't just a scientist experimenting with chemicals in a laboratory. He is an executive whose decision to take us to war under false pretenses has adversely affected the lives of millions of Americans and Iraqis. The costs of the nearly four-year old conflict are grave.

More than 3,100 brave American servicemen and women, including at least 325 from my home state of California, have already died in the war. An additional 23,000 plus have been wounded. Estimates of the number of Iraqi civilians killed since the invasion run even higher, from 47,000 to 70,000. All at a cost of $379 billion to the American people. That's more than $1250 for every man, woman, and child currently living in the U.S.

But these are facts. President Bush is more interested in cockamamy theories.

In the run-up to the war, Bush speculated that Iraq possessed nuclear weapons. When intelligence officers suggested that might not be the case, he ignored them. To date, no weapons of mass destruction have been found.

Bush also hypothesized that the attack would turn Iraq into a liberal democracy. When academic scholars wrote that Iraq's history and culture didn't suggest such an outcome was likely, he dismissed them. Today, despite the election of an Iraqi Assembly and formation of an Iraqi government, the country is in a full-fledged civil war.

During the past four years, the President has repeatedly theorized that America was making progress in Iraq, and that "success" was just around the corner. I remember, in particular, Bush's summer 2003 statement that "major combat operations in Iraq have ended," his summer 2004 claim that we were "turning the corner" abroad, and CHENEY's summer 2005 reference to an insurgency in its "last throes." Despite these promises, the situation in Iraq has gotten worse every year, not better.

My favorite declaration came this past summer, when the President said that the formation of a new Iraqi government represented a "turning point."

Unfortunately, the body count in Iraq continues to grow. This past July, an average of 110 Iraqi adults died each day, the deadliest month of the war for Iraq. In October, militia attacks spiked 22 percent. In December, more than 100 American troops were killed, the third deadliest month of the war for the United States.

But the November elections did represent a turning point—in the United States. The Bush administration no longer has a Republican Congress to lick its boots. What's more, voting on this resolution will soon suggest President Bush doesn't even have the support of his own party.

When the President in January suggested sending additional troops to Iraq, Members of Congress from both sides of the aisle criticized his foolhardy proposal. Senator CHUCK HAGEL, Republican from Nebraska, termed it "Alice in Wonderland" thinking that would "represent the most dangerous foreign policy blunder since Vietnam."

Retired military personnel weren't much more enthusiastic. Former General Barry McCaffrey called the surge "a fool's errand." Retired Colonel Paul Hughes said "sending more troops to Baghdad is like pouring more water in the sands of Al-Anbar. It's just going to disappear without accomplishing anything."

I couldn't agree more. The President's proposal to escalate the war in Iraq in the naive hope of winning a lasting peace is another cockamamy theory that contradicts all available facts.

I strongly urge my colleagues to vote "yes" and take this important first step to end the War in Iraq and bring all of our troops home.

Mr. BAIRD. Mr. Speaker, every member of this Congress, every member, regardless of political party, and regardless of their position on this war, or the resolution before us now, is equally committed to the security of this nation, our communities, and our families. And I believe every member of this Congress supports our troops and their families while they are deployed. We must all support our veterans and their families when they return home.

Since this war began, I have attended, as many of my colleagues have, deployment ceremonies as we send the troops off to fight. I have been on the tarmac in the cold and dark mornings when they've come home to their families. I have been many times to Walter Reed to visit the wounded. I have been to funerals for the fallen and held the hands of loved ones left behind.

Over the past weeks, months, and in the years since this conflict began, I have heard from constituents on all sides of this issue, including members of our armed forces who have served or are now serving in Iraq. Some of our troops support the war in Iraq, others oppose it, some support an increase, others don't. To suggest that opposing the President's planned escalation means not supporting the troops would imply that many of the troops themselves and many of their loved ones back home don't support the troops. That suggestion simply makes no sense and we should put it to rest for good.

The real question today is not whether or not we are committed to security, or whether or not we support the troops. The real question is how we believe protecting security is best achieved. On that, there is legitimate disagreement, which is, or should be, what this debate is about. To have that debate is not only a right, but a responsibility of the elected representatives in a republic such as ours. Indeed, it is to defend that very right that our troops are being asked to serve and sacrifice not just in Iraq, but around the world.

I saw the Pentagon explode from my office window on September 11th. We all knew that thousands of our fellow citizens were dying before our eyes and I was worried about the safety of my own family. None of us need to be reminded through floor speeches or Presidential homilies about the threat of terrorism. But let us also not forget that the terrorists of that day did not come from Iraq. And let no one forget that, with only one exception, the entire House of Representatives, Democrats and Republicans alike, all voted to authorize the use of force to destroy the Al Qaeda bases and the Taliban who harbored them in Afghanistan. That is where the terrorists of September 11th were based, that is where the central focus of the fight against terrorists was focused, and we were united, along with virtually the entire world, in that fight.

Iraq is different, and the focus on Iraq has distracted and detracted from the mission in

Afghanistan and the real battle against terrorists. Administration suggestions aside, none of the terrorists of September 11th came from, or were trained in Iraq, and there were no weapons of mass destruction.

President Bush and the rest of the administration took this Nation into an unnecessary and ill conceived war based on false threats and with a deeply flawed plan. Our soldiers, their families, our economy, our overall military readiness, the Iraqi people, friends in the region, and our coalition partners, have all suffered as a result of the administration's misinformation and miscalculations.

Before this war, I, and many others, asked the administration to answer fundamental questions. How many troops will this take? How many lives will be sacrificed? How long will we be there? What will it cost financially? How will we pay for it? How will you manage internal conflicts among the Iraqi's themselves? What will be the impact on our overall security elsewhere in the world?

The fact is this administration has never answered any of those fundamental questions honestly or fully. Never. Either they knew the answers and refused to give them, or they did not know and went ahead anyway. If the first is true, they were being dishonest. If the second is true, they were incompetent. Sadly, it appears likely that both incompetence and duplicity were at work.

Unfortunately, very little has changed since this war began. As we consider the proposed escalation of the occupation in Iraq, none of the most important questions has been answered.

I voted against this war from the outset and believe to this day that was the right vote. But once we were committed and engaged, I believed, as most of my colleagues and most Americans, that we had a responsibility to support the troops and try our best to help the Iraqis rebuild their nation, establish a democratic republic, and try to restore stability. I, along with most members of this Congress, voted repeatedly to provide our troops the needed resources to succeed, and I fervently hoped the mission would be successful. To a degree, there have been successes. We determined there were no weapons of mass destruction. Saddam Hussein has been removed from power, and is now dead as a result of a public and open judicial process. There have been free and open elections, and Iraq has a constitution and elected government.

Those are good things. But the costs have been horrific and the key questions still have never been, perhaps cannot be, answered by this Administration. As we consider the President's latest proposal we must ask again: How many more lives? How much more will this cost? How will we pay for this? What will it do to the rest of our security internationally and at home?

Because these questions are at the core of whether or not this policy will enhance or jeopardize our troops and our security, and because the administration to this day is unwilling or incapable of answering these basic questions honestly, I must vote in favor of this resolution, and oppose further troop increases.

It is irresponsible to allow a commander in chief, who has not been honest or accurate from the outset, to continue sacrificing the lives, bodies and families of our troops to a mission that lacks a clear objective or any foreseeable endpoint.

It is recklessly dangerous to permit a commander in chief to jeopardize our nation's security by letting our military equipment, readiness and troop morale continue to decline. It is shortsighted and unwise to leave our National Guard and Reserve unprepared and under-equipped to respond to other challenges or crises abroad or within our own borders. It is wasteful and foolhardy to build the largest embassy in the world in this very small nation. It is dangerous and strategically unsound to concentrate more of our intelligence assets in this one city, leaving the rest of the world and other dangerous threats less covered. It is unsustainable for our economy to keep pouring out money, forgoing needed investments at home, and piling debt onto our children with no real plan to pay for it, and no real end in sight. It is a breach of trust to not provide the needed services for our veterans and their families when they return home. It is irrational and inaccurate to believe that securing Iraq is the real key to keeping our nation safe from terror, or that if we withdraw from Iraq the only possible outcome is for our nation to be more vulnerable. It is immoral to leave our soldiers dying and bleeding in the middle of a centuries old religious conflict that is not of our creation and is not within our power or responsibility to resolve.

For far too long we have given this President far too much credibility, far too much power, far too many lives and far too much money. It is time to stop.

Having said how I will vote, the sad but simple truth is this, neither moving forward with the President's proposed troop increase, nor voting for this resolution of disapproval, will really do what is needed to secure our own nation, solve the problems in Iraq or bring real stability to the region. There are, in fact, better alternatives to the administration proposal and those of us who oppose the President's plan should spell out what we think is the better course.

This is where I believe that better course should take us:

1. We must renew our focus on securing and rebuilding Afghanistan and increase both troop strength and financial investment in that nation along with our allied partners. The fight in Afghanistan was the real and most important fight against the terrorists of September 11th. It was justified from the beginning and remains just today, and it has the support of the world. We cannot let the Taliban regroup and reinstate their reign of terror and extremism there and we still have a chance, though it is slipping fast, to help the Afghanis establish a successful, tolerant and secure nation.

2. In Iraq, the administration should meet confidentially with the Iraqi leaders and give them a timeline with key benchmarks by which our forces will withdraw. The timeline and benchmarks should be sufficient to ensure the safety or our forces and give the elected Iraqi government a reasonable time to train their forces and strengthen their political processes, but there must be a timeline so there is real pressure for real progress. The process of conveying this information and the timeline itself should be confidential. The elected Iraqi government should then announce that it is they who are asking us to begin withdrawal, thereby strengthening their credibility and leadership while giving our nation a graceful way to exit at their request. Frankly, this should have been done by the administration before the Iraq Study Group report and before this debate in Congress, but it is still not too late.

3. While beginning a measured and strategic redeployment of our forces from Iraq, we should increase our support for infrastructure repair and shift increasing responsibility for that effort to Iraqi companies and workers and away from foreign contractors.

We should, however, maintain close oversight of the spending to ensure the resources are being used as intended and we should link continued financial support to real political and security progress on the part of the Iraqis. Further, we should prevail upon wealthy neighbors in the region, notably the Saudi Arabians and others, to expend some of their own vast funds to enhance the infrastructure effort. We should also dramatically reduce the size of the embassy complex that is now under construction in Baghdad and we should pledge to no permanent U.S. bases in Iraq.

4. To help fund the infrastructure and security activities within Iraq, and to give every Iraqi a stake in the success of their political process. An equitable means of distributing oil revenues should be created that ensures all Iraqis will benefit from the oil resources and, simultaneously, that all Iraqis will lose economically if insurgents damage those resources.

5. We should encourage the Iraqis to work more closely with moderate Arab neighbors, notably Jordan, Egypt and others in the region to help with the training of the security forces and with the reconstruction effort. This assistance has been offered since the beginning of the conflict but the Iraqis have not taken advantage of that offer to any real degree as of yet.

6. Because the Iraq conflict has had a devastating and destabilizing economic, political and social impact on friendly and moderate nations such as Jordan, Egypt and others, we should provide additional financial aid to those nations, particularly to help them deal with the influx of refugees, the high costs of energy, reductions in trade and tourism, and other adverse impacts. We cannot leave our friends to suffer from this conflict, and we dare not let the instability spread to nations that have been models of change and moderation.

7. We must also reach out once again to our traditional allies in Europe, Asia and elsewhere in the world, openly acknowledge past mistakes, spell out this new direction, and ask for their financial, diplomatic, and, if necessary, military help in making it succeed.

8. While supporting and working with friendly and moderate nations in the region and elsewhere, we should engage in direct discussions and negotiations with other nations in the region, notably Iran and Syria. We disagree profoundly with these nations on many issues, and we must not be naive or overly optimistic, but it is in our best interests to at least engage in a dialogue and search for areas where we may find common ground. The administration's refusal to do this, even

through back channels, is misguided and counterproductive.

9. It is dishonest to not include the full costs of this war and the associated increases in defense spending as part of the annual budget and deficit projections. We must at last fully account for the costs of this war and fully fund our commitment to veterans when they return.

10. Our focus on the Iraq situation should not cause us to lose sight, as it has for too long, of the real goal, which is promoting broad security, stability and moderation in the region for the sake of that region itself and in the interest of our own security. Even if we could fully secure Iraq with this surge of troops, which is highly doubtful, if we do not improve our overall image and relationships in the region and the world, and if we do not do more to support moderate and friendly nations, we will see continued and worsening threats from extremist groups and rogue nations.

A key part of this effort will be playing a constructive role in working to resolve the conflict between the Israelis and Palestinians. We also have important and necessary work to do to improve our image and relationships within our own hemisphere and we must not ignore or neglect that work.

11. Finally, but importantly, for far too long our energy policy and dependence on petroleum has distorted our foreign policy and thereby endangered our national security, our economy, and our environment. We must recognize that energy policy is coupled with national security and we must change both policies or we will never have real and lasting security.

I urge my colleagues to consider this course, but before I conclude, I must respond to those who suggest that if we do not give unquestioning support to this administration regardless of what they ask for, regardless of history, and regardless of the evidence on the ground, we are somehow empowering the terrorists or undermining our troops. The President himself has implied that any questioning of his policies is "politically motivated" and anything short of further escalation is sending a message that our Nation will "cut and run" when things get tough.

I believe the evidence suggests the opposite. The evidence from this war is clear, while there may be differences of opinion about policy, this Congress, and the American people have, and will continue to support our troops to the fullest. The evidence is also clear that our troops will serve valiantly and effectively whenever and wherever they are called.

For the elected representatives of the people of this great nation to exercise their constitutional responsibility and demand change is not a sign of weakness, it is a sign of the strength of our own republic. Perhaps more importantly, it is a sign of the strength of our very form of government itself, which is, after all, what we are hoping to promote in Iraq and elsewhere in the world. The rest of the world, our allies and adversaries alike, understand this and understand that the strength, character, courage and commitment of this Nation, its people, and the Congress are separate from, and stronger than the flaws, and mistakes of any one President or administration.

We are not turning away from the fight against terrorists or terrorism by changing course in Iraq. We are changing the course of a strategy that has been wrong from the beginning and has not gotten better. Our Nation, our Armed Forces, and our Congress are fully willing to sustain a tough fight when the fight is right and the strategy is sound. But our republic, our people, and this Congress are also strong enough, wise enough and courageous enough, to recognize the truth and change direction when the time comes. That time is now.

Mr. McKEON. Mr. Speaker, I rise today to speak against the motion under consideration. As the House debates this so called non-binding resolution concerning the recently implemented troop surge in Iraq, I think it is important to remind my colleagues exactly what is being sought by this resolution and what is to be accomplished with its passage.

This ill-conceived resolution seeks to do two incompatible and indeed conflicting things; it attempts to speak for this chamber in disapproving the proposed troop increase. And it simultaneously claims to support those troops, whose devotion to duty is essential, in prosecuting a mission which is, in part, renounced by this very same resolution.

Mr. Speaker, I do not question that the members who serve in this chamber do so with integrity and with a high regard for the men and women who serve in uniform. I do, however, question the wisdom of considering a resolution which will have no practical effect, but will have serious and inevitable consequences for the men and women who have been asked to serve.

While we consider this resolution, our enemies, in prosecuting their side of this war—will little note its allegedly non-binding character. In that sense, Mr. Speaker, this is very much a binding resolution. It binds this House irreversibly to a statement of disapproval. But it will do nothing to change the situation to which it is nominally addressed, because it does not bind our words to any actions.

General Peter Pace, in his testimony before the Armed Services Committee displayed confidence in our armed forces. He said that he believes our men and women in uniform understand the intricacies of our democracy and the nature of our vibrant debate in this Congress. Mr. Speaker, I would add that while they may understand our prerogatives, they will seek to decipher our intent and the resolve of this Chamber to support them in this fight. I also believe that they will rightfully see this resolution for what it is—mere contradiction.

Without our continued commitment to the young democracy in Iraq, the political and security situation in that country will suffer tremendous setbacks. Without support from American troops and our allies, there is a greater chance of failure in Iraq. General Petraeus, Commanding Officer of Multi-National Force-Iraq, last month described what failure in Iraq would look like when he said that "Sectarian groups would obviously begin to stake out their turf, try to expand their turf. They would do that by greatly increased ethnic cleansing."

Defense Secretary Robert Gates in a press conference last month said that if we fail, "One would see an emboldened and strengthened Iran, a safe haven and base of operations for jihadist networks in the heart of the Middle East, a humiliating defeat in the overall campaign against violent extremism worldwide, and an undermining of the credibility of the United States." Mr. Speaker, these results are not acceptable to Americans because they are not in America's interest and because more turmoil in Iraq or the Middle East will unacceptably threaten our national security.

Mr. Speaker, we know that among the strengths that our men and women in uniform possess is the courage to carry on. They are armed with the notion that no matter what inspires our enemies, we fight in defense of human dignity and natural rights. This chamber, which would say that it supports our troops, should not do anything that would lead those troops to question the meaning or sincerity of our support.

I therefore encourage my colleagues to join me in opposing this dangerous resolution, which in two short paragraphs declares principles while avoiding the actions those principles seemingly require.

Mr. BILBRAY. Mr. Speaker, in the 230-year history of our country, the United States has fought in conflicts both at home and abroad that have tested the resolve and unity of the American people. During that time, the purview of the Commander in Chief has justly been scrutinized and questioned. These debates are a part of our past and will be a part of our future as long as we send our men and women into battlefields to fight for our country.

Today's debate is no exception. The question we must answer for ourselves is a fundamental one that speaks not to our approval of the War in Iraq but rather to our commitment to the men and women fighting this war. It is a commitment we must reaffirm without question or doubt. With commitment and unity.

Now it seems to me that we have two courses of action we can take regarding the War in Iraq. We can pull our troops out immediately and leave the stability of the region up to an increasingly violent insurgency, thereby admitting defeat, or we can send in further reinforcements to work with Iraqi Security Forces to seize control of their country.

We can all agree that a change in the status quo must be made. With an increased level of violence between Sunni and Shia insurgent groups, an escalating cost, and the loss of American lives, it is imperative that we have a legitimate and substantive debate on the direction of this war.

However, if we are to succeed in Iraq and complete the mission, then the United States House of Representatives should not waste its time debating a nonbinding resolution criticizing the Commander in Chief. This resolution offers no real policy alternatives for Iraq and does not bring our men and women home any sooner. It is a political shot aimed at the President, but it is really our troops who suffer most from these grandstanding tactics.

I recently visited Walter Reed Hospital to hear from the wounded who have been to Iraq and sacrificed so much for their country. I talked to a wounded soldier who had a bone infection that prohibited him from returning to Iraq. He was not concerned about his physical well-being but instead he was upset that he could not go to finish the job that he had started. His feelings reflected the thoughts of many of the soldiers that I had the privilege to sit and talk with that day.

The fact is we face a moment of unparalleled opportunity to, in voice, in one vote, fulfill our promise to our troops—the promise that we will give them the resources, the armor, the manpower and reinforcements they need so that they may safely and effectively win the War on Terror and come back home.

Ms. CLARKE. Mr. Speaker, I rise today because I am very supportive of our troops around the globe and in particular those who are in harms way in Iraq. I wholeheartedly support H. Con. Res. 63.

Mr. Speaker, in the President's January 29, 2002, State of the Union address, in regards to protecting America, responding to the terrorist threat and capturing Osama bin Laden, he said (meaning Iraq): . . . This is a regime that agreed to international inspections—then kicked out the inspectors. This is a regime that has something to hide from the civilized world.

States like these, and their terrorist allies, constitute an axis of evil, arming to threaten the peace of the world. By seeking weapons of mass destruction, these regimes pose a grave and growing danger. They provide these arms to terrorists, giving them the means to match their hatred. They could attack our allies or attempt to blackmail the United States. In any of these cases, the price of indifference would be Catastrophic.

Secretary Rice, after being named Secretary of State to succeed Colin Powell, Secretary Rice warned six months before the invasion of Iraq that Saddam Hussein could deploy a nuclear weapon, saying that the administration did not "want the smoking gun to be a mushroom cloud." according to the Washington Post. We now know that these assertions were a fiction created by this administration to justify the unjustifiable.

U.S. Central Command Gen. Tommy Franks, the war's operational commander misjudged the interests of our Afghan allies. He ran the war from Tampa with no commander on the scene above the rank of lieutenant colonel. According to another Washington Post April 17, 2002, article; The first Americans did not arrive until 3 days into the fighting.

As a representative from NY whose constituents resent the lies and deception thrust upon us to justify this war and creating a distraction away from the homeland security we all desire the question is: When will Osama bin Laden be brought to justice.

The article continues by identifying that Osama bin Laden slipped through the cordon ostensibly placed around Tora Bora as U.S. aircraft began bombing on Nov. 30. More precisely, bin Laden was in Tora Bora on Nov. 26, spoke to his fighters about "holy war" then, as quickly as he had come, bin Laden vanished into the pine forests with four of his loyalists walking in the direction of Pakistan. bin Laden escaped according to the Christian Science Monitor, somewhere between Nov. 28 to Nov. 30 as confirmed by Arabs and Afghans in eastern Afghanistan.

Mr. Speaker, I support our troops and that is why we must commence the redeployment of our troops today. Thus far:

There are 135,544 troops in Iraq today. 3127 or 2.3 percent of U.S. soldiers have been killed in service to our country.

Seventeen percent or 23,279 U.S. soldiers have been seriously wounded in service to our country.

Twenty percent of the troops wounded have received serious brain or spinal injuries; 30 percent of U.S. troops develop serious mental health problems within 3 to 4 months of returning home.

During the President's tenure, he has requested a cumulative total of more than $700 billion to pay for the war effort in Iraq; $9 billion of U.S. taxpayers money is unaccounted for.

The State of New York has lost 143 soldiers, 16 from Brooklyn. U.S. troops continue to die from improvised explosive devices (IEDs) have been sent to Iraq with poorly constructed and poorly armored equipment. Pentagon war planners have created a high level task force that has spent $6.7 billion on how to combat IEDs.

Thousands of Americans are dead, thousand more will die if we don't get our troops home and get them redeployed today. I oppose the President's call for 21,000 more troops to go to Iraq. I support our troops and that's why I want them home where they belong.

Mrs. DAVIS of California. Mr. Speaker, I thank my colleague for that, I thank the entire body, and I thank you.

Mr. Speaker, I reserve the balance of my time.

The SPEAKER pro tempore. Pursuant to section 3 of House Resolution 157, further proceedings on the concurrent resolution will be postponed.

APPOINTMENT OF MEMBERS TO THE COMMITTEE TO ATTEND FUNERAL OF THE LATE HONORABLE CHARLIE NORWOOD

The SPEAKER pro tempore. Pursuant to House Resolution 159, and the order of the House of January 4, 2007, the Chair announces the Speaker's appointment of the following Members of the House to the committee to attend the funeral of the late Honorable Charlie Norwood:

The gentleman from Georgia, Mr. LEWIS

The gentleman from Ohio, Mr. BOEHNER

The gentleman from Missouri, Mr. BLUNT

The gentleman from Georgia, Mr. BISHOP

The gentleman from Georgia, Mr. DEAL

The gentleman from Georgia, Mr. KINGSTON

The gentleman from Georgia, Mr. LINDER

The gentleman from Georgia, Mr. GINGREY

The gentleman from Georgia, Mr. MARSHALL

The gentleman from Georgia, Mr. SCOTT

The gentleman from Georgia, Mr. BARROW

The gentleman from Georgia, Mr. PRICE

The gentleman from Georgia, Mr. WESTMORELAND

The gentleman from Georgia, Mr. JOHNSON

The gentleman from Wisconsin, Mr. SENSENBRENNER

The gentleman from Texas, Mr. BARTON

The gentleman from North Carolina, Mr. COBLE

The gentleman from Texas, Mr. GENE GREEN

The gentleman from Michigan, Mr. HOEKSTRA

The gentleman from Illinois, Mr. MANZULLO

The gentleman from California, Mr. MCKEON

The gentleman from Florida, Mr. MICA

The gentleman from New Jersey, Mr. FRELINGHUYSEN

The gentleman from Washington, Mr. HASTINGS

The gentleman from Illinois, Mr. LAHOOD

The gentleman from Iowa, Mr. LATHAM

The gentlewoman from North Carolina, Mrs. MYRICK

The gentleman from Arizona, Mr. SHADEGG

The gentleman from Kansas, Mr. TIAHRT

The gentleman from Mississippi, Mr. WICKER

The gentleman from Alabama, Mr. ADERHOLT

The gentleman from Pennsylvania, Mr. PITTS

The gentleman from Texas, Mr. SESSIONS

The gentlewoman from California, Mrs. CAPPS

The gentleman from North Carolina, Mr. HAYES

The gentleman from Colorado, Mr. TANCREDO

The gentleman from Nebraska, Mr. TERRY

The gentleman from South Carolina, Mr. BROWN

The gentleman from Indiana, Mr. PENCE

The gentleman from Florida, Mr. PUTNAM

The gentleman from Pennsylvania, Mr. SHUSTER

The gentleman from Florida, Mr. MILLER

The gentleman from South Carolina, Mr. WILSON

The gentleman from Oklahoma, Mr. SULLIVAN

The gentleman from South Carolina, Mr. BARRETT

The gentleman from Texas, Mr. BURGESS

The gentleman from Iowa, Mr. KING

The gentleman from Texas, Mr. NEUGEBAUER

The gentleman from Texas, Mr. CONAWAY

The gentleman from Texas, Mr. GOHMERT

The gentlewoman from Ohio, Mrs. SCHMIDT

The gentleman from California, Mr. BILBRAY

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 654

Mr. RYAN of Wisconsin (during consideration of H. Con. Res. 63). Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 654.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

PUBLICATION OF THE RULES OF THE COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, 110TH CONGRESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. OBERSTAR) is recognized for 5 minutes.

Mr. OBERSTAR. Madam Speaker: Pursuant to clause 2(a)(2) of Rule XI of the Rules of the House of Representatives and clause l(b) of the Rules of the Committee on Transportation and Infrastructure, I submit the Rules of the Committee on Transportation and Infrastructure for the 110th Congress for publication in the CONGRESSIONAL RECORD. On January 17, 2007, the Committee on Transportation and Infrastructure met in open session and adopted these Committee Rules by voice vote.

RULES OF THE COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, UNITED STATES HOUSE OF REPRESENTATIVES, 110TH CONGRESS (ADOPTED JANUARY 17, 2007)

RULE I. GENERAL PROVISIONS.

(a) APPLICABILITY OF HOUSE RULES.—

(1) IN GENERAL.—The Rules of the House are the rules of the Committee and its subcommittees so far as applicable, except that a motion to recess from day to day, and a motion to dispense with the first reading (in full) of a bill or resolution, if printed copies are available, are non-debatable privileged motions in the Committee and its subcommittees.

(2) SUBCOMMITTEES.—Each subcommittee is part of the Committee, and is subject to the authority and direction of the Committee and its rules so far as applicable.

(3) INCORPORATION OF HOUSE RULE ON COMMITTEE PROCEDURE.—Rule XI of the Rules of the House, which pertains entirely to Committee procedure, is incorporated and made a part of the rules of the Committee to the extent applicable. Pursuant to clause 2(a)(3) of Rule XI of the Rules of the House, the Chairman is authorized to offer a motion under clause 1 of Rule XXII of the Rules of the House whenever the Chairman considers it appropriate.

(b) PUBLICATION OF RULES.—The Committee's rules shall be published in the Congressional Record not later than 30 days after the Committee is elected in each odd-numbered year.

(c) VICE CHAIRMAN.—The Chairman shall appoint a vice chairman of the Committee and of each subcommittee. If the Chairman of the Committee or subcommittee is not present at any meeting of the Committee or subcommittee, as the case may be, the vice chairman shall preside. If the vice chairman is not present, the ranking member of the majority party on the Committee or subcommittee who is present shall preside at that meeting.

RULE II. REGULAR, ADDITIONAL, AND SPECIAL MEETINGS.

(a) REGULAR MEETINGS.—

(1) IN GENERAL.—Regular meetings of the Committee shall be held on the first Wednesday of every month to transact its business unless such day is a holiday, or the House is in recess or is adjourned, in which case the Chairman shall determine the regular meeting day of the Committee for that month.

(2) NOTICE.—The Chairman shall give each member of the Committee, as far in advance of the day of the regular meeting as the circumstances make practicable, a written notice of such meeting and the matters to be considered at such meeting. To the maximum extent practicable, the Chairman shall provide such notice at least 3 days prior to such meeting.

(3) CANCELLATION OR DEFERRAL.—If the Chairman believes that the Committee will not be considering any bill or resolution before the full Committee and that there is no other business to be transacted at a regular meeting, the meeting may be canceled or it may be deferred until such time as, in the judgment of the Chairman, there may be matters which require the Committee's consideration.

(4) APPLICABILITY.—This paragraph shall not apply to meetings of any subcommittee.

(b) ADDITIONAL MEETINGS.—The Chairman may call and convene, as he or she considers necessary, additional meetings of the Committee for the consideration of any bill or resolution pending before the Committee or for the conduct of other committee business. The Committee shall meet for such purpose pursuant to the call of the Chairman.

(c) SPECIAL MEETINGS.—If at least three members of the Committee desire that a special meeting of the Committee be called by the Chairman, those members may file in the offices of the Committee their written request to the Chairman for that special meeting. Such request shall specify the measure or matter to be considered. Immediately upon the filing of the request, the clerk of the Committee shall notify the Chairman of the filing of the request. If, within 3 calendar days after the filing of the request, the Chairman does not call the requested special meeting to be held within 7 calendar days after the filing of the request, a majority of the members of the Committee may file in the offices of the Committee their written notice that a special meeting of the Committee will be held, specifying the date and hour thereof, and the measure or matter to be considered at that special meeting. The Committee shall meet on that date and hour. Immediately upon the filing of the notice, the clerk of the Committee shall notify all members of the Committee that such meeting will be held and inform them of its date and hour and the measure or matter to be considered; and only the measure or matter specified in that notice may be considered at that special meeting.

(d) PROHIBITION ON SITTING DURING JOINT SESSION.—The Committee may not sit during a joint session of the House and Senate or during a recess when a joint meeting of the House and Senate is in progress.

RULE III. MEETINGS AND HEARINGS GENERALLY.

(a) OPEN MEETINGS.—Each meeting for the transaction of business, including the markup of legislation, and each hearing of the Committee or a subcommittee shall be open to the public, except as provided by clause 2(g) of Rule XI of the Rules of the House.

(b) MEETINGS TO BEGIN PROMPTLY.—Each meeting or hearing of the Committee shall begin promptly at the time so stipulated in the public announcement of the meeting or hearing.

(c) ADDRESSING THE COMMITTEE.—A Committee member may address the Committee or a subcommittee on any bill, motion, or other matter under consideration—

(1) only when recognized by the Chairman for that purpose; and

(2) only for 5 minutes until such time as each member of the Committee or subcommittee who so desires has had an opportunity to address the Committee or subcommittee.

A member shall be limited in his or her remarks to the subject matter under consideration. The Chairman shall enforce this subparagraph.

(d) PARTICIPATION OF MEMBERS IN SUBCOMMITTEE MEETINGS AND HEARINGS.—All members of the Committee who are not members of a particular subcommittee may, by unanimous consent of the members of such subcommittee, participate in any subcommittee meeting or hearing. However, a member who is not a member of the subcommittee may not vote on any matter before the subcommittee, be counted for purposes of establishing a quorum, or raise points of order.

(e) BROADCASTING.—Whenever a meeting for the transaction of business, including the markup of legislation, or a hearing is open to the public, that meeting or hearing shall be open to coverage by television, radio, and still photography in accordance with clause 4 of Rule XI of the Rules of the House. Operation and use of any Committee Internet broadcast system shall be fair and nonpartisan and in accordance with clause 4(b) of Rule XI of the Rules of the House and all other applicable rules of the Committee and the House.

(f) ACCESS TO THE DAIS AND LOUNGES.—Access to the hearing rooms' daises and to the lounges adjacent to the Committee hearing rooms shall be limited to Members of Congress and employees of Congress during a meeting or hearing of the Committee unless specifically permitted by the Chairman or ranking minority member.

(g) USE OF CELLULAR TELEPHONES.—The use of cellular telephones in the Committee hearing room is prohibited during a meeting or hearing of the Committee.

RULE IV. POWER TO SIT AND ACT; POWER TO CONDUCT INVESTIGATIONS; OATHS; SUBPOENA POWER.

(a) AUTHORITY TO SIT AND ACT.—For the purpose of carrying out any of its functions and duties under Rules X and XI of the Rules of the House, the Committee and each of its subcommittees, is authorized (subject to paragraph (d)(1))—

(1) to sit and act at such times and places within the United States whether the House is in session, has recessed, or has adjourned and to hold such hearings; and

(2) to require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary.

(b) AUTHORITY TO CONDUCT INVESTIGATIONS.—

(1) IN GENERAL.—The Committee is authorized at any time to conduct such investigations and studies as it may consider necessary or appropriate in the exercise of its responsibilities under Rule X of the Rules of the House and (subject to the adoption of expense resolutions as required by Rule X,

clause 6 of the Rules of the House) to incur expenses (including travel expenses) in connection therewith.

(2) Major investigations by subcommittees.—A subcommittee may not begin a major investigation without approval of a majority of such subcommittee.

(c) Oaths.—The Chairman of the Committee, or any member designated by the Chairman, may administer oaths to any witness.

(d) Issuance of Subpoenas.—

(1) In general.—A subpoena may be issued by the Committee or subcommittee under paragraph (a)(2) in the conduct of any investigation or activity or series of investigations or activities, only when authorized by a majority of the members voting, a majority being present. Such authorized subpoenas shall be signed by the Chairman of the Committee or by any member designated by the Committee. If a specific request for a subpoena has not been previously rejected by either the Committee or subcommittee, the Chairman of the Committee, after consultation with the ranking minority member of the Committee, may authorize and issue a subpoena under paragraph (a)(2) in the conduct of any investigation or activity or series of investigations or activities, and such subpoena shall for all purposes be deemed a subpoena issued by the Committee. As soon as practicable after a subpoena is issued under this rule, the Chairman shall notify all members of the Committee of such action.

(2) Enforcement.—Compliance with any subpoena issued by the Committee or subcommittee under paragraph (a)(2) may be enforced only as authorized or directed by the House.

(e) Expenses of Subpoenaed Witnesses.—Each witness who has been subpoenaed, upon the completion of his or her testimony before the Committee or any subcommittee, may report to the offices of the Committee, and there sign appropriate vouchers for travel allowances and attendance fees. If hearings are held in cities other than Washington, D.C., the witness may contact the counsel of the Committee, or his or her representative, before leaving the hearing room.

RULE V. QUORUMS AND RECORD VOTES; POSTPONEMENT OF VOTES

(a) Working Quorum.—One-third of the members of the Committee or a subcommittee shall constitute a quorum for taking any action other than the closing of a meeting pursuant to clauses 2(g) and 2(k)(5) of Rule XI of the Rules of the House, the authorizing of a subpoena pursuant to paragraph (d) of Committee Rule IV, the reporting of a measure or recommendation pursuant to paragraph (b)(1) of Committee Rule VII, and the actions described in paragraphs (b), (c) and (d) of this rule.

(b) Quorum for Reporting.—A majority of the members of the Committee or a subcommittee shall constitute a quorum for the reporting of a measure or recommendation.

(c) Approval of Certain Matters.—A majority of the members of the Committee or a subcommittee shall constitute a quorum for approval of a resolution concerning any of the following actions:

(1) A prospectus for construction, alteration, purchase or acquisition of a public building or the lease of space as required by section 3307 of title 40, United States Code.

(2) Survey investigation of a proposed project for navigation, flood control, and other purposes by the Corps of Engineers (section 4 of the Rivers and Harbors Act of March 4, 1913, 33 U.S.C. 542).

(3) Construction of a water resources development project by the Corps of Engineers with an estimated Federal cost not exceeding $15,000,000 (section 201 of the Flood Control Act of 1965).

(4) Deletion of water quality storage in a Federal reservoir project where the benefits attributable to water quality are 15 percent or more but not greater than 25 percent of the total project benefits (section 65 of the Water Resources Development Act of 1974).

(5) Authorization of a Natural Resources Conservation Service watershed project involving any single structure of more than 4,000 acre feet of total capacity (section 2 of P.L. 566, 83rd Congress).

(d) Quorum for Taking Testimony.—Two members of the Committee or subcommittee shall constitute a quorum for the purpose of taking testimony and receiving evidence.

(e) Record Votes.—A record vote may be demanded by one-fifth of the members present.

(f) Postponement of Votes.—

(1) In general.—In accordance with clause 2(h)(4) of Rule XI of the Rules of the House, the Chairman of the Committee or a subcommittee, after consultation with the ranking minority member of the Committee or subcommittee, may—

(A) postpone further proceedings when a record vote is ordered on the question of approving a measure or matter or on adopting an amendment; and

(B) resume proceedings on a postponed question at any time after reasonable notice.

(2) Resumption of proceedings.—When proceedings resume on a postponed question, notwithstanding any intervening order for the previous question, an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

RULE VI. HEARING PROCEDURES.

(a) Announcement of Hearing.—The Chairman, in the case of a hearing to be conducted by the Committee, and the appropriate subcommittee chairman, in the case of a hearing to be conducted by a subcommittee, shall make public announcement of the date, place, and subject matter of such hearing at least one week before the hearing. If the Chairman or the appropriate subcommittee chairman, as the case may be, with the concurrence of the ranking minority member of the Committee or subcommittee as appropriate, determines there is good cause to begin the hearing sooner, or if the Committee or subcommittee so determines by majority vote, a quorum being present for the transaction of business, the Chairman shall make the announcement at the earliest possible date. The clerk of the Committee shall promptly notify the Daily Digest Clerk of the Congressional Record as soon as possible after such public announcement is made.

(b) Written Statement; Oral Testimony.—So far as practicable, each witness who is to appear before the Committee or a subcommittee shall file with the clerk of the Committee or subcommittee, at least 2 working days before the day of his or her appearance, a written statement of proposed testimony and shall limit his or her oral presentation to a summary of the written statement.

(c) Minority Witnesses.—When any hearing is conducted by the Committee or any subcommittee upon any measure or matter, the minority party members on the Committee or subcommittee shall be entitled, upon request to the Chairman by a majority of those minority members before the completion of such hearing, to call witnesses selected by the minority to testify with respect to that measure or matter during at least one day of hearing thereon.

(d) Summary of Subject Matter.—Upon announcement of a hearing, to the extent practicable, the Committee shall make available immediately to all members of the Committee a concise summary of the subject matter (including legislative reports and other material) under consideration. In addition, upon announcement of a hearing and subsequently as they are received, the Chairman shall make available to the members of the Committee any official reports from departments and agencies on such matter.

(e) Questioning of Witnesses.—The questioning of witnesses in Committee and subcommittee hearings shall be initiated by the Chairman, followed by the ranking minority member and all other members alternating between the majority and minority parties. In recognizing members to question witnesses in this fashion, the Chairman shall take into consideration the ratio of the majority to minority members present and shall establish the order of recognition for questioning in such a manner as not to disadvantage the members of the majority nor the members of the minority. The Chairman may accomplish this by recognizing two majority members for each minority member recognized.

(f) Procedures for Questions.—

(1) In general.—A Committee member may question a witness at a hearing—

(A) only when recognized by the Chairman for that purpose; and

(B) subject to subparagraphs (2) and (3), only for 5 minutes until such time as each member of the Committee or subcommittee who so desires has had an opportunity to question the witness.

A member shall be limited in his or her remarks to the subject matter under consideration. The Chairman shall enforce this paragraph.

(2) Extended questioning of witnesses by members.—The Chairman of the Committee or a subcommittee, with the concurrence of the ranking minority member, or the Committee or subcommittee by motion, may permit a specified number of its members to question a witness for longer than 5 minutes. The time for extended questioning of a witness under this subdivision shall be equal for the majority party and minority party and may not exceed one hour in the aggregate.

(3) Extended questioning of witnesses by staff.—The Chairman of the Committee or a subcommittee, with the concurrence of the ranking minority member, or the Committee or subcommittee by motion, may permit committee staff for its majority and minority party members to question a witness for equal specified periods. The time for extended questioning of a witness under this subdivision shall be equal for the majority party and minority party and may not exceed one hour in the aggregate.

(4) Right to question witnesses following extended questioning.—Nothing in subparagraph (2) or (3) affects the right of a Member (other than a Member designated under subparagraph (2)) to question a witness for 5 minutes in accordance with subparagraph (1)(B) after the questioning permitted under subparagraph (2) or (3).

(g) Additional Hearing Procedures.—Clause 2(k) of Rule XI of the Rules of the House (relating to additional rules for hearings) applies to hearings of the Committee and its subcommittees.

RULE VII. PROCEDURES FOR REPORTING BILLS, RESOLUTIONS, AND REPORTS.

(a) Filing of Reports.—

(1) In general.—The Chairman of the Committee shall report promptly to the House any measure or matter approved by the Committee and take necessary steps to bring the measure or matter to a vote.

(2) Requests for reporting.—The report of the Committee on a measure or matter which has been approved by the Committee shall be filed within 7 calendar days (exclusive of days on which the House is not in session) after the day on which there has been filed with the clerk of the Committee a written request, signed by a majority of the members of the Committee, for the reporting of that measure or matter. Upon the filing of any such request, the clerk of the Committee shall transmit immediately to the Chairman of the Committee notice of the filing of that request.

(b) Quorum; Record Votes.—

(1) Quorum.—No measure, matter, or recommendation shall be reported from the Committee unless a majority of the Committee was actually present.

(2) Record votes.—With respect to each record vote on a motion to report any measure or matter of a public character, and on any amendment offered to the measure or matter, the total number of votes cast for and against, and the names of those members voting for and against, shall be included in the Committee report on the measure or matter.

(c) Required Matters.—The report of the Committee on a measure or matter which has been approved by the Committee shall include the items required to be included by clauses 2(c) and 3 of Rule XIII of the Rules of the House.

(d) Additional Views.—If, at the time of approval of any measure or matter by the Committee, any member of the Committee gives notice of intention to file supplemental, minority, or additional views, that member shall be entitled to not less than two additional calendar days after the day of such notice (excluding Saturdays, Sundays, and legal holidays) in which to file such views in accordance with clause 2(l) of Rule XI of the Rules of the House.

(e) Activities Report.—

(1) In general.—The Committee shall submit to the House, not later than January 2 of each odd-numbered year, a report on the activities of the Committee under Rules X and XI of the Rules of the House during the Congress ending on January 3 of such year.

(2) Contents.—Such report shall include separate sections summarizing the legislative and oversight activities of the Committee during that Congress.

(3) Oversight section.—The oversight section of such report shall include a summary of the oversight plans submitted by the Committee pursuant to clause 2(d) of Rule X of the Rules of the House, a summary of the actions taken and recommendations made with respect to each such plan, and a summary of any additional oversight activities undertaken by the Committee, and any recommendations made or actions taken thereon.

(f) Other Committee Materials.—

(1) In general.—All Committee and subcommittee prints, reports, documents, or other materials, not otherwise provided for under this rule, that purport to express publicly the views of the Committee or any of its subcommittees or members of the Committee or its subcommittees shall be approved by the Committee or the subcommittee prior to printing and distribution and any member shall be given an opportunity to have views included as part of such material prior to printing, release, and distribution in accordance with paragraph (d) of this rule.

(2) Documents containing views other than member views.—A Committee or subcommittee document containing views other than those of members of the Committee or subcommittee shall not be published without approval of the Committee or subcommittee.

(3) Disclaimer.—All Committee or subcommittee reports printed pursuant to legislative study or investigation and not approved by a majority vote of the Committee or subcommittee, as appropriate, shall contain the following disclaimer on the cover of such report: "This report has not been officially adopted by the Committee on (or pertinent subcommittee thereof) and may not therefore necessarily reflect the views of its members.".

(4) Compilations of laws.—To the maximum extent practicable, the Committee shall publish a compilation of laws under the jurisdiction of each subcommittee.

(g) Availability of Publications.—Pursuant to clause 2(e)(4) of Rule XI of the Rules of the House, the Committee shall make its publications available in electronic form to the maximum extent feasible.

RULE VIII. ESTABLISHMENT OF SUBCOMMITTEES; SIZE AND PARTY RATIOS.

(a) Establishment.—There shall be 6 standing subcommittees. These subcommittees, with the following sizes (including delegates) and majority/minority ratios, are:

(1) Subcommittee on Aviation (48 Members: 26 Majority and 22 Minority).

(2) Subcommittee on Coast Guard and Maritime Transportation (16 Members: 9 Majority and 7 Minority).

(3) Subcommittee on Economic Development, Public Buildings, and Emergency Management (14 Members: 8 Majority and 6 Minority).

(4) Subcommittee on Highways and Transit (53 Members: 29 Majority and 24 Minority).

(5) Subcommittee on Railroads, Pipelines, and Hazardous Materials (31 Members: 17 Majority and 14 Minority).

(6) Subcommittee on Water Resources and Environment (40 Members: 22 Majority and 18 Minority).

(b) Ex Officio Members.—The Chairman and ranking minority member of the Committee shall serve as ex officio voting members on each subcommittee.

(c) Ratios.—On each subcommittee there shall be a ratio of majority party members to minority party members which shall be no less favorable to the majority party than the ratio for the full Committee. In calculating the ratio of majority party members to minority party members, there shall be included the ex officio members of the subcommittees.

RULE IX. POWERS AND DUTIES OF SUBCOMMITTEES.

(a) Authority to Sit.—Each subcommittee is authorized to meet, hold hearings, receive evidence, and report to the full Committee on all matters referred to it or under its jurisdiction. Subcommittee chairmen shall set dates for hearings and meetings of their respective subcommittees after consultation with the Chairman and other subcommittee chairmen with a view toward avoiding simultaneous scheduling of full Committee and subcommittee meetings or hearings whenever possible.

(b) Consideration by Committee.—Each bill, resolution, or other matter favorably reported by a subcommittee shall automatically be placed upon the agenda of the Committee. Any such matter reported by a subcommittee shall not be considered by the Committee unless it has been delivered to the offices of all members of the Committee at least 48 hours before the meeting, unless the Chairman determines that the matter is of such urgency that it should be given early consideration. Where practicable, such matters shall be accompanied by a comparison with present law and a section-by-section analysis.

RULE X. REFERRAL OF LEGISLATION TO SUBCOMMITTEES.

(a) General Requirement.—Except where the Chairman of the Committee determines, in consultation with the majority members of the Committee, that consideration is to be by the full Committee, each bill, resolution, investigation, or other matter which relates to a subject listed under the jurisdiction of any subcommittee established in Committee Rule VIII referred to or initiated by the full Committee shall be referred by the Chairman to all subcommittees of appropriate jurisdiction within two weeks. All bills shall be referred to the subcommittee of proper jurisdiction without regard to whether the author is or is not a member of the subcommittee.

(b) Recall from Subcommittee.—A bill, resolution, or other matter referred to a subcommittee in accordance with this rule may be recalled therefrom at any time by a vote of a majority of the members of the Committee voting, a quorum being present, for the Committee's direct consideration or for reference to another subcommittee.

(c) Multiple Referrals.—In carrying out this rule with respect to any matter, the Chairman may refer the matter simultaneously to two or more subcommittees for concurrent consideration or for consideration in sequence (subject to appropriate time limitations in the case of any subcommittee after the first), or divide the matter into two or more parts (reflecting different subjects and jurisdictions) and refer each such part to a different subcommittee, or make such other provisions as he or she considers appropriate.

RULE XI. RECOMMENDATION OF CONFEREES.

The Chairman of the Committee shall recommend to the Speaker as conferees the names of those members (1) of the majority party selected by the Chairman, and (2) of the minority party selected by the ranking minority member of the Committee. Recommendations of conferees to the Speaker shall provide a ratio of majority party members to minority party members which shall be no less favorable to the majority party than the ratio for the Committee.

RULE XII. OVERSIGHT.

(a) Purpose.—The Committee shall carry out oversight responsibilities as provided in this rule in order to assist the House in—

(1) its analysis, appraisal, and evaluation of—

(A) the application, administration, execution, and effectiveness of the laws enacted by the Congress; or

(B) conditions and circumstances which may indicate the necessity or desirability of enacting new or additional legislation; and

(2) its formulation, consideration, and enactment of such modifications or changes in those laws, and of such additional legislation, as may be necessary or appropriate.

(b) Oversight Plan.—Not later than February 15 of the first session of each Congress, the Committee shall adopt its oversight plans for that Congress in accordance with clause 2(d)(1) of Rule X of the Rules of the House.

(c) Review of Laws and Programs.—The Committee and the appropriate subcommittees shall cooperatively review and study, on a continuing basis, the application, administration, execution, and effectiveness of those laws, or parts of laws, the subject matter of which is within the jurisdiction of the Committee, and the organization and operation of the Federal agencies and entities having responsibilities in or for the administration and execution thereof, in order to determine whether such laws and the programs thereunder are being implemented and carried out in accordance with the intent of the Congress and whether such programs should be continued, curtailed, or eliminated. In addition, the Committee and the appropriate subcommittees shall cooperatively review and study any conditions or circumstances which may indicate the necessity or desirability of enacting new or additional legislation within the jurisdiction of the Committee (whether or not any bill or resolution has been introduced with respect thereto), and shall on a continuing basis undertake future research and forecasting on matters within the jurisdiction of the Committee.

(d) Review of Tax Policies.—The Committee and the appropriate subcommittees shall cooperatively review and study on a continuing basis the impact or probable impact of tax policies affecting subjects within the jurisdiction of the Committee.

RULE XIII. REVIEW OF CONTINUING PROGRAMS; BUDGET ACT PROVISIONS.

(a) Ensuring Annual Appropriations.—The Committee shall, in its consideration of all bills and joint resolutions of a public character within its jurisdiction, ensure that appropriations for continuing programs and activities of the Federal Government and the District of Columbia government will be made annually to the maximum extent feasible and consistent with the nature, requirements, and objectives of the programs and activities involved.

(b) Review of Multi-Year Appropriations.—The Committee shall review, from time to time, each continuing program within its jurisdiction for which appropriations are not made annually in order to ascertain whether such program could be modified so that appropriations therefore would be made annually.

(c) Views and Estimates.—In accordance with clause 4(f)(1) of Rule X of the Rules of the House, the Committee shall submit to the Committee on the Budget—

(1) its views and estimates with respect to all matters to be set forth in the concurrent resolution on the budget for the ensuing fiscal year which are within its jurisdiction or functions; and

(2) an estimate of the total amount of new budget authority, and budget outlays resulting therefrom, to be provided or authorized in all bills and resolutions within its jurisdiction which it intends to be effective during that fiscal year.

(d) Budget Allocations.—As soon as practicable after a concurrent resolution on the budget for any fiscal year is agreed to, the Committee (after consulting with the appropriate committee or committees of the Senate) shall subdivide any allocations made to it in the joint explanatory statement accompanying the conference report on such resolution, and promptly report such subdivisions to the House, in the manner provided by section 302 of the Congressional Budget Act of 1974.

(e) Reconciliation.—Whenever the Committee is directed in a concurrent resolution on the budget to determine and recommend changes in laws, bills, or resolutions under the reconciliation process, it shall promptly make such determination and recommendations, and report a reconciliation bill or resolution (or both) to the House or submit such recommendations to the Committee on the Budget, in accordance with the Congressional Budget Act of 1974.

RULE XIV. RECORDS.

(a) Keeping of Records.—The Committee shall keep a complete record of all Committee action which shall include—

(1) in the case of any meeting or hearing transcripts, a substantially verbatim account of remarks actually made during the proceedings, subject only to technical, grammatical, and typographical corrections authorized by the person making the remarks involved; and

(2) a record of the votes on any question on which a record vote is demanded.

(b) Public Inspection.—The result of each such record vote shall be made available by the Committee for inspection by the public at reasonable times in the offices of the Committee. Information so available for public inspection shall include a description of the amendment, motion, order, or other proposition and the name of each member voting for and each member voting against such amendment, motion, order, or proposition, and the names of those members present but not voting.

(c) Property of the House.—All Committee hearings, records, data, charts, and files shall be kept separate and distinct from the congressional office records of the member serving as Chairman of the Committee; and such records shall be the property of the House and all members of the House shall have access thereto.

(d) Availability of Archived Records.—The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with Rule VII of the Rules of the House. The Chairman shall notify the ranking minority member of the Committee of any decision, pursuant to clause 3(b)(3) or clause 4(b) of such rule, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination on written request of any member of the Committee.

(e) Authority To Print.—The Committee is authorized to have printed and bound testimony and other data presented at hearings held by the Committee. All costs of stenographic services and transcripts in connection with any meeting or hearing of the Committee shall be paid as provided in clause 1(c) of Rule XI of the House.

RULE XV. COMMITTEE BUDGETS.

(a) Biennial Budget.—The Chairman, in consultation with the chairman of each subcommittee, the majority members of the Committee, and the minority members of the Committee, shall, for each Congress, prepare a consolidated Committee budget. Such budget shall include necessary amounts for staff personnel, necessary travel, investigation, and other expenses of the Committee.

(b) Additional Expenses.—Authorization for the payment of additional or unforeseen Committee expenses may be procured by one or more additional expense resolutions processed in the same manner as set out herein.

(c) Travel Requests.—The Chairman or any chairman of a subcommittee may initiate necessary travel requests as provided in Committee Rule XVII within the limits of the consolidated budget as approved by the House and the Chairman may execute necessary vouchers thereof.

(d) Monthly Reports.—Once monthly, the Chairman shall submit to the Committee on House Administration, in writing, a full and detailed accounting of all expenditures made during the period since the last such accounting from the amount budgeted to the Committee. Such report shall show the amount and purpose of such expenditure and the budget to which such expenditure is attributed. A copy of such monthly report shall be available in the Committee office for review by members of the Committee.

RULE XVI. COMMITTEE STAFF.

(a) Appointment by Chairman.—The Chairman shall appoint and determine the remuneration of, and may remove, the employees of the Committee not assigned to the minority. The staff of the Committee not assigned to the minority shall be under the general supervision and direction of the Chairman, who shall establish and assign the duties and responsibilities of such staff members and delegate such authority as he or she determines appropriate.

(b) Appointment by Ranking Minority Member.—The ranking minority member of the Committee shall appoint and determine the remuneration of, and may remove, the staff assigned to the minority within the budget approved for such purposes. The staff assigned to the minority shall be under the general supervision and direction of the ranking minority member of the Committee who may delegate such authority as he or she determines appropriate.

(c) Intention Regarding Staff.—It is intended that the skills and experience of all members of the Committee staff shall be available to all members of the Committee.

RULE XVII. TRAVEL OF MEMBERS AND STAFF.

(a) Approval.—Consistent with the primary expense resolution and such additional expense resolutions as may have been approved, the provisions of this rule shall govern travel of Committee members and staff. Travel to be reimbursed from funds set aside for the Committee for any member or any staff member shall be paid only upon the prior authorization of the Chairman. Travel shall be authorized by the Chairman for any member and any staff member in connection with the attendance of hearings conducted by the Committee or any subcommittee and meetings, conferences, and investigations which involve activities or subject matter under the general jurisdiction of the Committee. Before such authorization is given there shall be submitted to the Chairman in writing the following:

(1) The purpose of the travel.

(2) The dates during which the travel is to be made and the date or dates of the event for which the travel is being made.

(3) The location of the event for which the travel is to be made.

(4) The names of members and staff seeking authorization.

(b) Subcommittee Travel.—In the case of travel of members and staff of a subcommittee to hearings, meetings, conferences, and investigations involving activities or subject matter under the legislative assignment of such subcommittee, prior authorization must be obtained from the subcommittee chairman and the Chairman. Such prior authorization shall be given by the Chairman only upon the representation by the chairman of such subcommittee in writing setting forth those items enumerated in subparagraphs (1), (2), (3), and (4) of paragraph (a) and that there has been a compliance where applicable with Committee Rule VI.

(c) Travel Outside the United States.—

(1) In general.—In the case of travel outside the United States of members and staff of the Committee or of a subcommittee for

the purpose of conducting hearings, investigations, studies, or attending meetings and conferences involving activities or subject matter under the legislative assignment of the Committee or pertinent subcommittee, prior authorization must be obtained from the Chairman, or, in the case of a subcommittee from the subcommittee chairman and the Chairman. Before such authorization is given there shall be submitted to the Chairman, in writing, a request for such authorization. Each request, which shall be filed in a manner that allows for a reasonable period of time for review before such travel is scheduled to begin, shall include the following:

(A) The purpose of the travel.

(B) The dates during which the travel will occur.

(C) The names of the countries to be visited and the length of time to be spent in each.

(D) An agenda of anticipated activities for each country for which travel is authorized together with a description of the purpose to be served and the areas of Committee jurisdiction involved.

(E) The names of members and staff for whom authorization is sought.

(2) INITIATION OF REQUESTS.—Requests for travel outside the United States may be initiated by the Chairman or the chairman of a subcommittee (except that individuals may submit a request to the Chairman for the purpose of attending a conference or meeting) and shall be limited to members and permanent employees of the Committee.

(3) REPORTS BY STAFF MEMBERS.—At the conclusion of any hearing, investigation, study, meeting, or conference for which travel has been authorized pursuant to this rule, each staff member involved in such travel shall submit a written report to the Chairman covering the activities and other pertinent observations or information gained as a result of such travel.

(d) APPLICABILITY OF LAWS, RULES, POLICIES.—Members and staff of the Committee performing authorized travel on official business shall be governed by applicable laws, resolutions, or regulations of the House and of the Committee on House Administration pertaining to such travel, and by the travel policy of the Committee.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BOUSTANY (at the request of Mr. BOEHNER) from noon today and for the balance of the week on account of attending a family member's funeral.

Mr. LOBIONDO (at the request of Mr. BOEHNER) for today and the balance of the week on account of attending the funeral of his father-in-law.

ADJOURNMENT

Mrs. DAVIS of California. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 13 minutes a.m.), under its previous order, the House adjourned until today, Friday, February 16, 2007, at 8 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

607. A letter from the Director, Regulations Policy and Mgmt. Staff, Department of Health and Human Services, transmitting the Department's final rule — Food Labeling: Nutrition Labeling of Dietary Supplements on a "Per Day"Basis [Docket No. 1998P-0043] received December 29, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

608. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Changes in accounting periods and in methods of accounting (Rev. Proc. 2007-14) received December 22, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

609. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Notice on Temporary Section 482 Regulations [Notice 2007-5] received January 3, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

610. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — TD 9281 Effective Date [Notice 2007-1] received January 3, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

611. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Taxation of Fringe Benefits (Rev. Proc. 2007-11) received January 3, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. RANGEL: Committee on Ways and Means. H.R. 976. A bill to amend the Internal Revenue Code of 1986 to provide tax relief for small businesses, and for other purposes; with an amendment (Rept. 110–14). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. BOEHNER (for himself, Mr. BLUNT, Mr. PUTNAM, Mr. CANTOR, Mr. MCCOTTER, Mr. COLE of Oklahoma, Ms. GRANGER, Mr. CARTER, Mr. DREIER, Ms. ROS-LEHTINEN, Mr. HUNTER, Mr. HOEKSTRA, Mr. KING of New York, Mr. LEWIS of California, Mr. ALEXANDER, Mr. BACHUS, Mrs. BIGGERT, Mr. BONNER, Mr. BOUSTANY, Mr. BURTON of Indiana, Mr. CALVERT, Mr. CHABOT, Mr. CULBERSON, Mr. DAVID DAVIS of Tennessee, Mr. DOOLITTLE, Mrs. DRAKE, Ms. FALLIN, Mr. FORTENBERRY, Mr. FORTUÑO, Ms. FOXX, Mr. GALLEGLY, Mr. GILCHREST, Mr. GOHMERT, Mr. HASTINGS of Washington, Mr. INGLIS of South Carolina, Mr. KELLER, Mr. KLINE of Minnesota, Mr. KNOLLENBERG, Mr. KUHL of New York, Mr. LAMBORN, Mr. LAHOOD, Mr. LATOURETTE, Mr. MCCARTHY of California, Mr. MCCAUL of Texas, Mr. MCHUGH, Mr. MCKEON, Mr. MANZULLO, Mr. MARCHANT, Mrs. MILLER of Michigan, Mr. TIM MURPHY of Pennsylvania, Mr. NEUGEBAUER, Mr. NUNES, Mr. PLATTS, Mr. PETRI, Mr. POE, Mr. PORTER, Mr. PRICE of Georgia, Ms. PRYCE of Ohio, Mr. REHBERG, Mr. REICHERT, Mr. ROGERS of Kentucky, Mr. ROSKAM, Mr. SALI, Mr. SAXTON, Mrs. SCHMIDT, Mr. SENSENBRENNER, Mr. SESSIONS, Mr. SHAYS, Mr. SHUSTER, Mr. SMITH of Nebraska, Mr. SMITH of Texas, Mr. STEARNS, Mr. TANCREDO, Mr. TIAHRT, Mr. TERRY, Mr. TIBERI, Mr. THORNBERRY, Mr. WALBERG, Mr. WAMP, and Mr. WILSON of South Carolina):

H.R. 1062. A bill to require the President to report to Congress on the extent to which the Government of Iraq is fully cooperating with United States stability efforts in Iraq and is making demonstrable progress toward achieving stability and security for the people of Iraq and denying terrorists a sanctuary in Iraq, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ROS-LEHTINEN (for herself, Mr. SMITH of New Jersey, Mr. PUTNAM, Mr. SMITH of Nebraska, Mr. MOLLOHAN, Mr. CRENSHAW, Mrs. CUBIN, Mr. STUPAK, Mr. SALI, Mr. SHUSTER, Mr. GOODLATTE, Mrs MCMORRIS RODGERS, Mr. BOUSTANY, Mr. BURTON of Indiana, Mr. DANIEL E. LUNGREN of California, Mr. LIPINSKI, Mr. WELDON of Florida, Mr. DAVID DAVIS of Tennessee, Mr. MANZULLO, Mr. LAMBORN, Mr. HUNTER, Mr. CANTOR, Mr. WOLF, Mr. DAVIS of Kentucky, Mr. RADANOVICH, Mr. BARRETT of South Carolina, Mr. ROGERS of Kentucky, Mr. FORBES, Mr. KINGSTON, Mr. OBERSTAR, Mrs. SCHMIDT, Mr. HENSARLING, Mr. MILLER of Florida, Mr. FORTENBERRY, Mr. JORDAN, Mr. DONNELLY, Mr. PITTS, Mr. WILSON of South Carolina, Mr. BOOZMAN, Mr. CARTER, Mr. DOOLITTLE, Mr. KLINE of Minnesota, Mr. KUHL of New York, Mr. LINDER, Mr. MICA, Mr. SHADEGG, Mr. SHIMKUS, Mr. SULLIVAN, Mrs. DRAKE, Mr. TERRY, Mr. LINCOLN DAVIS of Tennessee, Mr. LINCOLN DIAZ-BALART of Florida, Mr. FORTUÑO, Mr. WESTMORELAND, Mrs. MUSGRAVE, Mr. MARIO DIAZ-BALART of Florida, Mr. SOUDER, Mrs. BLACKBURN, Mr. MCCAUL of Texas, Mrs. BACHMANN, Mr. CONAWAY, Mr. FERGUSON, Mr. MCINTYRE, Mr. PENCE, Mr. ROGERS of Michigan, Mr. MCHENRY, Mr. TIBERI, Mr. RYAN of Wisconsin, Mr. HOEKSTRA, Mr. KING of New York, Mr. SESSIONS, Mr. ROSKAM, Mr. GINGREY, Mr. HALL of Texas, Mr. NEUGEBAUER, Mr. LAHOOD, Mr. BAKER, Mr. RENZI, Mr. BISHOP of Utah, Mr. HAYES, Mr. WICKER, Mr. LEWIS of Kentucky, Mr. BARTLETT of Maryland, Mr. BLUNT, Mr. SAM JOHNSON of Texas, Mr. GARRETT of New Jersey, Mr. BUYER, Mr. CHABOT, Mr. KING of Iowa, Mr. PEARCE, Mr.

LaTOURETTE, Mrs. MYRICK, Mr. POE, Mr. TIM MURPHY of Pennsylvania, Mr. WALBERG, Mr. AKIN, Mr. PLATTS, Mr. TIAHRT, Mr. FEENEY, Mr. TANCREDO, Mr. FRANKS of Arizona, Mr. BUCHANAN, Mr. EHLERS, Mr. GOODE, Ms. FOXX, and Mr. HERGER):

H.R. 1063. A bill to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions; to the Committee on the Judiciary.

By Mr. BACA (for himself, Mr. MOORE of Kansas, Ms. McCOLLUM of Minnesota, Mr. VAN HOLLEN, Mr. FARR, Mrs. MALONEY of New York, Mr. FORTUÑO, Mr. MORAN of Virginia, Mr. McDERMOTT, Mr. CONYERS, Mr. CLEAVER, Mr. DINGELL, Mr. NEAL of Massachusetts, Mrs. McCARTHY of New York, Mr. ELLISON, Mr. BURTON of Indiana, Mrs. JONES of Ohio, Mr. AL GREEN of Texas, Mr. NADLER, Mr. STARK, Mr. SCOTT of Georgia, Ms. HOOLEY, Mrs. BOYDA of Kansas, Mr. MICHAUD, Mr. KLEIN of Florida, Mr. McINTYRE, Mr. KILDEE, Mr. GEORGE MILLER of California, Mr. SHAYS, Mr. GRIJALVA, Ms. ROYBAL-ALLARD, Mr. TERRY, Mr. BOSWELL, Mr. GENE GREEN of Texas, Mr. DENT, Mr. HINCHEY, Mr. HINOJOSA, Mr. CHANDLER, Mr. WEINER, Mr. SHIMKUS, Ms. WASSERMAN SCHULTZ, Mr. COOPER, Mr. HONDA, Mr. HOLT, Mr. ORTIZ, Mr. YOUNG of Alaska, Mr. HALL of Texas, Mrs. SCHMIDT, Mr. BERMAN, Mr. PRICE of North Carolina, Mr. DELAHUNT, Ms. KAPTUR, Ms. KILPATRICK, Mr. PATRICK MURPHY of Pennsylvania, Ms. HIRONO, Mr. ENGEL, Mr. ABERCROMBIE, Ms. BERKLEY, Mr. SHERMAN, Mr. KING of New York, and Mr. DOGGETT):

H.R. 1064. A bill to amend title 39, United States Code, to extend for 2 years the provisions under which the special postage stamp for breast cancer research is issued; to the Committee on Oversight and Government Reform, and in addition to the Committees on Energy and Commerce, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MOORE of Kansas (for himself, Ms. GINNY BROWN-WAITE of Florida, Mr. KANJORSKI, Mrs. MALONEY of New York, Mr. SCOTT of Georgia, Mr. KLEIN of Florida, Ms. BEAN, Mrs. McCARTHY of New York, Ms. MOORE of Wisconsin, Mr. CLEAVER, Ms. WASSERMAN SCHULTZ, Mr. CROWLEY, Mr. ISRAEL, Mr. CLAY, Mr. MURPHY of Connecticut, Mr. DELAHUNT, Mr. WEXLER, Mr. MILLER of North Carolina, Mr. DONNELLY, Mr. SHERMAN, Mr. BACHUS, Mr. BAKER, Mr. KING of New York, Mr. MARIO DIAZ-BALART of Florida, Mrs. BIGGERT, Mr. GARRETT of New Jersey, Mr. FEENEY, Mr. BILIRAKIS, Mr. PUTNAM, Mr. BUCHANAN, Mr. CAMPBELL of California, Mr. MANZULLO, Mr. SHAYS, Mr. GILLMOR, Mr. McHENRY, Mrs. CAPITO, Mr. GARY G. MILLER of California, Mr. PEARCE, Mr. FOSSELLA, Mr. LUCAS, Mr. NEUGEBAUER, Ms. CASTOR, Mr. CASTLE, Mr. RENZI, and Mr. HOLDEN):

H.R. 1065. A bill to streamline the regulation of nonadmitted insurance and reinsurance, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FRANK of Massachusetts (for himself and Mr. BACHUS):

H.R. 1066. A bill to increase community development investments by depository institutions, and for other purposes; to the Committee on Financial Services.

By Mr. BAIRD:

H.R. 1067. A bill to establish a Federal coordination and planning process for advanced research instrumentation and facilities; to the Committee on Science and Technology, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BAIRD (for himself and Mrs. BIGGERT):

H.R. 1068. A bill to amend the High-Performance Computing Act of 1991; to the Committee on Science and Technology.

By Mr. BACA:

H.R. 1069. A bill to provide Federal coordination and assistance in preventing gang violence; to the Committee on the Judiciary, and in addition to the Committees on Education and Labor, Energy and Commerce, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BACA:

H.R. 1070. A bill to allow postal patrons to contribute to funding for gang prevention programs through the voluntary purchase of certain specially issued postage stamps; to the Committee on Oversight and Government Reform, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MALONEY of New York (for herself, Mr. KING of New York, Mr. NADLER, Mr. SERRANO, Mr. ISRAEL, Mr. ENGEL, Mr. BERMAN, Ms. SCHAKOWSKY, Mr. HARE, and Mr. RANGEL):

H.R. 1071. A bill to provide the nonimmigrant spouses and children of nonimmigrant aliens who perished in the September 11 terrorist attacks an opportunity to adjust their status to that of an alien lawfully admitted for permanent residence, and for other purposes; to the Committee on the Judiciary.

By Mrs. MALONEY of New York (for herself, Ms. PRYCE of Ohio, Mr. VAN HOLLEN, Mrs. CAPPS, Ms. DeLAURO, Ms. NORTON, Mr. CROWLEY, Mrs. LOWEY, Mr. MARSHALL, Ms. SLAUGHTER, Ms. SUTTON, and Mr. FATTAH):

H.R. 1072. A bill to improve the health of women through the establishment of Offices of Women's Health within the Department of Health and Human Services; to the Committee on Energy and Commerce.

By Mr. FILNER (for himself and Mr. McHUGH):

H.R. 1073. A bill to amend the definition of a law enforcement officer under subchapter III of chapter 83 and chapter 84 of title 5, United States Code, respectively, to ensure the inclusion of certain positions; to the Committee on Oversight and Government Reform.

By Mr. RYAN of Ohio (for himself, Ms. DeLAURO, Mr. LANGEVIN, Ms. HERSETH, Mr. EMANUEL, Ms. ESHOO, Ms. KAPTUR, Mr. KILDEE, Ms. McCOLLUM of Minnesota, Mr. PRICE of North Carolina, Mr. DOYLE, Mrs. MALONEY of New York, Mr. KENNEDY, Mr. GEORGE MILLER of California, Mr. KUCINICH, Mr. MORAN of Virginia, Mr. CROWLEY, Mr. SMITH of Washington, Mr. COURTNEY, Mr. McGOVERN, Ms. WASSERMAN SCHULTZ, Mr. LARSON of Connecticut, Mr. PATRICK MURPHY of Pennsylvania, Mr. OBEY, Mr. DeFAZIO, and Mr. BLUMENAUER):

H.R. 1074. A bill to provide for programs that reduce the number of unplanned pregnancies, reduce the need for abortion, help women bear healthy children, and support new parents; to the Committee on Energy and Commerce, and in addition to the Committees on Education and Labor, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BORDALLO (for herself and Mrs. CHRISTENSEN):

H.R. 1075. A bill to establish the United States Territories Infrastructure Bond Bank, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BURGESS (for himself, Mr. STUPAK, Mr. McCOTTER, and Mr. KAGEN):

H.R. 1076. A bill to promote health care coverage parity for individuals participating in legal recreational activities or legal transportation activities; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CAMPBELL of California (for himself, Mr. DANIEL E. LUNGREN of California, Mr. CANTOR, Mr. FEENEY, Mr. GOODE, Mr. GOHMERT, Mr. PRICE of Georgia, Mr. DOOLITTLE, Mr. LAMBORN, Mr. SALI, Mr. GOODLATTE, Ms. ZOE LOFGREN of California, Mr. MILLER of Florida, Mr. MACK, Mr. GARRETT of New Jersey, Mr. GARY G. MILLER of California, Mr. SESSIONS, Mr. McCARTHY of California, Mr. ROHRABACHER, Mrs. BLACKBURN, Mr. FOSSELLA, Mr. DREIER, Mr. PENCE, Mr. KLINE of Minnesota, Mr. WILSON of South Carolina, and Mr. BARRETT of South Carolina):

H.R. 1077. A bill to amend the Internet Tax Freedom Act to make permanent the moratorium on certain taxes relating to the Internet and to electronic commerce; to the Committee on the Judiciary.

By Mrs. CAPPS (for herself and Mr. TOM DAVIS of Virginia):

H.R. 1078. A bill to amend title XVIII of the Social Security Act to provide for coverage of comprehensive cancer care planning under the Medicare Program and to improve the care furnished to individuals diagnosed with cancer by establishing a Medicare hospice care demonstration program and grants programs for cancer palliative care and symptom management programs, provider education, and related research; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARNAHAN (for himself, Mr. SKELTON, Mr. HOEKSTRA, Mr. LATOURETTE, Mr. MCCOTTER, and Mr. GRAVES):

H.R. 1079. A bill to amend title 49, United States Code, to limit fees imposed in connection with background checks for the issuance of licenses to operate a motor vehicle transporting a hazardous material, and for other purposes; to the Committee on Homeland Security, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CUBIN (for herself and Mr. UDALL of Colorado):

H.R. 1080. A bill to modify the boundaries of Grand Teton National Park to include certain land within the GT Park Subdivision, and for other purposes; to the Committee on Natural Resources.

By Mr. DEFAZIO (for himself, Mr. TAYLOR, Mr. JINDAL, Mr. MELANCON, Mr. ALEXANDER, and Mr. JONES of North Carolina):

H.R. 1081. A bill to further competition in the insurance industry; to the Committee on the Judiciary, and in addition to the Committees on Energy and Commerce, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DELAURO (for herself, Ms. ROS-LEHTINEN, Mr. KENNEDY, Mr. JOHNSON of Georgia, Ms. LEE, Ms. JACKSON-LEE of Texas, and Mr. MOORE of Kansas):

H.R. 1082. A bill to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to improve the health and well-being of maltreated infants and toddlers through the creation of a National Court Teams Resource Center, to assist local Court Teams, and for other purposes; to the Committee on Education and Labor.

By Mr. ENGLISH of Pennsylvania (for himself, Mr. ALTMIRE, Mr. DOYLE, Mr. PITTS, Mr. TIM MURPHY of Pennsylvania, Ms. SCHWARTZ, Mr. HOLDEN, Mr. FATTAH, Mr. PETERSON of Pennsylvania, Mr. CARNEY, Mr. KANJORSKI, Mr. GERLACH, Mr. PLATTS, Mr. SHUSTER, Mr. SESTAK, Mr. BRADY of Pennsylvania, Mr. DENT, Mr. MURTHA, and Mr. PATRICK MURPHY of Pennsylvania):

H.R. 1083. A bill to amend the Act establishing the Rivers of Steel National Heritage Area in order to include Butler County, Pennsylvania, within the boundaries of that heritage area; to the Committee on Natural Resources.

By Mr. FARR (for himself and Mr. SAXTON):

H.R. 1084. A bill to amend the Foreign Assistance Act of 1961, the State Department Basic Authorities Act of 1956, and the Foreign Service Act of 1980 to build operational readiness in civilian agencies, and for other purposes; to the Committee on Foreign Affairs.

By Mr. GARRETT of New Jersey:

H.R. 1085. A bill to amend the Internal Revenue Code of 1986 to exclude combat zone compensation of members of the Armed Forces from employment taxes; to the Committee on Ways and Means.

By Mr. GARRETT of New Jersey:

H.R. 1086. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income the earned income of a spouse of a member of the Armed Forces of the United States serving in a combat zone; to the Committee on Ways and Means.

By Ms. EDDIE BERNICE JOHNSON of Texas:

H.R. 1087. A bill to amend the Clean Air Act to require that mercury emissions from electric utility steam generating units be subject to the MACT standard for hazardous air pollutants, and for other purposes; to the Committee on Energy and Commerce.

By Ms. KAPTUR (for herself and Mrs. MYRICK):

H.R. 1088. A bill to establish a pilot program to provide grants to encourage eligible institutions of higher education to establish and operate pregnant and parenting student services offices for pregnant students, parenting students, prospective parenting students who are anticipating a birth or adoption, and students who are placing or have placed a child for adoption; to the Committee on Education and Labor.

By Mr. LANGEVIN (for himself, Mr. MCCAUL of Texas, Mr. THOMPSON of Mississippi, Mr. KING of New York, Mr. DICKS, Mr. SHAYS, Ms. ZOE LOFGREN of California, Mr. TOM DAVIS of Virginia, Ms. JACKSON-LEE of Texas, Mr. DENT, Mrs. CHRISTENSEN, Mr. DAVID DAVIS of Tennessee, and Mr. LINDER):

H.R. 1089. A bill to amend the Public Health Service Act to require the Secretary of Homeland Security to improve and expedite the assessment and determination of current and emerging chemical, biological, radiological and nuclear material threats, to group such agents to facilitate the assessment and acquisition of countermeasures that would address more than one of such agents or adverse health consequences common to exposure to different agents, and for other purposes; to the Committee on Homeland Security, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LEWIS of Kentucky:

H.R. 1090. A bill to amend the Social Security Act and the Internal Revenue Code of 1986 to preserve and strengthen the Social Security Program through the creation of personal Social Security guarantee accounts ensuring full benefits for all workers and their families, restoring long-term Social Security solvency, to make certain benefit improvements, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on the Budget, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MACK (for himself, Mr. BUCHANAN, and Ms. CASTOR):

H.R. 1091. A bill to reauthorize the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998, and for other purposes; to the Committee on Science and Technology, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MALONEY of New York (for herself, Mr. WEINER, Mr. LYNCH, Mr. SHAYS, Mr. ACKERMAN, Mr. HIGGINS, Mr. BERMAN, Mr. SCOTT of Georgia, Ms. SCHAKOWSKY, and Mr. CLAY):

H.R. 1092. A bill to authorize the Secretary of Education to make grants to educational organizations to carry out educational programs about the Holocaust; to the Committee on Education and Labor.

By Mr. MEEK of Florida (for himself, Mr. PORTER, and Ms. CASTOR):

H.R. 1093. A bill to amend title XVIII of the Social Security Act to increase the Medicare caps on graduate medical education positions for States with a shortage of residents; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAUL (for himself, Mr. GARRETT of New Jersey, and Mr. BARTLETT of Maryland):

H.R. 1094. A bill to provide that human life shall be deemed to exist from conception; to the Committee on the Judiciary.

By Mr. PAUL (for himself, Mr. BARTLETT of Maryland, Mr. FEENEY, and Mr. GARRETT of New Jersey):

H.R. 1095. A bill to prohibit any Federal official from expending any Federal funds for any population control or population planning program or any family planning activity; to the Committee on Foreign Affairs, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAUL:

H.R. 1096. A bill to restore the second amendment rights of all Americans; to the Committee on the Judiciary, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROTHMAN (for himself, Mr. HIGGINS, Mr. PATRICK MURPHY of Pennsylvania, and Mr. BACA):

H.R. 1097. A bill to improve the grant program for secure schools under the Omnibus Crime Control and Safe Streets Act of 1968; to the Committee on the Judiciary.

By Mr. SALAZAR (for himself and Mr. KUHL of New York):

H.R. 1098. A bill to amend the National Dam Safety Program Act to establish a program to provide grant assistance to States for the rehabilitation and repair of deficient dams; to the Committee on Transportation and Infrastructure.

By Ms. SCHWARTZ (for herself, Mr. MURTHA, and Ms. BORDALLO):

H.R. 1099. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to protect disaster assistance employee reservists when activated by the Federal Emergency Management Agency for work at a specific disaster site from termination or demotion in their places of employment; to the Committee on Transportation and Infrastructure.

By Mr. SHULER (for himself, Ms. JACKSON-LEE of Texas, Ms. KILPATRICK, Mr. PRICE of North Carolina, Mr. TANNER, Mr. MCINTYRE, Mr. ETHERIDGE, Mr. THOMPSON of California, Mr. BUTTERFIELD, Mr. EMANUEL, Mr. HARE, Mr. MILLER of North Carolina, Mr. UDALL of Colorado, Mr. KIRK, Ms. BEAN, and Mr. ELLSWORTH):

H.R. 1100. A bill to revise the boundary of the Carl Sandburg Home National Historic Site in the State of North Carolina, and for other purposes; to the Committee on Natural Resources.

By Mr. SNYDER:

H.R. 1101. A bill to provide for the payment of certain annuities under section 376 of title 28, United States Code, and for other purposes; to the Committee on the Judiciary.

By Mr. SNYDER (for himself, Mr. BOOZMAN, Ms. HERSETH, Ms. LORETTA SANCHEZ of California, Mr. REYNOLDS, and Mr. LATHAM):

H.R. 1102. A bill to amend title 38, United States Code, to recodify as part of that title certain educational assistance programs for members of the reserve components of the Armed Forces, to improve such programs, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SOLIS (for herself, Mr. WYNN, Mr. HASTINGS of Florida, Mr. UDALL of Colorado, Mr. CONYERS, and Mr. ELLISON):

H.R. 1103. A bill to codify Executive Order 12898, relating to environmental justice, to require the Administrator of the Environmental Protection Agency to fully implement the recommendations of the Inspector General of the Agency and the Comptroller General of the United States, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STARK (for himself, Mr. MCDERMOTT, Mr. GEORGE MILLER of California, Ms. BORDALLO, Mr. GRIJALVA, Mrs. CAPPS, Ms. WOOLSEY, and Ms. DELAURO):

H.R. 1104. A bill to ensure that foster children are able to use their social security and supplemental security income benefits to address their needs and improve their lives; to the Committee on Ways and Means.

By Mr. TANNER (for himself and Mr. HULSHOF):

H.R. 1105. A bill to amend title XVIII of the Social Security Act to provide for the treatment of certain physician pathology services under the Medicare Program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TIAHRT (for himself, Mr. MORAN of Kansas, Mr. MOORE of Kansas, and Mrs. BOYDA of Kansas):

H.R. 1106. A bill to amend title 49, United States Code, to restore the mission of the Federal Aviation Administration to promote civil aeronautics; to the Committee on Transportation and Infrastructure.

By Mr. TOWNS (for himself, Mr. CANNON, Mr. JEFFERSON, Mr. THOMPSON of Mississippi, Mr. SESSIONS, Mr. PAUL, Mr. FRANKS of Arizona, Mr. SHAYS, Mr. WEXLER, Mr. WALSH of New York, Mr. BOREN, and Mr. DUNCAN):

H.R. 1107. A bill to amend the Internal Revenue Code of 1986 to treat expenses for certain meal replacement and dietary supplement products that qualify for FDA-approved health claims as expenses for medical care; to the Committee on Ways and Means.

By Mr. WAXMAN (for himself, Mr. TOM DAVIS of Virginia, Mr. DINGELL, Mr. PALLONE, Mr. ABERCROMBIE, Mr. ACKERMAN, Mr. ALLEN, Ms. BALDWIN, Mr. BARTLETT of Maryland, Mr. BLUMENAUER, Ms. BORDALLO, Mrs. CAPPS, Mr. CAPUANO, Mr. CASTLE, Mrs. CHRISTENSEN, Mr. CUMMINGS, Mr. DAVIS of Illinois, Mrs. DAVIS of California, Ms. DEGETTE, Mr. DELAHUNT, Ms. DELAURO, Mr. ELLISON, Mr. EMANUEL, Mrs. EMERSON, Mr. ENGEL, Ms. ESHOO, Mr. FERGUSON, Mr. FILNER, Mr. FRANK of Massachusetts, Ms. GIFFORDS, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Mr. GUTIERREZ, Mr. HIGGINS, Mr. HINCHEY, Ms. HIRONO, Mr. HOLT, Mr. HONDA, Mr. INSLEE, Mr. ISRAEL, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Mr. KENNEDY, Mr. KILDEE, Mr. KING of New York, Mr. KIRK, Mr. LAHOOD, Mr. LANTOS, Mr. LARSEN of Washington, Mr. LARSON of Connecticut, Ms. LEE, Mr. LEWIS of Georgia, Mr. LIPINSKI, Mr. LOBIONDO, Ms. ZOE LOFGREN of California, Mr. LYNCH, Mrs. MCCARTHY of New York, Ms. MCCOLLUM of Minnesota, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MCNULTY, Mrs. MALONEY of New York, Mr. MARKEY, Mr. MATHESON, Ms. MATSUI, Mr. MEEHAN, Mr. MICHAUD, Mrs. MILLER of Michigan, Mr. GEORGE MILLER of California, Mr. MOORE of Kansas, Mr. MORAN of Virginia, Mr. NADLER, Ms. NORTON, Mr. OBERSTAR, Mr. OLVER, Mr. PASCRELL, Mr. PAYNE, Mr. PLATTS, Ms. PRYCE of Ohio, Mr. RAMSTAD, Mr. REICHERT, Mr. ROTHMAN, Mr. RUSH, Ms. SCHAKOWSKY, Ms. SCHWARTZ, Mr. SHERMAN, Mr. SMITH of New Jersey, Ms. SOLIS, Mr. STARK, Mrs. TAUSCHER, Mr. TERRY, Mr. TIBERI, Mr. VAN HOLLEN, Mr. WALDEN of Oregon, Mr. WEINER, Mr. WELLER, Mr. WEXLER, and Mr. WYNN):

H.R. 1108. A bill to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products; to the Committee on Energy and Commerce.

By Mr. WAXMAN (for himself, Mr. LANTOS, Mr. CANNON, Mr. CANTOR, and Mr. LATOURETTE):

H. Con. Res. 66. Concurrent resolution permitting the use of the rotunda of the Capitol for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust; to the Committee on House Administration.

By Mr. HOYER:

H. Res. 165. Resolution to inform the Senate of the election of the Clerk; considered and agreed to.

By Mr. HOYER:

H. Res. 166. Resolution authorizing the Clerk to inform the President of the election of the Clerk; considered and agreed to.

By Mr. RAHALL (for himself and Mr. YOUNG of Alaska):

H. Res. 167. A resolution providing amounts for the expenses of the Committee on Natural Resources in the One Hundred Tenth Congress; to the Committee on House Administration.

By Mr. GEORGE MILLER of California (for himself and Mr. MCKEON):

H. Res. 168. A resolution providing amounts for the expenses of the Committee on Education and Labor in the One Hundred Tenth Congress; to the Committee on House Administration.

By Mr. MOORE of Kansas (for himself, Mr. BACHUS, Mrs. BOYDA of Kansas, Mr. CLEAVER, Mr. LINCOLN DAVIS of Tennessee, Mr. DOGGETT, Mrs. GILLIBRAND, Mr. GILLMOR, Ms. HERSETH, Ms. JACKSON-LEE of Texas, Mr. JOHNSON of Georgia, Mr. KIND, Mrs. MCCARTHY of New York, Mr. MEEK of Florida, Mr. MILLER of Florida, Mrs. MYRICK, Mr. RAMSTAD, Mr. SALAZAR, Mr. SHAYS, Mr. VAN HOLLEN, and Mr. PATRICK J. MURPHY of Pennsylvania):

H. Res. 169. A resolution amending the Rules of the House of Representatives to require that the lists of earmarks be made available to the general public on the Internet; to the Committee on Rules.

By Mr. PETERSON of Minnesota:

H. Res. 170. A resolution amending the Rules of the House of Representatives to clarify the treatment of reimbursements to Members for the use of personally owned airplanes in the performance of official or campaign travel; to the Committee on Standards of Official Conduct.

By Mr. SKELTON (for himself, Mr. OBERSTAR, Mr. BOOZMAN, Mr. CARNAHAN, Mr. COHEN, Mr. GILLMOR, Mr. JEFFERSON, Mr. MCCRERY, Mr. MCGOVERN, Mr. PETRI, Mr. SNYDER, and Ms. WATSON):

H. Res. 171. A resolution honoring the Marquis de Lafayette on the occasion of the 250th anniversary of his birth; to the Committee on Armed Services.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. Pastor introduced A bill (H.R. 1109) for the relief of Alejandro E. Gonzales; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 25: Mr. THORNBERRY.

H.R. 73: Mr. DAVIS of Kentucky, Mr. BUCHANAN, and Mr. CALVERT.

H.R. 89: Mr. FOSSELLA.

H.R. 156: Mr. GRIJALVA.

H.R. 180: Mr. WEINER and Mr. KLEIN of Florida.

H.R. 189: Mr. JOHNSON of Georgia.

H.R. 211: Mr. CUMMINGS.

H.R. 243: Mr. MEEKS of New York and Mr. ROGERS of Alabama.

H.R. 279: Mr. KNOLLENBERG.

H.R. 303: Mr. GOODE, Mrs. CAPITO, Mr. FOSSELLA, and Mr. REYES.

H.R. 328: Mr. LEVIN, Mr. PLATTS, Ms. DEGETTE, Mr. CUMMINGS, Mr. MCGOVERN, Mrs. LOWEY, Mr. HONDA, Mr. UDALL of Colorado, and Mr. BOUCHER.

H.R. 339: Mr. MEEKS of New York.

H.R. 343: Mr. RAHALL, Ms. BORDALLO, and Mrs. CAPITO.

H.R. 353: Mr. INSLEE.

H.R. 359: Mr. HARE.

H.R. 402: Mr. GORDON.

H.R. 403: Mr. MEEKS of New York.

H.R. 406: Mr. MCGOVERN.

H.R. 463: Ms. BORDALLO.

H.R. 468: Ms. WATERS, Mr. DAVIS of Illinois, and Mr. COHEN.

H.R. 477: Mr. CUMMINGS, Mr. AL GREEN of Texas, Mr. SHIMKUS, Mr. YOUNG of Alaska, Mr. FARR, Mr. KING of New York, Ms. JACKSON-LEE of Texas, Mr. OBERSTAR, Ms. HIRONO, Mr. ETHERIDGE, and Mr. CRAMER.

H.R. 493: Mr. COHEN, Mr. MELANCON, and Mr. OBEY.

H.R. 539: Mr. WAMP, Ms. GIFFORDS, Mr. PATRICK J. MURPHY of Pennsylvania, and Mr. FILNER.

H.R. 562: Mr. SAM JOHNSON of Texas and Mr. TIBERI.

H.R. 566: Ms. LEE.

H.R. 579: Ms. GIFFORDS, Mr. CLEAVER, Mr. RAHALL, Mrs. JO ANN DAVIS of Virginia, Ms. CORRINE BROWN of Florida, Ms. MCCOLLUM of Minnesota, Mr. CARNEY, Mr. BUCHANAN, Ms. BERKLEY, Mr. CRAMER, Mr. LAHOOD, Mr. GORDON, Mr. COURTNEY, and Mrs. BOYDA of Kansas.

H.R. 583: Mr. FILNER, Mr. SHIMKUS, and Mr. RAHALL.

H.R. 592: Mr. CLEAVER.

H.R. 610: Mr. MICHAUD.

H.R. 614: Ms. BORDALLO.

H.R. 620: Mr. JOHNSON of Georgia and Mr. CARNAHAN.

H.R. 621: Ms. ROS-LEHTINEN, Mr. JOHNSON of Georgia, and Mr. TIERNEY.

H.R. 625: Ms. ESHOO and Ms. LEE.

H.R. 627: Mr. SCOTT of Georgia.

H.R. 631: Mr. PITTS, Mrs. MUSGRAVE, and Mr. UDALL of Colorado.

H.R. 642: Mr. JOHNSON of Georgia, Mr. LANTOS, Ms. CORRINE BROWN of Florida, Mr. HINOJOSA, Mr. CHANDLER, Ms. KILPATRICK, Mr. CLAY, and Mr. LATOURETTE.

H.R. 643: Mr. LEWIS of Georgia, Mrs. MALONEY of New York, Mr. TOWNS, Mr. ENGLISH of Pennsylvania, and Mr. SAXTON.

H.R. 649: Mr. PATRICK J. MURPHY of Pennsylvania.

H.R. 653: Mr. MEEKS of New York.

H.R. 688: Mr. ENGLISH of Pennsylvania, Mr. CLAY, Mr. COSTELLO, Mr. POE, and Mr. LIPINSKI.

H.R. 690: Mrs. JO ANN DAVIS of Virginia.

H.R. 692: Mr. WALZ of Minnesota and Ms. BERKLEY.

H.R. 693: Ms. VELÁZQUEZ.

H.R. 695: Mr. LYNCH and Mr. MCDERMOTT.

H.R. 698: Mr. TIERNEY, Mr. WICKER, Mr. YARMUTH, Mr. CARNAHAN, and Ms. SUTTON.

H.R. 699: Mr. EVERETT.

H.R. 718: Mr. MEEHAN, Ms. HOOLEY, Mr. BISHOP of Utah, and Ms. BORDALLO.

H.R. 721: Mr. CALVERT, Mr. WHITFIELD, Mr. BLUMENAUER, Mr. YOUNG of Alaska, Mrs. MYRICK, Mr. COBLE, Mr. GINGREY, Mr. NEUGEBAUER, and Mr. CRAMER.

H.R. 724: Mr. EVERETT.

H.R. 729: Mrs. DAVIS of California, Mr. GUTIERREZ, Ms. BALDWIN, and Mr. UDALL of Colorado.

H.R. 731: Mr. SESSIONS.

H.R. 741: Mr. RUPPERSBERGER, Mr. FERGUSON, and Mr. MCNULTY.

H.R. 743: Mr. RADANOVICH.

H.R. 748: Mr. FRANK of Massachusetts, Mr. LEWIS of Kentucky, Mr. KUCINICH, Mr. NEAL of Massachusetts, and Mr. TANNER.

H.R. 758: Mr. VAN HOLLEN.

H.R. 768: Mr. CALVERT.

H.R. 769: Mr. CALVERT and Mr. WESTMORELAND.

H.R. 784: Mr. PLATTS and Mrs. JO ANN DAVIS of Virginia.

H.R. 787: Ms. ZOE LOFGREN of California, Mr. DOYLE, Mr. JOHNSON of Georgia, and Mr. OBERSTAR.

H.R. 797: Mr. CARNEY, Ms. CARSON, and Ms. BORDALLO.

H.R. 805: Mr. INGLIS of South Carolina.

H.R. 814: Mr. TIERNEY.

H.R. 819: Mr. WELCH of Vermont, Ms. GIFFORDS, Mr. ARCURI, Mr. CAPUANO, and Mr. RYAN of Ohio.

H.R. 821: Mr. SCOTT of Georgia.

H.R. 829: Mr. PLATTS.

H.R. 840: Mr. CLEAVER, Ms. BORDALLO, Mr. STARK, Mr. LYNCH, and Mr. PATRICK J. MURPHY of Pennsylvania.

H.R. 843: Mr. GOODE.

H.R. 855: Mr. MICA and Mr. WELDON of Florida.

H.R. 876: Ms. KILPATRICK, Ms. JACKSON-LEE of Texas, and Mr. FORTENBERRY.

H.R. 878: Mr. STARK.

H.R. 891: Mr. PASTOR.

H.R. 895: Mr. LINDER, Mr. FOSSELLA, and Mr. VISCLOSKY.

H.R. 909: Mr. KING of New York and Mr. PUTNAM.

H.R. 920: Mrs. CHRISTENSEN and Mr. THOMPSON of Mississippi.

H.R. 925: Mr. CALVERT.

H.R. 938: Mrs. MYRICK, Mr. BARTLETT of Maryland, Mr. DAVID DAVIS of Tennessee, and Mr. TANCREDO.

H.R. 942: Mr. MCDERMOTT.

H.R. 947: Ms. ZOE LOFGREN of California.

H.R. 971: Mr. EVERETT, Mr. GRAVES, and Mrs. EMERSON.

H.R. 972: Ms. HIRONO.

H.R. 976: Mr. HALL of New York.

H.R. 997: Mr. GOODE, Mr. KNOLLENBERG, and Mr. CAMPBELL of California.

H.R. 1012: Mr. SHAYS.

H.R. 1039: Mr. COLE of Oklahoma.

H.R. 1055: Mr. SHAYS.

H. J. Res. 3: Mr. ACKERMAN.

H. J. Res. 18: Mr. INSLEE.

H. J. Res. 22: Mr. EVERETT.

H. Con. Res. 33: Mr. PASTOR and Ms. EDDIE BERNICE JOHNSON of Texas.

H. Con. Res. 53: Mr. GRIJALVA, Mr. CLEAVER, Ms. BORDALLO, Mr. MCCOTTER, Mr. LIPINSKI, and Mr. DOYLE.

H. Con. Res. 60: Ms. BORDALLO and Mr. MCCOTTER.

H. Con. Res. 63: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. RUSH, and Ms. JACKSON-LEE of Texas.

H. Res. 37: Ms. HIRONO and Mr. CUELLAR.

H. Res. 71: Mr. GRIJALVA and Mr. MCDERMOTT.

H. Res. 76: Ms. SOLIS, Ms. HIRONO, and Mr. ELLISON.

H. Res. 87: Mr. ENGLISH of Pennsylvania.

H. Res. 95: Mr. LEWIS of Georgia and Mr. MCDERMOTT.

H. Res. 100: Mrs. MCCARTHY of New York, Ms. MILLENDER-MCDONALD, Ms. DELAURO, Mr. CONYERS, and Mr. GORDON.

H. Res. 107: Mr. COSTA, Mr. BLUMENAUER, Mr. PUTNAM, Mr. MANZULLO, Ms. WASSERMAN SCHULTZ, Mr. GENE GREEN of Texas, Mrs. DRAKE, and Mr. PATRICK J. MURPHY of Pennsylvania.

H. Res. 113: Mr. MATHESON and Ms. JACKSON-LEE of Texas.

H. Res. 128: Ms. HIRONO.

H. Res. 147: Mr. BARRETT of South Carolina and Mr. Jordan.

H. Res. 163: Ms. KILPATRICK and Mr. GRIJALVA.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 654: Mr. RYAN of Wisconsin.

EXTENSIONS OF REMARKS

HOLY FAMILY HOSPITAL DELIVERS HIGH QUALITY HEALTH CARE

HON. CATHY McMORRIS RODGERS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 14, 2007

Mrs. MCMORRIS RODGERS. Madam Speaker, I rise today to congratulate Holy Family Hospital for being rated as a top performer in the Centers for Medicare and Medicaid Services Premier Hospital Quality Incentive project.

Holy Family Hospital has been providing quality health care to the people of Eastern Washington for more than 40 years, but their story really began in 1945 when the Dominican Sisters purchased the land that Holy Family Hospital was later built on. Their philosophy to "restore and maintain health, promote wellness, prevent illness whenever possible, and help create a person-centered environment which fosters the healing process" continues to guide the efforts of Holy Family Hospital today.

As a top performer, Holy Family Hospital was evaluated on their performance and outcome measures in five clinical areas—acute myocardial infarction (heart attack), heart failure, coronary artery bypass graft, CABG, pneumonia, and hip and knee replacement.

Madam Speaker, I rise today to commend Holy Family Hospital for setting the standard for clinical excellence, and for providing excellent health care to the Eastern Washington community. I invite my colleagues to join me in congratulating the doctors and employees of Holy Family Hospital on this great achievement.

RECOGNIZING ELIZABETH ANNE ROYCROFT AS ESCAMBIA COUNTY, FLORIDA'S TEACHER OF THE YEAR

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 14, 2007

Mr. MILLER of Florida. Madam Speaker, on behalf of the United States Congress, it is an honor for me to rise today to recognize Elizabeth Anne Roycroft as Escambia County's Teacher of the Year.

Anne Roycroft joined the Escambia County School District administration in 2004, with an education background in American Studies, a Master's of Education in Counseling from the University of North Carolina at Chapel Hill, and a Graduate Studies degree in Psychology from the University of West Florida. Mrs. Roycroft has proudly served the Escambia County School District for over two years, where she currently teaches Social Studies to sixth and seventh graders at Warrington Middle School in Pensacola, Florida.

Mrs. Roycroft's involvement both in and out of the classroom proves her dedication and passion for teaching. She is a member of the National Council for the Social Studies, the Florida Council for the Social Studies, National Council for Geographic Education, and the International Reading Association. Since Mrs. Roycroft has begun teaching at Warrington Middle School, she has served as the Social Studies Department Chairman, a Member of the Technology Learning Group, a member of the school leadership team for Curriculum Mapping, a mentor, and the list continues.

The Teacher of the Year recognition highlights one year of teaching, but the proof of greatness lies well beyond the title—it lies in the hearts and minds of the students who have been deeply affected. To have the ability to significantly impact the lives of her students and to positively shape their minds, by instilling the knowledge, wisdom, and confidence needed to succeed is immeasurable and places Anne Roycroft among the great teachers in Northwest Florida. Escambia County is honored to have her as one of their own.

Madam Speaker, on behalf of the United States Congress, I am proud to recognize Elizabeth Anne Roycroft on this outstanding achievement and her exemplary service in the Escambia County School District.

PAYING TRIBUTE TO RICHARD CASE

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 14, 2007

Mr. PORTER. Madam Speaker, I rise today to honor Richard Case, a veteran of World War II, for his exemplary service in defense of freedom and award him with the Jubilee of Liberty Medal.

On June 6, 1944 the United States and its allies embarked on the largest air, land, and sea invasion ever undertaken. This massive effort included 5,000 ships, 10,000 airplanes, and over 150,000 American, British, Canadian, Free French, and Polish Troops. During the 50th anniversary of this historic event, the French Government awarded the Jubilee of Liberty Medal to American servicemen for their participation in the Battle of Normandy.

Richard served in the United States Army, 101st Airborne Division. On June 6, 1944, he landed on Utah Beach as part of the Normandy invasion and saw 21 consecutive days of combat. For his heroism and valor, Richard was awarded the Purple Heart, two Bronze Service Stars, and the Oak Leaf Cluster with Distinguished Unit Badge. In addition, on the 50th anniversary of D-Day, Richard, along with 21 of the original paratroopers, jumped at Utah Beach.

Madam Speaker, I am proud to honor Richard Case for his heroic service in the United States Military. His dedication to this country in the theater of war is truly exemplary. I commend the sacrifices he has made to protect our freedoms and I am pleased to have the opportunity to recognize his service. I applaud Richard Case for his successes and I wish him the best in his future endeavors.

INTRODUCTION OF THE FAMILY EDUCATION FREEDOM ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 14, 2007

Mr. PAUL. Madam Speaker, I rise today to introduce the Family Education Freedom Act, a bill to empower millions of working and middle-class Americans to choose a non-public education for their children, as well as making it easier for parents to actively participate in improving public schools. The Family Education Freedom Act accomplishes its goals by allowing American parents a tax credit of up to $5,000 for the expenses incurred in sending their child to private, public, parochial, other religious school, or for home schooling their children.

The Family Education Freedom Act returns the fundamental principal of a truly free economy to America's education system: what the great economist Ludwig von Mises called "consumer sovereignty". Consumer sovereignty simply means consumers decide who succeeds or fails in the market. Businesses that best satisfy consumer demand will be the most successful. Consumer sovereignty is the means by which the free market maximizes human happiness.

Currently, consumers are less than sovereign in the education "market." Funding decisions are increasingly controlled by the federal government. Because "he who pays the piper calls the tune," public, and even private schools, are paying greater attention to the dictates of federal "educrats" while ignoring the wishes of the parents to an evergreater degree. As such, the lack of consumer sovereignty in education is destroying parental control of education and replacing it with state control. Loss of control is a key reason why so many of America's parents express dissatisfaction with the educational system.

According to a poll by McLaughlin and Associates, two-thirds of Americans believe education tax credits would have a positive effect on American education. This poll also found strong support for education tax credits among liberals, moderates, conservatives, low-income individuals, and African-Americans. This is just one of numerous studies and public opinion

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

polls showing that Americans want Congress to get the federal bureaucracy out of the schoolroom and give parents more control over their children's education.

Today, Congress can fulfill the wishes of the American people for greater control over their children's education by simply allowing parents to keep more of their hard-earned money to spend on education rather than force them to send it to Washington to support education programs reflective only of the values and priorities of Congress and the federal bureaucracy.

The $5,000 tax credit will make a better education affordable for millions of parents. Madame Speaker, many parents who would choose to send their children to private, religious, or parochial schools are unable to afford the tuition, in large part because of the enormous tax burden imposed on the American family by Washington.

The Family Education Freedom Act also benefits parents who choose to send their children to public schools. Parents of children in public schools may use this credit to help improve their local schools by helping finance the purchase of educational tools such as computers or to ensure their local schools can offer enriching extracurricular activities such as music programs. Parents of public school students may also wish to use the credit to pay for special services, such as tutoring, for their children.

Increasing parental control of education is superior to funneling more federal tax dollars, followed by greater federal control, into the schools. According to a Manhattan Institute study of the effects of state policies promoting parental control over education, a minimal increase in parental control boosts students' average SAT verbal score by 21 points and students' SAT math score by 22 points! The Manhattan Institute study also found that increasing parental control of education is the best way to improve student performance on the National Assessment of Education Progress (NAEP) tests.

Clearly, enactment of the Family Education Freedom Act is the best thing this Congress could do to improve public education. Furthermore, a greater reliance on parental expenditures rather than government tax dollars will help make the public schools into true community schools that reflect the wishes of parents and the interests of the students.

The Family Education Freedom Act will also aid those parents who choose to educate their children at home. Home schooling has become an increasingly popular, and successful, method of educating children. Home schooled children out-perform their public school peers by 30 to 37 percentile points across all subjects on nationally standardized achievement exams. Home schooling parents spend thousands of dollars annually, in addition to the wages forgone by the spouse who forgoes outside employment, in order to educate their children in the loving environment of the home.

Ultimately, Madam Speaker, this bill is about freedom. Parental control of child rearing, especially education, is one of the bulwarks of liberty. No nation can remain free when the state has greater influence over the knowledge and values transmitted to children than the family.

By moving to restore the primacy of parents to education, the Family Education Freedom Act will not only improve America's education, it will restore a parent's right to choose how best to educate one's own child, a fundamental freedom that has been eroded by the increase in federal education expenditures and the corresponding decrease in the ability of parents to provide for their children's education out of their own pockets. I call on all my colleagues to join me in allowing parents to devote more of their resources to their children's education and less to feed the wasteful Washington bureaucracy by supporting the Family Education Freedom Act.

ST. JOSEPH'S HOSPITAL OF CHEWELAH DELIVERS HIGH QUALITY HEALTH CARE

HON. CATHY McMORRIS RODGERS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 14, 2007

Mrs. McMORRIS RODGERS. Madam Speaker, I rise today to congratulate St. Joseph's Hospital of Chewelah for being rated as a top performer in the Centers for Medicare and Medicaid Services Premier Hospital Quality Incentive project.

St. Joseph's Hospital of Chewelah was founded in 1929 by the Dominican Sisters. As a member of Providence Health Care, their mission is to provide a community of healing, collaborate with caregivers, and uphold a commitment to excellence. This is the kind of service and care they provide every day.

As a top performer, St. Joseph's Hospital of Chewelah was evaluated on their performance and outcome measures in five clinical areas—acute myocardial infarction (heart attack), heart failure, coronary artery bypass graft (CABG), pneumonia, and hip and knee replacement.

Madam Speaker, I rise today to commend St. Joseph's Hospital of Chewelah for setting the standard for clinical excellence, and for providing excellent health care to the Eastern Washington community. I invite my colleagues to join me in congratulating the doctors and employees of St. Joseph's Hospital of Chewelah on this great achievement.

PAYING TRIBUTE TO WILLIAM FINE

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 14, 2007

Mr. PORTER. Madam Speaker, I rise today to honor William Fine, a veteran of World War II, for his exemplary service in defense of freedom and award him with the Jubilee of Liberty Medal.

On June 6, 1944 the United States and its allies embarked on the largest air, land, and sea invasion ever undertaken. This massive effort included 5,000 ships, 10,000 airplanes, and over 150,000 American, British, Canadian, Free French, and Polish Troops. During the 50th anniversary of this historic event, the French Government awarded the Jubilee of Liberty Medal to American servicemen for their participation in the Battle of Normandy.

William served in the United States Army, Company G, 318th Infantry Division and served in Central Europe, Ardennes and the Rhineland. For his heroism and valor, William was awarded the American Service Medal, the European African Middle Eastern Campaign Service Medal, the WWII Victory Medal, and the Good Conduct Medal.

Madam Speaker, I am proud to honor William Fine for his heroic service in the United States Military. His dedication to this country in the theater of war is truly exemplary. I commend the sacrifices he has made to protect our freedoms and I am pleased to have the opportunity to recognize his service. I applaud William Fine for his successes and I wish him the best in his future endeavors.

INTRODUCING THE EDUCATION IMPROVEMENT TAX CUT ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 14, 2007

Mr. PAUL. Madam Speaker, I rise to introduce the Education Improvement Tax Cut Act. This act, a companion to my Family Education Freedom Act, takes a further step toward returning control over education resources to private citizens by providing a $5,000 tax credit for donations to scholarship funds to enable low-income children to attend private schools. It also encourages private citizens to devote more of their resources to helping public schools, by providing a $5,000 tax credit for cash or in-kind donations to public schools to support academic or extra curricular programs.

Education remains one of the top priorities of the American people. Unfortunately, most proposals to address the American people's demand for education reform either expand federal control over education or engage in the pseudo-federalism of block grants. Many proposals that claim to increase local control over education actually extend federal power by holding schools "accountable" to federal bureaucrats and politicians. Of course, schools should be held accountable for their results, but they should be held accountable to parents and school boards not to federal officials. Therefore, I propose we move in a different direction and embrace true federalism by returning control over the education dollar to the American people.

One of the major problems with centralized control over education funding is that spending priorities set by Washington-based Representatives, staffers, and bureaucrats do not necessarily match the needs of individual communities. In fact, it would be a miracle if spending priorities determined by the wishes of certain politically powerful representatives or the theories of Education Department functionaries match the priorities of every community in a country as large and diverse as America. Block grants do not solve this problem as they simply allow states and localities to choose the means to reach federally-determined ends.

Returning control over the education dollar for tax credits for parents and for other concerned citizens returns control over both the means and ends of education policy to local communities. People in one community may use this credit to purchase computers, while children in another community may, at last, have access to a quality music program because of community leaders who took advantage of the tax credit contained in this bill.

Children in some communities may benefit most from the opportunity to attend private, parochial, or other religious schools. One of the most encouraging trends in education has been the establishment of private scholarship programs. These scholarship funds use voluntary contributions to open the doors of quality private schools to low-income children. By providing a tax credit for donations to these programs, Congress can widen the educational opportunities and increase the quality of education for all children.

Furthermore, privately-funded scholarships raise none of the concerns of state entanglement raised by publicly-funded vouchers.

There is no doubt that Americans will always spend generously on education, the question is, "who should control the education dollar—politicians and bureaucrats or the American people?" Madam Speaker, I urge my colleagues to join me in placing control of education back in the hands of citizens and local communities by sponsoring the Education Improvement Tax Cut Act.

TRIBUTE TO LARRY INMAN

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 14, 2007

Mr. STUPAK. Madam Speaker, I rise today to recognize a northern Michigan citizen who has been an exemplary leader in business, in his community and in his State. Larry Inman will celebrate his retirement this week after twenty-eight years of service to the Huntington National Bank (formerly Empire National Bank).

Mr. Inman is a northern Michigan original. He obtained his education and spent nearly his entire career in northern Michigan. He earned an Associate of Science degree from Northwestern Michigan College in Traverse City before graduating from Northern Michigan University in Marquette in 1976. Mr. Inman had a brief internship in the Michigan Attorney General's Consumer Protection Division before he began his career with the Empire National Bank as a loan adjuster in 1979.

Mr. Inman's career at Huntington National Bank has been characterized by loyalty and dedication. His hard work and tenacity were often recognized and rewarded at Huntington National Bank. During his twenty-eight years there, he was promoted nine times, ultimately landing the position of Vice President, Commercial Loan Officer—Sales Executive Senior.

While Mr. Inman has been a tireless employee for Huntington National Bank, what is most remarkable is how he always took time to be an active member of his local community. In fact, given his track record of success at Huntington National Bank and the amount of time he dedicated to his professional career, it is truly astounding the number of community organizations that he has supported, belonged to or helped to lead. Larry has involved himself in community fundraisers for the local Junior Achievement and the Grand Traverse Bay YMCA. He spent time as a Volunteer Probation Officer for Michigan's 86th District Court. Maintaining his ties to his alma mater, he served on Northwestern Michigan College's Curriculum Advisory Committee.

Mr. Inman also applied his knowledge and professional experience toward the growth and development of the Grand Traverse County area, serving on the Grand Traverse County Economic Development Corporation, the Waste Council, the Northwestern Regional Airport Commission and the Grand Traverse County Planning Commission.

Perhaps most important to the region's planning and development, Mr. Inman was elected in 1993 to the Grand Traverse County Board of Commissioners and has been successively re-elected every two years.

Beyond the organizations that helped guide the region's economic growth and development, Mr. Inman was active with a number of organizations that assist those in the Grand Traverse community who need the most help. For instance, he spent time on the Funds Distribution Board of the United Way of Northern Michigan and the Grand Traverse County Veterans Affairs Board.

Beyond his service to the local Grand Traverse region, Mr. Imnan also served the State of Michigan in a variety of capacities. The Governor appointed him to serve on the Board of Trustees of Northern Michigan University. Since 1998, he has represented a ten-county region on the Northwest Michigan Council of Governments. He serves today on the State of Michigan Community Corrections Board and chaired the Corrections Board from 1999 to 2006.

Given the amount of time that Mr. Inman has dedicated to serving his state and his local community, it is no wonder that his colleagues have, at times, jokingly referred to him as "Larry Never In Man." Yet, despite the demands that community involvement places upon his time, Mr. Inman has led a highly successful career at Huntington National Bank. Some might speculate that his success can be attributed to his effervescent attitude. He is known around the office for responding to the question, "How are you?" with his trademark response, "Simply the best!"

With Larry's well deserved retirement, perhaps he will have more time to indulge his passions of attending Martina McBride concerts and collecting country music memorabilia. However, even while he enjoys these hobbies, I know Mr. Inman will remain an active part of the Grand Traverse Community.

Madam Speaker, all of us struggle to balance our professional lives with involvement in our local communities. As a leader in local business, in his community and in the State of Michigan, Larry Inman exemplifies that balance.

Madam Speaker, I first met Larry Inman when I attended Northwestern Michigan College from 1970–1972. Larry and I, along with Tom Willson, were studying law enforcement, young ladies and the latest night spots. We became good friends in college and better friends in business and politics. I regret that I cannot personally attend his retirement party as my Congressional responsibilities are keeping me in Washington, D.C. Larry knows I am with him in spirit, in friendship and in my heart, because you really do not have that many good friends like Larry Inman!

Madam Speaker, I ask that you and the entire U.S. House of Representatives join me in saluting Mr. Larry Inman for his years of dedication and in congratulating him on a well deserved retirement.

PAYING TRIBUTE TO ROBERT GLANS

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 14, 2007

Mr. PORTER. Madam Speaker, I rise today to honor Robert Glans, a veteran of World War II, for his exemplary service in defense of freedom and award him with the Jubilee of Liberty Medal.

On June 6, 1944 the United States and its allies embarked on the largest air, land, and sea invasion ever undertaken. This massive effort included 5,000 ships, 10,000 airplanes, and over 150,000 American, British, Canadian, Free French, and Polish Troops. During the 50th anniversary of this historic event, the French Government awarded the Jubilee of Liberty Medal to American servicemen for their participation in the Battle of Normandy.

Robert served in the United States Army, 60th Infantry Regiment and served in Normandy, Northern France, and the Rhineland. For his heroism and valor, he was awarded the Purple Heart, the European African Middle Eastern Campaign Service Medal with three Bronze Stars, the WWII Victory Medal, and the American Campaign Medal.

Madam Speaker, I am proud to honor Robert Glans for his heroic service in the United States Military. His dedication to this country in the theater of war is truly exemplary. I commend the sacrifices he has made to protect our freedoms and I am pleased to have the opportunity to recognize his service. I applaud Robert Glans for his successes and I wish him the best in his future endeavors.

TRIBUTE TO DR. ROBERT H. REARDON, PRESIDENT, ANDERSON UNIVERSITY

HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 14, 2007

Mr. PENCE. Madam Speaker, I rise today to honor a beloved son of Anderson, Indiana. Bob Reardon served for 25 years as president of Anderson College, which through decades of executive service and visionary leadership he built from a relatively small Christian university with few resources into the Anderson University we proudly know today.

Robert H. Reardon was born in Chicago on April 27, 1919, but moved later that year with his parents and brother to Anderson. Following graduation from Anderson High School, class of 1936, he attended Anderson College, where he felt the call to ministry and met his wife, Geraldine Hurst, whom he married on August 24, 1941. They have four children: Rebecca, Constance, Kathleen, and Eugene.

After graduation from Anderson College in 1940, Bob went on to graduate from Oberlin Graduate School of Theology with a Bachelor of Divinity and a Master of Sacred Theology. He completed his graduate studies at Harvard and the University of Michigan before earning a Doctor of Ministry from Vanderbilt University.

In 1947, Bob returned to Anderson, where he would spend most of the rest of his life. He served first as assistant to President John Morrison, then vice president of the college, and in June 1957, he was chosen by the Board of Trustees to be the successor of President Morrison. At the age of39, Bob was one of the youngest college presidents in the Nation. He would serve as president of Anderson College from 1958 to 1983.

More than the diverse educational programs and impressive facilities built under his watch, Bob will be remembered by generations of students and faculty as a gifted leader, minister, citizen and friend. His imprint is everywhere after decades of enormously effective leadership, deication to Christ-centered education, love for students and devotion to the church.

In his 1968 president's charge to seniors, Bob wrote: "Never wallow in mediocrity. Try hard things—for this is where all the fun is. Try to stay green—for this is where the growing is. Once you have heard the call—never give up. You will drink the cup of joy and eat the bread of sorrow. Do so with forbearance in the knowledge that so to do is to be truly human."

This was the type of man he was, a servant of the community, whose character was a role model for generations.

PAYING TRIBUTE TO WILLIAM DEAN WHITAKER

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 14, 2007

Mr. PORTER. Madam Speaker, I rise today to honor William Dean Whitaker, a veteran of World War II, for his exemplary service in defense of freedom and award him with the Jubilee of Liberty Medal.

On June 6, 1944, the United States and its allies embarked on the largest air, land, and sea invasion ever undertaken. This massive effort included 5,000 ships, 10,000 airplanes, and over 150,000 American, British, Canadian, Free French, and Polish Troops. During the 50th anniversary of this historic event, the French Government awarded the Jubilee of Liberty Medal to American servicemen for their participation in the Battle of Normandy.

William served in the United States Army Air Corps, 603rd Bomb Squadron, 398th Bomb Group as a Bombardier and Navigator and served in Normandy, Northern France and the Rhineland. On October 15, 1944, his B–17 was shot down over Merseburg, Germany; while parachuting to earth, he received hostile fire and was captured and held as a prisoner of war for 7 months. For his heroism and valor, William was awarded the European African Middle Eastern Campaign Service Medal, and the Air Medal with 2 Oak Leaf Clusters.

In 2004, during a POW/MIA ceremony held at Nellis Air Force Base, Nevada, William finally received the Purple Heart for his injuries and sacrifices while a Prisoner of War during World War II.

Madam Speaker, I am proud to honor William Whitaker for his heroic service in the United States Military. His dedication to this country in the theater of war is truly exemplary. I commend the sacrifices he has made to protect our freedoms and I am pleased to have the opportunity to recognize his service. I applaud William Whitaker for his successes and I wish him the best in his future endeavors.

HONORING LA MARQUE HIGH SCHOOL

HON. NICK LAMPSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 14, 2007

Mr. LAMPSON. Madam Speaker, when we think of football in Texas, and especially Galveston County, we think of La Marque High School. Following a 15–1 season, the La Marque Cougars met the Waco Lions at the Alamodome in San Antonio, and claimed their fifth state championship on December 22, 2006.

The Coog's victory was impressive, with La Marque scoring 20 points in the last quarter to break a tie and bring the championship back home to a proud and dedicated community.

This exemplary and dedicated group of young men and their coaches, backed by the entire school, continues a proud legacy of winning. Their hard work and dedication brings pride in our entire community. I am honored to represent the Cougars, and La Marque, where football reigns.

It is a privilege to honor the La Marque High School Cougars for recapturing the Class 4A Division II State Football Championship, and I ask that we submit congratulations from the 110th Congress into the record.

PAYING TRIBUTE TO WILLIAM SCHANTZ

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 14, 2007

Mr. PORTER. Madam Speaker, I rise today to honor William Schantz, a veteran of World War II, for his exemplary service in defense of freedom and award him with the Jubilee of Liberty Medal.

On June 6, 1944 the United States and its allies embarked on the largest air, land, and sea invasion ever undertaken. This massive effort included 5,000 ships, 10,000 airplanes, and over 150,000 American, British, Canadian, Free French, and Polish Troops. During the 50th anniversary of this historic event, the French Government awarded the Jubilee of Liberty Medal to American servicemen for their participation in the Battle of Normandy.

William served in the United States Army Air Corps, 36th Fighter Group and served in Normandy, Northern France, Ardennes, the Rhineland and Central Europe Air Offensive Europe. William also served behind enemy lines with the Tactical Air Force, providing integral support to troops on the ground, and supporting General Patton's troops in theater. For his heroism and valor, he was awarded the European African Middle Eastern Campaign Service Medal, the Distinguished Unit Badge with one Oak Leaf Cluster, and the Good Conduct Medal.

Madam Speaker, I am proud to honor William Schantz for his heroic service in the United States Military. His dedication to this country in the theater of war is truly exemplary. I commend the sacrifices he has made to protect our freedoms and I am pleased to have the opportunity to recognize his service. I applaud William Schantz for his successes and I wish him the best in his future endeavors.

HONORING CRAFTON HILLS COLLEGE FOR 35 YEARS OF COMMITMENT TO STUDENT ACHIEVEMENT

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 14, 2007

Mr. LEWIS of California. Madam Speaker, it is with great honor that I rise today to recognize the 35th anniversary of Crafton Hills College, a true leader among community colleges and an exemplary model of dedication to student achievement.

Since opening its doors to students in 1972, Crafton Hills College has expanded the education and increased the job skills of over 100,000 people from all backgrounds and ages. Beginning as an idea in the minds of two Los Angeles philanthropists, the development of a community college on 500 acres of land soon became a reality. A special election in 1967 secured funding for construction of the campus, and the first classes were taught only 5 years later. The accessibility of the education and top-notch professional programs attracted students from all areas of southern California. In only 35 years Crafton Hills College experienced unprecedented growth, from an original population of 881 students and 21 full-time faculty members in 1972, to the current number of students totaling over 5,200 with 80 full-time teachers and administrators.

Crafton Hills College serves as a model for other schools in handling expansion of a student population while remaining constant in the quality of their programs. Crafton Hills has continued to maintain a low cost of tuition and offer superior classroom instructors, while concurrently forming their programs into some of the most reliable in the California college system. Because they have access to a variety of occupational and degree programs, students are able to become adequately prepared for employment in the workforce, or transfer to a 4-year university in any of 36 different majors.

The Fire Science Program and the Emergency Medical Services-Paramedic Program are recognized as two of the most outstanding college emergency services programs in the state, and Crafton Hills is the primary location for paramedic training in the San Bernardino and Riverside counties. The programs are supported by the involvement of local hospitals, fire departments, and emergency facilities, and this inclusion of community agencies has encouraged students to engage in hands-on learning while allowing them the rare opportunity to network with potential employers. By funneling their newly gained skills into health care professions, firefighting, and paramedic services in the southern California area, students demonstrate a dedication to enhancing public health and safety for those around them, and in many cases, forego the risk to their own lives.

Crafton Hills College has been a key element in the success of the San Bernardino Regional Emergency Training Center. The center trains fire fighting personnel in proper tactics for fighting aircraft fires and adequate rescue techniques, and Crafton Hills College implements and oversees the center's educational component. The enthusiasm and teaching ability of the administrators and teachers will undoubtedly continue to attract firefighters throughout the Nation eager to receive top-notch instruction and training.

The 35th anniversary of such a well-regarded college is certainly a cause for recognition. It is with great privilege that I represent such a respected academic institution, and I ask my colleagues to join with me in recognizing thirty-five years of achievements at Crafton Hills College.

A FRIEND LOST

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 14, 2007

Mr. FRANK of Massachusetts. Madam Speaker, in the February 14 edition of Roll Call, one of the most accomplished authorities on the workings of Congress pays a heartfelt and well-deserved tribute to another authority on our workings—Nelson Polsby. Sadly, Nelson Polsby died recently. He was an extraordinary intellect, who paid this institution the enormous compliment of taking it very seriously and helping both the general public and those of us who serve here understand our workings. Norman Ornstein was a colleague of Nelson Polsby in this important work, and in today's edition of Roll Call, in a few short paragraphs, he does a great deal to capture the essence of Nelson Polsby and to help people understand why so many of us will miss him. Madam Speaker, self knowledge is always important, and I ask that Mr. Ornstein's words be inserted here, both in tribute to one of the great scholars of our time, and in the hope that Members of Congress will, if they have not already done so, discover the works of Nelson Polsby and learn from them.

A Friend Lost

Three topics of discussion this week beginning with this: Congress lost a true friend and one of the all-time great scholars of its history and dynamics last week with the death of Nelson Polsby.

Polsby was a larger-than-life figure in every respect (The Times in London, in its wonderful obituary, described him as "a mountain of a man; he looked like an American footballer gone to seed.") His imposing physical presence was matched by an even more imposing intellect. His tongue, and pen, could be withering, but legions of students and colleagues, me included, could not have a better friend and mentor. Polsby's scholarship spanned many areas, but Congress was his true love and the subject of his best work.

His article "The Institutionalization of the U.S. House of Representatives" is among the most cited scholarly pieces ever published in the American Political Science Review. His last book, "How Congress Evolves: Social Bases of Institutional Change," is typically elegant and deep, a huge contribution to the scholarly literature but written so that a nonprofessional reader can learn mightily from its insights. It is a must-read for every Member of Congress who wants to understand his or her institution in a historical and political context—which should be every Member of Congress.

PAYING TRIBUTE TO AMBER CORNELIUS DRABANT

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 14, 2007

Mr. PORTER. Madam Speaker, I rise today to honor Mrs. Amber Cornelius Drabant for her long and distinguished service to the Clark County School District.

Amber was educated in the Clark County School District where she attended Twin Lakes Elementary School, R.O. Gibson Junior High School and graduated from Western High School. In 1976, Mrs. Drabant returned to Western High School to teach courses in Biology, Botany, Welding, and Environmental Horticulture. In 1993 Mrs. Drabant began teaching Environmental Horticulture at the Area Technical Trade Center. During her tenure at the Trade Center, Amber sought to provide her students with the opportunities to participate in various internships where they gain real-world experiences which prepare them for positions in the horticulture industry and post-secondary school education.

Amber has received both state and local recognition for her many years as a skilled educator. In 1979, she was named as Nevada's Vocational Teacher of the Year and in 1993–94 and 1995–96 Mrs. Drabant was honored as the Kiwanis Teacher of the Year. Finally, as a direct result of Amber's efforts, Area Technical Trade Center and Moapa Valley High School received a $37,000 grant to establish a hydroponics program.

Madam Speaker, I am proud to honor Mrs. Amber Cornelius Drabant. Her many years of dedicated service to the Clark County School District are to be commended and I wish her the best of luck in her retirement.

CONGRATULATIONS MR. STEVE KANDRA

HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 14, 2007

Mr. WALDEN of Oregon. Madam Speaker, today, the great State of Oregon turns 148 years old. Tomorrow will mark an occasion nearly as momentous when a highly-respected community leader in Oregon, Mr. Steve Kandra, steps down as the president of the Klamath Water Users Association (KWUA). I would like to draw my colleagues' attention to the numerous contributions Steve has made to his community and his industry, for without them hundreds of farmers and ranchers in southern Oregon and northern California would have found the past two years a much greater challenge.

As many of us know, most folks would probably be surprised at what life as president of an organization is really like. Often, one is drafted into the position by colleagues to pick up heavy loads, to donate countless hours of time away from family and business, and to forge common ground on difficult issues. Being the president of KWUA is a particularly tough job; Steve heeded the call of his fellow farmers and ranchers for two full terms. As Steve's infectious sense of humor would lead him to say, "If you don't get it right the first time, try, try again."

His fellow members at KWUA would tell you that they pleaded with him to lead the association because he is extremely smart, dedicated, experienced, respected, and sincere. That's an impressive combination of personal qualities, and they sum Steve Kandra up well.

The farmers and ranchers of the Klamath Basin are no strangers to serious challenges. When the federal government unjustly shut off their water from the Klamath Project in 2001, over 1,000 farming and ranching families' livelihoods, and the community that depends on their well-being, faced disaster. The climb back for the agriculture community is by no means complete and has demanded smart and dedicated leadership. Steve Kandra provided just that. Steve spent countless hours attending meetings and hearings, leading tours of the Klamath Basin, granting interviews, and delivering compelling presentations. His duties as president often took precedence over family affairs and the demands of farming. Anyone who knows Steve knows he is a hands-on guy who will not be deterred when the tough issues require significant personal involvement, a substantial knowledge base, and a broad range of relationships.

The "Just Say No" campaign clearly did not resonate with Steve. He is also a past president of Tulelake Rotary, Klamath County Farm Bureau, Oregon Hay & Forage Association, Klamath Basin Hay Growers, Klamath County Chamber of Commerce, and Klamath Irrigation District. Steve is a board member of Klamath

Basin Ecosystem Foundation and Shaw Historical Library Board of Governors, and an elder at Merrill First Presbyterian Church. Lest my colleagues think that is all Steve has managed to occupy his time with, amazingly there's more. He has also been a board member of the Klamath County Economic Development Association, Upper Klamath Basin Working Group, Klamath Irrigation District, and Oregon Water Resources Congress, just to name a few volunteer activities. I suppose the saying is true: If you need something done, ask a busy man.

While Steve and his lovely wife, Nancy, will both remain very engaged in the struggle to provide stability for agriculture in the Klamath Basin, I suspect that Nancy will be popping a bottle of champagne tomorrow night in celebration of Steve's retirement as president of KWUA. Together they have successfully navigated a long and winding road, and a celebration of achievement is certainly in order.

Madam Speaker and my fellow House members, please join me in congratulating Steve Kandra, an outstanding community leader and family man who I am proud to call my friend.

TRIBUTE TO MR. WILLOR BROWN

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 14, 2007

Mr. DINGELL. Madam Speaker, I rise today to pay tribute to Mr. Willor Brown of Ypsilanti, Michigan. This April, Mr. Brown along with the other members of the renowned Tuskegee Airmen, will be honored with the Congressional Gold Medal. This great recognition comes after the Tuskegee Airmen overcame discrimination, prejudice and institutional segregation bring about the full integration of the Armed Forces.

During World War II Mr. Brown served in the U.S. Army Air Corps. As a fighter pilot, his mission was to ensure the safety of American bombers as they came back to base from missions over Germany and Italy. Mr. Brown and the other members of the Tuskegee Airmen performed this job with both bravery and great success, as evidence by the fact that not a single bomber was lost to enemy fire during the Tuskegee Airmen's service. This service was even more remarkable given that fact that they continually faced the humiliation of segregation, even as they excelled beyond the expectations of any unit.

After seeing an article about aviation at Tuskegee, Alabama, Mr. Brown used his skill in math to pass the Army's program tests. He arrived in Alabama in December 1942, in time to have the great honor of meeting Tuskegee University's founder George Washington Carver. Mr. Brown studied at Tuskegee for nearly a year before he had the opportunity to serve overseas in Europe.

Although Willor Brown and the rest of the Tuskegee Airmen served our Nation bravely in combat during World War II, they also helped to bring about the necessary integration of our Armed Forces. The Tuskegee Airmen wore our Nation's uniform without the honor given to other service members. However, with tremendous success, remarkable service and amazing accomplishments, the Tuskegee Airmen shattered the notions of inferiority and opened up the opportunities the following generations of minority service members have had access to. The social injustice and setbacks they faced at home could not stop the Airmen from fulfilling their mission and their service abroad changed the perceptions of their place at home.

The Congressional Gold Medal is a great honor; Mr. Brown along with the other members of the Tuskegee Airmen have certainly earned this distinction. I honor Willor Brown for his bravery in battle; his determination to succeed even with great barriers before him; and for the example he has set not just for African American or minority members, but for all of the men and women who serve in the U.S. Armed Forces. I join with a grateful Nation to thank Mr. Brown for his service to this country.

PAYING TRIBUTE TO JOSEPH BONAVENTURE

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 14, 2007

Mr. PORTER. Madam Speaker, I rise today to honor Judge Joseph Bonaventure, for his years of dedicated public service to the Las Vegas community.

Judge Bonaventure began his legal career as an attorney in Las Vegas over three decades ago. Joseph then felt that his calling was public service and began a 28-year tenure on the bench. He is known as one of the most colorful judges in the history of Southern Nevada and easily the most well known judge the District Court bench has seen. Joseph has presided over many of the region's most high-profile trials. From 1998 until 2001 he oversaw at least 10 high profile cases including the infamous case of Rick Tabish, Sandy Murphy, Margaret Rudin, Timmy "T.J." Weber, and Jeremy Strohmeyer. He has also presided over the murder trial of Tony Amati who was once on the FBI's 10 Most Wanted List. His contributions to the jurisprudence and law and order have greatly enhanced the lives of countless citizens of Southern Nevada.

Madam Speaker, I am proud to honor Judge Joseph Bonaventure. His long and distinguished career on the District Court is admirable and his expertise will be greatly missed. I wish him the best in his retirement.

TRIBUTE TO KAREN HAAS

HON. J. DENNIS HASTERT

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 14, 2007

Mr. HASTERT. Madam Speaker I would like to mark Karen L. Haas' last day as Clerk of the House with a word of personal thanks.

When I asked Karen to be Clerk in the fall of 2005 she wasn't sure she could do the job or even wanted it. I never doubted her talents and her ability to do the job, nor did anyone who knew her. Luckily for us, she agreed to my request, and the House wisely elected her to the position of Clerk of the U.S. House of Representatives.

I knew Karen would bring intelligence and integrity to the position, and she has. She brought her perfectionist work ethics to the job, working the long hours even after the House had adjourned and everyone else had gone home. When there were difficulties to face, Karen did it with a level head, common sense, and the best interest of this institution as her guide.

Karen's love for this institution would permeate in everything she did in office and influenced those having the privilege to work beside her. My only regret is that her tenure was too short.

Before she was named as Clerk of the House, Karen ably served the Speaker's staff as a floor assistant. She made sure the right people were in the Speaker's chair each day and for every debate. She assisted me with our committee assignments and always had a ready answer for any question. Karen was also responsible for my appointments to boards and commissions, and she helped recruit some fine public servants to serve in those positions.

Before working in my office, she worked for my friend and mentor from Illinois, Bob Michel. She had good teachers there, and it was there that she developed the talents that would serve her and this House so well in the future.

I also want to thank Karen's family for sharing her with us. The night that she was elected Clerk, her family sat in the Speaker's gallery as she was sworn in. You could see in their faces how proud they were of their daughter, sister, wife and mother. Mark, her husband, and her children, Amanda and Brett, have sacrificed much in order that the House could benefit from Karen's talents. I want to acknowledge them and thank them as well for sharing with us one of the finest public servants I have ever known. Thank you, Karen, for a job well done.

80TH BIRTHDAY TRIBUTE TO ROGER "BUCK" HILL

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 14, 2007

Mr. CONYERS. Madam Speaker, I rise to call attention to the lifetime of artistic achievements of tenor saxophonist Roger "Buck" Hill, an outstanding jazz musician from Washington, D.C., who celebrates his 80th birthday this week with a performance at the Smithsonian Jazz Cafe on Friday, February 16, 2007.

Buck Hill was the featured performer at the very first Congressional Black Caucus Jazz Forum and Concert that I hosted back in 1985. He was a first-call artist for me back then, and he continues to be just that, here and around the world.

Buck Hill recently released "Relax", his first recording as a band leader in nearly 15 years. It marks the reemergence of one of America's greatest national treasures onto the international jazz scene.

As he approaches his 80th birthday Hill remains a vital voice on his instrument, with a robust personal sound that reaches back to the horn's early masters like Lester Young, and onward into the glory days of bebop and beyond, recalling John Coltrane.

A lifelong resident of Washington, D.C., Hill first studied music with the same teacher who instructed a young Duke Ellington, and went on to become a member of the house band in the city's world famous Howard Theater. A fixture on the Capital jazz scene for over sixty years, Hill revealed his enormous talent to the world beginning in the late seventies with a series of excellent records for Steeplechase and Muse. Guest appearances on several of fellow D.C. legend Shirley Horn's albums brought him widespread critical and popular notice in the 1990s before he once again returned to his hometown.

Hill's most recent work proves that he's still one of the best tenor men in jazz today. The group, featuring his regular bandmates John Ozment at the Hammond organ and Jerry Jones on drums, plus Paul Pieper on guitar, offers up straight-ahead jazz on an eight song program split evenly between the leader's own original compositions and classic jazz material.

The return of Buck Hill to the world of jazz recording is indeed a momentous occasion and cause for celebration. Hill plays the tenor with the authoritative voice of experience and his well-seasoned sound is a link to the saxophone's glorious past and a lesson to those who wish to move the horn into the future. His work is a true testament not just to his longevity, but also to his continued growth as a master saxophonist, bandleader and composer.

PAYING TRIBUTE TO ADAM SCHULTHEIS

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 14, 2007

Mr. PORTER. Madam Speaker, I rise today to honor my friend Mr. Adam Schultheis, an exceptional music teacher at Boulder City High School whose work has recently earned him a student-nominated Outstanding American Teacher Honor Roll.

For more than 20 years Adam has served the students of Boulder City with his dedication and commitment to excellence in music education. Adam earned his bachelor's degree in music education and performance at the University of Arizona Tucson while studying on a full scholarship. He then went on to earn his master's degree in elementary education from Nova University in Florida.

Adam began his teaching career in Boulder City at Elton Garrett Elementary School before moving to Boulder City High School where he currently teaches. Adam is recognized by students and parents alike for his patience, kindness, and knowledge. His efforts have earned him many awards including the prestigious Disney American Teacher Award and the Veterans of Foreign Wars' National Citizenship Education Teachers Award.

Madam Speaker, I am proud to honor my friend Mr. Adam Schultheis and his many achievements. His dedication to the community and to music education is remarkable. I wish Mr. Schultheis continued success in his future endeavors.

CONGRATULATIONS KENDALL CIESEMIER

HON. PETER J. ROSKAM

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 14, 2007

Mr. ROSKAM. Madam Speaker, I rise today to congratulate Kendall Ciesemier of Wheaton for her outstanding volunteer efforts and service to others.

At just 14 years old, Kendall is the founder of Kids Caring 4 Kids, a nonprofit organization dedicated to raising awareness of the AIDS epidemic currently devastating Africa. Through community outreach and fundraising, Kendall has made an incredible difference in the lives of AIDS orphans in a village in Zambia.

In spite of her recent personal struggle with two liver transplants, Kendall has tirelessly directed her remarkable talent and energy to serving others. To date, she has raised over $50,000 and just this week was recognized as one of the nation's top youth volunteers by the Prudential Spirit of Community Awards program.

I commend Kendall for her strength of character and selfless community service.

Kendall, your family, your school, and your community are extremely proud of what you've accomplished. I wish you all the best in the future. Keep up the good work!

A TRIBUTE TO THE HONORABLE LEO T. McCARTHY

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 14, 2007

Ms. ESHOO. Madam Speaker, the following are the remarks of remembrance given by the Honorable Art Agnos, former Mayor of San Francisco and long time member of the California Legislature on the occasion of the vigil and rosary of his former boss, mentor, and brother-friend, the Honorable Leo T. McCarthy, who passed away on February 5, 2007.

I never thought this day would come for me.

Over the 40 years I worked for Leo McCarthy, I came to think of him as indestructible . . . as he became my boss . . . my mentor . . . my role model . . . and simply my best friend.

For me, Leo was never sick . . . never tired . . . never discouraged . . . and never gave up . . . no matter what confronted him.

He just showed up every day ready to tackle every challenge that stood in the way of making life better for the poor, the needy, the worker, the children, the aged and anyone else who might need his help in our society.

Leo was one of those rare public officials who got better in every way . . . the closer you got to him.

There were no feet of clay here.

One of my early remembrances of him is on our first trip to Sacramento together in December of 1968.

Leo had just been elected to the assembly and it was my first week on the job as his new assistant. On that day he wanted us to drive together to checkout the new office and meet with the Assembly leader Jess Unruh to discuss his committee assignments.

I remember that it was raining hard that day, pouring, and in what was to become our routine for the next 10 years—I was driving and he was teaching, as we talked about the issues of the day and what we might do about them in the year to come.

Just as we passed Dixon on Highway 80, the rear tire went flat and I had to pull over. As I came to a stop, Leo said suddenly, "Wait here, opened the car door in the pouring rain and ran through a hayfield the length of a football stadium to a service station to get help with the flat tire.

I stayed in the car warm and dry.

He was still soaking wet through his suit when we got to Sacramento. Undaunted, he kept his appointment with Unruh as though nothing had happened.

And that's the way it was, every time.

He never asked his staff, and there were hundreds of us by the end of his political career, to do anything he wouldn't do. He cared about all of us, our careers—our families, our well being.

Every one of his former staff will tell you similar stories about when he would apologize for taking them away from their family when they had to work late on legislative testimony for the next day, or how he would show up at the Operating Engineers at 2 in the morning with food and encouragement as we printed brochures to help elect another candidate who would vote for him to be Speaker in 1974.

And what a Speakership that was!

The best description I ever heard was from the former Republican Speaker of the Assembly, Bob Monagan from Tracy, California.

Bob had left the legislature some years before and was the President of the California Manufacturers Association when he said Leo McCarthy's Speakership would be remembered in the history of the California Legislature as the "Days of Lancelot."

You see, Leo was a leader who inspired other politicians—not with his power or tactics, but with his integrity, his adherence to good principle, and his deep commitment to the common good.

In all his years, there were no scandals, no innuendos, no shameful disgrace, and the legislature followed his example in doing the best work it ever did for the people of California.

That's not me talking. It is every editorial written in every major newspaper since last Tuesday.

Over the last 7 months, I saw a lot of him in the hospital, as did many of you.

We talked about his career, successes and failures. We soon ran out of failures, but the successes went on for ever. But I had to bring them up—Coastal preservation, Nursing Home reform, Farm Worker legislation, Subdivision Reform, Mental Health, Child nutrition, Human rights, Legislative Transparency and on and on.

But most of all, most of all, as great and prodigious the volume of his work, Leo was proudest of his family.

Jackie was the light of his life. She was his love, his energy, his will to live as they raised four magnificent children you will hear from tomorrow morning.

And then you will know for yourselves why he always answered the question: "What was your most important work—with a resounding, 'My family!' "

The things he did to try and make his contribution as a father and a husband are legendary to all of us.

You have heard and read the thousands of roundtrips to and from Sacramento by car, greyhound bus, and even airplane.

It was all very real because the kids were going to see their father every night no matter what. He always said that Jackie did all the work, but he had to be there for whatever he could do at night.

One of my favorite stories starts one morning when I could not drive him and he drove himself down to the greyhound station to catch the 7 a.m. bus to Sacramento.

He was late and very much focused on the busy day to come in the Legislature. So he sped into the parking lot, jumped out of the car, tossed the keys and 20 bucks to the man standing by the pay booth while running to catch the bus.

That night I got a call from a perplexed Leo asking where his car was because the lot was empty and the attendant was gone. For three days he did not believe me when I tried to tell him that there was no attendant at that lot because it was self pay.

We didn't talk about it again for a while because on the fourth day he learned the car had been found intact by the SFPD with an empty gas tank. And the rumor was that some homeless guy was going around town telling about the nice guy who tossed the keys to him with 20 bucks and ran off.

The longest trip home for Leo was one he took this past January.

He had been in the hospital for 6 consecutive months—something neither he, his family, or any of us could have imagined when we watched him being wheeled into UC hospital on June 1st of last year—not to mention the countless number of difficult tests in all kinds of machines, hundreds of needle sticks, a combined month and a half in the intensive care unit, dialysis every other day, cups of awful tasting medicinal concoctions, and bravely fight harder than ever before as he became weaker and weaker.

But as his body failed, his mind and spirit did not.

There were several times when he was asked, "Do you want to go on?"

And every time—every time—his answer was the same. "Yes! I have things to do."

He was planning family vacations next year with Jackie. He was advising Kevin about jobs after Law School. He was listening carefully to Courtney's added responsibilities at work, talking to Niall about a big case, he was thinking about Adam's new environmental business deals—he absorbed all of Conna's scholastic and athletic news about her children—he listened intently as Sharon discussed the latest events at St. Stephens—he studied writeups about outstanding college football players and discussed them with Dale so he could make the best choices for his famous annual top 10 NFL Draft choices list he published to family and selected friends, and occasionally to Bill Walsh at the 49ers.

He did all this from a hospital bed he was too weak to get out of, all the while monitoring and mentoring by phone and in person, one more politician—the future Speaker of the House of Representatives.

He loved the phone calls and visits from Nancy and her right arm and another former McCarthy staffer, Representative Anna Eshoo. Every week they were in town—they were at the hospital checking up and giving Leo updates and details on the key races—information the Republicans would have paid dearly for.

And when he was too sick to talk, Nancy and Anna would call me for a report.

Nancy got the short report because she was in an airport somewhere—and Anna got the long report because she had time to sort out the information in between our tears.

On election night last November, Leo was in intensive care again and unable to take Nancy's call to tell him of the democrats' victory.

Several days later he was back in his room and we were watching a live CNN report showing Nancy and President Bush on the Speaker Elect's historic first visit to the Oval Office.

As the news report ended, shortly thereafter, the phone in the room rang, and it was Nancy herself calling to check up on him and give him a report on her meeting with George Bush.

I think he was prouder of Nancy's Speakership victory more than his own.

Yes, Leo never gave up.

He said once to Mary Leslie, another terrific staffer during the Senate Campaigns that "Defeat will show you another way to make a difference."

That was Leo McCarthy.

So when he left elective office, he committed himself to his successful business interests to secure his family's future because his political interests sure never did.

And succeed he did—fulfilling a goal to fund a family foundation for poor children as well as begin the Leo T. McCarthy Institute for Public Service and the Common Good.

Today—on the campus of this great University, thanks to the support and encouragement of Father President Steve Privett, the leadership of Board President Joe Cotchett, and the day to day guidance of Dr. Patrick Murphy, the ideals, values, integrity, and lessons of Leo's life are blended with academics and real time internships in a spectacular opportunity for students.

In the years to come—more of the people who shared Leo's commitment and vision will have a chance to share their remembrances and lessons with USF students, and in so doing perpetuate the meaning of a life so well lived.

It was a blessing for me to have been so close to Leo McCarthy and his family.

IN MEMORY OF BRUCE MONTGOMERY, SHERIFF SEVIER COUNTY

HON. DAVID DAVIS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 14, 2007

Mr. DAVID DAVIS of Tennessee. Madam Speaker, I rise today to honor the memory and life of Bruce Montgomery, a resident of the First Congressional District of Tennessee, who passed away February 9, 2007 after an extended battle with illness.

Sheriff Bruce Montgomery lived a life of service in law enforcement and his local church. He was a member and Chairman of the Deacons at First Baptist Church in Gatlinburg, Tennessee. Bruce was very active in his church. He was interested building the church and taking care of people in need.

Sheriff Montgomery took office in Sevier County in 1994 and continued to serve in this capacity until his passing. Bruce served with distinction and the efficiency that is a model to all law enforcement in our nation. He was caring, but firm in all of his dealings.

He also served his country as a United States Marshal for 23 years, as Marshal for the Eastern District of the state of Tennessee and as Deputy United States Marshal.

Bruce Montgomery displayed excellence as a law enforcement officer, as a compassionate leader in his church, and most of all a caring husband, father, grandfather and a friend. He was known for treating encounters with presidents and paupers with the same genuine smile and indisputable compassion.

Madam Speaker, I ask that the House join me this evening in offering our sympathes to the family and friends of Bruce Montgomery. He was a dedicated family man, a foundation in his church, and a superior law enforcement officer.

His service is greatly appreciated, and he will be deeply missed.

5TH ANNIVERSARY OF THE INDIAN AMERICAN CULTURAL CENTER OF NWIHRC

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 14, 2007

Mr. VISCLOSKY. Madam Speaker, it is my distinct pleasure to announce that the Indian American Cultural Center of NWIHRC will be celebrating its 5th anniversary by hosting a gala dinner and banquet on Saturday, February 24, 2007, at the Halls of Saint George in Schererville, Indiana.

The Indian American Cultural Center, which opened on March 9, 2002, was established with the following goal in mind: to foster peace and harmony amongst the people of Northwest Indiana by showcasing their cultural heritage and creating spiritual awareness in both youth and adults, as well as to engage in various charitable events, both nationally and locally. Since its inception, the Indian American Cultural Center has been instrumental in educating Northwest Indiana's citizens on the traditions and customs of the Indian heritage.

The members of the Indian American Cultural Center of NWIHRC are to be commended, not only for their commitment to preserving tradition, but also for their commitment to making improvements that benefit all mankind. Proceeds from this year's gala, which throughout the years has demonstrated the immense generosity of its attendees and organizers, will go to support the needs of Habitat for Humanity. In the past, proceeds from the gala have gone to such noble causes as cancer research, educational scholarships, and tsunami relief, as well to victims of Hurricane Katrina and the earthquake in Kashmir, India.

Madam Speaker, I ask that you and my other distinguished colleagues join me in commending the board and members of the Indian American Cultural Center of NWIHRC for their outstanding contributions to society. Their commitment to improving the quality of life for the people of Northwest Indiana and throughout the world is truly inspirational and should be recognized and commended.

PERSONAL EXPLANATION

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 14, 2007

Mr. McDERMOTT. Madam Speaker, due to a death in my family I needed to depart Washington, DC, last week and missed several votes on February 8, 2007.

Had I been here, I would have voted "aye" on: rollcall vote 87, the Hastings of Florida amendment; rollcall vote 88, the Rogers (MI) amendment; rollcall vote 89, the Weller amendment; rollcall vote 90, the Cantor amendment; and rollcall vote 92, final passage of H.R. 547.

I would have voted "no" on rollcall vote 91, the Motion to Recommit.

TRIBUTE TO THIRLEE SMITH, JR.

HON. KENDRICK B. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 14, 2007

Mr. MEEK of Florida. Madam Speaker, today I rise in sadness over the demise of the late Thirlee Smith, Jr. the first Black reporter at The Miami Herald. His role in the education of the children of Miami-Dade County is foremost in his achievements, having focused his attention on African-American history that it became an important part of the school system's curriculum. I join my fellow citizens in mourning the passing of this great leader, whose "going home" services will be celebrated this Thursday, February 15, 2007 at Miami's St. Agnes Episcopal Church.

Mr. Smith was the quintessential community leader. Not only did he write about the struggles and challenges impacting Blacks in Southern Florida, but he also symbolized tremendous hope for the youth to whom he bequeathed his unique brand of adventure that shed light on the mastery of basic skills and scholastic achievement. He has had to make sense of the malicious intent of segregation in his writing at The Miami Herald, but the lessons he learned from his parents, Thirlee Smith, Sr. and Beulah, epitomized his unshakable faith in the majesty of a loving God.

Having attended Liberty City Elementary School, he would soon represent the first graduating class of Miami Northwestern Senior High School in 1956. He went on to earn a bachelor's degree in history and Master's degree in Education at Fisk University in Nashville, Tennessee. He applied for a writer's job at The Miami Herald, but was unceremoniously told that the community was "not ready" for a Black reporter. Despite this rebuff, he was featured in 1960 in Who's Who in American Colleges and Universities.

He paved his way for a teaching career in the District of Columbia's public school system in 1961. In 1967 he returned home to teach in the Miami-Dade County Schools, and was simultaneously chosen as the first Black writer for the Miami Herald. After a post-graduate 4-year stint at the Smithsonian Institution in Washington, D.C., he was promoted in 1997 as District Coordinator for African American History.

When I reminisce about the role that this great writer and educator played in fashioning the future of our community, it is clear that it parallels much of our state's history as it struggled through the agonies of racial equality and educational opportunity under the aegis of simple justice for all Americans. All throughout the segregation era, this young visionary gave us hope and courage through his writings, engaging our parents and their children to keep faith toward helping them achieve basic skills mastery and academic excellence.

Blessed with a lucid common sense and quick grasp of the simmering issues at hand, Mr. Smith, Jr. was also imbued with the rare wisdom of recognizing both the strength and the promise of a good education. The acumen of his intelligence and the timeliness of his vision were felt at a time when our community needed someone to put in perspectives the agony of disenfranchised Blacks and other minorities yearning to belong.

Indeed, he exemplified a clam but reasoned leadership whose courage and wisdom appealed to our noblest character as a nation. this is the magnificent legacy by which we will honor his memory.

SUPPORT FOR THE MINORITY DIABETES INITIATIVE ACT

HON. LUIS G. FORTUÑO

OF PUERTO RICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 14, 2007

Mr. FORTUÑO. Madam Speaker, I rise today in strong support of H.R. 1031, the Minority Diabetes Initiative Act. Sponsored by my esteemed colleague, Representative Maxine Waters, this important legislation will establish initiatives to provide grants to physicians, community-based organizations and other health care providers for diabetes care and treatment program in minority communities. It is of utmost importance that Congress take decisive action on this common-sense legislation that will benefit those struggling with diabetes.

It is no secret that many serious health problems plague our nation's minority communities. Faced with tough economic obstacles, issues of access to health care, health education, and affordability of health care all contribute to a rising trend of heart disease, cancer, obesity, and diabetes among minorities. Diabetes is a leading cause of kidney failure, new blindness in adults, and leg and foot amputations. Diabetes is a major cause of heart disease and stroke, which are responsible for about 65% of deaths among diabetics.

Unfortunately, diabetes is a disease that is rampant in my district, the island of Puerto Rico, and the statistics plainly prove that this is a serious problem. Official statistics put forth by the Puerto Rico Diabetes Association say that approximately 560,000 persons, including 75,000 children, are diabetic. Fifteen percent of the Island's population lives with diabetes. Compared to all of Latin America and the Caribbean, Puerto Rico has the most cases of diabetes among women ages 20 to 79, and amongst these women, diabetes is the third leading cause of death on the Island. According to CDC data published in 2000, the national diabetes death rate for Hispanics/Latinos was highest among Puerto Ricans (172 per 100,000), followed by the rates for Mexican Americans (122 per 100,000), and Cuban Americans (47 per 100,000). Clearly this is a pervasive problem not only in Puerto Rico, but among minority communities across the nation. Congress can help by moving this critical legislation towards passage.

Among minorities, two of the major obstacles to adequate health care are lack of good information and language barriers. Many minorities, in particular new immigrants, do not understand the process of how the Federal health care system works, and have a hard time understanding new programs that are disseminated through traditional means of English-language ad campaigns or pamphlets they find at the clinic or doctors' office. Many don't have access to even general information—if they can't afford decent health care, how will they afford a laptop with Internet access, or even know where to access reliable information? And, in very rural areas, many debate the use of traditional versus conventional medicine, which presents a whole other set of challenges to health care education, disease treatment and prevention, and information dissemination. As you can see, in Puerto Rico, an approach to health care that is linguistically and culturally sensitive is absolutely critical to any patient's well-being. One of the many positive aspects of this bill is that it requires health care providers to make available culturally and linguistically appropriate services and conduct outreach activities to let eligible individuals know that services are available. This will enable providers to access and assist diabetics who are not being reached, and who need help.

This bill is a sensible and culturally appropriate solution to effectively treat minorities with the disease. I urge my colleagues to cosponsor this legislation, and advise Congressional Leadership to move this bill towards swift passage, so we can help make better health care choices and treatment more accessible to minorities living with diabetes.

TRIBUTE TO RA JOY

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 14, 2007

Ms. SCHAKOWSKY. Madam Speaker, March 5, 2007 will be both a happy and a sad day for me. On that Monday, Ra Joy, who has served as Suburban Director and Grants Coordinator in my district office for 6 of the 8 years I have served in Congress, will be leaving.

Ra will become Executive Director of the Illinois Arts Alliance, the largest and most prestigious arts advocacy organization in the state.

He will follow the widely and highly respected Alene Valkanas who built the Arts Alliance over the past two decades, leading the effort that quadrupled the state's funding for the arts. Hers are very big shoes to fill, yet I have great confidence in Ra's ability to move the organization forward to meet the challenges of the new century.

Ra came to work for me as a very young man but with the promise of being a great leader. He had worked with youth at the Evanston YMCA, where he served as a role model and mentor for many African-American boys in our community. When he left the Y, he didn't leave the boys who continue to rely on his support and counsel.

Ra has a quiet self-assurance, a seriousness of purpose that inspires all those he supervises and works with. He has unfailing good judgment and an ability to understand and communicate complex issues. This makes him very effective in working with community leaders, individual constituents, the business community and not-for-profit organizations in the 9th District.

As Grants Coordinator, Ra has been a leading force in bringing tens of millions of dollars to the 9th District—federal dollars for infrastructure improvements, law enforcement, and social services, as well as private foundation support for dozens of organizations. He has shepherded these funding requests and applications through public and private bureaucracies and then monitored the management of the funds. He has held workshops to help non-profit organizations garner and manage the resources they need to flourish, including one aimed exclusively at art organizations.

Ra is an artist. His charcoal drawings demonstrate his technical skill, his passions and his politics. He comes from an artistic family—his father, Albert Joy, is a painter, and his sister Ebony Joy is a playwright. His beautiful home, shared with his wife Falona and sons, reflects his artistic sense.

Ra's connection to the arts community has had special significance for the 9th District, which, before my tenure, was represented for nearly a half century by Sidney Yates. Congressman Yates was revered as a patron of the arts and protector of the National Endowment for the Arts and the National Endowment for the Humanities. My constituents have appreciated my continued focus on the arts, led by Ra Joy.

Ra has served as the Chairman of the annual Ethnic Arts Festival on Evanston's lakefront, a major event attracting visual and musical artists and craftspeople. He organized the Artistic Discovery competition each year, in which one high school student per Congressional District is selected to have his or her work displayed for a year in the Capitol, making it a significant juried art show. Dozens of students participate in an event at which all of their work is displayed, and all are honored.

I and the rest of my staff will miss his advocacy for the arts as part of our staff, but we rejoice that he is taking his passion to a higher level. We trust that he will now be in a position to offer his assistance as we continue to address the need to support the arts in our community.

I congratulate the Illinois Arts Alliance for its wise decision to choose Ra Joy as its new Director. I wish him great fulfillment and success.

THE INTRODUCTION OF THE DISTRICT OF COLUMBIA LEGISLATIVE AUTONOMY ACT OF 2006

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 14, 2007

Ms. NORTON. Madam Speaker, today, I am introducing the District of Columbia Legislative Autonomy Act of 2007, to end discriminatory and unnecessary congressional review of District of Columbia legislation. Basic to the meaning of self government in the United States is the right to enact a local budget and civil and criminal laws free from Federal interference. I have already introduced this bill's fraternal twin, the District of Columbia Budget Autonomy Act of 2007, cosponsored by Oversight and Government Reform Ranking Member TOM DAVIS.

Because the period of congressional review involves only legislative days, when Congress is in session, not ordinary calendar days, D.C. laws typically do not become law for months, not days. A required hold on all D.C. bills forces the D.C. City Council to pass most legislation using a cumbersome and complicated process in which bills are passed concurrently on an emergency, temporary, and permanent basis to ensure that the operations of the large and rapidly changing city continue uninterrupted, and because of the complications and time frames involved, some bills do not become law at all. The Legislative Autonomy Act would eliminate the need for the City Council to engage in this Byzantine process that often requires a two-thirds super majority even for ordinary legislation.

The legislative autonomy bill would eliminate the congressional review period for civil and criminal District acts of 30 days and 60 days respectively. I have repeatedly introduced today's legislative autonomy bill because it has long been obsolete, demeaning, and cumbersome, but also because Congress no longer uses the statute. Congress has eliminated the review or layover period as a way to review Council legislation, yet the Council continues to be bound by Section 602 of the Home Rule Act, absurdly continuing to abide by its awkward and debilitating rules because the law requires it. Our bill would do no more than align D.C. City Council practices.

Although control of the Congress changed in 1994 for the first time in 40 years, no resolution of disapproval has been heard in committee or used on the floor of either house. Instead of the cumbersome formal filing of bills that requires processing in the House and the Senate, the Congress has preferred to use appropriations or attachments. The District strongly opposes all methods of overturning its legitimate local legislation, but it is particularly unfair to require the City Council to engage in the tortuous process prescribed by the Home Rule Act that Congress itself has discarded. My bill would eliminate the formal review system that has died of old age and disuse. Congress has walked away from layover review and should allow the city to do the same.

Today's bill, of course, does not prevent review of District laws by Congress. Under Article I, Section 8 of the Constitution, the House and the Senate could scrutinize every piece of legislation passed by the City Council, if desired, and could change or strike legislation under the plenary constitutional authority over the District. However, since the Home Rule Act became effective in 1974, of more than 2000 legislative acts that have been passed by the Council and signed into law by the Mayor, only three resolutions to disapproval of a D.C. bill have been enacted, and two of these involved a distinct federal interest. Federal law to correct for a federal interest, of course, would be appropriate for any jurisdiction, but placing a hold on 2000 bills has not only proved unnecessary, but has meant untold costs in money, staff, and wasted time to the District and the Congress. Although 32 years of Home Rule Act history shows that congressional review is unnecessary, this bill merely eliminates the automatic hold placed on local legislation and the need for the City Council to use a phantom process passed for the convenience of Congress that Congress has eliminated in all but law.

Congress continually urges the District government to pursue efficiency and savings. It is time for Congress to do its part to promote greater efficiency both here and in the District by streamlining its own redundant and discarded review processes. Eliminating the hold on D.C. legislation would not only save scarce D.C. taxpayer revenue, but would benefit the city's bond rating, which is effected by the shadow of congressional review that delays the certainty of finality to District legislation. At the same time, Congress would give up none of its plenary power because the Congress may intervene into any District matter at any time under the constitutional provisions.

The limited legislative autonomy granted in this bill would allow the District to realize the greater measure of meaningful self-government and Home Rule it deserves and has more than earned in the 32 years since the Home Rule Act became effective. This goal can be achieved without prejudice to congressional authority. I urge my colleagues to pass this important measure.

CONGRATULATING GEORGE URIBE AND MARGARET BINFORD

HON. GARY L. ACKERMAN

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 14, 2007

Mr. ACKERMAN. Madam Speaker, I want to congratulate George Uribe and Margaret Binford who were engaged to be married last night at St. Patrick's Cathedral in New York.

The special moment occurred in Lady Chapel at 7 p.m. surrounded by Margaret's parents, Douglas and Randall Binford who flew in from San Antonio, Texas for the occasion.

The couple walked in the chapel, recited the Lord's prayer with the song "On Eagles Wings" playing in the background as George dropped to his knees and asked Margaret to marry him.

George is an Executive Vice-President and General Manager for a chain of radio stations and former U.S. Army Reserve soldier with the 77th Regional Readiness Command based at Fort Totten and Margaret is an interior designer and member of the Junior League.

Madam Speaker, I, along with the whole House, congratulate George and Margaret on their engagement and wish them happiness and love all the days of their lives.

A TRIBUTE TO DICK RICE

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 14, 2007

Mr. SHUSTER. Madam Speaker, I rise today to honor the memory of Mr. Dick Rice of Bedford, Pennsylvania. Mr. Rice was a longtime Commissioner of Bedford County before his passing last spring. He was known for his boundless energy, his optimistic attitude, a wonderful singing voice and the many issues he championed as a leader of his community. One of those issues dear to Mr. Rice was education. He believed strongly in the importance of providing local, high quality post-secondary education at an affordable cost. But he also showed his commitment by making a real difference in the lives of students. He found joy in presenting students with scholarships, tuition assistance awards, and emergency book funding.

Mr. Rice played a critical role in the development of the Bedford County Campus of Allegany College. By serving on the Bedford County Regional Education Foundation he was able to help make significant accomplishments. When the Bedford County Campus was founded in 1990, Bedford County ranked 64th out of 67 Pennsylvania counties in the percentage of high school graduates pursuing post-secondary education. Today, Bedford County is ranked 34th. The presence of a local campus has encouraged many area students to begin or continue their educational journeys close to home. Since 1990, more than 6,500 people have taken classes through the Bedford County Campus. The Foundation has worked to provide more than $190,000 to more than 700 of those students over the past 11 years. It is fitting that the Foundation has now established the Dick M. Rice Memorial Scholarship Endowment, to benefit Bedford County residents who attend Allegany College.

To cite each accomplishment and individual contribution that Dick has been a part of would take a very long time. His involvement in the educational community over the years has been immense and has touched numerous lives. We are all very grateful for his effort toward positive enrichment of Bedford County, and I offer my sincerest sympathies for the loss of such a great citizen.

TRAGEDY IN KHOJALY, AZERBAIJAN

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 15, 2007

Mr. SHUSTER. Madam Speaker, one of our greatest strengths as elected officials is the opportunity to bring to light truths that are little known and command recognition.

Today, as the Co-chairman of the House Azerbaijan Caucus, I would like to bring to the attention of this body the tragedy that took place in Khojaly, Azerbaijan, a town and townspeople that were destroyed on February 26, 1992. Fifteen years later, there is little attention or interest paid to the plight of Khojaly outside of Azerbaijan.

Sadly, Khojaly, a town in the Nagorno-Karabakh region of Azerbaijan, now under the control of Armenian forces, was the site of the largest killing of ethnic Azerbaijani civilians.

According to Human Rights Watch and other international observers, the massacre was committed by the ethnic Armenian armed forces, reportedly with the help of the Russian 366th Motor Rifle Regiment. This crime led to the death of 613 civilians; including 106 women, 63 children and 70 elderly men; 1,275 persons were taken hostage, and the fate of more than 150 remains unknown.

As part of the population tried to escape the town of Khojaly, they encountered violent ambushes and were murdered. According to the Russian organization, Memorial, 200 Azerbaijani corpses were brought from Khojaly to Agdam within four days, and it was discovered that they were subjected to abuses, torture and mutilation. Human Rights Watch stated that "we place direct responsibility for the civilian deaths with Karabakh Armenian forces."

At the time, Newsweek Magazine reported: "Azerbaijan was a charnel house again last week: a place of mourning refugees and dozens of mangled corpses dragged to a makeshift morgue behind the mosque. They were ordinary Azerbaijani men, women and children of Khojaly, a small village in war-torn Nagorno-Karabakh overrun by Armenian forces on 25–26 February. Many were killed at close range while trying to flee; some had their faces mutilated, others were scalped."

Time Magazine stated "While the details are argued, this much is plain: something grim and unconscionable happened in the Azerbaijani town of Khojaly two weeks ago. So far, some 200 dead Azerbaijanis, many of them mutilated, have been transported out of the town tucked inside the Armenian-dominated enclave of Nagorno-Karabakh for burial in neighboring Azerbaijan. The total number of deaths—the Azerbaijanis claim 1,324 civilians have been slaughtered, most of them women and children—is unknown."

Members of the Parliamentary Assembly of the Council of Europe (PACE) from Albania, Azerbaijan, and the United Kingdom stated in May 2001 in Written Declaration No. 324 that the "Armenians massacred the whole population of Khojaly and fully destroyed the town."

Khojaly was the first significant Azerbaijani settlement overrun by Armenian forces in the region of Nagorno-Karabakh. The forces next overran the Nagorno-Karabakh districts of Zangilan, Gubadli, Fuzuli, Aghdam, and Kalbajar, as well as the towns of Shusha and Lachin. Altogether, the occupied territories represent roughly 20 percent of the territory of Azerbaijan. And, altogether roughly one million Azerbaijanis were evicted from their homes over the course of the Armenian-Azerbaijan war.

On January 25, 2005 the Parliamentary Assembly of the Council of Europe overwhelmingly adopted a resolution highlighting that "considerable parts of Azerbaijan's territory are still occupied by the Armenian forces and separatist forces are still in control of the Nagorno-Karabakh region."

Armenian Defense Minister, in an interview with British journalist Tomas de Waal openly admitted that "Before Khojaly the Azerbaijanis thought that . . . the Armenians were people who could not raise their hands against the civilian population. We were able to break that [stereotype]." Madam Speaker, the tragedy of Khojaly was a crime against humanity and I urge Congress to join me in standing with Azerbaijanis as they commemorate this tragedy.

INTRODUCING THE SANCTITY OF LIFE ACT AND THE TAXPAYER FREEDOM OF CONSCIENCE ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 15, 2007

Mr. PAUL. Madam Speaker, I rise today to introduce two bills relating to abortion. These bills stop the federal government from promoting abortion. My bills accomplish this goal by prohibiting federal funds from being used for population control or "family planning" through exercising Congress's constitutional power to restrict federal court's jurisdiction by restoring each state's authority to protect unborn life.

Abortion on demand is no doubt the most serious sociopolitical problem of our age. The lack of respect for life that permits abortion significantly contributes to our violent culture and our careless attitude toward liberty. Whether a civilized society treats human life with dignity or contempt determines the outcome of that civilization. Reaffirming the importance of the sanctity of life is crucial for the continuation of a civilized society. There is already strong evidence that we are on the slippery slope toward euthanasia and non-consensual human experimentation. Although the real problem lies within people' hearts and minds, the legal problems of protecting life stem from the ill-advised Roe v. Wade ruling, where the court usurped the state's authority over abortion.

One of the bills I am introducing today, the Sanctity of Life Act of 2005, reverses some of the damage done by Roe v. Wade. The Sanctity of Life Act provides that the federal courts of the United States, up to and including the Supreme Court, do not have jurisdiction to hear abortion-related cases. Congress must use the authority granted to it in Article 3, Section 1 of the Constitution to rein in rogue federal judges from interfering with a state's ability to protect unborn life.

In addition to restricting federal court jurisdiction over abortion, Congress must stop the unconstitutional practice of forcing Americans to subsidize abortion providers. It is not enough to say that "family planning" groups may not use federal funds to perform or promote abortion. After all, since money is fungible, federal funding of any activities of these organizations forces taxpayers to underwrite the organizations abortion activities. This is why I am also introducing the Taxpayer Freedom of Conscience Act. The Taxpayer Freedom of Conscience Act prohibits any federal official from expending any federal funds for any population control or population planning program or any family planning activity. To paraphrase Thomas Jefferson, it is "sinful and tyrannical" to force the American taxpayers to subsidize programs and practices they find morally abhorrent.

Madam Speaker, it is my hope that my colleagues will join me in support of these two bills. By following the Constitution and using the power granted to the Congress by the Constitution, we can restore respect for freedom of conscience and the sanctity of human life.

RECOGNIZING THE UNI-CAPITOL WASHINGTON INTERNSHIP PROGRAM

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 15, 2007

Mr. HASTINGS of Florida. Madam Speaker, I rise today to recognize the Uni-Capitol Washington Internship Program. Since the program's inception in 2000, I have been a proud participant.

For the past seven years, 12 students from all across Australia are selected to participate in the eight-week Uni-Capitol Washington Internship Program, an opportunity that exposes them to the administrative and legislative processes that underpin the functioning of Congress as a democratic institution, Such experiences are invaluable opportunities for these students to gain knowledge and a deep understanding of the internal workings of the United States Government while bringing their own skills and backgrounds to their respective Congressional offices.

The Uni-Capitol Program selects undergraduates from 7 universities by exclusively matching the applicants with Members and Senators who share their views, as well as with various committee offices that relate to their interests and fields of study. The students who are selected come from a variety of academic disciplines, but all have a common interest in learning about and promoting the U.S.-Australia relationship. These student placements are enhanced by the formation of genuine friendships and the exchange of views and ideas between the Australian interns and their respective offices. I continue to enjoy the interaction that frequently occurs between my Australian and American interns. This, my colleagues, is how we build diplomatic relationships which will ensure that the U.S. and Australia remain friends and allies for years to come.

For the past two months, my office has had the good fortune of hosting an amazing young woman from Australia, Anu Ambikaipalan, who is completing a double degree in law and international studies at Deakin University. Throughout the duration of Anu's tenure in my office, she has conducted herself admirably. Her willingness to learn and contribute to the legislative process through crafting legislation for the state of Florida as well as nationwide, has cemented a relationship indicative of the one the U.S. and Australia have shared for so many years. Anu has fast become an asset to my staff and we will be sorry to see her go.

Anu is participating with 11 other very qualified students. Emmanuel Rohan from the University of Queensland is in Representative MIKE CASTLE's office; Sylvia Gaston from the University of Melbourne is in Representative JAMES CLYBURN's office; Charis Tierney from the University of Queensland is in Senator MIKE CRAPO's office; Nicole Woodmansey from Griffith University is in Senator CHRISTOPHER DODD's office; Clare Ashby from the University of Melbourne in the office of Rep. PHILIP ENGLISH; Anna Keenan (University of Queensland is in Representative SAM FARR's office; Nisha Sundaresan from Deakin University is in Senator CHUCK HAGEL's office; Megan Bainbridge from the University of Melbourne is in Representative JERROLD NADLER's office; Stuart Broadfoot from the University of Western Australia is in Representative ILEANA ROS-LEHTINEN's office; Jennifer Grant from the University of Queensland is in Representative LORETTA SANCHEZ's office; Michael Ng from the University of Melbourne is with the House Transportation and Infrastructure Committee's majority staff.

As we move to acknowledge the seventh successful year of this program, I would like to commend the founder and director the Uni-Capitol Internship Program, Eric Federing. Eric is a former senior House and Senate staffer of more than a dozen years, who successfully combined his experience in Washington with his extensive travels and lectures throughout Australia into an ingenious program of diplomatic exchange through cultural appreciation and understanding. I heartily congratulate him on making his vision a reality. This program is the right step in the direction of supporting our young people who have a passion for and commitment to civic engagement and public service.

Over the years, my staff and I have greatly benefited from participating in this program, as I believe it continues to provide a unique and important bridge between the United States of America and Australia in many respects, especially in the arena of promoting people to people relationships that are just as key if not more than our military and economic relationships. I have said this in years past, and I will say it again: I implore my colleagues to participate in this worthwhile program when the opportunity is made available.

IN HONOR OF MS. VINNIE MALLOY, NEW YORK DISTRICT MANAGER/POSTMASTER, UNITED STATES POSTAL SERVICE

HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 15, 2007

Mr. NADLER. Madam Speaker, I, along with Mr. RANGEL and Mrs. MALONEY rise today to congratulate Ms. Vinnie Malloy on the occasion of her retirement from the United States Postal Service.

Ms. Malloy has broken many barriers throughout her career, which has been marked by excellence. From December 1998 until her retirement on February 2, 2007, Ms. Malloy served as the 37th District Manager and New York City Postmaster, the first woman to hold that distinction. In this position, Ms. Malloy was responsible for the delivery of mail and customer service for millions of residents and business customers in New York City. She managed 62 post offices, 46 stations and 15,000 employees.

Ms. Malloy joined the Postal Service in 1969, at age 21, as a Substitute Distribution Clerk in the James A. Farley Building. In the years that followed, Ms. Malloy held several positions in the Postal Service, including the historic first female Tour Director and Mail Processing Operations Manager in the New York District, as well as first female Bronx Postmaster.

Through mentoring and training, Ms. Malloy has assisted and encouraged many of her employees to seek higher level positions. She has one son and serves on the Senior Usher Board of the Cambria Heights Community Church in Queens, NY.

We are very grateful to Ms. Malloy for her assistance with the hundreds of constituent concerns we have brought to her attention over the years. We wish every government office were as responsive as Ms. Malloy and her staff have been. No matter how big or small the issue, our constituents have always been treated promptly and courteously. During her nearly 38 year career, she has been committed to the residents of Manhattan through her work in the United States Postal Service.

Ms. Malloy paved the way for other female Postal Service employees, and is an inspiration and role model for all women. For her commitment to the Postal Service and her community, it is our privilege to congratulate Vinnie Malloy on her distinguished record of excellence and achievement and upon her retirement.

FREEDOM FOR RAFAEL BENÍTEZ CHUI

HON. LINCOLN DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 15, 2007

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, I rise today to speak about Rafael Benítez Chui, a political prisoner in totalitarian Cuba.

Mr. Rafael Benítez Chui is a father of three and a peaceful pro-democracy activist in totalitarian Cuba. Mr. Benítez Chui knows with complete certainty that Cuba must be liberated from the nightmare that is the Castro regime in order for his children and for all the children of Cuba to be able to live in freedom, with the ability to exercise their most basic human rights. Because of his belief in freedom, democracy and a better future for his children, Mr. Benítez Chui became a target for the tyrant's machinery of repression.

As a result of the dictator's condemnable March 2003 crackdown on peaceful pro-democracy activists, Mr. Benítez Chui, along with his wife Migdalia Hernández Enamorado, went to a police unit in Guantánamo to protest the arrest of two of their fellow pro-democracy leaders, Manuel Ubals and Juan Carlos Herrera Acosta. Unfortunately, on March 19, 2003 shortly after arriving at the police unit, dictatorship thugs arrested both Mr. Benítez Chui and his wife while they peacefully protested the unjust treatment of their fellow human rights activists.

Unfortunately, their peaceful protest was justification enough for the communist regime to incarcerate Mr. Benítez. On September 18, 2003, after 7 months confinement to a hellish existence in the totalitarian gulag, 7 months after his initial detention, Mr. Benítez Chui was finally, in a sham trial, "sentenced" to 4 years for the alleged crime of "contempt".

Since his incarceration, Mr. Benítez Chui has endured an inhuman horror in the dictatorship's gulags. In 2004, he was severely beaten by regime thugs and robbed of his few personal belongings. When Mr. Benítez Chui attempted to defend himself against the brutal assault, he was placed in a so-called "punishment cell". These "punishment cells" are usually located in the basements of prisons, with continuous dark conditions, no available water, and a hole in the ground for a toilet.

Despite nearly 4 years of brutal, life threatening conditions and continued psychological torture, Mr. Benítez Chui has never wavered in his commitment to the freedom of all the Cuban people. He has never lost his hope that one day his three children will live in a democratic Cuba free of the murderous totalitarian regime that has oppressed Cuba for almost half a century. Mr. Benítez is one of the many heroes of the Cuban pro-democracy movement who are locked up in the dungeons of the dictatorship for believing in a better life for the Cuban people, all of whom are trapped in the horror of the brutal tyranny.

Madam Speaker, Mr. Benítez Chui is representative of the best of the Cuban people, their dignity and their thirst for freedom and democracy. It is unconscionable, in the 21st century, for the world to stand by in silence while valiant men and women are caged by a demented and vile oppressor simply for peacefully expressing opinions. We must demand the immediate freedom of Mr. Benítez Chui and all the prisoners of conscience in totalitarian Cuba.

PROJECT BIOSHIELD MATERIAL THREATS ACT OF 2007

HON. JAMES R. LANGEVIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 15, 2007

Mr. LANGEVIN. Madam Speaker, I rise today to introduce the Project BioShield Material Threats Act of 2007.

The BioShield Program was created to develop and procure medical countermeasures against dangerous chemical, biological, radiological and nuclear (CBRN) agents, The Department of Homeland Security is responsible for determining threats posed to our country by these agents, and for taking specific steps to protect the nation's citizens from these harms. While I fully support the mission of BioShield, the program has encountered several problems since it was enacted nearly three years ago.

One major shortcoming of the program is a lack of efficiency in the assessment of threats. Rather than examining each threat individually, we should be looking for ways to properly group these threats together, so we can develop appropriate countermeasures to combat multiple threats. My colleagues and I are introducing this legislation to improve and expedite the Department's conduct of Material Threat Determinations (MTD) and the more indepth Material Threat Assessments (MTA). These MTDs and MTAs will promote a more strategic use of our Nation's resources when procuring medical countermeasures and will ultimately lead to a safer and better-prepared public health infrastructure.

To date, DHS has completed fifteen MTDs. It took well over one year to complete the first six, but the pace picked up considerably since a shift towards less in-depth risk assessments of twenty-nine top threat agents listed by the Centers for Disease Control. The Department leveraged those risk assessments to more quickly complete the next round of MTDs. Soon the Department plans another round of risk assessments that will include more chemical agents. I hope this bill sends a clear message to the Department that we in Congress want to support and improve upon their recent efforts.

Risk is assessed based on a combination of threat, vulnerability, and consequences, and we should encourage the Department to use threat information contained in existing risk assessments to inform and expedite the MTD/MTA process. This bill promotes the use of existing risk assessments if those assessments are considered credible by the Secretary.

Another way to both accelerate and leverage assessments is to conduct them in groups, either by the physical or genetic similarity of the agents themselves or the symptoms they cause. Countermeasures that address more than one threat agent are commonly referred to as "broad spectrum medical countermeasures," and these should be the gold standard for efficient use of BioShield resources. We must move beyond the current "One Bug, One Drug" approach we currently use to the "One Drug for Many Bugs" model that broad spectrum countermeasures offer.

Finally, we all know that time is of the essence as we work to address those agents we already know and ensure we are prepared for emerging threats. The legislation I am introducing today requires all MTDs for CBRN agents that the Secretary determines to be capable of significantly affecting national security to be completed by December 31, 2007.

Madam Speaker, this bill will aid the Department of Homeland Security in conducting threat and risk assessments, which is the first step to countermeasure procurement. We must address those agents—known and emerging, natural or engineered—that present the highest risk to our citizens, and we must do it quickly. Passage of this measure will help advance and improve that process, and I urge my colleagues to join me in supporting this legislation.

A TRIBUTE TO THE BIRTH, LIFE, AND LEGACY OF BOB MARLEY

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 15, 2007

Mr. RANGEL. Madam Speaker, I rise today to celebrate the 62nd anniversary of the birth, life and legacy of renowned musician, champion of peace, and provocateur of thought; Bob Marley. His music stirred emotions of love; his life inspired the hope of peace. February 6, 1945 marked the beginning of his journey as an ambassador of humanity. Bob Marley was with us such a short time, but left such a rich legacy that on each birthday we ask ourselves what greatness we would have seen if he had lived a full life. We are sad that he died so young and that after all these years he would have just turned 62 this month.

Bob Marley's international appeal is due to his commitment to the unity of mankind. He awakened the consciousness of society as a spokesperson for equality in Africa and for the poor and underprivileged across the world. His efforts to shine a light on the darkest regions across the globe gave a platform to the voiceless to let their stories be heard. Bob Marley was an activist of world peace, and he encouraged us that if we come together "we can make it work."

Bob Marley's ability to empathize with the plight of the poor and destitute is a characteristic that we all must internalize. When we are faced with the widening gap of the haves and have-nots, with our neighbors affected by Hurricane Katrina, and with the citizens of Haiti and Darfur, we must have the compassion and the courage to ensure that all are given the opportunity to live fulfilling lives.

With the revolutionary spirit of Marcus Mosiah Garvey, Bob Marley empowered us to realize our inner strength and to continually strive for spiritual maturity. His famous lyrics in "Redemption Song" gave insight in overcoming inner dissonance, advising to "Emancipate yourselves from mental slavery, none but ourselves can free our minds." His conviction to personal growth was seen in his commitment to the principles of his faith, and his unyielding desire for others to become fully actualized human beings.

Having a special talent to recreate the scenes of everyday life, Bob Marley gave us the opportunity to experience the joy, love, pain, and redemption that characterize our humanity through his music. With a message which transcends the reality of which he sung, he speaks to us in this day and time as meaningfully as he did when he lived, leading us to reflect on the complexities of our world, and the enjoyment of the pleasures in our lives.

His numerous awards and accolades reflect his dedication to creating music and a message unhindered by culture, race, time, or space. He and his beloved anthem "One Love" was voted as the most popular international song of the 20th century. Bob Marley's music lives on to remind us to strive for peace in our society and within ourselves. Because of his contribution to the world of music and the consciousness of humanity, I celebrate the birth, life, and legend of Bob Marley.

INTRODUCING THE FOSTER CHILDREN SELF SUPPORT ACT

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 15, 2007

Mr. STARK. Madam Speaker, I rise today to introduce the "Foster Children Self Support Act." This bill will codify into federal law what should be common sense: abused and neglected children should not be used as a funding stream for states that should be acting in the best interests of these extremely vulnerable children.

In nearly every state in the country, foster children eligible for Social Security benefits because of a disability or the loss of a parent are having those benefits taken by the very state agencies charged with providing for them. The "Foster Children Self Support Act" would end that practice. Instead, it would require states to use a child's Social Security benefits to meet the immediate needs of that child or set aside those benefits to assist the child with transitioning to adulthood when that child emancipates from care.

The Congressional Research Service (CRS) estimates that approximately 30,000 foster children (out of 500,000 nationwide) receive either Supplemental Security Income (SSI) or OASDI (Old Age, Survivors, and Disability Insurance) benefits each month. Unfortunately, hardly any of these children will benefit from these funds. Nor will the children have the option to save the money as a nest egg for when they leave care. This is because state child welfare agencies routinely make themselves the representative payee so that they have control over the child's benefits. Often, neither the child nor the child's advocate knows that Social Security benefits are being sent to the agency. Once the welfare agency controls the benefits they are free to use them however they please.

In this manner, state welfare agencies take an estimated $156 million per year from foster children. The practice has devastating consequences, as evidenced by the case of "John G.," a foster child in North Carolina. John was willed a house when his adoptive father died of cancer. The house had a $221 monthly mortgage. Luckily for John he was entitled to approximately $560 in Social Security OASDI benefits. However, the child welfare agency, who had made themselves John's representative payee, decided they would rather keep the money than ensure John had a place to live when he left foster care. Just as his house was about to be foreclosed on, John went to court. Currently, the welfare agency is making the payments under a court order. The future of John's house is still very much in doubt because the agency has appealed and the law may not be on John's side.

Although John G.'s case is particularly egregious, all foster children and former foster children face tremendous challenges. Foster children often enter care having suffered from serious emotional, mental, and/or physical abuse. For example, they suffer from Post Traumatic Stress Disorder (PTSD) at a rate twice as high as Iraq War veterans. Then, when children emancipate from care they are dependent on public assistance, become incarcerated or homeless, and are unemployed at rates higher than nearly any other group of Americans. The "Foster Children Self Support Act" is especially important since it is safe to assume that those children who have lost their parents or are receiving SSI due to severe mental or physical disabilities are among the most needy.

The "Foster Children Self Support Act" provides a way to help these children. It does so by mandating that states develop a plan for foster children with Social Security benefits. The plan would layout how to best use a child's Social Security benefits as a resource to best meet the current and future needs of that child. The plan must be specific to each child receiving Social Security benefits and made in partnership with the child and the child's advocate. If this bill were law, states would no longer be allowed to simply use children's Social Security money as they see fit. Instead, this money would have to be used as any parent would use it: to provide for the child's particular needs and help plan for the child's future.

The bill will:

Require that states screen all foster children for Social Security eligibility and assist them in application;

Require states to identify other appropriate representative payees for eligible children, such as family members, before becoming the payee themselves;

Prohibit states who are payees from using a child's Social Security benefits to reimburse themselves for the cost of foster care;

Require states to develop a plan, with a child and that child's advocate(s), on how to best use the Social Security benefits to provide for the current and future needs of the child;

Provide for the conservation of Social Security funds in dedicated accounts that a child can access when they leave care to pay for things like housing, education, transportation, and other life expenses;

Exempt conserved funds from the Social Security resource limit (currently it is $2,000), so that children can conserve funds and still maintain their Social Security eligibility;

Require the GAO to report back to Congress on states' progress in screening all foster children for Social Security eligibility.

Improving our child welfare system has repercussions throughout our society. Foster children who age out of the child welfare system without having developed family supports or skills that can lead to employment create a large societal cost. In the next 15 years 300,000 foster children will age out of care without any transition supports. Congress has a moral obligation to provide foster children with the resources they need to become independent adults. The "Foster Children Self Support Act" is a small part of fulfilling this obligation and a large step toward helping one of the most vulnerable groups of foster children.

Attached are two news articles for the RECORD that illustrate the consequences of our current policy.

I urge my colleagues to join me in support of this important legislation.

INTRODUCTION OF THE RECONSTRUCTION AND STABILIZATION CIVILIAN MANAGEMENT ACT

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 15, 2007

Mr. FARR. Madam Speaker, today, Mr. SAXTON and I are pleased to introduce the bill, Reconstruction and Stabilization Civilian Management Act.

In his State of the Union speech, the President called on Congress to support a civilian response corps which "would function much like our military reserve. It would ease the burden on the Armed Forces by allowing us to hire civilians with critical skills to serve on missions abroad when America needs them. It would give people across America who do not wear the uniform a chance to serve in the defining struggle of our time."

The Reconstruction and Stabilization Civilian Management Act would authorize a civilian response corps. Why is this authorization necessary? Since the end of the Cold War, the U.S. has been engaged in a stabilization or reconstruction operation once every 18–24 months. By default, the services have taken on the task of nation building, and OSD Directive 3000.05 makes stabilization and reconstruction operations a core competency of the military.

While our military personnel have done an excellent job for which they have not been trained, filling the void should be the responsibility of the State Department. In order for our operations to be successful, the State Department must fill this void, and can do so by creating a comparable civilian force to take over once the military has stabilized a war-torn country.

Combating failed states requires a complex combination of political, diplomatic, development assistance and military actions, as well as the ability to respond quickly in the immediate aftermath of crisis. The military plays an extremely important role in stabilizing a country, but civilians play an equally important role and have comparative advantage in helping to develop civil society—judicial systems, law enforcement, health care, economic development, trade promotion and other essential sectors to stabilize a country.

The Reconstruction and Stabilization Civilian Management Act establishes the legislative framework for authorizing this integral civilian capacity by:

Authorizing the establishment of the State Department Office of the Coordinator for Reconstruction and Stabilization, S/CRS;

Authorizing the establishment of a 250-person Civilian Response Corps with both Active-Duty and Reserve components. The corps would be rapidly deployed with the military for both initial assessments and operational purposes. They would be the first civilian team on the ground in post-conflict situations, well in advance of the establishment of an embassy.

Establishes personnel exchange programs with other relevant Federal agencies that can help a failed state develop government and civil society infrastructure.

Importantly, the bill promotes a stabilization and reconstruction curriculum and the utilization of already existing programs like the Center for Stabilization and Reconstruction Studies at the Naval Postgraduate School.

I urge my colleagues to cosponsor this important piece of legislation that would greatly assist in improving the capacity of our Government to respond to some of the most important and pressing security threats of our time.

TRIBUTE TO JONATHAN QUARLES

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 15, 2007

Mr. KILDEE. Madam Speaker, I rise today to recognize Jonathan Quarles, the keynote speaker at the Flint NAACP's Freedom Fund annual dinner to be held on March 3rd in Flint Michigan.

Jonathan Quarles is currently serving the mayor of Detroit, the Honorable Kwame Kilpatrick, as the executive assistant. Jonathan began his public service career after graduating from Florida A&M University in 2004 with dual degrees in business administration and political science. He worked for People for the American Way Foundation in partnership with Tavis Smiley to increase civic awareness and engagement in the public process by young people in Florida, Michigan, Illinois, Texas and Ohio.

In addition to his current position with the city of Detroit, Jonathan has a lifelong commitment to the NAACP, is a member of Alpha Phi Alpha Fraternity Incorporated Beta Nu Chapter. He serves as a precinct delegate for the city of Detroit, as board member of Leadership Transformation, a steering committee member for New Detroit National Leadership Summit on Race, a trainer for the Paul Wellstone Action Network, and an ambassador for Tavis Smiley's Youth 2 Leaders Foundation. Recently Jonathan founded Common Link Consulting Services to better educate the community about public policy and foster links between the public and private sectors.

Recognized for his accomplishments, Jonathan was selected by Black Enterprise as one of America's emerging leaders. He was recognized by Jet Magazine as one of Black America's most promising leaders of the 21st century. The Governor of Michigan named him a "Michiganian of the Year" in 2000 and Florida A&M University has granted the Martin Luther King, Jr. Leadership Award to Jonathan for two consecutive years. The February 2007 issue of Ebony Magazine listed him as one of the country's top 30 leaders under the age of 30.

Madam Speaker I ask the House of Representatives to join me in congratulating a fellow Flint native, Jonathan Quarles, as he is honored by the Flint Chapter of the NAACP for his work to make our community a better place.

PAYING TRIBUTE TO STEVEN G. SCHORR

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 15, 2007

Mr. PORTER. Madam Speaker, I rise today to honor my friend Steven G. Schorr, Vice President of Public and Government Affairs for Cox Communications, whose civic and professional contributions to Southern Nevada have motivated the Clark County School Board of Trustees to name a new elementary school in his honor. Steven has been a vital part of our community since he and wife, Holly, moved to Las Vegas with their two sons, David and Darrin, in 1977.

Mr. Schorr's remarkable civic involvement has earned him much deserved recognition. He has been named Public Citizen of the Year in Nevada and was cited as "One of the Most Influential Men in Southern Nevada." Mr. Schorr has also received the Glenn Smith Humanitarian Award from Opportunity Village and was named to the "National Erase the Hate" honor roll. He was presented the Nevada Points of Light A ward by former Governor Kenny Guinn and the Nevada Commission for National and Community Service for his dedication and commitment to serve our community. In acknowledgement of his contributions to the community, Mr. Schorr was recently inducted as an honorary board member and executive board member of the 100 Black Men of Southern Nevada, which is an organization geared towards mentoring children. Mr. Schorr serves on several boards such as the National Urban League, Nevada Ballet Theater, and Sunrise Hospital and Medical Center.

As Vice President of Public and Government Affairs for Cox Communications for the past 19 years, Mr. Schorr is the liaison to local, state and national elected officials and government bodies. Prior to his work with Cox Communications, Mr. Schorr was a television news journalist, during which time he received wide recognition for his outstanding work. For his efforts as a news anchor, Mr. Schorr was awarded two Emmys, two National Freedom Foundation Awards, a Headliner Award, and an Armstrong Award for Broadcasting. In addition to these awards, Mr. Schorr's achievements in television journalism were recognized when he was inducted into the Nevada Broadcasters Association's Hall of Fame. Mr. Schorr has also served as an adjunct professor at the University of Nevada Las Vegas, Greenspun School of Communications.

Madam Speaker, I am proud to honor my friend Mr. Schorr and his many achievements and congratulate him on being recognized with the dedication of a school in his name. His dedication to the community is remarkable and I wish Mr. Schorr continued success in his future endeavors.

INTRODUCTION OF THE SIMON WIESENTHAL HOLOCAUST EDUCATION ASSISTANCE ACT

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 15, 2007

Mrs. MALONEY of New York. Madam Speaker, today I am reintroducing the Simon Wiesenthal Holocaust Education Assistance Act. Through grants to qualifying education organizations, I hope to promote awareness of the Holocaust and the devastating effects of hate crimes. As the generations who survived the Holocaust pass away, we need to make sure that new generations know the horrors of that terrible time. We need to make sure that those who would deny the existence of the Holocaust do not have the ability to rewrite history.

This bill, named after the honored Holocaust survivor who spent his life's work devoted to seeking justice for the six million Jews who were murdered by the Nazis, seeks to provide competitive grants for educational organizations working to teach today's youth the lessons of the Holocaust. Through grants from the Department of Education, Holocaust organization programs that are designed to specifically improve the awareness of the Holocaust through such means as classes, seminars, conferences, educational materials, and teacher training, can apply for federal funds to assist in carrying out these initiatives.

Several states now require that the Holocaust be taught in public school curriculums. Though there are resources such as the Holocaust Memorial Museum here in Washington, DC, and similar museums in a few other cities, many teachers are still left with the challenge of teaching a complicated subject without the expertise. Many Holocaust educational organizations have risen to meet this demand, but their resources are limited, hindering their outreach. This bill will provide more resources to these organizations, who have the expertise and knowledge of the tragic events during the Nazi era, to teach more students, teachers and communities the dangers of inter-group conflict and the importance of tolerance in our society.

HONORING MICHAEL B. SCHAD FOR 35 YEARS OF SERVICE TO THE UNITED STATES

HON. PATRICK J. MURPHY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 15, 2007

Mr. PATRICK J. MURPHY of Pennsylvania. Madam Speaker, it is my privilege to rise before you to honor Michael B. Schad, of Langhorne, Pennsylvania, for his many years of dedicated service to the U.S. Army National Guard. For Mr. Schad, this marks the end of a 35 year career with the National Guard during which his willingness to go above and beyond the call of duty exemplified the true spirit of our armed forces.

Mr. Schad first served four years with the U.S. Navy during the Vietnam War. Upon returning home, Mr. Schad joined the National

Guard and worked tirelessly, many times volunteering for extra duty. When there was a call for help to guard a nuclear facility in New Jersey, Mr. Schad stepped up. When Hurricane Katrina ravaged the Gulf Coast, Mr. Schad joined the relief effort without hesitation. Mr. Schad filled in at supply commands at Fort Dix, McGuire Air Force Base and in Germany. Yet through all of this, Mr. Schad maintained a full-time job and raised a family, a tremendous feat given his level of commitment to the National Guard.

Madam Speaker, the eagerness with which Mr. Schad served his country is the very trait that serves as the backbone of the National Guard. His willingness to stand at his country's guard, while at the same time undertaking the rest of life's responsibilities, deserves special appreciation and respect. I would like to take this opportunity to recognize Mr. Schad for what at many times may have seemed like a thankless task. Mr. Schad was not seeking praise or reward, but only the unique feeling of satisfaction that comes with serving your country and making it safer for others.

Mr. Schad has passed these principles on to his son, U.S. Army Sgt. Brian Schad, who will soon be deployed to Afghanistan after serving in Djibouti, Africa. We all owe a debt of gratitude to families such as the Schads, who have taken up their country's call. Madam Speaker, I am proud to express the gratitude and affection of myself and my constituents to Mr. Schad and his entire family.

TRIBUTE TO COLORADO STATE SENATOR JOHN EVANS

HON. MARILYN N. MUSGRAVE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 15, 2007

Mrs. MUSGRAVE. Madam Speaker, I rise today to honor former Colorado State Senator John Evans.

A fifth generation Coloradoan, Mr. Evans's contributions to the State of Colorado are innumerable.

After graduating from Lakewood High School, Mr. Evans earned a Bachelor of Arts degree from the University of Denver. He later completed his Masters of Education and Ph. D. at Georgia State University, in Atlanta. In 1986, Mr. Evans graduated from Valparaiso University School of Law.

For over twenty-three years Mr. Evans devoted his talents to serving in both the public and higher education arenas. Drawing on this experience, he served as an at-large member of the State Board of Education for four years. During his tenure Mr. Evans was a leader in making Colorado a national leader in school reform.

Mr. Evans continued his work as a champion of Colorado school children in the state Senate. In addition to his work on education issues, he also served as Assistant Majority Leader, Chair of the Legal Services Committee, and Vice-Chair of the Finance Committee.

Madam Speaker, Mr. Evans's service to the people—especially the students—of Colorado will not soon be forgotten. I urge my colleagues to join me in recognizing Mr. John Evans.

PAYING TRIBUTE TO ROSSI RALENKOTTER

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 15, 2007

Mr. PORTER. Madam Speaker, I rise today to recognize and honor my friend Rossi Ralenkotter for his commitment and dedication to the Las Vegas community.

Rossi Ralenkotter has been a resident of Las Vegas for over 54 years. During this time, Rossi earned his bachelor of science in marketing from Arizona State University and his master of business administration from University of Nevada Las Vegas. He has worked with the Las Vegas Convention and Visitors Authority for 33 years, and is currently serving as the President and CEO. Rossi has previously served as the Authority's executive vice president and senior vice president of marketing. He is also an active member of a number of professional associations, such as, the International Association of Convention and Visitors Bureaus, the American Society of Association Executive and the Hotel Sales Marketing Association.

During his long and distinguished career, Rossi has received numerous accolades; most recently the Las Vegas Ad Club inducted him into the Las Vegas Advertising Hall of Fame for his lifetime marketing achievements. Rossi has also been honored by the American Marketing Association and the Travel and Tourism Research Association with Lifetime Achievement awards, and in 2004 he was selected by Brandweek Magazine as the Grand Marketer of the year. On Sunday, February 25, 2007, Rossi is being honored as the "Man of the Year" at the 79th Annual Academy Awards Oscar Night America and Arthritis Foundation Ceremony.

Madam Speaker, I am proud to honor my friend Rossi Ralenkotter for his considerable contributions to the success and expansion of the Las Vegas community. I commend his professional and personal commitment to southern Nevada. I applaud his efforts and wish him the best in his future endeavors.

INTRODUCTION OF WOMEN'S HEALTH OFFICE ACT

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 15, 2007

Mrs. MALONEY of New York. Madam Speaker, today I introduce the Women's Health Office Act with my Republican colleague, DEBORAH PRYCE from Ohio. This Act establishes permanent authorization for the offices or officers of women's health in five federal agencies: the Centers for Disease Control and Prevention, the Department of Health and Human Services, the Agency for Healthcare Research and Quality, the Health Resources and Services Administration, and the Food and Drug Administration.

Women's health research has been historically underfunded in the United States and for years women have been banned from clinical trials. For example, in 1977, the FDA barred all women of child bearing potential from participating in most early phase clinical research, and this continued for 16 years. Unfortunately, sex differences continue to be ignored in medical research today and we have not made up for the dearth of information on women's health.

The offices of women's health in these federal agencies were intended to provide a much needed focus on women's health including research, service delivery, policy, education, and outreach. However, these offices are currently unable to perform their responsibilities due to a lack of support from our federal government. They are severely underfunded and understaffed, and vulnerable to elimination in the future.

The work of these offices is essential to improving the health of women in the United States. Creating a permanent authorization would ensure that these offices retain their allocated funding, are sufficiently staffed, and can accomplish the important work for which they were established.

HONORING ZACH COHEN FOR HIS WORK WITH OPERATION DVD

HON. PATRICK J. MURPHY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 15, 2007

Mr. PATRICK J. MURPHY of Pennsylvania. Madam Speaker, I rise before you today to recognize Zach Cohen, an extraordinary young man from Lower Makefield, Pennsylvania. Through his involvement with Operation DVD, Zach has shown exceptional selflessness and caring, well beyond his years.

The Charles Boehm Middle School seventh grader wrote me recently to promote the project, excited to help our community show support for troops overseas. Operation DVD was started by AMVETS, a national veteran's organization. Those running the project collect new or used DVDs and CDs, which are sent abroad to our service men and women. The goal of Operation DVD is to send over one million discs to soldiers in Iraq and Afghanistan, where outdoor recreational activity comes at great risk. By providing soldiers with music and movies, they can enjoy what little free time they might have in safety.

Zach became involved with the project when he was researching a community service project to complete in preparation for his Bar Mitzvah. He felt his love for movies and music would be shared by our men and women fighting overseas. But most important, Zach's attitude showed appreciation and maturity that hopefully rubs off on others his age. Zach wrote in his letter, "I also think it's very important to support our troops and thank them for all that they do for our country. And I thought it was great that I had found a way to do a lot of good without having to ask people for money." Madam Speaker, we should all share this genuine thoughtfulness and consideration, especially for men and women who have sacrificed so much. And as someone who served in Baghdad only three years ago, I can attest to the affect these acts of generosity have on morale.

From the moment Zach discovered Operation DVD, he showed tremendous determination in spreading the word. He attended a Lower Makefield Township Supervisors meeting. He was featured in articles by the Yardley News and the Trend Midweek. He has sent letters to Bucks County school districts and various other community organizations. Madam Speaker, Zach's tireless efforts represent the potential of our youth for contributing to our communities through selfless and noble acts.

TRIBUTE TO ARNOLD GERMANN

HON. MARILYN N. MUSGRAVE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 15, 2007

Mrs. MUSGRAVE. Mr. Speaker, I rise today to pay tribute to Arnold Germann on the occasion of his retirement from the Farm Service Agency after 35 years of service. Since December of 1971, when he began as a County Office Manager trainee, he has dedicated his professional life to the Farm Service Agency. He became very effective in his first position as the Office Manager in El Paso County. After serving in El Paso County for a short time, he decided to give up his position and go to Weld County to manage the county office with the largest workload in the State.

Arnold has seen the office through numerous changes. When he started, farm programs in Weld County were limited to dryland farms. Through the years, the situation has changed dramatically and now nearly every farm in Weld County is enrolled in some sort of farm program.

Over the years, Mr. Germann has served on many State and National Committees to help develop ways to administer Farm Programs more efficiently. His impressive efforts earned him numerous leadership positions including President of the Colorado Association of County Office Employees from 1979 through 1982 and the Legislative Committee chair from 1987 to 1991. His outstanding work has been acknowledged with numerous awards including the 1976 Pro Employee award and the 1983 Service to Colorado Association of County Office Employees distinguished service award.

Mr. Germann has served the Farm Service Agency and the agricultural producers of Weld County with great dedication over these many years. I extend my heartfelt thanks to him for a lifetime of service.

IN RECOGNITION OF MRS. LINDA NOWLIN, KITTY STONE ELEMENTARY SCHOOL TEACHER OF THE YEAR

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 15, 2007

Mr. ROGERS of Alabama. Madam Speaker, I rise to pay tribute to Mrs. Linda Nowlin of Jacksonville, Alabama. Mrs. Nowlin is a highly accomplished educator and was recently named Kitty Stone Elementary School's Teacher of the Year.

According to recent media reports, for the past 34 years Mrs. Nowlin has been inspiring young students in Alabama and Tennessee and has been a member of the Kitty Stone Elementary faculty since 1998. Over the years, Mrs. Nowlin has integrated advanced teaching methods and the Internet to equip her kindergarten students with the skills they need to be successful.

I congratulate Mrs. Nowlin for her years of service, and for her recent commendation.

PAYING TRIBUTE TO REBECCA A. JOHNSON

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 15, 2007

Mr. PORTER. Madam Speaker, I rise today to honor Rebecca A. Johnson, principal of Kirk Adams Elementary School in Las Vegas, Nevada and recent recipient of the Milken Family Foundation National Educator Award.

The Milken Family Foundation National Educator Awards program recognizes and rewards outstanding teachers, principals, and education professionals who go above and beyond to achieve excellence in education. Since the first award was presented in 1987, over 2,200 recipients have this prestigious award. Ms. Johnson was one of the 100 educators chosen for 2006–2007 school year and the 78th Nevada educator to win.

Ms. Johnson's long career as an outstanding educator and an effective administrator has earned her this much deserved national recognition. For the past 17 years, Ms. Johnson has served the Clark County community where her insight, guidance, and leadership have propelled academic improvement in students of all levels and abilities.

As principal of Kirk Adams Elementary School, Ms. Johnson has implemented several programs that have not only inspired student successes but have also enhanced the professional lives of the teachers on her staff. Adams Elementary is one of only four schools in the Clark County School District to be designated as an empowerment school. This distinction allows the administrators of Adams Elementary to have more control over the school's budget and curriculum.

Most notably, under Ms. Johnson's leadership, the school has seen teacher turnover rate reduce to less than 10 percent. Finally, through the establishment of a Professional Learning Community, Ms. Johnson has created an environment in which teachers, parents, students, and the community work together to facilitate student success.

Madam Speaker, I am proud to honor Ms. Johnson and her achievements. I wish Ms. Johnson continued success in her career in primary education.

INTRODUCTION OF SEPTEMBER 11TH HUMANITARIAN RELIEF AND PATRIOTISM ACT

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 15, 2007

Mrs. MALONEY of New York. Madam Speaker, today I introduce the September 11th Humanitarian Relief and Patriotism Act with Representatives PETER KING, RANGEL, NADLER, SERRANO, ISRAEL, ENGEL, BERMAN, SCHAKOWSKY, and HARE.

We are introducing this legislation because the terrorist attacks of September 11, 2001, left many surviving spouses and children of legal employment-based visa holders and undocumented workers in jeopardy of being deported, because their immigration status was linked to a family member who was employed at the World Trade Center.

The USA PATRIOT Act initially gave some immigrants amnesty until September 10, 2002. Others, who were not protected by the amnesty provided by the PATRIOT Act, because they were undocumented, also face deportation. The administration has acted with care by not moving forward with deportation procedures for many of them, but their status nonetheless remains in limbo. This legislation would provide permanent relief for the non-citizen dependents of deceased victim of the September 11, 2001, terrorist attacks, as determined by the September 11th Victims Compensation Fund. These individuals should not be forced to leave the country because of the actions of the terrorists.

Finally, I would like to thank Moshe and Debra Steinberg for their assistance in preparing this legislation for introduction and for all of the work they have done on behalf of the victims of the September 11, 2001, terrorist attacks. I urge my colleagues to support this legislation and urge its swift passage into law.

ONE HUNDRED YEARS OF HOYA BASKETBALL

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 15, 2007

Ms. NORTON. Madam Speaker, it is a privilege to call to my colleagues' attention this year's 100th anniversary of Hoya Basketball at Georgetown University here in the Nation's Capital. Over the last century, the Georgetown Hoyas have had great success on the basketball court, but I am proud to say there is much more to the Hoyas than their athletic prowess.

The teams have had a strong record of academic success, community service and developing leaders that have served the Nation with distinction.

First, to their success on the basketball court: The Hoyas were the NCAA National Champions in 1984 and have made it to the Sweet Sixteen or beyond in nine NCAA tournaments since 1980. They have played in National Championship games in 1943, 1982, 1984 and 1985. Since the founding of the Big East Conference in 1980, the Hoyas have been six time Big East Champions. Having played in ten National Invitational Tournaments, in three years, the Georgetown team made it to the NIT Final Four. Former Georgetown head basketball coach John Thompson, Jr., was named Coach of the Year seven times during his career at Georgetown. In 1988, Coach John Thompson, Jr. coached the U.S. Men's Olympic Basketball team, and six of the last eight U.S. Men's Olympic teams have included Georgetown Hoya players or coaching. After completing their careers at Georgetown, many of their players have gone on to success in the NBA including Alonzo Mourning, Dikembe Mutombo, Allen Iverson and Patrick Ewing, to name just a few.

Georgetown athletics have also been committed to ensuring the academic success of their players. In fact, during the years when Coach John Thompson, Jr. led the team to win after win on the basketball court, he also focused on ensuring that his players succeeded in the classroom. Of 78 players who stayed at the University for four years during the years that John Thompson, Jr., led the team, 76 received their degrees for a 97% graduation rate. Since being under the coaching of Craig Esherick and John Thompson, III, the Hoyas have maintained that same commitment to ensuring the academic success of their players on the court.

In addition to the Georgetown Hoyas who have gone on to professional basketball careers of significant renown, two former Georgetown team members are names all of us in the Congress will recognize. First, our former colleague who just retired earlier this year after a long career in this chamber, the Honorable Henry Hyde of Illinois, played on the first Georgetown Hoyas team to play in a National Championship game in 1943. Here in the House, Congressman Hyde served with distinction both as Chairman of the House Judiciary Committee and of the House International Relations Committee. The other familiar name, Paul Tagliabue, served as Commissioner of the National Football League from 1989 through September, 2006. Mr. Tagliabue graduated from Georgetown in 1962 and subsequently earned a law degree from New York University School of Law. His record of rebounds remains in the top 20 through Georgetown Hoya history.

It is also heartening to know that this team has a long record of community service here in the District of Columbia as well as nationally and internationally. Since 1980 when the Hoyas began playing in arenas off campus with adequate space, it has been Georgetown basketball policy to donate at least 1,000 tickets per game to community groups here in the City. At present, some 80 organizations benefit from those donations in a typical season. Recognizing the importance of developing interactions between young people and law enforcement, the Hoyas partner with the DC Police Department and Coca-Cola each year to sponsor the "Kids 'n Cops" program when about 1,500 young people from the District attend a Hoyas basketball game with members of the District police force. Also, as part of a broader Georgetown athletics mentoring program known as "GAME," basketball team members tutor students at the SEED School here in the District.

The experience of engaging in community service has carried forward as Hoyas graduate and go on to their own careers. I will share just a few of many examples of this important legacy of Georgetown basketball. Alonzo Mourning who graduated in 1992, is deeply involved in community programs in South Florida where he now lives with a focus on development and education programs for at-risk children and their families. He has also supported kidney research and programming for foster children. Since leaving Georgetown in 1998, Allen Iverson has established the Crossover Foundation which is actively involved in mentoring young people, assisting with access to technology and providing scholarships. As we heard in this chamber last week during the President's State of the Union address, Dikembe Mutombo, who graduated from Georgetown in 1991, has funded a 300 bed teaching hospital in his home of Kinshasa, Democratic Republic of the Congo. In 1996, he also funded the expenses of the Zairian women's Olympic basketball team. In addition, he has been engaged in the NBA's Basketball Without Borders program in Africa and elsewhere.

In closing, I would also note that, as part of the important effort to promote public diplomacy, three former Georgetown Hoyas, Courtland Freeman, Omari Faulkner, and RaMell Ross, have in recent years participated in the State Department's cultural envoys program. That work has taken them to South Africa and Botswana where they have focused on efforts to promote behaviors to prevent the spread of HIV–AIDS and to El Salvador and Brazil where they have concentrated in part on anti-gang messages.

Indeed, as the Congresswoman representing Georgetown University and as a tenured member of the University's Law Center faculty, I am proud to represent and to be associated with the accomplishments of the Georgetown Hoyas over the last century. I look forward to continuing successes under the leadership of their current coach, John Thompson III.

INTRODUCTION OF THE "LAW ENFORCEMENT OFFICERS EQUITY ACT," H.R. 1073

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 15, 2007

Mr. FILNER. Madam Speaker, I rise today, with my colleague JOHN MCHUGH, to introduce The Law Enforcement Officers Equity Act (H.R. 1073). The purpose of this bill is simply to give law enforcement status to all Federal law enforcement officers!

Many Federal officials—for example, the Border Patrol—are classified as "law enforcement officers," for the purposes of determining salary and retirement benefits. But many other officers—such as Customs and Border Protection (CBP) Officers, Immigration and Customs Enforcement (ICE) Inspectors, Veterans' Affairs Police Officers, U.S. Mint Police Officers, Internal Revenue Officers, and police officers in about two dozen other agencies—do not have equal pay and benefits status.

The tragic irony, Mr. Speaker, is that the only time these officers are classified as law enforcement officers is when they are killed in the line of duty. Then their names are inscribed on the wall of the National Law Enforcement Officers Memorial right here in Washington.

Let me say that again. It is only when they are killed that they are called law enforcement officers, and that is a tragic irony.

My district encompasses he entire California-Mexico border and is home to two of the busiest border crossings in the entire world, so I am very familiar with the work of our Nation's border inspectors. They wear bulletproof vests, they carry firearms, and, unfortunately, have to use them. Most importantly, these inspectors are subject to the same risks as other officers with whom they serve side-by-side. However, they are not eligible for early retirement and other benefits, which are designed to maintain a young and vigorous law enforcement workforce that we need to combat those who pose life-threatening risks to our society.

The Law Enforcement Officers Equity Act will provide well-deserved pay and retirement benefits to the officers protecting our borders, our ports of entry, our military and veterans' installations and other sensitive government buildings. The costs of these benefits would likely be off-set by savings in training costs and increased revenue collection. The bill will also reduce turnover, increase yield, decrease recruitment and development costs and enhance the retention of a well-trained and experienced workforce.

Madam Speaker, the simple fact is that these officers have dangerous jobs and deserve to be recognized as law enforcement officers, just like others with whom they serve, side by side, and who share the same level of risk. I encourage my colleagues to join me and Mr. MCHUGH in cosponsoring, the Law Enforcement Officers Equity Act. The valiant officers who protect us deserve no less!

IN RECOGNITION OF THE LIFE OF CAPTAIN DONNIE R. BELSER, JR.

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 15, 2007

Mr. ROGERS of Alabama. Madam Speaker, I request the House's attention today to recognize a heroic American, Captain Donnie R. Belser, Jr., 28, of Anniston, Alabama, who died in Iraq on February 10, 2007. Captain Belser was assigned to the 425th Military

Transition Team, 1st Infantry Division, Fort Riley, Kansas, and according to initial reports was killed during an exchange of small arms fire.

Words cannot express the sense of sadness we have for his family, and the gratitude our country feels for his service. Captain Belser died serving the United States and the entire cause of liberty, on a mission to bring stability to a troubled region and liberty to a formerly oppressed people. Captain Belser was a true patriot indeed.

We will forever hold him closely in our hearts, and remember his sacrifice and that of his family as a remembrance of his bravery and willingness to serve.

PAYING TRIBUTE TO LARRY KAY BARTON

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 15, 2007

Mr. PORTER. Madam Speaker, I rise today to honor the life of my friend Larry Kay Barton who passed away January 30, 2007.

Larry Kay Barton was instrumental to the development of the Las Vegas community. Having served as the deputy city manager of Las Vegas in 1985 and in 1993 and as the city manager between 1993 and 1997, he helped facilitate the exponential growth of the region. Larry was involved in many projects that revitalized the historic districts during his time as city manager such as the Lewis and Fifth Streets Corridors and he played a major part in making the Freemont Street Experience come together. Other significant achievements he made during his time as city manager of Las Vegas were leading negotiations and facilitating the land assemblages for the Lloyd George U.S. Courthouse and the Regional Justice Center as well as the Las Vegas Technology Park and Enterprise Park developments. One of his biggest focuses was to make the city more efficient, so he created the Development Services Center and Express Plans check process for building projects in order to streamline permit approvals. I had the great pleasure of working with Larry in my capacity as Boulder city councilman, Boulder city mayor and later during my tenure in the Nevada State Senate.

In addition to Larry's long time commitment to serving the Las Vegas community, he also served as an Airman in the United States Air Force for over 30 years. He started as a fighter pilot in 1956 and subsequently became a command pilot and logged over 3,500 flying hours and flew more than 200 combat missions. Later, Larry served as a director of operations, a wing commander of the 354th Tactical Fighter Wing and ultimately become vice commander.

Madam Speaker, I am proud to honor the life and legacy of my friend Larry Kay Barton. As the city manager of Las Vegas, he led with integrity and greatly enriched the lives of those in the Las Vegas community. Larry was a true patriot, having devoted his life to his community and country. His dedication to service should serve as an example to us all.

HONORING SOJOURNER TRUTH

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 15, 2007

Ms. JACKSON-LEE of Texas. Madam Speaker, greetings to Senator CLINTON, Dorothy Height, Dr. E. Faye Williams, Eleanor Smeal and Cicely Tyson.

In this country's majestic Capitol rotunda sits a monument honoring three pioneers of the women's suffrage movement, which led to the women of our great Nation being granted the right to vote in 1920. The monument features the busts of Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony. As the Architect of the Capitol has noted, the monument was presented to the Capitol as a gift from the Women of the United States by the National Women's Party and was accepted on behalf of Congress by the Joint Committee on the Library on February 10, 1921. The unveiling ceremony was held in the rotunda on February 15, 1921, the 101st anniversary of the birth of Susan B. Anthony, and was attended by representatives of over 70 women's organizations. The committee authorized the installation of the monument in the crypt, where it remained until, by act of Congress in 1996, it was relocated to the Capitol rotunda in May 1997.

In addition to the wonderful busts of Stanton, Mott, and Anthony, one of the interesting features of the monument is the existence of a large slab of stone that was never sculpted. Looking at the monument, it is clear that it was intended for a fourth person—another pioneer of the women's suffrage movement—to be sculpted. The legislation that myself and Senator CLINTON along with Senator SPECTER crafted calls for Sojourner Truth to be that person.

Born into slavery as one of the youngest of 13 children of James and Elizabeth in Hurley, which is in Ulster County, New York, in approximately 1797, Sojourner Truth's given name was Isabella Baumfree. Almost all of her brothers and sisters had been sold to other slave owners. Some of her earliest memories were of her parents' stories of the cruel loss of their other children.

Isabella was sold several times to various slave owners and suffered many hardships under slavery, but throughout her life she maintained a deep and unwavering faith that carried her through many difficult times.

In 1817, the New York State Legislature passed the New York State Emancipation Act, which granted freedom to those enslaved who were born before July 4, 1799. Unfortunately, however, this law declared that many men, women, and children could not be freed until July 4, 1827, 10 years later. While still enslaved and at the demand of her then owner, John Dumont, Isabella married an older slave named Thomas, with whom she had at least five children—Diane, Peter, Hannah, Elizabeth, and Sophia.

As the date of her release came near—July 4, 1827—she learned that Dumont was plotting to keep her enslaved, even after the Emancipation Act went into effect. For this reason, in 1826, she ran away from the Dumont plantation with her infant child, leaving behind her husband and other children.

She took refuge with a Quaker family—the family of Isaac Van Wagenen—and performed domestic work for them as well as missionary work among the poor of New York City. While working for the Van Wagenens, she discovered that a member of the Dumont family had sold her youngest son Peter to a plantation owner in Alabama. At the time, New York law prohibited the sale of slaves outside New York State and so the sale of Peter was illegal. Isabella sued in court and won his return. In doing so, she became the first black woman in the United States to take a white man to court and win.

Isabella had always been very spiritual, and soon after being emancipated, she had a vision that affected her profoundly, leading her—as she later described it—to develop a "perfect trust in God and prayer." In 1843, deciding her mission was to preach the word of God, Isabella changed her name to Sojourner Truth—her name for a traveling preacher, one who speaks the truth—and left New York. That summer she traveled throughout New England, calling her own prayer meetings and attending those of others. She preached "God's truth and plan for salvation."

After months of travel, she arrived in Northampton, Massachusetts, and joined the Northampton Association for Education and Industry, where she met and worked with abolitionists such as William Lloyd Garrison, Frederick Douglas, and Olive Gilbert.

As we know, during the 1850s, slavery became an especially heated issue in the United States. In 1850, Congress passed the Fugitive Slave Law, which allowed runaway slaves to be arrested and jailed without a jury trial, and in 1857, the Supreme Court ruled in the Dred Scott case that those enslaved had no rights as citizens and that the government could not outlaw slavery in the new territories.

Nevertheless, these extraordinarily difficult times did not stop Sojourner Truth from continuing her mission. Her life story—"The Narrative of Sojourner Truth: A Northern Slave"—written with the help of friend Olive Gilbert, was published in 1850.

While traveling and speaking in States across the country, Sojourner Truth met many women abolitionists and noticed that although women could be part of the leadership in the abolitionist movement, they could neither vote nor hold public office. It was this realization that led Sojourner to become an outspoken supporter of women's rights.

In 1851, she addressed the Women's Rights Convention in Akron, Ohio, delivering her famous speech "Ain't I a Woman?" The applause she received that day has been described as "deafening." From that time on, she became known as a leading advocate for the rights of women. Indeed, she was one of the nineteenth century's most eloquent voices for the cause of anti-slavery and women's rights.

By the mid-1850s, Truth had earned enough money from sales of her popular autobiography to buy land and a house in Battle Creek, Michigan. She continued her lectures, traveling to Ohio, Indiana, Iowa, Illinois, and Wisconsin. When the Civil War erupted in 1861, she visited black troops stationed near

Detroit, Michigan, and offered encouragement. After the Emancipation Proclamation of 1863, she worked in Washington as a counselor and educator for those who had been previously enslaved through the Freedman's Relief Association and the Freedmen's Hospital. It was during this time—in October 1864—that she met with President Abraham Lincoln.

Throughout the 1870s, Sojourner Truth continued to speak on behalf of women and African Americans. Failing health, however, soon forced Sojourner to return to her Battle Creek, Michigan, home, where she died on November 26, 1883.

Friends, this brief recounting of Sojourner Truth's life story only begins to speak of her faith, courage, intelligence, and steadfastness in the face of extraordinary circumstances and volatile times in our Nation's history. Though she could neither read nor write, her eloquence commanded the attention of thousands of Americans, both black and white. It therefore comes as no surprise to learn that among her many friends, admirers and staunch supporters were Frederick Douglass, Amy Post, Olive Gilbert, Parker Pillsbury, Mrs. Francis Gage, Wendell Phillips, William Lloyd Garrison, Laura Haviland, Lucretia Mott, and Susan B. Anthony.

The legislation we introduced pays tribute to Sojourner Truth.

IN RECOGNITION OF THE LIFE OF MR. CHARLES LANGFORD

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 15, 2007

Mr. ROGERS of Alabama. Madam Speaker, I respectfully request the House's attention this morning to reflect on the life and legacy of a great Alabamian, Mr. Charles Langford. Mr. Langford passed this week on February 11 at his home in Montgomery, Alabama.

Mr. Langford was an activist, lawyer, and statesman of the highest caliber. During the Montgomery Bus Boycott in 1955–56, Mr. Langford represented the woman who started that protest which helped change our Nation, the late Mrs. Rosa Louise Parks, as well as the organization formed to carry out the boycott, the Montgomery Improvement Association. In 1956, the class action suit filed by Mr. Langford and his partner, Fred Gray, known as Browder v. Gayle, ended segregated seating on buses in Montgomery, and also became the precedent used to end all racial segregation ordinances in the United States. Later in life, Langford served two terms in the Alabama House of Representatives and five terms in the Alabama Senate.

Mr. Langford's passing is a great loss to the State of Alabama. He helped make history in the Civil Rights movement, and played an important role in Alabama politics. I know all of us in the House today share in the loss of this great and loved man, and send our condolences to his family and our prayers that his legacy will live on long after this mournful time has passed.

PAYING TRIBUTE TO SANDY PELTYN

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 15, 2007

Mr. PORTER. Madam Speaker, I rise today to honor my friend Sandy Peltyn, for her work and involvement in the Las Vegas community.

Since Sandy's move to Las Vegas in 1981, she has become very active in both fund-raising and organizing major events in the community. She is very involved in a number of organizations including: the Jewish Asthma Hospital, Juvenile Diabetes Foundation, Kids for Homeless Kids, Nevada Dance Theater Guild, Women's Center at UNLV, Latin Chamber of Commerce Miss Nevada-USA Pageant, Mrs. United States Pageant for the Susan G. Koman Breast Cancer Foundation, Golden Rainbow, Nevada Opera Theater, Opera Las Vegas, Oasis, Veterans in Politics, UNLV School of Medicine, Dean's Council, Clark County Pro Bono Projects, The Arthritis Foundation, Community College of Southern Nevada Fund Raising Committee, Las Vegas Chamber of Commerce, The UNLV Sierra Wind Quintet, Safe House, American Heart Association, Kidney Foundation, Nevada Association of the Handicapped and Children's Charities.org. She has raised over four million dollars for these charities.

Sandy has also been recognized for her achievements with the International Friendship A wards by the Nevada Opera Theatre, the Volunteer of the Year Awards from the Juvenile Diabetes Foundation, the Politician of the Year Award by the Filipino Community of Nevada and the Woman of the Year by Fit for Tomorrow. In addition to all of her other community achievements, she was recently appointed as one of the five members of Medical Liability Association of Nevada and President George W. Bush appointed her to a member of the President's Advisory Committee on the Arts at the Kennedy Center.

Madam Speaker, I am proud to honor Sandy Peltyn for her community activism which has enriched the lives of many in the community. I applaud her efforts and wish her the best in her future endeavors.

SOCIAL SECURITY GUARANTEE PLUS ACT

HON. RON LEWIS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 15, 2007

Mr. LEWIS of Kentucky. Madam Speaker, I rise to inform my colleagues about legislation I have introduced today to preserve Social Security and pay full promised benefits to future retirees without raising payroll taxes or further depleting the trust funds.

The facts are undeniable: demographics are driving Social Security's looming insolvency. Modern medicine is helping people live longer, and families are having fewer children. As a result, the number of seniors is growing faster than the number of workers supporting Social Security.

According to the 2006 report of the Social Security Board of Trustees, the number of retirees receiving Social Security benefits will grow five times faster than the working population over the next 10 years. Social Security tax revenue will fall short of benefit costs beginning in 2017. By 2040, Social Security revenues will be sufficient enough to finance only 74 percent of promised benefits. At that time, according to trustee estimates, benefits will have to be cut 25 percent, or the payroll tax will have to be increased by 34 percent to pay full promised benefits.

We must refocus our concern and reinvigorate our efforts to address the serious challenges Social Security programs face. This is not a Republican or Democrat issue, it's an American issue. The choices without reform are stark: massive benefit cuts, enormous deficits, or huge tax increases. We should not leave these problems for our children and grandchildren to solve.

The legislation that I have proposed, the "Social Security Guarantee Plus Act," initially proposed by former Congressman Clay Shaw and former Chairman Bill Archer in previous Congresses, would keep the Social Security safety net intact, ensuring full receipt of Social Security benefits for all current and future American workers.

The Guarantee Plus plan establishes a voluntary program that would allow workers to receive a refundable income tax credit equal to 4 percent of their annual earnings, up to $1,000, to invest in a tax-free retirement account. Instead of restructuring existing payroll taxes, general treasury revenues would be used to fund retirement accounts. Individual workers, not the government, would control how their account assets are invested to create growth. Real assets, not IOU's, would fund promised benefits.

At retirement or when otherwise eligible, a 5 percent tax free lump sum payment would be paid directly to the worker. The balance would be used to help pay full guaranteed Social Security benefits. In order to preserve funds for retirement, account withdrawals would be prohibited until a worker becomes eligible for traditional Social Security benefits. Accounts would be inheritable and tax-free if a worker dies before reaching retirement.

The Guarantee Plus plan incorporates three core principles: all workers are treated fairly; individuals own and control their own retirement funds; Social Security benefits are guaranteed in full to all Americans through the next 75 years and beyond without increasing taxes, lowering benefits or raising the retirement age.

Because Social Security benefits are based on earnings, women are disadvantaged when they choose to stay home to raise their children. Longer life expectancies also make woman more likely to struggle with poverty in old age. The Guarantee Plus plan addresses this iniquity by enhancing benefits for widows, divorced spouses, and working mothers. These benefits would become immediately available.

The plan would also eliminate the retirement earnings penalty for all workers age 62 and older and reduce the current Government Pension Offset that limits spouse and survivor benefits for certain government employees.

The Social Security Administration's Office of the Actuary estimates that every borrowed dollar necessary to begin the program, in addition to accrued interest, would be repaid with 75 years, achieving permanent solvency. In sum, we would payoff the mortgage on Social Security while leaving workers with substantial account balances and generating surplus revenues for the Federal Government.

Everyone agrees that the Social Security program is integral to the financial stability of millions of Americans who have left the workforce due to retirement or disability as well as those who are dependent upon survivor benefits following the death of a parent or spouse. We must put partisan politics aside and do what is best for today's seniors and tomorrow's retirees.

Our recent success at passing sweeping measures to modernize welfare and worker pensions shows that effective reform is possible. In similar spirit, Congress needs to work together to explore every possible option to restore confidence in Social Security and ensure program solvency for generations to come.

I believe the Social Security Guarantee Plus plan accomplishes this goal in the most comprehensive, fair, and cost-effective manner. I encourage my colleagues to consider their support for this bill as a step toward permanent preservation of the Social Security program.

INTRODUCTION OF LEGISLATION GIVING TAX RELIEF FOR THE NATION'S MILITARY FAMILIES

HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 15, 2007

Mr. GARRETT of New Jersey. Madam Speaker, the resolution debated this week in the House says, "Congress and the American people will continue to support and protect the members of the United States Armed Forces." Today, I am introducing legislation, the Armed Forces Tax Relief Act of 2007, and the Strengthening America's Military Families Act of 2007 that will do precisely that. Both bills would put more money into the pockets of our troops fighting in a combat zone.

Members of the Armed Forces currently serving in a combat zone are exempt from having their earnings taxed under the federal income tax. However, their pay is still subject to "employment taxes," such as the significant payroll taxes for Medicare and Social Security. The Armed Forces Tax Relief Act changes this, and truly allows our fighting men and women to keep their earnings tax free. Compared to the sacrifice that our troops make in the field, the amount we compensate them is not nearly enough. And while their sense of duty to their country is not tied to the size of their paychecks, enacting this legislation would put real extra money into the pockets of our Armed Forces, and send them a message that we are working hard in Washington to support them.

Oftentimes we forget that when the military is called overseas to fight in combat, many leave behind a well-paying job, a family, and children. The second bill I have introduced, the Strengthening America's Military Families Act of 2007, seeks to strengthen those families at home while their spouses are fighting abroad. With this legislation, the federal income tax exemption that we currently offer to members of the Armed Forces fighting in designated combat zones would be extended to their spouses. This way, during the months that our soldiers are fighting, they can have some peace of mind that their absence at home will not be wrought with financial hardship on their families.

REMEMBERING "MR. BURLINGAME," VICTOR MANGINI

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 15, 2007

Mr. LANTOS. Madam Speaker, I rise today to honor and commemorate the life of my dear friend Victor Mangini, who died of congestive heart failure on February 4, 2007 at the age of 88. "Vic", as he was often called, was an extraordinary human being, and a regarded educator, coach and public servant. His commitment to his adopted city of Burlingame, California rightfully earned him the title "Mr. Burlingame."

Born in Manhattan, Victor earned his Bachelor's Degree from Manhattan College and his teaching credential from Columbia University. As a young man, Victor joined the Armed Services and was stationed at the Presidio of San Francisco, where he played a key role as a training officer. Victor's commitment to our Nation's military continued after the War, as he joined the Air Force Reserve, retiring at the rank of Colonel after 37 years of service.

Madam Speaker, much like both of us, Victor Mangini fell deeply in love with the Bay Area of California and sought to make it his permanent home. The wonderful community of Burlingame located in the beautiful 12th Congressional District of California, which I am immensely proud to represent, is where Victor wisely chose to live and raise his family.

After the end of World War II, Victor Mangini moved down the Peninsula and started what became an illustrious 44-year career at Burlingame High School. During his tenure at Burlingame High School, Vic's involvement in the education and well-being of young scholars and athletes occurred in the classroom as history teacher and later as the assistant principal, and also on the athletic field, where he coached both the football and track teams. Because of outstanding and extraordinary dedication to the school, in May 2001 the Burlingame City Council voted to name the street in front of Burlingame High School after him. The high school address now reads 1 Mangini Way. That same year, Vic was also honored by his induction into the San Mateo County Sports Hall of Fame.

Vic's commitment to educating youth went far beyond his high school classroom. For over 55 years he headed the scholarship selection committee for the Frank H. and Eva B. Buck Foundation, which provides full scholarships and support to more than two hundred students seeking higher education in California.

Madam Speaker, Victor Magnini's impressive résumé and limitless talents did not only extend to academic endeavors. He was president of the Burlingame Rotary Club, and as an active member of the Our Lady of Angels Church in Burlingame, California, Victor proved his loyalty to his adopted city and in 1957, during the Golden Anniversary of the City of Burlingame, he rightfully earned the title "Citizen of the Year" from his fellow community members.

Vic was also very active in local politics. He successfully ran for Burlingame City Council in 1970, an office he held till he decided to retire in 1989. Vic served four separate terms as Mayor of the city of Burlingame during his nearly twenty-year tenure on the council.

A devoted family man, Victor was married to Rina Sari for 27 years, before she succumbed to breast cancer in 1975. They raised two children, Mariavittoria (Vicki) and Martin Jerome (Jerry). Victor later married Grace Cecilia Mangini, who passed away in 2003 following another 27 years of happy marriage.

Madam Speaker, there is a reason all city flags in Burlingame, California flew at half-staff for 4 days following Victor Mangini's death. The whole city of Burlingame mourned the passing of this extraordinary human being, who exemplified the highest class of American citizens, whose commitment to the improvement of society and country is unwavering. Victor Mangini spent his life making his community a better place, and I, along with every single resident of the City of Burlingame, California am deeply indebted to this true American hero.

SENATE—*Friday, February 16, 2007*

The Senate met at 12 noon and was called to order by the Honorable JON TESTER, a Senator from the State of Montana.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal spirit, who taught us it is more blessed to give than receive, as we prepare to celebrate President's Day, thank You for the great gift of leadership. Make this wonderful ability to mobilize people toward shared objectives become the strength of our legislative branch.

May our Senators find the correct balance that leads to true influence. Give them the wisdom to prefer listening to speaking and learning to teaching, as they seek to make bipartisan progress. Remind them that in leadership what they do speaks more profoundly than what they say.

As they strive to represent You and country, empower them to make pleasing You and faithfully serving others their top priorities. Infuse them with the serenity to accept the things they cannot change, the courage to change the things they can, and the wisdom to know the difference. We pray in Your strong Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JON TESTER led the Pledge of Allegiance, as follows:

> I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, February 16, 2007.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JON TESTER, a Senator from the State of Montana, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. TESTER thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, today the time until 12:30 will be divided equally between me and the Republican leader. Then at 12:30 the Senate will proceed to a period of morning business with Senators allowed to speak for up to—well, they will be in 30-minute blocks of time. We will alternate back and forth between the respective sides, the majority controlling the first 30 minutes beginning at 12:30.

Yesterday a cloture motion was filed to proceed. That cloture vote will occur tomorrow at 1:45. There will be no rollcall votes during today's session of the Senate.

I would say, for the information of Senators who are watching this, that I am not going to use my 15 minutes, so if a Democrat wants to come and speak, they can have my 15 minutes.

MEASURE PLACED ON THE CALENDAR—S. 641

Mr. REID. Mr. President, I understand that S. 641 is at the desk and due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title for a second time.

The assistant legislative clerk read as follows:

> A bill (S. 641) to express the sense of Congress that no funds should be cut off or reduced for American troops in the field which would result in undermining their safety or their ability to complete their assigned missions.

Mr. REID. I object to any further proceedings with respect to this bill at this time.

The ACTING PRESIDENT pro tempore. Objection is heard. The bill will be placed on the calendar.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 12:30 shall be equally divided and controlled by the two leaders.

Mr. DURBIN. Mr. President, if I understand the order of business, it is that Members may speak until 12:30, with equally divided time for the remaining 25 minutes; is that correct?

The ACTING PRESIDENT pro tempore. That is correct.

Mr. DURBIN. Thank you very much.

IRAQ

Mr. DURBIN. Mr. President, as we gather in the Senate for this session today, there will be no recorded votes, but an important vote is scheduled to take place across the Rotunda. We know what that vote is about. It is about a war that is now in its fourth year, a war that has lasted longer than World War II.

We were told recently that advisers to the President told him that at this stage of the war, there would be as few as 5,000 American troops in Iraq maintaining the limited interests that will remain for the United States. The reality is so much different. Over 130,000 Americans troops are still there for the fourth year of this war. We are activating Guard units, Reserve units, and redeploying those in active military with a frequency we have not seen since the great wars we faced in our past. We are asking sacrifices from these men and women in uniform and their families far beyond what was anticipated when the President 4 years ago convinced a majority of the House and Senate to vote to go to war.

The cost of this war, in human terms, is devastating: 3,132 of America's best and bravest soldiers have died. Over 23,000 have returned seriously injured. Many will come back and need help in reconstructing their lives, their families, their homes, their businesses. They have paid a sacrifice, all of them, and we owe them all a great debt of gratitude for their service to our country.

The President has decided the next stage of the war is to increase the number of American troops who will be cast into the midst of this civil war. It has been characterized as a civil war now by our national intelligence agencies. In fact, they say it is far worse than civil war. The report they have given to Congress, the National Intelligence Estimate called the situation:

> Worse than a civil war because it is compounded by a domestic insurgency, foreign terrorism, and rampant crime.

Through hearings before the Senate Judiciary Committee, we have learned that the fundamentals of a civil society do not exist in Iraq today. The basics—police protection, enforcement of the law, prosecution of criminals, incarceration of those who have been found guilty—all of these things are at issue in this country. Yet the President believes we should invest more and more American lives in that war. I believe that is a tragic error. That is my opinion. It is being debated in the House of

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Representatives, and they will reach a conclusion this afternoon, likely the same conclusion I have, that this is a wrong strategy.

It has been an interesting and historic debate in the House. Members have been allowed the time to stand and speak their minds and speak from the heart about this grave challenge we face in America. What we are asking for on the floor of the Senate is the same opportunity as the House of Representatives. We believe that this, characterized as America's greatest deliberative body, should not avoid the responsibility of debate. We believe this policy of the President, which is being discussed and debated across America in towns large and small, should be discussed and debated on the floor of the Senate.

The press made note this morning that the Senate is going to meet in a rare Saturday session. Well, we may be coming together on Saturday to do our job, but people across America are coming together on Saturdays to do their jobs, and our soldiers are going to war on Saturday to do their job. We will have a chance tomorrow, early in the afternoon, to decide whether the Senate will take up this same debate; whether the American people will have a chance, through their elected Senators, to speak on this issue, this life and death issue.

I am hoping we will have a better result than we did 2 weeks ago. We brought this matter up before the Senate. We asked to have a debate. In fact, we said: We will take—on the Democratic majority side, we will allow two Republican amendments to be offered, one from Senator WARNER of Virginia, which questions the President's policies; the other from Senator MCCAIN of Arizona, who believes that the escalation is a good policy—a sharp contrast, a real choice, an honest, straightforward debate leading to a yes or no—and that was rejected because, you see, the other side does not want us to come down to that basic, fundamental question. They want us to go into a debate about so many other issues, albeit important issues but not directly related to this policy.

Yesterday, the majority leader in the Senate, HARRY REID of the State of Nevada, offered again to the Republican side the basic choice, a straightforward choice. We will bring to the floor the resolution that is presently being debated in the House of Representatives which objects to the escalation of forces, and we will allow Senator MCCAIN, who has an opposite view, who wants to send more troops into Iraq, we will allow those two to be considered and Members to make a choice. I don't think you could ask for anything fairer. But unfortunately, the minority, the Republican minority insisted they wanted to add two or three more amendments into the mix.

Well, clearly, that takes the focus off the most important issue; that is, should we send more American soldiers into this wretched civil war in Iraq today. I think we need to face that responsibility and face that vote. Now, some will step back and say: Wait. If the Democrats are in the majority, why don't they debate this issue?

Well, the rules of the Senate are interesting. They are designed to protect a minority. They give the minority in America and the minority in the Senate a voice which it may not have in other places. So under the rules of the Senate, it takes 60 Members to vote to move forward to debate an issue—60. We have 50, with Senator JOHNSON recuperating; they have 49. So in order to move to a debate, we need 10 Senators to cross this aisle and join us, cooperate with us, on a bipartisan basis, so we can move forward on this debate. Tomorrow will be the test.

Now, I have heard some Senators on the other side say: We are not even going to show up tomorrow. We are not going to be here. I hope that is idle chatter and doesn't reflect their intentions.

I believe the vote tomorrow is critically important. We are summoning Democratic Senators from all across the United States, literally. Some are making personal sacrifices, having flown home, believing we had ended the session, and flying back, many of them all-night flights, to be here. They understand the importance and gravity of this vote. I certainly hope the Members on the other side feel the same way. This is an important vote. It is not just another procedural vote. America will notice who is here tomorrow and who votes, and America will notice, after this historic debate in the House of Representatives, whether we meet our important constitutional responsibility.

A lot of people argue they have given up on Government. Government doesn't mean much to them anymore, and they don't have a great high regard for the people who are in Government. Some of these folks have stopped voting. They don't get involved. They go about their normal lives and say: Those politicians, you know, they talk a lot and they don't do much.

Well, this is a time when I think we can dispel some of this feeling across America that we are irrelevant and not part of things. If we can't take the time to spend on the floor of the Senate, as people are across America, debating this war, then we have lost our way. We have to bring this matter before the American people in the right way. We are fighting for a democracy in the Middle East. We are fighting for a democracy in Iraq. Democracy is the open debate of public issues. Will we have that same debate on the Senate floor? That question is in the hands of the Republican minority. They will decide tomorrow whether we move forward on this debate.

Now, there is one group in this town who does not want this debate to move forward; let's be very honest about it: the President and the White House. It is an embarrassment to have your policy rejected and repudiated by bipartisan votes in the House and Senate, and it is rare. It hardly ever happens. So to spare the embarrassment to the White House—the political embarrassment—some are trying to stop this debate in the Senate. But I have to say I think this issue goes far beyond which politician ends up with bragging rights. That has nothing to do with it. This has to do with the lives and fortunes of our servicemen and their families and this great Nation and our foreign policy.

At a time when we need to gather allies around the world to fight this war on terrorism, when we need to bring nations together to join us as they did after September 11 to stop the spread of terrorism, we need to understand this debate on Iraq is right on point. It is a debate which affects hundreds of thousands of soldiers and their families, and it affects all of us as Americans.

I sincerely hope the Republican minority will have a change of heart, will join us in supporting this debate tomorrow. I believe we will find tomorrow, with this vote, that a bipartisan majority of the Senate wants to move forward with a debate. If it doesn't reach the number of 60, then technically this debate cannot move forward. I use the word "technically" because in honesty, that will not be the end if we do not muster 60 votes. This matter is going to come before the Senate again and again and again.

For 4 years in this war, Congress, controlled by the other party, has been virtually silent on the issue of this war and the wisdom of our policy. Those days are over. In the last few weeks we have been in session, we have had over 30 hearings by committees that have asked the hard questions about this policy, about protecting our troops, and about where we are going to go forward in the future. Those questions will continue to be asked by committees. They will continue to be addressed in the Senate. When we move to the next item of legislation, we will undoubtedly have amendments relative to this war in Iraq. This debate will not end.

I sincerely hope those on the other side of the aisle will join us. I hope they understand what is at stake. It is not just 21,000 more soldiers putting their lives on the line for America; it is a question of our foreign policy and protecting this Nation and making sure we keep our commitment to our country to keep it safe.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the hour of 12:30 p.m. having arrived, there will now be a period for the transaction of morning business, with Senators permitted to speak for up to 30 minutes each and the time to be alternated between the two sides, with the majority controlling the first 30 minutes.

The Senator from Massachusetts.

HONORING OUR ARMED FORCES

Mr. KENNEDY. Mr. President, the war in Iraq is the most important issue of our time. The American people know that our soldiers are serving nobly under extraordinarily difficult circumstances and that far too many of them are making the ultimate sacrifice for our country. Citizens are calling on us—begging us—to address this issue with the seriousness and the urgency it deserves.

The House of Representatives will vote later today on a major resolution supporting our troops and opposing the escalation of the war. It will be a historic vote and a clear response to the American people's clarion call for change. The Senate will have a chance to do so soon as well. The voices of the American people are growing louder and louder, and the need for us to act could not be clearer.

Under the President's current policy, the war continues to impose an enormous human toll on our soldiers, their families, and their loved ones. Our men and women in uniform have served with great courage and honor for nearly 4 years—longer than it took to win World War II. More than 3,000 of our forces have been killed and more than 23,000 wounded. The casualties keep mounting. Last fall was the deadliest period since the war began. Mr. President, 287 American soldiers were killed in October, November, and December. Already, 118 have been killed since the President announced the surge, and the numbers keep rising.

The toll in Massachusetts has been heavy. Just last week, CPT Jennifer Harris of Swampscott, MA, was killed when her helicopter went down north of Baghdad. She was the first woman from our State to make the ultimate sacrifice in Iraq, and our hearts and prayers go out to her family and loved ones.

So far, 65 Massachusetts members of our forces have given the last full measure of devotion to our country. The youngest was 19, the oldest was 46. They died far from their homes in Bedford and Bristol, Lawrence and Lowell, Plymouth and Pittsfield, Weymouth and Woburn, and other towns and cities across the State. They were fathers, sons, a daughter, brothers, and friends. Each of them represents a life cut short in service to our country.

More than 3,000 families across America share in such heartbreak. Their loved ones have died in Iraq, and we mourn their loss. We honor their service, and we pray that God's grace and mercy may ease the anguish of those they have left behind.

Citizens of Massachusetts have answered their country's call from the first days of the Republic, and those we honor today are members of that noble company. Each knew they were going into harm's way. They faced dangers in Iraq that vast numbers of our troops had never seen before, such as suicide bombers and improvised explosive devices.

We mourn the loss of these heroes. We honor their sacrifice and extend our deepest condolences to their families. Words cannot ease the grief of losing a loved one, but I hope the families may find comfort in the words of Abraham Lincoln in the famous letter he sent to a bereaved mother during the Civil War. He wrote:

> Dear Madam, I feel how weak and fruitless must be any words of mine which should attempt to beguile you from the grief of a loss so overwhelming. But I cannot refrain from tendering to you the consolation that may be found in the thanks of the Republic they died to save. I pray that our Heavenly Father may assuage the anguish of your bereavement, and leave you only the cherished memory of the loved and the lost, and the solemn pride that must be yours to have laid so costly a sacrifice upon the altar of freedom.

The consequences of the decisions we make here in Congress profoundly affect our military, their families, and the communities they have left. We have an obligation to our soldiers to make sensible decisions that will not place them needlessly in harm's way.

We in Massachusetts feel especially deeply the loss of the 65 soldiers who have died in Iraq: SGT Justin W. Garvey; PFC John D. Hart; SPC Christopher J. Holland; SGT Pierre A. Raymond; CPL Brian Oliveira; LCpl Travis Reid Desiato; LCpl Dimitrios Gavriel; SGT Andrew Farrar; 1LT Brian McPhillips; SSG Joseph P. Belavia; LCpl John J. Vangyzen IV; SGT Kurt D. Schamberg; CPT John W. Maloney; SPC Ray M. Fuhrmann II; 1SG Alan N. Grifford; PVT Michael E. Bouthot; SPC Daniel R. Gionet; SGT Gregory A. Belanger; PFC Kerry D. Scott; SGT Daniel J. Londono; CPL David Marques Vincente; LCpl Jeffrey Charles Burgess; LCpl Alexander Scott Arrendodo; 1LT Travis John Fuller; CPT Benjamin Sammis; CWO2 Stephen M. Wells; SPC Matthew Boule; CWO Kyran E. Kennedy; CPT Christopher J. Sullivan; LCpl Shayne Cabino; LTC Leon G. James, II; CPT Joel E. Cahill; LCpl Michael Ford; CPL Scott Procopio; LCpl Patrick Gallagher; CPL Donald E. Fisher II; SPC Gabriel T. Palacios; SGT Benjamin E. Mejia; SGT Glenn R. Allison; GySgt Elia Paietta Fontecchio; LCpl Andrew Zabierek; LCpl Nickolas David Schiavoni; SPC Daniel F. Cunningham; LCpl Gregory E. MacDonald; SPC Peter G. Enos; PFC Norman Darling; PVT Cory R. Depew; SSG Joseph Camara; SGT Charles Caldwell; PFC Markus J. Johnson; SPC David J. Babineau; CPL Paul N. King; LCpl Geoffrey R. Cayer; SGT Mark R. Vecchione; SSG Clint J. Storey; SPC Edgardo Zayas; LCpl Eric P. Valdepenas; SPC Jared J. Raymond; LCpl Edward Garvin; LT Joshua Booth; SPC Matthew J. Stanley; SGT Gregory Wright; SFC Keith Callahan; SGT Alexander H. Fuller; and CPT Jennifer Harris.

Mr. President, I ask unanimous consent that the chart I have be printed in the RECORD. It is a chart of their hometowns and where they died in Iraq.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Name	Location of death	Relationship to MA
Sergeant Justin W. Garvey	Tel Afar, Iraq	Mother from Townsend.
Private First Class John D. Hart	Taza, Iraq	Lived in Bedford.
Specialist Christopher J. Holland	Baghdad, Iraq	Mother in Lunenburg.
Sergeant Pierre A. Raymond	Ar Ramadi, Iraq	Lived in Lawrence.
Corporal Brian Oliveira	Al Anbar, Iraq	Lived in Bristol.
Lance Corporal Travis Reid Desiato	Fallujah, Iraq	Lived in Bedford.
Lance Corporal Dimitrios Gavriel	Fallujah, Iraq	Parents in Haverhill.
Sergeant Andrew Farrar	Al Anbar Province, Iraq	Lived in Weymoth.
First Lieutenant Brian McPhillips	Baghdad, Iraq	Lived in Pembroke.
Staff Sergeant Joesph P. Belavia	Karbala, Iraq	Lived in Wakefield.
Lcpl John J. Vangyzen IV	Al Anbar Province, Iraq	Lived in Bristol.
Sergeant Kurt D. Schamberg	Iraq	Father in Melrose.
Captain John W. Maloney	Ar Ramadi, Iraq	Lived in Chicopee.
Specialist Ray M. Fuhrmann II	Samarra, Iraq	Lived in Attleboro.

Name	Location of death	Relationship to MA
First Sergeant Alan N. Grifford	Baghdad, Iraq	Parents in West Wareham.
Pvt. Michael E. Bouthot	Baghdad, Iraq	Lived in Fall River.
Specialist Daniel R. Gionet	Baghdad, Iraq	Father in Lowell.
Sgt. Gregory A. Belanger	Al Hallia, Iraq	Parents from MA.
Private First Class Kerry D. Scott	Iskandirayh, Iraq	Mother in Worcester.
Sergeant Daniel J. Londono	Baghdad, Iraq	Parents in Dorchester.
Corporal David Marques Vicente	Hit, Iraq	Lived in Methuen.
Lance Corporal Jeffrey Charles Burgess	Al Fallujah, Iraq	Lived in Plymouth.
Lance Corporal Alexander Scott Arrendodo	Najaf, Iraq	Lived in Randolph.
First Lieutenant Travis John Fuller	Korean Village, Iraq	Lived in Granville.
Captain Benjamin Sammis	Central Iraq	Raised in Rehoboth.
Chief Warrant Officer Two Stephen M. Wells	Habbinayah, Iraq	Parents in North Egremont.
Specialist Matthew Boule	Iraq	Raised in Dracut.
Chief Warrant Officer Kyran E. Kennedy	Tikrit, Iraq	Parents in Boston.
Captain Christopher J. Sullivan	Baghdad, Iraq	Lived in Princeton.
Lance Corporal Shayne Cabino	Al Karmah, Iraq	Lived in Canton.
Lt. Col. Leon G. James II	Ar Rustamiyah, Iraq	Mother in Longmeadow.
Capt. Joel E. Cahill	Dawr, Iraq	Lived in Norwood.
Lance Corporal Michael Ford	Al Anbar, Iraq	From New Bedford.
Cpl. Scott Procopio	Al Anbar, Iraq	Lived in Saugus.
Lance Cpl. Patrick Gallagher	Al Anbar, Iraq	Mother and father live in MA.
Corporal Donald E. Fisher II	Kirkuk, Iraq	Lived in Brockton.
Specialist Gabriel T. Palacios	Ba'qubah, Iraq	Father from Lynn.
Sergeant Benjamin E. Mejia	Marez, Iraq	Lived in Salem.
Sergeant Glenn R. Allison	Baghdad, Iraq	Mother in Pittsfield.
Gunnery Sergeant Elia Paietta Fontecchio	Al Anbar Province, Iraq	Lived in Milford.
Lance Corporal Andrew Zabierek	Al Anbar Province, Iraq	Lived in Chelmsford.
Lance Corporal Nickolas David Schiavoni	Al Karmah, Iraq	From Haverhill.
Specialist Daniel F. Cunningham	Iraq	Lived in Revere.
Lance Corporal Gregory E. MacDonald	Iraq	Parents from MA.
Specialist Peter G. Enos	Bayji, Iraq	Lived in Plymouth.
Pfc. Norman Darling	Iraq	Lived in Watertown.
Private Cory R. Depew	Mosul, Iraq	Father in Haverhill.
Staff Sergeant Joseph Camara	Baghdad, Iraq	Lived in New Bedford.
Sgt. Charles Caldwell	Iraq	Lived in Attleboro.
Pfc. Markus J. Johnson	Al Anbar Province, Iraq	Lived in Springfield.
Spc. David J. Babineau	Baghdad, Iraq	Parents in Springfield.
Cpl. Paul N. King	Al Anbar Province, Iraq	Tyngsboro, Mass.
LC. Geoffrey R. Cayer	Habbinayah, Iraq	Fitchburg, MA.
Sgt. Mark R. Vecchione	Ar Ramadi, Iraq	Eastham, MA.
Staff Sergeant Clint J. Storey	Ar Ramadi, Iraq	Wife/daughter in Palmer, MA.
Spc. Edgardo Zayas	Baghdad, Iraq	Parents in Dorchester, MA.
Lance Corporal Eric P. Valdepenas	Al Anbar Province, Iraq	Seekonk, MA.
Specialist Jared J. Raymond	Taji, Iraq	Swampscott, MA (mother).
LCPL Edward Garvin	Al Anbar Province, Iraq	Malden, MA.
Lt. Joshua Booth	Fallujah, Iraq	Fiskdale, MA.
Specialist Matthew J. Stanley	Taji, Iraq	Father and Wife in MA.
Sgt. Gregory Wright	Muadadivah, Iraq	Father in Boston. MA.
Sgt. 1st Class Keith Callahan	South of Baghdad	Mother in Woburn.
Sgt. Alexander H. Fuller	Baghdad, Iraq	Wife in Centerville.
Captian Jennifer Harris	Al Anbar Province, Iraq	Lived in Swampscott, MA.

The ACTING PRESIDENT pro tempore. The Senator from Wisconsin.

IRAQ

Mr. FEINGOLD. Mr. President, first let me thank the Senator from Massachusetts for his moving and sobering words but even more importantly for his leadership and tremendous clarity on this issue over these last few critical years.

Mr. President, we are approaching the 4-year anniversary of one of the greatest foreign policy mistakes in our country's history. In March 2003, with the prior authorization of Congress, the President took this country to war in Iraq. Almost 4 years later, virtually every objective observer and, more importantly, the American people as a whole agree that the President's policy has failed. Even the President acknowledges that his plan has not worked, though his solution is not a new plan but a troop escalation. Of course, sending more troops to implement what is essentially the same flawed strategy makes no sense. The American people agree that it makes no sense, and most of my colleagues agree that it makes no sense.

So the question becomes, with a President unable or unwilling to fix a flawed policy that is jeopardizing our national security and our military readiness, what should we in Congress do about our country's involvement in this disastrous war? Do we do nothing and hope the President will put things right, when he has shown time and time again that he is incapable of doing so? Do we simply tell the President that we are unhappy with the way the war is going and that we hope he will change course or do we take strong, decisive action to fix the President's mistaken, self-defeating policies?

It is pretty clear which course of action I support. I think it is a course of action the American people called for in the November elections. It is the course of action our national security needs, so we do not continue to neglect global threats and challenges while we focus so much of our resources and our efforts on Iraq. It is the course of action that will support—that will actually support—our brave troops and their families.

We must end our involvement in this tragic and misguided war. The President will not do so; therefore, Congress must act. So far, Congress has not lived up to that responsibility. Instead of taking strong action in the Senate, instead of considering binding legislation that fixes the President's flawed Iraq strategy, we tied ourselves into knots last week in a convoluted and misguided effort to achieve a consensus that would have essentially reaffirmed congressional authorization for continuing our military involvement in Iraq. Of course, here I am referring to the resolution proposed by the senior Senator from Virginia. This resolution was portrayed, at least at first, by members of both parties as an important symbolic rebuke of the President's Iraq policy. In fact, it really was not a rebuke at all. In parts, it reads like a reauthorization of the war, rejecting troop redeployment and specifically authorizing "vigorous operations" in a critical region in Iraq.

Now, when debate on the Warner resolution was blocked, we had a chance to get things right. And I am glad our majority leader, Senator REID, has chosen to bring up the resolution being debated in the House today expressing support for the troops and, simply, opposition to the so-called surge. Now, this body—the Senate—should go on record in opposition to, or support of, the President's plan.

I will vote to allow the debate on the resolution to take place. And I hope I will have the opportunity to actually vote for the resolution.

I have yet to hear any convincing argument that sending 21,500 more troops to Iraq will bring about the political solution that is needed to end violence in that country.

The President's decision to send more troops is based on two flawed assumptions. It assumes, first, that the presence of even more of our servicemembers will help Iraqi troops improve security in Baghdad and, second, that with improved security, Iraqi politicians can then achieve national reconciliation. The recent declassified NIE, or National Intelligence Estimate, shot holes in both of those assumptions. It said that Iraqi security forces "will be hard pressed in the next 12–18 months to execute significantly increased security responsibilities" and "even if violence is diminished, given the current winner-take-all attitude and sectarian animosities infecting the political scene, Iraqi leaders will be hard pressed to achieve sustained political reconciliation in the time frame of this Estimate."

Obviously, those were direct quotes, not me characterizing the NIE. In other words, in the best case scenario, U.S. forces provide a little security that Iraqi forces can't sustain on their own and that Iraqi politicians won't use to settle their entrenched differences. That doesn't sound to me like a plan for success.

Some of my colleagues, even those who don't support sending more troops to Baghdad, have spoken in favor of continued and even increased U.S. military operations in Al Anbar Province. Some of them even suggest that our troops should be directly combating an insurgency there. This, apart from everything else, is a recipe for disaster. Al Anbar Province is where a majority of U.S. troops have been killed in Iraq. The insurgency there, as well as general opposition to the U.S. presence and to the Shiite-dominated Government in Baghdad, is fueled by the Sunnis' political and economic grievances. Conducting targeted missions to take out terrorists makes sense, but using U.S. troops to put down an insurgency doesn't. Maintaining or, worse yet, increasing a substantial U.S. presence in a primarily Sunni area without a political solution means nothing less than a continuation of unending and self-defeating policies in Iraq. Clearly, the President's decision to send more troops makes no sense. But I have to say that simply passing a nonbinding resolution criticizing it makes no sense, either, if we just stop there. So we need to go further, and we need to do it soon.

Let me remind my colleagues, when the voters rejected the President's Iraq policy in November, they weren't rejecting an escalation. That option wasn't even on the table then. Who was talking about an escalation during that campaign? Certainly, the Presiding Officer knows well what was being discussed. They were rejecting the President's policy of trying to achieve a political solution in Iraq with a massive and unlimited military presence. After delaying action for a couple of months, the President just plain ignored overwhelming public sentiment, the advice of Members of both parties, and the views of the military and foreign policy experts when he proposed an escalation. The administration turned its back on the American people.

We in Congress should not follow suit. We have a responsibility to our constituents and to our men and women in uniform. If no one will listen to and act on the will of the American people, then there is something seriously wrong with our political system. After almost 4 years of a disastrous policy, we must bring our troops out of Iraq. To do otherwise is to ignore public outrage over the war and to ignore the many other pressing national security priorities we are neglecting in favor of a myopic focus on Iraq. The American people recognize there is no U.S. military solution to Iraq's civil war. And as long as we focus disproportionate attention and resources on Iraq, we will not be able to counter the full range of threats we face in places such as Afghanistan and Somalia and many other places around the world. So Congress must use its power. It must use its power of the purse to safely redeploy our troops from Iraq.

Let's not be intimidated by the intentionally misleading rhetoric of the White House and its allies when they try to prevent any discussion at all of real action by the Congress to end the war. This isn't about cutting off funds for troops; it is about cutting off funds for the war. Every Member of Congress agrees that we must continue to support our troops and give them the resources and the support they need. By setting a date after which funding for the war will be terminated, as I have proposed, Congress can safely bring our troops out of harm's way. That is how you get them out of harm's way, by getting them out of there.

There is plenty of precedent for Congress exercising its constitutional authority to stop U.S. involvement in armed conflict. Last month, I chaired a Judiciary Committee hearing entitled "Exercising Congress's Constitutional Power to End the War." Without exception, every witness, those called by the majority and the minority, those who have had a career more focused on the executive branch than the legislative branch—all of them did not challenge the constitutionality of Congress's authority to end the war.

Lou Fisher of the Library of Congress is acclaimed as one of the foremost experts on the President's war powers. In fact, he literally wrote the book on this topic. He testified that Congress does not simply have the power, he said it has the responsibility to exercise it, when needed.

He said:

> . . . is the continued use of military force and a military commitment in the Nation's interest? That is the core question. Once you decide that, if you decide it is not in the national interest, you certainly do not want to continue putting U.S. troops in harm's way.

The argument that cutting off funding for a flawed policy would hurt the troops and that continuing to put U.S. troops in harm's way supports the troops makes no sense. By ending funding for the war, we can bring our troops safely out of Iraq.

Walter Dellinger of Duke Law School made this point when he testified about my proposal. He said:

> There would not be one penny less for the salary of the troops. There would not be one penny less for the benefit of the troops. There would not be one penny less for weapons or ammunition. There would not be one penny less for supplies or support. Those troops would simply be redeployed to other areas where the armed forces are utilized.

Instead of allowing the President's failed policy to continue, Congress can and should use its power of the purse to end our involvement in the Iraq war, safely redeploying the troops while ensuring, as do I in my bill, that important counterterrorism and training missions are still carried out. We should be coming up with a strategy for a postredeployment Iraq and the region that is squarely within the context of the global fight against al-Qaida. That means replacing a massive and unsustainable and unlimited military mission with a long-term strategy for mitigating the mess left behind by this war. With such a strategy, we can redirect substantially more resources and attention to the fight against al-Qaida and other affiliated or sympathetic international terrorist organizations.

As long as this President goes unchecked by Congress, our troops will remain needlessly at risk and our national security will be compromised.

Let me tell my colleagues, regardless of what happens with this resolution, this is just a first step—worthwhile but just a first step. And the first step must be followed by stronger steps, and it must be done quickly. I intend to keep pushing until the Senate votes to end our involvement in the Iraq war, and eventually this will happen because this is what a strong majority of the American people want. Congress may be able to put off its day of reckoning temporarily, the administration can continue down the same failed path a while longer, but all of us ignore the will of the American people at our peril. So let's have this debate. Let's do it openly and honestly. Let's not pretend anyone wants to deny our troops the equipment and resources they need. Let's not suggest that opposing the President's strategy is unpatriotic and that it would give aid and comfort to the enemy, that it would somehow weaken the resolve of our troops. Those claims are outrageous. They are offensive, and they are untrue. Do my colleagues believe the American people gave aid and comfort to the enemy when they rejected the President's Iraq policy in November? Are the overwhelming majority of our constituents who oppose this war trying to undermine our troops? Of course not. So how could anyone suggest that Congress actually acting on the will of the American people undermines the troops or emboldens the enemy?

Our troops are undermined by a policy that places them in harm's way unnecessarily. And our enemy, our true enemy, al-Qaida and its allies, is emboldened by a U.S. strategy that neglects global challenges and instead focuses on a single country. It is unfortunate that those who wish to defend this strategy would resort to these kinds of charges.

Let's do the job of the Senate and have full, open debate and votes on fixing our Iraq policy. Let's not pretend that such a debate would harm our national security. Let's not tell ourselves that it is up to just the President to fix the horrible situation his failed policies have created. It is our responsibility to act, too. Congress made the tragic mistake of authorizing this war over 4 years ago. Now Congress also has the job of bringing it to a close so we can refocus on the terrorists and other global threats that have been neglected way too much over the past 4 years.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. LIEBERMAN. Mr. President, when the roll is called tomorrow on the motion for cloture with regard to the resolution the House is expected to pass tonight on Iraq, I will vote no. I will vote against cloture. I will do so not because I wish to stifle debate. The fact is that debate has occurred, it is occurring now, and it will continue to occur on our policy in Iraq.

I will vote against cloture because I feel so strongly against the resolution. It condemns the new plan for success in Iraq. I support that plan. It does something that, from all of the research my staff and I have done, including asking the Library of Congress, we have found no case in American history where Congress has done what this resolution does, which is, in a nonbinding resolution, oppose a plan our military is implementing right now. Congress has expressed nonbinding resolutions of disapproval before a plan of military action has been carried out.

Congress has obviously taken much more direct steps, authorized to do so by the Constitution, to cut off funds for a military action or a war in progress. But never before has the Congress of the United States passed a nonbinding resolution of disapproval of a military plan that is already being carried out by American military personnel. I believe it is a bad precedent, and that is why I will do everything I can to oppose it. In the immediate context, that means I will vote against cloture.

Mr. President, more broadly, we are approaching an important moment in the history of this institution and of our Republic, a moment I fear future historians will look back to and see the beginning of a cycle that not only damaged the remaining possibilities for success America has in Iraq but, more broadly, established political precedents that weaken the power of the Presidency to protect the American people over the long term.

The nonbinding resolution before us today, we all know, is only a prologue. That is why the fight over it, procedural and substantive, over these past weeks has been so intense. It is the first skirmish in an escalating battle that threatens to consume our Government over many months ahead, a battle that will neither solve the sprawling challenges we face in Iraq nor strengthen our Nation to defeat the challenges to our security throughout the world from Islamist extremists—that is to say, in our war against the terrorists who attacked us.

We still have a choice not to go down this path. It is a choice that goes beyond the immediate resolution that will be before the Senate, a chance to step back from the brink and find better ways to express and arbitrate our differences of opinion. I hope we will seize the moment and take those steps.

Mr. President, as we meet in this Chamber today, the battle for Baghdad has already begun. One of our most decorated generals, David Petraeus, whom this Senate confirmed 81 to 0 a few weeks ago, has now taken command in Baghdad.

Thousands of American soldiers have moved out across the Iraqi capital putting their lives on the line as they put a new strategy into effect. We can now see for ourselves on the ground in Iraq, in Baghdad, where it matters what this new strategy looks like. And we can see why it is different from all that preceded it.

For the first time in Baghdad, our primary focus is no longer on training Iraqi forces or chasing down insurgents or providing for our own force protection, though those remain objectives. Our primary focus is on ensuring basic security for the Iraqi people working side by side with Iraqi security forces, exactly what classic counterinsurgency doctrine tells us must be our first goal now.

Where previously there were not enough troops to hold the neighborhoods cleared of insurgents, now more troops are either in place or on the way. Where previously American soldiers were based on the outskirts of Baghdad unable to secure the city, now they are living and working side by side with their Iraqi counterparts on small bases that are being set up right now throughout the Iraqi capital.

At least six of these new joint bases have already been established in the Sunni neighborhoods in west Baghdad, the same neighborhoods where a few weeks ago jihadists and death squads held sway. In the Shiite neighborhoods of east Baghdad, American troops are also moving in with their Iraqi counterparts, and Moqtada al-Sadr and his Mahdi Army are moving out.

We do not know if this new strategy for success in Iraq will work over the long term, and we probably will not know for some time. The Mahdi Army may be in retreat for the moment, but they are not defeated. They have gone to ground, and they are watching. Our hope, of course, is that our determination and that of the Iraqi Government will lead them now to devote themselves to politics instead of death squads, but only time will tell.

The fact is any realistic assessment of the situation in Iraq tells us we must expect there will be more attacks and there will be more casualties in the months ahead as the enemies of a free and independent Iraq see the progress we are making and adapt to try to destroy it with more violence.

The question they will pose to us, which is the question that is posed every time a fanatic suicide bomb goes off and that person expresses their hatred of everyone else more than love of their own life by ending their own life, is: Will we yield Baghdad, Iraq, the Middle East, our own future to those fanatical suicide bombers?

We must also recognize we are in a different place in Iraq from where we were a month ago because of the implementation of this new strategy. We are in a stronger position today to provide basic security in Baghdad, and with that, we are in a stronger position to marginalize the extremists and strengthen the moderates, a stronger position to foster the economic activity that will drain the insurgency and the militias of their public support, a stronger position to press the Iraqi leaders to make the political compromises that everyone acknowledges are necessary.

John Maynard Keynes famously said:

> When the facts change, I change my mind.

In the real world, in the past month, the facts in Iraq have changed, and they are changing still. I ask my colleagues to allow themselves to wait and consider changing their minds as further facts unfold in Iraq. The nonbinding resolution before us is not about stopping a hypothetical plan. It is about disapproving a plan that is being carried out now by our fellow Americans in uniform in the field. In that sense, as I have said, it is unprecedented in congressional history, in American history.

This resolution is about shouting into the wind. It is about ignoring the realities of what is happening on the ground in Baghdad. It proposes nothing. It contains no plan for victory or retreat. It is a strategy of "no," while our soldiers are saying "yes, sir," to their commanding officers as they go forward into battle. And that is why I will vote against the resolution by voting against cloture.

I understand the frustration, the anger, and the exhaustion that so many Americans, so many Members of this Congress feel about Iraq, the desire to throw up one's hands and simply say "enough." And I am painfully aware of the enormous toll of this war in human life and of the mistakes that have been made in the war's conduct. But let us now not make another mistake. In the midst of a fluid and uncertain situation in Iraq, we should not be so bound up in our own arguments and disagreements, so committed to the positions we have staked out that the political battle over here takes precedence over the real battle over there.

Whatever the passions of the moment, the point of reference for our decisionmaking should be military movements on the battlefields of Iraq, not political maneuverings in the Halls of Congress.

Even as our troops have begun to take Baghdad back step by step, there are many in this Congress who have, nevertheless, already reached a conclusion about the futility of America's cause there and declared their intention to put an end to this mission, not with one direct attempt to cut off funds but step by political step.

No matter what the rhetoric of this resolution, that is the reality of this moment. This nonbinding measure before us is a first step toward a constitutional crisis that we can and must avoid. Let me explain what I mean by "a constitutional crisis." Let us be clear about the likely consequences if we go down this path beyond this nonbinding resolution.

Congress has been given constitutional responsibilities, but the micromanagement of wars is not one of them. The appropriation of funds for war is. I appreciate that each of us has our own ideas about the best way forward in Iraq. I respect those who take a different position than I. I understand many feel strongly that the President's strategy is the wrong one, but the Constitution, which has served us now for more than two great centuries of our history, creates not 535 Commanders in Chief but 1, the President of the United States, who is authorized to lead the day-to-day conduct of war.

Whatever our preponderance of this war or its conduct, it is in no one's interest to stumble into a debilitating confrontation between our two great branches of Government over war powers. The potential for a constitutional crisis here and now is real, with congressional interventions, Presidential vetoes, and Supreme Court decisions.

If there was ever a moment for nonpartisan cooperation to agree on a process that will respect both our personal opinions about this war and our Nation's interests over the long term, this is it.

We need to step back from the brink and reason together, as Scripture urges us to do, about how we will proceed to express our disagreements about this war. We must recognize that while the decisions we are making today and we are about to make seem irretrievably bound up in the immediacy of this moment, and the particular people now holding positions of power in our Government, these decisions will set constitutional precedents that will go far beyond the moment and these people.

President Bush has less than 2 years left in office, and a Democrat may well succeed him. If we do not act thoughtfully in the weeks and months ahead, we will establish precedents that future Congresses, future Presidents, and future generations of Americans will regret.

Right now, as the battle for Baghdad begins, this institution is obviously deeply divided. However, we should not allow our divisions to lead us to a constitutional crisis in which no one wins and our national security is greatly damaged.

We are engaged, as all my colleagues know, in a larger war against a totalitarian enemy, Islamist extremism, and terrorism that seeks to vanquish all the democratic values that is our national purpose to protect and defend.

Whatever our differences in this Chamber about this war, let us never forget those great values of freedom and democracy that unite us and for which our troops have given, and today give, the last full measure of their devotion.

Yes, we should vigorously debate and deliberate. That is not only our right, it is our responsibility. But at this difficult junction, at this moment when a real battle, a critical battle is being waged in Baghdad, as we face a brutal enemy who attacked us on 9/11 and wants to do it again, let us not shout at one another but let us reach out to one another to find that measure of unity that can look beyond today's disagreements and secure the Nation's future and the future of all who will follow us as Americans.

I thank the Chair, and I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Idaho.

Mr. CRAIG. Mr. President, I am so honored to be on the floor with Senator JOE LIEBERMAN today and to listen to his remarks, frankly, to stand in the shadow of his leadership on this issue because he has been that, a bipartisan leader, recognizing, as he so appropriately has spoken, the leadership role that a Congress should take at this time in our Nation's history. And he has said it well. It is not one of micromanagement. It is not one of 535 generals all thinking we can act and think strategically about the engagement currently underway in Baghdad.

It is our job, I would hope, to stand united in behalf of the men and women we send there in uniform to accomplish what we so hope and wish they will be able to accomplish, and that is the stability of Iraq, the allowing of the Iraqi people to once again lead their country and to take from it the kind of radical Islamic fascism that is well underway and dominating the region.

Let me make a few comments this afternoon that clearly coincide with what Senator LIEBERMAN has spoken to. This is not, nor should it ever become, a partisan issue. I think his presence on the floor this afternoon speaks volumes to that. This is not a partisan issue. This is a phenomenally important national and international issue for our country to be engaged in that, frankly, few countries can engage in the way we have and with the kind of energy and strength we have brought to it.

The majority leader has put us in a very precarious situation, one that is clearly divisive. Frankly, I can say things as a Republican that maybe my colleague cannot say.

ORDER OF PROCEDURE

Mr. WARNER. Mr. President, parliamentary inquiry: At the hour of 1:30, is there an order for another Senator to be recognized?

The ACTING PRESIDENT pro tempore. That is correct.

Mr. WARNER. And who is that Senator?

The ACTING PRESIDENT pro tempore. That would the Senator from Virginia.

Mr. WARNER. Can my colleague finish up in 1 minute? I want to try to accommodate my colleague.

Mr. CRAIG. I will be relatively brief. I was instructed to be here at 1:15, but I think we have had a runover of time; is that not correct?

Mr. WARNER. I was not here.

Mr. CRAIG. Can we inquire of the Chair?

The ACTING PRESIDENT pro tempore. The minority has 30 seconds remaining, and then time reverts to the majority. The majority has granted the Senator from Virginia the time.

Mr. CRAIG. His time is?

The ACTING PRESIDENT pro tempore. The Senator from Virginia has 30 minutes, until 2 p.m.

Mr. CRAIG. May I ask the Senator how much time he planned to consume?

Mr. WARNER. Well, I have to jump a plane, but how much time does my colleague wish?

Mr. CRAIG. I will take no more than 5 minutes.

Mr. WARNER. If my colleague can make it 3 minutes, then I think my colleague from Missouri is anxious to catch his plane also.

Mr. BOND. Mr. President, if I could impose and ask for 2 minutes, so that Senator CRAIG and myself will consume a total of 5 minutes on this side.

The ACTING PRESIDENT pro tempore. Is there objection?

Hearing no objection, it is so ordered.

Mr. CRAIG. Mr. President, I am so honored to be on the floor with Senator JOE LIEBERMAN today and listen to his remarks, and frankly, to stand in the shadow of his leadership on this issue. Because he has been that, a bipartisan leader recognizing, as he so appropriately has spoke, the leadership role that a Congress should take at this time in our Nation's history. And he has said it well, it is not one of micromanagement, it is not 1 of 535 generals all thinking we can act strategically and tactically about the engagement currently underway in Baghdad and elsewhere across Iraq.

It is our job, I would hope, to stand united in behalf of the men and women we send there in uniform to accomplish what we so hope and wish they will be able to accomplish and that is the stability of Iraq and the greater Middle East and allowing the Iraqi people to lead their country and remove from it the kind of radical Islamic fascism that is well underway and dominating the region.

Let me make a few comments this afternoon that clearly coincide with what Senator LIEBERMAN spoke to. This is not, nor should it ever become, a partisan issue and I think Senator LIEBERMAN's presence on the floor this afternoon speaks volumes to just that, that this is not a partisan issue. This is a phenomenally important national and international issue for our country to be engaged in. Frankly, few countries can engage in this struggle in that way we have, and with the kind of energy and strength that we have brought to it.

The majority leader has put us in a very precarious situation, one that is clearly divisive. Frankly, I can say things as a Republican that maybe my colleague cannot say. I believe that the majority leader is playing politics on the issue of calling up a nonbinding resolution, while blocking the minority from calling up a different resolution. My good friend Senator GREGG has introduced a bill, a bill that I have cosponsored, that would express our full support for our soldiers in harms way and give them a much needed guarantee that they will continue to receive the funding they need to continue to function in their critical mission. As I said, the majority leader refuses to allow us a vote on this bill, and I think that is plain wrong.

Let me make it very clear, it is not the Republicans stalling or shutting down debate on the issue of Iraq. In fact, it is just the opposite. I have spoken twice in the last 2 weeks about this issue because I believe it is very critical, both to my constituency in Idaho, but also to our great Nation and the world. The majority claims that they want full and fair debate on this issue, yet they refuse to allow us to bring our own voice to this issue, and our own resolutions. How can we have a full and fair debate and vote on the floor of the Senate if we are being held hostage by the majority leader?

No State goes untouched by what we do here today and no man or woman in uniform goes untouched. Twenty Idahoans have given their lives in Iraq, and each of their sacrifices is sacred and honored, not just by their families and friend but by all. Most recently, SPC Ross Clevenger and PVT Raymond Werner of Boise, and SGT James Holtom of Rexberg were killed in Iraq in an IED attack. They, like all those who have fallen to enemy hands, served in a heroic and gallant way for a cause they believed in and a cause that we believe in. That is the cause of freedom.

Senator LIEBERMAN said it well, for us to send one of our top generals and top military minds in GEN David Petraeus to Iraq and say by a unanimous vote that we support him and believe in his abilities, but at the same time we do not support his mission, what are we saying as a Congress? What kind of message are we sending to our men and women in uniform when we speak in that manner? I think it is wrong to send this message and I will vigorously oppose that message.

If the majority leader and his Democratic colleagues believe so strongly that our mission in Iraq is so flawed, then why do we not see them bringing to the floor a bill to cut off funding for our troops on the ground in Iraq? As I mentioned earlier, the answer to that is a political answer, not a substance issue. Many Democrats have already called for cutting off funding and demanding an immediate withdrawal from Iraq, yet we have not seen those bills being taken up on the floor of either chamber. However, there are rumors that Members will choose to use the upcoming Iraq supplemental funding bill to force the President to take the advice of these congressional generals, rather than using the advice of our military experts and commanders to execute our mission and secure Iraq.

The reason I do not support such an immediate withdrawal of our troops, or cutting funding off for our troops in gun fights right now in the streets of Baghdad, is simple. I believe' in our mission and I believe that our soldiers are the most capable in the world. The only enemy that can defeat American soldiers on the battlefield is the low morale of the American people. A resolution condemning their actions and their mission in Iraq is just the kind of defeat that could embolden our enemies and harm our soldiers.

As every one of my colleagues knows, the reinforcements we are debating are already in motion. In fact, the President's plan to stabilize Baghdad and Anbar Province are already showing signs of success. The Iraqi government is closing down their borders with Syria and Iran, a critical decision that will limit the number of foreign fighters and enemy weapons from entering Iraq, weapons that are being used to kill American soldiers.

Lastly, I would say that our presence in Iraq does not just affect Iraq. The greater Middle East and the security of world are at stake. Are we going to turn a blind eye to Iraq and allow it to become a safe haven for terrorists the way that Afghanistan was under the Taliban regime? I certainly will do all that I can as a U.S. Senator to prevent that from happening because it is in our national interests to defeat our enemies abroad before they can strike us again here at home.

RURAL SCHOOL FUNDING

Mr. CRAIG. Mr. President, let me speak to you briefly regarding another critical issue and that is the Secure Rural Schools and Communities Self-Determination Reauthorization Act.

When we return after our Presidents Day recess, it is vital we re-engage in a critical issue for timber dependent school districts in Idaho and across our country. This bill once referred to as Craig/Wyden, helped many rural school districts move through a difficult time in their history and school children now find themselves in a very difficult situation. As you may know, many rural schools in this country have funding tied directly to timber harvest from our public lands. For several reasons, we haven't harvested timber at our historical rate and our rural schools in those particular counties have suffered.

I am working in a bipartisan way with my colleagues from Montana, Oregon, Washington, California, New Mexico and of course Idaho. We all see the importance of continuing this funding to some extent. I am committed, as is Senator WYDEN, to ensuring the success of the bill that bears our name.

It is my intent, as well as others, to redefine the formula. Our key dates to shape this critical issue are the Energy and Natural Resources hearing scheduled for March 1; as well as the emergency appropriations supplemental debate tentatively scheduled for the middle of March.

The timing is at a critical point. Our timber-dependent county officials and school districts are wrestling with budgets that are tied to this funding. I say today, clearly, failure is not an option.

I yield the floor.

IRANIAN WEAPONS AND IRAQ RESOLUTIONS

The ACTING PRESIDENT pro tempore. Senator BOND.

Mr. BOND. Mr. President, I thank my colleague from Virginia, truly a Virginia gentlemen and a good friend and a leader. I am most grateful.

I join with my colleague from Idaho in saying Senator LIEBERMAN's statement is one of a true statesman, one we all ought to take to heart. I commend it and I will make that required reading for anybody who asks about this issue.

Three quick points. I was asked yesterday by the media why the drumbeat on Iran. Simple answer: Iran is providing the EFPs, the explosively formed penetrators that are killing more and more Americans. We have tried, by diplomatic pressure, to get Iran to stop. Now we have even caught a leader of the Quds Force, the Iranian elite special forces unit, that reports directly to the ayatollah. They are there. The Iranians' special forces are there.

Some say, well, maybe the top leaders don't know. But how many folks believe your special forces are going to go someplace, have the devices that only Iran can make, and the top leaders not know anything about it? That is why the drumbeat on Iran. We ought to take out the Iranian fighters and stop the weapons coming in.

Secondly, on this resolution, it not only downgrades General Petraeus and says that although we confirmed you unanimously, we don't believe in your mission, but it also says to our allies, the neighboring countries that have been brought in on this new strategy—a new strategy that General Petraeus is implementing—that they shouldn't bother to come in and help us stop the deterioration in Iraq, which could lead to chaos and a takeover, and it also says to the enemy we are not going to be there.

I am taking an intel trip and will not be here for the vote. I am strongly opposed to cloture on this. So by being absent, I will deny those seeking the 60 votes my vote, and I strongly urge my colleagues who are here to vote no.

IRAQ

Mr. WARNER. Mr. President, I rise to address the issue of the Iraq resolutions.

Tomorrow at 1:45, I will vote for cloture, and I do that for reasons that I will set forth. I, like many of us, have to leave early this afternoon. I have consolidated all my State obligations and speeches between now and late tonight so I may return for the vote.

I want to go back and retrace the history of this debate. When I returned from Iraq, with several other Senators, and Senator LEVIN with me, at that time I was chairman of the Armed Services Committee and he was ranking. I indicated to the Nation by way of a press conference that I felt the situation was going sideways; that our strategy was not working.

Initially, in the days following that, I was highly criticized for those remarks. Eventually, however, others began to recognize the situation as I had, and, indeed, the President, when he was asked publicly if he supported the observations that I had made, said yes. I commend the President for immediately swinging into full gear his whole administration to study intensively the matters with regard to the current strategy. It included work by the Baker-Hamilton group, which I think played a very constructive role.

In the resolution which I prepared, with the assistance of Senator BEN NELSON and Senator COLLINS, we make direct reference to that. I bring up that background because the President then, on January 10, announced his intention to go forward with a changed strategy. The President, in that speech, specifically said:

> If Members have improvements that can be made—I repeat—if Members have improvements that can be made, we will make them. If circumstances change, we will adjust.

Now, that was an open invitation to Members of Congress and others to address this very important plan laid down by the President. Our group, my 2 colleagues who worked with me, Senator LEVIN joining us later, and a half dozen others, some 8 or 10, up almost to 12, joined in an honest forthright way in accepting the President's offer. That is how this started. In drawing up our resolution, we were careful to say, yes, we had different views, but we urged the President to consider all options—I repeat all options—other than the utilization of 21,500 individuals to go into that situation.

Specifically, our resolution charges the Iraqi military with taking the lead, with taking the brunt. I reiterate, the Iraqis should be taking the full measure of responsibility for this Baghdad campaign. Therein rests this Senator's primary concern with the President's plan. I say that because our American GIs have fought bravely, courageously, and we have had sacrifice and loss of life and limb, and in no way have they failed in the attempt to try to help the Iraqi people achieve their freedom, achieve their Government through elections, and to become a sovereign Nation. Now it should fall upon the over 300,000 Iraqi troops, police, and other security officials to bring about the cessation of this violence in Baghdad.

The Iraqis are far better qualified by virtue of their understanding of the language. They have a far better understanding of what is it that is bringing about this sectarian violence. These are the very people we liberated and gave them back their sovereign land and who are now fighting themselves, Sunni upon Shia, Shia upon Sunni, with wanton murder and criminal activity. Our forces do not understand the language. It is hard for those here in this Chamber to go back and look at the origins of the difference between the Sunni and Shia, which go back some 1,400 years. Our troops shouldn't be in there trying to decide do we shoot at a Sunni or do we shoot at a Shia. That should be the responsibility of the Iraqi forces. That is the principal reason I found differences with the President.

Our leaders, the RECORD will reflect, have tried to reconcile the differences between our two sides. The last time I didn't support cloture. I did that to support the institution of the Senate, because this Senate stands apart from the House, and stands apart from legislatures all over the world because of the right and the freedom to debate and for all to bring forth their ideas. We are behind that now. So far as I know, the leaders have done their best and we were not able to achieve agreement, and now, procedurally, we are faced with the situation of a House resolution, which will be voted on in an hour or more, and will then be considered by the Senate. For that purpose, I will vote cloture.

We supported the President in our resolution. As I read the House resolution, it does not reject the President's initiative to have a diplomatic component to his plan. The House resolution does not reject the economic aspect of what the President puts in his plan. So I say to my colleagues that what comes before us does not reject outright the President's program. It directs itself to that military operation, much as we did in S. Con. Res. 7, and says respectfully that we urge the President to consider all options, options that were set forth in testimony before the Armed Services Committee by General Abizaid, when he said we don't need any more troops; by General Casey, when he was up for confirmation and he said he thought we only needed two brigades, not five brigades.

So it is against that background that I think our group has come forth in response to the President's invitation and stated our case in a very respectful way. This matter we will address, the House resolution, I do not believe rejects the entire plan of the President. The components of diplomacy and the components of economics are there. It is only the question of how we employ our forces. I say the burden falls on the Iraqi security forces.

I will submit for the RECORD a New York Times story which appeared this week outlining an operation in which we had 2,500 Americans and less than 100 Iraqi forces turned up to participate. I asked about this yesterday when questioning the Chief of Staff of the United States Army and the Commandant of the Marine Corps, as to what their idea of the plan had been, and it was represented to us that there were to be joint forces, a joint command.

Certainly this is an early report, and I cannot speak to the authenticity of the article, but I have invited the Department of Defense to comment on it. It indicates to me that the Americans are bearing the brunt, not the Iraqi forces.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Daily Press, Feb. 16, 2007]

WARNER QUESTIONS CREDIBILITY OF BUSH PLAN

(By David Lerman)

The Democratic chairman and former Republican chairman of the Senate Armed Services Committee questioned the credibility of President Bush's new security plan for Baghdad Thursday, citing news reports of an overwhelmingly American-led operation despite administration promises to let Iraqi forces take the lead.

Virginia Sen. John Warner, a senior Republican, used a committee hearing to call attention to a New York Times report that the first major sweep of the Iraqi capital under the new security plan used only 200 Iraqi police and soldiers, but 2,500 Americans.

Warner, who has warned against sending more Americans to combat a low-grade civil war, expressed surprise that the first major security sweep of Baghdad under the new plan would be conducted by so few Iraqi forces. Defense officials had stressed in recent weeks that U.S. troops would be deployed in phases over coming months—with time allowed to measure the commitment of the Iraqi government to beef up its own security.

"I was led to believe that as we moved out in phases, that things would be in place," Warner said. "This is astonishing."

Warner, who sponsored a resolution opposing Bush's planned surge of 21,500 more American troops, added, "That falls far short of the public representation made by the administration that this would be a joint operation and that Iraqis would take the lead and we would be in a support role."

Sen. Carl Levin, D-Mich., the committee chairman, said he was dismayed at the reported reliance on U.S. forces, saying it "runs counter to what we were told the surge would be and how it would be handled."

Gen. Peter Pace, chairman of the Joint Chiefs of Staff, described the new security plan as an Iraqi-led operation during an appearance before Levin's committee earlier this month.

"We will not be out front by plan," Pace said of U.S. forces. "The Iraqis would be the ones going door-to-door, knocking on doors, doing the census work, doing the kinds of work that would put them out in front for the first part of the—if it develops—firefight. Our troops would be available to backstop them and to bring in the kind of fire support we bring in. But it would not be one Iraqi and one U.S. soldier."

Instead, the security sweep that unfolded Wednesday in three mostly Shiite neighborhoods of northeastern Baghdad was largely an American operation, the New York Times reported from the Iraqi capital.

Gen. Peter Schoomaker, chief of staff of the Army, and Gen. James T. Conway, the Marine Corps commandant, told Warner Thursday they were not familiar with the details of the described security sweep. But Conway added, "It is counter to what I understand to be the plan as well."

The public criticism of White House war strategy by two of the Senate's leading voices on defense policy came as the House prepared to vote today on a non-binding resolution opposing Bush's troop surge. Senate Democratic leaders, meanwhile, announced plans to hold a rare Saturday session to vote on whether to consider the same measure after weeks of procedural wrangling.

While the largely symbolic resolution is virtually guaranteed to pass the Democrat-controlled House, the surge in troops is already under way.

Whether it succeeds in quelling the mix of sectarian and insurgent violence in Baghdad as promised could shape public attitudes on Iraq far more profoundly than any vote in Congress.

At the Pentagon late Thursday, Pace defended the progress of Iraqi forces in providing more security. He cited an operation about three weeks ago on Baghdad's Haifa Street, in which the Iraqi army faced down Sunni insurgents, and another in Najaf in which Iraqi forces battled against a Shia stronghold.

"To date, in the operations that have taken place since the prime minister has announced that he wants to have a very balanced approach to the problem, his armed forces have done just that," Pace said.

Of the three Iraqi brigades scheduled to be moving into Baghdad, he said, two have moved in and the third is moving this month.

Mr. WARNER. I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Massachusetts.

Mr. KERRY. Mr. President, I ask unanimous consent that the remaining time between now and 2:05 be divided equally between myself and the Senator from Montana.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. KERRY. I ask that I be given sort of a 2-minute notice before the division.

The ACTING PRESIDENT pro tempore. The Senator will be notified.

Mr. KERRY. Mr. President, I thank the Senator from Virginia whom I think has been unbelievably thoughtful, unbelievably patient and courageous in this effort. I had the privilege of traveling with him to Iraq, together with Senator STEVENS. I could see the thought that he was giving then to the ways in which he was visually perceiving that it wasn't working the way it was promised. There is no stronger advocate for our Armed Forces. There is nobody who understands the military better, having just finished a tour as the chair of the Armed Services Committee. I really think the administration should bend over backwards to listen to this Senator who speaks with a voice of great reasonableness. He is greatly respected in the Senate. I thank him for his courage, for being willing to stand up on this issue.

The Congress, all of us, come here with a new responsibility in a sense. The last election could not have been more clear. People all across the country registered their disapproval of the policy that was being executed in Iraq. In fact, the Iraq Study Group report was awaited with enormous anticipation by everybody as an opportunity to bring everybody together and think this through anew and find a way to get a legitimate, across-the-aisle, Republican/Democrat, joint effort in the best interests of our country. I regret to say that the best efforts of former Secretary of State Jim Baker; the former Attorney General, Chief of Staff of the President, Ed Meese; another former Secretary of State, Larry Eagleburger; a former leader in the United States Senate and moderate from the State of Wyoming, Al Simpson; and a former Secretary of Defense, Bill Perry—just to name a group of those who were on the Iraq Study Group—that their efforts were just cast aside. Every recommendation they made was left on the sidelines.

Today we find the President adopting a policy which runs counter even to the advice of his own generals. Rather than listen to the advice, they change the generals and they put people in who would pursue a different policy. General Casey comes back, General Abizaid departs, and the policy goes on.

This institution has a solemn obligation to vote on this issue. It should not be procedurally delayed, and it should not be played around with. The fact is, the American people asked us to accept responsibility for something for which we already have some responsibility because we voted as an institution to empower the President to be able to send troops to Iraq, though many of us who voted for that resolution never voted for the President to abuse the power he was given by ignoring diplomacy, rushing to war, and forgetting to do the planning that they had promised they would do.

Our troops have done their duty. Our troops have served with remarkable courage under the most difficult circumstances. They have a right, together with the American people, to expect that this Congress does its duty. That does not mean avoiding a simple vote. If you are in favor of sending the troops, you have an opportunity tomorrow to register that vote, say you are in favor, stand up and be counted;

if you are opposed you should vote no—as the House will do in a short period of time.

Whatever procedural games are played on the floor of the Senate will never erase the perception by the American people of the responsibility that we ought to be exercising. They understand that this is the time and this is the place and they expect us now to execute our responsibility. We owe it to the troops. For all those who come to the Senate floor and talk about supporting the troops, responsibility for the troops, what would be fair for the troops, don't demoralize the troops—there is nothing more demoralizing, I will tell you, as a former troop myself, than having a policy that doesn't work; sending you out on missions which don't have the kind of purpose that you believe can succeed. You send these guys out in these vehicles, waiting to be blown up by an IED, knowing as they hold their breath that they don't have an adequately armored vehicle to be able to withstand it, and they go out and come back and turn to each other and say: What did we accomplish? What did we do? Did we secure a territory? Did we change minds? Did we actually hold onto some advantage gained by driving through a city in that kind of a dangerous situation?

Sending an additional 20,000 of our troops in the middle of a raging civil war is not a sensible policy on any number of levels. I believe, as a matter of larger strategy, raising the stakes by sending 20,000 additional troops and saying at the same time, publicly, "This is it, this is our big move, if this doesn't work we don't know what," is an unbelievable invitation to those who make mischief to make more mischief. And what's more, the very people who keep saying, "Don't set a date, don't set a timeline," set a timeline on this very deployment because they have come to us and said this is only going to be for a few months. So they announce a timeline on the very escalation that they say is supposed to make the difference and advertise: If you are one of the bad guys, just wait those 3 months. That is what they can do, knowing it is only 3 months.

I think there is a smarter strategy. I think there is a better way to be successful in Iraq, and it involves holding Iraqis accountable and setting legitimate benchmarks for what they ought to be doing. It is incredible to me that some people on the other side would obstruct a debate on the most fundamental issue confronting our country today. We are sent here to be a great deliberative body, and they don't want to deliberate. They don't want to make a decision. They think somehow they can just walk away and avoid responsibility for voting on the question of this escalation.

The majority leader has said they will have every opportunity to vote on that in a short period of time. Every amendment they want to bring they will have an opportunity to bring. We can have, in the meantime, a real vote on Iraq.

Since the end of last month when we started talking about talking about Iraq, 60 American troops have died in Iraq. There is a fellow by the name of Kevin Landeck, whom I just learned yesterday was killed on February 2 by an IED. Kevin Landeck comes from Wheaton, IL. He was a member of a Ranger unit over there. I have a wonderful photograph, a digital photograph on my computer of Kevin and a bunch of his other troops standing on a stairwell celebrating Christmas. The Christmas stockings are all hanging from the stairwell. I am proud that our office—Mary Tarr in our office particularly—has led an effort to help send packages to those troops regularly. Our office sends them boxes full of goodies, at Christmastime particularly—the stockings.

Sadly, Kevin has given his life in the ultimate act of patriotism, a courageous young man, admired by his fellow soldiers. That happened during the time that we couldn't even debate this issue on the floor of the Senate, during a time that the Senate avoided its responsibility.

We have every right to expect that the people who were elected to protect Kevin Landeck and the rest of those troops get this policy right—for their parents, for them, and for all of us.

I believe the only way we are going to do that is, ultimately, to be able to set a target date which gives the President the discretion to keep troops there to complete the training. What other purpose is there to be there? We give the President that discretion. We give him the discretion to leave troops necessary to chase al-Qaida. We give him the discretion to be able to leave troops necessary to protect American forces and facilities. What other purpose would there be, after 4 years, to have us there but to finish the training of the Iraqis and to provide an emergency buffer against Iran and others?

But you don't need to be on patrol in Baghdad, carrying the brunt of a civil war on a daily basis in order to provide that. You can be over the horizon. You can be deployed in garrison. You can be rear deployed. There are any number of ways to protect American interests in the region, and I am tired of our colleagues on the other side suggesting that a policy that clearly advantages America's position in the region, changes the dynamics, shifts responsibility to the Iraqis, and ultimately protects our troops is somehow a policy of abandonment. It is not. It is a policy for success. And it is to be measured against the current policy, which is an invitation to more jihadists.

Our own intelligence agencies are telling us we are building the numbers of jihadists. We are inviting more terror. The world is more dangerous. Iraq is less united. Iran is stronger. Hezbollah is stronger. Hamas is stronger. This is a failed policy, and when a policy is failing, day after day, leaders have an obligation to stop and get it right.

I believe that requires us to have a summit, bring the nations together to solve the issues between the stakeholders and ultimately resolve what our troops are powerless to resolve. A civil war is a struggle for power. We have to resolve that at the diplomatic and negotiating table.

So I strongly believe it is not enough for Congress simply to go on record opposing the President's reckless plan. Congress has an obligation to provide a responsible exit strategy that preserves our interests in the region, retains our ability to protect the security of the United States, and honors the sacrifice our troops have made.

Eight months ago in the Senate, 13 of us stood up against appeals to politics and pride and demanded a date to bring our troops home, to make Iraqis stand up for Iraq and fight a more effective war on terror. But while we lost that roll call, I still believe it was the right policy to put in place, to demand accountability, and to leverage action.

Now, I am more convinced than ever that a combination of serious, sustained diplomacy and the enforcement of benchmarks for progress by the Iraqi government, leveraged by a 1-year deadline for redeployment of U.S. troops, is the best way to achieve our goal of stability in Iraq and security in the region.

That is why I will again introduce legislation that offers a comprehensive strategy for achieving a political solution and bringing our troops home within 1 year. We have to find a way to end this misguided war, and I believe this legislation is the best and most responsible way forward.

Let me emphasize that this strategy does not mean abandoning Iraq in 1 year: in fact, it gives the President the discretion to leave the minimum number of U.S. troops necessary to complete the training of Iraqi security forces, go after terrorists, and protect U.S. facilities and personnel.

This 1-year deadline is not arbitrary. It is consistent with the Iraq Study Group's goal of withdrawing U.S. combat forces from Iraq by the first quarter of 2008—it's consistent with the timeframe for transferring control to the Iraqis set forth by General Casey, and the schedule agreed upon by the Iraqi government itself. Even the President has said that, under his new strategy, responsibility for security would be transferred to Iraqis before the end of this year. It is the opposite of arbitrary. The President has said it, our generals have said it, the Iraq Study Group has said it.

Some say those of us who oppose the President's failed policy in Iraq do not offer an alternative—nothing could be further from the truth. This legislation offers a comprehensive military and diplomatic strategy that incorporates key recommendations of the Iraq Study Group—including many that some of us here have long been advocating—to provide us with the best chance to succeed: holding a summit with all of Iraq's neighbors, including Iran and Syria—creating an international contact group—enforcing a series of benchmarks for meeting key political objectives—shifting the military mission to training Iraqi security forces and conducting targeted counterterrorism operations—and maintaining an over-the-horizon presence to protect our interests throughout the region.

It is time for Iraqis to assume responsibility for their country. We need a timetable which forces Iraqi politicians to confront reality and start making the hard compromises they have resisted thus far. Instead, they are using America's presence as a security blanket. Americans should not be dying to buy time for Iraqi politicians hoping to cut a better deal. We should be working to bring about the compromise that is ultimately the only solution to what is happening today in Iraq. And Iraqi politicians have repeatedly shown they only respond to deadlines—a deadline to transfer authority, deadlines to hold two elections and a referendum, and a deadline to form a government.

Without hard deadlines, our best hopes for progress in Iraq have been repeatedly dashed. When Prime Minister Maliki took power in May, General Casey and Ambassador Khalilzad said the new government had 6 months to make the political compromises necessary to win public confidence and unify the country. They were right, but with no real deadline to force the new government's hand, that period passed without meaningful action—and we are now seeing the disastrous results.

In fact, for 4 years now, we have been hearing from this administration that progress is right around the corner. We have been hearing the Iraqis are near a deal on oil revenues, that they are making progress towards reconciliation—but we still haven't seen any results.

That is why we must give teeth to the benchmarks agreed upon by the Iraqi government for national reconciliation, security and governance. Meeting these benchmarks is crucial, but without any enforcement mechanism, they are little more than a wish list. That is why this legislation supports the Iraq Study Group proposal to make U.S. political, military, or economic assistance conditional on Iraqis's meeting these benchmarks.

A deadline is also essential to getting Iraq's neighbors to face up to the realities of the security needs of the region. None of them want to see Iraq fall apart. That should be the basis for cooperation in stabilizing Iraq, and yet a sense of urgency has been lacking. This deadline will make clear the stakes and hopefully focus their minds on helping the Iraqis reach a political solution.

We cannot turn back the clock and reverse the decisions that brought us to this pass in Iraq and the Middle East. We cannot achieve the kind of clear and simple victory the administration promised the American people again and again even as Iraq went up in flames. But we can avoid an outright defeat. We can avoid creating the chaos we all say we want to avoid. We can avoid a victory for our adversaries by taking a clear-eyed approach to identifying specifically what we can and cannot accomplish in Iraq.

With a new Congress comes a new responsibility: to get this policy right. That starts with preventing the President from going forward with this senseless escalation. And it has to end with an exit strategy that preserves our core interests in Iraq, in the region, and throughout the world. Only then will we have honored the sacrifices of our troops and the wishes of those who sent us here. Only then will we have done our duty.

The ACTING PRESIDENT pro tempore. The senior Senator from Montana.

Mr. BAUCUS. Mr. President, I think it is clear that the American people want the Senate to have a debate on this issue. There is no doubt about that. I very much hope that enough Senators, when we vote tomorrow, will vote to invoke cloture so we can do just that, have a debate. I think for the Senate to not vote to invoke cloture would be very irresponsible. I cannot for the life of me imagine why the Senate would not conduct that vote. I very much hope when we have that vote tomorrow that 60 Senators, more than 60 Senators vote in favor of cloture so the Senate can address one of the most fundamental issues that I think is on Americans' minds.

I was going to go to Iraq tonight because I wanted to see firsthand what is going on. I wanted to talk to troops, talk to commanders. I wanted to talk to not only the American personnel but also the Iraqis. I wanted to determine, the best I could, the degree to which Prime Minister Maliki and the Iraqis are able to stand on their own two feet and do what they are supposed to do; that is, govern and run their own country. I am not going to go over tonight, obviously. I want to be here tomorrow and cast my vote so we can start debating. That is the right thing to do.

Based upon what I see in the newspapers, what I see on television, based upon the comments of my colleagues who have recently been to Iraq, I am very disturbed. To put it simply, Iraq is a mess. It is a mess because the United States, to some degree, started it by invading the country and opened up Pandora's box and got the Shias and the Sunnis and the Kurds all stirred up. Now they are fighting each other.

We did a good thing by toppling Saddam Hussein. That was the right thing to do. But we did not think through the consequences. We did not understand what we were doing as a country. We did not have an exit strategy. We did not know what the consequences of occupation would be.

Certainly, the United States, with its very superior Armed Forces, can very easily occupy Iraq—Baghdad. In fact, the occupation was probably a little easier than many people anticipated. But when you go back and talk to generals, talk to defense personnel, talk to analysts, they all—many of them, many of them are very clear in saying that they advised the Pentagon not to go ahead and do this until we knew what we were doing once we got there. It would be a big mistake, many said, to proceed unless we knew what we were doing.

Put simply, there was just no exit strategy. There was none whatsoever. I have read so many reports and quotes of so many generals advising us to not go into Iraq until we knew what we were doing that I am appalled, frankly, at how unprepared the United States was when it went in.

All Americans, if they have any second thoughts about that statement I just made, they, too, would be appalled if they would read those same statements. They are all in the record. They are all in the public domain. I strongly urge people to read them and look at them.

The key here, as has been stated by the Senator from Virginia, the senior Senator from Virginia, is: Can the Iraqis stand up on their own two feet? It is my belief that they are not standing up on their own two feet. Clearly, the continued civil war's death toll indicates that Iraq is not taking control of the situation. There are so many reports that the Iraqi Army is unfit and that they are not doing the job. There are questions about how well it is trained or is being trained. Clearly the answer is, it is not being trained. They are not doing a good job.

My view is it doesn't make much sense to throw more troops, a modest number of more troops, at a failed policy. That is what it comes down to. The Iraqis aren't taking care of themselves, and if they aren't taking care of themselves, why should we take care of them? We have lost so many American lives, so many Montanans, young men and women who have been killed over there, and it makes no sense, in my judgment, to keep doing this.

That is why I think we should vote on this resolution on Monday and, secondly, why I think the resolution should pass. We should not continue a failed policy. I don't know very many people who think the policy is working. Most think it has failed. So let's, as the U.S. Senate, make that statement.

What do we do now? If it has failed, what do we do? I don't think anybody has a simple answer. There is no real silver bullet here. But I do think we need to give the Iraqis a set date and say to them: We are going to get out of here on this set date, and you need to know that. My fear is, if we don't do that, they are just going to keep thinking the United States is going to keep sending more troops and keep taking care of them. It is human nature for them to do so, to think that. That is why I believe we should give them a definite date we will start bringing our troops home.

I also think we have to engage other countries in the region. We are not doing a good job of doing that. This administration says: Well, we can't talk to Iran; we shouldn't do that. We can't talk to Syria; we shouldn't do that. I don't understand that. It seems to me, if you want a solution, you have to talk to people. You have to talk to people who are involved. We are talking to the Saudis, we are talking to the Jordanians, the Israelis, and others in the region. That is good. But two very key players are Iran and Syria.

In life, we talk to our friends, but we should also talk to our enemies. We don't have to agree with our enemies, but we should talk to them. When you start talking to people with whom you have disagreements, after a while you learn there may be a common assumption or two. After a while you might learn something that indicates there is progress. There might be a little bit of daylight once you start talking to somebody. You certainly aren't going to learn anything unless you talk to them. The stakes are so high and the consequences are so great, I strongly urge the administration to start talking to people. So what if the public policy was that we were not going to do that in the past. Don't be stubborn. Don't be too proud. Do what is right. Just try to talk to the people in the region so we can find some common solutions.

I know it is not going to be easy. It will be very difficult. But I know of no other alternative—no other alternative—but to give them a date and say: we are out of here; by this certain date we are going to start repositioning troops elsewhere in the region. We should tell them that so they sober up more—not just Prime Minister Maliki but the other principals in the country—and realize they have to start getting their act together. As I said, we need to have some very serious negotiations with groups in the region and also with countries in the region so we can manage the situation as best we possibly can.

This is one of the most serious issues I have confronted since I have been in the Senate in the last several years, and I commend my colleagues for addressing it so seriously. It is the right thing to do. But it is also the right thing to do to start debating this issue in the Senate. I think we will be doing the country a great service if we do.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. WEBB). The Senator from Georgia is recognized.

ORDER OF PROCEDURE

Mr. CHAMBLISS. I ask unanimous consent that for the next 30 minutes, I be allowed to speak for up to 10 minutes and that Senator KYL be allowed to speak for up to 10 minutes and Senator THOMAS be allowed to speak for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

IRAQ

Mr. CHAMBLISS. Mr. President, I rise today to oppose the resolution, S. 574, the Senate will vote in relation to tomorrow. This resolution states simply that:

> No. 1, Congress and the American people will continue to support and protect the members of the United States Armed Forces who are serving or who have served bravely and honorably in Iraq; and No. 2, Congress disapproves of the decision of President George W. Bush announced on January 10, 2007, to deploy more than 20,000 additional U.S. combat troops to Iraq.

Mr. President, the first paragraph of that resolution is a commendable one and one every Member of this body should support, and will. However, the second paragraph is simply inconsistent with a vote every Member has already made and should be opposed by every Member of this body. Therefore, the resolution as a whole should be opposed.

Exactly 3 weeks ago, on January 26, the Senate unanimously approved GEN David Petraeus for his fourth star and to be commander of multinational forces in Iraq. No Senator opposed his nomination. In my 12 years in the Congress, I do not think I have seen Members of Congress express any higher confidence or support for a nominee for any position than they have for GEN David Petraeus. I have not heard anyone criticize him, and rightly so.

In his nomination hearing, when asked about his opinion of the President's plan for Iraq that he now has the responsibility of executing, General Petraeus said:

> I believe this plan can succeed if, in fact, all of those enablers and all the rest of the assistance is in fact provided.

General Petraeus supports this plan. Now, the same Senate that voted unanimously to confirm General Petraeus is going to vote on whether they agree with the plan he supports and that they confirmed him to execute. That vote has not been taken yet, so obviously we don't know the outcome.

Some people would like to mislead the American people into thinking that Republicans are opposed to debating Iraq and the various resolutions in Iraq. In fact, Republicans welcome that debate, and that is why many of us are here today. However, Republicans rightfully oppose the Democrats' dictating what resolutions can be considered.

If Senators truly disapprove of this decision, they should be willing to vote for or against a resolution that clearly expresses their convictions, and that is exactly what Senator GREGG's resolution does. However, Democrats are not willing to do that. Senator GREGG's resolution expresses the sense of the Congress that:

> No funds should be cut off or reduced from American troops in the field which would result in undermining their safety or ability to complete their assigned missions.

If Senators truly do not support the mission we are sending General Petraeus and our men and women in uniform to carry out, then they should be willing to have an up-or-down vote on the Gregg resolution.

For the record, let me restate my position on the proposed troop increase. Several weeks ago, President Bush addressed the situation in Iraq before the American people, and everyone was anxious to hear his plans for a new strategy. It is clear that Americans want a victory in Iraq; however, they do not want our presence there to be open-ended. I agree, and most importantly, I believe it is time for the Iraqi Government to step up and take responsibility. They need to take control of their country, both militarily and politically. I believe the Iraqis must deliver on their promises.

I come from a strong and proud military State, home to 13 military installations, and our service men and women have answered the call of duty and performed courageously. No one questions our troops' performance and unwavering commitment, and we will continue to support them. Many of our troops, including the 3rd Infantry Division based at Fort Stewart, GA, and Fort Benning, GA, are preparing to head overseas, some for their third tour of duty in Iraq, as we speak today.

The President's decision to send additional combat brigades to Baghdad and Anbar Province in western Iraq is aimed at defeating the insurgency in those areas and increasing stability for the Iraqi people. However, we must also see an increased commitment from the Iraqis. This is also part of the new strategy, and I am committed to holding the administration and the Iraqis accountable in this area. Those of us in Congress have a responsibility to ask questions and seek answers on behalf of the American people when our strategy and tactics are not getting the job done.

I have expressed my concern and frustration with progress on the part of the Iraqis not only to the President and the White House advisers but to our military leadership testifying before the Senate Armed Services Committee as well. In my conversations with the White House and with the Department of Defense leadership, I have made it clear that my support of any increase in troops is conditioned upon those troops being sent on a specific mission and upon the completion of that mission that they should be redeployed.

I firmly believe that just a large increase in troops without having a specific mission will only increase insurgent opposition and that a withdrawal of U.S. forces at this time would be detrimental to Iraq's security and extremely dangerous for American soldiers. That particular issue has been affirmed by every single individual in the U.S. military testifying before the Senate Armed Services Committee. Failure in Iraq will result in expanded and intensified conflict in the Middle East, and that kind of instability is clearly not in the best interests of America or the international community.

Now that the President has taken serious steps to admit his mistakes, take responsibility, and revise the strategy, Americans do seek positive results. It has been said by many of my colleagues, as well as many of my own constituents, that the situation in Iraq requires a political and not a military solution. I strongly agree with that position. However, it is not possible, in my opinion, to have a political solution or to make political progress if citizens are afraid to leave their homes for fear of being shot or kidnaped or if they are afraid to let their children go to school because it is unsafe to do so. Some level of order and stability must be in place before a political solution can take hold.

In America, we take order and stability for granted because we are blessed to live in a country that is extremely safe, secure, and stable. However, Iraq is not the same as the United States. They do not live in a secure and stable society, and order and stability must be in place before there can be any hope for a long-term political solution. The additional troops we are sending are meant to create that order and stability, particularly in Baghdad. Unfortunately, the Iraqi military and Government is not yet mature enough to do that job themselves, so we are partnering with them to help them succeed.

There is nothing easy or pretty about war, and this war is no exception. This war has not gone as well as any of us had hoped. Additionally, the President's new plan, which is already being carried out in Iraq, is not guaranteed to work. However, it is my firm conviction that the President's plan deserves a chance to succeed, and we in the Congress should do all we can to help it succeed. The Reid resolution does not do that. That is why I urge my colleagues to vote against cloture on the motion to proceed to the Reid resolution tomorrow. The resolution opposes the President's plan without offering any alternative. It opposes the mission which the Senate has unanimously confirmed General Petraeus to carry out.

I urge a vote against the implementation of cloture tomorrow.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. KYL. Mr. President, speaking to this resolution, I wish to be clear that it had been my intention to cast a "no" vote to proceeding to this nonbinding resolution. The majority, of course, has to muster 60 votes in order to proceed on that particular resolution.

I believe my time will be more productive fulfilling a commitment I have made to lead a trip to Iraq. Without disclosing when or precisely where we will be in the Middle East, I will tell my colleagues that I will be able to personally deliver a message not only to our troops of support of the American people for their mission but also hopefully to deliver a message directly to the Prime Minister of Iraq that we expect him to continue to fulfill the commitments he has made to carry out this new strategy, which has signs of success already, and to learn directly, firsthand from our commanders and troops on the ground, their assessment of how this new mission is proceeding. What the Congress needs to do is to provide assistance and to be able to bring home a report unfiltered through the media of precisely where the conditions stand right now.

While I would have voted no, in effect, I will be voting no by my presence in Iraq.

There are three reasons I oppose the resolution to move forward with this particular nonbinding resolution. First of all, we have been debating almost nonstop this subject of Iraq, now, for several weeks—both in the House of Representatives and in the Senate. So there has been no lack of debate.

Rest assured that Republicans are committed to continuing this debate for as long as the American people believe it is productive. We welcome debate. We also welcome something else: The opportunity to express ourselves in a meaningful way, not simply on a nonbinding resolution. We have no objection to voting on this nonbinding resolution as long as we can also vote on something that is actually more meaningful than that, and that is a resolution that demonstrates we will not withdraw support for our troops. We aim to support them in their mission.

Having been precluded, blocked, for being able to have a vote on that resolution, what we are saying is that we should move forward with the debate, but until the majority leader is willing to provide Members a vote on the resolution for support of the troops, we should not be voting on other resolutions.

I think this is time for Democrats to take a stand. Either you support the troops in the battlefield or you don't, none of this sort of slow bleed and nonbinding resolution debate. The nonbinding resolution obscures your true position. It seems to me, if you merely seem to tell the President you don't like what he is doing, you have plenty of opportunities to do that, but a resolution can have a very deleterious effect on the morale of our troops, on our enemies who see it as a sign of weakness, and perhaps on our allies who wonder if we see the mission through.

If you are serious about stopping this effort because you believe it has failed or cannot succeed, obviously you need to do what Congress has the ability to do and that is vote no on the funding of the troops.

Instead, what we have been told is that in the House of Representatives, after this first step of the nonbinding resolution, there will be a second step, this slow-bleed strategy, a concept that says Congress will begin to micromanage how troops are deployed in the field and around the world and equipment provided to them, and that will determine whether any will receive Congress's continued support.

We cannot condition our support for the troops. They need to know that when we send them into harm's way, they will have everything they need from reinforcements to equipment. This sort of slow-bleed strategy that has been announced over in the House of Representatives is extraordinarily dangerous and deleterious to our mission.

First of all, it seems to me there are some signs of success. This is the first reason I would have voted no on the resolution. We do need to give the new strategy the President has announced a chance to succeed.

There are plenty of stories, and I will have them printed in the RECORD at the conclusion of my remarks, about some initial successes—the Shiite militia leaders appearing to leave their strongholds in Baghdad in anticipation of our plan to increase our activities there.

The powerful Shiite cleric, Moqtada al-Sadr has left Iraq, spending his time in Iran away from the danger that might await him if he stayed in Baghdad.

In Al Anbar Province in the west, the tribal sheiks have now significantly begun to align themselves with the United States, as a result of which we have been able to recruit hundreds more police officers who were not possible to recruit in the past.

A real sign is the fact that Sunni and Shiite Arab lawmakers have announced plans to form two new political blocs in Iraq. The Iraqi military is taking a significantly, more robust role, now ordering tens of thousands of residents to leave homes—these are the so-called squatters—that they are occupying illegally, and, instead, saying they will have the original owners of those homes come back. This is important because the people who have been displaced or dispossessed primarily are Sunnis. The Shiite militias came in and kicked them out and allowed squatters in their home.

It is highly significant the Iraqi Government has said, through a LTG Aboud Qanbar, who is leading this new crackdown, that they are going to close the borders with Iran and Syria, they are going to extend the curfew in Baghdad, set up new checkpoints and reoccupy the houses that have been occupied by the illegal Shiites.

Another significant change, they actually raided a Shiite mosque which was a center of illegally armed militias, kidnapping, torture and murder activities and a place where a good deal of weapons had been stored. This, in the past, had not been done. But it is now being done, all as a part of Maliki's commitment to change the rules of engagement and to commit himself to support politically the victories that had been occurring on the ground militarily but which were fleeting because when you capture people and put them in jail, if the politicians get them out of jail the next day, you have gained nothing. We need to give it a chance.

I referred to former Representative Hamilton of the Hamilton-Baker Commission, who said in testimony:

> So I guess my bottom line on the surge is, look, the president's plan ought to be given a chance. Give it a chance, because we heard all of this. This that you confirmed . . . the day before yesterday, this is his idea. He's the supporter of it. Give it a chance.

Second, we need to support this mission and oppose the nonbinding resolution opposed to it because it would send a horrible message not only to our troops and military leaders but to our allies and to our enemies.

General Petraeus, whom I mentioned a moment ago, at his confirmation hearing got this question from Senator LIEBERMAN.

> Senator LIEBERMAN: You also said in response to a question from Senator McCain that adoption of a resolution of disapproval . . . would not . . . have a beneficial effect on our troops in Iraq. But I want to ask you, what effect would Senate passage of a resolution of disapproval of this new way ahead that you embrace—what effect would it have on our enemies in Iraq?
>
> Lieutenant General PETRAEUS: Sir, as I said in the opening statement, this is a test of wills, at the end of the day. And in that regard . . . a commander of such an endeavor would obviously like the enemy to feel that there's no hope.
>
> Senator LIEBERMAN: And a resolution—a Senate passed resolution of disapproval for this new strategy in Iraq would give the enemy some encouragement, some feeling that—well, some clear expression that the American people are divided.
>
> Lieutenant General PETRAEUS: That's correct, sir.

Soldiers believe the same thing. From ABC News, on February 13, they asked Army 1SG Louis Barnum what they thought of the resolution. They had strong words. Here is what one said:

> Makes me sick. I'm a born and raised Democrat—it makes me sad.

On the NBC nightly news, January 26, interview of three of our soldiers.

SPC Tyler Johnson said:

> Those people are dying. You know what I am saying? You may support—'oh, we support the troops' but you're not supporting what they do, what they share and sweat for, what they believe for, what we die for. It just don't make sense to me.

SSG Manuel Sahagun:

> One thing I don't like is when people back home say they support the troops but they don't support the war. If they're going to support us, support us all the way.

There was in the Fort Worth Star-Telegram, February 15, a poignant communication from an Army sergeant whose name is Daniel Dobson. He said:

> The question has been posed to me recently what congressional resolution hurts troops morale the most. No doubt we would be happy to come home tomorrow. But the thought is bittersweet. Most servicemembers will tell you the same thing: There is no honor in retreat . . . and there is no honor in what the Democrats have proposed. It stings me to the core to think that Americans would rather sell their honor than fight for a cause. Those of us who fight [for peace] know all too well that peace has a very bloody price tag.

The American people believe this as well. FOX News, according to an opinion dynamics poll in the last couple of days, 47 percent of the American people say it is more likely to encourage the enemy and hurt troop morale compared with 24 percent who think it would make a positive difference to the policy of the United States toward Iraq.

So we better be careful what kind of message is sent through a so-called nonbinding resolution. It would not change the course of what we are doing on the ground in Iraq, but it can certainly affect our enemy and the morale of our troops and our allies.

I conclude by saying it seems to me it would be a huge mistake to proceed to vote only on a resolution which is acknowledged by its proponents as being merely a first step toward a second step of reducing and ultimately removing support for the troops whom we have sent into harm's way. Far better it would be for us to continue this debate at the conclusion of which we would vote on another resolution which would explicitly express our support for our troops and their mission.

To expound in further detail, I oppose this resolution and would vote "no" on taking it up without considering other resolutions first, because it would put a halt to the progress which has begun to occur in Iraq since the President announced new strategy. Some examples:

> SHIITE MILITIAS LEAVE SADR CITY
>
> Shiite militia leaders already appear to be leaving their strongholds in Baghdad in anticipation of the U.S. and Iraqi plan to increase the troop presence in the Iraqi capital, according to the top U.S. commander in the country. "We have seen numerous indications Shia militia leaders will leave, or already have left, Sadr City to avoid capture by Iraqi and coalition security forces," Army Gen. George W. Casey, Jr. said in a written statement submitted to the Senate Armed Services Committee as part of his confirmation hearing today to be Army chief of staff.
>
> MOQTADA AL-SADR LIVING IN IRAN
>
> The powerful Shiite cleric Moqtada al-Sadr has left Iraq and has been living in Iran for the past several weeks . . . With fresh American forces arriving in Baghdad as part of the White House plan to stabilize the capital, officials in Washington suggested that Mr. Sadr might have fled Iraq to avoid being captured or killed during the crackdown.
>
> SUNNIS BATTLE AL QAEDA IN AL ANBAR
>
> Before tribal sheiks aligned themselves with U.S. forces in the violent deserts of western Iraq, the number of people willing to become police officers in the city of Ramadi—the epicenter of the fight against the insurgent group known as al-Qaeda in Iraq—might not have filled a single police pickup. "Last March was zero," said Maj. Gen. Richard C. Zilmer, the Marine commander in western Iraq, referring to the number of men recruited that month. With the help of a confederation of about 50 Sunni Muslim tribal sheiks, the U.S. military recruited more than 800 police officers in December and is on track to do the same this month. Officers credit the sheiks' cooperation for the diminishing violence in Ramadi, the capital of Anbar province.
>
> SUNNIS AND SHIITES MOVE AWAY FROM SECTARIANISM
>
> Sunni and Shiite Arab lawmakers announced plans [January 31] to form two new blocs in Iraq's parliament they hope will break away from the ethnic and religious mold of current alliances and ease sectarian strife. But though both blocs said they hoped to eventually draw in members of all ethnic and religious groups, one initially will be made up entirely of Shiite Muslim politicians and the other of Sunni Muslims.
>
> IRAQ MILITARY TAKING A LEADING ROLE
>
> The Iraqi government on Tuesday ordered tens of thousands of Baghdad residents to leave homes they are occupying illegally, in a surprising and highly challenging effort to reverse the tide of sectarian cleansing that has left the capital bloodied and balkanized. In a televised speech, Lt. Gen. Aboud Qanbar, who is leading the new crackdown, also announced the closing of Iraq's borders with Iran and Syria, an extension of the curfew in Baghdad by an hour, and the setup of new checkpoints run by the Defense and Interior Ministries, both of which General Qanbar said he now controlled.

IRAQI SECURITY FORCES RAID SHIITE MOSQUE

> A U.S. military spokesman on Thursday hailed a joint American-Iraqi raid on Baghdad's leading Shiite Muslim mosque as proof that the Baghdad security plan is being applied evenly against all sides of the country's sectarian divide. In a statement released Thursday, the U.S. military said the mosque was raided "during operations targeting illegally armed militia kidnapping, torture and murder activities." It said the mosque had been used "to conduct sectarian violence against Iraqi civilians as well as a safe haven and weapons storage area for illegal militia groups." Sunni Muslims have reported being held and beaten in the mosque, but little had been done about it before. The Supreme Council's armed wing, the Badr Organization, has been accused of kidnapping and torturing Sunnis. The statement said U.S. forces guarded the area around the mosque while Iraqi soldiers entered it with the cooperation of its security guards.

BAKER AND HAMILTON HAVE URGED THE SENATE TO CAPITALIZE ON THIS PROGRESS

> Hamilton: So I guess my bottom line on the surge is, look, the president's plan ought to be given a chance. Give it a chance, because we heard all of this. The general that you confirmed 80-to-nothing the day before yesterday, this is his idea. He's the supporter of it. Give it a chance.
>
> Baker: And let me . . . read from the report with respect to this issue of the surge, because there are only two conditions upon our support for a surge. One is that it be short-term and the other is that it be called for by the commander in Iraq. President Bush said this is not an open-ended commitment. Secretary Gates said this is a temporary surge and . . . General Petraeus is the guy that's to carry it out and he was the person that originally recommended it.

I also oppose this resolution because I believe it would send a horrible message to our troops and our military leaders, our allies and our enemies.

The majority leader has said that he doesn't think the resolution "matters" substantively, and that the politics are all that is important. He said:

> Well, it doesn't matter what resolution we move forward to. You know, I can count. I don't know if we'll get 60 votes. But I'll tell you one thing: There are 21 Republicans up for reelection this time.

I believe, contrary to the opinion of the Majority Leader, that the nonbinding words in this resolution do matter. Here's why.

General Petraeus Believes the resolution hurts his Mission.

This is from Petraeus' confirmation hearing:

> Senator LIEBERMAN. You also said in response to a question from Senator McCain that adoption of a resolution of disapproval, . . . would not . . . have a beneficial effect on our troops in Iraq. But I want to ask you, what effect would Senate passage of a resolution of disapproval of this new way ahead that you embrace—what effect would it have on our enemies in Iraq?
>
> Lieutenant General PETRAEUS. Sir, as I stated in the opening statement, this is a test of wills, at the end of the day. And in that regard . . . a commander in such an endeavor would obviously like the enemy to feel that there's no hope.
>
> Senator LIEBERMAN. And a resolution—a Senate-passed resolution of disapproval for this new strategy in Iraq would give the enemy some encouragement, some feeling that—well, some clear expression that the American people were divided.
>
> Lieutenant General PETRAEUS: That's correct, sir. Soldiers believe the resolution undermines them.

ABC News, Feb. 13:

> ABC News recently asked Army sergeants in Ramadi what they thought of the resolution, and they had strong words.
>
> "Makes me sick," said First Sgt. Louis Barnum. [I'm] born and raised a Democrat—it makes me sad."
>
> "I don't want to bad mouth the president at all. To me[,] that is treason," said SGT. Brian Orzechowski.

From NBC Nightly News, January 26:

Specialist Tyler Johnson:

> Those people are dying. You know what I'm saying? You may support—"Oh, we support the troops," but you're not supporting what they do, what they share and sweat for, what they believe for, what we die for. It just don't make sense to me.

SSG Manuel Sahagun:

> One thing I don't like is when people back home say they support the troops but they don't support the war. If they're going to support us, support us all the way.

SPC Peter Manna:

> If they don't think we're doing a good job, everything that we've done here is all in vain.

From Fort-Worth Star Telegram, February 15, 2007:

Army SGT Daniel Dobson:

> The question has been posed to me recently what congressional resolution hurts troop morale the most. No doubt we would be happy to come home tomorrow. But the thought is bittersweet. Most service members would tell you the same thing: There is no honor in retreat . . . and there is no honor in what the Democrats have proposed. It stings me to the core to think that Americans would rather sell their honor than fight for a cause. Those of us who fight for [peace] know all too well that peace has a very bloody price tag.

THE AMERICAN PUBLIC BELIEVES THAT THE RESOLUTION UNDERMINES THE TROOPS

From FOX NEWS quoting an opinion dynamics poll:

> 47 percent say it is more likely to encourage the enemy and hurt troop morale, compared with 24 percent who think it would make a positive difference to U.S. policy toward Iraq.

Finally, this resolution is but the first step in a "slow bleed" strategy, and should be rejected for that reason as well.

Democrats claim that they just want an up or down vote on this resolution to send a message to the President, but I fear that the real plan is much more expansive. If this resolution passes, votes to cut off support for our troops and micromanaging the war won't be far behind.

In the other Chamber, Representative MURTHA has made it clear that he intends to bleed our troops of support for their mission in Iraq. Speaking about his resolution, MURTHA said: "They won't be able to continue. They won't be able to do the deployment. They won't have the equipment, they don't have the training and they won't be able to do the work. There's no question in my mind."

Speaker PELOSI essentially endorsed this slow-bleed strategy, according to reports in The Poltico this morning.

Those who believe that this vote is a simple gesture, and that it will be the last word on the "surge" from this body, then why did Senator FEINGOLD say on the floor just this morning that the Warner resolution is a "first step"? Please listen to these additional quotes from some of my Democratic colleagues:

This is from the Foreign Relations Committee, January 24, 2007:

> Senator BIDEN: But there's also one other thing, and I commit to everyone today, and I will end with this: that unless the President demonstrates very quickly that he is unlikely to continue down the road he's on, this will be only the first step in this committee. I will be introducing—I know Senator DODD may today introduce and another may—I know Senator OBAMA, Senator KERRY, probably all of you have binding, constitutionally legitimate, binding pieces of legislation. We will bring them up.

On "Meet The Press," January 28, 2007:

> Mr. Russert: Do you believe that it's inevitable Democrats will cut funding for the war off?
>
> Senator SCHUMER: Well, we'll certainly ratchet up the pressure against President Bush. The bottom line is that this escalation, for instance, is so poorly received, not just by Democrats, but by all of the American people. Our first step will be this sense of the Senate resolution. But it's only the first step.

From Speaker PELOSI, February 13, 2007:

> A vote of disapproval will set the stage for additional Iraq legislation which will be coming to the House floor.

If our Democratic colleagues don't intend to make this resolution the "first step" in a campaign to cut off funding for our operations in Iraq, then why won't they allow a vote on the Gregg resolution?

In summary, debate? Yes. But votes that are meaningful—not just on a critical non-binding resolution but on a commitment of support for our troops and their mission as well.

The PRESIDING OFFICER. The Senator from Wyoming has 10 minutes.

Mr. THOMAS. Mr. President, I thank the Senator for his remarks. I certainly agree it would be a mistake to send any message that we are not in support of our troops and, indeed, that is what voting on one message would do. Certainly, there are different views in the Senate and legitimately so. We recognize that. That is the way it is in Congress.

I resist a little bit the idea that has come up on the other side of the aisle that we have not talked about this, we have not debated it. I say we have talked about it, we have talked about it for several months. We have debated it. There is clearly a difference of view. Most everyone has the same idea that the situation must be changed and must be improved there. No one argues with that.

The issue is that we can back off and deny the support we have for what we have accomplished or we can move forward with the President, who has a change in plan. That is something we need to remember. We are not talking about simply continuing to do the same thing. We have new leadership there, we have some new strategies there, we have some ideas as to what might be done.

Our troops continue to do an incredible job, but it has not gone as well as we would like. Therefore, it is appropriate that we make some changes. In order to make some changes, it is probably necessary to change the arrangement we have, change the numbers so we can do something and to begin again to devise a movement that will get us out of there in a relatively short time.

Our military leaders know that. They accept that. Their plans embrace that idea that we have to do something different, that we have to start coming to some transition and conclusion. The President also has acknowledged this.

It is not simple. None of us like war. None of us like to have our troops at risk, there is no question about that. But the fact is there exists a terrorism threat to the United States, somewhat centered in this area. The fact is, we need to complete the task and to be able to turn some stability over to a government in Iraq that can move forward.

The United States cannot complete this mission alone. And the Iraqis, of course, must keep their commitment to do more than they have. Fortunately, we are seeing some movement in that direction. We are seeing the support building, and we need to continue to press for that with the surrounding countries.

The President has made it very clear to the Iraqi President that our support is not open-ended. I hope we continue to do that.

The administration has installed new leadership. We have had good performance there, but we need to be moving in a somewhat different direction, a change from what we are doing. That is the plan. That is what it is all about.

I am a little discouraged that we act as if we have not talked about it, we act as if we have not made a move upon it, and now we have a nonbinding resolution. But as the previous speaker said, we also need to offer more than one amendment. There are different options. We have to recognize the Senate is close in numbers, and we have some differences. We have to have an opportunity to talk about different things. Hopefully, that is what this is all about.

It is peculiar political posturing to sound off with sense-of-the-Senate resolutions on the heels of having unanimously confirmed the general who is going over there to take over. He has a plan. It would be discouraging to him, I am sure, to learn we are sending him over there, but we are not going to do the things he needs to do. It is important for folks to understand this plan does not involve just sending troops and put a bandaid on the problem. We have commitments from the Iraqi Government to step up security and reconciliation efforts. We need to make decisions from where we are now at this point in the fight to move in a somewhat different direction.

One thing is for sure. We are not moving the ball by just talking from the sidelines. Here we have an opportunity to do that—not a never-ending commitment but one to make some changes, complete this task. However, of course, it is a little premature to be debating a nonbinding resolution but, nevertheless, we have different views and that is where we are, and that is fine. But I think, in fairness, politically, we do need to have the opportunity to act on more than just a single amendment so we can have some chance to talk about other items that have an impact on Iraq.

The resolution will only serve to score political points and undermines our efforts to achieve a positive result in what we are seeking to do. So I am concerned today with respect to this process, but we can make it work. And we need to make it work. Here we are. Let's make sure we have an opportunity to make it balanced, we have an opportunity to talk about both sides, we have an opportunity to talk about some of the other kinds of opportunities.

The majority will not let the minority offer amendments, and they should. This is not a one-sided debate, and there are certain items we need to discuss.

Leader McCONNELL has made more than one good-faith effort to meet the majority in the middle of the aisle, and we, I hope, will continue to do that. We must do that. We have proposed to give the majority the votes they want if they will simply give us the votes we would like to have. That seems to make a great deal of sense.

So we are in sort of a procedural tie-up on something for which we know there are differences on the policy, clearly, and we will simply have to work on that. And we have to recognize the responsibility and the commitment the President has made and the plan he has to change things there so we can go forward. So we need to give the troops and the Iraqis the opportunity to work more to change the situation there.

So the purpose of this whole exercise, of course, is to put a government in place in Iraq so they can take care of themselves, for us to be able to remove our being there and our commitment there. I think we have a chance to do this. So I hope if we are going to move, we have a chance to move on more than one opportunity and one resolution. And I think that will be the case.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. SALAZAR. Mr. President, I come before the body today to let my colleagues know I intend to vote for cloture on the single and simple resolution that will be before this body tomorrow afternoon.

When one looks at the content of what is included in this resolution, it is very simple. In its simplest terms, it says, firsts and foremost, we support our troops. We support our troops. Who in this body would disagree with that statement?

Secondly, it makes another statement, another important but very simple statement, and that is that we disagree with the President's plan to add an additional 21,500 troops into Iraq. We disagree with the President's plan.

That is a simple resolution. We should be able to bring that resolution to this floor. We should be able to have it debated. And we should be able to have an up-or-down vote on that resolution.

I wish it were otherwise. I wish that, in fact, we were debating the various resolutions that have been suggested that we debate on this floor by the majority leader in the last week, where he has offered the minority leader on the Republican side the opportunity to come in and debate the Warner resolution, the McCain-Lieberman resolution, as well as this resolution, and a number of different configurations which have been offered to the minority party.

But the reality today is this Chamber, through the minority party, wants to stop a vote on any resolution relating to Iraq. They simply want to stop a vote. What we need to do as a Chamber, in my view, is to move forward with the deliberation of the great Senators who are a part of this Senate and have a robust debate on Iraq that sets forth the different alternatives that have been presented and come to some kind of conclusion that gives direction to America and to this country on how we ought to move forward in Iraq.

I wish we were here in part debating the Warner-Levin resolution because when you think about the content of the Warner-Levin resolution, in that resolution you also find what I believe is the best of what we have to offer. You have a thoughtful proposal that says, yes, we disagree with the President, but we also have a new direction in which we believe we ought to march forward in Iraq. That bipartisan resolution, that was largely drafted by Senator WARNER and Senator NELSON and

Senator COLLINS, of which I am a cosponsor, is a way forward. It is a way to describe a new direction for us as we move forward in Iraq.

I also wish we were here today and tomorrow, and even into next week, debating the resolution which has been brought forward by my dear friends, Senator LIEBERMAN and Senator MCCAIN. They have a different point of view than other Members of this body. They have a different point of view than Senator WARNER and I do with respect to how we ought to move forward in Iraq. But, nonetheless, they are people of good faith who have a point of view that ought to be debated in this body, and we ought to have a vote on it.

Unfortunately, the procedural mechanisms which have been put forward by the minority party will keep us from actually debating that particular resolution and having a debate and a vote on that resolution.

I believe the ultimate goal we all have in this Chamber is we want to have peace in Iraq, and we want to have a peaceful Middle East. But I also believe that unless we are able to find some way of working together in a bipartisan manner, that key ingredient of how we find a peaceful avenue in Iraq and in the Middle East is going to elude us.

For sure, today is simply one of the opening chapters of the great debate we will have in this Chamber in the weeks and months, perhaps even in the years, ahead with respect to how we move forward in Iraq and how we move forward in the Middle East. Without a sense of bipartisanship, we will not be able to find that unity which is an essential ingredient for us to be able to move forward.

It dismays me we have not been able to find the bipartisanship to get us to the 60-vote threshold so we can move forward and have a robust debate on this issue that will be before the body tomorrow, as well as other issues and resolutions that would be brought forward by my colleagues.

As I speak at this time, the House of Representatives—just right down the hallway from where I stand right now—is about ready to begin a vote—a vote—on this very simple resolution. And again, its simplicity defies any logic as to why we would not want to vote on it in the Senate. It is very simple: We support our troops, and we disagree with the President's proposed escalation of troops by 21,500.

It is right that we are here this afternoon and into Saturday debating the vote on that simple resolution. That resolution addresses the most critical and important issue before our Nation today. I deeply regret the Senate has been prevented from voting on a similar resolution, and that is why I will vote for cloture on this resolution tomorrow. I believe the Senate has an obligation—it has an obligation—to debate and to vote on the issue that is most important to America today.

For me, my constituents in Colorado know where I stand. I am a cosponsor of the bipartisan resolution which Senator WARNER and Senator NELSON and Senator COLLINS and others have worked on for some time. That resolution states in clear terms that the Senate disagrees with the President's plan to send more troops to Iraq. And, at the same time, that resolution truly offers a new way for us to move forward with this seemingly intractable problem we face in that part of the world.

I have referred to the Warner resolution as a new way forward, a new plan, a plan C, if you will, because it finds a middle ground between the President's plan A, which is to escalate the military effort in Iraq, and plan B, which is pushed by some American citizens in each one of our offices every day who say we should immediately leave Iraq—we should immediately leave Iraq. From my point of view, the bipartisan resolution we came up with offers a new direction forward.

Our bipartisan group believes what we need to do is to have a new strategy in Iraq, one based on demanding long-overdue compromises from the Iraqi Government, vigorous counterterrorism activity, continued support of our troops in the field, protecting the territorial integrity of Iraq, and a very robust and enhanced diplomatic effort in that region and in Iraq itself.

The new way forward reflected in the Warner resolution is based on a number of key principles, as follows:

First, the central goal of the American mission in Iraq should be to encourage the Iraqi Government to make the political compromises that are necessary to foster reconciliation and to improve the deteriorating security situation in Iraq.

Second, the American military strategy should be focused on maintaining the territorial integrity of Iraq, denying terrorists a safe haven, promoting regional stability, bringing security to Baghdad, and training—and training—and equipping the Iraqi forces.

These are important principles, and they continue.

Third, we say what we would like to see happen in Iraq is that the United States should engage the nations in that region to develop a regional peace and reconciliation process.

Fourth, we believe the United States should continue to engage in a strong counterterrorism activity, chasing down al-Qaida wherever al-Qaida might be.

Fifth, the American mission in Iraq should be conditioned upon the Iraqi Government meeting certain benchmarks, including ensuring an equitable distribution of oil revenues in that country.

And sixth, Congress should not eliminate or reduce funds for troops in the field because the brave men and women fighting this war need our support while they are in harm's way.

I believe plan C offers us the right way forward. It is my hope that resolution ultimately would be adopted by a large bipartisan group of Senators in this body.

I would like to discuss in further detail a couple of the key elements, at least in terms of how I see it, on how we move forward, on how we improve the security situation along Iraq's borders, and the need for an enhanced and much more robust diplomatic effort.

I believe the territorial integrity of Iraq, security along Iraq's borders, and, for that matter, security in the region is linked with the need for a renewed and vigorous diplomatic push.

The bipartisan Iraq Study Group stated in very simple terms:

> The United States must build a new international consensus for stability in Iraq and the region. In order to foster such a consensus, the United States should embark on a robust diplomatic effort to establish an international support structure intended to stabilize Iraq and ease tensions in other countries in the region.

In addition, the public portion of the National Intelligence Estimate—which was a consensus document produced by the 16 agencies comprising the national intelligence community—mentioned three things which could "help to reverse the negative trends driving Iraq's current trajectory." It is important to note that each of these three strategies proposed by the NIE are fundamentally diplomatic and political, as opposed to military.

They are, first of all, a recommendation that the broader Sunni acceptance of the current political structure and federalism be brought about; secondly, that significant concessions by Shia and Kurds are required to create space for Sunni acceptance of federalism; and, third, a bottom-up approach is needed to help mend the frayed relationships between the tribal and religious groups.

The two most important documents produced on the Iraq war over the past 6 months, the Iraq Study Group report and the public portions of the NIE, recommend a renewed diplomatic and political effort as a keystone for security inside Iraq and in the region.

This is no surprise when you consider the situation along the borders of Iraq. To the east, we know of the damage Iran can potentially cause by crossing the relatively porous border in order to promote the Shia cause. Not only that, but Iran has steadfastly ignored the U.N.'s demand to halt their nuclear activities. To the south and west, Saudi Arabia might eventually decide to intervene on the side of the Sunnis, should the situation further deteriorate. To the north and west, of course, is Syria, which has a largely uncontrolled border with Iraq, across which foreign fighters and arms and terrorists cross even today as I speak. To the north is Turkey, which is watching the situation in Iraq and might decide to intervene in order to prevent an independent Kurdistan. Finally, Jordan, to the west, is feeling the strain of the massive influx of Iraqi refugees into their country, which could have a destabilizing effect on a country which is such an important ally of the United States.

Given the potential crisis on Iraq's east, west, north, and south borders, given the complex and conflicting interests the parties in the region face, and given the difficulty of imposing a military solution on this expanding, deteriorating puzzle, it is imperative to embark on a renewed and robust diplomatic and political effort in the manner outlined in the Warner resolution. That effort, in my view, must include the following:

First, it must include talks with each of the key players in the region. I agree with the Iraq Study Group report which stated that:

> The United States should engage directly with Iran and Syria in order to try to obtain the commitment to constructive policies toward Iraq and other regional issues. In engaging Syria and Iran, the United States should consider incentives, as well as disincentives, in seeking constructive results.

This does not mean direct talks will necessarily succeed quickly or even succeed at all. But it does mean the United States should use every available carrot and stick, every diplomatic tool we have to try to stabilize the region.

Second, the United States and those who share a vision of a peaceful Middle East should organize an international conference to help the Iraqis promote national reconciliation and stronger relations with their neighbors.

Third, we should heed the advice of the Iraq Study Group and promote the creation of an Iraq international support group which would include each country that borders Iraq and other key countries in the region. That support group would work to strengthen Iraq's territorial and sovereign integrity and would provide a diplomatic forum for Iraq's neighbors, many of whom have competing and conflicting interests to negotiate.

We may very well engage Iraq's neighbors and find we cannot achieve common ground. But I believe that refusing to talk to our adversaries on principle simply because they are our adversaries has done us no good. Indeed, in our history, Presidents from both parties and of different ideological stripes, from Franklin Roosevelt to Ronald Reagan, have actively engaged countries and leaders with whom they strongly disagreed, and they did so because it was in the American national interest. In fact, even this administration diplomatically engaged a member of the so-called "axis of evil," North Korea. And while this process was long and laborious, it appears to have borne fruit. I believe we are at a similar moment in Iraq, when a strong and tough diplomatic effort may offer our last best chance to achieve a measure of peace and stability for Iraq and for the region.

For that reason, I believe we should follow the advice of the Iraq Study Group, the authors of the National Intelligence Estimate, and the advice of Senators from both sides of the aisle in pursuing a new direction in Iraq. There are no guarantees of success, but we must make every effort to succeed before it is too late.

I want to make a statement relative to why I think it is such an important time for us to be involved in this debate. It was not that long ago when I went with two of the most distinguished Senators in this body to Iraq and Afghanistan and spent time in both countries with both Senator WARNER and Senator LEVIN. For all of us who are Members of this body, there are no two Senators whom we hold in higher esteem. They truly are Senators whom I would call "a Senator's Senator" because they have the respect of their colleagues. They have the wisdom they have accumulated through their service to our country over decades, and they are always attempting to do what is best for the American interest. I remember in Baghdad having conversations with both Senator WARNER and Senator LEVIN and how they described how things had changed from the initial invasion to the time we were there in the heavily fortified Green Zone in Baghdad and as we traveled around the country.

Since that time, Senator WARNER and others have been back there. As we have heard in this Chamber, the distinguished Senator from Virginia talked about how 3 or 4 months ago, he described the situation in Iraq as drifting sideways. Today that situation is not only drifting sideways but it continues to deteriorate. So no matter how much our troops have done, the sacrifice they have made, the sacrifices their families have made, things have not only drifted sideways, they continue to deteriorate. The President's proposal, which is at the heart of this debate, has to do with whether we should send 21,500 more troops into harm's way. We should all ask the question whether that is something we shouldn't support, and we should have an opportunity to vote on that concept in this Chamber. We should have an opportunity to vote on that concept in this Chamber before the President moves forward with the escalation effort.

In my view, and part of the reason I joined Senator WARNER and Senator NELSON and others in their resolution, I don't believe it will work. I believe when we look at Operation Going Forward Together in June and Operation Going Forward Together 2 in August, they demonstrate that a surge of this kind will, in fact, not work. Indeed, the Iraq Study Group found that between the months of June and the time they issued their report, violence had escalated in Baghdad by 43 percent. So we have tried a surge twice, and it has failed. Now the President is saying we ought to go ahead and do yet another surge. I believe a simple resolution we can vote on that makes a simple statement that we support our troops and we oppose the escalation of the military effort in Iraq in the way the President has proposed is the right thing for us to vote on. It is the most important question of our time. It is appropriate for us to be spending this Friday and Saturday, and, if it so takes, all of next week, instead of going back to our respective States and working during the Presidents holiday to debate this issue, which is such a defining issue of our time. This is a defining issue for the 21st century, not only for Iraq but for the Middle East, for the war on terror which we wage around the globe; this is the defining issue, and it is appropriate for us to be having this discussion on the floor today. Hopefully, we will have an opportunity to move forward into the debate on this resolution.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. Mr. President, I rise to speak on the cloture vote on the motion to proceed to S. 574. I will vote in opposition to moving forward on that resolution because I don't believe it offers me the opportunity to express what I believe this body should be doing on the war on terror and the war in Iraq and for our men and women in harm's way. I want to take a minute to explain as well as I can why I believe so strongly and so passionately in that regard.

Ironically, 30 minutes before I came to the Chamber, I got a press release from the Department of Defense announcing that deployment of over 1,000 members of the 3rd ID stationed at Fort Stewart, GA has been accelerated from June to March of 2007. Those soldiers will shortly be leaving our great State on their way to be deployed in Baghdad, specifically as a part of the President's mission to secure and hold and to build.

I can't be certain of this, but I imagine some of those soldiers are probably watching television today in Hinesville, GA. They might even be watching C-SPAN. They might even hear these remarks. So I make them in the belief and with the hope that they are listening, as well as those soldiers in Baghdad and Balad and Tallil who are watching their monitors in the mess hall or the command post, as well as those who are our enemies, those who would do us harm, those who are the reason we are in Iraq and Afghanistan today.

It is not right to send a mixed message in a nonbinding resolution while our men and women are deploying in defense of this country and at the order of the President, our Commander in Chief. The result of that is to send a message of doubt to our men and women and a message of hope to our enemy. We can have our differences—and anybody who watches the debate on this floor knows, we certainly have our differences—but there should be no difference or equivocation in the support of our men and women in harm's way and our men and women now on the ground in Iraq and Afghanistan.

For a minute I want to talk about how deeply I believe in our options, because we only have two. The first is an opportunity for success. That is what the President has chosen. This surge, criticized by some, is even a part of the Hamilton-Baker report where they addressed a potential surge in their report. The President, after listening to many of us and to his commanders and, certainly to General Petraeus, has decided to deploy these troops to go into Baghdad, to go into Anbar, to secure it; and then, with the help of the Iraqi soldiers, to hold; and then, with the help of USAID, the State Department, and the world community, to build and to have a platform and a foundation upon which political reconciliation will take place. Every one of us knows that, ultimately, reconciliation will make the difference in whether our hopes and dreams for the Iraqi people and the hopes and dreams they have for themselves will, in fact, take place.

I serve on the Foreign Relations Committee. I sat through 28 hours of testimony from countless experts, one after another. Most of them had mixed feelings on the surge. Some were unalterably opposed. Some said it may work. Some said it would work. They had differences of opinion, as we do. But in 28 hours of testimony, from expert after expert, from Madeleine Albright to Henry Kissinger, from think tank after think tank, from JACK MURTHA and Newt Gingrich—Newt a former Speaker of the House; JACK certainly outspoken on this issue in the House—every one of them agreed on one fact: A redeployment of our troops or a withdrawal would lead, at the very least, to thousands of deaths and more likely the slaughter of tens of thousands and maybe even millions of people in Iraq and possibly beyond in the Middle East.

Withdrawing, repositioning, turning our back is a recipe for disaster. And the world knows how important our success is. I spent last weekend in Munich, Germany, at the World Security Conference, where Vladimir Putin and the Iranian Foreign Secretary and Prime Minister spoke. We met with Chancellor Merkel of Germany and representatives from Bulgaria, Estonia, and Japan. Do you know what is so eye opening to me? With rare exception, each one expressed their appreciation for what the United States of America and our allies are doing, and their hope and prayer is we will succeed. They know what we know: We are in the ultimate war between good and evil. Iraq is but a battle in the war on terror that will move to other places. If we ever give comfort or hope to our enemy that we may turn and come home, leave the battlefield, leave them to their own volition, then we know it is the beginning of the end for the peaceful societies and the democracies of this world.

Chancellor Merkel of Germany—a country where popular opinion is very much against the war—announced her commitment of more Tornadoes to be deployed to Afghanistan. We have 46,000 troops there—23,000 Americans and 23,000 from countries around the world—pursuing to keep that fledgling democracy secure as the Taliban makes one last effort.

The enthusiasm of the world is in support of the United States and our men and women in harm's way. I think that enthusiasm should take place on the Senate floor in the United States of America as well. My vote tomorrow of "no" on the motion to proceed will not be a desire to cut off debate. It will, in fact, be a desire to elevate the debate. I think every side that is represented on this Senate floor ought to be a side that is spoken. I personally prefer the Gregg amendment and do not prefer and would not vote for the resolution of the Senator from Nevada, which is the same resolution now being debated on the floor of the Senate. I think I ought to have an opportunity to express to the thousand members of 3rd ID leaving to go to Iraq, to the men and women in Iraq who are listening, and to the constituents I have in the State, regardless of which side of the issue they are on—the Senate deserves a right to debate all of the valid points of the questions that confront us in Iraq.

I know earlier in a speech given on the floor the content was primarily a recitation of the names of those who have died in uniform in Iraq from the United States of America. I don't take the position I take lightly, nor do I not think for a moment about the sacrifice that has already been made by men and women from my State—from PFC Diego Rincon, the first Georgian to lose his life fighting in Iraq—Diego, by the way, was not a United States citizen when he died, and we gave him citizenship posthumously because of the commitment he made to this country—to LT Noah Harris, from Elijay, GA, who was a cheerleader at the University of Georgia on 9/11. He was so moved by what happened that he jumped into ROTC in his junior year and pursued a commission in the United States Army, received it, and went to Iraq. He died fighting for what he believed this country was all about: to stand up to the agents of terror and those who would use it to pursue their cause. Also, there was SGT Mike Stokely, a brave American who died in pursuit of freedom and peace in Iraq, and the hundreds of other Georgians who have been wounded or sacrificed their lives. They should not die in vain. They went for the reason that they believed volunteers are important to them and their country. They volunteered and made that commitment knowingly and willingly. They deserve the chance to pursue this effort for success in Baghdad and Anbar with enthusiasm from our Senate and our Government. From me, they have that.

When we read a list of those who lost their lives, we have to remember how long the list is of those who live today because our men and women in the Armed Forces, in wars past and in war today, fight for security and peace and fight for us to live.

We saw on 9/11 the manifest horror tyranny and terror can bring, and we will see it again if we lose our resolve to pursue it wherever it takes us—Afghanistan, Iraq, or places yet known to us.

Mr. President, I yield the floor, with the confidence and pride in the men and women who serve in the Armed Forces and my willingness to fully support an opportunity for success rather than a recipe for disaster.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. ROBERTS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERTS. Mr. President, parliamentary inquiry: I understand I have 15 minutes within which to make my remarks; is that correct?

The PRESIDING OFFICER. The minority has 8 minutes remaining at this time. It would take consent to extend that time.

Mr. ROBERTS. Mr. President, I ask unanimous consent that I may proceed and make my remarks in 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERTS. I thank the Presiding Officer.

Mr. President, some weeks ago—and I mentioned this in my remarks during the debate we were having on the resolutions with regard to Iraq and the war—I said several weeks ago I had the privilege of attending and speaking at a farewell dinner in honor of LTG David Petraeus and his wife Holly at the Command and General Staff College of the United States Army at Fort Leavenworth, KS. And, of course, now

General Petraeus is in Iraq and involved in the new mission as prescribed by the President and the subject of great debate not only here but in the House of Representatives, which is voting as I speak on their resolution in regard to this matter.

It was quite an evening of tribute in behalf of the general who has become admired and beloved serving as commanding general of the Army's Intellectual Center in Leavenworth, KS. Throughout the evening I had the opportunity to again visit with David Petraeus, his feelings about his new mission, his impressive knowledge with regard to this most difficult war in Iraq, the history of the region, his understanding with regard to the nature of past wars, his understanding of insurgency in past wars and the insurgency we now face in Iraq.

While at the Command and General Staff College, he wrote the Army's new manual on counterterrorism. Let me say, as a former marine, as the Presiding Officer is as well, I helped write a similar manual years ago for the U.S. Marine Corps. So I find this man unique in his knowledge and his command ability. But when I was asked to make remarks after the dinner—they would always invite a Senator to make some remarks and, unfortunately, sometimes that turns into a speech—I was glad I said what I said, and virtually everybody in that room told me I had said what they cannot say. Those who wear their officer rank on their shoulders or their enlisted stripes on their sleeves in most cases do not comment on policy decisions or politics, no matter how strongly they feel. They follow orders, and they serve their country. But I believe my remarks to the general and his officer corps and the veterans of many previous wars are pertinent to the issue we face in this debate.

Before I express my views, I want to stress that I regret we are at a stalemate in this body. Obviously, they are not in the other body, in terms of a vote at least, on this issue of vital national security. I think most in the Senate wish we could debate this issue with comity, with cooperation, and, yes, in a bipartisan fashion. And I think the American people who are concerned, obviously frustrated and angry about the war, would certainly appreciate that, but that is not the case. This issue, very unfortunately, is wrapped around a partisan and political axle.

Our good friends across the aisle insist that we debate and vote on one of three nonbinding resolutions—there may have been an agreement on maybe one more vote—in regard to the war in Iraq, and that is all. They wish to debate and vote on the House resolution which is now being debated in the other body and about to come to a conclusion, or the Warner resolution, which I think are very similar, and then call it a day because both resolutions support the troops but not the mission.

This is the rub for many of my colleagues and myself, and it is about as far as the majority wishes to wade in the waters of withdrawal at this time. I realize if we were to consider other votes, it would be more pertinent to the issue, especially the amendment by Senator FEINGOLD, and that would be wading in the water a little deeper than they would want to at this particular time.

Others of us wish to debate and vote on the McCain resolution—I hope we can do that—and the Gregg resolution and, as far as I am concerned, the Feingold resolution. I oppose the Feingold resolution, but I admire his forthrightness and his courage. But we are being denied that opportunity.

Most perplexing to me is that those who are covering this debate within the media—and it is never a good idea to say anything that could be possibly defined as critical of the media. I note there are none or there may be two, but, obviously, everybody is watching the vote on the House side.

Having said that, how on Earth can we describe this situation by writing headlines and 15-second news sound bites saying Republicans, like myself, have voted to stifle debate? I want to debate. Let's have a debate. Let's have a full debate and vote on the House resolution and/or the Warner resolution—vote on both of them—but let us also debate and vote on resolutions offered by Senators McCAIN, GREGG, and FEINGOLD. I will vote for Senator McCAIN's resolution. I will vote along with Senator GREGG. I would not vote for Senator FEINGOLD's resolution but, again, I think his resolution is probably the most determining in terms of effect, and he should get a vote.

We are not stifling or shutting down debate; our colleagues in the majority are. Either we are not capable of explaining what I believe is a very simple proposition or some in the media cannot discern what is obvious. This is like playing baseball, although it isn't like playing baseball—that is a poor allegory, but it is the one I have chosen—playing baseball with one strike and then you are out. You say: Wait a minute, usually in a baseball game you get three strikes. What happened to the three strikes? Where are my other two strikes? Where are my other resolutions that I want to debate, that I want to support because they are pertinent to this, certainly as much as the others? They are nonbinding as well. And the umpire—in this particular case the distinguished majority leader—says: Back to the dugout, Senator ROBERTS, I am sorry. We run this ball game. You don't have any further strikes.

I have information that the House has just passed the House resolution 246 to 182. That is a pretty solid vote. So, obviously, we will be getting to vote on that resolution, and I hope we will get to vote on these other resolutions.

In my remarks at the Command and General Staff College, I told General Petraeus we had not been personally acquainted over a long period of years, but in our short span of time, I certainly came to know him well. I have had several stimulating and enjoyable conversations with him over a wide range of issues, most especially the British experience in Iraq from 1921 to 1931, the example of Lawrence of Arabia. Lawrence of Arabia wrote "The Small Warfare Manual," and he wrote "The Pillars of Wisdom." As I indicated, the U.S. Marine Corps had similar manuals, one called a "Manual on Antiguerrilla Operations," which I participated in, and now the manual the general has written.

It seems we cannot get it right with regard to insurgencies. The same things we write in these manuals we have to be careful about and pretty well play out the problems, to say the least, that make it very difficult.

Anyway, with regard to General Petraeus, he is exactly the right man for the right job at the right time. He knows this. He has been to Iraq. He was successful in his second tour. He is going back. I hope and pray he will be successful in his third effort. Our brave young men and women in uniform deserve nothing but the very best leadership, and they are getting it.

But I think it is a paradox of enormous irony that the Senate confirmed David Petraeus without a dissenting vote—not one, not one Senator—a vote of confidence that is unique, certainly given today's controversy and turmoil and the times. Yet at the same time, the same Senators who gave their vote of confidence are now in the business of what I call—I don't mean to perjure them—"confetti" resolutions supporting the general and the troops but not the mission they are undertaking now. That to me is unprecedented for the Senate. I think it is remarkable, and I have said many times that these resolutions—and it has been said many times—are nonbinding. They have no legislative impact. They are so-called sense-of-the-Senate resolutions. For those who do not pay attention to the parliamentary procedure around here, that means they are meaningless except for the message you want to send, and that can be important to the Executive, i.e., to President Bush and the folks back home.

With all due respect, we have long crossed the message Rubicon with regard to sending mixed messages to our allies, our troops, the American people, the media and, yes, our adversaries. Words have consequences and, rest assured, our adversaries will read to try and figure out, analyze every word of the resolution just passed in the House and perhaps the one, maybe two resolutions we can pass in this body, hopefully three or four, and try to figure it out. I suspect they will be absolutely flummoxed in trying to discern the sense in reading a resolution that states support for the troops and our new commander, with new rules of engagement, with a limited timeframe for achieving and reporting benchmarks of progress, but that opposes the mission. That is a mixed message, and it should cause quite a bit of head scratching among the 31 different terrorist organizations that are planning various attacks around the world and even on the United States. My real concern is that the Senate is not considering or even talking about the probable consequences of these actions, let alone our responsibilities should they happen.

I want to make it very clear I do not question the intent or purpose or patriotism of any Senator, regardless of whatever resolution they are proposing voting for. I do question the judgment and the law of unintended effects. Bluntly put, with all this debate with regard to nonbinding resolutions, we appear like lemmings splashing in a sea of public concern, frustration, and expressing anger over the war in Iraq.

In this regard, I don't know of anybody in this body or anybody in America who does not want our troops home at the earliest possible date, and stability in Iraq, if possible. If possible—and that is a real question here. That is not the issue.

When all of this confetti settles, the end result of all this frenzy will be: "General, you and the troops have our solid support—but we don't support your mission. However, press on and good luck."

I think that message is remarkable. This is not a profile in courage. This is not the Senate's finest hour. If we are going to debate and vote on nonbinding resolutions, let us at least consider resolutions that will send a clear message or which can be of useful purpose. In that regard, we should consider the McCain resolution. It lists benchmarks of progress that General Petraeus has told Senator McCAIN and me would be useful in his discussions with Prime Minister Maliki, and certainly the Gregg resolution that supports spending for our troops in harm's way. I think that is the precedent we have to set. That is the killer in this debate, along with the Feingold resolution, because my colleagues across the aisle do not want to vote on the Gregg resolution, let alone the Feingold resolution.

Senator FEINGOLD has a resolution which certainly does something. I don't agree with his resolution, but he is at least very forthright and sends a clear message, and he is a good Senator.

As the former chairman of the Intelligence Committee in the Senate, let me again stress what is not happening in the Congress or the media, and has received very little public attention regarding this challenge we face in Iraq. No one is talking about the consequences of what will happen if we simply withdraw or redeploy. And we may just do that, because I do not believe this war can or should be sustained if we do not see progress in the next 6 months. If General Petraeus doesn't come back and tell us there has been measurable progress, where we can see it, feel it, and touch it, we have some serious policy decisions to make. We need to be thinking about a policy of containment as opposed to intervention if this latest mission does not work.

I would also point out that most of the time deadlines for withdrawal are either in the nonbinding resolutions or they mirror exactly the time period General Petraeus has told the Armed Services Committee he would follow in reporting whether this new effort is making any progress, pretty much along the lines of the benchmarks that are in the McCain resolution. So the obvious question is: Who can better make that judgment, General Petraeus in theater or Senators here on the floor?

We have not discussed the difficult policy decisions that may confront us if it becomes necessary to redeploy, what that mission might be if we redeploy, where are we going, what is the mission going to be, or even how to withdraw.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. ROBERTS. Mr. President, I have about 4 minutes left. If I could ask unanimous consent that Senator DORGAN allow me that privilege, I would greatly appreciate it.

Mr. DORGAN. Mr. President, I have no objection to that, provided that the 30 minutes which was to have started for our side at 3:30 will be extended for the full 30 minutes following the completion of the presentation.

Mr. ROBERTS. I will try to finish as fast as I can. I apologize. I arrived late. I asked for 15 minutes, and I thought I could get it done in 15 minutes. Obviously, "Roberts-ese" is expanding that time period. I will try to finish as fast as I can.

Mr. DORGAN. Mr. President, I ask unanimous consent that the 30 minutes begin following the presentation of Senator ROBERTS.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. ROBERTS. As I indicated, Mr. President, we have not discussed the difficult policy decisions that will confront us if it becomes necessary to withdraw or redeploy, what that mission would be, or even how to withdraw. The reality is what we will do when certain consequences would take place. These are the possible, if not probable, consequences we should be confronting and debating and explaining to the American people and ourselves and in the media, even if some may have a deaf ear.

First. A dramatic increase in sectarian violence quickly escalating to a civil war—and I mean a real civil war—and a humanitarian disaster far more devastating than what is happening now. Shia versus Shia, Shia versus Sunni. What do we do? Thousands of Iraqis have already become refugees and left the country.

Second. Given a civil war and struggle for control, we can expect an incursion of Sunni troops from other Mideast countries—I want to make it very clear about that: other Mideast countries—to prevent an Iranian takeover of Iraq and the very real possibility of an Iraq led by Muqtada al-Sadr, whose street appeal could endanger their own Governments. I am talking about other Mideast countries. When that happens, the war becomes regional. What do we do?

Third. We can expect an Iraq certainly dominated by Iran, thus completing a Shia crescent with Iran, Iraq, Syria, and Lebanon. Today, countries such as Jordan, Saudi Arabia, and Egypt are talking about building their own nuclear programs, given Iran's nuclear ambitions and progress. Iran has just refused inspectors from the IAEA. With the possibility of Shia Muslims and Sunni Muslims each working to achieve nuclear capability and weapons, what does Israel do? What do we do?

Fourth. Iraq will become a safe haven for terrorists. This time it is for real. What do we do?

Fifth. In their eyes, with the defeat of the "Great Satan" only months away, as expected—a clear signal by this body and perhaps inevitable—terrorists around the world are already emboldened, waiting us out and planning more attacks; that is, if you believe what they say.

Read Afghanistan and the Taliban and the spring offensive. Will we soon be in the business of passing nonbinding resolutions about Afghanistan?

Sixth. We can expect a perceived, if not real, lack of American resolve in the eyes of adversaries and potential adversaries around the world resulting in additional national security threats.

Read Putin and Belarus and Iran, and his recent remarkable speech at Munich in Germany at the NATO security conference. Kim Jong Il. We are making some progress with North Korea right now, but he does have a penchant for missile launches on the 4th of July.

Read Hugo Chavez—31 countries in the southern command. He is the new Castro, nationalizing his oil production and directly involved in five different countries. What do we do?

The point is that globally and over the long term this is not a Bush issue or a Democratic or a Republican issue, or even how you feel about Iraq or the war. Even as we argue about whether we debate and vote on one resolution or three or four, I hope, there are terrorist organizations and their second-generation affiliates—guided and inspired—are plotting attacks against the United States and throughout the world. It is obvious we can't sustain the status quo in Iraq, but while we debate on how to proceed, these folks are not giving up.

The irony is that should the President wake up in the morning and say, well, the House has voted for this resolution, they are not for this new mission, and the Senate is about to, and they may or may not do that, so I am going to terminate it, I am going to end it, then we are back to square one, back to a stalemate, back to the status quo. That, to me, doesn't make sense.

Given the fact there were at least five successful attacks that killed Americans—and others that, thank goodness, were not successful—before President Bush came to office and before military action in Iraq—given the fact this threat will face the next President and future world leaders, surely we can figure out it makes no sense to fight each other when the terrorists then and now and in the future do not kill according to party affiliation, nationality, race, age, or gender.

We do not need a Republican approach to national security and the war. We do not need a Democratic approach to national security and the war. We need, however, an American approach to our national security and the war and to our individual freedoms. This is a time to engage in honest dialog, to work together and think through and agree on the strategy that will defeat our enemies and make the American people safe. And yes, bring our troops home but in a way that we don't have to send them back.

So I say to the leadership, with all due respect, let us end this nonbinding business and get these confetti resolutions behind us. We have all had a chance now to discuss the war and we need to vote on I think at least four resolutions, and then come together with a bipartisan commitment—a difficult and perhaps impossible task but, I believe, a task that must be undertaken for the sake of our national security.

Mr. President, I yield back the balance of my time and I thank my colleagues across the aisle for permitting me to finish my remarks.

The PRESIDING OFFICER. The majority whip.

ORDER OF PROCEDURE

Mr. DURBIN. Mr. President, it is my understanding we were speaking in 30-minute segments and that the Senator from Kansas was allowed a little extra time to finish his remarks, which by my reckoning was about an additional 10 minutes. I want to clarify, and if a unanimous consent request is necessary, I will make that request, that the Senator from North Dakota be allowed to speak until 10 after the hour; and then, at 4:30, the next Democratic speaker would be recognized. So I think we would be back on the schedule that was spoken to earlier.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. DURBIN. Mr. President, thank you very much, and if the Senator from North Dakota will yield for a few minutes.

Mr. DORGAN. I yield to Senator DURBIN.

Mr. DURBIN. I thank my colleague for yielding.

IRAQ

Mr. DURBIN. Mr. President, an historic vote was announced in the House Chamber moments ago. By a vote of 246 to 182, the House of Representatives, in a bipartisan rollcall vote, has approved the resolution relative to the President's call for escalation of the number of troops serving in Iraq. That resolution is fewer than 60 words in length, and I believe it should be read into the RECORD. This is a resolution which we are hoping to bring to the Senate floor tomorrow so that the debate can begin in this Chamber. It reads:

> Congress and the American people will continue to support and protect the members of the United States Armed Forces who are serving or who have served bravely and honorably in Iraq; Congress disapproves of the decision of President George W. Bush announced on January 10, 2007, to deploy more than 20,000 additional United States combat troops to Iraq.

It is unembellished, it is straightforward, and it states a position. Those who agree with this resolution, as I do, should be heard. Those who disagree and believe we should escalate the number of troops in this war have a right to be heard as well. That is the nature of this institution. It is the nature of our democracy.

For the Republicans to continue to threaten a filibuster to stop the debate in the Senate so that Members of the Senate cannot come forward and express themselves and vote on this issue is wrong. It is unfair. It is inconsistent with the reason we ran for office. We were asked by the people kind enough to entrust us with this responsibility to face the issues of our times, to address those issues in a responsible manner, to have a civilized debate on the floor of the Senate, and to take a vote and take a stand. We are expected to do that.

We are not expected to waffle and weave and avoid the obvious. This is the issue of the moment. It is the issue of our time. With over 130,000 American soldiers' lives on the line, it is unacceptable that the minority would stop us from debating this issue. It is unacceptable to our troops and to their families who wait anxiously to know what their fate will be. It is unacceptable to the rest of the Nation, which expects the Senate to be a full partner in congressional debate.

It takes 60 votes to bring a measure to the floor in the Senate. On the Democratic side, with one absence by illness, we have 50. We need the cooperation of the Republicans to even debate the issue. They have made it clear in pronouncements on the floor and in press conferences they are going to stop this debate at any cost. They are prepared to filibuster this measure so we cannot have a debate and a vote on this critical issue. That is wrong. It is inconsistent with the reason we ran for office and the reason this institution exists.

We have to face the obvious. Since the decision was made by the United States of America to give President Bush this authorization of force, we have seen horrible results.

Mr. President, 3,132 of our best and bravest soldiers have given their lives, thousands have been seriously injured, hundreds of billions of dollars of taxpayers' money have been spent in pursuit of this war, with no end in sight. Our soldiers did their job and did it well—deposed a dictator and gave the Iraqis an opportunity for the first time in their history to stand and govern themselves and guide their nation into the future.

Instead, we have seen this situation disintegrate into a civil war, and we have watched our soldiers caught in the crossfire of a battle that started 1,400 years ago among followers of the Islamic faith. That is not what America bargained for. That is why the majority of the American people believe we need to change course, we need a new direction, and we need to bring our troops home. We need to tell the President that the escalation of this war and the escalation of the troops is the wrong policy at this moment in history.

For this Senate to speak, we need to engage in a debate, a debate which leads to a vote. There are choices before us. This choice, which I support, tells the President we disagree with his policy. It joins with the House of Representatives, which made the same decision on a bipartisan basis. We have offered to Senator MCCAIN, a Republican from Arizona, an opportunity to bring his position forward in support of adding more troops in Iraq. That is the fair parameter of a good debate. But sadly the Republican minority has said they will deny us that opportunity.

I hope those who believe it is important for the Senate to engage in this debate will contact their Members of the Senate as quickly as possible and let them know the vote tomorrow at 1:45 in the afternoon here on the Senate floor is a historic vote, a vote of great importance. Every Member should be here. Every Member should vote. Every Member should understand the nature of this institution. The reason we serve is to give voice to the people we represent on the issues of our time. There is no more compelling and timely issue than this war in Iraq.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, I appreciate the words of my colleague from Illinois. This debate we are trying to have is actually a debate about a debate. This must be the only place, the only real estate in the United States of America in which, rather than having a debate about the war and strategy, we are having a debate about whether we should debate it. It is pretty unbelievable.

This is called the greatest deliberative body in the world. It is an unbelievable privilege for me to be here. I came from a very small town of about 300 people, a high school class of 9. I am here in the greatest deliberative body in the world. I am enormously proud to be here. But I came here not to avoid debate but to engage in debate, to talk about this country and its future.

There is an old saying: When everyone is thinking the same thing, no one is thinking very much. There is a desire in this Chamber by some who have spoken that we all be thinking the same thing about these issues, that we all support President Bush and whatever his strategies might be and wherever he might take us. This Congress has a constitutional role to play, and the constitutional role is not to decide to come to the floor from Monday through Friday to support the President of the United States, it is to come to the floor of the Senate to support this country and its interests as best we see those interests.

Some long while ago, I went to a veterans hospital on a Sunday morning and I presented medals to a veteran. His name was Edmund Young Eagle. He was an American Indian. He had fought in the Second World War, had gone all around the world, had fought in northern Africa, fought at Normandy, fought across Europe, and came back to live on the Indian reservation. He never married, never had very much. He loved to play baseball. But he had kind of a tough life. At the end of Edmund Young Eagle's life, this man who served his country, at the end of his life he was dying of lung cancer. He was in the veterans hospital in Fargo, ND, and his sister called and said her brother Edmund Young Eagle had proudly served his country and had never received the medals for his service in the Second World War.

Would you get him his medals, she asked?

I said, Of course I will.

So I achieved getting the medals he earned but never received from the Pentagon, and I went to the VA hospital on a Sunday morning to present medals to Edmund Young Eagle, a Native American, one of those first Americans who served this country and then went home and lived quietly.

When I went to his room that morning, Edmund Young Eagle was very sick. I didn't know it at the time, but he would die within a week or so. We cranked up the hospital bed for Edmund Young Eagle so he was in a sitting position, and I pinned his World War II medals on his pajama tops and told him that his country was grateful for his serving our country in the Second World War.

This man, very sick, looked up at me and said: This is one of the proudest days of my life.

This man who lived in a spartan way, never having very much but served this country with honor, felt great gratitude at the end of his life for a country recognizing what he had done for us. That is the life of a soldier, someone who commits himself or herself to answer their country's call without question. So many have done it.

I will attend a funeral this week of a young man killed in Iraq. I received a call this morning from a mother, the mother of a soldier who spent a year in Iraq and returned with very difficult circumstances—post-traumatic stress, all kinds of difficult emotional problems—who just this week received the alert notice that his reserve unit will likely be called up again.

This is about war. It is about commitment. It is about our soldiers. It is about our country and our future. Some say we should not talk about that, we should not debate it. If that is the case, this is the only real estate, this is the only room in America where it is not being discussed and debated. It is being debated in the homes, in the restaurants, in the gymnasiums, in the schools, in the office. It ought to be debated here as well. This has a profound impact on our country and its future.

Make no mistake about it, our military has won every battle it has fought. Our military will win the battles they fight. But winning military battles does not win the war in Iraq. We disapprove of President Bush's plan to deepen our escalation in Iraq because it is a military response to a problem that must be resolved through diplomacy and through negotiation. The civil war and the violence in Iraq is only going to stop when there is genuine reconciliation between groups in Iraq.

Let's think through what we have done in Iraq. Through our soldiers' blood and our Treasury, we sent troops to Iraq. The Iraqi leader, Saddam Hussein, is dead. Good riddance, I say. We have unearthed mass graves in Iraq showing that hundreds of thousands of Iraqis were murdered by a dictator. But Saddam Hussein was executed. The country of Iraq was able to vote for its own new Constitution. The country of Iraq voted for its own Government. That is very substantial progress.

But the next step has not shown much progress. The next step is this: Do the Iraqi people have the will to provide for their own security? This is their country, not ours. Iraq belongs to them, not us. The question is, Do the Iraqi people have the will to provide for their security? If they do not, this country cannot and will not be able to do that for any length of time. That is the question. Do they have the will to take back their country?

Iraqi leaders are going to have to make very difficult decisions, political decisions in some cases which may undermine their own power and their own base of support. But it is the only way this is going to be resolved. The sectarian violence that exists in Iraq today can trace its roots in some cases back to the year 700 A.D. This violence is not going to dissipate soon unless there is reconciliation between the factions. This requires Iraqi troops to fight their ethnic and religious allies who are part of the insurgency as well as fight their opponents. It requires Iraqi security, Iraqi police, and Iraqi troops to provide for the security of the whole country of Iraq.

The resolution we want to debate is a resolution which does not say we don't support our troops. Clearly we support our troops. We support our troops with everything we believe is necessary for their safety and security and for them to do their jobs the way we expect them to do their jobs. This Congress, every man and every woman, supports America's troops and prays for their safe return.

This resolution says we support our troops but we do not agree with President Bush in his desire to deepen our involvement in Iraq. Some come to the floor of the Senate and say: Your position on this emboldens the enemy. It is a message to embolden the enemy. It sends the wrong message to our troops.

It is neither of those. It is a message from the Congress of the United States to the President, and that message is we do not support his proposal to deepen our involvement in the war in Iraq.

A blue ribbon commission was put together, of some of the best thinkers, foreign policy and military thinkers in our country, headed by James Baker and Lee Hamilton, very distinguished Americans. That group included former Secretaries of State and military leaders and some outstanding thinkers. They worked for months, many months, to develop a plan. We all understand the alternatives are not good in Iraq. We understand that. If there were an easy way to deal with this, believe me, it would have been dealt with. In many ways, we found a box canyon in Iraq, and it is hard to get out of a box canyon.

The Baker-Hamilton report represented a consensus of some of the best thinkers in our country, having worked months on this problem. The President chose to ignore that report. The President says he is the decider.

You know, the Constitution says something about that as well. I agree with my colleagues that we can't have 100 or 535 commanders in chief. I understand that. But I also understand that the Constitution has a role for the Congress. Only the Congress can declare war—only the Congress. Yes, the President is Commander in Chief, but only the Congress can declare war. Only the Congress has the power of the purse.

The question is, What do we do about what is now happening in Iraq? No other country that I am aware of, in what the President has called the coalition of the willing, has decided they are going to deepen their involvement or expand their troops to Iraq. No other country. Even Great Britain, the strongest supporter of President Bush's Iraq policy, has refused to increase their troop strength in Iraq. In fact, the British news reports say that Britain intends to have all or most of its troops withdrawn by the end of 2007. None of our allies, old or new, of which I am aware, have decided the proper approach at this point, given the sectarian involvement in Iraq, is to deepen their involvement and increase their troop strength in Iraq.

The President is saying we should surge some additional troops to Iraq. We have done that before. In early 2004, we surged 20,000 additional troops. A similar one happened in the fall of 2005. Most recently, last summer the President announced that thousands of additional troops would be surged into Baghdad. What happened as a result of that was the violence increased, and deaths and injuries to American troops went up. So we have seen some examples of a surge, and the examples have not been very helpful. In fact, it has been counterproductive.

This map is a map of the city of Baghdad—about 4 million to 6 million people, about 250 square miles. We have people in this city who have grievances that go back 1,300 and 1,400 years. The Shia and the Sunni religious split occurred in the seventh century, and they have clashed frequently since then.

This country is not put together by natural borders. This country was put together by a pen and paper, by a decision 90 years ago of how to draw the borders of this country. This was a diplomatic decision, that this should be the country of Iraq.

Let me describe what is happening now in this city. We have areas that are Shia areas and Sunni areas, and now we have areas that are turning Shia and turning Sunni. In many ways, you will see from this map the dramatic evidence of violence in this capital city of Iraq. It is getting worse, not better.

I mentioned that some of the hatred goes back 1,400 years. But a more recent example, in a story I was reading about Iraq, a Shiite was recently driven from his home and farm by the Sunnis who killed his brother and nephew, and he was so bitter and angry, he said, "A volcano of revenge has built up inside. I want to rip them up with my teeth." It is this hatred which fuels a civil war and the atrocities that occur nearly every day.

Saturday, February 3, saw the deadliest single suicide bombing since the war began nearly 4 years ago, with 130 people killed and more than 300 wounded. It was the fourth major attack against a densely populated Shia area in less than 3 weeks. On the Thursday before, twin suicide bombers struck a market jammed with people—60 killed, 150 wounded. Again, 60 killed, 150 wounded; spraying body parts so far that police were scouring rooftops late in the night for body parts. A few days before that, 75 people killed in Baghdad's Shia neighborhoods in multiple bombings; 160 wounded. The day before that, 3 car bombs detonated within minutes of each other at the vegetable market. More than 1,000 Iraqis were killed in the last week of January. We are told there were 3,000 killed in the last 3 weeks. Unbelievably, it seems to me, they pick up bodies in the middle of the morning in Baghdad from the night's carnage with holes drilled in their kneecaps, holes drilled in their skulls. These are unbelievable signs of torture. These are acts of unimaginable violence committed against others. No one is safe, nowhere is safe, and this violence pervades nearly every aspect of daily life.

The question I think the President proposes with his suggestion of a surge of an additional 20,000 or 21,000 troops in Baghdad poses is: Will additional troops in Baghdad on street corners, going door to door, embedded with the troops, with the security of the Iraqi Government, stem the violence? The answer is likely no. We have seen this attempted previously and it did not stem the violence; the violence increased.

Let me make another point I think is important. No one has made, I think, the point that this troop escalation, whatever it is, is temporary. The United States troops are leaving Iraq. The question is when, not if. At some point, United States troops will leave Iraq. The question is: Will we leave in a time that gives us the opportunity to turn the country of Iraq back to the Iraqi people and say, this is your job to provide for your security.

Let me talk about the National Intelligence Estimate. The National Intelligence Estimate was done with 16 intelligence agencies. They spent the last 5 months analyzing the situation in Iraq, reviewed by the head of the CIA, the head of the intelligence units at the Pentagon, State Department, Justice Department, and the Director of National Intelligence, our most senior intelligence official. Some of it is top secret, but some was released publicly. Let me read something:

> Even if violence is diminished, given the current winner-take-all attitude and sectarian animosities affecting the political scene, Iraqi leaders will be hard-pressed to achieve sustained political reconciliation in this time frame.

Continuing to quote:

> Iraq's neighbors are influenced by the events within Iraq, but the involvement of these outside actors is not likely to be a major driver of violence or the prospect for stability because of the self-sustaining character of Iraq's internal sectarian dynamics.

That is a fancy way to describe the civil war.

I might say the last National Intelligence Estimate was done was in 2004 and it detailed 3 possible outcomes for Iraq over the next 18 months, which at the time would put us in the fall or winter of 2006. The worst-case scenario for the previous NIE was a civil war. Well, that is what the 2007 National Intelligence Estimate says has now happened. That is right; what is going on in Iraq now is the worst-case scenario of the previous National Intelligence Estimate.

Let me make a couple of other points, if I might. General Abizaid just over 2 months ago came to the Congress and here is what he said:

> I met with every divisional commander, General Casey, the Corps Commander, General Dempsey, and I said, "In your professional opinion, if we were to bring in more American troops now, does it add considerably to our ability to achieve success in Iraq? And they said no."

This is our top military commander testifying to the Senate just over 2 months ago: They said no.

Now, here is why General Abizaid said the commanders did not believe they should have additional troops brought into Iraq:

> The reason is because we want the Iraqis to do more. It is easy for the Iraqis to rely upon us to do this work. I believe that more American forces prevent the Iraqis from doing more, from taking more responsibility for their own future. The only way Iraq works in the future is for the Iraqis to take more responsibility for that future. That is what General Abizaid said. He was right then; he is right now. This is the testimony heard by the Senate just over 2 months ago. Interestingly enough, as a side note, just 2 weeks ago—3 weeks ago, John Negroponte, the head of the intelligence in this country at that time said this in open testimony to the Senate:
>
> The greatest terrorist threat to America is al-Qaida and its network around the world.

The greatest terrorist threat to our country is al-Qaida and its network around the world, and he said they operate from a "secure hideaway" in Pakistan. If that is the case, if the greatest terrorist threat to our country is al-Qaida operating from a "secure hideaway" in Pakistan, and that comes from the head of our intelligence service in this country in open testimony to the Senate, if there are 21,000 additional American troops available to surge somewhere, why on Earth would we not choose to move those troops through Afghanistan near to Pakistan to eliminate the leadership of al-Qaida, the greatest terrorist threat to our country? I do not understand the priorities coming from the administration. There has to be a change. We all understand that. We know Iraq is a different place. The various sects, tribes, religions, in some cases do not speak to each other, and in many cases don't trust each other. In other cases, they hate each other, and in too many cases, they kill each other.

That is what must change. It is why reconciliation is the key. It is why more U.S. troops are not going to make a difference.

Does anyone believe that if we go back 4 years and the President brought a proposition to the floor of the Senate and said: Look, we have a civil war in Iraq. What we ought to do is send more American troops to the middle of that civil war, or at least begin sending American troops to the middle of that civil war because we don't believe after 3 years of training that the Iraqi people are prepared to provide for their security, does anybody believe we would think it a good strategy to send additional troops to the middle of a civil war? I don't believe so.

I understand there are very different opinions here in this Chamber, and I respect them. I wouldn't diminish anyone in this Chamber for holding any views on this subject. I understand their passions. I share their passions. But I don't understand this: I don't understand how it is that this great body has to spend days debating whether we will have a debate. This is, after all, a debate about the motion to proceed. This isn't a debate about Iraq or Iraq strategy; it is about whether we can proceed to a motion on that subject. It is a debate about whether we can debate. If there is any space left in this country in which this debate should take place, it ought to be this space on this floor, this real estate. This is the great deliberative body. I do not for the life of me understand a vote against cloture that says: No, we believe the United States should not debate this issue. This is an issue the American people care a great deal about, and it is long past the time, in my judgment, for us to have this debate.

We are all united, I think, in loving this country. We want what is best for this country. We want to protect the American troops. We want our country to succeed. All of us want all of those things. I don't believe anybody who says we are undermining this or that or anything of that sort. All that is nonsense. This country deserves from this Senate a thoughtful, serious, real debate about what is happening that affects every part of American life, and that is the struggle we are involved in with respect to Iraq. The American people deserve this debate, and I hope that tomorrow when we have a vote on the motion to proceed, we will have the opportunity to proceed from that motion to a debate on the underlying petition that is on the floor of the Senate with respect to the subject of the war in Iraq.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Mr. STEVENS. Mr. President, how much time was I allocated?

The PRESIDING OFFICER. The Senator has until 4:30.

Mr. STEVENS. Mr. President, this morning I got up and I went to get on an airplane and the plane was delayed because of mechanical issues. Then I got the word that the leader said we should come vote on questions being discussed, just as I heard now.

I am here to participate in a charade. This is nothing but a charade. It is a nonbinding resolution. We are coming back to vote on Saturday on a nonbinding resolution that the American public doesn't support. As a matter of fact, as I read in The Hill newspaper and as I see on the front page, there is the majority leader's photograph and a story about how the majority is trying to embarrass the 21 of us who are up for election in 2008. I think the majority—current majority, former minority—ought to look at that paper. Inside it, after giving the majority leader credit for this charade, is a poll. It is an online poll, and this was a question: Does debate on a nonbinding Iraq resolution help or harm Americans? Harm: 57 percent; help, 43 percent.

Nothing at all will be accomplished tomorrow, even if we got cloture. We would vote on a nonbinding resolution that is an embarrassment to the troops that are wearing our uniforms in Iraq. What we should be doing is voting on cloture on a series of votes which would include Senator GREGG's resolution or amendment that declares our support for our troops.

The reason we face this situation today is the new majority, with one vote—a majority of one vote—went over to the House and negotiated a resolution—a nonbinding, nothing resolution—and brought it over here and said: You are going to vote on this resolution and nothing else. If we do this, we become a lower body of the House. The House, in responding to the Rules Committee, had no chance to offer any amendments to that bill. Over here, the majority leader says: You cannot offer any amendments to this because I am the leader.

Well, it is time we showed this leader the processes of the Senate are here for the purpose of allowing debate. The House represents the population of a whole series of congressional districts. We represent our States. The national viewpoint is settled in the Senate. This is the place where debate is supposed to take place and it should not be limited.

If we voted for cloture on this resolution tomorrow, we would not be allowed to vote on the Gregg amendment. The Gregg amendment:

> Expressing the sense of Congress that no funds should be cut off or reduced for American troops in the field which would result in undermining their safety or their ability to complete their assigned missions.

What is wrong with that? Why won't the leader let us vote on that? You know why? Because it would carry. It would carry. Because Senators on that other side of the aisle know they must support the forces in the field.

Senator GREGG's amendment goes on to say:

> Whereas under Article II, section 2, of the Constitution of the United States, the President is the "commander in chief of the Army and Navy of the United States", and in such capacity the President has the command of the Armed Forces, including the authority to deploy troops and direct military campaigns during wartime.
>
> Whereas under Article I, Section 8, of the Constitution of the United States, Congress has the power of the purse specifically as it relates to the Armed Forces, and in such capacity Congress has the responsibility to fully and adequately provide funding for the United States military forces, especially when they are at war and are defending our Nation; and
>
> Whereas the United States military forces are in harm's way and are protecting our country, Congress and the Nation should give them all the support they need in order to maintain their safety and to accomplish their assigned missions, including the equipment, logistics, and funding necessary to ensure their safety and effectiveness, and such support is the responsibility of both the Executive Branch and the Legislative Branch of Government.

Senator GREGG goes on to say this:

> Resolved by the Senate (the House of Representatives concurring)—

And they have to concur if we send it back to them—

> That it is the sense of Congress that Congress should not take any action that will endanger United States military forces in the field, including elimination or reduction of funds for troops in the field, as such action with respect to funding would undermine their safety or harm their effectiveness in pursuing their assigned missions.

It is nothing but a charade to say an amendment that does nothing should not have a resolution such as this attached to it. That is our purpose. That is our job. It is our constitutional responsibility to support the forces in the field.

I am ashamed the Senate is taking action to prevent the voting on a resolution, once again, establishing the principle. Our duty is to support our forces in the field.

I have a chart to show, but it is difficult for many to understand why we need surge forces. This whole concept we are talking about is safety. Senator GREGG's resolution deals with safety of our forces. This is a chart that shows the Iraqi Army and national police with lead responsibility for counterinsurgency operations in their areas.

In May of 2006 this was their deployment, fairly small. By February of 2007, this is their deployment. We are now in the process of going forward on the new plan to deal with the fact that we have trained a great many of these forces now, but they have not been moved into the areas of real combat, and those are the white spaces on this chart. The whole idea now is to start moving these forces into those areas.

By the way, the hot spots are also on arterial highways in Iraq. This demonstrates where it is. The white areas are occupied by American forces and coalition forces. We want to give them a chance now to move them into those areas. As such, forces will be moving all over this country. In that period of time, these additional surge forces are necessary in order to provide the safety for the people whom they are going to be moving. They are our forces, they are their forces. Secretary Gates has said he does not think they will be there too long. He made a point to make that statement. They will come out as soon as they are no longer needed. Safety is a problem.

To those people who say: Let's get ready to withdraw, if we try to withdraw right now, there would be mass murder in this country. Think of what happened to the Russians and the Soviets when they tried to get out of Afghanistan—and multiply it by factors of 10 to 20. We are spread out all over this place and so are the Iraqis because that was the problem, we were providing for the defense until they were ready to move in and take care of their defense.

This is a chart that shows the current position of forces in Iraqi Freedom. We can see various operations, Japanese and coalition forces, including the British, around the periphery. We are there, in Baghdad, on the major highways. We are in the white spaces on the chart. To get the Iraqi forces in there, we have a new scheme where we will have Iraqi brigades—not divisions but brigades—with an embedded battalion in each brigade move in. Our people will be along with them to make sure their training is carried out and they do the job of defending themselves.

As a practical matter, in order to do that, we need the increased safety of movement in this country. I fully support the plan. It was an Iraqi plan improved on by Secretary Gates, the President, and his staff. Very clearly, the whole program is so they can provide the basic defense for themselves in areas where there is key opposition.

Assume the other side, the side who wants to withdraw, would get approval of the Congress and had some way to mandate the President to withdraw forces. The first thing that would have to be done would be to move the Iraqi forces in there where they can defend themselves and hold back the insurgents currently combatting our forces.

I am not a general, I am not even an armchair general, but I have been around wars for almost all my life now starting out when I was 19. I have seen a great many wars, and I have seen a great many problems with war. Coming back from overseas, I talked to some of my friends and I decided I was going to become an aeronautical engineer to try to find out what caused wars. I hate wars. But I know my duty is to support the military and to support those people carrying out our constitutional mandate to provide for the common defense of this country.

In my opinion, this is the common defense of our country. We have taken on the task of trying to stop a movement that could very well destroy the world. I do believe we should stop these incessant debates on resolutions that mean nothing. Why would we spend all this time and come back on Saturday in order to vote on a nonbinding resolution that would not do a thing? It would not do a thing at all for anyone in that conflict, not one thing. It is nothing but a charade, a charade. It embarrasses me to have to say that. The whole reason for it, pick up The Hill newspaper, back to where I started, to provide a challenge to the 21 Members, Republicans, up for election in 2008, 3 on that side of the aisle. The whole idea is to try to see if we cannot force them to come back on Saturday in order to say to our State constituents: They were not here to vote. I am here to vote. I happened to get off the airplane because I was pretty irritated when I read that story. I am still irritated.

I remember Steve Syms in 1986, when everyone was trying to embarrass people up for election, he said: I am going home and I am going to talk to my constituents, and he did not get sucked back into the debates such as this. He was reelected.

What these people do not know is, we are going to stand up and speak up. We are going to call a spade a spade. This is a charade. I have not been home since January. And I got off that plane to come back and complain about this. I have a right to go home once in a while. I live 4,500 miles from here. As a matter of fact, I am stopping off on my way home to see a very sick relative before I get to Alaska on Monday. Leadership is leadership, and I have been in leadership in this Senate. I was not elected leader, but that is another story. As a practical matter, I have seen leaders come and I have seen leaders go. My friend from Nevada has been my friend for a long time. I am saying I am not going to be embarrassed to come out and say this is nothing but a charade. We should not come back tomorrow to vote on a nonbinding resolution to see if we would vote on a resolution that doesn't tell the story that America wants us to tell, and that story is we support our forces in the field, we support what they are doing. We want them to do what we said we would do, move the forces in that are now trained in Iraq. Let them show how they can defend themselves and we then pull out our embedded battalions and we will be in a position to figure out what is the long-term plan now for this new democracy we have helped establish.

What does this nonbinding resolution do to people in the field? What does it do to the Iraqis? What is it selling them? People are telling me now we should find some way to take the money the President has asked for, the supplemental, and to use it for something else—not to use it to support the people in the field.

There is what is called the Food and Forage Act of the United States. I hope the Senate understands that act. I have been involved in defense appropriations now for over 25 years. The President of the United States has the authority to take money from wherever it is to support forces in the field. We will never abandon our people in the field. We will support them in every way possible. That is why the current majority does not want to vote on the resolution of Senator GREGG. They do not want to be put in a position of saying no to Senator GREGG because if they vote, if they support that resolution, they are continuing the concepts that have been embodied in my life and in the Senate's life as long as I have known it. That is, we support our forces in the field. We are not going to divert money they need for their support, and we are not going to waste our time on nonbinding resolutions that do not do anything to help anybody.

We have a lot of things we could be working on, immigration, energy, global climate change. What are we doing? We are spending our time coming back on Saturday to debate whether we should vote on a bill that was started in the House of Representatives, with not one amendment, and brought over here, not one amendment, and expresses a point of view that the American public does not approve of.

I hope we can get to a debate one of these days, and people will stay around after they make comments such as I heard before I came in. I guarantee, in my heart and in my mind, I know what it means to be in uniform, what it means to be in a position to feel it is necessary to have support at home.

I spent some time last night talking to Colin Powell, one of the famous generals of this country, and reminded him once when we were talking years ago, he told me about the time when he was sent into Laos as a young captain with about 12 days' rations and how when you get up on the morning of the 12th day and realize a drop mission is coming to give you your rations for the next 12 days, how you realize what it means to rely on people, to understand that people in the United States are behind their military, to know you can eat those rations because the supplies are going to come in when they are supposed to come in. That is support to people in the field.

Another concept I speak of is our people have a doctrine that hardly any armies or military in the world has had—we never abandon our forces in the field. What these people are doing now if you listen to them on this other resolution, they are saying, we are going to take and divert this money and put it somewhere else. Not this Senator. If they need that money over there to carry out the commands of the Commander in Chief, I am going to support it. The Senate should support it. We should stop this business of trying to embarrass people who are up for election and demanding they come back and vote on Saturday.

This recess was announced a month ago. Those who live a long distance from here rely on that. The Senate has to start keeping its commitments to our Members whether they are up for election or not.

This is political posturing at its worse. I will be here to vote tomorrow to represent some of those people who could not get back. I stayed to vote so I could come and say this: Political posturing has no place in the Senate of the United States.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. STABENOW. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. STABENOW. Mr. President, on December 23, 1783, George Washington, having successfully led the Continental Army to victory in the Revolutionary War, appeared before the Continental Congress and resigned his commission as commander of the Armed Forces.

It was a quietly pivotal action in the history of our young country, an event so important in shaping the Nation that it is one of only eight moments in our history deemed worthy enough of gracing the walls of the Capitol rotunda.

A painting of Washington's historic act hangs not far from this Chamber alongside more well known moments in American history such as the signing of the Declaration of Independence and the Battle of Bunker Hill.

The precedent that Washington set on that December day was as revolutionary as it was clear: In the United States of America, the power to make and execute war will be held not by the military but instead by peacefully elected leaders sitting in a legislative body.

Washington understood that the will of the people—the will of the American people—shall be the guiding hand of government, even on questions of war and peace.

I wonder how President Washington would feel, I wonder what he would say to each of us today. First, I think he would be very proud of what has happened this afternoon in the House of Representatives, where they came together, after lengthy debate, to state their opinions about the most pressing issue of war, the war in Iraq. I am very proud that we saw the House of Representatives vote 246 to 182 to say, first, that they support the troops and, secondly, that they do not support the escalation of the war in Iraq.

Regardless of how each person voted today in the House, they took that vote. They were willing to stand up and be counted and give their opinion. I believe the majority of the American people—and their will, their belief—was represented in this vote today of 246 to 182.

What has happened in the Senate? Well, first of all, I commend our majority leader, Senator HARRY REID, for his perseverance, for his continuing effort to reach across the aisle with the minority leader to find a way to do the same thing the House has done. He has put forward numerous proposals, and, as late as yesterday, very simply and in a straightforward way, offerred us the opportunity to vote on a resolution opposing the escalation and one that supports the President's escalation. What could be more fair? What could be simpler? Yet we continue to see the minority block the efforts to bring us to a vote.

For over 2 weeks now, I have watched the Republican leadership engage in legislative games and political posturing to avoid taking a vote on the most pressing issue of our time, the war in Iraq. They say they support it, but they will not vote on a resolution, up or down, whether or not to support the President's escalation. I believe it is because they do not like what they know the outcome will be if we are able to have that vote. They have turned their backs on their responsibility to the people who elected them and to our troops because they may lose a vote.

Four years ago, 23 of us stood on the floor of the Senate and lost a vote. It was a vote to go to war. It was a vote to give the President the authority to go to war in Iraq. It was a tough vote. We knew we were not going to win that vote, but we all—those for and against—made a determination and voted because we are elected officials, charged with overseeing the U.S. Armed Forces, and we had a responsibility to voice our opinions for the record on the question of war.

I have stood on the floor of the Senate time and time again to voice my opposition to this President's proposals of escalation—more of the same, calling it a different strategy, and yet doing the same thing over and over again. Sending more Americans into combat without a strategy for success will not improve the situation on the ground in Iraq. And it will not bring our men and women in uniform home any sooner.

Only the Iraqis can secure Iraq. Only the Iraqis can secure Iraq. We have heard that from generals and military experts and the Iraq Study Group and learned colleagues on both sides of the aisle. The American troops cannot be seen as a substitute for Iraqi resolve. Why would we go further down the path that has led us to this point? Why would we repeat our previous mistakes and call it a new strategy?

Unlike the President, all of us and our counterparts in the House will go home over recess and on weekends and face our constituents, our neighbors. We see them and talk to them at church, in the line at the bank, at our kids' schools, in the grocery store, and at countless events and meetings as we travel throughout our States.

And we are here because they elected us to be their voice.

This is not Washington, DC's, war. We may set policy here, we may make speeches here, and we may take votes here, this is America's war.

The men and women putting their lives on the line in Iraq every day are from our smallest neighborhoods and our biggest cities, from farm communities and factory towns, from places many of us have never heard of and few of us will ever go. Flint, Howell, West Branch, Hemlock, La Salle, Port Huron, Ypsilanti, Muskegon, Ann Arbor, Byron, Flushing, Bay City, Canton, Paw Paw, Lake Orion, Saginaw, Sand Creek—these are only some of the dozens of communities in my home State of Michigan that have given up a son or a daughter to this war.

We sit in this historic Capitol and argue over whether we should dignify this war with a simple vote, while these and other communities across the country bury their loved ones, while high schools hold vigils for alumni laid to rest too young, while churches comfort parishioners who have lost sons and daughters and husbands and wives and fathers and mothers.

We are the voice of these communities, of these towns and cities and counties. We were elected with their sacred trust to come here, to Washington, and to speak out for them, to make our mark for them on the issues that face this country. There can be nothing more important than the issue of war.

By continuing to stonewall a vote on this resolution, the Republican minority has stripped all of America of their voice in this debate. They have said to the people who elected us that this issue—the issue of an escalation of war—is not important enough for their elected representatives to consider.

Too often in the white noise of politics we lose sight of the responsibility we bear. We get bogged down in the politics of partisanship and lose sight of why we were elected. We owe it to the American people to take this vote. This is the most serious issue of our time. There is nothing more important or more pressing than our Nation being at war. It is the responsibility of the Congress to engage in shaping policy concerning the war on behalf of the American people.

Let me take a few moments to remind everyone what is really at stake. While some posture and jockey for legislative position, lives are on the line this moment and every moment the war goes forward. It doesn't matter if you support or oppose the war. Anyone involved in slowing a vote on this resolution should be ashamed. Our military has not failed us at any turn in this endeavor. But we are failing them as a body by failing to lead. What is at stake?

On January 21, the Grand Rapids Press published the following account on the war in Iraq:

> The first roadside bomb four months ago knocked a front tire off Kyle Earl's Humvee, rang his head like a bell and made his ears bleed.
>
> The second bomb a couple of weeks later blew out the front tires and took out the transmission but, again, spared Earl serious injury.
>
> The third one, on Oct. 17, was his last.
>
> With the headlights out for security and wearing night-vision goggles, the 20-year-old Marine lance corporal from Cedar Springs was driving the lead Humvee returning from a night patrol in Iraq's Al Anbar province near the border with Syria. He and a Marine manning the Humvee's machine gun saw it at the same time: a hump in the road ahead, a sure sign of a buried improvised explosive device (IED).
>
> Earl instantly made the calculation: If he swerved, the trailing Humvee carrying the company commander would hit the IED, so "I drove right into it, knowing it was probably going to kill me," he said.
>
> He ran over the hump, igniting three 155-mm artillery shells and five propane tanks. The flash, amplified by the night-vision goggles, was brighter than anything he'd ever seen. A fireball shot through the cab, and shrapnel pierced his right leg, arm and face. The shock wave felt like someone had placed him inside a plastic bag and sucked out all the air.
>
> Still, he remained conscious, as the Humvee rolled off the road and came to a stop. Blood streamed from his eyes, ears and nose. He reached for his 9 mm handgun, but noticed something about the size of his palm on it. He picked it up and examined it, unaware it was a chunk of his flesh, ripped from his right forearm.
>
> He smelled something burning and realized he and the Humvee were on fire. He rolled out onto the ground as his fellow Marines kicked him to extinguish the flames.

We are here because of that lance corporal. He and his comrades, the men and women serving, deserve our best—our best judgment, our best decisions, our best funding, our best strategy for them.

On November 16, 2006, the Detroit Free Press gave us this insight into life on the ground in Iraq:

> "A few days ago, from out of a crowd of kids, one of them threw a grenade and it went off under the vehicle, and my executive officer's door was peppered," said Lance Cpl. Michael Rossi, a 28-year-old student majoring in urban planning at Wayne State University who lives in Detroit. "A crowd of kids, and one of them threw a grenade."
>
> "Out here," he said, "nobody is safe."

On January 5, the editorial page of the Flint Journal paid its respects to one of Flint's fallen sons:

> It's touching and laudable that the father of Marine Cpl Christopher Esckelson would want the family of a fellow Marine to understand the full heroics these men displayed in Iraq combat that claimed both their lives.
>
> They are among more than a dozen local military men whom the Iraq war has claimed, with each succeeding loss being no less painful to an area that has supplied an ample measure of these patriots.
>
> Of course, the grief is much greater for the families who knew the men in so many other wonderful ways. Those memories undoubtedly will be recalled during services for Miller and Esckelson Saturday and Sunday, respectively.

All of us have stories of the men and women who have served heroically and lost their lives, men and women who have come home and need our assistance now as veterans while in our hospitals and will forever carry a remembrance of this war through lost limbs and other health conditions. They deserve a vote on whether we believe this strategy for them and their colleagues is the right strategy. They deserve this. They expect us to stand up and speak out and work as hard as we can to get it right.

Too often on the floor of this Chamber and too often in politics, we use words such as "bravery" and "toughness" and resolve." We describe votes as "tough." We describe speeches as "brave." The men and women serving in combat know the real meaning of these words. They go about their dangerous duty with the pride of professionals. They live and work under the shadow of violence, never knowing what might be facing them around the next corner, and they do it with stoic resolve that reflects their character and their training. They do not have the luxury of picking and choosing when and where to fight. They go where their country sends them and stand shoulder to shoulder with their brothers and sisters in arms and face whatever is thrown at them. What we consider heroic, they consider doing their job.

Their sacrifices deserve and demand leadership, our leadership, collectively. We owe to it them and to every person we were elected to represent to vote on this resolution, to take a stand about how this war will proceed. It is our job. It is time to stop stalling and face our responsibility, a responsibility that pales in comparison to that which is taken every day by our troops in Iraq.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WEBB. Mr. President, I ask unanimous consent to speak for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WEBB. Mr. President, I would like to state my support of the vote we will take tomorrow. Last week, I expressed my support for the bipartisan Levin-Warner resolution which was denied a vote by the full Senate due to procedural motions. Ten days later, we find ourselves in a similar situation.

Our colleagues in the House have spent the last 4 days debating the current course of action in Iraq, and they have completed a vote on final passage today. At the same time, the Senate has continued to engage in partisan bickering and political gamesmanship. The House found a way, it found a bill, and it took a vote. We have a bill, and we need to debate it.

At bottom, this debate is not about whether one is a Republican or Democrat; it is about the legislative branch exerting its proper constitutional oversight by deliberating on the most vital and challenging issue of our day. I would urge my colleagues to think about the vote that took place in 2002 authorizing the use of force in Iraq and about what happened afterward. This was not a party-line vote. I was not a Member of this body, and I do personally believe it was an erroneous vote, at least in its outcome, but at the same time, most importantly, we should look at the lack of respect shown by the administration after the vote. This lack of respect was a clear signal that the true issues dividing us in this Government are more related to the relations between the executive and legislative branches than between our respective parties.

The administration has failed the country again and again in the conduct of this war. At the same time, it repeatedly claims that it holds the power, regardless of the input of the Congress, to continue to push our military people to the limits of their endurance, while avoiding the diplomatic options crucial to resolving the situation in Iraq which inevitably evolved from our invasion and occupation.

I have heard discussion today about the consequences of withdrawal. No one on this side is advocating a precipitous withdrawal, but the consequences that are being described—increased terrorism, the empowerment of Iran, the loss of prestige of the United States around the world, and economic distress in our country—are, quite frankly, the exact conditions many of us were warning about if we invaded in the first place. The question is not how we withdraw or should we withdraw. Some day, we are going to withdraw. Inevitably, we are going to withdraw. The question is the conditions we leave behind when we do so.

I have long advocated that an integral part of our strategy in Iraq must include engagement with all of Iraq's neighbors, including Iran and Syria. As Iraq's neighbors, they are stakeholders in both the future of Iraq and the need for stability in the region. As we seek to decrease our presence in Iraq and increase our ability to fight terrorism and address strategic challenges elsewhere in the world, we must bring those two countries to the table. An overwhelming majority of those who recently testified before hearings at the Senate Foreign Relations Committee agree with that assessment.

I have heard today the name of General Petraeus invoked several times as evidence of this body's support for the administration's current policy. I voted for General Petraeus. A vote for General Petraeus is not a vote for this administration's policy or its strategy or its, quite frankly, lack of strategy. That vote was to support the qualifications of an individual to command troops in Iraq. That was a military vote, not a political vote. If the strategy were to change, as I hope it will, I have full confidence that General Petraeus is capable of overseeing that policy as well. We must see evidence of a new diplomatic effort from this administration before we, as a Congress, not as Democrats and Republicans, ratify the expanded use of our military.

On that note, it should be emphasized that despite comments today about the fact that the Baker-Hamilton group supported a temporary military surge in its report, it did so only in consonance with a robust regional diplomatic surge which was supposed to begin more than 2 months ago.

Many Republicans seem to be implying that we must support all of this administration's actions or, by inference, we don't support the troops. The issue is not whether we support the troops; it is whether we agree on the political issues to which they are being put. This effort demands clear direction from the top. It depends on the extent to which this Government is capable of forging a regional consensus regarding Iraq's future. This administration has refused to do so. It is not in the interest of our troops to continue sending them in harm's way without a clear strategy that will bring closure to this endeavor.

I believe very strongly that our political representatives should be careful in claiming to speak politically for our troops. Our military is a mirror of our society, and so are its political views. We have heard a lot of anecdotal evidence today—TV clips, newspaper interviews with individuals. But anecdotal evidence notwithstanding, poll after poll shows that our troops are just as concerned about this policy as is the public at large.

I have one poll from a year ago, a Zogby poll, that says that 72 percent of the people then stationed in Iraq believed the war should have ended by the end of 2006. This includes 7 out of 10 of our Regular Army soldiers and a vast majority—nearly 60 percent—of our marines. These are people who have done their job. They know what their military job is, but they have the same questions about the political policies as do the rest of Americans.

I ask unanimous consent to print the Zogby poll in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[February 28, 2006]

U.S. TROOPS IN IRAQ: 72 PERCENT SAY END WAR IN 2006

Le Moyne College/Zogby Poll shows just one in five troops want to heed Bush call to stay "as long as they are needed," While 58 percent say mission is clear, 42 percent say U.S. role is hazy, Plurality believes Iraqi insurgents are mostly homegrown, Almost 90 percent think war is retaliation for Saddam's role in 9/11, most don't blame Iraqi public for insurgent attacks, Majority of troops oppose use of harsh prisoner interrogation, and Plurality of troops pleased with their armor and equipment.

An overwhelming majority of 72 percent of American troops serving in Iraq think the U.S. should exit the country within the next year, and more than one in four say the troops should leave immediately, a new Le Moyne College/Zogby International survey shows.

The poll, conducted in conjunction with Le Moyne College's Center for Peace and Global Studies, showed that 29 percent of the respondents, serving in various branches of the armed forces, said the U.S. should leave Iraq "immediately," while another 22 percent said they should leave in the next six months. Another 21 percent said troops should be out between six and 12 months, while 23 percent said they should stay "as long as they are needed."

Different branches had quite different sentiments on the question, the poll shows. While 89 percent of reserves and 82 percent of those in the National Guard said the U.S. should leave Iraq within a year, 58 percent of Marines think so. Seven in ten of those in the regular Army thought the U.S. should leave Iraq in the next year. Moreover, about three-quarters of those in National Guard and Reserve units favor withdrawal within six months, just 15 percent of Marines felt that way. About half of those in the regular Army favored withdrawal from Iraq in the next six months.

The troops have drawn different conclusions about fellow citizens back home. Asked why they think some Americans favor rapid U.S. troop withdrawal from Iraq, 37 percent of troops serving there said those Americans are unpatriotic, while 20 percent believe people back home don't believe a continued occupation will work. Another 16 percent said they believe those favoring a quick withdrawal do so because they oppose the use of the military in a pre-emptive war, while 15 percent said they do not believe those Americans understand the need for the U.S. troops in Iraq.

The wide-ranging poll also shows that 58 percent of those serving in country say the U.S. mission in Iraq is clear in their minds, while 42 percent said it is either somewhat or very unclear to them, that they have no understanding of it at all, or are unsure. While 85 percent said the U.S. mission is mainly "to retaliate for Saddam's role in the 9-11 attacks," 77 percent said they also believe the main or a major reason for the war was "to stop Saddam from protecting al Qaeda in Iraq."

"Ninety-three percent said that removing weapons of mass destruction is not a reason for U.S. troops being there," said Pollster John Zogby, President and CEO of Zogby International. "Instead, that initial rationale went by the wayside and, in the minds of 68 percent of the troops, the real mission became to remove Saddam Hussein." Just 24 percent said that "establishing a democracy that can be a model for the Arab World" was the main or a major reason for the war. Only small percentages see the mission there as securing oil supplies (11 percent) or to provide long-term bases for US troops in the region (6 percent).

The continuing insurgent attacks have not turned U.S. troops against the Iraqi population, the survey shows. More than 80 percent said they did not hold a negative view of Iraqis because of those attacks. About two in five see the insurgency as being comprised of discontented Sunnis with very few non-Iraqi helpers. "There appears to be confusion on this," Zogby said. But, he noted, less than a third think that if non-Iraqi terrorists could be prevented from crossing the border into Iraq, the insurgency would end. A majority of troops (53 percent) said the U.S. should double both the number of troops and bombing missions in order to control the insurgency.

The survey shows that most U.S. military personnel in-country have a clear sense of right and wrong when it comes to using banned weapons against the enemy, and in interrogation of prisoners. Four in five said they oppose the use of such internationally banned weapons as napalm and white phosphorous. And, even as more photos of prisoner abuse in Iraq surface around the world, 55 percent said it is not appropriate or standard military conduct to use harsh and threatening methods against insurgent prisoners in order to gain information of military value.

Three quarters of the troops had served multiple tours and had a longer exposure to the conflict: 26 percent were on their first tour of duty, 45 percent were on their second tour, and 29 percent were in Iraq for a third time or more.

A majority of the troops serving in Iraq said they were satisfied with the war provisions from Washington. Just 30 percent of troops said they think the Department of Defense has failed to provide adequate troop protections, such as body armor, munitions, and armor plating for vehicles like Hum Vees. Only 35 percent said basic civil infrastructure in Iraq, including roads, electricity, water service, and health care, has not improved over the past year. Three of every four were male respondents, with 63 percent under the age of 30.

The survey included 944 military respondents interviewed at several undisclosed locations throughout Iraq. The names of the specific locations and specific personnel who conducted the survey are being withheld for security purposes. Surveys were conducted face-to-face using random sampling techniques. The margin of error for the survey, conducted Jan. 18 through Feb. 14, 2006, is +/ − 3.3 percentage points.

Mr. WEBB. Another poll, of December 29, 2006, by the Military Times, the most credible military newspaper in America, indicates that barely one-third of our service members approve of the way the President is handling the war. In fact, only 41 percent of our military now believes the United States should have gone to war in Iraq in the first place.

I ask unanimous consent that this poll be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Military Times Poll, Dec. 29, 2006]

DOWN ON THE WAR

(By Robert Hodierne)

The American military—once a staunch supporter of President Bush and the Iraq war—has grown increasingly pessimistic about chances for victory.

For the first time, more troops disapprove of the president's handling of the war than approve of it. Barely one-third of service members approve of the way the president is handling the war, according to the 2006 Military Times Poll.

When the military was feeling most optimistic about the war—in 2004—83 percent of poll respondents thought success in Iraq was likely. This year, that number has shrunk to 50 percent.

Only 35 percent of the military members polled this year said they approve of the way President Bush is handling the war, while 42 percent said they disapproved. The president's approval rating among the military is only slightly higher than for the population as a whole. In 2004, when his popularity peaked, 63 percent of the military approved of Bush's handling of the war. While approval of the president's war leadership has slumped, his overall approval remains high among the military.

Just as telling, in this year's poll only 41 percent of the military said the U.S. should have gone to war in Iraq in the first place, down from 65 percent in 2003. That closely reflects the beliefs of the general population today—45 percent agreed in a recent USA Today/Gallup poll.

Professor David Segal, director of the Center for Research on Military Organization at the University of Maryland, was not surprised by the changing attitude within the military.

"They're seeing more casualties and fatalities and less progress," Segal said.

He added, "Part of what we're seeing is a recognition that the intelligence that led to the war was wrong."

Whatever war plan the president comes up with later this month, it likely will have the replacement of American troops with Iraqis as its ultimate goal. The military is not optimistic that will happen soon. Only about one in five service members said that large numbers of American troops can be replaced within the next two years. More than one-third think it will take more than five years. And more than half think the U.S. will have to stay in Iraq more than five years to achieve its goals.

Almost half of those responding think we need more troops in Iraq than we have there now. A surprising 13 percent said we should have no troops there. As for Afghanistan force levels, 39 percent think we need more troops there. But while they want more troops in Iraq and Afghanistan, nearly three-quarters of the respondents think today's military is stretched too thin to be effective.

The mail survey, conducted Nov. 13 through Dec. 22, is the fourth annual gauge of active-duty military subscribers to the Military Times newspapers. The results should not be read as representative of the military as a whole; the survey's respondents are on average older, more experienced, more likely to be officers and more career-oriented than the overall military population.

Among the respondents, 66 percent have deployed at least once to Iraq or Afghanistan. In the overall active-duty force, according to the Department of Defense, that number is 72 percent.

The poll has come to be viewed by some as a barometer of the professional career military. It is the only independent poll done on an annual basis. The margin of error on this year's poll is plus or minus 3 percentage points.

While approval of Bush's handling of the war has plunged, approval for his overall performance as president remains high at 52 percent. While that is down from his high of 71 percent in 2004, it is still far above the approval ratings of the general population, where that number has fallen into the 30s.

While Bush fared well overall, his political party didn't. In the three previous polls, nearly 60 percent of the respondents identified themselves as Republicans, which is about double the population as a whole. But in this year's poll, only 46 percent of the military respondents said they were Republicans. However, there was not a big gain in those identifying themselves as Democrats—a figure that consistently hovers around 16 percent. The big gain came among people who said they were independents.

Similarly, when asked to describe their political views on a scale from very conservative to very liberal, there was a slight shift from the conservative end of the spectrum to the middle or moderate range. Liberals within the military are still a rare breed, with less than 10 percent of respondents describing themselves that way.

SEEING MEDIA BIAS

Segal was not surprised that the military support for the war and the president's handling of it had slumped. He said he believes that military opinion often mirrors that of the civilian population, even though it might lag in time. He added, "[The military] will always be more pro-military and pro-war than the civilians. That's why they are in this line of work."

The poll asked, "How do you think each of these groups view the military?" Respondents overwhelmingly said civilians have a favorable impression of the military (86 percent). They even thought politicians look favorably on the military (57 percent). But they are convinced the media hate them—only 39 percent of military respondents said they think the media have a favorable view of the troops.

The poll also asked if the senior military leadership, President Bush, civilian military leadership and Congress have their best interests at heart.

Almost two-thirds (63 percent) of those surveyed said the senior military leadership has the best interests of the troops at heart. And though they don't think much of the way he's handling the war, 48 percent said the same about President Bush. But they take a dim view of civilian military leadership—only 32 percent said they think it has their best interests at heart. And only 23 percent think Congress is looking out for them.

Despite concerns early in the war about equipment shortages, 58 percent said they believe they are supplied with the best possible weapons and equipment.

While President Bush always portrays the war in Iraq as part of the larger war on terrorism, many in the military are not convinced. The respondents were split evenly—47 percent both ways—on whether the Iraq war is part of the war on terrorism. The rest had no opinion.

On many questions in the poll, some respondents said they didn't have an opinion or declined to answer. That number was typically in the 10 percent range.

But on questions about the president and on war strategy, that number reached 20 percent and higher. Segal said he was surprised the percentage refusing to offer an opinion wasn't larger.

"There is a strong strain in military culture not to criticize the commander in chief," he said.

One contentious area of military life in the past year has been the role religion should play. Some troops have complained that they feel pressure to attend religious services. Others have complained that chaplains and superior officers have tried to convert them. Half of the poll respondents said that at least once a month, they attend official military gatherings, other than meals and chapel services, that began with a prayer. But 80 percent said they feel free to practice and express their religion within the military.

Mr. WEBB. I believe very strongly that we should leave our military people out of these political debates. I am not using these figures to advance the Democratic Party's point. I believe it is inappropriate for the other party to use our military people in a way that might insulate them from criticism over the woeful failures of this administration's policy. The American people's confidence in this administration is at rock bottom. Many rightly believe they were misled on the reasons for going to war.

The administration's credibility has suffered—rightly so—also with respect to its intentions for dealing with Iran. I do not believe one can speak of our responsibility on these immediate issues without stating clearly our concerns about the entire region, and especially the administration's position regarding its constitutional authority to use military force outside of Iraq.

The administration's view of its Presidential authority to conduct unilateral military action against other countries, and particularly with Iran, was documented in President Bush's signing statement accompanying the original authorization for the use of force against Iraq in October 2002. I urge my colleagues to examine this language. In part, it states:

> My signing this resolution does not constitute any change in the long-standing positions of the executive branch on either the President's constitutional authority to use force to deter, prevent, or respond to aggression or other threats to U.S. interests.

In other words, if one were to read that carefully, this administration is stating that it has the authority to use force to respond to threats to our interests. What is an "interest"?

I have raised this language with the Secretary of State, as well as with the Deputy Secretary. My question was whether this administration believes that it possesses the authority to conduct unilateral military activity against Iran in the absence of a direct threat and without the approval of the Congress. I have not received a clear answer from either of them on that point. That is troubling.

This administration and its supporters must understand the realities that are causing us, as a Congress, to finally say enough is enough. After 5 years of misguided policy, ineffective leadership, and diminished U.S. stature around the world, the Congress must show the way to reclaiming the moral high ground and exert its proper oversight role more forcefully.

For these reasons, I support the pending Iraq resolution before us, and I will vote for cloture. I urge my fellow Senators to do the same.

I yield the floor.

The PRESIDING OFFICER (Mr. SALAZAR). The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. President, I was a Member of the Senate when we voted to authorize the use of force against Iraq. It was not just a rapid, quickly done deal, we talked about it for months. We talked about primarily the 16 or 17 resolutions that Saddam Hussein had failed to comply with that he agreed to with the United States and the United Nations; that he was setting about systematically to break out of the box of the embargo placed on him because he failed to comply with those resolutions.

We were flying, if you remember, aircraft over Iraq on a regular basis, and they were shooting missiles at us, trying to bring down our aircraft. We were dropping bombs on them on a weekly basis. This was the context of the debate that we entered into.

At the end, a great deal of emphasis was placed on the question of weapons of mass destruction by the President and others. But for most of us, I think it was a strategic American decision based on the fundamental questions: Were we going to give up? Were we going to let the embargo elapse? And would Saddam Hussein be able to continue to say—actually say with conviction and some honesty—that he had won the 1991 gulf war? He said he won the war. He never complied with the agreements that he entered into and, as a result, we entered this conflict.

The initial invasion went far better than most of us believed possible, than many predicted—those who supported the war and those who did not. The aftermath has been much more troubling and difficult. I have been one of those who shared General Abizaid's view of let's keep the number of our troops as low as we can, let's push as hard as we can to train and bring on the Iraqi forces, and let's let their government be responsible for its own activities as soon as possible. But I have to be honest, it has been more difficult than most of us would have thought. We now have many soldiers there in dangerous circumstances. So I am concerned about that. I respect anybody who is concerned about that.

I am not here to say I know you are wrong, that I know this is the only way and the only right policy, and I guarantee you it will be successful. I want to say that in the beginning. We have some difficult choices to make, and I respect people who don't agree.

I am not able, however, to justify a resolution that appears to be designed to embarrass the President, appears to be contradictory to our Nation's policy, that would indicate to our adversaries and enemies that we are divided. I cannot see that as a positive step for us. I am inclined to agree with the view of General Petraeus. He finished at the top of his class at West Point. He was No. 1 in his class at the Command and General Staff College. He got his Ph.D. at Princeton. He was in Mosul, right after the initial invasion, commanding the 101st Airborne Division. He was a Ranger, a soldier, a fabulous leader. I saw him in operation when some of the Alabama National Guard members had felt they were not being fully utilized right after they got to Mosul. I told General Petraeus, and he said:

> Let's go over and meet them.

He told them:

> You are part of our effort. I will be bringing you right away the Screaming Eagle patch and you are going to put it on and be one of ours. There won't be any difference in the Guard and Reserve.

That was such an example of leadership, I thought. Later, he showed how they captured Uday and Qusay under his command. He showed how they formed the government. He had a Sunni, Shia, Christian, and a Kurd on the city council. He formed a court system. He was a fabulous leader and everybody recognized that. He finished his tour and came back.

We realized that we needed to spend more effort and be more effective in training the Iraqi Army. So we sent him over there. We asked him to go back. He went back to specifically be in charge of training the Iraqi security forces. During that time, he got to know virtually every major Iraqi military leader. He knows them personally and he worked with them and with most of the Iraqi leadership. He said he didn't know Prime Minister Maliki, but he knows most of them.

After some 15 months at that, well over 2 years in Iraq, he came back home and he was placed in charge of writing the doctrine for the U.S. Department of Defense on how to confront and defeat an insurgency operation, the so-called Counterinsurgency Manual. It is a real serious document. A lot of people don't know this, but there are ways—proven ways—to confront and defeat insurgency operations. In fact, one military historian recently pointed out that very few insurgency operations ultimately become successful. They can cause great distress for substantial periods of time, but they usually fail. There is a fairly significant number—70, 80, 90 percent—that fail, according to this report. So this manual that he painstakingly put together had incredible subtleties in it about how to handle various situations because every situation is different. What might be true in the Kurdish north may not be true in Bosra, the Shia south, or in the Sunni west. Every part of the Sunni and Shia and Kurdish areas are different themselves. Their tribes and their heritage and their religious sects are different. You have to handle them all differently.

President Bush asked General Petraeus to help formulate a plan to be successful in Iraq. He committed to him five additional brigades, over 20,000 soldiers. That is a bitter pill to me. I was very pleased—and I spoke out when some were critical—and in favor of General Casey over a year ago saying he hoped to be able to bring troops home. He brought some home. He asked for more at different times. What happened? Well, violence began to pick up substantially in Baghdad. The Sunni and al-Qaida terrorists saw the country beginning to come together, and they decided to make a devilish decision, and that decision was to deliberately provoke a sectarian conflict. They began to attack the Shia in the marketplaces and they attacked their holy mosque at Samarra. They blew up that mosque and killed people. It began to work. Shia militias began to grow and strengthen and develop, feeling they were not being protected by the government. They began to kill Sunnis, and people would find bodies that had been killed execution style. It was a very grim thing to happen. It still is going on to a substantial degree.

But I believe that this can be reversed. I cannot guarantee that, but I believe it can be reversed with the leadership of the United States, with increased effort on behalf of the Iraqi military and the country of Iraq, that they can begin to reverse this trend. I will just cite that recently General

Conway testified at a hearing. He commanded the Marines in the western part of Fallujah and during some of the toughest fighting. Now commandant of the Marine Corps, he testified a few days ago. I told him about the visit Senators LEVIN, WARNER, PRYOR, and I made to Iraq last fall. The briefing that we had gotten by the Marines in the Ramadi area really concerned me. Some of the information they gave—and the Presiding Officer and I traveled over there, and I know he cares about these issues. That briefing was one of the more troubling things I had heard in visiting there five times, as I have. He pointed out how, in just a matter of weeks, that made a dramatic change; that 12 out of 16 tribal leaders in that area have gotten fed up with al-Qaida and their murdering ways, their parasitic ways, and their domination. And they have made agreements with the U.S. military. We are helping them create their own law enforcement entities, hiring their young people, and they are resisting al-Qaida. There has been a dramatic change in the toughest area, the Sunni area, the area where most of al-Qaida has been. So that is good.

I say to my colleagues that can happen in Baghdad. Don't think that because things have been very difficult in the last year they cannot begin to get better. General Petraeus has stepped up. We are going to increase our forces. The Iraqis are going to increase their forces. I think the Iraqis know this may be their last chance to save this country as a decent and progressive country that treats people fairly and equally. I think they are beginning to wake up to that fact—I hope so. They are moving substantial numbers of troops in there. They are not as good as the American troops in many ways. They have a lot of difficulties. We know that. But they have taken more casualties than we have, and they continue to sign up. We have an opportunity, I believe, to make a difference.

If this effort does not succeed and we do not begin to notice that more progress has been made, that the Iraqis do not meet certain benchmarks we have called on them to make, then we do need to review our policy. I have to say it. What we will do then, I am not sure. But we need to be smart about it. We don't need to be aberrational or spasmodic in how we face those challenges.

What happened on the floor of the Senate is not something that I think has brought credit to this body. After approving General Petraeus to go to Iraq 94 to 0, after making clear we intend to fund the policy the President, as Commander in Chief, is executing, our soldiers are executing, and soldiers have been sent over there as part of this surge—some have already gotten there as part of this surge—it became a goal of the majority leader, Senator REID, and the Democratic leadership, apparently, to vote on a resolution that disapproved it, that criticized the President, I guess to make happy some of the people out there who oppose this war so deeply, some with great passion and legitimate concerns and some with fevered brow who believe we are over there trying to steal Iraqi oil. But that crowd is out there. They want a resolution that is critical of the President and this policy.

Our leader, the Republican leader, said: You can have that vote, that will be all right, let's have that vote, but Senator MCCAIN has a different view. Senator MCCAIN's view is we need to set some benchmarks for the Iraqis and we need to support the President. Senator GREGG said it is most important when troops are in harm's way, when they are placing their lives at risk for us, that we tell them we are going to support them financially. Oh, no, we can't vote on those amendments. We are only going to vote on the one we want.

This resolution, by the way, should have come, by historical tradition and rules of the Senate, out of the Armed Services Committee, but it didn't come out of the Armed Services Committee. Why didn't it come out of the Armed Services Committee, of which I am a member? Because it doesn't have the votes. It wouldn't have passed out of the Armed Services Committee. So what Senator REID did is, he filed it as a bill instead of a resolution. He filed it and, under rule XIV, brought it to the floor and determined that no other amendments could be accepted or even voted on, only his view should be voted on. And they carefully calculated, I am sure, to make sure they had over 50 votes, so they would be able to pass one resolution that was deemed an attack on the President and a rejection of the policy we are now funding and is being executed by our soldiers who are far more worthy, in my view, of maturity and respect than a Congress that gets itself tied up in this kind of mess.

I think most of us on this side—even some Republicans and some Democrats who supported the resolution—have refused to vote for cloture to bring it up for a vote because they think Senator MCCAIN's and Senator GREGG's resolutions deserve a vote too. Senator MCCAIN said: I would just be satisfied if you vote on Gregg if you don't vote on mine.

I would like to vote on both of them, and I am not afraid to vote on the Democratic resolution. I would vote on all three of them. I am not afraid to talk about this war or to talk about the resolutions. But somehow the media has adopted the Democrat's talking points and suggests Republicans don't want to debate and vote on the issue. That is not true. How many times do we have to say that? I don't think what I said is inaccurate. If it is, I would like to be corrected on the fundamental debate in which we find ourselves.

But what I wish to say to my colleagues is we are, at this very moment, in reality, financially supporting the policy with which they disagree. Advice and suggestions from business, athletics, church, and families needs to be welcome, but naysaying after a decision is reached is nearly always destructive, in my opinion. People have to pull together once a decision is reached. We only have one Commander in Chief. We have the absolute power to shut off every dime going to Iraq and bring our troops home immediately. That is the constitutional power this Congress has. But while we are executing this effort in Iraq, we only have one Commander in Chief. And for the life of me, I can see no advantage to our Nation, to our foreign policy or to our soldiers in a resolution that disagrees with the President's plan, a plan to which we have our soldiers committing their lives this very moment.

Congress should either support it or stop it. But, of course, we all know the awesome responsibility that voting for a precipitous withdrawal out of Iraq would entail because stopping the funding for Iraq is real, just like funding Iraq is real, just like voting for General Petraeus is real. It is not positioning, it is not an expression of concern or an effort to distance oneself from a war that over three-fourths of us in this Senate voted for but has now become very difficult.

The President studied the Baker-Hamilton report, he met with his commanders in Iraq and in the United States, and he met with retired officers, elder statesmen. The Chairman of the Joint Chiefs of Staff, General Peter Pace, started a bottom-up review of our Iraq policy in August. I called him about that time to raise some questions and urge that he do that. He said: Senator, I have started that already. After all of this evaluation and receipt of ideas for improvement, both public and private, our President, the one given the power to decide such issues in our system, made his call. He changed his policy. Perhaps he should have done it earlier. I think this kind of review would have been more appropriate earlier.

The President has gone through a deliberative process, though, and made his decision, and I have decided the right response for me, as a Member of this Senate trying to serve the national interest, is to support that policy, at least for the immediate future, and to support those who will execute it—our military personnel.

Others may disagree. An official expression of disagreement, though, about a policy we authorized and we are now funding and our soldiers are executing does not meet, I believe, high standards of responsibility to which a great Senate should adhere.

Please remember also that what we do is not contained just in these Halls. I am not persuaded there can be any effect, other than a pernicious one, on those allies and other nations that are assisting us in our efforts. Nor do I see how the threat of an imminent withdrawal could cause the Iraqi Government and the leaders of the various sects and groups to be more willing to reach an accord than would be achieved if we continue assistance in restoring order, particularly in the nation's capital. I don't know. I don't think so myself. If it was so, I would be persuaded. If that would be the result of a rapid withdrawal, that they would all get together and reach an accord, then I would support it because I don't think we need to be an occupying force in Iraq. But this is not what our generals tell us. It is not what we have heard from the intelligence community.

Some people said: I talked to a retired general; that is what he said. Maybe that is what he said. Maybe that retired general is right. The people we are hearing about are not saying this is any kind of panacea, to pull out, and there is going to be harmony and compromise reached all at once.

In fact, many are saying the violence in Baghdad is so significant that if we allow it to continue to grow, it makes it harder for the warring factions to get together and reach an accord.

Still, despite the difficulties, our experts in public and private conversations believe there is hope for stability with this new policy in Iraq, this new surge. They give that evaluation with full and realistic evaluations of all the challenges we face. The new Iraqi permanent Government has only been formed for 8 months, maybe 9 months now. That Government has only been up for 8 or 9 months. The forces of violence, oppression, and extremism have attacked it full force. They are determined to bring it down. But it still stands, and it has made new commitments to taking the necessary steps toward security and progress.

This is a test for them, no doubt. Maybe they will fail. Maybe they would not meet the commitments they have made. But perhaps not. Perhaps this fragile Government and the Iraqi Army working in new and better ways with General Petraeus and our forces together can be successful, as our experts tell us is possible and realistic.

I, thus, have concluded this Congress should fund this new strategy, not adopt a resolution that has any tendency whatsoever to lessen the chance of that strategy being successful.

Finally, I do not see how a congressional resolution that disagrees with, or one that rejects the President's new policy will have any other effect than to reduce the morale of our soldiers.

Right out here a couple of days ago, I talked with a group from Hartsville, AL. The man pulled me aside and said his son was an infantry officer at Fort Benning. He said: Senator, I want you to know one thing. When you make your decisions, don't think they don't know what is going on. He said: "They are watching you like a hawk."

We have a responsibility to them. Yes, we have a responsibility to say pull out if we have to pull out, if that is the thing to do—and I don't think it is yet; I think we have a chance for success. If that is our decision, so be it. But when we send them over there, they should be supported. They should have no doubt that we are going to be with them.

We are waging a war against violent extremists who bomb markets, who behead people who disagree with them, who murder, who kill, who destroy teachers because they teach young girls how to read and write. So this is a complex effort. It is an important effort that to date has protected our homeland from further attack.

We didn't choose this duty. It has fallen to us. By working together, I believe we can achieve more in Iraq than many people think.

And I will say this, while we are being very serious about the challenges we face. I have had personal meetings with Secretary Gates, the new Secretary of Defense, and an extended meeting with GEN Peter Pace, the Chairman of the Joint Chiefs, and I had a good long conversation with General Petraeus, the new commander in Iraq, and Admiral Fallon, who is going to be the Central Command, commander. I have asked them, and each one of them stated to me that they fully understand their responsibility to give us their best military advice, and if at any time this conflict in Iraq becomes untenable, if at any time they conclude that putting more soldiers into harm's way will not be successful and will not achieve the aims which we are seeking there, they will tell us.

I asked Peter Pace that in an open hearing, and he said: "Yes, sir, Senator, I understand that." Secretary Gates cut in and said: "Senator, I fully understand that, and I feel like that is my number one responsibility." I asked General Petraeus that, and he said the same. And I asked him if he believed he could be successful. Remember, this is the man who spent over 2 years in Iraq. He is the best of the best. He has written a manual on how to confront and defeat an insurgency. His answer to whether he can be successful, in sum, was: "Senator, I do, and I wouldn't be going over there if I didn't think I could be."

I know people are worried about this conflict. I am worried about it. I talked to a widow yesterday, whose fabulous husband was killed in Iraq, and I don't take it lightly at all. But we are a nation that has been attacked and we have a responsibility to defend our just national interest, and our just national interest would be greatly served by a prosperous, free, democratic Iraq, where terrorists do not find haven and which is not subverted by hostile forces. We have a national interest in that, as well as a humanitarian interest.

I think we need to give General Petraeus a chance. I think we may find that progress in Baghdad can occur, even when it is dark, as it did in Al Anbar Province a few months ago. I was feeling pretty discouraged about what was happening there, but great progress has been made in the last few weeks there. It is time for us to stick together.

I don't think this resolution is good. If we are going to vote on it, we ought to vote on the Gregg resolution and we ought to vote on the McCain resolution. Because only together will that convey to the world, our allies, and our soldiers the real feelings and insights of this Congress. As I have said from the beginning, I don't favor any resolution. We have done what we have to do. We sent General Petraeus and we sent money to execute the policy. I don't know why we have to have a resolution at all.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CASEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CASEY. Mr. President, I rise today to voice my strong support for the motion to invoke cloture to proceed to S. 574 so the Senate can undertake a full, vigorous, and honest debate on the future course of American policy for the war in Iraq.

As we speak about and debate the war, let us never forget our troops in battle, those troops in battle on the streets in Baghdad, in Anbar Province, or other areas of Iraq. We also remember, as we debate this issue, their families and their sacrifice. Finally, today, and in all the days we debate this critically important issue to our country, we honor the sacrifice of those soldiers and marines who gave, as President Lincoln said at Gettysburg, "the last full measure of devotion to their country." We pray for them today and always, and we pray for ourselves that we may be worthy of their valor.

At this time in the Senate we are confronted with two simple questions: First, does the Senate agree with President Bush's plan to escalate our military involvement in Iraq by deploying some 21,000 more troops? Second, will the Senate vote tomorrow to allow debate to go forward?

Just those two questions confront us today and tomorrow. There will be further debate about our policy in Iraq in the weeks and months ahead, but for the next few days it is those two questions.

As I have stated before, I oppose this escalation, but I also support debating it. The grave question of war must always be—always be—the subject of vigorous debate, especially in the Senate. As a Senator from the Commonwealth of Pennsylvania, a State that has lost 150 young men and women in combat, I have a solemn obligation to speak out about the escalation.

Many of these brave Americans from Pennsylvania come from small towns such as Rockport and Connellsville and Beaver Falls, and from cities such as Bethlehem and Pittsburgh and Philadelphia. I have an obligation to speak out against those policies that only increase the likelihood that even more of Pennsylvania's sons and daughters will die or be grievously wounded on behalf of a flawed strategy.

I had hoped, like many in this Chamber, we could have moved forward with the debate on Iraq 2 weeks ago. The American people don't understand why the Senate isn't debating this war when all of America expects us to do so. Perhaps a rare Saturday vote will help this body realize the importance as this debate moves forward.

We owe it to the troops, their families, and to those who have loved and lost someone dear to them in this war to debate our Iraq policy and to clearly express our opposition to the President's escalation. The American people have clearly voiced their strong support and their desire for their elected representatives to address this issue. The elections last November turned in large part on the failure of the previous Congress to engage in adequate oversight of the administration and ask the tough questions when it came to the execution of the war. Debating is essential to good oversight.

We know that recent polls conducted across America reveal Americans consider the war as one of the two most important problems facing our Nation. An overwhelming 63 percent of respondents in a recent national poll expressed concern that the Senate had been unsuccessful to date in attempts to hold a debate on the war in Iraq. We have an obligation to act, and that begins with a full debate.

S. 574 is short but eloquent. It respects and honors our troops who are serving or who have served with distinction in Iraq, and it communicates our disapproval of the President's escalation of the war. It mandates—mandates—additional reporting requirements so there is transparency with regard to military, political, and diplomatic operations in Iraq. This resolution deserves our support because it sends the right message to the President to change course in Iraq.

In the first 5 weeks of this new Congress, as a member of the Foreign Relations Committee, I have listened carefully to more than 25 witnesses over the course of a dozen hearings, some 50 hours of testimony from generals and other military experts, diplomats and foreign policy experts, the cochairmen of the Iraq Study Group, and so many others. I have asked tough questions, and I have listened to statements and questions from my colleagues, some of whom have had decades of experience in foreign affairs and the oversight of military operations. After all these hearings, I am even more certain that this escalation is the wrong strategy.

The National Intelligence Estimate—we know it by the acronym NIE—released in January on Iraq's prospects for near-term stability paints a dire picture. The unclassified version describes a growing sectarian-based polarization, ineffective security forces with questionable loyalties, and an all-but-certain rise in communal violence in the coming months. The National Intelligence Estimate clarifies that Iraq's violence today is primarily driven by "the self-sustaining character of Iraq's internal sectarian dynamics."

Reading the key judgments of the NIE, I can only conclude that political reconciliation between the respective leaders of Iraq's varied populations is the best way and probably the only way to reduce the violence and to begin to create a stable state that is not a threat to its neighbors. Escalating military conflict by inserting additional U.S. troops in Iraq is not the answer.

As Chairman BIDEN remarked during the Foreign Relations Committee's deliberations on a related resolution, this effort is not inspired by a desire to embarrass or isolate President Bush. Rather, it is an attempt to demonstrate to the President that his approach is flawed and will not result in the outcome he seeks. The President is still searching for a military solution when, in fact, it is time for a political solution led by the Iraqis themselves. Iraqi Prime Minister Nuri al-Maliki himself declared last November, "The crisis is political, and the ones who can stop the cycle of aggravation and bloodletting of innocents are the politicians."

What we need is not just a political strategy; we need sustained and vigorous diplomatic engagement that I would argue has been lacking. The President and his senior officials have failed to make the case that the so-called new way forward in Iraq is, in fact, new or promises significant changes needed to achieve real victory. Instead, the President's escalation strategy risks repeating mistakes already made. It inserts more American troops into the crossfire of growing sectarian conflict, and it ignores the urgent need to reorient the mission of U.S. forces in Iraq toward those objectives which offer our best chance to leave behind a secure and stable Iraq.

In spite of all the rhetoric from the White House in recent weeks, I believe, and many in this Senate believe, that the President's policy is more or less more of the same: Stay the course. The United States today has approximately 137,000 troops in Iraq, growing by the day and by the week. Sending an additional 21,000 troops will not fundamentally change the current dynamic in Iraq.

The reality is that more American troops is not the answer in Iraq. General Abizaid, the outgoing U.S. Central Command commander, testified in November that the unanimous opinion of his top subordinates was that more American troops would only perpetuate the dependence of Iraqi troops and would not offer a positive solution. No matter how many troops we send, they cannot provide lasting security on the streets of Baghdad or other Iraqi cities. Only fully equipped, trained, and dedicated Iraqi military and police forces—those who do not pick and choose sides among sectarian groups—only they can provide the type of permanent security that will enable the Iraqi political and civilian life to emerge and the nation to embark on a path to reconciliation.

We heard from former Congressman Lee Hamilton during our Foreign Relations Committee hearings. He noted in his testimony before that committee that the money, time, and attention we are devoting to escalating the level of U.S. forces in Iraq must not detract from what should be a primary mission for the United States: training Iraqi security forces to enhance their capability to take the lead and allow U.S. forces to redeploy out of that country.

Congressman Hamilton and so many others have placed the primacy on the question of training. Instead, by adopting the President's strategy, I fear we are sending an additional 21,000 troops without a more focused mission and lacking a solid plan to accomplish it.

I fear we are still investing too much trust in the Maliki government, a regime that has failed to demonstrate it is acting on behalf of all Iraqis and may be focused only on one sectarian group. I fear American forces will continue to serve as a bull's-eye target for those resentful of a prolonged U.S. occupation in Iraq. In short, I fear, and many in this Senate fear, we are sending more American men and women into Iraq without a new blueprint for victory and without the essential political, diplomatic, and international groundwork required to succeed.

The President has based his troop escalation on the hope—the risky hope, I would argue—that this time the Maliki regime will carry through on its commitments and deliver the required Iraqi forces to help U.S. forces secure neighborhoods throughout Baghdad and, more important, then remain to allow reconstruction to proceed and normal life to return. Yet the record is not encouraging. In Operation Together Forward, Prime Minister Maliki had pledged six battalions, but only two were sent. Some of those Iraqi units suffered subsequent serious attrition rates. Many of those forces have been infiltrated by the very sectarian militias they are now being asked to disarm.

We are already seeing troubling signs in the initial stages of this latest escalation. The New York Times, January 22, the Washington Post, USA Today, and so many other news articles which I will not repeat here today have talked about the problems with Iraqi security forces showing up late or not showing up at all, not serious about their mission, not trained, not focused, and frankly not helping enough in terms of helping American forces. Americans are dying because of that incompetence. The fact remains that it is very difficult to rely on Iraqi forces when you have to ask them to deploy outside of their normal areas of operation and their ethnic strongholds.

I also retain real doubts when the President insists that this time, this time it will be different, that Mr. Maliki now means it when he says Iraqi forces will truly crack down on all troublemakers, whether they are Shia or Sunni. The Government of Iraq has promised repeatedly to assume a greater share of security responsibilities, disband militias, consider constitutional amendments, and enact laws to reconcile sectarian differences and improve the quality of essential services for the Iraqi people. Yet, despite those promises, little has been achieved by the Iraqis.

Moreover, I am skeptical of this escalation of U.S. troops because we have seen it before. We have seen it before, tried over and over again. Operation Together Forward in 2006 represented a similar escalation; 12,000 additional U.S. troops were introduced into the city of Baghdad, only to see U.S. and Iraqi casualties spike considerably without a sustained reduction in sectarian violence. We have seen similar efforts to "flood the zone" with additional U.S. troops in places such as Fallujah and Ramadi, only resulting in temporary gains. If more troops have not worked in the recent past, why should we have any reason to believe it will work this time?

I am concerned, as are so many others, about the dual-chain-of-command concept that is being introduced as part of this escalation. Recently, Prime Minister al-Maliki's commander in the region and the capital itself has been trying to carry out part of this strategy. At the same time, there will be a separate or parallel U.S. command headed by MG Joseph Fil, Jr. Both commanders will have ultimate control over their own national troops, but this "partnered" command could create serious complications if there are disputes between U.S. and Iraqi military forces over specific operations. A unified chain of command is one of the hallmark principles that have long governed deployment of U.S. forces abroad.

Finally, I oppose this escalation strategy because I fear it will only exacerbate the longstanding strains on our Nation's military overall. Seven years ago, President Bush declared that his predecessor was leaving office with a military in decline. He alleged that the previous administration had not adequately funded our Armed Forces while simultaneously deploying those forces in excessive engagements around the world. It is one of the most tragic ironies that this President is himself now stretching our military to a genuine breaking point, as he pursues a misguided strategy in Iraq.

The Washington Post recently published an important article documenting the impacts of this proposed troop escalation. According to the Post, the Army and Marine Corps already lack thousands of necessary vehicles, armor kits, and other equipment needed to supply the extra forces. Diverting 21,000 troops from other essential missions around the world will only further deteriorate the readiness of our overall ground forces, making it more difficult to respond quickly and decisively in the event of other military contingencies, and raise the likelihood of greater U.S. casualties.

Our Nation's military is facing a genuine crisis. The war in Iraq has exacted a heavy toll—in casualties, first and foremost, but also in terms of combat equipment that undergirds our fighting men and women. Our National Guard and Reserve troops in particular are paying a heavy price. Army data shows that the Army National Guard units today only have, on average, 40 percent of their required equipment—40 percent. National Guard combat brigades are being involuntarily mobilized, and reservists are being sent back to the command theater on a repeated basis.

Representative JOHN MURTHA, a decorated marine from my home State of Pennsylvania, painted a distressing picture of our military's readiness—or I should say lack thereof—during recent testimony before the Senate Foreign Relations Committee. As he noted:

> At the beginning of the Iraq war, 80 percent of all Army units and almost 100 percent of active combat units were rated at the highest state of readiness. Today, virtually all of our active duty combat units at home and all of our guard units are at the lowest state of readiness, primarily due to equipment shortages resulting from repeated and extended deployments in Iraq.

Chairman MURTHA then went on to cite recent House testimony from a senior Pentagon official that our country was threatened because we lacked readiness at home.

I welcome, as so many do, the President's intention to expand our military—permanently elevating the Army and Marine Corps' Active-Duty ranks over the next 5 years. But that is only a long-term solution. Our current forces are badly overextended, and an escalation in strategy in Iraq will only worsen that condition. Our Nation faces growing challenges around the world. We must ensure that our military forces receive adequate training, are fully equipped, and retain the necessary flexibility to quickly respond to contingencies wherever they may arise. Pouring more troops into Iraq does not make those requirements any easier to meet.

Just listen to the bipartisan Iraq Study Group on this matter:

> America's military capacity is stretched thin; we do not have the troops or equipment to make a substantial sustained increase in our troops presence.

The Iraq Study Group goes on to say:

> Increased deployments to Iraq would also necessarily hamper our ability to provide adequate resources for our efforts in Afghanistan or respond to crises around the world.

So says the Iraq Study Group.

For all these reasons, I am proud to stand here today in support of a bipartisan effort to send the President a message that the troop escalation in Iraq is the wrong choice for our Nation. Instead, our Iraq strategy should emphasize a new direction, encouraging Iraqi leaders to make political compromises that will foster reconciliation and strengthen the unity of the Government, laying the groundwork for an improved security situation, and redeploying our military forces in Iraq so they can focus on maintaining that nation's territorial integrity. We also must deny al-Qaida and other terrorists a safe haven, conduct counterterrorism operations, promote regional stability, and, most important, train and equip Iraqi forces to take the lead in security and combat operations. The President's escalation strategy of throwing more U.S. troops into Iraq's burgeoning civil war undercuts and detracts from each of these objectives: A campaign of escalation is incompatible with securing a new and better direction in Iraq. For those who argue that supporting this resolution only offers criticism but does not offer specific alternatives, I urge you to listen to what I and others have said in these days and what we will say in the next couple of days especially.

We have heard from the opponents about what this all means. I will not go into their opinions today. But I will say this: Every Member of this Chamber in both parties honors our troops, no matter which way we stand on escalation. We honor their sacrifices—the sacrifices they and their families make on a daily basis. But we must examine—we have an obligation to examine our national policies which we are asked to carry out and to be supportive of or in opposition to. If we disagree with the broad strategic direction in which the President is taking our Nation, it is our duty to speak out. To remain silent or passive in the face of an approach we believe is misguided and not in the national interests is an abdication of the responsibilities of our offices.

Our military forces and their loved ones have paid a heavy price for this mission in Iraq. As I have noted before, at least 150 Pennsylvanians have given their lives, with hundreds more suffering from serious and lifelong injuries. PFC Ross A. McGinnis of Knox, PA, was one of those killed in action. He was 19 years old. He died of injuries on December 4, 2006, after a grenade was thrown into his vehicle in Baghdad. Private McGinnis has been nominated by his commanders for the Medal of Honor. He was manning the gunner's hatch when a grenade was thrown into his humvee. He could have jumped out to save himself, but he threw himself on the grenade to save the lives of his crew members. We must always remember this debate we must have must not have a focus on abstract policy matters. This has real implications for our men and women in the Armed Forces. We cannot forget the lessons and the life of Private McGinnis or any of the more than 3,000 Americans who have died during this conflict. Our troops are deserving of our support and the support of all the American people.

Mr. President, I conclude with this: A troop increase will only endanger more young Americans in Iraq without any clear hope of success. For that reason, I support honest and open debate on the merits of the President's plan and an opportunity for the Senate to declare its views. I will vote to allow this important debate to proceed, and I will vote in favor of S. 574.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio is recognized.

Mr. VOINOVICH. Mr. President, I must say I am disappointed the Democratic leadership continues to preclude the Senate from debating and amending the insufficient resolution sent over from the House of Representatives. This denies the Senate from robustly debating other alternatives, including the bipartisan Warner resolution.

The strategy is to avoid controversial procedures that split the Democratic caucus regarding cutting off funding for the troops and capping the deployment of troops in Iraq. We have the same kind of split to a degree in the Republican caucus. The Warner resolution represents a negotiated agreement that reflects a bipartisan approach to the war and deserves to be debated and voted upon.

This is the second piece of legislation this week that Democratic leaders have brought to the Senate floor straight from the House with no amendments for debate allowed, and I think this is setting a dangerous precedent and frustrates the role the Constitution envisions for the Senate.

I will continue to back the minority's right to bring up amendments and participate in real debate, even if I don't agree with those ideas. I tried to support that when we were in the majority. The American people want Congress to play a role in the way this war is being handled. The first step is to demand a better plan, and we owe the people more than 10 lines in the House Resolution. You can't even begin to address a real solution to a complex situation in 10 lines.

I wish to emphasize to my colleagues that there are 15 cosponsors of the Warner resolution, 6 of whom are Republicans and 9 are Democrats. The resolution has the support of the Democratic chairman of the Foreign Relations Committee, JOSEPH BIDEN, who has been here for many years—a very wise individual. It has the support of the Democratic chairman of the Armed Services Committee, CARL LEVIN. It also has the support of the No. 2 ranking Republican on the Senate Foreign Relations Committee, Senator CHUCK HAGEL. I mention this because I wish to stress that the Warner resolution is believed to be a fair and reasonable resolution that is broadly supported by both Republicans and Democrats. I believe, if given the opportunity, that resolution will attract over 60 votes of the Senate.

That is why tonight I wish to share some of my thoughts about our current situation in Iraq. I wish to stress that had we received better, more comprehensive prewar intelligence and done our homework about what would be needed after the military offensive, we could have entered Iraq adequately prepared to win the war and secure the peace. We would have been more adequately prepared. Both the administration and Congress should have recognized that by removing Saddam Hussein from office, we would shift the balance of power within the country from Sunni to Shiite and change the contour of the region. Our intelligence errors, our lack of troop preparation, and the bungling of the initial efforts on the ground, specifically disbanding the Army and isolating former Baathists—in spite of advice from people such as GEN Jake Garner and others—is unacceptable. And today, we are paying the price for that, which means all of us have to pay a lot more attention to every decision and plan we endorse from here on out.

I cannot support the proposed troop surge. In spite of meetings at the White House, two with the President, private-session briefings as a member of the Foreign Relations Committee, and a meeting with General Petraeus for over 40 minutes, I am not convinced the additional troops who are proposed is the best means toward success in Baghdad. That is why I have decided to support the Warner resolution.

A military solution is not sufficient to win the peace in Iraq. As I will get into it, Iraq faces political problems, a power struggle, and primal hate between the fighting sects. More troops alone cannot solve these problems. That being said, I continue to have the highest praise for the generals and, more importantly, for their troops who have remained steadfast in their efforts to secure Iraq. I am grateful to those who have served and continue to serve our Nation in a time of need. I am especially indebted to those who made the ultimate sacrifice and whose families have suffered and who will grieve and those whose lives have been changed forever, as well as some 25,000 men and women who have been wounded over there, 13,000 of them not able to go back into the service.

Winning this war, securing peace in Iraq and stability in the region requires a comprehensive approach and the use of different tools, the most important of which is the will of the Iraqis. At this point, I am afraid we have focused disproportionately on the military component of this war, and we have not adequately stressed the nonmilitary arm of our strategy.

Moving forward in Iraq, we must focus on strengthening our nonmilitary or political tactics. That is why now, more than ever before, I am concerned about Iraq's willingness to bring an end to the violence. As the Warner resolution states:

> The responsibility for Iraq's internal security in halting sectarian violence must rest primarily with the government of Iraq and Iraq security forces.

I recently met with a young man from Ohio out of Bethesda who had completed three tours of duty in Iraq and who was wounded by an IED. I asked him what he did. He said: My main goal, Senator, every day was to keep my men alive and keep peace in the neighborhood.

We have to ask ourselves: How long can we continue to do this? Even if the surge is successful, how long will we have to stay before the Iraqis can handle the situation themselves? Even when I talked with General Petraeus, he did a good job in Mosul—they secured the neighborhoods—but when the Iraqis came in and they left, they lost it. How many American lives will be lost in what is best described as a civil war between Sunni and Shiite that has 1,400 years of Sunni domination over Shiite at its root? More of our Members of the Senate should read about the history of Iraq and the people who are there.

After many closed-session briefings with the National Security Council, four meetings at the White House, including two with the President, and as I mentioned, 40 minutes with General

Petraeus, and after hearing hours of witnesses testifying before the Senate Foreign Relations Committee, I can feel confident saying it is time for the Iraqi people and their leadership to stand up to the sectarian violence between Sunni and Shiite. They need to recognize that all Iraqis and the future of the Nation of Iraq is threatened by this constant bloodshed, and their future is in their hands, not our hands.

U.S. Central Commander GEN John Abizaid, who the President relied upon to lead the ground campaign in Iraq, testified to Congress on November 15:

> I met with every divisional commander, General Casey, the Corps commander and General Dempsey. We all talked together. And I said, "In your professional opinion, if we were to bring in more American troops now, does it add considerably to our ability to achieve success in Iraq?" They all said no. The reason is because we want the Iraqis to do more. It is easy for the Iraqis to rely upon us to do this work. I believe that more American forces prevent the Iraqis from doing more, from taking more responsibility for their own future.

That is General Abizaid. If we don't follow the advice of our generals and other military people I have talked to, we run the risk of helping one side at the expense of another, and the Sunnis could interpret our offensive as part of a larger effort to do the dirty work of the Shiite. And don't you think the Sunnis would not spin it that way.

The reality we face today is that an overwhelming majority of the Muslim population in Iraq, be they Shiite or Sunni, look upon us as infidels and occupiers. They do. And our presence there is exploited every day by our enemies. In fact, one poll claimed 60 percent of the people in Iraq said it is OK to kill Americans. While we cannot even begin to capture what is happening in the hearts and minds of the Iraqis with one poll, it sends a striking message about what additional troops might face there.

We have to consider the reliable information we have that suggests the surge could ignite an even more aggressive countersurge, in which every martyr—every martyr—in the country is drawn to Baghdad to defeat the infidels, as the Sunnis were drawn to Mecca on Ramadan. We could see a terrible situation there, and I don't want—I wish to make clear I am not analogizing the Sunnis going to Mecca on Ramadan. I am saying it would bring lots of people into Baghdad.

The fact of the matter is we cannot stop the sectarian violence with combat brigades and more forces alone. Implementing martial law in Iraq would be impossible because of the sheer number of Iraqi citizens and our commitments elsewhere around the globe. At this point, we wouldn't begin to have enough forces.

Mr. President, the only way to bring stability to Iraq is by addressing a number of serious political problems that lie at the root of this violence. Before the war, Iraq was united by Saddam's reign of terror, as Slobadan Milosevic kept everybody under his control or, before him, Marshal Tito in Yugoslavia. When he was removed from office, the major power struggle ensued, and it is not surprising. In fact, it should have been expected. In fact, as we later found out, many academics and intelligence officers did predict this. In the aftermath of Saddam's regime, many different sects and local leaders realized a power shift was taking place, and they wanted to come out on top. They knew the greatest source of potential power is in oil. That is why the critical component of the political solution must be to reach a decision on how the oil can be distributed to all sects and communities in Iraq. It is absolutely critical that Prime Minister Maliki moves quickly—tomorrow—to pass the legislation that guarantees that all Iraqis will benefit from oil. If he can do this, it will show the sects how the power in Iraq will be dispersed in the future.

Recently, I met with the Foreign Minister, Deputy Prime Minister of Turkey. The Foreign Minister agreed that the oil situation is the most important issue today and the one that will have profound impact on the long-term stability of Iraq. This must be a component of the overall national reconciliation plan to unite Iraqis and give them confidence in their Government.

A second key political priority must be the reintegration of the Sunni Baathists into society. When we went into Iraq, we cut the Baathists out of the military and security forces. The result of the policy was they had nowhere to go. They were frightened about their futures. They could not feed their families. They were angry. They were resentful. So they went to the streets. Before long, they became part of the problem, joining with militias and other fighters to resist the Shia government. So a major political priority must be to develop a plan to reintegrate the former Baathists and it needs to happen now. It is essential that the Iraqi Government work toward provincial elections so there is more equal representation of the different sects.

The third vital component of our nonmilitary strategy must be greater regional diplomacy. We must work to encourage Iraq's neighbors to get involved in containing the violence. Specifically, these neighboring countries have the ability to put pressure on the different sects and local leaders to help unite the Iraqi Government. They have the ability to pass debt relief, participate in border control, and help avoid a potential refugee problem. I don't think people realize that there have been over 3.5 million refugees who have come out of Iraq.

In December 2006, the bipartisan Iraq Study Group issued their recommendations for a successful United States strategy in Iraq. A core component of their proposal was that the United States act immediately to undertake a "diplomatic offensive" consisting of "new and enhanced diplomatic and political efforts in Iraq and the region." The recommendation called on the administration to engage the international community, the Arab League, traditional United States allies in the Middle East, and all Iraq's bordering neighbors in order to address regional conflicts and jointly bring stability to Iraq. They advised the administration to work quickly to convene a regional conference—it has not happened—which would complement the Iraq Compact undertaken by the United Nations. We need to embrace the study group's recommendations on this issue and act now to increase diplomatic engagement with the international community.

Without a broad political strategy, our military objectives, no matter what the tactic, will be pursued in vain. These political elements must be the focus of our plan in Iraq. And that said, I agree there is a military component here, as well. I want to be very clear that I do not support a military withdrawal from Iraq nor do I support disengagement from the Middle East.

As we debate this issue, we must consider our broader national security interests in the Middle East. We are only focusing on Iraq. We have to start thinking about the whole greater Middle East area. Despite one's views about the current situation in Iraq, it is in our country's vital security interest to pursue a strategy of diplomacy and military action in the region. To put it simply, the stakes are too high for us to sit on the sidelines. We must remain active players in the Middle East to maintain regional stability, to protect vital energy supplies, and to guarantee peace and security at home.

We have had long-standing economic and military interests in the Middle East and we were involved in the region long before we decided to challenge Saddam Hussein for his defiance of the U.N. Security Council. But today, with conflicts brewing in Iraq, Iran, Lebanon, between Israel and the Palestinian territories, it is even more critical we remain steadfast in our commitment. Despite what one might believe about the President's strategy in Iraq, we cannot confuse debate over tactics with the nonnegotiable need to remain engaged in the Middle East.

Currently, the greatest threat to the stability in the Middle East is the possibility of failure in Iraq which threatens to destabilize the region and poses a critical national security risk to the United States. A premature withdrawal from Iraq will signify in essence that we are abandoning the region in its entirety. Our departure could greatly damage, if not sever, relationships with key allies, resulting in dire political and social consequences throughout the world.

The long-term security interests of the United States will be best served by a peaceful Iraq that can sustain, govern, and defend itself. That is why we must figure a way forward and why we cannot withdraw from Iraq.

The National Intelligence Estimate which was just released underscores the danger of withdrawal, stating succinctly:

> If coalition forces were withdrawn rapidly during the term of this estimate, we judge that this almost certainly would lead to significant increase in the scale and scope of sectarian conflict in Iraq, intensify Sunni resistance to the Iraq government, and have adverse consequences for national reconciliation.

They conclude that the immediate withdrawal of United States troops likely would lead the Iraq security forces to unravel, encourage neighboring countries to engage openly in the conflict, and lead to massive civilian casualties and population displacement. It is also very likely, were the United States to pull out of Iraq prematurely, al-Qaida would use Iraq as a training ground to plan future attacks, and this escalation of violence could ultimately prompt Turkey to launch a military incursion of its own. These are outcomes we cannot afford to risk.

I will refer to a few of the experts whom I have met or who have testified before the Senate Foreign Relations Committee in recent weeks.

Former Secretary of State Henry Kissinger testified that "withdrawal is not an option" and continued that:

> An abrupt American departure would greatly complicate efforts to stem the terrorist tide far beyond Iraq: Fragile governments from Lebanon to the Persian Gulf would be tempted into preemptive concessions. It might drive the sectarian conflict in Iraq to genocidal dimensions, beyond levels that impelled U.S. interventions in the Balkans.

Think of that. It might drive sectarian conflict in Iraq to genocidal dimensions beyond levels that impelled United States intervention in the Balkans.

The new Ambassador from Jordan sat next to me at the prayer breakfast, and we started talking about Iraq and the Middle East. He told me that if you do not handle this right, we could see a schism between the Sunni and Shiite that extends from Malaysia to Indonesia.

Another reason I back the Warner resolution is it does not in any way threaten to reduce or jeopardize critical funding for United States troops serving in Iraq. In fact, the resolution states explicitly:

> Congress should not take any action that will endanger the United States military forces in the field, including the elimination or reduction of funds for troops in the field, as such an action with respect to funding will undermine their safety or their effectiveness in pursuing their assigned missions.

A decision to cut funding would be a serious, irreversible mistake.

Last month, this Senate confirmed General Petraeus as the commanding general of the multinational force in Iraq without a dissenting vote. He is carrying out the orders of the President. It is critical that General Petraeus get the resources and equipment he believes are necessary to complete the mission and keep his forces safe in the field. I spoke to General Petraeus and I told him to make sure to ask for what he needs to be successful. He is concerned about receiving the equipment and other nonmilitary resources he will need to be successful, such as contributions of the State Department and other agencies. We cannot send our forces into the field without the necessary equipment. We did this at the beginning of the war. Our soldiers were underequipped. It was despicable. It cannot happen again. We have the resources in this country to ensure that our men and women have everything they need in combat.

We also must provide the funding to reset the equipment when it comes home and to keep the Armed Forces from breaking under the strain of the war. We must ensure that soldiers have the proper training before they leave and we must fund the mobilization centers and other military facilities at home so we can undergo the necessary training.

In my State of Ohio, I met this week with the head of the Ohio National Guard who is now being told he is going to have to train the troops in Ohio because they do not want to send them someplace else because they want them trained fast so they can get them to Iraq and Afghanistan. The fact is, he said:

> I don't have the additional funds or equipment to do this.

We have lost 150 Ohioans, 150 in Iraq. In terms of the States, we are probably two or three in the United States in the number of members lost. We lost two because humvees rolled over and they were not trained to drive those humvees. Now they are much heavier than they were before.

The Warner resolution makes it clear that we must guarantee the troops what they need when they need it. And the Gregg amendment underscores the point further. The best exit strategy for United States troops is a multifaceted and comprehensive strategy focused on creating an Iraq for the Iraqis. We must focus on training the Iraqi security forces so the Iraqis can defend and protect themselves. The Iraqi people must understand they will be given the full responsibility of defending and rebuilding their country. We must remove any ambiguity in the minds of Iraqis about our intention and desire to lead and make it clear we do not want to be there. In fact, they need to understand we want to bring our troops home and we want to help them develop the political and military tools necessary to carry on this mission without us.

Bringing stability to Iraq will require our best minds, our resources, and our bipartisan cooperation. We need a massive improvement in interagency coordination, better communication, better reporting to Congress, and the help of our allies and friends throughout the region.

This is my responsibility as a Member of Congress, to exercise oversight and to contribute to our national security. That is why I support the bipartisan Warner resolution. Again, I am confident that given the opportunity, over 60 Members of this Senate will support it.

Last but not least, all of us who represent the people of this country should get down on our knees and ask the Holy Spirit to enlighten the President and us in our decisionmaking because the impact of Iraq will not only affect Iraq, the Middle East, and world peace, but it will impact dramatically the national security of the United States of America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON of Florida. Mr. President, from the gravity of the terms with which the senior Senator from Ohio has spoken, I know the Senator speaks from his heart. This Senator certainly concurs it is of the utmost importance of the interests of the United States that we are successful in Iraq because of the threat to the security interests to our country in that region of the world.

If someone will look at a map, we have the Persian Gulf, and on the eastern portion of the Persian Gulf is the Strait of Hormuz, which is only 19 miles wide, through which most of the super oil tankers of the world have to flow out of the Persian Gulf, or if you are from an Arab country, the Arabian Gulf into the great oceans of the world to an oil-thirsty world. That is clearly one interest.

Another interest is clearly the fact that Iran wants to build a nuclear weapon. What an enormously destabilizing situation that would be to put in a rogue nation's hands that is not unaccustomed to peddling things to itchy fingers that like to exact mischief on the rest of the world. You put a nuclear weapon in those itchy fingers, and we have a whole new kind of threat to the stability of the civilized world.

But there are other reasons—the reasons of countries that have been in enormous strife, countries that have been very favorable to the United States, as the country of Jordan and all of the internal turmoil they have. I could go on and on, but there are so many reasons why it is very necessary that the United States have success in that part of the world.

But what we are coming down to is a momentous decision tomorrow, at 1:45 p.m., on whether we are going to continue a policy of this administration of stay-the-course or whether we are going to change that course. This Senator believes we should change that course and that the President's decision to put additional troops into Baghdad is not changing the course, it is more of the course. It is putting more American lives into a sectarian violence caldron where the temperature is so high that we see the reports every day of more and more killings.

Now, this violence did not just start. This violence started 1,327 years ago, when, after the death of Mohammed, the prophet, there was a power play, and his grandson was eliminated as one of the natural heirs to the Prophet Mohammed, and the power was controlled within the clerics who had succeeded Mohammed. It was in that grandson's clan that they then started a resistance born out of revenge, and that then started the separation of the Shiites from what are today the Sunnis. And that has happened for 1,327 years. In the midst of that full-scale civil warfare, this Senator does not believe it is in the interest of our country to put in an additional 17,500 American lives. This Senator believes we ought to force the Iraqis to stop killing each other and to start working out their differences.

Now, at the same time, as recommended by the Iraq study commission, it is clearly important that we have a vigorous international diplomatic initiative to engage all the countries in the region to help bear upon Iraq and that sectarian warfare to get them to try to come to their senses, to try to start striking peace instead of warfare, because all of the countries in the region clearly understand that is in their interest. You take a country such as Saudi Arabia. One of the worst things in the world would be if Iraq was just completely enveloped in chaos; the same with Jordan—two of our friends in the region.

It is in the interests of the United States to conduct this diplomatic initiative in a way that it has not been done in the last 4 years: engaging people whom we have refused to engage, listening and learning in the process, instead of always imposing or giving the perception of imposing ourselves on everybody else, and at the same time letting the forces that are there stabilize instead of putting more American lives at risk.

So we come to a momentous decision that will come tomorrow afternoon: Do we keep the same course or do we start changing the course with new and fresh ideas, with ideas that have clearly been laid out in the Iraq study commission? It is the conclusion of this Senator that we ought to send a very strong message to the White House that the time for changing the stay-the-course policy is now.

TRIBUTE TO DAN SHAPIRO

Mr. President, I want to make note, in the presence of my longtime, very faithful staff member, Dan Shapiro, who has served me so ably for over 6 years as legislative director, that the needs of providing for his little family have called upon him to leave the public sector, where he has been engaged for years, to enter into the private sector. I want to say on behalf of the people of Florida and the people of the Nelson office that we are grateful for his public service.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. WHITEHOUSE. Thank you, Mr. President.

Mr. President, I rise today to speak on behalf of thousands of Rhode Islanders who have talked with me about the need for a new direction in Iraq and the need to bring our troops home.

I speak on behalf of the veterans' families who traveled here to Washington to speak to me about their memories of war and the need for this one to end.

I speak on behalf of the brave men and women serving in Iraq who have sacrificed so much and whose families anxiously await their return.

I speak on behalf of mothers I met who felt they had to buy body armor for their sons and daughters headed for Iraq because they could not trust this administration to provide what was needed.

The Senate may have been muzzled in recent days, but Rhode Islanders certainly have not been. More than 2,000 of them have reached out to my office in frustration, in anger, and in concern—and in the hope that this new Democratic Senate will listen to them and hear them, as this administration will not.

I want to share some of what they have written me:

> I was at Michael Weidemann's funeral.

Mr. President, Michael was a 23-year-old Army sergeant from Newport, killed in an IED blast in Anbar Province last November.

The letter continues:

> Please, if nothing else, take care of things, so that we do not have to go through what we went through at that funeral. Michael and my son . . . were in the JROTC together. . . . He is on his second tour of Iraq. Please, don't make yesterday a dress rehearsal for me. I want my son to come home, safely.

From Johnston, Rhode Island:

> My son . . . is presently serving in Iraq and on his second tour of duty there. . . . The President's plan ignores the American people who voted for change in November, and who continue to demand we bring our troops home. . . . The people made their voice heard, and if the President isn't going to listen, the Democratic Congress will. The President's policies have failed!

From Portsmouth, Rhode Island:

> President Bush has ignored the advice of experience, lied to us all, lacked any plan and seems to be expecting his successor to solve the problems. It is our only hope that you, as a member of Congress, can work toward bringing our troops home soon.

From Kingston:

> I am appalled at the loss of life—today it was reported 20 more service people were killed. The Kurds are deserting rather than fight in Baghdad. . . . We are not just losing people, we are losing big money. We have seven grandchildren. What kind of debt are we placing on those future generations?

From Warwick:

> We never should have begun this war, let's now have the sense to end it, not prolong it. Please do whatever you can to stop the president's initiative to increase our military presence in Iraq. . . . , to spend even more money waging a war that your constituents have indicated they no longer support.

From North Kingstown:

> We are looking to you to do whatever is in your power to stop the U.S. escalation of troops in Iraq. I and many in our nation feel this will only make a bad situation worse, widen what is essentially a civil war and lead to further casualties and costs without contributing towards a political solution. . . . We are counting on you and your colleagues on both sides of the aisle to stand up and be counted and forge a bipartisan solution to end this war.

And finally, a woman from Cumberland forwarded me a message she sent to President Bush:

> My nephew . . . is in the 82nd Airborne serving our country in Iraq. He is the bravest person I have ever known, along with all the other men and women serving this country. I am proud to be an American! Please, please, on behalf of my family and the families of all U.S. troops—bring them home now!

Mr. President, these voices will not be unfamiliar to anyone in this body. In every State, we have heard similar voices. You have heard them in Colorado, Mr. President. My friend, Senator SANDERS, has heard them in Vermont. People all across America are speaking to all of us, and it is time for us to listen and to show that we have heard and to start to bring our soldiers home.

The President has not heard these voices. He wants to send tens of thousands more troops to Iraq. He calls this a surge. We consider it a grave mistake.

Tomorrow, our vote can stop the parliamentary maneuvers that have stalled us, and this great deliberative body can begin to debate the most pressing question of this day.

Let's talk for a moment about that question. The other side wishes to debate every question, any question—any question but the escalation by this President of our troops in Iraq by over 21,000 men and women. But this question we want to debate is not a question selected by Democrats for political reasons. It is possible here to choose self-serving questions and to force a debate on those questions just to make a political point. But we have not done that.

This question, whether to escalate the war in Iraq, is not an invention of the Democratic Party. It is not an invention of the Senate. It is President Bush, who proposed to send tens of thousands more troops into harm's way and to escalate this conflict, who has presented this question. This question is what was presented to us by President George W. Bush, and by him alone, and it is the pressing question of today.

For weeks, we on this side of the aisle have emphasized and reemphasized our strong commitment to having a real debate—a debate to a vote—to telling the American people where we stand and to casting our votes on the precise question the President of the United States has presented to America. But we have been impeded, obstructed, maneuvered away from this critical question.

The other side argues that to dispute this President's judgment is to fail to support the troops—even though that judgment has failed the troops and has failed our country and has left us with few good options.

But that is a false choice, Mr. President. And this hour demands better of this institution.

There are ways to accomplish the change America demands, and that reason and good conscience dictate. For instance, I believe that rather than send a single additional American soldier into the sands and marshes of Iraq, this President can announce clearly and unequivocally that our troops will be redeployed from Iraq and will soon come home.

The most powerful motivating force at our country's disposal today is the prospect of our redeployment out of Iraq. Let me repeat that. The most powerful motivating force at our country's disposal today is the prospect of redeployment out of Iraq. Using this power wisely, deftly, and thoughtfully would accomplish three critical objectives that, as I have said, would make great strides toward security in Iraq and stability in the region.

First, a clear statement of our intent to redeploy our troops from Iraq would eliminate the sense there that we are an Army of occupation. This in turn would quiet the nationalist sentiment of the Iraqi people, now aroused against us. Many Iraqis are now so opposed to our presence they think killing American soldiers is acceptable.

Second, without America's intervening presence, the world community would have to face directly the consequences of the situation in Iraq. The prospect of our departure would compel the world to take a more active role to work together with America to bring peace and stability to the region. We cannot continue as we are now, in every meaningful way completely alone.

Third, Iraq's neighbors will be obliged to assume greater responsibility for averting the risk of a Sunni-Shiite conflict igniting in Iraq and spreading beyond Iraq's borders. Without us in Iraq as a police force for a civil war, neighboring nations will have an enlivened incentive to avert a wider war.

Finally, the Bush administration's preoccupation with Iraq leaves us weakened in our capability to address other obligations around the world, from the changing situation in North Korea, to the ongoing battle for Afghanistan, to the serious threat posed by Iran's nuclear program.

Mr. President, these are serious matters, and they deserve the serious and sustained attention of the Senate. I hope tomorrow's vote will allow us to bring this question that attention.

Mr. President, I will support that vote tomorrow. I ask other Senators, who hear our fellow Americans' genuine and sincere concern about our national interest, will do the same.

I will support not only the resolution disapproving of the President's escalation plan and supporting our troops, but also other, stronger measures that will follow, and that will continue to put pressure on this administration to finally bring our troops home.

Thank you, Mr. President. I yield the floor.

I yield the floor.

The PRESIDING OFFICER (Mr. CASEY). The Senator from Vermont is recognized.

IRAN

Mr. SANDERS. Mr. President, before I begin discussing the war in Iraq, I wish to say a few words about another issue that is perhaps even more important and that is the constitutional issues at the very heart of this entire debate.

Let me be very frank: I am not a great fan of the Bush administration. And of the many grave concerns I have about President Bush and his actions, at the top of that list is that the President seems not to understand what the Constitution of the United States is all about. Whether it is the consistent attack on our constitutional rights which his administration has pursued for a number of years or his "signing statements" which attempt to circumvent legislation passed by Congress, the President appears to believe he can do whatever he wants, whenever he wants to. That, in my view, is not what the United States of America is all about, and it is not what our Constitution provides for.

In that regard, I wish to inform my colleagues in the Senate that I have submitted a resolution, similar to one introduced by Congressman DEFAZIO in the House, that makes it very clear the President does not have the constitutional authority to start a war against Iran without the express authority of the Congress. There are many people in my State of Vermont—and there are people all over this country—who are deeply worried that the President may take us into a war in Iran and that he is currently laying the groundwork for that war in exactly the same way he led us into the war in Iraq.

So let me be very clear: If President Bush were to start a war in Iran without receiving the authority to do so from Congress, he would not only be creating, in my view, an international disaster, he would also be creating a major constitutional crisis. I hope very much he does not do that.

President Bush fails to understand the power to declare war under the Constitution is given to the Congress, not the President. My resolution, S. Con. Res. 13, is very simple. It states clearly that it is "the sense of Congress that the President should not initiate military action against Iran without first obtaining authorization from Congress." I hope my colleagues will give strong support to this resolution.

IRAQ

Mr. SANDERS. Mr. President, in my State of Vermont and all across this Nation, the American people are increasingly concerned about the war in Iraq. As others have stated more eloquently than I, the American people want real debate in Washington, in the Senate, on this issue that is worrying people all across our Nation. More importantly, not only do they want debate, they want action, and they want action now.

Frankly, I have a hard time understanding why some of my colleagues would try, through parliamentary maneuvers, to prevent a vote on what is at best a very modest proposal. This issue is not complicated in terms of what will be taking place tomorrow on this floor. It seems to me that if you support President Bush's escalation of the war in Iraq—and there are many who do—then vote against the resolution. That is your right. On the other hand, if you don't believe that an escalation of this war is a sensible idea—and I certainly do not—then vote for the Reid resolution. But at the very least, there should be a vote. Let the American people know how we stand.

Let me be clear in giving you my perspective on this war: In my view, President Bush's war in Iraq has been a disaster. It is a war we were misled into and a war many of us believe we never should have gotten into in the first place, a war I voted against as a Member of the House. This is a war the administration was unprepared to fight. The administration has shown little understanding of the enemy or the historical context in which we found ourselves.

Who will ever forget President Bush declaring "mission accomplished" aboard the aircraft carrier Abraham Lincoln when, in fact, the mission had barely begun. Who will forget Vice President CHENEY telling us that the insurgency was "in its last throes" just before some of the bloodiest months of the war. Who will forget those Bush advisors who predicted the war would be a cakewalk, nothing to worry about, and that we would be greeted in Iraq as liberators.

This war in Iraq has come at a very high price in so many ways. This is a war that has cost us terribly in American blood. As of today, we have lost over 3,100 brave American soldiers. In my own small State of Vermont, we have lost 25. Twenty-three thousand more Americans have been wounded, and tens of thousands will be coming home with posttraumatic stress disorder which will impact their lives forever. This is a war which, with the President's proposed increase in funding, will cost us some $500 billion, with the price tag going up by $8 billion every month. This cost is going to add to the huge national debt we are leaving to our children and our grandchildren and it is going to make it that much more difficult for us to fund health care, education, environmental protection, affordable housing, childcare, and the pressing needs of the middle class and working families of our country which have been so long neglected. Yes, for more military spending; no, for the needs of ordinary Americans who are struggling so hard to keep their heads above water.

This increased expense for the war will make it that much harder for us to fund the needs of our veterans whose numbers are increasing as a result of this war. This is a war which has caused unimaginable horror for the people of Iraq. People who suffered so long under the brutality of the Saddam Hussein dictatorship are suffering even more today. There are estimates that hundreds of thousands of Iraqis have been killed or wounded and almost 2 million have been forced to flee their own country, some 8 percent of their entire population. While civil war tears neighborhoods apart, children are without schools, people are without electricity, health care, and other basic necessities of life. The doctors and nurses, teachers and administrators who have provided the professional infrastructure for the people of Iraq are now long gone.

This is a war which has lowered our standing in the international community to an all-time low in our lifetimes, with leaders in democratic countries hesitant to work with us because of the lack of respect their citizens have for our President. Long-time friends and allies are simply wondering: What is going on in the United States of America, that great country? This is a war which has stretched both our Active-Duty military to the breaking point as well as our National Guard and Reserve forces.

Morale in the military is low, and this war will have a lasting impact on the future recruitment, retention, and readiness of our Nation's Armed Forces.

This is a war which has, in many respects, lowered our capability to effectively fight the very serious threats of international terrorism and Islamic extremism. Five years after the horrific attacks of 9/11, Osama bin Laden remains free. Using the presence of U.S. troops in Iraq as their rallying cry, al-Qaida's strength around the world continues to grow. And currently the situation in Afghanistan is becoming more and more difficult.

Tragically, this administration has refused to listen to the American people who, in this last election, made it very clear they want a new direction in Iraq and they want this war wound down. This administration has refused to listen to the thoughtful suggestions of the bipartisan Iraq Study Group, which included two former Secretaries of State, including President Bush's own father's Secretary of State, as well as a former Presidential Chief Of Staff and a former Secretary of Defense, that it was time for a change of direction. The President didn't listen to them. This administration has refused to listen to the advice of our military leaders in Iraq who told us increasing troops from the United States would make it easier for the Iraqi Government and military to avoid their political and military responsibilities. The more troops that come in, the easier it is for the Iraqi Government to avoid making the political compromises and the tough choices they have to make.

This administration has refused to listen to the Iraqi people, who, according to a number of polls, tell us very strongly that they believe in the midst of all of the chaos and horror taking place in Iraq today, the Iraqi people say they would be safer and more secure if our troops left their country. In fact, this administration has tragically refused to listen to anybody, except that same shrinking inner circle, led by Vice President CHENEY, who has been consistently wrong from day one. Those are the people the President continues to listen to.

As most everybody understands, and as the recent National Intelligence Estimate has recently confirmed, the situation in Iraq today is extremely dire. The sad truth is that now there are no good options before us; there are simply less bad options. In Iraq today, according to Secretary of Defense Bob Gates, there are now at least four separate wars being fought—four separate wars that our soldiers, who have fought with incredible bravery and skill, now find themselves in the middle of.

Let me quote Secretary Gates, who has recently stated:

> I believe there are essentially four wars going on in Iraq: One is Shia on Shia, principally in the south; second is sectarian conflict, principally in Baghdad, but not solely; third is the insurgency; and fourth is al-Qaida.

The reality today, as described by the Secretary of Defense, has nothing to do with why President Bush got us into this war in the first place. In March of 2002, he told us Iraq had weapons of mass destruction and that they were poised to use them against us. That was not true and certainly has no relevance to the war today. In 2002, he told us Iraq was somehow linked to al-Qaida and had some responsibility for the 9/11 attack against our country. That also turned out not to be true and certainly has no relevance today to the situation in which we find ourselves.

In the 2006 elections, the American people, in a loud and unmistakable voice, told us they no longer had confidence in the Bush administration's handling of the war in Iraq. In my view, they told us they wanted Congress to begin asserting its constitutional authority over this war and that they wanted us to rein in this administration. Most importantly, they told us they wanted us to begin the process of bringing our troops home as soon as possible. And as a Vermont Senator, that is exactly the effort I intend to make.

In my view, the Reid resolution before us is but a small first step at moving us forward. If it is passed—and I hope it will be—it must be followed with much stronger legislation that has real teeth in it. That is what the American people want. I have cosponsored legislation, introduced by Senator KENNEDY, that would prohibit the use of funds for an escalation of U.S. military forces without a specific, new authorization from the Congress—a prohibition also included in the legislation introduced by Senator OBAMA, whose bill I also support.

Instead of just voicing our disapproval of President Bush's escalation of the war in a nonbinding manner, we should now be considering legislation that provides for the safe and orderly redeployment of virtually all of our troops out of Iraq within the next year, even as we continue to give support to the Iraq Government and their military for the purpose of helping them accept their political and military responsibilities. That is the legislation we should be passing.

Senator FEINGOLD has introduced legislation requiring that our troops be redeployed from Iraq within 6 months of passage of the bill. Senator OBAMA has introduced similar legislation requiring that our troops be redeployed starting this May.

In my view, while I will vote for the Reid resolution tomorrow, and while I think it is terribly important that we bring together a bipartisan effort to tell the President this escalation is wrong, the bottom line is we must go forward well beyond that, and we must do that in the near future. We must exercise the constitutional responsibility we have over the power of the purse.

We are mired in a war that has now gone on longer than any American involvement—longer than American involvement in either the First World War or the Second World War. We will spend more money on this war in real dollars than we spent on either the Korean war or the Vietnam war. Our standing in the international community has declined and our ability to combat international terrorism has been seriously compromised.

It is time to say no to this ill-conceived escalation. It is time to deploy our troops out of harm's way. It is time to end this war and to bring our troops home as soon as we possibly can.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DURBIN. Mr. President, I thank my colleagues. I have listened carefully to the remarks of the Senator from Vermont, Mr. SANDERS. I know of his passion and his knowledge on the subject. That was demonstrated by his words this evening. He speaks from the heart on many issues. I know he spoke from his heart this evening about this war in Iraq. Before him, Senator WHITEHOUSE, a new colleague from Rhode Island, read letters he received from constituents asking the same questions we are hearing across Illinois and across the country—questions about why we are in this war and how we will start to bring our troops home.

Today, in the House of Representatives, in a historic vote, by a margin of 246 to 182, the House of Representatives made it clear they do not approve of President Bush's new policy to escalate this war in Iraq.

I think you have to step back for a moment and reflect on what happened today. Four years into a war—which Senator SANDERS has reminded us has lasted longer than World War I or II—we are now engaged in the first meaningful debate about the course of that war since the invasion; and 3,132 American soldiers have died, thousands have been injured, billions have been spent, and for years the Congress, in the thrall of another party, didn't have a hearing, didn't have a debate, and didn't question the policy of this war.

It is no surprise that the American people reached the limit of their tolerance and, in the last election, made it clear they want a change—not just a change in Congress but a change in the policy when it came to this war in Iraq. I was heartened after the election, particularly when President Bush asked for the resignation of Secretary of Defense Rumsfeld. I thought that finally we were going to see a breakaway from this so-called neocon theory that dragged us into this terrible conflict. Unfortunately, what I hoped for wasn't realized. Even though I think Robert Gates, the successor of Rumsfeld, is a good man and will be a good Secretary of Defense, when it came time for the President to talk about the policies of the war and what we would do, he dug the hole deeper.

I am not a military strategist and don't profess to be. There are people in our caucus with military experience who can speak to a wise strategy and an unwise strategy. I am not necessarily one of those, nor do I profess to be. But I have been to Iraq twice—first, in the early stage, when we visited the Green Zone in Baghdad and it was so dangerous that we could not even stay overnight. In October, we were allowed to stay the night and visit with troops in the field and talk to some of the people who were working in Iraq. I will share some of those recollections in a moment.

First, let me tell you that my highest priority was to sit across the table from our soldiers, to break bread with them and talk about home and try to take their minds away from the danger of their daily lives. These men and women are the best. These are the best and bravest among us. They are volunteers to a person. They have enlisted in the services and they risk their lives every single day.

Unfortunately, many want to drag this debate into a referendum about whether we respect, admire, and honor these troops. Any honest person would tell you that you should concede the obvious: We all respect, admire, and honor these troops. Many of us believe the best way to honor them is to start bringing them safely home. When I think about what they have faced, and continue to face, and I think about these young men and women getting into these humvees or walking the streets of Baghdad and other cities, risking their lives every day, I want this to end and end soon.

What those on the other side argue is the opposite. They argue that the President is right, that sending more troops into harm's way is the best way to end the war. I could not disagree more. But the point of that disagreement is the reason the debate is necessary. It happened in the House. It should happen in the Senate.

Tomorrow, we will have a chance, at 1:45 p.m. eastern time, to vote as to whether we will have a real debate on this war in Iraq. I am not hopeful. We need the cooperation of Republican Senators to even debate the issue. Many have already announced they are opposed to this debate; they don't want it to occur. I think they are wrong. I think they are walking away from our basic responsibility as Members of the Senate.

I think those who want an escalation of the war need to answer some fundamental questions. I think they should answer the question: How many troops will be involved here? Will it be 21,000, as the President says or, as the CBO tells us, a number much larger than 21,000, which represents combat troops; they may need an equal or larger number to support those combat troops, endangering the lives of 40,000 more soldiers, not 20,000.

Outgoing Army Chief of Staff Peter Schoomaker said yesterday that an increase of 17,500 Army combat troops in Iraq represents, in his words, "only the tip of the iceberg." It worries me that this is the beginning of a spiraling escalation, endangering even more troops.

Army officials have also stated that virtually all of the U.S.-based Army combat brigades are not prepared to be deployed. The Army is scrambling to find the gear and personnel for units that are being sent to Iraq and Afghanistan, pulling both people and equipment out of other units, scavenging for pieces of equipment that are necessary, to get them ready in some fashion for battle. General Schoomaker testified before the Senate Armed Services Committee that—pay special attention to this—"I am not satisfied with the readiness of our nondeployed forces."

We ask a lot of our men and women in uniform. We ask for their commitment to our country. We ask them to be trained and to be brave. But we should never ask them to go into battle without the equipment they need in order to come home safely.

What this general says, the outgoing Army Chief of Staff, is that that is exactly what is going to happen with this escalation. Men and women will be sent into dangerous situations without the protection they need.

On January 25, the Department of Defense inspector general released a summary report that stated that American forces in Iraq and Afghanistan experienced "shortages of force-protection equipment, such as uparmored vehicles, electronic countermeasure devices, crew-served weapons, and communications equipment." January 25, just a few days ago.

The report went on to say:

> As a result, servicemembers were not always equipped to effectively complete their missions.

We have a special responsibility—those who make the policy in this town and those who vote for it—to keep our promise to these soldiers and their families that we will give them the training and equipment they need so they can perform their missions effectively.

The same report I referred to stated that when servicemembers were asked to perform tasks outside their usual duties, they often did not receive the equipment necessary to perform their wartime mission.

These were tasks such as training Iraqi forces, one of our most important missions, or disposing of explosives, a highly dangerous undertaking.

Today's Washington Post states that approximately 40 percent of Army and Marine Corps equipment is now in Iraq or Afghanistan or undergoing repair or maintenance.

It is inexcusable that 4 years and almost $400 billion into this war, we should be sending our troops into action without the equipment they need. Those who support the escalation and say they are supporting the troops need to be asked, and answer, the basic question: How can you support a soldier if you don't give them the equipment they need to be safe, perform their mission, and come home?

Army Deputy Chief of Staff of Force Development, LTG Stephen Speakes, recently said the Army would need 1,500 up-armored trucks for the new forces that were being sent to Iraq. But he went on to say:

> We don't have the [armor] kits, and we don't have the trucks.

He said it will take the Army months, probably until the summer, to supply and outfit additional trucks. In the meantime, units are sharing vehicles, many of which are not properly protected so that these soldiers will be safe.

The Washington Post interviewed commanders in Iraq about the equipment situation. These commanders doubted that the new units would receive the full complement of humvees that they need.

One senior Army official was quoted as saying shortfalls would be inevitable "unless five brigades of uparmored humvees fall out of the sky." This official predicted some units would have to rely more heavily on Bradley fighting vehicles and tanks.

The good news is that these vehicles are very highly armored, but they may not be the best vehicles for the mission.

Our troops are the best. Shouldn't their equipment be the best? If you believe that an escalation of this war and more soldiers thrown into the crossfire of the civil war is in the best interest of America, shouldn't those same Senators step forward and demand that these soldiers be given the equipment they need?

These equipment shortfalls are more acute on the battlefield, of course, but they are echoed throughout our military, including the Guard and Reserve. I recently met with Lieutenant General Blum, Chief of the National Guard Bureau at the Pentagon. He reports that National Guard equipment readiness levels are at 34 percent. Guard units have about one-third of the equipment they need to be ready for battle. That is 34 percent of the equipment they need for missions at home and abroad. That is another direct cost of the war in Iraq.

I asked the general what the Pentagon's plans were to address this situation. He said there was a 5-year budget plan to bring the Guard up to a readiness level of 60 percent, which incidentally is below the level of readiness when this war began.

In the world we live in, 60 percent is not good enough if it is your son, your daughter, your brother, your sister, your husband, or your wife. It will cost another $40 billion to bring the Guard up to the readiness level that we really need. I think that is an investment we ought to make.

That is one of the real costs of this war—to make sure our troops, our Guard, have the equipment they need. These issues demand our attention, our debate, and our vote.

Tomorrow, if the Republicans refuse to cross the aisle to cooperate, to start this debate, these questions will not be addressed as part of this debate over the escalation of this war. That is not fair to these soldiers. That is not fair to their families. It certainly is not fair to the States and the people we represent.

We should have an up-or-down vote, a basic exercise of Congress's responsibility. We have offered to the Republicans an opportunity to vote not only on the measure that passed the House today but on an alternative offered by Senator MCCAIN, who is asking we increase the troops who will be involved.

I have read many things about this war. Some of them I think are extremely insightful; some of them are troubling. Yesterday in the Washington Post, there was an article which laid out what was expected to happen in Iraq and never occurred.

When GEN Tommy Franks and his top officers got together in August 2002 to review the invasion plan for Iraq, they reflected on what would likely occur. By their estimate today, we would have 5,000 American soldiers left in that theater. Instead, we have over 130,000 and a President wanting to increase that number by 20,000 or 40,000 more. It shows that the planning and vision of the people who scheduled this invasion was seriously flawed.

I joined 22 others on the floor of the Senate voting against the authorization for this war. I felt at the time that the American people had been deceived—deceived about weapons of mass destruction that did not exist, deceived about connections with al-Qaida terrorists and 9/11, which did not exist, deceived about nuclear weapons and mushroom clouds when there was no threat.

That deception that occurred in the fear and panic that still followed 9/11 led many of my colleagues to vote for this war. I was not one of them. But then came the time when I was challenged, and others, as to whether we would vote for the money to wage the war. I stopped and reflected and said if my son or my daughter was in uniform, I would want them to have everything they need to come home safely, even if I think this policy is wrong.

These soldiers, sailors, marines, and airmen didn't write this policy. It was written in the Pentagon and the White House. They were sent into battle with the battle plans that were handed to them, not battle plans that they wrote. They deserve a lot better. They deserve to come home. If they are going to war, they deserve the equipment they need. They deserve leadership in the White House and in Congress that is sensitive to their bravery and responds with real caring for their future.

DARFUR

Mr. DURBIN. Mr. President, I rise today to come to the floor, as I have done many times before, to speak on the crisis in Darfur, Sudan. I keep coming because at the very least, I want to do that, to keep speaking out. But this Senator, this Congress, this country, and the world must all do more. None of us have done enough.

Last fall, U.S. Special Envoy to Darfur Andrew Natsios declared that on January 1, 2007, the United States would launch a forceful "plan B," as he called it, if Sudan did not accept the joint United Nations-African Union peacekeeping mission that is desperately needed in Darfur. As described in the Washington Post, plan B was to include aggressive economic measures against Sudan.

Today is February 16. There are only a handful of U.N. peacekeepers in Darfur. Still no sign of plan B, other than four U.S. Army colonels who have been stationed along the Chad-Sudan border.

Last week, according to a student publication at Georgetown University and other news sources, Ambassador Andrew Natsios told a student audience that genocide was no longer taking place in Darfur. He was quoted as saying:

> The term genocide is counter to the facts of what is really occurring in Darfur.

I understand it is possible to get entangled in words and semantics in the definition of "genocide," but I was truly surprised to read this statement from Ambassador Natsios.

On December 10, not that long ago, the White House released a statement headlined in part, "President Bush Appalled by Genocide in Darfur."

The President's statement continued:

> Our Nation is appalled by the genocide in Darfur, which has led to the spread of fighting and hostility in the Republic of Chad and the Central African Republic.

Nothing that I have seen or been told convinces me that conditions in Darfur are significantly better today than they were on December 10 when President Bush reconfirmed the ongoing horror of genocide. I can only assume the President was troubled by the Special Envoy's statement as well.

The State Department has since sought to clarify these remarks and stated that it remains the administration's position that the situation in Darfur is genocide. The State Department explained that the Special Envoy was referring to the fact that death rates are lower now, but the conditions could escalate.

I would argue that they are already escalating. People continue to be murdered and villages have been attacked by air. Humanitarian aid workers have come under special assault recently. These brave men and women, unarmed, working for the poorest people on Earth, have been subjected to beatings, rape, and arrests.

These concentrated attacks threaten the people of Darfur who depend on thin relief lines for survival. If the relief workers are forced to withdraw and these lines are severed, hundreds of thousands of lives will be in jeopardy.

Recently, along with Senator COBURN, I held the first hearing of the Judiciary Subcommittee on Human Rights and the Law. The focus of the hearing was genocide and the rule of law. Before this hearing, we noted that the United States was a late signatory to the treaty on genocide. One of our predecessors in the Senate, Senator William Proxmire of Wisconsin, literally came to the floor of the Senate every day it was in session for years to convince the Senate to ratify this treaty. Finally, it happened. We focused on that treaty and the rule of law.

Given the ongoing crisis in Darfur and our own ineffectual attempts to halt the killing, I felt that should be the first topic of this new subcommittee.

The witnesses who came before us included the Canadian general, former U.N. general, and now Senator in Canada, Romeo Dallaire.

In 1994, General Dallaire commanded a small U.N. force in Rwanda. When the first wave of murders began, General Dallaire called for 5,000 troops—5,000 troops—to halt the killing.

My predecessor, my mentor, Senator Paul Simon of Illinois, along with Senator Jim Jeffords from Vermont, of the opposite party, both came together and called on President Clinton to help. Sadly, the Clinton administration did not. In fairness, they have acknowledged it was the most serious foreign policy mistake of their years in Washington.

General Dallaire did not receive the reinforcements. Instead, this tiny force of 2,500 was reduced. His country started withdrawing their soldiers from the U.N. force until there were only 450 left on the ground. They couldn't deal with the slaughter that followed. It is estimated that over 800,000 people were murdered in a very short period of time.

In Darfur, the African Union has tried to stop the killing, but after 4 years, U.N. peacekeeping forces have not even reached the level of 450. In his statement for the subcommittee hearing on genocide, General Dallaire said this of Darfur:

> I have on occasion considered bringing a flak jacket I wore during the Rwandan genocide—a jacket that was blood-soaked from carrying a 12-year-old girl who had been mutilated and repeatedly raped—into the [Canadian] Senate chamber and throwing it in the middle of the room. Maybe this would finally capture the attention of the political elite in a way words fail to do. Maybe it would finally bring home the point that human rights are not only for those who have the money to buy and sustain [them]; they are the privilege and the right of every human being.

Mr. President, we must do more in Darfur. The United States must work through the United Nations and with other countries of influence to compel the Khartoum Government to accept a peacekeeping mission, and we must help provide the resources to make that possible.

Here at home we can do more as well. I am a strong supporter of divestment. I served in the House of Representatives during apartheid in South Africa when we tried everything in our power to stop the racist government. We suggested divestment. Many said it would be worthless; it wouldn't have an impact. But I think it was a positive thing, and I am glad that we moved forward.

We need to do the same in Sudan today. Millions of Americans are unknowingly investing in companies that do business in support of the Khartoum Government. I know because I was one of them. I discovered that fact when a reporter, who researched my publicly disclosed investments—not a massive portfolio, I might add—told me one of the mutual funds I owned included the stock of a company doing business in Sudan. I immediately sold it. But that reporter's question was a powerful wake-up call for me.

A growing number of States, led by my home State of Illinois and State Senator Jacqueline Collins, a real leader on this issue, and a growing number of colleges and universities, including Northwestern University—and I particularly salute President Henry Bienen—have taken steps to address this issue of investing in Sudan. Some have sought to fully divest pension funds and endowments, others have adopted more targeted measures to restrict investments in the largest companies operating in Sudan.

I salute these efforts, and I plan to introduce legislation to help provide Federal support for these efforts as well.

Our subcommittee's genocide hearing also identified a serious loophole in Federal antigenocide law that Congress needs to close. Genocide is a Federal crime, but under the law, as currently written, only genocide that takes place in the United States or is committed by a U.S. national can be punished by our courts. Federal investigators have identified war criminals who were involved in the Rwandan genocide and the Srebrenica massacres who have found safe haven in our country. These are people perpetrating genocide in other places on Earth now safely ensconced in the United States. But because they are not U.S. nationals, because the genocide didn't occur within our borders, we cannot, under our current law, prosecute them.

The Justice Department has been unable to prosecute these individuals, and we need to take another look at it. Let me give an example: Salah Abdallah Gosh is the head of security of the Sudanese government. He reportedly has played a key role in the government's genocidal campaign in Darfur. In the year 2005, Mr. Gosh came to Washington to meet with senior administration officials. Under current law, the Justice Department could not arrest him for the crime of genocide.

I am developing legislation that closes this loophole, giving Federal prosecutors the tools they need to prosecute individuals who have committed genocide that are found in the United States. No one guilty of genocide should ever view the United States as a safe haven.

This change in the law would simply bring the antigenocide statute into line with a lot of other Federal laws that cover crimes committed outside the United States, including torture, piracy, material support to terrorists, terrorism financing, and the taking of hostages. Genocide should be subject to the same basic penalties.

I hope these initiatives will be bipartisan, as much of the Congresses work on Darfur has been. These steps I have mentioned will not stop the killing in Darfur, but they will add to our arsenal of weapons against genocide. We should do far more to deal with these dangerous situations, more to prevent mass atrocities from occurring, more to stop crimes against humanity once they begin, and more to help those who have been victimized, punishing the perpetrators.

Eleanor Roosevelt once asked: "Where do universal human rights begin?" And she answered: "They begin in small places, close to home. So close and so small that they cannot be seen on any maps of the world. Yet they are the world of the individual person; the neighborhood he lives in; the school or college he attends; the factory, the farm, or office where he works."

I believe the means to stopping genocide in Darfur begins with each of us, and so does the responsibility.

I will close with one observation. As a student at Georgetown University many years ago, I had an outstanding government professor named Jan Karski. Professor Karski had been involved in the Polish underground during World War II. He was a brave man who risked his life fighting the Nazis. He learned of the Holocaust, came to the United States, barely speaking English, trying to find people in Washington who would listen and who could understand that hundreds of thousands of innocent people were being killed. He couldn't find an audience with those who could make a difference.

I thought about that course, and I thought about the course of history, how the Holocaust unfolded during World War II and at least 6 million died, maybe many more, and nothing happened. And I wondered, despite all that time and all that notice, why couldn't they do something?

Now I know.

It has been 4 years since we declared a genocide in Darfur. People continue to be murdered on our watch. I hope my colleagues in the Senate on both sides of the aisle will join me not only in these efforts but efforts they believe will move us toward a day when there is peace in this region of the world. We have a responsibility to do that to these people and to the cause of humanity.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

VOTING RIGHTS ACT REAUTHORIZATION

Mr. SALAZAR. Mr. President, it gives me great pleasure to come before the Senate today to speak on legislation that the Senate passed last night, S. 188.

Just last month, I introduced S. 188 with Senators REID, LEAHY, FEINSTEIN, BOXER, and MENENDEZ. This straightforward measure would incorporate César E. Chávez—a truly remarkable civil rights leader and American—into the title of the reauthorization of the Voting Rights Act passed last year.

César Chávez is an American hero. Like the venerable American leaders who are now associated with this effort, he sacrificed his life to empower the most vulnerable in America. For this reason, he continues to be an important part of our country's journey on the path to a more inclusive America. César Chávez believed strongly in our American democracy and saw the right to vote as a fundamental cornerstone of our freedom. I believe it is fitting that his name be a part of the reauthorization of the Voting Rights Act.

I would like to thank Senator LEAHY, chairman of the Senate Judiciary Committee, for his support. I sincerely appreciate his efforts to quickly steer S. 188 through his committee. I enthusiastically supported last year's Voting Rights Act reauthorization. I firmly believe that this landmark civil rights legislation has opened the door for millions of Hispanic Americans to fully exercise their right to participate in our democracy.

Adding César E. Chávez's name sends an important message to Hispanic Americans. It signals to the Nation's 40 million Hispanics that the Voting Rights Act has been reauthorized with their interest and constitutional rights in mind. During the Judiciary Committee's consideration of S. 188, Senator LEAHY offered an amendment that incorporated another important American leader. His amendment to add William C. Velásquez to the title of the Voting Rights Act reauthorization bill has my strong and unequivocal support.

In 1974, Mr. Velásquez founded the Southwest Voter Registration Education Project, SVREP. Using his powerful slogan—Su Voto es Su Voz or your vote is your voice—he energized the Hispanic community and registered many to vote. Mr. Velásquez envisioned a time when Latinos would play an important role in the American democratic process. When SVREP was established, there were only 1,566 Latino elected officials. Today, there are over 6,000 Hispanics elected to local, State, and Federal office, including 3 U.S. Senators and 23 U.S. Representatives. Like César E. Chávez, Mr. Velásquez did not live to see the remarkable progress our country has made. He passed away in 1988 from kidney cancer. However, I am sure he is looking down on this body with joy and pride.

In addition, Senator CORNYN sought to include the name of former Congresswoman Barbara Jordan, who also played an integral part in the history of the Voting Rights Act, and Dr. Hector Garcia, founder of the American GI Forum.

Congresswoman Jordan was certainly a remarkable civil rights and social justice leader and I support her inclusion in my legislation. In addition, Dr. Garcia fought for half a century for civil and education rights for Mexican Americans.

Former President Bill Clinton, who first met Dr. Garcia while registering voters in the Rio Grande Valley in 1972, called him a "national hero." In the coming months, I will work with Senator CORNYN to find another appropriate manner to honor Dr. Garcia's work with the American G.I. Forum. The American G.I. Forum was established in the wake of World War II when Hispanic veterans returned home and were categorically denied their G.I. Bill of Rights benefits. Dr. Garcia was propelled into the national spotlight when he fought to have Army PVT Longoria buried alongside others in the local cemetery in his hometown of Three Rivers, TX. Dr. Garcia called Members of Congress and alerted the press to this injustice.

Within 24 hours, he received a telegram from then Senator Lyndon B. Johnson that stated:

> I deeply regret to learn that the prejudice of some individuals extends even beyond this life. I have no authority over civilian funeral homes. Nor does the federal government. However, I have made arrangements to have Felix Longoria buried with full military honors in Arlington National Cemetery ... where the honored dead of our nation's war rest.

As our Nation moves forward toward the next chapter of civic equality and inclusion, starting, last year, with the reauthorization of the Voting Rights Act, it is fitting that we honor civil rights leaders whose contributions and courage helped pave the way for today's more inclusive democracy.

With the Senate's passage of S. 188, my attention and efforts will now focus on the U.S. House of Representatives. I am hopeful that they will approve this measure so that this landmark law can now be known as the Fannie Lou Hamer, Rosa Parks, Coretta Scott King, César E. Chávez, Barbara Jordan, William C. Velásquez, and Hector P. Garcia Voting Rights Act Reauthorization and Amendments Act of 2006.

Mr. ROBERTS. Mr. President, today I wish to speak about the accomplishments of the Kansas Air National Guard, and specifically of the 190th Air Refueling Wing.

I have made several statements on the floor recently regarding my feelings on these resolutions. And today, instead of repeating my feelings on the subject, I would like to acknowledge some of our country's brave men and women.

As we all know, our Nation has been relying heavily on our National Guard in the war on terror. In Kansas, it is no different. However, these men and women continually rise to the challenge, saving lives and defending democracy at home and abroad.

Next week, we commemorate the 50th Anniversary of the 190th Air Refueling Wing in Kansas. The enormous sacrifice and dedication of the men and women serving in 190th brings great credit to their unit and to the State of Kansas.

This outstanding organization began as the 117th Fighter-Interceptor Squadron in Hutchinson, KS. The unit was federally recognized on February 23, 1957.

Next week they will celebrate 50 years of flying aircraft—from the F–80 to the B–57 to the KC–135 tankers they maintain today.

Since 1967, the 190th has been based in our State capital of Topeka, KS. They continue to be leaders in the

State and in the Air National Guard, which is evident through their most recent awards—the Spaatz trophy for outstanding Air National Guard Flying Wing and the Air Force Outstanding Unit Award.

As we continue to debate the difficult topic of our presence in Iraq, I hope my colleagues will take a moment to recognize, with me, the outstanding contributions of our Nation's troops. Not only has our volunteer force proven themselves the best in the world, our citizen soldiers have proven themselves second to none.

I hope we will remember the personal sacrifices of these men and women as we debate our support for them and their mission.

ARMITAGE II

Mr. McCAIN. Mr. President, I would like to draw my colleagues' attention to a report released today by a bipartisan panel of Asia specialists co-chaired by Richard L. Armitage and Joseph Nye. The report, "The U.S.-Japan Alliance: Getting Asia Right Through 2020," highlights major trends in Asia and provides the panel's comprehensive analysis with security and economic policy recommendations, with specific reference to our bilateral relations with Japan.

Many Senators will recall that Ambassador Armitage and Dr. Nye issued a report in October 2000 titled "The United States and Japan: Advancing Toward a Mature Partnership." This landmark document, which subsequently became known as the Armitage Report, aimed at strengthening the U.S.-Japan relationship in the areas of politics, security, Okinawa, intelligence, economics and diplomacy. This new report, which is already being called "Armitage II," continues to emphasize the importance of the alliance but goes a step further, by addressing the ways in which the alliance can work to positively influence future affairs in Asia.

The report, which is available on the CSIS Web site at: *http://www.csis.org/component/option,com—csis—pubs/task,view /id,3729/typ*, is not a political document. It reflects the views of the study group members only. Nevertheless, it represents a serious attempt to outline a vision that would achieve a balance of power in Asia through 2020 that favors American interests and values and promotes regional stability.

I encourage all Senators and their staffs to examine this serious and significant new report.

ADDITIONAL STATEMENTS

100TH ANNIVERSARY OF THE BRIGHT STAR RESTAURANT

• Mr. SESSIONS. Mr. President, I am pleased to have the opportunity to recognize the 100th Anniversary of the Bright Star Restaurant in Bessemer, AL. Since 1907, the Bright Star has been providing the citizens of our State and its visitors with delicious food and superior service. Today, this family-owned business, led by Jimmy and Nick Koikos, continues to build on this tradition. While America is famous for its chain restaurants, there remain many of the old ones which have atmosphere, friendship, and good food. They are a valuable part of our communities and unite us in many ways. The Bright Star is a classic.

Known for fresh gulf seafood, quality steaks, and fresh vegetables, the Bright Star is certain to satisfy every palate. The restaurant's Greek style specialties are my personal favorites. In fact, I don't believe the broiled snapper, along with the Greek salad, can be topped. Although, admittedly, the daily meat and three-vegetable specials certainly give them a run for their money.

Famous faces, like legendary coach Paul "Bear" Bryant and former Senator Howell Heflin, frequented the Bright Star. I am certain that virtually all of our congressional delegation have eaten there including my colleague, Senator SHELBY, on many occasions. It is the place for good friends, good food, and even a small taste of politics. Today, you will still see Alabama coaches and fans filing through the dining room on their way to and from seeing the Crimson Tide play.

Not so long ago, I brought John Ashcroft by for dinner. This was his first visit to Alabama after becoming the U.S. Attorney General, and I will never forget the wonderful reception Jimmy and the staff gave us. I wanted to show off the best of Birmingham, so dinner at this fine restaurant was a no-brainer. Jimmy gave us a mouth-watering overview of the menu, emphasizing as I had hoped that he would, the renown seafood dishes. Everything sounded delicious, however it turned out that the Attorney General was allergic to seafood and shellfish. I seem to recall he had a steak that he enjoyed, but he certainly missed out on those fresh gulf delicacies.

Located just outside of Birmingham in the quaint downtown area of Bessemer, the Bright Star is easily accessible and certainly a destination attraction. Moreover, you can always expect a good crowd of folks dining there on any day of the week. Luckily, expansions to the building over the years, including ample banquet space, enable diners to be comfortably accommodated. I look forward to the lunch I have scheduled there for next week, and I highly recommend a visit to all.•

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a treaty which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 4:27 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 63. Concurrent resolution disapproving of the decision of the President announced on January 10, 2007, to deploy more than 20,000 additional United States combat troops to Iraq.

H. Con. Res. 67. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

The message also announced that pursuant to section 2(a) of the National Cultural Center Act (20 U.S.C. 76h(a)), amended by Public Law 107–117, and the order of the House of January 4, 2007, the Speaker appoints the following Members of the House of Representatives to the Board of Trustees of the John F. Kennedy Center for the Performing Arts: Mr. KENNEDY of Rhode Island, Ms. DELAURO of Connecticut, and Ms. PRYCE of Ohio.

At 5:51 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 976. A bill to amend the Internal Revenue Code of 1986 to provide tax relief for small businesses, and for other purposes.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 641. A bill to express the sense of Congress that no funds should be cut off or reduced for American troops in the field which would result in undermining their safety or their ability to complete their assigned missions.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, without amendment:

S. 200. A bill to require the Secretary of the Interior, acting through the Bureau of

Reclamation and the United States Geological Survey, to conduct a study on groundwater resources in the State of Alaska, and for other purposes (Rept. No. 110–20).

S. 235. A bill to authorize the Secretary of the Interior to convey certain buildings and lands of the Yakima Project, Washington, to the Yakima-Tieton Irrigation District (Rept. No. 110–21).

S. 263. A bill to amend the Oregon Resource Conservation Act of 1996 to reauthorize the participation of the Bureau of Reclamation in the Deschutes River Conservancy, and for other purposes (Rept. No. 110–22).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 264. A bill to authorize the Bureau of Reclamation to participate in the rehabilitation of the Wallowa Lake Dam in Oregon, and for other purposes (Rept. No. 110–23).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, without amendment:

S. 265. A bill to authorize the Secretary of the Interior, acting through the Bureau of Reclamation, to conduct a water resource feasibility study for the Little Butte/Bear Creek Subbasins in Oregon (Rept. No. 110–24).

S. 266. A bill to provide for the modification of an amendatory repayment contract between the Secretary of the Interior and the North Unit Irrigation District, and for other purposes (Rept. No. 110–25).

S. 220. A bill to authorize early repayment of obligations to the Bureau of Reclamation within the A & B Irrigation District in the State of Idaho (Rept. No. 110–26).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with amendments:

S. 275. A bill to establish the Prehistoric Trackways National Monument in the State of New Mexico (Rept. No. 110–27).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. GRASSLEY (for himself, Mr. KENNEDY, Mr. ENZI, Mr. MARTINEZ, Mr. AKAKA, Mrs. DOLE, Mr. BROWN, Mr. LIEBERMAN, Mr. ISAKSON, Mr. NELSON of Florida, and Ms. LANDRIEU):

S. 655. A bill to amend the Congressional Charter of The American National Red Cross to modernize its governance structure, to enhance the ability of the board of governors of The American National Red Cross to support the critical mission of The American Red Cross in the 21st century, and for other purposes; to the Committee on the Judiciary.

By Mr. REED:

S. 656. A bill to provide for the adjustment of status of certain nationals of Liberia to that of lawful permanent residence; to the Committee on the Judiciary.

By Mr. REED (for himself, Mr. ROBERTS, Mr. KENNEDY, Mr. BURR, Mrs. MURRAY, Mr. HATCH, Mr. BROWN, Mrs. CLINTON, Mr. ISAKSON, Mr. BINGAMAN, Ms. COLLINS, and Mr. BIDEN):

S. 657. A bill to amend the Public Health Service Act to add requirements regarding trauma care, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. THOMAS (for himself, Mr. ENZI, Mr. ALLARD, Mr. CRAIG, and Mr. HAGEL):

S. 658. A bill to amend the Endangered Species Act of 1973 to improve the process for listing, recovery planning, and delisting, and for other purposes; to the Committee on Environment and Public Works.

By Mr. HAGEL:

S. 659. A bill to amend section 1477 of title 10, United States Code, to provide for the payment of the death gratuity with respect to members of the Armed Forces without a surviving spouse who are survived by a minor child; to the Committee on Armed Services.

By Mr. DODD:

S. 660. A bill for the relief of Majan Jean; to the Committee on the Judiciary.

By Mr. REID (for Mrs. CLINTON (for herself, Ms. SNOWE, and Mr. COCHRAN)):

S. 661. A bill to establish kinship navigator programs, to establish guardianship assistance payments for children, and for other purposes; to the Committee on Finance.

By Ms. SNOWE:

S. 662. A bill to authorize the Secretary of the Interior to conduct a special resource study to evaluate resources at the Harriet Beecher Stowe House in Brunswick, Maine, to determine the suitability and feasibility of establishing the site as a unit of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MCCAIN:

S. 663. A bill to amend title 10, United States Code, to repeal the statutory designation of beneficiaries of the $100,000 death gratuity under section 1477 of title 10, United States Code, and to permit members of the Armed Forces to designate in writing their beneficiaries of choice in the event of their death while serving on active duty; to the Committee on Armed Services.

By Ms. LANDRIEU (for herself, Mr. LIEBERMAN, Mr. REID, and Mr. STEVENS):

S. 664. A bill to provide adequate funding for local governments harmed by Hurricane Katrina of 2005 or Hurricane Rita of 2005; to the Committee on Homeland Security and Governmental Affairs.

By Mr. COLEMAN (for himself and Ms. KLOBUCHAR):

S. 665. A bill to require congressional approval of loans made by the Secretary of Transportation in excess of $1,000,000,000; to the Committee on Commerce, Science, and Transportation.

By Mr. SCHUMER:

S. 666. A bill to amend the Internal Revenue Code of 1986 to terminate certain incentives for oil and gas; to the Committee on Finance.

By Mr. BOND (for himself and Mrs. CLINTON):

S. 667. A bill to expand programs of early childhood home visitation that increase school readiness, child abuse and neglect prevention, and early identification of developmental and health delays, including potential mental health concerns, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REED (for himself and Mr. ISAKSON):

S. 668. A bill to require the Food and Drug Administration to conduct consumer testing to determine the appropriateness of the current labeling requirements for indoor tanning devices and determine whether such requirements provide sufficient information to consumers regarding the risks that the use of such devices pose for the development of irreversible damage to the skin, including skin cancer, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. CANTWELL (for herself, Mr. WYDEN, and Mrs. MURRAY):

S. 669. A bill to amend the Low-Income Home Energy Assistance Act of 1981 to provide procedures for the release of Low-Income Home Energy Assistance Program contingency funds; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REID (for Mrs. CLINTON):

S. 670. A bill to set forth limitations on the United States military presence in Iraq and on United States aid to Iraq for security and reconstruction, and for other purposes; to the Committee on Foreign Relations.

By Mr. AKAKA (for himself, Mr. REID, Mr. INOUYE, Mrs. BOXER, Ms. CANTWELL, and Mr. KENNEDY):

S. 671. A bill to exempt children of certain Filipino World War II veterans from the numerical limitations on immigrant visas; to the Committee on the Judiciary.

By Mr. SALAZAR (for himself and Mr. SMITH):

S. 672. A bill to amend the Internal Revenue Code of 1986 to provide tax-exempt financing for qualified renewable energy facilities, and for other purposes; to the Committee on Finance.

By Mr. SALAZAR (for himself, Mr. SMITH, Mr. DORGAN, and Mr. CRAIG):

S. 673. A bill to amend the Internal Revenue Code of 1986 to provide credits for the installation of wind energy property, including by rural homeowners, farmers, ranchers, and small businesses, and for other purposes; to the Committee on Finance.

By Mr. OBAMA:

S. 674. A bill to require accountability and enhanced congressional oversight for personnel performing private security functions under Federal contracts, and for other purposes; to the Committee on Armed Services.

By Mr. HARKIN (for himself, Mr. GRASSLEY, Mr. COCHRAN, Mr. DODD, Mr. DURBIN, Mr. KERRY, Mr. KOHL, Mrs. MURRAY, Mr. ROCKEFELLER, Ms. SNOWE, and Ms. STABENOW):

S. 675. A bill to provide competitive grants for training court reporters and closed captioners to meet requirements for realtime writers under the Telecommunications Act of 1996, and for other purposes; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LAUTENBERG (for himself, Mr. LOTT, Mr. DURBIN, and Mr. COLEMAN):

S. Res. 85. A resolution expressing the sense of the Senate regarding the creation of refugee populations in the Middle East, North Africa, and the Persian Gulf region as a result of human rights violations; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 3

At the request of Mr. REID, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 3, a bill to amend part D of title XVIII of the Social Security Act to provide for fair prescription drug prices for Medicare beneficiaries.

S. 21

At the request of Mr. REID, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 21, a bill to expand access to preventive health care services that help reduce unintended pregnancy, reduce abortions, and improve access to women's health care.

S. 22

At the request of Mr. WEBB, the names of the Senator from Maryland (Ms. MIKULSKI) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 22, a bill to amend title 38, United States Code, to establish a program of educational assistance for members of the Armed Forces who serve in the Armed Forces after September 11, 2001, and for other purposes.

S. 435

At the request of Mr. BINGAMAN, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 435, a bill to amend title 49, United States Code, to preserve the essential air service program.

S. 469

At the request of Mr. BAUCUS, the names of the Senator from Colorado (Mr. SALAZAR) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S. 469, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions.

S. 479

At the request of Mr. HARKIN, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. 479, a bill to reduce the incidence of suicide among veterans.

S. 487

At the request of Mr. CHAMBLISS, his name was added as a cosponsor of S. 487, a bill to amend the National Organ Transplant Act to clarify that kidney paired donations shall not be considered to involve the transfer of a human organ for valuable consideration.

S. 519

At the request of Mr. MCCAIN, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 519, a bill to modernize and expand the reporting requirements relating to child pornography, to expand cooperation in combating child pornography, and for other purposes.

S. 535

At the request of Mr. DODD, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 535, a bill to establish an Unsolved Crimes Section in the Civil Rights Division of the Department of Justice, and an Unsolved Civil Rights Crime Investigative Office in the Civil Rights Unit of the Federal Bureau of Investigation, and for other purposes.

S. 561

At the request of Mr. BUNNING, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 561, a bill to repeal the sunset of the Economic Growth and Tax Relief Reconciliation Act of 2001 with respect to the expansion of the adoption credit and adoption assistance programs.

S. 563

At the request of Ms. COLLINS, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 563, a bill to extend the deadline by which State identification documents shall comply with certain minimum standards and for other purposes.

S. 579

At the request of Mr. HATCH, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 579, a bill to amend the Public Health Service Act to authorize the Director of the National Institute of Environmental Health Sciences to make grants for the development and operation of research centers regarding environmental factors that may be related to the etiology of breast cancer.

S. 583

At the request of Mr. SALAZAR, the names of the Senator from Arkansas (Mrs. LINCOLN) and the Senator from Hawaii (Mr. AKAKA) were added as cosponsors of S. 583, a bill to create a competitive grant program for States to enable the States to award salary bonuses to highly qualified elementary school or secondary school teachers who teach, or commit to teach, for at least 3 academic years in a school served by a rural local educational agency.

S. 585

At the request of Mr. DORGAN, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 585, a bill to require the Secretary of the Treasury to mint and issue coins in commemoration of Native Americans and the important contributions made by Indian tribes and individual Native Americans to the development of the United States and the history of the United States, and for other purposes.

S. 593

At the request of Mr. BURR, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 593, a bill to amend the Public Health Service Act to establish a grant program to provide supportive services in permanent supportive housing for chronically homeless individuals, and for other purposes.

S. 597

At the request of Mrs. FEINSTEIN, the names of the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from Oklahoma (Mr. COBURN) were added as cosponsors of S. 597, a bill to extend the special postage stamp for breast cancer research for 2 years.

S. 634

At the request of Mr. DODD, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 634, a bill to amend the Public Health Service Act to establish grant programs to provide for education and outreach on newborn screening and coordinated followup care once newborn screening has been conducted, to reauthorize programs under part A of title XI of such Act, and for other purposes.

S. 637

At the request of Mr. SESSIONS, the name of the Senator from Alabama (Mr. SHELBY) was added as a cosponsor of S. 637, a bill to direct the Secretary of the Interior to study the suitability and feasibility of establishing the Chattahoochee Trace National Heritage Corridor in Alabama and Georgia, and for other purposes.

S. 641

At the request of Mr. GREGG, the names of the Senator from Idaho (Mr. CRAIG), the Senator from Colorado (Mr. ALLARD), the Senator from Oklahoma (Mr. COBURN), the Senator from South Carolina (Mr. GRAHAM), the Senator from Alabama (Mr. SHELBY), the Senator from Texas (Mr. CORNYN), the Senator from Alaska (Mr. STEVENS), the Senator from Kansas (Mr. ROBERTS), the Senator from Arizona (Mr. MCCAIN), the Senator from Kentucky (Mr. MCCONNELL), the Senator from Florida (Mr. MARTINEZ), the Senator from Arizona (Mr. KYL), the Senator from Alabama (Mr. SESSIONS), the Senator from Georgia (Mr. ISAKSON) and the Senator from South Carolina (Mr. DEMINT) were added as cosponsors of S. 641, a bill to express the sense of Congress that no funds should be cut off or reduced for American troops in the field which would result in undermining their safety or their ability to complete their assigned missions.

S. CON. RES. 7

At the request of Mr. WARNER, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. Con. Res. 7, a concurrent resolution expressing the sense of Congress on Iraq.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. GRASSLEY (for himself, Mr. KENNEDY, Mr. ENZI, Mr. MARTINEZ, Mr. AKAKA, Mrs. DOLE, Mr. BROWN, Mr. LIEBERMAN, Mr. ISAKSON, Mr. NELSON of Florida, and Ms. LANDRIEU):

S. 655. A bill to amend the Congressional Charter of The American National Red Cross to modernize its governance structure, to enhance the ability of the board of governors of The American National Red Cross to support the critical mission of The American Red Cross in the 21st century, and for other purposes; to the Committee on the Judiciary.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the text of The American National Red Cross Governance Modernization Act of 2007 be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 655

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "The American National Red Cross Governance Modernization Act of 2007".

SEC. 2. FINDINGS; SENSE OF CONGRESS.

(a) FINDINGS.—Congress makes the following findings:

(1) Substantive changes to the Congressional Charter of The American National Red Cross have not been made since 1947.

(2) In February 2006, the board of governors of The American National Red Cross (the "Board of Governors") commissioned an independent review and analysis of the Board of Governors' role, composition, size, relationship with management, governance relationship with chartered units of The American National Red Cross, and whistleblower and audit functions.

(3) In an October 2006 report of the Board of Governors, entitled "American Red Cross Governance for the 21st Century" (the "Governance Report"), the Board of Governors recommended changes to the Congressional Charter, bylaws, and other governing documents of The American National Red Cross to modernize and enhance the effectiveness of the Board of Governors and governance structure of The American National Red Cross.

(4) It is in the national interest to create a more efficient governance structure of The American National Red Cross and to enhance the Board of Governors' ability to support the critical mission of The American National Red Cross in the 21st century.

(5) It is in the national interest to clarify the role of the Board of Governors as a governance and strategic oversight board and for The American National Red Cross to amend its bylaws, consistent with the recommendations described in the Governance Report, to clarify the role of the Board of Governors and to outline the areas of its responsibility, including—

(A) reviewing and approving the mission statement for The American National Red Cross;

(B) approving and overseeing the corporation's strategic plan and maintaining strategic oversight of operational matters;

(C) selecting, evaluating, and determining the level of compensation of the corporation's chief executive officer;

(D) evaluating the performance and establishing the compensation of the senior leadership team and providing for management succession;

(E) overseeing the financial reporting and audit process, internal controls, and legal compliance;

(F) holding management accountable for performance;

(G) providing oversight of the financial stability of the corporation;

(H) ensuring the inclusiveness and diversity of the corporation;

(I) providing oversight of the protection of the brand of the corporation; and

(J) assisting with fundraising on behalf of the corporation.

(6)(A) The selection of members of the Board of Governors is a critical component of effective governance for The American National Red Cross, and, as such, it is in the national interest that The American National Red Cross amend its bylaws to provide a method of selection consistent with that described in the Governance Report.

(B) The new method of selection should replace the current process by which—

(i) 30 chartered unit-elected members of the Board of Governors are selected by a non-Board committee which includes 2 members of the Board of Governors and other individuals elected by the chartered units themselves;

(ii) 12 at-large members of the Board of Governors are nominated by a Board committee and elected by the Board of Governors; and

(iii) 8 members of the Board of Governors are appointed by the President of the United States.

(C) The new method of selection described in the Governance Report reflects the single category of members of the Board of Governors that will result from the implementation of this Act:

(i) All Board members (except for the chairman of the Board of Governors) would be nominated by a single committee of the Board of Governors taking into account the criteria outlined in the Governance Report to assure the expertise, skills, and experience of a governing board.

(ii) The nominated members would be considered for approval by the full Board of Governors and then submitted to The American National Red Cross annual meeting of delegates for election, in keeping with the standard corporate practice whereby shareholders of a corporation elect members of a board of directors at its annual meeting.

(7) The United States Supreme Court held The American National Red Cross to be an instrumentality of the United States, and it is in the national interest that the Congressional Charter confirm that status and that any changes to the Congressional Charter do not affect the rights and obligations of The American National Red Cross to carry out its purposes.

(8) Given the role of The American National Red Cross in carrying out its services, programs, and activities, and meeting its various obligations, the effectiveness of The American National Red Cross will be promoted by the creation of an organizational ombudsman who—

(A) will be a neutral or impartial dispute resolution practitioner whose major function will be to provide confidential and informal assistance to the many internal and external stakeholders of The American National Red Cross;

(B) will report to the chief executive officer and the audit committee of the Board of Governors; and

(C) will have access to anyone and any documents in The American National Red Cross.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) charitable organizations are an indispensable part of American society, but these organizations can only fulfill their important roles by maintaining the trust of the American public;

(2) trust is fostered by effective governance and transparency, which are the principal goals of the recommendations of the Board of Governors in the Governance Report and this Act;

(3) Federal and State action play an important role in ensuring effective governance and transparency by setting standards, rooting out violations, and informing the public; and

(4) while The American National Red Cross is and will remain a Federally chartered instrumentality of the United States, and it has the rights and obligations consistent with that status, The American National Red Cross nevertheless should maintain appropriate communications with State regulators of charitable organizations and should cooperate with them as appropriate in specific matters as they arise from time to time.

SEC. 3. ORGANIZATION.

Section 300101 of title 36, United States Code, is amended—

(1) in subsection (a), by inserting "a Federally chartered instrumentality of the United States and" before "a body corporate and politic"; and

(2) in subsection (b), by inserting at the end the following new sentence: "The corporation may conduct its business and affairs, and otherwise hold itself out, as the 'American Red Cross' in any jurisdiction.".

SEC. 4. PURPOSES.

Section 300102 of title 36, United States Code, is amended—

(1) by striking "and" at the end of paragraph (3);

(2) by striking the period at the end of paragraph (4) and inserting "; and"; and

(3) by adding at the end the following paragraph:

"(5) to conduct other activities consistent with the foregoing purposes.".

SEC. 5. MEMBERSHIP AND CHAPTERS.

Section 300103 of title 36, United States Code, is amended—

(1) in subsection (a), by inserting ", or as otherwise provided," before "in the bylaws";

(2) in subsection (b)(1)—

(A) by striking "board of governors" and inserting "corporation"; and

(B) by inserting "policies and" before "regulations related"; and

(3) in subsection (b)(2)—

(A) by inserting "policies and" before "regulations shall require"; and

(B) by striking "national convention" and inserting "annual meeting".

SEC. 6. BOARD OF GOVERNORS.

Section 300104 of title 36, United States Code, is amended to read as follows:

"§ 300104. Board of governors

"(a) BOARD OF GOVERNORS.—

"(1) IN GENERAL.—The board of governors is the governing body of the corporation with all powers of governing and directing, and of overseeing the management of the business and affairs of, the corporation.

"(2) NUMBER.—The board of governors shall fix by resolution, from time to time, the number of members constituting the entire board of governors, provided that—

"(A) as of March 31, 2009, and thereafter, there shall be no fewer than 12 and no more than 25 members; and

"(B) as of March 31, 2012, and thereafter, there shall be no fewer than 12 and no more than 20 members constituting the entire board.

Procedures to implement the preceding sentence shall be provided in the bylaws.

"(3) APPOINTMENT.—The governors shall be appointed or elected in the following manner:

"(A) CHAIRMAN.—

"(i) IN GENERAL.—The board of governors, in accordance with procedures provided in the bylaws, shall recommend to the President an individual to serve as chairman of the board of governors. If such recommendation is approved by the President, the President shall appoint such individual to serve as chairman of the board of governors.

"(ii) VACANCIES.—Vacancies in the office of the chairman, including vacancies resulting from the resignation, death, or removal by the President of the chairman, shall be filled in the same manner described in clause (i).

"(iii) DUTIES.—The chairman shall be a member of the board of governors and, when present, shall preside at meetings of the board of governors and shall have such other duties and responsibilities as may be provided in the bylaws or a resolution of the board of governors.

"(B) OTHER MEMBERS.—

"(i) IN GENERAL.—Members of the board of governors other than the chairman shall be elected at the annual meeting of the corporation in accordance with such procedures as may be provided in the bylaws.

"(ii) VACANCIES.—Vacancies in any such elected board position and in any newly created board position may be filled by a vote of the remaining members of the board of governors in accordance with such procedures as may be provided in the bylaws.

"(b) TERMS OF OFFICE.—

"(1) IN GENERAL.—The term of office of each member of the board of governors shall be 3 years, except that—

"(A) the board of governors may provide under the bylaws that the terms of office of members of the board of governors elected to the board of governors before March 31, 2012, may be less than 3 years in order to implement the provisions of subparagraphs (A) and (B) of subsection (a)(2); and

"(B) any member of the board of governors elected by the board to fill a vacancy in a board position arising before the expiration of its term may, as determined by the board, serve for the remainder of that term or until the next annual meeting of the corporation.

"(2) STAGGERED TERMS.—The terms of office of members of the board of governors (other than the chairman) shall be staggered such that, by March 31, 2012, and thereafter, ⅓ of the entire board (or as near to ⅓ as practicable) shall be elected at each successive annual meeting of the corporation with the term of office of each member of the board of governors elected at an annual meeting expiring at the third annual meeting following the annual meeting at which such member was elected.

"(3) TERM LIMITS.—No person may serve as a member of the board of governors for more than such number of terms of office or years as may be provided in the bylaws.

"(c) COMMITTEES AND OFFICERS.—The board—

"(1) may appoint, from its own members, an executive committee to exercise such powers of the board when the board is not in session as may be provided in the bylaws;

"(2) may appoint such other committees or advisory councils with such powers as may be provided in the bylaws or a resolution of the board of governors;

"(3) shall appoint such officers of the corporation, including a chief executive officer, with such duties, responsibilities, and terms of office as may be provided in the bylaws or a resolution of the board of governors; and

"(4) may remove members of the board of governors (other than the chairman), officers, and employees under such procedures as may be provided in the bylaws or a resolution of the board of governors.

"(d) ADVISORY COUNCIL.—

"(1) ESTABLISHMENT.—There shall be an advisory council to the board of governors.

"(2) MEMBERSHIP; APPOINTMENT BY PRESIDENT.—

"(A) IN GENERAL.—The advisory council shall be composed of no fewer than 8 and no more than 10 members, each of whom shall be appointed by the President from principal officers of the executive departments and senior officers of the Armed Forces whose positions and interests qualify them to contribute to carrying out the programs and purposes of the corporation.

"(B) MEMBERS FROM THE ARMED FORCES.—At least 1, but not more than 3, of the members of the advisory council shall be selected from the Armed Forces.

"(3) DUTIES.—The advisory council shall advise, report directly to, and meet, at least 1 time per year with the board of governors, and shall have such name, functions and be subject to such procedures as may be provided in the bylaws.

"(e) ACTION WITHOUT MEETING.—Any action required or permitted to be taken at any meeting of the board of governors or of any committee thereof may be taken without a meeting if all members of the board or committee, as the case may be, consent thereto in writing, or by electronic transmission and the writing or writings or electronic transmission or transmissions are filed with the minutes of proceedings of the board or committee. Such filing shall be in paper form if the minutes are maintained in paper form and shall be in electronic form if the minutes are maintained in electronic form.

"(f) VOTING BY PROXY.—

"(1) IN GENERAL.—Voting by proxy is not allowed at any meeting of the board, at the annual meeting, or at any meeting of a chapter.

"(2) EXCEPTION.—The board may allow the election of governors by proxy during any emergency.

"(g) BYLAWS.—

"(1) IN GENERAL.—The board of governors may—

"(A) at any time adopt bylaws; and

"(B) at any time adopt bylaws to be effective only in an emergency.

"(2) EMERGENCY BYLAWS.—Any bylaws adopted pursuant to paragraph (1)(B) may provide special procedures necessary for managing the corporation during the emergency. All provisions of the regular bylaws consistent with the emergency bylaws remain effective during the emergency.

"(h) DEFINITIONS.—For purposes of this section—

"(1) the term 'entire board' means the total number of members of the board of governors that the corporation would have if there were no vacancies; and

"(2) the term 'emergency' shall have such meaning as may be provided in the bylaws.".

SEC. 7. POWERS.

Paragraph (a)(1) of section 300105 of title 36, United States Code, is amended by striking "bylaws" and inserting "policies".

SEC. 8. ANNUAL MEETING.

Section 300107 of title 36, United States Code, is amended to read as follows:

"§ 300107. Annual meeting

"(a) IN GENERAL.—The annual meeting of the corporation is the annual meeting of delegates of the chapters.

"(b) TIME OF MEETING.—The annual meeting shall be held as determined by the board of governors.

"(c) PLACE OF MEETING.—The board of governors is authorized to determine that the annual meeting shall not be held at any place, but may instead be held solely by means of remote communication subject to such procedures as are provided in the bylaws.

"(d) VOTING.—

"(1) IN GENERAL.—In matters requiring a vote at the annual meeting, each chapter is entitled to at least 1 vote, and voting on all matters may be conducted by mail, telephone, telegram, cablegram, electronic mail, or any other means of electronic or telephone transmission, provided that the person voting shall state, or submit information from which it can be determined, that the method of voting chosen was authorized by such person.

"(2) ESTABLISHMENT OF NUMBER OF VOTES.—

"(A) IN GENERAL.—The board of governors shall determine on an equitable basis the number of votes that each chapter is entitled to cast, taking into consideration the size of the membership of the chapters, the populations served by the chapters, and such other factors as may be determined by the board.

"(B) PERIODIC REVIEW.—The board of governors shall review the allocation of votes at least every 5 years.".

SEC. 9. ENDOWMENT FUND.

Section 300109 of title 36, United States Code is amended—

(1) by striking "nine" from the first sentence thereof; and

(2) by striking the second sentence and inserting the following: "The corporation shall prescribe policies and regulations on terms and tenure of office, accountability, and expenses of the board of trustees.".

SEC. 10. ANNUAL REPORT AND AUDIT.

Subsection (a) of section 300110 of title 36, United States Code, is amended to read as follows:

"(a) SUBMISSION OF REPORT.—As soon as practicable after the end of the corporation's fiscal year, which may be changed from time to time by the board of governors, the corporation shall submit a report to the Secretary of Defense on the activities of the corporation during such fiscal year, including a complete, itemized report of all receipts and expenditures.".

SEC. 11. COMPTROLLER GENERAL OF THE UNITED STATES AND OFFICE OF THE OMBUDSMAN.

(a) IN GENERAL.—Chapter 3001 of title 36, United States Code, is amended by redesignating section 300111 as section 300113 and by inserting after section 300110 the following new sections:

"§ 300111. Authority of the Comptroller General of the United States

"The Comptroller General of the United States is authorized to review the corporation's involvement in any Federal program or activity the Government carries out under law.

"§ 300112. Office of the Ombudsman

"(a) ESTABLISHMENT.—The corporation shall establish an Office of the Ombudsman with such duties and responsibilities as may be provided in the bylaws or a resolution of the board of governors.

"(b) REPORT.—The Office of the Ombudsman shall submit a report annually to Congress concerning any trends and systemic matters that the Office of the Ombudsman has identified as confronting the corporation.".

(b) CLERICAL AMENDMENT.—The table of sections for chapter 3001 of title 36, United States Code, is amended by striking the item relating to section 300111 and inserting the following:

"300111. Authority of the Comptroller General of the United States.
"300112. Office of the Ombudsman.
"300113. Reservation of right to amend or repeal.".

Mr. ENZI. Mr. President, I rise today to co-sponsor the American National Red Cross Governance Modernization Act of 2007. This legislation, a product of close cooperation with my colleagues Senator GRASSLEY and Senator KENNEDY, seeks to create a more efficient governance structure of the American Red Cross, and to enhance the Board of Governors' ability to support the critical mission of the American Red Cross in the 21st Century.

Charitable organizations are an indispensable part of American society, but these organizations can only fulfill their important roles by maintaining the trust of the American public. This trust is fostered by effective governance and transparency, which are the principal goals of this legislation. The role of the American Red Cross is one of vital significance to the American people. The ability of the American Red Cross to meet its responsibilities requires a governance structure that reflects a need for clear mission and a culture of accountability.

This past October the American Red Cross Board of Governors announced its unanimous support for a series of important changes to its charter and business practice. The American National Red Cross Governance Modernization Act of 2007 enables a number of those changes, including clarifying the role of the Board of Governors as one of governance and strategic oversight. As this bill facilitates these governance reforms, the American Red Cross is expected to continue to implement amendments to its bylaws consistent with those described in the Governance Report to clarify further the role of the Board of Governors and to outline areas of its responsibility.

This bill ensures that the American Red Cross will remain a federally chartered instrumentality of the United States, and it has the rights and obligations consistent with that status. Consistent with that status Congress expects that the American Red Cross will maintain appropriate communications with State regulators of charitable organizations and to cooperate with them as appropriate in specific matters as they arise from time to time.

Finally, we believe the effectiveness of the American Red Cross will be promoted by the creation of a Red Cross ombudsman to be a dispute resolution practitioner to provide confidential and informal assistance to the many internal and external stakeholders of the American Red Cross. The American Red Cross ombudsman will report to Congress, the American Red Cross chief executive officer, and the audit committee of the Board of Governors. The Red Cross ombudsman will have access to anyone and any documents in the American Red Cross. This is an important tool for improving processes and protections for those inside the American Red Cross who wish to express concerns about the organizations practices and procedures, and an important tool for Congress in providing oversight of the activities of the American Red Cross.

I urge my colleagues to vote for the American National Red Cross Governance Modernization Act of 2007.

By Mr. REED (for himself, Mr. ROBERTS, Mr. KENNEDY, Mr. BURR, Mrs. MURRAY, Mr. HATCH, Mr. BROWN, Mrs. CLINTON, Mr. ISAKSON, Mr. BINGAMAN, Ms. COLLINS, and Mr. BIDEN):

S. 657. A bill to amend the Public Health Service Act to add requirements regarding trauma care, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, I am pleased to join my colleague, Senator ROBERTS, along with Senators KENNEDY, BURR, MURRAY, CLINTON, BROWN, BINGAMAN, COLLINS, ISAKSON, and BIDEN in introducing the Trauma Care Systems Planning and Development Act.

Our Nation's emergency medical system is a system on the brink. We need to support and strengthen this essential component of our health care system. The Trauma Care Systems Planning and Development Act is an important building block to achieving an improved national network of care across the country.

Unintentional injury is the leading cause of death among people between the ages of 1 to 44 and in 2002, injuries were responsible for 161,000 deaths. In 2004, about 29.6 million people were treated for an injury in U.S. hospital emergency departments, of which nearly 2 million injuries were severe enough to require hospitalization. Yet, between 20,000 and 25,000 trauma deaths are preventable each year.

A trauma system is an organized, coordinated effort in a specific area that delivers the full range of care to all injured patients. It provides resources, supporting equipment, and personnel along a continuum of care including pre-hospital, hospital, and rehabilitation services. Trauma systems have been proven to reduce mortality rates and provide efficient, cost-effective, and timely care. Since 1990, the Federal Government, through Title XII of the Public Health Service Act, has helped States and territories develop and implement regional and statewide trauma care systems.

The legislation I am introducing today along with my colleagues will reauthorize and reaffirm the Federal Government's commitment to trauma care systems. It will also authorize additional resources for systems' planning and development, as well as improved data collection and analysis and the inclusion of an Institute of Medicine study on the state of trauma care and trauma research.

Trauma care is not only critical to providing timely access to lifesaving interventions for persons suffering from serious unintentional injuries, it is central to our national security and disaster preparedness. The tragic events of September 11, 2001 and Hurricanes Rita and Katrina serve as stark reminders of the potential intentional and natural disasters that threaten our Nation. Trauma care systems are an important element of our security and response efforts.

I look forward to working with my colleagues toward expeditious passage of this legislation. I ask unanimous consent that the text of the Trauma Care Systems Planning and Development Act be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 657

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Trauma Care Systems Planning and Development Act of 2007".

SEC. 2. ESTABLISHMENT.

Section 1201 of the Public Health Service Act (42 U.S.C. 300d) is amended to read as follows:

"SEC. 1201. ESTABLISHMENT.

"(a) IN GENERAL.—The Secretary shall, with respect to trauma care—

"(1) conduct and support research, training, evaluations, and demonstration projects;

"(2) foster the development of appropriate, modern systems of such care through the sharing of information among agencies and individuals involved in the study and provision of such care;

"(3) collect, compile, and disseminate information on the achievements of, and problems experienced by, State and local agencies and private entities in providing trauma care and emergency medical services and, in so doing, give special consideration to the unique needs of rural areas;

"(4) provide to State and local agencies technical assistance to enhance each State's capability to develop, implement, and sustain the trauma care component of each State's plan for the provision of emergency medical services;

"(5) sponsor workshops and conferences; and

"(6) promote the collection and categorization of trauma data in a consistent and standardized manner.

"(b) GRANTS, COOPERATIVE AGREEMENTS, AND CONTRACTS.—The Secretary may make grants, and enter into cooperative agreements and contracts, for the purpose of carrying out subsection (a).".

SEC. 3. CLEARINGHOUSE ON TRAUMA CARE AND EMERGENCY MEDICAL SERVICES.

The Public Health Service Act (42 U.S.C. 201 et seq.) is amended—

(1) by striking section 1202; and

(2) by redesignating section 1203 as section 1202.

SEC. 4. ESTABLISHMENT OF PROGRAMS FOR IMPROVING TRAUMA CARE IN RURAL AREAS.

Section 1202 of the Public Health Service Act, as redesignated by section 3(2), is amended to read as follows:

"SEC. 1202. ESTABLISHMENT OF PROGRAMS FOR IMPROVING TRAUMA CARE IN RURAL AREAS.

"(a) IN GENERAL.—The Secretary may make grants to public and nonprofit private entities for the purpose of carrying out research and demonstration projects with respect to improving the availability and quality of emergency medical services in rural areas—

"(1) by developing innovative uses of communications technologies and the use of new communications technology;

"(2) by developing model curricula, such as advanced trauma life support, for training emergency medical services personnel, including first responders, emergency medical technicians, emergency nurses and physicians, and paramedics—

"(A) in the assessment, stabilization, treatment, preparation for transport, and resuscitation of seriously injured patients, with special attention to problems that arise during long transports and to methods of minimizing delays in transport to the appropriate facility; and

"(B) in the management of the operation of the emergency medical services system;

"(3) by making training for original certification, and continuing education, in the provision and management of emergency medical services more accessible to emergency medical personnel in rural areas through telecommunications, home studies, providing teachers and training at locations accessible to such personnel, and other methods;

"(4) by developing innovative protocols and agreements to increase access to prehospital care and equipment necessary for the transportation of seriously injured patients to the appropriate facilities;

"(5) by evaluating the effectiveness of protocols with respect to emergency medical services and systems; and

"(6) by increasing communication and coordination with State trauma systems.

"(b) SPECIAL CONSIDERATION FOR CERTAIN RURAL AREAS.—In making grants under subsection (a), the Secretary shall give special consideration to any applicant for the grant that will provide services under the grant in any rural area identified by a State under section 1214(d)(1).

"(c) REQUIREMENT OF APPLICATION.—The Secretary may not make a grant under subsection (a) unless an application for the grant is submitted to the Secretary and the application is in such form, is made in such manner, and contains such agreements, assurances, and information as the Secretary determines to be necessary to carry out this section.".

SEC. 5. COMPETITIVE GRANTS.

Part A of title XII of the Public Health Service Act, as amended by section 3, is amended by adding at the end the following:

"SEC. 1203. COMPETITIVE GRANTS FOR THE IMPROVEMENT OF TRAUMA CARE.

"(a) IN GENERAL.—The Secretary, acting through the Administrator of the Health Resources and Services Administration, may make grants to States, political subdivisions, or consortia of States or political subdivisions for the purpose of improving access to and enhancing the development of trauma care systems.

"(b) USE OF FUNDS.—The Secretary may make a grant under this section only if the applicant agrees to use the grant—

"(1) to integrate and broaden the reach of a trauma care system, such as by developing innovative protocols to increase access to prehospital care;

"(2) to strengthen, develop, and improve an existing trauma care system;

"(3) to expand communications between the trauma care system and emergency medical services through improved equipment or a telemedicine system;

"(4) to improve data collection and retention; or

"(5) to increase education, training, and technical assistance opportunities, such as training and continuing education in the management of emergency medical services accessible to emergency medical personnel in rural areas through telehealth, home studies, and other methods.

"(c) PREFERENCE.—In selecting among States, political subdivisions, and consortia of States or political subdivisions for purposes of making grants under this section, the Secretary shall give preference to applicants that—

"(1) have developed a process, using national standards, for designating trauma centers;

"(2) recognize protocols for the delivery of seriously injured patients to trauma centers;

"(3) implement a process for evaluating the performance of the trauma system; and

"(4) agree to participate in information systems described in section 1202 by collecting, providing, and sharing information.

"(d) PRIORITY.—In making grants under this section, the Secretary shall give priority to applicants that will use the grants to focus on improving access to trauma care systems.

"(e) SPECIAL CONSIDERATION.—In awarding grants under this section, the Secretary shall give special consideration to projects that demonstrate strong State or local support, including availability of non-Federal contributions.".

SEC. 6. REQUIREMENT OF MATCHING FUNDS FOR FISCAL YEARS SUBSEQUENT TO FIRST FISCAL YEAR OF PAYMENTS.

Section 1212 of the Public Health Service Act (42 U.S.C. 300d–12) is amended to read as follows:

"SEC. 1212. REQUIREMENT OF MATCHING FUNDS FOR FISCAL YEARS SUBSEQUENT TO FIRST FISCAL YEAR OF PAYMENTS.

"(a) NON-FEDERAL CONTRIBUTIONS.—

"(1) IN GENERAL.—The Secretary may not make payments under section 1211(a) unless the State involved agrees, with respect to the costs described in paragraph (2), to make available non-Federal contributions (in cash or in kind under subsection (b)(1)) toward such costs in an amount that—

"(A) for the second and third fiscal years of such payments to the State, is not less than $1 for each $1 of Federal funds provided in such payments for such fiscal years; and

"(B) for the fourth and subsequent fiscal years of such payments to the State, is not less than $2 for each $1 of Federal funds provided in such payments for such fiscal years.

"(2) PROGRAM COSTS.—The costs referred to in paragraph (1) are—

"(A) the costs to be incurred by the State in carrying out the purpose described in section 1211(b); or

"(B) the costs of improving the quality and availability of emergency medical services in rural areas of the State.

"(3) INITIAL YEAR OF PAYMENTS.—The Secretary may not require a State to make non-Federal contributions as a condition of receiving payments under section 1211(a) for the first fiscal year of such payments to the State.

"(b) DETERMINATION OF AMOUNT OF NON-FEDERAL CONTRIBUTION.—With respect to compliance with subsection (a) as a condition of receiving payments under section 1211(a)—

"(1) a State may make the non-Federal contributions required in such subsection in cash or in kind, fairly evaluated, including plant, equipment, or services; and

"(2) the Secretary may not, in making a determination of the amount of non-Federal contributions, include amounts provided by the Federal Government or services assisted or subsidized to any significant extent by the Federal Government.".

SEC. 7. REQUIREMENTS WITH RESPECT TO CARRYING OUT PURPOSE OF ALLOTMENTS.

Section 1213 of the Public Health Service Act (42 U.S.C. 300d–13) is amended to read as follows:

"SEC. 1213. REQUIREMENTS WITH RESPECT TO CARRYING OUT PURPOSE OF ALLOTMENTS.

"(a) TRAUMA CARE MODIFICATIONS TO STATE PLAN FOR EMERGENCY MEDICAL SERVICES.—With respect to the trauma care component of a State plan for the provision of emergency medical services, the modifications referred to in section 1211(b) are such modifications to the State plan as may be necessary for the State involved to ensure that the plan provides for access to the highest possible quality of trauma care, and that the plan—

"(1) specifies that the modifications required pursuant to paragraphs (2) through (11) will be implemented by the principal State agency with respect to emergency medical services or by the designee of such agency;

"(2) specifies a public or private entity that will designate trauma care regions and trauma centers in the State;

"(3) subject to subsection (b), contains national standards and requirements of the American College of Surgeons or another appropriate entity for the designation of level I and level II trauma centers, and in the case of rural areas level III trauma centers (including trauma centers with specified capabilities and expertise in the care of pediatric trauma patient), by such entity, including standards and requirements for—

"(A) the number and types of trauma patients for whom such centers must provide care in order to ensure that such centers will have sufficient experience and expertise to be able to provide quality care for victims of injury;

"(B) the resources and equipment needed by such centers; and

"(C) the availability of rehabilitation services for trauma patients;

"(4) contains standards and requirements for the implementation of regional trauma care systems, including standards and guidelines (consistent with the provisions of section 1867 of the Social Security Act) for medically directed triage and transportation of trauma patients (including patients injured in rural areas) prior to care in designated trauma centers;

"(5) subject to subsection (b), contains national standards and requirements, including those of the American Academy of Pediatrics and the American College of Emergency Physicians, for medically directed triage and transport of severely injured children to designated trauma centers with specified capabilities and expertise in the care of the pediatric trauma patient;

"(6) utilizes a program with procedures for the evaluation of designated trauma centers (including trauma centers described in paragraph (5)) and trauma care systems;

"(7) provides for the establishment and collection of data in accordance with data collection requirements developed in consultation with surgical, medical, and nursing specialty groups, State and local emergency medical services directors, and other trained professionals in trauma care, from each designated trauma center in the State of a central data reporting and analysis system—

"(A) to identify the number of severely injured trauma patients and the number of deaths from trauma within trauma care systems in the State;

"(B) to identify the cause of the injury and any factors contributing to the injury;

"(C) to identify the nature and severity of the injury;

"(D) to monitor trauma patient care (including prehospital care) in each designated trauma center within regional trauma care systems in the State (including relevant emergency-department discharges and rehabilitation information) for the purpose of evaluating the diagnosis, treatment, and treatment outcome of such trauma patients;

"(E) to identify the total amount of uncompensated trauma care expenditures for each fiscal year by each designated trauma center in the State; and

"(F) to identify patients transferred within a regional trauma system, including reasons for such transfer and the outcomes of such patients;

"(8) provides for the use of procedures by paramedics and emergency medical technicians to assess the severity of the injuries incurred by trauma patients;

"(9) provides for appropriate transportation and transfer policies to ensure the delivery of patients to designated trauma centers and other facilities within and outside of the jurisdiction of such system, including policies to ensure that only individuals appropriately identified as trauma patients are transferred to designated trauma centers, and to provide periodic reviews of the transfers and the auditing of such transfers that are determined to be appropriate;

"(10) conducts public education activities concerning injury prevention and obtaining access to trauma care;

"(11) coordinates planning for trauma systems with State disaster emergency planning and bioterrorism hospital preparedness planning; and

"(12) with respect to the requirements established in this subsection, provides for coordination and cooperation between the State and any other State with which the State shares any standard metropolitan statistical area.

"(b) CERTAIN STANDARDS WITH RESPECT TO TRAUMA CARE CENTERS AND SYSTEMS.—

"(1) IN GENERAL.—The Secretary may not make payments under section 1211(a) for a fiscal year unless the State involved agrees that, in carrying out paragraphs (3) through (5) of subsection (a), the State will adopt standards for the designation of trauma centers, and for triage, transfer, and transportation policies, and that the State will, in adopting such standards—

"(A) take into account national standards concerning that outline resources for optimal care of the injured patient;

"(B) consult with medical, surgical, and nursing speciality groups, hospital associations, emergency medical services State and local directors, concerned advocates and other interested parties;

"(C) conduct hearings on the proposed standards after providing adequate notice to the public concerning such hearing; and

"(D) beginning in fiscal year 2008, take into account the model plan described in subsection (c).

"(2) QUALITY OF TRAUMA CARE.—The highest quality of trauma care shall be the primary goal of State standards adopted under this subsection.

"(3) APPROVAL BY THE SECRETARY.—The Secretary may not make payments under section 1211(a) to a State if the Secretary determines that—

"(A) in the case of payments for fiscal year 2008 and subsequent fiscal years, the State has not taken into account national standards, including those of the American College of Surgeons, the American College of Emergency Physicians, and the American Academy of Pediatrics, in adopting standards under this subsection; or

"(B) in the case of payments for fiscal year 2008 and subsequent fiscal years, the State has not, in adopting such standards, taken into account the model plan developed under subsection (c) .

"(c) MODEL TRAUMA CARE PLAN.—

"(1) IN GENERAL.—Not later than 1 year after the date of the enactment of the Trauma Care Systems Planning and Development Act of 2007, the Secretary shall update the model plan for the designation of trauma centers and for triage, transfer, and transportation policies that may be adopted for guidance by the State. Such plan shall—

"(A) take into account national standards, including those of the American College of Surgeons, American College of Emergency Physicians, and the American Academy of Pediatrics;

"(B) take into account existing State plans;

"(C) be developed in consultation with medical, surgical, and nursing speciality groups, hospital associations, emergency medical services State directors and associations, and other interested parties; and

"(D) include standards for the designation of rural health facilities and hospitals best able to receive, stabilize, and transfer trauma patients to the nearest appropriate designated trauma center, and for triage, transfer, and transportation policies as they relate to rural areas.

"(2) APPLICABILITY.—Standards described in paragraph (1)(D) shall be applicable to all rural areas in the State, including both nonmetropolitan areas and frontier areas that have populations of less than 6,000 per square mile.

"(d) RULE OF CONSTRUCTION WITH RESPECT TO NUMBER OF DESIGNATED TRAUMA CENTERS.—With respect to compliance with subsection (a) as a condition of the receipt of a grant under section 1211(a), such subsection may not be construed to specify the number of trauma care centers designated pursuant to such subsection.".

SEC. 8. REQUIREMENT OF SUBMISSION TO SECRETARY OF TRAUMA PLAN AND CERTAIN INFORMATION.

Section 1214 of the Public Health Service Act (42 U.S.C. 300d–14) is amended to read as follows:

"SEC. 1214. REQUIREMENT OF SUBMISSION TO SECRETARY OF TRAUMA PLAN AND CERTAIN INFORMATION.

"(a) IN GENERAL.—For each fiscal year, the Secretary may not make payments to a State under section 1211(a) unless, subject to subsection (b), the State submits to the Secretary the trauma care component of the State plan for the provision of emergency medical services, including any changes to the trauma care component and any plans to address deficiencies in the trauma care component.

"(b) INTERIM PLAN OR DESCRIPTION OF EFFORTS.—For each fiscal year, if a State has not completed the trauma care component of the State plan described in subsection (a), the State may provide, in lieu of such completed component, an interim component or a description of efforts made toward the completion of the component.

"(c) INFORMATION RECEIVED BY STATE REPORTING AND ANALYSIS SYSTEM.—The Secretary may not make payments to a State under section 1211(a) unless the State agrees that the State will, not less than once each year, provide to the Secretary the information received by the State pursuant to section 1213(a)(7).

"(d) AVAILABILITY OF EMERGENCY MEDICAL SERVICES IN RURAL AREAS.—The Secretary may not make payments to a State under section 1211(a) unless—

"(1) the State identifies any rural area in the State for which—

"(A) there is no system of access to emergency medical services through the telephone number 911;

"(B) there is no basic life-support system; or

"(C) there is no advanced life-support system; and

"(2) the State submits to the Secretary a list of rural areas identified pursuant to subparagraph (A) or, if there are no such areas, a statement that there are no such areas.".

SEC. 9. RESTRICTIONS ON USE OF PAYMENTS.

Section 1215 of the Public Health Service Act (42 U.S.C. 300d–15) is amended to read as follows:

"SEC. 1215. RESTRICTIONS ON USE OF PAYMENTS.

"(a) IN GENERAL.—The Secretary may not, except as provided in subsection (b), make payments under section 1211(a) for a fiscal year unless the State involved agrees that the payments will not be expended—

"(1) for any purpose other than developing, implementing, and monitoring the modifications required by section 1211(b) to be made to the State plan for the provision of emergency medical services;

"(2) to make cash payments to intended recipients of services provided pursuant to this section;

"(3) to purchase or improve real property (other than minor remodeling of existing improvements to real property);

"(4) to satisfy any requirement for the expenditure of non-Federal funds as a condition for the receipt of Federal funds; or

"(5) to provide financial assistance to any entity other than a public or nonprofit private entity.

"(b) WAIVER.—The Secretary may waive a restriction under subsection (a) only if the Secretary determines that the activities outlined by the State plan submitted under section 1214(a)(1) by the State involved cannot otherwise be carried out.".

SEC. 10. REQUIREMENTS OF REPORTS BY STATES.

The Public Health Service Act (42 U.S.C. 201 et seq.) is amended by striking section 1216.

SEC. 11. REPORT BY SECRETARY.

Section 1222 of the Public Health Service Act (42 U.S.C. 300d–22) is amended to read as follows:

"SEC. 1222. REPORT BY SECRETARY.

"Not later than October 1, 2008, the Secretary shall report to the appropriate committees of Congress on the activities of the States carried out pursuant to section 1211. Such report shall include an assessment of the extent to which Federal and State efforts to develop systems of trauma care and to designate trauma centers have reduced the incidence of mortality, and the incidence of permanent disability, resulting from trauma. Such report may include any recommendations of the Secretary for appropriate administrative and legislative initiatives with respect to trauma care.".

SEC. 12. FUNDING.

Section 1232 of the Public Health Service Act (42 U.S.C. 300d–32) is amended to read as follows:

"SEC. 1232. FUNDING.

"(a) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out parts A and B, there are authorized to be appropriated $12,000,000 for fiscal year 2008, $10,000,000 for fiscal year 2009, and $8,000,000 for each of the fiscal years 2010 through 2012.

"(b) RESERVATION OF FUNDS.—If the amount appropriated under subsection (a) for a fiscal year is equal to or less than $1,000,000, such appropriation is available only for making grants under part A. If the amount so appropriated is greater than $1,000,000, 50 percent of such appropriation shall be made available for grants under part A and 50 percent shall be made available for grants under part B.

"(c) ALLOCATION OF FUNDS BY SECRETARY.—

"(1) GENERAL AUTHORITY.—For the purpose of carrying out part A, the Secretary shall make available 10 percent of the amounts appropriated for a fiscal year under subsection (a).

"(2) RURAL GRANTS.—For the purpose of carrying out section 1202, the Secretary shall make available 10 percent of the amounts appropriated for a fiscal year under subsection (a).".

SEC. 13. INSTITUTE OF MEDICINE STUDY.

Part E of title XII of the Public Health Service Act (20 U.S.C. 300d–51 et seq.) is amended by adding at the end the following:

"SEC. 1254. INSTITUTE OF MEDICINE STUDY.

"(a) IN GENERAL.—The Secretary shall enter into a contract with the Institute of Medicine of the National Academy of Sciences, or another appropriate entity, to conduct a study on the state of trauma care and trauma research.

"(b) CONTENT.—The study conducted under subsection (a) shall—

"(1) examine and evaluate the state of trauma care and trauma systems research (including the role of Federal entities in trauma research) on the date of enactment of this section, and identify trauma research priorities;

"(2) examine and evaluate the clinical effectiveness of trauma care and the impact of trauma care on patient outcomes, with special attention to high-risk groups, such as children, the elderly, and individuals in rural areas;

"(3) examine and evaluate trauma systems development and identify obstacles that prevent or hinder the effectiveness of trauma systems and trauma systems development;

"(4) examine and evaluate alternative strategies for the organization, financing, and delivery of trauma care within an overall systems approach; and

"(5) examine and evaluate the role of trauma systems and trauma centers in preparedness for mass casualties.

"(c) REPORT.—Not later than 2 years after the date of enactment of this section, the Secretary shall submit to the appropriate committees of Congress a report containing the results of the study conducted under this section.

"(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $750,000 for fiscal year 2008.".

SEC. 14. RESIDENCY TRAINING PROGRAMS IN EMERGENCY MEDICINE.

Section 1251 of the Public Health Service Act (42 U.S.C. 300d–51) is amended to read as follows:

"SEC. 1251. RESIDENCY TRAINING PROGRAMS IN EMERGENCY MEDICINE.

"(a) IN GENERAL.—The Secretary may make grants to public and nonprofit private entities for the purpose of planning and developing approved residency training programs in emergency medicine.

"(b) IDENTIFICATION AND REFERRAL OF DOMESTIC VIOLENCE.—The Secretary may make a grant under subsection (a) only in the applicant involved agrees that the training programs under subsection (a) will provide education and training in identifying and referring cases of domestic violence.

"(c) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there is authorized to be appropriated $400,000 for each of the fiscal years 2008 though 2012.".

SEC. 15. STATE GRANTS FOR CERTAIN PROJECTS.

Section 1252 of the Public Health Service Act (42 U.S.C. 300d–52) is amended in the section heading by striking "**DEMONSTRATION**".

By Mr. REID (for Mrs. CLINTON (for herself, Ms. SNOWE, and Mr. COCHRAN)):

S. 661. A bill to establish kinship navigator programs, to establish guardianship assistance payments for children, and for other purposes; to the Committee on Finance.

Mrs. CLINTON. Mr. President, I am pleased to re-introduce the Kinship Caregiver Support Act today with my friend and colleague, Senator OLYMPIA SNOWE. The growth of kinship care is a phenomenon that is quietly changing the face of the American family and creating new challenges for our Nation's child welfare system. This bill would be a huge help to kinship caregivers in New York and across the country.

Nationwide, now more than ever children are living in households headed by grandparents and other relatives. In New York City alone, there are over 245,000 adolescents already living in grandparent households. Nationwide, an estimated 20,000 children living in foster care could leave the system if Congress made subsidized guardianship available to their families.

As caregivers who often become parents unexpectedly, these generous family members face unique challenges to successfully raising children. These challenges are physical, emotional and of course, financial. Grandparents and other relatives raising children often encounter a variety of unnecessary barriers, including difficulties enrolling children in school, authorizing medical treatment, maintaining their public housing leases, obtaining affordable legal services, and accessing a variety of Federal benefits and services. Almost one-fifth of grandparents responsible for their grandchildren live in poverty.

The Kinship Caregiver Support Act attempts to address the full range of difficulties facing kinship caregivers, by allowing relatives to become formal guardians while receiving some financial assistance. This bill will provide relative caregivers with the information and assistance they need to thrive as non-traditional families.

First, the Act contains a "subsidized guardianship provision", which will give States the option to use their Title IV–E funds to provide payments to grandparents and other relatives who have assumed legal guardianship of children they have cared for as foster parents.

The Act also establishes the Kinship Navigator Program, which will provide families with the guidance they need to learn how to obtain health care coverage for the children in their care, apply for housing assistance, locate childcare, enroll children in school, and gain access to other services.

Finally, this legislation will require States to notify grandparents and other close relatives when children enter the foster care system. Unfortunately, grandparents and other relatives often do not know when their grandchildren or nieces and nephews come under the care of the State. Notifying grandparents and other relatives when children enter the foster care system will make it easier for families to stay together.

So many grandparents and other relatives are making great personal sacrifices to provide safe and loving homes for the children in their care. It is my hope that my colleagues will join Senator SNOWE and me as we continue this fight for children and families.

By Mr. MCCAIN:

S. 663. A bill to amend title 10, United States Code, to repeal the statutory designation of beneficiaries of the $100,000 death gratuity under section 1477 of title 10, United States Code, and to permit members of the Armed Forces to designate in writing their beneficiaries of choice in the event of their death while serving on active duty; to the Committee on Armed Services.

Mr. MCCAIN. Mr. President, today I am introducing legislation to fix a serious problem that has recently come to light with respect to the administration of the so-called Death Gratuity. The legislation is designed to ensure that a service member can designate to whom a death gratuity benefit is awarded.

Today's Washington Post includes an informative yet troubling article describing the plight of the mother of

Petty Officer Second Class Jaime S. Jaenke, U. S. Navy, who died in Iraq in June 2006 as a result of an IED attack. Petty Officer Jaenke was a member of the Navy Reserve and a medic assigned to a Seabee Construction Battalion. She left behind a young daughter, Kayla, who is in the care of Kayla's grandmother, Susan Jaenke.

Regrettably, because of the manner in which death benefits are administered, a hardship situation has been created for Mrs. Jaenke. The article spells out that while the insurance proceeds have been set aside by the State court for the benefit of Kayla, they have not yet been made available. So in the meantime her grandmother is left trying to make ends meet because she is not allowed to receive the gratuity benefit that her daughter thought she would be providing, should the service member's unfortunate death occur.

The article describes a very difficult situation for the person on who Petty Officer Jaenke depended. The financial difficulties Mrs. Jaenke is experiencing is due in part by confusion about how the death gratuity benefit—a sum of $100,000—is being administered under law.

Under current law, the recipient of the $100,000 is dictated by the statute. It provides that a benefit is first awarded to an existing spouse. If there is no spouse, it then is provided to the children, and so on. It's a scheme that was set up to permit speedy resolution of what used to be a very modest benefit. In today's world, however, with the complex needs of service members, it does not comport with the realities of many of our service members and their families. It needs to be changed.

The legislation I am introducing would replace the statutory order of beneficiaries with provisions identical to that used to select beneficiaries under the Servicemembers' Group Life Insurance—SGLI. The bill would give service members the power to select precisely who will receive the $100,00 death gratuity. It would require the Secretary of Defense to, no later than April 1, 2007, to prepare regulations and create election forms that will enable service members to designate who will receive this benefit.

I hope we can move this legislation quickly and ensure that the intentions of our service members regarding the well being of their children and families can be carried out. We owe at least that much to those who are giving their lives for our nation.

I ask unanimous consent that the text of the bill be printed in the Record.

There being no objection, the text of the bill was ordered to be printed in the Record, as follows:

S. 663

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. MODIFICATION OF SCHEME FOR PAYMENT OF DEATH GRATUITY PAYABLE WITH RESPECT TO MEMBERS OF THE ARMED FORCES.

(a) Findings.—Congress makes the following findings:

(1) The death gratuity authorized under sections 1475 to 1480 of title 10, United States Code, was intended, when originally enacted to provide an immediate cash payment to assist survivors of deceased members of the Armed Forces to meet their financial needs during the period immediately following a member's death and before other survivor benefits become available.

(2) The death gratuity, when first implemented in 1908, amounted to six months of a service member's pay and, until 1991, could not exceed $3,000.

(3) However, following the attacks of September 11, 2001, and the initiation of Operation Enduring Freedom and Operation Iraqi Freedom, Congress determined that the death benefits available to survivors of members of the Armed Forces should be substantially increased.

(4) The National Defense Authorization Act for Fiscal Year 2006, which was enacted on January 6, 2006, as Public Law 109-163, increased the amount of the death gratuity to $100,000, effective retroactively to October 7, 2001.

(5) Under section 1477 of title 10, United States Code, the law authorizing the death gratuity, those living relatives of deceased members of the Armed Forces who shall receive the death gratuity are specifically designated. Service members are not provided with the opportunity to make an election choosing a beneficiary other than those set forth in section 1477 of title 10, United States Code.

(6) The increased death gratuity, in combination with benefits available under the Servicemembers' Group Life Insurance program, the Survivor Benefit Plan, and Dependency and Indemnity Compensation provide significant support and compensation to the next of kin of deceased members of the Armed Forces. Individual members are best qualified to determine who the beneficiaries for death benefits should be and should be afforded the opportunity to make these selections at appropriate times throughout military service and particularly prior to mobilization or deployment to a combat zone.

(7) Under the current system, many members of the Armed Forces have designated individuals as beneficiaries for the death gratuity in a manner not provided for by law. In these cases, the wishes of these members regarding the disposition of the death gratuity has in many cases not been implemented, to the detriment of their children and other loved ones.

(b) Sense of Congress.—It is the sense of Congress that all members of the Armed Forces should be given the opportunity to affirmatively select who shall receive the death gratuity and that the Secretary of Defense and the Secretaries of the military departments should take prompt action to afford members the opportunity to make an election in writing about the disposition of the death gratuity proceeds and to provide appropriate and timely counseling about the manner in which the proceeds of the death gratuity and other forms of insurance will be administered.

(c) Modification.—

(1) In general.—Subsection (a) of section 1477 of title 10, United States Code, is amended by striking all that follows "on the following list:" and inserting the following:

"(1) To any individual designated by the person in writing.

"(2) If there is no person so designated, to the surviving spouse of the person.

"(3) If there is none of the above, to the children (as prescribed by subsection (b)) of the person and the descendants of any deceased children by representation.

"(4) If there is none of the above, to the parents (as prescribed by subsection (c)) of the person or the survivor of them.

"(5) If there is none of the above, to the duly appointed executor or administrator of the estate of the person.

"(6) If there is none of the above, to other next of kin of the person entitled under the laws of domicile of the person at the time of the person's death.".

(2) Conforming amendments.—Such section is further amended—

(A) in subsection (b), by striking "Subsection (a)(2)" in the matter preceding paragraph (1) and inserting "Subsection (a)(3)";

(B) by striking (c) and inserting the following new subsection (c):

"(c) For purposes of subsection (a)(4), parents include fathers and mothers through adoption. However, only one father and one mother may be recognized in any case, and preference shall be given to those who exercised a parental relationship on the date, or most nearly before the date, on which the decedent entered a status described in section 1475 or 1476 of this title."; and

(C) by striking subsection (d).

(3) Effective date.—The amendments made by this subsection shall take effect on the date of the enactment of this Act.

(4) Applicability.—Notwithstanding paragraph (3), the provisions of section 1477 of title 10, United States Code, as in effect on the day before the date of the enactment of this Act, shall continue to apply to each member of the Armed Forces covered by such section until the earlier of the following—

(A) the date on which such member makes the designation contemplated by paragraph (1) of section 1477(a) of such title (as amended by paragraph (1) of this subsection); or

(B) January 1, 2008.

(d) Regulations.—

(1) In general.—Not later than April 1, 2007, the Secretary of Defense shall prescribe regulations to implement the amendments to section 1477 of title 10, United States Code, made by subsection (c).

(2) Elements.—The regulations required by paragraph (1) shall include forms for the making of the designation contemplated by paragraph (1) of section 1477(a) of title 10, United States Code (as amended by subsection (c)), and instructions for members of the Armed Forces in the filling out of such forms.

By Mr. BOND (for himself and Mrs. Clinton):

S. 667. A bill to expand programs of early childhood home visitation that increase school readiness, child abuse and neglect prevention, and early identification of developmental and health delays, including potential mental health concerns, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. BOND. Mr. President, I ask unanimous consent, on behalf of myself and Senator Hillary Rodham Clinton, that the text of the Education Begins at Home Act be printed in the Record.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 667

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Education Begins at Home Act".

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds that—

(1) the home is the first and most important learning environment for children, and parents are their children's first and most influential teacher;

(2) through parent education and family support, we can promote parents' ability to enhance their children's development from birth until entry into kindergarten thereby helping parents to prepare their children for success in school;

(3) undiagnosed and unaddressed developmental and health problems can impede overall child development and school readiness;

(4) all parents deserve and can benefit from—

(A) research-based information regarding child development;

(B) enrichment opportunities with their children; and

(C) early opportunities to become involved with their community and schools; and

(5) early childhood home visitation leads to positive outcomes for children and families, including readiness for school, improved child health and development, positive parenting practices, and reductions in child maltreatment.

(b) PURPOSES.—The purposes of this Act are as follows:

(1) To enable States to deliver services under early childhood home visitation programs to pregnant women and parents of children from birth until entry into kindergarten in order to promote parents' ability to support their children's optimal cognitive, language, social-emotional, and physical development.

(2) To improve Early Head Start programs carried out under section 645A of the Head Start Act (42 U.S.C. 9840a).

(3) To expand early childhood home visitation programs so as to more effectively reach and serve families with English language learners.

(4) To expand early childhood visitation programs so as to more effectively reach and serve families serving in the military.

(5) To establish a public education and awareness campaign concerning the importance of the proper care of infants and young children.

(6) To make available for parents of newborn children parenting classes that convey information about the importance of proper care for newborns, including information about symptoms of abusive head and other injuries.

SEC. 3. DEFINITIONS.

In this Act:

(1) ELIGIBLE FAMILY.—The term "eligible family" means—

(A) a woman who is pregnant, and the father of the child if the father is available; or

(B) a parent or primary caregiver of a child, including grandparents or other relatives of the child, and foster parents, who are serving as the primary caregiver from birth until entry into kindergarten, including a noncustodial parent during periods in which such noncustodial parent is physically caring for such child.

(2) HOME VISITATION.—The term "home visitation" means services provided in the permanent or temporary residence, or in a mutually agreed upon location in the community, of the individual receiving such services.

(3) INDIAN TRIBE.—The term "Indian tribe" has the meaning given such term in section 4(e) of the Indian Self-Determination and Education Assistance Act (52 U.S.C. 450(b)(e)).

(4) SECRETARY.—Except as provided in section 7, the term "Secretary" means the Secretary of Health and Human Services.

(5) STATE.—The term "State" means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

(6) TERRITORIES AND POSSESSIONS.—The term "territories and possessions" means American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, and the United States Virgin Islands.

(7) TRIBAL ORGANIZATION.—The term "tribal organization" has the meaning given such term in section 4(l) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(l)).

SEC. 4. STATE GRANTS FOR EARLY CHILDHOOD HOME VISITATION.

(a) AUTHORIZATION.—The Secretary, in collaboration with the Secretary of Education, shall make grants to States to enable such States to establish or expand quality programs of early childhood home visitation, as specified under subsection (f). Each grant shall consist of the allotment determined for a State under subsection (b).

(b) DETERMINATION OF RESERVATIONS; AMOUNT OF ALLOTMENTS; AUTHORIZATION OF APPROPRIATIONS.—

(1) RESERVATIONS FROM APPROPRIATIONS.—From the total amount made available to carry out this section for a fiscal year, the Secretary shall reserve—

(A) 3 percent for an independent evaluation of the activities carried out under this Act, as specified in section 8;

(B) not more than 3 percent for Federal administrative costs;

(C) 2 percent for training and technical assistance for States;

(D) not more than 2 percent for payments to Indian tribes and tribal organizations with applications approved under this section; and

(E) not more than 0.5 percent for payments to territories and possessions with applications approved under this section.

(2) STATE ALLOTMENTS FOR EARLY CHILDHOOD HOME VISITATION.—

(A) IN GENERAL.—In accordance with subparagraph (B), the Secretary shall allot among each of the eligible States the total amount made available to carry out this section for any fiscal year and not reserved under paragraph (1), to carry out early childhood home visitation in accordance with this section.

(B) DETERMINATION OF STATE ALLOTMENTS.—

(i) IN GENERAL.—Subject to clause (ii), the Secretary shall allot the amount made available under subparagraph (A) for a fiscal year among the States in proportion to the number of children, aged from birth to 5 years, who reside within the State, compared to the number of such individuals who reside in all such States for that fiscal year.

(ii) EXCEPTION.—No State receiving an allotment under clause (i) may receive more than $20,000,000.

(3) INDIAN TRIBES, TRIBAL ORGANIZATIONS, TERRITORIES AND POSSESSIONS.—

(A) INDIAN TRIBES AND TRIBAL ORGANIZATIONS.—From amounts reserved for each fiscal year under paragraph (1)(D), the Secretary shall make payments to each Indian tribe or tribal organizations with an application approved under this section in an amount determined in accordance with the respective needs described in the application.

(B) TERRITORIES AND POSSESSIONS.—From amounts reserved for each fiscal year under paragraph (1)(E), the Secretary shall make payments to each territory and possession with an application approved under this section in an amount determined in accordance with the respective needs described in the application.

(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $400,000,000 for the period of fiscal years 2008 through 2010.

(c) GRANT APPLICATIONS.—

(1) STATE APPLICATIONS.—A State that desires to receive a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require. The application shall contain the following information:

(A) An assurance that the Governor of the State has designated a lead State agency, such as the State educational agency or the State health and human services agency, to carry out the activities under this section.

(B) An assurance that the State will reserve 3 percent of such grant for evaluation and will participate in the independent evaluation under section 8.

(C) An assurance that the State will reserve 10 percent of the grant funds for training and technical assistance of staff of programs of early childhood home visitation.

(D) An assurance that the State will authorize child care resource and referral agencies to refer parents seeking home visitation services.

(E) The results of a statewide needs assessment that describes—

(i) the quality and capacity of existing programs of early childhood home visitation in the State;

(ii) the number and types of eligible families who are receiving services under such programs; and

(iii) the gaps in early childhood home visitation in the State.

(F) A State plan containing the following:

(i) A description of the State's strategy to establish or expand quality programs of early childhood home visitation to serve all eligible families in the State.

(ii) A description of the quality programs of early childhood home visitation that will be supported by a grant under this section.

(iii) A description of how the proposed program of early childhood home visitation will promote positive parenting skills and children's early learning and development.

(iv) A description of how the proposed program of early childhood home visitation will incorporate the authorized activities described in subsection (f).

(v) How the lead State agency will build on and promote coordination among existing programs of early childhood home visitation in an effort to promote an array of home visitation that ensures more eligible families are being served and are getting the most appropriate services to meet their needs.

(vi) How the lead State agency will promote channels of communication between staff of programs of early childhood home visitation and staff of other early childhood education programs, such as Head Start programs carried out under the Head Start Act (42 U.S.C. 9831 et seq.) and Early Head Start programs carried out under section 645A of such Act, preschool programs, and child care programs, to facilitate the coordination of services for eligible families.

(vii) How the lead State agency will provide training and technical assistance to staff of programs of early childhood home visitation involved in activities under this section to more effectively meet the needs of the eligible families served with sensitivity to cultural variations in parenting norms and attitudes toward formal support services.

(viii) How the lead State agency will evaluate the activities supported under this section in order to demonstrate outcomes related to the enhancement of—

(I) parent knowledge of early learning and development;

(II) child health, cognitive, language, social-emotional, and physical development indicators; and

(III) child maltreatment indicators for child abuse and neglect prevention.

(IV) School readiness indicators.

(V) Links to community services.

(ix) A description of how the lead State agency will ensure that the home visitation programs will conduct outreach activities to target both mothers and fathers, and increase father involvement where appropriate.

(x) A description of how the lead State agency will increase home visitation programs participation rates for fathers.

(xi) A description of how the lead State agency will ensure that services are made available under the program to grandparents, other relatives or foster parents, of a child from birth through age 5 who serve as the primary caregiver of the child.

(G) Such other information as the Secretary may require.

(2) INDIAN TRIBES, TRIBAL ORGANIZATIONS, TERRITORIES AND POSSESSIONS.—

(A) IN GENERAL.—An Indian tribe, tribal organization, territory, or possession that desires to receive a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require. The application shall contain the information described in paragraph (1) with respect to the applicant entity.

(B) APPROVAL.—The Secretary may approve an application submitted under subparagraph (A) based on the quality of the information contained in the application.

(C) EXEMPTIONS.—The Secretary may exempt an applicant under subparagraph (A) from any requirement of this section if the Secretary determines that the application of such requirements would be inappropriate taking into consideration the resources, needs, and other circumstances of the applicant entity. This subparagraph shall not apply to the requirements described in subsections (f)(1) and (h).

(d) APPROVAL OF APPLICATIONS.—

(1) RECOMMENDATION OF PANEL.—

(A) IN GENERAL.—The Secretary shall approve an application under this section based on the recommendations of a peer review panel, as described in paragraph (2).

(B) SELECTION CRITERIA.—A peer review panel shall determine which applicants to recommend for approval, for purposes of subparagraph (A), based on the quality of the application submitted. Consideration shall be given by the panel to the inclusion of applicants, to the extent practicable, that have the ability to incorporate comparison or control groups in their service deliver model, recognizing that universal access to home visitation services, among other factors, may prevent some quality programs from conducting such evaluation.

(2) PEER REVIEW PANEL.—The peer review panel shall include not less than—

(A) 3 individuals who are experts in the field of home visitation;

(B) 2 individuals who are experts in early childhood development;

(C) 1 individual with experience implementing a statewide program of early childhood home visitation;

(D) 1 individual who is a board certified pediatrician or a developmental pediatrician; and

(E) 1 individual with experience in administering public or private (including community-based) child maltreatment prevention programs.

(e) DURATION OF GRANTS.—Grants made under this section shall be for a period of no more than 3 years.

(f) STATE USES OF FUNDS.—Each State that receives a grant under this section shall—

(1) provide to as many eligible families in the State as practicable, voluntary early childhood home visitation, on not less frequently than a monthly basis with greater frequency of services for those eligible families identified with additional needs, through the implementation of quality programs of early childhood home visitation that—

(A) adopts a clear, consistent model that is grounded in empirically-based knowledge related to home visiting and linked to program-determined outcomes;

(B) employs well-trained and competent staff, as demonstrated by education or training, and the provision of ongoing and specific training on the model being delivered;

(C) maintains high quality supervision to establish home visitor competencies;

(D) demonstrates strong organizational capacity to implement the program involved;

(E) establishes appropriate linkages and referral networks to other community resources and supports;

(F) monitors fidelity of program implementation to ensure that services are delivered pursuant to the specified model;

(G) are research-based, that provide parents with—

(i) knowledge of age appropriate child development in cognitive, language, social-emotional, and motor domains;

(ii) knowledge of realistic expectations of age-appropriate child behaviors;

(iii) knowledge of health and wellness issues for children and parents;

(iv) modeling and consulting services related to parenting;

(v) skills to interact with their child to enhance age-appropriate development;

(vi) skills to recognize and seek help for health issues and developmental delays, and social, emotional, and behavioral skills;

(vii) activities designed to help parents become full partners in the education of their children; and

(viii) relevant information, consistent with State child welfare agency training, concerning child welfare and protective services resources if appropriate;

(H) ascertain which developmental services the family receives and work with service providers to eliminate gaps in services by offering annual health, vision, hearing, and developmental screening for children from birth until entry into kindergarten, when not otherwise provided;

(I) provide referrals for eligible families, as needed, to additional resources available in the community, such as center-based early education programs, child care services, health or mental health services, family literacy programs, employment agencies, social services, and child care resource and referral agencies;

(J) offer group meetings (at the discretion of the program involved) for eligible families that—

(i) further enhance the information, activities, and skill-building addressed during home visitation; and

(ii) offer opportunities for parents to meet with and support each other;

(K) reserve 10 percent of the grant funds to provide training and technical assistance, directly or through contract, to early childhood home visitation and early childhood care and education staff relating to—

(i) effective methods of conducting parent education, home visiting, and promoting quality early childhood development;

(ii) the relationship of health and well-being of pregnant women to prenatal and early childhood development;

(iii) early childhood development with respect to children from birth until entry into kindergarten;

(iv) methods to help parents promote emergent literacy in their children from birth until entry into kindergarten;

(v) health, vision, hearing, and developmental screenings;

(vi) strategies for helping eligible families with special needs or those eligible families coping with crisis;

(vii) recruiting, supervising, and retaining qualified staff;

(viii) increasing services for underserved populations;

(ix) methods to help parents effectively respond to their children's needs and behaviors; and

(x) implementation of ongoing program quality improvement and evaluation of activities and outcomes;

(L) ensure coordination of programs of early childhood home visitation, early childhood education and care, and early intervention, through an existing or created State-level early childhood coordinating body that includes—

(i) representatives from relevant State agencies, including the State agency responsible for carrying out the plan under section 106 of the Child Abuse Prevention and Treatment Act;

(ii) representatives from State Head Start Associations;

(iii) the State official with responsibility for carrying out activities under part C of the Individuals with Disabilities Education Act (20 U.S.C. 1431 et seq.);

(iv) the State official with responsibility for carrying out activities under section 619 of the Individuals with Disabilities Education Act (20 U.S.C. 1419);

(v) representatives from child care resource and referral State offices;

(vi) representatives from quality programs of early childhood home visitation; and

(vii) a board certified pediatrician or a developmental pediatrician; and

(M) not expend more than 5 percent of the amount of grant funds received under this section for the administration of the grant, including planning, administration, evaluation, and annual reporting.

(g) MAINTENANCE OF EFFORT.—A State is entitled to receive its full allotment of funds under this section for any fiscal year if the Secretary finds that the aggregate expenditures within the State for quality programs of early childhood home visitation, for the fiscal year preceding the fiscal year for which the determination is made was not less than 100 percent of such aggregate expenditures for the second fiscal year preceding the fiscal year for which the determination is made.

(h) REPORTING REQUIREMENTS.—Each State that receives a grant under this section shall submit an annual report to the Secretary regarding the State's progress in addressing the purposes of this Act. Such report shall include, at a minimum, a description of—

(1) the actual services delivered under the grant, including—

(A) the program characteristics, including descriptive information on the service models used and the actual program performance;

(B) the characteristics of the providers involved, including staff qualifications, work experience, and demographic characteristics; and

(C) the characteristics of the recipient of services under the program, including the number of recipients, their demographic characteristics, and family retention;

(2) recipient outcomes that are consistent with program goals, including, where appropriate based on the outcomes being evaluated a description of—

(A) affected parental practices;

(B) child health, cognitive, language, social-emotional, and physical developmental indicators;

(C) child maltreatment indicators, including prevention strategies;

(D) school readiness indicators; and

(E) links to community services;

(3) the research-based instruction, materials, and activities being used in the activities funded under the grant;

(4) the effectiveness of the training and ongoing professional development provided—

(A) to staff supported under the grant; and

(B) to the broader early childhood community;

(5) beginning at the end of the second year of the grant, the results of evaluations described in subsection (c)(4)(G); and

(6) the annual program implementation costs, including the cost for each family served under the program.

SEC. 5. STRENGTHENING EARLY HEAD START HOME VISITATION.

Section 645A of the Head Start Act (42 U.S.C. 9840a) is amended—

(1) in subsection (b)—

(A) in paragraph (4), by striking “provide services to parents to support their role as parents” and inserting “provide additional services to parents to support their role as parents (including training in parenting skills, basic child development, and sensitivity to cultural variations in parenting norms and attitudes toward formal supports)”;

(B) in paragraph (5)—

(i) by inserting “(including home-based services)” after “with services”; and

(ii) by inserting “, and family support services” after “health services”;

(C) by redesignating paragraphs (7), (8), and (9) as paragraphs (9), (10), and (11), respectively; and

(D) by inserting after paragraph (6) the following:

“(7) develop and implement a systematic procedure for transitioning children and parents from an Early Head Start program into a Head Start program or another local early childhood education program;

“(8) establish channels of communication between staff of Early Head Start programs and staff of Head Start programs or other local early childhood education programs, to facilitate the coordination of programs;”;

(2) in subsection (g)(2)(B), by striking clause (iv) and inserting the following:

“(iv) providing professional development and personnel enhancement activities, including the provision of funds to recipients of grants under subsection (a), relating to effective methods of conducting parent education, home visiting, and promoting quality early childhood development.”; and

(3) by adding at the end the following:

“(h) STAFF QUALIFICATIONS AND DEVELOPMENT.—

“(1) HOME VISITOR STAFF.—

“(A) STANDARDS.—In order to further enhance the quality of home visiting services provided to families of children participating in home-based, center-based, or combination program options under this subchapter, the Secretary shall establish standards for training, qualifications, and the conduct of home visits for home visitor staff in Early Head Start programs.

“(B) CONTENTS.—The standards for training, qualifications, and the conduct of home visits shall include content related to—

“(i) structured child-focused home visiting that promotes parents' ability to support the child's cognitive, social, emotional, and physical development;

“(ii) effective strengths-based parent education, including methods to encourage parents as their child's first teachers;

“(iii) early childhood development with respect to children from birth through age 3;

“(iv) methods to help parents promote emergent literacy in their children from birth through age 3;

“(v) ascertaining what health and developmental services the family involved receives and working with the service providers to eliminate gaps in services by offering annual health, vision, hearing, and developmental screenings for children from birth through entry into kindergarten, when needed;

“(vi) strategies for helping families coping with crisis; and

“(vii) the relationship of health and well-being of pregnant women to prenatal and early child development.”.

SEC. 6. TARGETED GRANTS FOR EARLY CHILDHOOD HOME VISITATION FOR FAMILIES WITH ENGLISH LANGUAGE LEARNERS.

(a) IN GENERAL.—The Secretary, in collaboration with the Secretary of Education, shall make grants, on a competitive basis, to eligible applicants to enable such applicants to support and expand local efforts to deliver services under quality programs of early childhood home visitation, to eligible families with English language learners.

(b) ELIGIBLE APPLICANT.—In this section, the term “eligible applicant” means—

(1) 1 or more local educational agencies (as defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)); and

(2) 1 or more public or private community-based organizations or agencies that serve eligible families and are capable of establishing and implementing programs of early childhood home visitation.

(c) APPLICATIONS.—An eligible applicant that desires to receive a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require. The application shall include a description of—

(1) the results of a community wide needs assessment that describes—

(A) community demographics demonstrating the need for outreach and services to eligible families with English language learners;

(B) the quality, capacity, and existing programs of early childhood home visitation for eligible families with English language learners;

(C) the gaps in programs of early childhood home visitation for eligible families with English language learners; and

(D) the type of program of early childhood home visitation necessary to address the gaps identified;

(2) the program of early childhood home visitation that will be supported by the grant under this section;

(3) how the proposed program of early childhood home visitation will promote positive parenting skills and children's early learning and development;

(4) how the proposed program of early childhood home visitation will incorporate the authorized activities described in subsection (f);

(5) how services provided through a grant under this section will use materials that are geared toward eligible families with English language learners;

(6) how the activities under this section will build upon and promote coordination among existing programs of early childhood home visitation, if such programs exist in the community, in an effort to promote an array of home visitation that ensures more eligible families with English language learners are being served and are getting the most appropriate services to meet their needs;

(7) how the program will ensure that—

(A) eligible families with English language learners are linked to schools; and

(B) the activities under this section will support the preparation of children for school;

(8) how channels of communication will be established between staff of programs of early childhood home visitation and staff of other early childhood education programs, such as Head Start programs carried out under the Head Start Act (42 U.S.C. 9831 et seq.) and Early Head Start programs carried out under section 645A of such Act, preschool programs, and child care programs, to facilitate the coordination of services for eligible families with English language learners;

(9) how eligible families with English language learners will be recruited and retained to receive services under this section;

(10) how training and technical assistance will help the staff of programs of early childhood home visitation involved in activities under this section to more effectively serve eligible families with English language learners;

(11) how the eligible applicant will evaluate the activities supported under this section in order to demonstrate outcomes related to the—

(A) increase in number of eligible families with English language learners served by programs of early childhood home visitation;

(B) enhancement of participating parents' knowledge of early learning and development;

(C) enhancement of positive parenting practices related to early learning and development; and

(D) enhancement of children's cognitive, language, social-emotional, and physical development; and

(12) such other information as the Secretary may require.

(d) APPROVAL OF APPLICATIONS.—

(1) IN GENERAL.—The Secretary shall select applicants for funding under this section based on the quality of the applications and the recommendations of a peer review panel, as described in paragraph (2).

(2) PEER REVIEW PANEL.—The peer review panel shall include not less than—

(A) 2 individuals who are experts in the field of home visitation;

(B) 2 individuals who are experts in early childhood development;

(C) 2 individuals who are experts in serving eligible families with English language learners;

(D) 1 individual who is a board certified pediatrician or a developmental pediatrician; and

(E) 1 individual with experience in administering public or private (including community-based) child maltreatment prevention programs.

(e) DURATION OF GRANTS.—Grants made under this section shall be for a period of no more than 3 years.

(f) AUTHORIZED ACTIVITIES.—Each eligible applicant that receives a grant under this section shall carry out the following activities:

(1) Providing to as many eligible families with English language learners as practicable, voluntary early childhood home visitation, on not less frequently than a monthly basis, through the implementation of other quality programs of early childhood home visitation that are research-based, that provide parents with—

(A) knowledge of age appropriate child development in cognitive, language, social-emotional, and motor domains;

(B) knowledge of realistic expectations of age-appropriate child behaviors;

(C) knowledge of health and wellness issues for children and parents;

(D) modeling, consulting, and coaching on parenting practices;

(E) skills to interact with their child to enhance age-appropriate development;

(F) skills to recognize and seek help for health issues and developmental delays, and social, emotional, and behavioral skills; and

(G) activities designed to help parents become full partners in the education of their children.

(2) Activities to ascertain what health and developmental services families receive and working with service providers to eliminate gaps in service by offering an annual health, vision, hearing, and developmental screening for children from birth through their entry into kindergarten.

(3) Providing referrals for participating eligible families with English language learners, as needed, to additional resources available in the community, such as center-based early education programs, child care services, health or mental health services, family literacy programs, employment agencies, social services, and child care resource and referral agencies.

(4) Offering group meetings (at program discretion), on not less frequently than a monthly basis, for eligible families with English language learners that—

(A) further enhance the information, activities, and skill-building addressed during home visitation;

(B) offer opportunities for parents to meet with and support each other; and

(C) address challenges facing eligible families with English language learners.

(5) Providing training and technical assistance to early childhood home visitation and early childhood care and education staff relating to—

(A) effective service to eligible families with English language learners, including skills to address challenges facing English language learners;

(B) effective methods of implementing parent education, conducting home visitation, and promoting quality early childhood development, with sensitivity to cultural variations in parenting norms and attitudes toward formal support services;

(C) the relationship of health and well-being of pregnant women to prenatal and early child development;

(D) early childhood development with respect to children from birth until entry into kindergarten;

(E) methods to help parents promote emergent literacy in their children from birth until entry into kindergarten;

(F) implementing strategies for helping eligible families with English language learners coping with a crisis;

(G) recruiting, supervising, and retaining qualified staff;

(H) increasing services for underserved eligible families with English language learners;

(I) methods to help parents effectively respond to their children's needs and behaviors; and

(J) implementation of ongoing program quality improvement and evaluation of activities and outcomes.

(6) Coordinating existing programs of early childhood home visitation in order to effectively and efficiently meet the needs of more eligible families with English language learners.

(g) REPORTING REQUIREMENTS.—The recipient of a grant under this section shall submit to the Secretary an annual report concerning the progress of the program conducted by the recipient in addressing the purposes of this Act. Each such report shall, at a minimum, include a description of—

(1) the actual service delivery provided for under the grant, including—

(A) program characteristics that include descriptive information on the service model used under the program and actual program performance;

(B) the characteristics of service providers under the program that include staff qualifications, work experience, and demographic characteristics;

(C) the characteristics of recipients of services under the program that include the number, demographic characteristics, and family retention under the program; and

(D) an estimate of the annual program implementation costs;

(2) with respect to recipients of services under the program, whether such services were provided in a manner consistent with program goals including, where appropriate—

(A) parental practices;

(B) child health and development indicators;

(C) child maltreatment indicators;

(D) school readiness indicators; and

(E) links to community services;

(3) the research-based instruction, materials, and activities being used in the activities conducted under the program; and

(4) the effectiveness of the training and ongoing professional development provided—

(A) to the staff supported under the program; and

(B) to the affected early childhood community.

(h) SUPPLEMENT NOT SUPPLANT.—Grant funds provided under this section shall be used to supplement, and not supplant, Federal and non-Federal funds available for carrying out the activities described in this section.

(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $50,000,000 for the period of fiscal years 2008 through 2010.

SEC. 7. TARGETED GRANTS FOR EARLY CHILDHOOD HOME VISITATION FOR MILITARY FAMILIES.

(a) IN GENERAL.—The Secretary of Defense, in collaboration with the Secretary of Education, shall make grants, on a competitive basis, to eligible applicants to enable such applicants to support and expand efforts to deliver services under quality programs of early childhood home visitation, to eligible families with a family member in the Armed Forces.

(b) ELIGIBLE APPLICANT.—In this section, the term "eligible applicant" means any of the following:

(1) A local educational agency that receives payments under title VIII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7701 et seq.).

(2) A school of the defense dependents' education system under the Defense Dependents' Education Act of 1978 (20 U.S.C. 921 et seq.).

(3) A school established under section 2164 of title 10, United States Code.

(4) A community-based organization serving families with a family member in the Armed Forces.

(c) APPLICATIONS.—An eligible applicant that desires to receive a grant under this section shall submit an application to the Secretary of Defense at such time, in such manner, and containing such information as the Secretary of Defense may require. The application shall include a description of—

(1) the results of a community wide needs assessment that describes—

(A) community demographics demonstrating the need for outreach and services to eligible families with a family member in the Armed Forces;

(B) the quality, capacity, and existing programs of early childhood home visitation for eligible families with a family member in the Armed Forces;

(C) the gaps in programs of early childhood home visitation for eligible families with a family member in the Armed Forces; and

(D) the type of program of early childhood home visitation necessary to address the gaps identified;

(2) the program of early childhood home visitation that will be supported by the grant under this section;

(3) how the proposed program of early childhood home visitation will promote positive parenting skills and children's early learning and development;

(4) how the proposed program of early childhood home visitation will incorporate the authorized activities described in subsection (f);

(5) how services provided through a grant under this section will use materials that are geared toward eligible families with a family member in the Armed Forces;

(6) how the activities under this section will build on and promote coordination with existing programs of early childhood home visitation, if such programs exist in the community, in an effort to promote an array of home visitation that ensures more eligible families with a family member in the Armed Forces are being served and are getting the most appropriate services to meet their needs;

(7) how the program will ensure that—

(A) eligible families with a family member in the Armed Forces are linked to schools; and

(B) the activities under this section will support the preparation of children for school;

(8) how channels of communication will be established between staff of programs of early childhood home visitation and staff of

other early childhood education programs, such as Head State programs carried out under the Head Start Act (42 U.S.C. 9831 et seq.) and Early Health State programs carried out under section 645A of such Act, preschool programs, family support programs, and child care programs, to facilitate the coordination of services for eligible families with a family member in the Armed Forces;

(9) how eligible families with a family member in the Armed Forces will be recruited and retained to receive services under this section;

(10) how training and technical assistance will help staff of programs of early childhood home visitation involved in activities under this section to more effectively serve eligible families with a family member in the Armed Forces;

(11) how the eligible applicant will evaluate the activities supported under this section in order to demonstrate outcomes related to the—

(A) increase in number of eligible families with a family member in the Armed Forces served by programs of early childhood home visitation;

(B) enhancement of participating parents' knowledge of early learning and development;

(C) enhancement of positive parenting practices related to early learning and development; and

(D) enhancement of children's cognitive, language, social-emotional, and physical development; and

(12) such other information as the Secretary of Defense may require.

(d) APPROVAL OF LOCAL APPLICATIONS.—

(1) IN GENERAL.—The Secretary of Defense shall select applicants for funding under this section based on the quality of the applications and the recommendations of a peer review panel, as described in paragraph (2).

(2) PEER REVIEW PANEL.—The peer review panel shall include not less than—

(A) 2 individuals who are experts in the field of home visitation;

(B) 2 individuals who are experts in early childhood development;

(C) 2 individuals who are experts in family support for military families;

(D) 1 individual who is a board certified pediatrician; and

(E) 1 individual with expertise in administering public or private (including community-based) child maltreatment prevention programs; and

(e) DURATION OF GRANTS.—Grants made under this section shall be for a period of no more than 3 years.

(f) AUTHORIZED ACTIVITIES.—Each eligible applicant that receives a grant under this section shall carry out the following activities:

(1) Providing to as many eligible families with a family member in the Armed Forces as practicable, voluntary early childhood home visitation, on not less frequently than a monthly basis, through the implementation of quality programs of early childhood home visitation that are research-based, that provide parents with—

(A) knowledge of age appropriate child development in cognitive, language, social-emotional, and motor domains;

(B) knowledge of realistic expectations of age-appropriate child behaviors;

(C) knowledge of health and wellness issues for children and parents;

(D) modeling, consulting, and coaching on parenting practices;

(E) skills to interact with their child to enhance age-appropriate development;

(F) skills to recognize and seek help for health issues and developmental delays, and social, emotional, and behavioral skills; and

(G) activities designed to help parents become full partners in the education of their children.

(2) Ascertaining what health and development services the family receives under the program and working with service providers to eliminate gaps in service by offering annual health, vision, hearing, and developmental screening for participating children.

(3) Providing referrals for participating eligible families with a family member in the Armed Forces, as needed, to additional resources available in the community, such as center-based early education programs, child care services, health or mental health services, family literacy programs, employment agencies, social services, and child care resource and referral agencies.

(4) Offering group meetings (at the discretion of the program), on not less frequently than a monthly basis, for eligible families with a family member in the Armed Forces that—

(A) further enhance the information, activities, and skill-building addressed during home visitation;

(B) offer opportunities for parents to meet with and support each other; and

(C) address challenges facing eligible families with a family member in the Armed Forces.

(5) Providing training and technical assistance to early childhood home visitation and early childhood care and education staff relating to—

(A) effective service to eligible families with a family member in the Armed Forces;

(B) effective methods of conducting parent education, home visiting, and promoting quality early childhood development, with sensitivity to cultural variations in parenting norms and attitudes toward formal support services;

(C) the relationship of health and well-being of pregnant women to prenatal and early child development;

(D) early childhood development with respect to children from birth until entry into kindergarten;

(E) methods to help parents promote emergent literacy in their children from birth until entry into kindergarten;

(F) implementing strategies for helping eligible families with a family member in the Armed Forces coping with crisis;

(G) recruiting, supervising, and retaining qualified staff;

(H) increasing services for underserved eligible families with a family member in the Armed Forces;

(I) methods to help parents effectively respond to their children's needs and behaviors; and

(J) implementation of ongoing program quality improvement and evaluation of activities and outcomes.

(6) Coordinating existing programs of early childhood home visitation in order to effectively and efficiently meet the needs of more eligible families with a family member in the Armed Forces.

(g) REPORTING REQUIREMENTS.—The recipient of a grant under this section shall submit to the Secretary an annual report concerning the progress of the program conducted by the recipient in addressing the purposes of this Act. Each such report shall, at a minimum, include a description of—

(1) the actual service delivery provided for under the grant, including—

(A) program characteristics that include descriptive information on the service model used under the program and actual program performance;

(B) the characteristics of service providers under the program that include staff qualifications, work experience, and demographic characteristics;

(C) the characteristics of recipients of services under the program that include the number, demographic characteristics, and family retention under the program; and

(D) an estimate of the annual program implementation costs;

(2) with respect to recipients of services under the program, whether such services were provided in a manner consistent with program goals including, where appropriate—

(A) parental practices;

(B) child health and development indicators;

(C) child maltreatment indicators;

(D) school readiness indicators; and

(E) links to community services;

(3) the research-based instruction, materials, and activities being used in the activities conducted under the program; and

(4) the effectiveness of the training and ongoing professional development provided—

(A) to the staff supported under the program; and

(B) to the affected early childhood community.

(h) SUPPLEMENT NOT SUPPLANT.—Grant funds provided under this section shall be used to supplement, and not supplant, Federal and non-Federal funds available for carrying out the activities described in this section.

(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $50,000,000 for the period of fiscal years 2008 through 2010.

SEC. 8. EVALUATION.

(a) IN GENERAL.—From funds reserved under section 6(b)(1)(A), the Secretary shall conduct an independent evaluation of the effectiveness of this Act.

(b) REPORTS.—

(1) INTERIM REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit an interim report on the evaluation conducted pursuant to subsection (a) to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and Labor of the House of Representatives.

(2) FINAL REPORT.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit a final report on the evaluation conducted pursuant to subsection (a) to the committees described in paragraph (1).

(c) CONTENTS.—The reports submitted under subsection (b) shall include information on the following:

(1) How the grant funds have expanded access to early childhood home visitation in a manner that demonstrates that programs under this Act reflect the quality indicators under this Act.

(2) How the States are documenting compliance with the service delivery indicators under this Act across all entities carrying out programs under this Act with emphasis on the number of families served and the level of service received.

(3) How the services provided under State programs affect outcomes consistent with programs goals, including, where appropriate based on the program being evaluated, parenting practices, child health and development, child maltreatment, school readiness, and links to community services.

(4) The effectiveness of early childhood home visitation on different populations, including the extent to which variability exists in program ability to improve outcomes across programs and populations, such as families with English language learners and families with a family member in the Armed Forces.

(5) The effectiveness of the training and technical assistance activities funded under this Act, including the effects of training and technical assistance activities on program performance and agency-level collaboration.

(6) Recommendations on strengthening or modifying this Act.

SEC. 9. SUPPORTING NEW PARENTS THROUGH HOSPITAL EDUCATION.

(a) IN GENERAL.—The Secretary of Health and Human Services (referred to in this section as the "Secretary") shall develop and implement a public information and educational campaign to inform the public and new parents about the importance of proper care for infants and children under 5 years of age, including healthy parent-child relationships, the demands and stress associated with caring for infants, positive responses to infants' challenging behaviors including awareness of their social, emotional, and physical needs, awareness of the vulnerability of young children to abusive practices, and the signs and treatment of postpartum depression .

(b) ELEMENTS.—

(1) IN GENERAL.—The campaign developed under subsection (a) shall include the following elements:

(A) The dissemination of educational and informational materials in print, audio, video, electronic, and other media

(B) The use of public service announcements and advertisements

(C) The dissemination of effective child abuse prevention practices and techniques, including information about research-based home visiting programs, respite care, crisis nurseries, and patent support networks, to parents, caregivers, maternity hospitals, children's hospitals, pediatricians, child care centers, organizations providing prenatal and postnatal care, and organizations providing parenting education and support services.

(D) Connection to existing parental involvement programs.

(2) PREVENTION PRACTICES.—In carrying out paragraph (1)(C) through the campaign under subsection (a), the Secretary shall ensure that every hospital, military hospital, and birth center receiving these materials requests that each maternity patient and father of a newborn child, if available, participate in a single session parenting class, that is approved by the Secretary, on the vulnerabilities of their infant to abusive practices, as well as the importance of proper care for infants and young children, and the symptoms of abusive head and other injuries, and strategies for caring for infants' social, emotional, and physical needs. After participating in the class, the hospital or birth center shall request that such patient or father sign a form stating that they have participated or refused to participate in the parenting class.

(3) EXISTING PROGRAMS.—The implementation and execution of the public information and educational campaign under this section should seek collaboration with and referrals to existing parental involvement programs that specialize in strengthening children's cognitive skills, early literacy skills, social or emotional and physical development and existing prenatal and early childhood home visit programs.

(4) EXISTING STATE REQUIREMENTS.—The implementation and execution of the public information and educational campaign under this section should encourage the Secretary to work with pre-existing State requirements to ensure that no unnecessary burdens are placed on hospitals, military hospitals, and birth centers receiving educational materials.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such sums as may be necessary to carry out this section for fiscal year 2008.

By Mr. REED (for himself and Mr. ISAKSON):

S. 668. A bill to require the Food and Drug Administration to conduct consumer testing to determine the appropriateness of the current labeling requirements for indoor tanning devices and determine whether such requirements provide sufficient information to consumers regarding the risks that the use of such devices pose for the development of irreversible damage to the skin, including skin cancer, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, today I join Senator ISAKSON in introducing the Tanning Accountability and Notification (TAN) Act.

Approximately 1 in 5 Americans will develop skin cancer in their lifetime. While the decline in cancer deaths reported earlier this year is an indication that we are starting to turn the corner on our fight against cancer, approximately 1 million people will be diagnosed with skin cancer and 10,850 are expected to die in 2007 alone.

There are many factors that contribute to these startling figures. In recent years efforts have been undertaken by various organizations to better inform the public about the risk of sun exposure and ways to decrease the chance of developing skin cancer. One area, however, where better information is sorely needed is on the use of indoor tanning salons.

Every day approximately 1 million people visit a tanning salon. It is a practice particularly popular among teens, the group that seems most at risk from the effects of indoor tanning. The American Academy of Dermatology, the Food and Drug Administration, FDA, the National Institutes of Health, NIH, the Centers for Disease Control and Prevention, CDC, and the World Health Organization, WHO, all discourage the use of indoor tanning equipment.

This message and the current information about the risks of indoor tanning I fear are not being adequately passed on to consumers. The FDA has not updated its warnings on tanning beds since 1979. Regular users of indoor tanning beds deserve to be fully informed.

The TAN Act calls upon the FDA to revisit the current label on indoor tanning beds and determine through a process of public hearings' and consumer testing what kind of labeling requirements would convey important information on the risks of indoor tanning.

This legislation is not about introducing new regulations but ensuring that the current FDA regulations remain effective in communicating.accurate, current, and clear information to consumers about indoor tanning salons.

I look forward to working with my colleagues toward passage of this bipartisan legislation. I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 668

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Tanning Accountability and Notification Act of 2007".

SEC. 2. REPORT BY FOOD AND DRUG ADMINISTRATION REGARDING LABELING INFORMATION ON RELATIONSHIP BETWEEN USE OF INDOOR TANNING DEVICES AND DEVELOPMENT OF SKIN CANCER OR OTHER SKIN DAMAGE.

(a) IN GENERAL.—The Secretary of Health and Human Services (referred to in this section as the "Secretary"), acting through the Commissioner of Food and Drugs, shall determine—

(1) whether the labeling requirements for indoor tanning devices, including the positioning requirements, provide sufficient information to consumers regarding the risks that the use of such devices pose for the development of irreversible damage to the eyes and skin, including skin cancer; and

(2)(A) whether adding the warning suggested by the American Academy of Dermatology to the current warning label, or any other additional warning, would communicate the risks of indoor tanning more effectively; or

(B) whether there is no warning that would be capable of adequately communicating such risks.

(b) CONSUMER TESTING.—In making the determinations under subsection (a), the Secretary shall conduct appropriate consumer testing, using the best available methods for determining consumer understanding of label warnings.

(c) PUBLIC HEARINGS; PUBLIC COMMENT.—The Secretary shall hold public hearings and solicit comments from the public in making the determinations under subsection (a).

(d) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall submit to the Congress a report that provides the determinations under subsection (a). In addition, the Secretary shall include in the report the measures being implemented by the Secretary to significantly reduce the risks associated with indoor tanning devices.

By Mr. AKAKA (for himself, Mr. REID, Mr. INOUYE, Mrs. BOXER, Ms. CANTWELL, and Mr. KENNEDY):

S. 671. A bill to exempt children of certain Filipino World War II veterans from the numerical limitations on immigrant visas; to the Committee on the Judiciary.

Mr. AKAKA. Mr. President. I rise today with my distinguished colleagues Senators Harry Reid, Daniel Inouye, Barbara Boxer, Maria Cantwell, and Edward Kennedy to introduce a bill which will award special immigrant status to the children of naturalized Filipino veterans who fought in World War II thereby allowing these veterans to become reunited with their families.

With the passage of the Immigration Act of 1990, the courage of many Filipino soldiers who fought alongside our troops during World War II was finally honored and acknowledged by our government and they were offered the opportunity to obtain U.S. citizenship. However, the Act did not extend this opportunity to the sons and daughters of these veterans. As a result, many of the brave men who defended this Nation may spend the last years of their lives without the comfort and care of their families.

For over twenty years, many of the sons and daughters of these soldiers have been waiting to obtain immigrant visas. While some have been fortunate enough to have their visas approved, other are still waiting because of a backlog. This is unacceptable. My legislation will finally allow them to reunite with their elderly parents.

I urge my Senate colleagues to honor the sacrifices of these brave men by supporting this bill and allowing those who have served our country so valiantly to have their families by their side for the remainder of their years.

By Mr. SALAZAR (for himself and Mr. Smith):

S. 672. A bill to amend the Internal Revenue Code of 1986 to provide tax-exempt financing for qualified renewable energy facilities, and for other purposes; to the Committee on Finance.

By Mr. SALAZAR (for himself, Mr. Smith, Mr. Dorgan, and Mr. Craig):

S. 673. A bill to amend the Internal Revenue Code of 1986 to provide credits for the installation of wind energy property, including by rural homeowners, farmers, ranchers, and small businesses, and for other purposes; to the Committee on Finance.

Mr. SALAZAR. Mr. President, today I am introducing two bills that will help drive the renewable energy revolution that is currently underway in our rural communities. The Rural Community Renewable Energy Bonds Act, which I am introducing with Senator Smith, and the Rural Wind Energy Development Act, which I am introducing with Senators Smith, Dorgan and Craig, will help spur much needed private investment in renewable energy infrastructure in rural areas.

I have spoken countless times about the great possibilities that rural America holds for our Nation's energy future. I have also expressed my alarm at how our rising dependence on foreign oil is undermining our security and our interests around the world.

How do we build a more energy secure economy—one that is less vulnerable to wild swings in oil prices, political instability, and supply disruptions? Unfortunately, we don't have the resources in this country to drill our way to energy independence. We do, however, have the most productive lands in the world, and the most productive farmers, ranchers, engineers and entrepreneurs in the world. If we give them the right tools, they can build a new, clean energy economy that will rely heavily on biofuels, wind power, solar energy, and alternative sources.

If you spend time in places like Prowers County or Alamosa County, you see that a clean energy revolution is already underway in our heartland. In these rural communities, like so many across the country, people are banding together to build small biofuels plants, solar farms, and wind turbines. These projects are already underway, and they are the seeds for a full-blown clean energy revolution in rural America.

The farmers, ranchers, and entrepreneurs who are behind these projects want to be a part of the solution to our Nation's energy challenges. They also understand that home-grown energy can revitalize the Main Streets that have been boarded up in the last few years.

The bills I am introducing today provide tools that rural communities can use to build a renewable energy economy.

The first bill, the Renewable Energy Bonds Act, provides incentives for investment in wind and other renewable energy projects by giving private developers access to tax-exempt bond markets.

Currently, the Federal tax code only allows municipal and public entities access to tax-exempt bond markets for wind and other renewable energy projects. Private developers, who are more likely to invest in smaller projects and who are currently responsible for nearly 75 percent of current renewable energy development, are not eligible to use these federally tax-exempt bonds.

This is unfortunate because these are the same small developers who don't benefit much from the production tax credit, as their Federal tax liabilities usually aren't big enough to reap the tax credit's benefits.

Renewable energy bonds make sense for these small developers and, because they cost the Federal Government less than the production tax credit, they also make sense from a fiscal perspective. This bill may actually save the Government money.

The second bill I am introducing, the Rural Wind Energy Development Act, would extend the production tax credit to include small wind systems. We have made great strides in wind development over the last few years, as evidenced by wind energy's growing availability to Colorado consumers.

The trouble is that the existing production tax credit only benefits larger producers that want to build wind farms with million-dollar turbines. Small businesses, towns, farms, and families aren't given the same incentive to produce their own renewable power from smaller, more affordable turbines.

This is unfortunate because the National Renewable Energy Lab in Golden, Colorado, and others are making great strides in the development of small wind systems that can be installed on homes and businesses. The system now available costs around $50,000 for 10kW of capacity.

That's a steep investment for any family or any business. But our bill, by providing a tax incentive for their purchase, would not only reduce the cost, but it would create more market certainty for manufacturers of small wind systems. With more systems in production, costs will fall further and small wind will be a real option for more people.

The bill is simple: it creates a five year tax credit of $1500 per half-kW. There is no cap for the purchase and installation of small wind systems, so long as they are smaller than 100kW. It will put more small wind systems on the market and it will give consumers more choices of how to power their homes and businesses.

I'm proud to introduce these bills with my colleagues because they represent two more building blocks for a new, clean energy economy and because they will help revitalize a rural America that has been forgotten for too long.

I hope we can move these straightforward, bipartisan solutions through as quickly as possible.

By Mr. HARKIN (for himself, Mr. Grassley, Mr. Cochran, Mr. Dodd, Mr. Durbin, Mr. Kerry, Mr. Kohl, Mrs. Murray, Mr. Rockefeller, Ms. Snowe, and Ms. Stabenow):

S. 675. A bill to provide competitive grants for training court reporters and closed captioners to meet requirements for realtime writers under the Telecommunications Act of 1996, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. HARKIN. Mr. President, today I am introducing legislation, the Training for Realtime Writers Act of 2007, on behalf of myself and my colleagues, Senators Grassley, Cochran, Dodd, Durbin, Kerry, Kohl, Murray, Rockefeller, Snowe and Stabenow.

The 1996 Telecom Act required that all television broadcasts were to be captioned by 2006 and all Spanish language programming was to be captioned by 2010. This was a much needed reform that has helped millions of deaf and hard-of-hearing Americans to be able to take full advantage of television programming. And now the first deadline has passed. On January 1, the Federal Communications Commission (FCC) began fining stations for not captioning.

Unfortunately, the United States has fallen behind in training captioners. We must jump start training programs to supply captioning for the many broadcasters just realizing their obligation now. And looking forward, we need to get students in the pipeline now to begin to address the need for Spanish language broadcasting.

This is an issue that I feel very strongly about because my late brother, Frank, was deaf. I know personally that access to culture, news, and other media was important to him and to others in achieving a better quality of life. More than 30 million Americans are considered deaf or hard of hearing and many require captioning services to participate in mainstream activities. In 1990, I authored legislation that required all television sets to be equipped with a computer chip to decode closed captioning. This bill completes the promise of that technology, affording deaf and hard of hearing Americans the same equality and access that captioning provides.

With baby boomers aging, the percentage of the population with hearing loss is increasing dramatically and will continue to outpace population growth for the next decade. But let me emphasize that the deaf and hard of hearing population is only one of a number of groups that will benefit from the legislation. The audience for captioning also includes individuals seeking to acquire or improve literacy skills, including approximately functionally illiterate adults, immigrants learning English as a second language, and children learning to read. Empirical research studies have been conducted repeatedly since 1988 to demonstrate that captions improve the performance of individuals learning to read English.

I see people using closed captioning to stay informed everywhere—from the gym to the airport. Here in the Senate, I would wager that many individuals on our staff have the captioning turned on right now to follow what is happening on the Senate floor while they go about conducting the meetings and phone calls that advance legislation. Captioning helps people educate themselves and helps all of us stay informed and entertained when audio isn't the most appropriate medium.

Although the 2006 deadline has passed, our nation is facing a serious shortage of captioners. The rate of job placement upon graduation nears 100 percent. In addition, the majority of closed captioners are independent contractors. They are the small businesses that run the American economy and we should do everything we can to promote the creation and support of those businesses.

That is why my colleagues and I are re-introducing this vital piece of legislation. The Training for Realtime Writers Act of 2007 would establish competitive grants to be used toward training real time captioners. This is necessary to ensure that we meet the promises we made in the 1996 Telecom Act.

The Senate Commerce Committee reported this bill unanimously in the last two sessions, the full Senate has passed this Act without objection three times now, and we stand here today, once again at the beginning of the process. I am hopeful that this will be the Congress moves our country forward on this accessibility issue. I ask my colleagues to join us once again in support of this legislation and join us in our effort to win its passage into law.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 85—EXPRESSING THE SENSE OF THE SENATE REGARDING THE CREATION OF REFUGEE POPULATIONS IN THE MIDDLE EAST, NORTH AFRICA, AND THE PERSIAN GULF REGION AS A RESULT OF HUMAN RIGHTS VIOLATIONS

Mr. LAUTENBERG (for himself, Mr. LOTT, Mr. DURBIN, and Mr. COLEMAN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 85

Whereas armed conflicts in the Middle East have created refugee populations numbering in the hundreds of thousands and comprised of peoples from many ethnic, religious, and national backgrounds;

Whereas Jews and other ethnic groups have lived mostly as minorities in the Middle East, North Africa, and the Persian Gulf region for more than 2,500 years;

Whereas the United States has long voiced its concern about the mistreatment of minorities and the violation of human rights in the Middle East and elsewhere;

Whereas the United States continues to play a pivotal role in seeking an end to conflict in the Middle East and continues to promote a peace that will benefit all the peoples of the region;

Whereas a comprehensive peace in the Middle East region will require the resolution of all outstanding issues through bilateral and multilateral negotiations involving all concerned parties;

Whereas the United States has demonstrated interest and concern about the mistreatment, violation of rights, forced expulsion, and expropriation of assets of minority populations in general, and in particular, former Jewish refugees displaced from Arab countries, as evidenced by—

(1) a statement made by President William J. Clinton in an interview after Camp David II in July 2000, at which the issue of Jewish refugees displaced from Arab lands was discussed, where he said that "[t]here will have to be some sort of international fund set up for the refugees. There is, I think, some interest, interestingly enough, on both sides, in also having a fund which compensates the Israelis who were made refugees by the war, which occurred after the birth of the State of Israel. Israel is full of people, Jewish people, who lived in predominantly Arab countries who came to Israel because they were made refugees in their own land.";

(2) a statement made by President Carter after negotiating the Camp David Accords, the Framework for Peace in the Middle East, where he stated in a press conference on October 27, 1977, that "Palestinians have rights . . . obviously there are Jewish refugees . . . they have the same rights as others do";

(3) section 620 of H.R. 3100, 100th Congress, which states that Congress finds that "with the notable exceptions of Morocco and Tunisia, those Jews remaining in Arab countries continue to suffer deprivations, degradations, and hardships, and continue to live in peril" and that Congress calls upon the governments of those Arab countries where Jews still maintain a presence to guarantee their Jewish citizens full civil and human rights, including the right to lead full Jewish lives, free of fear, with freedom to emigrate if they so choose; and

(4) Senate Resolution 76, 85th Congress, introduced by Senator William E. Jenner on January 29, 1957, which—

(A) noted that individuals in Egypt who are tied by race, religion, or national origin with Israel, France, or the United Kingdom have been subjected to arrest, denial or revocation of Egyptian citizenship, expulsions, forced exile, sequestration and confiscation of assets and property, and other punishments without being charged with a crime; and

(B) requested the President to instruct the chief delegate to the United Nations to urge the prompt dispatch of a United Nations observer team to Egypt with the objective of obtaining a full factual report concerning the violation of rights;

Whereas the international definition of a refugee clearly applies to Jews who fled the persecution of Arab regimes, where a refugee is a person who "owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion, is outside the country of his nationality, and is unable to or, owing to such fear, is unwilling to avail himself of the protection of that country" (Convention relating to the Status of Refugees, done at Geneva July 28, 1951, and entered into force April 22, 1954 (189 UNTS 150));

Whereas the United Nations High Commissioner for Refugees (UNHCR) determined that Jews fleeing from Arab countries were refugees that fell within the mandate of the UNHCR, namely—

(1) when in his first statement as newly elected High Commissioner, Mr. Auguste Lindt, at the January 29, 1957, meeting of the United Nations Refugee Fund (UNREF) Executive Committee in Geneva, stated, "There is already now another emergency problem arising. Refugees from Egypt. And there is no doubt in my mind that those of those refugee who are not able or not willing to avail themselves of the protection of the Government of their nationality, they might have no nationality or they may have lost

this nationality, or, for reasons of prosecution may not be willing to avail themselves of this protection, fall under the mandate of the High Commissioner." (United Nations High Commissioner for Refugees, Report of the UNREF Executive Committee, Fourth Session–Geneva 29 January to 4 February, 1957); and

(2) Dr. E. Jahn, on behalf of the United Nations High Commissioner for Refugees, wrote to Daniel Lack, Legal Adviser to the American Joint Distribution Committee, stating, "I refer to our recent discussion concerning Jews from Middle Eastern and North African countries in consequence of recent events. I am now able to inform you that such persons may be considered prima facie within the mandate of this Office." (United Nations High Commissioner for Refugees Document No. 7/2/3/Libya);

Whereas the seminal United Nations resolution on the Arab-Israeli conflict and other international initiatives refer generally to the plight of "refugees" and do not make any distinction between Palestinian and Jewish refugees, such as—

(1) United Nations Security Council Resolution 242 of November 22, 1967, which calls for a "just settlement of the refugee problem" without distinction between Palestinian and Jewish refugees, and this is evidenced by—

(A) a failed attempt by the United Nations delegation of the Soviet Union to restrict the "just settlement" mentioned in Resolution 242 solely to Palestinian refugees (S/8236, discussed by the Security Council at its 1382nd meeting on November 22, 1967, notably at paragraph 117, in the words of Ambassador Kouznetsov of the Soviet Union), which signified the international community's intention of having the resolution address the rights of all Middle East refugees; and

(B) a statement by Justice Arthur Goldberg, the Chief Delegate of the United States to the United Nations at that time, who was instrumental in drafting the unanimously adopted United Nations Resolution 242, where he observed, "The resolution addresses the objective of 'achieving a just settlement of the refugee problem'. This language presumably refers both to Arab and Jewish refugees, for about an equal number of each abandoned their homes as a result of the several wars.";

(2) the Madrid Conference, which was first convened in October 1991 and was co-chaired by President of the United States, George H.W. Bush, and President of the Soviet Union, Mikhail Gorbachev, and included delegations from Spain, the European community, the Netherlands, Egypt, Syria, and Lebanon, as well as a joint Jordanian-Palestinian delegation, where in his opening remarks before the January 28, 1992, organizational meeting for multilateral negotiations on the Middle East in Moscow, United States Secretary of State James Baker made no distinction between Palestinian refugees and Jewish refugees in articulating the mission of the Refugee Working Group, stating that "[t]he refugee group will consider practical ways of improving the lot of people throughout the region who have been displaced from their homes"; and

(3) the Roadmap to a Permanent Two-State Solution to the Israeli-Palestinian Conflict, which refers in Phase III to an "agreed, just, fair, and realistic solution to the refugee issue", language that is consistent with United Nations Security Council Resolution 242, which applied equally to Arab and Jewish peoples;

Whereas Egypt, Jordan, and the Palestinians have affirmed that a comprehensive solution to the Middle East conflict will require a just solution to the plight of all "refugees", as evidenced by—

(1) the 1978 Camp David Accords, the Framework for Peace in the Middle East, which includes a commitment by Egypt and Israel to "work with each other and with other interested parties to establish agreed procedures for a prompt, just and permanent resolution of the implementation of the refugee problem";

(2) the Treaty of Peace between Israel and Egypt, signed at Washington March 26, 1979, which provides in Article 8 that the "Parties agree to establish a claims commission for the mutual settlement of all financial claims" and makes general references to United Nations Security Council Resolution 242 as the basis for comprehensive peace in the region; and

(3) Article 8 of the Treaty of Peace Between the State of Israel and the Hashemite Kingdom of Jordan, done at Arava/Araba Crossing Point October 26, 1994, entitled "Refugees and Displaced Persons", refers to "the massive human problems caused to both Parties by the conflict in the Middle East";

Whereas the call to secure rights and redress for Jewish and other minorities who were forced to flee Arab countries is not a campaign against Palestinian refugees;

Whereas the international community should be aware of the plight of Jews and other minority groups displaced from the Middle East, North Africa, and the Persian Gulf;

Whereas the history and legacy of Jewish refugees from Arab countries must be preserved;

Whereas no just and comprehensive Middle East peace can be reached without recognition of, and redress for, the uprooting of centuries-old Jewish communities in the Middle East, North Africa, and the Persian Gulf; and

Whereas it would be appropriate and just for the United States, while recognizing rights for Palestinian refugees, to recognize equal rights for former Jewish, Christian, and other refugees from Arab countries: Now, therefore, be it

Resolved,

SECTION 1. SENSE OF THE SENATE ON HUMAN RIGHTS AND REFUGEES.

It is the sense of the Senate that—

(1) the United States deplores the past and present ongoing violation of the human rights and religious freedoms of minority populations in Arab and Muslim countries throughout the Middle East, North Africa, and the Persian Gulf; and

(2) with respect to Jews, Christians, and other populations displaced from countries in the region, for any comprehensive Arab-Israeli peace agreement to be credible, durable, enduring, and constitute an end to conflict in the Middle East, North Africa, and the Persian Gulf, the agreement must address and resolve all outstanding issues, including the legitimate rights of all refugees of the Middle East, North Africa, and the Persian Gulf.

SEC. 2. UNITED STATES POLICY ON REFUGEES OF THE MIDDLE EAST.

The Senate urges the President to—

(1) instruct the United States Permanent Representative to the United Nations and all representatives of the United States in bilateral and multilateral fora that, when considering or addressing resolutions that allude to the issue of refugees in the Middle East, North Africa, and the Persian Gulf, they should ensure that—

(A) relevant text refers to the fact that multiple refugee populations have been created by the Arab-Israeli conflict; and

(B) any explicit reference to the required resolution of the Palestinian refugee issue is matched by a similar explicit reference to the resolution of the issue of Jewish, Christian, and other refugees from Arab and Muslim countries throughout the Middle East, North Africa, and the Persian Gulf region; and

(2) make clear that the United States Government supports the position that, as an integral part of any comprehensive peace, the issue of refugees and the mass violations of human rights of minorities in Arab and Muslim countries throughout the Middle East, North Africa, and the Persian Gulf must be resolved in a manner that includes—

(A) consideration of the legitimate rights of all refugees displaced from Arab and Muslim countries throughout the Middle East, North Africa, and the Persian Gulf; and

(B) recognition of the losses incurred by Jews, Christians, and other minority groups as a result of the Arab-Israeli conflict.

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that an oversight hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will be held on Wednesday, February 28, 2007, at 9:45 a.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to consider the President's fiscal year 2008 budget request for the USDA Forest Service.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150.

For further information, please contact Scott Miller at 202–224–5488 or Rachel Pasternack at 202–224–0883.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that an oversight hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will be held on Thursday, March 1, 2007, at 9:30 a.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the Energy Information Administration's Annual Energy Outlook.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150.

For further information, please contact Tara Billingsley at 202–224–4756 or Britni Rillera at 202–224–1219.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. SALAZAR. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to hold a hearing during the session of the Senate on Friday, February 16, 2007, at 10 a.m., in SD–430.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. SALAZAR. I ask unanimous consent that Avril Haines, a detailee from the Department of State for the Committee on Foreign Relations, be granted the privileges of the floor for the duration of the debate on S. 574 and any motions related thereto.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT NO. 110–1

Mr. DURBIN. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following treaty transmitted to the Senate on February 16, 2007, by the President of the United States:

Land-Based Sources Protocol to Cartagena Convention (Treaty Document No. 110–1).

I further ask unanimous consent that the treaty be considered as having been read the first time; that it be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's message be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The message of the President is as follows:

To the Senate of the United States:

I transmit herewith, for the advice and consent of the Senate to ratification, the Protocol Concerning Pollution from Land-Based Sources and Activities (the "Protocol") to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region, with Annexes, done at Oranjestad, Aruba, on October 6, 1999, and signed by the United States on that same date. The report of the Secretary of State is enclosed for the information of the Senate.

The Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region (the "Cartagena Convention") is a regional framework agreement negotiated under the auspices of the Regional Seas Program of the United Nations Environment Program (UNEP). It sets out general legal obligations to protect the marine environment of the Gulf of Mexico, Straits of Florida, Caribbean Sea, and immediately adjacent areas of the Atlantic Ocean—collectively known as the Wider Caribbean Region. The United States became a Party to the Cartagena Convention in 1984. The Cartagena Convention envisions the development of protocols to further elaborate certain of its general obligations and to facilitate its effective implementation.

Negotiated with the active participation and leadership of the United States, the Protocol addresses one of the most serious sources of marine pollution in the Wider Caribbean Region. It is estimated that 70 to 90 percent of pollution entering the marine environment emanates from land-based sources and activities. Among the principal land-based sources of marine pollution in the Caribbean are domestic wastewater and agricultural nonpoint source runoff. Such pollution contributes to the degradation of coral reefs and commercial fisheries, negatively affects regional economies, and endangers public health, recreation, and tourism throughout the region.

The Protocol and its Annexes list priority source categories, activities, and associated contaminants that affect the Wider Caribbean Region, and set forth factors that Parties will be required to apply in determining prevention, reduction, and control strategies to manage land-based sources of pollution. In particular, the Parties are required to ensure that domestic wastewater discharges meet specific effluent limitations, and to develop plans for the prevention and reduction of agricultural nonpoint source pollution. The Protocol is expected to raise standards for treating domestic wastewater throughout the region to levels close to those already in place in the United States.

The United States would be able to implement its obligations under the Protocol under existing statutory and regulatory authority.

The Protocol is the first regional agreement to establish effluent standards to protect one of our most valuable resources, the marine environment. It differs markedly from other, similar regional agreements in its conceptual approach and the specificity of its obligations. As such, the Protocol is expected to set a new standard for regional agreements on this subject. Early ratification will demonstrate our continued commitment to global leadership and to the protection of the marine environment of the Wider Caribbean Region.

I recommend that the Senate give early and favorable consideration to the Protocol and its Annexes, with the declaration described in the accompanying report of the Secretary of State, and give its advice and consent to ratification.

GEORGE W. BUSH.

THE WHITE HOUSE, *February 15, 2007.*

APPOINTMENTS

The PRESIDING OFFICER. The Chair announces, on behalf of the minority leader, pursuant to Public Law 105–83, the reappointment of the following Senator to serve as a member of the National Council on the Arts for a term of 2 years: The Senator from Utah (Mr. BENNETT).

The Chair, on behalf of the Vice President, pursuant to Public Law 94–304, as amended by Public Law 99–7, appoints the following Senators as members of the Commission on Security and Cooperation in Europe (Helsinki) during the 110th Congress: the Senator from Oregon (Mr. SMITH), the Senator from Georgia (Mr. CHAMBLISS), the Senator from North Carolina (Mr. BURR), and the Senator from Kansas (Mr. BROWNBACK).

ORDERS FOR SATURDAY, FEBRUARY 17, 2007

Mr. DURBIN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 12 noon, Saturday, February 17; that on Saturday, following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the Senate then resume consideration of the motion to proceed to S. 574, with the time until 1:45 p.m. equally divided between the two leaders or their designees with the Republican leader in control of the time between 1:25 to 1:35 p.m. and the majority leader in control of the time between 1:35 and 1:45 p.m., and at 1:45 p.m. the Senate proceed to the cloture vote on the motion to proceed to S. 574.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL TOMORROW

Mr. DURBIN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 7:36 p.m., adjourned until Saturday, February 17, 2007, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate February 16, 2007:

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

ELI WHITNEY DEBEVOISE II, OF MARYLAND, TO BE UNITED STATES EXECUTIVE DIRECTOR OF THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT FOR A TERM OF TWO YEARS, VICE ROBERT B. HOLLAND, III, RESIGNED.

EXPORT-IMPORT BANK OF THE UNITED STATES

BIJAN RAFIEKIAN, OF CALIFORNIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE EXPORT-IMPORT BANK OF THE UNITED STATES FOR A TERM EXPIRING JANUARY 20, 2011. (REAPPOINTMENT)

IN THE ARMY

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be lieutenant colonel

SUSAN M. OSOVITZOIEN, 4744

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SPECIALIST CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

TOM K. STATON, 7158

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

EVAN F. TILLMAN, 1630

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

MICHAEL A. CLARK, 5485
BELINDA J. COAKLEY, 6790
JANET L. NORMAN, 2018

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be colonel

EDWARD W. TRUDO, 1896

To be lieutenant colonel

CARLOS R. ESQUIVEL, 1501
STANLEY F. GOULD, 2633
JANE L. HOLTZCLAW, 2901
STEPHEN E. POST, 8255
SALVADOR P. RENTERIZ, 1092

To be major

MING JIANG, 2841

IN THE MARINE CORPS

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

CHARLES E. DANIELS, 2857
TIMOTHY O. EVANS, 7683

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

BRIAN T. THOMPSON, 6676

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

MICHAEL R. CIRILLO, 7216

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

VERNON L. DARISO, 4433
RICHARD W. FIORVANTI, JR., 8214

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

LEONARD R. DOMITROVITS, 9677
JASON A. HIGGINS, 4653
WILLIAM E. ROSCHE, 5726
ROBERT W. SAJEWSKI, 9772

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

SAMSON P. AVENETTI, 7266
DANIEL M. CLARK, 9101
BRYAN DELGADO, 8791
MARK R. DOEHRMANN, 1424
LEIGH A. DUBIE, 0631
DELMAR J. LAKE, JR., 1860
JUAN M. ORTIZ, JR., 1744
RODOLFO D. QUISPE, 6279
FRANCISCO C. RAGSAC, 5193

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

JASON B. DAVIS, 0451
STEVEN C. FREDERICK, 4574
RICHARD A. JAYROE, 6735
TIMOTHY T. RYBINSKI, 9947
RICHARD F. SCHOFIELD, 6158
KELLY S. SILARD, 6952
PETER M. TAVARES, 3723

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

DARREN L. DUCOING, 1586
JEFFREY S. FORBES, 0668
SCOTT A. FORTENBERRY, 0065
PRISCILLA A. GUNN, 0290
NATHAN J. TOWNSEND, 1022
KENNETH L. VANZANDT, 3442

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

ROBERT T. CHARLTON, 0930
SEAN J. COLLINS, 4953
JOHN L. MYRKA, 5966
BRIAN A. TOBLER, 1543

HOUSE OF REPRESENTATIVES—*Friday, February 16, 2007*

The House met at 8 a.m. and was called to order by the Speaker pro tempore (Mr. MCNULTY).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
February 16, 2007.

I hereby appoint the Honorable MICHAEL R. MCNULTY to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker, House of Representatives.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Almighty and Eternal God, we pray that You bless this country we love with all our hearts. We thank You for those who founded this Republic upon faith, respect for law, and constitutional rights of individuals and the common good of the Nation.

Fan the flame of freedom in the hearts of all Americans, and especially those who serve in the Armed Forces. Strengthen the resolve of all the Members of the United States House of Representatives, that they, attentive to Your commands, may follow their consciences and always do what is right as they wrestle with complex issues.

Grant that what they say with their lips they believe in their hearts, and what they believe in their hearts they may bring to practice in their lives and in the Nation.

May Your light so shine upon America that the world may see in us a glimpse of Your glory both now and forever. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Georgia (Mr. LINDER) come forward and lead the House in the Pledge of Allegiance.

Mr. LINDER led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

IRAQ WAR RESOLUTION

The SPEAKER pro tempore. Pursuant to section 3 of House Resolution 157, proceedings will now resume on the concurrent resolution (H. Con. Res 63) disapproving of the decision of the President announced on January 10, 2007, to deploy more than 20,000 additional United States combat troops to Iraq.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. When proceedings were postponed on Thursday, February 15, 2007, 8½ minutes of debate remained on the concurrent resolution.

Mr. EMANUEL. Mr. Speaker, pursuant to section 2 of House Resolution 157, and as the designee of the majority leader, I demand that the time for debate be enlarged by 1 hour, equally divided and controlled by the leaders or their designees.

The SPEAKER pro tempore. Under the rule, that will be the order.

The gentleman from Missouri (Mr. SKELTON) now has 35½ minutes remaining, and the gentleman from California (Mr. HUNTER) has 33 minutes remaining.

The Chair recognizes the gentleman from Missouri.

Mr. SKELTON. Mr. Speaker, at this time I yield 5 minutes to my friend and colleague, the gentleman from Illinois (Mr. EMANUEL).

Mr. EMANUEL. Mr. Speaker, we gather today to consider a question that is profoundly simple: Do we support the President's plan to further escalate America's involvement in Iraq, or not? After 4 long, painful years in which we have seen so many young lives lost, are we now willing to put even more of our brave heroes in harm's way, or will we acknowledge that the current course is failing, that doubling down on the status quo while hoping for a better result would be foolish.

There are those who oppose this resolution because they say it would hurt the troops' morale. Hurt morale? Our leaders promised them they would be greeted as liberators. Instead, we have put them smack in the middle of a shooing gallery, policing someone else's civil war, backing an Iraqi government that refuses to stand up for itself.

We have sent our soldiers back time and again. We have sent many of them without the life-saving equipment and armor they needed, and now they say this resolution would hurt troop morale? To suggest that more of the same just won't do.

They have done their duty with courage and discipline. Now it is time for Congress to do its duty. They deserve not to be sacrificed in the furtherance of a policy that failed for the last 4 years.

From the beginning, this war has been a saga of miscalculations, mistakes and misjudgments for which America will pay in many ways for years to come. Let us not compound those bad judgments by ratifying another.

The President assures us that this escalation of war is the most promising path to a more peaceful Iraq. For the past 5 years we have accepted the President's assurances on Iraq, only to learn that the facts on the ground belied his aggressive assertions and rosy rhetoric. We accepted his assurances about the presence of weapons of mass destruction and Saddam's links to al Qaeda. We authorized a war on that basis, only to learn that much of what we were told simply wasn't true.

Against stern warnings, we accepted his assurances and those of the Vice President that a post-Saddam Iraq would welcome our presence and overcome deeply engrained sectarian differences. It simply wasn't true. We accepted their assurances when they told us General Shinseki was mistaken when he said we needed far more troops to stabilize Iraq than the administration planned, and that the cost of this war would be minimal. It simply wasn't true. We accepted their assurances when they told us the insurgency was in its last throes. It simply wasn't true.

Each of the last three troop surges has been countered with a surge in violence. It is for that reason that a bipartisan group of House Members and the American public oppose the forth troop increase. More troops doing more of the same is not a policy, it is not a strategy, it is not a tactic, it is the status quo plus.

The time is past for accepting this administration's assurances at face value. The human cost of its repeated assurances is too great.

Mr. Speaker, 3 years ago I asked permission to establish a temporary memorial to the fallen in Iraq in Statuary Hall. The leadership at that time refused, so I began posting the pictures of the young soldiers we have lost outside

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☐This symbol represents the time of day during the House proceedings, e.g., ☐1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

my office. I have watched as that grim line of photos has grown past my doorway to fill the corridor. More than 3,000 dead, more than 20,000 wounded. When I walk by those photos, I see the purpose, I see the pride, and I see the promise in their young faces. They were sons and daughters, husbands and wives, mothers and fathers who will never see their kids grow up.

I ask you, how long must this grim line of photographs grow before we acknowledge that this policy is not working? How many corridors must these memorials fill before we we say, not on my watch? How many more lives must we lose? How many more hearts must be broken?

It is time for this Congress to tell President Bush that his assurances are not enough. This escalation does not mean stability in Iraq, it will mean more loss and more photographs in the corridor.

I urge you to vote "yes" on this resolution.

Mr. HUNTER. Mr. Speaker, I want to yield myself 1½ minutes to respond to the first assertion just made by my colleague, to the effect that we sent the troops in without what he called lifesaving equipment.

When we finished the Clinton administration, virtually no one in any of the 10 Army divisions, which, incidentally, had been cut from 14 Army divisions when that administration went into power, none of the 10 divisions that were left, virtually none of them had any bulletproof vests, any of this body armor that we talk about that our troops have today.

When we went into the first operation, we had much more than the Clinton administration had. At that point we had a number of the inserts, of the so-called Small Arms Protective Inserts. We had the outer tactical vests that incorporate those inserts with all of our Marines, with all of the infantry units going in with the U.S. Army. And very quickly after that, we developed a plan in which we fielded body armor for not only the people on the front lines, the infantry, the artillery, the armor, but also everybody that is in theater.

Mr. Speaker, it is absolutely outrageous to tell the American people that the Americans were dangerously unequipped when we went into Iraq. We went in with better equipment than we have ever had in any wars that this country has ever fought. And today, we have fielded over 40,000 pieces of new equipment that we didn't have 4 years ago that makes our troops yet more efficient.

I would like to yield 5 minutes to the gentleman from Georgia (Mr. LINDER).

Mr. LINDER. I thank my friend for yielding.

It has been interesting to listen to this debate over several days. Two thoughts stand out. One side says nonbinding resolutions achieve nothing and insult the troops. The other side has retired to opinion polls. The American people want to end this cost of human and financial treasure. They said so in the last election.

Thank God John Adams never consulted public opinion polls. There was never a time when more than a third of our Nation was in favor of independence and freedom. Thomas Paine said, "If there must be trouble, let it be in my day, that my child may have peace."

World War I was not America's war, no one attacked us; but an attack was made on freedom, and we responded. The doubters wondered why we would spend money on a war so far from our shores which didn't threaten us. The doughboys at Vimmy Ridge knew why they were there.

Hitler didn't attack us, he didn't even threaten us; he threatened all that freedom meant to the world. And while we were engaged in Southeast Asia after Pearl Harbor, we still sent troops across the channel on D Day. Many mistakes were made. Troops drowned before getting to the beach. Support aircraft bombed the wrong areas. 9,386 Americans died in the Battle of Normandy and are buried there on that hill.

But the Boys of Pointe Du Hoc climbed that ridge under withering machine gun fire. They silenced the machine guns, took out the embankments and walked across Europe, and in 11 months Europe was free. We then spent billions of dollars to rebuild a free Europe.

After World War II, we spent 50 years in a war against an idea. It was a battle of the two great religions, communism and freedom. When Whittaker Chambers left communism for freedom, he told his wife that he feared that he was moving to the losing side. He knew that communism could not survive if its people believed in a higher faith; he concluded that freedom could not survive if they did not. He had become a believer; he was unsure if we remained believers.

Many of those Cold War years were not pretty. Between 1970 and 1980, the Soviets increased their influence in Cuba, Vietnam, Cambodia, Laos, Nicaragua, Grenada, Mozambique, Angola, Ethiopia, Afghanistan, South Yemen, Libya, Iraq and Syria. We watched and were timid. We even had Members of this very body go to some of those nations' dictators to apologize for our defense of what we believed; we believed in freedom.

When Israel watched its athletes murdered at Munich, we urged caution. When terrorists continued to kill Israelis, we continued to urge caution. For 21 years we urged that great friend of ours not to respond in kind. We were timid. After the attacks began against America, beginning with the 1993 bombing of the World Trade Centers, we remained timid. We chose not to engage all of the opportunities we had to be bold. In the face of a declared war against our government and our people, we were timid.

And then September 11, 2001. We stood together on the Capitol steps in solidarity that lasted a good week, and then it became politics as usual.

I don't know if this fight for freedom can succeed when about half of our Nation doesn't know we are in it; nor do I know whether our Nation can come to an honest conclusion about what we are engaged in when all they see is the worst side of everything.

When I was last in Iraq, a young man told me about going through a city and all the residents came forth to say thank you and throw flowers. He asked the embedded reporter if that was worth a picture; he was told, "That's not news." I don't know how the whole story gets told.

I do know this: This President knows that he and his commanders have made some wrong decisions, but he knows, as we must know, that this war has always been about the principle, the virtue, the idea of freedom, and to walk away now will have catastrophic consequences for its future.

President Bush believes that our Nation, more than any other, ought to defend the right of people to live free. That is the only victory we can ever have over an ideology that cannot survive in a free society.

President Bush knows why Lincoln said that he often found himself on his knees because there was nowhere else to go.

□ 0815

He also knows, as did Lincoln, that a President must continue to fight for posterity, even when it becomes unpopular to do so.

If you believe, as I do, that the idea of freedom is still worth defending, you will vote against this resolution.

Mr. SKELTON. Mr. Speaker, I yield 5 minutes to the gentleman from Georgia (Mr. LEWIS).

Mr. LEWIS of Georgia. Mr. Speaker, I want to thank my friend for yielding.

Mr. Speaker, I rise with deep concern that this President has chosen to escalate the war in Iraq instead of charting a course towards peace.

Today, I am reminded of the words of Martin Luther King, Jr., when he spoke out against the war in Vietnam on April 4, 1967. He said, "The world now demands a maturity of this Nation that we may not be able to achieve. It demands that we admit that we have been wrong from the beginning of our adventure in Vietnam," we could substitute Iraq, "and that our actions have been detrimental to the people of that Nation."

Mr. Speaker, war is messy. War is bloody. It tends not just to hide the truth but to sacrifice the truth. And the truth is that this was a war of choice and not a war of necessity. It was ill-fated from its inception at the highest levels of Government, and persisting in error will not fix a policy that was fundamentally flawed from the very beginning.

Thousands of our sons and daughters have been left dead on the battlefield, and tens of thousands are changed forever, wounded physically and spiritually by the brutality of war. Our soldiers are the best men and women in the world, willing to sacrifice all they have at a moment's notice to protect our freedom. They do not deserve to pay with their lives for the errors of this administration.

Mr. Speaker, we will never find the answer to the problem we have created in Iraq down the barrel of a gun. The lasting solution to this crisis will rise from skillful diplomacy, not military might. The Good Book said, "Come let us reason together."

We must never, ever be afraid to talk. What harm comes from sitting down with Syria, Iran and our allies in the Middle East to help bring the warring parties together? John F. Kennedy once said, "Those who make peaceful revolution impossible will make violent revolution inevitable."

My greatest fear here is that the young people growing up in the Middle East will never forget this American invasion. My greatest fear is that they will grow up to hate our children, our grandchildren and generations yet unborn, because of what we are doing today in Iraq.

Yes, we must maintain a strong national defense. We must defend our borders. We must bring an end to terrorism. But not at the expense of our democracy, not at the expense of the very principles this Nation was founded upon.

I want to close by asking a question of old, Mr. Speaker. What does it profit a great Nation to gain the whole world and lose its soul? Gandhi once said, "It is either nonviolence or nonexistence."

Martin Luther King, Jr., once said, "We must learn to live together as brothers and sister or perish as fools."

It is better to heal than to kill. It is better to reconcile than to divide. It is better to love than to hate. That is why we must vote for this resolution. We must do more.

We must not place more of our young people in harm's way. We must not continue to make our soldiers sitting ducks in a civil war. As Members of Congress, we must continue to stand up, speak up and speak out. It is our duty, it is our right, it is our moral obligation. We must find a way to get in the way until we bring our young men and women home, and not to continue to escalate this war.

Vote for this resolution. It is the right thing to do. We must send a powerful and strong message to this administration to stop this madness.

Mr. HUNTER. Mr. Speaker, I yield 7 minutes to the gentleman from California (Mr. ROHRABACHER).

Mr. ROHRABACHER. Mr. Speaker, I rise in opposition to this resolution. But, as this debate progresses, we should be proud of the sincere expressions of concern by our colleagues on both sides of the aisle and both sides of this resolution, for the lives and well-being of America's defenders who are now at risk in order to protect our country, our communities and our families.

All of us have been to heartbreaking wakes, funerals, burials; all of us have gone to the bases to see off our Reservists and our National Guardsmen and to wish them Godspeed; and all of us have been on the tarmac to greet them when they return, sometimes having lost comrades, killed or wounded. All of us want to do what is right for our defenders and for the future of our country.

So we need to be extraordinarily careful. Whatever we do today honors their efforts and their sacrifice. We should not be the authors of a policy that ensures the lives of these American heroes have been lost in vain. If at the end of this episode our country is at greater risk, then indeed their lives will have been lost in vain.

I am supporting this last effort, this last chance, if you will, to see that our commitment to Iraq will not result in failure. A failure now will have consequences that are worse than the price that we are now paying in blood and treasure. We do not have the option of walking away without consequences. No amount of midwest corn pressed into ethanol will allow us to ignore the Middle East.

Helping establish moderate democratic governments in the Middle East is not just a favorite of the people there, but it is an imperative to our own prosperity and security. Our dependency based friendships with oil-rich yet dictatorial regimes has set the parameters for the fundamental decisions American leaders have made. It has skewed our ability to be a force for freedom and progress. And it is freedom and progress that shield us from the whims of feudalistic, corrupt despots and religious megalomaniacs. It is the onslaught of freedom that will change that reality that we are now dependent upon.

That is what we had to deal with, and now we have come to this moment of decision. I wish it were not so. But it is a sad reality that what is right is usually not easy. The right course is, in the long term, usually frustrating and heart-wrenching. There are stalls and reverses to every historically significant event and undertaking.

There are always those who walk away when the road gets rough, who cannot see the end and when uncertainty looms. If one seeks certainty, bold actions will never happen. Only if we are bold to our enemies and steadfast will we ever succeed in any international endeavor.

The current conflict in Iraq has several dimensions; and, yes, it is between the Sunnis and the radical Shiite sects of Islam, a bloody Janus, with one face to Tehran and the other to Riyadh.

But don't be fooled, Mr. Speaker. The murderers, torturers and the haters on both sides revile the United States. The sword of Sadr and the bombs of al-Qaeda have turned on each other, but they both have a dream that is close to their hearts, and that dream is a nightmare to those who cherish freedom and to those who stand with liberty and seek comity among the people of the world. That macabre nightmare is the removal of the United States influence from the Muslim world.

You see, there is another force in Iraq and throughout that part of the world, where the majority of people are guided by the visions of the prophet Mohammed. Those of whom I speak are those Muslims who desire liberty and justice, who want government to be elected and directed by the people, who do not want to live their life in fear and would choose a positive relationship with the western world.

They are there, as we have witnessed in one of the most devout Muslim countries of the world, Afghanistan. It was not the American soldiers but the Afghan people themselves who drove out the Taliban and al-Qaeda from their country. Similarly, moderate Muslims, people of good will all over the Middle East, and they are there and they tremble that America will lose its resolve and retreat before a radical form of Islam.

An American retreat condemns them to suppression under the heels of fanatic Muslims who hate our way of life and are willing to murder anyone who suggests that Islam and the West can live in peace with one another and that we can respect each other's faith and build a better, more peaceful and, yes, a freer world.

Mr. Speaker, if the sole superpower cannot stabilize Iraq, we are not a superpower. If we cannot thwart such a gang of bandits and savages as we face in Iraq, who will stand with us anywhere? Who will be our ally? We must not lose in Iraq.

But what does that mean? That means we must not leave that country defeated and in retreat or we and our families will lose and in the short run pay a horrible price. Yes, if we retreat from Iraq, these ghouls who kill civilians, who would kill civilians and are currently killing civilians by the tens of thousands, they will follow us home and they will be emboldened.

The sides are chosen, the game is in play. We will determine, not the terrorists or the radical lunatics, who stands and who falls, who marches forward and who retreats. All of this will be determined by our military capabilities, our technological advantages, but even more so by our will, by our desire and by our sure grit.

What we do today makes the future. We choose how it will be shaped.

I am reminded of General Petain, the French commander who fought the Germans at the Battle of Verdun. Some attribute the phrase "they shall not pass" to him. Well, he rallied the French people to that German onslaught. But, 20 years later, he capitulated to Nazi Germany almost without a fight, because he and the people of France viewed the Second World War as not worthy of the price necessary to prevent a Nazi victory.

Well, did that defeatism and appeasement, what did it do? The cost was unimaginable.

Let us today not make this severe misjudgment again about the magnitude of the downside of retreating before an evil force that threatens the West. There will be a cost with the retreat.

So let us note that what we do in Iraq will determine if the West will truly stand behind any ally of freedom and any enemy of radical Islam. Let us make sure there is hope in the Middle East and throughout the world.

Mr. Speaker, let us today not make this severe misjudgment again about the magnitude of the down side of retreating before an evil force that threatens the West. There will be a cost if we retreat. Many in this Chamber supported military interventions around the world during the 1990s, including numerous civil wars, situations from which they now claim the United States should steer clear. However, the consequences of withdrawal from Bosnia or Haiti pale in comparison to withdrawal from Iraq.

What happens in Iraq determines if the West will truly stand behind democratic government in the Middle East and elsewhere in the Islamic world. Moderate Muslims must have confidence in our ability to triumph over our fears, to withstand humanitarian impulses to simply disengage from conflict, not to give in to force and pressure when applied by an enemy. Otherwise, we lose. The world loses. The moderates of the Islamic world will never prevail against this evil unless we are with them and have courage and persevere, unless we are willing to hold the line, until the moderate forces in the Islamic world can take up the fight with a reasonable chance of victory.

On the flip side, only a defeat of radical Islam will bring peace to that troubled region. A loss of faith in America's ability to persevere in the Middle East would be a catalyst for catastrophe. That region in chaos would disrupt the entire world economy. Shifts of power would channel enormous resources into the hands of the enemies of Western civilization, enemies of the United States. It's a frightening picture that doesn't need to happen.

How is this different than a year ago? The difference is 1,000 American lives lost in a distant, foreign land. America is war weary. I too am weary. Every story of another young person, blown apart, rips at my heart. Those Americans who have gone are volunteers, heroes all. We owe it to them not to call it off and change direction in haste. To withdraw quickly, without honor, that would indeed mean their lives were lost in vain. It would mean the next front line battle will be the home front.

I, then, am one who is not anxious to declare defeat and retreat from Iraq. I am willing to give the Iraqi people a while longer, a slot of time, to step forward and meet the bloody, yet historic, challenge that faces them. We can't do it for them, but we can, as the world's leading free nation, give them this chance. Otherwise, we are clearly not a leading nation at all. We are too weary to lead. That is not the America I know. Today we define ourselves, to the world, and to our children. We must have a commitment to our ideals and courage.

America has a crucial role to play in this world and we are America. Let us not fail in this our historic responsibility.

Mr. SKELTON. Mr. Speaker, I yield 5 minutes to the gentleman from Minnesota, the chairman of the Agriculture Committee, my friend, Mr. PETERSON.

Mr. PETERSON of Minnesota. I thank the gentleman.

Mr. Speaker, by nearly all measures, the situation in Iraq is a mess. And yet what seems crystal clear to most Minnesoteans the President says that we still have a realistic chance to achieve his vision for a free and democratic Iraq and that all is needed is a short-term addition of 21,000 American combat troops. Does nobody seriously think that this is true, that success is only 21,000 more soldiers away?

Mr. Speaker, I am against the President's plan. I have given this President the benefit of the doubt on more than one occasion. But his plan to send in more troops does not pass the test of common sense. If a short-term surge was going to deliver victory and democracy in Iraq, we would have already done it.

This idea would have made more sense at the beginning of this war. And more troops at the start were what many experts counseled. I was serving on the Select Intelligence Committee when the President, senior Pentagon officials, and senior intelligence officials told us that Iraq was a threat to our national security. At the time, we had a great deal of confusing and occasionally conflicting information.

We questioned them about this, and their response was that the information that they had required us to act and that they had a plan for the aftermath. I gave them the benefit of the doubt then, and I believed them.

But as time passed and events unfolded, we all learned that, at best, we had received unreliable information and, at worst, we had been misled.

□ 0830

Mr. Speaker, I want to focus now on the soldiers in the Minnesota National Guard and talk about what the President's plan is going to mean for them.

A Minnesota Guardsman, a staff sergeant who is currently deployed in Iraq, and, by the way, that is the same rank I held when I left the Guard, sent a letter to the editor of one the newspapers in my district; and I want to read some of it to you.

He says, "My unit, the Second Battalion, 136th Infantry, Bear Cats of Minnesota, which are now the 34th Infantry Division 1, First Brigade, is on its second deployment since 2003. In 2003, we were mobilized for a 10-month deployment to Bosnia. We returned home in April of 2004 and were mobilized again in October, 2005, for our current Iraq deployment. When our current deployment is complete, the 134th Combat Battalion will have spent 490 days in combat, exceeding the current record held by the First Armored Division, an active duty armor unit, by 35 days. A great deal has been asked of us and more will be asked of us in the near future. But our benefits do not reflect the burden that we carry."

He says that, "while the State and the people of Minnesota have been extremely generous towards their soldiers, the Federal Government continues to treat Minnesota soldiers like unwanted stepchildren by neglecting to give them the benefits that better reflect their roles in today's military, that is as full-time, front-line soldiers who are used on a regular basis, rather than sparingly. However, it is not our choice to be full-time soldiers, a capacity that we essentially fill for the military, given the frequency of deployments and the sheer numbers of National Guard and Reserve troops deployed across the globe at any one time. If the military is going to use the National Guard in an active duty capacity, it must increase our benefits to go along with the responsibility or there will be no National Guard for the Federal and State governments to rely upon in times of crisis."

Mr. Speaker, I think he said it clearly; and I couldn't agree more. When called upon to serve our country, the Minnesota National Guard has a proud history of answering that call. Over 2,500 soldiers of the Minnesota National Guard are in Iraq. Many of them were already deployed overseas, as I said, in Bosnia; and they were slated to come home in March. But, instead, they are having their tour extended for 4 more months because of this administration's plan.

Now they are scheduled to come home in July and will have spent 22 months away from their families. They will have been deployed a total of 36 months out of the last 5 years. In my opinion, that is unacceptable, and I say, enough is enough.

The soldiers of the Minnesota National Guard are performing their duties admirably. They are performing well or better than the regular Army. They are serious about completing their mission; and, from my experience, they will always do more than what is asked of them.

Another group of people that I would like to recognize are the Guard's families. They are not in harm's way, but they wake up every day worrying, not knowing what that day will about bring for their loved ones. They didn't enlist for the military, but they share their daily effects of this war.

Mr. Speaker, I ask my colleagues to oppose this plan.

Mr. HUNTER. Mr. Speaker, I would like to yield 5 minutes to Mr. WESTMORELAND, the gentleman from Georgia.

Mr. WESTMORELAND. Mr. Speaker, if this undemocratic, smoke-and-mirrors Congress had been in power throughout our Nation's history, I am not sure we would have much to celebrate this weekend when we commemorate Presidents Day. On Monday, we honor the Presidents who guided our Nation through its toughest moments, Presidents who made tough decisions in the face of public skepticism despite great peril and unimaginable sacrifice.

Not all Americans supported General George Washington's campaign against the British, yet our Nation's father led a ragtag band of underfed and underequipped soldiers to victory over the greatest military of its day.

Not all Americans supported President Lincoln's decision to go to war to preserve the Union. It seems inevitable today, but, at the time, many Americans would have preferred to save the lives, treasure, and misery and just let the Nation cleave into two. But Lincoln decided to preserve the Union, a Union that, in time, would become the greatest, most powerful nation on earth, even though he had to wage the deadliest war in U.S. history, with 600,000 lives lost.

I wonder what the forebears of today's Democratic Party would think of their policy of retreat and defeat? What would they think of the timidity in the face of great danger?

What happened to the legacy of Woodrow Wilson, who faced down American skeptics to lead us to victory in World War I?

What happened to the legacy of FDR, who faced down American isolationists to defeat the evils of German fascism and the militarism of imperial Japan?

What happened to the legacy of Harry Truman, the first President to realize the peril of the Soviets and entered our war-weary Nation into the fight against the spread of communism?

The wisdom of their decisions wasn't necessarily clear to all Americans of their day, but the judgment of history validates their leadership.

Today, our Commander in Chief sees the danger to our Nation's security and freedom posed by Islamic extremist forces in the Middle East. Many in this Congress choose to believe that the violence in Iraq is a local problem. To some degree, it is, but it is also a problem for the United States.

If we were to follow the proposals of Democratic leaders, we would pull out our troops and let Iraq become a failed State. Anarchy in Iraq would give al Qaeda and other extremists a safe haven to train and plot attacks. It was in the failed states of the Sudan and Afghanistan that al Qaeda was able to plan the African embassy bombings, the attack on the USS *Cole* and the September 11 disasters.

The smoke and mirrors Democratic Congress wants it both ways. On the one hand, they say this is a nonbinding resolution. On the other hand, they say this is a first step.

Given how Democratic leaders have battled to one-up each other and have allowed their rhetoric to spiral, how can this nonbinding resolution be anything but a first step?

How can Democrats stop with the nonbinding resolution if they agree with Senator OBAMA that lives lost in Iraq have been "wasted?"

This nonbinding resolution expresses disapproval of the military plan to strengthen our forces in Iraq and give them the resources they need. By the end of this week, every Member of this House will be on the record and answerable to their constituents about whether they are for or against the military plan.

My colleagues who vote for this resolution are for one of two things. They are either for retreat and defeat, or stay the course.

We all agree that changes need to be made, that changes need to take us toward a stable and peaceful Iraq. Withdrawal would take us in the opposite direction.

Let's reject this smoke-and-mirrors resolution and continue to fight, take the fight to the terrorists.

Mr. SKELTON. Mr. Speaker, I yield to my friend, the gentleman from Massachusetts, the chairman of the Financial Services Committee, Mr. FRANK.

Mr. FRANK of Massachusetts. Mr. Speaker, we have just heard a great example of an important form of political debate. The Republicans specialize in this. It is kind of political necrophilia. There is this love of dead Democrats among many Republicans. Democrats who, when they were alive were trashed by the right wing, once they are dead and safely no longer possibly candidates for office, get lionized. Nothing of course shows that better than with Harry Truman, but it is John Kennedy, and it is others.

The assertion that the Democrats who are supporting this resolution, and the unspoken Republicans who will be joining with us, that we somehow oppose the use of force is terrible history. It is wrong. In fact, the most recent entirely successful use of military force by the United States came from a Democratic President, Bill Clinton—he's still alive, so don't say good things about him—and supported by Democrats in Congress, and it was opposed by many of the Republicans, including many of the current Republican leadership.

Under Bill Clinton, American military forces were used quite successfully; and the result is not perfection but a much better situation in the former Yugoslavia than we had before. And the Republicans brought forth, guess what, nonbinding resolutions.

Now, they pretend to be upset about nonbinding resolutions. Frankly, I was a little encouraged when I heard the Bush administration criticize nonbinding resolutions, because, up till now, I had thought that Bush and Cheney thought that everything we did was nonbinding with regard to national security. So they were at least implicitly conceding that some things can be binding.

But the fact is that the Democrats strongly supported—I didn't mean to make it partisan, they did—the effort in Yugoslavia over Republican opposition.

And then let's talk about terrorists. We were attacked in 9/11 from Afghanistan and overwhelmingly, with only one exception, Democrats in the House and Senate supported the war in Afghanistan. We are continuing to support that war in Afghanistan.

I am critical of an administration which has diverted military resources and energy and political resources from Afghanistan. They are weakening the number one fight against terrorism, which is in Afghanistan. And that is one of the reasons for opposing this war in Iraq.

Now, the war in Iraq has been, in my judgment, the greatest national security disaster in America history. And it isn't one in which we got sucked in and had to defend ourselves. It was an entirely voluntary error. This administration unwisely went into Iraq on inaccurate grounds; and not only did they make the wrong war, they have been disastrously wrong in virtually every decision. So the question now is, are we doing more good than harm to the causes we care about?

I believe, in fact, that fighting terrorism, fighting extremism, fighting that particularly radical fundamentalist form of Islam, not all Islam, obviously, by all means, that that is weakened by our being in Iraq. It has clearly weakened our effort in Afghanistan. The commanders in Afghanistan beg for more troops, and instead they go uselessly to Iraq, uselessly not because of the lack of capacity of the fighting people but because they are condemned to fight in a very mistaken strategy.

It has emboldened radicals elsewhere. This administration predicted that our overthrowing Saddam Hussein would strengthen the forces of moderation. In fact, it has weakened them.

Let's remember that when America invaded Afghanistan with the overwhelming support of both parties and the united support of this country, we were popular in the world. We mobilized the world. And since that time came the invasion of Iraq. And because of the mistaken decision and the poor way in which it is carried out, I do not think there has been a time in recent history when America has been less able to accomplish in the world the things we want to accomplish.

So then the question is, okay, but isn't this escalation going to change that?

There is zero reason to think that. First, we are told this is what the administration says. If ever any group of people forfeited their right to be listened to, it is the collection of people who have shown an aggressive incompetence with regard to Iraq. Can anyone think of a single decision from the invasion forward that has been correct, that has been borne out by events?

So why do you take people who have been wrong about everything, wrong about the politics, wrong about the military situation, wrong about the economy, and then you say, oh, but this time we think they got it right. Maybe it is the theory of random occurrences, that people, having been wrong so often and so consistently, they are owed one. But that is not a basis on which we ought to be making a decision.

This war in Iraq continues to hurt rather than help our efforts overall. If I thought we were doing some good there, then it would be a different story. But the causes of the disaster, in addition to the rampant incompetence of this administration at virtually all levels, the cause of the disaster is internal, it is ethnic and political and a whole range of other things within Iraq. It is not a lack of American firepower.

So to try to resolve this disaster by taking the advice of people who created the disaster and have been wrong about it would be a terrible error, and I hope the resolution passes.

Mr. HUNTER. Mr. Speaker, let me just take 2 minutes to respond to my colleague who has just made a number of points.

First, there are a number of live Democrats that I like to refer to. When somebody asks me whether or not Saddam Hussein was indeed a dangerous terrorist in and of himself, I like to take the words of all of the Democrat leadership of this country in the 1990s, when, in their words, there was no Bush administration to trick them, who made that point very, very forcefully.

Secondly, the invasion of Iraq and the taking of Baghdad in record time with very low casualties has been described by most military leaders as being a remarkably efficient and effective operation. In fact, while we had people saying that our troops would be bogged down, the same talk shows would be interrupted with a news flash that Tommy Franks had taken yet another stronghold of Saddam Hussein.

□ 0845

We took Baghdad with very low casualties, very, very quickly, in a very effective and efficient military operation.

Lastly, I don't think that the gentleman can say that there have been no ripples, no ripples whatsoever in the Middle East with respect to freedom and democracy and people wanting to be free as a result of the elections in Iraq. There clearly was action in Libya where they moved lots of parts of their nuclear weapons program which are now residing in the United States, I think as a result of American actions there. Clearly actions toward freedom, toward ejecting the Syrians from Lebanon and moving toward multiparty elections in Egypt. All imperfect to be sure but nonetheless reactions from our operation in Iraq.

Lastly, I would just say to my colleague let me just say to my colleague, there are no smooth roads. The smooth roads not taken, that have been held out by the armchair critics, like we should have kept Saddam Hussein's army in place, that was an army with 11,000 Sunni generals. What are you going to do with an army with 11,000 Sunni generals? Certainly not establish stability in a country in which you have a Shiite majority.

The idea that we needed to have 300,000 Americans in Iraq and yet at the same time put an Iraqi face, as a number of the critics have said, on the military apparatus.

So I think a number of the gentleman's points have been strongly disproven by the American operation in Iraq. We are in the second period right now of a three-phase operation: stand up a free government; stand up a military capable of protecting that free government; lastly, the Americans leave. Let's give the second phase a chance to work.

Mr. Speaker, I would like to yield 4 minutes to the gentleman from South Carolina (Mr. WILSON).

Mr. FRANK of Massachusetts. Will the gentleman yield to me 15 seconds to respond?

Mr. HUNTER. I like a full debate. If the gentleman will hold on.

The SPEAKER pro tempore. Who yields time?

Mr. HUNTER. Let me allow the gentleman from Missouri to yield to the gentleman from Massachusetts.

Mr. SKELTON. Mr. Speaker, I yield the gentleman from Massachusetts 30 seconds.

Mr. FRANK of Massachusetts. If the gentleman from California wants to claim Iraq as a success, he is entitled to do that. I must say that the initial victory was a very deceptive one, because it led to the current situation. But the biggest difference between us, I guess, is when he cites Lebanon as one of the successful ripples, as he says. In fact, the terrible tragedy that went on in Lebanon that was initially something that was promising, we have had that war with Hezbollah in control in Israel, I think Lebanon is a further sad example of the extent to which this misguided and badly run operation in Iraq has sadly strengthened the most radical and anti-American forces in the Middle East, not weaken them.

Mr. HUNTER. Mr. Speaker, I want to yield myself 15 seconds to make a response to that last point.

My last point wasn't that Lebanon is California or New York or Massachusetts. My last point was that the free elections in Iraq inspired the Lebanese to work to eject the Syrian influence, which I think the gentleman would agree was not a good influence in Lebanon. It inspired people to want to be free.

Mr. FRANK of Massachusetts. Does the gentleman consider Lebanon or Syria free today?

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. HUNTER. If the gentleman gets more time, I will be happy to engage with him.

Mr. Speaker, I would like to yield 4 minutes to the gentleman from South Carolina (Mr. WILSON).

Mr. WILSON of South Carolina. Thank you, Mr. HUNTER, for your leadership, your military service, and your son's military service.

Mr. Speaker, complete discussion regarding the way forward in Iraq is certainly appropriate. In fact, it's our duty as elected public officials. It is sad that the resolution before us offers no solutions. It is contradictory to say in one paragraph that we support the troops and in the next paragraph oppose reinforcements for them. As the parent of a son who served proudly in Iraq and three others in the military, I want to fully support the troops.

Al Qaeda spokesman Zawahiri has made it clear that Iraq is the central front in the global war on terrorism. In a January 22, 2007 transcript, Zawahiri boasted, "The backing of the jihad in Afghanistan and Iraq today is to back the most important battlefields." The enemy know Iraq is the central front of the global war on terrorism.

We must put our trust in the commanders on the ground who are living the situations we are merely debating. General David Petraeus in Baghdad is an accomplished general with a proven record of success. He has expressed his confidence that victory in Iraq can be achieved—provided he has the personnel required to do so. General

Petraeus has just been unanimously confirmed by the U.S. Senate to lead our troops in Iraq. We need to support him with reinforcements.

In my six visits to Iraq, I have gone to encourage our troops, but each time it is them who have encouraged me. They know firsthand that the enemies fighting us today in Iraq want to fight in the streets of America tomorrow. We must face them today to protect American families.

In conclusion, God bless our troops, and we will never forget September 11.

Mr. SKELTON. Mr. Speaker, I yield myself such time as I may consume.

The question is, where are we today? We are looking at this conflict today and the consequences that it has upon tomorrow and tomorrow's military readiness.

I spoke about the lack of readiness last summer. Others did as well. We had a hearing on it a good number of months ago, our committee responded, and we thank the gentleman from California for helping in that massive effort to re-equip our Army as was necessary, and hopefully we will be able to do more in the future.

But where are we today? Yesterday regarding the issue of readiness of our Army, the Army Chief of Staff, General Schoomaker, said that the increase of 17,500 Army combat troops in Iraq represents only the tip of the iceberg and will potentially require thousands of additional support troops and trainers as well as equipment, further eroding the Army's readiness to respond to other world contingencies.

In the last 30 years, there have been 12 military engagements, some large, some small, that our country has engaged in. The Pentagon says they would only need some 2,500 support troops for the 20,000-plus combat troops. The Congressional Budget Office says there is going to be a necessary 13,000 in additional support troops. But the issue of readiness is real, it is there today because of additional combat troops, and that is what we are debating today. That is exactly the issue today. The readiness of tomorrow is contingent upon what happens today.

I yield, Mr. Speaker, 5 minutes to the gentleman from Michigan (Mr. STUPAK).

Mr. STUPAK. Mr. Speaker, as we wind up this debate on escalating the war in Iraq, I wish to thank Speaker PELOSI for allowing Members of Congress to express themselves on the most serious debate that will occur in the 110th Congress. Perhaps more importantly, we should thank the American people for voting for a new majority which has allowed a free and open debate on the President's plan to escalate the war. With their votes, the American people have clearly demanded a new direction for the war in Iraq. Today's debate symbolizes more than just a debate on escalating the war, the debate symbolizes a new direction for America's policy in Iraq driven by the American people, not by a President who has lost touch.

In October of 2002, just before the general election, President Bush insisted a vote be held on Resolution 114 which would allow the use of Armed Forces of the United States as he determines to be necessary and appropriate in Iraq. At that time, I argued that the United States did not have the moral, legal and ethical authority to go to war with Iraq and that our Nation would lose its moral authority to speak out against aggression throughout the world.

It would be very easy for me to stand here and remind my constituents that I voted against the war in Iraq. It is sufficient, however, to simply note that the evidence to justify the war has been repudiated. Rationale for this war has been inadequate. And our Nation's credibility has been eroded.

While some of us opposed the war in Iraq, our support for our troops has never wavered. Congress has appropriated the supplies and the resources to assure that our troops have what they need to accomplish their mission and return home safely. We know too painfully that more than 3,100 Americans have not returned home and more than 23,000 have been wounded. We have visited with the wounded and comforted the families of the fallen. We simply cannot allow the President to continue to fight this war as if there were no consequences for our troops, their families and our country. By standing up against this escalation of the war, we are supporting the troops.

Because of this war, many lives have been shattered and broken. I speak of the lives of family members who have lost loved ones. I speak of the brave troops recovering from their wounds at Walter Reed Army Hospital or the recently dedicated amputee clinic in Texas. As a Nation, we are comprised of a reasonable, noble, compassionate and determined people.

I believe that it is not in our Nation's best interest to leave a shattered and broken Iraq behind. Still, we cannot continue with a policy of military might and no diplomatic foresight. Instead of military escalation, our Nation should embark upon a diplomatic and political escalation. The current administration with its "military might makes right" philosophy is no longer applicable in Iraq. This administration has not seriously focused on the diplomacy and political persuasion necessary to end this war.

I am struck by the recent news out of Korea. It is reported that after years of negotiation, the administration may have reached an agreement with North Korea on its nuclear threat. The journey was long, discussions were difficult, diplomacy was frustrating, but we may have accomplished our goal without having to go to war. There is a lesson to be learned here, reflected in the words of an American journalist, Anne O'Hare McCormick, who said:

"Today the real test of power is not the capacity to make war but the capacity to prevent it."

I call on the Bush administration and this Congress to escalate diplomacy. I call on the Bush administration and this Congress to escalate political pressure. This war is a mistake and what we need now is a President who has the courage to admit his mistake. We need a President who will bring peace and stability to Iraq through diplomacy rather than military force.

In an earlier time, in an earlier war, a young man spoke out. That young man was Bobby Kennedy and his words have lived with me for many years. So to our service men and women, to my colleagues in the U.S. House of Representatives, and to those whose hearts are burdened by war, I leave you Bobby's challenge:

"Diverse acts of courage and belief that human history is shaped each time a man stands up for an ideal or strikes out against injustice, he sends forth a tiny ripple of hope, and crossing each other from a million different centers of energy and daring those ripples build a current that can sweep down the mightiest wall."

Our vote for this resolution will not stop the war in Iraq. It will not restore the shattered and broken lives here in America and in Iraq. It will not bring peace and stability to Iraq. But it will send a tiny ripple of hope.

I still believe in that tiny ripple of hope.

I still believe in diverse acts of courage.

I still believe in the greatness of America.

Mr. HUNTER. Mr. Speaker, I would like to yield to the gentleman from Illinois (Mr. KIRK) for 4 minutes.

Mr. KIRK. I thank the distinguished chairman.

Our uniformed men and women have given great service to the Nation by ending a tyrant's rein and fostering elections in a region that only knew dictatorship. In my judgment now, the time for decisive military action led by American and British forces is ending and the Iraqi stage should be delivered to new political leaders to work out their own differences. I will support the House resolution that recommends against the troop surge because the United States should increase the responsibilities of the elected Iraqi government to solve its own problems while reducing the number of American combat troops sent overseas.

I did not come to this conclusion lightly. The long-term security of our country depends on the United States not being defeated in the Middle East. To prevent the collapse of democracy, tolerance and supporters in our region, we need a policy that relies on America's key strengths and builds additional support among our citizens and allies.

Looking back on the last years, our troops in Iraq achieved two major objectives: First, they ended the dictatorship of Saddam Hussein, a leader that invaded two separate United Nations member countries and ordered the murder of several hundred thousand Iraqis. Second, they backed the United Nations' sponsorship of Iraq's three national elections that approved a new constitution and government.

□ 0900

Iraq is no longer a military threat to her neighbors or minorities, especially her Kurdish families, who no longer fear that a third genocide campaign will be launched by their very own government. These are major achievements, worthy of the bravery and sacrifice of Americans in uniform.

But Iraq now faces new challenges that should be solved by Iraqis, not the U.S. military. Iraq's government, led by a Kurdish president and a Shia prime minister, faces a daunting enemy composed of people that would restore the old dictatorship, or worse. But this struggle is primarily political, not military. Foreign troops, be they American or British or otherwise, are not well-suited to advance the elected government's writ.

In the coming months we should build a longer term plan for the United States and our allies in the Middle East. Man for man, Iraqi combat troops operating under the authority of their own elected government are better suited for this mission than Americans on the front lines of Iraq.

The U.S. military can offer unique advantages to the Iraqi government in our ability to provide the Iraqi army and police with logistics, communications, training and intelligence, in a way that only Americans can provide. Over the coming months, Americans should be focused on these missions, making sure that our Iraqi allies are more effective in extending the authority of their government. By winding down the combat duties of Americans, we will dramatically lower the risk to our men and women stationed overseas while providing a decisive advantage to the elected government of Iraq. This is how to win the battle and secure a lasting government for the Iraqi people.

Our plan should be strengthened by a diplomatic initiative among Iraq's neighbors and the World Bank to support the elected government in its plans for reconstruction. To date, the World Bank has been "absent without leave" in delivering help to this founding member of the International Bank For Reconstruction and Development.

Our efforts, based on the key American advantages, while reducing the number of American combat troops, will improve the prospects for peace and build support for our goals here and among our allies.

Mr. Speaker, I join with many Members today to say if it were up to us, we would recommend a different course of action that involves less risk to Americans. As a military man, I am fully aware that the Constitution does not place 535 Members of Congress in the direct military chain of command, and Americans who wear the uniform are also not shy in debating various courses of action. They have as many opinions on various issues as any civilian community, and that is their birthright as Americans. But as volunteers who wear the uniform, they take on an additional heavy obligation to make a decision, to bring an end to the debate, and to confront the enemies of the United States as brothers and sisters united by a common bond.

In coming days, our troops will face danger, not as Democrats, Independents or Republicans, but as Americans.

We in Congress should draw on their strength once our decision is made. When a course of action is set, we are not neutral in the contest. If Americans are engaged in combat, we are for the Americans winning. We will give them the tools to bring an end to the conflict as rapidly as possible. The debate in Congress will soon close and the course will be set. For those Americans who serve farthest from home, they should know that after a vigorous debate, their democracy will make a decision, and we will back those charged with its implementation with everything needed to succeed.

Mr. SKELTON. Mr. Speaker, it is my pleasure to yield 5 minutes to my friend the gentleman from South Carolina (Mr. SPRATT), the chairman of the Budget Committee and also a member of the Armed Services Committee.

Mr. SPRATT. Mr. Speaker, I thank the gentleman for yielding, and rise to support the resolution and to talk about something the President seldom mentions, the cost of the war in Iraq. In deciding what we should do, cost is not the determining factor, but it is considerable, and with costs overall approaching $500 billion, it has to be a factor.

During the first Persian Gulf War we had real allies, Britain, France, the Gulf States and Saudi Arabia, and our gross cost was around $80 billion in current dollars. But Saudi Arabia and the Gulf States contributed in kind about $16 billion, and allies like Germany and Japan and Saudi Arabia contributed in cash around $60 billion, so the net cost to the United States was a mere $4 billion.

Because we had allies willing to share the burden, the cost of the first Gulf War was minimal. But in this war our President was able to enlist only one major ally, Great Britain, and he chose to go it alone with a motley coalition. That is one reason this war is proving more costly than the first, in lives and in dollars.

So far, over 3,100 service men and women have been killed in action; so far, over 23,000 have been wounded in action, many of them grievously; and so far, Congress has appropriated $379 billion for the war in Iraq.

As we speak, two supplemental appropriation bills are on deck. One is to cover operations in Iraq for the rest of fiscal 07, and it provides $100 billion to the $70 billion provided last year. The other supplemental is to cover operations in Iraq during fiscal 08, and it provides $145 billion. These bills, when passed, will push appropriations for the war in Iraq over $600 billion. $600 billion. When the 08 supplemental is added to the 08 base budget, these two will push appropriations for fiscal year 2008 alone to $643 billion. In constant dollars, that is more than we spent at the peak of Korea or Vietnam.

In a few weeks we will enter the fifth year of our engagement in Iraq. You would think after 5 years spending would come down. But spending over this time has not come down, it has gone up. Three years ago, 2004, the Pentagon was obligating money for Iraq at the rate of $4.8 billion a month. Today the Pentagon is obligating money for Iraq at the rate of $8.6 billion a month, and considering the supplemental for 07, with $170 billion, and the surge in Baghdad, the obligation rate will probably rise to $10 billion a month by the end of this year.

To support this surge, the President has called for five brigades, 21,500 additional troops. He sends a supplemental of $3.2 billion to pay for these troops. The CBO says, how about the support troops? How about the staff? This will cost billions more.

CBO has also looked out 10 years and tried to figure what future costs might be. By its estimation, future operations in Iraq and Afghanistan together could come to $824 billion between 2008 and 2017. Mind you, this assumes that the troops deployed in these theaters will be declining from a little over 200,000 today to a steady state of 75,000 in 2013.

If future costs are split 75–25, then over the next 10 years that is another $600 billion in store for us. Surely, surely at this juncture, as spending surges head upwards to more than $10 billion a month, surely we should ask whether we want to raise our commitment of troops and thrust them into a civil war with no clear exit, no timetable for completion, and, worse still, an urban war.

The Pentagon will say they can't see past 2008 and they don't know what the budget is for the outyears, and they will probably dispute this end state of 75,000 troops in the two theaters 10 years from now. And I hope they are right.

But there are other costs, the cost of "reset," of refurbishing or repairing our equipment, which our commanders have told us could easily be $60 billion to $70 billion. And I haven't talked about the toll on our troops and their families, where some will soon be going for their third tour. The dwell time between tours is now 1 year instead of 2 years.

Whenever you go into the field to visit these troops, you have to be impressed with their attitude, with their readiness to serve and their willingness to sacrifice. I have always come away from these experiences saying thank God there are such Americans. They deserve our admiration and support, but they also deserve something else. They deserve not to be asked to do what Iraqi troops and Iraqi police should do themselves.

For the past 2 years, the Bush administration has said to us just forebear, just wait, because we are training Iraqi forces, and as soon as these forces are stood up, ours can be stood down. Well, 118 Iraqi battalions have been stood up, and none of ours have been stood down.

In the Defense Authorization Act for 2006, Congress enacted this policy into law. We called for 2006 to be a year of transition. The resolution before us embodies that notion. The resolution heeds that advice. It does not call for pulling out our troops. It does not call for cutting off our funds. It says simply but solemnly that we disagree with the surge of our troops, thrust into what the Intelligence Estimate has called "self-sustaining sectarian violence," especially when there are more than 118 Iraqi battalions trained to take on that task.

It is time for them to stand up and us to stand down, and Baghdad is a good place to start.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. MCKEON), the ranking member on the Committee on Education and Labor.

Mr. MCKEON. I thank the gentlelady for yielding.

Mr. Speaker, I rise today in opposition to H. Con. Res. 63 and in support of a just cause that is facing a critical turning point. The outcome hangs in the balance, and, Mr. Speaker, we should not kid ourselves into believing that victory is foreordained.

Churchill once said that there would not be war if both sides did not believe that they could win it. The enemy we face in Iraq and in the broader war against the radical Islamists is driven by an apocalyptic vision of God, and because such apocalyptic visions are rooted in faith and not facts, they are very hard to dispel. We, therefore, face an opponent who is neither open to reason nor to compromise, nor will he necessarily be defeated by calculations of military strategy and prudence.

We face the paradox of a perilous time. At the opening of the 21st century, we are opposed by an adversary who preaches the savagery and barbarism of the 12th century. We face in Iraq an enemy that will allow us absolutely no quarter, and, Mr. Speaker, I am bound to say that I think we in this chamber, and, indeed, even in the country at large, have been slow to grasp that fact.

However, the difficulty of the fight should not dissuade us from waging it if the cause is just, and the cause is just.

Mr. Speaker, I have had the sad duty to attend the funerals of several of the servicemen killed in Iraq who come from my district. There are those who say that we should not withdraw from Iraq because to do so would mean that they died in vain. That is not correct. Nothing that we have done or will do will ever subtract one ounce from the valor and nobility of those who have died in the service of their country.

As Lincoln said in the Gettysburg Address, "We cannot dedicate, we cannot consecrate, we cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract."

However, we should pause to note that our service men and women are fighting and sometimes dying because they know the terrible price that will be paid if our adversaries prevail. They have seen, as I have seen when I traveled to Iraq, what a world our enemies would have us live in. It is a world filled by a grotesque and distorted vision of God. It is a world of slavery and submission, where the Almighty is not a benevolent and loving creator of his children, but rather is a pagan idol that demands blood sacrifice and glories in the murder of the innocent.

You need look no further than the carnage in Baghdad, or Kabul, or Mogadishu, or never let us forget the Twin Towers, to see the truth in that axiom. That is what our enemy, for all his talk of God, seeks to do, and we are all that stands between our adversary and the realization of this nihilistic vision.

Mr. Speaker, there are those in this House who are far better versed than I in the strategy and military calculations that are the essence of this conflict. There are those who say that we mistakenly entered the war in Iraq on the basis of flawed intelligence. This, I think, underestimates the nature of our adversary.

Given the expansiveness of our enemy's nightmare vision, I think it is safe to say there would have been a war in Iraq no matter what we did. That, of course, will be for historians to decide. But this much I do know: We stand for hope. We fight for peace in a world that is free. We sacrifice now so that the little children that I met when I was in Iraq might live in a better world tomorrow, and because they will have a better world, we Americans will live in a safer one. To quote DeGaulle, "Behind this terrible cloud of' our blood and tears here is the sun of our grandeur shining out once again."

Mr. Speaker, I do have one concern. I think that we in this Congress have allowed too wide a gap to develop between the society we help to govern and the war we have been compelled to wage. We have to correct this, because we will not win this war in Iraq or beyond unless we as a Nation come to grips with what we face and begin to act accordingly.

We must never forget, to quote Lincoln again, "Public sentiment is everything. With public sentiment, nothing can fail; without it, nothing can succeed." Right now I look around me and I see a Congress and a country distracted, and nothing could be deadlier to our security and our hopes for a better future.

To some extent, this is understandable. America is and has every right to be tired of conflict. In 1917, for the first time we went "over there" to make the world safe for democracy. In 1941, in Churchill's evocative phrase, the new world stepped forth, yet again, to the rescue and liberation of the old.

☐ 0915

Then after 1945, we stayed on to wage the long twilight struggle that came to be called the Cold War.

Then, in 1989, a miracle. We stopped holding our breaths. The Berlin Wall came down and the Soviet Union disappeared. The hair trigger nightmare of the nuclear world seemed to recede. We came off of the figurative tip-toes on which we had been standing for nearly 50 years. We had grown so accustomed to it that when the Cold War ended, we scarcely realized just how nerve wracking, and what a strain, it had all been.

Now here we are again. More war, more sacrifice, more death. It is not a pleasant picture but it offers this. It offers hope. It offers an alternative to yet another in a long line of obscene and perverted visions that seem to be forever conjured in the minds of men.

Mr. Speaker, I have dared to say today something that very few of us seem to be willing to say. We could lose this war.

There is nothing in the stars that says we must prevail. In history, freedom is the exception, not the rule. So I say to my colleagues, we must press on in Iraq. We must fight wisely, but we must not falter.

Churchill once said in the midst of another terrible war, "Give us the tools and we will finish the job." Mr. Speaker, it is the duty of this House and of this Congress and of this Nation to give our men and women the tools they need to see this conflict through to the end. We must send them the reinforcements they need to win this war—and that is why, Mr. Speaker, I urge my colleagues to defeat this misguided resolution.

Most of all we must stand together. That way, when our children and grandchildren look back at this moment in history, they will say that at the threatened nightfall the blood of their fathers ran strong.

Mr. SKELTON. Mr. Speaker, I yield myself such time as I may consume.

The SPEAKER pro tempore. The gentleman has 3½ minutes remaining.

Mr. SKELTON. The gentleman my friend, Mr. McKEON, raised a very interesting issue about who is really involved in this war in this country. My opinion is those in uniform and their families.

All one has to do is to go to Walter Reed and the Bethesda hospitals, go to visitation or a funeral, and those are the ones, and the saying good-bye to the National Guard and Reserve units, the active duty units, the farewells and the welcome homes, those and their families are those that are involved.

And I am afraid the gentleman is correct, that they are the only ones that are actually involved with this war.

Mr. McKEON. Mr. Speaker, will the gentleman yield?

Mr. SKELTON. I yield to the gentleman from California.

Mr. McKEON. Mr. Speaker, I thank the chairman for yielding. I have great respect for him, and I know of his strong dedication to the troops and to the people serving.

I had in my office yesterday a constituent, a young man that played football for my brother at home. I introduced him to the chairman. He has spent the last 3 years at Walter Reed. He says he is like one of those dinosaurs that has a big mouth and two hands that he can't use, and he does struggle, and he has a bad leg. He was a master sergeant and he protected his troops but he took rounds from mortar. In talking to him he said, this debate is very distracting and hard for the morale of the troops.

I pray that they will understand that all of us have different feelings, but we do understand their devotion and their commitment to duty, and they understand our commitment. We just see things differently, and at the end of the day, I hope what we end up doing is what will be best for our troops and for our country and for the world.

Mr. SKELTON. Reclaiming my time, I thank the gentleman. He reiterates what I have been saying, that it seems like the members in uniform and their families are the ones truly involved in this war.

Mr. Speaker, pursuant to section 2 of House Resolution 157, and as the designee of the majority leader, I request that the time for debate be enlarged by 1 hour, equally divided and controlled by the leaders or their designees.

The SPEAKER pro tempore. Under the rule, that will be the order.

Mr. SKELTON. Mr. Speaker, I yield 5 minutes to my friend, the gentlewoman from Colorado (Ms. DEGETTE).

Ms. DEGETTE. Mr. Speaker, I rise in strong support of the resolution.

I fundamentally disagree with the President's plan to add thousands of troops to the Iraqi conflict. It is time for a new course in Iraq, a rational course, a more humane course of action. It is long past time to start a phased withdrawal of our troops from Iraq.

Mr. Speaker, this debate is about policy and direction. Surely, the facts on the ground cannot be used to support continued or increased combat involvement in Iraq. Iraq is in a civil war. That is the truth, and it is time we accept the implications of that fact. Our soldiers have no business acting as unwanted umpires or surrogate police officers.

The latest National Intelligence Estimate concludes the term "civil war" accurately describes key elements of the Iraqi conflict. If this is the state of the current conflict, what do we expect the U.S. military to do about it? Settle centuries of theological or religious disagreement? Become diplomats? Whose side do they choose and what would their mission be?

I do not believe combat forces permanently stop such conflicts. The troops themselves tell us they are untrained for this role, a role that puts them at extreme risk.

Yet, the President mistakenly continues to believe we are fighting illusionary battalions on phantom battlefields. So, in his mind, we need more troops for victory, a surge that will overwhelm and destroy.

Well, that is how he sees it, but he ignores the evidence and reports of our generals, our troops, our Iraq Study Group, our diplomats, most of our allies, the views of the Iraqi people and anyone else who actually tries to find out the nature and state of the conflict.

He rapidly and recklessly proceeds ahead with one policy shift after another.

He searches for a light at the end of the tunnel, but there is no light. It was extinguished long ago. There is only darkness and despair. The chaos deepens daily, and the President sits in the Oval Office hoping that somehow, somehow it will turn out all right in the end.

This is neither policy nor leadership. The administration's policies are the stuff of dreams and fantasies, not hard core determinations of our Nation's interests or the best course for addressing strategic threats.

Mr. Speaker, hope is not a strategy. The escalation of troop levels makes no strategic sense. We must not hesitate to describe the President's policy in words that are honest and clear. We confront a policy that is wishful thinking, not realistic assessment. The administration's policy is like a conjuring trick of denial, delusion and determined folly, which will only deepen the disaster. We are given the vision of a make-believe story instead of a responsible and realistic policy.

Civil wars are solved through diplomacy, negotiation and political compromise. These are the types of developments identified by the NIE that will make a difference in Iraq. While the NIE warns against the rapid withdrawal of coalition troops, American forces can come home in a careful, safe and deliberate manner.

As the Nation's Representatives, it is our constitutional duty to stop this madness. It is our constitutional mandate to conduct oversight, and it is our constitutional imperative to act. That is what the Founding Fathers wanted. They constructed the Constitution to provide checks and balances. They did not give the President a blank check.

The Constitution is a sacred document to this body. We swear to uphold it and to defend it. We do just that when we demand accountability from the President. We honor our constitutional requirement when we scrutinize policy. We defend our constitutional process when we demand that the President listen to the American people and end unilateral actions that undermine our Nation's strength and place our troops in an untenable, lethal and unwinnable situation.

Mr. Speaker, I did not come here to ignore my oath to the American people. I did not come here to watch our Constitution be rewritten by presidential arrogance and disregard. And I did not come here to relinquish my sworn duty to protect and defend this sacred document. I did not come here to ignore the American people who want this war stopped now.

Mr. Speaker, support this resolution and begin a phased withdrawal.

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to yield 5½ minutes to the gentleman from Maryland (Mr. BARTLETT), a member of the Armed Services Committee.

Mr. BARTLETT of Maryland. Mr. Speaker, when the original resolution that brought our military to intervention in Iraq came to the Congress, I interpreted it as asking the Congress to turn over to the President our military to use anytime he wished, anywhere he wished, against any country he wished, now and forever more.

Feeling that this was patently unconstitutional, I was very pleased when the International Relations Committee, chaired at that time by Henry Hyde, revised the resolution and narrowly focused it on Iraq. That resolution had strong encouragement for the President to obtain a U.N. resolution so that when we went into Iraq it would be a part of a U.N. coalition. The U.N. would own that war; we wouldn't own it.

When the President did not get the U.N. resolution so strongly encouraged by that original resolution that we voted on, I then voted for the Spratt substitute because I felt that if we were going to send our young men and women into war, that it needed to be with the full support of the American people through their elected officials, and we needed to have that additional debate. That didn't happen. I felt that we went in with unrealistic expectations.

There is no country around Iraq that has anything like the government that we would like for them to have. Several of the countries have dictatorships. We call them royal families. Saudi Arabia, the Arab Emirates, Kuwait, but they are dictatorships. Several countries, Jordan and Syria, have kings. Iran is essentially a theocracy ruled by the mullahs. The only country that comes even close is the vestiges of the Ottoman Empire, Turkey, where they have a sort of democracy, but several times in the last few years the military has thrown out the civilian government, telling them they need to start over, hardly the kind of government that we have in this country and that we envision for Iraq.

So I thought that there were very unrealistic expectations. That was a very steep hill to climb; that success was unlikely, and therefore, I wanted to go in under a U.N. resolution.

What now? I hope I am wrong, but I believe that there will be one of two likely outcomes, either another strong man, hopefully more benevolent, than Saddam Hussein, or three loosely federated states with an overarching entity that pumps the oil and distributes the revenues on a per capita basis.

Now, we have a resolution before us and how should one vote? If you believe that the President is the Commander in Chief and has a right to pursue the war in the way he chooses, then you would vote "no" on this resolution.

If you believe that this resolution sends the wrong message to the enemy that we are losing our resolution, our resolve, then you would vote "no."

If you believe this sends the wrong message to the troops, I know the first clause says we support our troops, but then one might argue that the right hand is taking away what the left hand gave because in the second clause we say that we do not support the surge, which some may interpret as not supporting our troops; then you would vote "no."

But if you believe that the Iraqis need to stand up so that we can stand down, then you would vote "yes."

If you believe that the surge will not help, which is very likely, then I think you need to vote "yes."

If you believe the surge might actually hurt by placing more of our brave young men and women in harm's way, I understand that a fair percentage of the violence over there is directed against us, if that is true, then how do we reduce the violence by putting more of us there, then you would vote "yes."

If you want to send a message to the President, the Congress and the American people, that this war can't go on forever, then you would vote "yes."

If you want to send a message to the troops that we are watching, that you won't be there forever, that you have the support of your citizens and your Congress, then you would vote "yes."

This is obviously a very complex vote. Whether you vote "yes" or whether you vote "no," there will be unintended, unwanted messages that will be sent. Being required to vote either "yes" or "no" on a resolution like this is a little bit like requiring the husband to answer the question, "yes" or "no," "Have you stopped beating your wife?"

If that is true, then perhaps the best vote on this is a "present" vote.

It is so true here that what you see depends on where you stand. There has been a lot of quite intemperate rhetoric on both sides. It is hard sometimes to imagine that we are debating the same resolution.

It is so true here that he who frames the question determines the answer.

Mr. Speaker, we shouldn't be here. After the debate, this vote is somewhat irrelevant. Indeed, the listening Americans have each cast their own vote. In spite of all the divisive rhetoric, I want one thing to be certain, that all 435 of us want only what is best for America, what is best for our troops, a good and bright future for the Iraqis and especially want to assure our brave young men and women there that they have the total thanks of a grateful Nation.

☐ 0930

Mr. LARSEN of Washington. Mr. Speaker, I yield 5 minutes to my friend and colleague, the gentleman from Arkansas (Mr. SNYDER).

Mr. SNYDER. Personally, Mr. Speaker, I wish this resolution of disapproval articulated our disapproval of the administration's failure to accomplish certain chores in preparation for our fine troops undertaking this new mission under General Petraeus.

Everyone, including the President, now acknowledges mistakes over the past 4 years, but those well-documented errors are not the mistakes I am talking about. Now, today, mistakes are being made. Now, today, high-ranking officials in the administration fall short in their performance.

Why, after 4 years of the Iraq war, is the Secretary of State unable to get the appropriate reconstruction, economic development, and other necessary personnel to Iraq? Why did the State Department recently have to request the Defense Department to help fill in these necessary positions? Why have the efforts of political reconciliation been so ineffective? Why has the American diplomatic effort in the region been so ineffective? Where are the trained police and judges who will need to deal with all the detainees to be arrested in Baghdad? Why aren't an adequate number of property detention facilities not available for these future detainees that are sure to come from an aggressive effort to decrease the violence in Baghdad?

General Petraeus, clearly one of America's finest military leaders, during his recent opening statement before the Senate Armed Services Committee, felt an obligation to plead for the help and commitment from other U.S. government agencies commensurate with what our troops give 24 hours a day, day after day, week after week, month after month.

I have had references being made to Winston Churchill, but I remind those speakers who make such comparisons that we are not a parliamentary system. If we were, the Secretary of State and other high-ranking officials would be gone because of their failures. We are, thankfully, the American system; and in our responsibility to support our troops, we know we must not just equip and train them. We know that all agencies of American government, the nonmilitary agencies, must pull their load if our fine troops are to be successful.

So we now have a situation where our new commander on the ground, General Petraeus, says he needs the additional troops. On the other hand, he says he needs all the other agencies of government to step forward with, in his words, "an enormous commitment."

It is clear this commitment of other agencies is not yet being made. Regardless of the result of this vote today, our troops will still be in Iraq needing the commitment of all government agencies.

The House leadership has stated that this resolution today is the first step of other legislation to come. This other legislation to come must address the issues of the shortcomings of other agencies of U.S. government, the nonmilitary agencies of U.S. government. Our troops deserve the help.

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to yield to the gentleman from Oregon (Mr. WALDEN) 7 minutes.

Mr. WALDEN of Oregon. Mr. Speaker, since learning we would consider a resolution regarding troop levels in Iraq, I have spent considerable time listening to veterans of this war and other wars questioning some of America's top national security officials, reading every e-mail, literally every letter on this most serious issue of this day that has come into my office from my constituents. I have listened to voices of leaders of other nations who surround Iraq. I have read the National Intelligence Report. I have read the Iraq Study Committee Report. I have been given books such as "Fiasco" to digest, and I have reached out to the parents of brave Americans who are on their way into this conflict, and I have heard from the parents of sons who were lost in this conflict. I have heard strong opinions on both sides of this issue, and I have reflected upon my own vote to authorize the war in the first place.

To say the least, it has been an agonizing experience. Agonizing, because I want to do what is right for America with minimal sacrifice to the brave Americans who wear our Nation's uniform. I want to do what is right to protect our freedom and our security.

I will always remember the days and nights when the smoke from the burning Pentagon wafted into the apartment I lived in just blocks from that building. I remember the images of that day when rescue personnel were trying to save lives, only to lose their own. I remember the pledge I made to myself that I would never let that happen to America again if I had my way.

So I supported implementation of the 9/11 Commission Report. I supported efforts to improve our intelligence gathering and processing efforts so that America does not miss key indicators of danger or, worse, misinterpret the data that is gathered.

Policymakers must be given accurate, reliable intelligence if we are to make responsible decisions. Had Congress been given an accurate intelligence assessment, I doubt the vote to invade Iraq would ever have come to this floor in the first place, and I certainly would not have cast the vote I cast because the threat was not what we were told it was, despite the horrific brutality of Saddam Hussein and his henchmen sons.

Unfortunately, though, we cannot edit history; we cannot change the past. Our responsibility is to the present and even more so to the future, America's future.

In some areas of the world, America has made strong diplomatic progress on the most difficult issues facing our planet. I speak of the recent agreement with North Korea coming out of the Six Party talks. I am reminded of the willingness of Libya to give up its weapons of mass destruction and come into line with the world community. And while much work remains regarding Iran's nuclear development, America's work with other countries and through the United Nations is having an effect on Iran.

Meanwhile, our troops and our work internationally in Afghanistan continues to show progress, even in light of the recent resurgence of the Taliban. Consider the historic role NATO is playing to bring peace and stability to that far-off land.

So if we are accomplishing good in Afghanistan and elsewhere, why is the situation in Iraq still such a mess? And what can or should America do there now that will hasten Iraq's move towards stability and hasten the bringing home of our troops to America?

As my colleague from New Mexico, HEATHER WILSON, so eloquently and forcefully asked this week: What are America's strategic interests in Iraq, and how can we best achieve them?

These are the serious questions of our day, and these are the issues tragically missing from this nonbinding resolution.

In this new world where war is not waged by armies in uniform with codes of honor but by terrorists who blow up food markets and behead journalists, how do we respond in an effective way to prevent the insanity from coming again to our shores? How best do we prevent a whole region from ripping apart at the seams and perhaps taking much of the world with it?

While Congress has a clear constitutional role and responsibility when the Nation is at war, where is the line that Congress should not cross? Are we really best equipped to decide precisely how many reinforcements are sent into which battle? Isn't that a decision best left to the commanders in the field? Can Congress really give General Petraeus a unanimous vote of support to lead our effort in Iraq and then turn around and deny him the strategy he told us he believes is necessary to win?

A former colonel in the Air Force wrote to me recently on this very topic. She said, "Some in Congress say they support General Petraeus but don't want them to undertake the mission they were confirmed to do. It seems right out of Alice in Wonderland."

And if Congress is going to make these decisions, then have we really carefully analyzed where the other 134,754 troops in Iraq are, what they are doing, and what they should do?

Another of the e-mails I received was from a veteran of the Vietnam War who, like many other veterans of that conflict, urged me to vote against this resolution; and he wrote, "Our troops need unqualified support. They don't need to be told they are participating in a lost cause."

Indeed, this two-sentence nonbinding resolution does send a very mixed message to our troops. Moreover, this resolution is a lost opportunity to address at least five major issues that a serious Congress needs to address.

First, this resolution fails to even mention the Iraqi role. Where is the siren call for the Iraqi government to keep its word and perform as promised? We cannot expect for long to do for Iraq what it is unwilling to do for itself.

Second, this resolution fails to even mention the need for this administration to embrace the Iraq Study Group Report's call for aggressive diplomatic initiatives with Syria, Iran, and other nations in Iraq's neighborhood. Where is the call for enhanced diplomacy?

Third, this resolution fails to even mention the need to replenish the equipment that our National Guard units have left behind while serving our country overseas. My State's own National Guard's ability to conduct training is deeply affected by lack of equipment.

Fourth, this resolution fails to call on Iran, Syria, and other nations to stop directly or indirectly supplying the weapons and explosives to those who detonate car bombs in Baghdad and elsewhere in Iraq, killing women and children as they try to buy food in local markets. Where is the condemnation of their actions?

Fifth, this resolution fails to define what our strategic national interests are in Iraq and how we can best achieve them.

I know that I stand alone in my State's delegation by opposing this resolution. I have been told by some I should just vote for it. It would be easier politically for me because then the problem is off my back. It is someone else's. They will own it. I cannot do that and look at myself in the mirror.

I cannot ignore the counsel recently given to us by diplomats in the region whose advice we ignored when America took on this challenge in Iraq and who now counsel us with most seriousness in the strongest of terms against leaving Iraq before the country is stabilized. They have made it clear to this Member of Congress that failure in Iraq will have grave and dangerous consequences to the entire region. In short, we broke it, we need to fix it before we leave it.

But fixing Iraq does not mean ending religious differences, differences that have ripped apart that region for 1,300 years or more. Fixing Iraq does not mean installing our form of democracy. Fixing Iraq means ensuring a new terrorist haven is not created or allowed to be created from which they can train and plan safely to carry out attacks against the West. Fixing Iraq means ensuring their government can stand on its own and not collapse into a sinkhole that drags other nations in the region into an abyss.

Given the glaring shortcomings of the nonbinding resolution we have before us today, I will vote "no" for as many of those who served in Vietnam have told me its message does undercut our troops. Moreover, it fails to call for the increased diplomatic initiatives in the region, it fails to call for Iraq to do its part, it fails to define our strategic national interests of stabilizing Iraq so as to prevent the creation of another terrorist training haven, and it fails to address the very real needs of our National Guard.

It is unfortunate that the opportunity to actually affect these very serious policy choices was not allowed on the Floor of the House today. It is, indeed, a missed opportunity for America.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would remind all Members not to traffic the well while another Member is under recognition.

Mr. LARSEN of Washington. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. BECERRA).

Mr. BECERRA. Mr. Speaker, on January 23 of this year, the President in his State of the Union address said, "This is not the fight we entered in Iraq, but it is the fight we are in."

Nearly 4 years after President Bush took us to war, 4 years, that is longer than our involvement in World War II, it is fair to say that this is not the debate we expected to have, but it is the debate we must have. We owe it to our troops who have fought honorably and valiantly, and we owe it to the American people.

More than 3,100 American soldiers dead, more than 23,000 American soldiers injured, $500 billion in costs, 14,000 weapons that our Nation bought for the Iraqi Army missing, $9 billion in reconstruction funds missing. Mr. Speaker, stay-the-course has failed, and sending 20,000 more troops is no more than stay-the-course on steroids.

The American people would know this had the previous Republican Congresses exercised their oversight responsibilities to tell the American people what was going on. They would have known, for example, that we have already tried three previous troop surges. In each case, between 17,000 to 21,000 troops. Have we seen the improvement? What are things like today? Where were the hearings to find out how those troop surges went? Where are the reports? Mr. Speaker, this is a debate long overdue.

The truth is, Iraqis must take responsibility for their own future. When General John Abizaid met with commanders on the ground in Iraq, he was asked, "If we get more troops, will we succeed?" And here is what he told them: "They all said no. And the reason is because we want the Iraqis to do more. It is easy for the Iraqis to rely upon us to do this work. I believe that more American forces prevent the Iraqis from doing more, from taking more responsibility for their own future." That, General Abizaid said on November 15, 2006.

U.S. troops are sitting today in the crossfire of a civil war. We have no guarantee that an Iraqi Shi'a soldier will defend an Iraqi Sunni civilian and that an Iraqi Sunni soldier will defend an Iraqi Shi'a civilian. Iraqis must decide what future they want. Only Iraqis can save Iraq.

Mr. Speaker, we need to redeploy our troops responsibly, to continue training Iraqi soldiers, and to refocus our efforts on counterterrorism. And we need a surge in diplomacy, not troops.

The consequences of stay-the-course are real. Just yesterday, President Bush exhorted our allies to help us, not in Iraq, in Afghanistan. The U.S. is sending more troops and billions of dollars more. His words were telling yesterday. Quote, "The Taliban and al Qaeda are preparing to launch new attacks." New attacks. "Our strategy is not to be on the defensive but to go on the offensive." 1,985 days since the 9/11 attacks, and Usama bin Laden remains free, and we hope to go on the offensive in Afghanistan.

Americans deserve to hear the truth and the consequences, not slogans. "Mission accomplished" wasn't true. "Stay the course" didn't work. And this new Congress will not be paralyzed by those who argue that we must stay the course in Iraq to support the troops. The troops didn't chart this course, the troops didn't ask to be plunged into the middle of a civil war, and the troops didn't under-man and under-equip.

It is time that the buck for the debacle in Iraq stops where it belongs: Here in Washington, D.C. And if the President won't accept that reality, then guess what? This new Congress, this new Democratic leadership is prepared to stop the buck here.

This is a debate we must have. This is a debate about us. Us, those of us here in this Chamber. Will we lead? Will we be responsible overseers of this war? Will we heed the call of the American people?

Today, with this vote, Mr. Speaker, we will tell our troops, our generals, our beloved people: We hear you loud and clear. It is time for a new direction in Iraq.

□ 0945

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from New Jersey (Mr. FERGUSON).

Mr. FERGUSON. Mr. Speaker, I rise today with mixed emotions. I am proud of our troops and the sacrifices they have made in Iraq, their dedication, their perseverance and the love and support of their families here at home. I am disappointed that the strategies employed thus far have not been more successful and that our progress in Iraq has been too slow, and I am saddened that those who have drafted this resolution are offering no alternatives of their own for our mission in Iraq. Indeed, they are prohibiting consideration in this Chamber of any alternative.

Therefore, I will vote against this resolution.

I believe most Americans share the same goal for Iraq, a stable government that can serve its people, a strong security force that can protect its people, and a growing economy that can encourage prosperity for its people.

We want the Iraqis to succeed, and we want our troops to come home. There is no question and no denying that mistakes in the planning and execution of the war have led us to where we are today. Hindsight is 20/20, and we can all offer suggestions for how things should have been done differently, done better, done more effectively during the past 4 years.

But that is not what is going on in this Chamber here today. Members are being cynically asked to vote on a resolution that does not address victory or success. It does not offer a pathway toward the peace and the prosperity that are vital to the region. It simply plays politics with the war and, in so doing, does our troops and their families here at home a terrible disservice.

While no one in this Chamber or any general in uniform can guarantee the success of this new initiative in Iraq, we can safely say that not pursuing it and continuing the status quo will lead to failure. Iraq then likely would fall into further chaos and transform itself, much as Afghanistan did a decade ago, into a breeding ground for terrorists, who plot attacks not on our troops in Iraq but upon our civilians here at home.

Make no mistake, failure of the U.S. mission in Iraq will not end the war. It will only shift the battlefield. The terrorists are at war with us, whether we fight back or not.

The consequences of failure in Iraq would be as dramatic as the fruits of victory. An Iraqi government stable enough to take the lead role in providing for its own internal security will allow us to achieve our collective goal, the return of U.S. troops. Rather than being allied with terrorists, Iraq would be an ally with America and the war on terror. In so doing, it would honor the more than 3,000 American men and women who have died fighting for its freedom and countless more who have been wounded and will bear for their lifetimes the scars of battle.

The status quo in Iraq is unacceptable. We need a new strategy, new tactics, new commanders on the ground, and a new and sustained commitment from the Iraqi government that they will do more of their share.

We know that the road ahead will be difficult and that the prospects for success are dwindling. But I believe a renewed and amplified effort by U.S. forces and Iraqi troops to retain security in Baghdad may offer the best hope we have for the lasting success of the U.S. mission and for the future stability of Iraq's government. It may also be, I believe, our last chance for victory. The President knows this, and I believe the Iraqi government and its people know this, too.

It is in that spirit and with that understanding that I will vote against this resolution. Our collective prayer is for the safety of our troops, for their success, and that they will be reunited with their families here at home as soon as possible.

Mr. LARSEN of Washington. Mr. Speaker, I yield 5 minutes to my friend and colleague from Texas (Mr. AL GREEN).

Mr. AL GREEN of Texas. Mr. Speaker, I love America. America means something to me. No one loves the Constitution more than I. No one believes in the Declaration of Independence more than I. No one respects the flag and the Pledge of Allegiance more than I. No one appreciates the American soldier more than I.

So I stand here today in the well of the United States House of Representatives as a proud American who understands that it is not the Constitution that gives us or protects government of the people, by the people, for the people. It is not the Declaration of Independence that preserves the concept of all persons being created equal. It is the soldier.

It is not the Pledge of Allegiance that preserves liberty and justice for all. It is the soldier. It is the soldier who shields those who would make real the great American ideals. Regardless as to how we feel about the war, we should all thank God for the American soldier.

Mr. Speaker, our soldiers have done their job. More than 84,000 National Guard and Reservists have been deployed more than once since 2001. More than 170,000 soldiers in the Army have served more than one tour of duty. More than 23,000 soldiers have been wounded, and more than 2,200 of these from Texas were from Texas alone. More than 3,100 soldiers have died, including more than 200 from Texas.

Our soldiers have liberated Iraq from a ruthless, brutal dictator. Our soldiers have answered the clarion call for help for which too many will never come home for the holidays and far too many will never see home again.

So for this I say, God bless the American soldiers, their friends, their families, and their loved ones.

Mr. Speaker, the American people have been that friend, indeed, in Iraq's time of need. In addition to blood, sweat and tears, the American people have spent more than $267 million, not per year, not per month not per week, but more than $267 million per day on this war.

Mr. Speaker, with this money, according to CNN and the National Priorities Project, we could have hired 6.4 million public school teachers. We could have built 3.3 million public housing units. We could have insured 220 million children for 1 year.

On a more lofty level, America has helped the Iraqi people develop a constitution. We have helped the Iraqi people establish democratic elections. We have helped the Iraqis reconstitute their military and overhaul their constabulary.

Mr. Speaker, after all that we have done, more than 23,000 wounded. After all that we have done, 3,100 are dead. After all that we have done, more than $267 million per day. After all that we have done, whenever we leave, it will not be cut and run. We have helped the Iraqi people to have the opportunity to embrace freedom and democracy.

It is now time for the Iraqi people to seize upon this precious, priceless opportunity and have a free and independent Iraq, something that all the money in the world cannot buy and not even the most powerful military in the universe can impose.

Mr. Speaker, we cannot want liberty and justice for all Iraqis more than all Iraqis want liberty and justice for themselves.

If the Iraqis want government of the people, by the people, for the people, then their soldiers, not ours, must provide it. We can stay in Iraq forever and never have a free and independent Iraq, not as long as the Iraqi people engage in an uncivil war with each other. You can debate whether it is a civil war or not, but there is no debating that it is an uncivil war that they are having with each other.

Mr. Speaker, because I support our soldiers and oppose the President's policies, I will vote for the resolution.

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from California (Mr. GARY G. MILLER).

Mr. GARY G. MILLER of California. Mr. Speaker, I rise today in opposition to this resolution condemning the President's proposal for achieving success in Iraq and overall victory in the global war on terror. We are not formulating policy today. We are not offering the President an alternative. All this resolution is saying is that we do not support our Commander in Chief, and all it is doing is emboldening the terrorist enemies we are facing today.

I am the first to welcome an open discussion about our involvement in Iraq. But, without the opportunity to consider an alternative, this is not open discussion. Why isn't this an open discussion? Because although the majority party has the authority to govern, they have no plan to lead.

For over a year, the majority party criticized the President for not making changes in his strategy in Iraq. Well, the President has made changes, and the majority party still is not satisfied.

We can all agree that our progress has not been as swift and decisive as we once hoped. We all recognize that the war in Iraq has carried on longer than we wanted and consumed more resources than we expected. However, we all knew from the beginning that it would not be easy, that the war against terror would not be a quick fight.

But when the going gets tough, it does not mean that we should give in and come home. As we cannot and must not turn back, we need a fresh approach to move forward. The President, along with his generals on the ground, have proposed a way forward. He has put forth a strategy to suppress the sectarian violence in Iraq and allow democratic reforms to take hold and economic institutions to flourish.

His plan is the only plan that provides for a way forward in Iraq. For us in Congress, it is not our job to become involved in tactical decisions that will lead to success in our mission. It is our responsibility to help shape the parameters of the mission and to conduct oversight on our progress in achieving the mission.

Republicans in Congress have proposed setting verifiable benchmarks with which we may measure our progress in Iraq. Such benchmarks will help us hold the Iraqi regime responsible for the progress made towards democracy, stability and peace in the country. We should be discussing our responsibility as oversight today, but we are not. We are left with debate on an empty and nonbinding resolution.

I am a proud cosponsor of Congressman SAM JOHNSON's bill to ensure that funding is not cut off or restricted for members of the Armed Forces deployed in Iraq and Afghanistan. We must support every effort in our fight against terrorists. If the majority allowed us an opportunity, I would have gladly supported a vote on that bill to reaffirm that the House will not abandon our Armed Forces under any circumstance.

Whether the majority would like to acknowledge it or not, the fight we are engaged in against terrorists in Iraq is not a new fight. It has been waged for a decade. We have faced terrorists in Beirut, we have faced terrorists in Saudi Arabia, and we have faced terrorists here on our own soil on September 11, 2001.

We have learned it is absolutely essential to confront terrorists abroad before they attack us at home. Despite what some of you may say, our withdrawal will not end the terrorist threat. After all, it is they who have declared Iraq to be the central front in the struggle.

We cannot withdraw. We cannot send our troops and other allies the message that we will quit when the going gets tough. Instead, we must move forward with the operations in Iraq, with the Iraqi people, to ensure that peace and stability take hold. We must change our strategy as the situation in the field dictates. To do otherwise would be foolish.

But by maintaining our commitment in Iraq, we preserve the prospects of peace. By withdrawing, we surrender our chances of permanent stability in the Middle East.

This resolution in so many words says that we cannot be successful, and we are bound to fail. I refuse to agree. I refuse to undercut the brave work of our troops by questioning their abilities and refuse to allow terrorists to flourish and our enemies be emboldened and thereby let you, the American people, down.

Our brave men and women risk their lives to provide peace and security here at home, and we are all proud to know such patriots. These young men and women, full of promise, voluntarily defend our Nation wherever they are called.

It reminds me of a young man in my district, and I presented him with his Eagle Scout awards when he was 17 years old. It was in 2003. A little less than 2 years later than that, in 2004, I attended the funeral for Lance Corporal Abraham Simpson, who made the ultimate sacrifice in Fallujah. He was just 19 years old.

When I went to the parents of Abraham and presented a flag that was flown over our great Nation after the funeral, it was honestly one of the most moving experiences I have had, not only in my congressional career but of my life. When I looked at Abraham's father in his car, I couldn't talk. All I could say to him was, "I voted to send him there." Abraham's dad looked me square in the eye, with as serious a look as he could get, and he said, "Congressman, it was the right vote."

Like so many families across our country, the Simpson family has made a great sacrifice for our Nation. This resolution, however, says that the world, that the men and women like Lance Corporal Simpson, gave their lives for, was worthless, that America cannot be successful in the pursuit of which they nobly sacrificed themselves. I believe that we can. I know that if we stand firm in our principles and remain true to our convictions, we can succeed.

For that reason, I am going to vote "no" on this resolution.

I rise today in opposition to this resolution condemning the President's proposal for achieving success in Iraq and overall victory in the Global War on Terror.

FLAWED PROCESS

I know I join many of my colleagues in lamenting the process by which we are considering this resolution. We are not formulating policy; we are not offering the President an alternative. All this resolution is saying is that we do not support our Commander in Chief and all it is doing is emboldening our terrorist enemies.

While the valiant men and women of our Armed Forces are fighting for freedom abroad, the majority party has cut off democracy here in the House of Representatives so that we may consider a partisan resolution.

I am the first to welcome an open discussion about our involvement in Iraq, but without the opportunity to consider alternatives, this is not an open discussion. And why is there no open discussion? Because although the majority party has the authority to govern, they have no plan to lead.

For over a year, the majority party criticized the President for not making changes to his strategy in Iraq. Well, the President has made changes, and the majority party is still not satisfied. Today, the majority party still opposes the President's strategy, but they have not offered any alternatives. They continue to criticize—destructively and not constructively.

WINNING THE WAR IN IRAQ

We can all agree that our progress has not been as swift or as decisive as we once hoped. We all recognize that the war in Iraq has carried on longer than we wanted and consumed more resources than we first thought.

However, we all knew from the beginning that it would not be easy—that the war against terror is not something that would be a quick fight, but that it would take years. As history has taught us, war is not an easy prospect and sometimes does not go according to plan.

But when the going gets tough, this does not mean that we should give in and come home. That is not the American way—that is not how America honors its commitments and carries out its obligations. And it is not how America pays respect to those who have fallen in its service.

As we cannot—and must not—turn back, we need a fresh approach to move forward. The President, along with his generals on the ground, has proposed a way forward. He has put forth a strategy to suppress the sectarian violence in Iraq to allow democratic reforms to take hold and economic institutions to flourish.

His plan is the only plan that provides for a way forward in Iraq. While the majority party proposes to stand still and do nothing, the President's plan aims to allow American forces to stand down as the Iraqi people stand up.

For us in Congress, it is not our job to become involved in the tactical decisions that will lead to success in our mission. It is our responsibility to help shape the parameters of our mission and to conduct oversight on our progress in achieving the mission.

Republicans in Congress have proposed setting verifiable benchmarks with which we may measure our progress in Iraq. These strategic benchmarks, concerning the transfer of military operations to Iraqi-led units, the development of democratic institutions and the rule of law in Iraq, and increased regional cooperation and stabilization, are important in moving forward in Iraq. Such benchmarks will help us hold the Iraqi regime responsible for the progress made toward democracy, stability, and peace in their country.

There is, however, no attempt at oversight in this resolution. Once again, all the majority party is doing is complaining without providing an alternative. We should be discussing our responsibility at oversight today. But we are not. We are left with debate on this empty and nonbinding resolution.

TROOP SUPPORT AND FUNDING

No matter what, we must support funding for our troops that are serving in harm's way—with no ifs, ands, or buts. I am a proud cosponsor of Congressman SAM JOHNSON'S bill to ensure funding is not cut off or restricted for members of the Armed Forces deployed in Iraq or Afghanistan. We must support every effort in our fight against terrorists.

If the majority allowed us the opportunity, I would have gladly supported a vote on this bill to reaffirm to our troops, our constituents, and our enemies that the House will not abandon our Armed Forces—under any circumstances. Unfortunately, Republican voices were shut out of this process and we are left to consider this empty and non-binding resolution.

CONSEQUENCES OF WITHDRAWAL

All we heard on this floor for the last year was talk about bipartisanship and cooperation. The talk was about the need to be more bipartisan. Boy, we sure do have short memories. Despite the partisan atmosphere here in the House, the fact is that we have to be successful in Iraq because the consequences of our withdrawal would be disastrous.

Whether the majority would like to acknowledge it or not, the fight we are engaged in against terrorists in Iraq is not a new fight—it has been waged for decades. We have faced terrorists in Beirut. We have faced terrorists in Saudi Arabia. And we have faced terrorists on our own soil—on September 11, 2001. We have learned that it is absolutely essential to confront terrorists abroad before they may attack us at home.

If we withdraw from Iraq, we give our terrorist enemies—and they are our enemies—a safe haven from which to plan their attacks against us and our allies. Despite what some of you may say, our withdrawal will not end the terrorist threat. After all, it is they who have declared Iraq to be the central front in this struggle. If we withdraw, it will only encourage the terrorists. They will not rest until their agenda of violence and hatred is advanced worldwide. We cannot withdraw. We cannot send our troops and our allies the message that we will quit when the going gets tough.

Instead, we must move forward with operations in Iraq—with the Iraqi people—to ensure that peace and stability take hold. We must change our strategy as the situation in the field dictates. To do otherwise would be foolish. But by maintaining our commitment to Iraq, we preserve the prospects of peace. By withdrawing, we surrender our chances for permanent stability in the Middle East.

CONCLUSION

The United States has a long and proud history of championing liberty. As a Civil War history enthusiast, I am reminded of the parallels between this generation's fight against terrorism and the Civil War. Both wars brought new and grave challenges to our people and our way of life. Both struggles were fraught with opposition in the press and in Congress. But imagine what would have happened to our nation if President Lincoln did not continue the fight to preserve our union.

Just as Lincoln fought against all odds and in the face of grave danger to ensure freedom for all people and to preserve democracy, our troops are doing the same today. Just as Lincoln was successful by standing firm in his commitment to liberty and democracy, I strongly believe that we can—and will—be successful in Iraq if we are to ensure our freedom for the future.

This resolution, in so many words, says that we cannot be successful—that we are bound to fail. I refuse to agree. I refuse to undercut the bravel work of our troops by questioning their abilities. I refuse to abandon our Iraqi allies when they need us the most. And I refuse to allow terrorism to flourish and our enemies to be emboldened and thereby let you, the American people, down.

Instead, we must go forward. We must continue to support our troops and their important work in Iraq. We must tell them loudly and clearly that the American people stand with them as they fight to bring liberty and security to Iraq.

Most importantly, we must honor our troops and the memory of those who have made the ultimate sacrifice for freedom by rejecting this empty resolution. These brave men and women risk their lives to provide peace and security here at home and we are all proud to know such patriots.

As members of Congress, we all understand the responsibility we have when our nation calls our best and brightest to serve in harm's way. These young men and women, full of promise, voluntarily defend our nation wherever they are called.

One such brave young man from my district was Marine Lance Corporal Abraham Simpson from Chino, California. In early 2003, I presented Abraham with his Eagle Scout award to recognize his achievement of the Boy Scouts' highest rank. A little less than two years later, in November 2004, Lance Corporal Simpson made the ultimate sacrifice during the Battle of Fallujah. He was just 19 years old.

When I presented his parents with a flag flown over the Capitol of this great Nation, it was one of the most moving moments not only of my congressional career, but of my life. All I could say to Abraham's father was, "I voted to send him there." He looked me square in the eyes and he said, "Congressman, it was the right vote."

To honor his cousin's sacrifice, Marine Sergeant Jonathan Simpson, who had originally joined the Marines as a flight navigator, asked to be transferred so he could fight on the front lines. Jonathan Simpson was killed during combat operations in Iraq in October 2006.

Abraham and Jonathan Simpson, true American heroes, gave their lives in service to this Nation, and for that—and for all of our fallen heroes—I will always be humbled and grateful. Like so many other families across our country, the Simpson family has made a great sacrifice for our Nation, our ideals, and our freedom.

This resolution, however, says to the world that men and women like Lance Corporal Simpson and Sergeant Simpson gave their lives for naught—that America cannot be successful in the pursuit for which they nobly sacrificed. I believe we can. I know if we stand firm in our principles and remain true to our convictions we can succeed.

For this reason, I wholeheartedly oppose this empty resolution and strongly urge my colleagues to do the same.

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Mrs. TAUSCHER. Mr. Speaker, may I inquire as to the amount of debate time remaining.

The SPEAKER pro tempore. The gentlewoman from Florida has 10 minutes remaining and the gentlewoman from California has 14 minutes remaining.

Mrs. TAUSCHER. Mr. Speaker, at this time I yield 5 minutes to my friend and colleague, the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Speaker, there are two fundamental questions we face in voting on this resolution: First, is it appropriate for Congress to express its views on the escalation of U.S. troops in Iraq? And second, is the escalation the best use of military forces in our war on terrorism?

First let me say that it is wrong for anyone in this debate to question the patriotism of someone on the other side of that issue. That tactic was tried by Senator Joseph McCarthy in the 1950s. It was wrong then, it is wrong now.

In our democracy, there is nothing patriotic about questioning the patriotism of someone with an opposing view. We all love our country; we all support our troops; and we all want to defend America from terrorism.

On the appropriateness of this resolution being before the House, I believe this debate is consistent with our Founding Fathers' deep commitment to the constitutional checks and balances of government. They chose to make the President our Commander in Chief of the Armed Forces. At the same time, they chose not to give the President the authority to declare war or to fund a war. Those solemn responsibilities were given to the Congress in article I of the Constitution.

It is noteworthy that on the most solemn act of government, to put citizens into harm's way, our Founding Fathers clearly chose to put in place constitutional checks and balances on the executive branch. This resolution is a proper exercise of that constitutional principle, especially given this war has now lasted longer than America's involvement in World War II, with no end in sight. Blind allegiance to the executive branch is not a constitutional principle.

The second question before us is whether the escalation in Iraq is the best use of U.S. military forces in our war on terrorism.

After nearly 4 years of combat, two facts are indisputable: First, our service men and women have served our Nation with courage and professionalism. They and their families have sacrificed above and beyond the call of duty, and I salute them.

Second; there have been major mistakes made by policymakers in Washington that have complicated at every step the challenges our troops have faced in Iraq, dead wrong intelligence on weapons of mass destruction and Iraq's involvement with September 11; rejecting General Shinseki's call to send an adequate amount of troops to Iraq in 2003, the disbanding of the Iraqi Army, the de-Baathification process, inadequate armor for our troops; and the repeated assertion that the insurgency was on its last leg, despite facts to the contrary.

Given mistakes made in the build-up to this war and its management, and the enormity of this issue in terms of lives at risk and our Nation's future, it is time for Congress to give a voice to the clear majority of the American people who oppose escalation in Iraq.

Since the President has already started the escalation, I personally hope and pray that he is right, and that more U.S. troops in Iraq will lead to long-term stability there. However, in good conscience, I must express my profound concerns for this policy for several reasons.

First; I believe until the Iraqi government creates a government that is respected by Sunnis, Shiites and Kurds, no amount of U.S. forces can stop sectarian violence there in the long run.

Second; I want U.S. forces fighting terrorists, not standing on street corners in Baghdad as target practice for Sunnis and Shiites locked into deep-rooted sectarian violence.

Third; I believe it is necessary to send a blunt wake-up call to the Iraqi political leaders that America has sacrificed our sons and daughters and hundreds of billions of dollars for their nation, but we will not do so forever for an incompetent government that is rife with corruption and sectarian bias. This is not a test of America's will, rather, it is a test of the Iraqi government's will to make the tough choices to ensure its nation's own future.

Fourth; with the increasingly serious situation in Afghanistan, where al Qaeda and the Taliban are resurging, we will definitely need additional U.S. troops there to prevent the kind of chaos that is rampant in Iraq.

For these reasons I believe this resolution is the appropriate and the right thing to do. This resolution will send an unequivocal message to the Iraqi political leaders that the time to end their corruption, their incompetence, and sectarian favoritism is over. When that message is truly heard, then and only then will there be real hope for stable and lasting peace in Iraq.

I urge support of this resolution.

Ms. ROS-LEHTINEN. Mr. Speaker, I am honored to yield 4 minutes to my colleague from Florida (Mr. BUCHANAN).

Mr. BUCHANAN. Mr. Speaker, I rise today in opposition to this resolution. I oppose the resolution not for what it says, but for what it does and what it will lead to.

As someone who enlisted at the age of 18 and spent 6 years as a member of the Air National Guard, I can tell you firsthand that this resolution will undermine our troops' morale and diminish their ability to accomplish their mission.

Passage of this resolution is also a first step towards cutting funding for our troops, and that is something that I absolutely cannot support.

Mr. Speaker, the war in Iraq is an important part of the global war on terror. Failure in Iraq will go beyond being a disaster for American foreign policy. Failure would destabilize the country, destabilize the Middle East, and make America less safe.

The American people are well aware of al Qaeda's plans to turn Iraq into a staging area to spread global terrorism. Failure in Iraq would also result in diminished influence and credibility for America at a time when global alliances are critical to address threats from Iran and North Korea.

Mr. Speaker, this week I have been briefed by the U.S. intelligence officers, foreign ambassadors from the region, and I have reached out to many of my constituents, including Colonel John Saputo, who served in Iraq, and Colonel Lee Kitchen, who served in Vietnam. We all agree that although legitimate questions can be raised about whether this surge strategy will prove successful, the stakes are too high, the threats to America too great to walk away without giving our troops one last chance to restore order in Iraq. Passage of this resolution would deny our military leaders and our troops this one last opportunity.

Like all Americans, I want to bring our troops home safely, successfully and soon, but now is not the time for an immediate withdrawal. Now is the time to support our troops, support the values they fight for, and do everything possible to give them the best chance to succeed in their mission. This resolution does nothing to help in those efforts. In fact, it does the opposite. It is for this reason that I must oppose this resolution.

Mrs. TAUSCHER. Mr. Speaker, pursuant to section 2 of House Resolution 157, and as the designee of the majority leader, I demand that the time for debate be enlarged by 1 hour, equally divided and controlled by the leaders or their designees.

The SPEAKER pro tempore. Under the rule, that will be the order.

Mrs. TAUSCHER. Mr. Speaker, at this time I am honored to yield 5 minutes to my friend and colleague, the gentlelady from New York (Ms. SLAUGHTER).

Ms. SLAUGHTER. I thank the gentlelady for yielding to me.

Mr. Speaker, this week on the floor, the House will provide our Nation with a clear, unambiguous answer to the most important question facing the country: Will this body side with the President's approach to the war in Iraq, or will we demand change?

Since Tuesday we have been debating President Bush's plan to escalate the war in Iraq. It is a debate that was long overdue and one which the American people and our troops risking their lives in Iraq and Afghanistan deserve.

The simple reality is that two-thirds of the American public, including myself, do not trust the President's judgment when it comes to the war. It is a conflict that has been defined by mismanagement and misinformation since it began, and the results have been devastating for the Iraqi people and for our men and women in uniform.

We know that top administration officials, men like Douglas Feith, abused the public trust and misused the work of the intelligence community when making the case for the war. Since then, every piece of evidence suggests that the strategy employed by this administration has failed in Iraq. Sectarian strife in Iraq has not abated, with routine bombings that kill dozens of civilians daily. The unemployment rate in Iraq is as high as 25 percent and 40 percent. Baghdad has only a few hours of electricity per day.

Our troops have continued to pay the price of being caught in the middle of another nation's civil war. 84 troops were killed last month, 48 more have been killed already this month.

At the same time, Mr. Speaker, corruption, fraud and lack of oversight have haunted every aspect of our involvement in Iraq. Stuart Bowen, the Special Inspector General for Iraq Reconstruction, has uncovered $10 billion in reconstruction funding that simply disappeared once it was sent overseas. Projects critical to the rebuilding and stabilization of Iraq society have been handed out to private firms, using no-bid contracts, firms that failed to live up to their responsibilities.

To cite one example, the construction of a new Baghdad police college to train Iraqi security officers, a $75 million project of vital importance to stability, was completely undermined by a private construction company. The work was so shoddy that the classrooms it built posed a health risk to the students and had to be abandoned. That same fraud and lack of oversight for years have posed mortal risk to our soldiers.

In January of 2006, we learned that 80 percent of the U.S. Marines who had died of upper body wounds in Iraq would have lived if they had had the proper armor. A Pentagon report released last month stated once again that our troops have been sent into battle time and time again without proper armor equipment, a reality which still exists today.

This simply hasn't been a case of going to war with the army you have, as Mr. Rumsfeld said. We have faced these shortages in part because the Pentagon contracts were given to companies who weren't up to the job and couldn't meet the demands of the conflict.

A legitimate question might be, are we funding the troops or are we funding crooked contractors and Iraqi government officials? Hundreds of dollars have simply disappeared. These are borrowed dollars, ladies and gentlemen, mainly from China.

My friends on the other side of the aisle made two arguments against the resolution. They have told us that to condemn the President's surge means that this Congress is giving up in Iraq, and they told us that we cannot support the troops without supporting their mission.

Our troops have done their job in Iraq and they have risked their lives countless times, but now they are being asked to do something that no army can do, find a military solution to a political problem. If the mission we have given our brave soldiers is the wrong one, and the past 4 years prove that it is, why would we help our enemies by refusing to change course? If that mission is the wrong one, how is supporting the mission that is wrong supporting the troops? If the mission is the wrong one, then how is demanding a change giving up? Giving up means just the opposite, it means insisting on a continuing failing strategy.

This escalation of the war is the same failed strategy, all it will do is put more and more of our young men and women in harm's way. That reality has led it to be opposed by a bipartisan majority in this House. A Republican Representative recently said, "This is not a fresh approach, it is just more of the same."

The plan has been publicly opposed by numerous high-ranking generals, such as General John Abizaid, General Colin Powell and General James T. Conway, the Commandant of the Marine Corps. He recently said that the Joint Chiefs "do not believe that just adding numbers for the sake of adding numbers, just thickening the mix, is the necessary way to go."

We need to stop this escalation and change what we are doing in Iraq. We need to promote a political solution and a diplomatic solution to the problems.

I urge the passage of this resolution.

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to yield 5 minutes to Mr. FOSSELLA, who represents the families of multiple victims of the 9/11 attacks on our Nation.

Mr. FOSSELLA. I thank the lady for yielding.

Mr. Speaker, the question before us is whether the front line in the war on terrorism moves from Baghdad back to America.

Although this resolution is nonbinding, the message it sends to our troops on the battlefield and to our enemies is crystal clear. Our words have consequences, as powerful as our actions. We must choose them carefully, for they are being listened to all over the world. And the words this Congress speaks today will send a message to both our allies and enemies about our resolve.

It is not a contradiction to support our warriors in battle and also to seek a lasting peace. That principle has guided us through tougher times than this. Indeed, it is America's gift from one generation to the next that we create a Nation that is stronger, freer, more prosperous, and more likely to enjoy God's world in peace.

To abdicate this responsibility for political expediency is a dereliction of duty and a sign of lost faith in the promise of America.

Throughout history, it has been proven that you cannot surrender the battlefield and still win the war. This war on terrorism was thrust upon us. America and other free nations were attacked by evil forces. To leave these forces unchecked would stoke the insatiable appetite of the beast. We know this because we have seen it before.

Regarding the fall of Cambodia, Henry Kissinger wrote:

Sirik Matak, who was the prime minister, was asked by then Ambassador John Dean if he would like to be evacuated, as the United States had just announced it was leaving. The prime minister responded, in part: Thank you for your offer to transport me towards freedom. I cannot, alas, leave in such a cowardly fashion.

□ 1015

As for your great country, I never believed for a moment that you have the sentiment of abandoning people which have chosen liberty. You have refused us your protection and we can do nothing about it. You leave, and my wish is that you and your country will find happiness under the sky. But mark it well, that if I shall die here on this spot and in my country that I love, it is no matter because we are all born and we must die. I have only committed this mistake in believing in you, the Americans.

The very next day the New York Times reported the evacuation with the following headline, "Indochina Without Americans: For Most, a Better Life."

As for the Prime Minister, he was shot; and it took him 3 days to die without medical help. Every other government official and their families were executed, and one to two million Cambodians were rousted from their homes and led to the slaughter like cattle.

Is this the fate we wish to leave millions of Iraqis who have tasted freedom after decades of oppression?

Is this the fate we wish for our allies and the leaders who are nurturing an infant democracy?

Is this the legacy we choose for our airmen and our soldiers and for those heroes who have fallen?

With an open mind I have spent hours this week listening to the debate. Like many Americans, I was willing to listen to new ideas and explore a new course in Iraq. But an opportunity was wasted, because all I have heard is no from the other side. I have not heard a plan, nor have I heard a strategy.

And let me be clear. It is not my place to question one's motivation or patriotism. But I can question judgment. This resolution is either an endorsement of the status quo or a clarion call of retreat, and neither is acceptable to me or to many in this Chamber.

Some now talk about a slow bleed strategy to cut off funding for our troops. I ask, if we surrender this battlefield, which battlefield will our enemy choose next? Will it be New York? Will it be Los Angeles? Will it be Washington, D.C.? Appeasement does not work. Just look back. The World Trade Center in 1993, Somalia, the Khobar Towers, Kenya and Tanzania, the USS *Cole* and, of course, September 11, 2001.

This copy of the Staten Island Advance, my local paper, shows the faces of some of the victims, 240 on this sheet alone. These are the people I knew, and they were the people who we promised, these 240 people who left 450 children without parents because they perished because evil people attacked this country. We made a promise to them that we will never let this happen again. I ask you, do we break that covenant? Do we surrender to the beast? To that I simply respond, no.

Mrs. TAUSCHER. Mr. Speaker, I am happy to yield 5 minutes to my friend and colleague, the gentleman from Oregon (Mr. WU).

Mr. WU. Fanaticism, George Santyana famously said, is "redoubling your effort when you have forgotten your aim."

Let us measure our efforts against our aims in Iraq. After great effort, Saddam is dead. After long effort, we have established there are no WMD. We have eliminated Iraq as a threat to its neighbors. We have achieved the President's Iraq war aims.

Why are we sending 21,000 more troops there, rather than redeploying all our troops out of Iraq? Because we have forgotten our aims. Now we referee a civil war between the peoples of Iraq. The President admitted as much in his State of the Union, saying "This is not the war we entered but the war that we are in."

The use of force resolution we passed in 2002 nowhere authorizes our participation in an Iraqi civil war. It has, therefore, expired. The President must come back to Congress for reauthorization if he wishes to war further in Iraq or to extend the war to Iran.

The fact that we are in a civil war is backed up by our own national intelligence estimate, as well as my conversations with soldiers who served, serve or who will serve in Iraq.

I share with you a typical comment: "I joined the Army, and I will go as many times as they send me. But I will tell you what. These folks have been killing each other for 1,000 years. They are killing each other today and may kill each other for another thousand years. I just don't see what good we are doing there."

This loyal soldier deserves our support and our protection.

JOHN MURTHA's efforts to craft an emergency supplemental appropriations bill to protect our troops is commendable. No soldier should be repeatedly deployed to Iraq without being rested, retrained and ready. To do so otherwise is an abuse of our citizen soldiers. It is a criminal dereliction of duty. It is an abuse of power.

The Constitution gives Congress the express power to regulate the military. We must exercise this responsibility and stop the abuse of our troops by building thoughtful guidelines into our defense appropriations bills.

Some want us to believe that we must either stand aside and let the President have his way or use the blunt axe of cutting off all funding for the Iraq war. Not true. Not only does the Constitution give to Congress, not the President, the power and responsibility to regulate the military, there is ample precedent to support Congress's authority in wartime.

In the 19th century, Congress went so far as to require President Andrew Johnson to obtain the signature of General Ulysses S. Grant to any of the President's military orders before it could become valid. The President obeyed.

President Truman was forced in the Youngstown Steel case to recognize that his powers as Commander in Chief were severely limited when they undermined congressional decisions. Even though a steel strike seriously affected our ability to fight the Korean war, the Commander in Chief could not act independently of Nation's laws.

President Bush needs to learn that we are a Nation of laws and that no one in America is above the law. He needs to listen to the American people. He should heed our professional military, rather than shop for a convenient opinion.

The American people understand the challenges in Iraq are political and that no amount of military force can retrieve the situation. Only the Iraqis can solve the problems of Iraq. Our staying merely delays their day of full responsibility, and that is why this Iraqi government asked us not to escalate until, like our own generals, they were browbeaten into submission by President Bush.

We must end this war with a minimum of domestic recrimination, a maximum of motive and opportunity for the many peoples of Iraq to solve their own problems without genocide, one last chance to win the war in Afghanistan, the last known mailing address of Osama bin Laden, and we must begin the long task of rebuilding America's foreign policy on its traditional bipartisan basis.

We must forsake fanaticism and never forget our national aims.

My colleagues, this President has never had the authorization from Congress to enter a civil war in Iraq. Our mission is done. Bring the troops home.

Ms. ROS-LEHTINEN. Mr. Speaker, I am honored to yield 4 minutes to the gentlelady from Wyoming (Mrs. CUBIN).

Mrs. CUBIN. Mr. Speaker, I rise in opposition to House Concurrent Resolution 63.

This proposal sends a dangerous message to the terrorists in Iraq. It informs them that they have succeeded in dividing us, that they should continue training their fighters, rebuilding their resources, and then they should attack with their full force when we leave.

There is no denying the difficulty of our current situation in Iraq. Terrible fractures exist along ethnic and religious fault lines. The need to stabilize Baghdad has never been more apparent.

All these realities are reflected in the President's new way forward, which is much more than just an increase in troop strength.

On January 10, the President changed the strategy on how we will fight this war. The President has laid out in great detail a plan for the Iraqis to take a leading role in their own security, a plan to isolate violent extremism and protect Iraq's citizens, a plan to make room for political and economic progress.

Most importantly, though, this is a plan for victory, to stabilize Iraq, to secure Iraq's democratic future, and then to bring our troops home.

In testimony before the Senate Armed Forces committee, General David Petraeus, the commanding officer in Iraq, described the implementation of the President's plan, as "a test of wills."

General Petraeus confirmed that the congressional action against the President's new plan would only encourage our enemies. Today, the will of the House of Representatives is being put to the test.

Underpinning the resolution before us today are calls to defund our military in a time of war. This proposal most certainly does not pass the test of wills. Rather, it puts us on a path to defeat.

The expulsion of U.S. troops from Iraq is critical to al Qaeda's plan to spread their deadly jihad beyond September 11, 2001, beyond Iraq's borders, and into the greater Middle East and the rest of the world.

Failing to achieve victory in Iraq will roll back the clock in the war on terror, giving al Qaeda the opportunity to establish a base in the heart of the Arab world, a place to train, rebuild resources, and plot the demise of American citizens across the globe.

A rapid U.S. withdrawal would lead to chaos, sectarian genocide, and military intervention by Iraq's neighbors.

We can, as the President has proposed, pass the test of wills and implement our plan for victory. The alternative to the President's plan is to retreat from our objectives, setting the stage for regional conflict in which terrorist agitators like al Qaeda, Hamas and Hezbollah will thrive.

Radical Islamists have declared war on the United States. This is a harsh and striking reality. We did not choose to be put in the cross-hairs of terrorists, and yet we have been for decades.

We do have a choice, however, in whether or not we have the will to win this war. My choice is to provide for the safety of our citizens and the security of future generations. My choice is to oppose today's misguided and dangerous resolution. My choice is to vote "no," and I urge my colleagues to vote "no."

Mrs. TAUSCHER. Mr. Speaker, at this time I am happy to yield 5 minutes to my friend and colleague, the gentlelady from New York (Ms. CLARKE).

Ms. CLARKE. Mr. Speaker, I rise today in unwavering support of our troops. I support our troops who are stationed around the globe and, particularly, those stationed in harm's way in places like Iraq and Afghanistan. That is why I wholeheartedly support H. Con. Res. 63 which disapproves of the President's decision to deploy more than 20,000 additional combat troops to Iraq, because support of our troops means I must vote to move them out of harm's way.

This 110th Congress debate marks the beginning of the end of the U.S. invasion and occupation of Iraq and a realignment of our strategy utilizing America's might against the war on terror.

Mr. Speaker, we now know that nothing said in justification of this war was fact. It was all fiction created by this administration to justify the unjustifiable.

Our military service men and women are doing their duty. They have accomplished their mission. They have brought Saddam Hussein to justice. Remember, "Mission Accomplished."

This administration has distracted us from the real war on terror, the war with al Qaeda. When are we going to bring Osama bin Laden to justice?

In Afghanistan, U.S. Central Command General Tommy Franks, the war's operational commander, misjudged the interest of our Afghan allies. He ran the war from Tampa, with no commander on the ground above the rank of Lieutenant Colonel. The first Americans did not arrive until 3 days into the fighting.

It is noted that Osama bin Laden slipped through the cordon ostensibly placed around Tora Bora as U.S. aircraft began bombing on November 30, 2002. More precisely, bin Laden was in Tora Bora on November 26, 2002, spoke to his fighters about the fight being a holy war, then, as quickly as he had come, bin Laden vanished in the pine forest with four of his loyalists walking in the direction of Pakistan.

□ 1030

Bin Laden escaped somewhere between November 28 and November 30, 2002, in Afghanistan.

Mr. Speaker, 5 years ago, Department of Defense Secretary Paul Wolfowitz said, "He," meaning Osama bin Laden, "doesn't have a lot of good options." Obviously, that was false.

Further, it was reported that the administration pays bin Laden no attention, and that is evidenced by the fact that official reports no longer identify Osama bin Laden as a threat. The administration anticipated that they would have bin Laden erased by September 11, 2002. They failed at that mission.

Again, the failure of this administration to get the job done, to secure our homeland, and to get the man who masterminded the attacks upon us and continues to recruit and train al Qaeda agents is parallel to the failures of the mission in Iraq. The administration did not plan to fail; they failed to plan.

I support the men and women who put their lives on the line for our liberty. I am indebted to them, the sacrifices that they have made, and that is why I support this resolution. We must redeploy and make preparations to leave Iraq today.

As the representative of the 11th District from New York, I and my constituents deeply resent the lies and deceptions thrust upon us to justify this war by creating a distraction away from homeland security we all require as an inalienable right. The fire that I witnessed that refused to die was stamped out by the resilience of New Yorkers, Americans who believe in our democracy and the ultimate victory of good over evil.

The question I have and the question of the people from New York and the rest of America wants answered is: When will Osama bin Laden be brought to justice?

Thanks to the failed policies of this administration, Iraq is now in the midst of a civil war. Due to the lies and deceptions, the civil war in Iraq is now raging. We must redeploy our troops now. Thus far, there are 135,544 troops deployed in Iraq today.

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from Pennsylvania (Mr. GERLACH), with whom I had the opportunity to visit his Pennsylvania troops in Iraq and Afghanistan.

Mr. GERLACH. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, the status quo in Iraq is unacceptable, and allowing our enemies to win is unacceptable, too. Therefore, Mr. Speaker, I urge my colleagues to oppose this House Democrat leadership resolution, H. Con. Res. 63, for three specific reasons:

First, the language of the resolution is essentially meaningless. Its passage will place the Congress on the side of the status quo.

I heard the Speaker say a few days ago that it is time for a "new direction" in Iraq. But where is this "new direction" in this resolution? It doesn't demand that all the troops return home. It doesn't advise the President to send more troops or even to reassign or relocate one soldier who is in the field today. It simply states, in essence, the current plan is bad. That may be good politics for some in this Chamber, but it is highly irresponsible and is certainly no way to fight a war.

If Congress wants to be a true partner in this fight, we must offer clear guidance, not mere criticism of the Commander in Chief. Unfortunately, this resolution is irresponsibly silent on what the "new direction" ought to be.

The second reason to oppose this resolution is that it is fundamentally vague and ambiguous. By only saying that Congress opposes the President's troop surge proposal of January 10, the resolution does not differentiate between the positive aspects of what the President called for on that date and the more controversial elements as well.

For example, I continue to have a tremendous concern over the President's plan for increasing our military force level in Baghdad to fight the sectarian violence between the Sunni and Shi'a factions of the Iraqi population. With the current lack of commitment of some Iraqi security forces and police forces to deal effectively with this violence, I am not confident of success of this surge into Baghdad. Nonetheless, I do think the strategy is correct in calling for additional American troops to go to Anbar Province to fight al Qaeda terrorists in that part of Iraq and to add more troops along the Iraq-Iranian border to interdict the flow of arms and more terrorists.

But, unfortunately, again, this resolution does not differentiate between these critical elements of the President's strategy and, therefore, on its face is weak and flawed.

The third reason to oppose this resolution is that it serves to undercut the morale and the support of our fighting men and women at the very time they are carrying out their orders. The President's decision of January 10 is now being implemented. Our troops are already carrying out this mission in the field.

I know of no instance in our Nation's history when Congress has passed a resolution disapproving a mission while that mission is in progress in the field. Can any proponent of this resolution come to the floor and cite a case where Congress has undertaken this type of action while a mission is already under way?

Any politician, it seems to me, who openly disapproves of an ongoing mission in the field only undercuts troop spirit and morale as they move forward, and that clearly lends support to the aims and the goals of our enemies. But don't accept my view on this. Listen to Gary Kurpius, the National Commander of the Veterans of Foreign Wars, who states that this resolution debate is "a major distraction to U.S. forces because it does nothing to improve the morale or strength of their resolve."

So while I cannot support this resolution for these reasons, I do believe there is a "new direction" for us, as Republicans and Democrats, to unite behind and support. H. Con. Res. 45, introduced by Congressman FRANK WOLF, would declare Congress's support for the numerous recommendations of the bipartisan Iraq Study Group, a distinguished group of Republicans and Democrats that have set forth a plan of action deserving of administration, congressional, and public support.

Included in the group's recommendation is the call to establish milestones of success for military training, government stability, national reconciliation, which would result in Iraqis taking control of their country and allowing our troops to withdraw; number two, to create an Iraq International Support Group to work with the Iraqi government to achieve these milestones; and, three, to focus U.S. assistance on training of Iraqi police forces and military personnel with the goal of completing the training by early 2008 so American troops can return home.

Contrary to the flawed, simplistic, and purely political resolution before us, the Wolf resolution offers clear, bipartisan, and nonpolitical direction for Congress to support and to promote in this very difficult time in our involvement in Iraq. Therefore, I urge my colleagues to vote down H. Con. Res. 63 and for the Democrat leadership in the House to immediately allow H. Con. Res. 45 to be voted in the full House. Because the status quo in Iraq is unacceptable and victory for our enemies is also unacceptable.

Mrs. TAUSCHER. Mr. Speaker, I am happy at this time to yield 5 minutes to my friend and colleague, the gentleman from Pennsylvania (Mr. FATTAH).

Mr. FATTAH. Mr. Speaker, I thank the gentlewoman for yielding me time.

My colleague from Pennsylvania is concerned about victory for our enemies. Well, the victory for our enemies is made possible by our pursuing a failed policy.

We are creating an inevitable situation in which our country continues to lose prestige and support around the world. But, much more importantly, we are losing the precious lives of our young people; and tens of thousands have been injured.

I was over at Walter Reed. I met and visited with some of the wounded soldiers. And I will never forget the day I met Cassandra Bryant, 20 years old, who lost both her legs to an improvised explosive device in Iraq. She was in a mechanical unit that was supposedly nowhere near the front line, but, nonetheless, for the rest of her life, she will have to go without her legs. Her sacrifice on behalf of our country, if in the face of a national security threat, would be understandable, and she was prepared to even give more. But to sacrifice so much. Our young people have done it in a place in a war that we should have never fought, we should have never been in.

There was ample information and evidence that Saddam possessed no weapons of mass destruction. The international inspectors were forced out of the country when, first of all, they found none and they wanted to continue their work.

This administration rushed to judgment into a war in which we have spent hundreds of billions of dollars and in which over 3,000 young people have lost their lives. And in Philadelphia, for Mrs. Zappala and for Mrs. Jeff Coat and for other mothers and fathers who have lost their sons and daughters in Iraq, this war and this effort in Iraq, which some suggest if we would just prosecute it more vigorously would somehow overnight become a success, we need to look at the conduct of this war on behalf of our Armed Forces.

This administration has failed our troops on the ground on so many occasions. On one occasion, there was a shortage of bullets. On others, we have seen reports that they were not having access to enough long rifles. We know that they have never had, in the 4 years now, enough up-armored vehicles to be able to do their patrols. We have failed to provide the body armor and Kevlar vests that are necessary and in the quantities that are needed.

The embarrassment of the conduct of this war is only equal to the stupidity that took us to Iraq in the first place. And what we need to do is not just vote in support of this resolution but this Congress would do better if we would understand that our young men and women don't wear Democrat or Republican dog tags. They are sons and daughters of our country. They are precious. Their willingness to sacrifice on behalf of our Nation should not be taken for granted.

We should move to redeploy. Forget the question of an additional surge. Why would we want to have our young people in a situation where the only time the Sunnis and the Shiites stop killing each other is when they both are willing to turn their weapons against our young people?

We are in the middle of a civil war. Clearly, in the case of a civil war, the definition suggests that we are unwelcome visitors. We should redeploy.

And if there are needs, and I think there are, for peacekeeping and stabilization forces, we should ask some of our friendly Arab countries in the region to provide some of their troops. We provide over $1 billion a year to the

Egyptian military, one of the largest in the world and the largest in the Arab world. They do joint training with our troops and have done so for decades. If there is a need for troops, let us get our young people out of the way. And since the President said we went there in part to stabilize the region for our friendly Arab neighbors, let them step forward now and secure the region.

Our young people have done the hard work. They have done the heavy lifting. They have died on the fields of battle in Iraq, and it is time for this Congress to act responsibly. Let us rise on this day and speak not just in symbol but in substance on behalf of the fighting men and women of the American military.

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from Texas (Mr. CULBERSON), a member of the Appropriations Committee.

Mr. CULBERSON. Mr. Speaker, the vote today is very simple: Will America give up and walk away from the fight to preserve American civilization? Are we proud of our military and will we support them and protect them in time of war?

The people of Houston's District Seven are immensely proud of the men and women of our Armed Forces. We want our soldiers and their commanders and our Commander in Chief to know that we will always support them and to know that we will do our best to protect them, especially in time of war; and we thank them for keeping us safe and free from another terrorist attack for 1,985 days.

Therefore, Mr. Speaker, on behalf of the people of Houston's District Seven, I will vote no, to tell our enemies and our friends that Americans will never quit and Americans will never surrender in the fight to preserve, protect, and defend American freedom.

Mrs. TAUSCHER. Mr. Speaker, I am very honored at this time to yield 5 minutes to my friend and colleague from the great State of California (Mr. WAXMAN), the chairman of the Oversight and Government Reform Committee.

☐ 1045

Mr. WAXMAN. I thank my good friend for yielding to me.

Mr. Speaker, this administration has mishandled the situation in Iraq from the very beginning.

It misled the country into a war based on false and misleading statements about the threat from Iraq.

It failed to plan for the aftermath of the military victory.

It assumed that we would be greeted as liberators, the occupation would be brief, and that Iraq would pay for its own reconstruction.

It sent our troops to battle with dangerous shortages in body armor and devices needed to defuse remote-controlled bombs.

It sent in too few troops to Iraq to provide security, leaving the Iraqi people to rely on their sectarian militias to give them some protection from the chaos.

It disbanded the Iraqi army and, through an anti-Baathists campaign, gave the Sunnis a sense that the U.S. was aiding the Shiites against them.

It refused to take on war profiteering, even as auditors, investigators and inspector generals unearthed massive graft, fraud and abuse by reconstruction contractors.

It alienated the Iraqi people with the shameful and criminal acts of Abu Ghraib prison.

What we now have in Iraq is a defeat. We cannot achieve the illusions of the Bush administration that we will be able to create a stable, unified, liberal democracy in Iraq that is pro-American. Instead, we have sectarian fighting, death squads and a destabilized Middle East that threatens to be engulfed by the nightmare that we have unleashed.

The administration's mistakes have weakened our fight against al Qaeda. In fact, the war has enhanced the group's terrorist recruitment. The planned escalation in Iraq will divert more troops, resources and attention from the pursuit of Osama bin Laden's operation in Afghanistan; and we have enhanced the influence of Iran, not just in Iraq but throughout the region.

The President proposes an escalation of a failed policy. The fighting now only prolongs our losses and blocks the way to a new strategy. We are trying now to mediate a civil war, which is impossible. Instead, we are being drawn into that civil war by trying to prop up a government that, in the final analysis, cannot unite the country.

Politically, this administration has tied the faith of American soldiers to a Shi'a-dominated government that lacks the authority, the will and the manpower to stop the roving gangs and insurgent militias that have shattered Iraqi society. Instead of acknowledging these failures and embarking on a new course of action, the President gives us more of the same: Send more troops to Iraq.

We need to redefine our mission and our hopes for "success." Our goal should be to try to stabilize the situation, stop the killing, contain the violence.

We cannot do it alone, and we cannot do it militarily. We must seek a diplomatic strategy with Iraq's neighbors and the international community.

Certainly, it will take more action than just the resolution before us to bring about the policy changes that we need. The Congress must stand ready to use the checks and balances necessary to extract ourselves from the morass we face in Iraq. We can do that through more oversight, but it is also time for Congress to use the appropriations process to end this war.

We should pass this resolution and make it clear to the President that we will not stand for more of the same.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. GALLEGLY), a member of the Committee on Foreign Affairs and the ranking member of a subcommittee.

Mr. GALLEGLY. I thank the gentlelady for yielding.

Mr. Speaker, my concern about the Iraq resolution offered by my friends on the other side of the aisle is what impact it will have on our troops and our mission and its consequences on our mission. How can you say support our troops when you don't support sending in the people necessary to back them up to do the job that we sent them there to do to start with?

Let's be clear, Mr. Speaker, about who the real enemy is. We are at war with the Islamic jihadists. Jihadists have vowed to destroy America, the West and all sympathizers with democracy. We are at war for our very existence against jihadists who have vowed to enslave us with a fundamentalist philosophy that rejects all human rights.

The consequences of failure in Iraq are not just failure in Iraq. Iraq's stability has direct repercussions on Iran, Saudi Arabia, Israel and all of the Middle East. If our efforts to bring peace and stability to Iraq are successful, we will accomplish a great deal. If not, if Iraq fails, it will provide Islamic jihadists with a sanctuary similar to the one we removed from Afghanistan, only the sanctuary in Iraq would be many times worse, as the terrorists would have access to billions of dollars of oil resources to carry out their evil plans. Such a sanctuary would threaten Europe and the United States.

If we are in support of our military men and women, we must support their mission against Islamic jihadists. The alternative is defeat in Iraq and a greater threat of attack here at home.

A defeat in Iraq would not just be a defeat for the United States. It would also set back any chance for peace and stability in the Middle East. It would empower terrorists to unleash greater sectarian violence, which would draw all of Iraq's neighbors into a Sunni versus Shi'a conflict for control of Iraq.

I am also concerned about the resolution because it does not offer any alternative whatsoever that could lead to a successful outcome for the United States in Iraq. All the resolution does is to criticize the President's plan to augment our existing force in Iraq by 21,000-plus troops.

The Democratic resolution offers no other plan. It does not address what should be the right strategy or the right tactics. In effect, and I think this is the real issue, it endorses the status quo in Iraq, a position that I certainly can't support, and I hear lots of those that are supporting this say they can't support either, but they are de facto supporting the status quo by supporting this resolution.

I look forward to the majority offering a comprehensive proposal that would set forth a specific course of action. Then we could have a real debate on the pros and cons of the Democratic plan versus the President's plan to secure Iraq and defeat the terrorists in that country. Unfortunately, the resolution before us fails to do this, and therefore I can't support it. It should be rejected.

Mrs. TAUSCHER. Mr. Speaker, I am very proud to yield 5 minutes to my friend and colleague, the gentleman from New York (Mr. HIGGINS).

Mr. HIGGINS. Mr. Speaker, as this debate comes to a close, much has been said. Certainly not everything. The House is considering a resolution concerning the Iraq war. It expresses the unequivocal support of this body for the American troops serving in Iraq and for their families. This resolution expresses opposition to the President's planned surge, escalation, augmentation. Call it what you will. But, more than anything else, this resolution opposes the administration's deeper commitment to a fundamentally and deeply flawed military strategy.

The fact is that Prime Minister Nuri al-Maliki lacks the authority or the will to confront Shi'a militias. To do so would result in a major confrontation with the militia leader Moqtada al-Sadr, without whom the Iraqi government has little support. These dangerous Iraqi alliances and compelling evidence of a strong Iranian alliance demonstrates how weak the National Unity Government is and how pathetically dependent we are on them for success in Iraq.

Mr. Speaker, the American people deserve much better. Surging troop levels in Iraq was tried in 2004, 2005 and 2006. Each time, it failed to reduce violence and only served to inflame anti-American sentiment.

Under the President's plan, it is still the American troops that do most of the fighting and, regrettably, will do most of the dying. For any decent outcome in Iraq, the President has to be serious about setting and enforcing deadlines. The President needs to demand that Prime Minister Maliki stop protecting the militias and make clear there will be serious consequences if he continues to do so.

The problem in Iraq is the same as it was when the conflict started: American war planners never provided the resources to successfully create a vital and secure center from which a functioning society could evolve.

The history is clear. Modern Iraq was born out of a strong nationalist aspiration in the early 20th century. Shi'a, Sunni, Christians and Jews stood united against the British and peacefully created and coexisted in a new, ethnically diverse Iraq.

Then, Iraqis prayed at each other's mosques. Today, Shi'a and Sunni militias bomb each other's mosques with impunity. Last month, 70 college students were slaughtered by a car bomb in Baghdad. Iraqi weddings, funerals and schools are the regular targets of suicide bombers. These are called "revenge killings." They are carried out in the name of destiny and in the name of God.

Where is the outrage? Where is the condemnation for these atrocities in the Arab Muslim community? Nowhere does the Koran talk about revenge killings, violence, hate or intolerance. The Koran describes the Prophet Muhammad as the Prophet of Mercy. At the core of Islamic belief is compassion, forgiveness and tolerance: To you your faith and to me mine.

Absent the real possibility of a functioning government, a functioning society, a functioning economy, the National Unity Government of Iraq cannot succeed because it lacks legitimacy in the very eyes of those it seeks to govern. Elections and forming governments are the symbols of democracy. Legitimacy in the eyes of the governed is the substance of democracy and that of free and open societies throughout the world.

Madam Speaker, I don't stand here as a partisan. I am an American, and I want my country to succeed. I want my President to succeed, regardless of party affiliation, regardless of who he or she may be.

The fact of the matter is, we have an obligation to tell the truth to the American people at every level, militarily and politically. This strategy, advanced and sustained by this administration, has been an abject failure.

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from Ohio (Mr. CHABOT), a member of our Foreign Affairs Committee.

Mr. CHABOT. Thank you, Madam Chair.

Mr. Speaker, I first want to express our appreciation to the brave men and women of our Armed Forces. I have met with our troops in Iraq and in Afghanistan and our wounded soldiers in Walter Reed and Bethesda Naval Hospitals and the families of those who have paid the ultimate sacrifice defending our freedoms. We thank them for their unwavering commitment to our country and believe we owe it to them to have an open and honest debate regarding our next steps in Iraq.

Mr. Speaker, there is no question that the war in Iraq has been challenging. We are fighting a war against terrorists and radical Islamic militants who are determined to kill as many Americans as possible. They believe that killing American soldiers will drive us out of Iraq and out of the Middle East, allowing radical terrorists free rein and a base to expand their influence around the world.

These are the same radical Islamic militants who bombed the World Trade Center in 1993, the Khobar Towers in 1996, the embassies in Kenya and Tanzania in 1998 and the USS *Cole* in 2000. We surely can't forget the slaughter of 3,000 innocent American citizens on our soil. And just last year a couple arrested in Britain planned to use their 6-month-old baby as a human bomb to destroy a civilian airliner over the Atlantic Ocean.

☐ 1100

We must recognize that we are dealing with irrational, radical, maniacal monsters who will not respond to diplomatic niceties.

Mr. Speaker, we all know that the vast majority of Americans do not support an immediate withdrawal from Iraq, just as they do not support a never-ending deployment of U.S. forces there. They want us, they expect us, to work together and with the President to find a way to win the war on terror while bringing our troops home as soon as possible.

We should be past the point of political posturing when it comes to Iraq. Yet this resolution is more of the same, once again placing politics over policy. Instead of encouraging substantive discussion on options in Iraq, the majority has once again shut us out of the process and refused to consider any alternative to their point of view. That is truly unfortunate because this nonbinding resolution does nothing to increase the accountability of the Iraqi government or provide for our troops or even propose a new course in Iraq.

We all agree that this administration has made mistakes in Iraq. Most harmful, I believe, has been the slow pace of training Iraq troops and security forces to take responsibility for their own country. Early lapses in this area are a principal reason why our troops remain in Iraq today.

But the administration has taken action to accelerate this training and better prepare Iraqi forces. So now it is time for the Iraqi government to demonstrate that it has the ability to confront the problems facing their country, both politically and militarily. That is why it is so important that we hold the Iraqi government accountable for what they say they are going to do and require them to take the lead in securing their Nation. The Iraqi government and the Iraqi people must recognize that they, not American troops, are responsible for the future of their country.

With that being said, we must continue to support our troops and commanders on the ground by giving them the resources they need to be successful. It would be a tragic mistake to cut off funding or limit support for our troops fighting against terrorists abroad. We also must be very careful about the message we send to our allies and our enemies and, most importantly, to our troops in the field who have performed with great courage.

The bipartisan Iraq Study Group has stated that it could support a shorter redeployment or surge of American combat forces to stabilize Baghdad or to speed up the training and equipping mission, if the U.S. commander in Iraq determines that such steps would be effective, and that is a quote from the Iraq Study Group report. Well, General Petraeus says that it can be effective.

Clearly, the path forward must include military and political strategic benchmarks so that we are in a position to measure the progress and commitment of the Iraqi government, but we must also be willing to give our troops, who have sacrificed so much for our Nation, the opportunity and the resources to be successful and provide the short-term support needed to achieve increased stability in Iraq.

There are serious consequences to our national security if we fail in Iraq. Cutting off funding, limiting military options or pushing for immediate withdrawal will only make our future more dangerous. It is time to stop the politics, stop the games, stop the finger pointing, and do what is best for America. Let us put partisanship aside and discuss concrete plans on how we can defeat radical terrorists and protect our Nation from those who mean us great harm.

Mrs. TAUSCHER. Mr. Speaker, may I inquire how much time is remaining.

The SPEAKER pro tempore (Mr. ROSS). The Democratic side has 9 minutes remaining. The gentlewoman from Florida (Ms. ROS-LEHTINEN) has 13 minutes remaining.

Mrs. TAUSCHER. Mr. Speaker, pursuant to section 2 of House Resolution 157 and as the designee of the majority leader, I demand that the time for debate be enlarged by 1 hour, equally divided and controlled by the leaders or their designees.

The SPEAKER pro tempore. Under the rule, that will be the order.

Mrs. TAUSCHER. Mr. Speaker, I am very proud to yield 5 minutes to my friend and colleague, the gentleman from New Jersey (Mr. ROTHMAN), a member of the Defense appropriations subcommittee.

Mr. ROTHMAN. I thank the gentlelady.

Mr. Speaker, I join my colleagues in expressing my deepest appreciation and gratitude to the men and women of our Armed Forces, to the families of those who have died, who have been wounded or are presently in harm's way.

My prayers and all of my efforts as a United States Congressman are devoted to ensuring the well-being and support of our military, as they fight to protect our Nation, to honoring their memories, and to helping them when they return to our country.

Mr. Speaker, after we deposed Saddam Hussein and removed him from power, it became clear to most Americans and most people around the world that so much of what our President had told us about Iraq was not true. There were no weapons of mass destruction in Iraq. Saddam had no intention of sending Iraqi agents to slaughter Americans on our shores, and Saddam had precious little, if any, contact with foreign terrorists or anyone else who wanted to do harm to America.

Mr. Speaker, now after nearly 4 years and the death of more than 3,100 American servicemen and -women, after more than 23,000 American men and women have been wounded, and after the United States has spent almost one-half a trillion U.S. taxpayer dollars in Iraq, I believe we have met our moral obligation to the people of Iraq.

We have given the Iraqi people an opportunity over nearly 4 years to decide whether they will live together with themselves in peace, neighbor to neighbor, Iraqi, Sunni, Shia and Kurd.

The fact is, Mr. Speaker, the Iraqi people have not yet decided they want to live together with one another in Iraq in peace.

Our having our United States brave young men and women standing there, being shot at, being blown up is not encouraging the Iraqis to live together in peace. Not only are our troops dying and being wounded, but 80 percent of the Iraqi people say they want us to leave their country immediately.

Mr. Speaker, President Bush implies that al Qaeda will take over Iraq if we leave. In my opinion that is nonsense. Today, you have less than 1,500 al Qaeda in Iraq. Iraq has a population of 25 million people. Today, you have not only Iraqi Shiites killing al Qaeda Sunnis, you have Iraqi Sunnis killing al Qaeda Sunnis. They don't like foreigners in Iraq, whether they be Sunnis, and especially if they are al Qaeda or Americans.

Mr. Speaker, the only hope that our enemies have to destroy the United States is to have us remain bogged down in the swamp of the Iraqi civil war. Are we smart enough to pull ourselves out of that swamp of the Iraqi civil war? Or are we going to continue to allow our Nation to have our soldiers bled, our resources taken away, our equipment destroyed, taking our attention away from the other military threats and realities in this very hostile world?

I believe that the United States' vital national interests will only be served if we withdraw all of our troops out of Iraq as quickly as possible for the safety of our troops being uppermost in our minds. Then we can leave several thousand in the region just in case. We can, more importantly, encourage the regional players, through diplomacy, to come together to help the Iraqis decide to live in peace.

Mr. Speaker, leaving Iraq's civil war will serve America's vital national interests by allowing us to rebuild what is now a depleted U.S. Army and U.S. Marines, a military that is not fully up to its strategic requirements to deal with all the possible threats in the world.

We need to refocus on Afghanistan and the resurgence of the Taliban. We need to be prepared militarily for the potential threats from North Korea, Iran and, yes, even the People's Republic of China.

It is also important that we take these resources that we have been spending in Iraq not only to rebuild our military but to spend the money here at home. There is al Qaeda in 60 Nations in the world. They have pledged to come to America and harm us; yet we have spent more money in Iraq since 9/11 than we have spent on our homeland security needs.

Believe it or not, Mr. Speaker, that is the truth and that has to change.

Mr. Speaker, I will be voting for this resolution. Iran and Syria and Saudi Arabia have an interest in stabilizing Iraq. They will not permit the destruction of that country. They are afraid of refugees coming into their countries and destabilizing their Nation.

We need to vote for this resolution and withdraw from Iraq.

Ms. ROS-LEHTINEN. Mr. Speaker, I am so honored to yield 3 minutes to the gentleman from Indiana (Mr. PENCE), the ranking member of the Subcommittee on Middle East and South Asia.

Mr. PENCE. I thank the gentlelady for yielding.

Mr. Speaker, I have listened to this debate all week, and I must say I admire the seriousness and the civility of most, if not all, of those who have come to this floor in this historic week to address the issue and express themselves on this resolution. But I rise respectfully to urge my colleagues in both parties to vote "no" on this no-confidence resolution.

I support the President's call for a surge of 21,500 forces in Baghdad because the President has not just asked for more troops for more troops' sake. Despite what has been said again and again on this floor, Mr. Speaker, this is a new strategy. It involves new tactics and new rules of engagement on the ground.

This surge of forces in Baghdad, designed to quell violence in that capital city and enable a political solution to take hold, was part and parcel of the recommendations of the Iraq Study Group, which said, as Americans could see for themselves on page 74 of the Iraq Study Group, and as Chairman Lee Hamilton of Indiana said before the Foreign Affairs Committee, the

Iraq Study Group concluded that a temporary surge, and they used the word "surge," a temporary surge of forces in Baghdad would be acceptable to them to quell violence.

But while I must tell you that many of my colleagues have no confidence in the President's new way forward in Iraq. I say with respect, I have no confidence in the ability of Congress to conduct war. It was Napoleon Bonaparte who said hundreds of years ago, "I would rather face 20 brilliant generals than one mediocre one."

I would assure you today, Mr. Speaker, that our enemies would rather face 435 commanders in chief rather than one.

Our forefathers rejected war by committee when they enshrined the power to conduct war exclusively in Article II of the Constitution of the United States. In Article I, where this House finds its home, is the power to declare war. It is the power to appropriate funding and to set essentially military rules of conduct by statute. But the ability and the conduct of the war of the Commander in Chief is exclusively vested in the President of the United States, in that document upon which we all swear our oath of allegiance.

So I stand with our Commander in Chief, but also in a very profound sense, Mr. Speaker, I stand with the Constitution.

Vote "no" on this resolution and embrace our Constitution as written.

Mrs. TAUSCHER. Mr. Speaker, I am proud to yield 5 minutes to my friend and colleague, the gentleman from New York (Mr. CROWLEY), a chief deputy whip.

Mr. CROWLEY. Mr. Speaker, I thank my friend and colleague, the gentlewoman from California, and I rise to thank our young men and women in our armed services and their families, those who have understood the sacrifices that they have made on behalf of our great Nation.

But Mr. Speaker, I also rise to speak out in strong opposition to President Bush's misguided escalation of troops in the Iraq War and to commend the Democratic leadership of this House for holding a real debate on our involvement in Iraq.

Since January 4, when Speaker PELOSI took the gavel, the Democratic majority has delivered on its pledge of oversight and accountability of this war in Iraq, and Democrats have changed the direction of the discussion and have changed this war to lead us to the ultimate goal of all Americans, that is, to bring our troops home.

For too long, Congress has taken a backseat on the President's handling of this war, but this majority has held more hearings on Iraq than the Republican-controlled Congress did since this war began.

□ 1115

This debate is about not about trying to embarrass our President for political purposes. We are debating the escalation because the American people have demanded a change in direction. The President has failed to recognize the will of the people and many of the top military and foreign policy thinkers around the country who view this escalation with little hope of success.

Our constituents spoke with their voices loudly on Election Day, and they have been even more vocal since about the dissatisfaction with the way this war has been managed. Many in this country want to see a deescalation of America's forces, not the increase the President has proposed.

The President and his advisors created this problem, and it is now on the Congress to find a way to disengage Iraq without causing the country and the region to be engulfed in a further outbreak of violence.

In the last week, we have seen some of the most horrific bombings that cost the lives of hundreds of Iraqis and the downing of several U.S. helicopters. Over 3,000 of our young American men and women have lost their lives; tens and thousands have been physically and mentally maimed; and hundreds of Iraqi citizens, the vast majority of them trying to live normal lives, have been killed or injured.

This was not how this war was to be conducted.

Four years ago, when this President came to the Congress for authorization to invade Iraq, he stated that Iraq posed a clear and present danger. He talked about how invading Iraq was part of the greater war on terror and how, if Saddam Hussein was not toppled, he would attack our allies and maybe even on our own soil.

After seeing the death and destruction al Qaeda did to my city on 9/11 and to our Nation, I wanted to trust our President and all the President's men and women. When I sat across the table in the Roosevelt Room in the White House from Condoleezza Rice and then-CIA-Director George Tenet, I thought I could trust them. Because of them and the false intelligence they gave, I voted for authorization of this war.

As the only Member of this Congress to lose a relative on 9/11 and as someone who has lost 125 constituents to the attacks of the Twin Towers, I do believe that America must always act to defeat threats before those threats act against us.

As they say, in life, there are no do-overs; and if I could turn back time, I am sure that most of the Members of this House and most of my colleagues in this House would never have given this President this authority to wage this war in Iraq.

This war has cost us a fortune from our national treasury, a fortune in American lives lost and ruined, and a fortune in our ability as a Congress to trust our Commander in Chief and our President.

Today, we have an opportunity to stand as a group and to say what our constituents want us to say, to say what the Army generals want us to say, to say what many of them, those men and women in our Armed Services in uniform on the front line want us to say: "Mr. President, adding more troops is not the answer. Adding more troops to fight what has become a civil war is not the answer."

The answer is we need to start to begin to bring our troops home, reducing our presence in Iraq, and create the conditions for the Iraqi people themselves to stand up and secure their own country.

The Iraq Study Group set out a plan that many of us support, but the President continues to believe that history will judge him favorably.

As the Iraqi government attempts to clamp down on the Shi'a and Sunni militias, it has become abundantly clear these forces are not as strong as we have been led to believe, those being the Iraqi government's forces. I believe we need to look strongly on redeploying our troops in Iraq along the border and in the Kurdish north, removing American citizens from harm's way in Baghdad and Anbar Province, and forcing the Iraqis, both politically and militarily, to secure these areas. U.S. troops should only be used in an advisory role, not in direct combat.

Mr. Speaker, I have more to submit for the RECORD, but I want to send our young men and women home as soon as possible and an end to putting them in harm's way.

Only when the violence stops should the U.S. in small numbers work with Iraqi and multinational forces in keeping the peace, building the military infrastructure and securing long term stability.

Right now, with the exception of Great Britain and a few other countries we are doing all the work, taking all the risk, and losing our best and our brightest while the Iraqis lay waste to their country.

It is time for us to get back to our roots and be the beacon of freedom and democracy that we are.

We need to increase our conversations with the moderate Arab states and get them invested before Iraq, and possibly the whole region, is at war.

The focus should be making sure that countries like Iran and Saudi Arabia are not funding Sunni and Shia extremists, respectively.

Diplomacy is not the end all fix, but it is a start.

Whether or not my colleagues want to refer to the President's plan as a surge or escalation, I see it as a target on the backs of our armed forces.

This resolution clearly states that the House does not support the escalation, but we will not abandon the safety of our troops by cutting off the supplies they need for force protection.

I do not support this escalation.

Instead of bringing our troops home President Bush has decided to put even more of our overburdened arm forces in an increasingly sectarian bloodbath.

Our country has been asking for answers to why our men and women of the armed forces continue to die in Iraq and we have not received any answers.

Until these answers are forthcoming, I will not support the President's escalation and I wholeheartedly support this resolution.

Ms. ROS-LEHTINEN. Mr. Speaker, I am honored to yield 3 minutes to my Florida colleague, Mr. STEARNS, a senior member of the Veterans' Affairs Committee.

Mr. STEARNS. I thank my distinguished colleague, the ranking member of the Foreign Affairs Committee.

And I want to have the opportunity to speak. I have spoken earlier on this debate, but I thought I would bring some simple common sense to my colleagues that perhaps was best brought forward by David Broder in the Washington Post. Now, David Broder obviously is more sympathetic to the Democratic point of view than they are to the Republicans, but I think he makes three points which I will also echo in my conversation today.

Basically, we are at the end of the debate, but we are all moving towards a decision most of us already have decided, but I have some simple common sense that I would bring to the attention of my colleagues.

When General Petraeus was unanimously supported by the Senate, it was with the idea that he would bring his new thoughts, his new strategy to this plan in Iraq. So don't you think, as members of this body, we should give General Petraeus an opportunity to implement his plan and not immediately come forward with a resolution that says that it is a disapproving of the decision to deploy more troops to Iraq?

When we deployed more troops for the Iraqi elections, why didn't you complain then? That happened twice before. We went up to almost 160,000. When we deployed more troops to ratify the Iraqi constitution, why didn't you complain back then? That went up to almost 160,000.

So now you are coming against a simple new strategy with the best we have in America who actually has written the manual on how to do it. You are not even willing to give him a chance. No breathing space. This nonbinding resolution shows your motives, which are to eventually reduce all funding for Iraq.

My third point is, you are so willing to do this, you are not even willing to look at what could happen with this new strategy. Let's say it works. Are you still going to offer these resolutions to cut off funds even though this strategy works and General Petraeus is successful? No matter what, you seem hell bent on reducing funds for Iraq. Yet we didn't hear any time before when we increased the surge for the Iraqi elections or for the ratification of the Iraqi constitution.

You know, in a way, Bush went to your retreat with a willingness to listen to your ideas. He is showing bipartisanship. In fact, he has a quote here which I think illustrates what the American people are saying. "What really matters," quote, "is what happens on the ground. I can talk all day long, but what really matters to the American people is to see progress."

So he realizes also that he must show progress. And we are asking for this new strategy to have a chance, and we owe it to them.

Mr. SKELTON. Mr. Speaker, I yield 5 minutes to my friend, the gentlewoman from New York, the chairwoman of the Small Business Committee, Ms. VELÁZQUEZ.

Ms. VELÁZQUEZ. Thank you, Mr. Chairman, for yielding.

Mr. Speaker, I rise today, first and foremost, to praise the courage, performance, and commitment of our troops stationed in Iraq and elsewhere. We are immensely grateful for their sacrifices.

Because of this war in Iraq, today the lives of the 135,000 military families are disrupted, and 125,000 civilian contractor families are divided. Nearly 4,000 U.S. soldiers and civilian contractors have already given their lives. We have lost over 140 young New York military men and women in Iraq.

I voted against this war from day one. It was a mistake then, and it is a mistake today. This week, we have a chance to act. Escalation is wrong, and we must take it upon ourselves to make things right by seeking a political solution to this war.

This administration's flawed foreign policy has damaged our relationship with our allies. The public opposes this war, Iraqis oppose this war, the world opposes this war, and this Congress should speak loudly against this war, too.

Our military has been stretched to the brink of breakdown. Our actions in Iraq have set back the war on terror and made problems in the Middle East much worse.

This war has distracted us from our responsibilities at home, too. Poverty is raging. Millions have lost their jobs and health insurance. Families struggle to pay for the cost of transportation, energy, and housing. Yet we choose to spend $8 billion of hard-earned money every month in Iraq, not at home.

While the cost of the war escalates, our most important social programs for our kids, the elderly, and the poor get slashed to pay for it. We have dug a deep hole of debt to finance this war in Iraq, and we will ask the children of working families to pay off that debt. These priorities are misplaced. We should be investing in our children, not borrowing against their future.

Our young men and women return from Iraq with all sorts of health problems, both physical and psychological. The trauma of this war will affect the lives of our veterans forever. This resolution expresses our commitment to supporting our veterans' needs. We must honor the sacrifices that our veterans have made for this Nation. We must provide for them from the moment they get home to their families.

I believe this war is more wrong today than ever before. We must stand forcefully for what is right, for our troops, for the victims of this war, and for the priorities we are neglecting at home.

Let this body send the world a powerful message that the United States is changing course in Iraq. We must end this war.

Mr. KING of New York. Mr. Speaker, I yield 3½ minutes to the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY. I thank the gentleman for yielding.

I rise for the second time during this 36-hour marathon to strongly oppose this, I almost want to say, meaningless resolution, Mr. Speaker. But make no mistake about it, this is not a meaningless resolution. The consequences of failure in Iraq are drastic, and let me just read to you what some of those are.

Number one, collapse of a democratic Iraqi government, likely, very likely leading to mass killings and genocide in the nation.

Al Qaeda and other terrorist groups would use this defeat to boost recruitment. They would use Iraq as a staging ground for deadly attacks paid for with Iraqi oil revenue.

Iran and Syria would exert tremendous influence over the region. You think they are bad actors now, you just wait until this scenario plays out. And, indeed, and they have said that Israel would be pushed into the sea.

Mr. Speaker, the real Democratic plan is coming later. And if you don't believe me, I ask my colleagues on both sides of the aisle just read a recent article this week in Roll Call. I am not going to stand up here and read it to the Members. You can read it.

But the Progressive Caucus of the House Democratic Conference, the Out of Iraq Caucus of the House Democratic Conference, led by Ms. WOOLSEY and Ms. WATERS, basically say that this is just the first step. They say that in this op ed article. This resolution is not meaningless. It is the first step, my colleagues, toward cutting off funding for the troops and pulling the rug out from under them.

What does this say then to our brave fighting men and women who are trying to defend this country? We have heard over and over again from the other side that, "Look, we can't afford this war anymore. It is costing too much in lives and money. We are making too big a commitment there, and we need to bring our troops home because some other conflict may break out in this world."

Well, I say, Mr. Speaker, to my colleagues. What is more important than the current war? What indeed are we going to save our troops for? Working the rope lines at 4th of July parades, helping senior citizens cross the street? We have got to stop this and stop it now.

And listen to what the terrorists themselves say about the message that that would send. And this is a quote, Mr. Speaker, from bin Laden himself: "Hostility toward America is a religious duty, and I am confident that Muslims will be able to end the legend of the so-called superpower that is America."

His top deputy, bin Laden's deputy Zawahiri, says, "The Jihad in Iraq requires several incremental goals. The first stage: Expel the Americans from Iraq."

Make no mistake about this. What we are doing with this resolution is not a salute to GI Joe, it is a capitulation to Jihadist Joe.

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Mr. SKELTON. Mr. Speaker, it is my privilege to yield 5 minutes to my friend from California, the gentleman who is also the chairman of the Education and Labor Committee, Mr. MILLER.

Mr. GEORGE MILLER of California. I thank the gentleman for yielding, and I thank him for all of his hard work in struggling on this issue and our troops and force strength, Mr. Speaker.

But I rise in strong support of this bipartisan resolution regarding the Iraq war. I rise in strong support to this resolution to say to the President, no more. I rise in strong support of this resolution to say to the President, your policy is wrong. Yes, you have tried the surge before, and the surge has not brought peace to Iraq. It has not brought an end to the insurgency. It has not brought an end to the sectarian war that is going on in that country every day.

Yes, this is the fourth time that the President tried this policy, and it has not worked in any of those times. When we pass this bipartisan resolution, the President should pause. Because, at that moment, the President will not have the support of the United States House of Representatives; and, at that moment, the President will not have the superintendent of the people of the United States.

The President better think long and hard about he really believes that he should commit these troops, and continue to commit these troops, without the authority of the people, without the authority of this Congress.

Mr. Speaker, Members of the House, American men and women have been fighting in Iraq, and they will soon begin their fifth year. In 5 years, they have done all that we have asked them. But what we have asked them to do cannot be accomplished by the military.

We have known for some time that Iraq now requires a political solution, and it requires the Iraqi government, the Iraqi people, the Iraqi society and the communities to take hold of their country and to decide whether they want a future of continued sectarian violence or whether they want an orderly society. They must make that decision.

The President has had it wrong for many, many months, for many years. He has continued to say that, as the Iraqis stand up, we will stand down. Mr. President, you have it wrong. As we begin to stand down, they will begin to stand up.

The fact that our military troops are on the streets of Baghdad and Anwar Province and elsewhere enables people to continue a level of violence that randomly and wantonly takes the lives of men, women and children, innocent bystanders, for almost no good reason at all, no good reason at all. It allows that to continue because each knows, if it gets out of control, the American troops will ride to the rescue, the helicopters will come, and the missiles will fly. We are the enablers of the continuation of this violence.

Once they have to take responsibility for their actions, once we leave, this is no longer an insurgency. This is crime on crime, Iraqi against Iraqi. Somebody has got to take the responsibility for that, and that will not be us. We will not be able to bring it to an end. The Iraqi government will be.

The time has come for our troops to leave. The time has come for us to understand that we cannot cure what is wrong in Iraq.

But for these troops that are there and for the troops that are being sent in spite of the will of the American people and the will of the Congress, we ought to understand that they should be fully equipped. We should not repeat the history of this administration in this deployment where men and women were sent into the theater without proper vehicle armor, without proper body armor, without proper interpreters and without proper training.

Many Members have come to this floor for many hours now and said, what is the message you are sending to your troops?

What was the message the Congress is sending?

What was the message this Congress sent to the troops when the President allowed them to go to war without enough troops to secure the peace?

What was the message this Congress sent when it allowed the troops to go to combat without proper vehicle armor?

What was the message that the Congress sent when it allowed our troops to go into combat without proper protective armor?

What was the message this Congress sent to the troops when it allowed this President to continue this failed course with no adjustment over the past 4 years?

And what was the message that we sent to the troops when it allowed the President to effectively draft American volunteers by continuing their tours, shortening their time at home, shortening their time with their families and sending them back without proper training, shortened training and without proper equipment?

We cannot do that to the troops. The message of this resolution is we are not going to do that. We are not going to do that. We will make a pledge to you that we will not let you fight and die forever with no plan to get you out, with no exit plan for you, with no change in the policy that has led tragically to so many deaths and so many wounded.

That is what this resolution is about. That is the message we must send to the troops, and that is the message we must send to the Iraqi people, that they must take responsibility.

This surge is not an election-day surge. This isn't a constitutional-day surge. This is a surge for the purpose, this is an escalation for the purposes of door-to-door combat, street by street, block by block, house by house.

Yet today we see General Schoomaker saying in the paper that these troops that are getting engaged in this up-close battle in the midst of the Iraqi people will not have enough interpreters. They will not have civil affairs soldiers. They will not have enough translators. So now we are putting them again where they are at greatest risk, and this Congress is agreeing to go forward and repeat history and put them at risk when it is not necessary.

Mr. KING of New York. Mr. Speaker, I yield 6 minutes to the gentleman from Florida (Mr. YOUNG).

Mr. YOUNG of Florida. I thank the gentleman for yielding me the time.

Mr. Speaker, this is a serious matter. We have been discussing this now for days here in the House, but I want to tell you that I am opposed to this resolution, because it doesn't do anything.

I want to see our troops home, and I want to see our troops safe. I would venture to say that, with the exception of, maybe, Mr. MURTHA, I have seen and visited more wounded troops, soldiers and Marines at our military hospitals than anybody in this Chamber; and I don't want them to be in harm's way any longer.

The problem is, I have strong recollections of September 11; and even before September 11, I remember the bombing of the USS *Cole* where our military, our sailors were killed and wounded. I remember the bombings of the American embassies in Kenya and Tanzania. I remember the bombings of the Khobar Towers, where American airmen were housed in Saudi Arabia. I remember the bombing of the Marine barracks in Lebanon. I remember the hostages taken by terrorists and held for 444 days in Iran.

I remember all of that, but what I remember, that I will never, ever get out of my mind, is September 11, being on the highway immediately next to the Pentagon when the airplane hit the Pentagon and killed many of our friends and colleagues.

I remember going to Ground Zero just a few days after September 11 to deliver satellite telephones to the police and the firefighters because their existing communications didn't work due to all of the confusion, because of the disruption to the communications lines.

I remember the smoke was still rising, the dust was still flying.

I remember the American people demanded that something be done. They were tired of us being subjected to terrorist attacks, Americans being killed, and nothing being done about it.

The American people demanded that something be done, and they demanded through our Congress that something be done. The President was under this pressure and demanded that something be done. Congress debated then and two-thirds of the Members who were here at the time voted to give the President legal, lawful authority to do whatever had to be done.

This Congress should be prepared to do whatever has to be done to eliminate the terrorist threat. I don't care whether it is in Iraq, whether it is in Afghanistan, whether it is in Somalia, whether it is in Mogadishu, wherever it is, we have got to protect Americans from the threat of terrorism and from terrorist attacks; and we need to support our troops who are out there on the front line making sure that we at home are being protected.

Now these soldiers have been promised by the Commander in Chief that they are going to have some reinforcements, that they are going to have some help to fight this fight, the aggressive fight that is now finally taking place. The Maliki government was finally pressured to allow us to attack the targets that were real targets, to allow us to attack whether they were politically harmful to the Maliki government or not.

What about the soldiers in the field who were expecting that they would get some reinforcements and that maybe, with those reinforcements, they might get an extra night's sleep?

What about the soldier who had hoped that reinforcements would allow him or her to sit down to a hot lunch, rather than having to grab an MRE and eat that MRE on the run?

What about the soldiers in the field who hoped that reinforcements would allow them to find time to read their mail or send a letter to their loved ones back home?

Mr. Speaker, this is a serious issue. If this House is serious about Congress bringing home our troops, then do it right. This resolution doesn't bring any troops home. It doesn't provide any safety or security for our troops. It doesn't provide anything to help with the mission in the global war on terror.

If you want to do it right, bring a resolution out here to the floor that does it right, that brings them home, that stops whatever it is that we are doing there in Iraq.

But, if you know anything about what our military troops are doing, you know that once you get into a battle, once you get into a fight, it is easy to get into a war. You can almost slip into it without recognizing you are getting into it. But once you are in the fight, getting out is not easy.

Once you are in the battle, you have several options. You win or you lose or you surrender or you retreat or you negotiate. Who do we negotiate with? Negotiating would be nice if we could end this by negotiations. Who do you negotiate with? You can't even find Bin Laden, if, in fact, he is alive.

The problem here is, once you get into the fight, which we did with the support of the American people and with the support of this Congress, once you get into the fight, it is just not that easy to get out of it unless you win or you lose. Winning is better than losing.

Mr. KLEIN of Florida. Mr. Speaker, I yield 5 minutes to my friend and colleague, the gentleman from Texas (Mr. LAMPSON).

Mr. LAMPSON. Mr. Speaker, today is, indeed, a day for thoughtfulness and courage in this House. As we debate the future of our involvement in Iraq, we must not forget that our troops are engaged in armed conflict a half a world away. It is their future and their sacrifice which necessitated this debate today.

Now is the time when this hallowed institution must dig deeply within its own conscience and rise above the politics and the platitudes which have plagued us for far too long. The American people and our troops demand and expect no less of us. Yet no simple solutions face us.

Let's look first at the decisions we have made.

We were advised that the conflict in Iraq would require more troops, a longer engagement, and an exit strategy. We did not heed that advice, and now we face an escalating insurgency and civil war.

We were told the cost was $50 billion. We were wrong. It cost more than $380 billion and climbing fast, and we have not been good stewards of the taxpayer money, as there has been much corruption and waste in our spending.

We were told of eminent success in Afghanistan, and we pulled out our troops in order to provide an earlier surge in Iraq. We were wrong, and we have seen a rise in violence in both countries.

We must break this pattern. We can ill afford any further misjudgments, because it is our obligation in this deliberative body to consider every option available.

We stand here today to engage in the first substantive discussion of the policies we need to implement in order to succeed in Iraq and bring our troops home. It is abundantly clear that Iraq has been and remains deeply embedded in the conscience of the American people. As this world watches, we must demonstrate from the well of this House that democracy flourishes only when honest and open debate occurs.

In this difficult decision, I believe this body has two primary obligations to the American people: one, to fully support our troops with resources they need in order to accomplish the missions they are assigned; and, two, to ensure full accountability for the vital resources that we have sent to Iraq. This House has neglected both of these obligations for too long, and it is time for us to exercise our responsibilities on behalf of our troops, the American people, and the world.

I stand here today in opposition to the proposed troop surge. We all agree that cutting off funding for our troops currently serving in Iraq is an untenable option that will send the wrong message to our partners and our enemies alike.

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I will never vote to leave our troops stranded. But the question facing us now is, how can we vote to put upwards of 20,000 additional troops in harm's way without adequate resources and without a clear and detailed plan?

Because I stand in support of our troops, I cannot support this proposed surge. It is clear that the burden of our Nation's current struggle continues to rest with the brave men and women in our armed services.

It is no longer fair to our troops to rubber-stamp this war. I want them to know that we were deliberative in our decision. I fear this surge will not by itself be sufficient today. It is time for Members of both parties to listen to the experts for whose opinion we have asked, yet have ignored: our military leaders past and present, the bipartisan members of the Iraq Study Group, and soldiers returning from Iraq.

It is time for a strategic change in course in Iraq, one including diplomacy and education and an honest reconstruction effort. These actions partnered with the actions of the military will show our dedication to improving the lives of all Iraqis in making their nation one of peace, freedom, and democracy.

I am not here today to criticize the President or to engage in partisan grandstanding. This war is not a partisan issue. I have no doubt that one day the actions of our Nation will help bring peace and democracy to the Middle East. However, the strategy we are here to debate today remains flawed. Too many questions remain unanswered. While my loyalty to and my confidence in our troops remains steadfast, this Congress and this Nation must today seek a new direction.

Mr. KING of New York. Mr. Speaker, I yield 7 minutes to the distinguished gentleman from the State of Washington (Mr. REICHERT).

Mr. REICHERT. Mr. Speaker, I support the troops wholeheartedly and without reservation, but I cannot support a resolution that simply opposes a new strategy without offering an alternative plan to win. There is too much at stake.

Many of you know that I was a cop in the Seattle area for 33 years. I was the sheriff for 8 years. And as the sheriff I had an opportunity to attend a remarkable ceremony. Every year a group of naturalized American citizens gathered to remember the circumstances of their arrival in the United States.

The group is comprised of police officers from Vietnam, men that fought side by the side with our American soldiers. These Vietnamese officers assumed the greatest risks, risking their lives and endangering their families, to join the United States in their fight for freedom.

When the United States pulled out of Vietnam, there were dire consequences for these brave men who risked everything to fight for the United States. The officers were rounded up. Some were imprisoned for 15 years or more and some were executed.

Those who managed to flee and escape death made their way to the United States. They left everything in Vietnam, and made new lives in the United States. And they were able to enjoy the freedoms that they had fought for, but not in the country that they had hoped for.

Let me just take a moment to set the stage for this ceremony. As the sheriff, I sat down at a round table with many of these Vietnamese soldiers and police officers. They came in their uniforms that they brought along with them, those that were able to escape, those that spent 15 to 17 years in a prison camp where they were beaten, where they were tortured, where they lost their freedom. They lost their dignity, but they never gave up hope.

When they came here to the United States of America and they come together on this evening to celebrate their freedom, and the American flag is brought into that room, those men stand at attention and they salute. But you know what else they do? They cry. When the American flag is brought in, they cry because they lost their freedom. But now they know what it is like to have it back. It is a dramatic scene.

If we leave too soon in Iraq, what happened to these Vietnamese officers could certainly happen to those Iraqi soldiers who bravely fought side by side with our troops today. I don't use this example as a way of comparing this conflict with Vietnam, as some have done. I believe that the two wars are very different. I use it because it could happen again.

I never want to attend an event where former Iraqi soldiers are attending a similar ceremony. The fact is that we are engaged in a global war with people intent on killing us, killing Americans. And regardless of how we got into Iraq, Iraq is now the central front of this war.

I understand that there are many who think we should not have entered Iraq. We now know there was faulty intelligence that led us into Iraq and to make that decision. But the war is upon us nonetheless. I am elected to deal with what is happening now.

The consequences of declaring an end to the war in Iraq without victory would be felt for decades. Our enemies around the world would be emboldened. Iran and al Qaeda would declare victory. Our allies in Iraq would certainly face bloodshed and our allies around the world would question our resolve to help protect them.

Our troops are clear about their dedication to their mission; they want to succeed. American soldiers dutifully responded when we asked them to go to Iraq and oust a dictator, establish an infrastructure, and train the Iraqis so that they are able to protect themselves.

Now we must do what the troops have asked of us. They have given us their service, and in too many cases they have given us their lives. We must give them the opportunity for victory.

Our current strategy in Iraq is failing. And yet failure is not an option, not only for the United States' security, but also for the security of the Iraqi soldiers and police officers that still fight today, side by side with our troops.

In November the American people told us that they wanted a new strategy, not because they wanted to lose, but because they want to win. And now we have a new strategy before us. Is this new plan going to work? I don't know. No one in this body that will vote on this resolution, this nonbinding resolution, knows whether or not this plan will work.

But what I do know is that we first must find a way to achieve victory. And simply saying "no" to a plan without offering an alternative won't work, and it sends a terrible message to our enemies and to our soldiers. This is an historic war. America is engaged in a war for our freedom on a scale that we have never experienced before.

I understand the dissension, the questions, and the uncertainty. I understand the cost is high and the way is unclear. As a cop, I have lost partners, I have lost friends in the line of duty. I know the pain that causes. I understand the loss. It is sad. It is tragic, and you never forget. But we must remain focused, ladies and gentlemen. Please don't let those sacrifices be in vain.

Mr. Speaker, I urge my colleagues to vote "no" on this resolution and let us send a message to our enemies and our troops alike, we will always support our young men and women who put their lives on the line for freedom and that we will give them what it takes to succeed in the missions that we have given them.

Mr. KLEIN of Florida. Mr. Speaker, it is my honor to yield 5 minutes to my friend and colleague, the gentleman from Indiana (Mr. HILL).

Mr. HILL. Mr. Speaker, our brave men and women in Iraq have answered every call, accomplished every task, won every battle. Our brave men and women in Iraq have fought valiantly. They have executed their mission with quiet dignity and with honor that is worthy of our praise.

In looking back at all that our military has done, there has been no task that these brave men and women have not accomplished. They have risen to every occasion. However, we are not here today just to applaud our troops' performance. We are here today to ask if the surge direction that the President is taking us is the right direction for these brave troops. Is it the right direction for our country, and is it the right direction for the people of Iraq? The answer is unequivocally "no."

For the last 4 years of this conflict, the President has relied on the judgment of his military to execute this war and to follow their advice. Now at this critical hour, he has chosen to ignore their expertise and advice. The Joint Chiefs have unanimously disagreed with the surge.

General James Conway, commander of the Marine Corps, is quoted as saying, "We do not believe that just adding numbers for the sake of adding numbers, just thickening the mix, is necessarily the way to go."

General John Abizaid has met with every divisional commander and asked, "If we were to bring more American troops now, does it add considerably to our ability to achieve success?" They all said "no."

General Colin Powell has said the surge will not work. General Wesley Clark, Ambassador Holbrooke, Oliver North, Michael Vicker, Lawrence Corb, Richard Haas, have all said the surge will not work. And the list goes on and on and on.

Why does the President, Mr. Speaker, choose to ignore expert after expert, soldier after soldier, who say the surge will not work? Even General Petraeus has said, and I quote, "The way ahead will be neither quick nor easy, and undoubtedly there will be tough days. We have a determined, adaptive barbaric enemy. He will try to wait us out. Any such endeavor is a test of wills and there are no guarantees."

Mr. Speaker, former Secretary of State James Baker has said, "There is no magic bullet to solve the problem of Iraq. No single answer. No quick fix." From this microphone over the last 2 days, my colleagues on the other side of the aisle have tried to frame this debate about success and failure in Iraq.

That debate is for another day. Today and tomorrow, the debate is about the wisdom or the lack of wisdom for the surge. The President and the members of his party today need to listen to the experts who they have relied upon in the past. To do otherwise, casts doubts about who the President is listening to.

Mr. Speaker, I firmly believe that this surge in the troops is the wrong policy at the wrong time, in the wrong war. The actions that need to be taken to help the Iraqi people and ultimately bring our brave men and women home safely is not as simple as rushing more troops to the front lines.

Mr. Speaker, a while ago I heard my good friend and colleague from Indiana speak about how the Iraq Study Group actually said that a surge is something that probably is necessary.

But there is more to the story than just a military surge. They also recommended that there has to be economic surge, and diplomatic surges, not just military. I talked to one of the Iraq study members just yesterday, who told me that a military surge by itself will not work.

The military has done all it can do, and they have done it very well. Now is the time to move in a different direction, Mr. Speaker. Vote for this resolution. Vote "no" to the surge.

Mr. KING of New York. Mr. Speaker, I yield 4 minutes to the gentleman from Oklahoma (Mr. SULLIVAN).

Mr. SULLIVAN. Mr. Speaker, I rise today in strong opposition to this pretend, fake, disingenuous, cruel-to-the-troops resolution. It is impossible, despite what the Democrats have claimed, to both support the troops and not support the increase in troops necessary to win the war.

With this nonbinding, fake, pretend resolution, Democrats maintain they support the troops but at the same time disapprove of their mission. This confusing message simply lends encouragement to the Iraqi insurgents and terrorists to believe that every roadside bomb brings them closer to their goal of a terrorist state in the heart of the Mideast.

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The simple fact is the deployment of troops to secure Baghdad has already begun. In fact, soldiers of the 82nd Airborne Division, who were deployed after President Bush's call for a temporary increase in troops, are already in Iraq doing critical work with the Iraqi Security Forces.

The passage of this misguided, pretend resolution does nothing except demoralize these brave men and women in uniform and invigorate those who wish America great harm.

The consequences of failure in Iraq could not be greater. The outcome in Iraq will directly affect America's efforts in the global war on terrorism for many generations. A victory for the Islamic militants, such as the al Qaeda members who are embedded in the Anbar Province in Iraq and the Iranians in Iraq who are provoking sectarian violence, would embolden the enemy to expand the reach of their efforts. Retreat would result in instability in the region, encourage radical Islamic terrorists and rogue regimes to expand into the region, and give terrorists a sanctuary from which to launch attacks against the U.S. and the West.

The bipartisan Iraqi Study Group, a bipartisan group, recognized the need of a troop surge to secure Iraq. To this end, I submit page 27 through 29 and page 73 of the Iraqi Study Group report for the RECORD on this issue to highlight the grave humanitarian consequences of a withdrawal of the U.S. forces from Iraq.

I am tired of hearing Democrats constantly criticize our plans for Iraq, yet they do not have a plan of their own. It is a shame that they have chosen to play politics with the men and women in uniform in Iraq. Democrats now have the responsibility to govern, but they lack both a plan for success in Iraq and the political will to advance a bill that cuts off funds for our troops.

They say that the problems in Iraq can only be solved by a political solution. While this is true to some extent, you cannot solve the problems in Iraq diplomatically and politically without first providing security to the Iraqi people. Security must go hand in hand with the political solution.

Democrats need to understand that their political choices and rhetoric hurt our troops and morale and give comfort, great comfort, to our enemy.

We also agree that this is a time for Iraqis to step forward and end sectarian violence and build a responsible government. Iraqi Prime Minister Maliki has promised the American people that in this new campaign Iraqi troops will be the ones knocking down doors, arresting insurgents and patrolling streets, with U.S. troops in a supporting role. We cannot give up at a critical point in Iraq's fledgling democracy.

Failure in Iraq is not an option. If we do not win in Iraq, we leave it up to our future generations to tackle the problems of Islamic terrorism in an unstable region. There is no short-term solution in Iraq because there is not a short-term problem.

Today, our brave men and women in Iraq are rising to the challenge to secure Baghdad. I encourage my colleagues to vote "no" on this ill-timed resolution.

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The United Kingdom has dedicated an extraordinary amount of resources to Iraq and has made great sacrifices. In addition to 7,200 troops, the United Kingdom has a substantial diplomatic presence, particularly in Basra and the Iraqi southeast. The United Kingdom has been an active and key player at every stage of Iraq's political development. U.K. officials told us that they remain committed to working for stability in Iraq, and will reduce their commitment of troops and resources in response to the situation on the ground.

5. CONCLUSIONS

The United States has made a massive commitment to the future of Iraq in both blood and treasure. As of December 2006, nearly 2,900 Americans have lost their lives serving in Iraq. Another 21,000 Americans have been wounded, many severely.

To date, the United States has spent roughly $400 billion on the Iraq War, and costs are running about $8 billion per month. In addition, the United States must expect significant "tail costs" to come. Caring for veterans and replacing lost equipment will run into the hundreds of billions of dollars. Estimates run as high as $2 trillion for the final cost of the U.S. involvement in Iraq.

Despite a massive effort, stability in Iraq remains elusive and the situation is deteriorating. The Iraqi government cannot now govern, sustain, and defend itself without the support of the United States. Iraqis have not been convinced that they must take responsibility for their own future. Iraq's neighbors and much of the international community have not been persuaded to play an active and constructive role in supporting Iraq. The ability of the United States to shape outcomes is diminishing. Time is running out.

B. Consequences of Continued Decline in Iraq

If the situation in Iraq continues to deteriorate, the consequences could be severe for Iraq, the United States, the region, and the world.

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Continuing violence could lead toward greater chaos, and inflict greater suffering upon the Iraqi people. A collapse of Iraq's government and economy would further cripple a country already unable to meet its people's needs. Iraq's security forces could split along sectarian lines. A humanitarian catastrophe could follow as more refugees are forced to relocate across the country and the region. Ethnic cleansing could escalate. The Iraqi people could be subjected to another strongman who flexes the political and military muscle required to impose order amid anarchy. Freedoms could be lost.

Other countries in the region fear significant violence crossing their borders. Chaos in Iraq could lead those countries to intervene to protect their own interests, thereby perhaps sparking a broader regional war. Turkey could send troops into northern Iraq to prevent Kurdistan from declaring independence. Iran could send in troops to restore stability in southern Iraq and perhaps gain control of oil fields. The regional influence of Iran could rise at a time when that country is on a path to producing nuclear weapons.

Ambassadors from neighboring countries told us that they fear the distinct possibility of Sunni-Shia clashes across the Islamic world. Many expressed a fear of Shia insurrections—perhaps fomented by Iran—in Sunni-ruled states. Such a broader sectarian conflict could open a Pandora's box of problems—including the radicalization of populations, mass movements of populations, and regime changes—that might take decades to play out. If the instability in Iraq spreads to the other Gulf States, a drop in oil production and exports could lead to a sharp increase in the price of oil and thus could harm the global economy.

Terrorism could grow. As one Iraqi official told us, "Al Qaeda is now a franchise in Iraq, like McDonald's." Left unchecked, al Qaeda in Iraq could continue to incite violence between Sunnis and Shia. A chaotic Iraq could provide a still stronger base of operations for terrorists who seek to act regionally or even globally. Al Qaeda will portray any failure by the United States in Iraq as a significant victory that will be featured prominently as they recruit for their cause in the region and around the world. Ayman al-Zawahiri, deputy to Osama bin Laden, has declared Iraq a focus for al Qaeda: they will seek to expel the Americans and then spread "the jihad wave to the secular countries neighboring Iraq." A senior European official told us that failure in Iraq could incite terrorist attacks within his country.

The global standing of the United States could suffer if Iraq descends further into chaos. Iraq is a major test of, and strain on, U.S. military, diplomatic, and financial capacities. Perceived failure there could diminish America's credibility and influence in a region that is the center of the Islamic world and vital to the world's energy supply. This loss would reduce America's global influence at a time when pressing issues in North Korea, Iran, and elsewhere demand our full attention and strong U.S. leadership of international alliances. And the longer that U.S. political and military resources are tied down in Iraq, the more the chances for American failure in Afghanistan increase.

Continued problems in Iraq could lead to greater polarization within the United States. Sixty-six percent of Americans disapprove of the government's handling of the war, and more than 60 percent feel that there is no clear plan for moving forward. The November elections were largely viewed as a referendum on the progress in Iraq. Arguments about continuing to provide security and assistance to Iraq will fall on deaf ears if Americans become disillusioned with the government that the United States invested so much to create. U.S. foreign policy cannot be successfully sustained without the broad support of the American people.

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Continued problems in Iraq could also lead to greater Iraqi opposition to the United States. Recent polling indicates that only 36 percent of Iraqis feel their country is heading in the right direction, and 79 percent of Iraqis have a "mostly negative" view of the influence that the United States has in their country. Sixty-one percent of Iraqis approve of attacks on U.S.-led forces. If Iraqis continue to perceive Americans as representing an occupying force, the United States could become its own worst enemy in a land it liberated from tyranny.

These and other predictions of dire consequences in Iraq and the region are by no means a certainty. Iraq has taken several positive steps since Saddam Hussein was overthrown: Iraqis restored full sovereignty, conducted open national elections, drafted a permanent constitution, ratified that constitution, and elected a new government pursuant to that constitution. Iraqis may become so sobered by the prospect of an unfolding civil war and intervention by their regional neighbors that they take the steps necessary to avert catastrophe. But at the moment, such a scenario seems implausible because the Iraqi people and their leaders have been slow to demonstrate the capacity or will to act.

C. Some Alternative Courses in Iraq

Because of the gravity of the situation in Iraq and of its consequences for Iraq, the United States, the region, and the world, the Iraq Study Group has carefully considered the full range of alternative approaches for moving forward. We recognize that there is no perfect solution and that all that have been suggested have flaws. The following are some of the more notable possibilities that we have considered.

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THE WAY FORWARD—A NEW APPROACH

Deter even more destructive interference in Iraq by Syria and Iran.

Because of the importance of Iraq to our regional security goals and to our ongoing fight against al Qaeda, we considered proposals to make a substantial increase (100,000 to 200,000) in the number of U.S. troops in Iraq. We rejected this course because we do not believe that the needed levels are available for a sustained deployment. Further, adding more American troops could conceivably worsen those aspects of the security problem that are fed by the view that the U.S. presence is intended to be a long-term "occupation." We could, however, support a short-term redeployment or surge of American combat forces to stabilize Baghdad, or to speed up the training and equipping mission, if the U.S. commander in Iraq determines that such steps would be effective.

We also rejected the immediate withdrawal of our troops, because we believe that so much is at stake.

We believe that our recommended actions will give the Iraqi Army the support it needs to have a reasonable chance to take responsibility for Iraq's security. Given the ongoing deterioration in the security situation, it is urgent to move as quickly as possible to have that security role taken over by Iraqi security forces.

The United States should not make an open-ended commitment to keep large numbers of American troops deployed in Iraq for three compelling reasons.

First, and most importantly, the United States faces other security dangers in the world, and a continuing Iraqi commitment of American ground forces at present levels will leave no reserve available to meet other contingencies. On September . . .

Mr. KLEIN of Florida. Mr. Speaker, it is my privilege to now yield 5 minutes to my friend and colleague, the gentleman from North Carolina (Mr. MILLER).

Mr. MILLER of North Carolina. Mr. Speaker, like most Members of Congress, I have visited our men and women in uniform in Iraq. I have visited our wounded in the hospital at Ramstein Air Force Base in Germany and at the hospital in Balad Air Base in Iraq; and I have offered my condolences to grieving families who have lost loved ones in Iraq. I respect and appreciate our men and women in uniform in Iraq. They have served nobly, and they deserve our prayers.

Mr. Speaker, they have done their duty, and now we must do our duty. Our duty to the Constitution, our duty to our country, our duty to our men and women in uniform is to look with clear eyes at the facts and to exercise independent judgment.

For 4 years, this Congress has failed in that duty. For 4 years, this Congress has passed one resolution after another, offering uncritical support for the President's policies in Iraq.

In June, Congress passed a resolution finding that we were well along the path to a sovereign, free, secure and united Iraq and the Iraqi Security Forces were operating independently of our forces and were increasingly leading the fight to secure Iraq.

Mr. Speaker, that is what Republicans did when they were in the majority. They played make believe.

Americans knew better then, and we certainly know better down. The Iraqi Study Group report, just a couple of months ago, described the situation in Iraq as grave and deteriorating. The most recent National Intelligence Estimate, just a week ago, described the situation in even starker terms, "The violence is now feeding on itself, and it is too complex to be called simply a civil war." The estimate concluded that all of the likely outcomes are grim.

For 4 years, patriotic Americans, Democrats and Republicans alike, have anguished over events in Iraq and have given deep and prayerful thought to alternatives, but the Bush Administration dismissed and insulted dissenters and often made fierce attempts to discredit them.

Not even General Eric Shinseki, the Army Chief of Staff, or James Baker, Secretary of State for the first President Bush, was spared; and the Bush administration has treated criticism by Members of Congress as meddling, as sticking our nose in their war.

House Democrats have offered plan after plan to alter our course in Iraq, and House Republicans have greeted every plan with strident attack.

Let's consider the new plan that President Bush has proposed.

The force initially committed to Iraq was well short of what General Shinseki said would be required to secure the country. When I visited Iraq 3 years ago, the presence of our forces in Baghdad may not have been enough to secure order, but it was more than enough to remind every Iraqi every day that there was a foreign army on their soil.

When I visited Iraq a year and a half ago, our military forces in Baghdad were less noticeable. Our briefing officer explained that we had deliberately reduced our footprint to lessen the resentment of Iraqis so that Iraqis would come into daily contact with Iraqi security forces, not our men and women. But the violence only increased.

We tried twice last year to reduce the violence by increasing Iraqi and American forces in Baghdad. The Iraqi forces didn't show up, and twice the effort failed, and violence has continued to increase.

Now we are trying it again and calling it a new plan: Less troops, more troops, less troops, more troops. House Republicans are playing make believe again to call that a new plan.

The apocalyptic violence in Iraq will not be solved militarily. Congressman DAVID PRICE and I introduced a resolution setting forth a comprehensive plan which Mr. PRICE described here the other day. We need to engage Iraq's neighbors through regional diplomacy to provide economic assistance, conditioned on a genuine attempt at national reconciliation, and to begin a phased withdrawal of our troops. Our plan includes many of the suggestions of the Iraq Study Group.

The Iraq Study Group report was right: No path is certain of success. And after 4 years of failed policy, all of our options are grim. But the resolution we will vote on shortly is a first step toward doing our duty by looking realistically at events in Iraq and by forcing us to consider what our options really are.

Mr. KING of New York. Mr. Speaker, can you advise us as to how much time is remaining on both sides.

The SPEAKER pro tempore (Mr. ROSS). The gentleman from New York has 16½ minutes remaining, and the gentleman from Florida has 6 minutes remaining.

Mr. KING of New York. Mr. Speaker, I yield 5 minutes to the gentleman from Texas, Judge POE.

Mr. POE. I want to thank the gentleman from New York for yielding time.

Mr. Speaker, the narrow issue is: More troops to the front, or not? Many here say "no more troops," but what are the consequences for the troops on the ground without more aid? What will happen in and around Baghdad where those troops are supposed to be sent? Their mission there will be more difficult without more troops.

Does this Congress want to tell our troops on the ground, do your job with less, even though we have it in our power to send you aid?

Mr. Speaker, 171 years ago this month, a somewhat similar call for aid was made; and it, too, was refused.

In an old, beat-up Spanish mission in central Texas, Bexar, Texas, to be exact, 187 men from every State in the United States, 13 foreign countries, including Mexico, found themselves in a precarious situation. They were behind the walls facing an enemy. They needed help. Texas politicians, even so-called military experts, had it within their power to send more troops. And for all the similar reasons that are mentioned here, including the troops shouldn't even be in the mission and the plan was a bad idea from its inception, this plan is not working, your troops there should even leave, similar reasons we hear today, no help was sent.

The place, Mr. Speaker, was the Alamo, and the time was February 24, 1836. And behind the cold, damp walls of the Alamo, by candlelight, a 27-year-old lawyer, commander by the name of William Barrett Travis, wrote this letter. I read it today:

"To the people of Texas and all Americans in the world, fellow citizens and compatriots, I am besieged by a thousand or more of the enemy under Santa Anna. I have sustained a continual bombardment and cannon fire for over 24 hours, but I have not lost a man.

"The flag still waves proudly over the north wall. The enemy has demanded surrender at its discretion. Otherwise, this fort will be put to the sword. I have answered that demand with a cannon shot. I shall never surrender or retreat.

"I call upon you, in the name of liberty and patriotism and everything dear to the American character, to come to my aid with all dispatch. If this call is neglected, I am determined to sustain myself for as long as possible, die like a soldier who never forgets what is due his honor and that of his country. Victory or death."

William Barrett Travis, Commander of the Alamo.

Mr. Speaker, we know what happened at the Alamo. Those 187 men died because no help was sent. Later, Texans did provide troops and rallied and won independence from Mexico. But the answer then, as it has been in many wars in the past, is the answer now: More troops are necessary. We need to finish what we started. We need to do what it takes.

Now, Baghdad will be no Alamo. We cannot lose in Baghdad. But this body has it in its power to prevent a victory in Baghdad and Iraq.

So, Mr. Speaker, heed the warnings of the past, heed the history, and send aid with all dispatch.

And that's just the way it is.

Mr. KLEIN of Florida. Mr. Speaker, pursuant to section 2 of House Resolution 157, and as the designee of the majority leader, I demand that the time for debate be enlarged by 1 hour, equally divided and controlled by the leaders or their designees.

The SPEAKER pro tempore. Under the rule, that will be the order.

Mr. KLEIN of Florida. Mr. Speaker, I yield 5 minutes to my friend and colleague, the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Mr. Speaker, before we respond to the President's call for an additional 20,000 troops in Iraq, we must put his call in the context of the history of the war, beginning with the discussion of what the current 130,000 troops are doing there now.

The original reasons we were provided with the rationale for going to war, that Iraq had weapons of mass destruction, that Iraqi leaders were connected with the 9/11 attacks, and that Iraq posed an imminent threat to the United States, all turned out not to be true. Saddam Hussein was captured and recently hanged, al-Zarqawi is dead, and Iraq held democratic elections over a year ago, and yet we are still in Iraq.

Throughout the war, the President has attempted to associate our presence in Iraq with a so-called war on terrorism. The truth is that our presence in Iraq has actually increased our risk to terrorism.

Furthermore, the term "war on terrorism" is a rhetorical term without any relationship to reality. Terrorism is not an enemy. It is a tactic. The enemy is al Qaeda. We attacked Afghanistan because al Qaeda was there, not in Iraq.

The President is now saying he is laying out a new mission in Iraq, thereby clearly acknowledging that, whatever the old mission was, it was not working. But there is still no clearly defined end goal and no clearly defined explanation of how failure or success can be measured.

If our mission now is to stabilize Baghdad, many military experts have already said that an additional force of 20,000 troops is woefully insufficient to accomplish that goal. The fact is that the administration has already increased troop levels on several occasions during this war. None of the previous surges in troop levels have had any lasting effect on the war, and there is no credible evidence to believe that this surge will be any different.

And how can we have confidence in predictions of success? Before our invasion in Iraq, Secretary Rumsfeld predicted that the war in Iraq would last "6 days, 6 weeks. I doubt 6 months." Vice President CHENEY predicted we would be greeted as liberators.

Almost 4 years ago, the President stood before a sign that said "Mission Accomplished" and proclaimed major combat operations in Iraq have ended.

□ 1215

A year and a half ago Vice President CHENEY said the Iraqis were "in the last throes" of the insurgency. And yet here we are discussing an increase, not a decrease, in troop levels.

At the outset of this war, the administration predicted that the cost of the war would be so minuscule that it advised the House Committee on the Budget not even to include the cost of the war in the Federal budget. The administration official who suggested that the cost of the war might exceed $100 billion was fired. To date we have appropriated nearly $400 billion, and the President has already formally requested another $200 billion more, with no end in sight.

Over 3,100 courageous Americans and countless Iraqis have already lost their lives. How many more will die if this strategy falls as far from the predicted result as the original length of time and cost estimates of the war?

Furthermore, Mr. Speaker, as part of developing a mission and strategy, it is imperative that we ask where these additional troops are going to come from. Many will undoubtedly come from the National Guard and Reserves, but they have already been in Iraq for longer-than-average deployments and many have already completed multiple tours of duty. Other troops must be redeployed from other assignments; so we must ask what moving these troops will mean to our global national security.

Last November the American people sent a powerful message. They want a change in Iraq, not more of the same. They expect an honest explanation of why we entered Iraq in the first place, what the present situation is, what goal do we expect to achieve, and what the strategy will be to accomplish it. Only then can we intelligently discuss the troop levels necessary to accomplish that goal. Unfortunately, all we have gotten from this administration is essentially "Don't worry, be happy, success is around the corner; and if you don't believe that, then you are not patriotic and you are not supporting the troops."

For my colleagues who say that failure is not an option, I ask what will happen if the President's so-called "New Way Forward" fails, as many experts predict it will? Are we then required to further escalate the war, further strain our military, sending thousands more of our troops to Iraq? How many more of our young men and women must die before the administration acknowledges what was in the National Intelligence Estimate? And I quote, "The term 'civil war' accurately describes key elements of the Iraqi conflict.'"

Mr. Speaker, although the resolution before us is technically nonbinding, it gives the House an opportunity to call upon the President to work cooperatively with Congress to develop an effective strategy to bring our troops home. The American people and our courageous men and women on the front lines deserve a clearly articulated and sensible approach to ending the war. This resolution puts the House on record as saying that an escalation of military forces is a step in the wrong direction.

I therefore urge my colleagues to support the resolution.

Mr. KING of New York. Mr. Speaker, I am privileged to yield 5 minutes to the good gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. Mr. Speaker, I very much thank the senior and esteemed leader, Mr. KING from New York, for yielding to me.

I want to start a point here, Mr. Speaker, that I would ask all Members to focus on to understand where we really sit in history, in this course of history. If you would go back to the most successful military known in history for the longest period of time, spanning centuries, it was the Roman legions. And the Romans had a statement called "nosce hostem," which, of course, is Latin for "know thine enemy." We need to do that here in this Congress. We are part of this effort, of course. Know thine enemy. Von Clausewitz wrote the book on war, his treatise on war, that everyone goes to because he boiled it down to understandable principles, certainly "know thine enemy," but his point was the object of war is to destroy the enemy's will and ability to conduct war.

Now, if you know your enemy and you are going to destroy their will and ability to conduct war, you wouldn't just go after their ability, you would go after their will as well. So that has been true throughout history. And if you were charged with the task of defeating the preeminent world's Superpower in, say, about the year 1963 under President Kennedy, "How do you defeat undefeated America?" was the question that was presented to the Vietnamese.

Enter General Vo Nguyen Giap. He was the general that orchestrated the Vietnamese effort throughout the war in Vietnam. He certainly understood history. He understood the Roman legions. He understood nosce hostem. He also understood that you had to defeat the will and the ability of the United States if you were going to defeat them. He knew that he couldn't defeat our ability. He had to attack our will. And that is what happened.

And he wrote the book. This is the primer, "How Do You Defeat the United States of America?" by General Vo Nguyen Giap. How We Won the War is the title of it. And in the primer he said, "The beginning was when the United States failed to succeed in a complete victory in Korea, then we knew the will of the United States was weakened. On page 18 he talks about how they went after the will of the United States through public opinion, how they supported it and encouraged the antiwar activists because they knew they couldn't win militarily. So their front on the war that had the greatest chance for success was with the will of the American people. Here is the primer.

Our enemies read this primer, Mr. Speaker. They understand this. And one of our enemies over there is Moqtada al-Sadr, who laid it out for us when he said on June 11, 2004, and I saw this on al-Jazeera TV when I was in Kuwait, "If we continue attacking Americans, they will leave Iraq the same way that they left Vietnam, the same way that they left Lebanon, the same way that they left Mogadishu."

Mr. Speaker, that is the message that his people heard. That is the message we should hear. I have heard it. I have put it on this floor many times. A couple nights ago I put Moqtada al-Sadr down here on the floor. In the night he went off to Iran to join up with the people who have been supporting him. He understands this.

I will tell you this. If this resolution passes and if Mr. MURTHA and the people who are working with him are successful in a slow bleed of our resources, then what you will see, Mr. Speaker, is you will see Osama bin Laden say, If we keep attacking America they will leave Afghanistan the same way they left Vietnam, Lebanon, Mogadishu, and Iraq. That is what is coming. That is what is being perpetrated by the rhetoric here on this floor. That is what is being staged in appropriations bills that we will certainly see coming after this resolution.

The destiny of America is put at risk, Mr. Speaker, and this says to all of our enemies it is easy to take on the United States if you can just get Congress to lose their will, if you can get them to lose their spine.

So I would then simply close with the reiteration of a request made from a major from Kentucky whom I met with in my last trip over there in Iraq. He loves his kids and his cows and he loves God and I know he speaks the truth. He said, "We have everything we need. So when you pray for us, pray for the American people. Pray they understand the threat and pray they do not lose their resolve. We will not lose ours."

Mr. KLEIN of Florida. Mr. Speaker, I now yield 5 minutes to my friend and colleague, the gentleman from Washington (Mr. INSLEE).

Mr. INSLEE. Mr. Speaker, America will hear 435 separate ideas about Iraq, but I want to note one great shining light about our country. The American people are absolutely unified, no matter what they think about the policy in Iraq, of holding American warriors and our sons and daughters close to our hearts. This is a unified position across this country, and it is a bright light for America.

Now, I have heard some people have suggested that soldiers who fall in Iraq will have fallen in vain. That is wrong. Any American who falls in the course of the conduct of American wars, they do not fall in vain. They fall into our arms, and they fall into our hearts, and there they will always remain. And we are unified on this principle. And when I go to a memorial service for a young man from Redmond, Washington next

Monday, I will carry the unified American prayers and hearts of the 650,000 people I represent.

Now we are in a difficult situation in Iraq and none of us have a silver bullet, and none of us have a magic wand. And it seems to me that when we are in dark times, we should go back to fundamental American character to find a way forward.

There are three parts of the American character we should think about here: first, the character of the American mission in Iraq; second, the character of American common sense; and, third, the character of American democracy.

What is the character of our mission in Iraq? President Bush, when he started this war, said we have three missions:

Eliminate WMD. Mission accomplished. They were never there.

Second, eliminate any terrorist that attacked us on 9/11. Mission accomplished. They were never there.

Third, eliminate Saddam Hussein as a threat. Mission accomplished. He is no longer a threat to anyone who walks the face of the Earth.

Our proud men and women have fulfilled the three mandates of missions set forth by George Bush. And now we have one moral mission to complete, and that is the moral responsibility to give the Iraqis a reasonable chance to form a government. We have done that after 4 years; and our investment of 3,000-plus lives and hundreds of billions of dollars of American money has fulfilled that moral obligation in spades.

Second, what is the American character of common sense? Why did General Abizaid, when he asked all the divisional commanders whether this escalation would help and every single one of them say no, why is that? It is because they have common sense.

I was on a walk a couple of months ago, and I met an old high school friend. His son was serving in Baghdad, and I asked him what he thought about Iraq. And he said, We have no common sense in our policy. He said, the fundamental problem in Iraq was that the Shiites were not agreeing with the Sunnis principally over oil revenues. And my son is serving in Baghdad today as a security blanket because the Iraqi politicians will not make the compromises necessary to form a government.

That has to end. It is American common sense to understand the real enemy in Baghdad is sectarian intransigence. The real enemy in Baghdad is their failure to compromise. And the best weapon we have is a dose of reality to the Iraqi people of all sectarian faiths. You have to get a grip on your country because you will very shortly have your own fate in your own hands. The best weapon we have in Iraq is to tell the rest of the immediate region that they must become responsible for their own neighborhoods. That is the weapon of reality we should use.

And, third, what is the character of American democracy? George Bush said that he was the decider. That is wrong. The decider is the American people. And the American people had a message to George Bush that there has to be a change in Iraq policy. And he is not listening to the generals, he is not listening to the bipartisan commission, and he is not listening to the American people.

Congress has a responsibility coequal with the President under Article I of the Constitution to declare war, to raise and support armies, to make rules for the government and regulation of the land and naval forces. It is time for Congress to stand up on our hind legs and take away the keys from the man who has driven our foreign policy into a ditch. It is time to restore the American mission to where it belongs, to American common sense where it belongs, and to American democracy where it belongs.

Support this resolution. Prevent this escalation in Iraq.

Mr. KING of New York. Mr. Speaker, I am privileged to yield 6 minutes to the gentleman from Connecticut (Mr. SHAYS), who has made 15 visits to Iraq.

Mr. SHAYS. Mr. Speaker, I thank the gentleman for yielding. And I thank you, Mr. Speaker, for conducting this debate.

This debate has been constructive. I appreciate the thoughtful comments made on both sides. Speaking for the second time, I realize it may be tempting for some to support this resolution to somehow express our strong dissatisfaction with how the administration has conducted the war and to separate ourselves from an unpopular President.

I do not believe, however, support of what is truly a "stay the course," "status quo resolution" will be a constructive outcome of the debate. It sends the wrong message to our troops, to the Iraqis, to our allies throughout the world, and, in particular, to our enemies.

Is it the American way to attack another country, disassemble its entire security forces—military, border patrol and police—and then leave before this broken country is capable to rebuild its security forces and stand on its own? The shame of this possibility haunts me.

□ 1230

And how can this resolution possibly help our troops on the battlefield who are there already who still have to carry out their mission?

We, the Congress, are in effect telling our troops, we support you, but we do not want you to have the reinforcements you need to carry out your mission, and we do not trust the judgment of your new commanding officer, General David Petraeus. How destructive is that?

Our troops deserve to know we have a plan to win. If we do not have a plan to win, we have a plan to leave. The resolution before the House neither helps us succeed nor gives us guidance on how to leave.

It is so counterproductive for 535 Members of the House of Representatives and the Senate to micro-manage the war.

It is the responsibility of the administration to conduct the war effort. It is Congress' responsibility to conduct tough oversight, holding the administration accountable for the implementation of the war.

Having chaired 14 hearings on the operations in Iraq and been to Iraq 15 times to conduct on-the-ground oversight, I will continue to ask the administration the difficult questions and provide my observations and recommendations.

Regretfully, too few Members of Congress have fully considered the consequence of leaving Iraq prematurely. The Iraq Study Group warned, "If the situation in Iraq continues to deteriorate, the consequence could be severe for Iraq, the United States, the region and the world."

The ultimate goal for me is to bring our troops home without leaving Iraq in chaos. This is achievable if Republicans and Democrats, the White House and Congress, agree on a bipartisan solution as outlined by this Study Group.

Officially endorsing the recommendations of the Iraq Study Group and acting on them is the best way to make this happen.

The only way I think we should leave Iraq is the same way we got into Iraq, together.

Mr. KLEIN of Florida. Mr. Speaker, I yield 5 minutes to my friend and colleague, the gentlewoman from Indiana (Ms. CARSON).

Ms. CARSON. I certainly appreciate very much the gentleman yielding to me.

Mr. Speaker, as you would guess, I am an American, a very proud American. If I had selected my place of birth, I would have chosen the United States of America. It is just full of promise, full of democracy, full of patriotism.

Mr. Speaker, I rise today to add my voice to the chorus of those who have said enough is enough. The President has had the chance to plead a case for victory in Iraq, but he has never clearly told us how or when we are going to get to this turning point and when we will be able to bring our soldiers home.

Twenty-three thousand troops injured, over 3,100 dead and not enough armor to ensure that our healthy troops remain that way. I did not vote for the war, and I don't bemoan the fact that I did not. But I did say then, as I say now, that our soldiers did not have enough armor nor equipment, and they did not have enough benefits at the time, and this Congress has turned some of that around.

When we have soldiers on foreign soil depending on the kindness of strangers for the donation of armor and helmets because their President has failed to provide them with the life-saving tools after placing them in harm's way, we know something is not right. We have stretched ourselves too thin and used the awesome power of our military might in the wrong way.

Mr. Speaker, our priorities are not straight. We have sent children into harm's way, and if the President had his way, we would send more recklessly into battle in Iraq without a clear exit plan or understanding of their roles.

In Indiana alone, we have seen 76 Hoosiers lost to this and 511 whose lives were forever altered by injuries sustained in this war. Unfortunately, however, President Bush's interest in supporting our troops ends the moment they become veterans. Because, as he asks for more troops, he has cut the funding for the Veterans Administration to help them return to civilian life healthy and prepare for what lies ahead.

On May 1, 2003, the President announced, "Mission accomplished." At that time, we had lost 139. Yet over 3,000 have now died, and the mission still has not been accomplished. We will not know the mission has been accomplished until we have set the goals and benchmarks that allow us to place Iraqis in a position of being self-governing and allow our troops to come home.

In short, I love our troops. I love them dearly. I love our veterans, and I love our country. It is time to begin to bring our loved ones home from overseas and not send more into the hostile battlefields in downtown Baghdad.

We often sing a song in church that goes, we are soldiers in the army. We have to fight before we die. We have to hold up the bloodstained banner. We have to hold it up until we die.

Let us not beat around the bush, so to speak. Our military presence in Iraq cannot diminish the violence there. It will only add to it. We have lost a lot of our support, a lot of our friendship with other nations because of our reckless behavior in Iraq. So to stay there, our military presence will increase violence there and bring on more around the world.

They have suicide bombs; we have a suicide policy. And those who started this madness, not being the young Americans they sent to be slaughtered, strutted their vicarious, which is to say artificial, heroism.

This bloody blunder was conceived in childish computer war-game fantasy and executed in unconstitutionality, borrowing billions from foreigners to borrow trouble from other foreigners, putting this land we love into international hock and its prestige into an international hodge-podge.

There are a lot of bad-guy dictators in this world, some of whom are friends of this administration and one of whom was a friend of this administration's forbearers. That one was Saddam Hussein. But John Adams tells us, "America does not go abroad in search of monsters to destroy . . ."

When you realize you're making a mistake, sanity calls for stopping it.

Mr. KINGSTON. Mr. Speaker, I yield 4 minutes to the gentlewoman from Florida (Ms. GINNY BROWN-WAITE).

Ms. GINNY BROWN-WAITE of Florida. I thank the gentleman.

Mr. Speaker, unfortunately, this vote and the debate that we are having is about politics and providing some political cover. It does nothing to help our soldiers win.

Remember, it is a nonbinding resolution. What does that mean? It means that we could talk, as my mother used to say, until the cows come home. It has absolutely no effect. It has no power, no teeth and absolutely no effect.

To be more specific, there is not one single mention in the Democrat resolution of how we will send more body armor for the troops, not a single mention of new tools to detect IED explosives, not one word dedicated to up-armored Humvees.

Mr. Speaker, there is not one mention of the method to fund the health care needs of the veterans who come home. Not one mention. And this is important to remember: It has absolutely no mention of sending one soldier, let alone the 20,000 additional who are going over there or our fine young men and women who are already there, when they are going to come home one day sooner.

In my district, Floridians have seen through this nonbinding resolution. The headline of the Orlando Sentinel calls it an "empty measure." It says, "The pointless House resolution on Iraq fails to set goals." The editorial goes on to say that the resolution "isn't thoughtful policy; it's political cover." It is not just me saying it. This is certainly not a conservative newspaper, the Orlando Sentinel.

My constituents know over the past few days we have debated a resolution with no teeth, no enforcement, delivered in a way that has no guts, no character and provides no leadership.

Need to hear more? The Veterans of Foreign Wars said that, "Other generations have learned the hard way when military decisions are second-guessed by opinion polls or overruled by politicians."

The VFW and the American Legion know what happens when politicians play politics with war. Our veterans' message to Democrats is to support the surge and give our soldiers a chance to win. That is really what they want. They want to win.

In closing, I must echo the American Legion and the Veterans of Foreign Wars with the words that ring in the hearts of veterans everywhere: Give our sons and daughters in this fight the chance to win. That, Mr. Speaker, is exactly what they are asking for.

Mr. KLEIN of Florida. Mr. Speaker, I now yield 5 minutes to my esteemed friend and colleague, the gentlelady from California (Ms. MILLENDER-MCDONALD).

Ms. MILLENDER-McDONALD. I thank the distinguished gentleman for yielding the time to me.

Mr. Speaker, I am pleased that we are having this open discussion and this debate on Iraq, but let me first make my position very clear: I did not vote on this war. After 9/11, when the President urged military action against Osama bin Laden, I, like all other Members, was fully supportive of that position and voted to send our troops to Afghanistan. Despite the heroic efforts of our Armed Forces, Osama bin Laden, the mastermind of America's darkest hour, has yet to be brought to justice.

While the search for bin Laden has not been completely abandoned, President Bush turned his attention away from our most deadly adversary and devoted our military resources into invading Iraq. The search for bin Laden was neglected for a search for weapons that were never found and perhaps may have never existed.

One thing is very clear here, Mr. Speaker: All Members of this Congress support our troops. Many of us have been with families who have lost a loved one. Many of us have gone to visit them. And on Memorial Day I give special recognition to those whom I have lost in my district in the State of California. Also, I have a special community pride, where I give the names of all of those who gave the ultimate sacrifice. So let it be very clear that the Members of this Congress support our troops.

Now, while the war has hindered our search for Osama bin Laden, it is shocking and regrettable that Iraq is more of a breeding ground for terrorism than it was before we invaded in March of 2003.

So many Americans, in my district and throughout the Nation, have fathers, mothers, brothers and sisters who are being placed in harm's way by being deployed two or more times to Iraq. Transfixed and horrified, we watch an escalation in violence that has all the characteristics of a civil war. We recognize that on November 7 the American people asked for a new direction. But they also asked for the truth as we know it.

We know that there is too much rhetoric surrounding this issue. But the truth is, first, the President's proposal for an escalation or resurgence is a flawed strategy that will put more than 21,500 more Americans in harm's way. In fact, this escalation leaves

Americans and Iraqis in a perpetual state of war, a condition that is not sustainable or supportable.

☐ 1245

Secondly, Iraq's problems are best solved by Iraqis. While a number of American troops will be needed to continue training operations of Iraqi forces, it will only be successful if those living in Iraq, the Sunnis, Shias and Kurds alike, fully embrace democratic principles and work together to make their nation secure.

Thirdly, I support the principal recommendations of the Iraq Study Group, that we engage Iraq's neighbors such as Saudi Arabia, Jordan, Syria and others, in problem-solving. The President's plan should emphasize diplomacy. There is no Commander in Chief that I know of that does not, and did not, during a war engage in diplomacy. That is the answer, not military force. This type of position that the President is going, this is a brute force that will not deter the insurgency. Any viable solution must contain a diplomatic element.

Mr. Speaker, the House has taken 4 days to debate the war because clearly we need a sensible resolution to this quagmire. Democrats have borne much criticism for bringing this resolution to the floor, but it is fair to remind our Republican detractors that they also brought nonbinding resolutions to the floor. What it is, is to really send a message to the American people that we are moving in the wrong direction. Stay the course is not the course to take. The resolution we are considering today is entirely straightforward, and the premise is simple: Do you or do you not support the President's escalation?

The resolution before us marks the first time this Chamber will vote whether or not to disagree with the President's war plans. I hope that everyone who recognizes that this "stay the course" is not the issue, that we vote for H. Con. Res. 63. It is an important step.

The SPEAKER pro tempore. The Chair will advise of the time remaining. The gentleman from New York has 31½ minutes remaining. The gentleman from California has 16 minutes remaining. The Chair will try to even out the time.

Mr. KING of New York. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Texas (Mr. HENSARLING).

Mr. HENSARLING. I thank the gentleman for yielding.

Mr. Speaker, various news organizations have now confirmed what the Democrats really have in mind with this nonbinding resolution, and that is, choke off funding for the troops.

Though they haven't really said it on this House floor, they have said it to their political base, moveon.org, and I hold the transcript in my hand. Let's listen to the words of our colleague, the gentleman from Pennsylvania (Mr. MURTHA) who, as we all know, controls our military spending panel.

"They won't be able to continue. They won't be able to do the deployment. They won't have the equipment, they don't have the training and they won't be able to do the work. There's no question in my mind."

He was further quoted as saying, "We have to be careful people don't think this is the vote."

Last evening, CBS News noted that our colleague's proposal "is a way to get at the same goal without holding a vote to cut funding." Again, Mr. Speaker, that goal is to cut funding of the troops. The goal is to accept defeat.

Now, I know the author of this proposal has served his Nation with great courage and great honor, but I for one fail to see the courage and the honor in this proposal.

The Politico Magazine has called this proposal the "Slow Bleed Strategy." The slow bleed strategy. I wonder who it is who is doing the bleeding.

Mr. Speaker, how does anybody look one of our brave soldiers in the eye and tell them, I don't believe in your mission. I don't believe you can succeed and I have the power to bring you home; I have the power to bring you home today but I am not willing to do it because, if I did, I would have to take responsibility and I am concerned about political ramifications.

Mr. Speaker, if my Democrat colleagues truly want to cut off funding for the troops and withdraw from Iraq, then let them vote on it today. Let them show the courage of their convictions and vote on it today. We cannot accept this slow bleed strategy.

Mr. Speaker, I know that fighting this war is costly. It is costly in terms of blood. It is costly in terms of money. Like many other of my colleagues, I have met with the mothers who have lost sons in Iraq. Their plight is profound; it is sad. But Mr. Speaker, I never, never, never want to meet with the mothers whose children might perish in the next 9/11 if we accept defeat in Iraq.

Iraq must be seen in the context of this larger war we are having with radical Islam. The battle lines are drawn, and whether we like it or not, they are drawn in Iraq. Don't take my word for it. Listen to Osama bin Laden. "The epicenter of these wars is Baghdad. Success in Baghdad will be success for the United States. Failure in Iraq is the failure of the United States. Their defeat in Iraq will mean defeat in all their wars."

We have to soberly reflect on the enemy that we are facing. Listen to the number two in al Qaeda, al-Zawahiri. "Al Qaeda has the right to kill 4 million Americans, 2 million of them children." As the father of a 4-year-old and a 3-year-old, I find that to be a chilling statement.

Listen to Hassan Abbassi, Revolutionary Guard's intelligence adviser to the Iranian President. "We have a strategy drawn up for the destruction of Anglo-Saxon civilization."

This is the enemy we face, and we face him foremost in Iraq. If we leave Iraq before subduing him, he will follow us to America, make no mistake about it, and the consequences are immense. Read the National Intelligence Estimate. Read the report of the Iraq Study Group.

Iraq has the potential to become what Afghanistan once was under the Taliban, and that is, a breeding ground and a safe haven for the recruitment, training, financing and sanctuary of radical Islamists bent upon attacking our Nation and attacking our families. There will be no greater event to empower the radical Islamists in our defeat in Iraq.

Mr. Speaker, it doesn't have to be this way. We are Americans. We can meet this threat. We can work together. Vote against this resolution. Let's support our troops. Let's protect our Nation and our children from this threat.

The SPEAKER pro tempore. In an attempt to try to equalize the time, I recognize the gentleman from New York.

Mr. KING of New York. Mr. Speaker, I will be happy to work with the Speaker on this, and I recognize the distinguished gentleman from California (Mr. DANIEL E. LUNGREN) for 8 minutes.

Mr. DANIEL E. LUNGREN of California. I thank the gentleman for yielding.

Mr. Speaker, the manner of our withdrawal from Iraq will dramatically affect the credibility of American foreign policy. Our actions must not lead to anti-Semites masquerading as the President of Iran with the misimpression that his thirst for nuclear weapons can ever end with the realization of his dream of nuclear holocaust, this time engulfing the Jewish national homeland. In the larger geopolitical context, like it or not, credibility is the currency of a global Superpower.

The argument has been made on this floor that our engagement in Iraq has had the effect of diverting our attention from other threats to our security interests such as a nuclear North Korea or the military buildup of China or even a resurgent Russia.

The recent glimmer of hope from the multiparty talks with the hermit kingdom demonstrates that it is possible for our Nation to, yes, walk and chew gum at the same time. The war in Iraq has not come at the cost of disengagement. However, perhaps more importantly, we cannot avoid the fact that the manner in which we turn control over their country to the Iraqis will send a message across the globe to friend and foe alike of whether we are a reliable ally and a predictable adversary.

It is simply not possible for us to divorce our role in the world from our credibility as a Nation. The stakes are great for Iraq, but they are just as great, if not greater, for those of us in the United States, for those of us presently in the United States and for our children and our grandchildren.

Although everyone including the President has acknowledged the fact that things have not gone as planned in Iraq, this should not lead us to overlook the fact that the Iraqi people have chosen their Nation's leadership in democratic elections, three in a row, with more and more people participating, larger percentages of the population participating, in numbers and percentages that frankly would embarrass our country when you look at the turnout we have for elections. Sometimes we explain the low turnout in our elections because of bad weather. Their bad weather was not the question. It was the threat of death if they participated in elections, and yet they went forward to do so.

They ratified a Constitution that represents a dramatic departure from the rule of one of the most repressive regimes of the globe, and we sort of slide by that and say, well, we got rid of Saddam Hussein, but look at the mess those people are in over there. It is a difficult proposition. This President warned us after 9/11 it would be a difficult proposition; it would take fortitude; it would take persistence; it would take resolve.

At the same time, however, it is this very hope of democracy that has led those extremists who fear such a prospect to lash out in a wave of violence. In this regard, we must not fall prey to the error of failing to hold those responsible for violence accountable for their murderous actions.

The idea that we are somehow responsible for violence in Iraq is both preposterous and the crassest form of moral ignorance. Those who commit the murders, those who drill holes in people's brains, screw fellow human beings to walls and consider decapitation a form of religious expression, they are the ones who are responsible for the atrocities and massive human rights violations concerning the people of Iraq.

Charles Krauthammer aptly captures such moral illogic with the query of whether the police in America are somehow responsible and have on their hands the blood of the 16,000 murders they failed to prevent last year.

The tragic irony of such logic is that it suggests that those who murder in order to manipulate the Western media and public opinion by the spectacle of mangled bodies and blood-stained streets should be able to realize their aim of driving us away from the scene of their crime. We must not reward these thugs by giving them what they want. We are in Iraq to protect the Iraqi people, and the blame for the violence should be placed where it belongs.

As Prime Minister Blair so eloquently stated the proposition: "Here is where we have to change radically our mindset. At present, when we are shown pictures of carnage in Iraq, much of our own opinion sees that as a failure, as a reason for leaving. Surely," Prime Minister Blair says, "it is a reason for persevering and succeeding. What is the purpose of the terrorism in Iraq? It is to destroy the prospect of democratic progress. In doing so, they hope to deal us a mortal blow. They know victory for them in Iraq is defeat not just for Iraqi democracy but for democratic values everywhere."

The challenges before us relate to the formulation of policy, but this should not be considered in a vacuum. The most important asset of the United States in Iraq is the quality of the men and women of our Armed Forces. It is in this regard that the person in charge of the responsibility of implementing our new policy, General David Petraeus, is well-suited to perform such a task.

In addition to his experience in the area around Mosul, he is the coauthor of the recently released Military Field Manual on Counterinsurgency Doctrine. History provides us with examples where military commanders have been brought into a theater of operations in order to turn around what seemed at the time less than promising, as illustrated by the appointments of General Grant, or even General Patton, to name just two examples.

If there ever was a need for such leadership in Iraq it is now. General Petraeus is a critical component to our prospects for progress.

□ 1300

And I know everybody says they support General Petraeus, they support our troops. But it does seem odd that when the other body confirmed General Petraeus unanimously, they followed it up by suggesting what he was going about was a fool's errand. And I know everybody here supports our troops, but listen to what you are saying. On the one hand you say, "Godspeed, General Petraeus," and on the other hand you say, "You are doomed to failure."

The need to meet the challenge of stabilizing Iraq, primarily in Baghdad and Anbar Province, is essential to the orderly withdrawal of American forces. Any precipitous action which fails to accommodate this concern would likely have untold consequences for innocents within Iraq, the broader Middle East, and ultimately the security of the American people.

Again, however, it must be emphasized that the long-term success or failure of democracy in Iraq rests with the Iraqis themselves. As Faoud Ajami of Johns Hopkins University has pointed out, we have given the gift of freedom to the Iraqi people, which, by nature, entails the conclusion that their future is in their own hands.

This new strategy, and I stress it is a new strategy, recognizes that our remaining days in Iraq must be dedicated to making this transition to a new political order possible, not just getting out, but getting out as we succeed in our effort to establish a stable democracy in Iraq.

Mr. LANTOS. Mr. Speaker, I am delighted to yield 5 minutes to my good friend and distinguished colleague from Arkansas, Congressman MARION BERRY.

Mr. BERRY. I thank the gentleman from California.

Mr. Speaker, I encourage everyone to keep in your hearts and minds, certainly in your prayers, our men and women in uniform and their families, especially those on the battlefield today; and to reach out to them and their families, and let them know that you understand and appreciate the sacrifice and commitment that they make out of the goodness of their heart.

Our Kansans have done their part to protect our freedom, contributing heavily to the war efforts since the conflict began. Our State alone has roughly 1,500 soldiers currently overseas, we have deployed 15,000 since September 11, 2001; 45 of our Kansans have paid the ultimate price, and 350 more have been seriously wounded. Congress cannot forget the sacrifice of these men and women. We will continue to support our Nation's servicemembers and provide them with every resource that they need.

After listening to President Bush's recent proposal to escalate troop levels in Iraq, I am even more concerned with his failure to recognize the severity of this conflict and what it really means.

Recent short-term troop escalation proposals in Iraq have not stopped the violence from getting worse. President Bush has said nothing to convince me, or almost no one else, that his latest strategy will result in success.

Our military forces deserve a policy commensurate with the sacrifices that they have been asked to make and have made. Regrettably, the President has not provided that policy or plan. Our leaders need to think long term and make strong commitments to diplomacy with all of the other countries in the region and the world community. Our credibility as a Nation must be restored.

As the Iraq Study Group concluded, this is an international conflict that cannot be solved by U.S. military strategies alone. Furthermore, President Bush's proposals will create additional strain on our military readiness, as well as our military personnel and their families.

There is already a shortage of military equipment that jeopardizes the safety of our men and women in uniform. We cannot and should not send more troops overseas without providing the equipment and support they need to safely and effectively accomplish the mission that is charged to them.

I oppose this escalation, and I urge my colleagues to do the same. God bless the men and women in uniform.

Mr. HOYER. Madam Speaker, I ask unanimous consent that the balance of time on each side be enlarged by 36 minutes.

I think I have the authority to do that under the rule; it has been done in consultation with the minority leader.

The SPEAKER pro tempore (Ms. Eshoo). Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. CARTER. Madam Speaker, at this time I would like to recognize Mr. King from New York, the ranking member of Homeland Security, for 7 minutes.

Mr. KING of New York. I thank the gentleman for yielding.

Madam Speaker, I rise today in strong opposition to this resolution and in strong support of our troops and their mission.

This resolution is wrong in every respect. It is wrong constitutionally. Never before in our history has Congress attempted to control or restrict battlefield decisions. It is wrong as a matter of policy, and it will come back to haunt us for years to come.

Madam Speaker, wars must not be waged according to opinion polls or applause meters. For instance, just look at the battle of Iwo Jima, an island in the Pacific where in less than 6 weeks, more than twice as many Americans were killed as have been killed throughout the entire Iraq war, and yet Congress didn't jump in to question the policies of the President.

And look at the Korean War. There was no declaration of war. The United States and the overwhelming majority of coalition troops in the field, 36,000 Americans were killed and another 8,000 were missing. More than 70 percent of the American people opposed President Truman and his handling of the war. Yet today, President Truman is honored as one of our greatest Presidents, and the Korean War is looked upon as a key turning point in our struggle against communism.

Madam Speaker, Iraq cannot be looked upon or looked at in a vacuum. This war in Iraq is an absolutely essential component of the war against Islamic terrorism which must be fought in many places throughout the world, including right here at home.

As a Member of Congress who lost upwards of 150 friends, neighbors, and constituents on September 11, 2001, I have seen firsthand how evil this enemy can be. And al Qaeda itself has said that Iraq is a major battleground in this war.

Madam Speaker, we cannot allow ourselves to do anything which would undermine our troops who are the frontline soldiers in this war against Islamic terrorism.

I know that the resolution expresses support for the troops, but talk is cheap and actions have consequences. You cannot support the troops if you are undermining their mission and challenging their commander in the field. And that is what this resolution does.

Speaker after speaker in support of the resolution has said that the new policy in Iraq will not work. But General Petraeus, who is the author of this policy and who has just been unanimously confirmed by the Senate, has said this policy can work and that his troops can carry it out. By opposing this new policy, the supporters of the resolution are clearly undermining a new commander in Iraq at such a vital time in the conduct of this war.

As the national commander of the Veterans of Foreign Wars said earlier this week, "When military decisions are second-guessed by opinion polls or overruled by politicians, it is the common soldier and their families who pay the price. The VFW is very concerned with the tone and timing of this debate. We need to send the message to our troops that America wants them to succeed in Iraq by giving the buildup a chance to succeed."

Madam Speaker, what makes this worse is that we know today's resolution is only the first step to prevent General Petraeus and his troops from carrying out their mission. The Democratic leadership has admitted, indeed proudly acknowledged, that it is their goal to impose as many conditions as they can to prevent General Petraeus from getting the troops and the reinforcements he needs to win this war.

Madam Speaker, never in our history have the Speaker of the House or the House Appropriations Committee attempted to superimpose their policies on troop training or troop leave, and override the Commander in Chief and the commander in the field.

Madam Speaker, this is not the time for sunshine soldiers or summertime patriots. It is time for Members of this body to show at least a small percentage of the courage shown every day by our troops in Iraq.

If you want to cut off the funding for our troops who will be in the line of fire, don't be cute, don't try to sneak it through the back door. Have the guts to do it directly.

Madam Speaker, this debate is not about this President or this Congress or the next election. It is about our survival as a Nation and our survival as a civilization. Vote for our troops and against this misguided and dangerous resolution.

Mr. LANTOS. Madam Speaker, it is my privilege to yield 10 minutes to my friend and colleague and neighbor from California, the esteemed Speaker of the House of Representatives (Ms. Pelosi).

Ms. PELOSI. Madam Speaker, I thank the gentleman for yielding and for his exceptional leadership in the national security of our country.

My colleagues, for 3 days and nights, more than 350 Members of Congress have come to the floor to speak their conscience about the war in Iraq and the President's escalation proposal. I commend my colleagues on both sides of the aisle for the tenor, for the most part, and the substance of their remarks.

There is one proposition on which we can all agree: Our troops have performed excellently in Iraq. They have done everything asked of them. And as the resolution states, Congress and the American people will continue to support and protect the members of the United States Armed Forces who are serving or who have served bravely and honorably in Iraq. We owe our troops a debt of gratitude for their patriotism, for their courage, and for the sacrifices they are willing to make.

As a sign of our respect for them, particularly those who have lost their lives in the war, and for their families, I request that we observe a moment of silence.

Thank you.

We owe our troops a course of action in Iraq that is worthy of their sacrifice. Today, we set the stage for a new direction on Iraq by passing a resolution with fewer than 100 words which supports our troops and disapproves of the President's escalation proposal. Instead, Democrats have proposed a different course of action to the President.

□ 1315

Over and over again we have suggested a different plan.

One year ago, Senator Harry Reid and I stood with House and Senate Democrats to propose our agenda for real security, to project our power and our values, to protect the American people. Consistent with our real security agenda, Democrats have sent the President four letters, starting in July, and the most recent one the end of January, urging him to adopt a strategy for success, containing these elements: change of mission, redeployment of troops, building a political consensus, engaging in diplomacy, reform of reconstruction and a refocus in the war on terror.

In terms of changing the mission, U.S. forces in Iraq must be transitioned from combat to training of Iraqi forces, real counterterrorism activities, force protection and logistics. A shift in mission will allow the number of U.S. troops in Iraq to be reduced, diminishing their presence in the daily lives of Iraqis and minimizing the chance of these troops being caught in the crossfire between rival Iraqi factions. Ending the emphasis on a combat mission will allow the phased redeployment of our forces from Iraq beginning within the next 4 to 6 months.

Declining troop levels will require fewer bases, and none of them will need to be permanent, consistent with legislation introduced and passed by this House by Congresswoman BARBARA LEE and also introduced by Congressman DAVID PRICE.

A smaller military presence in Iraq will also relieve some of the strain on our troops, their families, and our military equipment. Success in Iraq requires more than military force, and that really is what this debate is about today.

General Peter Chiarelli, a three-star General, until recently the Commander of the Multinational Corps Iraq, observed in December, and I quote. "We need to get out of thinking that this is solely a military conflict where we must simply apply more U.S. or coalition or Iraqi forces against an enemy that we can destroy. All our Nation's strengths—diplomatic, economic, political—must be leveraged to help the Iraqis find their way through this process."

Unfortunately, there has been no sustained and effective effort to engage Iraq's neighbors diplomatically. Iraq's neighbors have the greatest stake in Iraq's stability and the role it will play in the region. Leaders of those countries are best able to help Iraqi leaders improve security by reducing ethnic tensions. To this end, an international contact group should be established to support a political settlement in Iraq and preserve Iraq's sovereignty.

Senator REID and I also wrote to the President that an international conference should be convened to broaden support for the reconstruction effort that is essential if Iraqis are going to be put to work building their country's future.

On the subject of reconstruction, there has been little effective reconstruction in Iraq because of mismanagement and disappearances of funds. That is why we propose that, in order for the reconstruction of Iraq to attract international support, it must be conducted according to practices which are honest, transparent, and accountable.

Reconstruction must be guided by the kind of process set forth in legislation introduced by Congressman PATRICK MURPHY and the Blue Dog Coalition. The United States should take the lead on accountability in reconstruction. Politically, there has been no sustained and effective effort to engage rival Iraqi factions.

The U.S. must insist that Iraqi leaders make the political compromises needed for a broad-based and sustainable political settlement that will produce an inclusive political system in Iraq. A good beginning would be to press Iraqi leaders to amend the Constitution to achieve a fair sharing of power and resources. That was promised at the time of the referendum over 1 year ago.

The resulting political consensus will allow Iraqi security forces to challenge the militias on behalf of the nation and to disarm them.

Proponents of the President's escalation are equating the war on terror to the war in Iraq. As our esteemed chairman of the House Armed Services Committee, Congressman IKE SKELTON of Missouri, a great patriot, has observed, "Two conflicts. Two wars. And the two should not be confused. There are those who attempt to fuzz the two conflicts together as 'the war on terror,' but the wars are truly separate and distinct," Chairman SKELTON stated.

The war in Iraq continues to detract from our ability to fight against the war on international terrorism effectively. We need to finish the job started more than 5 years ago in Afghanistan against al Qaeda and the Taliban and address other conditions around the world in which the appeal of terrorism breeds.

The longer it takes us to resolve the situation in Iraq, the longer resources and attention will continue to be diverted from the war on terrorism. Our ability to respond to the escalating conflict in Afghanistan and other potential crises in the world is constrained severely by the deterioration in military readiness to levels not seen since the Vietnam era.

There we have the six elements that we talked about: change of mission, redeployment of troops, building of political consensus, engaging in diplomacy, reform of reconstruction, and a refocus on the war on terror. By placing so much emphasis, instead, on dealing with the problems in Iraq militarily and not enough emphasis on sustained political and diplomatic engagements, the President's escalation plan repeats past mistakes.

The stakes in Iraq are too high to recycle proposals that have little prospect for success. The bipartisan resolution today may be nonbinding, but it will send a strong message to the President. We here in Congress are committed to protecting and supporting our troops.

The passage of this legislation will signal a change in direction in Iraq that will end the fighting and bring our troops home safely and soon. Our troops are working together to secure our Nation, and we in this House must work together to secure our Nation as well and to do so in a way that honors their sacrifice.

I urge my colleagues to support our troops and a new direction in Iraq by voting "aye" on the bipartisan Skelton-Lantos-Jones resolution.

Mr. CARTER. Madam Speaker, at this time, I would like to yield 6 minutes to Ms. ROS-LEHTINEN, ranking member of the Foreign Affairs Committee.

Ms. ROS-LEHTINEN. I thank the gentleman for yielding.

Madam Speaker, a prominent feature of this debate has been two sharply contrasting visions of the future. One vision sees no hope for us in Iraq and counsels that we withdraw, just give up. By contrast, the other mission focuses on success. We understand what accepting defeat means for Iraq.

We understand what accepting defeat means for Iraq, the region and our Nation's security interest. We support modifications and strategy to address the enemy's changing tactics, and we are committed to destroying the enemy before the enemy can destroy us. This success policy is rooted in the fabric of the American character, in our belief in the ability of our troops to achieve success in Iraq and Afghanistan and on all the fronts on this global war against Islamic militant jihadists.

The resolution at the center of this debate, Madam Speaker, lacks hope. It accepts defeat. It opposes reinforcements for our troops on the battlefield, reinforcements that strengthens their capacity to confront the enemy and succeed in their mission.

General Petraeus said that he cannot accomplish his mission without the deployment of additional U.S. forces. This resolution, however, announces that Congress will deny the commander in Iraq the means he says he needs to win. This resolution seeks to transform this House into 435 generals.

What is the next step in the strategy, Madam Speaker, after the crippling of our war effort? We know from statements and bills that have been introduced that plans will mandate the nature and the timing of a withdrawal by placing limitations on the funding of our efforts. A vote for this resolution then is a vote to proceed toward defunding of our troops.

Some believe that the impact of these decisions is confined to Iraq, but Iraq is only one front in the global war against radical Islamic jihadists. This is a war without boundaries. This is a war that poses the greatest challenge to our generation.

I will quote al-Zawahiri in his own words. He describes this fight in this way:

" . . . Afghanistan and Iraq are the two most important fields for confronting the contemporary Crusader war. Therefore, the Muslim nation should support the mujahidin in these two countries with all its power."

Those are al-Zawahiri's own words. He talks about the war in Iraq as being central. He added that Iraq "is the gateway to the liberation of Palestine and the restoration of the Islamic Caliphate."

Iran's leader has echoed similar views. He stated, we will soon experience a world without the United States; and he goes on to state, we must prepare ourselves to rule the world.

The enemy understands what is at stake. We must, also.

Once the retreat has started, where will it stop? Afghanistan? The Persian Gulf? The entire Middle East? Once we have abandoned our allies in Iraq, why should anyone in the world believe when we say that we draw a line in the sand and say that we will never abandon them.

Lawrence Haas, a former communications director for Vice President Gore, stated recently, " . . . our enemies anticipate that Iraq will be the latest chapter in the book of American defeatism. Our withdrawal will embolden them to push ahead, confident that we lack the stomach for confrontation, that our commitments mean nothing, that they can win simply by outlasting us."

A withdrawal in this generational fight will ensure that what is to come will be even worse. While urging a withdrawal, some state that they support the troops. But as leaders of the American Legion and the Veterans for Foreign Wars have stated, you cannot separate the warrior from the war.

My stepson, Douglas Lehtinen, and his wife, Lindsay, proudly served as Marine pilots in Iraq. Lindsay will soon leave for a tour in Afghanistan. Far from seeing their mission as hopeless, far from urging withdrawal, they and their fellow service men and women are committed to victory. They are so confident in that success that they are willing to risk their lives to secure it.

□ 1330

They would tell you that victory can never be ensured but that we can make defeat inevitable by giving our consent. The hopelessness from which this resolution springs is alien to our American spirit and it runs contrary to our history. What Thomas Paine said over two centuries ago stands still today: These are the times that try men's souls. The summer soldier and the sunshine patriot will in this crisis shrink from the service of their country. But he that stands by it now deserve the love and the thanks of every man and woman. Tyranny, like hell, is not easily conquered. Yet we have this consolation with us, that the harder the conflict, the more glorious the triumph.

If you like the status quo in Iraq, Madam Speaker, then you vote "yes" on this resolution. If you favor a mission of success in defeating the Islamic militant jihadists who are our enemies, then please vote "no" on this resolution.

Mr. LANTOS. Madam Speaker, I yield 5 minutes to my good friend and our distinguished colleague from California (Ms. MATSUI).

Ms. MATSUI. Madam Speaker, I thank the gentleman for yielding me time.

Madam Speaker, I am hopeful today. Finally, 4 years into a very controversial war, Congress will begin to fulfill its constitutional responsibility as Representatives of the people. This week, every Member of the House of Representatives has had an opportunity to express their views on the war in Iraq. And today, every Member will cast their vote for or against the President's escalation of the war. This is only right.

For my part, I believe the President's proposed escalation would be a tragic mistake. Our need for a change of direction could not be more clear. But rather than change direction, the President proposes that we continue down our current disastrous path, only at a faster pace and with more human life placed in harm's way.

We should be bringing troops home, not sending more there. We should be ending this war, not escalating it. Considering this resolution is only the first step of many Congress will need to take to force a change in direction, but as Thomas Jefferson once said, honesty is the first chapter of the book of wisdom. Congress writes that chapter with this resolution, but it is only the first chapter.

Sadly, the burden created by the lack of honesty and wisdom this administration has brought to this conflict is shouldered by our brave men and women in uniform. Two years ago, I spoke with a group of women in Sacramento whose husbands were serving in the National Guard in Iraq.

One woman told me she had to buy her husband a Kevlar vest and a canteen before he deployed to Iraq, something all too many families were doing for their loved ones because the military was not providing it. A short time later, the administration assured the public that the issue had been addressed. And yet just this week we heard reports that the Army lacks armored Humvees and other equipment necessary for the troop increase the President is implementing; once again, a failure in vision and planning, and once again, our troops pay the price.

Escalation of this conflict will further increase the strain on a military that is already stretched to the breaking point. Every Member of this Chamber knows this. Earlier this month, I spoke with a friend and reservist in Sacramento named Richard Beach. Richard shipped out to Iraq 4 years ago as a chaplain in the Army Reserves. He is home now. But he still keeps in touch with his old unit. Richard shared with me a note he sent to some of his fellow members of the 114th.

He wrote, "I remember 4 years ago we were getting ready for our trip to Fort Lewis and then on to Iraq. I hope as the fourth anniversary of the war comes up, you are all in good health and living life to the fullest. I, too, pray that soon this war will end and we will stop sending our soldiers off to war."

Four years later, he reports that many of the same soldiers and their families are making the same sacrifice. But that is a heartbreaking reality here. Implementing the President's policy will mean that members of his regiment along with so many others will have to endure more and more of the back-to-back deployments to Iraq.

The notion of shared sacrifice is something that helped make this country great. Americans are strong believers in shared sacrifice. But all too often in this war, only our troops and their families share the sacrifice. That is too much to ask on behalf of policies that have not worked.

The administration offers us scant reason to believe this troop increase will work when it has tried and failed with several previous troop increases. This proposal offers us nothing but more of the same.

Our brave men and women in uniform have done everything that has been asked of them. It is our political leadership that has failed. There is a saying, It takes two people to speak the truth: one to speak it and one to hear it. I hope the administration will choose to hear the truth and I hope that we pass this resolution today.

Mr. CARTER. Madam Speaker, I yield 7 minutes to the gentleman from Michigan (Mr. HOEKSTRA), the ranking member on the Intelligence Committee.

Mr. HOEKSTRA. Madam Speaker, this debate is about whether or not America is a great Nation that will lead in the face of difficulty. We have come up short. This resolution falls short. It is small and not worthy of this House. Why small? Let me begin with a threat that some either don't understand or refuse to acknowledge.

This resolution does not address the fact that the current threat is not just the single front in Iraq, but rather the larger threat of militant Islamic jihadists who hate us enough to want to kill. These militant Islamic jihadists are a fringe element of Islam who have very specific ideas and goals about how to revive Islam, return Muslims to world power, and how to deal with their enemies.

They are committed to a violent overthrow of existing international systems and to their replacement by an all-encompassing Islamic state called the caliphate. In explaining his approach to creating the caliphate, centered in Iraq, al-Qaeda's number two leader, Zawahari, outlined a four-stage plan:

Stage 1, expel the Americans from Iraq in defeat.

Stage 2, create an Islamic religious government in Iraq, developing and supporting it until it achieves a level of a caliphate.

Stage 3, extend the jihad wave to secular countries neighboring Iraq.

Stage 4, clash with Israel, because Israel was established only to challenge any new Islamic entity.

I think you get the picture.

Let me also be clear. This jihad is about them, their God, and their religion, it is not about us. These militant jihadists believe that the modern world has forsaken the pure religious life and that only with a caliphate can they return to "pure life."

It is this narrow ideology that poses the direct and real threat to us. It is this ideology that threatens not only us, but also includes the belief that killing other Muslims is justified to achieve their radical goals. Here is the true threat to America and the world, this militant Islamic jihad, a jihad that attacks around the globe, including the United States and Iraq. The resolution we debate today does not address this global problem, this threat to peace and stability. Iraq is not the problem, it is only one front in this larger war.

The second point. This resolution omits specifically all of the men and women of the Armed forces who are defending our freedoms in other theaters such as Kuwait, Afghanistan and Bosnia. It says, by not saying, that this Congress may not support troops who will be sent to Iraq.

Is this intentional? Is this part of the plan to choke off funding for our troops? I also take great umbrage that this resolution omits and completely slights the incredible contributions to this Nation's security of our dedicated men and women in the Intelligence Community, many serving in Iraq, who provide our combat troops with the information vital to their security.

Is this the first step in cutting off their funding, too, returning to the Clinton administration's policies of the 1990s that decimated our intelligence capabilities?

Finally, Madam Speaker, I need to address the issue of the consequences of failure. What happens if Iraq collapses due to a sudden withdrawal of U.S. troops? Our enemies have made it clear that they will fill the void. Surely America is wary of the conflict in Iraq, but the difficulty of this conflict does not justify giving into their strategy; yes, their strategy. They believe that they are winning by wearing America down. Will we quit? Do we understand the consequences?

Make no mistake, this resolution is a dangerous and naive first step to cutting funding to our troops in an unwise withdrawal from the region. Iraq is not a faraway place where the United States has no interest and where we can pull our troops out of without paying a price in the global war against militant Islam.

This debate is not about Iraq, it is about us, us as a Nation of people who will do the right thing. The fundamental question is, Do we have the resolve that will be necessary to defeat radical militant Islamic jihadists that contain bad actors such as Iran, and will we stand and fight for the future of our kids and their kids?

We have faced similar threats before. In 1945 my parents were liberated by Canadians and American troops in the Netherlands. They never forgot the sacrifices that were made by brave soldiers and by a great Nation, a Nation on a great mission.

America did it for them, but it also did it for itself. America recognized that the threat was a direct threat to America and the world. We then led a global effort to victory. Today we face a very different but, again, a very real threat: radical militant Islam. The challenge to this Congress is to rise to the occasion, to help lead America and to help lead the world to victory.

This petty resolution falls far short of that noble and worthy calling. Vote "no." We can and we must do better.

Mr. LANTOS. Madam Speaker, I yield for the purpose of making a unanimous-consent request to my friend from New Jersey (Mr. HOLT).

Mr. HOLT. Madam Speaker, I rise in strong support of this resolution.

Madam Speaker, this week during the debate on H. Con. Res. 63, I spoke of the men and women of our Armed Forces and the sacrifices they have made for our country. I noted that I had visited them in theater, at Walter Reed, and with their families in New Jersey. As I said, the quality of these men and women, and their earnest wish to serve their country, makes this situation in Iraq all the more tragic. I am sure I was quite clear regarding my sentiments, but it would appear that some in this House chose to mischaracterize my remarks.

The gentleman from California, Mr. HUNTER, said that I "referred to our wounded folks in Walter Reed as tragic." I want the gentleman to know I said no such thing, and I will ask him to be accurate if he chooses to quote me again.

Mr. LANTOS. Madam Speaker, I am very pleased to yield 5 minutes to my good friend and our distinguished collegue from West Virginia, Congressman MOLLOHAN.

Mr. MOLLOHAN. I thank the gentleman.

Madam Speaker, I rise in support of the resolution opposing the President's decision to escalate this war. My position on the Iraq war is uncomplicated. I voted against the initial war resolution back in 2002, mostly because I never believed the President made a compelling argument that Iraq posed the sort of substantive threat to the United States that would justify war, and the considerable human, political, and financial costs that it would bring.

☐ 1345

I thought it was a bad decision at the time, and I think it is a bad decision today.

In my limited time this afternoon, I would like to comment on a couple of refrains that we keep hearing. The first is the President's repeated criticism that those who support this resolution are prejudging a plan that hasn't even been "given a chance to work." He makes that charge with a tone of wonderment, as though somehow it weren't our duty to anticipate the consequences of different courses of action and to avoid the bad ones before embracing them. If more of us had prejudged his 2002 decision, taking us to war before it was "given a chance to work," we wouldn't be having this debate today.

The difference between today and 2002 is that a majority of this House and this Congress are no longer willing to give the President the benefit of the doubt he enjoyed 5 years ago. We are no longer willing to suspend judgment and trust the decider. That should surprise precisely no one.

For 4 years we have been asked to trust this administration, to trust, as the Vice President emphatically declared, that they knew where the weapons of mass destruction are; to trust that the Iraqis would welcome us as liberators; to trust that we had a large enough invasion force to stabilize the country; to trust that the Shi'a would find common cause with the Sunni and the Kurd in a united Iraq; to trust that Iraq's oil reserves would pay for its reconstruction; to trust that Iraq would serve as a beacon of democratic ideals throughout the Middle East; to trust that those early signs of a growing insurgency were nothing more than the "last throes of a few dead-enders."

And now the President asks us not to prejudge his plan to put another 21,000 Americans in harm's way. He asks us to trust him yet again. With respect and humility, Madam Speaker, I ask him, how can we? And how can he even ask it of us? Paraphrasing the President, fool me once, shame on you. Fool me five times, shame on me.

And another criticism of this measure that we have heard repeated over and over this week is that, as a nonbinding resolution, its passage and this debate is meaningless.

Madam Speaker, this resolution is far from meaningless. If need be, Congress will end this war with binding legislation. As even the President acknowledged, we retain the power of the purse, and we have ample opportunity to exercise that power.

But just as wars should be started with a united government, so, too, should wars be ended with a united government. And that is the meaningfulness of this resolution. It is the last chance to draw this government back together on Iraq. It is the last call for us to work together, Democratic and Republican, legislative and executive, on ending this war. It is the last call for the President to come back to the people.

He may ignore that call. He may dismiss this resolution and this debate as meaningless. He may dismiss the voice of the people expressed through 439 newly elected Representatives as meaningless. But if he does, Madam Speaker, he forces us to move forward without him. I hope that doesn't happen.

I urge my colleagues to vote for this resolution, and I urge the President to listen to this debate and to join with us.

Mr. CARTER. Madam Speaker, at this time, I would yield 5 minutes to Mr. HUNTER of California, ranking member of the Armed Services Committee.

Mr. HUNTER. I thank my friend for yielding.

This is, indeed, a sad time in our country. Five years ago we came to this floor united. We joined in sending our troops off in this war against terror.

You know, Madam Speaker, for the first number of strikes that were delivered by Muslim extremists in this war, the terrorists chose the battlefields. They chose a battlefield as a Marine barracks in Beirut. And Mr. SKELTON and I were there, he shortly after the explosion that killed our Marines, I shortly before that explosion. They chose the Khobar Towers, they chose the embassies in Africa, they chose the USS *Cole*, and then they chose New York, Washington, DC, and Pennsylvania. We chose the next two battlefields, Afghanistan and Iraq.

Our Democrat colleagues say that Iraq was the wrong battlefield, and I have heard resonating through the floor over the last 4 days statements that they were tricked, hornswoggled, fooled about Saddam Hussein.

From my side of the argument as to whether or not Saddam Hussein was a dangerous terrorist, I will simply offer all the statements by every Democrat leader in America during the 1990s, when there was no Bush administration to, in the words of my Democrat colleagues, "trick them." I will offer their statements about Saddam Hussein.

Madam Speaker, we have expanded in the last 60 years. We have been in the business of expanding freedom. We understood after World War II that if we didn't change the world, the world would change us. And that lesson was relearned after 9/11.

No one would argue that it is not in our interest to have a Japan on the other side of the Pacific, where we stood up a free government, where we have a free nation, or that it is not in our interest to have a free El Salvador in our own hemisphere, or that it is not in our interest to have those dozens of nations that were behind the Berlin Wall that are now free and working for freedom. Many of them are partners in Iraq. We understand that.

And now we are trying to expand freedom in a different part of the world, a very dangerous part of the world. And we are undertaking the same three-point strategy that we have had for 60 years: Number one, you stand up a free government; number two, you stand up a military capable of protecting that free government; and, number three, the Americans leave.

And we can build on this Baghdad plan, which is right now in the execution phase, this plan of having two or three Iraqi battalions out front, with an American backup battalion to mentor them, and we can rotate every one of the 129 Iraqi battalions through this type of a combat rotation, stand them up, give them battlefield experience, and then the Americans can leave.

Now, Madam Speaker, I have heard it said throughout this debate that there was somehow a smooth road not taken. And let me just say, that is not true. There are no smooth roads in the Middle East. There are no smooth roads to standing up new governments, especially in communities and states where people have been trained to live under dictatorships.

And for those who say if we had just kept Saddam Hussein's army in place, with it is 11,000 Sunni generals, everything would have been fine and we would have had a peaceful situation in Iraq right now, that is nonsense. And for those who said if we had had 200,000 or 300,000 troops, the Shiites and Sunnis would have forgotten their ancient rivalries, that is also nonsense.

What are the facts, the reality, our Democrat friends say we have to be realists here, is this is a tough, difficult road. We are on the second stage right now. Most importantly, Madam Speaker, our troops are in the field already on this plan that is now being retroactively disavowed by the Democratic leadership.

You know, it was in June, I think it was 2130 hours, June 6, 1944, when the first elements of the first aircraft of the Pathfinder companies went out in front of the 82nd Airborne over Normandy, and they shortly were followed by hundreds of airplanes with American paratroopers. The 82nd Airborne going into Normandy had the full support and prayers of everybody in the United States Congress.

Today, you have got an 82nd Airborne Second Brigade now operating under this plan in Baghdad already there in Baghdad. Now, is this going to be the day, I would ask my colleagues, when some trooper from the 82nd Airborne writes on the concrete wall next to his position in Baghdad, "This is where I stood when the United States House of Representatives led by the Democrat leadership rejected my mission"? I hope that doesn't happen, Madam Speaker.

Vote "no" on this resolution.

Mr. LANTOS. Madam Speaker, may I inquire how much time each side has.

The SPEAKER pro tempore (Ms. ESHOO). The gentleman from California has 29½ minutes remaining. The gentleman from Texas has 32 minutes remaining.

Mr. LANTOS. Madam Speaker, we reserve the balance of our time.

Mr. CARTER. Madam Speaker, at this time, I would like to yield 5 minutes to Mr. MCCOTTER from Michigan, the chairman of the Republican Policy Committee.

Mr. MCCOTTER. Madam Speaker, President Lincoln warned, "A house divided against itself cannot stand. I believe this government cannot endure permanently half slave and half free. It will become all one thing or all the other."

Today, our House is divided; tomorrow, it will become all one thing or all the other. What are the possibilities?

In our divided House, one side believes we must win in Iraq to avoid a catastrophe; another side assumes we can lose in Iraq without consequence.

One side believes we must support our troops in harm's way and continue their funding; another side claims we can support our troops in harm's way and cut their funding.

One side assumes we must defeat al Qaeda in Iraq; another side asserts we can retreat from al Qaeda in Iraq.

And one side believes the American people voted to change course in Iraq to win; another side feels the American people voted to change course in Iraq to lose.

Shortly, we will see how divided we are. One side will vote to support the President's plan to win in Iraq by reinforcing our troops, and then pray to God we are right; one side will vote against the President's plan. And in this question rests the answer to the future of our divided House.

My friends, many of you are about to put yourselves in a precarious position, for no one knows what the future holds. While we may feel sure of our decisions in the evanescent present, the unfathomable vagaries of fate have yet to fully play upon the stage of human history. As a result, many supporters of this resolution made an ominous omission while urging its adoption: In denouncing the President's plan, too few of you have openly hoped our troops' new mission would win the day and prove you wrong.

Being your colleague, I know you share this hope in your hearts. But your fellow Americans in fields abroad and constituencies at home must now wonder, will you cut our troops funding to prove yourselves right?

Sooner than you imagine, this nonbinding resolution will instigate binding legislation to commence a "slow bleed" of funding cuts while our troops battle against the enemy. Again, because I serve beside you every day, I know you abhor the thought of American soldiers being harmed by such an abject betrayal of their trust during combat, but it is upon this crucible of conscience you will be judged by all. And when the time comes to confront the consequences of today's expediency, I pray you make the right decision. If, however, you make the wrong decision, you will not only betray our citizen soldiers' trust, you will disastrously unite this House in a callow contentment with our own liberty and a calloused apathy to others' enslavement.

Could there be any more dishonorable epitaph for our free Republic's revolutionary experiment in democracy? True, some allege I exaggerate the danger, but they have turned a blind eye to the epitaphs of liberty etched above the ruins of nations once gloried, now dead: the Athenian city-state, the Roman Republic, the Weimar Republic.

Thus, even as we today divide in our own House, we remain compelled to unite behind the cause of our free Republic in this dangerous age of globalization, wherein humanity's destiny is daily entwined across the disparate reaches of Earth.

Our cause is this: Our world cannot permanently endure half slave and half free. It will become all one thing or all the other, as it has before in the darkest ages of human existence.

My friends, at this crossroads of our Republic, we must heed the better angels of our nature. We must unite our divided House behind the self-evident truth that all human beings are endowed by their Creator, with the inalienable right to life, liberty and the pursuit of happiness.

We must extend freedom to the Iraqis and, in so doing, enhance the liberty of ourselves and all free peoples and inspire our fellow human beings caged in tyranny's embrace. And emulating our nation's greatest generations, we must let hope to flow from God's heart to our humble hands so we may, where He allows, emancipate humanity into a new birth of freedom for ourselves and generations unborn.

Madam Speaker, we must reject this resolution, unite behind our heroic troops and, God willing, win our country and humanity's mortal struggle to be free.

Mr. LANTOS. Madam Speaker, I am delighted to yield 5 minutes to my good friend from Mississippi, the distinguished chairman of our Homeland Security Committee, Congressman THOMPSON.

□ 1400

Mr. THOMPSON of Mississippi. Madam Speaker, 3 months ago the American people sent a resounding message for change. They voted for a new direction in Congress and new direction for the war in Iraq.

In solemn tribute to the sacrifices of the men and women of the Armed Forces in Mississippi's Second Congressional District who have served in Iraq and who have paid the ultimate sacrifice, I would like to recognize some of Mississippi's Second District heroes:

Staff Sergeant Kenneth Bradley. Hometown: Utica, Mississippi; 39 years old; died May 28, 2003, in Operation Iraqi Freedom.

Larry K. Brown. Hometown: Jackson, Mississippi; 22 years old; died April 5, 2003, in Operation Iraqi Freedom.

Rapheal S. Davis. Hometown: Tutwiler, Mississippi; 24 years of age; died December 2, 2003, in Operation Iraqi Freedom.

Captain Kermit O. Evans. Hollandale, Mississippi; 31 years old; died December 3, 2006, in Operation Iraqi Freedom.

Joshua S. Ladd. Port Gibson, Mississippi; 20 years old; died May 1, 2004, in Operation Iraqi Freedom.

Master Sergeant Brian McAnulty. Hometown: Vicksburg, Mississippi; 39 years of age; died December 11, 2006, in Operation Iraqi Freedom.

Staff Sergeant John McGee. Cary, Mississippi; age 36 years; died May 2, 2005, in Operation Iraqi Freedom.

Staff Sergeant Joe Wilson. Crystal Springs, Mississippi; 30 years of age; November 2, 2003, in Operation Iraqi Freedom.

Madam Speaker, the Department of Defense reports that as of February 15, 2007, 3,126 U.S. military servicemembers have died as a result of their service in Iraq. More than 25,000 have been wounded.

This bipartisan resolution before us today asks Members a straightforward question: Do you approve of the President's announced proposal on January 10, 2007, to deploy more than 20,000 additional United States combat troops to Iraq?

There is no question that the way forward in Iraq is one of our greatest challenges. The open debate offered here today allows us all an opportunity to express our sentiments on the administration's proposal. The sacrifices, dedication, and patriotism of our elite military and their families deserve no less.

I oppose the President's proposal. Until the President is willing to sit down with Congress and provide accurate data on what is really going on in this war, I cannot in good conscience support putting more men in harm's way.

This administration used bad intelligence to justify the rationale for war, and I fear that they are using bad judgment here today in their call for sending 25,000 more troops into harm's way.

The administration keeps calling this proposal a troop surge. Let us call it what it is. The proposal is a troop increase. Rather than a troop surge, what we need from this administration is a truth surge. The incompetence and misinformation that has gotten us into this mess is not the competence it will take to get us out.

The President and this administration must remain faithful and truthful to Congress and the American people by openly discussing appropriate measures to resolve the situation in Iraq that is worsening daily. The President must allow Congress to do what it was formed to do under the Constitution. His decision to continue in this direction is not democratic and, therefore, does not demonstrate the best example of what we are fighting for in Iraq. We must not allow the President to escalate the Iraq War without specific congressional approval.

Madam Speaker, we must send the President a message he cannot ignore. We must pass the Skelton-Lantos-Jones resolution.

Mr. CARTER. Madam Speaker, at this time I would like to yield 5 minutes to the gentleman from Virginia (Mr. CANTOR), the deputy whip of the minority.

Mr. CANTOR. Madam Speaker, just 2 days ago, on February 14, Osama bin Laden's deputy, Ayman al-Zawahiri, posted a speech on an Islamist Web site where he blessed jihad fighters in Iraq, Afghanistan, and Somalia and urged the mujahadeen all over world to remain steadfast since complete victory was near. He made special mention of those in the Islamic jihadist media and thanked them for their blessed efforts which cause the Crusaders to lose sleep.

There is no doubt about it, Madam Speaker. We are fighting against an enemy that uses every weapon at its disposal to inflict casualties upon our soldiers in the field. This enemy seeks not just victory in Iraq but the reestablishment of a greater Islamic caliphate that would threaten the security of America and freedom-loving people throughout the world.

Today, this House will vote on a nonbinding resolution that disapproves of a surge in Iraq, a resolution that discourages our troops yet fails to satisfy the antiwar movement of America's left.

The resolution will likely pass today with near unanimous support of my friends on the other side of the aisle. Yet, Madam Speaker, I am troubled by their seeming unwillingness to accept the real consequences of this outcome. This from the party of John F. Kennedy, who so inspired our Nation when he said in his inaugural address: "Let every Nation know, whether it wishes us well or ill, that we shall pay any price, bear any burden, meet any hardship, support any friend, oppose any foe in order to ensure the survival and the success of liberty."

Madam Speaker, we have come a long way since our Nation's 35th President spoke those words 46 years ago.

This debate arrives at an historic time in our Nation's history, not because of the resolution we are considering today but because the results of our efforts in Iraq will have a true impact on the lives of our soldiers and the security of all of us for generations to come.

Recently, I received a letter from one of my constituents who expressed some very real concerns about the Democrats' view of the war in Iraq. He writes: "I am a servicemember that has served in Iraq, training Iraqis. I have 19 years of service. I spent 6 years in the Virginia Army National Guard, and I am entering my 13th year of active Federal service.

"Pulling out of Iraq doesn't send the right message to those we are fighting," he said. "Not enough is being said about what the U.S. will do if we withdraw and what will happen in the midst of a power vacuum . . . "

The soldier went on to say: "I personally served in the streets of Baghdad in 2006, and I would have felt better serving, thinking that both houses of Congress gave me their full support."

Madam Speaker, what we debate in this House, how we conduct ourselves, does have real consequences. Some of our country's bravest are on the battlefield and on the streets of Baghdad as we speak.

We have seen throughout our history what happens when our resolve is weak. In 1993 this country halfheartedly supported the commitment of troops to subdue the violent warlords of Somalia. The precipitous withdrawal in the face of casualties left a chaotic nation to this day that harbors terrorists and is a feeding ground for instability.

The lessons of history must not be forgotten as we face a determined enemy of Islamic terrorists who are waging a war upon freedom.

Madam Speaker, the American people want us to fight and win in Iraq and bring our troops home. Our soldiers seek nothing more than the support they require to perform their mission and the knowledge that the American people believe that their sacrifice is necessary and noble.

Contrary to some of those on the other side of the aisle who have stood here in this well believing and saying that this debate is a breath of fresh air, our enemies will be the only ones satisfied by this debate. They will have received all the political rhetoric they require to convince their followers that complete victory is at hand. One can only imagine with horror how many Islamic radicals will be inspired to continue the fight after this House resolves that it supports our troops but not the mission we ask them to perform.

To those who support this resolution and oppose any effort to achieve victory in Iraq, I challenge you to be true to your convictions and bring a binding resolution to the floor to cut off funds for our troops, because that is really what this is all about.

Madam Speaker, I oppose this resolution and urge my colleagues to vote "no" and send a message worth hearing to America, our soldiers, and our enemies.

Mr. CARTER. Madam Speaker, at this time I would like to yield 5 minutes to the gentleman from Florida (Mr. PUTNAM).

Mr. PUTNAM. Madam Speaker, I thank the gentleman for yielding.

While this resolution may be nonbinding, we will all be bound by its consequences: the immediate and long-lasting consequences, those here and in the combat zone.

Democrats continue to put forward an inherently contradictory message with dire consequences, on one hand offering rhetorical support for the troops and on the other, advancing a slow-bleed strategy that methodically constricts those troops' ability to succeed.

From the testimonials we have heard, it is clear our troops believe their mission is winnable. And the message they are routinely delivering to us could not be more clear. They want a chance to get the job done.

Ladies and gentlemen, our troops are not speaking off of a slickly produced focus group-tested set of talking points. They are vocalizing the overwhelming sentiments that exist on the front lines. We do a disservice to the very troops we claim to support when we advance a slow-bleed strategy that cuts off their lifeline of support.

We don't support them when we choke off the funding they need to succeed. We don't support them when we erect political roadblocks designed to deny them the equipment that they need to carry out their mission. We don't support them when we tie their hands behind their back. And we certainly don't support our troops when we attach strings to the funding needed to ensure that when they need help, it is on the way.

Yesterday the chairman of the Defense Appropriations Subcommittee unveiled this dangerous slow-bleed doctrine on a Web site, movecongress.org. that is directly affiliated with some of the most extreme elements of the antiwar left. This is a political machine designed to elect and defeat politicians by using our troops as pawns, and now they seek to deprive those same troops of the resources they need to succeed in their mission. According to news reports, these groups are prepared to spend $8.5 million on a national ad campaign to target lawmakers who did not adhere to their extremist, defeatist views.

This resolution is not an earnest expression of congressional sentiment. It is phase one of the far left's plan to elect more of their own. And all of this is for what? To send a message or settle a score with our Commander in Chief? To raise campaign cash?

It turns out our worse fears are true; that this resolution is, in fact, a first, dangerous step to cutting off the funds our troops so desperately need. The remarks of the Defense Appropriations chairman, the remarks of the Speaker with major national reporters lending support to the slow-bleed doctrine; and next week senior House leaders will convene to map out their strategy for maximizing their ability to defund the troops while minimizing the political fallout.

Before you cast your vote today, you should see this resolution for what it is: phase one of a political campaign to strip our troops of the funds they need.

□ 1415

Right now, in some cave in Iraq or Afghanistan, information is being located on a hard drive that talks about a plan for a new attack in America. Right now, somewhere in the Middle East, teenage boys are being groomed to be human bombs to further the aims of these Islamic extremists. Right now, money is being transferred across a global finance network to fund the attacks here on our soil or on other allies' soil who believe in the types of freedom and open society we enjoy, in Madrid, in London, in Hamburg, in New York, in Washington.

Regardless of how many Republicans cross the aisle and vote with the Democrats or how many Democrats cross the aisle and vote with the Republicans, tomorrow morning the terrorists will still wake up with hate on their hearts, plotting the next scheme to bring down our economy, to bring down our system of government, to bring down the lives of innocents.

As recently as last August, as if we didn't learn from the events of 9/11, as recently as last August, there was still an attempt to blow up 10 more airliners using baby food as the means for bringing on the explosive device.

Resolutions like this do nothing to stop that type of hate. They only send the wrong signals to the men and women on the front lines for all of us.

Mr. CARTER. Madam Speaker, I yield 5 minutes to the gentleman from Missouri (Mr. BLUNT), the minority whip.

Mr. BLUNT. I thank the gentleman for the time.

Madam Speaker, I rise again today, as I did at the beginning of this debate, to urge a "no" vote on this nonbinding resolution. We have spent the week discussing the situation in Iraq and trying to find out what the resolution may really mean.

As I said at the start of this debate, it is hard to imagine a less qualified group prepared to determine tactics on the ground than 535 Members of Congress, or 535 members of anything else;

how many troops to deploy, where to deploy them, which car to stop. Where does it end?

There is a disagreement on how we should fight this war on Islamic totalitarianism, but this fight is the challenge of our generation.

Madam Speaker, many of my friends on the other side of the aisle supported this mission at the beginning. Now they are ready to give up in the middle of the fight.

Those who join me in opposing this nonbinding resolution have been saying all week, while this resolution will have no impact because it is nonbinding, it is still the first step toward cutting funding for our troops.

Yesterday, we were told that this is the first step toward pulling the rug out from under our troops in the field.

This week, one of the veterans on our side of the aisle was accused of being dishonest in her representation when she said that this resolution we will vote on today did not support those who are deploying. But the gentleman from Pennsylvania, Mr. MURTHA, said just yesterday, during the unveiling of his strategy to pull the rug out from under our troops, "They won't be able to continue. They won't be able to do the deployment. They won't have the equipment. They don't have the training, and they won't be able to do the work."

He also said, "I think, first of all, we have to be careful that people don't think this is the vote. The real vote will come on the legislation we are putting together. This nonbinding legislation is just an opinion."

I would say this resolution says just enough not to say anything at all. We have already heard the Democrats calling the debate this week the "bark before the bite." Their so-called slow-bleed approach is the bite that will surely hurt those fighting under America's flag overseas.

This nonbinding resolution is the first step in an all-too-binding spiral toward defeat in a fight that we cannot afford to lose.

I am not pleased to vote "no" today, but I will vote "no," knowing that the "no" vote is the right vote.

Mr. LANTOS. Madam Speaker, as we come to the end of this debate, I want to commend every participant on both sides for conveying powerfully and eloquently their deeply held views.

I started this debate in the firm belief that escalation is a flawed idea. After listening carefully for the past 4 days to all of my colleagues, I am more convinced than ever that escalation is a flawed idea.

Escalation is not only the wrong policy for the United States, it is also the wrong policy for Iraq. If Iraq is to succeed as a stable and prosperous state, it must learn to take responsibility. It must learn to make difficult decisions. It must amend its constitution in the interests of Iraqi reconciliation. It must devise an equitable law for sharing its oil and gas revenues. And it must take primary responsibility for its own security.

Unless we de-escalate, Iraq will never step up to the plate. But that is not the only reason we must de-escalate. Unless we do so, our great Nation will be unable to fulfill its many far-flung global responsibilities. Unless we de-escalate, we will simply lack the resources for critical tasks here at home and overseas.

All of us, Madam Speaker, are passionately committed to supporting and defending our troops. In the coming weeks, my fellow Democrats and I will bring forth specific proposals to enhance this Nation's support and defense of our brave troops.

Madam Speaker, the American people are not well-served by the surge and our present course in Iraq. This omelet cannot be unscrambled. There have been far too many mistakes made to undo the damage.

For the sake of Iraq, for the sake of our own national interests and for the sake of our incomparable troops, de-escalation must begin, and it must begin now.

I strongly support the resolution and urge all of my colleagues to do so.

Madam Speaker, I reserve the balance of my time.

Mr. CARTER. Madam Speaker, I yield 4 minutes to the gentleman from Kentucky (Mr. ROGERS).

Mr. ROGERS of Kentucky. Madam Speaker, I rise today to support our troops and our Nation. It is really that simple.

We in Congress have an obligation and duty to debate the many different issues facing the country. Our words and our actions traditionally make their way to our constituents' living rooms and the national news, but now, with communications being what they are, to our troops in the field through the Internet.

Our words are the guiding principles by which the voters ultimately make their decision on who they want representing them here, and this week obviously is no exception.

Our words will carry on for many months to come. Our constituents are listening, as there is no issue more sobering or more somber than this one.

Over the last 4 days, though, I have been struck not so much by the rhetoric on display here but the effects this debate will have on the morale of our troops. Our words have carried much further than those living rooms this past week. This debate will inevitably make its way to our troops there in Iraq standing watch in some remote outpost, training Iraqi security forces.

This debate will inevitably make its way to the parents of our troops, their spouses, their children. These children will remember parts of this debate and will grow up learning just how much their country supported their parents during these trying times.

The talk also goes to the enemy, who is watching and listening to us in the caves, on the battlefield, the terrorist cells wherever they may be. They monitor what we are saying to learn of our resolve. So even if we just talk, we ought to be very careful what we say. The world is watching and listening.

And since we have the power to fund our military, I want to talk briefly. We have one Commander in Chief. The President's premise for going to war in both Afghanistan and Iraq has always been to go on the offensive. It is hard to prove a negative, but it is obvious we have not had one terrorist attack in the U.S. since 9/11. That is not all because of our decision to go to war in Iraq, but it is one of the reasons.

Everybody ought to know by now the basic mindset of the terrorist jihadists. They are attracted to volatile parts of the Middle East, where broken regimes make it okay to practice hatred and violence. They are looking for safe sanctuary that provides secrecy, communications capabilities and a basic infrastructure with which to concoct their next scheme. They plan and plot and wait to pounce in various hot spots around the world, just as they have done in Kenya, Tanzania, the USS *Cole*, Bali, Madrid, London. It is a low-grade world war.

If we finish this job, Iraq might be a place where people are more concerned with getting to work and raising a family than one where terrorists can plan attacks and sectarian violence is rampant. It won't be perfect.

And let's be honest about what is called sectarian violence. Where did that come from? A lot of it from terrorist organizations, al Qaeda foremost. It is provoked and prodded along because our enemies know it will test our resolve. Listen to the tapes of Osama bin Laden and Ayman al-Zawahari. They talk about it all the time.

What they want for themselves is for the U.S. to give up. They call us a paper tiger, a country that gives up when support wanes or when the going gets difficult. In their view, after we give up, they will claim victory and turn Iraq into a terrorist factory of training camps, weapons making and surveillance operations, all designed for the express purpose of waging the next attack in the U.S. or otherwise advancing this low-grade world war.

The President knows this, and we need to end this war. He has taken the input of others and readjusted our strategy and, as we speak, is readjusting our tactics. The Iraqis must take charge of their own security.

Our military is pressing for action, action from our own troops to quell the violence and action to get the Iraqi security forces trained, equipped and ready to act.

I hope to bring the Kentucky troops home, but not until the work is done. Oppose the resolution.

Mr. LANTOS. Madam Speaker, this is a bipartisan resolution, and I am pleased to yield 5½ minutes to my friend, the gentleman from North Carolina (Mr. JONES).

Mr. JONES of North Carolina. Madam Speaker, I am grateful to Chairman SKELTON and Chairman LANTOS for giving me the opportunity and the privilege to be part of this resolution, first of all, to thank our men and women in uniform for their service and, secondly, to question whether the sending of 20,000-plus troops to be policemen in Baghdad is the right thing or the wrong thing to do.

I think this has been a great debate, no matter which side of the aisle you have been on or which position you have had.

Madam Speaker, I want to say again, as I did 2 days ago, I know we cannot live in the past, but I will tell you, my heart has ached ever since I went to a Marine's funeral in April of 2003.

Michael Bitz died a sergeant, a sergeant who left a wife and three children, twins that were born 2 weeks after he was deployed. He never saw them. At the funeral, the wife read the last letter word for word. She cried, and I cried too, by God.

Then I started questioning. The intelligence given to the Congress and the American people, was it verified? Was it true? Then I started speaking out and asking for those who were on the inside, and I am going to read this to you today very quickly.

□ 1430

General Gregory Newbold, Marine general, and as far as I am concerned, he is a hero because he gave up a third star because he could not sit there and see the manipulation of the intelligence to send our troops to Iraq, and I quote very quickly from an article that he wrote for Time magazine, April 9, 2006.

"Two senior military officers are known to have challenged Defense Secretary Donald Rumsfeld on the planning of the Iraq War. Army General Eric Shinseki publicly dissented and found himself marginalized. Marine Lieutenant Greg Newbold, the Pentagon's top operations officer, voiced his objections internally and then retired, in part out of opposition to the war."

I further read from his writing to Time magazine. "From 2000 until October 2002, I was a Marine Corps lieutenant general and director of operations for the Joint Chiefs of Staff. After 9/11, I was a witness and therefore a party to the actions that led us to the invasion of Iraq, an unnecessary war. Inside the military family, I made no secret of my view that the zealots' rationale for war made no sense. And I think I was outspoken enough to make those senior to me uncomfortable. But I now regret that I did not more openly challenge those who were determined to invade a country whose actions were peripheral to the real threat, al Qaeda. I retired from the military 4 months before the invasion, in part because of my opposition to those who had used 9/11's tragedy to hijack our security policy."

He further stated, "To be sure, the Bush administration and senior military officials are not alone in their culpability. Members of Congress, from both parties, defaulted in fulfilling their constitutional responsibility for oversight."

These are not my words. They are the words of two-star Marine General Gregory Newbold who gave up the third star because he could not stay and see what was happening to our military and to this country.

Madam Speaker, I am proud to be part of this resolution. Debate has never hurt anyone. In fact, at the Armed Services meeting 2 weeks ago, a question was asked, either by my side or your side, Would this demoralize the troops? And General Pace and Secretary of Defense Gates said, no, it will not; they are smart, they understand. This is what freedom is all about is debate, disagreement, and discussion.

Madam Speaker, our troops have done a magnificent job, and they cannot afford to continue to be policemen in a civil war. It is not fair and makes no sense at all.

Seventy percent of the American people are opposed to this surge, and Madam Speaker, I want to read Retired Army Lieutenant General J. Garner, the first U.S. official in charge of postwar Baghdad. Madam Speaker, he said, "I don't know that the Iraqi Government has ever demonstrated ability to lead the country, and we shouldn't be surprised. You'll never find, in my lifetime, one man that all the Iraqis will coalesce around. Iraqis are too divided among sectarian, ethnic, and tribal loyalties, and their loyalties are regional, not national."

Let's pass this resolution, and God bless our men and women in uniform.

Mr. CARTER. Madam Speaker, I yield 1 minute to the gentleman from Ohio (Mr. BOEHNER), the minority leader.

Mr. BOEHNER. Madam Speaker, I want to thank my colleague from Texas for yielding and thank him and all of you for, once again, to have an opportunity to come and speak on the floor on this resolution.

The resolution before us is nonbinding, but it is the first step down a very treacherous path, a path that, if followed, will endanger Americans for generations to come.

Iraq is the central front in a global war between the United States of America and radical Islamic terrorists, a war that began long before the horrific events of 9/11, a war the American people did not seek and did not start.

It is mind-boggling to consider how fanatically committed our enemies are to destroying America, even at the cost of destroying themselves in the process. Our enemies recruit young people, fill them with hate and rage, and then send them on suicide missions to kill innocent victims. We face an enemy that loves death more than it loves life.

As Americans, we cherish freedom and democracy. Ours is a way of life. Theirs is a way of death, of murder, of suicide.

The global reach of radical Islam stretches from North Africa, through the Middle East, to South Asia, to Indonesia and to the Philippines.

The other side wants Americans to believe that the war in Iraq is different from the war on terror. They even say that we are not fighting al Qaeda in Iraq, ignoring the fact that al Qaeda has made it the central front in their war against America.

According to the experts, and according to their own words, radical Islamic terrorists will never stop fighting until much of the world is under Islamic law.

In 2004, Osama bin Laden said the following about the conflict in Iraq: "The whole world is watching this war and the two adversaries; the Islamic Nation . . . and the United States and its allies on the other. It is either victory and glory or misery and humiliation."

And our enemies are watching this debate, and through the Arab media we know what they are saying.

Recently, the second-in-command of al Qaeda issued a warning to moderate Muslims in Iraq and Afghanistan who are working and dying to build peace and security, and he said this: "These traitors in Iraq and Afghanistan must face their inevitable fate, and face up to the inescapable facts. America is about to depart and abandon them, just as it abandoned their like in Vietnam."

The consequences of failure in Iraq would be catastrophic for America and the world.

Last month, General Petraeus spoke of the very real possibility of Iraq's neighbors taking sides in sectarian violence.

Failing in Iraq would jeopardize Israel and greatly benefit Iran, a nation governed by a fanatic and actively building nuclear weapons.

The battle we fight in Iraq is the biggest part of our global war, and if we leave, the fight will, in fact, follow us home. And what we will leave behind is chaos, the same kind of chaos we left behind in Vietnam, the same kind of chaos we left behind in Lebanon, and the same kind of chaos that we left behind in Somalia.

Who does not believe that we will not see chaos in Iraq, destabilizing the Middle East and jeopardizing the very safety and security of the American people?

As Americans, we are fortunate in so many ways. We have so many blessings, including a great and proud history to inspire us. Earlier this week, I talked about President Lincoln and the challenges he faced during some of America's darkest days. During the Revolution, America faced down what was then the most powerful empire in the world, with a rag-tag army. We survived a Civil War that would have permanently divided any other Nation.

After a crippling depression in the 1930s, we defeated Japanese imperialism and Hitler in Germany. We then defeated the Soviet Union and their communist empire in a test of wills that lasted for a generation.

The greatness of America is exemplified in a simple short letter about duty and sacrifice. The letter was written by Marine Staff Sergeant Daniel Clay, the husband of my former staffer, Lisa Bell Clay.

Sergeant Clay was one of 10 Marines who were killed in Fallujah a little over a year ago, and he left behind this letter to his family in case he did not come home.

In it, he said, "What we have done in Iraq is worth any sacrifice. Why? Because it was our duty." He says, "That sounds simple. But all of us have a duty. Duty is defined as a God-given task. Without duty, life is worthless."

Our troops are not the only Americans who have a God-given task. If a noncommissioned officer can understand his duty, then certainly Members of Congress can understand theirs.

Congress has a duty to protect the American people now so that the next generation can enjoy prosperity and freedom.

Congress also has a duty to the men and women in uniform when we send them into harm's way, a duty to provide them with the full support and resources they need to accomplish their mission and return home safely.

My friends on the other side have described this nonbinding resolution as their first step. It is a first step. It is the first step in a plan to cut off funding and reinforcements for American troops in harm's way.

The next step is to micromanage the war through the budget process. To quote the gentleman from Pennsylvania (Mr. MURTHA), who said yesterday, "They won't be able to continue. They won't be able to do the deployment. They won't have the equipment, they don't have the training and they won't be able to do the work."

Mr. Speaker, at this very moment American troops are fighting radical Islamic terrorists thousands of miles away, and it is unthinkable that the United States Congress would move to discredit their mission, cut off their reinforcements and deny them the resources they need to succeed and return home safely.

The American people will not support a strategy that involves pulling the rug out from under American troops in the combat zone by cutting off their reinforcements and forcing them to face an enemy without our full support.

This resolution is nonbinding, but it is the first step toward a tragic, unthinkable goal.

Four years ago, this body agreed that fighting this war was a worthy cause. There have been setbacks where Members on both sides of the aisle are rightly dissatisfied with the results. But this is war. We face a sophisticated, determined enemy who wants to annihilate our way of life.

We have a duty to stand and fight against those who seek to destroy America and the freedom that defines us. Our troops are committed to fighting and winning this global war. We owe them our unfailing support.

I urge my colleagues to stand with the marines, the soldiers, the sailors and the airmen and vote down this resolution. I urge my colleagues to think about our duty, our duty to support our troops, our duty to protect the American people, and our duty to leave for our kids and their kids a safe, free, and secure America. Our soldiers are dying around the world to protect us, upholding their duty. Do we have the courage to uphold our duty?

Vote "no" on this resolution.

Mr. CARTER. Mr. Speaker, it is my honor and privilege to yield 7 minutes to an American hero, a hero of the State of Texas, a pilot in Vietnam, one of the longest serving prisoners of war of the Vietnam era and a personal hero of mine, Mr. SAM JOHNSON.

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Mr. SAM JOHNSON of Texas. You know, as he said, I flew 62 combat missions in the Korean War and 25 in Vietnam before being shot down. I had the privilege of serving in the United States Air Force for 29 years, attending the prestigious National War College, commanding two air bases, among other things.

I mention these stories because I view the debate on the floor not just as a U.S. Congressman elected to serve the good people of the Third District in Texas, but also through the lens of a lifelong fighter pilot, student of war, a combat warrior, a leader of men, and a prisoner of war.

Ironically, this week marks the anniversary that I started a new life and my freedom from prison in Hanoi. I spent early 7 years as that prisoner of war, more than half of that time in solitary confinement. I flew out of Hanoi on February 12, 1973, with other long-held prisoners of war, weighing just 140 pounds. And tomorrow, 34 years ago, I had my homecoming to Texas, a truly unspeakable blessing of freedom.

While in solitary confinement, my captures kept me in leg stocks, like the pilgrims, for 72 days. As you can imagine, they had to carry me out of the stocks because I couldn't walk.

The following day they put me in leg irons for 2½ years. That is when you have a tight metal cuff around each ankle with a foot-long bar connecting the legs. I still have very little feeling in my right arm and right hand, and my body has never been the same since my nearly 2,500 days of captivity. But I will never let my physical woes hold me back. Instead, I try to see the silver lining.

I say that because, in some ways, I am living a dream, a hope that I had for the future. From April 16, 1966, to February 12, 1973, I prayed that I would return home to the loving embrace of my wife, Shirley, and my three kids, Bob, Jenny, and Beverly. My fellow POWs and I clung to the hope of when, not if, we returned home. We would spend hours tapping on the adjoining cement walls about what we would do when we got home to America. We pledged to quit griping about the way the government was running the war in Vietnam and do something about it. We decided we would run for office and try to make America a better place for all of us.

So, little did I know back in my rat-infested 3-by-8 dark, filthy cell that, 34 years after my departure from hell on earth, I would spend the anniversary of my release pleading for a House panel to back my measure to support and fully fund our troops in harm's way; and, that just days later I would be on the floor of the U.S. House of Representatives, surrounded by distinguished veterans, urging Congress to support our troops to the hilt.

We POWs were still in Vietnam when Washington cut the funding for Vietnam. I know what it does to morale and mission success. Words cannot fully describe the horrendous damage of the anti-American efforts against the war back home to the guys on the ground. Our captors would blare nasty recordings over the loudspeaker of Americans protesting back home, tales of Americans spitting on Vietnam veterans when they came home, and worse. I don't think we should ever, ever let that happen again. The pain inflicted by your country's indifference is tenfold that inflicted by your ruthless captors.

Our troops and their families want, need, and deserve the full support of this country and the Congress. Moms and dads watching the news need to know that the Congress will not leave their sons and daughters in harm's way without support.

Since the President announced his new plan for Iraq last month, there has been steady progress. He changed the rules of engagement, removed political protection. There are reports we wounded the number two of al Qaeda and killed his deputy. And, yes, al Qaeda operates in Iraq. It is alleged that top radical jihadist, al-Sadr, has fled Iraq maybe to Iran, and Iraq has closed its borders with Iran and Syria.

The President has changed course, has offered a new plan. We are making progress. We must seize the opportunity to move forward, not stifle future success. Debating nonbinding resolutions aimed at earning political points only destroys morale, stymies success, and emboldens the enemy.

The grim reality is that this House measure is the first step to cutting funding of the troops. Just ask JOHN MURTHA about his slow-bleed plan that hamstrings our troops in harm's way.

Now it is time to stand up for my friends who did not make it home and those who fought and died in Iraq already, so I can keep my promise that when we got home we would quit griping about the war and do something positive about it.

We must not allow this Congress to leave these troops like the Congress left us. Today, let my body serve as a brutal reminder that we must not repeat the mistakes of the past. Instead, learn from them. We must not cut funding for our troops. We must stick by them. We must support them all the way. And, to our troops, we must remain always faithful. God bless you all. I salute you and this Congress.

Mr. CARTER. Madam Speaker, I yield back the balance of my time.

Mr. SKELTON. Madam Speaker, it is a privilege to share this body and this floor with the remarkable gentleman from Texas. I applaud him for his patriotism, his courage, and commitment to America.

Madam Speaker, we have had a long debate on this resolution. I have listened to critics, and I find it quite interesting that the criticism is focused almost exclusively on what this resolution doesn't say, rather than what it does.

Let me review, if I may. The resolution says two simple things: We support the troops completely, wholeheartedly, now and in the future; and we disapprove of the White House's plan to deploy more than 20,000 additional combat troops to Iraq.

That is what we are voting on today, and nothing said on this floor or in this Chamber will change the fact that that is what is before us.

I oppose the President's plan because it will embroil our troops even more deeply in a sectarian conflict. Some call this conflict a civil war, some call this more complicated than a civil war, and, either way, it is a conflict we cannot resolve and which ultimately cannot be resolved militarily.

The President's plan to deploy more troops is simply not the answer. It cannot fix the three irretrievable mistakes made in 2003 when the administration insisted on de-Baathification, dissolving the Iraqi army, and shutting down the state-run industries, throwing hundreds of thousands of Iraqis out of work and creating untold numbers of insurgents.

The President's plan hastily put together is insufficient in a number of ways:

It is insufficient in the requirements for progress it places on the Iraqi political system, the true center of gravity in this whole conflict.

It is insufficient in the support it provides to our combat forces both in terms of equipment as well as support forces.

And it is insufficient in the amount of training time it allows for deploying units.

As a result, under the President's plan, U.S. military forces will be less ready to go into during and after this troop increase; and, sadly, they could be stretched to the point of breaking. To the point of breaking.

Now, finally, I oppose the White House's plan because it will heighten the already unacceptable level of strategic risk currently facing our Nation, strategic risk that exists because our military is overcommited in Iraq and is ill-equipped and ill-positioned to respond to emerging crises elsewhere in the world. And this worries me, it worries me deeply.

I have been privileged to serve here in Congress slightly over 30 years, and over that time 12 significant military contingencies have occurred in which our military have been involved. Each of them occurred in an unexpected place and at an unexpected time. It will happen again. Right now, we are not prepared as we should be for an unforeseen military threat. That worries me.

Unfortunately, it is the magnificent, wonderful, courageous men and women of our military who will pay the price for that failure.

Madam Speaker, we must send the White House a message that cannot be ignored; and that is why we are here today. I urge that we pass the Skelton-Lantos-Jones resolution.

Madam Speaker, I yield back the balance of my time.

Mr. MORAN of Kansas. Madam Speaker, despite my belief in the inadequacies of the President's new strategy, to vote for the resolution with the troops already deployed is a step I cannot take. I am unwilling to—after the fact—say to them, I oppose your mission.

My vote should not be interpreted as approval of the administration's conduct of this war. I have had the opportunity to meet General David Petraeus, the new commander of the U.S. forces in Iraq. I believe he is one of the most capable military commanders America has available for this mission. General Petraeus has indicated there is a chance for success and that he will report to the American people in 6 months as to whether or not the President's plan is working.

Let us give the new leaders and the new strategy this short period of time to see if stability can be achieved—an investment necessary to ensure the lives lost and families damaged thus far have not sacrificed in vain.

Mr. BURTON of Indiana. Madam Speaker, given my tensure in the House of Representatives, I have seen more than my fair share of good and bad legislation come to the House floor. In addressing the nonbinding House Continuing Resolution 63, I would like to take a step back and call this bill what it is, it is a façade, and a political maneuver. If we are going to spend four days discussing a piece of legislation, if we are going to vote on something, we should vote on funding. Our power in Congress is the power of the purse. If the Democrats have an action item, we should get to the point; let us vote on funding the war in Iraq, and stop making pointless partisan political arguments.

However, all of my colleagues are aware that a vote to stop funding for the war will not pass, as the Republicans will not support it and many Democrats would oppose such legislation as well. This is true because we all have American resolve, meaning we will work together as a country to finish what we began.

American resolve does not quit when a situation gets messy, we do not tuck our tail between our legs and run away scared. My colleagues and I are also aware that our legislative agenda does not exist in a bubble; that there are many factors at play. If we do not have the intestinal fortitude in Iraq, how will we be viewed by other countries like Iran?

It is vital to our prosperity that the United States maintains her impenetrable stance in the international community. If the United States is seen as a Paper Tiger there will be many deep, far reaching implications; one of them being Iran's nuclear missile program, which threatens the safety of the world.

In addressing the real threat posed by Iran, Ambassador Gregory Schulte has explained that,

"The pursuit of nuclear weapons by the leadership in Tehran threatens Iran's neighbors and threatens the wider world community. In the Middle East, Iran's influence is rising. The fall of the Taliban and Saddam, increased revenues from the high price of oil, the electoral victory of Hamas, and the perceived success of Hezbollah in attacking Israel all extend Iran's shadow.

He also stated that:

"A nuclear-armed Iran could embolden its leaders to advance their ambitions even more aggressively across the Middle East. Even without detonating a single nuclear weapon, the mere possession of an atomic arsenal could encourage Iran's leaders to employ their conventional forces and step up terrorism to advance their regional ambitions. Iran, with Syria, is allowing terrorists and insurgents to use its territory to move in and out of Iraq and is helping to train and arm militants who are killing coalition forces and innocent civilians."

In today's news, it was reported that Iraq had to shut down its border with Syria and Iran. U.S. officials have long suspected Syria of allowing foreign fighters to cross its long, porous border into Iraq, and this past weekend evidence was presented of Iranian-manufactured weapons being smuggled into Iraq. We will be paving the way for Iran and Syria to be the victors if we do not allow our troops the full force of our assistance in Congress.

I would like to be the bearer of a positive aspect of our work in Iraq, highlighting some major accomplishments achieved by our leaders and troops. Here is the positive side of the story that is rarely brought to light or reported on in the mainstream media:

Free Elections are transforming Iraq. In 2005, Iraq held two parliamentary elections and a constitutional referendum, with turnout increasing each time cumulating in 76 percent of registered voters participating in the December 2005 elections.

Economic recovery is picking up. The International Monetary Fund estimates GDP grew by 2.6 percent in 2005, and is expected to grow by 10.4 percent in 2006, adjusted for inflation.

A stable currency, introduced in October 2003, has allowed the Central Bank of Iraq to manage inflation; the IMF estimates inflation was 32 percent in 2004 and remained stable at this level in 2005.

Iraq is rejoining the international community. It is on the road to WTO accession, and received both an IMF credit facility and its first World Bank loan in 30 years.

Debt relief agreements are helping Iraq with its economic outlook; Iraq has secured an agreement to forgive at least 80 percent of its Saddam-era debt.

Foreign and domestic banks are opening new offices.

The stock market established in April 2004 currently lists nearly 90 companies.

Iraq had virtually no cell phone subscribers in 2003. Today, there are more than 5 million cell phone subscribers, and an estimated 2,000 Internet cafes.

Seventy-seven percent of Iraqi businessmen anticipate growth in the national economy over the next 2 years, in a recent nationwide poll, and 69 percent are "optimistic" about Iraq's future.

In conclusion, we must stand behind our troops, military commanders, and our Commander in Chief. We need to finish the job and secure areas in Baghdad and the Anbar Province. We must secure the situation on the ground so Iraq can establish the rule of law. We must provide this secure environment so social and economic development can take place.

Finally, we must protect the population and critical infrastructure. These are fundamental elements of counter insurgency strategy. These fundamental elements simply have not been able to take hold due to the amount of insurgents in the area and their ability to overturn our previous work.

I beg of my colleagues to refuse to allow our troops to become a casualty of partisan rhetoric. If we want to win the war, then we have one option. Support them. Support the mission. Support the military intelligence officers focused on this victory. Refuse to quit, refuse to weaken, and allow the counter insurgency this chance to succeed.

Mr. ADERHOLT. Madam Speaker, today is a day that we will look back on and know that fundamental decisions regarding our Nation's history were made.

The discussions that we are engaged in will go a long way in determining our future in the ongoing global war on terror and Iraq's role in that fight. When this vote is cast on the nonbinding, Democratic resolution, we will be sending a message to the world. The only question remaining is what message will we send?

Will we say that America remains steadfast against the rising tide of hate and intolerance offered by militant Islamists? Will we say that we don't have the stomach to finish the fight against terrorists who actively seek to kill us and destroy our way of life?

The war in Iraq has become such a flashpoint that we struggle to separate the politics of the situation from the reality. The politics attacks the intelligence that led us to war, questions our Nation's elected leadership, and condemns the decisions made along the way. It leads to the resolution that we now have before us. The reality recognizes that we are at war now and our troops are putting their lives on the line each and every day. It says that if this is a fight that we believe in, a fight against global terrorism, we must do everything possible to support the men and women who are carrying it out on our behalf and never giving a hint to the contrary.

Unfortunately we are at a point today where some have forgotten exactly who and what we are fighting.

Prior to 9/11, we failed to understand the hate of people like Osama bin Laden and what could result from it despite all evidence to the contrary. In 1979, 66 American diplomats were held hostage in Iran for 444 days; in 1983, 241 Marines were killed in Beirut when their barracks was attacked; militant Islamic terrorists bombed the World Trade Center in 1993; 225 people were killed in attacks on U.S. embassies in Tanzania and Kenya in 1998; and, in 2000, 17 American sailors were killed when al-Qaeda attacked the U.S.S. *Cole*.

Today we are at a historic crossroads: we either boldly tackle the issue of militant Islam that exists on the Iraqi front and is part of this world-wide struggle, applying the lessons we have learned from the years leading up to 9/11, or we approach the issue as we naively demonstrated before 9/11 and expect more attacks and more American deaths.

The war in Iraq has gone on longer than any of us would have wished. We've seen too many funerals for too many sons and daughters, husbands and wives. To all those who have lost a friend or loved one, our hearts go out to you.

It should be noted that mistakes have been made, of that there can be no doubt. We must know without question what led us to this point, and that time will come. But now is not that time. Not while we still have American service men and women in harm's way. History will play its part, teaching us our mistakes and urging us not to repeat them. But we don't have the luxury of waiting on history to pass its judgment.

Without resolve, it is certain we will fail in Iraq and there will be far-reaching consequences for our Nation, the region and ultimately the world. Since September 11, there have been major terrorist attacks in Karachi, Bali, Moscow, Casablanca, Riyadh, Istanbul, Madrid, London and Amman. If we allow the terrorists present in Iraq to win, we can expect more of the same. We can expect to see another Afghanistan—a puppet government established to support and back the aims of their terrorist masters. This is totally unacceptable.

Victory in Iraq is our only option. It is the only path through which we can hope for peace. Without victory, our terrorist enemies gain confidence in their opposition to the United States and their ability to defeat us militarily. We embolden them and offer them the opportunity to further their attacks against American men, women and children.

The resolution that we are debating will send a message to the world. What will that message be? My fervent hope and prayer is that it will be a message of resolve, a message of strength, a message of victory.

Now is the time to support our troops in the field unequivocally and vote against this nonbinding resolution. We don't want anyone to construe our action here today as not fully supporting our men and women who serve us in Iraq.

Mr. INGLIS of South Carolina. Madam Speaker, I wish to address three questions here on the floor today: Where are we? Where do we want to be? How do we get there?

First, where are we? We're in phase 3 of a conflict in Iraq. In Phase 1 we overran Iraq in response to an American national security threat. We won.

Then came Phase 2. We were forwardly deployed; the terrorists brought the fight to us; we busted up terrorist networks; America was protected from further attacks. We won.

Now comes Phase 3. At best, Iraq is engulfed in a sectarian killing spree. At worst, Iraq has descended into a civil war.

So where are we? We're thankful for the incredible work of our military in winning Phase 1 and 2. We're aware—and I think all of us are aware—that only the Iraqi people can win Phase 3. We're united in imploring the Iraqi people to choose order over chaos; pluralism over theocracy; and freedom over authoritarianism. As we had the help of the French, the Iraqis have had the help the United States.

But just as it was only American patriots who could decide the future of our country, only Iraqi patriots can decide the future of their country. It is a neo-con mistake to charge our war fighters with building an Iraqi national consensus. Iraqis must decide for themselves if they want to live in a unified, peaceful and pluralistic Iraq. No amount of American military might can compel that result.

So where are we? Thankful for success in the outcomes that we could control; aware of the outcomes that we cannot control.

Where do we want to be? We want the Iraqis to take responsibility for their own country. The President is wisely pressing them to do so. We want the Iraqi leadership to make some key political decisions that could bring reconciliation. We want them to divide up the oil fairly, to allow banned Baathists back into positions of public trust and to develop a working model of pluralism.

We want the Iraqi leadership to know that they don't have forever, that they should settle these reconciliation questions quickly. We want them to know that we are not content to provide an overall security umbrella for their country while they dispatch death squads to kill their enemies and improve their sectarian positions. We want them to know that we're reaching for the button that would lower that umbrella. And we want to avoid the error of nation building.

The job of the U.S. military is to crush, kill and destroy the enemies of the United States.

They are not nation builders; they are warriors. And they do their jobs very, very well. As commanded, our military entered Iraq to destroy what we understandably believed were threats to our national security.

We were successful in destroying those threats and thereafter in interrupting terrorist networks. Those were outcomes that we could control.

Now we are rightly asked for inputs that we can control but we are faced with outcomes that only the Iraqi people can control. It is right to evaluate the quality of our forces' inputs, but wrong to hold them accountable for outcomes beyond their control. Diplomats, statesmen, peacemakers and everyday Iraqis must work with us to develop a path to progress—a path that has milestones along the way and which has rewards for meeting those milestones and consequences for failure. Our military must help plan the path because they are the most stable and trustworthy institution on the ground in Iraq and because they are experts at planning and logistics.

Since our military is in control of the "planning" input, they will rightly be evaluated on the basis of the quality of that planning. Because they are the most trained and capable force in the world, our military must also continue to provide protection for the decisionmakers as they plan the path to progress. The quality of that protection is an input that will rightly be evaluated.

Because they are experts at discipline and structure, our military must help define the agreed-upon milestones, the rewards for meeting those milestones and the consequences for missing them. The quality of those inputs will rightly be evaluated.

Because they are capable, our military must provide strength for the first steps on the path. The quality of that strength and the capabilities with which it is delivered will rightly be evaluated.

Having well supplied those inputs, the American military will leave Iraq successful—in Phase 1, 2 and 3. If the Iraqi people follow the path to progress to a peaceful, pluralist and unified Iraq, they will have been successful. The path may lead to something less.

Any lesser outcome is the responsibility of the Iraqi people. So we want a path to progress, and we hope for the blessings of liberty for Iraq.

Now. how do we get there? The President has ordered an increase in troop strength in Iraq. He thinks a surge in troops will give breathing room for the development of a path to progress.

I'm concerned that a surge will have the opposite effect—that it will give breathing room to the death squads, that our service men and women will be caught in the crossfire and that the surge will end right where it began. In fact, that's what happened in Baghdad in August and September of 2006.

I'm concerned that a surge sends a conflicting message. On the one hand we're telling them, "You don't have forever; you've got to make progress in solving these political questions; you've got to stop legging up on your enemies; it's your country." By surging, we may be saying, "Not to worry, we're increasing the size of that American security umbrella; there's no urgency; we're here to stay; in fact, more of us are coming."

I want all Iraqi factions and leaders of factions to worry. I want them to see us reaching for the button that would bring that umbrella down. I want them to imagine the click of that button and the feel of the wind from the descending umbrella.

The resolution before us isn't written the way I would have written it, but it's the resolution before us. Resolutions are the way that Congress discharges its constitutional responsibility to communicate with the President. This resolution says, "We disapprove of the surge."

Parties on both sides have added additional and conflicting meaning to those words. In the end, I just have to vote on the basis of the words. That's why I'm going to vote in favor of the resolution and express my concern about the effectiveness of the surge.

Unlike many others who will vote for this resolution, I will not follow it with a vote to cut off funding. Nor will I follow it with a vote to withdraw immediately. Both of those actions would be mistaken.

Some will say that I am too impatient and insistent for decisions from the Iraqi leadership. It's true that it took us nearly 100 years to figure out that slavery was antithetical to freedom. It took us even longer to figure out that women should have the right to vote.

But as I had the opportunity to say to one of Prime Minister Maliki's advisors in Baghdad in August, it is our right as Iraq's protector and our obligation to our servicemen and women to insist on a timetable for these decisions. I've only been to Iraq twice. Both times I found that the hardest thing was leaving.

While there, surrounded by America's best, I had the sense that I was at ground zero of mission and purpose. The Americans serving in Iraq are the most impressive people in the world. Everyone of them is a volunteer. Everyone of them, everyone of their predecessors and everyone of their non-deployed comrades has offered his or her life in preservation of our lives.

America's best deserve our best—our clearest thinking, our freshest analysis, our steadfast devotion. Forget the political consequences; protect no one's "legacy;" don't worry about "saving face;" make sound decisions; take decisive action. Tell them what their mission is. Discharge the Constitutional responsibility of the Congress. Give them a clear description of the inputs we expect from them. Evaluate them on the quality of those inputs but don't hold them accountable for outcomes they cannot control.

Ask them to do accomplishable things. Don't ask them to do the impossible.

No amount of force can cause someone to choose freedom, and freedom cannot be given—it must be earned. We have provided the conditions under which freedom can take root. Iraqis must nurture the seed and water it with their own sweat and blood.

If they do so, Iraq will enjoy the blessings of liberty. If they don't, our military will nevertheless have been successful.

Mr. MACK. Madam Speaker. I rise today to express my strong support for our country's troops as they defend our freedoms and protect our national security.

Today we are debating a non-binding resolution that threatens to undermine the morale of the very troops who are at the tip of the spear defending our shores. This resolution does a disservice to the very troops some in this body are pledging to support by voting for this today.

President George W. Bush has proposed sending additional troops to Iraq to give those currently in the field the necessary manpower and resources to win the war. In addition, the President has put in place a new leadership team and a new strategy in Iraq.

While we all know that mistakes have been made in the war in Iraq, I am inclined to support the President's new plan. But make no mistake: there must be new benchmarks, clearly defined goals, and we need to see real results soon.

Some in this body are using this resolution today as a first step to defund the troops in the field. Madam Speaker, choking off the funding for American troops serving in harm's way will do nothing more than embolden our enemies and ensure defeat.

Throughout our nation's history, millions of men and women have served the United States in times of crisis and need in the armed services. These men and women—and the soldiers currently in the theater of combat—have made sacrifices that must not ever be forgotten.

Madam Speaker, instead of debating non-binding resolutions that threaten to undermine morale and embolden our enemies, we should be helping our troops by making sure they have the support and resources they need to defend our country by fighting our enemies overseas. Madam Speaker, I encourage my colleagues to reject this political gimmick and vote against this resolution.

Mr. REHBERG. Madam Speaker, as an elected representative of our brave men and women serving in harm's way, every vote regarding war is a solemn matter.

Debate about the war in Iraq is necessary, required, and many important points were brought up over the more than forty hours of discussion.

No doubt about it, there have been setbacks in Iraq. And mistakes have been made on the ground and here in Washington. It's safe to say that all of us—the President, the Congress, and the American people wish we could have achieved stability in the region sooner.

However, I believe it's necessary to separate the resolution being debated in the House from the real issue. The real issue is that a failed state in Iraq would present a serious threat to the United States' national security interests, could allow terrorists to further establish safe-havens in Iraq, and could create regional and global unrest for many years to come. This is a threat we must not pass on to our children and grandchildren. September 11th showed us that terrorists can reach our soil and kill innocent Americans. We must fight this war on our terms, but on their turf.

This non-binding resolution, H. Con. Res. 63, is nothing more than an opinion about a strategy.

While opinions are interesting, solutions are necessary.

So I say to those who want to support this non-binding resolution: If you disagree with the strategy—put forward a plan; if you disagree with the tactics—put forward an alternative; if you disagree with the mission—put forward a solution."

A non-binding resolution means non-leadership; a non-binding resolution means non-accountability. A non-binding resolution is not a plan for victory.

This week, Congress has spent a lot of time debating one of the most important issues facing this body. Unfortunately, this legislation limited a true debate on the alternatives and direction we can take.

A real resolution on Iraq needs to include real benchmarks and real guidelines, not simply a vote of no confidence.

There are those of us who are willing to disagree with the President at the strategic, tactical or project level, and a true solution would be for Congress to debate the McCain-lieberman proposal. This bipartisan alternative not only reaffirms Congressional support for our troops, but provides military, political, and social benchmarks for the Iraqi government. This approach lays the groundwork for not only victory, but also brings our troops home as soon as possible.

We owe it to our troops and their families to provide the necessary oversight to ensure any new strategy is successful, while at the same time giving our troops confidence that Congress will not cut off their funding to settle policy disputes while they are separated from their families by distance and danger. I continue to stand, ready, willing and able to contribute to that oversight.

Mr. BRADY of Pennsylvania. Madam Speaker, I rise in support of this resolution, and I am in complete opposition to President's plan to send an additional 21,000 Americans into Iraq.

This ill conceived plan will only make a war that never should have started much, much worse. The generals don't want this surge. Our allies oppose it. 60 percent of the American people think it is a terrible idea and, the enemy is using it to boost recruitment. There is no conceivable reason for this surge. Yet, President Bush is pushing ahead with it.

I opposed the original Iraq war resolution because I didn't see the connection between Al Qaeda and Saddam Hussein, the evidence of an immediate threat from Iraqi weapons of mass destruction, or even compelling evidence of the existence of WMD. But, we went in anyway. We rushed off, unprepared, into a needless war that has killed thousands and scarred 10's of thousands of Americans and hundreds of thousands of innocent Iraqis.

Now, here we go again. It is time for this administration to end its policy of ready, fire, aim. It is time to begin a policy of ready, aim, fire. I urge all of my colleagues to listen to the American public, to our troops and to our friends around the world. Vote yes on this resolution.

Mrs. BONO. Madam Speaker, I rise today in opposition to House Concurrent Resolution 63, the non-binding Iraq War Policy resolution.

We are being asked today to vote on a non-binding resolution that stands as nothing more than a political statement on an issue that greatly transcends the politics of the Nation's capital. The importance of ensuring our troops have the supplies and equipment they require for battle is clear. Unfortunately, we haven't been able to use valuable time during this legislative week to address true tangible needs that exist for those with enough courage to stand up for the freedoms our country affords.

The importance of a stable and secure Iraq should not be underestimated, given the responsibility to assist the Iraqi people to further their personal freedoms. Sadaam Hussein's brutal dictatorship is one that cannot be soon forgotten. Those who share his world view of oppressing fundamental human rights must know that we Americans will continue to support policies that will protect all citizens from these radical and militant Islamic terrorist cells. This battle is only one front on the larger war on terror, and today's non-binding resolution does nothing to achieve more stability in the international community.

To me, supporting this resolution only serves the purely political purpose of second-guessing a decision already made to move forward by the Commander in Chief. Those voting in favor of this resolution appear only to have a hunger to score meaningless political points, while lacking an appetite for pursuing the larger goals of keeping our brave soldiers equipped as they strive to ensure the safety of our country and citizens abroad.

I would like to make clear that I have grave reservations regarding the current situation in Iraq. For too long, circumstances have limited our ability to reduce the sectarian violence plaguing this region, especially in Baghdad. It is critical that we see a greater commitment from the Iraqi government and the citizens of Iraq to help quell the insurgency. I question whether or not this increased level of force will accomplish the desired goal but I also respect the need to explore all options to stabilize the situation in this troubled country. My hope is that General Petraeus, given his extensive direct experience in training our troops on the ground, will have a strong sense of what can be achieved on the ground given the challenges of the future.

My vote today is not an open-ended endorsement of the policy in Iraq. Rather, I will continue to monitor closely the situation and encourage continued Congressional oversight of the war. Today's debate displays the different views that we hold on this matter, but we should be unified in our support of those who are moving forward to complete the mission at hand. Recognizing that continued difficulties lie ahead, we should again not be voting on a resolution that will achieve a political end, rather we should be looking for ways to help those soldiers who continue to carry out this mission or have returned from battle.

Our vote today is one that will be remembered as either for or against a decision already made by the Commander in Chief. In the short term, though, we should remember this nonbinding resolution serves no practical purpose in our larger fight against the war on terror.

Mr. WELLER of Illinois. Madam Speaker, I rise today in opposition to this two-sentence non-binding resolution which demoralizes our troops in the field while providing aid to our enemy during a time of on-going conflict. These brave men and women deserve the full support of their government, not second-guessing from politicians in Washington, DC. Instead of discussions regarding appropriate funding levels to support our troops, the Democratic majority has chosen to rebuke the conduct of the war while it is still occurring. This is reckless and ill-advised.

This resolution encourages our enemies to continue provoking our fighting men and women. America's enemies around the world are closely watching what we say and do today. By passing this non-binding resolution, Members of Congress are sending a vote of no confidence to our troops in the field and a message of surrender to our enemies.

I strongly believe it is not the place of politicians in Washington to devise military tactics and strategy. Congress must not tie the hands of our military commanders in the field. You cannot fight a war by committee, thousands of miles away. The responsibility of conducting America's military strategy and the tactics of our armed forces should be left to our military commanders on the ground.

The plan to increase the number of additional troops to the mission in Iraq should be given a chance to succeed. These 20,000 additional soldiers will assist the Iraqi government in its new, Iraqi-inspired security plan. As Prime Minister Maliki said, "This is 100 percent an Iraqi plan under an Iraqi Command."

The majority of U.S. forces will be deployed to Baghdad to assist in maintaining control of areas cleared of terrorists and insurgents. As our military commanders in the field have repeatedly told us, part of the problem in securing Baghdad comes from the fact that many of the insurgents lie in wait until American troops move to another area only to emerge and retake precious territory gained by hard battle. By having additional troops in the field, the Iraqis will have a better chance to capture all of the insurgents, including those who stay hidden, waiting to attack again.

Our commanders on the ground have given this plan a green light, and I will defer to them to make military decisions. We should keep in mind our top commander in Iraq, Lt. Gen. David Petraeus, has warned against passing this very type of resolution. Our troops have said they want the chance to finish the mission that has been started.

Our troops do not want Congress to conduct this war. As one soldier posted to a blog on February 5, 2007, "Proposing to legislate the conduct of this long war looks worse than cut and run. It feels like the betrayal of the families who bear the burdens."

Congress should not tell our soldiers how to conduct a war any more than Congress should tell a lawyer how to argue a case or a doctor how to perform a surgery. Congress's place is to support our troops by providing the funding they need to finish the mission that was started. If my colleagues are so strongly opposed to the mission in Iraq, they can vote to cut the funding of our soldiers in harm's way.

We must recognize the War on Terror requires perseverance and patience. American patience, however, is not infinite. The lack of visible progress in Iraq is deeply troubling. The Iraqi conflict has a crucial role in the war against al Qaeda. American troops are stemming the tide of a worsening situation. Failure in Iraq is simply not an option. It is important we in Congress demonstrate quickly our ability to win in Iraq before the situation gets worse.

This may well represent the Administration's last chance to demonstrate sustainable progress is securing the country. It is equally important; however, that Iraqis take ownership for their own country. Our troops, in whatever number, are not there permanently. The Iraqis must take an active role in shaping their country's future. Americans took control of America after the American Revolution; the Iraqis must do the same. The Iraqis must be made to recognize the need for Iraqis to control the future of their nation. Iraq's future should not be determined by Americans, only the Iraqis can and should do that.

In closing, I believe in and support our American troops. They have made tremendous progress in Iraq and should be commended for the actions towards making Iraq a country for the Iraqis. Since the declaration of the Global War on Terror, our brave men and women have worked hard to stem the tide of a worsening situation. Because of them, elections have been held in both Afghanistan and Iraq; the terrorist Abu Musab al-Zarqawi has been killed, former Iraqi dictator Saddam Hussein was captured, tried and executed, and more than three-quarters of al Qaeda's known leaders and associates have been detained or killed.

At the same time, Iraqis must assume responsibility for their country. Americans will not stay in Iraq forever; Iraqis must assume control of their country. We must recognize the War on Terror requires perseverance and patience. American patience, however, is not infinite. The Iraqi conflict has a crucial role in the war against al Qaeda and American troops are stemming the tide of a worsening situation. However, I believe the Iraqi people must take an active role in shaping their country's future. Iraq's future should not be determined by Americans, only the Iraqis can and should do that.

Mr. DEFAZIO. Madam Speaker, I have listened to some of the debate on this resolution. I have been disappointed by the misleading talking points and faulty analysis that have been repeatedly used by those who support the President's escalation of the war in Iraq.

Many speakers have tied Iraq to the broader war against al-Qaeda. These are two distinct wars. Iraq had not declared war on the U.S. Al-Qaeda had. Iraq did not attack the U.S. Al-Qaeda did. Iraq did not harbor al-Qaeda leaders. The Taliban in Afghanistan did. By shifting military and intelligence resources out of Afghanistan before the Taliban and al-Qaeda were wiped out the administration has actually undermined the important war against al-Qaeda. The administration's blunders mean the U.S. is at risk of losing two wars at once: Afghanistan and Iraq. The war in Afghanistan is salvageable and winnable. The war in Iraq will not be won by military means alone. Vigorous diplomatic efforts within the Gulf region, in addition to a political realignment within Iraq will be necessary .

U.S. intelligence agencies, including military intelligence agencies, have refuted the claim that the conflict in Iraq is driven by al-Qaeda. It is not. The violence is driven by a civil war, primarily between Iraqi Sunnis and Shias. The recent National Intelligence Estimate should definitively put that issue to rest.

Even the President has recognized that al Qaeda is not the driving force for violence in Iraq. In a speech on December 12, 2005, the President made important distinctions between the insurgent elements in Iraq. He mentioned "rejectionists," which are mostly Sunnis who miss the privileged status they enjoyed under Saddam Hussein. He mentioned "Saddamists", who are former regime elements who want to return to power. Again, they are Sunni. And, he mentioned foreign terrorists affiliated with or inspired by al Qaeda, which even the President acknowledged was the "smallest" element of the insurgency. The one huge element he left out was nationalist Shias, such as those influenced by radical cleric Moqtada al-Sadr.

The President and his allies justify the continuing U.S. presence in Iraq by claiming that if we don't fight there, we'll have to fight here at home. However, the Iraqi Sunni rejectionists, Saddamists, and nationalist Shias, who combined make up the vast bulk of the insurgents and militias committing violence in Iraq, have no interest and no capability to attack the U.S. homeland. They just want U.S. military forces out of their own country. U.S. forces are a target of convenience in their escalating civil conflict. It is deceitful to argue that if we don't fight there, we will fight them in the streets of the United States.

The war in Iraq is not a part of the war against al Qaeda. And, in fact the war in Iraq is undermining our fight against al Qaeda.

Some in this debate have made the ridiculous argument that if the U.S. leaves Iraq that somehow Osama bin Laden will take control and establish a safe haven for terrorists to attack the U.S. There is no chance that the Shias and Kurds, who represent around 80 percent of the population in Iraq, will allow Sunni foreign terrorist elements like al-Qaeda to take over the country. Even many Sunnis have grown tired of foreign terrorists operating in Iraq, with several Sunni tribes fighting al Qaeda operatives.

Iran and al Qaeda are the primary beneficiaries of the U.S. invasion of Iraq and the two entities that most want the U.S. to stay there. With respect to Iran, the U.S. removed a threatening neighbor of Iran's and helped put in power a fellow Shiite regime, in addition to tying down the U.S. military and sowing international discord that has limited our options in confronting Iran's nuclear program. With respect to al Qaeda, U.S. intelligence agencies have noted that Iraq is serving as a training ground for terrorists and a recruiting poster that is swelling the ranks of terrorist organizations and inspiring attacks around the world.

It is past time to end the open-ended commitment the President has made in Iraq. As long as the U.S. military remains stuck with the President's pledge of open-ended support, Iraqi politicians and security forces will use the U.S. presence as a crutch. They will continue to fail to take the necessary steps to solve their differences, establish an effective and inclusive government, end sectarian violence, and create the foundation for a secure and prosperous society.

Democracy and stability cannot be imposed on unwilling parties. As New York Times columnist Thomas Friedman said on Meet the Press, a stable, pluralistic democracy in Iraq is everyone's second choice except ours. The Shias want power for themselves. The Sunnis want power. And the Kurds want power and independence. What they don't want to do is share that power. The President's stay-the-course, more-of-the-same, status quo policy provides no incentive for the parties to reach the political compromises that are necessary.

Negotiating a timeline for bringing home U.S. troops with responsible parties in the Iraqi government would also boost the Iraqi government's legitimacy and claim to self-rule, and force the Iraqi government to take responsibility for itself and its citizens. Negotiating a withdrawal time line and strategy with the Iraqi government could, more than possibly anything else, improve the standing of the Iraqi government in the eyes of its own people, a significant achievement in a region in which the standing of rulers and governments is generally low.

As the Iraqi National Security Advisor, Mowaffak al-Rabaie wrote in the Washington Post on June 20, 2006, the removal of U.S. troops from Iraq, "will help the Iraqis who now see foreign troops as occupiers rather than the liberators they were meant to be. It will remove psychological barriers and the reason that many Iraqis joined the so-called resistance in the first place." He went on to write, "Moreover, the removal of foreign troops will legitimize Iraq's government in the eyes of its people . . . the drawdown of foreign troops will strengthen our fledgling government to last the full four years it is supposed to."

Being confronted with the reality of a U.S. withdrawal should force the Iraqi factions to reach the political compromises necessary to move their country forward. If not, there is no reason to prolong the U.S. involvement in Iraq if we want a stable country more than the Iraqi people and their elected leaders do. The U.S. cannot force Sunnis, Shias, and Kurds to make peace or to act for the common good. They have been in conflict for 1,400 years. Nor should the U.S. military be forced to remain in Iraq essentially as an army for one side of a civil war. Supporters of escalating the war may pretend that they're doing it for the Iraqis, but large majorities of both Sunnis and Shias approve of attacks against U.S. troops and want us to bring them home.

The President believes that the U.S. needs to escalate the war in Iraq by sending more than 20,000 additional troops to Iraq. I think that is a mistake. It will not bring stability to Iraq, and I oppose it. That is why I will vote for the resolution on the floor this week.

The administration blunders in Iraq are well-known. They went in with too few troops against the advice of military leaders like General Shinseki. They disbanded the Iraqi army. They failed to understand the ethnic tensions and power bases in Iraq. They purged the Iraqi government of the bureaucratic experience necessary to have a functioning government, among others.

I do not believe there is any level of U.S. troops that could stabilize Iraq at this point and resolve the underlying ages old sectarian conflicts. The time when more troops might have made a lasting difference has come and gone. There might be a small, temporary reduction in the chaos in Iraq, but the escalation will not solve the deep and underlying political conflicts that are preventing a long-term resolution to the violence.

The administration already increased the number of U.S. troops in Baghdad last summer in Operation Together Forward and has increased the number of troops throughout Iraq at other times as well, yet the violence against our troops and Iraqi security forces and civilians continues to increase. Short-term improvements in security in the wake of U.S. troop increases have always given way to the long-term trend of increased violence and a growing civil war.

Based on historical analysis, counterinsurgency experts, including General Petraeus, who is now the top U.S. General in Iraq but also recently rewrote the Army's counterinsurgency manual, estimate it takes around 20 U.S. troops per 1,000 inhabitants to successfully fight a counterinsurgency. To achieve that ratio in Baghdad alone would require 120,000 troops. Even with the increase proposed by the President, the U.S. would only have a third of that at best. For all of Iraq, it would require 500,000 troops. General Shinseki's original estimate that it would take several hundred thousands troops to invade and stabilize Iraq was based on this counterinsurgency literature. After the escalation we'll only have around 160,000.

The bottom line is that a proposal to increase U.S. troop levels in Baghdad or Iraq more generally by more than 20,000 is not a serious effort to restore stability to Iraq. As General John Abizaid, then the head of all U.S. forces in the Middle East, testified before the Senate Armed Services Committee hearing on November 15, 2006, "I met with every divisional commander, General Casey, the corps commander, General Dempsey, we all talked together. And I said, in your professional opinion, if we were to bring in more American Troops now, does it add considerably to our ability to achieve success in Iraq? And they all said no. And the reason is because we want the Iraqis to do more. It is easy for the Iraqis to rely upon us to do this work. I believe that more American forces prevent the Iraqis from doing more, from taking more responsibility for their own future." Essentially, the President is proposing to put more lives at risk with virtually no chance of changing the dynamic in Iraq.

A better strategy for Iraq is to announce a timeline negotiated with the Iraqi government for bringing our troops home over the next 6 months to a year. The administration has always set timelines for political developments in Iraq—for elections, for the drafting of the constitution etc. The administration argued such timelines were necessary to focus the energy of Iraq's leaders and to force compromises. We need to do the same on the military side.

In the interim, I have also proposed that U.S. troops be removed from front line combat positions in Iraqi cities and towns, turning over daily security patrols, interactions with citizens, and any offensive security actions to the Iraqis themselves.

The training and equipping of Iraqi security forces should be accelerated and the sectarian balance must be improved.

The U.S. must renounce any U.S. interest in constructing permanent U.S. military bases in Iraq.

It is also important to accelerate reconstruction spending and grant the bulk of reconstruction contracts to local companies employing Iraqis rather than multinational corporations, whom have proven inefficient, inflexible, sometimes fraudulent and have even imported workers rather than employing Iraqis.

The U.S. embassy in Baghdad should also be reduced to normal size and authority rather than establishing one of the largest embassies in the world.

And, the U.S. must engage in robust diplomacy with all factions in Iraq, except the foreign terrorists and domestic al Qaeda elements, and work with Iraq's neighbors in an effort to bring about political reconciliation among Sunnis, Shias, and Kurds.

Our troops have done all that has been asked of them in Iraq. Saddam Hussein is dead. His allies are on the run or in prison. The threat from WMDs in Iraq is nonexistent. Arguably, the war that Congress authorized has been won. Our troops should come home. Congress did not authorize U.S. troops to referee a civil war in Iraq.

Mr. CALVERT. Madam Speaker, I would like to submit for the RECORD an Editorial from the Wall Street Journal regarding the Iraq Resolution, H. Con. Res. 63.

[From the Wall Street Journal, Feb. 15, 2007]

AWAITING THE DISHONOR ROLL

Congress has rarely been distinguished by its moral courage. But even grading on a curve, we can only describe this week's House debate on a vote of no-confidence in the mission in Iraq as one of the most shameful moments in the institution's history.

On present course, the Members will vote on Friday to approve a resolution that does nothing to remove American troops from harm's way in Iraq but that will do substantial damage to their morale and that of their Iraqi allies while emboldening the enemy. The only real question is how many Republicans will also participate in this disgrace in the mistaken belief that their votes will put some distance between themselves and the war most of them voted to authorize in 2002.

The motion at issue is plainly dishonest, in that exquisitely Congressional way of trying to have it both ways. (We reprint the text nearby.) The resolution purports to "support" the troops even as it disapproves of their mission. It praises their "bravery," while opposing the additional forces that both President Bush and General David Petreaus, the new commanding general in Iraq, say are vital to accomplishing that mission. And it claims to want to "protect" the troops even as its practical impact will be to encourage Iraqi insurgents to believe that every roadside bomb brings them closer to their goal.

As for how "the troops" themselves feel, we refer readers to Richard Engel's recent story on NBC News quoting Specialist Tyler Johnson in Iraq: "People are dying here. You know what I'm saying. . . You may [say] 'oh we support the troops.' So you're not supporting what they do. What they's [sic] here to sweat for, what we bleed for and we die for." Added another soldier: "If they don't think we're doing a good job, everything we've done here is all in vain." In other words, the troops themselves realize that the first part of the resolution is empty posturing, while the second is deeply immoral.

All the more so because if Congress feels so strongly about the troops, it arguably has the power to start removing them from harm's way by voting to cut off the funds they need to operate in Iraq. But that would make Congress responsible for what followed—whether those consequences are Americans killed in retreat, or ethnic cleansing in Baghdad, or the toppling of the elected Maliki government by radical Shiite or military forces. The one result Congress fears above all is being accountable.

We aren't prone to quoting the young John Kerry, but this week's vote reminds us of the comment the antiwar veteran told another cut-and-run Congress in the early 1970s: "How do you ask a man to be the last man to die for a mistake?" The difference this time is that Speaker Nancy Pelosi and John Murtha expect men and women to keep dying for something they say is a mistake but also don't have the political courage to help end.

Instead, they'll pass this "non-binding resolution," to be followed soon by attempts at micromanagement that would make the war all but impossible to prosecute—and once again without taking responsibility. Mr. Murtha is already broadcasting his strategy, which the new Politico Web site described yesterday as "a slow-bleed strategy designed to gradually limit the administration's options."

In concert with antiwar groups, the story reported, Mr. Murtha's "goal is crafted to circumvent the biggest political vulnerability of the antiwar movement—the accusation that it is willing to abandon troops in the field." So instead of cutting off funds, Mr. Murtha will "slow-bleed" the troops with "readiness" restrictions or limits on National Guard forces that will make them all but impossible to deploy. These will be attached to appropriations bills that will also purport to "support the troops."

"There's a D-Day coming in here, and it's going to start with the supplemental and finish with the '08 [defense] budget," Congressman Neil Abercrombie (D., Hawaii) told the Web site. He must mean D-Day as in Dunkirk.

All of this is something that House Republicans should keep in mind as they consider whether to follow this retreat. The GOP leadership has been stalwart, even eloquent, this week in opposing the resolution. But some Republicans figure they can use this vote to distance themselves from Mr. Bush and the war while not doing any real harm. They should understand that the Democratic willingness to follow the Murtha "slow-bleed" strategy will depend in part on how many Republicans follow them in this vote. The Democrats are themselves divided on how to proceed, and they want a big GOP vote to give them political cover. However "non-binding," this is a vote that Republican partisans will long remember.

History is likely to remember the roll as well. A newly confirmed commander is about to lead 20,000 American soldiers on a dangerous and difficult mission to secure Baghdad, risking their lives for their country. And the message their elected Representatives will send them off to battle with is a vote declaring their inevitable defeat.

Mr. TIAHRT. Madam Speaker, I rise today in strong support of the brave men and women in our military. Thank you, and thank you to the families who have made so many sacrifices.

Today we are taking the first step towards defeat. No one likes where we are today, but our goal should be success, not to accept the defeat the Democrats are leading us towards.

I am very disappointed that the new Democrat leadership will not allow a true debate on what should be our focus today: what can we do to help achieve success in Iraq, and what metrics should we use to measure that success. That is the debate we should be having on the floor this week. Our military, our children, our fellow citizens, and the people of Iraq deserve nothing less.

Instead, this Democrat leadership is telling the brave men and women who serve in our military that their efforts have not been good enough and that they do not think they deserve the tools to fight this war.

We've been safe in the United States since September 11, 2001. But that is only because the Bush Administration and Congress and our brave troops took the fight to the terrorists. But it is by no means over. The United States remains a Nation at war. It's hard for Americans who do not have loved ones in the military to remember that sometimes.

We are not safe simply because we have not seen an attack on U.S. soil since September 11, 2001. We are safer today because of the professionals of the worldwide network of intelligence, military and law enforcement officials who continue to pressure and strike al-Qaeda and its followers.

September 11, 2001 showed us the danger of Islamic terrorism. It also taught us that we can't wait for them to come to us. We have to go to the root cause of terrorism and sever the root.

We are blessed with an outstanding military that has taken the battle to the enemy. It is very important that we take the fight to them in places where fortunately every American carries a gun—rather than on the streets of New York, Washington or Wichita, KS. And make no mistake, Iraq is where the terrorists have to come to fight.

Our most important duty as Members of Congress is to protect our Nation from ever experiencing the lesson of 9/11 again. For that reason, we must continue to focus on improving our national security, our homeland security and our intelligence systems. Today's resolution does the opposite and sends the exact message the enemy wants to hear.

Our enemy is not going away. The war in Iraq is a tough one, as is the overall Global War on Terror, GWOT. That is what the terrorist have promised in their letter, written by Ayman al-Zawahiri.

Just because it is tough does not mean that it is not worthwhile. The Democrat approach is dangerous and naive. We cannot put our heads back in the sands. Our enemies are ready to strike. Leaving Iraq will not mean the end to our troubles or to our enemy's plans.

Ayman al-Zawahiri, Osama bin Laden's chief deputy, has stated again and again that Iraq is the centerpiece of Al Qaeda's strategy to establish dominance in the Middle East and beyond. A July 9, 2005 letter from al-Zawahiri listed al Qaeda's objectives in Iraq. Let me remind my colleagues on the other side of the aisle what those objectives are:

1. Expel Americans from Iraq.
2. Establish an al Qaeda "emirate" in Iraq.
3. Extend a jihad from Iraq to secular states neighboring Iraq.
4. Clash with Israel.

Senator FEINGOLD and many other Democrats can't wait to pull out of Iraq and have introduced legislation to that effect. While I would like nothing more than to see our men and women home safely, I know that pulling out now would be a disaster for U.S. security and would only mean that those men and women would have to go back to the Middle East to fight a stronger, recharged enemy. Because the enemy knows that all he has to do is make life difficult for a couple of years and the United States will back down in retreat.

In this resolution, where is the Democrat plan for success, where is their plan to fight terrorism? What is the Democrat plan to stop al Qaeda from turning Iraq into a base of operations for worldwide terrorism if we leave? What is the plan to deal with Iran, who has already targeted the Shia majority, when they fund allies against Israel, America, you and me? These are the questions the American people need answers to.

Unfortunately, we have seen how the Democrats respond to terrorism, to those whose stated goal is to kill Americans and destroy our Nation. Their response is to ignore the problem and hope it goes away. September 11, 2001 was not the first time this enemy attacked us—there were numerous attacks preceding that horrible day—the first World Trade Center bombing in 1993, the 1998 bombing of our embassies in Tanzania and Kenya, and the bombing of the USS *Cole* in 2000. Our enemies are looking for signs that we will resume that attitude of ignorance. Today my colleagues on the other side of the aisle are telling our enemies that the United States does not have the wherewithal to fight the Global War on Terror. In fact, today's resolution will carry no weight—except with our enemies.

Let me put this war in perspective. On June 6th, 1944, General Dwight David Eisenhower sent 156,000 allied troops ashore in Normandy in the D-Day invasion. That is about 7,000 more troops than we will have in Iraq after the surge.

Now, Eisenhower was coming off of three pretty rough years in North Africa. The campaign there displayed the serious shortcomings in the Allies' ability to diplomatically engage the Vichy French, establish and maintain lines of communication and hold terrain in key locations. The Allied Forces were forced to retreat from engagements with the Germans in battles like the Kasserine Pass.

What if Congress, after assessing the difficulties in the North Africa Campaign, called on President Roosevelt to tie Eisenhower's hands? What if they asked Ike to pare back the D-Day landing party because it was just too risky?

We didn't have that problem because in 1944 Congress, like President Roosevelt, knew that we were fighting to secure the future of the world. After reading this resolution, I am convinced that the Democrats have yet to grasp the importance of today's struggle.

What will happen if we pull out now? What will the Middle East look like?

Iraq will become utter chaos, violence will only increase and terrorists will have an unchallenged base of operations. It is likely that Shia extremists would dominate Iraq. Iran is eager for this to happen so that it can control Iraq. This is extremely worrisome. President Bush was correct when he labeled Iran one of the axes of evil. We know that Iran is gaining the capabilities to become a nuclear power. Iran is also collaborating with many radical Islamist groups, including Hezbollah and Hamas. With Iraq also under its thumb if the U.S. pulls out, this could cause a regional war that threatens Jordan, Saudi Arabia and Israel. It is hard to see how the U.S. could avoid being drawn into such a conflict. This would put our troops in an even graver situation than they are today, with less hope for success. It also will reverberate through our economy at home, with skyrocketing oil prices.

The Democrats need to understand the reverberations of defeat.

House Republicans take our role in Iraq seriously, and we want to see success. Our leadership has called on the Speaker to appoint a bipartisan select oversight committee to monitor and implement the effectiveness of the President's new strategy. Instead of taking this responsible suggestion, what is their response? Spending a week on a do-nothing resolution to embarrass the President and encourage our enemies. Even in the majority, they are still more comfortable with being the party of "no" rather than the party that governs.

Republicans on the other hand have a plan, because we know that success in Iraq means a safer, more secure America. We have proposed strategic benchmarks to measure our effectiveness. We are prepared to work with the Democrats to construct a plan for success in Iraq. The Democrat leadership will not allow us to present our plan this week because they do not wish to see success in Iraq, they want to pull out despite its effects on Iraq and the United States. We need to support our military, our new Secretary of Defense, and our Commander-in-Chief as they work to achieve success in Iraq and the Global War on Terror.

I leave you with a question a constituent asked me recently: If the Democrats get their wish and we pull out of Iraq without attempting to achieve victory, what happens the next day? Unfortunately, we know that answer because our enemies have made it clear: they bring the fight to the United States.

Mr. RADANOVICH. Madam Speaker, I thank you for the time to debate the very important issue of the war in Iraq. The resolution we are debating today is technically non-binding—however, we must not discount the influence of the words of this body. I am here today to reiterate to the American people that the war in Iraq, as a part of the larger Global War on Terror, is absolutely vital to the security of our great nation as well as the rest of the free world.

It is true, we were led into this war with poor intelligence; yet intelligence that every major fact-finding and data-gathering agency in the world believed to be true. Nevertheless, spreading freedom to the Muslim world is our best long-term strategy in the Global War on Terror.

Four years after the invasion of Iraq, our brave military men and women are still actively engaged in combat, and their actions have not gone without great achievement—the Iraqi people participated in their first true democratic election, they have established a representative government, elected a parliament and written an Iraqi constitution. These great accomplishments should not be brushed off as mere side notes, because to do so would diminish the achievements of the Iraqi people and the tremendous courage of our soldiers; some of whom have bravely given their lives for the chance an Iraqi citizen would be able to vote and live free from fear.

The establishment of a democracy in the Middle East is fundamental to winning the Global War on Terror. The United States is in our 231st year of a democratic government, and as I am sure many of my colleagues will agree—we haven't exactly perfected it yet. The Iraqi people are barely in their second year of a democratic government. The Iraqi government needs time to grow their citizens' confidence in the institution of democracy and become a stabilizing force in the region. We must help them achieve this.

We are fighting an enemy who does not believe in democracy, freedom, or the inherent value of human life. These radical Islamic terrorists see a democratic Iraqi government as a direct threat to the mayhem and havoc they seek to impose on the free world. To retreat from Iraq—to wave a white flag in submission to these terrorists, would only worsen the instability we now see in the region, and embolden terrorists around the world.

When the United Sates ridded Iraq of Saddam Hussein, we committed ourselves to assisting the new Iraqi government become self-sustainable. The President has consulted his commanders in Iraq, who have heard from the soldiers on the ground. The result of these hours of consultation has led the President to ask for an increase in troops so we may finish the job we set out to do. I ask my colleagues to trust the military commanders, and allow our courageous military do their job. I ask my colleagues to not support this resolution.

Mr. SIMPSON. Madam Speaker, I rise today not because I want to take part in this debate, but because I am ashamed that this Congress is engaging in it at all.

I've heard a lot of posturing so far this week. I've heard a lot of hyperbole and a lot of revisionist history. I've also heard some things that just don't mesh with reality. I don't think that everything my colleagues say is completely honest. So for a moment, let's be honest—because that is the least we owe to our constituents and to the men and women who are fighting this war.

I am willing to admit that if Congress knew in 2002 what it knows today it might not have voted to authorize the war. Knowing that Saddam Hussein apparently did not have weapons of mass destruction, Congress might have preferred to contain him, perhaps bomb him, strengthen international sanctions, and work with our allies in the region to undermine his regime.

But we can't go back to 2002 and redo that vote. We have to deal with the situation that is currently before us. And what is before us right now is a Congressional resolution that undermines our troops while they are in the middle of fighting a war that Congress sent them to fight. I do not understand why my colleagues on the other side of the aisle don't see that.

For just a moment, I want to ask my colleagues to put themselves in the positions of the thousands of soldiers on the ground in Iraq. What would you think if you learned that the very people who sent you to fight this war are now saying that they don't support what you are doing? On the ground in Iraq, there are two things that keep you going: the thought of returning home to your family and the knowledge that you are doing something to protect your nation from terrorism. But if Congressional Democrats have their way today, they will take away from our soldiers the support of their Congress and of their country. What a terrible message to send to these brave soldiers.

For just a moment, put yourself in the shoes of the terrorists. What would you think when you heard the U.S. Congress is voting against the war? You would think you were winning. You would be encouraged by the news. You would think that everything Osama Bin Laden had said about Americans had been true all along. You would think that Americans cannot stand bloodshed and will cower from the fight. You would think that they don't have the stomach for a long-term battle and if the terrorists just hold on, the United States will eventually leave with its tails between its legs. What a terrible message to send at the exact moment that we are preparing to send more troops into battle.

At some point, my colleagues across the aisle have to let go of the fact that their new-found opposition to the War in Iraq is popular in their districts and act in the best interests for the future of our Nation. This resolution isn't a diversion, a side-show, or even a shot across the bow. It is a dangerous message to send.

I don't say any of this lightly and I don't say it for political reasons. I say it because I mean it. In 2006, I was the only Republican to vote against the rule when my party tried to embarrass Mr. MURTHA. Then, I thought that my party was playing games with the war and I refused to support that effort. Today, I think that the other party is playing games with the war and I refuse to have any part of this.

I would rather we consider a motion to pull all of our troops out of Iraq immediately than vote on this Democrat resolution that undermines our troops while at the same time puts them in harm's way. This resolution is the worst of all worlds.

My final thought today is that it is clear to many of us that this resolution is simply a Democratic attempt to embarrass President Bush. My friends across the aisle know they can not impeach him. They know they can not change the fact that many of them voted for the War in Iraq. And most of them recognize the dangers of voting to defund the war. So instead, they are trying to embarrass the President.

I say fine, embarrass the President. Send him a message that you are now in charge. Remind him that voters demanded change last November. Do whatever you need to do, but don't undermine our troops in the process. Leave them out of your plans for payback because they did nothing to attract your anger or frustration.

Madam Speaker, what we are doing today is wrong. We're better than this. We're smarter than this. We're above using the war, and our troops, for political gain. What the Democrats are doing with this resolution is not just intellectually dishonest, it is morally bankrupt.

Mr. DOOLITTLE. Madam Speaker, five and a half years ago, our Nation was attacked by terrorists opposed to freedom and individual liberty. Our President vowed to keep Americans safe by taking the fight to the terrorists, and holding the regimes that support them accountable. We are currently engaged in that fight. Like any war this size, mistakes have been made, but we must continue to progress.

The consequences of failure in Iraq would be dire. Allowing al-Qaeda the opportunity to gain a safe hold would be dangerous to Americans. Leaving before the Iraqi government can defend itself would only lead to further destabilization, and open the door to outside influence from countries such as Iran, which has called for the downfall of our society and for the destruction of Israel, our ally in the Middle East.

With violence headlining the nation's nightly news, at times we forget that successes have been achieved. Through successful elections which achieved a 70 percent turnout, we know that the citizens of Iraq have rejected the brutal rule of Saddam Hussein, and strive for peace and prosperity. But violence supported by al-Qaeda, the remnants of Saddam Hussein's government, and armed militias, have created difficult conditions for diplomacy.

Our President, working with a wide range of involved professionals, has created a new strategy to ensure progress in Iraq. James Baker and Lee Hamilton, the leaders of the Iraq Study Group, have called for support of the President's plan. General Petraeus supports the President's plan. But Democrat leaders are bringing a non-binding resolution to the floor, denouncing the President's objectives.

This resolution, without any power of law or policy objective, is merely political gamesmanship, and it is dangerous to Americans and our troops in harm's way. We are in the midst of an ongoing military operation; our soldiers are engaging al-Qaeda and violent insurgents. We have set objectives, but Democrat leaders want us to vote on a resolution that sets us up for failure and attempts to retroactively impede a military operation that is currently underway. General Petraeus has stated this will only embolden the enemy, and I agree.

Many Democrats have stated this is only the first step toward cutting the funding for our troops in Iraq, and forcing a withdrawal before stability has been achieved. But the majority offers no plan to achieve stability. Without any other alternative, withdrawal can only lead to defeat.

Our troops should have every confidence their government will ensure they have the necessary supplies and funding to achieve their mission. Military leaders should be able to move forward with their directives without fear that Congress is working to tie their hands. Yet this objective has been the stated one of the majority: to precipitate a withdrawal by slowly cutting off funding to our soldiers. I believe this is the wrong approach to supporting our troops currently involved in the military operation.

This resolution does nothing to win the war, and by not allowing amendments or other measures to be considered, true debate is being restricted. It is my hope, for the safety of our troops and for the good of the Nation, that all members of the House may reject this political maneuver and truly stand behind those men and women called to duty by our Commander in Chief.

Mrs. JO ANN DAVIS of Virginia. Madam Speaker, due to my recovery from a medical procedure, I regret that I am unable to participate in the debate on the resolution that is before the House of Representatives today. The Iraq War Resolution offered by the Democratic majority is nothing more than a political exercise, and does nothing to support our troops or help solve the issues that we are facing in Iraq. The resolution offers no solutions or recommendations, but instead criticizes an action that is already underway. As ranking member of the Subcommittee on Military Readiness in the House Armed Services Committee, I am open to supporting legislation that actually presents solutions to stabilizing Iraq. Unfortunately, this resolution does not provide anything other than criticism, and I would have opposed this resolution if I had been in Washington, DC for the vote.

Mr. GUTIERREZ. Madam Speaker, I rise today in strong support of this resolution.

Four years ago, President Bush plunged our Nation into a misguided, pre-emptive war with Iraq. I voted against authorizing it then—and I have come to the floor today to affirm my strong opposition to this irresponsible war.

Unfortunately, after 4 years of failed strategies by this administration, the President is now poised to confound his tragic blunder, and ignore the will of the American people, by attempting to increase our presence in Iraq. And that is why this resolution is so important. Because it sends a strong statement. A statement that the vast majority of the country supports. And that is: escalating our presence in Iraq will not lead to success in the region, and more blank checks will not make America more secure.

Madam Speaker, our brave men and women in the military have done all that is asked of them over the course of the last 4 years. They are heroes who represent the finest our country has to offer—and they should be treated accordingly. But, from day one, this administration has spent more time planning its attacks on those who offered legitimate criticisms of the war and its tactics, than it has on planning for a stable and peaceful reconstruction of the region. And the results have been devastating and unworthy of our brave men and women serving in harm's way.

Enough is enough. Troop surges have not worked in the past, and there is no evidence that the same failed policies will work today. In fact, former Secretary of State Colin Powell said in December, "I am not persuaded that another surge of troops into Baghdad for the purposes of suppressing this communitarian violence, this civil war, will work." Yet, this administration continues to ignore the guidance of military experts, the Iraq Study Group, diplomats, decorated war heroes and former senior White House officials of both parties.

And rather than being open to debate and discussion with these experts, this Administration has routinely attacked their character and questioned their patriotism. Many of these individuals have bled on the battlefield. But to this administration, and its swift boat strategists, they are treated merely as political pawns. It is truly shameful.

Because of this Administration's hubris, we have seen troops without proper equipment, without basic body armor, without vehicles equipped to deal with roadside bombs and without the appropriate veteran's services when they return home.

Because of their ignorance, we have seen giant banners saying, Mission Accomplished, when today Iraq has spiraled into a bloody, religious civil war.

Because of their arrogance, we were told that we were going to be treated as liberators, not as occupiers.

And because of their incompetence, we were told that future oil revenues would more than cover the cost of the reconstruction.

They could not have been more wrong. The cost of the war continues to grow at an outrageous rate. To date, we have spent approximately $379 billion on this war, with estimates from some experts saying that the total long-term cost could exceed $1 trillion.

Think about that for a minute: $379 billion spent, more than $8 billion a month. That is enough to fully fund Head Start—100 times over. To give virtually every student in America a computer. Pay for prescription drug coverage for virtually every senior in our Nation. Offer summer jobs to every teen in our country. Put hundreds of thousands of additional police officers on the streets. Provide millions of scholarships to public universities for deserving students. And pay the salaries of millions of public school teachers.

But what do we have to show for that $379 billion—a country plagued with hardened religious sectarian violence.

Madam Speaker, it is time to stop this charade. It is time for the truth. It is time for the administration to really level with the American people.

Resurrecting and rehashing failed policies of the past is not the answer.

Real action is needed. Leadership is needed. Courage is needed. And that is why we are engaged in this debate—to stand up to the deception and the dishonesty.

We are here today to begin to set our strategy back on the right course. To protect our soldiers. And to ensure that we can win the real war on terror.

Madam Speaker, we are here today as patriots because we love our country. We are here because we support our troops. And we are here because we want our troops to be able to come home to their families and loved ones.

Thank you, Madam Speaker, I urge a "yes" vote on this important resolution.

Mr. MARCHANT. Madam Speaker, I stand before you today, offering a candid reflection of the tasks before us. As someone entrusted to be a leader in this great nation, I find myself humbled by the decisions we make and the traditions of this institution. In times of hardship, America has often looked to the House of Representatives, the "people's house," as a place for deliberation and decision. Many great leaders have preceded our place in this Chamber, and many more will undoubtedly follow. By design we find ourselves here again today, in the footprints of those who stood so firm against the winds of adversity. It was in this very room that President Franklin Roosevelt so famously addressed the Nation after the tragic events surrounding Pearl Harbor had unfolded; and Members of Congress were faced with the daunting effort of placing our nation in a second world war.

America was forged long ago as a beacon of democracy, shining bright onto the shores of the world. Ever since our bold proclamation to others that we would shelter "your tired, your poor, your huddled masses yearning to breath free," we have called on this body to answer the question: How tired, how poor, how yearning must the oppressed be to warrant our assistance? And so we find ourselves here today, paused at an intersection on the road of democracy. Will we turn back and embolden those that oppress the free and murder the innocent? After careful consideration, I must vote against this resolution and choose instead to follow the path blazed by those who pledged our commitment to freedom.

On September 11, we were forced to witness the consequences of a decade of inaction against a determined enemy. Osama bin Laden and other radical Islamists, have declared war on every American, for no other reason than we practice freedom and democracy. Beginning in the 1970s, radical Islamists began targeting America with a steady campaign of terror. Although the images of that tragic September day remain seared in our minds, it forced us to awaken from our long period of denial and realize the true determination of our enemy. The war in Afghanistan and subsequent invasion of Iraq have discouraged any major terrorist attack from occurring on our soil in the last 5 years. Our enemy is patient, calculating, and determined. However, by supporting Iraq's efforts to become a free and Democratic society, we have forced the terrorists to focus their resources in the Middle East and away from American soil.

The only impact this resolution will have: is embolden our enemy and convince them of our weakness. The overall commanding officer in Iraq, General David Petraeus, recently agreed that a resolution such as this would only "give the enemy some encouragement." Although I will continue to be an advocate of free speech, we must remain aware of our speech's impact. One can only imagine the result here at home if we formalize a resolution of no confidence in this body.

As a member of this body, I have made clear my support for the war in Iraq and our fighting men and women. I stand behind our military and appreciate the importance of our mission, but am also aware that some mistakes have been made along the way. War is unpredictable and we can do no better than by putting our armed forces in the capable hands of our military leaders. We owe it to the generations of Iraqi's murdered under the reign of Saddam, and our brave country men and women who have paid the ultimate sacrifice, to move forward with our mission.

The decision to commit our military to harm's way, is the toughest made of any leader. Some of my colleagues in Congress will argue that we cannot afford to vote in approval of the job our military men and women have done in Iraq. After looking at the facts, I say we can't afford not to. This non-binding resolution being offered by Democrats, is little more than a political sound bite. Although I have respect for many of my colleagues across the aisle, I urge them to consider the negative effect this resolution will have.

It should be clear to all that have listened to this debate, that this resolution is the first step by the majority party in their quest to cut off funding for our troops in Iraq. This is not fair to our soldiers on the ground and it dishonors the fallen and injured heroes that have so bravely served this Nation.

Mr. DELAHUNT. Madam Speaker, "this is a dangerously wrong-headed strategy that will drive America deeper into an unwinnable swamp at a great cost. And if it's carried out it represents the most dangerous foreign policy blunder in this country since Vietnam."

This assessment the Bush escalation policy was made by the Republican Senator from Nebraska, CHUCK HAGEL—a decorated Vietnam veteran who originally supported the invasion of Iraq.

And I concur with his observation. But his conclusion should come as no surprise. After all, this administration's Iraq policy has been a series of mistakes and bad choices from the beginning.

The Bush/Cheney team was obsessed with Iraq. In fact, according to former Secretary of the Treasury Paul O'Neill, their very first National Security Council meeting focused on Saddam and Iraq. Just days after President Bush was inaugurated. And a map, noting Iraqi oilfields and potential bidders for oil contracts, was presented for review. That was in February 2001. Months before 9/11.

We all remember that awful day in September 2001. When America was attacked by al Qaeda. Not Iraq. But by al Qaeda. Nevertheless, almost immediately, plans for attacking Iraq were initiated. With the Vice President as its most vigorous advocate. Secretary Powell is reported to have observed that the Vice President had "the fever"—war fever.

Former counterterrorism czar Dick Clarke has described how, even as the smoke was still rising from 9/11, the administration began looking for ways to use it to attack Iraq.

The American people were told that Saddam Hussein possessed weapons of mass destruction. That he was a clear and imminent threat. That he was an ally of al Qaeda. That if we did not invade Iraq, there could be mushroom clouds over American cities.

None of that was true. To the contrary, there was plenty evidence that the secular Baathists of Saddam Hussein's regime and the religious fanatics of Osama bin Laden's al Qaeda were rivals. In fact bin Laden had publicly condemned Saddam as an apostate who had corrupted Islam and repressed Muslims. There was little evidence that Saddam's regime possessed nuclear or biological weapons, or—even if it did—that it would share such materials with an uncontrollable group of apocalyptic terrorists like al Qaeda.

But the administration did not listen to those who knew what they were talking about. Professionals like Greg Thielmann, the Director of the strategic, proliferation and military issues office in the State Department's Bureau of Intelligence and Research. He told me personally that in his professional opinion, after years of studying the issue, Saddam did not have a nuclear weapons program.

Instead, the administration relied on the likes of Ahmed Chalabi. An embezzler who had been convicted in Jordan of bank fraud. Who is alleged to have provided Iran with information about U.S. troop movements. And who is presumably still under investigation by the FBI.

Chalabi provided so-called "defectors" from Iraq who—surprise, surprise—said exactly what the Administration wanted to hear. The most notorious was codenamed "Curveball"—how appropriate—and was the source of the now-discredited claim about a mobile bioweapons program. The German intelligence agency warned that the man did not live in Iraq and described him as an "out of control" and mentally unstable alcoholic. It later turned out that he was the brother of one of Chalabi's top aides. But he was one of the primary sources for Secretary Powell's statement at the United Nations that convinced many to support the war.

Furthermore, in the lead-up to the invasion of Iraq, the administration told the American people that it would be easy. That we would be greeted as liberators. That Iraq would pay for its own reconstruction. And that peace and democracy would flourish.

None of that was true. The American people were sold a bill of goods. But those of us who raised doubts were ignored. Some even questioned our patriotism.

But the responsibility for this mess is not the President's alone. It is shared by the preceding two Congresses, which abdicated their constitutional responsibility to oversee and review the conduct of the war and the occupation. We will never know if serious oversight and insisting on answers over the past 4 years would have made a difference.

But we do know that thousands of Americans and Iraqis have died. Billions of American and Iraqi taxpayer dollars have been wasted. The Middle East is on the verge of a war that could devastate the region and the global economy. And terrorist groups are multiplying because of Iraq. Some confuse the war on Iraq with the war on terror. But that could not be further from reality.

The fact is that the war in Iraq has severely damaged our efforts to fight al Qaeda and terrorism. That's not just my judgment: that's the consensus judgment of U.S. intelligence agencies. In April 2006, they prepared a National Intelligence Estimate. It represents the consensus judgment of the entire U.S. intelligence community. Here's what it said:

> The Iraq conflict has become the "cause celebre" for jihadists, breeding a deep resentment of U.S. involvement in the Muslim world and cultivating supporters for the global jihadist movement.

Meanwhile, the war in Iraq has done nothing to stop al Qaeda and its affiliates from launching attacks around the world. I refer you to a Dear Colleague letter sent by two of our Republican colleagues which clearly describes that reality. It includes a list of attacks that plainly demonstrates that terrorism is global in nature. While we are stuck in the sands of Iraq, radical Islamists are launching major assaults everywhere. Because this Administration, as a result of its bungled misadventure in Iraq, has hurt our efforts against terrorism.

Remember, we were attacked on September 11, not by Iraq, but by al Qaeda. Which was based in Afghanistan. And we responded, with worldwide support, by going to war against al Qaeda and liberating Afghanistan from al Qaeda's allies, the Taliban. But then what happened? The administration took its eye off the ball. And invaded Iraq. It's as if we had responded to the Japanese attack on Pearl Harbor by invading Mexico. Even though we had not yet defeated al Qaeda, the administration pulled intelligence and Special Forces assets from Afghanistan in order to prepare for the invasion of Iraq. Now we are in danger of losing Afghanistan to al Qaeda and their Taliban allies.

Enough. As Senator HAGEL said, this is "Alice in Wonderland . . . it is folly." And the American people know it. It's time to get back to fighting the terrorists. It's time to concentrate on victory in the war on terror.

Oppose the escalation. Support the resolution.

Mr. JOHNSON of Illinois. Madam Speaker, I rise today to address the President's plan to deploy an additional 21,500 American troops in Iraq. I oppose this course of action and feel that contributing more troops to this war is not in the best interest of our country.

One only needs to look back on the timeline of events in Iraq to realize how much we have given that country. From the deposing of Saddam Hussein and his ruthless heirs, to the drafting of a constitution and free elections, the United States has fulfilled its role in liberating Iraq. However, the sacrifices our country has made must be met by an even stronger commitment by Iraq's leaders to face the challenges of a fledgling democracy and ensure the safety and freedom of its own people.

Our troops have served with tremendous bravery during this nearly 4 year endeavor. The resolution we are discussing today contains a pledge that Congress will "continue to support and protect" our courageous men and women who are serving or who have served in Iraq. This is a promise we must keep and I will work with like-minded colleagues to ensure that the members of the United States Armed Forces continue to have the resources they need while they are in harms way and after they return home.

However, I am in disagreement with the President on sending 21,500 more troops to Iraq because the time has passed for the leaders and citizens of Iraq to ascend and defend their country. The people of this country sent a message to the Congress a few months ago and my constituents have made it increasingly clear to me that they do not support the escalation of U.S. troop involvement amidst the seemingly endless sectarian strife inside Iraq.

Therefore, I rise in support of this resolution.

Mr. YOUNG of Alaska. Madam Speaker, I made a statement on the House floor as part of my participation in the debate on the War on Terror and House Concurrent Resolution 63. In that statement, I repeated a quote I had read as part of an article from the Washington Times, that I believed at the time was attributed to Abraham Lincoln, because it was cited as such. I have since learned that it was not true Abraham Lincoln quote, and even though the Times never corrected the mistake, I retract my attribution. I do stand by the sentiment however, which is that in wartime, Americans, especially America's elected leaders, should not take actions that damage the morale of our soldiers and military—and that is exactly what the non-binding resolution does. I could never in good conscience support H. Con. Res. 63. Instead, I choose to support our men and women in the military.

Mr. EDWARDS. Madam Speaker, there are two fundamental questions we face in voting on this resolution: First, is it appropriate for Congress to express its views on the escalation of U.S. troops in Iraq? And second, is the escalation the best use of military forces in our war on terrorism?

First let me say that it is wrong for anyone in this debate to question the patriotism of someone on the other side of that issue. That tactic was tried by Senator Joseph McCarthy in the 1950s. It was wrong then, it is wrong now.

In our democracy, there is nothing patriotic about questioning the patriotism of someone with an opposing view. We all love our country; we all support our troops; and we all want to defend America from terrorism.

On the appropriateness of this resolution being before the House, I believe this debate is consistent with our Founding Fathers' deep commitment to the constitutional checks and balances of government. They chose to make the President our Commander in Chief of the Armed Forces. At the same time, they chose not to give the President the authority to declare war or to fund a war. Those solemn responsibilities were given to the Congress in article I of the Constitution.

It is noteworthy that on the most solemn act of government, to put citizens into harm's way, our Founding Fathers clearly chose to put in place constitutional checks and balances on the executive branch. This resolution is a proper exercise of that constitutional principle, especially given this war has now lasted longer than America's involvement in World War II, with no end in sight. Blind allegiance to the executive branch is not a constitutional principle.

The second question before us is whether the escalation in Iraq is the best use of U.S. military forces in our war on terrorism.

After nearly 4 years of combat, two facts are indisputable: First, our service men and women have served our Nation with courage and professionalism. They and their families have sacrificed above and beyond the call of duty, and I salute them.

Second; there have been major mistakes made by policymakers in Washington that have complicated at every step the challenges our troops have faced in Iraq, dead wrong intelligence on weapons of mass destruction and Iraq's involvement with September 11; rejecting General Shinseki's call to send an adequate amount of troops to Iraq in 2003, the disbanding of the Iraqi Army, the de-Baathification process, inadequate armor for our troops; and the repeated assertion that the insurgency was on its last leg, despite facts to the contrary.

Given mistakes made in the build-up to this war and its management, and the enormity of this issue in terms of lives at risk and our Nation's future, it is time for Congress to give a voice to the clear majority of the American people who oppose escalation in Iraq.

Since the President has already started the escalation, I personally hope and pray that he is right, and that more U.S. troops in Iraq will lead to long-term stability there. However, in good conscience, I must express my profound concerns for this policy for several reasons.

First; I believe until the Iraqi government creates a government that is respected by Sunnis, Shiites and Kurds, no amount of U.S. forces can stop sectarian violence there in the long run.

Second; I want U.S. forces fighting terrorists, not standing on street corners in Baghdad as target practice for Sunnis and Shiites locked into deep-rooted sectarian violence.

Third; I believe it is necessary to send a blunt wake-up call to the Iraqi political leaders that America has sacrificed our sons and daughters and hundreds of billions of dollars for their nation, but we will not do so forever for an incompetent government that is rife with corruption and sectarian bias. This is not a test of America's will, rather, it is a test of the Iraqi government's will to make the tough choices to ensure its nation's own future.

Fourth; with the increasingly serious situation in Afghanistan, where al Qaeda and the Taliban are resurging, we will definitely need additional U.S. troops there to prevent the kind of chaos that is rampant in Iraq.

For these reasons, I believe this resolution is the appropriate and right thing to do. This resolution will send an unequivocal message to the Iraqi political leaders that the time to end their corruption, incompetence and sectarian favoritism is now.

When that message is truly heard, then and only then will there be real hope for stable and lasting peace in Iraq.

I urge support of this resolution.

□ 1500

The SPEAKER. All time for debate has expired.

Pursuant to House Resolution 157, the concurrent resolution is considered read and the previous question is ordered.

The question is on the concurrent resolution.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. SKELTON. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 246, nays 182, not voting 6, as follows:

[Roll No. 99]

YEAS—246

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Duncan
Edwards
Ellison
Ellsworth
Emanuel
Engel
English (PA)
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gilchrest
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inglis (SC)
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
Kirk
Klein (FL)
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Perlmutter
Peterson (MN)
Petri
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NAYS—182

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Chabot
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Ehlers
Emerson
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Issa
Jindal

Johnson, Sam
Jordan
King (IA)
King (NY)
Kingston
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Peterson (PA)
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Taylor
Terry
Thornberry
Tiahrt
Tiberi
Turner
Walberg
Walden (OR)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—6

Baird
Boustany
Davis, Jo Ann
Hastert
LoBiondo
Nadler

□ 1522

So the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mrs. JO ANN DAVIS of Virginia. Madam Speaker, on rollcall No. 99, H. Con. Res. 63, I was unable to vote due to medical reasons. Had I been present, I would have voted "nay."

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed bills and a concurrent resolution of the following titles in which the concurrence of the House is requested:

S. 188. An act to revise the short title of the Fannie Lou Hamer, Rosa Parks, and Coretta Scott King voting Rights Act Reauthorization and Amendments Act of 2006.

S. 487. An act to amend the National Organ Transplant Act to clarify that kidney paired donations shall not be considered to involve the transfer of a human organ for valuable consideration.

S. Con. Res. 12. Concurrent resolution supporting the goals and ideals of a National Medal of Honor Day to mark the significance and importance of the Medal of Honor and to celebrate and honor the recipients of the Medal of Honor on the anniversary of the first award of that medal in 1863.

PROVIDING FOR AN ADJOURNMENT OR RECESS OF THE TWO HOUSES

Mr. CLYBURN. Mr. Speaker, I offer a privileged concurrent resolution (H. Con. Res. 67) and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 67

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on the legislative day of Friday, February 16, 2007, or Saturday, February 17, 2007, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Tuesday, February 27, 2007, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on any day from Saturday, February 17, 2007, through Saturday, February 24, 2007, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, February 26, 2007, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

PERMISSION FOR COMMITTEE ON FINANCIAL SERVICES TO HAVE UNTIL MIDNIGHT, FRIDAY, FEBRUARY 23, 2007, TO FILE REPORT ON H.R. 556, NATIONAL SECURITY FOREIGN INVESTMENT REFORM AND STRENGTHENED TRANSPARENCY ACT OF 2007

Mr. FRANK of Massachusetts. Mr. Speaker, I ask unanimous consent that the Committee on Financial Services have until midnight on Friday, February 23, 2007 to file a report on H.R. 556.

The SPEAKER pro tempore (Mr. TIERNEY). Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. ARCURI. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 161 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 161

Resolved, That it shall be in order at any time on the legislative day of Friday, February 16, 2007, for the Speaker to entertain motions that the House suspend the rules relating to the bill (H.R. 976) to amend the Internal Revenue Code of 1986 to provide tax relief for small businesses, and for other purposes.

The SPEAKER pro tempore. The gentleman from New York (Mr. ARCURI) is recognized for 1 hour.

Mr. ARCURI. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. LINCOLN DIAZ-BALART). All time yielded during consideration of the rule is for debate purposes only.

I yield myself such time as I may consume.

Mr. Speaker, House Resolution 161 is a rule to provide for consideration of H.R. 976, the Small Business Tax Relief Act, under suspension of rules at any time on the legislative day of Friday, February 16, 2007.

This rule is necessary because under clause 1(a) of rule XV, the Speaker may entertain motions to suspend the rules only on Monday, Tuesday, or Wednesday of each week. In order for suspensions to be considered on other days, the Rules Committee must provide for consideration of these motions.

Mr. Speaker, let me begin by saying how honored I am as a member of the distinguished Rules Committee to manage the rule for consideration of such an important piece of legislation that will provide $1.3 billion of tax relief for our Nation's small business.

This legislation, the Small Business Tax Relief Act, is strongly supported by a host of business organizations, including the U.S. Chamber of Commerce, the NFIB, the National Association of Manufacturers and the National Restaurant Association.

Small businesses are the backbone of this Nation's economy. Every day we as Americans utilize the services of small business owners, whether it is dropping off our dry cleaning, grabbing a bite to eat at a local diner or pizzeria, or waiting in line to pick up a prescription at a local pharmacy. We depend on our small businesses.

□ 1530

It is a constant struggle for most small businesses just to keep the lights on. Utility costs continue to skyrocket, and larger companies continue to expand services, pushing out the mom-and-pop stores in cities and towns across the country. My constituents in Upstate New York have experienced this loss of economic activity firsthand, but that trend has continued.

The Small Business Tax Relief Act would help small businesses grow and hire new workers by extending and expanding tax provisions that encourage investment in new equipment and promote the hiring of disadvantaged workers, and it does so in a fiscally responsible way that meets the pay-as-you-go requirements. Small business owners have to balance the books and stay on budget each month. It is only fitting that we do as well.

Specifically, the bill would help small businesses invest in new equipment by extending and expanding expensing options for 1 year and increase both the amount small businesses can deduct from their taxes and the number of small businesses that can take these deductions.

The bill would extend the work opportunity tax credit, which provides incentives to employers to hire individuals that frequently experience barriers to work for 1 year, and expand it to cover disabled veterans. In other words, it helps those who need jobs by giving employers tax credits for creating jobs.

It would enhance the current tip credit for small businesses by maintaining the current tip credit that small businesses take for the Social Security taxes they pay on their employees' tips, instead of allowing it to drop with the long-overdue increase in the minimum wage this legislation will help achieve.

The bill also contains a provision that would simplify tax-filing requirements for businesses owned jointly by a husband and wife, providing much-needed relief for the many small firms throughout this country.

Right now, there is a glitch in the Social Security tax law which only allows one spouse, most often the husband, to get credit for paying into Social Security. This leaves women who work as equal partners in an unfair situation. The Small Business Tax Relief Act fixes this glaring inequality by ensuring that both partners, equal members of the team, receive their justly deserved entitlement benefits.

Moreover, this legislation does not only help small businesses. It is a win-win, because passage of the Small Business Tax Relief Act is also a critical step in finalizing an increase in the Federal minimum wage for 13 million hardworking Americans.

I made a promise to my constituents that I would go to Washington to fight for a long-overdue increase in the Federal minimum wage. Passage of this measure takes us one step closer to fulfilling that promise.

I want to be clear. I support a stand-alone increase in the minimum wage, like the legislation we passed a few weeks ago with overwhelming bipartisan support. However, 10 years is too long for any hardworking Americans to wait for a wage increase. Let's not force them to wait any longer. The time to act is now.

Mr. Speaker, I reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I would like to thank my friend from New York for the time, and I yield myself such time as I may consume.

Mr. Speaker, House Resolution 161 provides that it will be in order at any time on the legislative day of today to consider H.R. 976, the Small Business Tax Relief Act of 2007, under a suspension of the rules.

The passage of these tax cuts for small businesses across the country is very important. Small business, Mr. Speaker, is the engine that drives our economy. Small businesses employ over half of all private-sector workers and pay approximately 45 percent of all United States private payroll.

Over the last decade, small businesses have generated 60 to 80 percent of net new jobs each year. Hispanic small businesses now number over 2 million, Mr. Speaker, and their number has been growing at three times the average of non-Hispanic businesses.

But we must not take the extraordinary performance of small businesses for granted. They still face considerable hurdles, so it is appropriate that steps be taken to ensure that small businesses are able to continue to grow and employ more and more Americans.

The Small Business Tax Relief Act will provide extraordinary savings to small businesses in the United States through targeted tax cuts. The bill increases the amount that small businesses will be able to deduct for equipment purchases and extends the deduction to the year 2010. It also extends the work opportunities tax credit for another year and expands three categories of the eligible workers to encourage employers to hire disabled veterans, high-risk youth, and individuals with disabilities.

Under this legislation, Mr. Speaker, businesses will be able to use their FICA tax tip credit against their regular and AMT liability, saving small businesses over $500 million over 10 years.

The Small Business Tax Relief Act also allows spouses who operate a business together to file as a sole proprietorship, without penalty. It allows both spouses to claim Medicare and Social Security taxes. This is an important piece of legislation, Mr. Speaker. It will help our small businesses continue their admirable growth and job creation.

I would like to commend the chairman of the Ways and Means Committee, Mr. RANGEL, and the ranking member, Mr. MCCRERY, and all of those who, in a bipartisan manner, have worked to quickly bring this important bill to the floor for debate.

I look forward to the debate on H.R. 976. However, Mr. Speaker, we could have done more. On Wednesday, at the hearing of the Rules Committee and the markup of this rule, Mr. SESSIONS, my dear colleague from Texas, the gentleman from Texas, offered an amendment to the rule that would have allowed us to consider H.R. 60 under suspension of the rules today.

H.R. 60, authored by our colleague, Mr. BAIRD, a Democrat, would make the local and State sales tax deduction permanent. This sales tax deduction is set to expire at the end of this year. Without passage of this bipartisan legislation to extend the deduction, millions of individuals and States without an income tax, such as Texas, Washington, Nevada, Tennessee, South Dakota, Wyoming and Florida, will face an unnecessary and unfortunate tax increase. However, the majority in the Committee on Rules voted against allowing us to debate and pass this widely supported bipartisan piece of legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. ARCURI. Mr. Speaker, I yield 2 minutes to the gentlewoman from Illinois (Ms. BEAN).

Ms. BEAN. I thank the gentleman from New York for yielding.

Mr. Speaker, I rise today in support of H.R. 976, the Small Business Tax Relief Act.

America's small and medium businesses are our Nation's stimulative engine, employing roughly 80 percent of our domestic workforce. Too often, our Tax Code is weighted in support of our large lobbying interests, without consideration of those small businesses who are the backbone of our communities and have vital economic impact there.

I am proud to join Chairwoman VELÁZQUEZ, Chairman RANGEL and other colleagues in support of the Small Business Tax Relief Act, which provides needed tax relief to our Nation's small businesses in support of their growth and profitability. In particular, the Small Business Tax Relief Act will provide incentives to businesses in my district and around our country to continue to invest in the infrastructure important to their growth.

In addition to extending deductions in plant material investments, this bill also extends the Work Opportunity Tax Credit. This credit has been successful in helping people move from welfare to work and gain on-the-job experience by incentivizing employers to hire disadvantaged workers, including returning veterans and the disabled.

As Chair of the Small Business Tax and Finance Subcommittee, I will continue to champion initiatives that help our Nation's small businesses prosper.

I urge my colleagues to support the Small Business Tax Relief Act as part of that effort. As our small businesses grow stronger, so do the communities in which they reside and the workers they employ.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, at this time, I yield 4 minutes to my distinguished colleague from Florida, who has worked so hard to make the sales tax a deductible and who is obviously extremely concerned about the fact that we cannot vote on it today, Ms. BROWN-WAITE.

Ms. GINNY BROWN-WAITE of Florida. I thank the gentleman.

Mr. Speaker, the deductibility of sales tax is so important to so many people. It makes a big difference.

There are those of us, long of tooth, who remember when you used to be able to deduct both State and local sales tax on your Federal income tax. I remember when I lived in the chairman's State, in New York, and we could do that, where I would save up all those receipts. And I was darn sure that I spent more money on purchases than what the maximum amount deductible was.

But in the mid 1980s, they eliminated the deductibility of sales tax on your Federal income tax. What did this do? What it meant was that States that did not have an income tax were at a very distinct disadvantage, citizens who lived in those States.

So a few years ago we remedied that by saying you could deduct either the State and local sales tax on your Federal income tax or at the State income tax, whichever was higher. So you had that opportunity.

It certainly doesn't put my colleague from New York and those people who are still left in New York at a disadvantage because they can still deduct the State income tax. States that don't have a State income tax have been put at a disadvantage.

I know that the good gentleman from Florida did try to put this amendment on, and it would make a lot of sense. It expires this year. We need to continue to have the deductibility of the State and local sales tax for residents of States that do not have an income tax.

Mr. ARCURI. Mr. Speaker, I yield 2 minutes to my good friend, the distinguished gentleman from Florida (Mr. MAHONEY).

Mr. MAHONEY of Florida. Mr. Speaker, I rise in strong support of House Resolution 161 and the underlying bill, H.R. 976, the Small Business Tax Relief Act of 2007, which I am proud to have cosponsored.

This important piece of legislation is much more than a tax cut for America's small businesses. It is an investment in our Nation's workers, especially those from economically disadvantaged areas, as well as our veterans.

Specifically, the underlying bill extends the Work Opportunity Tax Credit for 1 year. This important tax credit, originally enacted in 1996, has been an important component in an effort to move people from welfare to work, while gaining on-the-job experience.

H.R. 976 also fosters entrepreneurship in our communities, an important variable in keeping Americans competitive in a global economy by making it more affordable to own and operate a small business. This Congress and the individuals who have brought this bill to passage today bring their ideas, ambitions and knowledge and support of entrepreneurs and small business.

Finally, I applaud Chairman RANGEL and the members of the Ways and Means Committee for working within the House PAYGO rules to produce a revenue-neutral tax bill. H.R. 976 is a bipartisan example of a fiscally responsible tax measure that takes into account America's values and priorities.

I urge my colleagues to adopt the rule and the underlying bill.

□ 1545

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I reserve the balance of my time.

Mr. ARCURI. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. ELLSWORTH).

Mr. ELLSWORTH. Mr. Speaker, I thank the gentleman for yielding.

The Small Business Tax Relief Act of 2007 provides long overdue tax relief for small businesses and their employees.

Small businesses form the backbone of the American economy. They create hundreds of millions of new jobs each year, and they drive the innovation that makes America great. The men and women whose blood, sweat, and sometimes tears go into building their small businesses are living examples of the American dream, and they deserve our support.

There is no doubt that this bill is a win-win for Indiana. It is a win for Hoosier small business owners who work hard, play by the rules, and provide good jobs for thousands of hardworking people in south and west Indiana.

It is also a win for Hoosier workers. Small businesses employ 1.2 million workers in Indiana. And that is why we must make every effort to ensure that small businesses prosper in a progrowth economy. As Congress works towards increasing the minimum wage for the American workers, legislation like this is necessary to help small businesses across the country stay competitive.

Mr. Speaker, the Small Business Tax Relief Act enjoys wide bipartisan support for a reason. We know it is the right thing to do for America's small businesses and for its workers. I am proud to be a cosponsor of this important legislation, and I urge my colleagues to give it their full support. Let us come together and show that the path toward fiscal responsibility can be both probusiness and proworker.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I reserve the balance of my time.

Mr. ARCURI. Mr. Speaker, I yield 2 minutes to my friend from North Carolina (Mr. SHULER).

Mr. SHULER. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, as an entrepreneur myself, I am proud to stand strong in support of our Nation's small business owners. Western North Carolina is blessed with thousands of small manufacturers, technology entrepreneurs, shopkeepers, and restaurant owners. Small businesses are the backbone of our Nation's economy.

Today's legislation will cut taxes and increase opportunities for our small business communities. This is what happens when Democrats and Republicans work together.

I would like to thank the chairman and ranking member of the Committee on Ways and Means for their efforts on this bill. I look forward to working with them in further addressing the needs of small businesses and increasing opportunities for all Americans.

Mr. ARCURI. Mr. Speaker, I yield 2 minutes to the gentleman from Utah (Mr. MATHESON).

Mr. MATHESON. Mr. Speaker, I rise in support of this legislation.

One of the great successes for our country's economy, and we all say it here as Members of Congress as we talk about the value of small business, but it is important for us in Congress to look at effecting public policy in a way that assists small business in making success, in being competitive relative to the rest of the world in terms of pursuing job creation.

And I really want to applaud the leadership of our caucus for moving ahead this early in this Congress with the small business tax relief package. I think that is a real important statement. I hope everyone is paying attention to that. It is certainly something that a lot of us in this caucus have advocated for, and I think it is a great step to be taking today.

I also want to acknowledge the fact that this is a bipartisan piece of legislation. I want to thank Chairman RANGEL for doing such an excellent job in the Ways and Means Committee in working in this bipartisan fashion to come up with this very well-crafted bill. I think this is a great moment for this Congress to work in a bipartisan way to help our economy move forward. I encourage all of us to vote for this legislation.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I have the pleasure of yielding 5 minutes to my colleague, who, in the Rules Committee, made the motion for us to debate today the sales tax deduction to allow us to consider legislation by Mr. BAIRD, a Democrat. Unfortunately, the majority of the Rules Committee did not allow that motion to go forward, voted it down, that amendment.

But it is my pleasure to recognize for 5 minutes not only a distinguished member of the Rules Committee, but a great leader in this House whom I am honored to serve with, Mr. SESSIONS.

Mr. SESSIONS. Mr. Speaker, I appreciate the gentleman from the Rules Committee from Miami, Florida (Mr. LINCOLN DIAZ-BALART).

Mr. Speaker, on Wednesday evening at the Rules Committee, we met to bypass regular order once again, which seems to be a new regular order for the 10th time under the new Democrat leadership. I brought forth the ability to discuss a small tax item with the germaneness to the tax bill that we are debating here today. I wish that we were considering this rule under regular order that the Democrat candidates, out on the campaign trails, promised voters this last election cycle. I believe that the tax bill will end up enjoying bipartisan support on the House floor today. So since we are already bypassing regular order to consider this legislation, I offered an amendment to bring another tax bill to the floor that would enjoy also broad bipartisan support, making the State and local sales tax deduction permanent for residents of non-income-tax States.

This issue is a matter of fairness. It is quite simple in its honesty. It enjoys support from a huge number of Democrats and Republicans and would allow taxpayers a deduction for sales tax in lieu of income tax for taxpayers in States that do not have a State income tax.

Nine States currently have no income tax: Texas, Florida, Washington, South Dakota, Tennessee, Nevada, Wyoming, New Hampshire, and Alaska. The 1986 Tax Reform Act eliminated the sales tax deduction from the Federal Tax Code but maintained the State income tax deduction. That change has a disproportionate impact on States that do not use a State income tax.

A 2-year sales tax deductibility provision was signed into law as part of the American Jobs Creation Act. This law restored fairness to those in States with no State income tax for the first time in nearly 20 years and kept an estimated $3.6 billion in the hands of taxpayers that choose to deduct State sales tax in all nine affected States. This critical tax relief is said to expire at the end of this year and must be extended, or my constituents in Texas and taxpayers from eight other States will see a massive, unavoidable tax increase.

H.R. 60 would permanently restore fairness to taxpayers in the nine affected States. I am disappointed that the amendments did not include this one and it was defeated by the Rules Committee Democrats along a party-line vote.

While I support the legislation for continued tax fairness for small businesses that we are about to consider, I am sorry that we were not allowed to have this amendment on the House floor today as a golden opportunity for taxpayers to finally find this tax disparity and this loophole closed for good.

I appreciate the gentleman's extending the time to me. He also is from the State of Florida, which is hugely affected by this unwelcomed tax.

Mr. ARCURI. Mr. Speaker, I yield 2 minutes to the hardworking gentleman from Indiana (Mr. DONNELLY).

Mr. DONNELLY. Mr. Speaker, I rise today in support of H.R. 976, the Small Business Tax Relief Act of 2007, because small businesses play such a vital role in Indiana's economy and in our country's economy. Small businesses are the engine and account for half of all jobs in my State's economy.

I want to thank Chairman RANGEL for his leadership in introducing this fiscally responsible tax relief for America's small businesses.

Mr. Speaker, I understand the challenges our entrepreneurs and small business owners face while training to remain competitive and profitable in today's global economy. I have seen firsthand the impact that rising costs of health care and new technologies and growing competitions from overseas can have on our local businesses.

Today's legislation provides crucial, bipartisan tax relief so that our local small businesses can invest in the equipment and technology they need to remain successful. Perhaps more importantly, these tax cuts allow our local business leaders to reinvest in Indiana's economy, creating new jobs and sharing today and tomorrow's prosperity.

Mr. Speaker, I would also like to take this opportunity to commend this Congress for passing important commonsense tax relief without contributing to our mounting national debt. This bill proves that we can provide tax relief to our business community without increasing the burden on our children and grandchildren.

I urge all my colleagues to pass H.R. 976 and reduce the tax burden for our small business owners.

Mr. LINCOLN DIAZ-BALART of Florida. I reserve the balance of my time.

Mr. ARCURI. Mr. Speaker, I yield 3 minutes to my colleague from New York (Ms. VELÁZQUEZ), the chairwoman of the Committee on Small Business.

Ms. VELÁZQUEZ. Mr. Speaker, I rise today in support of this bipartisan legislation that will provide tax relief and simplification for this Nation's entrepreneurs.

As the Chair of the House Small Business Committee, I believe economic policies in Washington must address the needs of our small businesses. Today's bill will not only provide tax relief but will also provide simplicity to the Tax Code for entrepreneurs.

One of the most critical portions of this bill is the extension of section 179, expensing. This is a provision that encourages investment while simplifying recordkeeping requirements. This legislation will also make more entrepreneurs eligible to use section 179 expensing.

For small businesses it can often be difficult to make expensive investments or purchases because of the upfront costs. Expensing helps them defray some of these costs while also reducing paperwork burdens associated with depreciation schedules. This proposal is a win for small businesses, the job creators, and our economy. After all, they are the ones who create 80 percent of all new jobs in this economy. And it is a win-win for our Nation's economy.

There are many other good elements of this bill that will help small businesses, and I want to thank the chairman of the Ways and Means and the ranking member's efforts in moving this quickly.

I urge my colleagues to support the rule and the underlying bill.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I reserve the balance of my time.

Mr. ARCURI. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the distinguished member of the Rules Committee for yielding.

I rise to finally say we have relief. I thank the chairman of the Ways and Means Committee and the chairwoman of the Small Business Committee because without you, we wouldn't be here today being able to finally move forward not only tax relief for small businesses but getting a vote for the minimum wage. Thank you very much.

And I thank you for working it out with the ranking members. Finally we will be able to move in the other body that would not give us an up-or-down vote on the minimum wage. But we have good news because we extend the Work Opportunity Tax Credit. We help small businesses invest in new equipment, which is so very important. And, third, and what is certainly not least, we win the support, as I said, of the Senate to move forward on the minimum wage.

But it is important to note that this WOTC will help veterans, ex-felons, high-risk youth, and welfare recipients, individuals who create the engine of our economy who are trying for a second chance. So this is the right kind of mixture, giving relief to small businesses, which I have always said, are the backbone of the economy of America. I am grateful to say that the small businesses in the 18th Congressional District, which have created an economic engine in our community, will now have the right kind of tax relief to create opportunities for them to reinvest in their own businesses to buy more equipment, because every one of us go home to the churning of small businesses. Every day small businesses open their doors and create jobs for one and two and three and four and five and six and seven and eight and nine and ten employees. So this will be the right message that we will send.

Then, of course, we will give the opportunity for training for our welfare-to-work mothers. We will give training for our veterans. We will give training for high-risk youth. And, yes, we will help those who are trying to reenter to be able to create an opportunity for their families.

Finally, of course, I am gratified that we will have the opportunity now in 10 years to provide the opportunity for those on minimum wage. And in the State of Texas this will create a $4,000 increase for our working families with a minimum wage increase.

Let me thank the proponents of this bill. I ask for a vote in support of H.R. 976.

Mr. Speaker, I rise in support of H.R. 976, the "Small Business Tax Relief Act of 2007." I support the bill for several reasons. First, H.R. 976 extends the Work Opportunity Tax Credit (WOTC)—which provides incentives to employers to hire individuals from targeted groups that frequently experience barriers to work—for one year and expands it to cover disabled veterans.

Second, H.R. 976 helps small businesses invest in new equipment and more easily afford large capital expenses. It extends small business expensing (Section 179) for one year—increasing both the amount small businesses can deduct from their taxes (from $112,000 to $125,000) and the number of small businesses that can take these deductions (by increasing the income limits for businesses taking the deduction from $450,000 to $500,000).

Third, and not least important, passage of H.R. 976 is necessary to win the support of the Senate and signature of the President on the legislation passed earlier by this House to raise the minimum wage for millions of hardworking, low-wage workers by $2.10 per hour to $7.25. It has been more than nine years since the minimum wage was last increased, the longest period in the history of the law. In contrast, during this time period indeed, Mr. Speaker, that it removes the last major hurdle between low-wage workers and the long-overdue pay raise they desperately need, is reason enough for me to support the bill before us.

But evaluated on its merits, the Work Opportunity Tax Credit included in the bill before us is a good and useful measure. The Work Opportunity Tax Credit (WOTC) is a successful federal tax credit that encourages employers to hire eight persons belonging to one or more of eight targeted groups of job seekers by reducing employers' federal tax liability. The credit limit is $2,400, and the targeted groups include veterans, ex-felons, high-risk youth, and welfare recipients.

Mr. Speaker, government data show that 7 out of 10 welfare recipients who obtain jobs in the private sector are using WOTC, and that placing workers in private employment is highly cost-effective compared to State-funded public service jobs. Under the WOTC, employers pay the bulk of job costs, so the average cost to the Government is about $900 per job per quarter (with a ceiling of $1,560 annually) while the cost of a State-funded public service job at $7 per hour averages $3,700 per quarter with no ceiling. Thus, WOTC enables States to economize their welfare and training block grants and saves money that can be used for child care and transportation.

And what are the benefits to the less-skilled and disabled workers WOTC is intended to help? Virtually every study of jobs credits by the Government Accountability Office and independent evaluations funded by the Department of Labor have shown that employment and skills of these workers are increased. In fact, in one study, GAO reported that WOTC workers achieve gains in real wages as a result of their jobs.

Mr. Speaker, the WOTC provides a market incentive to employers to hire and train less-skilled and disabled workers. To continue this human capital investment in workers who might otherwise be left out of the job market—some 20 million high school dropouts, less-skilled high school graduates, single parents on welfare, disabled workers, and returning combat veterans—we need to extend the WOTC. By extending the WOTC, many more employers, especially small businesses, will have an incentive to look for and offer jobs to people who at first glance may not appear to be good job prospects.

Mr. Speaker, the job site is the place where the most effective learning occurs for a young worker or slow-starter. Because the growth of the nation's labor force is slowing, future economic growth will depend on raising productivity by upgrading skills and making every worker count. Extending the authorization for WOTC will advance this goal. That is why the legislation before us, H.R. 976 is worthy of our support.

Finally, Mr. Speaker, let us also remember how important that the minimum wage be increased. Today's minimum wage of $5.15 today is the equivalent of only $4.23 in 1995, which is even lower than the $4.25 minimum wage level before the 1996–97 increase. It is scandalous, Mr. Speaker, that a person can work full-time, 40 hours per week, for 52 weeks, earning the minimum wage and would gross just $10,700, which is $5,888 below the $16,000 needed to lift a family of three out of poverty.

Mr. Speaker, since 2000 the cost of college tuition has risen 57 percent, which is only slightly less than the increase in the cost of gasoline. Health insurance premiums have skyrocketed by 73 percent and inflation is up 13.4 percent. But during that time, the minimum wage has not increased one cent. That is unconscionable and downright un-American.

Mr. Speaker, today more than ever America's hard-working families are feeling squeezed, living paycheck to paycheck. I can tell you Mr. Speaker that record prices at the pump, skyrocketing health care costs and the rising cost of college in the face of falling or flat wages, are squeezing hard-working Texans in my Houston-based Congressional District as they struggle to make ends meet. That is why ensuring that the minimum wage is increased to $7.25 per hour is one of the nation's highest priorities.

For Texas workers the basic cost of living is rising; it is only fair that the pay for hard-working Texans does too. Nearly 890,000 hard-working Texans would directly benefit from raising the federal minimum wage to $7.25 an hour, and 1,774,000 more Texans would likely benefit from the raise.

Raising the minimum wage is vital for Texas families. At $5.15 an hour, a full-time minimum wage worker in Texas brings home $10,712 a year—nearly $6,000 below the poverty level for a family of three. An increase of $2.10 an hour would give these families a much needed additional $4,400 a year to meet critical needs such as rent, health care, food and child care. The increase in the minimum wage before us today will not allow workers to live as large as the typical CEO, who now earns 821 times more than a minimum wage worker, but at least it will allow these low-wage workers to make a little better life for themselves and their families.

Mr. Speaker, 89 percent of Americans favor raising the minimum wage. Americans know that the minimum wage must be increased. They know low-wage workers, many of whom live in your district and mine, badly need the money and have been waiting for it for too long. That is why I urge all members to support H.R. 976, which is inextricably linked to the minimum wage increase.

□ 1600

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I would like to thank everybody who participated in this debate and all of those who worked so hard to bring forth this legislation in a bipartisan fashion.

I will be asking for a "no" vote, Mr. Speaker, on the previous question, so that we can amend this rule and allow the House to consider H.R. 60, a bill by our colleague, Mr. BAIRD, under suspension of the rules.

As I stated before, Mr. Speaker, Congress passed last year the Tax Relief and Health Care Act of 2006, which included State and local sales tax deductions.

Over the last 2 years, the sales tax deduction has resulted in billions of dollars in tax savings to millions of hardworking taxpayers throughout the United States. These tax savings have meant a boost to the economy of seven important States affected by the deduction: Washington, Texas, Florida, Nevada, Tennessee, South Dakota and Wyoming. However, that important tax deduction will expire at the end of this year. Failure to extend the sales tax deduction will mean that our constituents may face an unfortunate tax increase.

By defeating the previous question, we will give Members the ability to vote on H.R. 60. Without passage of this important legislation that extends the sales tax deduction, millions in States without an income tax, Washington, Texas, Florida, Nevada, Tennessee, South Dakota and Wyoming, will face a tax increase.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment and extraneous materials immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield back the balance of my time.

Mr. ARCURI. Mr. Speaker, I first of all would like to thank my fellow New Yorker and the dean of our delegation, Chairman RANGEL, for his very hard work in bringing this very important bipartisan bill to the floor. I think it shows the depth of his knowledge and understanding of the issues, and I think it is very critical that we address this bill today.

Mr. Speaker, $1.3 billion in tax relief for our small business owners is the kind of sensible, responsible tax relief I am proud to support. Let's help small businesses do what they do best, and that is create jobs and strengthen our economy.

During the debate at the Rules hearing, some of my colleagues were asking the question why we had to move so quickly on this bill, why we couldn't wait until Congress came back in session.

I couldn't help but think of the old adage, why put off until tomorrow what you can do today. People who earn $5.15 who want the minimum wage raised have been waiting for 10 years. People in small business who pay more than they need to want tax breaks. It is the sensible thing to do, and it is the sensible thing to do right now.

As I said earlier, this is a win-win scenario, because passage of this bipartisan fiscally responsible legislation will also clear the way for a much-needed and well-deserved increase in the minimum wage. America's workers have been waiting far too long for a pay raise. Let's not make them wait any longer.

I urge a "yes" vote on this rule and on the previous question, because our small business owners need some relief and American workers deserve a raise.

The material previously referred to by Mr. LINCOLN DIAZ-BALART of Florida is as follows:

AMENDMENT TO H. RES. 161 OFFERED BY REP. LINCOLN DIAZ-BALART OF FLORIDA

On page 1, line 6, strike the period and insert ", and the bill (H.R. 60) to amend the Internal Revenue Code of 1986 to make permanent the deduction of State and local general sales taxes.".

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308–311) describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R–Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Democratic majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the definition of the previous question used in the Floor Procedures Manual published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information from Congressional Quarterly's American Congressional Dictionary: "If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business."

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled Amending Special Rules states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. ARCURI. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adopting the resolution.

The vote was taken by electronic device, and there were—yeas 218, nays 188, not voting 28, as follows:

[Roll No. 100]

YEAS—218

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baldwin
Barrow
Bean
Becerra
Berkley
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Costa
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gillibrand
Gonzalez
Green, Al
Grijalva
Hall (NY)
Hare
Hastings (FL)
Herseth
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lynch
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pelosi
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stupak
Sutton
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NAYS—188

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan

Burgess
Burton (IN)
Buyer
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Cooper
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Edwards
Ehlers
Emerson
English (PA)
Fallin
Feeney
Ferguson
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Goodlatte
Gordon
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hunter
Inglis (SC)
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Mahoney (FL)
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Moran (KS)
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Souder
Stearns
Sullivan
Tancredo
Tanner
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—28

Baird
Berman
Boustany
Calvert
Costello
Davis, Jo Ann
DeFazio
Everett
Flake
Gallegly
Gohmert
Goode
Green, Gene
Gutierrez
Harman
Hastert
Hulshof
Kaptur
LaHood
Latham
LoBiondo
Lowey
Miller, Gary
Murphy, Tim
Nadler
Smith (TX)
Stark
Wicker

☐ 1628

Messrs. THORNBERRY, BILBRAY, HALL of Texas, COOPER, GORDON of Tennessee, EDWARDS, ENGLISH of Pennsylvania, TANNER and SHAYS changed their vote from "yea" to "nay."

Mr. WYNN changed his vote from "nay" to "yea."

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 220, noes 184, not voting 29, as follows:

[Roll No. 101]

AYES—220

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baldwin
Barrow
Bean
Becerra
Berkley
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Grijalva
Hall (NY)
Hare
Hastings (FL)
Herseth
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NOES—184

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Fallin
Feeney
Ferguson
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hunter
Inglis (SC)
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Lamborn
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Moran (KS)
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—29

Baird
Berman
Boustany
Calvert
Costello
Davis, Jo Ann
DeFazio
Everett
Flake
Gallegly
Green, Gene
Gutierrez
Harman
Hastert
Hulshof
Kuhl (NY)
LaHood
Latham
LoBiondo
Lowey
Miller, Gary
Murphy, Tim
Nadler
Pence
Roybal-Allard
Smith (TX)
Stark
Towns
Wicker

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised 2 minutes remain in this vote.

☐ 1636

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. KUHL of New York. Mr. Speaker, on rollcall No. 101 I was unavoidably detained. Had I been present, I would have voted "no."

SMALL BUSINESS TAX RELIEF ACT OF 2007

Mr. RANGEL. Mr. Speaker, I move to suspend the rules and pass the bill

(H.R. 976) to amend the Internal Revenue Code of 1986 to provide tax relief for small businesses, and for other purposes, as amended.

The Clerk read as follows:

H.R. 976

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; AMENDMENT OF 1986 CODE; TABLE OF CONTENTS.

(a) Short Title.—This Act may be cited as the "Small Business Tax Relief Act of 2007".

(b) Amendment of 1986 Code.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) Table of Contents.—The table of contents of this Act is as follows:

Sec. 1. Short title; amendment of 1986 Code; table of contents.
Sec. 2. Extension and modification of work opportunity tax credit.
Sec. 3. Extension and increase of expensing for small business.
Sec. 4. Determination of credit for certain taxes paid with respect to employee cash tips.
Sec. 5. Waiver of individual and corporate alternative minimum tax limits on work opportunity credit and credit for taxes paid with respect to employee cash tips.
Sec. 6. Family business tax simplification.
Sec. 7. Denial of lowest capital gains rate for certain dependents.
Sec. 8. Suspension of certain penalties and interest.
Sec. 9. Time for payment of corporate estimated taxes.

SEC. 2. EXTENSION AND MODIFICATION OF WORK OPPORTUNITY TAX CREDIT.

(a) Extension.—Section 51(c)(4)(B) (relating to termination) is amended by striking "2007" and inserting "2008".

(b) Increase in Maximum Age for Designated Community Residents.—

(1) In general.—Paragraph (5) of section 51(d) is amended to read as follows:

"(5) Designated community residents.—

"(A) In general.—The term 'designated community resident' means any individual who is certified by the designated local agency—

"(i) as having attained age 18 but not age 40 on the hiring date, and

"(ii) as having his principal place of abode within an empowerment zone, enterprise community, or renewal community.

"(B) Individual must continue to reside in zone or community.—In the case of a designated community resident, the term 'qualified wages' shall not include wages paid or incurred for services performed while the individual's principal place of abode is outside an empowerment zone, enterprise community, or renewal community.".

(2) Conforming amendment.—Subparagraph (D) of section 51(d)(1) is amended to read as follows:

"(D) a designated community resident,".

(c) Clarification of Treatment of Individuals Under Individual Work Plans.—Subparagraph (B) of section 51(d)(6) (relating to vocational rehabilitation referral) is amended by striking "or" at the end of clause (i), by striking the period at the end of clause (ii) and inserting ", or", and by adding at the end the following new clause:

"(iii) an individual work plan developed and implemented by an employment network pursuant to subsection (g) of section 1148 of the Social Security Act with respect to which the requirements of such subsection are met.".

(d) Treatment of Disabled Veterans Under the Work Opportunity Tax Credit.—

(1) Disabled veterans treated as members of targeted group.—

(A) In general.—Subparagraph (A) of section 51(d)(3) (relating to qualified veteran) is amended by striking "agency as being a member of a family" and all that follows and inserting "agency as—

"(i) being a member of a family receiving assistance under a food stamp program under the Food Stamp Act of 1977 for at least a 3-month period ending during the 12-month period ending on the hiring date, or

"(ii) entitled to compensation for a service-connected disability, and—

"(I) having a hiring date which is not more that 1 year after having been discharged or released from active duty in the Armed Forces of the United States, or

"(II) having aggregate periods of unemployment during the 1-year period ending on the hiring date which equal or exceed 6 months.".

(B) Definitions.—Paragraph (3) of section 51(d) is amended by adding at the end the following new subparagraph:

"(C) Other definitions.—For purposes of subparagraph (A), the terms 'compensation' and 'service-connected' have the meanings given such terms under section 101 of title 38, United States Code.".

(2) Increase in amount of wages taken into account for disabled veterans.—Paragraph (3) of section 51(b) is amended—

(A) by inserting "($12,000 per year in the case of any individual who is a qualified veteran by reason of subsection (d)(3)(A)(ii))" before the period at the end, and

(B) by striking "Only first $6,000 of" in the heading and inserting "Limitation on".

(e) Effective Date.—The amendments made by this section shall apply to individuals who begin work for the employer after the date of the enactment of this Act.

SEC. 3. EXTENSION AND INCREASE OF EXPENSING FOR SMALL BUSINESS.

(a) Extension.—Subsections (b)(1), (b)(2), (b)(5), (c)(2), and (d)(1)(A)(ii) of section 179 (relating to election to expense certain depreciable business assets) are each amended by striking "2010" and inserting "2011".

(b) Increase in Limitations.—Subsection (b) of section 179 is amended—

(1) by striking "$100,000 in the case of taxable years beginning after 2002" in paragraph (1) and inserting "$125,000 in the case of taxable years beginning after 2006", and

(2) by striking "$400,000 in the case of taxable years beginning after 2002" in paragraph (2) and inserting "$500,000 in the case of taxable years beginning after 2006".

(c) Inflation Adjustment.—Subparagraph (A) of section 179(b)(5) is amended—

(1) by striking "2003" and inserting "2007",

(2) by striking "$100,000 and $400,000" and inserting "$125,000 and $500,000", and

(3) by striking "2002" in clause (ii) and inserting "2006".

(d) Effective Date.—The amendments made by this section shall apply to taxable years beginning after December 31, 2006.

SEC. 4. DETERMINATION OF CREDIT FOR CERTAIN TAXES PAID WITH RESPECT TO EMPLOYEE CASH TIPS.

(a) In General.—Subparagraph (B) of section 45B(b)(1) is amended by inserting "as in effect on January 1, 2007, and" before "determined without regard to".

(b) Effective Date.—The amendment made by this section shall apply to tips received for services performed after December 31, 2006.

SEC. 5. WAIVER OF INDIVIDUAL AND CORPORATE ALTERNATIVE MINIMUM TAX LIMITS ON WORK OPPORTUNITY CREDIT AND CREDIT FOR TAXES PAID WITH RESPECT TO EMPLOYEE CASH TIPS.

(a) Allowance Against Alternative Minimum Tax.—Subparagraph (B) of section 38(c)(4) is amended by striking "and" at the end of clause (i), by inserting a comma at the end of clause (ii), and by adding at the end the following new clauses:

"(iii) the credit determined under section 45B, and

"(iv) the credit determined under section 51.".

(b) Effective Date.—The amendments made by this section shall apply to credits determined under sections 45B and 51 of the Internal Revenue Code of 1986 in taxable years beginning after December 31, 2006, and to carrybacks of such credits.

SEC. 6. FAMILY BUSINESS TAX SIMPLIFICATION.

(a) In General.—Section 761 (defining terms for purposes of partnerships) is amended by redesignating subsection (f) as subsection (g) and by inserting after subsection (e) the following new subsection:

"(f) Qualified Joint Venture.—

"(1) In general.—In the case of a qualified joint venture conducted by a husband and wife who file a joint return for the taxable year, for purposes of this title—

"(A) such joint venture shall not be treated as a partnership,

"(B) all items of income, gain, loss, deduction, and credit shall be divided between the spouses in accordance with their respective interests in the venture, and

"(C) each spouse shall take into account such spouse's respective share of such items as if they were attributable to a trade or business conducted by such spouse as a sole proprietor.

"(2) Qualified joint venture.—For purposes of paragraph (1), the term 'qualified joint venture' means any joint venture involving the conduct of a trade or business if—

"(A) the only members of such joint venture are a husband and wife,

"(B) both spouses materially participate (within the meaning of section 469(h) without regard to paragraph (5) thereof) in such trade or business, and

"(C) both spouses elect the application of this subsection.".

(b) Net Earnings From Self-Employment.—

(1) Subsection (a) of section 1402 (defining net earnings from self-employment) is amended by striking ", and" at the end of paragraph (15) and inserting a semicolon, by striking the period at the end of paragraph (16) and inserting "; and", and by inserting after paragraph (16) the following new paragraph:

"(17) notwithstanding the preceding provisions of this subsection, each spouse's share of income or loss from a qualified joint venture shall be taken into account as provided in section 761(f) in determining net earnings from self-employment of such spouse.".

(2) Subsection (a) of section 211 of the Social Security Act (defining net earnings from self-employment) is amended by striking "and" at the end of paragraph (14), by striking the period at the end of paragraph (15) and inserting "; and", and by inserting after paragraph (15) the following new paragraph:

"(16) Notwithstanding the preceding provisions of this subsection, each spouse's share of income or loss from a qualified joint venture shall be taken into account as provided in section 761(f) of the Internal Revenue Code of 1986 in determining net earnings from self-employment of such spouse.".

(c) Effective Date.—The amendments made by this section shall apply to taxable years beginning after December 31, 2006.

SEC. 7. DENIAL OF LOWEST CAPITAL GAINS RATE FOR CERTAIN DEPENDENTS.

(a) IN GENERAL.—Subsection (h) of section 1 is amended by adding at the end the following new paragraph:

"(12) CERTAIN INDIVIDUALS NOT ELIGIBLE FOR LOWEST RATE.—

"(A) IN GENERAL.—In the case of an individual described in subparagraph (B)—

"(i) the amount determined under paragraph (1)(A)(ii)(II) shall not be less than the amount of taxable income which would (without regard to this subsection) be taxed at a rate below 15 percent, and

"(ii) the sum of the amounts determined under subparagraphs (B) and (C) of paragraph (1) shall be an amount equal to the rate of tax specified in paragraph (1)(C) multiplied by so much of the adjusted net capital gain (or, if less, taxable income) as exceeds the excess (if any) of—

"(I) the amount of taxable income which would (without regard to this subsection) be taxed at a rate below 15 percent, over

"(II) the taxable income reduced by the adjusted net capital gain.

"(B) INDIVIDUALS TO WHOM PARAGRAPH APPLIES.—

"(i) IN GENERAL.—For purposes of this paragraph, an individual is described in this subparagraph if—

"(I) such individual meets the age requirements of section 152(c)(3) (determined without regard to subparagraph (B) thereof), and

"(II) such individual's earned income (as defined in section 911(d)(2)) for the taxable year does not exceed one-half of such individual's support (within the meaning of section 152) for such taxable year.

"(ii) SPECIAL RULES FOR JOINT RETURNS.—In the case of a joint return—

"(I) the taxpayer and the taxpayer's spouse shall be treated as a single individual for purposes of applying subclause (II) of clause (i), and

"(II) the taxpayer shall be treated as an individual described in this subparagraph only if the taxpayer and the taxpayer's spouse are described in clause (i) (determined after application of subclause (I)).".

(b) ALTERNATIVE MINIMUM TAX.—Section 55 is amended by adding at the end the following new subsection:

"(f) CERTAIN INDIVIDUALS NOT ELIGIBLE FOR LOWEST RATE.—In the case of an individual described in section 1(h)(12)(B), no amount shall be determined under subsection (b)(3)(B).".

(c) COORDINATION WITH SUNSET OF PROVISIONS OF THE JOBS AND GROWTH TAX RELIEF RECONCILIATION ACT OF 2003.—Subparagraph (A) of section 1(h)(12), as added by this section, is amended by striking "and" at the end of clause (i), by striking the period at the end of clause (ii) and inserting ", and", and by adding at the end the following new clause:

"(iii) no amount of qualified 5-year gain shall be taken into account under subparagraph (A) of paragraph (2) (as in effect after the application of section 303 of the Jobs and Growth Tax Relief Reconciliation Act of 2003).".

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to taxable years beginning after December 31, 2006.

(2) SUNSET OF JGTRRA.—The amendment made by subsection (c) shall apply to taxable years beginning after the date specified in section 303 of the Jobs and Growth Tax Relief Reconciliation Act of 2003.

SEC. 8. SUSPENSION OF CERTAIN PENALTIES AND INTEREST.

(a) IN GENERAL.—Paragraphs (1)(A) and (3)(A) of section 6404(g) are each amended by striking "18-month period" and inserting "22-month period".

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to notices provided by the Secretary of the Treasury, or his delegate, after the date which is 6 months after the date of the enactment of this Act.

SEC. 9. TIME FOR PAYMENT OF CORPORATE ESTIMATED TAXES.

Subparagraph (B) of section 401(1) of the Tax Increase Prevention and Reconciliation Act of 2005 is amended by striking "106.25 percent" and inserting "112.75 percent".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. RANGEL) and the gentleman from Louisiana (Mr. McCRERY) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

Mr. RANGEL. Mr. Speaker, as our colleagues know, we passed overwhelmingly the minimum wage bill. But it got into trouble in the Senate as they attempted to attach an $8.2 billion tax cut.

I shared the problem that we faced with Mr. McCRERY, and we thought that small business certainly did deserve some assistance, with or without the minimum wage bill. And we talked, and Mr. McCRERY said, well, if we are going to have a bill, are we going to pay for it? And let's select what we thought would be the best interests of small businesses in view of this dialogue that we had with the Senate.

Our staffs got together, gave us several options, and we agreed that we would increase and extend the small business expense, increase the work opportunity tax credit to include veterans and disabled veterans, protect the current benefit of the FICA tip credit, allow small businesses to use the work opportunity tax credit, and to enjoy the alternative, to exclude alternative minimum tax, and to simplify the tax filing system for businesses that are owned jointly by husband and wife.

We then tried to figure a way to pay for it. And what we agreed to is to make certain that the capital gains tax cut that was dramatically made lower for people in low income, that we would prevent people from transferring the capital stock to their kids who have little or no income and enjoy a benefit that was designed to assist low-income people.

Letters commending our efforts were received, it was supported by the Chamber of Commerce which says that it is going to have a key vote; but since I don't follow them that closely, I don't know what it means; the National Association of Manufacturers, the National Restaurant Association, Equipment Leasing and Finance Association, American Bankers Association, the American Farm Bureau, Federation to Secure the Industry and Financial Markets Association, the National Federation of Independent Business, and the Work Opportunity Tax Credit Coalition.

I urge you to join with me and the ranking minority member in supporting this legislation, which is supported as well by the Small Business Association.

Mr. Speaker, I reserve the balance of my time.

Mr. McCRERY. Mr. Speaker, I rise in support of this bipartisan bill that has been crafted in the Ways and Means Committee, and I want to commend the chairman and his staff for working with me and our staff on the minority side of the committee to craft a bill that really does effectively target tax relief to those businesses who will be most impacted by an increase in the minimum wage.

This bill I think does a much better job of focusing that relief on those businesses than the other body came up with in their version of this legislation.

It is apparent to me, Mr. Speaker, that the Congress will increase the minimum wage sometime this year. And with that in mind, I did my best to work with Chairman RANGEL and his staff to create a soft landing for those businesses that are going to be impacted by that increase in the minimum wage immediately. Mainly, we are talking about restaurant owners, small businesses, those people who have more minimum wage workers on the premises than other businesses. So the provisions in this bill get right to those particular businesses, these provisions do.

The tip credit, for example. The FICA tip credit, Mr. Speaker, provision in this bill is very important for a couple reasons. Number one, if we don't pass a provision like that and the minimum wage is increased, these employers will automatically be mandated to pay an increase in wages. That will be number one. That will hit them right away. But, number two, they will lose a tip credit for FICA taxes paid on the amount between the current minimum wage and the new minimum wage from $5.15 to $7.25. So it will be a double whammy on these small businesses that have these employees that depend on tips for part of their income.

And that is why, Mr. Speaker, if you look at the joint tax scoring sheet on this, it says no revenue effect; because, taken in isolation, this provision has no impact. But if you join the minimum wage increase with this bill, which we all know is going to be done, then this "no revenue effect" becomes approximately a $500 million tax cut. So the effect of this bill would be a net tax reduction for businesses.

Now, when we go to conference, if we get to conference and we get a bill, and we know that this impact is going to be there, then under the rules of the House we will have come up with a way to pay for that tax cut. But as it is right now, the net effect of this bill would be a $500 million tax cut.

The other provisions, the work opportunity tax credit is not only extended but it is also expanded to apply to veterans. We think that is a very good expansion of what is already a good provision in the Tax Code to encourage people to hire people who have been on welfare, who have been disabled, and now veterans.

And the other provisions, Mr. Speaker, extended expensing for small businesses. We increase that to $125,000, we increase the phaseout from $400,000 to $500,000. That is going to help small businesses immediately, because some of those have reached the cap for their expensing. But when this passes, they will get an expansion of that amount. So they will get an immediate tax benefit this year.

In addition, we for the first time allow taxpayers to claim these credits against the AMT, so that the AMT doesn't take back what we are giving them in this legislation.

So all in all, Mr. Speaker, these are very effectively crafted provisions to help small businesses who are going to be negatively impacted by an increase in the minimum wage.

Mr. Speaker, I reserve the balance of my time.

Mr. RANGEL. Mr. Speaker, in view of the fact that so many Members have travel engagements, I will reserve the balance of my time.

Mr. McCRERY. Mr. Speaker, I yield to the gentleman from California for a unanimous consent request.

Mr. McKEON. Mr. Speaker, I rise in support of the H.R. 976, the Small Business Tax Relief Act.

Last month, after the new Majority rushed an unbalanced minimum wage bill to the floor without following regular order and without opportunity for amendment, I spoke from here and explained to my colleagues that I believed it was a colossal missed opportunity. Now, about six weeks later, it's clear that a colossal missed opportunity is exactly what it was.

From the outset, I joined many of my colleagues in insisting on protections for small businesses and their workers as part of a comprehensive minimum wage bill. I thank one of these colleagues, Mr. McCRERY, for his work on the legislation before us. He joined me prior to our debate last month in introducing comprehensive minimum wage legislation that provides small business protections similar to those found in this bill. As a result of our action here today, when we finally send a final measure to the President, I am confident that it will look a lot more like our bill than it will the Majority's initial, unbalanced proposal.

Small businesses create two-thirds of our Nation's new jobs, and they represent 98 percent of our new businesses. Since they are responsible for so much of our Nation's recent economic growth, they and their workers are counting on Congress to consider how any minimum wage proposal would impact them. And this legislation will help us do just that.

More than ever, Mr. Speaker, momentum remains squarely on the side of those who want to act in a comprehensive way so small businesses and their workers are not left to fend for themselves in the face of a hike in the minimum wage mandate. And today, we're one step closer to sending President Bush a final product that doesn't saddle them with unnecessary burdens at the same time that they are creating most of the new jobs in our in our growing economy. This bill was crafted with that goal in mind, and because of that, I urge my colleagues to join me in support of it.

□ 1645

Mr. McCRERY. Mr. Speaker, I yield to the gentleman from Wisconsin, a member of the Ways and Means Committee, for as much time as he may consume.

Mr. RYAN of Wisconsin. Mr. Speaker, this was the product of a bipartisan compromise in the Ways and Means Committee. That is a good thing. I am not here to talk about the merits of the bill.

I am here to talk about the fact that this is a suspension of the rules. Among the things that this rules suspends is the Budget Act, and this bill has two budget points of order that lie against it, section 303 and 311. So we are, in the early days of this majority, bringing a bill to the floor that violates the Budget Act. We haven't written the new budget, and we are violating the current one we have.

As to the new PAYGO system, if the PAYGO rule were in place that we had before, or the PAYGO rule that was advocated by the Democrat minority last year would be in place, this would violate their PAYGO rule. It is convenient that this new, more-watered-down PAYGO doesn't apply to this, but I think the facts should be known that this bill does violate the Budget Act in two important ways.

Mr. McCRERY. Mr. Speaker, I recognize the gentleman from New Jersey (Mr. GARRETT) for as much time as he may consume.

Mr. GARRETT of New Jersey. Thank you, and I shall be brief.

Mr. Speaker, as I sit here and read the bill, I consider it a riddle: When is a tax cut not a tax cut? When it really raises your taxes in the end?

This legislation, as many tax bills, is masquerading as a tax cut, when at the end of the day citizens of this country will see their taxes rise.

The tax cuts in this bill are temporary. The tax increases in this bill are permanent. There are good parts in the bill. Section 179, expensing, is a good part; the tip credit, which was mentioned earlier, a good part.

Portions were left out, as we discussed during the rule, such as deductions for State and local tax deductions should have been in here. But even beyond that, even if they were, it is a bad bill, because it raises your taxes. Business lobby may be out there protecting the tax businesses, who is protecting the individual taxpayer?

Earlier today, we received a flier from NTU, National Taxpayer Union, which said, according to the CBO, H.R. 976 would increase net taxes by providing only temporary tax cuts in exchange for permanent tax hikes.

Furthermore, a memo from RSE indicates similarly. H.R. 976 would permanently increase taxes on some taxpayers, while others would see them go down.

This bill was also scored by the Joint Committee on Taxation. So it is not just my word on it. It is not the word of NTU or RSE. The Joint Committee on Taxation also concludes this bill would yield a net tax increase over 6 years.

How does this bill hurt the American taxpayer? It hurts the young, and it hurts the small business. It hurts the young who are between the age of 19 and 24, those individuals who are just getting out in the world, starting their own businesses. It hurts the young and the college student, who may not have lobbyists down here in Washington. It hurts them. Small businesses, it hurts them as well because they now have an acceleration in their taxes.

In conclusion, so you can get your flights and what have you to go back to your taxpayers and explain to them why you raised their taxes, since 2003, the gentleman, the ranking member, could probably explain better than I, the tax cuts we have put in place have spurred on the economy, have spurred on the revenue.

Since October of last year to this year, you have seen a 9.7 percent increase in revenue because of true tax cuts. What America's taxpayers need is permanent tax cuts. We do not need permanent tax increases, which this bill will provide.

I encourage a "no" vote on the tax increase bill.

Mr. McCRERY. Mr. Speaker, the FICA tip credit provision in this bill is permanent. It is not temporary. It is extremely important, as I explained before, to restaurant owners and the like. So that is one provision, a very important provision, that is made permanent in this legislation. It is not temporary.

Mr. COSTELLO. Mr. Speaker, I rise today in strong support of H.R. 976, the Small Business Tax Credit Act of 2007. This tax relief will help small businesses continue to grow and hire new workers to improve our economy. I firmly believe small businesses are the backbone of our economy and tax incentives are an important tool in helping maintain a competitive edge in today's business world. By passing this legislation, we are one step closer to implementation of a higher minimum wage.

H.R. 976 would help small businesses invest in new equipment and more easily afford large capital expenses. It extends small business expensing for one year—increasing both the amount small businesses can deduct from their taxes and the number of small businesses that can take these deductions. Qualified property includes farm machinery equipment and attached farm property, such as automatic feeders, barn cleaners, single purpose agricultural structures and livestock, to name just a few. The ability to deduct expenses immediately instead of having to depreciate them over time improves cash flow and allows small businesses and farmers to better match income and expenses.

In addition, the bill would simplify tax filing requirements for businesses owned jointly by husbands and wives, and ensure that small businesses are fully able to claim the Work Opportunity Tax Credit and tip credit against AMT liability.

Again, passing this legislation is critically important to getting the increase in the minimum wage enacted into law. Raising the minimum wage from $5.15 to $7.25 an hour over two years would benefit 13 million Americans including 7.7 million women and 3.4 million parents. Mr. Speaker, for these reasons I support this legislation and urge my colleagues to do the same.

Mr. CROWLEY. Mr. Speaker, I rise in strong support of H.R. 976.

This is a smart bill that is good for workers and their employers.

Representing Queens and the Bronx, I serve a large number of people who work full time jobs for the minimum wage, and they deserve a raise.

But their employers, like the small restaurants that dot 74th Street in Jackson Heights should not be hit with a new tax.

This bill will allow congress to start in motion the process of increasing the minimum wage, while protecting important employer tax benefits like enhancing the tip credit and expanding and increasing expensing deductions.

This bill also extends and expands the Work Opportunity Tax Credit to encourage businesses to hire people who were formerly on welfare.

Today, we are showing the American people that the Congress works.

This bill is good for workers and business and I urge everyone to support it.

Mr. CARDOZA. Mr. Speaker, I rise today in strong support of this rule and the underlying bill, H.R. 976, The Small Business Tax Relief Act of 2007.

This bill provides $1.3 billion in tax breaks for small business owners and is one of the final steps toward raising the federal minimum wage from $5.15 per hour to $7.25 per hour.

It has been 9½ years since the last minimum wage increase despite widespread support across the country and within the U.S. Congress. And why? Because of partisan politics, and special interests coming before the people's interests.

The Democratic Congress promised a change in priorities. And as one of our first measures of business, Democrats brought a minimum wage increase to the House floor, which received overwhelming bipartisan support. The other body has followed suit and we must work to resolve our differences, which is why we bring this bill before the House today.

A recent poll showed that 89 percent of Americans favor raising the minimum wage. The American public deserves—and has demanded—that raise. With our immediate consideration of this bill, we will heed that call. Hard-working Americans have waited far too long to receive an honest day's pay for an honest day's work.

The people's time has come. We have pledged to act in the public's best interests and we must do so without further delay. Passage of this rule and H.R. 976 will speed enactment of the long overdue increase in the minimum wage.

The Democratic Congress also pledged to reach across the aisle in a bipartisan manner and address the priorities of all Americans. Our bipartisan effort resulted in the carefully constructed compromise that we have before us today. This bill isn't about partisan politics, it's just good policy.

H.R. 976 will help give hard-working families the pay increase they so richly deserve, and ensure small business owners have every opportunity to succeed and prosper. And it will do so in a fiscally responsible manner that will avoid adding to the legacy of debt being left to our children and grandchildren.

Simply stated, this bill is good for taxpayers, good for business, good for people, and is just good policy.

Ms. SCHWARTZ. Mr. Speaker, I want to thank Chairman RANGEL and Ranking Member MCCRERY for proving that the Ways and Means Committee can work in a bipartisan way to extend needed relief to our nation's small businesses.

I am particularly pleased that this bill—the first to be acted upon by the committee since I became a member—includes a provision that closely mirrors the Veterans Employment and Respect Act, which was the first legislative proposal I introduced upon being elected to Congress in 2005.

Section 2 of the bill before us today extends the Work Opportunity Tax Credit to include veterans who have developed a service-related disability and who have been discharged or released since September 11, 2001.

Our military service men and women deserve our utmost respect during their active service, and our support and assistance during the sometimes difficult transition back into civilian life. One key component of a successful transition is the opportunity to gain meaningful employment in the private sector. Incentives designed to encourage employers to hire some of the newest veterans—many of whom are returning from Iraq and Afghanistan—will better enable these men and women to make a smooth return to civilian life.

I offer my appreciation to the Chairman and Ranking Member for including this important provision and for making additional changes to the Work Opportunity Tax Credit that will ensure more businesses are able to take advantage of it. This will positively impact the lives of our disabled veterans and citizens seeking gainful employment after a period of unemployment, welfare assistance, or disability.

Mr. UDALL of Colorado. Mr. Speaker, I support this legislation, which includes an array of tax cuts and other provisions that will help the small businesses that provide jobs for Americans in all sectors of the economy.

The bill will make it easier for small businesses to invest in new equipment by extending their ability to count such investments as a business expense, increasing from $112,000 to $125,000 the amount that can be deducted from their taxes and expanding the number of small businesses that can take these deductions.

In addition, the bill extends the Work Opportunity Tax Credit, WOTC—which provides incentives for hiring—and expands it to cover disabled veterans.

It also will enhance the current tip credit for small businesses, by maintaining the current tip credit that small businesses take for the Social Security taxes that they pay on their employees' tips, instead of allowing it to drop with the increase in the minimum wage. This is particularly important for many restaurants in Colorado and across the country.

And it will simplify tax-filing requirements for businesses owned jointly by married couples and ensure that small businesses are fully able to claim the WOTC and tip credit against Alternative Minimum Tax liability.

Mr. Speaker, I think this bill is an excellent example of the good results that can be achieved when we work together on a bipartisan basis. It has the support of the Administration and has also been endorsed by the national Chamber of Commerce, the National Association of Manufacturers, the National Federation of Independent Businesses, the National Restaurant Association.

I have also received a letter of support from the American Farm Bureau Federation—which I will insert in the RECORD—noting that passage of the bill will directly benefit many farm and ranch businesses. This means it is particularly important for our rural communities in Colorado.

This is a good bill, and I think it deserves the approval of the House.

FEBRUARY 15, 2007.

Hon. MARK UDALL,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE UDALL: The American Farm Bureau Federation supports passage of H.R. 976, the Small Business Tax Relief Act of 2007.

H.R. 976 extends the enhanced provisions of section 179 small business expensing for one year. Beginning in 2007, it increases the maximum amount that can be expensed from $112,000 to $125,000 and the total dollar limit from $450,000 to $500,000.

Section 179 allows small businesses to expense the cost of qualified property in the year that it is purchased in lieu of depreciation. Qualified property includes farm machinery equipment and attached farm property, such as milk tanks, automatic feeders, barn cleaners, single purpose agricultural structures and livestock.

The ability to deduct expenses immediately instead of having to depreciate them over time improve cash flow and allows farm and ranch businesses to better match income and expenses. Extending and expanding small business expensing will offer additional benefits to farm and ranch businesses.

Farm Bureau urges you to vote for passage of H.R. 976, the Small Business Tax Relief Act of 2007.

Sincerely,

BOB STALLMAN,
President.

Mr. LEVIN. Mr. Speaker, I rise in support of H.R. 976, the Small Business Tax Relief Act.

This tax package provides limited, targeted tax relief for small businesses in a fiscally responsible manner. At a little over $1.3 billion it provides a meaningful level of relief, offset by closing a loophole that would allow some upper income tax payers to take advantage of a reduced capital gains tax that was intended to benefit low income Americans.

In addition to being fiscally responsible, it's fully bipartisan. Both Democratic and Republican Members had a chance to provide their input. It was introduced jointly by Chairman RANGEL and Mr. MCCRERY, and it has been co-sponsored by an overwhelming bipartisan majority of the Ways and Means Committee.

I am particularly supportive of extending the Work Opportunity Tax Credit, and expanding the Credit to include veterans who have been disabled since September 11th, which this bill does.

But mostly, I am supportive of going to conference with the other body to pass a minimum wage increase. This legislation will accomplish that. Thirteen million Americans have not had a raise—not even a cost of living adjustment—in 9 years. In a word, a minimum wage increase is overdue.

The current minimum wage is so low that an individual working full time at the minimum wage would make only $10,712—that's 35% below the federal poverty line for a family of three. I urge all of my colleagues to support this responsible tax package so we can move onto conference and providing millions of Americans with the raise they deserve.

Mr. KIND. Mr. Speaker, I rise today in support of H.R. 976, the Small Business Tax Relief Act of 2007. This bill creates immediate opportunities for small businesses around the country and in western Wisconsin. Small businesses are the engine of America's economy, representing more than 95 percent of all employers, creating half of our gross domestic product, and creating three out of four new jobs nationwide. If the United States is going to continue to have a strong economy, we must give small businesses every opportunity to succeed; H.R. 976 provides the right tax opportunities for positive growth for small businesses.

Additionally, I would like to thank Chairman RANGEL and Ranking Member MCCRERY for presenting a bipartisan bill to the Committee on Ways and Means and to the House of Representatives. With their combined leadership, I know my first term on the Committee on Ways and Means will be eventful and successful.

Since coming to Congress, I have consistently supported a range of proposals to help small firms, including giving help to small manufacturers through tax relief and the Manufacturing Extension Partnership; creating a new small business health care tax credit; and putting the government on a "pay as you go" basis to restrain deficit spending that raises interest rates and restricts small firms' access to capital.

H.R. 976 follows this tradition by providing $1.3 billion in tax cuts targeted to small business over the next 10 years. This cost, however, is entirely offset by provisions that pay for it. The bill's tax cuts include a one-year extension for deductions on small business expenses, and it increases the amount of such expenses these businesses could deduct. It also extends for one year the tax credit for employers who hire certain disadvantaged workers, and ensures that an increase in the minimum wage would not reduce the current "tip credit" for restaurant employers. Most importantly, this bill accomplishes these savings for small businesses within the framework of pay-as-you-go rules.

Most significantly, H.R. 976 includes a provision to help simplify taxes for family farmers. Right now, if a farm owned by a married couple files as a sole proprietorship (instead of a partnership), only one spouse receives credit for paying Social Security and Medicare taxes. This bill allows both spouses to receive credit for the Social Security and Medicare taxes they pay while under a sole proprietorship. Filing for a partnership can be a costly and time consuming process, and this bill allows both spouses the security that comes with Social Security and Medicare benefits, without the extra burden.

Specifically, I know this provision will greatly benefit family farmers in western Wisconsin and around the country. This simplification will allow both spouses running a farm to receive credit for the taxes they pay, and ensures that in the event of a tragedy, or simply in old age, both of them are taken care of.

Small business is critical to economic strength, building America's future, and helping the United States compete in today's global marketplace. I urge my colleagues to vote for this common sense bill so we can support our most important economic driver, the small business.

Mr. LEWIS of Georgia. Mr. Speaker, I rise today in support of the Small Business Tax Relief Act of 2007. I commend my colleagues on the Ways and Means Committee for working in a bipartisan way to reach an agreement on provisions that will not only help small businesses grow and thrive, but will provide small businesses with incentives to hire disadvantaged workers. Not only that, it will not pass any costs onto our children.

The most important thing that will come out of passing this piece of legislation today, is that it will ensure that we finally pass a minimum wage increase. As I have said before, we have waited far too long—10 long years—to give our working poor a pay raise. We should be ashamed of that delay, but I am proud that we are taking that important step to restoring dignity and fairness for our minimum wage earners. This minimum wage increase will help millions of our brothers and sisters, mothers and fathers.

My fight in Congress is the fight against poverty. We must do more for working families, for families who are playing by the rules and still cannot get ahead. I just don't understand how people survive under these circumstances. We cannot stand by and watch millions of people continue to fall into poverty. This minimum wage increase is not the end, but the beginning of our fight against poverty in this nation.

Passing this legislation today will smooth the path to the passage of the minimum wage increase. This bill is also a symbol of how much we can accomplish to help hard working families when we work together, across the aisle—Democrats and Republicans. And I look forward to continued progress in the fight against poverty in the 110th Congress.

Mr. BERKLEY. Mr. Speaker, I rise in strong support of the Small Business Tax Relief Act.

Small businesses are the backbone of our nation's economy, and I am pleased that today we are considering a few common-sense provisions that will lessen the tax burden our small businesses face.

I am especially supportive of the language that will have a direct impact on the restaurants in my district. The bill will allow restaurants in Las Vegas and across the country to continue claiming the full tip credit despite any increase in the federal minimum wage.

I strongly support increasing the minimum wage and was proud to vote in favor of legislation this House passed as part of the Democratic majority's first 100 hours. I am hopeful that passing this bill will help move the process along in order to achieve this important goal.

Mr. CARDOZA. Mr. Speaker, I rise today in strong support of this rule and the underlying bill H.R. 976, The Small Business Tax Relief Act of 2007.

This bill provides $1.3 billion in tax breaks for small business owners and is one of the final steps toward raising the federal minimum wage from $5.15 per hour to $7.25 per hour. It has been 9½ years since the last minimum wage increase despite widespread support across the country and within the U.S. Congress. And why? Because of partisan politics and special interests coming before the people's interests.

The Democratic Congress promised a change in priorities. And as one of our first measures of business, Democrats brought a minimum wage increase to the House floor, which received overwhelming bipartisan support. The other body has followed suit and we must work to resolve our differences, which is why we bring this bill before the House today.

A recent poll showed that 89 percent of Americans favor raising the minimum wage. The American public deserves—and has demanded—that raise. With our immediate consideration of this bill, we will heed that call. Hard-working Americans have waited far too long to receive an honest day's pay for an honest day's work.

The people's time has come. We have pledged to act in the public's best interests and we must do so without further delay. Passage of this rule and H.R. 976 will speed enactment of the long overdue increase in the minimum wage.

The Democratic Congress also pledged to reach across the aisle in a bipartisan manner and address the priorities of all Americans. Our bipartisan effort resulted in the carefully constructed compromise that we have before us today. This bill isn't about partisan politics, it's just good policy.

H.R. 976 will help give hard-working families the pay increase they so richly deserve, and ensure small business owners have every opportunity to succeed and prosper. And it will do so in a fiscally responsible manner that will avoid adding to the legacy of debt being left to our children and grandchildren.

Simply stated, this bill is good for taxpayers, good for business, good for people, and is just good policy.

Mr. TANNER. Mr. Speaker, I rise today in strong support of H.R. 976, the Small Business Tax Relief Act of 2007. My family has owned small businesses in Tennessee for generations, and I understand the unique challenges these family-operated businesses face in remaining successful and meeting the needs of their communities. We also understand their importance in helping fuel the local and national economies. I am proud of the work we are doing here to support small businesses as they continue to thrive and give them the assistance they need to help raise their workers' wages.

It is fitting that this is the first major tax package to adhere to the new PAYGO rules this House has re-implemented to curb deficit spending, because "pay as you go" is a basic principle that every small business owner we are helping here today already follows every day. I am glad that we are following their lead and operating under responsible business values such as PAYGO.

Finally, Mr. Speaker, I want to thank Chairman RANGEL and Ranking Member McCRERY for the way they have worked together on this bill. I have been a part of the Ways and Means Committee for 10 years, and this is the first major tax bill I know of during that time that has been reported out of our committee by a unanimous, bipartisan vote. I am encouraged by that and hope the bipartisanship will continue as we look forward to the other legislative priorities facing us on the Committee.

Mr. DOGGETT. Mr. Speaker, surely the smaller and less complex your business structure, the less complex your tax filings should be. But the tax code is so full of complexity that there is barely any room left for simplicity for even the truly Mom- and Pop-owned business or the couple who is trying to hold on to the family farm or ranch.

I am particularly pleased that this bill includes a provision to help husband and wife co-owned businesses that was taken from a bill that I co-introduced with the now Small Business Committee Chairwoman in the last Congress and reintroduced this Congress. My simplification provision has repeatedly been included in the Taxpayer Advocate's annual recommendations to Congress. Now it will hopefully become a reality. An additional benefit of this provision is to ensure equity for wives in these situations by giving both the husband and the wife credit for paying Medicare and Social Security taxes.

I also support the extension and increase of small business expensing, which allows small businesses to make significant capital investments—such as acquiring computer software or farm equipment—and deduct the total cost from income immediately, rather than depreciating them over extended periods of time. By reflecting the increasing costs of doing business, this provision will allow small business owners to build upon their all-American dreams.

As a result of this bill, many of the small Mom- and Pop-owned farms, ranches, and businesses that I represent in Texas will find tax season a little less taxing and a lot fairer. The Committee has shown restraint in drafting this bill. With the purchasing power of the minimum wage at its lowest level in 50 years, neither it nor these modest reforms to help small businesses should be held hostage to the endless appetite of some for another $8 billion plus in additional tax breaks.

Ms. SCHWARTZ. Mr. Speaker, I want to thank Chairman RANGEL and Ranking Member McCRERY for proving that the Ways and Means Committee can work in a bipartisan way to extend needed relief to our Nation's small businesses.

I am particularly pleased that this bill—the first to be acted upon by the committee since I became a member—includes a provision that closely mirrors the Veterans Employment and Respect Act. which was the first legislative proposal I introduced upon being elected to Congress in 2005.

Section 2 of the bill before us today extends the Work Opportunity Tax Credit to include veterans who have developed a service-related disability and who have been discharged or released since September 11, 2001.

Our military service men and women deserve our utmost respect during their active service, and our support and assistance during the sometimes difficult transition back into civilian life. One key component of a successful transition is the opportunity to gain meaningful employment in the private sector. Incentives designed to encourage employers to hire some of the newest veterans—many of whom are returning from Iraq and Afghanistan—will better enable these men and women to make a smooth return to civilian life.

I offer my appreciation to the Chairman and Ranking Member for including this important provision and for making additional changes to the Work Opportunity Tax Credit that will ensure more businesses are able to take advantage of it and, as a result, positively impact the lives of our disabled veterans and citizens seeking gainful employment after a period of unemployment, welfare assistance, or disability.

Mr. NEAL of Massachusetts. Mr. Speaker, I think we've done a good job of balancing small business tax incentives with an increase in the minimum wage.

Both workers and employers come out winners. And because the bill is revenue neutral, the taxpayer also wins.

The bill provides a few billion dollars of tax relief in the first few years while businesses are absorbing the minimum wage increase.

These tax benefits include a 1-year extension of the WOTC, Work Opportunity Tax Credit, which is a credit for employers who hire the hard-to-employ.

Eligible workers include those from low-income communities, or those on public assistance, or veterans who simply need a boost in getting back into the workforce.

Our bipartisan bill also doubles the WOTC credit for hiring veterans with service-connected disabilities.

The bill also increases and extends the small business expensing allowance so that small business owners can write-off capital expenditures.

A small business owner buying equipment or new computers can immediately recoup the cost, rather than depreciating the asset over several years.

And the bill allows businesses to continue to take a full "tip credit" for their tipped workers. Otherwise, with the increase in the minimum wage, these business owners would lose a significant amount of the tip credit right away.

I applaud the work of Chairman RANGEL and Mr. McCRERY who drafted this bipartisan bill. I urge my colleagues to support the bill.

Mrs. JONES of Ohio. Mr. Speaker, I stand in strong support of H.R. 976, which will provide tax relief to small businesses, the backbone of our economy.

It is my hope that this revenue-neutral tax bill will be coupled with the $7.25 minimum wage increase this House of Representatives passed in its First 100 hours. We owe it to hard-working Americans to give them a living wage, as well as provide tax relief to small businesses that would allow them to continue to grow and play a vital role in our local economies across the country.

In my hometown of Cleveland, OH, over 95 percent of the businesses are considered small businesses, employing about 58,000 Clevelanders. In the State of Ohio, over 490,000 people are employed by small businesses. These workers and businesses will benefit from the tax benefits in this bill, allowing them to thrive and reinvest in our communities.

Let me praise two key provisions in this bill. H.R. 976:

1. Extends and expands the Work Opportunity Tax Credit. The WOTC provides employers with a tax credit for employing ex-offenders, qualified veterans, TANF recipients, high-risk youth, food stamp recipients, and other targeted groups. The credit helps break down many of the barriers preventing these Americans from getting work. H.R. 976 extends the WOTC, and expands the credit for the benefit of disabled veterans and residents living in empowerment zones, enterprise communities, and renewal communities.

2. Extends the Section 179 small business expensing, and increases from $112,000 to $125,000 (indexed for inflation) the total amount of expensing allowed. The bill also expands the number of small businesses that can qualify for the maximum benefit by increasing the phaseout threshold amount from $450,000 to $500,000.

Let me also discuss another important provision in this tax bill, and that is the enhancement of the tip credit. I was recently approached about this issue by a chef and restaurant owner in my Congressional District, Sergio Abramof. Sergio owns two excellent restaurants: Sergio's in University Circle, and Sergio's Sarava at Shaker Square.

Fortunately, H.R. 976 will allow businesses to continue claiming the full tip credit despite an increase in the Federal minimum wage. That provision will assist workers and restaurants like those owned by Sergio, so I am very pleased that we are including it in this legislation.

H.R. 976 is fair, bipartisan legislation that will allow small businesses to continue to be an economic engine. I urge my colleagues to vote "yes."

Mr. PEARCE. Mr. Speaker, today the Democratic leadership has brought to the House floor legislation that will effectively create permanent tax increases on many American taxpayers in order to create temporary tax relief for a few.

Though this legislation does not mention a minimum wage increase, we all know this bill is intended to be paired with Senate legislation including a wage hike. While I am pleased that the Majority has finally listened to the Republicans and recognized the detrimental impact a minimum wage increase would have on small businesses, this legislation is nothing but an example of the Majority's plans to deceptively increase taxes on Americans.

In the last Congress I voted for a balanced minimum wage bill that increased the wage rate from $5.15 to $7.25/hour over three years and included important tax and regulatory protections for small businesses and their workers, ensuring they are not over-burdened by high labor costs and can stay in business.

However, I believe it is unfair to create permanent tax increases for the sake of temporary tax relief. This is a perfect example, and I predict many more are to come, of the Democrats using covert tax increase maneuvers to adhere to their misguided PAYGO rules.

The Majority has forced this legislation to the House floor under the suspension of the rules, cutting off debate time and forbidding any amendments to the legislation.

Mr. Speaker, I can not in good conscience support this bill because of the misleading, permanent tax increases it places on many Americans.

Mr. McCRERY. Mr. Speaker, I yield back the balance of my time.

Mr. RANGEL. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. RANGEL) that the House suspend the rules and pass the bill, H.R. 976, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

RECORDED VOTE

Mr. RANGEL. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 360, noes 45, not voting 28, as follows:

[Roll No. 102]

AYES—360

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachus
Baker
Baldwin
Barrow
Barton (TX)
Bean
Becerra
Berkley
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burton (IN)
Butterfield
Camp (MI)
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conyers
Cooper
Costa
Courtney
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Fallin
Farr
Fattah
Ferguson
Filner
Forbes
Fortenberry
Frank (MA)
Frelinghuysen
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Grijalva
Hall (NY)
Hall (TX)
Hare
Hastings (FL)
Hastings (WA)
Hayes
Heller
Herger
Herseth
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Loebsack
Lofgren, Zoe
Lucas
Lungren, Daniel E.
Lynch
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (MI)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Napolitano
Neal (MA)
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pomeroy
Porter
Price (NC)
Pryce (OH)
Putnam
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stearns
Stupak
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Welch (VT)
Weller
Wexler
Whitfield
Wilson (NM)
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOES—45

Akin
Bachmann
Barrett (SC)
Bartlett (MD)
Bishop (UT)
Blackburn
Burgess
Buyer
Campbell (CA)
Cannon
Conaway
Culberson
Deal (GA)
Feeney
Fossella
Foxx
Franks (AZ)
Garrett (NJ)
Gingrey
Hensarling
Hoekstra
Jordan
King (IA)
Kingston
Lamborn
Mack
McCotter
McHenry
Miller (FL)
Musgrave
Neugebauer
Pearce
Poe
Price (GA)
Radanovich
Royce
Sali
Shadegg
Sullivan
Tancredo
Thornberry
Wamp
Weldon (FL)
Westmoreland
Wilson (SC)

NOT VOTING—28

Baird
Berman
Boustany
Calvert
Costello
Davis, Jo Ann
DeFazio
Everett
Flake
Gallegly
Green, Gene
Gutierrez
Harman
Hastert
Hulshof
LaHood
Latham
LoBiondo
Lowey
Miller (NC)
Miller, Gary
Nadler
Pence
Smith (TX)
Stark
Udall (NM)
Waters
Wicker

□ 1710

Mr. CRENSHAW and Mr. SHUSTER changed their vote from "no" to "aye."

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. DEFAZIO. Mr. Speaker, due to a personal leave of absence, I was unable to vote on passage of the Small Business Tax Relief Act, H.R. 976, rollcall vote No. 102. Had I been present, I would have voted "aye" on the bill.

PERSONAL EXPLANATION

Mr. LOBIONDO. Mr. Speaker, I was not present in the House Chamber for votes on February 16, 2007, as I was attending the funeral services of my wife's father, who succumbed to his long battle with cancer. If I were present for votes on this day, I would have voted "nay" on rollcall No. 99, "nay" on rollcall No. 100, "nay" on rollcall No. 101, and "yea" on rollcall No. 102.

PERSONAL EXPLANATION

Mrs. LOWEY. Mr. Speaker, due to a family medical emergency, I regrettably missed rollcall votes. Had I been present I would have voted in the following manner:

Rollcall No. 100: "yea."
Rollcall No. 101: "aye."
Rollcall No. 102: "aye."

PERSONAL EXPLANATION

Mr. BAIRD. Mr. Speaker, unfortunately, due to the funeral of a family member, I was unable to be present today for votes. I take my voting responsibility very seriously. Had I been present, I would have voted "yea" on final passage of H. Con. Res. 63, disapproving of the decision of the President announced on January 10, 2007, to deploy more than 20,000 additional United States combat troops to Iraq (Rollcall vote 99). Had I been present, I also would have voted "aye" on H.R. 976, to amend the Internal Revenue Code of 1986 to provide tax relief for small businesses, and for other purposes (Rollcall vote 102).

PERSONAL EXPLANATION

Mr. GENE GREEN of Texas. Mr. Speaker, on rollcalls No. 100, Previous Question the Rule on H.R. 976, No. 101, the Rule on H.R. 976, and No. 102, Final passage of H.R. 976, had I been present, I would have voted "yea."

GENERAL LEAVE

Mr. RANGEL. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and insert extraneous material on H.R. 976.

The SPEAKER pro tempore (Mr. KLEIN of Florida). Is there objection to the request of the gentleman from New York?

There was no objection.

CONDITIONAL ADJOURNMENT TO TUESDAY, FEBRUARY 20, 2007

Mrs. GILLIBRAND. Mr. Speaker, I ask unanimous consent that when the House adjourns today pursuant to this order, it adjourn to meet at 4 p.m. on Tuesday, February 20, 2007, unless it sooner has received a message from the Senate transmitting its concurrence in House Concurrent Resolution 67, in which case the House shall stand adjourned pursuant to that concurrent resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY, FEBRUARY 28, 2007

Mrs. GILLIBRAND. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday, February 28, 2007.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

APPOINTMENT OF HON. STENY H. HOYER AND HON. CHRIS VAN HOLLEN TO ACT AS SPEAKER PRO TEMPORE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS THROUGH FEBRUARY 27, 2007

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

FEBRUARY 16, 2007.

I hereby appoint the Honorable STENY H. HOYER and the Honorable CHRIS VAN HOLLEN to act as Speaker pro tempore to sign enrolled bills and joint resolutions through February 27, 2007.

NANCY PELOSI,
Speaker of the House of Representatives.

The SPEAKER pro tempore. Without objection, the appointments are approved.

There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON THE BUDGET

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on the Budget:

COMMITTEE ON THE BUDGET,
Washington, DC, February 15, 2007.

The Hon. NANCY PELOSI,
Speaker of the House,
Washington, DC.

DEAR MADAM SPEAKER: I am writing to notify you of my resignation from the Committee on the Budget, effective today.

Thank you for your attention to this matter.

Sincerely,

LOIS CAPPS,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

APPOINTMENT OF MEMBERS TO BOARD OF TRUSTEES OF THE JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

The SPEAKER pro tempore. Pursuant to Section 2(a) of the National Cultural Center Act (20 U.S.C. 76h(a)), amended by Public Law 107–117, and the order of the House of January 4, 2007, the Chair announces the Speaker's appointment of the following Members of the House to the Board of Trustees of the John F. Kennedy Center for the Performing Arts:

Mr. KENNEDY, Rhode Island
Ms. DELAURO, Connecticut
Ms. PRYCE, Ohio.

PENTAGON RED TAPE KEEPS MEDICAL RECORDS FROM DOCTORS OF THE WOUNDED

(Mr. MCDERMOTT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MCDERMOTT. Mr. Speaker, today a story appeared in the Washington Post entitled "Pentagon Red Tape Keeps Medical Records From Doctors of the Wounded."

The Defense Department is refusing to give the records of people wounded in Iraq and Afghanistan to physicians who are taking care of them in the Veterans Department. It is absolutely unbelievable that there could be that kind of bureaucratic snafu.

Now the Defense Department says, We don't have the authority to give the records on the wounded that are leaving us and going to the Veterans Department.

Absolute bureaucratic nonsense. I have introduced H.R. 1128 with Mr. FILNER, which gives that authority to the Defense Department. I hope that other Members will sign this bill, and that we will pass it by unanimous consent when we return to the House after the Presidents' Day break.

In the next week, there are going to be people who are injured and transferred to the veterans hospitals who can't get their records transferred. How can a doctor take care of somebody if they don't know what happened to them on the battlefield? This is the kind of thing we have to stop if we support the troops.

[From the Washington Post, Feb. 16, 2007]

PENTAGON RED TAPE KEEPS MEDICAL RECORDS FROM DOCTORS OF THE WOUNDED

(By Al Kamen)

Department of Veterans Affairs doctors are furious over a recent decision by the Pentagon to block their access to medical information needed to treat severely injured troops arriving at VA hospitals from Iraq and Afghanistan.

The VA physicians handle troops with serious brain injuries and other major health problems. They rely on digital medical records that track the care given wounded troops from the moment of their arrival at a field hospital through their evacuation to the United States.

About 30 VA doctors in four trauma centers around the country have treated about 200 severely wounded soldiers and Marines. The docs had been receiving the complete digital records from the Pentagon until the end of January, using the Pentagon's Joint Patient Tracking Application.

But on Jan. 25, when Shane McNamee, a physician in the Richmond VA Medical Center, tried to get the full records, he couldn't. He sent an urgent e-mail to VA chief liaison officer Edward Huycke.

"My JPTA account has been disabled within last few days," McNamee wrote. "I called the hotline and was told that all VA accounts have been locked. Could not get a good answer why. Anyhow—I have 4 [Iraq/Afghanistan] service members to arrive within the next 2 days. This information is terribly important," the doctor wrote.

Thirty-four minutes later Huycke e-mailed back: "Ok, Shane. Will get on it. Not sure what's up."

An hour or so later, a senior VA official forwarded McNamee's e-mail to Lt. Col. David Parramore at the Pentagon, saying that McNamee "needs his access back to JPTA to provide the best possible treatment for soldiers injured in [Iraq/Afghanistan] arriving there in a few days. Can you help?"

Tommy Morris, director of Deployment Health Systems, responded the next morning to Parramore's inquiry, after contacting Ellen Embry, deputy assistant secretary of defense for force health protection. "I spoke with Embry and no agreements, no data sharing via access to JPTA."

The access cutoff came after Morris, in a Jan. 23 e-mail, instructed a colleague: "If the VA currently has access I need a list of persons and I need their accounts shut off ASAP. It is illegal for them to have access without data use agreements and access controls in place by federal regulations and public law."

There have been meetings between VA and Pentagon officials. The Pentagon declined to comment yesterday. VA officials apparently thought it might have been resolved Monday. But an e-mail Monday from Morris to a co-worker said: "The leadership has not authorized the VA accounts to be turned back on, in case someone approaches you about this."

Last week, Sens. Daniel K. Akaka (D-Hawaii) and Larry E. Craig (Idaho)—the chairman and ranking Republican on the Veterans' Affairs Committee—wrote David S.C. Chu, undersecretary of defense for personnel, of their "deep concern" about VA trauma center doctors not having access to complete records.

"For those servicemembers suffering from a traumatic brain injury," they wrote, "VA's access to in-theater imaging is an important and valuable tool for tracking their patient's progress since being wounded or injured." They suggested the VA doctor be given temporary access to JPTA while the data-sharing questions are worked out.

They're still awaiting an appropriate response. McNamee is still waiting for the records.

THE BERT BRADY HOMECOMING COMMITTEE

(Mr. POE asked and was given permission to address the House for 1 minute.)

Mr. POE. Mr. Speaker, ABC Nightly News named Bert Brady Citizen of the Week. Here is why. Bert Brady is a 69-year-old veteran. He gets up nearly every day for the last year and heads over to the Dallas-Fort Worth Airport. He is there to do something that was not done for him. He is there to welcome soldiers coming home.

Bert organizes folks to go down with him to the airport and greet the soldiers coming home from the war. Sometimes these greeters number in the hundreds. Most of the citizens are veterans of Korea or Vietnam, but they also include Boy Scouts and Girl Scouts, all to say "thank you" to the troops.

As Bert pointed out, there was no one there when our soldiers came home from Korea or from Vietnam. These dedicated individuals are making sure no soldier feels they are forgotten when they are returning from this war.

People line up along the paths. They cheer the soldiers as they come through the path, shaking their hands, giving them hugs, telling them thank you, and waving American flags. For our troops that moment is powerful.

When asked why he is so driven, Bert spoke of one soldier who shook his hand and said, "Mister, I will never forget you. It's the greatest thing that ever happened to me, this homecoming reception."

So we Americans thank you, Bert Brady.

And that's just the way it is.

□ 1715

STOP FAST TRACK

(Ms. KAPTUR asked and was given permission to address the House for 1 minute.)

Ms. KAPTUR. Mr. Speaker, for generations Hershey's chocolate has been an American symbol. Soldiers abroad distributed it to smiling children. Across our country people everywhere recognize the distinctive shape of Hershey kisses. Now Hershey's, too, is being outsourced to Mexico, as the great sucking sound of outsourced jobs accelerate in our country.

Yesterday, the Hershey Company announced it was moving 1,500 more manufacturing jobs to Mexico, terminating 1,500 U.S. workers and all the dairy farmers that supply work and product into that company.

Hershey now joins the ranks of Hoover, Stanley, Champion, Ford, Chrysler, Huffy, Zebco, Levi's and Maytag, who have shipped thousands more U.S. jobs to countries where workers toil for starvation wages.

Now President Bush wants to renew more of the same fast-track trade authority, to ship more of these jobs to Mexico and other trade rivals. He wants to sell our economy to the highest bidders in foreign countries.

NAFTA, CAFTA, PNTR and its cousin agreements have broken the middle class. Congress is long overdue to stand up for them. We must take back the authority to regulate commerce with foreign nations and start creating good jobs in our country again. It is time to stop fast track.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. KLEIN of Florida). Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

NORTHERN IRELAND

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

Mr. PALLONE. Mr. Speaker, I rise this evening in amazement at what can only be described as the utter inflexibility of the Reverend Ian Paisley. Mr. Paisley's dislike of the Catholic population in the north of Ireland is well documented and needs no repeating on the floor of this body. Suffice it to say that John Hume's observation "if the word 'no' was removed from the English language, Ian Paisley would be speechless" is an accurate description of Mr. Paisley's ability for thoughtful negotiation and compromise.

What does deserve recounting here, however, are the remarkable strides that have been taken by Sinn Fein in the quest for a just and lasting peace for all the people of Northern Ireland, as well as the hard work and dedication shown by the Taoiseach Bertie Ahearn and Prime Minister Tony Blair in this endeavor.

Prime Minister Blair has not always used the full force of his office to secure peace on the island of Ireland. However, he has shown himself to be a true friend to the Irish people and a strident negotiator for peace; and I am proud to commend him for that. His diligence and the pursuit of peace stands in stark contrast, however, to that of Mr. Paisley.

Mr. Speaker, heroic efforts have been put forth by all parties, republican, nationalist and unionists alike, to address this situation. It began with the signing of the Good Friday Accords in 1998 and the commitment of the IRA to end its armed campaign and commit to the development of purely political and exclusively peaceful means. The IRA then went on to put their arms completely and verifiably beyond use, which was confirmed by the Independent International Commission on Decommissioning.

Then, most recently, Sinn Fein voted in its extraordinary Ard Fheis, or political convention, to support the policing institutions. This includes a police service that has been shown by the independent Police Ombudsman to have engaged in collusion with loyalist paramilitaries, resulting in the death of at least 10 people, both Catholic and Protestant.

Despite all of this, Mr. Paisley has refused to enter into government with Sinn Fein and put the needs of his constituency and that of the citizens of Northern Ireland above those of his own petty hatred and extremist allies.

Mr. Paisley cannot continue to stand in the way of peace and justice for the people of Northern Ireland. The people of the North have waited far too long and sacrificed far too much for him to continue to be a roadblock to peace. Responsible leadership is needed on the unionist side of the North to show that extremism, bigotry and hatred will not be tolerated.

Mr. Speaker, I have taken to this floor many times in the last few years to talk about the situation in Northern Ireland. The progress which has been made is nothing short of remarkable, considering the violence that has plagued this area literally for centuries. But the one constant that those of us who care about a just and lasting peace have seen is Mr. Paisley, increasingly out of touch, afraid of losing his grip on power, and more interested in living with the past than embracing the promise of tomorrow.

It is well past time that Reverend Ian Paisley move along and let the people of Northern Ireland get on with their lives.

IRAQ WAR RESOLUTION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes as the designee of the minority leader.

Mr. KING of Iowa. Mr. Speaker, I appreciate this profound honor to have the opportunity to address you here on the floor of the United States House of Representatives, the People's House.

I would reflect that all week long, starting really on Tuesday morning, we have had a series of marathon debates taking place here, Mr. Speaker, marathon debates that ranged in the area of 12 hours a day, Tuesday, Wednesday, Thursday until after 1 a.m. this morning, taking up again this morning shortly after 8 o'clock, and then moving on until mid-afternoon, when we finally had a vote on the resolution, the resolution that was offered by the majority, the resolution that in one voice said, we honor the troops, and the other voice said, but we are opposed to the reinforcements and opposed to the surge that the President had ordered, the surge that is already in motion, the troops, many of them have already been deployed, and it is not possible to back out of this.

So the voice that came, Mr. Speaker, to the people across this world was answered and was heard in a lot of different ways.

On one side of it, the antiwar movement within the United States, the activists, liberal left, the protesters that are, at least if not the people that were in the streets during Vietnam, were descendants of the people that were in the streets during Vietnam, philosophically, if not literally, and in many cases it was both. They heard a message, which is, at every cost, the Speaker's leadership is going to drag our military and pull our Commander in Chief back of their commitment to the Iraqi people in the Middle East.

And the other voice, a voice was heard by a number of American people, stalwart patriots, people who believe in the destiny of America and understand that there is a price to be paid by each succeeding generation because of the decisions that are made by the preceding generations. We are the recipients of the sacrifice of our Founders and of every generation's sacrifice, starting with the shaping of the Declaration of Independence, the Constitution, those veterans of the Revolutionary War, those who supported the effort in the Revolutionary War, those who shaped the Constitution, Mr. Speaker, those that built the economy, those that built the churches, those that built the schools, those that built the communities that link together, which is this greater American civilization, we are the beneficiaries.

The decisions that they made July 4, 1776, to pick a point we all understand, we benefitted from that decision. And it was a hard decision. And it wasn't a decision that was made without great concern or without great debate. There was. And there was dissension on both sides.

Some of the people that were opposed to freedom, a free nation, were identified as the Tories, the people that aligned with the British. They didn't think it was worth the price. They didn't want to risk the blood. They didn't want to risk the treasure. They thought that they could suffer the indignities and the injustices that were being poured upon them from the crown, and that was more tolerable than the price that would have to be paid for freedom.

But freedom won out. Freedom was established. And they pledged their lives, their fortunes and their sacred honor, and they did so knowing that they might very well lose their lives and their fortunes, but they would never lose their sacred honor. That was the creed that came from the Founding Fathers, and that was just the Revolutionary War. Of course, it was the biggest and most significant.

But, shortly after that, we had another conflict, and one of those conflicts, Mr. Speaker, was one that started out over in the Mediterranean. The hostilities between the United States and the British concluded in 1783. That was when the military victory was won by George Washington, and that was when, also, the protection of the Union Jack that flew over the seas and the oceans was removed from the protection of our Merchant Marine.

So 1783, our Merchant Marine, our ship sailing on the high seas, lost the Union Jack protection, the intimidation of the British Royal Navy, 1783. 1784, American ships were attacked and boarded and pirated, and our sailors were forced into slavery, and the cargos were sold, and the ships were put back into the fleets of the Barbary pirates, the Barbary pirates being the predecessors of the enemy that we have today.

And it is an interesting study in history, Mr. Speaker, to see what unfolded here in the history of the United States when we sent our best diplomats over to the Mediterranean to negotiate with the Barbary pirates. Those were Thomas Jefferson and John Adams.

Now, I have here a copy, Mr. Speaker, this is of the papers of Thomas Jefferson, right here, volume nine. This is dated 1785, November 1, 1785 to 1786. This is the report that Thomas Jefferson returned upon his conclusion of his diplomat mission to the Tripoli pirates.

In a paragraph that he has written to the American commissioners and John Jay he says, soon after the arrival of Mr. Jay in London, we had a conference with the ambassador of Tripoli at his house. This ambassador of Tripoli was a representative of the Islamic Caliphate. And he says, he writes, "We took the liberty to make some inquiries concerning the grounds of their pretensions to make war upon nations who had done them no injury," meaning the United States of America, "and observed that we consider all mankind as our friends, who had done us no wrong, nor had given us any provocation."

In other words, the statement that came from Thomas Jefferson and John Adams was, to the ambassador from Tripoli, we consider you friends. We have had no hostilities toward you. We have not provoked you in any way. We are simply sailing our ships on the high seas and providing open commerce and trade like any country would do. Why do you attack us? Why do you kill us? Why do you press our sailors into slavery?

Jefferson answered, The ambassador from Tripoli answered us that it was founded on the laws of their prophet, that it was written in their Koran that all nations who should not have acknowledged their authority were sinners, the authority of the Koran. I continue quoting, that it was their right and duty to make war upon them wherever they could be found and to make slaves of all they could take as prisoners and that every Muslim who should be slain in battle was sure to go to paradise.

That is from the negotiations that took place in 1786, and that is from Jefferson's report to John Jay.

Now, here we are, 2006. We are going through this debate, Mr. Speaker, and I am hearing over and over again there is a reason why they hate us. We should understand why they hate us. If we could figure that out, maybe we could change our ways and we could find a way to accommodate our disagreements, because surely there are two sides to every argument.

Well, Mr. Speaker, I am here to submit that Thomas Jefferson understood this thing clearly. He understood a principle that I laid out this afternoon in debate called nosce hostem, which is a Latin term. It comes from the Roman legions, and that is Latin for "know thine enemy".

The Romans understood, and they were the most successful long-term military legions in history all the time up to that point and maybe in all of history. They had to know their enemy, and they had to persevere, and that is where that term came, nosce hostem, know thine enemy.

Thomas Jefferson understood the same thing.

□ 1730

And, in fact, his curiosity and his compulsion to understand and know the enemy caused him to go out and buy a Koran, and that Koran was part of his opposition research, if you will. And Jefferson's being one of the most curious individuals as a figure in our history and maybe the most learned man of his time, he studied Greek so that he could read the Greek Bible and do the translation himself. He wasn't quite satisfied with just King James. He wanted to do that comparison because he was that much of an intellectual and he had that level of curiosity. He had the same level of intellectual curiosity in understanding our enemy the Barbary pirates; so his study of the Koran, I am confident, concurred with his report back to John Jay that was handed over to Congress, that report that says they believe their path to salvation is in killing us.

So Jefferson persevered in his endeavor to understand our enemy. He studied Koran, understood our enemy, put the report in place, and in that one simple paragraph is an explanation of our enemy today. And there is quote after quote after quote that have been brought forward here by my colleagues on this side of the aisle in the last several days that support that statement. Statements made by Osama bin Laden, statements made by Zawahiri, statements made by other leaders of al Qaeda where they say their religious duty, their responsibility, is to keep attacking infidels; infidels, being defined as unbelievers in their Koran; unbelievers, being those who have not sworn allegiance to Islam.

And you saw that in that quote where he said that they continued to attack us wherever we might be found until we either converted to Islam or pay homage or are beheaded. And historically looking back, most of us recognize when we say "leathernecks," that means the Marine Corps today. That nickname came from the Barbary pirate wars when they went to the shores of Tripoli, and our Marine Corps wore heavy thick leather collars, Mr. Speaker. Those collars were worn to reduce the number of marines that would be beheaded by the swinging swords of the Barbary pirates.

The beheadings of today are not anything new. These are beheadings that go back throughout time, throughout the Crusades, clear back to a thousand years ago, Mr. Speaker. And our enemy believes they are fighting that same war. They carry that same grudge. But furthermore, it is a religious conviction on their part. It is not something that can be negotiated away. And to believe that we could resolve this conflict by negotiations is a myopic and naive position. We cannot. If that were the case, I am going to trust Jefferson would have found a way, Adams would have found a way, all of our negotiators in the past would have found a way. Some of them would have found a way at least.

But we fought the Barbary pirates, and it was a herky-jerky, hit-and-miss, not always successful effort. But we did occupy some land there, and we did force them into submission, and we did get a kind of an agreement to resolve the disputes. But the battles between Western civilization and the Barbary pirates and the radical world of Islam of that era really didn't end until 1830, and I am going to go on record here in the CONGRESSIONAL RECORD, Mr. Speaker, when the French culminated a military operation and occupied Algiers. When they did that in 1830, that was essentially, at least for modern times, the end of the violence. Scattered incidents to be sure, but for the majority the end of the violence between the radical Islamists who were the Barbary pirates of that era up until 1830 and then move us forward to about 1979 when these hostilities started again. They lay dormant. They were essentially in submission. They didn't have many tools to work with. Some of them had been colonized. And during that period of time, they didn't get ahold of governments. They didn't have a place to start. They didn't have an ability transportation-wise to come out here and attack the rest of the world.

But things happened and we moved into the modern world. And when the Cold War was over and there was no longer this titanic struggle between the world's two Superpowers and that power vacuum, in came al Qaeda. In came the Taliban. In came the radicals to fill that void. And the philosophical support became there. The funding was there from oil. The real oil wealth began to pour into those Islamic states in the 1970s. And if you remember the oil cartels of that era, the gas lines here, Jimmy Carter's legacy, the 444 days of 52 American hostages paraded in front of the television, and the only way they were going to be released was to elect a President that they were afraid of. So that is why you saw the split screen of Ronald Reagan taking the oath of office and those 52 hostages being released at the same time. But that became the beginning of this constant battle that we have now with the jihadists of today. And they have been empowered by oil wealth, families that are wealthy, by the religious network of radical Islam.

Now, to help explain this a little bit, Mr. Speaker, I use an analogy here that is something that I have not heard from anywhere else. I look around and I think how do I compare what is going on? How am I to stand up and say I am opposed to the radical Islam, these jihadists, without directly attacking Islam itself? Many times the President has made the statement that Islam is a "religion of peace." I am looking for more evidence of that before I am going to step up and resoundingly endorse that statement, but I am not willing to indict them at this point, Mr. Speaker. I would rather compare it this way: I am going to say the radical Islam, the jihadists, are a parasite that lives on and within the host called Islam.

Now, Mr. Speaker, when you think about what that means, a parasite living on and within a host, a parasite will ride on a host, feed off a host, reproduce off a host, drop off and attack other species, but also attack the host species. This goes on over and over again. And I could take you down through some different species of parasites to make my case, but it remains a biological fact that that is what a parasite does.

A parasite doesn't respect its host to the point where it will refrain from killing the host. Sometimes the parasite will kill the host. Think in terms of a tapeworm that will draw all of the nutrients out of the host until the host becomes so scrawny and so disheveled and so weak that the host actually expires. That will happen. There are other parasites that will do the same thing, but there are many parasites that will attack more than one species.

This parasite called radical Islam, these jihadists, attack many species. They attack every species of Homo sapien, for that matter. They attack Jews as their preferred target. They attack Christians as a preferred target. They attack capitalists as a preferred target. And when they can do a two-fer, a Jewish capitalist, a Christian capitalist, a Western civilization representative, secular capitalist, they are all for doing that because they know that that destabilizes the civilization that they abhor.

This parasite called jihadists also attacks Islam itself. Moderate Muslims are killed in greater numbers than anybody else historically over the last 30 or so years because the destabilization that takes place is where they thrive. This parasite called jihad, the jihadist, lives and it grows and it thrives in an anarchy.

So they are seeking to create anarchy. They are attacking the host called Islam, but a host will always provide that food. It will provide the transportation. It provides a home for the parasite. The parasite jihadist, radical Islam, lives within Islam. And so radical Islam goes to the mosques where they preach their hatred and they help sort out those that are truly convicted on the jihad side. The most radical of those are identified by their response, their reaction, and they are connected to and recruited out of the mosques. Many people who go to the mosques are peaceful people. They all aren't. And that is a center where the communication comes through.

The language itself is another tool that helps this parasite called jihadists communicate. So the Arabic language itself is a conduit, Mr. Speaker; a common conduit through the language, a common conduit through the mosque system, a common conduit because of common nationalities and identification with each other. You tie that all together and then you pick the radicals out, and that is how you sort out the species of the parasite jihadists.

But the host hasn't done much to eradicate the parasite from its midst. I haven't seen Islam step up and decide that they are going to eradicate radical Islam from their midst. No. For a number of reasons. One, they are afraid to confront them. They don't know what the price will be. Another one is they are not quite sure they really want to side with the people that are on our side of this argument. Some of them are also dancing in the streets with their radical jihadists when something goes bad for the people on our side, this Western civilization, which I think encompasses the world that the jihadists are opposed to. Western civilization including Christians, Jews, the Judeo Christian ethic, the free market ethic, the liberal democracies that we have that provide freedom for people and give us this flexibility to define our own future. They hate freedom, as the President has said many times, and they attack freedom.

So, Mr. Speaker, this is a difficult nut to crack. And I would like to charge Islam with eradicating that parasite in their midst. I do think it is part their responsibility, but I am not hearing them step up to this task. So I am looking forward to the day that that happens, Mr. Speaker, but until it does, we have a war to fight.

We have a task ahead of us, and this task that is ahead of us is a great big, difficult task. And it is far more difficult today, Mr. Speaker, than it was a week ago because of the message that came out of this Chamber all week long, Tuesday, Wednesday, Thursday, and this morning up until mid-afternoon, and especially because of the vote; the vote that passed a resolution that said we support our troops and oppose their mission. I mean a third grader can figure out that that logic doesn't fit. You have got to do one or the other, and they are tied together. You don't send your military off and ask them to put their lives on the line for a mission that you don't believe in. And to say to them, "I am all for you, buddy, but if you get shot over there, if you give your life over there, I can't say that you did it for a good cause because it is a bad cause." That is what got said over here.

This is a good cause. This is a just cause, Mr. Speaker. And our troops have been undermined today and yesterday and the day before and the day before that. And now they have got to carry out a mission, and it is a lot harder than it has ever been over there.

And our enemy has been encouraged, Mr. Speaker. They have got the words that have been said over here, these quotes put up. They have got to be all over al-Jazeera, over the Islamic blogosphere. There have got to be people dancing in the streets all over the land where they recruit our enemies because they know what this means. They know what it means because they study history.

And, Mr. Speaker, I have studied history as well. And part of that history is, first of all, the United States of America is a Nation that, up until the conclusion of the Korean War, had never lost a war. We had been successful in every conflict that we had engaged in. And I grew up under that. I grew up with a military father and military uncles on both sides of the family. They sat around a lot and talked. The United States of America, of all the Nations in the world, has never lost a war. And the reason we haven't lost a war is because we believe in freedom.,

And you are a lucky young man, STEVE KING, for being born in the United States of America. You could have been born anywhere else, but you were born here. You are a recipient of that freedom that they fought for and each preceding generation had fought for. And I was extraordinarily blessed. I am, Mr. Speaker, but I was raised with a reverence for that freedom and the understanding of the price that was paid for it. And up until that time we had been successful in every conflict. They didn't quite define the Korean War except to say, well, we won that, but nobody talked about that very much.

I bring this up, Mr. Speaker, because I picked up a book a little while back. I had to do a little searching to find it. And the title of the book is How We Won the War. By General Vo Nguyen Giap. He was a Vietnamese general who commanded their troops throughout the entire period of time that they were in conflict with the United States of America in Vietnam. And his comment in there that caught my eye first was "It all began when the United States failed to win a clear victory in Korea." Mr. Speaker.

If you remember, Korea was resolved in the early 1950s, I think 1952, but when it was resolved, it ended up being on the 38th parallel. We had pushed the Chinese back north of the 38th parallel. We had gone north to the 38th parallel with U.N. troops as well, and pushed back to the 38th. The resolution came, and we shut down the fight on that 38th parallel line, which is pretty much back to the same line before the invasion came from the North Koreans.

□ 1745

So it was fought essentially to a draw, and the line was the same line that the war began on. My father and their generation didn't acknowledge that we failed to win that war. They neither acknowledged or said or even implied that we lost it. I think we fought it to a draw.

But when General Giap took over in Vietnam, Dien Bien Phu came along in the mid-fifties and the French had lost, and President Kennedy ordered our troops into Vietnam in 1963, by my recollection, and the Vietnamese had to look at what was coming at them. This big industrial Nation, this sleeping giant, formerly sleeping giant, there was only about not even two decades after World War II, a huge, powerful industrial, military and economic force in the world, was coming into South Vietnam to help support the freedom fighting people in South Vietnam. He had to come to a conclusion on how they were going to fight so great a nation.

He had seen the French lose their resolve at Dien Bien Phu. They lost their resolve along the way. And he knew something Clausewitz had written about in his book on war years before, when Clausewitz said the object of war is to destroy the enemy's will and ability to conduct war. Will and ability, two factors that are the targets of war.

Now, you can destroy the enemy's ability to conduct war. You can wipe out all their tanks and take all their guns. You can take their swords, knives and hatchets. They can be totally devoid of arms. But if they still have the will to fight, they are going to come at with you with sticks and clubs and fists and boots, if they still have the will. That is what Clausewitz understood. It is a two-section effort when you go to fight a war. You are going after the ability to conduct war, the enemy's ability to conduct war, and you are trying to destroy their will to conduct war.

So as Giap analyzed that, he realized he could never destroy our ability to conduct war. We could always pour more and more munitions into the fight. We could send our ships and planes over and we could always pour more bombs in there and always could bring more soldiers in.

So the strategy was how do you then attack, damage, weaken and destroy the United States' will to conduct war? And the North Vietnamese, General Giap in particular, recognized that their best ally in that war wasn't an AK–47 or a ChiCom grenade. What it was was the anti-war movement in the United States.

So they encouraged that movement, and nurtured it and negotiated with it. And they brought Jane Fonda over there and put her in a gun emplacement in Hanoi, and that encouraged the anti-war movement here in the United States. They sent the photo-op back. There were a number of photo-ops like that.

You heard from the great SAM JOHNSON at this very microphone earlier this afternoon, Mr. Speaker, when he talked about how the voices of the anti-war leaders in America were transmitted across loud speakers in the Hanoi Hilton where Sam spent far too many days, 2,500 days in captivity, and how those voices demoralized our POWs in Vietnam.

But General Giap understood, we are destroying the United States' will to conduct war. The frontal assault on the will of the American people was going on relentlessly and persistently, and it says in his book, their best ally was the anti-war movement here in the United States.

So here we are today, Mr. Speaker, and the enemy has been encouraged. There is nothing that came out of that side of the aisle that discouraged the enemy. I can't think of a single word, maybe one speaker, and that would have been a little bit qualified, that would have discouraged the enemy. Over on this side, just hearing SAM JOHNSON, if I were the enemy, my feet would tremble in my sandals.

We have to understand that there are two parts to this war, the ability to conduct war and the will to do so. And we don't conduct wars here in the United States any longer looking at that as two different things we need to assault. We are trying to fight a nicy-nice war with limited targets and rules of engagement that keep our military from doing the job that they could do.

There isn't a strategy to destroy the enemy's will to conduct war. It is just a strategy to destroy the enemy's ability, I should say limit their ability, try to shrink down the arms and funding they have coming in, and try to limit the transportation routes of the insurgents as they infiltrate into Iraq.

That is not enough, Mr. Speaker, but at least we are in a position where we can go forward and win this war if the will of the President and the will of our military can overcome the encouraged and supported will of our enemy, which has been encouraged and supported by many, many voices here on the floor of this Congress.

Mr. Speaker, I point out also the legacy of Korea and Vietnam. That legacy has already been reflected by one of the leaders of our enemy within Iraq, and this is Muqtada al-Sadr. He is the leader of the Madi militia, and he has been a thorn in the side of the United States for a long time. I identified him as somebody that had to go a long time ago, at least as far back as early 2004.

I have to say in memory of Charlie Norwood, this man needs a dentist, and wherever he is going to go, Charlie is going to have no chance at him.

But this individual, Muqtada al-Sadr, said over Al-Jazeera TV on the evening of June 11, 2004—I was in Kuwait City waiting to go into Iraq the next day—Sadr came on Al-Jazeera TV and said in Arabic, with the English crawler underneath, he said, "If we keep attacking Americans, they will leave Iraq the same way they left Vietnam, the same way they left Lebanon, the same way they left Mogadishu." Muqtada al-Sadr, June 11, 2004, and that was Al-Jazeera TV.

That voice out of that man. And when I heard that, I concluded, he has read General Giap's book. He understands maybe not what happened in Korea, but he understands what happened in Vietnam. He understands that he has got to continue to fight, to break the will of the American people here, here in the United States of America, Mr. Speaker, because the last battle in this war, if the United States doesn't ultimately prevail, will be fought right on this blue carpet, right in this place right here. It won't be fought over there in Iraq, it won't be fought in the Middle East anywhere. It is here.

Here is where our vulnerability is, Mr. Speaker. Here is where the battle needs to be fought, and here is where the battle needs to be won, for our posterity and for the liberty and freedom we have been passed from our Founding Fathers. Sadr knows it.

I will submit this, Mr. Speaker: If we don't prevail in Iraq, and I believe that tactically we have every opportunity to do that, if we don't prevail in Iraq and Jack Murtha gets his way and troops come out of Iraq before there is a clear victory, then this man comes back into power. He is probably done talking about how to get Americans to leave Iraq.

But I can tell you Osama bin Laden will surface, or Zawahri will surface, and I will bring their picture down here to the floor, Mr. Speaker, and I will make a statement then. But I make the prediction now, you will see a picture of either Osama bin Laden or Zawahri or whoever the leader of al Qaeda is, and underneath it I will put the quote from them which will go something like this: If we keep attacking Americans, they will leave Afghanistan the same way they left Vietnam, the same way they left Lebanon, the same way they left Mogadishu, the same way they left Iraq.

And every time we lose our resolve and the legacy becomes the legacy that has been stipulated to us by Muqtada al-Sadr, it gets harder and harder to win the next war, harder and harder to have the will to conduct war, harder and harder to destroy their will, when they know that there is a legacy of us losing our will, us losing our nerve, a legacy of Members of Congress demonstrating a lack of spine, a lack of understanding of history, a lack of commitment to the legacy that has been handed to them and handed to all of us by our founders, Mr. Speaker.

So, I would reiterate, nosce hostem, know thy enemy. War, according Clausewitz, the object of war is to destroy the enemy's will and ability to conduct war. No one can destroy our ability, but we don't have the will to match our ability. And that was proven here today, Mr. Speaker.

And one of the members of the Democrat party said, and I applaud him for saying so, it does our military no good for the people on our side to sit in the corner and boo when they have been ordered into battle. We need to be on their side.

Who would go into the bleachers and boo their home team and think somehow the home team was going to perform better? Who would believe, when you hear the voices that came out of here for the last 4 days, Mr. Speaker, or I go back to the presidential campaign as it went through for 2004, where we heard continually "wrong war, wrong place, wrong time." All we heard from another Senator in Massachusetts, it was all a war cooked up by oil people in Texas.

Voice after voice after voice of quasi-leaders of the United States have spoken, and it has undermined our troops and it has weakened their resolve, and it has empowered and emboldened our enemies. And when they are sitting in a hovel in Iraq making an IED and watching their Al-Jazeera TV, Mr. Speaker, and they hear the voices that came out from C–SPAN from the floor of this Congress, do you think that they make more bombs or less? Do you think they have more or less courage to plant them, more or less courage to attack Americans, more or less resolve to continue the fight, more or less perseverance because of the voices that came collectively from this side of the aisle and this Congress, Mr. Speaker?

We all know the answer to that. The answer is they have more resolve, more persistence; they will make more bombs, they will attack more Americans, and more Americans will die because the booing from this section has encouraged our enemy, and I got to bury some of those soldiers in my district, as do most of us. And that breaks my heart, because I understand it doesn't have to be. It doesn't have to be, Mr. Speaker. It didn't have to be and it doesn't have to be. And others will say, but it is. It is the price of a democratic system and a democratic process. And they say it is patriotic to speak about our disagreements.

So, if one yells fire in a crowded theater and 50 people are trampled to death on the way out and there was no fire, did they abuse their freedom of speech? And don't we know that there is a Supreme Court decision that says your freedom of speech doesn't extend to the right to yell fire in a crowded theater? Verbatim and specifically the answer to that, Mr. Speaker, is yes.

So how can we give a pass to people whose words cost more lives? And beyond the lives, people's whose words alter our national destiny and make us poorer for it and diminish our potential and affect our future and burden our children and put them at risk, Mr. Speaker? I can't tolerate that.

As I travel over to the Middle East and settle in and talk to the soldiers there on the ground, and I like to do that more than anything else over there, Mr. Speaker. I will walk into a room, maybe a mess hall, climb aboard a C–130. I will say, anybody over here from Iowa? There have been a couple of times there hasn't been. Most of the time there is somebody there from Iowa.

I will sit down, and it is our immediate bond, and I will ask them what is going on here on the ground? What do I need to know? What do you want me to know? And please rest assured I will not identify you or take that information to your officers. This is something for me, because it is my duty to do this kind of oversight.

And I hear continually, I am proud to fight for freedom, I am proud to serve my country, Congressman, but why do we have to fight the United States news media too? Why is there a conflicting message coming out of Congress? Why do we have to take on that part of this battle? We are fighting the enemy over here. We need to know that Congress is behind us.

□ 1800

One of the lieutenant colonels that I travelled over there with made a statement to me in one of those late evenings as we were talking this over deeply and profoundly. I will not use his name either because I have not asked him that I could do so, but I will use the quote.

And he said, Do not save me, pacifists; do not save me. I volunteered for this. I want to be over here fighting for freedom and liberty because I know the world will be a safer place. I want to take this battle on for my children so they do not have to live in fear and they do not have to carry on this fight.

They are all volunteers, and they say do not save me. I will take my chances. I volunteered for this war. I want to save my children from this burden.

Who are we? Who are we to micromanage a war and try to pull our troops out after all that blood and treasure has been invested in freeing Iraq and giving them an opportunity for freedom? Who are we?

I had gold star parents, Mr. Speaker, come into my office a week before I last went to the Middle East. So this would have been the third week in November, and several families had lost a son or a daughter in combat over in Iraq or Afghanistan.

We had a lot of profound discussions in there, and I listened to them. They had travelled over to Iraq themselves and taken on the risk to go there. They had met with Iraqis. They had been welcomed into the homes of the Iraqis, and the Iraqi people showered them with gratitude for the measure of freedom they have today, even with the insecurities that are part of that, the gratitude for the sacrifice that Americans have given, their lives for Iraqi freedom and American safety and world safety.

And of all the things that were said, one that struck me the most, Mr. Speaker, was a father who had lost his son from California. His name is John. I have forgotten his last name, if I actually ever heard it, and he said, It is different now. You cannot pull out of Iraq. Our sons died there. They gave their lives for the freedom of the Iraqi people, and we are going to have more safety in America because of it? You cannot pull out of there. It is different. That soil is sanctified with the blood of our children.

Mr. Speaker, I challenge anyone to look that man or a father in the eye and say I think I know better, I think we ought to concede, I think we ought to admit and pull out and declare defeat like somebody said this war cannot be won, cannot be won, cannot be won. If I put a word search on there, "cannot be won" over and over again, hundreds of times it got said here in the last 4 to 5 days.

Mr. Speaker, I point out that Iraq, 80 percent of the violence is confined within 30 miles of Baghdad. You just look at the area that is there, Baghdad standing kind of alone in the middle. I checked this all out in the World Factbook just because that is where we go for information. Baghdad represents 1/2500th of the land area of Iraq, and we are saying we cannot prevail because 1/2500th of the land area has some people in there that are battling us? 1/2500th, one day of the life of SAM JOHNSON when he was in the Hanoi Hilton, one out of his 25 days, 1/2500th of the land area of Iraq, and we want to say we do not have the will. Every ability in the world, but we want to say we do not have the will to persevere, even though that soil is sanctified with the blood of our sons and daughters.

It will be a disgrace here on the floor of this Congress, Mr. Speaker, and I would be happy to yield to the gentleman from Idaho (Mr. SALI) who I am sure came down here with his heart full and look forward to whatever he might have to say.

Mr. SALI. Mr. Speaker, first of all, I would like to tip my hat to the good gentleman for his efforts on the floor and for the compelling argument that he has made here.

The idea that our young people, young men and women, have gone to Iraq, gone to Afghanistan, they have spilled their blood there for a purpose that would become meaningless if we withdraw without finishing the job over there, that is something that makes the discussion I think a little different.

All of us are tired of the war. All of us are tired of the casualties that have been inflicted. What we have to do is keep our eye on the ultimate goal, what it is. Is it to quell a disturbance, a dispute that has arisen between different Islamic groups? No, it is not. It can never be.

It has to be the security of the United States. For those folks who have died in Iraq and Afghanistan, for their lives to have meaning, we have to consider what that goal is.

The national security of every person in this country, those interests have to be paramount to everything else that we consider. They have to be paramount to our distaste for the fighting that has gone on. They have to be paramount to every life that has been lost.

Mr. Speaker, for those lives that have been lost to have meaning, it has to be that we will save more lives by their efforts that have been there than if we just pull up stakes and quit. If we do not get that job done, if those radical Islamists are allowed to declare a State, if they have a home, a base from which to operate, we will repeat the events that happened when the Taliban had a home base in Afghanistan.

The recipe is before us. We have seen it before. We will have a repeat of something like 9/11.

The only choice that we have as a Nation is to continue that job over there, to get it finished as best we can. Is there a perfect prescription for that? No, there is not. Is it going to be easy? No, it is not. Will we have more casualties? Unfortunately, we will, and yet we must continue this fight so we will not dishonor those who have paid the ultimate sacrifice to this point in the conflict.

I thank the good gentleman.

Mr. KING of Iowa. I thank the gentleman from Idaho, and I appreciate him coming down here and adding to this dialogue.

I had a chance to collect my thoughts a little bit during that, too, and a number of points that I did not make here.

First, I would like to say the argument is it is a civil war and we should not be involved in a civil war. We have been involved in a number of civil wars, and we will be involved in more civil wars. The same people who say we cannot be involved in a civil war say go into Darfur. Well, that is a civil war.

The same people said we should have gone to Rwanda. I am one of them that thought we should have gone to Rwanda. It was horrible. We could have done something about it, but it was a civil war.

And that list goes on and on, but let me define a civil war so it is a little more clear, Mr. Speaker, to the people that care, and that is, that you will be able to identify a civil war in Iraq when you see the Iraqi military and the Iraqi police force line up and choose up sides and decide they are going to start shooting at each other. They are not doing that. They are keeping order all that they can. They march forward in uniform. They stay together, and that is one thing that says it is not a civil war.

Another one seems to me to be the most obvious and that has not been brought up here, and that is, I know of no entity of the five to eight competing factions within Baghdad that is trying to unseat the elected government of Iraq. It is accepted. The people went to the polls and voted in greater numbers percentage-wise than we do here in the United States, and they elected their leaders. They ratified their Constitution. They elected their leaders, seated their prime minister.

So Iraq is a country that is a sovereign country. No one is trying to unseat the government. It is not a civil war. Yes, there is sectarian strife, but it is not so much to do with religion as it is so much the power vacuum that is going on. It is not a civil war.

We cannot constitutionally micromanage a war. The precedents for that are utterly weak throughout history, even though there was some struggle with that a number of times. But the precedent that remains was here in 1973, after Richard Nixon finished the Vietnamization process, moved our troops out of Vietnam, then a wounded President during the Watergate era was forced into a situation where this Congress shut off all funds from going to Vietnam, and that was on the land of Vietnam, in the skies over Vietnam and the seas offshore Vietnam.

The bill, and I just looked at it again yesterday and I read it a number of times, the bill said none of these funds or any funds heretofore appropriated shall be used on Vietnam, over Vietnam or offshore in Vietnam, which kept all of our military from supporting the South Vietnamese Army which was defending itself after the Treaty of Paris and the resolution of that issue.

Now the North Vietnamese broke the treaty. The South Vietnamese did not have support. They did not have munitions, which we promised them. They did not have air cover, which we promised them. We could not even do a naval bombardment to support them from the seas because this Congress jerked the rug out from underneath that. And the disgrace lies yet in our history books.

SAM JOHNSON also went back to Saigon here just not too long ago, within the last number of weeks, and laid a wreath at the U.S. embassy where we lost 10 to 12 Marines as you saw them being air lifted off the top of the U.S. embassy. Ten to 12 marines does not sound like much. That was the cry and the agony of a Nation, but those 10 to 12 Marines, think in terms of the millions of skulls that are piled in southeast Asia that came in the aftermath of the Vietnam War, the human tragedy.

I would say, Mr. Speaker, that none of us could pick up one of those skulls in The Killing Fields, and say this was a Cambodian skull or a Vietnamese skull or an American skull. And I can tell you, God does not draw the distinction, but he understands what goes on in a conscience of humanity and the conscience of a Nation.

One would think that this Congress, Mr. Speaker, would have learned from that colossal error and be able to stand and have enough resolve when we are in a situation where Baghdad is surrounded, and by the way, Baghdad is not a stronghold. I asked a commanding general at the time of our ground forces within Baghdad, and I said, What is this about a stronghold? Are there places you cannot go? He said we go everywhere we want to go. We go when we want to go there. Sometimes we do not want to squabble. Sometimes we go in there because we want to pick a fight, but there is no such thing as a stronghold. So that resolves that.

I wrote an editorial a while back, Mr. Speaker, and released about December 20 because December 22 was the anniversary of General McAuliff's retort to the Nazis at the battle of Bastone. History will record, and you will remember, Mr. Speaker, the 101st Airborne in World War II was surrounded in Bastone. Bastone, a city that had seven highways coming to it, it was the confluence of the transportation and a critical area that had to be held and controlled for whichever side was going to be successful in the Battle of the Bulge.

When the Nazis surrounded the 101st at Bastone and were mercilessly shelling them, they sent a message in that demanded our surrender. General McAuliff's response was, "Nuts." Nuts, Mr. Speaker. Nuts, Nazis. They had to go all kinds of linguists and ask what does this mean? How do you translate this into German? It did not translate very well into German because that was the American spirit that echoed through that word, "nuts." Nuts, we have got you right where we want you. We are going to stay and hold our ground.

They did so, and to this day, the 101st will tell you, they did not really need Patton to relieve them, they would have won anyway. But Patton did come, history shows. They held their ground. Bastone was held. The Battle of the Bulge was turned back and the Nazi regime was destroyed forever because of American courage and American guts and an America that said "nuts" when they were surrounded in Bastone.

Mr. Speaker, today, 2,499 parts of 2,500 parts of Iraq are essentially pacified, and are there under our control. Parts of Baghdad essentially are all that is left.

☐ 1815

Baghdad surrounded, it is not a stronghold. And if we pull out of there, history will rule us as nuts. Nuts, a weak nation, a weak nation that didn't have the resolve, Mr. Speaker.

I will put one more point in here, and hopefully I can get this done within the time that I have, and that is the straddle that is taking place with this resolution, Mr. Speaker. The straddle that gives the majority side of this thing an argument that they are right, no matter what the results are in Iraq. And that is, the way the resolution reads, they support the troops but oppose the mission.

Then they go on and say, we are going to do a slow bleed. JACK MURTHA says we are going to do a slow bleed and we are going to eliminate the President's ability to conduct these operations in Iraq.

Well, all right. So if the President's plan succeeds and Baghdad is pacified and the government of Iraq grows stronger and more stable, you will hear from over this side of the aisle, Mr. Speaker, over and over again, "See," they are going to say, "we were right. It took us to encourage the Iraqi government and the Iraqi military to step up to the plate and do the job. If we hadn't done that, the Americans would have held their hand and been their training wheels forever. They never would have learned to defend their country." That will come out of that side if history makes it clear that we are successful in Iraq.

And if we deploy out of there and Iraq turns into what I believe will be a disastrous chaos and cede the Shi'a region of the Iraq to the Iranians, who essentially have significant influence in there now, that would be 70 to 80 percent of Iraq's oil as well. It would give Iran control of the global export quantity of the oil. Iran would then have control of 42.6 percent of the oil that would go on the market, which is absolutely enough to control the market and enrich them fantastically and let them buy their nuclear capability and intimidate everyone in the Middle East and everyone in Europe and intimidate the United States as well. They would not be limited.

That is what happens if we pull out and the catastrophe, not to mention the human catastrophe, not to mention all the skulls that will be stacked up in Iraq like they were stacked up in Southeast Asia to the numbers of 3 million. That is the catastrophe there, Mr. Speaker.

But I am going to compare this. There was only one country that was guaranteed to be on the winning side in World War II, and that was France, because they were on both sides, Mr. Speaker. They were on both sides because you had Charles de Gaulle's freedom fighters, and they had gone into exile into Great Britain and continued their "Free France" battle going on. That was part of the effort, and we supported and helped them.

But you also remember there was the Vichy French. The Vichy French jumped right into bed with the Nazis and they staked their claim there, and that was Marshall Petain. And the French, not much of their country was destroyed really in World War II. Paris certainly held together pretty good, and I am glad it did.

But if the Nazis had won and prevailed, the Vichy French would have emerged to the top. And then the French would have said, see, we got on the right side of this war, we avoided a lot of conflict, and Marshall Petain now is our president who is cutting a deal with Hitler. Or, as it turned out, it turned out to be Charles de Gaulle instead.

Straddle the issue, go right down the middle, prepare yourself to be on the victorious or at least be right, no matter what the results.

That is what this resolution does, Mr. Speaker. It allows the majority party and those that voted for this resolution to make the claim that they are right, no matter what happens. And they brought not one word of strategic plan to resolve this issue in Iraq. Not one. In 4 days of debates, not a single plan came out of that side of the aisle, not one.

None came out in the campaigns, either. They never stepped up and said, "This is what I would do." Except some said, "I would cut and run. I just wouldn't call it that." Some of that went on. But, beyond that, there was nothing, except they said we need a strategic plan, we need a better plan.

And one of them came here to the floor and said, "I used to command a carrier task force offshore of Afghanistan," which would be by my look of the map the Arabian Sea. And he says, "My job now is to come here and plan a strategy to resolve the issue in Iraq."

And I reflected, Judge Louie Gohmert found himself wanting to legislate from the bench in Texas, so he ran for Congress because he knew constitutionally this was the place to legislate.

But that Member, Mr. Speaker, if he wanted to micromanage a war, should have kept command of his task force and the Arabian Sea. This is no place, Mr. Speaker, to micromanage a war. Our job constitutionally is to fund it, and the Commander in Chief's job is to run it, and we have endorsed his authority to do that.

As these amendments come and these appropriations bills come, one after another in this slow bleed that has been promised, we will know that the constitutional authority doesn't exist to do that. The President has the authority to take the money that has been appropriated and to do intradepartmental transfers and I will say interdepartmental transfers as well to fund the military however he sees fit to protect this Nation.

And if this party sees fit to starve our military and put them at risk, then woe are we. But they have also taken responsibility for the results of this war by this.

So I will say, Mr. Speaker, this resolution that passed here on the floor today, it assists our enemy. It assists our enemy. It assuages our enemy. It encourages our adversaries. It provides benefit for our enemies. It encourages the bad guys. It provides comfort and charity to the criminals. It encourages and exhilarates our enemy. It provides favor and gifts to the enemy, our foe. It is a handout. It is help to the insurgents. It is relief and reward for the opposition. It is salvation and succor for terrorists. It emboldens and encourages.

This day on this floor of the United States Congress will live in infamy, and I pray it may not be a precedent for the future of America and for our national destiny.

Mr. Speaker, I would make another point, and that is I have decided I will follow General Petraeus, and you have decided you will follow General Pelosi.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BAIRD (at the request of Speaker PELOSI) for today on account of attending a funeral.

Mr. DEFAZIO (at the request of Speaker PELOSI) for today after 3 p.m.

Mr. NADLER (at the request of Speaker PELOSI) for February 14, February 15 and February 16 on account of family medical emergency.

Mr. GARY G. MILLER of California (at the request of Mr. BOEHNER) for today after 4 p.m. on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. PALLONE) to revise and extend their remarks and include extraneous material:)

Mr. PALLONE, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

SENATE BILLS REFERRED

Bills and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 188. An act to revise the short title of the Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006; to the Committee on the Judiciary.

S. 487. An act to amend the National Organ Transplant Act to clarify that kidney paired donations shall not be considered to involve the transfer of a human organ for valuable consideration; to the Committee on Energy and Commerce.

S. Con. Res. 12. Concurrent Resolution supporting the goals and ideals of a National Medal of Honor Day to mark the significance and importance of the Medal of Honor and to celebrate and honor the recipients of the Medal of Honor on the anniversary of the first award of that medal in 1863; to the Committee on Armed Services.

BILL PRESENTED TO THE PRESIDENT

Lorraine C. Miller, Clerk of the House, reports that on February 15, 2007, she presented to the President of the United States, for his approval, the following bill.

H.J. Res. 20. Making further continuing appropriations for the fiscal year 2007, and for other purposes.

ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, pursuant to the order of the House of today, I move that the House do now adjourn.

The motion was agreed to.

The SPEAKER pro tempore. Accordingly, pursuant to the previous order of the House of today, the House stands adjourned until 4 p.m. on Tuesday, February 20, 2007, unless it sooner has received a message from the Senate transmitting its adoption of House Concurrent Resolution 67, in which case the House shall stand adjourned pursuant to that concurrent resolution.

Thereupon (at 6 o'clock and 21 minutes p.m.), pursuant to the previous order of the House of today, the House adjourned until 4 p.m. on Tuesday, February 20, 2007, unless it sooner has received a message from the Senate transmitting its adoption of House Concurrent Resolution 67, in which case the House shall stand adjourned pursuant to that concurrent resolution.

OATH OF OFFICE MEMBERS, RESIDENT COMMISSIONER, AND DELEGATES

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members, Resident Commissioner, and Delegates of the House of Representatives, the text of which is carried in 5 U.S.C. 3331:

> "I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well faithfully discharge the duties of the office on which I am about to enter. So help me God."

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Members of the 110th Congress, pursuant to the provisions of 2 U.S.C. 25:

ALABAMA

1. Jo Bonner.
2. Terry Everett.
3. Mike Rogers.

4. Robert B. Aderholt.
5. Robert E. (Bud) Cramer, Jr.
6. Spencer Bachus.
7. Artur Davis.

ALASKA

At Large

Don Young.

AMERICAN SAMOA

Delegate

Eni F. H. Faleomavaega.

ARIZONA

1. Rick Renzi.
2. Trent Franks.
3. John B. Shadegg.
4. Ed Pastor.
5. Harry E. Mitchell.
6. Jeff Flake.
7. Raúl M. Grijalva.
8. Gabrielle Giffords.

ARKANSAS

1. Marion Berry.
2. Vic Snyder.
3. John Boozman.
4. Mike Ross.

CALIFORNIA

1. Mike Thompson.
2. Wally Herger.
3. Daniel E. Lungren.
4. John T. Doolittle.
5. Doris O. Matsui.
6. Lynn C. Woolsey.
7. George Miller.
8. Nancy Pelosi.
9. Barbara Lee.
10. Ellen O. Tauscher.
11. Jerry McNerney.
12. Tom Lantos.
13. Fortney Pete Stark.
14. Anna G. Eshoo.
15. Michael M. Honda.
16. Zoe Lofgren.
17. Sam Farr.
18. Dennis A. Cardoza.
19. George Radanovich.
20. Jim Costa.
21. Devin Nunes.
22. Kevin McCarthy.
23. Lois Capps.
24. Elton Gallegly.
25. Howard P. "Buck" McKeon.
26. David Dreier.
27. Brad Sherman.
28. Howard L. Berman.
29. Adam B. Schiff.
30. Henry A. Waxman.
31. Xavier Becerra.
32. Hilda L. Solis.
33. Diane E. Watson.
34. Lucille Roybal-Allard.
35. Maxine Waters.
36. Jane Harman.
37. Juanita Millender-McDonald.
38. Grace F. Napolitano.
39. Linda T. Sánchez.
40. Edward R. Royce.
41. Jerry Lewis.
42. Gary G. Miller.
43. Joe Baca.
44. Ken Calvert.
45. Mary Bono.
46. Dana Rohrabacher.
47. Loretta Sanchez.
48. John Campbell.
49. Darrell E. Issa.
50. Brian P. Bilbray.
51. Bob Filner.
52. Duncan Hunter.
53. Susan A. Davis.

COLORADO

1. Diana DeGette.
2. Mark Udall.
3. John T. Salazar.
4. Marilyn N. Musgrave.
5. Doug Lamborn.
6. Thomas G. Tancredo.
7. Ed Perlmutter.

CONNECTICUT

1. John B. Larson
2. Joe Courtney.
3. Rosa L. DeLauro.
4. Christopher Shays.
5. Christopher S. Murphy.

DELAWARE

At Large

Michael N. Castle.

DISTRICT OF COLUMBIA

Delegate

Eleanor Holmes Norton.

FLORIDA

1. Jeff Miller.
2. Allen Boyd.
3. Corrine Brown.
4. Ander Crenshaw.
5. Ginny Brown-Waite.
6. Cliff Stearns.
7. John L. Mica.
8. Ric Keller.
9. Gus M. Bilirakis.
10. C. W. Bill Young.
11. Kathy Castor.
12. Adam H. Putnam.
13. Vern Buchanan.
14. Connie Mack.
15. Dave Weldon.
16. Tim Mahoney.
17. Kendrick B. Meek.
18. Ileana Ros-Lehtinen.
19. Robert Wexler.
20. Debbie Wasserman Schultz.
21. Lincoln Diaz-Balart.
22. Ron Klein.
23. Alcee L. Hastings.
24. Tom Feeney.
25. Mario Diaz-Balart.

GEORGIA

1. Jack Kingston.
2. Sanford D. Bishop, Jr.
3. Lynn A. Westmoreland.
4. Henry C. "Hank" Johnson, Jr.
5. John Lewis.
6. Tom Price.
7. John Linder.
8. Jim Marshall.
9. Nathan Deal.
10. Charlie Norwood.
11. Phil Gingrey.
12. John Barrow.
13. David Scott.

GUAM

Delegate

Madeleine Z. Bordallo.

HAWAII

1. Neil Abercrombie.
2. Mazie K. Hirono.

IDAHO

1. Bill Sali.
2. Michael K. Simpson.

ILLINOIS

1. Bobby L. Rush.
2. Jesse L. Jackson, Jr.
3. Daniel Lipinski.
4. Luis V. Gutierrez.
5. Rahm Emanuel.
6. Peter J. Roskam.
7. Danny K. Davis.
8. Melissa L. Bean.
9. Janice D. Schakowsky.
10. Mark Steven Kirk.
11. Jerry Weller.
12. Jerry F. Costello.
13. Judy Biggert.
14. J. Dennis Hastert.
15. Timothy V. Johnson.
16. Donald A. Manzullo.
17. Phil Hare.
18. Ray LaHood.
19. John Shimkus.

INDIANA

1. Peter J. Visclosky.
2. Joe Donnelly.
3. Mark E. Souder.
4. Steve Buyer.
5. Dan Burton.
6. Mike Pence.
7. Julia Carson.
8. Brad Ellsworth.
9. Baron P. Hill.

IOWA

1. Bruce L. Braley.
2. David Loebsack.
3. Leonard L. Boswell.
4. Tom Latham.
5. Steve King.

KANSAS

1. Jerry Moran.
2. Nancy E. Boyda.
3. Dennis Moore.
4. Todd Tiahrt.

KENTUCKY

1. Ed Whitfield.
2. Ron Lewis.
3. John A. Yarmuth.
4. Geoff Davis.
5. Harold Rogers.
6. Ben Chandler.

LOUISIANA

1. Bobby Jindal.
2. William J. Jefferson.
3. Charlie Melancon.
4. Jim McCrery.
5. Rodney Alexander.
6. Richard H. Baker.
7. Charles W. Boustany Jr.

MAINE

1. Thomas H. Allen.
2. Michael H. Michaud.

MARYLAND

1. Wayne T. Gilchrest.
2. C. A. Dutch Ruppersberger.
3. John P. Sarbanes.
4. Albert Russell Wynn.
5. Steny H. Hoyer.
6. Roscoe G. Bartlett.
7. Elijah E. Cummings.
8. Chris Van Hollen.

MASSACHUSETTS

1. John W. Olver.
2. Richard E. Neal.
3. James P. McGovern.
4. Barney Frank.
5. Martin T. Meehan.
6. John F. Tierney.
7. Edward J. Markey.
8. Michael E. Capuano.
9. Stephen F. Lynch.
10. William D. Delahunt.

MICHIGAN

1. Bart Stupak.
2. Peter Hoekstra.
3. Vernon J. Ehlers.
4. Dave Camp.
5. Dale E. Kildee.
6. Fred Upton.
7. Timothy Walberg.
8. Mike Rogers.
9. Joe Knollenberg.
10. Candice S. Miller.
11. Thaddeus G. McCotter.
12. Sander M. Levin.
13. Carolyn C. Kilpatrick.

14. John Conyers Jr.
15. John D. Dingell.

MINNESOTA

1. Timothy J. Walz.
2. John Kline.
3. Jim Ramstad.
4. Betty McCollum.
5. Keith Ellison.
6. Michele Bachmann.
7. Collin C. Peterson.
8. James L. Oberstar.

MISSISSIPPI

1. Roger F. Wicker.
2. Bennie G. Thompson.
3. Charles W. "Chip" Pickering.
4. Gene Taylor.

MISSOURI

1. Wm. Lacy Clay.
2. W. Todd Akin.
3. Russ Carnahan.
4. Ike Skelton.
5. Emanuel Cleaver.
6. Sam Graves.
7. Roy Blunt.
8. Jo Ann Emerson.
9. Kenny C. Hulshof.

MONTANA

At Large

Dennis R. Rehberg.

NEBRASKA

1. Jeff Fortenberry.
2. Lee Terry.
3. Adrian Smith.

NEVADA

1. Shelley Berkley.
2. Dean Heller.
3. Jon C. Porter.

NEW HAMPSHIRE

1. Carol Shea-Porter.
2. Paul W. Hodes.

NEW JERSEY

1. Robert E. Andrews.
2. Frank A. LoBiondo.
3. Jim Saxton.
4. Christopher H. Smith.
5. Scott Garrett.
6. Frank Pallone Jr.
7. Mike Ferguson.
8. Bill Pascrell Jr.
9. Steven R. Rothman.
10. Donald M. Payne.
11. Rodney P. Frelinghuysen.
12. Rush D. Holt.
13. Albio Sires.

NEW MEXICO

1. Heather Wilson.
2. Stevan Pearce.
3. Tom Udall.

NEW YORK

1. Timothy H. Bishop.
2. Steve Israel.
3. Peter T. King.
4. Carolyn McCarthy.
5. Gary L. Ackerman.
6. Gregory W. Meeks.
7. Joseph Crowley.
8. Jerrold Nadler.
9. Anthony D. Weiner.
10. Edolphus Towns.
11. Yvette D. Clarke.
12. Nydia M. Velázquez.
13. Vito Fossella.
14. Carolyn B. Maloney.
15. Charles B. Rangel.
16. José E. Serrano.
17. Eliot L. Engel.
18. Nita M. Lowey.
19. John J. Hall.
20. Kirsten E. Gillibrand.
21. Michael R. McNulty.
22. Maurice D. Hinchey.
23. John M. McHugh.
24. Michael A. Arcuri.
25. James T. Walsh.
26. Thomas M. Reynolds.
27. Brian Higgins.
28. Louise McIntosh Slaughter.
29. John R. "Randy" Kuhl Jr.

NORTH CAROLINA

1. G. K. Butterfield.
2. Bob Etheridge.
3. Walter B. Jones.
4. David E. Price.
5. Virginia Foxx.
6. Howard Coble.
7. Mike McIntyre.
8. Robin Hayes.
9. Sue Wilkins Myrick.
10. Patrick T. McHenry.
11. Heath Shuler.
12. Melvin L. Watt.
13. Brad Miller.

NORTH DAKOTA

At Large

Earl Pomeroy

OHIO

1. Steve Chabot.
2. Jean Schmidt.
3. Michael R. Turner.
4. Jim Jordan.
5. Paul E. Gillmor.
6. Charles A. Wilson.
7. David L. Hobson.
8. John A. Boehner.
9. Marcy Kaptur.
10. Dennis J. Kucinich.
11. Stephanie Tubbs Jones.
12. Patrick J. Tiberi.
13. Betty Sutton.
14. Steven C. LaTourette.
15. Deborah Pryce.
16. Ralph Regula.
17. Tim Ryan.
18. Zachary T. Space.

OKLAHOMA

1. John Sullivan.
2. Dan Boren.
3. Frank D. Lucas.
4. Tom Cole.
5. Mary Fallin.

OREGON

1. David Wu.
2. Greg Walden.
3. Earl Blumenauer.
4. Peter A. DeFazio.
5. Darlene Hooley.

PENNSYLVANIA

1. Robert A. Brady.
2. Chaka Fattah.
3. Phil English.
4. Jason Altmire.
5. John E. Peterson.
6. Jim Gerlach.
7. Joe Sestak.
8. Patrick J. Murphy.
9. Bill Shuster.
10. Christopher P. Carney.
11. Paul E. Kanjorski.
12. John P. Murtha.
13. Allyson Y. Schwartz.
14. Michael F. Doyle.
15. Charles W. Dent.
16. Joseph R. Pitts.
17. Tim Holden.
18. Tim Murphy.
19. Todd Russell Platts.

PUERTO RICO

Resident Commissioner

Luis G. Fortuño.

RHODE ISLAND

1. Patrick J. Kennedy.
2. James R. Langevin.

SOUTH CAROLINA

1. Henry E. Brown Jr.
2. Joe Wilson.
3. J. Gresham Barrett.
4. Bob Inglis.
5. John M. Spratt Jr.
6. James E. Clyburn.

SOUTH DAKOTA

At Large

Stephanie Herseth.

TENNESSEE

1. David Davis.
2. John J. Duncan Jr.
3. Zach Wamp.
4. Lincoln Davis.
5. Jim Cooper.
6. Bart Gordon.
7. Marsha Blackburn.
8. John S. Tanner.
9. Steve Cohen.

TEXAS

1. Louie Gohmert.
2. Ted Poe.
3. Sam Johnson.
4. Ralph M. Hall.
5. Jeb Hensarling.
6. Joe Barton.
7. John Abney Culberson.
8. Kevin Brady.
9. Al Green.
10. Michael T. McCaul.
11. K. Michael Conaway.
12. Kay Granger.
13. Mac Thornberry.
14. Ron Paul.
15. Rubén Hinojosa.
16. Silvestre Reyes.
17. Chet Edwards.
18. Sheila Jackson-Lee.
19. Randy Neugebauer.
20. Charles A. Gonzalez.
21. Lamar S. Smith.
22. Nick Lampson.
23. Ciro D. Rodriguez.
24. Kenny Marchant.
25. Lloyd Doggett.
26. Michael C. Burgess.
27. Solomon P. Ortiz.
28. Henry Cuellar.
29. Gene Green.
30. Eddie Bernice Johnson.
31. John R. Carter.
32. Pete Sessions.

UTAH

1. Rob Bishop.
2. Jim Matheson.
3. Chris Cannon.

VERMONT

At Large

Peter Welch.

VIRGIN ISLANDS

Delegate

Donna M. Christensen.

VIRGINIA

1. Jo Ann Davis.
2. Thelma D. Drake.
3. Robert C. "Bobby" Scott.
4. J. Randy Forbes.
5. Virgil H. Goode Jr.
6. Bob Goodlatte.
7. Eric Cantor.
8. James P. Moran.
9. Rick Boucher.
10. Frank R. Wolf.
11. Tom Davis.

WASHINGTON

1. Jay Inslee.

2. Rick Larsen.
3. Brian Baird.
4. Doc Hastings.
5. Cathy McMorris Rodgers.
6. Norman D. Dicks
7. Jim McDermott.
8. David G. Reichert.
9. Adam Smith.

WEST VIRGINIA

1. Alan B. Mollohan.
2. Shelley Moore Capito.
3. Nick J. Rahall II.

WISCONSIN

1. Paul Ryan.
2. Tammy Baldwin.
3. Ron Kind.
4. Gwen Moore.
5. F. James Sensenbrenner Jr.
6. Thomas E. Petri.
7. David R. Obey.
8. Steve Kagen.

WYOMING

At Large

Barbara Cubin.

OATH FOR ACCESS TO CLASSIFIED INFORMATION

Under clause 13 of rule XXIII, the following Members executed the oath for access to classified information:

Neil Abercrombie, Gary L. Ackerman, Robert B. Aderholt, W. Todd Akin, Rodney Alexander, Thomas H. Allen, Jason Altmire, Robert E. Andrews, Michael A. Arcuri, Joe Baca, Michele Bachmann, Spencer Bachus, Brian Baird, Richard H. Baker, Tammy Baldwin, J. Gresham Barrett, John Barrow, Roscoe G. Bartlett, Joe Barton, Melissa L. Bean, Xavier Becerra, Shelley Berkley, Howard L. Berman, Marion Berry, Judy Biggert, Brian P. Bilbray, Gus M. Bilirakis, Rob Bishop, Sanford D. Bishop, Jr., Timothy H. Bishop, Marsha Blackburn, Earl Blumenauer, Roy Blunt, John A. Boehner, Jo Bonner, Mary Bono, John Boozman, Madeleine Z. Bordallo, Dan Boren, Leonard L. Boswell, Rick Boucher, Charles W. Boustany, Jr., Allen Boyd, Nancy E. Boyda, Kevin Brady, Robert A. Brady, Bruce L. Braley, Corrine Brown, Henry E. Brown, Jr., Ginny Brown-Waite, Vern Buchanan, Michael C. Burgess, Dan Burton, G. K. Butterfield, Steve Buyer, Ken Calvert, Dave Camp, John Campbell, Chris Cannon, Eric Cantor, Shelley Moore Capito, Lois Capps, Michael E. Capuano, Dennis A. Cardoza, Russ Carnahan, Christopher P. Carney, Julia Carson, John R. Carter, Michael N. Castle, Kathy Castor, Steve Chabot, Ben Chandler, Donna M. Christensen, Yvette D. Clarke, Wm. Lacy Clay, Emanuel Cleaver, James E. Clyburn, Howard Coble, Steve Cohen, Tom Cole, K. Michael Conaway, John Conyers, Jr., Jim Cooper, Jim Costa, Jerry F. Costello, Joe Courtney, Robert E. (Bud) Cramer, Jr., Ander Crenshaw, Joseph Crowley, Barbara Cubin, Henry Cuellar, John Abney Culberson, Elijah E. Cummings, Artur Davis, Danny K. Davis, David Davis, Geoff Davis, Jo Ann Davis, Lincoln Davis, Susan A. Davis, Tom Davis, Nathan Deal, Peter A. DeFazio, Diana DeGette, William D. Delahunt, Rosa L. DeLauro, Charles W. Dent, Lincoln Diaz-Balart, Mario Diaz-Balart, Norman D. Dicks, John D. Dingell, Lloyd Doggett, Joe Donnelly, John T. Doolittle, Michael F. Doyle, Thelma D. Drake, David Dreier, John J. Duncan, Jr., Chet Edwards, Vernon J. Ehlers, Keith Ellison, Brad Ellsworth, Rahm Emanuel, Jo Ann Emerson, Eliot L. Engel, Phil English, Anna G. Eshoo, Bob Etheridge, Terry Everett, Eni F. H. Faleomavaega, Mary Fallin, Sam Farr, Chaka Fattah, Tom Feeney, Mike Ferguson, Bob Filner, Jeff Flake, J. Randy Forbes, Jeff Fortenberry, Luis G. Fortuño, Vito Fossella, Virginia Foxx, Barney Frank, Trent Franks, Rodney P. Frelinghuysen, Elton Gallegly, Scott Garrett, Jim Gerlach, Gabrielle Giffords, Wayne T. Gilchrest, Kirsten E. Gillibrand, Paul E. Gillmor, Phil Gingrey, Louie Gohmert, Charles A. Gonzalez, Virgil H. Goode, Jr., Bob Goodlatte, Bart Gordon, Kay Granger, Sam Graves, Al Green, Gene Green, Raúl M. Grijalva, Luis V. Gutierrez, John J. Hall, Ralph M. Hall, Phil Hare, Jane Harman, J. Dennis Hastert, Alcee L. Hastings, Doc Hastings, Robin Hayes, Dean Heller, Jeb Hensarling, Wally Herger, Stephanie Herseth, Brian Higgins, Baron P. Hill, Maurice D. Hinchey, Ruben Hinojosa, Mazie K. Hirono, David L. Hobson, Paul W. Hodes, Peter Hoekstra, Tim Holden, Rush D. Holt, Michael M. Honda, Darlene Hooley, Steny H. Hoyer, Kenny C. Hulshof, Duncan Hunter, Bob Inglis, Jay Inslee, Steve Israel, Darrell E. Issa, Jesse L. Jackson, Jr., Sheila Jackson-Lee, William J. Jefferson, Bobby Jindal, Eddie Bernice Johnson, Henry C. "Hank" Johnson, Jr., Sam Johnson, Timothy V. Johnson, Stephanie Tubbs Jones, Walter B. Jones, Jim Jordan, Steve Kagen, Paul E. Kanjorski; Marcy Kaptur, Ric Keller, Patrick J. Kennedy, Dale E. Kildee, Carolyn C. Kilpatrick, Ron Kind, Peter T. King, Steve King, Jack Kingston, Mark Steven Kirk, Ron Klein, John Kline, Joe Knollenberg, John R. "Randy" Kuhl, Jr., Ray LaHood, Doug Lamborn, Nick Lampson, James R. Langevin, Tom Lantos, Rick Larsen, John B. Larson, Tom Latham, Steven C. LaTourette, Barbara Lee, Sander M. Levin, Jerry Lewis, John Lewis, Ron Lewis, John Linder, Daniel Lipinski, Frank A. LoBiondo, David Loebsack, Zoe Lofgren, Nita M. Lowey, Frank D. Lucas, Daniel E. Lungren, Stephen F. Lynch, Carolyn McCarthy, Kevin McCarthy, Michael T. McCaul, Betty McCollum, Thaddeus G. McCotter, Jim McCrery, James P. McGovern, Patrick T. McHenry, John M. McHugh, Mike McIntyre, Howard P. "Buck" McKeon, Cathy McMorris Rodgers, Jerry McNerney, Michael R. McNulty, Connie Mack, Tim Mahoney, Carolyn B. Maloney, Donald A. Manzullo, Kenny Marchant, Edward J. Markey, Jim Marshall, Jim Matheson, Doris O. Matsui, Martin T. Meehan, Kendrick B. Meek, Gregory W. Meeks, Charlie Melancon, John L. Mica, Michael H. Michaud, Juanita Millender-McDonald, Brad Miller, Candice S. Miller, Gary G. Miller, Jeff Miller, Harry E. Mitchell, Alan B. Mollohan, Dennis Moore, Gwen Moore, James P. Moran, Jerry Moran, Christopher S. Murphy, Patrick J. Murphy, Tim Murphy, John P. Murtha, Marilyn N. Musgrave, Sue Wilkins Myrick, Jerrold Nadler, Grace F. Napolitano, Richard E. Neal, Randy Neugebauer, Eleanor Holmes Norton, Charlie Norwood, Devin Nunes, James L. Oberstar, David R. Obey, John W. Olver, Solomon P. Ortiz, Frank Pallone, Jr., Bill Pascrell, Jr., Ed Pastor, Ron Paul, Donald M. Payne, Stevan Pearce, Nancy Pelosi, Mike Pence, Ed Perlmutter, Collin C. Peterson, John E. Peterson, Thomas E. Petri, Charles W. "Chip" Pickering, Joseph R. Pitts, Todd Russell Platts, Ted Poe, Earl Pomeroy, Jon C. Porter, David E. Price, Tom Price, Deborah Pryce, Adam H. Putnam, George Radanovich, Nick J. Rahall II, Jim Ramstad, Charles B. Rangel, Ralph Regula, Dennis R. Rehberg, David G. Reichert, Rick Renzi, Silvestre Reyes, Thomas M. Reynolds, Ciro D. Rodriguez, Harold Rogers, Mike Rogers, Mike Rogers, Dana Rohrabacher, Peter J. Roskam, Ileana Ros-Lehtinen, Mike Ross, Steven R. Rothman, Lucille Roybal-Allard, Edward R. Royce, C. A. Dutch Ruppersberger, Bobby L. Rush, Paul Ryan, Tim Ryan, John T. Salazar, Bill Sali, Linda T. Sánchez, Loretta Sanchez, John P. Sarbanes, Jim Saxton, Janice D. Schakowsky, Adam B. Schiff, Jean Schmidt, Allyson Y. Schwartz, David Scott, Robert C. "Bobby" Scott, F. James Sensenbrenner, Jr., José E. Serrano, Pete Sessions, Joe Sestak, John B. Shadegg, Christopher Shays, Carol Shea-Porter, Brad Sherman, John Shimkus, Heath Shuler, Bill Shuster, Michael K. Simpson, Albio Sires, Ike Skelton, Louise McIntosh Slaughter, Adam Smith, Adrian Smith, Christopher H. Smith, Lamar Smith, Vic Snyder, Hilda L. Solis, Mark E. Souder, Zachary T. Space, John M. Spratt, Jr., Cliff Stearns, Bart Stupak, John Sullivan, Betty Sutton, Thomas G. Tancredo, John S. Tanner, Ellen O. Tauscher, Gene Taylor, Lee Terry, Bennie G. Thompson, Mike Thompson, Mac Thornberry, Todd Tiahrt, Patrick J. Tiberi, John F. Tierney, Edolphus Towns, Michael R. Turner, Mark Udall, Tom Udall, Fred Upton, Chris Van Hollen, Nydia M. Velázquez, Peter J. Visclosky, Tim Walberg, Greg Walden, James T. Walsh, Timothy J. Walz, Zach Wamp, Debbie Wasserman Schultz, Maxine Waters, Diane E. Watson, Melvin L. Watt, Henry A. Waxman, Anthony D. Weiner, Peter Welch, Dave Weldon, Jerry Weller, Lynn A. Westmoreland, Robert Wexler, Ed Whitfield, Roger F. Wicker, Charles A. Wilson, Heather Wilson, Joe Wilson, Frank R. Wolf, Lynn C. Woolsey, David Wu, Albert Russell Wynn, John A. Yarmuth, C. W. Bill Young, Don Young

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Speaker-Authorized Official Travel during the second, third and fourth quarters of 2006, pursuant to Public Law 95–384 are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, FATHER DANIEL P. COUGHLIN, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 25 AND OCT. 30, 2006

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Father Daniel P. Coughlin	10/25	10/30	Italy		987.00		(3)				987.00
Committee total											987.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

FATHER DANIEL P. COUGHLIN, Nov. 10, 2006.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MARY ELIZABETH WOODWORTH, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN NOV. 17 AND DEC. 1, 2006

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Mary Elizabeth Woodworth	11/17	12/1	Australia		477.00		10,702.28				11,179.28
Committee total					477.00		10,702.28				11,179.28

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

MARY ELIZABETH WOODWORTH, Dec. 29, 2006.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO NATO PARLIAMENTARIAN ASSEMBLY FALL MEETING IN QUEBEC CITY, CANADA, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN NOV. 11 AND NOV. 18, 2006

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Paul Gillmor	11/11	11/15	Canada		1,803.49		(3)				1,803.49
Hon. John Boozman	11/11	11/15	Canada		1,803.49		(3)				1,803.49
Hon. Ben Chandler	11/11	11/15	Canada		1,803.49		(3)				1,803.49
Hon. John Shimkus	11/11	11/15	Canada		1,803.49		(3)				1,803.49
Hon. Thomas Tancredo	11/11	11/15	Canada		1,803.49		(3)				1,803.49
Hon. John Tanner	11/11	11/15	Canada		1,803.49		(3)				1,803.49
Hon. Thomas Udall	11/11	11/15	Canada		1,803.49		(3)				1,803.49
Kathy Becker	11/11	11/15	Canada		1,803.49		(3)				1,803.49
Dr. Paul Gallis	11/11	11/18	Canada		3,156.11		[3] 799.81				3,955.92
Susan Olson	11/11	11/18	Canada		3,156.11		[3] 799.81				3,955.92
Marilyn Owen	11/11	11/18	Canada		3,156.11		[3] 799.81				3,955.92
Patrick Prisco	11/11	11/18	Canada		3,156.11		[3] 793.00				3,949.11
Mark Wellman	11/11	11/18	Canada		1,803.49		(3)				1,803.49
Delegation Expenses:											
Representational Functions									6,377.62		6,377.62
Miscellaneous									675.96		675.96
Committee total					28,855.85		3,192.43		7,053.58		39,101.86

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

PAUL E. GILLMOR, Chairman, Dec. 13, 2006.

(AMENDED) REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO NATO PARLIAMENTARIAN ASSEMBLY FALL MEETING IN QUEBEC CITY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN NOV. 11 AND NOV. 18, 2006

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Paul Gillmor	11/11	11/15	Canada		1,803.49		(3)				1,803.49
Hon. John Boozman	11/11	11/15	Canada		1,803.49		(3)				1,803.49
Hon. Ben Chandler	11/11	11/15	Canada		1,803.49	(3)					1,803.49
Hon. John Shimkus	11/11	11/15	Canada		1,803.49		(3)				1,803.49
Hon. Thomas Tancredo	11/11	11/15	Canada		1,803.49		(3)				1,803.49
Hon. John Tanner	11/11	11/15	Canada		1,803.49		(3)				1,803.49
Hon. Thomas Udall	11/11	11/15	Canada		1,803.49		(3)				1,803.49
Hon. John Tanner	11/11	11/15	Canada		1,803.49		(3)				1,803.49
Hon. Thomas Udall	11/11	11/15	Canada		1,803.49		(3)				1,803.49
Kathy Bucher	11/11	11/15	Canada		1,803.49		(3)				1,803.49
Dr. Paul Gallis	11/11	11/18	Canada		3,156.11		[3] 799.81				3,955.92
Susan Olson	11/11	11/18	Canada		3,156.11		[3] 799.81				3,955.92
Marilyn Owen	11/11	11/18	Canada		3,156.11		[3] 799.81				3,955.92
Patrick Prisco	11/11	11/18	Canada		3,156.11		[3] 793.00				3,949.11
Mark Wellman	11/11	11/15	Canada		1,803.49		(3)				1,803.49
Delegation Expenses:											
Representational Functions									6,439.12		6,439.12
Miscellaneous									675.96		675.96
Committee total					28,855.85		3,192.43		7,115.08		39,164.36

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

PAUL E. GILLMOR, Chairman, DEC. 29, 2006.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO URKRAINE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 16 AND OCT. 20, 2006

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Rachael Leman	10/16	10/20	Ukraine		1,264.00		5,127.50				6,391.50
Thomas Ross	10/16	10/20	Ukraine		1,264.00		5,127.50				6,391.50
Committee total											12,783.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

J. DENNIS HASTERT, Chairman, Nov. 9, 2006.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO MALTA, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN NOV. 17 AND NOV. 21, 2006

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Hon. Alcee L. Hastings	11/17	11/21	Malta	323.96	964.19					323.96	964.19
Fred L. Turner	11/17	11/21	Malta	323.96	964.19					323.96	964.19
Committee total										647.92	1,928.38

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

ALCEE L. HASTINGS, Chairman, Nov. 30, 2006.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO MACEDONIA, KYRGYZSTAN, AFGHANISTAN AND FINLAND, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN NOV. 19 AND NOV. 27

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Hon. David Dreier	11/19	11/24	Macedonia		1,158.34		(3)				1,158.34
Hon. David Price	11/19	11/24	Macedonia		1,158.34		(3)				1,158.34
Hon. Earl Pomeroy	11/19	11/24	Macedonia		1,158.34		(3)				1,158.34
Hon. Lois Capps	11/19	11/24	Macedonia		1,158.34		(3)				1,158.34
John Lis	11/19	11/24	Macedonia		992.02		(3)				992.02
Rachael Leman	11/19	11/24	Macedonia		992.02		(3)				992.02
Brad Smith	11/19	11/24	Macedonia		992.02		(3)				992.02
Thomas Ross	11/19	11/24	Macedonia		999.02		(3)				992.02
Hon. David Dreier	11/24	11/25	Kyrgyzstan		282.75		(3)				282.75
Hon. David Price	11/24	11/25	Kyrgyzstan		282.75		(3)				282.75
Hon. Earl Pomeroy	11/24	11/25	Kyrgyzstan		282.75		(3)				282.75
Hon. Lois Capps	11/24	11/25	Kyrgyzstan		282.75		(3)				282.75
John Lis	11/24	11/25	Kyrgyzstan		282.75		(3)				282.75
Rachael Leman	11/24	11/25	Kyrgyzstan		282.75		(3)				282.75
Brad Smith	11/24	11/25	Kyrgyzstan		282.75		(3)				282.75
Thomas Ross	11/24	11/25	Kyrgyzstan		282.75		(3)				282.75
Hon. David Dreier	11/25	11/26	Afghanistan		75.00		(3)				75.00
Hon. David Price	11/25	11/26	Afghanistan		75.00		(3)				75.00
Hon. Earl Pomeroy	11/25	11/26	Afghanistan		75.00		(3)				75.00
Hon. Lois Capps	11/25	11/26	Afghanistan		75.00		(3)				75.00
John Lis	11/25	11/26	Afghanistan		75.00		(3)				75.00
Rachael Leman	11/25	11/26	Afghanistan		75.00		(3)				75.00
Brad Smith	11/25	11/26	Afghanistan		75.00		(3)				75.00
Thomas Ross	11/25	11/26	Afghanistan		75.00		(3)				75.00
Hon. David Dreier	11/26	11/27	Finland		511.54		(3)				511.54
Hon. David Price	11/26	11/27	Finland		511.54		(3)				511.54
Hon. Earl Pomeroy	11/26	11/27	Finland		511.54		(3)				511.54
Hon. Lois Capps	11/26	11/27	Finland		511.54		(3)				511.54
John Lis	11/26	11/27	Finland		453.85		(3)				453.85
Rachael Leman	11/26	11/27	Finland		453.85		(3)				453.85
Brad Smith	11/26	11/27	Finland		453.85		(3)				453.85
Thomas Ross	11/26	11/27	Finland		453.85		(3)				453.85
Committee total											15,325.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
(3) Military air transportation.

J. DENNIS HASTERT, Chairman, Dec. 18, 2006.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO PORTUGAL, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN DEC. 9 AND DEC. 12, 2006

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Hon. Devin Nunes	12/9	12/12	Portugal		953.07	(3)				722.55 euro	953.07
Hon. Jim Costa	12/9	12/12	Portugal		953.07	(3)				722.55 euro	953.07
Hon. Dennis Cardoza	12/9	12/12	Portugal		953.07	(3)				722.55 euro	953.07
Hon. Maryam Sabbaghian	12/9	12/12	Portugal		953.07	(3)				722.55 euro	953.07
Committee total											3,812.28

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

DEVIN NUNES, Chairman, Jan. 3, 2007.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMISSION ON SECURITY AND COOPERATION IN EUROPE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2006

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Janice Helwig	7/1	7/2	Austria	Euro	287.00						287.00
	7/8	8/14	Austria	Euro	10,906.00						10,906.00
	8/14	8/27	United States	Dollar			5,820.08				
	8/28	9/30	Austria	Euro	9,471.00						9,471.00
Committee total				20,664.00							20.664.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

CHRISTOPHER H. SMITH, Chairman, Oct. 24, 2006.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMISSION ON SECURITY AND COOPERATION IN EUROPE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2006

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Janice Helwig	10/15	12/1	Austria	Euro	13,489.00						13,489.00
	12/2	12/5	Belgium	Euro	738.00						738.00
						Euro	92.00				92.00
	12/6	12/31	Austria	Euro	7,221.00						7,221.00
Committee total				21,448.00		92.00					21,540.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

CHRISTOPHER H. SMITH, Chairman, Jan. 18, 2007.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON AGRICULTURE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2006

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Hon. John R. Kuhl	7/30	7/31	Iraq			(3)					
	7/31	8/1	Jordan		289.00	(3)					289.00
	8/1	8/2	Italy		560.00	(3)					560.00
Committee total				849.00							849.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

BOB GOODLATTE, Chairman, Oct. 18, 2006.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON AGRICULTURE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2006

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Hon. Mike Conaway	12/15	12/17	Cuba		280.00	(3)					280.00
Dr. John Goldberg	10/28	11/3	India		1,269.82		7,048.70				8,318.52
Hon. Bob Goodlatte	11/26	11/28	Brazil		246.00	(3)					246.00
	11/28	11/29	Uruguay		116.00	(3)					116.00
	11/29	12/3	Argentina		408.00	(3)					408.00
Hon. Collin Peterson	11/26	11/28	Brazil		246.00	(3)					246.00
	11/28	11/29	Uruguay		116.00	(3)					
	11/29	12/2	Argentina		318.00		4,178.00				4,496.00
Hon. Bob Etheridge	11/26	11/28	Brazil		246.00	(3)					246.00
	11/28	11/29	Uruguay		116.00	(3)					116.00
	11/29	12/3	Argentina		408.00	(3)					408.00
Hon. Frank Lucas	11/26	11/28	Brazil		246.00	(3)					246.00
	11/28	11/29	Uruguay		116.00	(3)					116.00
	11/29	12/3	Argentina		408.00	(3)					408.00
Hon. Jerry Moran	11/26	11/28	Brazil		246.00	(3)					246.00
	11/28	11/29	Uruguay		116.00	(3)					116.00
	11/29	12/3	Argentina		408.00	(3)					408.00
Hon. Mike McIntyre	11/26	11/28	Brazil		246.00	(3)					246.00
	11/28	11/29	Uruguay		116.00	(3)					116.00
	11/29	12/3	Argentina		408.00	(3)					408.00
Hon. Leonard Boswell	11/26	11/28	Brazil		246.00	(3)					246.00
	11/28	11/29	Uruguay		116.00	(3)					116.00
	11/29	12/3	Argentina		408.00	(3)					408.00
Hon. David Scott	11/26	11/28	Brazil		246.00	(3)					246.00
	11/28	11/29	Uruguay		116.00	(3)					116.00
	11/29	12/3	Argentina		408.00	(3)					408.00
Hon. Stephanie Herseth	11/26	11/28	Brazil		246.00	(3)					246.00
	11/28	11/29	Uruguay		116.00	(3)					116.00
	11/29	12/3	Argentina		408.00	(3)					408.00
Kevin Kramp	11/26	11/28	Brazil		246.00	(3)					246.00
	11/28	11/29	Uruguay		116.00	(3)					116.00
	11/29	12/3	Argentina		408.00	(3)					408.00
Rob Laron	11/26	11/28	Brazil		246.00	(3)					246.00
	11/28	11/29	Uruguay		116.00	(3)					116.00
	11/29	12/3	Argentina		408.00	(3)					408.00
Pam Miller	11/26	11/28	Brazil		246.00	(3)					246.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON AGRICULTURE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2006—Continued

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
	11/28	11/29	Uruguay		116.00	(3)					116.00
	11/29	12/3	Argentina		408.00	(3)					408.00
Bryan Dierlam	11/26	11/28	Brazil		246.00	(3)					246.00
	11/28	11/29	Uruguay		116.00	(3)					116.00
	11/29	12/3	Argentina		408.00	(3)					408.00
Mike Dunlap	11/26	11/28	Brazil		246.00	(3)					246.00
	11/28	11/29	Uruguay		116.00	(3)					116.00
	11/29	12/3	Argentina		408.00	(3)					408.00
Committee total					12,239.82		11,226.70				23,466.52

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

BOB GOODLATTE, Chairman, Jan. 31, 2007.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2006

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Frank M. Cushing	7/9	7/13	Italy		1,350.00						1,350.00
Commercial airfare							6,231.17				6,231.17
Elizabeth C. Dawson	7/9	7/13	Italy		1,350.00						1,350.00
Commercial airfare							6,256.17				6,256.17
Elizabeth A. Phillips	7/10	7/13	Italy		1,083.00						1,083.00
	7/13	7/14	Morocco		239.00						239.00
	7/14	7/18	Egypt		929.00						929.00
	7/18	7/22	Jordan		956.00						956.00
Commercial airfare							8,700.40				8,700.40
Carol Murphy	7/9	7/13	Italy		1,286.00						1,286.00
	7/13	7/14	Morocco		239.00						239.00
	7/14	7/18	Egypt		929.00						929.00
Commercial airfare							7,806.02				7,806.02
Hon. C.W. Bill Young	7/13	7/15	United Kingdom		669.00						669.00
Misc. Embassy Costs	7/15	7/15	Luxembourg						198.00		198.00
	7/15	7/17	United Kingdom								
							(3)				
Hon. Henry Bonilla	7/13	7/15	United Kingdom		669.00						669.00
Misc. Embassy Costs	7/15	7/15	Luxembourg						198.00		198.00
	7/15	7/17	United Kingdom								
							(3)				
Hon. John Sweeney	7/13	7/15	United Kingdom		669.00						669.00
Misc. Embassy Costs	7/15	7/15	Luxembourg						198.00		198.00
	7/15	7/17	United Kingdom								
Misc. Embassy Costs	7/16	7/16	France						283.33		283.33
							(3)				
Hon. Robert E. "Bud" Cramer	7/13	7/15	United Kingdom		669.00						669.00
Misc. Embassy Costs	7/15	7/15	Luxembourg						198.00		198.00
	7/15	7/17	United Kingdom								
							(3)				
John Shank	7/13	7/15	United Kingdom		669.00						669.00
Misc. Embassy Costs	7/15	7/15	Luxembourg						198.00		198.00
	7/15	7/17	United Kingdom								
Douglas Gregory	7/13	7/17	United Kingdom		669.00						669.00
							(3)				
Gregory Lankler	7/13	7/15	United Kingdom		669.00						669.00
	7/15	7/15	Luxembourg						198.00		198.00
	7/15	7/17	United Kingdom								
Misc. Embassy Costs	7/16	7/16	France						283.33		283.33
							(3)				
David Morrison	7/13	7/17	United Kingdom		669.00						669.00
							(3)				
Delia Scott	7/24	7/27	Colombia		828.00						828.00
	7/27	7/29	Ecuador		412.00						412.00
Misc. Embassy Costs									1,847.42		1,847.42
Commercial airfare							1,834.00				1,834.000
Hon. Harold Rogers	8/12	8/15	Norway		1,300.57						1,300.57
	8/15	8/18	Russia		1,536.00						1,536.00
	8/18	8/21	Sweden		2,122.72						2,122.72
Misc. Embassy Costs									7,359.83		7,359.83
							(3)				
Hon. Martin Sabo	8/12	8/15	Norway		1,300.57						1,300.57
	8/15	8/18	Russia		1,536.00						1,536.00
	8/18	8/21	Sweden		2,122.72						2,122.72
Misc. Embassy Costs									7,359.83		7,359.83
							(3)				
Hon. Lucille Roybal-Allard	8/12	8/15	Norway		1,004.53						1,004.53
	8/15	8/18	Russia		1,536.00						1,536.00
	8/18	8/21	Sweden		2,122.72						2,122.72
Misc. Embassy Costs									7,359.83		7,359.83
							(3)				
Hon. Michael Simpson	8/12	8/15	Norway		1,004.53						1,004.53
	8/15	8/18	Russia		1,536.00						1,536.00
	8/18	8/21	Sweden		2,122.72						2,122.72
Misc. Embassy Costs									7,359.83		7,359.83
							(3)				
Hon. Ed Pastor	8/12	8/15	Norway		1,004.53						1,004.53
	8/15	8/18	Russia		1,536.00						1,536.00
	8/18	8/21	Sweden		2,122.72						2,122.72
Misc. Embassy Costs									7,359.83		7,359.83
							(3)				
Hon. John Carter	8/12	8/15	Norway		1,004.53						1,004.53
	8/15	8/18	Russia		1,536.00						1,536.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2006—Continued

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
	8/18	8/21	Sweden		2,122.72						2,122.72
Misc. Embassy Costs									7,359.83		7,359.83
							(3)				
Tad Gallion	8/12	8/15	Norway		861.29						861.29
	8/15	8/18	Russia		1,386.00						1,386.00
	8/18	8/21	Sweden		1,863.07				7,359.83		7,350.83
Misc. Embassy Costs										7,359.83	7,359.83
Ben Nicholson	8/12	8/15	Norway		861.29						861.29
	8/15	8/18	Russia		1,386.00						1,386.00
	8/18	8/21	Sweden		1,863.07						1,863.07
Misc. Embassy Costs									7,359.83		7,359.83
Hon. Maurice D. Hinchey	8/21	8/24	Canada								
Misc. Expenses									434.11		434.11
Misc. Travel Expenses							589.56				589.56
Greg E. Knadle	8/14	8/16	Germany		656.00						656.00
	8/16	8/19	Italy		1,212.00						1,212.00
Commercial airfare							7,690.00				7,690.00
Douglas Gregory	8/1	8/20	Hawaii		171.67						171.67
	8/2	8/5	Thailand		364.00						364.00
	8/5	8/8	Philippines		741.00						741.00
	8/8	8/10	Japan		348.00						348.00
Commercial airfare							8,420.00				8,420.00
Hon. Don Sherwood	8/6	8/7	Kuwait		812.00						812.00
	8/8	8/10	Israel		791.00						791.00
	8/10	8/11	Belgium		400.00						400.00
Hon. Jim Kolbe	8/24	8/25	Estonia		150.00						150.00
	8/25	8/28	Nepal		300.00						300.00
	8/28	8/30	Bhutan		507.78						507.78
	8/30	8/31	India		276.41						276.41
	9/1	9/4	Mongolia		677.67						677.67
	9/4	9/4	Finland		422.00						422.00
Misc. Embassy Costs									5,323.19		5,323.19
Hon. Ander Crenshaw	8/24	8/25	Estonia		150.00						150.00
	8/25	8/28	Nepal		300.00						300.00
	8/28	8/30	Bhutan		531.84						531.84
	8/30	8/31	India		276.41						276.41
	9/1	9/4	Mongolia		677.67						677.67
	9/4	9/4	Finland		422.00						422.00
Misc. Embassy Costs									5,323.19		5,323.19
Craig Higgins	8/24	8/28	Nepal		400.00						400.00
	8/28	8/30	Bhutan		507.77						507.77
	8/30	8/31	India		276.41						276.41
	9/1	9/4	Mongolia		677.67						677.67
	9/4	9/4	Finland		422.00						422.00
Misc. Embassy Costs							(3)		4,475.63		4,475.63
Nisha Desai	8/24	8/25	Estonia		150.00						150.00
	8/25	8/28	Nepal		300.00						300.00
	8/28	8/30	Bhutan		507.78						507.78
	8/30	8/31	India		276.41						276.41
	9/1	9/4	Mongolia		677.67						677.67
	9/4	9/4	Finland		422.00						422.00
Misc. Embassy Costs							(3)		5,323.19		5,323.19
Rob Blair	8/24	8/25	Estonia		150.00						150.00
	8/25	8/28	Nepal		300.00						300.00
	8/28	8/30	Bhutan		507.77						507.77
	8/30	8/31	India		276.41						276.41
	9/1	9/4	Mongolia		677.67						677.67
	9/4	9/4	Finland		422.00						422.00
Misc. Embassy Costs							(3)		5,323.19		5,323.19
Committee total					68,884.31		47,527.32		88,683.22		205,094.85

[1] Per diem constitutes lodging and meals.

[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

[3] Military air transportation.

JERRY LEWIS, Chairman, Oct. 31, 2006.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2006

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Terry Tyborowski	10/16	10/20	France		1,538.00						1,538.00
Commercial airfare & rail transportation							8,505.64				8,505.64
Paul Terry	10/15	10/21	Germany		1,600.00						1,600.00
Commercial airfare							7,084.05				7,084.05
Kevin Jones	10/24	10/26	Qatar		555.32						555.32
	10/26	10/27	Afghanistan		277.66						277.66
	10/27	10/29	Kuwait		1,086.00						1,086.00
Commercial airfare							8,778.53				8,778.53
Misc. Transportation Costs							102.00				102.00
Douglas Disrud	10/24	10/26	Qatar		555.32						553.32
	10/26	10/27	Afghanistan		277.66						277.66
	10/27	10/29	Kuwait		1,086.00						1,086.00
Commercial airfare							8,778.53				8,778.53
Misc. Transportation Costs							132.00				132.00
Joshua Hartman	10/24	10/26	Qatar		555.32						555.32
	10/26	10/27	Afghanistan		277.66						277.66
	10/27	10/29	Kuwait		1,086.00						1,086.00
Commercial airfare							8,778.53				8,778.53
Christine Ryan Kojac	10/23	10/25	Austria		674.00						674.00
	10/25	10/29	Belgium		1,600.00						1,600.00
Commercial airfare							7,207.31				7,207.31
Misc. Transportation Costs							115.00				115.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2006—Continued

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Elizabeth C. Dawson	10/25	11/1	Belgium		2,800.00						2,800.00
Commercial airfare							6,890.12				6,890.12
Jennifer Miller	10/23	10/25	Austria		674.00						674.00
	10/25	11/1	Belgium		2,800.00						2,800.00
Commercial airfare							7,207.31				7,207.31
Carol Murphy	10/28	10/31	Belgium		1,140.96						1,140.96
	10/31	11/4	United Kingdom		900.00						900.00
Commercial airfare							7,754.28				7,754.28
Walter Hearne	10/29	10/31	Belgium		760.44						760.44
	10/31	11/4	United Kingdom		900.00						900.00
Commercial airfare							7,754.28				7,754.28
Frank Cushing	10/28	10/31	Belgium		1,140.96						1,140.96
	10/31	11/4	United Kingdom		900.00						900.00
Commercial airfare							7,754.28				7,754.28
Hon. C.W. Bill Young	11/28	12/1	Italy		1,668.82						1,668.82
	12/1	12/3	Austria		1,177.10						1,177.10
Hon. Kay Granger	11/28	12/1	Italy		1,668.82		(3)				1,668.82
	12/1	12/3	Austria		1,177.10		(3)				1,177.10
Douglas Gregory	11/28	12/1	Italy		1,668.82						1,668.82
	12/1	12/3	Austria		1,177.10						1,177.10
							(3)				
Hon. Roger F. Wicker	11/26	11/28	Brazil		246.00						246.00
	11/29	11/29	Uruguay		116.00						116.00
	11/29	12/3	Argentina		1,250.00						1,250.00
							(3)				
Hon. Jo Ann Emerson	12/15	12/17	Cuba		450.00						450.00
							(3)				
Hon. Mark Steven Kirk	12/12	12/15	Kuwait		309.00						309.00
	12/15	12/16	Afghanistan								
	12/16	12/19	Pakistan		35.00						35.00
							(3)				
	12/17	12/19	Israel		107.00						107.00
Committee total					34,236.06	86,841.86					121,077.92

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

DAVID R. OBEY, Chairman, Jan. 25, 2007.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON APPROPRIATIONS (SURVEYS AND INVESTIGATIONS STAFF), HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2006

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

JERRY LEWIS, Chairman.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON APPROPRIATIONS (SURVEYS AND INVESTIGATIONS STAFF), HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2006

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

JERRY LEWIS, Chairman.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2006

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Visit to United Kingdom With CODEL Young, July 13–17, 2006:											
Hon. Ken Calvert	7/13	7/17	United Kingdom		669.00						669.00
Hon. Neil Abercrombie	7/13	7/17	United Kingdom		669.00						669.00
Hon. Robin Hayes	7/13	7/17	United Kingdom		669.00						669.00
Visit to Iraq, Kuwait, Belgium, Israel, August 6–11, 2006:											
Hon. Jeff Miller	8/6	8/8	Kuwait		812.00						812.00
	8/6	8/7	Iraq		0.00						
	8/8	8/10	Israel		791.00						791.00
	8/10	8/11	Belgium		400.00						400.00
Douglas Roach	8/6	8/8	Kuwait		812.00						812.00
	8/6	8/7	Iraq								
	8/8	8/10	Israel		791.00						791.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2006—Continued

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
	8/10	8/11	Belgium		400.00						400.00
Visit to Thailand, Japan, August 7–17, 2006:											
Jeannette James	8/11	8/13	Thailand		464.00						464.00
	8/13	8/14	Guam								
	8/15	8/17	Japan		800.00						800.00
Commercial Transportation							9,028.61				9,028.61
Jenness Simler	8/11	8/13	Thailand		464.00						464.00
	8/13	8/14	Guam								
	8/15	8/17	Japan		800.00						800.00
Commercial Transportation							9,028.61				9,028.61
Debra Wada	8/11	8/13	Thailand		464.00						464.00
	8/13	8/14	Guam								
	8/15	8/17	Japan		800.00						800.00
Commercial Transportation							9,028.61				9,028.61
Delegation Expenses	8/11	8/13	Thailand		188.91						188.91
Visit to Sweden, Denmark, Greece, The Netherlands With CODEL Duncan, August 16–27, 2006:											
Hon. Solomon Ortiz	8/17	8/19	Sweden		904.00						904.00
	8/19	8/22	Denmark		1,149.00						1,149.00
	8/22	8/24	Greece		728.00						728.00
	8/24	8/27	The Netherlands		1,173.00						1,173.00
Visit to United Kingdom, Pakistan, Afghanistan, Tajikistan, August 21–27, 2007:											
Stephanie Sanok	8/21	8/22	United Kingdom		530.00						530.00
	8/23	8/24	Pakistan		309.00						309.00
	8/24	8/24	Afghanistan								
	8/24	8/25	Tajikistan								
Commercial Transportation.											
	8/25	8/27	Pakistan		618.00						618.00
							9,469.43				9,469.43
Regina Burgess	8/21	8/22	United Kingdom		530.00						530.00
	8/23	8/24	Pakistan		309.00						309.00
	8/24	8/24	Afghanistan								
	8/24	8/25	Tajikistan								
	8/25	8/27	Pakistan		618.00						618.00
Commercial Transportation.											
							9,469.43				9,469.43
Delegation Expenses	8/23	8/27	Pakistan		573.74						573.74
	8/24	8/24	Afghanistan								
Committee total					17,435.65		46,024.69				63,460.34

[1] Per diem constitutes lodging and meals.

[3] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

DUNCAN HUNTER, Chairman, Oct. 30, 2006.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2006

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Visit to Israel and Jordan, October 8–10, 2006:											
Roger Zakheim	10/8	10/10	Israel		351.00						351.00
	10/9	10/9	Jordan								
Visit to Germany, Romania, Bulgaria, Italy, the United Kingdom, October 18–28, 2006:											
Lynn Williams	10/19	10/20	Germany		117.00						117.00
	10/20	10/21	Romania	152.00							152.00
	10/21	10/21	Bulgaria								
	10/21	10/24	Italy	1,121.00							1,121.00
	10/24	10/26	Germany	334.00							334.00
	10/26	10/28	The United Kingdom	226.00							226.00
Commercial Transportation							6,666.66				6,666.66
B. Ryan Vaart	10/19	10/20	Germany	117.00							117.00
	10/20	10/21	Romania	152.00							152.00
	10/21	10/21	Bulgaria								
	10/21	10/24	Italy	1,121.00							1,121.00
	10/24	10/26	Germany	334.00							334.00
	10/26	10/28	The United Kingdom	226.00							226.00
Commercial Transportation							6,666.66				6,666.66
Visit to Qatar, Afghanistan, Kuwait, Iraq, October 24–30, 2006:											
Kevin Coughlin	10/24	10/26	Qatar		833.00						883.00
	10/26	10/26	Afghanistan								
	10/27	10/29	Kuwait		1,068.00						1,068.00
Commercial Transportation							8,778.53				8,778.53
John Kruse	10/24	10/26	Qatar		833.00						833.00
	10/26	10/26	Afghanistan								
	10/27	10/29	Kuwait		1,068.00						1,068.00
Commercial Transportation							8,778.53				8,778.53
Visit to Italy, Codel Hyde, October 21–28, 2006:											
Hon. Joel Hefley	10/25	10/28	Italy		775.00						775.00
Hon. Madeleine Z. Bordallo	10/25	10/28	Italy		775.00						775.00
Visit to Djibouti, Yemen, Kenya, United Kingdom, October 29–November 4, 2006:											
Stephanie Sanok	10/30	10/30	United Kingdom								
	10/31	11/2	Djibouti		782.00						782.00
	11/1	11/1	Yemen								
	11/2	11/3	Kenya		288.00						288.00
Commercial Transportation							15,085.32				
William Natter	10/30	10/30	United Kingdom								
	10/31	11/2	Djibouti		782.00						782.00
	11/1	11/1	Yemen								
	11/2	11/3	Kenya		288.00						288.00
Commercial Transportation							11,756.32				11,756.32

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2006—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Mark Lewis	10/30	10/30	United Kingdom								
	10/31	11/2	Djibouti		782.00						782.00
	11/1	11/1	Yemen								
	11/2	11/3	Kenya		288.00						288.00
Commercial Transportation							12,487.32				12,487.32
Alexander Kugajevsky	10/30	10/30	United Kingdom								
	10/31	11/2	Djibouti		782.00						782.00
	11/1	11/1	Yemen								
	11/2	11/3	Kenya		288.00						288.00
Commercial Transportation							12,487.32				12,487.32
Roger Zakheim	10/30	10/30	United Kingdom								
	10/31	11/2	Djibouti		782.00						782.00
	11/1	11/1	Yemen								
	11/2	11/3	Kenya		288.00						288.00
Commercial Transportation							12,467.32				12,467.32
Visit to Italy, Austria, Codel Young, November 27–December 3, 2006:											
Loretta Sanchez	11/28	12/1	Italy		1,668.82						1,668.82
	12/1	12/3	Austria		1,177.10						1,177.10
Visit to Kuwait, Iraq, Jordan, Israel, With General Schoomaker, December 21–27, 2006:											
Hon. Jim Marshall											
Commercial Transportation							4,211.82				4,211.82
Visit to Kuwait, Iraq, United Kingdom, December 23–27, 2006:											
Hon. Michael K. Conaway	12/24	12/25	Kuwait		406.00						406.00
	12/25	12/26	Iraq								
	12/26	12/27	United Kingdom		530.00						530.00
Hon. Ike Skelton	12/24	12/25	Kuwait		406.00						406.00
	12/25	12/26	Iraq								
	12/26	12/27	United Kingdom		530.00						530.00
Hon. Robert W. Degrasse	12/24	12/25	Kuwait		406.00						406.00
	12/25	12/26	Iraq								
	12/26	12/27	United Kingdom		530.00						530.00
Committee total					20,607.92		99,385.80				104,908.40

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

DUNCAN HUNTER, Chairman, Jan. 31, 2007.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE BUDGET, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2006

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Jo Bonner	7/31	8/1	Jordan		289.00						289.00
	8/1	8/2	Italy		560.00						560.00
Committee total											849.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

JIM NUSSLE, chairman, Oct. 27, 2006.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON BUDGET, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. AND DEC. 31, 2006

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

JOHN M. SPRATT, Jr., Chairman, Jan. 11, 2007.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON EDUCATION AND WORKFORCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2006

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Bob Inglis [3]	8/16	8/26	Israel				(4)				
	8/16	8/26	Jordan				(4)				
	8/16	8/26	Iraq				(4)				
	8/16	8/26	Sudan				(4)				
	8/16	8/26	Italy				(4)				
	8/16	8/26	Lebanon				(4)				
	8/16	8/26	Cypress				(4)				
Hon. Ruben Hinojosa [3]	8/16	8/27	Sweden				(4)				
	8/16	8/27	Denmark				(4)				
	8/16	8/27	Greece				(4)				
	8/16	8/27	Albania				(4)				
	8/16	8/27	The Netherlands				(4)				

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON EDUCATION AND WORKFORCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2006—Continued

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Susan Ross	7/25	8/06	China				9,270.75				
Richard Stombres	7/25	8/06	China				9,270.75				
Committee total							18,541.50				18,541.50

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Waiting for the Department of State to provide detailed expenditure and itinerary reports for each of the countries visited.
[4] Military air transportation.

HOWARD P. "BUCK" McKEON, Chairman, Oct. 31, 2006.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON EDUCATION AND WORKFORCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2006

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Hon. Bob Inglis	8/16	8/26	Israel		492.86				445.69		
			Sudan		1,127.09		1,322.61		503.02		
			Italy		902.14						
Hon. Ruben Hinojosa	8/16	8/27	Denmark		1,522.33		558.74		606.19		
			Athens		1,066.45				448.89		
			The Netherlands		2,097.11		630.17		3,032.16		
			Dublin.								
Committee total											

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON EDUCATION AND WORKFORCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2006

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]

FOR HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

LIZ HOLLIS, Jan. 22, 2007.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ENERGY AND COMMERCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2006

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Kurt Bilas	11/11	11/17	Kenya		1,728.00		7,480.57				9,28.57
Committee total											9,208.57

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent, if U.S. currency is used, enter amount expended.

JOE BARTON, Chairman.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FINANCIAL SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2006

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Thomas Duncan	7/29	8/6	China		1,955.13		9,270.75				11,225.88
Hon. Melvin L. Watt	8/9	8/11	South Korea		326.00		(4)				326.00
	8/11	8/13	Phillippines		244.00		(4)				244.00
	8/13	8/14	Singapore		306.00		(4)				306.00
	8/15	8/17	Fiji		214.00		(4)				214.00
Hon. Al Green[3]	8/17	8/19	Israel				(4)				
	8/19	8/20	Jordan				(4)				
	8/20	8/20	Iraq				(4)				
	8/21	8/23	Sudan				(4)				
	8/23	8/24	Cyprus				(4)				
	8/23	8/23	Lebanon				(4)				
	8/24	8/24	Rome				(4)				
	8/24	8/25	London				(4)				
Committee total											12,315.88

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

[3] Reimbursed the U.S. Treasury for all per diem.
[4] Military air transportation.

MICHAEL G. OXLEY, Chairman, Oct. 27, 2006.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FINANCIAL SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 25 AND OCT. 30, 2006

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Hon. Michael G. Oxley	10/25	10/30	Italy		775.50			(3)			775.50
Committee total											775.50

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

MICHAEL G. OXLEY, Chairman, Dec. 12, 2006.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FINANCIAL SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2006

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Hon. Michael G. Oxley	10/25	10/30	Italy		775.50		(3)				775.50
Hon. Maxine Waters	12/9	12/10	Dominican Republic		280.00		(3)				280.00
	12/10	12/11	Haiti		285.00		(3)				285.00
Committee total											1,340.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

———Jan. 30, 2007.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON GOVERNMENT REFORM, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2006

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Hon. Christopher Shays	11/27	11/29	Turkey		304.00		7,263.33				7,567.33
	11/29	12/1	Egypt		266.00						266.00
	12/1	12/2	Jordan		289.00						289.00
Margaret Daum	11/27	11/29	Turkey		304.00		6,988.33				7,292.88
	11/29	12/1	Egypt		266.00						266.00
	12/1	12/2	Jordan		289.00						289.00
Nick Palarino	11/27	11/29	Turkey		304.00		6,988.33				7,292.33
	11/29	12/1	Egypt		266.00						266.00
	12/1	12/2	Jordan		289.00						289.00
Robert Kelley	11/27	11/29	Turkey		304.00		6,988.33				7,292.33
	11/29	12/1	Egypt		266.00						266.00
	12/1	12/2	Jordan		289.00						289.00
Committee total					3,436.00		28.228.32				31,664.32

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HENRY A. WAXMAN, Chairman, Jan. 25, 2007.

(AMENDED) REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON GOVERNMENT REFORM, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2006

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Nick Palarino	11/27	11/29	Turkey		304.00		8,331.09				8,635.09
	11/29	12/1	Egypt		266.00						266.00
	12/1	12/2	Jordan		289.00						289.00
Margaret Daum	11/27	11/29	Turkey		304.00		6,988.33				7,292.33
	11/29	12/1	Egypt		266.00						266.00
	12/1	12/2	Jordan		289.00						289.00
Hon. Christopher Shays	11/27	11/29	Turkey		304.00		7,263.33				7,567.33
	11/29	12/1	Egypt		266.00						266.00
	12/1	12/2	Jordan		289.00						289.00
Robert Kelley	11/27	11/29	Turkey		304.00		6,988.33				7,292.33
	11/29	12/1	Egypt		266.00						266.00
	12/1	12/2	Jordan		289.00						289.00
Hon. Jon Porter	12/24	12/25	Kuwait		406.00						406.00
	12/26	12/27	United Kingdom		530.00						530.00
Committee total					4,372.00		29,571.08				33,943.08

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HENRY A. WAXMAN, Chairman, Jan. 31, 2007.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON HOMELAND SECURITY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2006

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Hon. Jim Gibbons	7/15	7/16	Canada		311.00		(3)				311.00
Hon. Zoe Lofgren	7/15	7/16	Canada		311.00						1,408.23
Commercial airfare											1,097.23
Hon. Donna Christiansen	7/15	7/16	Canada		311.00		(3)				311.00
Hon. Rob Simmons	7/15	7/16	Canada		311.00		(3)				311.00
Deron McElroy	7/15	7/16	Canada		311.00		(3)				311.00
Mark Hogsett	7/15	7/16	Canada		311.00		(3)				311.00
Thomas Finan	7/15	7/16	Canada		311.00		(3)				311.00
Committee total					2,177.00		1,097.23				3,274.23

[1] Per diem constitutes lodging and meals.

[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

[3] Military air transportation.

PETER T. KING, Chairman, Oct. 23, 2006.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON INTERNATIONAL RELATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2006

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Lara Alameh	7/5	7/10	Israel		1,735.00		8,321.09				10,056.09
Douglas Anderson	8/9	8/11	South Korea		326.00						326.00
	8/11	8/13	Philippines		244.00						244.00
	8/13	8/14	Singapore		306.00						306.00
	8/15	8/17	Fiji		214.00		(3)				214.00
Michael Beard	7/2	7/10	Hungary		2,168.00		5,343.94				7,511.94
	8/21	8/22	United Kingdom		530.00						530.00
	8/22	8/24	Libya		3,550.00						3,550.00
	8/24	8/27	Israel		1,191.00						1,191.00
	8/27	8/31	Hungary		2,168.00						2,168.00
	8/31	9/1	Romania		608.00						608.00
	9/1	9/6	Hungary		271.00						271.00
	8/22	9/6					9,107.89				[4]9,107.89
Carol S. Bevan	9/2	9/4	Netherlands		690.98						690.98
	9/4	9/5	Belgium		400.00						400.00
	9/5	9/6	Germany		428.00						428.00
	9/2	9/6					7,065.92				[4]7,065.92
Melanie Bixby	8/21	8/22	China		215.13						215.13
	8/22	8/26	Mongolia		382.00						382.00
	8/26	8/31	Morocco		1,020.00						1,020.00
	8/21	8/31					9,842.10				[4]9,842.10
Ted Brennan	8/5	8/8	Colombia		660.00		(3)				660.00
	8/28	8/30	Spain		740.00						740.00
	8/30	9/2	Portugal		311.22						311.22
	8/28	9/2					4,017.28				[4]4,017.28
Candace Bryan Abby	8/30	9/2	Portugal		324.00		6,344.82				6,668.82
Edward Burrier	8/8	8/14	Israel		2,370.00		4,629.02				6,999.02
Hon. Dan Burton	9/22	9/24	Nicaragua		463.00		1,926.00				2,389.00
Nicolas Cook	7/7	7/16	Liberia		2,718.00		9,158.59				11,876.59
Frank Cotter	8/9	8/11	South Korea		326.00						326.00
	8/11	8/13	Philippines		244.00						244.00
	8/13	8/14	Singapore		306.00						306.00
	8/15	8/17	Fiji		214.00		(3)				214.00
Janice Cotter	8/9	8/11	South Korea		326.00						326.00
	8/11	8/13	Philippines		244.00						244.00
	8/13	8/14	Singapore		306.00						306.00
	8/15	8/17	Fiji		214.00		(3)				214.00
Ted Dagne	7/28	7/29	Kenya		288.00						288.00
	7/29	7/31	Sudan		536.00						536.00
	7/31	8/2	Kenya		576.00						576.00
	8/2	8/5	Democratic Republic of Congo		1,059.00						1,059.00
	8/5	8/9	Ethiopia		1,132.00						[4]9,606.62
	7/28	8/9					9,606.62				
Phaedra Dugan	8/8	8/13	Philippines		1,359.00		6,787.00				8,146.00
Hon. Eni Faleomavaega	7/29	8/4	French Polynesia		1,000.00		5,200.31				6,200.31
	8/9	8/11	South Korea		326.00						326.00
	8/11	8/13	Philippines		244.00						244.00
	8/13	8/14	Singapore		306.00						306.00
	8/15	8/17	Fiji		214.00		(3)				214.00
	9/18	9/19	Tonga		125.00						125.00
	9/19	9/20	Western Samoa		260.75						260.75
	9/18	9/20					5,212.69				[4]5,212.69
Jim Farr	8/9	8/11	South Korea		326.00						326.00
	8/11	8/13	Philippines		244.00						244.00
	8/13	8/14	Singapore		306.00						306.00
	8/15	8/17	Fiji		214.00		(3)				214.00
	9/26	9/27	Italy		464.00		6,368.82				6,832.82
Hon. Jeff Flake	8/9	8/11	South Korea		326.00						326.00
	8/11	8/13	Philippines		244.00						244.00
	8/13	8/14	Singapore		306.00						306.00
	8/15	8/17	Fiji		214.00		(3)				214.00
Barton Forsyth	8/5	8/6	United Arab Emirates		594.10						594.10
	8/6	8/9	Afghanistan		0						0
	8/9	8/11	Saudi Arabia		266.75						266.75
	8/5	8/11					7,378.03				[4]7,378.03
	8/19	8/20	Thailand		119.50						119.50
	8/20	8/23	Bhutan		438.00						438.00
	8/23	8/26	Nepal		471.00						471.00
	8/19	8/26					7,378.03				[4]7,378.03
Hon. Elton Gallegly	8/13	8/16	Ireland		1,446.00						1,446.00
	8/16	8/18	United Kingdom		807.99						807.99
	8/18	8/23	Ireland		1,356.00						1,356.00
	8/13	8/23					6,586.55				[4]6,586.55
Kristen Gilley	8/25	8/26	Cyprus		327.00						327.00
	8/26	8/28	Israel		694.00						694.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON INTERNATIONAL RELATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2006—Continued

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
	8/25	8/28					5,791.20				[4] 5,791.20
Dennis Halpin	7/28	7/30	South Korea		620.00		4,963.30				5,583.30
	8/9	8/11	South Korea		326.00						326.00
	8/11	8/13	Philippines		244.00						244.00
	8/13	8/14	Singapore		306.00						306.00
	8/15	8/17	Fiji		214.00		(3)				214.00
Hon. Henry Hyde	8/9	8/11	South Korea		326.00						326.00
	8/11	8/13	Philippines		244.00						244.00
	8/13	8/14	Singapore		306.00						306.00
	8/15	8/17	Fiji		214.00		(3)				214.00
Jonathan Katz	7/25	7/27	Israel		788.00		4,628.25				5,416.25
David Killion	8/19	8/20	Thailand		182.00						182.00
	8/20	8/23	Bhutan		438.00						438.00
	8/23	8/26	Nepal		471.00						471.00
	8/19	8/26					8,552.37				[4] 8,552.37
Kay King	8/9	8/11	South Korea		326.00						326.00
	8/11	8/13	Philippines		81.00						81.00
	8/13	8/14	Singapore		306.00						306.00
	8/15	8/17	Fiji		214.00		(3)				214.00
Robert King	8/9	8/11	South Korea		326.00						326.00
	8/11	8/13	Philippines		244.00						244.00
	8/13	8/14	Singapore		306.00						306.00
	8/15	8/17	Fiji		214.00		(3)				214.00
Sheila Klein	8/9	8/11	South Korea		326.00						326.00
	8/11	8/13	Philippines		244.00						244.00
	8/13	8/14	Singapore		306.00						306.00
	8/15	8/17	Fiji		214.00		(3)				214.00
Hon. Thomas Lantos	7/2	7/10	Hungary		2,168.00		5,343.94				7,511.94
	8/21	8/22	United Kingdom		530.00						530.00
	8/22	8/24	Libya		3,550.00						3,550.00
	8/24	8/27	Israel		1,191.00						1,191.00
	8/27	8/31	Hungary		2,168.00				[5] 753.22		2,921.22
	8/31	9/1	Romania		608.00						608.00
	9/1	9/6	Hungary		217.00						217.00
	8/21	9/6					9,107.89				[4] 9,107.89
Robert Lawrence	7/8	7/12	Liberia		1,208.00		6,162.70				7,370.70
	8/14	8/18	Colombia		904.00		1,785.00				2,689.00
	9/11	9/15	Haiti		1,140.00		1,173.00				2,313.00
Hon. Barbara Lee	8/13	8/15	Canada		358.39		361.17		[5] 995.00		1,714.56
John Lis	7/8	7/12	Liberia		1,208.00		6,162.70				7,370.70
	8/14	8/18	Colombia		904.00		1,785.00				2,689.00
	9/11	9/13	Haiti		570.00		1,173.00				1,743.00
Noelle Lusane	7/28	7/29	Kenya		288.00						288.00
	7/29	7/31	Sudan		536.00						536.00
	7/31	8/2	Kenya		576.00						576.00
	8/2	8/3	Democratic Republic of Congo		353.00						353.00
	7/28	8/3					8,884.62				[4] 8,884.62
Pearl-Alice Marsh	8/20	8/22	South Africa		409.00						409.00
	8/22	8/25	Zimbabwe		775.00						775.00
	8/20	8/25					10,454.44				[4] 10,454.44
Greg McCarthy	8/8	8/13	Philippines		762.00						762.00
	8/13	8/14	Japan		696.00						696.00
	8/8	8/14					8,230.55				[4] 8,230.55
Ryan McCarthy	8/5	8/6	United Arab Emirates		617.25						617.25
	8/6	8/9	Afghanistan								
	8/9	8/11	Saudi Arabia		266.75						266.75
	8/5	8/11					7,378.03				[4] 7,378.03
John Mackey	7/3	7/8	Colombia		1,380.00		2,074.00				3,454.00
	8/5	8/10	Colombia		2,421.65		980.42				3,402.07
	8/28	8/30	Spain		790.00						790.00
	8/30	9/2	Portugal		423.00						423.00
	8/28	9/2					5,513.28				[4] 5,513.28
Alan Makovsky	8/21	8/24	Libya		3,050.00						3,050.00
	8/24	8/30	Israel		2,382.00						2,382.00
	8/30	9/2	Egypt		3,415.12						3,415.12
	8/21	9/2					8,171.08				[4] 8,171.08
Hon. Gregory Meeks	8/5	8/8	Colombia		960.00		(3)				960.00
Richard Mereu	7/3	7/6	Serbia		1,020.00		5,762.01				6,782.01
Francis Miko	8/14	8/18	Colombia		904.00		1,949.00				2,853.00
	9/11	9/15	Haiti		1,140.00		1,173.00				2,313.00
Thomas Mooney	8/9	8/11	South Korea		326.00						326.00
	8/11	8/13	Philippines		244.00						244.00
	8/13	8/14	Singapore		306.00						306.00
	8/15	8/17	Fiji		214.00		(3)				214.00
Carol Mitchell	7/2	7/4	Lebanon		417.50		457.45				874.95
Paul Oostburg-Sanz	8/21	8/22	China		210.00						210.00
	8/22	8/26	Mongolia		395.00						395.00
	8/26	8/31	Morocco		1,018.00						1,018.00
	8/21	8/22			9,842.10						[4] 9,842.10
Hon. Donald Payne	7/28	7/29	Kenya		288.00				[5] 174.78		462.78
	7/29	7/31	Sudan		536.00						536.00
	7/31	8/2	Kenya		576.00						576.00
	8/2	8/5	Democratic Republic of Congo		1,059.00						1,059.00
	8/5	8/9	Ethiopia		1,132.00						1,132.00
	7/28	8/9					10.009.62				[4] 10,009.62
Hon. Ted Poe	9/2	9/4	Netherlands		690.98						690.98
	9/4	9/5	Belgium		400.00						400.00
	9/5	9/6	Germany		428.00						428.00
	9/2	9/6					7,334.42				[4] 7,334.42
Patrick Prisco	9/26	9/27	Italy		464.00		6,368.82				6,832.82
Nuzhat Rahman	9/17	9/20	Afghanistan		138.50		400.00				538.50
Robin Roizman	8/14	8/18	Colombia		753.00		1,321.00				2,074.00
Hon. Edward Royce	8/8	8/14	Israel		2,370.00		4,628.25				6,998.25
Sue Schiesser	8/9	8/11	South Korea		326.00						326.00
	8/11	8/13	Philippines		244.00						244.00
	8/13	8/14	Singapore		306.00						306.00
	8/15	8/17	Fiji		214.00		(3)				214.00
Doug Seay	8/9	8/11	South Korea		326.00						326.00
	8/11	8/13	Philippines		244.00						244.00
	8/13	8/14	Singapore		306.00						306.00
	8/15	8/17	Fiji		214.00		(3)				214.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON INTERNATIONAL RELATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2006—Continued

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Gregory Simpkins	8/22	8/22	United Kingdom		310.38						310.38
	8/23	8/25	Zimbabwe		462.00						462.00
	8/22	8/25					9,936.10				[4]9,936.10
	9/22	9/24	Kuwait		792.00		6,420.19				7,212.19
Thomas Sheehy	8/8	8/14	Israel		2,370.00		4,629.02				6,999.02
Paula Sheil	8/13	8/16	Ireland		883.51						883.51
	8/16	8/18	United Kingdom		986.00						986.00
	8/18	8/23	Ireland		1,356.00						1,356.00
	8/13	8/23					6,586.55				[4]6,586.55
Hon. Christopher Smith	9/22	9/24	Kuwait		792.00		6,420.19				7,212.19
Ismail Soliman	7/2	7/4	Lebanon		562.25		501.40				1,063.65
Theodore Van Der Meid	8/9	8/11	South Korea		326.00						326.00
	8/11	8/13	Philippines		244.00						244.00
	8/13	8/14	Singapore		306.00		3,532.12				3,838.12
Connie Veillette	8/14	8/18	Colombia		904.00		1,785.00				2,689.00
	9/11	9/15	Haiti		1,140.00		1,173.00				2,313.00
Mark Walker	8/5	8/8	Colombia		960.00		(3)				960.00
	9/22	9/24	Nicaragua		463.00		1,462.00				1,925.00
Brian Wanko	8/5	8/8	Colombia		960.00		(3)				960.00
	9/22	9/24	Nicaragua		462.00		1,462.00				1,924.00
Todd Washam	8/19	8/20	Thailand		119.50						119.50
	8/20	8/23	Bhutan		438.00						438.00
	8/23	8/26	Nepal		471.00						471.00
	8/19	8/26					8,572.37				[4]8,572.37
Lynne Weil	8/21	8/22	China		208.00						208.00
	8/22	8/26	Mongolia		392.00						392.00
	8/26	8/31	Morocco		1,028.00						1,028.00
	8/21	8/31					9,698.26				[4]9,698.26
Hillel Weinberg	7/30	8/6	China		2,032.37		9,250.79				11,283.16
Hon. Robert Wexler	7/25	7/27	Israel		788.00		4,628.25				5,416.25
	8/1	8/2	Singapore		482.55						482.55
	8/2	8/5	Indonesia		979.00				[4]4,046.52		5,025.52
	8/1	8/6					6,743.06				6,743.06
Judy Wolverton	8/9	8/11	South Korea		326.00						326.00
	8/11	8/13	Philippines		244.00						244.00
	8/13	8/14	Singapore		306.00						306.00
	8/15	8/17	Fiji		214.00		(3)				214.00
Peter Yeo	8/20	8/21	Thailand		182.00						182.00
	8/21	8/23	Bhutan		292.00						292.00
	8/23	8/26	Nepal		471.00						471.00
	8/20	8/26					8,652.37				[4]8,652.37
Committee total					137,719.22		359,806.88		[5]5,969.52		503,495.62

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.
[4] Round trip airfare.
[5] Delegation costs.

HENRY HYDE, Chairman, Oct. 31, 2006.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON INTERNATIONAL RELATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN SEPT. 30 AND DEC. 31, 2006

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Lara Alameh	11/24	11/25	United Arab Emirates		432.50						432.50
	11/25	11/28	Afghanistan		225.00						225.00
	11/28	11/29	United Arab Emirates		432.50						432.50
	11/24	11/29					8,145.94				[4]8,145.94
Douglas Anderson	10/17	10/19	Thailand		436.00						436.00
	10/19	10/20	Laos		64.00						64.00
	10/20	10/22	Thailand		436.00						436.00
	10/17	10/22					6,448.00				[4]6,448.00
Michael Beard	11/30	12/3	Denmark		1,149.00						1,149.00
	12/3	12/4	The Netherlands		402.00						402.00
							6,766.49				[4]6,766.49
Frank Cotter	10/25	10/30	Italy		775.50		(3)				775.50
Janice Cotter	10/25	10/30	Italy		775.50		(3)				775.50
Hon. William D. Delahunt	12/15	12/17	Cuba		450.00		(3)				450.00
Hon. Eliot L. Engel	12/9	12/10	Dominican Republic		280.00		(3)				280.00
	12/10	12/11	Haiti		285.00		(3)		[5]5,427.63		5,712.63
James Farr	10/25	10/30	Italy		775.50		(3)				775.50
Hon. Jeff Flake	12/15	12/17	Cuba		450.00		(3)				450.00
Bart Forsyth	11/27	12/1	Switzerland		1,476.00		6,370.34				7,846.34
Hon. Jeff Fortenberry	11/9	11/13	France		1,036.57		1,637.84				2,674.41
Kirsti Garlock	12/15	12/17	Cuba		450.00		(3)				450.00
Kirsten Gilley	10/17	10/19	Thailand		436.00				[5]329.35		765.35
	10/19	10/20	Laos		64.00						64.00
	10/20	10/22	Cambodia		411.00						411.00
	10/22	10/23	Thailand		218.00						218.00
	10/17	10/23					6,824.66				[4]6,824.66
Yevgeny Gurevich	11/10	11/11	Kazakhstan		265.00						265.00
	11/12	11/14	Kyrgyzstan		649.00						649.00
	11/14	11/16	Kazakhstan		1,332.00						1,332.00
	11/10	11/16					9,131.05				[4]9,131.05
Hon. Henry Hyde	10/25	10/30	Italy		775.50		(3)				775.50
Jonathan Katz	11/29	12/1	Italy		1,447.00		5,838.56				7,285.56
David Killion	11/27	12/1	Switzerland		1,476.00		7,083.80				8,559.80
Julie Kim	11/20	11/23	Macedonia		225.00						225.00
	11/23	11/24	Kosovo		107.00						107.00
	11/20	11/24					6,234.16				[4]6,234.16
Sheila Klein	10/25	10/30	Italy		775.50		(3)				775.50
Hon. Tom Lantos	11/30	12/3	Denmark		1,149.00				[5]2,063.41		3,212.41

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON INTERNATIONAL RELATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN SEPT. 30 AND DEC. 31, 2006—Continued

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
	12/3	12/4	The Netherlands		402.00						402.00
	11/30	12/4					6,766.49				6,766.49
Robert Lawrence	10/16	10/20	Ukraine		2,043.72		5,147.50				7,191.22
Hon. Barbara Lee	12/9	12/10	Dominican Republic		280.00		(3)				280.00
	12/10	12/11	Haiti		285.00		(3)				285.00
John Lis	10/16	10/20	Ukraine		2,043.72		5,147.50				7,191.22
Greg McCarthy	11/7	11/8	Germany		374.00						374.00
	11/8	11/11	France		542.00						542.00
	11/7	11/11					8,119.76				[4]8,119.76
James McCormick	10/17	10/19	Thailand		436.00						436.00
	10/19	10/20	Laos		64.00						64.00
	10/20	10/22	Cambodia		411.00						411.00
	10/22	10/23	Thailand		218.00						218.00
	10/17	10/23					6,872.66				[4]6,872.66
John Mackey	10/26	10/29	Russia		1,284.67						1,284.67
	10/29	11/3	United Kingdom		865.00						865.00
	10/26	11/3	Round Trip Airfare				7,700.12				7,700.12
	12/15	12/19	Paraguay, Brazil		485.00						485.00
	12/19	12/20	Argentina		220.00						220.00
	12/20	12/21	Uruguay		171.00						171.00
	12/15	12/21					7,895.31				[4]7,895.31
Alan Makovsky	11/18	11/19	Switzerland		369.00		7,295.53				7,664.53
Hon. Betty McCollum	12/21	12/29	Laos		1,141.00						1,141.00
	12/29	12/30	Thailand		268.00						268.00
	12/21	12/30				4,513.00					[4]4,513.00
Hon. Gregory W. Meeks	12/15	12/17	Cuba		450.00		(3)				450.00
Paul Oostburg Sanz	12/15	12/17	Cuba		350.00		(3)				350.00
Hon. Donald M. Payne	12/9	12/10	Dominican Republic		280.00		(3)				280.00
	12/10	12/11	Haiti		285.00						285.00
Hon. Ted Poe	12/18	12/19	Belgium		556.00						556.00
	12/19	12/20	Denmark		1,253.00						1,253.00
	12/20	12/22	The Netherlands		775.00						775.00
	12/18	12/22					6,374.74				[4]6,374.74
Patrick Prisco	10/25	10/28	Italy		775.50		(3)				775.50
James Ritchette	10/25	10/28	China		996.00		10,831.38				11,827.38
Sue Schiesser	10/25	10/30	Italy		775.50		(3)				775.50
Doug Seay	10/25	10/30	Italy		775.50		(3)				775.50
Hon. Adam Smith	10/4	10/5	Peru		1,152.00		3,816.00				4,968.00
Cliff Stammerman	12/15	12/17	Cuba		450.00		(3)				450.00
	12/9	12/10	Dominican Republic		280.00		(3)				280.00
	12/10	12/11	Haiti		285.00		(3)				285.00
Jason Steinbaum	12/9	12/10	Dominican Republic		280.00		(3)				280.00
	12/10	12/11	Haiti		285.00		(3)				285.00
Mark Walker	12/15	12/19	Paraguay, Brazil		485.00				[5]4,894.00		5,379.00
	12/19	12/20	Argentina		220.00						220.00
	12/20	12/21	Uruguay		171.00						171.00
	12/15	12/21					7,895.31				[4]7,895.31
Brian Wanko	12/9	12/10	Dominican Republic		280.00		(3)				280.00
	12/10	12/11	Haiti		285.00		(3)				285.00
	12/15	12/19	Paraguay, Brazil		485.00						485.00
	12/19	12/20	Argentina		220.00						220.00
	12/20	12/21	Uruguay		171.00						171.00
	12/15	12/21					7,895.31				[4]7,895.31
Hon. Diane E. Watson	10/25	10/30	Italy		775.50		(3)				775.50
	11/26	11/28	Egypt		556.00						556.00
	11/28	12/29	South Africa		1,346.63						1,346.63
	11/26	12/9					9,520.78				[4]9,520.78
Hillel Weinberg	10/10	10/14	China		1,088.00						1,088.00
	10/14	10/19	India		1,680.00						1,680.00
	10/10	10/19					9,780.56				[4]9,780.56
	10/24	10/26	Germany		556.00		4,653.45		[5]1,350.00		6,559.45
	10/26	10/30	Italy		465.00		(3)				465.00
	11/17	11/19	Switzerland		538.00		6,358.30				6,896.30
Hon. Robert Wexler	11/29	11/30	Italy		887.00		5,838.78				6,725.78
Judy Wolverton	10/25	10/30	Italy		775.50		(3)				775.50
Committee total					52,552.31		196,903.32		14,064.39		263,520.02

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.
[4] Round trip airfare.
[5] Indicates delegation costs.

TOM LANTOS, Chairman, Jan. 29, 2007.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON JUDICIARY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2006

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Caroline G. Lynch	8/28	8/30	Spain		790.00		4,017.28				4,807.28
	8/30	9/2	Portugal		399.00						399.00
Returned currency											–418.24
Committee total											4,788.04

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

F. JAMES SENSENBRENNER, Jr., Chairman, Sept. 30, 2006.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON JUDICIARY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND JAN. 1, 2007

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒

[1] Per diem constitutes lodging and meals.

[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

F. JAMES SENSENBRENNER, Jr., Chairman, Jan. 25, 2007.

(AMENDED) REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON JUDICIARY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND JAN. 1, 2007

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒

[1] Per diem constitutes lodging and meals.

[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

F. JAMES SENSENBRENNER, Jr., Chairman, Jan. 25, 2007.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON RESOURCES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2006

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Todd Willens	07/3	07/12	Peru		1,040.00		8,918.00				9,958.00
Committee total					1,040.00		8,918.00				9,958.00

[1] Per diem constitutes lodging and meals.

[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

RICHARD POMBO, Chairman, Oct. 23, 2006.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON NATURAL RESOURCES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2006

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒

[1] Per diem constitutes lodging and meals.

[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

NICK J. RAHALL, Chairman, Jan. 26, 2007.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON RULES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2006

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Hon. Phil Gingrey	8/12	8/15	Norway		1,004.53		(3)		2,629.38		3,633.91
	8/15	8/18	Russia		1,536.00		(3)		1,865.44		3,401.44
	8/18	8/21	Sweden		2,122.72		(3)		2,865.01		4,987.73
Hon. Tom Cole	7/31	08/1	Jordan		289.00		(3)				289.00
	08/1	8/2	Italy		560.00		(3)				560.00
Christopher Caron	7/31	8/1	Jordan		289.00		(3)				289.00
	8/1	8/2	Italy		560.00		(3)				560.00
Eileen Harley	7/31	8/1	Jordan		289.00		(3)				289.00
	8/1	8/2	Italy		560.00		(3)				560.00
Committee total					7,210.25				7,359.83		14,570.00

[1] Per diem constitutes lodging and meals.

[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

[3] Military air transportation.

DAVID DREIER, Chairman, Oct. 26, 2006.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON RULES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2006

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Hon. James P. McGovern	12/15	12/17	Cuba		450.00		(3)				450.00
Committee total					450.00						450.00

[1] Per diem constitutes lodging and meals.

[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

[3] Military air transportation.

DAVID DREIER, Chairman, Jan. 31, 2007.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SCIENCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2006

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Daniel Lipinski	8/17	8/19	Sweden		904.00		(3)				904.00
	8/19	8/22	Denmark		1,149.00		(3)				1,149.00
	8/22	8/24	Greece		728.00		(3)				728.00
	8/24	8/26	Netherlands		1,173.00		(3)				1,173.00
Hon. Brian Baird	8/24	8/25	Estonia		150.00		(3)				150.00
	8/25	8/28	Nepal		300.00		(3)				300.00
	8/28	8/30	Bhutan		200.00		(3)				200.00
	8/30	8/31	India		100.00		(3)				100.00
	9/1	9/4	Mongolia		300.00		(3)				300.00
	9/4	9/4	Finland		200.00		(3)				200.00
Committee total					5,204.00						5,204.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Furnished by Department of Defense.

BRIAN BAIRD, Chairman, Oct. 19, 2006.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SCIENCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2006

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Sherwood Boehler	10/25	10/31	Italy		775.50	(3)					775.50
Hon. Lincoln Davis			Cuba		400.00	(3)					400.00
Hon. Lynn Woolsey	12/8	12/10	Dominican Republic		337.74	(3)					
	12/10	12/11	Haiti			(3)					337.74
Committee total					1,513.24						1,513.24

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

BART GORDON, Chairman, Jan. 10, 2007.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SMALL BUSINESS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN API. 1 AND JUNE 30, 2006

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Matthew Szymanski	4/9	4/21	China		3,066.00		10,154.63		[3] 370.67		13,591.30
Sean Deverey	4/9	4/15	China		1,492.000		7,248.70				8,740.70
Rich Beutel	4/9	4/15	China		1,492.00		7,228.70				8,720.70
Matthew Szymanski	5/27	6/1	Egypt		1,445.00		3,280.55		[3] 371.00		4,725.50
	6/1	6/4	Jordan		819.00						819.00
Sean Deverey	5/27	6/1	Egypt		1,445.00		3,280.55		[3] 371.00		4,725.00
	6/1	6/4	Jordan		819.00						819.00
Rich Beutel	5/29	6/3	China		1,773.00		7,233.74				9,006.70
Committee total											51.148.54

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Amount returned.

DONALD A. MANZULLO, Chairman, Oct. 11, 2006.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SMALL BUSINESS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2006

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
J. Matthew Szymanski	8/7	8/7	Kenya		245.00						245.00
	8/7	8/10	Tanzania		847.60						847.60
	8/10	8/14	South Africa		1,066.00						1,066.00
	8/15	8/16	Morocco		577.50						577.50
Brian Jaskot	8/7	8/7	Kenya		245.00						245.00
	8/7	8/10	Tanzania		847.60						847.60
	8/10	8/14	South Africa		1,066.00						1,066.00
	8/15	8/16	Morocco		577.50						577.50
Sean Deverey	8/7	8/7	Kenya		245.00						245.00
	8/7	8/10	Tanzania		847.60						847.60
	8/10	8/15	South Africa		1,332.00						1,332.00
Per diem return for group		8/15	Morocco		1,569.75						
J. Matthew Szymanski (Airfare Total)							19,794.17				19,794.17
Brian Jaskot (Airfare Total)							19,794.17				19,794.17
Sean Deverey (Airfare Total)							17,663.76				17,663.76
Richard Beutel	7/30	8/5	China		929.00		9,270.75				10,199.75
Sean Deverey	7/30	8/5	China		1,092.00		9,270.75				10,362.75
Brian Jaskot	7/30	8/5	China		1,092.00		9,270.75				10,362.75
Chris Szymanski	7/30	8/5	China		1,092.00		9,270.75				10,362.75
Matthew Szymanski	7/30	8/5	China		1,092.00		9,270.75				10,362.75
Per diem returned for group					1,285.59						1,285.59
Hon. Nydia Velazquez	8/17	8/19	Sweden		904.00	(4)					904.00
	8/19	8/22	Denmark		1,149.00	(4)					1,149.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SMALL BUSINESS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2006—Continued

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
	8/22	8/24	Greece		728.00	(4)					728.00
	8/24	8/27	Netherlands[3]		1,173.00	(4)					1,173.00
Committee total											117,898.31

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent, if U.S. currency is used, enter amount expended.
[3] One night in The Hague/second in Amsterdam.
[4] Military air transportation.

DONALD A. MANZULLA, Chairman, Oct. 26, 2006.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SMALL BUSINESS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2006

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Rich Beutel	11/11	11/15	China				6,908.42		1,152.00		8,060.42
Brian Jaskot	11/11	11/15	China				6,908.42		1,152.00		8,060.42
Chris Szymanski	11/11	11/14	China				6,908.42		865.00		7,773.42
Matthew Szymanski	11/11	11/14	China				8,825.42		865.00		9,690.42
Total return per diem $1,176.24.											
Hon. Steve King							7,737.03				9,027.03
Sean Deverey							7,737.03				9,027.03
	11/23	11/24	Germany		848.00						
	11/24	11/24	Kuwait		812.00						
	11/25	11/25	Iraq								
	11/26	11/26	Qatar								
	11/27	11/27	Afghanistan		150						
	11/28	11/28	United Arab Emirates		770						
Returned 630.00											
Committee total											51,638.74

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

DONALD A. MANZULLO, Chairman, Jan. 2, 2007.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2006

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

DOC HASTINGS, Chairman.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2006

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent, if U.S. currency is used, enter amount expended.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2006

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Hon. John Kuhl	8/1	8/2	Iraq		165.00		(3)				165.00
	8/2	8/3	Jordan		289.00		(3)				289.00
	8/3	8/4	Italy		560.00		(3)				560.00
Hon. John Duncan	8/17	8/19	Sweden		904.00		(3)				904.00
Hon. Jerry Costello	8/17	8/19	Sweden		904.00		(3)				904.00
Hon. Eddie Bernice Johnson	8/17	8/19	Sweden		904.00		(3)				904.00
Hon. Spencer Bachus	8/17	8/19	Sweden		904.00		(3)				904.00
Hon. Bob Filner	8/17	8/19	Sweden		904.00		(3)				904.00
Hon. Henry Brown	8/17	8/19	Sweden		904.00		(3)				904.00
Hon. Bill Shuster	8/17	8/19	Sweden		904.00		(3)				904.00
Fraser Verrusio	8/17	8/19	Sweden		904.00		(3)				904.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2006—Continued

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Jimmy Miller	8/17	8/19	Sweden		904.00		(3)				904.00
John Anderson	8/17	8/19	Sweden		904.00		(3)				904.00
Jim Coon	8/17	8/19	Sweden		904.00		(3)				904.00
Stacie Soumbeniotis	8/17	8/19	Sweden		904.00		(3)				904.00
Jennifer Esposito	8/17	8/19	Sweden		904.00		(3)				904.00
Hon. John Duncan	8/19	8/22	Denmark		1,149.00		(3)				1,149.00
Hon. Jerry Costello	8/19	8/22	Denmark		1,149.00		(3)				1,149.00
Hon. Eddie Bernice Johnson	8/19	8/22	Denmark		1,149.00		(3)				1,149.00
Hon. Spencer Bachus	8/19	8/22	Denmark		1,149.00		(3)				1,149.00
Hon. Bob Filner	8/19	8/22	Denmark		1,149.00		(3)				1,149.00
Hon. Henry Brown	8/19	8/22	Denmark		1,149.00		(3)				1,149.00
Hon. Bill Shuster	8/19	8/22	Denmark		1,149.00		(3)				1,149.00
Fraser Verrusio	8/19	8/22	Denmark		1,149.00		(3)				1,149.00
Jimmy Miller	8/19	8/22	Denmark		1,149.00		(3)				1,149.00
John Anderson	8/19	8/22	Denmark		1,149.00		(3)				1,149.00
Jim Coon	8/19	8/22	Denmark		1,149.00		(3)				1,149.00
Stacie Soumbeniotis	8/19	8/22	Denmark		1,149.00		(3)				1,149.00
Jennifer Esposito	8/19	8/22	Denmark		1,149.00		(3)				1,149.00
Hon. John Duncan	8/17	8/19	Denmark		728.00		(3)				728.00
Hon. Jerry Costello	8/17	8/19	Greece		728.00		(3)				728.00
Hon. Eddie Bernice Johnson	8/17	8/19	Greece		728.00		(3)				728.00
Hon. Spencer Bachus	8/17	8/19	Greece		728.00		(3)				728.00
Hon. Bob Filner	8/17	8/19	Greece		728.00		(3)				728.00
Hon. Henry Brown	8/17	8/19	Greece		728.00		(3)				728.00
Hon. Bill Shuster	8/17	8/19	Greece		728.00		(3)				728.00
Fraser Verrusio	8/17	8/19	Greece		728.00		(3)				728.00
Jimmy Miller	8/17	8/19	Greece		728.00		(3)				728.00
John Anderson	8/17	8/19	Greece		728.00		(3)				728.00
Jim Coon	8/17	8/19	Greece		728.00		(3)				728.00
Stacie Soumbeniotis	8/17	8/19	Greece		728.00		(3)				728.00
Jennifer Esposito	8/17	8/19	Greece		728.00		(3)				728.00
Hon. John Duncan	8/19	8/22	Netherlands		1,173.00		(3)				1,173.00
Hon. Jerry Costello	8/19	8/22	Netherlands		1,173.00		(3)				1,173.00
Hon. Eddie Bernice Johnson	8/19	8/22	Netherlands		1,173.00		(3)				1,173.00
Hon. Spencer Bachus	8/19	8/22	Netherlands		1,173.00		(3)				1,173.00
Hon. Bob Filner	8/19	8/22	Netherlands		1,173.00		(3)				1,173.00
Hon. Henry Brown	8/19	8/22	Netherlands		1,173.00		(3)				1,173.00
Hon. Bill Shuster	8/19	8/22	Netherlands		1,173.00		(3)				1,173.00
Fraser Verrusio	8/19	8/22	Netherlands		1,173.00		(3)				1,173.00
Jimmy Miller	8/19	8/22	Netherlands		1,173.00		(3)				1,173.00
John Anderson	8/19	8/22	Netherlands		1,173.00		(3)				1,173.00
Jim Coon	8/19	8/22	Netherlands		1,173.00		(3)				1,173.00
Stacie Soumbeniotis	8/19	8/22	Netherlands		1,173.00		(3)				1,173.00
Jennifer Esposito	8/19	8/22	Netherlands		1,173.00		(3)				1,173.00
Hon. Charles Boustany	9/1	9/3	Cyprus		640.00						640.00
	9/3	9/4	Israel		397.00						397.00
	9/4	9/5	Germany		328.00						328.00
Committee total					53,781.00						53,781.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

DON YOUNG, Chairman, Oct. 20, 2006.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2006

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Hon. Jerry Moran	12/15	12/17	Cuba		450.00		(3)				450.00
Committee total					450.00						450.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

DON YOUNG, Chairman, Jan. 31, 2007.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON VETERANS' AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2006

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Devon Siebert	8/15	8/19	Germany & Luxembourg		984.00						984.00
Mike Brinck	8/15	8/19	Germany & Luxembourg		984.00						984.00
Geoffrey Collver	8/15	8/19	Germany & Luxembourg		984.00						984.00
Hon. Cliff Stearns	8/17	8/19	Sweden		904.00						904.00
	8/19	8/22	Denmark		1,149.00						1,149.00
	8/22	8/24	Greece		728.00						728.00
	8/24	8/27	Netherlands		1,173.00						1,173.00
Hon. Steve Buyer		8/14	United States		4.80						4.80
	8/15	8/16	Kuwait		265.39						265.39
	8/16	8/16	Iraq								
	8/16	8/17	Kuwait		265.39						265.39
	8/17	8/17	Iraq								
	8/17	8/19	Germany		138.93						138.93
	8/19		United States		4.80						4.80

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON VETERANS' AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2006—Continued

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Hon. John Boozman		8/14	United States		4.80						4.80
	8/15	8/16	Kuwait		265.39						265.39
	8/16	8/16	Iraq								
	8/16	8/17	Kuwait		265.39						265.39
	8/17	8/17	Iraq								
	8/17	8/19	Germany		138.93						138.93
	8/19		United States		4.80						4.80
Hon. John Salazar		8/14	United States		4.80						4.80
	8/15	8/16	Kuwait		265.39						265.39
	8/16	8/16	Iraq								
	8/16	8/17	Kuwait		265.39						265.39
	8/17	8/17	Iraq								
	8/17	8/19	Germany		138.93						138.93
	8/19		United States		4.80						4.80
Kelly Craven		8/14	United States		4.80						4.80
	8/15	8/16	Kuwait		265.39						265.39
	8/16	8/16	Iraq								
	8/16	8/17	Kuwait		265.39						265.39
	8/17	8/17	Iraq								
	8/17	8/19	Germany		138.93						138.93
	8/19		United States		4.80						4.80
Jeffrey Phillips		8/14	United States		4.80						4.80
	8/15	8/16	Kuwait		265.39						265.39
	8/16	8/16	Iraq								
	8/16	8/17	Kuwait		265.39				10.32		275.71
	8/17	8/17	Iraq								
	8/17	8/19	Germany		149.15						149.15
	8/19		United States		4.80						4.80
Jeffery Weekly		8/14	United States		4.80						4.80
	8/15	8/16	Kuwait		265.39						265.39
	8/16	8/16	Iraq								
	8/16	8/17	Kuwait		265.39						265.39
	8/17	8/17	Iraq								
	8/17	8/19	Germany		136.35						136.35
	8/19		United States		4.80						4.80
Committee total					10,989.50				10.32		10,999.82

[1] Per diem constitutes lodging and meals.

[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

STEVE BUYER, Chairman, Oct. 25, 2006.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON VETERANS' AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2006

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒

[1] Per diem constitutes lodging and meals.

[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

———Jan. 16, 2007.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON WAYS AND MEANS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 13 AND AUG. 11, 2006

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Hon. Earl Pomeroy	7/14	7/15	Kuwait		406.00						406.00
	7/15	7/16	Baghdad								
	7/16	7/17	Bosnia		220.00						220.00
Hon. Nancy Johnson	8/6	8/8	Kuwait		812.00						812.00
	8/7	8/7	Qatar								
	8/8	8/10	Israel		791.00						791.00
	8/10	8/11	Belgium		400.00						400.00
Hon. Clay Shaw	8/6	8/8	Kuwait		812.00						812.00
	8/7	8/7	Qatar								
	8/8	8/10	Israel		791.00						791.00
	8/10	8/11	Belgium		400.00						400.00
Committee total					4,632.00						4,632.00

[1] Per diem constitutes lodging and meals.

[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

BILL THOMAS, Chairman, Oct. 20, 2006.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, PERMANENT SELECT COMMITTEE ON INTELLIGENCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2006

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Frederick Fleitz	7/3	7/5	Europe		1,060.00						
	7/5	7/8	Europe		1,011.00		9,350.00				

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, PERMANENT SELECT COMMITTEE ON INTELLIGENCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2006—Continued

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Commercial arcraft							7,688.06				
Larry Hanauer	7/3	7/5	Europe		1,060.00						
	7/5	7/8	Europe		1,011.00						
Commercial arcraft							7,688.06				
Riley Perdue	7/4	7/6	Middle East		578.00						
	7/6	7/8	Europe		329.16						
Commercial arcraft							7,600.42				
Donald Stone	7/4	7/6	Middle East		578.00						
	7/6	7/8	Europe		329.16						
Commercial arcraft							7,620.42				
Brian Morrison	7/4	7/6	Middle East		578.00						
	7/6	7/8	Europe		329.16						
Commercial arcraft							7,620.42				
Michael Meermans	8/5	8/12	Australia		1,376.25						
Commercial arcraft							10,917.06				
Christopher Donesa	8/5	8/12	Australia		1,376.25						
Commercial arcraft							10,917.06				
Hon. Darrell Issa	8/8	8/9	Africa		556.00						
	8/10	8/11	Middle East		234.00						
	8/11	8/12	Europe		938.00						
Commercial arcraft							7,452.09				
James Lewis	8/8	8/9	Africa		556.00						
	8/10	8/11	Middle East		234.00						
	8/11	8/12	Europe		938.00						
Commercial arcraft							7,452.09				
George Pappas	8/20	8/21	Middle East		950.00						
	8/25	8/26	Middle East								
	8/22	8/23	Middle East		909.20						
	8/24	8/25	Middle East		283.00						
Commercial Aircraft							8,726.65				
David Abruzzino	8/20	8/21	Middle East		950.00						
	8/25	8/26	Middle East								
	8/22	8/23	Middle East		909.20						
	8/24	8/25	Middle East		283.00						
Commercial Aircraft							8,726.65				
Hon. Michael Rogers	9/1	9/3	Middle East		618.00						
Commercial Aircraft							8,459.84				
Hon. Michael Ennis	9/1	9/3	Middle East		618.00						
Commercial Aircraft							8,689.14				
Hon. Peter Hockstra	7/22	7/24	Middle East		772.00						
	7/24	7/25	Europe		223.00						
							[3]				
James Lewis	7/22	7/24	Middle East		772.00						
	7/24	7/25	Europe		223.00						
							[3]				
Committee total											128,576.28

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

PETER HOEKSTRA, Chairman, Oct. 26, 2006.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, JOINT COMMITTEE ON PRINTING, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2006

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

VERNON J. EHLERS, Chairman, Jan. 12, 2007.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, JOINT COMMITTEE ON TAXATION, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2006

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

CHUCK GRASSLEY, Chairman, Jan. 29, 2007.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

612. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Examination of returns and claims for refund, credit, or abatement; determination of correct tax liability (Rev. Proc. 2007-13) — received December 21,2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

613. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — In-Service Benefits Permitted to be Provided at Age 62 by a Pension Plan [Notice 2007-8] — received December 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

614. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Weighted Average Interest Rates Update [Notice 2006-111] received January 3, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

615. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Cash Balance and Other Hybrid Defined Benefit Pension Plans [Notice 2007-6] received January 3, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. OBERSTAR: Committee on Transportation and Infrastructure. H.R. 700. A bill to amend the Federal Water Pollution Control Act to extend the pilot program for alternative water source projects (Rept. 110-15). Referred to the Committee of the Whole House on the State of the Union.

Mr. OBERSTAR: Committee on Transportation and Infrastructure. H.R. 569. A bill to amend the Federal Water Pollution Control Act to authorize appropriations for sewer overflow control grants; with an amendment (Rept. 110–16). Referred to the Committee of the Whole House on the State of the Union.

Mr. OBERSTAR: Committee on Transportation and Infrastructure. H.R. 584. A bill to designate the headquarters building of the Department of Education in Washington, DC, as the Lyndon Baines Johnson Federal Building; with amendments (Rept. 110–17). Referred to the House Calendar.

Mr. OBERSTAR: Committee on Transportation and Infrastructure. H.R. 544. A bill to designate the United States courthouse at South Federal Place in Santa Fe, New Mexico, as the "Santiago E. Campos United States Courthouse" (Rept. 110–18). Referred to the House Calendar.

Mr. OBERSTAR: Committee on Transportation and Infrastructure. H.R. 478. A bill to designate the Federal building and United States courthouse located at 101 Barr Street in Lexington, Kentucky, as the "Scott Reed Federal Building and United States Courthouse" (Rept. 110–19). Referred to the House Calendar.

Mr. OBERSTAR: Committee on Transportation and Infrastructure. H.R. 399. A bill to designate the United States Courthouse to be constructed in Jackson, Mississippi, as the "R. Jess Brown United States Courthouse" (Rept. 110–20). Referred to the House Calendar.

Mr. OBERSTAR: Committee on Transportation and Infrastructure. H.R. 430. A bill to designate the United States bankruptcy courthouse located at 271 Cadman Plaza East, Brooklyn, New York, as the "Conrad Duberstein United States Bankruptcy Courthouse"; with amendments (Rept. 110–21). Referred to the House Calendar.

Mr. OBERSTAR: Committee on Transportation and Infrastructure. H.R. 429. A bill to designate the United States courthouse located at 225 Cadman Plaza East, Brooklyn, New York, as the "Hugh L. Carey United States Courthouse" (Rept. 110–22). Referred to the House Calendar.

Mr. GEORGE MILLER of California: Committee on Education and Labor. H.R. 800. A bill to amend the National Labor Relations Act to establish an efficient system to enable employees to form, join, or assist labor organizations, to provide for mandatory injunctions for unfair labor practices during organizing efforts, and for other purposes; with an amendment (Rept. 110–23). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. TOM DAVIS of Virginia (for himself, Mr. HOYER, Mr. PORTER, Mr. WAXMAN, Mr. WOLF, Mr. DAVIS of Illinois, Mr. VAN HOLLEN, Mrs. JO ANN DAVIS of Virginia, Mr. MORAN of Virginia, Mr. COBLE, Ms. NORTON, Mr. WYNN, Mr. CANTOR, Mr. CAMP of Michigan, Mr. STARK, Mr. RAMSTAD, Mr. LEWIS of Georgia, Mr. SAM JOHNSON of Texas, Mr. BECERRA, Mr. ENGLISH of Pennsylvania, Mrs. JONES of Ohio, Mr. WELLER, Mr. THOMPSON of California, Mr. LEWIS of Kentucky, Mr. EMANUEL, Mr. RYAN of Wisconsin, Ms. BERKLEY, Mr. MEEK of Florida, and Ms. SCHWARTZ):

H.R. 1110. A bill to amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pretax basis and to allow a deduction for TRICARE supplemental premiums; to the Committee on Ways and Means, and in addition to the Committees on Oversight and Government Reform, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WAXMAN (for himself, Mr. ABERCROMBIE, Mr. ALLEN, Mrs. CAPPS, Mrs. CHRISTENSEN, Mr. CLAY, Mr. CUMMINGS, Mr. DAVIS of Illinois, Mr. AL GREEN of Texas, Mr. GRIJALVA, Ms. HARMAN, Mr. HIGGINS, Mr. HINCHEY, Ms. MATSUI, Ms. MCCOLLUM of Minnesota, Mr. MCDERMOTT, Mr. MCNULTY, Mr. MEEK of Florida, Mr. MICHAUD, Mr. OLVER, Mr. ORTIZ, Mr. PAYNE, Mr. RANGEL, Mr. REYES, Mr. ROTHMAN, Ms. ROYBAL-ALLARD, Mr. RUSH, Ms. SCHAKOWSKY, Mr. SERRANO, Ms. SOLIS, Mr. STARK, Mr. THOMPSON of Mississippi, Mr. TIERNEY, Mr. TOWNS, Ms. WOOLSEY, and Mr. WYNN):

H.R. 1111. A bill to amend titles XIX and XXI of the Social Security Act to ensure that every uninsured child in America has health insurance coverage, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. REYNOLDS (for himself, Mr. HERGER, Mr. SAM JOHNSON of Texas, Mr. ENGLISH of Pennsylvania, Mr. WELLER, Mr. CANTOR, Mr. LINDER, Mr. TIBERI, Mr. KING of New York, Mr. WALSH of New York, Mr. MCHUGH, Mr. FOSSELLA, Mr. KUHL of New York, Mrs. MYRICK, Mr. ROYCE, Mr. HUNTER, Mr. WESTMORELAND, Mr. LOBIONDO, Mr. CULBERSON, Mrs. BLACKBURN, Mr. TERRY, Mr. LINCOLN DIAZ-BALART of Florida, Mr. WALDEN of Oregon, Mrs. CAPITO, Mrs. DRAKE, Mrs. BONO, Mr. SESSIONS, Mr. GOHMERT, Mr. FRELINGHUYSEN, Mr. NEUGEBAUER, Mr. GARRETT of New Jersey, Mr. WALBERG, Mrs. BIGGERT, Mr. WILSON of South Carolina, and Mr. BILIRAKIS):

H.R. 1112. A bill to amend the Internal Revenue Code of 1986 to provide individuals relief from the alternative minimum tax; to the Committee on Ways and Means.

By Mr. JACKSON of Illinois (for himself and Mr. CASTLE):

H.R. 1113. A bill to expand the research, prevention, and awareness activities of the National Institute of Diabetes and Digestive and Kidney Diseases and the Centers for Disease Control and Prevention with respect to inflammatory bowel disease, and for other purposes; to the Committee on Energy and Commerce.

By Mr. YOUNG of Alaska:

H.R. 1114. A bill to require the Secretary of the Interior, acting through the Bureau of Reclamation and the United States Geological Survey, to conduct a study on groundwater resources in the State of Alaska, and for other purposes; to the Committee on Natural Resources.

By Mr. LATHAM (for himself, Mr. KING of Iowa, Mr. BOSWELL, Mr. BRALEY of Iowa, Mr. LOEBSACK, and Mr. SAXTON):

H.R. 1115. A bill to amend section 1477 of title 10, United States Code, to provide additional options regarding the designation of the person to receive the death gratuity paid with respect to a member of the Armed Forces who dies without a surviving spouse, but who is survived by a minor child; to the Committee on Armed Services.

By Mrs. MUSGRAVE:

H.R. 1116. A bill to require that the payment rate used to make any direct payments with respect to wheat for the 2008 through 2012 crop years be $1.20 per bushel; to the Committee on Agriculture.

By Mr. ALLEN (for himself, Mr. COHEN, Mr. HONDA, Ms. HIRONO, Mr. MICHAUD, Mr. STARK, Ms. BERKLEY, Ms. JACKSON-LEE of Texas, Ms. CORRINE BROWN of Florida, and Mr. WELCH of Vermont):

H.R. 1117. A bill to repeal title II of the REAL ID Act of 2005, to reinstitute section 7212 of the Intelligence Reform and Terrorism Prevention Act of 2004, which provides States additional regulatory flexibility and funding authorization to more rapidly produce tamper- and counterfeit-resistant driver's licenses and to protect privacy and civil liberties by providing interested stakeholders on a negotiated rulemaking with guidance to achieve improved 21st century licenses to improve national security; to the Committee on Oversight and Government Reform, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KELLER (for himself, Mr. SMITH of Texas, and Mr. FORBES):

H.R. 1118. A bill to amend the Controlled Substances Act to enhance criminal penalties for drug trafficking offenses relating to distribution of heroin, marijuana, and methamphetamine and distribution to and use of children, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. DAVIS of California (for herself, Ms. Foxx, Mr. Blunt, Mrs. Jones of Ohio, Mr. Lipinski, Mr. Crowley, Ms. Corrine Brown of Florida, Mr. Tancredo, Ms. Kaptur, Mrs. Tauscher, Mr. Schiff, Mr. Berman, Mrs. McCarthy of New York, Mr. Fortenberry, Mr. Buyer, Mr. Smith of Nebraska, Mrs. Maloney of New York, Mr. Hare, Mr. Salazar, Mr. Capuano, and Mr. Honda):

H.R. 1119. A bill to amend title 36, United States Code, to revise the congressional charter of the Military Order of the Purple Heart of the United States of America, Incorporated, to authorize associate membership in the corporation for the spouse of a recipient of the Purple Heart medal; to the Committee on the Judiciary.

By Mr. KIRK (for himself, Mr. Matheson, Mrs. Biggert, Ms. Granger, Mr. Rogers of Michigan, Mr. Shays, Mr. Fossella, Mr. Kuhl of New York, Mr. Davis of Kentucky, Mr. Marchant, Mr. McKeon, Mr. Gerlach, and Mr. Roskam):

H.R. 1120. A bill to amend the Communications Act of 1934 to require recipients of universal service support for schools and libraries to protect minors from commercial social networking websites and chat rooms; to the Committee on Energy and Commerce.

By Mr. BARRETT of South Carolina:

H.R. 1121. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to extend the discretionary spending limits through fiscal year 2012, to extend paygo for direct spending, and for other purposes; to the Committee on the Budget, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BARRETT of South Carolina:

H.R. 1122. A bill to amend the Congressional Budget Act of 1974 to simplify annual concurrent resolutions on the budget and to budget for emergencies; to the Committee on the Budget, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RAHALL (for himself and Mr. Boucher):

H.R. 1123. A bill to amend the Black Lung Benefits Act, and for other purposes; to the Committee on Education and Labor.

By Mr. TOM DAVIS of Virginia (for himself, Ms. Norton, and Mr. Davis of Illinois):

H.R. 1124. A bill to extend the District of Columbia College Access Act of 1999; to the Committee on Oversight and Government Reform.

By Mr. HAYES (for himself, Mr. Mica, Ms. Corrine Brown of Florida, Mr. Cramer, Mr. Butterfield, Mr. McCotter, Mr. Cuellar, Mr. McIntyre, Mr. McCaul of Texas, Ms. Carson, and Mr. Watt):

H.R. 1125. A bill to modify the age-60 retirement standard for certain pilots, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. LIPINSKI (for himself and Mr. Ehlers):

H.R. 1126. A bill to reauthorize the Steel and Aluminum Energy Conservation and Technology Competitiveness Act of 1988; to the Committee on Science and Technology.

By Mr. KNOLLENBERG:

H.R. 1127. A bill to amend the Tariff Act of 1930 to allow United States manufacturers that use products subject to countervailing or antidumping duty proceedings or use domestic like products to participate in those proceedings as interested parties, and for other purposes; to the Committee on Ways and Means.

By Mr. McDERMOTT (for himself and Mr. Filner):

H.R. 1128. A bill to direct the Secretary of Defense to provide medical personnel of the Department of Veterans Affairs with access to information provided in the joint patient tracking application for the treatment of individuals at medical facilities of the Department of Veterans Affairs for injuries sustained while serving in Operation Iraqi Freedom or Operation Enduring Freedom; to the Committee on Armed Services.

By Mr. CARNAHAN:

H.R. 1129. A bill to provide for the construction, operation, and maintenance of an arterial road in St. Louis County, Missouri; to the Committee on Transportation and Infrastructure.

By Mr. CONYERS (for himself, Mr. Smith of Texas, Ms. Linda T. Sánchez of California, Mr. Cannon, Mr. Scott of Virginia, Mr. Forbes, and Mr. Goodlatte):

H.R. 1130. A bill to amend the Ethics in Government Act of 1978 to extend the authority to withhold from public availability a financial disclosure report filed by an individual who is a judicial officer or judicial employee, to the extent necessary to protect the safety of that individual or a family member of that individual, and for other purposes; to the Committee on the Judiciary.

By Mr. BAKER (for himself, Mr. McCrery, Mr. Alexander, Mr. Melancon, Mr. Jindal, Mr. Boustany, Mr. Wolf, and Mr. Platts):

H.R. 1131. A bill to establish a commission to commemorate the sesquicentennial of the American Civil War; to the Committee on Oversight and Government Reform.

By Ms. BALDWIN (for herself, Mrs. Myrick, Mr. Waxman, Mrs. Blackburn, and Mrs. Capps):

H.R. 1132. A bill to amend the Public Health Service Act to provide waivers relating to grants for preventive health measures with respect to breast and cervical cancers; to the Committee on Energy and Commerce.

By Ms. BERKLEY:

H.R. 1133. A bill to provide for the energy independence of the United States; to the Committee on Ways and Means, and in addition to the Committees on Natural Resources, Energy and Commerce, and Science and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BERRY (for himself, Mrs. Emerson, Mr. Castle, Mr. Wynn, Mr. Tanner, Mr. Hinchey, Ms. Schakowsky, Mr. Allen, Mr. Gerlach, Ms. Bordallo, Mr. Etheridge, Mr. Marshall, Mrs. Capps, Mr. Hulshof, Mr. Higgins, Mr. Ross, Mr. Ramstad, Mr. Graves, Mr. McCotter, Mr. Gary G. Miller of California, Mr. Price of North Carolina, Mr. Young of Alaska, Mr. Souder, Mr. Capuano, Mr. Jones of North Carolina, Mr. Kennedy, Mr. Conyers, Mr. Frank of Massachusetts, Mr. Cleaver, Mr. Moran of Kansas, Mr. Moran of Virginia, Mr. Oberstar, and Mr. Boren):

H.R. 1134. A bill to amend the Public Health Service Act to provide for the participation of physical therapists in the National Health Service Corps Loan Repayment Program, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BISHOP of New York (for himself, Mr. Kuhl of New York, Mr. Israel, Mr. McHugh, Mr. Hinchey, and Mr. Walsh of New York):

H.R. 1135. A bill to amend the Internal Revenue Code of 1986 to clarify that installment sales treatment shall not fail to apply to property acquired for conservation purposes by a State or local government or certain tax-exempt organizations merely because purchase funds are held in a sinking or similar fund pursuant to State law; to the Committee on Ways and Means.

By Mr. BLUMENAUER (for himself and Mr. Walden of Oregon):

H.R. 1136. A bill to abolish the Committee on Standards of Official Conduct in the House of Representatives, establish an Independent Ethics Commission, and provide for the transfer of the duties and functions of the committee to the Commission; to the Committee on House Administration, and in addition to the Committees on Rules, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BROWN of South Carolina (for himself, Mr. Michaud, and Mr. Miller of Florida):

H.R. 1137. A bill to amend title 38, United States Code, to increase to $2,000 the amount of the Medal of Honor special pension under that title and to provide for payment of that pension to the surviving spouse of a deceased Medal of Honor recipient; to the Committee on Veterans' Affairs.

By Mr. BUTTERFIELD (for himself, Mr. Coble, Mr. Price of North Carolina, Mr. Jones of North Carolina, Mr. Etheridge, Mr. Watt, Mrs. Myrick, Mr. Hayes, Mr. McIntyre, Mr. Miller of North Carolina, Ms. Foxx, Mr. McHenry, and Mr. Shuler):

H.R. 1138. A bill to designate the Federal building and United States courthouse located at 306 East Main Street in Elizabeth City, North Carolina, as the "J. Herbert W. Small Federal Building and United States Courthouse"; to the Committee on Transportation and Infrastructure.

By Mr. CALVERT:

H.R. 1139. A bill to authorize the Secretary of the Interior to plan, design and construct facilities to provide water for irrigation, municipal, domestic, and other uses from the Bunker Hill Groundwater Basin, Santa Ana River, California, and for other purposes; to the Committee on Natural Resources.

By Mr. CALVERT (for himself, Mr. Campbell of California, and Mr. Gary G. Miller of California):

H.R. 1140. A bill to authorize the Secretary, in cooperation with the City of San Juan Capistrano, California, to participate in the design, planning, and construction of an advanced water treatment plant facility and recycled water system, and for other purposes; to the Committee on Natural Resources.

By Mr. CANNON:

H.R. 1141. A bill to provide an amnesty period during which veterans and their family members can register certain firearms in the National Firearms Registration and Transfer Record, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CAPPS (for herself and Mrs. JO ANN DAVIS of Virginia):

H.R. 1142. A bill to amend title 5, United States Code, to create a presumption that disability of a Federal employee in fire protection activities caused by certain conditions is presumed to result from the performance of such employee's duty; to the Committee on Education and Labor.

By Mrs. CHRISTENSEN:

H.R. 1143. A bill to authorize the Secretary of the Interior to lease certain lands in Virgin Islands National Park, and for other purposes; to the Committee on Natural Resources.

By Mr. CLYBURN (for himself, Mr. HOYER, Ms. NORTON, Mr. MELANCON, Mr. JEFFERSON, Mr. TAYLOR, Mr. THOMPSON of Mississippi, Mr. BARROW, Mr. BERRY, Mr. BISHOP of Georgia, Mr. BLUMENAUER, Ms. BORDALLO, Ms. CORRINE BROWN of Florida, Mr. BUTTERFIELD, Ms. CARSON, Mrs. CHRISTENSEN, Ms. CLARKE, Mr. CLAY, Mr. CLEAVER, Mr. CONYERS, Mr. CROWLEY, Mr. CUMMINGS, Mr. DAVIS of Alabama, Mr. DAVIS of Illinois, Mr. ELLISON, Mr. FATTAH, Mr. AL GREEN of Texas, Mr. GRIJALVA, Mr. HASTINGS of Florida, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Ms. KILPATRICK, Ms. LEE, Mr. LEWIS of Georgia, Mrs. MALONEY of New York, Mr. MEEK of Florida, Mr. MEEKS of New York, Ms. MILLENDER-MCDONALD, Mrs. MCCARTHY of New York, Mr. MCDERMOTT, Mr. MICHAUD, Ms. MOORE of Wisconsin, Mr. PAYNE, Mr. PRICE of North Carolina, Mr. RANGEL, Mr. ROSS, Mr. RUSH, Mr. SCOTT of Georgia, Mr. SCOTT of Virginia, Ms. SUTTON, Mr. TOWNS, Mrs. JONES of Ohio, Ms. WATERS, Mr. WATT, Ms. WATSON, Ms. WOOLSEY, and Mr. WYNN):

H.R. 1144. A bill to waive the non-Federal share of the cost of certain disaster assistance provided in connection with Hurricanes Katrina and Rita, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. CRAMER (for himself and Mr. ADERHOLT):

H.R. 1145. A bill to establish the Muscle Shoals National Heritage Area in the State of Alabama, and for other purposes; to the Committee on Natural Resources.

By Mr. PAUL:

H.R. 1146. A bill to end membership of the United States in the United Nations; to the Committee on Foreign Affairs.

By Mr. CROWLEY (for himself, Mr. CANTOR, Mr. POMEROY, and Mr. REYNOLDS):

H.R. 1147. A bill to amend the Internal Revenue Code of 1986 to simplify certain provisions applicable to real estate investment trusts, and for other purposes; to the Committee on Ways and Means.

By Ms. DELAURO (for herself, Ms. KAPTUR, Mr. MCDERMOTT, Mr. GEORGE MILLER of California, Ms. MATSUI, Ms. BERKLEY, Mr. GRIJALVA, Ms. WOOLSEY, and Ms. MCCOLLUM of Minnesota):

H.R. 1148. A bill to establish the Food Safety Administration to protect the public health by preventing food-borne illness, ensuring the safety of food, improving research on contaminants leading to food-borne illness, and improving security of food from intentional contamination, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DREIER (for himself, Mr. SCHIFF, Mr. CALVERT, Mr. MCKEON, Mr. HERGER, Mr. ISSA, Mrs. BONO, Mr. ROHRABACHER, Mr. GALLEGLY, and Mr. GARY G. MILLER of California):

H.R. 1149. A bill to amend title 18, United States Code, to protect federally funded public safety officers; to the Committee on the Judiciary.

By Mr. EMANUEL (for himself, Mr. DREIER, Mr. MCDERMOTT, Ms. KILPATRICK, Ms. JACKSON-LEE of Texas, Mr. SHULER, Mr. JOHNSON of Georgia, Mr. SHERMAN, Mr. MORAN of Virginia, and Ms. MATSUI):

H.R. 1150. A bill to establish the Commission on Economic Indicators to conduct a study and submit a report containing recommendations concerning the appropriateness and accuracy of the methodology, calculations, and reporting used by the Government relating to certain economic indicators; to the Committee on Oversight and Government Reform.

By Mr. FORTENBERRY (for himself and Mr. BERMAN):

H.R. 1151. A bill to provide for a temporary increase in the number of Iraqi and Afghan translators in the United States Armed Forces who may be provided status as special immigrants; to the Committee on the Judiciary.

By Mr. GERLACH (for himself, Mrs. BIGGERT, Mr. KIRK, Mr. WALSH of New York, Mr. PLATTS, Mr. PITTS, and Mr. CARNEY):

H.R. 1152. A bill to reserve a small percentage of the amounts made available to the Secretary of Agriculture for the farmland protection program to fund challenge grants to encourage the purchase of conservation easements and other interests in land to be held by a State agency, county, or other eligible entity, and for other purposes; to the Committee on Agriculture.

By Mr. GINGREY (for himself, Mr. PITTS, Mr. CARTER, Mr. GOODE, Mrs. MYRICK, Mr. LAMBORN, Mr. GARRETT of New Jersey, Mr. BOOZMAN, Mr. WELDON of Florida, Mr. KINGSTON, Mr. ADERHOLT, Mrs. BLACKBURN, Mr. BARRETT of South Carolina, Mr. PEARCE, Mr. HOEKSTRA, Mr. PAUL, Mr. AKIN, Mr. SAM JOHNSON of Texas, Mr. SOUDER, Mr. MCCOTTER, Mrs. MUSGRAVE, Mr. SENSENBRENNER, Mr. PENCE, Mr. SALI, Mr. MANZULLO, Mr. WESTMORELAND, Mr. FORTENBERRY, and Mr. JORDAN):

H.R. 1153. A bill to prohibit Federal funding or other assistance for mandatory human papillomavirus (HPV) vaccination programs; to the Committee on Energy and Commerce.

By Mr. AL GREEN of Texas (for himself, Mr. BURGESS, Mr. CULBERSON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. ORTIZ, Ms. JACKSON-LEE of Texas, Mr. MCCAUL of Texas, Mr. SESSIONS, Mr. GONZALEZ, Mr. RODRIGUEZ, and Mr. GENE GREEN of Texas):

H.R. 1154. A bill to award a Congressional Gold Medal to Michael Ellis DeBakey. M.D; to the Committee on Financial Services.

By Ms. EDDIE BERNICE JOHNSON of Texas:

H.R. 1155. A bill to amend title XIX of the Social Security Act to remove the exclusion from medical assistance under the Medicaid Program of items and services for patients in an institution for mental diseases; to the Committee on Energy and Commerce.

By Mrs. LOWEY:

H.R. 1156. A bill to provide grants to eligible consortia to provide professional development to superintendents, principals, and prospective superintendents and principals; to the Committee on Education and Labor.

By Mrs. LOWEY (for herself, Mrs. MYRICK, and Mrs. CAPPS):

H.R. 1157. A bill to amend the Public Health Service Act to authorize the Director of the National Institute of Environmental Health Sciences to make grants for the development and operation of research centers regarding environmental factors that may be related to the etiology of breast cancer; to the Committee on Energy and Commerce.

By Mrs. LOWEY:

H.R. 1158. A bill to amend title II of the Social Security Act to eliminate the two-year waiting period for divorced spouse's benefits following the divorce; to the Committee on Ways and Means.

By Mrs. LOWEY:

H.R. 1159. A bill to amend title II of the Social Security Act to provide for full benefits for disabled widows and widowers without regard to age; to the Committee on Ways and Means.

By Mrs. LOWEY:

H.R. 1160. A bill to amend title II of the Social Security Act to provide for increases in widow's and widower's insurance benefits by reason of delayed retirement; to the Committee on Ways and Means.

By Mrs. LOWEY:

H.R. 1161. A bill to amend title II of the Social Security Act to credit prospectively individuals serving as caregivers of dependent relatives with deemed wages for up to five years of such service; to the Committee on Ways and Means.

By Mrs. LOWEY:

H.R. 1162. A bill to amend title II of the Social Security Act to repeal the 7-year restriction on eligibility for widow's and widower's insurance benefits based on disability; to the Committee on Ways and Means.

By Mrs. LOWEY:

H.R. 1163. A bill to reduce childhood obesity, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MALONEY of New York (for herself, Ms. LEE, Mr. CUMMINGS, Ms. ZOE LOFGREN of California, Ms. WOOLSEY, and Mr. GEORGE MILLER of California):

H.R. 1164. A bill to amend the Hate Crime Statistics Act to require the Attorney General to acquire data about crimes that manifest evidence of prejudice based on gender; to the Committee on the Judiciary.

By Mr. MARKEY:

H.R. 1165. A bill to amend the Federal Food, Drug, and Cosmetic Act to establish additional authorities to ensure the safe and effective use of drugs, to establish whistleblower protections for certain individuals, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MARSHALL:

H.R. 1166. A bill to direct the Secretary of Education to extend the same level of increased flexibility to all rural local educational agencies under part A of title I of the Elementary and Secondary Education Act of 1965; to the Committee on Education and Labor.

By Mrs. MCCARTHY of New York:

H.R. 1167. A bill to increase public safety and reduce the threat to domestic security by including persons who may be prevented from boarding an aircraft in the National Instant Criminal Background Check System, and for other purposes; to the Committee on the Judiciary.

By Mrs. MCCARTHY of New York:

H.R. 1168. A bill to amend chapter 44 of title 18, United States Code, to extend the firearm and ammunition prohibitions applicable to convicted felons to those convicted in a foreign court; to the Committee on the Judiciary.

By Ms. MCCOLLUM of Minnesota (for herself, Mr. ELLISON, Mr. GENE GREEN of Texas, and Mr. OBERSTAR):

H.R. 1169. A bill to amend the Elementary and Secondary Education Act of 1965 to clarify Federal requirements under such Act; to the Committee on Education and Labor.

By Mr. MEEHAN:

H.R. 1170. A bill to address problem gambling; to the Committee on Energy and Commerce.

By Mr. MEEKS of New York (for himself and Mr. TIBERI):

H.R. 1171. A bill to direct the Securities and Exchange Commission to revise rules to provide for the comparable treatment and expanded use of qualified money market funds for broker-dealer financing; to the Committee on Financial Services.

By Ms. MILLENDER-MCDONALD:

H.R. 1172. A bill to require the Secretary of Defense to report to Congress regarding the requirements applicable to the inscription of veterans' names on the memorial wall of the Vietnam Veterans Memorial; to the Committee on Armed Services.

By Ms. MILLENDER-MCDONALD:

H.R. 1173. A bill to authorize the Consumer Product Safety Commission to issue a consumer product safety rule to prevent injuries to users of vending machines and entrapment by small children; to the Committee on Energy and Commerce.

By Mr. TIM MURPHY of Pennsylvania (for himself, Mrs. MYRICK, Mr. BOSWELL, and Ms. CORRINE BROWN of Florida):

H.R. 1174. A bill to amend title XVIII of the Social Security Act to require public reporting of health care-associated infections data by hospitals and ambulatory surgical centers and to permit the Secretary of Health and Human Services to establish a pilot program to provide incentives to hospitals and ambulatory surgical centers to eliminate the rate of occurrence of such infections; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. LORETTA SANCHEZ of California (for herself, Mr. CALVERT, Mr. GARY G. MILLER of California, Mr. ROHRABACHER, Mr. ROYCE, and Mr. CAMPBELL of California):

H.R. 1175. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to increase the ceiling on the Federal share of the costs of phase I of the Orange County, California, Regional Water Reclamation Project; to the Committee on Natural Resources.

By Mr. SERRANO (for himself, Mr. ACKERMAN, Mr. TOWNS, and Mr. NADLER):

H.R. 1176. A bill to provide discretionary authority to an immigration judge to determine that an alien parent of a United States citizen child should not be ordered removed, deported, or excluded from the United States; to the Committee on the Judiciary.

By Mr. TANNER (for himself and Mr. GRAVES):

H.R. 1177. A bill to amend title XVIII of the Social Security Act to extend and improve protections for sole community hospitals under the Medicare Program; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TOWNS (for himself and Mr. ENGLISH of Pennsylvania):

H.R. 1178. A bill to amend title XVIII of the Social Security Act to permit a physician assistant, when delegated by a physician, to order or provide post-hospital extended care services, home health services, and hospice care under the Medicare Program; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. UDALL of Colorado:

H.R. 1179. A bill to clarify the authority of the Secretary of the Interior with regard to management of elk in Rocky Mountain National Park; to the Committee on Natural Resources.

By Mr. UDALL of Colorado:

H.R. 1180. A bill to assure that development of certain Federal oil and gas resources will occur in ways that protect water resources and respect the rights of the surface owners, and for other purposes; to the Committee on Natural Resources.

By Mr. UDALL of Colorado (for himself, Mr. WALZ of Minnesota, Mr. FLAKE, Ms. MCCOLLUM of Minnesota, Mrs. MALONEY of New York, Mrs. BACHMANN, Mr. GARRETT of New Jersey, Mr. LAMBORN, Mr. MILLER of Florida, Mr. KLINE of Minnesota, and Mrs. MUSGRAVE):

H.R. 1181. A bill to amend title 49, United States Code, to require congressional approval of certain loans by the Department of Transportation; to the Committee on Transportation and Infrastructure.

By Mr. UDALL of Colorado (for himself, Mr. SALAZAR, Mrs. MUSGRAVE, and Mr. LAMBORN):

H.R. 1182. A bill to amend the Internal Revenue Code of 1986 to allow section 1031 treatment for exchanges involving certain mutual ditch, reservoir, or irrigation company stock; to the Committee on Ways and Means.

By Mr. UDALL of Colorado:

H.R. 1183. A bill to require the President to transmit to Congress a report on contingency plans regarding possible developments in Iraq; to the Committee on Armed Services, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. WATSON:

H.R. 1184. A bill to increase community service by students at risk of education failure and thereby reduce youth and gang violence; to the Committee on Ways and Means, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WEXLER (for himself, Ms. BORDALLO, Mr. HONDA, and Mr. BECERRA):

H.R. 1185. A bill to establish commissions to review the facts and circumstances surrounding injustices suffered by European Americans, European Latin Americans, and Jewish refugees during World War II; to the Committee on the Judiciary.

By Mr. WILSON of South Carolina (for himself and Mr. ISRAEL):

H.R. 1186. A bill to promote global energy security through increased cooperation between the United States and India in diversifying sources of energy, stimulating development of alternative fuels, developing and deploying technologies that promote the clean and efficient use of coal, and improving energy efficiency; to the Committee on Foreign Affairs.

By Ms. WOOLSEY (for herself and Mr. GILCHREST):

H.R. 1187. A bill to expand the boundaries of the Gulf of the Farallones National Marine Sanctuary and the Cordell Bank National Marine Sanctuary; to the Committee on Natural Resources.

By Mr. WU (for himself, Mr. GERLACH, Ms. WASSERMAN SCHULTZ, and Mr. LYNCH):

H.R. 1188. A bill to strengthen the Nation's research efforts to identify the causes and cure of psoriasis and psoriatic arthritis, expand psoriasis and psoriatic arthritis data collection, study access to and quality of care for people with psoriasis and psoriatic arthritis, and for other purposes; to the Committee on Energy and Commerce.

By Mr. WU (for himself, Mr. JONES of North Carolina, Mr. LARSON of Connecticut, Mr. LATOURETTE, Mr. GILCHREST, Mr. BARTLETT of Maryland, and Mr. DEFAZIO):

H.R. 1189. A bill to preserve the right to habeas corpus; to the Committee on Armed Services, and in addition to the Committees on the Judiciary, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ISRAEL (for himself, Mr. ACKERMAN, Ms. BERKLEY, Mr. BERMAN, Mr. CHABOT, Mr. CROWLEY, Mr. FOSSELLA, Mr. AL GREEN of Texas, Mr. HASTINGS of Florida, Ms. JACKSON-LEE of Texas, Mr. KIRK, Mrs. MCCARTHY of New York, Mr. NADLER, Mr. SCHIFF, Ms. SCHWARTZ, Mr. WEINER, Mr. WEXLER, and Mr. WOLF):

H.J. Res. 37. A joint resolution conferring honorary citizenship of the United States on Anne Frank; to the Committee on the Judiciary.

By Mr. CLYBURN:

H. Con. Res. 67. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate; considered and agreed to.

By Mr. BROWN of South Carolina (for himself, Mr. CLYBURN, Mr. WILSON of South Carolina, Mr. INGLIS of South

Carolina, Mr. BARRETT of South Carolina, and Mr. SPRATT):

H. Con. Res. 68. Concurrent resolution honoring the life and accomplishments of Gian Carlo Menotti and recognizing the success of the Spoleto Festival USA in Charleston, South Carolina, which he founded; to the Committee on Education and Labor.

By Mr. FORTUÑO:

H. Con. Res. 69. Concurrent resolution expressing the sense of Congress that a commemorative postage stamp should be issued in honor of Luis A. Ferre; to the Committee on Oversight and Government Reform.

By Mrs. LOWEY:

H. Con. Res. 70. Concurrent resolution supporting the goals and ideals of National Celiac Awareness Month, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. MALONEY of New York (for herself, Mr. BILIRAKIS, Ms. WATSON, Mr. SPACE, Ms. BERKLEY, Mr. MCNULTY, Mr. SARBANES, Mr. MCGOVERN, Mr. GARRETT of New Jersey, Mr. BROWN of South Carolina, Mr. PALLONE, Mr. CROWLEY, Mr. PAYNE, Mr. RUPPERSBERGER, Mrs. DRAKE, Mr. WILSON of South Carolina, Mr. LINCOLN DIAZ-BALART of Florida, Mr. CAPUANO, Mr. HOLT, and Mr. MORAN of Virginia):

H. Con. Res. 71. Concurrent resolution commemorating the 85th Anniversary of the founding of the American Hellenic Educational Progressive Association (AHEPA), a leading association for the Nation's 1.3 million American citizens of Greek ancestry, and Philhellenes; to the Committee on Oversight and Government Reform.

By Ms. LINDA T. SÁNCHEZ of California (for herself, Mr. MICHAUD, Mr. LYNCH, Mr. PAYNE, Ms. WOOLSEY, Mr. HINOJOSA, Mr. DAVIS of Illinois, Mr. GRIJALVA, Mr. HARE, Mr. BERMAN, Ms. CORRINE BROWN of Florida, Mr. BUTTERFIELD, Mrs. CHRISTENSEN, Ms. DELAURO, Mr. FATTAH, Mr. AL GREEN of Texas, Mr. HONDA, Ms. JACKSON-LEE of Texas, Ms. KAPTUR, Mr. MCDERMOTT, Ms. MOORE of Wisconsin, Mr. MORAN of Virginia, Mr. RODRIGUEZ, and Mr. LARSON of Connecticut):

H. Con. Res. 72. Concurrent resolution recognizing and honoring America's labor movement, supporting the designation of a National Labor History Month, and for other purposes; to the Committee on Education and Labor.

By Mr. TANCREDO (for himself, Mr. TOWNS, Mr. ROHRABACHER, Mr. SOUDER, Mr. BURTON of Indiana, Mrs. MUSGRAVE, and Mr. CHABOT):

H. Con. Res. 73. Concurrent resolution expressing the sense of Congress that the United States should resume normal diplomatic relations with Taiwan (the Republic of China), and for other purposes; to the Committee on Foreign Affairs.

By Mr. THOMPSON of California (for himself, Mr. MCHUGH, Ms. WOOLSEY, Mr. JEFFERSON, Mr. MCCOTTER, Mr. HOLT, Mr. VAN HOLLEN, Mr. MCNULTY, Mr. GOODE, Mr. FRANK of Massachusetts, Ms. SHEA-PORTER, Mr. WEXLER, Ms. JACKSON-LEE of Texas, Mr. WOLF, Ms. NORTON, Mr. TIBERI, Mr. ALLEN, Mr. FILNER, Mr. DAVID DAVIS of Tennessee, Mrs. BIGGERT, Mr. TIERNEY, Mr. GONZALEZ, Mr. PAUL, and Mr. WALBERG):

H. Con. Res. 74. Concurrent resolution expressing the sense of the Congress regarding the need for additional research into the chronic neurological condition hydrocephalus, and for other purposes; to the Committee on Energy and Commerce.

By Mr. OBERSTAR (for himself and Mr. MICA):

H. Res. 172. A resolution providing amounts for the expenses of the Committee on Transportation and Infrastructure in the One Hundred Tenth Congress; to the Committee on House Administration.

By Mr. LANTOS (for himself and Ms. ROS-LEHTINEN):

H. Res. 173. A resolution providing amounts for the expenses of the Committee on Foreign Affairs in the One Hundred Tenth Congress; to the Committee on House Administration.

By Mr. SKELTON (for himself and Mr. HUNTER):

H. Res. 174. A resolution providing amounts for the expenses of the Committee on Armed Services in the One Hundred Tenth Congress; to the Committee on House Administration.

By Ms. BORDALLO (for herself, Ms. DELAURO, Mr. FALEOMAVAEGA, and Mr. OBERSTAR):

H. Res. 175. A resolution honoring the Institute of the Sisters of Mercy for 175 years of ministry, service, and efforts toward helping individuals, especially women and children, overcome challenges that keep them from living full and dignified lives; to the Committee on Foreign Affairs.

By Mr. CONYERS (for himself and Mr. SMITH of Texas):

H. Res. 176. A resolution providing amounts for the expenses of the Committee on the Judiciary in the One Hundred Tenth Congress; to the Committee on House Administration.

By Mr. FRANK of Massachusetts (for himself and Mr. BACHUS):

H. Res. 177. A resolution providing amounts for the expenses of the Committee on Financial Services in the One Hundred Tenth Congress; to the Committee on House Administration.

By Mr. BISHOP of Georgia:

H. Res. 178. A resolution commending the Consortia of Administrators for Native American Rehabilitation for the many contributions it has made in Indian country through collaborative working relationships, State rehabilitation agencies, tribal health and social service programs, Capacity Building Projects, Federal service agencies, the United States Department of Education, and the United States Department of Labor; to the Committee on Natural Resources.

By Mrs. BOYDA of Kansas (for herself, Mr. GILCHREST, Mr. MOORE of Kansas, Ms. MILLENDER-MCDONALD, Ms. DELAURO, Mr. CARDOZA, Mr. MCDERMOTT, Mr. KIRK, and Mr. COOPER):

H. Res. 179. A resolution expressing support for a National Foster Parents Day; to the Committee on Oversight and Government Reform.

By Ms. ESHOO (for herself, Ms. PELOSI, Mr. EMANUEL, Mr. LARSON of Connecticut, Ms. ZOE LOFGREN of California, Mr. DREIER, Mr. BACA, Mr. BECERRA, Mr. BERMAN, Mrs. BONO, Mr. CALVERT, Mr. CAMPBELL of California, Mrs. CAPPS, Mr. CARDOZA, Mr. COSTA, Mr. COURTNEY, Mrs. DAVIS of California, Mr. DOOLITTLE, Mr. FARR, Mr. FILNER, Ms. HARMAN, Mr. HERGER, Mr. HONDA, Mr. ISSA, Mr. LANTOS, Ms. LEE, Mr. LEWIS of California, Mr. DANIEL E. LUNGREN of California, Ms. MATSUI, Mr. MCCARTHY of California, Mr. MCNERNEY, Ms. MILLENDER-MCDONALD, Mr. GEORGE MILLER of California, Mrs. NAPOLITANO, Mr. NUNES, Mr. RADANOVICH, Ms. ROYBAL-ALLARD, Mr. ROYCE, Ms. LINDA T. SÁNCHEZ of California, Ms. LORETTA SANCHEZ of California, Mr. SCHIFF, Mr. SHERMAN, Ms. SOLIS, Mr. STARK, Mrs. TAUSCHER, Mr. THOMPSON of California, Ms. WATERS, Ms. WATSON, Mr. WAXMAN, Ms. WOOLSEY, Mr. FRANK of Massachusetts, Mr. HOLT, Mr. KENNEDY, Mr. KIND, Mr. MARKEY, Mr. MCGOVERN, Mr. MURTHA, Mr. REYES, Mr. ROGERS of Michigan, Ms. SLAUGHTER, and Mr. WOLF):

H. Res. 180. A resolution honoring the life and achievements of Leo T. McCarthy and expressing profound sorrow on his death; to the Committee on Oversight and Government Reform.

By Mr. FILNER:

H. Res. 181. A resolution providing amounts for the expenses of the Committee on Veterans' Affairs in the One Hundred Tenth Congress; to the Committee on House Administration.

By Mr. FORBES (for himself, Mr. SCOTT of Virginia, Mr. BOUCHER, Mr. TOM DAVIS of Virginia, Mrs. DRAKE, Mr. GOODLATTE, Mr. GOODE, Mrs. JO ANN DAVIS of Virginia, Mr. MORAN of Virginia, Mr. WOLF, Mr. CANTOR, and Mr. PUTNAM):

H. Res. 182. A resolution commending and congratulating Virginia State University on the occasion of its 125th anniversary; to the Committee on Education and Labor.

By Mr. HASTINGS of Florida (for himself, Mr. LEWIS of Georgia, Mr. SCOTT of Virginia, Ms. KILPATRICK, Mr. LINCOLN DAVIS of Tennessee, Mr. DUNCAN, Mr. WATT, Ms. CARSON, Mrs. CHRISTENSEN, Mr. WYNN, Mr. GORDON, Mr. JACKSON of Illinois, Mr. FATTAH, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. COOPER, Mr. COHEN, Ms. CLARKE, Ms. JACKSON-LEE of Texas, and Mr. AL GREEN of Texas):

H. Res. 183. A resolution expressing the sense of the House of Representatives that the United States Postal Service should issue a postage stamp commemorating the Fisk Jubilee Singers; to the Committee on Oversight and Government Reform.

By Mrs. JONES of Ohio:

H. Res. 184. A resolution providing amounts for the expenses of the Committee on Standards of Official Conduct in the One Hundred Tenth Congress; to the Committee on House Administration.

By Mr. NADLER (for himself, Ms. ROS-LEHTINEN, Mr. CROWLEY, and Mr. FERGUSON):

H. Res. 185. A resolution expressing the sense of the House of Representatives regarding the creation of refugee populations in the Middle East, North Africa, and the Persian Gulf region as a result of human rights violations; to the Committee on Foreign Affairs.

By Mr. PALLONE (for himself, Mr. BROWN of South Carolina, Mrs. CAPPS, and Mr. JONES of North Carolina):

H. Res. 186. A resolution supporting the goals and ideals of National Clean Beaches Week and recognizing the considerable value of American beaches and their role in American culture; to the Committee on Natural Resources.

By Mr. PETERSON of Minnesota:

H. Res. 187. A resolution providing amounts for the expenses of the Committee on Agriculture in the One Hundred Tenth Congress; to the Committee on House Administration.

By Mr. RANGEL (for himself and Mr. McCrery):

H. Res. 188. A resolution providing amounts for the expenses of the Committee on Ways and Means in the One Hundred Tenth Congress; to the Committee on House Administration.

By Ms. LINDA T. SÁNCHEZ of California (for herself, Mr. Filner, Ms. Corrine Brown of Florida, Mr. Moran of Kansas, Mr. Alexander, Mr. Butterfield, Mr. Cardoza, Ms. Carson, Mrs. Christensen, Mr. Davis of Illinois, Mr. Emanuel, Mr. Faleomavaega, Mr. Hobson, Ms. Jackson-Lee of Texas, Ms. Eddie Bernice Johnson of Texas, Ms. Kaptur, Mr. Moore of Kansas, Mr. Patrick Murphy of Pennsylvania, Mr. Neal of Massachusetts, Mr. Pascrell, Mr. Peterson of Minnesota, Ms. Loretta Sanchez of California, and Mr. Wynn):

H. Res. 189. A resolution expressing the sense of the House of Representatives that a "Welcome Home Vietnam Veterans Day" should be established; to the Committee on Oversight and Government Reform.

By Mr. SPRATT:

H. Res. 190. A resolution providing amounts for the expenses of the Committee on the Budget in the One Hundred Tenth Congress; to the Committee on House Administration.

By Mr. THOMPSON of Mississippi (for himself and Mr. King of New York):

H. Res. 191. A resolution providing amounts for the expenses of the Committee on Homeland Security in the One Hundred Tenth Congress; to the Committee on House Administration.

By Ms. VELÁZQUEZ:

H. Res. 192. A resolution providing amounts for the expenses of the Committee on Small Business in the One Hundred Tenth Congress; to the Committee on House Administration.

By Mr. WAXMAN (for himself and Mr. Tom Davis of Virginia):

H. Res. 193. A resolution providing amounts for the expenses of the Committee on Oversight and Government Reform in the One Hundred Tenth Congress; to the Committee on House Administration.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 17: Mr. Everett.

H.R. 22: Mr. Putnam, Mr. Poe, and Mr. Gonzalez.

H.R. 23: Mr. Altmire, Mr. Ackerman, Mr. Paul, Mr. Burton of Indiana, Mr. Roskam, Mr. Rohrabacher, and Mr. Hare.

H.R. 35: Mr. Lipinski.

H.R. 37: Ms. Giffords.

H.R. 39: Ms. Slaughter and Mr. Hodes.

H.R. 42: Mr. Jefferson, Mr. Lewis of Georgia, and Mr. Hare.

H.R. 44: Mr. Lewis of Georgia.

H.R. 65: Mr. Everett and Mr. King of Iowa.

H.R. 66: Mr. Bishop of Georgia.

H.R. 82: Mr. Altmire, Mrs. Boyda of Kansas, Mr. Brady of Pennsylvania, Mr. Cramer, Mr. David Davis of Tennessee, Mr. Fortuño, Mr. Hare, Mr. Hayes, Mr. Jindal, Mr. Johnson of Georgia, Mr. Kirk, Mr. LaTourette, Mr. Lipinski, Mr. McCaul of Texas, Mr. McIntyre, Mr. Patrick Murphy of Pennsylvania, Mr. Murtha, Mr. Regula, Mr. Rodriguez, Mr. Rogers of Alabama, Mr. Wamp, Mr. Westmoreland, and Mr. Whitfield.

H.R. 89: Mr. Gordon, Mr. Carter, and Mr. Mollohan.

H.R. 99: Ms. Zoe Lofgren of California.

H.R. 111: Mr. Rehberg, Mr. Jordan, Ms. Harman, Ms. Millender-McDonald, Mr. McHenry, and Mr. Nunes.

H.R. 119: Mr. Fortenberry.

H.R. 137: Mr. Patrick Murphy of Pennsylvania.

H.R. 146: Mr. Poe.

H.R. 147: Mr. LaTourette and Mr. Wolf.

H.R. 197: Mr. Van Hollen, Mr. Grijalva, and Ms. Giffords.

H.R. 243: Mrs. McMorris Rodgers.

H.R. 260: Mr. McHugh and Mr. Allen.

H.R. 271: Ms. Zoe Lofgren of California.

H.R. 289: Mr. Gohmert, Mr. Alexander, Mr. Sali, and Mr. Miller of Florida.

H.R. 303: Mr. Marchant, Ms. DeGette, Mr. Carter, Mr. Mollohan, and Mr. Manzullo.

H.R. 315: Mr. Latham and Mrs. McMorris Rodgers.

H.R. 321: Mr. Gohmert.

H.R. 325: Ms. Giffords and Mr. Hare.

H.R. 332: Mr. Goode, Mr. Chabot, Mr. Weldon of Florida, Mr. Garrett of New Jersey, Mr. Kingston, Mr. Feeney, Mr. Gingrey, Mr. Pitts, Mr. Shadegg, Mr. Forbes, and Mr. Davis of Kentucky.

H.R. 346: Mr. Putnam.

H.R. 353: Mr. Murphy of Connecticut.

H.R. 369: Mr. Ellison.

H.R. 380: Mr. Johnson of Georgia, Ms. Hirono, Ms. Sutton, Ms. Berkley, and Mr. Hare.

H.R. 410: Mr. Salazar.

H.R. 418: Mr. Carney, Mr. Pearce, Mr. Butterfield, Mr. Putnam, Mr. Boswell, Mr. Calvert, Mr. Bilirakis, and Mr. Fortenberry.

H.R. 423: Mr. Capuano, Mr. Putnam, and Mr. Hayes.

H.R. 446: Mr. Meeks of New York.

H.R. 486: Mrs. Myrick and Mr. Boozman.

H.R. 503: Mr. Patrick Murphy of Pennsylvania, Mr. Yarmuth, Mr. Gonzalez, Mr. Udall of New Mexico, Ms. Kilpatrick, Mrs. Tauscher, and Mr. Hodes.

H.R. 507: Ms. DeGette, Mr. Tierney, and Mr. McCotter.

H.R. 508: Mr. Abercrombie, Ms. Clarke, Mr. Cleaver, Mr. Cummings, Mr. Hare, Ms. Kilpatrick, Mr. Pastor, Ms. Solis, Ms. Velázquez, and Mrs. Maloney of New York.

H.R. 510: Ms. Fallin, Mr. Walberg, and Mr. Westmoreland.

H.R. 524: Ms. Sutton, Mr. Sires, Mr. Kind, Ms. Giffords, Mr. Ehlers, Mr. Reyes, Mr. Pastor, Mr. Cuellar, Mrs. Napolitano, Mr. Salazar, Mr. Ortiz, Mr. Gonzalez, Mr. Grijalva, Ms. Roybal-Allard, and Mr. Holt.

H.R. 539: Mr. Hare, Mr. Tierney, and Mr. Hodes.

H.R. 543: Mr. Moore of Kansas, Mr. Taylor, Mr. Boyd of Florida, Mr. Costa, Mr. Matheson, Mr. Shuler, Mr. Chandler, Mr. Cramer, Mr. Bishop of Georgia, Mr. Lincoln Davis of Tennessee, Ms. Harman, Mr. Cuellar, Mr. Marshall, and Mr. Melancon.

H.R. 549: Mr. Bachus.

H.R. 550: Mr. Terry, Ms. Shea-Porter, Mr. Cohen, Ms. Giffords, and Mr. Lewis of Georgia.

H.R. 551: Ms. Loretta Sanchez of California.

H.R. 556: Mr. Pascrell and Mrs. McMorris Rodgers.

H.R. 563: Mr. Hall of Texas, Mr. Holden, and Mr. Cramer.

H.R. 567: Mr. Kind.

H.R. 579: Mr. Costello and Mr. Hare.

H.R. 584: Mr. Hare and Mr. Markey.

H.R. 589: Mr. Hare.

H.R. 608: Mr. Radanovich, Mr. Gillmor, and Mr. Walden of Oregon.

H.R. 618: Mr. Mica, Mrs. Miller of Michigan, and Mr. Gohmert.

H.R. 635: Mr. Gillmor and Mr. Kind.

H.R. 638: Mr. Baker, Mr. McCrery, Mr. Alexander, and Mr. Boustany.

H.R. 643: Mr. Cohen, Mr. Doyle, ahd Mr. Paul.

H.R. 644: Mr. Gillmor.

H.R. 649: Mr. Kuhl of New York.

H.R. 657: Mr. Pearce, Mr. Rahall, Mrs. Boyda of Kansas, and Ms. Hirono.

H.R. 661: Mr. Butterfield.

H.R. 662: Mr. McCotter.

H.R. 667: Mr. Cuellar and Mr. Marshall.

H.R. 670: Mr. Lewis of Georgia.

H.R. 676: Ms. Clarke and Mr. Olver.

H.R. 678: Mr. Scott of Georgia and Mr. Nadler.

H.R. 684: Mr. Cramer.

H.R. 687: Mr. Butterfield.

H.R. 688: Mr. Holt and Ms. Berkley.

H.R. 692: Mr. Hare, Ms. Jackson-Lee of Texas, Mr. Franks of Arizona, and Mr. McGovern.

H.R. 694: Mr. Scott of Georgia.

H.R. 695: Mr. Shimkus and Mr. Blumenauer.

H.R. 698: Mr. Doggett.

H.R. 711: Mr. Hare and Mr. Carter.

H.R. 715: Mr. Butterfield.

H.R. 723: Mrs. Miller of Michigan, Mr. Higgins, Mr. Klein of Florida, Mr. Calvert, Mr. Weiner, Ms. Bordallo, Mr. McCotter, Mr. Butterfield, Mr. Brown of South Carolina, and Mrs. McCarthy of New York.

H.R. 727: Mr. Towns, Mr. Lewis of Kentucky, and Mr. Jefferson.

H.R. 731: Mr. Boren and Mr. Bilirakis.

H.R. 748: Mr. Allen, Mr. Latham, Mr. Bonner, and Mr. Kanjorski.

H.R. 752: Mr. Grijalva, Ms. Kilpatrick, Mr. Thompson of Mississippi, Mr. Young of Alaska, Mr. Stark, Ms. Woolsey, Mr. Capuano, Ms. Schakowsky, Mr. Johnson of Georgia, Mr. Cuellar, Mr. Bishop of Georgia, Mr. Jefferson, Mr. Shuler, Mr. Lewis of Georgia, and Ms. Eddie Bernice Johnson of Texas.

H.R. 760: Mr. Becerra and Mr. Hare.

H.R. 776: Mr. Scott of Virginia.

H.R. 782: Mr. Lynch, Ms. Kilpatrick, and Mr. Kagen.

H.R. 787: Mr. Jefferson.

H.R. 790: Mrs. Christensen and Mr. Baca.

H.R. 797: Mr. Ryan of Wisconsin and Mr. Kind.

H.R. 801: Mr. Levin, Mr. Dingell, and Mr. Hare.

H.R. 806: Mr. Mollohan.

H.R. 808: Mr. Fattah.

H.R. 811: Mr. Israel.

H.R. 821: Mr. Reichert and Mr. Costa.

H.R. 841: Mrs. Drake.

H.R. 857: Mr. Engel.

H.R. 861: Mr. Buchanan, Mr. Gingrey, Mr. Goode, Mr. Davis of Kentucky, and Mr. Westmoreland.

H.R. 871: Mr. Kucinich.

H.R. 872: Mr. Lipinski.

H.R. 876: Mrs. Lowey and Mr. Poe.

H.R. 884: Mr. Towns.

H.R. 894: Mr. Butterfield, Mr. Shuler, Mr. Taylor, Mr. Johnson of Georgia, Mr. McGovern, Mr. Etheridge, Mr. Meehan, Mr. Filner, Mr. Reyes, Mr. Petri, and Mr. Moore of Kansas.

H.R. 896: Mr. Sensenbrenner.

H.R. 898: Mr. Grijalva, Ms. Berkley, Mr. Towns, Mr. McGovern, and Mr. Capuano.

H.R. 900: Mr. ARCURI, Mr. CONYERS, Mr. CRAMER, Mr. HIGGINS, Mr. MEEK of Florida, Mr. MEEKS of New York, Mr. WALDEN of Oregon, Mr. PENCE, Mr. PETERSON of Pennsylvania, Mr. MARCHANT, Mr. CONAWAY, and Mr. BILIRAKIS.

H.R. 909: Mr. CALVERT.

H.R. 912: Mrs. CAPPS, Mr. RADANOVICH, and Mrs. MUSGRAVE.

H.R. 916: Mr. LINCOLN DAVIS of Tennessee, Mr. COOPER, Mr. CHANDLER, Mr. UDALL of Colorado, Mr. CAPUANO, Mr. LINCOLN DIAZ-BALART of Florida, Ms. HIRONO, and Ms. DEGETTE.

H.R. 917: Mr. INGLIS of South Carolina, Mr. DUNCAN, Mr. MILLER of Florida, Mrs. MYRICK, Ms. SCHWARTZ, and Mr. BROWN of South Carolina.

H.R. 920: Mr. CUELLAR.

H.R. 923: Ms. CLARKE.

H.R. 926: Mr. HILL, Mr. TAYLOR, Mr. SHULER, Mr. BARROW, Mr. MCINTYRE, and Mr. BERRY.

H.R. 936: Mrs. CUBIN.

H.R. 939: Mr. JONES of North Carolina, Mrs. BLACKBURN, and Mr. CULBERSON.

H.R. 947: Ms. HIRONO.

H.R. 948: Mr. UPTON and Mrs. CUBIN.

H.R. 958: Mr. UPTON and Mrs. CUBIN.

H.R. 964: Mr. UPTON and Mrs. CUBIN.

H.R. 969: Ms. SCHWARTZ, Mr. ANDREWS, Mr. HOLT, Mr. ELLISON, Ms. HARMAN, Mr. MCNULTY, and Mr. FRANK of Massachusetts.

H.R. 971: Mr. CRAMER.

H.R. 980: Mr. MOORE of Kansas, Mr. LATOURETTE, Mr. DAVIS of Illinois, Mr. LIPINSKI, Mr. MELANCON, Mr. JOHNSON of Georgia, Mr. RAMSTAD, Ms. JACKSON-LEE of Texas, Mr. COSTELLO, Mr. HARE, and Mr. BRADY of Pennsylvania.

H.R. 981: Mr. CUMMINGS.

H.R. 995: Mr. WEXLER, Mr. PETERSON of Minnesota, Mrs. BOYDA of Kansas, Mr. SHULER, Ms. HIRONO, and Mr. KIND.

H.R. 997: Mr. RAMSTAD, Mrs. DRAKE, and Mr. SIMPSON.

H.R. 998: Mr. ACKERMAN, Mr. BACA, Ms. CORRINE BROWN of Florida, Mr. CLEAVER, Mr. DOYLE, Mr. ELLISON, Mr. FATTAH, Mr. GRIJALVA, Ms. JACKSON-LEE of Texas, Mr. JOHNSON of Georgia, Ms. KILPATRICK, Ms. LEE, Mr. LYNCH, Mr. MCDERMOTT, Mrs. MALONEY of New York, Ms. MATSUI, Mr. MOORE of Kansas, Ms. MOORE of Wisconsin, Mr. SERRANO, Mr. SNYDER, Mr. SKELTON, and Mr. WATT.

H.R. 1004: Mr. CHABOT.

H.R. 1014: Mr. GORDON, Mr. ROSS, Mr. OLVER, Mr. MCNULTY, Mr. BISHOP of New York, Mr. BUTTERFIELD, Mrs. MCCARTHY of New York, Mr. DELAHUNT, Ms. SLAUGHTER, and Ms. LORETTA SANCHEZ of California.

H.R. 1017: Mr. DOGGETT, Ms. BALDWIN, and Ms. WATSON.

H.R. 1038: Mr. STARK and Ms. KILPATRICK.

H.R. 1043: Mr. BONNER, Mr. SOUDER, Mr. KIRK, and Mr. PLATTS.

H.R. 1051: Mr. HARE.

H.R. 1071: Mr. GRIJALVA.

H.R. 1090: Mr. WELLER and Mr. BARTLETT of Maryland.

H.R. 1097: Mr. SCOTT of Georgia and Mr. HARE.

H.R. 1099: Mr. WEXLER and Mr. BRADY of Pennsylvania.

H.R. 1105: Mr. BOUCHER.

H.J. Res. 3: Mr. DUNCAN.

H.J. Res. 11: Mr. DAVID DAVIS of Tennessee.

H.J. Res. 14: Mr. WYNN, Ms. SHEA-PORTER, Mr. HOLT, and Mr. LANGEVIN.

H.J. Res. 18: Ms. DEGETTE.

H. Con. Res. 25: Mr. BARROW and Mr. WELLER.

H. Con. Res. 28: Mr. BUTTERFIELD.

H. Con. Res. 33: Mr. TIERNEY.

H. Con. Res. 40: Mrs. CUBIN and Mr. TANCREDO.

H. Con. Res. 45: Mrs. BIGGERT.

H. Con. Res. 48: Mr. BRADY of Pennsylvania.

H. Con. Res. 49: Mr. MANZULLO, Mr. BUTTERFIELD, Mr. PUTNAM, Mr. FOSSELLA, Mr. ROYCE, Mr. PATRICK J. MURPHY of Pennsylvania, Mr. FORTENBERRY, Mr. BISHOP of Georgia, Mr. CARTER, Mr. MOLLOHAN, and Mr. MCCOTTER.

H. Con. Res. 50: Mr. WELLER.

H. Con. Res. 53: Ms. WATSON.

H. Con. Res. 65: Mr. LOBIONDO.

H. Res. 18: Mr. BOOZMAN.

H. Res. 41: Mr. HALL of New York.

H. Res. 42: Ms. ZOE LOFGREN of California, Mr. DINGELL, Mr. HARE, and Mr. NADLER.

H. Res. 53: Mr. CUMMINGS, Mr. GUTIERREZ, Ms. NORTON, Mr. ANDREWS, and Mr. KINGSTON.

H. Res. 101: Ms. HIRONO, Mr. MEEHAN, and Mr. BUTTERFIELD.

H. Res. 105: Mr. REICHERT, Mr. EHLERS, Ms. FALLIN, Mr. DAVIS of Kentucky, Mr. BOSWELL, Mr. SHUSTER, Mr. MILLER of Florida, Mr. BISHOP of Utah, Mr. GORDON, Mr. WOLF, and Mr. WYNN.

H. Res. 111: Mrs. CUBIN, Mr. MICHAUD, Mr. PAUL, Mr. RAMSTAD, and Mr. WOLF.

H. Res. 118: Mrs. MCCARTHY of New York and Mr. BUTTERFIELD.

H. Res. 119: Mr. CONYERS, Mr. PATRICK J. MURPHY of Pennsylvania, Mr. BOSWELL, Mr. CUELLAR, and Mr. CONAWAY.

H. Res. 135: Mr. SCOTT of Georgia.

H. Res. 136: Mr. PATRICK J. MURPHY of Pennsylvania and Mr. SCOTT of Virginia.

H. Res. 138: Mr. STUPAK, Mr. COHEN, and Mr. PRICE of North Carolina.

H. Res. 143: Mr. CAPUANO.

H. Res. 146: Mrs. DAVIS of California, and Ms. JACKSON-LEE of Texas.

H. Res. 147: Ms. FOXX.

H. Res. 149: Mr. SNYDER, Mr. BURTON of Indiana, and Ms. BERKLEY.

H. Res. 158: Mr. MCHENRY, Mr. CARTER, Mr. SHADEGG, Mr. ADERHOLT, Mr. MORAN of Kansas, Mr. NEUGEBAUER, Mrs. BLACKBURN, Mr. JORDAN, Mr. ROSKAM, Mr. GOHMERT, Mr. CHABOT, Mr. DOOLITTLE, Mr. GARRETT of New Jersey, Mr. CAMPBELL of California, Mr. KINGSTON, Mr. FEENEY, and Mr. GINGREY.

H. Res. 162: Mr. CLEAVER, Ms. SUTTON, Mr. LEWIS of Georgia, Ms. HIRONO, Mr. ACKERMAN, Mr. BISHOP of Georgia, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CAPUANO, Mr. FILNER, Mr. NEAL of Massachusetts, Ms. MOORE of Wisconsin, Mr. CONYERS, Mrs. CAPPS, Mr. CLAY, Mr. WYNN, Mr. LATHAM, and Mr. DUNCAN.

EXTENSIONS OF REMARKS

RECOGNIZING TRAVIS WAYNE CASH FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, February 16, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Travis Cash, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 314, and in earning the most prestigious award of Eagle Scout.

Travis has been very active with his troop, participating in many Scout activities. Over the years Travis has been involved with Scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Travis Cash for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

REINTRODUCTION OF THE WESTERN WATERS AND FARM LANDS PROTECTION ACT

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, February 16, 2007

Mr. UDALL of Colorado. Madam Speaker, I am today again introducing the Western Waters and Farm Lands Protection Act—a bill intended to make it more likely that the energy resources in our Western States will be developed in ways that are protective of vital water supplies and respectful of the rights and interests of the agricultural community.

Based on my previous legislation that was endorsed by the Colorado Farm Bureau and the American Farm Bureau Federation, it would do three things:

First, it would establish clear requirements for proper management of ground water that is extracted in the course of oil and gas development. Second, it would provide for greater involvement of surface owners in plans for oil and gas development and requires the Interior Department to give surface owners advance notice of lease sales that would affect their lands and to notify them of subsequent events related to proposed or ongoing energy development. And, finally, it would require developers to draft reclamation plans and post bonds top assure restoration of lands affected by drilling for federal oil and gas.

PURPOSES OF THE LEGISLATION

Madam Speaker, the western United States is blessed with significant energy resources. In appropriate places, and under appropriate conditions, they can and should be developed for the benefit of our country. But it is important to recognize the importance of other resources particularly water—and other uses of the lands involved—and this bill responds to this need.

Its primary purposes: (1) to assure that the development of those energy resources in the West will not mean destruction of precious water resources; (2) to reduce potential conflicts between development of energy resources and the interests and concerns of those who own the surface estate in affected lands; and (3) to provide for appropriate reclamation of affected lands.

WATER QUALITY PROTECTION

One new energy resource is receiving great attention—gas associated with coal deposits, often referred to as coalbed methane. An October 2000 United States Geological Survey report estimated that the U.S. may contain more than 700 trillion cubic feet (tcf) of coalbed methane and that more than 100 tcf of this may be recoverable using existing technology. In part because of the availability of these reserves and because of tax incentives to exploit them, the West has seen a significant increase in its development.

Development of coalbed methane usually involves the extraction of water from underground strata. Some of this extracted water is reinjected into the ground, while some is retained in surface holding ponds or released and allowed to flow into streams or other water bodies, including irrigation ditches.

The quality of the extracted waters varies from one location to another. Some are of good quality, but often they contain dissolved minerals (such as sodium, magnesium, arsenic, or selenium) that can contaminate other waters—something that can happen because of leaks or leaching from holding ponds or because the extracted waters are simply discharged into a stream or other body of water. In addition, extracted waters often have other characteristics, such as high acidity and temperature, which can adversely affect agricultural uses of land or the quality of the environment.

In Colorado and other States in the arid West, water is scarce and precious—and use of extracted water has the potential to augment the supplies for irrigation and other purposes. Because I want to explore how that potential might be realized without reducing water quality or harming the environment, I have introduced a bill (H.R. 902) that would authorize research and demonstration efforts toward that end.

But, at the same time, it is vital that development of energy resources be accompanied by appropriate safeguards.

That is the purpose of the first part of the bill (Title I). That part would require those who develop federal oil or gas—including coalbed methane—under the Mineral Leasing Act to take steps to make sure their activities do not harm water resources.

Specifically, under section 101, oil or gas operators who damage a water resource—by contaminating it, reducing it, or interrupting it—would be required to provide replacement water to the water users. And this section also specifies that water produced under a mineral lease must be dealt with in ways that comply with all Federal and State requirements.

Further, because water is so important, the bill requires oil and gas operators to make the protection of water part of their plans from the very beginning, requiring applications for oil or gas leases to include details of ways in which operators will protect water quality and quantity and the rights of water users.

These are not onerous requirements, but they are very important—particularly with the great increase in drilling for coalbed methane and other energy resources in Colorado, Wyoming, Montana, and other western states.

SURFACE OWNER PROTECTION

In many parts of the country, the owner of some land's surface does not necessarily own the underlying minerals. And in Colorado and other Western States, those mineral estates often belong to the Federal Government while the surface estates are owned by others, including farmers and ranchers.

This split-estate situation can lead to conflicts. And while I support development of energy resources where appropriate, I also believe that this must be done responsibly and in a way that demonstrates respect for the environment and overlying landowners.

The second part of the bill (Title II) is intended to promote that approach, by establishing a system for development of federal oil and gas in split-estate situations that resembles—but is not identical to—the system for development of federally owned coal in similar situations.

Under Federal law, the leasing of federally owned coal resources on lands where the surface estate is not owned by the United States is subject to the consent of the surface estate owners. But neither this consent requirement nor the operating and bonding requirements applicable to development of federally owned locatable minerals applies to the leasing or development of oil or gas in similar split-estate situations.

I believe that there should be similar respect for the rights and interests of surface estate owners affected by development of oil and gas and that this should be done by providing clear and adequate standards and increasing the involvement of surface owners.

Accordingly, the bill requires the Interior Department to give surface owners advance notice of lease sales that would affect their lands and to notify them of subsequent events related to proposed or ongoing developments related to such leases.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

In addition, the bill requires that anyone proposing to drill for federal minerals in a split-estate situation must first try to reach an agreement with the surface owner that spells out what will be done to minimize interference with the surface owner's use and enjoyment and to provide for reclamation of affected lands and compensation for any damages.

I am convinced that most energy companies want to avoid harming the surface owners, so I expect that it will usually be possible for them to reach such agreements. However, I recognize that this may not always be the case—and the bill includes two provisions that address this possibility: (1) if no agreement is reached within 90 days, the bill requires that the matter be referred to neutral arbitration; and (2) the bill provides that if even arbitration fails to resolve differences, the energy development can go forward, subject to Interior Department regulations that will balance the energy development with the interests of the surface owner or owners.

As I mentioned, these provisions are patterned on the current law dealing with development of federally owned coal in split-estate situations. However, it is important to note one major difference—namely, while current law allows a surface owner to effectively veto development of coal resources, under the bill a surface owner ultimately could not block development of oil or gas underlying his or her lands. This difference reflects the fact that appropriate development of oil and natural gas is needed.

RECLAMATION REQUIREMENTS

The bill's third part (Titles III and IV) addresses reclamation of affected lands.

Title III would amend the Mineral Leasing Act by adding an explicit requirement that parties that produced oil or gas (including coalbed methane) under a federal lease must restore the affected land so it will be able to support the uses it could support before the energy development. Toward that end, this part of the bill requires development of reclamation plans and posting of reclamation bonds. In addition, so Congress can consider whether changes are needed, the bill requires the General Accounting Office to review how these requirements are being implemented and how well they are working.

And, finally, Title IV would require the Interior Department to—(1) establish, in cooperation with the Agriculture Department, a program for reclamation and closure of abandoned oil or gas wells located on lands managed by an Interior Department agency or the Forest Service or drilled for development of federal oil or gas in split-estate situations; and (2) establish, in consultation with the Energy Department, a program to provide technical assistance to State and tribal governments that are working to correct environmental problems caused by abandoned wells on other lands. The bill would authorize annual appropriations of $5 million in fiscal 2005 and 2006 for the federal program and annual appropriations of $5 million in fiscal 2005, 2006, and 2007 for the program of assistance to the states and tribes.

Madam Speaker, our country is overly dependent on fossil fuels, to the detriment of our environment, our national security, and our economy. We need to diversify our energy portfolio and make more use of alternatives. But in the interim, petroleum and natural gas (including coalbed methane) will remain important parts of our energy portfolio—and I support their development in appropriate and responsible ways. I believe this legislation can contribute to that by establishing some clear, reasonable rules that will provide greater assurance and certainty for all concerned, including the energy industry and the residents of Colorado,. New Mexico, and other Western states. Following is a brief outline of its major provisions.

OUTLINE OF BILL

Section One—This section provides a short title ("Western Waters and Farm Lands Protection Act"), makes several findings about the need for the legislation, and states the bill's purpose.

TITLE 1.—PROTECTION OF WATER RESOURCES

Section 101 amends current law to make clear that extraction of water in connection with development of oil or gas (including coalbed methane) is subject to an appropriate permit and the requirement to minimize adverse effects on affected lands or waters.

Section 102 provides that nothing in the bill will—(1) affect any State's right or jurisdiction with respect to water; or (2) limit, alter, modify, or amend any interstate compact or judicial rulings that apportion water among and between different States.

TITLE II.—PROTECTION OF SURF ACE OWNERS

Section 201 provides definitions for several terms used in Title II.

Section 202 requires a party seeking to develop federal oil or gas in a split-estate situation to first seek to reach an agreement with the surface owner or owners that spells out how the energy development will be carried out, how the affected lands will be reclaimed, and that compensation will be made for damages. If no such agreement is reached within 90 days, the matter is to be referred to arbitration by a neutral party identified by the Interior Department.

Section 203 provides that if no agreement under section 202 is reached within 90 days after going to arbitration, the Interior Department can permit energy development to proceed under an approved plan of operations and posting of an adequate bond. This section also requires the Interior Department to provide surface owners with an opportunity to comment on proposed plans of operations, participate in decisions regarding the amount of the bonds that will be required, and to participate in on-site inspections if the surface owners have reason to believe that plans of operations are not being followed. In addition, this section allows surface owners to petition the Interior Department for payments under bonds to compensate for damages and authorizes the Interior Department to release bonds after the energy development is completed and any damages have been compensated.

Section 204 requires the Interior Department to notify surface owners about lease sales and subsequent decisions involving federal oil or gas resources in their lands.

TITLE III.—RECLAMATION

This title amends current law to require parties producing oil or gas under a federal lease to restore affected lands and to post bonds to cover reclamation costs. It also requires the GAO to review Interior Department implementation of this part of the bill and to report to Congress about the results of that review and any recommendations for legislative or administrative changes to improve matters.

TITLE IV.—ABANDONED OIL OR GAS WELLS

Section 401 defines the wells that would be covered by the title.

Section 402 requires the Interior Department, in cooperation with the Department of Agriculture, to establish a program for reclamation and closure of abandoned wells on federal lands or that were drilled for development offederally-owned minerals in split-estate situations. It authorizes appropriations of $5 million in fiscal years 2005 and 2006.

Section 403 requires the Interior Department, in consultation with DOE, to establish a program to assist states and tribes to remedy environmental problems caused by abandoned oil or gas wells on non-federal and Indian lands. It authorizes appropriations of $5 million in fiscal years 2008, 2009, and 2010.

ACKNOWLEDGING THE ACHIEVEMENTS OF THE 761ST TANK BATTALION, IN CELEBRATION OF BLACK HISTORY MONTH

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, February 16, 2007

Mr. RANGEL. Madam Speaker, I rise today in recognition of the service, courage and commitment to the United States displayed by the men who fought in the 761st Tank Battalion in World War II. The 761st Tank Battalion, also known as the Black Panthers, made history as the first all black tank unit to see combat.

Like the pilots of the 332nd Fighter Group, more affectionately known as Tuskegee Airmen, the men of 761st enlisted for service during a period in United States history characterized by strict segregation and barbaric acts of violence perpetrated against people of color. At home and in the military, these men experienced discrimination, were relegated to menial service positions and were called to duty only in times of intense crisis. Federal law prohibited black soldiers from serving alongside white troops and although all black regimens were formed few expected to see combat.

Following the efforts of Louisiana General Leslie J. McNair, the commander of the Army Ground Forces and the Black Press, who successfully argued that "colored" units should be employed in combat, the U.S. Army began to experiment with segregated combat units. On October 10, 1944, the 761st landed in France on the Normandy Peninsula. They were the first battalion deployed. Thirty black officers and 676 black enlisted men were assigned to General Patton's U.S. Third Army. Despite Patton's vocalization of doubts surrounding the use of black soldiers, the soldiers of the 761st committed themselves to fighting for their country on behalf of their race; an action some undoubtedly hoped would change perceptions of black people as inferior and subhuman. The battalion first saw combat on November 7, 1944. For 183 days, these men engaged and defeated the German Army in towns throughout France and Germany.

Although it would take years for historical records to be amended and rightfully reflect the courage and skill employed by the 761st we know now just how integral they were to achieving victory in WWII. Throughout their tour in combat the battalion helped to liberate more than 30 towns under Nazi control. Collectively, the men of the 761st were awarded 11 Silver Stars, 70 Bronze Stars, 250 Purple Hearts and a Medal of Honor. In 1945 a recommendation for a Presidential Unit Citation was submitted. President Jimmy Carter awarded it in 1978.

The men of the 761st fought for the right to represent this country during the Second World War. Before leaving and upon returning they continued to fight the bigotry, hatred and racism that served to thwart the great promises of this Nation. At all times they acted with dignity, conducting themselves admirably and always with grace. Because of their efforts, and the efforts of other Black soldiers in segregated units, black soldiers now fight alongside white soldiers today.

I rise today in recognition of the efforts of the 761st battalion and in honor of Black History Month. I commend them for their resolve and hope that their courage, conviction and commitment forever be remembered by all.

TRIBUTE TO AHEPA

HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, February 16, 2007

Mr. GARRETT of New Jersey. Madam Speaker, as AHEPA celebrates 85 years of service in the community, it gives me great pleasure to offer my heartfelt congratulations on your reaching this milestone.

Since its inception in 1922 as a voice against prejudice and hate, AHEPA has grown into a multinational organization that continues to spread the universal truths of Hellenism—humanity, freedom, and democracy—across the United States and around the world.

Many organizations begin with noble causes but waver in purpose as time and obstacles dampen their ambitions. Yet, in the face of depression, war, and the unavoidable hardships of growth and development, AHEPA has continued steadfastly to advocate for the principles of education, philanthropy, civic responsibility, and family and individual excellence—principles that are common to us all as Americans. From helping young people achieve their dreams of education to supporting philanthropy and public service to addressing the deepest needs of families, AHEPA's successes have been remarkable.

Today, while we would hope that prejudice no longer dwells on any streets or in any hearts of America, we live in an imperfect world and the original mission of AHEPA is still vital. Today, we need to keep the dreams of education alive. Today, we need to continue to foster the spirit of giving and volunteerism in our communities. And today, we need to persevere in spreading the hopeful message of freedom and democracy.

As a Member of Congress, I am proud to serve on the Congressional Caucus on Hellenic Affairs. In this capacity, I work with fellow caucus members to enhance and strengthen the United States' relationship with Greece and the Republic of Cyprus. The friendship between our nations has a long and rich history, and by continuing to further this important bond, we can stand together to advance the causes of liberty and democracy. In this worthy endeavor, I look forward to continuing to stand with you.

This 85th year is a time to reflect upon AHEPA's past successes and upon the many ways in which Greek-Americans have enriched the fabric of America. Equally important, it is a time to look forward with hope and anticipation to a future of continuing to build the vision that is AHEPA.

Congratulations on 85 years of success and best wishes for many more years ahead.

RECOGNIZING AUSTIN CONNOR CADE FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, February 16, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Austin Cade, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 314, and in earning the most prestigious award of Eagle Scout.

Austin has been very active with his troop, participating in many Scout activities. Over the years Austin has been involved with Scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Austin Cade for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

INTRODUCTION OF BILL ON TAX TREATMENT OF EXCHANGES OF MUTUAL DITCH COMPANY SHARES

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, February 16, 2007

Mr. UDALL of Colorado. Madam Speaker, I am today introducing a bill dealing with the tax treatment of exchanges of mutual ditch company stock, a subject of special importance to Coloradans who hold such stock in order to make beneficial use of water transported through the companies' ditches and associated structures.

The bill is cosponsored by my Colorado colleagues, Representatives SALAZAR, MUSGRAVE, and LAMBORN. I appreciate their assistance and support.

Madam Speaker, mutual ditch companies are unique to Colorado. They are not organized for profit, but for the mutual benefit of the shareholders and operate on the premise that the company owns the water rights and other property and the shareholders have the right to use the water. The Colorado Supreme Court has held that shares of stock in a mutual ditch company represent a definite and specific water right, as well as a corresponding interest in the structures by which the water right is beneficially used.

One such company, based in Windsor, in northeastern Colorado, is working to raise funds to improve the efficiency of its delivery system. To do so, it has contracted to give the City of Greeley and two local water districts part of its water in exchange for $30 million, part in cash and part in the stock of a reorganized corporation. As part of this plan, the Windsor company's shareholders will exchange their stock for shares in the new corporation.

Other similar exchanges have occurred or will occur in the future. But there is concern that shareholders making such an exchange might be called upon to pay taxes in connection with such exchanges.

Federal tax law (Section 1031 of the Internal Revenue Code of 1986) allows a tax-free exchange of like-kind property held for productive use in a trade or business. Generally this does not apply to exchanges of stock. However, shares of Colorado mutual ditch companies are different from normal stock shares, and the Colorado Supreme Court has held that because a mutual-ditch shareholder is entitled to apply water to a beneficial use, mutual-ditch shares are real property (like real estate), not personal property (like normal stocks or bonds).

The mutual ditch companies say—and I think they are right—this means exchanges of their shares should be covered by the like-kind exchange exemption. Unfortunately, in 1986, the IRS's General Counsel ruled otherwise.

Since that ruling, however, the Colorado Supreme Court, in a 1997 decision, made it clear that under Colorado law mutual ditch company shares are real property.

The bill would remove any doubt on this point and make clear that Section 1031 of the Internal Revenue Code will apply to exchanges of shares in a Colorado mutual ditch, reservoir, or irrigation company covered by section 501(c)(12)(A) of the Code.

CELEBRATING THE SCHOMBURG CENTER FOR RESEARCH IN BLACK CULTURE

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, February 16, 2007

Mr. RANGEL. Madam Speaker, I rise today to recognize the incredible work happening at the Schomburg Center for Research in Black Culture. This year marks the 80th anniversary of the Schomburg Center, a milestone worthy of celebration. Over the past 80 years the Schomburg has organized many firsts in African-American history including the first orchestra of classically trained black musicians (1971); established a scholar in residence program attracting many of the world's most renowned scholars and intellectual leaders; collected and exhibited hundreds of thousands of items for collections and galleries organized around important themes from the history and lived legacies of African-Americans and the African Diaspora. It is with great pride that I recognize the accomplishments of the Schomburg over the past 80 years.

This past summer, from June 19th through July 18th, the Schomburg held its second Schomburg-Mellon Humanities Summer Institute. A joint venture between the Schomburg Center and the Mellon-Mays Foundation, the Humanities Summer initiative is designed to increase the number of minority students interested in pursuing graduate degrees in the humanities in fields related to African-American and African Diaspora Studies. The Summer Institute identifies carefully selected prospective scholars and develops and nurtures their interest over the course of 3 years. Providing students with requisite intellectual skills and presenting them with challenges and orientations helpful in the pursuit of humanities careers, the summer institute fills a much needed role in attracting, retaining, and supporting the next generation of scholars and researchers concerned with issues relating to African Americans and the African Diaspora.

The students, culled from schools throughout New York City as well as from Historically Black Colleges and Universities throughout the country, spent the summer exploring the theme "Africana Age." They engaged in discussions, visits, and projects that compelled them to explore the dominant political, economic, and cultural periods of the 20th century; black achievements in social, artistic, and cultural realms that challenged the myth of white supremacy; efforts to forge political and cultural relationships among African peoples across boundaries; and commonalities and differences across time and geography. More than 25 distinguished scholars from around the country conducted seminars, facilitated conversations around works of art, tours of significant African-American landmarks, and aided in conducting research related to the aforementioned themes and subjects. Participating scholars created a research prospectus to aid them in fulfilling academic requirements during their senior year. They also worked both independently and collectively on research projects.

The Schomburg-Mellon Summer Institute continues to provide minority students with opportunities that are instrumental in becoming personally and professionally ready to compete in the ever expanding global marketplace. By providing minority students with mentors; providing them with requisite skills such as conducting research and writing research papers; creating rigorous academic programs rooted in historical truths about the contributions made by people of color; and championing them to fulfill their full potential, the Schomburg-Mellon Summer Institute its part to continue the legacy of producing compassionate and capable intellectual leaders.

The Schomburg-Mellon Summer Institute is but one of many initiatives aimed at uncovering and preserving truths in black culture. There is the annual book fair, a plethora of programs commemorating significant events and themes throughout African American history, and symposiums on important matters such as the African Burial Ground. This fall marks the sixth year of the Junior Scholars program. A program similar to the Summer Institute teaches history and culture while using insights gained to devise solutions to improving quality of life, for African Americans in particular, today. Another program dedicated to connecting youth with living legends, authors, scholars, artists, and business people in ways that show them they can choose to be anything they apply themselves to becoming while providing them with tools that will prove necessary along the way, the Junior Scholar's program epitomizes the Schomburg's commitment to preserving the legacy of descendants of Africa.

While celebrating the Schomburg and its achievements over the course of 80 years it is important to continue to invest in the production of even more scholars, thinkers, and leaders committed to the same goal.

IN RECOGNITION OF THE PUBLIC SERVICE OF JOHN NALLIN

HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, February 16, 2007

Mr. GARRETT of New Jersey. Madam Speaker, I rise today to recognize the tremendous public service of John Nallin as he prepares his retirement after 20 years with UPS.

During his proud career at UPS, he has served in a number of capacities, starting as a Systems Manager in Delivery Information Systems in 1987 and retiring now as Vice President and Information Services Corporate Repository & Architecture Portfolio Manager. Throughout his years with UPS, John Nallin has helped to make this company a high-tech leader, implementing cutting edge technologies and a progressive business strategy.

Prior to coming to UPS, at a time when the field of information technology was still in its infancy, John helped to execute a similar technological vision at AT&T, Asbach Consulting, American Cyanamid, and Tenneco Chemicals. He truly is one of the pioneers that helped to propel some of America's leading companies into a brave new world of high-tech advances.

John will surely be missed by his colleagues at UPS; but this corporate loss is without doubt the community's gain. John's public service dates back to his years as a United States Marine. And, he remains a community leader as a member of the Board of Directors of New Jersey Mental Health Association and the Board of Advisors for the American Cancer Society. His business acumen has been tapped for the Governor's Economic Growth Council and his generosity of heart has been enlisted as an active participant in a wide variety of United Way activities.

John plays a strong role in helping prepare tomorrow's leaders as well as a member of the New Jersey Institute of Technology Board of Overseers and as a founding member of the Berkeley Heights Education Foundation. And, he serves on the Ramapo College Board of Governors; a board on which I also proudly sit.

On the eve of his retirement from the corporate world, the community looks forward to continuing to work with John Nallin to make North Jersey an even better place in which to work, live, and raise a family.

RECOGNIZING ISAAC DAVID ZEILINGER FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, February 16, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Isaac Zeilinger, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 314, and in earning the most prestigious award of Eagle Scout.

Isaac has been very active with his troop, participating in many Scout activities. Over the years Isaac has been involved with Scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Isaac Zeilinger for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

INTRODUCTION OF BILL REGARDING MANAGEMENT OF ELK IN ROCKY MOUNTAIN NATIONAL PARK

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, February 16, 2007

Mr. UDALL of Colorado. Madam Speaker, I am today introducing a bill to clarify the authority of the Secretary of the Interior with regard to managing elk in Rocky Mountain National Park.

Elk are a major attraction for visitors to Rocky Mountain National Park and nearby Estes Park, attracting thousands of people who come to enjoy viewing them and listening to the bulls bugle in late summer and early fall.

But while the elk are a true asset, their numbers are a concern, Property damage and human safety concerns in Estes Park have increased as elk increasingly use parks, golf courses, and yards in close proximity to people and they are also causing adverse effects on the other resources of the park itself. This has led the National Park Service to consider possible steps to address this by reducing the number of elk within the park. My bill is intended to resolve a question that has arisen about how this might be done.

Some historical perspective is useful in understanding the situation.

Elk, or wapiti, are native to the area that includes Rocky Mountain National Park, but hunters had all but eliminated them by the 1870s—and by early in the Twentieth Century, wolves, their only significant predator in the area, had disappeared as well.

They were reintroduced in 1913 and 1914, shortly before Rocky Mountain National Park was established in 1915. Since then, because of the lack of any significant predation—by wolves, other animals, or people—the park's elk population has flourished. By the early 1930s, it had increased so much that the National Park Service became concerned about resulting deteriorating vegetation conditions on their winter range.

Starting in 1944, the elk population was limited, primarily by having rangers cull the herd by shooting some of the elk but also by some trapping and transplanting. For the next 25 years, the number of elk using Rocky Mountain National Park was maintained between 350 and 800 animals.

This ended in 1969, when a "natural regulation" policy—meaning no active management within the park—was instituted. In part, this was because the National Park Service thought hunting in adjacent areas would control the elk population in and near the park.

But since then, the park's elk numbers have continued to increase and vegetation changes have been observed, particularly a decline in willow and aspen on the elk's primary winter range.

As a result, the National Park Service has been reconsidering the appropriate size for the park's elk population and ways to address the problem of chronic wasting disease, CWD, a fatal brain disease known to affect deer and elk, which has been detected in elk within the park. Research begun in 1994 was aimed at gathering critical information needed to provide a scientific basis for a new management plan.

I have been following this matter with interest, and last year I wrote the National Park Service about the four alternatives discussed in their draft environmental impact statement, DEIS, on the subject.

As I said in that letter, while I am not a wildlife biologist, my own observations and discussions of the matter with both nearby residents and people with some professional expertise led me to conclude that the document correctly identified adverse consequences for aspen trees and other vegetation that would result from continued high elk densities in the park. Accordingly, as my letter said, I support action to reduce the numbers of elk in the park to something like the numbers that would be expected under natural conditions.

One option discussed in the DEIS would be release of a limited number of gray wolves, in order to return a natural predator that could control elk numbers. However, the DEIS notes that this would involve "numerous uncertainties," including "whether park managers could effectively control wolf behavior and movements and keep wolves in the park," which I think is a source of valid concern for ranchers who operate on nearby lands and for other park neighbors. And, in any case, the DEIS indicates that it would still be necessary for there to be "lethal reduction"—meaning shooting of elk—at least for some time because the small number of wolves would not be enough to accomplish the desired reduction in the number of elk in the park.

So, as I noted in my letter, I readily understand why this has not been identified as the preferred alternative.

Instead, the DEIS said it would be preferable to have people cull the elk herd by "lethal reduction"—meaning the shooting of selected animals to reduce the overall numbers to a more appropriate level.

The DEIS identified two "lethal reduction" scenarios, differing mainly in the number of elk to be shot: 100 to 200 annually over 20 years or 200 to 700 elk annually for four years and after that 25 to 150 elk annually for 15 years. The DEIS says "adaptive use of wolves" could eventually become part of the second scenario, and it identified it as the preferred alternative.

I think the DEIS did a good job of providing reasons for that choice. However, as I said in my letter, I think serious consideration should be given to some changes in its implementation—particularly by exploring ways to increase participation by Colorado sportsmen and sportswomen.

There are several reasons I think this should be explored, especially the potential for significant savings to the taxpayers.

The DEIS estimates that implementing the preferred alternative would cost between about $16.55 million and $18.26 million over the next 20 years, with "labor" accounting for between $6.55 million and $7.37 million of those totals. Evidently, these "labor" costs would be mostly for compensating the people doing the shooting, between 3 and 10 FTEs, with a smaller amount for administration (1.5 FTEs).

As I indicated in my letter, I think the National Park Service should explore the possibility that those costs could be substantially reduced by offering qualified Coloradans an opportunity to take part—under the strict guidance and direction of the National Park Service—either without compensation or for less compensation than the amounts on which the DEIS estimates were based.

Having reviewed my letter and other public comments on the DEIS, the National Park Service is now moving toward a decision on how to go about reducing the number of elk in Rocky Mountain National Park. That is what they should be doing.

But I am concerned that some of their statements in a recent meeting with Colorado wildlife officials suggest they have mistakenly concluded that they do not have the legal authority to act along the lines I suggested. My bill is intended to make it clear that they do have that authority.

At the meeting, the National Park Service distributed a paper entitled "Legal Analysis of Hunting within Rocky Mountain National Park." I am not a lawyer, and I do not dispute the accuracy of that paper. But I do dispute its relevance—because what is involved here is not "hunting," as that term is generally used, but instead a plan to reduce elk numbers by having people selected by the National Park Service and acting in accordance with its instructions shoot specified numbers of animals over specified periods of time.

So, the question is not whether the National Park Service plans to have elk shot—it does. The question is whether the National Park Service has the authority to consider allowing qualified Coloradans—specifically, those who have hunting licenses and who meet whatever qualifications the National Park Service may set—do the shooting.

My bill would resolve that question by making it clear that the laws applicable to Rocky Mountain National Park do not prevent the National Park Service from doing that.

It also would require the National Park Service to consult with the Colorado Division of Wildlife regarding the possible participation of that state agency in implementing the new plan for managing elk in the park. I have included that provision because, while management of the park is and should remain the sole responsibility of the National Park Service, I think the Service should at least discuss the matter to see whether the Division of Wildlife can be helpful in addressing this matter of concern to both agencies and the public.

I think my bill can help the National Park Service to move forward to resolve a real management problem in a cost-effective manner.

For the benefit of our colleagues, here is an outline of the legislation:

Section 1 provides definitions of terms used in the bill

Section 2 states that nothing in the laws applicable to management of Rocky Mountain National Park is to be construed as prohibiting the Interior Department from using the services of qualified individuals, as volunteers or under contract, from assisting in implementation of the new elk and vegetation management plan by using lethal means to reduce the park's elk population. The term "qualified individuals" means people with Colorado resident big-game hunting licenses who have whatever other qualifications the National Park Service may set after consulting with the Colorado Division of Wildlife. This section would not require the National Park Service to use the services of qualified Coloradans, but it would make clear that there is no legal obstacle to their doing so.

Section 3 would require the National Park Service to consult with the Colorado Division of Wildlife regarding that state agency's possible participation in implementing the new plan to manage elk in the park. This would not require such participation, but it would require the National Park Service to consider it.

Section 4 states that nothing in the bill is to be construed as applying to the taking of wildlife within the park for any purpose other than implementation of the new elk management plan.

IN RECOGNITION OF SISTER BARBARA SUESSMAN

HON. NYDIA M. VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, February 16, 2007

Ms. VELÁZQUEZ. Madam Speaker, I rise today on the floor of the U.S. House of Representatives to recognize the life and work of a tremendous role model, advocate, and longtime resident of Brooklyn, Sister Barbara Suessman.

Born on February 26, 1937 in Brooklyn, Barbara attended St. Agnes High School in Rockville Center before joining the "Dominican Sisters" in 1956. It was through her involvement with the Dominican Sisters that led Sister Barbara to hear her calling and two years later, she pronounced her religious vows and embarked on a life dedicated to serving the underprivileged.

Sister Barbara held a strong belief that through active involvement with New York City's youth she would be most effective in serving the community. It was this conviction that led her to commit her life to working with various community organizations, schools, and ministries.

She spent the next twelve years teaching in several schools in Brooklyn and Queens. While she valued her years teaching the community's children, Sister Barbara wanted to take on more of an active role training peers how to mentor each other. In 1970, she accepted the position of supervisor at the Brooklyn Diocese sponsored "New School," offering special leadership training. After four years, she left to take over as Program director of the Brooklyn group home, Martin de Porres, where she remained until 1979.

Sister Barbara's dedication to the community's youth was undying—she always sought out additional ways to serve. She was instrumental in founding "Project Bridge," a program under the auspices of Christian Charities aimed at addressing the teen pregnancy problem in New York City. Over time, this modest program grew into a full-service organization with numerous locations around the city, providing services to teenage boys, as well as girls, who are pregnant, parenting, or at-risk of becoming parents.

In 1995, Sister Barbara began yet another endeavor, taking the position of Director of Finance with her Dominican Congregation, and upon completion of her term, devoted the rest of her time with us to consulting for various religious congregations.

Sister Barbara dedicated her entire life to serving others. She used the power of her beliefs and commitment to instill hope and inspiration in all who knew her.

Therefore, Madam Speaker, I rise with my colleagues in the House of Representatives to honor the life and contributions of Sister Barbara Suessman.

RECOGNIZING JAMES EDWARD LEACH FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, February 16, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize James Leach, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 314, and in earning the most prestigious award of Eagle Scout.

James has been very active with his troop, participating in many scout activities. Over the years James has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam, Speaker, I proudly ask you to join me in commending James Leach for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

CONGRESS MUST CO-SIGN ACT

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, February 16, 2007

Mr. UDALL of Colorado. Madam Speaker, I am today introducing a bill to require focused, careful consideration and separate Congressional approval of a form of back-door spending that could leave the taxpayers exposed to serious financial liability.

It is cosponsored by our colleagues Mr. WALZ, Mr. FLAKE, Ms. MCCOLLUM, Ms. MALONEY, Ms. BACHMANN, Mr. GARRETT, Mr. LAMBORN, Mr. KLINE, Ms. MUSGRAVE and Mr. MILLER of Florida. I greatly appreciate their assistance and support.

The bill, entitled the "Congress Must Co-Sign Act" deals with proposals to have the Department of Transportation lend a billion dollars—or more—for any one purpose.

It would require greater transparency regarding such loans and a separate Congressional vote to approve each such loan, even if it had received preliminary approval either on its own or as part of a larger measure.

The purpose is to increase Congressional accountability and to reduce the chance the taxpayers will find themselves stuck with the bill if the lender should default on one of these loans.

The bill would require the Secretary of Transportation to provide Congress advance written notice at least 60 days before any Department of Transportation funds can be used to make a loan in an amount greater than $1 billion. This notice would have to include information about the purpose, the authority and the terms and conditions of the loan.

And the bill would require that after receiving the notice, Congress would have to pass legislation approving the loan before the Transportation Department could go forward and lend the money.

This is not just a theoretical matter—one such mega-loan is now being processed within the Administration. And that fact illustrates the need to broaden the focus in the debate about "earmarks" and special tax breaks. We in Congress need to take a harder look not just at direct spending and the indirect spending through the tax code, but also at backdoor spending through the lending of taxpayer dollars.

In all these areas, there is a need for greater transparency and accountability. That's why I have introduced H.R. 595, the "Stimulating Leadership in Controlling Expenditures"—or "SLICE"—Act, to enact a constitutionally sound version of a line-item veto for individual spending items.

It's also why I have introduced H.R. 905, the Commission on Unfair Tax Breaks and Subsidies—or "CUTS"—Act, which would provide another way to require action to increase equity and accountability in the federal budget.

And that is why I am introducing this bill today—not because I am convinced that the pending loan, or some similar loans in the future, would not be appropriate, but because I think it's essential that a decision to approve such a mega-loan should be made in a careful, deliberate way with full discussion of the merits and potential risks and a separate vote here in the Congress. At the end of the day, I might vote to approve the pending loan or some other loan of that type, or I might conclude that the potential costs outweigh the likely benefits. My purpose is not to prejudge the result, but to require a better, more open way of making a decision.

The federal budget remains awash in a sea of red ink and we are continuing to add to the Nation's towering pile of debt. People in Colorado and across the country expect greater transparency and accountability from their elected officials and our decisions on spending. This bill would take an important step in that direction and I think it deserves the support of all our colleagues.

RECOGNIZING RYAN DANIEL HARRIS FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, February 16, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Ryan Harris, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 314, and in earning the most prestigious award of Eagle Scout.

Ryan has been very active with his troop, participating in many scout activities. Over the years Ryan has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Ryan Harris for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

INTRODUCING THE IRAQ CONTINGENCY PLANNING ACT

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, February 16, 2007

Mr. UDALL of Colorado. Madam Speaker, this week the House has considered a resolution focused on the President's plan to escalate the war in Iraq by committing more troops. That certainly deserves the debate it has received.

I voted for the resolution disapproving of the escalation plan because I think that plan is misguided and will not be effective in the context of the civil war that has emerged in Iraq.

Of course, I'm not under any illusion that the president will listen to the resolution's message. He has made clear his intention to move forward, and many troops are already in place or heading to their new positions.

I think that is a tragic error, one that I will work to correct. But at the same time we—both the Administration and the Congress—must consider what may come next.

That is why I am today introducing legislation to require that Congress be informed about the extent to which the Administration is doing the planning that is needed if we are to be prepared to respond to what our intelligence agencies tell us may be further catastrophic developments in Iraq and the region.

You'd think it wouldn't be necessary for Congress to legislate to make sure the Pentagon plans for contingencies. And when, at a recent Armed Services Committee hearing, I asked Secretary Gates whether they were doing that, his answer, while vague, was reassuring.

But vague reassurances aren't enough, and I am following up with this bill because I don't want a repeat of the performance that led the Administration to launch a war in Iraq without a plan for what would come after initial military success.

The Bush Administration was warned—by the Defense Intelligence Agency, the Pentagon's Joint Staff, the State Department's Bureau of intelligence and Research, and the CIA's National Intelligence Council, among others—that U.S. troops could face significant postwar resistance.

And in February, 2003 an Army War College report warned that without an "overwhelming" effort to prepare for the U.S. occupation of Iraq, "The United States may find itself in a radically different world over the next few years, a world in which the threat of Saddam Hussein seems like a pale shadow of new problems of America's own making."

But despite these warnings, the Bush Administration rushed ahead without a comprehensive plan in place to secure and rebuild the country once our military had achieved its initial objectives.

We all know where that has led us—to the point where, according to the just-released National Intelligence Estimate (NIE) on Iraq, we're faced with a deteriorating situation in Iraq in which "Iraqi society's growing polarization, the persistent weakness of the security forces and the state in general, and all sides' ready recourse to violence are collectively driving an increase in communal and insurgent violence and political extremist."

And now we are being warned that things well may get even worse.

Specifically, the NIE states that as Iraq's security environment worsens, three prospective security paths could emerge—chaos leading to partition, the emergency of a Shia strongman, or anarchic fragementation of power.

Madam Speaker, the NIE is the Administration's own document, and the most authoritative written judgment of the Director of National Intelligence with respect to Iraq. I think it must be taken seriously, and I think we in Congress must demand to be told—specifically and in detail—just how the Administration is preparing to respond should any one of those contingencies occur.

That is what my legislation calls for. It would require that by June 30th of this year the Administration inform the House and Senate Armed Services Committees just how the Department of Defense and other agencies would respond to each of the three scenarios identified by the NIE, with an explanation of the proposed role of U.S. troops under each scenario, including a comprehensive analysis identifying and justifying the number of U.S. troops needed in each case.

As a member of the Armed Services Committee, I want assurances that this Administration is thinking about and planning for troubling possibilities they themselves have depicted. No one wants chaos or increased violence in Iraq, but it would be irresponsible not to plan for those possibilities. While looking at Iraq through rose-colored glasses may make us feel better, we will only do right by our men and women in uniform if we plan for likely contingencies, however unpalatable.

Of course, this legislation isn't intended to solve the larger problem of Iraq. To do that, we need a policy aimed at escalating diplomatic and political efforts and lightening the U.S. footprint in Iraq. But so far the President instead is continuing to embrace the idea that the solution is more troop.

Defense Secretary Gates has said that we'll know within months whether or not that escalation has been successful. So it isn't too soon to begin planning now for what may come next. And it is high time for Congress to insist that the Administration is responding to that essential.

TRIBUTE TO DAN E. STRAIGHT

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, February 16, 2007

Mr. UDALL of Colorado. Madam Speaker, I rise today to note the passing of Dan E. Straight. Although Mr. Straight did not reside in my district, he worked on an issue within my district that was dear to his heart—the preservation and reopening of the Rollins Pass road over the Continental Divide near Winter Park, Colorado.

Mr. Straight passed away last week. He led a full life that included patriotic service to our country. He served in the U.S. Air Force for years and saw action in World War II, Korea and Vietnam. He also served his community through work with the Boy Scouts, the American Red Cross and his local Rotary.

And because he loved history and the outdoors, he was a champion for the reopening of the Rollins Pass road. Also known as the Moffat Road due to its proximity to the Moffat railroad tunnel, this road was used as a stage and narrow gauge railroad corridor taking passengers from Colorado's east slope communities to the homesteads, resources and recreational activities on the western slope. Rollin Pass contains historic railroad features such as dramatic trestles that span creek valleys and a feature aptly called the Needle Eye Tunnel near the top. Due to age, rock fall has occurred in the tunnel and it has remained closed.

Due to Mr. Straight's efforts, I included language in the James Peak Wilderness and Protection Area Act to allow for the reopening of the Rollins Pass road to two-wheel drive vehicles. Conversations are occurring between the acted countries and the U.S. Forest Service in this regard. I had the pleasure of meeting Mr. Straight as we were working on this legislation. It was clear that he had a love for this road, this state and this country and he served it all with distinction and passion.

Madam Speaker, I have attached a story from the Longmont Times-Call newspaper noting his passing.

[From the Daily Times—Call, Feb. 9, 2007]

LONGMONT LOSES 'THE COLONEL'

(By Trevor Hughes)

LONGMONT.—Dan E. Straight, a retired Air Force colonel and tireless advocate of reopening Rollins Pass Road over the Continental Divide to Winter Park, died suddenly Wednesday. He was 84.

A longtime local resident, Straight volunteered with groups ranging from the American Red Cross to the Boy Scouts. He helped launch the Twin Peaks Rotary.

Originally from Greeley, Straight and his family settled in Longmont around 1976 after he retired from the Air Force, for which he had flown more than 29 types of aircraft. The front fuselage of one of them, a B–26B Marauder nicknamed "Flack Bait," is displayed at the Smithsonian.

Straight, known locally to many as "The Colonel," was one of many pilots of the storied World War II bomber. He flew one mission in the bomber, on Valentine's Day 1945, carrying his young daughter's shoe in his pocket so she'd always be near.

Straight often regaled high school students with stories from his service during World War II, Korea and Vietnam, according to his family.

He and Juanita also were Red Cross volunteers who helped Special Transit transport people in Longmont and Boulder County to medical appointments.

But it was perhaps his 25-year presidency of the Rollins Pass Restoration Association that brought Straight the most local attention. The pass, along an old railroad grade and through the Needle's Eye Tunnel, offers a shortcut between Boulder and Grand counties.

The 23-mile route fell out of use by trains in 1928, when the 6.2-mile Moffat Tunnel was completed. With the tracks removed in the late 1920s, trains gave way to cars, and for decades the pass and tunnel drew sightseers and travelers from across the Front Range.

Part of the Needle's Eye Tunnel collapsed in 1979, but it was re-opened to cars in 1987 before another partial collapse that injured a sightseer closed it again in 1990.

"I'm just amazed at the people who built it," Straight said in 2003.

Technically difficult to pull off at 11,000 feet, the tunnel-stabilization project entailed drilling eight-foot holes into the tunnel walls and roof, then gluing in inch-thick steel rods.

The 1990 collapse injured an area firefighter who was hit by falling rocks from the roof of the tunnel's southern entrance.

The cause: a single missing rock bolt. Ironically, the space where the missing bolt should be is clearly visible in the commemorative photos given to association members. Straight took that photo, a signed copy of which hangs in the Times-Call newsroom.

Despite the setback, Straight remained committed to reopening the tunnel, and negotiations among local officials about fixing it continue to this day.

"That was his favorite mission in life," said his daughter Su Eckhardt.

She added that Straight was involved in many other endeavors, including the Longmont Rotary Club, Westview Presbyterian Church, the Masons, the Shriners, the St. Vrain Photographic Society and the Salvation Army.

"He made a commitment beyond simply joining and paying dues," she said.

Clark Misner served as project manager for the Rollins Pass reopening in 1987. Now the county's transportation director, he said Straight's love of railroads and the old wagon route over Rollins Pass prompted his interest in the project.

"He was a really decent guy, a straight shooter, no pun intended," Misner said. "He was direct about what he thought should happen. He was honest and just a good guy."

Memorial services will be held at 2 p.m. Saturday, Feb. 10, at Westview Presbyterian Church, with the Rev. Bruce McQueen officiating. Military honors will be presented by the Mile High Honor Guard, USAF.

In lieu of flowers, the family suggests memorial donations to the American Red Cross, the Boy Scouts, the Rollins Pass Restoration Association, Shrine Children's Hospitals or Westview Presbyterian Church in care of Ahlberg Funeral Chapel, 326 Terry St., Longmont 80501.

RECOGNIZING HAYDEN OSWALD FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, February 16, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Hayden Oswald, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 59, and in earning the most prestigious award of Eagle Scout.

Hayden has been very active with his troop, participating in many Scout activities. Over the many years Hayden has been involved with Scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Hayden Oswald for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

ON OBSERVING THE 2007 NATIONAL SALUTE TO HOSPITALIZED VETERANS WEEK

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 16, 2007

Mr. MILLER of Florida. Madam Speaker, I rise today to honor our nation's veterans as we observe the National Salute to Hospitalized Veterans Week.

Each year, during the month of February, our nation's hospitalized veterans are recognized for their brave service to this nation. However, each day I am thankful for their selfless service as they put their lives on the line to defend our freedom at home. Many gave the ultimate sacrifice, and many returned home injured. Over 98,000 veterans currently receive daily care in a Department of Veterans Affairs medical center, clinic, or nursing home. It is to these brave and women we extend our deepest gratitude.

The price of freedom can be high, but soldiers fighting for our country believe freedom is worth every bit of that price and more. They are the reason we can sleep at night here at home, knowing full well that when we wake up the next day liberty will still be the cornerstone upon which this nation stands. We, as a nation, owe them a debt of gratitude, and I hope that Americans all over the world will take a moment this week to remember what our soldiers put on the line for our liberty here at home.

The National Salute Chairman for this year is none other than famous singer and actor Jerry Reed. I have great confidence that Mr. Reed's memorable face, humor, and famous singing and songwriting will draw increased attention to Salute to Hospitalized Veterans Week, and I applaud his dedication to such a noteworthy cause. His leadership will be vital to informing others about our hospitalized veterans.

Madam Speaker, on behalf of the United States Congress, it is a great honor for me to personally salute those who have borne the battle while we recognize the 2007 Salute to Hospitalized Veterans Week.

RECOGNIZING GARLAND AND MILDRED KING

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, February 16, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize two outstanding constituents of Missouri's Sixth Congressional District: Garland and Mildred King of Harrison County, MO. Garland and Mildred celebrated their 74th wedding anniversary on December 3, 2006.

Garland and Mildred King were married on December 3, 1932 in Trenton, MO. They have 6 children, 14 grandchildren, 24 great grandchildren, and 1 great-great grandchild on the way. They have owned a family farm in Harrison County for 64 years.

Garland and Mildred King have been outstanding citizens of Harrison County and northwest Missouri. They are dedicated and active members of Melbourne Baptist Church where Garland is a deacon.

Madam Speaker, I proudly ask you to join me in recognizing Garland and Mildred King. Their marriage of 74 years is inspirational, and I am honored to represent them in the United States Congress.

FORGETTING THE LESSONS OF HISTORY

HON. NEIL ABERCROMBIE

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Friday, February 16, 2007

Mr. ABERCROMBIE. Madam Speaker, the following 1984 speech by former Secretary of Defense Caspar Weinberger provides an important perspective on the use of military force in Iraq.

THE USES OF MILITARY POWER"

(By Caspar W. Weinberger)

Thank you for inviting me to be here today with the members of the National Press Club, a group most important to our national security. I say that because a major point I intend to make in my remarks today is that the single most critical element of a successful democracy is a strong consensus of support and agreement for our basic purposes. Policies formed without a clear understanding of what we hope to achieve will never work. And you help to build that understanding among our citizens.

Of all the many policies our citizens deserve and need to understand, none is so important as those related to our topic today the uses of military power. Deterrence will work only if the Soviets understand our firm commitment to keeping the peace, . . . and only from a well-informed public can we expect to have that national will and commitment.

So today, I want to discuss with you perhaps the most important question concerning keeping the peace. Under what circumstances, and by what means, does a great democracy such as ours reach the painful decision that the use of military force is necessary to protect our interests or to carry out our national policy?

National power has many components, some tangible, like economic wealth, technical pre-eminence. Other components are intangible such as moral force, or strong national will. Military forces, when they are strong and ready and modern, are a credible and tangible addition to a nation's power. When both the intangible national will and those forces are forged into one instrument, national power becomes effective.

In today's world, the line between peace and war is less clearly drawn than at any time in our history. When George Washington, in his farewell address, warned us, as a new democracy, to avoid foreign entanglements, Europe then lay 2–3 months by sea over the horizon. The United States was protected by the width of the oceans. Now in this nuclear age, we measure time in minutes rather than months.

Aware of the consequences of any misstep, yet convinced of the precious worth of the freedom we enjoy, we seek to avoid conflict, while maintaining strong defenses. Our policy has always been to work hard for peace, but to be prepared if war comes. Yet, so blurred have the lines become between open conflict and half-hidden hostile acts that we cannot confidently predict where, or when, or how, or from what direction aggression may arrive. We must be prepared, at any moment, to meet threats ranging in intensity from isolated terrorist acts, to guerrilla action, to full-scale military confrontation.

Alexander Hamilton, writing in the Federalist Papers, said that it is impossible to foresee or define the extent and variety of national exigencies, or the correspondent extent and variety of the means, which may be necessary to satisfy them. If it was true then, how much more true it is today, when we must remain ready to consider the means to meet such serious indirect challenges to the peace as proxy wars and individual terrorist action. And how much more important is it now, considering the consequences of failing to deter conflict at the lowest level possible. While the use of military force to defend territory has never been questioned when a democracy has been attacked and its very survival threatened, most democracies have rejected the unilateral aggressive use of force to invade, conquer or subjugate other nations. The extent to which the use of force is acceptable remains unresolved for the host of other situations which fall between these extremes of defensive and aggressive use of force.

We find ourselves, then, face to face with a modern paradox: The most likely challenge to the peace—the gray area conflicts—are precisely the most difficult challenges to which a democracy must respond. Yet, while the source and nature of today's challenges are uncertain, our response must be clear and understandable. Unless we are certain that force is essential, we run the risk of inadequate national will to apply the resources needed.

Because we face a spectrum of threats from covert aggression, terrorism, and subversion, to overt intimidation, to use of brute force, choosing the appropriate level of our response is difficult. Flexible response does not mean just any response is appropriate. But once a decision to employ some degree of force has been made, and the purpose clarified, our government must have the clear mandate to carry out, and continue to carry out, that decision until the purpose has been achieved. That, too, has been difficult to accomplish.

The issue of which branch of government has authority to define that mandate and make decisions on using force is now being strongly contended. Beginning in the 1970s Congress demanded, and assumed, a far more active role in the making of foreign policy and in the decision-making process for the employment of military forces abroad than had been thought appropriate and practical before. As a result, the centrality of decision-making authority in the Executive branch has been compromised by the Legislative branch to an extent that actively interferes with that process. At the same time, there has not been a corresponding acceptance of responsibility by Congress for the outcome of decisions concerning the employment of military forces.

Yet the outcome of decisions on whether and when and to what degree to use combat forces abroad has never been more important than it is today. While we do not seek to deter or settle all the world's conflicts, we must recognize that, as a major power, our responsibilities and interests are now of such scope that there are few troubled areas we can afford to ignore. So we must be prepared to deal with a range of possibilities, a spectrum of crises, from local insurgency to global conflict. We prefer, of course, to limit any conflict in its early stages, to contain and control it but to do that our military forces must be deployed in a timely manner, and be fully supported and prepared before they are engaged, because many of those difficult decisions must be made extremely quickly.

Some on the national scene think they can always avoid making tough decisions. Some reject entirely the question of whether any force can ever be used abroad. They want to avoid grappling with a complex issue because, despite clever rhetoric disguising their purpose, these people are in fact advocating a return to post-World War I isolationism. While they may maintain in principle that military force has a role in foreign policy, they are never willing to name the circumstance or the place where it would apply.

On the other side, some theorists argue that military force can be brought to bear in any crisis. Some of these proponents of force are eager to advocate its use even in limited amounts simply because they believe that if there are American forces of any size present they will somehow solve the problem.

Neither of these two extremes offers us any lasting or satisfactory solutions. The first undue reserve would lead us ultimately to withdraw from international events that require free nations to defend their interests from the aggressive use of force. We would be abdicating our responsibilities as the leader of the free world responsibilities more or less thrust upon us in the aftermath of World War II war incidentally that isolationism did nothing to deter. These are responsibilities we must fulfill unless we desire the Soviet Union to keep expanding its influence unchecked throughout the world. In an international system based on mutual interdependence among nations, and alliances between friends, stark isolationism quickly would lead to a far more dangerous situation for the United States: we would be without allies and faced by many hostile or indifferent nations.

The second alternative employing our forces almost indiscriminately and as a regular and customary part of our diplomatic efforts would surely plunge us headlong into the sort of domestic turmoil we experienced during the Vietnam war, without accomplishing the goal for which we committed our forces. Such policies might very well tear at the fabric of our society, endangering the single most critical element of a successful democracy: a strong consensus of support and agreement for our basic purposes.

Policies formed without a clear understanding of what we hope to achieve would also earn us the scorn of our troops, who would have an understandable opposition to being used in every sense of the word casually and without intent to support them fully. Ultimately this course would reduce their morale and their effectiveness for engagements we must win. And if the military were to distrust its civilian leadership, recruitment would fall off and I fear an end to the all-volunteer system would be upon us, requiring a return to a draft, sowing the seeds of riot and discontent that so wracked the country in the '60s.

We have now restored high morale and pride in the uniform throughout the services. The all-volunteer system is working spectacularly well. Are we willing to forfeit what we have fought so hard to regain?

In maintaining our progress in strengthening America's military deterrent, we face difficult challenges. For we have entered an era where the dividing lines between peace and war are less clearly drawn, the identity of the foe is much less clear. In World Wars I and II, we not only knew who our enemies were, but we shared a clear sense of why the principles espoused by our enemies were unworthy.

Since these two wars threatened our very survival as a free nation and the survival of our allies, they were total wars, involving every aspect of our society. All our means of production, all our resources were devoted to winning. Our policies had the unqualified support of the great majority of our people. Indeed, World Wars I and II ended with the unconditional surrender of our enemies. . . . The only acceptable ending when the alternative was the loss of our freedom.

But in the aftermath of the Second World War, we encountered a more subtle form of warfare warfare in which, more often than not, the face of the enemy was masked. Territorial expansionism could be carried out indirectly by proxy powers, using surrogate forces aided and advised from afar. Some conflicts occurred under the name of "national liberation," but far more frequently ideology or religion provided the spark to the tinder.

Our adversaries can also take advantage of our open society, and our freedom of speech and opinion to use alarming rhetoric and disinformation to divide and disrupt our unity of purpose. While they would never dare to allow such freedoms to their own people, they are quick to exploit ours by conducting simultaneous military and propaganda campaigns to achieve their ends.

They realize that if they can divide our national will at home, it will not be necessary to defeat our forces abroad. So by presenting issues in bellicose terms, they aim to intimidate western leaders and citizens, encouraging us to adopt conciliatory positions to their advantage. Meanwhile they remain sheltered from the force of public opinion in their countries, because public opinion there is simply prohibited and does not exist.

Our freedom presents both a challenge and an opportunity. It is true that until democratic nations have the support of the people, they are inevitably at a disadvantage in a conflict. But when they do have that support they cannot be defeated. For democracies have the power to send a compelling message to friend and foe alike by the vote of their citizens. And the American people have sent such a signal by re-electing a strong Chief Executive. They know that President Reagan is willing to accept the responsibility for his actions and is able to lead us through these complex times by insisting that we regain both our military and our economic strength.

In today's world where minutes count, such decisive leadership is more important than ever before. Regardless of whether conflicts are limited, or threats are ill defined, we must be capable of quickly determining that the threats and conflicts either do or do not affect the vital interests of the United States and our allies. . . . And then responding appropriately.

Those threats may not entail an immediate, direct attack on our territory, and our response may not necessarily require the immediate or direct defense of our homeland. But when our vital national interests and those of our allies are at stake, we cannot ignore our safety, or forsake our allies.

At the same time, recent history has proven that we cannot assume unilaterally the role of the world's defender. We have learned that there are limits to how much of our spirit and blood and treasure we can afford to forfeit in meeting our responsibility to keep peace and freedom. So while we may and should offer substantial amounts of economic and military assistance to our allies in their time of need, and help them maintain forces to deter attacks against them usually we cannot substitute our troops or our will for theirs.

We should only engage our troops if we must do so as a matter of our own vital national interest. We cannot assume for other sovereign nations the responsibility to defend their territory without their strong invitation when our freedom is not threatened.

On the other hand, there have been recent cases where the United States has seen the need to join forces with other nations to try to preserve the peace by helping with negotiations, and by separating warring parties, and thus enabling those warring nations to withdraw from hostilities safely. In the Middle East, which has been torn by conflict for millennia, we have sent our troops in recent years both to the Sinai and to Lebanon, for just such a peacekeeping mission. But we did not configure or equip those forces for combat they were armed only for their self-defense. Their mission required them to be and to be recognized as peacekeepers. We knew that if conditions deteriorated so they were in danger, or if because of the actions of the warring nations, their peacekeeping mission could not be realized, then it would be necessary either to add sufficiently to the number and arms of our troops in short to equip them for combat, . . . or to withdraw them. And so in Lebanon, when we faced just such a choice, because the warring nations did not enter into withdrawal or peace agreements, the President properly withdrew forces equipped only for peacekeeping.

In those cases where our national interests require us to commit combat force we must never let there be doubt of our resolution. When it is necessary for our troops to be committed to combat, we must commit them, in sufficient numbers and we must support them, as effectively and resolutely as our strength permits. When we commit our troops to combat we must do so with the sole object of winning.

Once it is clear our troops are required, because our vital interests are at stake, then we must have the firm national resolve to commit every ounce of strength necessary to win the fight to achieve our objectives. In Grenada we did just that.

Just as clearly, there are other situations where United States combat forces should not be used. I believe the postwar period has taught us several lessons, and from them I have developed six major tests to be applied when we are weighing the use of U.S. combat forces abroad. Let me now share them with you:

First, the United States should not commit forces to combat overseas unless the particular engagement or occasion is deemed vital to our national interest or that of our allies. That emphatically does not mean that we should declare beforehand, as we did with Korea in 1950, that a particular area is outside our strategic perimeter.

Second, if we decide it is necessary to put combat troops into a given situation, we should do so wholeheartedly, and with the clear intention of winning. If we are unwilling to commit the forces or resources necessary to achieve our objectives, we should not commit them at all. Of course if the particular situation requires only limited force to win our objectives, then we should not hesitate to commit forces sized accordingly. When Hitler broke treaties and remilitarized the Rhineland, small combat forces then could perhaps have prevented the holocaust of World War II.

Third, if we do decide to commit forces to combat overseas, we should have clearly defined political and military objectives. And we should know precisely how our forces can accomplish those clearly defined objectives. And we should have and send the forces needed to do just that. As Clausewitz wrote, "no one starts a war or rather, no one in his senses ought to do so without first being clear in his mind what he intends to achieve by that war, and how he intends to conduct it."

War may be different today than in Clausewitz's time, but the need for well-defined objectives and a consistent strategy is still essential. If we determine that a combat mission has become necessary for our vital national interests, then we must send forces capable to do the job and not assign a combat mission to a force configured for peacekeeping.

Fourth, the relationship between our objectives and the forces we have committed their size, composition and disposition must be continually reassessed and adjusted if necessary. Conditions and objectives invariably change during the course of a conflict. When they do change, then so must our combat requirements. We must continuously keep as a beacon light before us the basic questions: "Is this conflict in our national interest?" "Does our national interest require us to fight, to use force of arms?" If the answers are "yes," then we must win. If the answers are "no," then we should not be in combat.

Fifth, before the U.S. commits combat forces abroad, there must be some reasonable assurance we will have the support of the American people and their elected representatives in Congress. This support cannot be achieved unless we are candid in making clear the threats we face; the support cannot be sustained without continuing and close consultation. We cannot fight a battle with the Congress at home while asking our troops to win a war overseas or, as in the case of Vietnam, in effect asking our troops not to win, but just to be there.

Finally, the commitment of U.S. forces to combat should be a last resort.

I believe that these tests can be helpful in deciding whether or not we should commit our troops to combat in the months and years ahead. The point we must all keep uppermost in our minds is that if we ever decide to commit forces to combat, we must support those forces to the fullest extent of our national will for as long as it takes to win. So we must have in mind objectives that are clearly defined and understood and supported by the widest possible number of our citizens. And those objectives must be vital to our survival as a free nation and to the fulfillment of our responsibilities as a world power. We must also be farsighted enough to sense when immediate and strong reactions to apparently small events can prevent lion-like responses that may be required later. We must never forget those isolationists in Europe who shrugged that "Danzig is not worth a war," and "why should we fight to keep the Rhineland demilitarized?"

These tests I have just mentioned have been phrased negatively for a purpose they are intended to sound a note of caution that we must observe prior to committing forces to combat overseas. When we ask our military forces to risk their very lives in such situations, a note of caution is not only prudent, it is morally required.

In many situations we may apply these tests and conclude that a combatant role is not appropriate. Yet no one should interpret what I am saying here today as an abdication of America's responsibilities either to its own citizens or to its allies. Nor should these remarks be misread as a signal that this country, or this Administration, is unwilling to commit forces to combat overseas.

We have demonstrated in the past that, when our vital interests or those of our allies are threatened, we are ready to use force, and use it decisively, to protect those interests. Let no one entertain any illusions if our vital interests are involved, we are prepared to fight. And we are resolved that if we must fight, we must win.

So, while these tests are drawn from lessons we have learned from the past, they also can and should be applied to the future. For example, the problems confronting us in Central America today are difficult. The possibility of more extensive Soviet and Soviet-proxy penetration into this hemisphere in months ahead is something we should recognize. If this happens we will clearly need more economic and military assistance and training to help those who want democracy.

The President will not allow our military forces to creep or be drawn gradually into a combat role in Central America or any other place in the world. And indeed our policy is designed to prevent the need for direct American involvement. This means we will need sustained Congressional support to back and give confidence to our friends in the region.

I believe that the tests I have enunciated here today can, if applied carefully, avoid the danger of this gradualist incremental approach, which almost always means the use of insufficient force. These tests can help us to avoid being drawn inexorably into an endless morass, where it is not vital to our national interest to fight.

But policies and principles such as these require decisive leadership in both the Executive and Legislative branches of government and they also require strong and sustained public support. Most of all, these policies require national unity of purpose. I believe the United States now possesses the policies and leadership to gain that public support and unity. And I believe that the future will show we have the strength of character to protect peace with freedom.

In summary, we should all remember these are the policies indeed the only policies that can preserve for ourselves, our friends, and our posterity, peace with freedom.

I believe we can continue to deter the Soviet Union and other potential adversaries from pursuing their designs around the world. We can enable our friends in Central America to defeat aggression and gain the breathing room to nurture democratic reforms. We can meet the challenge posed by the unfolding complexity of the 1980s.

We will then be poised to begin the last decade of this century amid a peace tempered by realism, and secured by firmness and strength. And it will be a peace that will enable all of us ourselves at home, and our friends abroad to achieve a quality of life, both spiritually and materially, far higher than man has even dared to dream.

RECOGNIZING RUTH ELVIRA DOBBINS

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, February 16, 2007

Mr. GRAVES. Madam Speaker, I proudly ask you to join me in recognizing Ruth Elvira Dobbins of Sibley, Missouri. Ruth celebrated her 80th Birthday on January 17th and it is my privilege to offer her my warmest regards on achieving this important milestone. Ruth is a fine citizen of Missouri and the Sibley community. It is an honor to represent Ruth in the United States Congress, and I wish her all the best on this birthday and many more in the future.

THE PRESIDENT'S FY 2008 BUDGET

HON. JAMES R. LANGEVIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, February 16, 2007

Mr. LANGEVIN. Madam Speaker, I rise today to express my disappointment with the President's budget proposal for Fiscal Year 2008. The President has said repeatedly that he wants to work with the new leadership in Congress, but his budget request tells a different story. It is clear evidence that he has little interest in making the hard choices facing our Nation and that he continues to favor tax cuts for the wealthy at the expense of working Americans.

One of the most notable changes in this budget as compared with those of previous years is the inclusion of supplemental spending requests for military operations in Iraq and Afghanistan. I do appreciate this development, as it will enhance Congressional oversight, which has been sorely lacking in the past. However, this improvement does not alter my deep opposition to the President's plan to augment existing force levels in Iraq by 21,500 troops, a number that could increase significantly once additional support forces are considered. It has become evident that the problem in Iraq cannot be solved by more U.S. troops. As the Iraq Study Group and other experts have concluded, it requires a diplomatic and economic solution, as well as a renewed commitment by the Iraqi government to take greater control of its own security situation. Consequently, Congress will carefully scrutinize the supplemental funding request so that we continue to provide our men and women in uniform with the resources they need to remain safe and effective while moving toward a swift conclusion of our military operations in Iraq. The American people have asked us to act, and we will do so in the coming months.

Sadly, the remainder of the budget demonstrates the President's misplaced priorities and inability to operate within realistic expectations. Once again, the President claims he can have it both ways by making permanent tax cuts for the wealthiest while reaching a balanced budget by 2012. However, the numbers just don't add up. The President doesn't balance his budget through responsible decision-making; he does it by hoping for economic growth that may or may not occur. In fact, the non-partisan Congressional Budget Office estimates that the President has overestimated revenue projections in 2012 by more than $150 billion, and that his budget would actually result in yet another deficit. One hundred and fifty billion dollars is more than a rounding error; it is wishful thinking.

What does the average Rhode Islander get from all of that deficit spending? Unfortunately, it's not much. The President's decision to extend tax cuts for the wealthiest Americans would cost hundreds of billions of dollars in lost revenue, necessitating drastic cuts to important services and resulting in a massive middle-class tax increase. By choosing to extend certain tax cuts expiring in 2010 instead of fixing the Alternative Minimum Tax, the President has made clear that his priorities are with the richest Americans and not the middle class.

Our Nation's most vulnerable populations would also be harmed by the proposed budget. The President has called for $78 billion in cuts to Medicare and Medicaid, venerable programs that provide vital health care services to the elderly, the disabled and the poor. Part of those cuts would come from an 8 percent reduction in Medicare reimbursement rates to physicians. Congress has blocked such cuts in the past because we know how devastating they would be to our health care system, yet the President appears oblivious to how dangerous they would be. When I am in Rhode Island, I hear constantly from doctors about how proposed cuts to Medicare reimbursement rates would result in their inability to treat Medicare patients. My State's 16 hospitals would not be able to meet the needs of the community, and our senior citizens would suffer as a result. While I agree that we need to address the long-term solvency of Medicare, any reforms should be implemented in a way that benefits, not damages, our Nation's health care system.

The budget would also threaten to repeal health insurance for Rhode Island children. Rhode Island is one of 18 States that have implemented the State Children's Health Insurance Program to exceed minimum federal standards. Rhode Island's program, Rite Care, has leveraged SCHIP funding to provide health insurance to children in families up to 250 percent of the poverty level, as well as to additional populations such as pregnant women and parents. We have worked hard to bring our insurance coverage rate for children to 94 percent—above the national average of 88 percent. The President's budget would penalize States that are succeeding under SCHIP and increase the uninsured rate among children when we should be going in the opposite direction.

As chairman of the Homeland Security Subcommittee on Emerging Threats, Cybersecurity and Science and Technology, I am concerned that the budget proposal does not invest appropriately in important homeland security initiatives. Despite tragedies experienced in Madrid and London, we continue to ignore the importance of rail security; the Transportation Security Administration budget contains only $41 million for surface transportation security. The Bush Administration has also proposed cutting biodefense-related programs and the Department of Homeland Security's Science and Technology Directorate, both of which will help protect our Nation from emerging threats. Additionally, the budget would reduce funding for programs important to State and local law enforcement in Rhode Island, including the State Homeland Security Grant Program, which awarded $45.2 million to Rhode Island from 2003 to 2006, and the Law Enforcement Terrorist Prevention Program, LETPP, from which Rhode Island received $11.5 million in funding from 2004 to 2006. Despite their proven effectiveness in reducing crime in our communities, the Community Oriented Policing Service, COPS, and Justice Assistance Grants, JAGs, would also experience cuts in this budget proposal. The COPS program helps Rhode Island's law enforcement agencies hire police officers, enhance crime fighting technology, and support crime prevention initiatives, while JAG supports State and local drug task forces, community crime prevention programs and prosecution initiatives. In 2006 alone, Rhode Island received $1.6 million in JAG funding and $790,000 in COPS funding that helped keep Rhode Island families safe. An important component of homeland security includes providing our state and local law enforcement with the resources they need to be effective, and I will fight to block these proposed cuts.

A budget is more than a simple ledger of revenue and spending. It is a demonstration of priorities. In this case, the President's priorities are out of touch with what the American people want. The new leadership in Congress is ready to craft a budget that will support strengthening our national defense and will carefully examine our ongoing commitment in Iraq while not losing sight of those priorities that need to be met here at home. Our budget will reflect the values and needs of working Rhode Islanders. I will fight to properly fund SCHIP so that Rite Care can continue to support our state's most vulnerable patients, and I will fight the drastic proposed physician payment cuts under Medicare so that we do not jeopardize the health and well-being of our Nation's seniors.

Working to put our Nation back on solid financial footing will take time and dedication, and I am up to the challenge. I will fight for a fair budget that benefits all Americans. I look forward to advocating for all Rhode Islanders in the coming months.

INTRODUCTION OF THE REIT INVESTMENT DIVERSIFICATION AND EMPOWERMENT ACT

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, February 16, 2007

Mr. CROWLEY. Madam Speaker, along with my good friends and colleagues, Representatives CANTOR, POMEROY and REYNOLDS, I introduce the REIT Investment Diversification and Empowerment Act, RIDEA. This legislation will continue the tradition of Congress to periodically review and amend the tax rules governing REITs to ensure that they are able to operate within the competitive norms of the marketplace. In an effort to keep REITs competitive, this bill addresses several issues tied to REIT investment diversification and empowerment. The legislation would make several minor, but important, changes in the REIT tax rules to permit REITs on behalf of their shareholders to continue to compete with other real estate companies in international and domestic markets.

In 1960, Congress created the REIT rules to allow average investors to obtain the benefits of owning large-scale, income producing real estate such as shopping malls, apartment communities and office buildings. REITs are typically publicly traded companies that pass through their earnings to individual shareholders. The vision of Congress has come to fruition: The equity market capitalization of REITs as of December 31, 2006 was $438 billion—up from only $1.4 billion at the end of 1971. Investment professionals such as Burton Malkiel of Princeton University, Jeremy

Siegel of the Wharton School at the University of Pennsylvania and David Swensen, the manager of the Yale Endowment, have recommended that individual investors should maintain a discrete allocation of REITs as part of a diversified portfolio to maximize performance while lowering investment risk.

Commercial real estate plays an essential part in the national economy, producing about 6 percent of the gross domestic product according to the Federal Reserve Board. REITs have grown to be an essential component of the real estate marketplace and provided investment opportunities for everyone to invest in where we work, live and shop. REITs own all types of income producing real estate, from community shopping centers to landmarks such as Roosevelt Field on Long Island, Tyson's Corner in Virginia, and Queens Plaza, in my home borough of Queens, NY.

REITs are subject to a number of rules to ensure their primary focus is commercial real estate activities. At least 75 percent of a REIT's assets must be comprised of rental real estate, mortgages, cash items and government securities. A REIT also must satisfy two income tests. First, at least 75 percent of a REIT's annual gross income must consist of real property rents, mortgage interest, gain from the sale of a real estate asset and certain other real estate-related sources. Second, at least 95 percent of a REIT's annual gross income must be derived from the income items from the above 75 percent test plus other "passive income" sources such as dividends and any type of interest.

For over three decades, the IRS has recognized that real estate investments abroad qualify as "good assets" and generate "good income" under the REIT tax rules. With that said, the treatment of foreign currency gains directly attributable to overseas real estate investment is not altogether clear, but its correct characterization is becoming increasingly important as REITs continue investing in the most attractive marketplaces for their shareholders. Similarly, as more and more countries begin to authorize REIT-like approaches to real estate investment, it is important that U.S. tax rules allow U.S. REITs to invest in these businesses without negatively affecting their own REIT status.

I do not believe this bill is controversial. The three previous changes to the REIT rules made over the past decade have been sponsored by many Members on both sides of the aisle, and we expect that RIDEA will follow in these bipartisan footsteps. It is also important to note that this bill is endorsed by the National Association of Real Estate Investment Trusts and the Real Estate Roundtable.

Madam Speaker, this is an opportunity for us to provide REITs the flexibility needed to remain competitive and to make other minor, but important, changes to the REIT rules. I urge my colleagues on both sides of the aisle to join me in supporting these changes.

Madam Speaker, I ask unanimous consent that the text of the bill and a detailed summary of its provisions be printed in the RECORD.

The REIT Investment Diversification and Empowerment Act ("RIDEA") includes five titles: Title I—Foreign Currency and Other Qualified Activities, Title II—Taxable REIT Subsidiaries, Title III—Dealer Sales, Title IV—Health Care REITs, and Title V—Foreign REITs.

As the REIT market develops and as REITs continue to expand their overseas investments, the issue of the correct characterization of foreign currency gains, and other types of non-specified income and assets, has become even more important. Title I would in effect codify existing law concerning the income derived, and assets held, by REITs in connection with their REIT-permissible activities outside of the U.S.

Specifically, Title I would treat as qualified REIT income foreign currency gains derived with respect to its business of investing in "real estate assets" outside of the U.S. Today REITs can achieve approximately the same results by establishing a "subsidiary REIT" in each currency zone in which it operates and securing a private letter ruling from the IRS. RIDEA would allow a REIT to obtain the same result by operating a qualified business unit that satisfies the 75 percent income and asset tests.

Title I also would provide the IRS with authority to determine whether certain types of foreign currency gains were qualifying income, as well as to provide that certain items of income not specifically listed in the REIT gross income provisions should not be taken into account in computing a REIT's gross income.

Under current law, even if a REIT were to earn a substantial amount of certain types of income that are not specified in the gross income baskets, the REIT could jeopardize its REIT status—even though these types of income may be directly attributable to the REIT's business of owning and operating commercial real estate. Examples include amounts attributable to recoveries in settlement of litigation and "break up fees" attributable to a failure to consummate a merger. The IRS has issued private letter rulings to taxpayers holding that the particular type of income should be considered either qualifying income or should be ignored for purposes of the REIT rules.

Under this provision, I would expect that the IRS would conclude, for example, that dividend-like items of income such as Subpart F income and income produced by holding stock of a passive foreign investment company either are considered qualified income for purposes of the REIT income tests are not taken into account for purposes of these tests.

Furthermore, Title I would conform the current REIT hedging rule to also apply to foreign currency gains, apply those rules for purposes of both REIT gross income tests and would make conforming changes to other REIT provisions reflecting foreign currency gains.

Title II would increase the limit on taxable REIT subsidiaries, TRS, securities from 20 percent to 25 percent, as originally contemplated in the REIT Modernization Act of 1999. The rationale for a 25 percent limit on TRSs remains the same today. The dividing line for testing a concentration on commercial real estate in the REIT rules has long been set at 25 percent, and even the mutual fund rule uses a 25 percent test. It is not too often that an industry requests Congress to increase the amount of income it can earn to a double level of taxation.

Title III updates the rules that require a REIT to be a long-term investor in real estate. A REIT is subject to a 100 percent tax on net income from sales of property in the ordinary course of business—"prohibited transactions" or "dealer sales". In 1976, Congress recognized the need for a bright line safe harbor for determining whether a REIT's property sale constituted a prohibited transaction. Congress further liberalized these rules in 1978 and 1986 to better comport with industry practice and to simplify a REIT's ability to sell long-term investment property without fear of being taxed at a 100 percent rate. The current safe harbor exceptions for rental property and timber provide that a sale may avoid being classified as a prohibited transaction if it meets several requirements, including that the REIT own the property for at least 4 years and that each year it sell either less than seven properties or 10 percent of its portfolio, as measured by tax basis.

Largely because commercial real estate is increasingly recognized as a separate asset class that provides substantial diversification and performance benefits for retirement savings, the real estate market has achieved greater levels of liquidity than ever before. This increased liquidity has provided real estate owners who have invested for the long term with more and more opportunities to maximize value by selling assets sooner than originally expected. REITs that rely on the safe harbor have been precluded from selling some of their investment assets because of the current 4-year requirement.

The safe harbor is intended to provide a clear dividing line between a REIT acting as an investor rather than a dealer. However, the 4-year requirement is arbitrary and not consistent with other Code provisions that define whether property is held for long term investments, e.g., the 1-year holding period to determine long-term capital gains treatment for individuals, and the 2-year holding period to distinguish whether the sale of a home is taxable because it is held for investment purposes. A 2-year holding period better reflects current economic realities.

In addition, the 10 percent limit that is now based on tax basis negatively impacts companies that are the least likely to have engaged in "dealer" activity. The most established REITs have typically held their properties the longest, resulting in low adjusted bases due to depreciation or amortization deductions. Thus, the aggregate bases of all the REITs properties will be relatively much lower for purposes of the safe harbor exception than for a REIT that routinely turns over its properties every 4 years. Accordingly, the REIT that holds its properties for the longer term is penalized.

In 1999, Congress adopted a provision that utilizes fair market value rules for purposes of calculating personal property rents associated with the rental of real property. The measurement change in Title III to the 10 percent test from tax basis to fair value is fully consistent with this 1999 provision.

Title IV parallels the treatment under the REIT rules of health care facilities to lodging facilities. Payments made from a subsidiary owned by a REIT to that REIT usually are not considered qualified income for REIT purposes. Congress in 1999 carved out an exception under which a REIT may establish a

TRS that can lease lodging facilities from a REIT holding a controlling interest, with the payments to the REIT considered good "rents" under the REIT rules. Under these rules, a TRS is not allowed to operate or manage lodging or health care facilities; instead an independent contractor must do so.

When this change was made in 1999, health care operators did not object to bearing the risks associated with being liable as a long-term lessee. Recently, many operators of health care assets such as assisted living facilities have indicated that they would rather be independent operators of the facilities and instead rely on a REIT to bear all real estate-related financial risks. Most health care REITs now believe that the TRS restriction is interfering with their ability to manage their operations in the most efficient manner.

Title IV would allow a REIT's TRS to lease health care facilities from its controlling REIT so long as the facilities are operated and managed by an independent contractor. It also clarifies that a TRS's mere possession of a license which, for example, is sometimes required for State purposes, is not considered the operation or management of the facilities.

Governments around the world have recognized the success of REITs in the United States as creating "liquid real estate" for the first time in history. More than 20 countries have adopted REIT legislation, with the United Kingdom making the leap on January 1 and Germany expected to follow suit later this year. Although the Tax Code treats stock in a U.S. REIT as a qualified asset that generates qualifying income, current law does not afford the same treatment to the stock of non-U.S. REITs.

Instead of investing abroad either directly or in a joint venture, a U.S. REIT might want to invest through a REIT organized in that country. However, a company could lose its status as a U.S. REIT if it owns more than 10 percent of a foreign REIT's securities, even though the foreign company is the equivalent of a U.S. REIT. A U.S. REIT should have the flexibility in deciding what form its overseas real estate investment should take.

Title V would allow a U.S. REIT to acquire securities in a foreign REIT so long as that REIT has the same core attributes as a U.S. REIT. The Treasury Department would have the responsibility to analyze the foreign laws and rules to determine if the REITs organized in a particular country meet this test, much as it does in determining whether entities organized abroad are "per se" corporations under the "check the box" entity classification rules. In making these determinations, the Secretary should take into account whether the laws, stock market requirements, or market preferences in a country imbue listed foreign REITs with these characteristics: (1) At least 75 percent of the company's assets must be invested in real estate assets; (2) the foreign REIT either receives a dividends paid deduction or is exempt from corporate level tax; and (3) the foreign REIT is required to distribute at least 85 percent of its taxable income to shareholders on an annual basis.

Madam Speaker, I am pleased to introduce this bipartisan legislation.

SUPPORT COMPREHENSIVE IMMIGRATION REFORM

HON. GABRIELLE GIFFORDS

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 16, 2007

Ms. GIFFORDS. Madam Speaker, I rise today to express my support for some provisions of President Bush's FY08 budget request regarding illegal immigration.

His plan includes hiring 3,000 new Border Patrol agents, improving technology and infrastructure along the border, and helping end the failed "catch and release" policy. The President's proposal also offers assistance to State and local law enforcement agencies.

My district in Southern Arizona continues to bear the burden of our Nation's failed immigration policy, especially in our schools, hospitals, and law enforcement agencies. The President's ideas will, to some degree, help alleviate this crisis.

However, these policies must be a part of a comprehensive immigration reform plan to effectively secure the border and stop illegal immigration.

We not only need better border security and more support for border patrol agents, but also employer sanctions for those knowingly hiring illegal immigrants and a guest worker program. Most importantly, we need fair compensation for border communities struggling with the costs of illegal immigration.

I applaud the President for reaching out to Congress on this issue, and I look forward to working with the administration and Republicans and Democrats in Congress to pass comprehensive immigration reform.

HONORING ALAMEDA COUNTY LIBRARY PROGRAM

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 16, 2007

Mr. STARK. Madam Speaker, I rise today to pay tribute to the Alameda County Library. The Library's Write to Read Youth Literacy program at Juvenile Hall in San Leandro, CA, was honored on January 22, 2007 at a White House Ceremony in conjunction with the 2006 Coming Up Taller Awards. The Library's 8-year effort to help incarcerated youths read and write won a $10,000 Federal grant, the Coming Up Taller award, and plaudits at the White House Ceremony.

The Coming Up Taller Awards recognize and support outstanding community arts and humanities programs that celebrate the creativity of America's young people, and provide them with new learning opportunities and a chance to contribute to their communities. The awards also highlight the contributions that historians, scholars, librarians, and visual and performing arts make to families and communities by mentoring children.

The Alameda County Library's Write to Read Youth Literacy program at Juvenile Hall has introduced the joy of reading to more than 4,000 incarcerated youths. Founded in 1999, Write to Read motivates and inspires young people housed in the Alameda County Juvenile Hall to strengthen their reading skills and make meaningful connections to authors and books that can positively influence the choices they make in their own lives.

Offered 3 days a week, the Write to Read program enables youths to take books to their rooms, meet with authors, and engage in tutoring and book discussions.

Alameda County Librarian Jean Hofacket was present at the White House ceremony to receive the library award along with Amy Cheney, juvenile hall librarian, and Hannah Kefala of Alameda, a former juvenile hall resident who now attends Chabot College in Hayward.

Ms. Kefala said meeting authors through the program helped her learn "my human rights" and gave her pointers "on how to improve my future." Her comments are a testament to the success of the Alameda County Library's Write to Read Youth Literacy program at Juvenile Hall.

I join the community in applauding the Alameda County Library's success and contributions to make a positive difference in the lives of youth incarcerated at the Juvenile Hall.

DELETING ONLINE PREDATORS

HON. MARK STEVEN KIRK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, February 16, 2007

Mr. KIRK. Madam Speaker, today I am introducing the Deleting Online Predators Act of 2007, H.R. 1120. This legislation is a critical step to empower parents to exercise more control over what their children do on the Internet and to protect them from Internet predators.

In Lake County, IL, we have seen what can happen when Internet predators are able to make contact with children. In October 2005, Joseph Caprigno molested a 14 year-old boy he met on the Internet. Caprigno, a 40 year-old man, arranged to meet the boy in a 7–11 parking lot in an Internet chat room. In January a 20 year-old man, Michael Zbonski, molested a 16 year-old girl he met on MySpace.com. Frighteningly, not only did he communicate with this girl for 2 years on the Internet, he admitted to having a sexual relationship with one of the victim's underage friends.

The Deleting Online Predators Act is a commonsense piece of legislation designed to empower parents to play a more active role in their children's activities online. The bill calls on the Federal Trade Commission to issue consumer alerts and establish a unique Web site to better educate parents as to the dangers posed by Internet predators. Parents are the first and most important line of defense against these predators, and it is imperative to arm them with timely and accurate information to protect their children.

This bill also requires schools to prevent children from accessing social networking Web sites and chat rooms unless they are doing so for a legitimate educational purpose and are under adult supervision. It also requires public libraries to prevent children from accessing these Web sites unless they have the permission of a parent. I believe this is an entirely appropriate action to help parents determine what their children can and cannot do online. It seems foolish for the taxpayer to subsidize what amounts to a loophole by which children can circumvent their parent's wishes and unwittingly expose themselves to Internet predators.

Madam Speaker, Lake County also offers one more case that plainly demonstrates the need for this legislation. The Lake County State's Attorney recently filed Aggravated Criminal Sexual Abuse charges against two teachers who are accused of soliciting and arranging to molest underage students at the school where they taught. Jason Glick and James Lobitz didn't just molest two underage students, they arranged to do so using school-owned computer equipment and resources during school hours.

The cases against Jason Glick and James Lobitz are still pending, but by passing this bill, we can send a message to parents that just as we wouldn't allow sexual predators to roam the halls of a school, we will not allow them to infiltrate our schools over the Internet.

RECOGNIZING UWCHLAN TOWNSHIP POLICE CHIEF PATRICK DAVIS UPON HIS RETIREMENT

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 16, 2007

Mr. GERLACH. Madam Speaker, I rise today to recognize and congratulate Uwchlan Township Police Chief Patrick Davis upon his retirement after more than 30 years of dedicated service to the people of Chester County and southeastern Pennsylvania.

Chief Davis has been one of the most prominent and important law enforcement officials in the 6th Congressional District, a trustworthy member of our public safety community and shining example of a selfless public service.

Chief Davis' broad range of experience and knowledge about the community was forged during more than three decades fighting crime in southeastern Pennsylvania. His distinguished career began in 1976 as a patrol officer with the Thornbury Township Police Department. A year later, he joined the Uwchlan Township Police Department, the start of an outstanding career that saw him rise through the ranks before eventually becoming chief of police in 1994.

As police chief in Uwchlan Township, he oversaw the actions of 26 full-time employees and helped keep our neighborhoods, streets and schools safe from crime and violence. I'm sure his son Andrew and wife Kathy are as proud of him as we are.

So I ask, Madam Speaker, that my colleagues join me in celebrating the exemplary career of Uwchlan Township Police Chief Patrick Davis. I'd like to personally thank him for his years of distinguished service to the community and congratulate him on a well-deserved retirement.

TRIBUTE TO A LIFETIME OF SERVICE BY MR. LESTER FOX OF SOUTH BEND, INDIANA

HON. JOE DONNELLY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 16, 2007

Mr. DONNELLY. Madam Speaker, today I pay tribute to an outstanding citizen of South Bend, Indiana, Lester J. Fox, who devoted his life to the service of his community. During the 1940's he served as a union leader at the Studebaker Corporation which led him to a new career as advocate for the unemployed, the elderly and the underserved.

He became director of Project ABLE in 1963 after the closing of the Studebaker plant, the largest employer in South Bend at the time. The experimental project developed and implemented a network of services for the many unemployed older workers left in the wake of this economic disaster.

With the newly created "War on Poverty" in 1965, Fox established the Regional Office of Economic Opportunity in Atlanta, Georgia, implementing the Economic Opportunity Act in six southeastern states over a two year period.

Fox returned to South Bend to become President and CEO of REAL Services, Inc., an organization that assesses the status and needs of the older adult population in Saint Joseph County. The agency's role was broadened twice, once to include the area Agency on Aging in five North Central Indiana counties, administering the Older American's Act and legislation related to the aged and disabled, and again in 1990, to manage the Community Action Agency serving low-income families.

Lester Fox has been awarded the Sagamore of the Wabash, the highest honor bestowed by governors of Indiana, on four separate occasions by four different governors. In 1996, Les was inducted into the South Bend Community Hall of Fame.

Fox has served on numerous boards, has been a member of the White House Conference on Aging, and was a Consultant to the U.S. Senate Committee on Aging.

So, today, on behalf of the citizens of northern Indiana, I thank Les Fox for his years of unselfish dedication. As he retires from 40 years as President of REAL Services, I pay special tribute to a man who exemplifies self sacrifice and serves as a role model for us all.